

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

AMENDED AND APPROVED

Date: 7-12-05

IMMEDIATE RECONSIDERATION

FAILED 7-12-05

ANCHORAGE, ALASKA

No. AO 2005-85

AN ORDINANCE OF THE MUNICIPALITY OF ANCHORAGE AUTHORIZING TRANSFER OF HERITAGE LAND BANK PARCEL #3-012, A 25.67-ACRE PARCEL COMMONLY KNOWN AS TRACT F, SECTION 16, T13N, R3W, S.M., TO THE ANCHORAGE COMMUNITY DEVELOPMENT AUTHORITY.

Whereas, Heritage Land Bank (HLB) Parcel 3-012 is under HLB management authority and declared surplus to municipal use in an agency review conducted April, 2005; and

~~**Whereas**, the 2005 HLB Work Program and 2006-2010 Five-Year Plan recommend transfer of the subject property; and~~

Whereas, on June 9, 2005, the Heritage Land Bank Advisory Commission approved the transfer of the parcel to the Anchorage Community Development Authority,

NOW, THEREFORE, THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. The subject parcel is described under HLB management authority and is generally described as:

Tract F, Section 16, T13N, R3W, S.M. (Tax ID #004-051-02), is zoned 1-2/SL and is located north of the Glenn Highway and east of the Airport Heights Road/Mt. View Drive intersection.

Section 2. The Administration is authorized to dispose of municipal property, described above, for the purpose of transferring it to the Anchorage Community Development Authority.

Section 3. The Development Authority shall, in any subsequent disposition of the real property, make such disposition only if the terms and provisions of the agreement, resulting in the disposition of the real property, are substantially similar in all material ways to the terms and provisions and the financial information and to the development plan all as presented by P.O.B. Montgomery to the Assembly and the Authority in various work sessions.

Section 4. Any agreement resulting in the disposition of the real property which includes a reduction in price from the fair market value of the real property in order to meet conditions imposed by the Municipality, shall be reviewed and approved by the Assembly only as to those requirements imposed by the Municipality. The Assembly is authorized to amend the

1 list of requirements. If any requirement is deleted, the price for the real property shall be
2 increased by a sum equal to the cost of meeting the imposed requirement.

3
4 Section 5. In the event that the parcels are not developed within five years after the
5 transfer to ACDA for the Mt. View redevelopment project as outlined in the proposal, the
6 parcels shall revert back to the Heritage Land Bank inventory and management authority.

7
8 **Section 5 6.** This ordinance shall take effect immediately upon passage and approval by the
9 Anchorage Assembly.

10
11 **PASSED AND APPROVED** by the Anchorage Municipal Assembly this 12th day of
12 July, 2005.

13
14 Anna L. Fairclough
15 Chair of the Assembly

16
17 ATTEST:

18 Brandon E. Dumas
19 Municipal Clerk
20

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

AO Number: 2005- 85 Title: **Disposal of HLB Parcel #3-012 from HLB Inventory for Transfer to ACDA**

Sponsor: Heritage Land Bank
 Preparing Agency: Heritage Land Bank
 Others Impacted: Anch. Community Development Authority

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.

PRIVATE SECTOR ECONOMIC EFFECTS:

Capital improvements and impact to be eventually developed and determined by ACDA. No impact to HLB for this transfer from its inventory.

Prepared by: Robin E. Ward Telephone: **343-4337**

Validated by OMB: _____ Date: _____

Approved by: Robin E. Ward Date: June 20, 2005
 (Director, Heritage Land Bank)



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 447-2005

MEETING DATE: June 28, 2005

1 **FROM:** Mayor

2
3 **SUBJECT:** AN ORDINANCE OF THE MUNICIPALITY OF ANCHORAGE
4 AUTHORIZING TRANSFER OF HERITAGE LAND BANK PARCEL #3-
5 012, A 25.67-ACRE PARCEL COMMONLY KNOWN AS TRACT F,
6 SECTION 16, T13N, R32, SM, ALASKA, TO THE ANCHORAGE
7 COMMUNITY DEVELOPMENT AUTHORITY.
8

9 Heritage Land Bank Parcel #3-012 (see AO 96-17(am) with map, attached as Appendix A) is
10 zoned I-2/SL, Heavy Industrial District with Special Limitations, and is a 25.67± acre parcel.
11 This parcel was declared surplus to municipal use by municipal agency review in April, 2005.
12

