

Submitted by: Chair of the Assembly at the
Request of the Acting Mayor

Prepared by: Heritage Land Bank

For Reading: May 26, 2009

CLERK'S OFFICE

APPROVED

Date: 6-16-09

ANCHORAGE, ALASKA

AO No. 2009-67

1 AN ORDINANCE AUTHORIZING WITHDRAWAL & TRANSFER OF A 10 ACRE
2 PORTION OF HLB PARCEL #3-035 FROM HERITAGE LAND BANK
3 INVENTORY TO THE REAL ESTATE SERVICES DIVISION, AND
4 ESTABLISHING A CONSERVATION EASEMENT THEREON, WITH
5 MITIGATION CREDITS MANAGED BY HERITAGE LAND BANK.
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7

8 **WHEREAS**, the Heritage Land Bank inventory contains Parcel #3-035, located
9 south of Tudor Road and adjacent to Campbell Airstrip Road, zoned Public
10 Lands and Institutions; and
11

12 **WHEREAS**, "It is the mission of the Heritage Land Bank to manage uncommitted
13 municipal land and the Heritage Land Bank Fund in a manner designed to
14 benefit the present and future citizens of Anchorage, promote orderly
15 development, and achieve the goals of the Comprehensive Plan. The Heritage
16 Land Bank shall acquire, inventory, manage, withdraw, transfer and dispose of
17 municipal land which has not been dedicated or transferred to a specific
18 municipal agency for one or more municipal uses." (AMC section 25.40.010);
19 and
20

21 **WHEREAS**, "The mayor, with Assembly approval, may withdraw land from the
22 HLB inventory for any lawful municipal purpose, consistent with the
23 Comprehensive Plan and implementing measures or applicable site specific land
24 use studies. Such a withdrawal shall become effective only after at least 30
25 days' prior written notice to the HLB Advisory Commission, to the affected
26 Community Council, and to the public as specified in AMC section 25.40.030,
27 and after at least one public hearing regarding the proposed withdrawal" (AMC
28 section 25.40.015 B.); and
29

30 **WHEREAS**, following a public hearing on May 14, 2009, the Heritage Land
31 Bank Advisory Commission recommended, in Resolution 2009-08, withdrawal
32 and transfer of a portion Parcel #3-035, totaling approximately 10 acres, from the
33 HLB inventory to the Real Estate Services Division, for the purpose of
34 establishing a conservation easement, with mitigation credits managed by
35 Heritage Land Bank; now, therefore,
36

37 **THE ANCHORAGE ASSEMBLY ORDAINS:**
38

39 **Section 1.** Withdrawal and transfer of a portion of Parcel #3-035, totaling
40 approximately 10 acres, from Heritage Land Bank inventory to the Real Estate
41 Services Division is approved.

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Section 2. A conservation easement shall be recorded on the withdrawn portion of Parcel #3-035, and the resulting mitigation credits shall be managed by Heritage Land Bank.

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

PASSED AND APPROVED by the Anchorage Assembly this 16th day of June, 2009.

Debbie Ossander
Chair of the Assembly

ATTEST:

Anna S. Grant
Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

AO Number: 2009-67 Title: **AN ORDINANCE AUTHORIZING WITHDRAWAL & TRANSFER OF A 10 ACRE PORTION OF HLB PARCEL #3-035 FROM HERITAGE LAND BANK INVENTORY FOR TRANSFER TO THE REAL ESTATE SERVICES DIVISION, AND ESTABLISHING A CONSERVATION EASEMENT THEREON, WITH MITIGATION CREDITS TO BE MANAGED BY HERITAGE LAND BANK.**

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

CHANGES IN EXPENDITURES AND REVENUES:	(Thousands of Dollars)				
	FY09	FY10	FY11	FY12	FY13
Operating Expenditures					
1000 Personal Services					
2000 Supplies					
3000 Other Services					
4000 Debt Service					
5000 Capital Outlay					
TOTAL DIRECT COST	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: \$326,787 (2.04 REV 2 credits at \$160,190.00/credit) savings to the Municipality for mitigation for a municipal trails project. \$371,640 (2.32 REV 2 credits) proposed to be banked for sale or use on future projects.

