

**CITY AND BOROUGH OF JUNEAU, ALASKA**  
**APPEAL FROM A DECISION OF THE PLANNING COMMISSION**

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3 Appeal of NOTICE OF DECISION File )  
4 No.: AME2013 0007 )  
5 Appeal of Planning Commission )  
6 Recommendation to the City and Borough )  
7 Assembly to amend the Comprehensive )  
8 Plan Map G; )  
9 Legal Description: USS 1568 TR B; )  
10 Property Address: Glacier Highway; )  
11 Parcel: 5-B14-0-102-007-0; )  
12 Hearing Date: April 9, 2013. )  
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**STIPULATION FOR DISMISSAL**

13 After a conference with the City Attorney wherein the parties discussed the  
14 applicability of the CBJ Appeal procedures to a Planning Commission recommendation  
15 regarding a requested map amendment to the Comprehensive Plan, it was agreed that  
16 the Title 49 of the CBJ ordinances did not contemplate appeals on map amendment  
17 requests. Furthermore, it was agreed that the proper procedure for a party seeking to  
18 rezone specific property was to apply for the rezone and that a map amendment could  
19 be taken up by the Planning Commission, later, if appropriate.


20 In light of the parties' agreement regarding the appropriate procedure Appellant  
21 Bicknell, Inc., withdraws its appeal of the Planning Commission Notice of Decision on  
22 AME 2013 – 0007. Bicknell requests that the CBJ fully refund the appeal fees paid by  
23 Bicknell.

24 The City and Borough of Juneau Planning Commission acknowledges that there  
25 has been procedural confusion regarding Comprehensive Plan map amendments, and  
26 agrees that upon dismissal of this appeal it would be appropriate to fully refund the  
27 appeal fees paid by Bicknell. The CBJ Planning Commission further agrees that as  
28 long as Bicknell reinitiates its original or a modified application for a rezone of United  
29 States Survey 1568 Tract B with the Department of Community Development within  
30 30 days of the dismissal of the appeal, the Planning Commission will consider the

1 request to date back to its original rezone request and be timely for de novo processing  
2 under CBJ 49.75.110 *et seq.*

3 DATED this 7<sup>th</sup> day of August, 2013 at Juneau, Alaska.

4 BAXTER BRUCE & SULLIVAN P.C.

5  
6 By   
7 Daniel G. Bruce, ABA No. 8306022  
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10 DATED this 7<sup>th</sup> day of August, 2013 at Juneau, Alaska.

11 City and Borough of Juneau, Planning Commission

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13 By   
14 Jane Sebens, ABA No. 9011115  
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