

**ASSEMBLY STANDING COMMITTEE
LANDS AND RESOURCES COMMITTEE
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

February 10, 2020, 5:00 PM.

Assembly Chambers - Municipal Building

I. ROLL CALL

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

- A. January 06, 2020 Draft Minutes

IV. PUBLIC PARTICIPATION

(Not to exceed a total of 10 minutes nor more than 2 minutes for any individual).

V. AGENDA TOPICS

- A. Property Tax Foreclosures
- B. Expanding Fire Service Area
- C. State of Alaska DOT request for Acquisitions and Easements in Lemon Creek
- D. State of Alaska DOT request for Acquisitions and Easements in the Valley
- E. Private Gravel Sale Request

VI. ITEMS FOR ACTION

VII. APPROVAL OF MINUTES

VIII. STAFF REPORTS

IX. LIAISON /COMMITTEE MEMBER COMMENTS AND QUESTIONS

X. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 72 hours prior to any meeting so arrangements can be made to have a sign language interpreter present or an audiotape containing the Assembly's agenda made available. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.org

**ASSEMBLY STANDING COMMITTEE MINUTES
LANDS AND RESOURCES COMMITTEE
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

January 6, 2020, 5:00 P.M.
City Hall, Assembly Chambers

I. ROLL CALL

Chair Edwardson called the meeting to order at 5:00pm.

Members Present: Chair Rob Edwardson, Alicia Hughes-Skandijs, Carole Triem, Greg Smith (via phone conference)

Members Absent: None

Liaisons Present: Chris Dimond, Docks and Harbors; Paul Voelckers, Planning Commission; Chris Mertl, Parks and Recreation

Liaisons Absent: None

Other Assembly Members Present: Mayor Beth Weldon; Loren Jones

Some Members of the Public Present: Cristobal family (owners of the Twilight Café), Sealaska Heritage Institute representatives

Staff Present: Greg Chaney, Lands Manager; Dan Bleidorn, Deputy Lands Manager; Roxie Duckworth, Lands & Resources Specialist; Alex Pierce CDD Planning Manager; Teresa Bowen, Assistant Attorney

II. APPROVAL OF AGENDA

The agenda was approved as presented. Mr. Chaney noted that the Staff Report Item A, “Discussion on Extending Fire Service Area Farther North” has been moved to the February 10th, Lands Committee meeting.

III. APPROVAL OF MINUTES

The December 9, 2019 Draft Minutes were approved.

IV. PUBLIC PARTICIPATION

No public participation.

V. AGENDA TOPICS

A. Twilight Café Easement Request

Mr. Chaney introduced the Twilight Café easement request from the owners, Catherine and Ariel Cristobal, who applied on October 17, 2019 to purchase a five-foot wide access easement across City land to their property located at 325 Willoughby Avenue, also known as the Twilight Café. The Twilight Café property is unique because it is land locked and does not have frontage on a right-of-way. Limited access is available

through an adjacent property owned by Bullwinkle's Pizza via a recorded 4-foot wide easement to the Twilight Café building. Bullwinkle's owns the property that would be the front of the lot and have the most direct access. The relationship between these two property owners has been acrimonious and access via the 4-foot easement has been unreliable at times. Snow plowing has presented challenges therefore the applicants have requested an easement to provide access to the property. The existing limited access via the 4 foot wide easement is currently not a significant problem because the Twilight Café lot also abuts City property, which is being used as a parking lot. The owners and customers of the café can use City property for access if parked cars are not blocking the access. The drive aisle in the parking lot is not a designated right-of-way and may be redeveloped.

The existing 4 foot easement across Bullwinkle's property is problematic for several reasons. A primary issue is that a 4 foot easement is not sufficiently wide to transport large objects to and from the Twilight Café. Additionally, the easement is across a neighboring lot that is subject to the owner's good will to be functional. If there were a significant disagreement between the neighbors, it would be resolved in court, which could leave the Twilight Café property without a practical means of access until the court case was decided. Finally, the Twilight Café was built before current building codes and straddles the entire lot so there is no way to get from the front of the building to the backyard without walking through the structure. There is a reason why this is not allowed in the current code, as you become dependent on your neighbor for access to your property. Therefore, the applicant has applied to the City for a 5 foot wide access easement across the adjacent city owned property that would stretch from the Willoughby Avenue right-of-way along the side of the Twilight Café property.

The proposed easement is within the adopted Willoughby District Land Use Plan, Chapter 5, which has been incorporated as an element of the Comprehensive Plan CBJ§49.05.200(b)(1)(J) (the region has recently been renamed as the Aak'w Village District.) If the area is redeveloped as proposed in the Willoughby District Plan, the parking lot will be removed and access to the Twilight Café lot will be limited to the existing 4 foot easement. It is worth noting that the Willoughby District Plan does not show the Twilight Café or Bullwinkle's lots as private property, but rather as publicly owned green space, or a park. Since there is no guarantee that these property owners would be willing to sell to CBJ in order to redevelop the area, for the purposes of this application review, it is assumed that these properties will remain in private ownership.

This new easement would help resolve the limitations inherent in the existing 4 foot easement across the Bullwinkle's lot. In the short term, this access easement would not result in a change on the ground because vehicles parking in this area generally park about 5 feet from the Twilight Café building so the access is generally available. In the long term, if new development is undertaken on City property, the 5-foot access easement could be accommodated in future designs. The applicants have also expressed interest in building an awning on their property, which would be addressed while negotiating the terms of the easement.

In regards to the flow chart process for an easement application and according to CBJ§53.09.300(c) *Easements, Review Process*, the easement application shall be referred to Community Development, Engineering and Public Works Departments for comments about proposed easements across CBJ Property. Based on the attached memo from CDD Planner, Laurel Christian the Community Development Department has no objection to granting the requested 5' access easement to the subject parcel. The memo also included the recommendation that the eaves that extend from the Twilight Café across the City property line be addressed in the final easement document. This recommendation will be included in the final easement. Michael Vigue, former Director of Engineering & Public Works, also commented that he had no objection to the proposal. We are now at the Lands Committee review stage, seeking recommendation and then the next step would be to bring this to the Assembly for authorization for the Manager to conclude the final terms of the sale by resolution. If this is approved, a survey will be conducted, which in this case has already been established. The current price will be determined by appraisal. An appraisal has been completed and will need to be updated. After these steps, the final terms of the agreement will be determined.

Lands staff is looking for a motion of support for this concept and recommends that the Lands Committee pass a motion of support to be forwarded to the full Assembly to work with the original applicants, Catherine and Ariel Cristobal, to negotiate terms for the sale of a 5 foot access easement across CBJ land to the Twilight Café property. Mr. Chaney noted that the applicants were present to field any questions.

Mr. Voelckers asked about the difference between an easement and a sale. Mr. Chaney replied that in practical terms there is not a huge difference except the City can grant overlapping easements that anyone from the public can use for City purposes and it is not exclusive. If the City sells the property, then the purchasing party can say that it is now private and no one else can come there.

Ms. Hughes-Skandjis asked if the parking would remain for now. Mr. Chaney confirmed and that the wheel stops might be moved a foot, but otherwise little would change.

Mr. Mertl asked about the narrow driveway and how to maintain the 5-foot easement. Mr. Chaney replied that the City would look at wheel stops locations and noted that the 5 foot easement was a compromise for ADA compliance.

Chair Edwardson asked as far as the easements go, would the intention be that they would be vacated if the land is sold? Mr. Chaney replied that if the City were to purchase the land for a park then it would be vacated. If the property is sold to another owner than the easement would probably go with the new owner to avoid passing on the existing access problems.

Ms. Hughes-Skandjis moved support to the full Assembly to work with the original applicants, Catherine and Ariel Cristobal, to negotiate terms for the sale of a five foot access easement across CBJ land to the Twilight Café property. Motion passed.

B. Proposed Aurora Arms condominium Land Trade to Provide Right-of-Way Access

Mr. Chaney introduced this topic that was brought to the Lands Committee on February 27, 2017 and the Committee unanimously forwarded a motion of support to the Assembly to continue to investigate options to purchase the lot located at 1870 Glacier Highway to provide access to eight acres of CBJ owned residentially zoned property outside of the mapped hazard zone. An update was brought to the Lands Committee on December 4, 2017 and the Committee passed a motion of support to continue to investigate options for purchasing the property. After extensive discussion with the Aurora Arms Condominium Association Board, terms for a potential sale were developed. A draft agreement was brought to the Lands Committee on April 8, 2019.

According to the flow chart process for land sale applications, per CBJ§53.09.260(a), Lands is at the beginning with approval to continue to discuss this item from the Manager. The Lands Committee is actually not on the flow chart but Lands' staff have been working with the Association on this project and has brought the current status of the agreement to the Lands Committee to provide an update on its progress.

