REGULAR PLANNING COMMISSION AGENDA

January 24, 2023 at 7:00 PM

Assembly Chambers/Zoom Webinar

https://juneau.zoom.us/j/85347094359 or 1-669-444-9171 Webinar ID: 853 4709 4359

A. LAND ACKNOWLEDGEMENT

B. ROLL CALL

C. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA

D. APPROVAL OF MINUTES

1. December 13, 2022 Draft Minutes, Regular Planning Commission - APPROVED
2. January 10, 2023 Draft Minutes, Regular Planning Commission- Commissioner Training - APPROVED

E. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION

F. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

G. ITEMS FOR CONSIDERATION

H. CONSENT AGENDA

3. PAD2022 0004: Proposed Property Disposal Review - COMMISSION RECOMMENDED APPROVAL TO THE ASSEMBLY

   Applicant: 1000 Harbor Way, LLC

   Location: 1000 Harbor Way

   RECOMMENDATION

   Staff recommends the Planning Commission adopt the Director's analysis and findings forwarding a recommendation of APPROVAL to the CBJ Assembly for the disposal of approximately 4,812 square feet of CBJ land at 1000 Harbor Way.

   DIRECTOR'S REPORT

   The applicant requests a Property Acquisition and Disposal Permit to purchase approximately 4,812 square feet of land located at 1000 Harbor Way in order to. The applicant owns the commercial structure which is located on both privately and City owned property and crosses a lot line. The property owner is unable to get development permits to make improvements to the building due to the encroachment. The applicant proposes purchasing the land and consolidating it with their property in order to bring the structure into greater conformity.

I. UNFINISHED BUSINESS

J. REGULAR AGENDA

4. AME2022 0006: Rezone approximately 3.7 acres in the Aak'w Kwaan District from MU2 to MU, eliminating setback requirments, lot coverage restrictions and height restrictions. - CONTINUED TO FEBRUARY 14, 2023 REGULAR PLANNING COMMISSION MEETING

Applicant: CCTHITA

Location: 250 Village Street

RECOMMENDATION

Staff recommends the Planning Commission extend the rezone west to Capital Avenue, then forward a recommendation of APPROVAL to the Assembly.

DIRECTOR'S REPORT

The applicant requests a rezone from MU2 to MU in the Aak'w Kwaan District. This project proposes a westward extension of less-restrictive MU zoning to 4.2 acres that encompass the Indian Village, the Andrew Hope Building, and current offices of the Alaska Department of Environmental Conservation. This area includes the 3.7 acres in the applicant's application, and a staff-proposed expansion of half an acre. This rezone would reduce zoning setbacks and facilitate canopies over sidewalks, improving conformity with the Willoughby District Land Use Plan, elements of which are incorporated by reference into the Comprehensive Plan. While MU has no height restrictions, future CDD and Commission decisions would be moderated through the Willoughby District Land Use Plan. CDD held a public meeting on December 6, 2022, and one member of the public attended.

5. AME2022 0008: Rezone approximately 5.1 acres in the Aak'w Kwaan District from MU2 to MU, eliminating setback requirments, lot coverage restrictions and height restrictions. - CONTINUED TO FEBRUARY 14, 2023 REGULAR PLANNING COMMISSION MEETING

Applicant: City & Borough of Juneau

Location: Willoughby Ave

RECOMMENDATION

Staff recommends the Planning Commission extend the rezone east to encompass the Four Points Sheraton (0.9 acres), then forward a recommendation of APPROVAL to the Assembly.

DIRECTOR'S REPORT

The applicant requests a rezone from MU2 to MU in the Aak'w Kwaan District. This project proposes a westward extension of less-restrictive MU zoning to 6.6 acres that encompass Centennial Hall, the Juneau Arts and Culture Center, Zach Gordon Youth Center, the proposed location of a new City Hall, and the Four Points Sheraton. If AME22-06 is approved, this would be a southward extension that creates clean boundaries along streets. This area includes the 5.7 acres in the applicant's application, and a staff-proposed expansion of 0.9 acres. This rezone would reduce setbacks and facilitate canopies over sidewalks, improving conformity with the Willoughby District Land Use Plan, elements of which are incorporated by reference into the Comprehensive Plan. While MU has no height restrictions, future CDD and Commission decisions would be moderated through the Willoughby Plan. CDD held a public meeting on December 6, 2022, and one member of the public attended.

6. USE2022 0015: Conditional Use Permit - 35 mile Off-Road-Vehicle (ORV) riding park - APPROVED AS AMENDED

Applicant: CBJ Parks & Recreation

Location: 'CONVERTED ADDRESS'-

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings, and APPROVE WITH CONDITIONS the requested Conditional Use Permit. The permit would allow the development of an Off-Road Vehicle (ORV) Riding Park at 35-Mile.

DIRECTOR'S REPORT

The applicants request a Conditional Use Permit to develop an ORV Riding Park on approximately 565 acres of CBJ-owned land. The CBJ Parks and Recreation Department is partnering with the Juneau Off-Road Association to develop the riding park under a management agreement. In addition, local, State, and Federal agencies and organizations have been involved in reviewing the site as an appropriate riding park location.

The park will be open during daylight hours during spring, summer, and fall seasons. Phase 1 of the riding park will consist of 5 miles of trails through approximately 175 acres of the site, and will include a gated entrance, parking area, picnic area, caretaker RV, looped riding trails, a mud bog, and cross country riding.

K. OTHER BUSINESS

L. STAFF REPORTS

M. COMMITTEE REPORTS

N. LIAISON REPORT

O. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

P. PLANNING COMMISSION COMMENTS AND QUESTIONS

Q. EXECUTIVE SESSION

R. SUPPLEMENTAL MATERIALS

7. Additional Materials for January 24, 2023 Planning Commission

S. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.org.

DRAFT MINUTES

Agenda
Planning Commission
Regular Meeting
CITY AND BOROUGH OF JUNEAU
Michael LeVine, Chairman
December 13, 2022

I. LAND ACKNOWLEDGEMENT – Read by Ms. Cole

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

Michael LeVine, Chairman, 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 7:00 p.m.

Commissioners present: Commissioners present in Chambers – Michael LeVine, Chairman; Travis Arndt, Clerk; Dan Hickok, Deputy Clerk; Joshua Winchell; Erik Pedersen; Mandy Cole

Commissioners present via video conferencing – None

Commissioners absent: Paul Voelckers, Vice Chair; Matthew Bell;

Staff present: Jill Maclean, CDD Director; Jennifer Shields, Planner II; Irene Gallion, Senior Planner; David Peterson, Planner II; Ilsa Lund, CDD Administrative Assistant; Lily Hagerup, CDD Administrative Assistant; Sherri Layne, Law Assistant Municipal Attorney

Assembly members: Waahlaal Giidaak - Barbara Blake

III. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA – Chairman LeVine moved the Liaison report to immediately follow Approval of Minutes

IV. APPROVAL OF MINUTES

A. November 8, 2022 Draft Minutes, Regular Planning Commission

MOTION: *by Mr. Arndt to approve the November 8, 2022 Planning Commission Regular Meeting minutes.*

V. **LIAISON REPORTS** – Waahlaal Giidaak reported the assembly met last evening and passed the Board of Equalization rules and procedures amendments. The Affordable Housing fund report funded several applicants. The Land, Housing and Economic Development committee is looking for someone to manage the Telephone Hill project. They also discussed the CBJ Christmas tree and firewood harvesting program.

VI. **BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION** – Mr. LeVine explained the process for participating in person or via zoom format

VII. **PUBLIC PARTICIPATION ON NON-AGENDA ITEMS** – None

VIII. **ITEMS FOR RECONSIDERATION** – None

IX. **CONSENT AGENDA** (**USE2022 0016** and **CSP2022 0005** moved to Regular Agenda by Mr. Winchell)

SMF2022 0002:	Applicant requests a Modification to the Final Plat regarding Note 9 HOA Bylaws
Applicant:	Bicknell Inc.
Location:	4090 Delta Drive Unit 15

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested final plat. The permit would modify Final Plat Note 9 regarding HOA Bylaws.

MOTION: *by Mr. Arndt to accept staff's findings, analysis, and recommendations, and approve SMF2022 0002.*

The motion passed with no objection.

X. **UNFINISHED BUSINESS** - None

XI. REGULAR AGENDA

(USE2022 0016 and CSP2022 0005 heard and discussed together)

USE2022 0016: Applicant requests a Conditional Use Permit for Bartlett Regional Hospital's (BRH) Emergency Department addition and renovation project.
Applicant: CBJ Engineering Department
Location: 2000 Salmon Creek Lane & 3260 Hospital Drive

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit. The permit would allow the development of Emergency Department addition and renovations.

CSP2022 0005: Applicant requests a City Project Review for Bartlett Regional Hospital's (BRH) Emergency Department addition and renovation project.
Applicant: CBJ Engineering Department
Location: 2000 Salmon Creek Lane & 3260 Hospital Drive

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and forward a recommendation of APPROVAL to the CBJ Assembly for the Bartlett Regional Hospital Emergency Department Addition and Renovation project.

STAFF PRESENTATION - Director Maclean presented **USE2022 0016** and **CSP2022 0005**

Mr. LeVine explained to the commissioners the difference between conditional use permits and city/state project reviews. When hearing a USE, the PC can approve or deny the permit. When hearing a CSP, they are to make a recommendation to the assembly to either approve or deny the project.

QUESTIONS FOR STAFF

Mr. Winchell asked if all safety concerns were taken into consideration when designing the ambulance bays. It was decided this was a question for the applicant.

QUESTIONS FOR APPLICANT

Addressing Mr. Winchell's concern regarding safety of the traffic patterns relating to the ambulance bays, Jeanne Rhynne, CBJ architect confirmed traffic regulations were considered and CCFR was involved

in the design as well. Ms. Rhynne added construction of the behavioral health building would be completed in April and congestion related to that construction would be over by then.

MOTION: *by Mr. Hickok to accept staff's findings, analysis, and recommendations, and approve USE2022 0016.*

The motion passed with no objection.

MOTION: *by Mr. Hickok to accept staff's findings, analysis, and recommendations, and recommend the assembly approve CSP2022 0005.*

The motion passed with no objection.

ARF2022 0001 and SMP2022 0001 were heard and discussed together.

ARF2022 0001:	Final Alternative Residential Subdivision Plan for Phase 1, to develop 96 dwelling units on approximately three acres in a D18 Zone. Final proposed project: 444 units on 19.71 acres.
Applicant:	Rooftop Properties, LLC
Location:	7400 Glacier Highway

Staff Recommendation

Staff recommends the Planning Commission adopt the director's analysis and findings and APPROVE WITH CONDITIONS the final plan for the Phase 1, to develop 96 dwelling units on approximately three acres at 7400 Glacier Highway in a D18 Zone. Final project: 444 units on 19.71 acres.

The approval is subject to the following conditions:

1. Establish unique names for the roadways in the subdivision.
2. Install signage where Vista del Sol Drive and the proposed subdivision road meet, with directional arrows depicting the split.
3. The developer will submit documentation of approval of the mail box location by the United States Post Office.

SMP2022 0001:	Applicant requests Preliminary Plat Approval for a subdivision of one 19.71 acre lot into three parent lots: 7.5 acres, 6.8 acres, and 4 acres. Subdivision includes dedication of Right-of-Way.
Applicant:	Rooftop Properties, LLC
Location:	7400 Glacier Highway

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested preliminary plat for the Ridgeview Subdivision. This permit would allow the applicant to submit for the final plat application.

STAFF PRESENTATION - Director Maclean presented **ARF2022 0001** and **SMP2022 0001**

Ms. Maclean reminded the PC while these permits are related, one is a plat and requires approval or denial and the other is a plan that the commission can condition.

APPLICANT PRESENTATION

Garrett Johnson, Rooftop Properties, reported the status of the project, including minor changes to original plans, and that they currently meet or exceed CBJ requirements for open spaces and parking.

QUESTIONS FOR APPLICANT

Mr. Hickok asked if the multiunit buildings would be sold upon completion or be held by the company. Mr. Johnson said they are designing them to accommodate either option. Mr. Hickok noted the presentation shows the apartments will be a mixture of middle income and market rate units and asked for clarification of those terms. Mr. Johnson explained that they can qualify for a loan through the Juneau Affordable Housing Fund by designating 20% of the units as workforce housing and capping the rent on those units.

Mr. LeVine asked if the open space requirements would be met with each phase going forward. Mr. Johnson confirmed they would. He added the ARF code allows density bonuses and their goal is to meet and exceed the open space requirements in order to earn those bonuses.

Mr. Hickok asked which phase would include completion of the road through the complex. Mr. Johnson said that would happen during phase two.

Ms. Maclean informed the PC that there was a mistake in the preliminary plat whereby the emergency turnaround is shown as part of phase four but there needs to be a condition requiring an emergency turnaround as part of phase one.

PUBLIC COMMENT

Tim Storbeck, Vista Del Sol subdivision resident, expressed concerns regarding the 15-foot vegetative barrier and the projected increases in traffic at the Old Dairy intersection.

Mr. Pedersen asked Mr. Storbeck to describe the intersection currently. Mr. Storbeck said visibility is limited at the intersection by a retaining wall on one side and mailboxes on the other.

ADDITIONAL APPLICANT COMMENTS

Mr. Johnson thanked Mr. Storbeck for his comments and encouraged him to contact the traffic engineer with any questions. As for the vegetative barrier question, Mr. Johnson said that will depend on the soil conditions in that area.

Mr. Hickok asked if the trees will be cut. Mr. Storbeck said they hope to save whichever trees that they can but for the sake of safety, they may need to remove them all.

Mr. Pedersen asked whether utilities are available or would need to be brought in for the project. Mr. Storbeck explained a preliminary analysis has been conducted but a more detailed design and engineering will be included in future phases.

AT EASE 7:46-7:50

COMMISSIONER DISCUSSION

Ms. Cole expressed concern that the Egan Drive/Old Dairy Road intersection is reported as 'poor but will be better' and asked Ms. Maclean for clarification regarding the ADT increases.

Ms. Maclean explained the planner's description of traffic patterns follow a formula. However, the subsequent numbers are based on actual engineer studies. Phase 1, before the PC this evening, is not of concern.

MOTION: *by Mr. Hickok to accept staff's findings, analysis, and recommendations, and approve ARF2022 0001.*

The motion passed with no objection.

MOTION: *by Mr. Winchell to accept staff's findings, analysis, and recommendations, and approve SMP2022 0001.*

Mr. Arndt suggested correction of a typo in Plat Note #2. It was accepted without motion.

The motion passed with no objection.

XII. OTHER BUSINESS – None

XIII. STAFF REPORTS

Director Maclean reported:

- Lands Committee met and discussed affordable housing
- Application period for Planning Commissioners has been extended and the assembly is planning to make an appointment on January 13, 2023
- Commissioner training will be included in the January 10 meeting

Mr. Arndt asked if the Assembly retreat generated any suggestions or ideas regarding housing. Ms. Maclean said the retreat included discussions on housing, tourism, and budget.

XIV. COMMITTEE REPORTS

Ms. Cole attended the JCOS meeting. Transformers were discussed.

XV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS – None

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS

Mr. LeVine reminded members to encourage peers to apply to join the PC. Mr. Hickok has agreed to remain on the PC at least through the application period.

XVII. EXECUTIVE SESSION – None

XVIII. ADJOURNMENT – 8:08 p.m.

Next regular meeting December 27, 2022, 7:00 p.m.

DRAFT MINUTES

Agenda
Planning Commission
Regular Meeting
CITY AND BOROUGH OF JUNEAU
Michael LeVine, Chairman
January 10, 2023

I. LAND ACKNOWLEDGEMENT – Read by Mr. Arndt

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

Michael LeVine, Chairman, 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 7:02 p.m.

Commissioners present: Commissioners present in Chambers – Michael LeVine, Chairman; Travis Arndt, Clerk; Matthew Bell; Joshua Winchell; Erik Pedersen; Mandy Cole

Commissioners present via video conferencing – None

Commissioners absent: Paul Voelckers, Vice Chair; Dan Hickok, Deputy Clerk

Staff present: Jill Maclean, CDD Director; Irene Gallion, Senior Planner; Minta Montalbo, Administrative Officer; Ilsa Lund, CDD Administrative Assistant; Lily Hagerup, CDD Administrative Assistant; Sherri Layne, Law Assistant Municipal Attorney

Assembly members: None

III. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA – Chairman LeVine moved the approval of minutes from the December 13, 2022 meeting to the next regularly scheduled meeting on January 24, 2023, due to Commissioners not having adequate time to review the minutes prior to this meeting.

IV. APPROVAL OF MINUTES

A. None

V. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION – Mr. LeVine explained the process for participating in person or via zoom format

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS – Mr. Murray Walsh addressed the Commission on behalf of James Parise. Mr. Parise had previously applied to the Community Development Department (CDD) for a permit to add a driveway to access the side of his property (BLD2021 0328). The permit was denied, and Mr. Walsh would like the case to be reviewed by the Commission.

Mr. Levine asked Mr. Walsh to remind the members of the Commission about another matter that came before them regarding Mr. Parise and his property access. Mr. Walsh clarified that Mr. Parise had a case come before the Commission in 2022 (PAD2022 0003) in order to acquisition land from the city in order to move forward with the case that Mr. Walsh is asking the Commission to review. CDD Staff recommendation to the Commission was denial for PAD22-03.

Mr. Levine asked Ms. Layne for advice on how to proceed. Ms. Layne said the immediate issue she identified would be public notice. The abutting property owners need to be notified. She cautioned that it would not be prudent for the Commission to move forward with any action or discussion regarding this case without the neighbors of the property being properly notified.

Mr. Arndt asked for clarification on the procedure for this situation and Mr. LeVine suggested that he speak with the City Attorney on the matter before moving forward. Ms. Mclean confirmed that a meeting with the attorney would be the proper next step before any further public discussion on this matter.

VII. ITEMS FOR RECONSIDERATION -None

VIII. CONSENT AGENDA -None

IX. UNFINISHED BUSINESS -None

X. REGULAR AGENDA -None

XI. OTHER BUSINESS

A. **Commissioner Training**- Ms. Mclean gave an overview of the staff organization of the CDD. Next, Planning Commissioner responsibilities were discussed. Ms. Mclean

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mentioned that she had been hoping to have some new members on the Commission before this training, but reiterating important information –particularly regarding planned absences from meetings, conflicts of interest, ex parte communication, etc. –is just a good reminder for the members of the Commission.

Mr. Winchell asked for clarification regarding the Open Meetings Act from Ms. Layne. She explained that the particular law regarding public meetings is in place to ensure that meetings and decisions are not being held behind closed doors. For the Commission, up to three members are allowed to discuss any particular topic that could potentially come before the Commission outside of a publicly noticed meetings. Ms. Layne went on to give a series of examples. For violations that may occur, those should be reported immediately and the topic needs to be "cured" on the record during a publicly noticed meeting. Mr. LeVine clarified that the Commissioners should not see this as a prohibition to speak with each other outside of meetings. He stated that, in fact, coming up with a plan and discussing things outside of meetings can facilitate meetings to run more smoothly; however, the rule of three should be closely observed.

Ms. Layne continued the training by going over ex parte communication. She made it clear that Commissioners are not allowed to discuss items that may come before the Commission with members of the public or CCD Staff outside of publicly noticed meetings. Ms. Cole asked for clarification, which Ms. Layne confirmed, that the restrictions on speaking with Staff only applies to items where the Commission is performing their role regarding quasi-judicial matters. Ms. Mclean went on to advise the members to think of public perception. It is better to be more conservative when it comes to the level of perceived transparency so as to not give members of the public a reason to question the ethics of the Commission.

Ms. Layne went on to say that this particular Commission does a wonderful job declaring, recognizing, and inquiring about any conflicts of interest. She explained that any attorney with CBJ Department of Law (DOL) can address any questions of potential conflicts that Commissioners may have. As long as members of the Commission follow the advisements given to the by DOL, then they are shielded from repercussions regarding conflicts of interest.

Ms. Mclean went over Staff Reports. She asked the Commission if it would be helpful to have wording for a proposed motion regarding cases that come before the Commission. The general consensus is that it would be helpful in order to streamline meetings because sometimes it can be difficult to come up with the necessary wording for the motions in the moment. Chair LeVine mentioned that he would like the motion making dispersed amongst members of the Commission so the responsibility doesn't always fall on the same few individuals.

Ms. Mclean reminded the Commission to be conscious of how amendments to motions are taken up. In accordance with the Rules of the Commission and Robert's Rules of Order, only two amendments may be made to a motion before a vote must be made on the motion. If that motion is voted down, then up to two more amendments made be made to the new motion. Ms. Layne elaborated on this by giving some examples. She

cautioned the Commission against making too many amendments because things could get too confusing. Chair LeVine also elaborated on the topic of motions by giving some examples. Ms. Layne reminded the Commission that they can make a motion for reconsideration for a topic to be taken up at the next meeting. Alternately, a motion for immediate reconsideration can be made to readdress a case or topic immediately after the vote on a motion and must be passed by a super majority.

XII. **STAFF REPORTS –** Ms. Mclean noted that on January 25, 2023, the Blueprint Downtown Steering Committee is meeting at 7 p.m. This will be that committee's final meeting, so the Planning Commission can expect the final plan to be presented to them within the coming months. Additionally, Hazard Mapping is coming back to the Planning Commission and is recommended to be addressed by a Committee of the Whole first. Ms. Mclean also anticipates that, at the second February meeting, the Commission will be addressing Stream Ordinances.

XIII. **COMMITTEE REPORTS -** Ms. Cole gave an update on the Lands Committee regarding shared access.

XIV. **LIAISON REPORTS** – None

XV. **CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS** –Clerk Beth McEwen updated the Commission that the new deadline to apply for a seat on the Commission is Friday, January 13, 2023.

XVI. **PLANNING COMMISSION COMMENTS AND QUESTIONS**

XVII. **EXECUTIVE SESSION** -None

XVIII. **ADJOURNMENT-** 8: 26 p.m.

Next regular meeting January 24, 2023, 7:00 p.m.

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Planning Commission
(907) 586-0715
PC_Comments@juneau.org
www.juneau.org/community-development/planning-commission
155 S. Seward Street, Juneau, AK 99801

PLANNING COMMISSION
NOTICE OF RECOMMENDATION

Date: **January 30, 2023**
File **No.:** PAD2022 0004

City and Borough of Juneau
CBJ Assembly Members
155 S Seward Street
Juneau, AK 99801

Proposal:	Applicant requests a Property Disposal Review for the disposal of approximately 4,812 square feet of CBJ land at 1000 Harbor Way.
Property Address:	1000 Harbor Way
Legal Description or ROW name:	TIDELANDS ADDITION BL 51 LT 5, LEASE TIDELANDS ADDITION BL 51 LT 3 FR, TIDELANDS ADDITION BL 51 LT 3
Parcel Code No.:	1C060K510040, 1C060K510041, 1C100K830032
Hearing Date:	JANUARY 24, 2023

The Planning Commission, at a regular public meeting, adopted the analysis and findings listed in the attached memorandum dated January 13, 2023, and recommended that the Assembly direct CBJ staff to initiate the proposed land disposal.

Attachments: January 13, 2023 memorandum from Adrienne Scott, Community Development, to the CBJ Planning Commission regarding PAD2022 0004.

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ 01.50.020(b).

Paul Voelckers, Acting Chair
Planning Commission

Jan 30, 2023
Date

Ilsa Lund
Filed With Municipal Clerk

Jan. 30, 2023
Date

cc: **Plan Review**

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ - adopted regulations. The CBJ and project designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

PLANNING COMMISSION STAF
PROPERTY DISPOSAL PAD2022 0004
HEARING DATE: JANUARY 24, 2023

(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/community-development
155 S. Seward Street • Juneau, AK 99801

DATE: January 13, 2023

TO: Michael LeVine, Chair, Planning Commission

BY: Adrienne Scott, Planner I

THROUGH: Jill Maclean, Director, AICP

PROPOSAL: Applicant requests a Property Disposal Review for the disposal of approximately 4,812 square feet of CBJ land at 1000 Harbor Way.

STAFF RECOMMENDATION: Approval

KEY CONSIDERATIONS FOR REVIEW:

- Docks & Harbors Board reviewed the application on August 25, 2022 and provided a motion to advance the application.
- The Lands, Housing and Economic Development Committee provided a motion of support on September 26, 2022.
- The Assembly passed a motion to enter into negotiations with the original proposer.

GENERAL INFORMATION	
Property Owner	1000 Harbor Way LLC / CBJ
Applicant	1000 Harbor Way LLC
Property Address	1000 Harbor Way
Legal Description	TIDELANDS ADDITION BL 51 LT 5 / LEASE TIDELANDS ADDITION BL 51 LT 3 FR/ TIDELANDS ADDITION BL 51 LT 3
Parcel Number	1C060K510040 / 1C060K510041 / 1C100K830032
Zoning	WC Waterfront Commercial
Land Use Designation	Marine Commercial (MC)
Lot Size	4,041 square feet / 4,177.68 square feet / 126,498 square feet
Water/Sewer	Public
Access	Harbor Way
Existing Land Use	Commercial
Associated Applications	NCC20220039

ALTERNATIVE ACTIONS:

1. **Amend:** amend the recommendation to include conditions and recommend approval to the Assembly.
2. **Deny:** recommend denial of the proposed project. Planning Commission must make its own findings.
3. **Continue:** continue the hearing to a later date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:
A Notice of Recommendation will be forwarded to the Assembly for further action.

STANDARD OF REVIEW:

- Quasi-legislative decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
  - CBJ 53.09.260

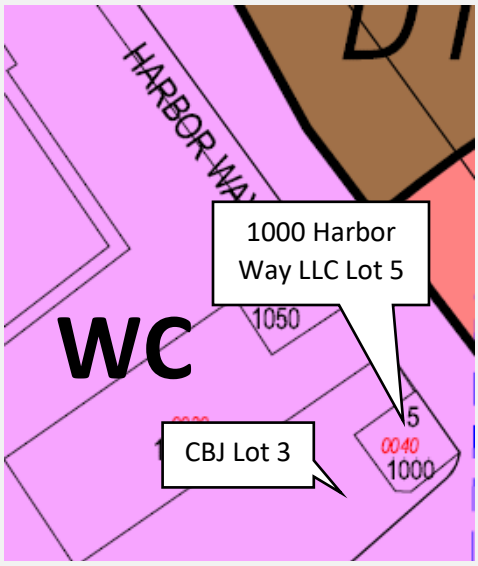
The Commission shall hear and decide the case per CBJ 53.09.260 - Negotiated sales, leases, and exchanges:

(a) Application, initial review, assembly authority to negotiate. Upon application, approval by the manager, and payment of a $500.00 fee, a person or business entity may submit a written proposal to lease, purchase, exchange, or otherwise acquire City and Borough land for a specified purpose. The proposal shall be reviewed by the assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the assembly by motion, the manager may commence negotiations for the lease, sale, exchange, or other disposal of City and Borough land.

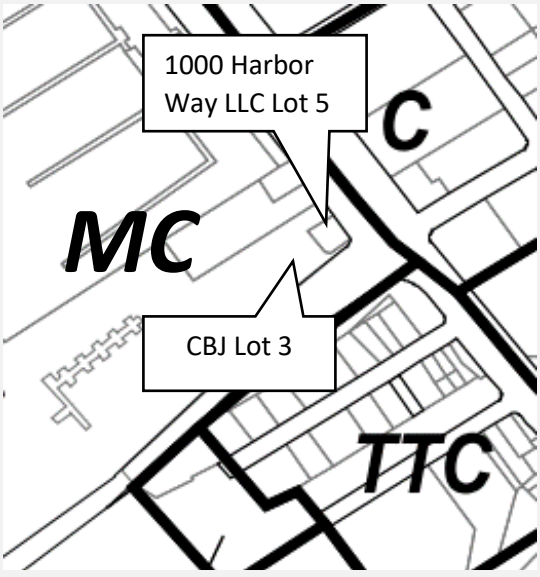
(b) Review and approval process. Upon satisfactory progress in the negotiation or competition undertaken pursuant to subsection (a) of this section, after review by the planning commission for disposals other than leases, after review by the assembly lands committee, and authorization by the assembly by ordinance, the manager may conclude arrangements for the lease, sale, exchange, or other disposal of City and Borough land. The final terms of a disposal pursuant to this section are subject to approval by the assembly unless the minimum essential terms and the authority of the manager to execute the disposal are set forth in the ordinance enacted pursuant to this subsection. The disposal may not be executed until the effective date of the ordinance.

CBJ 49.10.170(c) Planning Commission Duties: *The commission shall review and make recommendations to the assembly on land acquisitions and disposals as prescribed by Title 53, or capital improvement project by any City and Borough agency. The report and recommendation of the commission shall be based upon the provisions of this title, the comprehensive plan, and the capital improvements program.*

CURRENT ZONING MAP



LAND USE DESIGNATION MAP



SURROUNDING LAND USES AND ZONING

Direction	Zoning District	Land Use
North	Waterfront Commercial	Warehouse
South	Right-of-Way	Harbor Way
East	Right-of-Way	Harbor Way
West	Waterfront Commercial	Gastineau Channel

BACKGROUND INFORMATION

Project Description – The applicant is seeking to purchase an approximately 4,812 square foot portion of CBJ-owned land that is currently managed by the Docks and Harbors Department. The applicant owns the adjacent commercial property (Lot 5), and the commercial structure that is located on Lot 5 and a leased portion of Lot 3. The applicant would use the CBJ property to consolidate the lots and create more conformity for the structure, which would no longer cross a lot line after lot consolidation.

The applicant proposes purchasing the leased portion of Lot 3, as well as a 634 square foot portion of Lot 3 on the southwest side of the structure. During the plan review process, it was discovered that the land directly to the southeast side of the building is DOT ROW, and not part of Lot 3. On Jan 6, 2022 the applicant submitted a revised proposed site plan that does not include the DOT ROW land (Attachment D).

If the disposal is approved by the CBJ Assembly, the applicant would be required to submit a minor Subdivision application per CBJ 49.15.401(a)(4)" *"Lot line adjustments. The Minor Subdivision process shall be used to review adjustments to any number of lot boundary lines if the subdivision does not result in an increase in the number of lots."* Minor Subdivisions are approved by the Director.

The current application is solely to obtain a Property Disposal Recommendation from the Planning Commission.

Background –

The lots were originally platted in 1962 (Plat 347, Tidelands Addition to the City of Juneau, a subdivision of Alaska Tidelands Survey No 3), and the structure was built in 1967.

The structure was built on two lots and crosses a lot line. Lot 5 is currently owned by 1000 Harbor Way LLC (Tidelands Addition BL 51 LT 5). Lot 3 (Tidelands Addition BL 51 LT 3) is owned by the City and Borough of Juneau. A portion of Lot 3 is leased to 1000 Harbor Way LLC. The lease lot portion of Lot 3 was created in 1967 through a lease between the City of Juneau (lessor) and D. C. and Phyllis Langdon dba L & M Enterprises (lessee) (Recorded in Deed Book 85, Page 90). Lot 5 was modified in 1967, by a State of Alaska Right-of-Way taking (Case No. 67-125 of the State of Alaska Superior Court at Juneau, recorded in Deed Book 85, Page 358). Lot 3 was modified in 1980 when a portion was conveyed to the State of Alaska (recorded in Deed Book 170 page 557). The property owner is unable to get development permits to make improvements to the building due to the encroachment.

The table below summarizes relevant history for the subject parcel and proposed development.

Year	Type	Summary
1962	Plat	Plat 347, Tidelands Addition to the City of Juneau created lots 5 and 3.
1966	Building Plans	Plans for the building at 1000 Harbor Way are marked as "Approved" by the City of Juneau Alaska. Demonstrates that the building was approved in its current location.
1967	Lease	The lease recorded in Deed Book 85 page 90 created the leased portion of Lot 3 that the structure was built on.
1967	Declaration of Taking	Case No. 67-125 of the State of Alaska Superior Court at Juneau, recorded in Deed Book 85, Page 358, modified the dimensions of Lot 5.
1980	Warranty Deed	The warranty deed recorded in Deed Book 170 page 557, modified the dimensions of the leased portion of Lot 3 by deeding a portion to the State of Alaska.
1987	Plat	Plat 87-25 shows the State of Alaska Right-of-Way adjacent to the structure.
2022	Docks and Harbors Board Meeting	On August 25, 2022, the CBJ Docks and Harbors Board discussed the request from Hansen-Gress to purchase the adjacent CBJ owned land. After a lengthy discussion, the board voted 5-2 for a motion to advance the Hansen-Gress proposal. (Minutes Attachment E)
2022	Lands, Housing, and Economic Development Committee Meeting	On September 26, 2022, the CBJ Assembly Lands Housing and Economic Development Committee discussed the Hansen Gress application to purchase city property. The committee passed a motion to work with the original proposer in accordance with city code 53.09.260. (Draft Minutes Attachment F).
2022	Assembly Meeting	On November 21, 2022, the Assembly met to consider the matter and passed a motion to enter into negotiations with the applicant per CBJ 53.09.260 (Attachment G). (*Minutes of the meeting not yet available*).

CBJ 53.09.200(b) - Purpose and intent. The purpose and Intent of Title 53.09.200(b) is:

> *1. Inclusion in Land Management Plan. Except for property acquired by tax foreclosure or Reconveyance agreement, real property should not be conveyed prior to inclusion in a land management plan.*

The Land Management Plan designates this city property for disposal as retain.

Comprehensive Plan Classification – Marine Commercial (MC)

> ***Land to be used for water-dependent commercial uses such as marinas/boat harbors, marine vessel and equipment sales and repair services, convenience goods and services for commercial and sport fishing, marine recreation and marine tourism activities such as food and beverage services, toilet and bathing facilities, bait and ice shops, small-scale fish processing facilities, hotels and motels, and similar goods and services to support mariners and their guests. Float homes, house boats, and live-aboards would be residential uses to be allowed within an MC district.***

ZONING ANALYSIS

CBJ 49.05.100 - Purpose and intent. The purpose and Intent of Title 49 Land Use Code is:

(1) To achieve the goals and objectives, and implement the policies, of the Juneau comprehensive plan, and coastal management program;

(2) To ensure that future growth and development in the City and Borough is in accord with the values of its residents;

(3) To identify and secure, for present and future residents, the beneficial impacts of growth while minimizing the negative impacts;

(4) To ensure that future growth is of the appropriate type, design and location, and is served by a proper range of public services and facilities such as water, sewage, and electrical distribution systems, transportation, schools, parks and other public requirements, and in general to promote public health, safety and general welfare;

(5) To provide adequate open space for light and air; and

(6) To recognize the economic value of land and encourage its proper and beneficial use.

Table of Permissible Uses – The site is used for office space. Per Table of Permissible Uses (CBJ 49.25.300), offices greater than 2,500 square feet (3.400) are allowed in the Waterfront Commercial zoning district if the use is water-dependent, water-related, or water-oriented. In the narrative for related case NCC20220039, the applicant stated that Hansen Gress provides IT support for the maritime industry, and two of their major tenants Wartsila, a cruise ship maintenance contractor, and the Marine Exchange, are water-dependent, water-related, or water-oriented.

Table of Dimensional Standards – The proposed area for disposal encompasses 4,812 square feet of land in the WC zoning district. The structure is nonconforming for setbacks (NCC20220039 Attachment H). The proposed lot consolidation, if approved, would bring the structure into greater compliance by eliminating the encroachments. The southeast street side setback would remain nonconforming at 1.8 feet.

Other Permit Required – If the land disposal is approved, the applicant would be required to submit a Minor Subdivision application per CBJ 49.15.401(a)(4) in order to consolidate the lots.

Roadway Classification Maps – Harbor Way is not classified in the CBJ Roadway Classification Map.

Hazard Areas – Using U. S. Geological Survey contour data, the overall slope of the CBJ owned lease portion of Lot 3 is approximately 31%; future development would require a Hillside Development Endorsement per CBJ 49.70.200. A portion of Lot 3 and Lot 5 is located within a Special Flood Hazard Area Zone AE. Future development in this area would require a Floodplain Development Permit per CBJ 49.70.400.

COMMUNITY SERVICES

Service	Summary
Urban Service Boundary	Within the urban service area
Water/Sewer	CBJ Water / CBJ Sewer
Fire Service Area	Within the fire service area
Schools	Juneau School District

ENVIRONMENTAL, CONSERVATION, HISTORIC, AND ARCHEOLOGICAL RESOURCES

The below table summarizes Conservation, Historic, and Archeological Resources which may be affected by the property disposal.

Resource	Summary
Wetlands	None known
Flood Zone	A portion of Lot 3 and Lot 5 is located within a Special Flood Hazard Area Zone AE. Future development in this area would require a Floodplain Development Permit per CBJ 49.70.400.
Anadromous	There are no anadromous streams on or within 50 feet of the land disposal area.
Impaired Waterbodies	None
Historic	None
Archeological	None known
Comprehensive Plan View Sheds	No

CONFORMITY WITH ADOPTED PLANS

2013 COMPREHENSIVE PLAN VISION: *The City and Borough of Juneau is a vibrant State Capital that values the diversity and quality of its natural and built environments, creates a safe and satisfying quality of life for its diverse population, provides quality education and employment for its workers, encourages resident participation in community decisions and provides an environment to foster state-wide leadership.*

2013 COMPREHENSIVE PLAN - The proposed text amendment is in compliance with the 2013 Comprehensive Plan.			
Chapter	**Page No.**	**Item**	**Summary**
5	44	Policy 5.1	*Develop and sustain a diverse economy, providing opportunities for employment for all residents.* **Hanson Gress and the tenants provide year-round employment for Juneau residents.**
5	56	Policy 5.9	*To facilitate availability of sufficient and suitable water-based facilities and associated land-based acreage to support water-dependent uses,*

2013 COMPREHENSIVE PLAN - The proposed text amendment is in compliance with the 2013 Comprehensive Plan.			
			and to work closely with the public and private sectors to facilitate sustainable marine commerce, commercial fishing, seafood processing, recreation, public access to the shoreline, and enjoyment of the waterfront through development of well designed port facilities. **The use of the property was determined to be water-based. Lot consolidation would allow the property owner to make improvements to the structure.**
17	226	Community Development 17.2-SOP4	Base decisions regarding disposal of CBJ-owned lands on demonstrated market demand and evidence that disposal will be in the public interest and, particularly, for projects that would provide affordable housing or that would create jobs that pay a living wage. Coordinate activities with an orderly system for extending and constructing the public facilities and services called for in the transportation/public facilities and services element of the Plan. **The use of the building is office space that is water-based. The owners and lessees of the building provide employment in Juneau.**
17	226	Community Development 17.2-DG1	To the greatest extent practicable, retain shoreline and riparian lands in public ownership. However, where disposal of such lands is deemed by the Assembly to be appropriate, ensure the provision of public access to the shoreline and water including provision of adequate trail head or boat launch areas, and retention of a public access easement along beaches. **The CBJ Assembly voted to move forward with negotiations with the applicant. There is currently a building situated on the waterfront.**

2016 LAND MANAGEMENT PLAN - The proposed land disposal does NOT conform with the 2016 Housing Action Plan			
Chapter	**Page No.**	**Item**	**Summary**
CBJ Land Holdings	56	Tidelands LND-0890	Retention status is retain. "Retain" means land being retained for various public purposes which include parks, harbors, airport, fire stations, schools, the hospital, maintenance shops, etc. These lands are not intended to be sold but may be eased or leased for specific purposes, such as airport related uses, consistent with an adopted plan. **Land is currently designated as "retain." The land management plan would need to be updated to re-designate this portion of land.**

2016 LAND MANAGEMENT PLAN - The proposed land disposal does NOT conform with the 2016 Housing Action Plan			
Supply & Demand Land	68	CBJ Industrial & Waterfront Industrial Property	Most parcels of CBJ land zoned Industrial are under the jurisdiction of the Juneau International Airport or Docks and Harbors; both agencies operate as enterprise funds. Parcels under their jurisdiction will not be discussed in detail in this plan because money generated from those properties is directed back to the respective enterprise funds. Additionally, specific master plans for these departments will guide their disposal methods and timing. As a general rule, airport lands and tidelands will not be sold and only be leased for development. **The Docks & Harbors board voted to advance the proposal.**

AGENCY REVIEW

CDD conducted an agency review comment period between December 20, 2022 and Jan 6, 2022. Agency review comments can be found in Attachment C.

Agency	**Summary**
Alaska DOT&PF	Revised site plan is acceptable. Would like to have opportunity to review the plat for the lot consolidation before recording.
CBJ Docks and Harbors	Sent a copy of the August 25th, 2022 presentation by Hansen-Gress and the minutes from the Board meeting
CBJ Finance	No comments received
CBJ Lands & Resources	No comments received
CBJ Building	No comments received
CBJ General Engineering	No comments received
US Forest Service	No comments received
US Army Corps of Engineers	No comments received

PUBLIC COMMENTS

CDD conducted a public comment period between December 15, 2022 and Jan 6, 2022. Public notice was mailed to property owners within 500 feet of the proposed development. A public notice sign was also posted on-site two weeks prior to the scheduled hearing. No public comments have been submitted at time of writing this staff report.

FINDINGS

In accordance with CBJ 49.15.580 staff finds the proposed Property Disposal complies with Title 49 Land Use Code and is in general conformity with adopted plans, specifically the 2013 Comprehensive Plan.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and forward a recommendation of APPROVAL to the CBJ Assembly for the disposal of approximately 4,812 square feet of CBJ land at 1000 Harbor Way.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	Abutters Notice and Public Notice Sign Photo
Attachment C	Agency Comments
Attachment D	Updated site plan from applicant
Attachment E	Minutes from August 25, 2022 Docks & Harbors board meeting
Attachment F	Minutes from September 26, 2022 Lands, Housing and Economic Development committee meeting
Attachment G	Agenda for November 21, 2022 Assembly Meeting
Attachment H	NCC20220039

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

To be completed by Applicant

PROPERTY LOCATION

Physical Address: 1000 Harbor Way

Legal Description(s) (Subdivision, Survey, Block, Tract, Lot): TIDELANDS ADDITION BL 51 LT 5

Parcel Number(s): 1C060K510040

☐ This property is located in the downtown historic district
☐ This property is located in a mapped hazard area, if so, which _____

LANDOWNER/ LESSEE

Property Owner: Hansen Gress/CBJ

Contact Person: Tyler Gress

Mailing Address: 1000 Harbor Way

Phone Number(s): 9074636900

E-mail Address: tyler@hansengress.com

LANDOWNER/ LESSEE CONSENT

Required for Planning Permits, not needed on Building/ Engineering Permits.

Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.

I am (we are) the owner(s)or lessee(s) of the property subject to this application and I (we) consent as follows:
A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.
B. I (we) grant permission for the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.

Dan Bleidorn — **Landowner/Lessee (Printed Name)**
CBJ Land Mana — **Title (e.g.: Landowner, Lessee)**

X Daniel Bleidorn — **Landowner/Lessee (Signature)**
9/13/22 — **Date**

Tyler Gress — **Landowner/Lessee (Printed Name)**
Lessee — **Title (e.g.: Landowner, Lessee)**

X Tyler — **Landowner/Lessee (Signature)**
8/31/2022 — **Date**

NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.

APPLICANT

If same as LANDOWNER, write "SAME"

Applicant (Printed Name): 1000 Harbor Way, LLC

Contact Person: Tyler Gress

Mailing Address: 1000 Harbor Way, Suite 201

Phone Number(s): 907-723-7069

E-mail Address: tyler@hansengress.com

X Tyler — **Applicant's Signature**
8/31/2022 — **Date of Application**

----------DEPARTMENT USE ONLY BELOW THIS LINE----------

Intake Initials: AB

Case Number: PAD22-004

Date Received: 11/8/22

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

PROPERTY ACQUISTION AND DISPOSAL REVIEW APPLICATION

See reverse side for more information regarding the permitting process and the materials required for a complete application.

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

To be completed by Applicant

PROJECT SUMMARY:

The building Hansen Gress recently purchased at 1000 Harbor Way is partially on CBJ leased land and partially on their property at TIDELANDS ADDITION BL 51 LT 5. To permit any work that crosses that lot line, through the building they have purchased, the lots will need to be consolidated. The desire is to purchase the land on which the building is built so they can make major structural and architectural improvements to the aging building. Before acquiring the property, we also hope that CBJ will move the lot lines to allow for development on the water side of the building. With the setbacks in place for the waterfront commercial zone, the current lot lines do not allow for the building owner to put a deck or a canopy on the water side. We hope you consider our proposal of Hansen Gress purchasing Tidelands addition Bl 5 to consolidate the lots and provide an avenue for the building owner to do the improvements necessary to protect their investment and visually improve a small portion of the Juneau waterfront.

TYPE OF PROJECT REVIEW: ☑ Property Acquisition Review ☑ Property Disposal Review

PROJECT NUMBERS ASSOCIATED WITH PROPOSAL:

Is this project associated with any other Land Use Permits? ☐ YES Case No.: _____ ☐ NO

Capital Improvement Program # (CIP) _____

ESTIMATED PROJECT COST: $_____

ALL REQUIRED MATERIALS ATTACHED

- ☒ **Complete application**
- ☒ **Pre-Application notes** (if applicable)
- ☒ **Narrative including:**
  - ☒ Current use of land or building(s)
  - ☒ Proposed use of land or building(s)
  - ☒ How the proposed project complies with the Comprehensive Plan
  - ☒ How the proposed project complies with the Land Use Code (Title 49)
- **Site Plan** (details on page 2)

NOTE: This application is required even if the proposed project is associated with other Land Use permits.

----------DEPARTMENT USE ONLY BELOW THIS LINE----------

PROPERTY ACQUISITION & DISPOSAL FEES	Fees	Check No.	Receipt	Date
Application Fees	$ 0			

$100 Sign Deposit
$50 Sign Fee
$150

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number	Date Received
PAD22-004	11/8/22

Property Acquisition & Disposal Review Information

Property Acquisition & Disposal project review is outlined in CBJ 53.04 and 53.09

Each application for a Property Acquisition & Disposal project is reviewed by the Planning Commission at a public hearing. The permit procedure is intended to provide the Commission the flexibility necessary to make recommendations tailored to individual applications.

Application: An application for a Property Acquisition & Disposal project review will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed Property Acquisition & Disposal Project Application, and Development Permit Application forms.
2. **Fees:** No fee required for projects that cost less than $2.5 million. For projects costing more than this amount, the fee is $1,600.00. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the project.
4. **Plans:** All plans are to be drawn to scale and clearly show the items listed below:
    a. Plat, site plan, floor plan and elevation views of existing and proposed structures and land;
    b. Existing and proposed parking areas, including dimensions of the spaces, aisle width and driveway entrances;
    c. Proposed traffic circulation within the site including access/egress points and traffic control devices;
    d. Existing and proposed lighting (including cut sheets for each type of lighting);
    e. Existing and proposed vegetation with location, area, height and type of plantings; and,
    f. Existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.)

Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Application Review & Hearing Procedure: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: As part of the review process the Community Development Department will evaluate the application for consistency with applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the permit request the application may be required to be reviewed by other municipal boards and committees. Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.

Hearing: Property Acquisition & Disposal project Applications must be reviewed by the Planning Commission. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting. The Planning Commission will make a recommendation based on staff's analysis and forward it to the Assembly for final approval/denial.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Current use of land or building(s)

The building at 1000 Harbor Way sits across two parcels. We own one of the parcels, and the other is essentially* the subject of this application. D&H/CBJ is the owner and they have committed this land to this lease agreement through the end of the term (with renewal, that is Fall 2085). Current use of that lot is as a leasehold to the building at 1000 Harbor Way, which has historically been a commercial office/retail building enjoying a waterfront view.

* I say "essentially" here because our application also includes 1047 square feet outside that leasehold parcel, on an adjacent CBJ parcel that is mostly water and does not have any current use. Incidentally, this additional land does contain a number of pilings of ours that are outside the existing property boundary entirely.

Proposed use of land or building(s)

We are proposing to keep the land use the same. The building has been on this land since 1967, and our objective when we bought the building earlier this year was to renovate it and continue to operate it for various tenants. We are the primary tenant, and we are an IT contractor that supports a significant cross-section of Juneau's business and non-profit organizations. Other tenants after renovation will include Wartsila and Marine Exchange of Alaska.

How the proposed project complies with the Comprehensive Plan

Page 14 of the comprehensive plan shows this property and that it resides in a Marine Commercial zoned area. Here are a few points I have raised in the past that address the waterfront nature of this office building and its occupants:

1. It's pretty fair to say that our company is the IT department for Juneau's local maritime industry: Alaska Glacier Seafoods, Taku Smokeries, DIPAC, APICDA, UFA, SEAFA, Allen Marine, other water-related tour companies, etc. We also often end up working on boat nav systems, maritime communications systems, etc. As the primary tenant in this building, we have plenty of connections to the maritime industry.
2. Our building has a long-standing lease with Wartsila, which is a cruise ship maintenance contractor.
3. Marine Exchange is moving in as another major tenant. That's all 3 tenants, maritime.

More generally, this building will offer premium waterfront office space. This is something unique Juneau does not have much of, and we are trying to permit and improve a facility that honors our position on the water.

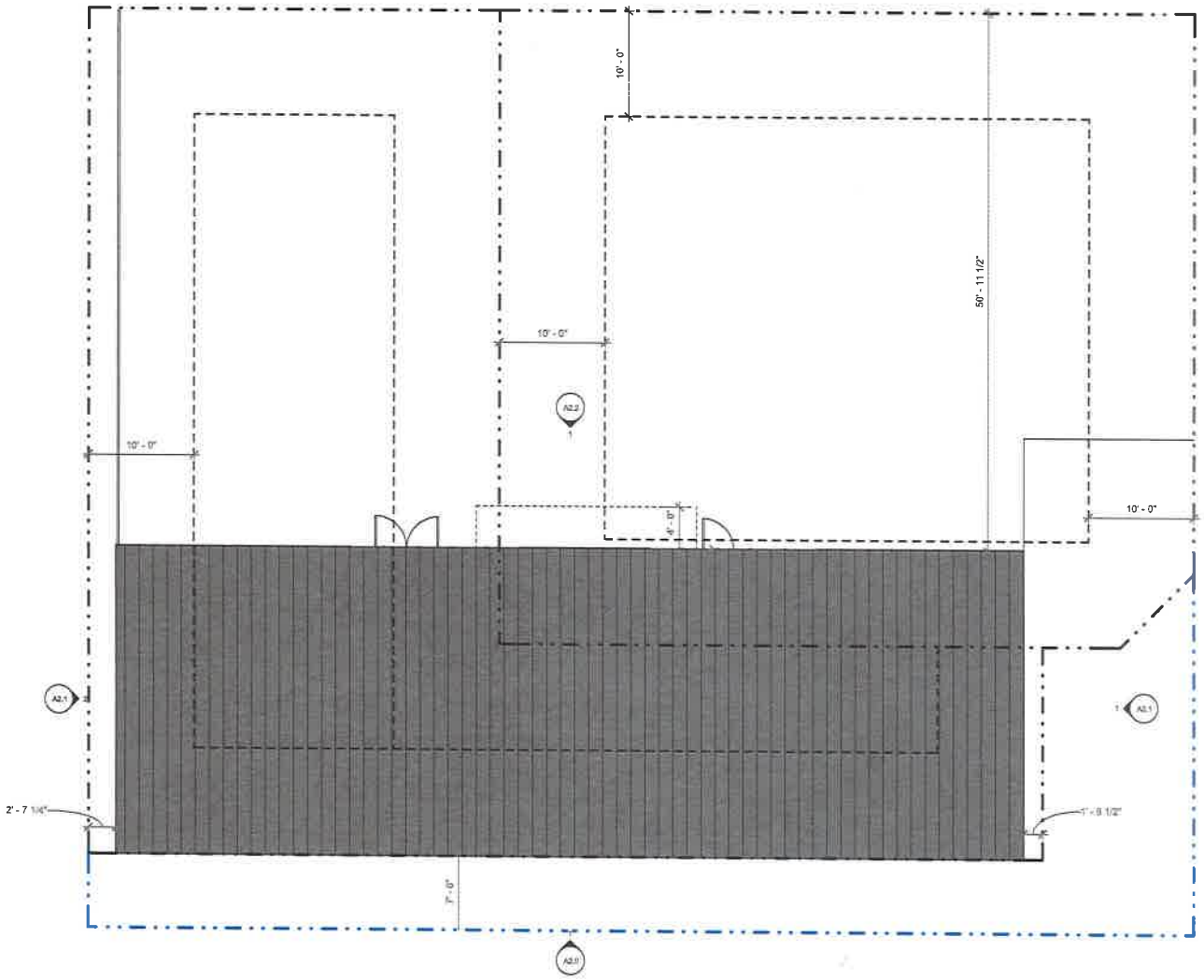
How the proposed project complies with the Land Use Code (Title 49)

We had a pre-app review for consolidation of these two lots, and that document called out these impacts on Title 49:

1. **49.25.400 – Table of dimensional standards. Interior renovation/remodel work is permitted, but work on the exterior of the building cannot cross lot lines.**
   My understanding is that the proposed project (sale of this parcel and subsequent consolidation) brings this building and its lots into compliance with this problem. It at least improves it greatly: (1) we would no longer have a building that crosses property lines and (2) the setbacks on several sides would be brought into compliance where they are not today.
2. **49.25.250 – Waterfront Districts – Uses in Waterfront Commercial (WC) districts are established to accommodate those uses that are dependent or directly related to the water, a waterfront location, or both.**
   I believe our narrative above about the comprehensive plan, our tenants and relevance to waterfront use addresses this. That said, the building is already there, and *most* of the land in question is already leased to it. This application is for a sale of land to facilitate a direct remodel of the building. This would not change the "use" of the land, and certainly not change the impact of this parcel on 49.25.250 or vice versa.
3. **49.30.210 – Non Conforming Situations – CBJ CDD recommends that the owners of the structure at 1000 Harbor Way acquire a Non-Conforming Certification in order to maintain the existing conditions on the property.**
   I believe this call-out in the pre-app is simply to address the 0-foot setback on the property line next to USFS property (called "west" in the pre-app), which would remain after consolidation (nothing anyone can really do about this).

Please feel free to contact me with any other questions.

Thanks,
Tyler Gress



1 SITE PLAN
3/16" = 1'-0"

LEGEND
- PROPERTY LINE
- PROPOSED PROPERTY LINE
- SETBACK
- EXISTING BUILDING

NorthWind Architects, LLC
126 Seward St
Juneau, AK 99801
Ph #907.586.6150
www.northwindarch.com

IF THE ABOVE DIMENSION DOES NOT MEASURE ONE INCH (1") EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED AFFECTING ALL LABEL SCALES

HANSEN GRESS RENOVATION

1000 HARBOR WAY
JUNEAU, ALASKA

SHEET TITLE:
SITE PLAN

CHECKED JB
DRAWN SCC

issue	date	description

SHEET # A0.1

ISSUE DATE 09.30.22

© NorthWind Architects, LLC. Project Number

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/community-development
155 S. Seward Street • Juneau, AK 99801

Harbor Way Lot Consolidation

Case Number:	PAC2022 0032
Applicant:	Hansen-Gress
Property Owner:	CBJ Leased Land/Harbor Lights Enterprises LLC.
Property Address:	1000 Harbor Way, Juneau, AK. 99801
Parcel Code Number:	1C060K510040; 1C060K510041
Site Size:	4,041sq'/.0928acres; 4,178sq'/.0959acres
Zoning:	(WC) Waterfront Commercial
Existing Land Use:	Office Building

Conference Date:	June 15, 2022
Report Issued:	October 6, 2022

DISCLAIMER: Pre-application conferences are conducted for purposes of providing applicants with a preliminary review of a project and timeline. Pre-application conferences are not based on a complete application, and are not a guarantee of final project approval.

List of Attendees

Note: Copies of the Pre-Application Conference Report will be emailed, instead of mailed, to participants who have provided their email address below.

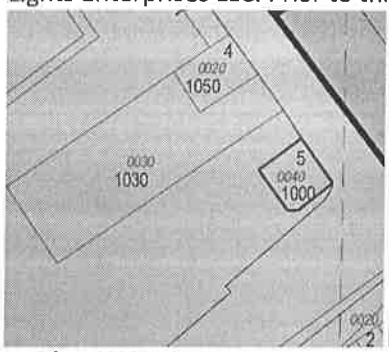
Name	Title	Email address
Shannon Crossley	Architect, Applicant	Shannon@northwindarch.com
Tyler Gress	Property Owner, Applicant	Tyler@Hansengress.com
Matt Herrick	Contractor	Matt@levelconstruction.com
Carl Uchytil	Port Director	Carl.Uchytil@juneau.org
Erich Schaal	Port Engineer	Erich.Schaal@juneau.org
David Matthew Peterson	Planning	David.Peterson@juneau.org

Conference Summary

Questions/issues/agreements identified at the conference that weren't identified in the attached reports.

Applicant is proposing a lot consolidation of Tidelands Addition BL5, and BL51; and a land acquisition of a portion of Docks and Harbors, Tidelands Addition. Existing conditions and current CDD Zoning code impact desired improvements to be made to the structure.

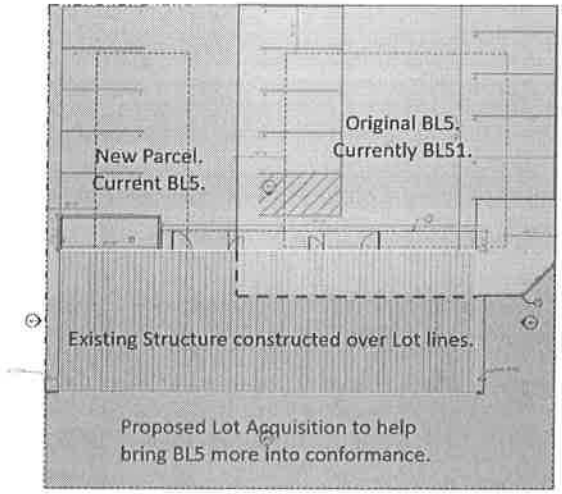
A Warranty Deed from 2010 shows the transfer of Lot 5 (Block 51), from Peter and Mary Bernstein to Harbor Lights Enterprises LLC. Prior to this sale, Block 51 was known as Block 5. It is unclear how Block 5 was platted.



Lot 5 from 2006 Zoning Map.

Image from June 2013 CBJ GIS parcel viewer.

The structure located at 1000 Harbor way breaches the lot lines that separate BL5 and BL51. Due to the lack of documentation, it is unclear as to how the structure was permitted and allowed to be built.



Submitted Preliminary Plat June 2022.

Title 49 Impacts:

49.25.400 – Table of dimensional standards. Interior renovation/remodel work is permitted, but work on the exterior of the building cannot cross lot lines.

49.25.250 – Waterfront Districts – Uses in Waterfront Commercial (WC) districts are established to accommodate those uses that are dependent or directly related to the water, a waterfront location, or both.

49.30.210 – Non Conforming Situations – CBJ CDD recommends that the owners of the structure at 1000 Harbor Way acquire a Non-Conforming Certification in order to maintain the existing conditions on the property.

NOTE: A variance would not be an option per variance standards. 49.20.250

(a) *Administrative variances.*

(1) An administrative variance may be granted to allow projections not to exceed 25 percent of the yard setback requirements of this title or two feet, whichever is less, upon the director determining the following:

(A) Enforcement of the setback ordinance would result in an unreasonable hardship;

(B) The grant of the variance is not detrimental to public health, safety, or welfare; and

(C) The grant of the variance is narrowly tailored to relieve the hardship.

(2) An administrative variance decision by the director may be appealed if a notice of appeal is filed within 20 days of the date the decision is signed by the director, in accordance with section 49.15.239.

(b) *Non-administrative variances.*

(1) A variance may be granted to provide an applicant relief from requirements of this title after the prescribed hearing and after the planning commission has determined that:

(A) Enforcement of the ordinance would create an undue hardship resulting from the unusual or special conditions of the property;

(B) The unusual or special conditions of the property are not caused by the person seeking the variance;

(C) The grant of the variance is not detrimental to public health, safety, or welfare; and

(D) The grant of the variance is narrowly tailored to relieve the hardship.

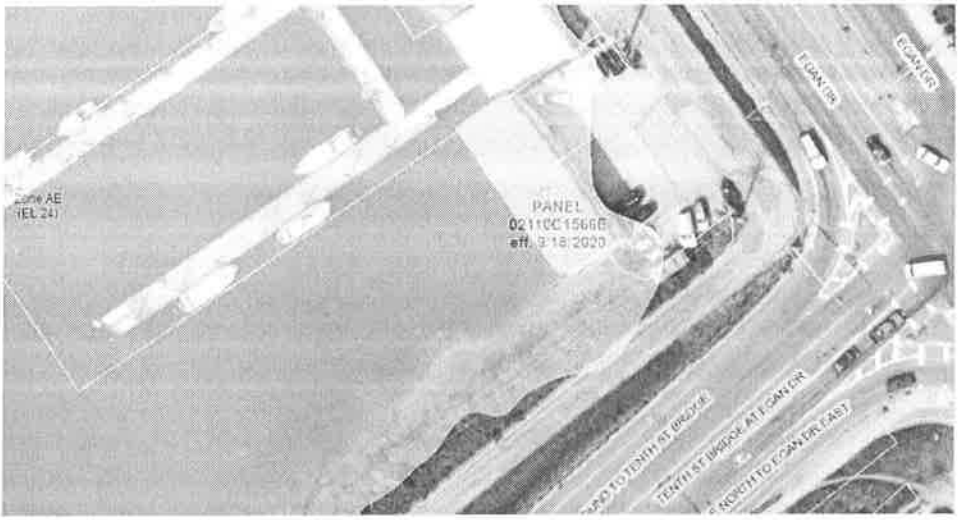
Project Overview

Applicant is seeking a lot consolidation for 1000 Harbor Way. The building straddles a leased waterfront property owned by CBJ Docks and Harbors. Hansen Gress is not able to make repairs to property while building is in violation of Dimensional Standards (ref. table 49.25.400).

Planning Division – Per Article IV – Dimensional Standards - 49.25.400

1. **Zoning** – Both parcels are in the Waterfront Commercial (WC) zone.
2. **Subdivision** – A lot consolidation is considered a subdivision, and the new lot would need to meet subdivision code. The proposed consolidation would exceed minimum lot size and width.
3. **Setbacks** –
   a. North - Front: 10'
   b. South - Rear: 10' (Tidewater lot line requires 0' setback).
   c. West - Side: 10' (NCC would allow for the structure to remain within setback.)
   d. East – Side: 10'
4. **Height** – Maximum height for Primary, and Accessory uses, is 35'. (Height bonus are available).
5. **Access** – Both parcels are accessed off of Egan Drive through the Harris Harbor Driveway, and Harbor Way.
6. **Parking & Circulation** – (check if in Juneau / Douglas Geographic area). Lot is outside of the Town Center Parking District.
7. **Lot Coverage** – There is no MAXIMUM lot coverage in WC.
8. **Vegetative Coverage** – Per 49.50.300, WC lots require 10% vegetative coverage.
9. **Lighting** – N/A

10. **Noise** – N/A
11. **Flood** – Panel 02110C1566E, effective 9/18/2020, Flood zone 'AE', with a flood elevation at 24'. Substantial portion of lots reside in a flood zone. Please see attached Article IV - 49.70.400. Flood Plain Development permit required.



12. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – N/A
13. **Wetlands** – N/A
14. **Habitat** – Check with the U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling. No anadromous waterbodies are on the subject parcel, or within 50 feet.
15. **Plat or Covenant Restrictions** – No known restrictions.
16. **Traffic** – Per 49.40.210: Bank, Office, Retail Commercial, Salon, and Spa requires there to be 1 parking space per 300 square feet of gross floor area. Refer to table 49.40.210(b) to determine number of handicapped spaces required.
17. **Nonconforming situations** –
    a. Structure has been constructed within setbacks on the rear and side lot lines.
    b. Structure has been built on the lot lines of Lot 5.
    c. Note: Even after lot consolidation, the west lot line will be nonconforming.

Building Division

18. **Building** – N/A
19. **Outstanding Permits** –

a. BLD20220639- "Window and siding replacement, interior renovation work"

General Engineering/Public Works

20. **Engineering** – See Utilities.
21. **Drainage** – N/A
22. **Utilities** – (water, power, sewer, etc.) As-Builts could not be located for this parcel(s) but it is believed that only one water line serves the building (one dedicated fire line and one domestic water). A decommissioning of a second domestic water line will be required if discovered.

Fire Marshal

23. **Fire Items/Access** – N/A

Other Applicable Agency Review

24. USF&W – (907) 780-1163

List of required applications

Based upon the information submitted for pre-application review, the following list of applications must be submitted in order for the project to receive a thorough and speedy review.

1. Development Permit Application (DPA)
2. Non-Conforming Certification (NCC)
3. Property Acquisition and Disposal (PAD)
4. Flood Plain Development Permit (FZD)

Details below outline the CDD process.

Note: Coordinate with Docks and Harbors, and Lands to their requirements.

1. Survey lot acquisition area.
2. Fill and submit a Property Acquisition and Disposal (PAD) application.
    a. This will be presented to the commission.
    b. Following the commission hearing, this will be presented to the Assembly.
        i. May need to be seen by Lands Committee, and/or Housing & Economic Development Committee.
        ii. Committee of the Whole.
        iii. Assembly
3. Once approved, apply for a minor Lot Consolidation. This will require a new plat.

Fee Estimates

The preliminary plan review fees listed below can be found in the CBJ code section 49.85.

Based upon the project plan submitted for pre-application review, staff has attempted to provide an accurate estimate for the permits and permit fees which will be triggered by your proposal.

1. Submittal Fee = $110.

    Lot Creation = $25/lot

    $110 + $125 = $135 Lot Consolidation Fee

For informational handouts with submittal requirements for development applications, please visit our website at www.juneau.org/community-development.

Submit your Completed Application

You may submit your application(s) online via email to permits@juneau.org
OR in person with payment made to:

City & Borough of Juneau, Permit Center
230 South Franklin Street
Fourth Floor Marine View Center
Juneau, AK 99801

Phone: (907) 586-0715
Web: www.juneau.org/community-development

Attachments:
49.25.250 Waterfront Districts
49.25.400 Minimum Dimensional Standards
49.30.210 Nonconforming Situations in general
49.40.210 Number of off street parking spaces required
49.70.400 Floodplain
Development Permit Application
Non-Conforming Certification Application
Property Acquisition and Disposal Application
Flood Plain Development Permit Application

49.25.250 Waterfront districts.

The following districts are established to accommodate those uses that are dependent or directly related to the water, a waterfront location, or both. These districts regulate development of the waterfront to take advantage of the unique attributes and limitations of its lands:

(a) The WC, waterfront commercial district, is intended to provide both land and water space for uses which are directly related to or dependent upon a marine environment. Such activities include private boating, commercial freight and passenger traffic, commercial fishing, floatplane operations, and retail services directly linked to a maritime clientele. Other uses may be permitted if water-dependent or water-oriented. Residential development is allowed in mixed- and single-use developments in the waterfront commercial district.

(b) The WI, waterfront industrial district, is intended for industrial and port uses which need or substantially benefit from a shoreline location. In addition, many of the uses that are allowed in the WC, waterfront commercial district, are also allowed in the WI, waterfront industrial district. Residential uses are limited to caretaker residences in the waterfront industrial district.

(Serial No. 87-49, § 2, 1987; Serial No. 90-52, § 2, 1990; Serial No. 2012-24, § 2, 5-14-2012, eff. 6-14-2012)

Cross reference(s)—Water and harbors, CBJ Code tit. 85.

49.25.400 Minimum dimensional standards.

There is adopted the table of minimum dimensional standards, table 49.25.400. Minimum dimensional standards for all zoning districts shall be according to the table of minimum dimensional standards, subject to the limitations of the following sections and as otherwise specifically noted in the special area or use sections, chapters 49.65 and 49.70.

(Serial No. 87-49, § 2, 1987; Serial No. 89-32, § 2, 1989; Serial No. 98-09, § 5(Exh. B), 1998; Serial No. 98-20, § 2(Exh. A), 1998; Serial No. 2004-13, § 2, 9-27-2004; Serial No. 2006-13, § 2, 5-15-2006; Serial No. 2007-13, § 2, 4-2-2007; Serial No. 2012-24, § 3, 5-14-2012, eff. 6-14-2012 ; Serial No. 2021-28 , § 4, 8-23-2021, eff. 9-22-2021)

TABLE 49.25.400

TABLE OF DIMENSIONAL STANDARDS

Zoning Regulations	RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	MU	MU2	MU3	NC	LC	GC	WC	WI	I
Minimum Lot Size[1]																	
Permissible Uses	36,000	36,000	12,000	7,000	3,600[10]	6,000	5,000	5,000	4,000	4,000	3,000	3,000	2,000	2,000	2,000	2,000	2,000
Bungalow[9]		18,000	6,000	3,500	2,500	3,000	3,000	2,500									
Duplex	54,000	54,000	18,000	10,500													
Common Wall Dwelling				7,000	3,600[10]	5,000	3,500	2,500		2,500							
Single-family detached, two dwellings per lot	72,000	72,000	24,000														
Minimum lot width	150′	150′	100′	70′	40′	50′	50′	50′	50′	50′	40'	40'	20′	20′	20′	20′	20′
Bungalow[9]		75′	50′	35′	25′	25′	25′	25′									
Common wall dwelling				60′	40′	40′	30′	20′		20′							
Maximum lot coverage																	
Permissible uses	10%	10%	35%	50%	50%	50%	50%	50%	None	80%	75%	None	None	None	None	None	None
Conditional uses	20%	20%	35%	50%	50%	50%	50%	50%	None	80%			None	None	None	None	None

Maximum height permissible uses	45′	35′	35′	35′	35′	35′	35′	35′	None	45′[4]	35′	35′	45′	55′	35′[4]	45′[4]	None
Accessory	45′	25′	25′	25′	25′	25′	25′	25′	None	35′	25′	25′	35′	45′	35′[4]	45′[4]	None
Bungalow[9]		25′	25′	25′	25′	25′	25′	25′									
Minimum front yard setback[3]	25′	25′	25′	20′	20′[10]	20′	20′	20′	0′	5′5,8	0′	0′	25′	10′	10′	10′	10′
Maximum front yard setback											20′	15′					
Minimum street side yard setback	17′	17′	17′	13′	10′	13′	13′	13′	0′	5′	0′	0′	17′	10′	10′	10′	10′
Maximum street side yard setback											15′	10′					
Minimum rear yard setback[3]	25′[2]	25′	25′	20′	10′	20′	15′	10′	0′	5′	5′	0′11	10′	10′	10′	10′	10′
Minimum side yard setback[3]	15′[2]	15′	10′	5′	3′	5′	5′	5′	0′	5′	0′	0′11	10′	10′	10′	10′	0′
Common wall dwelling				10′[6]	3′	5′[7]	5′[7]	5′[7]		5′[7]							

Notes:

1. Minimum lot size is existing lot or area shown on chart in square feet.
2. Sixty feet between nonresidential and designated or actual residential site; 80 feet between industrial, extractive and other uses.
3. Where one district abuts another the greater of the two setbacks is required for both uses on the common property line.
4. (Height Bonus) Reserved.
5. (Pedestrian Amenities Bonus) Reserved.

Attachment A - Application Packet

6. Zero-foot setback for the portion of the dwelling with a common wall, five-foot setback or five-foot wide easement for the portion of the dwelling at the common lot line without a common wall, and ten-foot setback for the remaining side yards of the lot.

7. Zero-foot setback for the portion of the dwelling with a common wall, five-foot setback or five-foot wide easement for the portion of the dwelling at the common lot line without a common wall, and five-foot setback for the remaining side yards of the lot.

8. On corner lots, buildings shall be set back 15 feet from a street intersection. The area in which buildings shall be prohibited shall be determined by extending the edge of the traveled ways to a point of intersection, then measuring back 15 feet, then connecting the points.

9. Special restrictions apply to construction on bungalow lots. See special use provisions 49.65.600.

10. For lots adjacent to an alley, the following reductions to the dimensional standards apply:

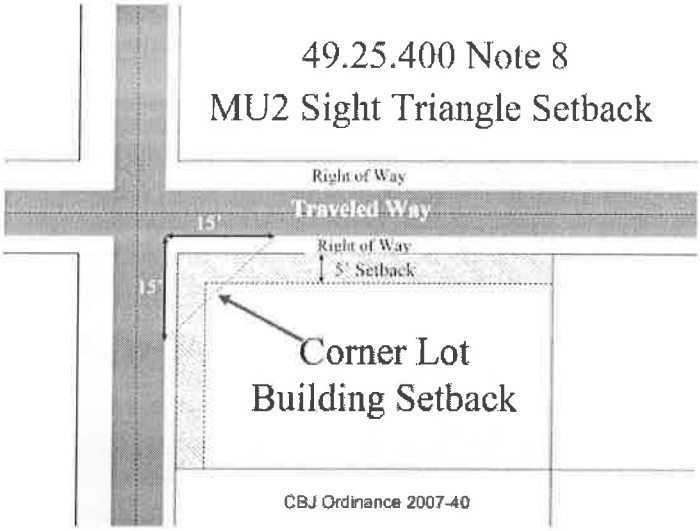
    (a) Minimal lot area includes 50% of adjacent alley (see graphic).

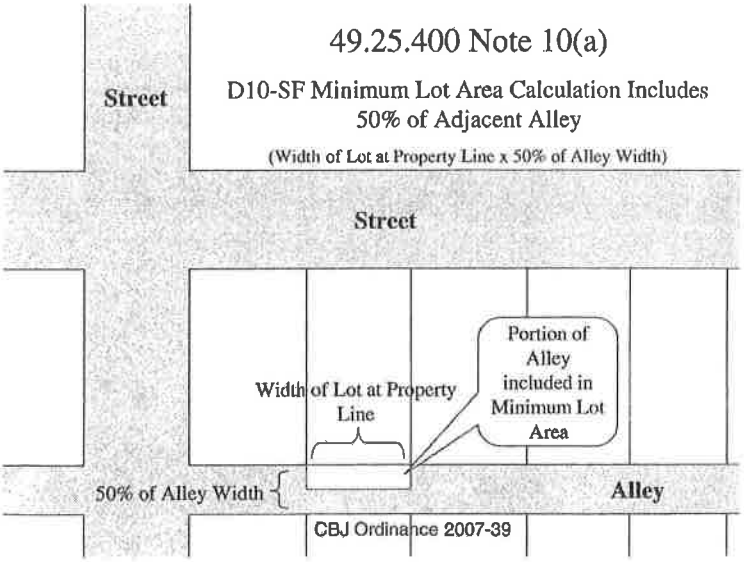
    (b) Reserved.

    (c) Minimum front yard setback of ten feet.

11. Additional setbacks apply when lot abuts a multi-family or single-family residential zoning district.

(Serial No. 2008-04, § 2, 2-25-2008, eff. 3-27-2008; Serial No. 2012-24, § 3, 5-14-2012, eff. 6-14-2012 ; Serial No. 2021-28 , § 4, 8-23-2021, eff. 9-22-2021; Serial No. 2021-35(am), § 4(Exh. B), 2-7-2022, eff. 3-10-2022)





(Serial No. 2007-39, § 9, 6-25-2007; Serial No. 2007-40, § 2, 6-25-2007)

49.30.210 Nonconforming situations in general.

(a) *Continuation of nonconforming situations.* Except as otherwise provided in this title, situations made nonconforming by this title may remain.

(b) *Change of nonconforming situation to comply with this title.* Any nonconforming situation may be changed to comply with this title. Once a nonconforming situation becomes conforming, the nonconforming rights under this chapter are relinquished with respect to that nonconforming situation, and the nonconforming situation must not be re-established.

(c) *Ownership.* Change in property ownership does not alter the legal status of any nonconforming situation.

(d) *Routine maintenance and repair.* Nothing in this chapter prohibits normal maintenance or routine repairs, which includes, but is not limited to, roofing repair or replacement, window replacement, and other similar minor structural repairs.

(Serial No. 2019-37, § 5, 3-16-2020, eff. 4-16-2020)

49.40.210 Number of off-street parking spaces required.

(a) *General.* The minimum number of off-street parking spaces required must be as set forth in the following table. The number of spaces must be calculated and rounded down to the nearest whole number:

Use	Spaces Required in All Other Areas	Spaces Required in Town Center Parking Area
Single-family and duplex	2 per each dwelling unit	1 per each dwelling unit
Multifamily units	1 per one bedroom unit	0.4 per one bedroom unit
	1.5 per two-bedroom unit	0.6 per two-bedroom unit
	2.0 per three- or more bedroom unit	0.8 per three- or more bedroom unit
Rooming house, boardinghouse, single-room occupancies with shared facilities, bed and breakfast, halfway house, and group home	1 per 2 bedrooms	1 per 5 bedrooms
Single-room occupancies with private facilities	1 per each single-room occupancy plus 1 additional per each increment of four single-room occupancies with private facilities	1 per 5 single-room occupancies, plus 1 per each increment of ten single-room occupancies with private facilities.
Accessory apartment	1 per each unit	0 per each unit
Motel	1 per each unit in the motel	1 per each 12 units in the motel
Hotel	1 per each four units	1 per each 12 units
Hospital and nursing home	2 per bed OR one per 400 square feet of gross floor area	2 per bed OR one per 400 square feet of gross floor area
Senior housing	0.6 parking spaces per dwelling unit	0.3 spaces per dwelling unit
Assisted living facility	0.4 parking spaces per maximum number of residents	0.4 parking spaces per maximum number of residents
Sobering center	1 parking space per 12 beds	2 parking spaces
Theater	1 for each four seats	1 for each 10 seats
Church, auditorium, and similar enclosed places of assembly	1 for each four seats in the auditorium	1 for each 10 seats in the auditorium
Bowling alley	3 per alley	1.2 per alley
Bank, office, retail commercial, salon and spa	1 per 300 square feet of gross floor area	1 per 750 square feet of gross floor area
Medical or dental clinic	1 per 200 square feet of gross floor area	1 per 400 square feet of gross floor area
Funeral Home	1 per six seats based on maximum seating capacity in main auditorium	1 per 15 seats based on maximum seating capacity in main auditorium
Warehouse, storage, and wholesale businesses	1 per 1,000 square feet of gross floor area	1 per 2,500 square feet of gross floor area
Restaurant and alcoholic beverage dispensary	1 per 200 square feet of gross floor area	1 per 750 square feet of gross floor area
Swimming pool serving general public	1 per four persons based on pool capacity	1 per 10 persons based on pool capacity

Shopping center and mall	1 per 300 square feet of gross leasable floor area	1 per 750 square feet of gross floor area
Convenience store	49.65 Article V	1 per 750 square feet of gross floor area
Watercraft moorage	1 per three moorage stalls	2 per 15 moorage stalls
Manufacturing uses; research, testing and processing, assembling, industry	1 per 1,000 square feet gross floor area except that office space must provide parking as required for offices	1 per 2,500 square feet gross floor area except that office space must provide parking as provided for offices
Library and museum	1 per 600 square feet gross floor area	1 per 1,500 square feet of gross floor area
School, elementary	2 per classroom	2 per classroom
Middle school or junior high	1.5 per classroom	1.5 per classroom
High school	A minimum of 15 spaces per school; where auditorium or general assembly area is available, one per four seats; one additional space per classroom	A minimum of 15 spaces per school; where auditorium or general assembly area is available, one per four seats; one additional space per classroom
College, main campus	1 per 500 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater	1 per 500 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater
College, satellite facilities	1 per 300 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater	1 per 300 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater
Repair/service station	5 spaces per bay. For facilities with two or more bays, up to 60 percent of the required non-accessible parking spaces may be in a stacked parking configuration.	3 spaces per bay. All but two of the required non-accessible parking spaces may be in a stacked configuration
Post office	1 per 200 square feet gross floor area	1 per 500 square feet of floor area
Childcare Home	49.65 Article X, cannot be varied or FIL	49.65 Article X, cannot be varied or FIL
Childcare Center	49.65 Article X, cannot be varied or FIL	49.65 Article X, cannot be varied or FIL
Indoor sports facilities, gyms	1 per 300 square feet gross floor area	1 per 750 square feet gross floor area
Mobile Food Vendors	No parking requirement	No parking requirement
Open air food service (TPU 8.3)	1 per 400 square feet of gross floor area.	Zero

(b) *Accessible parking spaces.* Accessible parking spaces must be provided as part of the required off-street parking spaces, according to the following table (Table 49.40.210(b)). Except, Accessible parking spaces are not required for residential uses that require fewer than ten parking spaces and there are no visitor parking spaces.

Table 49.40.210(b)	
Total Parking Spaces in Lot	**Required Minimum Number of Accessible Parking Spaces**
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 percent of total spaces
1,001 and over	20 plus 1 space for each 100 spaces over 1,100 total spaces in lot

(c) *Facility loading spaces.* In addition to the required off-street parking requirements, a development must provide loading spaces as set forth in the following table:

	Gross Floor Area in Square Feet		
Use	**All other areas**	**Town Center Parking District**	**Loading Space Required**
Motels and hotels	5,000—29,999	6,000—60,000	1
	30,000—60,000		2
	Each additional 30,000	Each additional 30,000	1
Commercial	5,000—24,999	6,000—50,000	1
	25,000—50,000		2
	Each additional 30,000	Each additional 30,000	1
Industrial, manufacturing, warehousing, storage, and processing	5,000—24,999	6,000—50,000	1
	25,000—50,000		2
	Each additional 30,000	Each additional 30,000	1
Hospital	5,000—40,000	6,000—40,000	1
	Each additional 40,000	Each additional 40,000	1
School	For every two school buses		1
Home for the aged, convalescent home, correctional institution	More than 25 beds		1

(Serial No. 2022-04(b) , § 2, 4-25-2022, eff. 5-26-2022)

49.70.400 Floodplain.

(a) *Purpose.* The purpose of this article is to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas. Other purposes are to:

(1) Reserved;

(2) Prevent the erection of structures in areas unfit for human usage by reason of danger from flooding, unsanitary conditions, or other hazards;

(3) Minimize danger to public health by protecting the water supply and promoting safe and sanitary drainage;

(4) Reduce the financial burdens imposed on the community, its governmental units, and its individuals by frequent and periodic floods and overflow of lands;

(5) Reserved;

(6) Ensure that potential buyers are notified that property is in a special flood hazard area; and

(7) Ensure that those who occupy the special flood hazard area assume financial responsibility for their development.

(b) *Interpretation.*

(1) In the interpretation and application of this article, all provisions are considered minimum requirements and are liberally construed in favor of the governing body.

(2) This article is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Where the provisions of this article and another ordinance conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

(3) This article shall apply to all areas of special flood hazard areas (SFHAs) within the jurisdiction of the City and Borough of Juneau.

(4) The special flood hazard areas identified by the Federal Insurance Administrator (FIA) in a scientific and engineering report entitled the "Flood Insurance Study" (FIS) and the flood insurance rate maps (FIRMs) dated September 18, 2020 for the City and Borough of Juneau, Alaska are adopted. The FIS and FIRMs shall be on file with the community development department and available to the public at 155 South Seward Street, Juneau, Alaska.

(c) *Implementation.* The director is responsible for administering and implementing the provisions of this chapter and is responsible for maintaining for public use and inspection appropriate records and information relevant to implementation of this chapter. Such records and information must include:

(1) Actual elevations, in relation to mean lower low water, of the lowest floor, including basement, of all new or substantially improved structures located in the special flood hazard area (SFHA), and whether or not such structures have basements;

(2) Actual elevations, in relation to mean lower low water, of all new and substantially improved floodproofed structures and the required floodproofing certifications;

(3) Flood insurance studies (FISs);

(4) Flood insurance rate maps (FIRMs);

(5) Any reports or studies on flood hazards in the community, such as written reports by the U.S. Army Corps of Engineers, U.S. Geological Survey, or private firms provided to the director; and

(6) A file of all floodplain permit applications, permits, exceptions, and supporting documentation.

(d) *Enforcement.* Enforcement of this chapter is per CBJ 49.10.600—49.10.660.

(e) *Floodplain development permit required.* A floodplain development permit is required for any development or industrial uses located within a special flood hazard area, including placement of manufactured homes. The director must:

(1) Review all floodplain development permit applications for development in the special flood hazard area for compliance with the provisions of this chapter, and to determine if other permits may be necessary from local, state, or federal governmental agencies.

(2) Interpret the location of the special flood hazard area boundaries and regulatory floodway. If there appears to be a conflict between a mapped boundary and actual field conditions, the director must determine and interpret the documents. When base flood elevation data has not been provided, the director shall obtain, review, and reasonably utilize base flood elevation and floodway data available from any federal, state, municipal, or any other source to implement the provisions of this chapter.

(3) If the director determines that a proposed development is within a special flood hazard area, a permit fee must be collected and the following information must be provided before processing a floodplain development permit:

(A) Elevation of the lowest floor, including a basement, of all structures;

(B) Elevation to which any structure has been floodproofed;

(C) Certification by an engineer or architect that the floodproofing methods for any nonresidential structure meet generally accepted floodproofing standards;

(D) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development;

(E) Description of the plan for maintenance of the altered or relocated portion of the watercourse so that the flood-carrying capacity is not diminished; and

(F) When base flood elevation data have not been provided, the director shall obtain, review and reasonably apply any base flood elevation and floodway data available from federal, state or other sources.

(f) *Methods of reducing losses.* In order to accomplish its purpose, this article includes methods and provisions to:

(1) Restrict or prohibit uses that are dangerous to health, safety, and property due to water or erosion hazards, or that result in damaging increases in erosion or flood heights or velocities;

(2) Require that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;

(3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;

(4) Control filling, grading, dredging, and other development that may increase flood damage; and

(5) Prevent or regulate the construction of flood barriers that will unnaturally divert floodwaters or that may increase flood hazards in other areas.

(g) *General standards for flood hazard protection.* In special flood hazard areas the following standards apply:

(1) *Anchoring.*

(A) Design, modify, and anchor new construction and substantial improvements to prevent flotation, collapse, or lateral movement of the structure(s).

(B) A manufactured home must be anchored to prevent flotation, collapse, or lateral movement and be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors.

(C) An alternative method of anchoring may be used if the system is designed to withstand a wind force of 90 miles per hour or greater. Certification must be provided to the director that this standard is met.

(2) *Construction materials and methods.*

(A) Construct new construction and substantial improvements with materials and utility equipment resistant to flood damage.

(B) Use methods and practices that minimize flood damage for new construction and substantial improvements.

(C) Design or locate electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities so as to prevent water from entering or accumulating within the components during conditions of flooding.

(D) Require adequate drainage paths around structures on slopes to guide floodwaters away from existing and proposed structures for new construction and substantial improvements within zones AH and AO.

(3) *Utilities.*

(A) Design new and replacement water supply systems to minimize or eliminate infiltration of floodwaters into the system.

(B) Design new and replacement sanitary sewage systems to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters.

(C) Locate on-site waste disposal systems to avoid impairment to them or contamination from them during flooding.

(4) *[Subdivision and development proposal criteria.]* Subdivision and development proposals must meet the following criteria:

(A) Be designed to minimize flood damage;

(B) Locate and construct utilities and facilities, such as sewer, gas, electrical, and water systems to minimize flood damage;

(C) Provide adequate drainage to reduce exposure to flood damage; and

(D) Include base flood elevation data if the development consists of at least 50 lots or five acres, whichever is the lesser. If base flood elevation data is not available, the proposal must provide the data and backup information for how the base flood elevation data was generated for the proposal.

(5) *[Floodplain development permit requirements.]* Review of floodplain development permits must include:

(A) Review of the flood insurance rate map and flood insurance study for flood zone determinations for new or substantially improved structures;

(B) For new or substantially improved structures:

(i) Submittal of the proposed and finished lowest floor elevations in zones A, AE, AO, and AH.

(ii) Submittal of the proposed and finished bottom elevation of the lowest horizontal structural member of the lowest floor and its distance from the mean lower low water mark in zones V and VE; and

(iii) Submittal of specific requirements for zones V and VE as set forth in subsection 49.70.400(i).

(C) In zones A and V, where elevation data are not available through the flood insurance study or from another authoritative source, applications for floodplain development permit shall be reviewed to ensure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and may be based on historical data, high water marks, photographs of past flooding, and other similar or relevant data. Failure to elevate construction at least two feet above grade in these zones may result in higher insurance rates.

(D) Provision of an elevation certificate to demonstrate that the lowest floor of a structure is at or above base flood elevation. The certification must be provided on a form approved by the National Flood Insurance Program and prepared by a registered land surveyor or professional engineer who is licensed in the State of Alaska and authorized to certify such information. This requirement may be waived by the director if an approved record elevation demonstrates that the lowest floor is substantially above the base flood elevation due to natural ground level.

(6) *Other permits.* The applicant must certify that all other necessary permits have been obtained from any federal or state governmental agencies.

(7) *[Maintaining watercourse.]* Maintain altered or relocated portions of a special flood hazard area mapped watercourse so that the flood-carrying capacity is not diminished. The department must notify the state coordinating agency, if any, and the Federal Emergency Management Agency prior to issuance of a floodplain development permit that seeks to alter or relocate any watercourse within a special flood hazard area.

(h) *Specific standards for flood hazards protection.* In special flood hazard areas where base flood elevation data is provided, the following provisions are required:

(1) *New structures or substantial improvements.* Fully enclosed areas below the lowest floor of new construction or substantial improvements, that are useable solely for parking of vehicles, building access, or storage in an area other than a basement, must automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect licensed in the State of Alaska or must meet or exceed the following minimum criteria:

(A) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;

(B) Height of the bottom of all openings must be no higher than one foot above grade; and

(C) Openings may be equipped with screens, louvers, or other coverings or devices provided that the automatic entry and exit of floodwaters is allowed.

(2) *Residential construction.* New construction and substantial improvement of any residential structure:

(A) Construct the lowest floor, including basement, elevated to or above the base flood elevation within zones A, AE, or AH; or

(B) Construct the lowest floor elevated to the base flood depth number specified on the flood insurance rate map, or higher, or if no depth number is specified, at least two feet above the highest adjacent natural grade within zone AO.

(3) *Manufactured homes.* New or substantially improved manufactured homes must:

(A) Be placed at or above, the base flood elevation, within zones A, AH, or AE, and shall be elevated to, or above, the base flood elevation, and comply with subsection (g); or

(B) Elevate the lowest floor to the depth number specified on the flood insurance rate map, or higher, or if no depth number is specified, at least two feet above the highest adjacent natural grade within zone AO; and meet the provisions of subsection (g)(1).

(4) *Recreational vehicles.* Recreational vehicles placed within any special flood hazard area must be:

(A) Situated on the site for fewer than 180 consecutive days;

(B) Fully licensed, operational, and approved for road use; or

(C) Meet the requirements of subsection (h)(3).

(5) *Nonresidential construction.* New construction or substantial improvement of any nonresidential structure must:

(A) Elevate the lowest floor, including basement, to or above the base flood elevation within zones A, AE, and AH;

(B) Elevate the lowest floor to the depth number specified on the flood insurance rate map, or higher, or if no depth number is specified, at least two feet above the highest adjacent natural grade within zone AO; or

(C) Floodproof the area below the base flood elevation within zones A, AE, AH, and AO, so that:

(i) The structure and utility and sanitary facilities are watertight with walls substantially impermeable to the passage of water;

(ii) Structural components shall have the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;

(D) A floodproof structure must be designed by an engineer or architect licensed in the State of Alaska, certifying that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on the engineer's or architect's development or review of the structural design, specifications, and plans. Certification must be provided to the director;

(E) Applicants proposing to floodproof nonresidential buildings must be notified at the time of floodplain development permit application that flood insurance premiums are based on rates that are one foot below the floodproofed level.

(6) *Industrial uses.* Industrial uses within the special flood hazard area are subject to the following provisions:

(A) Sand and gravel operations, recreation activities, open space, and parking lots may be allowed in 100-year floodplains if the use does not increase the flood hazard.

(B) Industrial equipment and raw materials stored in 100-year floodplains must be adequately bermed or otherwise protected.

(C) Disposal of hazardous materials in 100-year floodplains is prohibited. No new development that involves storage of hazardous materials will be permitted in the 100-year floodplain unless there is no feasible and prudent alternative and adequate safety measures are provided to prevent accidental discharge.

(D) Establishment of sanitary landfills in floodplains is prohibited.

(7) *Increasing water surface elevation in special flood hazard area mapped watercourses where floodways are not mapped.* Notwithstanding any other provisions of this article, development in zones A, AE, and AH may increase the water surface elevation of the base flood:

(A) Up to one foot with the submittal of an analysis completed by an engineer licensed in the State of Alaska demonstrating the cumulative effects of the proposed, existing and anticipated, development to the base flood; or

(B) By more than one foot only after a conditional letter of map revision and final letter of map revision is approved by the Federal Emergency Management Agency flood insurance administrator.

(i) *Additional provisions in floodways.*

(1) Residential and nonresidential structures are prohibited in floodways, no exceptions apply. Culverts and bridges are not subject to this prohibition.

(2) Encroachments, including fill, new construction, and other development, except subdivisions, within a floodway are prohibited unless an engineer licensed in the State of Alaska submits a hydrologic and hydraulic analyses to the director indicating that the encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge. The hydrologic and hydraulic analyses must be performed in accordance with standard engineering practice acceptable by the Federal Emergency Management Agency.

(3) Development along a floodway cannot increase the water surface elevation unless a conditional letter of map revision and final letter of map revision that revises the floodway are approved by the Federal Emergency Management Agency.

(j) *Additional provisions in zones VE and V.*

(1) New construction and substantial improvements in zones V and VE must be elevated on pilings and columns so that:

(A) The bottom of the lowest horizontal structural member of the lowest floor, excluding the pilings or columns, is elevated to or above the base flood elevation; and

(B) The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Wind and water loading values must each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval). Wind loading values used are those required by applicable state statute and local code. A registered professional engineer or architect licensed in the State of Alaska must develop or review the structural design, specifications, and plans for the construction and must certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of subsections (j)(1)(A) and (B) of this section.

(C) The use of fill for structural support of buildings is prohibited.

(2) In zones VE and V, new habitable construction must be located landward of the reach of mean high tide.

(3) In zones VE and V, new construction and substantial improvements must have the space below the lowest floor either free of obstruction or constructed with nonsupporting breakaway walls, open wood latticework, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system.

(4) Breakaway walls must have a design safe loading resistance of not less than ten pounds per square foot and no more than 20 pounds per square foot. Use of breakaway walls that exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or state codes) may be permitted only if a registered professional engineer or architect licensed in the State of Alaska certifies that the designs proposed meet the following conditions:

(A) Breakaway wall collapse must result from a water load less than that which would occur during the base flood; and

(B) The elevated portion of the building and supporting foundation system must not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Maximum wind and water loading values to be used in this determination must each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval). Wind loading values used shall be those required by applicable state statute and local code.

(C) Enclosed space within breakaway walls are limited to parking of vehicles, building access, or storage. Such space must not be used for human habitation.

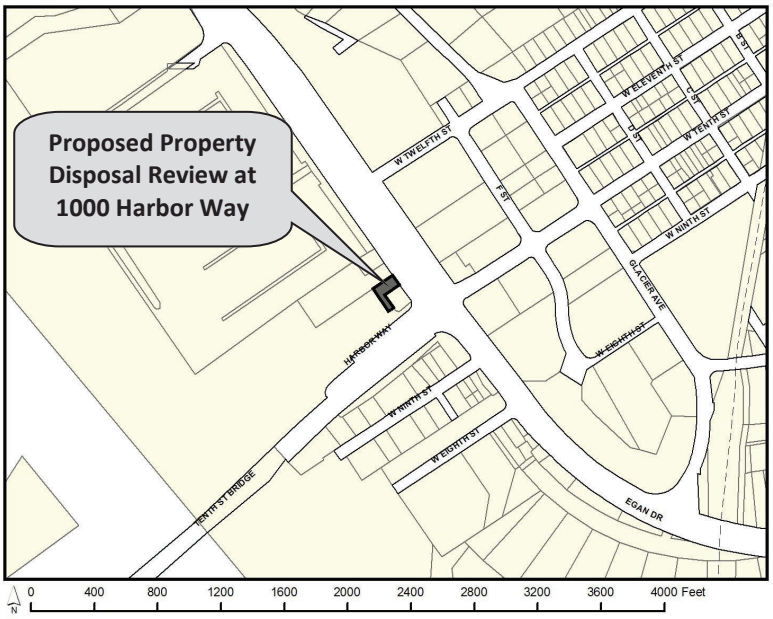
(k) *Warning and disclaimer of liability.* The degree of flood protection required by this article is intended for minimum regulatory purposes only and is based on general scientific and engineering principles. Floods larger than expected, can and will occur. Flood heights may be increased by human or natural causes. This article does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of the City and Borough, any officer or employee thereof for any flood damages that result from reliance on this article or any administrative decision made thereunder.

(Serial No. 87-49, § 2, 1987; Serial No. 90-46, §§ 2—9, 1990; Serial No. 2013-19(b), § 2, 7-15-2013 ; Serial No. 2020-42, § 2, 8-24-2020, eff. 9-23-2020 ; Serial No. 2021-06, § 2, 4-26-2021, eff. 5-26-2021)

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice



CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

155 S. Seward Street Juneau, Alaska 99801

TO:

An application has been submitted for consideration and public hearing by the Planning Commission for **Property Disposal Review** at **1000 Harbor Way** in a **WC Zone**.

PROJECT INFORMATION — Project Information can be found at:
https://juneau.org/community-development/short-term-projects

PLANNING COMMISSION DOCUMENTS:
Staff Report expected to be posted **January 23, 2023** at
https://juneau.org/community-development/planning-commission
Find hearing results, meeting minutes, and more here, as well.

Now through Jan 6

Comments received during this period will be sent to the Planner, **Adrienne Scott,** to be included as an attachment in the staff report.

Jan 7 noon, Jan 20

Comments received during this period will be sent to Commissioners to read in preparation for the hearing.

HEARING DATE & TIME: 7:00 pm, Jan 24, 2023

This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting https://juneau.zoom.us/j/85347094359 and use the Webinar ID: 853 4709 4359 OR join by telephone, calling: 1-253-215-8782 and enter the Webinar ID (above).

You may also participate in person in City Hall Assembly Chambers, 155 S. Seward Street, Juneau, Alaska.

Jan 25, 2023

The results of the hearing will be posted online.

FOR DETAILS OR QUESTIONS,

Phone: **(907)586-0753 ext. 4208◆**
Email: **pc_comments@juneau.gov**
Mail: **Community Development, 155 S. Seward Street, Juneau AK 99801**

Case No.: PAD2022 0004
Parcel No.: 1C060K510040
CBJ Parcel Viewer: http://epv.juneau.org

Printed December 19, 2022

Attachment B - Abutters Notice and Public Notice Sign Photo

Adrienne Scott

From: Tyler Gress <tyler@hansengress.com>
Sent: Monday, January 9, 2023 4:10 PM
To: Adrienne Scott
Subject: Re: CBJ property disposal application

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Here you go!

Attachment B - Abutters Notice and Public Notice Sign Photo

Attachment B - Abutters Notice and Public Notice Sign Photo

Adrienne Scott

From: Drown, Arthur EE (DOT) <arthur.drown@alaska.gov>
Sent: Friday, January 6, 2023 3:59 PM
To: Adrienne Scott
Cc: Schuler, Michael K (DOT); Harp, Kelly M (DOT)
Subject: RE: CBJ Land Disposal Application

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Good afternoon Adrienne,

This proposed adjusted lot line on the subject site plan looks much improved. We would definitely like to have the opportunity to review the final replat with consolidated lot lines before it is recorded, but assuming the surveyor utilizes the information on the survey of our right of way that I previously provided for reference, we should not have any issue. I certainly appreciate this being brought to our attention for review so that we were able to resolve this!

Thank you,

Arthur Drown
Right of Way Agent
Property Management, Right of Way
Department of Transportation & Public Facilities
Southcoast Region
6860 Glacier Hwy, Juneau, AK 99801
(907)465-4517

From: Adrienne Scott
Sent: Friday, January 6, 2023 3:40 PM
To: Drown, Arthur EE (DOT)
Cc: Schuler, Michael K (DOT) ; Harp, Kelly M (DOT)
Subject: RE: CBJ Land Disposal Application

Hi Arthur, thanks for speaking with me on this project a few weeks ago. I have attached a revised site plan from the applicant. Please let me know if you have any questions for me, or comments that you would like me to include in my report.

Thank you,

Adrienne Scott (she/her/hers) **| Planner I**
Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street, 4th Floor Marine View Building
Office: 907.586.0753 ext. 4208

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

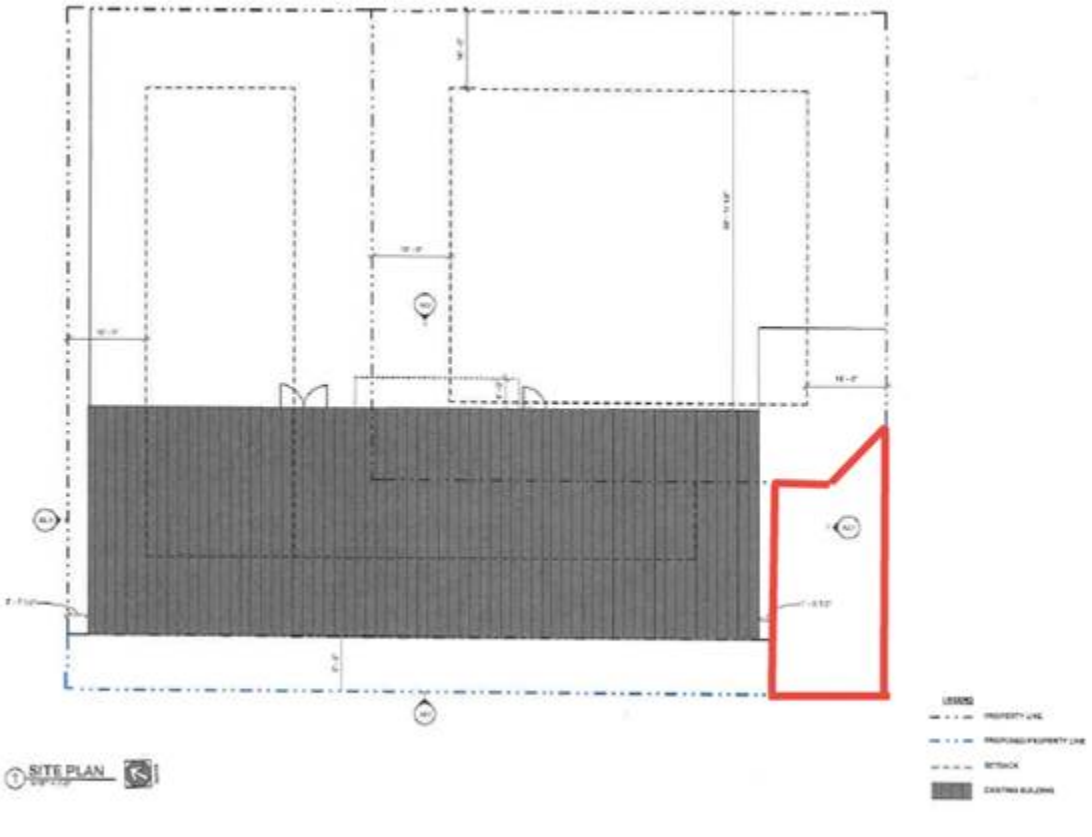
Fostering excellence in development for this generation and the next.

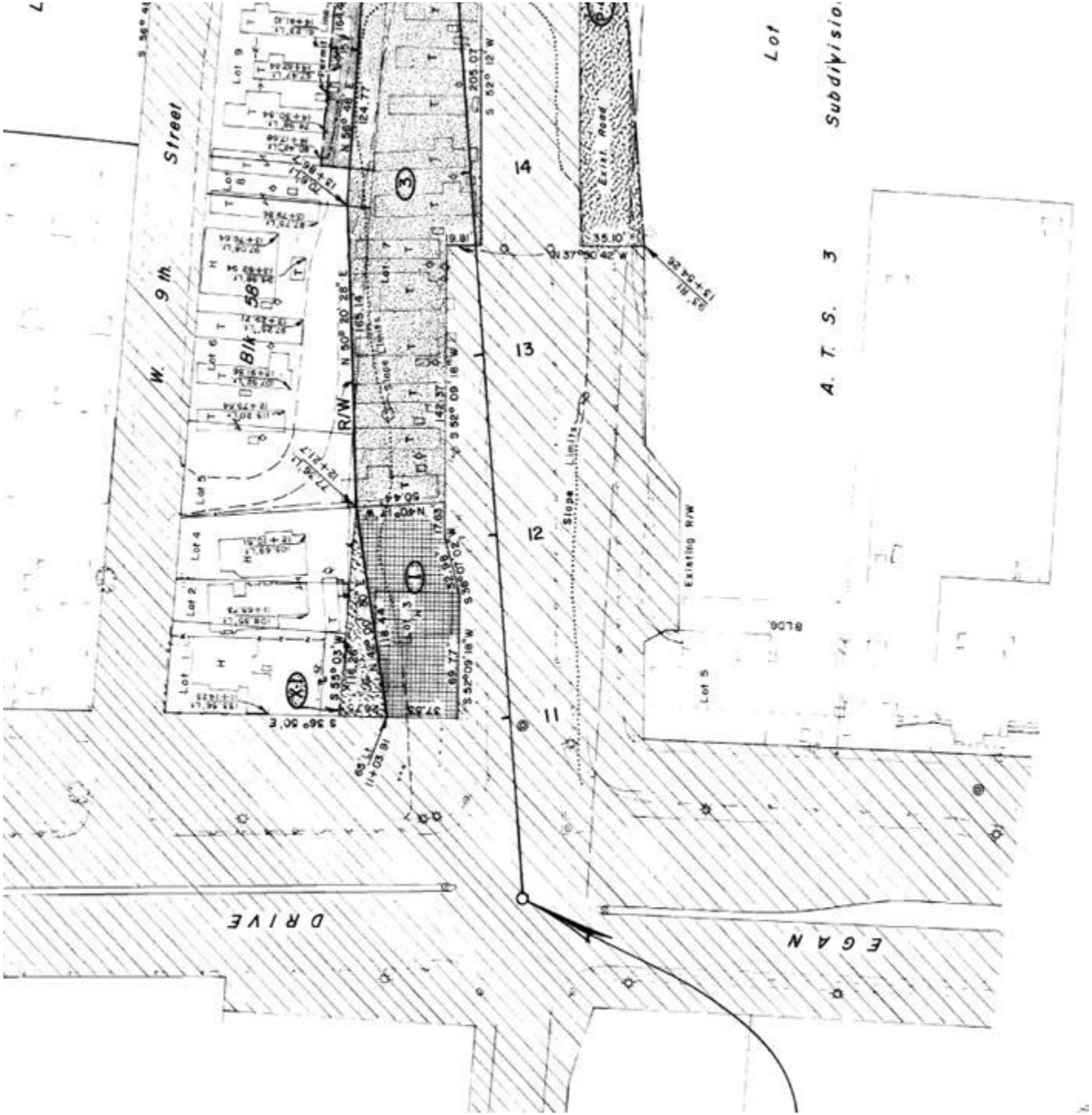
From: Drown, Arthur EE (DOT) <arthur.drown@alaska.gov>
Sent: Wednesday, December 21, 2022 10:32 AM
To: Adrienne Scott <Adrienne.Scott@juneau.gov>
Cc: Schuler, Michael K (DOT) <michael.schuler@alaska.gov>; Harp, Kelly M (DOT) <kelly.harp@alaska.gov>
Subject: RE: CBJ Land Disposal Application

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Good morning Adrienne,

I think we should discuss this a bit further before I submit my offical comments on this proposed land disposal. If I understand correctly, the City is proposing the disposal of 1C060K510041 and a portion of ATS 3. A portion of the proposed disposal of ATS 3 as outlined below is not the Cities to dispose of as it is DOT ROW. Attached is a copy of plat 87-25 which is the platted right of way for the Juneau Douglas/Gastineau bridge. From what I understand, we have not relinquished any ROW in this area since this plat was recorded and this is the most current representation of ROW as it stands today. Please let me know if I am misunderstanding the area that the proposed disposal encompasses.


SITE PLAN



Attachment C - Agency Comments

Below is a rough estimate of the ROW line transposed CBJs parcel viewer.

Thank you for beginning this discussion and please let me know if I have made a mistake in my understanding of the proposal. I will be happy to submit official comment once I know I understand the proposal correctly.

Arthur Drown
Right of Way Agent
Property Management, Right of Way
Department of Transportation & Public Facilities
Southcoast Region
6860 Glacier Hwy, Juneau, AK 99801
(907)465-4517

From: Adrienne Scott <Adrienne.Scott@juneau.gov>
Sent: Tuesday, December 20, 2022 4:34 PM

To: Adrienne Scott <Adrienne.Scott@juneau.gov>
Subject: CBJ Land Disposal Application

You don't often get email from adrienne.scott@juneau.gov. Learn why this is important

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

I am reaching out to seek comment on a proposed acquisition of CBJ –owned land at 1000 Harbor Rd. The applicant is seeking to purchase approximately 5,225 square feet of city-owned land off of Harbor Way in downtown Juneau. The applicant owns the building at 1000 Harbor Way. A portion of the building is located on leased City land. The property acquisition would allow the applicant to consolidate the lots and make structural and architectural improvements to the structure.

Please see attached application. You can see a map of the proposed property disposal here: https://juneau.org/community-development/short-term-projects under PAD20220004.

There is a comment form attached if you would like to provide comment, please return to me by January 3, 2022. Let me know if you have any questions about the project.

Thank you,

Adrienne Scott (she/her/hers) **| Planner I**
Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street, 4th Floor Marine View Building
Office: 907.586.0753 ext. 4208

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

Fostering excellence in development for this generation and the next.

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/community-development
155 S. Seward Street • Juneau, AK 99801

COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT

DEPARTMENT: CBJ DOCKS & HARBORS

STAFF PERSON/TITLE: Carl Uchytil, Port Director

DATE: 1/3/2023

APPLICANT: 1000 Harbor Way LLC

TYPE OF APPLICATION: PAD22-04 CBJ Property Acquisition and Disposal Review

PROJECT DESCRIPTION:

Hansen-Gress property acquisition

LEGAL DESCRIPTION: Lease Tidelands Addition BL 5, ATS 3 FR Tidelands Addition BL

PARCEL NUMBER(S): 1C060K510041, 1C100K830032

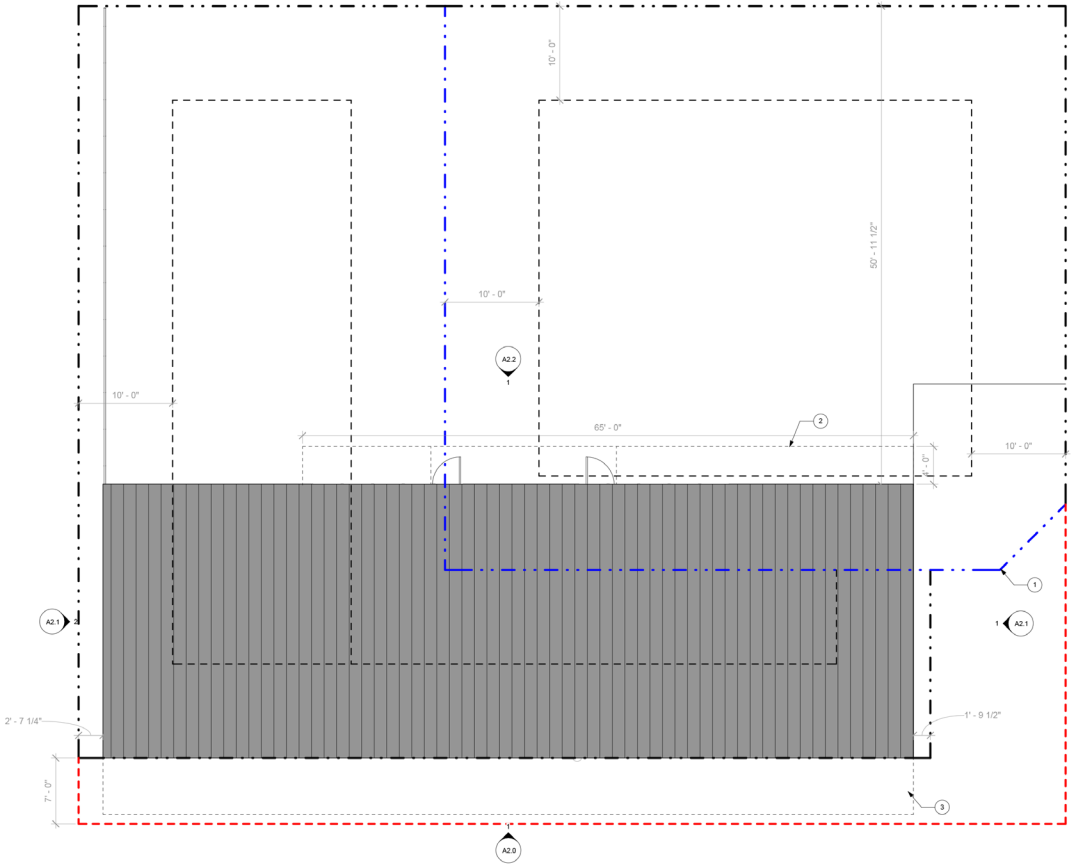
PHYSICAL ADDRESS: 1000 Harbor Way

SPECIFIC QUESTIONS FROM PLANNER:

AGENCY COMMENTS:

The Docks & Harbors Board meet on December 29th and wishes to provide the Hansen-Gress presentation and Board meeting minutes of August 25th, 2022 which are attached.

TIDELANDS ADDITION BL 5 [illegible] & LEASE TIDELANDS ADDITION BL 5 LOT CONSOLIDATION



1 SITE PLAN
3/16" = 1'-0"

NORTH

© NorthWind Architects, LLC Project Number:

CODE ANALYSIS:

AUTHORITY HAVING JURISDICTION:
CITY AND BOROUGH OF JUNEAU

DESCRIPTION:
THE PROPOSED PROJECT IS A RENOVATION OF AN EXISTING COMMERCIAL BUILDING WITH ABATEMENT AT THE EXTERIOR WALLS, EXTERIOR SIDING REPLACEMENT, WINDOW REPLACEMENT, ADDITIONAL GLAZING, AWNING REPLACEMENT AND INTERIOR RENOVATION WORK.

ADDRESS:
1000 HARBOR WAY
JUNEAU, ALASKA 99801

BUILDING OWNERS:
HARBOR LIGHTS ENTERPRISES LLC
1000 HARBOR WAY, SUITE 201
JUNEAU, ALASKA 99801
P: 907.463.6900

APPLICABLE CODES:
2012 INTERNATIONAL FAMILY OF CODES
2014 NATIONAL ELECTRICAL CODE (NEC)
2009 ANSI A117.1-STANDARDS FOR ACCOMMODATING INDIVIDUALS WITH DISABILITIES
ALL OTHER CODES AND ORDINANCES AS AMENDED AND ADOPTED BY THE CITY AND BOROUGH OF JUNEAU BUILDING DEPARTMENT (AUTHORITY HAVING JURISDICTION

BUILDING SQUARE FOOTAGE:
GROSS BUILDING AREA: 4928 SF
GROSS 1ST FLOOR AREA: 2512 SF
GROSS 2ND FLOOR AREA: 2416 SF

OCCUPANCY:
PRIMARY OCCUPANCY: BUSINESS (B)
SECONDARY OCCUPANCY: MODERATE-HAZARD STORAGE (S-1)
SPRINKLER SYSTEM: YES
NO FIRE SEPERATIONS NECESSARY
BUSINESS: 4636 SF/ 100 = 46
ACCESSORY STORAGE: 292 SF/ 300 = 1

TYPES OF CONSTRUCTION:
TYPE V-B: TWO-STORY
AUTOMATIC SPRINKLER SYSTEMS: PROVIDED
FIRE STROBE/ALARM: PROVIDED

ZONING AND LAND USE SUMMARY:
WATERFRONT COMMERCIAL (WC)
PROPERTY IS COMPRISED OF TWO LOTS THAT SHALL BE CONSOLIDATED, AS SOON AS PROPERTY OWNERSHIP IS OBTAINED BY THE SAME PARTY
FRONT SETBACK: 10'-0"
SIDE YARD SETBACK: 10'-0"
REAR YARD SETBACK: 10'-0"
EXISTING PARKING LAYOUT TO REMAIN

GENERAL NOTES:

1. CONTRACTOR SHALL FIELD VERIFY ACTUAL BUILDING CONDITIONS AND DIMENSIONS. WHERE DISCREPANCIES OR CONFLICTS ARE FOUND, NOTIFY ARCHITECT PRIOR TO COMMENCING WORK.
2. DO NOT SCALE OFF OF DRAWINGS.
3. DIMENSIONS ARE TO GRIDLINE, FACE OR CENTER OF FRAMING UNO.
4. STRUCTURAL ELEMENTS SHOWN IN ARCHITECTURAL DRAWINGS FOR REFERENCE ONLY. SEE STRUCTURAL DRAWINGS FOR ALL STRUCTURAL INFORMATION.
5. WHERE DOOR OPENINGS ARE NOT DIMENSIONED, LOCATE DOOR OPENINGS TO ENSURE 3" MIN JAMB FRAMING.

SHEET NOTES:

1. SITE PLAN INDICATES PROPOSED PROPERTY LINES, CURRENT LINES ARE PROHIBITIVE OF DEVELOPMENT AND CREATE A NON CONFORMING CONDITION BY PASSING THROUGH AN EXISTING BUILDING
2. PROPOSED EXPANSION OF EXISTING CANOPY OVER ENTRIES
3. FUTURE PHASE: PROPOSED DEVELOPMENT AFTER PARCEL CONSOLIDATION

LEGEND

- PROPERTY LINE
- SETBACK
- PROPOSED PROPERTY LINE
- PROPOSED ELIMINATED PROPERTY LINE
- EXISTING BUILDING

02/15/2020

NorthWind Architects, LLC
126 Seward St
Juneau, AK 99801
Ph #907.586.6150
www.northwindarch.com

1" ACTUAL

IF THE ABOVE DIMENSION DOES NOT MEASURE ONE INCH (1") EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABEL SCALES.

HANSEN GRESS RENOVATION

1000 HARBOR WAY
JUNEAU, ALASKA

SHEET TITLE:
SITE PLAN

CHECKED JB
DRAWN SCC

issue	date	description

SHEET # A0.1

ISSUE DATE 08.22.22

Attachment C - Agency Comments

Why is this property consolidation important?

As a community, we all want to see this building improved. The property line issue will impact this project and all future building permits for the property, and now is the time to correct improper building practices that allowed the building to be initially built.

Could HG pursue a variance?

Unfortunately, no.

> In general, the Planning Commission does not have authority to grant a variance for a building that crosses a property line, especially in this circumstance. In other words, a building cannot cross a property line. CBJC 49.15.110 & 49.15.120. For argument sake, assume the Planning Commission grants a variance that burdens CBJ property (i.e. D&H managed property). That variance would be a nullity because the Assembly would also need to agree to sell that chunck of property (via a lot line adjustment, CBJC 49.15.401(a)(4), assuming the resulting lots are compliant with Title 49) at which time there is no need for a variance because the property line would shift. *-Robert Palmer, City Attorney*

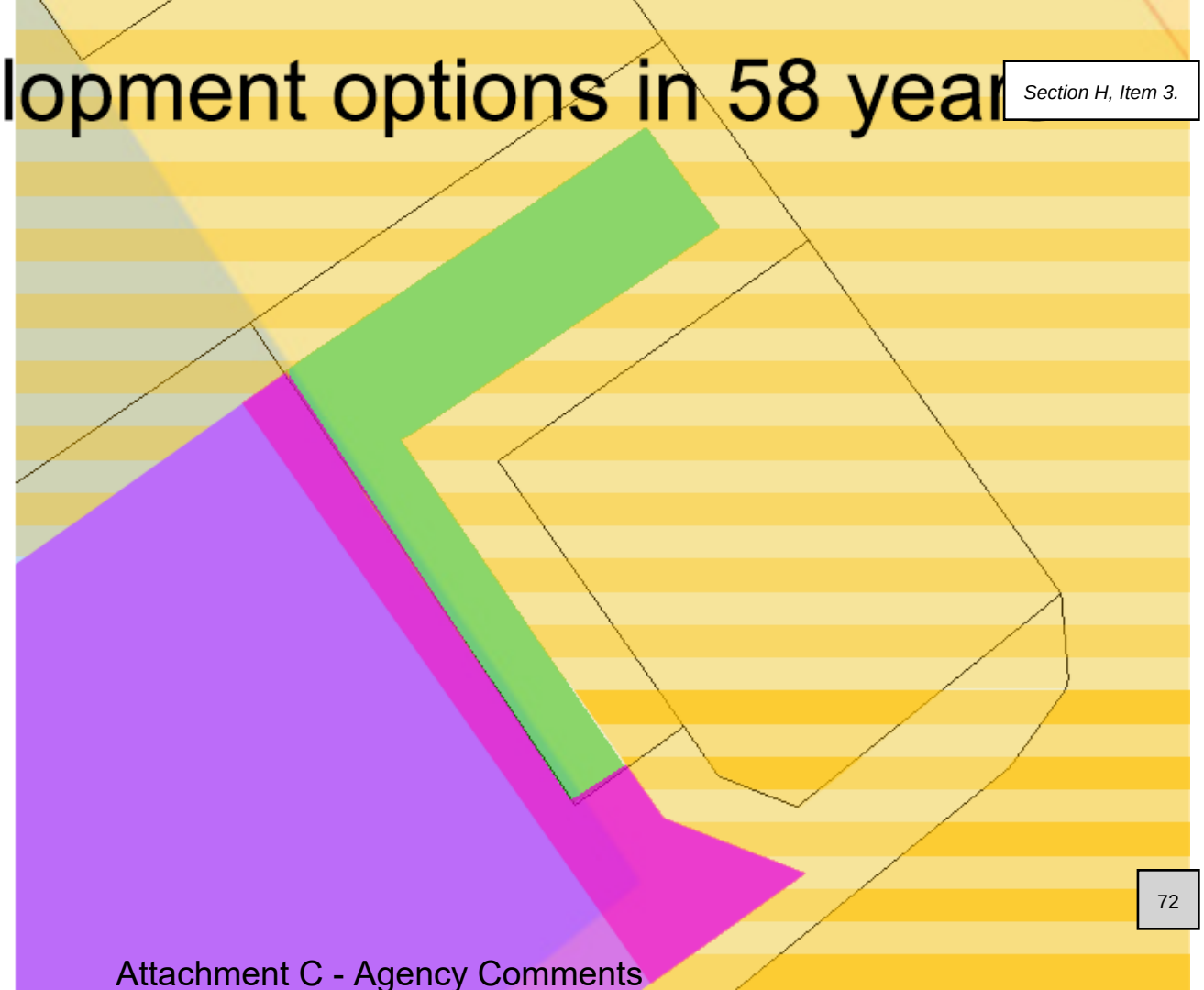
Can D&H deny this request?

Yes, of course!

But why? The parcel is locked up in a lease for 58 more years.

- How does being a landlord for 58 years further the D&H mission?
- Is this all about D&H development options in the year 2080?

D&H development options in 58 years



Private land and/or setback, unavailable for CBJ use.

Available for CBJ development in all scenarios.

This all comes down to possible D&H use of ~16 feet of tidelands in 58 years.

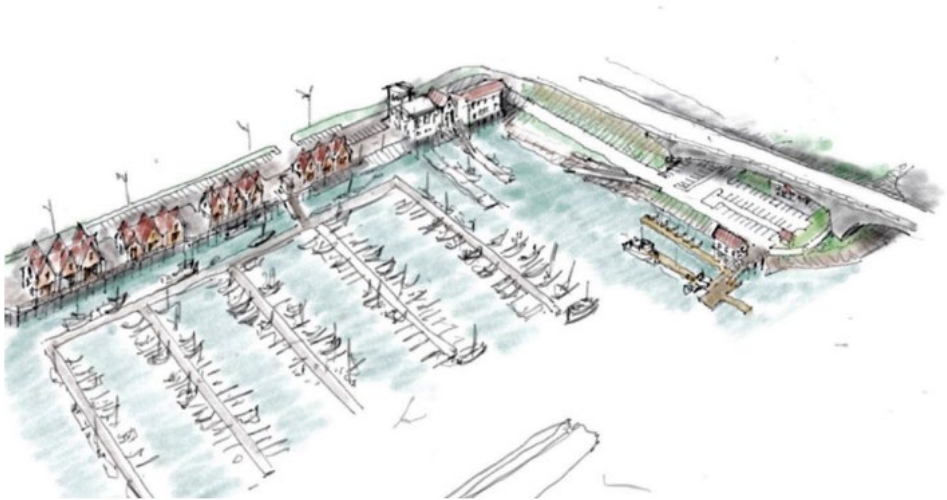
Current leasehold parcel less setbacks. ~9 feet of tidelands.

Additional footprint requested to conform piles and future deck. 7 more feet of tidelands.

A Development Opportunity for D&H

Today, D&H has no access to develop on this location for 58 years.

- HG is willing to write in an easement for a future D&H development. This will fit into the masterplanning efforts by CBJ to continue the seawalk.
- HG is willing to write in first right of refusal on consolidated parcel of land.
- This transaction gives D&H more real options



Our Proposal

The Lands committee does not need specifics today. This will come back to negotiation before it goes to the assembly. A simple motion will move this forward.

> *A motion of support for disposing of City property to Hansen Gress.*

CBJ DOCKS & HARBORS BOARD
REGULAR MEETING MINUTES
For Thursday, August 25, 2022
City Hall Room 224 and via Zoom

A. CALL TO ORDER: Mr. Etheridge called the August 25th meeting to order at 5:55 p.m. in City Hall Room 224 and via Zoom.

B. ROLL CALL: The following members were in attendance in City Hall Room 224 or via Zoom; James Becker, Paul Grant, Matthew Leither, Mark Ridgway, Annette Smith, Lacey Derr and Don Etheridge.

Members Absent: Debbie Hart and David Larkin

Also present: Christine Woll – Assembly Member, Carl Uchytil – Port Director, Matthew Creswell – Harbormaster, Erich Schaal – Port Engineer, Benjamin Brown – CBJ Attorney and Nichole Benedict – Administrative Assistant.

C. PORT DIRECTOR REQUESTS FOR AGENDA CHANGES – None

D. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Kirby Day – Juneau, Alaska

Mr. Day spoke on behalf of Tourism Best Management Practices (TBMP). He was at the Operations/Planning meeting last week and heard some concerns and complaints after the Golden North Salmon Derby. Normally we have an opportunity to get all of the whale watching and sport fishing captains together prior to the derby weekend. With the very busy cruise ship calendar there was not a good time to get everyone together. They decided to gather the minutes from the last meeting in 2019 and send those out to everyone. They sent out reminders about the increase in traffic and to please be respectful of sport fisherman. He has sent out more correspondence letting everyone know we have about a month left of this tourism season and please take the time to remind captains to be diligent and committed to what has been agreed to. We need everyone to be mindful of wakes coming in and out of Statter Harbor and proper zones for entering and leaving Statter Harbor.

E. APPROVAL OF JULY 28TH, 2022 MINUTES

Hearing no objection, the July 28th Board minutes were approved as presented.

F. CONSENT AGENDA

2. A. Public Requests for Consent Agenda Changes – None

B. Board Members Request for Consent Agenda Changes

Mr. Ridgway spoke about the recommendation and asked to amend the wording. He feels it is not our place to advance efforts, it is our job to do what is best for the Docks & Harbors Enterprises. He does not like the phrase "to advance Goldbelt's efforts" and would like the recommendation to be amended as follows.

RECOMMENDATION: TO DIRECT STAFF TO INITIATE AN APPRAISAL AND ESTABLISH A PROCESS TO COORDINATE DOCKS & HARBORS INTERESTS WITH GOLDBELTS EFFORTS TO DEVELOP THE SEADROME PROPERTY.

Mr. Grant agreed with Mr. Ridgway and said the new wording for the recommendation is appropriate.

Public Comment – None

Board Discussion
Mr. Grant said Mr. Ridgway makes an important point that we are not here to advance projects, we are here to protect Docks & Harbors interests.

Mr. Becker agreed with the change of wording.

MOTION by Mr. Ridgway to direct staff to initiate an appraisal and establish a process to coordinate Docks & Harbors interests with Goldbelt's efforts to develop the Seadrome property and ask unanimous consent.

The motion passed with no objections.

G. UNFINISHED BUSINESS

3. Hansen-Gress Building Changes
Shannon Crossley with NorthWind Architects, LLC presented a PowerPoint presentation found on page 53 of the packet. Ms. Crossley shared a sketch showing the building and property line. A building permit cannot be issued to do any renovation work to the outside of the building because it would cross a property line owned by Docks & Harbors. The property is in a prominent location and they would like to beautify the building to align with more development down the way. She said she believes these two parcels were always meant to be together and for whatever reason it has not happened up until now.

Board Questions:
Mr. Ridgway asked questions about page 58 in the packet and to explain what Docks & Harbors owns and what is being requested in the sale.

Ms. Crossley said there are mere inches from the outside of the building to the property line on the waterside. She said the parcel in front of the building is Docks & Harbors owned tidelands.

Mr. Ridgway asked if the Planning Commission could offer a variance. He would like to know if the deck and awning are included with the current renovations.

Ms. Crossley said the deck and awning are being looked at for future renovations and have not been added to the current project.

Mr. Leither asked if they had filed a formal application with the Planning Commission to receive a variance.

Ms. Crossley said no, they have not requested a variance or filed for a building permit yet.

Mr. Leither said he is not a planning or zoning expert. If we decide not to sell you the land you will need to receive a variance to move ahead.

Ms. Crossley said if Docks & Harbors decides not to sell the property the building owner would not be able to make any improvements to the building, maybe siding and new windows only. She said no variance will ever exists to build over property lines.

Mr. Ridgway asked about a revised property appraisal with both lots as one.

Ms. Crossley said they had to install a deck for the scaffolding to sit on to replace the siding of the building. She was hoping they could leave the deck in place and put on a railing and make it a proper deck. With the current property line they will need to make the deck temporary and tear it down once the siding is complete.

Mr. Gress said a deck sounds luxurious but it is really necessary to do any type of work to that side of the building. From a maintenance side of things this building is very difficult to deal with. There are also some issues with the pilings and this request is also about cleaning up the area.

Mr. Uchytil said the yearly lease for this property is approximately $6,000. The most recent appraisal for the property was $73,000.

Mr. Ridgway asked if there are any current development plans that this sale would impact.

Mr. Schaal said he is not aware of anything that would be affected with combining these pieces of land.

Mr. Gress said the current building is valued at $380k and the property is valued at $483K.

Mr. Becker said selling tidelands is a big deal especially for the City Assembly. He would like to see this sale work out and thinks they would do a good job on the project.

Mr. Uchytil said the Lands Committee meets in September and will discuss this property.

Ms. Smith asked if there are any other projects in the works where we will be giving up land. She mentioned the Goldbelt land swap at the Seadrome Property.

Mr. Uchytil said he expects a tideland lease request from Juneau Tours in Statter Harbor. At one time the Marine Exchange of Alaska came to us and was looking for property to expand their operations.

Mr. Schaal said we did this exact type of deal with the Archipelago Lot. We took four parcels of land and combined them into two lots and sold some of the property.

Public Comments – None

Board Discussion/Action
Ms. Derr said a variance cannot be granted over property lines. If they were to build something on our property we would be responsible for the property tax for the structure. A public-private partnership is something that is huge and done frequently. The sale of CBJ land to provide further access to our resources is well within the realm of what CBJ does. She knows it is hard to give up tidelands, but in this case it would hinder anyone that owns this building from doing necessary work.

Mr. Leither said if the property line is inconvenient for the building owner it is not our responsibility. They decided to purchase the building knowing what would be their property and what would be owned by Docks & Harbors.

Mr. Ridgway said he agreed with Mr. Leither. It is not our job to help their property, buyer beware. He believes they knew this would be an issue and purchased the building and land anyways. He is concerned for the building and it falling into the sea if they cannot make the necessary repairs over the 50 year lease. He would like the appraisal to be done to show the value of both lots as one.

MOTION by Mr. Grant: Whereas the sale of tidelands under the control of the Docks and Harbors Board is contrary to the public policy of the City and Borough of Juneau (CBJ) (CBJ 85.02.063 (b)(4)); and

Whereas the public policy of the CBJ favors the leasing of tidelands for water related purposes (CBJ 85.02.063 (b)(4)); and

Whereas the Hansen/Gress organization (the Developer) has requested to purchase a portion of CBJ tidelands for purposes of performing necessary rehabilitation of a building which sits partially on leased CBJ tidelands and partially on privately owned land; and

Whereas it appears that many, if not all, of the Developer's objectives could be accomplished by the leasing of additional tidelands combined with the granting of variances, conditional use permits, or other conditional permissions by the CBJ Planning Commission; and

Whereas such an arrangement would be consistent with the public policy of the CBJ;

Now, therefore, the Docks and Harbors Board finds as follows:

1. The Developer's request to purchase CBJ tidelands is denied;
2. The Developer should exhaust all possible avenues through application to the Juneau Planning Commission to achieve the necessary permissions to further its development objectives;
3. The CBJ Planning Commission is requested to look favorably on any application filed by the developer which is consistent with the conceptual drawings submitted to the Docks and Harbors Board, but which does not involve the sale of CBJ tidelands;

4. If requested by the Developer, staff is directed to enter into negotiations for a lease of additional CBJ property which is sufficient to meet the projects requirements, as well as any future CBJ needs for access or passage across the developer's property. Any lease negotiated between the parties is subject to the approval of the Docks and Harbors Board.

   Ms. Derr objected to the motion. She feels the motion is incredibly restrictive when we already have a lot of the answers. She does not want to deny this request.

   Roll Call Vote:
   James Becker – No
   Paul Grant – Yes
   Matthew Leither – Yes
   Mark Ridgway – No
   Annette Smith – No
   Lacey Derr – No
   Don Etheridge – Yes

   Yes – 3
   No – 4

   Motion failed

   Motion by Mr. Grant to table this discussion until after the Assembly Lands Committee can meet.

   Ms. Derr objected to tabling the discussion.

   Roll Call Vote:
   James Becker – No
   Paul Grant – Yes
   Matthew Leither – Yes
   Mark Ridgway – Yes
   Annette Smith – No
   Lacey Derr – No
   Don Etheridge – Yes

   Yes – 4
   No – 3

   Motion failed

   Ms. Woll said the Assembly appreciates getting a recommendation from the Board on this issue. If there is action from the Lands Committee it will be sent to the Assembly. There is still some time and she welcomes members and staff to be present and voice opinions on this proposal at those meetings.

Mr. Ridgway asked if Ms. Woll had an opinion on selling tidelands and what the Assembly might do.

Ms. Woll said she has no idea how the Assembly will vote on this issue and she is not ready to decide how she will vote yet. She takes the "should not" verbiage seriously, but obviously there is multiple considerations here.

Mr. Uchytil said the Board can recommend one way or the other. The City Attorney knows what is in this proposal and has weighed-in that for them to move forward - a sale is necessary.

Mr. Grant said he disagrees. They might not be able to get everything they want, but there is a lot they can do.

MOTION by Annette Smith to advance the Hansen-Gress proposal that includes easements for future Docks & Harbors development as well as first right of refusal on the consolidated land and building sale as well as the evaluation of property by Docks & Harbors contracted appraiser that assumes the property as a single lot.

Roll Call Vote:
James Becker – Y
Paul Grant – N
Matthew Leither – N
Mark Ridgway – Y
Annette Smith – Y
Lacey Derr – Y
Don Etheridge – Y

Yes – 5
No – 2

Motion passed.

H. NEW BUSINESS – None

I. ITEMS FOR INFORMATION/DISCUSSION

4. UAS Property Conveyance

Mr. Uchytil share a presentation starting on page 61 in the packet. He and Mr. Etheridge met with the University of Alaska Land Management. After they discussed our proposal with the management team they decided retaining the property was in their best interest. They will continue to lease the property to Docks & Harbors for the appraised $230K a year. The yearly lease for the last 35 years was about $10K-$15K. The University has brought up the potential for a reduction in the lease if we can show an educational benefit to the university. He believes the reduction would be pennies on the dollar and not significant. He is not sure if the Assembly will allow the $2M set aside for purchasing the land to be used to pay the new higher lease terms. There is considerable overheard incurred regardless if we lease or buy the

property. The boatyard equipment and travel lift is well past its useful life. We will also need a new pier build. We are using original cranes on the dock and paid $30K last year to rebuild one and the other is on its last leg. We have sub-lessees on the property and collect $2,800 from Maritime Hydraulics, $29K from Juneau Marine Services and $4,400 from Nordic Tug Charters.

Board Discussion

Mr. Becker does not want to give up on trying to get them to sell the property.

Mr. Uchytil said the University thinks selling this piece of land will devalue the 5.3 acres with the vocational technology building. They have a fiduciary responsibility to do what is best for the university.

Mr. Leither said he understands why they do not want to sell it. He asked if there another area we can put a boat yard and what would this land be used for if not leased or sold to us.

Mr. Etheridge mentioned the recent NCL property sale and they might be thinking what this entire parcel could potentially be worth someday. He would like the Board to come to a consensus if it is worth reentering into a lease that will cost us three or four times the price of the property.

Mr. Grant asked what would happen if we ended our lease and had them work directly with our lessee to see what they could get without our involvement. Maybe we can take that $2M and find something else that could work long-term.

Ms. Derr spoke about University's money troubles years ago when we first started talking about the purchase of land. Now after CARES funding, their income has increased and they might not need to sell the property. She is also interested in alternatives and mentioned Douglas Harbor as one. She spoke about the recent vessel that hit a log and was taking on water over the derby weekend. They went straight to the downtown haul-out at 5 a.m. and were immediately met with staff to get the vessel out of the water. This type of facility is incredibly important to the community.

Mr. Ridgway agrees with the sentiment. The long-term lease would be expensive but a boatyard is a vital services. He likes the idea of looking at other options.

Mr. Grant asked about the EPA regulations of the boatyard. He would like to know if we get tasked with making the facility EPA compliant as the landlord. He is concerned about our exposure. He would like to know if we able to do a year-to-year lease so we can keep the boatyard going.

Mr. Uchytil said when we first signed the lease the EPA regulations were almost nonexistent. There are going to be contaminants with this type of work. There is a risk with leasing and purchasing the property. There is a five acre fill zone by Norway Point that has potential for a boatyard. In 2016 it was estimated to be a $30M project. We have also looked at the Little Rock Dump as a potential site, at roughly a $30M project cost.

Mr. Becker said pollution is an issue with the boatyard and they are currently trying to deal with that. He knows we cannot throw our hands up and walk away. There are not enough places like this one to accommodate boat haul outs. He also asked if we are currently accepting money for planning efforts at that location.

Mr. Uchytil said we did not receive the RAISE Grant and we are still waiting to hear about a PIDP Grant for developing the site.

Mr. Ridgway would like to look at two options. A short term lease and alternate site options for a boatyard and haul-out.

Mr. Leither asked if the university is willing to do a short-term lease with us.

Mr. Etheridge said they are willing to negotiate. They told us there might be options to reduce the price but they want a long-term lease. Our Board needs to come up with ideas and then bring them before the University of Alaska Board to see how they will feel.

Mr. Grant would like to see what the economics are of this. He would like to see what would happen if we walked away. Currently we are subsidizing the boatyard and the hydraulic shop.

Mr. Etheridge said he has heard the hydraulic shop already has another location in mind if the lease rate increases.

Mr. Ridgway said a lot of commercial vessels are leaving Juneau for locations with lower moorage rates. He asked how it is working so far with us subsidizing an industry for boat storage. He would like to see plans and asked if we really want to be a landlord.

Mr. Grant would like a legal review of what our environmental liability would be if we decided to enter into a long-term lease.

Mr. Uchytil said he thinks the environmental issues are going to be significant. The cranes on the property are also shot, what we are doing is providing a service to the community. The value isn't financial from the boatyard, it is to the commercial fishing fleet that can now be hauled out or use the cranes to change out their gear.

Mr. Leither asked if we thought about having our own boatyard and managing it. He wonders what kind of revenue that could offer.

Mr. Uchytil said the boatyard and hydraulics leases expired with our lease with the University of Alaska.

Ms. Smith brought up the question if it is fair for our harbor patrons to subsidize these private businesses.

Mr. Grant wonders how it will be received if CBJ is completing with other private business in town.

Mr. Leither said if the private businesses could afford the lease price this wouldn't be an issue. Unfortunately, they can't afford the maintenance, upkeep or lease cost.

Mr. Schaal thinks we would lose money to operate our own boatyard. We have already shown we do not want to run a boatyard at the Auke Bay Loading Facility. Docks & Harbors has paid very minimal rates for the last 35 years for this lease. The University is probably considering that.

Mr. Becker said the reason the lease was so minimal was because CBJ gave the university $500K back in the day.

Mr. Ridgway said whatever decision we make it will most likely need to be a short-term one. He does not feel we are ready to get into a 35 year lease for $233K.

Mr. Leither asked about the Auke Bay Loading Facility and why that wasn't an option.

Mr. Schaal said we had some extra TIGER money and bought the Sea-Lift. Our staff was running the boatyard but we were having difficulty filling it. The Board made the decision to put it up for lease.

Mr. Uchytil said he does not hear a consensus on how the Board would like to move forward. All he has heard so far is the Board would like to hear more options.

Mr. Ridgway would like to direct staff to continue conversations with the university. We should probably let them know about these discussions and ideas by the Board.

Mr. Leither needs more information before he can make a decision. He needs to know more about the financials and available lease terms.

Mr. Uchytil asked if the 33 year lease was off the table would the Board consider a short-term lease.

Mr. Ridgway said he wants to know if it is an option on the table. If a shorter lease is not an option it might be time to let our tenants know we might not be able to provide that property because of the high cost.

Mr. Uchytil said we received a one-year extension with existing conditions. This memo was to put the options forward and what they include. We are unable to have an executive session to discuss this like the University can.

Ms. Smith said if we walk away that is not stopping the boatyard, it is just stopping us from being the middle man.

Mr. Uchytil said Mr. Schaal leaves in a month. There are many other projects going on and we are designing the north-end of Aurora. Because of the level of effort, a short-term lease is probably not our best option.

Mr. Leither said he feels this is a year-long conversation needed through many meetings. This will not be solved tonight. He thinks Juneau needs a boatyard and is not willing to sign off on a 33 year lease.

Mr. Etheridge said the current lease is only good until May 2023.

Mr. Grant said a five year lease will cost Docks & Harbors $1.25M.

Public Comment
Dennis Watson – Juneau, Alaska
Mr. Watson feels the only option is a short-term lease. He said Docks & Harbors does not have the money coming in that would make up the lease cost. There is a lot of liability on the table here and he would like to have that discussed in an executive session and not with the public. The property owner has not done much in the way of improvements over the last 28 years. He would like to see the Board members come together and have a discussion that does not go off track like they did tonight. He said the Board only meets twelve times a year and they always go this way.

~~**5.** Open Meetings Act, Motions & By Laws Presentation by Port Director~~

J. STAFF, COMMITTEE AND MEMBER REPORTS

Ms. Derr asked if there had been changes to the regulation to allow storage on fingers. Some of the commercial fishing community has been asking her why they are not allowed to put locking boxes on their fingers when so many are using fingers for storage. If there has been no change to this regulation, can we please start enforcing it and asking people using the dock for storage to remove their items?

Mr. Creswell said there is no change and harbor patrons are not allowed to store personal belongings on the docks or fingers. He will plan to walk the docks soon and see who is doing this and manage the issue.

K. PORT ENGINEER'S REPORT

- Mr. Schaal said he has handed in his resignation and has accepted a position with the City of Wasilla as the Public Works Director. His last day will be on September 23rd.

L. HARBORMASTER'S REPORT

- Mr. Creswell said the Golden North Salmon Derby was slow fishing.
- Last weekend was the king crab opener and was easily four times busier than the derby. It was complete chaos for 96 hours. Staff was incredibly busy and he tried a different way to use the launch ramp. It worked overall with only three complaints.

- The Army Divers are in town and doing work for us. They have been out at Statter Harbor for the last four days trying to raise the sunken vessel the ANGELA K. While trying to raise the vessel the mast and poles were ripped off and it was left down in 100 feet of water.
- Staff built and installed a new fish cleaning station at the North Douglas Boat Launch Ramp.
- Staff is currently 50% complete with replacing the concreate on the Fisherman's Terminal Float.
- Mr. Scott Hinton, Port Operations Supervisor has also given his resignation and accepted a position with the State of Alaska Department of Environmental Conservation. His last day will be September 11th.
- We are currently still trying to hire Port and administrative staff.
- The last cruise ship on our docks will be on October 17th.
- He issued thirteen notices at Douglas Harbor requiring sea trials. Three have already passed the trials leaving ten left. A few extensions were given for ongoing work and he will stay on top of that.
- There are currently three boats in the impound process.

Mr. Grant asked if there was different sea trial requirements for houseboats.

Mr. Creswell said float houses are in the non-moving vessel zones and sea trials are not required.

Ms. Derr asked if the impounds were live-a-boards or general moorage in the harbor.

Mr. Creswell said one is a live-a-board.

M. PORT DIRECTOR'S REPORT

- Mr. Uchytil said staff went to Taku Harbor and did some work replacing hinges.
- Huna Totem is now the new owner of the Subport property. He has been meeting with interested parties regarding the purchase. CBJ does not own all the tidelands there and Docks & Harbors is only meeting as a consultant.
- Mr. Uchytil will be on leave from September 3rd – 12th.

N. ASSEMBLY LIAISON REPORT

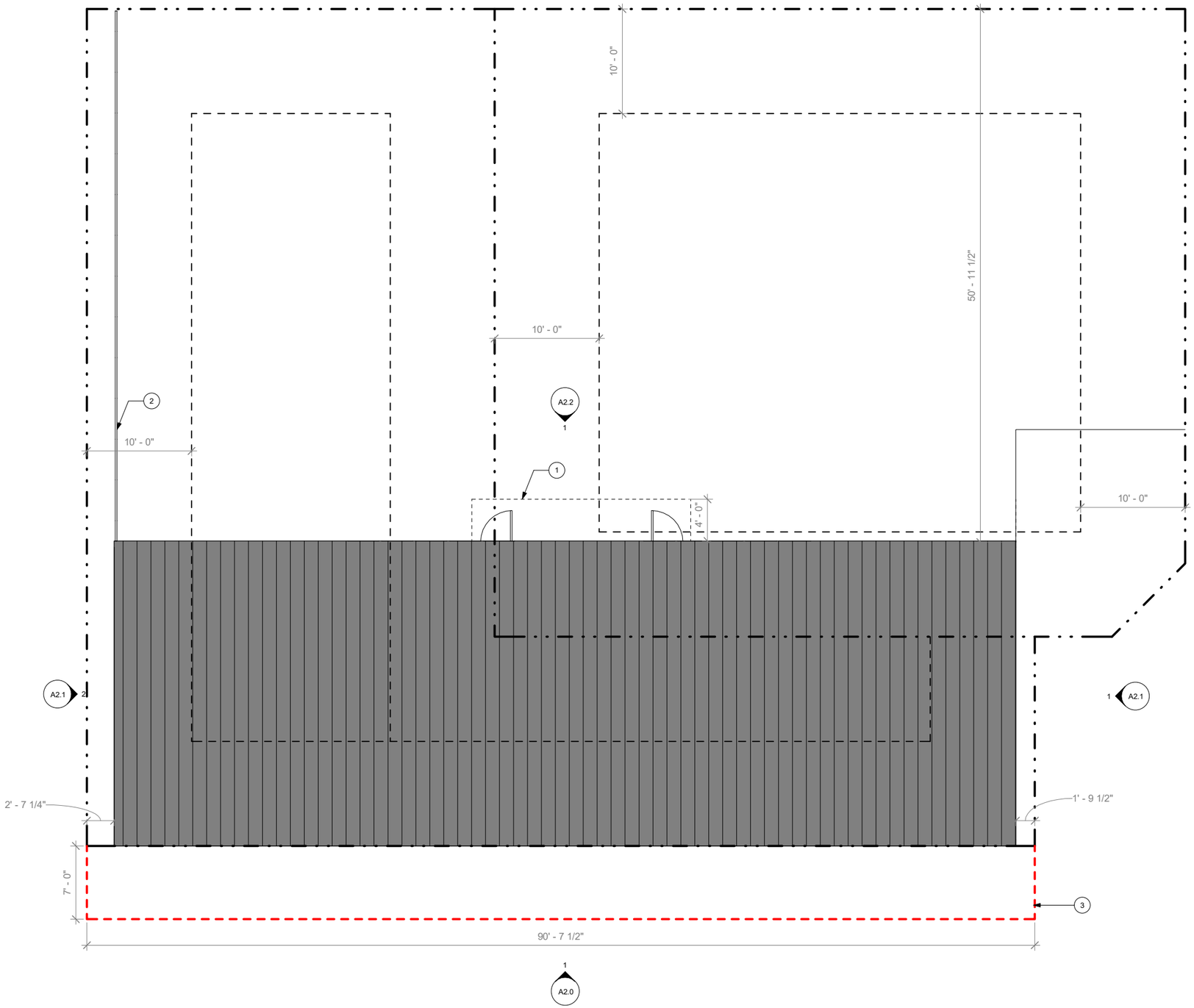
- They had a Committee of the Whole meeting a few weeks ago and discussed dock electrification. Mr. Uchytil made some recommendations and the Assembly accepted the proposal. They are preparing a revenue bond to fund electrification of one of the docks.
- The Assembly officially approved the 1% sales tax list that included $6.5M for harbor projects. This will be on the ballet in October 2022.

O. BOARD ADMINISTRATIVE MATTERS

- The next Operations/Planning Committee meeting is on Wednesday, September 21st.
- The next full Board meeting is on Thursday, September 29th.

- There is a new format being used for the agenda packets. This is a requirement by the City Clerk and they will be in this format going forward. If anyone would like to see something changed or added to the agenda please let Mr. Uchytil know.

P. ADJOURNMENT - The meeting adjourned at 8:32 p.m.



1 SITE PLAN
3/16" = 1'-0"

NORTH

© NorthWind Architects, LLC; Project Number:

CODE ANALYSIS:

AUTHORITY HAVING JURISDICTION:
CITY AND BOROUGH OF JUNEAU

DESCRIPTION:
THE PROPOSED PROJECT IS A RENOVATION OF AN EXISTING COMMERCIAL BUILDING WITH ABATEMENT AT THE EXTERIOR WALLS, EXTERIOR SIDING REPLACEMENT, WINDOW REPLACEMENT, ADDITIONAL GLAZING, AWNING REPLACEMENT AND INTERIOR RENOVATION WORK.

ADDRESS:
1000 HARBOR WAY
JUNEAU, ALASKA 99801

BUILDING OWNERS:
1000 HARBOR WAY, LLC
1000 HARBOR WAY, SUITE 201
JUNEAU, ALASKA 99801
P: 907.463.6900

APPLICABLE CODES:
2012 INTERNATIONAL FAMILY OF CODES
2020 NATIONAL ELECTRICAL CODE (NEC)
2009 ANSI A117.1-STANDARDS FOR ACCOMMODATING INDIVIDUALS WITH DISABILITIES
ALL OTHER CODES AND ORDINANCES AS AMENDED AND ADOPTED BY THE CITY AND BOROUGH OF JUNEAU BUILDING DEPARTMENT (AUTHORITY HAVING JURISDICTION

BUILDING SQUARE FOOTAGE:
GROSS BUILDING AREA: 4928 SF
GROSS 1ST FLOOR AREA: 2512 SF
GROSS 2ND FLOOR AREA: 2416 SF

OCCUPANCY:
PRIMARY OCCUPANCY: BUSINESS (B)
SECONDARY OCCUPANCY: MODERATE-HAZARD STORAGE (S-1)
SPRINKLER SYSTEM: YES
NO FIRE SEPERATIONS NECESSARY
BUSINESS: 4636 SF/ 100 = 46
ACCESSORY STORAGE: 292 SF/ 300 = 1

TYPES OF CONSTRUCTION:
TYPE V-B: TWO-STORY
AUTOMATIC SPRINKLER SYSTEMS: PROVIDED
FIRE STROBE/ALARM: PROVIDED

ZONING AND LAND USE SUMMARY:
WATERFRONT COMMERCIAL (WC)
PROPERTY IS COMPRISED OF TWO LOTS THAT SHALL BE CONSOLIDATED, AS SOON AS PROPERTY OWNERSHIP IS OBTAINED BY THE SAME PARTY
FRONT SETBACK: 10'-0"
SIDE YARD SETBACK: 10'-0"
REAR YARD SETBACK: 10'-0"
EXISTING PARKING LAYOUT TO REMAIN

GENERAL NOTES:

1. CONTRACTOR SHALL FIELD VERIFY ACTUAL BUILDING CONDITIONS AND DIMENSIONS. WHERE DISCREPANCIES OR CONFLICTS ARE FOUND, NOTIFY ARCHITECT PRIOR TO COMMENCING WORK.
2. DO NOT SCALE OFF OF DRAWINGS.
3. DIMENSIONS ARE TO GRIDLINE, FACE OR CENTER OF FRAMING UNO.
4. STRUCTURAL ELEMENTS SHOWN IN ARCHITECTURAL DRAWINGS FOR REFERENCE ONLY. SEE STRUCTURAL DRAWINGS FOR ALL STRUCTURAL INFORMATION.
5. WHERE DOOR OPENINGS ARE NOT DIMENSIONED, LOCATE DOOR OPENINGS TO ENSURE 3" MIN JAMB FRAMING.

SHEET NOTES:

1. EXISTING CANOPY TO BE REPLACED IN-KIND
2. FENCING
3. LAND REQUESTED FROM CBJ

LEGEND

- PROPERTY LINE
- PROPOSED PROPERTY LINE
- SETBACK
- EXISTING BUILDING

08/30/2022

NorthWind Architects, LLC
126 Seward St
Juneau, AK 99801
Ph #907.586.6150
www.northwindarch.com

1" ACTUAL

IF THE ABOVE DIMENSION DOES NOT MEASURE ONE INCH (1") EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABEL SCALES.

HANSEN GRESS RENOVATION
1000 HARBOR WAY
JUNEAU, ALASKA

SHEET TITLE:
SITE PLAN

CHECKED	JB
DRAWN	SCC

issue	date	description

SHEET # A0.1

ISSUE DATE 01.06.23

Attachment D - Updated site plan from applicant

CBJ DOCKS & HARBORS BOARD
REGULAR MEETING MINUTES
For Thursday, August 25, 2022
City Hall Room 224 and via Zoom

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Mr. Grant agreed with Mr. Ridgway and said the new wording for the recommendation is appropriate.

Public Comment – None

Board Discussion
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Mr. Becker agreed with the change of wording.

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G. UNFINISHED BUSINESS

3. Hansen-Gress Building Changes
Shannon Crossley with NorthWind Architects, LLC presented a PowerPoint presentation found on page 53 of the packet. Ms. Crossley shared a sketch showing the building and property line. A building permit cannot be issued to do any renovation work to the outside of the building because it would cross a property line owned by Docks & Harbors. The property is in a prominent location and they would like to beautify the building to align with more development down the way. She said she believes these two parcels were always meant to be together and for whatever reason it has not happened up until now.

Board Questions:
Mr. Ridgway asked questions about page 58 in the packet and to explain what Docks & Harbors owns and what is being requested in the sale.

Ms. Crossley said there are mere inches from the outside of the building to the property line on the waterside. She said the parcel in front of the building is Docks & Harbors owned tidelands.

Mr. Ridgway asked if the Planning Commission could offer a variance. He would like to know if the deck and awning are included with the current renovations.

Ms. Crossley said the deck and awning are being looked at for future renovations and have not been added to the current project.

Mr. Leither asked if they had filed a formal application with the Planning Commission to receive a variance.

Ms. Crossley said no, they have not requested a variance or filed for a building permit yet.

Mr. Leither said he is not a planning or zoning expert. If we decide not to sell you the land you will need to receive a variance to move ahead.

Ms. Crossley said if Docks & Harbors decides not to sell the property the building owner would not be able to make any improvements to the building, maybe siding and new windows only. She said no variance will ever exists to build over property lines.

Mr. Ridgway asked about a revised property appraisal with both lots as one.

Ms. Crossley said they had to install a deck for the scaffolding to sit on to replace the siding of the building. She was hoping they could leave the deck in place and put on a railing and make it a proper deck. With the current property line they will need to make the deck temporary and tear it down once the siding is complete.

Mr. Gress said a deck sounds luxurious but it is really necessary to do any type of work to that side of the building. From a maintenance side of things this building is very difficult to deal with. There are also some issues with the pilings and this request is also about cleaning up the area.

Mr. Uchytil said the yearly lease for this property is approximately $6,000. The most recent appraisal for the property was $73,000.

Mr. Ridgway asked if there are any current development plans that this sale would impact.

Mr. Schaal said he is not aware of anything that would be affected with combining these pieces of land.

Mr. Gress said the current building is valued at $380k and the property is valued at $483K.

Mr. Becker said selling tidelands is a big deal especially for the City Assembly. He would like to see this sale work out and thinks they would do a good job on the project.

Mr. Uchytil said the Lands Committee meets in September and will discuss this property.

Ms. Smith asked if there are any other projects in the works where we will be giving up land. She mentioned the Goldbelt land swap at the Seadrome Property.

Mr. Uchytil said he expects a tideland lease request from Juneau Tours in Statter Harbor. At one time the Marine Exchange of Alaska came to us and was looking for property to expand their operations.

Mr. Schaal said we did this exact type of deal with the Archipelago Lot. We took four parcels of land and combined them into two lots and sold some of the property.

Public Comments – None

Board Discussion/Action
Ms. Derr said a variance cannot be granted over property lines. If they were to build something on our property we would be responsible for the property tax for the structure. A public-private partnership is something that is huge and done frequently. The sale of CBJ land to provide further access to our resources is well within the realm of what CBJ does. She knows it is hard to give up tidelands, but in this case it would hinder anyone that owns this building from doing necessary work.

Mr. Leither said if the property line is inconvenient for the building owner it is not our responsibility. They decided to purchase the building knowing what would be their property and what would be owned by Docks & Harbors.

Mr. Ridgway said he agreed with Mr. Leither. It is not our job to help their property, buyer beware. He believes they knew this would be an issue and purchased the building and land anyways. He is concerned for the building and it falling into the sea if they cannot make the necessary repairs over the 50 year lease. He would like the appraisal to be done to show the value of both lots as one.

MOTION by Mr. Grant: Whereas the sale of tidelands under the control of the Docks and Harbors Board is contrary to the public policy of the City and Borough of Juneau (CBJ) (CBJ 85.02.063 (b)(4)); and

Whereas the public policy of the CBJ favors the leasing of tidelands for water related purposes (CBJ 85.02.063 (b)(4)); and

Whereas the Hansen/Gress organization (the Developer) has requested to purchase a portion of CBJ tidelands for purposes of performing necessary rehabilitation of a building which sits partially on leased CBJ tidelands and partially on privately owned land; and

Whereas it appears that many, if not all, of the Developer's objectives could be accomplished by the leasing of additional tidelands combined with the granting of variances, conditional use permits, or other conditional permissions by the CBJ Planning Commission; and

Whereas such an arrangement would be consistent with the public policy of the CBJ;

Now, therefore, the Docks and Harbors Board finds as follows:

1. The Developer's request to purchase CBJ tidelands is denied;
2. The Developer should exhaust all possible avenues through application to the Juneau Planning Commission to achieve the necessary permissions to further its development objectives;
3. The CBJ Planning Commission is requested to look favorably on any application filed by the developer which is consistent with the conceptual drawings submitted to the Docks and Harbors Board, but which does not involve the sale of CBJ tidelands;

4. If requested by the Developer, staff is directed to enter into negotiations for a lease of additional CBJ property which is sufficient to meet the projects requirements, as well as any future CBJ needs for access or passage across the developer's property. Any lease negotiated between the parties is subject to the approval of the Docks and Harbors Board.

   Ms. Derr objected to the motion. She feels the motion is incredibly restrictive when we already have a lot of the answers. She does not want to deny this request.

   Roll Call Vote:
   James Becker – No
   Paul Grant – Yes
   Matthew Leither – Yes
   Mark Ridgway – No
   Annette Smith – No
   Lacey Derr – No
   Don Etheridge – Yes

   Yes – 3
   No – 4

   Motion failed

   Motion by Mr. Grant to table this discussion until after the Assembly Lands Committee can meet.

   Ms. Derr objected to tabling the discussion.

   Roll Call Vote:
   James Becker – No
   Paul Grant – Yes
   Matthew Leither – Yes
   Mark Ridgway – Yes
   Annette Smith – No
   Lacey Derr – No
   Don Etheridge – Yes

   Yes – 4
   No – 3

   Motion failed

   Ms. Woll said the Assembly appreciates getting a recommendation from the Board on this issue. If there is action from the Lands Committee it will be sent to the Assembly. There is still some time and she welcomes members and staff to be present and voice opinions on this proposal at those meetings.

Mr. Ridgway asked if Ms. Woll had an opinion on selling tidelands and what the Assembly might do.

Ms. Woll said she has no idea how the Assembly will vote on this issue and she is not ready to decide how she will vote yet. She takes the "should not" verbiage seriously, but obviously there is multiple considerations here.

Mr. Uchytil said the Board can recommend one way or the other. The City Attorney knows what is in this proposal and has weighed-in that for them to move forward - a sale is necessary.

Mr. Grant said he disagrees. They might not be able to get everything they want, but there is a lot they can do.

MOTION by Annette Smith to advance the Hansen-Gress proposal that includes easements for future Docks & Harbors development as well as first right of refusal on the consolidated land and building sale as well as the evaluation of property by Docks & Harbors contracted appraiser that assumes the property as a single lot.

Roll Call Vote:
James Becker – Y
Paul Grant – N
Matthew Leither – N
Mark Ridgway – Y
Annette Smith – Y
Lacey Derr – Y
Don Etheridge – Y

Yes – 5
No – 2

Motion passed.

H. NEW BUSINESS – None

I. ITEMS FOR INFORMATION/DISCUSSION

4. UAS Property Conveyance

Mr. Uchytil share a presentation starting on page 61 in the packet. He and Mr. Etheridge met with the University of Alaska Land Management. After they discussed our proposal with the management team they decided retaining the property was in their best interest. They will continue to lease the property to Docks & Harbors for the appraised $230K a year. The yearly lease for the last 35 years was about $10K-$15K. The University has brought up the potential for a reduction in the lease if we can show an educational benefit to the university. He believes the reduction would be pennies on the dollar and not significant. He is not sure if the Assembly will allow the $2M set aside for purchasing the land to be used to pay the new higher lease terms. There is considerable overheard incurred regardless if we lease or buy the

property. The boatyard equipment and travel lift is well past its useful life. We will also need a new pier build. We are using original cranes on the dock and paid $30K last year to rebuild one and the other is on its last leg. We have sub-lessees on the property and collect $2,800 from Maritime Hydraulics, $29K from Juneau Marine Services and $4,400 from Nordic Tug Charters.

Board Discussion

Mr. Becker does not want to give up on trying to get them to sell the property.

Mr. Uchytil said the University thinks selling this piece of land will devalue the 5.3 acres with the vocational technology building. They have a fiduciary responsibility to do what is best for the university.

Mr. Leither said he understands why they do not want to sell it. He asked if there another area we can put a boat yard and what would this land be used for if not leased or sold to us.

Mr. Etheridge mentioned the recent NCL property sale and they might be thinking what this entire parcel could potentially be worth someday. He would like the Board to come to a consensus if it is worth reentering into a lease that will cost us three or four times the price of the property.

Mr. Grant asked what would happen if we ended our lease and had them work directly with our lessee to see what they could get without our involvement. Maybe we can take that $2M and find something else that could work long-term.

Ms. Derr spoke about University's money troubles years ago when we first started talking about the purchase of land. Now after CARES funding, their income has increased and they might not need to sell the property. She is also interested in alternatives and mentioned Douglas Harbor as one. She spoke about the recent vessel that hit a log and was taking on water over the derby weekend. They went straight to the downtown haul-out at 5 a.m. and were immediately met with staff to get the vessel out of the water. This type of facility is incredibly important to the community.

Mr. Ridgway agrees with the sentiment. The long-term lease would be expensive but a boatyard is a vital services. He likes the idea of looking at other options.

Mr. Grant asked about the EPA regulations of the boatyard. He would like to know if we get tasked with making the facility EPA compliant as the landlord. He is concerned about our exposure. He would like to know if we able to do a year-to-year lease so we can keep the boatyard going.

Mr. Uchytil said when we first signed the lease the EPA regulations were almost nonexistent. There are going to be contaminants with this type of work. There is a risk with leasing and purchasing the property. There is a five acre fill zone by Norway Point that has potential for a boatyard. In 2016 it was estimated to be a $30M project. We have also looked at the Little Rock Dump as a potential site, at roughly a $30M project cost.

Mr. Becker said pollution is an issue with the boatyard and they are currently trying to deal with that. He knows we cannot throw our hands up and walk away. There are not enough places like this one to accommodate boat haul outs. He also asked if we are currently accepting money for planning efforts at that location.

Mr. Uchytil said we did not receive the RAISE Grant and we are still waiting to hear about a PIDP Grant for developing the site.

Mr. Ridgway would like to look at two options. A short term lease and alternate site options for a boatyard and haul-out.

Mr. Leither asked if the university is willing to do a short-term lease with us.

Mr. Etheridge said they are willing to negotiate. They told us there might be options to reduce the price but they want a long-term lease. Our Board needs to come up with ideas and then bring them before the University of Alaska Board to see how they will feel.

Mr. Grant would like to see what the economics are of this. He would like to see what would happen if we walked away. Currently we are subsidizing the boatyard and the hydraulic shop.

Mr. Etheridge said he has heard the hydraulic shop already has another location in mind if the lease rate increases.

Mr. Ridgway said a lot of commercial vessels are leaving Juneau for locations with lower moorage rates. He asked how it is working so far with us subsidizing an industry for boat storage. He would like to see plans and asked if we really want to be a landlord.

Mr. Grant would like a legal review of what our environmental liability would be if we decided to enter into a long-term lease.

Mr. Uchytil said he thinks the environmental issues are going to be significant. The cranes on the property are also shot, what we are doing is providing a service to the community. The value isn't financial from the boatyard, it is to the commercial fishing fleet that can now be hauled out or use the cranes to change out their gear.

Mr. Leither asked if we thought about having our own boatyard and managing it. He wonders what kind of revenue that could offer.

Mr. Uchytil said the boatyard and hydraulics leases expired with our lease with the University of Alaska.

Ms. Smith brought up the question if it is fair for our harbor patrons to subsidize these private businesses.

Mr. Grant wonders how it will be received if CBJ is completing with other private business in town.

Mr. Leither said if the private businesses could afford the lease price this wouldn't be an issue. Unfortunately, they can't afford the maintenance, upkeep or lease cost.

Mr. Schaal thinks we would lose money to operate our own boatyard. We have already shown we do not want to run a boatyard at the Auke Bay Loading Facility. Docks & Harbors has paid very minimal rates for the last 35 years for this lease. The University is probably considering that.

Mr. Becker said the reason the lease was so minimal was because CBJ gave the university $500K back in the day.

Mr. Ridgway said whatever decision we make it will most likely need to be a short-term one. He does not feel we are ready to get into a 35 year lease for $233K.

Mr. Leither asked about the Auke Bay Loading Facility and why that wasn't an option.

Mr. Schaal said we had some extra TIGER money and bought the Sea-Lift. Our staff was running the boatyard but we were having difficulty filling it. The Board made the decision to put it up for lease.

Mr. Uchytil said he does not hear a consensus on how the Board would like to move forward. All he has heard so far is the Board would like to hear more options.

Mr. Ridgway would like to direct staff to continue conversations with the university. We should probably let them know about these discussions and ideas by the Board.

Mr. Leither needs more information before he can make a decision. He needs to know more about the financials and available lease terms.

Mr. Uchytil asked if the 33 year lease was off the table would the Board consider a short-term lease.

Mr. Ridgway said he wants to know if it is an option on the table. If a shorter lease is not an option it might be time to let our tenants know we might not be able to provide that property because of the high cost.

Mr. Uchytil said we received a one-year extension with existing conditions. This memo was to put the options forward and what they include. We are unable to have an executive session to discuss this like the University can.

Ms. Smith said if we walk away that is not stopping the boatyard, it is just stopping us from being the middle man.

Mr. Uchytil said Mr. Schaal leaves in a month. There are many other projects going on and we are designing the north-end of Aurora. Because of the level of effort, a short-term lease is probably not our best option.

Mr. Leither said he feels this is a year-long conversation needed through many meetings. This will not be solved tonight. He thinks Juneau needs a boatyard and is not willing to sign off on a 33 year lease.

Mr. Etheridge said the current lease is only good until May 2023.

Mr. Grant said a five year lease will cost Docks & Harbors $1.25M.

Public Comment
Dennis Watson – Juneau, Alaska
Mr. Watson feels the only option is a short-term lease. He said Docks & Harbors does not have the money coming in that would make up the lease cost. There is a lot of liability on the table here and he would like to have that discussed in an executive session and not with the public. The property owner has not done much in the way of improvements over the last 28 years. He would like to see the Board members come together and have a discussion that does not go off track like they did tonight. He said the Board only meets twelve times a year and they always go this way.

~~**5.** Open Meetings Act, Motions & By Laws Presentation by Port Director~~

J. STAFF, COMMITTEE AND MEMBER REPORTS

Ms. Derr asked if there had been changes to the regulation to allow storage on fingers. Some of the commercial fishing community has been asking her why they are not allowed to put locking boxes on their fingers when so many are using fingers for storage. If there has been no change to this regulation, can we please start enforcing it and asking people using the dock for storage to remove their items?

Mr. Creswell said there is no change and harbor patrons are not allowed to store personal belongings on the docks or fingers. He will plan to walk the docks soon and see who is doing this and manage the issue.

K. PORT ENGINEER'S REPORT

- Mr. Schaal said he has handed in his resignation and has accepted a position with the City of Wasilla as the Public Works Director. His last day will be on September 23rd.

L. HARBORMASTER'S REPORT

- Mr. Creswell said the Golden North Salmon Derby was slow fishing.
- Last weekend was the king crab opener and was easily four times busier than the derby. It was complete chaos for 96 hours. Staff was incredibly busy and he tried a different way to use the launch ramp. It worked overall with only three complaints.

- The Army Divers are in town and doing work for us. They have been out at Statter Harbor for the last four days trying to raise the sunken vessel the ANGELA K. While trying to raise the vessel the mast and poles were ripped off and it was left down in 100 feet of water.
- Staff built and installed a new fish cleaning station at the North Douglas Boat Launch Ramp.
- Staff is currently 50% complete with replacing the concreate on the Fisherman's Terminal Float.
- Mr. Scott Hinton, Port Operations Supervisor has also given his resignation and accepted a position with the State of Alaska Department of Environmental Conservation. His last day will be September 11th.
- We are currently still trying to hire Port and administrative staff.
- The last cruise ship on our docks will be on October 17th.
- He issued thirteen notices at Douglas Harbor requiring sea trials. Three have already passed the trials leaving ten left. A few extensions were given for ongoing work and he will stay on top of that.
- There are currently three boats in the impound process.

Mr. Grant asked if there was different sea trial requirements for houseboats.

Mr. Creswell said float houses are in the non-moving vessel zones and sea trials are not required.

Ms. Derr asked if the impounds were live-a-boards or general moorage in the harbor.

Mr. Creswell said one is a live-a-board.

M. PORT DIRECTOR'S REPORT

- Mr. Uchytil said staff went to Taku Harbor and did some work replacing hinges.
- Huna Totem is now the new owner of the Subport property. He has been meeting with interested parties regarding the purchase. CBJ does not own all the tidelands there and Docks & Harbors is only meeting as a consultant.
- Mr. Uchytil will be on leave from September 3rd – 12th.

N. ASSEMBLY LIAISON REPORT

- They had a Committee of the Whole meeting a few weeks ago and discussed dock electrification. Mr. Uchytil made some recommendations and the Assembly accepted the proposal. They are preparing a revenue bond to fund electrification of one of the docks.
- The Assembly officially approved the 1% sales tax list that included $6.5M for harbor projects. This will be on the ballet in October 2022.

O. BOARD ADMINISTRATIVE MATTERS

- The next Operations/Planning Committee meeting is on Wednesday, September 21st.
- The next full Board meeting is on Thursday, September 29th.

- There is a new format being used for the agenda packets. This is a requirement by the City Clerk and they will be in this format going forward. If anyone would like to see something changed or added to the agenda please let Mr. Uchytil know.

P. ADJOURNMENT - The meeting adjourned at 8:32 p.m.

ASSEMBLY LANDS HOUSING AND ECONOMIC DEVELOPMENT MINUTES

September 26, 2022 at 5:00 PM

City Hall Conf. Room 224 / Zoom Webinar

***https://juneau.zoom.us/j/*94215342992 or 1-253-215-8782 Webinar ID: 942 1534 2992**

A. LAND ACKNOWLEDGEMENT

B. CALL TO ORDER

ROLL CALL - Chair Hale called the meeting to order at 5:00 pm.

Members Present: Chair Michelle Hale, Greg Smith, Wade Bryson, Wáahlaal Gíidaak,
Other Assembly Members Present: Mayor Beth Weldon, Maria Gladziszewski, Christine Woll
Members Absent: none
Liaisons Present: none
Liaisons Absent: Lacey Derr, Docks and Harbors; Mandy Cole, Planning Commission; Chris Mertl, Parks and Recreation
Staff Present: Dan Bleidorn, Lands Manager; Roxie Duckworth, Lands & Resources Specialist; Robert Palmer, City Attorney; Matt Creswell Docks & Harbors Harbormaster; Robert Barr, Deputy City Manager
Members of the Public Present: Tim Riley, Taku Terrace Condominium Association

D. APPROVAL OF AGENDA – The agenda was approved as presented

E. APPROVAL OF MINUTES - August 29, 2022 Draft Minutes

1. 2022-08-29 LHED Draft Minutes were approved as presented

F. AGENDA TOPICS

2. Hansen Gress Application to Purchase City Property

Mr. Bleidorn discussed this topic.

Mr. Smith asked about the first rights of refusal and asked if that needed to be included in the motion or will that be part of the negotiation. Mr. Bleidorn replied that it does not need to be included in the motion because it is already in the Docks and Harbors Board review and will be something that we add as we move forward and negotiate.

Mr. Bryson moved that the Lands, Housing, and Economic Development Committee forward this application to the Assembly with a motion to work with the original proposer in accordance with city code 53.09.260. Motion passed no objections.

3. Taku Terrace Association Request to Purchase City Property

Mr. Bleidorn discussed this topic.

Mr. Smith asked if there is a time limit on appraisals, as he was open to say that the appraisal listed in the presentation would still be good unless there absolutely needs to be a new appraisal. Mr. Bleidorn replied that there are sections of code that say city appraisals have to be completed within 90-days of the sale, but that is listed under easements. The city has accepted appraisals up to a year old but have not worked on one that is three years old. Mr. Palmer replied that whether the city

sells this property is still a decision to be made, so if the assembly thinks that the 2019 appraisal reflects current fair market values then that can be used but if the assembly doesn't think it reflects current fair market values than you can ask for an updated appraisal.

Mr. Bryson asked about the purchase offer at $150,000, did the city suggest that to them or is that their request for us that they are open to. Mr. Bleidorn replied that the city declined that offer, but they submitted that letter directly to the Assembly, so it is theoretically still on the table, if that's the direction Assembly decides to go as far as determining fair market value.

Chair Hale asked about the number of condos in this unit. Mr. Bleidorn replied there are 35 units. Chair Hale noted a calculation she did that was $411,600 divided by 35 units is $11,760 per unit, which would be the cost. Mr. Bleidorn confirmed that calculation. Chair Hale noted that if it were sold for that value, then that the cost to each unit would be $11,760 and is presuming that the condo association would be able to take out some sort of mortgage to cover the costs if they did purchase this from the city. Mr. Riley replied that the city is representing that they are offering the price at fair market value, but fair market value would be the estimated value of the property minus our leasehold interest. Chair Hale noted that this setting is not appropriate for Mr. Riley to ask questions about the committee but could reach out to the Lands Manager with these questions. Mr. Riley replied that they have a lease on the property and the city cannot provide a fee simple value because they do not own the fee simple value, they own a leasehold value and Taku Terrace owns the lease fee value. Mr. Riley noted that they assume they could get a loan. Mr. Bleidorn commented that if the city decides that now is not the time to dispose of this property we can continue to lease it to the association for the remainder term, at $300 a month for the remaining term that equals over the amount of $150,000. If we are looking at this in a strictly financial situation, the assembly should continue to lease this for the remainder of the term, and then sell it at the end for fair market value, which would bring the most finances to the city. That is probably not in the best interest of the association, and which is why we are here today looking at a potential disposal. Chair Hale asked to confirm the monthly rate of $300 per month, if that was per unit. Mr. Bleidorn clarified that was the entire property amount.

Mr. Bryson asked about comparing an identical piece of land the same size without a lease on it, what would be comparison values. Let us just assume similar characteristics of "land B" does not have at lease on it, what would be the difference in value to this leased land. Mr. Bleidorn replied that we do not have an identical property to compare, but earlier he noticed that the apartment building, next to Foodland is currently on the market. It is a smaller lot and it assessed at just the land value. Our assessments have land and property. The apartment building was valued at over $600,000. This property is different from that, it has some access issues and is larger, so it is difficult to come up with that comparison value. That is why we hire appraisers because they are license and bonded, and determine that kind of information.

