

Submitted by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Heritage Land Bank
For Reading: May 15, 2007

CITY OF ANCHORAGE
APPROVED
Date: 6-12-07

ANCHORAGE, ALASKA
AO No. 2007- 75

AN ORDINANCE AUTHORIZING WITHDRAWAL OF A PORTION OF PARCEL 1-075 FROM HERITAGE LAND BANK INVENTORY AND TRANSFER TO REAL ESTATE SERVICES DIVISION FOR ESTABLISHMENT OF A CONSERVATION EASEMENT.

WHEREAS, the Heritage Land Bank inventory in the Eagle River area contains HLB Parcel 1-075, located within Section 36, Township 15 North, Range 2 West, Seward Meridian, Alaska; and

WHEREAS, "The mayor, with Assembly approval, may withdraw land from the HLB 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 Anchorage Municipal Code (AMC) section 25.40.030, and after at least one public hearing regarding the proposed withdrawal" (AMC section 25.40.015); and

WHEREAS, following a public hearing on February 8, 2007, the Heritage Land Bank Advisory Commission recommended, in Resolution 2006-17, authorizing the withdrawal of a 99,360-square foot (2.28-acre) portion of HLB Parcel 1-075 from the HLB inventory and establishment of a conservation easement as compensatory mitigation for improvements to the Lower Fire Lake dam in order to comply with the U.S. Corps of Engineers permit mitigation requirements for the municipal dam project; and

WHEREAS, said portion of HLB Parcel 1-075 shall be withdrawn from the HLB inventory and transferred to the Real Estate Services Division, with an administrative recommendation to the Mayor for management authority to be delegated to Eagle River/Chugiak Parks, Recreation & Community Development; now therefore,

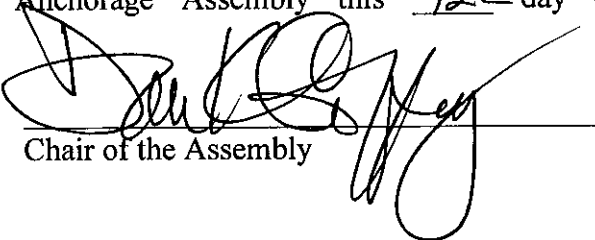
THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. A 99,360-square foot, or 2.28-acre, portion of Heritage Land Bank (HLB) Parcel 1-075 shall be withdrawn from HLB inventory and transferred to the Real Estate Services Division.

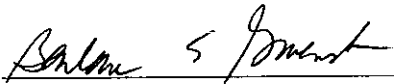
Section 2. A conservation easement shall be recorded against the transferred portion of HLB Parcel 1-075.

Section 3. This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 12th day of June, 2007.


Chair of the Assembly

ATTEST:


Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

AO Number: 2007- 75

Title: An Ordinance Authorizing Withdrawal of a Portion of Heritage Land Bank Parcel #1-075 from the HLB inventory and Transfer to Real Estate Services for Establishment of a Conservation Easement

Sponsor: MAYOR
Preparing Agency: Heritage Land Bank
Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES: (Thousands of Dollars)

	FY07	FY08	FY09	FY10	FY11
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	0	0	0	0	0
FUNCTION COST:	0	0	0	0	0
REVENUES:	0	0	0	0	0
CAPITAL:	0	0	0	0	0
POSITIONS: FT/PT and Temp.	0	0	0	0	0

PUBLIC SECTOR ECONOMIC EFFECTS:

Conservation easement complements Eagle River/Chugiak Parks & Recreation intent to enhance recreational area near Fire Lake.

PRIVATE SECTOR ECONOMIC EFFECTS:

None; property remains in municipal inventory, with no impact to HLB or to Real Estate Services as a result of this transaction.

