

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

March 24, 2014, 5:00 PM.

Assembly Chambers, 155 S. Seward St., Juneau, AK 99801

I. ROLL CALL

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

A. February 10, 2014

IV. PUBLIC PARTICIPATION

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

V. AGENDA TOPICS

- A. Ordinance 2014-16 - An Ordinance Amending the Land Use Code Relating to Lands Available for Leasing
- B. St. Nicholas Russian Orthodox Church Easement and Use Permit
- C. Smith Family Land Donation
- D. Ordinance 2014-20 - An Ordinance Amending the Recreation, Parks and Community Centers Code Relating to Motorized Uses on Auke Lake

VI. STAFF REPORTS

- A. Spring 2014 Lena Land Sale - Verbal Update
- B. Pederson Hill Rezone - Verbal Update

VII. COMMITTEE MEMBER / LIAISON COMMENTS AND QUESTIONS

VIII. ADJOURNMENT

Note: Agenda packets are available for review online at www.juneau.org.

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@ci.juneau.ak.us

**ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

February 10, 2014

ATTACHMENTS:

Description	Upload Date	Type
☐ February 10, 2014 Minutes	3/20/2014	Cover Memo

DRAFT Minutes
ASSEMBLY STANDING COMMITTEE
LANDS COMMITTEE
THE CITY AND BOROUGH OF JUNEAU, ALASKA
Monday, February 10, 2014, 5:00pm
Assembly Chambers

I. ROLL CALL

Carlton Smith called the meeting to order at 5:00pm.

Members Present: Loren Jones; Carlton Smith; Mary Becker; Jesse Kiehl

Other Assembly Members Present: Mayor Merrill Sanford

Liaisons Present: Karen Lawfer, Planning Commission

Liaisons Absent: Jeff Wilson, PRAC; Mike Peterson, Docks & Harbors Board

II. APPROVAL OF AGENDA

There were no agenda changes.

III. APPROVAL OF MINUTES

The minutes of the following Lands Committee were approved with minor changes:
July 13, 2014

IV. PUBLIC PARTICIPATION

There was no public participation on non-agenda items.

V. AGENDA TOPICS

A. Mendenhall Peninsula Lot Line Adjustment

Mr. Chaney discussed Dan Bleidorn's memo regarding a lot line adjustment on the Mendenhall Peninsula. The File family owns a long narrow lot on Engineers Cutoff Road to the east side of a CBJ owned parcel. It's not a buildable lot. Lands would do a lot line adjustment with about the same area. The CBJ would have more access to our property. It would leave the File family roughly 1.5 acres of a buildable lot.

Mr. Kiehl: What rules or process do we have for land trades like this?

Mr. Chaney: We would do a negotiated sale for this type of thing. We would buy their part and sell our part at the same time. We would have an appraiser come up with equal value. It's basically a trade. We would share the cost of the subdivision.

Mr. Kiehl: Can it be based on value, lot size or acreage?

Mr. Chaney: All of the above are possible. We would try to have it workout for equal value. We are supposed to sell for market value so it should be a similar arrangement if no dollars change hands.

Motion: Ms. Becker moved the Lands Committee direct Lands and Resources staff to initiate the process of adjusting the lot line for a Fraction of Lot 1 Refuge View in order to provide the property owners with a buildable lot and to provide the City and Borough with access to the large parcel adjacent to it.

Hearing no objection, motion passes unanimously.

VI. STAFF REPORTS

A. 2014 Lena Land Sale – Verbal Update

Mr. Chaney: The city created the South Lena Subdivision several years ago. We still own several lots. On the February 24th Assembly meeting, we will be asking for approval to sell the remaining lots. The assembly approval would be for all remaining lots but we would start with selling two of them. We should get appraisals for four of the remaining lots mid-March. If there's no interest, we'll stop selling. If there is lots of interest, we may sell four at the next one. We hope to be opening bids by April/May. This is a hopeful timeline, but we don't have Assembly approval yet.

