

APPROVED MINUTES

Agenda

Planning Commission

Regular Meeting

CITY AND BOROUGH OF JUNEAU

Mandy Cole, Chair

July 22, 2025

I. LAND ACKNOWLEDGEMENT – Read by Ms. Keller

We would like to acknowledge that the City and Borough of Juneau is on Tlingit land, and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. Gunalchéesh!

II. ROLL CALL

Mandy Cole, Chair, called the Regular Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in Assembly Chambers of the Municipal Building, virtually via Zoom Webinar, and telephonically, to order at 7 p.m.

Commissioners present: Commissioners present in Chambers – Mandy Cole, Chair; Erik Pedersen, Vice Chair; Adam Brown; Nina Keller; Jessalynn Rintala; Douglas Salik; Larry Gamez

Commissioners present via video conferencing – David Epstein; Lacey Derr

Commissioners absent: None

Staff present: Jill Lawhorne, CDD Director; Irene Gallion, Senior Planner; Tanya Howard, CDD Administrative Officer; Madeline Carse, CDD Administrative Assistant; Sherri Layne, Attorney III; Joseph Meyers, Senior Planner; Scott Ciambor, CDD Planning Manager; Forrest Courtney, Senior Planner; Minta Montalbo, Senior Planner; Justin Smith, Planner I; Brandon Robinson, Planner II; Ilsa Lund, Planner II

Assembly members: Christine Woll

III. **REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA** - Agenda was approved.

IV. **APPROVAL OF MINUTES**

A. June 24, 2025, Draft Minutes, Regular Planning Commission

MOTION: by Mr. Pedersen to approve the June 24, 2025, Planning Commission Regular Meeting minutes. The motion passed.

V. **BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION**

VI. **PUBLIC PARTICIPATION ON NON-AGENDA ITEMS**

VII. **ITEMS FOR RECONSIDERATION**

VIII. **CONSENT AGENDA**

ARF2025 0001: Alternative Residential Subdivision Final Plan Approval for Brow Tine Subdivision.

Applicant: R&S Construction LLC

Location: 4760 Glacier Hwy

Director's Report

The applicant requests Final Plan Approval for the Brow Tine Subdivision, an Alternative Residential Subdivision (ARS) creating 42 unit lots and one (1) parent lot, for a total of 43 lots.

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE Alternative Residential Subdivision ARF2025 0001 with conditions.

SMP2025 0001: Preliminary Plat Review for an Alternative Residential Subdivision to create 42 residential lots and a single parent lot in a D15 zone.

Applicant: R&S Construction LLC

Location: 4760 Glacier Hwy

Director's Report

Applicant requests a Preliminary Plat Review for an Alternative Residential Subdivision creating 42 residential lots and a single parent lot in a D15 zone.

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the Preliminary Plat with conditions.

MOTION: *by Mr. Pedersen to accept staff's findings, analysis, and recommendations, and approve ARF2025 0001 and SMP2025 0001. The motion passed.*

IX. UNFINISHED BUSINESS

X. REGULAR AGENDA

CSP2025 0001: Conversion to a Continuous Green T (CGT) Intersection at Egan Drive and Vanderbilt Hill Road.
Applicant: State of Alaska DOT & PF
Location: Egan Drive and Vanderbilt Hill Road Intersection

Mr. Pedersen disclosed a potential conflict of interest, as he is an employee with Alaska DOT, and his involvement in the project was collecting survey topography of the existing intersection, but he had no part in the design of configuration; therefore, he felt he could remain impartial.

Mr. Epstein expressed he was also an employee of the same office as Mr. Pedersen, and served as a regional traffic and safety engineer for 12 years. However, he did not have any involvement in this project or any current involvement, and felt he could render an impartial decision on it.

Ms. Keller added she is also employed by the Department of Transportation, in the Statewide Environmental Office as a NEPA Program Manager, and her role ensures that the environmental documentation of all federally funded projects are compliant with all regulations under NEPA. She believed she could also remain impartial.

Chair Cole informed them they are welcome to stay, as there were no objections.

Director's Report

The applicant requests State Project Review for ADOT&PF's intersection modification at Egan Drive and Vanderbilt Hill Road. The applicant is requesting approval to perform construction and signalization changes within the existing right-of-way to convert the intersection to a Continuous Green T-style Intersection, where southbound Egan traffic will continue without stopping at a signal, and left-turning traffic from Vanderbilt Hill Road will merge with southbound Egan traffic using a channelized merge lane.

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE CSP2025 0001.

Chair Cole explained that if the Commission approves the project, they will issue the notice of the decision that will be forwarded to the Assembly, but if they deny the project, they will issue

a notice of recommendation and the Assembly must act within 90 days of the application.