Prepared by: William M. Mehner

Telephone: **343-4337**

Director, Heritage Land Bank and Real Estate Services



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 336-2007

MEETING DATE: May 15, 2007

1 **FROM: MAYOR**

2
3 **SUBJECT: AN ORDINANCE AUTHORIZING WITHDRAWAL OF A PORTION**
4 **OF PARCEL 1-075 FROM HERITAGE LAND BANK INVENTORY**
5 **AND TRANSFER TO REAL ESTATE SERVICES DIVISION FOR**
6 **ESTABLISHMENT OF A CONSERVATION EASEMENT.**
7
8

9 Heritage Land Bank (HLB) Parcel 1-075 (TID 051-324-12) abuts West Lake Ridge Drive
10 and the Old Glenn Highway near Fire Lake (See Appendix A: Site Map). The legal
11 description of the parcel is ADL Lot 1, Township 15 N, Range 2 W, Section 36, East ½,
12 Seward Meridian. It is approximately 3.01 acres in size and is zoned Public Lands and
13 Institutions.
14

15 In March, 2005, HLB received a request from Project Management and Engineering to
16 transfer enough HLB land to enlarge and improve the dam at Lower Fire Lake in north
17 Eagle River. The existing dam and the road across it are located on HLB's Parcel 1-075.
18 The U.S. Corps of Engineers (COE) permit to the Municipality to reconstruct Fire Lake
19 Dam requires compensatory mitigation for impacts to waters and wetlands in the form of
20 the preservation of a 2.28-acre area immediately south of the proposed dam project.
21

22 On April 13, 2006, the Heritage Land Bank Advisory Commission approved Resolution
23 2006-06, recommending disposal of approximately 100,000 square feet (2.3 acres) of HLB
24 Parcel No. 1-075 for an easement for improvements to Lower Fire Lake Dam and
25 establishment of a conservation easement. Subsequently, in June, 2006, the Alaska
26 Department of Transportation presented an offer to purchase an approximately 3,311
27 square foot portion of HLB Parcel #1-075 for right-of-way to reconstruct the Old Glenn
28 Highway. On December 14, 2006, Resolution 2006-16 was approved in order to allow this
29 right-of-way.
30

31 The required road right-of-way overlaps a portion of the approved conservation easement
32 area. This proposal presents the revision of the conservation easement area acceptable to
33 the COE, as well as the process for achieving the conservation easement. The land remains
34 in municipal ownership with an administrative proposal for the Mayor to transfer
35 management authority to Eagle River/Chugiak Parks, Recreation & Community
36 Development (ER/C PR&CD) for preservation as open natural space, consistent with the
37 conservation easement. HLB staff coordinated this action with Eagle River Parks &
38 Recreation to ensure the action is consistent with plans for the area.
39

40 HLB initiated an agency review solicit comments and objections to the proposed action.
41 No objections to the proposal were received. ER/C PR&CD noted the proposal "protects

easement and provides public access to lake; possible parking will complement development plans on Lot 2.”

The proposed withdrawal of 99,360 square feet of HLB Parcel 1-075, and establishment of a conservation easement as compensatory mitigation for improvements to the Lower Fire Lake dam and West Lake Ridge Drive are appropriate, and the proposed use is consistent with the Chugiak-Eagle River Comprehensive Plan. Achieving compliance with the COE permit mitigation requirements is a component of the overall municipal dam project, and thus consistent with HLB’s mission as well.

