

Date Presented to Council:	1/13/14
By:	<i>[Signature]</i>

**CITY COUNCIL INFORMATIONAL MEMORANDUM**

**IM No. 14-03: Discussion on the Sale of the Meta Rose Square Property**

Originator: Kristie Smithers, City Clerk as requested by  
 Council Members Wall and Sullivan-Leonard *CSL*

Date: 12/19/2013

Agenda of: 1/13/2014

Route to:	Department Head	Signature	Date
X	Public Works Director	<i>[Signature]</i>	12/30/13
X	Finance Director	<i>[Signature]</i>	12-30-13
X	Deputy Administrator	<i>[Signature]</i>	12/30/13
X	City Clerk	<i>[Signature]</i>	12/19/13

Reviewed by Mayor Verne E. Rupright: *[Signature]*


- Attachments:** Memo from Council Members Wall and Sullivan-Leonard (1 page)  
 Email from K. Smithers regarding code (1 page)  
 Borough Assessment on Property (1 page)  
 AM No. 13-07 (13 pages)  
 IM No. 13-12 with Planning Commission Resolution Serial No. 13-04 (12 pages)

**Summary Statement:** Council Members Wall and Sullivan-Leonard have requested a Committee of the Whole discussion during the Regular City Council meeting of January 13, 2014.

By holding a discussion on this item, it will allow Council Members O'Barr and Wilson an opportunity to be informed about past actions of the Council and Planning Commission and discuss this topic with the Administration.



**TO:** Kristie Smithers, MMC, City Clerk

**FROM:** Council Member Brandon Wall   
Council Member Colleen Sullivan-Leonard *CSL*

**DATE:** December 19, 2013

**RE:** **January 13, 2014 Regular City Council Meeting**  
**Committee of Whole | Discussion on the Sale of Meta Rose Square Property**

For the upcoming January 13, 2014, Regular City Council meeting, please place under New Business, a Committee of the Whole to discuss the Sale of the Meta-Rose Property.

This will allow Council Members O'Barr and Wilson an opportunity to be informed about our past decisions and discuss this topic with the Administration. The hope would be to see if there is a general consensus on a path forward to sell it now, hold on to it for a few years, give ideas on stipulations from the Planning Commission, and other processes that will need to be considered.

Thank you.

## Kristie Smithers

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**To:** Kristie Smithers  
**Subject:** RE: Meta Rose

-----Original Message-----

From: Kristie Smithers  
Sent: Monday, December 16, 2013 5:03 PM  
To: Colleen Sullivan-Leonard; Brandon Wall  
Cc: Sarah Whiteley; Bonnie Baker  
Subject: Meta Rose

I have looked at Title 5.32 and there are many things to consider with a sale of land. Since this is the first sale of land I can remember with this situation (we had a similar purchase that was initially approved for a sale, and then later ended up being a lease, with the Alaska Live Steamers, see attached).

After looking at all of this, I think the first step would be is to get an appraisal, WMC 5.32.030 Appraisal Required. The current assessed value on this property is \$1,867,400.

The next thing would be is to figure out the Method of Disposal (WMC 5.32.040) by public auction, sealed bid, or negotiated sale.

After that, I think that is when the ordinance would be brought forward. WMC 5.32.060(B) states that the sale shall be approved by ordinance after consideration of the planning commission's recommendation. And the ordinance shall include the manner of disposition and any special terms and conditions of the sale.

However, in Planning Commission Resolution No. 13-04(AM), the planning commission recommends retaining ownership until the city identifies land uses consistent with the Downtown Area Plan; see page 2 of the planning resolution. So this step would need to be worked into the process too. Probably have the commission figure this step out prior to the adoption of the ordinance.

At this point, this is my best guess at the process. The purchasing division will need to be heavily involved with this as they will be responsible for the sale, special terms and method of disposition.

This all looks a bit overwhelming to me when looking at the code. There is a lot to consider and appear that many steps need to take place before an ordinance is brought forward.

As I mentioned to Council Member Sullivan-Leonard on the phone last week, it may be best to place this item on a future Council agenda as a committee of the whole discussion to get a firm direction on how the council and administration sees is the best way to handle the proposed sale. You could discuss the specifics on the appraisal, planning commission concerns, do you want to do an RFI, RFP, just place it up for sale, do we need a sales agent or firm to be involved, etc. and any other special terms needed by purchasing.

Council Member Wall and I talked today; he has been in discussion about this too and agrees with setting a committee of the whole maybe during the January 27 Council meeting. (I am hoping to cancel our January 6 special meeting on our budget planning and set as a committee of the whole discussion during the January 13 meeting; so I don't think there is time to do both in one night as our budget discussions usually last up to 2 hours.)

I hope this information is helpful. Please let me know if there is anything else I can assist with.

Thank you, Kristie



# MATANUSKA-SUSITNA BOROUGH

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Owner Search  Search

## Real Property Detail for Account: 2523B01L005A

**Site Information**

Account Number	2523B01L005A	Subdivision	NELSON FRED RSB B/1E		
Parcel ID	37091	City	Wasilla		
TRS	S17N01W10	Map		Tax Map	Interactive
Abbreviated Description (Not for Conveyance)	NELSON FRED RSB B/1E BLOCK 1 LOT 5A			WA11	WebMap

Site Address 290 N YENLO ST

**Ownership**

Owners	WASILLA CITY OF	Buyers	
Primary Owner's Address	290 E HERNING AVE WASILLA AK 99654	Primary Buyer's Address	

**Appraisal Information (Show Building Information)**

Year	Land Appraised	Bldg. Appraised	Total Appraised	Year	Land Assessed	Bldg. Assessed	Total Assessed*
2013	\$360,000.00	\$1,507,400.00	\$1,867,400.00	2013	\$360,000.00	\$1,507,400.00	\$1,867,400.00
2012	\$360,000.00	\$1,542,000.00	\$1,902,000.00	2012	\$360,000.00	\$1,542,000.00	\$1,902,000.00
2011	\$346,500.00	\$1,567,000.00	\$1,913,500.00	2011	\$346,500.00	\$1,567,000.00	\$1,913,500.00

**Tax/Billing Information**

Year	Certified	Zone	Mill	Tax Billed
2013	Yes	0035	11.842	\$22113.75
2012	Yes	0035	11.661	\$22179.22
2011	Yes	0035	11.971	\$22906.51

**Recorded Documents**

Date	Type
12/30/2009	WARRANTY DEED (ALL TYPES)

**Recording Info (offsite link to DNR)**

[Palmer 2009-028508-0](#)

**Tax Account Status †**

Status	Tax Balance	Farm	Disabled Veteran	Senior	Optional	Total
Current	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

**Land and Miscellaneous**

Gross Acreage	Taxable Acreage	Fire Service Area	Road Service Area
1.04	1.04	130 Wasilla Lakes FSA	No Borough Road Service see the <a href="#">City of Wasilla Website</a>

\* Total Assessed is net of exemptions and deferments.

\*\*Payments, interest, penalties, and other charges posted after Last Update Date are not reflected in balances.

† If account is in foreclosure, payment must be in certified funds.