Mr. Osborne gave the Commission a review of the Continuous Green T Project, which is a safety project at the intersection of Vanderbilt Hill Rd and Egan Dr, where there is a history of elevated crashes due to signalized turning movements. He stated that the project was intended to reduce rear-end, angle, and sideswipe crashes for the southbound Egan Dr thru lanes by converting them to continuous green lanes, with no conflicting turning movements from Vanderbilt Hill Rd. He went over some of the project terminology and definitions. He discussed the proposed project elements, which include modifying traffic signals on Egan Dr and converting the traffic lanes to continuous green movements through the intersection, constructing an acceleration lane on Egan Dr, widening the left-turn lane at the intersection on Egan Dr, constructing a raised median in the intersection, and constructing a raised median and removing a left-turn lane on Vanderbilt Hill Rd. Mr. Osborne talked about the project development schedule and public involvement timeline, including the certification on July 31st and construction starting in the spring/summer of 2026. He also played a video displaying how the continuous green-T would work.

Ms. Derr asked for an explanation on why this was before them today. She said she was under the impression that Egan is a DOT state highway, so she wondered where their role lies.

Mr. Osborne answered that the purpose of being there today was to get local concurrence from the Planning and Zoning Commission to make sure this project does comply with CBJ code with regard to safety, zoning, and local ordinance. He noted their preconstruction manual instructs on when to seek local concurrence.

Mr. Epstein added that local concurrence was a requirement of Alaska statute for federally funded highway projects.

Mr. Pedersen inquired if this project increased the level of service of the intersection.

Mr. Osborne responded that they have done the traffic analysis and looked at peak hour volume for Egan and Vanderbilt, and narrowing down the two turn lanes to one would cause the highest increase in traffic at the intersection. He said they ran through models and had a level of service C in the intersection before implementing the CGT, and still have a C level of service implemented that in the intersection, which was the main driver for the project making it through the HSIT program review.

Ms. Keller expressed that they received a public comment talking about the subdivision near Twin Lakes, stating there would be more pressure on the intersection coming out of Vanderbilt Rd. She asked if they see increased traffic volume coming out of Vanderbilt.

Mr. Osborne replied that they modeled that to make sure they were not backing up traffic all the way to the intersection at Twin Lakes and Glacier Highway, and according to their models, traffic will be similar. He said they would have to modify the signal control to accommodate not having traffic coming off of Egan southbound and take the additional gap time from Egan southbound and put it into their gap timing for Egan northbound and sequence the left turn lane on Vanderbilt. He commented there could be a slight increase in delays at peak hour according to

their model, but not enough to cause an issue.

Chair Cole asked what the current safety issue is.

Mr. Osborne responded that they had 18 accidents there over a four or five-year study that were a mix of rear-end, angle, and side-swipe crashes. He explained that this project moves conflict points at Egan southbound, which removes any potential for rear-end crashes, and channelizing the left turn eliminates the possibility of angle crashes.

Chair Cole expressed that the only comments she has heard from the public are why they are doing it there and not at Fred Meyer intersection.

Ms. Osborne answered that there was another project going on with funding to do some work at Yandukin and these two are not connecting in any way in regard to types of funding, but did not know why they were getting the funding for this intersection first versus that one.

Chair Cole opened public testimony.

Carole Bookless, Douglas resident, asked if this was coordinated with the project to do the second crossing. She said if they are trying to merge onto Egan from the Walmart enter/exit ramp, they need grace of the other people to move over into another lane, and then right after, have the Mendenhall Wetlands parking lot, and then come up to this intersection, so there is a lot of changing lanes already happening. She inquired if all of that had been looked at. She did not see why this was needed and felt it was bad timing with other projects going on.

Chair Cole closed public testimony.

MOTION: *by Mr. Pedersen to accept staff's findings, analysis, and recommendations, and approve CSP2025 0001.*

Director Lawhorne noted that this is just a notice of decision and do not need to forward this to the Assembly, as it would only be a recommendation if it were a denial.

<u>FZE2025 0001:</u>	Flood Zone Exception to allow an encroachment and development of the HESCO Barrier, Phase 1 project.
Applicant:	CBJ Engineering
Location:	9399 Rivercourt Way to 4395 Riverside Drive

Mr. Brown voiced that he lives along the river, but it was not affected by this flood or the mapping at the 16 foot level, so he could be impartial.

Mr. Brown was invited to stay, as there were no objections.

Director's Report

The applicant requests a Flood Zone Exception to allow an encroachment and development of the HESCO Barrier, Phase 1 project. The applicant is requesting an exception from standards

specified in CBJ 49.70, Article IV – Flood Hazard Areas for the HESCO Barrier, Phase 1 project, completed May 10, 2025.

Staff Recommendation

The Director recommends that the Planning Commission review and consider the request for an exception from the provisions of CBJ 49.70, Article IV – Flood Hazard Areas. If the exception is granted, the applicant shall submit an appropriate Letter of Map Change [44 CFR 72.2] request to FEMA within six months of project completion, noted as May 10, 2025 [44 CFR 65.3].