Ms. Lawfer: We own 15 lots.

Chaney: We're asking for approval to sell 12. One of the remaining lots is for access and two of them have an eagles nest. We could sell those in the future.

VII. COMMITTEE MEMBER / LIAISON COMMENTS AND QUESTIONS

No comments.

VIII. ADJOURNMENT

Meeting adjourned at 5:10pm.

**ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

Ordinance 2014-16 - An Ordinance Amending the Land Use Code Relating to Lands Available for
Leasing

ATTACHMENTS:

Description	Upload Date	Type
☐ Memo	3/20/2014	Cover Memo
☐ Ordinance 2014-16	3/20/2014	Cover Memo

MEMORANDUM

CITY/BOROUGH OF JUNEAU

Lands and Resources Office
155 S. Seward St., Juneau, Alaska 99801
Greg_Chaney@ci.juneau.ak.us
Voice (907) 586-0205
Fax (907) 586-5385

TO: Assembly Lands Committee

FROM: Greg Chaney, Lands and Resources Manager



DATE: March 20, 2014

SUBJECT: Modification of CBJ§53.20.020 to clarify procedure for leasing CBJ property.

Title 53 *Property Acquisition and Disposal* contains two sections that address leasing of CBJ property.

Section 53.09.260 addresses leases for specific uses that are proposed to the CBJ by private parties. The Assembly may authorize these leases to be finalized by direct negotiation with the original proposer or the Assembly may award the lease by competition after an invitation for further proposals.

By contrast CBJ§53.20.020 is intended to address situations when the Assembly desires to make a parcel available for competitive lease. This provision is intended for situations where there is land available but no specific use has been identified.

Currently the code sections are not linked which has caused some confusion when people have reviewed CBJ§53.20.020 and didn't realize that the option for direct negotiations existed. The proposed change provides direction for the reader to refer to the direct negotiations section when reviewing a specific leasing proposal from a private party.

A draft ordinance is attached to this memo for reference.

Since this ordinance change would make the CBJ code easier to use, Lands staff is requesting a motion of support for this code change to be forwarded to the assembly.

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2014-16

An Ordinance Amending the Land Use Code Relating to Lands Available for Leasing.

NOW, THEREFORE, BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment to Section. CBJ 53.20.020, Lands available for leasing, is amended to read

53.20.020 Lands available for leasing.

All lands and interests in land owned by the City and Borough, including tide and submerged lands, may be leased as hereinafter provided for surface use only unless the assembly has given specific approval to the lease of land in connection with the disposal of materials, timber or other resources under sections 53.09.320 and 53.09.330; however, lands devoted to or reserved for public use may not be leased, nor may any existing lease on such lands be renewed unless such lease is for or will not interfere with the public use or purpose to which the land is devoted or reserved. Except as provided in CBJ 53.09.260, no ~~No~~ lands

1
2 may be leased which have not, at least 30 days before award or execution of a lease, been
3 declared by the assembly by resolution to be available for leasing or identified in the
4 approved land management plan for disposal by competitive bid leasing in the current year.
5 The call for bids for leases shall be advertised in the same manner as provided for auction
6 sales. A lease of land authorized specifically by ordinance may be made to such person or
7 entity and under such procedures and minimum terms and conditions as are set forth in the
8 ordinance.
9

10
11 **Section 3. Effective Date.** This ordinance shall be effective 30 days after its
12 adoption.