Last Updated: 12/3/2013 2:41:22 PM

Date of Action: 3/11/13	
Approved <input checked="" type="checkbox"/>	Denied <input type="checkbox"/>
By: Amended See below <i>W. M. K.</i>	

**CITY COUNCIL ACTION MEMORANDUM**

**AM No. 13-07: Directing administration to proceed with the sale of the Meta Rose Square, Lot 5A, Block 1, Fred Nelson Subdivision, Block 1E Re-subdivision, Wasilla Townsite.**

Originator: Council Member Brandon Wall  
Date: 2/26/2013

Agenda of: 3/11/2013

Route to:	Department Head	Signature	Date
X	Public Works Director	<i>[Signature]</i>	3/11/13
X	Recreation & Cultural Services Director	<i>[Signature]</i>	3/27/2013
X	Finance Director	<i>[Signature]</i>	2-27-13
X	Deputy Administrator	<i>[Signature]</i>	2-27-13
X	City Clerk	<i>[Signature]</i>	2/27/13

Reviewed by Mayor Verne E. Rupright:

*Verne E. Rupright* 3-4-13  
AS TO FORM NOT CONTENT *[Signature]*

Fiscal Impact:  yes or  no

Funds Available:  yes or  no

Account name/number/amount:

Account Name Account # Dollar Amount

Attachments: Ordinance Serial No. 07-76(AM) (2 pages)  
WMC 5.32 Sale or Lease of Public Lands (8 pages)

**Summary Statement:** This item was previously submitted as AM No. 13-06 during the City Council meeting of February 25, 2013. The AM failed with all other items on the Consent Agenda. This item is now being resubmitted as AM No. 13-07, to the meeting of March 11, 2013, and City Council action is requested. AM No. 13-07 differs from AM No. 13-06 by striking the sale of the parking lot, which is currently leased by Krazy Moose Subs.

The Wasilla City Council adopted Ordinance Serial No. 09-76(AM) which purchased the Meta Rose Square building for the purpose of using it as a City library.

Since its purchase, this property is not being used as a library and is not needed for, or devoted to, a municipal purpose. Ownership of this property places the City of Wasilla in direct competition with private sector retail property management entities. Therefore, this land should be sold in accordance with Chapter 5.32 of the Wasilla Municipal Code.

**Council Member Recommendation:** Adopt AM No. 13-07 to direct administration to proceed with the sale of the Meta Rose Square, Lot 5A, Block 1, Fred Nelson Subdivision, Block 1E re-subdivision, Wasilla Townsite. *And authorize the Mayor to obtain a Broker's Opinion.*



**CITY OF WASILLA  
ORDINANCE SERIAL NO. 09-76(AM)**

**AN ORDINANCE OF THE WASILLA CITY COUNCIL AMENDING THE FISCAL YEAR 2010 BUDGET BY APPROPRIATING \$1,632,800 TO THE CAPITAL PROJECTS FUND LAND ACQUISITION ACCOUNT FROM THE GENERAL FUND, CAPITAL RESERVE FUND AND LAND BANK FUND TO PURCHASE LOT 5A, BLOCK 1, FRED NELSON SUBDIVISION BLOCK 1E RESUBDIVISION (META ROSE SQUARE) AND LOT 1, BLOCK 8, WASILLA TOWNSITE (USS1175).**

**Section 1. Classification.** This is a non-code ordinance.

**Section 2. Purpose.** To appropriate \$1,632,800 to the Capital Project Fund, Land Acquisition Account from the General Fund \$174,689, Capital Reserve Fund \$1,408,111 and the Land Bank Fund \$50,000 to purchase Lot 5A, Block 1, Fred Nelson Subdivision Block 1E Re-subdivision (Meta Rose Square) And Lot 1, Block 8, Wasilla Townsite (USS1175).

**Section 3. Appropriation.** Funds are appropriated to the following accounts:

110-4181-499.45-12 Constr. Services - Land Acquisition \$1,458,111

**Section 4. Sources of funds.**

001-4990-499-99-11 General Fund \$ 174,689

250-4990-499.99-11 Capital Reserve Fund \$1,408,111

280-4990-499.99-11 Land Bank Fund \$ 50,000

**Section 5. Stipulation of funds.** Any future library will contain the name Meta-Rose in some manner. Additionally, the proceeds or any net gain from the future sale of said property, over and above cost, will be set aside in an account for the use of a future library.

**Section 6. Effective date.** This ordinance shall take effect upon adoption by the Wasilla City Council.

ADOPTED by the Wasilla City Council on December 28, 2009.



VERNE E. RUPPRIGHT, Mayor

ATTEST:



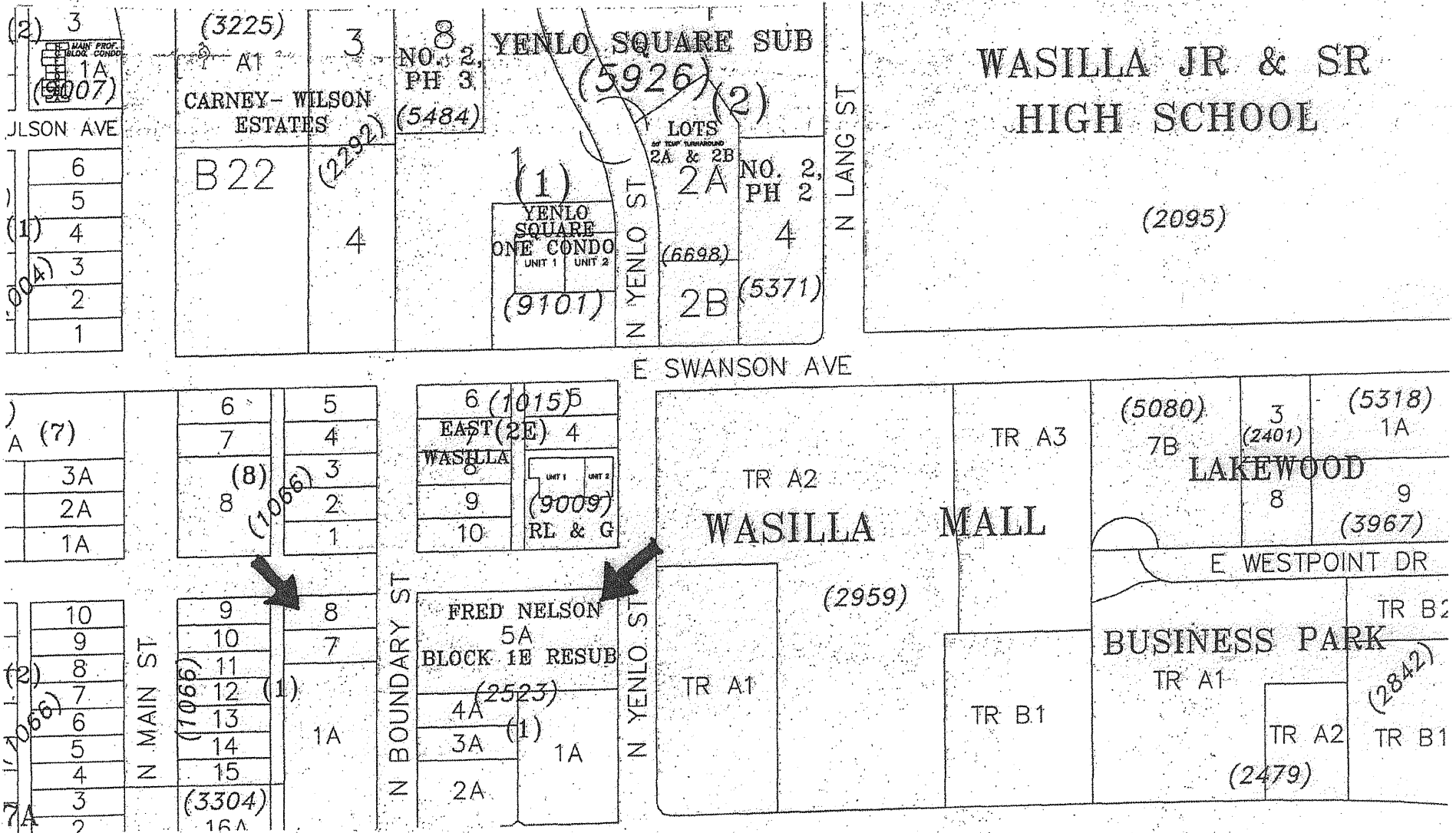
KRISTIE SMITHERS, MMC, City Clerk

[SEAL]

VOTE: Harris, Holler, Katkus, Larson, and Woodruff in favor. Hall absent.



