

Submitted by: Chair of the Assembly at
the Request of the Mayor
Prepared by: Dept. of Law
For reading: January 19, 2010

CLERK'S OFFICE
APPROVED

Date: 2-2-10

ANCHORAGE, ALASKA
AO 2010-10

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AN ORDINANCE SUBMITTING TO THE QUALIFIED VOTERS OF THE MUNICIPALITY OF ANCHORAGE AT THE REGULAR MUNICIPAL ELECTION ON APRIL 6, 2010, A BALLOT PROPOSITION AUTHORIZING AN EQUAL VALUE LAND EXCHANGE OF 2.77 ACRES OF MUNICIPAL LAND, INCLUDING 1.90 ACRES M/L OF DEDICATED PARK LAND IN SISTERHOOD PARK (SOUTH END OF TRACT 4, CROSSROADS BUSINESS PARK SUBDIVISION) EXCHANGE FOR 2.73 ADJACENT ACRES M/L IN TRACT 5B-1, CROSSROADS BUSINESS PARK SUBDIVISION.

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WHEREAS, Anchorage Municipal Charter Section 10.02(8) states, "An ordinance conveying an interest in real property dedicated to public park or recreational purposes is valid only upon approval by a majority of those voting on the question at a regular ... election"....; and

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WHEREAS, Sisterhood Park, a dedicated municipal park, located in Tract 4, Crossroads Business Park Subdivision, is owned by the Municipality. This ballot proposition proposes to exchange a 1.90 acre portion of Sisterhood Park, located in the south end of Tract 4 and depicted as **Parcel A-1** on **Exhibit 1**, plus .87 acres M/L of non-dedicated municipal land on the east side of Tract 4, depicted as **Parcel A-2** on **Exhibit 1**, for a total of 2.77 acres M/L, collectively referred to hereinafter as **Parcel A**; and

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WHEREAS, Orbus, Inc., a subsidiary of American Fast Freight, (hereinafter AFF), owns 2.73 acres M/L of vacant land on a portion of Tract 5B-1, adjacent to the west of Sisterhood Park, depicted as **Parcel B** on **Exhibit 1**; and

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WHEREAS, with the consent of the neighborhood community council (Spenard) and the Anchorage School District, the Municipality plans to relocate the southern portion of Sisterhood Park onto **Parcel B** for development as a soccer field adjacent to Northwood Elementary School. This relocation protects the school from further development, accommodates joint use of the park, eliminates problematic on-street parking by creating an off-street parking area, and contributes significantly to the continuity of current park and natural areas, the school program and the community; and

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WHEREAS, AFF plans to utilize **Parcel A**, adjacent to its existing operations, for planned development consistent with the overall community plan, to provide additional off-street parking, an ongoing neighborhood concern, and develop for continued industrial land use; and

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2 **WHEREAS**, acreage proposed for the exchange is substantially the same, and
3 the parcels are adjacent to each other. In addition, based on older appraisals
4 and square footage values provided by Dowl, the Municipality and AFF believe
5 the values of Parcels A and B, when right-of-way vacation and replat (required
6 for the road project) are covered by the Municipality, to be substantially equal.
7 As a result, both parties agree no compensation will be exchanged as a result
8 of this transaction, and each party will bear their own costs and fees; and
9