Director Lawhorne commented that last Tuesday evening, the Commission held a Committee of the Whole work session, where EPW, the applicant, presented the project and took questions from the Commission. She stated that one of the questions asked was why the timing has rolled out the way it has and why they were there when the project was completed a month ago. She explained that it was a continuation of the GLOFs from 2023, and as they have worked through their projects, there have been many along the river that require permitting. She described how the National Flood Insurance Program works, which is similar to a bank loan, where the bank tells you what you need to do to meet the terms to get their money. She said EPW began working with Michael Baker around October 2024, and held a pre-application conference in December. She voiced that EPW continued to work on their modeling and inundation maps, and in May they started to realize that the no rise policy was no longer applicable, and that potentially the best path forward for the project was the exception process. Director Lawhorne stated that part of the reason the exception became a path forward was because in order to obtain a Flood Plain Development Permit, the applicant must do pre-site work, but many owners, as well as CBJ, do not have that information. Therefore, she, as the flood plain administrator, does not have discretion to issue them a permit, but the code allows for some discretion, which is provided to the Planning Commission through the exception process. She added the intent of the exception was for the unusual circumstances and to leave the decision for the Commission to determine if the work EPW has done and the modeling of Michael Baker International Consultants was equal to a typical H&H modeling that FEMA normally requires.

Mr. Brown asked if there was a deadline to be in compliance for the NFIP insurance and if that was why they were pushing this through currently.

Director Lawhorne answered no. She said they are in contact with FEMA and they know this project is occurring, but she has not heard from FEMA that they are out of compliance.

Chair Cole inquired about the consequences to homeowners if CBJ was out of compliance with the NFIP.

Director Lawhorne responded there are projects not in compliance today along the river, aside from CBJ's, but they have not heard from FEMA or NFIP that we are out of compliance. She believed the unusual circumstances were being taken into consideration. They are not being asked to enforce on the projects, but they are aware of them and aware we issued compliance letters for many of the projects along the river. She noted that there are some that are fully in

compliance and received permitting, there are some stuck in no man's land, and there are others she cannot issue a permit for. However, she has not had correspondence directly from FEMA or NFIP on the program itself.

Chair Cole asked if there would be adverse consequences if they fell out of compliance with NFIP.

Director Lawhorne answered yes, but it was not are they or aren't they, and more that NFIP would work with us and issue us an audit. She explained that typically a community is given an audit periodically to audit and access their work, and CBJ had an audit opened many years ago, but they have not reached out again. She added that an audit typically gives them a way to be in compliance, as they will not cut them off immediately and will give them time to correct things, but she was not sure what they would do with the project itself. She expressed that from where she was sitting, they are all trying to do the best they can with a project that does not fit the 100-year flood event and figuring out a way to get to that approval. She noted that the letter of map change that EPW has to submit within six months of completing the project is where FEMA will look at the modeling, application, and new mapping, and say yes or no.

Mr. Gamez asked if a homeowner has to apply for a permit for the prep work they did prior.

Director Lawhorne responded that if someone was in the mapped special hazard areas, yes, owners are supposed to apply beforehand to get the existing conditions before doing work. She said that if you look at the flood insurance rate maps that she has to permit to, those are the same maps adopted back in 2018, and there are some properties that you would think would be in that area that are not, and some you think might not be but are, so the maps look nothing like the reality that is out there, and she still has to permit to the maps and not reality.

Mr. Pedersen inquired about the letter of map change and the six month approval to submit to FEMA, as it seemed like a pretty aggressive timeline.

Director Lawhorne replied that she could check in with her staff on that question.

[Break]

Chair Cole called up the applicant.

Nate Rumsey, Deputy Director of Engineering & Public Works, presented on the Flood Zone Exception Application for the HESCO Barrier Phase 1. He shared that the HESCO Barrier Project was prioritized in response to the 2024 GLOFs and associated impacts and carried out to mitigate impacts to properties affected by that event. He talked about the project background and the purpose of the project, which is reducing community flood risk associated with future GLOF events. He shared that project development consists CBJ licensed engineers, USACE advance measures, flood fighting expert consultation, hydrologic and hydraulic modeling, manufacturer's recommendations, and USACE/Manufacturer's Technical Advisors. He noted the code prevents CDD from permitting this project, but CBJ is confident that the methodology, technology, and data utilized by Michael Baker and the development of their model provides us with a better and

more detailed understanding of the results of the project on future flood events. He went over the project timeline and displayed project visuals to demonstrate the anticipated impacts at the 16 foot flood level and displayed photos of the completed project. Mr. Rumsey explained how the project conforms to CBJ Code 49.70.410(g). He explained the federal emergency declaration triggered the Army Corps of Engineers' authority to assist CBJ on our flood fighting efforts. He added that their work with the Army Corps of Engineers was founded upon the idea that it had to be in response to the damage that was seen in the 2024 GLOF event. He said an understanding of the impacts of the project was identified prior to any construction taking place, and Michael Baker's model was created by professional hydrologist using the latest industry standard software and most up-to-date river data. He added the project is expected to provide significant protection against future GLOF events, with negligible impacts upstream, downstream, or within the project area.

Ms. Keller voiced that they received two public comments from people who live in an area that would potentially have an increased flow risk. She asked how many properties have a higher risk of being flooded with the barriers than they would have had without them, and what the plan was for those homeowners.