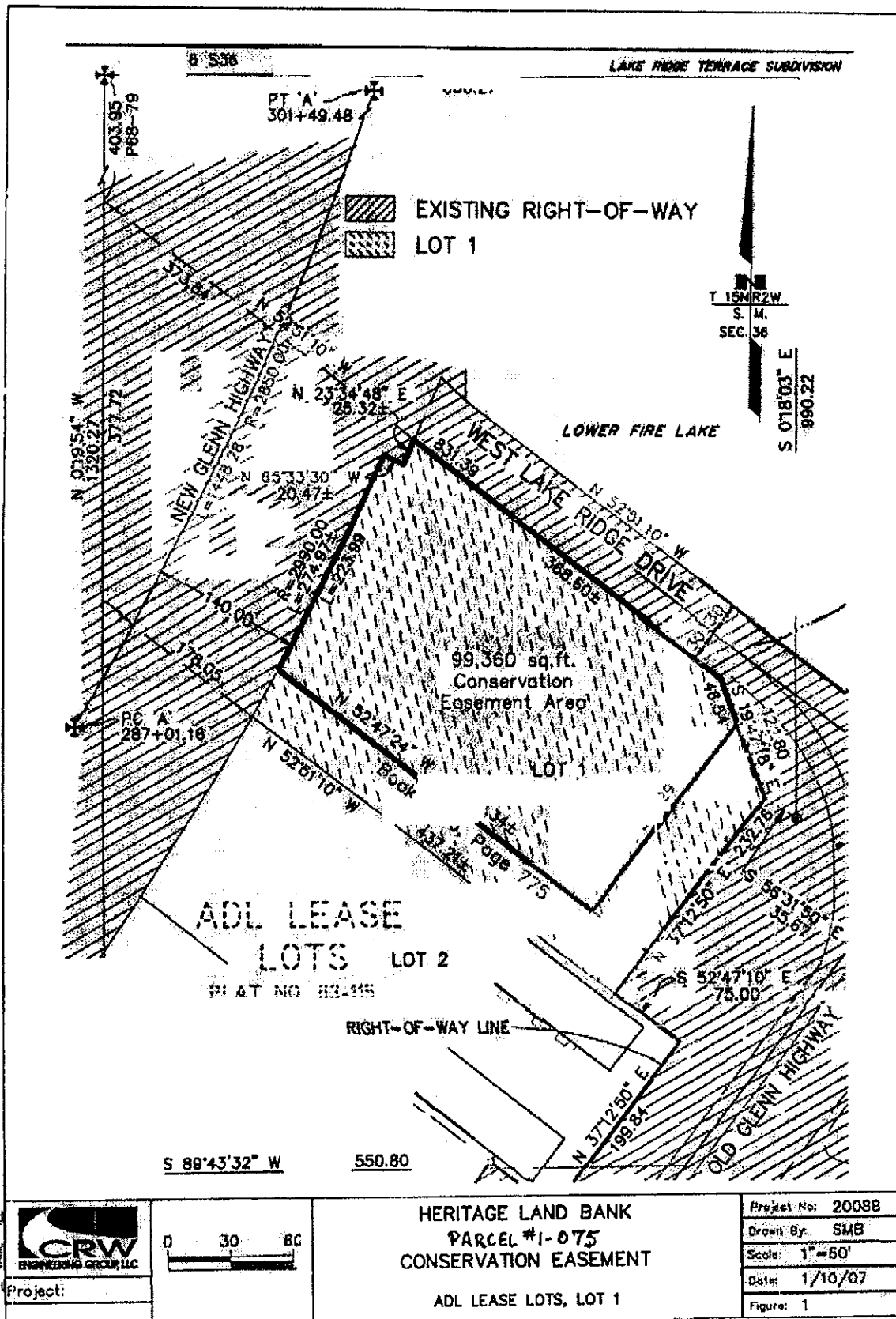
On February 8, 2007, the Heritage Land Bank Advisory Commission approved HLBAC Resolution 2006-17, recommending this withdrawal and transfer (see Appendix B).

**THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE
AUTHORIZING WITHDRAWAL OF A PORTION OF PARCEL 1-075 FROM
HERITAGE LAND BANK INVENTORY AND TRANSFER TO REAL ESTATE
SERVICES DIVISION FOR ESTABLISHMENT OF A CONSERVATION
EASEMENT.**

Prepared by:	Heritage Land Bank
Approved:	William M. Mehner, Director
	Heritage Land Bank and Real Estate Services
Concur:	Mary Jane Michael, Executive Director
	Office of Economic and Community Development
Concur:	John Rodda, Director
	Eagle River/Chugiak Parks, Recreation & Community Development
Concur:	James N. Reeves, Municipal Attorney
Concur:	Denis C. LeBlanc, Municipal Manager
Respectfully submitted:	Mark Begich, Mayor

Appendix A: Site Map

Appendix B: HLBAC Resolution 2006-17



Appendix A

Heritage Land Bank Advisory Commission

Resolution 2006-17

A RESOLUTION OF THE HERITAGE LAND BANK ADVISORY COMMISSION RECOMMENDING WITHDRAWAL OF A PORTION OF HLB PARCEL NO.1-075, COMPRISING APPROXIMATELY 99,360 SQUARE FEET OR 2.28 ACRES, FROM THE HLB INVENTORY AND TRANSFER TO THE REAL ESTATE SERVICES DIVISION, WITH AN ADDITIONAL RECOMMENDATION TO THE MAYOR THAT MANAGEMENT AUTHORITY TO BE TRANSFERRED TO PARKS & RECREATION DEPARTMENT, AND ESTABLISHING A CONSERVATION EASEMENT ON THE WITHDRAWN PORTION OF THE PARCEL.

