



Haines Borough Planning Commission Regular Meeting Agenda

COMMISSIONERS:

ROB GOLDBERG, CHAIR
LEE HEINMILLER, VICE-CHAIR
ROBERT VENABLES
ROGER MAYNARD
ANDY HEDDEN
DON TURNER III
DANIEL GONCE

Thursday, July 12, 2012 - 6:30 p.m.

Assembly Chambers, 213 Haines Hwy.

1. CALL TO ORDER / PLEDGE TO THE FLAG
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF MINUTES: June 14 & 21, 2012
5. PUBLIC COMMENTS [Items not scheduled for public hearing]
6. CHAIRMAN'S REPORT
7. STAFF REPORT
8. PUBLIC HEARINGS:
 - A. **Tony Zedda – Oslund Drive & Lindholm Way Corner Property Lot in Young Subdivision Setback Variance Public Hearing** – Tony Zedda has applied for a variance to allow the construction of a single family residence 10 feet into the 20 foot setback from the undeveloped Lindholm Way right-of-way. **Possible motion:** Approve the Zedda setback variance request to allow for the construction of a single family residence 10 feet into the 20 foot setback from the Lindholm Way right-of-way.
 - B. **Chilkoot Indian Association – Block D, Mission Subdivision Alley Right-of-Way Vacation**
Chilkoot Indian Association has applied to vacate and acquire a portion of the alley right-of-way within Block D, Mission subdivision. **Possible motion:** Recommend for the Assembly to vacate a portion of the alley right-of-way within Block D, Mission Subdivision.
 - C. **Haines Borough – Comprehensive Plan Update:**
Planning Commission will hold a third public hearing to recommend for the Assembly to adopt the Haines Borough Comprehensive Plan rewrite. **Possible motion:** Recommend for the Assembly to adopt the updated Comprehensive Plan.
9. UNFINISHED BUSINESS: None
10. NEW BUSINESS:
 - A. **Historic District/Building Review: Sean Copeland & Heather Shade – Fort Seward Building Renovation:** Sean Copeland & Heather Shade have applied to renovate their historic Fort Seward building with a new concrete slab, stem walls, exterior wall, windows and doors. **Possible motion:** Approve the Copland & Shade proposed renovations to their historic Fort Seward building.
 - B. **Haines Borough Code Amendments:** None
 - C. **Project Updates:** None
 - D. **Other New Business:**
 1. **Haines Borough – Review of a proposal by the State of Alaska to purchase three Lutak Dock parcels:** The state of Alaska has made an offer to purchase three Haines Borough parcels near Lutak Dock to facilitate state improvements to the Haines Ferry Terminal. **Possible motion:** Recommend for the Assembly to further consider the proposal from the state to purchase three parcels near Lutak Dock.
11. COMMISSION COMMENTS:
12. CORRESPONDENCE: None
13. SCHEDULE MEETING DATES
 - A. **Regular Meeting** – Thursday, August 9, 6:30 p.m.
 - B. **ADJOURNMENT**



**Haines Borough
Planning Commission Meeting
June 14, 2012
MINUTES**

DRAFT

1. **CALL TO ORDER/PLEDGE TO THE FLAG** – Chairman **Goldberg** called the meeting to order at 6:35 p.m. in Assembly Chambers and led the pledge to the flag.
2. **ROLL CALL** – **Present:** Chairman Rob **Goldberg**, Commissioners, Don **Turner III**, Lee **Heinmiller**, Andy **Hedden**, Roger **Maynard**, and **Robert Venables** (via teleconference). **Absent:** Danny **Gonce**.

Staff Present: Steve **Ritzinger**/Borough Planning and Zoning Technician

Also Present: Mayor Stephanie **Scott**, Assembly member Debra **Schnabel**, Tom **Kirchner**, Tom **Morphet**/CVN, Bill **Kurz**, and Jack **Wenner**.

3. **APPROVAL OF AGENDA**

Motion: **Heinmiller** moved to “approve the agenda,” and the motion carried unanimously.

4. **APPROVAL OF MINUTES:**

Motion: **Turner** moved to “approve the April 12th and May 11th Planning Commission regular meeting minutes,” and the motion carried unanimously.

5. **PUBLIC COMMENTS**

Scott spoke about scheduling a joint Planning Commission meeting with the Borough Assembly to discuss downtown revitalization and lobbying priorities for Haines Borough in Washington DC.

6. **CHAIRMAN’S REPORT**

Goldberg mentioned that on the previous day he had attended a meeting with the group considering a community building, which was attended by the architects and planning firm working with the Borough. An efficiency study will take place to assess the practicality of using existing Borough buildings versus combining buildings.

7. **STAFF REPORTS** - **Ritzinger** mentioned that he had started working for the Borough on June 1st, and that 5 permits had been approved since that time.

8. **PUBLIC HEARINGS:**

A. Julia Heinz – Mountain View Escape Subdivision

1. **Temporary Cul-de-Sac Conditional Use** – The Planning Commission determined that dead-end roads are to be measured from the cul-de-sac to the nearest intersection and that since the length of Ptarmigan Way measured in that manner is less than 500 feet that a temporary cul-de-sac conditional use permit would not be required.
2. **Preliminary Plat Public Hearing** – Chairman **Goldberg** opened the public hearing at 6:46 p.m.

Heinz stated that efforts have been made to create a good plan with accessible lots and a road that meets Haines Borough road standards.

Kirchner added that lot 1, Block A is going redrawn to have a panhandle access to Ptarmigan Way.

Goldberg closed the public hearing at 6:48.

Culverts were discussed. **Kirchner** mentioned that the 36 inch and 48 inch culverts were oversized to adequately address drainage.

Goldberg mentioned that the lots at larger than an acre exceed the Haines Borough Code required 10,000 square foot minimum lot size, but questioned whether they could adequately facilitate well and septic systems.

Heinz mentioned that builders will be required to comply with Alaska Department of Environmental Conservation regulations, and also suggested that alternative methods of wastewater and sewage disposal may be considered.

Turner suggested that conduit be installed in the road bed for power if it is not initially installed.

It was discussed whether the plat would be reviewed as a 20% to 35% or 100% complete. **Kirchner** stated that with the exception of the panhandle revision, the developer considers the plat to be 100% complete.

Motion: **Turner** moved to “approve the Mountain View Escape Subdivision plat with a revision of a Lot 1, Block A to include a 30 foot panhandle access,” and the motion carried unanimously.

B. Hanes Borough – Comprehensive Plan Update:

Chairman **Goldberg** opened the public hearing at 7:04 p.m.

Schnabel requested for the Comprehensive Plan to be completed on the Planning Commission level.

Kurz mentioned that Barb Sheinberg had done an excellent job at including public input in the document.

Chairman **Goldberg** closed the public hearing at 7:09 p.m.

Motion: **Heinmiller** moved to approve the Comprehensive Plan draft for a second public hearing,” and the motion passed unanimously.

9. UNFINISHED BUSINESS - None

10. NEW BUSINESS

A. Historic District/Building Review - None

B. Haines Borough Code Amendments - None

C. Project Updates – None

D. Other New Business

1. Haines Borough Main Street Properties and Elks Property

Kurz stated that the Borough should hold onto properties until a plan for the properties is in place.

Schnabel inquired about reports from Ann Marie Palmieri regarding the contamination of the Primary School property

Scott mentioned points from an e-mail forwarded to her from Darcie Culbeck about concepts related to a civic campus.

Venables stated that there is much planning work to be done prior to the sale of the properties that falls within the purview of the Planning Commission, and that the process will take time.

Hedden mentioned that Main Street suffers from a lack of parking, and that he would ultimately see some of the Main Street properties in the private sector, but not until a plan is in place.

Maynard stated that if downtown is to be revitalized that land needs to be owned by business owners.

Goldberg contrasted Borough property versus community property. He stated that the properties should not be handled as excess Borough property such as vehicles that are sold when not of use, but rather be retained as they are used by the community. He pointed out that the Planning Commission is unified in the concept that there is no rush to dispose of the property.

It was decided that the Chairman will write a memo to the Borough Assembly stating that the Planning Commission stands by its decision to classify the properties for sale.

The Elks property was discussed. **Turner** mentioned that he would like more information on the status of the building. It was agreed that the value of the property is in the strategic location of the land more than the building.

2. Chilkat Lake Road & Carrs Cove Subdivision Rezoning Letters

Venables requested for the Chilkat Lake Road area survey statement that lists specific conditional uses in rural mixed use zoning be omitted. He mentioned that he would like for the Planning Commission to work on recommendations for the General Use area regarding setbacks from property lines, sewage disposal issues and building separation for new construction to protect public safety and property values.

Single residential zoning was considered as an option presented in the Carrs Cove survey. Due to the topography of the area it was decided that small lots would not be good planning, and that single residential would not be included as an option in the survey.

11. COMMISSION COMMENTS

The Mountain View Escape plat was considered on whether it was approved as a 20-35% or 100% complete plat. The intent of the code is to give the Planning Commission two opportunities to review a proposed subdivision plan prior to construction. **Turner** pointed out that the Planning Commission could have required a second public hearing.

12. COMMUNICATION

13. SET MEETING DATES – A special meeting is scheduled for 6:30 p.m. Thursday June 21st to hold a second public hearing to recommend for the Assembly to adopt the Haines Borough Comprehensive Plan rewrite. The next Regular Planning Commission meeting is scheduled for 6:30 p.m. on Thursday, June 14th.