The Aurora Arms Condominiums is just above Aurora Harbor with City property above them. The 2016 Land Management Plan identified an area of CBJ property listed as LND-1089, near Norway Point, that was outside of mapped hazard zones and might be suitable for residential development. The 2016 Land Management Plan Implementation Strategy also identified this site as an area to investigate for housing proposals. CBJ's Emergency Program Manager, Tom Mattice, has reviewed existing hazard studies conducted in this area. There have been four studies investigating mass wasting and avalanche hazards in this location and none have identified this area as hazardous. Therefore, it looks probable that an area of residential development could be safely developed on the hillside above Norway Point on CBJ property. This would represent a prospect for CBJ to develop property for housing near downtown.

As with most of CBJ's parcels, access is a significant impediment for residential development. In this case, there are two existing rights-of-way that could provide access to the site. Both Ross Way and Behrends Avenue have unbuilt rights-of-way that dead end to CBJ property. Unfortunately both routes would have to cross a dangerous and a well-documented high hazard avalanche zone. An alternative access route is located at 1870 Glacier Highway. It is a 60-foot wide vacant lot that is currently owned by the Aurora Arms Condominium Association and is being used for overflow parking. This property is outside of the mapped hazard zone and is located along a straight section of Glacier Highway. Using this property would provide safe access to the eight acres of CBJ property located uphill Aurora Arms. The road would look similar to that of Blueberry Hills, steep but not crazy and not as steep as other roads downtown. In order to build the road the City would need to purchase the property next to Aurora Arms, who also has a strong desire to have an acre of land for zoning purposes.

Lands staff worked with CBJ Engineering to develop conceptual plans for an access road through this vacant lot. Based on this preliminary work, it appears that a road could be built that would meet CBJ standards and have a maximum grade of 10%. Engineering

cautioned that this road would be expensive and difficult to construct. A proposed parking lot would be built as part of the arrangement to be used for construction and then it would be part of the land traded to Aurora Arms.

After reviewing the proposed agreement, the Lands Committee provided a motion endorsing the land trade agreement with the Aurora Arms Association. The City would trade 0.4 acres of uphill property to Aurora Arms in exchange for this access, which would be .22 acres. The City would benefit by having road access to upland property. Aurora Arms Condominium Association could continue to park where they have been parking until the City constructs a road and then they would park in the new, proposed parking lot. Lands staff contracted with a surveyor to provide a draft plat establishing the extent of the proposed land trade. At this point in the process, it would be appropriate to have the Assembly formally review the proposal as established in CBJ§53.09.260 and if found to be appropriate, send the proposal to the Planning Commission for review, draft an ordinance, bring that to the Lands Committee comments and Assembly for approval.

Basic components of this proposed agreement included:

- CBJ would trade 0.4 acres of upland property for the 0.22-acre vacant lot located at 1870 Glacier Highway.
- CBJ Lands would pay for a lot line adjustment that will be needed for the property trade.
- Property values will be established by appraisal. Cost of the appraisal to be paid by CBJ. If the value of the property received by CBJ is higher, the difference would be made up by a cash payment.
- CBJ intends to build a road above the Aurora Arms Condominiums to access CBJ property. Aurora Arms Condominium Association will continue to park on the vacant lot until CBJ develops the site.
- When CBJ builds the proposed access road, CBJ will build a similar parking lot above the condominiums alongside the new road on condominium property.

Lands Staff recommends that the Lands Committee adopts a motion of support for the Assembly to approve the preliminary land trade agreement with the Aurora Arms Condominium Association and to proceed with the review and approval process as established under CBJ§53.09.260.

Mr. Smith asked what is the potential for housing units. Mr. Chaney replied that it is zoned D5, which is five units per acre, which would be about 40 units. In reality, it probably will not be that high due to the topography and slope issues and some of the lots may be a bit bigger bringing the total units closer to 30.

Mr. Voelkers asked about any research for future development costs. Mr. Chaney replied staff does not have a good number due to many variables, but suspects it would

be in the millions. Mr. Chaney did not think this would be economically viable in the current market but noted that this would be a chance to setup up future development. Ideally, construction costs will not go up as fast as the value of property in downtown. This long-term project may look good in 20 to 40 years.

Ms. Triem asked if CBJ does the land swap now, and if the does not begin for many years, than nothing will change on how the parking lot is currently used. Mr. Chaney confirmed and reiterated that there will be no change until the City is ready to build.

Mr. Mertl commented that this land trade is low costs, low risk and is a good idea.

Chair Edwardson asked about restrictions to the land and if someone could claim adverse possession. Mr. Chaney replied he was not aware of any restrictions that would come with the land. Mr. Chaney noted that there were representatives from the Association now present in the meeting to answer any questions.

Chair Edwardson asks what happens if the lot were traded and if CBJ does not develop or sales. Mr. Chaney replied that the City does not have an official agreement and that the Association would have the right to park in the lot and the City would establish a long-term lease agreement or if sold, the Association would have to agree to the terms.

Ms. Triem moved that that the Lands Committee adopts a motion of support for the Assembly to approve the preliminary land trade agreement with the Aurora Arms Condominium Association and to proceed with the review and approval process as established under CBJ§53.09.260. Motion passed.

Chair Edwardson noted that the Mayor was in attendance.

C. Sealaska Heritage Institute Request to Lease Parking

Mr. Bleidorn introduced Sealaska's application to lease parking. Representatives from the Sealaska Institute were in attendance. Sealaska Heritage Institute has submitted an application to lease City owned property located at 450 Whittier Street. This property was purchased from the Mental Health Trust, Land Trust Office in 2018 and is the former location of the Public Safety Building, which the City demolished in 2019. The property has been paved with asphalt and striped with 64 parking spaces. Five of the parking spaces located closest to the front entrance of the Zach Gordon Youth Center are being used by the Youth Center, and are not available for lease. The application to lease City property states that, "Sealaska Heritage Institute plans construction of an Arts Campus and underground parking facility at the location of the current parking lot at One Sealaska Plaza." Leased parking is needed in the interim for Sealaska employees and tenants of the building; the application states that the parking is needed for approximately one year during construction.

The municipal code 53.09.260 states, "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." If a motion in favor of working with the original applicant is provided

by the Lands Committee, the next step will be to bring this to the Assembly as New Business and request a motion to work with the original applicant. If a motion to work with the original proposer is provided by the Assembly, staff will draft an ordinance that will provide the Manager authorization to execute a lease, which will be reviewed by the Lands Committee. Because this is a lease application, it will go to the Planning Department staff but not to the Planning Commission. If the Lands Committee provides a motion in support for the ordinance and lease, then the ordinance will be introduced at an Assembly meeting followed by a public hearing on the ordinance. If the ordinance is approved, the Manager will execute a lease after a 30-day appeal period. The lease would begin around July for about a year with fair market value determined by an appraisal. Staff already has an idea concerning the value of parking in this area as Lands already leases parking to the State.

Lands staff recommend that the Lands Committee pass a motion of support to work with the original proposer for the lease of City property located at 450 Whittier Street.

Ms. Triem asked about this item in regards to the flow chart, and if the length of the lease would be locked in at this time. Mr. Bleidorn replied that this would be part of the negotiation process and the timeframe could be dependent on the construction project. The lease could allow for a one-year renewal or month-to-month renewal.

Ms. Hughes-Skandjis asked how people approach the City to lease parking. Mr. Bleidorn replied that at one point Lands had been talking to the State about leasing this area for parking but has not received a formal application. The City does lease property from Develop Juneau Now and the State in return subleases that from the City across the street at the Subport. Mr. Bleidorn stated that he believed that this would be a short-term lease and the use could be reevaluated afterwards.

Ms. Triem asked who is and would be responsible for enforcement. Mr. Bleidorn replied that enforcement would be worked out in the terms of the lease and it is usually left up to the lessee. Snow removal would also need to be agreed upon when the lease is signed.

Mr. Smith asked how many spots Sealaska has at Sealaska Plaza. Mr. Bleidorn invited Lee Kadinger from Sealaska up to speak, who replied about 56 parking spaces. Chair Edwardson followed up by asking if it was not just Sealaska Heritage that uses those parking spaces and Mr. Kadinger confirmed that he would handle any parking subleases.

Ms. Hughes-Skandjis moved that the Lands Committee pass a motion of support to work the original proposer for the lease of City property located at 450 Whittier Street. Motion passed.

VI. STAFF REPORTS

A. Discussion on Extending Fire Service Area farther North (Moved to February 10 meeting)

Chair Edwardson noted that this item came from an email from a citizen who lives far north and wanted the City to consider this item. Mr. Chaney noted that City Staff was unable to present this item until the next Lands Committee meeting.