WHEREAS, the Heritage Land Bank inventory contains HLB Parcel 1-075, legally described as Lot of Section 36, T15N-R2W, Seward Meridian, Alaska; according to Plat #63-115; and

WHEREAS, "It is the mission of the Heritage Land Bank to manage uncommitted municipal land and the Heritage Land Bank Fund in a manner designed to benefit the present and future citizens of Anchorage, promote orderly development, and achieve the goals of the Comprehensive Plan. The Heritage Land Bank shall acquire, inventory, manage, withdraw, transfer and dispose of municipal land which has not been dedicated or transferred to a specific municipal agency for one or more municipal uses." (AMC section 25.40.010); and

WHEREAS, "The mayor, with Assembly approval, may withdraw land from the HLB 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 section 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. . ." (AMC Section 25.40.015B); and

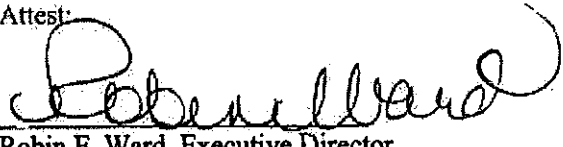
WHEREAS, preservation of a 2.28 acre area immediately south of the Fire Lake Dam project is required for compensatory mitigation for the dam project;

NOW THEREFORE BE IT RESOLVED the Heritage Land Bank Advisory Commission recommends authorizing withdrawal of a portion of HLB Parcel No.1-075, comprising approximately 99,360 square feet or 2.28 acres, from the HLB inventory and transfer to the Real Estate Services Division, with an additional recommendation to the Mayor that management authority to be transferred to Parks & Recreation Department, and establishing a conservation easement on the withdrawn portion of the parcel.

Approved on the 8TH day of February, 2007, by the Heritage Land Bank Advisory Commission.

Mathew Claman, Chair
Heritage Land Bank Advisory Commission

Attest:


Robin E. Ward, Executive Director
Heritage Land Bank

Content Information**Content ID :** 005041**Type:** Ordinance - AO**Title:** Withdrawal of a portion of HLB #1-075 from inventory**Author:** vanhornlr**Initiating Dept:** HLB**Description:** Withdrawing a portion of HLB property in Eagle River and transfer to RES for a conservation easement**Keywords:** Conservation Easement 1-075 Withdrawal from HLB inventory**Date Prepared:** 4/24/07 9:18 AM**Director Name:** W. M. Mehner**Assembly Meeting Date**
MM/DD/YY: 5/15/07**Public Hearing Date**
MM/DD/YY: 6/12/07**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	4/24/07 9:22 AM	Checkin	vanhornlr	Public	005041
HLB_SubWorkflow	4/24/07 9:48 AM	Approve	mehnerwm	Public	005041
ECD_SubWorkflow	4/24/07 9:59 AM	Approve	thomasm	Public	005041
OMB_SubWorkflow	4/24/07 1:40 PM	Approve	mitsonjl	Public	005041
AllOrdinanceWorkflow	4/24/07 2:02 PM	Reject	fehlenrl	Public	005041
AllOrdinanceWorkflow	4/24/07 2:19 PM	Checkin	vanhornlr	Public	005041
HLB_SubWorkflow	4/24/07 2:20 PM	Approve	mehnerwm	Public	005041
ECD_SubWorkflow	4/24/07 2:22 PM	Approve	thomasm	Public	005041
OMB_SubWorkflow	4/26/07 2:20 PM	Approve	mitsonjl	Public	005041
Legal_SubWorkflow	4/26/07 4:17 PM	Approve	fehlenrl	Public	005041
MuniManager_SubWorkflow	5/4/07 11:45 AM	Approve	leblancdc	Public	005041
MuniMgrCoord_SubWorkflow	5/4/07 2:23 PM	Approve	abbottmk	Public	005041

M.O.A.
 2007 MAY -4 PM 3:27
 CLEMENS OFFICE