Mr. Rumsey responded that he read the letters and believed the homeowners were regarding a section of Michael Baker's report that specifically addressed how the simulations were run and the results, which demonstrated a .01 foot rise, but the report says that level of detail is not realistic in the model, as there is no way for them to demonstrate with certainty that is accurate to that level of detail. He expressed that through a combination of the work that was done to design and place the armoring and the modeling, he was confident that they can demonstrate there would not be a rise. He added that since then they have gone out and collected more bathymetric data reaffirming that the river has continued to cut down and Michael Baker's model assumed a higher elevation of the bottom of the channel than what truly exists, which means there is likely more capacity in the channel than what the FEMA model would show and what they anticipated with the model was originally developed. He said they will incorporate that information into the model, rerun the analysis, and were confident they could demonstrate that this project does not cause a rise. Mr. Rumsey said public commentators could also be concerned that it appears they are retaining water by putting a barrier in place, but this project diverts water, and they feel confident that the barrier themselves will withstand the likely flood activity that will happen and not cause increased risk to any of the homeowners.

Mr. Salik noted in the Michael Baker report that it talked about how the river not having good bathymetry, which was the key factor. He asked how much they have and how likely it is that the bathymetry data could completely change the outcome of the report.

Mr. Rumsey replied that they are gathering that data now and it has taken them this long to get it because they had multiple competing objections they were trying to work on with Michael Baker. He stated that the bathymetry of the river is likely much more important at lower river levels. They will gather the information and incorporate it into a refined version of their model,

but the data collected from Michael Baker showed that the bottom of the channel was lower than what was captured in the model, which would indicate additional carrying capacity relative to what they modeled.

Chair Cole asked Mr. Rumsey to speak about the barrier holding water in the neighborhood if there is some kind of breach rather than letting it drain back out into the channel.

Mr. Rumsey answered that as engineers, they are always looking to make use of failure cases to help inform decision making, and this case was no different. He stated that spanned the typical role that engineering and Public Works play when putting a project together in our Emergency Programs Department as we are preparing for a possible flood. He said they have also identified how fast the water runs, how deep it is, and rapid turns in the river's direction at any point in the river, and identified where there is more likely to be a lot of energy in the water due to that. He noted there are approximately 120 drainage structures throughout the 2 mile stretch of barrier that was intended to allow water to come back out, and if inundation still happened, the water would likely work its way all the way down to the Rivercourt Way area.

Mr. Pedersen asked if the drainage structures were designed to support the HESCO Barrier Project or the existing drainage structures within the neighborhoods. He assumed they also had a check valve on them.

Mr. Rumsey responded that the manufacturer of the project and the technical advisors provided direction on how frequently they needed to install drainage structures and the size between the dry side and wet side of the barrier itself, which are all 8-inch corrugated pipes that have check valves installed in all of them, and are finalizing installing check valves in other storm drainage outfall locations. HESCOs were intended to be constructed with this type of drainage structure in place.

Chari Cole opened public testimony.

Greg Chaney, 715 6th Street, expressed that he and his wife own a vacant lot on Long Run Drive, which was part of this project, and they agreed to host the barrier to support the neighborhood. He noted that he also used to be the Flood Plain Manager for Juneau, so he is familiar with all of the FEMA stuff. He stated that his lot did not flood in the last major flood; however, the area was flooding before it crested at Killewich because it was flowing back through the storm drains. He expressed that his concern with this project was the check valves malfunctioning if they are maintained, so he encouraged them to make sure the check valves are functioning properly. He voiced that the city has done an amazing job of pulling this off in a short timeframe, and felt that as a community they bought themselves 10 years with these barriers. He added that he would like to use that time to develop a project that does not require such an extreme disruption to the waterfront properties, and develop a solution that does not require this kind of a structure.

Chair Cole invited the applicant to come back up and add or address additional information.

Mr. Rumsey believed his presentation and the materials provided were adequate barring any other questions that may come up.

Chair Cole asked if the check valves were working properly.

Mr. Rumsey answered yes, that they were just installed, and they have gone out to make sure they are working properly. He added that they have addressed a few issues with drainage structures since the original construction and had some issues with some property owners where it appeared some of the check valves were not operating as quickly as they should, but they should serve their intended purpose of preventing water from coming on the wet side to the dry side. He noted they also have developed a checklist to make sure they are properly maintaining drainage structures that they will follow as part of routine maintenance.

Mr. Brown explained that the check valves Mr. Chaney was referring to was in the storm and rainwater drains. He inquired if those have been installed and addressed as well.

Mr. Rumsey responded there have been many repairs and replacement efforts on storm drainage check valves from the 2023 and 2024 event, where they have replaced at least half a dozen check valves in drainage structures for the storm drain system and they will continue to monitor that.

Mr. Salik asked for confirmation that they need an exception to their own regulations because they were not able to do all of the engineering needed in time to be able to do this.

