

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2006-32

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA, ALASKA AUTHORIZING THE DISPOSAL OF THE "OLD CITY SHOPS" PROPERTY LOCATED AT 1306, 1410 AND 1414 HALIBUT POINT ROAD FOR AN AFFORDABLE HOUSING PROJECT THAT IS NOT SUBJECT TO COMPETITIVE BID TO THE VOTERS AT THE REGULAR ELECTION ON OCTOBER 3, 2006

1. **CLASSIFICATION.** Portions of this ordinance are of a permanent nature depending upon the approval by the voters of the ballot question in Section 5 at the regular election on October 3, 2006. Though no part of this ordinance is intended to become part of the Sitka General Code.

2. **SEVERABILITY.** If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected.

3. **PURPOSE.** On October 3, 2000 a majority of qualified voters of the municipality authorized the sale of the "Old City Shops" property by competitive bid. Since 2000 the need for affordable housing in Sitka has grown. Acquiring affordable property appears to be the main deterrent for obtaining affordable housing in Sitka. The City and Borough has no longer a need for the "Old City Shops" property as the facilities have been relocated. The City and Borough of Sitka identified affordable housing as its number one priority in Sitka. It would be in the interest of the citizens of Sitka to authorize the disposal of this property for an affordable housing project to facilitate that priority.

4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that affordable housing is a number one priority in Sitka and that disposing of the "Old City Shops" property for that need is in the best interest of the municipality. The disposal of the property for such purposes by competitive bidding is inappropriate. The City and Borough is authorized to dispose of the "Old City Shops" property, without being subject to competitive bidding, for the purpose of developing an affordable housing project that is available to all, regardless of ethnicity. The terms of such disposal are subject to approval by a subsequent ordinance of the Assembly.

5. **BALLOT QUESTION.** The following question shall be placed before the voters at the general election to be held on October 3, 2006:

Shall the City and Borough of Sitka dispose of the "Old City Shops" property located at 1306, 1410 and 1414 Halibut Point Road for an affordable housing project without being subject to competitive bid, as previously required by Ordinance 2000-1584, and that will be available to all regardless of ethnicity?

YES () NO ()

Informational: A yes vote on this ordinance would mean you intend to rescind the requirement under Ordinance 2000-1584 that the property must be sold by competitive bid, passed by the voters in 2000, and that you want the property used for an affordable housing project that is available to all ethnic groups.

6. **EFFECTIVE DATE.** Section 4 of this ordinance shall become effective upon ratification of the election results if the voters approve the question at the regular election held on October 3, 2006.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska on this 27th day of July, 2006.



Marko Dapceвич, Mayor

ATTEST:


Colleen Pellett, MMC
Municipal Clerk

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2015-56

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA (CBS) AUTHORIZING THE TRANSFER/SALE OF A PORTION OF CITY AND BOROUGH OF SITKA'S "OLD CITY SHOPS" PROPERTY LOCATED AT 1306 HALIBUT POINT ROAD FOR AN AFFORDABLE HOUSING PROJECT THAT IS NOT SUBJECT TO COMPETITIVE BID AND IS AVAILABLE TO ALL REGARDLESS OF ETHNICITY TO THE SITKA COMMUNITY DEVELOPMENT CORPORATION (SCDC)

1. **CLASSIFICATION.** This ordinance is not of a permanent nature and is not intended to become a part of the Sitka General Code.

2. **SEVERABILITY.** If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstances shall not be affected.

3. **PURPOSE.** On October 3, 2006 a majority of qualified voters of the municipality authorized the disposal of the "Old City Shops" property located at 1306, 1410 and 1414 Halibut Point Road for an affordable housing project without being subject to competitive bid, as previously required by Ordinance 2000-1584, and that will be available to all regardless of ethnicity. Sitka Community Development Corporation will gain ownership of Parcel 1306, along with durable affordability controls over the resale of any home built on that land, ensuring that the subsidized homes remain affordable for generations to come. Sitka has made both a social priority of promoting affordable home ownership and a fiscal priority of protecting the public's investment in affordable housing.