14. ADJOURNMENT– 6:45 p.m.

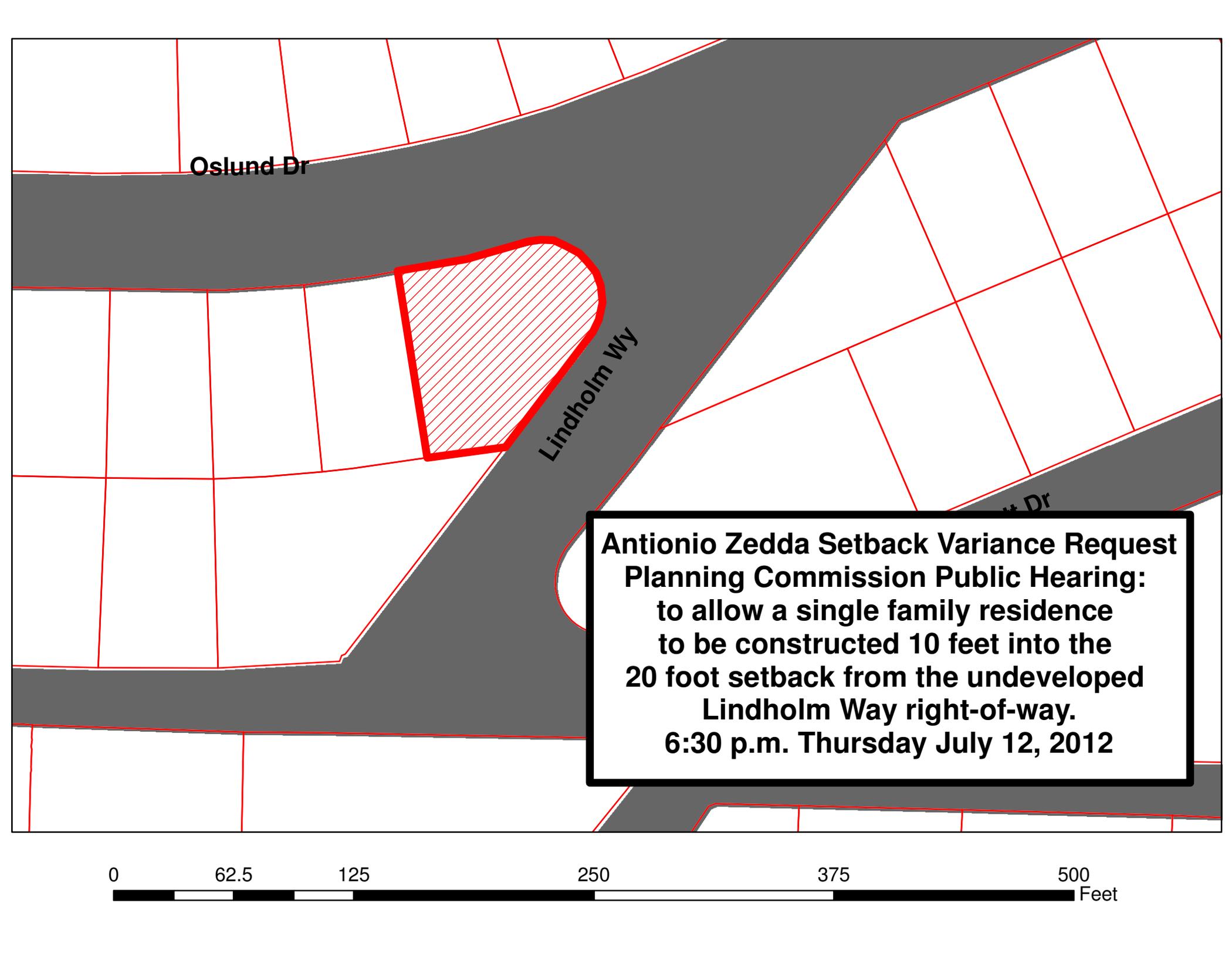


**Haines Borough
Planning Commission Meeting
June 21, 2012
MINUTES**

DRAFT

1. **CALL TO ORDER/PLEDGE TO THE FLAG** – Chairman **Heinmiller** called the meeting to order at 6:35 p.m. in Assembly Chambers and led the pledge to the flag.
2. **ROLL CALL** – **Present:** Vice Chairman Lee **Heinmiller**, Commissioners Robert **Venables**, Don **Turner III**, Roger **Maynard**. **Absent:** Rob **Goldberg**, Andy Hedden, and Danny **Gonce**,

Staff Present: Steve **Ritzinger**/Borough Planning and Zoning Technician
Also Present: Mayor Stephanie **Scott**, Assembly member Debra **Schnabel**, Jack **Wenner** and Bill **Kurz**.
3. **APPROVAL OF AGENDA**
Motion: **Venables** moved to “approve the agenda,” and the motion carried unanimously.
4. **PUBLIC COMMENTS**
Wenner mentioned that Zimovia Point is listed at 7 mile, but that it is closer to 9 mile.
5. **PUBLIC HEARING:**
Heinmiller opened the public hearing up at 6:40 p.m.
Wenner suggested creating a committee to discuss railway planning in Haines Borough.
Kurz mentioned that the Comprehensive Plan stating that there is interest in railroad is important.
Schnabel stated her concern of a lack of continuity on Oslund Drive. She continued with her concern of Young Road as the only road out of Highland and Skyline Estates subdivisions.
Heinmiller mentioned that developer Jan Van Dort has been encouraged to develop an alternate access to Highland Estates and Skyline subdivisions through his property to Haven Court and Oceanview Drive.
Heinmiller closed the public hearing at 6:52 p.m.
Venables suggested requesting for the clerk to post the rail information presented by **Wenner** on-line.
Motion: **Venables** moved to “schedule a third public hearing on July 12, 2012 on the updated Comprehensive Plan,” and the motion passed unanimously.
6. **COMMISSION COMMENTS**
7. **SET MEETING DATES** – The next Regular Planning Commission meeting is scheduled for 6:30 p.m. on Thursday, July 12th.
8. **ADJOURNMENT**– 6:55 p.m.

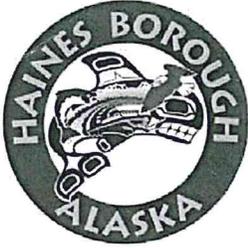


Oslund Dr

Lindholm Wy

**Antonio Zedda Setback Variance Request
Planning Commission Public Hearing:
to allow a single family residence
to be constructed 10 feet into the
20 foot setback from the undeveloped
Lindholm Way right-of-way.
6:30 p.m. Thursday July 12, 2012**

0 62.5 125 250 375 500 Feet



Haines Borough

Planning and Zoning

103 Third Ave. S., Haines, Alaska, 99827

Telephone: (907) 766-2231 * Fax: (907) 766-2716

APPLICATION FOR VARIANCE

Permit#: _____

Date: _____

Use this form for policy variances for: Building Density, Setbacks, Building Height & Parking Regulations

I. Property Owner*	Owner's Representative (If Any)
Name: ANTONIO ZEDDA & JACK KOBAYASHI	Name:
Mailing Address: 26-1114 FIRST AVE WHITEHORSE YUKON	Mailing Address:
Contact Phone: Day Night 867 633 6874 x.25	Contact Phone: Day Night
Fax: 867-633-4602	Fax:
E-mail: TONY@KZA.YK.CA	E-mail:

II. Property Information
Size of Property: 8,474 SQ. FT.
Property Tax #: C-YNG-04-1100
Street Address: OSLUND DRIVE
Legal Description: Lot (s) 11 Block 4 Subdivision YOUNG'S SUB DIVISION
OR Parcel/Tract _____ Section _____ Township _____ Range _____
[Attach additional page if necessary.]
Zoning: Waterfront <input type="checkbox"/> Single Residential <input checked="" type="checkbox"/> Rural Residential <input type="checkbox"/> Significant Structures Area <input type="checkbox"/> Rural Mixed Use <input type="checkbox"/> Multiple Residential <input type="checkbox"/> Heavy Industrial <input type="checkbox"/> Waterfront Industrial <input type="checkbox"/> Commercial Industrial Light Commercial <input type="checkbox"/> Recreational <input type="checkbox"/>

III. Description of Work			
Type of Application (Check all that apply)	Project Description (Check all that apply)	Water Supply Existing or Proposed	Sewage Disposal Existing or Proposed
<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial _____ sq. ft. _____ seating capacity if eating/ drinking establishment	<input checked="" type="checkbox"/> Single Family Dwelling <input type="checkbox"/> Change of Use <input type="checkbox"/> Multi-Family Dwelling Total # of Units _____ <input type="checkbox"/> Cabin <input type="checkbox"/> Addition <input type="checkbox"/> Accessory Structure <input type="checkbox"/> Other _____	<input type="checkbox"/> None <input type="checkbox"/> Community well <input type="checkbox"/> Private well <input checked="" type="checkbox"/> Borough Water System <input type="checkbox"/> Other _____	<input type="checkbox"/> None <input type="checkbox"/> Septic Tank <input type="checkbox"/> Holding Tank <input checked="" type="checkbox"/> Borough Sewer System <input type="checkbox"/> Pit Privy <input type="checkbox"/> Other _____
Valuation of Work: \$ 200,000			

IV. Variance	
Applicant seeks a variance from the following general requirement(s):	
Code Section #:	18.80.030 SETBACKS & HEIGHT
Describe the problem and the minimum variation from code necessary to resolve the problem:	
A PORTION OF PROPERTY ABUTS A UNUSED ROAD ROW (LINDHOLM DRIVE). AS THIS IS NOT A USED STREET, THE SETBACK SHOULD BE REDUCED TO 10' FROM 20'	
Attach the following documents to the permit application:	
<input checked="" type="checkbox"/>	Site plan (see Attachment A) showing lot lines, bearings and distances, buildings, setbacks, streets, etc.

PREAPPLICATION (Recommended)

Pre-application Conference Date: _____

At Least two (2) days before the pre-application conference, submit the following materials to the Planning and Zoning Department:

1. A copy of a plat or other legal description of the property.
2. A sketch of the property showing the features the applicant believes are relevant to the variance request.

APPLICATION

In addition to a site plan (see Attachment A), the applicant must describe how their requested variance complies with each of the following six standards listed in Section 18.80.050 of the Land Use/Development Code. You may use the space provided on this form or attach your answers. A variance may only be granted if the Planning Commission finds that these six standards are met.

1. Except in the Significant Structures Areas, the conditions upon which the variance application is based do not apply generally to properties in the zone or vicinity other than the property for which the variance is sought.

Describe how the problem stated on page one is unique to your property.

THE PROPERTY AREA AT 8,474 SQ. FT. IS BELOW HAINES BOROUGH CODE 10,000 S.F. MINIMUM. THE PROPERTY ABUTS ROW ON APPROX. 70% OF THE PERIMETER, REQUIRING A 20' SETBACK. THESE TWO FACTORS REDUCE SIGNIFICANTLY THE ALLOWABLE BUILD AREA.

2. Explain how the conditions described above arise out of natural features inherent in the property such as shape or topographical conditions of the property or because of unusual physical surroundings, or such conditions arise out of surrounding development or conditions.

AS NOTED, APPROXIMATELY 70% OF PERIMETER REQUIRES A 20' SETBACK WITH A SIGNIFICANT PORTION OF THIS DUE TO AN UNUSED ROAD ROW ADJACENT THE PROPERTY.

3. Describe why (because of the conditions you have described) the strict application to the property of the requirements of this chapter will result in an undue, substantial hardship to the owner of the property such that no reasonable use of the property could be made.

DUE TO THE CONDITIONS OF EXISTING LOT AREA (8,474 SQ. FT.) BEING BELOW MINIMUM ALLOWED AND PORTION OF SETBACK ON PERIMETER NEEDING TO BE MIN. 20' THE ALLOWABLE BUILDING AREA AND OPTIONS FOR DEVELOPMENT ARE LIMITED.

4. Describe how or why the special conditions that require the variance are not caused by the person seeking the variance, a predecessor in interest, or the agent of either.

THE SPECIAL CONDITIONS THAT REQUIRE THE VARIANCE ARE CAUSED BY LIMITED LOT AREA AND UNUSED ROAD ROW W/ SETBACK REQUIREMENT OF 20 FEET.

5. Describe any reasons not based on costs or inconvenience you have for requesting this variance.

THE COMBINED FACTORS OF LIMITED LOT AREA AND RESIDENTIAL SETBACKS FROM STREETS (SOME OF WHICH HAVE BEEN ABANDONED) SEVERELY LIMIT BUILDING DEVELOPMENT OPTIONS + LAYOUTS.

6. The variance can only be granted if the variance will not permit a land use in a zone in which that use is prohibited.

Explain what your property will be used for.

CONSTRUCTION OF A SINGLE FAMILY RESIDENCE.