Mr. Rumsey agreed that was a fair statement, but there were so many moving pieces as the city was deciding if they would move forward with a project like this, including interactions and level of support they would need to count on from the Army Corps of Engineers, funding mechanisms, and logistic timelines on receiving materials. He noted they also interacted with the hydrologic and hydraulic consultants throughout that time as well and interacted with CDD to understand what would be required with permitting. He said that when push came to shove and they had a construction season, they knew there was a chance they would not be able to do the all of the traditional design work ahead of time.

Mr. Salik inquired if they were able to complete all or most of the engineering work they had to do over this time to not have to have an exception for this.

Director Lawhorne responded she could issue the Flood Plain Development Permit without the preexisting site conditions and that as-built, which is why the exception was the better route.

Mr. Salik pointed out that if they do not grant the exception and no preexisting conditions they are caught in a catch-22.

Chair Cole expressed that everything she has heard from the community was trying to ensure the city was not getting some kind of special treatment that homeowners do not get, which was a fair concern. She asked if homeowners have the ability to apply for a Flood Plain exemption from

the Planning Commission, and if not, are there other kinds of mechanism for them to have special consideration given the special circumstances of the GLOF.

Director Lawhorne answered yes, that any member of the public could apply for a Flood Plain Exception Permit, but it would likely be cost-prohibitive for most homeowners to do so, as they would have to come up with an alternative to the traditional FEMA modeling process, which would be quite costly. She voiced that CBJ was not getting something that others are not, and felt there is empathy for private property owners and the situation they are in and there may be less empathy for a city or government agency, where they do have the means to do the modeling.

Chair Cole asked if this work that Michael Baker has done exists for people to use.

Mr. Rumsey responded that it likely would not be up to him how they would otherwise make use of that information or share it; however, they are a public entity. He noted one caution that comes up in his mind is that CBJ's use of the model with Michael Baker has been an ongoing effort, and once that information is used by someone else, those paths will diverge. He added they are trying to refine the model with additional bathymetry and part of their goal is to get to a point where they can share that information with other public entities to hasten a long term solution.

Mr. Brown asked if a noncompliance order was received by the Engineering Department for this project.

Director Lawhorne answered no, as they continue to work with the applicant, which is similar to if they were working with other owners, where they would go as far as they could before issuing a final letter.

Mr. Pedersen noticed somewhere in the information there was a six month timeline to produce the letter of map change, which seems like an aggressive time schedule. He assumed the original model by Michael Baker did not include the changes in the banks that have been done, so they would need new topographic information and bathy data and then get it into FEMA's format. He asked if there were any thoughts on that timeline with preparing the letter of map change.

Mr. Rumsey responded that he would need to look at the specific requirements for the letter of map change, but they have been looking and talking with CDD throughout this time about potentially doing a conditional letter of map revision, and his understanding was the engineering requirements for the letter of map change process would not be that different. He was confident with the information collected that they could rapidly gather that information and complete the application process, but agreed there were pieces of information that were not captured as a part of the report, especially with bathymetry. He noted that some of the revetment done as a part of this project would have been captured in the bathymetry data and the topography data, and he believed they could piece together the information to demonstrate what the existing conditions were prior to starting the project.

Chair Cole reiterated that they understood the city worked quickly under difficult conditions to move this forward and appreciated the time that was put into that and into this presentation.

[At ease]

Chair Cole asked for any final questions of staff.

Ms. Rintala expressed that she was looking at the CBJ code exception guidance, which says "Exceptions shall be issued upon a determination that failure to grant the exception would result in exceptional hardship to the applicant." She asked Director Lawhorne to talk more about the possibility that residents would be eligible for Flood Plain Insurance.

Director Lawhorne responded that the impact to the community's compliance with NFIP could be considered an exceptional hardship. She explained that the engineering project is protecting multiple properties so it is not just individual by individual, so part of the struggle for EPW is possibly the size of the project. She stated that usually a hardship means that you cannot use your property the same way that your surrounding neighbors can use their property, so the property not being just one property or owner adds to the difficulty of the permitting process. She believed staying compliant with the NFIP and following regulations, including the exception process, would relieve the community of a hardship of losing the insurance program and the ability to get flood insurance for community property owners.

Mr. Salik asked if the exception would applied to Section 1, and how it would affect homeowners not in that area and protected by that.

Director Lawhorne replied that before them tonight is Phase 1 of the HESCO Barrier Project for the exception, and as far as flood insurance for the community, anyone can apply for that, even if they are not in a flood zone. She did not believe that granting an exception for Phase 1 would impact other property owners from receiving or applying for flood insurance.

Chair Cole summarized that non-compliance could negatively affect the community's eligibility for Flood Plain Insurance because they are unable to issue a permit, and has nothing to do with specific homes living along flood path.

Director Lawhorne voiced that was correct and true of all projects in the mapped hazard areas.

Mr. Brown asked if all six of the exception requested are specifically required by the NFIP for insurance, and if they have to pass all six of them or can vote on them individually.

Director Lawhorne explained that the applicant asked for the six and she believed they would have to either decide they do not think the exception was necessary and they already met it or they need to approve those exceptions requested in order to grant the exception. She expressed that people seem to not quite understand the insurance piece. She stated that they have to issue Flood Plain Development Permits or exceptions under 49.70 in the code for the project, but that is not to say a property owner not doing a project accordingly will automatically kick everyone in

the community out of the program. However, the community as a whole has to abide by the program, and they have to make sure they are following it, because if too many of us are out of compliance, FEMA would likely step in and we would receive an audit.

