

Submitted by: Chair of the Assembly at the
request of the Mayor
Prepared by: Heritage Land Bank
For Reading: June 28, 2005

CLERK'S OFFICE

APPROVED

Date: 7-12-05 ANCHORAGE, ALASKA
AO NO. 2005- 82

1 AN ORDINANCE OF THE MUNICIPALITY OF ANCHORAGE AUTHORIZING
2 WITHDRAWAL AND TRANSFER OF HERITAGE LAND BANK PARCEL #1-101 FROM
3 HLB INVENTORY TO REAL ESTATE SERVICES TO NEGOTIATE A GROUND LEASE
4 WITH CHUGIAK SENIOR CITIZENS, INC. FOR A NEW LOW INCOME HOUSING
5 FACILITY FOR SENIORS.

6
7 **WHEREAS**, Heritage Land Bank Inventory contains HLB Parcel #1-101, containing \pm 7.25
8 acres, in Eagle River, located in Section 16, Township 15 North, Range 1 West, Seward
9 Meridian, Alaska; and

10
11 **WHEREAS**, "It is the mission of the Heritage Land Bank to manage uncommitted municipal
12 land ... to benefit the present and future citizens of Anchorage, promote orderly development,
13 and achieve the goals of the comprehensive plan." (AMC section 25.40.010); and

14
15 **WHEREAS**, "The Heritage Land Bank may, at the direction of the mayor and assembly,
16 withdraw and transfer to municipal agencies or the school district, land from the Heritage Land
17 Bank inventory needed for the location of public facilities or purposes...The Heritage Land Bank
18 shall condition such withdrawals and transfers upon a reverter clause which specifies that the
19 land will be returned to the Heritage Land Bank inventory if it is not managed by the affected
20 municipal agency for its intended purpose. (AMC subsection 25.40.010D.); and

21
22 **WHEREAS**, "The mayor, with Assembly approval, may withdraw land from the Heritage Land
23 Bank inventory for any lawful municipal purpose, consistent with the Comprehensive Plan and
24 implementing measures or applicable site specific land use studies. Such a withdrawal shall
25 become effective only after at least 30 days' prior written notice to the HLB Advisory
26 Commission, to the affected Community Council, and to the public as specified in AMC
27 section 25.40.030, and after at least one public hearing regarding the proposed withdrawal. If
28 land is withdrawn from the Heritage Land Bank inventory for use and management by a public
29 agency which is not supported by municipal taxes, compensation shall be paid to the Heritage
30 Land Bank for at least the current appraised fair market value of the land, unless otherwise
31 provided in this chapter." (AMC section 25.40.015B.), and

32
33 **WHEREAS**, on April 20, 2005, Real Estate Services, Municipality of Anchorage, requested the
34 withdrawal and transfer of Parcel #1-101 from HLB inventory to Real Estate Services in order to
35 negotiate a ground lease with Chugiak Senior Citizens, Inc. for a new low income housing
36 facility for seniors in Eagle River; and

37
38 **WHEREAS**, following a public hearing on April 21, 2005, the Heritage Land Bank Advisory
39 Commission passed Amended Resolution 2005-06, recommending the withdrawal and transfer
40 of Parcel #1-101 from HLB inventory to Real Estate Services in order to execute a lease to
41 Chugiak Senior Citizens, Inc. for a new low income housing facility for seniors in Eagle River,

1 subject to a reverter clause and return to the Heritage Land Bank inventory if the parcel is not
2 managed for its intended purpose, satisfaction of the notice requirements of AMC
3 section 25.40.030, and ratification by the Heritage Land Bank Advisory Commission at its next
4 meeting; and

5
6 **WHEREAS**, following a public hearing on May 12, 2005, the Heritage Land Bank Advisory
7 Commission ratified Amended Resolution 2005-06; now, therefore,

8
9 **THE ANCHORAGE ASSEMBLY ORDAINS:**

10
11 **Section 1.** Heritage Land Bank Parcel #1-101 is withdrawn from HLB inventory and
12 transferred to Real Estate Services in order to negotiate a ground lease with Chugiak Senior
13 Citizens, Inc. for a new low income housing facility for seniors in Eagle River.

14
15 **Section 2.** The withdrawal and transfer shall be conditioned upon a reverter clause and return
16 of the parcel to the Heritage Land Bank inventory if it is not managed for the intended purpose of
17 this withdrawal and transfer.

18
19 **Section 3.** This ordinance shall be effective immediately upon passage and approval.