B. Pederson Hill Land Sale Update

Mr. Chaney provided an updated about the Pederson Hill lot sale. The Fixed Price Lottery was held on Tuesday, December 10, 2019, with 6 lots available, with all lots sold. There were 14 registered participants, 11 individuals and 3 corporations. There were more people at the lottery than there were lots available. The Sealed Competitive Bid process did not go as swimmingly with only one lot sold. Thoughts on why this occurred include that fact the sealed bids tend to drive up prices and a lot of people didn't feel that they wanted to bid above the appraised value. Mr. Chaney noted that he encouraged people to bid the minimum, but was not successful in encouraging people to bid. Another reason behind the low participation was probably due to the timing around the holidays.

As soon as the Sealed Competitive Bid sale was complete, according to the ordinance, Over the Counter sales could occur. Staff has sold four lots that were available through the Sealed Competitive Bid sale. There are still lots available. In Mr. Chaney's opinion, these are some of the best lots still available with elevation for sun exposure and potential for views. Lots 2 and 3 share a driveway and would be sold together. The lots that are available are first-come, first-serve, over-the-counter for the appraised value.

Ms. Triem asked if the apparatus shown in the lottery photo was the actual one that was used. Mr. Chaney confirmed. Ms. Triem followed up by asking who pulled the names and Mr. Chaney replied a volunteer from Community Development.

Ms. Hughes-Skandjis asked how close the sealed competitive bid was above the appraised value. Mr. Bleidorn replied that staff was still working with the applicant but the price was a little above. Mr. Chaney replied that it was about 5-percent above the minimum whereas the average percentage above fair market value for the Lena Subdivision was around 30-percent.

Mr. Voelckers asked about the three to four lots that Mr. Chaney indicated were his personal favorite, if those lots are larger. Mr. Chaney replied that they are similar in size with identical pricing to other lots with the same size.

VII. COMMITTEE MEMBER / LIAISON COMMENTS AND QUESTIONS

No Liaison reports provided.

VIII. ADJOURNMENT

Chair Edwardson adjourned the meeting at 5:42PM.

MEMORANDUM

CITY/BOROUGH OF JUNEAU

Lands and Resources Office
155 S. Seward St., Juneau, Alaska 99801
Greg.Chaney@juneau.org
(907) 586-0205

TO: Rob Edwardson, Chair of the Assembly Lands Committee

FROM: Greg Chaney, Lands and Resources Manager

SUBJECT: Property Tax Foreclosures

DATE: February 5, 2020

Every year at the end of the property tax cycle, any properties that have unpaid property taxes for 3 consecutive years (in this case since 2017), will be foreclosed upon and a Clerk's Deed is issued to the City and Borough of Juneau from the State of Alaska.

In November 2019, the City and Borough of Juneau received the Clerk's Deeds for the following properties that had not paid property taxes for three years:

Ronald Vavalis
Parcel Code Number 4B1701140090
2551 Engineers Cutoff

William Zeman
Parcel Code Number 2D050K020020
2358 Old Lawson Creek Road

Steven Baker
Parcel Code Number 4B2801040260
12280 Glacier Highway

State law concerning property taxes is very clear. If the properties are not needed for a public purpose, they can be sold by the municipality however, the municipality only retains the value of the outstanding taxes, fees and interest. If the properties sell for more than this amount, the remainder is forwarded to the former owner. If the former owner cannot be located and does not come forward to claim the proceeds, the extra funds are sent to the State of Alaska. If at any time up until the day before the sale, the former owner pays the outstanding balance, the property is returned to them.

Lands Staff have been in communication with two of the property owners, Ronald Vavalis and William Zeman. Both parties have expressed interest in paying off the property taxes and reacquiring their properties. The Zeeman property is a duplex that is being rented. Mr. Zeeman has made partial payments and it seems likely that this debt will be settled before an auction is held.

Mr. Vavalis has stated that he may have assets that could be sold to pay his property taxes but this is uncertain. Mr. Vavalis mentioned that he is in extremely poor health and has several outstanding expenses with very limited means.

The Steve Baker property has a house on the property that is unoccupied and the owners have not responded to repeated attempts by City staff to reach them. The house has been broken into and the property has also been the subject of multiple nuisance complaints received by the Community Development Department over the course of the last year. Staff has reached out to other family members and they have said that the owner has left the state and has not been reachable for some time. Due to the fact that owner of this property has been non-responsive, it is likely that these property taxes will not be paid.

One unique aspect of the Baker property is that the Engineering and Public Works Department has asked that prior to selling this lot, a public easement should be retained for utilities along the front property line.

The next step for these lots is for ordinances to be introduced to the Assembly authorizing the sale of these properties for delinquent property taxes.

Staff requests a motion of support from the Lands Committee for ordinances to be drafted and sent to the Assembly for the disposal of these properties for delinquent property taxes.



***CAPITAL CITY FIRE/RESCUE***

*820 Glacier Ave
Juneau, Alaska 99801*

Date: February 5, 2020

To: Assembly Lands Committee

From: Rich Etheridge, Fire Chief

Re: Fire Service Expansion

Capital City Fire Rescue was asked to provide information on the impacts of expanding the fire service area.

Currently the fire service area boundaries are; On Douglas Hwy up to the CBJ Boat Launch. On Glacier Hwy. the boundary ends at Cohen Drive near the Lynn Canal Fire Station. Utilizing the CBJ parcel viewer we counted roughly, 65 structures outside of the current fire service area. We have not explored the property tax implications.

While the fire service area is limited, the EMS area covers the entire borough. We also provide occasional EMS services to outlying communities utilizing chartered flights or the USCG.

The calls for fire services in the area past Cohen Drive is relatively low. In the last 10 years there have been 7 reported vehicle fires, 2 structure fires and under the USFS letter of agreement we responded to 5 brush fires.

Currently if there is a structure fire beyond the fire service area a Chief Officer will respond and whenever possible an ambulance will respond. The Chief responds to explain to people why they are not receiving a fire response. The ambulance stands by as people will take extraordinary measures to save their property. The risk of injury to the property owner is very high.

Fire Insurance; if the Fire Service area is expanded, most homeowners will not see an improvement in their fire insurance rates. Structures beyond 5 miles from a fire station are considered unprotected in the insurance industry and pay the higher unprotected rates.

In practical senses with the travel times, a fire in a structure will be very advanced by the time crews are able to arrive on scene. To have a defensible structure, a home sprinkler system would make a significant difference in slowing the growth of a fire. Also, if the structure has fire rated doors that are closed, it could also slow the spread of fire to allow us to save parts of the building for the recovery of personal effects. It would not be

reasonable to have the same expectation of rapid extinguishment with a 5 minute response time vs a 20 minute response time.

The two big hurdles that need to be overcome are staffing and water delivery. Staffing in the Lynn Canal district has been historically very low. There is a very heavy dependence on volunteers in this district. The demographics “out the road” are slightly different than in the Mendenhall Valley.

With the current demographics in the department, we tend to have action-oriented firefighters that want to respond to high volumes of incidents. This results in difficulties in staffing the Lynn Canal Fire Station as the volume of incidents is much lower.

A typical single family home requires 16 to 18 firefighters in the first alarm to meet the minimum required positions. Providing less than the national response standard increases liability should staff be injured or killed. Currently for a structure fire, all on duty staff is deployed and as adequate numbers of volunteers arrive, career staff is returned back to their district.

To respond to a house fire beyond the current service area will require us to do heavy recruiting in this district for volunteer staff. It is not uncommon to have multiple EMS incidents occur during a fire response requiring us to divert people from the fire to medical calls. If the down town fulltime crew is “out the road”, it would create delays in responses down town.

These staffing issues are not insurmountable. It will take some dedicated work to develop response plans and focused recruitment.

CCFR would need to purchase a “Water Tender” AKA “Tanker” as the water system stops at Cohen Drive. The estimated cost is approximately \$350,000. To purchase one similar to the tanker dedicated to Thane Road. The available water pressure is also low at the end of the system as it is the furthest point from the water source.

CCFR does not take a stance for or against the fire service area expansion. If it is done there will be some costs associated with it: a water tanker, protective equipment and training for new volunteers, advertising for recruitment, and staff time on developing a staffing response plan.

If the area is expanded it would also have to have realistic expectations on our suppression capabilities due to the long travel distances and limited volunteer base in that district.

To gain any fire insurance benefits, a new fire station would need to be built 5 miles beyond the existing Lynn Canal Station.

CCFR is happy to answer any questions or do research to help the Assembly make the most informed decision possible.