13 Adopted this _____ day of _____, 2014.
14

15
16 _____
Merrill Sanford, Mayor

17 Attest:

18 _____
19 Laurie Sica, Municipal Clerk
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21
22
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**ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

St. Nicholas Russian Orthodox Church Easement and Use Permit

ATTACHMENTS:

Description	Upload Date	Type
☐ Memo	3/20/2014	Cover Memo

MEMORANDUM

CITY/BOROUGH OF JUNEAU

Lands and Resources Office
155 S. Seward St., Juneau, Alaska 99801
Dan_Bleidorn@ci.juneau.ak.us

Voice (907) 586-5252
Fax (907) 586-5385

TO: Assembly Lands Committee

FROM: Dan Bleidorn *Daniel Bleidorn*
Deputy Lands Manager

SUBJECT: St. Nicholas Russian Orthodox Church Easement and Use Permit

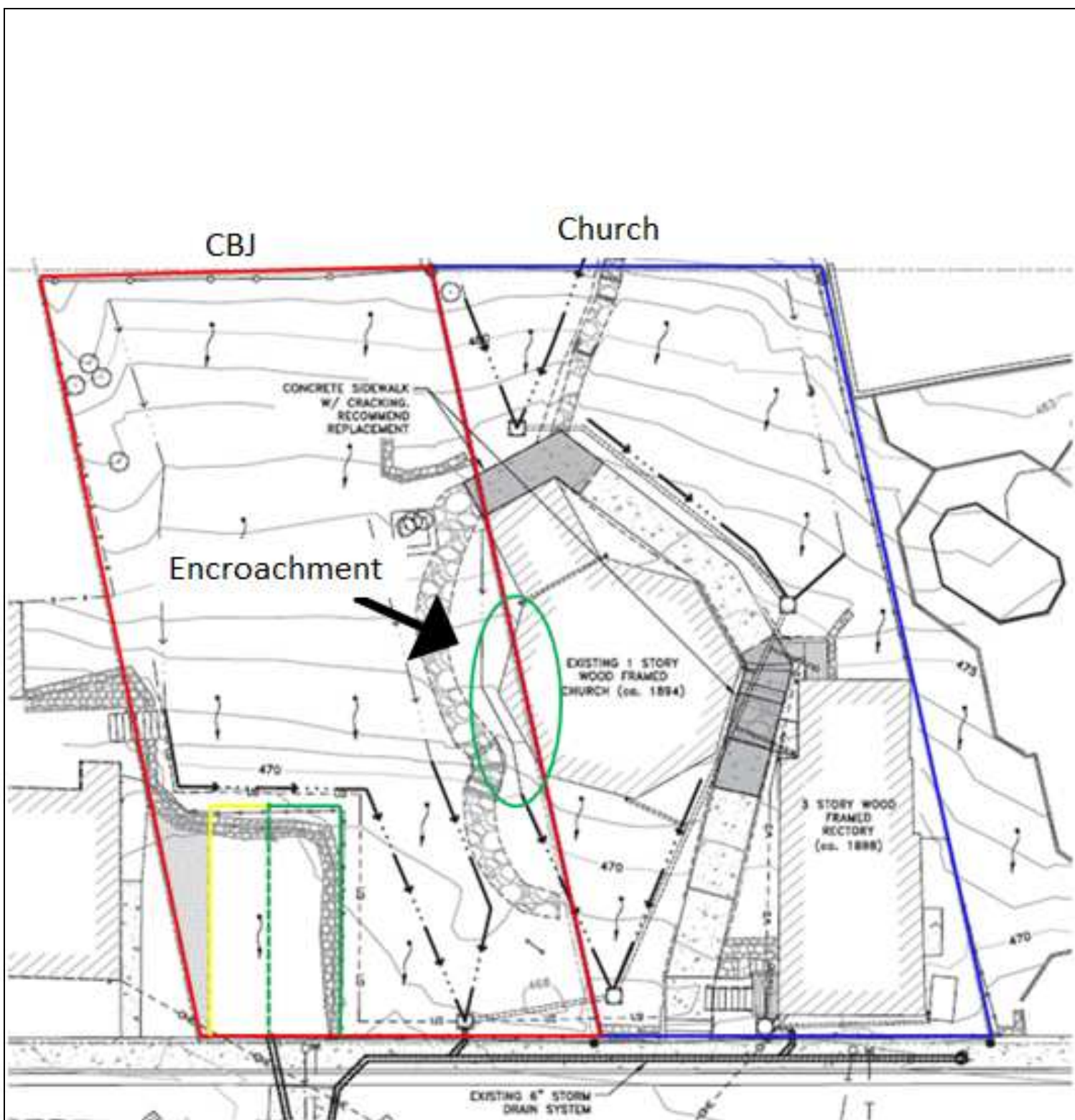
DATE: March 19, 2014

The St. Nicholas Russian Orthodox Church, which is located at 326 Fifth Street in downtown Juneau, has applied for a use permit to complete foundation work as well as a permanent easement through adjacent City property in order to correct drainage around Church buildings. The City purchased the lot adjacent to the Church in 1986 in order to preserve open space around the Church and to maintain the scenic values. See the attached map.

In order to complete the foundation upgrades, the Church has applied for a temporary use permit allowing them to enter City property with equipment to access their foundation. The corner of the Church encroaches onto the City lot making it impossible to complete the foundation upgrades without access to the City owned property. The Church has also applied for a drainage easement through the same City property. By correcting drainage across the property the Church hopes to improve safety and prevent future damaged caused by improper drainage. The exact location of the drainage easement will be defined after infrastructure has been installed.

The Historic Resources Advisory Committee passed a motion of support for the proposed drainage easement and use permit at their March 5th 2014 meeting. The Planning Commission will review this, and make a recommendation at their meeting on April 8th.

Lands staff requests a motion of support for granting the Saint Nicholas Russian Orthodox Church a use permit and an easement for drainage through the City owned adjacent parcel.



**ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

Smith Family Land Donation