20
21 PASSED AND APPROVED by the Anchorage Assembly this 12th day of July,
22 2005.

23
24 Anna J. Fairclough
25 Chair of the Assembly

26
27 ATTEST:

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30 Brandon E. Dement
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32 Municipal Clerk

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MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

82

AO Number: 2005-/ Title: **Disposal of HLB Parcel #1-101 from HLB Inventory for Transfer to RES**
 Sponsor: Heritage Land Bank
 Preparing Agency: Heritage Land Bank
 Others Impacted: RES

CHANGES IN EXPENDITURES AND REVENUES: (Thousands of Dollars)

	FY05	FY06	FY07	FY08	FY09
Operating Expenditures					
1000 Personal Services					
2000 Supplies					
3000 Other Services					
4000 Debt Service					
5000 Capital Outlay					
TOTAL DIRECT COSTS:	0	0	0	0	0
6000 IGCs					
FUNCTION COST:	0	0	0	0	0
REVENUES:	0	0	0	0	0
CAPITAL:	0	0	0	0	0
POSITIONS:					

PUBLIC SECTOR ECONOMIC EFFECTS:

None for the withdrawal from HLB inventory or transfer of this property between municipal agencies.

PRIVATE SECTOR ECONOMIC EFFECTS:

Capital improvements to be eventually developed by or on behalf of non-profit organization, with no impact to HLB or RES for this transaction.

Prepared by: **Karlee Gaskill**

Telephone: **343-4336**

Validated by OMB: _____

Date: _____

Approved by: Robin E. Ward
 (Director, Heritage Land Bank)

Date: June 2, 2005



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 441 -2005

MEETING DATE: June 28, 2005

1 **FROM:** MAYOR

2
3 **SUBJECT:** AN ORDINANCE OF THE MUNICIPALITY OF ANCHORAGE
4 AUTHORIZING WITHDRAWAL AND TRANSFER OF HERITAGE LAND
5 BANK PARCEL #1-101 FROM HLB INVENTORY TO REAL ESTATE
6 SERVICES TO NEGOTIATE A GROUND LEASE WITH CHUGIAK SENIOR
7 CITIZENS, INC. FOR A NEW LOW INCOME HOUSING FACILITY FOR
8 SENIORS.
9

10 On April 13, 2005, Department of Health and Human Services (DHHS) requested the transfer of
11 management authority of Heritage Land Bank (HLB) Parcel #1-101, located within Section 16,
12 Township 15 North, Range 1 West, Seward Meridian, Alaska, and containing \pm 7.25 acres, from
13 the HLB to the DHHS in order to negotiate a lease with Chugiak Senior Citizens, Inc. (CSC), for
14 the location of a low income housing facility for seniors. (Site Map, Appendix A.)
15

16 On March 29, 2005, HLB initiated public notice and agency review for this action. HLB
17 received no objections to the disposal. John Rodda, Manager, Eagle River Chugiak Parks and
18 Recreational Development Division, strongly supported a connection to adjoining Loretta French
19 Park through the parcel.
20

21 Subsequently, DHHS withdrew its request.
22

23 On April 20, 2005, Real Estate Services, Municipality of Anchorage (RES), requested the
24 withdrawal of HLB Parcel #1-101 from HLB inventory and transfer to RES, in order to negotiate
25 a lease to CSC for the location of a low income housing facility for seniors (Appendix B).
26

27 For almost 30 years, CSC has provided services to the elders of the Chugiak/Eagle River area.
28 CSC's current facility includes independent living apartments, assisted living facilities, and a low
29 income senior housing complex. This facility is partially located on municipal property and
30 operated pursuant to a management agreement with DHHS. CSC proposes a second low income
31 housing facility for seniors, but does not have space on its current campus to proceed. HLB
32 Parcel #1-101 is adjacent to the campus of CSC. The proposed withdrawal and transfer allows
33 the Municipality to negotiate a ground lease with CSC, making the project eligible for federal
34 Department of Housing and Urban Development (HUD) financing. A long-term (50 year) lease
35 meets the HUD requirement for an applicant to have "site control." (See CSC Letter, Appendix
36 C.)
37

38 The land is zoned Public Lands and Institutions. Although the land is adjacent to Loretta French
39 Park, it is not intended for park use, and the proposed use is consistent with the Chugiak-Eagle
40 River Comprehensive Plan.
41

1 The proposed withdrawal and transfer serves to benefit present and future citizens of Anchorage
2 and Eagle River, helping to implement needed housing for seniors. The transfer is conditioned
3 upon a reverter clause to return the land to the HLB inventory if it is not managed for its intended
4 purpose.