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**
 Director, Heritage Land Bank and Real Estate Services

Telephone: **343-4337**



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 291-2009

MEETING DATE: May 26, 2009

1 FROM: ACTING MAYOR

2
3 SUBJECT: AN ORDINANCE AUTHORIZING WITHDRAWAL & TRANSFER
4 OF A 10 ACRE PORTION OF HLB PARCEL #3-035 FROM
5 HERITAGE LAND BANK INVENTORY TO THE REAL ESTATE
6 SERVICES DIVISION, AND ESTABLISHING A CONSERVATION
7 EASEMENT THEREON, WITH MITIGATION CREDITS
8 MANAGED BY HERITAGE LAND BANK.
9

10 Heritage Land Bank (HLB) parcel 3-035 is located south of Tudor and adjacent
11 to Campbell Airstrip Road. (See **Appendix A: Site Map.**) The land is zoned
12 Public Lands and Institutions.
13

14 The Department of Public Works (now Maintenance & Operations), Street
15 Maintenance Division, is the designated managing authority for HLB Parcel 3-
16 035, for use as a snow disposal site. The area proposed for conservation is
17 primarily Class A wetlands; a conservation easement prohibits most activities
18 and preserves the land in its natural state in perpetuity, in municipal ownership.
19

20 Although Maintenance & Operations is the managing agency, HLB retains
21 authority and responsibility for issuance of any license, permit, sublease, use
22 agreement grant or other legal document which commits municipal real property
23 irrevocably. This action does not impact the snow disposal site, and the
24 Maintenance & Operations indicates the proposed conservation easement area
25 is surplus to its needs.
26

27 The conservation easement placed on portions of the land surrounding the
28 snow disposal site will be used for mitigation of a municipal trail project in the
29 area. When the Chester Creek Trail Connection, and its UAA Spur Trail
30 connection, is constructed in 2009, it completes an important link between two
31 existing municipal greenbelt trails: The Chester Creek Trail and Campbell
32 Creek Trail. By linking the eastern section of Chester Creek Trail with the
33 northern terminus of Campbell Creek Trail, trail users have a continuous
34 greenbelt link providing safe travel, separated from vehicular traffic, between
35 such points as Westchester Lagoon, Goose Lake, UAA, Bicentennial Park,
36 Campbell Park, and eventually southwest to the Dimond/Klatt area.
37

38 Pursuant to section 25.40.015 B., the mayor, with Assembly approval, may
39 withdraw land from the HLB inventory for any lawful municipal purpose,
40 consistent with the Comprehensive Plan and implementing measures or
41 applicable site specific land use studies. Such a withdrawal shall become
42 effective only after at least 30 days' prior written notice to the HLB Advisory

1 Commission, to the affected Community Council, and to the public as specified
2 in AMC section 25.40.030, and after at least one public hearing regarding the
3 proposed withdrawal. HLB staff satisfied the public notice requirements of
4 section 25.40.015 B.

5
6 On April 14, 2009, HLB staff distributed notice to municipal agencies of the
7 proposed action. There were no objections to the proposal. Agency comments
8 are attached as **Appendix B**.

9
10 Due to the reversionary interest clauses in the parcel patents, concurrence with
11 this action is required from the Alaska Department of Natural Resources and the
12 U.S. Bureau of Land Management.

13
14 Following a public hearing on May 14, 2009, the Heritage Land Bank Advisory
15 Commission approved Resolution 2009-08, recommending authorization of this
16 action (**Appendix C**).