10 **WHEREAS**, there is no cost to the taxpayers as a result of this equal value land
11 exchange, and the Spenard Community Council and Anchorage School District
12 approved this exchange; now, therefore,
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14 **THE ANCHORAGE ASSEMBLY HEREBY ORDAINS:**
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16 **Section 1.** Subject to the approval of the voters as described in Section 2,
17 the disposal of 2.77 acres of municipal land (Parcels A-1 and A-2) for 2.73
18 acres of private land (Parcel B), by equal value land exchange, with no cost to
19 taxpayers and no compensation to be paid by either the MOA or AFF, is hereby
20 approved.
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22 **Section 2.** Pursuant to the Anchorage Municipal Charter Section 10.02(8), a
23 ballot proposition in substantially the following form and substance shall be
24 submitted to the qualified voters of the Municipality of Anchorage at the next
25 regular Municipal election to be held on April 6, 2010:
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27 **PROPOSITION NO. ____**
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29 **SHALL THE MUNICIPALITY EXCHANGE 2.77 ACRES**
30 **OF MUNICIPAL LAND FOR 2.73 ACRES OF PRIVATE**
31 **LAND TO EXPAND SISTERHOOD PARK, PROVIDE**
32 **OFF-STREET PARKING AND REDUCE SAFETY AND**
33 **TRAFFIC ISSUES ON 48TH & VAN BUREN STREETS?**
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35 **THIS PROPOSITION APPROVES AN EQUAL VALUE**
36 **EXCHANGE OF 2.77 ACRES M/L OF MUNICIPAL**
37 **LAND FOR 2.73 ACRES M/L OF PRIVATE LAND. THE**
38 **MUNICIPAL LAND TO BE EXCHANGED INCLUDES**
39 **1.90 ACRES M/L OF DEDICATED MUNICIPAL PARK**
40 **LAND IN SISTERHOOD PARK AND .87 ACRES OF**
41 **NON-DEDICATED MUNICIPAL LAND, LOCATED IN**
42 **OR ADJACENT TO TRACT 4, CROSSROADS**
43 **BUSINESS PARK SUBDIVISION. THE MUNICIPALITY**
44 **RECEIVES 2.73 ACRES M/L OF ADJACENT PRIVATE**
45 **LAND, LEGALLY DESCRIBED AS A PORTION OF**
46 **TRACT 5B-1.**

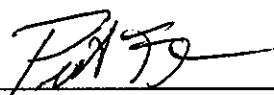
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IF THE EXCHANGE IS APPROVED, THE 2.73 ACRES OF PRIVATE LAND SHALL BE DEDICATED AS MUNICIPAL PARK LAND, ADDED TO SISTERHOOD PARK, PROVIDE OFF-STREET PARKING, AND REDUCE SAFETY AND TRAFFIC ISSUES ON 48TH AND VAN BUREN STREETS.

THERE IS NO COST TO THE TAXPAYERS OF THE MUNICIPALITY AS A RESULT OF THIS EXCHANGE.

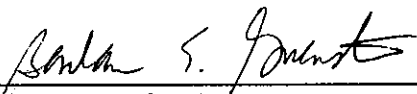
Section 3. Section 1 of this ordinance shall become effective immediately. Section 2 of this ordinance shall become effective if, and only if, this Proposition is passed by a majority of the qualified voters in the Municipality of Anchorage voting on April 6, 2010.

PASSED AND APPROVED by the Anchorage Assembly this 2nd day of February, 2010.



Chair

ATTEST:



Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2010-10

Title: **AN ORDINANCE SUBMITTING TO THE QUALIFIED VOTERS OF THE MUNICIPALITY OF ANCHORAGE AT THE REGULAR MUNICIPAL ELECTION ON APRIL 6, 2010, A BALLOT PROPOSITION AUTHORIZING AN EQUAL VALUE LAND EXCHANGE OF 2.77 ACRES OF MUNICIPAL LAND, INCLUDING 1.90 ACRES M/L OF DEDICATED PARK LAND IN SISTERHOOD PARK (SOUTH END OF TRACT 4, CROSSROADS BUSINESS PARK SUBDIVISION) EXCHANGE FOR 2.73 ADJACENT ACRES M/L IN TRACT 5B-1, CROSSROADS BUSINESS PARK SUBDIVISION.**

Sponsor: MAYOR
 Preparing Agency: Project Management and Engineering
 Others Impacted: Parks and Recreation, Planning, Community Planning & Development

CHANGES IN EXPENDITURES AND REVENUES:	(In Thousands of Dollars)				
	FY10	FY11	FY12	FY13	FY14
Operating Expenditures					
1000 Personal Services	\$ -	\$ -	\$ -	\$ -	\$ -
2000 Non-Labor	-	-	-	-	-
3900 Contributions	-	-	-	-	-
4000 Debt Service	-	-	-	-	-
TOTAL DIRECT COSTS:	\$ -	\$ -	\$ -	\$ -	\$ -
Add: 6000 Charges from Others	\$ -	\$ -	\$ -	\$ -	\$ -
Less: 7000 Charges to Others	-	-	-	-	-
FUNCTION COST:	\$ -	\$ -	\$ -	\$ -	\$ -
REVENUES:	\$ -	\$ -	\$ -	\$ -	\$ -
CAPITAL:	\$ -	\$ -	\$ -	\$ -	\$ -
POSITIONS: FT/PT and Temp	0	0	0	0	0