Chair Hale asked about the motion, with staff requesting a motion of support, is that from the LHED committee to staff, and then what would be the next step. Mr. Bleidorn replied that the next step would it be for an appraisal to be completed and then we would draft the ordinance for introduction, because we've already gone through the Planning Commission and we have gotten the motion of support to work with the original proposer. We are just at the stage, where this is the hold up, the appraisal, or the determination of fair market value.

Mr. Smith asked what the current HOA fees for the condos and wanted to know about the amount of the other appraisal. Mr. Riley replied that he is personally paying $950 a month in HOA fees, but he has a somewhat larger unit. He believes the smallest units are paying around $500 per month. Chair Hale replied that the 2019 appraisal was $411,600. Mr. Smith asked about the leasehold interest appraisal amount. Mr. Riley replied noted that he is a commercial appraiser and that in terms of negotiation, their appraisal value was somewhere between $150,000 and $200,000. That was prior to our uncovering the fact that there is no access to this property, and that we have to pay more than we pay the city for the lease of the property, for access to and parking on, the easement that we have from the building next door.

Chair Hale noted that her inclination at this point, and knowing that the next time that this committee meets it will be a new assembly, but the information at this point is so many questions have come up, and I think there is some confusion. My inclination is to hold this in committee and I do not know what my fellow committee members think about this. It seems like there is no exact sense of urgency about this, and asked Mr. Bleidorn to speak as to whether there is a problem with holding this item in committee. Mr. Bleidorn sees no problem with holding this in committee and bringing it back to the committee at a future date.

Mr. Bryson, Mr. Smith, Wáahlaal Gíidaak, and Chair Hale all confirmed to hold this item in committee.

4. **Ordinance 2022-48 An Ordinance Related to City and Borough of Juneau Land Management Plan Duration, Restrictions, and Authority.**

Mr. Bleidorn, Mr. Creswell, and Mr. Palmer discussed this topic.

Mr. Smith commented that he remembered at a recent assembly meeting, where there was a motion for a certain area; I believe the downtown waterfront that essentially shifted. It had shifted the status quo from Docks and Harbors to the assembly again in a limited area of the harbor downtown, and was wondering if it makes sense to put it in code or not. My other question was on page four of the ordinance, line sixteen, striking the word “tideland”, and replacing it with “property under the jurisdiction of Docks and Harbors.” My only question on that is, I know Docks and Harbors has significant land holdings, or land that they manage, and are all of those water dependent or water-related uses, or would that prohibit the times where there it makes sense that the Docks and Harbors lands could be used for something else and or sold. Chair Hale asked if this shift for the assembly to be more involved than Docks and Harbors. Mr. Palmer replied that this is something that could be done; this would be an opportunity to make an administrative change on the operational side. What Mr. Smith is hinting at is two years ago the assembly made comments but it didn’t quite go as far as a formal motion and direction, but considering ideas of maybe changing Docks and Harbors away from under the manager’s authority, which is slightly different than what this ordinance is doing for the land management plan. If this is something different from what this committee wants to do, or if there are other questions we can hold this in committee.

Mayor Weldon noted that she was at the Docks and Harbors board meeting, and what Mr. Smith is referring to is page four of six of the ordinance where tidelands is crossed out and replaced with property under the jurisdiction of docks and harbors. Chair Hale commented to Mr. Smith that his

topic is too large for the committee to tackle through this vehicle at this time, although it may be something we want to tackle later on. Mr. Smith commented that he would do more research to see what the scope of the motion was and can look to see if this is related. Mayor Weldon commented that the board did this because all of the property they are working through with our timeline, they sweated out this language for quite some time to figure out a way to deal with lands and tidelands. Mr. Smith commented that he would look at the land management plan on the different Docks and Harbors properties, as this seems like a significant shift.

Wáahlaal Gíidaak asked in terms of looking at this, Mr. Palmer alluded to that, this is not encompassing all lands, where do we go for the Docks and Harbors lands that are not included in the current land use plan, where does that land go and what plan does it go into. She also asked where we are going with this, the framing of this particular initiative and resolution. Mr. Palmer replied that all of Docks and Harbors lands is included in our current land management plan. For the second question, with no bias intent read into this reply, but it's really hard to make land disposal requests, whether it's easements or sales, it doesn't matter, consistent with our code, because Docks and Harbors does not have a land management plan. This would remove the requirement for Docks and Harbors to have that land management plan for their properties.

Chair Hale asked that if this is saying that a land disposal of Docks and Harbors lands would go through the exact same process as land disposal of other tidelands. Mr. Palmer confirmed that it would have additional public process.

Mr. Smith commented that the code now states that all property in the jurisdiction of Docks and Harbors should not be sold, is there any current Docks and Harbors lands in the current land management plan that is marked for disposal. It seems a bit strict to write in the code that no Docks and Harbors land should ever be sold. Chair Hale commented that the on line nine, "the Docks and Harbors board should be guided by the following principles when proposing changes to the land management plan," so I think the "not sold" is a principle and is not saying that it cannot be sold.

Mr. Bryson moved that the Lands, Housing, and Economic Development Committee forward draft ordinance 2022-48 to the Committee of the Whole with a motion. Motion passed no objections.

5. **Ordinance 2022-51 An Ordinance Authorizing an Alternative Procurement Method Related to the Emergency Department Addition and Renovation at Bartlett Regional Hospital.**
This ordinance authorizes the Manager to competitively solicit proposals and enter into an alternative procurement method for preconstruction services and construction of the Emergency Room Addition and Renovation project at Bartlett Regional Hospital consistent with CBJ charter and Alaska Statute. General Contractor/Construction Manager is a qualification based procurement method that allows the contractor to be involved in the design process to limit risk and cost for complicated projects such as the Emergency Room where the department needs to remain operational during construction.

The Bartlett Board of Directors approved the use of GC/CM for this project at its May 26, 2022 meeting. The Public Works and Facilities Committee approved use of GC/CM for this project at its June 6, 2022 meeting.

Mr. Bleidorn and Mr. Palmer discussed this topic.

Mr. Bryson moved that the Lands, Housing, and Economic Development Committee amend draft ordinance 2022-51, page two, line ten, from $1,493,000 to $1,400,000 and forward draft ordinance 2022-51 to the Special Assembly meeting on September 26, 2022. Motion passed, no objections.

G. COMMITTEE MEMBER / LIAISON COMMENTS AND QUESTIONS

H. STANDING COMMITTEE TOPICS

6. Telephone Hill Updates
   Mr. Bleidorn discussed the receipt of a letter that was submitted from the Telephone Hill non-profit management group. Chair Hale commented that she encourages the Telephone Hill residents to work with the non-profit that is in negotiations to work on dates and work together.

7. LHED Committee Goals – no updates

I. NEXT MEETING DATE - November 7, 2022

J. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.org.

REGULAR ASSEMBLY MEETING 2022-26 AGENDA

November 21, 2022 at 7:00 PM

Assembly Chambers/Zoom Webinar

https://juneau.zoom.us/j/91515424903 or 1-253-215-8782 Webinar ID: 915 1542 4903

Submitted By:

_____

Duncan Rorie Watt, City Manager

A. FLAG SALUTE

B. LAND ACKNOWLEDGEMENT

C. ROLL CALL

D. SPECIAL ORDER OF BUSINESS

1. **Instruction for Public Participation**

   The public may participate in person or via Zoom webinar. Testimony time will be limited by the Mayor based on the number of participants. Members of the public that want to provide oral testimony via remote participation must notify the Municipal Clerk prior to 4pm the day of the meeting by calling 907-586-5278. For in-person participation at the meeting, a sign-up sheet will be made available at the back of the Chambers and advance sign-up is not required. Members of the public are encouraged to send their comments in advance of the meeting to BoroughAssembly@juneau.org.

2. **Special Recognition: Mitchell McDonald and Martin Larsen**, for collaboration and assistance during the Gastineau Avenue landslide

3. **Special Recognition: Kirby Day**, for 25 years of administering the Tourism Best Management Practices (TBMP) program

E. MANAGER'S REQUEST FOR AGENDA CHANGES

F. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS (Not to Exceed a Total of 20 Minutes, Nor More than Five Minutes for Any Individual.)

G. CONSENT AGENDA

Public Request for Consent Agenda Changes, Other than Ordinances for Introduction

Assembly Request for Consent Agenda Changes

Assembly Action

H. Ordinances for Introduction

4. **Ordinance 2022-06(b)(V) An Ordinance Transferring $200,000 from CIP W75-061 Douglas Highway Water - David to I St. to CIP R72-141 Hospital Drive Improvements.**

   This request would provide $200,000 in funding to remedy a conflict with the existing water system and the proposed Bartlett Regional Hospital Emergency Department (ED) Addition. The funding will allow the waterline to be upgraded and relocated away from the proposed ED Addition. This work will connect the new water systems completed from other recent projects. The Douglas Highway water project is complete and in the process of being closed out.

The Public Works and Facilities Committee reviewed this request at the November 7, 2022 meeting.

The City Manager recommends the Assembly introduce this ordinance and set it for public hearing at the next regular Assembly meeting.

5. **Ordinance 2022-21 An Ordinance Related to Property Tax Appeals and Codifying the Board of Equalization Rules of Procedure.**

This ordinance would amend the Juneau Board of Equalization's rules of procedure, which govern property tax appeals. The substance of this ordinance comes from three sources: the Anchorage Board of Equalization rules, the existing Juneau Board of Equalization rules, and changes to state law since the existing Juneau property tax appeal code was adopted in the 1970s.

The Juneau Board of Equalization reviewed this ordinance on September 20, 2022. The Assembly Committee of the Whole reviewed this ordinance on September 26, 2022 and November 7, 2022.

The Manager recommends the Assembly introduce this ordinance, refer it to the Committee of the Whole, and schedule it for public hearing at the next regular Assembly meeting.

6. **Ordinance 2022-40 An Ordinance Authorizing the Manager to Lease Space at the Juneau Police Department Headquarters to L3Harris Technologies, Inc. for Aircraft and Air Traffic Control Safety Equipme**nt.

The Federal Aviation Administration (FAA) is updating safety controls for aircraft collision avoidance. A contractor for the FAA, L3Harris submitted an application to lease cabinet and antenna space at the Juneau Police Station located at 6255 Alaway Avenue. L3Harris would use the leased space to improve the Wide Area Multilateration surveillance system for the airport. Fair market value has been determined by appraisal to be $540 per year.

The Juneau International Airport Manager reviewed this application and is in favor of granting this lease. The Juneau Police Department Radio Electronics Specialist reviewed this application and is in favor of granting this lease. The LHED Committee reviewed this request at its meeting on June 27, 2022, and provided a motion of support for leasing this property to L3Harris. On August 1, 2022, the Assembly authorize the Manager to negotiate with L3Harris.

The City Manager recommends the Assembly introduce this ordinance and set it for public hearing the next regular Assembly meeting.

7. **Ordinance 2022-54 An Ordinance Amending the Investments and Collateral Chapter of Title 57 Related to Investment Policies.**

This ordinance, and a companion resolution (#3022) that will be presented on December 12, 2022, would update the City and Borough of Juneau Investment Policy. Specifically, this ordinance would clarify how the investment policy is updated, would add sustainability to the investment objectives, and would add two more authorized investment instruments.

On September 7, 2022, the Assembly Finance Committee recommended these changes to the investment policy.

The City Manager recommends the Assembly introduce this ordinance and set it for public hearing at the next regular Assembly meeting.

8. **Ordinance 2022-61** An Ordinance Amending the Uniform Sales Tax Code to Allow Very Small Businesses to File Sales Taxes Annually.

   This ordinance would allow businesses that have less than $20,000 in gross sales per year the ability to file sales tax returns annually instead of quarterly. If a business opts-in to the annual filing option, the business would be required to file quarterly returns if gross annual sales exceed $20,000.

   The Assembly Finance Committee reviewed this topic on November 2, 2022.

   The City Manager recommends the Assembly introduce this ordinance and schedule it for public hearing at the special Assembly meeting on November 30, 2022.

9. **Ordinance 2022-06(b)(W) An Ordinance Appropriating $3,984,400 to the Manager for the City and Borough of Juneau's Fiscal Year 2023 Employee Negotiated Wage and Health Increases; Funding Provided by Various Sources.**

   This ordinance would appropriate $3,984,400 for CBJ's fiscal year 2023 employee negotiated wage and health increases for the Marine Engineers Beneficial Associations (MEBA), Public Safety Employees Association (PSEA), International Association of Fire Fighters (IAFF), and un-represented employees. This appropriation funds a 5.5% wage increase for all employees in fiscal year 2023 and a 5% increase to the employer health contribution. Additionally, this ordinance appropriates authority for a 15% increase to attorney salaries and compensation increases for the City Manager and City Attorney, as approved by the Assembly during the September 12, 2022 Regular Assembly meeting.

   The Assembly approved the MEBA and PSEA negotiated labor contracts during the Regular Assembly meeting on July 11, 2022. The Assembly will consider the IAFF negotiated labor contract during the November 21, 2022 Regular Assembly meeting.

   The City Manager recommends the Assembly introduce this ordinance and set it for public hearing at the special Assembly meeting on November 30, 2022.

10. **Ordinance 2022-06(b)(X) An Ordinance Appropriating $116,400 to the Manager as Funding for Eaglecrest's Fiscal Year 2023 Pay Plan Adjustment; Funding Provided by Eaglecrest Revenue.**

    This ordinance would appropriate $116,400 for Eaglecrest's FY23 pay plan adjustment. The pay plan adjustment increases employee wages by 7%. This adjustment follows two previous pay plan increases Eaglecrest implemented in calendar year 2022 in an effort to increase employee wages over minimum wage and align pay with ski industry standards. The most recent pay adjustment, approved by the Eaglecrest Board on September 15, 2022, is intended to promote employee recruitment and retention. This appropriation also provides for sign-on and returning employee bonuses for seasonal employees.

    Funding for this ordinance is provided by Eaglecrest revenue.

    The Manager recommends the Assembly introduce this ordinance and set it for public hearing at the special Assembly meeting on November 30, 2022.

I. Resolutions

11. **Resolution 3003 A Resolution of the City and Borough of Juneau Supporting Full Funding in the Amount of Eight Million, Two Hundred Thirty-six Thousand, Eight Hundred Fifteen Dollars ($8,236,815) for the State of Alaska Harbor Facility Grant Program in the Fiscal Year 2024 State Capital Budget.**

    This resolution recommends full funding for the State of Alaska Department of Transportation's Harbor Facility Grant Program. CBJ has been a beneficiary of approximately $13 million in harbor

grant funding since the program's inception. In June, CBJ was notified of a $2M Tier II grant for the next phase of Aurora Harbor.

Although Docks & Harbors does not have any projects eligible for consideration this year, the municipalities of Sitka, Whittier, and Wrangell/Meyers Chuck have committed to contribute $8,236,815 in local match funding for FY2024 towards three harbor projects of significant importance for Alaska. The Docks & Harbors Board reviewed this resolution at its regular board meeting on October 27, and has recommended forwarding it to the full Assembly for approval.

The City Manager recommends this resolution be adopted.

12. **Resolution 3006 A Resolution Ratifying the Economic Terms Tentative Agreement between the City and Borough and the International Association of Fire Fighters, Local 4303, AFL-CIO.**

This resolution would provide Assembly ratification, as required by CBJ 44.10.020, of the terms of the tentative agreement negotiated between the City and Borough of Juneau and the International Association of Fire Fighters (IAFF) for a collective bargaining agreement that will go in effect on July 1, 2022, and expire on June 30, 2025. Economic terms will be effective on November 21, 2022.

The tentative agreement includes economic modifications of the annual wage increases of 5.5%, 2%, and 2% during the three fiscal years of the contract. In addition, there are increases to the employer contribution to health insurance of approximately 5% for the first two fiscal years and an employer contribution increase of up to 5% in the third fiscal year of the contract.

In addition, there are increases to two premium pays, additional leave accrual for engineers based on changes to minimum staffing and minor operational changes. Lastly, the CBJ agreed to enter into a procurement process to conduct a market wage study in the 3rd year of the CBA. An overview of the agreement is included in your packet.

This tentative agreement has been ratified by IAFF membership.

The City Manager recommends this resolution be adopted.

13. **Resolution 3007 A Resolution Expressing Support for the Juneau Coordinated Transportation Coalition's Prioritization of Projects for Grant Funding by the Alaska Department of Transportation and Public Facilities.**

On October 28, 2022, the Juneau Coordinated Transportation Coalition (JCTC) met and reviewed nominations for funding from the SFY23 DOT&PF mobility grants. To be considered for grant funding, each community must prioritize their projects and that priority list must be endorsed by motion or resolution by the local municipal government.

SAIL submitted the only request for funding, which is for a Replacement ADA Taxi. The project was endorsed by JCTC.

On November 7, 2022, the Public Works and Facilities Committee voted to forward a Resolution of support for the SAIL application to the full Assembly.

Upon approval, the resolution would serve as an addendum to the CBJ 2020 Juneau Coordinated Human Services Transportation Plan.

The City Manager recomments this resolution be adopted.

14. **Resolution 3008 A Resolution Adopting an Alternative Allocation Method for the FY2023 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity within the Northern Southeast Fisheries Management Area.**

    This resolution would facilitate the CBJ's participation in the State's FY2023 Shared Fisheries Business Tax Program by certifying to the State that the CBJ suffered significant effects during calendar year 2021 from fisheries business activities within the CBJ's qualifying area.

    Pursuant to this program, the State distributes a share of State fishery revenues to each participating community in the Northern Southeast area.

    It is anticipated that the CBJ's share will be approximately $2,250.

    The City Manager recommends the Assembly adopt this resolution.

J. Bid Awards

15. Bid Award - BRH ED Addition and Renovation, RFP E23-156b

    This project consists of a construction firm serving in a Construction Manager at Risk capacity to provide pre-construction and construction services for the Bartlett Regional Hospital Emergency Department Addition and Renovation project. This Alternative Procurement method was authorized by the Assembly with Ordinance 2022-51. Two proposals were received for this project. Their scores are outlined in the bid letter included in this packet.

    I recommend award of this project to Dawson. In accordance with Ordinance 2022-51, the Manager shall present the recommended Construction Manager at Risk company proposal to the Assembly for approval prior to commencing negotiations with the selected firm. If the Assembly accepts the proposal, the initial contract for pre-construction services will be for $70,000, and the total contract value will not exceed $200,000 without prior Assembly approval.

K. Transfers

16. **Transfer Request T-1045 A Transfer of $320,000 from CIP R72-149 Meadow Lane Improvements to CIP R72-150 Cedar Lane Reconstruction.**

    This request would provide $320,000 in additional funding needed to construct the segment of Cedar Lane between Mendenhall Boulevard and Columbia Boulevard. Cost escalation and additional necessary drainage improvements discovered during design contributed to the need for additional funding. The Meadow Lane project is nearly complete and will retain adequate funding to cover remaining project work.

    The Public Works and Facilities Committee reviewed this request at the November 7, 2022 meeting.

    The City Manager recommends approval of this transfer.

L. City/State Project Review

M. Other

N. PUBLIC HEARING

17. **Ordinance 2022-06(b)(U) An Ordinance Appropriating $500,000 to the Manager for the Aurora Harbor Improvements Capital Improvement Project; Funding Provided by Harbors Funds.**

Docks and Harbors has been awarded a $2 million matching harbor facility grant from the Alaska Department of Transportation (ADOT), restricted solely to project construction. This ordinance would appropriate $500,000 of Harbors fund balance to the Aurora Harbor Improvements CIP, increasing the total project balance sufficiently to leverage the full value of the ADOT 50/50 matching grant while ensuring adequate funds are available to award the project bid, which is estimated to exceed $4 million. This project was #13 on CBJ's FY23 Legislative Priority List.

The Docks and Harbors Board approved this request at the September 29, 2022 meeting. The Systemic Racism Review Committee reviewed this ordinance at its October 25, 2022 meeting.

The City Manager recommends the Assembly adopt this ordinance.

18. **Ordinance 2022-39 An Ordinance Amending Prohibited Acts within the Boat Harbor Related to Dogs and Other Domestic Animals.**

The Docks & Harbors Board has considered and recommends changes to 85.25.090. The intent is to allow pedestrians, without boat ownership, to walk dogs on CBJ harbor floats, which is currently prohibited. Additionally, there is administrative language addressing the curbing of domestic animals on harbor floats.

The proposed changes have been included as publicly noticed agenda items and discussed at Docks & Harbors regular Board or Operations-Planning Committee meetings on the following dates: May 18, June 22, June 30, July 20, and July 28. The Docks & Harbors Board conducted a Public Hearing at a Special Board meeting on August 25. The Special Board meeting and intent to propose changes to 85.25.090 was noticed via Juneau EMPIRE, Facebook, Docks & Harbors TIDE LINE, and during KINY Action Line appearances. Docks & Harbors received no written comments to the proposed changes. The Systemic Racism Review Committee considered this ordinance at its October 25, 2022 meeting.

The City Manager recommends the Assembly adopt this ordinance.

19. **Ordinance 2022-43 An Ordinance Amending Boat Harbor Regulations Relating to Vessel Identification.**

The Docks & Harbors Board has considered and recommends changes to CBJC 85.25.020. The intent of this change is to require all vessels in the CBJ harbors to display name or other state or federal identification.

The proposed change has been included in publicly noticed agenda items and discussed at the Docks & Harbors regular Board or Operations-Planning Committee meetings on the following dates: May 18, June 22, June 30, July 20, and July 28.

The Docks & Harbors Board conducted a Public Hearing at a Special Board meeting on August 25th. The Special Board meeting and intent to propose changes to CBJC 85.25.090 was noticed via the Juneau Empire, Facebook, Docks & Harbors TIDE LINE, and during KINY Action Line appearances. Docks & Harbors received no written comments to the proposed changes. The Systemic Racism Review Commitee reviewed this ordinance at its meeting on October 25, 2022.

The City Manager recommends the Assembly adopt this ordinance.

O. UNFINISHED BUSINESS

P. NEW BUSINESS

20. **Hansen Gress Application to Purchase City Property**

Hansen Gress recently purchased the building and property located at 1000 Harbor Way. A portion of this building is located on leased City tidelands. City tidelands are all designated "retain" in the Land Management Plan. Prior to this property being re-subdivided and sold the Plan will need to be amended

by ordinance to allow for the disposal of this property. Hansen Gress submitted an application to acquire the City property in order to be able to "make major structural and architectural improvements to the aging building". The applicants are having difficulties redeveloping the property because the building is over the property lines. If the property is acquired, the applicant will consolidate the lots in order to create a property that conforms to City code. This application was reviewed by the Docks and Harbors Board at the August 25th meeting and provided a motion to advance this application. The Lands Housing and Economic Development Committee reviewed this request at the September 26 2022 meeting and forwarded this application to the Assembly with a motion to work with the original proposer in accordance with city code 53.09.260.

The City Manager requests a motion to authorize the City Manager to negotiate the disposal of City property to Hansen Gress.

21. **Hardship and Senior Citizen/Disabled Veteran Late-Filed Real Property Tax Exemption Applications**

There are two property owners that have requested the Assembly authorize the Assessor to consider a late-filed exemption for their property assessment.

The Assembly should consider each request separately and determine whether the property owner was unable to comply with the April 30 filing requirement. A.S. 29.45.030(f); CBJC 69.10.021(d). The burden of proof is upon the property owner to show the inability to file a timely exemption request. If the Assembly decides to accept one or more late-filed exemption requests, those applications will be referred to the Assessor for review and action.

The City Manager recommends the Assembly act on each of these applications individually.

22. **Regulations Amending Title 05 Docks and Harbors, Chapters 07, 15, 20, 25**The Docks & Harbors Board has considered and recommends changes to 11 separate regulations under Title 05:

(1) Allow inactive vessels to moor at the National Guard Dock. 05 CBJAC 07.010.

(2) Reservation for more than seven days need to be paid in full. 05 CBJAC 15.035.

(3) Impose a six month threshold for residential vessel leasing arrangement. 05 CBJAC 20.050.

(4) Kayak launch ramp use at Statter Harbor is free. 05 CBJAC 20.060.

(5) Clarifying Statter Harbor Bus lot permit fee. 05 CBJAC 20.090.

(6) Allowing crane use with a key card. 05 CBJAC 20.110.

(7) Clarifying storage fees. 05 CBJAC 10.130.

(8) Clarifying summer parking lot fees at Statter Harbor. 05 CBJAC 20.160.

(9) Repealing Auke Bay Loading Facility Float fee. 05 CBJAC 20.190.

(10) Impose a fee for vessels that do not move every 10 days during the summer. 05 CBJAC 25.060.

(11) Clarify winter moorage processes. 05 CBJAC 25.080.

These omnibus administrative changes have been included as publicly-noticed agenda items and discussed at Docks & Harbors regular Board or Operations-Planning Committee meetings on the following dates: May 18, June 22, June 30, July 20, and July 28. After the requisite minimum 21-day public notice period, the Docks & Harbors Board conducted a Public Hearing at a Special Board meeting on August 25. The Special Board meeting and intent to propose omnibus changes to Title 05 regulations was noticed via Juneau EMPIRE, Facebook, Docks & Harbors TIDE LINE, and during KINY Action Line appearances. Docks & Harbors received no written comments to the proposed changes. Members of the public provided testimony at the August 25 Public Hearing but no changes were made to the

advertised language. Prior to the September 12 Assembly meeting, CBJ Law provided legal direction that the proposed changes did not comport with CBJ Code 01.60.220 (Fiscal notes on regulations). As such, Docks & Harbors repeated the process with the inclusion of fiscal notes for each of the regulation changes. The Docks & Harbors regular Board or Operations-Planning Committee discussed the 11 regulations changes with fiscal notes at the following meetings: September 21, September 29, October 19 and October 27. On November 9, after exceeding the requisite 21-day public notice period and making notices through the above media sources, the Docks & Harbors Board conducted the second Public Hearing at a Special Board meeting. Docks & Harbors received email correspondence from a single harbor patron regarding 05 CBJAC 25.060 (Summer management at Statter Harbor) which the Board considered in their deliberations.

The City Manager recommends the Assembly approve the regulations except 05 CBJAC 07.010. Pursuant to CBJC 01.60.260(c)(2), the City Manager recommends the Assembly direct that a resolution be prepared for 05 CBJAC 07.010 and referred to the Assembly Public Works & Facilities Committee for further discussion.

23. **2023 Assembly Meeting Calendar**
The draft 2023 Assembly Meeting Calendar is enclosed in this packet and before the Assembly for amendment and/or approval.

24. **Supplemental Agreement - BRH Campus Waterline Replacement**

CBJ 53.50.040 (C) gives the Manager limited authority to approve supplemental agreements to existing capital improvement projects, provided that the Assembly is notified and that there is a best interest finding. A best interest finding memorandum is included in the packet along with a drawing of the area of work. Major benefits of this supplemental agreement are to allow various BRH projects to stay on schedule and to allow close coordination on campus construction activity.

As this supplemental agreement is within the Manager's procurement limits, no action is required by the Assembly and this staff report meets the reporting requirement.

Q. STAFF REPORTS

R. ASSEMBLY REPORTS

Mayor's Report

Committee and Liaison Reports

Presiding Officer Reports

S. ASSEMBLY COMMENTS & QUESTIONS

T. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

U. EXECUTIVE SESSION

V. SUPPLEMENTAL MATERIALS

W. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.org.

The Office of the Mayor
City & Borough of Juneau, Alaska

PROCLAMATION
Honoring S. Kirby Day III

WHEREAS, Kirby Day has been working in Juneau tourism since 1991; and

WHEREAS, in 1997, while at Princess Tours, Kirby stepped up to lead a burgeoning effort to lessen the impacts of tourism and transformed it into a powerful positive effort that incentivized tour operators to join in; and

WHEREAS, Tourism Best Management Practices (TBMP) became the structure for adjusting daily tourism operations to address community issues; and

WHEREAS, in the early years of the program, Kirby organized annual meetings in multiple areas of town to engage residents and tour operators, hear neighborhood-specific concerns, and generate solutions together; and

WHEREAS, TBMP has grown since that time, adding ever more operators and guidelines, working to create a harmonious partnership with the community; and

WHEREAS, TBMP has been replicated in at least five other ports in Alaska and around the world; and

WHEREAS, TBMP is cited as a global example of destination stewardship by Cruise Line International Association; and

WHEREAS, Kirby is locally recognized for his leadership in guiding local operators from a sense of competitiveness to a sense of collaboration that continues to make the program successful today; and

WHEREAS, Kirby's personal commitment to the TBMP program has been key to its industry-wide participation and ongoing success.

Therefore, I, Beth A. Weldon, Mayor of the City & Borough of Juneau, Alaska on behalf of the City & Borough Assembly, do hereby issue this proclamation honoring

S. Kirby Day III

for his long service to the people and community of Juneau and his outstanding contributions to the happiness, enrichment, and well-being of Alaska's Capital City.

IN WITNESS WHEREOF, I have hereto set my hand and caused the seal of the City & Borough of Juneau, Alaska to be affixed this 21st day of November, 2022.

_____
Beth A. Weldon, Mayor

Presented by: The Manager
Introduced: November 21, 2022
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-06(b)(V)

An Ordinance Transferring $200,000 from CIP W75-061 Douglas Highway Water - David to I St. to CIP R72-141 Hospital Drive Improvements.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Transfer of Appropriation. It is hereby ordered by the Assembly of the City and Borough of Juneau, Alaska, that 200,000 be transferred:

From: CIP

W75-061	Douglas Hwy Water – David to I St.	($ 200,000)

To: CIP

R72-141	Hospital Drive Improvements	$ 200,000

Section 3. Source of Funds.

Water Funds	$ 200,000

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this_____ day of _____, 2022.

_____
Beth A. Weldon, Mayor

Attest:

_____
Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 11/21/2022
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-21

An Ordinance Related to Property Tax Appeals and Codifying the Board of Equalization Rules of Procedure.

WHEREAS, Alaska law articulates standards for property taxation, including appeals to the board of equalization and to the superior court (A.S. 29.45.190-210), which were codified in 1985; and

WHEREAS, A.S. 29.45.200(b) provides the board of equalization is governed in its proceedings by rules adopted by ordinance that are consistent with general rules of administrative procedures; and

WHEREAS, A.S. 29.45.210(d) provides a property owner may appeal a board of equalization determination to the superior court, and that appeal is heard on the record established at the hearing before the board of equalization; and

WHEREAS, many of the property tax appeal provisions in CBJ code predate the 1985 amendments to Alaska law, and this ordinance is intended to make the CBJ provisions consistent with state law and provide clarity for board of equalization proceedings.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Section. CBJC 15.05.041 Challenges of tax status, is amended to read:

15.05.041 Challenges of tax status.

The owner of a property placed on the assessment roll may request the assessor remove such property from the roll if the owner believes the property is exempt. The assessor may require the owner to provide affidavits relating to the use of the property and other information relevant to the determination of tax status of the property. The procedure and period for challenging the tax status of a property shall be the same as for challenging the assessed value except that the appeal from the assessor's final decision shall be directly to superior court. ~~shall be to the assembly which shall hear such appeals immediately prior to sitting as a board of equalization.~~

(Serial No. 79-48, § 6, 1979)

State law reference(s)—Corrections, AS 29.45.180; appeal, AS 29.45.200~~190~~.

Section 3. Amendment of Section. CBJC 15.05.140 Board of equalization to send additional notices, is repealed and reserved:

15.05.140 Reserved. ~~Board of equalization to send additional notices.~~

~~If it appears to the board of equalization that there are overcharges or errors or invalidities in the assessment roll, or in any of the proceedings leading up to or after the preparation of the roll, and there is no appeal before the board of equalization, or if the name of a person is ordered by the board of equalization to be entered on the assessment roll, by way of addition or substitution, for the purpose of assessment, the board of equalization shall require the assessor to mail notice of assessment to that person or that person's agent giving him or her at least 30~~

~~days from the date of mailing within which to appeal to the board of equalization against the assessment.~~

(CBJ Code 1970, § 15.05.140; Serial No. 70-33, § 3, 1971)

Section 4. Amendment of Section. CBJC 15.05.150 Appeal by person assessed, is repealed and replaced as follows:

15.05.150 Appeal to Board of Equalization ~~Appeal by person assessed~~.

(a) *Appellant*. A taxpayer whose name appears on the assessment roll or the agent or assigns of that taxpayer may appeal to the board of equalization for relief from an alleged error in valuation not adjusted by the assessor to the taxpayer's satisfaction. ~~A person who receives notice or whose name appears on the assessment roll, or agent or assigns of that person, may appeal to the board of equalization for relief from any alleged error in the valuation, overcharge, or omission or neglect of the assessor not adjusted to the taxpayer's satisfaction.~~

(b) *30-day appeal period*. The taxpayer shall, within 30 days after the date of mailing of notice of assessment, submit to the assessor a written notice of appeal specifying grounds in the form that the board of equalization requires. Otherwise, the right of appeal ceases unless the board of equalization finds that the taxpayer was unable to comply.

(c) *Late-filed appeal*. A taxpayer who seeks to appeal the assessor's valuation after the 30-day appeal period has closed shall file a letter and supporting documents, if any, with the assessor stating the reasons why the taxpayer was unable to comply within the 30-day appeal period. A panel of the board shall consider each letter but shall not consider evidence regarding property valuation. The board shall only consider reasons the taxpayer was unable to comply within the 30-day appeal period. The taxpayer shall have five minutes to make an oral presentation solely

focused on the taxpayer's inability to comply within the 30-day appeal period. The board's determination shall be based on the taxpayer's letter and any supporting documents or oral presentation. If the request is granted, the taxpayer shall have 30 days from the board's decision to file a valuation appeal and submit all evidence required by this title. The assessor shall send notice of the of the board's decision to the taxpayer.

(1) *Unable to comply*. The board shall interpret the term "unable to comply" as meaning that a taxpayer must demonstrate compelling reasons or circumstances that would have prevented a reasonable person under the circumstances from filing an appeal. The term "unable to comply" does not include situations in which the taxpayer forgot about or overlooked the assessment notice, was out of town during the 30-day appeal period for filing an appeal, or similar situations. Rather, it covers situations that are beyond the control of the taxpayer and, as a practical matter, prevent the taxpayer from recognizing what is at stake and dealing with it. Such situations would include a physical or mental disability serious enough to prevent the taxpayer from dealing rationally with the taxpayer's financial affairs.

(CBJ Code 1970, § 15.05.150; Serial No. 70-33, § 3, 1971)

State law reference(s)—Appeal, AS 29.45.190.

Section 5. Amendment of Section. CBJC 15.05.160 Time for appeal and service of notice, is repealed and reserved:

15.05.160 Reserved. ~~Time for appeal and service of notice.~~

(a) ~~Notice of appeal, in writing, specifying the grounds for the appeal, shall be filed with the board of equalization within 30 days after notice of assessment is mailed to the person appealing. If notice of appeal is not mailed within 30 days, the right of appeal ceases as to any~~

~~matter within the jurisdiction of the board, unless it is shown to the satisfaction of the board of equalization that the taxpayer was unable to appeal within that time.~~

~~(b) A copy of the notice of appeal shall be sent to the assessor, by the person appealing, and the notice filed shall include a certificate that a copy was mailed or delivered to him or her.~~

(CBJ Code 1970, § 15.05.160; Serial No. 70-33, § 3, 1971)

Section 6. Amendment of Section. CBJC 15.05.170 Appeal record, is repealed and reserved:

15.05.170 Reserved. ~~Appeal record~~.

~~Upon receipt of a copy of the notice of appeal, the assessor shall make a record of the appeal in such form as the board of equalization may direct. The record shall contain all the information shown on the assessment roll in respect to the subject matter of the appeal, and the assessor shall place the record before the board of equalization prior to the time for hearing the appeal.~~

(CBJ Code 1970, § 15.05.170; Serial No. 70-33, § 3, 1971)

Section 7. Amendment of Section. CBJC 15.05.185 Board of equalization, is amended to read:

15.05.185 Board of equalization.

(a) *Membership; duties; term of office; term limits.*

(1) *Membership.* The board of equalization shall comprise a pool of no fewer ~~less~~ than five ~~six~~, and up to nine, members, not assembly members, appointed by the assembly. Quorum for the board when conducting non-quasi-judicial matters is five members. ~~There shall be up to three panels established each year. Each panel hearing appeals shall consist of three members. The board chair shall assign~~

~~members to a specific panel and schedule the panels for a calendar of hearing dates.~~ The board shall hear appeals in panels consisting of three members. The assignment of members to panels and the establishment of a hearing calendar shall be done in consultation with the individual members. ~~Additionally, members may be asked to take the place of regular assigned panel members in the event an assigned panel member is unable to attend a scheduled meeting.~~

(2) *Qualifications of members.* Members shall be appointed on the basis of their general business expertise and their knowledge or experience with quasi-judicial proceedings. General business expertise may include, but is not limited to, real and personal property appraisal, the real estate market, the personal property market, and other similar fields.

(3) *Duties.* The board, acting in panels, shall only hear appeals for relief from an alleged error in valuation on properties brought before the board by an appeal filed by a taxpayer. A panel hearing a case must first make a determination that an error in valuation has occurred. Following the determination of an error in valuation, the panel may alter an assessment of property only if there is sufficient evidence of value in the record. Lacking sufficient evidence on the record, the case shall be remanded to the assessor for reconsideration. ~~A hearing by the board may be conducted only pursuant to an appeal filed by the owner of the property as to the particular property.~~

(4) *Term of office.* Terms of office shall be for three years and shall be staggered so that approximately one-third of the terms shall expire each year.

(5) *Term limits.* No member of the board of equalization who has served for three consecutive terms or nine years shall again be eligible for appointment until one full year has intervened, provided, however, that this restriction shall not apply if there are no other qualified applicants at the time reappointment is considered by the assembly human resources committee.

(6) *Compensation of members.* Compensation for members shall be $100.00 per meeting. Board members may decline compensation by providing written notice to the municipal clerk.

(b) *Chair.* The board annually shall elect a member to serve as its chair. The chair shall coordinate all board activities with the municipal clerk ~~assessor~~ including assignment of panel members, scheduling of meetings, and other such board activities.

(c) *Presiding officer.* Each panel shall ~~elect~~ appoint ~~its own~~ a presiding officer who shall ~~to~~ act as the chair for the panel and who shall exercise such control over meetings as to ensure the fair and orderly resolution of appeals. ~~In the absence of the elected presiding officer the panel shall appoint a temporary presiding officer at the beginning of a regular meeting.~~ The presiding officer shall make rulings on the admissibility of evidence and shall conduct the proceedings of the panel in conformity with this chapter and with other applicable federal, state and municipal law.

(d) *Report to the assembly.* The board, through its chair, shall submit an independent report to the assembly each year by September 15 identifying, at a minimum, the number of cases appealed, the number of cases scheduled to be heard by the board, the number of cases actually heard, the percentage of cases where an error of valuation was determined to exist, the number of cases remanded to the assessor for reconsideration, the number of cases resulting in the

board altering a property assessment, and the net change to taxable property caused by board action. The report shall also include any comments and recommendations the board wishes to offer concerning changes to property assessment and appeals processes.

(Serial No. 2005-51(c)(am), § 4, 1-30-2006)

State law reference(s)—Appeal, AS 29.45.200.

Section 8. Amendment of Section. CBJC 15.05.190 Hearing of appeal, is repealed and replaced as follows:

15.05.190 Board of Equalization hearing ~~Hearing~~ of appeal.

(a) *Preparation of appeal packet.*

The appellant must submit to the assessor's office all documentary evidence and briefing in their possession that the appellant believes is relevant and wishes the board to consider within 15 days following the close of the 30-day appeal period. Upon receipt of the notice of appeal and the appellant's documentary evidence, the assessor shall make a record of the appeal for presentation to the board of equalization. The record shall contain the notice of appeal, the appellant's timely filed documentary evidence and briefing, all the information shown on the assessment roll in respect to the subject matter of the appeal, and the assessor's briefing. The parties may supplement the record by a witness list and additional documents in accordance with subsection (c)(8) of this section up to ten days prior to the appeal hearing. The assessor shall place the complete record before the board of equalization at least seven days prior to the appeal hearing.

(b) *Quorum and voting.*

(1) *Quorum.* A quorum for hearing appeals shall consist of three board members.

(2) *Voting.* To alter an assessment or to grant an appeal in part or in whole for the appellant, at least two members of the board must vote in the affirmative to either (i) reverse and remand to the assessor for further consideration or (ii) alter the assessment. Any appeal or part thereof that is not granted by the board shall be deemed denied, and the assessor's original assessment giving rise to the appeal remains the final valuation determination. Any alteration to the assessment made by the assessor during a hearing shall require an affirmative vote by at least two members in order to become a final valuation determination.

(c) *Conduct of hearings; decisions.* Except as otherwise provided in this chapter, hearings shall be conducted by each panel of the board of equalization in accordance with the following rules:

(1) *Application of CBJC 01.50.* The appeal procedures of chapter 01.50 do not apply to hearings conducted under this chapter except as specifically provided.

(2) *Record.* The municipal clerk of the assembly is ex officio clerk of the board of equalization. The municipal clerk shall keep electronic recordings of the board's proceedings. The municipal clerk shall record in the minutes of each meeting or record of appeals all proceedings before the board of equalization, the names of persons protesting assessments, and all changes, revisions, corrections, and orders relating to claims or adjustments.

(3) *Counsel.* All parties may be represented by counsel during hearings before the board.

(4) *Commencement of hearing.* Every appeal shall be assigned an appeal case number, which should be read into the record along with the name of the appellant and the

tax identification number at the commencement of the hearing. If an appellant fails to appear, the board of equalization may proceed with the hearing in the appellant's absence.

(5) *Burden of proof.* The appellant bears the burden of proof. The only grounds for adjustment of an assessment are proof of unequal, excessive, improper, or under valuation based on facts that are stated in a valid written appeal or proven at the appeal hearing. If the valuation is found to be too low, the board may raise the assessment. The board should sustain the original assessed value if the relevant documentary evidence or briefing is not timely submitted to the assessor's office within 15 days from the close of the 30-day appeal period absent a good faith attempt at compliance.

(6) *Rules of evidence.* Evidence shall only be presented by the appellant and the assessor or their authorized representatives. The board shall not be restricted by the formal rules of evidence; however, the presiding officer may exclude evidence irrelevant to the issue(s) appealed. Relevant evidence includes but is not limited to purchase and closing documents, appraisal reports, broker opinions of value, engineer reports, estimates to repair, rent rolls, leases, and income and expense information. Hearsay evidence may be considered provided there are adequate guarantees of its trustworthiness and it is more probative on the point for which it is offered than any other evidence that the proponent can procure by reasonable efforts.

(7) *Order of presentation.* Each party shall be allowed a total of fifteen minutes to present evidence including personal presentations and direct or cross-examinations.

The appellant shall present evidence and argument first. Following the appellant, the assessor shall present evidence and argument. The appellant may reserve up to ten minutes for rebuttal directed solely to issues raised by the assessor. At the conclusion of the parties' presentations, board members may ask questions, through the presiding officer, of either the appellant or the assessor. The presiding officer may end the questioning and call for a motion from the other board members.

(8) *Witnesses, exhibits and other evidence.*

(i) The appellant and the assessor may offer oral testimony of witnesses and documentary evidence during the hearing.

(ii) The appellant and assessor may agree to waive deadlines to supplement the record more than ten days prior to the appeal hearing. However, only the chair can authorize requests to supplement the record—upon motion to the municipal clerk by a party if the evidence being offered satisfies the criteria in CBJC 01.50.110(e)—filed within ten days preceding the appeal hearing.

(iii) The assessor shall make available to the appellant all reasonably relevant assessor records requested within 15 days following the close of the 30-day appeal period.

(iv) If an appellant has refused or failed to provide the assessor or assessor's agent full access to property or records, the appellant shall be precluded from offering evidence on the issue or issues affected by that access and those issues shall be decided in favor of the assessor.

(v) At the request of the appellant, evidence submitted pursuant to subsection (c)(6) or (c)(8) of this section relating to the assessed valuation of property

used in an income-producing commercial enterprise shall be confidential. The assessor and the appellant may stipulate to facts to be presented to the board provided the assessor has received credible and reliable evidence to establish the facts.

(9) *Decisions.* At the conclusion of the hearing the board shall determine, based solely on the evidence submitted, whether the assessment is unequal, excessive, improper, or an under valuation. The board should issue findings of fact and conclusions of law clearly stating the grounds upon which the board relied to reach its decision and advising all parties of their right to appeal the decision to superior court.

(10) *Certification.* The presiding officer shall review and give final board certification to all appeal decisions.

(11) *Termination of appeal upon agreement between appellant and assessor.* After an appeal to the board of equalization has been filed, any value which has been agreed to by the assessor and the appellant shall constitute a withdrawal and termination of the appeal by the appellant and the agreed upon valuation shall become the assessed value.

~~(a) At the hearing of the appeal, the board of equalization shall hear the appellant, the assessor, other parties to the appeal, and witnesses, and consider the testimony and evidence, and shall determine the matters in question on the merits.~~

~~(b) If a party to whom notice was mailed as provided in this title fails to appear, the board of equalization may proceed with the hearing in the party's absence.~~

~~(c) The burden of proof in all cases is upon the party appealing.~~

~~(d) The board of equalization shall maintain a record of appeals brought before it, enter its decisions therein and certify to them. The minutes of the board of equalization shall be the record of appeals unless the board of equalization shall provide for a separate record.~~

(CBJ Code 1970, § 15.05.190; Serial No. 70-33, § 3, 1971)

State law reference(s)— Board of Equalization, AS 29.45.210; Hearing, AS 29.45.210.

Section 9. Amendment of Section. CBJC 15.05.200 Judicial review, is amended to read as follows:

15.05.200 Judicial review.

An appellant or the assessor may appeal a determination of the board of equalization to the superior court within 30 days as provided by rules of court applicable to appeals from the decisions of administrative agencies. Appeals are heard on the record established at the hearing before the board of equalization.

~~A person aggrieved by an order of the board of equalization may appeal to the superior court for review de novo after exhausting administrative remedy under this title.~~

(CBJ Code 1970, § 15.05.200; Serial No. 70-33, § 3, 1971)

State law reference(s)—Appeal to superior court, AS 29.45.210(d).

Section 10. Amendment of Section. CBJC 15.05.210 Municipal clerk record keeping certification of changes, is amended to read as follows:

15.05.210 Municipal clerk record keeping certification of changes.

~~The municipal clerk of the assembly is ex officio clerk of the board of equalization. The municipal clerk shall record in the minutes of each meeting or record of appeals all proceedings~~

~~before the board of equalization, the names of persons protesting assessments, and all changes, revisions, corrections, and order relating to claims or adjustments.~~ Within three days following the final hearings of the board of equalization the municipal clerk shall certify to the assessor corrections, revisions, and changes authorized and approved by the board of equalization.

Section 11. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2022.

_____
Beth A. Weldon, Mayor

Attest:

_____
Elizabeth J. McEwen, Municipal Clerk

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
LAW DEPARTMENT

DATE: 10/5/2022
TO: Deputy Mayor Gladziszewski, Assembly Committee of the Whole
FROM: Adam Gottschalk, Assistant Municipal Attorney
SUBJECT: Ord. 2022-21: Board of Equalization Rules

The 2021 Board of Equalization process was frustrating for all involved—property owners, the Board of Equalization members, and the Assessor's staff. While the bulk of the frustrations likely originate from opinions of property value, there are many changes to CBJ code that can alleviate some procedural frustrations.

Procedural Background

On September 20, 2022, the five remaining members of the Board of Equalization ("Board") reviewed Ordinance 2022-21. The Board recommended the proposed ordinance with several minor grammatical changes and two substantive changes, which increased appellants' opportunities to be heard. On September 26, 2022, the Assembly Committee of the Whole discussed the ordinance and requested it stay in committee.

Substantive Background

The proposed changes in Ord. 2022-21 affect *process.* Notably, tax payers' burdens and the assessor's discretion derive from state law. *E.g.*, AS 29.45.210(b) (tax payer burden); AS 29.45.110(a) (full and true value). Many of the proposed changes in Ord. 2022-21 have already been tested and are in place through the Board's adopted rules of procedure, which have been included in the materials distributed prior to every Board hearing. Through codification, every appellant and potential appellant (i.e., property owner), and any other interested person, will have ready access to these rules of procedure. One goal of codifying these rules is to demystify the tax appeal process.

Beyond providing more notice of and further clarifying the tax appeal process, the proposed changes should also increase the efficiency of the Board. This is accomplished by creating a prehearing structure between appellants and the assessor. This structure will curtail eleventh-hour document submissions—absent good cause—that tend to trigger confusion and delays during hearings and often result in appeals being remanded back to the assessor for more consideration (and then coming back before the Board). This structure will also result in appeals being "hearing ready" sooner and providing a heads up to the Board so that potential conflicts of interest can be spotted and addressed in advance.

Short explanations for changes in Proposed Ordinance 2022-21 vCOW are provided below:

The following proposed amendments were modeled off of authorizing language in state law (*i.e.* A.S. 29.45.200(b)) and off of the Anchorage Board of Equalization rules (*i.e.* AMC 12.05.053).

Section 2, CBJC 15.05.041. This proposed change renders the superior court—rather than the assembly—the proper body to hear appeals from assessor determinations regarding property exemptions.

Section 3, CBJC 15.05.140. This proposed change removes an unexercised board oversight function regarding the assessment process and assessment.

Section 4, CBJC 15.05.150.

(a) This proposed change increases clarity by removing unnecessary language. The categories of error can be found at CBJC 15.05.180, which is not included in Ord. 2022-21.

(b) This proposed change is a relocation of CBJC 15.05.160(a) and reflects the notice of appeal is sent to the assessor rather than to the board.

(c) This proposed change provides a process for taxpayers to advocate before the board regarding late-filed appeals. The code currently does not describe this process, so the board has long operated on a case-by-case basis with guidance from a 2013 memo by former city attorney, John Hartle. In the review process on September 20, 2022, the Board added a five-minute oral argument component for this issue. The proposed changes will provide more guidance and process to late-filing taxpayers than current code and board procedure.

(1) This proposed change provides a definition for "unable to comply," which is currently found in the same above-mentioned 2013 memo and is consistent with the code and long-standing application (e.g., CBJC 15.05.160(a); CBJC 69.10.020(1)(C)).

Section 5, CBJC 15.05.160.

(a) Under the proposed changes, this section will be relocated to CBJC 15.05.150(b).

(b) Under the proposed changes, this section will be relocated to CBJC 15.05.150(b) and (c) and is partially obviated by these as the notice will solely be sent to the assessor.

Section 6, CBJC 15.05.170. Under the proposed changes, this section will be relocated to CBJC 15.05.190(a).

Section 7, CBJC 15.05.185.

(a)

(1) This proposed change clarifies that quorum for the board shall be five members. Further, the proposed change removes the concept of fixed three-member panels, a concept that is impractical (it is easier to have *any* three members available on a set date than *an exact* three members) and does not work when the board has five, seven, or eight members (rendering one or two members "leftover").

(3) This proposed change reflects the board does not exercise an oversight function regarding the assessment process and assessment roll as codified in CBJC 15.05.140.

(6) This proposed change seeks to compensate members for their time reviewing records and hearing appeals. Compensation serves to acknowledge current members' commitment and contribution, and to incentivize potential members to apply for any of the *four* vacant seats. Having a full, nine-member board would promote timely cycle completions.

(b) This proposed change reflects current practice and minimizes the risk of inadvertent *ex parte* communication between the board and the assessor.

(c) This proposed change reflects panels should not be fixed, so each panel will need to elect a presiding officer. Under the board's current rules of procedure, a presiding officer is appointed for each hearing.

Section 8, CBJC 15.05.190.

(a) This proposed change creates a structured process for appellants and the assessor to submit and exchange evidence and create a record for the board. This structured timeline is similar to the Municipality of Anchorage's, which is found at AMC 12.05.053(C)(7). Timely submission and exchange facilitates board review and consideration and minimizes eleventh-hour submissions that tend to frustrate the process (e.g., the board having insufficient time to review evidence, the board remanding an appeal back to the assessor for further consideration of late-filed evidence). Notably, under the proposed changes, appellants and the assessor may agree to waive the deadline to supplement the record (*see* Proposed CBJC 15.05.190(c)(8)(ii)) and they may also supplement the record within the ten days preceding their hearings by way of motions showing evidence satisfies the criteria of CBJC 01.50.110(e) (e.g., newly discovered, wrongly withheld).

(b)

(1) This proposed change clarifies that a panel consists of three members and reaffirms that only a simple majority of the panel is necessary for quasi-judicial action.

(2) This proposed change clarifies that the assessor's original recommended valuation is the default valuation in the absence of a successful appeal or affirmative board vote altering the assessed valuation otherwise. This proposed change also redirects board voting to

remove the unconventional vote posture whereby board members commonly move for "no" votes.

(c)

(1) This proposed change reaffirms that, except where specifically provided, the appeal procedures of CBJC 01.50 do not apply to board hearings. This non-application already comes from CBJC 01.50.020(a)(2). The proposed change is sought to provide additional notice of CBJC 01.50's non-application in order to curb any confusion, similar to the explicit statement of non-application found at CBJC 53.50.425(a).

(2) This proposed change is a relocation of CBJC 15.05.210.

(3) This proposed change expresses the longstanding practice, consistent through code, whereby parties to an appeal, as well as hearing officers and quasi-judicial panels, may be represented by counsel.

(4) This proposed change clarifies the duty to maintain records. The provision regarding hearing appeals in the absence of a properly notified appellant is a relocation of CBJC 15.05.190(b) and echoes state precedent that it is the appellant's burden to prove error.

(5) This proposed change describes appellants' burdens under state statute and case law. The consequences for untimely submissions echo that burden.

(6) This proposed change further supports and describes the presiding officer's duties pursuant to CBJC 15.05.185(c). Beyond clarifying the duties of the presiding officer, this more descriptive provision can assist parties' preparation and presentations.

(7) This proposed change represents current board practice. This will provide appellants substantially more time than appellants are provided by Anchorage's corresponding code, AMC 12.05.050-55, which only guarantees appellants five minutes (*see* AMC 12.05.053(C)(6)). These limitations reflect the relatively narrow scope of the board's review and the substantial discretion afforded to assessors' methodologies under state statute and case law. On September 20, 2022, the board further sought to make clear board members' questioning would not interrupt parties' presentations or count as parties' time.

(8)

(i) This proposed change represents current board practice.

(ii) This proposed change provides conditions to waive deadlines and/or belatedly supplement the record when there is good cause.

(iii) This proposed change represents a corresponding duty of the assessor indicating mutual obligations of parties to exchange information.

(iv) This proposed change prevents appellants from making arguments about factual evidence the assessor is unable to investigate, confirm, or rebut.

(v) This proposed change makes clear to appellants they can submit sensitive or confidential business income information to the assessor and have that information

be considered while remaining confidential. It is hoped this will incentivize communication between the parties and that more information will increase assessments' accuracy.

(9) This proposed change reaffirms state precedent and the duties of quasi-judicial boards.

(10) This proposed change reflects current board procedure and is a relocation of part of CBJC 15.05.210.

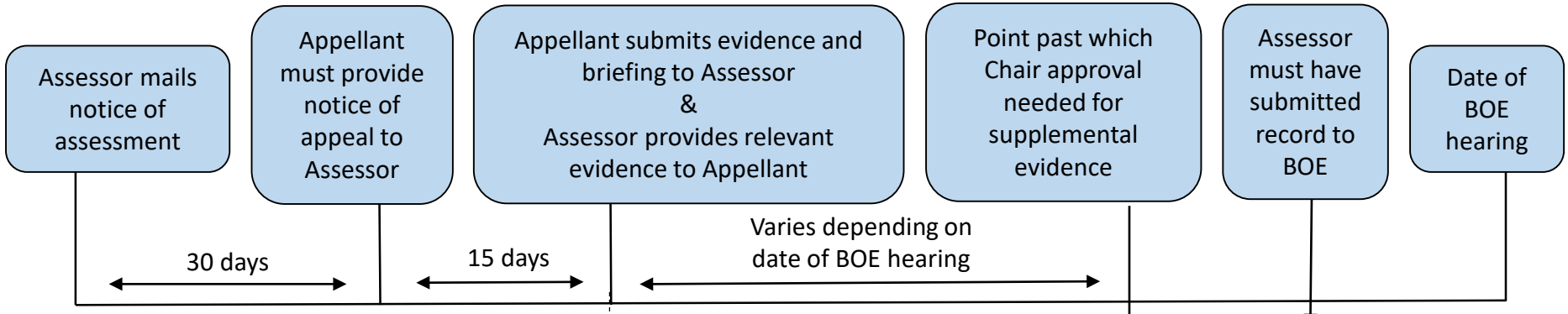
(11) This proposed change clarifies that parties may withdraw an appeal if they come to an agreed upon valuation without the board's intervention.

Section 9, CBJC 15.05.200. This proposed change expresses state statute for board appeals (*see* AS 29.45.200(c), Alaska R. App. P. 602(a)(2)).

Section 10, CBJC 15.05.210. This proposed change clarifies the duties of the municipal clerk following board hearings.

/AG

DATE: 11/18/2022
TO: Mayor Beth Weldon & Assembly
FROM: Adam Gottschalk, Asst. Mun. Atty.
SUBJECT: Ord. 2022-21: BOE Timeline



During this period, Appellant should assemble (and then submit) any relevant evidence of value that Appellant would like considered by the BOE, which may include:

- Purchase and closing documents,
- Appraisal reports,
- Broker opinions of value,
- Engineer reports,
- Rent rolls,
- Leases, or
- Income and expense information.

Additionally, Appellant may provide briefing that would assist the BOE's understanding and consideration of Appellant's evidence and arguments.

During this period, Appellant and Assessor ***may agree to waive*** deadlines to supplement the record.

OR

Alternatively, ***without an agreed waiver***, supplementing the record will require a motion showing the evidence being offered satisfies the criteria of CBJC 01.50.110(e).

ALL supplementing the record during this period will require a motion showing the evidence being offered satisfies the criteria of CBJC 01.50.110(e).

Presented by: The Manager
Presented: 11/21/2022
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-40

An Ordinance Authorizing the Manager to Lease Space at the Juneau Police Department Headquarters to L3Harris Technologies, Inc. for Aircraft and Air Traffic Control Safety Equipment.

WHEREAS, the City and Borough of Juneau (CBJ) owns real property at 6255 Alaway Avenue, which is the location of the Juneau Police Department; and

WHEREAS, at the June 27, 2022 meeting, the Lands Housing and Economic Development Committee provided a motion of support to lease this property; and

WHEREAS, at the August 1, 2022 meeting, the Assembly passed a motion of support to work with L3Harris as the original proposer in accordance with CBJC 53.09.260.

THEREFORE BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Authorization. The Manager is authorized to lease space for a wall-mounted cabinet for replacement of the Wide Area Multilateration Phase I system at the Juneau Police Department main facility located at:

6255 Alaway Avenue, Juneau, AK, 99801, which is also known as Tract J1 of J.P.D. Subdivision II, Plat #2009-15, Juneau Recording District.

Section 3. Terms and Conditions. The final lease shall be subject to the following essential terms and conditions:

(A) Purpose. The purpose of this Agreement is to support Lessee's efforts under its Prime Contract No. DTFAWA-07-C-00067, including all amendments and modifications thereto, with the Federal Aviation Administration (FAA). This Prime Contract includes the replacement of the Wide Area Multilateration (WAM) Phase I system.

(B) Term. The initial lease term shall be five years.

(C) Renewal. The lease may be renewed every five years for a maximum term of 35 years.

(D) Maintenance. L3Harris is responsible for the cost of all its equipment being housed at JPD, as well as any necessary maintenance of the equipment.

(E) Rent. Rent shall be fair market value, which was established by appraisal as $540.00 annually for the first lease period.

(F) Other terms and conditions. The Manager may include other lease terms and conditions as the Manager determines to be in the public interest.

Section 4. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2022.

_____
Beth A. Weldon, Mayor

Attest:

_____
Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 11/21/2022
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-54

An Ordinance Amending the Investments and Collateral Chapter of Title 57 Related to Investment Policies.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Section. CBJC 57.25.015 is amended to read:

57.25.015 Management of municipal funds.

(1) Pooling of funds. The finance director will consolidate cash and reserve balances from all funds to maximize investment earnings and to increase efficiencies with regard to investment pricing, safekeeping, and administration.

(2) Investment decisions shall be guided by this section and by the City and Borough of Juneau Investment Policy. Material changes to the investment policy shall be brought to the assembly finance committee by the city manager for review and to the assembly for approval by resolution.

(3) The finance director will choose which investment portfolio is most appropriate for funds based on the objectives at hand. Portfolio types are outlined in the investment policy.

(4) Appropriate benchmarks shall be selected by the finance director based upon portfolio goals and holdings of the portfolio. Benchmark selection shall be approved by the city manager as a function of the investment policy statement.

(5) Safekeeping and custody.

(A) Delivery vs. payment. All trades of marketable securities will be executed using the delivery vs. payment (DVP) method to ensure that securities are deposited in an eligible custody account prior to the release of funds.

(B) Safekeeping. Securities will be held by a centralized, independent third-party custodian selected by the City and Borough, as with all securities held in the City and Borough's name. The safekeeping institution shall annually provide a copy of their most recent report on internal controls (Statement of Auditing Standards No. 70, or SAS 70).

(6) Restricted funds shall be deposited into separate and restricted alternative investments, bank accounts, or other accounts which may be interest-bearing and held by financial institutions for the benefit of the municipality, with all revenues and expenses associated with such funds allocated to such investments or accounts. Restricted funds may be commingled with other similarly restricted funds within the discretion of the finance director.

(7) The finance director may obtain the services of such investment managers, advisors, custodians, and other professionals as are reasonably prudent and necessary to manage all municipal funds.

(8) Investment portfolio performance reports shall be prepared and posted to the City and Borough website on a quarterly basis. These reports shall be addressed with the assembly finance committee on a semi-annual basis.

Section 3. Amendment of Section. CBJC 57.25.018 is amended to read:

57.25.018 Investment objectives.

Investment portfolios will be selected to achieve the overall investment objectives. The primary objectives of investment activities shall be safety, liquidity, and return:

(a) *Safety*. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit risk and interest rate risk. The finance director and hired contractors, if any, shall manage investment funds exercising the judgment and care under the circumstances then prevailing which an institutional investor of ordinary prudence, discretion, and intelligence exercises in the management of large investments entrusted to it, not in regard to speculation but in regard to the permanent disposition of funds, considering probable safety of capital as well as probable income.

(1) *Credit risk*. The City and Borough will minimize credit risk, which is the risk of loss of all or part of the investment due to the failure of the security issuer or backer, by:

(A) Limiting investments to the types of securities listed in Code section 57.25.020.

(B) Pre-qualifying and conducting ongoing due diligence of the financial institutions, broker/dealers, intermediaries, and advisers with which the City and Borough will do business.

Attachment G - Agenda for November 21, 2022 Assembly Meeting

(C) Diversifying the investment portfolio so that the impact of potential losses from any one type of security or from any one individual issuer will be minimized.

(2) *Interest rate risk.* The municipality will minimize interest rate risk, which is the risk that the market value of securities in the portfolio will fall due to changes in market interest rates, by:

(A) Structuring the investment portfolio so that security maturities match cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity.

(B) Investing operating funds primarily in shorter-term securities, money market mutual funds, exchange-traded funds (ETF), or similar investment pools and limiting individual security maturity as well as the average maturity of the applicable portfolio.

(b) *Liquidity.* The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary or resale markets to meet unanticipated demands (dynamic liquidity). Alternatively, a portion of the portfolio may be placed in money market mutual funds, ETFs, or local government investment pools which offer same-day liquidity for short-term funds.

(c) *Return.* The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of secondary importance

compared to the safety and liquidity objectives described above. The core investments are limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. Securities shall generally be held until maturity with the following possible exceptions:

(1) A security with declining credit may be sold early to minimize loss of principal;

(2) Selling a security and reinvesting the proceeds that would improve the quality, yield, or target duration in the portfolio may be undertaken; or

(3) Unanticipated liquidity needs of the portfolio require that the security be sold.

(d) *Sustainability*. Where each investment decision, when possible and appropriate, considers environmental, social, and governance factors, and is consistent with the principles outlined in CBJ Resolution 2755. The finance director and treasurer may direct investment decisions to further promote these principles on sustainability, and as the objectives of safety, liquidity, and return permit.

Section 4. Amendment of Section. CBJC 57.25.020 is amended to read:

57.25.020 Authorized investments.

To provide maximum security for the investment of public funds and to provide the greatest interest revenue consistent with safety, funds may be invested only in the following instruments:

(1) Obligations of, or obligations insured or guaranteed by, the United States or agencies or instrumentalities of the United States;

(2) Commercial paper issued by corporations or businesses and rated at least A1/P1 by a nationally recognized statistical rating organization (NRSRO), and collateralized commercial paper with no time limit;

(3) Negotiable certificates of deposit issued by rated banks;

(4) Repurchase agreements secured by obligations insured or guaranteed by the United States or agencies or instrumentalities of the United States;

(5) Bank obligations insured by the appropriate federal insurance agency, including nonnegotiable certificates of deposit secured as provided in section 57.25.030;

(6) Custodial money market funds and other mutual funds so long as the nature of the fund is generally consistent with all other provisions of this section of the code;

(7) United States dollar denominated corporate bonds rated investment grade or higher by NRSRO ~~a nationally recognized rating agency~~ at the time of purchase;

(8) Mortgage-backed securities and collateralized mortgage obligations (CMOs) issued and insured or guaranteed by the United States or agencies or instrumentalities of the United States;

(9) Asset-backed securities that are publicly traded and rated AAA by a NRSRO at the time of purchase;

(10) Domestic fixed income mutual fund or ETF: Securities issued in the United States matching security types, quality, and maturity ranges contained in the Bloomberg Barclays Aggregate Index;

(11) Domestic equity mutual fund or ETF: Common and preferred stock issued by companies domiciled in the United States, and traded on a domestic stock exchange, or traded through the NASDAQ system;

(12) International equity mutual fund or ETF: Common and preferred stock issued by companies domiciled outside the United States, primarily in developed countries, as defined by the financial times stock exchange;

(13) Loans to specified funds of the City and Borough for the purpose of capital acquisition, made as provided in section 57.05.045;

(14) An investment pool for public entities authorized by AS 37.23;

(15) Taxable and or tax exempt municipal debt rated AA- or better by at least one NRSRO;

(16) Debt issued by supranational agencies rated AAA by at least one NRSRO; or

(17) ~~(15)~~ Other investment types or asset classes as provided in the Investment Policy and consistent with all other provisions of this section of the Code.

Section 5. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2022.

_____
Beth A. Weldon, Mayor

Attest:

_____
Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 11/21/2022
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-61

An Ordinance Amending the Uniform Sales Tax Code to Allow Very Small Businesses to File Sales Taxes Annually.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Section. CBJC 69.05.070 is amended to read:

69.05.070 Periodic returns, penalties and interest for delinquency.

(a) Every person making sales, rentals, or performing services within the City and Borough, and transportation network companies on behalf of transportation network company drivers, shall on or before the last day of the month, unless the last day of the month is a Saturday, Sunday, or federal, state or City and Borough holiday in which case the due date will be extended until the next business day, immediately following the end of each filing period complete a return for the required filing period setting forth the total amount of all sales, rentals and services, regardless of whether such transactions are taxable or nontaxable, the amount of sales tax due, and such other information as the City and Borough may require, and sign and deliver or mail the return to the City and Borough manager. Periodic returns shall be filed for the calendar quarters ending on March 31, June 30, September 30, and December 31, unless the seller or transportation network

company on behalf of a transportation network company driver is allowed or directed by the City and Borough manager to file for a different time period as authorized in this section and section 69.05.100. A seller, other than a governmental agency, making only exempt sales may be allowed, upon written request to the City and Borough treasurer or the manager, to file returns for periods which vary from the standard calendar quarter and which cover time periods up to one year.

(b) The tax levied under this chapter, whether or not collected from the buyer, except for credit transactions covered in subsection (c) of this section, must be remitted by the seller or transportation network company on behalf of a transportation network company driver to the City and Borough at the time of transmitting the return, and if not so remitted or if the return is not timely filed, such tax is delinquent. A late filing penalty of $25.00 shall be added to all late returns. The postmark shall determine the date of filing mailed returns. In addition, a late payment penalty of five percent per month or any fraction thereof, until a total late payment penalty of 25 percent has accrued shall be added to all returns until such tax, penalty and interest thereon have been paid. Such penalty shall be assessed and collected in the same manner as the tax is assessed and collected. In addition to these penalties, interest on the delinquent tax from the due date until paid shall accrue and be collected in the same manner the delinquent tax is collected. The annual interest rate on delinquent tax shall be five percent per year above the Wall Street Journal Prime Rate, or similar published rate, on January 2nd each year, rounded to the nearest full percentage point, as determined by the Finance Director; provided, however, that if such calculated rate would fall below ten percent per year, the interest rate shall be ten percent per year,

and if the calculated rate would exceed 15 percent per year, the interest rate shall be 15 percent per year.

(c) The seller or transportation network company on behalf of a transportation network company driver shall report and remit sales tax to the City and Borough on the same basis, cash or accrual, the seller or transportation network company uses for reporting federal income tax. A seller reporting on the accrual basis shall be allowed a tax credit for sales tax previously paid by the seller on any sale, service or rental made on credit to the extent the seller declares such debt to be uncollectible and a bad debt for federal income tax purposes. Such bad debt credit must be claimed on a timely filed quarterly sales tax report within two years from the date of sale in which the bad debt arose.

(d) Except as otherwise provided herein, all returns, reports, and information required to be filed with the City and Borough under this chapter, and all information deducible from such filed returns, reports, and information, shall be kept confidential and are not subject to public inspection. Except upon court order, such returns, reports, and information shall be made available only to employees of the City and Borough whose job responsibilities are directly related to such returns, reports, and information; to the person supplying such returns, reports, and information; and to persons authorized in writing by the person supplying such returns, reports, and information. The following information shall be made available to the public: the name and address of sellers and transportation network companies collecting and remitting sales tax on behalf of transportation network company drivers; whether or not a business, including a transportation network company, or transportation network company driver is registered to collect sales tax in the City and Borough; whether or not a business transportation network company or transportation

network company driver is current in filing sales tax returns and in remitting sales tax, the amount of sales tax due, and the number of returns not filed; and the names and exemption number of nonprofit agencies which have received a nonprofit exemption number from the manager. The manager may, from time to time, publish the names of sellers and transportation network companies collecting and remitting sales tax on behalf of transportation network company drivers delinquent in remitting sales taxes and the amount thereof including the "doing business as" name under which the seller or transportation network company is doing business when the sales tax delinquency being published arises from that business; provided that the names of sellers or transportation network companies who have signed a confession of judgment for the delinquent sales taxes, penalties, and interest, and a stipulation to postpone execution on the judgment, and who are current in their sales tax payments under such stipulation as of the date on which the names are submitted to the publisher, will not be published. Information may also be made available to the public in the form of statistical reports if the identity of particular sellers or transportation network companies is not revealed by the reports.

(e) The City and Borough may permit the proper officer of the United States, of a state, or other municipality to inspect tax returns or reports filed under this title, or may furnish to the officer a copy of the tax return, if the other jurisdiction grants substantially similar privileges to the City and Borough, and if the City and Borough determines that other jurisdiction provides adequate safeguards for the confidentiality of the returns and reports, and that the returns and reports will be used for tax purposes only.

(f) *Very small business annual filing.* The quarterly filing requirements of subsection (a) are waived and an annual filing is allowed for a seller that anticipates having $20,000 or less

of gross sales in the subsequent calendar year. A seller that elects to file annually is required to begin making quarterly filings in the calendar quarter that gross annual sales exceed $20,000. Failure of a seller to begin making quarterly filings after gross annual sales exceed $20,000 shall result in the imposition of penalties and interest described in subsection (b).

Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2022.

_____
Beth A. Weldon, Mayor

Attest:

_____
Elizabeth J. McEwen, Municipal Clerk

Attachment G - Agenda for November 21, 2022 Assembly Meeting

Presented by: The Manager
Introduced: November 21, 2022
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-06(b)(W)

An Ordinance Appropriating $3,984,400 to the Manager for the City and Borough of Juneau's Fiscal Year 2023 Employee Negotiated Wage and Health Increases; Funding Provided by Various Sources.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Appropriation. There is appropriated to the Manager the sum of $3,984,400 to fund the City and Borough of Juneau's fiscal year 2023 employee negotiated wage and health increases, distributed as follows:

General Fund:	
Finance	$ 275,000
Law	187,300
Community Development	156,400
General Engineering	149,900
Libraries	139,300
Information Technology	102,900
Parks & Landscape	94,200
Manager's Office	75,500
Human Resources	31,400
Clerk's Office	23,300
RecycleWorks	8,000
Mayor & Assembly	7,800
Total General Fund	**$ 1,251,000**
Special Revenue Funds:	
Police	$ 857,000
Fire	369,900
Parks & Recreation	240,600
Capital Transit	228,200
Streets	146,900
Lands & Resources	18,400
Eaglecrest Ski Area	9,100
Downtown Parking	1,200
Total Special Revenue Funds	**$ 1,871,300**

Enterprise Funds:	
Wastewater	$ 231,000
Airport	213,100
Harbors	95,500
Water	89,700
Docks	83,200
Total Enterprise Funds	**$ 712,500**
Internal Service Funds:	
Facilities Maintenance	$ 68,800
Public Works Fleet	44,000
Risk Management	36,800
Total Internal Service Funds	**$ 149,600**
Total Appropriation	**$ 3,984,400**

Section 3. Source of Funds

General Funds	$ 3,093,600
Wastewater Funds	231,000
Airport Funds	213,100
Harbors Funds	95,500
Water Funds	89,700
Docks Funds	83,200
Facilities Maintenance Funds	68,800
Fleet Funds	44,000
Risk Management Funds	36,800
Lands & Resources Funds	18,400
Eaglecrest Funds	9,100
Downtown Parking Funds	1,200
Total Source of Funds	**$ 3,984,400**

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this ___ day of _____, 2022.

_____
Beth A. Weldon, Mayor

Attest:

_____
Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: November 21, 2022
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-06(b)(X)

An Ordinance Appropriating $116,400 to the Manager as Funding for Eaglecrest's Fiscal Year 2023 Pay Plan Adjustment; Funding Provided by Eaglecrest Revenue.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Appropriation. There is appropriated to the Manager the sum of $116,400 for Eaglecrest's fiscal year 2023 pay plan adjustment.

Section 3. Source of Funds

Eaglecrest Revenue	$ 116,400

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2022.

_____
Beth A. Weldon, Mayor

Attest:

_____
Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 11/21/2022
Drafted by: B. Brown

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 3003

A Resolution of the City and Borough of Juneau Supporting Full Funding in the Amount of Eight Million, Two Hundred Thirty-six Thousand, Eight Hundred Fifteen Dollars ($8,236,815) for the State of Alaska Harbor Facility Grant Program in the Fiscal Year 2024 State Capital Budget.

WHEREAS, the majority of the public boat harbors in Alaska were constructed by the State in the early years of Statehood in the 1960s and 1970s; and

WHEREAS, Alaska's harbor facilities represent critical transportation links, are vital public infrastructure, and are essential hubs for waterfront commerce which supports beneficial economic activity in Alaskan coastal communities; and

WHEREAS, the harbor facilities in Alaskan coastal communities are ports of refuge for ocean-going vessels, and serve as the gateway for supplies, trade in goods and services, and connections to national and global markets for Alaskan exports and imports; and

WHEREAS, over the course of the past 30 years, the State of Alaska has transferred ownership of formerly State-owned harbors to local governments, allowing local control, but also significantly increasing the operational and maintenance costs which must be borne by local governments; and

WHEREAS, the majority of former State harbor facilities transferred to municipalities were at the time of transfer at or near the end of their serviceable lives; and

WHEREAS, Alaska's municipalities have strived to allocate the resources necessary to maintain and, when possible, improve harbor facilities transferred to them by the State of Alaska, but have faced increasing challenges in managing the significant financial burdens attendant on the harbor facilities formerly owned and maintained by the State; and

WHEREAS, the Governor and the Alaska Legislature recognized the magnitude of the problem with the fiscal burden placed on local governments by the transfer of State harbor facilities to local governments, and created the Harbor Facility Grant Program in 2006 with the passage of Senate Bill 291; and

WHEREAS, the Alaska Department of Transportation and Public Facilities applies statutory criteria to projects for which local governments apply for funds under the Harbor

Facility Grant Program, including municipal capacity to operate and maintain harbor facilities in the future without State aid, public safety and emergency factors, prior municipal expenditure on harbor facility maintenance, and options to reduce or eliminate the need for a proposed project; and

WHEREAS, municipal governments applying for harbor facility grants must provide 50% of the total project cost, which effectively and efficiently leverages local funds with the prudent investment of State funds; and

WHEREAS, during the last 15 years the Harbor Facility Grant Program has only been fully funded twice; and

WHEREAS, the Alaska Municipal League has conducted research about Alaska's ports and harbors which indicates the backlog of projects needed to repair and replace former State-owned harbors has increased to at least $500,000,000; and

WHEREAS, the municipalities of Sitka, Whittier, and Wrangell/Meyers Chuck have successfully submitted applications to the Department of Transportation and Public Facilities which require matching funds, and these municipalities have committed to contribute $8,236,815 in local match funding in Fiscal Year 2024 towards harbor projects of significant importance locally as required in the Harbor Facility Grant Program; and

WHEREAS, Alaska is a maritime state and its harbors are foundational to the Alaskan way of life and the economy, it is in all Alaskans' best interest to maintain this critical infrastructure by using State, Local and Federal funds to recapitalize the crucial harbor moorage infrastructure statewide.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Funding. The Governor of Alaska and the Alaska Legislature are respectfully urged to fund the State of Alaska Harbor Facility Grant Program in the Fiscal Year 2024 State Capital Budget in the amount of $8,236,815 to enhance and elevate the safety, well-being, and economic prosperity of Alaskan coastal communities.

Section 2. Effective Date. This resolution shall be effective immediately after its adoption.

Adopted this _____ day of November, 2022.

_____
Beth A. Weldon, Mayor

Attest:

_____
Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 11/21/2022
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 3006

A Resolution Ratifying the Economic Terms Tentative Agreement between the City and Borough and the International Association of Fire Fighters, Local 4303, AFL-CIO.

WHEREAS, the negotiating team representing the City and Borough of Juneau has reached a tentative agreement with the negotiating team representing the employees in the International Association of Fire Fighters Local 4303 AFL-CIO bargaining unit; and

WHEREAS, the union representing those bargaining unit employees has reported that such employees have ratified the terms of the tentative agreement; and

WHEREAS, CBJ 44.10.120 requires that the agreement be presented to the Assembly for ratification by resolution; and

WHEREAS, the negotiating teams have tentatively agreed to the following economic terms in addition to other agreement updates: 5.5% wage increases in FY23, effective November 21, 2022, 2% wage increases in FY24, 2% wage increases in FY25; increases to the employer contribution to health insurance of 5% in FY23 and FY24 and up to 5% in FY25; and premium pay incentives and additional leave accrual for Engineers with an additional annual cost of approximately $20,800 per year; and a lump sum of $500 for each member to be prorated according to the budgeted FTE for less than full time members and who are employed on October 20, 2022; and

WHEREAS, the tentative agreement for these terms and conditions of employment is in keeping with previous Assembly direction.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Ratification. That the Labor Agreement, valid for a three-year period beginning July 1, 2022 through June 30, 2025, between the City and Borough and the International Association of Fire Fighters Local 4303, AFL-CIO bargaining unit be amended in accordance with the tentative agreement and is hereby ratified by the Assembly. However, for FY23, the economic terms will be effective on November 21, 2022.

Section 2. Effective Date. This resolution shall be effective immediately after its adoption.

Adopted this _____ day of _____, 2022.

Attest:

_____
Beth A. Weldon, Mayor

_____
Elizabeth J. McEwen, Municipal Clerk

HUMAN RESOURCES & RISK MANAGEMENT DEPARTMENT
155 S. Seward St., Suite 101
Phone: (907)586-5250 Fax: (907)586-5392
e-mail: Dallas.Hargrave@juneau.org

MEMORANDUM

Date: November 17, 2022

To: City Assembly

Thru: Duncan Rorie Watt
City Manager

From: Dallas Hargrave
Human Resources & Risk Management Director

Re: Request for Ratification of IAFF Tentative Agreement

The City and Borough of Juneau (CBJ) and International Association of Fire Fighters (IAFF) reached tentative agreement on a three-year collective bargaining agreement on October 25, 2022. The contract will take effect on July 1, 2022, with financial terms effective on November 21, 2022, and conclude on June 30, 2025.

The IAFF held a ratification vote on the new contract terms. The City and Borough of Juneau (CBJ) was informed by IAFF on November 14, 2022 that the membership voted to ratify the tentative agreement of the new collective bargaining agreement.

The tentative agreement contains substantive changes related to wages, health insurance, premium pays and additional leave accrual for Firefighter/Engineers due to minimum staffing changes. In addition, agreeing to enter into a procurement process to select a contractor to perform a market wage study in the 3rd year of the CBA. There were also some operational changes which do not have a monetary impact or the monetary impacts are minor and can be managed within the budget. I have attached a summary sheet of changes for your review.

Economic Changes:

All economic terms will be effective on November 21, 2022.

Wages and Pay:

FY23: The parties agree to a 5.5% general increase to the wage schedule in FY23 for all bargaining unit members. Additionally the parties agreed to a lump sum of $500 for each member and to be prorated according to the budgeted FTE for less than full time members and who are employed on October 20, 2022**.**

Increases to Professional Pays
Base Wage Adjustments

- Team Coordinator 5%

- Supply Coordinator 2%

Staffing for Engineers

Additional leave accrual of .92 for Firefighter/Engineers based on changes to minimum staffing requirements.

FY24: The wage schedule shall increase by 2% for all bargaining unit members.

FY25: The wage schedule shall increase by 2% for all bargaining unit members.

Health Insurance

FY23: The parties agreed to increase the employer contribution approximately 5% from $1460 to $1533 per full time eligible employee, per month.

FY24: The parties agreed to increase the employer contribution approximately 5% from $1533 to $1610 per full time eligible employee, per month.

FY25: The parties agreed to increase the employer contribution up to approximately 5% from $1610 to $1690 per full time eligible employee, per month.

Below is a summary of estimated non-cumulative costs of the changes related to wages and health insurance:

IAFF Contract Effective November 21, 2022

% Wage Increases	**FY23**	**FY24**	**FY25**	**3-Yr Total**
All members	5.5%	2.0%	2.0%	

Annual Cost Increases	**FY23**	**FY24**	**FY25**	**3-Yr Total**
Wages	$ 226,651	$ 131,257	$ 133,882	$ 491,790
Health Insurance	$ 48,632	$ 51,063	$ 53,616	$ 153,311
Premium Pays	$ 20,800	$ 21,216	$ 21,640	$ 63,656
Lump Sum	$ 28,250			$ 28,250
Total	$ 324,333	$ 203,536	$ 209,138	$ 737,007

Wage Study

The CBJ agreed to enter into a procurement process to select a contractor to perform a market wage study in the 3rd year of the CBA to be out for bid by January 31, 2024. The market wage study will include job classes of Firefighter/EMT I/II/III, Firefighter/Paramedic, Firefighter/Engineer and Firefighter/Captain. The costs are difficult to estimate for two years from now, but likely $10-$20K for this onetime cost.

Operational Changes:
There were operational changes that involved incorporating language from previously agreed upon letters of agreement and operational changes outlined in the attachment.

Conclusion:
Overall contract negotiations were constructive. Table talks proceeded with both parties discussing issues and resolving problems. Eventually, a federal mediator spent two days with the parties to assist in reaching an agreement on the final economic terms. Fire Chief Rich Etheridge, Assistant Chief Travis Mead, Administrative Officer Brenwynne Grigg, and HRRM Director Dallas Hargrave and HR Manager Shannon McCain (Chief Spokesperson) participated on the bargaining team.

Request for Action:
The overall financial package is in line with the previous briefings to the Assembly. We respectfully request that the Assembly ratify the terms of this contract.

IAFF/CBJ Contract Negotiations

Tentative Agreement Summary of Major Changes

Effective July 1, 2022 through June 30, 2025

Coversheet	$500 lump sum payment to each full time IAFF member employed on October 20, 2022 prorated for part-time and seasonal members. Wage study request for RFP LOA with the following terms: a. The wage study RFP will be in accordance with CBJ purchasing code and Department of Finance procurement rules b. Job classes to be included are Firefighter/EMT I/II/III, Firefighter Paramedic, Firefighter/Paramedic, Firefighter Captain c. CBJ will seek input for consideration from IAFF when drafting the solicitation d. IAFF may select one member and one alternate member to participate on the vendor selection committee e. Solicitation to be posted by January 31, 2024 f. CBJ will provide a copy of the final report to IAFF g. A Labor Management committee will be formed to discuss the outcome of the market study
Article 2 – Recognition	2.1 Addition of Community Assistance Response and Emergency Services (CARES) job classes into the contract (Sobering Center and Mobile Integrated Health EMT's and Paramedics)
Article 10 – Uniforms, Tools, and Equipment	10.1 – New language to identify items included in employer provided uniforms for CARES staff, annual uniform inspection and replacement or repair to be at the Fire Chief discretion. 10.7 – Modernized language from "manned" stations to "staffed stations". Added language regarding providing space for lactating members in accordance with federal law.
Article 11 – Hours of Work	11.1 - Added language regarding 24 hour members experiencing pregnancy or temporary disability will not be included in minimum staffing or take a spot on the leave calendar. 11.2 - Incorporated work rules from the CARES letter of agreement regarding standard workweeks for non-24 hour shifts.

IAFF/CBJ Contract Negotiations

Tentative Agreement Summary of Major Changes

Effective July 1, 2022 through June 30, 2025

	11.3 – Incorporated CARES employees into shift trade language, added language that limits 12 hour CARES employees to no more than 16 continuous hours worked and articulates trades are only allowable within their job class. 11.4 C – Clarified that CARES members are excluded from mandatory overtime.
Article 12 – Training	12.3 – Added language to allow text books and training materials to remain the property of the employee for employer provided training. 12.6 – New language added that articulates the conditions under which a CARES employee is permitted to volunteer as a Volunteer Firefighter and prohibits them from volunteering for EMS calls unless assigned and paid at the appropriate rate of pay. 12.7 – New language added regarding the Paramedic Education Program that clarifies the existing process of the CBJ's commitment to funding the completion of the program for an employee selected to participate who is meeting all program requirements.
Article 13 – Pay Rates and Pay Days	13.1 – Pay Schedule: Increases to the pay schedules as described below: FY23 FY24 FY25 5.5% 2% 2% Lump sum payment of $500 to be prorated for employees in less than full FTE equivalent. 13.4 – Clarified language regarding the probationary period. 13.6 – Incorporated overtime language from the CARES work rule LOA. Added new language that CARES employees must be authorized to respond to "all call" incidents and when authorized they will be paid for a minimum of one hour if they respond. New language added that salaried employees are not eligible for overtime. New language added to clarify that CARES employees are excluded from the OT rules for employees engaged in fire suppression.

IAFF/CBJ Contract Negotiations

Tentative Agreement Summary of Major Changes

Effective July 1, 2022 through June 30, 2025

	13.7 – New language added that provides for non-56 hour employees compensatory leave balance may not exceed 100 hours at the beginning of the pay period. New language added that employees may not split a shift between compensatory time and overtime. 13.8 – added language to clarify that that acting status under this article is for fire suppression members only. Language added to clarify acting shifts for duration and eligibility must be consecutive. 13.9 - Changed language around Standby Pay to include cell phones, phone call or text and to include CARES operating procedures for response in addition to Fire SOP. 13.11 – Changed payday language to reflect current practices. 13.13 – Professional Pays Added language that employees are only eligible for professional pays that are within their assigned position and job class except educational professional pays. Added language that the EMS officer is eligible for base wage adjustment professional pays with approval of the Fire Chief. Base Wage Adjustments (BWA) Professional Pay • Added language clarifying that an employee may not receive educational professional pay if it is a minimum qualification of their position. • Team Coordinator retitled and expanded to Coordinator pay. Added clarifying language that must be coordinating training for rope and water, Hazmat, ARFF or Fire training: Increased from 2% to 5% • Technical Rescue Team Rope or Water combined into Rope AND Water team, added clarifying language to define that an employee must be an active member, and on both rope and water to receive professional pay: 1.5%

	• EMS Supply Coordinator retitled and expanded to Supply Coordinator: Increased from 1% to 2% • Peer Fitness Trainer 1% eliminated • Volunteer Station Manager 2% eliminated • EMT III expanded scope 1% eliminated As Assigned (AA) professional pay • Medevac Flight Pay retitled to Flight Pay and language added to provide clarification of definition of flight pay. 13.16 – Added language to the Paramedic Retention bonus to allow for any position at CCFR that requires a paramedic license (CARES) to be eligible. Added language that if an employee voluntarily demotes they would have to pay back the bonus. Deleted language that an employee who takes a position in a different job class where a paramedic license is not required would have to pay the bonus back. Housekeeping to remove language specific to 2019 bonus implementation. Added language that a paramedic may be eligible to receive the bonus again if they have fulfilled the terms of their first bonus and the list of eligible members who have not accepted is exhausted and there are still bonuses left to claim. Added language that members who have received the bonus, but have transferred or promoted out of the paramedic job class shall remain on the mandatory overtime list in the paramedic job class in lieu of repayment, so long as they maintain current licensure for the duration of the agreement, otherwise they are subject to the terms of the repayment agreement.

IAFF/CBJ Contract Negotiations

Tentative Agreement Summary of Major Changes

Effective July 1, 2022 through June 30, 2025

Article 14 – Holidays	14.1 - Incorporated language from the CARES work rules letter of agreement that in lieu of holidays they receive an increased leave accrual.
Article 15 - Leave	15.1 E. - Added language to provide additional leave accrual of .92 for Firefighter Engineers owing to minimum staffing requirements. 15.1 F - Incorporated language from the CARES Work Rules letter of agreement to provide additional leave accrual in lieu of holidays. 15.1 G – Added clarifying language that this section applies to firefighters in seasonal and long term temporary positions. 15.4 – Added new language that probationary employees serving their initial probation who are unable to use their minimum leave requirement may request a waiver through the Fire Chief. 15.20 – Changed language for leave cash-in's to increase the amount an employee can cash in from 15 to 21 days and increase the required minimum balance from 21 to 27 days. Added new language to allow the Fire Chief to approve a leave cash-in in excess of 21 days for demonstrated hardship as long as the minimum balance is maintained.
Article 16 – Health Benefits and Employee Wellness	16.1 B - Updates Employer Contribution Amounts FY23: Employer contribution is increase from $1460 to $1533, approximately 5% FY24: Employer contribution is increase to $1610, approximately 5% FY25: Employer contribution is increase up to $1690, approximately 5%

IAFF/CBJ Contract Negotiations

Tentative Agreement Summary of Major Changes

Effective July 1, 2022 through June 30, 2025

Article 17 – Retirement	Incorporated the Medical Expense Reimbursement Plan (MERP) letter of agreement from appendix B. Housekeeping changes to add headers and spell out the title of the MERP.
Article 20 – Promotions, Special Team Appointments & Voluntary Demotions	20.1 Added language to clarify this section only applies to firefighters. Added new language to clarify that nothing the Article prevents the Fire Chief from recruiting without creating a promotional list as long as it is announced in the job posting. 20.2 Added language to clarify this section only applies to firefighters. Added language that employees not meeting training requirements will be removed from active duty status for special team appointments.
Article 25 – Duration of Agreement	Three-year agreement

Terms: Community Assistance Response and Emergency Services (CARES)

Presented by: The Manager
Presented: 11/21/2022
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 3007

A Resolution Expressing Support for the Juneau Coordinated Transportation Coalition's Prioritization of Projects for Grant Funding by the Alaska Department of Transportation and Public Facilities.

WHEREAS, the City and Borough has adopted the 2020 Juneau Coordinated Human Services Transportation Plan, to identify available transportation services and to lay out strategies to address gaps in transportation services provided those who are elderly, have disabilities, or who qualify as low-income and use public transportation for traveling to and from work; and

WHEREAS, the Alaska Department of Transportation and Public Facilities (DOT&PF) makes available grant funding for mobility projects; and

WHEREAS, in order to be considered for grant funding, each community must prioritize their projects and that priority list must be endorsed by the local government; and

WHEREAS, the Juneau Coordinated Transportation Coalition is a coalition of community partners working to improve the effectiveness and efficiency of transportation in Juneau; and

WHEREAS, one of the Coalition's main roles is to rank funding requests from member agencies proposing transportation and mobility projects and submit those recommendations to the Assembly; and

WHEREAS, the Juneau Coordinated Transportation Coalition and related agency representatives held a regular Juneau Coordinated Transportation Coalition meeting on October 28, 2022, and voted on the priority list for State Fiscal Year 2022 DOT&PF grant funding as follows:

1. SAIL Replacement ADA Taxi

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. The City and Borough endorses the following prioritized list to be considered for Alaska Department of Transportation and Public Facilities grant funding:

1. SAIL Replacement ADA Taxi

Section 2. Effective Date. This resolution shall be effective immediately after its adoption.

Adopted this _____ day of _____, 2022.

_____
Beth A. Weldon, Mayor

Attest:

_____
Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: 11/21/2022
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 3008

A Resolution Adopting an Alternative Allocation Method for the FY2023 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity within the Northern Southeast Fisheries Management Area.

WHEREAS, AS 29.60.450 requires that for a municipality to participate in the FY2023 Shared Fisheries Business Tax Program, the municipality must demonstrate to the Department of Commerce, Community, and Economic Development that the municipality suffered significant effects during calendar year 2021 from fisheries business activities; and

WHEREAS, 3 AAC 134.060 provides for the allocation of available program funding to eligible municipalities located within fisheries management areas specified by the Department of Commerce, Community, and Economic Development; and

WHEREAS, 3 AAC 134.070 provides for the use, at the discretion of the Department of Commerce, Community, and Economic Development, of alternative allocation methods that may be used within fisheries management areas if all eligible municipalities within the area agree to use the method, and the method incorporates some measure of the relative significant effect of fisheries business activity on the respective municipalities in the area; and

WHEREAS, the City and Borough of Juneau proposes to use an alternative allocation method for allocation of FY2023 funding available within the Fisheries Management Area 17: Northern Southeast Area in agreement with all other municipalities in this area participating in the FY2023 Shared Fisheries Business Tax Program.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. The City and Borough of Juneau certifies that the following alternative allocation method fairly represents the distribution of signifiant effects during calendar year 2021 of fisheries business activity in Fisheries Management Area 17: Northern Southeast Area:

- All municipalities share one half of the funding allocation equally between the respective municipalities; and
- All municipalities share the remaining half of the funding allocation on a per capita basis.

Section 2. Effective Date. This resolution shall be effective immediately after its adoption.

Adopted this ____ day of _____, 2022.

_____
Beth A. Weldon, Mayor

Attest:

_____
Elizabeth J. McEwen, Municipal Clerk

MEMORANDUM

CITY/BOROUGH OF JUNEAU
155 South Seward Street, Juneau, Alaska 99801

TO: Rorie Watt
City and Borough Manager

Date: November 17, 2022

FROM: Caleb Comas
Contract Administrator

SUBJECT: RFP RESULTS: Notice of Intent to Award
Construction Manager at Risk (CMAR) for the
Bartlett Regional Hospital Emergency Department Addition & Renovation
Contract No. E23-156b

Two proposals were received for the subject project on November 9, 2022. The scores assigned to each proposal by the selection committee are as follows:

Selection Committee Members

	A		B		C		D		E		
Proposer	**Score**	**Rank**	**Score**	**Rank**	**Score**	**Rank**	**Score**	**Rank**	**Score**	**Rank**	**Total Rank**
Dawson	177	1	171	2	209	1	176	2	171	1	7
Cornerstone	173	2	176	1	203	2	179	1	164	2	8

Project Manager: Lisa EaganLagerquist

This project consists of a construction firm serving in a Construction Manager at Risk capacity to provide pre-construction and construction services for the Bartlett Regional Hospital Emergency Department Addition & Renovation project. This Alternative Procurement method was authorized by the Assembly with Ordinance 2022-51.

Funding Source: BRH Fund and BRH Revenue Bond
Total Project Funds: $12,425,000
CIP No. B55-083 ($1.4M) and B55-086 ($11.025M)
Pre-Construction Encumbrance: $200,000

Staff recommends award of this project to Dawson. In accordance with Ordinance 2022-51, which authorizes an Alternative Procurement method, the Manager shall present the recommended Construction Manager at Risk company proposal to the Assembly for approval prior to commencing negotiations with the selected firm. If the Assembly accepts the proposal, the initial contract for pre-construction services will be for $70,000, and the total contract value will not exceed $200,000 without prior Assembly approval.

Approved: _____
Duncan Rorie Watt
City & Borough Manager

Date of Assembly Approval:_____

dawson

Request for Proposals (RFP E23-156b) for CMAR Services for the Bartlett Regional Hospital Emergency Department Addition and Renovation

Dawson Construction, LLC
8401 Airport Blvd.
Juneau, AK 99801
907.780.1500

Contact: Chris Gilberto
Email: cgilberto@dawson.com

November 9, 2022

Dawson

ALASKA
907.780.1500 TEL
P.O. Box 35825 (99803)
8401 Airport Blvd.
Juneau, AK 99801

www.dawson.com

November 9, 2022

City and Borough of Juneau, Purchasing Division
155 South Seward Street
Juneau, AK 99801

Re: Request for Proposals (RFP E23-156b) for CMAR Services for the Bartlett Regional Hospital Emergency Department Addition and Renovation

Dear City and Borough of Juneau (CBJ) and Selection Committee,

Having quality healthcare in our community for our neighbors, our employees, and our famillies in Juneau is of the utmost importance for Dawson. We are personally vested in the success of the BHR ED project and are the best fit as your CMAR partner. Dawson understands the complexities of working in an occupied healthcare facility and how to overcome the challenges to deliver a successful project. As your partner, the focus will be on minimal disruptions so the BRH ED may continue providing high-quality, professional healthcare throughout the entire construction process.

Working in an operating hospital has unique requirements. Dawson's expertise working in operating healthcare facilities makes us the best partner for City & Borough of Juneau on this project:

- ✓ **Our experience and personnel** in Juneau are unmatched with the leadership of Chris Gilberto, Jason Sabin, and Kendall Nielsen, our most experienced healthcare team.
- ✓ **Our project approach during preconstruction:** As your partner, we will find a phasing plan that minimizes impacts to the emergency department while managing and meeting the budget and schedule.
- ✓ **Our planning and mitigation for disruptions** is our focus throughout preconstruction and into construction. We will communicate and coordinate daily to keep the needs of the ED/Hospital in the forefront of our construction.
- ✓ **Our estimating process and ideas** will include value engineering and enhancement options that will ensure budgets are met without impacting the life cycle of the facility.
- ✓ **Our innovative approach to solutions** will be to the benefit of the project team and user of the facility by keeping the operations of the hospital our primary focus.

Local Partners: Dawson has partnered with the City & Borough of Juneau on 55 projects over the past 30+ years, ranging in size and scope. **We value this relationship and take exceptional pride in building for the community where our people live and work.** CMAR and best value contracts make up over 65% of our projects. We understand the partnering and collaboration necessary to make these projects successful. We have vast experience building and remodeling **over 50 healthcare facilities,** many of which were open during construction, and are excited to partner with you on this project.

Addendum 1, Addendum 2, and Addendum 3 have been received, reviewed, and acknowledged.

Sincerely,

Chris Gilberto
Construction Manager, Dawson Construction

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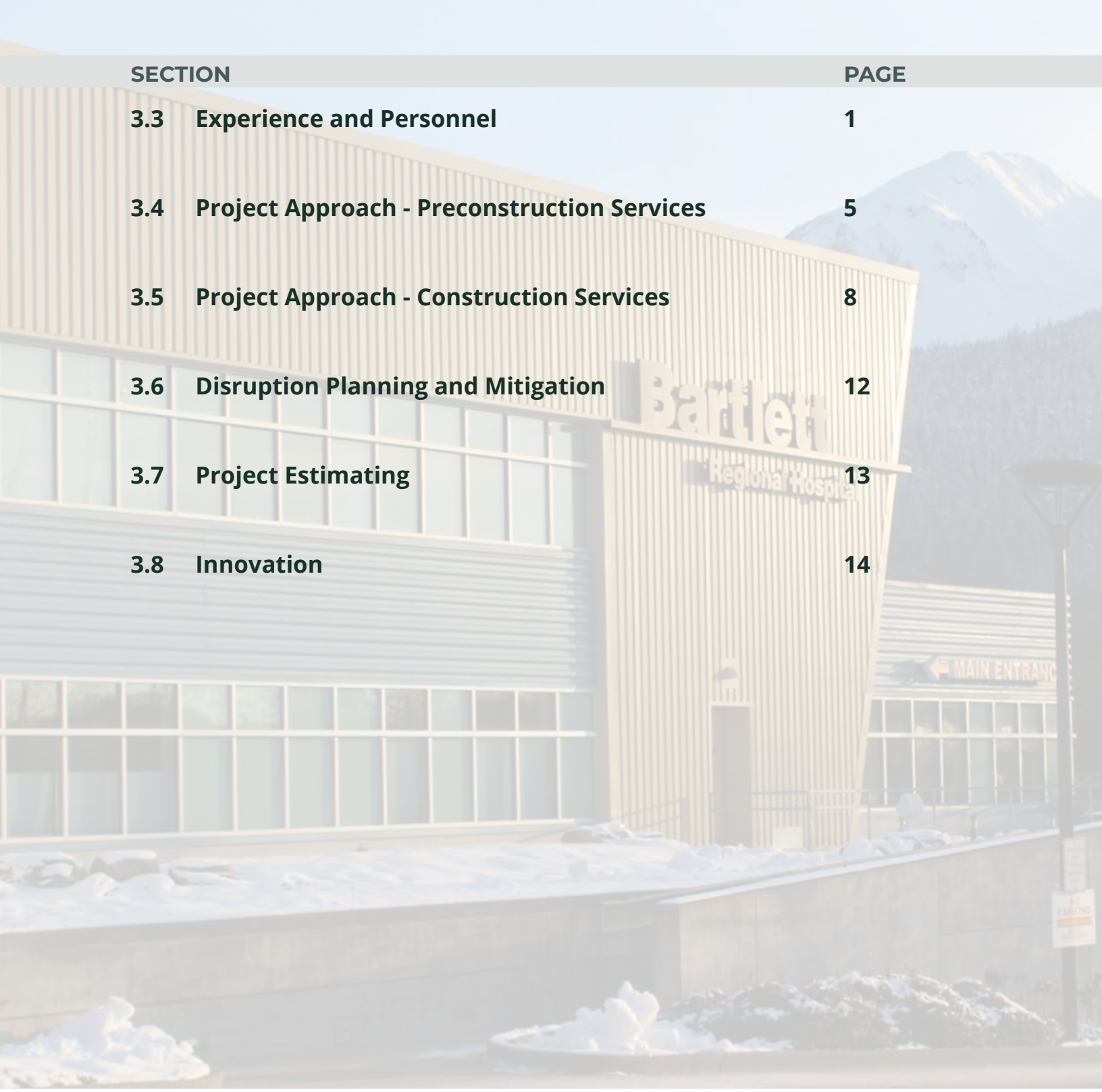


PROJECT TEAM EXPERIENCE

Dawson's Juneau-based team has 60+ years of experience working in Juneau, including a history of working together on healthcare projects. Chris Gilberto's leadership will guide the project team and ensure the schedule and budget are constantly in check. Jason Sabin's onsite leadership will focus on safety and minimal disruptions for BRH employees and patients. His experience working in this facility gives him intimate knowledge of the structure and processes involved with working in a functioning emergency department.

CHRIS GILBERTO
Construction Manager

- 23 years of experience
- 12 CMAR projects the past 8 years

30% TIME COMMITMENT TO THIS PROJECT

JASON SABIN
Superintendent

- 28 years of experience in Southeast Alaska
- 3 most recent projects have been healthcare facilities

100% TIME COMMITMENT TO THIS PROJECT

CALEB MCGRAW
Day-to-day Project Manager

- 12 years of Experience in Southeast Alaska
- Completed 3 healthcare projects in last 4 years

50% TIME COMMITMENT TO THIS PROJECT

KENDALL NIELSEN
Project Executive

- 20 years of experience
- $85M in healthcare projects in last 5 years
- Hundreds of millions of dollars in healthcare projects in his career

TEAM MEMBERS' EXPERIENCE WORKING TOGETHER ON SIMILAR PROJECTS:

PROJECT	YEAR	CHRIS	JASON	KENDALL	CALEB
BRH Behavioral Health Facility	Ongoing	✓	✓	✓	✓
SEARHC Juneau Empire Medical Admin Building	2021	✓	✓	✓	
SEARHC Ethel Lund Medical Center Renovation	2020	✓	✓	✓	
SEARHC Wrangell Medical Center Long-term Care	2022	✓		✓	✓
SEARHC Wrangell Medical Center	2020			✓	✓
Sealaska Heritage Institute Arts Campus	2022	✓		✓	✓
Juneau International Airport Reconstruction	2022	✓		✓	✓

SIMILAR PROJECT EXPERIENCE - COSTS, SCHEDULE, QUALITY

ETHEL LUND MEDICAL CENTER RENOVATIONS JUNEAU, AK

19,840 sf renovations to the ground and main floors of the existing clinic completed in multiple phases to accommodate the clinic's operations. Renovations were made to the lobby, reception area, waiting area, physical therapy room, ICT areas and offices, pharmacy, lab, phlebotomy, library, work rooms, and mechanical mezzanine.
All work was performed while the clinic was fully occupied.

COSTS: $5.5M final contract

TEAM: Jason, Chris, Kendall
CONSULTANT: Jim Rehfeldt

SIMILARITIES:

- ✓ HEALTHCARE FACILITY
- ✓ MULTI-PHASE CONSTRUCTION
- ✓ OCCUPIED FACILITY
- ✓ VALUE ENGINEERING
- ✓ REPEAT CLIENT

SCHEDULE: 9/19 to 11/20
Duration - 15 months

BRH BEHAVIORAL HEALTH FACILITY JUNEAU, AK

Demolition of the existing facility and construction of a new 14,500 gross square foot facility comprised of outpatient offices, inpatient residential care suites, general storage, and underground parking.

COSTS: $14.5M ongoing

TEAM: Jason, Chris, Kendall, Caleb

SIMILARITIES:

- ✓ HEALTHCARE FACILITY
- ✓ BRH CAMPUS
- ✓ DESIGN ASSISTANCE
- ✓ VALUE ENGINEERING
- ✓ REPEAT CLIENT

ONGOING SCHEDULE:
Duration - 23 months

SIMILAR PROJECT EXPERIENCE - COSTS, SCHEDULE, QUALITY

SEARHC WRANGELL MEDICAL CENTER WRANGELL, AK

New construction of the 35,000 sf Critical Access Hospital and Long-Term Care Facility. The project also included interior renovations at the existing clinic, which remained operational throughout the project.

COSTS: $23.3M final contract

TEAM: Kendall, Caleb
CONSULTANT: Jim Rehfeldt

SIMILARITIES:

- ✓ HEALTHCARE FACILITY
- ✓ OCCUPIED FACILITY
- ✓ CMAR
- ✓ VALUE ENGINEERING
- ✓ REPEAT CLIENT

SCHEDULE: 8/20 to 9/22
Duration - 21 months

SEARHC WRANGELL MEDICAL CENTER LONG-TERM CARE ADDITION WRANGELL, AK

New construction of a Long Term Care addition with 4-resident rooms to the existing north wing of the Long Term Care unit at Wrangell Medical Center. Construction coordination and phasing is crucial to meet SEARHC renovation standards and provide a safe environment for the current LTC residents and staff. This has required barriers separating the work areas from the occupied adjacent spaces.

COSTS: $2.1M ongoing

TEAM: Chris, Kendall, Caleb
CONSULTANT: Jim Rehfeldt

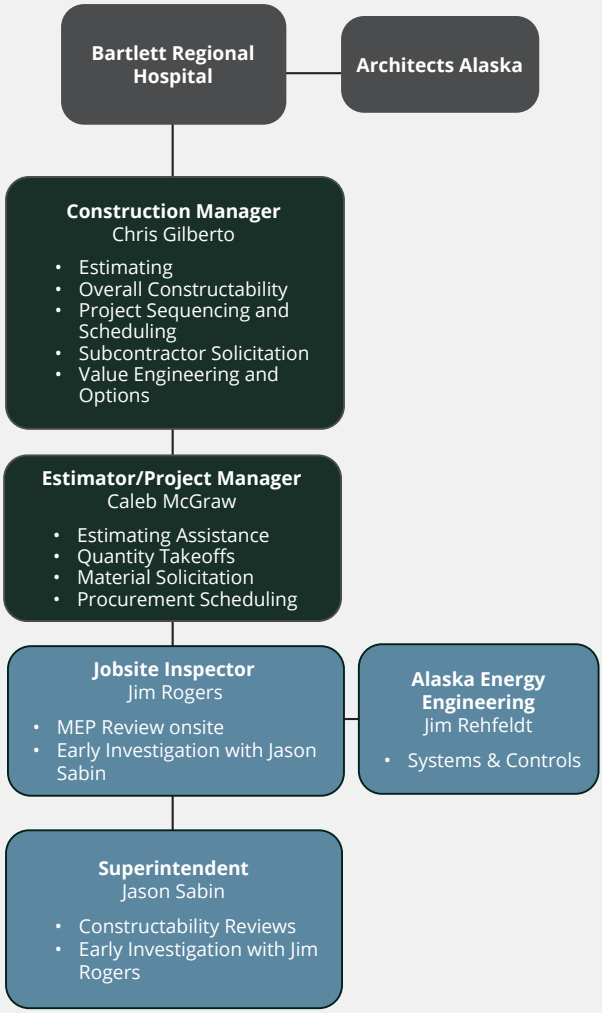
SIMILARITIES:

- ✓ HEALTHCARE FACILITY
- ✓ OCCUPIED FACILITY
- ✓ PRIVATELY NEGOTIATED
- ✓ VALUE ENGINEERING
- ✓ REPEAT CLIENT

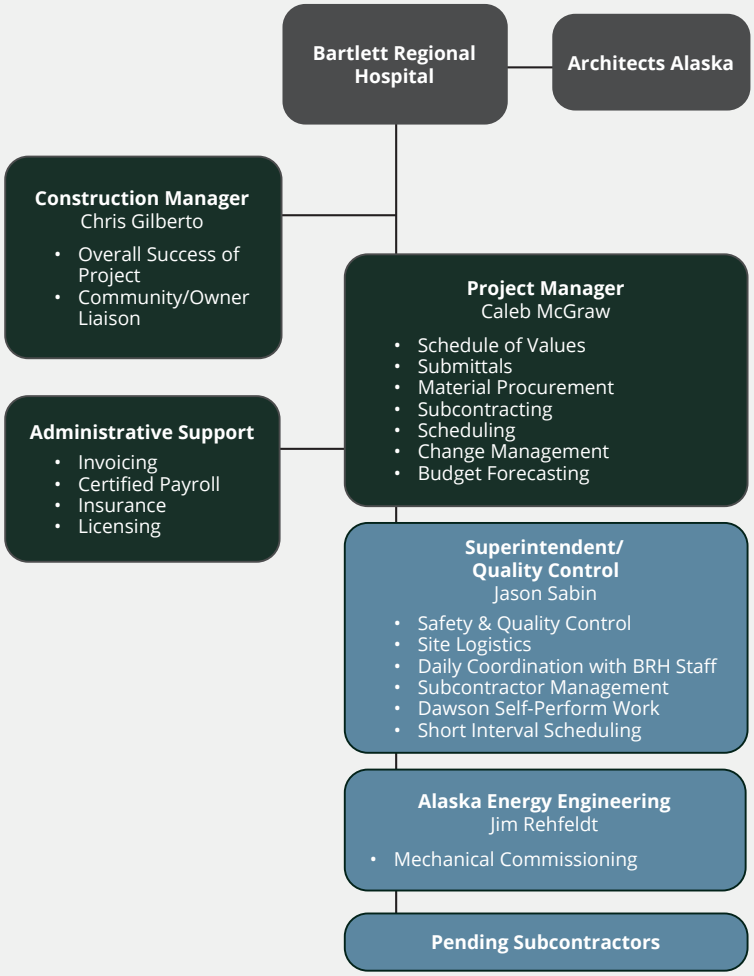
ONGOING SCHEDULE:
Duration - 8 months

The organizational charts below indicate the roles of supervision, lines of authority, administrative functions, and responsibilitites for each role both in the pre-construction phase and the construction phase of the project. Each chart also notes which roles will be onsite and which will be in the office:

PRE-CONSTRUCTION PHASE:



CONSTRUCTION PHASE:



OFFICE ON SITE

CLIENT TESTIMONIAL

"As far as ***the Dawson Construction team that Chris (Gilberto) leads, the whole team is superlative***. Their performance at Juneau Housing First Project has been very professional. Dawson Construction's management team has the ability to deliver required documents and information in a timely manner, which *is needed for our grant process. Their team has first-rate record keeping. The team has exeptional skills at project budgeting. It has been energizing for me to work with a class act company that understands and is* dedicated to the ***TEAM*** approach and assists the developer, architects, engineers, consultants and subcon-*tractors in making the project efficient and economical, and (a company that) takes* ***special care to ensure the finished building meets and exceeds the developer and owner expectations***. "

– Larry Gamez, Project Manager,
Tlingit Haida Regional Housing Authority

Chris Gilberto | Construction Manager

23 YEARS EXPERIENCE

9 YEARS WITH DAWSON

CERTIFICATIONS

Carpenter's Local 1281

Apprenticeship Training Program

REFERENCES

Dave Hurley
Northwind Architects
907.586.6150

Steve Merkel
SEARHC
907.966.8406

Lee Kadinger
Sealaska Heritage Institute
Owner
907.463.4844

QUALIFICATIONS

Chris has managed projects in Alaska for 19 years and is well-versed in CMAR projects. He has established relationships with local subcontractors and regulatory agencies that will benefit the cost, schedule and quality of this project. Chris will lead the team through preconstruction, value engineering, design reviews, estimating, and will be an additional point of contact throughout construction for any concerns by owners and design team.

SUCCESSFUL JUNEAU PROJECT EXPERIENCE

- ✓ ***BRH Behavioral Health Facility (BHF)*** Project was awarded to Dawson that originally included the demolition of the existing facility and construction of a new, 14,500 sf BHF that is located on an infilled site with a concrete garage and two stories of operation-focused space. Once awarded, the project was paused to make design changes to fit the evolving needs of the end user. Changes included a complete structural redesign change from a wood structure to structural steel and including the addition of a 3rd floor. Specific details related to the project included rooms for those in need with anti-ligature features and materials used to provide a safe calming space. Throughout the project, changes in design and use of the facility created a challenges related to material procurement, work sequencing and on-site coordination. Chris and Jason Sabin navigated these challenges while continuing to keep the project moving forward.
- ✓ ***SEARHC Ethel Lund Medical Center Renovations*** Renovations to the ground and main floors of the existing clinic completed in two phases to accommodate the operations while facility was occupied. Renovations were made to the lobby, reception and waiting areas, physical therapy room, ICT areas, offices, pharmacy, lab, phlebotomy, library, work rooms, and mechanical mezzanine.
- ✓ ***Sealaska Heritage Institute (SHI) Arts Campus*** The Sealaska Heritage Institute Instructional Arts Campus involves construction of an Arts Instructional Building; below-ground-level concrete parking structure connected to the existing underground parking area under the neighboring One Sealaska Plaza; an open pedestrian plaza; an open canopy structure adjacent to the One Sealaska Plaza building; and landscaping and arts installation.
- ✓ ***Juneau International Airport Reconstruction*** This project involves demolition, reconstruction and renovation of approximately 35,000 sf of the existing Juneau International Airport terminal building. Scope includes hazardous material abatement; demolition of existing building, elevator and escalator; installation of a new elevator; and new construction of a two-story, 12,500 sf structure. The project used a phased approach with the first phase including partial demolition and construction of the addition, and the second phase includes replacing stairs, elevators, escalators and infilling construction. All work was performed within the operational airport.
- ✓ ***Douglas Island Building Renovation*** The Douglas Island Building is a two-story, 42,530 square foot facility housing the Alaska Department of Fish and Game and the Alaska Department of Corrections. Renovations encompassed structural repairs and upgrades.

Jason Sabin | Superintendent

28 YEARS EXPERIENCE

8 YEARS WITH DAWSON

EDUCATION

OSHA 10, OSHA 30

Aerial Lift Operator

Scaffold Erector and User Qualification

UBC Leadership Training

AK-CESCL Training

First Aid & CPR Certificate

REFERENCES

Dave Hurley
NorthWind Architects
907.321.4495

Steve Merkel
SEARHC
907.463.4000

Brent Fagerstrom
State of Alaska DOA
907.723.3987

QUALIFICATIONS

Jason is our most experienced superintendent for renovations of occupied facilities. He excels at coordinating with owners and tenants and ensuring open communication is maintained so there are no surprises. Jason will be responsible for managing construction crews, subcontractors, day-to-day construction work, short interval scheduling, safety and quality control and will ensure all work is being completed in accordance with the contract specifications and work schedule. Jason's last 3 projects have been healthcare related.

SUCCESSFUL JUNEAU PROJECT EXPERIENCE

- ✓ ***BRH Behavioral Health Facility (BHF)*** Project was awarded to Dawson that originally included the demolition of the existing facility and construction of a new, 14,500 sf BHF that is located on an infilled site with a concrete garage and two stories of operation-focused space. Once awarded, the project was paused to make design changes to fit the evolving needs of the end user. Changes included a complete structural redesign change from a wood structure to structural steel and including the addition of a 3rd floor. Specific details related to the project included rooms for those in need with anti-ligature features and materials used to provide a safe calming space. Throughout the project, changes in design and use of the facility created a challenges related to material procurement, work sequencing and on-site coordination. This is a current project for Jason, where he continues to overcome these challenges. Once complete, he will be available to transfer seamlessly to this project.
- ✓ ***SEARHC Juneau Empire COVID Testing Center*** Project includes renovation of existing administrative offices to provide safe, clean location for local COVID testing for the Juneau community.
- ✓ ***SEARHC Ethel Lund Medical Center Renovation*** Tenant improvements to the ground and main floors of the existing SEARHC Ethel Lund Medical Clinic. Work was performed in two phases to accommodate the operational facility. Alternative Delivery: LS to negotiated.
- ✓ ***Court Plaza Building Cladding and Window Replacement*** Replacement of exterior envelope with new metal wall panels over a rain screen assembly, new ribbon windows and minor interior work as required to complete the exterior renovation. Alternative Delivery: LS to negotiated.
- ✓ ***Marine Exchange*** New construction of a 6,400 sf, three-story office building for the Marine Exchange of Alaska. Creative solutions proposed during pre-construction resulted in an accelerated project schedule and 2.5% savings in construction costs. CMAR.
- ✓ ***Douglas Island Building Renovation*** Renovations to an existing two-story building on a constrained site including structural repairs, envelope replacement, installation of a new curtain wall assembly, terracotta siding, interior finishes, landscaping and associated mechanical and electrical work. Alternative Delivery: RFP Selection.

Caleb McGraw | Project Manager

12 YEARS EXPERIENCE

4 YEARS WITH DAWSON

EDUCATION & CERTIFICATIONS

B.S. University of Alaska, Anchorage

US Army Corps of Engineers Construction Quality Management for Contractors Certificate

AGC Project Management Training Certificate

Procore Certified: Project Manager Certificate

REFERENCES

Dan Kirsch
PTS Inc., Anchorage
907.561.6237

Aaron Morrison
Respec Engineering
907.561.6237

Mike Poutney
SEARHC
907.966.8413

QUALIFICATIONS

Born and raised in Sitka, Alaska, Caleb has an ingrained understanding of building in Southeast Alaska regions. He has worked on a variety of construction projects including occupied healthcare facilities and active airports. Caleb possesses a detail-oriented work ethic and excels at planning for complex logistics and working within occupied facilities.

SUCCESSFUL PROJECT EXPERIENCE

- ✓ ***SEARHC Wrangell Medical Center*** The Wrangell Medical Center provides essential services for the city of Wrangell, including emergency services, acute care, transitional care, primary care, long-term care and ancillary hospital services. The project included new construction of the 35,000 sf Critical Access Hospital and Long-Term Care Facility and all associated site and utility infrastructure work. The new structure connects to the existing two-story clinic building through a covered walkway. The project also included interior renovations at the existing clinic, which remained operational throughout the project.
- ✓ ***SEARHC Wrangell Medical Center Long Term Care Addition*** New construction of an approximately 1,800 sf single story, wood framed with SOG, Long Term Care addition of 4-resident rooms to the existing north wing of the Long Term Care unit at Wrangell Medical Center. MEP systems scope of work entail extending the existing MEP systems from the existing building, which were designed for the future area of the LTC additions. MEP scope also includes changing the Hot Water Piping Loop in the existing LTC wing. Construction coordination and phasing will be required to meet SEARHC renovation standards and provide a safe environment for the current LTC residents and staff. This will require barriers separating the work areas from the occupied adjacent spaces. All associated interior finishes, and site and utility infrastructure work to be included.
- ✓ ***Juneau International Airport Terminal Reconstruction*** Demolition, reconstruction and renovation of approximately 35,000 sf of the existing Juneau International Airport terminal building. Scope includes hazardous material abatement; demolition of existing building, elevator and escalator; installation of a new elevator; and new construction of a two-story, 12,500 sf structure. All work was performed within the operational airport.
- ✓ ***Sitka Secondary Critical Water Supply*** Construction of a new Membrane Filter Plant, Intake and Raw Water Pump Station for the production of potable water. The project includes development of greenfield sites, and connections to existing utilities and treatment facilities. The Membrane Filter Plant includes installation of Owner-furnished membrane filtration equipment, a new pre-engineered metal building, chemical systems, standby generator, and ancillary systems.

Kendall Nielsen | Project Executive

20 YEARS EXPERIENCE
5 YEARS AT DAWSON

EDUCATION

Brigham Young University,
B.S. Construction Management

REFERENCES

Kimberly McHugh
Cumming Corporation
253.579.6050

Lincoln Ferris
Seattle Central College
425.766.7346

Miro Petrovic
US Healthvest
281.615.4483

QUALIFICATIONS

Kendall has worked in the construction industry for 20 years. His large scale project experience spans 12 states and the island of Guam, including CM/GC and complex renovations. Kendall prides himself on collaboration and building his teams around the owner's vision. He is a strong proponent of getting the job done right the first time and doing the right thing.

RELEVANT PROJECT EXPERIENCE

- ✓ ***YTT JVCP Ambulatory Health Care Facility*** 21,000 sf new construction for primary care, women's health, urgent and walk-in care, pharmacy, lab, dental, wellness center, emergency medical services, and integrated behavioral health and community health services.
- ✓ ***SEARHC Ethel Lund Medical Center Renovations*** Renovations to the ground and main floors of the existing clinic completed in two phases to accommodate the operations while facility was occupied. Renovations were made to the lobby, reception and waiting areas, physical therapy room, ICT areas, offices, pharmacy, lab, phlebotomy, library, work rooms, and mechanical mezzanine.
- ✓ ***SEARHC Wrangell Medical Center*** The project included new construction of the 35,000 sf Critical Access Hospital and Long-Term Care Facility and all associated site and utility infrastructure work. The project also included interior renovations at the existing clinic, which remained operational throughout the project.

Jim Rogers | MEP Specialist

45 YEARS EXPERIENCE
28 YEARS AT DAWSON

CERTIFICATIONS

Journeyman Plumber License (AK and WA)

Mechanical Administration License

REFERENCES

John Kleinegger
Ketchikan Public Works
307.228.2441

Joe Swain
Sitka Water &
Wastewater Department
907.747.1895

Jennifer Holstrom
Ketchikan Public Utilities - Electric

QUALIFICATIONS

Jim truly excels in projects with complex mechanical systems. With a detailed, patient approach and a keen understanding of MEP systems, there is no one better for this project than Jim. He is Dawson's go-to Superintendent for inspecting complex mechanical systems. He is able to identify potential risks to the work and schedule before they negatively impact the project, provide mitigation recommendations, and keep production on track.

RELEVANT PROJECT EXPERIENCE

- ✓ ***SEARHC Mt.Edgecumbe Hospital ER Replacement*** Full demolition and replacement of 3,400 sf of the ground floor footprint of the ER facilities. Work included demo/replacement of existing AHU located in the building's mechanical attic, as well as demo of current rated shaft between ground floor and mechanical attic and replacement with enlarged rated shaft, which includes structural augmentation of the second and attic floor assemblies. All work was completed within the occupied medical facility, requiring some work to be completed over nights and weekends.
- ✓ ***Mendenhall Waste Water Treatment Plant Biosolids Dryer Facility*** Coordination and installation of all process pipe and equipment, and oversee facility startup, testing and commissioning within a fully operational waste water treatment plant.
- ✓ ***Sitka UV Disinfection*** Plant Development of a green-field site, a new, 5,400 sf pre-engineered metal building with a basement, installation of owner-furnished UV disinfection equipment, fluoride system, a standby generator, and ancillary systems.
- ✓ ***Whitman Lake Hydroelectric*** Phased project involving Installation of a 4.6 MW hydroelectric dam on the existing non-powered dam at Whitman Lake. Jim led constructability reviews and value engineering analysis to bring the project cost from $26M to less than $16M, without losing any scope.

Our proposed consultant is **Jim Rehfeldt with Alaska Energy Engineering, LLC,** who will be responsible for mechanical commissioning. Jim is invaluable during preconstruction when identifying and pricing systems and controls.

Jim is principal engineer of Alaska Energy Engineering LLC (AEE), a Juneau-based company. Jim has extensive experience with mechanical design, working with the goal of optimizing a facility's performance and life cycle. He has performed several analyses at medical facilities throughout southeast Alaska and is a leader in his field.

On a recent project with Dawson, Jim was brought in to help reduce cost of the overall functionality of the facility and reduce the need for additional heat pumps for the expansion and was able to optimize the existing facilities mechanical system.

JIM HAS BEEN A CONSULTANT ON 12 DAWSON PROJECTS SINCE 2009

Jessica Welch | Safety Manager

5 years of experience
1 year at Dawson

Qualifications

Jessica is a dedicated safety professional with three years field experience and two years of education in the Occupational Safety & Health Associate program. With strong collaboration skills and a positive attitude, Jessica strives to achieve top-level safety. Jessica will provide safety training, orientation, inspections, and expertise to ensure a safe project for your staff, patients and guests, and our workforce.

Stephanie Bash | Contracts Administrator

21 years of experience
21 years at Dawson

Qualifications

Stephanie brings 21 years of knowledge and experience performing contracts administration at Dawson. She is an expert in her field and is able to lead the administrative and financial reporting requirements associated with complex projects and multiple funding sources. In addition, Stephanie processes our Owner contracts, oversees subcontractor compliance, and works closely with our insurance and bonding agents.

7
OF PROJECTS WITH CBJ CURRENTLY

40+
OF HEALTHCARE PROJECTS IN OCCUPIED FACILITIES

$170M
IN CMAR / CM/GC PROJECTS IN THE LAST 5 YEARS

CMAR PROJECT EXPERIENCE

Dawson is well versed in CMAR contract delivery with more than $500M in CMAR and alternate contract projects in the past five years.

The relative dollar value of our contract delivery methods is split between 65% negotiated/ best value contacts and 35% competitive bid.

Working with these two procurement methods provides the benefits of exceptional service while maintaining competitive pricing.

76%
OF OUR CONTRACTS ARE NEGOTIATED/REPEAT CLIENTS

55
TOTAL # OF PROJECTS DAWSON AND CBJ HAVE PARTNERED ON

COLLABORATIVE PROBLEM SOLVING

We are dedicated to delivering projects which enhance the community, and are excited to bring this addition and renovation to the BRH Emergency Department. We approach every project with a partnering mindset and strive to do the right thing for our clients. Our focus during preconstruction is to bring your vision to life while maintaining your budget.

We will strive to understand your definition of success and work as a partner to achieve your success factors.

Our role includes cost estimating, design assist and coordination, schedule management, bid package development, and early procurement. With open, honest communication and a team mindset, we are confident we can deliver a successful preconstruction experience, and will:

- **Meet and communicate with directly-impacted employees.** We will meet with BRH employees in affected areas, communicate, and collaborate to identify challenges the employees anticipate during all constsruction phases, as well as their priorities and wishes for us to consider. Discussions will include the plan for keeping ambulance access clear, and strategy for keeping processes flowing with ***minimal disruption or interruptions throughout construction.***
- **Manage risks and mitigate concerns with design team.** Jim Rogers and Jason Sabin will conduct early investigations. Knowing the project beforehand and being intimately familiar with all aspects will help identify risks ahead of time and mitigate any concerns from pre-inspections all while coordinating with the design team.
- **Make your priorities our priorities.** Our partnership will be cohesive as we move through preconstruction with your priorities as the focus. The common goal of keeping the emergency department fully-functioning and capable to provide the level of care expected by the community and the staff.

CLIENT TESTIMONIAL

"***Dawson provided us an exceptional experience from the initial bid to the completion of the project.*** It has been very easy *to work with all members of the* Dawson team. We truly appreciate *the quick work and professional*-ism throughout this process and strongly recommend your company for any future jobs.

The entire project went smoothly *and efficiently which was* ***a direct result of Dawson being proactive in identifying areas of concern and working together with the architect, our project manager, and others in order to quickly develop effective alternatives when addressing any issues.*** *Thanks to your leadership com*-bined with the entire crew's dedica-*tion and energy, staff and residents* are enjoying their much deserved space every day."

-Michelle Mahoney,
Sitkans Against Family Violence (SAFV),
Re: SAFV Shelter Expansion project

BID PACKAGES AND PROCUREMENT STRATEGY

Bid Package Development

We will develop all Bid Packages and connect with Subcontractors through Building Connected, a web-based bidding program. Packages will be broken down by specification, with a goal of having a minimum of three vetted subcontractors/suppliers for all scopes of work. All subcontractors will be reviewed by project team and discussed before award, considering their past performance, ability to deliver on schedule, and the quality of their work. As we consider suppliers, the availability and pricing will be reviewed and discussed based on the specifications. We will present alternate products if there is a better, faster delivery item that is different from what is stated in the specifications.

Procurement Strategy

Large procurements will be reviewed, allowing us to make the best decisions possible for purchasing for this project. We will maintain a detailed procurement log to closely monitor all materials and procurement shedule.

- **Long Lead Items** Early procurement buyout will be key for this project. We will use our local yards and storage areas for all early material, and will utilize our buying power within Anchorage, Juneau, and WA state markets.
- **Soliciting Subcontractor Interest** With 50+ years as a successful and proven contractor in southeast Alaska, we have built strong relationships with subcontractors and suppliers who provide us with the best pricing, and accommodate demanding project schedules. Our partnership with the local subcontractors will ensure this renovation and addition project is given priority.

PRECONSTRUCTION SERVICES

Our preconstruction services will be divided into four main buckets as outlined in the graphic below. This plan helps maintain deadlines and provides complete transparency during the process.

During preconstruction, we will determine with the whole team if additional investigations or inspections are necessary.

PROJECT	NOTES	PRIMARY RESP.	SECONDARY
1 PRECON MEETING & GENERAL PARTICIPATION			
Design Meetings	-	Chris	Caleb
BRH Employee Precon Meetings	Meeting with nurses/BRH Employees	Jason	Chris
Internal Precon Meetings	Coordinate and review	Chris	Caleb
Early Investigations	Onsite investigations	Jim R.	Jason
2 ESTIMATING/VE/CONSTRUCTABILITY/BIDDING			
SD Estimate	Chris to lead, assist from Caleb	Chris	Caleb
DD Estimate	Chris to lead, assist from Caleb	Chris	Caleb
CD to Permit Estimate	Chris to lead, assist from Caleb	Chris	Caleb
Bidding Preparation	Chris to lead, assist from Caleb	Chris	Caleb
CD to Bid Estimate	Chris to lead, assist from Caleb	Chris	Caleb
Estimating Support	Dawson Resources	Caleb	
Cost Alignment (VE/Option)	Meetings to maintain budget/scope alignment	Chris	Caleb
Constructability Review	Work sessions with design team	Chris	Jason
3 SCHEDULING & SITE LOGISTICS			
Scheduling	Updates as needed	Caleb	Chris
Site Logistics/ICRA	Occupied area, employees & patients	Jason	Chris
Short Interval Schedule	Updates every 3 weeks	Jason	Caleb
4 EARLY SCOPE COORDINATION (MEP, UTILITIES)			
MEP Onboarding	Bid Packages, Solicitation	Caleb	Admin
MEP Design Coordination & Cost Analysis	-	Chris	Caleb

During the pre-construction phase and the estimating process, the goal will be to incorporate all work shown. Ultimately, budgets must be met which dictates the need for Value Engineering and the opportunity for enhanced options.

Dawson has completed over 45 CMAR and alternate delivery projects with great success, ensuring the owner's budget was met.

This collaborative approach to design and estimating ensures everyone is on the same page at all times.

VALUE ENGINEERING EXPERIENCE

At Dawson, we use Value Engineering (VE) as a value-adding exercise. When Value Engineering, we look for solutions that do not sacrifice elements that are critical to the project. That often leads us into the civil, structural, and foundation systems which are hidden parts of the facility and frankly won't be missed by most. Some of our early agenda items will be prioritizing discrete areas like elevations, footings, and structure to see what savings we might be able to capture. We will spend time analyzing assemblies and breaking each component down. Each element has a value, and if we can isolate each piece we can concentrate on the big ticket areas and look for alternatives. We take pride in maximizing value without compromising your end product. Our goal through the VE process will be to achieve the desired building functionality while making value decisions that preserve:

- ✓ **Performance**
- ✓ **Aesthetics**
- ✓ **Resiliency**
- ✓ **Flexibility**

OPTIONS LOG

An Options Log is a ***wish list of additional scopes of work which may be added as funding becomes available***. This log will be created during value engineering and updated throughout construction to track critical decision deadlines necessary to maintain the

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OPTIONS LOG

Option No.	Description	Submitted Date	Decision Req'd by Date	ROM & Priority	
				A	B
1	Elect Hardware 4 control doors				
2	Elect - Provide security system				
3	Elect - Access control system				
4	Elect - CCTV system				
5	3 solar powered light poles		04/11/12		
6	3 standard light poles		04/11/12		
7	Windows - Repair broken seals				
8	Level slab, lower floor 220				
	Even slab, lower floor 220			$50,572	

We will use a Value Engineering Log to manage savings opportunities as well as an Options Log to track betterments for the project. The use of Value Engineering and an Options Log is **key to the success of CMAR projects**. Dawson will manage the budget and track scope enhancements with our Options Log. Our logs will track the description of work, a rough order of magnitude (ROM), deadlines for decisions without impacting schedule and pricing, as well as note if additional design changes will be required.

SERVICE	Schematic Design (SD) Estimate	Design Development (DD) Estimate	Construction Documents (CD) Estimate	Final Bid Estimate
	30%	60%	90%	
Design Level of Detail	30% DESIGN STAGE	60% DESIGN STAGE	90% - 100%	100% WITH FINAL PERMIT REVIEW COMMENTS INTEGRATED
Estimate Level of Detail	DIVISION LEVEL	SUB-DIVISION	PHASE	PHASE
Deliverable	DIVISION REPORT VALUE ENGINEERING LOG CONSTRUCTABILITY REVIEW	SUB-DIVISION REPORT DIVISION SUMMARY COMPARISON VALUE ENGINEERING LOG CONSTRUCTABILITY REVIEW OPTIONS LOG ALLOWANCE LOG	ESTIMATE DETAIL DIVISION SUMMARY COMPARISON VALUE ENGINEERING LOG OPTIONS LOG ALLOWANCE LOG PROJECT SCHEDULE	SUMMARY OF DIFFERENCES FROM CD ESTIMATE
Time Spent (varies by size of project)	40 - 120 HOURS	80 - 120 HOURS	80 - 160 HOURS	VARIES
Estimate Contingency	10% - 15%	5% - 10%	0% - 5%	0%

PRECONSTRUCTION PROCESS

We have developed a detailed approach to the preconstruction process to **bring predictability to the budget and the schedule.** This will add value throughout preconstruction with constructability, value engineering, innovation, and schedule optimization.

BRH ED PROJECT IS AT THIS STAGE IN PRECONSTRUCTION

CONSTRUCTION PHASING

We understand the ED needs to ***function with minimal disruptions*** in order to be successful. We will work with the BRH, CBJ, and Architects of Alaska to create a phasing plan and construction sequence that works best to smoothly incorporate construction into the daily functions of the ED.

It will be important to identify early on which medical machinery will be affected by disruptions and create a mitigation plan to avoid interruptions. Jim Rogers will conduct a thorough site visit to identify access, equipment, and any possible effects from construction to ***avoid any issues on the front end***.

Dawson is **partnering with Jim Rehfeldt of Alaska Energy for balancing and commissioning** – proper airflow throughout construction for all users of the facility. We foresee multiple balancing or temp balancing taking place, with final commissioning and balancing at the completion of the project. Jim will also assist us in identifying the needs for achieving negative air in all phases of construction.

COMMITMENT TO QUALITY

Our entire focus, while producing a quality product, is minimizing disruptions, predicting any issues ahead of time during investigation, and upholding the functions of the ED throughout construction.

During phasing, all ICRA protocols will be followed to ensure that there is clean separation between construction and the users of the facility. While partitioning off sections for construction, we will ensure all pathways are accessible for hospital operations such as gurneys and staff access. ***We will work to ensure suitable access for ambulances and patients,*** along with other key elements that need to be addressed for phasing.

SCHEDULING AND PLANNING

Dawson's mission of "Building with leadership, predictability, and value to ensure successful construction projects" begins with project management and control of the schedule. A Critical Path Method (CPM) schedule will be created in the pre-construction phase and managed through the life of the project. While the CPM schedule is utilized for overall project planning and measuring progress, the day to day activities will be planned and managed utilizing a short interval schedule, or Three-Week-Look-Ahead schedule, which will follow the critical path of the project. We will work with BRH and design team for schedule development. Clear lines of communication will be maintained during constructionensuring you and your staff always know the next construction phase.

We will work with facility managers to ensure key program elements are kept in place while maintaining quality throughout construction.

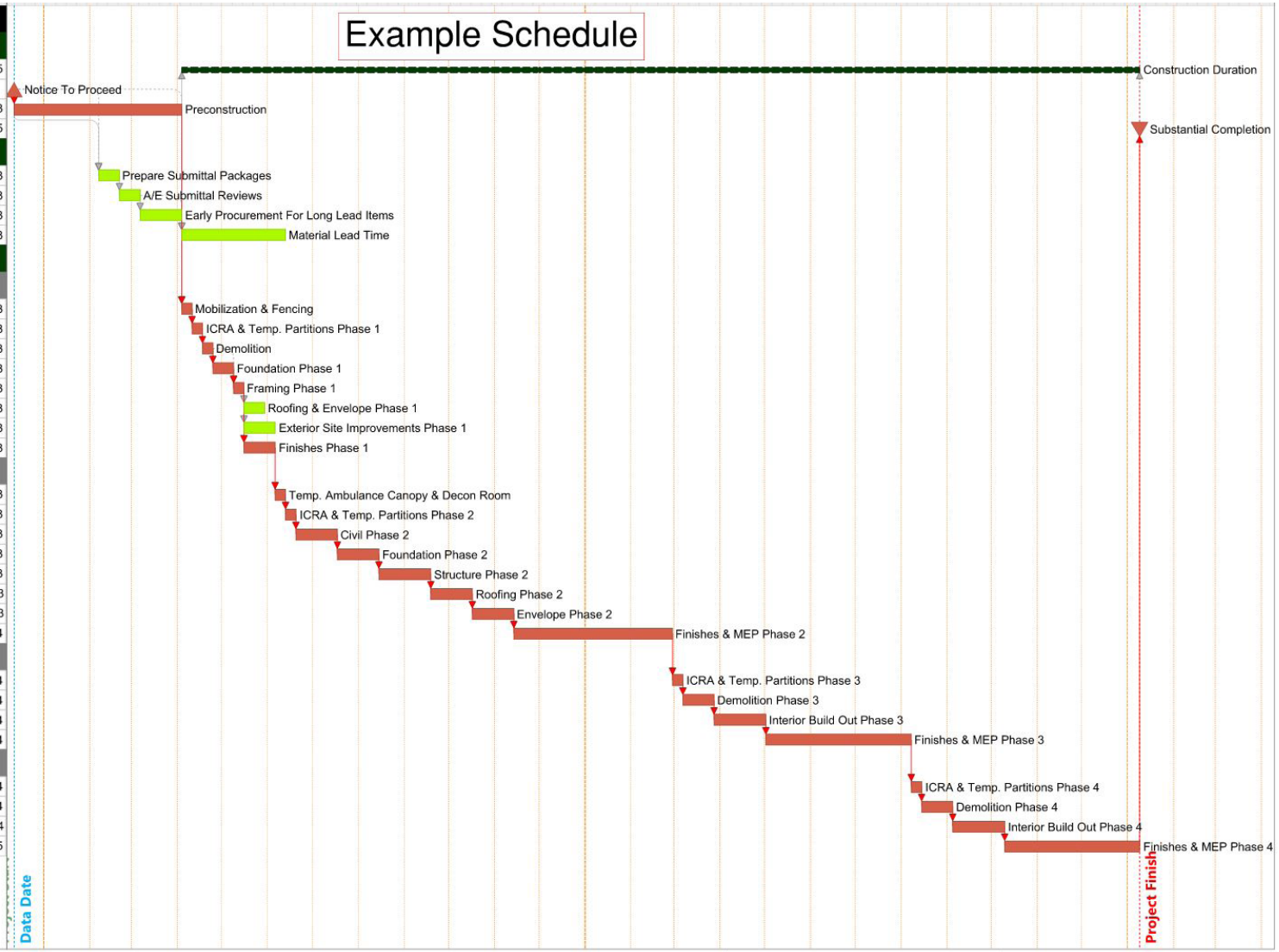
Key aspects of the schedule to assist in managing the work include:

- Integration of submittals, long-lead products, and early procurement
- Identification of time windows where construction activities may be adversely impacted, or where we can take advantage of opportunities to accelerate the schedule
- Clearly identify milestones which may affect each stage in construction
- Adequate time for commissioning, owner move-in, and start-up

EXAMPLE SCHEDULE

Below is an example schedule showing a phasing plan. Actual schedule will be coordinated with the owner and design team prior to co

BRH ED Addition & Renovation				
Milestones				
10	Construction Duration	460	04/04/23	01/08/25
20	Notice To Proceed	0	12/12/22	
22	Preconstruction	80	12/12/22	04/03/23
100	Substantial Completion	0		01/08/25
Procurement				
120	Prepare Submittal Packages	10	02/07/23	02/20/23
130	A/E Submittal Reviews	10	02/21/23	03/06/23
135	Early Procurement For Long Lead Items	20	03/07/23	04/03/23
140	Material Lead Time	50	04/04/23	06/12/23
Construction				
Phase 1 Vestibule				
150	Mobilization & Fencing	5	04/04/23	04/10/23
160	ICRA & Temp. Partitions Phase 1	5	04/11/23	04/17/23
170	Demolition	5	04/18/23	04/24/23
175	Foundation Phase 1	10	04/25/23	05/08/23
180	Framing Phase 1	5	05/09/23	05/15/23
182	Roofing & Envelope Phase 1	10	05/16/23	05/29/23
185	Exterior Site Improvements Phase 1	15	05/16/23	06/05/23
190	Finishes Phase 1	15	05/16/23	06/05/23
Phase 2 ED Addition				
230	Temp. Ambulance Canopy & Decon Room	5	06/06/23	06/12/23
235	ICRA & Temp. Partitions Phase 2	5	06/13/23	06/19/23
237	Civil Phase 2	20	06/20/23	07/17/23
238	Foundation Phase 2	20	07/18/23	08/14/23
239	Structure Phase 2	25	08/15/23	09/18/23
245	Roofing Phase 2	20	09/19/23	10/16/23
247	Envelope Phase 2	20	10/17/23	11/13/23
248	Finishes & MEP Phase 2	75	11/14/23	02/28/24
Phase 3 ED Infill				
240	ICRA & Temp. Partitions Phase 3	5	02/29/24	03/06/24
242	Demolition Phase 3	15	03/07/24	03/27/24
243	Interior Build Out Phase 3	25	03/28/24	05/01/24
244	Finishes & MEP Phase 3	70	05/02/24	08/07/24
Phase 4 ED Infill				
250	ICRA & Temp. Partitions Phase 4	5	08/08/24	08/14/24
255	Demolition Phase 4	15	08/15/24	09/04/24
257	Interior Build Out Phase 4	25	09/05/24	10/09/24
258	Finishes & MEP Phase 4	65	10/10/24	01/08/25



Start Date: 12/12/22
Finish Date: 01/08/25

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Example BRH ED Addition & Renovation
Owner: Bartlett Regional Hospital
Architect: Architects Alaska
Contractor: Dawson Construction LLC

Bartlett Regional Hospital

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SCHEDULING, COST CONTROL, PROCUREMENT

We will create a schedule that considers procurement lead times to create a construction sequence. Once identified, we will use our procurement/quality log to track all procurement activities, track subcontractors long lead items, and make sure schedule stays on track. Any early procurement items may be kept at one of the two Dawson Juneau yards that are secured and heated for just in time delivery at the project site. We will have monthly budget forecasting where the project is reviewed, course correction made if needed to control costs. Any change orders that may take place will be managed through a COP log, with reconciled change orders updating the contract on a monthly basis.

QUALITY CONTROL, SAFETY, AND ICRA

Safety is always of the utmost importance on our jobsites. At Dawson, safety comes first before anything else, regardless of circumstances.

Safety is one of Dawson's core values and nothing more than ZERO accidents is acceptable. We have one of the lowest EMR's in Alaska. Safety is led by Superintendent Jason Sabin but supported by Jessica Welch as shown in sidebar.

At the beginning of the project, we will develop, communicate and execute a site specific quality control plan following our 3-step QC program, which focuses on preparatory meetings, initial inspections and follow-up inspections for each phase of work. Jason will be responsible for tracking and recording each phase to ensure work is completed right the first time. The crew will have weekly safety meetings and team huddles, with the understanding that all employees have authorization to stop work should any unsafe situation arise.

An ICRA plan will be developed that will focus on providing safe separation between the construction crew and the occupants of the facility. The ICRA plan will include how construction areas will maintain negative air in the construction space, the location of panels specifically-designed for hospitals that will run from floor to ceiling, and providing clear and accessible walkway for those using the facility.

Our Safety Manager Jessica Welch will visit the site to perform monthly safety and QC audits to ensure that the safety and QC plans are being implemented and to correct any potential issues before they impact the schedule or budget. The tools we utilize to ensure safety and quality on site include:

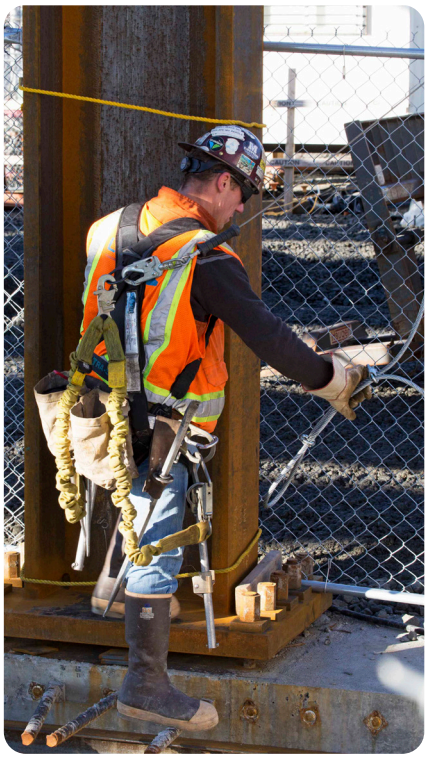
- ***Daily Reports and Inspection Reports***
- ***Project Specific Quality Control Plan***
- ***Mock-Ups***
- ***Preconstruction Meetings***
- ***Preparatory Meetings***
- ***Follow-Up Inspections***

PUNCHLIST AND WARRANTY PROGRAMS

Upon completion of areas in the emergency department, Dawson will perform an assessment and create a punch list and a warranty program. The punch list will be managed through Procore allowing all parties visibility of outstanding and completed items. All items will be completed prior to turning over the newly renovated/constructed space. This will avoid any post-construction activities that would impact the functionality of the ED/trauma/patient areas.

Dawson-owned ICRA panels in place

Our goal is to not have any items on the punchlist and warranty. However, as a Juneau-based contractor we will be right here to address any warranty items that come up.



LABOR RESOURCES

Acknowledging the lack of skilled tradesman readily available at the union halls, Dawson is in the unique position to have the largest construction labor pool in Juneau. With union crews already in place at our BRH Behavioral Health Facility our team will not have the struggle or cost of manning the project with remote crews or dealing with the lack of available labor or housing within the Juneau market.

SELF-PERFORM CAPABILITIES

Dawson is truly a self perform general contractor and are proud to provide our talented pool of tradesman for this projects. Self-performing our work allows us ***the ability to drive schedule, increase the quality of work and ensure we are delivering a project that meets or exceeds expectations.***

Dawson has the largest pool of tradesman in Juneau. We currently self-perform the following scopes of work:

- **Concrete:** Dawson is the largest purchaser/installer of concrete in Juneau and has recently invested in Symons Forming Systems, resulting in increased labor production, reduced job site waste, and lower costs related to freight and material handling.
- **Coldformed and light gauge metal framing:** Our crews are equipped with all cordless tools to maintain a clean and orderly site. We purchase pre-cut studs specifically for each project which reduces waste, improves production, and minimizes the need for cutting, thus avoiding loud disruptions which is specifically rewarding when working in an occupied facility.
- **Exterior Envelopes:** Dawson has the experience and is familiar with the installation of all types of weather barriers and assemblies, from mechanically-fastened to fluid-applied. We have installed multiple rain screen assemblies including each type of panels currently shown in the design documents.
- **Membrane Roofing:** As a Carlisle certified installer, Dawson can self-perform the roofing for the project and maintain the existing warranty that is in place at BRH. Not only does this allow us to prioritize the roofing to be “dried in,” but it reduces overall cost to the project.
- **Additional scopes:** Selective demo, site improvements, and all interior and exterior finish carpentry.

LOCAL PARTNER MEANS:

- ***lower labor costs***
- ***less travel***
- ***less housing/per diem***
- ***more money staying here in the Juneau community***

DAWSON KNOWS CBJ AND JUNEAU CONSTRUCTION!

3.6 DISRUPTION PLANNING AND MITIGATION

MITIGATION PLANNING AND COMMUNICATION

Disruption planning and mitigation is achieved by strong communication with onsite personnel, particularly the owner's representative on the BRH staff. As your partners, we will listen and act upon your needs in order to successfully mitigate disruptions.

Jason Sabin, onsite Superintendent, will ensure **BRH's needs are a priority throughout all of construction.** Once identified, Dawson will develop a mitigation plan to ensure needs are met, and that **construction activities do not impact the patients, services, and focus of the ED.**

BRH strives to provide the best service possible for their patients, and unknown disruptions due to construction is unacceptable. Dawson defines disruptions as *anything that impedes the user of the facility from functioning outside of their standard operating procedures*. This can include unwelcoming sounds, smells, taste, vibrations or unsightly conditions.

Dawson's role is to ensure these disruptions do not happen.

We understand this is the only emergency room in Juneau.

Functionality and absolute minimal disruption are key.

Emergencies are unpredictable, but we bring predictability to the construction process.

Not only will we thoroughly communicate and coordinate with BRH staff, but we will utilize specialized tools and equipment that contribute to the reduction of these impacts, including:

- The use of a vac truck for excavation around sensitive utilities such as communication lines
- Vacuum attachments for tools to remove dust from any drilling
- The potential use of a slurry backfill vs compacting rock to reduce vibrations felt during construction and that could create issues with sensitive equipment with in the ED or the critical care unit just above the ED

Our main goal is to deliver a quality finished product while ensuring the construction process is as seamless as possible. Signage, directions, clear visuals, delineation, reduced laydown area on site will be provided to maximize use of construction space. Just-in-time delivery will allow a minimal amount of space to be used for materials onsite. Jason will also focus on maintaining direct access from helipad elevator to the emergency room with no disruptions or blocking.

CLIENT TESTIMONIAL

"It has been our pleasure to work with Dawson Construction on six major affordable residential, new construction and rehabilitation projects since 2006."

"We have been very pleased with the quality of workmanship in all of the completed projects. Dawson's ***value engineering and cost estimation input has been critical to the success of all of the projects*** *in meeting feasibility tests, securing financing, optimum design for construction, and meeting budget targets."*

- John E. Harmon
Former Executive Director, BWCHA

ESTIMATOR MANAGER MODEL

Dawson utilizes what we call a Estimator Manager model where the same person who provides the estimate manages the construction. This maintains continuity between the phases of preconstruction and construction and allows our estimators to understand the actual construction and account for work not necessarily shown or yet developed in the construction documents.

As an estimator when reviewing in progress construction documents it is our job to "fill in the blanks". By doing this we can establish a real budget that accounts for scopes of work yet to be detailed or shown. In these cases, Dawson will either provide an estimate or recommend an allowance for the scope of work.

ALLOWANCES

An allowance will be used when a scope of work is known but not quantifiable. Dawson will coordinate with the design team and owner to identify what a reasonable allowance should be. In most cases, this should be within a few percentages of the allowance with any savings going back to the owner, and any overages increasing the overall budget via change order.

CONTINGENCY

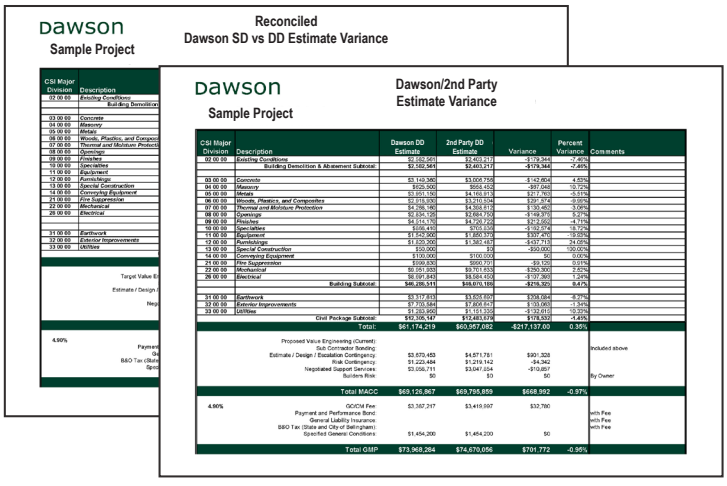
Contingency will be used when scopes of work has been identified but due to a lack of predictability the cost associated with the work exceeded the budget and the GMP contingency has to be used to replenish the budget. Dawson will have a 5% contingency when estimating the 65% design documents. As we approach GMP, the contingency amount will be reduced to account for higher order of detail provided.

Both allowances and contingencies will be tracked on a log and reviewed with the COP log at each OAC meeting. This allows the owner to know where the cost are at all times.

SUCCESSFUL COST ESTIMATING

Dawson provides estimate variance reports
1) between design phases and
2) between our estimate and the 2nd party
(see examples right)

We have the ability to drill down to a line item level of detail in order to determine the cause of any variance.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Sample Project
Reconciled
Dawson SD vs DD Estimate Variance
dawson
Sample Project
Dawson/2nd Party
Estimate Variance

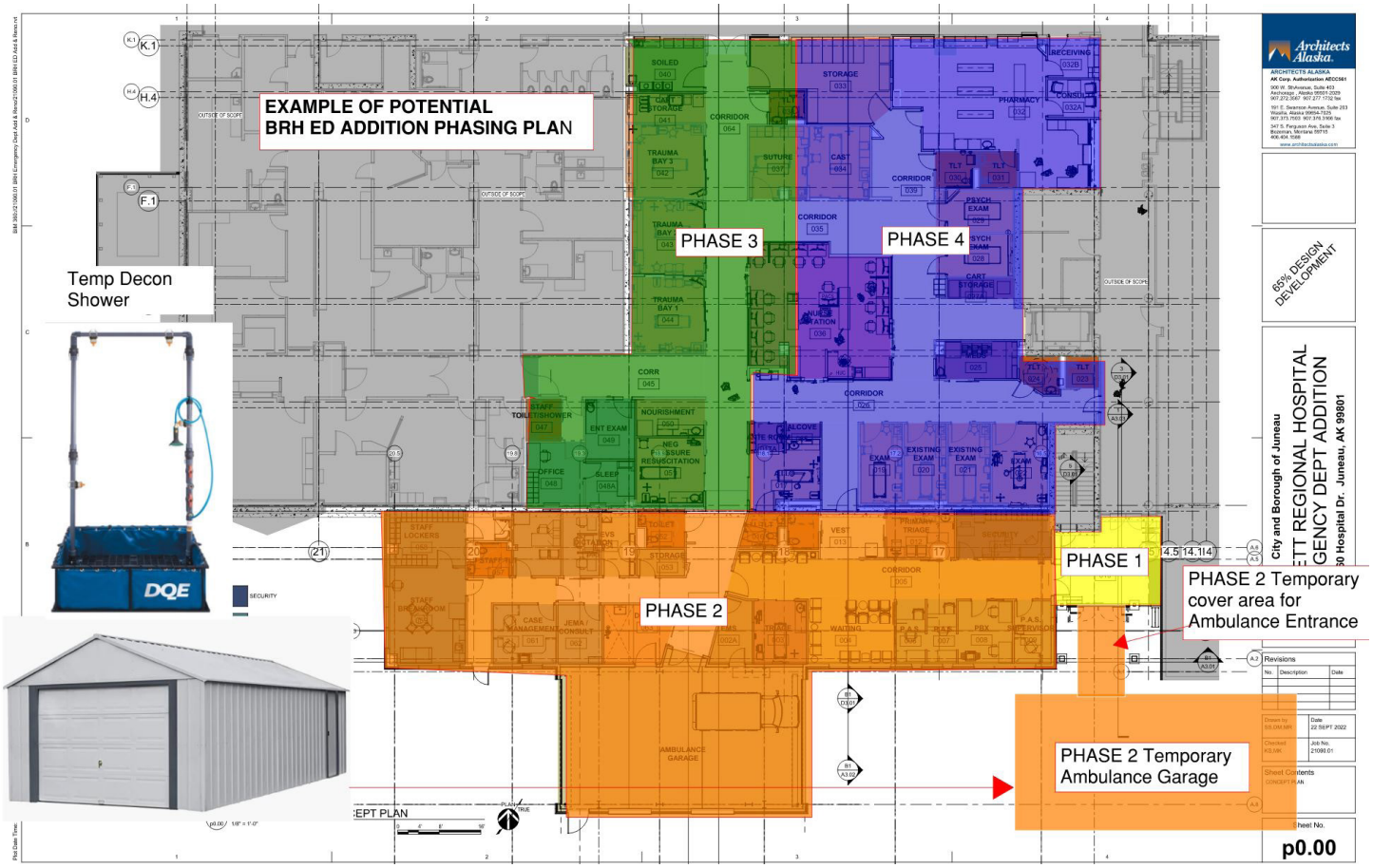
CSI Major Division	Description	Dawson DD Estimate	2nd Party DD Estimate	Variance	Percent Variance	Comments
02 00 00	Existing Conditions	$2,582,549	$2,403,217	-$179,344	-7.46%	
	Building Demolition & Abatement Subtotal:	$2,582,549	$2,403,217	-$179,344	-7.46%	
03 00 00	Concrete	$3,149,360	$3,006,756	-$142,604	-4.83%	
04 00 00	Masonry	$925,900	$858,452	-$67,048	-10.72%	
05 00 00	Metals	$3,951,150	$4,160,813	$217,763	-5.51%	
06 00 00	Woods, Plastics, and Composites	$2,313,930	$3,210,304	$297,374	-9.89%	
07 00 00	Thermal and Moisture Protection	$4,296,190	$4,558,812	$130,401	-3.09%	
08 00 00	Openings	$2,634,125	$2,684,753	-$149,370	-5.27%	
09 00 00	Finishes	$4,214,170	$4,295,220	$129,050	-4.71%	
10 00 00	Specialties	$1,696,410	$1,705,330	-$32,080	-18.70%	
11 00 00	Equipment	$1,225,500	$1,260,375	-$107,475	-24.65%	
12 00 00	Furnishings	$1,225,500	$1,382,375	-$107,475	-24.65%	
13 00 00	Special Construction	$1,225,500	$0	-$90,000	-12.00%	
14 00 00	Conveying Equipment	$100,000	$100,000	$0	0.00%	
21 00 00	Fire Suppression	$999,830	$990,191	-$9,126	-0.91%	
22 00 00	Mechanical	$6,291,820	$6,701,454	$390,361	-2.83%	
26 00 00	Electrical	$6,191,843	$6,684,402	-$127,960	-1.24%	
	Building Subtotal:	$46,209,511	$48,670,189	-$219,501	9.47%	
31 00 00	Earthwork	$7,117,833	$3,625,000	$238,584	-8.37%	
32 00 00	Exterior Improvements	$7,720,584	$7,858,671	$133,060	-1.34%	
33 00 00	Utilities	$1,283,900	$1,151,224	-$132,612	-10.33%	
	Civil Package Subtotal:	$16,122,317	$12,483,976	-$161,027	-1.45%	
	Total:	$61,174,219	$63,557,092	-$217,137.00	0.35%	
	Proposed Value Engineering (Current):					
	Sub Contractor Bonding:					
	Estimate / Design / Escalation Contingency:	$3,670,453	$4,571,781	$901,328		Included above
	Risk Contingency:	$1,223,484	$1,219,142	-$4,342		
	Negotiated Support Services:	$3,056,711	$3,047,854	-$10,857		
	Builders Risk:	$0	$0	$0		By Owner
	Total MACC:	$69,126,867	$69,795,859	$668,992	-0.97%	
4.90%	GC/CM Fee:	$3,387,217	$3,419,997	$32,780		
	Payment and Performance Bond:					with Fee
	General Liability Insurance:					with Fee
	B&O Tax (State and City of Bellingham):					with Fee
	Specified General Conditions:	$1,454,200	$1,454,200	$0		
	Total GMP:	$73,968,284	$74,670,056	$701,772	-0.95%	

INNOVATIVE METHODS

- **Early Investigations:** we plan to bring in our resident MEP expert Jim Rogers to bring attention to existing conditions. Jim will do a preliminary onsite investigation and review of all access for mechanical, electrical, gas, ceilings and corridors.
- **Ambulance Bay and Decontamination Room:** Our proposed potential phasing plan includes a temporary ambulance bay and decontamination room. This will provide continuous, uninterrupted access to the emergency department and service of the ambulance provider. We will ensure constant access to the facility by creating a temporary ambulance and decontamination room and covered shelter, creating protection and privacy of patients using the facility, most importantly ***negating any interruptions to the hospital patients and programs.***
- **Equipment for Nurses:** During construction, Dawson will provide temporary nurse call systems for exam rooms and as needed for phased construction until permanent system is installed.
- **Minimize Impact:** Tools and equipment used throughout construction will be specific to minimize the noise, dust, and vibrations impacts. We are aware of utilities throughout the BRH campus. When excavating these utilities, a back truck will be used for excavation to be sure damage and disruptions to the utilities do not take place.

POTENTIAL PHASING PLAN:

Example phasing plan shown below. Actual phasing plan will be developed with the owner and design team during preconstruction.



CONCLUSION

We want to be your partner on this project.

Dawson is invested in working on projects that benefit the Juneau community. We will work with BRH to continue carrying out your commitment to “continuous improvement by providing high-quality, professional healthcare to meet the changing needs of our community and region.”

Our experienced personnel, similar project experience, approach to preconstruction and construction services, keen attention to mitigation of disruptions, estimating methods, and innovative ideas for bringing your project in on schedule while maintaining budget all combine to make us the best partner for this project.

We are dedicated to delivering projects that exceed expectations, and look forward to our part in continuing to make BRH the best hospital for the community of Juneau.

PRICE PROPOSAL FORM

Documents which are the basis for this Price Proposal:

1. This RFP and all Exhibits
2. RFP Addenda

Price Proposal Summary

Assume $10,200,000 GMP and 21-month construction duration for fee calculation.

A.	Pre-Construction Services Fixed Fee	$ 70,000
B.	Construction Manager Fixed Fee	$ 790,000
C.	General Conditions Cost *(use attached GC Price form)*	$ 566,000
	TOTAL FEE (A+B+C):	**$** 1,426,000

Please Attach with Price Proposal:

- General Conditions Price Proposal (See Attachment 8)
- Hourly rates for supervisory and administrative personnel
- Equipment cost basis

Dawson Construction, LLC	11/9/2022
Company	Date
Director	Chris Gilberto
Signature and Title	Printed Name

dawson

CMAR for the BRH ED Addition and Renovation

RFP E23-156b

Attachment to Price Proposal

HOURLY RATES FOR SUPERVISORY & ADMINISTRATIVE PERSONNEL

Role Description	Hourly Rate
Sr. Project Manager	$115.00/hour
Superintendent	$110.00/hour
Project Manager	$90.00/hour
Project Engineer	$65.00/hour
Project Administrator	$55.00/hour
Safety Manager	$80.00/hour

EQUIPMENT COST BASIS

Equipment Description	Monthly Rate
Concrete Coring Kit	$3,800.00/month
Electric Concrete Saw Walk-behind	$500.00/month
Concrete Scanner Kit	$3,800.00/month
Glass Picker	$2,700.00/month
Forklift – 10,000lbs, 56’ Reach	$4,450.00/month
Forklift – 11,000lbs, 55’ Reach	$4,450.00/month
Self-Dumping Hopper – Heavy Duty	$250.00/month
Forklift Picking Devices	$280.00/month
Storage Container 8’x20’	$180.00/month
Flam Liquids Container	$170.00/month
Field Office – 32ft.	$650.00/month
Trimble Total Station w/ Data Collector	$3,800.00/month
Trimble GPS Rover	$3,800.00/month
LED Site Lights	$800.00/month
F150/SUV/Car	$2,125.00/month

Presented by: The Manager
Introduced: November 21, 2022
Drafted by: Finance

TRANSFER REQUEST FOR THE CITY AND BOROUGH OF JUNEAU, ALASKA

SERIAL NUMBER T-1045

It is hereby ordered by the Assembly of the City and Borough of Juneau, Alaska, that $320,000 be transferred:

From: CIP

R72-149	Meadow Lane Improvements	($ 320,000)

To: CIP

R72-150	Cedar Lane Reconstruction	$ 320,000

The $320,000 consists of:

General Sales Tax	$ 320,000

Moved and Approved this_____day of _____, 2022.

_____
D. Rorie Watt, City Manager

Attest:

_____
Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: October 24, 2022
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-06(b)(U)

An Ordinance Appropriating $500,000 to the Manager for the Aurora Harbor Improvements Capital Improvement Project; Funding Provided by Harbors Funds.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Appropriation. There is appropriated to the Manager the sum of $500,000 for the Aurora Harbor Improvements Capital Improvement Project (H51-125).

Section 3. Source of Funds

Harbors Funds	$ 500,000

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2022.

_____
Beth A. Weldon, Mayor

Attest:

_____
Elizabeth A. McEwen, Municipal Clerk

Presented by: D&H Board
Presented: 10/24/2022
Drafted by: B. Brown

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-39

An Ordinance Amending Prohibited Acts within the Boat Harbor Related to Dogs and Other Domestic Animals.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Section. CBJC 85.25.090 Prohibited acts, is amended to read:

85.25.090 Prohibited acts.

It is unlawful for any owner, master, operator or managing agent or other person to commit any of the following acts within the boat harbor:

…

(7) To allow or permit any dog or other domestic animal to be tethered or restrained to any part of a float or ramp~~, or to permit any dog to urinate or defecate on the floats~~. If a dog or other domestic animal urinates on a float or ramp, the urine must be cleaned up by the application of water in an amount sufficient to eradicate the urine. If a dog or other domestic animal defecates on a float, ramp, or any other area of the harbor including the parking lot, the feces must be cleaned up immediately and disposed of in a proper trash receptacle. All dogs must be leashed in such a manner that a person capable of controlling the dog is able to

maintain positive control of them while on the dock, and in compliance with CBJC 08.40.020. ~~Only the dogs of owners of boats legally moored in the harbor, or the dogs of the guests of such boat owners, shall be permitted on the floats, but then only when on a leash and for such minimum time as is necessary to go between the boat and shore.~~

...

Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2022.

_____
Beth A. Weldon, Mayor

Attest:

_____
Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 09/12/2022
Drafted by: B. Brown

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-43

An Ordinance Amending Boat Harbor Regulations Relating to Vessel Identification.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Section. CBJC 85.25.020, is amended to read:

85.25.020 Identification.

If federal or state law, rule or regulation does not compel the numbering or other identification of any boat or vessel, the board shall establish by regulation how such boats shall be identified, and thereafter no such boat or vessel nor any other boat or vessel, shall be allowed in the boat harbor unless it is properly identified. All vessels shall be required to display a current state registration or display the vessel's name and hailing port if it is a federally documented vessel, or a permanently-affixed name and contact number if the vessel is not required to be state registered or federally documented. Failure by any owner, operator or master to so identify any boat or vessel using the boat harbor shall be a violation of this chapter.

Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2022.

Attest: Beth A. Weldon, Mayor

Elizabeth J. McEwen, Municipal Clerk

MEMORANDUM

CITY/BOROUGH OF JUNEAU

Lands and Resources Office
155 S. Seward St., Juneau, Alaska 99801
Dan.Bleidorn@juneau.org
(907) 586-5252

TO: Mayor Weldon and the Assembly

FROM: Dan Bleidorn, Lands and Resources Manager

SUBJECT: Hansen Gress Application to Purchase City property

DATE: November 18, 2022

Hansen Gress recently purchased the building and property located at 1000 Harbor Way. A portion of this building is located on leased City land with the legal description of Tidelands Addition Block 5, Lot 5. Hansen Gress submitted an application to acquire the City property in order to be able to "make major structural and architectural improvements to the aging building". The applicants are having difficulties redeveloping the property because the building is not completely on its own property. If the requested property is acquired, the applicant will consolidate the lots in order to create a property that conforms to City code.

This property is part of the City tideland holdings which are designated as retain in the 2016 Land Management Plan (LMP). In order to dispose of this property the Assembly must also update the LMP to re-designate the specific property to a dispose designation. If this application moves forward, as part of the negotiations the Manager will request a right of first refusal so that if the proposed property is sold in the future the City will have the opportunity to purchase the property.

The Docks and Harbors Board reviewed this application at the August 25th meeting and it provided a motion to advance this application. The Lands, Housing and Economic Development Committee provided a motion of support at the September 26 meeting. The LHED Committee did not discuss the need to update the LMP in order to proceed with this application, but it will have the opportunity to analyze it if the Assembly provides an affirmative motion to negotiate with the applicant.

If the Assembly provides a motion to work with the original proposer, the application will be reviewed by the Planning Commission. The final terms and conditions are subject to approval by the Assembly by ordinance. Since the applicant owns the building on top of the land, it is not practical to dispose of this property by competition after an invitation for further proposals as stated in 53.09.260.

Application Area
W 10th St
Egan Dr
Juneau Douglas Brg
Sitka St
West Juneau
Cedar Park Apartments

2022 5th Late File List to Assembly

Late File Senior & Disabled Veteran Exemption List:

Name	Parcel Number	Property Address
JEFFERY TROUTT	2D04020A0230	1617 A SECOND ST
KARL VANDOR	4B3101000052	13680 GLACIER HWY

Jeffery Troutt

1617A Second St
Juneau AK 99824
United States
907-723-5684
jtroutt@me.com

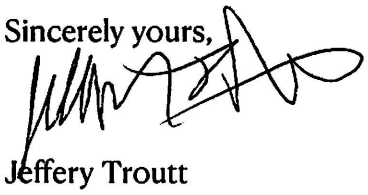
June 28, 2022

Juneau Assembly
155 S. Seward St.
Juneau, AK 99801

Dear Assembly,

Attached please find a copy of the attached Senior Citizen Property Tax Exemption form. I did not file it before the March 31 deadline because I was unaware of it. I filled out the form as soon as I became aware of it

Sincerely yours,



Jeffery Troutt

Received
JUL 28 2022
CBJ-Assessors Office

7-21-22

MEMBERS OF C.B.J. ASSEMBLY

AFTER I SOLD MY HOUSE AT 4485 MOUNTAINSIDE DRIVE AND BOUGHT MY LOT AT 13680 GLACIER HWY IN JUNE of 2021, I WENT TO THE FRONT DESK AT THE C.B.J. OFFICES AND ASKED ABOUT THE TRANSFER OF MY SENIOR CITIZEN EXCEMPTION ON PROPERTY TAX FROM MY OLD HOUSE TO THE NEW HOUSE AND THEY TOLD ME IT WOULD BE AN AUTOMATIC TRANSFER. I DID NOT KNOW THAT IT DID NOT HAPPEN UNTIL I RECIEVED MY 2022 PROPERTY TAX BILL

THANK YOU
KARL VANDOR

A REGULATION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

ADOPTION OF REGULATION AMENDMENTS

Title 05 Chapter 07 – Inactive Vessel Management

Title 05 Chapter 15 – Fees and Charges

Title 05 Chapter 20 – Small Boat Harbor Fees and Charges

Title 05 Chapter 25 – Statter Harbor Management Regulations

PURSUANT TO AUTHORITY GRANTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, THE DOCKS AND HARBORS BOARD PROPOSES TO ADOPT THE FOLLOWING AMENDMENT TO REGULATIONS:

Section 1. Authority. These regulations are adopted pursuant to CBJ Ordinance 01.60, 85.02.060, and 85.02.100.

Section 2. Amendment of Regulations. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 07 Inactive Vessel Management, to read:

05 CBJAC 07.010 Inactive vessel management.

…

(b) *Moorage areas designated for inactive vessels.* Certain moorage within Douglas, Harris, and Aurora Small Boat Harbors and at the National Guard Dock is designated as moorage eligible for use by inactive vessels. This ~~M~~moorage includes the east side of the head float in Aurora Harbor,~~ the area along~~ the east side of the head float in Harris Harbor, ~~and~~ the west side of ~~the area along~~ the head float in Douglas Harbor, and the National Guard Dock. Maps showing the moorage designated for inactive vessels are available at any of the harbor offices.

…

Section 3. Amendment of Regulation. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 15 Fees and Charges, to read:

…

05 CBJAC 15.035 Reservation charge policy.

…

(d) *Reservation confirmation and changes.* Payment is required for the first day of moorage for each visit at the time of reservation confirmation and is non-refundable. Cancelling a reservation will result in forfeiture of the reservation fee. Reservation dates can be adjusted until May 1 in the year of requested moorage at no additional charge if space is available. Starting May 1, reservation payments cannot be transferred to other dates; any change in dates will require forfeiture of the original reservation payment, and payment of an additional non-refundable reservation fee for the amended first day(s) of moorage. Failure to arrive within 24 hours after a reservation begins will result in cancellation of the remainder of the reservation and forfeiture

of the reservation fee. Reservation payments are not transferrable between Downtown and Statter Harbor. All reservations made for a period of more than seven days will be paid in full at the time of reservation. The director may impose moorage terms and conditions that are reasonable and necessary to effectuate the purposes of CBJ Code of Ordinances Title 85 and CBJ Administrative Code Title 5.

…

Section 4. Amendment of Regulations. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 20 Small Boat Harbor Fees and Charges, to read:

…

05 CBJAC 20.050 Residence surcharge.

…

(b) *Residence surcharge period and duty to report.* The residence surcharge will be assessed on a calendar month basis. The owner of the vessel is responsible for paying the residence surcharge. The owner of the vessel is responsible for immediately notifying the Harbormaster when their vessel is ~~being occupied and~~ used by any person as a residence, dwelling, or abode. ~~, rented, or leased as a place of residence.~~ Any rental or leasing of a vessel by its owner must be for a period of no less than six months, subject to prior written approval by the Harbormaster. Rental for any period of less than six months and subleasing are not permitted. Once a vessel is in use~~d~~ as a residence, dwelling, or abode the Docks and Harbors Department will continue to assess the residence surcharge until the owner of the vessel gives written notice to the Harbormaster that the vessel is no longer used ~~for~~ as a residence, dwelling, or abode.

…

05 CBJAC 20.060 Recreational boat launch fees.

(a) *Launch ramp permit required.* A boat trailer owner or vehicle owner (when launching vessels without a trailer) will obtain any and all necessary launch ramp permits for using one or more of the Douglas Harbor Boat Launches, the Harris Harbor Boat Launch, the North Douglas Boat Launch, the Statter Harbor Boat Launch, the Amalga Harbor Boat Launch, and the Echo Cove Boat Launch to launch and recover recreational vessels. Use of the Kayak Launch Ramps at Amalga Harbor and Statter Harbor is free and does not require a launch ramp permit.

…

05 CBJAC 20.090 Statter ~~Boat~~ Harbor Bus ~~Lower Parking~~ Lot permit fee.

(a) *Definition.* The fee assessed to the owner of a vehicle for picking-up and discharging passengers for passenger-for-hire activities at the Statter Harbor Bus ~~Lower Parking~~ Lot.

(b) *Requirements.* The owner of a vehicle using the Statter Harbor Bus ~~Lower Parking~~ Lot to pick-up and discharge passengers for passenger-for-hire activities must apply to and obtain a permit from the Harbormaster. Applications are available at any of the Docks and Harbor Department Offices. The Harbormaster is authorized to issue permits with reasonable conditions concerning insurance, operations, and payment of fees.

