

Heritage Land Bank Advisory Commission Meeting

Thursday, March 24, 2022 at 11:30 a.m.

*via Microsoft Teams and telephonic hearing (907) 519-0237 Conference ID #308 157 938*

**MINUTES**

**I. Call to Order and Statement of Procedure:** Call to order 11:31AM by Chair Tammy Oswald

This meeting will not contain a public hearing or action item. There will be an opportunity after the work session for comments on items not on the agenda. This meeting is an opportunity for commissioners to ask questions, become familiar with HLB land and projects, and discuss those amongst themselves.

**II. Roll Call, Introductions and Disclosures**

Present are Chair Tammy Oswald, Commissioners Brian Flynn, Dean Marshall, Ryan Hansen, and Ron Tenny, Carmela Warfield. Staff present are Director Adam Trombley and HLB Land Management Officers Shelley Rowton and Emma Giboney. No Disclosures were made. A quorum is present.

Vice Chair Brett Wilbanks joined the meeting at 11:40, during the LMO Report.

**III. Approval of Agenda and Minutes**

Motion to approve the March 24, 2022 Agenda: Moved by Commissioner CW, Seconded by Commissioner RT

Motion to approve the February 24, 2022 Minutes: Moved by Commissioner RH, Seconded by Commissioner BF

**IV. Director's Report:** Adam Trombley

Director AT asks that HLBAC keeps in mind all citizens of the municipality when making decisions. HLB land ownership isn't limited by geography.

When considering a disposal of HLB land, keep in mind:

- Municipal Needs
  - Is there a current or future municipal need identified?
  - Does it outweigh the benefits of this disposal?
- Fund Health/Position
  - How does this disposal and the proceeds from it fit into the larger scheme of HLB's direction and the Fund's health?
  - the CIP funds healthy or do they need replenishment?
  - Are there development projects ahead that are going to deplete the Fund?
  - Does this disposal put HLB in a better position strategically and financially?
- Contribution to Development
  - Does this disposal promote orderly development?
  - Could a reversionary clause ensure that the land returns to HLB if commitments aren't met?

No questions from Commissioners for AT

## V. Land Management Officer's Report: Shelley Rowton

### Sales

- Porcupine Building (3-073): Closed with Umoja Coworking & Incubator, a non-profit collaborative workspace.
- Chugach Park Estates (1-093/94/95/96/97): these are tax foreclosure lots. HLB closed on first two lots (1-094, 1-093), and the remaining three other lots under contract next week (1-094,1-095,1-096), should close within next couple months.
- Carol Creek (1-074A, 1-074B): Pending contract on Tract 2 (1-074B) that was due to close on March 30th will be terminated. The runner-up bid was the buyer of Tract 1 (1-074A) and wants to execute a contract immediately and will close within a couple weeks. They will be expanding the development plans for senior housing and a memory care facility.
- Lake Otis and Tudor (3-078A/B/C/D): Four parcels under contract, escrow going well, no concerns, closing early summer, will be taken to the assembly for approval probably on April 12th
- Transmission lines easements with Chugach electric pending for several years closing in 6-8 weeks.

### Developments/Entitlements

- Northwood development with Debenham. His rezone was approved by P&Z last week. Hoping to be done with the assembly by June 30 when contract ends
- Request For Proposals for remainder of industrial park in Girdwood will transfer entire tract but will actually use about 35 acres and remainder will be returned to HLB. Considering doing long term financing for the developer to make it financially feasible for a developer. Has worked well for other projects.

### Financial Update

- Budget to Actual statement provided to Commissioners in the meeting packet, nothing significant to report

### Coming up in the Assembly

- On April 12<sup>th</sup> HLB has 15 items to submit, 5 of which are action items from the November 19, 2021 HLBAC meeting
- A couple reappropriations to clean up Capital Improvement Project (CIP) funds. The appropriation of the 2022 CIP.
- Several Assembly information Memos updating on continuing and completed projects.