Ms. Keller expressed that she was hearing if they give these exceptions, then people would not need their permits, and if they do not need their permits they are not in compliance and might not be able to get insurance.

Director Lawhorne answered that was not correct. She voiced that it's similar to a variance, where a homeowner wants to build their house and it has a steep lot and a rock outcropping, so they have to build in the setback, even though the rest of the neighborhood is built out with single family homes. Therefore, the discretion in code is the variance, which typically goes to the Planning Commission to determine if the application meets the purpose of the Land Use Code. She said if they decide the rock outcropping is not the fault of the owner, they can grant the variance or exception. She added that this is called an exception, but is a permit, and because the regulations in code are so prescriptive, she cannot approve a Flood Plain Development Permit without a lot of preexisting site work. She commented that the Commission needs to determine if EPW and Michael Baker International's work and H&H modeling are equal to or better than FEMA's modeling.

Ms. Keller inquired if FEMA considered Michael Baker's work to be comparable.

Director Lawhorne responded that she could not say, as she has not spoken with FEMA directly, but her staff was in contact with FEMA, as well as EPW. She noted that the Flood Plain Regulations and exception are CBJ's authority, and after the project is complete and EPW's submits their letter of map change, that was FEMA's authority to weigh in with a yes or no.

Mr. Brown voiced that his understanding was that she could not approve a Flood Plain Development Permit due to the unknown preexisting site conditions, so hoped engineering staff took the preexisting conditions into consideration before completed this project. They should have designed and modeled what was there and tested the armoring installed. He said that since he assumes that data has been taken, that is the part where he struggles on if they have to pass all the exceptions or not.

Director Lawhorne replied that Mr. Rumsey said they were confident that their work, as well as Michael Baker International, met the standard. She explained that when she says preexisting site conditions, she means those that even existed before the 2023 GLOF and 2024 GLOFs. She stated that the river has changed a lot and a lot of the properties along it have armored after both events, so they did not have preexisting site work property by property before they individually did their armoring work, as a lot of it occurred without permitting.

MOTION: *by Ms. Rintala to accept staff's findings, analysis, and recommendations, and approve FZE2025 0001.*

Ms. Rintala spoke to the motion, stating that the context of moving forward with this was limited to the conditions the Planning Commission needed to consider in granting these exceptions and saying the exception shall only be issued upon showing good and sufficient cause, and a determination that failure of the grant the exception would result in exceptional hardship, and that granting an exception would not result in increased flood heights, additional threats to public safety, or extraordinary public expense. She felt like they spent time discussing all three of those points and that the applicant demonstrated good and sufficient cause, how it would protect public safety, and how the exceptions would allow them to stay in compliance with the NFIP. Therefore, she is persuaded the exceptions meet the criteria outlined for them as a Commission.

Chair Cole asked for discussion on the motion. There were none.

The motion passed 6-3.

<u>AME2019 0015:</u>	The proposed Text Amendment would update the City and Borough of Juneau's Comprehensive Plan by adding the Downtown Douglas / West Juneau Area Plan as an attachment.
Applicant:	City and Borough of Juneau
Location:	N/A

Director's Report

The draft Downtown Douglas / West Juneau Area Plan (the Plan) is a 20-year vision for development and growth in the area from the Juneau-Douglas Bridge to Sandy Beach. The Plan includes five main elements to set forth the goals and actions that support its vision of a community that is: connected, prosperous, healthy and active, cultural and artistic, and sustainable and green.

Staff Recommendation

Staff recommends that the Planning Commission APPROVE the Downtown Douglas / West Juneau Area Plan as an addition to the CBJ Comprehensive Plan and forward their Notice of Recommendation to the City Assembly.

Mr. Ciambor explained that there is a memo in their packet with the Downtown Douglas/West Juneau Area Plan, along with public comments and a timeline. He noted that the planning process for this started in 2019 and they got a fantastic final product in the last few months. He noted that Corvus Design was their partner on the project and played a variety of roles over time, including the initial outreach with the community and final design and packaging of the plan. He thanked everyone that helped with the project and informed the Planning Commission that their goal was to review the recommendation and forward it onto the Assembly for adoption into the Comprehensive Plan.

Joyce Vick, Chairman of the Downtown Douglas/West Juneau Area Planning Committee, voiced that she has been here for over 40 years and is on the Douglas Fourth of July Committee, Douglas Advisory Board, and the Treadwell Historical Society. She said they tried to put out a product that

they could be proud of and that can look forward ahead for the Douglas Community.

Chair Cole asked for Ms. Vick's opinion on the things that are most important to the residents of Douglas and that have the biggest impact for the Juneau community as a whole.

