



CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

Planning and Community Development Department

AGENDA ITEM:

Case No: LM 23-01
Proposal: Lease request for community gardens
Applicant: Transition Sitka and Sitka Local Foods Network
Owner: City and Borough of Sitka
Location: 601 Halibut Point Road and 101 Jarvis Street
Legal: Lots 3, 4, 10, 11, 12, Block 6, Replat No.1, Dan Moller Subdivision, and a portion of Tract Four B (4-B), Alaska State Land Survey No. 81-21.
Zone: P - Public Lands District
Size: Approximately 0.5 acres
Parcel IDs: 1-5410-000 and 3-0300-000
Existing Use: Undeveloped
Adjacent Use: Residential, recreational, school, public service facilities, industrial
Utilities: Existing
Access: Halibut Point Road, Osprey Street, Jarvis Street

KEY POINTS AND CONCERNS

- Properties requested for lease are unsubdivided, undeveloped portions of larger municipal tracts.
- The Osprey Street site is next to Blatchley Middle School and the Vilandre Ballfield, as well as a moderate density residential neighborhood.
- The Jarvis Street site is in a large open space uphill from public service facilities and an industrial area.
- Both lots appear to have significant wetlands.
- The comprehensive plan supports use of municipal lands for community gardens.

ATTACHMENTS:

Attachment A: Aerial
Attachment B: Lease Area
Attachment C: Pictures
Attachment D: Project Narrative
Attachment E: Q&A
Attachment F: Letter of Support
Attachment G: Public Comment
Attachment H: Applicant Materials

BACKGROUND

The applicants for this request are two nonprofit organizations, Transition Sitka and the Sitka Local Foods Network. The applicants would like to be the host organizations supporting the proposed community gardens, serving the overlapping interests of the two organizations to promote local food security and sustainable food systems.

The applicants had a set of criteria they used to select prospective sites, ultimately leading to their request for the Osprey Street and Jarvis Street sites. The criteria were that sites must be at least a half-acre in size, have good southerly exposure, not be overly steep or irregular, be reasonably accessible to neighborhoods, ideally have access to municipal utilities though alternatives could be pursued, and that the community-at-large must be generally supportive, and willing to consider community garden sites as permanent civic improvements.

The applicants have developed conceptual designs of these sites in order to help paint the picture of what the garden developments could look like and operate as. However, given that these sites are undeveloped and may have some challenging conditions, significant investment on the part of the applicants is needed before a final design can be evaluated. The applicants need reasonable certainty that they will be able to develop and use the sites before making this investment. Therefore, staff's perspective is that it is too soon to evaluate specifics of the design such as garden plot layout, fencing and gate layout, parking areas, etc.

The purpose of this review should be to determine the following:

1. Should we lease municipal lands for community gardens?
2. Generally, are the selected sites good locations to have community gardens?
3. Are there any terms or conditions for the lease, or elements of the site design, that could be identified now as preventions, mitigations, or solutions to potential issues?

The Assembly will need to provide direction on whether or not to proceed with the lease, whether it needs to competitively bid, and any terms or conditions that should be in the lease.

SITE DESCRIPTIONS

Both sites are approximately half acre, unsubdivided and undeveloped areas within larger parcels.

Osprey Street

Description: This site is next to Blatchley Middle School and the Vilandre Ballfield. Its southern side abuts Osprey Street which serves the moderate-density residential neighborhood. The northern portion of the site is at the rear of the ballfield parking area and batting cage. It gently slopes from the south down to ballfield. The lot is heavily vegetated, with the southern end appearing dryer with larger trees and the interior appearing to be marshy or muskeg.

Access & Parking: Site has access from Osprey Street or via Halibut Point Road using Blatchley's south driveway. Developing additional parking on Osprey Street may not be practicable given the elevation difference between the site and the street, and it would result in additional traffic and

visual impacts for Osprey Street neighbors. Parking options should be evaluated during the study and design process.

Utilities: Utilities are available from Osprey Street and Halibut Point Road.

Jarvis Street

Description: This site is uphill of the solid waste transfer station and the animal shelter. Its southern side abuts Jarvis Street which serves public facilities and industrial properties. There is vacant, undeveloped land to the north owned by CBS and the Raptor Center. The property to east is the site of the Homeless Coalition's proposed development. The lot is heavily vegetated, appearing to be almost entirely muskeg.

Access & Parking: Site only has access from Jarvis Street. Parking will need to be developed along with the garden area.

Utilities: All utilities are also available from Jarvis Street.

ZONING ANALYSIS

Both properties are in the public lands district, the intent of which is to, "...contain government-owned lands or lands owned by nonprofit institutions serving the public interest which are utilized for public recreation, education, or institutional uses." (SGC 22.16.020.A).

