



City and Borough of Sitka

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A Coast Guard City

Planning and Community Development Department

AGENDA ITEM:

Case No: LM 21-02
Proposal: Tidelands Lease Amendment
Applicant: Sitka Sound Science Center
Owner: Sitka Sound Science Center and the City and Borough of Sitka
Location: 834 Lincoln Street
Legal: Lot 7, Sheldon Jackson Campus Subdivision and a portion of ATS 15
Zone: R-2 Multifamily District
Size: 5,625 square feet
Parcel ID: 1-8562-005
Existing Use: Science Center operations: Hatchery, Aquarium, Research, Retail
Adjacent Use: Museum, Fine Arts Camp, Music Festival, Playground, Residential
Utilities: Existing
Access: Lincoln Street

KEY POINTS AND CONCERNS:

- Historic use of the Sheldon Jackson campus is widely varied including educational, vocational, community use, performing arts, science/research, hatchery, and retail. Many are considered legal nonconforming uses, including the hatchery operations at SSSC.
- SSSC would like to replace an existing hatchery structure with a larger, more operationally integrated structure. It was discovered that additional tidelands are needed.
- Competitive bidding may not be appropriate given existing lease and historic use.
- Role of Planning Commission in this case is to examine the compatibility of the proposed land use, provide a public forum for public concerns, and make a recommendation to the Assembly on the request.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of LM 21-02 to the Assembly.

ATTACHMENTS

Attachment A: Aerial
Attachment B: Lease Area
Attachment C: Navigation Chart
Attachment D: Photos
Attachment E: Applicant Materials

BACKGROUND

The hatchery currently being operated by the Sitka Sound Science Center (SSSC) at 834 Lincoln Street has been a long-standing use of the property; Sheldon Jackson students built the original infrastructure in 1974 and it has been consistently operating since that time. A full description of the hatchery's history, operations, and capacity have been provided by the applicant and is available under Attachment G: Applicant Materials and Narrative.

The Planning Commission approved a conditional use permit for extension/expansion of a nonconforming use (the hatchery operations) including the construction of a new spawning and incubation facility on the property on October 6th (see case file CUP 21-13). During SSSC's preliminary planning for this facility, it was discovered that certain municipal tidelands in this area being utilized are not captured in SSSC's existing tidelands lease. The lease was originally issued in 1985 to Sheldon Jackson College, and assigned to SSSC in 2010. In order to correct this, an additional 5,625 square feet of tidelands are requested for lease.

Staff believes that competitive bidding is not required because the applicants are the existing lessee with historical use of the area, and are an adjacent property that would be adversely affected by lease of these tidelands to any other party; ultimately this will need to be confirmed by the Assembly. The CBS Assessor will determine the valuation of selected areas for lease which will also be used to inform the Assembly's consideration.

PROCEDURE

Sitka General Code Title 18 Property Acquisition and Disposal, Section 18.16 Tideland Lease Procedure, specifies three classes of approvals for permit and leases. The request filed is classified as a Class III approval.

The role of the Planning Commission for Class III approvals is to provide advice to the applicant and the Assembly on the request. This meeting serves as a platform for public comment on the proposal; notices were mailed to surrounding property owners. In this case, the Planning Commission's considerations in providing a recommendation are primarily:

1. Land management: Is leasing the property in accordance with the request the best use of this municipal property?
2. The Assembly must decide whether competitive bidding is inappropriate due to an adverse effect on an existing lessee and/or adjacent property owner – does the Planning Commission also believe that competitive bidding would be inappropriate in this case?
3. Are there neighborhood concerns/impacts that should be considered?

If approved, CBS staff will draft an amendment to the lease, the Assessor will perform an analysis of the value of the lease area, and terms will be reviewed by Finance, Planning, and Legal. Final approval would be sought from the City Assembly via ordinance, which requires two hearings for approval.

ANALYSIS

Project/Site: To the passerby, these tidelands likely appear as though they are already leased or owned by SSSC. They encompass the channel and fish raceways bordering Crescent Harbor. Site is already developed for these hatchery functions.

Traffic & Parking: No change in traffic or parking expected – operations are not expanding or changing.

Noise: No significant change in the level of noise anticipated by leasing these tidelands. Area is already in use for hatchery operations.

Public Health or Safety: No impacts to public health or safety anticipated.

Property Value or Neighborhood Harmony: As these tidelands have long-standing use for hatchery operations, no noticeable changes are expected and should therefore not result in an adverse impact for the neighborhood.

Conformity with Comprehensive Plan: ED 6.7 states “Support growth of manufacturing businesses that add value to sustainably developed local resources” which is consistent with hatchery operations. This proposal also fits LU 3.2, “In the former Sheldon Jackson Campus area, encourage uses that support Sitka’s education, arts and sciences economy, while preserving and enhancing the historic character.”

RECOMMENDATION

Staff recommends that the Planning Commission recommend Assembly approval of the lease amendment for Sitka Sound Science Center.

RECOMMENDED MOTION

I move to recommend approval of the request to amend a lease for municipal tidelands located seaward of 834 Lincoln Street. The properties are also known as Lot 7, Sheldon Jackson Campus Subdivision and a portion of ATS 15. The request is filed by the Sitka Sound Science Center. The owners of record are the Sitka Sound Science Center and the City and Borough of Sitka.