IV. FEE

A non-refundable fee of \$150 must accompany this application. Checks must be made payable to the HAINES BOROUGH.

NOTICE

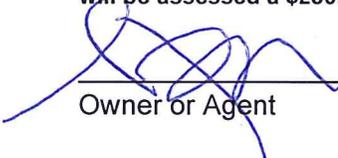
If a property qualifies for a variance under the Haines Borough Land Use/Development Code Section 18.80.050(D), the variance granted must meet the following conditions:

1. The deviation from the requirement of this chapter that is permitted by variance may be no more than is necessary to permit a reasonable use of the lot;
2. The variance will not permit a land use that is prohibited by this chapter;
3. The variance is in keeping with the spirit and intent of this chapter and the requirements from which relief is sought;
4. The variance will not be detrimental to the public health, safety or welfare; and
5. The variance will not significantly adversely affect other property (i.e., snow will not be deposited on adjacent properties from areas such as roofs).

Notice of Right to Appeal: All decisions of the Borough Manager are appealable per HBC 18.30.050

V. CERTIFICATION

I hereby certify that I am the owner or duly authorized owner's agent, that I have read this application and that all information is correct. I further certify that I have read, understand and will comply with all of the provisions and permit requirements outlined hereon. I also certify that the site plan submitted is a complete and accurate plan showing any and all existing and proposed structures on the subject property. All contract work on this project will be done by a contractor holding valid licenses issued by the State of Alaska and the Haines Borough. **I am aware that if I begin construction prior to receiving permit approval, I will be assessed a \$250.00 "After-the-Fact" fee.**



 Owner or Agent

JUN 19 2012

 Date

PROVISIONS: The applicant is advised that issuance of this permit will not relieve responsibility of the owner or owner's agents to comply with the provisions of all laws and ordinances, including federal, state and local jurisdictions, which regulate construction and performance of construction, or with any private deed restrictions.

 Office Use Only Below This Line

<input checked="" type="checkbox"/> Applicant Notified Application is Complete and Accepted <u>Week # 6/25/12</u> <u>phone</u> <u>SK</u> <small>(Date) (Notified via) (Initials)</small>					
Non-Refundable Building Permit Fee \$ <u>150.-</u> Receipt No. <u>18169</u> Received By: <u>A. Nelson</u> Date: <u>6/25/12</u>			Information/Documentation Req'd Rec'd <input type="checkbox"/> <input type="checkbox"/> State Fire Marshal <input type="checkbox"/> <input type="checkbox"/> State DEC <input type="checkbox"/> <input type="checkbox"/> Variance/Conditional Use Permit <input type="checkbox"/> <input type="checkbox"/> Sign Permit		
Zoning	Bldg. Height	Lot Coverage %	Const. Type	Occupancy	# Stories
This application meets all applicable Borough policies and a permit is issued, conditional on the substantial completion of construction within two years and the following special requirements:					
Planning Commission Chair:			Date:		

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

OSLUND DRIVE

LOT 11, BLOCK 4, YOUNG'S
SUBDIVISION, PLAT # 74-3.
LOT AREA = 8,474 s.f'

BUILDABLE AREA =
3,436 s.f'

REQUIRED FRONT YARD SETBACK = 20'

REQUIRED REAR YARD SETBACK = 20'

REQUESTED REAR YARD SETBACK = 10'

R=30'

LINDHOLM DRIVE R.O.W.

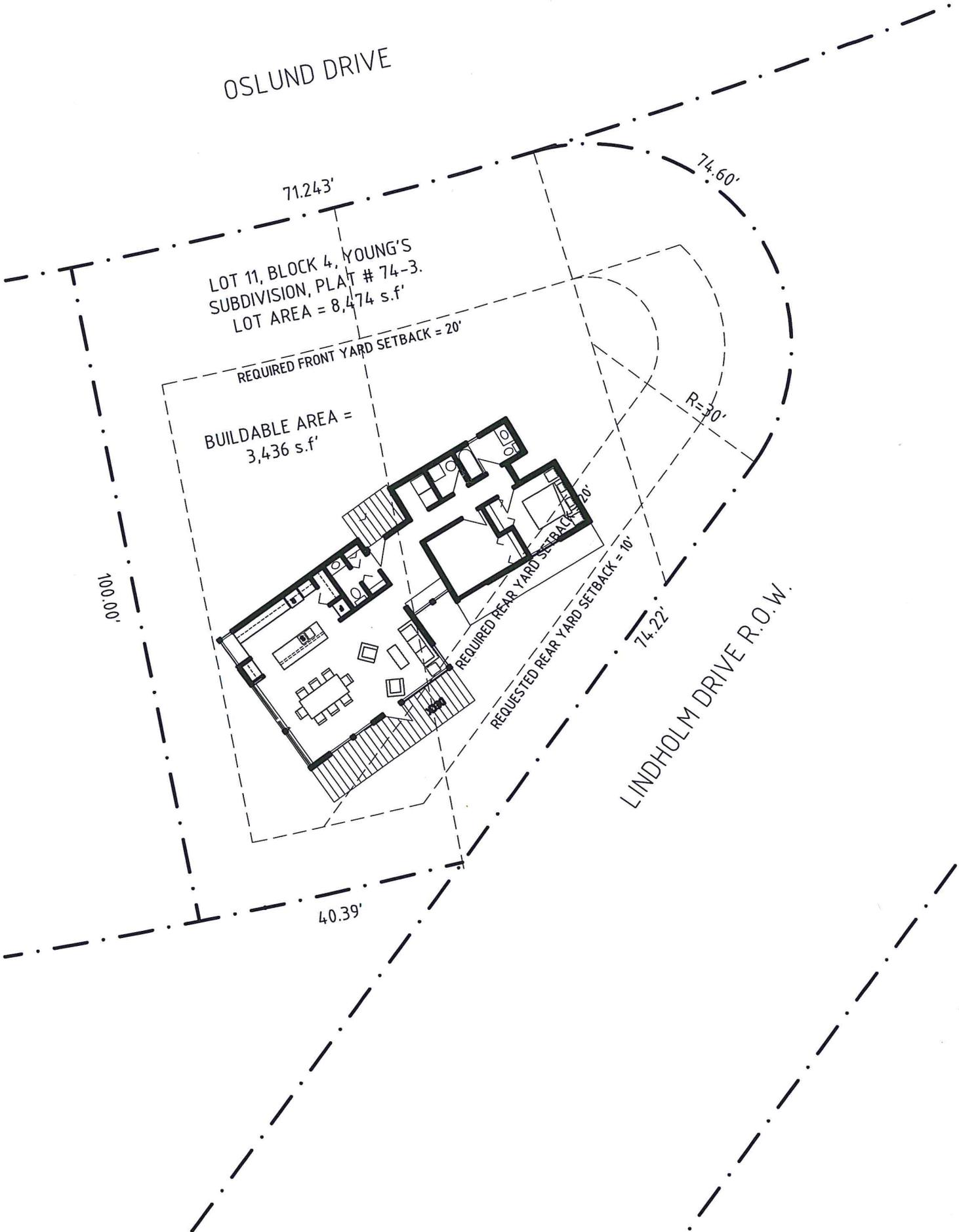
71.243'

74.60'

100.00'

74.22'

40.39'



18.80.050 Variance.

A variance is the relaxation of the...setback...standards of this chapter beyond those provided for by this chapter. A variance is designed to allow the adjustment of regulations of this chapter in special cases where unusual physical features of a particular parcel involved would make a strict application of the zoning regulations unreasonable. Under no circumstances shall a variance be granted to permit a use of land or structure which is not otherwise permitted in the zone involved. The intent of the policies for which variances may be granted follows:

Setbacks: The intent of setback regulation is to allow for a certain amount of privacy and outdoor living space around a structure, promote fire safety, prevent snow depositing on adjacent properties, allow room for snow removal, promote safe conditions for off-street parking and vehicular access to public rights-of-way, and provide an adequate sight triangle for the safe approach of vehicles to intersections.

C. Variance Standards. A variance may be granted only if:

1. Except for significant structures areas, the conditions upon which the variance application is based do not apply generally to properties in the zone or vicinity other than the property for which the variance is sought; and
2. Such conditions arise out of natural features inherent in the property such as shape or topographical conditions of the property or because of unusual physical surroundings, or such conditions arise out of surrounding development or conditions; and
3. Because of such conditions the strict application to the property of the requirements of this chapter will result in an undue, substantial hardship to the owner of the property such that no reasonable use of the property could be made; and
4. The special conditions that require the variance are not caused by the person seeking the variance, a predecessor in interest, or the agent of either; and
5. The variance is not sought solely to relieve financial hardship or inconvenience; and
6. The variance will not permit a land use in a zone in which that use is prohibited.

D. Conditions on Approval. If a property qualifies for a variance under this section, the variance granted must meet the following conditions:

1. The deviation from the requirement of this chapter that is permitted by variance may be no more than is necessary to permit a reasonable use of the lot;
2. The variance will not permit a land use that is prohibited by this chapter;
3. The variance is in keeping with the spirit and intent of this chapter and the requirements from which relief is sought;
4. The variance will not be detrimental to the public health, safety or welfare; and
5. The variance will not significantly adversely affect other property (i.e., snow will not be deposited on adjacent properties from areas such as roofs).

Chilkoot Indian Association Right-of-way Vacation Request

The Chilkoot Indian Association is requesting from the Borough 3,850 sf of existing alleyway right-of-way existing between Presbyterian Mission plat lots. The right-of-way is entirely surrounded by Tribally-owned land, and the adjacent property owner to the south has already vacated the right-of-way. Property owners across the alleyway to the north have vacated right-of-way.

This vacation will allow the Tribe to construct a Community Services Center. The Center will be a 60X80 building with a conference room for Council and private meetings and an open space for medium-sized public meetings. Office space will be designed for staff and Tribal offices. Over 12,000 sf will be dedicated for parking, and overall uses will be considered in the access plan. The Haines Borough Assembly has endorsed this project concept as a valuable use.

In order to legally construct, the property lines need to be vacated, and the right-of-way also needs to be vacated to allow all nine properties to be developed as a whole. The property owner to the south has already vacated the alleyway within his portion of Block D.

HAINES BOROUGH

APPLICATION FOR USE OF / PURCHASE OF /
EASEMENT THROUGH OR VACATION-PURCHASE OF
BOROUGH-OWNED REAL PROPERTY

RECEIVED
APR 26 2012

HAINES BOROUGH

TYPE OF APPLICATION

(check one)

- PURCHASE
- LEASE
- LEASE ASSIGNMENT
- EASEMENT
- VACATION-PURCHASE
- USE PERMIT

Legal Name of Applicant(s) CUMKOOT INDIAN ASSOCIATION
Please Print

Mailing Address P.O. Box 490 Day Phone: 766 2323

1. Legal Description of Property (attach map/drawing): BLK D, LOTS 2-10, MISSION SUB
2. Existing Parcel Size: Sq. Feet: 4,080 Acres: 0.09
3. Existing Utilities: None: _____

Water: On Site _____ Public

Sewer: On Site _____ Public

4. Access: 2nd AVE / 3rd AVE

5. Proposed Term of Usage: (leases may be issued for not less than five years nor more than 35 years) PURCHASE

6. Include with this application the following:

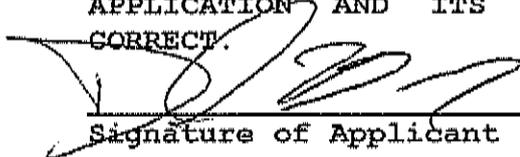
- A. \$100 non-refundable filing fee
- B. Plans, reports, a narrative, and other material sufficient to permit the Borough to evaluate the need for the land request including:
 - A. Purpose/reasons
 - B. Use, value and nature of proposed improvements to be constructed (including plans and maps).
 - C. Date construction to begin and projected completion date.