### Coming up for HLBAC

- April meeting will have two items to discuss
- May meeting will have two items to discuss

### Questions for SR:

- Commissioner RT wants to know the status of the sale of a conservation easement to Great Land Trust (GLT) on 6-060 along the tidal wetlands of Turnagain Arm.
  - SR explains that project was put on hold almost immediately after the meeting due to Mr. Knauf's appearance and another incident on park land in Anchorage that had a GLT conservation easement on it. The incident was completely unrelated, but GLT wants to complete that project before starting another one. So the tidal wetlands project is not dead but put on hold until the Anchorage incident is complete.
  - Related to that area, SR showed the wetland plan for south of Alyeska interchange from 1981 to Mental Health Trust and they were supportive of that and seemed like a potential partner

- Commissioner RT wants to know how the sale of parcel 6-043 to USFS is going.
  - SR received a call from DOT about three weeks ago about the parcel, they want to buy part of it for a new Seward/Alyeska interchange. The governor would not sign the Statewide Transportation Improvement Plan (STIP) until something close to a preferred option was brought forward. When asked how much of the parcel they said just enough for a curb, but when they sent the plan it was about an acre of the parcel, and it was completely different than the 10 previous plans they shared with Girdwood. SR told DOT that HLB is not a willing seller and that HLB will complete the sale to USFS and DOT can go to them. SR suggests community of Girdwood talk to DOT.

VI. **Special Guest(s):** None

VII. **Proposed Action Items and Public Hearings:** None

VIII. **Work Session**

HLBAC Resolution 2022-01: Draft 2022 Heritage Land Bank Annual Work Program

Work session will be limited to 90 minutes. Previous work session left off on Chapter 4. The commissioners will work through to the end of the document before returning to anything earlier in the Work Plan.

Overview of Chapter 4

- SR explains that Chapter 4 lists every HLB parcel, some are grouped together due to geography or intent. The majority have no significant actions taken or expected, but many have activities purposed. SR can answer any commissioner questions about those activities.

Commissioner DM would like to know more about how the work plan fits in with the Chugiak/Eagle River land use plan updated in 2018, or if there is another more recent document.

- SR explains that the site-specific land use plan for Chugiak/Eagle River only covered HLB parcels 1-074A/B/C and those rezoning and development projects have been in accordance with the Chugiak/Eagle River plan. Most parcels in Chugiak/Eagle River do not have a site-specific land use plan. Eagle River may not have its own comprehensive plan.
- Commissioner DM wants to know where to find this information. SR will send links to the Municipal websites that have the plans.

BW would like to have a link to the maps with the HLB parcel numbers.

- SR explains that the web maps will be updated and she will send out a link to it. Print maps are available in Chapter 4.

1-084 (Donut Parcel)

- Commissioner BW wants to understand how the private parcel in the center of the HLB Parcel is accessed and wonders if the parcel should be platted and sold
- SR explains that there has been discussions of an easement, and that there have been encroachment issues in the past. There has been some interest in platting it, but it is significantly sloped.

1-111 (Proposed Cemetery Site)

- SR explains that this 25 acre parcel has been named in the Eagle River cemetery site selection study as their preferred alternative for a cemetery, but it is unknown if it has been adopted in any format by an elected body. SR will send a link to the study to the commissioners. SR wants to have a discussion about this parcel being developed for residential vs. cemetery use. SR believes it is the best residential HLB parcel in Eagle River. Mental Health Trust is intending to develop their neighboring parcel, and if HLB could help relocate the street maintenance facility that is between the HLB and MHT land, there could be a much larger cohesive development with MHT.

- Commissioner BF asks about other parcels in the area (including the high school and the correction center) and states that it doesn't seem like a cemetery is the best use of the land.
- Commissioner DM and others would like to see all information available about why this site was selected
  - HLB Staff will create a packet and send it out.
  - Commissioner DM would like more info before forming an opinion but has mixed feelings. Was hesitant to have a subdivision there, but that has been fine so far.
- SR would like the commissioners to mull it over and revisit at a later meeting

2-116/17/18/19/20/21/22/24c

- Commissioner BF notices the colors on table and map do not match.
- These parcels will eventually be transferred to parks. HLB Staff will update the tables colors.