5
6 Following a public hearing on April 21, 2005, the HLB Advisory Commission passed Amended
7 Resolution 2005-06, recommending the proposed withdrawal and transfer, subject to a reverter
8 clause, satisfaction of the notice requirements of AMC section 25.40.030, and ratification by the
9 HLB Advisory Commission at its next meeting (Appendix D).

10
11 Due to the withdrawal of DHHS' request and subsequent request by RES, on April 21, 2005,
12 HLB initiated public notice and agency review solicitation with amended information pursuant to
13 the notice requirements of AMC section 25.40.030. HLB received no objections to the proposed
14 action.

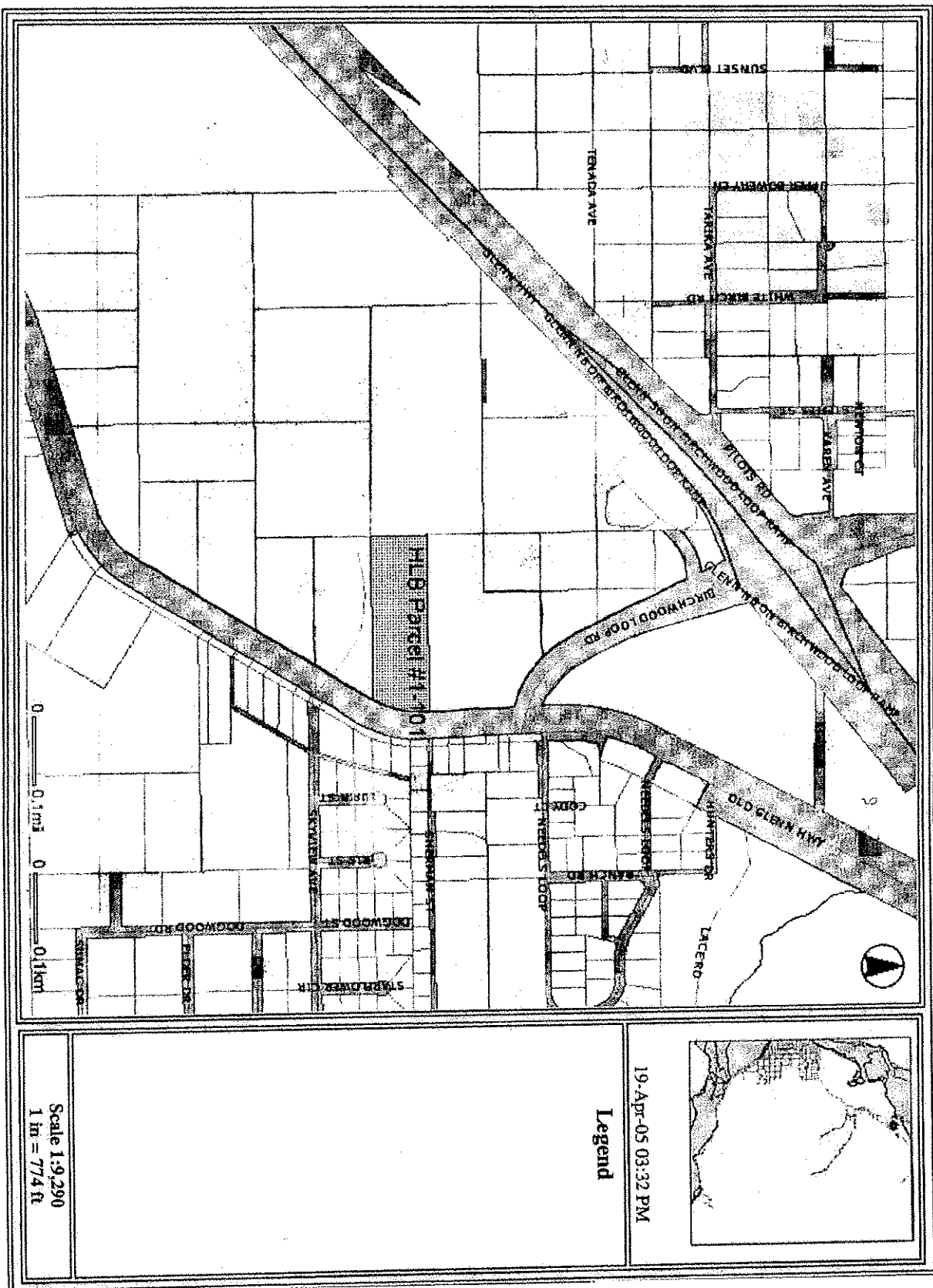
15
16 Following a public hearing on May 12, 2005, the HLB Advisory Commission ratified Amended
17 Resolution 2005-06 (Appendix E).

