

Presented by: Lands Committee
Introduced: 06/11/84
Drafted by: G.L.S.

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 1042

A RESOLUTION ESTABLISHING THE MINIMUM STANDARDS
FOR THE LEASE OF MUNICIPAL LAND TO A PRIVATE,
NONPROFIT CORPORATION AT LESS THAN MARKET VALUE.

WHEREAS, CBJ 53.09.610(b) provides for the grant or lease of municipal land to a private, nonprofit corporation at less than market value, and

WHEREAS, certain minimum standards should be established for such disposals to insure uniform treatment of nonprofit organizations,

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

1. That property will not be sold or given to a private, nonprofit corporation at less than market value, but may be leased at less than market value under the standards and procedures set out herein.

2. That a private nonprofit corporation desiring to lease municipally owned land at less than market value, shall make application to the manager or his designee on a form prescribed by the manager. The application shall be accompanied by plans, reports and a narrative that addresses the following points:

- (a) The services the corporation proposes to provide on the land.
- (b) The known client group for such services.
- (c) The anticipated impact on the community if the services are provided.
- (d) The anticipated impact on the community if the services are not provided.
- (e) The extent the services will be enhanced by the project if the services are already being provided in the community.

3. The applications shall be submitted to the assembly on a semi-annual basis at the first regular meeting of the assembly in May and November each year. Upon an assembly determination that the community would be served by leasing land at less than market value to the private, nonprofit corporation, the application shall be reviewed by the Planning Commission as to the appropriateness of the proposed use on the municipal property. In addition, the applicant may be required to submit additional, more detailed information about its proposed project and service program.

4. No final less-than-market lease may be made unless the corporation demonstrates that it has available the funds necessary to construct the improvements proposed or required for its use of the property. The municipality may give a commitment to lease or grant land at less than market value that will become effective upon a demonstration by the applicant that it has obtained the necessary financing. Such a commitment may not exceed six months.

5. No land may be leased hereunder for a proposed use that is not permitted under the zoning applicable to the requested property. Further, all land granted or leased to a private, nonprofit corporation at less than market value shall be subject to the design review requirements of the zoning code without regard to whether such property is inside or outside the superimposed design review district.

6. That no lease, including extensions authorized within the lease itself, may exceed thirty-five years. All such leases shall terminate and the property and the improvements thereon shall revert to the municipality if the corporation fails, within eighteen months of the execution of the lease, to obtain a building permit and make a substantial start of construction on the improvements to the property or if the property ceases to be used for the purpose for which the lease was granted.

Adopted this 11th day of June, 1984.



Mayor

Attest:



Clerk