17
18 **THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE**
19 **AUTHORIZING WITHDRAWAL & TRANSFER OF A 10 ACRE PORTION OF**
20 **HLB PARCEL #3-035 FROM HERITAGE LAND BANK INVENTORY TO THE**
21 **REAL ESTATE SERVICES DIVISION, AND ESTABLISHING A**
22 **CONSERVATION EASEMENT THEREON, WITH MITIGATION CREDITS**
23 **MANAGED BY HERITAGE LAND BANK.**

24
25 Prepared by: Heritage Land Bank
26 Approved by: William M. Mehner, Executive Director
27 Heritage Land Bank
28 Concur: Mary Jane Michael, Executive Director
29 Office of Economic and Community Development
30 Concur: James N. Reeves, Municipal Attorney
31 Concur: Michael K. Abbott, Municipal Manager
32 Respectfully submitted: Matt Claman, Acting Mayor

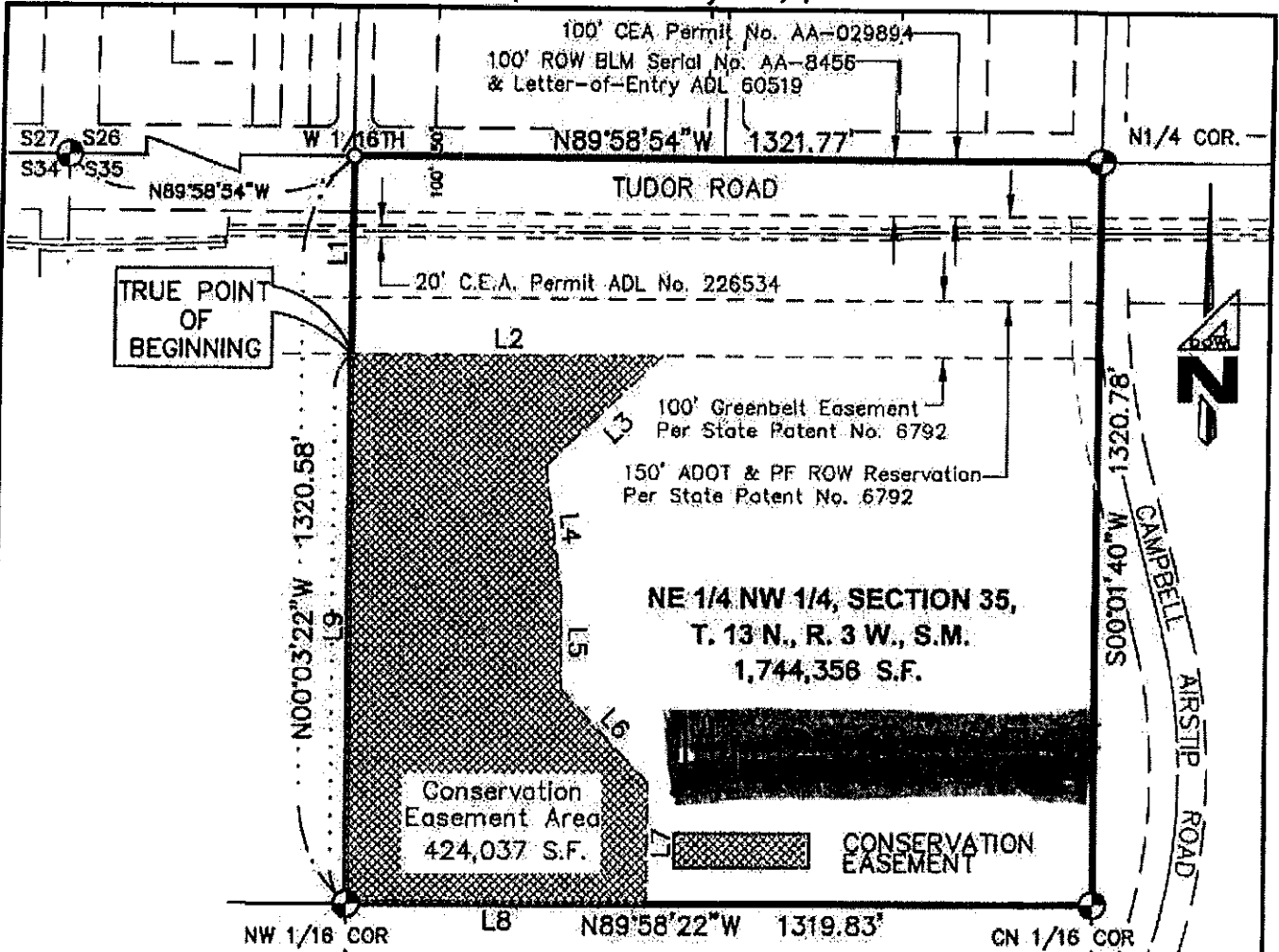
33
34 Appendix A: Site Map

35 Appendix B: Agency comments and responses to proposed action

36 Appendix C: HLBAC Resolution 2009-08

37
38 G:\mat\open matters\Heritage Land Bank\Parcel 3-035 - AM withdraw & transfer.DOC

APPENDIX A



LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°03'22"E	350.00
L2	S89°58'54"E	555.88
L3	S46°50'33"W	285.42
L4	S07°22'44"E	235.42
L5	S00°03'22"E	162.42
L6	S43°38'06"E	227.86
L7	S00°03'22"E	214.61
L8	N89°58'22"W	534.57
L9	N00°03'22"W	970.58

PROJECT: D57233E DRAWING: SPM-TSD.dwg

PROJECT MANAGEMENT AND ENGINEERING DEPARTMENT OFFICE OF THE MUNICIPAL ENGINEER	TUDOR ROAD SNOW DUMP SITE TUDOR ROAD & CAMPBELL AIRSTRIP ROAD								
OWNER'S INITIAL: _____ EXHIBIT: _____ PAGE ____ OF ____ DATED _____	<table style="width: 100%; border: none;"> <tr> <td style="border: none;">EASEMENT TYPE:</td> <td style="border: none; text-align: right;">CONSERVATION</td> </tr> <tr> <td style="border: none;">EASEMENT AREA:</td> <td style="border: none; text-align: right;">424,037 SQ.FT.