7. Comprehensive Plan designation for property: COMMERCIAL

8. Zoning designation for property: COMMERCIAL

9. Current assessment by Borough Assessor: \$ N/A

I HEREBY CERTIFY THAT ALL OF THE STATEMENTS MADE IN THIS APPLICATION AND ITS INCORPORATED ATTACHMENTS ARE TRUE AND CORRECT.


Signature of Applicant

4/16/12
Date:

*****OFFICE USE ONLY THIS SIDE*****

14.32.

A. Receipt of this application with all required attachments, together with the \$100 filing fee (non-refundable) is hereby acknowledged. (Note: an *additional* \$25 fee is required with easement applications.) \$100 \$125

Received by: Conner Staska Date: 4-24-12 Receipt #: 16979

B. Planning Commission's Official Comment:

Meeting Date: _____ (attach comment)

Public Hearing Date (required for vacation-purchase requests): _____
(attach newspaper ad and posting showing a minimum of seven days notice given)

C. Assembly Action to Approve Application: Approved Not Approved

Meeting Date: _____ (attach minutes excerpt)

D. Land Manager's (or designee's) *estimate* of additional application costs (including survey, appraisal, advertising, etc.): \$ _____ (attach itemization)

E. Receipt of *estimated* costs from applicant (within 30 calendar days of mailing cost notice) in the amount of \$ _____ is hereby acknowledged:

Received by: _____ Date: _____ Receipt #: _____

F. Public Hearing on the proposed lease scheduled at least 30 days from receipt of estimated costs:

Time & Date of Hearing: _____ (attach posting and newspaper ad)

G. Assembly Action to Establish Terms of Lease or Borough Land Use:

Meeting Date (may be the same as F. public hearing): _____
(attach resolution or ordinance)

H. Terms accepted by applicant: _____ Date: _____

I. *Final* application costs: \$ _____ Amount billed or credited \$ _____

Received by: _____ Date: _____ Receipt #: _____

or Credit Issued: _____ Date: _____ Check #: _____

LEGEND

- SECONDARY MONUMENT SET THIS SURVEY BY J.W. BEAN
- SECONDARY MONUMENT RECOVERED THIS SURVEY REBAR & CAP

- SURVEYED
- - - UNSURVEYED
- - - CENTERLINE
- - - LOT LINE VACATED THIS SURVEY



TYPICAL SECONDARY MON.
2" ALUM. CAP
5/8" REBAR, 36" LONG

BASIS OF BEARING

BASIS OF BEARING FOR THIS PLAT IS THE RECORD BEARING OF S80°55'00"E TO A FOUND REBAR & CAP BEING THE SOUTHEAST CORNER OF LOT 1, BLOCK D, PRESBYTERIAN MISSION SUBDIVISION TO A FOUND REBAR & CAP BEING THE SOUTHWEST CORNER OF LOT 1, BLOCK D, PRESBYTERIAN MISSION SUBDIVISION AS SHOWN ON RECORD PLAT HAINES SERIAL NO. 62-329.

CORPORATE OWNERSHIP CERTIFICATE:

I HEREBY CERTIFY THAT CHILKOOT INDIAN ASSOCIATION IS THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I AS C/O HEREBY ADOPT THIS PLAT OF SUBDIVISION WITH MY FREE CONSENT, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED:

Date _____, 2012

OWNER _____
CHILKOOT INDIAN ASSOCIATION
PO Box 490
HAINES, ALASKA 99827

NOTARY ACKNOWLEDGMENT:

UNITED STATES OF AMERICA)
STATE OF ALASKA) S.S.

THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____, 2012 BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED X, C/O, CHILKOOT INDIAN ASSOCIATION TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE ABOVE AND FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE SIGNED AND SEALED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN MENTIONED.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

Notary Public for Alaska _____
My Commission Expires _____

CERTIFICATE BY THE HAINES BOROUGH

THE REPLAT OF LOTS 2-10, BLOCK D, PRESBYTERIAN MISSION SUBDIVISION, PLAT HAINES SERIAL NO. 62-329, AS DESCRIBED HEREON HAS BEEN FOUND TO COMPLY WITH THE PROVISION SET FORTH IN HC. 18.100 AND IS APPROVED FOR RECORDING WITH THE HAINES RECORDERS OFFICE DATED:

_____, 2012.

ROB GOLDBERG _____ DATE _____
PLANNING COMMISSION CHAIR

STEPHANIE SCOTT _____ DATE _____
MAYOR
HAINES BOROUGH

CERTIFICATE OF REGISTERED LAND SURVEYOR

I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED AND REGISTERED IN THE STATE OF ALASKA, AND THAT THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION, THAT ALL DIMENSIONAL DETAILS AND RELATIVE BEARINGS ARE CORRECT AS SHOWN AND THAT ALL EASEMENTS AND RIGHT OF WAYS APPEARING ON THE LAND ARE AS SHOWN.

Date _____

CERTIFICATION OF BOROUGH ASSESSOR

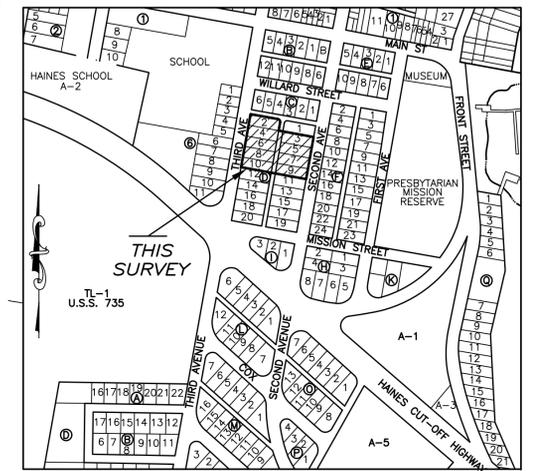
I HEREBY CERTIFY THAT THE APPLICANTS ARE NOT DELINQUENT ON PROPERTY TAXES FOR THE PROPERTY SPECIFIED ON THE SUBDIVISION PLAT SHOWN HEREON.

Dated _____, 2012.

Haines Borough Assessor _____

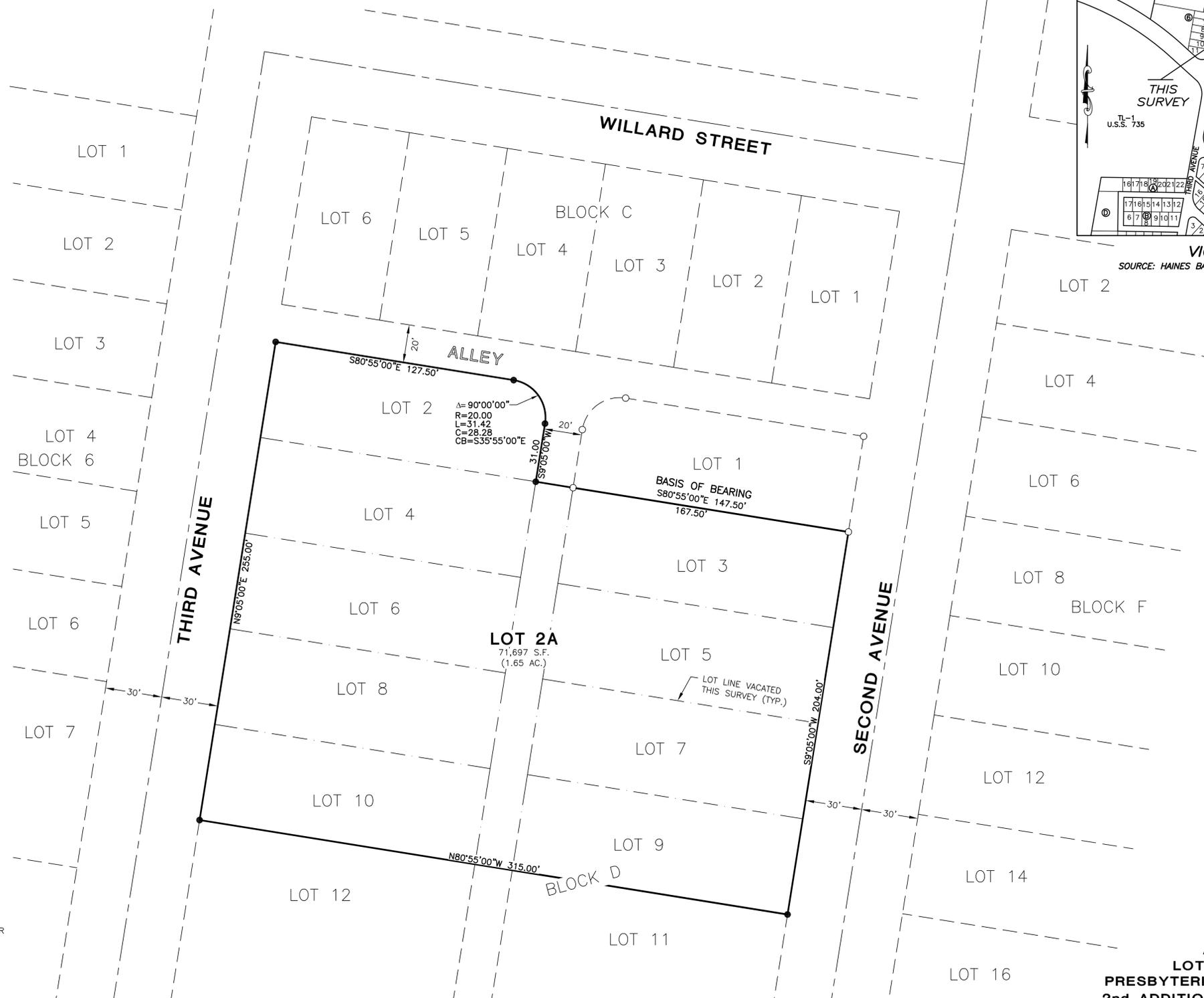
NOTE:

THIS PLAT IS IN THE SINGLE RESIDENTIAL LAND USE ZONE



VICINITY MAP

SOURCE: HAINES BASEMAP SERIES - SCALE: 1" = 400'



**A RE-PLAT OF
LOTS 2-10, BLOCK D,
PRESBYTERIAN MISSION SUBDIVISION
2nd ADDITION TO HAINES TOWNSITE
INTO
LOT 2A, BLOCK D,
PRESBYTERIAN MISSION SUBDIVISION
2nd ADDITION TO HAINES TOWNSITE
WITHIN CITY OF HAINES, ALASKA
HAINES RECORDING DISTRICT - HAINES, ALASKA**

OWNER:
CHILKOOT INDIAN ASSOCIATION
PO Box 490
HAINES, ALASKA 99827
SHEET 1 OF 1

- NOTES:**
1. ALL PLAT BEARINGS SHOWN ARE TRUE BEARINGS AS ORIENTED TO THE BASIS OF BEARINGS.
 2. ALL DISTANCES SHOWN ARE REDUCED TO HORIZONTAL.
 3. LOTS WITHIN THIS SUBDIVISION ARE SERVED BY THE HAINES BOROUGH MUNICIPAL WATER AND SEWER SYSTEMS.

