HERITAGE LAND BANK ADVISORY COMMISSION
Meeting
June 8, 2017, 11:30 a.m.

Permit & Development Center conference room 170
4700 Elmore Road, Anchorage, Alaska

Meeting Minutes

I. Call to Order

Commission Chair Trawver called the meeting to order at 11:29 a.m.

Commissioners Present:
Tim Trawver, Chair
Kati Capozzi, Vice-Chair
Jim Fredrick, Commissioner
Peggy Looney, Commissioner
Diana Stone Livingston, Commissioner
Wende Wilber, Commissioner

Staff Present:
Nicole Jones-Vogel, Land Management Officer
Kristy Despars, Land Management Officer
Tawny Klebesadel, Office Manager

Commissioners Absent:
Ryan Mae Lucas, Commissioner (Excused)

II. Approval of the June 8, 2017 Agenda and May 11, 2017 Meeting Minutes

Commissioner Jim Frederick moved to approve the agenda as presented. The motion was seconded and approval of the agenda passed unanimously. Mr. Frederick moved to approve the minutes of May 11, 2017, the motion was seconded and the item passed unanimously.

III. Director’s Report

Nicole Jones-Vogel introduced the new Land Management Officer, Kristy Despars and provided the following Director’s report: The Girdwood Industrial Park Phase I improvements bid opening is scheduled for June 12th. The Girdwood community has requested one HLBAC meeting per year to be held in Girdwood. Ms. Jones-Vogel suggested an annual retreat at a Girdwood venue. Commissioners supported the idea and scheduled the retreat and HLBAC meeting to occur on October 12, 2017. The HLB Work Plan Assembly action was postponed and items brought up were transferring lands to Parks & Recreation. A worksession is scheduled at City Hall in conf. rm. 155 at 3pm June 9th and commissioners are welcome to attend. Commissioner Wende Wilber inquired who will be there. Ms. Jones-Vogel responded that Director Robin Ward and herself, along with the Parks & Rec Director, due to Parks & Rec preference to not support these inventory or management transfers, as these transactions would severely impact their workload. Ms. Wilber inquired if the commissioners would be able to provide input as commissioners or as a citizen? What role do we have in this process? Ms. Jones-Vogel responded that it is her understanding that commissioners may participate and that it is less formal than an Assembly meeting. We’re not being asked to present anything, but just being available to answer questions and provide explanations. For some of the amendments, we have offered counter-amendments. For the former Native Hospital site, we have offered revised language regarding some of the known and perceived contamination of that site, with regard to using it for a community garden. There’s a request to transfer the Potter Valley parcels to Parks & Rec, and we countered that these areas are outside of the service area boundary, therefore they are better kept in HLB. Ms. Jones-Vogel added that this proposed counter-amendment was not accepted and may be a talking point. We have not seen the amendments regarding the dedication of the HLB lands west of the airport, yet, and there may be other
amendments to follow. Ms. Wilber made the observation that the highest and best use should be the factors involved, and it seems inappropriate to amend a work program in this way. Ms. Jones-Vogel concurred. Ms. Wilber added it’s a work program, not a place to make land dedications, work programs usually state things like: do a site study, dispose of, or re-plat, or re-zone. Ms. Jones-Vogel stated the amendments are to transfer the lands to Parks & Rec. Chair Trawver stated that the commission and HLB staff should determine the highest and best use of the lands prior to turning it over to another entity to dedicate. Ms. Wilber agreed that we’re setting up a work program to determine the best use and they’re turning this into an Assembly action and making that determination. It seems inappropriate. Chair Trawver added that the site (former Native Hospital) is a valuable downtown property. Ms. Wilber questioned whether or not they can do that policy-wise. It would be interesting to see the ramifications of gutting this plan. Ms. Jones-Vogel responded that what they’re asking is to transfer lands to Parks & Rec and then Parks & Rec would then follow the process for dedicating it. The thing is that to transfer land to Parks & Rec, they would first have to ask for it. So, they aren’t directing that, but putting it in the plan to allow it to happen. Whereas, we’re recommending it not be put in the plan with that wording. Ms. Wilber clarified that it isn’t the methodology. Ms. Jones-Vogel said we’re stating that some of these lands shouldn’t be transferred anyway. Chair Trawver agreed. Ms. Wilber stated that the wording is a compromise and that Parks & Rec will not be asking for these lands anyway. Ms. Jones-Vogel said if any commissioners are able to attend the worksession tomorrow would be welcome. Commissioner Peggy Looney asked if the worksession is all about the Assembly trying to better understand what the plan is. Ms. Jones-Vogel agreed that it is and that the amendments are coming from the community councils similar to the comments already submitted to the HLBAC during the public hearing meeting, and what the commission already took action on. Ms. Jones-Vogel moved on to the $300,000 grant from the EPA that was awarded to the MOA. As you have all heard, the Brownfields grant was announced and will be administered from both the Real Estate and Planning Departments. Ms. Jones-Vogel added we have a contract with Stantec and expect an early fall kick-off to the 3-year grant with the Brownfields grant advisory committee to identify sites that we want to do contamination remediation on. And then we’ll go from there to identify Phase I, Phase II, and an action plan. We will also identify sites that aren’t contaminated. We’ll update the commission as we go, and if any of you want to sit on that committee, you are encouraged. We still haven’t received the UAA student’s revised GIS Story Map. As soon as we do, we will send out the link, and hopefully we’ll be able to use it on the retreat to help us with next year’s annual work program. Chair Trawver and commissioners congratulated Ms. Jones-Vogel on the Brownfields grant.