ATTACHMENTS:

Description		Upload Date	Type
☐	Memo	3/20/2014	Cover Memo
☐	Attachment A	3/20/2014	Cover Memo
☐	Attachment B	3/20/2014	Cover Memo

MEMORANDUM

CITY/BOROUGH OF JUNEAU

Lands and Resources Office
155 S. Seward St., Juneau, Alaska 99801
Greg_Chaney@ci.juneau.ak.us
Voice (907) 586-0205
Fax (907) 586-5385

TO: Assembly Lands Committee

FROM: Greg Chaney, Lands and Resources Manager



DATE: March 20, 2014

PROPERTY: USS 3872 Tract 5A - Parcel Number 5B2501100091

SUBJECT: Offer by Smith family to donate 5.68 acres along Mendenhall River to the City and Borough of Juneau

The Smith family owns a 5.68 acre lot along Killewich Drive. The the Mendenhall River flows along the western boundary of the parcel. A survey of the property was conducted in 2000 and at that time, the property contained 975 feet of river frontage (Attachments A & B).

Historically the property was utilized as a construction staging area and gravel pit. Prior to accepting this lot for CBJ ownership, an environmental review would be necessary to insure that the site does not contain hazardous materials.

As a result of the historic gravel extraction at this site, a large portion of the lot is just above the river's ordinary high water line and floods are not unusual. Over time the area has become revegetated and is now utilized by waterfowl and other wildlife.

Due to this property's relatively low elevation, lots have been subdivided around the edge of the site and only 83.7 feet of the property borders Killewich Drive. The combination of the low elevation and minimal right-of-way frontage make further residential or commercial development of this parcel impractical.

Although the parcel would be nearly impossible to develop for the private sector, the parcel does contain some potential value for municipal uses. The property could provide potentially valuable public access to the Mendenhall River in this part of the Mendenhall Valley. The parcel could serve as a natural area park or be improved in the future to host a neighborhood park.

The property also provides flood mitigation. Due to its low lying configuration, the parcel accomodates floodwater, reducing flood height and slows flood velocity. If the City and Borough of Juneau is accepted by FEMA into the Community Rating

System, ownership of this parcel could lead to reduced flood insurance rates for the community.