</td> </tr> <tr> <td style="border: none;">DRAWN BY: <u>DLB</u></td> <td style="border: none;"></td> </tr> <tr> <td style="border: none;">SCALE: <u>1"=300'</u></td> <td style="border: none;">DATE: <u>08/01/06</u></td> </tr> </table>	EASEMENT TYPE:	CONSERVATION	EASEMENT AREA:	424,037 SQ.FT.	DRAWN BY: <u>DLB</u>		SCALE: <u>1"=300'</u>	DATE: <u>08/01/06</u>
EASEMENT TYPE:	CONSERVATION								
EASEMENT AREA:	424,037 SQ.FT.								
DRAWN BY: <u>DLB</u>									
SCALE: <u>1"=300'</u>	DATE: <u>08/01/06</u>								

APPENDIX B

Agency comments & responses to proposed action

ML&P

Noted that CEA has a power line along Tudor Road parcels. This pre-existing easement will not be affected by this proposed action.

Planning Department

Anchorage Wetlands Management Plan, (AWMP) April, 1996. Designation: Class "A". Identified as Unit #48.

Anchorage 2020 identifies the parcel within an area designated as important wildlife habitat, areas that support local populations of selected species or are important for rare or declining species. Anchorage 2020 also shows this parcel as an area identified by the community as preferred for natural open space.

Anchorage Bowl Parks, Natural Resources, and Recreation Facility Plan shows the parcel adjacent to existing park land (Far North Bicentennial Park) and trails. Addition of the HLB parcel would facilitate continuity of undeveloped and undevelopable lands adjacent to Far North Bicentennial Park. The site contains the headwater stream which feeds Reflection Lake and Chester Creek, and is located next to a Municipal Snow disposal facility. Maintenance of the land as a natural wetland augments the effectiveness of the snow disposal facility to treat snowmelt runoff.