IV. Proposed Action Items and Public Hearings


Ms. Jones-Vogel provided a presentation showing the site and shared that last month Troy Davis Homes approached HLB to acquire the parcel. Originally it was an 80 acre parcel that came to us in the late 1980s. We rezoned it from PLI to R10 and re-platted in 1999. We sold the parcel south of this property. During the platting process, we granted access across Tract C, for the property that was sold. On that southern parcel, we restricted it to only one single family dwelling. Ms. Jones-Vogel reported that she did not find the rationale behind that decision in her research, but it may be surmised it was due to topography and adjacency to the Chugach State Park. The zoning did not change, because it remained R10. In 2007, the parcel was brought forward in the HLB work program to dispose, and the disposal was then approved by HLBAC. The Assembly approved the disposal in 2008. We held a sealed competitive bid and received no bids. The disposal was moved to the 5-year plan and there has been no further interest in the parcel since then. The question in front of the commission is should we move it to the annual work program and go back out for sealed competitive bid at this time. The current request is to construct single family dwellings consistent with the R10 zoning. There is some development constraints, such as the topography,
which is pretty significant on the southern portion where the existing access is. The proposer said there is the potential for 7-10 dwellings. One of the limits of development is the location of this access easement. It’s a 40’ easement, which includes access, gas and electric and those utilities are in. It is also difficult to compare the platted easement to the location of the constructed driveway access. They do not seem to align completely. There may be some greater flexibility in adjusting the easement regarding the access. Although currently, as it is platted, that easement is prohibitive, in addition to the slopes there. Ms. Jones-Vogel shared some pictures and relayed the parcel appeared to be dry and did not appear to have wetlands. The agency review public comments did not garner much more information, with the exception of Watershed Management, that has added review of this area to their summer work plan to ground truth this site to ensure there are no waterways or streams that need to be avoided. The staff recommendation is to move it to the annual work program, adjust the bid to fair market value, and hold a sealed competitive bid in the next year. Mr. Fredrick inquired if the disposal should wait until the Watershed evaluation is done and Ms. Jones-Vogel indicated HLB could definitely wait for the report before marketing for disposal. Chair Trawver inquired if the easement would be adjusted. Ms. Jones-Vogel indicated that there is potential for it and indicated that it’s difficult to tell from this image, but it appears that the recorded access easement closely mirrors the plat around the slope, with the exception of the access point. Ms. Looney inquired if there are minimum size lots needed for development. Ms. Jones-Vogel indicated yes, it is part of the topography that makes it zoned R10. Ms. Wilber shared information about the R10 zoning, indicating approximately 1.2 acres per single family dwelling. Chair Trawver inquired if it would be up to the buyer to re-plat. Ms. Jones-Vogel responded in the affirmative. Ms. Wilber commented that because it would go through the platting process, they would have to go through all the environmental processes as well. Ms. Jones-Vogel responded in the affirmative. Ms. Looney inquired how long that platting process would be prior to possibly start developing. Ms. Jones-Vogel stated it may be a short plat and there’s potential it could go to the platting board fairly quickly without further review. A potential developer should plan on 6 months to complete the process. This particular developer who put in the request thought that they could complete the process and begin construction in 2018. Chair Trawver inquired and Ms. Jones-Vogel confirmed the Assembly approved this disposal back in 2008. Ms. Jones-Vogel added the reason this is coming back to you is because it isn’t in our annual work program and we would be going back to the Assembly to adjust to fair market value. We wanted to come back to the HLBC to let you know what we’re propose to do, or if the commission would like to leave it in the 5-year plan and thinks HLB should focus our efforts elsewhere. Mr. Fredrick asked that we talk about the fair market value. Ms. Wilber asked to hear from the public first. Mr. Fredrick agreed.