This ordinance authorizes and specifies the terms of the land transfer/sale; and 1) makes this parcel of CBS land available for an affordable home project; and, 2) ensures this parcel remains available for affordable housing in the future. The Municipality and the Sitka Community Development Corporation are cooperating in this pilot project. Parcels 1410 and 1414 will be transferred/sold by similar ordinance to SCDC at a future date, pending clear demonstration by SCDC that they are able to use such parcels consistent with the October 3, 2006 vote.

4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that:

- A. The transfer/sale of the "Old City Shops" property located at 1306, Halibut Point Road to SCDC is hereby authorized.
- B. This transfer/sale will allow for a cooperative project that results in promoting permanently affordable home ownership by placing affordable homes on the market as proposed by the grantee Sitka Community Development Corporation. Therefore sale by noncompetitive bid is found to be appropriate, as was authorized by vote of the citizens in 2006.
- C. The sale price is \$1.00 for Parcel 1306. This price reflects that the Municipality significantly benefits through other means in this transaction.

- D. SCDC acknowledges that prior use of this parcel resulted in chemical contamination of the soil, and a 2008 study, adopted by the State of Alaska, Division of Spill Prevention and Response Contaminated Sites Program found, absent any newly discovered evidence in the future, the property was cleared for redevelopment. SCDC is fully informed of this report and assumes the cost of any further testing, if necessary, and assumes all risk associated with said contamination history of this parcel.
- E. Upon payment of purchase price the administrator is authorized to execute documents necessary to convey Parcel 1306 subject to final platting of the lot to ensure no encroachment on city assets or existing utility easements.
- F. The Buyer is responsible for all recording fees and costs.
- G. It is the intent of both parties that Parcels 1410 and 1414 will be similarly sold/transferred at a future date, pending clear demonstration by SCDC that they will be able to use Parcels 1410 and 1414 in a way consistent with the October 3, 2006 vote.

5. **EFFECTIVE DATE.** This ordinance shall become effective on the day after the date of its passage.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 24th day of November, 2015.



Matthew Hunter, Deputy Mayor

ATTEST: 

Sara Peterson, CMC
Municipal Clerk

1st reading 11/10/15

2nd reading 11/24/15



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606A Sawmill Creek Road
Sitka, AK 99835
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sitkacilt@gmail.com

SITKA COMMUNITY LAND TRUST | COMMUNITY-SUPPORTED, SUSTAINABLE, AFFORDABLE HOME OWNERSHIP

April 29, 2021

City Administrator John Leach and Planning Director Amy Ainslie,

The Sitka Community Land Trust cottage neighborhood of S'us' Héeni Sháak is nearing completion of phase one. Five of the seven lots are committed to buyers and we have five more applicants waiting in line. It is time to begin the process of development of the next phase of the project on 1410 and 1414 Halibut Point Road.

Ordinance No. 2015-56 states:

G. It is the intent of both parties that Parcels 1410 and 1414 will be similarly sold/transferred at a future date, pending clear demonstration by SCDC (now SCLT) that they will be able to use Parcels 1410 and 1414 in a way consistent with the October 3, 2006 vote.

In preparation for this process, the SCLT has dug 14 test holes on the property and had them inspected by the Building Official. The soil looked good structurally and appeared to be free of contaminants. The SCLT also hired Northern Geotech to do a preliminary assessment of the landslide area on the west end of 1414. The initial report shows a cost effective and simple solution to providing for the safety of the residents of the neighborhood.

I have attached a conceptual plat for 1410 and 1414 HPR which we have developed. It is very similar to the current development on 1306 HPR.

With this letter we wish to initiate the process by which the Assembly fulfills clause G. of Ordinance No. 2015-56 and transfers the property to the Sitka Community Land Trust by the fall of 2021.

Please give me guidance as how to proceed.

Randy Hughey

Co-Executive Director, Sitka Community Land Trust

randywhughey@gmail.com, 907-738-2999



CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATE _____ OWNER _____ (SIGNATURE) _____
DATE _____ OWNER _____ (SIGNATURE) _____

NOTARY'S ACKNOWLEDGMENT

US OF AMERICA
STATE OF ALASKA
CITY & BOROUGH OF SITKA

THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN _____ AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED _____

TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND _____ ACKNOWLEDGED TO ME THAT _____ SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED.