18
19 THE ADMINISTRATION RECOMMENDS APPROVAL OF THE ATTACHED
20 ORDINANCE AUTHORIZING WITHDRAWAL AND TRANSFER OF PARCEL #1-101
21 FROM HLB INVENTORY TO REAL ESTATE SERVICES IN ORDER TO NEGOTIATE A
22 GROUND LEASE WITH CHUGIAK SENIOR CITIZENS, INC. FOR A NEW LOW INCOME
23 HOUSING FACILITY FOR SENIORS.

24
25 Prepared by: Robin E. Ward, Executive Director, Heritage Land Bank
26 Concur: Mary Jane Michael, Executive Director,
27 Economic and Community Development
28 Concur: Denis C. LeBlanc, Municipal Manager
29 Respectfully submitted: Mark Begich, Mayor

30
31
32 Appendix A: Site Map
33 Appendix B: Real Estate Services Memo
34 Appendix C: CSC Letter
35 Appendix D: Amended Resolution No. 2005-06
36 Appendix E: Ratification of Amended Resolution 2005-06

37
38



Appendix A



Municipality of Anchorage

P.O. Box 190650 • Anchorage, Alaska 99519-6650 • Telephone: (907) 343-4333 • <http://www.munof.org>
Tax Foreclosures Fax: 249-7414 • Real Estate Services Fax: 249-7444

Mayor Mark Begich

Real Estate Services

Real Estate Services, Municipality of Anchorage, hereby requests the withdrawal of Heritage Land Bank (HLB) Parcel #1-101 from HLB inventory and transfer to Real Estate Services, Municipality of Anchorage, for execution of a lease to Chugiak Senior Citizens, Inc., (CSC) for the location of a low income housing facility for seniors.

For over 30 years, CSC has provided services to the elders of the Chugiak/Eagle River area. CSC's current facility is partially located on municipally owned property and operated pursuant to a management agreement with DHHS.

HLB Parcel #1-101 is adjacent to the campus of CSC, which currently includes independent living apartments, assisted living facilities, and a low income senior housing complex. (Site Map, Appendix B) These units are full and there is a significant waiting list, especially for apartments in the HUD financed low income housing facility *Denali View*.

CSC has proposed a second low income housing facility for seniors, but does not have the space on its current campus to proceed. Withdrawal and transfer of HLB Parcel #1-101 to RES would allow the Municipality to lease the land to CSC so that they would be eligible for HUD financing for the project. Long-term leasing (50 years) of land meets the HUD requirement of its applicants to have "site control."

Tammy R. Oswald, Manager
Real Estate Services
Municipality of Anchorage

4/20/05

Community, Security, Prosperity

Appendix B



Chugiak Senior Center

"Serving Seniors from Highland to Eklutna"

Municipality of Anchorage
Heritage Land Bank Advisory Commission

April 20, 2005

To Karlee Gaskill,
Chugiak Senior Citizens Inc. is requesting a fifty-year lease from the Municipality of Anchorage on the parcel HLB #1-101. This would help ensure that HUD would approve funding for a HUD 202 building which would be built on the seven-acre site. Currently we have twenty people on the waiting list for HUD approved housing.

Chugiak Senior Citizens Inc. is celebrating its thirtieth anniversary this year and we are looking forward to many more successful years of partnering with the Municipality to the optimum in services and housing for seniors located in the Highland, Eklutna and surrounding areas. It is our hope that that we can continue to provide affordable housing for seniors in the years to come. I pray to the commission for the granting of this request.

Sincerely,

Linda Hendrickson
Executive Director
Chugiak Senior Citizens Inc.

Appendix C

APPENDIX E

Heritage Land Bank Advisory Commission

Amended Resolution 2005-06

A RESOLUTION OF THE HERITAGE LAND BANK ADVISORY COMMISSION RECOMMENDING THE WITHDRAWAL OF HERITAGE LAND BANK (HLB) PARCEL #1-101 FROM HLB INVENTORY AND TRANSFER OF THAT PARCEL TO REAL ESTATE SERVICES, MUNICIPALITY OF ANCHORAGE IN ORDER TO EXECUTE A LEASE TO CHUGIAK SENIOR CITIZENS, INC., FOR THE LOCATION OF A LOW INCOME HOUSING FACILITY FOR SENIORS.