MEMORANDUM

CITY/BOROUGH OF JUNEAU

Lands and Resources Office
155 S. Seward St., Juneau, Alaska 99801
Dan_Bleidorn@juneau.org
(907) 586-5252

TO: Rob Edwardson, Chair of the Assembly Lands Committee

FROM: *Daniel Bleidorn*
Dan Bleidorn, Deputy Lands Manager

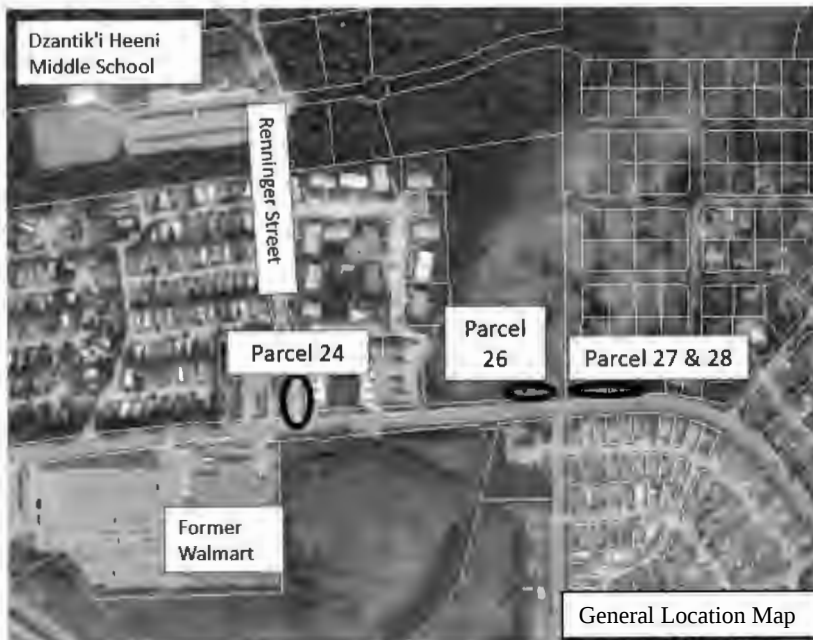
SUBJECT: Alaska Department of Transportation and Public Facilities request for acquisitions, permanent easements and temporary construction easements across City property in the vicinity of Switzer Creek

DATE: February 6, 2020

Overview

The State of Alaska Department of Transportation and Public Facilities (DOT&PF) has submitted an application for the acquisition of four fractions of City owned property, totaling 2,368 square feet, near Switzer Creek. Their application also includes a request for permanent easements and for temporary construction easements (TCEs) on City owned property. The DOT&PF proposes to resurface and improve Glacier Highway from Vanderbilt Road towards the old Walmart property. The purpose of this project is to improve the flow of vehicular traffic through the project area, including public transit, and to make the road more accessible

to pedestrians, including those with disabilities. The application states that the project is needed due to inadequate crossing and travel lanes.



A portion of four CBJ properties are needed for this project. Parcel No. 24 request (Attachment 1) is a fee acquisition, containing approximately 1,419 square feet and it is needed for road construction. This is an unusual property because it is legally a lot but is being used as the Renninger Street

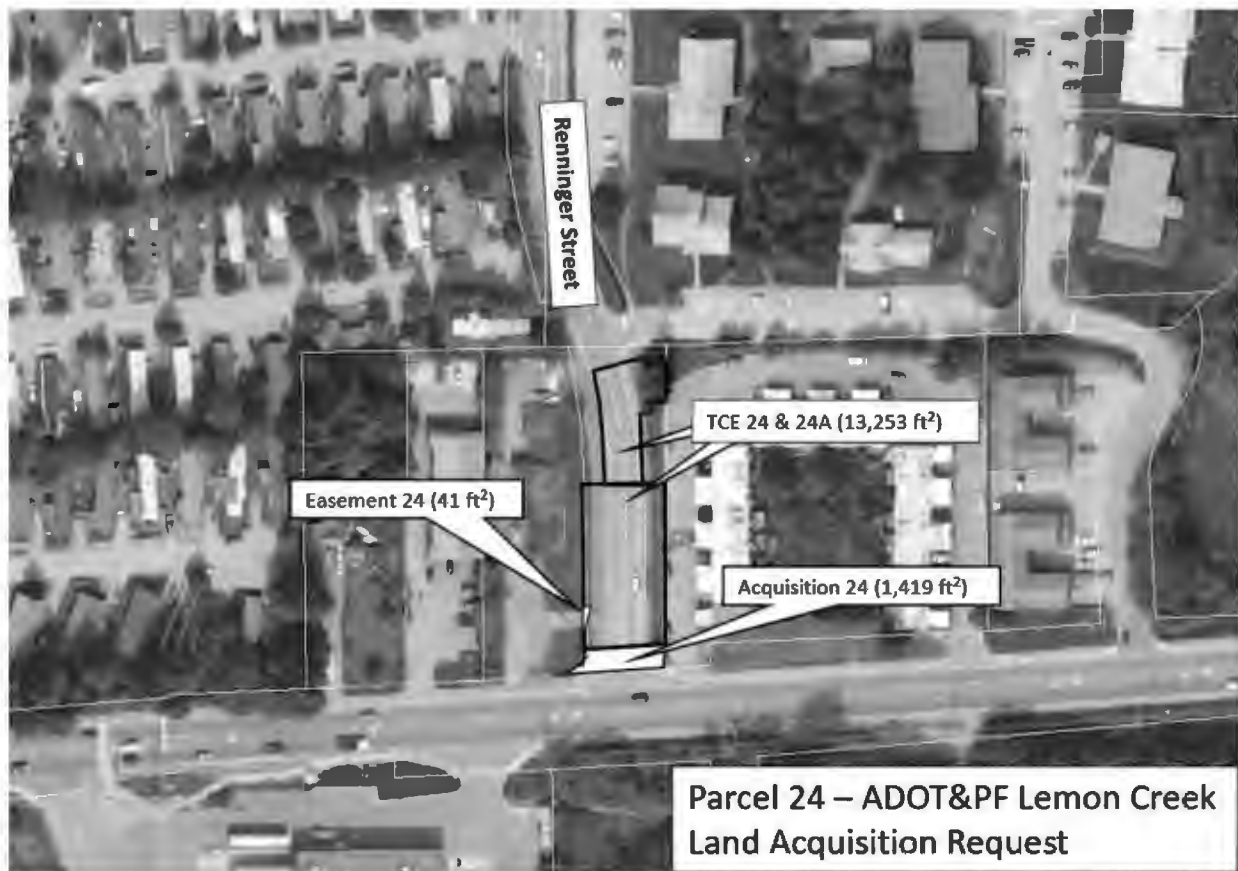
right-of-way. The sale of this property to DOT for right-of-way purposes will normalize the property's legal status.

Easement 24, (Attachment 1), is a permanent easement, containing approximately 41 square feet, needed for overhead power. TCE-24 is a Temporary Construction Easement containing approximately 3,894 square feet and is being requested for access and driveway reconstruction. TCE-24A is a Temporary Construction Easement containing approximately 9,359 square feet needed for road construction. Because Renninger Street currently consists of a parcel of City property and not as a dedicated ROW, the ADOT is requesting to value Parcel 24 using a waiver valuation rather than an appraisal.

Parcels 26, 27 & 28 (Attachment 1) contain a combined area of 949 square feet requested for acquisition and 1,619 square feet for TCEs. Parcel 26 will be used for cut and fill improvements; Parcel 27 will be used to construct a sidewalk and cut/fill improvements; Parcel 28 will be used to construct a sidewalk and install a light pole.

The TCE's will be in effect for the period beginning on the starting date of construction and ending upon project completion.

Staff recommends that the Lands Committee pass a motion of support for disposing of City property as shown in Attachment 1 for road construction purposes by negotiated sale, and by granting easements to the ADOT&PF



Attachment 1 - 02-10-2020 Lands Committee ADOT Lemon Creak Request



STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES

WAIVER VALUATION

**PARCEL#: JNU - GLACIER HIGHWAY IMPROVEMENTS
(LEMON CREEK AREA)**

STATE PROJECT #: Z681240000

FEDERAL-AID PROJECT #: 0955016

PARCEL #: 24, E-24, TCE-24 & TCE-24A

For acquisitions of \$25,000 or less for a federal-aid highway project, \$10,000 or less for a federal aviation project, and \$50,000 or less for a state-funded project.

Name of Owner: CITY & BOROUGH OF JUNEAU

Location of Property: NHN Glacier Highway, Juneau, AK

Zoning: D-5 Multi Family District

Present Use: Public Road

Property Size: 21,706 square feet



ACQUISITION AREA: ☒ Partial ☐ Total

Fee: 1,419 Sq. Ft. Permanent Easement: 41 Sq. Ft. Temporary Construction Easement: TCE-24=3,894 SF
TCE-24A=9,359 SF

Description of Acquisition:

ADOT&PF proposes to resurface and improve Glacier Highway Access Road from Vanderbilt road towards the old Wal-Mart property. The project proposes to acquire Parcel 24, that contains 1,419 square feet along the Glacier Highway frontage for road construction; E-24 that contains 41 square feet for an overhead power easement; TCE-24 that contains 3,894 square feet that will be used for access and driveway reconstruction and TCE-24A that contains 9,359 square feet that will be used for road construction

Value Analysis:

(Source of Data, cost-to-cure) Based on the comparable land sales the value of the subject's site is between \$5.39 and \$5.99. Impact on value of the presence of the subject's public access road cannot be adequately reflected. This use, which has been ongoing for decades, precludes any potential use other than its present use. Given this statement, the subject is considered fully encumbered, similar to a public roadway, with little or no value attributed to the underlying land. Therefore, market value of the subject land is given a nominal value \$.05. The interest acquired from the subject for the encumbered area within E-24 is 10% of the underlying land value of \$.05 per square foot. The owner will be paid for use of the area in the TCE's for the impact to the property during construction on a value of 10% of the underlying land value at \$.05 per square foot.