PUBLIC SECTOR ECONOMIC EFFECTS:

This land exchange has no public sector cost. It is a valuable component for redevelopment around the Spenard Community Center, Sisterhood Park, Brotherhood Ball Field, and Northwood Elementary. The goal in the redevelopment is to separate American Fast Freight commercial truck traffic from the recreation and education facilities and uses in the immediate area, and provide off-street parking for those uses.

PRIVATE SECTOR ECONOMIC EFFECTS:

The land exchange has no private sector economic effects. It is a valuable piece of redevelopment for the Municipality, the community, the Anchorage School District, and American Fast Freight (AFF). The separation of AFF commercial trucks from a well used recreational area, and the addition of off-street parking, provides safety and traffic benefits to all.

Prepared by: Russell Oswald

Telephone: 343-8196

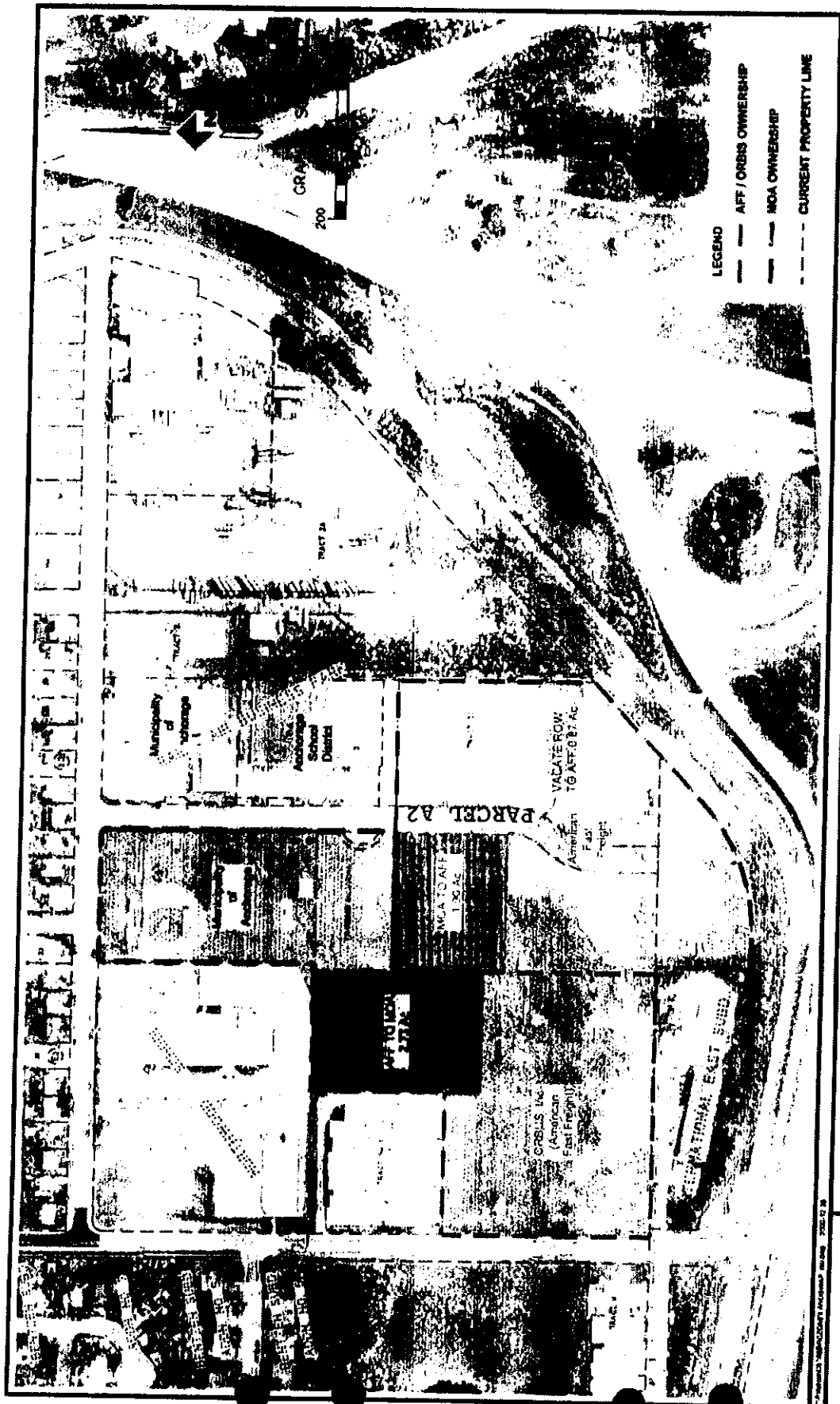


FIGURE 3

Van Ruvan Street / 48th Avenue
 Collision and Access Improvements
 LAND TRADE / PROPOSED OWNERSHIP
 ANC-10RAGE, ALASKA

DOWL HKM



MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 51-2010

Meeting Date: January 19, 2010

From: MAYOR

Subject: AN ORDINANCE SUBMITTING TO THE QUALIFIED VOTERS OF THE MUNICIPALITY OF ANCHORAGE AT THE REGULAR MUNICIPAL ELECTION ON APRIL 6, 2010, A BALLOT PROPOSITION AUTHORIZING AN EQUAL VALUE LAND EXCHANGE OF 2.77 ACRES OF MUNICIPAL LAND, INCLUDING 1.90 ACRES M/L OF DEDICATED PARK LAND IN SISTERHOOD PARK (SOUTH END OF TRACT 4, CROSSROADS BUSINESS PARK SUBDIVISION) EXCHANGE FOR 2.73 ADJACENT ACRES M/L IN TRACT 5B-1, CROSSROADS BUSINESS PARK SUBDIVISION.

1 The Municipality of Anchorage (MOA) and Orbus, Inc., a subsidiary of American
2 Fast Freight (hereinafter AFF), propose a equal value land exchange as part of
3 a road improvement project in the Spenard Area. The road project is known as
4 the Van Buren Street/48th Avenue Circulation and Access Improvements. A
5 preliminary plat (S-11759) was approved on August 5, 2009 to effectuate these