Date Formatting

- Commissioner RT wonders if it would be possible to add dates to the column in the work plan that shows the applicable plan to better understand how out of date they may be. HLB staff will attempt to get that done. RT suggests maybe using HLB funds to get older ones updated which TO points out is up to the planning department not HLB.

HLB Parcels near Tudor and Elmore

- Commissioner BF wants to know why so many parcels in that area are scheduled to transfer
  - SR explains that many of them are dedicated park land and that they should have been transferred to the Parks and Rec Department, but they have been kept in HLB inventory, possibly so if an easement is needed HLB would get money from that. They are dedicated parks and should belong to them. HLB could always charge a fee to P&R for helping set up an easement.
- Botanical Gardens
  - The botanical garden pays rent to P&R, not HLB, so HLB staff wants to investigate zoning and if it should be transferred to P&R.
- 3-029, 3-035, 3-065, 3-075, 3-077
  - Will be transferred to Real Estate Service's inventory, because they are a conservation easement and a third party needs to hold the land management of them.
- Commissioner BW wants clarification on which parcels are actually within park area
  - SR believes they are 3-028/29/75/27/40/46, but would need to double check those numbers. HLB staff will send out a list or a drawing of the Bicentennial Park boundary. SR clarifies that the areas outside the boundary are still restricted by the federal recreation and public purposes act, so even if they are not within the park, they must have a recreation or municipal purposes.
- Commissioner BW wonders how that transferring ownership affects the management overhead and responsibility for trespass oversight.
  - SR explains that transferring ownership would mostly help clarify what department should be contacted regarding the parcel. Code enforcement can be confusing when HLB and P&R are both listed as owners. HLB wants to clean that up so it is less confusing.

4-013 (Ramada)

- HLB was planning to sell it to the leasee but has not gotten a response, rent will go up significantly in the next 2 years. Staff may amend the table to reflect that.

4-029 (Boys & Girls Club)

- SR suggests that we don't transfer it out of HLB inventory. Probably in HLB's best interest to keep it.

- Commissioner BF wants clarification, SR explains that the work plan will change to reflect the new plan to keep the property.

#### 4-033F (Salvation Army, Clitheroe)

- SR explains that HLB has been instructed not to send a lease renewal or invoice. Originally the plan was to move the Salvation Army to a better facility with better access to medical facilities. The issue is being handled by the homelessness committee and health department. SR encourages the commissioners to call those involved to ask for clarification.

#### 4-043 (Government Hill)

- Commissioner BW would like more information about this parcel, which is located adjacent to JBER and may have some right-of-way issues.
- SR explains that HLB is working with Joy Boston, a community outreach representative from the base, to find a solution that may involve a trade of property. It appears that the JBER boundary fence may cut into the right-of-way. That parcel is on the GH neighborhood plan as residential, but the neighborhood has opposed the development of this parcel in the past. However, it has been approved by HLBAC for being sold for residential use, but HLB is looking to find a solution that works for GH, JBER, and HLB. This could be a good opportunity for HLB to own land that MOA currently leases from JBER.

#### 4-010/11/12 (Health Department Parking)

- SR explains that these parcels have been used as parking for the Health Department since the 80's. Mental Health Trust has property across the street. MHT and HLB met and considered if there is an opportunity to work together in that area. However, parking is needed at their current location until they are moved.

#### 5-025

- SR explains that there may be a project in that area in the future.

#### Region 5 Wetland Acquisitions

- SR explains that the USACE has gone back to the no-net-loss rule for wetland development. HLB staff has been working towards acquiring parcels of wetlands to put into conservation easements to use for credits in future development projects. Staff sent out mailers to the owners in the paper plat subdivisions of Laurel Acres and Patricia. Initially HLB asked for property donations in exchange for the owners to receive the tax break. HLB staff has negotiated some donations and some sales for a low price. They will go to Real Estate Services for the conservation easement. Once MOA owns enough parcels HLB can vacate the right-of-ways for even more area.

