

APPROVED MINUTES

Agenda

Planning Commission

Regular Meeting

CITY AND BOROUGH OF JUNEAU

Erik Pedersen, Chair

January 27, 2026

A. LAND ACKNOWLEDGEMENT – Read by Ms. Derr

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!

B. ROLL CALL

Erik Pedersen, 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 6 p.m.

Commissioners present: Commissioners present in Chambers –Erik Pedersen, Chair; Lacey Derr, Vice Chair; Mandy Cole, Clerk; Jessalynn Rintala, Vice Clerk; Douglas Salik; Larry Gamez; Carlee Simon; Keith Koruna; Karinne Wiebold

Commissioners absent: None

Staff present: Jill Lawhorne, CDD Director; Madeline Carse, CDD Administrative Assistant; Nicole Lynch, Attorney III; Justin Smith, Planner I; Brandon Robinson, Planner II; Kathryn Oberlin, Planner I

Assembly members: Greg Smith

C. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA

D. APPROVAL OF MINUTES

None

E. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION

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

G. **ITEMS FOR RECONSIDERATION**

H. **CONSENT AGENDA**

1. **MLG2025 0001:** Applicant requests Summary Approval for an extension of the Tailings Disposal Facility (TDF) at Greens Creek Mine.

Applicant: HELCA Greens Creek Mining Company

Location: Admiralty Island

Director's Report

The Applicant requests a Summary Approval for an extension of the Tailings Disposal Facility (TDF) at Greens Creek Mine. The Greens Creek Mine Tailings Disposal Facility extension project has gone through a strict environmental review process and received a Final Record of Decision from the US Forest Service. Greens Creek Mine is approximately 18 miles outside the CBJ Road Service Area and meets the requirements of Summary Approval under CBJ 49.65.170(b)(2)(A).

Staff Recommendation

Staff recommends the Planning Commission GRANT the Summary Approval for case MLG2025 0001.

2. **CSP2025 0002:** Replacement of Pump Station at Cope Park.

Applicant: City and Borough of Juneau

Location: Cope Park

Director's Report

The applicant requests a City Project Review for replacement of the water utility pump station at Cope Park, upgrades to underground piping and valves, and installation of new curb, gutter, and pavement. The Cope Park water pump station provides potable water service to higher-elevation areas of downtown Juneau. The existing pump station is nearing the end of its service life and requires replacement, according to the application packet. The proposed project complies with Title 49 of the CBJ Land Use Code and is in general conformity with adopted plans, including the 2013 Comprehensive Plan.

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and forward a recommendation of APPROVAL of CSP2025 0002 to the Assembly.

3. **USE2025 0011:** A proposal for a Conditional Use Permit for a vehicle-repair garage in a GC zone

Applicant: David Moe
Location: North Douglas Hwy

Director's Report

The applicant requests a Conditional Use Permit to construct a vehicle-repair garage in a General Commercial zone. Motor vehicle repair and maintenance, including body work, is an allowable use (CBJ 49.25.300, Use 9.100) via the conditional-use process in the General Commercial (GC) zoning district.

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE Conditional Use Permit USE2025 0011 with the requested conditions.

MOTION: *by Ms. Derr to accept staff's findings, analysis, and recommendations, and approve MLG2025 0001, USE2025 0011 and forward a recommendation of approval of CSP2025 0002 to the Assembly.*

The motion passed.

I. UNFINISHED BUSINESS

J. REGULAR AGENDA

1. **PAD2025 0001:** Applicant requests a Property Disposal Review for the purchase of approximately one (1) acre of City & Borough of Juneau-owned land.

Applicant: Mark Sams
Location: Mendenhall Peninsula Road

Director's Report

The applicant requests a Property Disposal Review for the purchase of approximately one (1) acre of City & Borough of Juneau-owned land adjacent to his property at 1110 Mendenhall Peninsula Road. The applicant would use the acquired property to construct a 24-foot by 40-foot addition to his existing home with an attached deck. The proposed land disposal is in general conformity with the 2013 Comprehensive Plan and the 2016 CBJ Land Management Plan and has a motion of support from the Assembly Lands Housing & Economic Development (LHED) Committee to go to the full Assembly for review.