Chair Trawver opened up the public hearing. Ms. Lilian Mercer provided testimony that she wants the access to remain the same, with no additional egress, after commenting that she just received the public hearing notice and did not see the signage. Ms. Mercer stated she lives across the road from the property, are the only ones occupying the area, and there’s a vacant developed property in the area that is selling for $1M for a long time now. Ms. Mercer added the property with the access is occupied. Ms. Looney asked if she was talking about Tract B that has one house on it. Ms. Mercer indicated yes. Ms. Wilber asked for clarification of Ms. Mercer’s access concern. Ms. Mercer stated that the road is narrow and there should be no additional access points or traffic on that road. This is a very small dead-end road, with a steep incline, and isn’t meant for heavy traffic. Ms. Mercer also reported her concern for the available water supply. The people down the slope have hardly any water. We have water across the road. Anybody building on that tract are going to have water issues. Ms. Mercer stated that she did not want to see multi-units in there or pay for city water or septic to go in there. There’s a lot of restrictions up there and on Tract C. It would cost the few remaining properties up there a lot more money, especially if those properties weren’t sold once they’re built. Chair Trawver thanked her and Ms. Mercer apologized that nobody else came but thought it was because nobody else knew about it. Ms. Wilber provided an explanation of the process. If the HLBC approves this, there would be a bid and there would have to be a successful buyer. The buyer would have to go through the platting process, which will identify all these issues, and they will have to resolve those issues; to potentially upgrade the road; look at traffic patterns; look at drainage, etc. There’s a lot more scrutiny within that process before anything can actually be built on it. Ms. Wilber shared that even if it’s a short plat, as she said a
quicker process, you will still be notified and there would be further opportunities for neighbors to provide input, at a later date, during the platting process. The Title 21 Land Use Code would have to be adhered to, which deals with drainage and how much they can clear, and those types of things before any developing. After we make a decision, there is a whole other list of things that overlay on this project and will have to be resolved before that development. And even if water and sewer infrastructure go in, which is highly unlikely for the developer to afford in R10, but should that even happen, you would not have to pay unless you hooked up. Chair Trawver indicated that she would have more opportunities to testify on this item at the Assembly public hearing. Ms. Mercer asked how she could sign up for email, and was ensured staff would provide that information. Seeing no other persons present to provide testimony, Chair Trawver closed the public hearing. Ms. Looney moved to approve, the motion was seconded.

This motion: **Passed 6-0**

V. Persons or Items not on the Agenda

Chair Trawver seeing there were no other persons present to provide comments, indicated moving on to commissioner comments.

VI. Commissioner Comments

Chair Trawver seeing no commissioners wishing to provide comments, moved on to the next meeting.

VII. Next Meeting

The next regular scheduled commission meeting date will be at 11:30 a.m. Thursday, July 13, 2017.

VIII. Adjournment

Following the completion of business, Mr. Fredrick moved to adjourn. The motion was seconded and approved unanimously. The meeting was adjourned at 12:00 p.m.

**PASSED and APPROVED on this, the 13th day of July, 2017.**

\[Signature\]
Tim Trawver, Chair
Heritage Land Bank Advisory Commission

*Respectfully submitted for the Heritage Land Bank Advisory Commission by:*
Tawny Klebesadel, RED Office Manager

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