# PROPERTY LOCATION MAP



## Chapter 5.32 SALE OR LEASE OF PUBLIC LANDS

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Sections:

- 5.32.010 Lands available.
- 5.32.020 Qualifications of applicants or bidders.
- 5.32.030 Appraisal required.
- 5.32.040 Methods of disposal.
- 5.32.050 Public notice.
- 5.32.060 Council approval.
- 5.32.070 Conditions of sale.
- 5.32.080 General sale procedures.
- 5.32.090 Lease procedures.
- 5.32.100 Negotiated sales and exchanges.
- 5.32.110 Negotiated leases.
- 5.32.115 Leases of space in city buildings.
- 5.32.120 Lease of airport property.

### **5.32.010 Lands available.**

All lands which the city holds title, and which in the opinion of the council are not needed for, or devoted to, a municipal purpose, may be leased or sold, as hereinafter provided for, and in such case where such sale or lease would be in the best interest of the public. (Prior code § 7.16.010)

### **5.32.020 Qualifications of applicants or bidders.**

- A. An applicant or bidder for a lease or purchase must be:
  - 1. A citizen of the United States and nineteen (19) years of age or over;

2. A permanent resident who has filed a declaration of intention to become a citizen and be nineteen (19) years of age or over; or

3. A group, association or incorporation which is authorized to conduct business under the laws of Alaska.

B. A person acting as an agent for a qualified bidder must independently meet the requirements of this section and must file with the mayor, prior to the time set for the auction, a proper power of attorney or a letter of authorization creating such agency. The agent shall represent only one principal, who must meet the qualifications of this section.

C. A person is not a qualified applicant or bidder if:

1. He or she has failed to pay a deposit or payment due to the city in relation to city land in the previous five years and full payment, including interest at the legal rate, is not made;

2. He or she is currently in breach or default on any contract or lease involving land in which the city has an interest;

3. He or she has failed to perform under a contract or lease involving city land in the previous five years and the city has acted to terminate the contract or lease or to initiate legal action; or

4. The city has other good cause to believe that the person is unlikely to make payment or responsibly perform under the lease or other contract. (Prior code § 7.16.020)

#### **5.32.030 Appraisal required.**

No lands or any interest in land shall be sold or exchanged unless the same has been appraised by a qualified appraiser within six months prior to the date fixed for the sale or exchange. The mayor shall be responsible to have such appraisal made and it shall reflect any restrictions on the use of the land as offered for sale. Alternatively, the latest available Matanuska-Susitna Borough assessed value may be used. No land shall be sold or exchanged for less than the approved minimum appraised or assessed value. (Prior code § 7.16.030)

#### **5.32.040 Methods of disposal.**

Land, or any interest in land may be disposed of under one of the following procedures as approved by the city council.

A. By public auction or sealed bid to the highest qualified bidder; and

B. By negotiated sale, lease or exchange as provided in Sections 5.32.100 and 5.32.110. (Prior code § 7.16.040)

#### **5.32.050 Public notice.**

A. The public notice procedure set forth by subsections B and C of this section are not intended to

apply to "temporary use permits," as defined and set forth in Section 5.32.060.

B. **Sale or Lease of Land.** Except as otherwise provided, public notice shall be given of any sale or lease of public lands or any interest therein. Notice shall be published once a week for three consecutive weeks preceding the time of sale or lease stated in the notice in at least one newspaper of general circulation in the vicinity in which the land or interest therein is to be sold or leased. In no event shall the sale or lease be held less than nine days nor more than three weeks following the last date of publication. In addition to the newspaper publications a notice of sale or lease shall also be posted in three public places. Such notice shall set forth a description of the land and the interest therein to be sold or leased and the time, place and general terms of the sale or lease and limitations.

C. **Negotiated Sales, Lease and Exchanges.** If disposal of land or interest in land is authorized by negotiated sale or lease, or by exchange of lands, public notice or the ordinance approving the disposal shall be given in the same manner as for other ordinances and a public hearing shall be held. (Prior code § 7.16.050)

### **5.32.060 Council approval.**

A. "Temporary use permits," as defined by this subsection, are not subject to the formal lease requirements specified by the terms of Section 5.32.050 nor are temporary use permits subject to the requirements of council approval as stated in Section 5.32.090(B), (C) and (D). Similarly, the lease procedures provided for by Sections 5.32.090 and 5.32.110 are not intended to apply to temporary use permits. The mayor is granted the authority to exercise his or her discretion to permit the use of city-owned land and/or improvements thereon for temporary use if the mayor, in his or her discretion, finds the following conditions to have been met:

1. The land and/or improvements are not needed or necessary, during the anticipated term of use, for the normal and ordinary activities of the city;
2. The temporary use is not anticipated to exceed six months;
3. The purpose of the temporary use permit is for an activity or purpose of nonprofit character;
4. The temporary use will be compatible with the conduct of regular and ordinary city business and the use of other city offices and property;
5. The activities contemplated by the temporary use occupant will be nondiscriminatory and based upon principles of equal opportunity;
6. The temporary use occupant will provide general liability insurance and agree to hold the city harmless in the event of claims for injury or damage; and
7. The temporary use occupant shall agree to pay a permit fee, in an amount to be established in the discretion of the mayor, intended to assist the city in the costs related to provision of utilities, maintenance, repairs and management and other such similar costs incurred by the city in maintaining such land and/or improvements thereon.

B. Any sale, lease or exchange of city land shall be approved by the council by ordinance after consideration of the recommendations of the planning commission. The ordinance shall identify the

parcels for sale, lease or exchange, the manner of disposition and any special terms and conditions thereof. Any other disposition of an interest in city land shall be approved by the city by resolution.

C. No public auction, deed or contract purporting to dispose of or convey any interest in city land is valid or binding unless the disposal has been approved by the council or as otherwise provided within this title. (Prior code § 7.16.060)

#### **5.32.070 Conditions of sale.**

Any sale or other disposition of city lands or any interest in lands shall be subject to terms and conditions as set forth in this chapter and in the city ordinance or resolution approving the disposition. The mayor may impose additional conditions, limitations and terms for the protection of the interest of the city and the public. (Prior code § 7.16.070)

#### **5.32.080 General sale procedures.**

A. All applications for purchase or lease of city lands shall be filed with the city on appropriate forms. Each application for lease or sale shall be accompanied by a ten dollar (\$10.00) filing fee. Filing fees are not refundable. The filing of an application for purchase shall not in any way vest any right in the applicant to the land or to the use of the land applied for.

B. Public auctions shall be held by the mayor or his or her representative. At the completion of the auction of each tract of land, the mayor or his or her representative shall indicate the apparent high bidder.

C. The apparent high bidder shall concurrently deposit with the city not less than ten (10) percent of the high bid, or in case of a lease offering, an amount equal to the annual rent. Lands to be purchased for a principal sum of five hundred dollars (\$500.00) or less will not be sold on contract but will be paid for in full.

D. Upon deposit of the required sum by the apparent high bidder, the mayor or his or her representative shall immediately issue a receipt containing a description of the land or interest therein sold, the price bid and the terms of the sale, which receipt shall be acknowledged in writing by the bidder. Upon completion of the final payment on the contract of purchase, the city will issue to the vendee a quitclaim deed. A contract of sale or lease in a form approved by the city shall be signed by the purchaser or lessee.

E. The council shall ratify the sale or lease, or it may reject any and all bids in the best interest of the city. Upon ratification, the contract of sale or lease shall be signed by the mayor and clerk on behalf of the city. (Prior code § 7.16.080)

#### **5.32.090 Lease procedures.**

A. General Regulations. In addition to the regulations governing leasing as set forth within sale procedures above, the additional regulations and procedures set forth below shall apply specifically to leases.