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and forward a recommendation of APPROVAL of PAD2025 0001 to the Assembly.

Director Lawhorne gave an overview of what the city process looks like.

Ms. Cole asked if it was atypical that this went to Lands before the Planning Commission.

Director Lawhorne responded it is typical for it to go to Lands, back to the Planning Commission, and then back to the Assembly.

Ms. Simon asked what the fair market value process composed of and how it worked.

Director Lawhorne answered at a very high level, and is based on appraisals, not assess value. She noted the city can only sell land at fair market value unless it is for public use or benefit.

Ms. Derr inquired on how these parcels are available to sell and why it was not logical to sell this to someone else, as it stated in the material.

Director Lawhorne responded it is case dependent, and the way the city property was located, the topography, and the steepness of it in this instance, they did not have a lot of uses for it. She said because the adjacent property owner had their legal frontage, they could use it. She added that for CBJ land in general, anyone can speak to the Lands Division and see what is available and go through the process, but they do work with adjacent property owners often.

Ms. Derr asked if another member of the public would have the opportunity to outbid Mr. Sams.

Director Lawhorne expressed that if anyone interceded and wanted to interject, they could speak at the meeting tonight, but it would normally be at the Assembly level to hear various interests in properties. She explained that this made the most sense, met Assembly goals, and followed the Comprehensive Plan.

Ms. Wiebold commented this looks to be in the rural reserve, which is one house per lot, but the area is an urban low density area and could potentially accommodate many more units. She asked would have to happen if Mr. Sams bought the extra acre and put more units on it.

Director Lawhorne responded that rural reserve is similar to the D1 Zoning District, with one unit per acre, and an accessory dwelling unit does not count towards density, but depending on if the lots size is large enough, there may be room to have two single family dwelling, each having an ADU. However, to have multifamily or more units, it would likely take a rezone application, go through the Planning Commission process, and meet compliance with the Comprehensive Plans, as well as any other adopted plans.

Chair Pedersen asked for clarification that if the applicant went through with the property disposal, they would have no obligation to complete additional dwelling units or develop the property further in any way.

Director Lawhorne confirmed that is correct.

Ms. Cole pointed out that on page 547 of the packet, there is a picture marked disposal map from application that includes a small area called future access. She asked if CBJ owned that lot.

Chair Pedersen suggested letting staff look up information on that while they hear from the applicant. He invited the applicant up to provide testimony or a presentation.

Mark Sams, applicant, thanked to the Commission and CBJ for reviewing the petition. He explained that he and his wife purchased the property in 2021 and built an apartment with a garage so they could move in while they planned a future home, but since that time their family has grown and they started to run out of space. He stated that they wanted to do an addition instead of doing a standalone structure, which brought on going through the Lands process. He noted that this is not the first time someone has asked to dispose of land on Mendenhall Peninsula, and as they have gone through looking at the addition, there are some advantages to the property by doing it, including limiting the visual impact from the street, allowing them to be more efficient with their current structure, and increasing flexibility in moving around the property. He added the strip of land adjacent to his is a CBJ property that was planned for future access to the overall bigger area above his property. Mr. Sams expressed they are not interested in subdividing in the future and not interested in bringing renters onto their site.

Chair Pedersen asked the commissioner for questions for the applicant.

Ms. Derr understood that they cannot go downhill due to a septic system, but asked why they cannot go forward with any of the property.

Mr. Sams responded that making the structure longer would be a redesign of the existing driveway and limit the ability for them to maneuver their boat around at the top of the property.

Ms. Rintala stated that in the comments from the public, they received drainage issue concerns. She asked Mr. Sams for his read on drainage issues in the area.

Mr. Sams answered that currently there are drainage ditches around the lot, which intercept a significant amount of water. His said there does not appear to be any overflow occurring this year, but if there are any issues with that, he intends to remedy it.

Chair Pedersen asked for public comment.

