



City Manager
334 Front Street
Ketchikan, AK. 99901

Phone (907) 228-5603
Fax (907) 225-5075

TRANSMITTAL MEMORANDUM

TO: The Honorable Mayor and City Council

FROM: Karl R. Amylon, City Manager

DATE: May 29, 2008

Re: Police Department Firing Range Update

At the City Council meeting of May 15, 2008, Councilmember Coose and Mayor Weinstein requested an update as to the status of the Police Department firing range at the municipal landfill. Attached for City Council review is a memorandum from Deputy Police Chief Josh Dossett. Although site work has been initiated, the project is on hold given the filing of an appeal of the Planning Commission's May 13, 2008 approval of a conditional use permit. My office will keep the City Council advised accordingly.

KETCHIKAN POLICE DEPARTMENT
MEMORANDUM

May 20, 2008

TO: City Manager Karl Amylon

FROM: Deputy Chief Josh Dossett

RE: Ketchikan Police Department firing range

The Police Department is moving forward with the construction of the firing range. The land has been cleared and the burms have been constructed on either side of the range using the overburden. The Borough Planning Commission approved the conditional use permit. There has been an appeal filed by a male who lives of Pennock, Island. I met with Chuck Dearden to begin planning the building to be placed on the range. Once the building plans and cost are finalized we will move forward with the targeting system.



KETCHIKAN GATEWAY BOROUGH

344 FRONT STREET • KETCHIKAN, ALASKA 99901

• 907/228-6605 • fax 907/247-8439


www.borough.ketchikan.ak.us

OFFICE OF THE BOROUGH CLERK

MEMORANDUM

RECEIVED
MAY 28 2008
CITY MANAGER

TO: Tom Williams, Planning Director
Tamela McColley, Planning Commission Secretary
Planning Commission

FROM: Harriett Edwards, Borough Clerk 

DATE: May 28, 2008

RE: Board of Adjustment Appeal

I have received an appeal from a May 13, 2008, decision of the planning commission *approving a three-year conditional use permit to the City of Ketchikan in the Public Lands and institutions/Mobile Building Restricted Zone to allow a fire training facility, law enforcement training facility and shooting range, Homeland Security support facility and training classroom on USS 2117, Lot 15-A; City of Ketchikan.*

On May 28, 2008, Patrick Jirschele duly filed a "Notice of Appeal-Board of Adjustment" regarding the above cited action. A certified copy of the Notice of Appeal is attached.

Please certify and deliver all pertinent records, transcripts and documents, including the written decision and/or resolution of the Planning Commission on this matter on or before June 4, 2008.

Following receipt of the record, a hearing date will be scheduled and advertised as required by Borough Code. At least ten (10) days written notice of the time and place of the hearing will be given to the appellant and affected property owners or possessors. Therefore, please include mailing labels for those property owners or possessors who received notice of the Planning Commission hearing.

c. Patrick Jirschele, P.O. Box 23492, Ketchikan, AK 99901
City of Ketchikan

KETCHIKAN GATEWAY BOROUGH

Notice of Appeal - Board of Adjustment

DESCRIPTION OF THE ACTION BEING APPEALED:

Type of Request:

☒ Conditional Use Permit to CITY OF KETCHIKAN

☐ Variance to _____

☐ Appeals from decisions of the planning commission regarding administrative decisions of borough employees made in the enforcement, administration or application of a land use regulation regarding _____

Property Legal Description: Lot(s) 15-A Block _____ USS 2117

General Location: 1103 NORDSTROM DRIVE (CITY DUMP)
(Resident Address)

Date of Action Appealed From: 5/13/08
Attach a copy of the Planning Commission agenda or a copy of the written administrative decision.

APPELLANT'S NAME AND ADDRESS

Name: PATRICK JIRSCHKE Home Phone: 907-247-8588

Mailing Address: BX 23492 Work Phone: SAME

OWNER OF RECORD OF THE SUBJECT PROPERTY: [] Same as above; OR

Name: CITY OF KETCHIKAN

Mailing Address: 334 FRONT ST.

COMPLETE FORM ON REVERSE SIDE

GENERAL INFORMATION:

Complete this Notice of Appeal and file it along with \$200.00 with the Borough Clerk, Ketchikan Gateway Borough, 344 Front Street, Ketchikan, Alaska not later than fifteen (15) days after the date of the alleged error, the decision, or the adoption of the resolution of the commission granting or denying the application for a conditional use permit or variance.

Attached for your reference is (1) a copy of Ketchikan Gateway Borough Code Section 60.10.125, Board of Adjustment Appeals; and (2) a copy of the Board of Adjustment Rules of Procedure. Please review these documents carefully.

I hereby certify the annexed instrument is a true and correct copy of the original on file in my office.