Calculations:

Parcel #24 1,419SF x \$.05 = \$71 Minimum \$100
E-24 = 41SF x \$.05 x 10% = \$21 Minimum \$100.00
TCE-24 3,894SF x \$.05 x 10% = \$19.47 Minimum \$100
TCE-24A 9,359SF x \$.05 x 10% = \$46.80 Minimum \$100.00

ESTIMATED VALUE OF ACQUISITION: (\$100.00 minimum): \$400.00

I certify that I have no direct, indirect, present, or prospective interest in this property; that I have no personal interest or bias with respect to any party involved; and that I will not benefit in any way from the acquisition of this property.

Date of Inspection: n/a

Date of Estimate: 6/6/2019

Debby Stephens
Estimator

	STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES	PROJECT NAME: JNU: GLACIER HIGHWAY IMPROVEMENTS (LEMON CREEK AREA)
	REVIEW APPRAISER'S RECOMMENDATION OF JUST COMPENSATION	FEDERAL PROJECT #: <u>0955016</u> STATE PROJECT #: <u>2681240000</u> PARCEL: <u>26, 27, 28, TCE-26-28</u>

☒ Original ☐ Revision

Owner: City and Borough of Juneau



The following appraisals were reviewed using Department and nationally recognized appraisal standards:

Appraiser: Roger Nash Date of Value: 2/26/19 Reviewer: Mark D. Kasberg ☒ Approved

This Determination of Just Compensation was prepared in conformity with 49 CFR 24, the Uniform Standards of Professional Appraisal Practice and Chapter 5 of DOT&PF's Appraisal Guidelines. It is the result of my independent, personal, unbiased professional analysis, opinions, and conclusions, based upon a technical review of the appraisal and other available factual data, without significant professional assistance or direction. The data and statements of fact presented in the appraisal have not been verified by this office, and are assumed to be true and correct. All of the assumptions and limiting conditions contained in the appraisal report are also conditions of this review, unless otherwise stated. My compensation is not contingent on the results of this review or the reporting of any predetermined result. I will not benefit in any manner from the acquisition of the property being appraised. I have no direct, indirect, present, or prospective personal interest or bias toward this property or to the parties involved.

I did make a physical exterior inspection of the Subject and comparable sales in March of 2019.

Just Compensation for the property taken and damages, if any, is: \$ 1,300 (Rd)

Land: 949 SF	\$ 949
TCE(s): 1,619 SF	324
Total	\$ 1,273

Uneconomic Remnant? ☐ Yes ☒ No

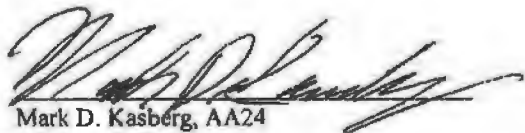
This determination is based on: Mr. Nash's recent appraisal report, which complies DOT/PF appraisal guidelines; and is considered reasonable given the data and analysis presented in the appraisal report.

It is understood that this Determination of Just Compensation is to be used in conjunction with a Federal-Aid or State project, and is intended for use only by the Alaska Department of Transportation and Public Facilities. To the best of my knowledge, items compensable under State Law but not eligible for Federal reimbursement, if any, are attached on a separate sheet.

Federal Participation: \$ 1,300

State Funds: \$

Date: April 1, 2019


Mark D. Kasberg, AA24

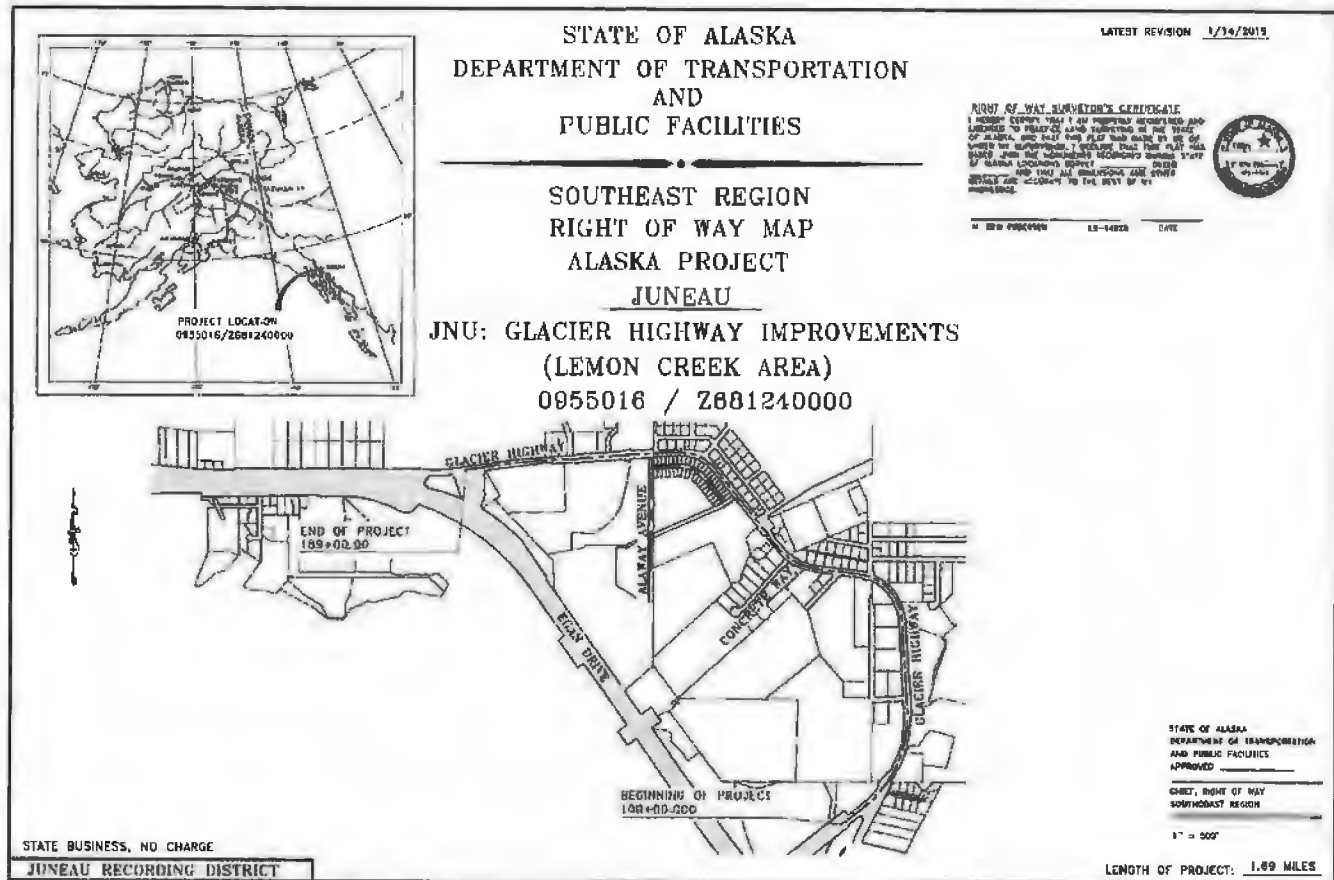
APPROVED FOR ACQUISITION


Greg A. Weinert, Chief Right of Way Agent

DATE: 5/3/19

"Rd" indicates the figure is "rounded"
25A-R505 (Rev 12/2018)

**REAL ESTATE APPRAISAL
GLACIER HIGHWAY IMPROVEMENTS (LEMON CREEK AREA)
PROJECT NO. 0955016/Z681240000**



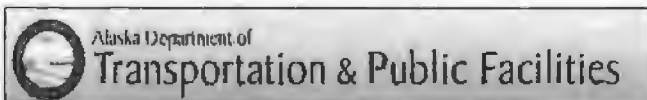
PARCELS 26, 27, 28 & TCE-26, TCE-27 & TCE-28

**PROPERTY OWNERSHIP:
CITY & BOROUGH OF JUNEAU**

DATE OF VALUE: FEBRUARY 26, 2019

PREPARED FOR:

PREPARED BY:



**DEBRA STEPHENS, CONTRACT MANAGER
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND
PUBLIC FACILITIES
6860 GLACIER HIGHWAY
JUNEAU, ALASKA 99801-2506**



**454 SLATER DRIVE
FAIRBANKS, ALASKA 99701
ROGER W. NASH**



454 Slater Drive, Fairbanks, Alaska 99701
907-451-8674
roger@northernappraisers.com

March 19, 2019

STATE OF ALASKA

Department of Transportation and Public Facilities
6860 Glacier Highway
Juneau, Alaska 99801-2506

Attention: Debra Stephens, Contract Manager

Re: Appraisal of Parcels 26, 27, 28 & TCE-26, TCE-27 & TCE-28
Project No. 0955016/Z681240000
Glacier Highway Improvements (Lemon Creek Area)

Dear Ms. Stephens:

I have completed an appraisal that estimates the market value of the proposed partial acquisition of property owned by the City & Borough of Juneau on the north side of Glacier Highway at Switzer Creek for the proposed Glacier Highway Improvements (Lemon Creek Area) Project.