WITNESS MY HAND AND NOTARY SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST HEREIN WRITTEN.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA

CERTIFICATE STATE OF ALASKA
(FIRST JUDICIAL DISTRICT)

I THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND ASSESSOR FOR THE CITY & BOROUGH OF SITKA, HEREBY CERTIFY THAT ACCORDING TO THE RECORDS IN MY POSSESSION, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS OF THE CITY & BOROUGH OF SITKA, IN THE NAME OF _____

AND THAT ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL; THAT CURRENT TAXES FOR THE YEAR 20____ WILL BE DUE ON OR BEFORE AUGUST 31, 20____ DATED THIS _____ DAY OF _____.

ASSESSOR, CITY AND BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE BOARD

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA PLATTING BOARD, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. _____ DATED _____ 20____, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, SITKA, ALASKA.

DATE _____ CHAIRMAN, PLATTING BOARD

SECRETARY

CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND FINANCE DIRECTOR FOR THE CITY & BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY & BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE RECORDS IN THE NAME OF: _____

(ALL OWNERS OF RECORD), AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL L.I.D.'S ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL.

DATED THIS _____ DAY OF _____
20____, AT SITKA, ALASKA.

FINANCE DIRECTOR
CITY & BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE ASSEMBLY

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA ASSEMBLY AS RECORDED UNDER SERIAL NUMBER _____ DATED _____ 20____ AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA.