(c) *Fees.* The Harbormaster shall assess permit fees to the owner of a vehicle using the Statter ~~Boat~~ Harbor Bus ~~Lower Parking~~ Lot to pick-up and discharge passengers for passenger~~s~~-for-hire activities as follows:

…

05 CBJAC 20.110 Crane use fees.

…

(b) *Crane use requirements.* A person must obtain approval from the Harbormaster before using a hydraulic crane. ~~Crane use fees must be paid in advance.~~ A person may reserve use of the crane. Charges shall be assessed through an electronic key card issued by Docks and Harbors. ~~Payment of the crane use fee is required to obtain a reservation. The Harbormaster will require a person using the crane to post a bond or other guaranty before using a crane when the Harbormaster believes such security is necessary.~~

…

05 CBJAC 20.130 Storage fees.

(a) A person may apply to the Harbormaster for use of long-term storage space in designated areas. Except as provided herein, the fee for use of this space is $0.50 per square foot per calendar month, or portion thereof. ~~A person who maintains a reserved moorage assignment may store one personal item of up to 200 square feet for $0.25 per square foot per calendar month, or portion thereof.~~ The Harbormaster is authorized to issue permits and develop written procedures to implement this section.

…

05 CBJAC 20.160 Parking lot fees.

…

(2) From May 1 through September 30 each year, the fee to park in designated pay spaces at Don D. Statter Harbor Facilities shall be $1.00 per hour or portion thereof, or $5.00 per 24 hours or portion~~s~~ thereof., ~~or $100.00 per calendar month or portion thereof. The number of monthly parking permits shall be managed and issued by the Port Director or representative. From October 1 through April 30, the off-season monthly fee shall be $50.00 per calendar month or portion thereof~~. The applicable fee must be paid in advance.

…

05 CBJAC 20.190 Reserved. ~~Auke Bay Loading Facility – Drive Down Float Fee.~~

~~Auke Bay Loading Facility Drive Down Float shall be accessed at a fee of $5.00 per vehicle/truck occurrence. Charges shall be assessed through an electronic key card issued by Docks and Harbors.~~

Section 5. Amendment of Regulations. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 25 Statter Harbor Management Regulations, to read:

…

05 CBJAC 25.060 Summer management.

Except for a loading zone, from May 1 through September 30 each year, a vessel may moor at the facility, including the breakwater, for up to ten consecutive calendar days, after which the vessel must clear the facility, under its own power, for at least six consecutive hours. Vessels which do not clear the facility for at least six consecutive hours after any ten-day period shall be assessed the daily fee in accordance with 05 CBJAC 20.070. A vessel owner may request an exception to this rule by submitting a request in writing to the Harbormaster, who may grant the request in writing upon a showing of exigent circumstances by the vessel owner. Unless directed otherwise by the Harbormaster in accordance with procedures established under this regulation, all moorage during this period shall be on a first-come, first-serve basis.

…

05 CBJAC 25.080 Winter management.

(a) From October 1 through April 30 each year, the Harbormaster may assign moorage to vessels for all or part of this period. Moorage will be assigned as follows:

(1) During the month of ~~August~~ September each year, a person wishing to obtain a moorage assignment may submit a request for moorage via email or ~~apply~~ on an application form provided by the Harbormaster. ~~The person shall submit a $100.00 application fee, refundable if the person does not receive a moorage assignment and creditable towards docks and harbor department charges;~~

(2) ~~During~~ Before the end of the month of September each year, the Harbormaster, with consideration to vessel size and space availability, shall assign moorage in the order in which applications were received ~~by lottery~~ until all of the designated spaces are ~~is~~ assigned or all of the applications are processed.

~~(3) After assigning moorage by lottery, the Harbormaster may assign moorage if space is available at the facility.~~

(b) No person, other ~~then~~ than the moorage assignee, shall moor in an assigned space without Harbormaster approval. Moorage assignments under this section will terminate if the assignee does not pay all applicable fees on a timely basis. Moorage assignees shall notify the Harbormaster of departure and arrival times as required by 05 CBJAC 40.020(d).

…

Section 6. Notice of Proposed Adoption of a Regulation. The notice requirements of CBJC 01.60.200 were followed by the agency. The notice period began on October 6, 2022, which is not less than 21 days before the date of adoption of these regulations as set forth below.

Adoption by Agency

After considering all relevant matter presented to it, the agency hereby adopts these regulations as set forth above. The agency will next seek Assembly review and approval.

Date: 11/17/2022

Carl J Uchytil

Carl Uchytil, P.E.
Port Director

Legal Review

These regulations have been reviewed and approved in accordance with the following standards set forth in CBJ 01.60.250:

(1) Consistency with federal and state law and with the charter, code, and other municipal regulations;
(2) Existence of code authority and the correctness of the required citation of code authority; and
(3) Clarity, simplicity of expression, and absence of possibility of misapplication.

Date: 17 November 2022

Benjamin Brown
Assistant Municipal Attorney

Assembly Review

These regulations were presented to the Assembly at its meeting of_____. They were adopted by the Assembly.

Date: _____

Elizabeth J. McEwen
Municipal Clerk

Filing with Clerk

I certify, as the clerk of the City and Borough of Juneau, that the following statements are true:

1. These regulations were accepted for filing by the office of the clerk at_____:___a.m./p.m. on the___day of___,_____.
2. After signing, I will immediately deliver or cause to be delivered copies of this regulation to the attorney and the director of libraries.
3. A permanent file of the signed originals of these regulations will be maintained in this office for public inspection.
4. Effective date:_____.

Date: _____

_____
Elizabeth J. McEwen
Municipal Clerk

A REGULATION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

ADOPTION OF REGULATION AMENDMENTS

Title 05 Chapter 07 – Inactive Vessel Management

Title 05 Chapter 15 – Fees and Charges

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05 CBJAC 07.010 Inactive vessel management.

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(b) *Moorage areas designated for inactive vessels.* Certain moorage within Douglas, Harris, and Aurora Small Boat Harbors and at the National Guard Dock is designated as moorage eligible for use by inactive vessels. This ~~M~~moorage includes the east side of the head float in Aurora Harbor,~~ the area along~~ the east side of the head float in Harris Harbor, ~~and~~ the west side ~~of the area along~~ the head float in Douglas Harbor, and the National Guard Dock. Maps showing the moorage designated for inactive vessels are available at any of the harbor offices.

Fiscal Note/Cost Estimate: This regulation would not require an increased appropriation, and requires no fiscal note pursuant to CBJ Code 01.60.220(a). This proposed change would not impose new costs on persons subject to the regulation, and thus requires no estimate of costs pursuant to CBJ Code 01.60.220(b).

…

Section 3. Amendment of Regulation. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 15 Fees and Charges, to read:

…

05 CBJAC 15.035 Reservation charge policy.

…

(d) *Reservation confirmation and changes.* Payment is required for the first day of moorage for each visit at the time of reservation confirmation and is non-refundable. Cancelling a reservation will result in forfeiture of the reservation fee. Reservation dates can be adjusted until May 1 in the year of requested moorage at no additional charge if space is available. Starting May 1, reservation payments cannot be transferred to other dates; any change in dates will require forfeiture of the original reservation payment, and payment of an additional non-refundable reservation fee for the amended first day(s) of moorage. Failure to arrive within 24 hours after a reservation begins will result in cancellation of the remainder of the reservation and forfeiture of the reservation fee. Reservation payments are not transferrable between Downtown and Statter Harbor. All reservations made for a period of more than seven days will be paid in full at the time of reservation. The director may impose moorage terms and conditions that are reasonable and necessary to effectuate the purposes of CBJ Code of Ordinances Title 85 and CBJ Administrative Code Title 5.

Fiscal Note/Cost Estimate: This regulation would not require an increased appropriation, and requires no fiscal note pursuant to CBJ Code 01.60.220(a). While this proposed change would not directly impose new costs on persons subject to the regulation, patrons who reserve moorage for greater than seven days would forfeit reservation payments, as an estimate of costs pursuant to CBJ Code 01.60.220(b).

…

Section 4. Amendment of Regulations. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 20 Small Boat Harbor Fees and Charges, to read:

…

05 CBJAC 20.050 Residence surcharge.

…

(b) *Residence surcharge period and duty to report.* The residence surcharge will be assessed on a calendar month basis. The owner of the vessel is responsible for paying the residence surcharge. The owner of the vessel is responsible for immediately notifying the Harbormaster when their vessel is ~~being occupied and~~ used by any person as a residence, dwelling, or abode. ~~, rented, or leased as a place of residence.~~ Any rental or leasing of a vessel by its owner must be for a period of no less than six months, subject to prior written approval by the Harbormaster. Rental for any period of less than six months and subleasing are not permitted. Once a vessel is in use~~d~~ as a residence, dwelling, or abode the Docks and Harbors Department will continue to assess the residence surcharge until the owner of the vessel gives written notice to the Harbormaster that the vessel is no longer used ~~for~~ as a residence, dwelling, or abode.

Fiscal Note/Cost Estimate: This regulation would not require an increased appropriation, and requires no fiscal note pursuant to CBJ Code 01.60.220(a). This proposed change would not impose new costs on persons subject to the regulation, and thus requires no estimate of costs pursuant to CBJ Code 01.60.220(b).

…

05 CBJAC 20.060 Recreational boat launch fees.

(a) *Launch ramp permit required.* A boat trailer owner or vehicle owner (when launching vessels without a trailer) will obtain any and all necessary launch ramp permits for using one or more of the Douglas Harbor Boat Launches, the Harris Harbor Boat Launch, the North Douglas Boat Launch, the Statter Harbor Boat Launch, the Amalga Harbor Boat Launch, and the Echo Cove Boat Launch to launch and recover recreational vessels. Use of the Kayak Launch Ramps at Amalga Harbor and Statter Harbor is free and does not require a launch ramp permit.

Fiscal Note/Cost Estimate: This regulation would not require an increased appropriation, and requires no fiscal note pursuant to CBJ Code 01.60.220(a). This proposed change would not impose new costs on persons subject to the regulation, and thus requires no estimate of costs pursuant to CBJ Code 01.60.220(b).

…

05 CBJAC 20.090 Statter ~~Boat~~ Harbor Bus ~~Lower Parking~~ Lot permit fee.

(a) *Definition.* The fee assessed to the owner of a vehicle for picking-up and discharging passengers for passenger-for-hire activities at the Statter Harbor Bus ~~Lower Parking~~ Lot.

(b) *Requirements.* The owner of a vehicle using the Statter Harbor Bus ~~Lower Parking~~ Lot to pick-up and discharge passengers for passenger-for-hire activities must apply to and obtain a permit from the Harbormaster. Applications are available at any of the Docks and Harbor Department Offices. The Harbormaster is authorized to issue permits with reasonable conditions concerning insurance, operations, and payment of fees.

(c) *Fees.* The Harbormaster shall assess permit fees to the owner of a vehicle using the Statter ~~Boat~~ Harbor Bus ~~Lower Parking~~ Lot to pick-up and discharge passengers for passenger~~s~~-for-hire activities as follows:

Fiscal Note/Cost Estimate: This regulation would not require an increased appropriation, and requires no fiscal note pursuant to CBJ Code 01.60.220(a). This proposed change would not impose new costs on persons subject to the regulation, and thus requires no estimate of costs pursuant to CBJ Code 01.60.220(b).

…

05 CBJAC 20.110 Crane use fees.

…

~~(b)~~ *Crane use requirements.* A person must obtain approval from the Harbormaster before using a hydraulic crane. ~~Crane use fees must be paid in advance.~~ A person may reserve use of the crane. Charges shall be assessed through an electronic key card issued by Docks and Harbors. ~~Payment of the crane use fee is required to obtain a reservation. The Harbormaster will require a person using the crane to post a bond or other guaranty before using a crane when the Harbormaster believes such security is necessary.~~

Fiscal Note/Cost Estimate: This regulation would not require an increased appropriation, and requires no fiscal note pursuant to CBJ Code 01.60.220(a). This proposed change would not impose new costs

on persons subject to the regulation, and thus requires no estimate of costs pursuant to CBJ Code 01.60.220(b).

…

05 CBJAC 20.130 Storage fees.

(a) A person may apply to the Harbormaster for use of long-term storage space in designated areas. Except as provided herein, the fee for use of this space is $0.50 per square foot per calendar month, or portion thereof. ~~A person who maintains a reserved moorage assignment may store one personal item of up to 200 square feet for $0.25 per square foot per calendar month, or portion thereof.~~ The Harbormaster is authorized to issue permits and develop written procedures to implement this section.

Fiscal Note/Cost Estimate: This regulation would not require an increased appropriation, and requires no fiscal note pursuant to CBJ Code 01.60.220(a). This proposed change would impact individuals who store property by increasing payment for 1000 square feet from $250 per month to $500 per month in each of the next three fiscal years, as an estimate of costs pursuant to CBJ Code 01.60.220(b).

…

05 CBJAC 20.160 Parking lot fees.

…

(2) From May 1 through September 30 each year, the fee to park in designated pay spaces at Don D. Statter Harbor Facilities shall be $1.00 per hour or portion thereof, or $5.00 per 24 hours or portions thereof~~, or $100.00 per calendar month or portion thereof. The number of monthly parking permits shall be managed and issued by the Port Director or representative. From October 1 through April 30, the off-season monthly fee shall be $50.00 per calendar month or portion thereof~~. The applicable fee must be paid in advance.

Fiscal Note/Cost Estimate: This regulation would not require an increased appropriation, and requires no fiscal note pursuant to CBJ Code 01.60.220(a). This proposed change would not impose new costs on persons subject to the regulation, and thus requires no estimate of costs pursuant to CBJ Code 01.60.220(b).

…

05 CBJAC 20.190 ~~Auke Bay Loading Facility – Drive Down Float Fee~~ *Reserved*.

~~Auke Bay Loading Facility Drive Down Float shall be accessed at a fee of $5.00 per vehicle/truck occurrence. Charges shall be assessed through an electronic key card issued by Docks and Harbors.~~

Section 5. Adoption of Regulations. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 25 Statter Harbor Management Regulations, to read:

…

05 CBJAC 25.060 Summer management.

Except for a loading zone, from May 1 through September 30 each year, a vessel may moor at the

facility, including the breakwater, for up to ten consecutive calendar days, after which the vessel must clear the facility, under its own power, for at least six consecutive hours. Vessels which do not clear the facility for at least six consecutive hours after any ten-day period shall be assessed the daily fee in accordance with 05 CBJAC 20.070. A vessel owner may request an exception to this rule by submitting a request in writing to the Harbormaster, who may grant the request in writing upon a showing of exigent circumstances by the vessel owner. Unless directed otherwise by the Harbormaster in accordance with procedures established under this regulation, all moorage during this period shall be on a first-come, first-serve basis.

Fiscal Note/Cost Estimate: This regulation would not require an increased appropriation, and requires no fiscal note pursuant to CBJ Code 01.60.220(a). This proposed change would impact individuals who fail to move their vessels every ten days, who would be charged $0.61/LF per day in lieu of the monthly discounted charge of $0.26/LF per day, as an estimate of costs pursuant to CBJ Code 01.60.220(b).

…

05 CBJAC 25.080 Winter management.

(a) From October 1 through April 30 each year, the Harbormaster may assign moorage to vessels for all or part of this period. Moorage will be assigned as follows:

(1) During the month of ~~August~~ September each year, a person wishing to obtain a moorage assignment may submit a request for moorage via email or ~~apply~~ on an application form provided by the Harbormaster. ~~The person shall submit a $100.00 application fee, refundable if the person does not receive a moorage assignment and creditable towards docks and harbor department charges;~~

(2) ~~During~~ Before the end of the month of September each year, the Harbormaster, with consideration to vessel size and space availability, shall assign moorage in the order in which applications were received ~~by lottery~~ until all of the designated spaces are ~~is~~ assigned or all of the applications are processed.

(3) ~~After assigning moorage by lottery, the Harbormaster may assign moorage if space is available at the facility.~~

(b) No person, other ~~then~~ than the moorage assignee, shall moor in an assigned space without Harbormaster approval. Moorage assignments under this section will terminate if the assignee does not pay all applicable fees on a timely basis. Moorage assignees shall notify the Harbormaster of departure and arrival times as required by 05 CBJAC 40.020(d).

Fiscal Note/Cost Estimate: This regulation would not require an increased appropriation, and requires no fiscal note pursuant to CBJ Code 01.60.220(a). This proposed change would not impose new costs on persons subject to the regulation, and thus requires no estimate of costs pursuant to CBJ Code 01.60.220(b).

…

Section 6. Notice of Proposed Adoption of a Regulation. The notice requirements of CBJ 01.60.200 were followed by the agency. The notice period began on_____, 2022, which is not less than 21 days before the date of adoption of these regulations as set forth below.

Adoption by Agency

After considering all relevant matter presented to it, the agency hereby adopts these regulations as set forth above. The agency will next seek Assembly review and approval.

Date:_____

_____
Carl Uchytil, P.E.
Port Director

Legal Review

These regulations have been reviewed and approved in accordance with the following standards set forth in CBJ 01.60.250:

(1) Consistency with federal and state law and with the charter, code, and other municipal regulations;

(2) Existence of code authority and the correctness of the required citation of code authority; and

(3) Clarity, simplicity of expression, and absence of possibility of misapplication.

Date: _____

_____
Benjamin Brown
Assistant Municipal Attorney

Assembly Review

These regulations were presented to the Assembly at its meeting of_____. They were adopted by the Assembly.

Date: _____

_____
Elizabeth J. McEwen
Municipal Clerk

Filing with Clerk

I certify, as the clerk of the City and Borough of Juneau, that the following statements are true:

1. These regulations were accepted for filing by the office of the clerk at____:___a.m./p.m. on the_____day of_____,_____.
2. After signing, I will immediately deliver or cause to be delivered copies of this regulation to the attorney and the director of libraries.
3. A permanent file of the signed originals of these regulations will be maintained in this office for public inspection.
4. Effective date:_____.

Date: _____

_____
Elizabeth J. McEwen
Municipal Clerk

ASSEMBLY MEETING CALENDAR*

2023

January

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February

Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March

Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April

Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

July

Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

August

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September

Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November

Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December

Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31	1					

*See reverse side for details

ASSEMBLY MEETING CALENDAR
2023

This "At a Glance Calendar" is a planning tool subject to change. For the current, up-to-the-minute calendar, please check online at https://juneau.org/calendar

Regular Assembly & HRC Meetings

[10/23 Assembly Reorganization Meeting (No HRC)

Assembly retreat date TBD]

PWFC/LHED/COW Meetings

Assembly Finance Committee Meetings

Holidays

Municipal Election Day & Certification Day

Reg. Meeting Start Times for Assembly Committees

Human Resources Committee (HRC) – 6pm

Regular Assembly Meetings – 7pm

Special Assembly Meetings – 5:30 or 6pm

Public Works & Facilities Comm. (PWFC) – 12:10pm

Lands, Housing & Economic Dev. (LHED) – 5pm

Committee of the Whole (COW) – 6pm

Assembly Finance Committee (AFC)

~AFC-During Budget Season 5:30pm start/All others 6pm start

(All Meeting Times Subject to Change as Needed)

Special Charter Required Dates & other Events/Conferences

1/17 Start of Legislative Session (Community Welcome Reception @ Elizabeth Peratrovich Hall)

1/31-2/2 SE Conference Mid-Session Summit

2/22-24 AML Legislative Summit

3/20-3/20 JSD Spring Break

4/5 Spec. Assembly Mtng to Introduce Budget followed by 1st AFC Budget Cycle Meeting

4/26 Spec. Assembly Mtng for Charter Required Public Hearing on Budget Ordinances, Mill Levy Ordinance, & CIP Resolution followed by AFC

7/10 Last Regular Assembly to introduce an ordinance for inclusion on the 10/3/23 CBJ ballot

7/31 Last Regular Assembly to adopt an ordinance for inclusion on the 10/3/23 CBJ ballot

AML Conf. of Mayors & Summer Legislative Conf. [August Dates/Venue TBA]

9/19-21 SE Conference (Sitka)

10/3 CBJ Regular Municipal Election Day; 10/17 Election Certification

11/29 AFC Meeting to provide direction to the City Manager in advance of the FY25/FY26 Budget Cycle

AML Virtual Newly Elected Officials Training [Nov/Dec. Dates/Venue TBA]

Assembly & Admin staff attending AML Annual Conference & Affiliate Association Meetings [Nov/Dec. Anchorage Dates/Venue TBA]

[AML = Alaska Municipal League]

ASSEMBLY MEETING CALENDAR
2023

Engineering & Public Wor
Marine View Building, Juneau, AK 99801
907-586-5254

MEMORANDUM

DATE: **November 2, 2022**

TO: **Rorie Watt, City Manager**

THROUGH: **Katie Koester, Engineering and Public Works Director**

FROM: **Jeanne Rynne, Chief Architect**

SUBJECT: **Best Interest Finding – BRH Waterline Interconnection Supplemental Agreement**

Request

Allow a supplemental agreement be executed with Admiralty Construction under the BRH Site Improvements Project contract (BE21-164) to replace the existing water line currently routed under the proposed BRH Emergency Department Addition. This work will be accomplished by connecting the two ends of the new waterlines installed by the BRH Site Improvements Project and the BRH Water and Sewer Upgrades project. Pursuant to Municipal Code 53.50.040 (c):

> *The manager may approve supplemental agreements not greater than $250,000.00 or 25 percent of the contact amount, whichever is less, per contract. The manager shall notify the assembly, at its next regular meeting, of any supplemental agreement approved.*

The BRH Site Improvements original contract award was just over $1.9 million.

Background

Public Works &Engineering and BRH have worked closely together to repair and update the infrastructure surrounding and within the BRH Campus, including the municipal water distribution system, which feeds the campus, as well as carrying water to Lemon Creek, Mendenhall Valley and out the Road. Three recent road and utility infrastructure projects have reconstructed this critical water distribution system while improving the campus infrastructure:

- Hospital Drive Reconstruction (Twin Lakes Road to Johnson Youth Center(JYC))
- BRH Site Improvements (Hospital Drive - from JYC to the second entrance of Hospital Access Road and Hospital Access Road)
- BRH Water and Sewer Upgrades (Salmon Creek Filter Plant and storage tank, alongside the new Behavioral Health Facility to the parking lot behind BRH, south of the Emergency Department entrance)

The BRH Water and Sewer Upgrades project was a project that originated due to proximity of the existing 40-year old 12” ductile iron (D.I.) waterline that runs closely adjacent to the new Behavioral Health Facility and under some of new site improvements (large retaining walls, paved access drive to the parking level of the new facility, etc.). Upon discovery of the close proximity and unsuccessful negotiations with the Behavioral Health Facility site work contractor, a project was solicited to perform this work.

The BRH Site Improvements project was terminated adjacent to the Administration driveway due to concerns of impeding access to the Behavioral Health Facility construction project – extending the work

further would have created a bottleneck that would have limited traffic and access to the south parking lot and the construction project.

COVID scheduling impacts and delays, material supply chain issues, coordination and access issues and impacts among the multiple, simultaneously occurring projects are the reason the 270 foot segment (extension of Hospital Drive) between the Administration entrance to the Hospital Access Road and the termination of the replacement of the piping to accommodate the Behavioral Health Facility has not been completed. Construction of this segment would have directly impacted the main access to the Behavioral Health facility and placed the separate contractors at odds with each other and caused construction delays.

Second, the alignment of the existing water piping remaining to be replaced runs under the proposed Emergency Department Facility(ED) addition. This piping needs to be relocated away from the new addition footprint to avoid conflict and allow maintenance of the water piping providing municipal water to Lemon Creek and out the road.

BRH is scheduled to begin construction of the ED Addition in the spring of 2022. Authorization to proceed on the ED Addition was given by Assembly Ordinance 2020-09(AU), approved April 26, 2021 and Assembly Ordinance 2021-08(b)(am)(X) approved February 28, 2022.

Project Funding
This work will be funded by a combination of Water Utility CIP funds and BRH Hospital Drive CIP funds.

Justification

Site Constraints and Minimized Disruptions

- Through their other adjacent projects (Water and Sewer Line Upgrades BE22-185 and Site Improvements BE21-164), Admiralty Construction has investigated and are already familiar with many of the unknowns such on the BRH Campus and understand the temporary water connections necessary to keep the hospital operational while working on the water system. They have an intimate understanding of the existing BRH water system operation to minimize unnecessary water shutdowns and disruptions that would affect the health and life safety of BRH.
- Contractor is aware of traffic patterns, emergency access requirements and has a proven, excellent working relationship with BRH and understanding of maintaining access with minimal disruptions.
- Contractor is familiar with the existing waterline configuration due to work on the related contracts and installed a temporary 6” water service connection to maintain BRH, Wildflower Court and Rainforest Recovery in service since these services are on a dead–end. This was done to maintain uninterrupted water service to BRH and Wildflower Court. This will be connected to the new 16” water main to move it out from the ED addition footprint to facilitate the remaining BRH water service line replacement in the future. Contractor is familiar with numerous existing valves that do not work and understands the state of the existing water system.
- The potential of a new contractor performing the work as low bidder of a newly tendered bid would be required to familiarize themselves with the complexities of the operation and workings of the existing BRH water system.

Costs and Scheduling Benefits

- Allowing this work to proceed under a supplemental agreement will provide the best opportunity to order materials sooner and allow construction to occur earlier in the spring to avoid delays to the ED Addition project.
    - If this supplemental agreement is approved, materials could be ordered by early December 2022 or sooner.
    - Preparation and advertisement of bid documents would delay material procurement approximately 8-12 weeks – with an optimistic contract notice to proceed in early February 2023. The impact to the material supply times would put the contractor at a disadvantage of ordering materials late in the game for the upcoming construction season, most likely meaning the earlier contractor orders are filled in the order they are received, delaying delivery even longer.

Schedule Impacts

The BRH ED Addition project excavation and foundation installation could not proceed without significant difficulty to work around, protect or temporarily relocate the water main under the proposed building, and then the same work would be dismantled or abandoned in place when the new, permanent waterline is installed.

Cost

Current cost estimates place this work between $200k and $240k, however final pricing will not be known until the contractor and engineer finalize the details of work and the supplemental agreement.

Summary

It is in the best interest of the CBJ to perform this work under a supplemental agreement with Admiralty Construction to minimize schedule impacts to the BRH ED Addition project, avoid disruptions in services to BRH and adjacent facilities due to Admiralty's familiarity with the existing water system configuration and history of successfully accommodating the BRH needs while performing the necessary utility work.

THRU SIDEWALK DRAIN,
SEE DETAIL 3/C5.01

STATION EQUATION
18+38.28 "B-LINE" =
29+33.51 "C-LINE"

STORM PIPE IE=79.15
PLUG AND MARK END
FOR FUTURE EXTENSION

ELEC DUCT RUN 63 LF,
SEE ELEC FOR CONTINUATION
AND DTL 5/C7.01

ADJUST MANHOLE
RIM TO GRADE,
SEE C5.00

STA 26+80.4, 14' RT
BEGIN DUCT RUN
REMOVE EXIST MATERIALS,
CONNECT TO EXIST
DUCT RUN – REF: MECH AND ELECT

EXIST CB TO REMAIN
ADJUST RIM TO
GRADE, SEE C5.00

EXIST CB 4
RIM=69.91
IE=63.24 (SE)
IE=63.12

STATION EQUATION
5+00 "A-LINE" =
28+00 "B-LINE"

ADJUST GRADES AROUND
FIRE HYDRANT PER
CBJ STD DETAIL 403

TEMP SVC. INSTALLED TO KEEP BRH # WILDFLOWER W/WATER DURING SHUTDOWNS

NEW ER ADDITION

WATERLINE TO BE TAKEN OUT OF SERVICE

CAP 12" IN SIDE ARV VAULT TO KEEP F.H LIVE

CAP FROM SITE IMPROVEMENTS PROJECT

CAP FROM WATER/SEWER PROJECT

BARTLETT HOUSE

EDGE OF PAVEMENT, TYP.

WORK TO BE DONE - CONNECT BOTH ENDS OF 16" & CONNECT TEMP SVC TO NEW WATERLINE FOR REDUNDANT FEED.

* ASPHALT TRENCH PATCHING ONLY

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

To be completed by Applicant

PROPERTY LOCATION

Physical Address: 1000 Harbor Way

Legal Description(s) (Subdivision, Survey, Block, Tract, Lot): TIDELANDS ADDITION BL 51 LT 5

Parcel Number(s): 1C060K510040

☐ This property is located in the downtown historic district
☐ This property is located in a mapped hazard area, if so, which _____

LANDOWNER/ LESSEE

Property Owner: Hansen Gress/CBJ
Contact Person: Tyler Gress
Mailing Address: 1000 Harbor Way
Phone Number(s): 9074636900
E-mail Address: tyler@hansengress.com

LANDOWNER/ LESSEE CONSENT

Required for Planning Permits, not needed on Building/ Engineering Permits.

Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.

I am (we are) the owner(s)or lessee(s) of the property subject to this application and I (we) consent as follows:
A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.
B. I (we) grant permission for the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.

Dan Bleidorn — **Landowner/Lessee (Printed Name)**
CBJ Land Mana — **Title (e.g.: Landowner, Lessee)**

X Daniel Bleidorn — **Landowner/Lessee (Signature)**
9/13/22 — **Date**

Tyler Gress — **Landowner/Lessee (Printed Name)**
Lessee — **Title (e.g.: Landowner, Lessee)**

X Tyler — **Landowner/Lessee (Signature)**
8/31/2022 — **Date**

NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.

APPLICANT

If same as LANDOWNER, write "SAME"

Applicant (Printed Name): 1000 Harbor Way, LLC
Contact Person: Tyler Gress
Mailing Address: 1000 Harbor Way, Suite 201
Phone Number(s): 907-723-7069
E-mail Address: tyler@hansengress.com

X Tyler — **Applicant's Signature**
8/31/2022 — **Date of Application**

----------DEPARTMENT USE ONLY BELOW THIS LINE----------

Intake Initials	
AS	
Case Number	**Date Received**
NCC22-039	11/8/22

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

APPLICATION FOR A NONCONFORMING CERTIFICATION REVIEW

See reverse side for more information regarding the permitting process and the materials required for a complete application.

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

TYPE OF NONCONFORMING SITUATION (CHECK ALL THAT MAY APPLY)

☐ USE ☑ STRUCTURE ☐ DENSITY ☐ PARKING ☐ LOT

Have you submitted a narrative that fully explains the above listed nonconforming situations? YES ☑ NO ☐

The narrative should explain the nature of the nonconforming situation(s). Be specific, state past and present uses of the building, property, etc.

List all relevant information being submitted. Include this material and an as-built or site plan with the application.

Relevant information to show that the ***situation was allowed when established*** may include: building or land use permits, recorded plats, zoning codes or maps, dated photographs.

Situation	Type of Documentation
Structure has been constructed within setbacks on the rear and side lot lines.	
Structure has been built on the lot lines of Lot 5.	
Note: Even after lot consolidation, the west lot line will be nonconforming.	

Relevant information to show that the ***situation was maintained over time*** may include: business licenses, dated photographs, insurance records and maps, utility bills, property tax records, business license, telephone listing, advertisement in dated publications, leases.

Maintained Situation	Type of Documentation

NOTE: If an as-built survey is not submitted, the Community Development Department may not be able to issue a Nonconforming Certificate for setbacks. As-built surveys should show the property in its current condition.

ALL REQUIRED MATERIALS ATTACHED

- ☑ **Complete Application (Per CBJ 49.30.310)**
  - ☑ **Narrative**
  - ☑ **As-built survey or similar document**
  - ☑ **Documentation**
  - ☑ **Fees**

NONCONFORMING CERTIFICATION REVIEW FEES:

	Fees	Check No.	Receipt	Date
Application Fees	$ Ø			
Admin. of Guarantee	$			
Adjustment	$			
Total Fee	$ Ø			

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center 907-586-0770.

Case Number	Date Received
NCC22-039	11/8/22

Nonconforming Certification Application Instructions

Nonconforming Situations is outlined in CBJ 49.30.310

Pre-Application Conference: A pre-application conference is **NOT** required prior to submitting an application. It is highly recommended that applicants meet with a planner to discuss the nonconforming situation(s) and necessary or appropriate documentation for submittal. Staff may have access to documentation that the applicant does not. Please contact the Permit Center at 907-586-0770 or via e-mail at permits@juneau.org.

Application: An application for a Nonconforming Certificate will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed application for Nonconforming Certificate and Development Permit Application forms.
2. **Fees:** Fee is $150. If submitted in conjunction with a development permit, the fee is waived. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the nonconforming situation(s).

Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Application Review: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: As part of the review process, the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes. Depending on the details of the permit request, the application may require review by other City & Borough of Juneau departments. Applicants may be required to provide additional information and clarification.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

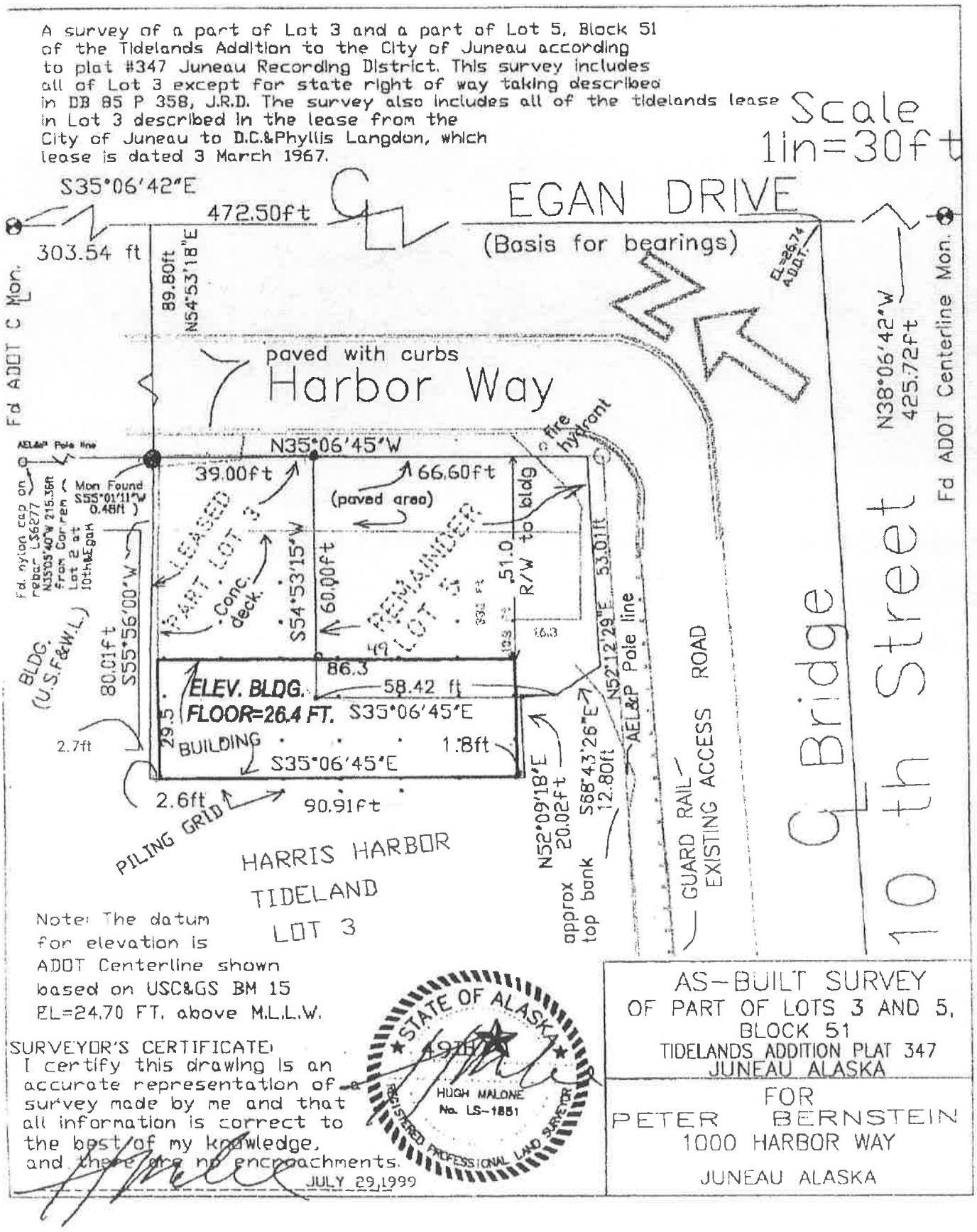
The narrative for this non-conforming certification is pretty simple. This application was requested in conjunction with our overarching application to purchase and subsequently consolidate lots at 1000 Harbor Way.

Historic information is lacking and that is why we have the non-conforming situation. The building sits where it sits, and the lot lines are where they are. Apparently since it was built in the 1960s, although the lot and sublot leaves more questions than answers. We are trying to remediate as much of these non-conformities as possible by purchasing and consolidating the lots.

We are including an as-built from 2008, which shows the lots and building layout.

Please contact me with any specific questions.

I believe the fee is waived as this is submitted in conjunction with the other permit / application, etc.


A survey of a part of Lot 3 and a part of Lot 5, Block 51 of the Tidelands Addition to the City of Juneau according to plat #347 Juneau Recording District. This survey includes all of Lot 3 except for state right of way taking described in DB 85 P 358, J.R.D. The survey also includes all of the tidelands lease in Lot 3 described in the lease from the City of Juneau to D.C.&Phyllis Langdon, which lease is dated 3 March 1967.
Scale 1in=30ft
S35°06'42"E
472.50ft
303.54 ft
EGAN DRIVE
(Basis for bearings)
Fd ADOT C Mon.
89.80ft N54°53'18"E
paved with curbs
Harbor Way
EL=26.74 4.00ft.
N38°06'42"W 425.72ft
Fd ADOT Centerline Mon.
AEL&P Pole line
N35°06'45"W
fire hydrant
39.00ft
66.60ft
(paved area)
Fd nylon cap on rebar LS6277 N35°05'40"W 215.36ft from Corner Lot 2 at 10th&Egan
Mon Found S55°01'11"W 0.48ft
LEASED PART LOT 3
Conc. deck
S54°53'15"W
60.00ft
REMAINDER LOT 5
51.0 R/W to bldg
53.01ft
N52°12'29"E
AEL&P Pole line
BLDG. (U.S.F&W.L.)
80.01ft S55°56'00"W
86.3
58.42 ft
ELEV. BLDG. FLOOR=26.4 FT.
S35°06'45"E
29.5
BUILDING
1.8ft
2.7ft
2.6ft
90.91ft
PILING GRID
HARRIS HARBOR TIDELAND LOT 3
N52°09'18"E 20.02ft
S68°43'26"E 12.80ft
approx top bank
GUARD RAIL
EXISTING ACCESS ROAD
C Bridge
10th Street
Note: The datum for elevation is ADOT Centerline shown based on USC&GS BM 15 EL=24.70 FT. above M.L.L.W.
SURVEYOR'S CERTIFICATE
I certify this drawing is an accurate representation of survey made by me and that all information is correct to the best of my knowledge, and there are no encroachments.
JULY 29,1999
STATE OF ALASKA
HUGH MALONE
No. LS-1851
REGISTERED PROFESSIONAL LAND SURVEYOR
AS-BUILT SURVEY
OF PART OF LOTS 3 AND 5, BLOCK 51
TIDELANDS ADDITION PLAT 347
JUNEAU ALASKA
FOR
PETER BERNSTEIN
1000 HARBOR WAY
JUNEAU ALASKA

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

PLANNING COMMISSION STAFF
REZONE: AME2022 0006
HEARING DATE: JANUARY 24, 2023

(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/community-development
155 S. Seward Street • Juneau, AK 99801

DATE: January 11, 2023

TO: Michael LeVine, Chair, Planning Commission

BY: Irene Gallion, Senior Planner

THROUGH: Jill Maclean, Director, AICP

PROPOSAL: Applicant requests rezone for approximately 3.7 acres in the Aak'w Kwaan District from MU2 to MU, eliminating setback requirements, lot coverage restrictions and height restrictions.

STAFF RECOMMENDATION: Staff recommends the Planning Commission extend the rezone west to Capital Avenue, then forward a recommendation of APPROVAL to the Assembly.

KEY CONSIDERATIONS FOR REVIEW:

- Staff recommends extending the boundaries west to Capital Avenue, for cohesive block development.
- Proposed MU zoning is consistent with Native Restricted Deeded land, which has no dimensional standards.
- Proposed MU zoning facilitates Willoughby District Land Use Plan Chapter 5:
  - Zero setbacks for construction to the lot line.
  - Current height limit 45 feet. Proposed zoning would allow construction to the planned height of 55 or 65 feet, depending on area.
- Zero setbacks facilitates canopy construction, improving pedestrian experience.

GENERAL INFORMATION	
Property Owner	Attachment B, C
Applicant	Central Council Tlingit & Haida
Property Address	Attachment B, C
Legal Description	Attachment B, C
Parcel Number	Attachment B, C
Zoning	MU2
Land Use Designation	Traditional Town Center, w/ Capital Complex
Lot Size	Attachment B, C
Water/Sewer	CBJ
Access	Willoughby Avenue
Existing Land Use	Urban Developed
Associated Applications	AME2022 0008

ALTERNATIVE ACTIONS:

1. **Amend:** recommend an amended rezone boundary; recommend an alternative zoning district; or recommend conditions.
2. **Deny:** recommend denial of the requested rezone. Planning Commission must make its own findings.
3. **Continue:** continue the hearing to a later date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:

Assembly action is required for this rezone.

STANDARD OF REVIEW:

- Quasi-legislative decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
  - CBJ 49.25.500
  - CBJ 49.75.110
  - CBJ 49.75.120
  - CBJ 49.75.130
  - CBJ 49.10.170(d)
  - CBJ 49.80

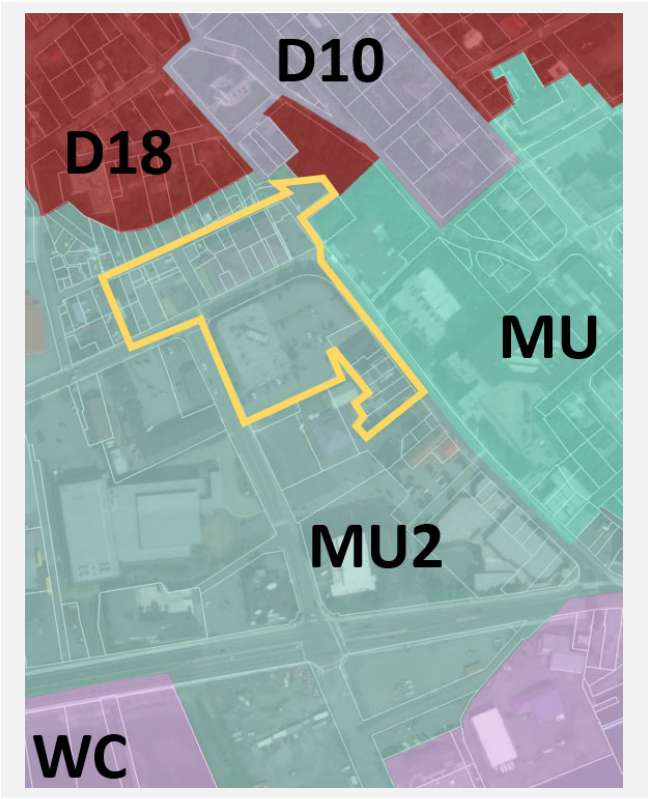
The Commission shall hear and decide the case per CBJ 49.75.120 - Restrictions on rezoning. *Rezoning requests covering less than two acres shall not be considered unless the rezoning constitutes an expansion of an existing zone. Rezoning requests which are substantially the same as a rezoning request rejected within the previous 12 months shall not be considered. A rezoning shall only be approved upon a finding that the proposed zoning district and the uses allowed therein are in substantial conformance with the land use maps of the comprehensive plan.*

SITE FEATURES AND ZONING

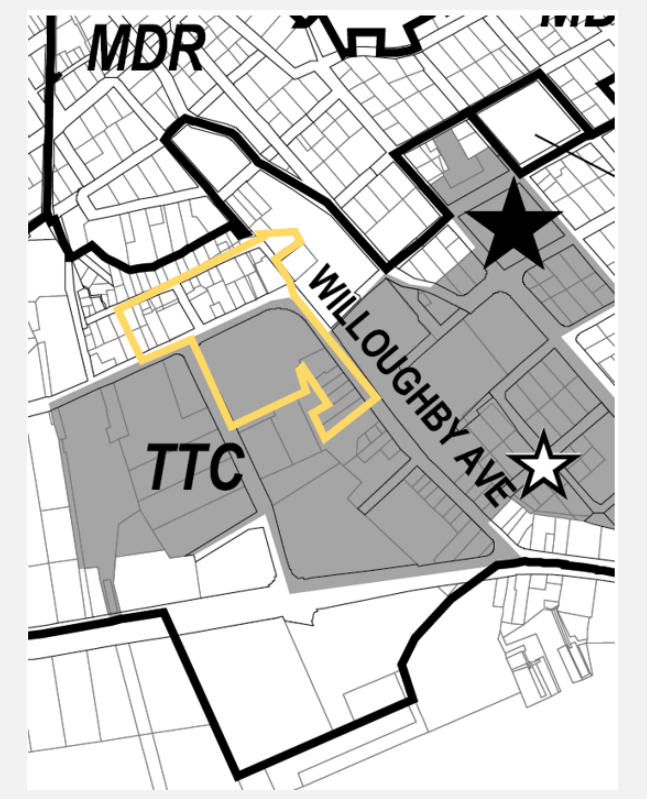
SURROUNDING ZONING AND LAND USES	
North (D18)	Residential
South (MU2)	Mixed Use
East (MU)	Mixed Use
West (MU2)	Mixed Use

SITE FEATURES	
Anadromous	No
Flood Zone	No
Hazard	None mapped
Hillside	No
Wetlands	No
Parking District	Town Center
Historic District	No
Overlay Districts	None

CURRENT ZONING MAP



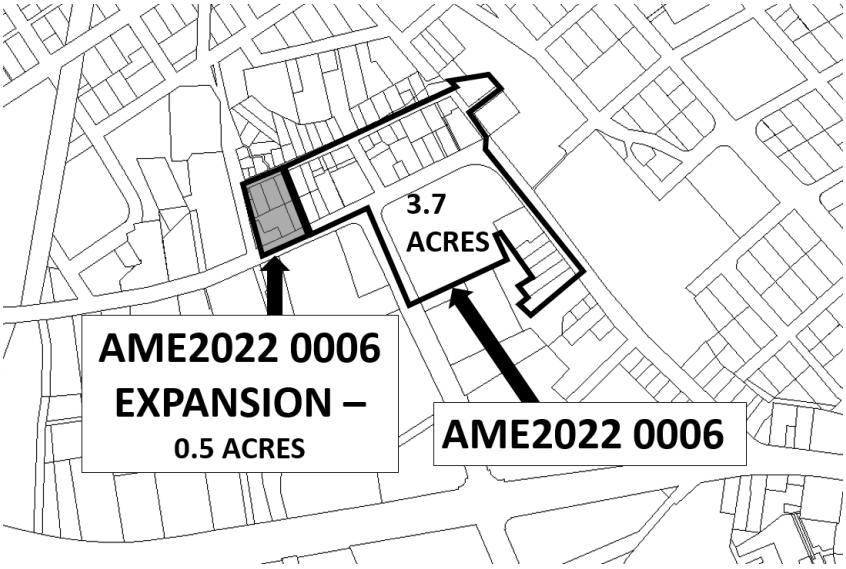
LAND USE DESIGNATION MAP



BACKGROUND INFORMATION

Project Description – The Central Council of Tlingit and Haida Tribes of Alaska (CCTHITA) has requested a rezone of properties they either control or influence (**Attachment A, B**) from MU2 to MU.

The Community Development Department asks the Commission to extend the boundary to Capital Avenue (**Attachment C**).



A proposed ordinance map is provided in **Attachment D.**

Background – Village Street follows what used to be the coastline. From 1930 to 1960 waste rock from the Alaska Juneau Gold Mine filled the tidelands, creating the Aak'w Kwan District (formerly the Willoughby District). Urban renewal in the 1960s displaced long-time residents from their residences, resulting in the wide-scale transfer of land to wealthier land owners. Replacement housing never materialized, leaving the Indian Village one of the last downtown sites for local Natives.

Zoning History – The below table summarizes zoning history for the lot.

Year	Zoning	Summary
1956	C-1	Commercial and Light Industry Districts. Height limit: 50 feet No minimum lot area Minimum yard, front: 10 feet Minimum yard, side: 10 feet Minimum yard, rear: As necessary to meet parking requirements
1969	RML	Low Density Multi-Family Residential District Minimum lot size: 5,400 square feet Minimum lot width: 60 feet Minimum lot depth: 90 feet Maximum building height: 35 feet Maximum lot coverage: 50% Minimum front yard setback: 15 feet Minimum rear yard setback: 15 feet Minimum side yard setback: 5 feet for one story, 6 feet for two stories, 8 feet for three stories. Required parking based on use
1987	C2	Central Business District Minimum lot size: 2,400 square feet Minimum yard setbacks: 10 feet if adjoining residential district Maximum lot coverage: None. Minimum lot width: 20 feet Required parking based on use
1998	MU2	GC, LC and D18 to MU2, Ordinance 98-10 Minimum lot size: 4,000 square feet Minimum lot width: 50 feet Maximum coverage: 80% Maximum height, permissible uses: 45 feet Accessory uses, 35 feet All setbacks: 5 feet Required parking based on use

ZONING ANALYSIS

CBJ 29.25.200 Zoning Districts Defined -

Current Zoning – MU2	Proposed Zoning – MU
The MU2, mixed use 2 district, is intended to place a greater emphasis on residential development than is the case in the MU district. A range of residential development types is allowed. Multi-family residential uses are allowed at a density of up to 80 units per acre.	The MU, mixed use district, reflects the existing downtown development pattern and is intended to maintain the stability of the downtown area. Multi-family residential uses are allowed and encouraged.

CBJ 49.25.300 Table of Permissible Uses Comparison – Two uses in the Table of Permissible Uses differ between MU and MU2:

No.	Use Description	Current Zoning	Proposed Zoning
4.220	Marijuana product manufacturing facility	Not Allowed	CUP
12.300	Zoos, aquaria, or wild animal rehabilitation facilities with a visitor component	CUP	Not Allowed

No known zoos, aquaria or wild animal rehabilitation facilities will be made nonconforming with this proposed rezone.

CBJ 49.25.400 Dimensional Standards –

Standard		Current Zoning	Proposed Zoning
Lot	Size	4,000	3,000
	Width	50	50
Setbacks	Front	5	0
	Rear	5	0
	Side	5	0
	Street Side	5	0
Lot Coverage		80%	No limit
Height	Permissible	45	No limit
	Accessory	35	No limit

The proposed MU zoning has a smaller lot sizes than the existing MU2 zoning. Under the Applicant's proposed rezone, three lots would become conforming, two of which are under one parcel code (See **Attachment B**). Under CBJ's proposed extension, the rezone does not impact conformity (See **Attachment C**).

CBJ 49.25.500 Density – Proposed MU zoning has no maximum density. No property will become nonconforming for density under this proposed rezone.

Native Restricted Deeds - Six impacted lots are under Native Restricted Deeds, a special land status (**Attachment E**). CBJ has no lawful oversight of the lots. By agreement with the Tribes, CBJ will respond to public health and safety issues.

CBJ does not issue building permits, nor regulate setbacks, structure location or height for Native Restricted Deed lots. Proposed MU zoning has zero setback, no height limit, and no structure footprint restrictions. MU zoning would facilitate development patterns similar to those of neighboring Native Restricted Deed lots.

Potential for Subdivision – Minimum lot size is 4,000 under current MU2 zoning, and 3,000 under proposed MU zoning.

The estimate of lots that could result from subdivision assumes consolidation of larger parcels of multiple lots, then subdivision into lots of conforming size. The sub-dividable lots could provide 39 lots under proposed MU zoning, as opposed to 28 lots under current MU2 zoning (**Attachment F**).

The lots proposed in CBJ's extension cannot be subdivided under either zoning scenario.

TRAFFIC AND TRANSPORTATION

Access	Roadway Classification	Average Annual Daily Traffic
Willoughby Avenue	Collector	1,280[A]
Whittier Street	Collector	2,752[A]
Village Street	Local	Unknown
Warrior Street	Local	Unknown
Capital Avenue	Local	491[B]

A: Alaska Department of Transportation and Public Facilities, 2021 data
B: CSP2020 0001 Capital Avenue Reconstruction, engineer's traffic counts

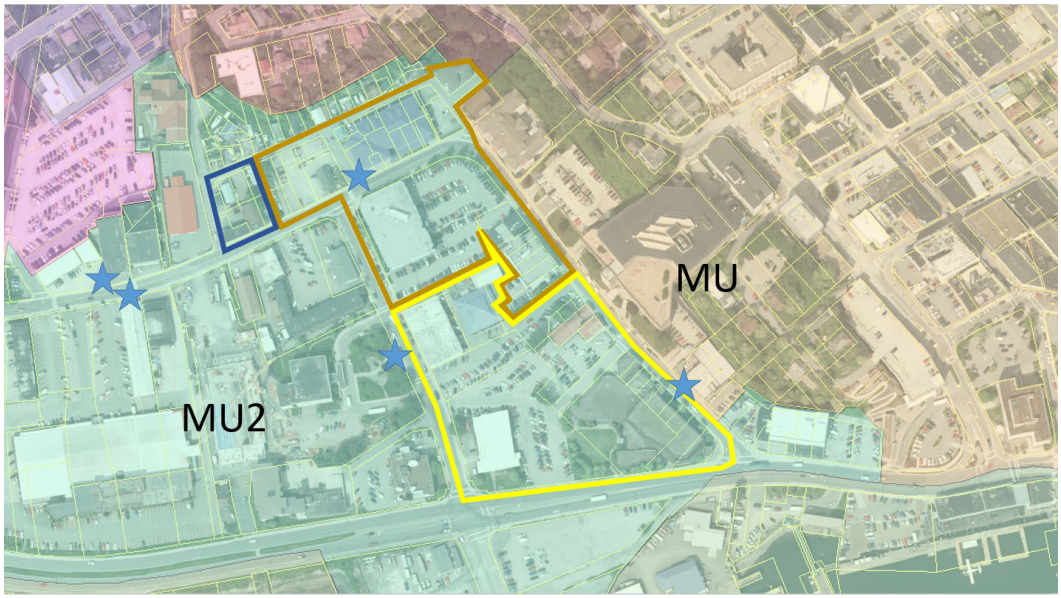
Traffic impacts are estimated based on use. Traffic estimates below are for two uses that differ between existing MU2 and proposed MU zoning *(Institute of Traffic Engineers Trip Generation Manual, 9th Edition, Volume 2 and 3).*

> Manufacturing: 3.82 Average Annual Daily Traffic (AADT) per 1,000 square feet (page 173). *Manufacturing does not require a storefront. Other areas of Juneau provide less expensive property.*
>
> Zoos: 114.88 AADT per acre (page 900). *Note that an oceanarium has been proposed along Juneau's waterfront, outside of the proposed rezone.*

Non-motorized transportation – The area proposed for rezone is urban. The rezone would allow structures to be built up to the property line, which would facilitate construction of canopies over the sidewalk.

Village Street and Warrior Street do not have sidewalks.

Proximity to Public Transportation – Capital Transit has an outbound stop at the southwest corner of the Andrew Hope Building, within the proposed rezone. The closest inbound stop is in the 600 block of Willoughby Avenue. The blue stars in the image below represent Capital Transit stops.



COMMUNITY SERVICES

The table below summarizes community services that may be affected by the proposed rezone.

Service	Summary
Water/Sewer	CBJ
Fire Service	Downtown Fire Station
Schools	Schools that serve the proposed rezone area: Harborview Elementary School, Montessori Borealis, Yaakoosge Daakahidi Alternative High School, Juneau Douglas High School,
Recreation	Andrew Hope Building/Elizabeth Peratrovich Hall, Alaska Native Veterans Memorial, Gaajaa Hít

ENVIRONMENTAL, CONSERVATION, HISTORIC, AND ARCHEOLOGICAL RESOURCES

The table below summarizes Conservation, Historic, and Archeological Resources which may be affected by the proposed rezone.

Resource	Summary
Conservation	None
Wetlands	None
Anadromous	None
Historic	Alaska Native Veterans Memorial, Gaajaa Hít
Archeological	None Known

The Andrew Hope Building houses the offices of CCTHITA. This organization preserves native culture and actualizes participation in the community. CCTHITA has origins in Alaska's statehood and the Alaska National Interest Lands Conservation Act of 1980.

ABOVE: The Alaska Native Veterans Memorial to the southwest of the Andrew Hope Building. The engraving says, in part, "This memorial is dedicated to all Alaska Native Veterans who served in the United States Armed Forces. Let us not dwell on their passing, but remember their shining spirits that will live on forever."

Left: Gaajaa Hít was constructed in 1971 as a community center for the Village. The 1977 totem poles honor the Eagle and Raven clans of the Auk Tribe. The screen was designed and painted in 1977. Tlingit elder Cecilia Kunz named Gaajaa Hít by in 2000.

CONFORMITY WITH ADOPTED PLANS

2013 COMPREHENSIVE PLAN VISION: *The City and Borough of Juneau is a vibrant State Capital that values the diversity and quality of its natural and built environments, creates a safe and satisfying quality of life for its diverse population, provides quality education and employment for its workers, encourages resident participation in community decisions and provides an environment to foster state-wide leadership.*

2013 COMPREHENSIVE PLAN -			
Chapter	**Page No.**	**Item**	**Summary**
10	132	10.4-IA1	Design higher density housing in scale with adjacent lower-density housing.
	140	10.13-SOP1	Allow high density mixed use developments.
		10.13-IA1	Rezone appropriate land for mixed use.
		10.13-IA4	Plan for redevelopment into pedestrian-oriented mixed use.
11	184	Subarea 6	3. Enhance the Capitol Complex
	185	Subarea 6	6. Preserve viewsheds downtown (through Willoughby Land Use Plan)
			10. Promote mixed uses downtown.

The Comprehensive Plan maps the area as Traditional Town Center and Capitol Complex.

> ***Traditional Town Center (TTC):*** *These lands are characterized by high density residential and non-residential land uses in downtown areas and around shopping centers, the University, major employment centers and public transit corridors, as well as other areas suitable for a mixture of retail, office, general commercial, and high density residential uses at densities at 18 or more residential units per acre. Residential and non-residential uses could be combined within a single structure, including off-street parking. Ground floor retail space facing roads with parking behind the retail and housing above would be an appropriate and efficient use of the land.*

MU2 (existing) and MU (proposed) zoning conform to this land use.

> ***Capitol Complex:*** *An area in downtown Juneau which could contain legislative hearing rooms, offices, meeting rooms, pedestrian-friendly circulation systems, parking, transit services, seasonal and short-term accommodations, food and beverage services, cultural and entertainment activities, and other facilities which support the legislative activities of the state capital in Juneau. This area is shown on the land use maps for Subarea 6, particularly Map M, and is centered on Telephone Hill, the proposed site of a new State Capitol building.*

MU zoning (proposed) would improve conformity by allowing structure construction up to the front property line, facilitating construction of canopies over the sidewalk.

2016 HOUSING ACTION PLAN			
Chapter	**Page No.**	**Item**	**Summary**
	49	9. Downtown Strategy	Build on planning efforts in the Willoughby District
	51		Consider inclusionary zoning so new business can meet housing needs.

MU2 (existing) and MU zoning (proposed) both facilitate the Housing Action Plan. MU allows higher residential density.

2011 Willoughby District Land Use Plan, Chapter 5*			
Chapter	**Page No.**	**Item**	**Summary**
5	35	5.1 Planning and Design Principles	Build structures at the lot line to facilitate "human scale" development. Proposed MU zoning has a zero foot required setback.
5	39	Figure 5. Building Height	The plan recommends a 50 foot height limit in the rezone area to protect viewsheds from Calhoun and Dixon. MU2 (existing zoning) height limit is 45 feet. MU has unlimited height limit, allowing construction to the full 50 feet.
5	41	5.2 Development Themes	Triple residential units by 2021. Existing MU2 zoning has a density limit of 80 units per acre. Proposed MU has no density limit.
5	45	Land Use and Development	Aspirational goals for redevelopment, ground floor office space, increased density, more eyes on the street, and consolidated government offices.

**Only Chapter 5 of the Willoughby District Land Use Plan was adopted into the Comprehensive Plan.*

Like the Housing Action Plan, the Willoughby District Land Use Plan encourages residential density. Proposed MU zoning allows structures to be built to the front property line, an element of the Willoughby District Land Use Plan creating "human scale" development.

The Willoughby District Land Use Plan proposes height limits (see page 18 of **Attachment H**). The Willoughby District Land Use Plan Chapter 5 is incorporated by reference into the 2013 Comprehensive Plan. Citation in the Comprehensive Plan does not create a right to a certain development [CBJ 49.05.200(c)]. When a conditional use permit is proposed in the Aak'w Kwan district, the Planning Commission will be asked to review the proposal for conformity with the Comprehensive Plan [CBJ 49.15.330(f)(3)]. The Commission may use the context of a land use plan to establish conformity. For instance, the height limitation in the Willoughby District Land Use Plan protects the view from Calhoun Avenue and Dixon Avenue. If a mitigating measure was proposed that met this goal, the Commission could approve a height taller than that proposed in the land use plan, if height conformed to zoning limitations. MU has no height limit.

AGENCY REVIEW

CDD conducted an agency review comment period between December 20, 2022 and December 27, 2022 (**Attachment G**). No comments were received.

State of Alaska was e mailed on August 4, 2022. No comments were received. A subsequent request was made on December 21, 2022. No comments were received in time for analysis in this staff report.

Tlingit Haida Regional Housing Authority missed the public meeting, but were emailed materials. Staff offered to do a presentation or answer any questions they had.

PUBLIC COMMENTS

CDD conducted a public meeting on December 6, 2022 (**Attachment H**). One member of the public attended. The attendee's concern was to protect the view from his residence on Dixon Street. The attendee was comfortable with the limitations of the Willoughby District Land Use Plan.

CDD conducted a public comment period between December 12, 2022 and January 12, 2023 (**Attachment I**). Public notice was mailed to property owners within 500 feet of the proposed rezone. A public notice sign was also posted on-site two weeks prior to the scheduled hearing (**Attachment J).**

Property owners within the rezone area received a letter advising them of the rezone and providing public meeting materials (**Attachment K**).

There were no public comments when this staff report was finalized.

ZONE CHANGE OPTIONS AND ALTERNATIVES

The Commission may recommend approval to the Assembly for [49.75.130(a)]:

- Different zoning districts from what is requested by the applicant or recommended by staff.
- Different boundaries for the area to be rezoned.

Zoning district boundary lines are intended to follow property lines, centerlines of streets, alleys, streams (CBJ 49.25.110(f)).

Staff recommends that the rezone boundary proposed by CCTHITA be extended west to Capital Avenue. This extension provides for cohesive development. Lots on the same block have the same development standards, similar to the development dimensions under the Native Restricted Deeds.

Staff is not proposing an alternative zoning to that proposed.

FINDINGS

In accordance with CBJ 49.75 the Director makes the following findings on the proposed rezone:

1. ***Was the rezone application filed timely in accordance with CBJ 49.75.110?***

   Analysis: No additional analysis required.

   Finding: Yes. The rezone application was filed in July of 2022.

2. ***Was adequate public notice provided in accordance with CBJ 49.75.110?***

   Analysis: CDD staff developed a basic project web site (https://juneau.org/community-development/short-term-projects), held a public meeting on December 16, 2022; mailed written notice to property owners within 500 feet of the proposed rezone; sent a letter to impacted land owners, and posted a public notice sign on the site two weeks prior to the scheduled hearing.

Finding: Yes. Adequate public notice was provided in accordance with CBJ 49.75.110.

3. ***Is this request for an area covering more than two acres or an expansion of an existing zoning district as required by CBJ 49.75.120?***

   Analysis: The proposed CCTHITA rezone is 3.7 acres and is west of existing MU zoning. The proposed extension is 0.5 acres.

   Finding: Yes. The proposed rezone meets the minimum area. The proposed rezone is an extension of existing MU.

4. ***Has no similar request been made within the previous 12 months as required by CBJ 49.75.120?***

   Analysis: No additional analysis required.

   Finding: Yes. No similar rezone request has been filed within the previous 12 months.

5. ***Is the proposed zoning district and the uses allowed therein found to be in substantial conformance with the land use maps of the comprehensive plan and policies of the comprehensive plan, in accordance with CBJ 49.75.120?***

   Analysis: No additional analysis required.

   Finding: Yes. The proposed rezone is in substantial conformance with the land use maps and policies of the comprehensive plan.

6. ***Is the proposed zoning district and the uses allowed therein found to be in substantial conformance with Title 49 – Land Use Code, in accordance with CBJ 49.75.120?***

   Analysis: No additional analysis required.

   Finding: Yes. The proposed rezone is in substantial conformance with Title 49 – Land Use Code.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and forward a recommendation of APPROVAL to the Assembly for the requested rezone of approximately 4.2 acres in the Aak'w Kwaan District from MU2 to MU, eliminating zoning setback requirements, lot coverage restrictions and height restrictions. This area includes 3.7 acres in the application, and a half-acre extension of the west boundary of the rezone to Capital Avenue.

Proposed Motion*: I move the Commission accept staff findings and analysis, and forward a recommendation of approval of AME2022 0006 to the Assembly; a rezone of approximately 4.2 acres in the Aak'w Kwan District, from MU2 to MU, eliminating zoning setback requirements, lot coverage restrictions and height restrictions. The area includes the 3.7 acres proposed by the Central Council of Tlingit and Haida Tribes of Alaska, and staff's proposed half acre extension westward to Capital Avenue. I ask for unanimous consent.*

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application
Attachment B	Proposed rezone: lot data
Attachment C	Proposed rezone extension: lot data
Attachment D	Proposed Ordinance Map
Attachment E	Native Restricted Deeds
Attachment F	Subdivision analysis
Attachment G	Agency Review Correspondence
Attachment H	Public Meeting Materials
Attachment I	Abutters Notice
Attachment J	Public Notice Sign
Attachment K	Letter to affected land owners

DO NOT WORRY ABOUT ASSIGNING PARCEL #S

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

To be completed by Applicant

PROPERTY LOCATION

Physical Address: Various parcels as noted on Plan

Legal Description(s) (Subdivision, Survey, Block, Tract, Lot):

Parcel Number(s):

☐ This property is located in the downtown historic district
☐ This property is located in a mapped hazard area, if so, which _____

LANDOWNER/ LESSEE

Property Owner: Central Council Tlingit & Haida
Contact Person: Elias Duran
Mailing Address: 2631 Channel Dr
Phone Number(s): (907) 463-7397, (907) 790-3333
E-mail Address: eduran@ccthita-nsn.gov

LANDOWNER/ LESSEE CONSENT

Required for Planning Permits, not needed on Building/ Engineering Permits.

Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.

I am (we are) the owner(s)or lessee(s) of the property subject to this application and I (we) consent as follows:
A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.
B. I (we) grant permission for the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.

Central Council Tlingit & Haida — Property Manager
Landowner/Lessee (Printed Name) — Title (e.g.: Landowner, Lessee)

X _____ July 27, 2022
Landowner/Lessee (Signature) — Date

_____
Landowner/Lessee (Printed Name) — Title (e.g.: Landowner, Lessee)

X _____ _____
Landowner/Lessee (Signature) — Date

NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.

APPLICANT (If same as LANDOWNER, write "SAME")

Applicant (Printed Name): Central Council Tlingit & Haida
Contact Person: Elias Duran
Mailing Address: 2631 Channel Dr, Juneau, AK 99801
Phone Number(s): (907) 463-7397, (907) 790-3333
E-mail Address: eduran@ccthita-nsn.gov

X _____ July 27, 2022
Applicant's Signature — Date of Application

----DEPARTMENT USE ONLY BELOW THIS LINE----

Intake Initials: IMG 7.28.2022

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number	Date Received
AME 22-006	7/29/22

I:\FORMS\PLANFORM\DPA_Final Draft.docx

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

ZONE CHANGE APPLICATION

See reverse side for more information regarding the permitting process and the materials required for a complete application.

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

To be completed by Applicant

PROJECT SUMMARY

This zone change is intended to revise the zoning from MU2 to MU for a number of contiguous properties under the ownership and management of CCTHITA. The proposed new zoning abut portions of existing MU zoning, which is viewed as the most appropriate and flexible zoning for this portion of the new Village District, with future mixed use development similar in character to development in the downtown core with MU.

IS THIS AN EXPANSION OF AN EXISTING ZONE? (●) Yes ( ) No

Total Land Area of Proposed Change 5 acres

Comprehensive Plan Land Use Designation TTC

Current Zone(s) MU2

Comprehensive Plan Map Letter _____

New Zone Requested MU

TYPE OF ZONE CHANGE REQUESTED (●) Regular ( ) Transition

Has this or a similar zone change been requested in the previous 12 months? ( ) Yes Case # _____ (●) No

UTILITIES AVAILABLE WATER: [✓] Public [ ] On Site SEWER: [✓] Public [ ] On Site

ALL REQUIRED MATERIALS ATTACHED

- [ ] **Complete application**
- [ ] **Pre-Application Conference notes**
- [ ] **Narrative including:**
  - [ ] Purpose of the requested zone change
  - [ ] Any potential impacts to public infrastructure (streets, water, & sewer)
  - [ ] How the requested zone change comply with the maps and policies of the Comprehensive Plan
- [ ] **Site Plan and/or map of proposed zone change** (details on reverse side)

----------DEPARTMENT USE ONLY BELOW THIS LINE----------

ZONE CHANGE FEES	Fees	Check No.	Receipt	Date
Application Fees	$_____			
Admin. of Guarantee	$_____			
Adjustment	$_____			
Pub. Not. Sign Fee	$_____			
Pub. Not. Sign Deposit	$_____			
Total Fee	$_____			

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number	Date Received
AME22-006	7/29/22

Zone Change Application Information

Zone changes are outlined in CBJ 49.75 article I

Pre-Application Conference: A pre-application conference is encouraged prior to submitting an application. The applicant shall meet with City & Borough of Juneau (CBJ) staff to discuss the Zone Change process and analysis. To schedule a pre-application conference, please contact the Permit Center at 586-0770 or via email at Permits@juneau.org.

Application: An application for a Zone Change will not be accepted by the CBJ until it is determined to be complete. **Zone Change may only be applied for during January and July.** The items needed for a complete application are:

1. **Forms:** Completed Zone Change Application and Development Permit Application.
2. **Fees:** The fee for Zone Change Application is $600.00. No work can be approved with a Zone Change. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the purpose for the requested zone change.
4. **Plans:** A site plan showing the following information:
    A. The boundaries of the existing and proposed zone change and proposed buffers;
    B. The location of existing structures (i.e. buildings, fences, signs, parking areas, etc.); and
    C. The location of existing physical features of the site (i.e. drainage, topography, eagle trees, hazard areas, salmon streams, wetlands, etc.).
5. A traffic study may be required for zone changes.

Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Application Review & Hearing Procedure: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: The Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the Zone Change request, the application may be required to be reviewed by other municipal boards and committees. During this review period, the Community Development Department will coordinate the review of this application by other agencies, as necessary. **Review comments may require the applicant to provide additional information, clarification, or submit modifications/ alterations for the proposed Zone Change.**

Hearing: Once an application has been reviewed by all applicable parties the Community Development Department will schedule the zone change for the next appropriate Planning Commission meeting. All Zone Change Applications will be reviewed by the Planning Commission who will send a recommendation to the Assembly. Following a recommendation of approval by the Planning Commission, the Community Development Department will coordinate the zone change review by the Assembly. In order for zone changes to become effective, they must be adopted by ordinance by the CBJ Assembly.

Public Notice Responsibilities: All Zone Change requests must be given the following public notice as outlined in CBJ 49.15.230:

Community Development Department: Will give notice of the pending Planning Commission meeting and its agenda in the local newspaper a minimum of 10-days prior to the meeting. Furthermore, the department will mail notices to all property owners within 500-feet of the project site.

The Applicant will post a sign on the site at least 14 days prior to the meeting. The sign shall be visible from a public right-of-way or where determined appropriate by CDD. Signs may be produced by the Community Development Department for a preparation fee of $50, and a $100 deposit that will be refunded in full if the sign is returned within seven days of the scheduled hearing date. If the sign is returned between eight and 14 days of the scheduled hearing $50 may be refunded. The Applicant may make and erect their own sign. Please contact the Community Development Department for more information.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Central Council
Tlingit and Haida
Indian Tribes of Alaska

CENTRAL COUNCIL
tlingit and haida indian tribes of alaska
ANDREW P. HOPE BUILDING
320 West Willoughby Avenue • Suite 300
Juneau, Alaska 99801-9983

July 26, 2022

Ms. Jill Maclean, Director
CBJ Community Design and Development
Re: CCTHITA Rezone Application, Aak' w Kwaan Village District

Dear Ms. Maclean,

The Central Council of Tlingit and Haida Indian Tribes of Alaska, CCTHITA, is pleased to submit this application for a zone change of a number of parcels in the historic core of the newly named Aak' w Kwaan District. Per the attached graphic, CCTHITA is hoping to revise the indicated properties from MU2 to MU zoning. Each of the properties identified in this block is controlled by Central Council.

The strategic reasons for this are identified as follows. First, MU is the predominant underlying zoning in the developed urban core of Juneau, and abuts the new rezone parcel along Willoughby Street, or the northeasterly edge of the property.

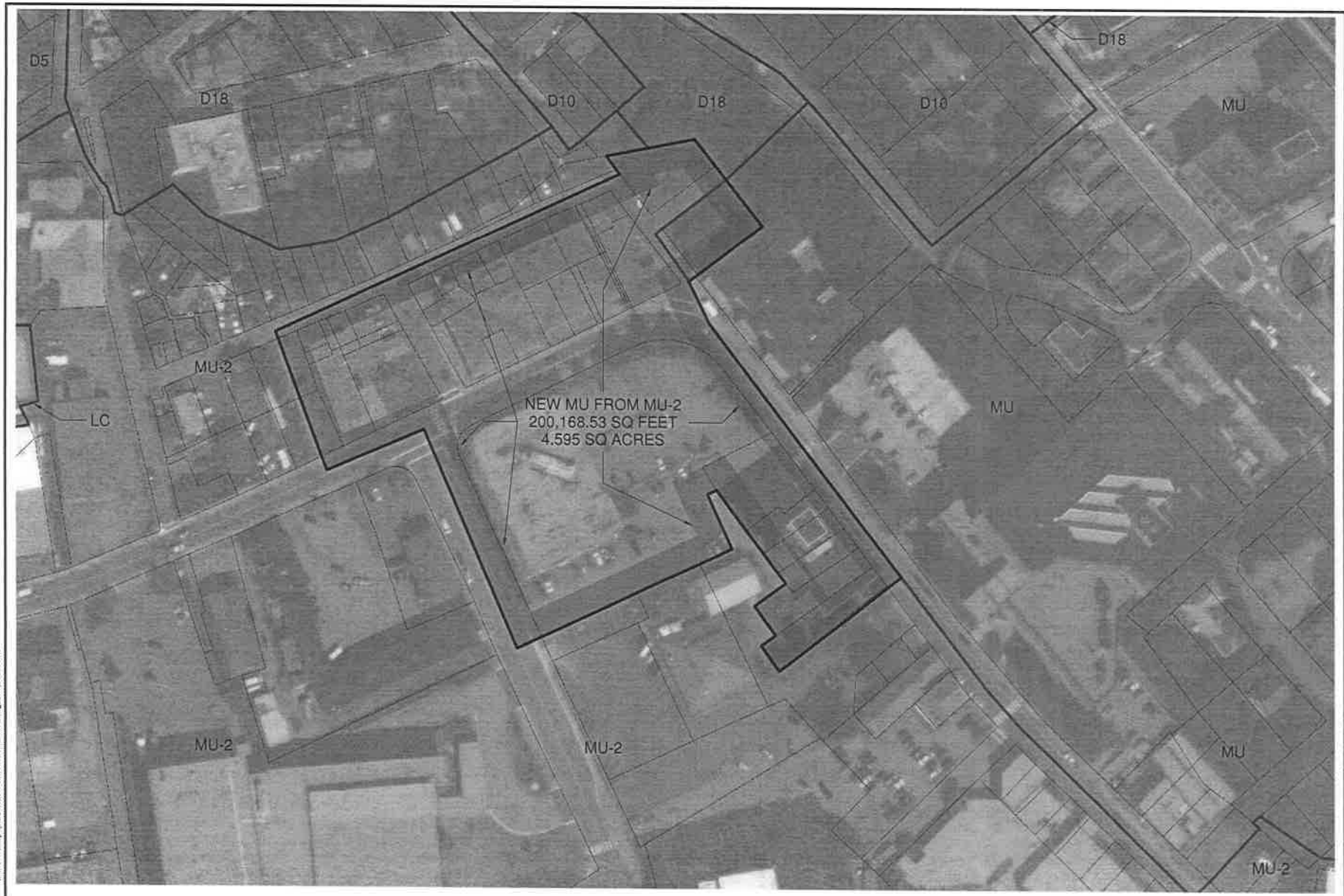
Second, this rezone to MU is consistent with the Comprehensive Plan in this area, which indicates the proposed area is "TTC", Traditional town Center, also consistent with other northeasterly areas of the established downtown core.

Third, this rezone will allow somewhat greater flexibility to CCTHITA as upgrades and new projects are considered in our downtown central properties. The ability of MU to build to property lines, along with greater height flexibility, will allow us the potential for more efficient mixed-use solutions in this area.

Please contact us with any questions.

Sincerely,

Elias Duran-Manager
Property Management
KIRA Services LLC
A subsidiary of Tlingit Haida Tribal Business Corp
2631 Channel Dr
Juneau, Alaska 99801
Office: (907) 463-7397
Mobile: (907) 790-3333
www.kira.com
eduran@kira.com
KIRA



1 PROPOSED ZONE CHANGE
1" = 100'-0"

ACTUAL NORTH

PROJECT NORTH

MRV ARCHITECTS
1420 GLACIER AVE. #101
JUNEAU, AK 99801
907-586-1371
FAX 907-463-5544
mrv@mrvarchitects.com

ZONE CHANGE APPLICATION

For The

Central Council of the Tlingit and Haida Indian Tribes of Alaska

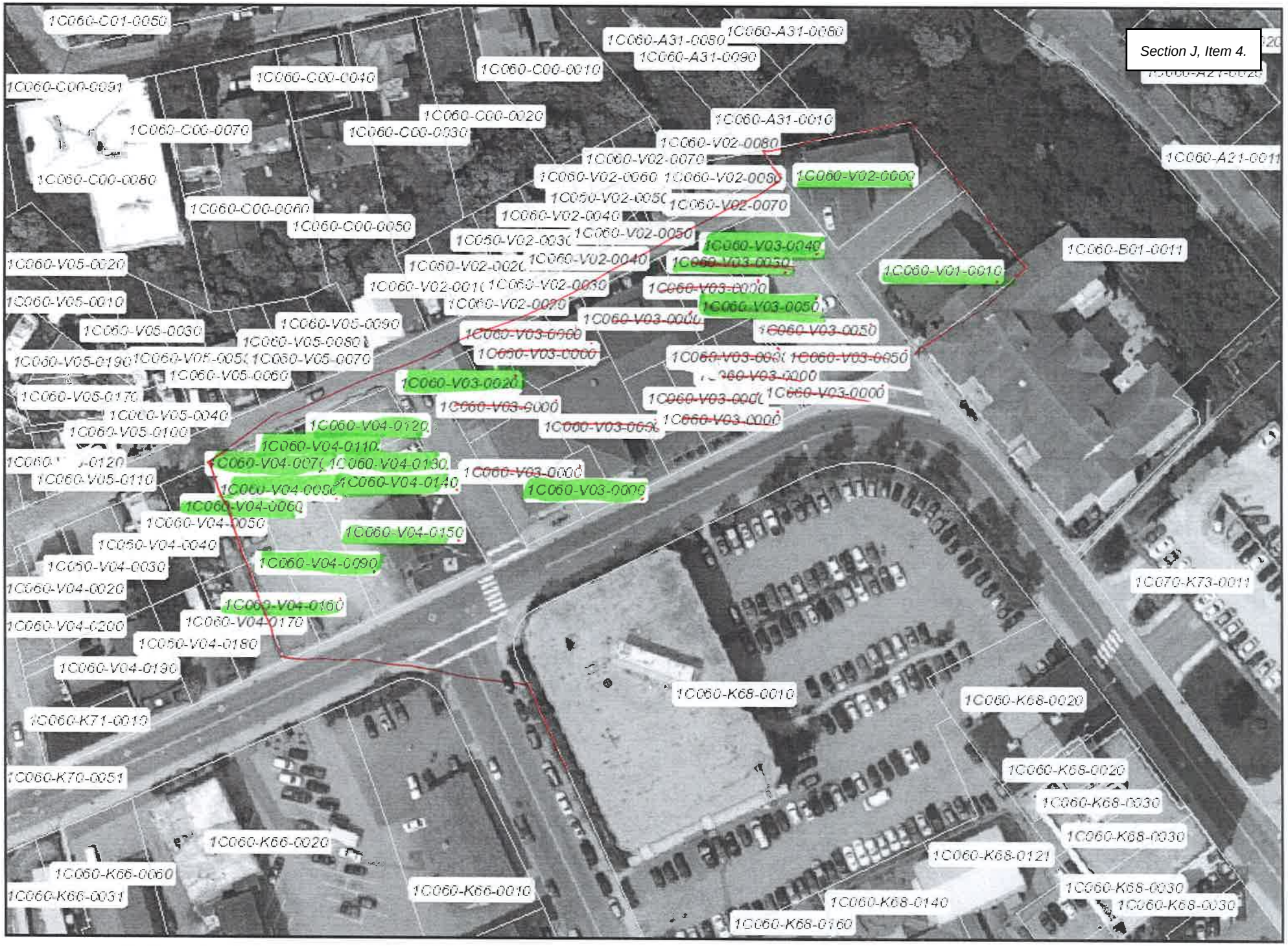
MRV # 2215

No.	Description	Date

SHEET TITLE:
PROPOSED ZONE CHANGE PLAN

DATE: 6.10.2022
DRAWN: MRV
CHECKED: PV

SHEET NO.
A100



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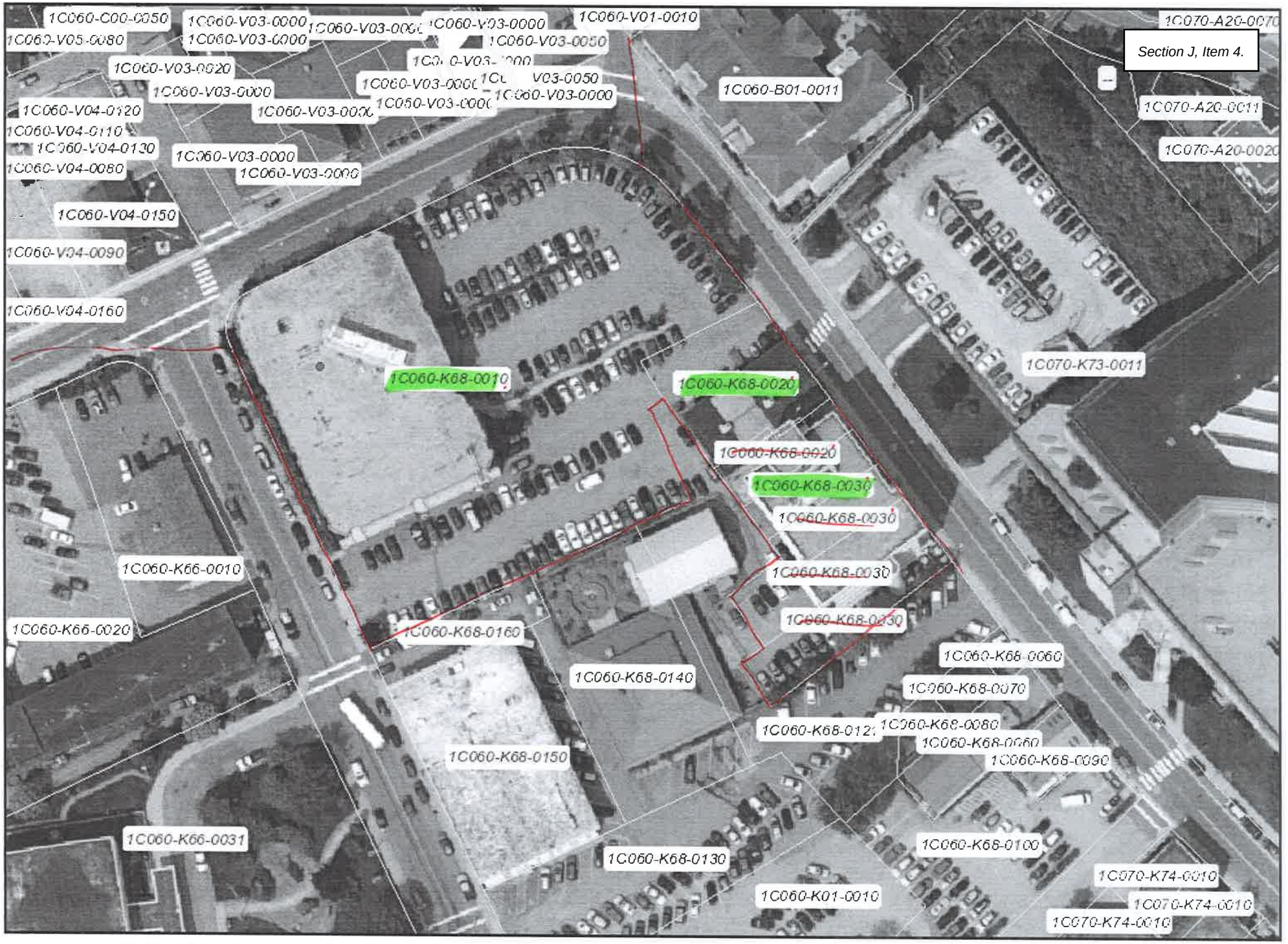
N



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N

Proposed Rezone: Ownership

1	1C060V020000	Patagonia Condominium Association	
2	1C060V030040	Kunz Nyman Jackson Rimot Hillman	Native Restricted Deed
3	1C060V030030	Kunz Nyman Jackson Rimot Hillman	Native Restricted Deed
4	1C060V030050	CCTHITA	Native Restricted Deed
5	1C060V030050	CCTHITA	Native Restricted Deed
6	1C060V030050	CCTHITA	Native Restricted Deed
7	1C060V030000	TH/ANB Condominium Association	
8	1C060V030000	TH/ANB Condominium Association	Native Restricted Deed
9	1C060V030000	TH/ANB Condominium Association	Native Restricted Deed
10	1C060V030000	TH/ANB Condominium Association	
11	1C060V030000	TH/ANB Condominium Association	
12	1C060V030000	TH/ANB Condominium Association	
13	1C060V030000	TH/ANB Condominium Association	
14	1C060V030000	TH/ANB Condominium Association	
15	1C060V030000	TH/ANB Condominium Association	
16	1C060V030000	TH/ANB Condominium Association	
17	1C060V030000	TH/ANB Condominium Association	
18	1C060V030000	TH/ANB Condominium Association	
19	1C060V030000	TH/ANB Condominium Association	
20	1C060V030000	TH/ANB Condominium Association	
21	1C060V030000	TH/ANB Condominium Association	
22	1C060V030020	Brown & Price & Willis	
23	1C060V040120	CCTHITA	
24	1C060V040130	CCTHITA	
25	1C060V040150	CCTHITA	
26	1C060V040080	CCTHITA	
27	1C060V040070	CCTHITA	
28	1C060V040100	CCTHITA	
29	1C060V040090	CCTHITA	
30	1C060V040070	CCTHITA	
31	1C060V040080	CCTHITA	
32	1C060V040060	CCTHITA CO TH/ANB #5	Native Restricted Deed
33	1C060V040160	CCTHITA	Native Restricted Deed
34	1C060V040050	Howard, Hotch, Peters, Peters	Native Restricted Deed
35	1C060V040170	Howard, Hotch, Peters, Peters	Native Restricted Deed
36	1C060V040040	CCTHITA CO TH/ANB #5	
37	1C060V040180	CCTHITA CO TH/ANB #5	
38	1C060V040030	CCTHITA CO TH/ANB #6	
39	1C060V040020	CCTHITA	
40	1C060V040010	CCTHITA	
41	1C060V040200	Alaska Prime Rentals	
42	1C060V040190	Alaska Prime Rentals	
43	1C060K710010	JC Bear Group LLC	
44	1C060K680010	CCTHITA	
45	1C060K680020	CCTHITA	
46	1C060K680020	CCTHITA	
47	1C060K680030	CCTHITA	
48	1C060K680030	CCTHITA	
49	1C060K680030	CCTHITA	
50	1C060K680030	CCTHITA	
51	1C060K680121	CBJ L&R	
52	1C060K680080	CBJ L&R	
53	1C060K680070	Cristobal	
54	1C060K680060	Bullwinkles	
55	1C060K680060	Bullwinkles	
56	1C060K680090	Teamsters Local 595	
57	1C060K680100	CBJ L&R	
58	1C070K740010	CBJ L&R	
59	1C070K740010	CBJ L&R	
60	1C070K740010	CBJ L&R	

Proposed Rezone: Ownership

61	1C070K740010	CBJ L&R	
62	1C070K740010	CBJ L&R	
63	1C070K740010	CBJ L&R	
64	1C070K740010	CBJ L&R	
65	1C070K740010	CBJ L&R	
66	1C070K740010	CBJ L&R	
67	1C070K740010	CBJ L&R	
68	1C070K740010	CBJ L&R	
69	1C060K010010	JAHC, CBJ L&R	
70	1C060K680130	CBJ L&R	
71	1C060K680140	CBJ L&R	
72	1C060K680150	CBJ L&R	
73	1C060K680160	CBJ L&R	

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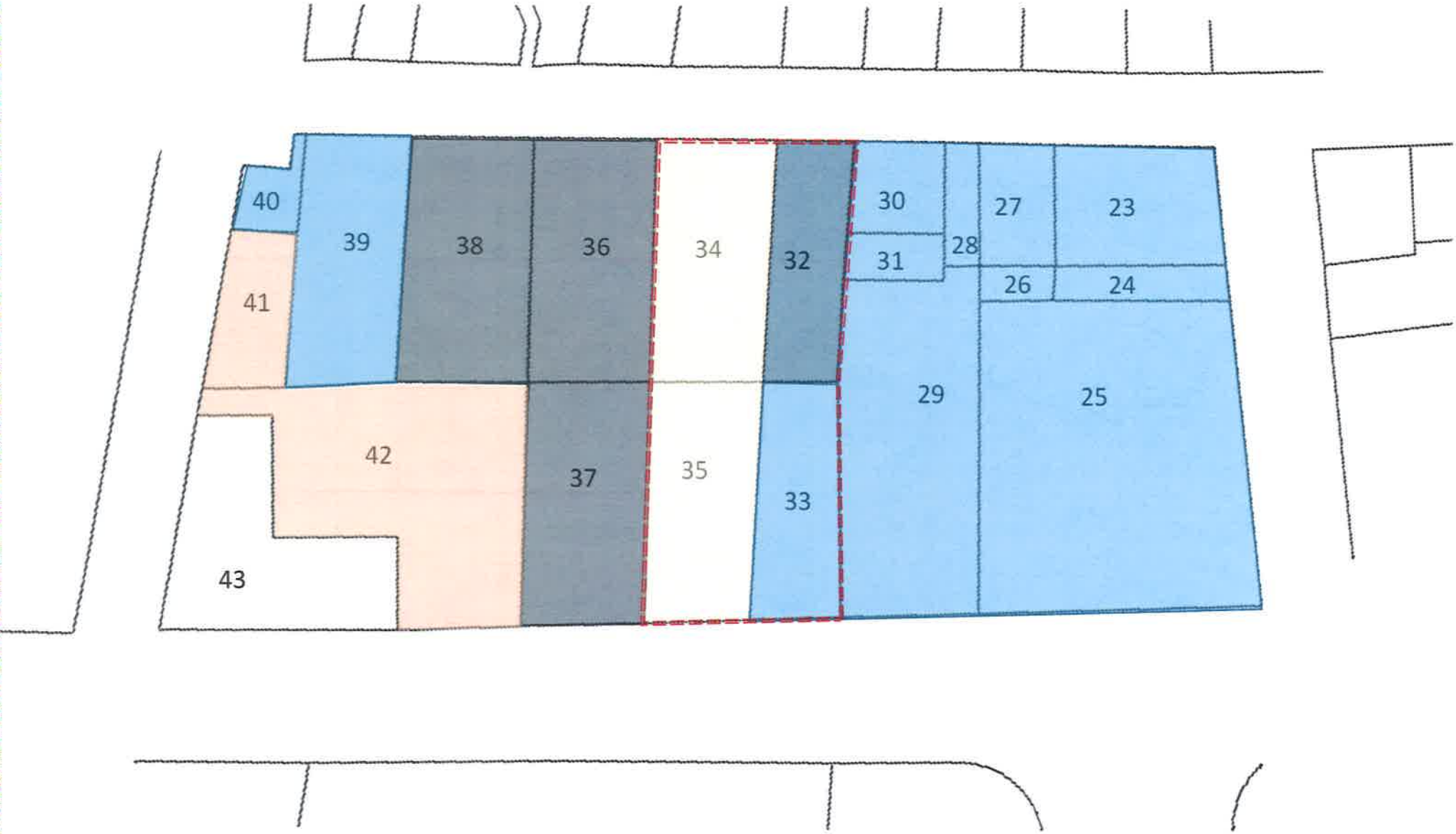
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Proposed Rezone: Ownership

	Parcel Number	Owner	Notes	Property Address	Legal Description	Lot size, square feet	Conforms? 4,000?	3,000?	Width 50'
1	1C060V020000	Patagonia Condominium Association		42-54 Gordon Street	JUNEAU INDIAN VILLAGE BL 2 LT 9A [PATAGONIA CONDO LAND]	4686	Y	Y	Y
	1C060V010010	THRHA	ALREADY MU	250 Village Street	JUNEAU INDIAN VILLAGE BL 1				
2	1C060V030040	Kunz Nyman Jackson Rimot Hillman	Native Restricted Deed	305 Village Street	JUNEAU INDIAN VILLAGE BL 3 LT 8	1321	N	N	N
3	1C060V030030	Kunz Nyman Jackson Rimot Hillman	Native Restricted Deed		JUNEAU INDIAN VILLAGE BL 3 LT 7	268	N	N	N
4	1C060V030050	CCTHITA	Native Restricted Deed		JUNEAU INDIAN VILLAGE BL 3 LT 9	5008	Y	Y	Y
5	1C060V030050	CCTHITA	Native Restricted Deed						
6	1C060V030050	CCTHITA	Native Restricted Deed						
7	1C060V030000	TH/ANB Condominium Association		320 Willoughby Avenue	INDIAN VILLAGE BL 3 LT 12 - 18 (TH ANB CONDO LAND)	26053	Y	Y	N
8	1C060V030000	TH/ANB Condominium Association	Native Restricted Deed		US 4694, 128 sf		N	N	N
9	1C060V030000	TH/ANB Condominium Association	Native Restricted Deed		US 4694, 368 sf		N	N	Y
10	1C060V030000	TH/ANB Condominium Association			US 4694 Lot 12, 2117 sf		N	N	N
11	1C060V030000	TH/ANB Condominium Association			US 4694 Lot 13, 482 sf		N	N	N
12	1C060V030000	TH/ANB Condominium Association			US 4694 Lot 5, 3568 sf		N	Y	Y
13	1C060V030000	TH/ANB Condominium Association			US 4694 Lot 14, 1994 sf		N	N	N
14	1C060V030000	TH/ANB Condominium Association			US 4694 Lot 15, 2065 sf		N	N	N
15	1C060V030000	TH/ANB Condominium Association			US 4694 Lot 4, 1088 sf		N	N	N
16	1C060V030000	TH/ANB Condominium Association			US 4694 Lot 3, 1477 sf		N	N	N
17	1C060V030000	TH/ANB Condominium Association			US 4694 Lot 16, 409X (illegible)		Y	Y	N
18	1C060V030000	TH/ANB Condominium Association			US 4694 Lot 17, 1004 sf		N	N	N
19	1C060V030000	TH/ANB Condominium Association			US 4694 Lot 18, 3870 sf		N	Y	Y
20	1C060V030000	TH/ANB Condominium Association			US 4694 Lot 2, 605 sf		N	N	N
21	1C060V030000	TH/ANB Condominium Association			US 4694 Lot 19, 1199 sf		N	N	N
22	1C060V030020	Brown & Price & Willis		343 Village Street	JUNEAU INDIAN VILLAGE BL 3 LT 1	850	N	N	N
23	1C060V040120	CCTHITA		353 Village Street	JUNEAU INDIAN VILLAGE BL 4 LT 12	1637	N	N	N
24	1C060V040130	CCTHITA	Front on Warrior St.		JUNEAU INDIAN VILLAGE BL 4 LT 13	507	N	N	N
25	1C060V040150	CCTHITA			JUNEAU INDIAN VILLAGE BL 4 LT 14	7015	Y	Y	Y
26	1C060V040140	CCTHITA			JUNEAU INDIAN VILLAGE BL 4 LT 13	218	N	N	N
27	1C060V040110	CCTHITA			JUNEAU INDIAN VILLAGE BL 4 LT 11	744	N	N	N
28	1C060V040100	CCTHITA			JUNEAU INDIAN VILLAGE BL 4 LT 10	340	N	N	N
29	1C060V040090	CCTHITA			JUNEAU INDIAN VILLAGE BL 4 LT 9	3880	N	Y	N
30	1C060V040070	CCTHITA			JUNEAU INDIAN VILLAGE BL 4 LT 7	676	N	N	N
31	1C060V040080	CCTHITA			JUNEAU INDIAN VILLAGE BL 4 LT 8	385	N	N	N
32	1C060V040060	CCTHITA CO TH/ANB #5	Native Restricted Deed	369 Village Street	JUNEAU INDIAN VILLAGE BL 4 LT 6	1487	N	N	N
33	1C060V040160	CCTHITA	Native Restricted Deed	406 Willoughby Avenue	JUNEAU INDIAN VILLAGE BL 4 LT 15	1616	N	N	N
34	1C060V040050	Howard, Hotch, Peters, Peters	Native Restricted Deed	375 Village Street	JUNEAU INDIAN VILLAGE BL 4 LT 5	2335	N	N	N
35	1C060V040170	Howard, Hotch, Peters, Peters	Native Restricted Deed		JUNEAU INDIAN VILLAGE BL 4 LT 16	2198	N	N	N
44	1C060K680010	CCTHITA		410 Willoughby Avenue	KASAAN CITY LT 2	70700	Y	Y	Y
45	1C060K680020	CCTHITA		400 Willoughby Avenue	TIDELANDS ADDITION BL 68 LT 1 & 2	8555	Y	Y	Y
46	1C060K680020	CCTHITA							
47	1C060K680030	CCTHITA		400 Willoughby Avenue	TIDELANDS ADDITION BL 68 LTS 3 - 6 & 12 FR	13899	Y	Y	N
48	1C060K680030	CCTHITA			*1934 plat does not have adequate detail for size of individual lots*				
49	1C060K680030	CCTHITA							
50	1C060K680030	CCTHITA							
					TOTAL	**154378**			
					ACRES	**3.54403122**			

Color coding corresponds to map on the following page.

Attachment B- Proposed rezone: lot data

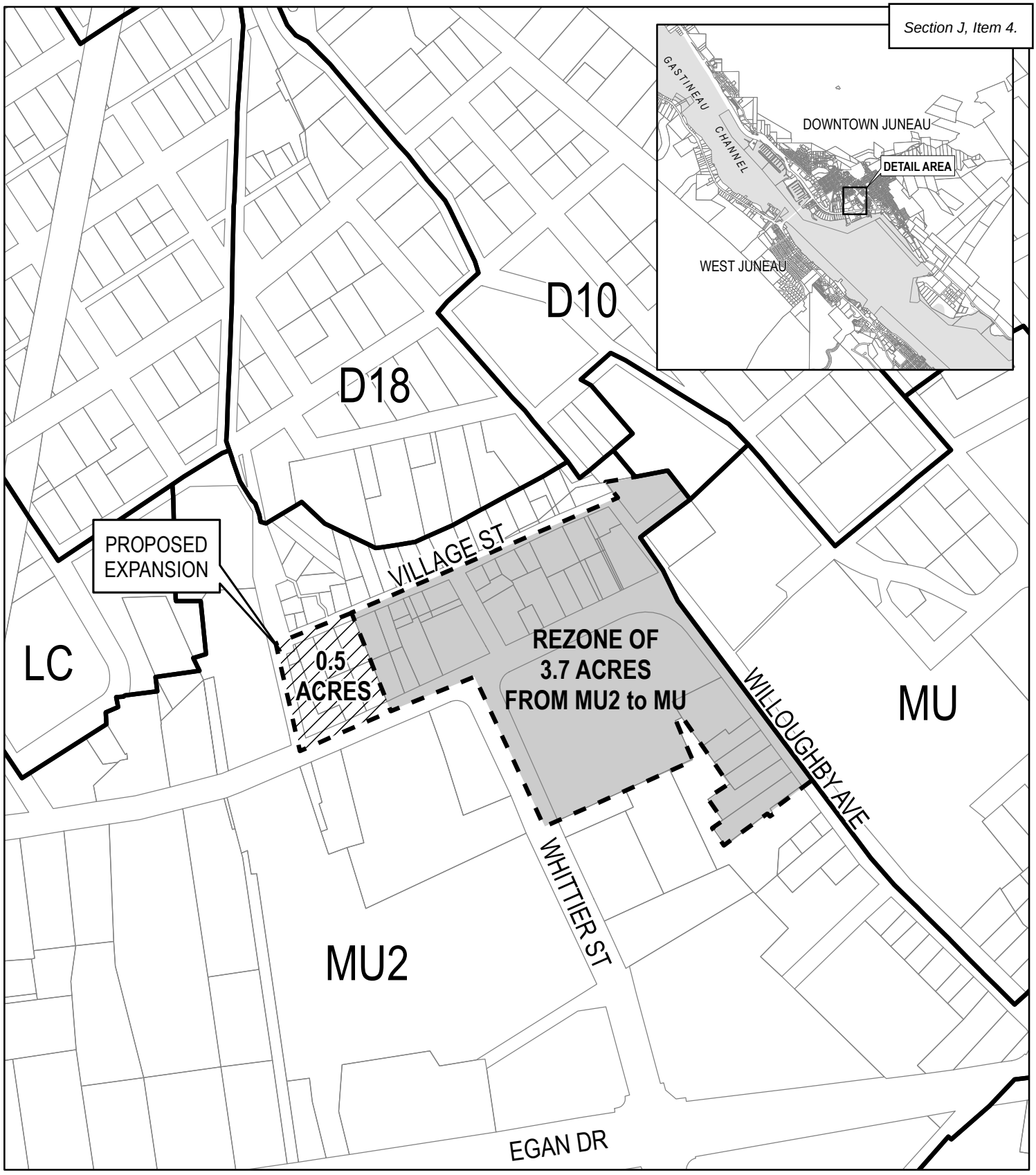
Attachment B- Proposed rezone: lot data

Proposed Rezone: Ownership

	Parcel Number	Owner	Notes	Property Address	Legal Description	Lot size, square feet	Conforms? 4,000?	3,000?	Width [3] 50'
36	1C060V040040	CCTHITA CO TH/ANB #5		379 Village Street	JUNEAU INDIAN VILLAGE BL 4 LT 4	2474	N	N	N
37	1C060V040180	CCTHITA CO TH/ANB #5		Village Street	JUNEAU INDIAN VILLAGE BL 4 LT 17	2440	N	N	N
38	1C060V040030	CCTHITA CO TH/ANB #6		379 Village Street	JUNEAU INDIAN VILLAGE BL 4 LT 3	2579	N	N	N
39	1C060V040020	CCTHITA		383 Village Street	JUNEAU INDIAN VILLAGE BL 4 LT 2	2158	N	N	N
40	1C060V040010	CCTHITA			JUNEAU INDIAN VILLAGE BL 4 LT 1	337	N	N	N
41	1C060V040200	Alaska Prime Rentals			JUNEAU INDIAN VILLAGE BL 4 LT 19	959	N	N	N (47.08)
42	1C060V040190	Alaska Prime Rentals		434 W WILLOUGHBY AVE	JUNEAU INDIAN VILLAGE BL 4 LT 18	4323	Y	Y	N
43	1C060K710010	JC Bear Group LLC		436 Willoughby Ave	TIDELANDS ADDITION BL 71 LT 1	2662	N	N	Y
					TOTAL	**17932**			
					ACRES	**0.411662**			

Color coding corresponds to map on the following page.

Attachment C- Proposed rezone extension: lot data



Ord. No. 2023-XX

Zone Change for
portions of the Aak'w Kwaan District
from MU2 to MU

CDD Case: AME20220006

0 125 250 Feet

NORTH

Map created: 1/5/2023

Project source: P:\quinn\Projects\CDD\zoning_ordinance_amend

Attachment D- Proposed Ordinance Map

MEMORANDUM

CITY & BOROUGH OF JUNEAU
155 South Seward Street, Juneau, Alaska 99801

TO: Cheryl Easterwood, Community Development Director
Charlie Lundfelt, Fire Chief
Richard Gummow, Police Chief
Joe Buck, Engineering Director
Craig Duncan, Finance Director
Ernie Mueller, Public Works Director

Received on MAY 15 1997 CBJ Permit Center

FROM: Donna Pierce, Deputy City Manager

SUBJECT: Enforcement in the Indian Village

DATE: May 15, 1997

For a long time, there has been considerable confusion and inconsistency in the CBJ's enforcement of codes in the Indian Village. This continues to be a problem, not just between departments, but within departments. In general, traffic codes, penal codes, and building, housing and fire codes which affect health and safety are all enforceable.

Attached is a memorandum from Debbie Purves that accurately describes what the CBJ can and can't do in the Village. Please make sure that ALL your employees who have responsibilities in this area have this information and apply it consistently! A uniform and consistent effort is what is required to solve the problems that have been identified.

If you have questions, please call me or John Hartle in the Law Department. Thank you.

cc: Mayor Dennis Egan
Dave Palmer, City & Borough Manager
John Hartle, Assistant Attorney
Laurie Sica, Environmental/Zoning Inspector

CITY & BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

MEMORANDUM

CITY/BOROUGH OF JUNEAU
155 South Seward Street, Juneau, Alaska 99801

DATE: May 2. 1995

TO: David R. Palmer, Manager
City & Borough of Juneau

FROM: Debbie Purves. Environ./Zoning Inspector
Community Development Department

FILE NO: 7700

SUBJECT: CBJ Code Enforcement in the Juneau Indian Village

Many meetings and discussions with regard to what code enforcement was possible has taken place with concerned citizens involved with the area known as the "Juneau Indian Village" or "the Village" over the past 10 years. The Village resembles a patch work quilt of restricted and non-restrictive lots. A map is enclosed which shows which lots are restricted and non-restricted as of April 1995.

This memorandum is a summary of understanding from which I will proceed with code enforcement in the Juneau Indian Village. A letter which outlines specific code violations and suggested solutions relative to individual properties will be sent to the property owners.

Formerly it was more difficult to distinguish between restricted and non-restricted lots. Also there was uncertainty as to what laws applied to native restricted lots. Therefore due to this uncertainty in the past, many CBJ laws were not enforced in the Village. Recent surveys and the placement of corner monuments have enabled better understanding of the field location of the various lots. A 34 page letter from the United States Department of the Interior also helped to clarify enforcement issues with regard to restricted lots.

The enforcement authority with respect to the restricted lots varies. A May 2, 1989, letter from the United States Department of the Interior helped to outline what codes apply to restricted lots. Based on review of the May 2, 1989, Department of the Interior letter, the following is a summary of assumptions which form the basis for CBJ enforcement on the restricted properties in the Village:

1. The Village is zoned D-18 which is a multifamily residential zone. The Land Use Code which regulates what uses are allowed in specific zones does not apply.
2. No real property taxes can be levied by CBJ.
3. No liens may be placed on the restricted lots by the CBJ.
4. There is no recognized Indian Tribal governmental entity exercising governmental authority over the Juneau Indian Village.

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

5. 1926 Alaska Native Townsite Act supplemental to the March 3, 1891, Act expressed no intent to preclude state or municipal exercise of regulatory jurisdiction over restricted townsite lots.

6. In 1953 Congress enacted Public Law 280. This laid the ground work for criminal law enforcement.
7. There is no authority under federal Public Law 280 to allow the State court adjudication of the ownership or right of possession of such property.
8. The federal statute 25 U.S.C. Section 231 relevance would be as federal authorization of municipal inspection or enforcement activity with respect to health, sanitation and school attendance.
9. Traffic codes are enforceable in the entire Village.
10. Penal codes are enforceable on all lots.
11. Building, housing, and fire codes which affect health and safety on restricted lots and other lots in the area are enforceable on all lots.
12. The CBJ may not affect ownership of the restricted lots.
13. The Juneau Indian Village was never formally designated as an Indian reservation. A non-restricted lot is no different than other private property elsewhere in the City and Borough of Juneau (CBJ) and is subject to all the same laws and ordinances. The fact that these lots are within the boundaries of the Juneau Indian Village does not affect the non-restricted lots requirement to comply with all CBJ laws.
14. The ownership of non-restricted lots by natives does not affect the need to comply with all CBJ laws.
15. All laws and CBJ ordinances apply to the streets and right-of-ways within the Village.

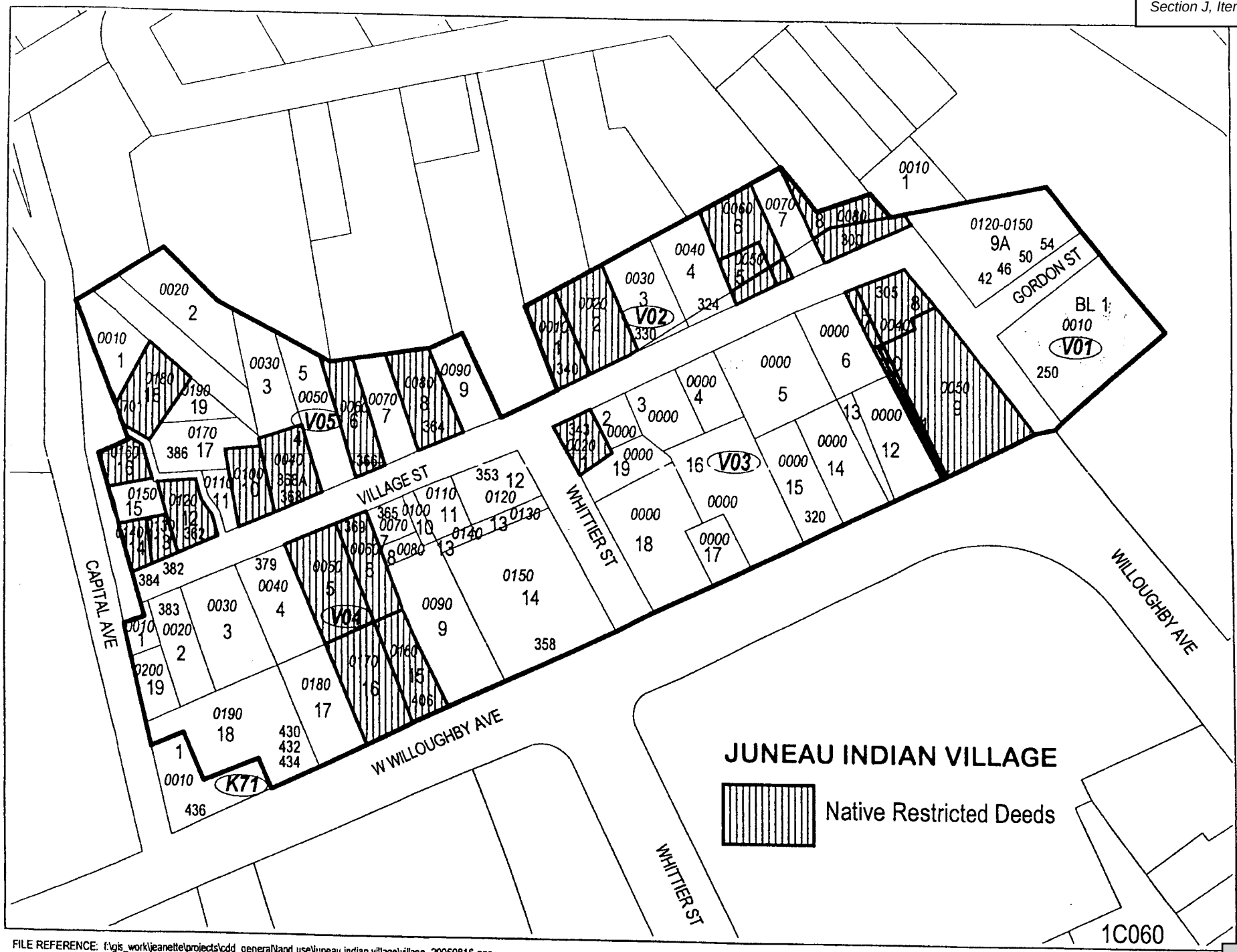
The status of lot restriction was determined by review of CBJ assessor records and discussions with Cheri Renner of Tlingit and Haida Central Council.

The staff doing code enforcement should make every attempt to allow this new code enforcement stance without resort to fines, letters of violation, or law department action. Communication and education are always the first steps to use to gain voluntary compliance.

Although failure to comply with the litter laws will result in the issuance of tickets. Failure to comply with the fire code or building code may result in notice of violation letters and subsequent legal action. Failure to comply with the land use code on non-restricted lots may result in notice of violation letters, compliance orders, and as a final resort, legal action.

I believe through the kick off clean up campaign scheduled for May 15 and 16, 1995; notice to individual property owners; the use of the CBJ codes handout (copy attached); and continued enforcement presence in the Village will result in a cleaner and safer community.

cc: Murray Walsh, Director CDD
Chris Roust, CBJ Building Official
Richard Gummow, Chief of Police
Charles Lundfelt, CBJ Fire Chief
John Corso, City Attorney
Dennis Egan, CBJ Mayor
Ed Thomas, President Tlingit Haida Central Council
BIA, Juneau Office
Ed Kunz, President Auke Tribe Council (300 Village St.)
Debra Purves, Environ./Zoning Inspector



FILE REFERENCE: f:\gis_work\jeanette\projects\cdd_general\land use\juneau indian village\village_20060816.apr
DATE: Aug 17, 2006

Attachment E- Native Restricted Deeds

155 SOUTH SEWARD STREET
JUNEAU ALASKA 99801

May 8, 1995

Subject: Code Enforcement in Juneau Indian Village

To Whom It May Concern:

The City and Borough of Juneau(CBJ) wants to work with the property owners to address health, sanitation, and safety concerns in the Village. This letter is to inform you of this effort and ask your assistance. The CBJ will proceed with enforcement of all city laws on the non-restricted properties (including zoning laws) and city streets. On native restricted properties city laws which concern health, sanitation and safety will be enforced.

Guidelines to follow for litter laws include:

1. All garbage is to be kept in garbage containers with tight fitting, overlapping lids. No bags of garbage are to be stockpiled or kept in vehicles for storage.
2. Property is to be kept litter free with no accumulation of waste, broken, or discarded items. This includes junk cars which are not scheduled for repair.
3. No use of the outdoors for restroom functions.
4. Living in cars, trucks, and abandoned buildings is not allowed as there are no restrooms to use.

Guidelines to follow for building code laws include:

1. All new structures need a building permit. Building permit review and inspections will assure that minimum safety and fire code standards are met.
2. All mobile homes and R/V's which are used as residences need a building permit. Connection to water, sewer, electricity, safe entrance stairs, fuel source connections, smoke detectors, skirting, and foundations are some of the concerns of building permit inspections.
3. Buildings which contain a business will need to comply with fire and building codes required based on the type of business. Contact the CBJ building division at 586-5230 for your questions.

Guidelines to follow for fire laws include:

1. All new fuel storage tanks or wood stoves planned to be put in, need to be reviewed and inspected with a building permit to assure basic safety standards are met.
2. Existing unsafe fuel storage tanks, propane tanks, and wood stoves will need to be reviewed and reinstalled using the building permit process.

Letters will be sent to individual property owners notifying them of the results of the March 1995 lot by lot survey done by CBJ. Please contact Debbie Purves at Community Development (586-5230) to discuss these letters and let us know your concerns after you have had a chance to read the letters.

In a joint effort between CBJ, Property Owners, and the Tlingit-Haida Central Council, a **clean up campaign will be held May 15 and 16, 1995.** Your participation will make the clean up more thorough and effective.

All refuse items accumulated in the village will be allowed to be dumped as part of this clean up. If there are junk vehicles on your property please fill out one of the attached "Junk Vehicle Removal Request Forms" and return it to the CBJ Community Development as soon as possible. Regular household garbage is generated daily and should be taken care of and not stockpiled in anticipation of the clean up event.

Call Junk Busters at 586-5274 to leave a message 24 hours a day about litter problems, junk vehicles, or other health and sanitation problems or the Juneau Police Department at 586-2780. Thank you for your attention to this letter.

Sincerely,

Debra J. Purves
Environ./Zoning Inspector
Community Development

United States Department of the Interior

OFFICE OF THE SOLICITOR
ALASKA REGION

4230 University Drive
Suite 300
Anchorage, Alaska 99508-4626
(907) 271-4131

October 4, 2002

Roberta Wolfe, Realty Specialist
Central Council of Tlingit & Haida Indian Tribes of Alaska
320 West Willoughby Avenue, Suite 300
Juneau, Alaska 99801-9983

By Facsimile to: (907) 463-7361

Dear Ms. Wolfe:

Subject: Municipal Code Enforcement in the Juneau Indian Village

By letter dated September 3, 2002, you have asked this office whether the views expressed in our legal opinion of May 2, 1989 have changed, or whether that opinion continues to reflect our current views. This is to inform you that in large measure, the analysis set forth in the 1989 memorandum would still appear to be accurate.

It might be argued that post-1989 Supreme Court opinions such as *Oklahoma Tax Commission v. Sac & Fox Nation*, 508 U.S 114 124 L.Ed.2d 30, 113 S.Ct. 1985 (1993), and *Oklahoma Tax Commission v. Citizen Band of Potawatomi Tribe of Oklahoma*, 498 U.S. 505, 112 L.Ed.2d 1112, 111 S.Ct. 905 (1991) have emphasized the limits of state authority in *all* Indian country, and not just Indian country within reservation boundaries. Granted, these cited decisions were tax cases, but they would seem to cast doubt more generally on any claim of state jurisdiction over non-reservation Indian country, perhaps including restricted Alaska Native townsite lots. If restricted Alaska Native townsite lots are allotment Indian country, one might assert that the State and its political subdivisions possess very little civil governmental jurisdiction over such restricted Native townsite lots. On the other hand , that argument can at least be partially countered by noting that in Juneau we are not dealing with a situation involving a federally recognized Indian Tribe which is a competing sovereign, whose retained jurisdiction would be infringed upon by the exercise of state authority.

Moreover, there was an important indication of Congressional intent which we overlooked in our 1989 analysis, which strongly suggests that the City and Borough of Juneau *would* have land use regulatory jurisdiction over restricted Native townsite lots in the Juneau Indian Village. In *Sac and Fox, supra*, the Supreme court summarized an aspect of its holding thusly:

> *Absent explicit congressional direction to the contrary*, we presume against a State's having the jurisdiction to tax within Indian country, whether the particular territory consists of a formal or informal reservation, allotted lands, or dependent Indian communities.

(Emphasis added). 508 U.S. at 128, 124 L.Ed.2d at 43. In the case of Alaska Native restricted townsite lots, one can argue that there is indeed "explicit congressional direction to the contrary."

The relevant statutory provision, which we regrettably overlooked in our 1989 analysis, was the Act of July 24, 1947, 62 Stat. 35, formerly codified at 43 U.S.C. § 738 (1970):

> **§ 738. Zoning power in Alaska.**
>
> The Legislature of the Territory of Alaska is authorized to exercise or to provide for the exercise of zoning power, through a Territorial Zoning Commission or otherwise, in town sites on the public lands of the United States in Alaska; except that such power shall not extend to lands or buildings while they are being utilized by, or to buildings or other structures while they are being constructed by or for, the United States.

This broad unqualified delegation to the Territorial Legislature of land use regulation authority within federal townsites seems to have remained on the books after Statehood. It would appear to have been carried over pursuant to § 8(d) of the Alaska Statehood Act of July 7, 1958, 72 Stat. 339. It was eventually repealed along with numerous other federal land laws by § 703(a) of the Federal Land Policy & Management Act of October 21, 1976 (FLPMA), Pub.L. 94-579, 90 Stat. 2743, 2790.

The significance of § 738 is that it represents an explicit congressional direction that the Territorial Government, predecessor to the State of Alaska, was to possess jurisdiction to regulate private land use within Federal townsites through exercise of the zoning power. There is nothing in the text of that 1947 enactment to suggest that it did not extend Territorial regulatory jurisdiction to restricted as well as unrestricted townsite lots. On its face the statute authorizes exercise of zoning power "in town sites on the public lands." Indeed, it is difficult to argue that Congress was unaware in enacting § 738 in 1947 that it could be read to apply to Native restricted townsite lots issued pursuant to the Alaska Native Townsite Act of May 25, 1926, 44 Stat. 629, as well as other land within a Federal townsite. After all, Congress is presumed to be aware of its own prior enactments, and to legislate against the backdrop of such existing law. Moreover, Congress affirmatively demonstrated its awareness of the existence of the 1926 law, and of individual restricted Native land holdings within Federal townsites, less than a year later when it passed the Act of February 26, 1948, 62 Stat. 35. That legislation, codified as 43 U.S.C. § 737 (1970), authorized the issuance of *unrestricted* townsite lot deeds to Alaska Natives, which had not been explicitly authorized under the 1926 statute.

Consideration of the congressional intent reflected in enactment of the former 43 U.S.C. § 738 would appear to strengthen the case for the existence of municipal jurisdiction to regulate

land use on restricted Native townsite lots, and therefore supports our prior 1989 conclusion that the City and Borough of Juneau would not clearly be over-stepping its authority if it sought to enforce provisions of its municipal code in the Juneau Indian Village.

I hope this reconfirmation of the 1989 opinion is helpful. Please give me a call if I can be of further assistance.

Roger L. Hudson

cc: Alaska Regional Director, BIA
Acting Realty Officer, Alaska Region, BIA

United States Department of the Interior
OFFICE OF THE SOLICITOR
ALASKA REGION
222 West 8th Avenue, #34
Anchorage, Alaska 99513-7584
(907)271-4131

TAKE PRIDE IN AMERICA

IN REPLY REFER TO:

BIA.AK.0306

May 2, 1989

RECEIVED
MAY 04 1989
BUREAU OF INDIAN AFFAIRS
OFFICE OF THE AREA DIRECTOR

MEMORANDUM

TO: Acting Area Director
Juneau Area Office
Bureau of Indian Affairs

FROM: Attorney
Office of the Regional Solicitor
Alaska Region

SUBJECT: Juneau City and Borough Municipal Code Enforcement in "Juneau Indian Village"

Beginning in the summer of 1988 this office had several discussions with former Acting Area Director Youngdeer and members of his staff regarding requests from the City and Borough of Juneau for guidance as to limitations placed on the municipal government by federal law with respect to applicability of local ordinances to real property and property owners within the area or neighborhood known as the "Juneau Indian Village." In September we received a letter from City-Borough Attorney Barbara Blasco which provided some greater detail as to the municipal government's concerns and asked for legal guidance as to the extent of its regulatory and enforcement authority. Most helpfully, that letter identified at least in general terms the provisions of the city-borough code which Juneau officials hoped to enforce in the Indian Village, and included a color-coded map of the five blocks comprising the Juneau Indian Village, depicted by U.S. Survey No. 4694. Rather than replying directly to the City-Borough Attorney, we are furnishing this memorandum to you with the assumption that you will be sharing it with municipal officials and others, although that decision is of course left to your discretion.

According to the map furnished by the City-Borough Attorney, there are four categories of land ownership in the Juneau Indian Village. Of the total of 69 surveyed lots, the map indicates that 30 are held in restricted status, 15 are owned by the Alaska Native Brotherhood (ANB), and the remaining 24 are owned in

unrestricted status. The properties in the latter two categories do not present any great analytic difficulty, and we will accordingly briefly address their status first, along with some observations about the status of the surveyed streets and roads. We will then proceed to a discussion of the more difficult problems presented by the lots held in restricted status.

I. Unrestricted Lots

From the jurisdictional standpoint, the lots held in unrestricted status are no different than any other private property in the City of Juneau. Although the history leading up to their present fee simple ownership status may be somewhat atypical,[1] the municipality's authority to legislatively regulate their use, and to enforce such regulations, consistent with otherwise applicable local, state, and constitutional legal standards, is not in any way affected by their location within the boundaries of the so-called "Juneau Indian Village." After all, the claims of title to most of the surrounding private properties also trace their roots back to patents issued by the BLM townsite trustee pursuant to federal townsite laws. See e.g., history recited in Oswald v. Columbia Lumber Co., 425 P.2d 240 (Alaska 1967).

The Juneau Indian Village, despite its name, was never formally designated as an Indian reservation, so none of the relatively complex case law relating to conflicts between tribal and state and local regulatory jurisdiction over fee land within a reservation need be considered. Cf. e.g. Montana v. United States, 450 U.S. 544, rehearing den., 452 U.S. 911 (1981); Consolidated Tribes and Bands of the Yakima Nation v. Whiteside, 617 F. Supp. 735 and 750 (E.D. Wa. 198), affirmed, 828 F.2d 1391 (9th Cir. 1988), cert. granted 108 S.Ct. 2843 (1988); Thomsen v. King County, 694 P.2d 40 (Wash. App. 1985).

Likewise, the circumstance that a particular unrestricted lot may be owned by an Alaska Native rather than a non-Native does not undermine the conclusion that the municipal government may exercise its full regulatory and enforcement powers with respect to all the unrestricted lots. Native owners may have acquired unrestricted title either directly from the Trustee under 43 CFR §§ 2564.6 and 2564.7, by removal of restrictions under 25 CFR Part 152, or by gift, purchase or inheritance from

---

1/ Attached hereto is a copy of a March 6, 1968 Memorandum by Juneau Area Realty Officer Charles H. Jones reciting in general terms the physical and legal history of the site presently occupied by the Juneau Indian Village, as well as a copy of the 1963 statute referred to therein.

a prior owner. Unrestricted lots in the Juneau Indian Village are neither part of a reservation nor "Indian country." As the Supreme Court observed in Mescalero Apache Tribe v. Jones:

> Absent express federal law to the contrary, Indians going beyond reservation boundaries have generally been held subject to nondiscriminatory state law otherwise applicable to all citizens of the state.

411 U.S. 145 at 148 (1973). See also: Organized Village of Kake v. Egan, 369 U.S. 60, 75 (1962); and People of South Naknek v. Bristol Bay Borough, 466 F. Supp. 870, 875-876 (D. Alaska 1979).

II. Alaska Native Brotherhood Property

The map accompanying City-Borough Attorney Blasco's September 1, 1988 letter identifies the bulk of Block 3 of U.S. Survey 4694 with the designation "ANB," which presumably refers to the Alaska Native Brotherhood, an historic Alaska Native fraternal organization founded back in 1912. The organization's history, structure and purposes are described in some detail in Case, Alaska Natives and American Laws (University of Alaska Press 1984), at pages 405-409. Of critical significance is the fact that the ANB has never asserted a claim to "tribal" status and is not recognized as a "tribe" for purposes of federal Indian law. Id. Cf. Board of Equalization for Borough of Ketchikan v. Alaska Native Brotherhood and Sisterhood, Camp No. 14, 666 P.2d 1015 (Alaska 1983) (wherein ANB/ANS's lessee, asserting tribal immunity, was held not exempt from borough property taxes).

If ANB is in fact presently the owner of property in the Juneau Indian Village, it must have received that property by conveyance from individuals who were the original recipients of unrestricted deeds from the BLM Townsite Trustee. According to BLM records, no lots were originally applied for by ANB, and none were subsequently deeded by the Trustee to that organization. Several lots were apparently deeded in unrestricted status to individuals who were officers of ANB, but as to such unrestricted lots, the Trustee would have no record of a reconveyance to ANB or any other party. On the other hand, title to restricted lots could not have been transferred without BIA approval and further affirmative action by the Trustee. 43 CFR § 2564.5.

But whatever the extent of ANB's ownership interests in the Juneau Indian Village, it is certain that any such interests are held in unrestricted status. There is no provision in the law

for an association such as ANB to acquire a restricted title as an individual might, either directly from the Trustee, or by reconveyance from an Alaska Native holding restricted title. The 1926 Alaska Native Townsite Act, 44 Stat. 629, formerly codified at 43 U.S.C. §§ 733-736, authorized conveyance of restricted title only to an individual Indian or Eskimo occupant. Therefore, the conclusions set forth above with regard to the applicability and enforceability of relevant portions of the Juneau City and Borough Code to unrestricted townsite lots would also extend to any lands owned by ANB. Federal land law presents no impediment to across-the-board enforcement of otherwise applicable municipal ordinances.

As a footnote it might also be noted that the City and Borough Code can probably also be enforced in their entirety with respect to any property held by the Auke Tribal Council (Auke). The Townsite Trustee's records indicate that title to Block 1 of U.S. Survey 4694 was issued to Auke on September 22, 1971 in unrestricted status. There is therefore no title-related limitation upon enforcement of municipal law against Auke, owing to the nature of the land tenure itself.

However, this office is uncertain as to whether or not Auke claims to be a federally recognized Indian tribe, and on that basis to possess tribal sovereign immunity. We do note that Auke is not included in the much expanded list of "Native Entities Within the State of Alaska Recognized and Eligible To Receive Services From the United States Bureau of Indian Affairs," published at 53 Federal Register 52832 (December 29, 1988), pursuant to 25 CFR § 93.6(b). We are unaware of any other historical or legal support for any claim of sovereign tribal status which Auke might assert.

Moreover, even if Auke did have a colorable claim to tribal status, it is not clear that such status would insulate its activities on its Juneau Indian Village property from municipal regulation. In the relatively near future the Alaska Supreme Court will probably hand down a decision in City of Nome v. Nome Eskimo Community, Appeal Docket No. S-2651, a case in which an Indian Reorganization Act (IRA)-organized Native governmental entity is attempting to assert tribal immunity as a defense against imposition and collection of local property taxes. Like Auke's property, the land at issue in the Nome case is owned in fee simple status. Significantly, Nome Eskimo Community, although contesting its tax liability, has evidently acquiesced in application of other city ordinances of a regulatory nature to its activities on the disputed fee simple parcel.

III. Dedicated Streets

Although no direct reference to the streets surveyed as part of the Juneau Indian Village is made in City-Borough Attorney Blasco's letter, it is fairly obvious that enforcement of various of the municipal code provisions at issue would involve conduct occurring on the city streets. Perhaps it was assumed that the City and Borough have full enforcement powers with respect to activities occurring within the road rights-of-way. At any rate, our review of applicable law suggests nothing to the contrary.

The townsite survey of the Juneau Indian Village was originally authorized by the Act of May 29, 1963, Public Law 88-34, 77 Stat. 52, which simply stated as follows:

> The Act of May 25, 1926 (44 Stat. 629; 48 U.S.C. 355a-355d, is hereby extended and made applicable to all lands of the Juneau Indian Village of Alaska, including uplands and filled in tidelands occupied on the date of this Act.

The 1926 Act in turn provided in relevant part as follows;

> § 2 **Extension of street or alley across Indian or Eskimo land in Alaska; reservation of area.**
>
> Whenever the Secretary of the Interior shall determine that it would be to the interest of the Indian or Eskimo occupant of land described in section 733 of this title, he is authorized to extend the established streets and alleys of the town site upon and across the tract, and the deed issued to such occupant under said section shall reserve to the town site the area covered by such streets and alleys as extended.

Act of May 25, 1926, 44 Stat. 630, formerly codified as 43 CFR § 734, repealed by § 703 of the Federal Land Policy and Management Act (FLPMA) of 1976, 90 Stat. 2790. A glance at the survey plat makes it obvious that this statutory authority was in fact used to reserve the roads in the Juneau Indian Village.

Although we are unaware of any litigation specifically confirming such conclusion, it is our view that the City and Borough presently possess full administrative authority over--if not outright ownership of--the surveyed streets in the Juneau Indian Village. It would appear that the municipality acquired such authority by operation of law without necessity of any documents

of transfer being issued by the Townsite Trustee. A copy of a February 21, 1961 legal memorandum from this office, which so concludes, accompanies this memorandum.

Summarizing the legal authorities cited, that memo states that "... the right and title to such land is subject to disposition in the courts in accordance with applicable law." Old Alaska caselaw would appear to support recognition of the City and Borough's rights and authority. See Macintosh v. Town of Nome, 1 Alaska Reports 492, 496 (1902), and McCloskey v. Pacific Coast Co., 160 F. 794, 799 (1908), both relying upon Ashby v. Hall, 119 U.S. 526 (1886). These decisions all involved adjudication of conflicting public and private claims of ownership and control over townsite roads and walkways, and each was decided in favor of the public interest. Cf. State v. Fairbanks Lodge No. 1392, Loyal Order of Moose, 633 P.2d 1378 (Alaska 1981), which held a mere paper "dedication" of a road on an unapproved and unrecorded subdivision plat did not in and of itself establish public ownership. That case is of course factually distinguishable from the situation with respect to the streets in the Juneau Indian Village.

In conclusion, it would appear that the combination of historic use and the recognition of the roads in the Townsite Trustee's survey of the Juneau Indian Village are together sufficient to establish public control over such roads, and that the Juneau City and Borough is the appropriate entity to exercise such control. Nothing in the 1926 Alaska Native Townsite Act is inconsistent with such conclusion. Nor does the circumstance that many of the individual privately owned townsite lots abutting those roads are held in restricted status in any way diminish the Municipality's state-delegated authority over operation and use of public rights-of-way. A.S. 29.35.010(10).

IV. Restricted Native Townsite Lots

A. General Discussion

The legal issues of greatest difficulty relate to the extent of municipal legislative or regulatory jurisdiction over use of restricted townsite lots, and the degree of control municipalities may properly exercise over activities conducted on such property. While the discussion which follows attempts in good faith to address these issues of concern, very few conclusions can be stated with absolute confidence. Given the unsettled nature of the law, especially as it applies to restricted Indian property outside reservation boundaries, we cannot guarantee that

an individual affected by City and Borough action--or inaction--will not choose to judicially challenge the basis of the Municipality's exercise of police powers, or its election not to act in a particular situation.[2]

Having offered this disclaimer, we proceed to a review of the relevant statutes and decisional law. The more general discussion will be followed by brief comments on the specific City and Borough of Juneau Code provisions identified as candidates for enforcement in the September 1988 letter from legal counsel.

The starting point must be the 1926 Alaska Native Townsite Act itself, since it provides the most direct indication of Congressional intent as to the proper treatment of restricted property acquired by Native occupants. Section 1 of the Act, formerly codified at 43 U.S.C. § 733, provided as follows:

> 1. Indian or Eskimo lands in Alaska set aside on survey of town site; deeds; restrictions; fee simple title.
>
> Where, upon the survey of a town site pursuant to section 732 of this title, and the regulations of the Department of the Interior under said section, a tract claimed and occupied by an Indian or Eskimo of full or mixed blood, native of Alaska, has been or may be set apart to such Indian or Eskimo, the townsite trustee is authorized to issue to him a deed therefore which shall provide that the title conveyed is inalienable except upon approval of the Secretary of the Interior: Provided, That nothing herein contained shall subject such tract to taxation, to levy and sale in satisfaction of the debts, contracts, or liabilities of the patentee, or to any claims of adverse occupancy or law of prescription: Provided further, That the approval by the Secretary of the Interior of the sale by an Indian or Eskimo of a tract deeded to him under this section and

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2/ We purposely emphasize the potential legal consequences of inaction as well as action lest municipal officials overlook the possibility of liability for failing to enforce their ordinances. For example, suppose an obvious fire hazard is left uncorrected because of concerns about the City's possession of enforcement authority over restricted townsite lots. If the owner or a neighbor later suffers a loss, could that party not seek to impose liability on the municipality on the theory that it did have jurisdiction and an obligation to act? Cf., e.g., Adams v. State, 555 P.2d 235 (Alaska 1976).

> section 735 of this title shall vest in the purchaser a complete and unrestricted title from the date of such approval.

(emphasis added) 44 Stat. 629, repealed in 1976 in § 703 of FLPMA, 90 Stat. 2790. At least one reported court decision has given full effect to the somewhat indirectly-stated prohibition against taxation of restricted Native townsite lots. People of South Naknek v. Bristol Bay Borough, 466 F. Supp. 870, 874-875 (D. Alaska 1979). But otherwise, there is a dearth of caselaw specifically applying the provisions of the 1926 Native Townsite Act.

Since the statute is silent with respect to questions concerning possible regulatory authority and enforcement powers of the state and its political subdivisions, reference to more general principles cannot be avoided. However, two basic assumptions underlying this analysis merit special mention at the outset. First, it is assumed that there is no recognized Indian tribal governmental entity exercising governmental authority over the Juneau Indian Village.[3] Secondly, it is assumed that the Juneau Indian Village has never been and is not now an Indian reservation. Unfortunately, even with these assumptions, conclusions are difficult to draw because so many of the available judicial precedents are at least arguably distinguishable precisely because they do involve active tribal governments and/or lands within Indian reservations.

1. Off-reservation Situs

In Organized Village of Kake v. Egan, 369 U.S. 60 (1962), the U.S. Supreme Court upheld the State of Alaska's right to enforce its law prohibiting the use of fish traps against the Organized Village of Kake and the Angoon Community Association, in the face of U.S. Department of the Interior regulations expressly permitting operation of the traps. One of the Court's conclusions was that there was no statutory authority for the Secretary of the Interior's issuance of the regulations at issue, a point to which we will return later. 369 U.S. 63.

But the other pertinent aspect of the decision was the extent to which it relied on the fact that the disputed fish

---

3/ This factor clearly distinguishes the situation in Juneau from that obtaining in most of the one hundred or so other Alaskan communities in which restricted Indian townsite lots may be found. Such an important distinction might well lead to different conclusions regarding the extent of municipal regulatory authority over land use in other communities.

traps were not located within the boundaries of an Indian reservation. Organized Village of Kake was decided as the companion case to Metlakatla Indian Community, Annette Island Reserve v. Egan, 369 U.S. 45 (1962), but the two otherwise similar cases were decided differently primarily on the basis that one involved off-reservation activity and the other an attempt at state enforcement of its fish trap ban within reservation boundaries. Summarizing past decisions, the Supreme Court made the following statement:

> These decisions indicate that even on reservations state laws may be applied to Indians unless such application would interfere with reservation self-government or impair a right granted or reserved by federal law. Congress has gone even further with respect to Alaska reservations, 72 Stat 545, 18 USC § 1162, 28 USC § 1360.[4] State authority over Indians is yet more extensive over activities, such as in this case, not on any reservation.

Organized Village of Kake v. Egan, supra, 369 U.S. at 75. Given the situs of the disputed fish traps outside any reservation, the Court went on to conclude that the State prohibition of Kake's and Angoon's use of fishtraps

> ... does not impinge on any treaty-protected reservation self-government, the factor found decisive in Williams v. Lee [358 U.S. 217 (1959)]. Nor have appellants any fishing rights derived from federal laws.

Id. at 76. While the state regulation of conduct upheld in Organized Village of Kake did not involve land use, it does serve to emphasize the wide scope of state authority outside a reservation.

2. Federal Preemption

Given the assumption that no operative tribal government exercises governmental authority over the Juneau Indian Village, we can dispense with an inquiry as to whether contemplated

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4/ However, how much the statutory citation in the quoted passage adds with reference to Alaska is in doubt in the wake of the Court's later decision in Bryan v. Itasca County, 426 U.S. 373 (1976), wherein it was held that Congress had not extended complete legislative (as opposed to judicial) jurisdiction over Indian lands to so-called "Public Law 280" states by passage of that 1953 statute.

municipal actions might infringe upon tribal self-government, or interfere with the Native people's right to be governed by their own laws. Accordingly, we next proceed to examine the question as to whether other federal laws may constitute a legal barrier to an exercise of municipal regulatory jurisdiction over restricted townsite lots. In fact, this mode of analysis, commonly referred to as an application of the doctrine of federal preemption, has evolved into the dominant judicial tool for determining the extent of State regulatory authority over Indian lands. New Mexico v. Mescalero Apache Tribe, 462 U.S. 324, 332 (1983); White Mountain Apache Tribe v. Bracker, 448 U.S. 136, 143 (1980). As described in one recent Ninth Circuit Court of Appeals decision,

> "... The trend has been to rely more on federal preemption, using notions of tribal self-government as a 'backdrop' against which any assertion of state authority must be assessed."

Segundo v. City of Rancho Mirage, 813 F.2d 1387, 1390 (9th Cir. 1987). See generally: F. Cohen, Handbook of Federal Indian Law (1982 ed.), Ch. 5, Sect. B at 270-279 (hereafter cited as "Cohen").

In fact, some commentators have discerned in the most recent Supreme Court decisions a trend towards employment of a balancing approach involving a weighing of the relative importance of state, federal, and tribal interests. Such an approach suggests that a greater value is being assigned to state interests than was previously the case. See, e.g. "Note--Indian Sovereignty: Confusion Prevails," 62 Washington L. Rev. 169, 174 (1988), discussing, inter alia, California v. Cabazon Band of Mission Indians, U.S. (1987), Rice v. Rehner, 463 U.S. 713 (1983), and Washington v. Confederated Tribes of the Colville Indian Reservation, 447 U.S. 134 (1980). See also Canby, The Status of Indian Tribes in American Law Today," 62 Washington L. Rev. 1, 12 (1987). While the cited decisions are not directly applicable to the facts of the present case, the trend towards increasing judicial solicitude for state interests, and greater judicial tolerance of assertions of state authority, should not be overlooked as we conduct our preemption analysis.

There are three federal statutes which must be examined to determine whether or not Congress has expressed an intent to preclude state substantive regulation of the use of restricted Alaska Native townsite lots such as those located in the Juneau Indian Village. The first, already touched on briefly, is the 1926 Alaska Native Townsite Act itself. The second is Public Law

83-280, codified in pertinent part as 28 U.S.C. § 1360 and 18 U.S.C. § 1162. And the third statute, which actually appears to extend certain authority to the state rather than prohibiting or precluding its exercise, is found at 25 U.S.C. § 231, 45 Stat. 1185. In addition to general consideration of these three statutes, it is necessary to address the applicability of the Interior Department regulation codified at 25 CFR § 1.4, since it appears on its face to constitute a conscious attempt to preempt exercise of state land use regulation authority over Indian property subject to restrictions on alienation.

(a) Native Townsite Act

As stated previously, there is very little caselaw interpreting the statutory language codified at 43 U.S.C. § 733 (1970). However, the analytic approach employed in the one federal district court decision interpreting the Native Townsite Act is worth examining. In People of South Naknek v. Bristol Bay Borough, supra, the Court concluded

> "... that the presumption of no state regulatory or tax jurisdiction does not arise off-reservation."

466 F. Supp. at 878. In support of that statement the district court went on to quote at length from Mescalero Apache Tribe v. Jones, 411 U.S. 145, at 148-149 (1973), including the Supreme Court's observation that

> "Absent express federal law to the contrary, Indians going beyond reservation boundaries have generally been held subject to nondiscriminatory state law otherwise applicable to all citizens."

Id. On the basis of this legal analysis, the District Court held that the Bristol Bay Borough's personal property tax could be imposed upon the personal property of restricted townsite lot owners even if that personal property was held and used exclusively on their restricted townsite lot properties. People of South Naknek v. Bristol Bay Borough, supra, 466 F. Supp. at 879. Although the court's reference to regulatory jurisdiction was dicta in that case, which dealt primarily with the power to tax, there is no clearcut distinction to be drawn between those categories of state power on the basis of the language of the 1926 Native Townsite Act. If anything, the language of the Act provides a stronger basis for arguing exemption from taxation than from regulation. Therefore, it seems likely that the District Court, if presented with the question, would have upheld state regulatory authority over the activities of an Alaska Native

restricted townsite lot owner, including those conducted on his restricted townsite lot, so long as any such regulation was not otherwise preempted by federal law.

Three years earlier, in a widely-noted but unreported decision featuring an exhaustive review of the 1926 Alaska Native Townsite Act and its legislative history, another Alaska Federal District Court judge found in that legislative history a congressional purpose to treat Alaska Native townsites entered under the 1926 Act differently than other federal townsites only to a very limited degree:

> Thus, the legislative history of the Act of May 25, 1926, establishes that the 1926 legislation was enacted to supplement the 1891 Act and thereby extend its benefits to non-citizen Alaska Natives.
>
> The trustee deeds that such Natives received were restricted as to alienation and were exempted from the assessment of fees and costs. These two departures from the Act of March 3, 1891, were contained in the express provisions of the 1926 Act. It appears that these limitations were the only substantial differences in townsite law that Congress intended for Native possessions.

(emphasis added) City of Klawock v. Gustafson, Case No. K-74-2 (U.S. District Court for Alaska decision of Nov. 11, 1976 at p. 14). While the issue of state regulatory authority over restricted townsite lots was not directly at issue in City of Klawock v. Gustafson, the Court's analysis of the legislative history of the 1926 Act in that case is entirely consistent with the conclusion that the statute expressed no congressional intent to preclude state or municipal exercise of regulatory jurisdiction over restricted townsite lots.

(b) Public Law 280

In 1953, primarily in response to the perceived inadequacy of criminal law enforcement on some Indian reservations, Congress enacted a statute still commonly referred to as Public Law 280. Act of August 15, 1953. 67 Stat. 589. It granted various named states criminal jurisdiction over some or all of the "Indian country" within their borders. See generally Bryan v. Itasca County, 426 U.S. 373, 379-380 (1976), describing the purpose of § 2, codified as 18 U.S.C. § 1162. However, for present purposes, our primary interest is in §§ 4(a) and (b) of the statute, codified at 28 U.S.C. § 1360:

§ 1360. State civil jurisdiction in actions to which Indians are parties

(a) Each of the States listed in the following table shall have jurisdiction over civil causes of action between Indians or to which Indians are parties which arise in the areas of Indian country listed opposite the name of the State to the same extent that such State has jurisdiction over other civil causes of action, and those civil laws of such State that are of general application to private persons or private property shall have the same force and effect within such Indian country as they have elsewhere within the State:

* * * *

(b) Nothing in this section shall authorize the alienation, encumbrance, or taxation of any real or personal property, including water rights, belonging to any Indian or any Indian tribe, band, or community that is held in trust by the United States or is subject to a restriction against alienation imposed by the United States; or shall authorize regulation of the use of such property in a manner inconsistent with any Federal treaty, agreement, or statute or with any regulation made pursuant thereto; or shall confer jurisdiction upon the State to adjudicate, in probate proceedings or otherwise, the ownership or right to possession of such property or any interest therein.

For over two decades after enactment of this statute, it was believed by some that 28 U.S.C. § 1360(a) had extended state regulatory and/or legislative jurisdiction into Indian country, rather than merely providing for a state judicial forum for resolution of civil disputes. However, the decision in Bryan v. Itasca County unequivocally established that adjudicative jurisdiction was the only aspect of civil jurisdiction that was ceded to the states in Public Law 280. 426 U.S. at 375. Thus, to the extent that restricted townsite lots are considered "Indian Country,"[5] the regulatory authority of the state or its political

5/ The statutory definition of Indian country, found in 18 U.S.C. § 1151, has generally been applied by the Courts in civil as well as criminal contexts. See generally Cohen, supra, at 27, citing De Coteau v. District County Court, 420 U.S. 425, 427, n.2 (1975). The statute sets out the following definition:

subdivisions is not broadened by 28 U.S.C. § 1360(a).

That observation shifts our focus to 28 U.S.C. § 1360(b) and returns us to the question as to whether or not its enactment constitutes a federal preemption of state regulatory jurisdiction. On its face it appears to be an expression of a legislative intent not to change existing law in certain respects, rather than an effort to alter the then-prevailing jurisdictional status quo. And indeed, this is the view adopted by the Supreme Court in Bryan v. Itasca County, supra, 426 U.S. at 391:

> "We agree ... that § 4(b) 'is entirely consistent with, and in effect a reaffirmation of the law as it stood prior to its enactment.'".

The view of P.L. 280 was also shared by Chief Judge von der Heydt in People of South Naknek v. Bristol Bay Borough, supra,

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(footnote continued from previous page)

> Except as otherwise provided in sections 1154 and 1156 of this title, the term "Indian country", as used in this chapter, means (a) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation, (b) all dependent Indian communities within the boarders [sic] of the United States whether with the original or subsequently acquired territory thereof, and whether with or without the limits of a State, and (c) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.

But whether the Juneau Indian Village might be a "dependent Indian community," or whether individual restricted lots might be considered for jurisdictional purposes the equivalent of allotments need not be decided for present purposes. We do note that the existence and/or extent of Indian country in Alaska is still a matter of considerable controversy. Fortunately, resolving that issue is not essential to the problem before us because even if the individual lots are Indian country it may be concluded that state or local land use regulation has not been federally preempted. Like the court in People of South Naknek v. Bristol Bay Borough, we can simply sidestep the question by focussing on the essential fact that the Juneau Indian Village is not within Indian reservation boundaries. 466 F. Supp. 870 at 877.

466 F. Supp. at 879 ("Public Law 280 was [not] intended ... as a prohibition on exercising jurisdiction the state would otherwise possess."). Nonetheless, the courts addressing issues of state and local tax and regulatory jurisdiction over restricted property in Public Law 280 states have devoted considerable effort to interpretation of 28 U.S.C. § 1360(b). The provision consists of three clauses, disclaiming, respectively, an intent to authorize: (1) alienation, encumbrance, or taxation of trust or restricted property; (2) regulation of the use of such property inconsistent with federal law; and (3) state court adjudication of the ownership or right of possession of such property. The latter issue has caused the courts relatively little difficulty, with reported decisions uniformly recognizing and giving broad effect to the express jurisdictional limitation. E.g.: Ahboah v. Housing Authority of Kiowa Tribe, 660 p.2d 625 (Okla. 1983); Heffle v. State, 633 P.2d 264, (Alaska 1977).

The middle clause of 28 U.S.C. 1360(b), which disclaims any purpose to extend state regulatory authority over land use, while certainly germane to the issues at hand, does no more than restate the basic principle of federal preemption. Any state regulation of the use of trust or restricted property which is "... inconsistent with any Federal treaty, agreement, or statute or with any regulation made pursuant thereto" was invalid both before and after the 1953 adoption of that statutory language.

The phrase that has presented the greatest difficulty has been the statutory disclaimer of a purpose to authorize "alienation, encumbrance, or taxation" of trust or restricted property. In particular, the difficulties have been encountered with interpretation of the term "encumbrance." In an important sense this issue gets to the heart of the question of the validity of state land use regulation. The leading case, still binding on the federal courts in this jurisdiction is Santa Rosa Band of Indians v. Kings County, 532 F.2d 6555 (9th Cir. 1965). Although a significant portion of the Santa Rosa decision is arguably rendered inapposite because we are not in the Juneau Indian Village situation dealing with an Indian reservation, the court's summary of the "encumbrance" issue remains essentially an accurate one:

> The word "encumbrance" is of course ambiguous, and courts have split on whether or not it evidences an intent to exempt trust lands from state zoning and land use regulations. Compare Snohomish County v. Seattle Disposal Co., 70 Wash.2d 668, 425 P.2d 22 (1967), cert. denied, 389 U.S. 1016, 88 S.Ct. 585, 19 L.Ed.2d 662 (1967) (Douglas and White JJ., dissenting) with Rincon Band, supra, and Agua Caliente Band

> of Mission Indians' Tribal Council v. City of Palm Springs, 347 F. Supp. 42 (C. D. Cal. 1972), vacated and remanded by this court in an unpublished order, January 24, 1975. [citations omitted]. Relying on the canon of construction applied in favor or Indians, the Court has ruled in different contexts that the word "encumbrance' is to be broadly construed and is not limited to a burden which hinders alienation of the fee, [citations omitted] rather focussing on the effect the challenged state action would have on the value, use and enjoyment of the land. [citations omitted] Following the Court's lead, and resolving, as we must, doubts in favor of the Indians, we think that the word as used here may reasonably be interpreted to deny the state the power to apply zoning regulations to trust property.

However, it should be kept in mind that the Santa Rosa holding is not necessarily binding on a state court, which would remain free to adopt the narrower land title-related interpretation of the term "encumbrance." The argument for the narrower interpretation is well-expressed in the dissenting opinion of Judge Hale in Snohomish County v. Seattle Disposal Company, 425 P.2d 22, 27-29 (Wash. 1967), cert. denied 389 U.S. 1016, as well as the opinion of U.S. Supreme Court Justices Douglas and White, dissenting from the Supreme Court's refusal to review the Snohomish County case. To the same effect are: Agua Caliente Band v. City of Palm Springs, 347 F. Supp. 42 (C. D. Cal. 1972); Rincon Band of Mission Indians v. County of San Diego, 324 F. Supp. 37 (S.D. Cal. 1971) rev'd on other grounds, 495 F.2d 1 (9th Cir. 1974), cert. den. 419 U.S. 1008 (1974); and People v. Rhoades, 90 Cal. Rptr. 794 (Cal. App. 1970). According to this view, zoning ordinances, building codes, sewage and refuse collection ordinances and the like, while they restrict an owner's unregulated enjoyment of his property, are valid exercises of governmental "police power," properly exercisable in pursuit of the public health, safety and welfare. As expressed in dissent by Washington Supreme Court Justice Hale:

> ... The term "encumbrance" should be given its more definitive and precise meaning--one denoting a burden on the land and affecting the title thereto or one impairing the power of alienation such as a mortgage, lien, easement, lease, or other disability to fee ownership.

Snohomish County v. Seattle Disposal Co., supra, 425 P.2d at 28. Thus, while it is not presently the prevailing view of the Ninth

Circuit, there is considerable judicial support for a narrow view as to what sorts of state or local land use regulations might constitute an "encumbrance" of restricted Indian real property within the meaning of P.L. 280.

Through all of this it must be remembered that the initial Public Law 280 language was a disclaimer of congressional intent by enactment of that statute to delegate new authority to state governments. It was not an affirmative prohibition of the exercise of such authority on independent grounds. This point recalls to mind the significance of Organized Village of Kake v. Egan, supra, with its unequivocal recognition of "yet more extensive" state authority over off-reservation activities of Indians. A case exemplifying the approach that begins with the assumption that the State already has authority to regulate off-reservation land use, and then inquires as to whether such authority was preempted by P.L. 280, is Norvell v. Sangre de Cristo Development, 372 F. Supp. 348, 353 (D. N. M. 1974). In that case the court did not find in P.L. 280 itself an intent to preempt or oust state authority to enforce building code, zoning and subdivision ordinances, liquor regulation or water quality standards.

In summary, § 4(a) of P.L. 280, 28 U.S.C. § 1360(a) has clearly been held not to have expanded state or local regulatory jurisdiction, but Congress' disclaimer in § 1360(b) of an intent to authorize "encumbrances" of trust or restricted is probably better viewed as an expression of an intent to maintain the status quo with respect to the extent of state authority, rather than as an attempt to diminish pre-existing state authority. The analysis should therefore focus on an inquiry as to the existence of an independent basis, statutory or otherwise, for concluding that state authority has been preempted by federal law.

(c) 25 CFR § 1.4

No informed assessment of the extent of state or local legislative or regulatory jurisdiction over off-reservation restricted Indian land can be made without taking into account the effect of 25 CFR § 1.4. Indeed, when the Juneau Area Director issued his May 24, 1983 "Policy Statement," the regulation was probably the primary legal authority on which his position was based. A copy of that statement accompanies this memorandum. 25 CFR § 1.4 provides as follows:

§ 1.4 State and local regulation of the use of Indian property.

> (a) Except as provided in paragraph (b) of this section, none of the laws, ordinances, codes, resolutions, rules or other regulations of any State or political subdivision thereof limiting, zoning or otherwise governing, regulating, or controlling the use or development of any real or personal property, including water rights, shall be applicable to any such property leased from or held or used under agreement with and belonging to any Indian or Indian tribe, band, or community that is held in trust by the United States or is subject to a restriction against alienation imposed by the United States.
>
> (b) The Secretary of the Interior or his authorized representative may in specific cases or in specific geographic areas adopt or make applicable to Indian lands all or any part of such laws, ordinances, codes, resolutions, rules or other regulations referred to in paragraph (a) of this section as he shall determine to be in the best interest of the Indian owner or owners in achieving the highest and best use of such property. In determining whether, or to what extent, such laws, ordinances, codes, resolutions, rules or other regulations shall be adopted or made applicable, the Secretary or his authorized representative may consult with the Indian owner or owners and may consider the use of, and restrictions or limitations on the use of, other property in the vicinity, and such other factors as he shall deem appropriate.

Upon cursory review, this regulation might be read as constituting a blanket prohibition of almost all forms of regulation the City and Borough of Juneau might wish to impose with respect to restricted property in the Juneau Indian Village. Moreover, 25 CFR § 1.4 appears clearly to fall within the coverage of Public Law 280 language disclaiming any purpose to authorize:

> "... a regulation of the use of such property in a manner inconsistent with any Federal treaty, agreement or statute or with any regulation made pursuant thereto." (emphasis added).

28 U.S.C. § 1360(b).

In short, an uncritical reading of 25 CFR § 1.4 might foster the belief that it has the effect of preempting application to restricted Indian lands of any land use regulations of the state or its political subdivisions. However, upon closer examination, the preemptive effect of the regulation appears to be far from certain for two basic reasons. First, there is doubt about the breadth of its applicability, and secondly, there is doubt about its validity as an exercise of administrative authority.

An interpretation of the scope of the regulation's coverage is aided by a review of its history. The original impetus for its adoption was in response to conflicts which arose in the early 1960's between Agua Caliente Indian Reservation Indian land owners, and tribal officials on the one hand, and officials of the City of Palm Springs, California, on the other. The Agua Caliente Reservation, established in the late 1800's, was laid out in a checkerboard pattern of alternate sections of land, which territory was then allotted to individual tribal members. See Act of January 12, 1891, 26 Stat. 712, and 25 U.S.C. § 751 et seq. Many years later the City of Palm Springs was incorporated, and part of the reservation was included within its boundaries. Beginning in 1961 the City adopted a zoning ordinance and plan which it then sought to apply to the allotted and unallotted reservation lands within its boundaries. The Tribe resisted the City's assertion of regulatory jurisdiction and filed suit.

The Department of the Interior's promulgation of 25 CFR § 1.4, prompted by this jurisdictional dispute, was in part an effort to restate existing law (subsection (a)) and in part, an effort to establish a method for reconciling state, federal and tribal interests in land use regulation (subsection (b)). The notice of proposed regulation contained the following statement:

> The purpose of this addition is two-fold. First, it will enunciate and particularize in regulatory form for the benefit and guidance of those concerned the sense of existing law under which laws, ordinances, codes, resolutions, rules or other regulations of a State or its political subdivisions limiting, zoning or otherwise governing, regulating or controlling the use or development of property are inapplicable to trust or restricted Indian property held or used under a lease or other agreement. Second, it will provide for the adoption and action by the Secretary in specific cases, after consultation with the Indian owner, of all or part of any laws enacted by a State or any of its political subdivisions

> regulating the use of property, which would otherwise be inapplicable.

30 Fed. Reg. 6438 (May 4, 1965).

Just a month later the final rule was adopted, effective on the date of publication, with the following published explanation:

> Because there are immediate cases of conflict between the attempts of State and local governments to enforce zoning ordinances, building codes and similarly regulatory laws on the one hand and the provisions of leases and other agreements under which trust or restricted Indian property is being used on the other, it has been determined to be in the best interests of the Indians and the public to resolve those conflicts as quickly as possible. Therefore, the new section shall become effective on the date of this publication in the FEDERAL REGISTER.

30 Fed. Reg. 7520 (June 7, 1965).

As promised, the Secretary of the Interior then moved quickly to adopt certain state and local ordinances as federal law applicable to leased Indian lands. Less than three weeks after the regulation became effective the Secretary did "adopt and make applicable" to leased Agua Caliente lands within the Palm Springs city limits most of the state and local laws and ordinances regulating land use and development. 30 F.R. 8172 (June 25. 1965). Not too long after that, state, but not local, law was made applicable to all trust and restricted Indian property leased or held under agreement from tribes or individual owners throughout the State of California. 30 Fed. Reg. 8722. So far as we are aware, no similar action has ever been taken by the Secretary of the Interior with respect to Indian-owned restricted 1926 Townsite Act lots in the City and Borough of Juneau, or anywhere else in the State of Alaska for that matter.

Unfortunately, promulgation of 25 CFR § 1.4, intended in part to "enunciate and particularize in regulatory form for the benefit and guidance of those concerned the sense of existing law," probably served to amplify rather than to eliminate the jurisdictional confusion. Attempts to rely upon 25 CFR § 1.4 as a bar to enforcement of state or local laws have often been met with a challenge to the regulation's validity, based on the argument that the Secretary of the Interior lacked statutory authority to issue such a regulation in the first place. The

Interior Department was evidently aware of such doubts from the outset, and its limitation of the effect of the regulation to leased lands was presumably occasioned by the existence of a statute, 25 U.S.C. § 415, granting the Department broad discretionary authority over the terms and conditions of leases of trusted and restricted Indian lands. However, it would appear that the limitation on the applicability of the regulation to leased Indian lands has often been overlooked, perhaps in part because the subsection (a) phrase "...and belonging to any Indian" has been carelessly misread as "...or belonging to any Indian," and partly because limitation of its coverage to leased lands is not explicitly reiterated in subsection (b). Nonetheless, the Interior Department remains quite sensitive to the limited scope of the regulation, as reflected in the analysis set forth by the Associate Solicitor Indian Affairs in his March 24, 1982 Memorandum to the Assistant Secretary for Indian Affairs:

> ... this regulation has come under considerable attack in the past as lacking statutory authorization. The Ninth Circuit Court of Appeals held, in Santa Rosa Band v. Kings County, 532 F.2d 655 (9th Cir. 1975), that § 1.4(a) was valid but specifically declined to rule on the validity of § 1.4(b), the subsection authorizing the Secretary to adopt state and local ordinances. 532 F.2d at 666, n.18. While the Secretary's adoption of state and local laws for application to leased land might well be held to be within the Secretary's authority under 25 U.S.C. § 415, no statute vests the Secretary with similar authority over unleased Indian land, and I therefore doubt that a court would uphold such an action of the Secretary as to Indian land not under lease.

A copy of this 1982 Associate Solicitor's Memorandum, as well as a prior one dealing with the same subject matter, are attached hereto.

As the above-quoted analysis suggests, some courts which have considered the question have specifically ruled that 25 CFR § 1.4 was invalid and unenforceable on the basis that its promulgation exceeded the legal authority of the Secretary of Interior: e.g. Norvell v. Sangre de Cristo Development Co., Inc., supra, 372 F. Supp. at 357 (decided without reference to the last sentence of 25 U.S.C. § 415(a), added by amendment in 1970, P.L. 91-275).[6] In Norvell, the District Court ruled that the

6/ The general language of 25 U.S.C. § 415, under which the Secretary of Interior was authorized to prescribe lease terms

regulation could not be upheld as an implementation of 25 U.S.C. § 415(a), Public Law 280, or any other Statute. See also, Rincon Band of Missions Indians v. County of San Diego, 324 F. Supp. (S. D. Cal. 1971).

However, as noted previously, the leading federal case in the Ninth Circuit adopts a contrary view. The decision in Santa Rosa Band of Indians v. Kings County, supra, expressly declining to follow Norvell or Rincon Band, holds that 25 CFR § 1.4 is valid. 532 F.2d at 665. Remarkably enough, the court in Santa Rosa ignores the limitation of the coverage of § 1.4 to leased lands, and upholds it as an exercise of the Secretary's rule-making authority in the factual context before the Court under authority of 25 U.S.C. § 465, the provision of the Indian Reorganization Act (IRA) of 1934 authorizing the Secretary to acquire lands for Indians. The Santa Rosa case involved an attempt by a county to enforce its zoning ordinances within the boundaries of a rancheria, title to which had been obtained by the United States in trust for the tribe pursuant to 25 U.S. § 465. In upholding the validity of the regulation as an implementation of 25 U.S.C. § 465, the Ninth Circuit left open the question of its application to lands not acquired pursuant to that statute, or in other factual contexts, but noted that it might be sustainable under 25 U.S.C. § 2 alone. 532 F.2d 666, notes 19, 20. Section 2 vests the BIA with authority to manage Indian Affairs, and all matters arising out of Indian relations. Its employment as authority to support executive branch law-making seems a dubious exercise.

(footnote continued from previous page)
and conditions, was amplified by addition of the following sentence as a result of the 1970 enactment of Public Law 91-275, 84 Stat. 303:

> "Prior to approval of any lease or extension of an existing lease pursuant to this section, the Secretary of the Interior shall first satisfy himself that adequate consideration has been given to the relationship between the use of the leased lands and the use of neighboring lands; the height, quality, and safety of any structures or other facilities to be constructed on such lands; the availability of police and fire protection and other services; the availability of judicial forums for all criminal and civil causes arising on the leased lands; and the effect on the environment of the uses to which the leased lands will be subject."

Of course, the Santa Rosa holding also rested on the alternative ground that the challenged zoning ordinance was an "encumbrance" violative of the disclaimer accompanying the jurisdictional grant in P.L. 280, 28 U.S.C. § 1360(b). Id. at 668. As noted previously, that view of the intended effect of § 1360(b) may attribute to Congress an affirmative law-making purpose which finds little support in the statutory language. In United States v. County of Humboldt, 615 F.2d 1260 (9th Cir. 1980), the Ninth Circuit Court of Appeals refused to overturn its ruling in the Santa Rosa case, and again concluded that a California county lacked jurisdiction to enforce its zoning ordinances and building codes on an Indian reservation. The Court found support for its position in the Supreme Court's then-recent decision in Bryan v. Itasca County, supra, wherein it had been held that P.L. 280 did not confer on states the authority to tax personal property on trust lands within a reservation. Humboldt, supra, at 1261. Since the Humboldt case dealt with reservation land, the Ninth Circuit again assumed that the state had no prior regulatory jurisdiction, and then focussed on the question as to whether or not P.L. 280 had constituted a delegation to the state or county of new or additional authority to enforce its laws on the reservation. In this important respect, of course, both Santa Rosa and Humboldt are distinguishable from the present case, which deals with non-reservation lands.

As regards the validity of 25 CFR § 1.4 or its applicability to restricted townsite lots in the Juneau Indian Village, we have seen first that the Solicitor's Office interprets the regulations' scope narrowly, as extending only to leased lands. This interpretation clearly comports with both the plain meaning and the history of the regulation and is, of course, entitled to considerable deference. Since the Santa Rosa decision did not refer to this important limitation on the scope of 25 CFR § 1.4's applicability, we can only speculate that such oversight may be accounted for by the fact that the United States was not a party, and that neither of the litigants raised the issue.

The much more recent Ninth Circuit decision in Segundo v. City of Rancho Mirage, 813 F.2d 1387 (9th Cir. 1987) did apply 25 CFR § 1.4 in the context of an attempt by a political subdivision of a state to enforce ordinances relating specifically to leased property. In Segundo, the validity of 25 CFR § 1.4 was evidently not questioned, but if it had been would probably have been upheld under authority of 25 U.S.C. § 415. The regulation, along with the leasing statute and 25 CFR Part 162 were collectively relied upon in support of a holding that the application of the city ordinance at issue was preempted by federal law. Id. at

1392-1393. However, like the Santa Rosa and Humboldt cases, Segundo may be distinguished insofar as it dealt with reservation lands, and a possible infringement of an Indian tribe's sovereignty.

Among other things, Attorney Blasco's letter asks what responsibility the BIA may have to deal with health and safety concerns related to conditions in the Juneau Indian Village. 25 CFR § 1.4(b) authorizes the Bureau to adopt or make applicable to restricted townsite lots leased from, or used under agreement with, their Indian owners, all or any part of state or local law limiting zoning, or otherwise regulating land use. Taking such an action may well be an option available to the BIA, but as a practical matter it would not go very far towards solving the existing problems, because it would not affect owner-occupied or abandoned properties. Other limitations of this approach are highlighted in the Associate Solicitor's March 24, 1982 Memorandum. As noted therein, adoption of Juneau code provisions as federal law would possibly clarify their applicability to leased restricted townsite lots, but would not clothe the city with any additional enforcement powers. Because we assume that most of the land in the Indian Village is not under lease, BIA action pursuant to 25 CFR § 1.4 may accomplish little if anything. Still, it is the only obvious step available to the BIA in addressing the problem. Absent a situation involving alienation of an interest in the property, the BIA possesses no general supervisory or management authority over restricted townsite lots, and exercises no control over such property or the uses to which its owners may elect to put it.

(d) 25 U.S.C. § 231

The last federal statute which we must consider in this analysis is 25 U.S.C. § 231:

> **Enforcement of State laws affecting health and education; entry of State employees on Indian lands**
>
> The Secretary of the Interior, under such rules and regulations as he may prescribe, shall permit the agents and employees of any State to enter upon Indian tribal lands, reservations, or allotments therein (1) for the purpose of making inspection of health and educational conditions and enforcing sanitation and quarantine regulations or (2) to enforce the penalties of State compulsory school attendance laws against Indian children, and parents, or other persons in loco

> parentis except that this subparagraph (2) shall not apply to Indians of any tribe in which a duly constituted governing body exists until such body has adopted a resolution consenting to such application.

45 Stat. 1185, 60 Stat. 962 The obvious relevance of 25 U.S.C. § 231 to the situation in the Juneau Indian Village would be as a possible federal authorization of municipal inspection or enforcement activity with respect to health, sanitation and school attendance. Unfortunately, there have been very few reported cases decided on the basis of this statute, even though it has been on the books for sixty years. Moreover, those cases which do discuss the statute leave open a number of questions pertinent to determining its possible applicability in the Juneau context.

A strictly literal reading of 25 U.S.C. § 231 would suggest it has no application to restricted townsite lots, since they are not "...Indian tribal lands, reservations, or allotments therein," but in at least one other context the laws applicable to allotments have been interpreted as applying to townsite lots as well. Carlo v. Gustafson, 5121 F. Supp. 833, 836 (D. Alaska 1981) (court has jurisdiction to hear suit involving right to restricted townsite lot under 25 U.S.C. § 345 and 28 U.S.C. § 1353).

Even assuming that a restricted Alaska Native townsite lot is an allotment, the statute might not apply because no reservation is involved, and the grant of authority to the State relates to "...Indian tribal lands, reservations, or allotments therein" (emphasis added). However, logically, the absence of any tribal jurisdiction, infringement upon which § 231 might be deemed to authorize, probably makes a fairly strong case for the existence of State or local authority, even if it were deemed to render the statute itself technically inapposite.

Another unresolved question with respect to § 231 is whether it should be regarded as self-implementing, or whether its implementation depends on affirmative action by the Secretary of the Interior to "permit" State enforcement activity. According to the latest edition of Cohen's Handbook of Federal Indian Law, supra:

> Although the statute says that the Secretary "shall" permit state inspection and enforcement, the longstanding position of the Interior Department is that the statute does not compel the Secretary to

> allow state inspection or enforcement. Thus the statute authorizes only those state activities allowed by secretarial regulations.

Id. at 377. There are currently no regulations in effect with respect to health and sanitation, since those adopted in 1940, formerly codified at 25 CFR § 84.78, were revoked in 1955 in connection with the transfer of Indian health functions to the Public Health Service. The prior regulation required an opportunity for tribal and individual Indian comment before the Secretary of the Interior would approve for state enforcement of any specific state health and sanitation regulations. It also stated that no state law conflicting with a tribal ordinance or resolution could be applied within the tribe's territorial jurisdiction, thereby reflecting the then-prevailing policy of deference to tribal authority. See text of regulation, and discussion in Solicitor's Opinion, M-36768 (February 7, 1969), 2 Op. Sol. on Indian Affairs 1986 (U.S.D.I. 1979).

As noted, the Interior Department has not issued any new regulations since 1955, even though it has evidently taken the position that adoption of regulations under 25 U.S.C. § 231 is a prerequisite to exercise of state authority, and even though it could be argued that such a duty is mandatory under the statutory language. On the other hand, the relatively few court decisions which have made reference to § 231 have viewed it as indicative of congressional intent to allow some state activity, even in the absence of Interior Department action. In Warren Trading Post Co. v. Arizona Tax Commission,. 380 U.S. 685 (1965) the Supreme Court noted that "certain state laws have been permitted to apply on reservations," citing, inter alia, 25 U.S.C. § 231. Id. at 687 n.3. A similar reference to the statute had been made earlier in Organized Village of Kake v. Egan, supra, 369 U.S. at 73. These decisions make no reference to the issue as to whether or not Interior Department action is a prerequisite to state action under § 231.

The other Supreme Court reference to § 231 was in Justice Douglas' dissent from the Court's denial of certiorari in Snohomish County v. Seattle Disposal Co., 389 U.S. 1016, 1019 (1967). The case dealt with the State's power to require a non-Indian lessee of allotment land to obtain a county permit prior to operating a refuse disposal site, and Justice Douglas, joined by Justice White, suggested that state regulation of pollution-generating activities which impact adjacent non-Indian lands was permissible under the language and intent of § 231. Unlike the Santa Rosa case, dealing with P.L. 280, the 25 U.S.C. § 231 cases

do not treat the distinction between the state and its political subdivision as a significant one.[7]

Other decisions addressing Section 231 include Confederated Bands and Tribes of the Yakima Indian Nation v. Washington, 550 F.2d 443 (9th Cir. 1977) and Thomsen v. Kings County, 694 P.2d 40 (Wash. App. 1985). In the Yakima case the Ninth Circuit found in § 231 evidence of a congressional intent to allow the states to deal with the particular subject matter areas identified, and noted that such provision was not repealed at the time of P.L. 280's passage. 550 F.2d 446-447, n.8. Of course, that analysis predated the Supreme Court's narrow construction of P.L. 280 in Bryan v. Itasca County, supra, but the Ninth Circuit's observation about the apparent intent of § 231 is not directly undercut by the Bryan decision.

In general, the courts seem to recognize that 25 U.S.C. § 231 opens the door to enforcement of state health and sanitation regulations even within reservation boundaries, but none of the decisions[8] noted seem to have been decided squarely on that basis. Thomsen v. King County, probably comes as close as any other reported decision to turning on the interpretation of § 231, but it instead bases its holding on the fact that the individuals living on fee land within the reservation, against whom the County sought to enforce its health board regulations, were non-Indians. 694 P.2d at 44-46.

In conclusion, it must be recognized that the extent to which state regulatory jurisdiction over health and sanitation matters in Indian country can properly be exercised under authority of 25 U.S.C. § 231, or otherwise, is still an open question. However, in addressing the problems existing in

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7/ E.g.: Thomsen v. King County, 694 P.2d 40, 44-45 (Wash. App. 1985); Snohomish v. Seattle Disposal Co., supra, 425 P.2d 22, (both dealing with regulation of activities of non-Indians on trust and restricted lands, and both decided under a Washington statute requiring local officials to enforce state health regulations). Compare: Santa Rosa Band of Indians v. Kings County, supra, 532 F.2d 655, 659-664, (rejecting an argument that county ordinances as well as state laws are "civil laws ... of general applicability" within the meaning of 28 U.S.C. § 1360(b).

8/ Additional decisions are cited in a January 23, 1985 Alaska Attorney General's Office Memorandum at page 9. Attached hereto is a copy of that memo, which addresses in broad terms many of the issues discussed in this memorandum.

the Juneau Indian Village, the likelihood that the municipal government's exercise of regulatory authority with respect to health and sanitation could withstand a judicial challenge is at least marginally enhanced by the existence and apparent purpose of 25 U.S.C. § 231.

B. Codes of the City and Borough of Juneau

City-Borough Attorney Blasco's September 1988 letter identifies five major codes which the municipality is interested in enforcing in the Juneau Indian village. Copies of those codes were not furnished for our review, but time and space limitations would preclude their detailed review in any event. However, we would note that as a general proposition justification for enforcement of the traffic and penal codes should present relatively little difficulty. The traffic code would presumably deal almost exclusively with individual conduct unrelated to restricted townsite property, and would also be enforced primarily in the dedicated public streets over which municipal jurisdiction seems relatively certain.

Likewise, the penal code, or at least major portions of it, can probably be enforced with confidence against individual owners, residents, or transient occupants of lots in the Indian Village without regard to the restricted status of the property where the criminal conduct might be occurring. Subsection (a) 18 U.S.C. § 1162, also enacted in 1953 as part of P.L. 280, provides in pertinent part as follows:

> **§ 1162. State jurisdiction over offenses committed by or against Indians in the Indian country**
>
> (a) Each of the States or Territories listed in the following table shall have jurisdiction over offenses committed by or against Indians in the areas of Indian country listed opposite the name of the State or Territory to the same extent that such State or Territory has jurisdiction over offenses committed elsewhere within the State or Territory, and the criminal laws of such State or Territory shall have the same force and effect within such Indian country as they have elsewhere within the State or Territory:
>
> | State or Territory of | Indian country affected |
> |---|---|
> | Alaska . . . . . | All Indian country within the State, except that on Annette |

> Islands, the Metlakatla Indian community may exercise jurisdiction over offenses committed by Indians in the same manner in which such jurisdiction may be exercised by Indian tribes in Indian country over which State jurisdiction has not been extended.

Subsection (b) is identical to 28 U.S.C. § 1360(b), disclaiming any intent to authorize alienation, encumbrance or taxation of Indian property, including presumably restricted Alaska Native Townsite Act lots.