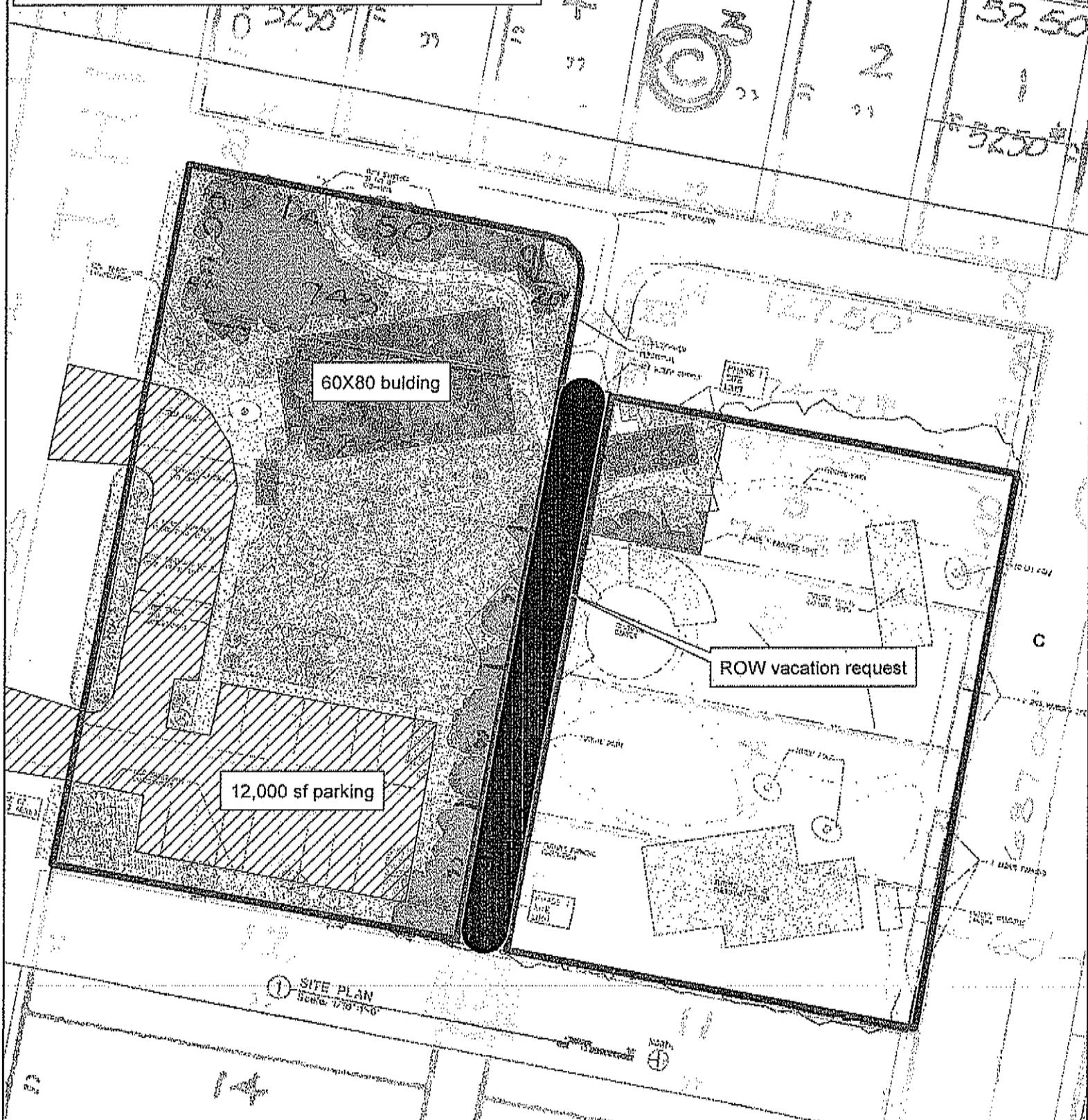
J.W. BEAN INC.
PROFESSIONAL SURVEYOR
1070 ARCTIC CIRCLE
JUNEAU - ALASKA
(907) 789-0590
SURVEYOR - PLANNER

DRAWN BY: GDM Graphics	REVISIONS:
CHECKED BY: J.W.B.	
DRAWING DATE: 6-21-2012	
FIELD BOOK:	
SCALE: 1"=30'	
JOB No.: HNS-5612-CHILKOOT-INDIAN LOTS 2-10	
GRID	

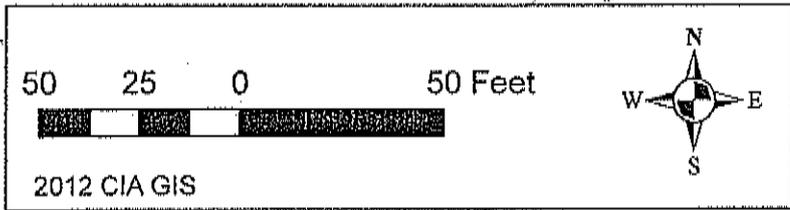


6/22/2012 8:53:08 AM AST G:\BEAN\HAINES\HNS-5612-CHILKOOT-INDIAN LOTS 2-10.DWG

Chilkoot Indian Association
ROW vacation
Proposed CIA Community Services Building



① SITE PLAN
Scale: 1/8" = 1'-0"



50 25 0 50 Feet

2012 CIA GIS

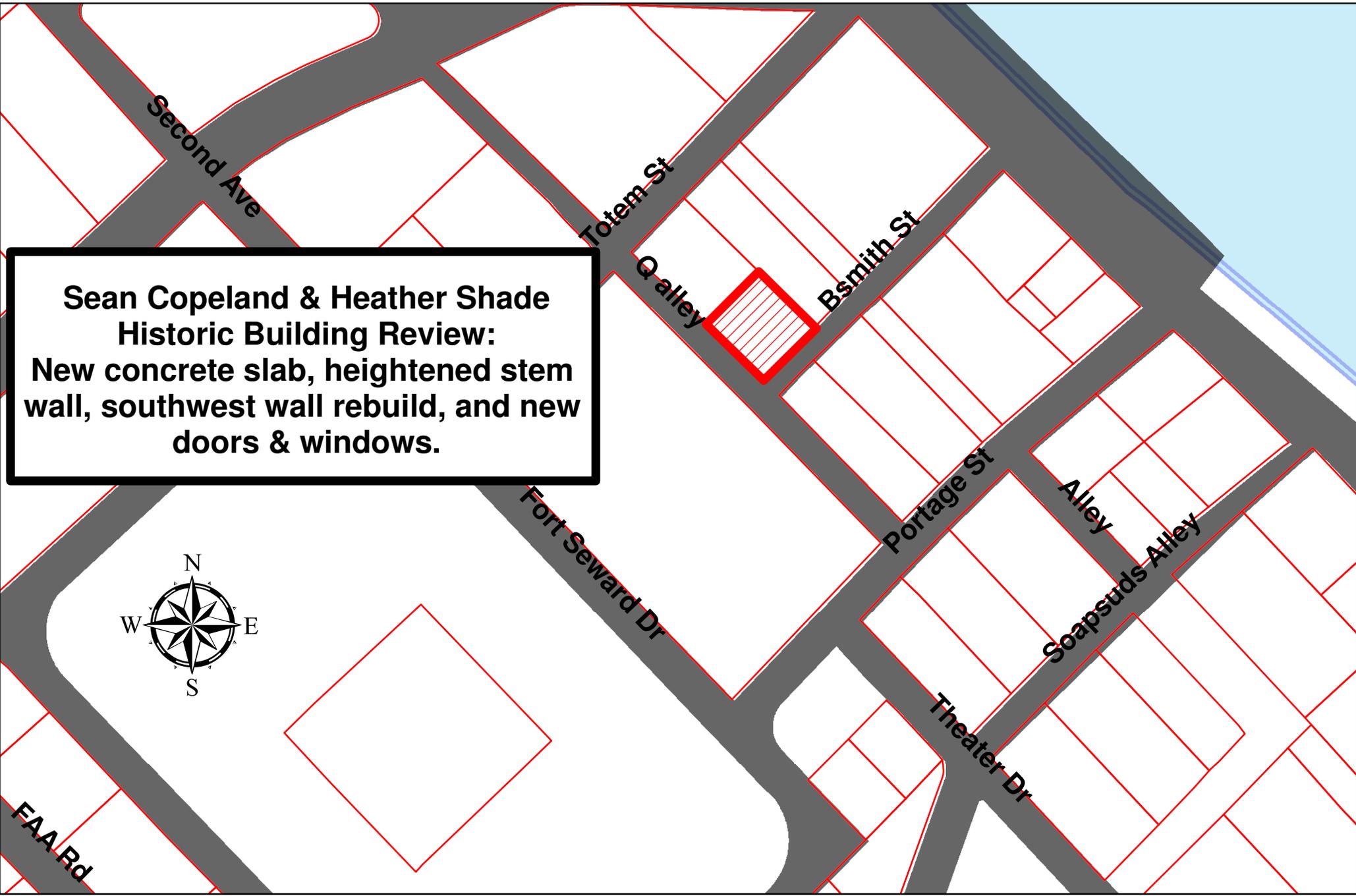
Chapter 14.32

VACATION OF RIGHTS-OF-WAY

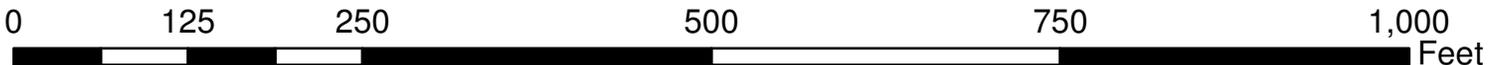
14.32.030 Procedures.