13 Fifteen acres of this parcel have been used by the Municipality of Anchorage Department of
14 Public Works Street Maintenance Division. Materials necessary for maintenance of facilities,
15 including gravel and drainage structures, have been stockpiled at this site since 1995. The
16 transfer of this parcel has been reviewed and approved in the 2003 Heritage Land Bank Work
17 Program and Five-Year Work Plan, 2004-2008 (HLBAC approved April 9, 2003, Assembly
18 approved May 20, 2003). The Heritage Land Bank also recommends transfer of this parcel in the
19 current 2005 HLB Work Plan.
20

21 At its June 9, 2005 meeting, the HLB Advisory Commission authorized the transfer of this parcel
22 by passing HLBAC Resolution 2005-09 (Appendix B), and on May 12, 2005, the ACDA board
23 also approved Resolution 05-09 (Appendix C).
24

25 The Administration has been approached by a developer for a mixed use regional live-style mall
26 concept with a residential component that is more appropriate for the Anchorage Community
27 Development Authority to consider and pursue.
28

29 THE ADMINISTRATION RECOMMENDS APPROVAL OF THE ATTACHED
30 ORDINANCE AUTHORIZING TRANSFER OF HERITAGE LAND BANK PARCEL #3-012,
31 A 25.67-ACRE PARCEL COMMONLY KNOWN AS TRACT F, SEC 16, T13N, R3W, SM
32 ALASKA GENERALLY LOCATED NORTH OF THE GLENN HIGHWAY AND EAST OF
33 AIRPORT HEIGHTS AND MT. VIEW DRIVE INTERSECTION TO THE ANCHORAGE
34 COMMUNITY DEVELOPMENT AUTHORITY.
35

36 Prepared by: Robin E. Ward, Executive Director, Heritage Land Bank
37 Concur: Mary Jane Michael, Director of Economic and Community Development
38 Concur: Denis C. LeBlanc, Municipal Manager
39 Respectfully submitted: Mark Begich, Mayor

Appendix A

CLERK'S OFFICE
AMENDED AND APPROVED
Date: 3-05-96

Submitted by: Chairman of the Assembly at the
Request of the Mayor
Prepared by: Department of Community Plan
and Development
For reading: January 9, 1996

Anchorage, Alaska
AO 96-17 (as amended)

AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING OF 25.7 ACRES FROM I-1 (LIGHT INDUSTRIAL DISTRICT) ZONE TO I-2/SL (HEAVY INDUSTRIAL DISTRICT WITH SPECIAL LIMITATIONS) ZONE FOR TRACT F, SECTION 16, T13N, R3W, SM, ALASKA GENERALLY LOCATED NORTH OF THE GLENN HIGHWAY AND APPROXIMATELY 600 FEET EAST OF THE AIRPORT HEIGHTS ROAD INTERSECTION.

(North Mountain View Community Council) (Planning and Zoning Commission Case 95-158)

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1: The zoning map shall be amended by designating the following described property as I (Heavy Industrial District With Special Limitations) zone:

Tract F, Section 16, T13N, R3W, SM, Alaska, as shown on Exhibit A attached, (Planning and Zoning Commission Case 95-158).

Section 2. The zoning map described above shall be subject to the following listed restrictions and design standards (special limitations)

A. The following uses are restricted: [is prohibited:]

1. Use of the site for snow disposal is prohibited.

2. Use of the site for crushers, asphalt plants or soil remediation are prohibited.

3. The Municipality shall not sell the parcel while the I-2/SL zoning remains in effect

B. Design Standards

Any changes made to the approved site plan shall require an amended site plan to be submitted to the Planning and Zoning Commission for review and approval. The amended site plan shall depict the extent of vegetation to be cleared, all land uses, all structures and storage piles.

AM 65-96

2. A 150 foot wide buffer which retains the existing natural vegetation shall be provided along the south property boundary abutting the Glenn Highway. A 50 foot wide buffer which retains the existing natural vegetation shall be provided along the east property boundary adjacent to the mobile home park and Clark Junior High School.