This report is fully self-contained, describing the appraised property, the approaches to value, the appraisal process, and appropriate assumptions and limiting conditions that concludes with the opinion of market value of the proposed acquisition. Based on the analysis contained herein, the estimated market value of the acquisition as of February 26, 2019 is:

ONE THOUSAND TWO HUNDRED SEVENTY-THREE DOLLARS
(\$1,273)

Thank you for this opportunity to be of service. Should questions arise regarding this appraisal, please contact me at this office.

Respectfully submitted;

NORTHERN APPRAISERS

A handwritten signature in black ink, appearing to read "R. Nash", is written over a horizontal line.

Roger W. Nash
Certified General Real Estate Appraiser AA-43

MEMORANDUM

CITY/BOROUGH OF JUNEAU

Lands and Resources Office
155 S. Seward St., Juneau, Alaska 99801
Dan_Bleidorn@juneau.org
(907) 586-5252

TO: Rob Edwardson, Chair of the Assembly Lands Committee

FROM: *Daniel Bleidorn*
Dan Bleidorn, Deputy Lands and Resources Manager

SUBJECT: Alaska Department of Transportation and Public Facilities request for acquisitions, permanent easements and temporary construction easements across City Property in the Mendenhall Valley

DATE: February 6, 2020

Overview

The State of Alaska Department of Transportation and Public Facilities (DOT&PF) has submitted an application for the acquisition of two fractions of City owned property. The application also includes a request for permanent easements and for temporary construction easements on City owned property. DOT&PF proposes to resurface and improve Mendenhall Loop Road to improve traffic flow, pedestrian and bicyclist safety and to update existing infrastructure to current standards.

Of the CBJ property that is needed for this project, Parcel 6 (Attachment 1) is on Parks managed property and is substantially encumbered by the Duck Creek flood zone. The property is located immediately northwest of the Stephen Richards and Mendenhall Loop Road intersection and was donated to the City in 2006 and was designated as part of the Duck Creek Greenbelt in the 2016 Land Management Plan. The DOT&PF has requested the acquisition of 7,878 square feet of this greenbelt, which is needed for road construction. Also being requested is a permanent easement containing 459 square, and a temporary construction easement containing 1,543 square feet.

Michele Elfers, Deputy Director, Parks and Recreation Department, consulting with the Alaska Watershed Council, reviewed this request and recommended that four conditions be placed on the acquisition in order to protect valuable habitat at this site. (Attachment 2). The Parks and Recreation Advisory Committee provided a positive recommendation which included these conditions as well as the condition that Parks Staff agree to any changes that may be negotiated.

The first condition that any fill placed in this area will be placed at a 1:1 slope to minimize the fill footprint and loss of habitat will be completed by the DOT&PF, and they have submitted

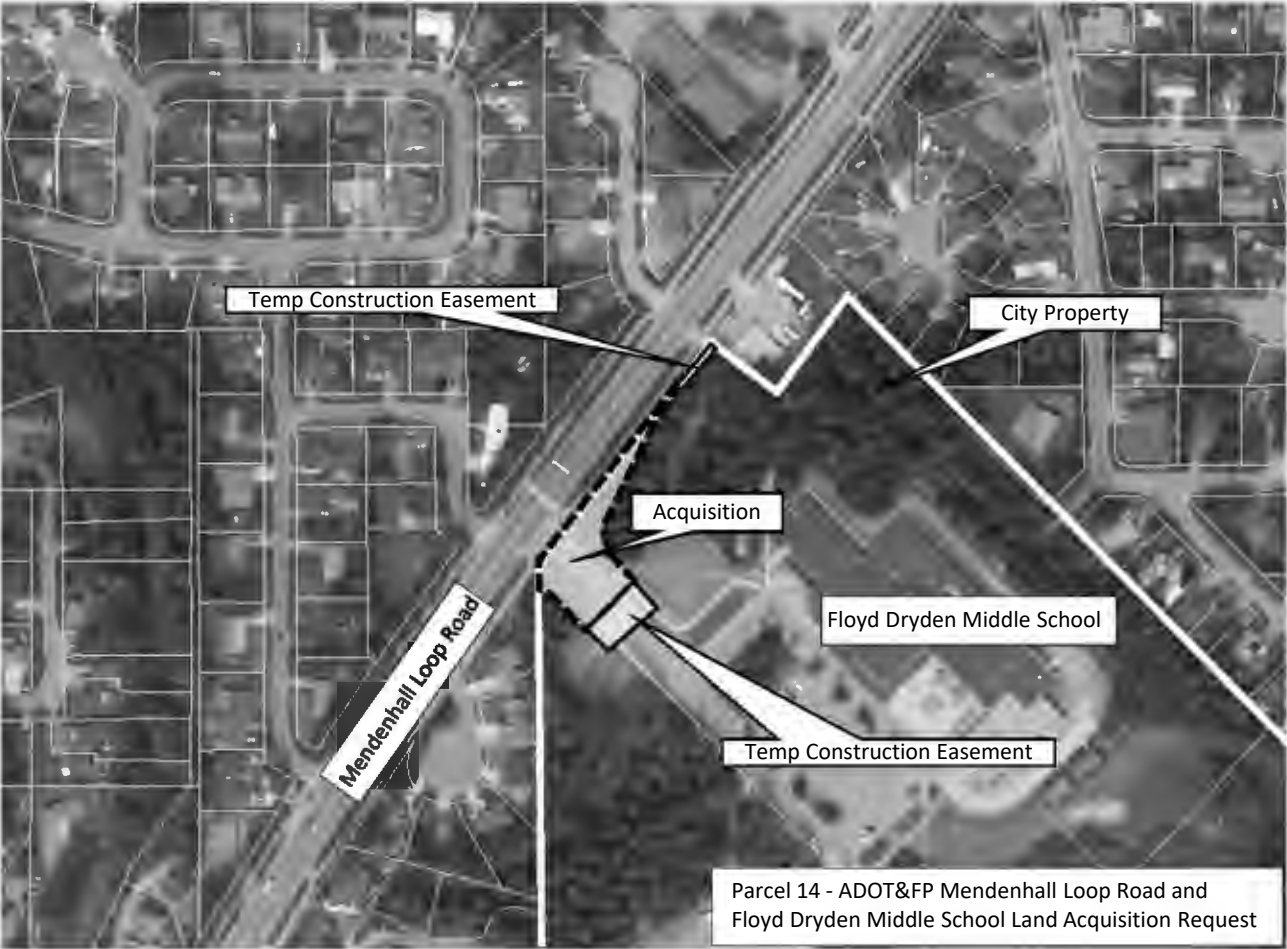
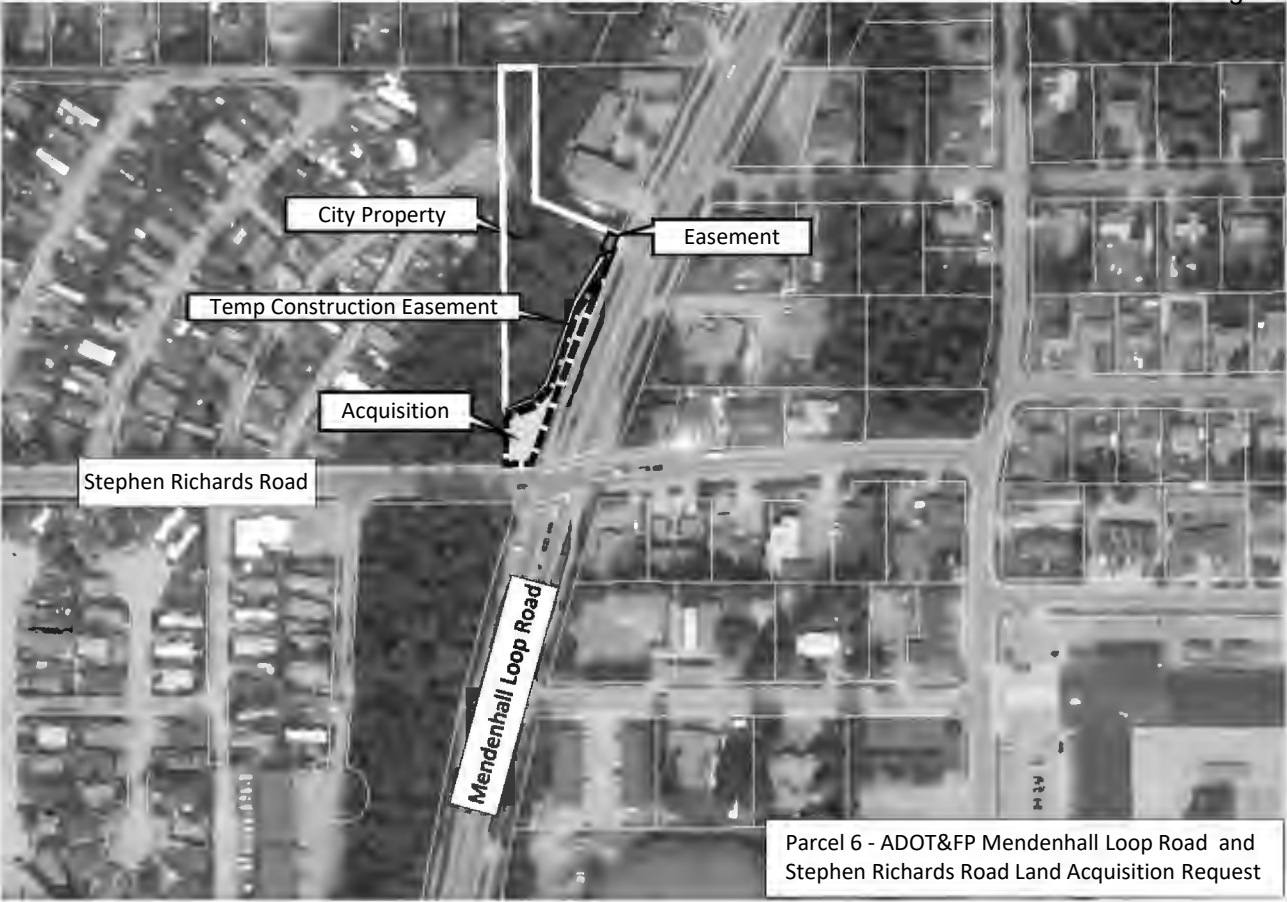
an updated design drawing to show the new slope. The DOT&PF has also included condition four into their design, which states that the DOT&PF implement green infrastructure for stormwater control along this park property and that no piped stormwater shall enter the property from the road.