Ms. Vick responded that transportation was one of the big things, making sure the people living in Douglas have access to outside communities and are not cutoff from Juneau, and to keep the small community of Douglas a small community. She stated that they tried to give people a reason to live in Douglas, raise families there, make it affordable to live there, and to be proud to live there. She added that housing, community, transportation, and access to resources are the big items on their Steering Committee Plan.

Mr. Pedersen asked if the maps in the back of the plan that were developed in a 2023 public mapping exercise accurately represent the intent of the Steering Committee.

Ms. Vick answered those maps were where they started to look at the areas from the bridge to downtown Douglas to give them an idea of the layout of the housing, resources, and why people wanted to live there. She felt the maps were pretty accurate as far as the layout and they looked at the maps and tried to make sure the communities of the sections of the maps were relative to the Douglas Steering Committee Plan.

Chair Cole inquired about the intention behind the action item under Goal 4.2, stating that if Mayflower Island is transferred from the federal government, that subsequent development should be encouraged to be small scale.

Ms. Vick replied that the intent of the committee when discussing Mayflower Island was to make sure there was representation from the Douglas Indian Association, and the one thing that stuck out in the meetings with the public is that they did not want Douglas to turn into a tourist place. She said when they say small scale, they want access for the Douglas Indian Association to be able to share their heritage and not have bus after bus coming in, as well as the people living in Douglas to have access to Mayflower Island to enjoy.

Ms. Rintala inquired about Goal 5.3, as there were some public comments about that particular goal on preserving the natural undeveloped area above 5th Street. She said it sounded like there might still be some feelings about this particular goal, so she asked Ms. Vick to talk about its development and its place in the plan.

Ms. Vick responded that it was not unanimous to have it preserved, and residents were concerned that it would cause a lot of damage to their property because of the slope of the hill. She added that they passed Goal 5.3, because while they understand the need for housing in Douglas, they wanted to make sure the 5th Street community area stayed as a community. She noted 6th Street was platted with the CBJ and would be expensive to develop, and the people that live up there have their opinion on things and it is a point of discussion.

Mr. Pedersen noticed that the map on page 524 of the packet does not necessarily match that goal, as it shows medium density housing in the 6th Street area.

Ms. Vick commented that map came from CBJ before they discussed the 5th and 6th Street areas.

Chair Cole opened public testimony

Robert Sewell, 903 5th St, commented that he is the president of the Douglas Island Neighbors Association, but came to speak only in regard to the West Juneau and Douglas Plan. He voiced that he was the sole remaining survivor across the staffers and members in this planning process and urged the Planning Commission to adopt it as presented at their earliest convenience, as this has taken six years. He discussed the vote endorsed conservation area above 5th Street. He said the notion was that remain as a conservation or natural life park, as the bulk of evidence indicates there are very few people interested in development in that area. He stated there was a lack of concordance between one of the maps presented through Corvus and Goal 5.3, but that map was an error. He expressed four reasons to leave the conservation area as is, which is community will, retaining the traditional vibe of Douglas, traffic concerns, and risk of landslide. He stated the other three areas they should be aware of are the West Juneau area, the space between 3rd St and the harbor, and the old Douglas school.

Carole Bookless, Douglas resident, expressed that her main point was that the Corvus maps on pages 64 through 67 were done three years ago, and page 70 and 71 be removed from the document. She noted that everything else was fantastic and they did a great job, but every one of those maps have an error that conflicts with their plan and is very confusing.

Dan Bleidorn gave the Commission the opportunity to ask him questions about his comments on the fact that Goal 5.3 contradicts the Planning Commission's adopted Land Management Plan from 2016, which specifically calls out the future development of 6th Street as a priority in that plan. He added that he has been working on the Mayflower Island Project with the City Manager's Office, City Assembly, and the Douglas Island Indian Association, and they had a resolution talking about the Assembly authorizing the acquisition of that property with the intention of transferring ownership to the DIA in the future, and they have been working with BLM on that, which is going to take around 18 months to start fulfilling their obligations prior to ownership transfer. He added that this document is excellent and they did a wonderful job, and he congratulated them on that.

Darren Snyder, Steering Committee, gave accolades to Ms. Vick for chairing the committee and the role staff has played, as it was a good process in many ways. He agreed with the concerns of including those original Corvus derived maps that started the conversation around these topics and the conceptual drawings that were not modified with the input from the community, which was an error in this process. He expressed there is a lot of concern about the 6th Street space and it was not an easy yes or no, so it is rightfully in this back and forth.

Chair Cole invited Ms. Vick back up and add further information or respond to any comments.

Ms. Vick felt the maps were important to stay in the plan. She said they were up front when they first started and then moved to the back so people could still see the layout of Douglas.

Chair Cole asked where in the goals does traffic calming into play and if there was a specific goal that matches the map or if it was just an example of what could be.

Ms. Vick answered it was an example of what it could be.

Chair Cole thanked the Board Steering Committee for how much time and love went into the plan and appreciated their efforts on behalf of our community and their neighborhood.

Mr. Pedersen commented that the Steering Committee put in a lot of effort over a long period of time to develop this and thanked them for their efforts.

Ms. Keller asked if there was a plan to update the maps to reflect what was inside the plan now since this was the final draft of the plan.