Donna Meiners, 1120 Mendenhall Peninsula Road, expressed that Mr. Sams reported having a legal easement on her lot for driveway and access, and if they extend his lot by 1 acre, it will also legally extend that easement. She stated that the Sams family has two cars, a truck, and boat,

and future homeowners will also likely have multiple vehicles. She was not emotionally prepared to tolerate the construction traffic of a remodel and future home build and added daily traffic of multiple vehicles through her side yard. She voiced that since she could not have foreseen, anticipated, or planned for this extend access, she should not be forced by this land sale to accept this easement extension, as it is an unfair and unreasonable burden. She shared that she was concerned about drainage and submitted a letter of concern to CBJ but there was no follow up. She said that any extension of additional land to that lot will complicate the already overloaded natural flowage towards the main road, and she objected to special treatment for any landowner.

Ms. Cole asked how the easement would in any way change, as the easement in her lot would still terminate in Mr. Sams original lot.

Ms. Meiners responded it would extend through that whole acre and if there is housing and vehicles there, they would come down through her property to get to Mendenhall Peninsula Road, which would be traffic going through her side yard.

Ms. Wiebold asked Ms. Meiners if after hearing this process if she felt empowered to go through the Land Disposal process in a similar way.

Ms. Meiners stated the reasoning for allowing Mr. Sams to buy this was that he already has driveway access from his property all the way down to Mendenhall Peninsula Road, but he is creating his own 1-acre parcel to his own specifications. She expressed if that land is for future development, she would be interested in purchasing that lot or lots up there and do it now and save it for her grandchildren.

Mac Meiners, 1120 Mendenhall Peninsula Road, expressed when he purchased his property, he put in a lot of work to make sure his property drains properly and did it right, but Mr. Sams came along and permitted a caretaker's house so he could build a boat shed and live upstairs. He said he did not do any excavation work and his driveway sits fallow. Mr. Meiners says he lost about 90 feet of his lot because of the access. He opposed Mr. Sams from getting the lot, because he has enough land to do whatever he wants. He noted that he put his house in the wrong spot and put the sewer right above his house, where he was able to smell sewer gas last summer. He felt Mr. Sams was not a very good steward of the land.

Rosemary Matt, 1100 Mendenhall Peninsula, voiced there was a small drainage problem that blossomed into a small glacier that is about 50 feet long, 15 feet wide, and 4 inches thick in some places, which went across the whole front of their access to the shared driveway.

Ms. Wiebold inquired if the drainage was addressed adequately, would she still have any objections to the sale.

Ms. Matt answered she would be happy, but drainage is an issue and they will be out there in the spring looking to see what needs to be done.

Chair Pedersen closed public testimony and offered the applicant to come back up and add testimony or comments. The applicant declined.

Chair Pedersen asked the commissioners for questions of staff.

Ms. Wiebold commented she was surprised to learn CBJ owned this land and that it was available for disposition, and imagined she was not the only one surprised by that. She asked how they could let people know this is an option.

Director Lawhorne responded that Mr. Bleidorn tries to get the message out there frequently and would talk to him more about it. She mentioned that the Lands Management Plan may be coming up for an update, which would bring light to it and would include public engagement. She shared they are always open to ideas on how to reach out to the public more.

Mr. Gamez inquired if there was a public notice sign on the roadway for information when the city sells property.

Director Lawhorne answered yes, they have the notice sign they do for public hearings.

Ms. Derr asked if this was a real caretaker unit or a single family dwelling.

Director Lawhorne responded there is common terminology out there that may not directly correspond with their Land Use Code, but per the code, a caretaker unit is very specific, stating it is a unit in an industrial zone meant to be the caretaker for that industrial use.

Mr. Salik asked for clarification that this is a land use sale, and that drainage concerns would be addressed when they go to obtain a building permit.

Director Lawhorne agreed that is correct. She noted that public comment and concern about the drainage is taken seriously and likely the Assembly would make note to appoint the applicant work on those issues and care for them.