Given the fact that the original impetus for enactment of P.L. 280 was the perceived inadequacy of criminal law enforcement on Indian reservations, it is not surprising that the extent of authority over criminal law enforcement given to Alaska and the other states named in the statute was considerably greater and less ambiguously expressed than was the case with respect to civil jurisdiction. This legislative history was authoritatively described in Bryan v. Itasca County, 426 U.S. 373, 379-380 (1976), but decisions affirming the applicability of state criminal law both precede and follow that decision.

One problem which frequently arises in applying the law is the necessity for a determination as to which laws are criminal, and which ones merely regulatory. It was not intended that state and local governments could convert the latter into the former simply by imposing criminal penalties for violations of what are essentially regulatory laws. In California v. Cabazon Band of Indians, 480 U.S. 202 (1987), the Supreme Court affirmed the Ninth Circuit Court of Appeals conclusion that a state law which would otherwise have outlawed a tribal bingo game conducted on a reservation could not be enforced under P.L. 280, based on the observation that state law did not prohibit all bingo games, but instead specified conditions under which they could be lawfully run. Restating a prior holding by the Court of Appeals, the Supreme Court in Cabazon described the test thusly:

> "... a distinction between state "criminal/prohibitory" laws and state "civil/regulatory" laws: if the intent of a state law is generally to prohibit certain conduct, it falls within Pub. L. 280's grant of criminal jurisdiction, but if the state law generally permits the conduct at issue, subject to regulation, it must be classified as civil/regulatory and

> Pub L 280 does not authorize its enforcement on an Indian reservation. The shorthand test is whether the conduct at issue violates the State's public policy."

480 U.S. at 209. Of course, provisions of the City and Borough codes which cannot pass muster as criminal/prohibitory in nature may still be enforceable under more general civil jurisdictional principles already discussed.

The Cabazon case addressed the question of a P.L. 280 State's authority to enforce its criminal laws against a tribe on a reservation. A fortiori, where neither tribal sovereignty nor a reservation are involved, as is the case in the Juneau Indian Village, state criminal law enforcement authority can hardly be questioned. Therefore, so long as specific provisions of Juneau's penal code can fairly be viewed as "criminal/ prohibitory" in nature, they can be enforced in the Juneau Indian Village, as elsewhere, without violating federal law. Of course, such statement must be qualified by reference to 18 U.S.C. § 1162(b)'s prohibition of alienation, encumbrance, or regulation of restricted Native townsite lots.

An interest is also expressed by municipal counsel in enforcement of the health and sanitation code, and in particular in enforcement of provisions relating to refuse collection, sewer and water service and systems, and litter control. That such matters are of concern not only to restricted lot owners within the Village, but to their Village neighbors and the surrounding community, is certainly understandable. Based on the analysis in this memorandum, the relatively modest likelihood that enforcement actions could be successfully resisted under federal law on the grounds of federal preemption or infringement of tribal sovereignty might reasonably be regarded as an insufficient reason for the municipality to forego an attempt to apply its health and sanitation ordinances against restricted townsite lot owners in the village. A respectable argument can be made that such municipal health and sanitation regulations are more in the nature of prescriptions of individual conduct than of encumbrances on property, and 25 U.S.C. § 231 may also incrementally strengthen the case for applicability.

Cases upholding these types of state or local regulation include: People v. Rhoades, 90 Cal. Rptr. 794 (Cal. Ap. 1970) (upholding conviction for violating resource code provision requiring maintenance of fire breaks on grounds that requirement did not constitute an "encumbrance"); Norvell v. Sangre de Cristo Development, 372 F. Supp. 348 (D. N. M. 1974) (refusing to give

effect to 25 CFR § 1.4 as validly barring enforcement of state water quality laws against long term lessee of tribal land); and Thomsen v. King County, 694 P.2d 40 (Wash. App. 1985) (upholding application of health regulations governing wells and septic tanks to non-Native owners of reservation land). Of course, the analysis is complex, and the number of factual and legal variables make it possible to distinguish just about every reported decision, but certain basic features of the situation would suggest the possibility of a different outcome than that reached in the Ninth Circuit's Santa Rosa and Humboldt decisions, supra, both of which invalidated attempts to enforce county building and zoning ordinances against Indians living on reservation lands, based on the Court's interpretations of P.L. 280 and 25 CFR § 1.4.

Obviously, the municipal ordinances as to the enforcability of which the greatest doubt exists are the building and zoning codes, since they come closest to constituting "encumbrances" upon the restricted fee Native townsite lots in the Village. However, even as to municipal ordinances dealing with these subjects, the City and Borough is in a relatively strong position to defend its assertion of legal authority to pursue whatever enforcement actions might be deemed appropriate under otherwise applicable codes. While the enactment and application to Alaska of P.L. 280 is now clearly recognized not to have expanded state regulatory authority over trust and restricted lands, it is an open question as to what authority the municipality might have had prior to or in the absence of P.L. 280.

Here, under traditional precepts of Indian law, there is little apparent basis for concluding that exercise of State jurisdiction has either been preempted, or would constitute an infringement on tribal sovereignty. With respect to owner-occupied or vacant properties, there is no comprehensive federal scheme of zoning or building codes, or other land use regulation, which could be argued to in effect oust State jurisdiction. Thus, preemption cases such as Segundo v. City of Rancho Mirage, 813 F.2d 1387 (9th Cir. 1987) (rent control ordinance preempted); Ramah Navajo School Board, Inc. v. Bureau of Revenue of New Mexico, 458 U.S. 832 (1982) (imposition of gross receipts tax on company constructing Indian school held preempted); and White Mountain Apache Tribe v. Bracker, 448 U.S. 136 (1980) (imposition of state tax on logging company harvesting tribal timber on reservation preempted) are distinguishable.

Moreover, the relevance of 25 CFR § 1.4 would appear to be limited to those few restricted lots in the Village, if any, subject to Interior-approved leases, and would not therefore

figure prominently in the preemption analysis. While such statement might appear to be at odds with the Ninth Circuit's Santa Rosa and Humboldt decisions, those cases do not reflect a recognition of the limited scope of the regulation, which the Department regards as applicable only to leased lands as to which Congress has expressly authorized extensive federal control through the amendment to 25 U.S.C. 415.

Also significant as a basis for distinguishing the Juneau situation from that facing the Santa Rosa and Humboldt Courts is the fact that the Juneau Indian Village is not an Indian reservation. Even in the wake of Bryan v. Itasca County, supra, the U.S. District Court for Alaska relied on this fact to uphold imposition of a Borough personal property tax on the possessions of Native restricted townsite lot owners. People of South Naknek v. Bristol Bay Borough, supra, 466 F. Supp. 870, 879. As noted previously in the discussion of the 1926 Native Townsite Act, that statute evinces no intent to affirmatively restrict state authority except in the realms of taxation and alienation.

Finally, and perhaps decisively, the Juneau Indian Village situation is fairly unique in that there is no apparent argument available to opponents of City and Borough regulatory jurisdiction to the effect that municipal regulation of land use constitutes an infringement upon federally protected tribal self-government. The lack of a recognized village governmental entity for Natives residing in Juneau makes the case against state land use regulation a weaker one than it would be in many other communities in the State of Alaska.[9] In the Santa Rosa case, "... the historical backdrop of tribal sovereignty over reservation lands" was plainly identified as a key factor contributing to the Court's conclusion that the County had no regulatory jurisdiction over Indian land use. 532 F.2d at 658. But neither a tribal government nor a reservation are relevant factors in the case of the Juneau Indian Village. Therefore, even with regard to the municipality's building codes and zoning ordinances, a relatively persuasive case can be made in support of City and Borough jurisdiction over restricted townsite lot property.

C. The Role of the Bureau of Indian Affairs

In Ms. Blasco's letter she asks several questions aimed at determining the BIA's responsibility to act affirmatively to eliminate various undesirable conditions prevailing in the Village, as to which general community concern has been expressed.

9/ This memorandum specifically refrains from expressing a view on that more difficult issue.

She also inquires as to the type of reaction Juneau might expect from the federal government if the municipality elects to pursue nuisance abatement or any of a variety of code enforcement actions relative to restricted Alaska Native townsite lots in the Indian Village. The short answer to both these questions is "little, if any."

Neither as a general proposition, nor specifically with reference to townsite lots deeded to Alaska Natives subject to restrictions or alienation and taxation under the 1926 Native Townsite Act, has Congress authorized the BIA or any other federal agency to regulate the conduct of restricted townsite lot owners, on or off their property, or the use to which such property is put.[10] Pertinent federal regulations of general applicability relate in the main to the implementation of the statutory restrictions on alienation of trust or restricted Indian property. Removal of restrictions by certification of competency, sale, lease, or granting of rights-of-way, dealt with respectively in 25 CFR Parts 152, 162, and 169, are all examples of statutorily-authorized areas of Interior Department authority, but each deals with a species of alienation.

In contrast, there are no applicable federal laws dealing with building, mechanical, electrical, or thermal codes, refuse collection, sewers, litter, or water utilities. Likewise, the BIA has been granted no authority to enact or enforce a penal code, traffic code, or system of land use regulation. Accordingly, the BIA has no authority to deal with vacant houses, sanitation problems, vagrancy, substance abuse, or other threats to public health, welfare or order which might arise on restricted property in the Juneau Indian Village.

The nearest thing there is to a legislative grant of broad regulatory power is that found in 25 U.S.C. § 415, upon which the Department currently relies as statutory authority for issuance and implementation of 25 CFR § 1.4. However, as noted previously, that authority relates solely to leased land, and in effect can only be implemented and enforced by contractual imposition of specific requirements upon the parties to a lease. Although the BIA could, under § 1.4(b), consider adoption by reference of City and Borough ordinances as federal law, that

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10/ The only exceptions to that general statement relate to the issues of alienation and taxation of such property, or to consensual relationships voluntarily entered into between the owner and the government, such as might relate for example to a housing improvement program under which federal funding was made available subject to certain terms and conditions.

would constitute at best an incomplete solution to the problems facing the community. It might also tend to perpetuate the confusion that has prevailed thus far with respect to the jurisdictional issues addressed in this memorandum. But in any event, it is a choice entrusted to the BIA's discretion under 25 CFR § 1.4.

What we are left with, therefore, are two possibilities: perpetuation of a regulatory and enforcement vacuum with respect to issues of concern to the community, or a determination by the City and Borough to deal with restricted property-owners in the Juneau Indian Village on the same basis as other municipal residents.[11] While the Interior Department cannot guarantee that the municipality's attempts to exercise jurisdiction will go unchallenged, we do not anticipate that judicial proceedings for that purpose would be initiated or supported by the federal government. Of course, in weighing its options the municipal government is free to attempt to steer a middle ground by selectively enforcing its ordinances, applying only those regulations it feels most confident about defending on jurisdictional grounds, but the analysis set forth above reveals few clear cut legal criteria to inform such a selection process.

Conclusion

Although complexity and uncertainty are unavoidable features of the legal landscape which confronts the City and Borough of Juneau in determining the extent of its regulatory jurisdiction over restricted townsite lots in the Juneau Indian Village, we are hopeful that this memorandum will usefully guide the municipality's analysis. If you have further questions, please feel free to contact us again. Having once undertaken this effort at synthesis, we are confident that we can respond more promptly to specific questions you might pose in the future.

Roger L. Hudson

Attachments

11/ Subject of course to the unambiguous restrictions on taxation and alienation imposed by the express statutory language of the 1926 Alaska Native Townsite Act.

RECEIVED
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CBJ - LAW DEPT.

IN THE DISTRICT COURT FOR THE STATE OF ALASKA

FIRST JUDICIAL DISTRICT AT JUNEAU

CITY AND BOROUGH OF JUNEAU,

Plaintiff,

vs.

CLARENCE A. LAITI,

Defendant

Case No. J 517511and J 517516

MEMORANDUM DECISION AND ORDER

ON MOTION TO DISMISS

Defendant has filed a letter (motion) requesting dismissal of the present citations. (see letter dated 06 December 2006). Plaintiff has filed an Opposition dated / filed 18 December 2006. There has been no Reply timely filed by the Defendant.

Defendant avers that these citations be dismissed for "lack of jurisdiction" while citing referenced Code of Federal Regulations. Plaintiff responds that the City is authorized to enforce health and sanitation ordinances or restricted lots.

First, the legislative history of the Native Townsite Act articulated no congressional intent to prohibit state or municipal exercise of regulatory jurisdiction over restricted townsite lots. (see, City of Klawock v. Gustafson, Case No. K-74-2, U.S. District Court for Alaska decision of Nov. 11, 1976). Second, it is enlightening to note the Public Law 280 has been found not to have pre-empted local regulation. See, Novell v. Sangre de Cristo Development, 372 F. Supp. 348 (D. N. M. 1974). Third, there is little effect of 25. C.F.R. sec. 1.4 on local community regulation over land which is not the focus of native reservation land and not an intrusion upon native sovereignty. Fourth, even assuming for argument that the Defendant's land rests on a native allotment, the statute under 25 U.S.C. sec. 231 does not apply

because the Alaska Native townsite is not a reservation. The absence of tribal jurisdiction implies the authenticity of local authority.

Based on all of the above, and for lack of good cause, Defendant's Motion To Dismiss is hereby DENIED.

Dated this 05 JAN., 2007

J.W. Sivertsen, Jr. Magistrate

Certificate of Service

I certify that on 5 day of Jan 2007, a copy of the foregoing was provided by mail/court box to: Plaintiff, City Attorney Office; and Defendant, C.Laiti.

L. Ray
Assistant to the Court

Proposed Rezone: Subdivision

					Subdivided Lot Size	
					MU2	MU
Map Key	**Parcel Number**	**Property Address**	**Legal Description**	**Lot size, square feet**	4,000	3,000
1	1C060V020000	42-54 Gordon Street	JUNEAU INDIAN VILLAGE BL 2 LT 9A [PATAGONIA CONDO LAND]	4686	N	N
2	1C060V030040	305 Village Street	JUNEAU INDIAN VILLAGE BL 3 LT 8	1321	N	N
3	1C060V030030		JUNEAU INDIAN VILLAGE BL 3 LT 7	268	N	N
4	1C060V030050		JUNEAU INDIAN VILLAGE BL 3 LT 9	5008	N	N
7	1C060V030000	320 Willoughby Avenue	INDIAN VILLAGE BL 3 LT 12 - 18 (TH ANB CONDO LAND), US 4694 6	26053*	6	8
22	1C060V030020	343 Village Street	JUNEAU INDIAN VILLAGE BL 3 LT 1	850	N	N
23	1C060V040120	353 Village Street	JUNEAU INDIAN VILLAGE BL 4 LT 12	1637	N	N
24	1C060V040130		JUNEAU INDIAN VILLAGE BL 4 LT 13	507	N	N
25	1C060V040150		JUNEAU INDIAN VILLAGE BL 4 LT 14	7015	N	2
26	1C060V040140		JUNEAU INDIAN VILLAGE BL 4 LT 13	218	N	N
27	1C060V040110		JUNEAU INDIAN VILLAGE BL 4 LT 11	744	N	N
28	1C060V040100		JUNEAU INDIAN VILLAGE BL 4 LT 10	340	N	N
29	1C060V040090		JUNEAU INDIAN VILLAGE BL 4 LT 9	3880	N	N
30	1C060V040070		JUNEAU INDIAN VILLAGE BL 4 LT 7	676	N	N
31	1C060V040080		JUNEAU INDIAN VILLAGE BL 4 LT 8	385	N	N
32	1C060V040060	369 Village Street	JUNEAU INDIAN VILLAGE BL 4 LT 6	1487	N	N
33	1C060V040160	406 Willoughby Avenue	JUNEAU INDIAN VILLAGE BL 4 LT 15	1616	N	N
34	1C060V040050	375 Village Street	JUNEAU INDIAN VILLAGE BL 4 LT 5	2335	N	N
35	1C060V040170		JUNEAU INDIAN VILLAGE BL 4 LT 16	2198	N	N
44	1C060K680010	410 Willoughby Avenue	KASAAN CITY LT 2	70700	17	23
45	1C060K680020	400 Willoughby Avenue	TIDELANDS ADDITION BL 68 LT 1 & 2	8555*	2	2
47	1C060K680030	400 Willoughby Avenue	TIDELANDS ADDITION BL 68 LTS 3 - 6 & 12 FR	13899*	3	4
	*IF parcel lots consolidated first			**TOTAL LOTS POSSIBLE**	28	39

Irene Gallion

From: Alec Venechuk
Sent: Tuesday, December 20, 2022 2:27 PM
To: Irene Gallion
Subject: RE: AME22-06 and 08: Rezone of Aak'w Kwan District property

No Comments from GE on this -

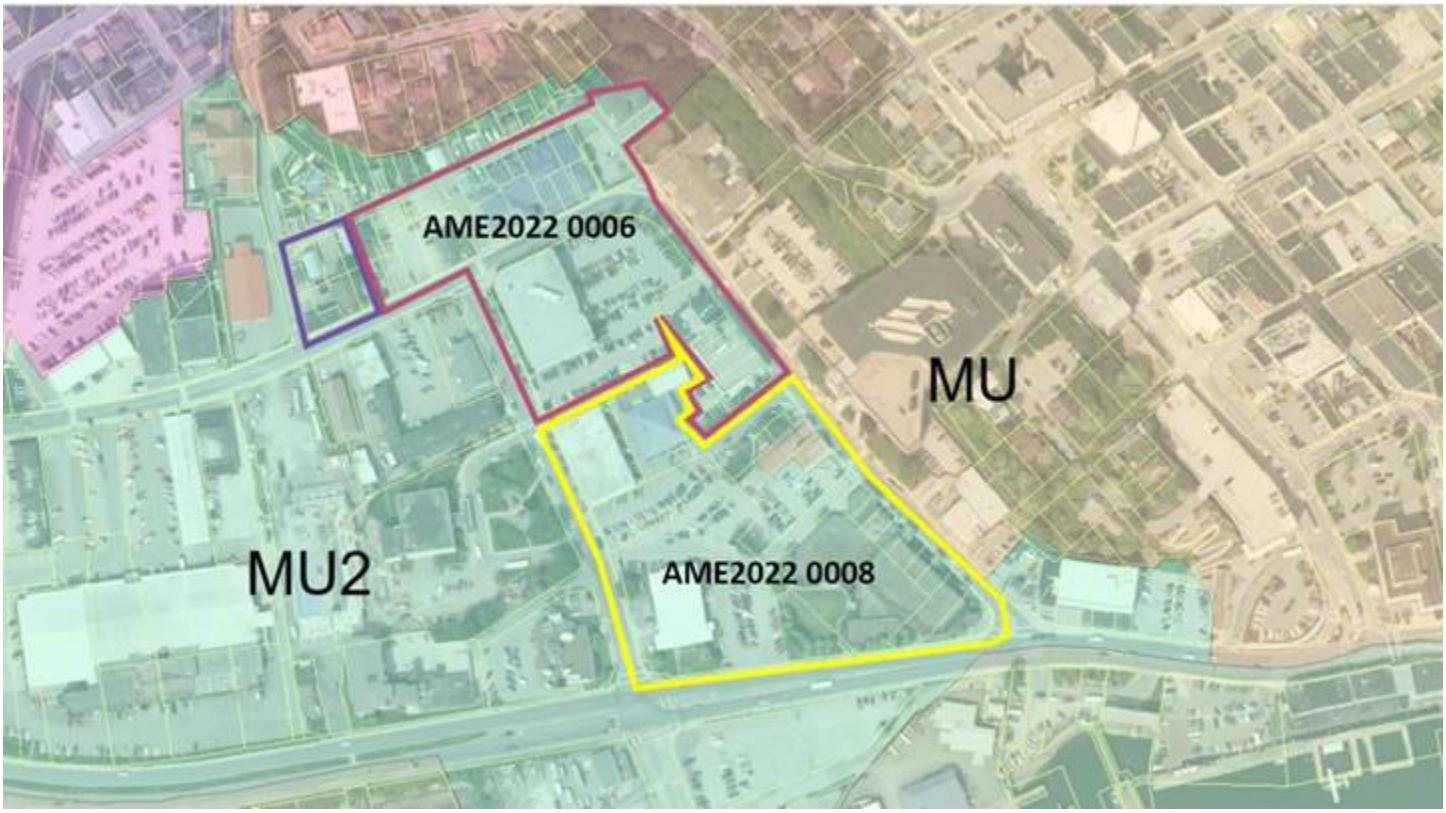
From: Irene Gallion <Irene.Gallion@juneau.gov>
Sent: Thursday, December 15, 2022 8:29 AM
To: Charlie Ford <Charlie.Ford@juneau.gov>; General Engineering <General_Engineering@juneau.gov>; Dan Jager <Dan.Jager@juneau.gov>
Cc: Dan Bleidorn <Dan.Bleidorn@juneau.gov>; Irene Gallion <Irene.Gallion@juneau.gov>
Subject: AME22-06 and 08: Rezone of Aak'w Kwan District property

Hello all,

Attached are two applications for rezoning in the Aak'w Kwan District, map below. I've attached a ZONING_Summary that outlines the changes.

If you have any comments, please provide them by **December 27, 2022.**

You may have had an early look at this in August, but it is coming to the Planning Commission in January. We had a public meeting with one attendee, who was interested in height limits.



More details can be found at the Short Term Planning web site: https://juneau.org/community-developm
term-projects

Thanks!

Irene Gallion | Senior Planner
Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street | 4th Floor Marine View Building
Office: 907.586.0753 X2

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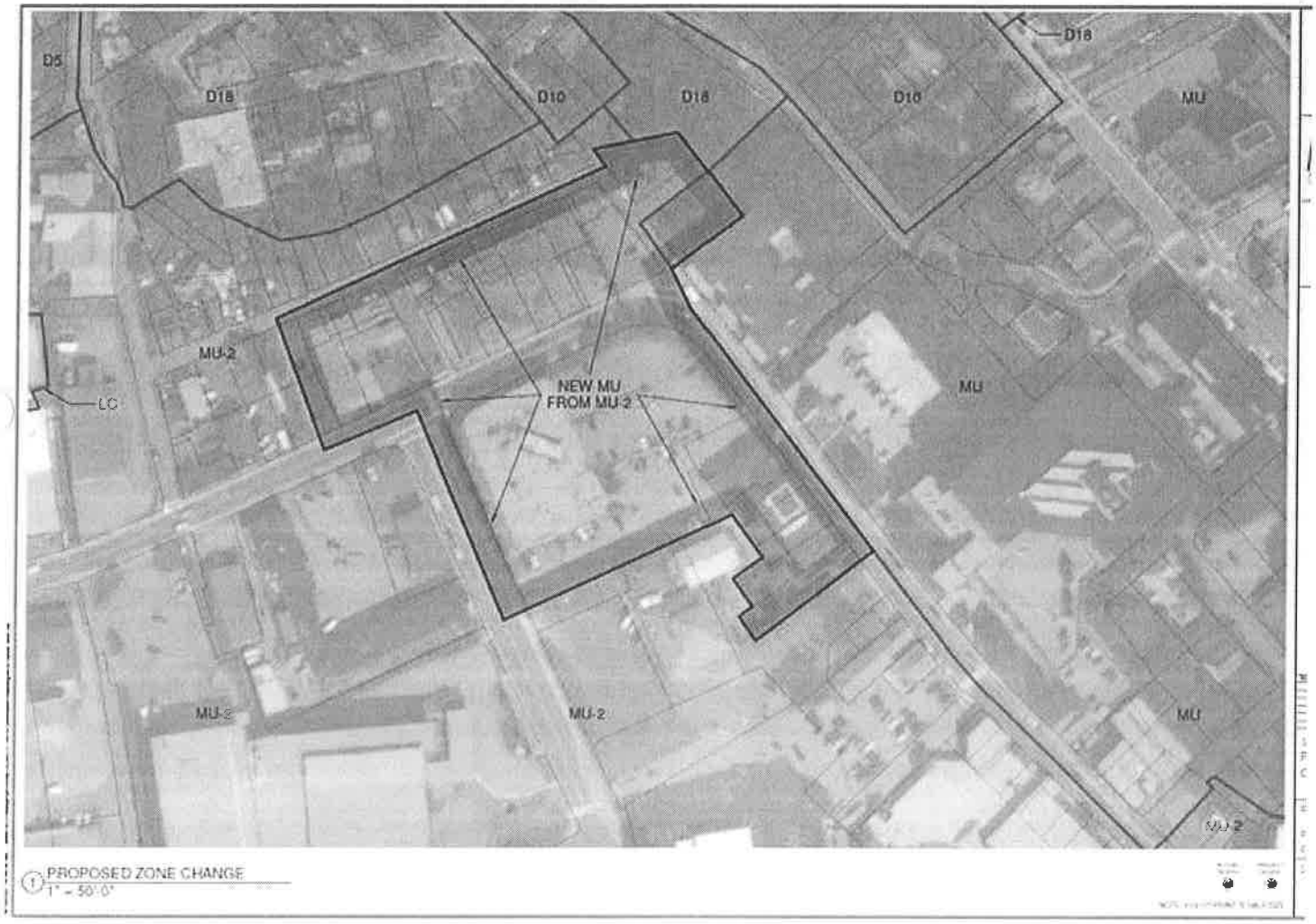
Irene Gallion

From: Irene Gallion
Sent: Thursday, August 4, 2022 11:04 AM
To: 'bill.campbell@alaska.gov'
Subject: Rezone in your area

Hi Bill,

We've received a proposed rezone in the area of the SOB (Willoughby side) and the offices that currently house ADEC. We'd like to give the State the opportunity to comment on it. Who should I send the details to?



Thanks!

Irene Gallion | Senior Planner
Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street | 4th Floor Marine View Building
Office: 907.586.0753 X2

Irene Gallion

From: Irene Gallion
Sent: Wednesday, December 21, 2022 1:59 PM
To: 'bill.campbell@alaska.gov'
Cc: Irene Gallion
Subject: AME22-06/08: Rezones in your area
Attachments: 0822_001.pdf

Hi Bill,

I wanted to check in and see if there a State position on the proposed rezone in the Aak'w Kwan District. The project will be heard by the Planning Commission on January 24, 2023. The web site can be accessed here: https://juneau.org/community-development/short-term-projects

I am currently drafting the staff report for this project. To be considered in the staff report, comments must be received by December 23, 2022. After that, comments will be forwarded to the Planning Commission.

The last day for written comments is January 20, 2023 at noon. Testimony will be accepted at the Planning Commission meeting on January 24th, 2023.

Thank you for any perspective you can provide.

Irene Gallion | Senior Planner
Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street | 4th Floor Marine View Building
Office: 907.586.0753 X2

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From: permits@juneau.org <permits@juneau.org>
Sent: Wednesday, December 21, 2022 1:51 PM
To: Irene Gallion <Irene.Gallion@juneau.gov>
Subject: Attached Image

Irene Gallion

From: Norton Gregory <ngregory@thrha.org>
Sent: Wednesday, December 7, 2022 3:19 PM
To: Irene Gallion
Subject: RE: AME22-06/08: Rezone in Aak'w Kwan

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Hi Irene,

Thank you for the information, I appreciate it.

All the best,
Norton

Norton Gregory
Director of Housing Services
(907) 780-3125 - direct
(888) 241-6868 – toll free
(866) 291-9019 - fax
ngregory@thrha.org

TH
Regional Housing Authority

From: Irene Gallion <Irene.Gallion@juneau.gov>
Sent: Wednesday, December 7, 2022 2:57 PM
To: Norton Gregory <ngregory@thrha.org>
Subject: AME22-06/08: Rezone in Aak'w Kwan

You don't often get email from irene.gallion@juneau.gov. Learn why this is important

Hi Norton!

Here are the attachments from the public meeting, attended by one guy who lives on Distin and was concerned about his view.

The fastest summary of changes is in the ZONING_Summary attachment.

- The PINK is CCTHITA's proposed rezone.
- The PURPLE is an extension that Staff is recommending, just so the zoning borders don't split neighborhoods. We are proposing it go to Capital Avenue.
- The YELLOW is a separate CBJ proposal for rezoning. There are some politically-charged projects in the city area – Centennial Hall/JAHC and a proposal for a City Hall – and we didn't want those to derail CCTHITA's efforts, so we have a separate proposal for city land.

I'm happy to answer any questions, and also happy to run through the presentation for you and yours if you are interested. It takes about 20 minutes.

Thanks!

Irene Gallion | Senior Planner
Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street | 4th Floor Marine View Building
Office: 907.586.0753 X2

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1

Thank you for being here!
The meeting will start at 6:00 pm

Proposed rezone: Approximately 9.5 (nine and one-half) acres in **the Aak'w Kwaan District from MU2 to MU, eliminating setback requirements, lot coverage restrictions and height restrictions.**

2

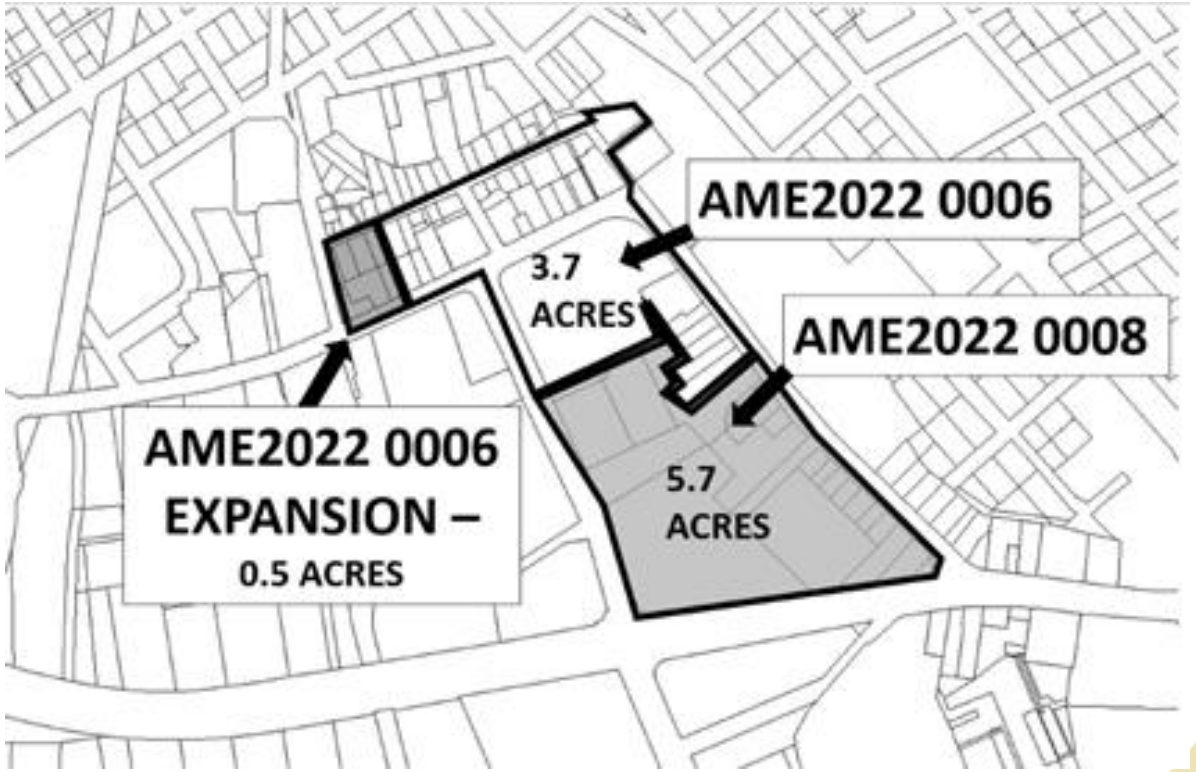
AME2022-0006
AME2022-0008

Rezone of approximately 9.5 (nine and one-half) acres in the Aak'w Kwaan District from MU2 to MU, eliminating setback requirements, lot coverage restrictions and height restrictions.

3

What will happen today

- Presentation from CBJ
  - What is being requested and why
  - Regulatory details
  - What the process is
- Applicant shares information
- Open to your questions.



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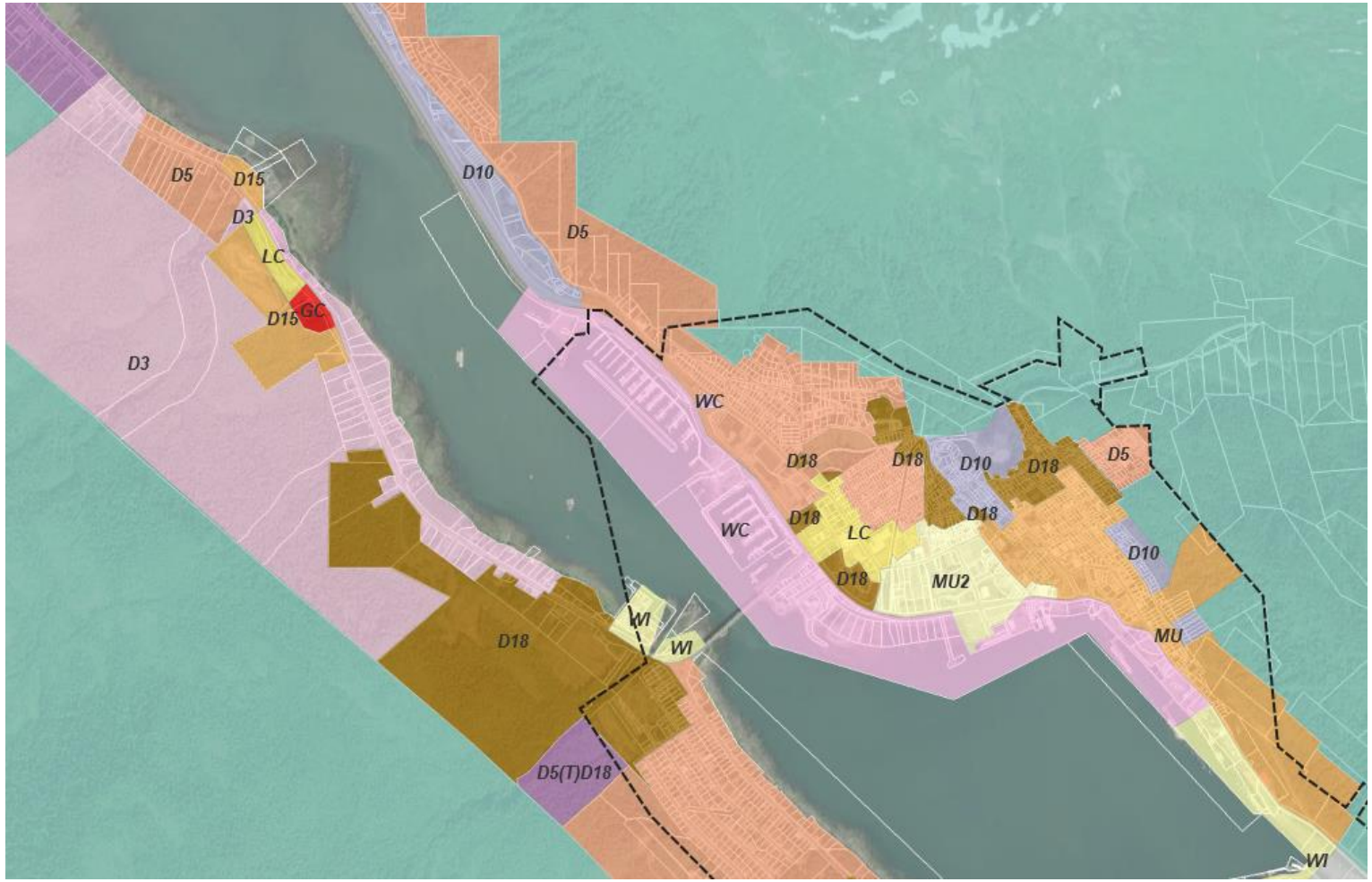
What is a “rezone”?



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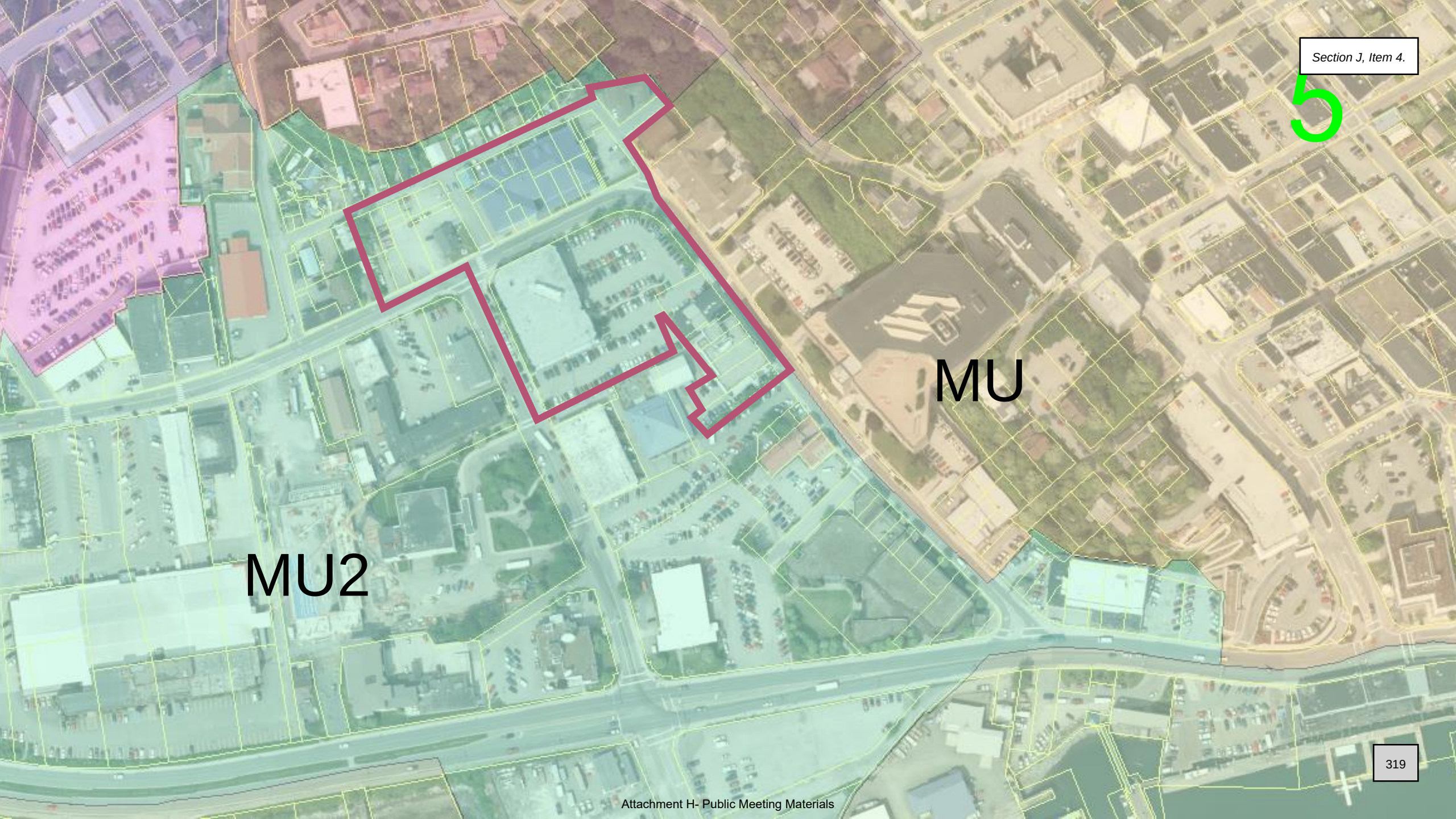
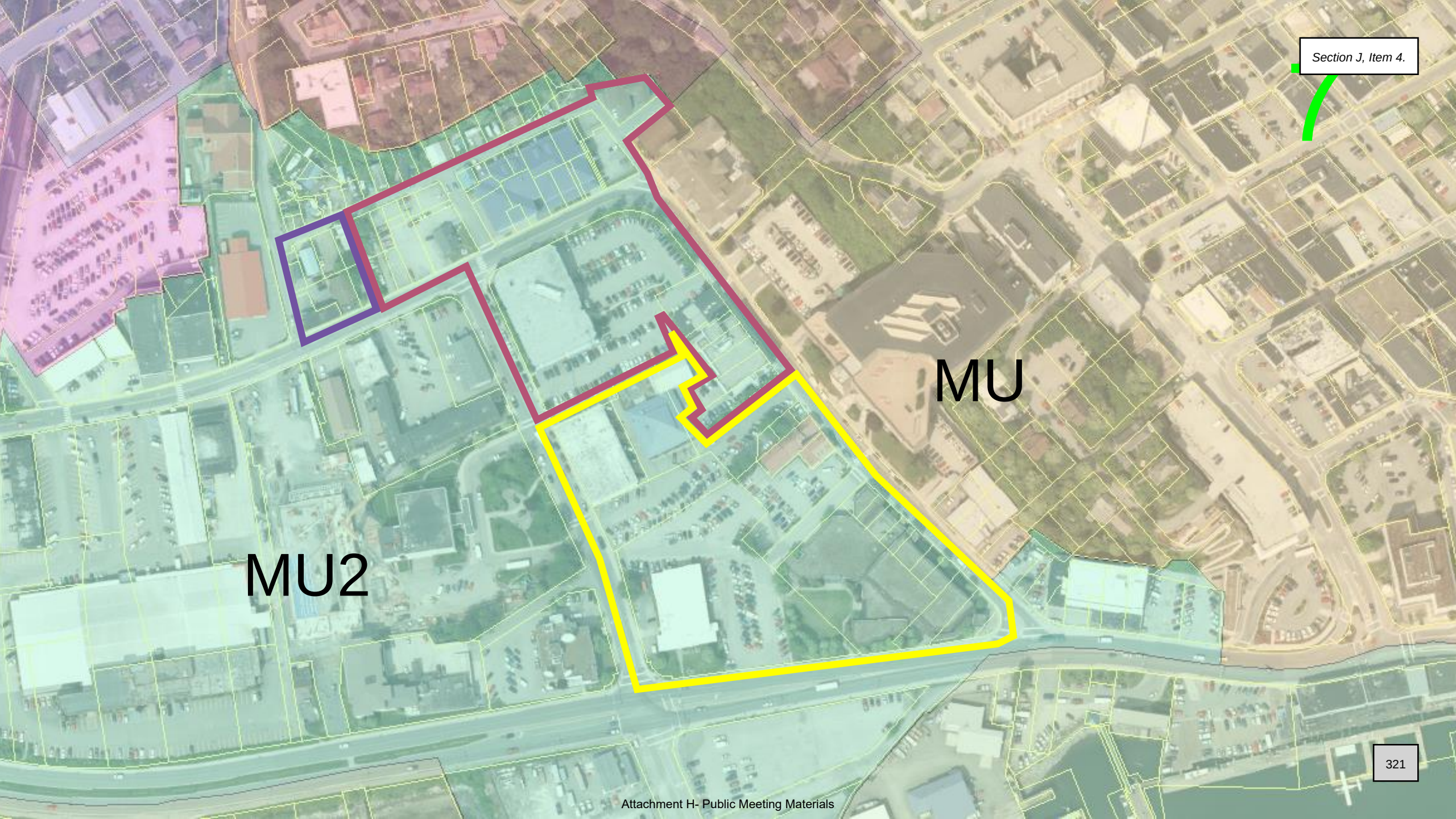


Why rezone? Dimensional and Density

Standard	Current Zoning, MU2	Proposed Zoning, MU
Setback	Five feet	Zero Feet
Lot coverage	80%	No limit
Height Limit	45 feet for permissible uses	No limit
Density	80 units per acre	No limit


MU
MU2

8

Native Restricted Deeds

Comp Plan guides

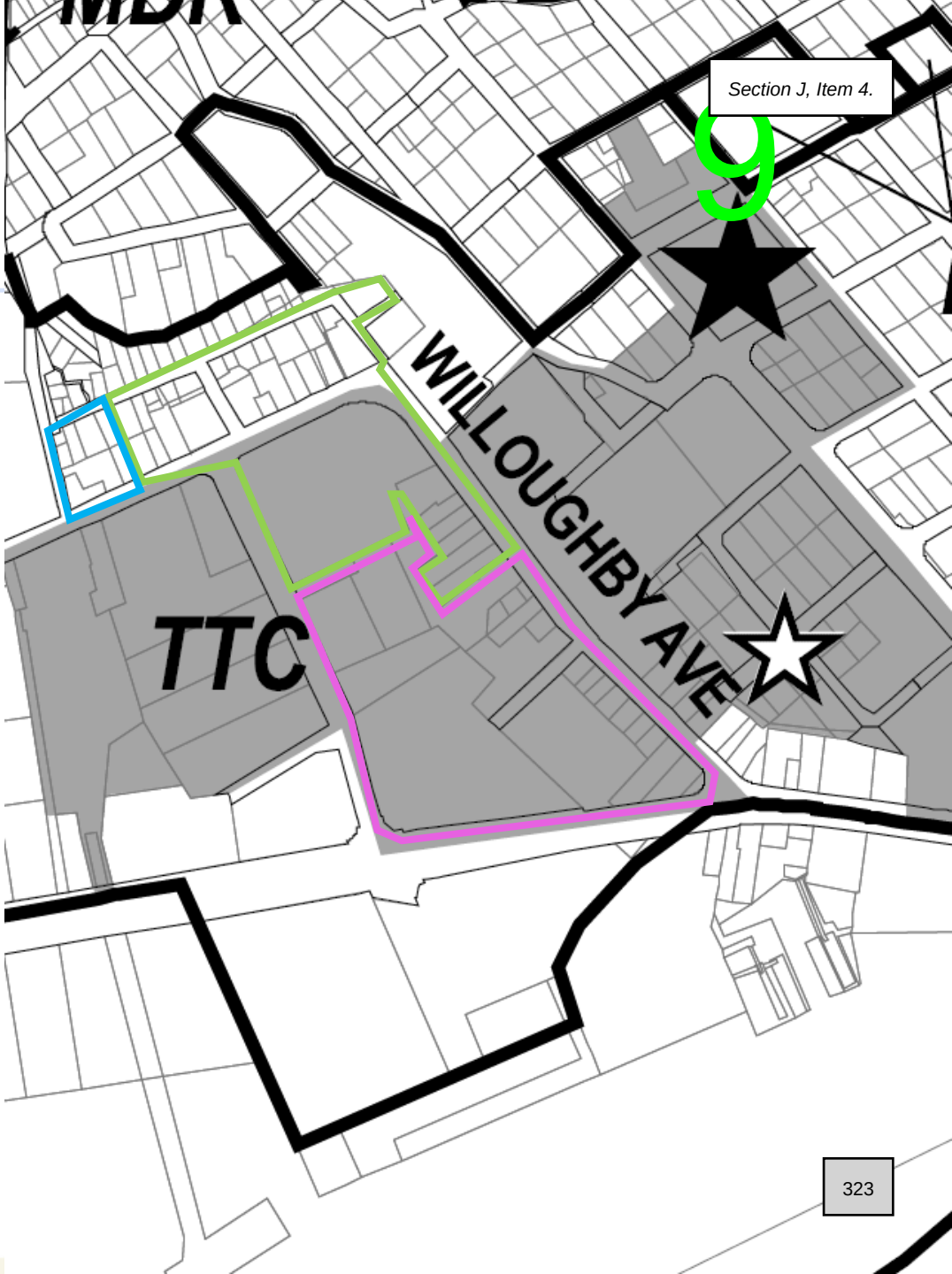
What is the difference between Land Use Designation and Zoning?

TRADITIONAL TOWN CENTER

- Mixed-use High Density Residential and Commercial
- Density of 18 or more units per acre

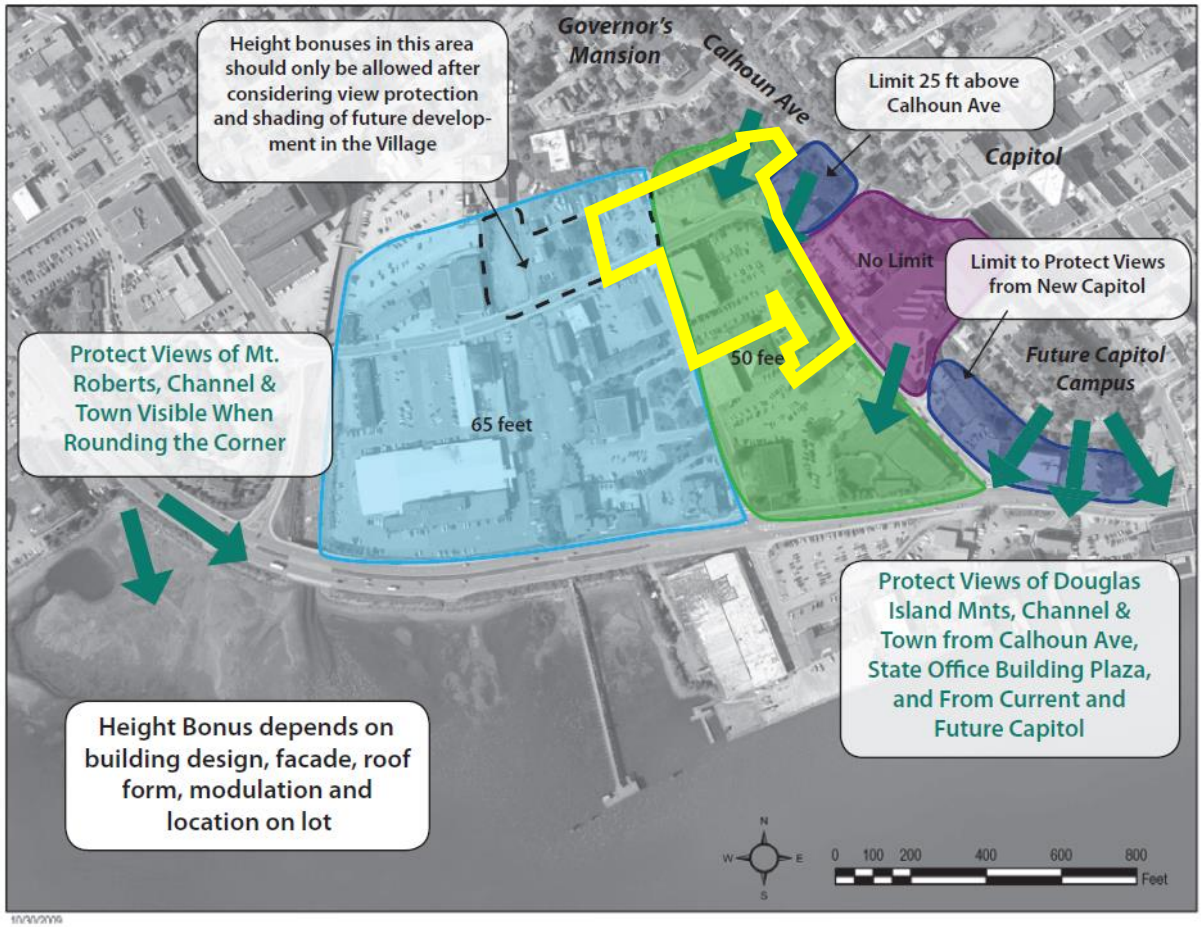
CAPITAL COMPLEX

- Legislative infrastructure
- Pedestrian-friendly circulation
- Food and entertainment



10

Willoughby District Land Use Plan



11

Willoughby District Land Use Plan

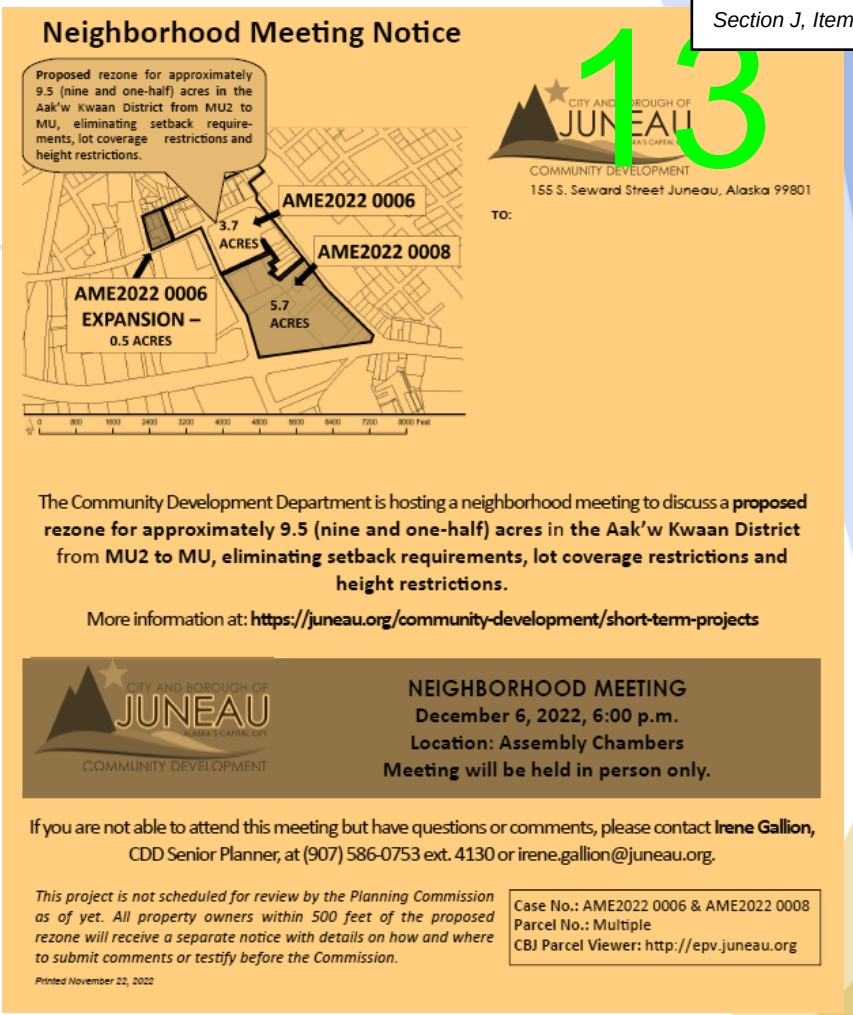
- Build to line
- Two story minimum height
- Orient toward street
- Ground floor retail with offices/residences above
- Interesting facades
- Parking at rear or side of building
- Hidden trash receptacles, utility boxes
- Connected streets

Why rezone? Permissible Uses

Use	Current Zoning, MU2	Proposed Zoning, MU
Marijuana product manufacturing facility	Not allowed	Requires a conditional use permit
Zoos, aquaria, or wild animal rehabilitation facilities with a visitor component	Requires a conditional use permit	Not allowed

Process

- Neighborhood meeting
- Staff analysis and report
- Report posted week of January 16, 2023 🤞
- Planning Commission Hearing: January 24,2023 🤞 Recommendation to:
  - Approve
  - Approve with conditions
  - Deny
  - Continue



Neighborhood Meeting Notice

13

Proposed rezone for approximately 9.5 (nine and one-half) acres in the Aak'w Kwaan District from MU2 to MU, eliminating setback requirements, lot coverage restrictions and height restrictions.

AME2022 0006

3.7 ACRES

AME2022 0008

AME2022 0006 EXPANSION – 0.5 ACRES

5.7 ACRES

CITY AND BOROUGH OF JUNEAU
COMMUNITY DEVELOPMENT
155 S. Seward Street Juneau, Alaska 99801

TO:

The Community Development Department is hosting a neighborhood meeting to discuss a **proposed rezone for approximately 9.5 (nine and one-half) acres** in **the Aak'w Kwaan District** from **MU2 to MU, eliminating setback requirements, lot coverage restrictions and height restrictions.**

More information at: **https://juneau.org/community-development/short-term-projects**

CITY AND BOROUGH OF JUNEAU
COMMUNITY DEVELOPMENT

NEIGHBORHOOD MEETING
December 6, 2022, 6:00 p.m.
Location: Assembly Chambers
Meeting will be held in person only.

If you are not able to attend this meeting but have questions or comments, please contact **Irene Gallion,** CDD Senior Planner, at (907) 586-0753 ext. 4130 or irene.gallion@juneau.org.

This project is not scheduled for review by the Planning Commission as of yet. All property owners within 500 feet of the proposed rezone will receive a separate notice with details on how and where to submit comments or testify before the Commission.

Printed November 22, 2022

Case No.: AME2022 0006 & AME2022 0008
Parcel No.: Multiple
CBJ Parcel Viewer: http://epv.juneau.org

- Schedule with the Assembly (no post cards)

Thank you!

- Paul Voelckers, MRV Architects
- Elias Duran, Property Manager, KIRA Services

  Central Council of Tlingit and Haida Tribes of Alaska (CCTHITA)

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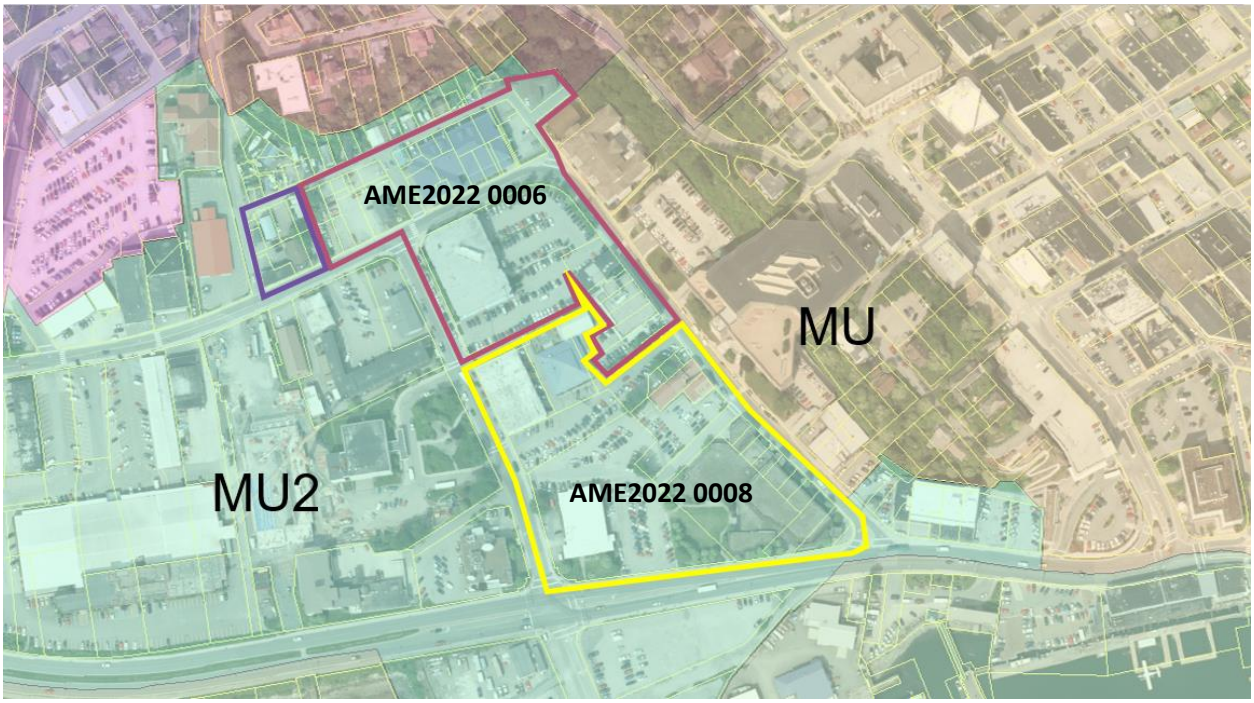
ZONING

AME2022 0006:

Rezone of approximately 9.5 (nine and one-half) acres in the Aak'w Kwaan District from MU2 to MU, eliminating setback requirements, lot coverage restrictions and height restrictions.

Zoning is a set of rules on how land can be developed. Zoning impacts lot size, building size and placement, and what sorts of activities can be placed next to each other. The point of zoning is to preserve property value and to separate incompatible uses. When you rezone a property, you are changing the rules under which it can be developed.



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Setback	Five feet	Zero Feet
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Height Limit	45 feet for permissible uses	No limit
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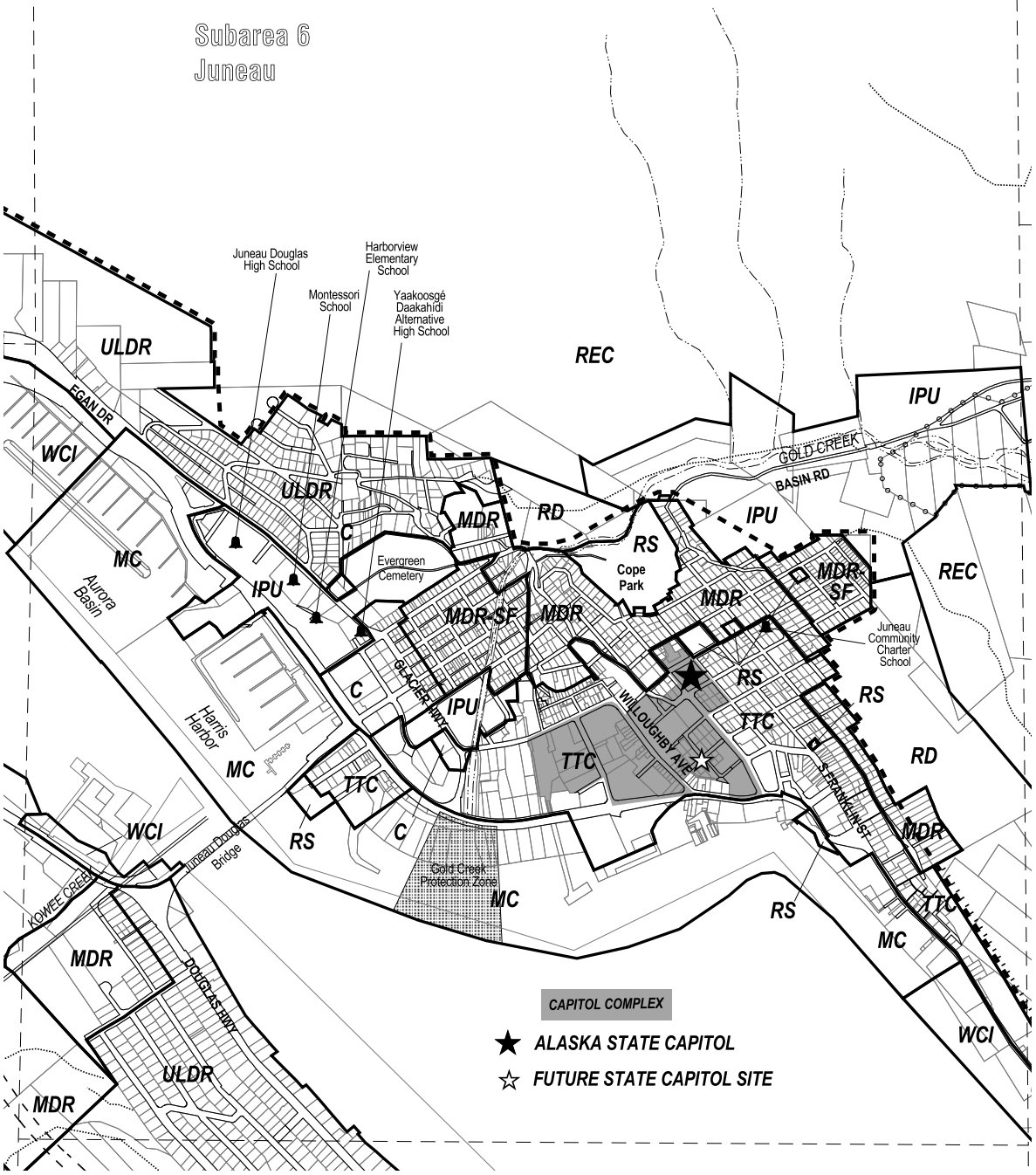
Zoos, aquaria, or wild animal rehabilitation facilities with a visitor component	Requires a conditional use permit	Not allowed

Map M 16



NATURAL RESOURCE
- REC Recreational Resource
- RD Resource Development
- SP State Park
- NP CBJ Natural Area Park
- RS CBJ Recreational Service Park
- CA CBJ Conservation Area
- SC Stream Protection Corridor

COMMERCIAL INDUSTRIAL
- C Commercial
- MC Marine Commercial
- WCI Waterfront Commercial Industrial
- LI Light Industrial
- HI Heavy Industrial

RESIDENTIAL
- RDR Rural Dispersed Residential
- RLDR Rural Low Density Residential
- ULDR Urban Low Density Residential
- MDR/SF Medium Density Residential- Single Family
- MDR Medium Density Residential
- HDR High Density Residential
- TTC Traditional Town Center
- M/MU Marine Mixed Use

PUBLIC
- IPU Institutional and Public Use
- Existing School
- Potential School Location

ROADS TRAILS
- Potential Arterial (alignment not specific)
- Potential Road (alignment not specific)
- Trails

OTHER
- New Growth Areas
- Mendenhall Wetlands State Game Refuge
- Subarea Boundary
- Urban Service Area
- Beach Access
- Streams

800 0 800 Feet

City & Borough of Juneau
COMPREHENSIVE PLAN
City & Borough of Juneau Alaska's Capital City
Adopted October 20th, 2008
Ordinance No. 2008-30

NOTE: Potential geophysical hazards, wetlands, flood zones, natural resource setbacks or other features which can affect properties may be present. CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT FOR DETAILED INFORMATION.

Prepared by: Community Development Department

LAND USE DESIGNATIONS

The 2013 Comprehensive Plan includes "land use designations." These designations outline the aspirational intent for the land. Zoning rules are the specific tools used to comply with land use designations.

Traditional Town Center (TTC): These lands are characterized by high density residential and non-residential land uses in downtown areas and around shopping centers, the University, major employment centers and public transit corridors, as well as other areas suitable for a mixture of retail, office, general commercial, and high density residential uses at densities at 18 or more residential units per acre. Residential and non-residential uses could be combined within a single structure, including off-street parking. Ground floor retail space facing roads with parking behind the retail and housing above would be an appropriate and efficient use of the land.

Capitol Complex: An area in downtown Juneau which could contain legislative hearing rooms, offices, meeting rooms, pedestrian-friendly circulation systems, parking, transit services, seasonal and short-term accommodations, food and beverage services, cultural and entertainment activities, and other facilities which support the legislative activities of the state capital in Juneau. This area is shown on the land use maps for Subarea 6, particularly Map M, and is centered on Telephone Hill, the proposed site of a new State Capitol building.

Other Comprehensive Plan Land Use Types:

Recreational Service Park (RS): Recreation, parking, playgrounds and fields, ski lifts, All-Terrain Vehicle (ATV) riding parks, rifle ranges, operations and maintenance-related structures are possible uses or components of RS-designated lands.

Institutional and Public Use (IPU): Lands in public ownership and dedicated for a variety of public uses, such as the University of Alaska Southeast; local, state and federal government uses; and for such public facilities as community gardens, schools, libraries, fire stations, treatment plants, and public sanitary landfills.

Resource Development (RD): Land managed to identify and conserve natural resources until specific land uses are identified and developed. As resources are identified or extracted from these lands, they should be re-designated and rezoned appropriately.

Urban/Low Density Residential (ULDR): These lands are characterized by detached single-family units, duplex, cottage or bungalow housing, zero-lot-line dwelling units and manufactured homes on permanent foundations at densities of one to six units per acre.

Medium Density Residential (MDR): These lands are characterized by urban residential lands for multifamily dwelling units at densities ranging from 5 to 20 units per acre.

Medium Density Residential—Single Family Detached (MDR/SF): Single-family detached homes at densities ranging from 10 to 20 units per acre. Includes single-family detached homes with an accessory apartment, cottage houses and bungalow houses.

High Density Residential (HDR): Urban residential lands suitable for new, in-fill or redevelopment housing at high densities ranging from 18 to 60 units per acre.

Commercial (C): Lands devoted to retail, office, food service or personal service uses, including neighborhood retail and community commercial centers. Mixed retail/residential/office uses are allowed and encouraged. Residential densities ranging from 18- to 60-units per acre are appropriate in this area.

Marine Commercial (MC): Water-dependent commercial uses such as marinas/boat harbors, marine vessel and equipment sales and repair services, convenience goods and services for commercial and sport fishing, marine recreation and marine tourism activities such as food and beverage services, toilet and bathing facilities, bait and ice shops, small-scale fish processing facilities, hotels and motels, and similar goods and services to support mariners and their guests. Float homes, house boats, and live-aboards would be residential uses to be allowed within an MC district.

Waterfront Commercial/Industrial (WCI): Water-dependent heavy commercial and industrial uses such as marine transportation terminals, large or small boat marinas, boat repair, shipyards, marine freight handling areas, fish buying and processing plants, ice plants, marine hatcheries, and marine parks. Residential uses would not be allowed in Waterfront Commercial/Industrial Districts, with the exception of caretaker units.

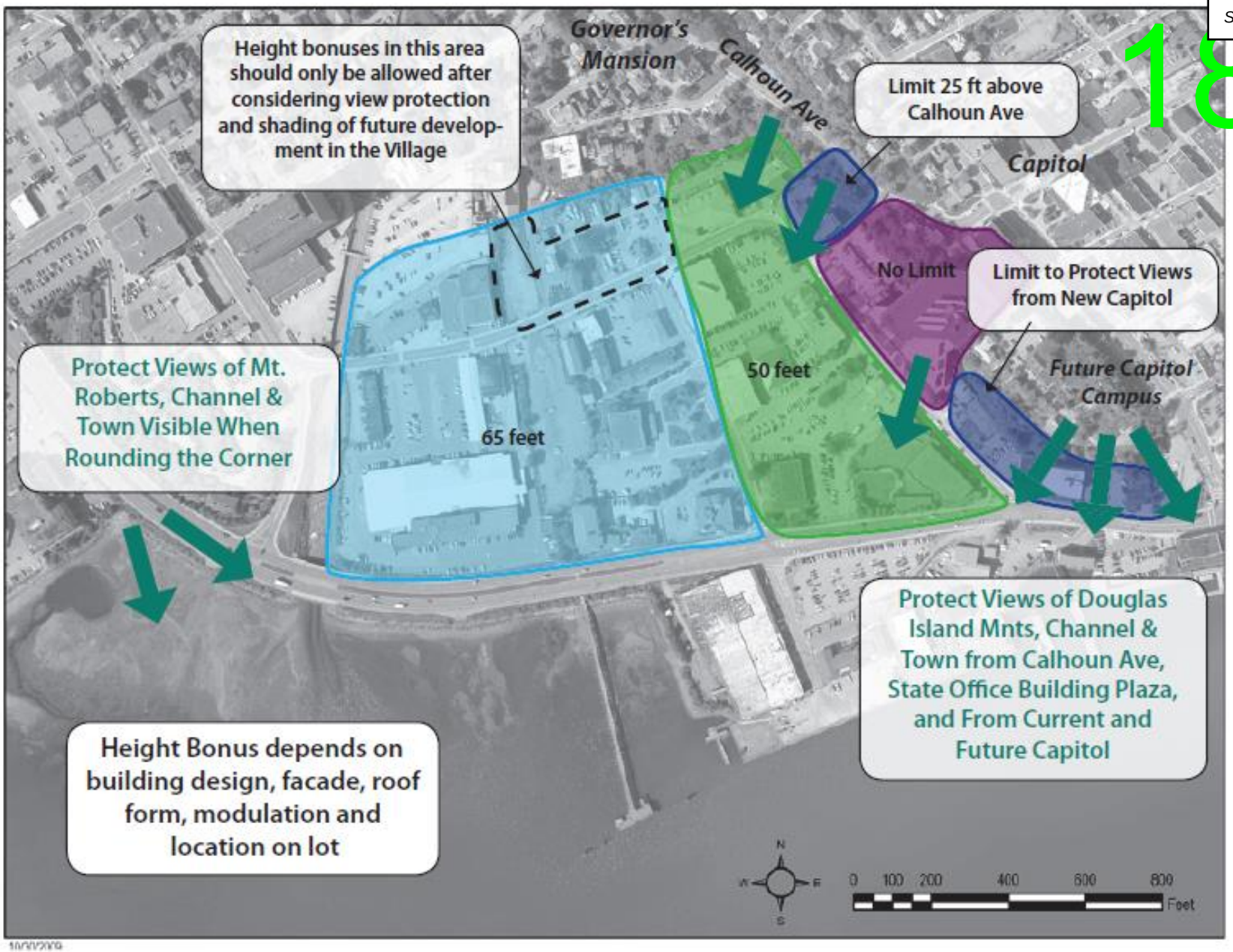


Figure 5. Building Heights (Possible with Bonus Points) and Viewsheds

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AME2022 0006:

Rezone of approximately 9.5 (nine and one-half) acres in the Aak'w Kwaan District from MU2 to MU, eliminating setback requirements, lot coverage restrictions and height restrictions.

PROJECT INFORMATION:

https://juneau.org/community-development/short-term-projects

Click the + sign next to "AME2022 0006" for the map and application materials. Updated hearing information will be posted here.

PROJECT HEARING SCHEDULE:

Planning Commission Hearing:

January 24, 2023 TENTATIVE

7:00 pm

In person: Assembly Chambers, 155 S Seward Street. Go in the door next to the raven on the mural, then turn right.

ZOOM: Connection information will be available at the scheduling site (see reverse). You can participate via computer or via phone.

By computer: Either paste the link into your browser, or navigate to ZOOM and join the meeting using the Webinar ID.

By phone: When ready to participate,

- Press *9 to raise your hand.
- Press *6 to unmute yourself (if needed).

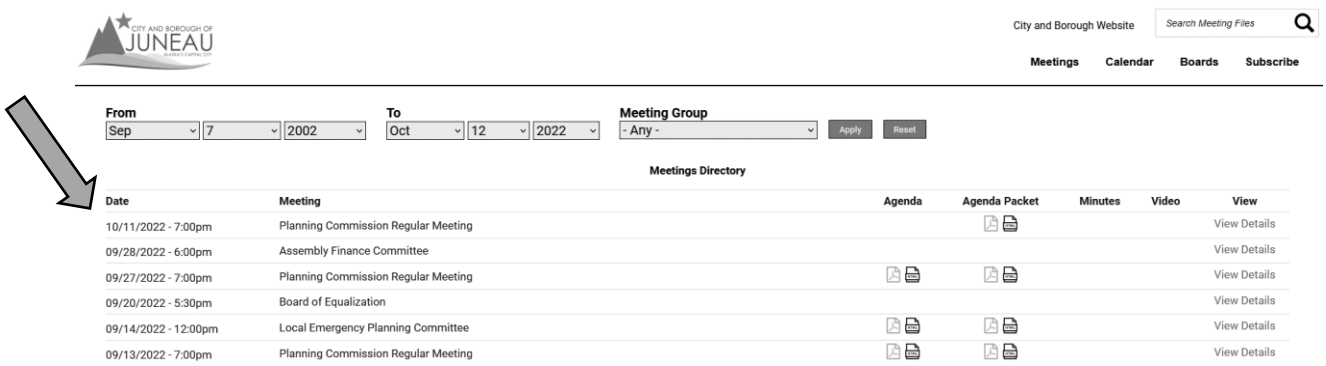
Irene Gallion, Senior Planner ■ (907) 586-0753, x4130 ■ irene.gallion@juneau.org

PROJECT HEARING SCHEDULE, continued:

20

https://juneau-ak.municodemeetings.com/

Locate the appropriate date:



Your options are:

Agenda : This is a .pdf of the agenda, which will have ZOOM contact info.

Agenda : This is a web page of the agenda, which will have ZOOM contact info.

Agenda Packet : This is a .pdf of the agenda and of supporting documents (including staff reports) for cases being heard this night. It can be lengthy.

Agenda Packet : This is a web page that has the agenda, and links to supporting documents (including staff reports). This may be the easiest way to navigate through a long agenda.

WRITTEN COMMENTS

Comments can be e mailed to:

pc_comments@juneau.gov
(that is, pc UNDERSCORE comments)

Irene.Gallion@juneau.gov

Comments can be posted to:

Community Development Department
City and Borough of Juneau
155 South Seward Street
Juneau, AK 99801

Comments may be dropped off at:

Marine View Building
Corner of Ferry Way and S. Franklin Street
4th Floor permit center (hang a right out of the elevator, and it will be on your left)

If you do not have a computer available or have difficulty with writing, give Irene a call and she can take your comment over the phone: (907) 586-0753, x4130

IF the project is scheduled to be heard January 24, 2023, the last day for written comments is January 20, 2023, NOON.

Irene Gallion, Senior Planner ■ (907) 586-0753, x4130 ■ irene.gallion@juneau.org

Public Comment Sign-In Sheet

Meeting: 12/6/2022

Name (please print)	Residence Address or Area of Town	Email Address – if you would like to receive project updates
Sample: Joe Juneau	*555 Fifth St., Juneau*	*joe.juneau@juneau.org*
ELIAS DURAN	9219 BLACK WOLF	eduran@kira.com
PAUL VOELCKERS	1760 CAPITAL VIEW CT.	paul@mrvarchitects.com
GREY PENDLETON	329 Distin Ave.	gwpendleton@gmail.com

22

Irene Gallion

From: Emily Suarez
Sent: Wednesday, December 7, 2022 9:43 AM
To: Irene Gallion
Subject: Public meeting notes

Hi Irene,

This is what I have from yesterday's meeting.

- Clarification on height restrictions between MU and MU2 zoning districts.
- MU does not have a height limitation compared to MU2 zoning district.
- Attendee asked a question regarding height limits for the new rezone proposal, and how that might have an impact on his neighborhood.
- Attendee also mentioned how a variance could be applied under current code to modify height restrictions for current zoning district. However, the rezone would allow for a more streamlined process for developers and building permit applications for future projects.
- Attendee was supportive of rezoning from MU2 to MU, and for future development to maintain a height between 50 feet to 65 feet.

Thank you,
Emily Suarez | Planner II
Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street, 4th Floor Marine View Building
Office: 907.586.0753 ext. 4131

Note: My email will change to emily.suarez@juneau.gov beginning on December 5, 2022.

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

Fostering excellence in development for this generation and the next.

ADDITIONAL MEETING MATERIALS PROVIDED BY THE APPLICANT 23

Re: CCTHITA Rezone Application, Aak'w Village District

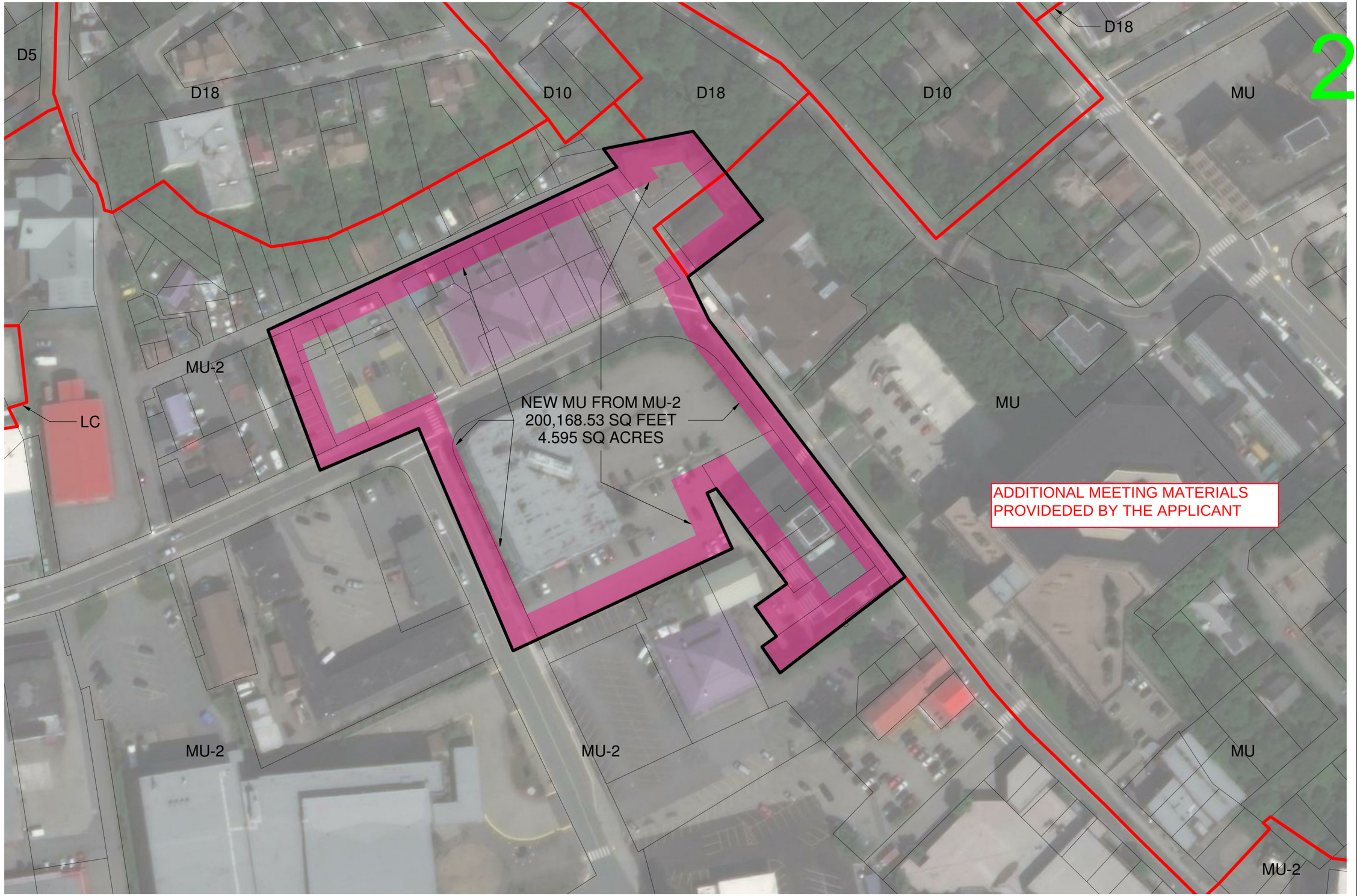
The Central Council of Tlingit and Haida Indian Tribes of Alaska, CCTHITA, is pleased to submit this application for a zone change of a number of parcels in the historic core of the newly-named Aak'w District. Per the attached graphic, CCTHITA is hoping to revise the indicated properties from MU2 to MU zoning. Each of the properties identified in this block is controlled by Central Council.

The strategic reasons for this are identified following. First, MU is the predominant underlying zoning in the developed urban core of Juneau, and this existing zoning abuts the new rezone parcel along Willoughby Street, or the long northeasterly edge of the property.

Second, this rezone to MU is consistent with the Comprehensive Plan in this area, which indicates the proposed area is "TTC", Traditional town Center, also consistent with other northeasterly areas of the established downtown core.

Third, this rezone will allow greater flexibility to CCTHITA as building upgrades and new projects are considered for the downtown central properties.

The ability of MU to build to property lines, along with greater height opportunity, will allow us the potential for more efficient mixed-use solutions in this area. MU allows an unlimited number of housing units per acre, as opposed to MU2 which is capped at 80 housing units per acre.



1 PROPOSED ZONE CHANGE
1" = 100'-0"

ACTUAL NORTH

PROJECT NORTH

MRV ARCHITECTS
1420 GLACIER AVE. #101
JUNEAU, AK 99801
907-586-1371
FAX 907-463-5544
mrv@mrvarchitects.com

ZONE CHANGE APPLICATION

For The

Central Council of the Tlingit and Haida Indian Tribes of Alaska

MRV # 2215

No.	Description	Date

SHEET TITLE:
PROPOSED ZONE CHANGE PLAN

DATE: 6.10.2022

DRAWN: MRV

CHECKED: PV

SHEET NO.
A1 338

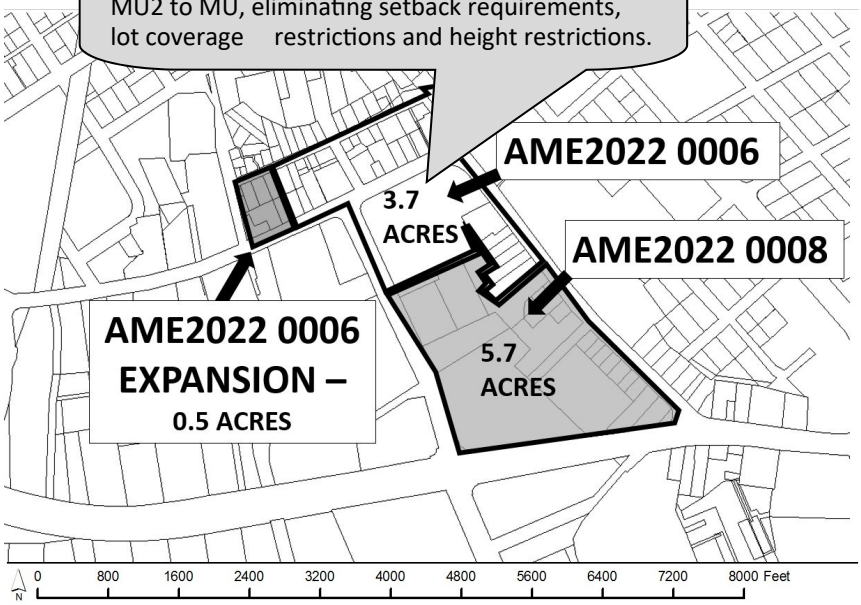
7/26/2022 1:22:05 PM \\MRV2013data\projects\2022\2215 CCTHITA Downtown Planning\REVIT\BASE MAP.rvt

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice

Proposed rezone for approximately 9.5 (nine and one-half) acres **in** the Aak'w Kwaan District **from** MU2 to MU, eliminating setback requirements, lot coverage restrictions and height restrictions.



CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

155 S. Seward Street Juneau, Alaska 99801

TO:

An application has been submitted for consideration and public hearing by the Planning Commission for **proposed rezone for approximately 9.5 (nine and one-half) acres** in **the Aak'w Kwaan District** from **MU2 to MU, eliminating setback requirements, lot coverage restrictions and height restrictions.**

PROJECT INFORMATION:
Project Information can be found at:
https://juneau.org/community-development/short-term-projects

PLANNING COMMISSION DOCUMENTS:
Staff Report expected to be posted **January 23, 2023** at
https://juneau.org/community-development/planning-commission
Find hearing results, meeting minutes, and more here, as well.

Now through Jan. 12, 2023	Jan. 12 noon, Jan. 20, 2023	HEARING DATE & TIME: 7:00 pm, Jan. 24, 2023	Jan. 25, 2023
Comments received during this period will be sent to the Planner, **Irene Gallion,** to be included as an attachment in the staff report.	Comments received during this period will be sent to Commissioners to read in preparation for the hearing.	This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting https://juneau.zoom.us/j/85488605721and use the Webinar ID: 854 8860 5721 OR join by telephone, calling: 1-253-215-8782 and enter the Webinar ID (above). You may also participate in person in City Hall Assembly Chambers, 155 S. Seward Street, Juneau, Alaska.	The results of the hearing will be posted online.

FOR DETAILS OR QUESTIONS,

Phone: **(907)586-0753 ext. 4130◆**
Email: **pc_comments@juneau.gov**
Mail: **Community Development, 155 S. Seward Street, Juneau AK 99801**

Case No.: AME2022 0006 & AME2022 0008
Parcel No.: Multiple
CBJ Parcel Viewer: http://epv.juneau.or

Printed December 12, 2022

Attachment J- Public Notice Sign

Irene Gallion

From: Edwin Chappell <echappell@thtbc.com>
Sent: Wednesday, January 4, 2023 3:01 PM
To: Irene Gallion; Elias Duran; 'Paul Voelckers'; Mo Soltani; Stephanie Banua
Subject: FW: 410 permit sign
Attachments: Image.jpeg

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Hello the sign has been posted

Thank you Edwin

From: Travis Bay <travis.bay@thtbc.com>
Sent: Wednesday, January 4, 2023 2:44 PM
To: Edwin Chappell <echappell@thtbc.com>
Subject: 410 permit sign

Get Outlook for iOS

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/community-development
155 S. Seward Street • Juneau, AK 99801

December 14, 2022

Hello Neighbor,

The City and Borough of Juneau's Planning Commission will hear a proposal to rezone approximately 9.5 acres in the Aak'w Kwan District. **If you are receiving this letter, it means you own property in the area proposed for rezone.**

Attached is information on the rezone, and what it means. To summarize, under proposed zoning:

- Buildings can be built right up to the property line. No setbacks will be required.
- A building can cover the entire lot.
- There is no limit on the number of residential units that could be built per acre.
- In theory, there is no height limit. However, any proposed building would need to be considered in light of the Willoughby District Land Use Plan, which includes protections for:
    - The view from Calhoun Avenue.
    - The view from Distin Avenue.
    - Sunlight to Village Street residents.

Zoning also impacts uses. The proposed zoning would allow marijuana product manufacturing facilities. The proposed zoning would disallow zoos, aquaria or other animal facilities with a visitor component – facilities allowed under current zoning. Other than that, uses under the proposed zoning would remain the same.

You'll receive a post card in the mail notifying you of the Planning Commission meeting date and time, and you may see the meeting advertised in the "Your Municipality" section of the Juneau Empire. The meeting will be:

Regular Planning Commission

January 24, 2022

7:00 pm

Enclosed documents have information on how to participate in person or via ZOOM.

If you have any questions, you can contact me with the information below.

Thank you for your participation in developing our community!

Irene Gallion, Senior Planner
Irene.Gallion@juneau.gov
(907) 586-0753, extension 4130

Included items from the public meeting, Attachment G.
* Comprehensive Plan Land Use Maps and Descriptions (page 16)
* Zoning Summary (page 15)
* Willoughby District Land Use Map - Height Restrictions (page 18)
Meeting instructions were updated with meeting scheduling information (attached).

AME2022 0006 and AME2022 0008:

Rezone of approximately 9.5 (nine and one-half) acres in the Aak'w Kwaan District from MU2 to MU, eliminating setback requirements, lot coverage restrictions and height restrictions.

PROJECT INFORMATION:

https://juneau.org/community-development/short-term-projects

Click the + sign next to "AME2022 0006" for the map and application materials. Updated hearing information will be posted here.

PROJECT HEARING SCHEDULE:

Planning Commission Hearing:

January 24, 2023

7:00 pm

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By phone: When ready to participate,

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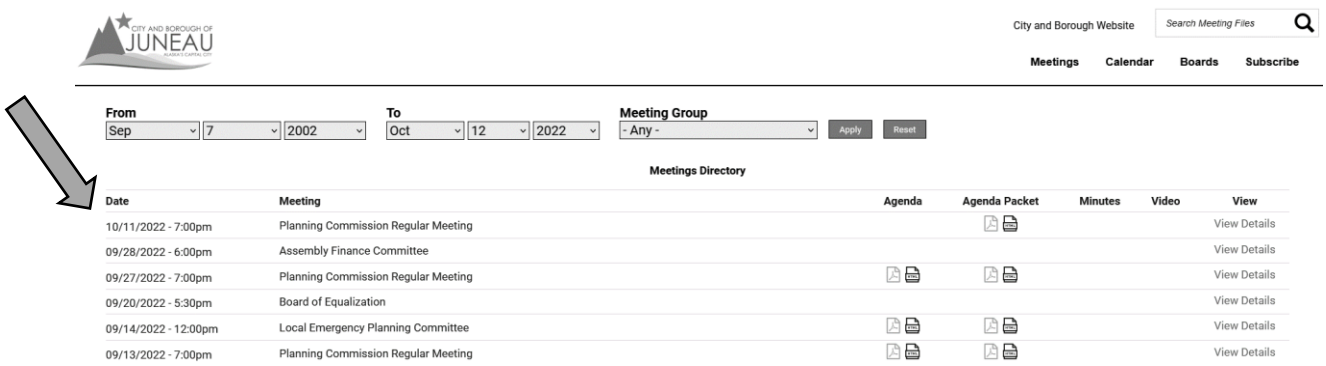
- Press *6 to unmute yourself (if needed).

Irene Gallion, Senior Planner ■ (907) 586-0753, x4130 ■ irene.gallion@juneau.org

PROJECT HEARING SCHEDULE, continued:

https://juneau-ak.municodemeetings.com/

Locate the appropriate date:



Your options are:

Agenda : This is a .pdf of the agenda, which will have ZOOM contact info.

Agenda : This is a web page of the agenda, which will have ZOOM contact info.

Agenda Packet : This is a .pdf of the agenda and of supporting documents (including staff reports) for cases being heard this night. It can be lengthy.

Agenda Packet : This is a web page that has the agenda, and links to supporting documents (including staff reports). This may be the easiest way to navigate through a long agenda.

WRITTEN COMMENTS

Comments can be e mailed to:

pc_comments@juneau.gov
(that is, pc UNDERSCORE comments)

Irene.Gallion@juneau.gov

Comments can be posted to:

Community Development Department
City and Borough of Juneau
155 South Seward Street
Juneau, AK 99801

Comments may be dropped off at:

Marine View Building
Corner of Ferry Way and S. Franklin Street
4th Floor permit center (hang a right out of the elevator, and it will be on your left)

If you do not have a computer available or have difficulty with writing, give Irene a call and she can take your comment over the phone: (907) 586-0753, x4130

The last day for written comments is January 20, 2023, NOON.

Irene Gallion, Senior Planner ■ (907) 586-0753, x4130 ■ irene.gallion@juneau.org

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

PLANNING COMMISSION STAFF
REZONE: AME2022 0008
HEARING DATE: JANUARY 24, 2022

(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/community-development
155 S. Seward Street • Juneau, AK 99801

DATE: January 11, 2023

TO: Michael LeVine, Chair, Planning Commission

BY: Irene Gallion, Senior Planner

THROUGH: Jill Maclean, Director, AICP

PROPOSAL: Applicant requests a rezone for approximately 5.7 acres in the Aak'w Kwaan District from MU2 to MU, eliminating setback requirements, lot coverage restrictions and height restrictions.

STAFF RECOMMENDATION: Staff recommends the Planning Commission extend the rezone east to encompass the Four Points Sheraton (0.9 acres), then forward a recommendation of APPROVAL to the Assembly.

KEY CONSIDERATIONS FOR REVIEW:

- Staff recommends extending the boundaries east to encompass the Four Points Sheraton property, for cohesive block development.
- Proposed MU zoning is consistent with proposed zoning to the north, and existing zoning to the east.
- Proposed MU zoning facilitates Willoughby District Land Use Plan:
  - Zero setbacks for construction to the lot line.
  - Current height limit 45 feet. Proposed zoning would allow construction to the planned height of 55 or 65 feet, depending on area.
- Zero setbacks facilitates canopy construction, improving pedestrian experience.

GENERAL INFORMATION	
Property Owner	Attachment B, C
Applicant	City & Borough of Juneau
Property Address	Attachment B, C
Legal Description	Attachment B, C
Parcel Number	Attachment B, C
Zoning	MU2
Land Use Designation	Traditional Town Center, w/ Capital Complex
Lot Size	Attachment B, C
Water/Sewer	CBJ
Access	Willoughby Avenue, Whittier Street
Existing Land Use	Urban Developed
Associated Applications	AME2022 0006

ALTERNATIVE ACTIONS:

1. **Amend:** recommend an amended rezone boundary; recommend an alternative zoning district; or recommend conditions.
2. **Deny:** recommend denial of the requested rezone. Planning Commission must make its own findings.
3. **Continue:** continue the hearing to a later date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:

Assembly action is required for this rezone.

STANDARD OF REVIEW:

- Quasi-legislative decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
  - CBJ 49.25.500
  - CBJ 49.75.110
  - CBJ 49.75.120
  - CBJ 49.75.130
  - CBJ 49.10.170(d)
  - CBJ 49.80

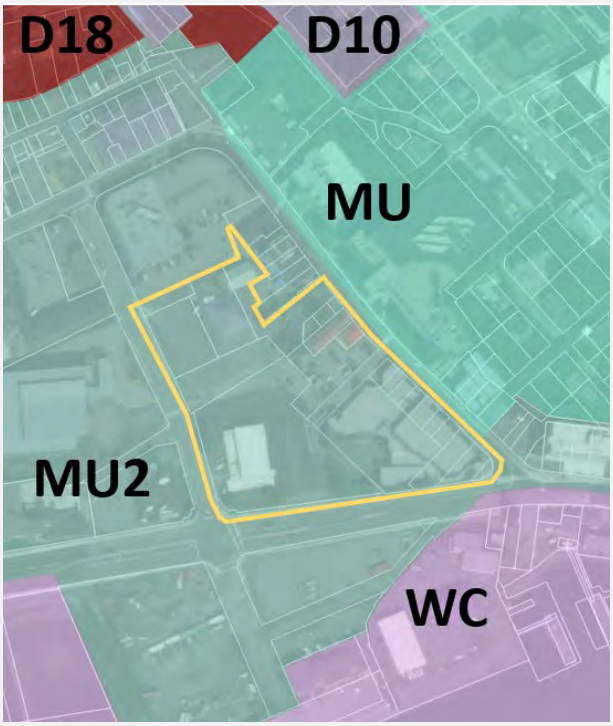
The Commission shall hear and decide the case per CBJ 49.75.120 - Restrictions on rezoning. *Rezoning requests covering less than two acres shall not be considered unless the rezoning constitutes an expansion of an existing zone. Rezoning requests which are substantially the same as a rezoning request rejected within the previous 12 months shall not be considered. A rezoning shall only be approved upon a finding that the proposed zoning district and the uses allowed therein are in substantial conformance with the land use maps of the comprehensive plan.*

SITE FEATURES AND ZONING

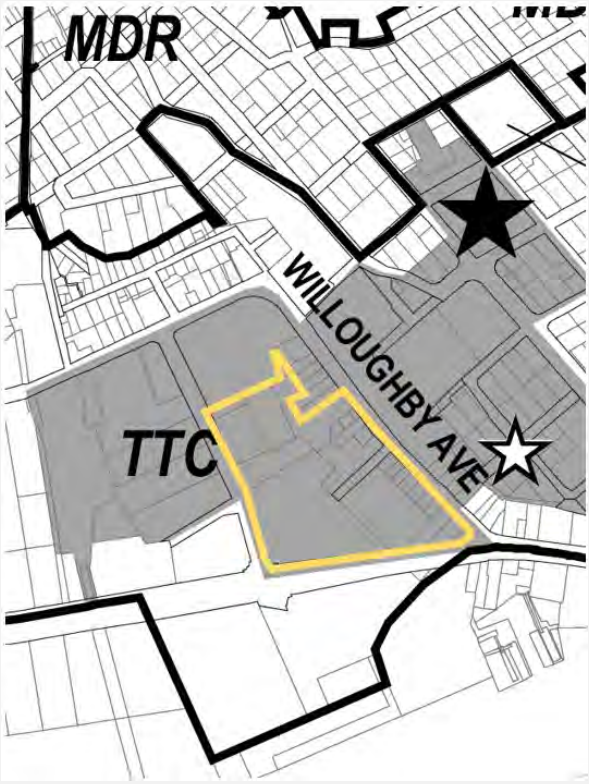
SURROUNDING ZONING AND LAND USES	
North (MU2)	Mixed Use
South (WC)	Waterfront Commercial
East (MU)	Mixed Use
West (MU2)	Mixed Use

SITE FEATURES	
Anadromous	No
Flood Zone	No
Hazard	No
Hillside	No
Wetlands	No
Parking District	Town Center
Historic District	No
Overlay Districts	None

CURRENT ZONING MAP



LAND USE DESIGNATION MAP

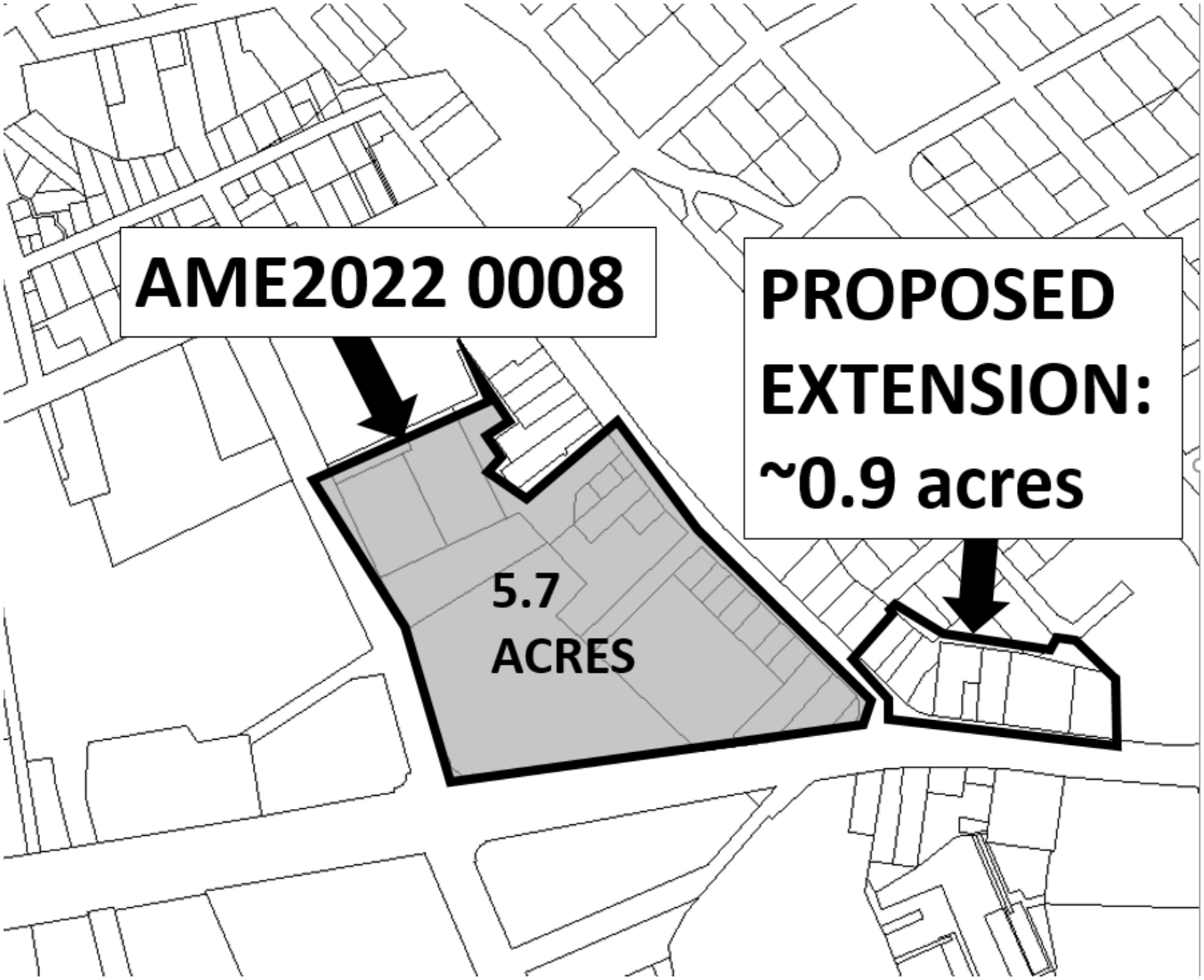


BACKGROUND INFORMATION

Project Description – The City and Borough of Juneau (CBJ) has requested a rezone of their properties they own (**Attachment A, B**) from MU2 to MU. Bullwinkles Inc., Catherine and Ariel Cristobal (Twilight Café), and General Teamsters Local 959 own lots in the rezone area. For clarity, this area will be referred to as the "CBJ application" throughout this document.

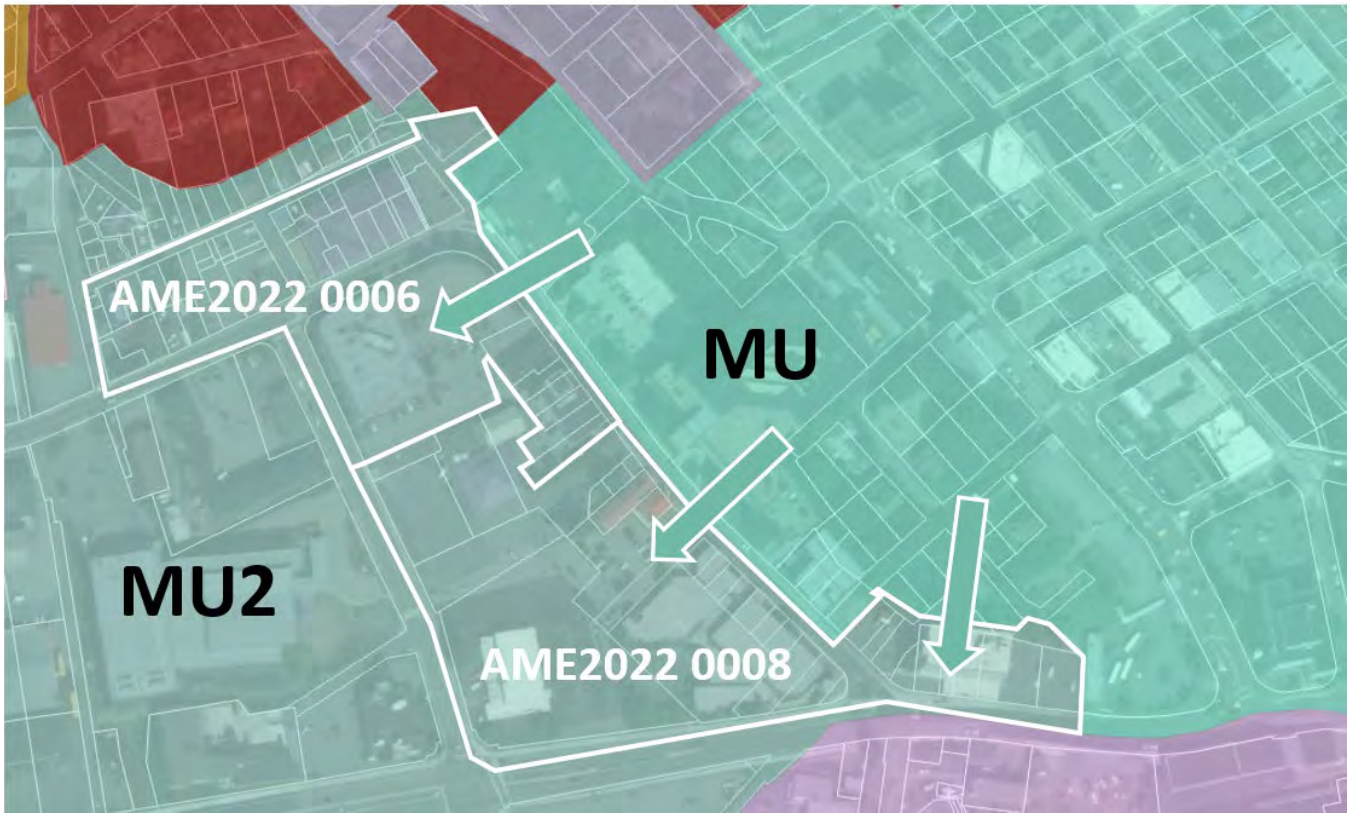
The Community Development Department asks the Commission to extend the boundary to the southeast, to encompass Yc Rivergold Hotel, LLC property (Four Points by Sheraton property, managed through Marriott Bonvoy) (**Attachment C**). For clarity, this area will be referred to as the "application extension" throughout this document.

"Proposed zoning" will refer to the rezone effort under this case number.



Attachment D includes the proposed rezone ordinance map.

Background – With AME2022 0006, the CBJ application is a consistent expansion of MU zoning to the south and west.



The CBJ application is separate from the adjacent northerly rezone proposed by Central Council Tlingit & Haida (AME2022 0006). The two cases are intentionally separate ensuring that either may proceed if one does not. The CBJ application includes Centennial Hall, the Juneau Arts and Culture Center, and the proposed location for a new city hall.

The area proposed for rezone is built on Alaska Juneau Gold Mine waste rock placed between 1930 and 1960.

The 1971 construction of Egan Drive [Outer Drive Phase II (F-093-1(3)) & Whittier Street Grading, Drainage, Bridge Illumination, Signalization and Paving (X-31530), **Attachment E**] cut through existing lots and created fractions at the southeast end of the rezone area.

Zoning History – The below table summarizes zoning history for the lot.

Year	Zoning	Summary
1956	C-1	Commercial and Light Industry Districts. Height limit: 50 feet No minimum lot area Minimum yard, front: 10 feet Minimum yard, side: 10 feet Minimum yard, rear: As necessary to meet parking requirements
1969	RML	Low Density Multi-Family Residential District Minimum lot size: 5,400 square feet Minimum lot width: 60 feet Minimum lot depth: 90 feet Maximum building height: 35 feet

Year	Zoning	Summary
		Maximum lot coverage: 50% Minimum front yard setback: 15 feet Minimum rear yard setback: 15 feet Minimum side yard setback: 5 feet for one story, 6 feet for two stories, 8 feet for three stories. Required parking based on use
1987	C2	Central Business District Minimum lot size: 2,400 square feet Minimum yard setbacks: 10 feet if adjoining residential district Maximum lot coverage: None. Minimum lot width: 20 feet Required parking based on use
1998	MU2	GC, LC and D18 to MU2, Ordinance 98-10 Minimum lot size: 4,000 square feet Minimum lot width: 50 feet Maximum coverage: 80% Maximum height, permissible uses: 45 feet Accessory uses, 35 feet All setbacks: 5 feet Required parking based on use

ZONING ANALYSIS

CBJ 29.25.200 Zoning Districts Defined -

Current Zoning – MU2	Proposed Zoning – MU
The MU2, mixed use 2 district, is intended to place a greater emphasis on residential development than is the case in the MU district. A range of residential development types is allowed. Multi-family residential uses are allowed at a density of up to 80 units per acre.	*The MU, mixed use district, reflects the existing downtown development pattern and is intended to maintain the stability of the downtown area. Multi-family residential uses are allowed and encouraged.*

CBJ 49.25.300 Table of Permissible Uses Comparison – Two uses in the Table of Permissible Uses differ between MU and MU2:

No.	Use Description	Current Zoning – MU2	Proposed Zoning - MU
4.220	Marijuana product manufacturing facility	Not Allowed	CUP
12.300	Zoos, aquaria, or wild animal rehabilitation facilities with a visitor component	CUP	Not Allowed

No known zoos, aquaria or wild animal rehabilitation facilities will be made nonconforming with this proposed rezone.

CBJ 49.25.400 Dimensional Standards –

Standard		Current Zoning – MU2	Proposed Zoning - MU
Lot	Size	4,000	3,000
	Width	50	50
Setbacks	Front	5	0
	Rear	5	0
	Side	5	0
	Street Side	5	0
Lot Coverage		80%	No limit
Height	Permissible	45	No limit
	Accessory	35	No limit

The proposed zoning has a smaller lot size than the existing zoning. Under the CBJ application, conformity remains the same. Under the application extension, two of the lots making up the parcel code become conforming (**Attachment C**).

CBJ 49.25.500 Density – Proposed MU zoning has no maximum density. No property will become nonconforming for density under this proposed rezone.

Potential for Subdivision – Minimum lot size is 4,000 under current MU2 zoning, and 3,000 under proposed MU zoning.

The estimate of lots that could result from subdivision assumes consolidation of larger parcels of multiple lots, then subdivision into lots of conforming size.

Under MU zoning 65 lots could be created in the CBJ application. Under current MU2 zoning 47 under lots could be created (**Attachment F**).

The application extension is 38,786 square feet. If owners consolidate the lots in the parcels then subdivided into lots of conforming size, 12 lots could be provided under proposed MU zoning, as opposed to nine under current MU2 zoning. Created lots that directly accessed Egan Drive would have a minimum lot size of 36,000 square feet, which would impact the number of lots that could be created under either zoning scenario.

TRAFFIC AND TRANSPORTATION

Access	Roadway Classification	Current Level of Service
Willoughby Avenue	Collector	1,280
Whittier Street	Collector	2,752
Egan Drive	Arterial	12,200

Alaska Department of Transportation and Public Facilities, 2021 data

The lots in the CBJ application gain access from Willoughby Avenue or Whittier Street. The parcel proposed for the application extension gains access from Willoughby Avenue and Egan Drive.

Traffic impacts are estimated based on use. Traffic estimates below are for two uses that differ between current MU2 and proposed MU zoning *(Institute of Traffic Engineers Trip Generation Manual, 9th Edition, Volume 2 and 3).*

> Manufacturing: 3.82 Average Annual Daily Traffic (AADT) per 1,000 square feet (page 173). *Other areas of Juneau provide less expensive property for manufacture.*
>
> Zoos: 114.88 AADT per acre (page 900). *An aquarium has been proposed along Juneau's waterfront, outside of the proposed rezone.*

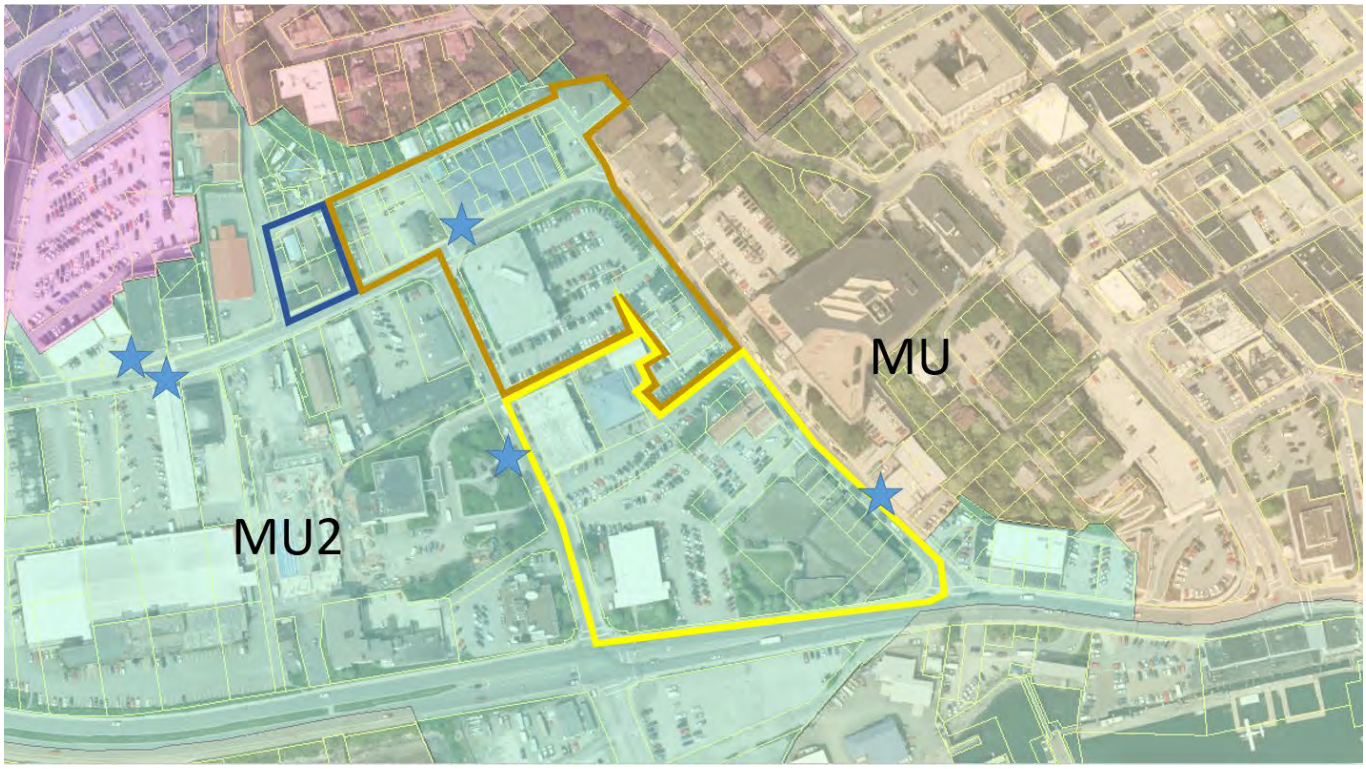
Non-motorized transportation – The area proposed for rezone is urban. The rezone would allow structures to be built up to the property line, which would facilitate construction of canopies over the sidewalk.

Whittier Street, Willoughby Avenue and Egan Drive border the CBJ application, and have sidewalks on both sides of the road.

West 3rd Street is a 25 foot wide right-of-way that serves as the driveway to the Centennial Hall Complex. Centennial Hall has sidewalks next to West 3rd Street. West 3rd Street right-of-way ends at the southwest corner of Centennial Hall (see below).

Left: Google Street View of West 3rd Street from the southwest corner of Centennial Hall. Right: Parcel Viewer with West 3rd Street right-of-way highlighted.

Proximity to Public Transportation – Capital Transit has an outbound stop at the State Archives and Records Center, across Willoughby Avenue from Centennial Hall. Inbound riders can disembark at the Downtown Transit Center. A stop on Whittier Street can serve inbound or outbound commuters, depending on routing. The blue stars in the image below represent Capital Transit stops.



COMMUNITY SERVICES

The table below summarizes community services that may be affected by the proposed rezone.

Service	Summary
Water/Sewer	CBJ
Fire Service	Downtown Fire Station
Schools	Schools that serve the proposed rezone area: Harborview Elementary School, Montessori Borealis, Yaakoosge Daakahidi Alternative High School, Juneau Douglas High School,
Recreation	Centennial Hall, Juneau Arts and Humanities Council, Zach Gordon Youth Center

ENVIRONMENTAL, CONSERVATION, HISTORIC, AND ARCHEOLOGICAL RESOURCES

The table below summarizes Conservation, Historic, and Archeological Resources which may be affected by the proposed rezone.

Resource	Summary
Conservation	None
Wetlands	None
Anadromous	None

Resource	Summary
Historic	None
Archeological	None known

CONFORMITY WITH ADOPTED PLANS

2013 COMPREHENSIVE PLAN VISION: *The City and Borough of Juneau is a vibrant State Capital that values the diversity and quality of its natural and built environments, creates a safe and satisfying quality of life for its diverse population, provides quality education and employment for its workers, encourages resident participation in community decisions and provides an environment to foster state-wide leadership.*

2013 COMPREHENSIVE PLAN -			
Chapter	**Page No.**	**Item**	**Summary**
10	132	10.4-IA1	Design higher density housing in scale with adjacent lower-density housing.
	140	10.13-SOP1	Allow high density mixed use developments.
		10.13-IA1	Rezone appropriate land for mixed use.
		10.13-IA4	Plan for redevelopment into pedestrian-oriented mixed use.
11	184	Subarea 6	3. Enhance the Capitol Complex
	185	Subarea 6	6. Preserve viewsheds downtown (through Willoughby Land Use Plan)
			10. Promote mixed uses downtown.

The Comprehensive Plan maps the area as Traditional Town Center and Capitol Complex.

> ***Traditional Town Center (TTC):*** *These lands are characterized by high density residential and non-residential land uses in downtown areas and around shopping centers, the University, major employment centers and public transit corridors, as well as other areas suitable for a mixture of retail, office, general commercial, and high density residential uses at densities at 18 or more residential units per acre. Residential and non-residential uses could be combined within a single structure, including off-street parking. Ground floor retail space facing roads with parking behind the retail and housing above would be an appropriate and efficient use of the land.*

Current MU2 zoning and proposed MU zoning conform to this land use.

> ***Capitol Complex:*** *An area in downtown Juneau which could contain legislative hearing rooms, offices, meeting rooms, pedestrian-friendly circulation systems, parking, transit services, seasonal and short-term accommodations, food and beverage services, cultural and entertainment activities, and other facilities which support the legislative activities of the state capital in Juneau. This area is shown on the land use maps for Subarea 6, particularly Map M, and is centered on Telephone Hill, the proposed site of a new State Capitol building.*

MU zoning (proposed) allow structure construction up to the front property line, facilitating construction of canopies over the sidewalk and improving conformity.

2016 HOUSING ACTION PLAN			
Chapter	**Page No.**	**Item**	**Summary**
	49	9. Downtown Strategy	Build on planning efforts in the Willoughby District
	51		Consider inclusionary zoning so new business can meet housing needs.

Current MU2 zoning and proposed MU zoning both facilitate the Housing Action Plan. MU allows higher residential density.

2011 Willoughby District Land Use Plan, Chapter 5*			
Chapter	**Page No.**	**Item**	**Summary**
5	35	5.1 Planning and Design Principles	Build structures at the lot line to facilitate "human scale" development. Proposed MU zoning has a zero foot required setback.
5	39	Figure 5. Building Height	The plan recommends a 50 foot height limit in the rezone area to protect viewsheds from Calhoun Avenue and Dixon Avenue. Current MU2 zoning height limit is 45 feet. Proposed MU zoning has unlimited height limit, allowing construction to the full 50 feet.
5	41	5.2 Development Themes	Triple residential units by 2021. Current MU2 zoning has a density limit of 80 units per acre. Proposed MU has no density limit.
5	45	Land Use and Development	Aspirational goals for redevelopment, ground floor office space, increased density, more eyes on the street, and consolidated government offices.

**Only Chapter 5 of the Willoughby District Land Use Plan was adopted into the Comprehensive Plan.*

Like the Housing Action Plan, the Willoughby District Land Use Plan encourages residential density. Proposed MU zoning allows structures to be built to the front property line, an element of the Willoughby District Land Use Plan creating "human scale" development.

The Willoughby District Land Use Plan proposes height limits (see page 18 of **Attachment G**). The Willoughby District Land Use Plan Chapter 5 is incorporated by reference into the 2013 Comprehensive Plan. Citation in the Comprehensive Plan does not create a right to a certain development [CBJ 49.05.200(c)]. When a conditional use permit is proposed in the Aak'w Kwan district, the Planning Commission will be asked to review the proposal for conformity with the Comprehensive Plan [CBJ 49.15.330(f)(3)]. The Commission may use the context of a land use plan to establish conformity. For instance, the height limitation in the Willoughby District Land Use Plan protects the view from Calhoun Avenue and Dixon Avenue. If a mitigating measure was proposed that met this goal, the Commission could approve a height taller than that proposed in the land use plan, if height conformed to zoning limitations. MU has no height limit.

AGENCY REVIEW

CDD conducted an agency review comment period between December 20, 2022 and December 27, 2022 (**Attachment H**). No comments were received.

State of Alaska was e mailed on August 4, 2022. No comments were received. A subsequent request was made on December 21, 2022. No comments were received in time for analysis in this staff report.

PUBLIC COMMENTS

CDD conducted a public meeting on December 6, 2022 (**Attachment G**). One member of the public attended. The attendee's concern was to protect the view from his residence on Dixon Avenue. The attendee was comfortable with the limitations of the Willoughby District Land Use Plan.

CDD conducted a public comment period between December 12, 2022 and January 12, 2023 (**Attachment I**). Public notice was mailed to property owners within 500 feet of the proposed rezone. A public notice sign was also posted on-site two weeks prior to the scheduled hearing (**Attachment J).**

Property owners within the rezone area received a letter advising them of the rezone and providing public meeting materials (**Attachment K**).

An e mail was sent to Marriot Franchise group regarding the possibility of rezoning their Four Corners property (**Attachment L**). Staff sent Marriott the letter to property owners, discussed above.

No public comments were received for analysis in this staff report.

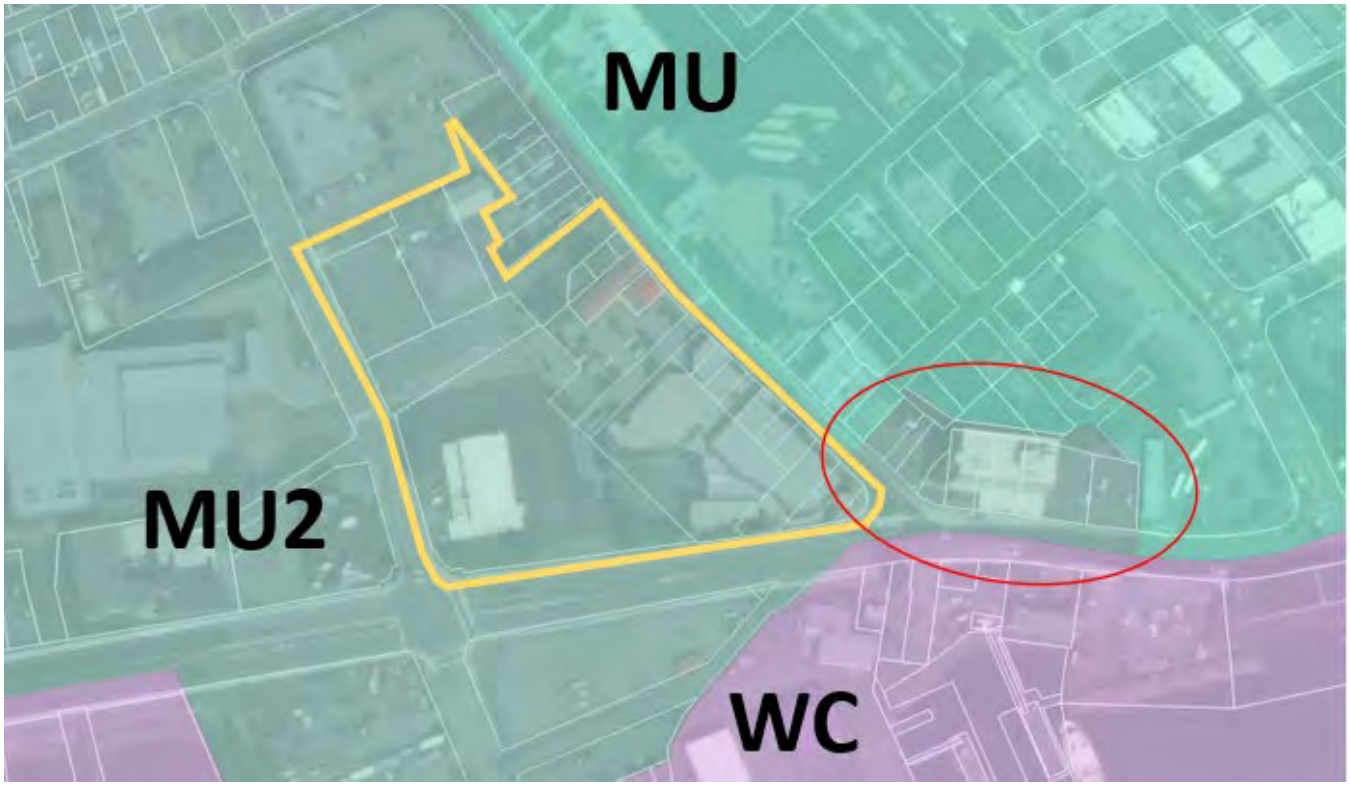
ZONE CHANGE OPTIONS AND ALTERNATIVES

The Commission may recommend approval to the Assembly for different [49.75.130(a)]:

- Zoning districts than staff or applicant requested.
- Boundaries for the proposed rezone area.

Zoning district boundary lines are intended to follow property lines, centerlines of streets, alleys, streams (CBJ 49.25.110(f)).

Staff recommends that the boundary of the CBJ application extend east to encompass the Four Points by Sheraton property, managed through the Marriott Bonvoy. The application extension provides for cohesive expansion of MU zoning westward. Without it, an island of MU2 remains (see red circle below).



Staff is not proposing an alternative zoning to that proposed.

FINDINGS

In accordance with CBJ 49.75 the Director makes the following findings on the proposed rezone:

1. ***Was the rezone application filed timely in accordance with CBJ 49.75.110?***

   Analysis: No additional analysis required.

   Finding: Yes. The rezone application was filed in July of 2022.

2. ***Was adequate public notice provided in accordance with CBJ 49.75.110?***

   Analysis: CDD staff developed a basic project web site (https://juneau.org/community-development/short-term-projects), held a public meeting on December 16, 2022; mailed written notice to property owners within 500 feet of the proposed rezone; sent a letter to impacted land owners, and posted a public notice sign on the site two weeks prior to the scheduled hearing.

   Finding: Yes. Adequate public notice was provided in accordance with CBJ 49.75.110.

3. ***Is this request for an area covering more than two acres or an expansion of an existing zoning district as required by CBJ 49.75.120?***

   Analysis: The CBJ application for rezone of 5.7 acres to MU is west of existing MU zoning. The application extension is 0.9 acres.

Finding: Yes. The proposed rezone meets the minimum size. The application extension expands existing MU.

4. Has no similar request been made within the previous 12 months as required by CBJ 49.75.120?

Analysis: No additional analysis required.

Finding: Yes. No similar rezone request has been filed within the previous 12 months.

5. Is the proposed zoning district and the uses allowed therein found to be in substantial conformance with the land use maps of the comprehensive plan and policies of the comprehensive plan, in accordance with CBJ 49.75.120?

Analysis: No additional analysis required.

Finding: **Yes.** The proposed rezone conforms with the land use maps and policies of the comprehensive plan.

6. Is the proposed zoning district and the uses allowed therein found to be in substantial conformance with Title 49 – Land Use Code, in accordance with CBJ 49.75.120?

Analysis: No additional analysis required.

Finding: Yes. The proposed rezone conforms with Title 49 – Land Use Code.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and forward a recommendation of APPROVAL to the Assembly for the requested rezone application of approximately 6.6 acres in the Aak'w Kwaan District from MU2 to MU, eliminating zoning setback requirements, lot coverage restrictions and height restrictions. The area includes 5.7 acres originally proposed for rezone by the CBJ, and staff's proposed extension of the east boundary of the rezone to include the Four Points Sheraton (Parcel # 1-C07-0-K75-002-0, TIDELANDS ADDITION BL 75 LT 8 – 16), adding 0.9 acre.

Proposed Motion: *I move of the Commission accept staff findings and analysis, and forward a recommendation of approval of AME2022 0008 to the Assembly; a rezone of approximately 6.6 acres in the Aak'w Kwan District, from MU2 to MU, eliminating zoning setback requirements, lot coverage restrictions and height restrictions. The area includes the 5.7 acres originally proposed by the CBJ, and a 0.9 acre extension eastward to include the Four Points Sheraton (Parcel # 1-C07-0-K75-002-0, TIDELANDS ADDITION BL 75 LT 8 – 16). I ask for unanimous consent.*

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application
Attachment B	Land Ownership – CBJ proposed rezone
Attachment C	Land Ownership – staff proposed application extension
Attachment D	Proposed Rezone Ordinance Map
Attachment E	1971 Egan Drive reconstruction, excerpt
Attachment F	Subdivision potential
Attachment G	Public Meeting Materials
Attachment H	Agency Outreach
Attachment I	Abutters Notice
Attachment J	Public Notice Sign
Attachment K	Letter to Owners
Attachment L	Notice to Four Points Sheraton

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

To be completed by Applicant

PROPERTY LOCATION

Physical Address: Multiple, see attached

Legal Description(s) (Subdivision, Survey, Block, Tract, Lot): Multiple, see attached

Parcel Number(s): Multiple, see attached

☐ This property is located in the downtown historic district
☐ This property is located in a mapped hazard area, if so, which _____

LANDOWNER/ LESSEE

Property Owner	Contact Person
Multiple, see attached	
Mailing Address	Phone Number(s)
E-mail Address	

LANDOWNER/ LESSEE CONSENT

Required for Planning Permits, not needed on Building/ Engineering Permits.

Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.

I am (we are) the owner(s)or lessee(s) of the property subject to this application and I (we) consent as follows:

A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.
B. I (we) grant permission for the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.

N/A, CBJ-initiated under 49.75.110
Landowner/Lessee (Printed Name) **Title (e.g.: Landowner, Lessee)**

X _____ _____
Landowner/Lessee (Signature) **Date**

Daniel Bleidorn Land Manager
Landowner/Lessee (Printed Name) **Title (e.g.: Landowner, Lessee)**

X _____ 08/18/2022
Landowner/Lessee (Signature) **Date**

NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.

APPLICANT

If same as LANDOWNER, write "SAME"

Applicant (Printed Name)	Contact Person
Jill Maclean, AICP, Director, Community Development Department	Irene Gallion, Senior Planner
Mailing Address: 155 S. Seward Street, Juneau, AK 99801	Phone Number(s): (907) 586-0753, X4130
E-mail Address: irene.gallion@juneau.org	

X _____ 8/17/2022
Applicant's Signature **Date of Application**

---------- DEPARTMENT USE ONLY BELOW THIS LINE ----------

Intake Initials: 8/18/22

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number	Date Received
AME22-008	8/18/22

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

ZONE CHANGE APPLICATION

See reverse side for more information regarding the permitting process and the materials required for a complete application.
NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

To be completed by Applicant

PROJECT SUMMARY

Rezone approximately 5.1 acres in the Aak'w Kwaan District from MU2 to MU, eliminating setback requirements, lot coverage restrictions and height restrictions.

IS THIS AN EXPANSION OF AN EXISTING ZONE? (•) Yes ( ) No

Total Land Area of Proposed Change 5.1 acres

Comprehensive Plan Land Use Designation TTC/Capitol Complex

Current Zone(s) MU2

Comprehensive Plan Map Letter M

New Zone Requested MU

TYPE OF ZONE CHANGE REQUESTED (•) Regular ( ) Transition

Has this or a similar zone change been requested in the previous 12 months? ( ) Yes Case # _____ (•) No

UTILITIES AVAILABLE WATER: [✓] Public [ ] On Site SEWER: [✓] Public [ ] On Site

ALL REQUIRED MATERIALS ATTACHED

- [✓] **Complete application**
- [✓] **Pre-Application Conference notes**
- [✓] **Narrative including:**
  - [✓] Purpose of the requested zone change
  - [✓] Any potential impacts to public infrastructure (streets, water, & sewer)
  - [✓] How the requested zone change comply with the maps and policies of the Comprehensive Plan
- [✓] **Site Plan and/or map of proposed zone change** (details on reverse side)

----------DEPARTMENT USE ONLY BELOW THIS LINE----------

ZONE CHANGE FEES	Fees	Check No.	Receipt	Date
Application Fees	$ NA CBJ			
Admin. of Guarantee	$			
Adjustment	$			
Pub. Not. Sign Fee	$			
Pub. Not. Sign Deposit	$			
Total Fee	$			

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number	Date Received
AME22-008	8/18/22

Zone Change Application Information

Zone changes are outlined in CBJ 49.75 article I

Pre-Application Conference: A pre-application conference is encouraged prior to submitting an application. The applicant shall meet with City & Borough of Juneau (CBJ) staff to discuss the Zone Change process and analysis. To schedule a pre-application conference, please contact the Permit Center at 586-0770 or via email at Permits@juneau.org.

Application: An application for a Zone Change will not be accepted by the CBJ until it is determined to be complete. **Zone Change may only be applied for during January and July.** The items needed for a complete application are:

1. **Forms:** Completed Zone Change Application and Development Permit Application.
2. **Fees:** The fee for Zone Change Application is $600.00. No work can be approved with a Zone Change. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the purpose for the requested zone change.
4. **Plans:** A site plan showing the following information:
    A. The boundaries of the existing and proposed zone change and proposed buffers;
    B. The location of existing structures (i.e. buildings, fences, signs, parking areas, etc.); and
    C. The location of existing physical features of the site (i.e. drainage, topography, eagle trees, hazard areas, salmon streams, wetlands, etc.).
5. A traffic study may be required for zone changes.

Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Application Review & Hearing Procedure: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: The Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the Zone Change request, the application may be required to be reviewed by other municipal boards and committees. During this review period, the Community Development Department will coordinate the review of this application by other agencies, as necessary. **Review comments may require the applicant to provide additional information, clarification, or submit modifications/ alterations for the proposed Zone Change.**

Hearing: Once an application has been reviewed by all applicable parties the Community Development Department will schedule the zone change for the next appropriate Planning Commission meeting. All Zone Change Applications will be reviewed by the Planning Commission who will send a recommendation to the Assembly. Following a recommendation of approval by the Planning Commission, the Community Development Department will coordinate the zone change review by the Assembly. In order for zone changes to become effective, they must be adopted by ordinance by the CBJ Assembly.

Public Notice Responsibilities: All Zone Change requests must be given the following public notice as outlined in CBJ 49.15.230:

Community Development Department: Will give notice of the pending Planning Commission meeting and its agenda in the local newspaper a minimum of 10-days prior to the meeting. Furthermore, the department will mail notices to all property owners within 500-feet of the project site.

The Applicant will post a sign on the site at least 14 days prior to the meeting. The sign shall be visible from a public right-of-way or where determined appropriate by CDD. Signs may be produced by the Community Development Department for a preparation fee of $50, and a $100 deposit that will be refunded in full if the sign is returned within seven days of the scheduled hearing date. If the sign is returned between eight and 14 days of the scheduled hearing $50 may be refunded. The Applicant may make and erect their own sign. Please contact the Community Development Department for more information.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

NARRATIVE:

This rezone application is a companion rezone case to AME2022 0006, the Central Council of Tlingit and Haida Tribes of Alaska's application to rezone 3.7 acres from MU2 to MU.

A rezone from MU2 to MU would eliminate setback, height, and lot coverage limitations.

PURPOSE OF THE REQUESTED ZONE CHANGE

CBJ has proposed to rezone the 5.1 acres to the southeast of AME2022 0006 to better conform with CBJ 49.25.110(f):

> *District boundary lines. Except where reference is made on the zoning map to a street line, political boundary or other designated line, the district boundary lines are intended to follow property lines, centerlines of streets, alleys, streams, or the extension of such lines as they existed on the date of adoption of the ordinance codified in this title.*

Of note, the Parcel 1C070K740010 includes a fraction across Egan. That fraction is removed from the application, and will remain MU2, in order to:

- Better conform with 49.25.110(f).
- Be consistent with abutting property zoned MU2.
- Respect sensitivities about increased height and coverage on waterfront lots.

Of the 5.2 acre area, 7,183 square feet is in private hands. One land owner was asked about the rezone in passing and was supportive at that time.

POTENTIAL IMPACTS TO PUBLIC INFRASTRUCTURE

There are no recognized impacts to public infrastructure at this time.

COMPREHENSIVE PLAN CONFORMITY

The Willoughby District Land Use Plan, Chapter 5, has been adopted by the Assembly and is incorporated by reference into the 2013 Comprehensive Plan. Elements of the Willoughby District Land Use Plan Planning and Design Principles (Chapter 5.1) and Willoughby Development Themes (5.2) can be better accommodated under MU zoning:

Feature	MU2	MU
Build to line	Five foot setback required	No setback required
Building height of 50 feet	45' height limit	No height limit
Triple residential density	80 units per acre	No limit

Whittier Street is the western boundary of this proposal to recognize and respect community sensitivity about large-scale waterfront development.

Comprehensive maps designate this area "Traditional Town Center," which supports mixed use. The explicit goals of Subarea 6 seem to be met by either MU or MU2.

NUMBERS CORRESPOND TO MAP, ATTACHED

#	Physical Address	Legal Description	Parcel	Owner	Notes	Area
51	None	TIDELANDS ADDITION BL 68 LT 12A	1C060K680121	CBJ L&R		19923
52	None	TIDELANDS ADDITION BL 68 LT 8 FR	1C060K680080	CBJ L&R		1116
53	324 Willoughby Avenue	TIDELANDS ADDITION BL 68 LT 8 FR	1C060K680070	Cristobal	Twilight Café	1247
54	318 Willoughby Avenue	TIDELANDS ADDITION BL 68 LTS 8 FR & 9	1C060K680060	Bullwinkles	Bullwinkles	4134
55			1C060K680060	Bullwinkles	Bullwinkles	
56	306 Willoughby Avenue	TIDELANDS ADDITION BL 68 LT 10	1C060K680090	Teamsters Local 595	Teamsters Local 595	1802
57	304 WilloughbyAvenue	TIDELANDS ADDITION BL 68 LT 11	1C060K680100	CBJ L&R	Parking	14690
58	101 Egan Drive	TIDELANDS ADDITION BL 74 LT 1-9	1C070K740010	CBJ L&R	Exclude FR across Egan	55832
59			1C070K740010	CBJ L&R	Centennial Hall	
60			1C070K740010	CBJ L&R	Centennial Hall	
61			1C070K740010	CBJ L&R	Centennial Hall	
62			1C070K740010	CBJ L&R	Centennial Hall	
63			1C070K740010	CBJ L&R	Centennial Hall	
64			1C070K740010	CBJ L&R	Centennial Hall	
65			1C070K740010	CBJ L&R	Centennial Hall	
66			1C070K740010	CBJ L&R	Centennial Hall	
67			1C070K740010	CBJ L&R	Centennial Hall	
68			1C070K740010	CBJ L&R	Centennial Hall	
69	350 Whittier Street	JUNEAU SUBPORT LT A	1C060K010010	JAHC, CBJ L&R	JACC	71,984
70	None	TIDELANDS ADDITION BL 68 LT 12 FR	1C060K680130	CBJ L&R	Parking	14944
71	396 Whittier	TIDELANDS ADDITION BL 68 LT 13	1C060K680140	CBJ L&R	Johnson Youth Center	19,642
72	450 Whittier Street	TIDELANDS ADDITION BL 68 LT 14 FR	1C060K680150	CBJ L&R	Future City Hall	14658
73	None	TIDELANDS ADDITION BL 68 LT 14 FR	1C060K680160	CBJ L&R	Parking	5,269
					TOTAL	225241
					Acres	5.170821855

Attachment A - Application Packet

LAND OWNERSHIP AND CONFORMITY

							Conforms?		
Map	**Parcel**	**Owner**	**Notes**	**Property Address**	**Legal Description**	**Lot Size**	**4,000?**	**3,000?**	**50 foot width?**
51	1C060K680121	CBJ L&R			TIDELANDS ADDITION BL 68 LT 12A	19,923	Yes	Yes	Yes*
52	1C060K680080	CBJ L&R			TIDELANDS ADDITION BL 68 LT 8 FR	1,116	No	No	No*
53	1C060K680070	Cristobal			TIDELANDS ADDITION BL 68 LT 8 FR	1,247	No	No	No*
54	1C060K680060	Bullwinkles	Lot width conforms if lots consolidated	318 Willoughby Avenue	TIDELANDS ADDITION BL 68 LTS 8 FR & 9	4,134	Yes	Yes	Yes*
55	1C060K680060	Bullwinkles							
56	1C060K680090	Teamsters Local 595		306 Willoughby Avenue	TIDELANDS ADDITION BL 68 LT 10	1,802	No	No	No
57	1C060K680100	CBJ L&R		304 Willoughby Avenue	TIDELANDS ADDITION BL 68 LT 11	14,690	Yes	Yes	No
	1C070K740010		Parcel as a whole, if lots consolidated			55,832	Yes	Yes	Yes
58	1C070K740010	CBJ L&R	Exclude fraction across Egan	101 Egan Drive	*US3566, Lot 3 fraction, ~33,400 square feet**		*Yes*	*Yes*	*Yes*
59	1C070K740010	CBJ L&R	TIDELANDS ADDITION BL 74 LT 1 - 9		*Lot 1, 1883 square feet*		*No*	*No*	*No*
60	1C070K740010	CBJ L&R	Centennial Hall Complex		*Lot 2, 1143 square feet*		*No*	*No*	*No*
61	1C070K740010	CBJ L&R			*Lot 3, 1446 square feet*		*No*	*No*	*No*
62	1C070K740010	CBJ L&R			*Lot 4, 1647 square feet*		*No*	*No*	*No*
63	1C070K740010	CBJ L&R			Lot 5, 2011 square feet		*No*	*No*	*No*
64	1C070K740010	CBJ L&R			*Lot 6, 1468 square feet*		*No*	*No*	*No*
65	1C070K740010	CBJ L&R			*Lot 7, 1779 square feet*		*No*	*No*	*No*
66	1C070K740010	CBJ L&R			*Lot 8, fraction, ~6,400 square feet**		*Yes*	*Yes*	*No*
67	1C070K740010	CBJ L&R			*Lot 9, fraction, ~4,300 square feet**		*Yes*	*Yes*	*No*
68	1C070K740010	CBJ L&R			*US3566, Lot 2A fraction, ~850 square feet**		*No*	*No*	*No*
69	1C060K010010	JAHC, CBJ L&R		350 Whittier Street	JUNEAU SUBPORT LT A	71,984	Yes	Yes	Yes
70	1C060K680130	CBJ L&R			TIDELANDS ADDITION BL 68 LT 12 FR	14,944	Yes	Yes	Yes
71	1C060K680140	CBJ L&R	Nonconforming access	396 Whittier Street	TIDELANDS ADDITION BL 68 LT 13	19,642	Yes	Yes	No
72	1C060K680150	CBJ L&R		450 Whittier Street	TIDELANDS ADDITION BL 68 LT 14 FR	14,658	Yes	Yes	Yes
73	1C060K680160	CBJ L&R			TIDELANDS ADDITION BL 68 LT 14 FR	5,269	Yes	Yes	No*
			TOTAL			225,241			
			Acres			5.170821855			

* scaled from Parcel Viewer

Map on following page:
Proposed rezone in heavy black outline.
Privately owned properties color coded per this table.
CBJ large parcel with multiple lots outlined in pink for clarification.

Attachment B - Land Ownership – CBJ proposed rezone

Attachment B - Land Ownership – CBJ proposed rezone

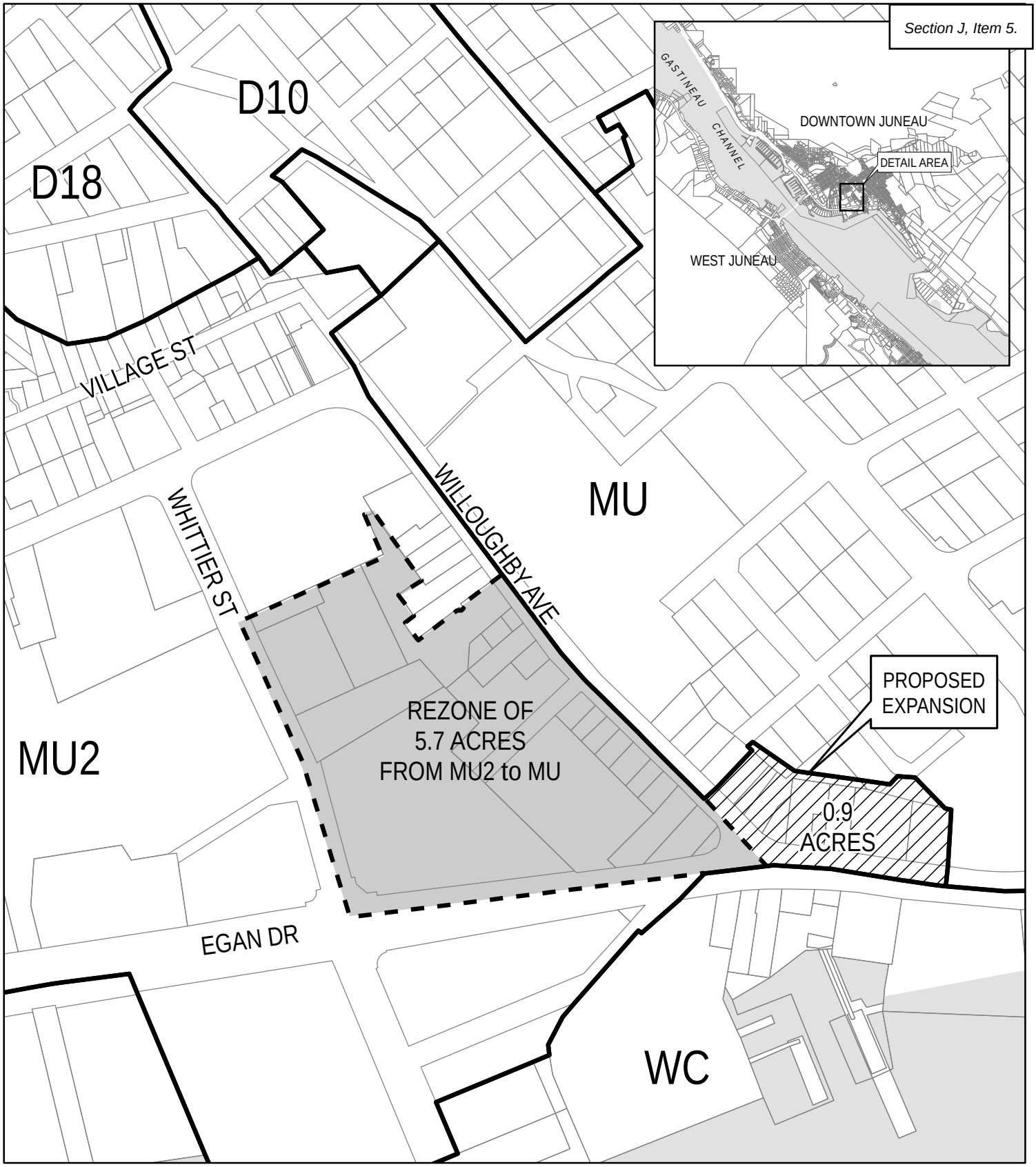
LAND OWNERSHIP AND CONFORMITY - EXTENSION

						Conforms?		
Parcel	**Owner**	**Notes**	**Property Address**	**Legal Description**	**Lot Size**	**4,000?**	**3,000?**	**50 foot width?**
1C070K750020	YC Rivergold Hotel LLC	For parcel, assumes consolidation	51 Egan Drive	TIDELANDS ADDITION BL 75 LT 8 - 16	38,786	Yes	Yes	Yes
				Lot 8, 3,169 square feet		*No*	*Yes*	*No*
				Lot 9, 1,967 square feet		*No*	*No*	*No*
				Lot 10, 3,227 square feet		*No*	*Yes*	*No*
				Lot 11, 1,604 square feet		*No*	*No*	*No*
				Lot 12, 5,030 square feet		*Yes*	*Yes*	*No*
				Lot 13, 962 square feet		*No*	*No*	*No*
				Lot 14, 4,260 square feet		*Yes*	*Yes*	*No*
				Lot 15, 9,379 square feet		*Yes*	*Yes*	*Yes*
				Lot 16, 5,855 square feet		*Yes*	*Yes*	*Yes*
		TOTAL			38,786			
		Acres			0.89			

See map next page.

Attachment C - Land Ownership – staff proposed application extension

Attachment C - Land Ownership – staff proposed application extension



Ord. No. 2023-XX

Zone Change for
portions of the Aak'w Kwaan District
from MU2 to MU

CDD Case: AME20220008

0 125 250 Feet

NORTH

Map created: 1/5/2023

Project source: P:\quinn\Projects\CDD\zoning_ordinanc

Attachment D - Proposed Rezone Ordinance Map

STATE	FED. AID PROJ. NO.	YEAR	SHEET NO.
ALASKA	F-093-1(3) X-31530	1971	1

STATE OF ALASKA
DEPARTMENT OF HIGHWAYS

PLAN AND PROFILE
PROPOSED HIGHWAY PROJECT
AS BUILT

F-093-1(3)

JUNEAU OUTER DRIVE PHASE II

X-31530

WHITTIER STREET

GRADING, DRAINAGE, BRIDGE

ILLUMINATION, SIGNALIZATION

& PAVING

INDEX OF SHEETS

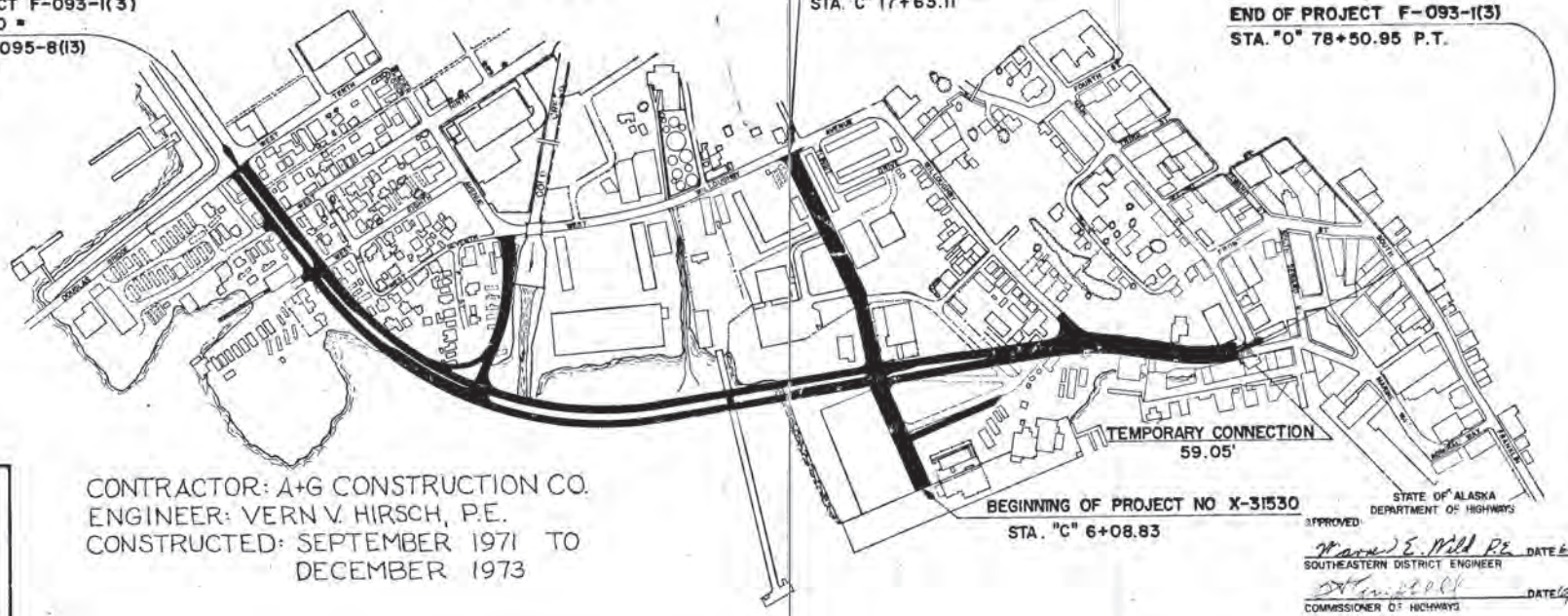
SHEET NO.	DESCRIPTION
1	TITLE SHEET
2 - 4	TYPICAL SECTIONS
5 - 7	ESTIMATE OF QUANTITIES
8 - 10	SUMMARY TABLES
11 - 20	PLAN & PROFILE SHEETS
21 - 22	INTERSECTION
23 - 25	DRAINGE PROFILES
26 - 29	OIL DOCK CROSSING
30 - 32	RETAINING WALL DETAILS
33	UTILITY DETAILS
34	RANGER STATION MODIFICATION
35	MONUMENT SUMMARY
36 - 49	ILLUMINATION, SIGNING & PAVEMENT MARKINGS
50 - 52	SIGNALIZATION PLANS
53 - 72	POWER & TELEPHONE PLANS
73 - 81	BRIDGE PLANS
81 - 515	SEWER INTERCEPTOR PLANS

The following standard drawings apply to this project:
A-1, D-1a, D-1b, D-2, D-3, D-4, D-5, D-7, M-1, M-2, R-1, R-5, T-1, T-
T-4, T-7, T-9, T-13, T-15, T-16 (Sheets 1&2), T-18, T-19, T-20, T-30
(Sheets 1 & 2), T-31, T-51, T-52, T-53, T-54, T-70, T-71, T-72, T-80,

BEGINNING OF PROJECT F-093-1(3)
STA. "L" 43+14.20 =
END OF PROJECT F-095-8(13)
STA. "L" 43+14.20

END OF PROJECT NO. X-31530
STA. "C" 17+63.11

END OF PROJECT F-093-1(3)
STA. "0" 78+50.95 P.T.



DESIGN	DESIGNATION
ADT (1971) =	11060
ADT (1995) =	22650
DHV (12%) =	2720
D =	45-55
T =	5%
V =	35,25 MPH

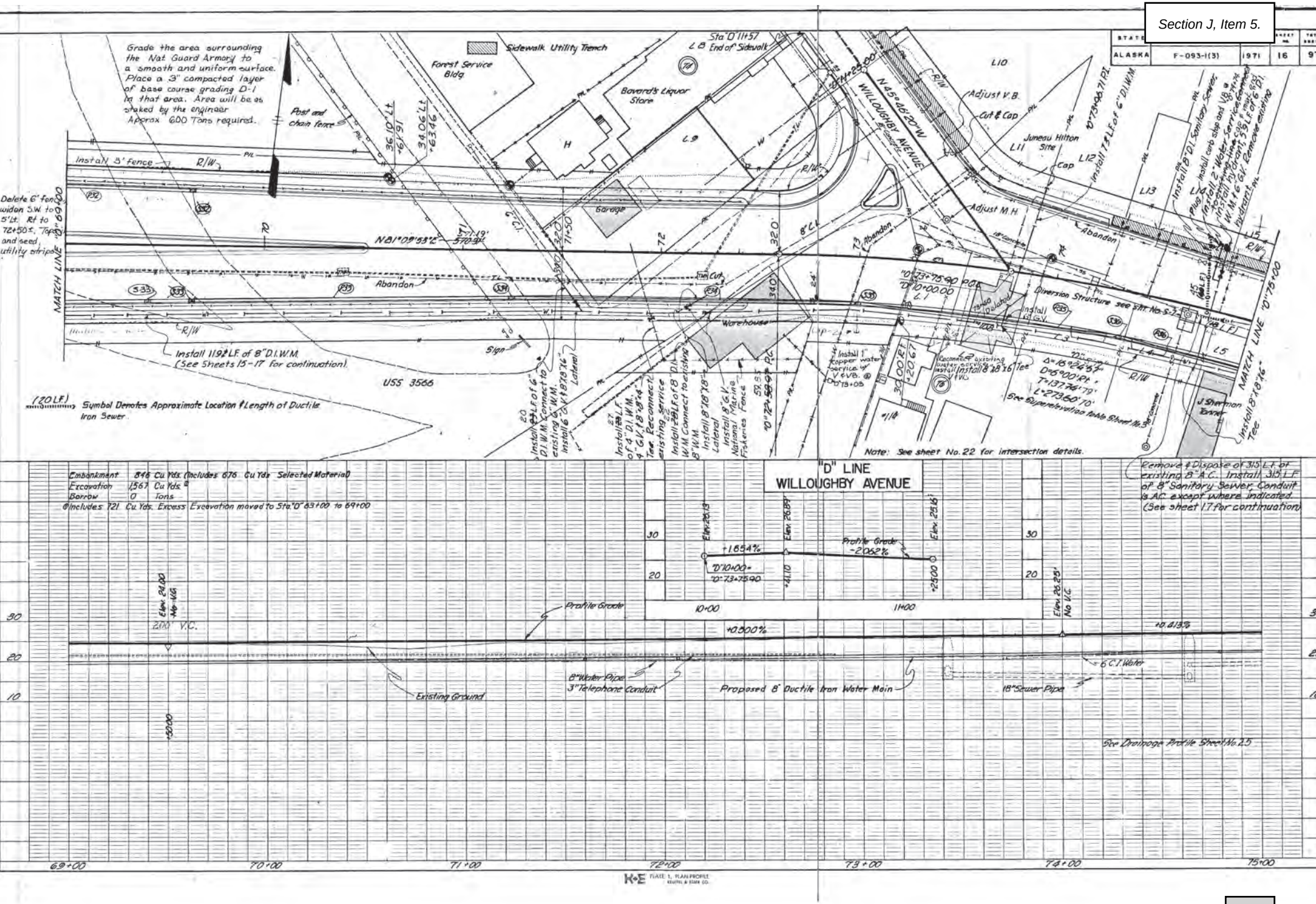
PROJECT SUMMARY

WIDTH of ROADBED =	VARIES 70' to 37'
WIDTH of PAVEMENT =	VARIES DUAL 25' to 34'
LENGTH of GRADING =	3,416.69' = 0.647 mi.
LENGTH of PAVING =	3,416.69' = 0.647 mi.
LENGTH of BRIDGE =	120.06 = 0.023 mi.
LENGTH of PROJECT =	~~3,536.75'~~ = 0.670 mi.

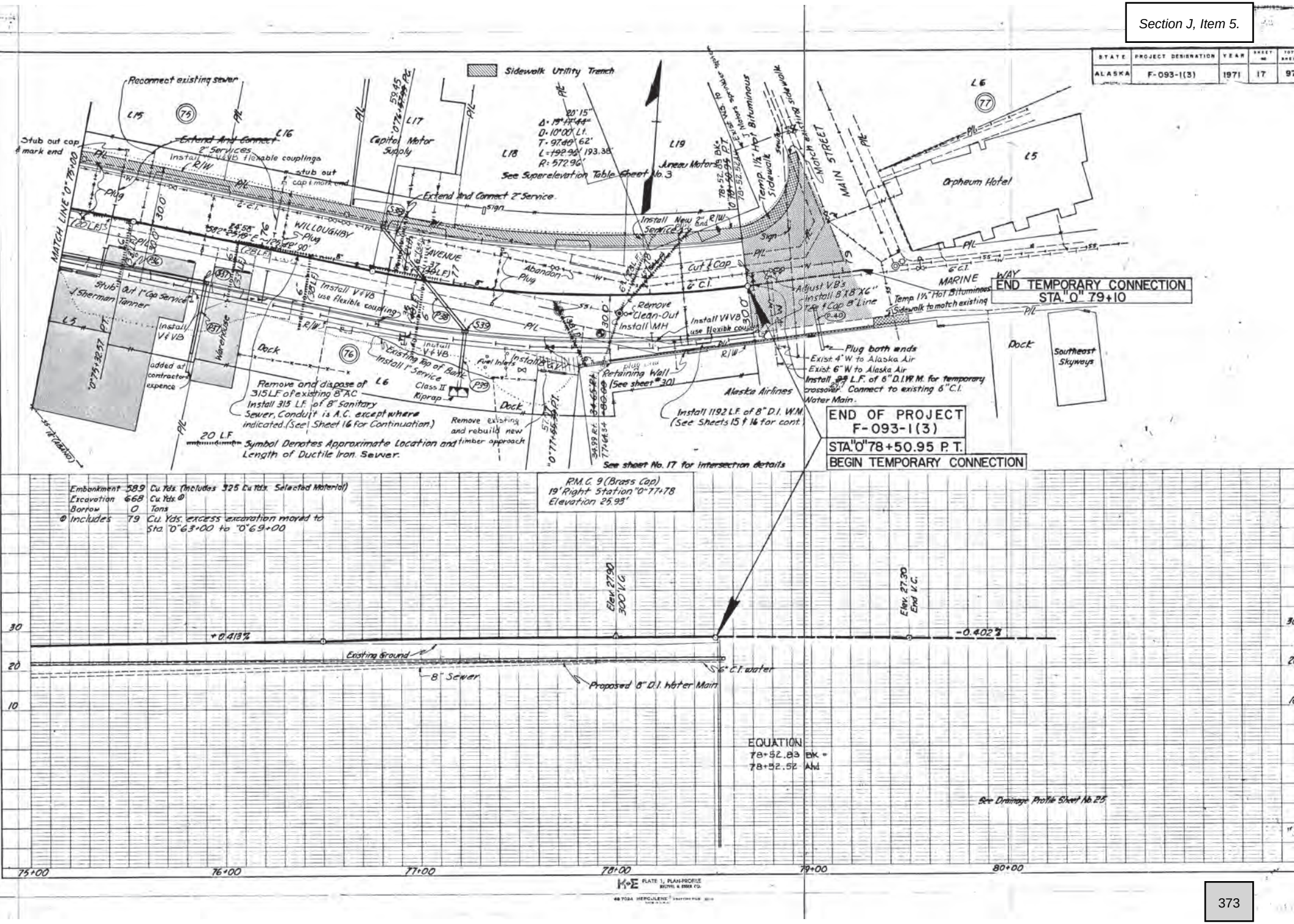
CONTRACTOR: A+G CONSTRUCTION CO.
ENGINEER: VERN V. HIRSCH, P.E.
CONSTRUCTED: SEPTEMBER 1971 TO
DECEMBER 1973

STATE OF ALASKA
DEPARTMENT OF HIGHWAYS
APPROVED:
Warren E. Mill PE DATE 6
SOUTHEASTERN DISTRICT ENGINEER
DATE
COMMISSIONER OF HIGHWAYS

Attachement E - 1971 Egan Drive reconstruction, excerpt



Attachement E - 1971 Egan Drive reconstruction, excerpt



Attachement E - 1971 Egan Drive reconstruction, excerpt

SUBDIVISION POTENTIAL

					# of lots	
Map Key	**Parcel**	**Property Address**	**Legal Description**	**Lot Size**	**4,000 MU2**	**3,000MU**
51	1C060K680121		TIDELANDS ADDITION BL 68 LT 12A	19,923	4	6
52	1C060K680080		TIDELANDS ADDITION BL 68 LT 8 FR	1,116	No	No
53	1C060K680070		TIDELANDS ADDITION BL 68 LT 8 FR	1,247	No	No
54, 55	1C060K680060	318 Willoughby Avenue	TIDELANDS ADDITION BL 68 LTS 8 FR & 9	4,134	No	No
56	1C060K680090	306 Willoughby Avenue	TIDELANDS ADDITION BL 68 LT 10	1,802	No	No
57	1C060K680100	304 Willoughby Avenue	TIDELANDS ADDITION BL 68 LT 11	14,690	3	4
58-68	1C070K740010	101 Egan Drive	TIDELANDS ADDITION BL 74 LT 1 - 9	55,832*	13	18
69	1C060K010010	350 Whittier Street	JUNEAU SUBPORT LT A	71,984	17	23
70	1C060K680130		TIDELANDS ADDITION BL 68 LT 12 FR	14,944	3	4
71	1C060K680140	396 Whittier Street	TIDELANDS ADDITION BL 68 LT 13	19,642	4	6
72	1C060K680150	450 Whittier Street	TIDELANDS ADDITION BL 68 LT 14 FR	14,658	3	4
73	1C060K680160		TIDELANDS ADDITION BL 68 LT 14 FR	5,269	No	No
				TOTAL LOTS POSSIBLE	47	65

*IF parcel lots consolidated first

1

Thank you for being here!
The meeting will start at 6:00 pm

Proposed rezone: Approximately 9.5 (nine and one-half) acres in **the Aak'w Kwaan District from MU2 to MU, eliminating setback requirements, lot coverage restrictions and height restrictions.**

2

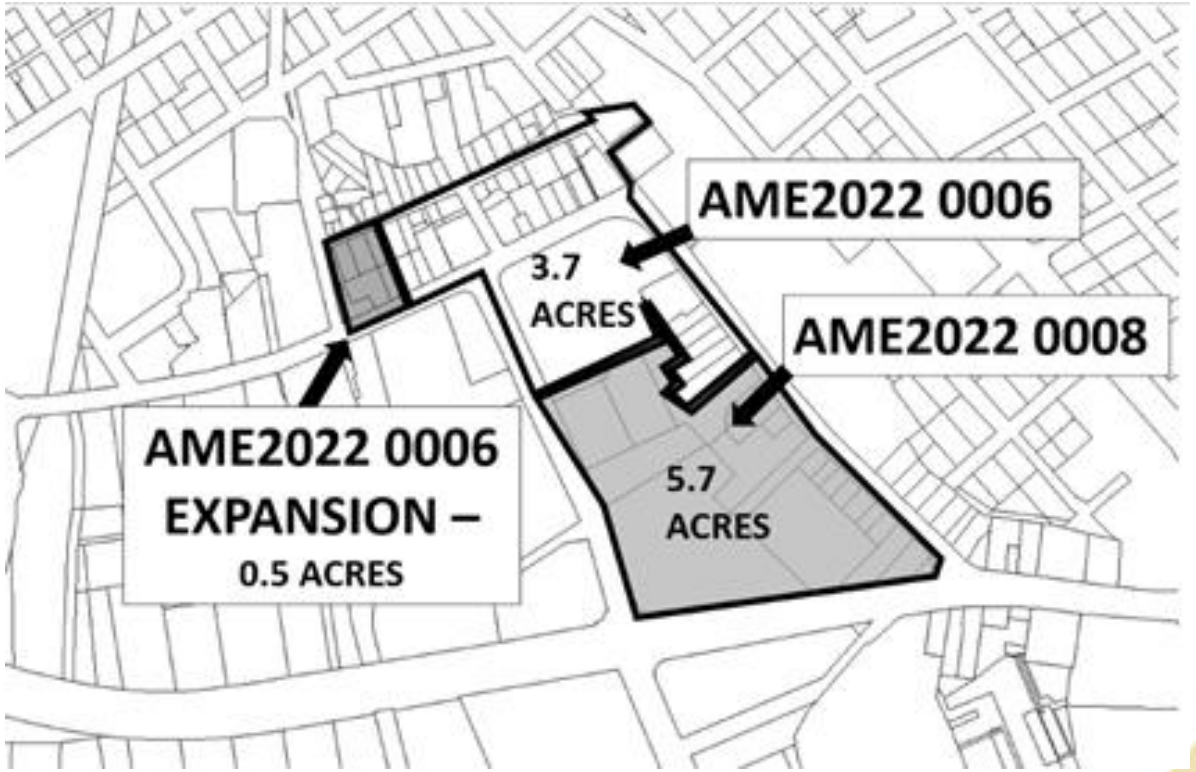
AME2022-0006
AME2022-0008

Rezone of approximately 9.5 (nine and one-half) acres in the Aak'w Kwaan District from MU2 to MU, eliminating setback requirements, lot coverage restrictions and height restrictions.

3

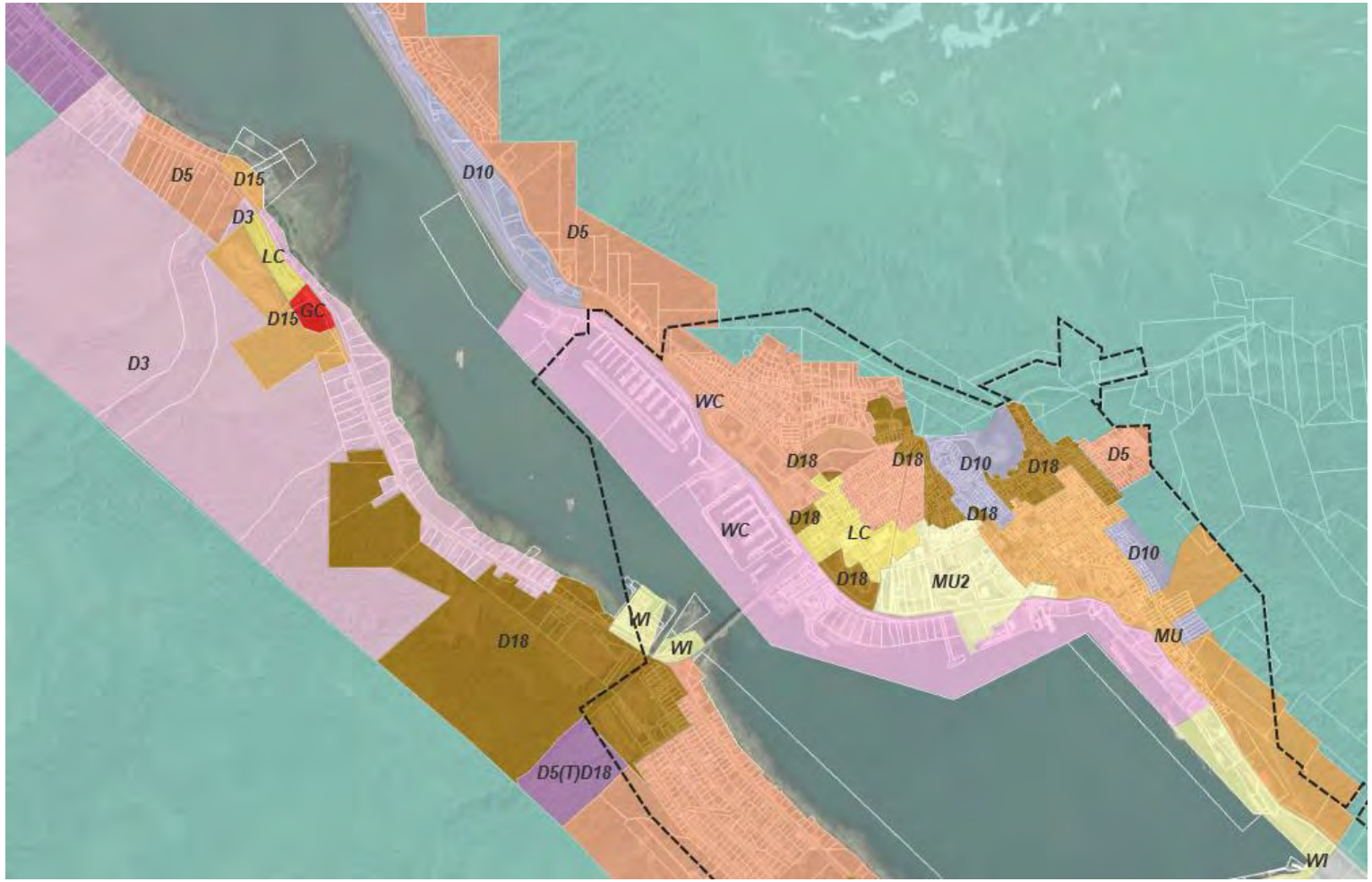
What will happen today

- Presentation from CBJ
  - What is being requested and why
  - Regulatory details
  - What the process is
- Applicant shares information
- Open to your questions.



4

What is a “rezone”?