The following are the procedures which shall be followed in a vacation of a public right-of-way request:

- A. An application for the vacation shall be signed by all affected property owners and accompanied by an accurate paper plat created by a surveyor licensed by the state of Alaska showing the property in question, along with a \$100.00 nonrefundable filing fee, and filed with the clerk on a form provided by the borough.
- B. The borough shall notify, in writing, all persons who own property within 200 feet of the proposed vacation, giving information on the location of the vacation and scheduling of a public hearing on the vacation at the next appropriate planning commission meeting.
- C. The planning commission shall hold a public hearing on the requested vacation. This hearing must be advertised in the local newspaper at least seven days before the hearing takes place. The planning commission shall make its recommendation to the assembly regarding the request.
- D. If the assembly grants the vacation request, the applicant must have the vacated land surveyed and replatted by a registered land surveyor in a format suitable for filing with the State Recorder's Office.
- E. An assembly resolution must be adopted to authorize the disposal of any vacated rights-of-way. The resolution shall contain a statement that the assembly found the property surplus to its needs as a right-of-way. It must give a legal description of the property to be vacated, the names of the applicants to whom the vacation is to be granted, and the market value of the land to be vacated.
- F. Applicants granted a vacation of a public right-of-way shall pay to the borough an amount not less than the current assessed value of the vacated property as determined by the assessor or land manager. (Ord. 09-01-196)



**Sean Copeland & Heather Shade
Historic Building Review:
New concrete slab, heightened stem
wall, southwest wall rebuild, and new
doors & windows.**



RECEIVED

JUL 06 2012

HAINES BOROUGH



Haines Borough

Planning and Zoning

103 Third Ave. S., Haines, Alaska, 99827

Telephone: (907) 766-2231 * Fax: (907) 766-2716

APPLICATION FOR LAND USE PERMIT

Permit#: _____

Date: _____

I. Property Owner*	Contractor (If Any)
Name: Sean Copeland & Heather Shade	Name: Self
Mailing Address: PO Box 1248 Haines AK 99827	Mailing Address:
Contact Phone: Day Night 907-303-0043	Contact Phone: Day Night
Fax: 907-766-3299	Fax:
E-mail: Sean@portchilkootdistillery.com	E-mail:

II. Property Information
Size of Property: 6826 SQ FT
Property Tax #: C-PTC-0D-03A0
Street Address: 34 Blacksmith Street
Legal Description: Lot (s) 3A Block D Subdivision Port Chilkoot
OR Parcel/Tract Section 35 Township 30S Range 59E
[Attach additional page if necessary.]
Zoning: Waterfront <input type="checkbox"/> Single Residential <input type="checkbox"/> Rural Residential <input type="checkbox"/> Significant Structures Area <input type="checkbox"/> Rural Mixed Use <input type="checkbox"/> Multiple Residential <input type="checkbox"/> Heavy Industrial <input type="checkbox"/> Waterfront Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Industrial Light Commercial <input type="checkbox"/> Recreational <input type="checkbox"/>

III. Description of Work			
Type of Application (Check all that apply) <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial 1400 sq. ft. seating capacity if eating/drinking establishment <input type="checkbox"/> Industrial <input type="checkbox"/> Church <input type="checkbox"/> Other _____	Project Description (Check all that apply) <input type="checkbox"/> Single Family Dwelling <input type="checkbox"/> Change of Use <input type="checkbox"/> Multi-Family Dwelling Total # of Units _____ <input type="checkbox"/> Cabin <input type="checkbox"/> Addition <input type="checkbox"/> Accessory Structure <input checked="" type="checkbox"/> Other Renovation	Water Supply Existing or Proposed <input type="checkbox"/> None <input type="checkbox"/> Community well <input type="checkbox"/> Private well <input checked="" type="checkbox"/> Public Water System <input type="checkbox"/> Other _____	Sewage Disposal Existing or Proposed <input type="checkbox"/> None <input type="checkbox"/> Septic Tank <input type="checkbox"/> Holding Tank <input checked="" type="checkbox"/> Public Sewer System <input type="checkbox"/> Pit Privy <input type="checkbox"/> Other _____
Valuation of Work: \$50,000			

Written Explanation:

RENOVATION OF BUILDING TO INCLUDE POURING NEW CONCRETE SLAB + STEM WALL HEIGHTENED APPROX. 8", NEW WINDOWS + DOORS, INTERIOR FINISHED FOR PRODUCTION OF SPIRITS.

Attach the following documents to the permit application:

- Site plan (see Attachment A) showing lot lines, bearings and distances, buildings, setbacks, streets, etc.

IV. FEE

A non-refundable fee of \$50 must accompany this application. Checks must be made payable to the HAINES BOROUGH.

IV. CERTIFICATION

I hereby certify that I am the owner or duly authorized owner's agent, that I have read this application and that all information is correct. I further certify that I have read, understand and will comply with all of the provisions and permit requirements outlined hereon. I also certify that the site plan submitted is a complete and accurate plan showing any and all existing and proposed structures on the subject property. All contract work on this project will be done by a contractor holding valid licenses issued by the State of Alaska and the Haines Borough. **I am aware that if I begin construction prior to receiving permit approval, I will be assessed a \$250.00 "After-the-Fact" fee.**



 Owner or Agent

 Date

PROVISIONS: The applicant is advised that issuance of this permit will not relieve responsibility of the owner or owner's agents to comply with the provisions of all laws and ordinances, including federal, state and local jurisdictions, which regulate construction and performance of construction, or with any private deed restrictions.

Office Use Only Below This Line

[X] Applicant Notified Application is Complete and Accepted					
		7/6/12 <small>(Date)</small>	e-mail <small>(Notified via)</small>	SK <small>(Initials)</small>	
Non-Refundable Building Permit Fee \$ <u>50.-</u>			Information/Documentation Req'd Rec'd <input type="checkbox"/> <input type="checkbox"/> State Fire Marshal <input type="checkbox"/> <input type="checkbox"/> State DEC <input type="checkbox"/> <input type="checkbox"/> Variance/Conditional Use Permit <input type="checkbox"/> <input type="checkbox"/> Sign Permit		
Receipt No. <u>18178</u>					
Received By: <u>E. Staska</u>					
Date: <u>7-6-12</u>					
Zoning	Bldg. Height	Lot Coverage %	Const. Type	Occupancy	# Stories
This application meets all applicable Borough policies and a permit is issued, conditional on the substantial completion of construction within two years and the following special requirements:					
Borough Manager			Date		

Notice of Right to Appeal: All decisions of the Borough Manager are appealable per HBC 18.30.050
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED







18.60.010 General approval criteria.

A land use permit, or conditional use permit, or a special conditions permit for a subdivision, may be granted if all the following general approval criteria and applicable specific approval criteria of HBC [18.60.020](#) are complied with.

R. Historic Resources. The proposed use shall not adversely impact identified historic resources prior to the assessment of that resource by the borough or state. Uses located within the significant structures area must comply with the specific approval standards of this chapter.

18.60.020 Specific approval criteria.

The following uses are subject to the preceding general criteria and these additional specific approval criteria:

G. Historic Buildings. All development occurring within the significant structures area, or changes to any of the surveyed historic buildings, shall comply with specific requirements. When the commission determines that the development is one of the surveyed historic structures or the development has a material effect upon the general character of the district and any of the individual structures therein, the following shall apply:

1. Every reasonable effort shall be made to provide a compatible use for property that requires minimal alterations of the building, structure, or site and its environment, or to use a property for its originally intended purpose.
2. The developer shall be encouraged to retain the distinguishing original qualities or character of a building, structure, or site and its environment. The removal or alteration of any historic material or distinctive architectural features should be avoided whenever possible.
3. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
4. Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure or site, shall be treated with sensitivity.
5. Deteriorated architectural features shall be repaired rather than replaced whenever possible. In the event replacement is necessary, the new materials should match the material being replaced in composition, design, color, texture and other visual qualities wherever possible. Repair or replacement of missing architectural features should be based on accurate duplications rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
6. Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to any rehabilitation project.
7. Contemporary design and use of contemporary materials for alterations and additions to existing buildings and properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, and character of the property, neighborhood or environment.
8. Wherever possible, additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure should not be impaired.
9. The commission shall have the authority to place design standards and requirements upon the developer prior to the issuance of the permit in order to enforce the historic preservation and rehabilitation standards herein. A design review committee may be appointed by the planning commission which shall consist of the following representatives: the planning commission chair, a planning commission member appointed by the

commission, one member of the borough assembly as appointed by the assembly, and one at-large member who is a property owner in the SSA, appointed by the commission chair, specific to each application. The commission shall refer to the document “Fort William H. Seward, Haines, Alaska, Design Guidelines and Standards” prepared by Ron Kasprisin of the Alaskan Northern Studies Program, Department of Urban Design and Planning, University of Washington, Seattle, 1998, when setting out the design standards to be followed for buildings in the significant structures area. (See also HBC 18.70.050.)

18.70.050 Historic buildings – Districts.

This section establishes special policies for historic buildings within the borough based upon the Haines historic building survey, the existing designated Fort William H. Seward National Landmark and the guidance of the State Office of History and Archeology’s rules and regulations. The Haines Borough seeks to accomplish the preservation and rehabilitation of buildings of historic significance within the community. The borough recognizes the quality of significance in its history as present in the sites, buildings, structures, location, design, setting, materials and workmanship governed herein. Owners of historic buildings are encouraged to participate in federal, state and local programs to preserve and enhance historic structures.

A. Introduction. These special policies are applied as additional requirements for the approval of development within designated areas or for designated buildings within the borough. The existing zoning classification (e.g., significant structures area, commercial) still applies, but all new development must comply with the following additional requirements. The application of these special policies requires approval of the planning commission.

B. Effect of Historic Building Special Policies. All development within the significant structures area or changes to any of the surveyed historic buildings shall comply with the special approval criteria of HBC [18.60.020\(G\)](#). The borough shall process the permit application according to the appropriate process under this title except that a separate and possibly concurrent review of the application shall be performed by the planning commission acting as the historic district committee.

C. Historic District Committee. The planning commission shall act as the historic district committee. The commission, acting as the historic district committee, shall conduct or perform the duties established under this section or as required by state or federal regulations. The commission, when acting as the historic district advisory committee, shall endeavor to include within its membership as ex officio members the following composition: one architect or historical architect and one historian or related disciplines.

D. Preexisting Historic Areas. The following are the currently established historic districts:

1. Fort William H. Seward Local Historic District.

a. Description of Appearance. The principal structures are: the barracks, officers’ homes, quartermasters, hospital, fire hall, warehouses and the Port Chilkoot Dock. The structures are situated around the parade grounds set against a backdrop of majestic mountain peaks of the Chilkat Range, overlooking the scenic beauty of the waters of Portage Cove, a portion of the upper Lynn Canal.