3. The height of the storage piles shall not exceed 25 feet in height.

4. The access road to the site shall be paved to reduce dust and vibration.

5. No more than 12.5 acres of the 25.7 acre parcel may be used for heavy industrial uses.

Section 3. The special limitations set forth in this ordinance prevail over any inconsistent provisions of Title 21 of the Anchorage Municipal Code, unless specifically provided otherwise. All provisions of Title 21 of the Anchorage Municipal Code not specifically affected by a special limitation set forth in this ordinance shall apply in the same manner as if the district classification applied by the ordinance was not subject to special limitations.

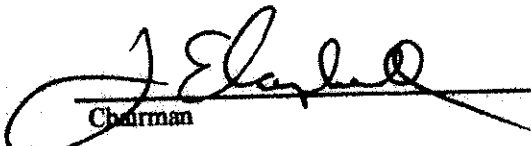
Section 4. The Director of Community Planning and Development shall change the zoning map accordingly.

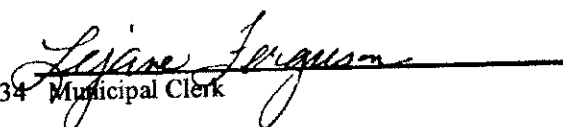
Section 5. The ordinance referenced in Section 1 above shall become effective within 10 days after the Director of the Department of Community Planning and Development has determined that the special limitations set forth in Sections 2 above have the written consent of the owners of the property within the area described in Section 1 above. The Director of the Department of Community Planning and Development shall make such a determination only if he/she receives evidence of the required consent within 120 days after the date on which this ordinance is passed and approved.

PASSED AND APPROVED by the Anchorage Assembly this 5th day of

March, 1996.

ATTEST:

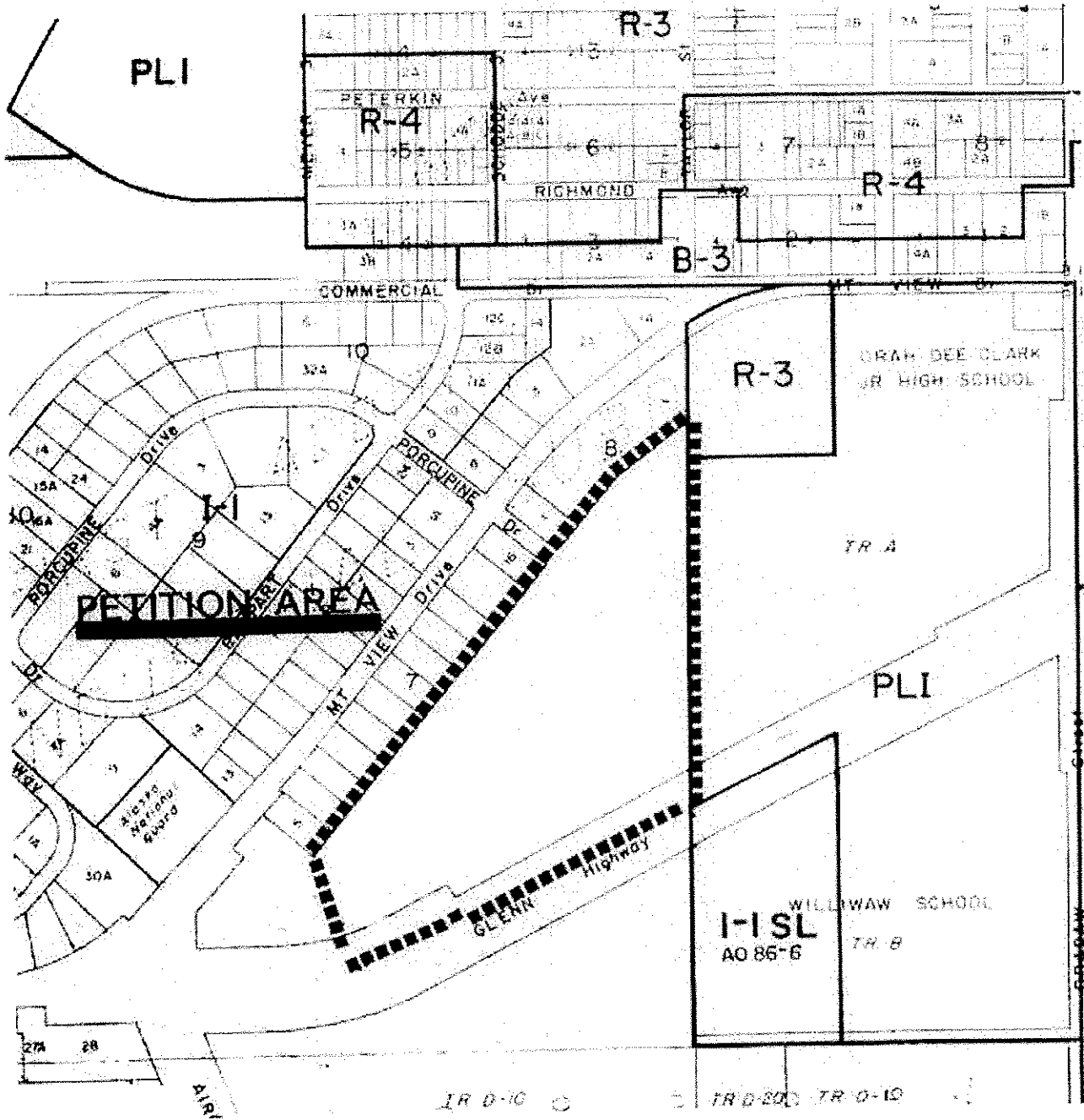

Chairman




Municipal Clerk

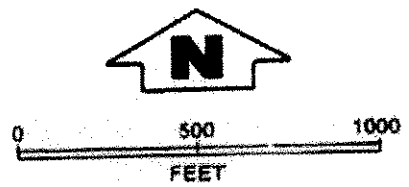
(95-158)
(Tax Parcel #004-051-02)

95-158 REZONING EXHIBIT A

AO 96-17



-  100 Year Floodplain
-  500 Year Floodplain



Appendix B

Ratification of Heritage Land Bank Advisory Commission

Resolution 2005-09

**A RESOLUTION OF THE HERITAGE LAND BANK ADVISORY COMMISSION
RECOMMENDING WITHDRAWAL OF HERITAGE LAND BANK MT. VIEW
PARCELS 3-010 AND 3-011 FROM THE HLB INVENTORY, AND A TRANSFER OF
MANAGEMENT AUTHORITY OF HLB PARCEL 3-012 BACK TO HLB FOR
TRANSFER FROM ITS INVENTORY, TO THE ANCHORAGE COMMUNITY
DEVELOPMENT AUTHORITY**

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 Mayor, with assembly approval, may withdraw land from the Heritage Land Bank inventory for any lawful municipal purpose... Such a withdrawal shall become effective only after at least 30 days' prior written notice to the Heritage Land Bank advisory commission, to the affected community council and to the public as specified in Section 25.40.030, and after at least one public hearing regarding the proposed withdrawal." (AMC 25.40.015.B); and

WHEREAS, "The Heritage Land Bank advisory commission shall hold a public hearing, with public notice as specified in this chapter, prior to making a recommendation to the mayor and assembly regarding the disposal of Heritage Land Bank land, or an interest in land." (AMC 25.40.025.A); and

WHEREAS, the Heritage Land Bank owns HLB Parcels 3-010, 3-011 and 3-012, located along Mt. View Drive in Anchorage; and

WHEREAS, HLB Parcel #3-012 currently has joint management authority with the Street Maintenance and Municipal Light & Power departments; and

WHEREAS, a proposal for the redevelopment and use of all three HLB parcels has been presented as part of the Mt. View Arts and Cultural District project; and

WHEREAS, the project shall be managed by the newly created Anchorage Community Development Authority on behalf of the Municipality of Anchorage for the redevelopment of the Mt. View area,

NOW THEREFORE BE IT RESOLVED, THAT the Heritage Land Bank Advisory Commission recommends that the Municipality of Anchorage withdraw HLB Parcels 3-010 and 3-011 from the HLB inventory, and transfer of full management authority of HLB Parcel 3-012 to the Heritage Land Bank and its withdrawal from the inventory to the Anchorage Community Development Authority for redevelopment under the Mt. View Arts and Culture District Project.

Subject to the following conditions:

Section 1. Rescinding joint management authority of HLB Parcel #3-012 with other municipal departments so that Heritage Land Bank has sole management authority in order to accomplish withdrawal of this property from the HLB inventory prior to transfer to ACDA.

Section 2. In the event that the parcels are not developed within five years after the transfer to ACDA for the Mt. View redevelopment project as outlined in the proposal, the parcels shall revert back to the Heritage Land Bank inventory and management authority.