DATE _____ MAYOR _____
CITY AND BOROUGH CLERK _____

NOTES

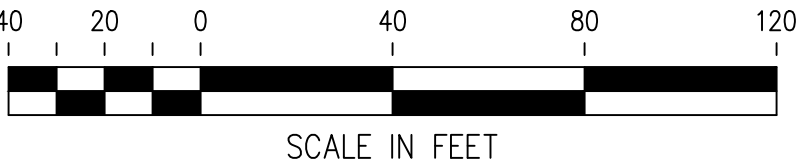
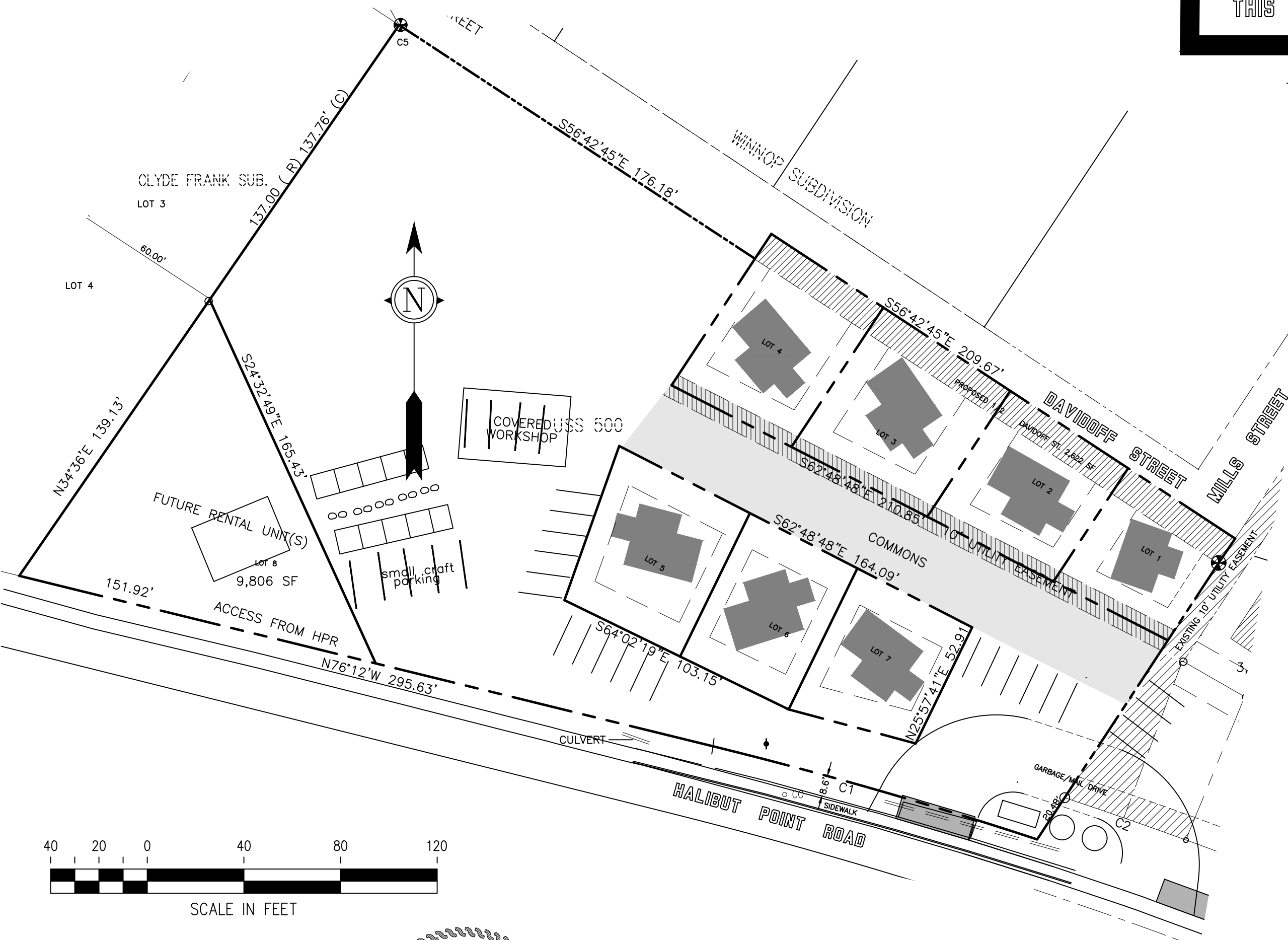
- 1.) THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE THE REMAINING PORTION OF USS 500 INTO 8 LOTS FOR A PLANNED UNIT DEVELOPMENT.
- 2.) THE MUNICIPALITY IS PARTY TO ALL EASEMENTS AND PLAT NOTES. THEY SHALL NOT BE MODIFIED WITHOUT APPROVAL OF THE PLATTING BOARD. THERE SHALL BE NO ENCROACHMENTS ON CITY ASSETS OR EASEMENTS.
- 3.) AN EASEMENT AGREEMENT FOR THE EASEMENT THROUGH THE REMAINDER OF USS 500 IS RECORDED IN THE SITKA RECORDING DISTRICT UNDER SERIAL NO. _____.
- 4.) LOTS 1-8 ARE SUBJECT TO THE TERMS AND CONDITIONS OF THE DECLARATION OF THE SF PLANNED UNIT DEVELOPMENT RECORDED ON _____, 2021 AS SERIAL NO. _____ RECORDS OF THE SITKA RECORDING DISTRICT, FIRST JUDICIAL DISTRICT, STATE OF ALASKA.



VICINITY MAP
SCALE 1"=1,000'

LEGEND

- PRIMARY BRASS CAP (RECOVERED)
- SECONDARY MONUMENT (SET)
- SECONDARY MONUMENT (RECOVERED)
- (R) RECORDED DATA
- (C) COMPUTED DATA
- (M) MEASURED DATA



NORTH 57th
LAND SURVEYING LLC
(907) 747-6700 215-F SMITH STREET, SITKA, AK
MAILING ADDRESS - 2007 CASCADE CREEK ROAD, SITKA, AK 99835
EMAIL: north57landsurveying@yahoo.com

BY	DATE	REV.	DESCRIPTION OF CHANGE
RECORD OF REVISIONS			



DESIGNED: K. O'NEILL
DRAWN: JCH/ACAD
CHECKED: KO
DATE OF PLAT: MAY. 18, 2020
SCALE: 1" = 40'
DRAWING NAME: 40038-04
PROJECT NO. 40038-04

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN _____ A SURVEY OF THE HEREIN DESCRIBED LANDS WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.
DATE _____ KELLY J. O'NEILL LS13321

**SU'S HEENI SHAAK
PUD SUBDIVISION**
USS 500
CLIENT: SITKA COMMUNITY LAND TRUST