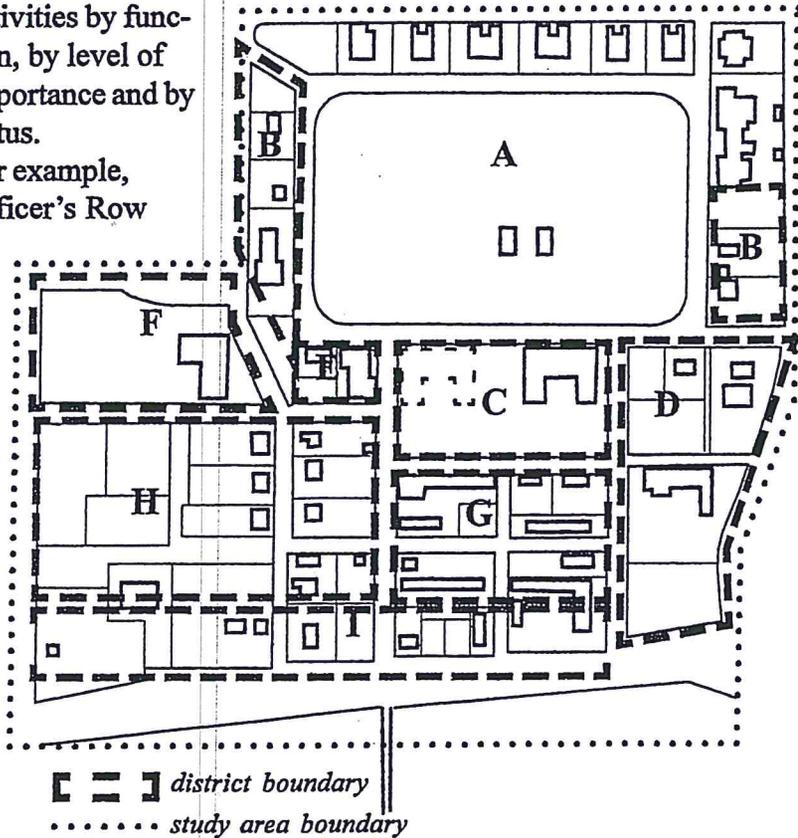
b. Statement of Significance. Fort William H. Seward was established in 1898 and garrisoned in 1904; the principal buildings of Fort William H. Seward are the best surviving structures of the 11 military posts erected in Alaska to police the gold rushes of 1897 to 1904. The United States was involved in the boundary dispute with Canada and Fort William H. Seward was the only army post in Alaska between World Wars I and II. In 1945 the fort was closed and declared surplus. On April 4, 1947, a group of veterans arranged under the Port Chilkoot Company, through the War Assets Act, to purchase the fort. In the ensuing three years, it was determined that the quitclaim deed provided by the U.S. government was exercised three days after the expiration of the War Assets Act. An act of Congress was then required to formalize the transaction with Port Chilkoot Company. The act was passed in 1952. Fort William H. Seward was listed as part of the National Historic Site Register in 1972 and thereafter became a national historic landmark in 1978.

c. Geographical Area Defined. The boundaries of the Fort William H. Seward local historic district shall be defined as the exact boundaries certified by the United States National Park Service under authority of the Historic Sites Act adopted by Congress in 1935 and designated as a national landmark in 1978.

Fort Districts

Fort William Seward was designed and constructed similarly to other forts constructed in the early 1900s. There is a precise ordering and separation of activities by function, by level of importance and by status.

For example, Officer's Row



assumed the position of highest importance by occupying the highest area of land. To further distinguish its status, it fronts on the Parade Grounds which both heighten the station of Officer's Row and separate it from the more common and utilitarian areas of the Fort.

The differing districts are described below. It is important to note that use over time and infill have changed original districts. These

newer and modified districts are included to explain present conditions.

More complete individual district descriptions follow in the *Design Scenarios* section.

The Districts

G - Quartermaster District occupies the central portion of the lower Fort. This was the "working" area of the Fort, containing the commissary, workshops, stables and storage buildings necessary to maintain the day to day operations of the Fort. Buildings here are utilitarian, linear and single story or one and a half story in height.

Hierarchy of Style

Patterning of architectural details gives the group of buildings at the Fort coherence and visual unity. These details are important in defining the signature of different districts. Maintaining an appropriate level of architectural details on new Fort development is critical in maintaining the neighborhood's integrity. To that end, it is important to understand that the details of Fort buildings follow a highly structured hierarchical pattern. Individual buildings within the fort can be understood to fit somewhere within this hierarchy according to which details they have. The architectural elements and site characteristics of buildings give an indication of that building's functional role and relative "rank" within the total composition.

Utility buildings have the lowest level of architectural detail and are oriented to streets and alleys. These buildings originally served functions such as storage, communications, or other support services.

The barracks building has a higher level of detail and is oriented to the parade grounds. The barracks buildings, of course, served as a residence for low level enlisted people.

Residential buildings have the highest level of detail and are often oriented to the parade ground as well as the waterfront. These buildings were reserved for officers and their families.

Following is a catalog of some of the most critical architectural details of the Fort. The catalog is set up as a matrix. The rows indicate the three types of buildings, by use - utility, barracks, and residential. Columns of the matrix indicate types of architectural details such as windows and eaves. Examples of these details for each of the three types of buildings are shown within the body of the matrix.

The catalog is intended to:

- 1 Provide a comparison of building types;
- 2 List specific details according to "rank";
- 3 Provide a framework for seeing the fort as an architectural composition, and most importantly;
- 4 Indicate which details are important when preserving existing buildings or developing new structures within the fort. The section *Design Scenarios for Selected Sites* suggests where particular levels of detail are appropriate for new development.

Design Principles

Historic Precedent

- where there was an historic building, new development shall use the existing footprint and be of similar height, bulk, scale, site plan, and level of architectural detail
- where there is no precedent, new development shall the precedent set by the district

District Principles

- new development shall follow the precedent set by the signature building or buildings in each district

Modern Service Requirement:

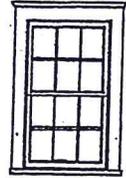
- modern needs such as parking shall be integrated into new development so that it is inconspicuous

Site Plan

Windows

Doors

Utility

<p>^ Street</p>  <p>v < Alley ></p> <p><i>Buildings are sited for access to streets and alleys and for their proximity to the waterfront.</i></p>	 <p><i>Six over six true divided light with double sash and standard trim</i></p>	
--	--	--

hierarchy of style 21

Materials

Special Buildings

Utility

<p>Wood clapboard</p> <p>Tile Roof</p>	
--	--

24 hierarchy of style



Haines Borough Administration
Mark Earnest, Borough Manager
(907)766-2231 • Fax(907)766-2716
mearnest@haines.ak.us

June 26, 2012

ADOT&PF Offer Letter – Lutak Dock

Attached is an Offer Letter from the Alaska Department of Transportation and Public Facilities (ADOT&PF) for a portion of the Lutak Dock. This Borough property is needed for the Haines Ferry Terminal Improvements project (Project No. 68433; FHWA No. FB-NH-095-5(14); Parcel Nos. 3, E-4, and TCE-4). A brief project description and explanation for the requested Borough property is provided in the Offer Letter. The ADOT&PF is requesting fee simple interest in Parcel 3 (Tract C). Parcel E-4 (Tract A) would be a permanent slope easement. Parcel TCE-4 is needed as a temporary construction easement. It should be noted that the project would render Parcel E-4 no longer usable as dock space; however, Parcel TCE-4 would revert to the Borough upon project completion and would be usable as dock space.

The ADOT&PF engaged Horan and Company of Sitka to appraise the value of the property that is needed for the project, including the ADOT&PF's ownership interest and construction easement. The appraisal determined a fair market value of \$301,509, rounded to \$302,000 by the ADOT&PF, for the property in question. Additionally, the ADOT&PF is interested in re-establishing its ownership interest in Tract B.

I have provided below the relevant portion of HBC regarding sales of Borough property by negotiation:

14.20.100 Sales and exchanges by negotiation or competitive proposal.

- A. Upon direction of the assembly by motion, the land manager may commence negotiations for the sale, or exchange or other disposal of borough land.
- B. Upon application, and approval by the land manager, a person may submit a written proposal to purchase, or otherwise acquire borough land for a specified purpose. **The proposal shall be reviewed by the planning commission** and thereafter forwarded to 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.
- C. Upon satisfactory progress in the negotiation or competition undertaken pursuant to subsection (A) or (B) of this section, and **after review by the planning commission** and authorization by the assembly by ordinance, the land manager may conclude arrangements for the sale, or exchange or other disposal of borough land.

When a land exchange is proposed, **the planning commission shall evaluate alternative sites, and shall make specific recommendations regarding exchanges prior to execution of the exchange.** The final terms of the disposal pursuant to this section are subject to approval by the assembly unless the minimum essential terms and the authority of the land manager to execute the disposal are set forth in the ordinance enacted pursuant to this subsection.

- D. All costs such as but not limited to surveying, platting, appraisal, escrow, and recording fees associated with the transfer of borough land by negotiated sale, or land exchange shall be paid by the proposer.

The first step of the process is prescribed in paragraph A: Upon direction of the assembly by motion, the land manager may commence negotiations for the sale, or exchange or other disposal of borough land. **I am seeking Assembly direction in the form of a motion to begin negotiations with the ADOT&PF for the sale, or exchange or other disposal of borough land consisting of Parcel Nos. 3, E-4, and TCE-4, as referenced in the attached ADOT&PF project drawings.**

STATE OF ALASKA

SEAN PARNELL, GOVERNOR

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

SOUTHEAST REGION DESIGN & ENGINEERING SERVICES
PRECONSTRUCTION

6860 GLACIER HIGHWAY
PO Box 112506
JUNEAU, AK 99811-2506

PHONE: (907) 465-4444
TTY/TDD: (907) 465-4647
FAX: (907) 465-4414

May 24, 2012

Mr. Mark Earnest
Borough Manager
Haines Borough
P.O. BOX 1209
Haines, Alaska 99827

LETTER OF OFFER

Re: Haines Ferry Terminal Improvements
Project No. 68433
FHWA No. FB-NH-095-5(14)
Parcel Nos. 3; E-4, and TCE-4

Dear Mr. Earnest,

The Department of Transportation and Public Facilities (the department) has plans to improve the Haines Ferry Terminal. Among other things, the department plans to remove four deteriorated sheet pile cells, and replace them with a new fill slope covered with armor rock. In the process, approximately 49,000 cubic yards of material will be removed and disposed of in a new area of expansion, primarily in an area identified as Parcel 2 shown on the enclosed drawing.

The project requires the acquisition of a parcel of land owned by the borough known as Tract C of A.T.S. 1464. A copy of A.T.S. 1464 also accompanies this letter. For purposes of the project, Tract C has also been identified as Parcel 3. Parcel 3 consists of 16,187 sq. ft. The project will also include a concrete retaining wall on the north side of the terminal building in an area identified on the enclosed drawing as E-4. The retaining wall requires the acquisition of a permanent easement which has been designated as Parcel E-4. Parcel E-4 consists of .09 acre. Parcel E-4 is shown both on the enclosed overall drawing and on a special drawing for the easement which is attached to the enclosed easement conveyance for Parcel E-4. The improvements to the terminal will also require the acquisition of a Temporary Construction Easement (TCE-4) consisting of .59 acres or 25,700 sq. ft. TCE-4 is shown on a drawing attached to an enclosed Temporary Construction Easement form. Parcels E-4, and Parcel TCE-4 are areas also owned by the Haines Borough. They are part of Tract A of A.T.S. 1464.

The department is duty bound to pay just compensation for all property rights which must be acquired for its construction projects. Accordingly, the department engaged a private

appraiser, Horan and Company of Sitka to appraise the value of the property rights that must be acquired from the Haines Borough. Mr. Horan did perform an appraisal and a copy of his appraisal is enclosed with this letter. Mr. Horan opined that the several property rights involved have a fair market value as follows:

Parcel 3: a fee simple interest in 16,187 sq. ft.:	\$194,244
Parcel E-4: a permanent 3,920 sq. ft. slope easement:	47,040
Parcel TCE-4: a 25,701 sq. ft. temporary construction easement:	<u>60,225</u>
Total:	\$301,509

Mr. Horan's appraisal has been reviewed and approved by one of the department's review appraiser's, Mr. Bruce Bowler. Mr. Bowler also made a determination of just compensation and rounded the total amount to **\$302,000**.