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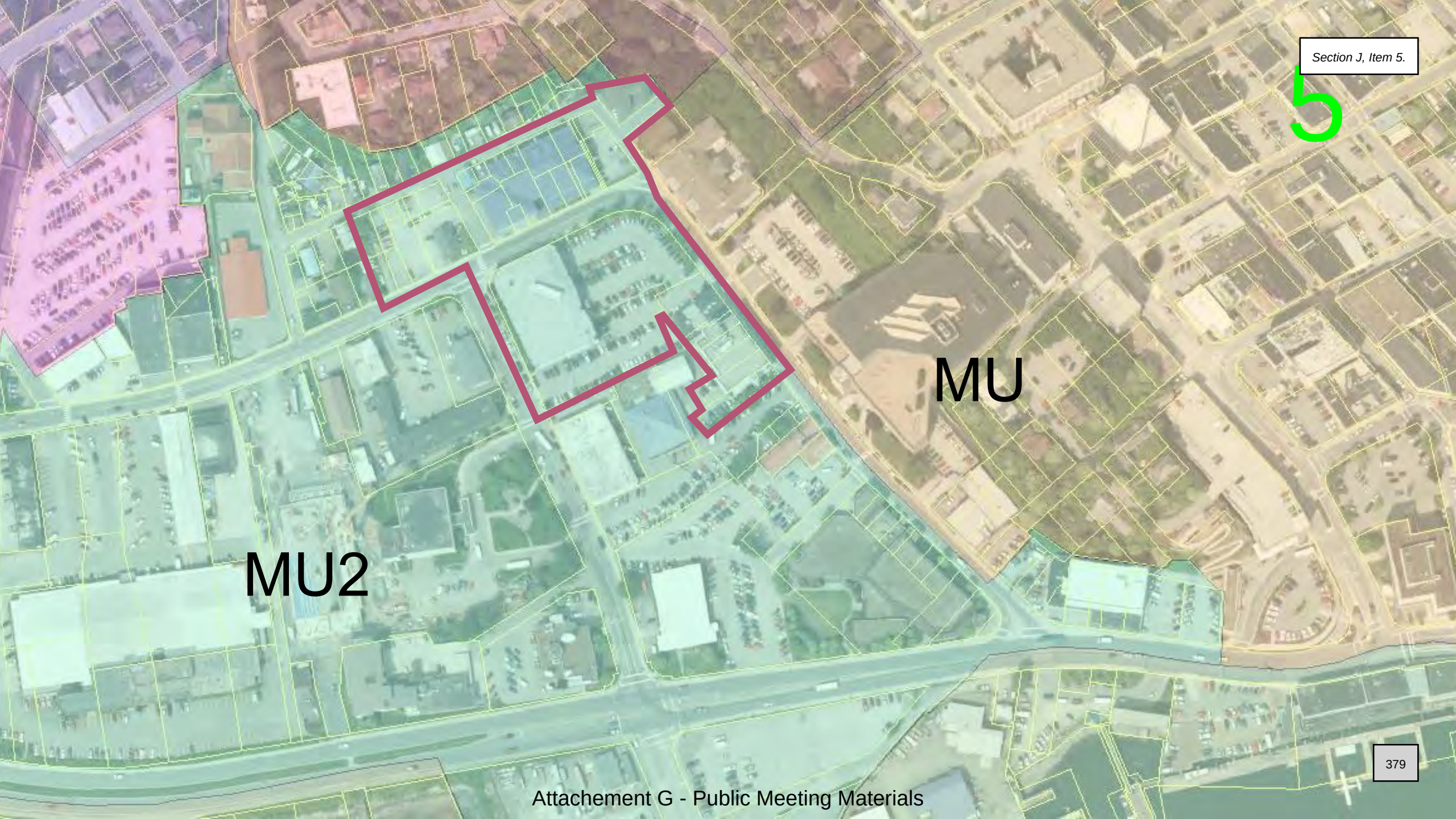
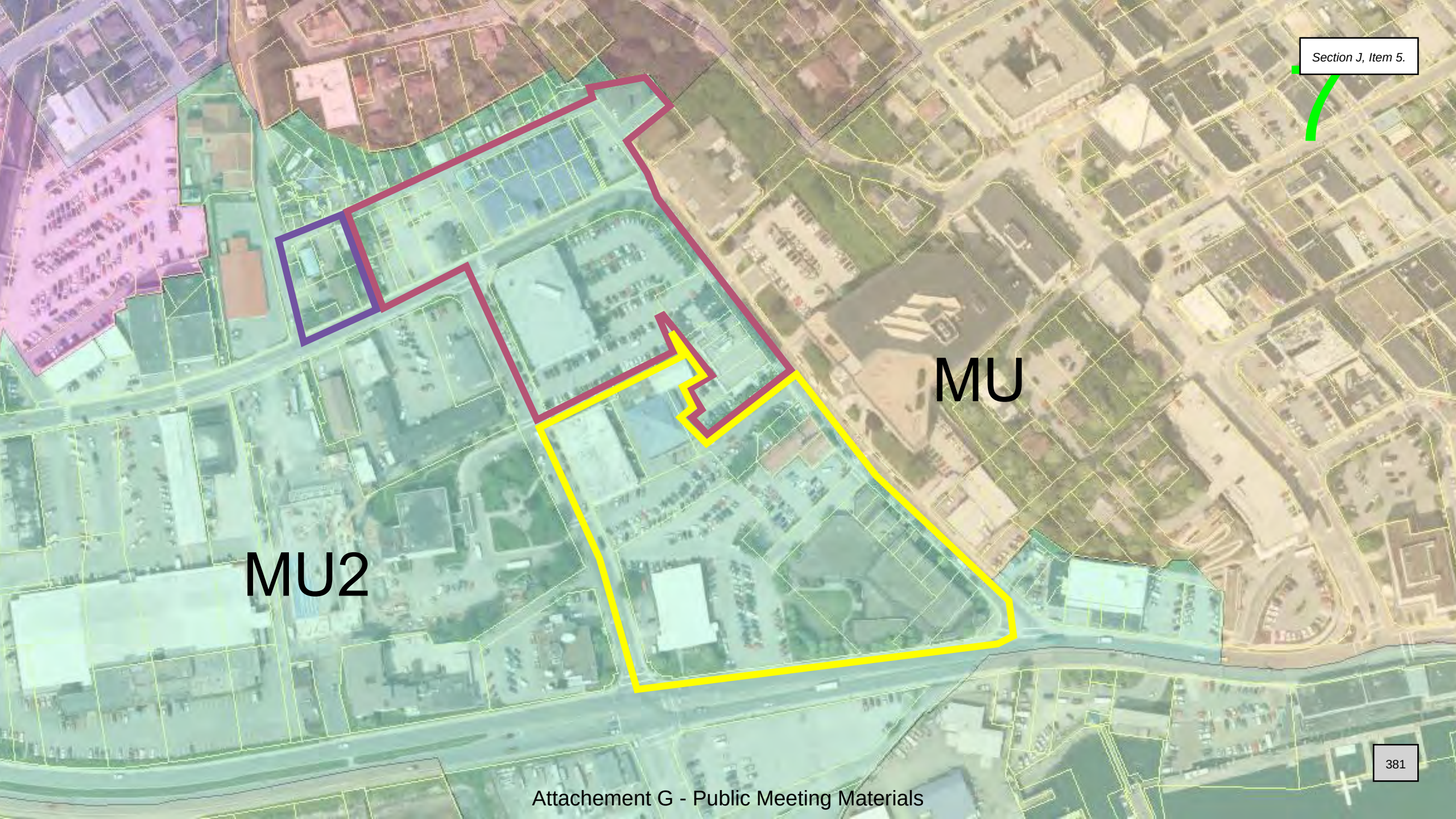


Why rezone? Dimensional and Density

Standard	Current Zoning, MU2	Proposed Zoning, MU
Setback	Five feet	Zero Feet
Lot coverage	80%	No limit
Height Limit	45 feet for permissible uses	No limit
Density	80 units per acre	No limit


MU
MU2

8

Native Restricted Deeds

Comp Plan guides

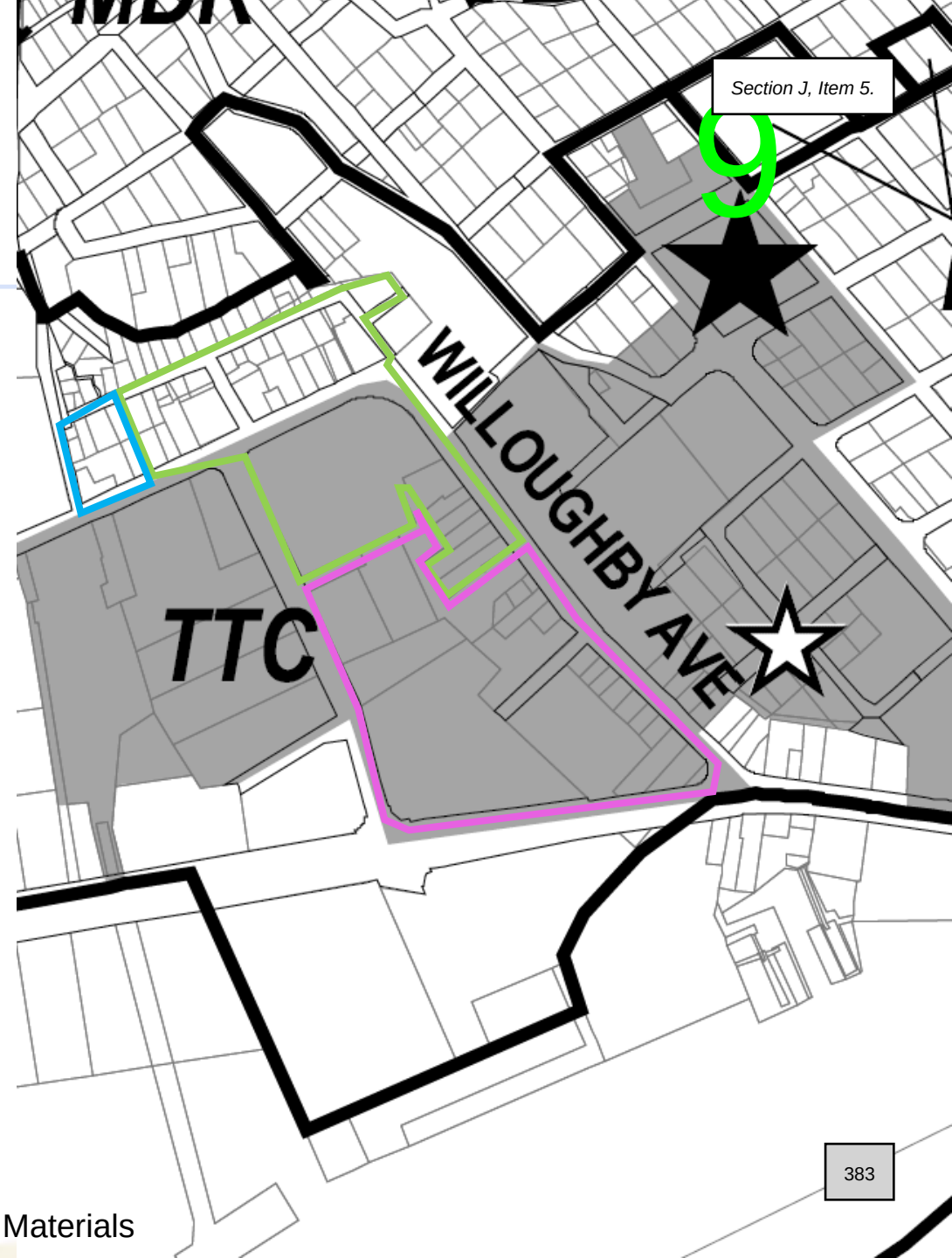
What is the difference between Land Use Designation and Zoning?

TRADITIONAL TOWN CENTER

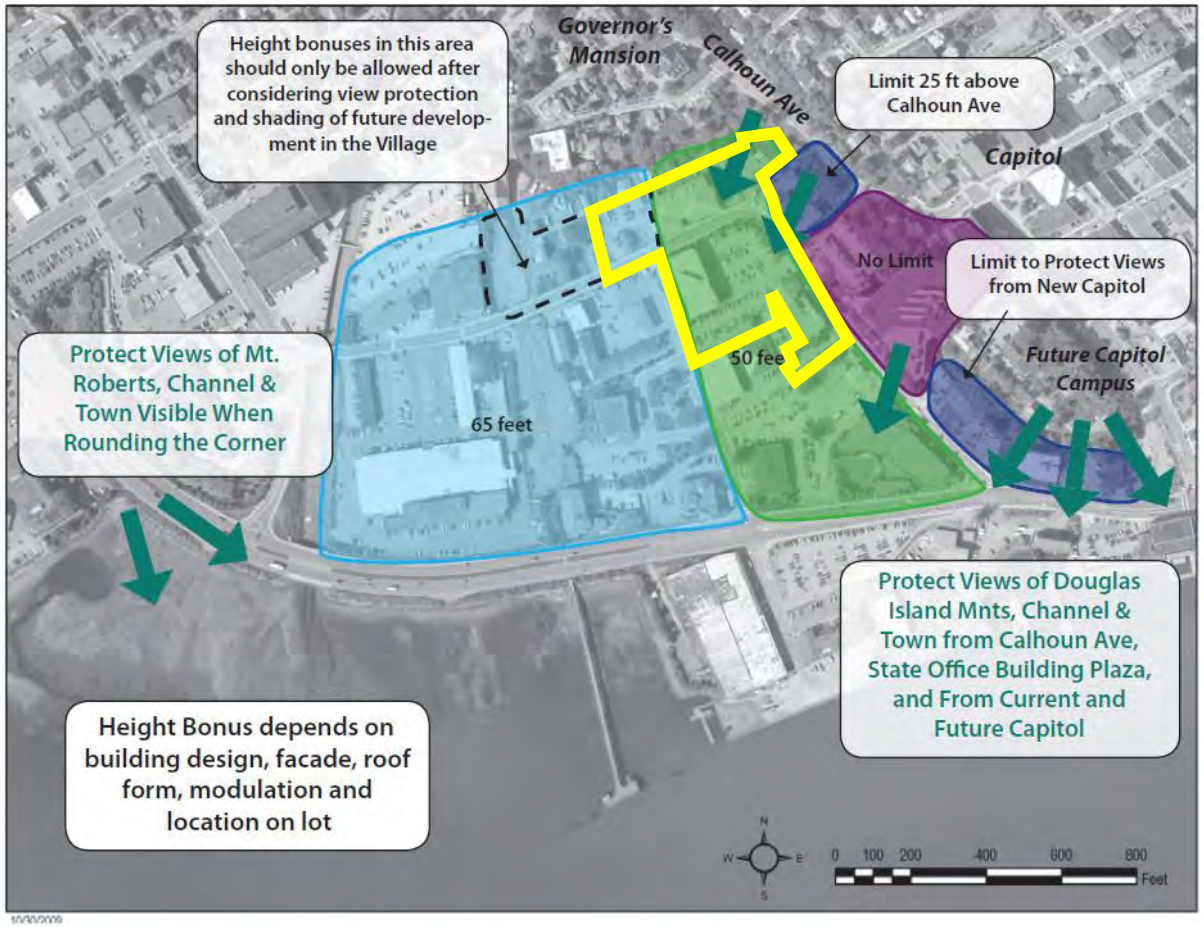
- Mixed-use High Density Residential and Commercial
- Density of 18 or more units per acre

CAPITAL COMPLEX

- Legislative infrastructure
- Pedestrian-friendly circulation
- Food and entertainment



Willoughby District Land Use Plan



Willoughby District Land Use Plan

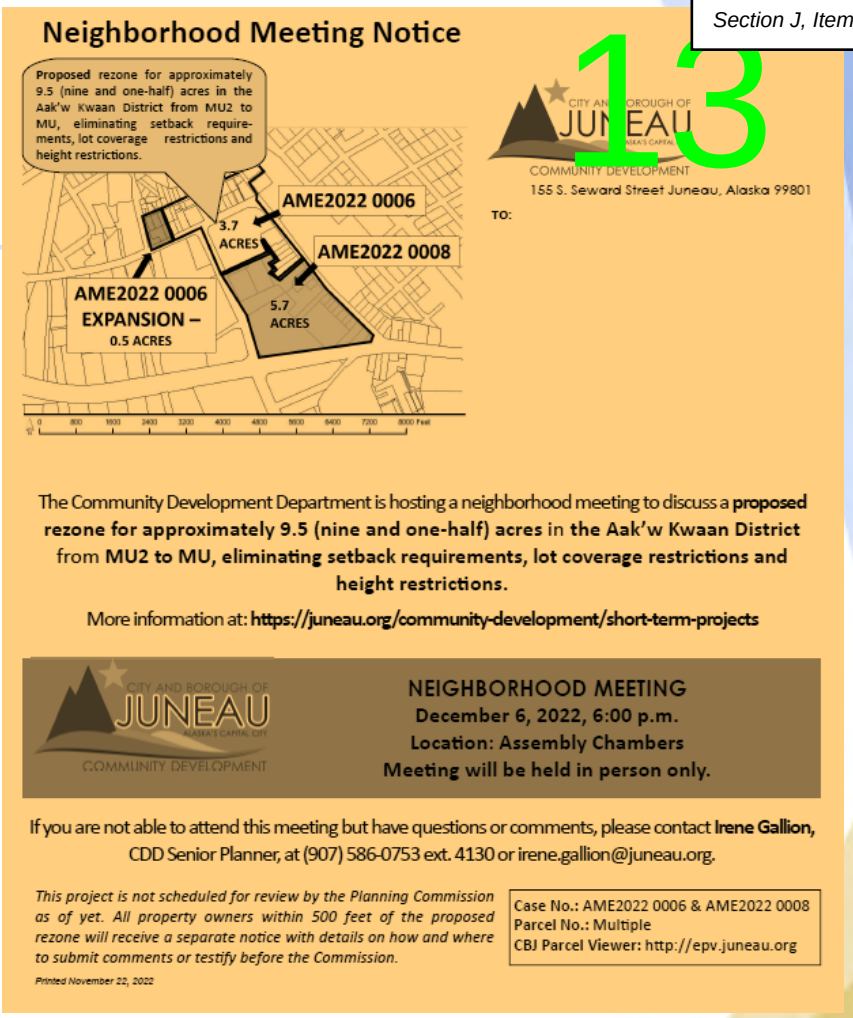
- Build to line
- Two story minimum height
- Orient toward street
- Ground floor retail with offices/residences above
- Interesting facades
- Parking at rear or side of building
- Hidden trash receptacles, utility boxes
- Connected streets

Why rezone? Permissible Uses

Use	Current Zoning, MU2	Proposed Zoning, MU
Marijuana product manufacturing facility	Not allowed	Requires a conditional use permit
Zoos, aquaria, or wild animal rehabilitation facilities with a visitor component	Requires a conditional use permit	Not allowed

Process

- Neighborhood meeting
- Staff analysis and report
- Report posted week of January 16, 2023
- Planning Commission Hearing: January 24,2023 Recommendation to:
  - Approve
  - Approve with conditions
  - Deny
  - Continue



Neighborhood Meeting Notice

13

Proposed rezone for approximately 9.5 (nine and one-half) acres in the Aak'w Kwaan District from MU2 to MU, eliminating setback requirements, lot coverage restrictions and height restrictions.

AME2022 0006

3.7 ACRES

AME2022 0008

AME2022 0006 EXPANSION – 0.5 ACRES

5.7 ACRES

CITY AND BOROUGH OF JUNEAU
COMMUNITY DEVELOPMENT
155 S. Seward Street Juneau, Alaska 99801

TO:

The Community Development Department is hosting a neighborhood meeting to discuss a **proposed rezone for approximately 9.5 (nine and one-half) acres** in **the Aak'w Kwaan District** from **MU2 to MU, eliminating setback requirements, lot coverage restrictions and height restrictions.**

More information at: **https://juneau.org/community-development/short-term-projects**

CITY AND BOROUGH OF JUNEAU
COMMUNITY DEVELOPMENT

NEIGHBORHOOD MEETING
December 6, 2022, 6:00 p.m.
Location: Assembly Chambers
Meeting will be held in person only.

If you are not able to attend this meeting but have questions or comments, please contact **Irene Gallion,** CDD Senior Planner, at (907) 586-0753 ext. 4130 or irene.gallion@juneau.org.

This project is not scheduled for review by the Planning Commission as of yet. All property owners within 500 feet of the proposed rezone will receive a separate notice with details on how and where to submit comments or testify before the Commission.

Printed November 22, 2022

Case No.: AME2022 0006 & AME2022 0008
Parcel No.: Multiple
CBJ Parcel Viewer: http://epv.juneau.org

- Schedule with the Assembly (no post cards)

Thank you!

- Paul Voelckers, MRV Architects
- Elias Duran, Property Manager, KIRA Services

  Central Council of Tlingit and Haida Tribes of Alaska (CCTHITA)

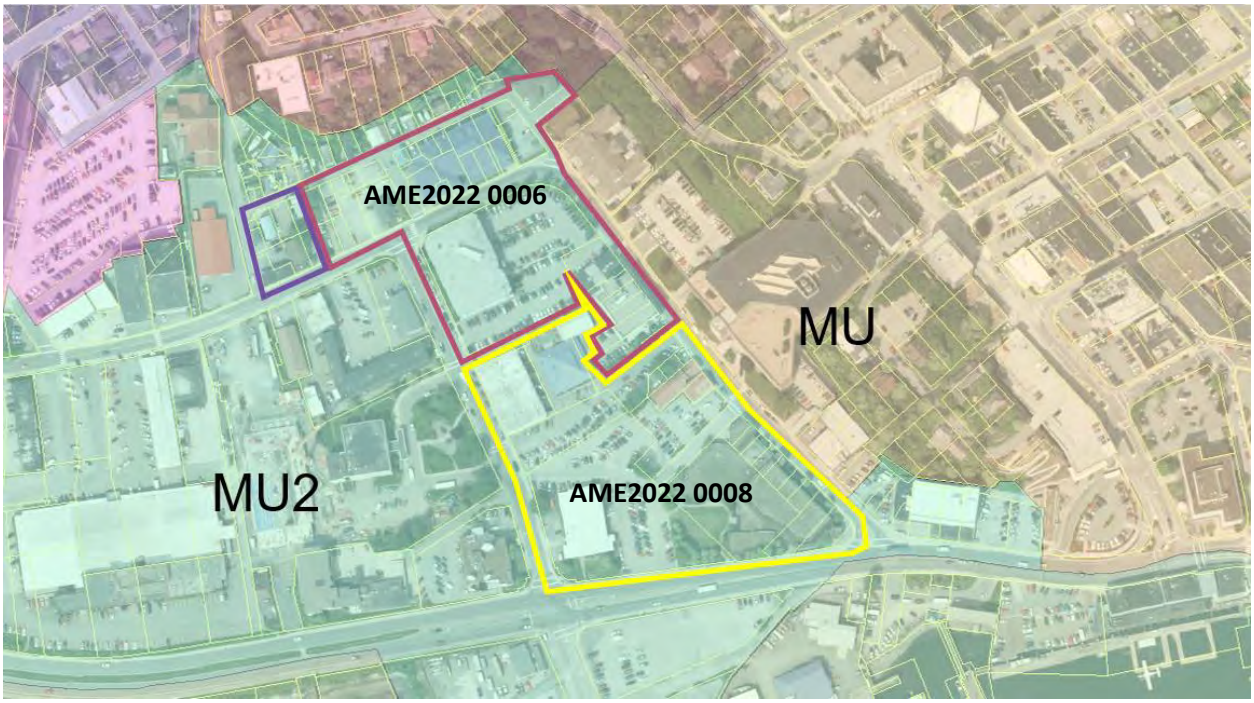
15

ZONING

AME2022 0006:

Rezone of approximately 9.5 (nine and one-half) acres in the Aak'w Kwaan District from MU2 to MU, eliminating setback requirements, lot coverage restrictions and height restrictions.

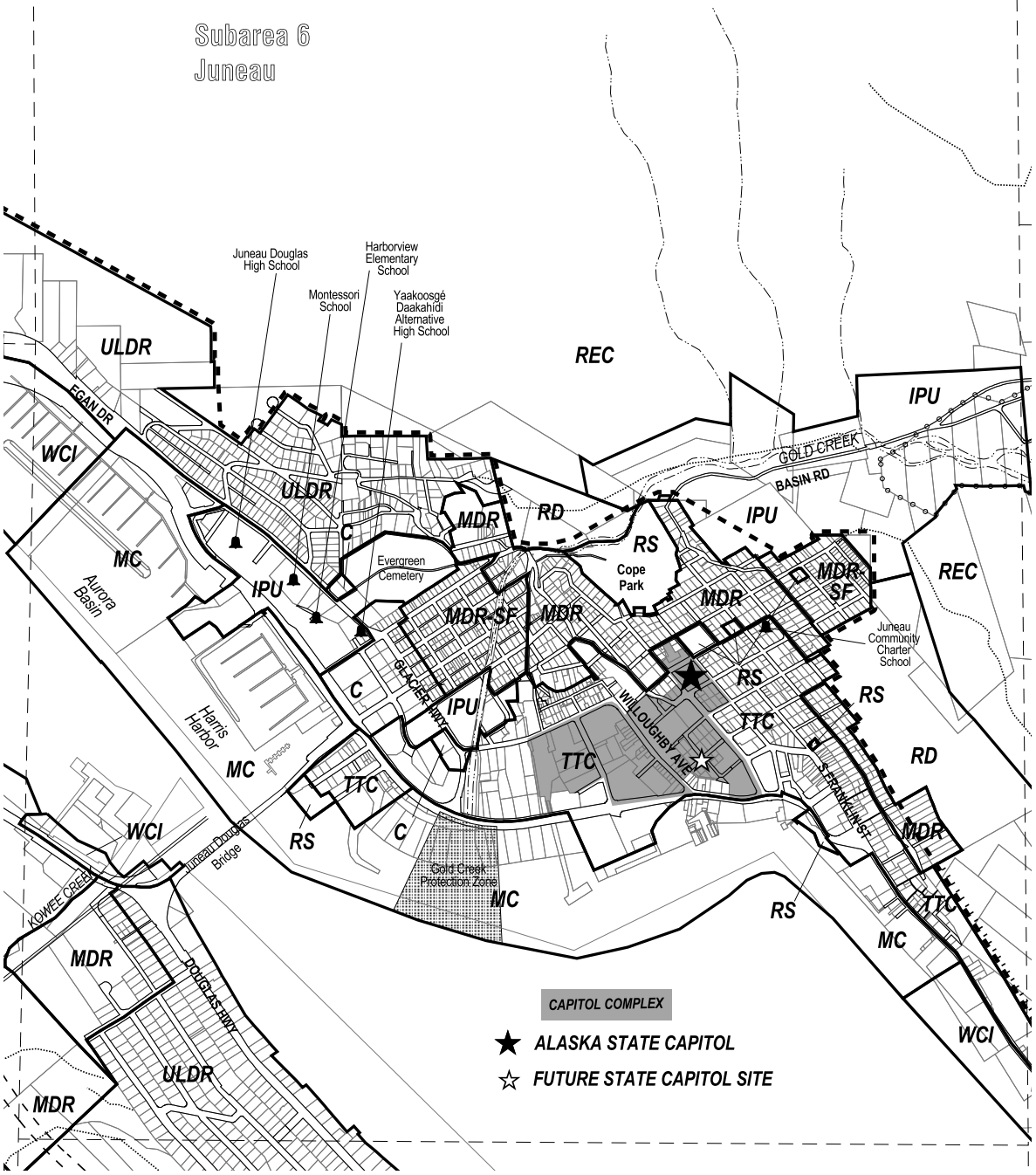
Zoning is a set of rules on how land can be developed. Zoning impacts lot size, building size and placement, and what sorts of activities can be placed next to each other. The point of zoning is to preserve property value and to separate incompatible uses. When you rezone a property, you are changing the rules under which it can be developed.



Standard	Current Zoning, MU2	Proposed Zoning, MU
Setback	Five feet	Zero Feet
Lot coverage	80%	No limit
Height Limit	45 feet for permissible uses	No limit
Density	80 units per acre	No limit

Use	Current Zoning, MU2	Proposed Zoning, MU
Marijuana product manufacturing facility	Not allowed	Requires a conditional use permit
Zoos, aquaria, or wild animal rehabilitation facilities with a visitor component	Requires a conditional use permit	Not allowed

Map M 16



NATURAL RESOURCE
- REC Recreational Resource
- RD Resource Development
- SP State Park
- NP CBJ Natural Area Park
- RS CBJ Recreational Service Park
- CA CBJ Conservation Area
- SC Stream Protection Corridor

COMMERCIAL INDUSTRIAL
- C Commercial
- MC Marine Commercial
- WCI Waterfront Commercial Industrial
- LI Light Industrial
- HI Heavy Industrial

800 0 800 Feet

RESIDENTIAL
- RDR Rural Dispersed Residential
- RLDR Rural Low Density Residential
- ULDR Urban Low Density Residential
- MDR/SF Medium Density Residential- Single Family
- MDR Medium Density Residential
- HDR High Density Residential
- TTC Traditional Town Center
- M/MU Marine Mixed Use

PUBLIC
- IPU Institutional and Public Use
- Existing School
- Potential School Location

ROADS TRAILS
- Potential Arterial (alignment not specific)
- Potential Road (alignment not specific)
- Trails

OTHER
- New Growth Areas
- Mendenhall Wetlands State Game Refuge
- Subarea Boundary
- Urban Service Area
- Beach Access
- Streams

City & Borough of Juneau
COMPREHENSIVE PLAN
City & Borough of Juneau Alaska's Capital City
Adopted October 20th, 2008
Ordinance No. 2008-30

NOTE: Potential geophysical hazards, wetlands, flood zones, natural resource setbacks or other features which can affect properties may be present. CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT FOR DETAILED INFORMATION.

Prepared by: Community Development Department

LAND USE DESIGNATIONS

The 2013 Comprehensive Plan includes "land use designations." These designations outline the aspirational intent for the land. Zoning rules are the specific tools used to comply with land use designations.

Traditional Town Center (TTC): These lands are characterized by high density residential and non-residential land uses in downtown areas and around shopping centers, the University, major employment centers and public transit corridors, as well as other areas suitable for a mixture of retail, office, general commercial, and high density residential uses at densities at 18 or more residential units per acre. Residential and non-residential uses could be combined within a single structure, including off-street parking. Ground floor retail space facing roads with parking behind the retail and housing above would be an appropriate and efficient use of the land.

Capitol Complex: An area in downtown Juneau which could contain legislative hearing rooms, offices, meeting rooms, pedestrian-friendly circulation systems, parking, transit services, seasonal and short-term accommodations, food and beverage services, cultural and entertainment activities, and other facilities which support the legislative activities of the state capital in Juneau. This area is shown on the land use maps for Subarea 6, particularly Map M, and is centered on Telephone Hill, the proposed site of a new State Capitol building.

Other Comprehensive Plan Land Use Types:

Recreational Service Park (RS): Recreation, parking, playgrounds and fields, ski lifts, All-Terrain Vehicle (ATV) riding parks, rifle ranges, operations and maintenance-related structures are possible uses or components of RS-designated lands.

Institutional and Public Use (IPU): Lands in public ownership and dedicated for a variety of public uses, such as the University of Alaska Southeast; local, state and federal government uses; and for such public facilities as community gardens, schools, libraries, fire stations, treatment plants, and public sanitary landfills.

Resource Development (RD): Land managed to identify and conserve natural resources until specific land uses are identified and developed. As resources are identified or extracted from these lands, they should be re-designated and rezoned appropriately.

Urban/Low Density Residential (ULDR): These lands are characterized by detached single-family units, duplex, cottage or bungalow housing, zero-lot-line dwelling units and manufactured homes on permanent foundations at densities of one to six units per acre.

Medium Density Residential (MDR): These lands are characterized by urban residential lands for multifamily dwelling units at densities ranging from 5 to 20 units per acre.

Medium Density Residential—Single Family Detached (MDR/SF): Single-family detached homes at densities ranging from 10 to 20 units per acre. Includes single-family detached homes with an accessory apartment, cottage houses and bungalow houses.

High Density Residential (HDR): Urban residential lands suitable for new, in-fill or redevelopment housing at high densities ranging from 18 to 60 units per acre.

Commercial (C): Lands devoted to retail, office, food service or personal service uses, including neighborhood retail and community commercial centers. Mixed retail/residential/office uses are allowed and encouraged. Residential densities ranging from 18- to 60-units per acre are appropriate in this area.

Marine Commercial (MC): Water-dependent commercial uses such as marinas/boat harbors, marine vessel and equipment sales and repair services, convenience goods and services for commercial and sport fishing, marine recreation and marine tourism activities such as food and beverage services, toilet and bathing facilities, bait and ice shops, small-scale fish processing facilities, hotels and motels, and similar goods and services to support mariners and their guests. Float homes, house boats, and live-aboards would be residential uses to be allowed within an MC district.

Waterfront Commercial/Industrial (WCI): Water-dependent heavy commercial and industrial uses such as marine transportation terminals, large or small boat marinas, boat repair, shipyards, marine freight handling areas, fish buying and processing plants, ice plants, marine hatcheries, and marine parks. Residential uses would not be allowed in Waterfront Commercial/Industrial Districts, with the exception of caretaker units.

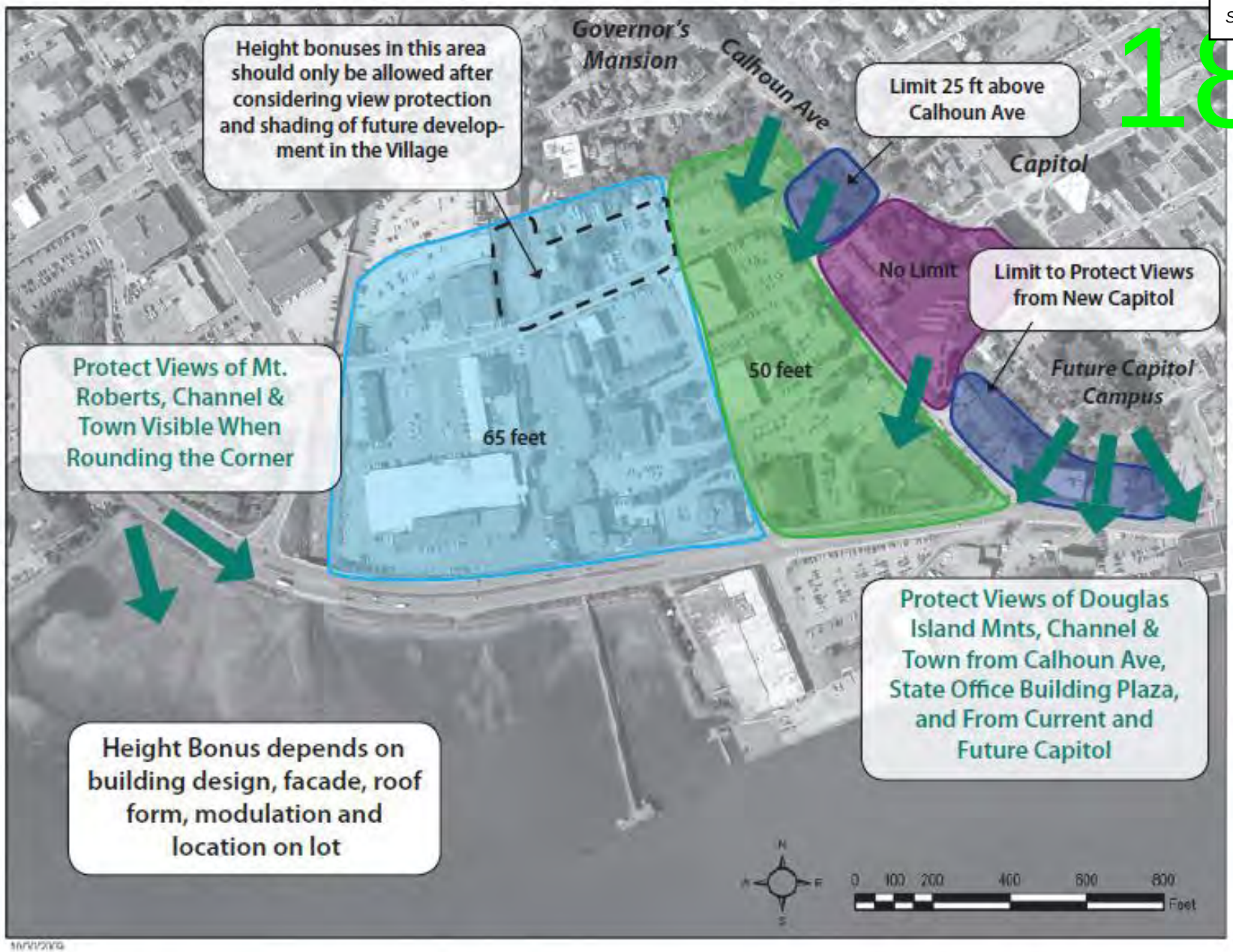


Figure 5. Building Heights (Possible with Bonus Points) and Viewsheds

AME2022 0006:

Rezone of approximately 9.5 (nine and one-half) acres in the Aak'w Kwaan District from MU2 to MU, eliminating setback requirements, lot coverage restrictions and height restrictions.

PROJECT INFORMATION:

https://juneau.org/community-development/short-term-projects

Click the + sign next to "AME2022 0006" for the map and application materials. Updated hearing information will be posted here.

PROJECT HEARING SCHEDULE:

Planning Commission Hearing:

January 24, 2023 TENTATIVE

7:00 pm

In person: Assembly Chambers, 155 S Seward Street. Go in the door next to the raven on the mural, then turn right.

ZOOM: Connection information will be available at the scheduling site (see reverse). You can participate via computer or via phone.

By computer: Either paste the link into your browser, or navigate to ZOOM and join the meeting using the Webinar ID.

By phone: When ready to participate,

- Press *9 to raise your hand.
- Press *6 to unmute yourself (if needed).

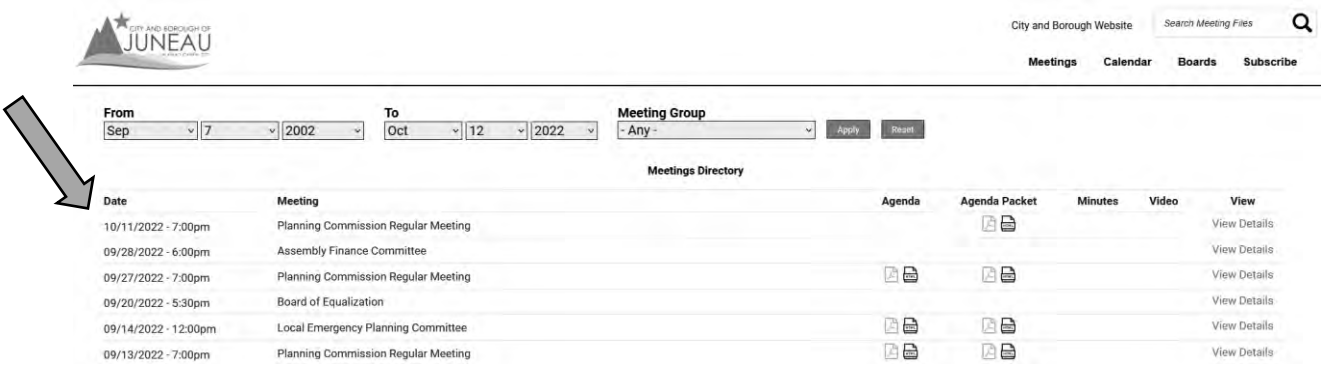
Irene Gallion, Senior Planner ■ (907) 586-0753, x4130 ■ irene.gallion@juneau.org

PROJECT HEARING SCHEDULE, continued:

20

https://juneau-ak.municodemeetings.com/

Locate the appropriate date:



Your options are:

Agenda : This is a .pdf of the agenda, which will have ZOOM contact info.

Agenda : This is a web page of the agenda, which will have ZOOM contact info.

Agenda Packet : This is a .pdf of the agenda and of supporting documents (including staff reports) for cases being heard this night. It can be lengthy.

Agenda Packet : This is a web page that has the agenda, and links to supporting documents (including staff reports). This may be the easiest way to navigate through a long agenda.

WRITTEN COMMENTS

Comments can be e mailed to:

pc_comments@juneau.gov
(that is, pc UNDERSCORE comments)

Irene.Gallion@juneau.gov

Comments can be posted to:

Community Development Department
City and Borough of Juneau
155 South Seward Street
Juneau, AK 99801

Comments may be dropped off at:

Marine View Building
Corner of Ferry Way and S. Franklin Street
4th Floor permit center (hang a right out of the elevator, and it will be on your left)

If you do not have a computer available or have difficulty with writing, give Irene a call and she can take your comment over the phone: (907) 586-0753, x4130

IF the project is scheduled to be heard January 24, 2023, the last day for written comments is January 20, 2023, NOON.

Irene Gallion, Senior Planner ■ (907) 586-0753, x4130 ■ irene.gallion@juneau.org

Public Comment Sign-In Sheet

Meeting: 12/6/2022

21

Name (please print)	Residence Address or Area of Town	Email Address – if you would like to receive project updates
Sample: Joe Juneau	*555 Fifth St., Juneau*	*joe.juneau@juneau.org*
ELIAS DURAN	9219 BLACK WOLF	eduran@kira.com
PAUL VOELCKERS	1760 CAPITAL VIEW CT.	paul@mrvarchitects.com
GREY PENDLETON	329 Distin Ave.	gwpendleton@gmail.com

I:\DOCUMENTS\CASES\2022\ARP\ARP22-01 7400 Glacier Highway\04 Public Meeting
Note for Admin: Retain completed PDF copy in folder

22

Irene Gallion

From: Emily Suarez
Sent: Wednesday, December 7, 2022 9:43 AM
To: Irene Gallion
Subject: Public meeting notes

Hi Irene,

This is what I have from yesterday's meeting.

- Clarification on height restrictions between MU and MU2 zoning districts.
- MU does not have a height limitation compared to MU2 zoning district.
- Attendee asked a question regarding height limits for the new rezone proposal, and how that might have an impact on his neighborhood.
- Attendee also mentioned how a variance could be applied under current code to modify height restrictions for current zoning district. However, the rezone would allow for a more streamlined process for developers and building permit applications for future projects.
- Attendee was supportive of rezoning from MU2 to MU, and for future development to maintain a height between 50 feet to 65 feet.

Thank you,
Emily Suarez | Planner II
Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street, 4th Floor Marine View Building
Office: 907.586.0753 ext. 4131

Note: My email will change to emily.suarez@juneau.gov beginning on December 5, 2022.

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

Fostering excellence in development for this generation and the next.

ADDITIONAL MEETING MATERIALS PROVIDED BY THE APPLICANT 23

Re: CCTHITA Rezone Application, Aak'w Village District

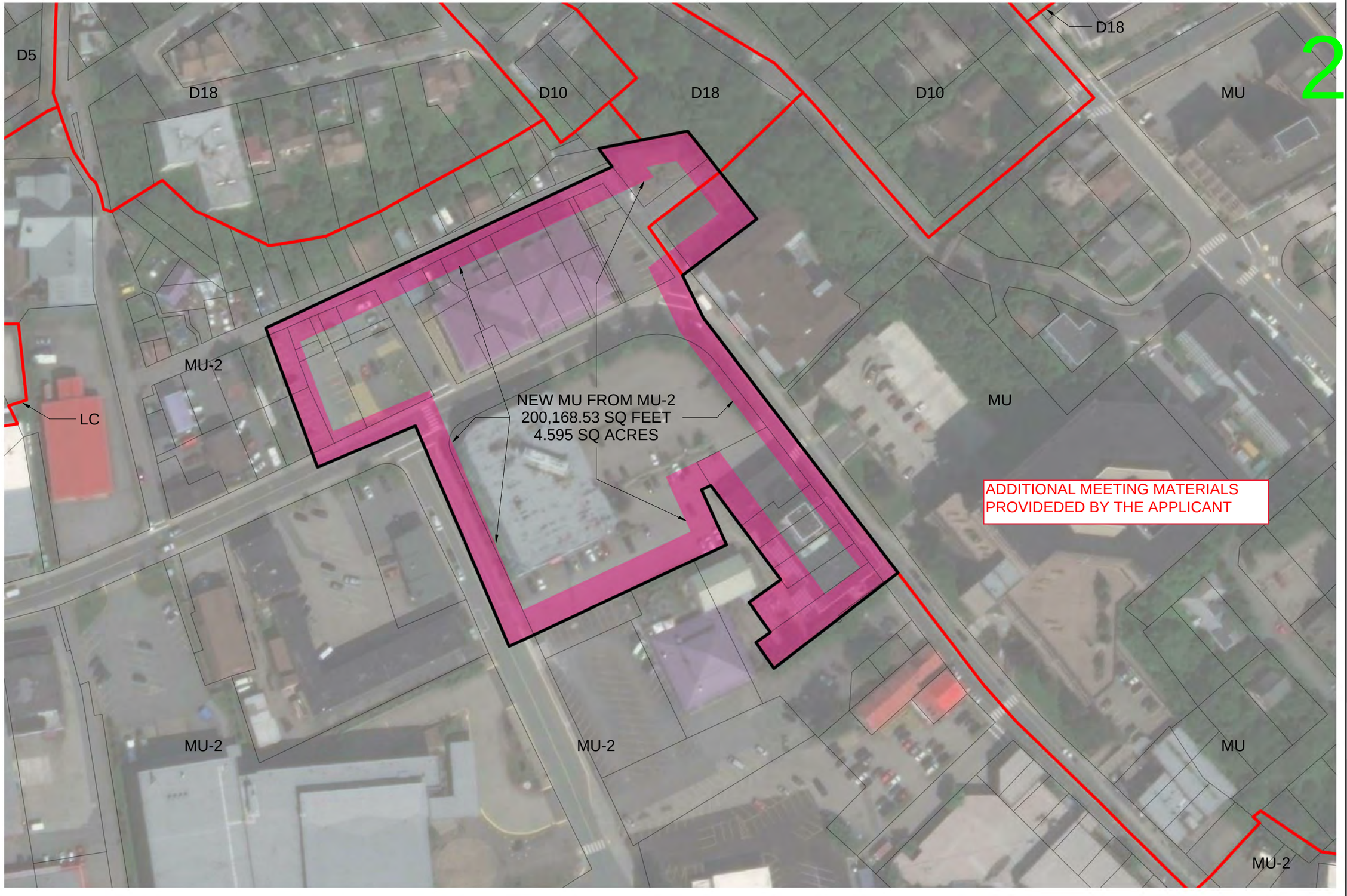
The Central Council of Tlingit and Haida Indian Tribes of Alaska, CCTHITA, is pleased to submit this application for a zone change of a number of parcels in the historic core of the newly-named Aak'w District. Per the attached graphic, CCTHITA is hoping to revise the indicated properties from MU2 to MU zoning. Each of the properties identified in this block is controlled by Central Council.

The strategic reasons for this are identified following. First, MU is the predominant underlying zoning in the developed urban core of Juneau, and this existing zoning abuts the new rezone parcel along Willoughby Street, or the long northeasterly edge of the property.

Second, this rezone to MU is consistent with the Comprehensive Plan in this area, which indicates the proposed area is "TTC", Traditional town Center, also consistent with other northeasterly areas of the established downtown core.

Third, this rezone will allow greater flexibility to CCTHITA as building upgrades and new projects are considered for the downtown central properties.

The ability of MU to build to property lines, along with greater height opportunity, will allow us the potential for more efficient mixed-use solutions in this area. MU allows an unlimited number of housing units per acre, as opposed to MU2 which is capped at 80 housing units per acre.



1 PROPOSED ZONE CHANGE
1" = 100'-0"

ACTUAL NORTH

PROJECT NORTH

MRV ARCHITECTS
1420 GLACIER AVE. #101
JUNEAU, AK 99801
907-586-1371
FAX 907-463-5544
mrv@mrvarchitects.com

ZONE CHANGE APPLICATION

For The
Central Council of the Tlingit and Haida Indian Tribes of Alaska.
MRV # 2215

No.	Description	Date

SHEET TITLE:
PROPOSED ZONE CHANGE PLAN

DATE: 6.10.2022
DRAWN: MRV
CHECKED: PV

SHEET NO.
A1 398

7/26/2022 1:22:05 PM \\MRV2013\data\projects\2022\2215 CCTHITA Downtown Planning\REVIT\BASE MAP.rvt

Irene Gallion

From: Alec Venechuk
Sent: Tuesday, December 20, 2022 2:27 PM
To: Irene Gallion
Subject: RE: AME22-06 and 08: Rezone of Aak'w Kwan District property

No Comments from GE on this -

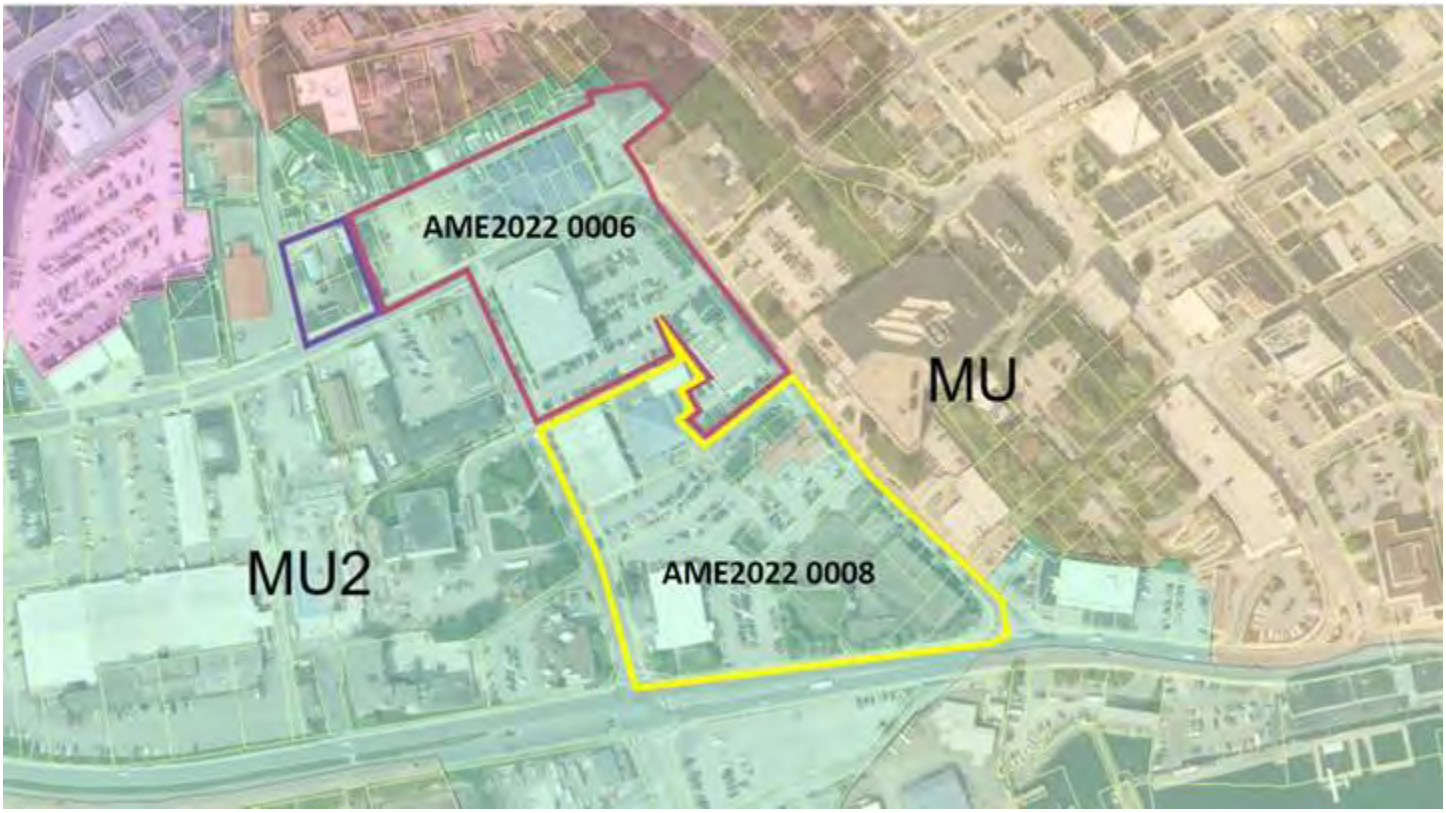
From: Irene Gallion <Irene.Gallion@juneau.gov>
Sent: Thursday, December 15, 2022 8:29 AM
To: Charlie Ford <Charlie.Ford@juneau.gov>; General Engineering <General_Engineering@juneau.gov>; Dan Jager <Dan.Jager@juneau.gov>
Cc: Dan Bleidorn <Dan.Bleidorn@juneau.gov>; Irene Gallion <Irene.Gallion@juneau.gov>
Subject: AME22-06 and 08: Rezone of Aak'w Kwan District property

Hello all,

Attached are two applications for rezoning in the Aak'w Kwan District, map below. I've attached a ZONING_Summary that outlines the changes.

If you have any comments, please provide them by **December 27, 2022.**

You may have had an early look at this in August, but it is coming to the Planning Commission in January. We had a public meeting with one attendee, who was interested in height limits.



More details can be found at the Short Term Planning web site: https://juneau.org/community-developm
term-projects

Thanks!

Irene Gallion | Senior Planner
Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street | 4th Floor Marine View Building
Office: 907.586.0753 X2

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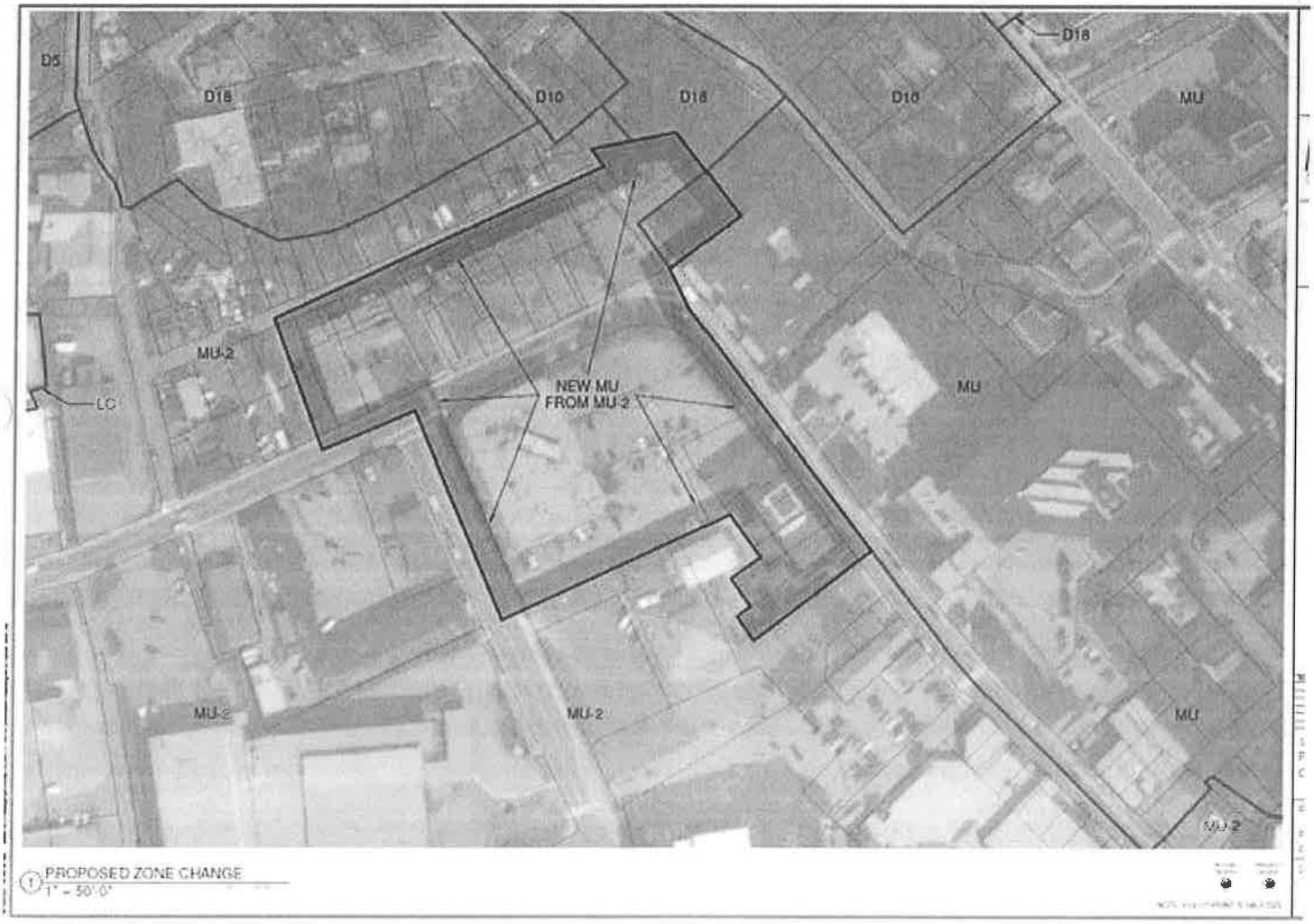
Fostering excellence in development for this generation and the next.

Irene Gallion

From: Irene Gallion
Sent: Thursday, August 4, 2022 11:04 AM
To: 'bill.campbell@alaska.gov'
Subject: Rezone in your area

Hi Bill,

We've received a proposed rezone in the area of the SOB (Willoughby side) and the offices that currently house ADEC. We'd like to give the State the opportunity to comment on it. Who should I send the details to?



Thanks!

Irene Gallion | Senior Planner
Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street | 4th Floor Marine View Building
Office: 907.586.0753 X2

Irene Gallion

From: Irene Gallion
Sent: Wednesday, December 21, 2022 1:59 PM
To: 'bill.campbell@alaska.gov'
Cc: Irene Gallion
Subject: AME22-06/08: Rezones in your area
Attachments: 0822_001.pdf

Hi Bill,

I wanted to check in and see if there a State position on the proposed rezone in the Aak'w Kwan District. The project will be heard by the Planning Commission on January 24, 2023. The web site can be accessed here: https://juneau.org/community-development/short-term-projects

I am currently drafting the staff report for this project. To be considered in the staff report, comments must be received by December 23, 2022. After that, comments will be forwarded to the Planning Commission.

The last day for written comments is January 20, 2023 at noon. Testimony will be accepted at the Planning Commission meeting on January 24th, 2023.

Thank you for any perspective you can provide.

Irene Gallion | Senior Planner
Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street | 4th Floor Marine View Building
Office: 907.586.0753 X2

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Fostering excellence in development for this generation and the next.

From: permits@juneau.org <permits@juneau.org>
Sent: Wednesday, December 21, 2022 1:51 PM
To: Irene Gallion <Irene.Gallion@juneau.gov>
Subject: Attached Image

Irene Gallion

From: Norton Gregory <ngregory@thrha.org>
Sent: Wednesday, December 7, 2022 3:19 PM
To: Irene Gallion
Subject: RE: AME22-06/08: Rezone in Aak'w Kwan

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Hi Irene,

Thank you for the information, I appreciate it.

All the best,
Norton

Norton Gregory
Director of Housing Services
(907) 780-3125 - direct
(888) 241-6868 – toll free
(866) 291-9019 - fax
ngregory@thrha.org

TH
Regional Housing Authority

From: Irene Gallion <Irene.Gallion@juneau.gov>
Sent: Wednesday, December 7, 2022 2:57 PM
To: Norton Gregory <ngregory@thrha.org>
Subject: AME22-06/08: Rezone in Aak'w Kwan

You don't often get email from irene.gallion@juneau.gov. Learn why this is important

Hi Norton!

Here are the attachments from the public meeting, attended by one guy who lives on Distin and was concerned about his view.

The fastest summary of changes is in the ZONING_Summary attachment.

- The PINK is CCTHITA's proposed rezone.
- The PURPLE is an extension that Staff is recommending, just so the zoning borders don't split neighborhoods. We are proposing it go to Capital Avenue.
- The YELLOW is a separate CBJ proposal for rezoning. There are some politically-charged projects in the city area – Centennial Hall/JAHC and a proposal for a City Hall – and we didn't want those to derail CCTHITA's efforts, so we have a separate proposal for city land.

I'm happy to answer any questions, and also happy to run through the presentation for you and yours if you are interested. It takes about 20 minutes.

Thanks!

Irene Gallion | Senior Planner
Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street | 4th Floor Marine View Building
Office: 907.586.0753 X2

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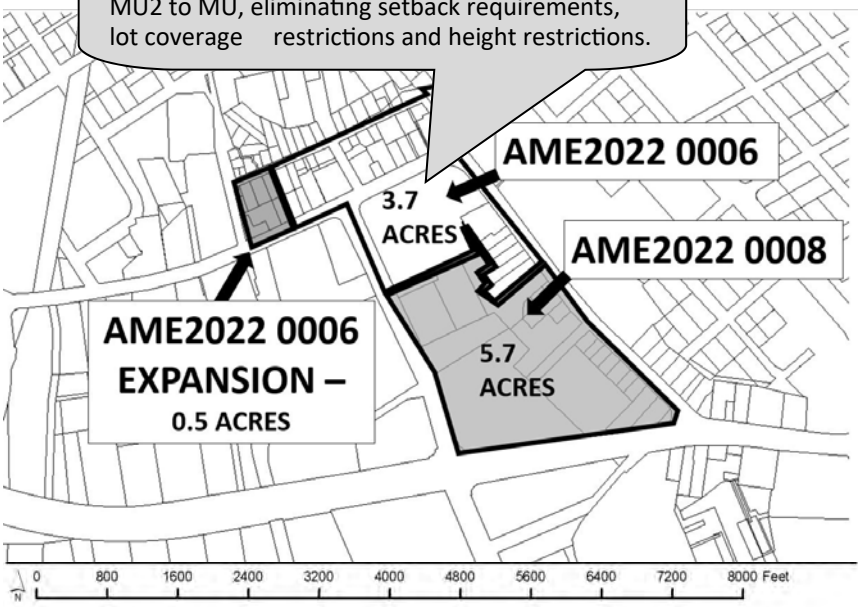
Fostering excellence in development for this generation and the next.

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice

Proposed rezone for approximately 9.5 (nine and one-half) acres **in** the Aak'w Kwaan District **from** MU2 to MU, eliminating setback requirements, lot coverage restrictions and height restrictions.



CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

155 S. Seward Street Juneau, Alaska 99801

TO:

An application has been submitted for consideration and public hearing by the Planning Commission for **proposed rezone for approximately 9.5 (nine and one-half) acres** in **the Aak'w Kwaan District** from **MU2 to MU, eliminating setback requirements, lot coverage restrictions and height restrictions.**

PROJECT INFORMATION:
Project Information can be found at:
https://juneau.org/community-development/short-term-projects

PLANNING COMMISSION DOCUMENTS:
Staff Report expected to be posted **January 23, 2023** at
https://juneau.org/community-development/planning-commission
Find hearing results, meeting minutes, and more here, as well.

Now through Jan. 12, 2023	Jan. 12 noon, Jan. 20, 2023	HEARING DATE & TIME: 7:00 pm, Jan. 24, 2023	Jan. 25, 2023
Comments received during this period will be sent to the Planner, **Irene Gallion,** to be included as an attachment in the staff report.	Comments received during this period will be sent to Commissioners to read in preparation for the hearing.	This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting https://juneau.zoom.us/j/85488605721and use the Webinar ID: 854 8860 5721 OR join by telephone, calling: 1-253-215-8782 and enter the Webinar ID (above). You may also participate in person in City Hall Assembly Chambers, 155 S. Seward Street, Juneau, Alaska.	The results of the hearing will be posted online.

FOR DETAILS OR QUESTIONS,

Phone: **(907)586-0753 ext. 4130◆**
Email: **pc_comments@juneau.gov**
Mail: **Community Development, 155 S. Seward Street, Juneau AK 99801**

Case No.: AME2022 0006 & AME2022 0008
Parcel No.: Multiple
CBJ Parcel Viewer: http://epv.juneau.or

405

Printed December 12, 2022

Attachement J - Public Notice Sign

Attachement J - Public Notice Sign

Irene Gallion

From: Alan Steffert <asteffert@gmail.com>
Sent: Thursday, January 5, 2023 12:20 PM
To: Irene Gallion; Dan Bleidorn
Subject: Public notice sign is up!
Attachments: IMG_9010.JPG; ATT00001.txt; IMG_9011.JPG; ATT00002.txt

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dan & Irene.
The big red public notice sign for the redone has been tied and nailed to a tree outside the JAAHC, facing Egan Drive. See attached photos. This was done around noon today.
Alan

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/community-development
155 S. Seward Street • Juneau, AK 99801

December 14, 2022

Hello Neighbor,

The City and Borough of Juneau's Planning Commission will hear a proposal to rezone approximately 9.5 acres in the Aak'w Kwan District. **If you are receiving this letter, it means you own property in the area proposed for rezone.**

Attached is information on the rezone, and what it means. To summarize, under proposed zoning:

- Buildings can be built right up to the property line. No setbacks will be required.
- A building can cover the entire lot.
- There is no limit on the number of residential units that could be built per acre.
- In theory, there is no height limit. However, any proposed building would need to be considered in light of the Willoughby District Land Use Plan, which includes protections for:
    - The view from Calhoun Avenue.
    - The view from Distin Avenue.
    - Sunlight to Village Street residents.

Zoning also impacts uses. The proposed zoning would allow marijuana product manufacturing facilities. The proposed zoning would disallow zoos, aquaria or other animal facilities with a visitor component – facilities allowed under current zoning. Other than that, uses under the proposed zoning would remain the same.

You'll receive a post card in the mail notifying you of the Planning Commission meeting date and time, and you may see the meeting advertised in the "Your Municipality" section of the Juneau Empire. The meeting will be:

Regular Planning Commission

January 24, 2022

7:00 pm

Enclosed documents have information on how to participate in person or via ZOOM.

If you have any questions, you can contact me with the information below.

Thank you for your participation in developing our community!

Irene Gallion, Senior Planner
Irene.Gallion@juneau.gov
(907) 586-0753, extension 4130

Included items from the public meeting, Attachment G.
* Comprehensive Plan Land Use Maps and Descriptions (page 16)
* Zoning Summary (page 15)
* Willoughby District Land Use Map - Height Restrictions (page 18)
Meeting instructions were updated with meeting scheduling information (attached).

AME2022 0006 and AME2022 0008:

Rezone of approximately 9.5 (nine and one-half) acres in the Aak'w Kwaan District from MU2 to MU, eliminating setback requirements, lot coverage restrictions and height restrictions.

PROJECT INFORMATION:

https://juneau.org/community-development/short-term-projects

Click the + sign next to "AME2022 0006" for the map and application materials. Updated hearing information will be posted here.

PROJECT HEARING SCHEDULE:

Planning Commission Hearing:

January 24, 2023

7:00 pm

In person: Assembly Chambers, 155 S Seward Street. Go in the door next to the raven on the mural, then turn right.

ZOOM: Connection information will be available at the scheduling site (see below). You can participate via computer or via phone.

By computer: Either paste the link into your browser, or navigate to ZOOM and join the meeting using the Webinar ID.

By phone: When ready to participate,

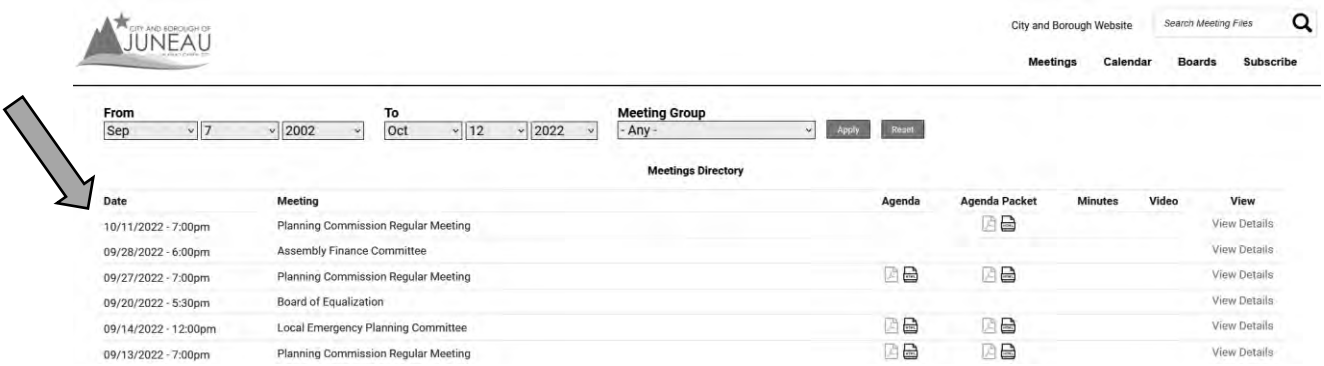
- Press *9 to raise your hand.
- Press *6 to unmute yourself (if needed).

Irene Gallion, Senior Planner ■ (907) 586-0753, x4130 ■ irene.gallion@juneau.org

PROJECT HEARING SCHEDULE, continued:

https://juneau-ak.municodemeetings.com/

Locate the appropriate date:



Your options are:

Agenda : This is a .pdf of the agenda, which will have ZOOM contact info.

Agenda : This is a web page of the agenda, which will have ZOOM contact info.

Agenda Packet : This is a .pdf of the agenda and of supporting documents (including staff reports) for cases being heard this night. It can be lengthy.

Agenda Packet : This is a web page that has the agenda, and links to supporting documents (including staff reports). This may be the easiest way to navigate through a long agenda.

WRITTEN COMMENTS

Comments can be e mailed to:

pc_comments@juneau.gov
(that is, pc UNDERSCORE comments)

Irene.Gallion@juneau.gov

Comments can be posted to:

Community Development Department
City and Borough of Juneau
155 South Seward Street
Juneau, AK 99801

Comments may be dropped off at:

Marine View Building
Corner of Ferry Way and S. Franklin Street
4th Floor permit center (hang a right out of the elevator, and it will be on your left)

If you do not have a computer available or have difficulty with writing, give Irene a call and she can take your comment over the phone: (907) 586-0753, x4130

The last day for written comments is January 20, 2023, NOON.

Irene Gallion, Senior Planner ■ (907) 586-0753, x4130 ■ irene.gallion@juneau.org

Irene Gallion

From: Irene Gallion
Sent: Monday, December 12, 2022 10:15 AM
To: 'franchise.transactions@marriott.com'
Subject: AME22-06 and 08: Possible rezone in Juneau
Attachments: AME20220006_ZONING_Summary.pdf; Willoughby_Plan_MAP_COLOR.pdf

Hello,

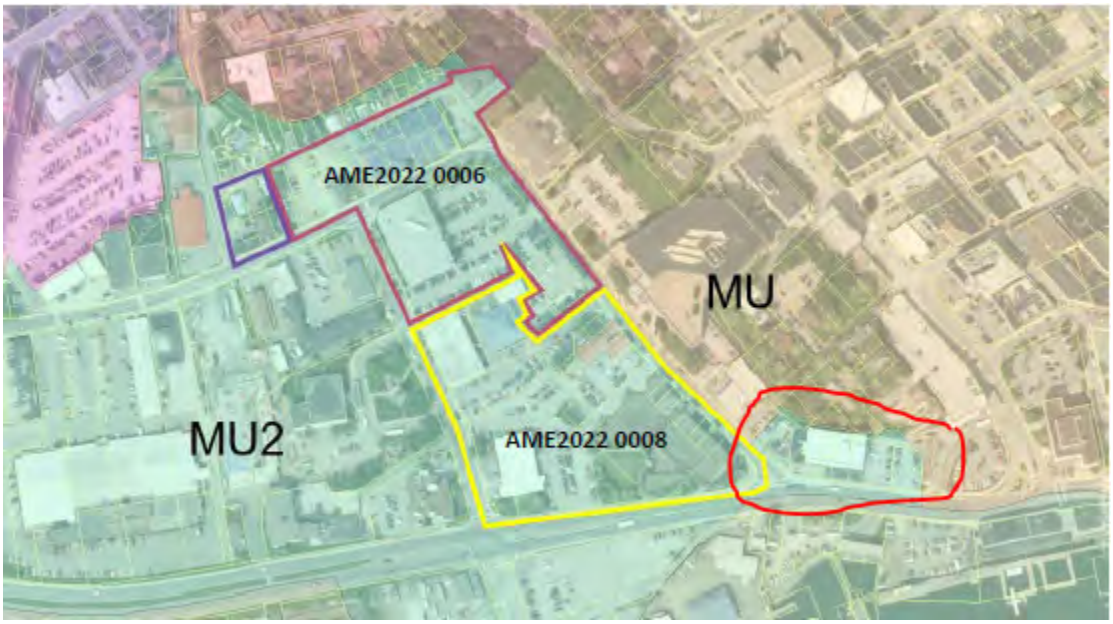
If you are not the right party to engage with, I hope you can send me in the right direction.

There is a rezone being considered in Juneau. Your property at 51 Egan Drive is not currently included. However,

- The Commission may choose to include it, to avoid it being on an island of zoning by itself.
- You may wish for it to be included, to take advantage of less restrictive height and setback provisions.

I've attached the zoning summary handout from our last public meeting, to give you a feel for impacts. I've also attached a map from our Willoughby District Land Use Plan, which the Planning Commission would consider, and which would limit the otherwise unlimited height.

The snip below shows where Marriott property is in relation to the proposed rezone.



Thank you for your time. Let me know if you have any questions,

Irene Gallion | Senior Planner
Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street | 4th Floor Marine View Building
Office: 907.586.0753 X2

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Planning Commission
(907) 586-0715
PC_Comments@juneau.org
www.juneau.org/community-development/planning-commission
155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION
NOTICE OF DECISION

Date: January 30, 2023
Case No.: USE2022 0015

CBJ Parks & Recreation, Juneau Off-Road Association
ATTN: Michele Elfers, Deputy Director
155 South Seward Street
Juneau, AK 99801

Proposal:	Conditional Use Permit for an Off-Road Vehicle (ORV) Riding Park at 35-Mile in a Rural Reserve (RR) Zone.
Property Address:	N/A
Legal Description:	ASCS 96-13 96-14 96-15
Parcel Code No.:	3B4501000010
Hearing Date:	January 24, 2023

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated January 17, 2023, and approved the Off-Road Vehicle (ORV) Riding Park at 35-Mile to be conducted as described in the project description and project drawings submitted with the application (and with the following conditions:)

1. A finalized management agreement by the CBJ Parks & Recreation Department shall be required prior to commencement of development. A copy of said agreement shall be provided to the Community Development Department (CDD) for inclusion in the file. If the agreement is modified at any time, a copy of the modified agreement shall be provided to CDD by the applicants no later than seven days after the agreement is modified, or the USE permit shall be suspended until such time as the agreement is provided to the CDD. CDD shall review the modified agreement and make a determination if a Modification Conditional Use Permit is required. If a Modification Conditional Use Permit is required, the Use shall not commence operation under the modified agreement until the modified USE permit is approved.
2. Use of the ORV riding park shall be permitted only during daylight hours.

3. Riding park site entry shall be secured when outside allowed hours.
4. Any food or beverages stored on site shall be contained in bear-proof containers or structures, and exterior bear-resistant public litter cans that meet the Interagency Grizzly Bear Committee Certification standards shall be provided.
5. The vault toilet and caretaker RV shall meet all Alaska Department of Environmental Conservation (ADEC) permitting requirements prior to commencement of use.
6. The applicants shall contact and apply for permits with CDD prior to installing signage.
7. Right-of-way permits off of Glacier Highway shall meet all DOT&PF permitting requirements prior to commencement of use.
8. The parking lot surface shall conform to ADA requirements and the entrance facility must be designed by a State of Alaska licensed Engineer.
9. Grading plans shall be submitted with an application for a permit, if required.
10. Wheel stops shall be placed in the parking lot to define the location of parking spaces prior to commencement of use.
11. CBJ-approved signage shall be posted for a minimum of two (2) accessible parking spaces prior to commencement of the proposed use.
12. The sound volume measured at the riding park shall be measured inside the riding park at the trail entrance to the parking lot –as opposed to the highway entrance to the parking lot –and shall not exceed 65 dBA during the day or 55 dBA at night.
13. All ORV's must be equipped with functioning brakes and muffler, with noise limit not to exceed 96dBA. Motorcycles and all-terrain vehicles must be equipped with a spark arrestor.
14. All ORV's must have a stock exhaust system; after-market systems will require testing and proof that they can meet the noise requirement.
15. If any ORV's on site are found to be excessively noisy, the applicants will require testing and proof that they meet the noise threshold.
16. Areas surrounding constructed features and facilities disturbed by construction shall be revegetated using native vegetation and native vegetation mats prior to use of the constructed feature or facility.
17. Soils, slopes, and vegetation beyond the riding park boundary shown in the project plans shall not be disturbed.
18. Trees shall be retained to the greatest extent practical and the general public and park users will not cut any trees.
19. Hardened stream crossings and managing erosion and sedimentation in the project area shall be required. Similarly, redirecting drainages will be avoided to ensure stream channels with fish habitat are not dewatered downstream.
20. The applicants shall ensure that all drainage, storm water, and stabilization improvements related to specific features and facilities are completed and functioning prior to public use of the features and facilities.
21. The applicants shall minimize disturbance to the natural course of streams and drainage ways. Where disturbance is unavoidable, the applicants will protect adjacent areas from contamination from storm water runoff and provide a drainage system or structures that will minimize the

possibility of sedimentation and soil erosion on-site and downstream and maintain or enhance the general stream characteristics of the stream and its receiving waters.

22. The applicants shall submit plans showing how these drainage conditions will be met for review and approval by the CBJ General Engineering Division.
23. The applicants shall install and maintain perimeter site controls to prohibit riding outside of the riding park.

Attachments: January 17, 2023, memorandum from Jennifer Shields, Community Development, to the CBJ Planning Commission regarding USE2022 0015.

This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ 01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ 01.50.030(c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ 49.20.120).

Effective Date: The permit is effective upon approval by the Commission, January 24, 2023.

Expiration Date: The permit will expire 18 months after the effective date, or July 24, 2023, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

Paul Voelckers, Acting Chair
Planning Commission

Jan 30, 2023
Date

Ilsa Lund
Filed With City Clerk

Jan. 30, 2023
Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ-adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

PLANNING COMMISSION STAFF REPORT
CONDITIONAL USE PERMIT USE2022 0015
HEARING DATE: JANUARY 24, 2023

(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/community-development
155 S. Seward Street • Juneau, AK 99801

DATE: January 17, 2023

TO: Michael LeVine, Chair, Planning Commission

BY: Jennifer Shields, Planner II

THROUGH: Jill Maclean, Director, AICP

PROPOSAL: Applicants requests a Conditional Use Permit for an Off-Road Vehicle (ORV) Riding Park at 35-Mile in a Rural Reserve (RR) Zone.

STAFF RECOMMENDATION: Approval with conditions.

KEY CONSIDERATIONS FOR REVIEW:

- CBJ Parks and Recreation is partnering with the Juneau Off-Road Association to develop an ORV Riding Park on CBJ-owned land for use during the spring, summer, and fall.
- In Feb. 2022, approximately 80 people attended a public meeting regarding the proposed riding park, with no major opposition.
- Over 200 public comments in support of the project were received after the deadline for review to be included in the staff report. See Additional Materials packet.
- Noise study shows ORV's will meet code requirements for dBA levels.
- Applicable Local, State, and Federal agencies and organizations have been involved in reviewing the site as an appropriate riding park location.

GENERAL INFORMATION	
Property Owner	City and Borough of Juneau
Applicants	CBJ Parks & Recreation, Juneau Off-Road Assoc.
Property Address	N/A
Legal Description	ASCS 96-13 96-14 96-15
Parcel Number	3B4501000010
Zoning	Rural Reserve (RR)
Land Use Designation	Resource Development (RD)
Lot Size	2,974.5 acres (ORV Riding Park ~565 acres)
Water/Sewer	N/A
Access	Glacier Highway
Existing Land Use	Vacant
Associated Applications	N/A

ALTERNATIVE ACTIONS:

1. **Amend:** require additional conditions, or delete or modify the recommended conditions.
2. **Deny:** deny the permit and adopt new findings for items 1-6 below that support the denial.
3. **Continue:** to a future meeting date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:

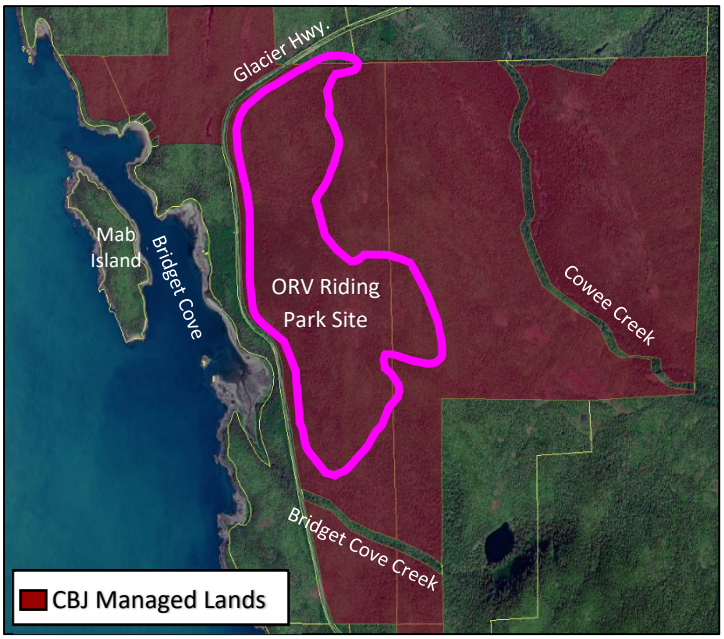
Assembly action is not required for this permit.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
  - CBJ 42.20.095
  - CBJ 49.15.330
  - CBJ 49.40
  - CBJ 49.45
  - CBJ 49.80 (Definitions)

The Commission shall hear and decide the case per *49.15.330(a) Conditional Use Permit.* *A conditional use is a use that may or may not be appropriate in a particular zoning district according to the character, intensity, or size of that or surrounding uses. The conditional use permit procedure is intended to afford the commission the flexibility necessary to make determinations appropriate to individual sites. The commission may attach to the permit those conditions listed in subsection (g) of this section as well as any further conditions necessary to mitigate external adverse impacts. If the commission determines that these impacts cannot be satisfactorily overcome, the permit shall be denied.*

SITE FEATURES AND ZONING



SURROUNDING ZONING AND LAND USES	
North (RR)	Glacier Hwy. & Goldbelt Inc.
South (RR)	Bridget Cove Creek
East (RR)	Cowee Creek
West (RR)	Glacier Highway

SITE FEATURES (ORV Riding Park)	
Anadromous	No (Yes within parcel)
Flood Zone	No
Hazard	No
Hillside	Yes
Wetlands	Yes
Parking District	No
Historic District	No
Overlay Districts	No

BACKGROUND INFORMATION

Project Description –

The CBJ Parks and Recreation Department (P&R) has been working with various community off-road vehicle (ORV) groups to understand interest in ORV riding opportunities. Over the past 20 years, riding areas have been redeveloped or regulations have changed to prohibit motorized use and there are few areas left to legally recreate in Juneau. CBJ has evaluated various sites for motorized use since the early 2000's and for various reasons, riding sites have not been established.

P&R is partnering with the Juneau Off-Road Association (JORA) to develop an ORV Riding Park on CBJ-owned land. The riding park will extend from Glacier Highway after Mile 35 north and east to the ridgeline that separates the proposed development area from Cowee Creek. The riding park will encompass approximately 565 acres, but much of the area is steep slopes that cannot be developed as riding trails.

Phase 1 of the riding park will consist of 5 miles of trails through approximately 175 acres of the site, and will include a gated entrance, parking area, picnic area, caretaker facility on an existing upland fill pad, looped riding trails, a mud bog, and cross country riding. This initial phase will likely take multiple years to build. Although

wetlands will be avoided when possible, Phase 1 will require a wetlands permit from the U.S. Army Corps of Engineers. Subsequent phases will be mapped and planned in the field and then wetland fill permits will be applied for as needed.

Management Partnership –

On April 11, 2022, the CBJ Lands, Housing, and Economic Development Committee (LHEDC) met to discuss the proposed development and unanimously passed a motion of support for CBJ to work with JORA on developing the project and applying for permits.

P&R and JORA will partner under either a Memorandum of Understanding (MOU), a Memorandum of Agreement (MOA), a lease, or a franchise agreement to develop, operate, manage and maintain the ORV riding park. Discussions are ongoing between P&R and JORA on the appropriate mechanism for the partnership. The applicants have provided a draft MOA for the purpose of helping the Planning Commission understand the intended roles and responsibilities of each entity (Attachment A). A finalized agreement will include appendices for a site map and construction drawings, construction and operation permits, construction requirements, an annual operating plan, and rules of conduct.

If the Commission approves this Conditional Use Permit request, P&R will ask the CBJ Assembly to consider a partnership with JORA to develop and operate the riding park.

Background –

The table below summarizes relevant history for the parcel and proposed development.

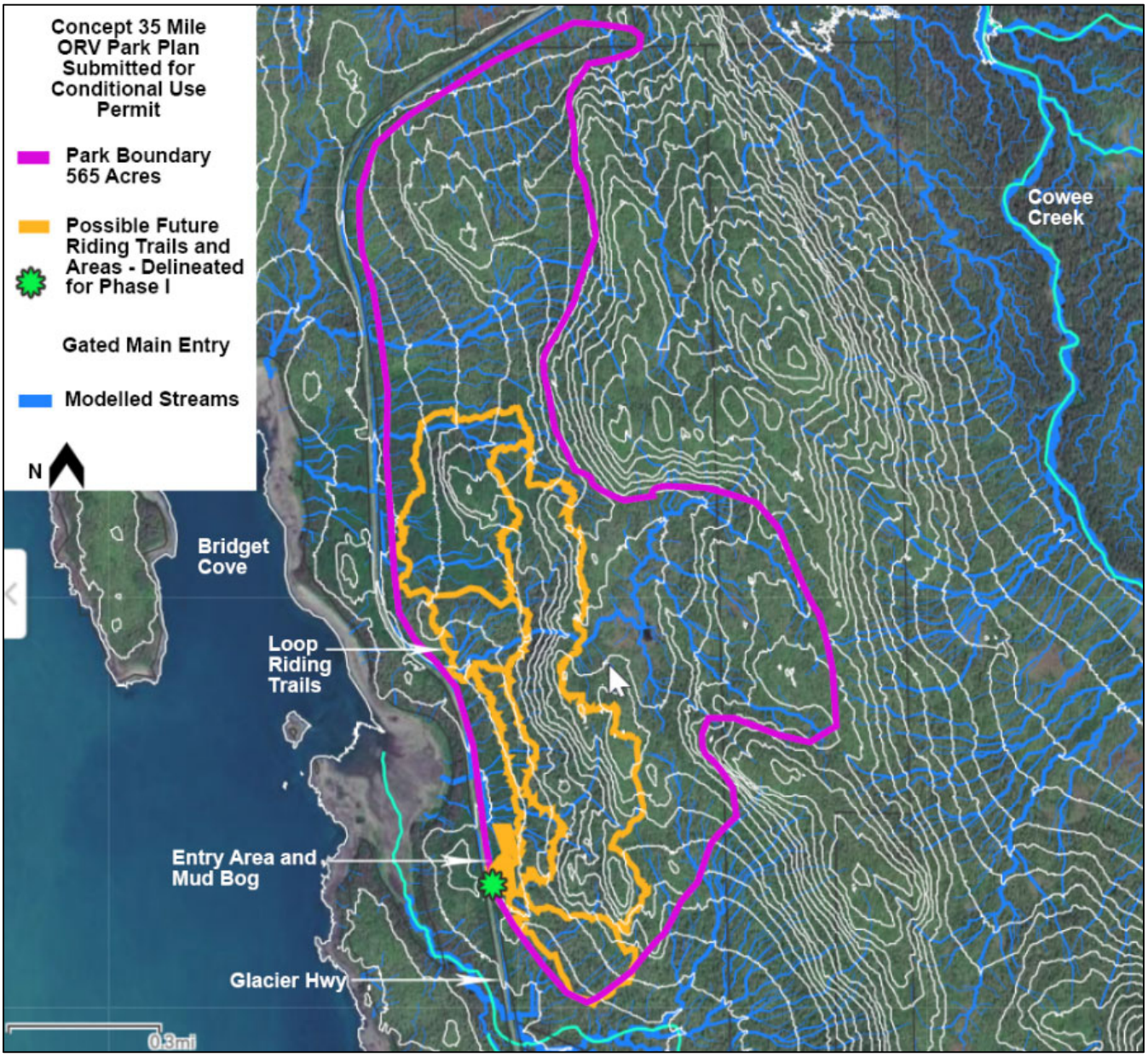
Year	Item	Summary
1985	Ordinance	Serial No. 85-76am preserving certain lands for the Juneau Open Space and Park System classifies five areas within the parcel as follows: • Lynn Canal shoreline – Public Use, Shoreline Access and Recreation • Mab Island – Public Use • Bridget Creek Greenbelt- Public Use (100 feet each side) • Cowee Creek Greenbelt – Public Use (100 feet each side) • Davies Creek Greenbelt – Public Use (100 feet each side) However, the proposed development area is not located within 100 feet of the areas listed above (Attachment B).
1996-2001	Surveys/Plats	Alaska State Cadastral Survey No. 96-13: Plat 2001-49 (amended plat 1999-56) Alaska State Cadastral Survey No. 96-14: Plat 2001-50 (amended plat 1999-57) Alaska State Cadastral Survey No. 96-15: Plat 2001-51 (amended plat 1999-58) (Attachment C).
2003	Patent	State of Alaska Patent No. 18891 to CBJ (Attachment D).
2013	Draft Site Report	National Off-Highway Vehicle Conservation Council's report entitled "Creating a Positive Future for OHV Recreation" (Attachment E).
2021	PRAC Meeting	On March 2, 2021, the CBJ Parks and Recreation Advisory Committee (PRAC) heard an update on the proposed development; no action was taken (Attachment F).

2021	Planning Commission COW	On July 13, 2021, the Planning Commission's Committee of the Whole (COW) heard an update on the proposed development; no action was taken (Attachment G).
2021	Pre-Application Conference	On December 22, 2021, a Pre-Application Conference was held to discuss the project and provide planning guidance prior to submittal of a Conditional Use Permit application (Attachment A).
2022	Public Meeting	On February 9, 2022, P&R and JORA held a public meeting via Zoom to provide information on the riding park and answer questions from the community (Attachment H). Approximately 80 people attended the meeting and received answers to their questions.
2022	PRAC Meeting	On April 5, 2022, the PRAC met to discuss the proposed development and unanimously passed a motion of support for CBJ to work with JORA on developing the project and applying for permits (Attachment I). (*Minutes of the meeting not yet available.*)
2022	Lands Meeting	On April 11, 2022, the CBJ Lands, Housing, and Economic Development Committee (LHEDC) met to discuss the proposed development and unanimously passed a motion of support for CBJ to work with JORA on developing the project and applying for permits (Attachment J).

ZONING REQUIREMENTS

Standard		**Requirement**	**Proposed**	**Existing**	**Code Reference**
Lot	Size	36,000 square feet	No Change	2,974.5 acres	CBJ 49.25.400
	Width	150 feet	No Change	> 150 feet	CBJ 49.25.400
	Depth	N/A	No Change	> 10,000 feet	CBJ 49.25.400
Setbacks	Front	25 feet	~35 feet (parking lot)	N/A	CBJ 49.25.400
	Rear	25 feet	No Change	N/A	CBJ 49.25.400
	Side	15 feet	No Change	N/A	CBJ 49.25.400
	Side	15 feet	No Change	N/A	CBJ 49.25.400
	Street Side	17 feet	No Change	N/A	CBJ 49.25.400
Lot Coverage Maximum		20% (Conditional Use)	< 20%	N/A	CBJ 49.25.400
Vegetative Cover Minimum		N/A	TBD	100%	CBJ 49.50.300
Height	Permissible	45 feet	1-story (Caretaker RV)	N/A	CBJ 49.25.400
	Accessory	45 feet	N/A	N/A	CBJ 49.25.400
Maximum Dwelling Units		2	1 (Caretaker RV)	N/A	CBJ 49.25.500
Use		Public / Recreational	6.240, Off-Hwy Vehicle Parks	N/A	CBJ 49.25.300

SITE PLAN



ANALYSIS

CBJ 49.25.300, USE 6.240 – Automobile, motorcycle racing tracks; off-highway vehicle parks – is listed as a permissible use requiring a Conditional Use Permit from the Planning Commission in the Rural Reserve (RR) Zone.

Project Site – Parcel (~3,000 acres)

The proposed site for the ORV riding park is located on a portion of a CBJ-owned parcel totaling almost 3,000 acres. The parcel is located outside of both the "Mining and Exploration Surface Activities Exclusion District" governed by CBJ 49.65.115 and the "Remote Subdivision Areas" governed by CBJ 49.15.440.

The CBJ 2013 Comprehensive Plan maps this area as a Resource Development (RD) area: *"Land to be managed primarily to identify and conserve natural resources until specific land uses are identified and developed. The area outside the study area of this Comprehensive Plan is considered to be designated Resource Development. As resources are identified or extracted from these lands, they should be re-designated and rezoned appropriately."*

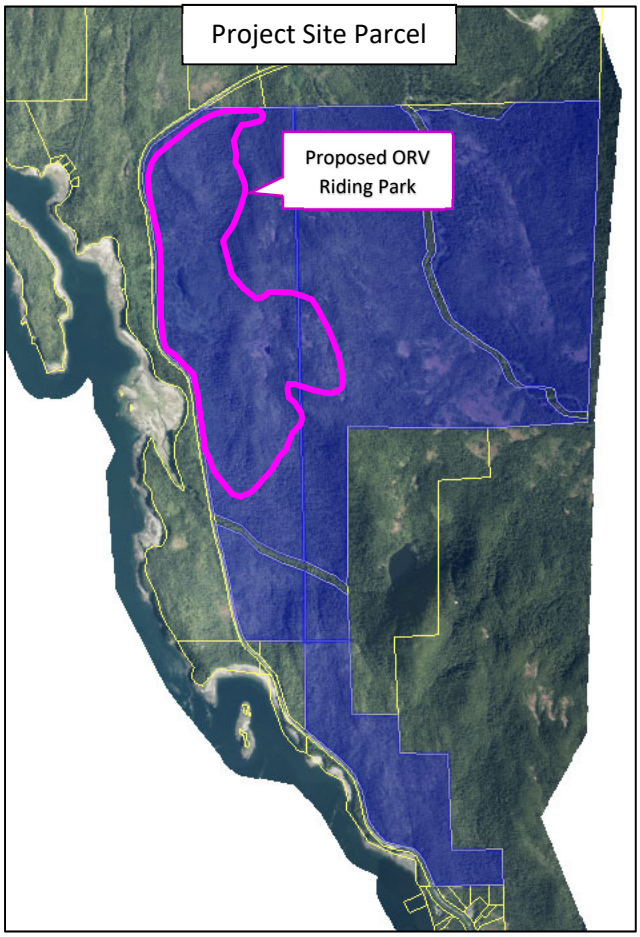
The parcel is an undeveloped, forested site bordered by Glacier Highway and Bridget Cove to the west, Heen Latinee Experimental Forest, Echo Cove, and Goldbelt Inc. lands to the north, Heen Latinee Experimental Forest and State of Alaska lands to the east, and the Yankee Cove residential subdivision to the south.

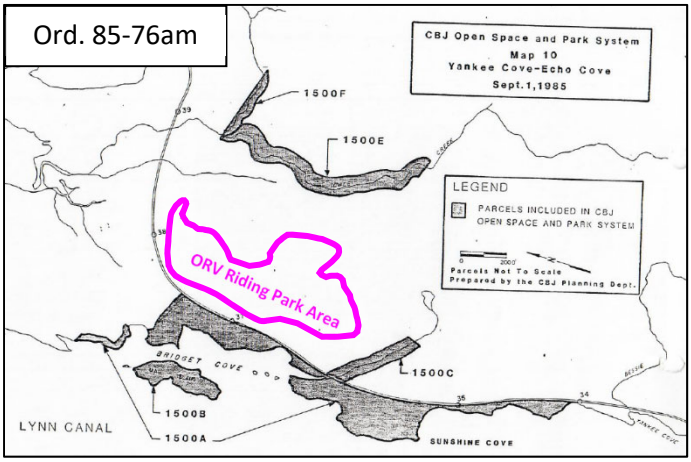
In 1985, the parcel was included in Ordinance 85-76am, which preserved certain municipal lands for the Juneau Open Space and Park System and classified five areas within the parcel for shoreline and greenbelt public use. The proposed ORV riding park site is not within any of the areas listed in the Ordinance (see Attachment B and map below).

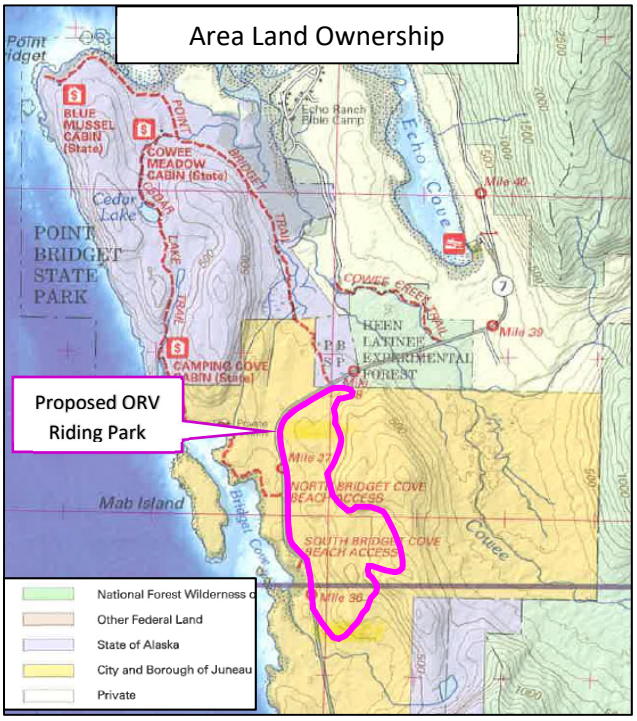
In 1996, three Alaska State Cadastral Surveys (ASCS) covering different sections of the parcel were created; the surveys were later recorded in 1999 and amended in 2001 (Attachment C).

In 2003, the parcel was patented to CBJ by the State of Alaska (Attachment D). The proposed ORV riding park site does not include easements listed in the patent.

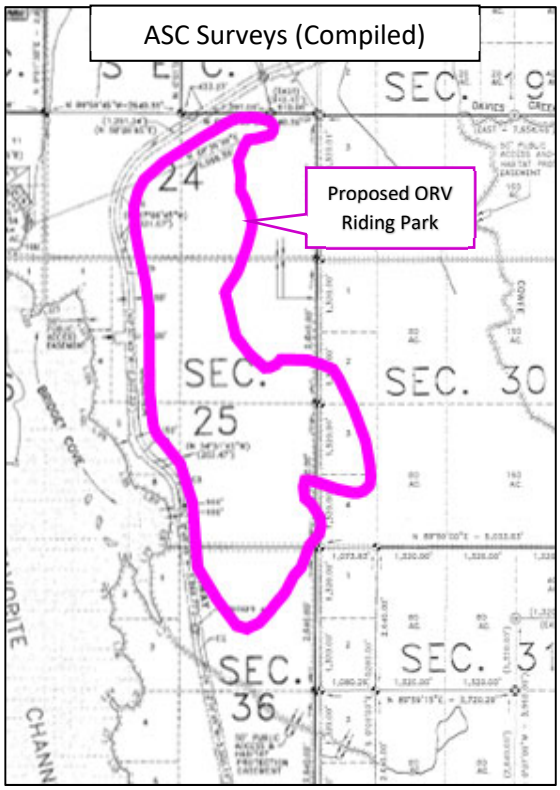
Topography of the parcel ranges from relatively flat and gently sloped to steeply sloped, with streams and wetlands throughout. Wetlands vegetation includes spruce, alder, and hemlock trees as well as muskeg.







Project Site – Proposed ORV Riding Park (~565 acres)



The riding park will encompass approximately 565 acres, but much of the area includes steep slopes that cannot be developed as riding trails.

The riding park perimeter is bordered by Glacier Highway to the west and north, Goldbelt Inc. land to the north, a ridgeline separating it from Cowee Creek at approximately 3,000 feet to the east, and Bridget Cove Creek at approximately 500 feet to the south.

Portions of the site were logged in the 1950's and 1960's, and were used as staging areas for the construction of Glacier Highway. The proposed entry area and parking lot is located on one of these sites.

In 2013, CBJ hired a consultant team led by USKH, Inc. and including the National Off-Highway Vehicle Conservation Council (NOHVCC) to evaluate the site for use as a riding park. A draft report of the site identified approximately 530 acres suitable for riding based upon an environmental analysis from mapping and field work; noted significant public interest in a riding park; described visits to other potential riding park sites in Juneau; and discussed impacts from unmanaged and unpermitted ORV use at nearby Echo Cove and the private Goldbelt, Inc. quarry (Attachment E). One of the recommendations from the report included the following:

> *"Utilize the proposed 35-Mile site for parking and develop as many trails with varied experiences and difficulty levels as possible. This will require a significant investment of time, resources, and funding."*

Project Design –

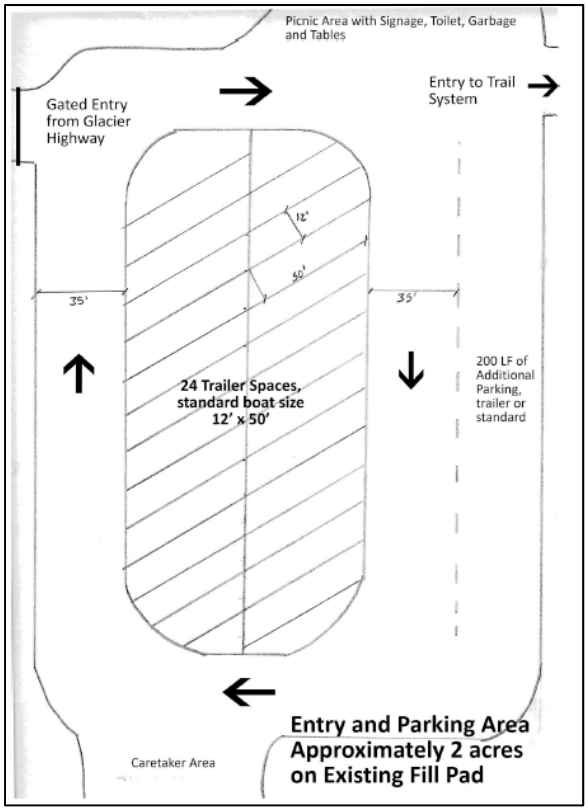
As previously discussed, Phase 1 of the riding park will consist of 5 miles of trails through approximately 175 acres of the site, and will include a gated entrance, parking area, picnic area, caretaker facility on an existing upland fill pad, looped riding trails, a mud bog, and cross country riding. The applicants have included detailed information on each of these features which can be found on pages 8-14 of the application narrative (Attachment A). Elements of the site design not discussed in later sections of this report include the following:

- Entry Area:
  The entry area will include a locked gate and other perimeter security to effectively close the facility. The riding park will be open during the spring, summer and fall seasons. There is no exterior lighting proposed for the riding park, and the facility will be closed when it is dark.

  The toilet facility will be a vault toilet approximately 5' x 5' with a toilet and below ground vault manufactured for carrying waste. The vault will be pumped regularly by a local septic pumping service. If funding is delayed for the toilet construction, a portable sanitary unit will be onsite and serviced regularly. The vault toilet installation is regulated by the Alaska Department of Environmental Conservation (ADEC) under 18 AAC 72. No submittal or review is required for portable sanitary units.

A caretaker RV will be located near the entry area with a shower or bathtub, toilet and kitchen sink. It will have a potable water tank and septic tank that can be pumped at the same time that the vault toilet or portable sanitary units are serviced. A small residential sized generator will be allowed to provide electricity to the RV as there is no power to the site.

The caretaker will open and close the entry gate each day during the open season, pick up trash and maintain the entry area, provide information to users, and contact emergency personnel as needed based on the type of issue that arises. Trash cans and a dumpster shall be located onsite and emptied regularly.



- Perimeter Control:
  The riding park is bounded to the west by Glacier Highway and to the east by two ridgelines: a lower ridgeline that for much of the northern section is a rock cliff, and an upper ridgeline. Designing the site with cliffs, rocks, steep slopes, logs, and other natural barriers will be done to create natural boundary markers. When this is not possible, signage and other features such as log barriers and fencing will be constructed to designate the edges of the riding park, similar to how Eaglecrest Ski Area establishes park boundaries, for riders to stay within allowed riding areas.

  Riding outside of approved areas will result in a loss of riding privileges.

  Signs are regulated under CBJ §49.45, and a permit is required for most signs.

- Trails:
  The NOHVCC and the U.S. Forest Service (USFS) both have guidance documents for trail construction that provide extensive planning standards, design details, and drainage/storm water guidelines for an ORV riding park and trail development. These standards will be applied to site design and layout and trail section design. Both documents can be found in their entirety here:

  - National Off-Highway Vehicle Conservation Council's, "Great Trails: Providing Quality OHV Trails and Experiences" (2015): https://nohvcc.org/education/manager-education/great-trails-guidebook/

  - U.S. Department of Agriculture's, "Designing Sustainable Off-Highway Vehicle Trails: An Alaska Trail Manager's Perspective" (2013): https://www.fs.usda.gov/t-d/pubs/pdfpubs/pdf11232804/pdf11232804dpi100.pdf

Trails will be designed for specific experience level from beginner to intermediate and moderate and will have purpose built entry structures that will filter the type of vehicle that can ride on the trail and signal to riders whether or not they can successfully ride the trail. Loop trails will be designed with connectors between the loops.

- Mud Bog:
  A mud bog feature is included in the plan. This is a built feature that allows a rider to cross through a wet area on their machine. The wet area is constructed to contain runoff, similar to a detention pond that holds water and has a hardened rock bottom.

- Cross Country Area:
  This feature is proposed within the northern most loop trail so that the trail will become the perimeter boundary for cross country riding. Within this area users could ride freely and no additional trails will need to be developed. The perimeter will also be delineated by topography and signage.

Conditions:

1. A finalized management agreement between CBJ Parks & Recreation Department and the Juneau Off-Road Association shall be required prior to commencement of development. A copy of said agreement shall be provided to the Community Development Department (CDD) for inclusion in the file. If the agreement is modified at any time, a copy of the modified agreement shall be provided to CDD by the applicants no later than seven days after the agreement is modified, or the Use permit shall be suspended until such time as the agreement is provided to the CDD. CDD shall review the modified agreement and make a determination if a Modification Conditional Use Permit is required. If a Modification Conditional Use Permit is required, the Use shall not commence operation under the modified agreement until the modified Use permit is approved.
2. Use of the ORV riding park shall be permitted only during daylight hours.
3. Riding park site entry shall be secured when outside allowed hours.
4. Any food or beverages stored on site shall be contained in bear-proof containers or structures, and exterior bear-resistant public litter cans that meet the Interagency Grizzly Bear Committee Certification standards shall be provided.
5. The vault toilet and caretaker RV shall meet all Alaska Department of Environmental Conservation (ADEC) permitting requirements prior to commencement of use.
6. The applicants shall contact and apply for permits with CDD prior to installing signage.

Access / Traffic –

Access to the riding park will be at a gated entry area off of Glacier Highway, which is classified as a minor arterial in this location. In addition to the main entrance, there may be a small maintenance and emergency access road to the north in a future phase that would have a locked gate. This secondary access would not be used by the public, and would be used to provide easier and quicker access to the northern parts of the riding park in case of emergency or maintenance needs. Both access points from Glacier Highway will require an Alaska Department of Transportation and Public Facilities (DOT&PF) Right-of-Way (ROW) permit.

The Institute of Transportation Engineer's Trip Generation Manual, 9th Edition does not have a comparable type of recreational land use category for estimating traffic impacts. However, DOT&PF has not indicated the need for a Traffic Impact Analysis at this time.

Condition:

7. Right-of-way permits off of Glacier Highway shall meet all DOT&PF permitting requirements prior to commencement of use.

Vehicle Parking & Circulation –

Proposed parking area.

The proposed parking lot will be constructed on an existing fill pad that is approximately two acres in size. The pad was likely a staging area for the construction of Glacier Highway. The parking area is sufficient for 24 trailer spots sized to CBJ Docks and Harbor's standards for boat trailer spots at 12' x 50'. Space is available for another 200 linear feet for trucks and smaller trailers. Users may arrive to the site with trailers or with ORV's in the back of their trucks. Others, such as Jeep owners, will use their vehicle (Jeep) in the riding park.

CBJ 49.40.210 does not have a parking category similar enough to an ORV riding park to establish a parking requirement. However, on page 8 of the application narrative, the applicants have provided a detailed discussion and justification for the proposed number and dimensions of off-street parking spaces (similar to the documentation required to support a parking waiver [CBJ 49.40.220(a)(2)]). For comparison:

- In the summer of 2022, CBJ Docks and Harbors staff counted 4 wheeler trailers at Echo Cove (where riding is illegal in most places). On average they counted between 1-3 trailers for four wheelers on most days, with the highest day of 5 trailers on the Sunday of Memorial Day weekend. However, it is likely that a legal and intentionally designed ORV riding park will need more than five parking spots for trailers.
- NOHVCC: Recommends designing the parking area to minimize the need for backing out and providing room for maneuvering and unloading gear. Pull-through parking is preferred, with separate ingress and egress points. This type of parking lot has flow, safety, and space efficiency.
- Alaska Department of Natural Resources: The standard parking space for a truck with a trailer is 12' x 55'. This can be adjusted if there are special circumstances such as tight turns, angled parking or narrow through-lanes. The number of spaces is usually based on data from field staff, with new facilities requiring input from advisory boards and user groups.
- U.S. Forest Service: If the parking area is paved, the spaces are 9' x 22' for angled or straight-in parking spaces, if parallel 9' x 25'. If the parking area is not striped, they plan for 10' x 25'. In addition, they may make spaces larger if snow accommodation is required or larger vehicles are using parking.

Per CBJ 49.40.210(b), a parking lot with more than 25 parking spaces must provide a minimum of two (2) accessible parking spaces.

Conditions:

8. The parking lot surface shall conform to ADA requirements and the entrance facility must be designed by a State of Alaska licensed Engineer.
9. Grading plans shall be submitted with an application for a permit, if required.
10. Wheel stops shall be placed in the parking lot to define the location of parking spaces prior to commencement of use.
11. CBJ-approved signage shall be posted for a minimum of two (2) accessible parking spaces prior to commencement of the proposed use.

Non-motorized Transportation –

Glacier Highway does not have sidewalk, curb, or gutter for the length of the riding park's western boundary. A gravel shoulder borders the roadway on both sides.

Condition: None.

Proximity to Transit –

Capital Transit does not offer services past the Auke Bay area.

Condition: None.

Noise –

Although Title 49 does not include specific noise standards for ORV riding park operations, the following sections of municipal code may be helpful in understanding acceptable noise levels:

- CBJ 42.20.095, "*Disturbing the Peace",* regulates the time, place, and manner of unreasonable noise and is typically enforced by the CBJ Police Department (Attachment K).
- CBJ 49.15.330(g)(11) governs Conditional Use Permits: "*Sound. Conditions may be imposed to discourage production of more than 65 dBa at the property line during the day or 55 dBa at night."*
- CBJ 72.04.215 governs noise prevention of motor vehicle mufflers: *"A motor vehicle must be equipped, maintained and operated so as to prevent excessive or unusual noise and the escape of fumes into the vehicle. A motor vehicle must be equipped with a muffler or other effective noise-suppressing system in good working order and in constant operation. No person may use a muffler cutout, bypass or similar device, or modify the exhaust system of a motor vehicle in a manner which amplifies or increases the noise emitted by the engine of the vehicle above that emitted by the muffler originally installed on the vehicle for use on the highway or a vehicular way or area. A person may not alter an exhaust particle emission system built into a motor vehicle to decrease its effectiveness."*
- 04 CBJAC 050.020 governs commercial and industrial standards: *"The noise emanating from premises used for industrial activities shall be muffled so as to not become objectionable due to rhythm, intensity, pitch, or timbre, and where a use adjoins a residential district, the volume measured at the boundary line shall not exceed 55 dba's between the hours of 11:30 p.m. and 6:00 a.m., and 70 dba's at other hours."*

The applicants have included detailed information regarding a noise study that they performed on site in September 2022 and which is described on pages 17-21 of the application narrative (Attachment A). Highlights from this study include the following:

- The methodology used for the noise study was based on industry standard testing procedures published in the U.S. Department of Agriculture/U.S. Forest Service document entitled, *"Off-Road Vehicle (ORV) Sound-Level Regulations and Their Enforcement"* by Robin T. Harrison, 1981. The full document can be found here: https://www.fs.usda.gov/t-d/pubs/pdfimage/81231204.pdf.
- The U.S. Forest Service uses also uses a compilation of studies entitled, *"Basic Acoustics for OHV Noise Control"* by Robin T. Harrison as a reference for developing riding parks. This report suggests that motorcycles equipped with manufacturer mufflers acoustically "vanish" at 0.27 miles from the source of noise, or 11,761 feet. The full report can be found here: https://www.fs.usda.gov/t-d/programs/im/sound_measure/Basic_Acoustics_Report.pdf
- The Yankee Cove residential subdivision is approximately 11,000 feet from the proposed southern perimeter of the riding park.
- The sound test was performed by 4 members of JORA, with three P&R staff present to audit and monitor the testing.
- Three sites were located throughout the riding park for sound generation, and four sound recording sites were established. The sound recording sites were chosen because they are the main access trails and parking areas to Bridget Cove where people will be outside of vehicles near the riding park and could be impacted by noise.
- It was not raining during the sound study.
- **Findings from the sound test show that for all locations, sound generated from off-highway vehicles or chainsaws did not increase sound readings at the recording sites above ambient levels.**
- The standard noise limit for ORV's throughout much of the United States, including the California State Parks System and Colorado, is 96 dBA.

Noise Study Sites.

Proposed rules for the riding park include specifics for mufflers, noise levels, spark arrestors, and stock exhaust systems. Any vehicles with after-market systems will require testing prior to being allowed to ride in the park. Noise management will be approached through testing, outreach and enforcement.

Conditions:

12. The sound volume measured at the riding park perimeter line shall not exceed 65 dBA at the property line during the day or 55 dBA at the property line at night.
13. All ORV's must be equipped with functioning brakes and muffler, with noise limit not to exceed 96dBA. Motorcycles and all-terrain vehicles must be equipped with a spark arrestor.
14. All ORV's must have a stock exhaust system; after-market systems will require testing and proof that they can meet the noise requirement.
15. If any ORV's on site are found to be excessively noisy, the applicants will require testing and proof that they meet the noise threshold.

Lighting –

There is no exterior lighting proposed for the riding park, and the facility will be closed when it is dark. There may be an exterior light on the caretaker RV, and this will be residential quality only.

Condition: None.

Vegetative Cover & Landscaping –

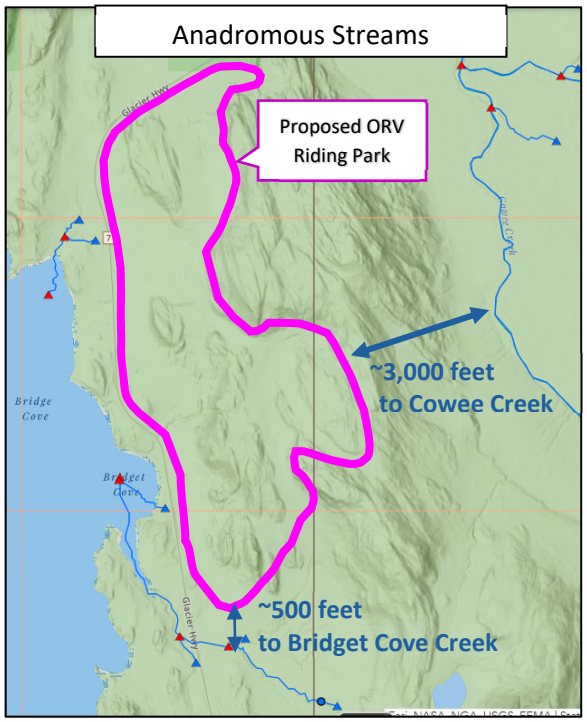
The Rural Reserve (RR) Zone does not have minimum vegetative cover requirements. However, as noted in the application's draft MOA, live tree cutting will be avoided when possible. Only trees within designated trails or facilities on the plan will be cut, and trees greater than 8" diameter at breast height (dbh) will require approval from P&R prior to cutting.

Conditions:

16. Areas surrounding constructed features and facilities disturbed by construction shall be revegetated using native vegetation and native vegetation mats prior to use of the constructed feature or facility.
17. Soils, slopes, and vegetation beyond the riding park boundary shown in the project plans shall not be disturbed.
18. Trees shall be retained to the greatest extent practical and the general public and park users will not cut any trees.

Habitat – Anadromous Streams

Cowee Creek is approximately 3,000 feet to the east of the riding park perimeter, and Bridget Cove Creek is approximately 500 feet to the south of the riding park perimeter. Both creeks are listed as Stream Protection Corridors (SC) according to the 2013 Comprehensive Plan, and both are anadromous water bodies according to the Alaska Department of Fish and Game (ADF&G) inventory of anadromous fish streams.



On CBJ-owned lands, an SC designation protects anadromous fish streams and their tributaries from development that could cause pollution, erosion, depletion of groundwater infiltration, or degradation of the stream corridor and its biological functions. A 200-foot wide corridor on both sides of the bank is initially included within the designated corridor. Motorized trail development will not be allowed in the corridor.

In 2021, P&R contacted ADF&G for current anadromous fish data on the riding park site. ADF&G did a field assessment to update their mapping and issued a memorandum dated February 7, 2022, which found that there is, "no fish habitat upstream of Glacier Highway" on the site (Attachment L). There is some fish habitat below the highway, outside of the project area. Perched culverts and high gradient likely contribute to the lack of fish habitat within the riding park site.

On December 22, 2022, ADF&G issued another memorandum in response to this Conditional Use Permit application. The memorandum states, "The site is less than a ½ mile from Cowee Creek (an anadromous fish stream) and even closer to some areas where "resident fish" are identified on the map on page 6 [of the application]." (Attachment M)

Since no anadromous streams have been identified within the riding park site, a Fish Habitat Permit from the ADF&G Division of Habitat is not required at this time.

Conditions:

19. Motorized trail development shall not be allowed within a minimum of the 200-foot wide stream protection corridors along Cowee Creek and Bridget Cove Creek.
20. Hardened stream crossings and managing erosion and sedimentation in the project area shall be required. Similarly, redirecting drainages will be avoided to ensure stream channels with fish habitat are not dewatered downstream.

Habitat – Wetlands

The 2016 City and Borough of Juneau Wetlands Management Plan (JWMP) identifies mapped wetlands within the riding park site that are under the jurisdiction of the U.S Army Corps of Engineers (USACE). As part of the initial research for developing the riding park, P&R and JORA attended a pre-application meeting with the USACE to understand regulatory issues for wetlands and the permitting process. In 2022, additional wetlands delineation work was performed in conjunction with an USACE application for the riding park. For Phase 1, potential trails, the parking area, and other site features have been mapped in the field with GPS tracks. The USACE may require a permit for development and fill in designated wetlands.

Condition: None.

Drainage and Snow Storage –

The draft MOA/MOU will include a requirement for JORA to ensure that required drainage, storm water and stabilization improvements related to specific features and facilities of the riding park are completed and functioning prior to public use. This will include maintaining and repairing stream crossings and storm water management structures to prevent sedimentation downstream. Specifically:

- Trails will be developed with drainage and storm water standards outlined in the OHVCC and USFS guidance documents previously mentioned. Trail construction will depend on the soil type, topography, presence of wetlands and intended use level of the trail. Stream crossings will be hardened with culverts and stabilizing rock or an elevated boardwalk section. Softer soil areas or steeper areas that could be susceptible to erosion will have a rock base;
- The mud bog will be constructed to contain runoff, similar to a detention pond that holds water and has a hardened rock bottom. The outlet will be hardened and have storm water treatment; and
- The cross country riding area drainages will have storm water treatment at the downstream ends to treat any sediment coming from this area. This could include retention areas, check dams, and filter strips.

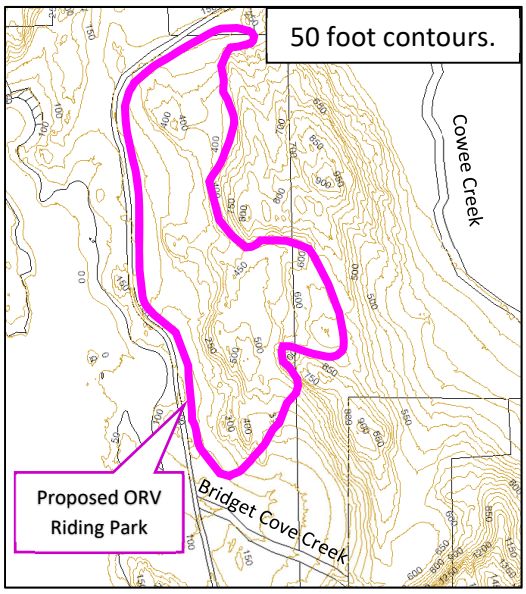
The riding park has ample space off of the proposed parking area for snow storage.

Conditions:

21. The applicants shall ensure that all drainage, storm water, and stabilization improvements related to specific features and facilities are completed and functioning prior to public use of the features and facilities.
22. The applicants shall minimize disturbance to the natural course of streams and drainage ways. Where disturbance is unavoidable, the applicants will protect adjacent areas from contamination from storm water runoff and provide a drainage system or structures that will minimize the possibility of sedimentation and soil erosion on-site and downstream and maintain or enhance the general stream characteristics of the stream and its receiving waters.
23. The applicants shall submit plans showing how these drainage conditions will be met for review and approval by the CBJ General Engineering Division.

Hazard Zones –

The riding park site is not within a mapped flood, mass wasting, or avalanche area. Using 2013 LIDAR contour data, slopes within the riding park vary considerably. No structures are planned for the riding park at this time.



Condition: None.

Public Health, Safety, and Welfare –

The southern perimeter of the riding park is approximately 11,000 feet from the nearest residential neighborhood (Yankee Cove). No information has been reviewed that suggests the proposal will materially endanger the public health, safety, or welfare.

Condition:

24. The applicants shall install and maintain perimeter site controls to prohibit riding outside of the riding park.

Property Value or Neighborhood Harmony –

No information has been reviewed that suggests the proposal will decrease property values. At the date of this report, staff had not received any public comments regarding this Conditional Use Permit application.

Condition: None.

AGENCY REVIEW

CDD conducted an agency review comment period between December 8, 2022 and December 28, 2022. Below is a summary of agency comments that were received for the proposed development. Complete Agency comments can be found in Attachment M.

Agency	Summary of Comments
CBJ CCFR	"CCFR would like to have a designated helicopter landing zone if possible due to long travel distance to this site and to the hospital and helicopter may be the best way to transport someone injured. Again, if possible and practical, not required. We anticipate increased calls to this area due to the nature of use and potential for injuries minor or significant."
CBJ Building Dept.	No comments provided.
CBJ General Engineering	"Parking lot surface should conform to general ADA requirements and entrance facility should be designed by a licensed Civil Engineer. Plans should be submitted with an application for a grading permit, if required under the CUP. It appears that no utility permits are necessary."
CBJ Police Dept.	"I spoke with all my Lieutenants and Public Safety Manager. There are no concerns about this project from JPD's perspective."
CBJ Lands & Resources Dept.	No comments provided.
AK Dept. of Environmental Conservation	"This looks great as it covers the requirements for plan review and approval from the Department per 18 AAC 72 in regards to vault privy installations and the disposal of the wastewater generated on the RV into the onboard wastewater holding tank to an approved facility."
AK Dept. of Transportation & Public Facilities	"All access from Glacier Highway is subject to review and permitting by DOT&PF ROW. Any permanent fixtures, such as fences, gates and signage to be erected within ROW are subject to review and permitting, if permissible, as an encroachment. Encroachments are subject to economic rent. Permits for such development as that proposed may be subject to strict stipulations to ensure that unauthorized motorized vehicles are not operated within DOT ROW. Any construction or development to be conducted from within ROW is subject to a Lane Closure Permit and approved traffic safety plans."
AK Dept. of Fish & Game	<u>Anadromous Streams</u> "No anadromous streams have been identified in the area so a Fish Habitat Permit from the ADF&G Division of Habitat is not required. However, streams in this area have the potential to be nominated to the catalog. If fish are observed in the steams, please contact the Division of Habitat in the Douglas office at 907-465-4105 or dfg.hab.infodou@alaska.gov." "The site is less than a ½ mile from Cowee Creek (an anadromous fish stream) and even closer to some areas where 'resident fish' are identified on the map on page 6 [of the application]." <u>Bears</u> "The Cowee Creek and the surrounding area is habitat used by brown bears, black bears, deer, and occasionally moose, etc. Noise from ORVs has the

Agency	Summary of Comments
	potential to displace feeding bears (and other wildlife) and operators may encounter bears while riding or utilizing the entrance, picnic area, etc. We are pleased to see that there is a plan to pick up trash and keep the area clean and have trash emptied 'frequently'. We note that the picnic area, trash cans, and dumpster have high potential to attract bears and unintentionally providing food rewards to bears which could lead to food conditioning and bear-human conflicts. It is essential that the facilities include bear resistant trash cans and that the dumpsters be secured from bears…This could be accomplished by storing any attractants within a properly installed electric fence or other secure container such as those that meet the Interagency Grizzly Bear Committee Certification standards." Note: In 2021, P&R contacted ADF&G for current anadromous fish data on the site. They did a field assessment to update their mapping and issued a memorandum dated February 7, 2022, which found that there is, "No fish habitat upstream of Glacier Highway" on the site (Attachment L). <u>Habitat</u> "Cutting down trees and building trails will permanently remove some habitat that might be used by bears, deer, and other wildlife. Since, a portion of the area has been logged (i.e., already subject to some habitat degradation). Some of the area to be utilized falls within previously degraded habitat. We encourage JORA and CBJ to utilize previously harvested areas as much as possible when developing trails for ORV use." <u>Hunting</u> "The area considered in this proposal is currently open to hunting. We do not see any suggestion of controlling hunting in this proposal and so we suggest that developers consider that folks might be hunting in the area when they are developing this recreational area."
AK Dept. of Natural Resources	No comments provided.
U.S. Army Corps of Engineers	No comments provided.
U.S. Fish & Wildlife Service	No comments provided.
U.S. Forest Service	"Considering the description and maps depict the planned riding sites for the park well away from the USFS boundary, we do not have any official comments on the proposal."

PUBLIC COMMENTS

CDD conducted a public comment period between December 8, 2022 and January 2, 2023. Due to the riding park's location and size, public notice was mailed to property owners within 11,000 feet of the entire 3,000 acre parcel

(Attachment N). Using this increased radius, 18 individual parcel ids were identified, including three owned by CBJ.

A public notice sign was posted near the riding park entry area, and another public notice sign was posted near the southern end of the riding park parcel near Yankee Cove, two weeks prior to the scheduled hearing (Attachment O). Over 200 public comments were received after the deadline for review to be included in the staff report. See Additional Materials packet.

CONFORMITY WITH ADOPTED PLANS

The proposed development is in general conformity with the 2013 Comprehensive Plan and the 2019 Parks and Recreation Master Plan.

PLAN	Chapter	Page No.	Item	Summary
2013 Comprehensive Plan	9	126	Implementing Action 9.1-IA12	"Seek location and construction for an ATV/snowmobile course with a programmed riding course as well as trails."
	11	147	Land Use Designation	Complies with the Resource Development (RD) land use designation for the lot.
	17	225	Community Development Narrative	"Joint public/private partnerships may facilitate new desired community facilities such as a downtown Juneau performing arts center and an ATV/snowmobile course."
2019 Parks and Recreation Master Plan	5	62	Trails - Recommendations	• Facilitate development of viable opportunities for ORV recreation. • Encourage the ORV community to organize and set priorities for ORV development.
	6	76	Community Trends – Barriers to Participation in Recreation Activities	"One-third of Juneau adults do not participate in the recreation activities they would like to, and one-quarter from households with children report youth who do not participate in activities but would like to. Desired activities for adults include hiking (5 percent), off-road vehicle use (5%), downhill skiing (4%), and swimming (4%)."
	7	97	Needs Assessment – 7.7.1 Park System Gaps	"Off-road vehicles (ORVs): Locating an area for ORV use in Juneau is a perennial challenge. Parks & Rec continues to work with and support the ORV community to attempt to identify a suitable site for this use and facilitate development of viable opportunities for ORV recreation."

FINDINGS

Conditional Use Permit Criteria – Per CBJ 49.15.330(e) & (f), Review of Director's & Commission's Determinations, the Director makes the following findings on the proposed development:

1. ***Is the application for the requested Conditional Use Permit complete?***

   Analysis: No further analysis needed.

   Finding: Yes. The application contains the information necessary to conduct full review of the proposed operations. The application submittal by the applicants, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.

2. ***Is the proposed use appropriate according to the Table of Permissible Uses?***

   Analysis: The application is for an ORV park. The use is listed at CBJ 49.25.300, Section 6.240 for the Rural Reserve (RR) zoning district.

   Finding: Yes. The requested permit is appropriate according to the Table of Permissible Uses.

3. ***Will the proposed development comply with the other requirements of this chapter?***

   Analysis: No additional analysis required.

   Finding: Yes. With the recommended conditions, the ORV park will comply with Title 49, including project design, access, traffic, parking, noise, vegetative cover, anadromous streams, drainage, and snow storage.

4. ***Will the proposed development materially endanger the public health, safety, or welfare?***

   Analysis: No additional analysis required.

   Finding: No. There is no evidence to suggest that with appropriate conditions, the requested ORV park, in a Rural Reserve (RR) zoning district, will materially endanger the public health or safety.

5. ***Will the proposed development substantially decrease the value of or be out of harmony with property in the neighboring area?***

   Analysis: No additional analysis required.

   Finding: No. There is no evidence to suggest that with appropriate conditions, the requested ORV park, in a Rural Reserve (RR) zoning district, will substantially decrease the value or be out of harmony with the property in the neighboring area.

6. ***Will the proposed development be in general conformity with the Land Use Plan, Thoroughfare Plan, or other officially adopted plans?***

   Analysis: No additional analysis required.

   Finding: Yes. The proposed ORV park, with the recommended conditions, will be in general conformity with the 2013 Comprehensive Plan and the 2019 Parks and Recreation Master Plan.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit. The permit would allow the development of an Off-Road Vehicle (ORV) Riding Park at 35- Mile in a Rural Reserve (RR) Zone.

Until the appropriate mechanism for a partnership to develop, operate, manage and maintain the ORV riding park is finalized, approval is subject to the following conditions placed upon the CBJ Parks and Recreation Department:

1. A finalized management agreement between CBJ Parks & Recreation Department and the Juneau Off-Road Association shall be required prior to commencement of development. A copy of said agreement shall be provided to the Community Development Department (CDD) for inclusion in the file. If the agreement is modified at any time, a copy of the modified agreement shall be provided to CDD by the applicants no later than seven days after the agreement is modified, or the Use permit shall be suspended until such time as the agreement is provided to the CDD. CDD shall review the modified agreement and make a determination if a Modification Conditional Use Permit is required. If a Modification Conditional Use Permit is required, the Use shall not commence operation under the modified agreement until the modified Use permit is approved.
2. Use of the ORV riding park shall be permitted only during daylight hours.
3. Riding park site entry shall be secured when outside allowed hours.
4. Any food or beverages stored on site shall be contained in bear-proof containers or structures, and exterior bear-resistant public litter cans that meet the Interagency Grizzly Bear Committee Certification standards shall be provided.
5. The vault toilet and caretaker RV shall meet all Alaska Department of Environmental Conservation (ADEC) permitting requirements prior to commencement of use.
6. The applicants shall contact and apply for permits with CDD prior to installing signage.
7. Right-of-way permits off of Glacier Highway shall meet all DOT&PF permitting requirements prior to commencement of use.
8. The parking lot surface shall conform to ADA requirements and the entrance facility must be designed by a State of Alaska licensed Engineer.
9. Grading plans shall be submitted with an application for a permit, if required.
10. Wheel stops shall be placed in the parking lot to define the location of parking spaces prior to commencement of use.
11. CBJ-approved signage shall be posted for a minimum of two (2) accessible parking spaces prior to commencement of the proposed use.
12. The sound volume measured at the riding park perimeter line shall not exceed 65 dBA at the property line during the day or 55 dBA at the property line at night.
13. All ORV’s must be equipped with functioning brakes and muffler, with noise limit not to exceed 96dBA. Motorcycles and all-terrain vehicles must be equipped with a spark arrestor.
14. All ORV’s must have a stock exhaust system; after-market systems will require testing and proof that they can meet the noise requirement.
15. If any ORV’s on site are found to be excessively noisy, the applicants will require testing and proof that they meet the noise threshold.
16. Areas surrounding constructed features and facilities disturbed by construction shall be revegetated using native vegetation and native vegetation mats prior to use of the constructed feature or facility.
17. Soils, slopes, and vegetation beyond the riding park boundary shown in the project plans shall not be disturbed.

18. Trees shall be retained to the greatest extent practical and the general public and park users will not cut any trees.
19. Motorized trail development shall not be allowed within a minimum of the 200-foot wide stream protection corridors along Cowee Creek and Bridget Cove Creek.
20. Hardened stream crossings and managing erosion and sedimentation in the project area shall be required. Similarly, redirecting drainages will be avoided to ensure stream channels with fish habitat are not dewatered downstream.
21. The applicants shall ensure that all drainage, storm water, and stabilization improvements related to specific features and facilities are completed and functioning prior to public use of the features and facilities.
22. The applicants shall minimize disturbance to the natural course of streams and drainage ways. Where disturbance is unavoidable, the applicants will protect adjacent areas from contamination from storm water runoff and provide a drainage system or structures that will minimize the possibility of sedimentation and soil erosion on-site and downstream and maintain or enhance the general stream characteristics of the stream and its receiving waters.
23. The applicants shall submit plans showing how these drainage conditions will be met for review and approval by the CBJ General Engineering Division.
24. The applicants shall install and maintain perimeter site controls to prohibit riding outside of the riding park.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet (Narrative, draft MOA, and PAC21-79 Notes)
Attachment B	1985 Ordinance 85-76am Juneau Open Space and Parks System
Attachment C	1996 Surveys (1999 and 2001 recorded plats)
Attachment D	2003 Patent No. 18891 State of Alaska to CBJ
Attachment E	2013 NOHVCC Draft Site Report
Attachment F	2021 Minutes from PRAC meeting
Attachment G	2021 Minutes from PC COW meeting
Attachment H	2022 Public Meeting Presentation
Attachment I	2022 Agenda from PRAC meeting
Attachment J	2022 Minutes from LHED meeting
Attachment K	CBJ 42.20.095 Disturbing the Peace Ordinance
Attachment L	2022 (February) Memorandum from ADF&G
Attachment M	Agency Comments
Attachment N	Abutters Notice
Attachment O	Public Notice Sign Photos

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

To be completed by Applicant

PROPERTY LOCATION

Physical Address: Approximately 35 mile Glacier Hwy, across from Bridget Cove

Legal Description(s) (Subdivision, Survey, Block, Tract, Lot): ASCS 96-13 96-14, 96-15

Parcel Number(s): 3B4501000010, 3B4501000010

☐ This property is located in the downtown historic district
☐ This property is located in a mapped hazard area, if so, which _____

LANDOWNER/ LESSEE

Property Owner: CBJ
Contact Person: Michele Elfers
Mailing Address: 155 S. Seward St
Phone Number(s): 907-364-2390
E-mail Address: Michele.Elfers@juneau.org

LANDOWNER/ LESSEE CONSENT

Required for Planning Permits, not needed on Building/ Engineering Permits.

Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.

I am (we are) the owner(s)or lessee(s) of the property subject to this application and I (we) consent as follows:
A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.
B. I (we) grant permission for the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.

Dan Bleidorn
Landowner/Lessee (Printed Name) **Title (e.g.: Landowner, Lessee)**

X Daniel Bleidorn 9/8/22
Landowner/Lessee (Signature) **Date**

Landowner/Lessee (Printed Name) **Title (e.g.: Landowner, Lessee)**

X _____ _____
Landowner/Lessee (Signature) **Date**

NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.

APPLICANT

If same as LANDOWNER, write "SAME"

Applicant (Printed Name): CBJ and Juneau Off-Road Association
Contact Person: Michele Elfers CBJ and Darrin Crapo, JORA
Mailing Address: same as above
Phone Number(s):
E-mail Address:

X Michele Elfers 8-29-22
Applicant's Signature **Date of Application**

---DEPARTMENT USE ONLY BELOW THIS LINE---

Intake Initials: AS

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number: USE22-15
Date Received: 9/26/22

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

See reverse side for more information regarding the permitting process and the materials required for a complete application.

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

To be completed by Applicant

PROJECT SUMMARY

Please see the attached project narrative with maps and plans.

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

- ○ Accessory Apartment – Accessory Apartment Application (AAP)
- ◉ Use Listed in 49.25.300 – Table of Permissible Uses (USE)

Table of Permissible Uses Category: Automobile, motorcycle racing tracks; off-highway vehicle parks

IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL? ○ YES – Case # _____ ◉ NO

UTILITIES PROPOSED WATER: ☐ Public ☐ On Site SEWER: ☐ Public ☐ On Site

SITE AND BUILDING SPECIFICS

Total Area of Lot 565 Acres square feet Total Area of Existing Structure(s) NA square feet

Total Area of Proposed Structure(s) NA square feet

EXTERNAL LIGHTING

Existing to remain	○ No	○ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures
Proposed	◉ No	○ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

ALL REQUIRED DOCUMENTS ATTACHED

☑ **Narrative including:**

- ☑ Current use of land or building(s)
- ☑ Description of project, project site, circulation, traffic etc.
- ☑ Proposed use of land or building(s)
- ☑ How the proposed use complies with the Comprehensive Plan

If this is a modification or extension include:

- ☐ Notice of Decision and case number
- ☐ Justification for the modification or extension
- ☐ Application submitted at least 30 days before expiration date

☑ **Plans including:**

- ☑ Site plan
- ☐ Floor plan(s)
- ☐ Elevation view of existing and proposed buildings
- ☐ Proposed vegetative cover
- ☑ Existing and proposed parking areas and proposed traffic circulation
- ☑ Existing physical features of the site (e.g.: drainage, habitat, and hazard areas)

----------DEPARTMENT USE ONLY BELOW THIS LINE----------

ALLOWABLE/CONDITIONAL USE FEES

	Fees	Check No.	Receipt	Date
Application Fees	$ 1600			
Admin. of Guarantee	$			
Adjustment	$			
Pub. Not. Sign Fee	$ 50			
Pub. Not. Sign Deposit	$ 100			
Total Fee	$ 1750			

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number	Date Received
USE22-15	9/26/22

35 Mile Off Road Vehicle Riding Park Project Narrative

Applicants: Parks and Recreation, City and Borough of Juneau and Juneau Off-Road Association

The Parks and Recreation Department with the City and Borough of Juneau (CBJ) is partnering with the Juneau Off-Road Association (JORA) to plan an Off Road Vehicle (ORV) riding park at 35 mile Glacier Highway on CBJ land. This project narrative describes the project background and plan, proposed partnership, public involvement, and mitigation strategies for impacts that may occur in the project area.

Background:

The CBJ Parks and Recreation Department (P&R) has been working with community ORV groups to understand interest in riding opportunities. Over the past twenty years, riding areas have been redeveloped as industrial land, put into conservation, or regulations have changed to prohibit motorized use. There are few areas left to legally recreate in Juneau. CBJ has evaluated many sites for motorized use since the early 2000s and for various reasons, riding sites have not been established. Through the recent work with user groups, the 35 mile site was recognized as a suitable location for an ORV riding park. Juneau Off-Road Association (JORA), a non-profit organization in Alaska, proposes partnering with P&R to develop, operate, manage and maintain an ORV riding park at the CBJ 35 mile property. CBJ and JORA have evaluated the site for a riding park using data previously collected on site, working with resource agencies, and collecting field data.

Community Plans:

Support for development of an ORV riding site is found in our community plans. The Comprehensive Plan, Chapter 9.1 - IA12 Implementing Action includes “Seek location and construction for an ATV/snowmobile course with a programmed riding course as well as trails.” The Parks and Recreation Master Plan, 2019, recognizes ORV riding areas as a critical gap in our park system and supports working with the ORV community to identify a suitable site and facilitate development of viable opportunities for ORV recreation. The survey that was performed as part of the master plan cited that over half of respondents believe CBJ should make specific investments in recreation assets or facilities, and the top rated investment CBJ should make is Off Road Vehicle Trails and Park. The survey also identified ORV use as a top activity that adults would like to participate in but currently do not.

Public Outreach:

Parks and Recreation Department staff have worked with an informal group of riding clubs and representatives since 2020 to identify suitable sites and understand community riding needs. Groups participating include JORA, the Juneau Douglas Motocross Association, the Southeast Jeep Club, the Juneau Off-Road Association, Goldbelt Corporation, and individuals that have worked on ORV riding issues for many years. The working group identified this goal:

Identify ORV (Off Road Vehicle) riding sites, create a sustainable management structure, support safe riding, and build durable infrastructure that protects the natural and built features of the facilities.

The group used data from the last twenty years of community work to identify and evaluate riding sites. The group considered the 35 mile Glacier Highway site, Montana Creek area including State of Alaska DNR land, S&S Pond Lemon Creek (private land), Sand and gravel pit behind Home Depot, Echo Cove (Goldbelt), Fish Creek Quarry, and another privately owned site. Echo Cove currently experiences illegal riding on lands managed by Goldbelt. Goldbelt has not indicated that they plan to legalize this riding activity. The Fish Creek Quarry site, which is owned by CBJ was looked at extensively years ago but the North Douglas Neighbors opposed the proposal strongly. Additionally, the area is much smaller and would not provide for the similar opportunities and riding as proposed at the 35 mile site. The 35 mile Glacier Highway site rose to the top as the site that was most suitable and most likely to be able to be developed in the next few years.

Formal community meetings held to date include a general public meeting on February 9, 2022, the Parks and Recreation Advisory Committee (PRAC) in March of 2021 and April of 2022, the Lands, Housing and Economic Development Committee (LHED) in April of 2022, the Planning Commission in July 2021. In April of 2022 the PRAC and LHED unanimously passed motions of support for CBJ to work with JORA on developing the project and applying for permits. At a later date, after permit applications and project development, the Assembly will consider the partnership and development proposal.

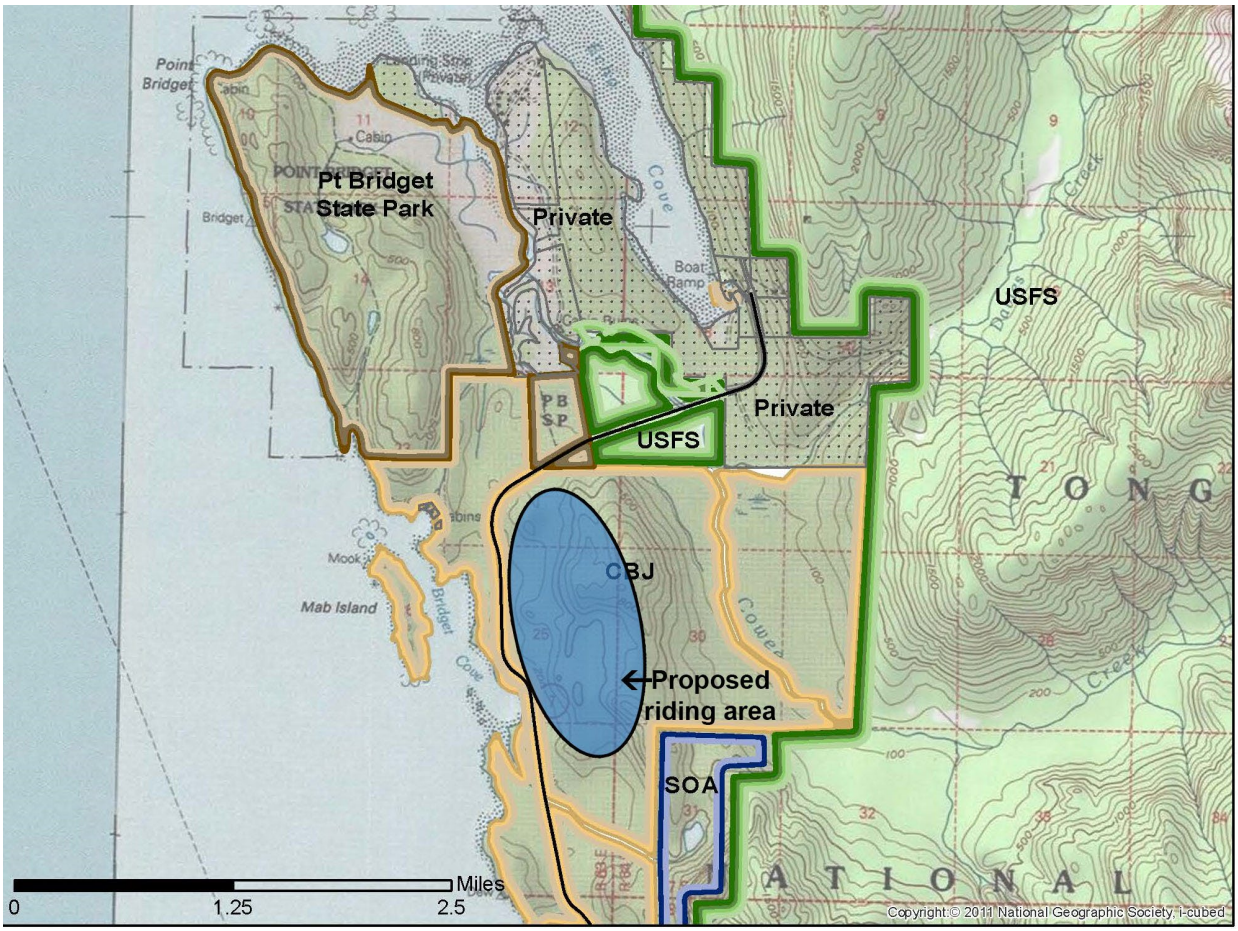
As part of the process of field work and mapping of the site, four volunteer days were organized in July 2022 to help flag and GPS future trails for wetland delineation work happening in August. Over the three days, approximately 30 community members volunteered their time onsite.

CBJ and JORA Partnership:

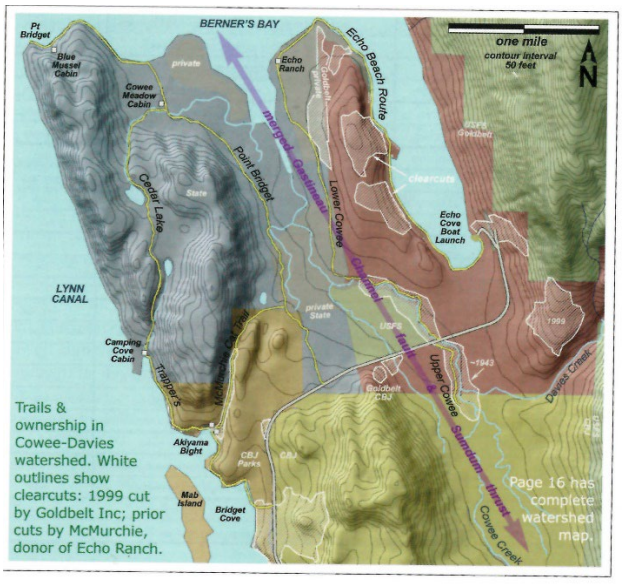
CBJ P&R and JORA would partner under a Memorandum of Understanding (MOU) to develop, operate, manage and maintain the riding park. A draft MOU is attached to this narrative for the purpose of helping the commission understand the partnership and roles and responsibilities of each entity. A finalized MOU, approved permits, JORA's required insurance certificates, and development plans would be the documents that would outline the partnership terms. This MOU would include conditions that CBJ and other permitting agencies require of the development and operation as well as outline compliance and enforcement procedures.

35 Mile Glacier Highway Ownership, Environmental and Field Data:

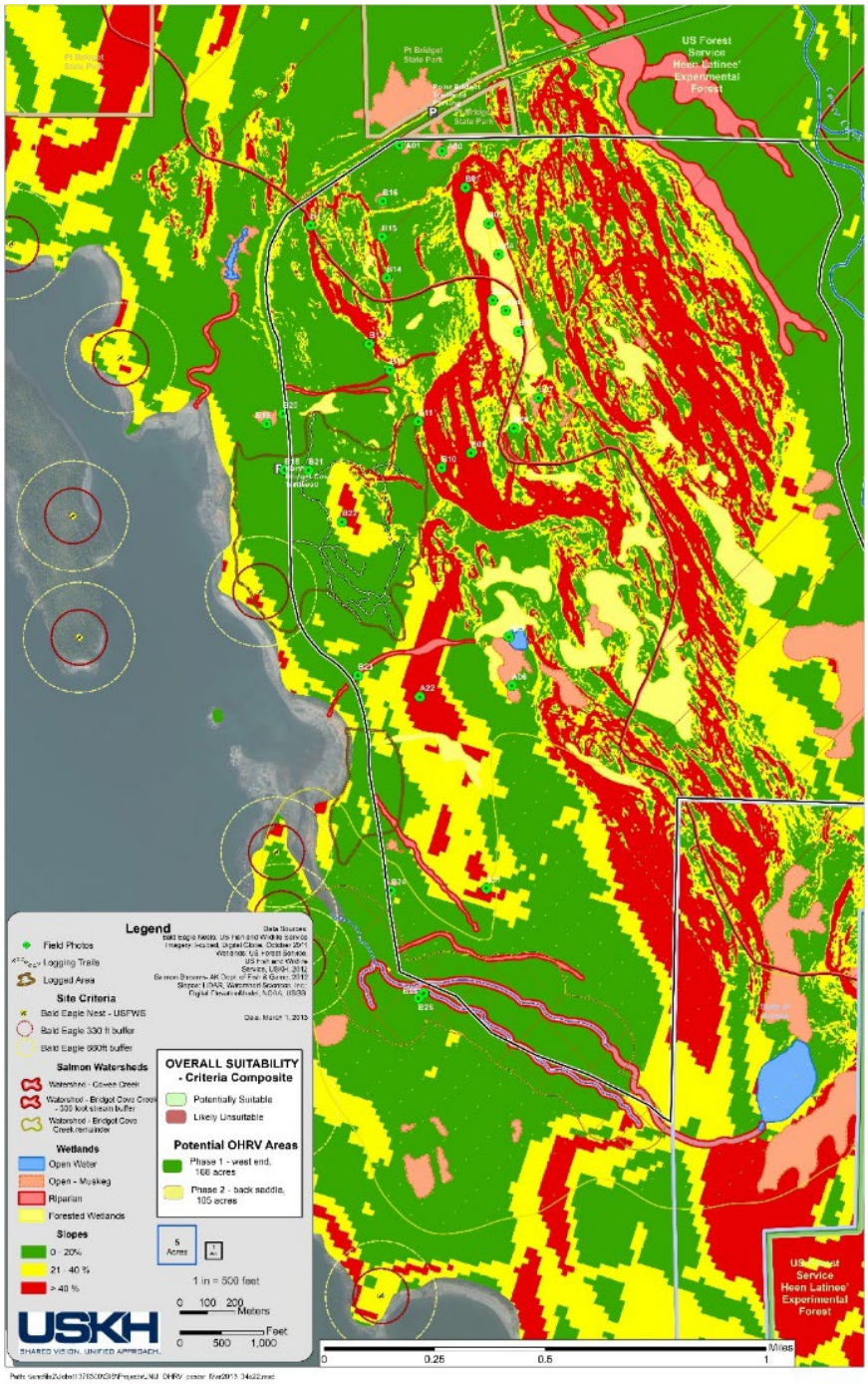
The proposed site for the riding park is on currently undeveloped CBJ land across from Bridget Cove. It is a forested site with portions of it previously logged or used as staging areas for the construction of Glacier Highway. Glacier Highway is the western boundary and a ridgeline to the east separates it from the Cowee Creek Watershed. Runoff from the site goes directly into the ocean at Bridget Cove. The site is bordered by State of Alaska, United States Forest Service and Goldbelt land. The Heen Latinee Forest is to the north on federal land.



Portions of the site were logged in the 1950s and 1960s, it is known as the McMurchie cut. McMurchie owned Echo Ranch at the time and logged areas by the ranch property as well. The following image is from a report created by Richard Carstensen identifying the clear cut areas on the property.



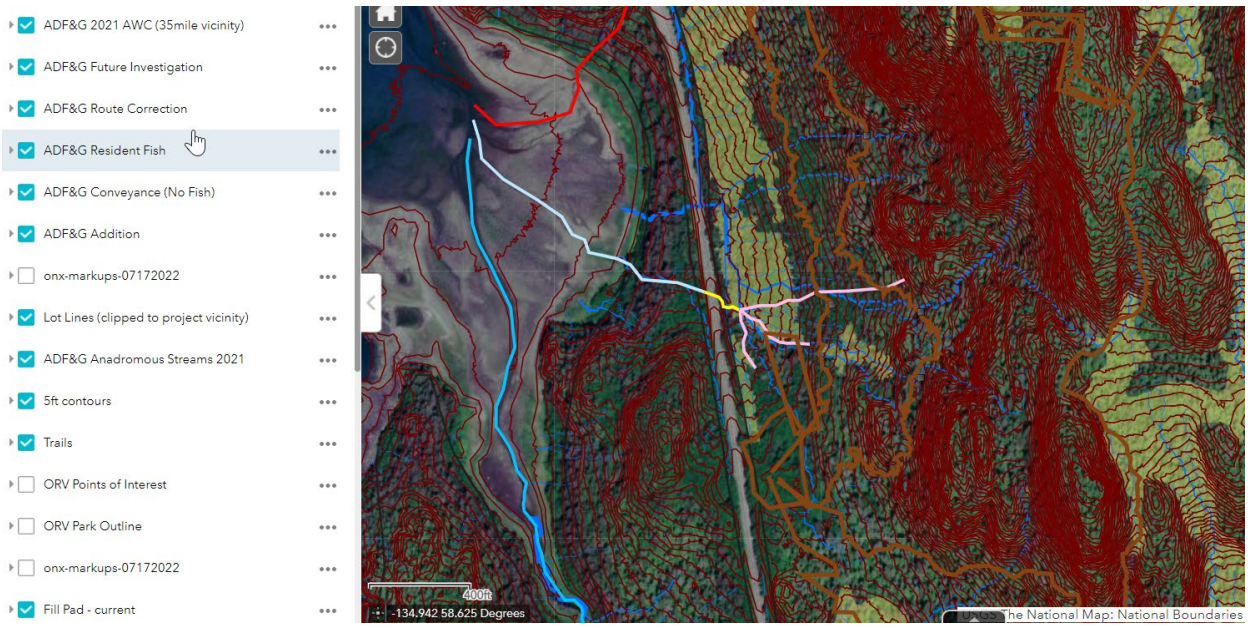
In 2013, CBJ hired a consultant team led by USKH and including the National Off-Highway Vehicle Conservation Council (NOHVCC) to evaluate the site for use as an ORV riding park. They identified a 1505 acre site with 530 acres suitable for riding based on their environmental analysis from mapping and field work. They produced a detailed map including logged areas, eagles' nests, wetlands, slopes, and open water to determine suitability. See the map they developed below.



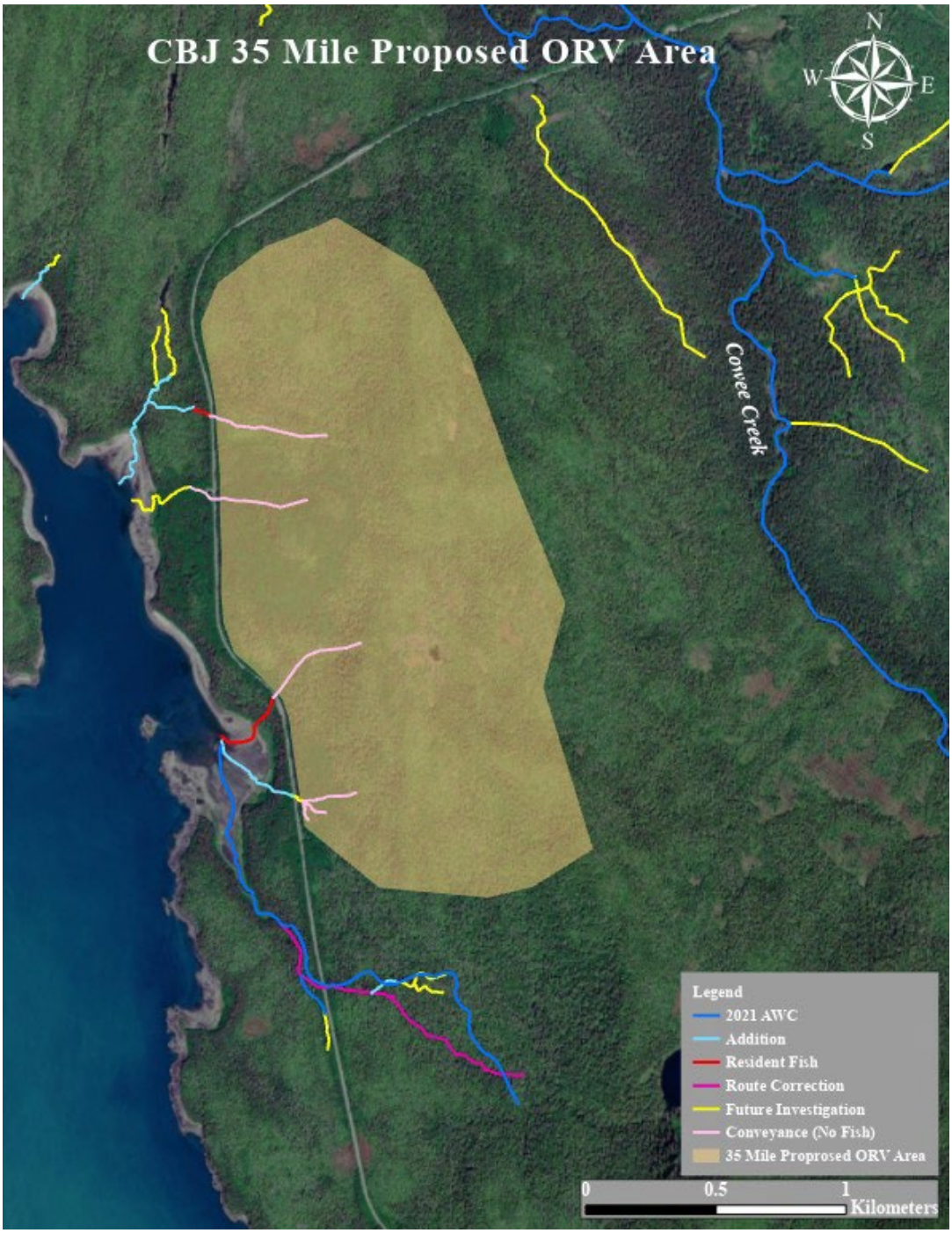
The CBJ deemed the project too expensive at the time to develop and did not have a community group willing to partner on the project.

In 2016, Richard Carstensen, Koren Bosworth and team performed wetland analysis on this site as part of the Juneau Wetlands Management Plan. Detailed wetland mapping exists for this site as a result of this project. However, additional delineation work was performed by Koren Bosworth in August 2022 for an Army Corps of Engineers application for trail and site development.

In 2021 and 2022, P&R began resource mapping and field investigations on the site using previous data and collecting additional data. An online GIS mapper was created with current data including streams, waterbodies, wetlands (2016 mapping), ownership boundaries, elevation data, aerial imagery, and GPS field data. The mapper includes the GIS data from the Juneau Wetlands Management Plan. Here is an example of the mapper showing resource data and potential trails and parking area as brown lines.



In 2021, P&R contacted the Alaska Department of Fish and Game for current anadromous fish data on the site. They did a field assessment to update their mapping and presented a report on their findings, see attached. They found that there is “No fish habitat upstream of Glacier Highway” on this site. The following is the map from their report.



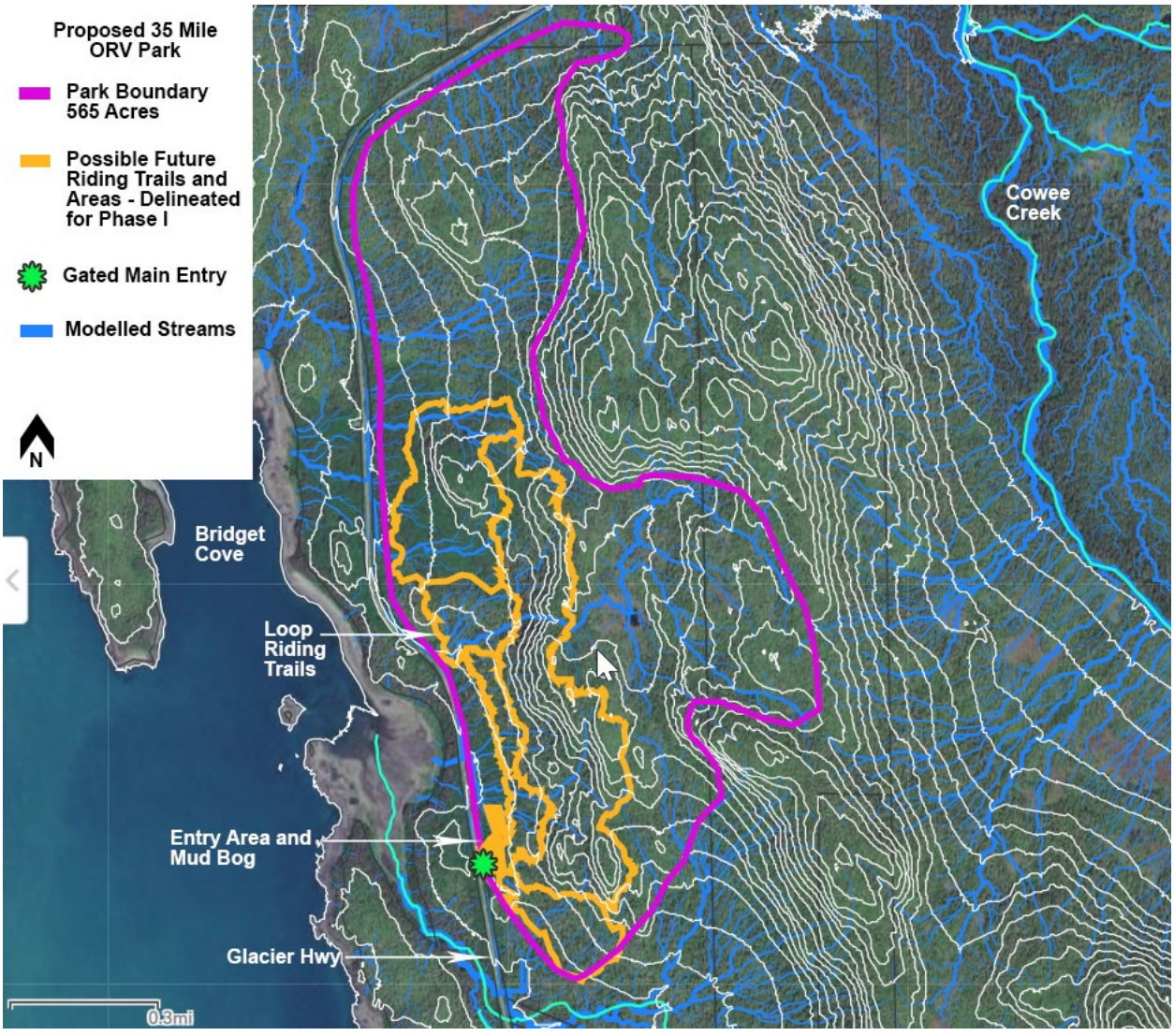
There is some fish habitat below the highway, outside of the project area. Perched culverts and high gradient likely contribute to the lack of fish habitat. Hardened stream crossings and managing erosion and sedimentation in the project area is suggested as important measures for development.

P&R and JORA also attended a pre application meeting with the Army Corps of Engineers to understand regulatory issues on the site and the permitting process.

P&R and JORA have created GPS tracklines and flagging on the site for the proposed riding park. This data is being used for the wetland delineation and permitting process for the site and will be used for construction cost estimates and plan development.

35 Mile ORV Riding Park Site Proposed Plan:

The proposed park area extends from Glacier Highway east to the ridgeline that separates Cowee Creek from the project area. Glacier Highway would also form the norther border and it would extend south to S. Bridget Cove area. The proposed park area encompasses about 565 acres, but much of the area is steep slopes that cannot be developed as trails. Wetlands will also be avoided when possible. The map below shows the full park area for the conditional use permit request for development over time. The initial phase that has been delineated for wetlands and is being submitted to the Army Corps of Engineers is shown below as well. This phase consists of 5 miles of trails through approximately 175 acres of the site. It will likely take multiple years to build this phase. Subsequent phases will be mapped and planned in the field and then wetland fill permits will be applied for as needed.



For Phase I, potential trails, parking area and site features are mapped in the field with GPS tracks and shown on the plan. The wetland delineation has been performed and an Army Corps of Engineers permit is being submitted. The proposed park consists of a gated entrance, parking area, picnic area and caretaker facility on an existing upland fill pad, loop riding trails, mud bog, and cross country riding.

1. Entry Area

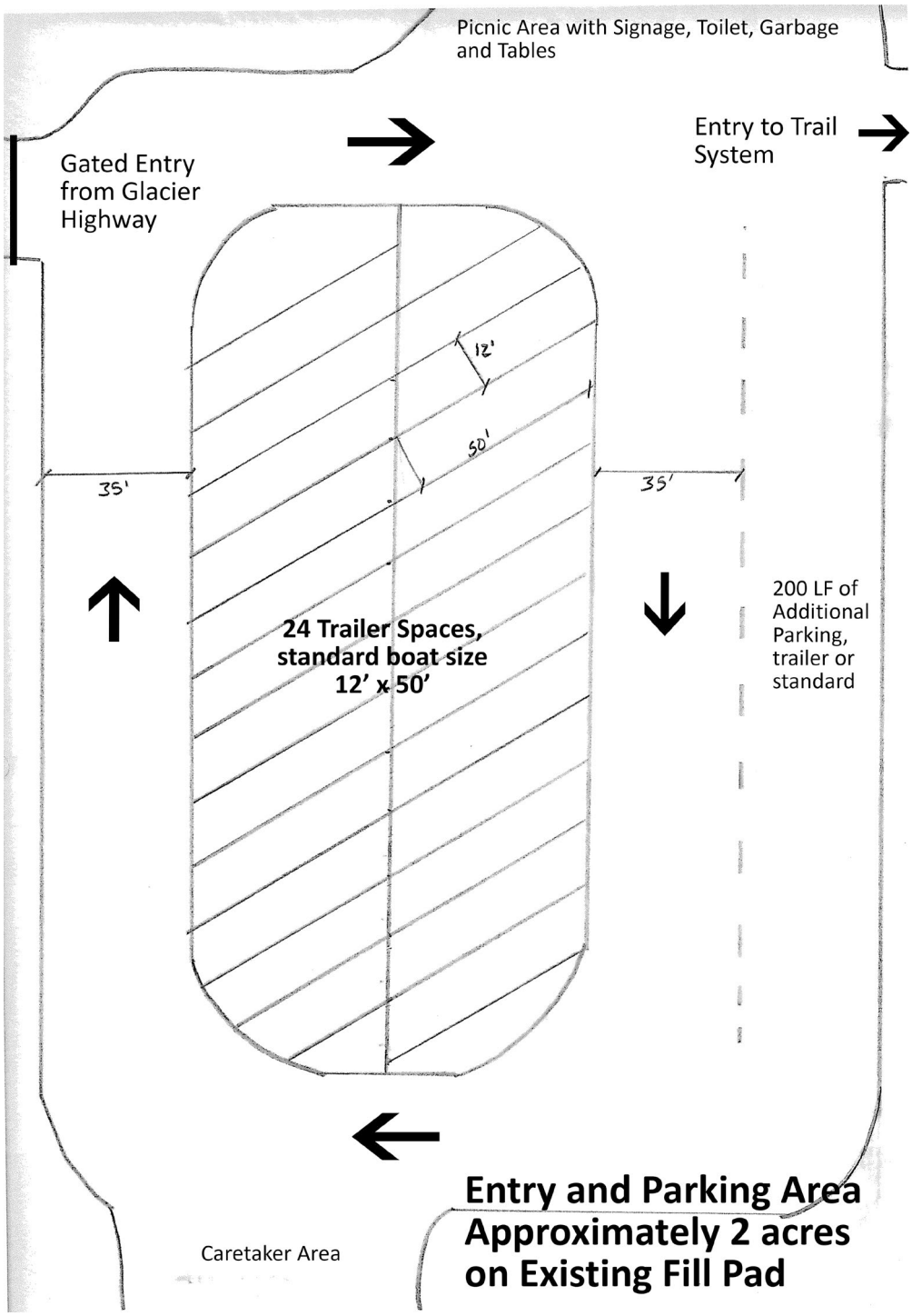
The entry area to the south will be constructed on an existing fill pad that is approximately two acres. This pad was likely a staging area for the construction of Glacier Highway and connects to logged areas. The parking area is sufficient for 24 trailer spots sized to Docks and Harbor's standards for boat trailer spots, and has space for another 200' linear feet for pickups and smaller trailers. Some users will arrive to the site with trailers or with Off-Road Vehicles (ORV) in the back of their pick up trucks. Others, like jeep owners, will arrive to the site in the vehicle they will use at the park. It is very difficult to estimate the number of parking spots needed for this facility as legal ORV riding on public land does not exist in Juneau. Similar facilities do not exist around Alaska where there is a riding park isolated in a community. Most riding opportunities in Alaska are dispersed on small trailheads where riding is allowed on existing trails. The smaller boat launch ramps in Juneau, North Douglas and Echo Cove have about 25-30 boat trailer stalls, while Amalga and Statter Harbors have many more. Docks and Harbors staff have been counting 4 wheeler trailers this summer at Echo Cove (note that ORV riding is illegal in much of Echo Cove, which is primarily Goldbelt Land). They have found between 1-3 trailers for four wheelers on most days, with the highest day of 5 trailers on the Sunday of Memorial Day weekend. It is likely that a legal and intentionally designed ORV riding park in Juneau will be very busy and need more than five parking spots for trailers. Approximately forty spots is a good balance of ensuring there is plenty of space for parking, but also recognizing that JORA, the manager of the site, will require a permit to use the site and manage the capacity of the park for riding.

The entry area will include a locked gate and other perimeter security as needed to be able to effectively close the facility. Only users that purchase and display permits from JORA and agree to follow the rules of operation will be allowed to use the facility. A picnic area with tables, a toilet, entry to the trail system, garbage cans and a caretaker's unit will be located in this area.

The toilet facility will be a vault toilet, similar to the vault toilets at Amalga Cabin, Echo Cove and the Arboretum. These are small structures, approximately 5' x 5' with a toilet and below ground vault manufactured for carrying waste. The vault will be pumped regularly by a local septic pumping service. If funding is delayed for the toilet construction, a portable sanitary unit will be onsite and serviced regularly. The vault toilet installation is regulated by ADEC under 18 AAC 72. P&R spoke with ADEC during application preparation about the project. ADEC said that a plan submittal is required for vault toilet installation and ADEC reviews and approves the plan. No submittal or review is required for portable sanitary units.

JORA may retain a caretaker onsite with specific duties, this is discussed later in the application narrative. The caretaker unit will be an RV with a shower or bathtub, toilet and kitchen sink. It shall have a potable water tank and septic tank that can be pumped at the same time that the vault toilet or portable sanitary units are serviced. A small residential sized generator shall be allowed to provide

electricity to the RV as there is no power to the site. Trash cans and a dumpster shall be located onsite and emptied regularly.



2. Perimeter Control

Permit holder and main access to the site will be across from S. Bridget Cove area. This will be a gated entry that will be locked in the evenings when the facility is closed and in the winter (off-season). There may be a small maintenance and emergency access road to the north in a future phase that will also have a locked gate. This will not be used by the public and only used to provide easier and quicker access to the northern parts of the park in case of emergency or maintenance needs. Both access points from Glacier Highway will require an Alaska Department of Transportation (ADOT) permit. Michael Shuler at ADOT was consulted in August about this project. He was already familiar with it and said that there would not be anything special or out of the ordinary for this driveway permit. Additionally, because Glacier Highway in this area has a chipseal surface, the driveway entrance would likely not have a requirement to be paved. However, ADOT and CBJ discussed options for hardening the entrance for durability. Chipseal or RAP would both work for this facility.

The site is bounded to the west by Glacier Highway and to the east by two ridgelines, a lower ridgeline that for much of the northern section is a rock cliff and an upper ridgeline. All riding areas will be signed or visually marked for riders to stay within allowed riding areas. Designing the site with cliffs, rocks, steep slopes, logs, and other natural barriers will be done to create natural boundary markers. When this is not possible, signage and constructed features such as log barriers and fencing will designate the edges of the park, similar to how Eaglecrest establishes the park boundaries. Riding outside of approved areas will result in loss of riding permits.

3. Trails

Trail design is based on safety, user experience, and environmental considerations. National standards for ORV trail design are published through the National Off-Highway Vehicle Conservation Council (NOHVCC) and the United States Forest Service (USFS). These standards will be applied to site design and layout and trail section design. Trail Mix has been partnering in site development and will continue to work throughout the project with CBJ and JORA. CBJ, Trail Mix, and JORA each have complementary skills and expertise in trail design for sustainability, safety and user experience. The user experience perspective is very important as the riding park should be fun and provide varied experiences that keep users wanting to come back. This will encourage responsible, safe and legal riding in the park and help the community to redirect illegal riders elsewhere in CBJ to ride safely and responsibly in the park.

Loop trails will be designed with connectors between the loops. Trails will be designed for specific experience level from beginner to intermediate and moderate. They will have entry structures that will filter the type of vehicle that can ride on the trail and signal to riders whether or not they can successfully ride the trail. For example, a more challenging narrow trail may have a challenging rock feature with a narrow opening while a beginner trail will have an easier entry feature and a wider gate. The trail will then be designed for width, turn radius, materials and features to match the intended difficulty level and user experience. This will allow riders to learn skills and be able to progress from beginner to more difficult trails if they desire. This will also allow for single track trails for motorcycles and dirt bikes, double track trails for ATVs and 4x4 trails. Trails will also have signs indicating difficulty level and appropriate use. Below is a photo from the popular riding park Walker Valley in Washington, showing a purpose built entry structure.

Trail construction will depend on the soil type, topography, presence of wetlands and intended use of the trail (beginner, expert, etc.). Stream crossings will be hardened with culverts and stabilizing rock or an elevated boardwalk section. Softer soil areas or steeper areas that could be susceptible to erosion will have a rock base. Trail Mix will work with CBJ and JORA on trail design, materials and construction. The National Off-Highway Vehicle Conservation Council (NOHVCC) and the USFS both have standards and guidelines for trail construction that will be followed. The following trail design guidelines from the "Designing Sustainable Off-Highway Vehicle Trails, An Alaska Trail Manager's Perspective, 2013" by USDA will be followed in construction.

The following is an excerpt from the USDA/USFS document.

Table 4–1—Design Parameters modified by the author for all-terrain vehicle (ATV) trails in Alaska. Trail Classes 1 and 5 are not shown because they are not designed for ATVs as the primary user. —*Adapted from "All-Terrain Vehicle Design Parameters," FSH 2309.18, Trails Management Handbook (U.S. Department of Agriculture, Forest Service October 16, 2008).*

Designed Use: All-terrain vehicle		Trail Class 2 Simple/minor developed	Trail Class 3 Developed/improved	Trail Class 4 Highly developed
Design tread width (If sideslopes are more than 50 percent, increase widths by 6 to 18 inches)	**One lane**	48 to 60 inches	60 inches	60 to 72 inches
	Two lane	Typically not designed for two-lane travel Passing areas (uncommon) 108 inches	Typically not designed for two-lane travel Passing areas (common) 108 inches	Two-lane travel (common) 108 to 120 inches
	Structures (minimum width)	60 inches	72 inches	78 inches
Design surface	**Type**	Native, with limited onsite borrow or imported materials Few loose or soft trail segments, commonly rough	Native, with some onsite borrow or imported materials No loose or soft trail segments, occasionally rough	Native, with extensive gravel, pavers, or other imported materials Firm and stable
	Obstacles	Rough, with embedded rock, holes, and protrusions up to 6 inches	Generally smooth, with few protrusions exceeding 4 inches	Smooth, with few obstacles exceeding 1 to 3 inches
Design grade[1] (also referred to as target grade in Alaska)	**Target range** (more than 90 percent of trail)	Less than 15 percent More than 3 percent	Less than 12 percent More than 3 percent	Less than 10 percent More than 3 percent
	Short pitch maximum (up to 100-foot lengths—with appropriate water control above and within pitch)	25 percent on rock or bedrock 20 percent on soil	20 percent on rock or bedrock 15 percent on soil	15 percent
	Maximum pitch density[2]	Less than 15 percent of trail	Less than 10 percent of trail	Less than 5 percent of trail
Design tread cross slope (outslope)	**Target range**	5 to 10 percent	3 to 8 percent	3 to 5 percent
	Maximum	15 percent	10 percent	8 percent
Design clearing	**Width** (on steep sidehills, increase clearing on uphill side by 6 to 12 inches)	12 inches outside of tread edge Some light vegetation may encroach into clearing area	12 to 18 inches outside of tread edge	More than 18 to 24 inches outside of tread edge
	Height	7 to 8 feet	8 feet	10 feet
Design turns	**Radius**	15 feet minimum	15 to 20 feet minimum	20 feet minimum
	Type	Climbing turns (switchbacks only when absolutely necessary)	Climbing turns	Climbing turns
Water control[3]	**Type**	Grade reversals Dip drains Rolling grade dips No water bars	Grade reversals Dip drains Rolling grade dips No water bars	Grade reversals Dip drains Rolling grade dips No water bars
Sustainable trail design	**Elements**	Contour alignment Controlled grade Integrated drainage Full bench Durable tread	Contour alignment Controlled grade Integrated drainage Full bench Durable tread	Contour alignment Controlled grade Integrated drainage Full bench Durable tread

[1]Target and short pitch trail grades should be based on local soils, hydrological conditions, use levels, and other factors contributing to surface stability and erosion potential.
[2]Maximum pitch density refers to the percentage of the trail length that has the short pitch maximum grade.
[3]Water control structures should be spaced frequently enough to prevent water from eroding the tread surface.

The following is an excerpt from the NOHVCC "Great Trails: Providing Quality OHV Trails and Experiences", 2015 that outlines typical standards based on trail difficulty.

	Sample ATV Trail Design & Difficulty Guidelines			
	(These guidelines are to assist in design, construction, and maintenance. Any guideline should be adjusted to reflect local experience and actual site conditions.)			
		Easiest	**More Difficult**	**Most Difficult**
Grade: Grade should roll and not be sustained	Typical grade	< 20%	< 25%	< 30%
	Max. Pitch	Maximum grades are the exception, not the rule		
	Grade	15% - 20%	20% - 30%	> 30%
	Length	Variable 50' - 100' dependant on soils,use type and use intensity, and climate. As grade increases, length on grade should decrease.		
Clearing:	Width	60" to 72"	50" to 60"	50" (maximum)
	Height	7'	6'	6'
	Helmet and leg slappers	Few	Many	Common
Tread:	Width (mini-mum)			
	Sideslope <25%	60"	50"	50"
	Sideslope 25% - 70%	60" to 72"	55" to 60"	50"
Surface:		Some roots or rocks, obstacles rarely exceed 6-8" and are imbedded solidly in tread; obstacles generally on tangents; tread plane relatively flat with 15% max. outslope for short sections; sweeping curves and some circular climbing turns, more open alignment with circular longer radius curves; sand acceptable and some sections of slippery clay or loose material.	Many roots or rocks, obstacles rarely exceed 8-10" and are loose; obstacles on tangents and some on curves; tread plane flat to irregular with 25% max. outslope for short sections and long sections with less outslope; climbing turns and some circular switchbacks; sections of tight alignment with circular short and long radius curves; sand acceptable and long sections of slippery clay or loose material.	Very many roots or rocks; many obtacles exceed 10"; obstacles on tangents and curves; tread plane very rough and irregular with long sections exceeding 25% outslope; non-circular climbing turns and switchbacks; long sections of very tight alignment with non-circular curves; entire trail may be soft sand, slippery clay, loose material or mud.
Exposure:		None	some, potential injury	Could be common, potential serious injury.
Maintenance:		Trais receive appropriate maintenance to remain within their TMO, maintain effective signing, and to protect resource values.		

Both guidance documents provide extensive planning standards, design details, and drainage/stormwater standards for OHV park and trail development.

4. Mud Bog

To make a fun user experience, a mud bog feature is included in the plan. This is a built feature that allows a rider to cross through a wet area in their machine. The wet area is constructed to contain runoff, similar to a detention pond that holds water, and has a hardened rock bottom. The outlet will be hardened and have stormwater treatment.

5. Cross Country Area

Another area designed for the fun of users and to encourage responsible use is the cross country area. This feature is proposed to the north of the site where there is a previously logged area. The idea is that users can ride freely and no additional trails will be developed. The perimeter will be delineated by topography, signage or trails and drainages will have stormwater treatment at the downstream ends to treat any sediment coming from this area. This could include retention areas, check dams, and filter strips.

35 Mile ORV Riding Park Management Plan

1. Emergency Plan

The riding park at 35 mile will be closed and secured with a locked gate when the park is not open to riding. Riding will be permitted during the spring, summer and fall season during daylight hours and only users with permits can ride in the park. To get a permit a fee will be paid to JORA and the rules of conduct will be signed by the user. Information will be given regarding safety and communications while in the park. Most of the park area has cell phone network communication with at least one bar. Some areas have two or three bars on standard cell phones. Satellite connection is very good and satellite connectivity devices like In Reach can be used with no issues.

The Juneau Police Department (JPD) has been consulted about response at the proposed park. JPD's patrol area ends at the ferry terminal, so any JPD presence will be response based. It will likely take JPD 25 minutes to arrive at the site and they will prioritize their response based on the issue, for example a hit and run may be a lower priority while violence may be a higher priority. The JPD Patrol Lieutenant said that they do not receive many calls from out the road including Echo Cove or Sunshine Cove, if they do they are typically traffic collisions or late night party issues. They do not receive many calls from the two snowmobile areas, Lake Creek or Dan Moller accesses, either. For JPD, a gate that is locked at night is important to prevent trespassing.