The DOT&PF has agreed to pay for the cost of satisfying the two remaining conditions; to remove pavement and fill along the north end of the property and to construct a shallow wetland pond to provide rearing and overwintering fish habitat adjacent to the creek. The CBJ will use the DOT payment to provide the requested mitigation. The DOT&PF has offered \$24,175 as an administrative settlement (in addition to purchasing the property and easements for fair market value) as determined by appraisal for this property. Michele Elfers, consulting with the Alaska Watershed Council, calculated the cost of providing the mitigation. (Attachment 3).

The second property, Parcel 14, is located at the intersection of Mendenhall Loop Road and the Floyd Dryden Middle School. The DOT&PF has requested the acquisition of 17,172 square feet, as well as two temporary construction easements, one for 4,253 square feet and another consisting of 414 square feet (Attachment 1). This property is managed by the Juneau School District and is the location for the digital sign at Floyd Dryden. The DOT&PF has offered \$15,000 for the costs of relocating the electronic sign in addition to fair market value as determined by appraisal (Attachment 4).

Staff recommends that the Lands Committee pass a motion of support for disposing of City property by negotiated sale, and by granting easements to the ADOT&PF as proposed in the attached memo.





Dan Bleidorn

From: Michele Elfers
Sent: Thursday, November 21, 2019 5:30 PM
To: George Schaaf; Dan Bleidorn; Greg Chaney; Roxie Duckworth
Subject: Request for Stephen Richards Roundabout Property

Dan, Greg, and Roxie,

We have reviewed the request by ADOT for acquisition and easements of park property at the Stephen Richards Drive intersection. The impacted parkland is designated as Conservation Area in the 2019 Parks and Recreation Master Plan. Conservation areas are natural areas recognized for “environmental qualities of high value, set aside for the protection and management of the natural environment with recreation as a secondary objective.” In this area the land functions primarily as wetlands and greenbelt through and adjacent to an anadromous stream corridor. Based on consultation with the Southeast Alaska Watershed Council and a review of the Duck Creek Restoration Assessment Report from the Juneau Watershed Partnership, 2007 we have found that this land provides riparian edge and wetlands for Duck Creek and contributes to overwintering and rearing habitat for juvenile salmon and other fish. For these reasons, we recommend that the ADOT perform the following actions as mitigation for the acquisition of property and easements from the CBJ.

1. Any fill placed in this area will be contained by a vertical wall, concrete or gabion, to minimize the fill footprint and loss of habitat.
2. Construct a shallow wetland pond area to provide rearing and overwintering juvenile coho and other fish habitat adjacent to the creek with surface connection to the creek. This pond can be on CBJ property and it will serve to mitigate the loss of habitat in impacted areas. Coordinate with CBJ and habitat specialists on the location and design of this pond.
3. Remove pavement and fill in the road corridor along the north end of the property in the area where the permanent easement is being requested. A 6' gravel trail can be maintained. Topsoil shall be placed in the remaining disturbed areas and native vegetation appropriate for the anadromous stream corridor shall be planted and maintained for a calendar year to establish growth.
4. Implement green infrastructure for stormwater control along this park property. No piped stormwater shall enter the property from the road.

I imagine you will want to communicate this to DOT, we can be involved in that conversation if you like. Do you want to bring it to the 12/3 PRAC? If you do, we need to have the packet material ready by next Wednesday.

Thanks,
 Michele

Estimate for Habitat Features at Stephen Richards Loop Road Conservation Area

Gravel Trail

Remove 100' of road through conservation area and replace with walking path, approximately 8' wide. Revegetate shoulders with native vegetation. Excavation for topsoil will be used as trail bedding. Install split rail fence to separate loop road from trail entrance.

Item	Qty	Unit	Cost	Extended Cost
Remove asphalt	140	SY	\$ 4	\$ 560
Excavation	40	CY	\$ 14	\$ 560
2" D1 cap for trail surface	6	CY	\$ 40	\$ 240
6" Topsoil	22	CY	\$ 90	\$ 1,980
Split Rail fence	30	LF	\$ 100	\$ 3,000
Planting	LS	LS	\$ 2,788	\$ 2,788
Estimating Contingency 20%				\$ 1,826
				\$ 10,954
Design, Permitting, Management, Contingency				\$ 4,381
Project Cost				\$ 15,335

Wetland Feature

Create 30'x60' vegetated wetland feature by removing small second growth trees, excavating to water table, and revegetating with native wetland emergent plants.

Item	Qty	Unit	Cost	Extended Cost
Excavation	150	CY	\$ 20	\$ 3,000
Tree Removal	LS	LS	\$ 1,000	\$ 1,000
Planting	LS	LS	\$ 1,262	\$ 1,262
Estimating Contingency 20%				\$ 1,052
				\$ 6,314
Design, Permitting, Management, Contingency				\$ 2,526
Project Cost				\$ 8,840

Total **\$24,175.00**

APPRAISAL PROJECT
PARCEL 6; FRACTION OF BLOCK A, FIELD ACRES SD, PLAT 238
PARCEL 14; LOT 1A, USS 2084, PLAT 402
MENDENHALL LOOP ROAD
(PROJECT NO. Z676220000)
JUNEAU, ALASKA



PARCEL 14 (082019_3295)



PARCEL 6 (082019_3311)

Prepared For: Department of Transportation and Public Facilities
Southcoast Region (DOT&PF)
6860 Glacier Highway
Juneau, Alaska 99801

Prepared By: Slater M. Ferguson, General Appraiser 133619
William G. Ferguson, General Appraiser APRG618
Horan & Company, LLC
403 Lincoln Street, Suite 210
Sitka, Alaska 99835

Effective Date: August 20, 2019

Report Date: October 3, 2019

DOT Project No. Z676220000

Our File: 19-078

HORAN COMPANY

REAL ESTATE APPRAISERS/CONSULTANTS
CHARLES E. HORAN MAI / WILLIAM G. FERGUSON,
JOSHUA C. HORAN, SLATER FERGUSON

403 LINCOLN STREET, SUITE 210, SITKA, ALASKA 99835

PHONE NUMBER: (907)747-6666 FAX NUMBER (907)747-7417 commercial@horanappraisals.com

October 3, 2019

Debra L. Stephens, Right of Way Agent IV
c/o Mark Kasberg

Sent via email: debra.stephens@alaska.gov

Sent via email: mark.kasberg@alaska.gov

Department of Transportation and Public Facilities
6860 Glacier Highway
Juneau, Alaska 99801

Re: Appraisal Project Parcel 6, Block A, Plat 238, Parcel 14, Lot 1A, Plat 402 & TCE;
Mendenhall Loop Road (Project No. Z676220000), Juneau, Alaska. Our File # 19-078

Dear Ms. Stephens,

At your request, we have made a market value appraisal of Parcel 6, Parcel 14, TCE-6, E-6, TCE-14, and TCE-14A as described for the above referenced project, which the Department of Transportation and Public Facilities (DOT/PF) is negotiating to purchase outright and/or purchase the right to use temporarily from the owner, the City and Borough of Juneau. Parcel 6 is appraised on a price per square foot basis, while Parcel 14 is appraised on a price per acre basis.