B. Expiration. Unless the lease is renewed or sooner terminated as provided herein, the lessee shall peaceably and quietly leave, surrender, and yield up unto the lessor all of the leased land on the last day of the term of the lease.

C. Renewal. If, at the expiration of any lease of any lands hereunder, the lessee desires a renewal lease on the land, properties, or interests covered thereby, he or she shall, not sooner than one hundred eighty (180) days prior to the expiration, make application for a renewal lease in writing on forms provided entitled "Application for Renewal of Lease," certifying under oath as to the character and value of all improvements existing on the lands, properties or interests therein, the purpose for which he or she desires to renew the lease, and such other information as the mayor may require. The applicant shall deposit with the mayor an amount equal to the annual rent. The mayor shall upon recommendation of the planning commission and direction of the council issue a renewal of the lease to the lessee. The date that the application for renewal of lease is presented to the office of the mayor, as evidenced by the date stamped thereon, whether delivered or forwarded by regular, certified or registered mail, shall be binding.

D. Subdivision Regulations. Leases for terms longer than ten (10) years shall comply with the Matanuska-Susitna Borough subdivision regulations. (Prior code § 7.16.090)

#### **5.32.100 Negotiated sales and exchanges.**

A. The mayor may, with the approval of the city council by ordinance, negotiate a sale or exchange of city land without public auction or sealed bid if the following conditions exist:

1. The application to purchase or exchange city land is: (a) by an owner of property contiguous on a side with the city land applied for and the purchase is necessary for the proper utilization of the owner's contiguous property; (b) by the United States, the state or a political subdivision; (c) by a public utility for facilities serving the general public; (d) for a beneficial new industry; or (e) for a particular, stated purpose in the best interests of the city, and the council approves the sale with appropriate findings and conditions;

2. The land so sold or exchanged shall not be used by the vendee, his or her heirs or assigns for any purpose other than that for which it has been classified by the city council at time of sale or unless otherwise zoned subsequent to sale;

3. No such sale or exchange shall be made if the result of such sale or exchange were to hinder or prevent the utilization of a larger parcel of city land to its best advantage;

4. Such sale or exchange is to the best interest of the city.

B. Negotiated sales shall be subject to all other requirements and conditions applicable to sales under this chapter. (Prior code § 7.16.100)

#### **5.32.110 Negotiated leases.**

A. The mayor may, with the approval of the council by ordinance, negotiate a lease of city land without public auction or sealed bid and without voter ratification under the following conditions:

1. The lease is for a beneficial new industry;
2. The lease is for a public purpose, to a governmental agency or nonprofit organization authorized to carry out the public purpose; or
3. The lease is to a public utility for a site for public utility facilities.

B. Leases authorized under this section shall be subject to all other requirements and conditions applicable to leases under this chapter, except that no appraisal of the leased property is required for a lease to a public utility under subsection (A)(3) of this section.

C. An application to lease city lands for a beneficial new industry under subsection (A)(1) of this section, or for a public purpose under subsection (A)(2) of this section shall be made in the same manner as other applications to lease city land and shall include a plan for development and use of the property requested. To approve an application under subsection (A)(1) of this section, the council must find that the proposed use of city land is for a beneficial new industry. To approve an application under subsection (A)(2) of this section, the council must determine that the proposed use of city land is for a worthwhile public service, that there will be no discrimination in providing the service, and that the use will be nonprofit. The city may, from time to time, make such other requirements as it deems proper before the issuance of such leases. The lessee's failure to develop and use the land in accordance with the approved plan may result in revocation of the lease. (Ord. 08-16(SUB) § 2, 2008; Ord. 02-20 § 2, 2002; prior code § 7.16.110)

#### **5.32.115 Leases of space in city buildings.**

This section applies to the leasing of space in city-owned buildings, to the exclusion of the provisions of all other sections of this chapter. The mayor may, with the approval of the council by resolution, award a lease of space in a building owned by the city either by negotiation or to the person that submits the best proposal in response to a request for proposals. The lease shall be for one or more of the following uses:

- A. A government agency or nonprofit organization providing a public service.
- B. The provision of goods or services, on either a for-profit or nonprofit basis, that support or supplement the public uses or functions that are located in the building.
- C. Provide revenue to the city from the productive use of building space that will not be required for any public purpose during the term of the lease. (Ord. 08-20 § 2, 2008)

#### **5.32.120 Lease of airport property.**

A. General. This section applies to the lease of airport property, to the exclusion of the provisions of all other sections of this chapter. Airport property may be leased through an application or sealed bid process.

B. Application Process. An applicant desiring to lease airport property shall submit an application to the city. The application shall contain:

1. Name, address and phone number of applicant;
2. Identification of area requested;
3. A description of the activity to be conducted;
4. A scale drawing depicting the proposed development, including but not limited to location, size and height of buildings, identification of materials to be installed on the property, and proposed location of all utility connections. This drawing must show the relationship between the development, the property lines, and any relevant development on adjacent or other properties;
5. If the proposed use is commercial, a written business plan for the activity to be conducted;  
and
6. Any and all additional information which may be requested by the city.

C. Action On Application. The city shall process applications depending upon use as follows:

1. For private use, such as a hanger or tie-down, where the building is less than ten thousand (10,000) square feet, and the term of the lease is ten (10) years or less, the application and lease may be approved by the mayor after administrative review and evaluation.

2. For a small commercial use, where the building is less than ten thousand (10,000) square feet and the term of the lease is ten (10) years or less, the application and lease may be approved by the mayor after administrative review and evaluation.

3. For any other use, the application will be reviewed by administration, submitted to the planning commission for review and recommendation, and then submitted to the city council for final action. Private or small commercial use may also be submitted to the planning commission and the city council if, in the opinion of the mayor, such submittal is appropriate under the circumstances.

4. For all uses, the city may accept, reject or place conditions on the acceptance of any application to lease airport property. The city may also require the prepayment by applicant of certain necessary costs such as administrative costs, surveying, subdividing, utility installation, soils testing, etc.

D. Sealed Bid Process. The city council may make specific areas of the airport available for lease for general or specific development through a sealed bid procedure under conditions to be specified by the city council. In this process, the city reserves the right to take into consideration factors other than lease rate, and may award the property to any bidder whose proposal is deemed to be in the best interests of the city, regardless of lease rate proposed. In addition, the city reserves the right to reject any and all bids or proposals.

E. Lease Form. A lease for airport property shall include certain provisions, as follows:

1. A requirement that the use of the property be in accord with the airport development plan, and that the use of the property shall not violate any condition or requirement placed on the property or the airport itself by the city, the state of Alaska, or the Federal Aviation Administration;

2. Lease rate, term, rental adjustment and other provisions that are in accord with the requirements and policy of the Federal Aviation Administration;



3. A provision prohibiting assignment or sublease without the approval of the city; and
4. A provision authorizing the granting of a security interest by the lessee in the leasehold interest for the purpose of securing financing for the construction of improvements on the property.

F. No Warranties. By classifying or leasing airport property, the city expressly does not warrant that the land is suited for the use proposed or authorized under the classification or lease, and no express or implied warranty or guaranty is given as to the present or any future condition of the property or that it shall be profitable to employ the land for the proposed or authorized use. (Prior code § 7.16.125)

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1.800.445.5588.

Presented 9/9/2013

Kornit

CITY COUNCIL INFORMATIONAL MEMORANDUM

IM No. 13-12: Recommendation from the Planning Commission regarding the proposed sale of the Meta Rose Square property.