Section 3. This resolution shall take effect immediately upon approval by the Heritage Land Bank Advisory Commission.

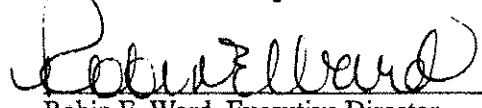
Approved by the Heritage Land Bank Advisory Commission this 9TH day of June, 2005.

APPROVED:



Jeffrey Blake, Chair
Heritage Land Bank Advisory Commission

ATTEST:



Robin E. Ward, Executive Director
Heritage Land Bank

Appendix C

ANCHORAGE COMMUNITY DEVELOPMENT AUTHORITY

RESOLUTION 05-02

A RESOLUTION OF THE ANCHORAGE COMMUNITY DEVELOPMENT ACCEPTING TRANSFER OF HERITAGE LAND BANK PARCELS 3-010 AND 3-011 FROM HLB INVENTORY, AND TRANSFER OF MANAGEMENT AUTHORITY OF HLB PARCEL 3-012, ALL LOCATED IN MOUNTAIN VIEW

WHEREAS, “The mission of the Anchorage Community Development Authority is to create development opportunities for the highest public benefit, using innovation, partnerships, sound planning and incentives;” and

WHEREAS, the Heritage Land Bank owns Parcels 3-010, 3-011, and 3-012, located along Mt. View Drive in Anchorage; and

WHEREAS, HLB Parcel 3-012 currently has joint management authority with Anchorage Street Maintenance and Municipal Light & Power Departments; and

WHEREAS, “The Mayor, with assembly approval, may withdraw land from the Heritage Land Bank inventory for any lawful municipal purpose . . . Such a withdrawal shall become effective only after at least 30 days’ prior written notice to the Heritage land Bank advisory commission, to the affected community council and to the public as specified in Section 25.40.030 and after at least one public hearing regarding the proposed withdrawal.” (AMC 25.40.015(B)); and

WHEREAS, the Heritage Land Bank advisory commission has held public hearings, with public notice as specified in AMC 25.40.025(A) prior to making a recommendation to the Mayor and assembly regarding the disposal of HLB land; and

WHEREAS, a proposal for the redevelopment and use of all three HLB parcels has been presented as part of the Mt. View Arts and Cultural District project; and

WHEREAS, the Authority Board of Directors did review the concept for redevelopment at its May 12, 2005 board meeting; and

WHEREAS, the Authority shall manage the redevelopment of these Mountain View parcels on behalf of the Municipality of Anchorage.

NOW THEREFORE, does the Anchorage Community Development Authority Board of Directors resolve as follows:

SECTION 1. The Authority recommends and will accept transfer of HLB parcels 3-010, 3-011, and 3-012 into Authority inventory.

RESOLUTION 05-02

SECTION 2. Management of the redevelopment will be conducted pursuant to the terms and conditions of transfer as set by the Mayor and Assembly.

PASSED AND CERTIFIED THIS DAY OF MAY 2005.

APPROVED: _____
JoAnne Zito-Brause, Chair

ATTEST: _____
Kevin J. Kinney, Secretary

Content Information

Content ID : 002997

Type: Ordinance - AO

Title: Transfer of HLB Parcel 3-012 to ACDA

Author: vanhornlr

Initiating Dept: HLB

Description: Transfer of HLB Parcel 3-012 from HLB inventory to Anch. Community Development Authority

Keywords: 3-012 ACDA Transfer

Date Prepared: 6/20/05 1:01 PM

Director Name: Robin Ward

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

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

2005 JUN 24 AM 8:30
 M.O.A.
 CLERK'S 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	6/20/05 1:03 PM	Checkin	vanhornlr	Public	002997
HLB_SubWorkflow	6/20/05 1:05 PM	Approve	wardre	Public	002997
ECD_SubWorkflow	6/20/05 1:34 PM	Approve	barkleyva	Public	002997
OMB_SubWorkflow	6/21/05 4:43 PM	Approve	foutzrs	Public	002997
Legal_SubWorkflow	6/21/05 6:22 PM	Approve	fehlenrl	Public	002997
MuniManager_SubWorkflow	6/23/05 4:51 PM	Approve	leblancdc	Public	002997
MuniMgrCoord_SubWorkflow	6/23/05 5:12 PM	Approve	abbottmk	Public	002997

Adendum