Capital City Fire and Rescue (CCFR) was consulted about response as well at the proposed park. The park is outside of the fire service area which ends at Cohen Drive. If CCFR receives a call about a fire incident, if there is no imminent life danger they do not respond immediately. The duty chief would go

out to evaluate it but they would not do fire suppression. If there is a risk of forest fire, USFS would be contacted and they may choose to perform fire suppression. Extinguishers will be required on site and can be used to put out fires. If there is a call for ambulance service, the response time is long. CCFR may choose to send a helicopter for transfer to the hospital. This has been done with some incidents out the road such as Echo Cove and in Spaulding Meadows. Sometimes others will move the injured party by vehicle to the helicopter landing site, or cars can be moved from the parking lot to allow for a helicopter to land.

2. Enforcement Plan

Facility rules will be developed cooperatively by CBJ Parks & Recreation and JORA, and may include things like equipment requirements, use of helmets, and hours of operation. The parties will rely on progressive enforcement: (1) JORA will seek to obtain voluntary compliance through education, including signage and personal contacts. (2) Users who knowingly violate facility rules will be suspended for a period of time. The duration of the suspension will progressively increase if additional violations are observed, up to one year. (3) Users who access the facility while suspended may be charged by CBJ with criminal trespass. This approach is similar to how Parks & Recreation enforces rules at other facilities, including the Hank Harmon Public Range and recreation facilities.

Criminal activity that is an immediate threat to life or property will be reported immediately to the Juneau Police Department. Other violations of city or state laws will be referred to the Juneau Police Department for investigation and appropriate action.

3. Maintenance Plan

JORA will be responsible for maintenance of the facility with oversight and assistance from P&R. JORA will maintain the parking/entry area, trails, stream crossings, stormwater management structures and all facilities at the park. Maintenance includes picking up trash, maintaining trail tread to prevent erosion, repairing stream crossings and stormwater structures to prevent sedimentation downstream, maintaining signage and perimeter controls, and keeping the toilet area clean and stocked with toilet paper and supplies. An onsite caretaker will be eyes on the ground and can communicate with the board when assistance is needed.

P&R will request funding in the annual operating budget to support the 35 mile facility. Regular inspections will be performed by P&R staff throughout the open season to ensure the facility is maintained to a clean, safe and sustainable standard.

Camping will not be allowed in this initial phase, but in future phases camping sites may be developed with appropriate facilities for waste disposal.

4. Caretaker Plan

JORA may retain a caretaker to reside onsite during the open season. Space adjacent to the parking/entry area will be dedicated as a site for an RV for the caretaker to live. The caretaker, similar to the responsibilities of the caretaker at HHPR, will open and close the entry gate each day. They will pick up trash and maintain the entry area in a neat, orderly and safe way. Similar to the HHPR caretaker, they may not be onsite 24/7. However, they will be able to provide information to users when onsite on

permit requirements and rules of conduct. They will contact JORA, P&R or emergency personnel as needed based on the type of issue that arises. The caretaker will have a written agreement with JORA. P&R will have a written agreement with JORA that allows for a caretaker to reside on site.

5. Light and Noise Management

There is no proposed public lighting for the riding park. Similar to the Hank Harmon Public Range, the facility will be closed when it is dark. There may be an exterior light on the caretaker RV but this will be residential quality and output for use around the RV.

Noise management will be approached through testing, outreach and enforcement. A noise study was performed by JORA with CBJ P&R present as auditors on September 6, 2022 at the 35 mile site. The methodology for the study was based on industry standard testing procedures published in the USDA/USFS "Off-Road Vehicle (ORV) Sound-Level Regulations and Their Enforcement" by Robin T. Harrison, 1981. The test procedure is designed for "field enforcement of sound-level limit regulations".

The sound test was performed by 4 members of JORA with three CBJ Parks and Recreation staff present to audit and monitor the testing. Three sites were located throughout the park for sound generation, one at the parking lot trailhead, one on the ridge to the east, and one on the lower trails to the north. Four sound recording sites were established. Two sites were located to the north and two to the south, with a beach site and a roadside/trailhead site at each north and south location. The sound recording sites were chosen because they are the main access trails and parking areas to Bridget Cove. These are the closest areas where people will be outside of vehicles near the park and could be impacted by noise. The map shows the locations of the sound generation and sound recording sites.

A 4 wheel drive ORV model Can Am Outlander 1000r 976cc V-Twin was started up and ran at 4000 rpm at Sound Generation Test Site 3 by the proposed parking lot where an existing old roadbed allowed access into the site. The other two sound generation sites were more remote and access with an OHV was not possible, at these sites a chainsaw on idle generated similar decibel levels. The sound recording instrument was a Vlike VL6708 Digital Sound Level Meter.

Sound test procedure followed was based on the Harrison publication and outlined here:

Test Site
Test site shall be a flat, open space free of large sound reflecting surfaces (other than ground) such as parked vehicles, signboards, building or hillsides which are within 16 feet of vehicle being tested.
Procedure

- The driver shall sit in the normal driver's position and run the engine with the gearbox in neutral at a speed specified in section 4.2. If no neutral is provided, the vehicle shall be operated either with the driving wheels 2 to 4 in clear of the ground, or with the drive chain removed.
- During sound-level measurements the engine shall be operated at an engine speed equal to half the speed at which the manufacturer specifies that maximum horsepower is developed.
- If the engine speed at which maximum horsepower is developed is not known, then the test engine speed shall be the engine speed equal to half of the manufacturer's maximum recommended engine speed.
- Vehicle will run for 20 to 30 seconds, for data collection.

Measurements

- The sound-level meter shall be set for the A-weighting network and should be set for ''slow response. (''Fast'' may be used.}
- The microphone shall be located behind, 0.5 m (20 in) ± 0.03 m (1 in) from, and at the same height ± 0.03 m (I in), as the rearmost exhaust outlet, and at a 45-degree (± 10 degrees) angle to the normal line of travel of the vehicle. The longitudinal axis of the microphone shall be in a plane parallel to the ground plan. If the rearmost exhaust outlet is under the body of the vehicle, the microphone shall be located no closer to the side of the vehicle than 0.2 m. (8 in).
- No wire or other means of distance measurement shall be attached to the microphone.

The data in the following table was taken following these procedures on September 6, 2022 at the 35 mile site.

35 Mile OHV Sound Test			
September 6, 2022, 10:30am - 11:30am			
Sound Measurement Taken with Vlike VL6708 Digital Sound Level Meter			
Location	Sound Reading	Unit	Notes
Sound Generation Test Site 1 - North Trail			
ambient sound	39	db	
Chainsaw on idle, average of three readings	98	db	Reading 20" from chainsaw
Sound Recording Site 1 - N. Bridget Cove Parking Lot add distance			
ambient sound	43.3	db	
Chainsaw on idle, average of three readings	42.9	db	
Sound Recording Site 2 - N. Bridget Cove beach at end of trail			
ambient sound	54.9	db	High reading due to generator on nearby boat and loud ravens
Chainsaw on idle, average of three readings	53.6	db	
Sound Generation Site 2 - Ridge Trail			
ambient sound	50	db	
Chainsaw on idle average of three readings	98	db	
Sound Recording Site 1- N. Bridget Cove Parking Lot			
ambient sound	43.3	db	
Chainsaw on idle, average of three readings	43	db	
Sound Recording Site 2 - N. Bridget Cove beach at end of trail			
ambient sound	51.9	db	
Chainsaw on idle	52.4	db	
Sound Generation Site 3 - Parking Lot Trailhead			
ambient sound	39	db	
Can Am Outlander 1000r 976cc V-twin @ 4000 rpm	90	db	Reading 20" from exhaust pipe
Sound Recording Site 3- S. Bridget Cove Pullout			
ambient sound	48.8	db	
OHV Quad @ 4000 RPMs	48.8	db	
Sound Recording Site 4 - S. Bridget Cove beach at end of trail			
ambient sound	49	db	
OHV Quad @ 4000 RPMs	49	db	

Findings from the 9/6/22 test show that for all locations, sound generated from OHV or chainsaws did not increase sound readings at the sound recording sites above ambient levels. The JORA members and P&R staff reported no change to audible sound levels during the sound testing at these locations while they operated the sound meters. The table below shows typical sound levels for a variety of indoor and outdoor environments. The ambient sound recorded at each location is in the urban daytime and nighttime levels according to San Diego County. This is likely due to wind, bird, forest leaves, boat, and car traffic in the area. It was not raining during the sound study.

The San Diego Department of Planning and Development Services published this table to help understand typical sound levels:

Table 1
Sound Levels of Typical Noise Sources and Noise Environments

Noise Source (at Given Distance)	Noise Environment	A-Weighted Sound Level	Human Judgment of Noise Loudness (Relative to Reference Loudness of 70 Decibels*)
Military Jet Takeoff with Afterburner (50 ft)	Carrier Flight Deck	140 Decibels	128 times as loud
Civil Defense Siren (100 ft)		130	64 times as loud
Commercial Jet Take-off (200 ft)		120	32 times as loud **Threshold of Pain**
Pile Driver (50 ft)	Rock Music Concert Inside Subway Station (New York)	110	16 times as loud
Ambulance Siren (100 ft) Newspaper Press (5 ft) Gas Lawn Mower (3 ft)		100	8 times as loud **Very Loud**
Food Blender (3 ft) Propeller Plane Flyover (1,000 ft) Diesel Truck (150 ft)	Boiler Room Printing Press Plant	90	4 times as loud
Garbage Disposal (3 ft)	Higher Limit of Urban Ambient Sound	80	2 times as loud
Passenger Car, 65 mph (25 ft) Living Room Stereo (15 ft) Vacuum Cleaner (10 ft)		70	Reference Loudness **Moderately Loud**
Normal Conversation (5 ft) Air Conditioning Unit (100 ft)	Data Processing Center Department Store	60	1/2 as loud
Light Traffic (100 ft)	Large Business Office Quiet Urban Daytime	50	1/4 as loud
Bird Calls (distant)	Quiet Urban Nighttime	40	1/8 as loud **Quiet**
Soft Whisper (5 ft)	Library and Bedroom at Night Quiet Rural Nighttime	30	1/16 as loud
	Broadcast and Recording Studio	20	1/32 as loud **Just Audible**
		10	1/64 as loud
		0	1/128 as loud **Threshold of Hearing**

Source: Compiled by Kimley-Horn and Associates, Inc.

The following table is from the Harrison study and recommends max sound levels for ORVs.

Table 1. Suggested ORV maximum sound levels.

Vehicle class	Vehicle subclass	Test method	Sound limit (dBA)
Four-wheel drives, dune buggies, four- and six-wheel ATV's (including Honda's Odyssey)	N/A	½ max. hp engine speed @ 20 in. (Forest Service method)	99
Motorcycles and three-wheel ATV's	Small Large Competition	½ max. hp engine speed @ 20 in. (SAE J1287)	95 99 101
Snowmobiles	Mfg. on or after 6/30/76 Mfg. before 6/30/76	15-mph cruise-by @ 50 ft. (SAE J1161)	73[1/] 77[1/]
Motorboats	Sporting Fishing	Wide-open throttle. (SAE J34a)	86[1/] 82[1/]

[1/] A 3-dBA tolerance should be allowed to account for differences in test sites, etc.

96dBA is the standard noise limit for ORV use throughout much of the United States, including California State Parks System and Colorado.

Proposed rules for the 35 mile site include "Motorized vehicles must be equipped with functioning brakes and muffler, with noise limit not to exceed 96dBA. Motorcycles and all-terrain vehicles (ATVs) must be equipped with a spark arrestor." Additionally, when applying for a permit to use the riding park, JORA will require that all vehicles have a stock exhaust system. Any vehicles with after market systems will require testing prior to receiving a permit. Additionally, if any vehicles are found on site to be excessively noisy, JORA will require testing and proof that they meet the noise threshold.

CBJ enforces noise violations through the Disturbing the Peace regulation, CBJ 42.20.095.

Management Partnership

The partnership between JORA and CBJ Parks and Recreation will be formalized through the Memorandum of Understanding (MOU), the Rules of Use, and all permits. Drafts of the MOU and the Rules of Use are attached to this application so that the Planning Commission can understand the partnership and responsibilities of each entity.

MEMORANDUM OF AGREEMENT BETWEEN
JUNEAU OFF-ROAD ASSOCIATION
AND
CITY AND BOROUGH OF JUNEAU

WHEREAS, the City and Borough of Juneau, through the Parks and Recreation Department, (hereinafter "CBJ") wishes to engage Juneau Off-Road Association (hereinafter "JORA") for the purpose of operating and maintaining the 35 mile Off Road Vehicle (ORV) Park for use by the public located on CBJ property; and

WHEREAS, the 2019 Parks and Recreation Master Plan, recognizes Off Road Vehicle (ORV) riding areas as a park system gap and that CBJ should work with and support the ORV community to identify a suitable site and facilitate development of viable opportunities for ORV recreation, and

WHEREAS, the Assembly adopted Resolution xxxx on xx date supporting the development of the 35 mile site for a public riding park managed by JORA according to terms of an agreement with the Parks and Recreation Department and as conditioned by required permits.

THEREFORE, the CBJ and JORA agree as, as follows:

The parties intend that an independent contractor relationship will be created by this agreement. The CBJ is only interested in the results to be achieved as provided in this agreement. The conduct and control of the work will lie primarily with JORA, as directed by CBJ. JORA is not considered to be an agent or employee of the CBJ for any purpose, and the members of JORA are not entitled to any benefits that CBJ provides for CBJ employees. CBJ does not agree to use JORA exclusively. JORA does not agree to work for CBJ exclusively.

A. Scope of Service. JORA will carry out in a professional and prudent manner all of the services described, outlined, and agreed below including Appendix A – Site Map and Construction Drawings, Appendix B - Construction and Operation Permits, Appendix C – Construction Requirements, Appendix D – Annual Operating Plan, Appendix E – Rules of Conduct

1. JORA shall:

a) Construct, operate, manage, and maintain an ORV riding park for use by the public within the boundaries of the 35 mile site as depicted in Appendix A and as described in this agreement. Appendix A includes a project area map and construction plan.

b) Construct, operate, manage and maintain the ORV riding park in adherence to this agreement and all permits including but not limited to the CBJ Conditional Use Permit, and the Army Corp of Engineers permit. The permits are attached in Appendix B.

c) JORA shall not allow public use of the park until construction of the entry area and the facility that will be opened is complete. For example, construction of the mud pit including stormwater controls must be complete before use, and construction of a loop trail must be complete before it is open to the public. Additionally, all permit requirements as detailed in Appendix B must be satisfied prior to public use. JORA

must receive written approval from the Parks and Recreation Department to begin operation. This MOA only permits construction and development of improvements detailed in Appendix A. Additional improvements must be agreed to in writing and added as an addendum to this MOA.

d) Adhere to and follow all local, state and federal laws.

e) Create and establish rules for the operation of the park and public use. The rules shall be an addendum to this agreement.

f) Operate the park in accordance with established rules approved by the JORA board and post signage with the rules in appropriate areas.

g) Maintain the 35 Mile ORV Park in good repair and operating condition in adherence with permits and this agreement. Required work includes but is not limited to: maintaining trails, riding features, drainage structures, site boundary signage and structures, entry gate, and stormwater facilities to comply with permits and protect the forest, waterways and natural environment. Regular services include: opening and closing the facility gate each day according to posted hours; cleaning and stocking of the toilet; general painting and upkeep of structures; emptying garbage cans; picking up litter; and organizing regular cleanup and maintenance days.

h) Immediately notify CBJ of known or reported accidents, injuries, incidents, or unsafe conditions.

i) Apply for grant funding for park improvements and collaborate with CBJ on the work.

j) Submit an Annual Operating Plan each year due to CBJ on June 30. The requirements of this plan are in Appendix D. Operate and maintain the 35 Mile ORV Park in accordance with the Annual Operating Plan.

k) Conduct site visits as requested and at a minimum of 2x per year with CBJ and other parties as required by CBJ.

l) Open and close the security gate daily at posted hours.

m) Install and maintain perimeter site controls to prohibit riding outside of the park area and off trail. JORA shall immediately notify CBJ of any user riding activity outside of the boundary of the park established by this agreement and work with the CBJ to identify the users and prohibit this activity.

n) Keep and maintain oil spill control clean up kits onsite and available for public use. Permit holders shall carry spill control cleanup materials such as absorbent towels and disposal bags when in the park.

2. JORA may:

ii. Charge reasonable fees for use of the park by the general public to support upkeep of the park and fund projects and events sponsored by JORA for park users.

iii. Engage a park caretaker to live on the premises year round to assist in the general upkeep of the park. The caretaker name and contact information shall be provided

to the CBJ. A caretaker residence:

- Shall be maintained in a neat and orderly condition free of garbage and litter
- All utilities and waste related to the caretaker residence are the responsibility of JORA to maintain, remove and dispose of properly
- Shall be an RV that has a bathtub or shower, toilet and kitchen sink that is maintained in a safe working condition, a septic tank that can be emptied and a potable water tank
- May have a generator to supply electricity and a small propane tank
- May be entered by CBJ in the case of an emergency, pursuant to a Court Order, or on occasion to ensure the RV meets CBJ requirements. CBJ will provide Caretaker with at least 24 hours' notice of intent to enter except in the case of an emergency.

iv. Add additional buildings or facilities to the site to support maintenance and services upon written approval by the CBJ and receipt of all required permits.

3. CBJ shall:

a) Upon Assembly budget approval, pay for dumpster service and pumping of the vault toilet or two port a potties during the summer season. CBJ is not responsible for large and bulky trash items or abandoned or junk vehicles that are left on the site.

b) Upon Assembly approval, support construction of the facility with existing CIP funding for an ORV park and any future grant funding for the site.

c) Allow JORA to post signage with rules and events for the public and recognizing donors. CBJ may also post signage related to local, state and federal rules and regulations, establishing the park as a CBJ facility managed by JORA, marking boundaries, and other items related to CBJ land and facility management.

d) Support JORA efforts to secure grants and other funding for improvements.

e) Work collaboratively with JORA and assist when feasible on maintenance projects.

f) Enter the premises as desired. If CBJ enters the premises outside of open hours, every effort will be made to inform JORA prior to entering.

4. Prohibited Activities:

a) For construction of facilities, live tree cutting should be avoided when possible. Only trees within designated trails or facilities on the plan shall be cut. Trees greater than 8"dbh require approval from CBJ prior to cutting. The general public and park users shall not cut any trees.

b) No camping shall be allowed at the park. This agreement may be amended in the future to allow camping.

c) Fires are not allowed in the park except in designated fire pits in the entry area.

d) Park users may not bring pets into the park.

e) No hunting or shooting is allowed in the park.

B. Personnel and Licenses.

1. Except as noted in the yearly work plan, JORA represents that it has or will secure at its own expense all personnel and labor required in performing the services under this agreement. Personnel may include, but are not limited to, a caretaker, ranger, or other maintenance staff.

2. All of the services permitted hereunder will be performed by JORA or under its supervision.

3. JORA warrants that it is fully licensed under all applicable local, state, and federal laws to perform services to be provided hereunder.

C. Time of Performance. The services of JORA may commence as soon as practicable upon signing of this agreement. This agreement begins on the date of signature below by the Parks and Recreation Department and terminates on June 30, 2027. This agreement may be extended additional years by mutual written agreement.

D. Reporting. The CBJ's primary representative for this agreement shall be the Parks and Recreation Deputy Director. The Parks and Recreation Parks and Landscape Supervisor shall be an alternate representative. The CBJ shall not be liable for JORA expenses incurred in reliance on directions received from any other municipal officer or employee. The JORA primary representative for this agreement shall be the President. The JORA Vice-President shall be the alternate. Reliance by the CBJ on representations by any other person shall be at the CBJ's own risk.

E. Termination for Convenience. CBJ or JORA may terminate this agreement at any time upon 60 days' written notice.

F. Agreement. All parties mutually agree to the terms of this Memorandum of Agreement. The Memorandum of Agreement should not be construed in favor of or against any party. This Memorandum of Agreement contains the entire agreement between the parties; there are no other promises, terms, conditions, or obligations other than those contained therein; and this agreement and yearly work plans shall supersede all previous communications, representations or agreement, either oral or written, between the parties.

G. Changes. The CBJ may require changes in the scope of the agreement from time to time. The parties may meet to discuss changes that are necessary to the scope of this agreement, which the parties shall mutually agree to in writing.

H. Equal Employment Opportunity. JORA will not discriminate because of race, religion, color, sex,

national origin, age, disability, marital status, changes in marital status, pregnancy or parenthood, sexual orientation, gender identity, or gender expression.

I. **Conflicts of Interest.** JORA warrants that no employee or officer of the CBJ has violated the conflict of interest provisions of CBJ code regarding this agreement. JORA also warrants that it has not solicited or received any prohibited action, favor or benefit from any employee or office of the CBJ, and that it will not do so as a condition of this agreement. If JORA learns of any such conflict of interest, JORA shall without delay inform the City and Borough Attorney or CBJ's representative for this contract.

J. **Assignability.** JORA shall not assign any interest in this agreement and shall not transfer any interest in the same without prior written consent of the CBJ.

K. **Inspection and Retention of Records.** The CBJ may inspect, in the manner and at reasonable times it considers appropriate, all of JORA facilities, records, and activities having any relevance to this agreement. JORA shall retain financial and other records relating to the performance of this agreement for a period of six (6) years, or until the resolution of any audit findings, claims, or litigation related to the contract.

L. **Insurance Requirements.** *Need this info from Risk Management. There may be different requirements for construction phase and ongoing operations.*

M. **Indemnification.** JORA agrees to defend, indemnify, and hold harmless CBJ, its employees, volunteers, consultants, and insurers, with respect to any action, claim, or lawsuit arising out of or related to the JORA's performance of this agreement, without limitation as to the amount of fees, and without limitation as to any damages, cost or expense resulting from settlement, judgment, or verdict, and includes the award of any attorneys' fees even if in excess of Alaska Civil Rule 82. This indemnification agreement applies to the fullest extent permitted by law and is in full force and effect whenever and wherever any action, claim, or lawsuit is initiated, filed, or otherwise brought against CBJ relating to this contract. The obligations of JORA arise immediately upon actual or constructive notice of any action, claim, or lawsuit. CBJ shall notify JORA in a timely manner of the need for indemnification, but such notice is not a condition precedent to JORA's obligations and is waived where JORA has actual notice.

N. **Choice of Law, Jurisdiction.** The Superior Court for the State of Alaska, First Judicial District at Juneau, Alaska shall be the exclusive jurisdiction for any action of any kind and any nature arising out of or related to this Agreement. Venue for trial in any action shall be in Juneau, Alaska. The laws of the State of Alaska shall govern the rights and obligations of the parties. Contractor specifically waives any right or opportunity to request a change of venue for trial pursuant to AS 22.10.040.

O. **Applicability of Alaska Public Records Act.** JORA acknowledges and understands that the CBJ is subject to the Alaska Public Records Act (AS 40. 25. 120) and that all documents received, owned or controlled by the CBJ in relation to this agreement must be made available for the public to inspect upon request, unless an exception applies. It is JORA's sole responsibility to clearly identify any documents JORA believes are exempt from disclosure under the Public Records Act by clearly marking such documents "Confidential." Should the CBJ receive a request for records under the Public Records Act applicable to any document marked "Confidential" by

JORA, the CBJ will notify JORA as soon as practicable prior to making any disclosure. JORA acknowledges it has five (5) calendar days after receipt of notice to notify the CBJ of its objection to any disclosure, and to file any action with any competent court JORA deems necessary in order to protect its interests. Should JORA fail to notify the CBJ of its objection or to file suit, JORA shall hold the CBJ harmless of any damages incurred by JORA as a result of the CBJ disclosing any of JORA's documents in the CBJ's possession. Additionally, JORA may not promise confidentiality to any third party on behalf of the CBJ, without first obtaining express written approval by the CBJ.

P. Severability. If a court of competent jurisdiction renders any part of this agreement invalid or unenforceable, that part will be severed and the remainder of this agreement will continue in full force and effect.

Q. Waiver. Failure or delay by the CBJ to exercise a right or power under this agreement will not be a waiver of the right or power. For a waiver of a right or power to be effective, it must be in a writing signed by the CBJ. An effective waiver of a right or power will not be construed as either a future or continuing waiver of that same right or power, or the waiver of any other right or power.

R. Contacts:

1. The contact for the CBJ is: Michele Elfers, Deputy Director, (907) 364-2390, Michele.Elfers@juneau.org and Colby Shibler, CBJ Parks and Landscape Supervisor, (907) 364-2800, Colby.Shibler@juneau.org.

2. The contact for JORA is: current President or designee, 35 Mile ORV Park, P. O. Box 21262, Juneau, AK 99802, JORA.Juneau@gmail.com.

This memorandum of agreement is entered into as of the date signed below:

Date: _____ Date: _____

_____ _____

George Schaaf
Parks and Recreation Director

JORA President

Appendix A – Site Map and Construction Drawings
Appendix B – Construction and Operations Permits – Conditional Use and Building Permit from Planning Commission/Department, ACOE permit, and any others.
Appendix C – Construction Requirements
Per this agreement, JORA shall, in conjunction with experienced contractors and skilled laborers, construct the riding park as depicted, described and permitted in Appendices A and B for the purpose of operating and maintaining a public ORV riding park.

JORA will readily communicate with the Parks and Recreation Department, and will provide an update on the project within one business day upon request.

JORA will provide any contract change orders to the CBJ to review, approve any impacts to the site or changes to the built project and provide all submittals in digital form to the CBJ in a timely manner.

JORA will obtain all required local, state and federal permits for performance of the work.

JORA will ensure that all required drainage, stormwater and stabilization improvements related to specific features and facilities such as the trails and parking lots, are completed and functioning prior to public use of the features and facilities.

Care shall be taken during construction to minimize disturbance of adjacent areas. Areas surrounding constructed features and facilities disturbed by construction shall be revegetated using native vegetation such as grass seed, moss and native vegetation mats prior to use of the constructed feature or facility.

JORA will, in good faith, secure all funding required to perform all work described in this agreement for Phase I as detailed in Appendix A prior to initiating construction.

Appendix D – Annual Operating Plan

The Annual Operating Plan shall include:

1. Names of board members for the previous and upcoming year
2. Financial statement for the previous year and budget for the upcoming year
3. Rules and regulations as approved by the board
4. Copies of Articles of Incorporation and current Bylaws
5. List of events and programs with dates from the previous years
6. Programs and operational plans for the upcoming years
7. Hours and dates of operation
8. Proposed project list with costs associated and any requests for CBJ funding
9. Summary of accident and injury reports from the previous year and reports of corrective actions
10. Maintenance and Monitoring Plan with work noted for the year
11. Enforcement Plan with actions taken noted for the year
12. Noise Control Plan
13. Volunteer Plan

Appendix E – Rules of Use

35 MILE OFF ROAD VEHICLE RIDING PARK RULES - DRAFT

- A permit issued by JORA is required to ride in the park and must be prominently displayed on the front windshield or side of the vehicle.
- Operators and passengers of motorized vehicles under 18 must wear protective helmets that meet Department of Transportation (DOT) or ANSI Z90.1 certification. This includes all operators and passengers riding motorcycles, ATVs, UTVs and dune buggies. The only exceptions are vehicles with fully enclosed metal cabs, such as side by sides and SUVs.
- All vehicles must be equipped with functioning brakes and muffler, with noise limit not to exceed 96dBA. Motorcycles and all-terrain vehicles (ATVs) must be equipped with a spark arrestor.
- All vehicles must have a stock exhaust system, any after-market systems will require testing and proof that they can meet the noise requirement. Additionally, if any vehicles are found on site to be excessively noisy, JORA will require testing and proof that they meet the noise threshold.
- Vehicles must be insured to at least State of Alaska minimum insurance requirements.
- Passengers are not allowed on motorcycles or ATVs unless the manufacturer has designed the vehicle for more than one person. Passengers are not allowed in cargo areas.
- Operators under 16 years of age and unlicensed operators must have direct supervision by a licensed adult while operating motorcycles, UTVs and ATVs. Manufacturers age labeling applies to all vehicles.
- Operation of vehicles while using or under the influence of alcohol or drugs is prohibited.
- Motorized vehicles, except motorcycles and ATVs, must be equipped with seat belts for each occupant, and these must be fastened while the vehicle is in motion.
- The speed limit in the staging area and parking lot is 5 miles per hour. No exhibition driving is allowed in these areas.
- The OHV area is subject to topographic changes. Be alert for inclines, changing slopes and sudden drop offs. Always operate your vehicle at a safe and prudent speed.
- Drive over, not around, obstacles such as small rocks and logs to avoid widening the trail.
- Cross streams where the trail crosses the stream at a 90-degree angle.
- No tree cutting
- No camping
- No fires except for designated fire pits in the entry area
- No pets are allowed
- No hunting or shooting allowed
- Vehicles may not be overhauled, lubricated or oiled in the park. Minor repairs are allowed only if needed to remove the vehicle from the park.

35 MILE OFF ROAD VEHICLE RIDING PARK GUIDELINES - DRAFT

General Good Practices

Do your part by modeling appropriate behavior, leaving the area better than you found it, properly disposing of waste, minimizing the use of fire, avoiding the spread of invasive species, and restoring degraded areas.

- Carry a trash bag on your vehicle and pick up litter left by others.
- Pack out what you pack in.
- Prevent unnecessary sound created by a poorly tuned vehicle or revving your engine.
- Use proper silencers on exhausts, which meet regulatory decibel levels, of 96 decibels.
- Make sure your OHV is mechanically up to the task. Be prepared with appropriate tools, supplies, spares and an oil spill kit for trailside repairs and cleanup

Educate Yourself

Educate yourself prior to your trip, by obtaining travel maps and regulations from public agencies, planning for your trip, taking recreation skills classes and knowing how to operate your equipment safely.

- Make a realistic plan and stick to it. Always tell someone of your travel plans.
- Check the weather forecast before you go.
- Make sure you and each passenger in the vehicle wears appropriate safety gear.
- Prepare for the unexpected by packing a backpack full of emergency items.
- Know your limitations. Watch your time, fuel and personal energy levels.

Respect the Rights of Others

Respect the rights of others, including private property owners, recreational trail users, campers and others so they can enjoy their recreational activities undisturbed.

- Be considerate of others on the road or trail.
- Leave gates as you find them.
- Yield the right of way to those passing you or traveling uphill.
- Keep speeds low around crowds and in camping areas.
- Keep the noise and dust to a minimum.

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

Mile 35 ORV Park

Case Number: PAC2021 0079

Applicant: CBJ Parks and Recreation (P&R)/Juneau Off Road Association (JORA)

Property Owner: CBJ Lands and Resources

Property Address: Glacier Highway, ~Mile 35

Parcel Code Number: 3B4501000010

Site Size: 129,569,216 Square Feet, 2974.5 acres

Zoning: Rural Reserve

Existing Land Use: Vacant

Conference Date:	December 22, 2021
Report Issued:	December 29, 2021

DISCLAIMER: Pre-application conferences are conducted for purposes of providing applicants with a preliminary review of a project and timeline. Pre-application conferences are not based on a complete application, and are not a guarantee of final project approval.

List of Attendees

Note: Copies of the Pre-Application Conference Report will be emailed, instead of mailed, to participants who have provided their email address below.

Name	Title	Email address
Darrin Crapo	Applicant	Darrin@brokenrudder.com
Irene Gallion	Planning	Irene.Gallion@juneau.org
Michelle Elfers	Parks and Rec	Michelle.Elfers@juneau.org
Eddie Quinto	Permit Specialist	Edward.Quinto@juneau.org
Alan Steffert	Engineering and Public Works	Alan.steffert@juneau.org

Conference Summary

The Applicant shared that there are not many opportunities for legal, managed riding. They searched every parcel on the road system. Mile 35 makes sense – it is on road system, has the right terrain, is relatively dry, provides for a variety of accommodations, and already a large parking lot in place from previous logging. Natural boundaries protect Cowee Creek on other side of a ridge.

The Applicant proposes an off-road vehicle park. The facility will include a parking area, caretaker site, vault toilet facility, gated entrance, trails for riding, a mud pit area, and some off-roading designated area.

There are three accommodations to develop:

- Parking lot and youth area (2 acres) – using the existing pad from logging. The second growth will be easy to remove.
- Mud area - 1 acre close to road, includes floor (rock, etc) to keep from degrading the pit.
- One mile, with potential for camping and fire pits. One-way operations will be practiced. The area is dry by Juneau standards. The area would also include a "free ride" area where people choose their own route, an important aspect of the park.

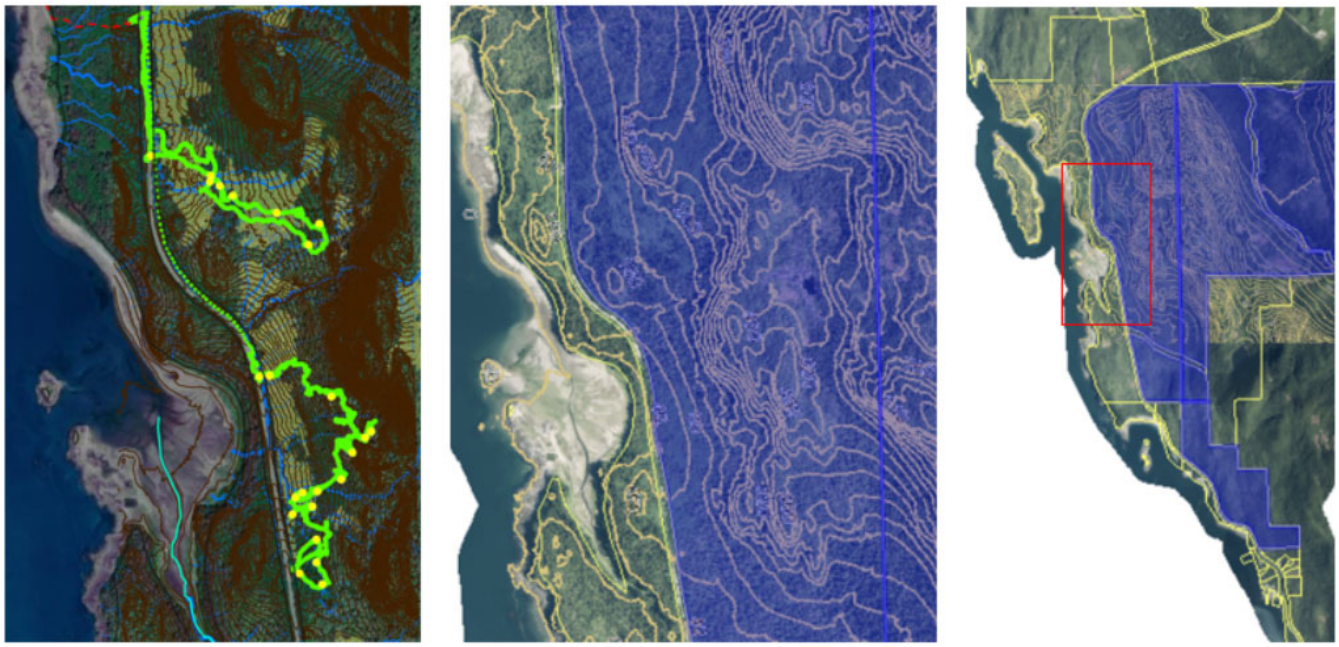
The Applicant has had a pre-application conference with the United States Army Corps of Engineers. The Alaska Department of Fish and Game (ADF&G) double checked the site and did not find anadromous resources in the area.

Parking estimates have been based on Echo Cove operations. The largest volume is on 4th of July. The proposed parking area proposed for Mile 35 is twice the size of Echo Cove and would accommodate this level of traffic, in addition to the youth area, vault latrines and caretaker facility.

ADF&G and the U.S. Forest Service are being consulted through the CBJ Parks and Recreation (P&R) planning process and are informing design and mitigation measures.

The Juneau Off Road Association (JORA) would construct the facility under a Memorandum of Understanding (MOU) with CBJ. The MOU will include operating and construction conditions and parameters. JORA would operate the facility.

The picture below left shows possible trail alignments. The picture in the middle below shows the lot lines and terrain – the trails seem to be to the west of steep terrain. The picture on the right shows the approximate project area illustrated in the other two pictures.



CONDITIONAL USE PERMIT

ORV use is permitted in the Rural Reserve zoning area with a Conditional Use Permit (CUP)[Table of Permissible Uses, CBJ 49.25.300, Paragraph 6.240, "Automobile, motorcycle racing tracks; off-highway vehicle parks"].

A caretaker facility should be an explicit element of that permit. The Applicant should provide what sort of structure the caretaker facility would be, and how utilities will be provided.

Given the controversy over the topic, Community Development Department will likely require a public meeting in advance of the Planning Commission hearing.

The Planning Commission will consider if the development will, "…substantially decrease the value of or be out of harmony with property in the neighboring area." The Applicant should proactively address impacts from:

- Light
- Noise (especially coordination with the Juneau Police Department on noise complaints)
- Parking and traffic
- Impacts to habitat
- Operations Plans and enforcement
- Emergency operations and communications

Additionally, the Applicant should explain what has changed from the 2013 study conducted by the National Off-Highway Vehicle Conservation Council, in particular:

- Discussions with Goldbelt regarding Echo Cove
- Fish Creek Quarry possibilities
- Training facilities close to town.

If a Conditional Use Permit is approved it will expire 18 months after issuance if no construction activity has occurred. It can be extended once.

Important Note Regarding Partner Agencies: JORA must apply for and receive an Alaska Department of Transportation and Public Facility (ADOT&PF) permit for driveways/access to the properties. Note that any development will need to be outside of the right-of-way: No parking areas, gates, toilets or trails.

A review of water and septic provisions by Alaska Department of Environmental Conservation will be required.

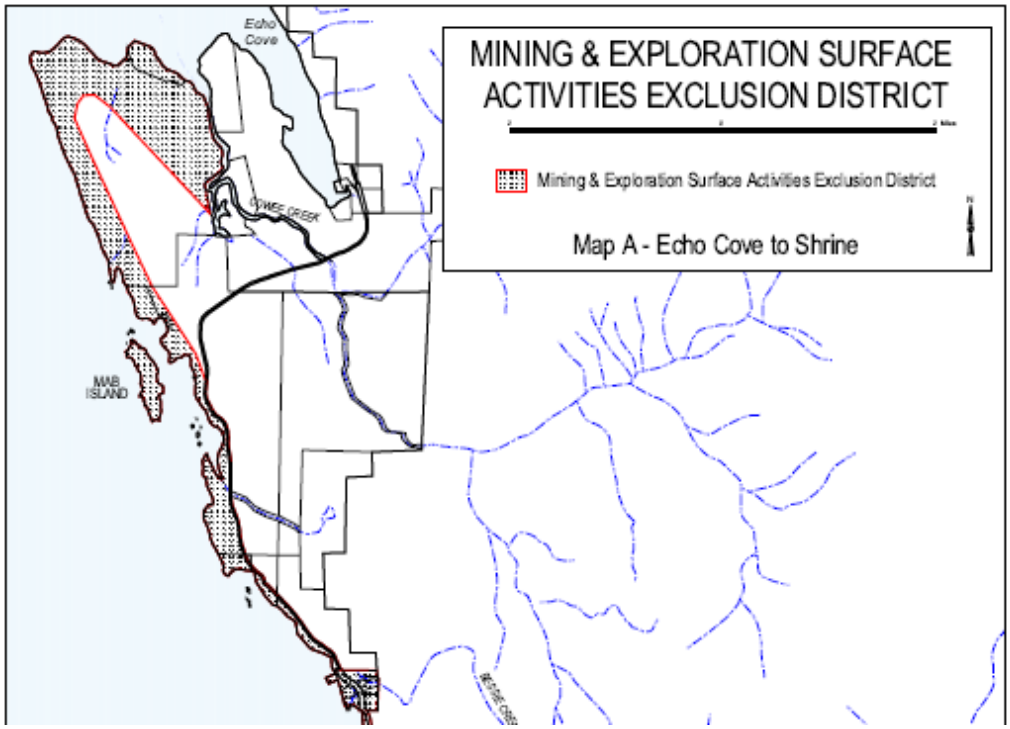
CBJ Law may need to weigh in on the process for using city land. The Land Manager is not sure if the Assembly will need to weigh in on the lease agreement. It sounds like Parks and Recreation is anticipating an Assembly Resolution of Support before the application is processed through Community Development.

Questions/issues/agreements identified at the conference that weren't identified in the attached reports. The following is a list of issues, comments and proposed actions, and requested technical submittal items that were discussed at the pre-application conference.

Planning Division

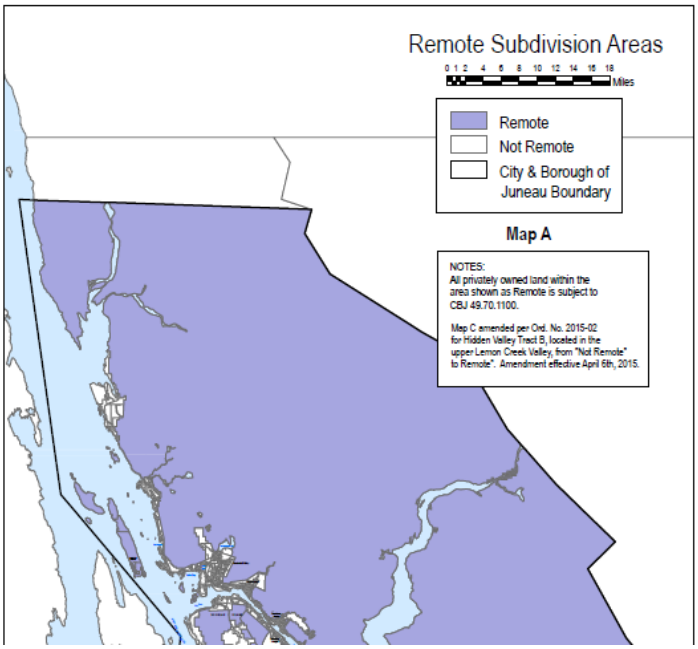
1. **Zoning** – Rural Reserve (RR)

   The parcel is outside of the Mining and Exploration Surface Activities Exclusion District.



   The CBJ 2013 Comprehensive Plan maps this area as a "resource development" area, primarily to identify and conserve natural resources until specific land uses are identified and developed. This area was outside the study area of this Comprehensive Plan. As resources are identified or extracted from these lands, they should be re-designated and rezoned appropriately.

2. **Subdivision** – While subdivision is not proposed as part of this project, the area is in the "Remove Subdivision Area."



3. **Setbacks** – The caretaker facility and other structures will need to meet setback standards for the zoning district.
    - **Front**: 25 feet
    - **Side**: 15 feet
    - **Street side**: 17 feet
    - **Rear**: 25 feet. A 60 foot setback is required between nonresidential and a designated or actual residential site. An 80 foot setback is required between industrial, extractive and other uses.

4. **Height** – 45 feet.
5. **Access –** Via Glacier Highway, a minor arterial.
6. **Parking & Circulation**–

CBJ does not have a parking category similar enough to off-road vehicle park to establish a parking requirement. The Applicant should be prepared to provide and justify the number of parking spaces, and the parking lot and space dimensions. Note that ADA-accessible spaces required will be based on the number of spaces approved for the lot.

Alaska Department of Natural Resources: Standard parking stall for a truck with a trailer is 12'x55'. This can be adjusted if there are special circumstances such as tight turns, angled parking or narrow through-lanes. The number of spaces is usually based on data from field staff, with new facilities requiring input from advisory boards and user groups.

U.S. Forest Service: If the parking is paved the spaces are 9x22 for angled or straight-in parking spaces. If it is parallel they plan 25 foot length for spaces. If the lot is not striped, they plan for 10x25 feet to give people

room to sort it out. They may make spaces larger if snow accommodation is required or larger vehicles are using parking.

National Off-Highway Vehicle Conservation Council: They recommend room for maneuvering and unloading gear, with 15 foot width. They recommend pull-through parking.

7. **Lot Coverage –**

Lot coverage is any structure with a roof, and is limited to 10% lot coverage. This is not anticipated to be a challenge with this project.

8. **Vegetative Coverage** –

The Rural Reserve Zoning District does not have vegetative cover requirements.

9. **Lighting** –

Given the rural nature of the area, the applicant should be mindful of lighting impacts on the non-participating public while assuring a safe operational environment for park users.

Exterior lighting may not shed light or glare beyond the property line of the site, and shall not be used in a manner that produces glare on public highways or neighboring property.

A site plan showing the location of outdoor lighting fixtures and cut sheets for all lighting fixtures is required for a building permit. The Applicant may want to consider providing a draft plan during the Conditional Use Permit process to aid the Planning Commission in evaluating impacts.

Outdoor lighting should be full cut-off or shielded.

Sufficient exterior lighting must be provided to permit safe pedestrian access and loading/unloading operations.

10. **Noise** –

Consider providing a noise study with the Conditional Use Permit application. While not required for the application, it will provide the Commission with information they need to evaluate the project, and will help circumvent delays due to further study.

CBJ does not have a schedule of civil fines or citation standards for ORV park operations. The applicant should assume that the Commission will establish stringent and enforceable Conditional Use Permit conditions to account for this fact and to provide CBJ tools for enforcement should the park become a problem.

The Commission will evaluate whether noise created by the park will substantially decrease the value of or be out of harmony with property in the neighboring area.

The Applicant can help shape enforceable conditions that could help the Commission moderate impacts through operational standards.

Noise violations are usually handled through the Juneau Police Department under CBJ 42.202095, “Disturbing the Peace.” The Applicant should anticipate that the Commission would not be interested in impacting law enforcement operations with an ongoing enforcement challenge far from the population center.

CBJ Administrative Code is not enforceable, but provides a guide for performance standards for industrial activities, limiting the volume at the boundary with a residential district to 55 decibels between 11:30 pm and 6:00 am, and 70 decibels at other times.

The U.S. Forest Service uses “Basic Acoustics for OHV Noise Control” as a reference for developing parks. This compilation of studies suggests that motorcycles equipped with manufacturer mufflers acoustically

"vanish" at 0.27 miles from the source of noise, or 11,761 feet. Private property owners in the Yankee Cove area are approximately 11,000 feet from the proposed southern end of the trail system.

Name	Area	Parcel #
Brown	Yankee Code	3B4401000092
Brown	Yankee Cove	3B4401000080
Garcia	Yankee Cove	3B4401000094
Hobbs	Yankee Cove	3B4401000101
Hobbs	Yankee Cove	3B4401000101
Hooton	Yankee Cove	3B4401000111
Hooton	Yankee Cove	3B4401000061
Hutchins	Yankee Cove	3B4401000093
Shattenburg	Yankee Cove	3B4401000070
Willingham	Yankee Cove	3B4401000062

11. **Flood** – The lot and proposed project are not in a flood plain.
12. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – The lot is not in a mapped hazard, mass wasting or avalanche area. A Hillside Endorsement will be required if there are structures proposed in areas in excess of 18 percent slope.
13. **Wetlands** –

There are mapped forested wetlands (yellow in the image below) in the project area, documented in the Draft 2016 Wetlands Management Plan supplement. Wetlands fill would require a permit from the United States Army Corps of Engineers (907) 753-2689.

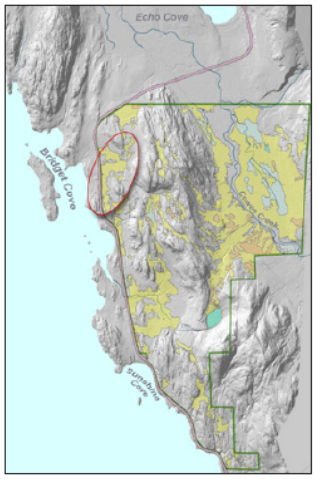
MAP EC15

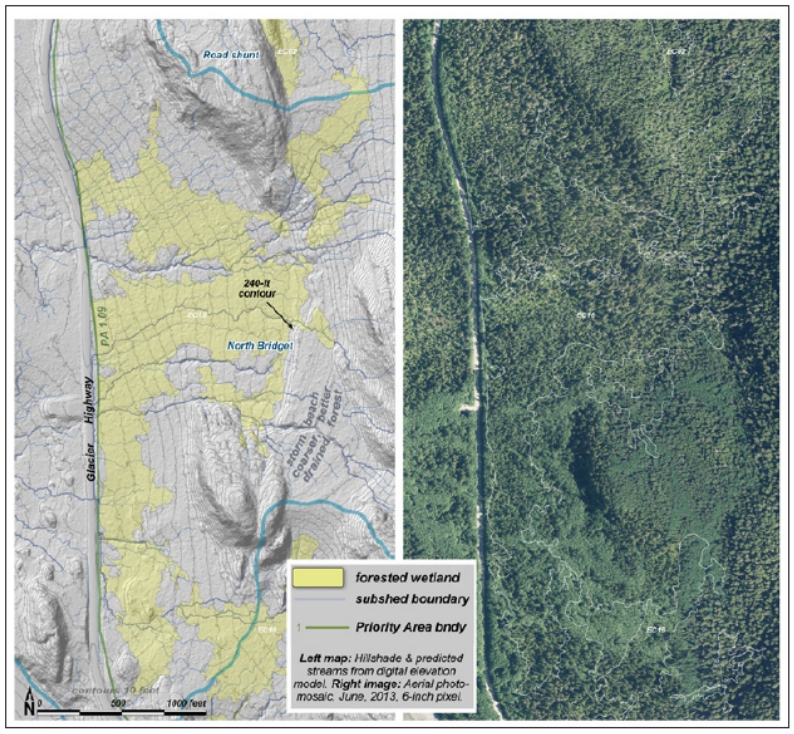
A single *fw* unit, EC15, spreads across most of the North Bridget subshed, which drains Hill 970 westward into the northern portion of Bridget Cove enclosed by Mab Island. Wetland habitats are found exclusively on ancient marine deposits, at elevations up to 360 feet. These are mostly on fine sand and silt, but on slopes once exposed to northerly storm waves, deposits are coarser, and large-tree upland forest prevails.

At 230 to 240 feet above modern sea level is an abrupt escarpment that shows well on this hillshade. For discussion of origin see *Introduction>The 230-foot escarpment*.

Before the road was extended north from Eagle River, logger Allen McMurchie, former owner of today's Echo Ranch, stripped the old growth from the lower slopes of this subshed. In many places, his cat-yarded logs exposed soils, so it probably took many years before muddy skid trails settled down. Red alders inherited these sites.

Today, the McMurchie clearcuts probably contain the largest acreage of mature alder forest in the CBJ, rivalled only by burned and abandoned mining sites like Treadwell, and second-growth stands in Lemon Creek valley.





43 • *Supplement to the JWMP* — *Richard Carstensen • 2016*

14. **Habitat** – Check with the U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling.

    Bridget Cove Creek/Tributary is a Stream Protection Corridor according to the 2013 Comprehensive Plan, and is an anadromous water body. Proposed ORV trails are approximately 1,500 north of Bridget Cove Creek, and at its nearest point about 1,000 feet to the east.

    On CBJ-owned lands, a SC-Stream Protection Corridor designation protects anadromous fish streams and their tributaries from development that could cause pollution, erosion, depletion of groundwater infiltration, or otherwise could degrade the stream corridor and its biological functions. A 200 foot wide corridor on both sides of the bank is included within the designated corridor. Motorized trail development will not be allowed in the corridor.

15. **Plat Restrictions** – None.
16. **Traffic** – The applicant will need to provide well-reasoned traffic projections for the project. These will be used to determine if a Traffic Impact Analysis will be required for CBJ. Note that ADOT&PF may have traffic study requirements for a facility accessing Glacier Highway. Contact information for ADOT&PF is provided below.
17. **Nonconforming situations** – None.

Building Division

18. **Building** – Any structures placed on site will need to go through the Building Permit review process
19. **Outstanding Permits** - None

General Engineering/Public Works

20. **Engineering** – N/A

21. **Drainage** – N/A
22. **Utilities** – (water, power, sewer, etc.) – N/A

Fire Marshal

23. **Fire Items/Access** – N/A

Other Applicable Agency Review

24. Alaska Department of Transportation and Public Facilities: Check with them on:
    - operations in or near the Glacier Highway right-of-way
    - driveway permitting
    - traffic study requirements

    Contact Michael Schuler, Property Management Officer, (907) 465-4499, Michael.Schuler@alaska.gov
25. Contact the Alaska Department of Environmental Conservation regarding:
    - On-site water and sewer for the caretaker facility
    - Approval for pit latrines

    Contact:
    - Engineer: Raymond Zimmer, (907) 465-5167, raymond.zimmer@alaska.gov
    - Specialist: Ryan Peterson, (907) 262-3402, ryan.peterson@alaska.gov
26. DOT&PF / Alcohol Beverage Control Board / Army Corps / DEC (wastewater) / DNR / USF&W / F&G / FAA / Corrections…

List of required applications

Based upon the information submitted for pre-application review, the following list of applications must be submitted in order for the project to receive a thorough and speedy review.

1. Development Permit Application: https://juneau.org/index.php?gf-download=2019%2F12%2FDPA.pdf&form-id=22&field-id=11&hash=81202ef96484e0b859d1c4855a6b7ae4b18cb229e8824059dbb0d96082e74d6d
2. Allowable/Conditional Use Permit Application: https://juneau.org/index.php?gf-download=2019%2F07%2FUSE-Allowable-Conditional-Use.pdf&form-id=22&field-id=11&hash=1f4082f939f72daa29a17b66188d1bf0f634352cc2ca2397485edbab5a3d366d

Additional Submittal Requirements

Submittal of additional information, given the specifics of the development proposal and site, are listed below. These items will be required in order for the application to be determined Counter Complete.

1. A copy of this pre-application conference report.
2. Consider providing a noise impact study.
3. Consider providing a traffic volume and parking study.
4. Consider providing a lighting plan.

5. Consider providing an Operations Plan for review.
6. Consider providing a proposed Memorandum of Understanding with CBJ Parks and Recreation on how the site will be managed.
7. Consider providing documentation of discussions with ADOT&PF regarding permitting and anticipated traffic volumes.
8. (Add any necessary supporting documents required in the application forms OR that may be useful supporting information)

Exceptions to Submittal Requirements

Submittal requirements staff has determined **not** to be applicable or **not** required, given the specifics of the development proposal, are listed below. These items will **not** be required in order for the application to be reviewed.

1. (Add any items required with the forms that are not applicable to the Conditional Use application)
2.

Fee Estimates

The preliminary plan review fees listed below can be found in the CBJ code section 49.85.

Based upon the project plan submitted for pre-application review, staff has attempted to provide an accurate estimate for the permits and permit fees which will be triggered by your proposal.

1. Conditional Use Permit: $1,600.00 (industrial use of over three acres of land, Class V)
2. Public Notice Sign: $150, $100 refundable if returned by the Monday following the Planning Commission hearing.

For informational handouts with submittal requirements for development applications, please visit our website at www.juneau.org/cdd.

Submit your Completed Application

You must submit your application(s) in person with payment made to:

City & Borough of Juneau, Permit Center
230 South Franklin Street
Fourth Floor Marine View Center
Juneau, AK 99801

Phone: (907) 586-0715
Web: www.juneau.org/cdd

Attachments:
49.15.330 – Conditional Use Permit

Presented by: Lands Committee
Introduced: 10/07/85
Drafted by: Lands Committee

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 85-76am

AN ORDINANCE PRESERVING CERTAIN MUNICIPAL LAND FOR THE JUNEAU OPEN SPACE AND PARK SYSTEM.

WHEREAS, the establishment of a municipal open space and park system would permit the more efficient and effective management and use of land classified for such purposes, and

WHEREAS, in accordance with CBJ 53.09, the Planning Commission has previously classified as "public use" those lands included in the list attached hereto as Appendix 1 and the maps attached hereto as Appendix 2, and

WHEREAS, such lands appear to be well suited for inclusion in an open space and park system, and

WHEREAS, the Planning Commission has reviewed and concurs with the objectives of this ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

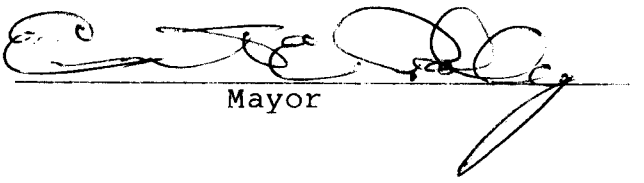
* Section 1. Classification. This ordinance is a non-code ordinance.

* Section 2. Preservation of Land. (a) Those parcels of land listed in Appendix 1 and depicted in Appendix 2 are preserved from all other uses for the purpose of inclusion in the Juneau Open Space and Park System; provided, however, waterlines, utilities, access, roads, easements and similar incidental uses may be allowed, and provided further that appropriate present uses and adequate future space for major right-of-way alignments shall be maintained in those parcels designated in Appendix 1 as 0412B and 0520A.

(b) The manager or his designee, upon a finding that circumstances so warrant, may by regulation issued pursuant

to CBJ 67.01.045 subject any of the aforesaid parcels to the application of CBJ 67.01, and such action shall be regarded as a dedication for the purposes of CBJ 67.01.030.

Adopted this 3rd day of March, 1986.



Mayor

Attest:

Patty A. Pillen

Clerk

EXCERPT

PARK AND OPEN SPACE STATISTICAL SHEETS

General Location	CBJ Parcel Number	Property Description	Approx. Acreage	Classification	Comprehensive Plan Designation	Legal Description
	1450B	Fish Creek Greenbelt	32.15	Public Use -	Open Space	Fraction of Lot 1, USS 5504, 100 feet each side of Fish Creek
	1450C	Treadwell Ditch Trail Corridor	1.60	Public Use -	Trail Corridor	Fraction of USS 5504, 50 feet each side of Treadwell Ditch Trail
Douglas Island	1470A	North Douglas Shoreline	240.00	Public Use -	Open Space	Fraction of northwest Douglas Island selection between North Douglas Highway and shoreline
	1470B	Eleven Mile Creek	9.00	Public Use - Open Space	Open Space	Fraction of northwest Douglas Island selection 100 feet each side of Eleven Mile Creek
	1470C	Shaman Island	8.00	Public Use - Open Space	Open Space	Fraction of northwest Douglas Island consisting of Shaman Island
	1470D	Peterson Creek Greenbelt	22.50	Public Use -	Open Space	Fraction of northwest Douglas Island selection 100 feet each side of Peterson Creek*
Douglas Island	1470E	Middle Creek Greenbelt	14.50	Public Use -	Resource Reserve	Fraction of northwest Douglas Island selection 100 feet each side of Middle Creek*
	1480A	Hilda Creek Greenbelt	10.00	Public Use - Open Space	Open Space	Fraction of southwest Douglas Island selection 100 feet each side of Hilda Creek*
	1490A	Gastineau Channel Shoreline	78.79	Reserved Use - Public Use -	Open Space	Fraction of southeast Douglas Island selection 200 feet upland from Gastineau Channel HWL
Bridget Cove	1500A	Lynn Canal Shoreline	358.00	Public Use - Shoreline Access & Recreation	Open Space	Fraction of North Lynn Canal selection between Glacier Highway and Lynn Canal

* Future road corridor will cross this parcel.
NOTE: Greenbelts for stream corridors are measured from HWL.

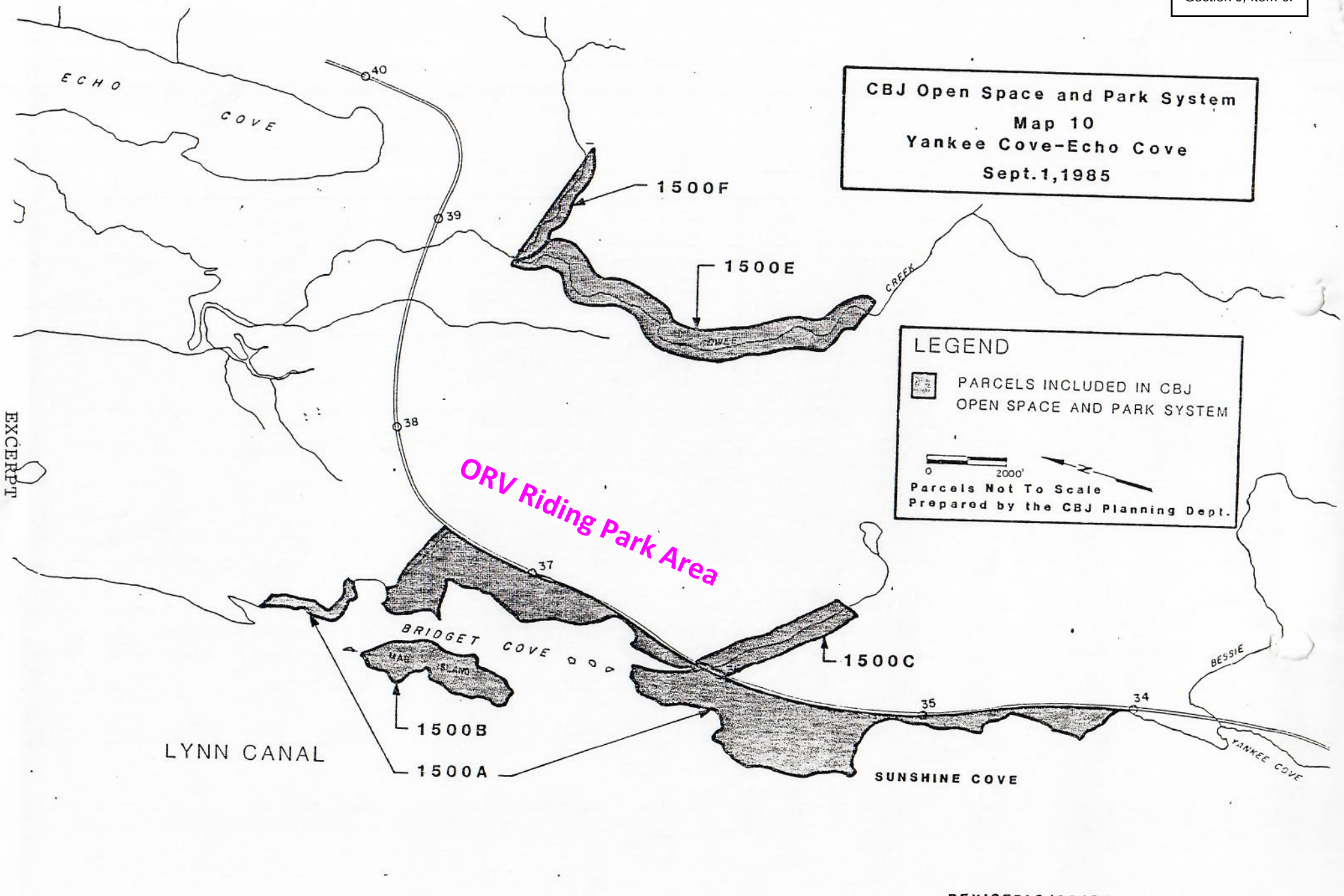
PARK AND OPEN SPACE STATISTICAL SHEETS

General Location	CBJ Parcel Number	Property Description	Approx. Acreage	Classification	Comprehensive Plan Designation	Legal Description
	1500B	Mab Island	70.00	Public Use --	Open Space	Fraction of North Lynn Canal selection consisting of Mab Island
Echo Cove	1500C	Bridget Creek Greenbelt	16.50	Public Use -	Open Space	Fraction of North Lynn Canal selection 100 feet each side of Bridget Creek
	1500E	Cowee Creek Greenbelt	59.50	Public Use -	Open Space	Fraction of North Lynn Canal selection 100 feet each side of Cowee Creek *
	1500F	Davies Creek Greenbelt	11.50	Public Use -	Open Space	Fraction of North Lynn Canal selection 100 feet each side of Davies Creek *

* Future road corridor will cross this parcel.
NOTE: Greenbelts for stream corridors are measured from HWL.

Total Approximate Average - 2055.98

EXCERPT



Attachment B- 1985 Ordinance 85-76am Juneau Open Space and Parks System

SURVEY PLAT

TABLE OF AREAS

SECTION	ALIQUOT PART	LOT	AREA	R/W AREA	PRIVATE LANDS	NET AREA
23		11	39.99	–	0.64	39.35
		8	32.89	–	–	32.89
		10A	4.30	–	–	4.30
		10B	12.16	–	–	12.16
24	SE 1/4	–	160.00	2.42	–	157.58
	SW 1/4	–	160.00	8.98	–	151.02
	NW 1/4	4	–	–	0.98	39.01
	NW 1/4	–	120.00	–	–	120.00
25	NE 1/4	–	160.00	–	–	160.00
	SE 1/4	–	160.00	3.30	–	156.70
	SW 1/4	5	41.45	9.30	–	32.15
		8	12.47	3.53	–	8.94
	E 1/2 NW 1/4	–	80.00	13.10	–	66.90
	NW 1/4	1	30.60	–	–	30.60
		4	11.46	–	–	11.46
26	NE 1/4	1	10.49	–	–	10.49
36	NE 1/4	–	160.00	12.31	–	147.69
	SE 1/4	–	160.00	12.63	–	147.37
	SW 1/4	4	34.89	–	–	34.89
		5	27.27	–	–	27.27
	NW 1/4	1	15.10	–	–	15.10
		2	11.77	–	–	11.77
		3	31.17	–	–	31.17
	TOTALS		1,515.02	65.57	5.05	1,446.73

TABLE OF RECORD MEANDERS

NUMBER	DIRECTION	DISTANCE	NUMBER	DIRECTION	DISTANCE
L1	N43°14'00"W	41.58	L93	N53°30'00"W	46.20
L2	N34°45'00"W	116.88	L94	N41°01'00"W	94.38
L3	N 0°55'00"W	236.92	L95	N20°36'00"W	223.74
L4	N31°25'00"W	212.52	L96	N 3°25'00"W	135.30
L5	N38°25'00"W	138.68	L97	N21°12'00"W	207.90
L6	N 0°62'00"W	172.92	L98	N34°10'00"W	349.14
L7	N27°24'00"W	119.46	L99	N51°04'00"W	520.74
L8	N49°14'00"W	48.18	L100	N72°21'00"W	77.22
L9	N66°32'00"W	33.06	L101	N 3°37'00"W	77.22
L10	N 6°14'00"W	151.14	L102	N45°48'00"E	74.58
L11	N61°30'00"W	183.48	L103	N12°56'00"E	123.42
L12	N29°38'00"W	170.94	L104	N 6°16'00"E	222.42
L13	N62°10'00"W	223.74	L105	N23°38'00"E	135.96
L14	N12°25'00"E	116.88	L106	N11°19'00"W	477.84
L15	N26°01'00"W	75.90	L107	N19°17'00"E	130.68
L16	S43°44'00"W	31.02	L108	N 2°59'00"W	313.50
L17	N14°30'00"E	117.48	L109	N27°03'00"W	336.66
L18	N42°52'66"E ?	119.46	L110	N11°30'00"W	374.88
L19	N27°38'60"E	128.70	L111	N42°42'00"W	143.22
L20	N 6°18'00"W	215.16	L112	N29°13'00"E	98.34
L21	N62°51'00"W	104.28	L113	S60°50'00"W	333.30
L22	N30°13'00"W	109.56	L114	S47°28'00"W	112.86
L23	N 5°21'00"E	93.72	L115	S06°26'00"W	339.66
L24	N52°08'00"E	50.82	L116	S22°32'00"W	78.54
L25	S28°31'00"E	166.30	L117	S20°32'00"W	81.84
L26	S10°20'00"E	42.90	L118	S74°47'00"W	120.78
L27	S86°17'00"E	143.88	L119	S58°59'00"W	52.80
L28	N39°53'00"E	67.32	L120	N21°15'00"W	48.18
L29	S53°33'00"E	118.14	L121	N24°27'00"E	186.12
L30	N59°13'00"E	141.90	L122	N30°41'00"W	34.98
L31	N19°58'00"E	294.36	L123	N 5°33'00"E	149.16
L32	N14°39'00"W	264.00	L124	N11°03'00"W	137.28
L33	N42°38'00"W	199.98	L125	N47°20'00"W	199.98
L34	N12°43'00"W	132.00	L126	N62°54'00"W	84.48
L35	N48°17'00"W	212.52	L127	N82°08'00"W	64.02
L36	N 4°51'00"W	179.28	L128	N24°41'00"W	73.26
L37	N61°11'00"E	39.60	L129	N85°38'00"W	116.16
L38	N 9°50'00"W	185.46	L130	N42°00'00"W	244.20
L39	N53°13'00"W	171.60	L131	N24°58'00"W	66.00
L40	N84°29'00"W	48.84	L132	N 2°56'00"W	122.76
L41	N39°36'00"W	108.90	L133	N49°52'00"W	48.18
L42	N29°35'00"E	63.36	L134	N50°27'00"E	50.82
L43	N36°07'00"W	54.78	L135	N84°39'00"E	98.34
L44	N34°05'00"E	143.88	L136	N73°41'00"E	124.08
L45	N12°52'00"W	162.36	L137	S62°48'00"E	82.50
L46	N34°44'00"W	67.98	L138	N50°11'00"E	130.02
L47	N11°03'00"E	64.68	L139	N23°15'00"E	252.78
L48	N22°46'00"W	44.22	L140	N 2°22'00"E	132.00
L49	N76°30'00"W	25.74	L141	N 9°56'00"W	199.32
L50	N34°59'00"W	10.56	L142	N22°19'00"W	189.42
L51	N73°22'00"E	28.38	L143	N41°16'00"W	267.96
L52	N 7°27'00"E	56.76	L144	N31°00'00"E	41.58
L53	N57°48'00"E	100.32	L145	S85°27'00"E	85.80
L54	N39°32'00"E	89.76	L146	S73°35'00"W	264.00
L55	N20°45'00"E	143.22	L147	S35°01'00"W	116.16
L56	N 0°67'00"E	87.12	L148	S26°09'00"W	115.56
L57	N84°46'00"E	23.10	L149	S29°16'00"E	46.86
L58	N21°56'00"E	69.30	L150	S34°44'00"E	33.00
L59	N18°29'00"W	102.96	L151	N57°22'00"W	98.34
L60	N36°51'00"E	18.48	L152	N 5°21'00"E	99.00
L61	S87°51'00"E	135.30	L153	N73°19'00"W	113.52
L62	S39°37'00"E	192.72	L154	S86°59'00"W	75.90
L63	S79°46'00"E	50.82	L155	S38°33'00"E	78.54
L64	S15°56'00"W	55.44	L156	S68°50'00"W	116.22
L65	S38°25'00"W	73.26	L157	N89°51'00"W	109.56
L66	S 1°53'00"E	108.24	L158	N53°07'00"W	40.26
L67	S82°32'00"E	176.88	L159	N28°15'00"W	61.38
L68	S41°19'00"E	209.22	L160	N64°34'00"W	72.60
L69	S21°14'00"E	269.94	L161	S76°53'00"W	71.28
L70	S41°03'00"E	246.84	L162	N72°32'00"W	85.80
L71	N69°17'00"E	74.58	L163	N45°05'00"W	46.20
L72	N24°21'00"W	192.72	L164	N33°52'00"W	71.28
L73	N27°10'00"W	232.32	L165	S66°57'00"W	76.62
L74	N 9°29'00"W	157.64	L166	N34°06'00"W	79.86
L75	N 2°00'00"W	166.32	L167	N32°47'00"E	50.16
L76	N 6°02'00"E	158.40	L168	N31°38'00"W	45.54
L77	N15°16'00"W	91.08	L169	N75°31'00"E	42.90
L78	N 7°12'00"W	183.48	L170	N 6°12'00"E	21.78
L79	N29°23'00"E	104.28	L171	N 8°28'00"W	246.84
L80	N85°45'00"E	155.76	L172	N28°13'00"E	36.30
L81	N62°27'00"E	83.82	L173	N28°48'00"W	113.52
L82	N24°06'00"E	112.20	L174	N58°21'00"E	23.76
L83	N13°15'00"E	266.64	L175	N14°06'00"W	139.26
L84	N 7°19'00"E	174.96	L176	N 6°32'00"W	116.22
L85	N 9°03'00"W	222.42	L177	N62°10'00"W	119.46
L86	N82°16'00"W	173.58	L178	N18°52'00"W	122.76
L87	N56°19'00"W	158.40	L179	N 4°24'00"W	186.78
L88	N88°16'00"W	21.12	L180	N40°03'00"W	261.36
L89	N60°03'00"W	149.16	L181	N70°31'00"W	75.24
L90	N65°05'00"W	200.64	L182	N51°09'00"W	28.38
L91	N81°41'00"W	81.18	L183	N 0°02'00"W	44.88
L92	S23°27'00"W	31.02	L184	N41°35'00"W	119.22

CORNER & ACCESSORY SUMMARY A.S.C.S. 96–13

CORNER	ACCESSORY ESTABLISHED	BEARING	DISTANCE
ASCS 96-13	20" SPRUCE	N 57°E	5.88'
WC S C 23 C	8" HEMLOCK	S 51°E	5.65'
1998 1410-S	10" SPRUCE	S 51°W	5.84'
ASCS 96-13 1/4	19" SPRUCE	N 45°E	14.56'
S23 S24	8" HEMLOCK	S 9°30'E	16.26'
1998 1410-S	20" HEMLOCK	S 67°W	25.96'
ASCS 96-13 T37S R63E	15" HEMLOCK	N 50°E	17.45'
S14 S13	20" HEMLOCK	S 18°E	5.01'
S23 S24	20" HEMLOCK	N 28°W	7.21'
1998 1410-S	6" HEMLOCK	S 10°E	33.10'
ASCS 96-13 CC S12 S24 USS 1154	10" HEMLOCK	S 63°W	37.98'
1998 1410-S	14" SPRUCE	N 87°W	46.24'
ASCS 96-13 USS 1154 C CC S24	REF. MON.	NORTH	10.00'
1998 1410-S	REF. MON.	WEST	10.00'
ASCS 96-13 T37S R63E C1/4 S24	6" HEMLOCK	N 61°E	20.84'
	10" HEMLOCK	S 17°W	16.49'
1998 1410-S	6" HEMLOCK	WEST	11.72'
ASCS 96-13 T37S R63E R64E S24 S19 S25 S30	20" HEMLOCK	N 31°E	16.04'
	22" HEMLOCK	S 61°E	26.87'
1998 1410-S	26" HEMLOCK	S 11°W	32.89'
ASCS 96-13 T37S 1/4 R63E R64E S25 S30	10" HEMLOCK	N 71°E	13.79'
	19" PINE	SOUTH	16.01'
1998 1410-S	20" PINE	N 89°W	17.71'
ASCS 96-14 T37S R63E R64E S23 S30 S36 S31	21" HEMLOCK	S 80°E	24.42'
	6" HEMLOCK	S 19°E	22.21'
1998 1410-S	22" HEMLOCK	S 74°W	10.33'
ASCS 96-14 T37S 1/4 R63E R64E S36 S31	24" HEMLOCK	S 1°W	28.46'
	16" HEMLOCK	S 67°W	15.34'
1998 1410-S	10" HEMLOCK	N 58°W	8.70'
ASCS 96-14 T37S R63E R64E S36 S31 S 1/5 6 T38S 1998 1410-S	10" HEMLOCK	N 21°E	26.80'
	8" HEMLOCK	S 4°E	28.22'
	10" HEMLOCK	N 64°W	29.24'
ASCS 96-15 T37S WC S36 MC S1 R63E T38S 1998 1410-S	30" SPRUCE	N 34°E	6.50'
	20" SPRUCE	N 80°E	7.28'
	20" HEMLOCK	S 14°E	2.97'

NAVIGABLE/PUBLIC WATERS EASEMENT

THERE IS HEREBY RESERVED AND DEDICATED A PUBLIC ACCESS EASEMENT 50 FEET WIDE, ALONG THE ORDINARY OR MEAN HIGH WATER LINE OF THE NAVIGABLE OR PUBLIC WATER BODIES WITHIN THIS SURVEY SHOWN ON THE PLAT OR IDENTIFIED AS NAMED OR UNNAMED WATER BODIES WHICH HAVE BEEN DETERMINED AND IDENTIFIED BY THE STATE IN FULFILLMENT OF AS 38.05.127(a), AS SHOWN ON THIS PLAT. THERE IS FURTHER A RESERVED AND DEDICATED A PUBLIC ACCESS EASEMENT 50 FEET WIDE, TO THE IDENTIFIED NAVIGABLE OR PUBLIC WATER BODIES WITHIN THIS SURVEY, IN FULFILLMENT OF AS 38.05.127(a) AND (f), AS SHOWN ON THIS PLAT.

CURVE TABLE (RECORD DATA)

NO.	DELTA	RADIUS	ARC	TANGENT	CHORD BEARING
C1	19°28'35"	954.92'	324.60'	183.88'	N22°15'00"W– 323.04'
C2	3°42'00"	5,730.68'	370.07'	185.10'	N10°39'45"W– 370.01'
C3	46°03'00"	716.25'	575.67'	304.40'	N31°50'15"W– 560.30'
C4	52°18'00"	955.03'	871.76'	468.90'	N28°42'45"W– 841.81'
C5	14°33'00"	2,864.81'	727.50'	365.72'	N 9°50'15"W– 725.55'
C6	75°33'30"	1,432.40'	1,888.97'	1,110.28'	N20°40'00"E–1755.03'

TABLE OF ESTABLISHED G.P.S. CONTROL STATIONS

STATION NAME	NORTHING (N.A.D.1927)	EASTING (N.A.D.1927)	LAT.	LONG.	DESCRIPTION
BRIDGET 1	2,493,494.68	2,450,125.26	58°39'12.74" N	134°54'11.09" W	1-1/4"RED PLASTIC SURV-CAP ON 5/8"DIA. RE-BAR
BRIDGET 2	2,491,967.91	2,445,616.83	58°38'56.89" N	134°55'35.76" W	1-1/4"RED PLASTIC SURV-CAP ON 5/8"DIA. RE-BAR
BRIDGET 3	2,478,879.10	2,444,740.66	58°36'47.81" N	134°55'47.75" W	1-1/4"RED PLASTIC SURV-CAP ON 5/8"DIA. RE-BAR
BRIDGET 4	2,481,913.03	2,444,153.03	58°37'17.58" N	134°55'59.89" W	1-1/4"RED PLASTIC SURV-CAP ON 5/8"DIA. RE-BAR
BRIDGET 5	2,494,065.31	2,444,635.83	58°39'17.36" N	134°55'55.03" W	1-1/4"RED PLASTIC SURV-CAP ON 5/8"DIA. RE-BAR
BRIDGET 6 *	2,493,873.67	2,443,995.57	58°39'15.36" N	134°56'07.07" W	1-1/4"RED PLASTIC SURV-CAP ON 5/8"DIA. RE-BAR
AKIYAMA 1	2,488,829.50	2,440,446.06	58°38'25.02" N	134°57'12.35" W	1-1/4"RED PLASTIC SURV-CAP ON 5/8"DIA. RE-BAR
AKIYAMA 2	2,489,901.27	2,439,326.47	58°38'35.37" N	134°57'33.89" W	1-1/4"RED PLASTIC SURV-CAP ON 5/8"DIA. RE-BAR
SUN 1	2,476,915.11	2,444,001.82	58°36'28.32" N	134°56'00.99" W	1-1/4"RED PLASTIC SURV-CAP ON 5/8"DIA. RE-BAR
SUN 2 *	2,476,279.24	2,445,954.67	58°36'22.42" N	134°55'23.91" W	1-1/4"RED PLASTIC SURV-CAP ON 5/8"DIA. RE-BAR

* BASIS OF BEARING POINT

CERTIFICATE OF OWNERSHIP AND DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE DIRECTOR, DIVISION OF LAND, AND THAT THE STATE OF ALASKA IS THE OWNER OF THE LANDS, AS SHOWN HEREON. I HEREBY APPROVE THIS SURVEY AND PLAT FOR THE STATE OF ALASKA, AND DEDICATE FOR PUBLIC OR PRIVATE USE AS NOTED, ALL EASEMENTS, PUBLIC UTILITY AREAS, AND RIGHTS-OF-WAY AS SHOWN AND DESCRIBED HEREON.

DATED 6 Dec 99

DIRECTOR
DIVISION OF LAND

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO BEFORE ME 6TH DAY OF DECEMBER, 1999
FOR DENNIS DAUGETT

NOTARY PUBLIC FOR ALASKA
MY COMMISION EXPIRES: 12-10-00

APPLICANT CERTIFICATE

(I) WE, THE UNDERSIGNED, HEREBY CERTIFY THAT (I AM) WE ARE THE APPLICANT(S) AS SHOWN HEREON. (I) WE HEREBY APPROVE THIS SURVEY AND PLAT.

ADL NO. 101081

Lee Kilcher, Lands and Resource Manager — 12-22-99
CITY AND BOROUGH OF JUNEAU — DATE
AUTHORIZED OFFICIAL AND TITLE

STATE OF ALASKA OFFICIAL SEAL Carrie M. Macaulay NOTARY PUBLIC My Commission Expires with Office

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO BEFORE ME 22 DAY OF December 1999
FOR City and Borough of Juneau, Alk

Carrie M. Macaulay
NOTARY PUBLIC FOR ALASKA
MY COMMISION EXPIRES: 11903

CERTIFICATE OF PLAT APPROVAL

I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE TITLE 4 COMMUNITY DEVELOPMENT REGULATIONS AND TITLE 49 OF THE CODE OF THE CITY AND BOROUGH OF JUNEAU, AND IS APPROVED BY THE CITY AND BOROUGH OF JUNEAU, DEPARTMENT OF COMMUNITY DEVELOPMENT, FOR RECORDING IN THE OFFICE OF THE JUNEAU RECORDING DISTRICT, JUNEAU, ALASKA.

DATED: April 26 1999

Cheryl Kasurowood
DIRECTOR
CITY AND BOROUGH OF JUNEAU
DEPARTMENT OF COMMUNITY DEVELOPMENT

ATTEST:
CLERK
CITY AND BOROUGH OF JUNEAU

GENERAL NOTES

1. THIS SURVEY WAS ACCOMPLISHED IN ACCORDANCE WITH MSI NO. 96-13.
2. ALL BEARINGS SHOWN ARE TRUE BEARINGS AS ORIENTED TO THE TRUE MERIDIAN. DISTANCES SHOWN ARE REDUCED TO HORIZONTAL FIELD DISTANCES.
3. THE ACCURACY OF THIS SURVEY IS GREATER THAN 1:5000.
4. ALL PARCELS OF LAND OWNED BY THE STATE OF ALASKA, LOCATED WITHIN 50.00 FEET OF A SURVEYED OR PROTRACTED SECTION LINE, ARE SUBJECT TO A 50 FOOT (50') EASEMENT, EACH SIDE OF THE SECTION LINE, WHICH IS RESERVED TO THE STATE OF ALASKA FOR PUBLIC HIGHWAYS UNDER A.S. 19.10.010.
5. THE NATURAL MEANDERS OF THE LINE OF ORDINARY OR MEAN HIGH WATER FORMS THE TRUE BOUNDS OF THIS SURVEY. THE APPROXIMATE LINE OF MHW AS SHOWN, IS FOR AREA COMPUTATIONS ONLY, WITH THE TRUE CORNERS BEING ON THE EXTENSION OF THE SIDE LINES AND THEIR INTERSECTION WITH THE NATURAL MEANDERS.
6. ALL BEARINGS DENOTED BY THIS PLAT HAVE BEEN ROUNDED TO THE NEAREST 0°00'15" OF ARC.
7. FOR RECOVERED MONUMENTS AND ASSOCIATED BEARING OBJECTS REFER TO BLM FIELD NOTES OR THE ASLS PLAT OF SURVEY RECORDS.
8. WHERE RECORD SURVEY COURSES (BEARINGS AND/OR DISTANCES) DIFFER FROM THAT OF ACTUAL MEASURED AND/OR COMPUTED SURVEY COURSES, THE RECORD SURVEY COURSE IS SHOWN WITHIN PARENTHESIS WHILE THE ACTUAL MEASURED AND/OR COMPUTED COURSE IS SHOWN WITHOUT PARENTHESIS THUSLY N17°02'45"W–2,616.63'(N17°13'00"W–2,618.88").
9. THE MEANDERS OF LYNN CANAL DENOTED BY THIS PLAT WERE TAKEN FROM DEPT. OF THE INTERIOR, BUREAU OF LAND MANAGEMENT FIELD NOTES OF "THE DEPENDENT RESURVEY OF A PORTION OF U.S. SURVEY NO.571 AND LINE 1–2, U.S. SURVEY NO.1154 (H.E.S.BO) AND THE SURVEY OF A PORTION OF THE SOUTH BOUNDARY, TOWNSHIP 37 SOUTH, RANGE 64 EAST, AND A PORTION OF THE SUBDIVISIONAL LINES AND THE PARTIAL SUBDIVISION OF SELECTED SECTIONS, TOWNSHIPS 37 AND 38 SOUTH, RANGE 64 EAST AND PORTIONS OF THE MEANDERS OF TOWNSHIPS 37 AND 38 SOUTH, RANGE 63 EAST, AND TOWNSHIP 38 SOUTH, RANGE 64 EAST, OF THE COPPER RIVER MERIDIAN". THIS SURVEY WAS EXECUTED BY KEAN & ASSOCIATES IN 1989 AND APPROVED SEPTEMBER 25, 1990.

BASIS OF COORDINATES

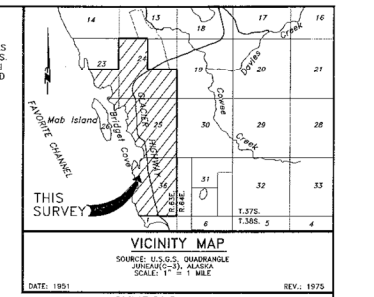
U.S.C.&G.S. "WILL 1921"
LAT.= 58°39'31.00"N
LONG.= 135°09'56.50"W
A.S.P.C., ZONE 1
N= 2,496,353.30
E= 2,400,161.04
N.A.D. 1927

U.S.C.&G.S. "BERN 1921"
LAT.= 58°45'52.76"N
LONG.= 135°03'53.80"W
A.S.P.C., ZONE 1
N= 2,534,688.44
E= 2,420,137.79
N.A.D. 1927
(SOURCE: COAST & GEODETIC SURVEY – HORIZONTAL CONTROL DATA, DATED NOVEMBER 1972. PUBLISHED BY U.S. DEPT. OF COMMERCE

BASIS OF BEARING

BASIS OF BEARING ON THIS PLAT WAS DETERMINED BY HIGH PRECISION G.P.S. SURVEY USING ASHTECH DIMENSION II RECEIVERS DIFFERENTIALLY CORRECTED AND PROCESSED USING ASHTECH PRISM, VERSION 2.0 SOFTWARE.

8001-49
Juneau REC DIST N/C
DATE 9/6 2001
TIME 3:25 P.M.
Requested By AS/DNR
Address



VICINITY MAP
SOURCE: U.S.G.S. QUADRANGLE JUNEAU(C-3), ALASKA
SCALE: 1" = 1 MILE
DATE: 1951 REV.: 1975

SYMBOLS

- U.S.C.&G.S. TRIANGULATION STATION (RECOVERED)
- 1410-S PRIMARY MONUMENT (ESTABLISHED)
- ASLS 83-156 PRIMARY MONUMENT [3650-S] (RECOVERED)
- B.L.M. MONUMENT (RECOVERED)
- GPS STATION BY THIS SURVEY
- BOUNDARY LINE
- SECTION LINE
- CENTERLINE
- EASEMENT LINE
- EXISTING RIGHT-OF-WAY/PROPERTY LINE
- 4 DEPT. OF INT./B.L.M. LOT DESIGNATION

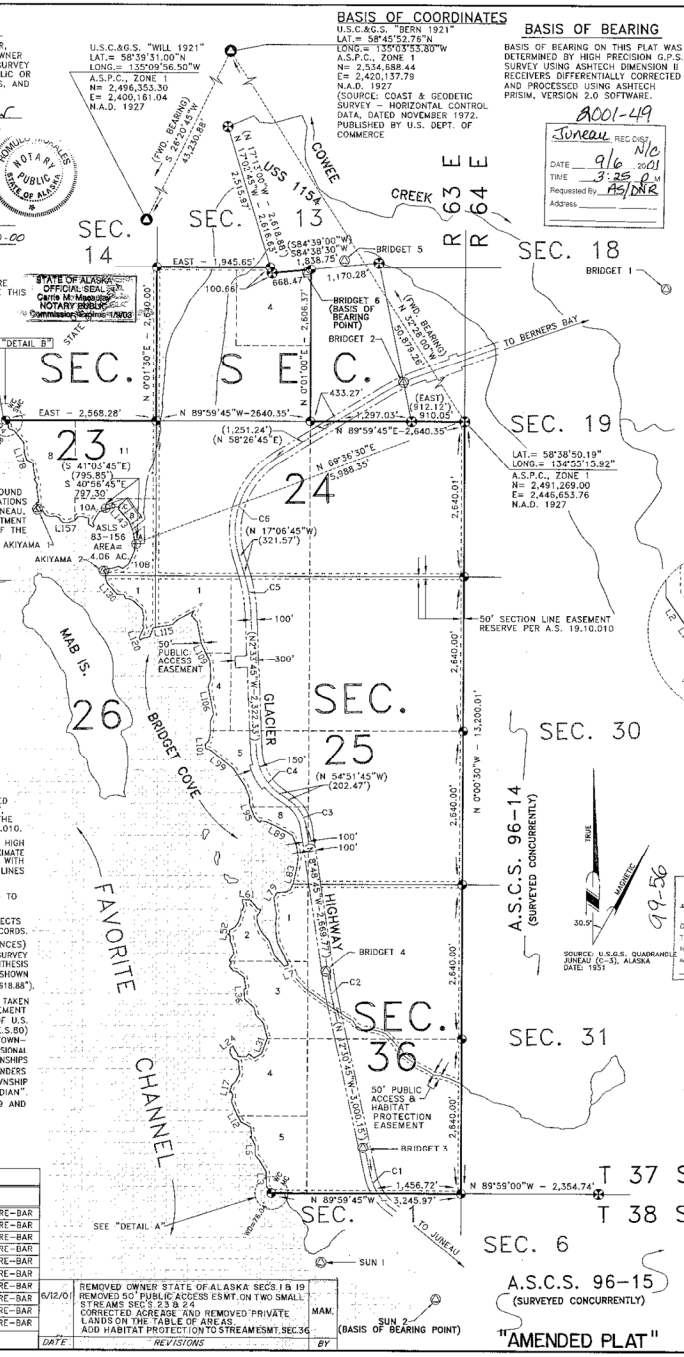

SEC. 14
SEC. 13
SEC. 18
SEC. 23
SEC. 24
SEC. 19
SEC. 26
SEC. 25
SEC. 30
SEC. 36
SEC. 31
SEC. 6
T 37 S
T 38 S
R 63 E
R 64 E
USS 1154
COFFEE CREEK
MAB IS.
BRIDGET COVE
GLACIER
FAVORITE CHANNEL
HIGHWAY
AKIYAMA 2
4.06 AC.
ASLS 83-156
AREA= 2.42 AC.
BRIDGET 1
BRIDGET 2
BRIDGET 3
BRIDGET 4
BRIDGET 5
BRIDGET 6 (BASIS OF BEARING POINT)
SUN 1
SUN 2 (BASIS OF BEARING POINT)
TO BERNERS BAY
TO JUNEAU
50' SECTION LINE EASEMENT RESERVE PER A.S. 19.10.010
50' PUBLIC ACCESS EASEMENT
50' PUBLIC ACCESS & HABITAT PROTECTION EASEMENT
SEE "DETAIL A"
SEE "DETAIL B"
EAST – 1,945.65'
EAST – 2,568.28'
N 89°59'45"W–2640.35'
N 89°59'00"W – 2,354.74'
N 89°59'45"W 3,245.97'
(1,251.24') (N 58°26'45"E)
(2,616.63') (S84°38'30"W)
1,316.75'
1,170.28'
668.47'
100.66'
433.27'
297.03'
(812.17') 910.05'
795.85'
297.30'
S 40°56'45"E
(S 41°03'45"E)
LAT.= 58°38'50.19"
LONG.= 134°55'15.92"
A.S.P.C., ZONE 1
N= 2,491,269.00
E= 2,446,653.76
N.A.D. 1927
A.S.C.S. 96-14 (SURVEYED CONCURRENTLY)
A.S.C.S. 96-15 (SURVEYED CONCURRENTLY)
"AMENDED PLAT"
13,200.01'
2,640.00'
2,640.01'
N 0°00'30"W
N 0°01'30"E
N 0°00'15"W
N 0°00'00"E
N 0°00'45"W
N 0°00'30"W

TABLE OF ESTABLISHED G.P.S. CONTROL STATIONS

STATION NAME	NORTHING (N.A.D.1927)	EASTING (N.A.D.1927)	LAT.	LONG.	DESCRIPTION
BRIDGET 1	2,493,494.68	2,450,125.26	58°39'12.74" N	134°54'11.09" W	1-1/4"RED PLASTIC SURV-CAP ON 5/8"DIA. RE-BAR
BRIDGET 2	2,491,967.91	2,445,616.83	58°38'56.89" N	134°55'35.76" W	1-1/4"RED PLASTIC SURV-CAP ON 5/8"DIA. RE-BAR
BRIDGET 3	2,478,879.10	2,444,740.68	58°36'47.81" N	134°55'47.73" W	1-1/4"RED PLASTIC SURV-CAP ON 5/8"DIA. RE-BAR
BRIDGET 4	2,481,913.03	2,444,153.03	58°37'17.58" N	134°55'59.89" W	1-1/4"RED PLASTIC SURV-CAP ON 5/8"DIA. RE-BAR
BRIDGET 5	2,494,065.31	2,444,635.93	58°39'17.36" N	134°55'55.03" W	1-1/4"RED PLASTIC SURV-CAP ON 5/8"DIA. RE-BAR
BRIDGET 6 *	2,493,873.67	2,443,995.57	58°39'15.36" N	134°56'07.07" W	1-1/4"RED PLASTIC SURV-CAP ON 5/8"DIA. RE-BAR
AKIYAMA 1	2,488,829.50	2,440,446.06	58°38'25.02" N	134°57'12.35" W	1-1/4"RED PLASTIC SURV-CAP ON 5/8"DIA. RE-BAR
AKIYAMA 2	2,489,901.27	2,439,326.47	58°38'35.37" N	134°57'33.89" W	1-1/4"RED PLASTIC SURV-CAP ON 5/8"DIA. RE-BAR
SUN 1	2,476,915.11	2,444,001.82	58°36'28.32" N	134°56'00.99" W	1-1/4"RED PLASTIC SURV-CAP ON 5/8"DIA. RE-BAR
SUN 2 *	2,476,279.24	2,445,954.67	58°36'22.42" N	134°55'23.91" W	1-1/4"RED PLASTIC SURV-CAP ON 5/8"DIA. RE-BAR

* BASIS OF BEARING POINT

GENERAL NOTES

1. THIS SURVEY WAS ACCOMPLISHED IN ACCORDANCE WITH MSI NO. 96-14.
2. ALL BEARINGS SHOWN ARE TRUE BEARINGS AS ORIENTED TO THE TRUE MERIDIAN. DISTANCES SHOWN ARE REDUCED TO HORIZONTAL FIELD DISTANCES.
3. THE ACCURACY OF THIS SURVEY IS GREATER THAN 1:5000.
4. ALL PARCELS OF LAND OWNED BY THE STATE OF ALASKA, LOCATED WITHIN 50.00 FEET OF A SURVEYED OR PROTRACTED SECTION LINE, ARE SUBJECT TO A 50 FOOT (50') EASEMENT, EACH SIDE OF THE SECTION LINE, WHICH IS RESERVED TO THE STATE OF ALASKA FOR PUBLIC HIGHWAYS UNDER A.S. 19.10.010.
5. ALL BEARINGS DENOTED BY THIS PLAT HAVE BEEN ROUNDED TO THE NEAREST 0°00'15" OF ARC.

NAVIGABLE/PUBLIC WATERS EASEMENT

THERE IS HEREBY RESERVED AND DEDICATED A PUBLIC ACCESS EASEMENT 50 FEET WIDE, ALONG THE ORDINARY OR MEAN HIGH WATER LINE OF THE NAVIGABLE OR PUBLIC WATER BODIES WITHIN THIS SURVEY SHOWN ON THE PLAT OR IDENTIFIED AS NAMED OR UNNAMED WATER BODIES WHICH HAVE BEEN DETERMINED AND IDENTIFIED BY THE STATE IN FULFILLMENT OF AS 38.05.127(a), AS SHOWN ON THIS PLAT. THERE IS FURTHER RESERVED AND DEDICATED A PUBLIC ACCESS EASEMENT 50 FEET WIDE, TO THE IDENTIFIED NAVIGABLE OR PUBLIC WATER BODIES WITHIN THIS SURVEY, IN FULFILLMENT OF AS 38.05.127(a) AND (f), AS SHOWN ON THIS PLAT.

CERTIFICATE OF OWNERSHIP AND DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE DIRECTOR, DIVISION OF LAND, AND THAT THE STATE OF ALASKA IS THE OWNER OF THE LANDS, AS SHOWN HEREON. I HEREBY APPROVE THIS SURVEY AND PLAT FOR THE STATE OF ALASKA, AND DEDICATE FOR PUBLIC OR PRIVATE USE AS NOTED, ALL EASEMENTS, PUBLIC UTILITY AREAS, AND RIGHTS-OF-WAY AS SHOWN AND DESCRIBED HEREON.

DATED 6 Dec 99

DIRECTOR
DIVISION OF LAND

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO BEFORE ME 6TH DAY OF DECEMBER, 1999.
FOR DENNIS DAIGGER

NOTARY PUBLIC FOR ALASKA
MY COMMISION EXPIRES: 12-10-00

ROMULO MORALES NOTARY PUBLIC STATE OF ALASKA

APPLICANT CERTIFICATE

(I) WE, THE UNDERSIGNED, HEREBY CERTIFY THAT (I AM) WE ARE THE APPLICANT(S) AS SHOWN HEREON. (I) WE HEREBY APPROVE THIS SURVEY AND PLAT.

ADL NO. 101081

Lisa Hilton Lands and Resource Manager — 4-22-99
CITY AND BOROUGH OF JUNEAU AUTHORIZED OFFICIAL AND TITLE — DATE

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO BEFORE ME 22 DAY OF April, 1999
FOR City and Borough of Juneau, AK

Carrie M. Macaulay
NOTARY PUBLIC FOR ALASKA
MY COMMISION EXPIRES: 1/9/03

STATE OF ALASKA OFFICIAL SEAL Carrie M. Macaulay NOTARY PUBLIC My Commission Expires: 1/9/03

CERTIFICATE OF PLAT APPROVAL

I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE TITLE 4 COMMUNITY DEVELOPMENT REGULATIONS AND TITLE 49 OF THE CODE OF THE CITY AND BOROUGH OF JUNEAU, AND IS APPROVED BY THE CITY AND BOROUGH OF JUNEAU, DEPARTMENT OF COMMUNITY DEVELOPMENT, FOR RECORDING IN THE OFFICE OF THE JUNEAU RECORDING DISTRICT, JUNEAU, ALASKA.

DATED: April 12, 1999

Cheryl Kasnerwood
DIRECTOR
CITY AND BOROUGH OF JUNEAU
DEPARTMENT OF COMMUNITY DEVELOPMENT

ATTEST:
CLERK
CITY AND BOROUGH OF JUNEAU

CITY & BOROUGH OF JUNEAU ALASKA'S CAPITAL CITY INCORPORATED JULY 1970

TILE: L-787

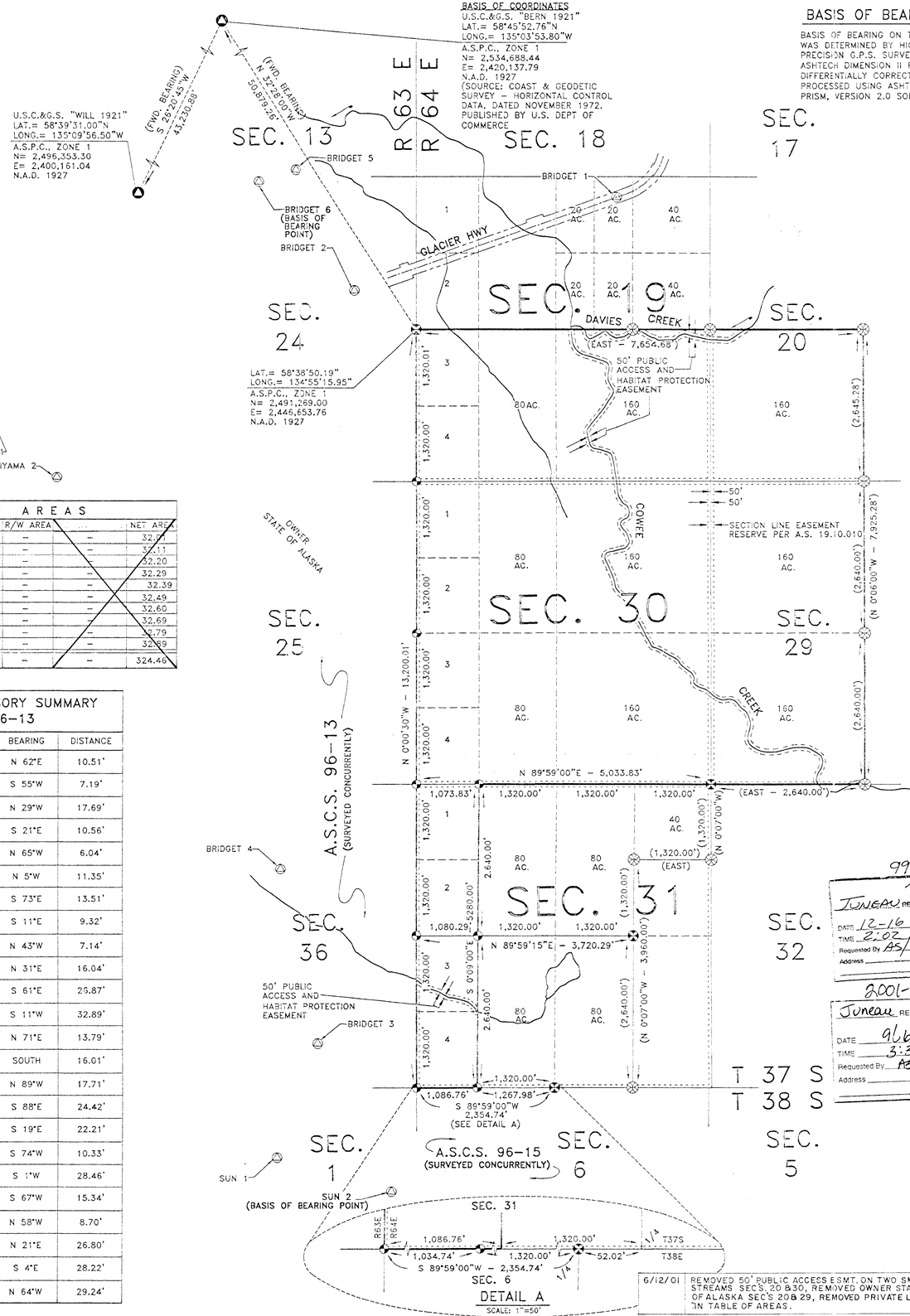
PRODUCTS \ 97 \ 300 \ DEENESS \ MSI \ 1-5000 = 5/13/99 - 7:57 A.M. - M.A.J.

TABLE OF AREAS

SECTION	ALIQUOT PART	LOT #	AREA	R/W AREA		NET AREA
19	W 1/2 SW 1/4	3	32.01	–	–	32.01
		4	32.11	–	–	32.11
30	W 1/2 W 1/2	1	32.20	–	–	32.20
		2	32.29	–	–	32.29
		3	32.39	–	–	32.39
		4	32.49	–	–	32.49
31	W 1/2 W 1/2	1	32.60	–	–	32.60
		2	32.69	–	–	32.69
		3	32.79	–	–	32.79
		4	32.89	–	–	32.89
TOTALS			324.46	–	–	324.46

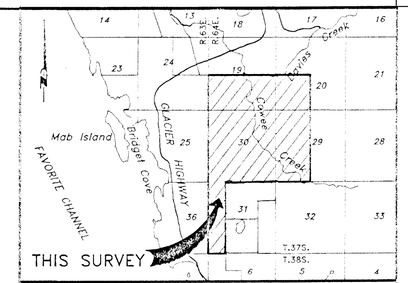
CORNER & ACCESSORY SUMMARY A.S.C.S. 96-13

CORNER	ACCESSORY ESTABLISHED	BEARING	DISTANCE
ASCS 96-14	24" HEMLOCK	N 62°E	10.51'
W 1/16 S30 / S31	20" HEMLOCK	S 55°W	7.19'
1998 1410-S	14" HEMLOCK	N 29°W	17.69'
ASCS 96-14	6" HEMLOCK	S 21°E	10.56'
C W 1/16 C S-31	4" HEMLOCK	N 65°W	6.04'
1998 1410-S	28" SPRUCE	N 5°W	11.35'
ASCS 96-15	7" HEMLOCK	S 73°E	13.51'
W 1/16 S6	13" SPRUCE	S 11°E	9.32'
1998 1410-S	12" HEMLOCK	N 43°W	7.14'
ASCS 96-14 T37S R63E R64E S24 S19 / S25 S30	20" HEMLOCK	N 31°E	16.04'
	22" HEMLOCK	S 61°E	26.87'
1998 1410-S	26" HEMLOCK	S 11°W	32.89'
ASCS 96-14 T37S 1/4 R63E R64E S25 S30	10" HEMLOCK	N 71°E	13.79'
	19" PINE	SOUTH	16.01'
1998 1410-S	20" PINE	N 89°W	17.71'
ASCS 96-14 T37S R63E R64E S25 S30 / S36 S31	21" HEMLOCK	S 88°E	24.42'
	6" HEMLOCK	S 19°E	22.21'
1998 1410-S	22" HEMLOCK	S 74°W	10.33'
ASCS 96-14 T37S 1/4 R63E R64E S36 S31	24" HEMLOCK	S 1°W	28.46'
	16" HEMLOCK	S 67°W	15.34'
1998 1410-S	18" HEMLOCK	N 58°W	8.70'
ASCS 96-14 T37S R63E R64E S36 S31 / S 1 S 6 T38S 1998 1410-S	10" HEMLOCK	N 21°E	26.80'
	8" HEMLOCK	S 4°E	28.22'
	10" HEMLOCK	N 64°W	29.24'



BASIS OF BEARING

BASIS OF BEARING ON THIS PLAT WAS DETERMINED BY HIGH PRECISION G.P.S. SURVEY USING ASHTECH DIMENSION II RECEIVERS DIFFERENTIALLY CORRECTED AND PROCESSED USING ASHTECH PRISM, VERSION 2.0 SOFTWARE



VICINITY MAP

SOURCE: U.S.G.S. QUADRANGLE JUNEAU(C-3), ALASKA
SCALE: 1" = 1 MILE
DATE: 1951 — REV.: 1975

SYMBOLS

- U.S.C.&G.S. TRIANGULATION STATION (RECOVERED)
- 1410-S PRIMARY MONUMENT (ESTABLISHED)
- B.L.M. MONUMENT OF RECORD (NOT RECOVERED)
- B.L.M. MONUMENT (RECOVERED)
- G.P.S. STATION BY THIS SURVEY
- BOUNDARY/PROPERTY LINE
- SECTION LINE
- CENTERLINE
- EASEMENT LINE
- EXISTING RIGHT-OF-WAY/PROPERTY LINE
- WATER FLOW DIRECTION
- 3 — DEPT. OF INT./B.L.M. LOT DESIGNATION (TYP.)
- 80 — DEPT. OF INT./B.L.M. AREA DESIGNATION (TYP.)

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.

DATE 5/22/99 — REGISTRATION NO. LS 1410

MALCOLM A. MENZIES
REGISTERED LAND SURVEYOR

99-57 N/C
JUNEAU REC DIST
DATE 12-16 YR 99
TIME 2:02 P.M.
Requested By AS/DOL
Address

2001-50
Juneau REC DIST N/C
DATE 9/6 20 01
TIME 3:31 P.M.
Requested By AS/DNR
Address

"AMENDED PLAT"

STATE OF ALASKA 49TH MALCOLM A. MENZIES LS 1410 REGISTERED LAND SURVEYOR

APPLICANT:
CITY & BOROUGH OF JUNEAU, ALASKA
LANDS & RESOURCE DEPARTMENT
155 S. SEWARD ST.
JUNEAU, ALASKA 99801

SCALE: 1 = 1,000' (304.80 Meters)

0' 500' 1000' 2000' 5000'
0 m 500 m 1000 m 1500 m

METER = 3.2808333 U.S. SURVEY FEET
U.S. ACRE = 0.4047 HECTARES

DATE OF SURVEY
Beginning 9-9-97
Ending 4-6-98

NAME OF SURVEYOR
R&M ENGINEERING, INC.
P.O. BOX 34278
JUNEAU, ALASKA 99803
R&M PROJ. No.: 971800.1

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF LAND
ANCHORAGE, ALASKA

ALASKA STATE CADASTRAL SURVEY No. 96-14

ALASKA STATE CADASTRAL SURVEY
WITHIN UNSURVEYED SECTIONS 19, 20, 29-31
T. 37 S., R. 64 E.
COPPER RIVER MERIDIAN, ALASKA.
JUNEAU RECORDING DISTRICT

DATE	REVISIONS	BY
6/12/01	REMOVED 50' PUBLIC ACCESS ESMT. ON TWO SMALL STREAMS SEC'S. 20 & 30, REMOVED OWNER STATE OF ALASKA SEC'S 20 & 29, REMOVED PRIVATE LANDS IN TABLE OF AREAS.	MAM.

DRAWN BY D.S./M.L.P.
DATE JAN. 1999
SCALE 1"=1,000'
APPROVAL RECOMMENDED Gerald Jennings 12-6-99 Statewide Platting Supervisor Date
CHECKED M.A.M.
FILE NO. A.S.C.S. 960014

BASIS OF BEARING

BASIS OF BEARING ON THIS PLAT WAS DETERMINED BY HIGH PRECISION G.P.S. SURVEY USING ASHTECH DIMENSION II RECEIVERS DIFFERENTIALLY CORRECTED AND PROCESSED USING ASHTECH PRISIM, VERSION 2.0 SOFTWARE.

GENERAL NOTES

1. THIS SURVEY WAS ACCOMPLISHED IN ACCORDANCE WITH MSI NO. 96-15.
2. ALL BEARINGS SHOWN ARE TRUE BEARINGS AS ORIENTED TO THE TRUE MERIDIAN. DISTANCES SHOWN ARE REDUCED TO HORIZONTAL FIELD DISTANCES.
3. THE ACCURACY OF THIS SURVEY IS GREATER THAN 1:5000.
4. ALL PARCELS OF LAND OWNED BY THE STATE OF ALASKA, LOCATED WITHIN 50.00 FEET OF A SURVEYED OR PROTRACTED SECTION LINE, ARE SUBJECT TO A 50 FOOT (50') EASEMENT, EACH SIDE OF THE SECTION LINE, WHICH IS RESERVED TO THE STATE OF ALASKA FOR PUBLIC HIGHWAYS UNDER A.S. 19.10.010.
5. THE NATURAL MEANDERS OF THE LINE OF ORDINARY OR MEAN HIGH WATER FORMS THE TRUE BOUNDS OF THIS SURVEY. THE APPROXIMATE LINE OF MHW AS SHOWN, IS FOR AREA COMPUTATIONS ONLY, WITH THE TRUE CORNERS BEING ON THE EXTENSION OF THE SIDE LINES AND THEIR INTERSECTION WITH THE NATURAL MEANDERS.
6. ALL BEARINGS DENOTED BY THIS PLAT HAVE BEEN ROUNDED TO THE NEAREST 0°00'15" OF ARC.
7. FOR RECOVERED MONUMENTS AND ASSOCIATED BEARING OBJECTS REFER TO BLM FIELD NOTES OR THE ASLS PLAT OF SURVEY RECORDS.
8. WHERE RECORD SURVEY COURSES (BEARINGS AND/OR DISTANCES) DIFFER FROM THAT OF ACTUAL MEASURED AND/OR COMPUTED SURVEY COURSES, THE RECORD SURVEY COURSE IS SHOWN WITHIN PARENTHESIS WHILE THE ACTUAL MEASURED AND/OR COMPUTED COURSE IS SHOWN WITHOUT PARENTHESIS THUSLY N89°59'00"W–2,354.74'(EAST–2,354.88").
9. THE MEANDERS OF LYNN CANAL DENOTED BY THIS PLAT WERE TAKEN FROM DEPT. OF THE INTERIOR, BUREAU OF LAND MANAGEMENT FIELD NOTES OF "THE DEPENDENT RESURVEY OF A PORTION OF U.S. SURVEY NO.571 AND LINE 1–2, U.S. SURVEY NO.1154 (H.E.S.80) AND THE SURVEY OF A PORTION OF THE SOUTH BOUNDARY, TOWNSHIP 37 SOUTH, RANGE 64 EAST, AND A PORTION OF THE SUBDIVISIONAL LINES AND THE PARTIAL SUBDIVISION OF SELECTED SECTIONS, TOWNSHIPS 37 AND 38 SOUTH, RANGE 64 EAST AND PORTIONS OF THE MEANDERS OF TOWNSHIPS 37 AND 38 SOUTH, RANGE 63 EAST, AND TOWNSHIP 38 SOUTH, RANGE 64 EAST, OF THE COPPER RIVER MERIDIAN". THIS SURVEY WAS EXECUTED BY KEAN & ASSOCIATES IN 1989 AND APPROVED SEPTEMBER 25, 1990.

CERTIFICATE OF OWNERSHIP AND DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE DIRECTOR, DIVISION OF LAND, AND THAT THE STATE OF ALASKA IS THE OWNER OF THE LANDS, AS SHOWN HEREON. I HEREBY APPROVE THIS SURVEY AND PLAT FOR THE STATE OF ALASKA, AND DEDICATE FOR PUBLIC OR PRIVATE USE AS NOTED, ALL EASEMENTS, PUBLIC UTILITY AREAS, AND RIGHTS-OF-WAY AS SHOWN AND DESCRIBED HEREON.

DATED 6 Dec 99

for DIRECTOR
DIVISION OF LAND

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO BEFORE ME 6TH DAY OF DECEMBER, 1999.
FOR DENNIS DAIGGER

NOTARY PUBLIC FOR ALASKA
MY COMMISION EXPIRES: 12-10-00

ROMULO MORALES NOTARY PUBLIC STATE OF ALASKA

APPLICANT CERTIFICATE

(I) WE, THE UNDERSIGNED, HEREBY CERTIFY THAT (I AM) WE ARE THE APPLICANT(S) AS SHOWN HEREON. (I) WE HEREBY APPROVE THIS SURVEY AND PLAT.

ADL NO. 101081

Shea Pullen Lands and Resources Manager 4-22-99
CITY AND BOROUGH OF JUNEAU — DATE
AUTHORIZED OFFICIAL AND TITLE

NOTARY'S ACKNOWLEDGEMENT

STATE OF ALASKA
OFFICIAL SEAL
Carrie M. Macaulay
NOTARY PUBLIC
My Commission Expires 1/9/03

SUBSCRIBED AND SWORN TO BEFORE ME 22 DAY OF April, 19 99
FOR City and Borough of Juneau, AK

Carrie M. Macaulay
NOTARY PUBLIC FOR ALASKA
MY COMMISION EXPIRES: 1/9/03

CERTIFICATE OF PLAT APPROVAL

I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE TITLE 4 COMMUNITY DEVELOPMENT REGULATIONS AND TITLE 49 OF THE CODE OF THE CITY AND BOROUGH OF JUNEAU, AND IS APPROVED BY THE CITY AND BOROUGH OF JUNEAU, DEPARTMENT OF COMMUNITY DEVELOPMENT, FOR RECORDING IN THE OFFICE OF THE JUNEAU RECORDING DISTRICT, JUNEAU, ALASKA.

DATED: April 12, 1999

Cherry Laskerwood
DIRECTOR
CITY AND BOROUGH OF JUNEAU
DEPARTMENT OF COMMUNITY DEVELOPMENT

ATTEST:
Dave J. Miller
CLERK
CITY AND BOROUGH OF JUNEAU

CITY & BOROUGH OF JUNEAU ALASKA'S CAPITAL CITY

PROJECTS\971800\BERNERS3.DWG/1:1000 – 3/19/99 – 1:20 P.M. – M.A.J.

FILE: L-788

TABLE OF RECORD MEANDERS

NUMBER	DIRECTION	DISTANCE
L1	N 2°59'00"W	319.44
L2	N22°16'00"W	248.82
L3	N.6°13'00"W	64.02
L4	N20°33'00"E	29.04
L5	N46°52'00"W	205.92
L6	N37°09'00"W	184.80
L7	S70°51'00"W	145.20
L8	S 9°31'00"W	99.00
L9	S50°19'00"W	11.22
L10	N33°55'00"W	90.42
L11	N29°36'00"E	23.76
L12	N31°43'00"W	72.60
L13	N54°25'00"W	285.12
L14	N52°16'00"W	104.28
L15	N79°56'00"W	267.30
L16	N70°00'00"W	142.56
L17	N.2°09'00"E	54.78
L18	N37°20'00"E	102.96
L19	N.9°25'00"W	72.60
L20	N36°10'00"W	283.80
L21	N34°32'00"W	281.82
L22	N .4°56'00"W	291.06
L23	N20°13'00"E	43.56
L24	N .5°13'00"W	141.24
L25	N36°43'00"W	40.26
L26	N .6°44'00"W	159.72
L27	N62°44'00"W	21.12
L28	N30°44'00"W	209.22
L29	N 1°05'00"W	166.98
L30	N49°31'00"W	119.46
L31	N 74°00'00"W	110.22
L32	N83°31'00"W	63.36
L33	S10°53'00"W	100.98
L34	N59°03'00"W	194.38
L35	N 0°02'00"W	36.30
L36	N10°42'00"W	184.14
L37	N37°22'00"W	47.52
L38	N82°39'00"W	209.88
L39	S78°39'00"W	65.34
L40	S19°00'00"W	165.00
L41	S74°36'00"W	8.58
L42	N53°31'00"W	118.14
L43	N 1°35'00"W	185.46
L44	N24°31'00"E	30.36
L45	N46°04'00"W	70.62
L46	N18°26'00"W	172.26
L47	N16°15'00"E	41.58
L48	N65°15'00"W	42.90

CORNER & ACCESSORY SUMMARY A.S.C.S. 96-13

CORNER	ACCESSORY ESTABLISHED	BEARING	DISTANCE
ASCS 96-15	11" HEMLOCK	N 62°E	10.84'
W 1/6 C —— C S6 1998 1410-S	16" HEMLOCK	S 17°30'W	9.40'
	23" SPRUCE	N 3°W	18.34'
ASCS 96-15 T38S R64E C1/4 · S5 1998 1410-S	39" SPRUCE	N 35°E	23.38'
	7" HEMLOCK	N 89°E	20.72'
	16" HEMLOCK	S 85°W	14.76'
ASCS 96-15 T38S R63E R64E S1 S6 WC WC 1998 1410-S	12" HEMLOCK	N 51°E	11.53'
	10" HEMLOCK	S 58°W	17.33'
	8" ALDER	N 57°W	10.30'
ASCS 96-14 T37S R63E R64E S36 S31 S 1 S 6 T38S 1998 1410-S	10" HEMLOCK	N 2°E	26.80'
	8" HEMLOCK	S 4°E	28.72'
	10" HEMLOCK	N 64°W	29.24'
ASCS 96-15 W 1/16 —— S6 1998 1410-S	7" HEMLOCK	S 73°E	13.51'
	13" SPRUCE	S 11°E	9.32'
	12" HEMLOCK	N 43°W	7.14'

CURVE TABLE (RECORD DATA)

NO.	DELTA	RADIUS	ARC	TANGENT	CHORD BEARING
C1	62°22'00"	573.01'	623.72'	346.80'	N53°32'15"W – 593.39'
C2	72°46'00"	954.93'	1,212.78'	703.61'	N48°20'15"W – 1,132.91'
C3	39°46'30"	1,432.49'	994.44'	518.20'	N31°50'30"W – 974.59'

TABLE OF AREAS

SECTION	ALIQUOT PART	LOT	AREA	R/W AREA		NET AREA
6	SW 1/4 SE 1/4	–	40.00	–	–	40.00
	NE 1/4 SW 1/4	–	40.00	–	–	40.00
		3	31.47	2.33	–	29.14
		4	38.00	4.26	–	33.74
		5	10.73	3.79	–	6.94
	SW 1/4 NW 1/4	1	36.77	–	–	36.77
		2	28.87	–	–	28.87
7	NW 1/4 NE 1/4	–	40.00	1.72	–	38.28
		2	16.70	4.58	–	12.12
		3	25.57	–	–	25.57
	NE 1/4 NW 1/4	1	25.96	7.57	–	18.39
	TOTALS		334.07	24.25	–	309.82

TO BRIDGET 6 (BASIS OF BEARING POINT)

BASIS OF COORDINATES

U.S.C.&G.S. "BERN 1921"
LAT.= 58°45'52.76"N
LONG.= 135°03'53.80"W

A.S.P.C., ZONE 1
N= 2,534,688.44
E= 2,420,137.79
N.A.D. 1927
(SOURCE: COAST & GEODETIC SURVEY – HORIZONTAL CONTROL DATA, DATED NOVEMBER 1972. PUBLISHED BY U.S. DEPT. OF COMMERCE

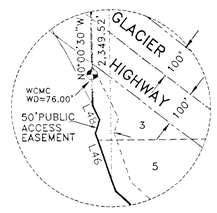
(FWD. BEARING) S 28°20'45"W 43,230.88'

N 25°57'00"W (FWD. BEARING) 62,419.78'

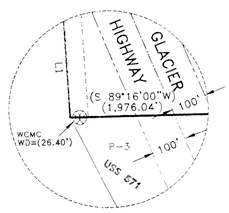
TO HERENDS BAY

U.S.C.&G.S. "WILL 1921"
LAT.= 58°39'31.00"N
LONG.= 135°09'56.50"W

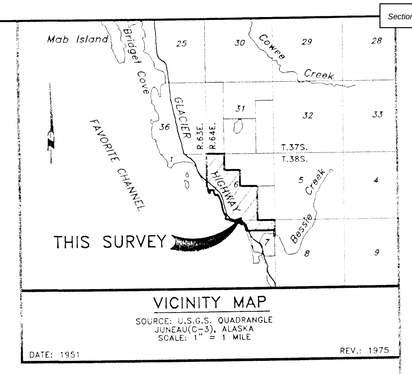
A.S.P.C., ZONE 1
N= 2,496,353.30
E= 2,400,161.04
N.A.D. 1927
(SOURCE: COAST & GEODETIC SURVEY – HORIZONTAL CONTROL DATA, DATED NOVEMBER 1972. PUBLISHED BY U.S. DEPT. OF COMMERCE



DETAIL A
SCALE: 1"=200'



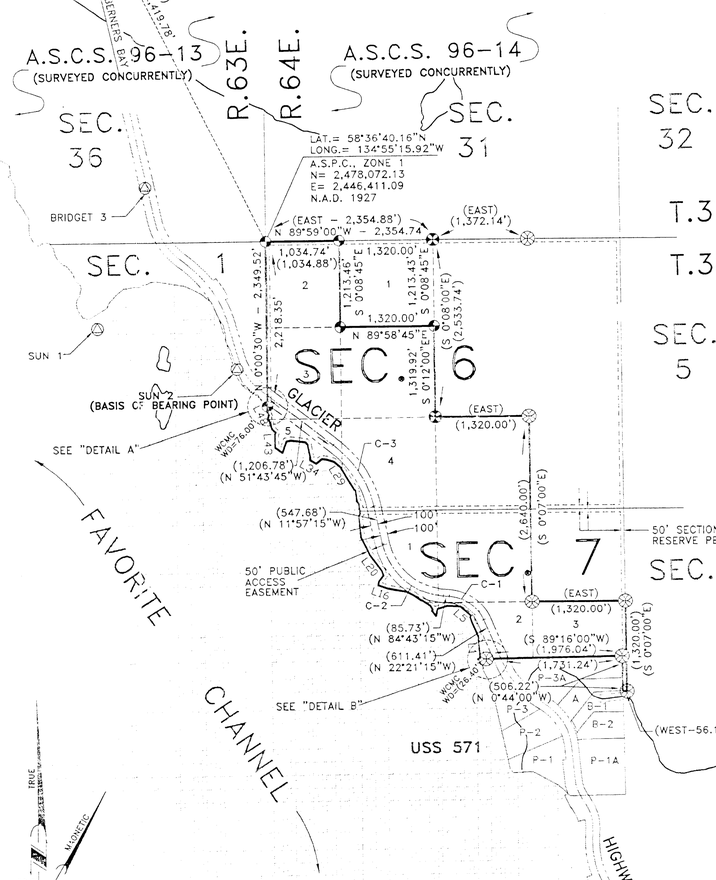
DETAIL B
SCALE: 1"=200'

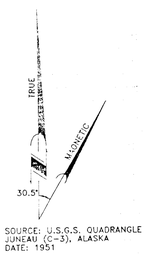


VICINITY MAP
SOURCE: U.S.G.S. QUADRANGLE JUNEAU(C-3), ALASKA
SCALE: 1" = 1 MILE
DATE: 1951 REV.: 1975

SYMBOLS

- U.S.C.&G.S. TRIANGULATION STATION (RECOVERED)
- 1410-S PRIMARY MONUMENT (ESTABLISHED)
- G.L.O./B.L.M. MONUMENT OF RECORD
- G.L.O./B.L.M. MONUMENT (RECOVERED)
- GPS STATION BY THIS SURVEY
- BOUNDARY/PROPERTY LINE
- SECTION LINE
- CENTERLINE
- EASEMENT LINE
- EXISTING RIGHT-OF-WAY/PROPERTY LINE
- 4 DEPT.OF INT./B.L.M. LOT DESIGNATION





SOURCE: U.S.G.S. QUADRANGLE JUNEAU (C-3), ALASKA
DATE: 1951

DATE	REVISIONS	BY
6/12/01	REMOVED OWNER STATE OF ALASKA IN SECTION 6 AND 31, REMOVED PRIVATE LANDS IN TABLE OF AREAS.	M.A.M.

TABLE OF ESTABLISHED G.P.S. CONTROL STATIONS

STATION NAME	NORTHING (N.A.D.1927)	EASTING (N.A.D.1927)	LAT.	LONG.	DESCRIPTION
BRIDGET 3	2,478,879.10	2,444,740.68	58°36'47.8" N	134°55'47.73" W	1-1/4"RED PLASTIC SURV-CAP ON 5/8"DIA. RE-BAR
BRIDGET 6 **	2,493,873.67	2,443,995.57	58°39'15.36" N	134°56'07.07" W	1-1/4"RED PLASTIC SURV-CAP ON 5/8"DIA. RE-BAR
SUN 1	2,476,915.11	2,444,001.82	58°36'28.32" N	134°56'00.99" W	1-1/4"RED PLASTIC SURV-CAP ON 5/8"DIA. RE-BAR
SUN 2 *	2,476,279.24	2,445,954.67	58°36'22.42" N	134°55'23.91" W	1-1/4"RED PLASTIC SURV-CAP ON 5/8"DIA. RE-BAR

* BASIS OF BEARING POINT
** BASIS OF BEARING POINT – NOT TO SCALE

NAVIGABLE/PUBLIC WATERS EASEMENT

THERE IS HEREBY RESERVED AND DEDICATED A PUBLIC ACCESS EASEMENT 50 FEET WIDE, ALONG THE ORDINARY OR MEAN HIGH WATER LINE OF THE NAVIGABLE OR PUBLIC WATER BODIES WITHIN THIS SURVEY SHOWN ON THE PLAT OR IDENTIFIED AS NAMED OR UNNAMED WATER BODIES WHICH HAVE BEEN DETERMINED AND IDENTIFIED BY THE STATE IN FULFILLMENT OF AS 38.05.127(a), AS SHOWN ON THIS PLAT. THERE IS FURTHER A RESERVED AND DEDICATED A PUBLIC ACCESS EASEMENT 50 FEET WIDE, TO THE IDENTIFIED NAVIGABLE OR PUBLIC WATER BODIES WITHIN THIS SURVEY, IN FULFILLMENT OF AS 38.05.127(a) AND (i), AS SHOWN ON THIS PLAT.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.

DATE 4/22/99 REGISTRATION NO. LS 1410

MALCOLM A. MENZIES
REGISTERED LAND SURVEYOR

STATE OF ALASKA 49TH MALCOLM A. MENZIES LS 1410 REGISTERED PROFESSIONAL LAND SURVEYOR

"AMENDED PLAT"

2001-51
Juneau REC DIST
DATE 9/6 N/C 20 01
TIME 3:35 P.M.
Requested By AS/DNR
Address

99-58
N/C
JUNEAU REC DIST
12-16 1999
2:09 P.M.
Requested By AS/DOL
Address

APPLICANT:

CITY & BOROUGH OF JUNEAU, ALASKA
LANDS & RESOURCE DEPARTMENT
155 S. SEWARD ST.
JUNEAU, ALASKA 99801

SCALE: 1 = 1000' (304.80 Meters)

0' 500' 1000' 2000' 5000'
0 m 500 m 1000 m 1500 m

METER = 3.2808333 U.S. SURVEY FEET
U.S. ACRE = 0.4047 HECTARES

DATE OF SURVEY	NAME OF SURVEYOR
Beginning 9-9-97	R&M ENGINEERING, INC.
Ending 4-6-98	P.O. BOX 34278
	JUNEAU, ALASKA 99803
	R&M PROJ. No.: 971800.1

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF LAND
ANCHORAGE, ALASKA

ALASKA STATE CADASTRAL SURVEY No. 96-15

ALASKA STATE CADASTRAL SURVEY
WITHIN UNSURVEYED SECTIONS 6, 7,
T. 38 S., R. 64 E.
COPPER RIVER MERIDIAN, ALASKA.
JUNEAU RECORDING DISTRICT

DRAWN BY D.S./M.L.P.	APPROVAL RECOMMENDED
DATE JUNE, 1998	Statewide Platting Supervisor — Date 12-6-99
SCALE 1"=1000'	CHECKED M.A.M.
	FILE NO. A.S.C.S. 960015

ALASKA
Recor g Dist: 101 - Junea
7/29/2003 9:54 AM Pages:
2003-007851-0

CC

State of Alaska

Patent

No. 18891

Know Ye By These Presents that the Grantor, the STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES, 550 West 7th Avenue, Suite 1050A, Anchorage, Alaska 99501-3579, pursuant to AS 29.65.010-.140 and the regulations promulgated thereunder, and the Amended Final Finding and Decision dated, July 14, 1981, Amendment #2 of Amended Final Decision dated November 10, 1994, Amended Final Decision #5 dated January 2, 2003, and Amended Final Decision #6 dated June 19, 2003, for good and valuable consideration, grants and conveys to the Grantee, the CITY AND BOROUGH OF JUNEAU, whose mailing address of record is 155 South Seward Street, Juneau, Alaska 99801, Grantee's successors and assigns, all that real property situated in the Juneau Recording District, State of Alaska, and described as follows:

TRACT A OF ALASKA STATE LAND SURVEY NO. 98-6, CONTAINING 851.78 ACRES, MORE OR LESS, ACCORDING TO THE AMENDED SURVEY PLAT RECORDED IN THE JUNEAU RECORDING DISTRICT ON SEPTEMBER 6, 2001, AS PLAT 2001-48.

Subject to the Montana Creek Road Right-of-Way, Alaska Omnibus Act (73 Statute 141), FAS Route 9665.

TRACT C OF U.S. SURVEY NO. 2337, CONTAINING 0.90 ACRES, MORE OR LESS, ACCORDING TO THE SURVEY PLAT ACCEPTED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE IN WASHINGTON, D.C. ON MARCH 14, 1939.

Subject to the Montana Creek Road Right-of-Way, Alaska Omnibus Act (73 Statute 141), FAS Route 9665.

ALASKA STATE CADASTRAL SURVEY NO. 96-13, CONTAINING 1,515.02 ACRES, MORE OR LESS, ACCORDING TO THE AMENDED SURVEY PLAT RECORDED IN THE JUNEAU RECORDING DISTRICT ON SEPTEMBER 6, 2001, AS PLAT 2001-49.

Excluding the Glacier Highway Right-of-Way.

Net chargeable acreage under AS 29.65.010 is 1,449.45 acres, more or less.

ALASKA STATE CADASTRAL SURVEY NO. 96-14, CONTAINING 1,524.46 ACRES, MORE OR LESS, ACCORDING TO THE AMENDED SURVEY PLAT RECORDED IN THE JUNEAU RECORDING DISTRICT ON SEPTEMBER 6, 2001, AS PLAT 2001-50.

Subject to the Echo Cove Trail, 25 feet in width, Forest Service Trail No. 542.

ALASKA STATE CADASTRAL SURVEY NO. 96-15, CONTAINING 297.30 ACRES, MORE OR LESS, ACCORDING TO THE AMENDED SURVEY PLAT RECORDED IN THE JUNEAU RECORDING DISTRICT ON SEPTEMBER 6, 2001, AS PLAT 2001-51.

Excluding the Glacier Highway Right-of-Way.

Subject to the Bessie Creek Trail, 25 feet in width, Forest Service Trail No. 565.

CBJ 1500

Net chargeable acreage under AS 29.65.010 is 273.05 acres, more or less.

TOWNSHIP 37 SOUTH, RANGE 63 EAST, COPPER RIVER MERIDIAN, ALASKA

SECTION 23: LOTS 6 AND 9.

SECTION 25: LOTS 2, 3, 6, AND 7.

SECTION 26: LOTS 2, 3, 4, 5, AND 6.

CONTAINING 67.95 ACRES, MORE OR LESS.

ACCORDING TO THE SURVEY PLAT ACCEPTED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT IN ANCHORAGE, ALASKA ON SEPTEMBER 25, 1990.

Subject to a continuous public access easement, 50 feet wide, upland of and along the mean high water line of Bridget Cove and Lynn Canal in accordance with AS 38.05.127.

TOWNSHIP 38 SOUTH, RANGE 63 EAST, COPPER RIVER MERIDIAN, ALASKA

SECTION 1: LOTS 1, 2, 3, 4, AND 5.

CONTAINING 72.22 ACRES, MORE OR LESS.

ACCORDING TO THE SURVEY PLAT ACCEPTED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT IN ANCHORAGE, ALASKA ON SEPTEMBER 25, 1990.

Excluding the Glacier Highway Right-of-Way.

Subject to:

A continuous public access easement, 50 feet wide, upland of and along the mean high water line of Lynn Canal in accordance with AS 38.05.127.

An easement, 50 feet each side of the section line, dedicated to the State of Alaska for public highways under AS 19.10.010.

Net chargeable acreage under AS 29.65.010 is 59.42 acres, more or less.

TOWNSHIP 42 SOUTH, RANGE 67 EAST, COPPER RIVER MERIDIAN, ALASKA

SECTION 17: N1/2NE1/4.

CONTAINING 80 ACRES, MORE OR LESS.

ACCORDING TO THE SURVEY PLAT ACCEPTED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT IN ANCHORAGE, ALASKA ON JUNE 14, 1990.

SECTION 17: LOTS 7 AND 9.

CONTAINING 48.01 ACRES, MORE OR LESS.

ACCORDING TO THE DEPENDENT RESURVEY AND SUBDIVISION PLAT ACCEPTED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT IN ANCHORAGE, ALASKA ON NOVEMBER 10, 1998.

Aggregating 128.01 acres, more or less.

Subject to:

A continuous public access easement, 50 feet wide, upland of and along the ordinary high water mark, right bank of Hilda Creek, in accordance with AS 38.05.127.

A fish and wildlife habitat protection easement, 50 feet wide, upland of the ordinary high water mark, right bank of Hilda Creek.

An easement, 50 feet each side of the section line, dedicated to the State of Alaska for public highways under AS 19.10.010.

Subject to valid existing rights, including reservations, easements, and exceptions in the U.S. Patent or other state or federal conveyance, and in acts authorizing the issue thereof; easements, rights-of-way, covenants, conditions, reservations, notes on the plat, and restrictions of record, if any.

The Grantee may manage all easements pursuant to AS 38.05.127 stated above and noted on the survey plats, including but not limited to authorizing the placement of improvements within the easement, the expansion, relocation or reduction of the easement width stated above to not less than 10 feet, or other modification of the easement as long as the purpose of the easement is not substantially impaired and the need of the public for the easement is met.

Aggregating 4,457.64 acres, more or less.

Aggregated net chargeable acreage under AS 29.65.010 is 4,355.02 acres, more or less.

The Grantor hereby expressly saves, excepts and reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, all oils, gases, coal, ores, minerals, fissionable materials, geothermal resources, and fossils of every name, kind or description, and which may be in or upon said lands above described, or any part thereof, and the right to explore the same for such oils, gases, coal, ores, minerals, fissionable materials, geothermal resources, and fossils, and it also hereby expressly saves and reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, the right to enter by itself, its or their agents, attorneys, and servants upon said lands, or any part or parts thereof, at any and all times for the purpose of opening, developing, drilling, and working mines or wells on these or other lands and taking out and removing therefrom all such oils, gases, coal, ores, minerals, fissionable materials, geothermal resources, and fossils, and to that end it further expressly reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, the right by its or their agents, servants and attorneys at any and all times to erect, construct, maintain, and use all such buildings, machinery, roads, pipelines, powerlines, and railroads, sink such shafts, drill such wells, remove such soil, and to remain on said lands or any part thereof for the foregoing purposes and to occupy as much of said lands as may be necessary or convenient for such purposes hereby expressly reserving to itself, its lessees, successors, and assigns, as aforesaid, generally all rights and power in, to, and over said land, whether herein expressed or not, reasonably necessary or convenient to render beneficial and efficient the complete enjoyment of the property and rights hereby expressly reserved.

To Have And To Hold the said land, together with the tenements, hereditaments, and appurtenances thereunto appertaining, unto the said Grantee and Grantee's successors and assigns forever.

In Testimony Whereof the State of Alaska has caused these presents to be executed by the Director of the Division of Mining, Land and Water, Department of Natural Resources, State of Alaska, pursuant to delegated authority, this 20th day of June, 2003.

By: Sandra J. Singer
For Bob Loeffler, Director
Division of Mining, Land and Water

State of Alaska)
) ss.
Third Judicial District)

This Is To Certify that on the 20th day of June, 2003, appeared before me SANDRA J. SINGER, who is known to me to be the person who has been lawfully delegated the authority of Bob Loeffler, the Director of the Division of Mining, Land and Water, Department of Natural Resources, State of Alaska, to execute the foregoing document; that Sandra J. Singer executed said document under such legal authority and with knowledge of its contents; and that such act was performed freely and voluntarily upon the premises and for the purposes stated therein.

Witness my hand and official seal the day and year in this certificate first above written.

Celeste L. Kinser
Notary Public in and for the State of Alaska

My commission expires: April 4, 2005

OFFICIAL SEAL
STATE OF ALASKA
CELESTE L. KINSER
NOTARY PUBLIC

Return To:
City and Borough of Juneau
Attention: Steve Gilbertson
155 S. Seward St.
Juneau, Alaska 99801

Patent No. 18891
ADL No. 101081
T. 37 S., R. 63 E., C.R.M.
Sections 23, 24, 25, 26, and 36
T. 37 S., R. 64 E., C.R.M.
Sections 19, 20, 29, 30, and 31
T. 38 S., R. 63 E., C.R.M.
Section 1
T. 38 S., R. 64 E., C.R.M.
Sections 6 and 7
T. 40 S., R. 65 E., C.R.M.
Sections 1, 2, 11, 12, 13, and 14
T. 42 S., R. 67 E., C.R.M.
Section 17

7/1/2013

NOHVCC Management Solutions

Creating a Positive Future for OHV Recreation

35-MILE OHRV PARK

Draft Site Report

The City & Borough of Juneau (CBJ) and its consultant, USKH, Inc., asked the National Off-Highway Vehicle Conservation Council (NOHVCC) to evaluate a proposed Off-Highway Recreational Vehicle (OHRV) site near Mile 35 Glacier Highway. Staff and consultants from NOHVCC Management Solutions (NMS) arrived in Juneau on June 16, 2013, and spent six days meeting with motorized users, various stakeholders, and land managers. Unusually warm, dry weather also allowed the team to spend a great deal of time on the ground evaluating the 35-Mile site, as well as other locations throughout the community. The NMS team consisted of Karen Umphress (NOHVCC staff), Ron Potter (NMS Consultant), and Dick Duford (NMS Consultant). The NOHVCC team was accompanied by staff from USKH, the City and Borough of Juneau, and Trail Mix, Inc. (a local nonprofit organization with extensive experience building trails in Southeast Alaska).

The scenery along Glacier Highway is spectacular.

BACKGROUND

Wedged between steep mountains and the sea, the Juneau area has limited terrain for any type of land-based recreation activity. Many areas have been closed due to unmanaged off-highway vehicle (OHV) use and impacts. Today, Juneau has only 2.7 miles of trails where it is legal to ride an OHV. These dead-end trails historically provided access to natural resources, and are poorly suited for recreational OHV riding. We know from experience elsewhere that OHV use on dead-end roads leads to a proliferation of user-created trails at the road's end, which usually damage natural resources. This is what is happening in Montana Creek.

Due to a lack of legal riding opportunities, some riders have sold their OHVs, while others have parked them. Some use the Alaska Marine Highway to access riding opportunities in Haines, and some riders travel to the Lower 48. Despite the lack of local options, however, interest on OHV recreation has not abated. In one afternoon, motocross enthusiast Josh Anderson was able to recruit 315 paying members for the Juneau Douglas Motocross Association (JDMXA). The riders are here; they just need a legal place to go.

At the stakeholder meeting held on June 19th, we heard that there is demand for one or more motocross tracks, including an advanced track and a "kiddie" track. Other OHV users include motorcycles, three- and four-wheel ATVs, and side-by-side "ROVs". There is relatively little demand for full-size four-wheel-drive vehicles, such as Jeeps. Many riders said they enjoy jumping, "cutting cookies", hill-climbing, mud-bogging, and popping wheelies – all of which are high-impact activities best accommodated in a managed play area. In general, we heard that people want a place to ride and play, but that there is relatively low demand for trails. We believe this is because most riders in Juneau have never experienced trails: Nearly all legal riding in Juneau and Haines is confined to old roads which provide little enjoyment to riders.

The first principle in successfully managing OHVs is to provide for the rider's needs. A site generally can't be all things to all people, but the more diverse opportunities we can provide, the stronger and more successful our management of OHVs will be.

Over the last decade, nearly 35 sites in and around Juneau have been considered and rejected for potential use by OHVs. In 2009, a proposal for a play area and trails in the Fish Creek area on North Douglas Island was rejected by the CBJ Planning Commission. We heard that the 35-Mile Site may be the last chance for OHV recreation opportunities in Juneau.

SITE VISIT OVERVIEW

June 16 & 17

The team toured the CBJ-owned parcel at Mile 35 Glacier Highway, hiking a 4.5-mile loop through the project area to get an overview of the site.

June 18

The team worked with agency staff to gather additional information, and reviewed detailed maps produced by USKH. The group toured a gravel pit owned by Goldbelt, Inc. located near Echo Cove,

and also observed OHV management issues and user-created campgrounds at Echo Cove itself. Impacts from OHVs were also seen at Montana Creek. The team also inspected the Peterson Lake Trail, which is reconstructed by Trail Mix. That work, and the attention to water management, is impressive. Later, the group had dinner with Josh Anderson, who represents motocross interests in the Juneau area

June 19

On Wednesday, we gathered more site information and prepared presentations for a motorized stakeholder meeting that night. We had lunch with James Tipps, who is president of the Rough Riders ATV Club. That was followed by a meeting with Juneau Mayor Merrill Sanford. Thirteen motorized enthusiasts attended the rider stakeholder meeting, plus staff from CBJ and USKH. Considerable time was spent during that meeting fine-tuning the project's vision statement, and brainstorming actions that would facilitate the operation, maintenance, and management of the park. The meeting's positive, creative energy resulted in a lot of progress (*see* p. 3, "Vision & Management).

June 20

Thursday the group prepared educational and site-specific presentations and data for the public meeting that night. This meeting was attended by more than 30 people, including Mayor Sanford and five Assembly members. Again, the meeting was positive and featured active group participation and good questions.

June 21

On Friday, the team toured CBJ-owned gravel pits in the Lemon Creek area and on Douglas Island. A final wrap-up meeting was held later with staff from CBJ and USKH.

VISION AND MANAGEMENT

The stakeholder meeting on Wednesday focused on creating a vision for the site, and facilitating the operation, maintenance, and management of the area. The draft vision statement is:

> **"To create managed, high-quality, family-oriented OHV recreation opportunities for motorcycles, ATVs, and ROVs in Juneau and the surrounding area. These opportunities would be day-use only and could include trails, play area, and one or more motocross tracks that are designed to serve riders of different ages and abilities. Facilities would lay lightly on the landscape and trails would be located and designed to insure sustainability while providing views and a variety of challenges."**

At some point a management plan needs to be developed for OHV recreation in Juneau. The group agreed that the following actions should be included in that plan:

1. Helmets would be required for all riders.
2. Safety training would be required for all riders.
3. Sound emissions would be limited to 96 db or less.
4. All trails will accommodate two-way traffic, except for the Learner's Loop.
5. OHV use will be limited to designated routes and areas only.

6. A “trail pass” will be implemented to offset costs of operation and maintenance.
7. The management plan will address what events will be allowed, and describe how they will be conducted.
8. There will be no campground or overnight camping on site (an exception may be for events).
9. Options to hire a part-time law enforcement officer will be pursued.
10. Riders will donate labor, equipment, and materials as needed and available.
11. Trails and other facilities will be maintained by volunteers.
12. Facilities will be provided for an on-site caretaker/host, and funding will be pursued to provide a full- or part-time host.
13. A tower providing radio and/or cellular phone communication would be erected using donated materials and labor.

The 35-Mile site offers a variety of big timber, cliffs, open areas and views

COMMENDATIONS

When NMS reviews a site, considerable time is spent listening and observing. We have a very short time not only to understand the physical characteristics of the site, but also to learn the area’s politics, history, issues, use patterns, rider needs, and rider demographics. We also assess the OHV management concerns and issues affecting the surrounding area. We step back and look at the big picture: What is going on? What can be done to best address the OHV management issues?

We would like to thank the USKH staff, CBJ Parks and Recreation staff, CBJ Engineering staff, and Trail Mix staff who spent considerable time with us both in the office and in the field. We would not have been able to compile a complete picture of OHV recreation in the Juneau area without their valuable assistance. It is rare that we get such active participation and it reflects Juneau's earnest desire to address OHV recreation and provide quality opportunities.

OBSERVATIONS

Project Site:

The 1,505-acre site is heavily forested with areas of muskeg, open water, and dense underbrush. Like nearly all areas in Juneau, the forest is very wet and presents significant constraints to development. Cliffs, rock outcroppings, and old-growth trees may complicate trail design, but they also add to the site's visual character and will enhance the overall rider experience. For example, viewpoints along the top of the ridge are a reward for making the difficult climb.

Almost one-third of the parcel is located in the Cowee Creek Watershed and must be considered off limits to development at this time.

While a small portion of the site was logged several decades ago, it is unique because there are no roads, trails, or user-created impacts. From an OHV standpoint, it is a clean slate. This reduces the number of issues that need to be addressed during the planning process, and reduces project costs since there no rehabilitation required. We consider the site to be undeveloped.

The 35-Mile site would accommodate a parking area and a system of looped two-way trails

offering a variety of difficulty levels. A preliminary USKH concept plan shows about nine miles of trail. We believe that could be expanded to include at least 12 to 13 miles of trails, but more work would be required to develop a more detailed trail concept plan.

The site could accommodate a motocross track. However, we feel that we would be forcing this use and impact onto the landscape, rather than harmonizing it with the landscape as a trail system would.

Similarly, a play area could be developed on the site, but doing so would be costly, and create a large, and unnecessary impact. Play areas are best provided by utilizing existing impacted sites like borrow areas, overburden or slash disposal areas, and quarries.

Ponds, muskegs, and peat bogs are sensitive areas that will need to be avoided.

Project Vicinity

Nearby is Echo Cove which has a CBJ parking lot and boat ramp and a dispersed camping area on Goldbelt property. Being on the beach, the site provides beautiful camping opportunities. This is a popular destination for OHV riders, but there is no legal place to ride except for the parking lot.

It is not surprising that people are drawn to Echo Cove

Some riders have ventured outside of the designated area and are creating impacts

Many people ride on the beach at low tide, and even schedule group rides during to take advantage of the exposed intertidal area. Impacts from unmanaged OHV use are visible.

Goldbelt provides some security, but they have no law enforcement authority. Being at the "end of the road," there is no cellular or radio communication, and no way to call for help without driving several miles.

These riders are staying within the designated area at the Echo Cove parking lot.

Immediately adjacent to Echo Cove, on the west side of Highway 7, is a former clearcut and gravel pit owned by Goldbelt. While closed to public access with a gate, this quarry is being used illegally by OHVs. The quarry site is much drier than the 35-Mile parcel, and also offers an existing network of roads and trails. A knob above the quarry delivers awesome 360-degree views, and dense second-growth forest would allow new trails to be built close to one another, yielding several miles of trails within an already impacted area. Overall, the Goldbelt gravel pit has the potential to be a high-quality play area.

The Goldbelt quarry provides a great potential play area, outstanding views, drier soils, and a network of existing roads and trails.

Additional views from the Goldbelt quarry and gravel pit near Echo Cove.

Separating Echo Cove and the Goldbelt quarry from the 35-Mile project site is Cowee Creek, a high-value salmon stream. Also nearby is the U.S. Forest Service's Heen Latinee Experimental Forest. Any trail connection between these two areas would have to be on the existing Highway 7 bridge. The bridge is on a long tangent, so sight distance is excellent, however the bike lane on the bridge is not wide enough to accommodate an ATV or ROV without encroaching in the traveled way.

Juneau Area:

The CBJ owns and operates gravel pits and rock quarries in the Lemon Creek area, one of which is located behind COSTCO and adjacent to Home Depot. This is an industrial area and the nearest residence is some distance away. This site would be well-suited for a safety training area.

This City-owned gravel pit near Home Depot would make a good learning area.

On Douglas Island, the CBJ owns and operates another gravel pit on a 100-acre parcel off Fish Creek Road. This site is referred to as the Fish Creek quarry and it was rejected by the Juneau Planning Commission as an OHV park in 2009. We believe that the nearest residence is more than a quarter-

mile away, and the quarry is about 1/3-mile west of Fish Creek Road. The pit floor is large and located down in a hole. A drilling rig was actively working in the pit during our site visit, and we could not hear it until we were at the lip of the quarry. This quarry could be an excellent site for a motocross track. Over-sized boulders have been piled on one side of the quarry, which could provide outstanding obstacles for full size four-wheel-drive rock crawling, if a demand for that activity arises.

RECOMMENDATIONS

As much as the riders and the City & Borough of Juneau want to move forward with development of an OHV riding area, we feel it may be an appropriate time to take a step back. After reviewing the 35-Mile site and getting a feel for the big picture, the demand for OHV recreation opportunities is multi-faceted; supplying opportunities to meet that demand could be multi-faceted as well. Some of these recommendations are politically and diplomatically complex. If the CBJ wants to proceed with these, time needs to be invested into carefully crafting a viable proposal or proposals. (This work could be done by CBJ, USKH, or consultants such as NMS.)

1. Utilize the proposed 35-Mile site for parking and develop as many trails with varied experiences and difficulty levels as possible. This will require a significant investment of time, resources, and funding.

2. Develop a plan with CBJ and Goldbelt to expand camping opportunities in the Echo Cove area, and possibly charge fees to cover operation and maintenance. The beach and the water appear to be a huge draw for Juneau residents. Echo Cove provides excellent beach access with a beautiful place to camp, yet there are OHV management issues there and a lack of viable enforcement. The “site host” suggested for the 35-Mile project could easily be based at Echo Cove, and be able to provide education and a management presence at both areas at the same

time. This could be a win-win for the riders, CBJ, and Goldbelt.

3. Provide legal, managed access by OHVs to the Goldbelt quarry near Echo Cove. The riders at Echo Cove presently have no legal place to ride except the parking lot, and it is obvious that this arrangement is not working. The Goldbelt quarry on the east side of Highway 7 would offer direct access from Echo Cove, and is an outstanding opportunity to provide a high-quality play area with a small system of trails. Trails at the quarry would supplement the relatively limited trail system that could be built at the 35-Mile site, and construction costs at the quarry would be far less due to better drainage and the prevalence of gravelly material. The quarry's topography, soil, and vegetation would also allow construction of a "Learner Loop". Any trails built at the quarry site should be confined to the existing clear cut, and some engineering will be required to prevent access by OHVs to sensitive areas, such Davies Creek. While this scenario has clear riders, the CBJ, and Goldbelt, explaining these benefits will require a carefully developed proposal that is properly presented to the property owner.

4. A connection between the 35-Mile site, Echo Cove, and the Goldbelt Quarry is needed to offer a complete OHV package that provides trails, play area, views, camping, and beach access. Understanding human nature, we know that expecting people to load their OHVs on a trailer and drive a short distance to another site generally does not work. People will ride their OHVs on the state highway. Considering the high-value fish habitat found along Cowee Creek, the only logical connection for OHVs would be the existing highway bridge. A trail could be developed along the shoulder of the highway, and the only place where traffic and OHVs would mix would be on the Cowee Creek bridge itself. Making this type of use legal would require changes in state law, but the advantages of connecting all three of these sites together is huge from a rider experience and OHV management standpoint.

5. Develop a beginner and advanced motocross track in the existing Fish Creek quarry. Motocross is usually a short-duration activity where riders practice or race after school, after work, or between errands on weekends. Motocross is also a popular spectator sport, and motocross tracks are usually close to urban centers to allow quick access by participants and spectators. To reduce noise impacts, all activity would be limited to the quarry floor. There would be parking, a pit/staging area, and one or more port-a-potties. Most track development would be performed by volunteers, and no trails would be developed on this site.

   In looking at the project file for the previous North Douglas OHV Park, it appears that a different approach in the project design, project planning, and public process could lead to improved project acceptance and approval. There is also a potential to bring in other stakeholder groups to increase the acceptance of OHV use on this site.

6. A training site is needed close to town, where it will be easy riders to access and receive beneficial training.
   It was exciting to hear the riders endorse the idea of mandatory safety training for all riders. This training is fun,

helpful, and teaches rider ethics and environmental awareness as well as safe riding techniques. Options for such a training area include:

- Option A: The CBJ-owned Lemon Creek quarry near Home Depot would be very convenient and is the most suitable site for general OHV training. Class sizes are generally limited to eight or fewer, and the training lasts four to eight hours, depending on the group. The site would be used only when classes are scheduled and not as a neighborhood kiddie track. Corporate entities like the USFS, mining, and timber companies who use ATVs for work may be interested in receiving certification at this site also. The investment to develop this site would be minimal and would probably be done with contributed labor and equipment. A gate may be needed and one or more porta-potties for sanitation.

- Option B: Develop a Youth Training Areas (YTAs) at one or more of the identified sites. These are places where small children, some with training wheels, learn to ride and hone their skills. They are usually limited to children age 12 or younger, and limit engine displacement to not more than 125cc. Adult supervision is required, but adults are not allowed to ride on the course. Most YTAs include a Tot Lot consisting of a small oval (for little kids with training wheels), a larger oval and/or figure eight track, and a variety of logs or rocks to practice skills. The areas usually include mounds of dirt at different heights for climbing. Nationwide, YTAs are very popular since they provide a safe environment to learn how to ride – not a city street or the Echo Cove parking lot. While they are designed for OHVs, YTAs can also be used by kids with bicycles or mountain bikes (use by other users requires careful scheduling to avoid conflicts between motorized and non-motorized users. Picnic tables or sheltered bleachers are sometimes provided so parents can comfortably watch their kids play and learn.

- Option C: Develop a safety training area and YTA as part of the Fish Creek proposal.

YTAs offer family fun and build valuable balance and coordination skills in the kids

7. Expanding our analysis to additional areas and sites may increase the scope of the project, however it may decrease overall costs by leveraging more opportunities. Placing a motocross track at the 35-Mile site would require considerable excavation and fill for the base of the track, while the same type of use at the Fish Creek quarry require virtually no site improvements. Similarly, significant cost savings could be achieved if modest improvements were made to formalize existing use at Echo Cove, rather than constructing new facilities at the 35-Mile site.

CONCLUSION

Again, we appreciated the time, assistance, and positive energy of the CBJ, USKH, and Trail Mix personnel. They were all very helpful, professional, and good humored. Please feel free to contact us about questions or clarification of any aspect of this report.

The little kids just starting out have their own area to practice without interfering with the bigger kids

We hope that NOHVCC Management Solutions can help guide CBJ towards successful implementation of a project or projects that will in the end benefit the riders, CBJ, and the natural resources.

Parents look on as a professional rider instructs a group of kids during a Family Fun Day event in a YTA in British Columbia

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CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
PARKS & RECREATION

MEETING MINUTES

PARKS & RECREATION ADVISORY COMMITTEE

TUESDAY, MARCH 2, 2021 – 5:30 PM

Zoom Webinar

I. Call to Order at 5:30 p.m. – C. Mertl, Chair

Present: Josh Anderson, Alex Beebe-Giudice, Edric Carrillo, Ron Crenshaw, Kirk Duncan, Chris Mertl, Will Muldoon

Absent: None

Staff Present: George Schaaf, Director; Michele Elfers, Deputy Director; Lauren Verrelli, Staff Liaison

II. Agenda Changes – None

III. Approval of Meeting Minutes –

A. From December 1, 2020 – J. Anderson moves to approve minutes; no objection. ***Minutes adopted.***

B. From January 5, 2021 – J. Anderson moves to approve minutes; no objection. ***Minutes adopted.***

C. From February 2, 2021 – J. Anderson moves to approve minutes; no objection. ***Minutes adopted.***

IV. Public Participation on Non-Agenda Items – None

V. New Business –

A. 2020 Annual Report

C. Mertl: Included in your packet is our 2020 Annual Report

No changes; 2020 Annual Report forwarded to HRC.

B. Fish Creek Park Habitat Improvements

John Hudson: I am a restoration biologist with the Southeast Alaska Watershed Coalition (SAWC). We cultivate partnership to help communities steward their watersheds through participator projects, research and learning. Here to discuss a collaboration on habitat and recreational improvements at Fish Creek Park located in North Douglas. Over the years, historic dredging has affected the estuary with consequences for fish, wildlife and recreation opportunities. Current existing conditions for the northeast pond include low habitat complexity due to steep shoreline and very little vegetate littoral zone. Most importantly, there is an eroding dike issues so we do not expect the northeast pond to be around very long. Existing conditions in Fish Creek, is constrained and held in place by the dikes. It is a decent habitat for fish but could be a lot better. The southeast pond was breached in the 80s after a storm and is now connected to the ocean and floods on a daily basis. DIPAC uses it as a king salmon terminal fishery though the pond is poor in habitat value. These impacts offer many opportunities to not only restore fish and wildlife habitat but to do so in a way to improve recreational values and opportunities in the park. We can create accessible and productive coho rearing habitat, restore estuary habitat, preserve existing toad breading and rearing habitat, enhance

instream habitat and enhance existing and create new recreation opportunities/infrastructure. So the next steps are engaging the public and getting their thoughts/ideas and gather funding.

E. Carrillo: What is the timeline and how do you plan to secure funding?

John Hudson: We have received generous funding form the US Fish & Wildlife Service and will get additional funds soon, including other grant opportunities. For the timing, planning to be completed this year and taking the next step next year.

J. Anderson: What is going to happen with the pond where everyone fishes?

John Hudson: We do not have intentions in modifying the SE pond where the terminal fishery is located.

J. Anderson: I move the PRAC recommend that the Department cooperate on a master planning process and future design development planning with the Southeast Alaska Watershed Coalition to improve fish and wildlife habitat at Fish Creek Park.

Motion passes unanimously.

C. Glacier Valley Rotary Club Proposal for Riverside Rotary Park

M. Elfers: Glacier Valley Rotary Club has proposed constructing a new picnic shelter at Riverside Rotary Park, relocating the existing shelter and improving the 9/11 memorial. They are proposing relocating the existing shelter to the other side of the playground and then purchasing and installing a new Icy Strait shelter that is 20 by 40 feet. They also would like to build the wall around the 9/11 memorial. The estimated project budget is $90K and they are requesting the city support this project with $35K. Staff supports the request for funding and which will come from our Parks & Playground CIP.

E. Carrillo: I would like to volunteer with the build.

R. Crenshaw: I move the PRAC recommends that the department partner with the Glacier Valley Rotary Club to improve the park shelters and 9/11 memorial and fund $35,000 of the required work.

Motion passes unanimously.

Traci Gilmour (River Ct. Way): Will there be increased parking? This is a beautiful thing you'll be adding.

M. Elfers: The master plan does call for parking but parking will not be part of this phase. We do have funding in our 6-Year CIP for it down the line.

VI. Unfinished Business – None

VII. Information Items –

A. ORV Working Group Update

M. Elfers: I want to give an update on the Off-Road Vehicle Working Group, which the staff has been working on with user groups. There is a lack of riding areas for ORVs in Juneau and for the last 20 years, there have been various efforts to identify and evaluate lands for riding. Most recently, there have been conflicts at Montana Creek area between motorized and non-motorized users. With the groups, we created the goal to identify ORV riding sites, create sustainable management structure, support safe riding and build durable infrastructure that protects the natural and built features of the facilities. The working group is not performing comprehensive evaluations of many sites since this has been done before. The user groups involved are Juneau Douglas

Motocross Association, Southeast Jeep Club and Juneau Off-Road Association and the land agencies include CBJ and Goldbelt. The user groups are educating the working group and community on needs, outreaching to members and the riding community and leading the effort on site investigation and planning. The land agencies are facilitating partnerships, discussions and guiding the process. Some of the sites that have been discussed are the 35-mile parcel for trail riding (CBJ land but not parkland), Montana Creek area for trail riding (SOA land), S&S Pond Lemon Creek (private land), the sand and gravel pit behind Home Depot (CBJ land but not parkland) and other privately owned lands. There are different types of facilities user groups are interested including backcountry trail riding, riding park with track and features for motocross and a riding park for 4-wheeler use with features and play area.

Ursula Jones (Goldbelt): I am the land manager for Goldbelt Inc. We own over 1000 acres out at Echo Cove that extends to Cascade Point. In recent years, there has been many interactions with ORV and we want to be part of this process to help relocate these folks so they have a good place to ride. AF&G will be adding two tributaries for fish at Davies Creek, which is used as an ATV crossing and will need to stop.

R. Crenshaw: Is Goldbelt willing or able to contribute money to this riding area?

Ursula Jones: We do not have a grant program but I can see if we could get some kind of funding from our board.

J. Anderson: What are the next steps for the ORV working group?

M. Elfers: We will continue to meet and talk about the considerations mentioned. Parks & Recs role is to facilitate the desire of the user groups.

B. Montana Creek Recreation Area Master Plan

M. Elfers: We are looking at working on a master plan for recreation in the Montana Creek Area. We do not have adequate infrastructure in the Montana Creek area to support all the uses that we have out there. The land ownership and management is complicated; City land is a gateway from Montana Creek Road into State and Federal land. We need a master plan to look at management and infrastructure of the area. We have been talking to Trail Mix, Forest Service and will be talking to the state to get the landowners involved. There has been a lot of enthusiasm. The process would look like community engagement throughout the summer into fall to understand existing usage and then move into conceptual design planning. Talking to the Forest Service, they do not think funding would be a problem for a lot of these improvements.

R. Crenshaw: Will Parks & Rec take the lead on the planning process?

M. Elfers: It is not decided yet; but we are thinking that Trail Mix would be great.

R. Crenshaw: It seems to me that an agency should take the lead. It concerns me that Trail Mix does not have the staff.

Fred Hiltner (N. Douglas): As a board member, JNSC had introduced a good steward agreement but talks have broken down. Safety standards for all users have not been reached. Recently, the Hank Harmon parking lot suddenly cannot be used for parking which is an issue in the area. I would like to propose to share that parking space.

M. Elfers: We are currently in talks with the JNSC and Hank Harmon Public Range.

C. Operations Update

G. Schaaf: *Can be found in the director's report.*

VIII. Committee, Liaison, and Board Member Reports

A. Chair Report— Thank you to Tom Rutecki and Emily Palmer for their service on the board.

B. Liaison to the Assembly Report— Bond packages have been passed and will be sold locally. There will be a boards training March 18 & 20.

C. Liaison Reports—

Aquatics – W. Muldoon: Pools are going really well; starting to work on commercial activities again.

YAB – J. Anderson: Public attend meeting to learn about changes to YAB grant application.

Eaglecrest – *VACANT*

Jensen-Olson Arboretum— E. Carrillo: Welcomed Ginger Hudson, new arboretum manager; improvements to manager residence and continued discussion on commercial use.

Lands – C. Mertl: None.

Park Foundation— C. Mertl: Discussed ways JPF can be involved in Capital School Park redesign; working on challenge grants with neighborhoods.

Treadwell Arena Board – K. Duncan: None.

Trail Mix— R. Crenshaw: Currently hiring for summer season, over 75 applicants so far; season starts May 3 through end of August.

1% for Art— J. Anderson: None.

Other Member Business –
W. Muldoon: Thanks to Michele for taking care of the lighting issue at Lemon Creek.

Adjournment – 7:07 p.m. ***Having no other business before the board.***

Respectfully submitted by Lauren Verrelli, Recreation & Public Services Manager, 3/8/2021

Minutes
Planning Commission
Committee of the Whole
CITY AND BOROUGH OF JUNEAU
Nathaniel Dye, Acting Chairman
July 13, 2021

I. ROLL CALL

Nathaniel Dye, Acting Chairman, called the Committee of the Whole Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held virtually via Zoom Webinar and telephonically, to order at 6:00 P.M.

Commissioners present: All Commissioners present via video conferencing – Nathaniel Dye, Vice Chairman; Paul Voelckers, Clerk; Travis Arndt, Deputy Clerk; Ken Alper; Dan Hickok; Josh Winchell; Erik Pedersen; Mandy Cole

Commissioners absent: Michael LeVine, Chairman

Staff present: Jill Maclean, CDD Director; Alexandra Pierce, CDD Planning Manager; Irene Gallion, CDD Planner; Michele Elfers, Parks & Rec Deputy Director

Assembly members: Loren Jones

II. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA – None
III. APPROVAL OF MINUTES – None
IV. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION – None
V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS – None
VI. ITEMS FOR RECONSIDERATION – None
VII. CONSENT AGENDA – None
VIII. UNFINISHED BUSINESS – None
IX. REGULAR AGENDA

A. Off Road Vehicle (ORV) and Montana Creek Recreation Master Planning Update from Parks & Recreation (P&R)

Michele Elfers, Deputy Director, CBJ Parks & Recreation Department, presented the current status of the ORV Master Plan. This is of importance because there is a good chance the issue will come before the PC in the form of conditional use permits in the future. Ms. Elfers explained there have been several ad hoc meetings with some of the interested ORV groups in

town including the Douglas Motocross Association, the Southeast Jeep Club, Juneau Off-Road Association. Ms. Elfers explained the various groups all had different ORV goals and it was likely that more than one site would need to be developed to meet those needs.

Several sites have been identified as potential ORV riding sites. Those garnering most attention are:

- 35-mile parcel – CBJ land. This could be managed via a Memorandum of Agreement with a local interest group similar to how the Harmon Rifle Range is managed.

Commissioner Winchell asked how they foresee tourism playing a part in ORV opportunities. Ms. Elfers said they had not looked at the tourism angle yet but it was an interesting question and she would bring it up to the working group.

Mr. Voelckers thought the terrain at the 35-mile site would be good for leisurely riding and asked if 'high energy' riding or racing was being considered for another location. Ms. Elfers agreed this would likely not be a site conducive to motocross or racing competition sports riding and said they are looking at other sites for that.

- Montana Creek Area – This area is highly utilized currently with the shooting range and Nordic skiing and other recreational activities. Challenges in this area include lack of parking and coordinating between agencies as portions of the area are owned by CBJ, some by State DNR and the rest is Federal Forest Service lands.
    - Mr. Arndt asked if the State were to transfer management of land in the area, would CBJ become the owner or would the State retain ownership with CBJ managing it. Ms. Elfers confirmed it would be the latter.
    - Mr. Winchell asked if Ms. Elfers foresees the need for CBJ to cover insurance costs for these lands if they were to move forward with a management agreement with the State. Ms. Elfers said they have not gotten far enough to have that discussion yet.

Other sites mentioned in the presentation slides but not discussed before time ran out were:

- S&S Pond in Lemon Creek – Privately owned
- Echo Cove – Owned by Goldbelt – There is already some illegal riding happening here
- Other privately owned areas are also being considered

X. **BOARD OF ADJUSTMENT** – None
XI. **OTHER BUSINESS** – None
XII. **STAFF REPORTS** – None
XIII. **COMMITTEE REPORTS** – None
XIV. **LIAISON REPORT** – None
XV. **CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS** – None
XVI. **PLANNING COMMISSION COMMENTS AND QUESTIONS** – None
XVII. **EXECUTIVE SESSION** – None
XVIII. **ADJOURNMENT** – 6:29 P.M.

Join us for a

PUBLIC MEETING

FEBRUARY 9 | 5:30 - 7:00 PM | ZOOM

35 MILE OFF ROAD VEHICLE PARK

Juneau Parks and Recreation and Juneau Off-Road Association invite you to learn about a proposal for an ORV Park at the 35 mile CBJ property. Scan the code or go to bit.ly/35milepark to join the meeting on February 9.

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
PARKS & RECREATION

35 Mile ORV Riding Park

Juneau Off-Road Association (JORA)

CBJ Parks and Recreation Department

"Essential Partners in a Healthy Community"

ORV in Community Plans

CBJ Comprehensive Plan Chapter 9.1 - IA12 Implementing Action includes

"Seek location and construction for an ATV/snowmobile course with a programmed riding course as well as trails."

Parks and Recreation Master Plan, 2019

ORV riding areas are a park system gap

Commit to working with and supporting the ORV community to identify a suitable site and facilitate development of viable opportunities for ORV recreation.

P&R Survey - over half of respondents believe CBJ should make specific investments in recreation assets or facilities, the top rated investment was Off Road Vehicle Trails and Park
Survey also finds ORV use as a top activity that adults would like to participate in but currently don't.

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History

1970s-1990s ORV and Motocross riding Thane, Dredge Lakes, Airport, Eagle River and Lemon Creek Industrial Areas. All of these areas have been shut down to riding.

2001 USFS, CBJ, Trail Mix, and the State evaluated many sites for riding and ultimately focused on N. Douglas Quarry and Lemon Creek area behind the jail. There was some grant money, but both projects fizzled out and grant money was lost.

2009 Many sites evaluated and top proposal for the Fish Creek quarry riding park was unsuccessful due to neighborhood concerns.

2013 Study on 35 mile CBJ parcel for riding. Project was deemed too expensive for CBJ to undertake.

ORV Working Group

Juneau Douglas Motocross Association, Southeast Jeep Club, Juneau Off-Road Association

- Motorized and non-motorized user conflicts in the Montana Creek area resulted in significant public comment to the Parks and Recreation Department about the public's desire for riding areas

- Informal meetings with user groups since fall 2020 to discuss recreational opportunities

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Goal of Working Group

Identify ORV (Off Road Vehicle) riding sites, create a sustainable management structure, support safe riding, and build durable infrastructure that protects the natural and built features of the facilities.

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CITY AND BOROUGH OF JUNEAU
PARKS & RECREATION

Sites Identified

Facility types:

1. Backcountry trail riding

2. Riding Park with track and features for motocross

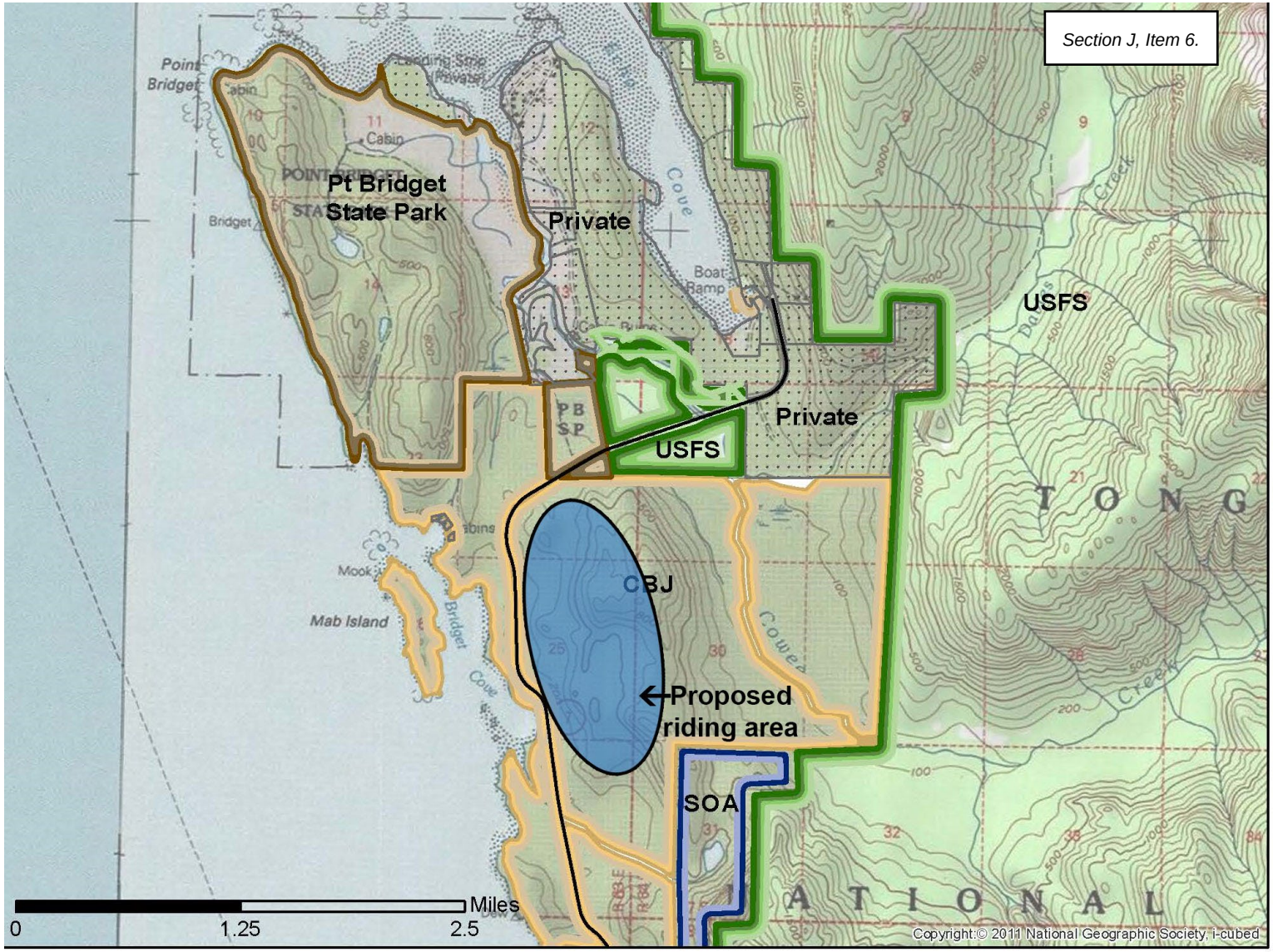
3. Riding Park for 4 wheeler use with features and play area

- 35 mile parcel for trail riding, CBJ land
- Montana Creek area for trail riding, State of Alaska DNR land
- S&S Pond Lemon Creek, private land
- Sand and gravel pit behind Home Depot, CBJ land
- Echo Cove, Goldbelt Land
- Other privately owned lands

CBJ 35 Mile Site

CBJ studied the 35 mile property in 2013 for an ORV riding park as it was considered one of the most promising options for ORV riding in Juneau.

JORA and P&R are evaluating this site for a proposed riding area building on the 2013 data gathered.



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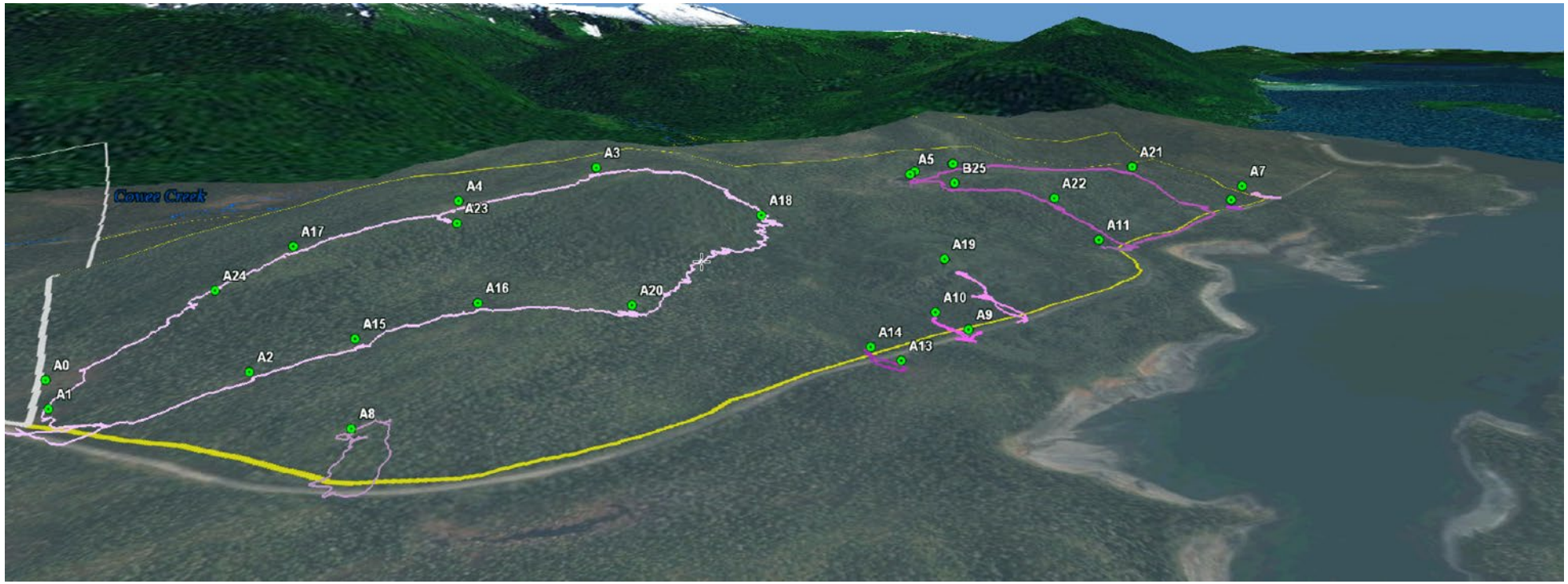
CBJ 35 Mile Site Size and Topography



- Total size of parcel is 1505 acres
- In 2013, 530 acres identified as suitable for riding in environmental analysis, 975 acres unsuitable
- Adjacent to Cowee Creek and Hëen Latinee Forest, separated by a ridge

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CBJ 35 Mile History

35 mile area was logged in the 1950s-1960s, often known as the McMurchie cut.