Originator: Tina Crawford, AICP, City Planner K
Date: 8/26/2013

Agenda of: 9/9/2013

Table with 4 columns: Route to, Department Head, Signature, Date. Rows include Chief of Police, Public Works Director, Recreation & Cultural Services Director, Finance Director, Deputy Administrator, and City Clerk.

Reviewed by Mayor Verne E. Rupright: [Signature]

Fiscal Impact: [ ] yes or [X] no

- Attachments: Planning Commission Resolution Serial No. 13-04 (2 pages)
Planning Commission Minutes – August 13, 2013 (5 pages)
Planning Commission Packet – August 13, 2013 (83 pages)

Summary Statement: At the March 11, 2013 City Council Meeting, the Council approved Action Memorandum No. 13-07, which directs Administration to proceed with the sale of the Meta Rose Square property referenced above.

The requirements for the sale of any city-owned land are contained in WMC 5.32, Sale or Lease of Public Lands (copy included in the packet). The Code allows the sale of property when the lands are "...not needed for, or devoted to, a municipal purpose...and in such case where such sale or lease would be in the best interest of the public" (WMC 5.32.010) and when "...Such sale or exchange is to the best interest of the city" (WMC 5.32.100.A.4).

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As required by the City Code, the Planning Commission considered the recommendation to sell the Meta Rose Square property at their August 13, 2013 meeting. In determining whether the sale of the property is in the best interest of the public and that the property is not needed for a municipal purpose, they considered the 2011 City of Wasilla Comprehensive Plan and the Downtown Area Plan. Both of these documents clearly outline the resident's desire for a revitalized downtown that is walkable and contains a mix of land uses. The draft Downtown Area Plan specifically described the need for a City land bank so the City can purchase properties to incentivize development in the downtown area. Incentives can include re-platting several small lots into larger lots, improving infrastructure on or around the site, financing the sale of the property, etc.

They also considered information regarding land bank-type programs that have been successfully used by other cities and communities to purchase land and buildings within areas that are targeted for redevelopment (e.g. downtown, neighborhoods, blighted areas) and then offer them for sale to potential developers. Those city-owned property sales were handled as part of a Request for Proposal (RFP) or similar process, which required the developer to provide information on the proposed project, including architectural drawings and the proposed use of the property, and that the proposed structure and/or uses was consistent with adopted area plans. Copies of news stories, RFPs, and information describing the development/re-development requirements that must be met in order to purchase the properties were included in their packet and are also attached to this packet.

After discussing the issue and reviewing the information in the packet, the Planning Commission agreed that the Meta Rose Square property is in an ideal location to serve as a catalyst for future development and improvements in the downtown area. Their unanimous recommendation is that the City Council have prepared a detailed future development plan for the downtown area and an updated market analysis to determine the best mix of uses needed to create a vibrant downtown prior to the sale of the property. After this research is completed, the property could be sold via a RFP-type process to ensure that the future uses and/or redevelopment of the property will help stimulate growth and redevelopment in the downtown area. At a minimum, the conditions of the sale should address whether the structure can be torn down and rebuilt, whether it should be a single or mixed-use building, etc.

**WASILLA PLANNING COMMISSION  
RESOLUTION SERIAL NO. 13-04(AM)**

**A RESOLUTION OF THE WASILLA PLANNING COMMISSION RECOMMENDING THAT THE WASILLA CITY COUNCIL RETAIN OWNERSHIP OF THE META ROSE SQUARE PROPERTY LOCATED ON LOT 5A, BLOCK 1, FRED NELSON SUBDIVISION. GENERALLY LOCATED AT THE NORTHWEST CORNER OF HERNING AVENUE AND YENLO STREET.**

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WHEREAS, the Wasilla City Council adopted the updated Comprehensive Plan in 2011, which contains goals and objectives that will promote and encourage development and redevelopment in the downtown area and encourage a mix of land uses necessary to create a more vibrant downtown; and

WHEREAS, the City hired a consultant to prepare a Downtown Area Plan that is currently scheduled for approval by the Planning Commission on July 9, 2013; and

WHEREAS, the draft Downtown Area Plan recommends that the City create a land bank to purchase parcels as they become available to hold for potential re-platting of small lots and provide lots for sale to developers that will create projects that will encourage development and that will include a mix of uses needed to create an attractive and diverse downtown that will attract residents and visitors; and

WHEREAS, other cities and communities have successfully created programs to purchase lands within areas targeted for redevelopment and then offer them for sale via a request for proposal-type process to generate development is consistent with the adopted plans; and

WHEREAS, on July 9, 2013, the Wasilla Planning Commission held a public hearing on the proposed sale; and

WHEREAS, the Wasilla Planning Commission deliberated on the proposed sale of the Meta Rose Square property; and

WHEREAS, the Wasilla Planning Commission finds that the proposed sale is in the best interests of the City but recommends that the City first obtain an opinion from a consultant determining the best future use of that area of the downtown as it relates to the City's Downtown Area Plan and Comprehensive Plan and then sell the property via an RFP process.

NOW, THEREFORE BE IT RESOLVED, that the Wasilla Planning Commission hereby recommends that the City of Wasilla retain ownership of the Meta Rose Square property and continue to lease the building until such time as the City identifies targeted land uses that are consistent with the Downtown Area Plan and will create a vibrant, revitalized downtown.

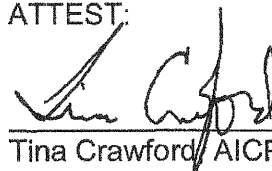
ADOPTED by the Wasilla Planning Commission on August 13, 2013.

APPROVED:

  
Daniel Kelly, Jr., Chairman

8/27/2013

ATTEST:

  
Tina Crawford, AICP, City Planner

VOTE: Passed Unanimously

**REGULAR MEETING**

**I. CALL TO ORDER**

The regular meeting of the Wasilla Planning Commission was called to order at 7:00 PM, August 13, 2013, in Council Chambers of City Hall, Wasilla, Alaska by Daniel Kelly, Jr., Chairman.

**II. ROLL CALL**

Commissioners present and establishing a quorum were:

- Mr. Patrick Brown, Seat A (via telephone)
- Mr. Daniel Kelly, Jr., Seat B
- Ms. Jessica Dean, Seat C
- Vacant, Seat D
- Ms. Glenda Ledford, Seat E
- Mr. William Green, Seat F
- Mr. Jesse Sumner, Seat G

Staff in attendance were:

- Mr. Archie Giddings, Public Works Director
- Ms. Tina Crawford, City Planner
- Mr. Richard Payne, City Attorney
- Ms. Tahirih Revet, Planning Clerk

**III. PLEDGE OF ALLEGIANCE**

- A. Commissioner Ledford led the Pledge of Allegiance.

**IV. APPROVAL OF AGENDA**

GENERAL CONSENT: The agenda was amended to move Item A. under REPORTS - the Parks Highway Alternative Corridor Project Update – AKDOT & HDR, after Item 1. under UNFINISHED BUSINESS - the public hearing for MEA.

**V. REPORTS**

- A. Parks Highway Alternative Corridor Project Update – AKDOT & HDR

B. City Deputy Administrator  
No Report Given

C. City Public Works Director  
Mr. Giddings provided a brief summary on the last City Council meeting and public works activities.

D. City Attorney  
No Report Given.

E. City Planner  
No Report Given.

**VI. PUBLIC PARTICIPATION** *(three minutes per person, for items not scheduled for public hearing)*

Chair Kelly opened the public participation portion of the meeting for anyone wishing to provide comments on any other subject besides the proposed sale of Meta Rose Square. However, he stated that since the public hearing for the MEA item was closed, this will be the only opportunity for someone to speak regarding that item.

Mr. Jeff Arntz stated his concerns regarding the relocation of the City limit sign. He also asked whether the City had any plans to annex any of the property on the south side of Knik-Goose Bay Road.