6 land trades and road vacations, and the rezone to create consistent zoning for
7 the properties, by eliminating split zones on individual properties. The rezone
8 was forwarded by the Planning and Zoning Commission with a recommendation
9 for approval to the Assembly; the rezone was approved by the Assembly on
10 January 12, 2010 (AO 2009-139 as amended). The rezone is contingent on
11 the approval of this ballot proposition.

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13 Two parcels are involved: The MOA owns Crossroads Business Park, Tract 4
14 and AFF owns Crossroads Business Park, Tract 5B-1.

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16 1. The MOA trades 2.77 acres total, consisting of 1.90 acres M/L of
17 dedicated park land in Tract 4 (Exhibit 1, Parcel A-1) and .87 acres of
18 vacated ROW (Exhibit 1, Parcel A-2) to AFF.
19 2. In exchange, AFF trades 2.73 acres of land in Tract 5B-1 (Exhibit 1,
20 Parcel B) to the MOA.

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22 If the exchange is approved by the voters in April 2010, the MOA will dedicate
23 the land received from AFF (Parcel B) as park, and the road project will fund the

1 relocation of Sisterhood Park soccer fields and build off-street parking for public
2 and park users. This relocation protects Northwood Elementary School from
3 further development, accommodates joint use of the park, eliminates
4 problematic on-street parking by creating an off-street parking area, and
5 contributes significantly to the continuity of park and natural areas, the school
6 program and the community.

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8 AFF plans to incorporate the MOA land (Parcels A-1 and A-2) with AFF
9 property to the south, rezone to I-1 to match existing use and utilize for planned
10 development consistent with the overall community plan, provide additional off-
11 street parking, an ongoing neighborhood concern, and develop for continued
12 industrial land use.