Mr. Salik inquired if the applicant were allowed to purchase the land, would anything prohibit them from adjusting the hydrologics of the land so potential further water could not come down and harm other homeowners.

Chair Pedersen voiced if the applicant was legally changing the configuration of the topography of the land, they would need a grading permit, and there is a threshold that triggers that.

Ms. Cole shared she had sympathy for the applicant's desire to get abutting land and currently there is no road to the land, but there is land slated, owned by CBJ, and determined to be future access. She said it does not have a road on it now but road eligible, so she was not 100% sure of it is landlocked if they already have a parcel delineated as future access in their own maps.

Director Lawhorne responded there is a site plan survey showing the right-of-way, which is an unconstructed, platted right-of-way to the property, but it is quite steep and not likely to be constructed by CBJ, as the land above is also steep. She understood the comments about the access, but Mr. Sams' property is what has legal access to the right-of-way for all three properties.

Chair Pedersen opened the floor to Planning Commission discussion.

Ms. Wiebold stated the structure is only a couple of years old. She asked why the issues were not addressed when the structure was initially constructed.

Director Lawhorne did not know the answer to that, but could look into it.

Ms. Wiebold inquired if it is normal that drainage is addressed during the permitting process.

Director Lawhorne answered that General Engineering reviews grading permits.

Ms. Derr commented that she has seen land sales in her time on the Planning Commission, but has not felt this level of uncomfotability with the fact that this may be a landlocked parcel; however, there is CBJ access. She felt the land sale should have the ability to be open to any CBJ resident with the desire to purchase it. She understood Mr. Sams wanting to extend his footprint and he has the ability to do so on his land, but they would have potentially said no to the variances on this case, as there is ability on the land to be able to extend. She was leaning towards a recommendation of no, but appreciated additional Commission comments.

Ms. Rintala shared the lens that they look through in many decisions is the need for housing in Juneau, as they are in a housing crisis. She said this is in conformity with the Land Management Plan, Comprehensive Plan, and the housing situation in Juneau, as well as the applicant being particularly well-suited to develop this particular parcel of land. She was inclined to vote in favor.

Mr. Koruna disclosed a potential conflict of interest, as he has had professional dealings with the applicant and some of the commentators in the past. However, he believed he could be fair and impartial and did not have any financial interest in the project.

Chair Pedersen asked if any commissioners felt Mr. Koruna could not be impartial and should be recused.

Director Lawhorne suggested a recess so Mr. Koruna could confer with Attorney Lynch.

[Recess]

Mr. Koruna expressed that after discussion with Attorney Lynch, there was no conflict.

Chair Pedersen asked if they were to prove this land disposal, would they have the ability to condition it on the applicant providing a drainage plan or grading permit.

Director Lawhorne answered they could not condition it, but could make findings that there is a concern for drainage in the area and would advise that it is addressed.

Ms. Simon inquired if the buyer would bring the appraisal or if the city would do an appraisal, and if they would do a few appraisals and take the average.

Attorney Lynch responded the city gets one appraisal and usually use that for fair market value.

Ms. Cole was moved by the idea there is access to this land that could potentially be platted and sold for a development that would put it to its highest and best use, which would serve the goal of housing better than creating one very large 1-acre lot. However, the city has clearly stated they have no future plans due to the zoning and topography to develop the access road in the foreseeable future. She expressed there is a planned access and they could develop that land, not as a single acre addition to someone's property, and provide a significant amount of housing to Juneau, but that is unrealistic. She was in support of recommending this sale.

Ms. Simon asked for clarification they are voting the property will be able to be purchased, but another buyer come along in this process, and are not just opening this up for this applicant.

Director Lawhorne expressed that at the moment, this has been opened up for this applicant, as they reached out to the city to start this process. She noted that anyone can look at the Land Management Plan online, and if they are interested in a property, she encouraged them to reach out to Mr. Bleidorn in the Lands Division.

Ms. Wiebold voiced one of her concerns is that there is not new housing being created, and was not sure how that met the new housing criteria. She was intrigued by seeing the right-of-way and the possibility with the CBJ land of future development. She understood the difficulty of working with steep topography and the cost associated with building roads, but hoped they did not make decisions that limit their choices in the future should they look to develop that land.

