

SITE SPECIFIC PLAN
FOR
MUNICIPALITY OF ANCHORAGE
PUBLIC AND CHARITABLE USE
PURCHASE APPLICATION
ADL 231726

Introduction: The Municipality of Anchorage submitted an application to purchase a portion of the Old Glenn Highway right-of-way fronting a surveyed lot it owns in Chugiak (Lot 1, Plat 63-115, Anchorage Recording District, EPF 30007). The municipality also owns the adjacent lot to the west (Lot 2, Plat 63-115). Lot 2 was occupied by a Chugiak Volunteer Fire and Rescue Company fire station, which has been removed; it is presently occupied by a warehouse and a number of vehicles in varying states of condition. The Municipality is constructing a new fire station on Lot 1 and requires the Old Glenn Highway right-of-way for the new facility. The parcel of right-of-way fronting Lot 1 is referred to as Parcel A, ADL 231726. The Alaska Department of Transportation and Public Facilities (DOT/PF) has agreed to vacate its easement interest in Parcel A pending approval of the sale by the state. Lots 1 and 2 were conveyed by the state to the Municipality in 1980 as part of the municipality's municipal entitlement.

In 1988 DOT/PF vacated to the Municipality its easement interest in a portion of the Old Glenn Highway right-of-way fronting Lot 2. However the underlying fee remained in state ownership. The Municipality amended its application to add the purchase of this parcel as well. This parcel is referred to as Parcel B, ADL 231726. See the attached map.

Parcel A is approximately 10,500 square feet in size (0.24 acre). Parcel B is approximately 15,000 square feet in size (0.34 acre). The total size of both parcels is 25,500 square feet (0.58 acre). The subject parcels are School Trust lands and must be sold at appraised fair market value.

There is no state area plan that encompasses these parcels. Parcels A and B are currently unclassified. Therefore, a Site Specific Plan must be prepared in order to authorize the classification of the subject parcels to Settlement. A separate action addressing the proposed disposal of the two subject parcels occurs simultaneously with this Site Specific Plan and the proposed Land Classification Order.

State land must be classified before it can be transferred out of state ownership. A Site Specific Plan is required to authorize the classification of Settlement for the subject parcels. The management intent of this Site Specific Plan is to specify that the disposal action is appropriate. The Municipality has identified a valid public need for these parcels; retention in state ownership does not serve a greater public need. A Land Classification Order is required and is attached to the Site Specific Plan and is an element of the Site Specific Plan.

Public comments may be submitted on each of these proposed actions-the Site Specific Plan and the Land Classification Order.

Background Information:

A. Location

The parcels are located in the community of Chugiak within the Municipality of Anchorage. The Native regional corporation is Cook Inlet Region, Inc. and the nearest village corporation is Eklutna, Incorporated. The USGS map is Anchorage B-7.

B. Legal description

The parcels are located in Section 36, Township 15 North, Range 2 West, Seward Meridian. They are situated within the right-of-way of the Old Glenn Highway and are adjacent to two surveyed lots (Lots 1 and 2, Plat 63-115, Anchorage Recording District, EPF 30007). The DOT/PF Deed of Vacation issued for Parcel B contains a metes and bounds description (Book 1742, Page 0506, Anchorage Recording District). The parcels will be surveyed prior to disposal.

C. Title and Land Status

Title reports RPT #4335 (Parcel A) and RPT #4584 (Parcel B) confirmed both parcels are state land; the state conveyance is SCH 33. The state owns the mineral estate. These parcels are school trust land. The federal patent was subject to vested and accrued water rights; the patent reserved rights-of-way for ditches, canals, railroads, telegraph and telephone lines. A portion of Section 36 is subject to a 150-foot easement on each side of the centerline for the Glenn Highway (now the Old Glenn Highway). Both of the subject parcels are within this easement.

D. Resource Values, Current and Potential Uses

Both parcels are rectangular in shape; neither is vegetated. Parcel B is flat and Parcel A slopes to the southeast and north, with a drainage ditch running lengthwise through the middle. There are no known resource values on these parcels. Both parcels are too small to warrant mineral exploration and have been part of the Old Glenn Highway for decades. Parcel B is partially occupied by a building and a number of motor vehicles in various states of disrepair. There are no feasible potential uses for either parcel except for the proposed use. Future highway related uses are not expected, as evidenced by DOT/PF vacation of its easement interest. Neither parcel has any value for wildlife or recreation.

E. Land Use and Local Land Use Requirements

The Municipality proposes to incorporate Parcel A into the adjacent lot to accommodate a new fire station. The size and topography of Lot 1 do not allow the fire station to be constructed entirely within the lot's boundaries according to the Municipality of Anchorage. The Chugiak-Eagle River Comprehensive Plan Update, adopted in December, 2006, designates Lots 1 and 2 and the surrounding area for Community Facilities. Plan goals and policies place a high priority on fire protection and emergency medical services in the Chugiak area. The old Chugiak fire station originally located on Lot 2 has been demolished. Until a new fire station/emergency medical services facility is operational on Lot 1, there is no nearby fire/emergency services facility. This Site Specific Plan is structured to accommodate this need and make the two state-owned parcels available to the Municipality.

Parcel A is needed for the new fire station. Parcel B is proposed for sale because DOT/PF vacated its easement interest in the Old Glenn Highway to the Municipality but the

underlying fee remained with DNR. There is no valid public purpose to be served by DNR retaining ownership of Parcel B under these circumstances.

Parcel A is zoned PL-1 Public Lands and Institutions and Parcel B is zoned I-1 Light Industrial. Both zoning categories allow public safety facilities, specifically including fire stations.

Issue Identification:

The Municipality has established a clear need for Parcel A. Parcel B has been used for over 20 years by the Municipality, most likely on the assumption that it had acquired title when DOT/PF vacated its easement interest in 1988. The previous easement vacation in Parcel B and the commitment by DOT/PF to vacate its easement interest in Parcel A indicate the state has no need to retain these parcels for highway purposes. There are no other compelling reasons for the state to retain ownership in Parcels A and B. Failure to convey Parcel A to the Municipality would only result in a future trespass situation.

Alternatives:

The only feasible alternative to selling these parcels is to retain them in state ownership. However, as noted previously, there is no valid reason for the state to do so. There are no reasonable alternative uses for these two parcels. Issuing a lease or permit to authorize use of these two small tracts does not serve the public interest. Both are temporary authorizations which would require continued state management and eventually either cancellation or renewal. Temporary authorizations are not a preferred alternative to disposal.

Agency and Public Review:

Division and agency review were conducted for the application, which included notification of the need for the Site Specific Plan. No adverse comments were received for either and no comments pertinent to the proposed Site Specific Plan were submitted.

The Site Specific Plan and LCO will accompany the Preliminary Decision and will undergo public review during the public notice period following issuance of the Preliminary Decision. The Site Specific Plan and related Land Classification Order must be approved in order for the proposed sale of Parcels A and B to occur.

Recommendations:

The Site Specific Plan recommends that the two subject parcels be classified Settlement. The management intent states that it is appropriate to convey both to the Municipality of Anchorage pursuant to AS 38.05.810 Public and charitable use. The accompanying Land Classification Order (SC-14-001) classifies the subject parcels as Settlement.

Bruce Phelps, Chief
Resource Assessment and Development Section

Date of signature

Attachments: Maps
Land Classification Order (LCO SC-14-001)