The Department of Transportation is our client and intended user. The owner is also an intended user. The intended use of the appraisal is to assist in the negotiations to acquire or temporarily utilize the properties. The appraisal has been completed in compliance with the Uniform Standards of Professional Appraisal Practice (USPAP), the Department's Right-of-Way Manual and the requirements of the Appraisal Institute.

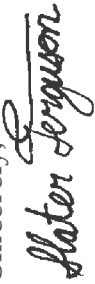
We inspected the property on August 20, 2019. The City and Borough of Juneau, Lands and Parks Department were contacted via phone, but declined to meet with us during the inspection.

Based on our analysis and subject to the Assumptions and Limiting Conditions, Certification of Appraisal, Definitions and information contained in this report, we have estimated the values on the following page:

Value of Acquisition Parcel 6	\$41,826
Value of Acquisition Parcel 14	\$9,750
Value of TCE -6	\$926
Value of E-6	\$689
Value of TCE -14	\$0
Value of TCE -14A	\$0
Cost of Sign Relocation	\$15,000

Thank you for this opportunity to be of service. If you have any questions or comments, please do not hesitate to call.

Sincerely,



Slater M. Ferguson
HORAN & COMPANY, LLC

H



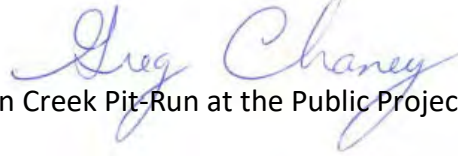
William G. Ferguson
ORAN & COMPANY, LLC

MEMORANDUM

CITY/BOROUGH OF JUNEAU

Lands and Resources Office
155 S. Seward Street, Juneau, Alaska 99801
greg.chaney@juneau.org
Voice (907) 586-0205
Fax (907) 586-5385

TO: Rob Edwardson, Lands Committee Chair
FROM: Greg Chaney, Lands and Resources Manager
SUBJECT: Chilkat Vistas LLC Request to Purchase Lemon Creek Pit-Run at the Public Project Rate
DATE: February 6, 2020



On February 2nd the City Manager and Assembly received a letter from William Heumann and Michael Heumann, Managers of Chilkat Vistas LLC requesting to purchase pit run (unsorted sand and gravel) from one of the City's Lemon Creek gravel pits (attached).

CBJ has developed two gravel pits in the Lemon Creek Valley. One is located behind Costco and the other is behind the Lemon Creek Correctional Facility. These gravel pits have been developed at considerable expense over time to provide a steady supply of sand and gravel for public projects at an affordable rate. In order to ensure a steady supply of sand and gravel for public projects, it has been the policy of the CBJ to restrict the use of this material exclusively for public projects. The primary reason for this policy is that, unlike hard rock, in Juneau well sorted deposits of sand and gravel are finite non-renewable resources.

Further increasing the desirability of City sand and gravel is the fact that CBJ charges around \$2 per ton to contractors who are working on public projects. Based on previous years' budgets, the Lands Division has spent close to \$13 per ton developing and managing the Lemon Creek gravel pits. The City has maintained the tonnage price near \$2 to help reduce the cost of public projects. Meanwhile private sector operators charge in the vicinity of \$9 per ton for comparable material.

Thousands of tons of pit-run material is often required for a development. Given the potential to save thousands of dollars, for decades there has been keen interest by private developers to buy City material for the subsidized public project rate instead of buying gravel for fair market value.

There is natural tension between sand and gravel suppliers and housing developers. Requests from developers to buy pit run at the public project rates puts Lands and Engineering staff in a difficult position because it inserts City staff between two competing portions of the private sector.

In the past, the Assembly has declined requests from developers to sell City material at the subsidized public project rate for private projects. There have been a few exceptions, but in these cases when below market rate sales were authorized, these projects promised reduced housing prices when the projects were completed. Since Juneau has experienced a shortage of affordable housing for decades, the adopted Housing Action Plan recommended that the Assembly aggressively pursue multiple strategies for lowering housing prices. The current Chilkat Vistas request could be considered as one relatively straight forward option for reducing the cost of housing construction, but as proposed there is no guarantee it will lead to reduced housing prices.

If the Lands Committee is interested in granting Chilkat Vistas LLC's request to purchase City pit run at the public project rate, it seems appropriate to develop a uniform City policy that would allow other private sector operators to buy material from CBJ's Lemon Creek material sources in a consistent manner.

Staff Recommendation:

Since selling public resources to for-profit companies is a public policy decision, Lands staff is seeking direction from the Lands Committee. There are two options:

- Considering that selling CBJ gravel resources to a private entity is a complex topic, if the Lands Committee is interested in authorizing the sale of Lemon Creek pit-run to Chilkat Vistas LLC as requested, a well-considered public policy should be developed that could be uniformly applied to similar requests. If directed by the Lands Committee, Lands staff will provide an in depth presentation concerning this topic at a Lands Committee meeting in the near future.
- Alternatively, if the Committee feels that the CBJ should continue to reserve City gravel resources exclusively for public projects, then Lands staff will communicate to the applicant that their request cannot be accommodated at this time.

Chilkat Vistas LLC

6000 Thane Road Juneau, Alaska 99801
907-723-4540

Mr. Rorie Watt
Manager
City and Borough of Juneau
133 Seward Street
Juneau, Alaska 99801

February 2, 2020

Dear Mr. Watt,

We broke ground on the development of our 30 acre tract, Chilkat Vistas, just to the north of Mountainside Estates, last week. Over time this development should contain approximately 400 dwelling units.

We are writing to request assistance from the CBJ in the form of provision of pit run from the Lemon Creek Pit at the rate provided to contractors working on CBJ projects. At the Stablers Point quarry, the CBJ is selling rock to the general public at the low rate. It makes sense that the CBJ would make pit run available from the Lemon Creek pit to the general public at the low rate as well.

The CBJ has an ample supply of pit run, especially since CBJ roads now require shot rock for the base. We need pit run for bedding water and sewer lines, driveways and fill on the site. Building on the mountainside is costly and this assistance would help us defray some of these costs; enabling us to provide our product to the market at a better price. There will be added benefits by reducing the truck time as we are located close to the pit. This means less truck traffic on the roads, a significant savings in fuel consumption and the environmental impacts of burning that fuel.

In the fall of 2018 we purchased the 30 acre tract of land directly north of Mountainside Estates. We obtained a Preliminary Plat for the 1st phase of the development which was appealed by the Mountainside Estates neighborhood. We reached a settlement signed by the neighborhood association, the CBJ attorney acting on behalf of the Planning Commission and us in September, 2019. Then we applied for a new preliminary plat and sketch plat in accordance with the agreement. In November the plat was approved by the Planning Commission 7-0. It was not appealed.

The preliminary plat and sketch plat depict a development consisting of 45 single family homes and 375 multifamily homes.

There have been numerous attempts to develop this prime tract of land over the past 30 years. The main issue revolved around the development of Hooter Lane, an undeveloped ROW extending from Glacier Highway to the tract. As part of the settlement we have agreed to construct Hooter Lane (owned by the CBJ) in phases as the development progresses and to bear the financial burden. The Mountainside Estates neighbors will benefit from the construction of Hooter Lane as they will now have

two entrances to their subdivision greatly improving their fire protection, and reduced construction traffic. The traffic burden from the new dwellings will be divided between the two entrances.

The CBJ has gone to great expense to encourage the development of housing in Juneau including the subdivision at Lena, Pedersen Hill and the senior housing at Vintage Park.

The development of more than 400 housing units will be a significant contribution to meeting the demands of housing in Juneau. We will provide housing across a broad range of the market including apartments, condominiums, bungalows, cottages, and a range of single-family dwellings. The parcel is well located and is blessed with views of the water and of the Chilkat Range.

Recently we obtained the ROW permit to construct Hooter Lane which commenced last week. We intend to begin construction of single family homes this summer.

As an aside we want to take this opportunity to thank you, the CBJ attorney's office, the Planning Commission, the Planning Director and her staff, The Engineering Department, and the Fire Department for the many hours of assistance you have given us.

We appreciate your consideration of this request.

Sincerely,

William Heumann and Michael Heumann
Managers

cc: Assembly Members