Director Lawhorne shared that Mr. Bleidorn did not have concerns with this one, as that right-of-way is incredibly steep, especially in the midpoint, and the property up above is wet.

MOTION: *by Ms. Derr to accept staff's findings, analysis, and recommendations, and forward a recommendation of approval of PAD2025 0001 to the Assembly, with an additional finding from the Planning Commission that drainage needs to be addressed.*

The motion passed 6-3.

K. OTHER BUSINESS

L. STAFF REPORTS

Director Lawhorne reported that Civic Access, their new permit software system, went live on January 12th, and has been great for the public. She noted there were some hiccups that need to be worked out, but has been a huge success and they expect to be fully up and have everything worked out in 6-12 months. She said Phase 2 of the Comprehensive Plan has also gone well, and they will kick off the last phase, Phase 3, this summer. She added that scenario planning has gone over incredibly well with the public and thanked those that participated with the Assembly in the scenario planning game. She shared the goal is to come before the Commission every few months with an update. She announced the February 10th Meeting was cancelled, but several cases are lined up for February 27th Meeting.

M. COMMITTEE REPORTS

Mr. Gamez participated with Public Works and the Assembly at the lunchtime meeting, where they talked about draft FY2027 Capital Improvements, projects and schedules with Public Works, utility rate increases for the Roads and Street Projects, large discussions on the snow-pocalypse from December, brief discussion on micro transits and on-demand transits, and an update from Scott Gray, Fleet Maintenance Superintendent. Mr. Gamez took his hat off to Scott Gray, all the equipment operators, and Public Works staff that worked so hard removing all the snow from the community.

Ms. Derr shared that the Lands Housing and Economic Development Committee met last night. She said there is a section of land at the end of John Street, the Douglas Island Development, where they are looking to expand a parcel recommended to be disposed of. She noted there was discussion that just because the land is disposed of, they will still have to do all the process of permitting, consolidating, and zoning. She stated there was also discussion regarding the cellular infrastructure at Diamond Park, where the cellular company will be responsible for their infrastructure and CBJ will be responsible for their light pole and infrastructure. They also discussed tourism best management practices and the upcoming tour season.

Ms. Rintala gave an update on the Comprehensive Plan Update Committee. She thanked CBJ staff and the public who were there. She was excited to see the data that comes out of that, as it should yield some cool information for them to think about going forward.

Ms. Wiebold attended the Devils Club Public Meeting, which was a blast. She felt the venue was a good selection and staff was amazing.

Chair Pedersen shared there is one advisory board they do not have a liaison for, which is JCOS, Juneau Commission on Sustainability. He asked for a commissioner not currently on a committee to think about it and if no one volunteers, they will choose someone.

N. LIAISON REPORTS

Greg Smith thanked the Commission for their work and apologized for missing the last meeting. He shared he was able to attend one of the visioning workshops, along with Commissioner Rintala and Commissioner Wiebold, and he gave big kudos to staff for their work. He said he has taken it upon himself to try to keep the Assembly updated on the Comprehensive Plan process. He stated that last night, the Committee of the Whole moved the West Juneau Downtown Douglas Area Plan back to the Full Assembly. They also approved Legislative Capital Priorities, met with the General Legislative Delegation and federal state lobbyists last week, worked on Assembly goals, ran through the new ones, and will be adopting those at the February 9th Regular Assembly Meeting. He expressed that he is the chair of the Title 49 Advisory Committee and they met earlier this month to look at possible flexes in certain things.

O. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

P. PLANNING COMMISSION COMMENTS AND QUESTIONS

The Commissioners gave introductions and provided insight into why different members of the Commission have different experiences.

Q. EXECUTIVE SESSION

R. SUPPLEMENTAL MATERIALS

1. Additional Materials

S. ADJOURNMENT

The January 27, 2026 Planning Commission Meeting was adjourned at 8:01 p.m.