ATTEST: Shirley Edwards
Clerk Ketchikan Gateway Borough

RECEIVED
KETCHIKAN GATEWAY BOROUGH

MAY 28 2008

CLERK'S OFFICE

June 17, 2003 (1:36PM)

SPECIFICS OF APPEAL:

Please give a specific and detailed statement of the basis and grounds upon which your appeal is made. (Use additional paper if necessary)

SEE ATTACHED

NOTE: Grounds upon which the board of adjustment may grant an appeal are (I) a procedural error, (II) an error in the application of the pertinent law, (III) lack of evidence to support findings and conclusions, or (IV) misrepresentation of a fact.

Please make a statement of the relief sought.

DENY THE CONDITIONAL USE PERMIT
FOR THE SHOOTING RANGE

CERTIFICATION

I [we] declare that the statements made in this appeal are true and complete to the best of my [our] knowledge and belief.

Signed and dated this 5 day of 27 2006

X 

X

February 12, 2003 (9:18AM)

Appeal of City of Ketchikan Conditional use Permit at USS 2117, Lot 15-A

I am appealing the recommendation of the Planning Commission on the grounds that finding 2 under part IV is incomplete.

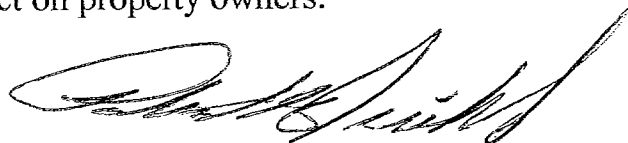
Finding 2 does not address the depreciation of private property values due to the increase of noise.

1. The Borough Planning Department followed the ordinance to the letter and only notified property owners within 300 feet. That would be two (2) property owners.
2. The noise generated by a shooting range will travel much further than those 300 feet.
3. Most property owners that will suffer a devaluation of property value were unaware of the range plans unless they happened to see it in the paper. Therefore many property owners did not testify against the range.
4. There was no noise study done.

There are few things that adversely affect property values in a wide area than a shooting range or an airport. The generated noise is such a problem that the State of Alaska passed AS 34.75.010. limiting actions against them once they are established. That is why it is so important to get this right with the least damage to property owners before anything is established.

In lieu of any noise study, let me try to explain the situation. The area proposed is a natural amphitheater with excellent acoustics. The location is 450 feet above sea level with Deer Mountain behind it as a reflector. On a calm quiet morning we can hear people talking on the other side of the Narrows. Airplanes reverberate and Coast Guard rifles echo. A few years ago an ejection seat from a crashed jet was blown up at the dump. The resulting shock wave broke the sheet rock in our new home. I fell to the floor thinking the tank farm exploded. This is not the place for demolition, or a rifle range, not within yards of the most populated area in the Borough.

The Borough has thousands of acres. Gravina has new roads with little population. There are plenty of better locations for this type of facility that will not have an adverse affect on property owners.

A handwritten signature in black ink, appearing to read "D. Smith", is written over the bottom of the text.

In response to Councilmember Jason Harris, Public Works Director Hansen said there are questions regarding the ownership of the retaining wall along the waterfront promenade route that needs to be repaired, and it hasn't been resolved yet. Assistant Manager Martin added that staff has been trying to work with the Corps of Engineers researching their records way back to help determine ownership, and staff has not been getting a lot of positive response. He stated he wasn't optimistic it would be resolved in the near future.

Library/Parking Garage

In response to Councilmember Jason Harris, Public Works Director Hansen said staff is waiting for a little more direction from the Council, essentially on where to go from here with the elevated library. Mayor Weinstein said when the manager comes back, it can be reviewed and if it requires additional Council direction it can be brought forward. Councilmember Bergeron said he definitely wants oversight on the project and he has lots of ideas he wants to share with the Council and the design team. He said he didn't want to leave it up to the manager and he wanted some input.

Mechanic's Shop at the Landfill

In response to Councilmember Jason Harris, Public Works Director Hansen said the extension of the mechanic's shop at the landfill has been postponed until 2009 because of delay of design. He explained the City has a contract with Welsh Whiteley for the design, and they have been highly involved in other projects including the library/parking garage and the civic center. He said he would contact them regarding this issue.

Firing Range

Councilmember Coose questioned plans for the shooting range, noting it would be nice to see what is being planned because it didn't sound like it could be done for \$50,000. Mayor Weinstein requested an update be provided.

Planks on the Wooden Dock

Councilmember Kj Harris reported there were some planks that were loose on the wooden dock where the work had been done, and when the buses traveled over them they showed signs of popping loose. Public Works Director Hansen said those should be corrected by the contractor.

K.P.U. MANAGER'S REPORT

**Utility Operating Divisions' Project Status Reports –
April 2008**

Manager Amylon provided copies of the April 2008 status reports from the Utility Division managers.

CITY CLERK'S FILE – None

CITY ATTORNEY'S FILE – None