A community garden best fits the zoning designation of "horticulture", which SGC 22.08.453 defines as "...the on-site production of plants or their products, including but not limited to gardening and fruit production. Horticulture does not include construction of accessory buildings other than those specifically allowed in the zoning districts. It also does not include products such as livestock, poultry, other animals, or the production of animal related products." "Horticulture and related structures" are a permitted use in the public lands district, meaning no conditional use permit is needed for either site.

While horticulture is a defined use in the code, there is no direct parking requirement specified. There are no analogous uses such as parks with defined parking requirements specified either. While not necessarily a clean fit, the closest use would be "community buildings, assembly halls, lodges, or union or social halls," which carry a parking requirement of one space per ten seats. Applying this to the garden context, staff's best interpretation would be to require one space per ten garden plots. With the current configurations, this would result in parking requirements of eight spaces at the Osprey Street site, and seven at the Jarvis Street site.

COMPREHENSIVE PLAN

Parks, Trails, and Recreation Action PTR 2.1g states, "Allow community gardens in undeveloped municipal park space." The proposal is consistent with this comprehensive plan goal.

PUBLIC & STAFF REVIEW

Since receiving the application, a cross-department review and community townhall have been conducted to garner feedback and recommendations. As several overlapped, the results are compiled together here.

Observation/Concern	Prevention, Mitigation, or Solution
Wetlands on site	<ul style="list-style-type: none">• Adherence to US Army Corps of Engineers regulations and permitting requirements
Site drainage	<ul style="list-style-type: none">• An engineered drainage plan
Bear & pest attraction	<ul style="list-style-type: none">• Site to be fully fenced (perhaps electrified for Jarvis site). Also addresses site security for vandalism/theft concerns.• Garden policies on fertilizers and composting to prevent odor• Other pest control measures may be needed
Environmental impact	<ul style="list-style-type: none">• A storm water pollution prevention plan and/or stormwater treatment plan• Garden policies on use of chemical pesticides and herbicides• Efforts to minimize habitat impacts• Policies to limit hours of operation, particularly for use of powered equipment needed for noise pollution
Site remediation	<ul style="list-style-type: none">• A plan to ensure site remediation at end of project life
Osprey Street Specific Feedback	
Parking conflicts with ballfield	<ul style="list-style-type: none">• A parking plan with agreement between applicants, Blatchley school administration, and Parks and Recreation• Additional parking may be needed
Ballfield restroom availability	<ul style="list-style-type: none">• Understanding/agreement is needed between applicants and Public Works to determine restroom availability
Visual impacts for neighbors	<ul style="list-style-type: none">• Landscaping or preservation of vegetative buffers• Amenities or benefits offered to neighbors

STAFF RECOMMENDATION

Lease Process & Terms

The applicant is interested in a long-term lease, preferably close to a total of thirty years broken into five-year renewal options.

If the Assembly decides to move forward with the lease, staff recommends that the initial term of the lease be three years with a list of deliverables (the preventions, mitigations, or solutions identified above and any others that arise at the Planning Commission or Assembly) that must be completed within the initial term before renewal terms can be exercised. Additionally, staff would recommend that one of those deliverables be a final site plan review and approval by the Planning Commission.

Land Use

The comprehensive plan has a clear policy direction to allow for community gardens in undeveloped municipal park space. The Osprey Street site clearly meets this policy preference. The Jarvis Street site, while not a park, is functioning like open space which seems to meet the intent of this comprehensive plan action.

The prevalence of wetlands on both sites may prove to be a limiting factor for these developments. However, if potential lessees wish to further explore the feasibility developing the sites, the lease structure proposed could accommodate this exploration and planning phase while providing adequate assurances for the lessees such to warrant the investment. This lease structure also creates a means by which to ensure that the concerns raised in review are adequately addressed.

RECOMMENDED MOTION

“I move to recommend approval of the request to lease portions of municipal property located at 601 Halibut Point Road and 101 Jarvis Street for the purpose of community gardens subject to the attached conditions of approval.”

Conditions of Approval:

1. The initial term of the lease should be three (3) years.
2. The first renewal option after the initial term should not be exercised until the lessee has:
 - a. An approved US Army Corps of Engineers (USACE) permit and/or proof that the development plans meet USACE regulations.
 - b. A comprehensive, engineered drainage plan approved by the Municipal Engineer.
 - c. A storm water pollution prevention plan and/or storm water treatment plan approved by the Municipal Engineer.
 - d. A plan to ensure site remediation at the end of project life.
 - e. Garden policies that address bear and pest management, odor, noise, and pesticide/herbicide use.
 - f. A final site plan approved by the Planning Commission including (but not limited to) garden layout, fencing specifications, parking plans with any necessary agreements, and buffers/visual impact mitigations.
 - g. Any other requirements that arise through the lease development and approval process.