McMurchie was the former owner of Echo Ranch and logged areas by the ranch property as well.

EC15 *fw* McMurchieNbridget

date: 20140721 • **observer**: all • **acres**: 54.92 • **elevation**: 170 feet • **aspect**: wsw wsw • **slope**: 6% • **roughness**: dissected • **d-rank**: d5 • **landform**: ancient marine **subshed**: North Bridget • **PCN**: 3B4501000010 • **partseen**: 50%

Narrative: Much of this is mature alder, colonized since McMurchie cut in the (?) 1950s or 60s.[1] Two of us (cp, rc) assessed here, but our AA form was later superceded by another (by aa & ra) when the line was redrawn for North- versus South Bridget subsheds.

Drops from 360 feet down to 110—a rise of 150 feet over run of 2,400 (6%), with one much steeper 70-foot escarpment in the middle

1 The USFS database *managed_stands.shp* contains no records for Juneau 'out the road.' For the *CBJ Natural History Project*, I [rc] mapped most of Alan McMurchie's logging from combination of the 1979 NASA color infrared aerials and selective ground-truthing, down to units of probably an acre or so in size. (Carstensen, 2013a:38). But with a few exceptions from increment coring, which gives approximate 'release date' for survivors to within a few years, my estimates of logging year are imprecise, bracketed only by pre- and post logging photography.

Excerpt from the Supplement to the 2016 Juneau Wetlands Management Plan, Assessment Area Narratives, Bosworth Botanical Consulting

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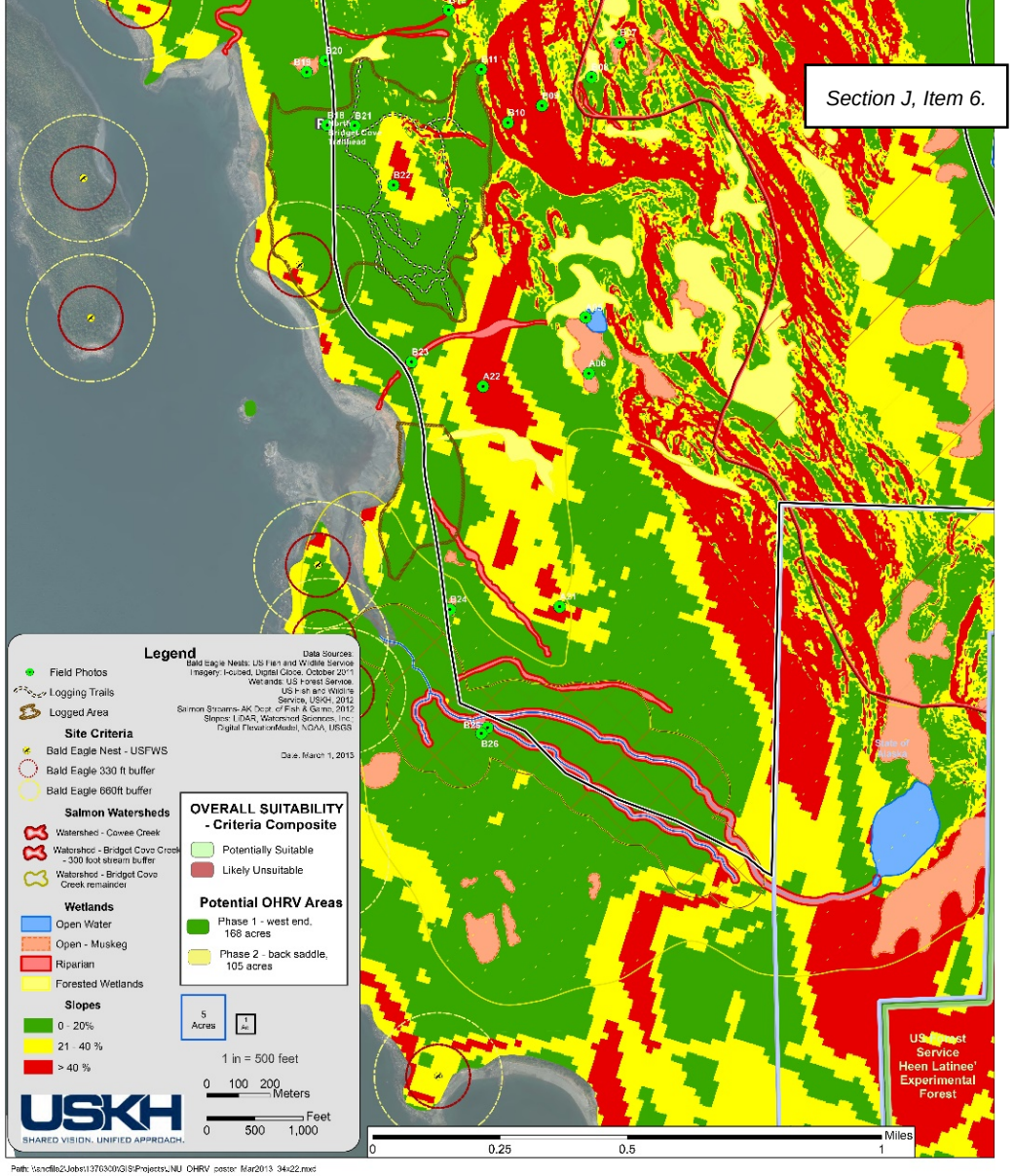
CITY AND BOROUGH OF JUNEAU ALASKA PARKS & RECREATION

2013 Environmental Analysis

- Lots of work done on this site in 2013 study with consultant and CBJ
- Map identifies eagles' nests, watershed boundaries, wetlands by type, slopes, waterbodies
- Previously logged area and logging roads identified



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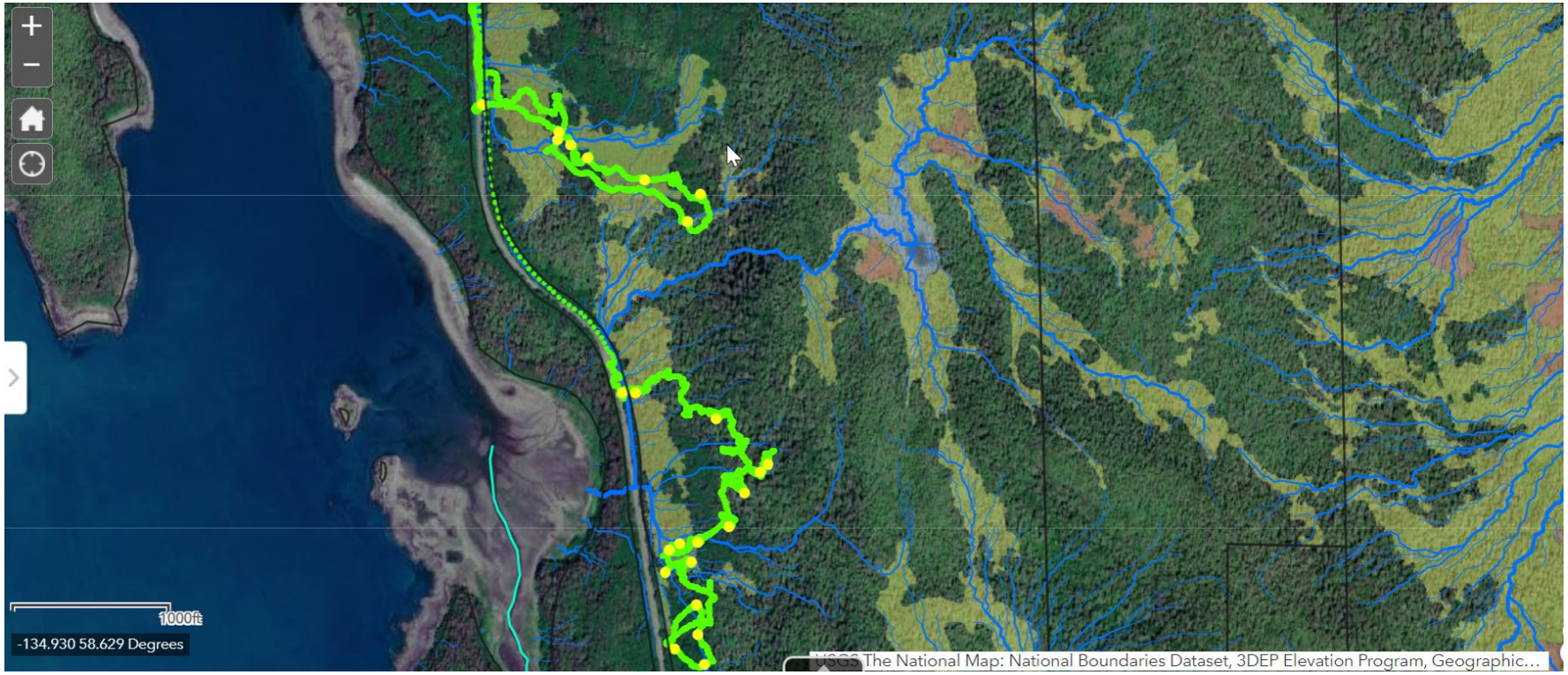
Work to Date

- GPS field investigation and initial trail locating with P&R, JORA, and Trail Mix and GIS Resource Mapping

- Pre application meeting with ACOE
- Ongoing meetings with informal ORV working group
- Pre-application meeting with CDD for Conditional Use Permit
- Planning for wetland delineation Spring 2022



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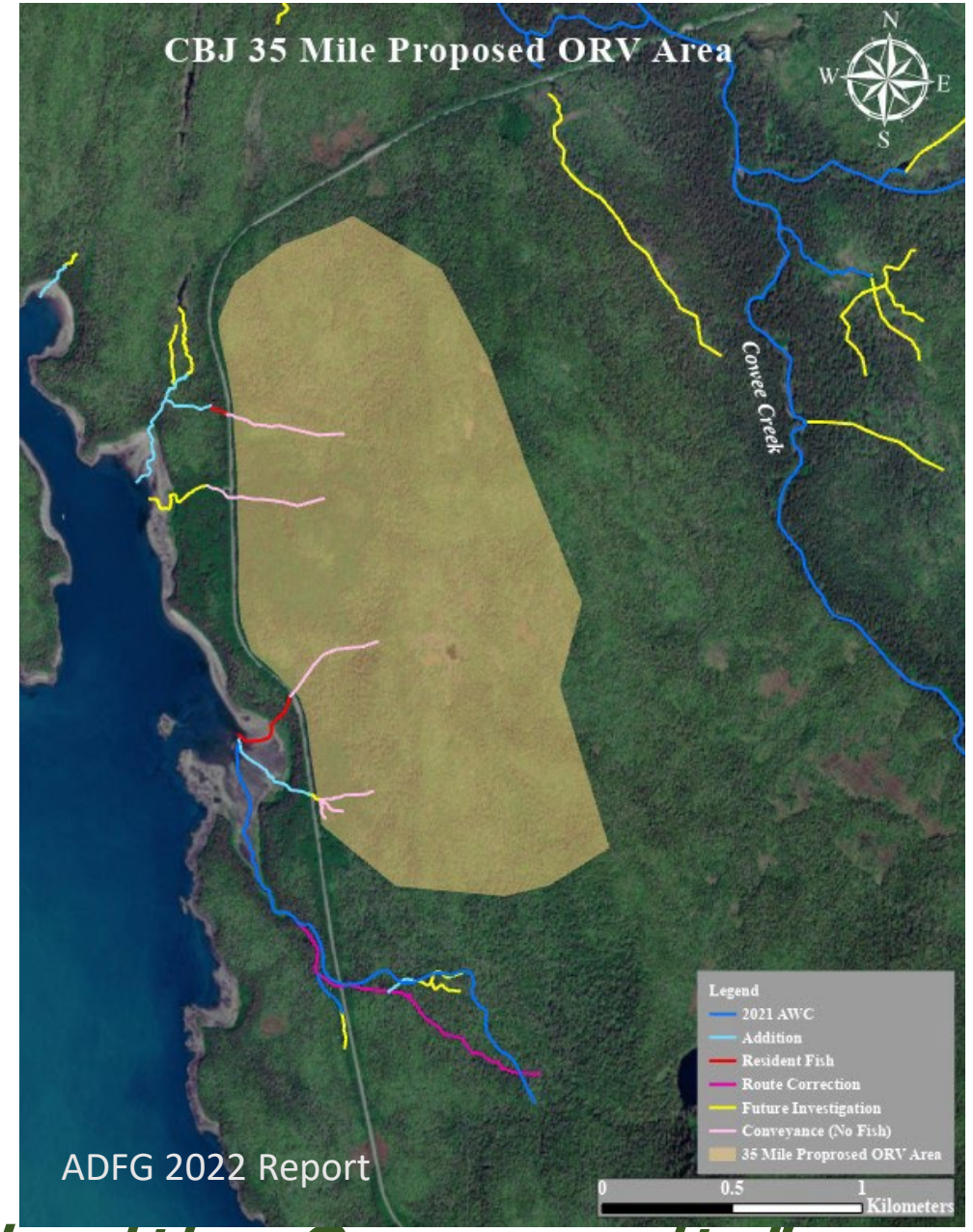
Work to Date

- ADFG surveyed streams in the project area in June 2021
- “No fish habitat upstream of Glacier Highway” as shown in the attached map
- Some fish habitat below the highway, outside of the project area
- Perched culverts and high gradient likely contribute to lack of fish habitat
- Hardened stream crossings and managing erosion and sedimentation in project area is important

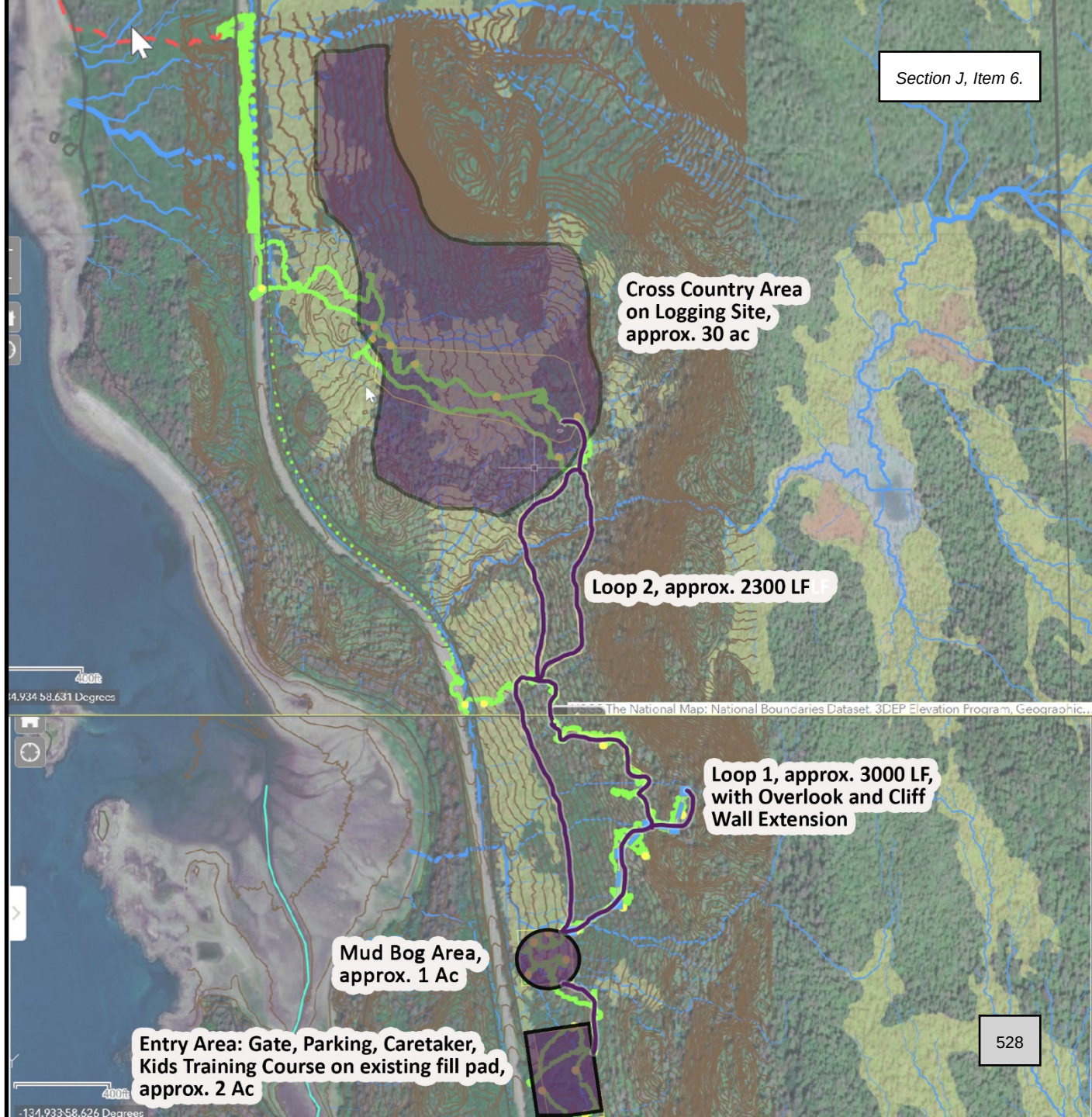


ADFG 2022 Report

“Essential Partners in a Healthy Community”

Conceptual Site Plan

- **Entry Area: Gate, Parking, Caretaker, Kids Training Course**
- **Loop Trails**
- **Mud Bog**
- **Cross Country Area on Logged Site**



Riding Park Features

Entry Area: Gate, Parking, Caretaker Area, Kids Training Course

- Locked Gate
- Large Parking Area for Trucks, Trailers and Cars
- Vault Toilet
- Caretaker RV Area
- Kids Training Area
- Located on existing fill pad, likely from the logging operations
- Approximately 2 acres

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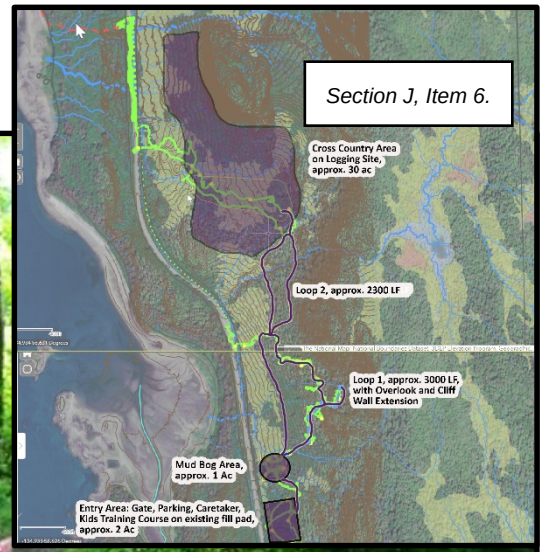
Loop Trails

Two Loops, 1 mile

- ATV's, jeeps and dirt bikes
- Approx. 8' wide trails with turnaround and rest areas
- Shot rock as needed and D1 cap, culverts or bridges over drainages and creeks
- Features a short extension to an overlook area that has a cliff wall at its back, area for a turnaround



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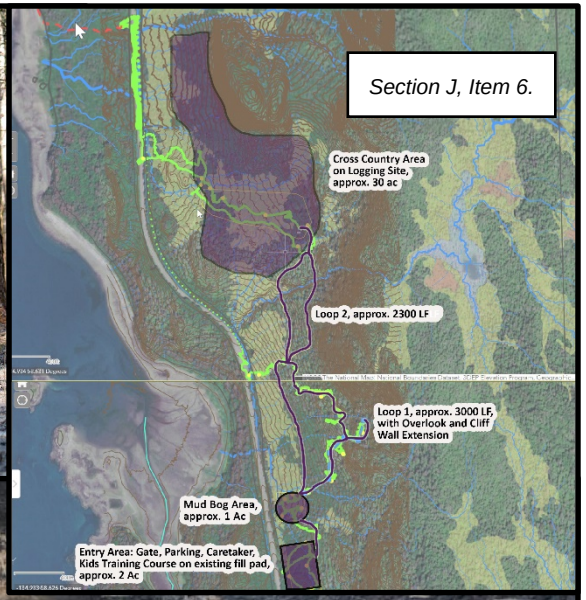
PARKS & RECREATION

Mud Bog

Designed Wet Area for mud play, 1 acre



- Area to allow for play in mud
- May stabilize bottom with rock pad
- Will require good access if machines get stuck for retrieval, important to be near parking lot area
- Stormwater filtration downhill end

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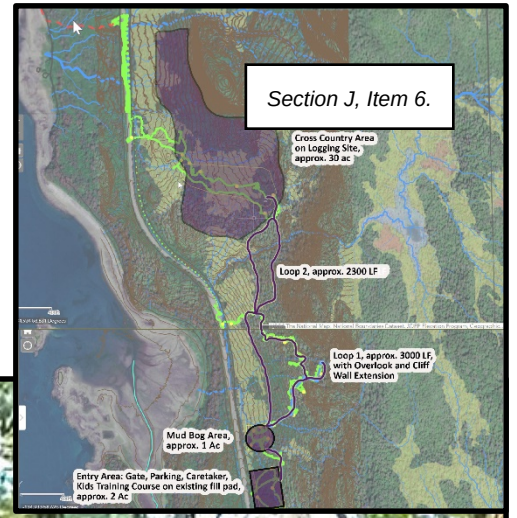
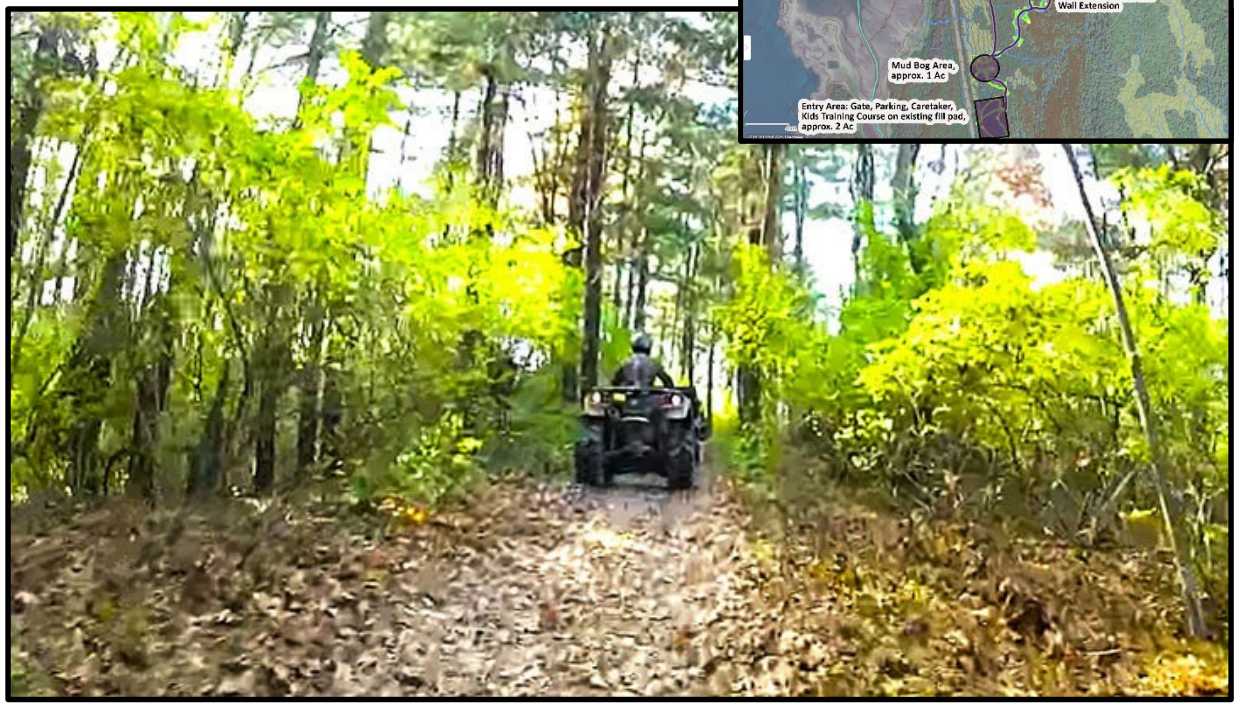
Cross Country

Old Logged Area as Open Area, approx. 30 acres





- Open riding in forest, no trail development
- Located in old logged area, dozer tracks and roads still found in this area
- No fill required for free riding
- Stormwater catchment, treatment and filtration at downhill end
- May create a blocked service road to access the northern free style area for emergency and maintenance access
- Establish clear boundaries using site features, topography and installed elements

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ALASKA
PARKS & RECREATION

Operations and Management

JORA Operates Facility

- Caretaker resides at site and opens and closes gate
- Closed in Winter
- Permit fee for use goes to maintenance and upkeep
- Opportunities for events, classes, programming
- Volunteer Days (litter pick up, drainage/erosion maintenance, etc.)
- Build a Juneau ORV community

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PARKS & RECREATION

Operations and Management

JORA – CBJ Partnership

- Create MOA similar to Hank Harmon Public Range or Community Gardens
- Approve operational rules
- Require compliance with permits and applicable federal, state and local laws
- Perform Annual Reports and Regular Site Visits
- Require Insurance
- Review and Approve Construction and Development Plans
- Establish Maintenance Requirements
- Review and Approve Facility Plan, Maps, Project limits, Site Boundaries, Signage

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PARKS & RECREATION

Next Steps

Public Process, Permitting, Design and Construction

- Gather questions and input from the community, starting with this meeting
- March - Develop a resolution for a partnership with JORA to be reviewed by PRAC, the LHED, and voted on by the Assembly
- April to June – Apply for a conditional use permit with CDD, the Planning Commission will decide on the permit and conditions
- Spring to Summer – Perform wetland delineation, apply for Army Corps of Engineers permit, work with resource agencies on other permits and environmental requirements, perform additional studies as needed
- Summer –design development
- With permits and agreements with CBJ in place, construction can begin

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Next Steps

Funding

- Grants – JORA and Trail Mix applying for grants
  - T.R.A.I.L.S, up to $10,000
  - Trails Trust, average $15,000-$30,000
  - State Recreational Trails Program (RTP) dedicated to motorized, safety and education projects in FY2022, up to $300,000 (application FY23 may be from CBJ)

- Private Donations - JORA is a non profit and may outreach for private donations to support their work

- Existing CBJ CIP – Dedicated to an Off – Highway Vehicle Park, $250,000,
  - 2012 funding approved by voters from 3% temporary sales tax for the 35 mile parcel development
  - FY12-FY14 Assembly allocated sales tax funding for an OHV park

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How to be involved

Let us know what you think!

What are we missing?
What else do we need to consider?
Send comments to parks.rec@juneau.org

Get involved with JORA

Follow Juneau Off-Road Association on Facebook

Keep up to date on the project website

https://juneau.org/parks-recreation/project-list/entry/81872

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CITY AND BOROUGH OF JUNEAU
PARKS & RECREATION

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
PARKS & RECREATION

PARKS & RECREATION ADVISORY COMM
MEETING AGENDA
TUESDAY, APRIL 5, 2022
5:30 P.M.
ZOOM WEBINAR

This meeting will take place virtually via **Zoom Webinar.** To join the Zoom Webinar, go to https://juneau.zoom.us/j/94184441385 or call: 1 253-215-8782. **Webinar ID: 941 8444 1385**. Members of the public wishing to provide public comment during the meeting can do so by clicking the "Raise Hand" button (online Zoom Webinar) or press *9 (telephone).

	Agenda Item	Presenter	Action Requested
I.	**Call to Order**	C. Mertl	
II.	**Approval of Agenda** Agenda Changes	C. Mertl	*If no changes:* Motion to approve
III.	**Approval of Minutes**		
IV.	**Public Participation on Non-Agenda Items**	C. Mertl	
V.	**New Business** Urban & Community Forestry Program Kaxdigoowu Trail Rehabilitation Auke Lake Temporary Closure 35 Mile ORV Riding Park	 Liz Graham AK-DOT&PF G. Schaaf M. Elfers	 None None Recommendation Recommendation
VI.	**Unfinished Business** Disposal of Park Land (Parcel No. 4B2801020070)	G. Schaaf	Recommendation
VII.	**Staff Reports**		
VIII.	**Committee, Liaison, and Board Member Reports** Chair Report Liaison to the Assembly Board Member Liaisons Other Board Member Business	 C. Mertl Alicia Hughes-Skandijs Liaisons All	
IX.	**Adjournment**	C. Mertl	

Auke Lake is a navigable lake that is regulated by both the State of Alaska and CBJ. The Ala
Dept. of Natural Resources has reviewed the closure and provided a Letter of No Objection.

SUGGESTED MOTION:
The Parks & Recreation Advisory Committee recommends that the Assembly adopt the ordinance temporarily closing Auke Lake during the IRONMAN Alaska triathlon.

D. 35-Mile ORV Riding Park – *Presented by M. Elfers [Page 14]*

The Parks and Recreation Department has been working with an informal group of off road vehicle enthusiasts to plan for riding opportunities in Juneau since 2019. Using past CBJ studies and evaluations of various sites around the community, the group has identified the 35 mile CBJ property as a potential location for a riding park. An initial concept layout has been developed for the riding park and includes a secure entry with a kids training area, a loop trail, mud bog area, and cross country area. Staff is in initial talks with the Juneau Off-Road Association (JORA) to take the lead as the community non-profit organization on the planning of the park.

SUGGESTED MOTION:
The Parks and Recreation Advisory Committee recommends that the Assembly support the manager to negotiate an agreement with JORA to permit, design, construct, operate and maintain an off road vehicle riding park at 35 mile.

UNFINISHED BUSINESS

A. Disposal of Park Land – *Requested by CBJ Lands & Resources [Page 15-21]*

James Parise previously applied for an easement to construct a driveway across CBJ land dedicated as a Natural Area Park in Auke Bay (Parcel No. 4B2801020070). For a number of reasons, the Departments of Law and Community Development determined that it is not possible to grant an easement. To accommodate Mr. Parise's renovation project, the Parks & Recreation Department provided Mr. Parise with a Memorandum of Agreement allowing temporary access across the park to facilitate a home renovation project. Mr. Parise has now applied to purchase the entire CBJ parcel; this application is included in the packet for tonight's meeting.

According to the Juneau Comprehensive Plan, it is the policy of CBJ to "hold lands in the public trust, and to dispose of certain lands for private use when disposal serves the public interest" (Policy No. 17.2). The Plan goes on to state:

> *"To the greatest extent practicable, retain shoreline and riparian lands in public ownership. However, where disposal of such lands is deemed by the Assembly to be appropriate, ensure the provision of public access to the shoreline and water including provision of adequate trail head or boat launch areas, and retention of a public access easement along beaches"* (Development Guideline 17.2 – DG1).

This parcel holds significant value because it provides public access to Auke Bay. While the Department has no plans or funding to develop this access in the immediate future, this access will become more important in the future as Auke Bay continues to grow. The Department also appreciates the applicant's desire to improve access to their private property. Given the unique

CITY AND BOROUGH OF JUNEAU
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PARKS & RECREATION

TO: Chris Mertl, Chair Parks and Recreation Advisory Committee

FROM: Michele Elfers, Deputy Director Parks and Recreation Department

DATE: April 5, 2022

RE: Off Road Vehicle Park Planning

The Parks and Recreation Department has been working with an informal group of off road vehicle enthusiasts to plan for riding opportunities in Juneau since 2019. Using past CBJ studies and evaluations of various sites around the community, the group has identified the 35 mile CBJ property as a potential location for a riding park. An initial concept layout has been developed for the riding park and includes a secure entry with a kids training area, a loop trail, mud bog area, and cross country area. Staff is in initial talks with the Juneau Off-Road Association (JORA) to take the lead as the community non-profit organization on the planning of the park.

The formal public process for developing a riding park includes:

1. Approval for the manager to negotiate an agreement with JORA to permit, design, construct, operate and maintain an off road vehicle riding park at 35 mile. Support for this approval will be requested of the PRAC and the Lands, Housing and Economic Development Committee, prior to being considered by the Assembly.
2. Permit application for a Conditional Use Permit to the Planning Commission for the park. CBJ Parks and Recreation Department and JORA would be joint applicants.
3. Ordinance allowing CBJ Parks and Recreation to partner with JORA on the development of the park. The ordinance is needed to authorize a partnership that may include JORA operating a park and charging fees on public land, in addition to procuring services and materials to maintain that land and park.

On February 9, CBJ and JORA held a public meeting to provide information on the park concept and answer questions from the community. Approximately 80 people attended the meeting and received answers to their questions. Additionally, a few public comments were received in writing after the meeting. The process outlined above will provide the public multiple opportunities for formal comment on the project as details and plans develop. Currently, the project is in a conceptual stage with field work and analysis required to develop the plans. Step 1, approval for the manager to negotiate, is a preliminary step that does not commit CBJ to the project, but provides staff support to research and develop a potential project.

Staff recommends the PRAC make a recommendation of support to the Assembly for the manager to negotiate an agreement with JORA to permit, design, construct, operate and maintain an off road vehicle riding park at 35 mile.

155 S. Seward St • Juneau, AK 99801
Phone: (907) 586-5226 • Fax: (907) 586-4589 • Email: Parks.Rec@juneau.org

ASSEMBLY STANDING COMMITTEE MINUTES
LANDS HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE
THE CITY AND BOROUGH OF JUNEAU, ALASKA
April 11, 2022, 5:00 P.M.

I. CALL TO ORDER

II. LAND ACKNOWLEDGEMENT

III. ROLL CALL - Chair Hale called the meeting to order at 5:05 pm.
Members Present: Chair Michelle Hale, Greg Smith, Wade Bryson, Wáahlaal Gíidaak
Members Absent: none
Liaisons Present: Chris Mertl, Parks and Recreation; Mandy Cole, Planning Commission
Liaisons Absent: Lacey Derr, Docks and Harbors
Staff Present: Dan Bleidorn, Lands Manager; Jill Maclean, CDD Director; Michele Elfers, Parks & Recreation Deputy Director; Di Cathcart, Deputy City Clerk

IV. APPROVAL OF AGENDA – The agenda was approved as presented.

V. APPROVAL OF MINUTES – March 7, 2022 Draft Minutes were approved as presented.

VI. AGENDA TOPICS

A. Parise Request to Purchase City Property

Mr. Bleidorn discussed this topic. Mr. Bryson asked if any area of this property is designed to encourage public use. Mr. Bleidorn replied that there is no direct or manicured access to the shoreline. This property was acquired from the State.

Mr. Smith asked if CDD reviewed this before it went to the PRAC and what type of information would we expect from CDD. Mr. Bleidorn replied that the PRAC is the first step and CDD would be involved after initial support to work with the original proposer. Chair Hale noted that we do not have a positive proposal from the PRAC to move this forward, they didn't recommend this proposal and moved that this property was to be retained.

Mr. Mertl commented that he's available as a resource. PRAC spent a fair bit of time talking about this last week and denied it. Back in 2021 Parks and Recreation did send out postcards mailers to the neighborhood and 60 of those that responded said that there should not be an easement granted, this was when the original proposal was for an easement, not for a purchase. The other thing that I want to follow up on is that the department is seeing more applications to purchase parkland and if you look at policy we're supposed to hold lands in public trust and dispose certain lands for private use when disposal serves the public interest. One of the main reasons why we did deny the purchase of the property, keeping in mind that it is part of the larger Auke Bay neighborhood plan, is that there are limited public access points to the waterfront.

Mr. Bryson asked how we can help this citizen correct their driveway problem. Mr. Bleidorn replied that this is a complex question. A few years ago the State DOT worked with the previous owner when they redid the highway. The DOT paid them for the land they needed to fix the property and work on the right-a-way, similar to what they did with the city in Auke Bay. In theory that payment could have gone to correct the driveway access. We're in a situation now where there's some type of non-conforming issue, or a driveway access safety issue, and it is next to vacant city property, which is vacant city open space park property. We want to be careful with the disposal of this property. Since this application has come forward we've heard from the adjacent neighbor because that property just sold and they may be

B. Ordinance 2022-23 an Ordinance Temporarily Closing Auke Lake for the 2022 IRONMAN Alaska Triathlon and Providing a Penalty.

Juneau is set to host the first IRONMAN Alaska triathlon on August 7, 2022, with 1,500 race participants. The race's swimming course consists of a 2.4-mile loop around Auke Lake, which is normally open to motorized vessels each day during the summer and other public uses. This ordinance would temporarily close Auke Lake to motorized vessels and other public uses on August 6-7, 2022 to minimize user conflicts related to the race.

Mr. Bryson moved that the Lands, Housing and Economic Development Committee move ordinance 2022-23 temporarily closing Auke Lake for the 2022 IRONMAN Alaska Triathlon. Motion passed, no objections.

C. 35 Mile ORV Riding Park

Michele Elfers discussed this topic. Chair Hale asked about the perched culverts, if that is when a culvert is so high that the salmon can't jump into it to cross the road and that the development of this area would not preclude that action, it might just make certain things more complicated if that comes up in the future. Ms. Elfers confirmed that was a fair assessment.

Mr. Bryson moved that the Lands, Housing and Economic Development Committee make a recommendation of support to the Assembly for the manager to negotiate an agreement with JORA to permit, design, construct, operate and maintain an off road vehicle riding park at 35 mile.

Mr. Smith objected for a comment, to thank staff on their hard work.

Motion passed, not further objections.

D. Draft Travel Juneau MOA for Lands, Housing, and Economic Development Committee Review
Chair Hale asked that he LHED committee review the draft MOA and bring back any suggestions, modification, or comments to this committee.

VII. COMMITTEE MEMBER/LIAISON COMMENTS AND QUESTIONS - None

VIII. STANDING COMMITTEE TOPIC
A. 2022 LHED Committee Goals – No update

IX. NEXT MEETING DATE – May 2**,** 2022

X. ADJOURNMENT - Chair Hale adjourned the meeting at 6:00 PM.

42.20.095 - Disturbing the peace.

(a) *Policy.* The purpose of this section is to protect the health, welfare and safety of the City and Borough's residents by regulating the time, place, and manner of unreasonable noise. It is the intent of this section to secure the health, safety, comfort, convenience, and peaceful enjoyment of all public places, such as public streets and public parks, as well as the City and Borough's residents' homes, by prohibiting unreasonable noise.

(b) *General.*

(1) It is unlawful for any person to make or continue, or cause or permit to be made or continued, any unreasonable noise.

(2) As used in this section, "unreasonable noise" means noise that unreasonably annoys, disturbs, injures, or endangers the comfort, health, peace, or safety of a reasonable person of ordinary sensibilities in the vicinity. The factors which will be considered in determining whether a noise is unreasonable will include, but not be limited to, the following:

(A) The volume of noise;

(B) The intensity of the noise;

(C) Whether the nature of the noise is usual or unusual;

(D) Whether the origin of the noise is natural or unnatural;

(E) The volume and intensity of the background noise, if any;

(F) The proximity of the noise to residential sleeping facilities;

(G) The nature and zoning of the area within which the noise emanates;

(H) The density of the inhabitation of the area within which the noise emanates;

(I) The time of the day or night the noise occurs;

(J) The duration of the noise;

(K) Whether the noise is recurrent, intermittent or constant;

(L) Whether the noise is produced by a commercial or noncommercial activity; and

(M) Whether the noise contains pure tones.

(3) Liability. In a prosecution under this section, it shall be a rebuttable presumption that the owner, tenant, or person in charge of real property from which noise emanates in violation of this section has caused or allowed to be caused the noise which violates this section.

(c) *Construction of buildings and projects.* It is unlawful to operate any pile driver, power shovel, pneumatic hammer, derrick, power hoist, or similar heavy construction equipment, before 7:00 a.m. or after 10:00 p.m., Monday through Friday, or before 9:00 a.m. or after 10:00 p.m., Saturday and Sunday, unless a permit shall first be obtained from the City and Borough building official. Such permit shall be issued by the building official only upon a determination that such operation during hours not otherwise permitted under this section is necessary and will not result in unreasonable disturbance to surrounding residents. The building official may revoke any noise permit after making written findings that the construction activity has resulted in unreasonable disturbance to surrounding residents or that operation during hours not otherwise permitted is not necessary.

(d) *Noise emanating from vehicles.*

(1) *Policy.* It is unlawful for any person to play, continue to play, or allow to be played, any sound system from, within, or on any motor vehicle so that any sound, music, or vibration emanating therefrom can be heard at a distance of more than 30 feet from the vehicle unless the vehicle is a sound truck operating pursuant to a permit issued under section 72.10.150.

(2) *Liability.* In a prosecution under this section, it shall be rebuttable presumption that the registered owner of a vehicle from which emanates noise in violation of this section has played or allowed to be played the sound system causing the noise.

(e) *Exemptions.* The provisions of 42.20.095 shall not apply to noise produced by any authorized emergency vehicle when responding to an emergency call or when otherwise authorized by law or ordinance to activate its siren or other warning device, or noise produced by any activity for which a valid noise permit has been issued.

(f) *Defenses.* It is an affirmative defense to a charge under subsection (b) of this section that the noise is a normal result of a kennel authorized in an industrial zone under Title 49 of this Code.

(g) Disturbing the peace is an infraction and each occurrence of a prohibited act shall constitute a separate violation.

(Serial No. 78-36, § 3, 1978; Serial No. 85-56, § 45, 1985; Serial No. 2000-44am, § 2, 1-22-2001; Serial No. 2006-18(b), § 3, 6-5-2006; Serial No. 2013-14(c), § 2, 1-6-204, eff. 2-5-2014)

State Law reference— Disorderly conduct, AS 11.61.110.

MEMORANDUM

State of Alaska

Department of Fish and Game
Habitat Section

TO: Kate Kanouse
Southeast Regional Supervisor

DATE: February 7, 2022

FILE: 58.63230 N, 134.93598 W

SUBJECT: CBJ 35-Mile Proposed ORV Area

FROM: Jesse Lindgren JL
Habitat Biologist

PHONE NO: (907) 465-1635

The City and Borough of Juneau (CBJ) has recently been working with the Juneau Off Road Association to evaluate the 35-mile CBJ property as a potential off-road vehicle (ORV) riding park. The CBJ 35-mile property has been previously reviewed by CBJ dating back to 2013.

On June 28, 2021, Fish and Wildlife Technician Ben Landes and I surveyed streams along the CBJ 35-mile proposed ORV area. We observed no fish habitat upstream of Glacier Highway as many of the culverts are perched and grade increases to over 20%. Appendix A documents our findings of fish presence within the proposed ORV area identifying streams used by anadromous or resident fish, or conveyance (no fish). Addition lines are anadromous streams that are under review to be added to the anadromous waters catalog (AWC) and future investigation lines are suspected fish habitat that require additional sampling. Fish habitat permits are not required for ORVs crossing drainages within the proposed 35-mile park area.

While we observed no fish in the proposed ORV area, some drainages flow downstream to anadromous and resident fish habitat so erosion controls may be needed, such as hardened stream crossings, to avoid erosion and sedimentation. Similarly, redirecting the drainages should be avoided to ensure stream channels with fish habitat are not dewatered downstream.

Containing ORV use to inside the proposed ORV area is important to protect surrounding anadromous streams; to the east and separated by a ridge is Cowee Creek[a] and to the south is Stream No. 115-10-10230[b]. Additionally, ORV use should not occur downstream of Glacier Highway to the beach where anadromous and resident fish streams are present. Other areas with

---

[a] Cataloged for chum, coho, and pink salmon, Dolly Varden char, and cutthroat trout and steelhead trout.
[b] Cataloged for coho salmon and cutthroat trout.

ORV use in Juneau, such as Echo Cove[c], Montana Creek[d], and Davies Creek[e] have anadromous stream crossing violations and problems containing ORV use.

Once draft plans are created for the ORV riding park, please share with ADF&G so we have an opportunity to comment and ensure fish habitat and wildlife concerns are addressed.

Email cc:

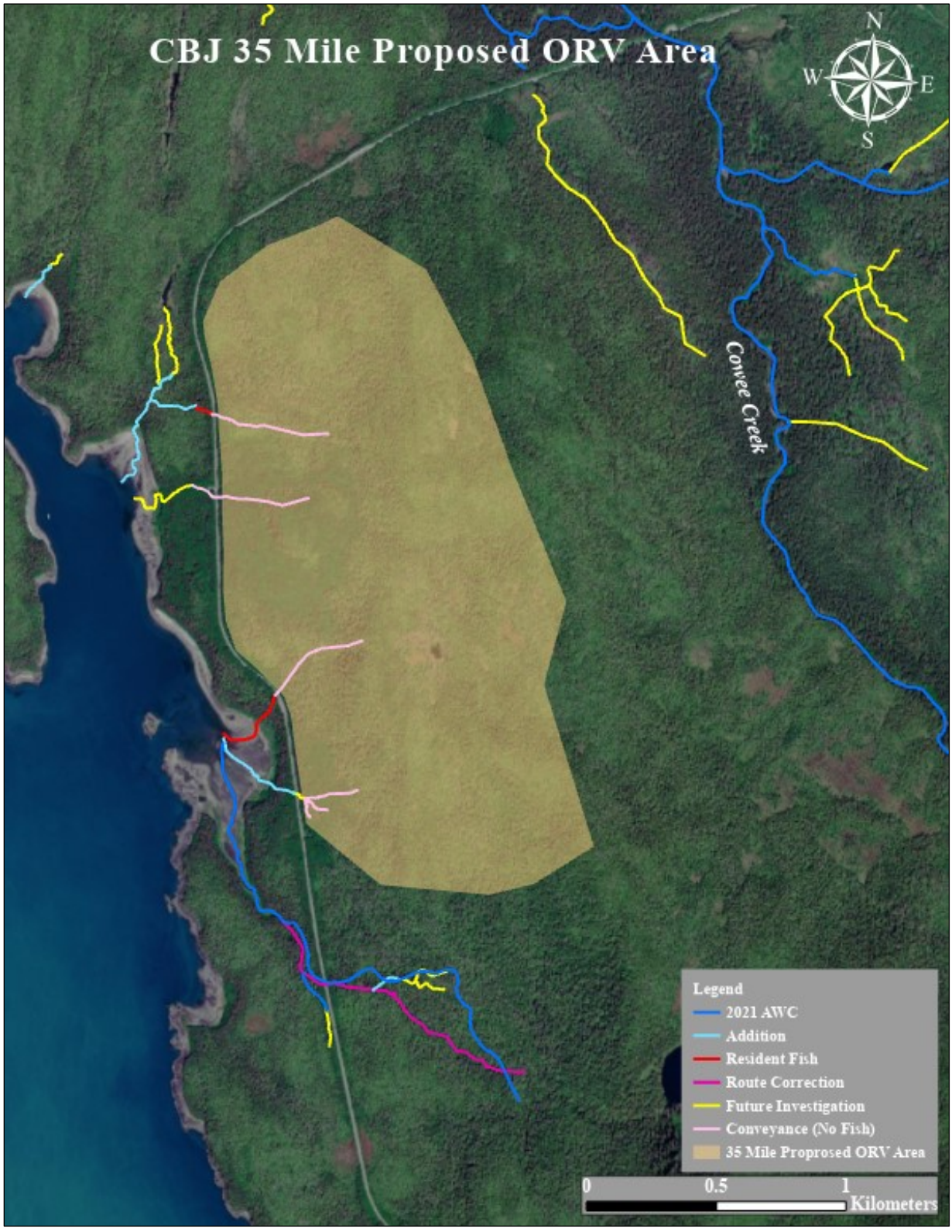
Al Ott, ADF&G Habitat, Fairbanks
ADF&G Habitat Staff, Douglas
Dan Teske, ADF&G SF, Douglas
Dave Harris, ADF&G CF, Douglas
Roy Churchwell, ADF&G WC, Douglas
Teri Camery, CBJ, Juneau
Michele Elfers, CBJ, Juneau
Doug Cooper, USFWS, Anchorage
Ben Soiseth, USACE, Sitka
Habitat Conservation Division, NMFS, Juneau
Sgt. Robert Welch, DPS/AWT, Juneau

[c] Dylan Krull, Habitat Biologist, ADF&G Division of Habitat, to Jackie Timothy, Southeast Regional Supervisor, ADF&G Division of Habitat. Memorandum: Echo Cove-Unpermitted Fords; dated November 15, 2018.

[d] Jesse Lindgren, Habitat Biologist, ADF&G Habitat Section, to Kate Kanouse, Southeast Regional Supervisor, ADF&G Habitat Section. Memorandum: Montana Creek ATV Stream Crossings; dated January 22, 2021.

[e] Kelsey Dean, Habitat Biologist, ADF&G Habitat Section, to Kate Kanouse, Southeast Regional Supervisor, ADF&G Habitat Section. Memorandum: Davies Creek Tributary Additions and ATV Crossings; dated November 6, 2020.

Appendix A.–CBJ 35-Mile Proposed ORV Area



From: Peterson, Ryan E (DEC)
To: Jennifer Shields; Zimmer, Raymond T (DEC)
Subject: RE: USE22-15: 35-Mile ORV Riding Park - Agency Comment Request DEADLINE EXTENDED TO 12/28
Date: Wednesday, December 28, 2022 4:02:07 PM

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Good Afternoon Jennifer,

Thank you for sending this on. This looks great as it covers the requirements for plan review and approval from the Department per 18 AAC 72 in regards to vault privy installations and the disposal of the wastewater generated on the RV into the onboard wastewater holding tank to an approved facility.

Please let Ray or I know if you have any additional questions. Thank you.

Ryan Peterson
Phone: 907-262-3402
septic.alaska.gov

From: Jennifer Shields <Jennifer.Shields@juneau.gov>
Sent: Friday, December 23, 2022 8:54 AM
To: Zimmer, Raymond T (DEC) <raymond.zimmer@alaska.gov>; Peterson, Ryan E (DEC) <ryan.peterson@alaska.gov>
Subject: FW: USE22-15: 35-Mile ORV Riding Park - Agency Comment Request DEADLINE EXTENDED TO 12/28

Some people who received this message don't often get email from jennifer.shields@juneau.gov. Learn why this is important

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Mr. Zimmer & Mr. Peterson,

Did you have any comments on this project? If so, please send them to me no later than next Wednesday, 12/28.

Thank you in advance,

Jennifer L. Shields| Planner II
Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street, 4th Floor Marine View Building
Office: 907.586.0753 ext. 4139

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT

DEPARTMENT: State of Alaska Department of Transportation & Public Facilities

STAFF PERSON/TITLE: Arthur Drown, Right of Way Agent, Property Management SCR Right of Way

DATE: December 9, 2022

APPLICANT: CBJ Parks and Recreation, Juneau Off-Road Association

TYPE OF APPLICATION: USE22-15 Conditional Use Permit

PROJECT DESCRIPTION:

Conditional Use Permit request to develop an Off-Road Vehicle (ORV) Riding Park beginning past Glacier Highway Mile 35 north and east on CBJ-owned land.

LEGAL DESCRIPTION: ASCS 96-13 96-14 96-15

PARCEL NUMBER(S): 3B4501000010

PHYSICAL ADDRESS: N/A

SPECIFIC QUESTIONS FROM PLANNER:

AGENCY COMMENTS:

All access from Glacier Highway is subject to review and permitting by DOT&PF ROW.
Any permanent fixtures, such as fences, gates and signage to be erected within ROW are subject to review and permitting, if permissible, as an encroachment. Encroachments are subject to economic rent.
Permits for such development as that proposed may be subject to strict stipulations to ensure that unauthorized motorized vehicles are not operated within DOT ROW.
Any construction or development to be conducted from within ROW is subject to a Lane Closure Permit and approved traffic safety plans.

Please feel free to reach out directly with additional questions regarding permissible uses and needed permitting within ROW. For detailed information regarding uses of ROW, please feel free to review the Alaska Right-of-Way Manual at this link: https://dot.alaska.gov/stwddes/dcsrow/assets/pdf/manual/2019_row_all.pdf

AGENCY COMMENTS (CONTINUED):

9.6. Use of Highway Right of Way by Others

There are three situations where property belonging to the State may be used by others:

- rental of property during the short term between the date of acquisition and the date of project construction;
- permitted encroachment; and
- other permitted uses, such as driveways and utilities.

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT

DEPARTMENT: State of Alaska Department of Transportation & Public Facilities

STAFF PERSON/TITLE: Arthur Drown, Right of Way Agent, Property Management SCR Right of Way

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PROJECT DESCRIPTION:

Conditional Use Permit request to develop an Off-Road Vehicle (ORV) Riding Park beginning past Glacier Highway Mile 35 north and east on CBJ-owned land.

LEGAL DESCRIPTION: ASCS 96-13 96-14 96-15

PARCEL NUMBER(S): 3B4501000010

PHYSICAL ADDRESS: N/A

SPECIFIC QUESTIONS FROM PLANNER:

AGENCY COMMENTS:

All access from Glacier Highway is subject to review and permitting by DOT&PF ROW.
Any permanent fixtures, such as fences, gates and signage to be erected within ROW are subject to review and permitting, if permissible, as an encroachment. Encroachments are subject to economic rent.
Permits for such development as that proposed may be subject to strict stipulations to ensure that unauthorized motorized vehicles are not operated within DOT ROW.
Any construction or development to be conducted from within ROW is subject to a Lane Closure Permit and approved traffic safety plans.

Please feel free to reach out directly with additional questions regarding permissible uses and needed permitting within ROW. For detailed information regarding uses of ROW, please feel free to review the Alaska Right-of-Way Manual at this link: https://dot.alaska.gov/stwddes/dcsrow/assets/pdf/manual/2019_row_all.pdf

From: Percy, Colton T (DFG)
To: Jennifer Shields
Cc: Carter, Marla M (DFG); Koch, Carl H (DFG); Churchwell, Roy T (DFG)
Subject: FW: USE22-15: 35-Mile ORV Riding Park - Agency Comment Request
Date: Friday, December 23, 2022 6:53:50 AM
Attachments: JORA_35mile_Phase_one_comments.pdf

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Hi Jennifer,

First, thank you for the additional time to comment on the CBJ Off-Road Vehicle Riding Park at mile 35 of the Glacier Highway. I have attached the comments provided by the Douglas Fish and Game Office Assistant Biologist and Area Biologist. You can reach them directly at the Douglas Office 907-465-4265.

No anadromous streams have been identified in the area so a Fish Habitat Permit from the ADF&G Division of Habitat is not required. However, streams in this area have the potential to be nominated to the catalog. If fish are observed in the steams, please contact the Division of Habitat in the Douglas office at 907-465-4105 or dfg.hab.infodou@alaska.gov.

Thank you again for the opportunity to review this project and comment. Please don't hesitate to reach out with any questions.

Colton Percy
Habitat Biologist
Access Defense Program
Alaska Department of Fish and Game
Division of Wildlife Conservation
333 Raspberry Rd
Anchorage, AK 99518
907-267-2118

From: Jennifer Shields <Jennifer.Shields@juneau.gov>
Sent: Friday, December 9, 2022 9:08 AM
To: Kanouse, Kate M (DFG) <kate.kanouse@alaska.gov>
Cc: Lindgren, Jesse W (DFG) <jesse.lindgren@alaska.gov>
Subject: USE22-15: 35-Mile ORV Riding Park - Agency Comment Request

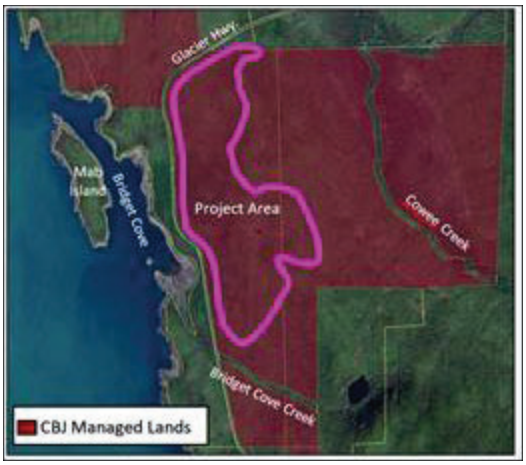
Some people who received this message don't often get email from jennifer.shields@juneau.gov. Learn why this is important

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Kanouse,

Application:
Attached is a CBJ Conditional Use Permit application to develop an Off-Road Vehicle (ORV) Riding

Park beginning past Glacier Highway Mile 35 and extending northward, as shown below. This request will be heard by the CBJ Planning Commission on January 24, 2023.



Project Summary:
The CBJ Parks and Recreation Department (CBJ P&R) is partnering with the Juneau Off-Road Association (JORA) to develop an Off-Road Vehicle (ORV) Riding Park on CBJ owned land. The proposed park would extend from Glacier Highway after Mile 35 north and east to the ridgeline that separates the project area from Cowee Creek. The park area would encompass about 565 acres, but much of the area is steep slopes that cannot be developed as riding trails.

Phase 1 of the proposed park would consist of 5 miles of trails through approximately 175 acres of the site, and would include a gated entrance, parking area, picnic area, caretaker facility on an existing upland fill pad, loop riding trails, mud bog, and cross country riding. This initial phase will likely take multiple years to build. Although wetlands will be avoided when possible, Phase 1 would require a wetlands permit from the U.S. Army Corps of Engineers.

Subsequent phases will be mapped and planned in the field and then wetland fill permits will be applied for as needed.

Memorandum of Understanding:
CBJ P&R and JORA would partner under a Memorandum of Understanding (MOU) to develop, operate, manage and maintain the riding park. The attached application includes a draft Memorandum of Understanding (MOU) for the purpose of helping the Planning Commission understand the partnership and roles and responsibilities of each entity. A finalized MOU, approved permits, JORA's required insurance certificates, and development plans would be the documents that would outline the partnership terms, and would include conditions that CBJ and other permitting agencies require of the development and operation as well as outline compliance and enforcement procedures.

Agency Comments:
If you would like to submit formal comments on this development proposal, please submit them on the attached form, if possible, no later than Friday, December 16, 2022. If that does not give you enough time just let me know and we'll work something out.

THE STATE of ALASKA
GOVERNOR MICHAEL J. DUNLEAVY

Department of Fish and Game
DIVISION OF WILDLIFE CONSERVATION
SOUTHEAST REGION
802 3RD Street
P.O. Box 110024
Juneau, Alaska 99811-5526
Main: 907.465.4265
Fax: 907.465.4272

MEMORANDUM

TO: Colton, Percy
Habitat Biologist, Access Defense

DATE: 12/22/2022

THROUGH: Roy Churchwell
Douglas Area Biologist

PHONE: 907-465-4265

FROM: Carl H. Koch
Douglas Assistant Area Biologist

SUBJECT: USE22-15: 35 Mile ORV Park

Thank you for the opportunity to comment on the proposed ORV park at 35 mile of Glacier Highway which would be managed by the Juneau Off-Road Association (JORA) and the City and Borough of Juneau (CBJ). The plan describes only Phase 1 which proposes to allow development of a 565-acre parcel of land with details focused primarily on developing 5 miles of trails through approximately 175 acres of land. We might be able to provide more helpful comments in the future if the applicant is able to provide more specific details as it seems the design of the trails has high potential for future changes since the document only describes "possible" future riding trails.

The site is less than a ½ mile from Cowee Creek (an anadromous fish stream) and even closer to some areas where "resident fish" are identified on the map on page 6. The Cowee Creek and the surrounding area is habitat used by brown bears, black bears, deer, and occasionally moose, etc. Noise from ORVs has the potential to displace feeding bears (and other wildlife) and operators may encounter bears while riding or utilizing the entrance, picnic area, etc.

We are pleased to see that there is a plan to pick up trash and keep the area clean and have trash emptied "frequently". We note that the picnic area, trash cans, and dumpster have high potential to attract bears and unintentionally providing food rewards to bears which could lead to food conditioning and bear-human conflicts. It is essential that the facilities include bear resistant trash cans and that the dumpsters be secured from bears. As a partner with the ORV group, we strongly encourage CBJ to take measures to ensure that trash is properly secured and that food items are never left unattended unless properly secured. The plan mentions that JPD will only respond to the site when called under specific circumstances and does not patrol the area. JORA and the caretaker should be held accountable for ensuring that all bear attractants are secured by visitors and at their campsite/picnic area. This could be accomplished by storing any attractants within a properly installed electric fence or other secure container such as those that meet the

Interagency Grizzly Bear Committee Certification standards. ADF&G does not enforce bear attractant violations, but we would be happy to help provide ideas for how to best secure items in a manner that prevents bears from obtaining rewards and subsequently becoming food conditioned.

Cutting down trees and building trails will permanently remove some habitat that might be used by bears, deer, and other wildlife. Since, a portion of the area has been logged (i.e., already subject to some habitat degradation). Some of the area to be utilized falls within previously degraded habitat. We encourage JORA and CBJ to utilize previously harvested areas as much as possible when developing trails for ORV use.

The area considered in this proposal is currently open to hunting. We do not see any suggestion of controlling hunting in this proposal and so we suggest that developers consider that folks might be hunting in the area when they are developing this recreational area.

We appreciate the opportunity to share information about potential effects on wildlife and ways to mitigate conflicts. Please feel free to contact us if you have any questions or would like advice about mitigating wildlife conflicts.

If CBJ or JORA has any questions or would like advice they can feel free to contact the Douglas office of Fish and game at 907-465-4265.

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT

DEPARTMENT: Fire

STAFF PERSON/TITLE: Daniel Jager, Fire Marshal

DATE: December 8, 2022

APPLICANT: CBJ Parks and Recreation, Juneau Off-Road Association

TYPE OF APPLICATION: USE22-15 Conditional Use Permit

PROJECT DESCRIPTION:

Conditional Use Permit request to develop an Off-Road Vehicle (ORV) Riding Park beginning past Glacier Highway Mile 35 north and east on CBJ-owned land.

LEGAL DESCRIPTION: ASCS 96-13 96-14 96-15

PARCEL NUMBER(S): 3B4501000010

PHYSICAL ADDRESS: N/A

SPECIFIC QUESTIONS FROM PLANNER:

AGENCY COMMENTS:

CCFR would like to have a designated helicopter landing zone if possible due to long travel distance to this site and to the hospital and helicopter may be the best way to transport someone injured. Again, if possible and practical, not required. We anticipate increased calls to this area due to the nature of use and potential for injuries minor or significant.

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
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(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT

DEPARTMENT: General Engineering

STAFF PERSON/TITLE: Alec Venechuk, PE / Chief Engineer

DATE: December 8, 2022

APPLICANT: CBJ Parks and Recreation, Juneau Off-Road Association

TYPE OF APPLICATION: USE22-15 Conditional Use Permit

PROJECT DESCRIPTION:

Conditional Use Permit request to develop an Off-Road Vehicle (ORV) Riding Park beginning past Glacier Highway Mile 35 north and east on CBJ-owned land.

LEGAL DESCRIPTION: ASCS 96-13 96-14 96-15

PARCEL NUMBER(S): 3B4501000010

PHYSICAL ADDRESS: N/A

SPECIFIC QUESTIONS FROM PLANNER:

AGENCY COMMENTS:

Parking lot surface should conform to general ADA requirements and entrance facility should be designed by a licensed Civil Engineer. Plans should be submitted with an application for a grading permit, if required under the CUP. It appears that no utility permits are necessary.

From: David Campbell
To: Jennifer Shields; Dan Jager; Charlie Ford; General Engineering; Dan Bleidorn
Cc: Jill Maclean; Scott Ciambor
Subject: RE: USE22-15: 35-Mile ORV Riding Park - Agency Comment Request DEADLINE EXTENDED TO 12/28
Date: Thursday, December 22, 2022 7:45:11 PM

Hi Jennifer.

I spoke with all my Lieutenants and Public Safety Manager. There are no concerns about this project from JPD's perspective.

Thanks,

Deputy Chief Campbell

From: Jennifer Shields
Sent: Thursday, December 22, 2022 3:27 PM
To: Dan Jager <Dan.Jager@juneau.gov>; Charlie Ford <Charlie.Ford@juneau.gov>; General Engineering <General_Engineering@juneau.gov>; David Campbell <DCampbell@juneaupolice.com>; Dan Bleidorn <Dan.Bleidorn@juneau.gov>
Cc: Jill Maclean <Jill.Maclean@juneau.gov>; Scott Ciambor <Scott.Ciambor@juneau.gov>
Subject: FW: USE22-15: 35-Mile ORV Riding Park - Agency Comment Request DEADLINE EXTENDED TO 12/28

Hello All,

I haven't heard back from anyone yet so I'm resending this – please try to get me comments no later than next Wednesday, 12/28.

Thank you in advance,
Jennifer

From: Jennifer Shields
Sent: Thursday, December 8, 2022 3:26 PM
To: Dan Jager <Dan.Jager@juneau.gov>; Charlie Ford <Charlie.Ford@juneau.gov>; General Engineering <General_Engineering@juneau.gov>; David Campbell <DCampbell@juneaupolice.com>; Dan Bleidorn (Dan.Bleidorn@juneau.org) <Dan.Bleidorn@juneau.org>
Cc: Michele Elfers <Michele.Elfers@juneau.gov>; George Schaaf <George.Schaaf@juneau.gov>; Roxie Duckworth <roxie.duckworth@juneau.gov>
Subject: USE22-15: 35-Mile ORV Riding Park - Agency Comment Request
Importance: High

Hello All,

Application:

From: Schneider, Pete- FS
To: Jennifer Shields
Subject: RE: [External Email]FW: USE22-15: 35-Mile ORV Riding Park - Agency Comment Request DEADLINE EXTENDED TO 12/28
Date: Wednesday, December 28, 2022 10:55:15 AM
Attachments: image001.png
image002.png
image005.png
image006.png

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Hi Jennifer,

I was holding out to see if our Ranger had input but he is on leave at the moment.

Considering the description and maps depict the planned riding sites for the park well away from the USFS boundary, we do not have any official comments on the proposal.

Thanks for the opportunity to comment.

Pete Schneider
Recreation Staff Officer

Forest Service
Tongass National Forest, Juneau Ranger District

p: 907-789-6237
c: 907-209-4547
peter.schneider@usda.gov

8510 Mendenhall Loop Rd
Juneau, AK 99801
www.fs.fed.us

Caring for the land and serving people

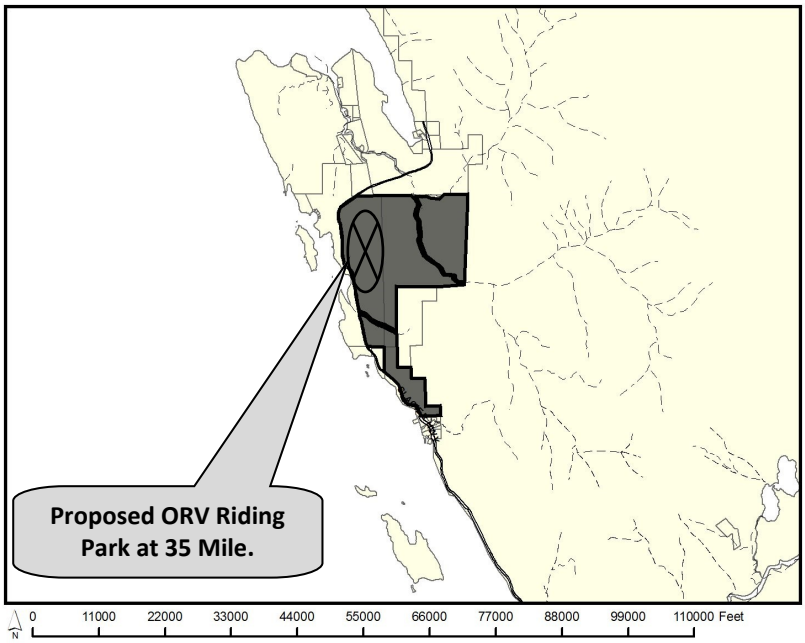
From: Jennifer Shields <Jennifer.Shields@juneau.gov>
Sent: Friday, December 23, 2022 9:14 AM
To: Schneider, Pete- FS <Peter.Schneider@usda.gov>
Cc: Berger, Jennifer -FS <jennifer.berger@usda.gov>; sara.shoemaker@usda.gov; Hood, Chad -FS <chad.hood@usda.gov>
Subject: [External Email]FW: USE22-15: 35-Mile ORV Riding Park - Agency Comment Request DEADLINE EXTENDED TO 12/28
Importance: High

[External Email]
If this message comes from an unexpected sender or references a vague/unexpected topic;
Use caution before clicking links or opening at achments.
Please send any concerns or suspicious messages to: Spam.Abuse@usda.gov

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice



CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

155 S. Seward Street Juneau, Alaska 99801

TO:

An application has been submitted for consideration and public hearing by the Planning Commission for a Conditional Use Permit for **an Off-Road Vehicle (ORV) Riding Park** at **35 Mile** in a **Rural Reserve (RR) Zone**.

PROJECT INFORMATION:
Project Information can be found at:
https://juneau.org/community-development/short-term-projects

PLANNING COMMISSION DOCUMENTS:
Staff Report expected to be posted **January 17, 2023** at
https://juneau.org/community-development/planning-commission
Find hearing results, meeting minutes, and more here, as well.

Now through Jan. 2, 2023

Comments received during this period will be sent to the Planner, **Jennifer Shields,** to be included as an attachment in the staff report.

Jan. 2, 2023 — noon, Jan. 20, 2023

Comments received during this period will be sent to Commissioners to read in preparation for the hearing.

HEARING DATE & TIME: 7:00 pm, Jan. 24, 2023

This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting https://juneau.zoom.us/j/85488605721 and use the Webinar ID: 854 8860 5721 OR join by telephone, calling: 1-253-205-0468 and enter the Webinar ID (above).

You may also participate in person in City Hall Assembly Chambers, 155 S. Seward Street, Juneau, Alaska.

Jan. 25, 2023

The results of the hearing will be posted online.

FOR DETAILS OR QUESTIONS,

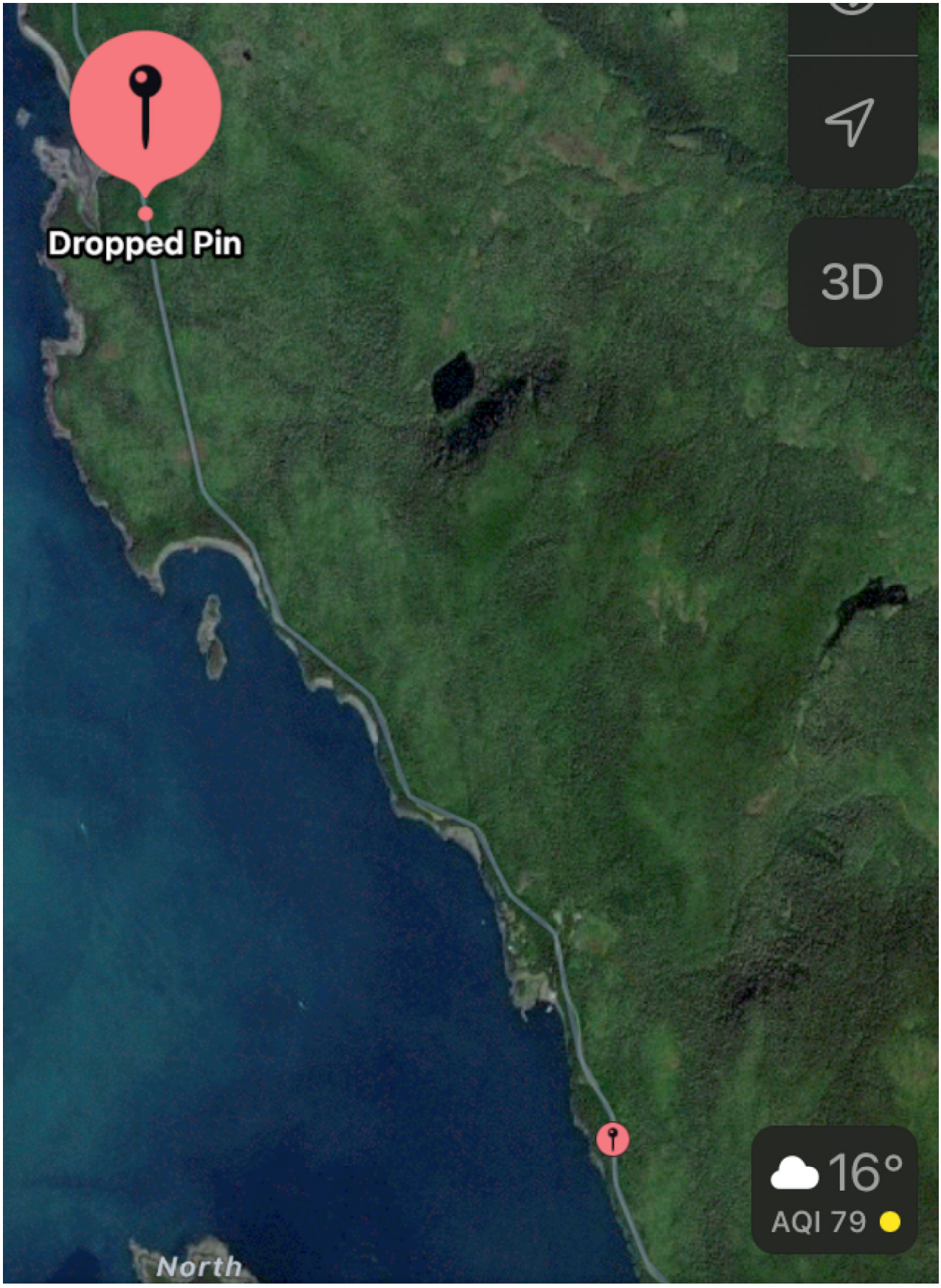
Phone: **(907)586-0753 ext. 4139◆**
Email: **pc_comments@juneau.org**
Mail: **Community Development, 155 S. Seward Street, Juneau AK 99801**

Printed December 9, 2022

Case No.: USE20220015
Parcel No.: 3B4501000010
CBJ Parcel Viewer: http://epv.juneau.or

Parcel Number	Owner	Site Address	Mailing Label
3B4502000020	ALAN K AKIYAMA		ALAN K AKIYAMA 1705 EVERGREEN AVE JUNEAU, AK 99801
3B4401000053	CITY AND BOROUGH OF JUNEAU DOCKS AND HARBORS & YANKEE COVE DEVELOPMENT LLC	Glacier Hwy	CITY AND BOROUGH OF JUNEAUDOCKS AND HARBORS & DOCKS AND HARBORS & YANKEE COVE DEVELOPMENT LLC155 S SEWARD STJUNEAU, AK 99801
3B4401000053	CITY AND BOROUGH OF JUNEAUDOCKS AND HARBORS & DOCKS AND HARBORS & YANKEE COVE DEVELOPMENT LLC	Glacier Hwy	CITY AND BOROUGH OF JUNEAU DOCKS AND HARBORS & YANKEE COVE DEVELOPMENT LLC 2280 BRANDY LN SP 4 JUNEAU, AK 99801
3B4501000010	CITY AND BOROUGH OF JUNEAU LANDS AND RESOURCES		CITY AND BOROUGH OF JUNEAU LANDS AND RESOURCES 155 S SEWARD ST JUNEAU, AK 99801
3B4401000094	DANIEL J GARCIA & CAROLYN A GARCIA	34240 Glacier Hwy	DANIEL J GARCIA CAROLYN A GARCIA PO BOX 34244 JUNEAU, AK 99803-4244
3B4401000093	DAVID A HUTCHINS	34200 Glacier Hwy; 34240 Glacier Hwy	DAVID A HUTCHINS PO BOX 210635 AUKE BAY, AK 99821
3B4501000050	GOLDBELT INC		GOLDBELT INC 3025 CLINTON DR STE 100 JUNEAU, AK 99801-7154
3B4501000020	GOSPEL MISSIONARY UNION INC		GOSPEL MISSIONARY UNION INC PO BOX 210608 AUKE BAY, AK 99821
3B4501000100	HENRY ANDERSON & HEIRS		HENRY ANDERSON & HEIRSC/O JULIA WILLIAMS 8131 DOGWOOD LN JUNEAU, AK 99801
3B4401000080	JAMES SINCLAIR BROWN & HEATHER A BROWN		JAMES SINCLAIR BROWN & HEATHER A BROWN PO BOX 240462 DOUGLAS, AK 99824-0462
3B4401000062	KYLE M WILLINGHAM	Glacier Hwy	KYLE M WILLINGHAM 2994 FOSTER AVE JUNEAU, AK 99801

3B4401000061	LARRY HOOTON	34201 Glacier Hwy	LARRY HOOTON 11001 BLACK BEAR RD JUNEAU, AK 99801
3B4502000030	MARTIN MCKEOWN & MARJORIE MCKEOWN & SEAN MCKEOWN & HEIDI MCKEOWN, & MARK SMITH & ERIN SMITH & WADE MCKEOWN & NANCY MARSHALL MCKEOWN & STACEY MCKEOWN		MARTIN MCKEOWN & MARJORIE MCKEOWN & SEAN MCKEOWN & HEIDI MCKEOWN & MARK SMITH & ERIN SMITH & WADE MCKEOWN & NANCY MARSHALL MCKEOWN & STACEY MCKEOWN PO BOX 210388 AUKE BAY, AK 99821-0388
3B4401000101	NAOMI AND MARION LIVING TRUSTMARION B HOBBS & NAOMI R HOBBS, TRUSTEES	Glacier Hwy	NAOMI AND MARION LIVING TRUST MARION B HOBBS & NAOMI R HOBBS, TRUSTEES 2280 BRANDY LN JUNEAU, AK 99801
3B4401000112	SHANE HOOTON	Glacier Hwy	SHANE HOOTON 11001 BLACK BEAR RD JUNEAU, AK 99801
3B4501000033	STATE OF ALASKADEPARTMENT OF NATURAL RESOURCES & DEPARTMENT OF NATURAL RESOURCES	No Site Address Information	STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES PO BOX 110211 JUNEAU, AK 99811-0211
3B4401000070	WILLIAM SHATTENBERG & TONI L SHATTENBERG	34275 Glacier Hwy; 34275 Glacier Hwy Unit B	WILLIAM SHATTENBERG & TONI L SHATTENBERG PO BOX 210327 AUKE BAY, AK 99821-0327
3B4401000052	YANKEE COVE TRUSTMARION HOBBS TRUSTEE & MARION HOBBS TRUSTEE	35000 Glacier Hwy	YANKEE COVE TRUST MARION HOBBS TRUSTEE PO BOX 35544 JUNEAU, AK 99803
	Central Council of the Tlingit & Haida Indian Tribes		Central Council of the Tlingit & Haida Indian Tribes PO BOX 2550 Juneau, AK 99801


Dropped Pin
3D
16°
AQI 79
North

Attachment O- Public Notice Sign Photos

Additional Materials

Regular Planning Commission Meeting

Assembly Chambers
7:00 p.m.
Meeting Date: January 24, 2023

A. AME2022 0006 & AME2022 0008:

1. AME22-06- Correction Memo
2. Public Comment- Kriss Hart, received 1-10-2023
3. Public Comment- Sarah Moore, received 1-20-2023

B. USE2022 0015:

1. Presentation – Juneau Off-Road Association (JORA), received 01-12-2023
2. Public Comment – Tasha Hage, received 01-08-2023
3. Public Comment – Cody Wilkie, received 01-08-2023
4. Public Comment – Monica Hinson-Wilson, received 01-08-2023
5. Public Comment – Brandon Ridle, received 01-08-2023
6. Public Comment – Janette Gagnon, received 01-08-2023
7. Public Comment – Tyler Wallace, received 01-09-2023
8. Public Comment – Jessica Schiltz, received 01-09-2023
9. Public Comment – Jeremy Hagedorn, received 01-09-2023
10. Public Comment – Brent Bartlett, received 01-09-2023
11. Public Comment – Barry Nydam, received 01-09-2023
12. Public Comment – Joseph Garrett, received 01-09-2023
13. Public Comment – Darren Wetherall, received 01-09-2023
14. Public Comment – Brandon Ridle, received 01-09-2023
15. Public Comment – John Howard, received 01-09-2023
16. Public Comment – Isaac Rumflet, received 01-09-2023
17. Public Comment – Mike Laudert, received 01-09-2023
18. Public Comment – Joel Brownlow, received 01-09-2023
19. Public Comment – John Boone, received 01-09-2023
20. Public Comment – Kelley Brownlow, received 01-09-2023
21. Public Comment – Joey Heit, received 01-09-2023
22. Public Comment – Kelley Brownlow (1), received 01-09-2023
23. Public Comment – Sandy Spickler, received 01-09-2023
24. Public Comment – Sandy Spickler (1), received 01-09-2023
25. Public Comment – Gabriel Vasquez, received 01-09-2023
26. Public Comment – Carolyn Smith, received 01-09-2023
27. Public Comment – Blaine Roeber, received 01-09-2023
28. Public Comment – Janell Andrews, received 01-09-2023

29. Public Comment – Jerrod Andrews, received 01-09-2023
30. Public Comment – Bella Andrews, received 01-09-2023
31. Public Comment – Keagan Andrews, received 01-09-2023
32. Public Comment – Stan Stauffer, received 01-09-2023
33. Public Comment – Miley Andrews, received 01-09-2023
34. Public Comment – Lisa Daugherty, received 01-09-2023
35. Public Comment – Tim Shockley, received 01-09-2023
36. Public Comment – Joshua Smith, received 01-09-2023
37. Public Comment – Scott Haywood, received 01-10-2023
38. Public Comment – Jason McDonald, received 01-10-2023
39. Public Comment – Bob Dilley, received 01-10-2023
40. Public Comment – Michael Payne, received 01-10-2023
41. Public Comment – Corey Baxter, received 01-10-2023
42. Public Comment – Jonah Brown, received 01-10-2023
43. Public Comment – Scott Spickler, received 01-10-2023
44. Public Comment – Scott Spickler (1), received 01-10-2023
45. Public Comment – Jake Ritter, received 01-10-2023
46. Public Comment – Susan Wilkie, received 01-10-2023
47. Public Comment – Gretchen Boone, received 01-10-2023
48. Public Comment – Rich Ross, received 01-10-2023
49. Public Comment – Grantley Moore, received 01-10-2023
50. Public Comment – Alex Reid, received 01-10-2023
51. Public Comment – Jason Love, received 01-10-2023
52. Public Comment – Tonya Crago, received 01-10-2023
53. Public Comment – Michelle Fabrello, received 01-10-2023
54. Public Comment – Joel Vera Garcia, received 01-10-2023
55. Public Comment – Ryian Jurasz, received 01-10-2023
56. Public Comment – Todd Smith, received 01-10-2023
57. Public Comment – Jack Kreinheder, received 01-10-2023
58. Public Comment – Brent Howell, received 01-10-2023
59. Public Comment – Jack Howell, received 01-10-2023
60. Public Comment – Paul Roemer, received 01-10-2023
61. Public Comment – Austin Smith, received 01-10-2023
62. Public Comment – Alisha & Zach Decker, received 01-10-2023
63. Public Comment – Shawn Votion, received 01-10-2023
64. Public Comment – Wesley Bauer, received 01-10-2023
65. Public Comment – Huck Daugherty, received 01-10-2023
66. Public Comment – Daniel Ruiz, received 01-10-2023
67. Public Comment – Atlin Daugherty, received 01-10-2023
68. Public Comment – Tia Benboe, received 01-10-2023
69. Public Comment – Marco Solis, received 01-10-2023
70. Public Comment – Haley Tokuoka, received 01-10-2023
71. Public Comment – William Brown, received 01-10-2023
72. Public Comment – Dustin Stickel, received 01-10-2023
73. Public Comment – Genevieve McLaughlin, received 01-10-2023

74. Public Comment – Tom Rutecki, received 01-10-2023
75. Public Comment –Jeremy Whitmore, received 01-10-2023
76. Public Comment – Daniel Fink, received 01-11-2023
77. Public Comment – Tina Clum, received 01-11-2023
78. Public Comment – Tim Crondahl, received 01-11-2023
79. Public Comment – Todd Grant, received 01-11-2023
80. Public Comment – Carl Larsen, received 01-11-2023
81. Public Comment – Hank Leclerc, received 01-11-2023
82. Public Comment – Richard Behrends, received 01-11-2023
83. Public Comment – Chad Mountcastle, received 01-11-2023
84. Public Comment – Tom Kimlinger, received 01-11-2023
85. Public Comment – Xuyen Nguyen, received 01-11-2023
86. Public Comment – Shawn Lindbeck, received 01-11-2023
87. Public Comment – Tamara Powers, received 01-11-2023
88. Public Comment – Val Bingel, received 01-11-2023
89. Public Comment – Adam Brown, received 01-11-2023
90. Public Comment – JG Construction, received 01-11-2023
91. Public Comment – Sam Thorp, received 01-11-2023
92. Public Comment – Erica Simonson, received 01-11-2023
93. Public Comment – Nino and Shierly Suarez, received 01-11-2023
94. Public Comment – Melanie Weed, received 01-11-2023
95. Public Comment – Sam Dalin, received 01-11-2023
96. Public Comment – Rueben Glaves, received 01-11-2023
97. Public Comment – Christine Van Sickle, received 01-11-2023
98. Public Comment – Logan McClain, received 01-11-2023
99. Public Comment – Don Robbins, received 01-11-2023
100. Public Comment – Grey Mitchell, received 01-11-2023
101. Public Comment – Jose Fregoso, received 01-11-2023
102. Public Comment – Blue Bergmann, received 01-11-2023
103. Public Comment – Steve Haggitt, received 01-11-2023
104. Public Comment – Jose Fregoso, received 01-11-2023
105. Public Comment – Chad Coppin, received 01-11-2023
106. Public Comment – Stanley Sipniewski, received 01-11-2023
107. Public Comment – Martin Donohue, received 01-11-2023
108. Public Comment – Sheryl Shorty, received 01-11-2023
109. Public Comment – Brittani Scanlon, received 01-11-2023
110. Public Comment – Calvin Boddy, received 01-11-2023
111. Public Comment – Cindy Isaak, received 01-11-2023
112. Public Comment – Peter Hulson, received 01-11-2023
113. Public Comment – Curtis Stickler, received 01-11-2023
114. Public Comment – Elijah Kitka, received 01-11-2023
115. Public Comment – Quincy Holt, received 01-11-2023
116. Public Comment – Nic Dwyer, received 01-11-2023
117. Public Comment – The Ritter Family, received 01-11-2023
118. Public Comment – Melissa Hurley-Marvin, received 01-11-2023

119. Public Comment – Ed Clum, received 01-11-2023
120. Public Comment – Emery Banua, received 01-11-2023
121. Public Comment – Louis Juergens, received 01-11-2023
122. Public Comment – Emily Elizabeth, received 01-11-2023
123. Public Comment – Andrew Markovich, received 01-12-2023
124. Public Comment – Melissa Coppin, received 01-12-2023
125. Public Comment – Tim White, received 01-12-2023
126. Public Comment – Sharon Jones, received 01-12-2023
127. Public Comment – Justin McGeehan, received 01-12-2023
128. Public Comment – The Lindbeck Family, received 01-12-2023
129. Public Comment – Andrew “Crash” Lawson, received 01-12-2023
130. Public Comment – Down Town, received 01-12-2023
131. Public Comment – Drew Larson, received 01-12-2023
132. Public Comment – Jan Gill, received 01-12-2023
133. Public Comment – B, received 01-12-2023
134. Public Comment – R, received 01-12-2023
135. Public Comment – Scott Wilson, received 01-12-2023
136. Public Comment – Justin Benboe, received 01-12-2023
137. Public Comment – Dave Miller, received 01-12-2023
138. Public Comment – Nicole Steger, received 01-12-2023
139. Public Comment – Hailey Stockton, received 01-12-2023
140. Public Comment – Nicholas Torrella, received 01-12-2023
141. Public Comment – William Brown, received 01-12-2023
142. Public Comment – William Palmer, received 01-12-2023
143. Public Comment – Dave Jones, received 01-12-2023
144. Public Comment – Sara Chambers, received 01-12-2023
145. Public Comment – Henry Hopkins, received 01-12-2023
146. Public Comment – Gary Patton, received 01-12-2023
147. Public Comment – Luke Holton, received 01-13-2023
148. Public Comment – Katherine Knapp, received 01-13-2023
149. Public Comment – Robert Wright, received 01-13-2023
150. Public Comment – Martin McKeown, received 01-13-2023
151. Public Comment – David Pearce, received 01-13-2023
152. Public Comment – Guy Hunter, received 01-13-2023
153. Public Comment – Brad Rider, received 01-13-2023
154. Public Comment – Rich Harris, received 01-13-2023
155. Public Comment – Kasen Spickler, received 01-13-2023
156. Public Comment – Kodijo Hyatt, received 01-13-2023
157. Public Comment – Pat Kemp, received 01-13-2023
158. Public Comment – Jeff McKnight, received 01-13-2023
159. Public Comment – Jeff McKnight (1), received 01-13-2023
160. Public Comment – Jeff McKnight (2), received 01-13-2023
161. Public Comment – Jeff McKnight (3), received 01-13-2023
162. Public Comment – Pat Carroll, received 01-13-2023
163. Public Comment – Jaiden Miller, received 01-13-2023

164. Public Comment – Dominic Branson, received 01-13-2023
165. Public Comment – David Keller, received 01-13-2023
166. Public Comment – Dan Palicka, received 01-13-2023
167. Public Comment – JR G, received 01-13-2023
168. Public Comment – Jaiden Miller (1), received 01-13-2023
169. Public Comment – Alicia Dunning, received 01-13-2023
170. Public Comment – Jaiden Miller (2), received 01-13-2023
171. Public Comment – Kylie Wollery, received 01-13-2023
172. Public Comment – Tersteeg Family, received 01-13-2023
173. Public Comment – Ambre Burrell, received 01-13-2023
174. Public Comment – Jessica Fuller, received 01-13-2023
175. Public Comment – Dustin Wittwer, received 01-13-2023
176. Public Comment – Stephany Day, received 01-13-2023
177. Public Comment – Sandra Mulkey, received 01-13-2023
178. Public Comment – Rob Day, received 01-13-2023
179. Public Comment – Noble Anderson, received 01-14-2023
180. Public Comment – Byron Hydock, received 01-14-2023
181. Public Comment – Evangeline Houston, received 01-14-2023
182. Public Comment – Nino & Shierly Suarez (1), received 01-14-2023
183. Public Comment – Maricel Bohulano, received 01-14-2023
184. Public Comment – Josh Houston, received 01-14-2023
185. Public Comment – Jessica Sanchez, received 01-14-2023
186. Public Comment – Lisa Hydock, received 01-14-2023
187. Public Comment – Greg Tingey, received 01-14-2023
188. Public Comment – Sharon Pusich Gill, received 01-14-2023
189. Public Comment – Weston Moore, received 01-14-2023
190. Public Comment – Brett Coblentz, received 01-14-2023
191. Public Comment – Nick Orsi, received 01-14-2023
192. Public Comment – Charles VanPelt, received 01-14-2023
193. Public Comment – Jim Hoff, received 01-14-2023
194. Public Comment – Ryan Siverly, received 01-14-2023
195. Public Comment – Coleman Adams, received 01-14-2023
196. Public Comment – Karly Brooks, received 01-14-2023
197. Public Comment – Darrin Crapo, received 01-15-2023
198. Public Comment – Nick Andrews, received 01-15-2023
199. Public Comment – Zach Kohan, received 01-15-2023
200. Public Comment – Mike Hekkers, received 01-15-2023
201. Public Comment – Olissa Oliver, received 01-15-2023
202. Public Comment – Dan Graves, received 01-15-2023
203. Public Comment – Ray Imel, received 01-15-2023
204. Public Comment – Katti Carlson, received 01-15-2023
205. Public Comment – Roscoe & Sara Bicknell, received 01-15-2023
206. Public Comment – Craig Brown, received 01-15-2023
207. Public Comment – Chad Wilson, received 01-16-2023
208. Public Comment – Sierra Wilson, received 01-16-2023

209. Public Comment – Charlene Miller, received 01-16-2023
210. Public Comment – Carlos Rivera, received 01-16-2023
211. Public Comment – Chaz Niemi, received 01-16-2023
212. Public Comment – Stefanie Fairchild, received 01-16-2023
213. Public Comment – JoAnn Sidney, received 01-16-2023
214. Public Comment – Deborah Madsen, received 01-16-2023
215. Public Comment – Joshua Price, received 01-16-2023
216. Public Comment – J. Mooney, received 01-16-2023
217. Public Comment – DSM Alaska, received 01-16-2023
218. Public Comment – Gerald Jackson, received 01-16-2023
219. Public Comment – Carlene Conway, received 01-16-2023
220. Public Comment – Darlene Donohue, received 01-16-2023
221. Public Comment – Martin Donohue, received 01-16-2023
222. Public Comment – Will Belknap, received 01-17-2023
223. Public Comment – Monique Siverly, received 01-17-2023
224. Public Comment – Sean Welch, received 01-17-2023
225. Public Comment – Debbie White, received 01-17-2023
226. Public Comment – Lynn Ridle, received 01-17-2023
227. Public Comment – Journey Kendrick, received 01-17-2023
228. Public Comment – Megan Blair, received 01-17-2023
229. Public Comment – Matt Whistler, received 01-17-2023
230. Public Comment – Ernie Hard, received 01-17-2023
231. Public Comment – Ervin Lott Sr., received 01-17-2023
232. Public Comment – Sarah Harkins, received 01-18-2023
233. Public Comment – Katie Muhs, received 01-18-2023
234. Public Comment – Sarahann M. Jackson, received 01-18-2023
235. Public Comment – Diana Garcia, received 01-18-2023
236. Public Comment – Eric J. Meyer, received 01-18-2023
237. Public Comment – Breckon Lawlar, received 01-18-2023
238. Public Comment – Jeff Brink, received 01-18-2023
239. Public Comment – Steven Shelley, received 01-18-2023
240. Public Comment – DuWayne Smith, received 01-18-2023
241. Public Comment – Timm Orsborn, received 01-18-2023
242. Public Comment – Wesley Shutt, received 01-18-2023
243. Public Comment – Pamela Wickkiser, received 01-18-2023
244. Public Comment – AK Taku, received 01-18-2023
245. Public Comment – Marie Jensen, received 01-18-2023
246. Public Comment – Cody F. Jensen, received 01-18-2023
247. Public Comment – John Vavalis, received 01-19-2023
248. Public Comment – Nicole Luben, received 01-19-2023
249. Public Comment – Merrill & Patti Sanford, received 01-19-2023
250. Public Comment – Chris Parker, received 01-19-2023
251. Public Comment – Jo Boehme, received 01-19-2023
252. Public Comment – Joshua Martin, received 01-19-2023
253. Public Comment – Logan Balstad, received 01-19-2023

254. Public Comment – Lauri Ritter, received 01-19-2023
255. Public Comment – Petersons, received 01-19-2023
256. Public Comment – Andrew Markovich, received 01-19-2023
257. Public Comment – Noah & Shelly Lager+, received 01-19-2023
258. Public Comment – Tanya Trucano, received 01-19-2023
259. Public Comment – Scott June, received 01-19-2023
260. Public Comment – Shawn Lovell, received 01-20-2023
261. Public Comment – Tia San Miguel, received 01-20-2023
262. Public Comment – Shelly Lager, received 01-20-2023
263. Public Comment – Noah Lager, received 01-20-2023
264. Public Comment – Stephen Mattson, received 01-20-2023
265. Public Comment – Jennifer Sims, received 01-20-2023
266. Public Comment – Laurie Lott, received 01-20-2023
267. Public Comment – Jodee Dixon, received 01-20-2023
268. Public Comment – Thomas Greinier, received 01-20-2023

C. PAD2022 0004:

1. Public Comment – Kane, received 12-19-2022
2. Notice of Decision and document bundle for NCC2022 0039

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/community-development
155 S. Seward Street • Juneau, AK 99801

January 20, 2023

MEMO

To: Michael Levine, Chair

From: Irene Gallion, Senior Planner

Through: Jill Maclean, AICP, Director

Case Number: AME2022 0006

RE: Correction regarding Native Restricted Deeds

The staff report requires corrections in reference to Native Restricted Deeds.

KEY CONSIDERATIONS FOR REVIEW (Page 1):

Strike the second bullet. Native Restricted Deeded land is subject to Title 49 and the setbacks therein.

Native Restricted Deeds (Page 6):

Contrary to the report, the City and Borough of Juneau has lawful oversight of lots under Native Restricted Deeds.

Building, housing and fire codes which affect health and safety are enforceable, and new structures are required to have a building permit. CBJ regulates setbacks structure location and footprint.

From: Kriss Hart <kriss@wmc2775.com>
Sent: Tuesday, January 10, 2023 9:43 AM
To: PC_Comments
Subject: Re: Case AME2022 0006 & 0008
Attachments: CBJ Notice Comment and Request 10Jan23.pdf

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Please see attached my letter of support for this action and a request to add my property adjacent to the action area to the rezone. Please contact me if there is additional documentation I need to supply to be included in this action.

Thank you.

Kriss Hart
206 849-4812

10 January 2023

City & Borough of Juneau
Community Development
155 S. Seward Street
Juneau, Alaska 99801

Case No.: AME2022 0006 & AME2022 0008
Request for Comment

Request to be included in the Action

CBJ Staff & Planning Commission,

I am the owner of an adjacent parcel at 500 Egan Drive (Juneau Subport LT C2A) that is currently leased to CBJ for parking. The lot was acquired to site a district heating plant and other uses to improve the area.

I strongly support the requested change to the zoning proposed in these cases. Building a strong core for down town Juneau is important for the vitality of the community. Cost of building is expensive and these accessible lots should benefit from increased flexibility in adding multiple uses and increased density.

I request also that my lot (Juneau Subport LT C2A) also be changed from MU2 to MU to allow consistent zoning and improved development of the area. Is there a formal request I need to make to be included in this action?

Thank you for your consideration.

Kriss Hart

Kriss Hart
Develop Juneau Now LLC
P.O. Box 32598
Juneau, AK 99803
206 849-4812 cell

From: Sarah Moore <rasha_150@hotmail.com>
Sent: Friday, January 20, 2023 4:41 AM
To: Irene Gallion; PC_Comments
Subject: AME2022 0006 and 0008: Aak'w Kwaan Village District Rezone

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

I am writing to provide comment to the planning committee on the proposed rezoning of Aak'w Kwaan Village District under AME2022 0006 and 0008.

I do not support rezoning solely for the impact it has on required setback and allowable lot coverage. I enjoy the trees and green spaces on lots within the impacted area and think properties developed without greenspace detract from the overall authentics and user enjoyment of an area.

Thank you,
Sarah Moore
638 Seward Street

35 Mile ORV Riding Park

Juneau Off-Road Association (JORA)

CBJ Parks and Recreation Department

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PARKS & RECREATION

ORV in Community Plans

CBJ Comprehensive Plan Chapter 9.1 - IA12 Implementing Action includes

"Seek location and construction for an ATV/snowmobile course with a programmed riding course as well as trails."

Parks and Recreation Master Plan, 2019

ORV riding areas are a park system gap

Commit to working with and supporting the ORV community to identify a suitable site and facilitate development of viable opportunities for ORV recreation.

P&R Survey - over half of respondents believe CBJ should make specific investments in recreation assets or facilities, the top rated investment was Off Road Vehicle Trails and Park
Survey also finds ORV use as a top activity that adults would like to participate in but currently don't.

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History

1970s-1990s ORV and Motocross riding Thane, Dredge Lakes, Airport, Eagle River and Lemon Creek Industrial Areas. All of these areas have been shut down to riding.

2001 USFS, CBJ, Trail Mix, and the State evaluated many sites for riding and ultimately focused on N. Douglas Quarry and Lemon Creek area behind the jail. There was some grant money, but both projects fizzled out and grant money was lost.

2009 Many sites evaluated and top proposal for the Fish Creek quarry riding park was unsuccessful due to neighborhood concerns.

2013 Study on 35 mile CBJ parcel for riding. Project was deemed too expensive for CBJ to undertake.

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ORV Working Group

Juneau Douglas Motocross Association, Southeast Jeep Club, Juneau Off-Road Association

- Motorized and non-motorized user conflicts in the Montana Creek area resulted in significant public comment to the Parks and Recreation Department about the public's desire for riding areas

- Informal meetings with user groups since fall 2020 to discuss recreational opportunities

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Goal of Working Group

Identify ORV (Off Road Vehicle) riding sites, create a sustainable management structure, support safe riding, and build durable infrastructure that protects the natural and built features of the facilities.

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Sites Identified

Facility types:

1. Backcountry trail riding

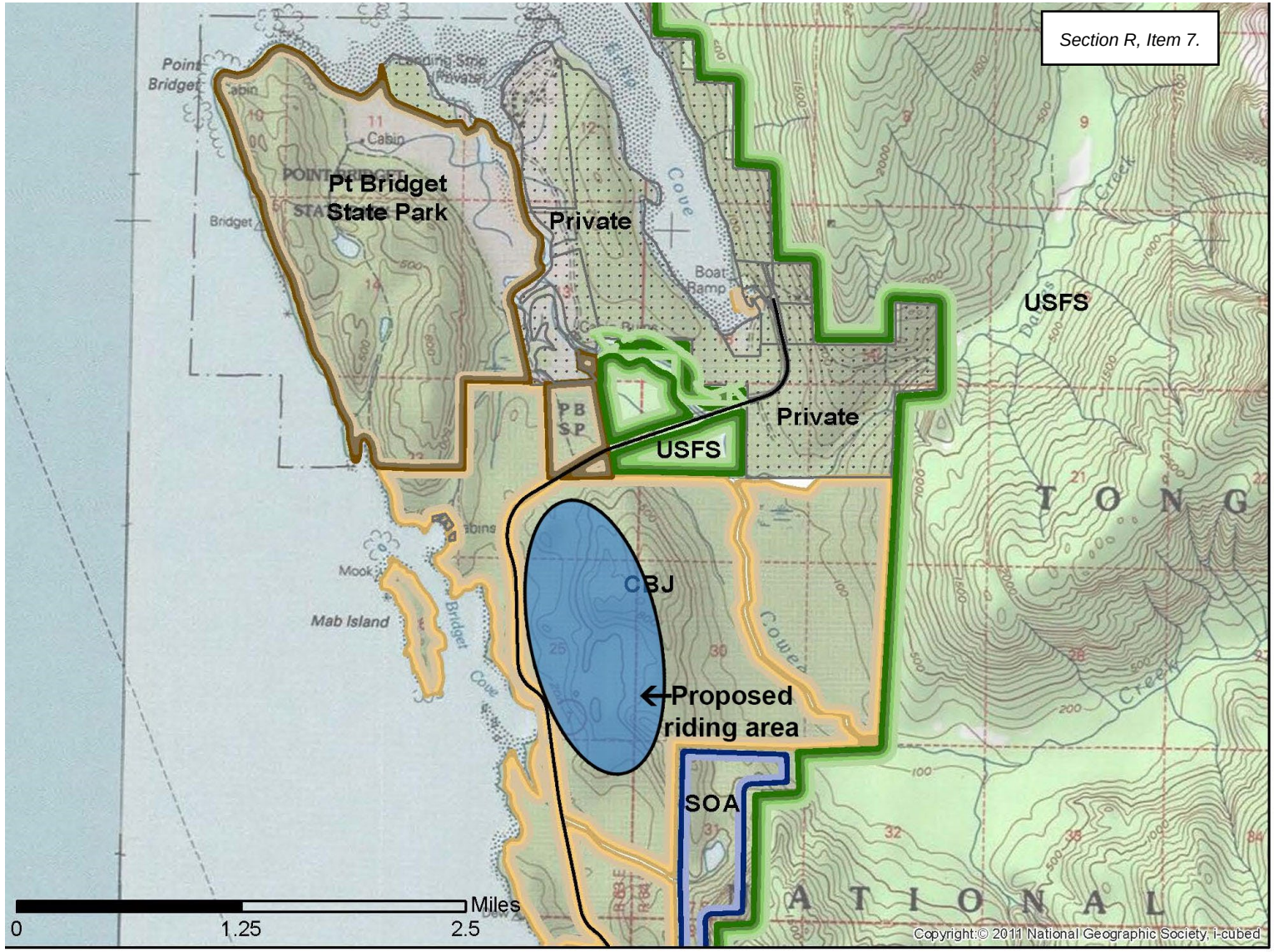
2. Riding Park with track and features for motocross

3. Riding Park for 4 wheeler use with features and play area

- 35 mile parcel for trail riding, CBJ land
- Montana Creek area for trail riding, State of Alaska DNR land
- S&S Pond Lemon Creek, private land
- Sand and gravel pit behind Home Depot, CBJ land
- Echo Cove, Goldbelt Land
- Other privately owned lands

CBJ 35 Mile Site

CBJ studied the 35 mile property in 2013 for an ORV riding park as it was considered one of the most promising options for ORV riding in Juneau.



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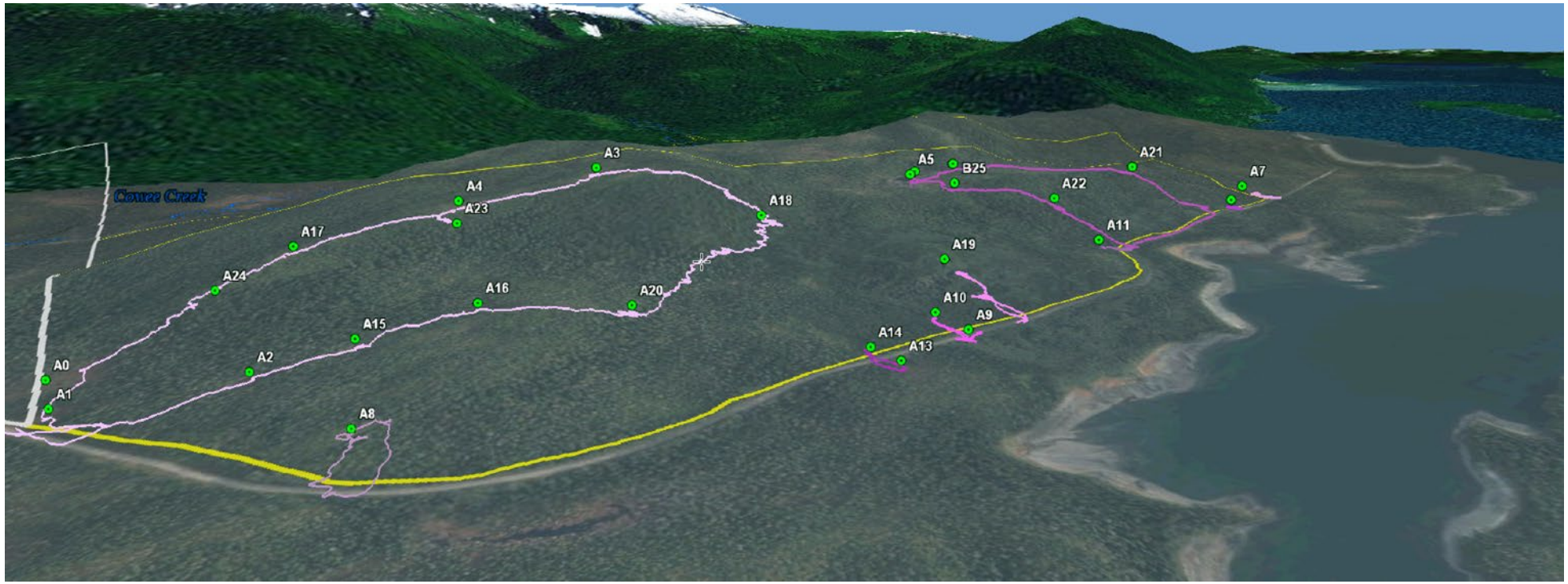
CBJ 35 Mile Site Size and Topography



- Total size of parcel is 1505 acres
- In 2013, 530 acres identified as suitable for riding in environmental analysis, 975 acres unsuitable
- Adjacent to Cowee Creek and Hëen Latinee Forest, separated by a ridge

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CBJ 35 Mile History

35 mile area was logged in the 1950s-1960s, often known as the McMurchie cut.

McMurchie was the former owner of Echo Ranch and logged areas by the ranch property as well.

EC15 *fw* McMurchieNbridget

date: 20140721 • **observer**: all • **acres**: 54.92 • **elevation**: 170 feet • **aspect**: wsw wsw • **slope**: 6% • **roughness**: dissected • **d-rank**: d5 • **landform**: ancient marine **subshed**: North Bridget • **PCN**: 3B4501000010 • **partseen**: 50%

Narrative: Much of this is mature alder, colonized since McMurchie cut in the (?) 1950s or 60s.[1] Two of us (cp, rc) assessed here, but our AA form was later superceded by another (by aa & ra) when the line was redrawn for North- versus South Bridget subsheds.

Drops from 360 feet down to 110—a rise of 150 feet over run of 2,400 (6%), with one much steeper 70-foot escarpment in the middle

1 The USFS database *managed_stands.shp* contains no records for Juneau 'out the road.' For the *CBJ Natural History Project*, I [rc] mapped most of Alan McMurchie's logging from combination of the 1979 NASA color infrared aerials and selective ground-truthing, down to units of probably an acre or so in size. (Carstensen, 2013a:38). But with a few exceptions from increment coring, which gives approximate 'release date' for survivors to within a few years, my estimates of logging year are imprecise, bracketed only by pre- and post logging photography.

Excerpt from the Supplement to the 2016 Juneau Wetlands Management Plan, Assessment Area Narratives, Bosworth Botanical Consulting

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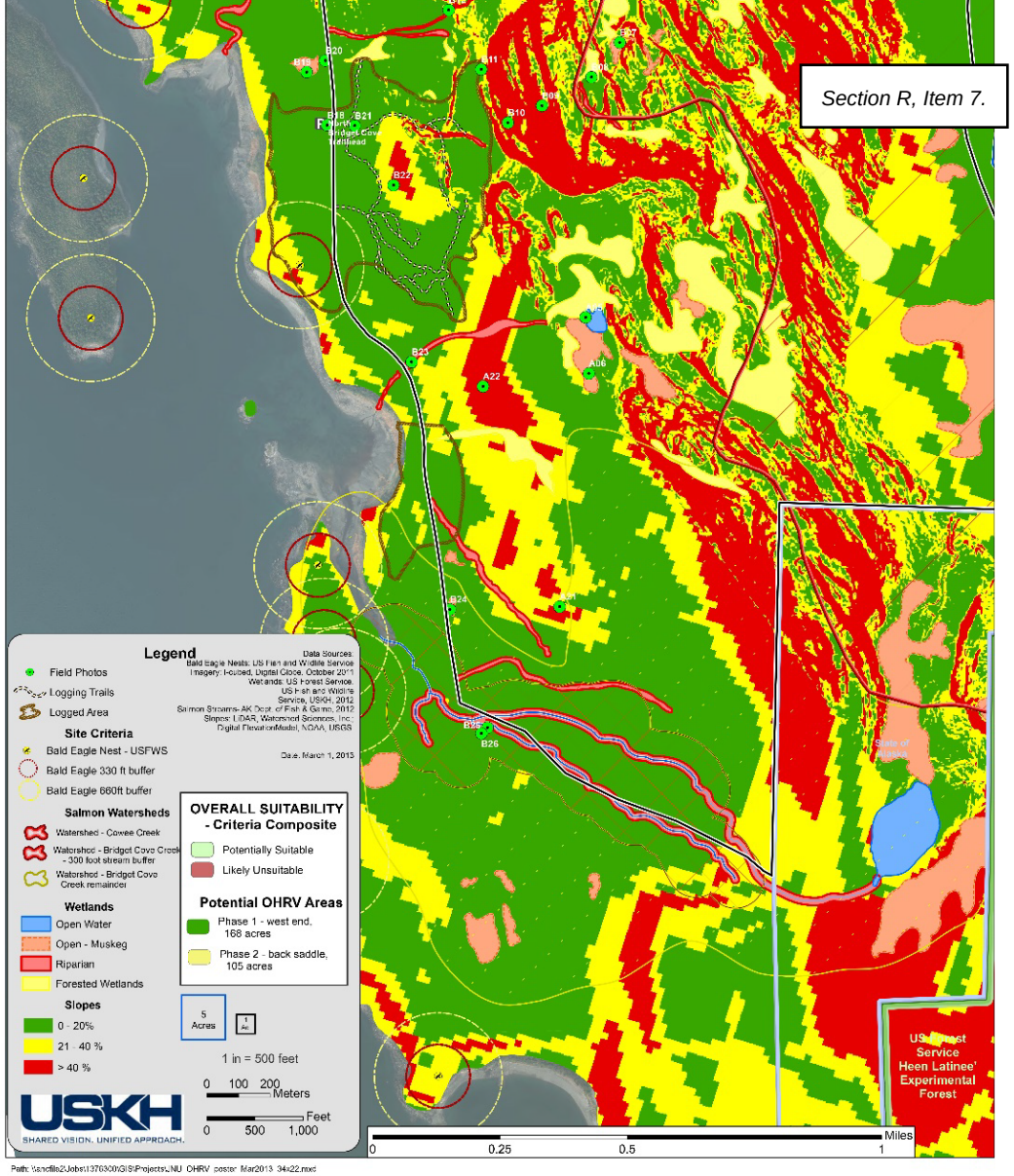
2013 Environmental Analysis

- Lots of work done on this site in 2013 study with consultant and CBJ
- Map identifies eagles' nests, watershed boundaries, wetlands by type, slopes, waterbodies
- Previously logged area and logging roads identified



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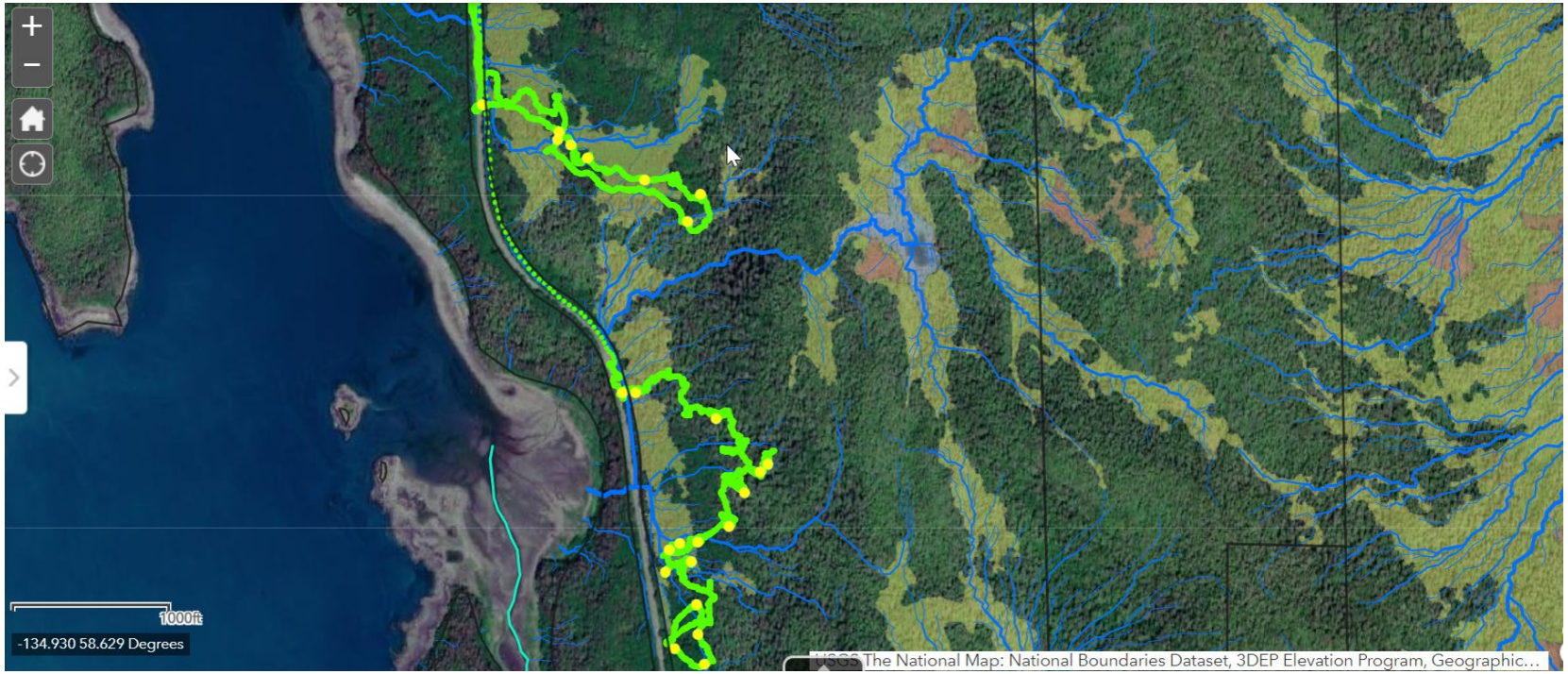
Work to Date

- GPS field investigation and trail locating with P&R, JORA, and Trail Mix
- GIS Resource Mapping
- Pre application meeting with ACOE, planning to submit permit February 2023
- Wetland Delineation complete Fall 2022
- JORA and Trail Mix received grant for planning work
- Community Meeting held February 2022 to provide info and answer questions on proposal



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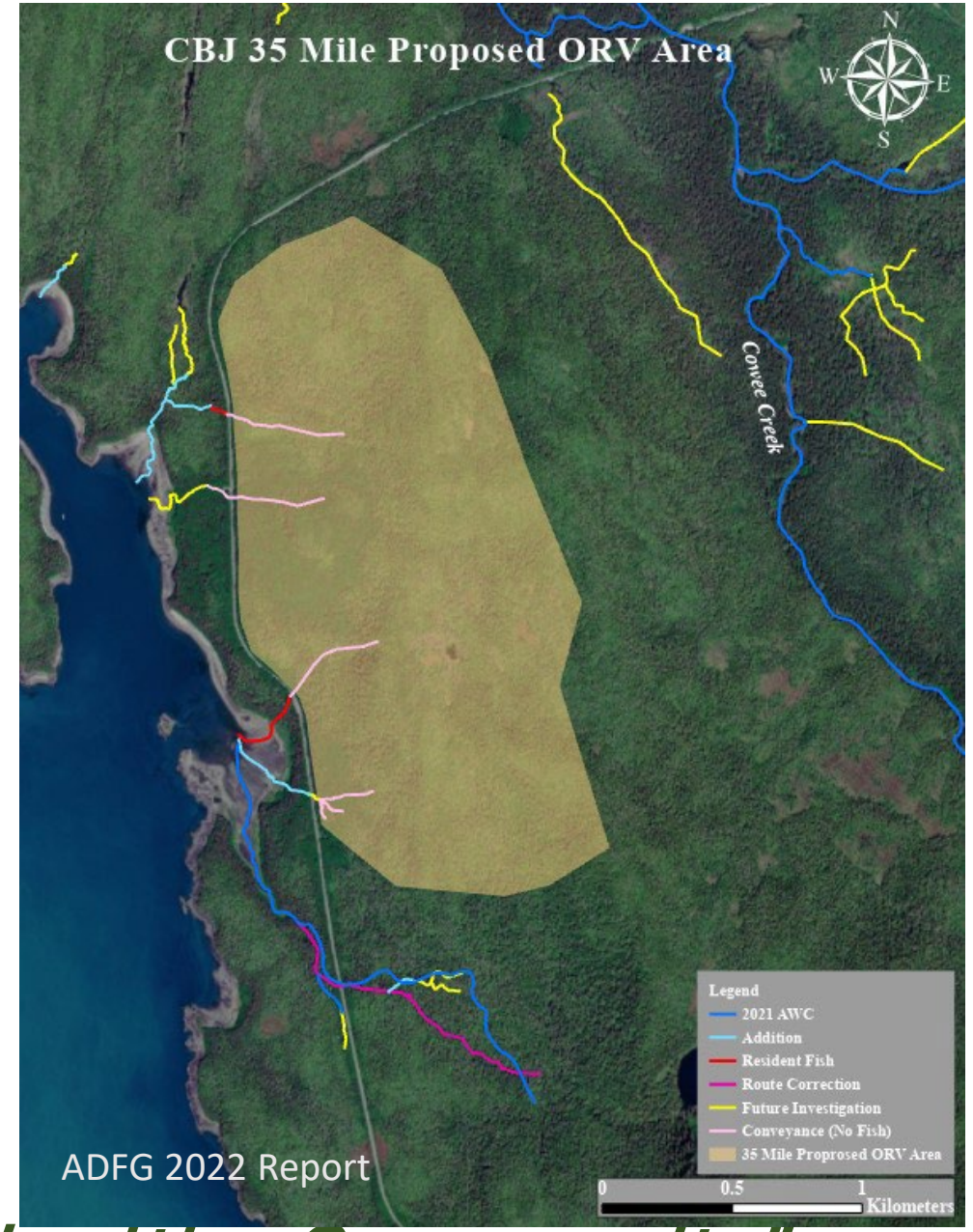
Work to Date

- ADFG surveyed streams in the project area in June 2021
- “No fish habitat upstream of Glacier Highway” as shown in the attached map
- Some fish habitat below the highway, outside of the project area
- Perched culverts and high gradient likely contribute to lack of fish habitat
- Hardened stream crossings and managing erosion and sedimentation in project area is important



ADFG 2022 Report

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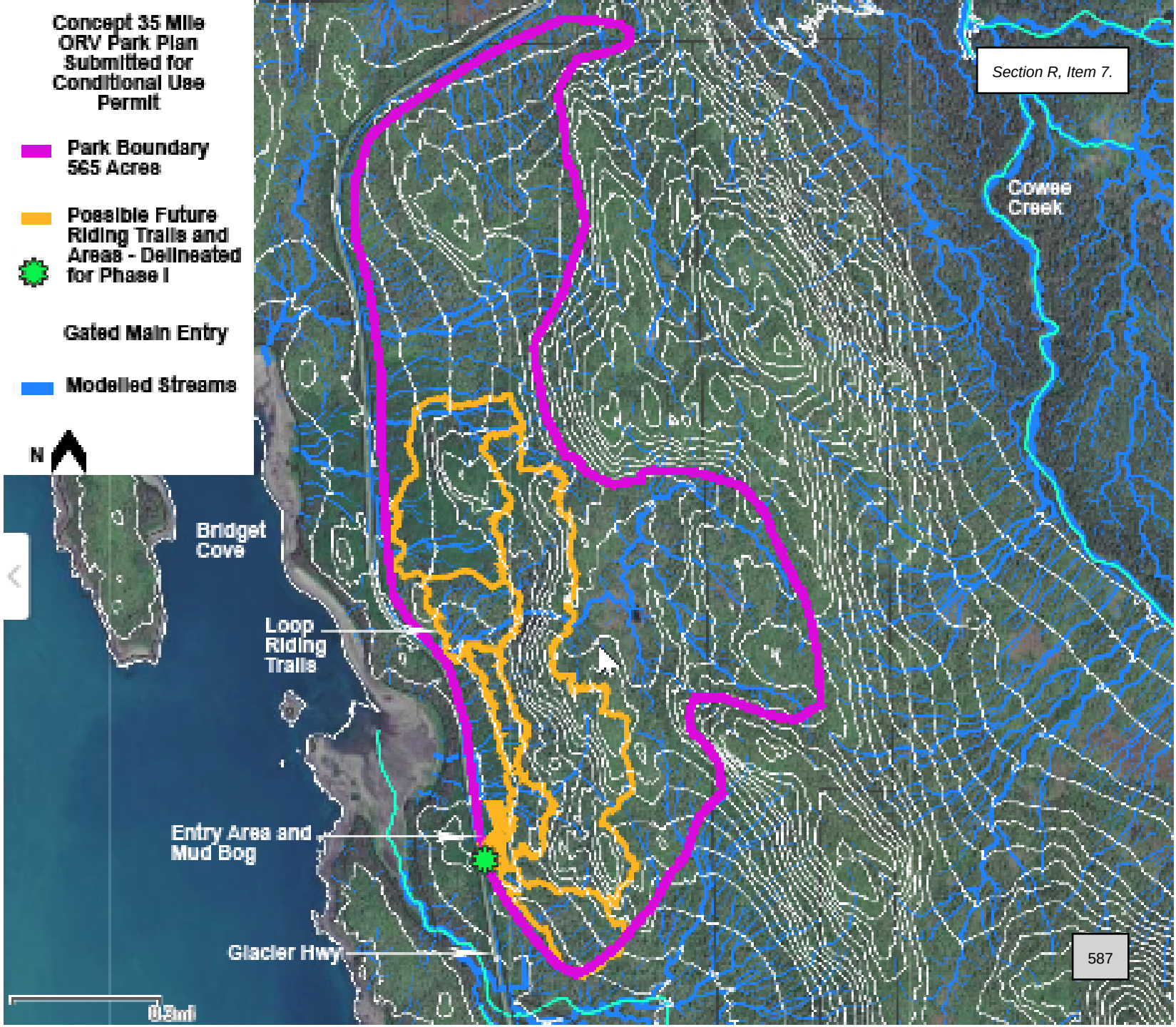
Conceptual Site Plan

- **Entry Area: Gate, Parking, Caretaker, Kids Training Course**
- **Loop Trails**
- **Mud Bog**
- **Cross Country Area on Logged Site**



Riding Park Features

Entry Area: Gate, Parking, Caretaker Area, Kids Training Course

- Locked Gate
- Parking Area for Trucks, Trailers and Cars – approx. 24 trailer spaces and add'l car parking
- Vault Toilet or portable sanitary unit
- Caretaker RV Area
- Kids Training Area
- Located on existing fill pad, likely from road building and logging operations

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Loop and Connector Trails

- Trail design based on USFS and NOHVCC OHV trail standards
- ATV's, jeeps and dirt bikes
- Trails designed and planned for diverse experience levels
- Shot rock as needed and D1 cap, culverts or bridges over drainages and creeks
- Trails shown on concept plan total approximately 5 miles
- Trail Signage with regulations and experience level

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Mud Bog

Designed Wet Area for mud play

- Area to allow for play in mud
- Rock bottom for stability
- Will require good access if machines get stuck for retrieval, important to be near parking lot area
- Stormwater filtration downhill end

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Cross Country

Old Logged Area

- Open riding in forest, no trail development
- Located in old logged area, dozer tracks and roads still found in this area
- No fill required for free riding
- Stormwater catchment, treatment and filtration at downhill end
- May create a blocked service road to access the northern free style area for emergency and maintenance access
- Establish clear boundaries using trail as perimeter, site features, topography and installed elements

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Operations and Management

JORA Operates Facility

- Caretaker resides at site and opens and closes gate
- Closed in Winter
- Permit fee for use goes to maintenance and upkeep
- Opportunities for events, classes, programming
- Volunteer Days (litter pick up, drainage/erosion maintenance, etc.)
- Build a Juneau ORV community and stewardship culture

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Operations and Management

JORA – CBJ Partnership

- Agreement similar to Hank Harmon Public Range or Community Gardens
- Approve operational rules
- Require compliance with permits and applicable federal, state and local laws
- Perform Annual Reports and Regular Site Visits
- Require Insurance
- Review and Approve Construction and Development Plans
- Establish Maintenance Requirements
- Review and Approve Facility Plan, Maps, Project limits, Site Boundaries, Signage

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PARKS & RECREATION

Next Steps

Public Process

1. If the conditional use permit is approved by the Planning Commission, the Assembly will consider a partnership between JORA and CBJ for development, operation and management of the park.

2. JORA and CBJ will apply for an Army Corps of Engineers permit.

3. Parking lot and entry area will be designed and will likely be a contract bid project.

4. NOHVCC will host a community training and workshop on site development, management and safe riding.

5. Trail Mix will construct trails and features with volunteer help.

6. CBJ applied for a Recreational Trails Program grant for trail construction, funding would be available in summer 2023.

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CITY AND BOROUGH OF JUNEAU
PARKS & RECREATION

From: Tasha Hage <tashahage@gmail.com>
Sent: Sunday, January 8, 2023 2:16 PM
To: PC_Comments
Subject: 35 Mile Proposal

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter in support of the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Tasha Hage

From: Cody Wilkie <mr.cody2009@yahoo.com>
Sent: Sunday, January 8, 2023 6:48 PM
To: PC_Comments
Subject: please support the 35 mile orv paek

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Cody wilkie 8490 valley blvd

Sent from my iPhone

From: Monica Hinson-Wilson <mhinsonwilson@gmail.com>
Sent: Sunday, January 8, 2023 6:56 PM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Monica Hinson-Wilson
8490 Valley Blvd
Juneau, AK 99801

Sent from my iPhone

From: Brandon Ridle <ridlebrandon@yahoo.com>
Sent: Sunday, January 8, 2023 7:13 PM
To: PC_Comments
Subject: please support the 35 mile orv paek

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Brandon Ridle
907-321-2269

From: Janette Gagnon <janette.gagnon.ak@gmail.com>
Sent: Sunday, January 8, 2023 7:40 PM
To: PC_Comments
Subject: Off road park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear planning commission,

I support Juneau Off-Road Association and their plan of development of an off-road park. I feel it will help fill a void of activity in our town and be used by many residents and visitors alike.

Janette Gagnon
6260 Alaway Ave #5
Juneau, AK 99801

From: Tyler Wallace <viking_sportsak@hotmail.com>
Sent: Monday, January 9, 2023 5:22 AM
To: PC_Comments
Subject: Area 35

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

1/9/2023
Tyler Wallace , lemon creek Juneau.

Dear Planning Commission, I am writing this letter in support of the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau. I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

From: Jessica Schiltz <schiltz1996@gmail.com>
Sent: Monday, January 9, 2023 8:11 AM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Jessica L. Schultz
17385 Glacier Hwy
Juneau, AK 99801

From: marauder4 <marauder4@gmail.com>
Sent: Monday, January 9, 2023 10:51 AM
To: PC_Comments
Subject: please support the 35 mile orv paek

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Brent Bartlett
3235 Bresee St., E3
Juneau AK
99801

Sent via the Samsung Galaxy S20 FE 5G, an AT&T 5G smartphone

From: Jerome Hagedorn <jeremyhagedorn@icloud.com>
Sent: Monday, January 9, 2023 10:52 AM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Jeremy Hagedorn
817-403-9029
PO Box 32533
Juneau AK 99802

Sent from my iPhone

From: Darren Wetherall <darren_wetherall@yahoo.com>
Sent: Monday, January 9, 2023 11:00 AM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Darren F. Wetherall

Sent from my iPhone

From: Brandon Ridle <ridlebrandon@yahoo.com>
Sent: Monday, January 9, 2023 11:42 AM
To: PC_Comments
Subject: please support the 35 mile orv paek

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Brandon Ridle
907-321-2269

From: John Howard <mr907howard@gmail.com>
Sent: Monday, January 9, 2023 11:47 AM
To: PC_Comments
Subject: ORV Riding Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely: John Howard
--
John Howard

From: Barry Nydam <thewho20006@yahoo.com>
Sent: Monday, January 9, 2023 11:54 AM
To: PC_Comments
Subject: 35 mile off-road park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Barry nydam
1/9/2023
8211 aspen ave.
Hello and good morning. I am a 15 year juneau resident and I am in favor of the offroad park at 35 mile. I would love a designated area for riders!I love riding, but current spots are always a conflict with other users. Walkers, dog walkers, skiers ect. This seems like a good idea to keep offroad (ATV) users in one area. It's far away from town. Noise shouldn't be a problem like dredge lakes was. As I was told about that. If it is made with regulations to keep people from going out of bounds, this would be a great addition to juneau recreation. Thank you! Barry nydam. Have a great day.
Sent from Yahoo Mail on Android

From: Joseph Garrett <josephgarrett86@gmail.com>
Sent: Monday, January 9, 2023 11:59 AM
To: PC_Comments; Jennifer Shields

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

1-9-2023
Joseph Garrett
4051 Deborah Drive
Juneau, Alaska 99801

Dear Planning Commission,
I am writing this letter in support of the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.
I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. We need more off road opportunities in this community. Your continued support for this project is highly be appreciated. Thank you.

Sincerely,
Joseph Garrett

From: Isaac Rumfelt <rumfeltisaac@gmail.com>
Sent: Monday, January 9, 2023 12:35 PM
To: PC_Comments
Subject: 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

January 9th, 2023
Isaac Rumfelt
1925 Davis Avenue, Apt. C3
Dear Planning Commission,
I am writing this letter in support of the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.
I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly appreciated.
Sincerely,
Isaac Rumfelt

From: Mike Laudert <mikelaudert@yahoo.com>
Sent: Monday, January 9, 2023 12:43 PM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

Juneau doesn't have a designated off-road location and this is an area that has low impact. Thank you!

Sincerely, Mike

From: Joel Brownlow <thedolff@gmail.com>
Sent: Monday, January 9, 2023 12:52 PM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, Joel Brownlow
4047 delta Drive

From: John Boone <jboone3531@gmail.com>
Sent: Monday, January 9, 2023 12:54 PM
To: PC_Comments
Subject: please support the 35 mile orv paek

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
John Boone

Sent from my iPhone

From: Kelley Brownlow <kelley.brownlow@outlook.com>
Sent: Monday, January 9, 2023 1:07 PM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Kelley Brownlow

Get Outlook for iOS

From: Joey Heit <jerkyman10@gmail.com>
Sent: Monday, January 9, 2023 12:54 PM
To: PC_Comments
Subject: please support the 35 mile orv park.

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Joey Heit
2206 Muir St
Juneau, Alaska
99801

From: Kelley Brownlow <kelley.brownlow@outlook.com>
Sent: Monday, January 9, 2023 1:09 PM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Kelley Brownlow
2735 David St
Juneau AK 99801

Get Outlook for iOS

From: Sandy Spickler <sandy.spickler@gmail.com>
Sent: Monday, January 9, 2023 2:18 PM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Sandy Spickler <sandy.spickler@gmail.com>
Sent: Monday, January 9, 2023 2:32 PM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sandy Spickler
10754 Horizon Dr
Juneau, AK 99801
907-321-0718

(Resent as neglected to sign my name on the first one thank you).

Sent from my iPhone

From: jr g <jr.2821@yahoo.com>
Sent: Monday, January 9, 2023 4:36 PM
To: PC_Comments
Subject: Yes please

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

This park would be amazing addition to our town.

Gabriel Vasquez
5950 Sunset st
Juneau AK, 99801

Sent from my iPhone

From: Carolyn Smith <che09009@gmail.com>
Sent: Monday, January 9, 2023 5:15 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Carolyn Smith
907-209-0749

From: Blaine Roeber <blaineroeber@hotmail.com>
Sent: Monday, January 9, 2023 5:43 PM
To: PC_Comments
Subject: please support the 35 mile orv paek

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Janell Andrews <janellandrews1@gmail.com>
Sent: Monday, January 9, 2023 5:43 PM
To: PC_Comments
Subject: please support the 35 mile orv paek

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Janell Andrews

Sent from my iPhone

From: Jerrod Andrews <jerrodandrews@gmail.com>
Sent: Monday, January 9, 2023 5:44 PM
To: PC_Comments
Subject: please support the 35 mile orv paek

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Jerrod Andrews

From: Bella Andrews <bellaashlyn13@gmail.com>
Sent: Monday, January 9, 2023 5:45 PM
To: PC_Comments
Subject: please support the 35 mile orv paek

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Bella Andrews

Sent from my iPhone

From: keaganandrews11@gmail.com
Sent: Monday, January 9, 2023 5:46 PM
To: PC_Comments
Subject: please support the 35 mile orv paek

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Keagan Andrews

Sent from my iPhone

From: Mike Stauffer <mike998013@gmail.com>
Sent: Monday, January 9, 2023 5:47 PM
To: PC_Comments
Subject: please support the 35 mile orv paek

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Stan stauffer

From: mileyandrews09@gmail.com
Sent: Monday, January 9, 2023 5:51 PM
To: PC_Comments
Subject: please support the 35 mile orv paek

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Miley Andrews

Sent from my iPhone

From: Lisa Daugherty <lisamaybehere@yahoo.com>
Sent: Monday, January 9, 2023 6:50 PM
To: PC_Comments
Subject: please support 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. Our community is in need of off-road opportunities for both children and adults. My son is 14 and is passionate about four wheeling, dirt biking, and snowmobiling. We spent two full days brushing and flagging the pioneer trails for the potential park this summer, at his request. When we visit family outside of Juneau my son gets to ride on official trails and enjoys it. The hobby of off-roading is so much more than appears from those outside "the club." It is about enjoying the outdoors, spending time with friends, learning to do trail work, learning mechanics skills, and being part of an interest-based community.

I am a hiker and cross country skier, and I appreciate those outdoor opportunities in Juneau. But I also think it's a shame that off-road people have no place for their outdoor hobby. Time and time again over the years we have seen plans pop up, then get shut down before they can even operate. I support Juneau Off-Road Association in their efforts to create an ORV Riding Park, (the 35 Mile Proposal). Your continued support for this project is highly be appreciated.

Thank you for your consideration,
Lisa Daugherty

From: Tim <chiefs907@yahoo.com>
Sent: Monday, January 9, 2023 7:43 PM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Tim Shockley
8514 Evergreen Park Rd
Juneau Ak 99801
(907)321-3970

From: Josh Smith <akjoshuam@gmail.com>
Sent: Monday, January 9, 2023 7:49 PM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Joshua Smith

From: Scott haywood <scotthaywood71@gmail.com>
Sent: Tuesday, January 10, 2023 6:15 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from Scott's iPhone

From: jason mcdonald <jmc4242@yahoo.com>
Sent: Tuesday, January 10, 2023 6:23 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: bob dilley <bdilley1988@gmail.com>
Sent: Tuesday, January 10, 2023 6:36 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Mike & Sonja <rukima@msn.com>
Sent: Tuesday, January 10, 2023 8:19 AM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Michael Payne

Sent from my iPhone

From: Corey Baxter <cbaxter907@gmail.com>
Sent: Tuesday, January 10, 2023 8:31 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Corey Baxter

Sent from my iPhone

From: aknavigator <907navigator@gmail.com>
Sent: Tuesday, January 10, 2023 9:47 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Jonah Brown

Sent from my iPhone

From: Scott Spickler <sspickler@gmail.com>
Sent: Tuesday, January 10, 2023 11:06 AM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Scott Spickler <sspickler@gmail.com>
Sent: Tuesday, January 10, 2023 11:09 AM
To: PC_Comments
Subject: Fwd: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Sorry , didn't get my name on the one sent a moment ago

> Dear Planning Commission,
>
> I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.
>
> I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.
>
> Sincerely,
> Scott Spickler
sspickler@gmail.com
>
> Sent from my iPhone

From: Jake Ritter <ritterpants@yahoo.com>
Sent: Tuesday, January 10, 2023 11:16 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Susie Wilkie <susanwilkie@gmail.com>
Sent: Tuesday, January 10, 2023 11:48 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Susan L. Wilkie

Sent from my iPhone

From: John Boone <capitaltowak@gmail.com>
Sent: Tuesday, January 10, 2023 12:24 PM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Gretchen Boone

Sent from my iPhone

From: Rich Ross <ra.ross87@gmail.com>
Sent: Tuesday, January 10, 2023 2:48 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Rich Ross
8580 Duran St
Juneau AK, 99801

From: Moore Charters Booking <moore177@icloud.com>
Sent: Tuesday, January 10, 2023 3:48 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

I can't wait to go off road some more!

Sincerely,

Grantley Moore

Sent from my iPhone

From: Alex Reid <areid@lynden.com>
Sent: Tuesday, January 10, 2023 2:56 PM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Alex Reid

Sent from my iPhone

From: Jason Love <alaskanfudge@gmail.com>
Sent: Tuesday, January 10, 2023 3:02 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Jason Love

Sent from my iPhone

From: Tonya Crago <tjcrago70@yahoo.com>
Sent: Tuesday, January 10, 2023 3:09 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Tonya Crago

TJC- Sent from my iPhone

From: Michelle Fabrello <mfabrello@gmail.com>
Sent: Tuesday, January 10, 2023 3:09 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Michelle Fabrello

Sent from my iPhone

From: joel vera garcia <veragarciajoel@gmail.com>
Sent: Tuesday, January 10, 2023 3:18 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

From: ryian jurasz <ryian.jurasz@icloud.com>
Sent: Tuesday, January 10, 2023 4:04 PM
To: PC_Comments
Subject: please support the 35 mile orv paek

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Ryian Jurasz

Sent from my iPhone

From: Todd Smith <smittyinjuno@gmail.com>
Sent: Tuesday, January 10, 2023 4:48 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter in 100 percent support of the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, Todd Smith
907-723-9145

Sent from my iPhone

From: Jack Kreinheder <jack.kreinheder@gmail.com>
Sent: Tuesday, January 10, 2023 5:18 PM
To: PC_Comments
Subject: 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Planning Commission Members:

I support the planned ORV Riding Park to be located at 35 mile Glacier Hwy. My only ORV is a snowmachine, so I won't be using the ORV park myself, but there is a need for a legal place to ride ORVs in Juneau, and the park will reduce problems with ORVs being ridden in areas where they are not legal.

I encourage the planning commission to approve the conditional use permit for the ORV park. Thank you for supporting this project.

Sincerely,

Jack Kreinheder
2544 Douglas Hwy
Juneau AK 99801

From: Erin Howell <hcatllc@gmail.com>
Sent: Tuesday, January 10, 2023 5:22 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Brent Howell

Sent from my iPhone

From: Jack <rushruler07@gmail.com>
Sent: Tuesday, January 10, 2023 5:27 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, Jack Howell

From: Paul Roemer <lazymechanic1@yahoo.com>
Sent: Tuesday, January 10, 2023 5:35 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Austin Smith <shaysmita@gmail.com>
Sent: Tuesday, January 10, 2023 5:49 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, Austin smith

From: Zach & Mutts <decker@glacierguidesinc.com>
Sent: Tuesday, January 10, 2023 6:03 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Glacier Guides Inc.
Alisha & Zach Decker
907-321-2180
www.glacierguidesinc.com

From: Shawn Votion <s.votion90@gmail.com>
Sent: Tuesday, January 10, 2023 6:26 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, Shawn Votion

From: Wesley Bauer <wes.r.bauer@gmail.com>
Sent: Tuesday, January 10, 2023 7:42 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Wesley Bauer
Associate Broker
Bauer & Associates Real Estate
(907) 209-2614

Sent from my iPhone

From: HUCK DAUGHERTY <huck907ak@gmail.com>
Sent: Tuesday, January 10, 2023 7:43 PM
To: PC_Comments
Subject: 35 mile off road park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park. I am a 14 year old kid and for the last year I have been getting into the off road scene. I have been putting in some time clearing trails out at the 35 mile site and have really been looking forward to finally having some place to ride for wheelers, dirt bikes and other off road rigs. I know that cross country skiers and hikers just think all we do is just rip stuff up but that is not true we are just out there trying to enjoy the outdoors. Just how the skiers go and see the outdoors we ride four wheelers to see the outdoors. I have also been riding side by sides and for wheelers in Maine and they have a great trail network and it is a very controlled and safe system.

Please support the 35 Mile Proposal.

thank you,
Huck Daugherty

From: Daniel Ruiz <danomite292003@yahoo.com>
Sent: Tuesday, January 10, 2023 8:32 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Atlin Daugherty <akhomefire@yahoo.com>
Sent: Tuesday, January 10, 2023 8:25 PM
To: PC_Comments
Subject: Proposal

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Please support the 35 Mile Proposal.
I enjoy many different types recreational activities including down hill skiing, cross country skiing, snowmobiling and boating. The off road park will give atv enthusiasts, especially kids a designated place to ride in Juneau. This is long over due and the area that has been selected is a good area due to it being in a relatively low impact area on the environment with no salmon streams or wetlands in the proposed area.

Atlin Daugherty

From: Tia Benboe <tiarae41387@gmail.com>
Sent: Tuesday, January 10, 2023 9:02 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, Tia Benboe

From: Marco Solis <marco_solis85@icloud.com>
Sent: Tuesday, January 10, 2023 9:16 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: haley Tokuoka <haleyeyearout@gmail.com>
Sent: Tuesday, January 10, 2023 9:18 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: William Brown <wbrown907856@gmail.com>
Sent: Tuesday, January 10, 2023 5:37 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, William Brown

From: Dustin Stickel <dustin@907handymanllc.com>
Sent: Tuesday, January 10, 2023 11:10 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Thank you,
Dustin Stickel
(907)796-9020

From: Genevieve Mclaughlin <genevievemclaughlin@gmail.com>
Sent: Tuesday, January 10, 2023 11:25 PM
To: PC_Comments
Subject: JORA

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

I support the off-road park.
Genevieve mclaughlin
9632 stikine jnu Ak 99801
907-209-4614

--
Genevieve McLaughlin

From: Tom Rutecki <rutecki@gci.net>
Sent: Tuesday, January 10, 2023 11:30 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Tom Rutecki

From: Jeremy Whitmore <jwhitmore7177@icloud.com>
Sent: Tuesday, January 10, 2023 11:31 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated. Let's give our youth more outdoor activities

Sincerely,

Jeremy Whitmore

From: dan fink <danthetireguy@yahoo.com>
Sent: Wednesday, January 11, 2023 4:19 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission, I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.
I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated. Sincerely, Daniel Fink

Sent from Yahoo Mail on Android

From: Tina Durand <tdurand264@yahoo.com>
Sent: Wednesday, January 11, 2023 4:27 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Tina Clum

Sent from my iPhone

From: Tim Crondahl <tim.crondahl@gmail.com>
Sent: Wednesday, January 11, 2023 4:49 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, Tim Crondahl
4519 Chelsea ct
Juneau Ak 99801

Sent from my iPhone

From: Todd Grant <todd.a.grant@gmail.com>
Sent: Wednesday, January 11, 2023 6:10 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Todd Grant

Sent from my iPhone

From: Carl Larsen <sudsbuster_2000@yahoo.com>
Sent: Wednesday, January 11, 2023 6:11 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: henlec@gmail.com
Sent: Wednesday, January 11, 2023 6:20 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Hank Leclerc

From: Richard Behrends <behrendsmech@gci.net>
Sent: Wednesday, January 11, 2023 6:57 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPad

Richard Behrends
President
Behrends Mechanical, Inc.
PO Box 020347
Juneau, AK 99802
Phone: 907.780.6766
Cell: 907.723.7892
Fax: 907.780.6063

Confidentiality Note: This e-mail, and any attachment to it, contains privileged and confidential information intended only for the use of the individual
(s) or entity named on the e-mail. If the reader of this e-mail is not the intended recipient, you are hereby notified that reading it is strictly prohibited.
If you have received this e-mail in error, please immediately return it to the sender and delete it from your system.
Moreover, any confidential information contained in this e-mail (and any attachment) may only be used for the specific purpose for which it is being transmitted.

From: Chad M <chadnmissy@gmail.com>
Sent: Wednesday, January 11, 2023 7:47 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

Even though I do not own an ATV, I am also writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau and is more than overdue.

I wholeheartedly support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Chad C Mountcastle

From: Xuyen Nguyen <xuyenn621@gmail.com>
Sent: Wednesday, January 11, 2023 8:04 AM
To: PC_Comments
Subject: please support the 35 mile orv paek

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Xuyen Nguyen

From: Tom <tkim@acsalaska.net>
Sent: Wednesday, January 11, 2023 6:45 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Tom kimlinger

From: Shawn Lindbeck <slindbeck93@hotmail.com>
Sent: Wednesday, January 11, 2023 11:56 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, Shawn Lindbeck

Get Outlook for Android

From: Tamara Powers <tamarapowers@mac.com>
Sent: Wednesday, January 11, 2023 12:46 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

From: Valcarrie Bingel <valcarrie@gmail.com>
Sent: Wednesday, January 11, 2023 8:04 AM
To: PC_Comments
Subject: please support the 35 mile orv paek

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Val Bingel

From: Alpine Construction Enterprises <alpineconstructionenterprises@gmail.com>
Sent: Wednesday, January 11, 2023 1:01 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to show my support for the ORV Riding Park, 35 Mile Proposal. This project will create some great opportunities and positive changes in Juneau.

I support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I know that our community is in dire need of more off-road opportunities. Your continued support for this project is highly be appreciated.

Thank you,

Adam Brown

Alpine Construction Enterprises LLC
Owner/Partner
Address:
PO BOX 32684
JUNEAU AK 99803
Phone:
(907) 723-6473
Website:
Alpineconstructionenterprises@gmail.com
Fax:
(907) 780-3697

From: JG Construction <jgconstruction@live.com>
Sent: Wednesday, January 11, 2023 1:06 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Sam Thorp <sthorp_sri@ymail.com>
Sent: Wednesday, January 11, 2023 1:12 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Erica Simonson <skookumproofreading@gmail.com>
Sent: Wednesday, January 11, 2023 2:18 PM
To: PC_Comments; Jennifer Shields
Subject: ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter in support of the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I've long been environmentally conscious and have lived in Juneau for over 20 years. I've historically not been the most enthusiastic about motorized vehicles in any forest/wilderness experience. However, I believe Juneau has enough land in different areas to accommodate all types of users. My husband was born and raised here and has not infrequently lamented the fact that many areas that were once free for dirt bikes, etc., are now off limits. And perhaps those limits were called for, especially in sensitive areas such as around the glacier. However, hikers and walkers and cross-country skiers are not the only users in Juneau! Let's open things up for all types of people!

Hubby and I also off-road in the Yukon and interior Alaska about every summer and would love whatever limited opportunity might become available here locally.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly appreciated.

Sincerely,

Erica Simonson

Erica Simonson
Skookum Proofreading Services
skookumproofreading@gmail.com
P.O. Box 211182 Auke Bay, AK 99821

From: Nino & Shierly Suarez <nino.shierly@gmail.com>
Sent: Wednesday, January 11, 2023 3:24 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Nino & Shierly Suarez

From: melanie weed <junonurse@hotmail.com>
Sent: Wednesday, January 11, 2023 3:48 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Melanie Weed
907 209 9100

Sent from my iPhone

From: Sam Dalin <revsamd@aol.com>
Sent: Wednesday, January 11, 2023 3:52 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Sam DALIN

Sent from my iPhone

From: R G <rglaves2001@gmail.com>
Sent: Wednesday, January 11, 2023 4:37 PM
To: PC_Comments
Subject: Please oppose the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to oppose the 35 mile atv park. There are already few places a person can escape from the tourism and noise of the city. By building the atv park the relative quiet at bridget cove will be ruined, cowee creek will be a constant buzz of noise drifting down from the ridge above. Another location will be lost to the bustle of industry. There will also be irreparable damage to habitat that deer and moose use to overwinter as well as increased sediment runoff into watersheds.

Please leave some place of refuge along the road system.

Sincerely,

Rueben

Sent from my iPhone

From: Christine Van Sickle <nyrchristine@gmail.com>
Sent: Wednesday, January 11, 2023 5:01 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Christine Van Sickle

From: Logan McClain <loganmccl@gmail.com>
Sent: Wednesday, January 11, 2023 5:15 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. We have some really great outdoor recreational opportunities for maritime, and hiking. Having ORV areas will provide a wider range of activities and allow people with physical limitations more access to our outdoor spaces.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Logan McClain

From: donaldvrobbins@gmail.com
Sent: Wednesday, January 11, 2023 5:16 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Don Robbins

Sent from my iPhone

From: Grey Mitchell <fullcurl@live.com>
Sent: Wednesday, January 11, 2023 5:02 PM
To: PC_Comments
Subject: Area 35 ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

I am writing to express support for the proposed off road park at mile 35. As a kid, I remember Juneau had off road vehicle recreation areas including the dredge lake area, rock dump area, and the old gravel pit behind Valley Court Trailer Park where Costco is now. In fact, we used to ride snow machines in the fields by Switzer Creek, but like all the other areas, that area has been restricted to pedestrian use. With the exception of a couple of trails that allow for seasonal snowmobile use, there is little opportunity for Juneau's off road motorist enthusiasts to recreate.

Juneau has tons of public improved hiking trails that are maintained for active, physically able people to walk for miles. Unlike most physical hiking activity that limits people who are disabled or are very out of shape, Off road recreation is something that everyone can participate in. Whether a person is old or young, fit or out of shape, everyone can have fun driving or riding in an off road vehicle.

It's important that Juneau as a community recognizes the need to provide a wide variety of options for residents to remain as active as they can be and to experience the outdoors. Thanks for the opportunity to comment in support of the proposed area 35 off-road trail system.

Grey Mitchell
50-year Juneau Resident

Sent from my iPhone

From: Jose Fregoso <JoseFregoso907@hotmail.com>
Sent: Wednesday, January 11, 2023 5:28 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Blue Bergmann <bluebergmann1955@gmail.com>
Sent: Wednesday, January 11, 2023 5:32 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly appreciated.

Sincerely,

Blue Bergmann
Sent from my iPhone

From: Steve Haggitt <haggitt01@gmail.com>
Sent: Wednesday, January 11, 2023 5:38 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Y our continued support for this project is highly be appreciated.

Sincerely,
Steve Haggitt

From: Jose Fregoso <JoseFregoso907@hotmail.com>
Sent: Wednesday, January 11, 2023 5:50 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

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I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Chad Coppin <snow13chad@gmail.com>
Sent: Wednesday, January 11, 2023 6:04 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Chad Coppin

From: stanley sipniewski <stansip@hotmail.com>
Sent: Wednesday, January 11, 2023 6:13 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

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I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Stanley Sipniewski
2561 meadow lane
Juneau AK 99801
Sent via the Samsung Galaxy S22+ 5G, an AT&T 5G smartphone
Get Outlook for Android

From: Martin Donohue <martinsdonohue@icloud.com>
Sent: Wednesday, January 11, 2023 6:22 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

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I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Martin Donohue

From: Sheryl Shorty <sherylshorty19@gmail.com>
Sent: Wednesday, January 11, 2023 3:05 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

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I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, Sheryl Shorty

From: Brittani Scanlon <brittaniscanlon@gmail.com>
Sent: Wednesday, January 11, 2023 6:29 PM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

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I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Brittani
907-957-7764

From: calvin boddy <calvinboddy@hotmail.com>
Sent: Wednesday, January 11, 2023 6:54 PM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

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I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, Calvin boddy 3716 amalga st.
Juneau AK

Get Outlook for Android

From: Cindy Isaak <cynditravel@icloud.com>
Sent: Wednesday, January 11, 2023 6:59 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

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I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Cyndi Isaak
ATV/Jetski rider

Sent from my iPhone

From: Peter Hulson <hulson90@gmail.com>
Sent: Wednesday, January 11, 2023 7:12 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

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I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Pete Hulson

From: Curtis Stickler <curtstickler@icloud.com>
Sent: Wednesday, January 11, 2023 7:22 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: elijah kitka <elijahkitka@gmail.com>
Sent: Wednesday, January 11, 2023 7:27 PM
To: PC_Comments
Subject: please support the 35 mile orv paek

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Elijah Kitka

Sent via the Samsung Galaxy S21+ 5G, an AT&T 5G smartphone
Get Outlook for Android

From: Quincy Holt <quincyholt410@gmail.com>
Sent: Wednesday, January 11, 2023 7:49 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Quincy Holt

Sent from my iPhone

From: Nicole Dwyer <dwyer.nicole93@gmail.com>
Sent: Wednesday, January 11, 2023 8:16 PM
To: PC_Comments
Subject: I Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I have lived in Juneau for the past four years, and have had ample experience on hiking and biking trails, but would love the opportunity to use off road vehicles here in our city.

Diversity in trails is very important to serve the different user communities here in Juneau. Not everyone can climb to the top of Mt McGinnis or bike treadwell ditch. Having a designated area for motorized trail vehicles could open up opportunities for accessibility.

Sincerely,

Nic Dwyer (Duck Creek Resident)

From: Bob <Bob@akcci.com>
Sent: Wednesday, January 11, 2023 8:25 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, The ritter family

From: Melissa Hurley <melissa.hurley@icloud.com>
Sent: Wednesday, January 11, 2023 8:44 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Melissa Hurley-Marvin

Sent from my iPhone

From: Ed Clum <mehof86@hotmail.com>
Sent: Wednesday, January 11, 2023 8:52 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Emery Banua <santana8082004@gmail.com>
Sent: Wednesday, January 11, 2023 9:00 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Louis Juergens <aktrophy@gmail.com>
Sent: Wednesday, January 11, 2023 9:22 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Louis Juergens

Sent from iPhone

From: Emily Elizabeth <dancingmoonlight58.3@gmail.com>
Sent: Wednesday, January 11, 2023 10:10 PM
To: PC_Comments
Subject: Environmentalist's Thoughts on the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter in regards to the ORV Riding Park, 35 Mile Proposal. As a person who greatly appreciates the many laws and regulations in place to keep ORV off our streets and out of sight and sound in our beautiful town, I do believe that the ORV user community needs a legal, dedicated place to recreate.

I do not know the ins and outs of the proposal, but fully support an ORV Park that minimizes damage to natural habitats and is away from other places of recreation where people go for peaceful solitude and to commune with nature. Without a legal place to ride, I feel that ORV users go where they can and have more of a detrimental impact on the community and nature than if there was a dedicated place to recreate.

I support a legal ORV Park with the caveat that the laws and regulations outside of the ORV Park are tailored to become more strict about ORV use outside of the park and are regularly enforced.

I chose to live in Juneau because I'm general the people and cultures are respectful of nature and work hard to care for our planet. I absolutely do not want to see my hometown turn into another place that is torn up by ORV and destroyed by the destructive culture that typically (not always, but mostly) comes with ORV use.

I trust that community leaders will find the right balance to create a space for ORV Users to recreate while maintaining the peaceful, respectful, nature protecting atmosphere of our community. Everyone should have a place to legally enjoy their favorite activities while also maintaining respect for those around them. I hope this will offer ORV Users a place to enjoy their hobby without destroying the environment or causing noise pollution for those attempting to enjoy other types of recreation.

I sincerely hope a balance can be found. If not, I hope this sends a message to ORV Users that we do not want our community to be changed from the peaceful, cohabiting with nature community that Juneau is well known and sought out for. There are many, many other communities where the ORV culture and lifestyle is prominent. But I'd hate to see people being forced to choose a different community or recreate Illegally.

Thank you for considering this proposal and reading the community's thoughts.

Sincerely,

Emily Elizabeth

From: Andrew Markovich <ajmarkovich@gmail.com>
Sent: Thursday, January 12, 2023 5:01 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Andrew Markovich

From: Melissa Coppin <melissa.coppin@gmail.com>
Sent: Thursday, January 12, 2023 8:31 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, Melissa Coppin

From: Tim White <timw1217@icloud.com>
Sent: Thursday, January 12, 2023 9:04 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Sharon Jones <jonessb46@gmail.com>
Sent: Thursday, January 12, 2023 10:15 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, Sharon Jones

From: Justin Mcgeehan <mcgeehanjustin@yahoo.com>
Sent: Thursday, January 12, 2023 11:10 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission, I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.
I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated. Sincerely,

Sent from Yahoo Mail on Android

From: Tasha Shawn <stlindbeck21@gmail.com>
Sent: Thursday, January 12, 2023 11:53 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

The Lindbeck Family

Sent from my iPhone

From: Andrew Lawson <skyyhatesjunkmail@gmail.com>
Sent: Thursday, January 12, 2023 12:38 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, Crash

Sent from my iPhone

From: Down Town <downbrown03@gmail.com>
Sent: Thursday, January 12, 2023 12:38 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, D

Sent from my iPhone

From: jan gill <janthegil@gmail.com>
Sent: Thursday, January 12, 2023 12:39 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, JL

Sent from my iPhone

From: Skyy Girl <alaskancoolkids03@gmail.com>
Sent: Thursday, January 12, 2023 12:39 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, B

Sent from my iPhone

From: Mary Jane <frostyone03@gmail.com>
Sent: Thursday, January 12, 2023 12:40 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, R

Sent from my iPhone

From: Scott & Girls Wilson <juneauwilsons@gmail.com>
Sent: Thursday, January 12, 2023 3:24 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Justin Benboe <luckyjb0214@gmail.com>
Sent: Thursday, January 12, 2023 3:45 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Justin Benboe

From: dave miller <millerdavem@gmail.com>
Sent: Thursday, January 12, 2023 4:08 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Dave

Now a few words of my own. AT SOME dont align with liberal views like cross country skiing does, but that doesn't mean you shouldn't consider what a large portion of the public wants. We also pay your salary, after all.

From: Nicole Steger <nicolesteger@gmail.com>
Sent: Thursday, January 12, 2023 4:10 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Y our continued support for this project is highly be appreciated.

Sincerely,

Nicole Steger
Juneau, Alaska

From: Hailey Stockton <hailey.stockton@icloud.com>
Sent: Thursday, January 12, 2023 4:55 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Hailey Stockton

Sent from my iPhone

From: tach <ntorrella9066@gmail.com>
Sent: Thursday, January 12, 2023 5:13 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, Nicholas Torrella

From: William Brown <bill.seakds@gmail.com>
Sent: Thursday, January 12, 2023 5:43 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
William Brown

From: william palmer <palmerwilliam25@yahoo.com>
Sent: Thursday, January 12, 2023 7:26 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Dave Jones <davejonescell@gmail.com>
Sent: Thursday, January 12, 2023 7:33 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

These yahoo's have been looking for somewhere to ride for years. Let them have their spot out the road.

Sincerely,

Dave Jones
1634 2nd St
Douglas, AK 99824

From: Sara Chambers <sara@encouragementsociety.org>
Sent: Thursday, January 12, 2023 8:21 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. Since I worked on this issue as an Assemblymember, there has been quite a bit of research into solutions that will meet the needs of riders, landowners, and neighbors.

Our community has been in desperate need of off-road opportunities. Your continued support for this project is commendable.

Sincerely,

Sara Chambers

From: Henry Hopkins <henry_hopkins@yahoo.com>
Sent: Thursday, January 12, 2023 8:36 PM
To: PC_Comments
Subject: 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

While ORV folks aren't represented in Juneau's elite power structure and City decision makers they are a pretty good chunk of the community. I think these folks have been marginalized long enough.

I think a lot of good will come from involving youth in the activity. I urge you to support the proposed ORV park.

Thank You,
Henry Hopkins
Science Teacher at Yadaa.at Kalé

From: G P <gmpatton@hotmail.com>
Sent: Thursday, January 12, 2023 11:57 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear CBJ Planning Commission,

I am writing to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create remarkable and positive recreational opportunities in Juneau.

Given the myriad of outdoor recreational opportunities in Juneau, the lack of available space for off road vehicle riding is a glaring and unfair deficit given our landscape and terrain's potential to support this activity.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. I encourage your continued support for this project and it is very much appreciated.

Sincerely,
Gary Patton
Douglas

Sent via Samsung Galaxy

From: Luke Holton <lukeholton.ak@gmail.com>
Sent: Thursday, January 12, 2023 7:54 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Y our continued support for this project is highly be appreciated.

Sincerely,
Luke and Family

From: Kay Knapp <kayredlinger@yahoo.com>
Sent: Friday, January 13, 2023 6:52 AM
To: PC_Comments
Subject: Riding Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

I don't own an off road vehicle so I have very little to gain from this project, but I support it. Outdoor recreation is the reason I live here. I hike year round when at all possible. For those opposed to this project, I say the more people we can get in the woods... the more people we will have that care about protecting them for the future. Plus providing access for an activity many will enjoy is totally reasonable.

Katherine Knapp
4410 Riverside

Sent from my iPad

From: robert wright <outlook_9139CEBC173E4A96@outlook.com>
Sent: Friday, January 13, 2023 8:22 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Sent from Mail for Windows

From: Martin McKeown <martymckeown@me.com>
Sent: Friday, January 13, 2023 8:44 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Marty McKeown

Sent from my iPhone

From: Pearce, David W (CFEC) <david.pearce@alaska.gov>
Sent: Friday, January 13, 2023 9:17 AM
To: PC_Comments
Subject: Area 35

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

I fully support Area 35 off-road park. This needed to happen long ago, just like the second crossing. No more talking about it, make both projects happen.

David Pearce
6275 N. Douglas hwy
Juneau
907-723-8861

From: guymarvin22 <guymarvin22@gmail.com>
Sent: Friday, January 13, 2023 9:23 AM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Y our continued support for this project is highly be appreciated.

Sincerely,
Guy M Hunter

Sent via the Samsung Galaxy S22 Ultra 5G, an AT&T 5G smartphone

From: Brad Rider <rider.xip@gmail.com>
Sent: Friday, January 13, 2023 10:03 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Brad Rider
6150 N Douglas Hwy

Sent from my iPad

From: Rich Harris <rich@ak.net>
Sent: Friday, January 13, 2023 10:14 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Sent from Mail for Windows

From: Kasen <kasen_spickler@hotmail.com>
Sent: Friday, January 13, 2023 10:14 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly appreciated.

Sincerely,

-Kasen Spickler
11400 N. Douglas Hwy.
Juneau, AK 99801
(907) 723-9330

From: kodijo hyatt <hkodijo@gmail.com>
Sent: Friday, January 13, 2023 12:15 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Kodijo Hyatt

From: pkemp@gci.net
Sent: Friday, January 13, 2023 12:36 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, Pat Kemp

From: Jeff Mcknight <jeff@doakslock.com>
Sent: Friday, January 13, 2023 4:27 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Jeffrey McKnight <jefndoli1@yahoo.com>
Sent: Friday, January 13, 2023 4:26 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Jeff <mcknightak@yahoo.com>
Sent: Friday, January 13, 2023 4:27 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Jeff Mcknight <jeff@doakslock.com>
Sent: Friday, January 13, 2023 4:28 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Pat Carroll <lpcarrol@gci.net>
Sent: Friday, January 13, 2023 4:29 PM
To: PC_Comments
Subject: Public comment regarding proposed 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter in support of the 35 Mile ORV Riding Park Proposal. This is a long standing need in the community of Juneau. A ORV riding area has been bantered about and promised since the 90's when the USFS closed the dredge lake area to ORV's, leaving this user group with no place to enjoy this fun outdoor activity . This is a worthy proposal and must be followed through on to completion to fill this urgent need. Please support this long overdue project.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. Our community is in desperate need of off-road opportunities and has been for many, many years. Your continued support for this project is highly be appreciated.

Sincerely,

Pat Carroll

From: Jaiden miller <jaidenm499@gmail.com>
Sent: Friday, January 13, 2023 5:30 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, Jaiden Miller

Sent from my iPhone

From: DOMINIC BRANSON <dombak@aol.com>
Sent: Friday, January 13, 2023 6:33 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Dominic Branson

From: David Keller <saltheart76@gmail.com>
Sent: Friday, January 13, 2023 6:46 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, David Keller.

From: Daniel Palicka <danpalicka@hotmail.com>
Sent: Friday, January 13, 2023 6:57 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am in complete support of Juneau Off Road Assoc and a ORV Park. All user groups in Juneau should have a place to have fun. I also am in favor of opening more areas and trails in Juneau to off road use and CBJ working with USFS and State agencies to open more areas for off road use.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Dan Palicka
5775 Thane Rd

Get Outlook for Android

From: jr g <jr.2821@yahoo.com>
Sent: Friday, January 13, 2023 7:30 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Jaiden miller <jaidenm499@gmail.com>
Sent: Friday, January 13, 2023 5:30 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, Jaiden Miller

Sent from my iPhone

From: Alicia Dunning <aliciadunning@ymail.com>
Sent: Friday, January 13, 2023 7:41 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

From: Jaiden miller <jaidenm499@gmail.com>
Sent: Friday, January 13, 2023 5:30 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, Jaiden Miller

Sent from my iPhone

From: Kylie Woolery-Lager <kybird214@gmail.com>
Sent: Friday, January 13, 2023 8:00 PM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Kylie Woolery
2141b crowhill drive

Sent from my iPhone

From: Tersteeg Family <tersteeg4@gmail.com>
Sent: Friday, January 13, 2023 9:21 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Ambre Burrell <ambreburrell@hotmail.com>
Sent: Friday, January 13, 2023 9:43 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Dredge lake, Montana Creek Road, Eagle River and Echo cove are all areas we use to be able to ride over the years.. Stop taking opportunities away. Make this happen!

Sincerely,

Ambre Burrell
Sent from my iPhone

From: Jessica Fuller <jessicafuller907@gmail.com>
Sent: Friday, January 13, 2023 9:59 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Jessica Fuller
Licensed Transaction Coordinator for
Debbie Lewis - RE/MAX of Juneau
REALTOR
Jessicafuller907@gmail.com

From: Dustin & Jeanna Wittwer <akwittwer@gmail.com>
Sent: Friday, January 13, 2023 11:07 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Cheers,
Dustin Wittwer

From: Stephany Day <stephanymitchell@hotmail.com>
Sent: Friday, January 13, 2023 11:14 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
-Stephany Day

Sent from my iPhone

From: sandra mitchell <sandrajm78@hotmail.com>
Sent: Friday, January 13, 2023 11:21 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

Having a truly designated spot for riding will be safer than people riding out at Echo. And prevent people from finding other, "non-legal" places to ride!

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Sandra Mulkey

Sent via the Samsung Galaxy S21 FE 5G, an AT&T 5G smartphone
Get Outlook for Android

From: Robert Day <thundermtbrew@hotmail.com>
Sent: Friday, January 13, 2023 11:34 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Rob

Sent from my iPhone

From: Noble Anderson <noble444@gmail.com>
Sent: Saturday, January 14, 2023 7:29 AM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission, I am writing in support of the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau. I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in significant need of off-road opportunities. Your continued support for this project is highly appreciated.

Respectfully,

Noble Anderson
PO Box 823
Haines, AK 99827
(However, I am in Juneau at least 9 days per month working at Bartlett Regional Hospital- I keep a live aboard boat in Aurora Harbor and keep a Jeep in Juneau)

From: Willys MB <bzhydock@gmail.com>
Sent: Saturday, January 14, 2023 9:12 AM
To: PC_Comments
Subject: ORV Riding Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

01/14/23
Bryon Z. Hydock
1390 Mendenhall Peninsula Rd
Juneau, AK 99801

Dear Planning Commission,
I am writing this letter in support of the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.
I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.
Sincerely,
Bryon (BZH)

From: Evangeline Houston <angiehouston75@gmail.com>
Sent: Saturday, January 14, 2023 11:42 AM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Evangeline Houston

Sent from my iPhone

From: Nino & Shierly Suarez <nino.shierly@gmail.com>
Sent: Saturday, January 14, 2023 11:45 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Nino and Shierly Suarez
Sent from my iPhone

From: Maricel Bohulano <bohulanopasion2008@gmail.com>
Sent: Saturday, January 14, 2023 11:51 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Maricel Bohulano

Sent from my iPhone

From: Josh Houston <jazzaustin@gmail.com>
Sent: Saturday, January 14, 2023 12:31 PM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Josh Houston

Sent from my iPhone

From: Jessica Sanchez <wataica2001@icloud.com>
Sent: Saturday, January 14, 2023 12:43 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project will be highly appreciated.

Sincerely,
Jessica Sanchez

From: Lisa Hydock <yonderak@gmail.com>
Sent: Saturday, January 14, 2023 1:29 PM
To: Jennifer Shields; PC_Comments
Subject: ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

To whom it may concern,

I am writing in support of the Off Road Vehicle Park plans and would love to see it developed for Juneau residents to enjoy. We have enjoyed responsible snow machining & dirt bikes, and look forward to a great space for off road vehicles and good, clean, family fun.

Thank you for your time.

Lisa Hydock
Resident of Juneau for 35 years
--
Lisa K. Hydock
"For I know the plans I have for you," says the LORD. "They are plans for good and not for disaster, to give you a future and a hope - Jeremiah 29:11

From: Greg Tingey <wakeabyss@gmail.com>
Sent: Saturday, January 14, 2023 1:37 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Greg Tingey
Mendenhall Valley

From: Sharon Gill <slp_gill@icloud.com>
Sent: Saturday, January 14, 2023 1:45 PM
To: PC_Comments
Cc: Sharon Gill
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

This is long over due!!!

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sharon Pusich Gill
PO Box 34023
Juneau, AK. 99803

From: flyertryer@aol.com
Sent: Saturday, January 14, 2023 2:34 PM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Weston Moore

Sent via the Samsung Galaxy S21 FE 5G, an AT&T 5G smartphone

From: B C <brettcoblentz@gmail.com>
Sent: Saturday, January 14, 2023 4:20 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Brett Coblentz

From: Nick Orsi <jesus_be_glorified@hotmail.com>
Sent: Saturday, January 14, 2023 4:22 PM
To: PC_Comments
Cc: Nick Orsi
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am in support of the "ORV Riding Park", 35 Mile Proposal. This project will create remarkable and positive changes in Juneau in more ways than have been mentioned. Juneau has grown and changed so much since the 70's and part of which has cut off multiple user groups.

I'd like to see this site as a shared user group for a model aircraft airfield as well. Gastineau Aeromodelers Society has been struggling to provide a year round permanent flying field due to airspace congestion, new laws, increased tourism, and limited available open land in Juneau.
In short, we'd need a 300x600 ft land-able area pointed into the wind with an unobstructed threshold, overfly area, parking, and the sun to the pilots back.
Please contact me if you see this opportunity as a possible shared resource, I'd be more than happy to offer assistance in planning and structure of this needed recreational activity.
Funding and Insurance possible through the Academy of Model Aeronautics (AMA).

Your continued support for this project is highly appreciated, and I'm excited to see what this will do for our youth as well.

Sincerely,
Nick Orsi
(907) 209-1278
VP of Gastineau Aeromodelers Society
AMA#1573

From: Charles VanPelt <cvanpelt907@gmail.com>
Sent: Saturday, January 14, 2023 4:37 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Charles VanPelt
302-242-7874
8490 Valley Blvd Juneau AK 99801

From: Shaa Tlien <shaatlein@gmail.com>
Sent: Saturday, January 14, 2023 5:48 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated. Let them ride!

Sincerely, Jim Hoff

From: Ryan Siverly <kona86@hotmail.com>
Sent: Saturday, January 14, 2023 5:52 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Ryan S

Sent from my iPhone

From: Coleman Adams <cole9040@hotmail.com>
Sent: Saturday, January 14, 2023 7:38 PM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Coleman Adams
(907) 209-2832

From: Karly Brooks <karly_brooks@yahoo.com>
Sent: Saturday, January 14, 2023 7:38 PM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Karly Brooks

From: Darrin Crapo <darrin@crepeaux.com>
Sent: Sunday, January 15, 2023 3:23 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Darrin Crapo

Sent via the Samsung Galaxy S22 5G, an AT&T 5G smartphone

From: Nick Andrews <cumminspower89@gmail.com>
Sent: Sunday, January 15, 2023 6:29 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly appreciated.

Sincerely,

Sent from my iPhone

Nick Andrews
(907)209-4048

From: Zach's Email <zachkohan1571@gmail.com>
Sent: Sunday, January 15, 2023 9:34 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

From: Michael Hekkers <mikehekkers@yahoo.com>
Sent: Sunday, January 15, 2023 9:37 PM
To: Jennifer Shields <Jennifer.Shields@juneau.gov>
Subject: 35 mile ORV park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Hi I fully support having a place to ride for these ORVs. However this 35 mile area seems like it would be irreparably harmed by 4 wheelers. Five miles of hardened trails would be great but what would prohibit the riders from straying from the hardend trails? I think these issues must be addressed before proceeding.

I hope you are well.

Mike Hekkers
Juneau

Get your elected officials to tackle the climate emergency and to reduce the plastic and waste stream!

From: Olissa Oliver Ms. <olissaoliver@yahoo.com>
Sent: Sunday, January 15, 2023 11:38 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: DAN GRAVES <dang9067@aol.com>
Sent: Sunday, January 15, 2023 6:07 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Dan Graves
16440 Glacier Highway
Juneau, Ak 99801
907-321-7500

Sent from my iPad

From: imel@gci.net
Sent: Sunday, January 15, 2023 6:24 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

Here is a chance to do right by the ORV riders. There will never be a perfect place for an ORV park, but 'Area 35' is a 'pretty good enough place'. It seems logical that economics and performance will be driving most riders to EVs in the near future, diminishing the amazing amounts of sound produced. Building the infrastructure for EVs would be wise. Tourists and small engine enthusiasts will benefit and pressure for illegal riding in other areas will be reduced. Hospital traffic should increase, a boost to balance sheets. Just kidding.

Sincerely,

Ray Imel

From: Katherine Carlson <mummum348@yahoo.com>
Sent: Sunday, January 15, 2023 6:59 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Thank you for your consideration.

Sincerely,

Katti

From: Sara Bicknell <Bicknell5@hotmail.com>
Sent: Sunday, January 15, 2023 7:30 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Also, as a fourth generation Alaskan who is now proud to introduce my Sixth generation grandchildren the experience of outdoor exploring, adventures and admiration of our amazing state. Please don't deprive, take away or eliminate my generations from seeing what Alaska has to offer.