Mr. Giddings stated that the sign was moved to where the City limits start and that the City is not proposing to annex any property located south of the Knik-Goose Bay Road.

Mr. Ralph Baldwin stated his concerns with the proposed transmission line route.

Mr. Ken Ray stated he is in favor approving the request submitted by MEA.

**VII. CONSENT AGENDA**

A. Minutes of July 9, 2013, regular meeting

GENERAL CONSENT: Minutes were approved as presented.

**VIII. NEW BUSINESS**

(No new business)

**IX. UNFINISHED BUSINESS**

A. PUBLIC HEARINGS

*(Continued from July 9, 2013 regular meeting)*

1. Item: AA 13-27 and UP 13-02 (Reso. #13-06)  
Petitioner: Matanuska Electric Association (MEA)  
Request: Permit to construct new 80-100 feet tall 115 kV double circuit transmission lines, including 100 feet wide right-of-way easement, extending from the new Eklutna generation station to the Herning substation at S. Denali Street, within the Wasilla city limits.  
  
Total Area: Approximately three miles

Location: A corridor extending west from Seward-Meridian Highway on the north side of the Parks Highway and then crossing to the south side of the parks Highway behind Creekside Plaza shopping center and then across to the north side of the Palmer-Wasilla Highway Extension and then west along the Palmer-Wasilla Highway Extension to just east of Glenwood Avenue and then north to the existing Herning substation (see transmission line corridor on attached drawings dated December 7, 2012.)

Zoning: Commercial and Residential (R-2)

Future Land Use: Generally Commercial/Business and Mixed Use

Ms. Crawford provided a statement regarding the resolution included in the packet and that it requires the transmission line be buried underground but does not require it to be within an utilidor.

MOTION: Commissioner Ledford moved to adopt Resolution Serial No. 13-06.

Discussion moved to the Commission.

VOTE: The motion to approve Resolution Serial No. 13-06 as presented, passed with Commissioners Dean, Ledford, Green, Brown and Chair Kelly in favor, and Commissioner Sumner in opposition.

*(The regular meeting recessed at 7:40 PM and reconvened at 7:46 PM)*

## V. REPORTS (cont.)

Mr. Allen Kemplen, project manager with ADOT&PF, stated that there will be an open house on August 28, 2013, at the Mat-Su Central Fire Station 61.

Mr. Murph O'Brien, consultant with HDR, Inc., provided a presentation and handout regarding the Parks Highway Alternative Corridor Project.

## IX. UNFINISHED BUSINESS

### B. PUBLIC HEARINGS (cont.)

2. Item: Proposed Sale of Meta Rose Square (Reso. #13-04)
- Petitioner: City of Wasilla
- Request: Make recommendation to Wasilla City Council regarding proposal to sell the Meta Rose building.
- Total Area: 1.04 acres±
- Location: Lot 5A, Block 1, Fred Nelson Subdivision and Block 1E, Wasilla Townsite Resubdivision (Located at the southwest corner of Herning Ave. and N. Yenlo St.)
- Zoning: Commercial
- Future Land Use: Generally Commercial/Business



a. Staff report  
Ms. Crawford provided a brief summary on the proposed sale of Meta Rose Square.

b. Applicant's report

c. Private person supporting or opposing the proposal  
Chair Kelly opened the public hearing.  
With no comments, Chair Kelly closed the public hearing.

d. Applicant

MOTION: Commissioner Dean moved to amend Resolution Serial No. 13-04 in the last WHEREAS, to read as follows:

[Deletions are shown in ~~strike through~~ and additions are underlined]

WHEREAS, the Wasilla Planning Commission finds that the proposed sale is ~~not~~ in the best interests of the City but recommends that the City first obtain an opinion from a consultant determining the best future use of that area of the downtown as it relates to the City's Downtown Area Plan and Comprehensive Plan and then sell the property via an RFP process.

VOTE: The motion to amend Resolution Serial No. 13-04, passed unanimously.

Discussion ensued.

VOTE: The motion to approve Resolution Serial No. 13-04, as amended, passed unanimously.

#### **X. COMMUNICATIONS**

No statements made regarding the following items.

- A. Permit Information
- B. Enforcement Log

#### **XI. AUDIENCE COMMENTS**

No comments

#### **XII. STAFF COMMENTS**

Ms. Crawford stated that the Planning Department received an email regarding the upcoming Parks Highway Alternative Corridor Project open house and will forward it to the Commission.

**XIII. COMMISSION COMMENTS**

Commissioner Brown stated that he appreciated the way the City handled the public hearing process and also appreciated the residents that took time to participate and provide input regarding the proposal.

**IVX. ADJOURNMENT**

The regular meeting adjourned at 9:03 PM.

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DANIEL KELLY, JR., Chairman

ATTEST:

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TAHIRIH REVET, Planning Clerk  
Adopted by the Wasilla Planning Commission -, 2013.



# CITY OF WASILLA

• Planning Office •

290 East Herring Avenue • Wasilla • Alaska • 99654-7091

• Telephone 907-373-9020 •

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## MEMORANDUM

**DATE:** July 2, 2013

**TO:** Wasilla Planning Commission

**FROM:** Tina Crawford, AICP, City Planner

**RE:** Proposed Sale of Meta Rose Square  
290 N. Yenlo Street, Wasilla, AK - Tax ID#: 2523B01L005A  
Lot 5A, Block 1, Fred Nelson Subdivision (Resub. Wasilla Townsite, Block 1E)

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At the March 11, 2013 City Council Meeting, the Council approved Action Memorandum No. 13-07, which directs Administration to proceed with the sale of the Meta Rose Square property referenced above. The recommendation was to sell the property since it was originally purchased for use as a library but now competes with private sector retail property management entities since it is used as a commercial building.

The requirements for the sale of any city-owned land are contained in WMC 5.32, Sale or Lease of Public Lands (copy included in the packet). The Code allows the sale of property when the lands are "...not needed for, or devoted to, a municipal purpose...and in such case where such sale or lease would be in the best interest of the public" (WMC 5.32.010) and when "...Such sale or exchange is to the best interest of the city" (WMC 5.32.100.A.4). Sale of city land requires that the City Council approve an ordinance that identifies the parcels for sale, the manner of disposition, and any special terms and conditions. However, prior to adoption of an ordinance, WMC 5.32.060(B) requires that Planning Commission review the proposed sale and make a recommendation to the City Council regarding the proposed sale prior to the Council approving an ordinance.

In determining whether the sale of the property is in the best interest of the public and that the property is not needed for a municipal purpose, staff reviewed the 2011 City of Wasilla Comprehensive Plan and the draft Downtown Area Plan. Both of these documents clearly outline the resident's desire for a revitalized downtown that is walkable and contains a mix of land uses. The draft Downtown Area Plan specifically described the need for a City land bank so the City can purchase properties to incentivize development in the downtown area. Incentives can include re-platting several small lots into larger lots, improving infrastructure on or around the site, financing the sale of the property, etc.

Land bank-type programs have been successfully used by other cities and communities to purchase land and buildings within areas that are targeted for redevelopment (e.g. downtown, neighborhoods, blighted areas) and then offer them for sale to potential developers. The sales are handled as part of a Request for Proposal (RFP) or similar process, which requires the developer to provide information on the proposed project, including architectural drawings and the proposed use of the property, and that the proposed structure and/or uses are consistent with adopted area plans. Copies of news stories, RFPs, and information describing the development/re-development requirements that must be met in order to purchase the properties are included in this packet.

The Meta Rose Square property is in an ideal location to serve as a catalyst for future development and improvements in the downtown area. Prior to the sale of this property and any other properties in the downtown area, the City should have a consultant prepare a detailed future development plan for the downtown area and an updated market analysis to determine the best mix of uses needed to create a vibrant downtown. Then, city-owned properties in the downtown area can be offered for sale via the RFP process to help stimulate growth and redevelopment in the downtown area.