The department hereby offers to purchase all of these rights, and each of them for a total of **\$302,000**.

Assuming that this amount is acceptable to the borough, I have prepared the necessary documents by which the property rights would be conveyed. Enclosed is a warranty deed for Parcel 3 (Tract C), a permanent easement conveyance for Parcel E-4, and a temporary construction easement for Parcel TCE-4. Also enclosed is a Memorandum of Agreement, a Purchase Voucher, and a W-9 form.

Finally, as this process moves forward we would like to clarify or re-establish the department's ownership interest in Tract B of A.T.S. 1464.

If you have any questions or concerns about this offer, please call me at 465-4519. I thank you for your consideration.

Ray C. Preston



Right of Way Agent

enclosures

N63°26'59"W 1528.76'

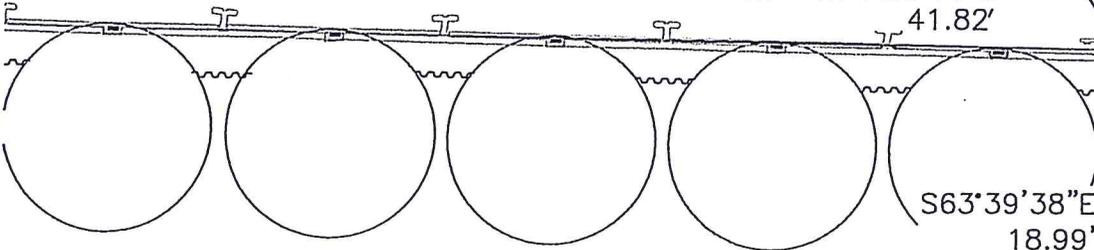
PARCEL	OWNER	AREA	REMAIN	RECORDING DATA
4	HAINES BOROUGH	0.09 AC	11.71 AC	

$R = 29.57'$
 $\Delta = 90^{\circ}00'25''$
 $L = 46.45'$
 $Ch = N71^{\circ}20'10''E$
 $41.82'$

C-2, ATIS 1464

S62°49'05"E 640.87'

A.T.S. 1464
 TRACT E
 STATE OF ALASKA
 DOT&PF



RM WC3 ATIS 1194

A.T.S. 1464

TRACT D

WC3, ATIS 1194

S63°40'03"E

4.94'

S63°39'38"E

18.99'

C-2, TR. C

A.T.S. 1464
 TRACT A
 HAINES BOROUGH

A.T.S. 1464
 TRACT C
 HAINES BOROUGH

3

N26°20'22"E

66.01'

E-4
 3920
 Sq. Ft.

S26°20'02"W

101.95'

N63°39'38"W 38.91'

N36°25'49"W 13.92'

N63°47'14"W 2.22'

C-1, TR. C

N62°12'18"W

385.49'

A.T.S. 1464
 TRACT B
 STATE OF ALASKA
 DOT&PF

S27°52'07"W 94.94'

N62°12'01"W

388.03'

C-2, ATIS 246

DOT&PF EASEMENT
 FROM HAINES BOROUGH

SECTION 10
 GOV'T. LOT 7
 STATE OF ALASKA

STATE OF ALASKA
 DEPARTMENT OF TRANSPORTATION
 AND
 PUBLIC FACILITIES

RIGHT OF WAY REQUIRED FOR:
 FB-NH-095-5(14) 68433
 HAINES FERRY TERMINAL
 IMPROVEMENTS

OWNER'S INITIAL: _____

ATTACHED TO: _____

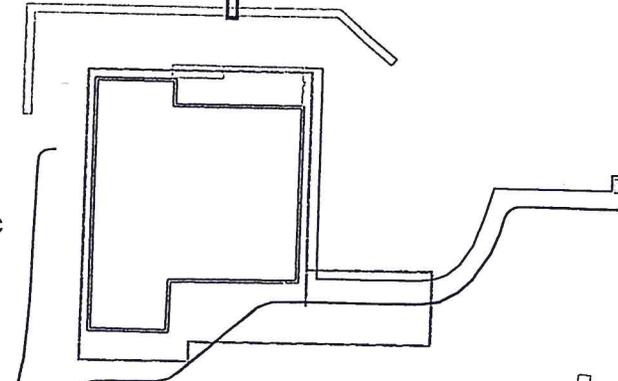
PAGE ___ OF ___ DATE: _____

DRAWN BY: RJG CHECKED BY: Rit

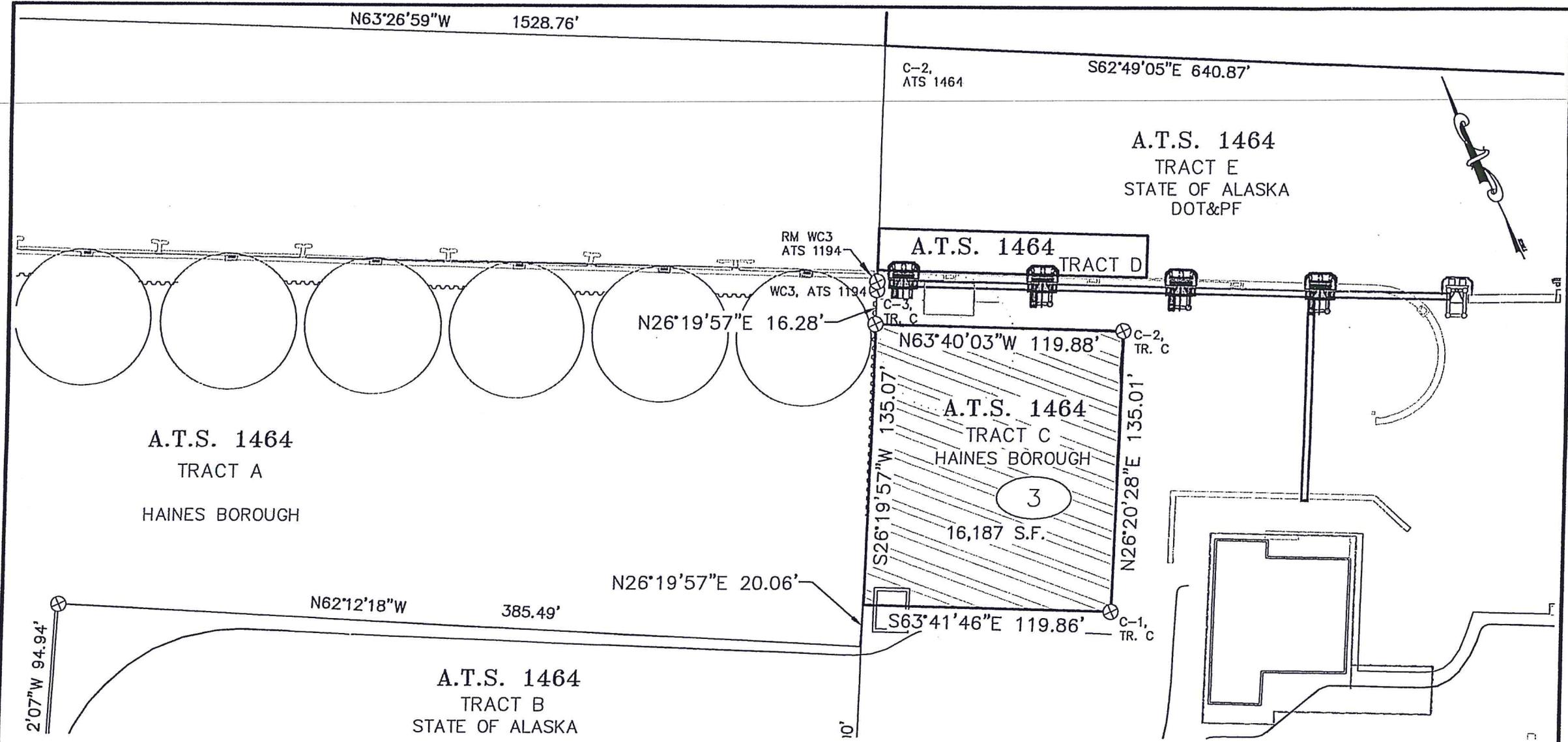
PARCEL NO. E-4 DATE: 04/2012

AREA: 3920 S.F. SCALE: 1"=60'

SHEET 1 OF 1



Q:\HNS\68433\RW\HAINES_FT\DWG\HNS_FT_2011_PARCELS.DWG



PARCEL	OWNER	AREA	REMAIN	RECORDING DATA
3	HAINES BOROUGH	16,187 S.F.	0.00 S.F.	

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND
PUBLIC FACILITIES

OWNER'S INITIAL: _____
 ATTACHED TO: _____
 PAGE ___ OF ___ DATE: _____
 DRAWN BY: RJG CHECKED BY: _____

RIGHT OF WAY REQUIRED FOR:
FB-NH-095-5(14) 68433
HAINES FERRY TERMINAL
IMPROVEMENTS

PARCEL NO. 3 DATE: 04/2012
 AREA: 16,187 S.F. SCALE: 1"=60'
 SHEET 1 OF 1

N63°26'59"W 1528.76'

EASEMENT	OWNER	AREA	PURPOSE
TCE-4	HAINES BOROUGH	0.59 AC	GRADING ACCESS

$R = 29.57'$
 $\Delta = 90^{\circ}00'25''$
 $L = 46.45'$
 $Ch = N71^{\circ}20'10''E$
 $41.82'$

S63°26'59"E 103.27'

C-2, ATIS 1464

S62°49'05"E 640.87'

A.T.S. 1464
 TRACT E
 STATE OF ALASKA
 DOT&PF

TCE-4
 0.59 Ac.

A.T.S. 1464

TRACT D

A.T.S. 1464
 TRACT A
 HAINES BOROUGH

A.T.S. 1464
 TRACT C
 HAINES BOROUGH

3

N62°12'18"W 385.49'

A.T.S. 1464
 TRACT B
 STATE OF ALASKA
 DOT&PF

S62°12'18"E 103.34'

S27°52'07"W 94.94'

DOT&PF EASEMENT
 FROM HAINES BOROUGH

SECTION 10
 GOV'T. LOT 7
 STATE OF ALASKA

N62°12'01"W 388.03'

C-2, ATIS 246

STATE OF ALASKA
 DEPARTMENT OF TRANSPORTATION
 AND
 PUBLIC FACILITIES

RIGHT OF WAY REQUIRED FOR:
 FB-NH-095-5(14) 68433
 HAINES FERRY TERMINAL
 IMPROVEMENTS

OWNER'S INITIAL: _____

ATTACHED TO: _____

PAGE ___ OF ___ DATE: _____

DRAWN BY: RJG CHECKED BY: RW

PARCEL NO. TCE-4 DATE: 04/2012

AREA: 0.59 Ac. SCALE: 1"=60'

SHEET 1 OF 1

C:\HNS\68433\RW\HAINES_FT\DWG\HNS_FT_2011_PARCELS.DWG