Sincerely,
Roscoe & Sara Bicknell

From: Craig Brown <cbrown907ak@gmail.com>
Sent: Sunday, January 15, 2023 10:55 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I grew up having the Dredge lake area a place to ride around with my friends. I believe that kept a lot of us out of trouble.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, Craig Brown

Sent from my iPhone

From: chad wilson <chad_wilson_09@yahoo.com>
Sent: Monday, January 16, 2023 7:08 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Chad Wilson

Sent from my iPhone

From: Sierra Wilson <sierra.v.a.wilson@gmail.com>
Sent: Monday, January 16, 2023 8:34 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Charlene Miller <charlenemiller01@hotmail.com>
Sent: Monday, January 16, 2023 10:16 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Carlos Rivera <akcarlos60@gmail.com>
Sent: Monday, January 16, 2023 11:34 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Chaz Niemi <chazniemi@hotmail.com>
Sent: Monday, January 16, 2023 2:44 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau. I personally ride myself and I am sick of all of our riding areas being taken from us. I can't wait to have somewhere for not only myself, but the rest of the community to ride with confidence and safety!

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly appreciated.

Sincerely,

Sent from my iPhone

From: Jones Chiropractic <akchiros@gmail.com>
Sent: Monday, January 16, 2023 3:49 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Dr. Stefanie Fairchild

Sent from my iPhone

From: Joann <swampy_acres@msn.com>
Sent: Monday, January 16, 2023 3:51 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
JoAnn Sidney

Sent from my iPhone

From: Abby Madsen <abbymadsen@rocketmail.com>
Sent: Monday, January 16, 2023 3:51 PM
To: PC_Comments
Subject: Area 35

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

I support the Off-Road Park.
It's about time.

Deborah Madsen

From: joshua price <joshprice1978@icloud.com>
Sent: Monday, January 16, 2023 5:49 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, Joshua Price

Sent from my iPhone

From: J Mooney <jammer551@gmail.com>
Sent: Monday, January 16, 2023 6:22 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
J.Mooney
Former Juneau resident and off road rider.

Sent from my iPad

From: Dsm Alaska <austinlp907@gmail.com>
Sent: Monday, January 16, 2023 7:19 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Gerald Jackson <gojackson96@gmail.com>
Sent: Monday, January 16, 2023 7:44 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Gerald p jackson. 20141 glacier highway

Sent from my iPhone

From: takuconways@ak.net
Sent: Monday, January 16, 2023 7:52 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Carlene Conway

From: DARLENE DONOHUE <coldrwe@aol.com>
Sent: Monday, January 16, 2023 10:26 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Darlene Donohue

From: Darlene Donohue <darlenejoydonohue@gmail.com>
Sent: Monday, January 16, 2023 10:26 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Martin Donohue

From: Will Belknap <willbelknap@gmail.com>
Sent: Tuesday, January 17, 2023 9:38 AM
To: PC_Comments
Subject: In support of 35 mile ORV park - it is time

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing to express my strong support for the ORV Riding park at 35 mile glacier highway. I have been an off-road enthusiast my whole life and this is a recreational opportunity which has long been neglected in the Juneau area.

My friends and I spend thousands of dollars upgrading vehicles only to spend more on travel to leave town and use them as there is no opportunity to enjoy this hobby locally.

In addition to the enjoyment of the off road park, there will be new economic benefits and opportunities for the community related to this park for related sales and service.

I appreciate the work you have been doing with the Juneau Off-Road Association. This association and its members can provide a safe, clean, and well managed environment for this activity.

It is time to make this happen.

Thank you,

Will Belknap
9159 Parkwood Dr
Juneau, AK 99801
907-209-0293
will.belknap@gmail.com

From: m.marierod@gmail.com
Sent: Tuesday, January 17, 2023 9:52 AM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Monique Siverly
907-957-0092

Sent from my iPhone

From: Welch Sean <swelcher421@yahoo.com>
Sent: Tuesday, January 17, 2023 11:46 AM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sean
In God We Trust

From: Debbie White <debbie@alaskapanhandle.com>
Sent: Tuesday, January 17, 2023 1:26 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create positive changes in Juneau. It is important that if our youth are going to be riding these machines, they have a maintained and controlled space to learn how to operate them.

From: Lynn Ridle <lynnbob2207@aol.com>
Sent: Tuesday, January 17, 2023 2:13 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: journey kendrick <journeyakendrick@gmail.com>
Sent: Tuesday, January 17, 2023 1:42 PM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Journey

From: Megan Blair <megs.style@gmail.com>
Sent: Tuesday, January 17, 2023 6:05 PM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Megan Blair
15902 Lee Drive
Juneau, Alaska 99801

From: mattwhistler@ymail.com
Sent: Tuesday, January 17, 2023 7:13 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

From: Ernie Hard <ernie_hard3@yahoo.com>
Sent: Tuesday, January 17, 2023 7:28 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Ernie Hard

Sent from my iPhone

From: Ervin < eglottsr@hotmail.com >
Sent: Tuesday, January 17, 2023 11:04 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Ervin Lott sr

Sent from my iPhone

From: sbharkins@protonmail.com
Sent: Wednesday, January 18, 2023 3:42 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sarah Harkins
Sent from Proton Mail mobile

From: Kathryn Muhs <kathryn.muhs@sandvik.com>
Sent: Wednesday, January 18, 2023 7:17 AM
To: PC_Comments
Cc: Katie Muhs
Subject: Support for ORV and Area 35 - Muhs
Attachments: 011623 Support for ORV - Muhs.pdf

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

To Whom It May Concern,

Please kindly see attached.

Best regards,

KATIE MUHS
BUSINESS LINE MANAGER – ROCK TOOLS – USA
BUSINESS OPERATIONS MANAGER – JUNEAU, ALASKA

Sandvik Mining and Rock Solutions
2271 Brandy Lane
Juneau, Alaska, USA 99801

Mobile: (949) 973-5361
Customer Service: (844) 380-1527
Kathryn.Muhs@Sandvik.com
ROCKTECHNOLOGY.SANDVIK

This e-mail is confidential and it is intended only for the addressees. Any review, dissemination, distribution, or copying of this message by persons or entities other than the intended recipient is prohibited. If you have received this e-mail in error, kindly notify us immediately by telephone or e-mail and delete the message from your system. The sender does not accept liability for any errors or omissions in the contents of this message which may arise as a result of the e-mail transmission.

January 17, 2023

From: Kathryn Muhs
6007 Sunset Street
Juneau, Alaska 99801

Dear Planning Commission,

Juneau struggles to retain people for needed jobs to support our community. When my employeer asked me to relocate to Juneau, the first thing I did was search for off road/dirt roads for my 1988 JY Jeep. Although I discovered there was nothing, with disappointment, I relocated.

If I experienced this, I am positive others do to. Is Juneau ready to offer features that are attractive to persons with skills needed in this community?

I am writing this letter in support of the ORV Riding Park, 35-mile proposal. I feel that our community will greatly benefit from such an offering.

Regards,
Kathryn (Katie) Muhs
6007 Sunset Street
Juneau, Alaska 99801
(949) 973-5361

From: GCI <deaskhoo@gci.net>
Sent: Wednesday, January 18, 2023 8:36 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Sarahann m. Jackson

Sent from my iPad

From: Diana Garcia <babe_face_4u@yahoo.com>
Sent: Wednesday, January 18, 2023 9:02 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission, I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau. I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated. Sincerely,

From: Eric J. Meyer
Sent: Wednesday, January 18, 2023 9:14 AM
To: PC_Comments
Subject: please support the 35 mile orv park

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Y our continued support for this project is highly be appreciated.

Sincerely,

Sent via the Samsung Galaxy Z Fold3 5G, an AT&T 5G smartphone

---

From: Breckon Lawlar <bmlawlar@icloud.com>
Sent: Wednesday, January 18, 2023 9:46 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Breckon

Sent from my iPhone

From: JD Brink <thr33s@gmail.com>
Sent: Wednesday, January 18, 2023 12:25 PM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Jeff Brink

Sent from my iPhone

From: Steven Shelley <steven.shelley1962@gmail.com>
Sent: Wednesday, January 18, 2023 1:44 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, Steven Shelley

From: DuWayne Smith <smithduwayne1@gmail.com>
Sent: Wednesday, January 18, 2023 12:59 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, DuWayne Smith

From: Timm Orsborn <JuneauBusinessInteriors@outlook.com>
Sent: Wednesday, January 18, 2023 5:55 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, Timm Orsborn
Sent from Mail for Windows

From: Wesley Shutt <washutt@gmail.com>
Sent: Wednesday, January 18, 2023 6:07 PM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Wesley Shutt
8940 N Douglas Hwy
Juneau, AK 99801

From: Pamela Wickkiser <pwickkiser@msn.com>
Sent: Wednesday, January 18, 2023 6:40 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Pamela Wickkiser

Sent from my Verizon, Samsung Galaxy smartphone
Get Outlook for Android

From: aktaku@gmail.com
Sent: Wednesday, January 18, 2023 7:05 PM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Marie Jensen <woodworm524@gmail.com>
Sent: Wednesday, January 18, 2023 7:27 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Marie H. S. Jensen
Born and raised in Juneau

From: Cody Jensen <codyj2459@gmail.com>
Sent: Wednesday, January 18, 2023 7:28 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Cody F. Jensen

From: Michael Vavalis <michaelvavalis4@gmail.com>
Sent: Thursday, January 19, 2023 9:06 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, John M Vavalis

From: Nicole <Nicole_406@yahoo.com>
Sent: Thursday, January 19, 2023 9:35 AM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Nicole Luben

From: MERRILL AND PATTI SANFORD <fish3duck@aol.com>
Sent: Thursday, January 19, 2023 12:08 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Bruised Twain <darkknightsqueezing@gmail.com>
Sent: Thursday, January 19, 2023 12:20 PM
To: PC_Comments
Subject: 35 mile off-road park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

As a life-long citizen of Juneau, I would like to register my complete support of an ORP. PLEASE grant us this recreation possibility - we deserve it.

Thank you very much;

Chris Parker
2990 Douglas Hwy.
907-586-2491

From: Jo Boehme <joboehme175@gmail.com>
Sent: Thursday, January 19, 2023 12:48 PM
To: PC_Comments
Subject: Pro/Con on the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

This letter is about the ORV Riding Park, 35 Mile Proposal. I believe that this project needs close scrutiny; I support some elements and I do not support other elements.

Juneau needs off-road opportunities. Safety first! I strongly oppose any option for ORVs to share the Cowee Bridge highway with vehicular traffic to get from the Echo Cove parking area to the Goldbelt quarry. Perhaps the ORV group can lease parking from Goldbelt adjacent to the quarry?

I support options to build a training area on the CBJ land behind Costco, as long as there are noise abatement standards.

I support re-consideration of the Fish Creek quarry on Douglas Island, as long as there are noise abatement standards.

Sincerely,
Jo Boehme

From: Joshua Martin <tjmartinfam@gmail.com>
Sent: Thursday, January 19, 2023 12:46 PM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Joshua Martin
4920 Wren dr.
Juneau, AK 99801

Sent from my iPhone

From: Logan Balstad <balstad.l.m@gmail.com>
Sent: Thursday, January 19, 2023 2:09 PM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Logan Balstad
8205 Cedar Dr.
Juneau AK 99801

From: Lauri Ritter <laurir38@gmail.com>
Sent: Thursday, January 19, 2023 3:49 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sent from my iPhone

From: Marian Inga Anderson <marian49inga@gmail.com>
Sent: Thursday, January 19, 2023 4:42 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Petersons

This sounds fun

From: Andrew Markovich <ajmarkovich@icloud.com>
Sent: Thursday, January 19, 2023 5:05 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Andrew Markovich

Sent from my iPhone

From: Shelly_Noah Lager <lager_house@msn.com>
Sent: Thursday, January 19, 2023 5:41 PM
To: PC_Comments; Darrin S. Crapo; Michele Elfers
Cc: Shelly_Noah Lager
Subject: Area 35 letters of support group 1 of 2
Attachments: letters of support Area 35 1to31.pdf.zip

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Hello,
Please see attached letters of support for Area 35 off-road park. This is group 1 of 2 with 31 letters of support.
Thanks,
Noah & Shelly Lager

From: Shelly_Noah Lager <lager_house@msn.com>
Sent: Thursday, January 19, 2023 5:41 PM
To: PC_Comments; Darrin S. Crapo; Michele Elfers
Cc: Shelly_Noah Lager
Subject: Area 35 letters of support group 2 of 2
Attachments: letters of support Aera 35 32to56.pdf

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Hello,
Please see attached letters of support for Area 35 off-road park. This is group 2 of 2 with 25 letters of support.
Thanks,
Noah & Shelly Lager

Date: 01/11/23

Printed Name: SHEM SOOTER

Email address: S_SOOTER@HOTMAIL.COM

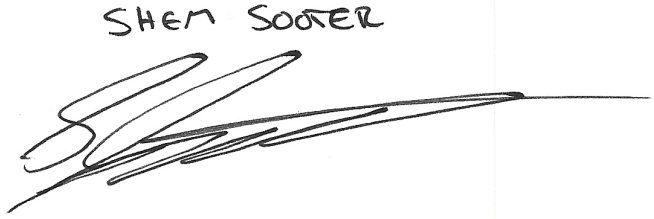
Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

SHEM SOOTER



Date: 01/11/23

Printed Name: BRITNEY SOOTER

Email address: BRITNEYSOOTER@GMAIL.COM

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

BRITNEY SOOTER

BSooter

Date: 1-11-23

Printed Name: RON HENSLEY

Email address:

ronhensley35@gmail.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Date:

Printed Name:

Email address:

JNurose12@GMAIL.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Justin Rose

Date: 1-11-23

Printed Name: SAM STEELE

Email address:

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Date: 1/11/23

Printed Name: Jason Sims

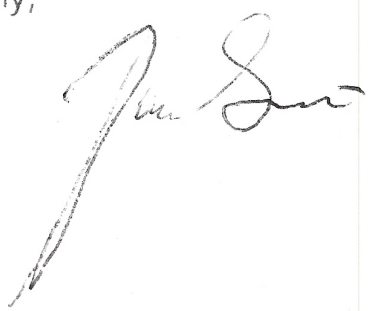
Email address:

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,



Date: 1/11/2023

Printed Name: Patrick Willis

Email address: willisfamilyPS@gmail.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Date: 1/4/23

Printed Name: Hans Felkl

Email address:

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Date:

Printed Name: Galen Wyatt

Email address: ~~GWyatt~~ GWyatt86@gmail.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Date: 1/15/2023

Printed Name: Aaron Konrad

Email address: Akfitter_81@Hotmail.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Date: 1/13/23

Printed Name: Austin Peterson

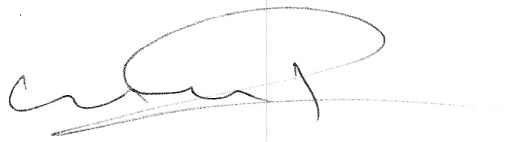
Email address: AustinLP907@Gmail.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,



Date: 1/13/23

Printed Name: Dylan Vernon

Email address: DylanVernon51@gmail.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, Dylan Richard Vernon

Date: 1/13/2023

Printed Name: TORREY ROEHL

Email address: TORREY.ROEHL@GMAIL.COM

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Date: 1-13-23

Printed Name: Jacob Ross

Email address: metalJ@live.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Date: 1-13-23

Printed Name: Daniel Springer

Email address: dahspringer@gmail.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Date: 1/13/22

Printed Name: Stephanie Seminara

Email address: stephanies22572@gmail.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Stephanie Seminara

Date: 1/13/23

Printed Name: Rachael Deach

Email address: rachael.deach@hotmail.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

R Deach

Rachael Deach

Date: 1/13/2023

Printed Name: ANTONIO HAFFERTY

Email address: ~~haffertya@gmail.com~~ haffertya@gmail.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Date:

Printed Name: KENT PETERSON

Email address:

INTEGRITY DESIGN 90 @GMAIL.COM

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Kent Peterson

Date: 1.15.23

Printed Name: TRACY K GILMOUR

Email address: stgilmour@gci.net

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

9343 Rivercut Way
99801

Date: 1-17-23

Printed Name: Scott Gilmour

Email address: stgilmour@gci.net

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Scott Gilmour

Date: 1-16-23

Printed Name: Wyatt Nicholsen

Email address: Wyattwnicholsen@hotmail.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Date: 1/15/23

Printed Name: Sebastian Bradley

Email address: Seabass907@gmail.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Sebastian Bradley

Date: 1/15/23

Printed Name: Jacob Tapia

Email address: Jacob.Tapia907@gmail.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Date: 01-15-2023

Printed Name: Hansel Hinckle

Email address: HanselHinckle@gmail.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

H Hinckle

Date: 1/15/2023

Printed Name: Sayja Bradley

Email address: Sayjastar04@gmail.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Date: 1-15-23

Printed Name: Sam Miller

Email address: Miller3006@Gmail.Com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Date: 1-15-23

Printed Name: Willow Bradley

Email address: Willowmoon02@gmail.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, Willow Bradley

Date: 1-15-23

Printed Name:
Sonia Dzinich
Email address:
sdzinich@gmail.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Date: 1/15/2023

Printed Name: AIK PRUETT

Email address: DRAGONLAIR@GCI.NET

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Date: 1/15/23

Printed Name: Renee Wyatt

Email address: naynay9980a@gmail.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Renee Wyatt

Date: 01-11-23

Printed Name: Jonathan Dundore

Email address: Jsndundore@Gmail.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Date: 1-11-23

Printed Name: Colter Boehm

Email address: colter@bobcatofjuneau.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Colter Boehm

Date: 1/13/23

Printed Name: Ray Robert

Email address: RNRobert@alaska.edu

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Date: 1/13/23

Printed Name: DON ANDREW ROGUSKA

Email address: DONANDREWROGUSKA@GMAIL.COM

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Date: 1/13/23

Printed Name: Steven Allwine II

Email address: steven_j_allwine@hotmail.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Date:

Printed Name: John Clark

Email address: jmcra@juno.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, John M. Clark

Date: 1/13/23

Printed Name: Kyle Harris

Email address: kylephilipharris@gmail.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Date: 01/13/23

Printed Name: Javier Gomez Quirino

Email address: Javiclovisvw@gmail.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Date:

Printed Name: Michael Eanley

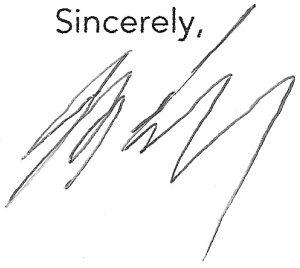
Email address: mike99803@yahoo.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,



Date: 1/13/23

Printed Name: GARY DURLING JR

Email address: GARY.LEE.DURLING@GMAIL.COM

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Date: 01/13/2023

Printed Name: Daniel Bryant

Email address: ragen4alaska@yahoo.com

Dear Planning Commission,

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Sincerely,

Date: 1 +2-23

Printed Name: Greg Germain

Email address: GregSGermain@GMail.com

Dear Planning Commission,

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Sincerely,

Greg Germain

Date: 1/13/23

Printed Name: Mark Ibias

Email address: steelersak87@yahoo.com

Dear Planning Commission,

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Sincerely,

Date: 1/13/2023

Printed Name: Jesse Ross

Email address: ross_jesse@hotmail.com

Dear Planning Commission,

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Sincerely,

Jesse B. Ross

Jesse B. Ross

Date:

Printed Name: Tyrnan Hazelton

Email address:
Tyrnanhazelton@gmail.com

Dear Planning Commission,

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Sincerely,

Date:

Printed Name: David Kirby

Email address: key.finit@gmail.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

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Sincerely,

Date:

Printed Name:

Email address:

dfs@gci.net

Dear Planning Commission,

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Sincerely,

Donny Sims

Date: 1/09/23

Printed Name: Janell Andrews

Email address: JanellAndrews1@gmail.com

Dear Planning Commission,

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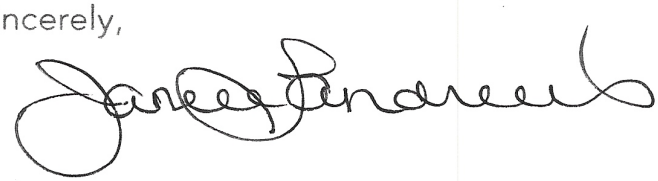

Date: 1/9/23

Printed Name: Miley Andrews

Email address:

Mileyandrews09@gmail.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely, Miley Andrews

Date: 1-9-22

Printed Name: Keagan Andrews

Email address: KeaganAndrews911@gmail.com

Dear Planning Commission,

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Sincerely, Keagan

Age 11

Date: 1/9/23

Printed Name: Bella Andrews

Email address: ~~BellaAndrews~~

Bellaashlyn13@gmail.com

Dear Planning Commission,

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Sincerely,

Age 9

Bella

Date: 1/9/23

Printed Name: Jerrod Andrews

Email address: jerrodandrews@gmail.com

Dear Planning Commission,

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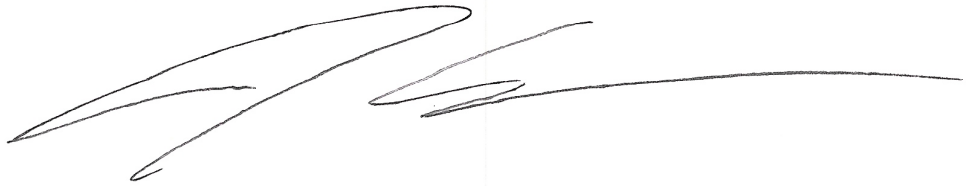

Date: 1/9/23

Printed Name: JAMES BRADLEY

Email address: JBRADLEYRRAK3@GMAIL.COM

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

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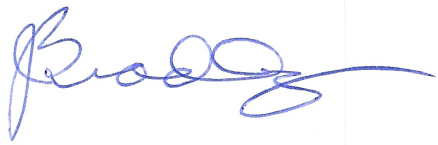

Date: 1/9/23

Printed Name: Dale R. Sams

Email address: dale.sams1@Gmail.com

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Dale R. Sams

Date: 1-9-23

Printed Name: Nick Farsnaes

Email address:

Farsnai@Live.com

Dear Planning Commission,

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I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

From: Tanya Trucano <tanyabear907@gmail.com>
Sent: Thursday, January 19, 2023 5:52 PM
To: PC_Comments
Subject: I support the 35 mile project

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

I would like to express my support for the 35 mile project. I have a soon to be 16 year old son who is constantly wishing Juneau had somewhere he could ride a dirt bike, (besides at Eagle beach for approximately 1ish months in the spring). I also absolutely support our city investing in outdoor activities our children and everyone can enjoy. It is unfortunate to see how our children have drifted way from enjoying the beautiful outdoors around us and instead spend hours a day on a phone or computer of some kind, I very much feel this could be an excellent way to attract kids, teens, and adults of all ages. Please, please build this track for our community!!

Thank you,
Tanya Trucano

--
Tanya Trucano
(907)209-8568

From: Scott June <jesterjune1985@gmail.com>
Sent: Thursday, January 19, 2023 5:53 PM
To: PC_Comments
Subject: Please Support the 35 Mile ORV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Scott June

From: Shawn Lovell <shawnlovell@hotmail.com>
Sent: Friday, January 20, 2023 8:03 AM
To: PC_Comments
Subject: 35 mile OHRV Park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Hello

I am Shawn Lovell, a 30+ year OHRV user in Juneau and Strongly support this project.

I see it as being something that is long overdue with the fact that many of our areas have been taken away and/or denied access to, along with the fact that we are a user group that has been looked down upon.

We have been told for many years that we would be given areas to ride and stalled along for decades and somehow I'm thinking this will be another one of those same scenarios, or if considered there will be so many needless stipulations that it will not be economically feasible to go forward with the project.

Furthermore, while I do understand that there is a permitting process, Personally I feel that there is way too much "Overthinking" with the current proposal. When I think of Alaska, I think of the vast terrain that is available to all for recreational use, be it Hiking, Skiing or Motorized use. When I travel to the Interior, I see OHRV's traveling all over the place, beside highways, at gas stations, and just about anywhere you can think of. When I travel to Ketchikan and Haines I see them driving up and down the streets. I see them parked out front at the supermarkets, restaurants and in driveways, but when in Juneau I see them parked in back yards and inside fences because we literally have nowhere to go.

Please take into consideration that we have been many years in seeking good places to recreate with motorized use, all while the non motorized users have an endless option of places to enjoy.

The 35 mile OHRV park (if opened) will be a great opportunity for users and families to enjoy the sport we love. Make the right decision and allow the area to be used as an OHRV park without all the stipulations that I have seen listed. It just seems we are nearly getting shut down before we even get started. I would like to see development and use of the area by summer of 2023, and honestly I don't see any reason why that shouldn't be able to happen.

Sincerely, Shawn Lovell

From: Tia San Miguel <tiasanmiguel@gmail.com>
Sent: Friday, January 20, 2023 8:27 AM
To: PC_Comments
Subject: ORV RIDING PARK-35 MILE PROPOSAL

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

1/20/23

Tia San Miguel
3323 Park Place
Juneau, AK 99801

Dear Planning Commission,

I am writing this letter in support of the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,

Tia San Miguel

Sent from my iPhone

From: Shelly Lager <shellylager.ak@gmail.com>
Sent: Friday, January 20, 2023 8:44 AM
To: PC_Comments
Subject: Area 35 Off-Road project

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Good morning, I am writing this letter in support of the "Area 35" Off-Road Park proposal. Myself being born and raised here in Juneau believe this is not just wanted but needed for our community. I look back at the days of Dredge Lake, Thane and other opportunities we had so long ago, this is overdue by decades.

Juneau has a large population of off-road enthusiasts with little to no options to go, including our youth who need more options of outdoor activities that would be of their interest, Area 35 project will help with keep off-road off unauthorized areas, and would create a safer option than we currently have.

I believe "Area 35" project will make huge positive impact on our community and look forward in see more off-road growth here in Juneau.

Regards,

Shelly Lager
8607 Marilyn Ave
Juneau AK, 99801
907-209-0274

From: kids.lager@gmail.com
Sent: Friday, January 20, 2023 9:25 AM
To: PC_Comments
Cc: kids.lager@gmail.com
Subject: Please support ORV project

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

01-20-2023
Noah Lager
8607 Marilyn Ave
Juneau Ak 99801

Juneau Parks and Recreation
155 S.Seward St.
Juneau, Ak 99801

Dear Planning Commission ,

I am writing this letter of support for Juneau Off-Road Association for initiating the ORV Riding Park -35 Mile Proposal. I believe that this project will create some remarkable changes in Juneau.

Please vote to move this project forward, our community is in need of additional recreational opportunities. We need to encourage access to activities that our youth find interesting. Outside of organized sports we lack alternative options. Youth of all social circles show interest in motorized activities. By not providing options we are limiting their growth.

Let's set this project up for success with attainable goals and conditions.

Juneau needs this now, it's been 12 years since we last openly talked about a solution, during that time nothing changed to improve the known issue of lack of access.

Thank you,
Noah Lager
907-209-0909

Sent from a mobile device.

From: Stephen Mattson <s_mattson@yahoo.com>
Sent: Friday, January 20, 2023 10:05 AM
To: PC_Comments; Jennifer Shields
Subject: Support for 35-Mile ORV Riding Park
Attachments: Letter of support for Juneau ORV park.docx

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

January 20, 2023
Stephen Mattson
2190 Cascade Street
Juneau, Alaska 99801

Dear Planning Commission,

I am writing this letter in support of the ORV Riding Park, 35 Mile Proposal. I have lived in Juneau for most of my life (graduated JDHS, 2001), and have always enjoyed the numerous outdoor activities Juneau has to offer. However, one area Juneau lacks is an off-road vehicle recreation area. Having also lived in other areas around the state and country that do offer these spaces, I feel that Juneau would benefit greatly from an ORV park.

I am a member of the Southeast Jeep Club and, at present, for us to enjoy off-road vehicle recreation, we must travel out of town, with the closest area being the Porcupine Creek/Flower Mountain area north of Haines. We've also travelled to Moab, Utah and the Rubicon Trail in California. These trips, while very much worthwhile, are also quite expensive. Having an ORV park in Juneau would allow all enthusiasts, regardless of available funds or time, an area where they can get out and stretch their springs (so to speak). I've found that off-road vehicle recreation also helps build confidence through navigating difficult terrain, overcoming obstacles, and problem solving. It builds community and is just great fun!

The 35-mile ORV park would definitely fill a recreation gap that all off-road enthusiasts would benefit from. I am thankful that the city has been willing to let this process move forward, and I ask for you continued support in the project.

Respectfully,

-Stephen

Stephen Mattson
(907) 947-2827
s_mattson@yahoo.com
arcticknight.wordpress.com

From: Jennifer Sims <jennieshinn@hotmail.com>
Sent: Friday, January 20, 2023 11:04 AM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

I deeply support Juneau Off-Road Association in their efforts to create an ORV Riding Park, the 35 Mile Proposal. I feel that our community is in desperate need of off-road opportunities. Your continued support for this project is highly be appreciated.

Sincerely,
Jennifer Sims

From: Laurie Lott <lott.laurie92@gmail.com>
Sent: Friday, January 20, 2023 11:09 AM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

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Sincerely,
Laurie Lott
1911 lemon creek road
Juneau AK 99801

From: Jodee Dixon <jodee@modern-mechanical.com>
Sent: Friday, January 20, 2023 11:26 AM
To: PC_Comments
Subject: 35 mile, Off Road vehicle park comments

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

As CBJ Parks and Recreation Department consider the Off Road Vehicle park in the 35 mile area, please keep in mind the residents living in the 34 mile area. Buying property out the road and living off the grid in this area is done with the intent for a feeling of living remote. A thorough assessment of the noise impact from 35 to the 34 mile area should be done. If the off road vehicles are easily heard from the residential homes at 34 miles, the off road park will be strongly opposed.

Jodee Dixon

11001 Black Bear rd

Land investments at 34 mile

(907)209-8136

From: thomas.greinier <thomas.greinier@gmail.com>
Sent: Friday, January 20, 2023 11:47 AM
To: PC_Comments
Subject: please support the 35 mile orv park

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Planning Commission,

I am writing this letter to support the ORV Riding Park, 35 Mile Proposal. I believe that this project will create some remarkable and positive changes in Juneau.

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Sincerely,

Thomas Greinier

Sent from my Galaxy

From: Dr Emily Kane <dremilykane@gmail.com>
Sent: Monday, December 19, 2022 11:36 PM
To: PC_Comments
Cc: Kathleen Samalon
Subject: Property Disposal Review at 1000 Harbor Way
Attachments: Fundamental Fair Housing Act and ADA housing design features Sept 2022.docx

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

We need senior-friendly housing. Do you know what is the owner is planning for the expanded property? Is CBJ interested in providing inducements so that the property can be developed at least in part to create FHA/ADA ready condos? We need 1 and 2 bedroom units that incorporate as many as possible of the items on the enclosed list developed by the Juneau Commission on Aging. Are there limits to how the land could be used? I would be concerned about the possibility of structures higher than 3 stories because those would significantly impede view of the water for Parkshore Residents.

I hope you can manage comments in this format!
Irene or Ren please LMK if it's better to fill out a form or something.
Thank you!
Emily Kane
JCOA chair

Sent from Mail for Windows

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/community-development
155 S. Seward Street • Juneau, AK 99801

NONCONFORMING CERTIFICATE

Date: January 19, 2023
File No.: NCC2022 0039

1000 Harbor Way LLC
1000 Harbor Way, Suite 201
Juneau, AK, 99801

Proposal:	A Nonconforming Situation Review for structures and parking
Property Address:	1000 Harbor Way
Property Legal Description:	TIDELANDS ADDITION BL 51 LT 5 / LEASE TIDELANDS ADDITION BL 51 LT 3 FR
Property Parcel Code No.:	1C060K510040 / 1C060K510041

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated January 18, 2023 and has found the following situations on the lot to be certified nonconforming to the Title 49 Land Use Code of the City and Borough of Juneau:

- Nonconforming Structures (CBJ 49.30.250):
  - Lot 5:
    i. Northwest side yard setback of 0 feet
  - Lease portion of Lot 3:
    i. Northwest side yard setback of 2.6 feet
    ii. Southeast side yard setback of 0 feet
    iii. Northeast side yard setback of 0 feet
    iv. Street side setback of 1.8 feet
  - Vegetative cover of 3%
- Nonconforming Parking (CBJ 49.30.270):
  - Fourteen (14) off-street parking spaces
  - Type of off-street parking spaces: One (1) ADA accessible space is required, zero are provided

This Nonconforming Certificate applies to the nonconforming situations stated above. The nonconforming rights provided herein may be relinquished under certain circumstances provided under the CBJ Title 49 Land Use Code. It is the responsibility of the owner or agent of the owner to ensure that all development on the lot is in compliance with this certification and the CBJ Title 49 Land Use Code.

CBJ 49.30.215: Accidental damage or destruction. *Structures receiving a nonconforming certification may have the right to reconstruct a nonconforming structure per CBJ Chapter 49.30.*

This Nonconforming Certificate constitutes a final decision of the Director of Community Development. Appeals must be brought to the CBJ Planning Commission in accordance with CBJ 49.20.110. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed.

If you have any questions regarding your project or anticipate any changes to your plans, please call the Community Development Department at (907) 586-0715.

Project Planner:

Adrienne Scott, Planner I
Community Development Department

Jill Maclean, Director, AICP
Community Development Department

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ-adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

DIRECTOR'S REVIEW STAFF REPORT
NONCONFORMING CERTIFICATION
NCC2022 0039

(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/community-development
155 S. Seward Street • Juneau, AK 99801

DATE: January 19, 2023

TO: Jill Maclean, AICP | Director

BY: Adrienne Scott, Planner I

PROPOSAL: A Nonconforming Situation Review for structures and parking.

KEY CONSIDERATIONS FOR REVIEW:

- The structure was permitted in 1966, and met setback and parking requirements at the time.
- The structure crosses a lot line.
- Lot consolidation may be required before the issuance of building or development permits for this site.

GENERAL INFORMATION	
Property Owner	1000 Harbor Way LLC / City and Borough of Juneau Docks & Harbors
Applicant	1000 Harbor Way LLC
Property Address	1000 Harbor Way
Legal Description	TIDELANDS ADDITION BL 51 LT 5 / LEASE TIDELANDS ADDITION BL 51 LT 3 FR
Parcel Number	1C060K510040 / 1C060K510041
Zoning	WC Waterfront Commercial
Lot Size	4,041 square feet / 4,177.68 square feet
Water/Sewer	Public
Access	Harbor Way
Existing Land Use	Commercial
Associated Applications	PAD20220004

STAFF RECOMMENDATION:

Staff recommends the following situations receive Nonconforming Certification:

- Nonconforming Structures (CBJ 49.30.250)
- Nonconforming Parking (CBJ 49.30.270)

ABANDONMENT:

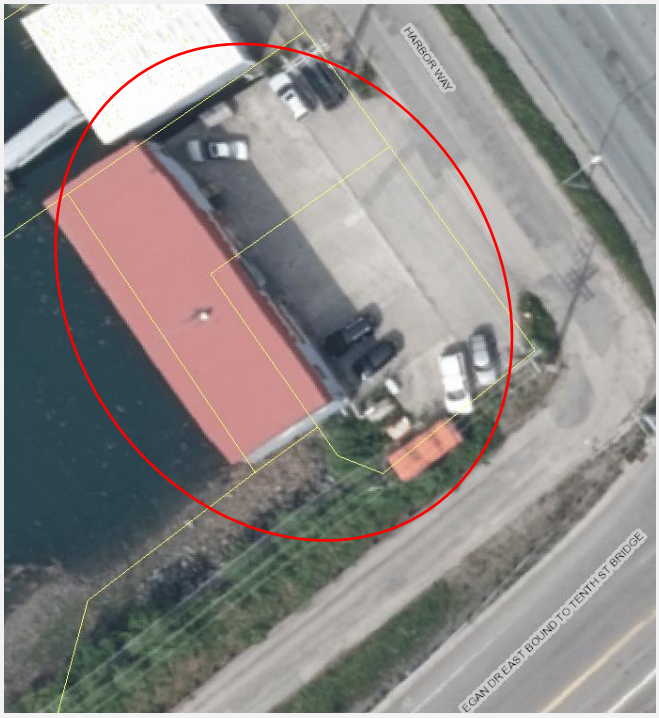
If a nonconforming situation is deemed to be abandoned by the Director, the decision may be reconsidered in accordance with CBJ 49.30.220. After reconsideration is reviewed, an appeal may be filed in accordance with CBJ 49.20.110.

NONCOMPLIANCE:

If a situation fails to be certified as nonconforming, an appeal of this decision may be filed in accordance with CBJ 49.20.110.

***CBJ 49.30.215: Accidental damage or destruction**. Structures receiving a nonconforming certification may have the right to reconstruct a nonconforming structure per CBJ Chapter 49.30.*

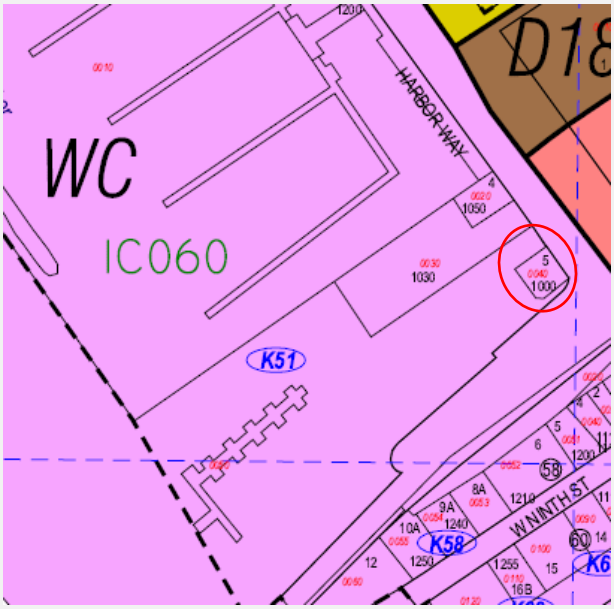
SITE FEATURES AND ZONING



SURROUNDING ZONING AND LAND USES	
North (WC)	Warehouse
South (ROW)	Harbor Way
East (ROW)	Harbor Way
West (WC)	Gastineau Channel

SITE FEATURES	
Anadromous	None
Flood Zone	Zone AE, Zone X
Hazard	None
Hillside	None
Wetlands	N/A
Parking District	N/A
Historic District	None
Overlay Districts	None

CURRENT ZONING MAP



ZONING AT TIME OF ESTABLISHMENT

ZONING HISTORY

Year	Zoning District	Summary
1964	I-1 Industrial	In 1964, the lot and surrounding area was zoned I-1. The I-1 zoning district had no minimum lot size, width, or depth. Required setbacks were 4 feet front, 4 feet street side, with no minimum rear yard or side yard setbacks. One off-street parking space was required per dwelling unit. Parking requirements were 1 space per 250 square feet of floor space for offices, and one parking space for each 3 employees for warehouses. Dimensional requirements were met at time of establishment.
1967	I-1 Industrial	In 1967, the structure was built across the two lots, crossing the lot line. Dimensional requirements continued to be met.
1969	I Industrial	In 1969, the lot and surrounding area was rezoned Industrial (I). The Industrial zoning district had a minimum lot size of 5,000 square feet, with a minimum lot width of 50 feet. Required setbacks were 20 feet front, with no minimum rear yard or side yard setbacks. One off-street parking space was required per dwelling unit. Parking requirements were 1 space per 250 square feet of floor space for offices, and one parking space for each 3 employees for warehouses. Lot 5 became nonconforming for lot size.
1987	WC Waterfront Commercial	In 1987 the lot and surrounding area was rezoned WC. The WC zoning district had a minimum lot size of 2,000 square feet, with a minimum lot width of 20 feet and minimum lot depth of 60 feet*. Required setbacks were 10 feet front, 10 feet rear, and 10 feet side. One off-street parking space was required per dwelling unit. Parking requirements were 1 space per 300 square feet of floor space for offices. Lot 5 became conforming for lot size. The structure became nonconforming for yard setbacks and the use became nonconforming for parking.
2021	*All zoning districts – lot depth repealed	On August 23, 2021, the CBJ Assembly adopted Ordinance 2021-28, repealing lot depth as a minimum dimensional standard. Other dimensional standards for the WC zoning district remain the same.

BACKGROUND INFORMATION

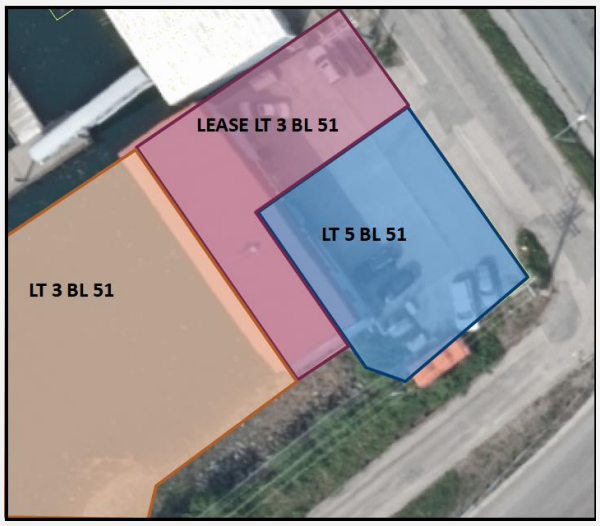
The applicant requests a Nonconforming Situation Review for structures and parking. The lots were originally platted in 1962 (Plat 347, Tidelands Addition to the City of Juneau, a subdivision of Alaska Tidelands Survey No 3), and the structure was constructed in 1967.

The structure was constructed on two lots and crosses a lot line. Lot 5 is currently owned by 1000 Harbor Way LLC (Tidelands Addition BL 51 LT 5). Lot 3 (Tidelands Addition BL 51 LT 3) is owned by the City and Borough of Juneau. A portion of Lot 3 is leased to 1000 Harbor Way LLC. The lease lot portion of Lot 3 was created in 1967 through a lease between the City of Juneau (lessor) and D. C. and Phyllis Langdon dba L & M Enterprises (lessee) (Recorded

in Deed Book 85, Page 90). Lot 5 was modified in 1967, by a State of Alaska Right-of-Way taking (Case No. 67-125 of the State of Alaska Superior Court at Juneau, recorded in Deed Book 85, Page 358). Lot 3 was modified in 1980 when a portion was conveyed to the State of Alaska (recorded in Deed Book 170 page 557).

LOT CONFIGURATION IN 1962

CURRENT LOT CONFIGURATION



INFORMATION REVIEWED

Year	Type	Summary
1962	Plat	Plat 347, Tidelands Addition to the City of Juneau created lots 5 and 3.
1966	Building Plans	Plans for the building at 1000 Harbor Way are marked as “Approved” by the City of Juneau Alaska. Demonstrates that the building was approved in its current location. Used to determine building height.
1967	Lease	The lease recorded in Deed Book 85 page 90 created the leased portion of Lot 3 that the structure was built on.
1967	Declaration of Taking	Case No. 67-125 of the State of Alaska Superior Court at Juneau, recorded in Deed Book 85, Page 358, modified the dimensions of Lot 5.
1980	Warranty Deed	The warranty deed recorded in Deed Book 170 page 557, modified the dimensions of the leased portion of Lot 3 by deeding a portion to the State of Alaska.
1987	Plat	Plat 87-25 shows the State of Alaska Right-of-Way adjacent to the structure.
1999	As Built Survey	Used to determine setbacks.
2013	Aerial photography	Used to estimate vegetative cover.
2022	Site visit	Confirm parking, vegetative cover.

ANALYSIS

Zoning District Comparison Table – The tables below lists the required standards for the WC zoning district compared to the lot. A description of these situations is provided in the following sections. Items bolded do not meet current requirements.

LOT 5 BLOCK 51

Standard		Requirement	Existing	Code Reference
Lot	Size	2,000 square feet	4,041 square feet	CBJ 49.25.400
	Width	20 feet	66.6 feet	CBJ 49.25.400
Setbacks	Front (NE)	10 feet	51 feet	CBJ 49.25.400
	Rear (SW)	0 feet (tidewater)	0 feet (encroaches)*	CBJ 49.25.430 (G)
	Side (NW)	10 feet	**0 feet (encroaches)***	CBJ 49.25.400
	Street Side (SE)	10 feet	**16.3 feet**	CBJ 49.25.400
Lot Coverage		None	14%	CBJ 49.25.400
Height	Permissible	35 feet	22 feet	CBJ 49.25.400
	Accessory	35 feet	N/A	CBJ 49.25.400
Maximum Dwelling Units		18 units/acre	**None**	CBJ 49.25.500
Use		Waterfront Commercial	CBJ 49.25.300 Table of Permissible Uses 3.400	CBJ 49.25.300
Vegetative Cover		10%	~3%	CBJ 49.50.300
Parking		16		CBJ 49.40.210(a)

** Structure encroaches onto neighboring lease portion of Lot 3. Lot consolidation may be required prior to issuance of a development permit for this lot.*

LEASE PORTION OF LOT 3 BLOCK 51

Standard		Requirement	Existing	Code Reference
Lot	Size	2,000 square feet	4,117.68 square feet	CBJ 49.25.400
	Width	20 feet	39 feet	CBJ 49.25.400
Setbacks	Front (NE)	10 feet	51 feet	CBJ 49.25.400
	Rear (SW)	0 feet (tidewater)	0 feet	CBJ 49.25.430 (G)
	Side (NW)	10 feet	**2.6 feet**	CBJ 49.25.400
	Side (SE)	10 feet	**0 feet (encroaches)***	CBJ 49.25.400
	Side (NE)	10 feet	**0 feet (encroaches)***	CBJ 49.25.400
	Street Side (SE)	10 feet	**1.8 feet**	CBJ 49.25.400
Lot Coverage		None	14%	CBJ 49.25.400
Height	Permissible	35 feet	22 feet	CBJ 49.25.400
	Accessory	35 feet	N/A	CBJ 49.25.400
Maximum Dwelling Units		18 units/acre	**None**	CBJ 49.25.500
Use		Waterfront Commercial	CBJ 49.25.300 Table of Permissible Uses 3.400	CBJ 49.25.300
Vegetative Cover		10%	~3%	CBJ 49.50.300
Parking		16	**14**	CBJ 49.40.210(a)

** Structure encroaches onto neighboring lot 5. Lot consolidation may be required prior to issuance of a development permit for this lot.*

LOT 3 BLOCK 51

Standard		Requirement	Existing	Code Reference
Lot	Size	2,000 square feet	126,498 square feet	CBJ 49.25.400
	Width	20 feet	1,126.12 feet	CBJ 49.25.400
Setbacks	Front	10 feet	No structure	CBJ 49.25.400
	Rear	0 feet (tidewater)	No structure	CBJ 49.25.430 (G)
	Side	0 feet (tidewater)	No structure	CBJ 49.25.430 (G)
	Street Side	10 feet	No structure	CBJ 49.25.400
Lot Coverage		None	14%	CBJ 49.25.400
Height	Permissible	35 feet	N/A	CBJ 49.25.400
	Accessory	35 feet	N/A	CBJ 49.25.400
Maximum Dwelling Units		18 units/acre	**None**	CBJ 49.25.500
Use		Waterfront Commercial	N/A	CBJ 49.25.300
Vegetative Cover		10%	N/A	CBJ 49.50.300
Parking		16	N/A	CBJ 49.40.210(a)

Minimum Lot Requirements – As shown in the tables above, the minimum lot size and width are met for the three lots.

Finding: Staff finds the lots conforming for lot size and lot width.

Minimum Setback Requirements – The structure crosses a lot line, and does not meet minimum setback requirements. Setbacks were determined using the provided as-built survey. The structure was built in 1967 and the plans are stamped as approved by the City of Juneau Alaska dated October 25, 1966. The structure met setback requirements at the time of construction.

Finding: Staff finds the structure nonconforming for setbacks.

Lot Coverage – There is no maximum lot coverage in the WC zoning district.

Finding: Staff finds the lot conforming for lot coverage.

Structure Height – The building height is 22 feet as shown on the 1967 building plans and does not exceed the maximum height.

Finding: Staff finds the structure conforming for height.

Residential Density – There are no dwelling units on the lots.

Finding: Staff finds this situation not applicable.

Use – The use of the lots is as office space. In the Table of Permissible Uses (CBJ 49.25.300), offices greater than 2,500 square feet (3.400) are allowed in the Waterfront Commercial zoning district if the use is water-dependent, water-related, or water-oriented. In the narrative for related case PAD2022004 the applicant stated that their company Hansen Gress (which provides IT support for the maritime industry), and two of their major tenants Wartsila, a cruise ship maintenance contractor, and the Marine Exchange are water-dependent, water-related, or water-oriented.

Finding: Staff finds the lots conforming for use.

Vegetative Cover – The vegetative cover for the two lots is estimated to be approximately 3%.

Finding: Staff finds the lot nonconforming for vegetative cover.

Parking – CBJ 49.40.210 requires sixteen (16) off-street parking spaces, with one being ADA accessible. Currently the parking lot consists of 14 spaces with no ADA spaces provided. Under the Land Use Code, the parking is nonconforming as ADA spaces were not required when the commercial structure was permitted. However, if the parking lot is altered, this triggers the requirement for one ADA space per CBJ 49.40.210(b).

Use	Total Sq. Ft.	Spaces Required
Office	4,928 square feet	1 per 300 square feet
	Total Parking Requirement: **Total Spaces Provided:**	**16 (with one ADA)** **14 (no ADA spaces)**

Finding: Staff finds the use nonconforming for off-street parking spaces.

Finding: Staff finds the use nonconforming for type of off-street parking spaces, no ADA accessible parking is provided on-site. One (1) ADA accessible space is required. If the parking lot is altered, the applicant shall construct the required number of ADA parking spaces.

Modifications to Nonconforming ADA Parking: *Accessible spaces are required where parking facilities are altered or added. The term 'alterations' includes resurfacing of vehicular ways (2004 ADAAG Section 106.5). Resurfacing or resealing and projects that add new parking spaces constitute alterations (or additions) and must include accessible spaces as required in the scoping table. Normal maintenance, such as pothole repair, surface patching, or repainting in place existing striping for a few spaces, is not considered an alteration except where it affects a facility's usability.*

NONCOMPLIANT SITUATIONS

CBJ 49.30.310(j) **Failure of a situation to qualify for nonconforming certification**. If a situation does not qualify for or is denied nonconforming certification, it is noncompliant and the property is subject to enforcement actions consistent with this title.

No information has been found to suggest noncompliant situations exist on the lot.

ABANDONMENT

CBJ 49.30.220(b) Abandonment of a nonconforming situation. *A nonconforming situation is abandoned if any of the following events occur:*

(1) The owner indicates in writing that the nonconforming situation is being permanently discontinued;

(2) The nonconforming situation is damaged, destroyed, removed or demolished intentionally by the owner or intentionally by an authorized agent of the owner;

(3) The nonconforming structure is moved;

(4) The owner takes action consistent with an intent to abandon the nonconforming situation;

(5) The structure(s) associated with the nonconforming situation has been vacant for 365 consecutive days;

(6) Except for a structure with a nonconforming residential density, the nonconforming use has ceased and not substantially resumed for 365 consecutive days; or

(7) A structure with a nonconforming residential density has been unoccupied for 1095 consecutive days.

No information has been submitted to suggest the nonconforming situations on the lot have been abandoned.

Finding: Staff finds none of the above events have taken place and the nonconforming situations are not deemed abandoned.

FINDINGS

1. **Were the nonconforming situations allowed, or not prohibited by law, when they were established?**

   Analysis: The commercial structure was permitted in 1967. Setbacks and parking requirements were met at the time of establishment.

   Finding: Yes. The nonconforming situations were allowed, or not prohibited by law, when it was established.

2. **Has the nonconforming situation been abandoned?**

   Analysis: No additional analysis needed.

   Finding: No. The nonconforming situations have not been abandoned.

RECOMMENDATION

Staff recommends that the Director adopt the analysis and findings, and find the following situations on the lot to be NONCONFORMING to the Title 49 Land Use Code and issue a Nonconforming Certification for the following situations:

- Nonconforming Structures (CBJ 49.30.250):

- Lot 5:
  i. Northwest side yard setback of 0 feet
- Lease portion of Lot 3:
  i. Northwest side yard setback of 2.6 feet
  ii. Southeast side yard setback of 0 feet
  iii. Northeast side yard setback of 0 feet
  iv. Street side setback of 1.8 feet
- Vegetative cover of 3%

➢ Nonconforming Parking (CBJ 49.30.270):
- Fourteen (14) off-street parking spaces
- Type of off-street parking spaces: One (1) ADA accessible space is required, zero are provided

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	Information Reviewed

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

To be completed by Applicant

PROPERTY LOCATION

Physical Address: 1000 Harbor Way

Legal Description(s) (Subdivision, Survey, Block, Tract, Lot): TIDELANDS ADDITION BL 51 LT 5

Parcel Number(s): 1C060K510040

☐ This property is located in the downtown historic district
☐ This property is located in a mapped hazard area, if so, which _____

LANDOWNER/ LESSEE

Property Owner: Hansen Gress/CBJ

Contact Person: Tyler Gress

Mailing Address: 1000 Harbor Way

Phone Number(s): 9074636900

E-mail Address: tyler@hansengress.com

LANDOWNER/ LESSEE CONSENT

Required for Planning Permits, not needed on Building/ Engineering Permits.

Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.

I am (we are) the owner(s)or lessee(s) of the property subject to this application and I (we) consent as follows:

A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.
B. I (we) grant permission for the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.

Dan Bleidorn — **Landowner/Lessee (Printed Name)**
CBJ Land Mana — **Title (e.g.: Landowner, Lessee)**

X Daniel Bleidorn — **Landowner/Lessee (Signature)**
9/13/22 — **Date**

Tyler Gress — **Landowner/Lessee (Printed Name)**
Lessee — **Title (e.g.: Landowner, Lessee)**

X Tyler — **Landowner/Lessee (Signature)**
8/31/2022 — **Date**

NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.

APPLICANT

If same as LANDOWNER, write "SAME"

Applicant (Printed Name): 1000 Harbor Way, LLC

Contact Person: Tyler Gress

Mailing Address: 1000 Harbor Way, Suite 201

Phone Number(s): 907-723-7069

E-mail Address: tyler@hansengress.com

X Tyler — **Applicant's Signature**

8/31/2022 — **Date of Application**

----------DEPARTMENT USE ONLY BELOW THIS LINE----------

Intake Initials	
AS	
Case Number	**Date Received**
NCC22-039	11/8/22

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

803

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

APPLICATION FOR A NONCONFORMING CERTIFICATION REVIEW

See reverse side for more information regarding the permitting process and the materials required for a complete application.

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

TYPE OF NONCONFORMING SITUATION (CHECK ALL THAT MAY APPLY)

☐ USE ☑ STRUCTURE ☐ DENSITY ☐ PARKING ☐ LOT

Have you submitted a narrative that fully explains the above listed nonconforming situations? YES ☑ NO ☐

The narrative should explain the nature of the nonconforming situation(s). Be specific, state past and present uses of the building, property, etc.

List all relevant information being submitted. Include this material and an as-built or site plan with the application.

Relevant information to show that the ***situation was allowed when established*** may include: building or land use permits, recorded plats, zoning codes or maps, dated photographs.

Situation	Type of Documentation
Structure has been constructed within setbacks on the rear and side lot lines.	
Structure has been built on the lot lines of Lot 5.	
Note: Even after lot consolidation, the west lot line will be nonconforming.	

Relevant information to show that the ***situation was maintained over time*** may include: business licenses, dated photographs, insurance records and maps, utility bills, property tax records, business license, telephone listing, advertisement in dated publications, leases.

Maintained Situation	Type of Documentation

NOTE: If an as-built survey is not submitted, the Community Development Department may not be able to issue a Nonconforming Certificate for setbacks. As-built surveys should show the property in its current condition.

ALL REQUIRED MATERIALS ATTACHED

- ☑ **Complete Application (Per CBJ 49.30.310)**
  - ☑ **Narrative**
  - ☑ **As-built survey or similar document**
  - ☑ **Documentation**
  - ☑ **Fees**

NONCONFORMING CERTIFICATION REVIEW FEES:

	Fees	Check No.	Receipt	Date
Application Fees	$ Ø			
Admin. of Guarantee	$			
Adjustment	$			
Total Fee	$ Ø			

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center 907-586-0770.

Case Number	Date Received
NCC22-039	11/8/22

804

Nonconforming Certification Application Instructions

Nonconforming Situations is outlined in CBJ 49.30.310

Pre-Application Conference: A pre-application conference is **NOT** required prior to submitting an application. It is highly recommended that applicants meet with a planner to discuss the nonconforming situation(s) and necessary or appropriate documentation for submittal. Staff may have access to documentation that the applicant does not. Please contact the Permit Center at 907-586-0770 or via e-mail at permits@juneau.org.

Application: An application for a Nonconforming Certificate will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed application for Nonconforming Certificate and Development Permit Application forms.
2. **Fees:** Fee is $150. If submitted in conjunction with a development permit, the fee is waived. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the nonconforming situation(s).

Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Application Review: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: As part of the review process, the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes. Depending on the details of the permit request, the application may require review by other City & Borough of Juneau departments. Applicants may be required to provide additional information and clarification.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

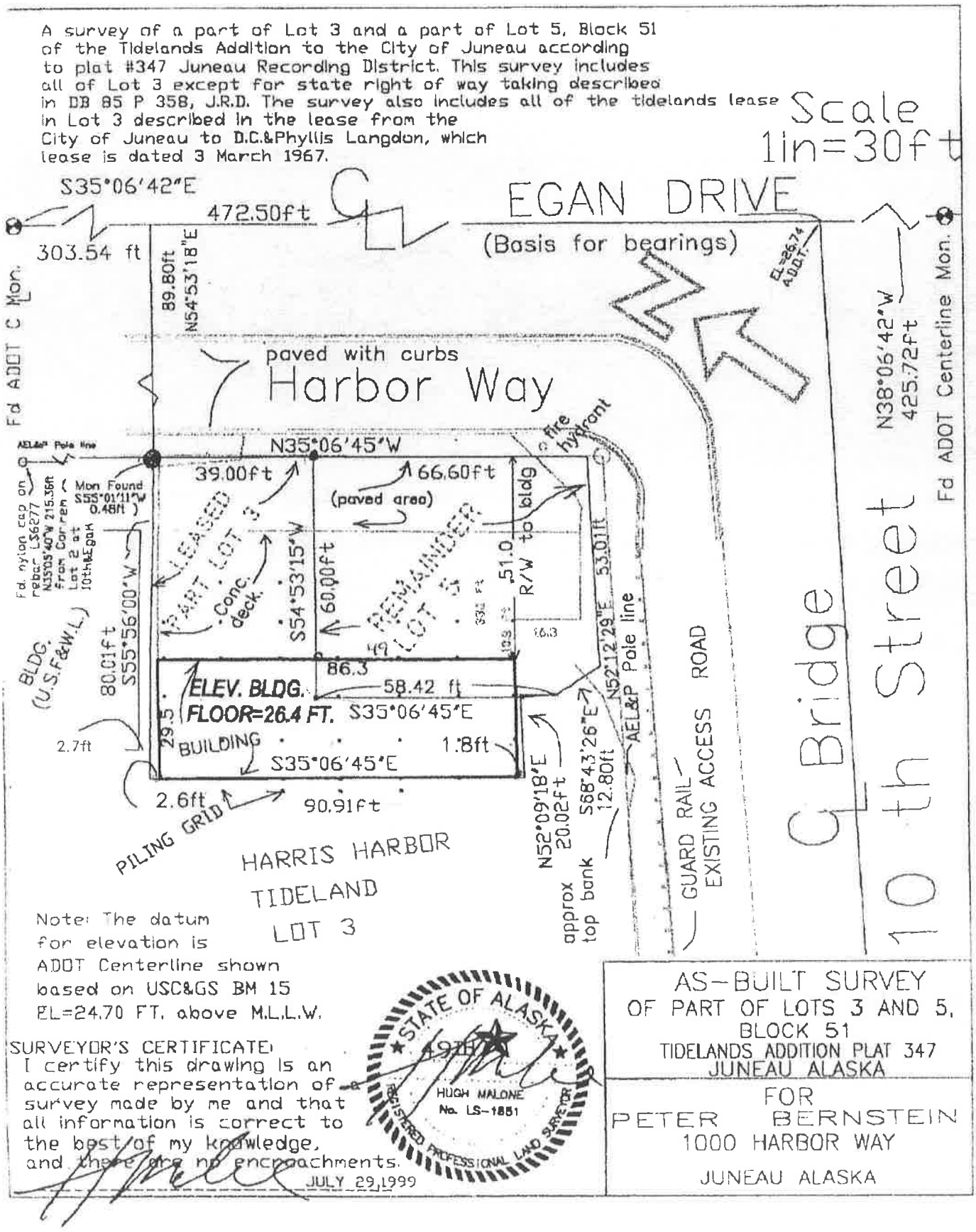
The narrative for this non-conforming certification is pretty simple. This application was requested in conjunction with our overarching application to purchase and subsequently consolidate lots at 1000 Harbor Way.

Historic information is lacking and that is why we have the non-conforming situation. The building sits where it sits, and the lot lines are where they are. Apparently since it was built in the 1960s, although the lot and sublot leaves more questions than answers. We are trying to remediate as much of these non-conformities as possible by purchasing and consolidating the lots.

We are including an as-built from 2008, which shows the lots and building layout.

Please contact me with any specific questions.

I believe the fee is waived as this is submitted in conjunction with the other permit / application, etc.


A survey of a part of Lot 3 and a part of Lot 5, Block 51 of the Tidelands Addition to the City of Juneau according to plat #347 Juneau Recording District. This survey includes all of Lot 3 except for state right of way taking described in DB 85 P 358, J.R.D. The survey also includes all of the tidelands lease in Lot 3 described in the lease from the City of Juneau to D.C.&Phyllis Langdon, which lease is dated 3 March 1967.
Scale 1in=30ft
S35°06'42"E
472.50ft
303.54 ft
EGAN DRIVE
(Basis for bearings)
Fd ADOT C Mon.
89.80ft N54°53'18"E
paved with curbs
Harbor Way
EL=26.74 4.00ft.
N38°06'42"W 425.72ft
Fd ADOT Centerline Mon.
fire hydrant
AEL&P Pole line
N35°06'45"W
39.00ft
66.60ft
(paved area)
Fd nylon cap on rebar LS6277 N35°05'40"W 215.36ft from Corner Lot 2 at 10th&Egan
Mon Found S55°01'11"W 0.48ft
LEASED PART LOT 3
Conc. deck
S54°53'15"W
60.00ft
REMAINDER LOT 5
51.0 R/W to bldg
53.01ft
BLDG. (U.S.F&W.L.)
80.01ft S55°56'00"W
86.3
58.42 ft
ELEV. BLDG. FLOOR=26.4 FT.
S35°06'45"E
29.5
BUILDING
1.8ft
2.7ft
S35°06'45"E
2.6ft
90.91ft
PILING GRID
HARRIS HARBOR
TIDELAND
LOT 3
N52°12'29"E
AEL&P Pole line
N52°09'18"E 20.02ft
S68°43'26"E 12.80ft
approx top bank
GUARD RAIL
EXISTING ACCESS ROAD
10th Street Bridge
Note: The datum for elevation is ADOT Centerline shown based on USC&GS BM 15 EL=24.70 FT. above M.L.L.W.
SURVEYOR'S CERTIFICATE
I certify this drawing is an accurate representation of survey made by me and that all information is correct to the best of my knowledge, and there are no encroachments.
JULY 29,1999
STATE OF ALASKA
HUGH MALONE
No. LS-1851
REGISTERED PROFESSIONAL LAND SURVEYOR
AS-BUILT SURVEY
OF PART OF LOTS 3 AND 5, BLOCK 51
TIDELANDS ADDITION PLAT 347
JUNEAU ALASKA
FOR
PETER BERNSTEIN
1000 HARBOR WAY
JUNEAU ALASKA

CITY OF JUNEAU

TIDELANDS ADDITION TO THE CITY OF JUNEAU

SUBDIVISION OF ALASKA TIDELANDS SURVEY NO. 3

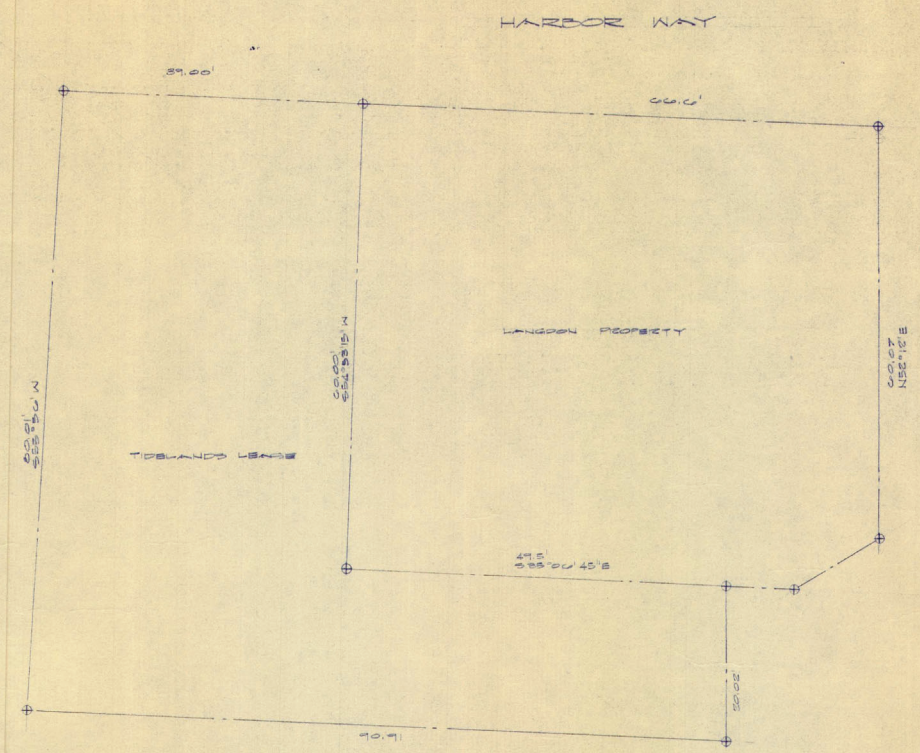
Approved: Mayor, City of Juneau

Scale:	Date Approved:	SHEET 8 OF 19
1" = 40'	AUGUST 30, 1962	

TONER & NORDLING - REGISTERED ENGINEERS - JUNEAU, ALASKA

808

S. Dist # 340



TIDELANDS LEASE APPLICATION NO 4
PORTION OF LOT B1, BLOCK B1
D. C. LANGDON

PLOT PLAN
SCALE 1" = 10'-0"

REVISION #1 - OCTOBER 6, 1966

PLOT PLAN

LINN A. FORREST ARCHITECTS, A.I.A.
622 HEMLOCK WAY, JUNEAU, ALASKA

AUGUST 30, 1966

RETAIL & SERVICE FACILITY

FOR D. C. LANGDON

A-1

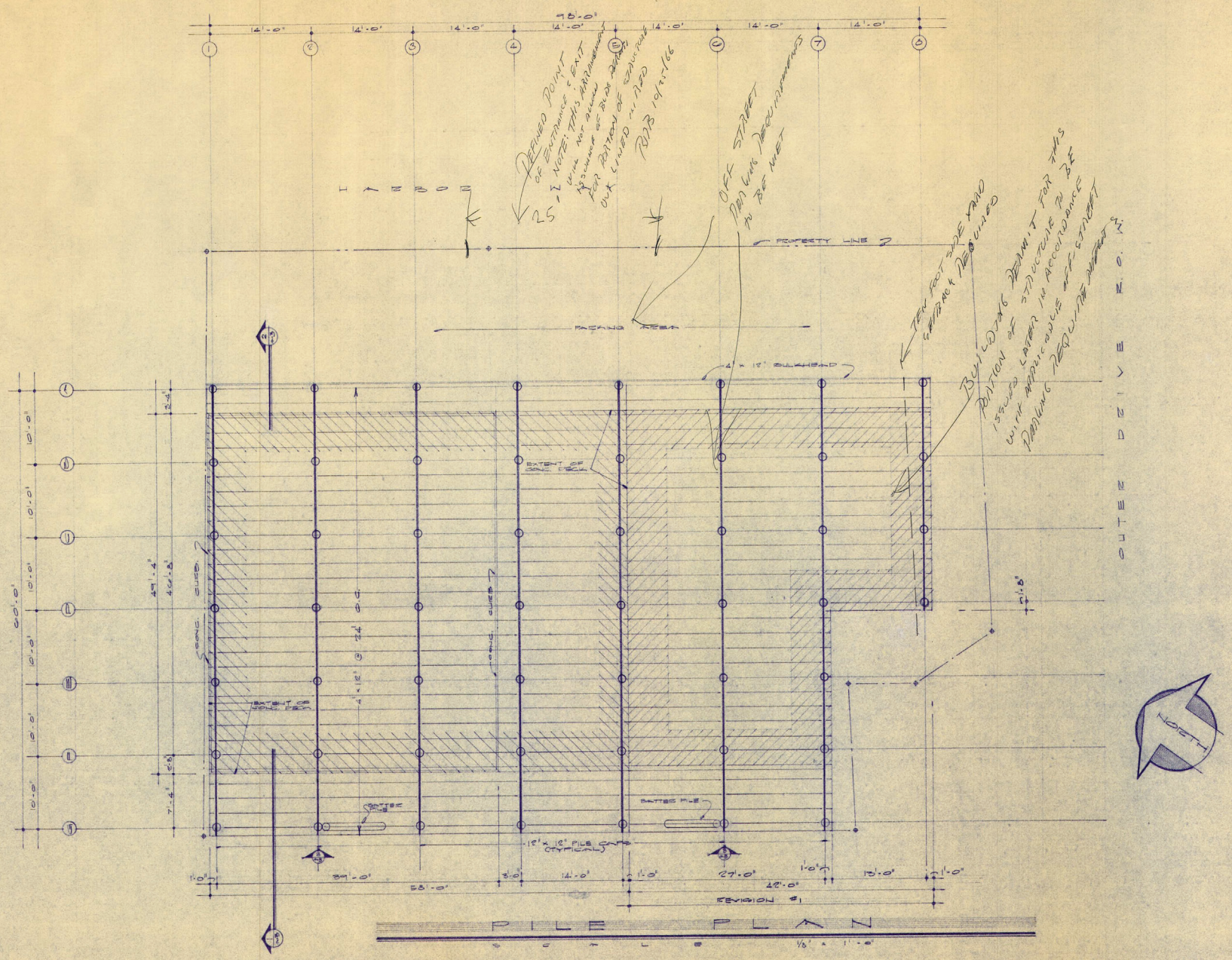
FOUR

809

Office Copy

CITY OF JUNEAU ALASKA
DATE 12-25-66
APPROVED
DISAPPROVED
BUILDING OFFICIAL
FIRE MARSHAL

U. S. FOREST SERVICE



DOCK FRAMING PLAN

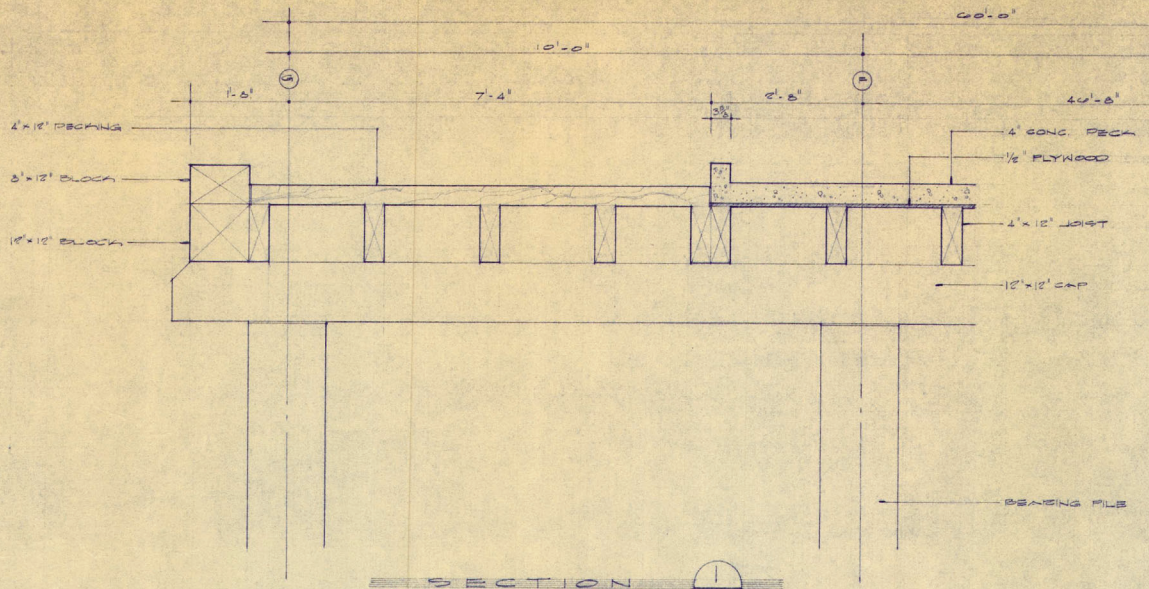
LINN A. FORREST ARCHITECTS, A.I.A.
622 HEMLOCK WAY, JUNEAU, ALASKA

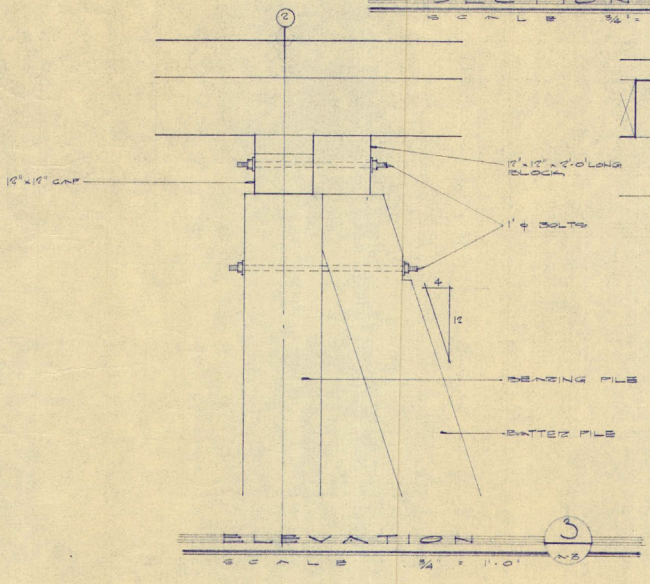
AUGUST 20, 1966

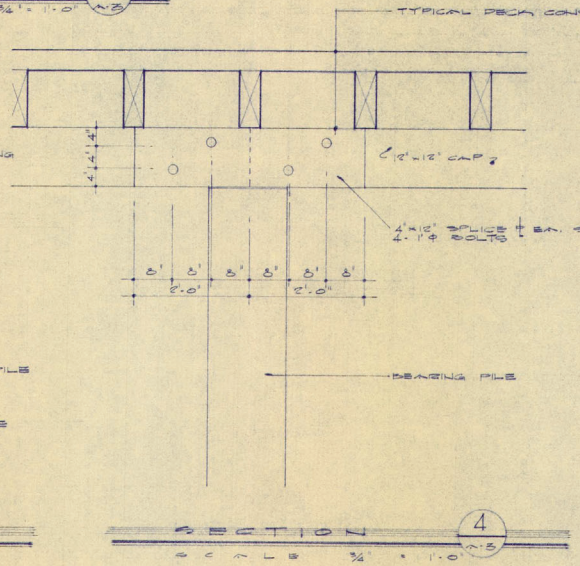
RETAIL & SERVICE FACILITY

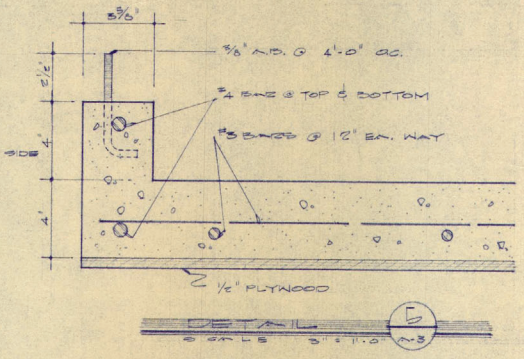
FOR D. C. LANGDON

REVISION #1, OCTOBER 6, 1966









NOTES

1. ALL CONCRETE TO HAVE 3000 PSI COMPRESSIVE STRENGTH IN 28 DAYS.
2. REINFORCING STEEL SHALL BE INTERMEDIATE GRADE DEFORMED BARS.
3. PLACE REINFORCING STEEL SUCH THAT BOTTOM OF STEEL IS 2" ABOVE THE FORMS.
4. LAP REINFORCING STEEL 12" MIN.
5. PLACE DEFT FIN, 1"ø x 24" LONG THROUGH CAP @ EA. PILE.
6. SPIKE JOISTS AND DECKING SECURELY @ EA. BEARING.

REVISION #1, OCTOBER 6, 1966

DETAILS

LINN A. FORREST ARCHITECTS, A.I.A.
622 HEMLOCK WAY, JUNEAU, ALASKA

AUGUST 30, 1966

RETAIL & SERVICE FACILITY

FOR D. C. LANGDON

A

SPECIFICATIONS

1. General

This specification shall cover the requirements for furnishing all the materials, labor and performing all work necessary to drive all piles, place all fill, install all retaining walls, caps, joists and decking for the Retail and Service Facility for D. C. Langdon, located on Lot 3, Block 51, (Tidelands Lease Application No. 4), in accordance with the plans and specifications.

2. Site Work

A. Parking Area

Grade parking area to 12" below finish grade and fill to finish grade with coarse gravel. Slope toward street at 1/8" per foot. Any fill brought in from off the site shall be pit run gravel and compacted to 90 percent.

3. Dock Construction

A. Materials

SEE REV. #1 ~~1. General.~~ All material supplied by the Contractor for use on the project shall be new.

2. Piling. All piling shall be Douglas Fir, Class B in accord with the ASTM Specification for Round Timber Piles D25-55, treated with Coal-Tar Creosote to a minimum net retention of twelve (12) pounds per cubic foot. All phases of the treatment with the exception of the retention specified, shall be in accord with the requirements of Federal Specification TT-W-571g, dated August 10, 1961.

SEE REV. #1 ~~3. Lumber.~~ Lumber used throughout the construction shall be Construction Grade Douglas Fir, Sitka Spruce, or Western Hemlock. All lumber used shall be treated with Coal-Tar Creosote in accord with Federal Specifications TT-W-571g, dated August 10, 1961, to a minimum net retention of ten (10) pounds per cubic foot.

4. Hardware. Machine bolts, Driftpins and Dowels may be either wrought iron or medium steel. Washers shall be cast ogee gray iron castings or malleable castings. Bolts shall have square heads and nuts. Nails shall be cut or round nails of standard form. Spikes shall be cut, round spikes, or boat spikes. All hardware, with the exception of driftpins, timber connectors, shall be galvanized in accord with ASTM Specification 153.

B. Construction

1. Pile Driving. All piling shall be driven as shown on the plans or as ordered in writing by the Architect. They shall be driven tip down. Piles shall not be more than two (2) percent out of plumb. All piling for the dock shall have a minimum bearing value of twenty (20) tons as determined by the applicable formula set forth in Article 400-1.4, Page 185 of FP-61, for the type of hammer used to drive the piling. When jetting is required to place the piling, no jet shall be used during the test blows required under the various formula.

Minimum penetration of bearing and battered piles shall be fifteen (15) feet. Retaining wall piles shall be driven to a penetration equal to one and one-half (1-1/2) times the height of the retained fill with a minimum penetration of five (5) feet and maximum penetration of fifteen (15) feet. Except when the pile head is fitted into a steel head block, every timber pile shall be provided with a metal collar or wire wrapping. When the nature of driving is such that piles may be unduly injured, the heads of all piles shall be protected by caps of approved design, preferably having a rope or other suitable cushion next to the pile head and fitting into a casting which in turn supports a timber shock block.

Full length piles shall be used throughout. No splicing of piles will be permitted. Piles shall be driven with steam, air, or gravity hammers or a combination of hammers with water jets. The plant and equipment furnished for steam and air hammers shall have sufficient capacity to maintain, under working conditions, the pressure specified by the manufacturer. The boiler or tank shall be equipped with an accurate pressure gauge and another gauge shall be supplied at the hammer intake to determine the drop in pressure between the gauges.

Any gravity hammer shall weigh not less than the combined weight of the driving head and the pile and not less than three thousand (3,000) pounds, whichever is greater. The fall shall be regulated to avoid injury to the pile and in no case shall exceed fifteen (15) feet.

Steam and air hammers shall be approved hammers that develop sufficient energy to drive the piles at a penetration rate of not less than one-eighth (1/8) inch per blow at the required bearing value. When steam or air hammers are used, the total energy developed by the hammer shall be not less than seven thousand (7,000) foot pounds per blow.

Piles shall be supported in line and position with leads while being driven. Pile driven leads shall be constructed in such a manner as to afford freedom of movement of the hammer and shall be so held in position as to insure lateral support to the pile while being driven.

The method used in driving piles shall not subject them to excessive and undue abuse producing splitting, splintering, and brooming of the wood. Manipulation of the piles to force them into proper position, if considered by the Architect to be excessive, will not be permitted. Any pile damaged in driving by reason of internal defects, or by improper driving, or driven out of proper location, or driven below the elevation fixed by the plans or by the Architect shall be corrected at the Contractor's expense by one of the following methods approved by the Architect for the pile in question:

a. The pile shall be withdrawn and replaced by a new and, when necessary, longer pile.

b. A second pile shall be driven adjacent to the defective pile and the defective pile either tied off to the new pile or cut off as directed by the Architect.

Where dock construction is to follow immediately, piles shall be cut off at the elevation indicated on the plans. The length of the pile cutoff shall be sufficient to permit removal of all injured material. Piles inaccurately cut off shall be replaced. Cutoffs shall be made in clean straight lines at right angles to the axis of the pile to insure full even bearing of the caps.

After being cut to receive the cap, the sawed surface and the scarfed sides of the treated piling shall be given two (2) coats of hot creosote oil. The top and the scarfed sides of the pile shall then receive one coat of asbestos cement and one layer of 15 pound felt.

Treated piles shall be handled carefully. They shall not be dropped, outer fibers shall not be broken, and surface shall not be bruised nor penetrated by tools unnecessarily. All cuts and abrasions in treated piles shall be coated with at least three (3) applications of hot creosote oil and covered with hot roofing pitch. Before bolts are driven, all holes shall be impregnated with hot creosote oil by means of an approved bolt-hole treater. All unfilled holes, after being treated, shall be plugged with creosoted plugs.

2. Workmanship. Treated timber shall be framed before treatment and shall be handled carefully without dropping, breaking of outer fibers, or bruising or penetrating the surface with tools. Cant dogs, hooks, or pike poles shall not be used. In framing treated timbers, the required boltholes shall be drilled before treatment. All cuts and abrasions in creosote treated timbers shall be carefully trimmed and treated with at least three (3) applications of hot creosote oil and covered with hot roofing pitch. All cuts and abrasions in lumber or timber treated with pentachlorophenol shall be trimmed and treated with three (3) coats of the same preservative. Before driving bolts, any bolt-holes that were required to be drilled after treatment, shall be impregnated with hot creosote oil by means of an approved bolthole treater. Any unfilled holes, after being treated with creosote oil, shall be plugged with creosoted plugs. Holes for round driftbolts and dowels shall be bored with a bit one-sixteenth (1/16) inch smaller in diameter than that of the bolt or dowel used. Holes for machine bolts shall be bored with a bit the same diameter as that of the bolt. Holes for lag screws shall be bored with a bit not larger than the body of the screw at the base of the thread. Washers of standard size and type, for the applicable joint, will be used under all boltheads, nuts, and lag screw heads which would otherwise come in contact with wood. For ordinary timber joints, cast-iron washers shall have a thickness equal to the bolt diameter and shall have a diameter equal to four (4) times the bolt diameter. Recesses formed by countersinking in treated timber shall be painted with two (2) coats of hot creosote oil, and after bolts or lag screws are in place, shall be filled with hot pitch.

All lumber and timber shall be accurately cut and framed to a close fit in such a manner that the joints will have an even bearing over the entire contact surface. Shimming will not be permitted in making joints, nor will open joints be accepted.

Decking for the dock shall be S1S. The planks shall be laid with the smooth face down with one half (1/2) inch openings between them. Each plank shall be securely nailed at each support. The planks shall be graded as to thickness and so laid that no two adjacent planks shall vary in thickness by more than one-sixteenth (1/16) inch. Joints shall be staggered so that no two adjacent planks butt on the same support.

END OF SPECIFICATIONS

REVISION NO. 1

The following revisions shall be made to the specifications above. The paragraphs below shall be considered part of the contract documents and nullify the same paragraphs in the specifications above.

3. Dock Construction

A. Materials

1. General. All material supplied by the Contractor for the project shall be new except piles. Good used "Class A" treated piles may be used in place of new piles as approved by Architect.

3. Lumber. All lumber used throughout the construction shall be Construction Grade Douglas Fir, Sitka Spruce, or Western Hemlock. Piles, Caps, Stringers and Bulkhead shall be treated with Coal-Tar Creosote in accord with Federal Specifications TT-W-571g, dated August 10, 1961, to a minimum net retention of ten (10) pounds per cubic foot. All decking shall be treated with Oil Born Pentachlorophenol by the empty cell process with minimum retention of six (6) pounds per cubic foot to conform with Federal Specifications TT-W-00571f and (AGR-FS) TT-W-570a.

END OF REVISIONS TO SPECIFICATIONS

REVISION #1, OCTOBER 6, 1966

STATE OF ALASKA * 4921 * REGISTERED PROFESSIONAL ENGINEER NO. 1000-A

STATE OF ALASKA * 4921 * REGISTERED PROJECT ENGINEER 140A

SPECIFICATIONS

LINN A. FORREST ARCHITECTS, A.I.A.
622 HEMLOCK WAY, JUNEAU, ALASKA

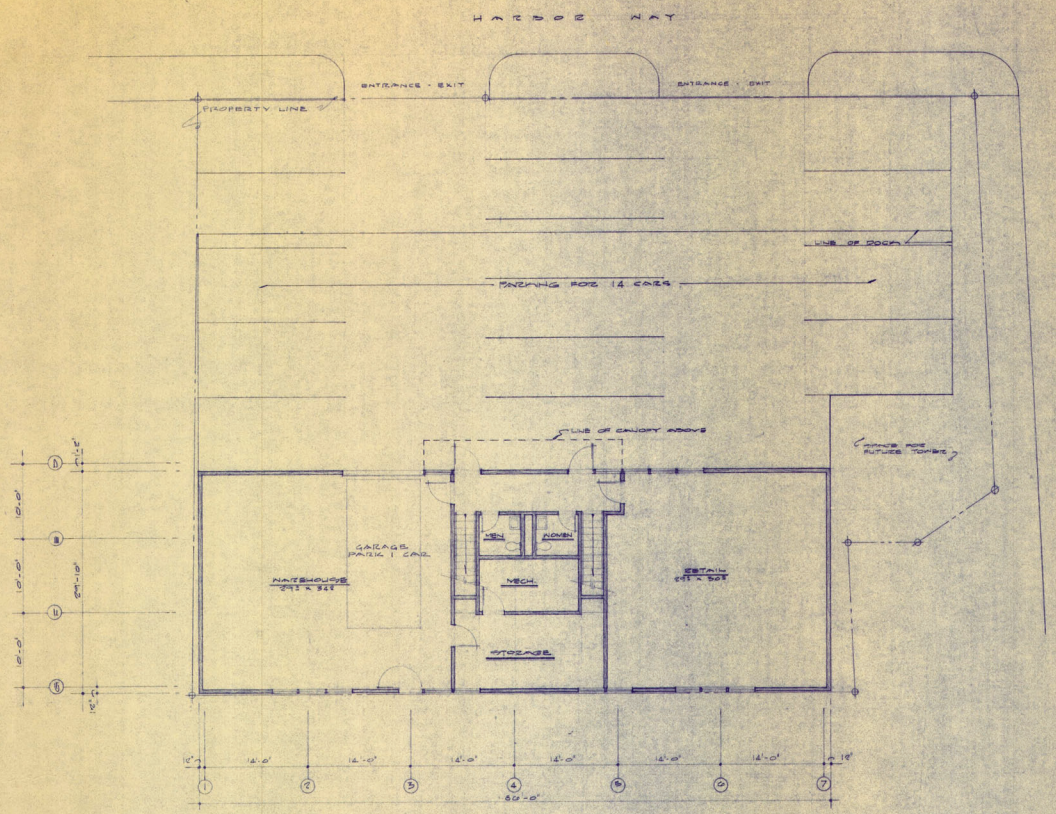
AUGUST 30, 1966

15

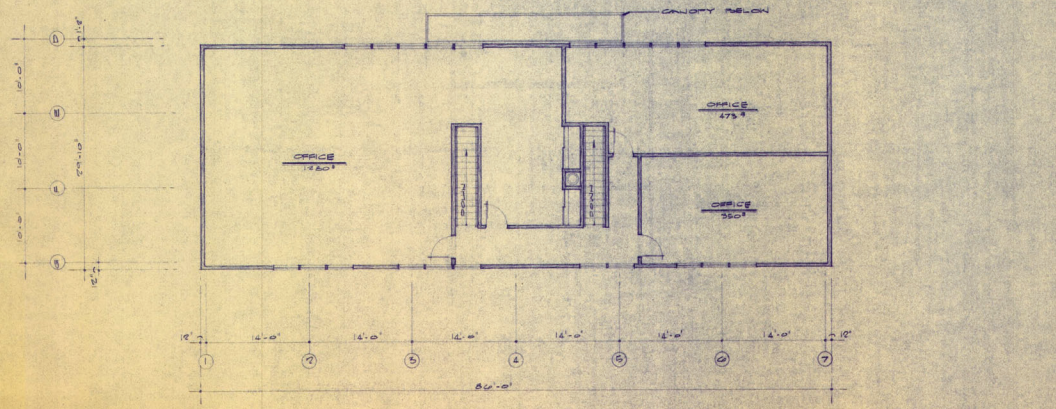
RETAIL & SERVICE FACILITY

FOR D. C. LANGDON

A



PARKING LEVEL FLOOR PLAN
SCALE 1/8" = 1'-0"



UPPER LEVEL FLOOR PLAN
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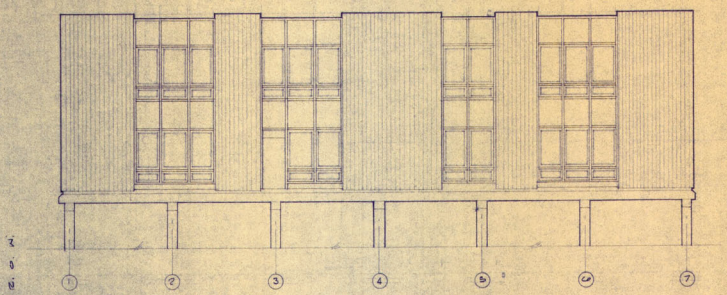
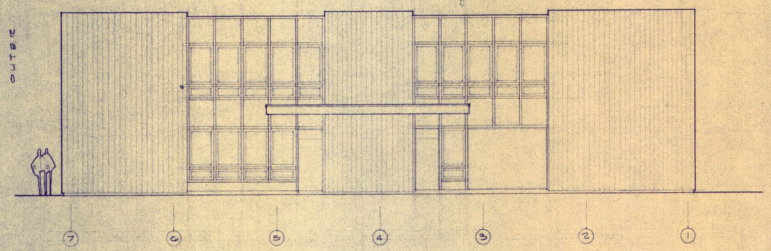


ELEVATION FROM HUNTER'S HARBOR
SCALE 1/8" = 1'-0"



ELEVATION FROM HARBOR WAY
SCALE 1/8" = 1'-0"

REQUIRED PARKING

RETAIL AND OFFICE SPACE @ 1 CAR PER 250 SQ FT FLOOR SPACE = 11 SPACES

WAREHOUSE FACILITY 2 SPACES

TOTAL 13 SPACES

APPROVED:
DATE

REVISED PRELIMINARY

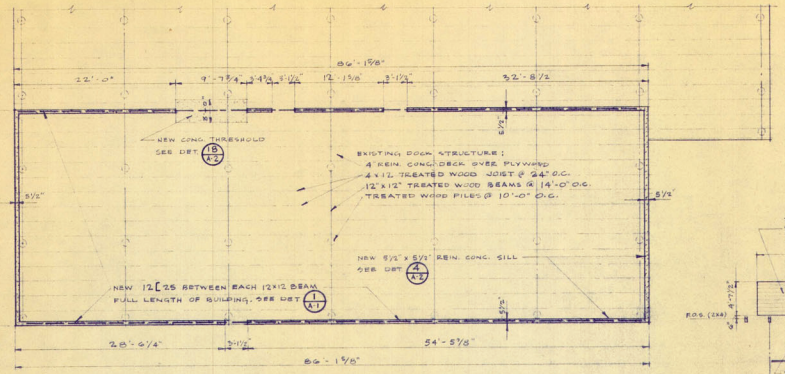
RETAIL AND SERVICE FACILITY

FOR D. C. LANGDON

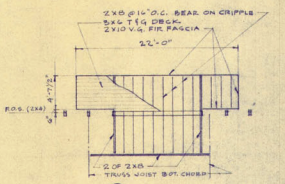
Drawn TDh
Date 2-5-07
Checked L.F.

LINN A. FORREST ARCHITECTS A.I.A.
822 HEMLOCK WAY JUNEAU, ALASKA

Dwg. No. 1 OF 2 DWG



GROUND FLOOR FRAMING PLAN
SCALE 1/8" = 1'-0"



DETAIL (2) CANOPY FRAMING
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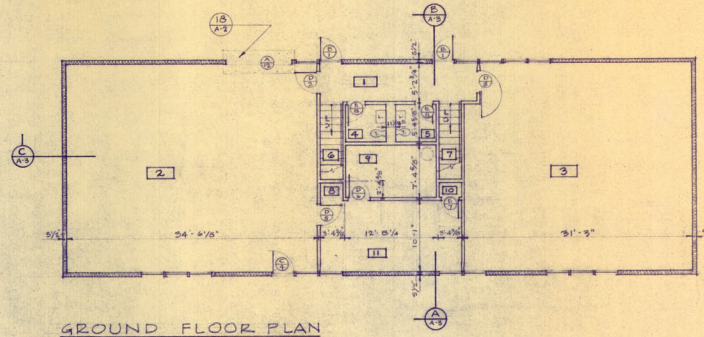

GROUND FLOOR PLAN
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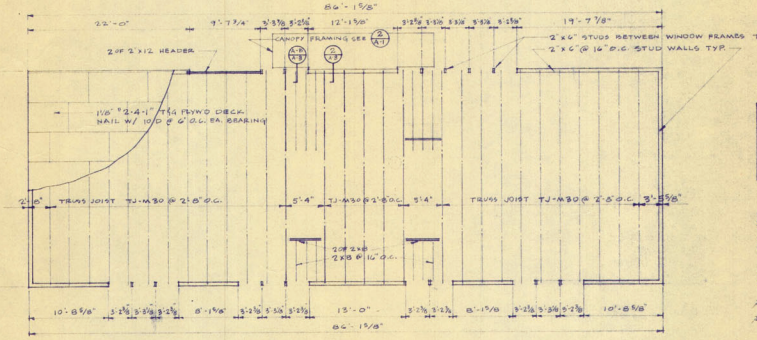
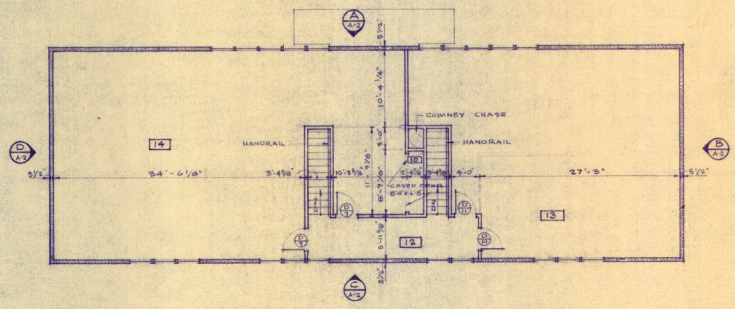


SECOND FLOOR FRAMING PLAN
SCALE 1/8" = 1'-0"

NOTE:
ALL DIMENSIONS TAKEN TO FACE OF CONCRETE, FACE OF STUD OR CENTER OF STUD AS INDICATED.

LEGEND
- DETAIL NUMBER
- SHEET NUMBER
- DOOR SCHEDULE
- HARDWARE SCHEDULE
- 2x4 STUD WALL
- 2x6 INSULATED STUD WALL



SECOND FLOOR PLAN
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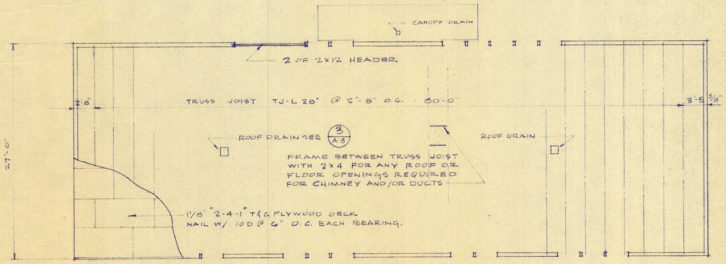

ROOF FRAMING PLAN
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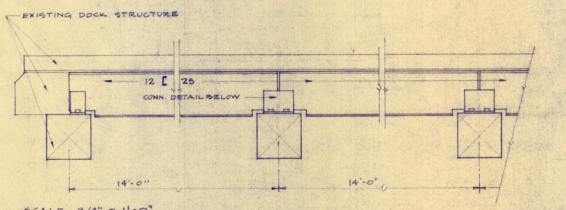
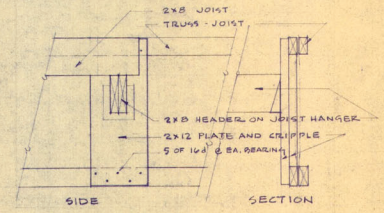


SCALE 3/4" = 1'-0"



DETAIL (3)
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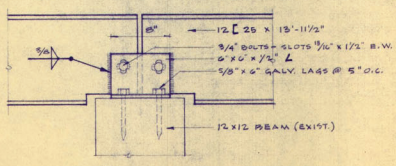


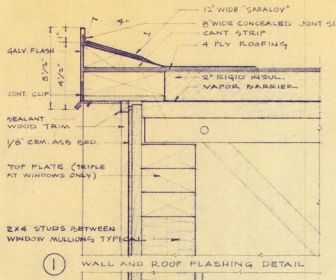
DETAIL (1)
SCALE 1 1/2" = 1'-0"

INCOMPLETE
NOT FOR CONSTRUCTION PURPOSES

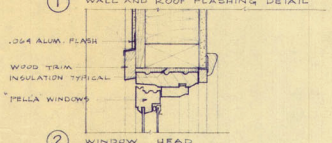
STATE OF ALASKA 49TH — REGISTERED PROFESSIONAL ARCHITECT — LINN A. FORREST 140-A
STATE OF ALASKA 49TH — REGISTERED PROFESSIONAL ARCHITECT — LINN A. FORREST NO. 140-A

FRAMING AND FLOOR PLANS
RETAIL AND SERVICE FACILITY
FOR
D. C. LANGDON
BOX 949 JUNEAU, ALASKA

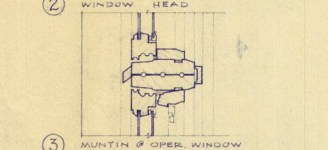
Drawn	Date	LINN A. FORREST ARCHITECTS A.I.A.	Dwg. No.
S.F.	5/31/67	622 HEMLOCK WAY JUNEAU, ALASKA	A-1 OF THREE
	Checked		



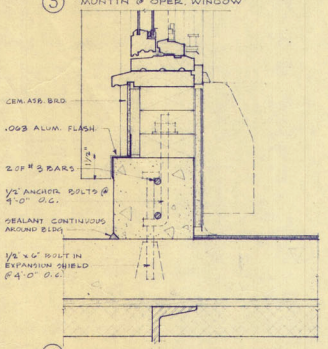
1 WALL AND ROOF FLASHING DETAIL



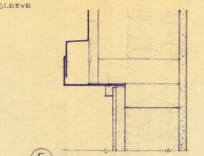
2 WINDOW HEAD



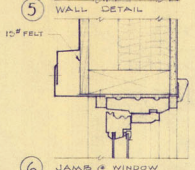
3 MUNTIN @ OPER. WINDOW



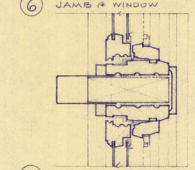
4 WINDOW SILL AND CURB DETAIL
SCALE 3" = 1'-0"



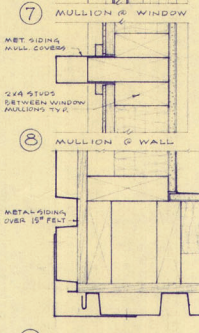
5 WALL DETAIL



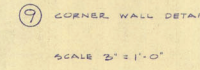
6 JAMB @ WINDOW



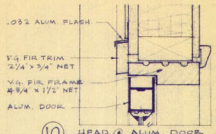
7 MULLION @ WINDOW



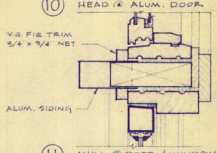
8 MULLION @ WALL



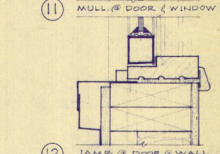
9 CORNER WALL DETAIL
SCALE 3" = 1'-0"



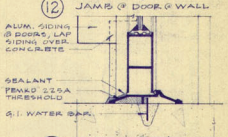
10 HEAD @ ALUM. DOOR



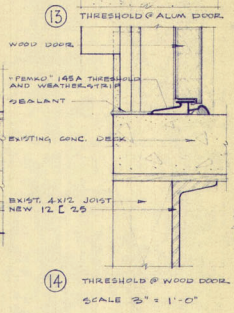
11 MULL. @ DOOR & WINDOW



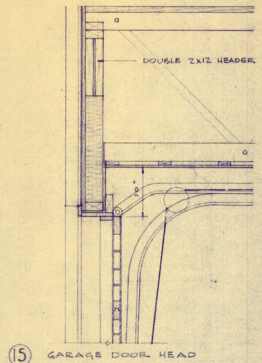
12 JAMB @ DOOR @ WALL



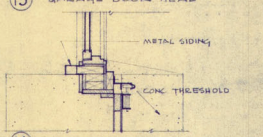
13 THRESHOLD @ ALUM DOOR



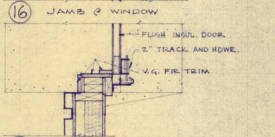
14 THRESHOLD @ WOOD DOOR
SCALE 3" = 1'-0"



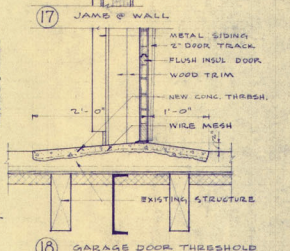
15 GARAGE DOOR HEAD



16 JAMB @ WINDOW

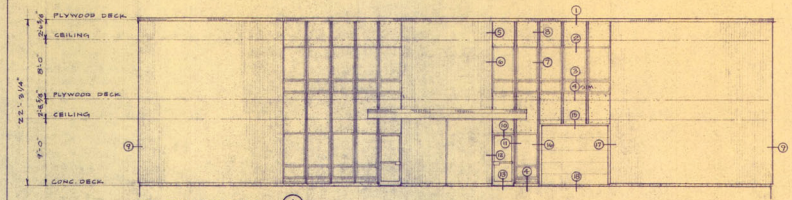


17 JAMB @ WALL

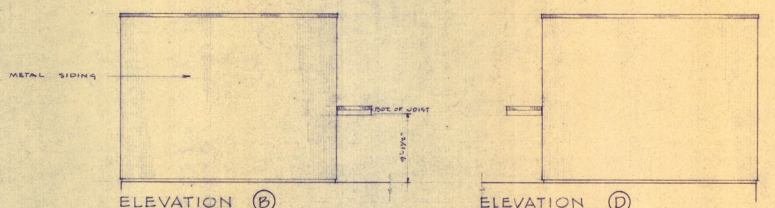


18 GARAGE DOOR THRESHOLD
SCALE 1" = 1'-0"

WINDOW, DOOR AND WALL DETAILS SCALE AS NOTED

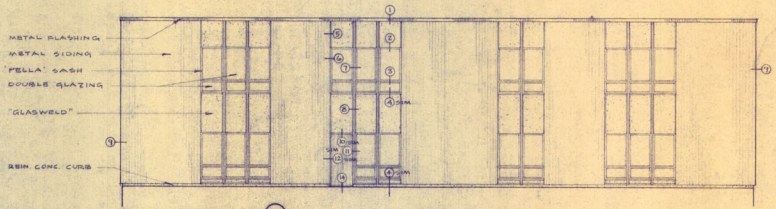


ELEVATION (A)
SCALE 1/8" = 1'-0"

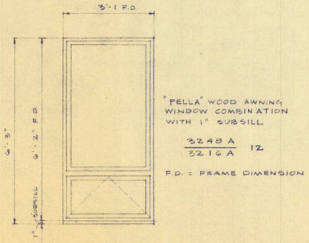


ELEVATION (B)
SCALE 1/8" = 1'-0"

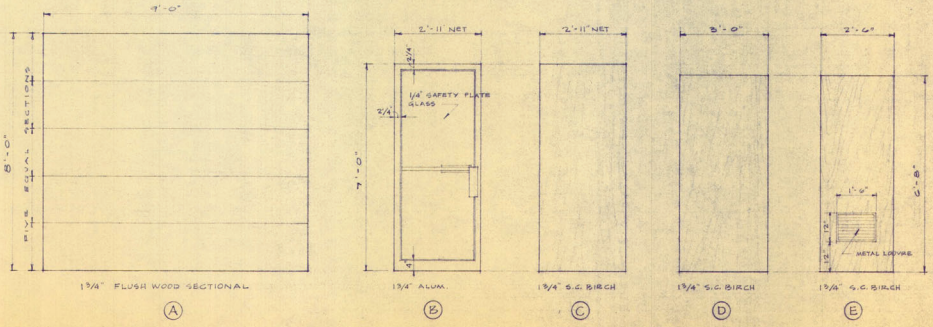
ELEVATION (D)
SCALE 1/8" = 1'-0"



ELEVATION (C)
SCALE 1/8" = 1'-0"



WINDOW SCHEDULE
NO SCALE



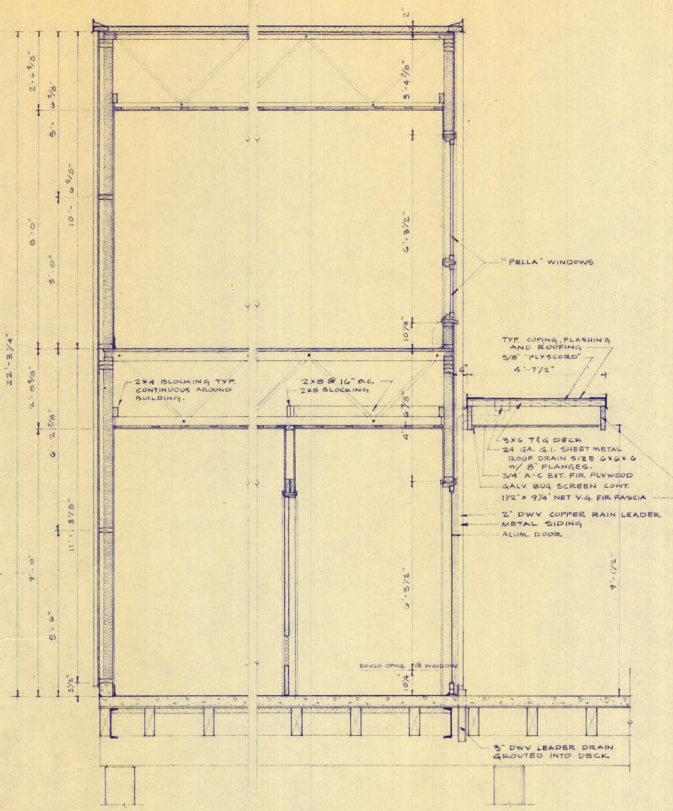
1 3/4" FLUSH WOOD SECTIONAL (A)
1 3/4" ALUM. (B)
1 3/4" S.C. BIRCH (C)
1 3/4" S.C. BIRCH (D)
1 3/4" S.C. BIRCH (E)

DOOR SCHEDULE
SCALE 1/2" = 1'-0"

INCOMPLETE
NOT FOR CONSTRUCTION PURPOSES

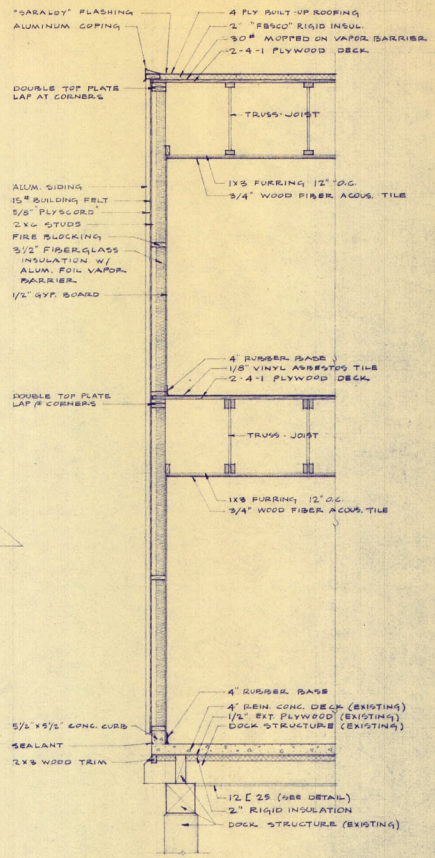
ELEVATIONS AND DETAILS
RETAIL AND SERVICE FACILITY
FOR
D. C. LANGDON
BOX 949 JUNEAU, ALASKA

Drawn	Date	LINN A. FORREST ARCHITECTS A.I.A.	Dwg. No.
G.F.	5/31/67	822 HEMLOCK WAY JUNEAU, ALASKA	A-2 OF THREE
	Checked		



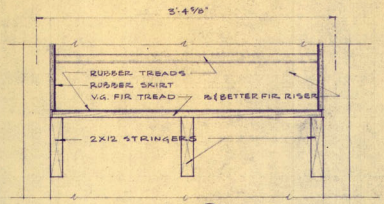
WALL SECTION (A)—(B)

SCALE 1/2" = 1'-0"



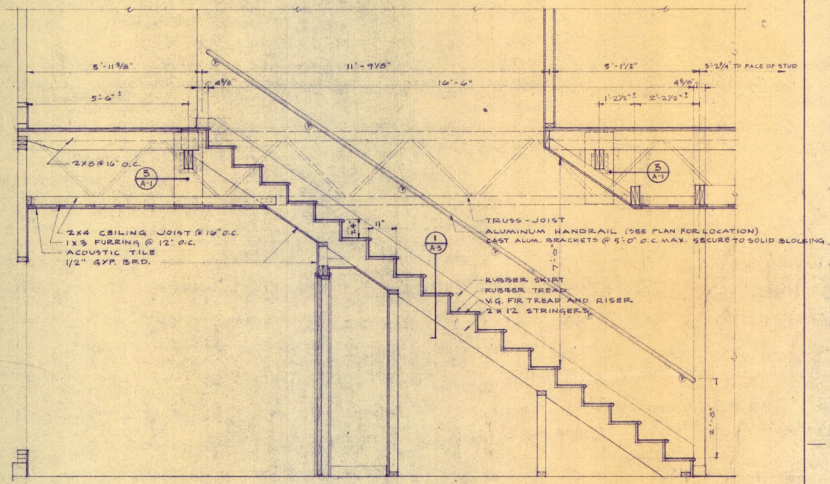
WALL SECTION (C)

SCALE 1/2" = 1'-0"



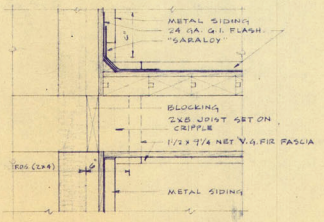
STAIR DETAIL (1)

SCALE 1 1/2" = 1'-0"



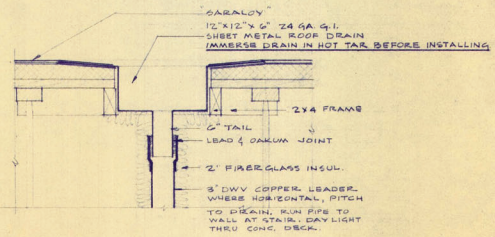
SECTION @ STAIR [7] (6 IS SIMILAR)

SCALE 1/2" = 1'-0"



DETAIL (2) CANOPY FLASH.

SCALE 1 1/2" = 1'-0"



DETAIL (3) ROOF DRAIN

SCALE 1/2" = 1'-0"

ROOM FINISH SCHEDULE

ROOM NO	NAME	FLOOR MATERIAL	FLOOR FINISH	BASE MATERIAL	WALL MATERIAL	WALL FINISH	CEILING MATERIAL	CEILING FINISH	TRIM FINISH	MISCELLANEOUS
1	ENTRY	CONC.	V.A.TILE	RUBBER	P.B.	PAINT	A.C. TILE	—	ENAMEL	P.B. = GYPSUM BOARD
2	SHOP	CONC.	HARDENER	RUBBER	P.B.	PAINT	A.C. TILE	—	ENAMEL	V.A.TILE = VINYL ASBESTOS TILE
3	RETAIL	CONC.	V.A.TILE	RUBBER	P.B.	PAINT	A.C. TILE	—	ENAMEL	
4	TOILET	CONC.	V.A.TILE	RUBBER	P.B.	MARLITE	P.B.	ENAMEL	ENAMEL	
5	TOILET	CONC.	V.A.TILE	RUBBER	P.B.	MARLITE	P.B.	ENAMEL	ENAMEL	
6	STAIR	WOOD	RUBBER	RUBBER	P.B.	PAINT	P.B.	PAINT	ENAMEL	
7	STAIR	WOOD	RUBBER	RUBBER	P.B.	PAINT	P.B.	PAINT	ENAMEL	
8	CLOSET	CONC.	V.A.TILE	RUBBER	P.B.	PAINT	P.B.	PAINT	ENAMEL	
9	BOILER	CONC.	HARDENER	RUBBER	P.B.	PAINT	P.B.	PAINT	ENAMEL	
10	CLOSET	CONC. PLYWOOD	V.A.TILE —	RUBBER —	P.B. —	PAINT —	P.B. P.B.	PAINT —	ENAMEL —	TAPING OF P.B. IS TO BE DONE
11	STORAGE	CONC.	V.A.TILE	RUBBER	P.B.	PAINT	A.C.TILE	—	ENAMEL	
12	HALL	PLYWOOD	V.A.TILE	RUBBER	P.B.	PAINT	A.C.TILE	—	ENAMEL	
13	OFFICE	PLYWOOD	—	—	P.B.	—	A.C.TILE	—	—	TAPING OF P.B. IS TO BE DONE
14	OFFICE	PLYWOOD	—	—	P.B.	—	A.C.TILE	—	—	TAPING OF P.B. IS TO BE DONE

INCOMPLETE
NOT FOR CONSTRUCTION PURPOSES

STATE OF ALASKA 1971 LINN A. FORREST 140A REGISTERED PROFESSIONAL ARCHITECT

STATE OF ALASKA 1967 STAN FROST NO. U.C.A. REGISTERED PROFESSIONAL ARCHITECT

SECTIONS AND DETAILS

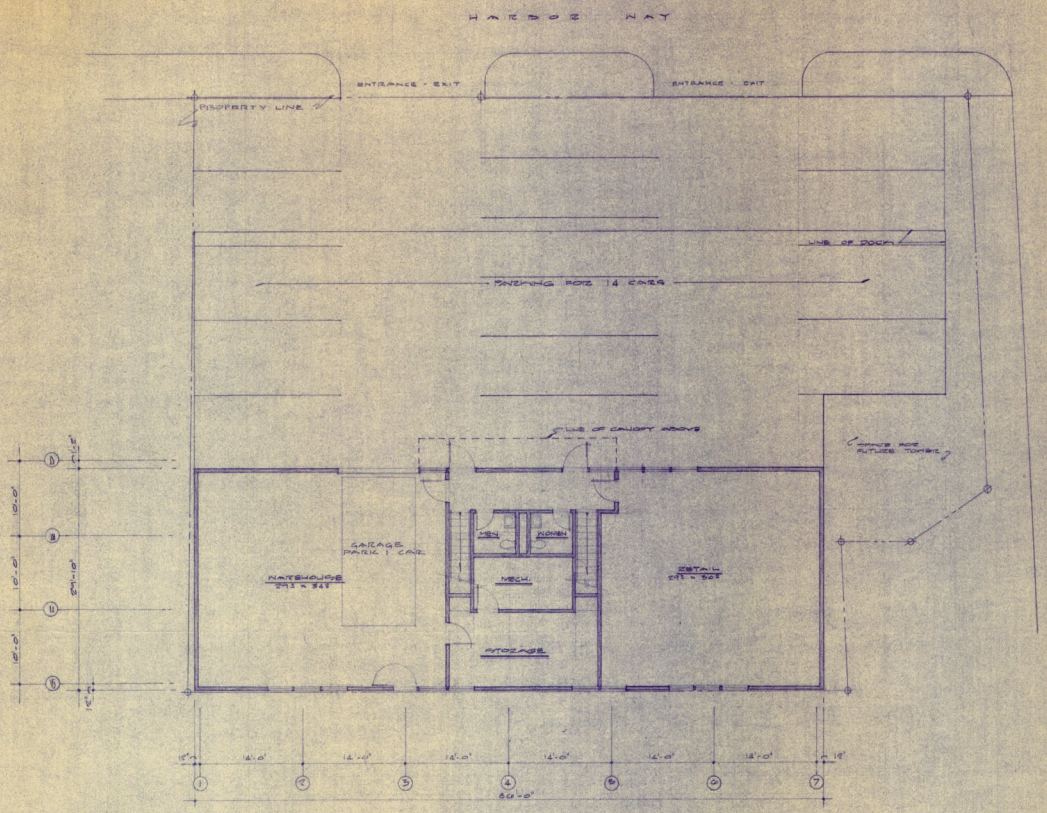
RETAIL AND SERVICE FACILITY

FOR

D. C. LANGDON

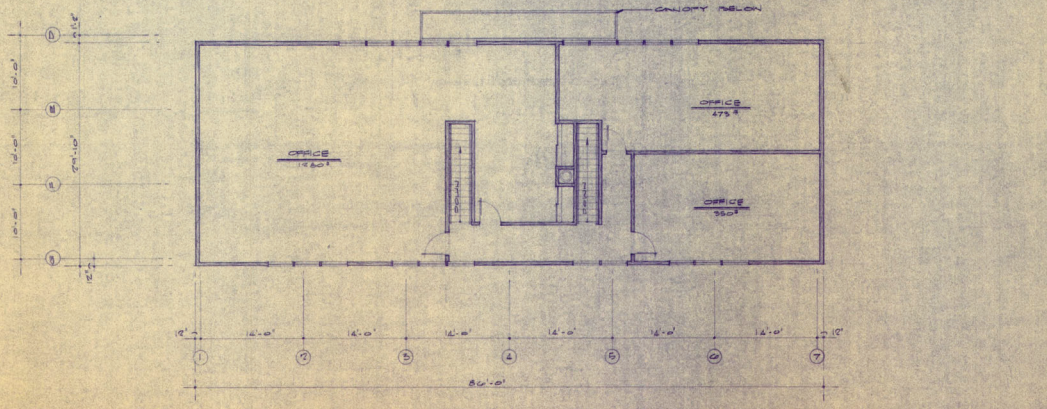
BOX 949 JUNEAU, ALASKA

Drawn	Date	LINN A. FORREST ARCHITECTS A.I.A.	Dwg. No.
S.F.	5/31/67	822 HEMLOCK WAY JUNEAU, ALASKA	A-3 OF THREE
	Checked		



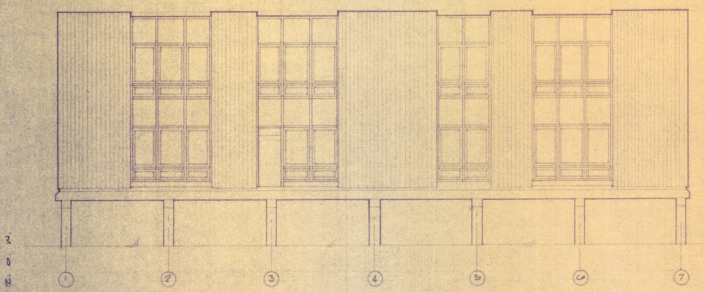
PARKING LEVEL FLOOR PLAN

SCALE 1/8" = 1'-0"



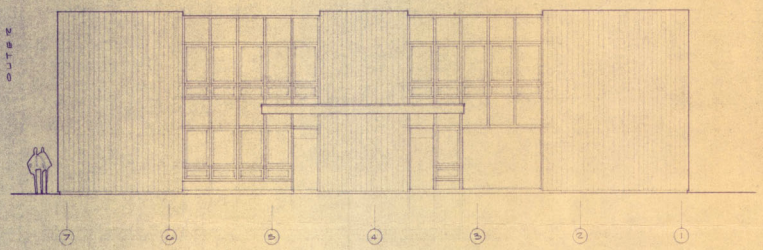
UPPER LEVEL FLOOR PLAN

SCALE 1/8" = 1'-0"



ELEVATION FROM HARBOR HARBOR

SCALE 1/8" = 1'-0"



ELEVATION FROM HARBOR WAY

SCALE 1/8" = 1'-0"

REQUIRED PARKING

RETAIL AND OFFICE SPACE @ 1 CAR PER 250 ft FLOOR SPACE = 11 SPACES

WAREHOUSE FACILITY 2 SPACES

TOTAL 13 SPACES

APPROVED:

DATE

REVISED PRELIMINARY

RETAIL AND SERVICE FACILITY

FOR D. C. LANGDON

Drawn TDs

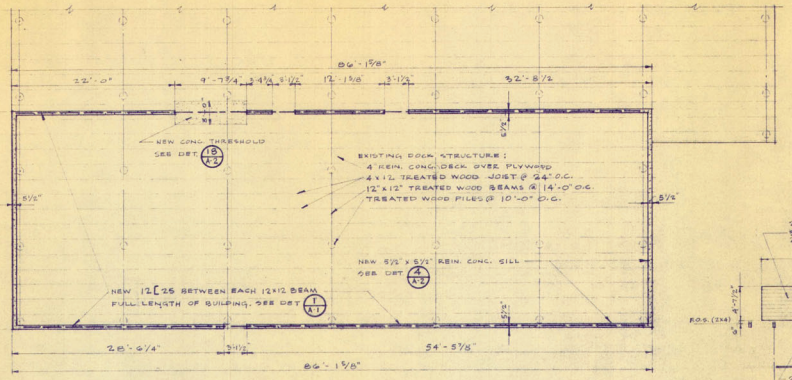
Date 8-8-07

Checked L.F.

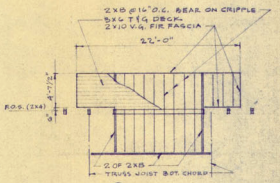
LINN A. FORREST ARCHITECTS A.I.A.

623 HEMLOCK WAY JUNEAU, ALASKA

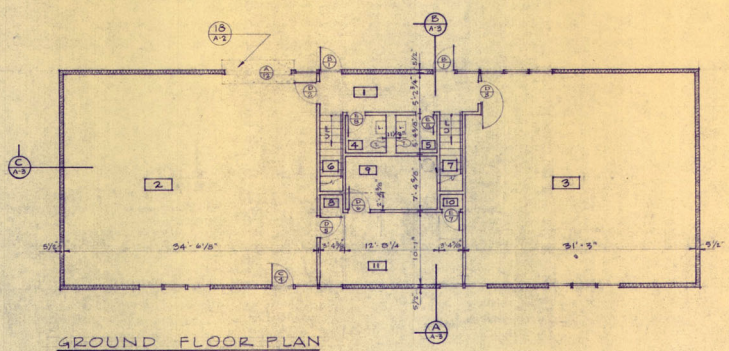
Dwg. No. 1 of one



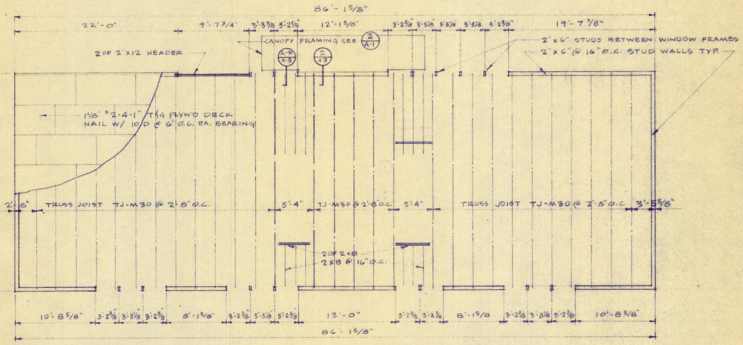
GROUND FLOOR FRAMING PLAN
SCALE 1/8" = 1'-0"



DETAIL (2) CANOPY FRAMING
SCALE 1/8" = 1'-0"



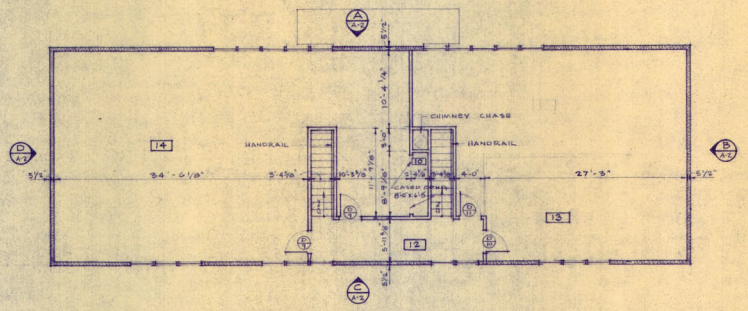
GROUND FLOOR PLAN
SCALE 1/8" = 1'-0"



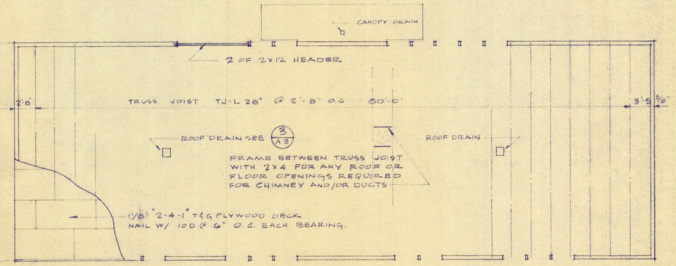
SECOND FLOOR FRAMING PLAN
SCALE 1/8" = 1'-0"

NOTE:
ALL DIMENSIONS TAKEN TO FACE OF CONCRETE, FACE OF STUD OR CENTER OF STUD AS INDICATED.

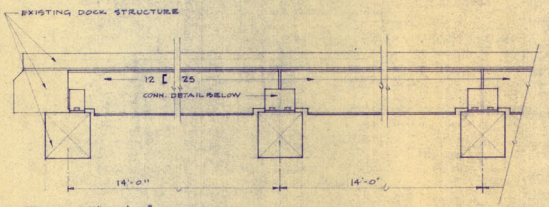
LEGEND
- (2/A-1) DETAIL NUMBER, SHEET NUMBER
- (E1) DOOR SCHEDULE, HARDWARE SCHEDULE
- 2x4 STUD WALL
- 2x6 INSULATED STUD WALL



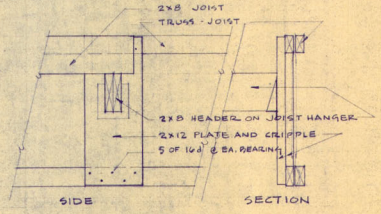
SECOND FLOOR PLAN
SCALE 1/8" = 1'-0"



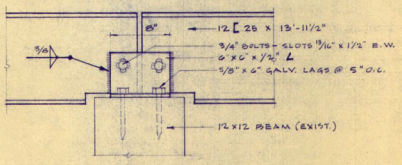
ROOF FRAMING PLAN
SCALE 1/8" = 1'-0"



SCALE 3/4" = 1'-0"



DETAIL (3)
SCALE 1" = 1'-0"



DETAIL (1)
SCALE 1½" = 1'-0"

INCOMPLETE
NOT FOR CONSTRUCTION PURPOSE

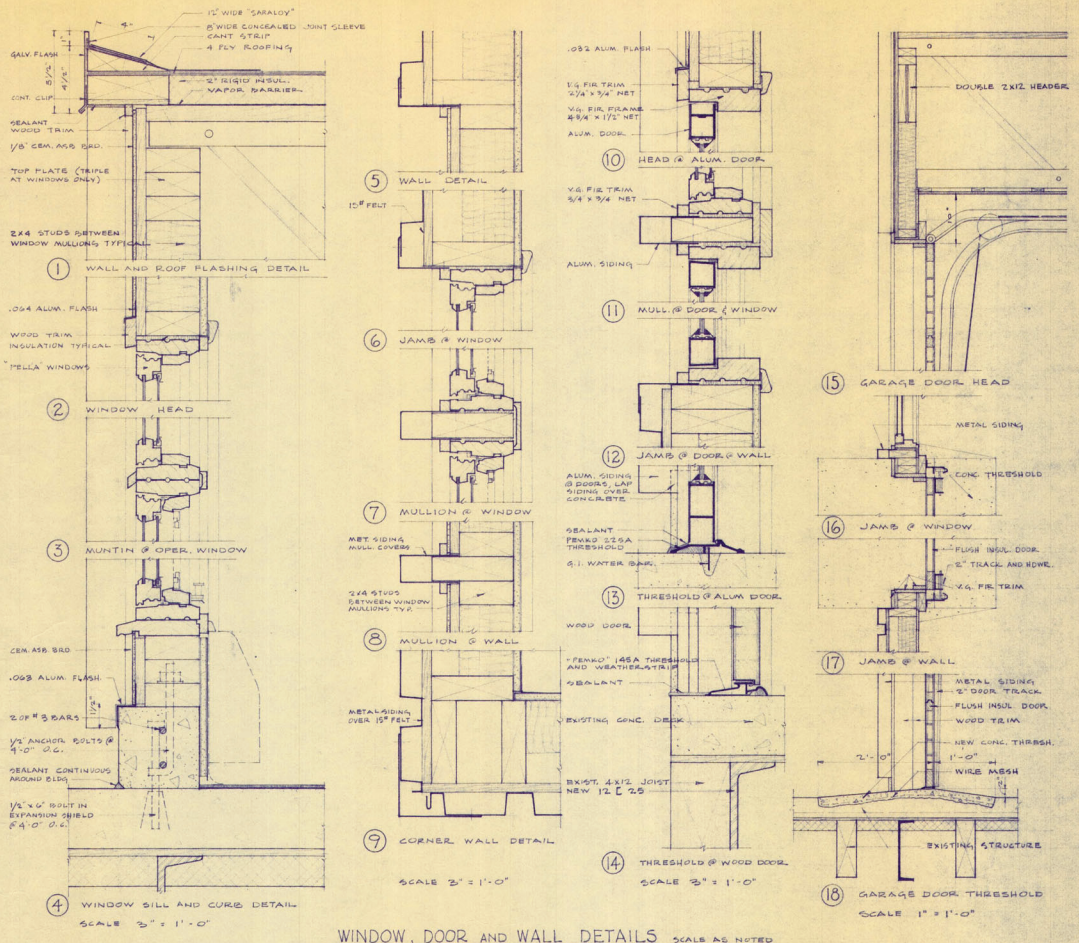
STATE OF ALASKA 4927 LINN A. FORREST 140A REGISTERED PROFESSIONAL ARCHITECT
STATE OF ALASKA 4927 STUART FORREST NO. 100 A REGISTERED PROFESSIONAL ARCHITECT

FRAMING AND FLOOR PLANS
RETAIL AND SERVICE FACILITY
FOR
D. C. LANGDON
BOX 949 JUNEAU, ALASKA

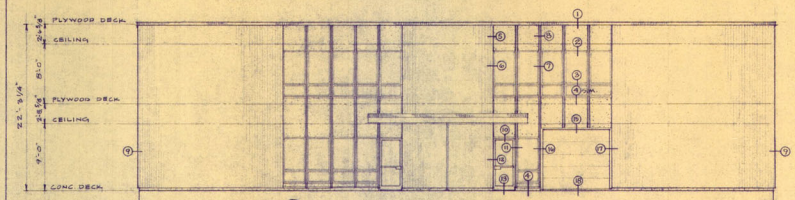
Drawn S.F. | Date 5/31/67 | Checked

LINN A. FORREST ARCHITECTS A.I.A.
822 HEMLOCK WAY JUNEAU, ALASKA

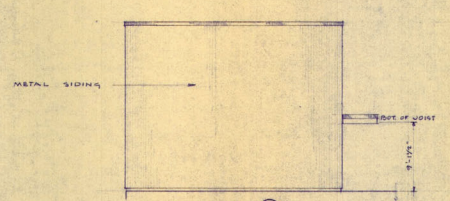
Dwg. No. A-1 OF THREE



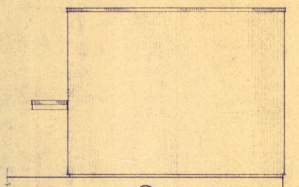
WINDOW, DOOR AND WALL DETAILS SCALE AS NOTED



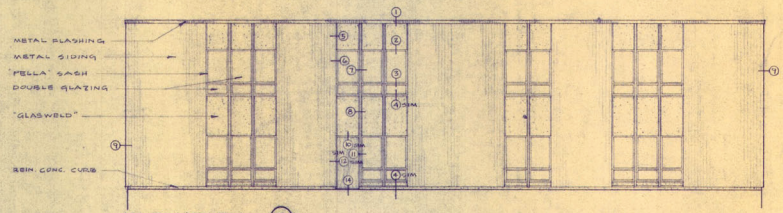
ELEVATION (A)
SCALE 1/8" = 1'-0"



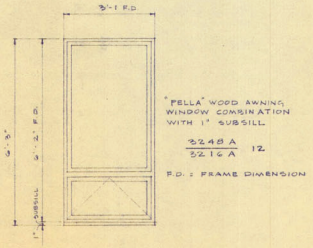
ELEVATION (B)
SCALE 1/8" = 1'-0"



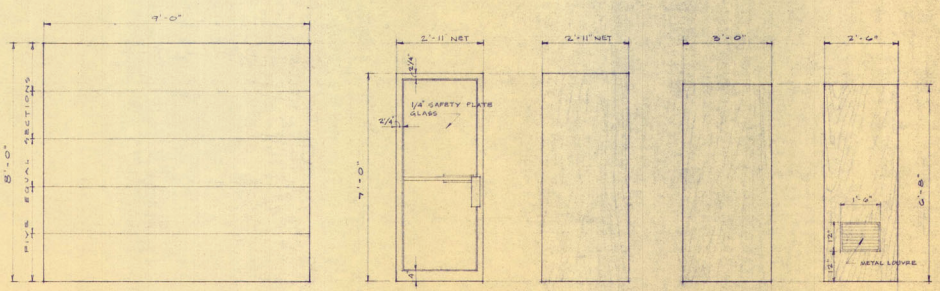
ELEVATION (D)
SCALE 1/8" = 1'-0"



ELEVATION (C)
SCALE 1/8" = 1'-0"



WINDOW SCHEDULE
NO SCALE



DOOR SCHEDULE
SCALE 1/2" = 1'-0"

INCOMPLETE
NOT FOR CONSTRUCTION PURPOSES

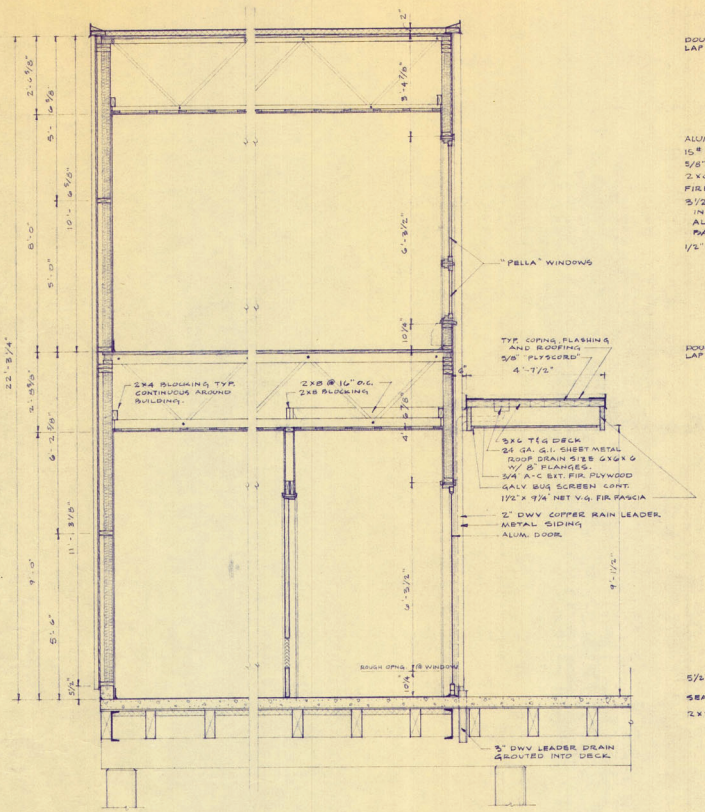
ELEVATIONS AND DETAILS
RETAIL AND SERVICE FACILITY
FOR
D. C. LANGDON
BOX 949 JUNEAU, ALASKA

STATE OF ALASKA 49TH PROFESSIONAL ARCHITECT REGISTERED Linn A. Forrest 140A
STATE OF ALASKA 49TH PROFESSIONAL ARCHITECT REGISTERED No. 140-A Stuart Forrest

Drawn S.F. Date 6/21/67 Checked

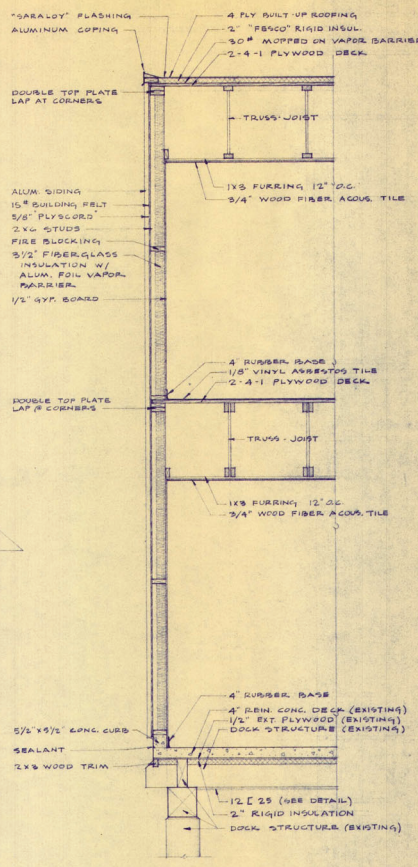
LINN A. FORREST ARCHITECTS A.I.A.
622 HEMLOCK WAY JUNEAU, ALASKA

Dwg. No. A-2 OF THREE



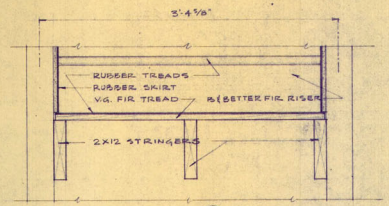
WALL SECTION (A)—(B)

SCALE 1/2" = 1'-0"



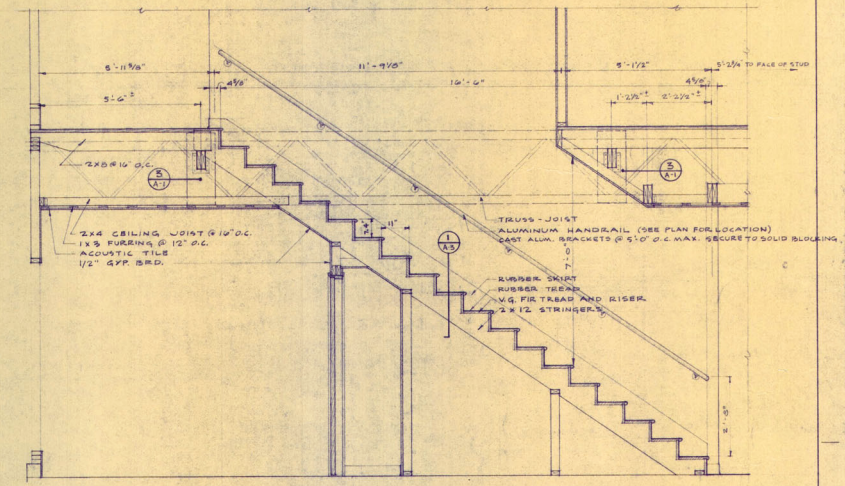
WALL SECTION (C)

SCALE 1/2" = 1'-0"



STAIR DETAIL (1)

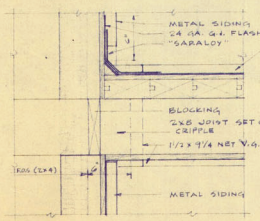
SCALE 1 1/2" = 1'-0"



SECTION @ STAIR [7] (@ IS SIMILAR)

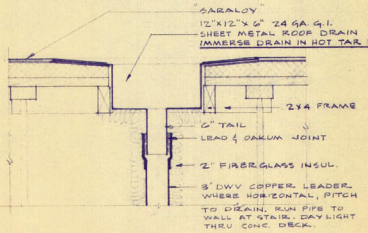
SCALE 1/2" = 1'-0"

ROOM NO	NAME	ROOM FINISH SCHEDULE								
		FLOOR		BASE	WALL		CEILING		TRIM	MISCELLANEOUS
		MATERIAL	FINISH	MATERIAL	MATERIAL	FINISH	MATERIAL	FINISH	FINISH	
1	ENTRY	CONC.	V.A.TILE	RUBBER	P.B.	PAINT	A.C. TILE	—	ENAMEL	P.B. & GYPSUM BOARD
2	SHOP	CONC.	HARDENER	RUBBER	P.B.	PAINT	A.C. TILE	—	ENAMEL	V.A.TILE & VINYL ASBESTOS TILE
3	RETAIL	CONC.	V.A.TILE	RUBBER	P.B.	PAINT	A.C. TILE	—	ENAMEL	
4	TOILET	CONC.	V.A.TILE	RUBBER	P.B.	MARLITE	P.B.	ENAMEL	ENAMEL	
5	TOILET	CONC.	V.A.TILE	RUBBER	P.B.	MARLITE	P.B.	ENAMEL	ENAMEL	
6	STAIR	WOOD	RUBBER	RUBBER	P.B.	PAINT	P.B.	PAINT	ENAMEL	
7	STAIR	WOOD	RUBBER	RUBBER	P.B.	PAINT	P.B.	PAINT	ENAMEL	
8	CLOSET	CONC.	V.A.TILE	RUBBER	P.B.	PAINT	P.B.	PAINT	ENAMEL	
9	BOILER	CONC.	HARDENER	RUBBER	P.B.	PAINT	P.B.	PAINT	ENAMEL	
10	CLOSET	CONC. PLYWOOD	V.A.TILE	RUBBER	P.B.	PAINT	P.B. P.B.	PAINT	ENAMEL	TAPING OF P.B. IS TO
11	STORAGE	CONC.	V.A.TILE	RUBBER	P.B.	PAINT	A.C.TILE	—	ENAMEL	
12	HALL	PLYWOOD	V.A.TILE	RUBBER	P.B.	PAINT	A.C.TILE	—	ENAMEL	
13	OFFICE	PLYWOOD	—	—	P.B.	—	A.C.TILE	—	—	TAPING OF P.B. IS TO BE DONE
14	OFFICE	PLYWOOD	—	—	P.B.	—	A.C.TILE	—	—	TAPING OF P.B. IS TO BE DONE



DETAIL (2) CANOPY FLASH.

SCALE 1 1/2" = 1'-0"



DETAIL (3) ROOF DRAIN

SCALE 1/2" = 1'-0"

INCOMPLETE
NOT FOR CONSTRUCTION PURPOSES

SECTIONS AND DETAILS

RETAIL AND SERVICE FACILITY

FOR

D. C. LANGDON

BOX 949 JUNEAU, ALASKA

Drawn S.F. | Date 5/31/67 | Checked

LINN A. FORREST ARCHITECTS A.I.A.
832 HEMLOCK WAY JUNEAU, ALASKA

Dwg. No. A-3 OF THREE

Deed Book 85 Page 90
Juneau Recording Dist.

LEASE

This indenture made this 3rd day of March, 19 67, by and between the City of Juneau, Alaska, a municipal corporation, hereinafter called "lessor," and D. C. and Phyllis Langdon dba L & M Enterprises, hereinafter called "lessee,"

WITNESSETH:

WHEREAS, the City of Juneau has offered to lease in accordance with the terms and provisions of JCC 13-3 the following described tidelands located within the City of Juneau, Alaska, more fully described as follows, to wit:

A portion of Lot 3, Block 51, of the Tidelands Addition to the City of Juneau, Alaska, according to the official plat of survey of said addition which plat is a subdivision of Alaska Tidelands Survey No. 3 and is filed in the office of the Recorder for the Juneau Recording District at Juneau, Alaska as Plat No. 347; which portion of Lot 3, Block 51, is more particularly described as follows:

Beginning at Corner No. 1, identical with the most northerly corner of Lot 5, Block 51; thence S 54°53' 15" W 60.00 ft. to Corner No. 2; thence S 35°06'45" E 49.50 ft. to Corner No. 3; thence S 52°09'18" W 20.02 ft. to Corner No. 4; thence N 35°06'45" W 90.91 ft. to Corner No. 5; thence N 55°56' E 80.01 ft. to Corner No. 6; thence S 35°06'45" E 39.00 ft. to Corner No. 1, the place of beginning; containing 4,177.63 square feet, more or less.

(additional legal description, if necessary, should be appended hereto as page 1a)

JUNEAU Serial No. 67-347

X

and,

WHEREAS, the application and the acts of the applicant are in compliance with the requirements of JCC 13-3,

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

1. Lessor does hereby let and lease and lessee does hereby take from the lessor the above-described parcel(s) of tidelands for a period of 55 years commencing on March 3, 1967 and terminating on March 3, 2022. Rents shall be paid by lessee to lessor at its office at Juneau, Alaska, at the following times and in the following amounts, at 6% of the current assessed value annually, according to the schedule in JCC 13-3-12:

> 4,177.63 square feet appraised at $.60 per sq. ft. = $2,506.58 at six per cent (6%) per annum = $150.39 plus applicable sales tax.

The receipt of the sum of One Hundred Fifty Four and 40/100 Dollars for the first installment of rent paid by lessee to lessor is hereby acknowledged by lessor.

2. The tidelands herein leased, for the first five (5) years of this lease shall, by lessor, be appraised at $.60 per sq. ft., and shall be re-appraised during 1972 and each fifth year thereafter for the purpose of establishing lease rental each fifth year for the subsequent five (5) years of the term hereof, under the norms of JCC 13-3-22.

3. Should any installment or installments of rent or other charges provided for under the terms of this lease be not paid when due, the same shall bear interest at the rate of eight per cent (8%) per annum from the date the same shall become due.

4. During the term of this lease lessee shall pay, in addition to the rents reserved, when due and payable, all taxes, assessments, rates, and charges which lessee may become liable to pay, including any tax on rentals

Deed Book 85 Page 97
Juneau Recording Dist.

imposed generally on lessees, and lessee shall promptly pay or otherwise cause to be discharged any claim resulting or likely to result in a lien, other than a mortgage lien, against said premises, or the improvements placed thereon.

5. Lessee agrees to construct on said property the following improvements:

Marine Service facilities with piling and cap foundation and a structure for housing these facilities, and offices.

Item #6 shall be exempted as progess of development is substantially under way

6. Additional related and allied improvements may be constructed on said property PROVIDED that all requirements of codes and zoning ordinances are met. Lessee has deposited in a special escrow account at the_____ _____Bank, Juneau, Alaska, the sum of_____ _____ as security, and lessee agrees that said sum shall be paid to lessor as liquidated damages in the event that construction of the improvement(s) referred to above, is not commenced within ninety (90) days of the date of this lease and this lease shall thereupon be regarded as canceled and of naught. Upon notification to said bank by the Building Official of the commencement of construction of said building, the security deposit referred to in this paragraph shall be refunded to the lessee.

7. The premises hereby leased shall be used for the sole purpose of constructing and operating a Marine Service and related, allied activities and for no other purposes, except when approved in writing by lessor.

8. Lessee will, during the demised term, at his own cost, cause to be kept said premises and any improvements and structures thereon in good repair and in a safe, clean, healthy and wholesome condition, and in accordance to law and ordinances, and keep snow and ice from the sidewalks abutting said premises; and shall be liable to and promptly pay lessor for any waste or injury to the demised premises.

9. Should lessee default in the performance or observance of any of the terms, agreements, covenants or conditions herein, and such default shall continue for thirty (30) days after service of written notice thereof by lessor, at its discretion lessor shall subject lessee to appropriate legal action, including, but not limited to, forfeiture of this lease.

10. Should this lease be canceled or forfeited for cause, the holder or owner of a properly recorded mortgage, conditional assignment or collateral assignment will have the option within sixty (60) days of such cancellation or forfeiture to acquire the lease for the unexpired term, subject to the same terms and conditions herein contained.

11. Notice of default shall be made upon lessee by lessor by registered mail to D. C. and Phyllis Langdon dba L & M Enterprises business address in Box 2538 Juneau, Alaska, i.e., _____, and copies thereof shall be similarly mailed to all lien holders of record. Any notice of demand, which under the terms of this lease or any statute or ordinance must be given or made by the parties hereto, shall be in writing and be given or made by registered or certified mail addressed to the other

Deed Book 85 Page 94
Juneau Recording Dist.

party at the following addresses:

(lessor)	(lessee)
Office of the Clerk City of Juneau 155 South Seward Street Juneau, Alaska	D. C. and Phyllis Langdon Box 2538 Juneau, Alaska

Either party may designate in writing such new or other address to which such notice or demand shall thereafter be so given, made or mailed. A notice given hereunder shall be deemed delivered when deposited in a United States post office enclosed in a registered or certified postage prepaid wrapper or envelope addressed as hereinabove provided.

12. Should the lease be terminated as hereinabove provided, or by legal proceedings, summary or otherwise, or by abandonment by lessee during the term hereof, lessor by its agents, servants or representatives may thereupon or any time thereafter re-enter and resume possession of said land, and remove all persons and property therefrom by suitable action or proceeding at law without being liable for any damages therefor.

13. Upon the termination of the lease upon default or breach of lessee the rental last paid by lessee shall be forfeited and retained by lessor as partial liquidated damages for said breach or default.

14. The receipt of rent by the lessor with knowledge of any breach of the lease by the lessee or of any default on the part of the lessee in observance or performance of any of the conditions or covenants of the lease, shall not be deemed to be a waiver of any provision of the lease. No failure on the part of the lessor to enforce any covenant or provision therein contained, nor any waiver of any right thereunder by the lessor unless in writing, shall discharge or invalidate such covenants or provisions or affect the right of the lessor to enforce the same in the event of any subsequent breach of default. The receipt by the lessor of any rent or any other sum of money after the termination, in any manner, of the term therein demised, or after the

giving by the lessor of any notice thereunder to effect such termination, shall not reinstate, continue or extend the resultant term therein demised, or destroy, or in any manner impair the efficacy of any such notice of termination as may have been given thereunder by the lessor to the lessee prior to the receipt of any such sum of money or other consideration, unless so agreed to in writing and signed by the lessor.

15. Upon expiration of the term of this lease, or upon sooner termination as hereinabove provided, lessee hereby agrees to peaceably and quietly leave, surrender and yield up unto lessor the demised premises. If lessee complies with each and every term and condition of this lease, lessor warrants and covenants that lessee shall have the quiet and peaceable possession and enjoyment of the leased premises for the term herein specified.

16. Lessee may apply by written application delivered to lessor not less than thirty (30) days prior to the termination of this lease, and not more than sixty (60) days prior thereto for renewal of the lease in accordance with the provision of JCC 13-3. Such application for renewal of the lease shall be on forms to be provided by lessor, and lessee shall certify under oath as to the character and value of all improvements existing on the lands, properties or interests therein, the purpose for which it desires a renewal lease and such other information as the City Building Official may require. A fifty dollar ($50.00) deposit shall be made at the time of filing the application for renewal of lease. The Building Official thereupon may lease said lands in compliance with JCC 13-3, with a preference being allowed the lessee hereunder if all other pertinent factors are substantially equivalent. For the purpose of this section the date that the application for the renewal of lease is presented to the office of the Building Official, as evidenced by the date stamped thereon, whether delivered or forwarded by regular, certified or registered mail, shall be binding.

17. Any improvements and/or chattels belonging to the lessee or placed on the leased premises during the lessee's tenure with or without his permission and remaining upon the premises after the termination date of the lease, shall entitle the lessor to charge a reasonable rent therefor. Fill placed upon the leased premises shall not be regarded as a removable improvement.

18. The lessee shall comply with all regulations or ordinances which the proper public authority in its discretion shall promulgate for the promotion of sanitation, or any other legitimate municipal public purpose. The premises of the lease shall be kept in a neat, clean and sanitary condition, and there shall be no pollution of waters.

19. The premises leased herein shall be utilized in accordance with any applicable building or zoning codes and ordinances now or hereafter enacted. The lessee shall allow authorized representatives of the lessor to enter upon the leased land for inspection at any reasonable time.

20. Lessor expressly reserves the right to grant or to take easements or rights-of-way across the demised premises for any public municipal purpose, whereupon the parties hereto agree that lessee's damages therefor shall be limited to improvements owned by lessee and shall be determined by fair market value.

21. Lessee hereby agrees to indemnify and save lessor harmless from any claim or liability for damages to property or injury to persons arising out of lessee's use and occupancy of the premises herein demised.

22. This lease shall be subject to all of the applicable terms and conditions of JCC 13-3, which terms and conditions are incorporated by reference as fully as though set forth herein.

23. This lease shall be binding on the successors and assigns of the lessee.

Deed Book 85 Page 97
Juneau Recording Dist.

24. This lease may not be modified orally, but may be modified by an agreement in writing signed by all parties in interest.

25. This instrument contains the entire agreement between the parties. There are no oral promises, representations or warranties between the parties regarding any matter or thing connected with or related to the matters and things which are the subject of this contract.

IN WITNESS WHEREOF the lessor and lessee have caused this lease to be executed and their respective seals affixed, this 3rd day of March, 1967, at Juneau, Alaska.

CITY OF JUNEAU, ALASKA

By _____
Its Mayor

ATTEST:

_____
Its Clerk

(CORPORATE SEAL)

CITY OF JUNEAU INCORPORATED JUNE 29, 1900 ALASKA

LESSEE

By _____
Its owner

ATTEST:

_____
Its

(CORPORATE SEAL)

CORPORATION WARRANTY DEED

BOOK 170 PAGE 557
Juneau Recording District

THE GRANTOR City and Borough of Juneau, Alaska

for and in consideration of Twenty One Thousand One Hundred and No/100 ($21,100.00) DOLLARS

in hand paid, conveys and warrants to the STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, P.O. Box 3-1000, Juneau, Alaska, 99811, the following described real estate, located in the State of Alaska, to wit:

All that part of the following described tract of land:

That portion of Block eighty-eight (88) and Lot three (3) Block 51 of Alaska Tidelands Survey No. 3, as the same appears on file in the office of the Recorder at Juneau, Alaska,

which lies within the right of way lines of Alaska Project No. F-095-8(29) delineated as to said tract of land on the plat attached hereto and made a part hereof as page 2 of this instrument and designated as:

Parcel No. 4-A

said parcel containing 14,034 square feet more or less, in addition to existing right of way, is hereby conveyed to the State of Alaska.

Dated this 28th day of July, 19 80.

ATTEST:

Edward S. Sneeland
Deputy Clerk
(Title)

City and Borough of Juneau, Alaska
(Corporate Name)

By: E. J. Emery
Acting Manager
(Title)

CORPORATE ACKNOWLEDGEMENT

STATE OF ALASKA

On this 28th day of July, 1980, before me, the undersigned, a Notary Public in and for the said State, personally appeared E. J. Emery, Acting Manager of the City & Borough of Juneau, a municipality, known to me to be the identical individuals who executed the foregoing instrument and they acknowledged to me that they executed the same as the free and voluntary act of said company, with full authority so to do and with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

My Commission Expires: 1-23-84

Notary Public

CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY that the STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, Grantee herein, acting by and through its Commissioner of Transportation and Public Facilities, hereby accepts for public purposes the real property, or interest therein, described in this instrument and consents to the recordation thereof:

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of August 19 80

DEPARTMENT OF TRANSPORTATION and PUBLIC FACILITIES

By: John L. Sidney by M.S. Estes
For the Commissioner

Project No. F-095-8(29)

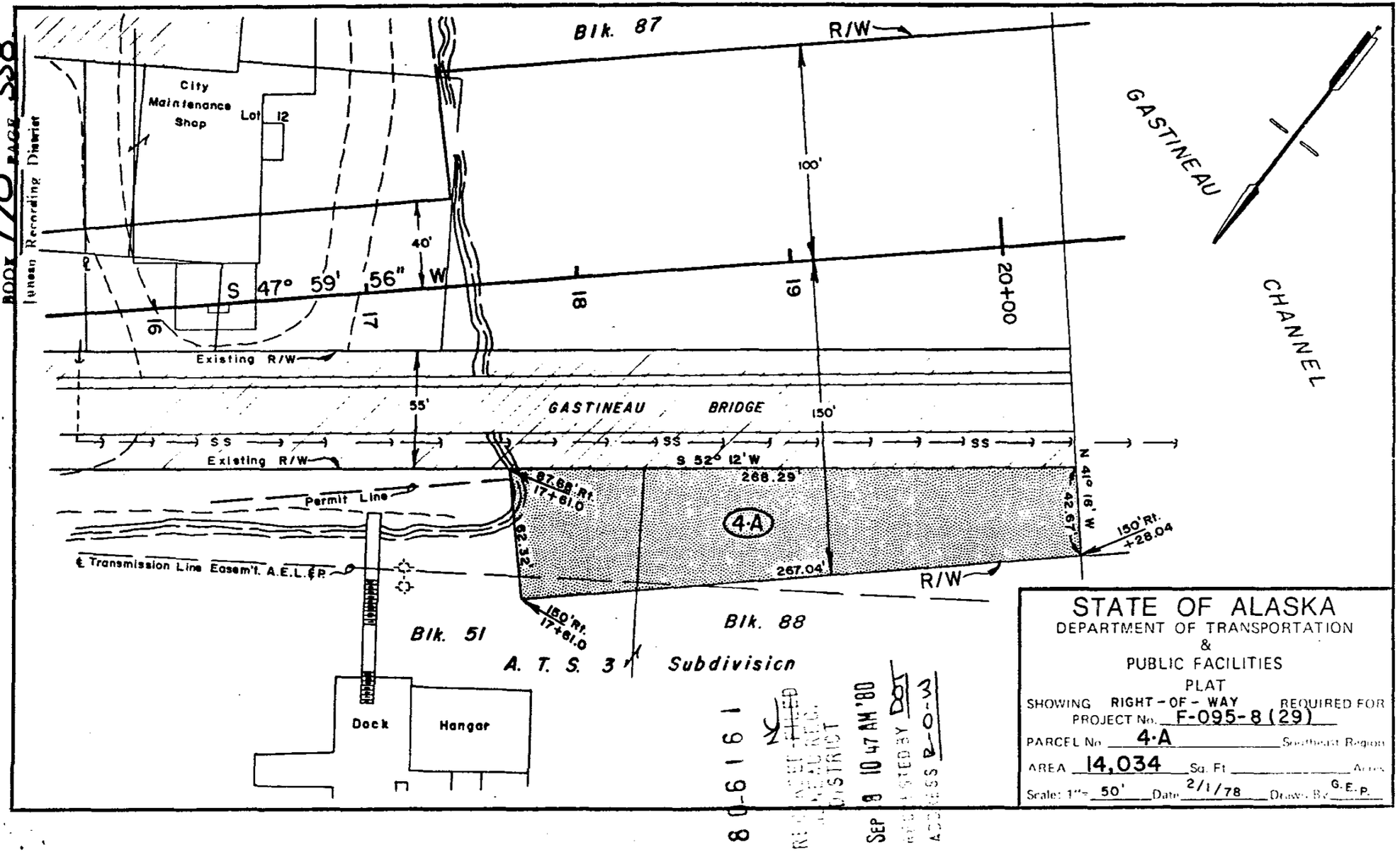
Parcel No. 4-A

25A-105 (R. 8/77)

K&E 19 1193 9-77 MC68579

BOOK 170 PAGE 558

Juneau Recording District

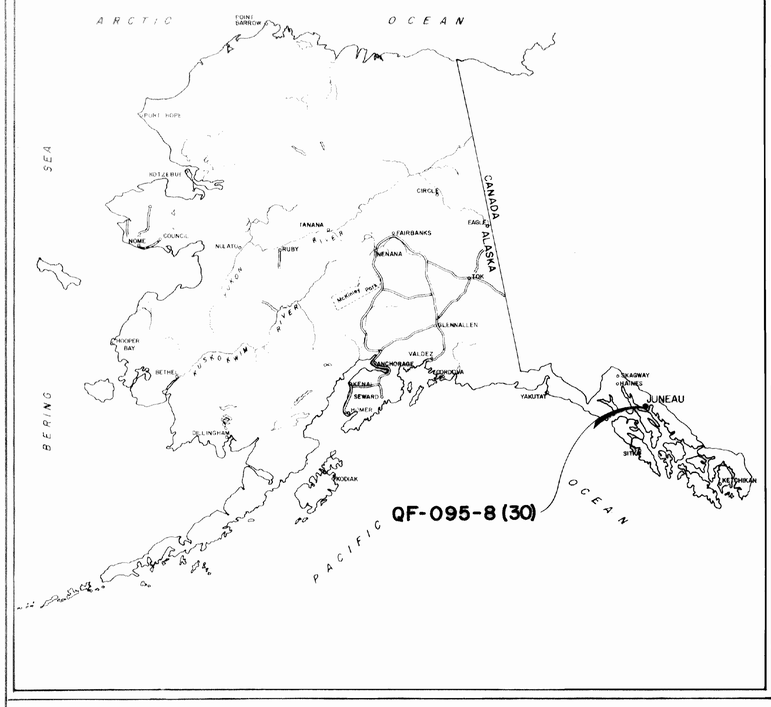


STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
&
PUBLIC FACILITIES
PLAT
SHOWING RIGHT-OF-WAY REQUIRED FOR
PROJECT No. F-095-8(29)
PARCEL No 4-A Southeast Region
AREA 14,034 Sq. Ft Acres
Scale: 1"= 50' Date 2/1/78 Drawn By G.E.P.

80-6161
FILED
RECORDING DISTRICT
SEP 9 10 47 AM '80
REQUESTED BY DOT
ADDRESS R-O-W

PAGE 2 of 2

Section R, Item 7.



STATE OF ALASKA

DEPARTMENT OF HIGHWAYS

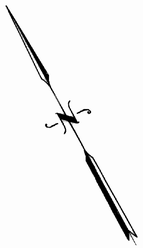
RIGHT OF WAY MAP

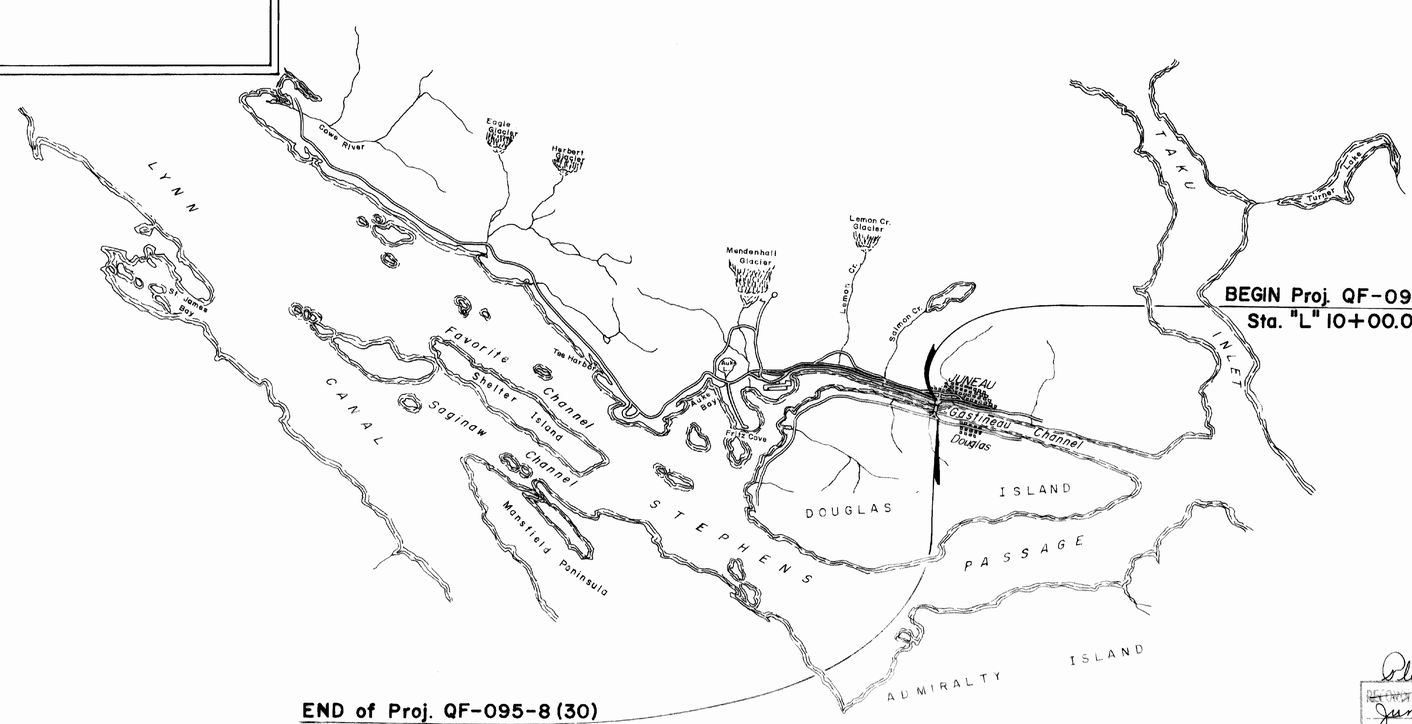
ALASKA PROJECT

QF-095-8 (30)

GASTINEAU BRIDGE

Phase II





COMBINED
PROJECT LENGTH 0.511 MI.

SCALE: NONE

DEPARTMENT OF HIGHWAYS

APPROVED 11 March 19 77
Date

H. H. Seavey
COMMISSIONER

DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

APPROVED 19
Date

DIVISION ENGINEER

Plat 87-25
RECORDED - FILED N.C.
Juneau
DATE 8-28 87
TIME 9:32 A
(AS/DOT)
Box 1467
Juneau AK 99802-1467

Plat 87-25 cover

ALASKA STATE PLANE COORDINATE SYSTEM
ZONE 1

Horizontal Control Based on U.S.C. & G.S. Monuments "Pep" & "Rod"

B.O.P. Station "L" 10+00.00 =
N. 2363499.542 E. 2540164.261

Mean Azimuth Correction = −0° 40' 30"

Mean Scale Factor = .999933

USED IN CONVERTING GRID BEARINGS AND DISTANCES TO GEODETIC BEARINGS AND DISTANCES

All bearings and distances reflected in these Right-of-Way plans are Geodetic.

A. T. S. 3 Subdivision

Blk. 60

Lot 16

Block 87

GASTINEAU CHANNEL

A. T. S.

W. 9th. Street

W. 10th. Street

DRIVE

EGAN

Lot 1 Lot 2 Lot 4 Lot 5 Lot 6 Lot 8 Lot 9 Lot 10 Lot 11 Lot 12

Blk. 58

City Maintenance Shop

Permit Line

P-4

P-4A

P-4B See Detail Below

E-4 40' Wide Below

X-1

1 2 3 4 4A 4B

Slope Limits

Existing R/W

Exist. Road

Lot 5

BLDG.

Lot 3

A. T. S. 3 Subdivision Blk. 51

DOCK HANGAR

Blk. 88

Boundary

R/W

100'

267.04'

293.34'

See Project F-095-8(29)

BEGIN Proj. QF-095-8(30)
Sta. "L" 10+00.00 =
As Built Sta. 42+99.59

Detail P-4B

NOTE: Parcel 4B required for Air Rights only, P-4B and E-4 required for Surface use.

Permits to expire upon completion of construction and/or date of recordation.

PERMIT	OWNER	AREA
P-3	James D. Madsen	2886 S.F.
P-4	City & Borough of Juneau	6531 S.F.
P-4A	City & Borough of Juneau	8194 S.F.
P-4B	City & Borough of Juneau	6592 S.F.
EASEM'T.		
E-4	City & Borough of Juneau	10,850 S.F.

PARCEL	OWNER	AREA	REMAIN
1	Margaret Doyle	5406 S.F.	1554 S.F.
2	Deleted		
3	James D. Madsen	21,256 S.F.	28,862 S.F.
4	See Project F-095-8(29)		
4-A	See Project F-095-8(29)		
X-1	Margaret Doyle	1554 S.F.	0
4-B	City & Borough of Juneau	11,550 S.F	Large

4/79	Added P-4, P-4A, P-4B and E-4	G.E.P.
5/78	Added PHASE II To Title	G.E.P.
4/78	Show Buried Fuel Tanks at City shops	G.E.P.
2/78	Add Parcel 4-B	G.E.P.
1/78	Delete Parcel 2, Revise Parcels 1, X-1, & 3, Add P-3, Corrected Topo	G.E.P.
3/77	Parcel Name Change	G.E.P.

STATE OF ALASKA
DEPARTMENT OF HIGHWAYS
RIGHT OF WAY MAP
ALASKA PROJECT NO.
QF-095-8(30)

DRAWN G.E.P. DATE 1/25/77 SCALE 1" = 50'
SHEET 1 2

Plat 87-25

GASTINEAU CHANNEL

Protracted Section 22
T 41 S R 67 E
C.R.M.

A.T.S. 3

R/W

100'

578.66'

See Project F-095-8(29)

S 47° 59' 56" W

25+00

120'

Existing R/W

877.04'
S 51° 44' 36" W

60' Transmission Line Easement, A.E.L.&P.

R/W

Slope Limits

Lot 3

A. T. S.

1 2 3

Lot 1

Lot 2

5

6

4

P.C. "L" 27+75.12

R/W

A. T. S. 556

T. S. Tract B

30+00

P.I. "L" 32+34.38
Δ = 82° 48' 25"
D = 110° 00' Lt.
T = 459.27'
L = 752.79'
R = 520.87'

P.T. "L" 35+27.91

35+00

Mudflats

Site

Slope Limits

339

A.T.S. 556
C.T.A.T.S. 339

C-1 C-3 C-4

N 16° 30' 18" E
77.30'

S 34° 48' 29" E

END of Project QF-095-8(30)
Sta. "L" 36+99.87

Cordova St.

BLOCK C

Lot 1

Lot 2

Lot 3

Lot 4

D Subdivision

Lot 5

BLOCK 1

Juneau

Lot 6

West

Lot 7

Douglas Highway

Slope Limits

Sitka Street

Lot 8

Lot 9-10

Lot 11

Lot 12

House

66 B

Lease Area

Parcel 8-A

Parcel 8

Parcel 7

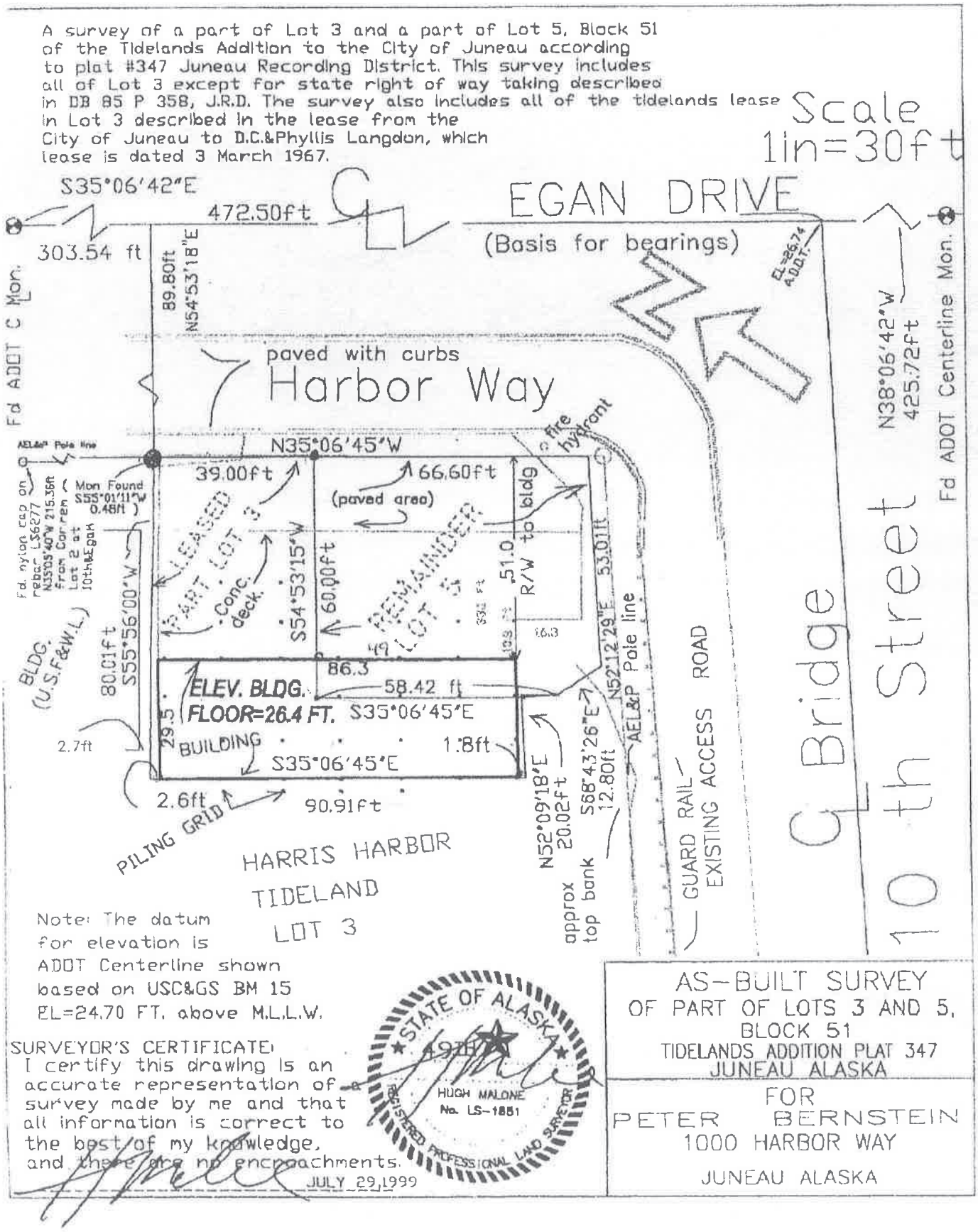
Parcel 10

Existing R/W

Slope Limits

Slope Limits

Slope Limits


A survey of a part of Lot 3 and a part of Lot 5, Block 51 of the Tidelands Addition to the City of Juneau according to plat #347 Juneau Recording District. This survey includes all of Lot 3 except for state right of way taking described in DB 85 P 358, J.R.D. The survey also includes all of the tidelands lease in Lot 3 described in the lease from the City of Juneau to D.C.&Phyllis Langdon, which lease is dated 3 March 1967.
Scale 1in=30ft
S35°06'42"E
472.50ft
EGAN DRIVE
(Basis for bearings)
303.54 ft
89.80ft N54°53'18"E
Fd ADOT C Mon.
paved with curbs
Harbor Way
EL=26.74 4.00ft.
N38°06'42"W 425.72ft
Fd ADOT Centerline Mon.
fire hydrant
AEL&P Pole line
N35°06'45"W
39.00ft
66.60ft
(paved area)
Fd nylon cap on rebar LS6277 N35°03'40"W 215.36ft from Corner (Mon Found S55°01'11"W 0.48ft) Lot 2 at 10th&Egan
LEASED LOT 3
Conc. deck
S54°53'15"W
60.00ft
REMAINDER LOT 3
51.0 R/W to bldg
53.01ft
BLDG. (U.S.F&W.L.)
80.01ft S55°56'00"W
86.3
58.42 ft
ELEV. BLDG. FLOOR=26.4 FT.
S35°06'45"E
29.5
BUILDING
1.8ft
2.7ft
S35°06'45"E
2.6ft
90.91ft
PILING GRID
HARRIS HARBOR
TIDELAND
LOT 3
N52°12'29"E
AEL&P Pole line
N52°09'18"E 20.02ft
S68°43'26"E 12.80ft
approx top bank
GUARD RAIL
EXISTING ACCESS ROAD
10th Street Bridge
Note: The datum for elevation is ADOT Centerline shown based on USC&GS BM 15 EL=24.70 FT. above M.L.L.W.
SURVEYOR'S CERTIFICATE
I certify this drawing is an accurate representation of survey made by me and that all information is correct to the best of my knowledge, and there are no encroachments.
JULY 29,1999
STATE OF ALASKA
HUGH MALONE
No. LS-1851
REGISTERED PROFESSIONAL LAND SURVEYOR
AS-BUILT SURVEY
OF PART OF LOTS 3 AND 5, BLOCK 51
TIDELANDS ADDITION PLAT 347
JUNEAU ALASKA
FOR
PETER BERNSTEIN
1000 HARBOR WAY
JUNEAU ALASKA

HARBOR WAY

EGAN DR EAST BOUND TO TENTH ST BRIDGE