#### 6-003B (Indian)

- Staff placed a public hearing notice on it yesterday, to discuss a potential sale.

#### 6-298/300/301/302/303/304/305 Bird Regional Park

- SR points out that HLB has several areas of municipal entitlement that HLB will never fully get to have. It counts as HLB acreage, but its not controlled by HLB. SR wonders if HLB could have cash compensation for acres since there is so little state land to select. SR believes the only possible reason to keep it would be for easement income. Chair TO suggests talking to Quincy in the Legal Department about it

#### 6-057f Girdwood Industrial Park

- Commissioner BW would like more information on the platting of the area. SR explains that there was originally going to be several phases of platting. BW would also like to know more about the process of HLB selling to a developer then getting the remainder back. SR explains that that is often done in developments due to developer financing, but that 2.75-3 acres will be coming back for GBSA. A development agreement will ensure that the land will be returned.

Chair TO asks for a motion to extend the meeting.

- BF motion to extend, BW seconded.

Holtan Hills

- Commissioner BW wants to explore if this is the proper time to discuss deed restrictions, convey restrictions etc. He does not want to discuss today, just wants to put this issue into the minds of the commissioners. Would like it eventually discuss rent subsidies, restrictions on short term rentals, HOA limitations. BW wonders what would be the best for the community and the Municipality.
- Commissioner RT remarks that he thinks BW represents Girdwood well. RT comments that the HLB staff is not very big and wonders how is it possible to manage all these projects with so little staff.

End of work plan

IX. **Persons or Items Not on the Agenda (THREE minutes per individual, each person may only speak once, commissioners and staff will not answer questions, but may have questions for you after your testimony.)**

Krystal Hoke:

- Discusses the possibility of creating a community land trust for the creation of housing. Emphasizes the need for work force housing in Girdwood.

Christina Hendrickson:

- Wants to urge the Real Estate Department and the developers to stay the course. Girdwood's year-round citizens are divided. Would like more action. Would like better leadership at the meetings. There are many incomplete projects. Other housing projects in the area have not been held to this same standard. The burden of community development does not solely fall on HLB.

X. **Commissioner Comments**

Brett Willbanks

- Wants to reiterate his belief that there should be site specific plans in areas that don't have area wide development plans. Also, he want to communicate his findings in code regarding the role of HLBAC, he quotes the last sentence of 25.40.010C: "The recommendations of the Heritage Land Bank advisory commission shall be supported by the record that it is in the municipality's best interests."

*Code citation: Where land is retained, it shall be managed in a manner which will protect and enhance its economic and other municipal values, consistent with section 21.05.020. The Heritage Land Bank shall seek to ensure that the economic and other public values of this land are not diminished as a result of ongoing land management activities. It shall be the responsibility of the Heritage Land Bank to work with the school district, public works department, community planning and development department, department of cultural and recreational services, and other municipal agencies to contribute to the long range analysis of the need of the municipality to retain various properties in the Heritage Land Bank for future municipal needs. The Heritage Land Bank may enter into cooperative land management agreements with other public agencies to achieve municipal purposes and to enhance the management of Heritage Land Bank land. Such agreements shall be consistent with section 25.40.020. The decision to enter into such an agreement shall be made after public notice and hearing as specified in this chapter. The recommendations of the Heritage Land Bank advisory commission shall be supported by the record that it is in the municipality's best interests.*

Brian Flynn

- Wants to thank the commissioners and staff for their input. Found the discussion to be enlightening and looks forward to more discussion.

XI. **Next Regularly Scheduled Meeting Date:**

Thursday, April 28 at 11:30AM via Microsoft Teams and telephonic hearing.

XII. **Adjournment motion**

- Commissioner RT motion, Commissioner RH seconded
- Meeting adjourned at 1:30