



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

## Planning and Community Development Department

Date: May 3, 2015

From: Maegan Bosak, PCDD

To: Planning Commission

Re: Dodson/Holzman Land Sale Request- 1,017 sf northwest of 263 Katlian Street

### GENERAL INFORMATION

Applicant: Forrest Dodson and Mary Holzman  
P.O. Box 6575  
Sitka, AK 99835

Property Owner: Same as above

Property Address: Parcel northwest of 263 Katlian Ave

Legal Description: Lot 14, Block 5, Sitka Indian Village

Parcel ID Number:

Size of Existing Lot: 1,017 square feet

Zoning: WD Waterfront

Existing Land Use: Vacant- next to CBS Grid

Utilities: Full City Services

Access: Access directly from Katlian Avenue

Surrounding Land Use: Mixed use

### MEETING FLOW

- Report from Staff
- Applicant comes forward
- Applicant identifies him/herself – provides comments
- Commissioners ask applicant questions
- Staff asks applicant any questions
- Floor opened up for Public Comment
- Applicant has opportunity to clarify or provide additional information
- Comment period closed - brought back to the board
- Findings
- Motion of recommendation

## **ATTACHMENTS**

Attachment A: Vicinity Map  
Attachment B: Aerial Vicinity Map  
Attachment C: Parcel Pictures  
Attachment D: Application  
Attachment E: Site Plan  
Attachment F: Subdivision Plat  
Attachment G: Zoning Map  
Attachment H: Warranty Deed  
Attachment I: Mailing List  
Attachment J: City Department Staff Comments

## **PROJECT DESCRIPTION**

Earlier this year, the applicants acquired adjacent tidelands seaward of their residence at 263 Katlian Avenue. They recently filled the tidelands behind the house and plan to move the home back onto the filled area, creating parking in front. The current request is for an additional 1,017 square feet of filled tidelands northwest of their property at 263 Katlian Avenue.

## **BACKGROUND**

This small strip, adjacent to the applicant's property and bordering the CBS grid, was filled to grant access to the recently purchased tidelands behind the home. The applicant is requesting this 1,017 sf area for additional parking opportunities.

Only upland property owners have "preference rights" to tidelands, meaning that a sale or lease can be made without going to a public competitive bid process. For this small portion of property, the upland property owner is CBS and any sale would require a public competitive bid process and then a sale ordinance.

The first step to any land sale is to route the request through City departments to determine if there are issues or if the parcel is surplus to the City's needs.

Planning Staff followed the procedure and routed the request to department heads for comment. Comments have been included in your packets for review. Concerns were raised by many and shared by the PCDD. Losing this small portion of public property adjacent a harbor facility could prevent expanding or repurposing this public facility in the future. While we can't predict needs, Staff agrees that the best option is to allow for future opportunities. In general, public lands should be sold to benefit the community.

After review of staff comments, it was determined that this portion of tidelands is of value to the City and should remain in ownership of CBS.

PCDD is in support of a Class I Tideland lease. This designation of tideland lease is cancelable by the municipality on thirty days' notice, approval may be made by the Administrator and the monthly fee would be set by the Assessor.

This option seems to be beneficial to all parties in that it allows the applicant the use of the property, allows the fill to remain, and allows CBS to retain the property should future needs arise.

### **ANALYSIS**

**Project / Site:** The proposed tidelands are immediately adjacent the City Grid. The City must maintain access to the grid for use by recreational and commercial vessels, both for maintenance and emergency use. People and boats must be able to get to, from, and around the grid to work on their vessels in all tidal conditions.

The City Grid is scheduled for renovation in 2031 as part of the Municipal Harbor Master Plan. Expansion/renovation could be limited if adequate tidelands are not available.

Furthermore, there has been significant discussion as to whether or not the City should sell any tidelands. Tidelands will continue to increase in value and be an asset to the citizens. Many feel the waterfront should be for public facilities and enjoyment, more of a benefit to the masses rather than an individual land owner. Tidelands are a very limited resource.

**Conformity with Comprehensive Plan:** The Comprehensive Plan section 2.3.12 *To maintain public access to the waterfront, where feasible.*

### **RECOMMENDATION**

It is recommended that the Planning Commission adopt the Director's analysis and move to deny the proposed land sale adjacent 263 Katlian Avenue.

If the Planning Commission instead decides to approve the proposed land sale, the process would be this: The request would go to the Assembly for concept approval, followed by creation of a minor subdivision, through Ports and Harbors and Historic Preservation Commissions, public competitive bid and then back to the Assembly for a final land sale ordinance.

### **Recommended Motions:**

- 1) I move to deny the proposed land sale of 1,017 square feet of tidelands adjacent 263 Katlian Avenue and instead encourage the applicants to apply for a Class I tideland lease.