Parks Department

Anchorage Parks and Recreation supports the proposed withdrawal of a portion of HLB parcel no. 3-035, in the vicinity of Tudor Rd. and Campbell Airstrip Rd. to establish a conservation easement for wetland mitigation credits.

Parks and Recreation understands that in this particular case the credits would be applied to facilitate a project to upgrade and extend a major multi-use trail in the University Lake/Goose Lake area by offsetting wetland impacts in that area. The trail project is consistent with the Areawide Trails Plan and also is supported by the Parks and Recreation Department.

APPENDIX C

Heritage Land Bank Advisory Commission Resolution 2009-08

A RESOLUTION OF THE HERITAGE LAND BANK ADVISORY COMMISSION RECOMMENDING WITHDRAWAL OF A PORTION OF HLB PARCEL #3-035, COMPRISING APPROXIMATELY 10 ACRES, FROM HERITAGE LAND BANK INVENTORY FOR TRANSFER TO THE REAL ESTATE SERVICES DIVISION, AND ESTABLISHING A CONSERVATION EASEMENT ON THE WITHDRAWN PORTIONS OF THE PARCELS, WITH MITIGATION CREDITS TO BE MANAGED BY HERITAGE LAND BANK.

WHEREAS, the Heritage Land Bank inventory contains HLB Parcel #3-035, legally described as North NE ¼ NW ¼ of Section 35, Township 13 North, Range 3 West, Seward Meridian, Alaska, containing approximately 40 acres; 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);

NOW THEREFORE BE IT RESOLVED the Heritage Land Bank Advisory Commission recommends authorizing withdrawal of a portion Parcel #3-035, totaling approximately 10 acres, from the HLB inventory and transfer to the Real Estate Services Division, and establishing a conservation easement on the withdrawn portions of the parcels, with mitigation credits to be managed by Heritage Land Bank.

Approved on the ____ day of _____, 2009, by the Heritage Land Bank Advisory Commission.

Signed:

Attest:

Jim Balamaci, Chair
Heritage Land Bank Advisory Commission

William M. Mehner, Director
Heritage Land Bank

Content ID: 007723

Type: Ordinance - AO

AN ORDINANCE AUTHORIZING WITHDRAWAL & TRANSFER OF A 10 ACRE PORTION OF HLB PARCEL #3-035 FROM HERITAGE LAND BANK

Title: INVENTORY TO THE REAL ESTATE SERVICES DIVISION, AND ESTABLISHING A CONSERVATION EASEMENT THEREON, WITH MITIGATION CREDITS MANAGED BY HERITAGE LAND BANK

Author: vanhornlr

Initiating Dept: HLB

Description: Transfer of a portion of HLB parcel to RES for conservation easement

Keywords: HLB #3-035 conservation easement withdrawal and transfer

Date Prepared: 5/13/09 2:46 PM

Director Name: Wm M. Mehner

Assembly Meeting Date: 5/26/09

Public Hearing Date: 6/9/09

Workflow Name	Action Date	Action	User	Security Group	Content ID
Clerk_Admin_SubWorkflow	5/15/09 10:51 AM	Exit	Joy Maglaqui	Public	007723
MuniMgrCoord_SubWorkflow	5/15/09 10:51 AM	Approve	Joy Maglaqui	Public	007723
MuniManager_SubWorkflow	5/15/09 10:51 AM	Approve	Joy Maglaqui	Public	007723
Legal_SubWorkflow	5/15/09 10:49 AM	Approve	Rhonda Westover	Public	007723
Finance_SubWorkflow	5/14/09 3:39 PM	Approve	Sharon Weddleton	Public	007723
OMB_SubWorkflow	5/14/09 3:19 PM	Approve	Bruce Holmes	Public	007723
ECD_SubWorkflow	5/13/09 3:10 PM	Approve	Tawny Klebesadel	Public	007723
HLB_SubWorkflow	5/13/09 2:51 PM	Approve	William Mehner	Public	007723
AllOrdinanceWorkflow	5/13/09 2:49 PM	Checkin	Lynn Roderick Van Horn	Public	007723