An additional potential use of this property would be for wetland mitigation. Some of the lot is currently a marsh adjacent to an anadromous river. Typically this class of habitat can be utilized as mitigation for wetland fill by the US Army Corps of Engineers.

Assuming the property is free of hazardous materials, the only negative aspects of accepting this property would be that this lot would be the CBJ would lose future property tax revenue and the cost to manage this property. The lot is currently assessed at \$170,000. The Smith family has requested that the CBJ provide documentation attesting to the value of the property so they could receive tax credits for their donation.

Sample motion:

Lands Committee supports accepting the donation of USS 3872 Tract 5A consisting of 5.68 acres along Mendenhall River and directs Lands and Resources staff to conduct an environmental review of the property to confirm it is free of hazardous materials.

N



Smith Property

Killewich Drive

Sharon Street

Attachment A

W. HALL

RIVER

RECORD MEANDER LINE

TRACT 5A

AREA = 247228 sf.

FOUND 5/8" REBAR/ NO CAP
MON. TO CORNER
S84°54'09"E 0.16

TR. 5A

LOT 10

LOT 8

LOT 9

DETAIL 'G'
NTS

[EAST - 392.64] N89°55'22"E - 389.95

LOT 6

LOT 7

⑥

LOT 8

Attachment B

20.29

LOT 2A

FOUND 5/8" REBAR/ NO CAP
MON. TO CORNER
S40°42'01"E 0.76

LOT 1

N21°09'18"E 129.59
[N21°04'48"E]

N67°45'42"W 120.00
[N67°26'36"W]

NORTH
83.71(42.96)

DRIVE

EAST 100.00

LOT 11

NORTH - 200.00

LOT 10

LOT 4

LOT 3

SHARON

LOT 1

LOT
AREA

LOT
AREA

DETAIL
NTS

LOT 2A

LOT

FOUR

**ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

Ordinance 2014-20 - An Ordinance Amending the Recreation, Parks and Community Centers Code
Relating to Motorized Uses on Auke Lake

ATTACHMENTS:

Description	Upload Date	Type
☐ Memo	3/20/2014	Cover Memo
☐ Ordinance 2014-20	3/19/2014	Cover Memo

MEMORANDUM

CITY/BOROUGH OF JUNEAU

Lands and Resources Office
155 S. Seward St., Juneau, Alaska 99801
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Voice (907) 586-0205
Fax (907) 586-5385

TO: Assembly Lands Committee 
FROM: Greg Chaney, Lands and Resources Manager
DATE: March 20, 2014
LOCATION: Auke Lake
SUBJECT: Potential revision of CBJ§67.01.095 concerning vessel regulations for Auke Lake

Parks and Recreation staff provided an update concerning Auke Lake Management to the Committee of the Whole on January 13, 2014.

As a result of the presentation and discussion, staff was directed by the Assembly to make two changes to CBJ§67.01.095 governing motorized vessel uses on Auke Lake:

- 1) This amendment would eliminate the restriction on the length of motorized vessels allowed to operate on Auke Lake. Motorized vessels are currently limited to a maximum length of 16 feet overall.
- 2) Add a restriction prohibiting the flushing of boat motors in the lake.

This topic has been referred to the Lands Committee for discussion and possible recommendation to the full Assembly.

A draft ordinance is attached to this memo for reference.

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2014-20

**An Ordinance Amending the Recreation, Parks and Community
Centers Code Relating to Motorized Uses on Auke Lake.**

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature
and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment to Section. CBJ 67.01.095 Motorized uses on Auke
Lake, is amended at subsection (e) to read:

67.01.095 Motorized uses on Auke Lake.

...

(e) ~~Motorized vessel size. Lake use is restricted to vessels 16 feet overall or less. The~~
rinsing or flushing of boat engines is prohibited on the lake, along the wayside, and within
50 feet of the lake shoreline.

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Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2014.

Merrill Sanford, Mayor

Attest:

Laurie Sica, Municipal Clerk