Based on the City's desires to redevelop and revitalize the downtown area as codified in the Comprehensive Plan and draft Downtown Area Plan, staff is requesting that the Planning Commission approve Resolution Serial No. 13-04, which recommends that the City Council retain ownership of the Meta Rose Square property at this time.

By: Planning  
Public Hearing: 07/09/13  
Adopted:

**WASILLA PLANNING COMMISSION  
RESOLUTION SERIAL NO. 13-04**

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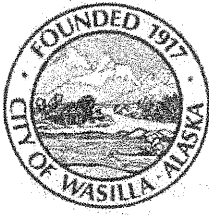
ADOPTED by the Wasilla Planning Commission on -, 2013.

APPROVED:

\_\_\_\_\_  
Daniel Kelly, Jr., Chairman

ATTEST:

\_\_\_\_\_  
Tina Crawford, City Planner



# CITY OF WASILLA

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## MEMORANDUM

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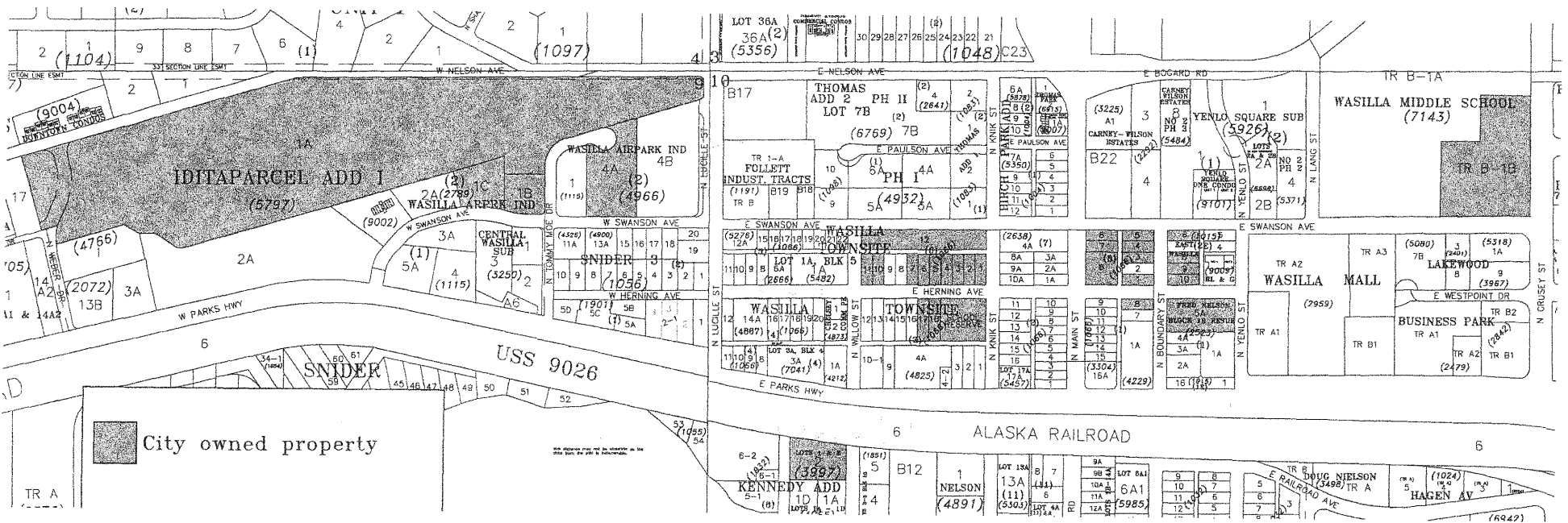
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## Chapter 5.32 SALE OR LEASE OF PUBLIC LANDS

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Sections:

- 5.32.010 Lands available.
- 5.32.020 Qualifications of applicants or bidders.
- 5.32.030 Appraisal required.
- 5.32.040 Methods of disposal.
- 5.32.050 Public notice.
- 5.32.060 Council approval.
- 5.32.070 Conditions of sale.
- 5.32.080 General sale procedures.
- 5.32.090 Lease procedures.
- 5.32.100 Negotiated sales and exchanges.
- 5.32.110 Negotiated leases.
- 5.32.115 Leases of space in city buildings.
- 5.32.120 Lease of airport property.

### 5.32.010 Lands available.

All lands which the city holds title, and which in the opinion of the council are not needed for, or devoted to, a municipal purpose, may be leased or sold, as hereinafter provided for, and in such case where such sale or lease would be in the best interest of the public. (Prior code § 7.16.010)

### 5.32.020 Qualifications of applicants or bidders.

A. An applicant or bidder for a lease or purchase must be:

1. A citizen of the United States and nineteen (19) years of age or over;
2. A permanent resident who has filed a declaration of intention to become a citizen and be nineteen (19) years of age or over; or

3. A group, association or incorporation which is authorized to conduct business under the laws of Alaska.

B. A person acting as an agent for a qualified bidder must independently meet the requirements of this section and must file with the mayor, prior to the time set for the auction, a proper power of attorney or a letter of authorization creating such agency. The agent shall represent only one principal, who must meet the qualifications of this section.

C. A person is not a qualified applicant or bidder if:

1. He or she has failed to pay a deposit or payment due to the city in relation to city land in the previous five years and full payment, including interest at the legal rate, is not made;

2. He or she is currently in breach or default on any contract or lease involving land in which the city has an interest;

3. He or she has failed to perform under a contract or lease involving city land in the previous five years and the city has acted to terminate the contract or lease or to initiate legal action; or

4. The city has other good cause to believe that the person is unlikely to make payment or responsibly perform under the lease or other contract. (Prior code § 7.16.020)

#### **5.32.030 Appraisal required.**

No lands or any interest in land shall be sold or exchanged unless the same has been appraised by a qualified appraiser within six months prior to the date fixed for the sale or exchange. The mayor shall be responsible to have such appraisal made and it shall reflect any restrictions on the use of the land as offered for sale. Alternatively, the latest available Matanuska-Susitna Borough assessed value may be used. No land shall be sold or exchanged for less than the approved minimum appraised or assessed value. (Prior code § 7.16.030)

#### **5.32.040 Methods of disposal.**

Land, or any interest in land may be disposed of under one of the following procedures as approved by the city council.

A. By public auction or sealed bid to the highest qualified bidder; and

B. By negotiated sale, lease or exchange as provided in Sections 5.32.100 and 5.32.110. (Prior code § 7.16.040)

#### **5.32.050 Public notice.**

A. The public notice procedure set forth by subsections B and C of this section are not intended to apply to “temporary use permits,” as defined and set forth in Section 5.32.060.

B. Sale or Lease of Land. Except as otherwise provided, public notice shall be given of any sale or lease of public lands or any interest therein. Notice shall be published once a week for three consecutive weeks preceding the time of sale or lease stated in the notice in at least one newspaper of general circulation in the vicinity in which the land or interest therein is to be sold or leased. In no event shall the sale or lease be held

less than nine days nor more than three weeks following the last date of publication. In addition to the newspaper publications a notice of sale or lease shall also be posted in three public places. Such notice shall set forth a description of the land and the interest therein to be sold or leased and the time, place and general terms of the sale or lease and limitations.

