

# MEMORANDUM

CITY/BOROUGH OF JUNEAU

Lands and Resources Office  
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**TO:** Mayor Weldon, Acting Chair of the Assembly LHED Committee  
**FROM:** Dan Bleidorn, Lands and Resources Manager *Daniel Bleidorn*  
**SUBJECT:** Baptiste Application to Purchase CBJ Property  
**DATE:** November 26, 2024

In July 2024, Allen Baptiste submitted an application to the Lands Office with the request to purchase CBJ property adjacent to his house, which is located at 4128 Taku Blvd. The application noted that the "land would be 7 feet wide and 100 feet long." The land is located near the headwaters of Duck Creek and is managed by the Parks Department. The sale of the land would resolve an encroachment issue for Mr. Baptiste.

According to Mr. Baptiste, when he purchased this property in 1989 it had a dilapidated boat shed on this property adjacent to the house and the plat he received when the property was purchased from the State incorrectly showed this property owned by Baptiste. Baptiste believed this was his property, based on the plat until he completed a survey in 2024. The new as-built showed the property corner 7.5 feet closer to Mr. Baptiste's house, which creates previously unidentified encroachment issues. Both plats are included in the attached application. Further review of the plats revealed that the property perimeter and dimensions were correct, but the dimensions of the house did not match what is currently built on the property. The current house is larger than what the original plat portrayed.

CDD reviewed this request and provided the following information. The boat shed building permit was not in the electronic system and imagery shows no sheds in 2006, a rear shed in 2013, and full rear and side shed (5' into CBJ land) in 2023. Since the owner purchased around 1988, it appears he built the sheds. His boats are parked on CBJ park land. CDD also said that Duck Creek is less than 50 feet from the boat shed. Duck Creek has a 50-foot setback requirement. Since there does not appear to be a building permit, the shed cannot be certified nonconforming.

This application was discussed with the Director of Parks and Recreation as this property is Parks Managed. The Director stated that notwithstanding the errors on the plat, this property was dedicated by the Assembly as part of the Juneau Parks & Open Space System and is managed as a Conservation Area due to its proximity to Duck Creek. While the original encroachments were not the fault of Mr. Baptiste, I do not believe it is consistent with our adopted Master Plan or the Comprehensive Plan to resolve the encroachments by disposing of the property.

It is CBJ Policy that property managed by the Parks Department be retained by the CBJ. The 2016 Land Management Plan designates this property as to be retained. Given the applicant's claim that the original plat was incorrect this applicant was not initially denied by Lands staff. If this Committee determines that this application should be further considered, then the application would be forwarded to the PRAC and the Planning Commission for review prior to the Assembly authorization.

**Staff request that the Lands, Housing and Economic Development Committee provide a motion to deny this this application in accordance with 53.09.260 (a) and retain this property.**

Attachments:

1. CBJ Code 53.09.260
2. Area Maps
3. Baptiste Application

CBJ Code section 53.09.260

Negotiated sales, leases, and exchanges.

*(a) Application, initial review, assembly authority to negotiate.* Upon application, approval by the manager, and payment of a \$500.00 fee, a person or business entity may submit a written proposal to lease, purchase, exchange, or otherwise acquire City and Borough land for a specified purpose. The proposal shall be reviewed by the assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the assembly by motion, the manager may commence negotiations for the lease, sale, exchange, or other disposal of City and Borough land.

*(b) Review and approval process.* Upon satisfactory progress in the negotiation or competition undertaken pursuant to subsection (a) of this section, after review by the planning commission for disposals other than leases, after review by the assembly lands committee, and authorization by the assembly by ordinance, the manager may conclude arrangements for the lease, sale, exchange, or other disposal of City and Borough land. The final terms of a disposal pursuant to this section are subject to approval by the assembly unless the minimum essential terms and the authority of the manager to execute the disposal are set forth in the ordinance enacted pursuant to this subsection. The disposal may not be executed until the effective date of the ordinance.