Mr. Ciambor responded that the maps currently in the appendix were part of a visioning exercise with the committee in May 2023 and Corvus took all of that information and stuck them into the maps. They were then brought back to the Committee to begin discussions, visions, and actions of the plan. He added that the maps were originally in the front and moved them to the appendix. He expressed the Committee's work was complete at this point so there was no idea to go back and redo the maps based on all the changes and the actions.

Ms. Keller stated that a lot of people may look through it and not read everything and go to the maps, as a lot of people are visual, so that may be confusing to them. She suggested something making it more clear that those maps were part of an exercise at the beginning to work on the plan to eliminate any confusion.

Mr. Ciambor responded that detail could be a part of their recommendations, to make a clear title on the maps, but it would be expensive to go back and change all the maps to accurately reflect the details in the plan.

Ms. Rintala was ruminating on Goal 5.3 as a body that relies on the CBJ Comp Plan, as well as the neighborhood plans and making their decisions, especially with an explicit land use guidance like this. She was concerned the nuance of the goal being not an easy yes or no would not be captured here, as it makes it seem pretty straight forward that the community was united in wanting this area to be conserved, but that did not seem to be the case from the testimony.

Mr. Pedersen commented that if the property they discussed went into a conservation zoning or was established as a conservation area, additional steps would be required and the plan could support a rezoning request, but it does not necessarily mean the Commission or Assembly would need to move forward and rezone or somehow delineate that officially to be a conservation area.

Ms. Keller voiced that from the presentation, it sounded like there was a 15-3 vote in favor of adding this, which seems like a good majority, so she did not feel like they needed to change the plan and recommendations.

Chair Cole stated she was not comfortable recommending the plan for adoption with 5.3 in there. She noted that this was a neighborhood plan within Juneau as a whole, and the desire of the neighborhood was very important. She said they spend their time trying to weigh community interest against neighborhood interest, and a goal saying to preserve the natural undeveloped

area above 5th Street when it is already zoned low density made no sense. She voiced that if she recommended this plan to the Assembly it would be with that goal and the Mayflower Island goal changed. She added that history of the Planning Commission on projects in Douglas show a strong turnout from the neighborhood, so for her to be comfortable with this plan, particularly with the native heritage sites, it would need to speak more clearly to native determination about what those things would look like.

Ms. Derr echoed Chair Cole's remarks. She did not know if they could send the report back to be changed or not, but they could maybe have their Commission statements along with it that we were not in support of the 5.3 and Mayflower Island if it cannot be changed, but she would feel much better approving the plan if it could be changed.

Mr. Gamez asked what other development did they foresee on the island in the future.

Ms. Ciambor responded that as the planning manager through is process, they facilitate the process with the committee to get their goals and actions, but we facilitated by providing information, access to speakers, design features, and exercises to get the committee's vision for Douglas. He stated that the goal was to get the community's vision for where they want to drive those future goals when they come up through various veins of development.

Chair Cole asked Director Lawhorne what options are on the table. She noted that going back to the Steering Committee to have them change things at this point was not possible.

Director Lawhorne explained it is a notice of recommendation to the Assembly either favorably or not, or favorably with recommended changes or a statement on why they may not support Goal 5.3, which she also supported as the director because housing was our number one goal. She expressed that they could send it back to the Committee, but she did not know if that would do them much good. She recognized that the 6th Street platting, infrastructure, and all of that work has been in process for many years now, and they know they need housing and they need to spread it out across borough so that it is equitable and less prone to hazards. She reminded the Commission of a comment that Parks and Rec also did not recommended changing this land to park land. She recommended asking the Assembly to make that change to the plan and not abide by 5.3, and to respect the Assembly's number one goal of housing in the Land Management Plan and Housing Action Plan.

Mr. Pedersen suggested moving this to another meeting.

MOTION: *by Ms. Rintala to continue AME2019 0015 at the August 12, 2025 Regular Planning Commission Meeting.*

The motion passed.

XI. OTHER BUSINESS

XII. STAFF REPORTS

Director Lawhorne reported that the August 12, 2025 Planning Commission Meeting would be Zoom only, and they plan to move meetings after that to Centennial Hall so the sound system in this room can be worked on. She said they do not have any cases for August 26th, but the Comprehensive Plan Consultants would be in town that week and would like to have them come work with the Planning Commission. She asked if they wanted to add that meeting as a Committee of the Whole as a work session since they do not have any cases. She expressed that the GLOF is forecasted for August 8th, and she updated that they would be hosting the housing forum again sometime in November, which is a forum they put on for the builders and real estate agents in town. She noted that they do their best to get the sessions accredited so they can earn their credits or certs. She added that Mr. Ciambor now has a full Planning Division and she has a new administrative officer, but they are still looking for an electrical inspector.

XIII. COMMITTEE REPORTS

XIV. LIAISON REPORTS

XV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS

XVII. EXECUTIVE SESSION

XVIII. ADJOURNMENT

The July 22, 2025 Planning Commission Meeting was adjourned at 10:48 p.m.