WHEREAS, the Heritage Land Bank Inventory contains HLB Parcel #1-101, containing \pm 7.25 acres, in Eagle River, located within Section 16, Township 15 North, Range 1 West, Seward Meridian, Alaska; and

WHEREAS, "It is the mission of the Heritage Land Bank to manage uncommitted municipal land ... to benefit the present and future citizens of Anchorage, promote orderly development, and achieve the goals of the comprehensive plan." (AMC 25.40.010); and

WHEREAS, "The Heritage Land Bank may, at the direction of the mayor and assembly, withdraw and transfer to municipal agencies or the school district, land from the Heritage Land Bank inventory needed for the location of public facilities or purposes...The Heritage Land Bank shall condition such withdrawals and transfers upon a reverter clause which specifies that the land will be returned to the Heritage Land Bank inventory if it is not managed by the affected municipal agency for its intended purpose. (AMC 25.40.010D); and

WHEREAS, "The mayor, with Assembly approval, may withdraw land from the Heritage Land Bank inventory for any lawful municipal purpose, consistent with the Comprehensive Plan and implementing measures or applicable site specific land use studies. Such a withdrawal shall become effective only after at least 30 days' prior written notice to the HLB Advisory Commission, to the affected Community Council, and to the public as specified in AMC 25.40.030, and after at least one public hearing regarding the proposed withdrawal. If land is withdrawn from the Heritage Land Bank inventory for use and management by a public agency which is not supported by municipal taxes, compensation shall be paid to the Heritage Land Bank for at least the current appraised fair market value of the land, unless otherwise provided in this chapter." (AMC 25.40.015B), and

WHEREAS, on April 20, 2005, Real Estate Services, Municipality of Anchorage, requested the withdrawal of Heritage Land Bank (HLB) Parcel #1-101 from HLB inventory and transfer to Real Estate Services, Municipality of Anchorage, in order to execute a lease to Chugiak Senior Citizens, Inc., for the location of a low income housing facility for seniors;

NOW THEREFORE BE IT RESOLVED, THAT the Heritage Land Bank Advisory Commission recommends the withdrawal of HLB Parcel #1-101 from HLB inventory and

transfer of that parcel to Real Estate Services, Municipality of Anchorage, in order to execute a lease to Chugiak Senior Citizens, Inc., for the location of a low income housing facility for seniors.

Subject to:

Section 1. The withdrawal and transfer will be conditioned upon a reverter clause specifying that the land will be returned to the Heritage Land Bank inventory if it is not managed for its intended purpose.

Section 2. This resolution shall take effect immediately upon satisfaction of the notice requirements of AMC 25.40.030 and ratification by the Heritage Land Bank Advisory Commission at its next meeting.

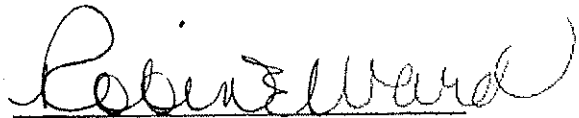
Approved by the Heritage Land Bank Advisory Commission this 21ST day of April, 2005.

APPROVED:



Jeffery Blake, Chair
Heritage Land Bank Advisory Commission

ATTEST:



Robin E. Ward, Executive Director
Heritage Land Bank

Heritage Land Bank Advisory Commission

Ratification of Amended Resolution 2005-06

RATIFICATION OF AMENDED RESOLUTION 2005-06 RECOMMENDING THE WITHDRAWAL OF HERITAGE LAND BANK (HLB) PARCEL #1-101 FROM HLB INVENTORY AND TRANSFER OF THAT PARCEL TO REAL ESTATE SERVICES, MUNICIPALITY OF ANCHORAGE IN ORDER TO EXECUTE A LEASE TO CHUGIAK SENIOR CITIZENS, INC., FOR THE LOCATION OF A LOW INCOME HOUSING FACILITY FOR SENIORS.