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14 Based upon older appraisals and square footage values provided by Dowl, the
15 composition of the subsoil, the proximity of the parcels to each other, total
16 acreage, and the MOA's cost to replat and vacate the ROW (a necessary
17 expense of the road project), the MOA and AFF agree the values of the parcels
18 are substantially the same. As a result, both parties further agree no
19 compensation shall be exchanged as a result of this transaction, and each party
20 shall bear their own costs and fees. There is no cost to the taxpayers as a
21 result of this land exchange between MOA and AFF.

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23 In addition, the Planning & Zoning Commission, the Spenard Community
24 Council, and the Anchorage School District all support the land exchange, and
25 recommend its approval and placement on the April 2010 ballot by the
26 Assembly.

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28 **THE ADMINISTRATION RECOMMENDS ADOPTION OF AN**
29 **ORDINANCE SUBMITTING TO THE QUALIFIED VOTERS OF THE**
30 **MUNICIPALITY OF ANCHORAGE AT THE REGULAR MUNICIPAL**
31 **ELECTION ON APRIL 6, 2010, A BALLOT PROPOSITION**
32 **AUTHORIZING AN EQUAL VALUE LAND EXCHANGE OF 2.77**
33 **ACRES OF MUNICIPAL LAND, INCLUDING 1.90 ACRES M/L OF**
34 **DEDICATED PARK LAND IN SISTERHOOD PARK (SOUTH END OF**
35 **TRACT 4, CROSSROADS BUSINESS PARK SUBDIVISION)**
36 **EXCHANGE FOR 2.73 ADJACENT ACRES M/L IN TRACT 5B-1,**
37 **CROSSROADS BUSINESS PARK SUBDIVISION.**

38
39 Prepared by: Project Management & Engineering
40 Approved by: Jerry Hansen, Acting Director
41 Project Management & Engineering
42 Concur: Greg Jones, Executive Director
43 Office of Economic and Community Development
44 Concur: Dennis A. Wheeler, Municipal Attorney
45 Concur: George J. Vakalis, Municipal Manager
46 Respectfully submitted, Daniel A. Sullivan, Mayor

Content ID: 008606

Type: Ordinance - AO

AN ORDINANCE SUBMITTING TO THE QUALIFIED VOTERS OF THE MUNICIPALITY OF ANCHORAGE AT THE REGULAR MUNICIPAL ELECTION ON APRIL 6, 2010, A BALLOT PROPOSITION AUTHORIZING AN EQUAL VALUE LAND EXCHANGE OF 2.77 ACRES OF MUNICIPAL LAND, INCLUDING 1.90 ACRES M/L OF DEDICATED PARK LAND IN SISTERHOOD PARK (SOUTH END OF TRACT 4, CROSSROADS BUSINESS PARK SUBDIVISION) EXCHANGE FOR 2.73 ADJACENT ACRES M/L IN TRACT 5B-1, CROSSROADS BUSINESS PARK SUBDIVISION.

Title:

Author: westoverf

Initiating Dept: Legal

Review Depts: MuniManager

Date Prepared: 1/14/10 6:47 PM

Director Name: Dennis A. Wheeler

Assembly Meeting Date: 1/19/10

Public Hearing Date: 2/2/10

Workflow Name	Action Date	Action	User	Security Group	Content ID
Clerk_Admin_SubWorkflow	1/15/10 3:30 PM	Exit	Joy Maglaqui	Public	008606
MuniManager_SubWorkflow	1/15/10 3:30 PM	Approve	Joy Maglaqui	Public	008606
Finance_SubWorkflow	1/15/10 3:17 PM	Approve	Lucinda Mahoney	Public	008606
OMB_SubWorkflow	1/15/10 11:17 AM	Approve	Cheryl Frasca	Public	008606
Legal_SubWorkflow	1/14/10 6:55 PM	Approve	Rhonda Westover	Public	008606
AllOrdinanceWorkflow	1/14/10 6:52 PM	Checkin	Rhonda Westover	Public	008606

Addendum -

CONSENT AGENDA - INTRODUCTION