WHEREAS, the Heritage Land Bank Inventory contains HLB Parcel #1-101, containing \pm 7.25 acres, in Eagle River, located within Section 16, Township 15 North, Range 1 West, Seward Meridian, Alaska; and

WHEREAS, "It is the mission of the Heritage Land Bank to manage uncommitted municipal land ... to benefit the present and future citizens of Anchorage, promote orderly development, and achieve the goals of the comprehensive plan." (AMC 25.40.010); and

WHEREAS, "The Heritage Land Bank may, at the direction of the mayor and assembly, withdraw and transfer to municipal agencies or the school district, land from the Heritage Land Bank inventory needed for the location of public facilities or purposes...The Heritage Land Bank shall condition such withdrawals and transfers upon a reverter clause which specifies that the land will be returned to the Heritage Land Bank inventory if it is not managed by the affected municipal agency for its intended purpose. (AMC 25.40.010D); and

WHEREAS, "The mayor, with Assembly approval, may withdraw land from the Heritage Land Bank inventory for any lawful municipal purpose, consistent with the Comprehensive Plan and implementing measures or applicable site specific land use studies. Such a withdrawal shall become effective only after at least 30 days' prior written notice to the HLB Advisory Commission, to the affected Community Council, and to the public as specified in AMC 25.40.030, and after at least one public hearing regarding the proposed withdrawal. If land is withdrawn from the Heritage Land Bank inventory for use and management by a public agency which is not supported by municipal taxes, compensation shall be paid to the Heritage Land Bank for at least the current appraised fair market value of the land, unless otherwise provided in this chapter." (AMC 25.40.015B), and

WHEREAS, on April 20, 2005, Real Estate Services, Municipality of Anchorage, requested the withdrawal of Heritage Land Bank (HLB) Parcel #1-101 from HLB inventory and transfer to Real Estate Services, Municipality of Anchorage, in order to execute a lease to Chugiak Senior Citizens, Inc., for the location of a low income housing facility for seniors; and

WHEREAS, following a public hearing on April 21, 2005, the Heritage Land Bank Advisory Commission passed Amended Resolution 2005-06, recommending the withdrawal of HLB Parcel #1-101 from HLB inventory and transfer of that parcel to Real Estate Services, Municipality of Anchorage, in order to execute a lease to Chugiak Senior Citizens, Inc., for the location of a low

income housing facility for seniors, subject to the conditions that the withdrawal and transfer be conditioned upon a reverter clause specifying that the land will be returned to Heritage Land Bank inventory if it is not managed for its intended purpose, satisfaction of the notice requirements of AMC 25.40.030, and ratification by the Heritage Land Bank Advisory Commission at its next meeting; and

WHEREAS, on April 21, 2005, Heritage Land Bank initiated public notice and agency review solicitation pursuant to the notice requirements of AMC 25.40.030; and


WHEREAS, Heritage Land Bank has received no objections to the proposed action;

NOW THEREFORE BE IT RESOLVED, THAT the Heritage Land Bank Advisory Commission ratifies Amended Resolution 2005-06 recommending the withdrawal of HLB Parcel #1-101 from HLB inventory and transfer of that parcel to Real Estate Services, Municipality of Anchorage, in order to execute a lease to Chugiak Senior Citizens, Inc., for the location of a low income housing facility for seniors.


Approved by the Heritage Land Bank Advisory Commission this 12TH day of May 2005.

APPROVED:

ATTEST:



Jeffery Blake, Chair
Heritage Land Bank Advisory Commission



Robin E. Ward, Executive Director
Heritage Land Bank

Content Information

Content ID : 002940

Type: Ordinance - AO

Title: Withdrawal of HLB Parcel #1-101 from Inventory and Transfer to Real Estate Services Div.

Author: vanhornlr

Initiating Dept: HLB

Description: Withdrawal of HLB Parcel #1-101 from HLB inventory and Transfer to Real Estate Services Division

Keywords: Transfer 1-101

Date Prepared: 6/2/05 3:36 PM

Director Name: Robin E. Ward

Assembly Meeting Date
MM/DD/YY: 6/28/05

Public Hearing Date
MM/DD/YY: 7/12/05

M.O.A.
 2005 JUN 17 PM 12:05
 CLERKS OFFICE

Workflow History

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
AllOrdinanceWorkflow	6/2/05 3:39 PM	Checkin	vanhornlr	Public	002940
HLB_SubWorkflow	6/2/05 5:36 PM	Approve	wardre	Public	002940
ECD_SubWorkflow	6/3/05 4:41 PM	Approve	thomasm	Public	002940
OMB_SubWorkflow	6/7/05 3:43 PM	Approve	mitsonjl	Public	002940
Legal_SubWorkflow	6/9/05 4:01 PM	Approve	fehlenrl	Public	002940
MuniManager_SubWorkflow	6/17/05 7:45 AM	Approve	leblancdc	Public	002940
MuniMgrCoord_SubWorkflow	6/17/05 7:49 AM	Approve	abbottmk	Public	002940