C. Negotiated Sales, Lease and Exchanges. If disposal of land or interest in land is authorized by negotiated sale or lease, or by exchange of lands, public notice or the ordinance approving the disposal shall be given in the same manner as for other ordinances and a public hearing shall be held. (Prior code § 7.16.050)

#### **5.32.060 Council approval.**

A. "Temporary use permits," as defined by this subsection, are not subject to the formal lease requirements specified by the terms of Section 5.32.050 nor are temporary use permits subject to the requirements of council approval as stated in Section 5.32.090(B), (C) and (D). Similarly, the lease procedures provided for by Sections 5.32.090 and 5.32.110 are not intended to apply to temporary use permits. The mayor is granted the authority to exercise his or her discretion to permit the use of city-owned land and/or improvements thereon for temporary use if the mayor, in his or her discretion, finds the following conditions to have been met:

1. The land and/or improvements are not needed or necessary, during the anticipated term of use, for the normal and ordinary activities of the city;
2. The temporary use is not anticipated to exceed six months;
3. The purpose of the temporary use permit is for an activity or purpose of nonprofit character;
4. The temporary use will be compatible with the conduct of regular and ordinary city business and the use of other city offices and property;
5. The activities contemplated by the temporary use occupant will be nondiscriminatory and based upon principles of equal opportunity;
6. The temporary use occupant will provide general liability insurance and agree to hold the city harmless in the event of claims for injury or damage; and
7. The temporary use occupant shall agree to pay a permit fee, in an amount to be established in the discretion of the mayor, intended to assist the city in the costs related to provision of utilities, maintenance, repairs and management and other such similar costs incurred by the city in maintaining such land and/or improvements thereon.

B. Any sale, lease or exchange of city land shall be approved by the council by ordinance after consideration of the recommendations of the planning commission. The ordinance shall identify the parcels for sale, lease or exchange, the manner of disposition and any special terms and conditions thereof. Any other disposition of an interest in city land shall be approved by the city by resolution.

C. No public auction, deed or contract purporting to dispose of or convey any interest in city land is valid or binding unless the disposal has been approved by the council or as otherwise provided within this title. (Prior code § 7.16.060)

#### **5.32.070 Conditions of sale.**

Any sale or other disposition of city lands or any interest in lands shall be subject to terms and conditions as set forth in this chapter and in the city ordinance or resolution approving the disposition. The mayor may impose additional conditions, limitations and terms for the protection of the interest of the city and the public. (Prior code § 7.16.070)

#### **5.32.080 General sale procedures.**

A. All applications for purchase or lease of city lands shall be filed with the city on appropriate forms. Each application for lease or sale shall be accompanied by a ten dollar (\$10.00) filing fee. Filing fees are not refundable. The filing of an application for purchase shall not in any way vest any right in the applicant to the land or to the use of the land applied for.

B. Public auctions shall be held by the mayor or his or her representative. At the completion of the auction of each tract of land, the mayor or his or her representative shall indicate the apparent high bidder.

C. The apparent high bidder shall concurrently deposit with the city not less than ten (10) percent of the high bid, or in case of a lease offering, an amount equal to the annual rent. Lands to be purchased for a principal sum of five hundred dollars (\$500.00) or less will not be sold on contract but will be paid for in full.

D. Upon deposit of the required sum by the apparent high bidder, the mayor or his or her representative shall immediately issue a receipt containing a description of the land or interest therein sold, the price bid and the terms of the sale, which receipt shall be acknowledged in writing by the bidder. Upon completion of the final payment on the contract of purchase, the city will issue to the vendee a quitclaim deed. A contract of sale or lease in a form approved by the city shall be signed by the purchaser or lessee.

E. The council shall ratify the sale or lease, or it may reject any and all bids in the best interest of the city. Upon ratification, the contract of sale or lease shall be signed by the mayor and clerk on behalf of the city. (Prior code § 7.16.080)

#### **5.32.090 Lease procedures.**

A. General Regulations. In addition to the regulations governing leasing as set forth within sale procedures above, the additional regulations and procedures set forth below shall apply specifically to leases.

B. Expiration. Unless the lease is renewed or sooner terminated as provided herein, the lessee shall peaceably and quietly leave, surrender, and yield up unto the lessor all of the leased land on the last day of the term of the lease.

C. Renewal. If, at the expiration of any lease of any lands hereunder, the lessee desires a renewal lease on the land, properties, or interests covered thereby, he or she shall, not sooner than one hundred eighty (180) days prior to the expiration, make application for a renewal lease in writing on forms provided entitled "Application for Renewal of Lease," certifying under oath as to the character and value of all improvements existing on the lands, properties or interests therein, the purpose for which he or she desires to renew the lease, and such other information as the mayor may require. The applicant shall deposit with the mayor an amount equal to the annual rent. The mayor shall upon recommendation of the planning commission and direction of the council issue a renewal of the lease to the lessee. The date that the application for renewal of lease is presented to the office of the mayor, as evidenced by the date stamped thereon, whether delivered or forwarded by regular, certified or registered mail, shall be binding.

D. Subdivision Regulations. Leases for terms longer than ten (10) years shall comply with the Matanuska-

Susitna Borough subdivision regulations. (Prior code § 7.16.090)

### **5.32.100 Negotiated sales and exchanges.**

A. The mayor may, with the approval of the city council by ordinance, negotiate a sale or exchange of city land without public auction or sealed bid if the following conditions exist:

1. The application to purchase or exchange city land is: (a) by an owner of property contiguous on a side with the city land applied for and the purchase is necessary for the proper utilization of the owner's contiguous property; (b) by the United States, the state or a political subdivision; (c) by a public utility for facilities serving the general public; (d) for a beneficial new industry; or (e) for a particular, stated purpose in the best interests of the city, and the council approves the sale with appropriate findings and conditions;

2. The land so sold or exchanged shall not be used by the vendee, his or her heirs or assigns for any purpose other than that for which it has been classified by the city council at time of sale or unless otherwise zoned subsequent to sale;

3. No such sale or exchange shall be made if the result of such sale or exchange were to hinder or prevent the utilization of a larger parcel of city land to its best advantage;

4. Such sale or exchange is to the best interest of the city.

B. Negotiated sales shall be subject to all other requirements and conditions applicable to sales under this chapter. (Prior code § 7.16.100)

### **5.32.110 Negotiated leases.**

A. The mayor may, with the approval of the council by ordinance, negotiate a lease of city land without public auction or sealed bid and without voter ratification under the following conditions:

1. The lease is for a beneficial new industry;

2. The lease is for a public purpose, to a governmental agency or nonprofit organization authorized to carry out the public purpose; or

3. The lease is to a public utility for a site for public utility facilities.

B. Leases authorized under this section shall be subject to all other requirements and conditions applicable to leases under this chapter, except that no appraisal of the leased property is required for a lease to a public utility under subsection (A)(3) of this section.

C. An application to lease city lands for a beneficial new industry under subsection (A)(1) of this section, or for a public purpose under subsection (A)(2) of this section shall be made in the same manner as other applications to lease city land and shall include a plan for development and use of the property requested. To approve an application under subsection (A)(1) of this section, the council must find that the proposed use of city land is for a beneficial new industry. To approve an application under subsection (A)(2) of this section, the council must determine that the proposed use of city land is for a worthwhile public service, that there will be no discrimination in providing the service, and that the use will be nonprofit. The city may, from time to time, make such other requirements as it deems proper before the issuance of such leases. The lessee's failure to develop and use the land in accordance with the approved plan may result in revocation of the lease. (Ord. 08-

**5.32.115 Leases of space in city buildings.**

This section applies to the leasing of space in city-owned buildings, to the exclusion of the provisions of all other sections of this chapter. The mayor may, with the approval of the council by resolution, award a lease of space in a building owned by the city either by negotiation or to the person that submits the best proposal in response to a request for proposals. The lease shall be for one or more of the following uses:

- A. A government agency or nonprofit organization providing a public service.
- B. The provision of goods or services, on either a for-profit or nonprofit basis, that support or supplement the public uses or functions that are located in the building.
- C. Provide revenue to the city from the productive use of building space that will not be required for any public purpose during the term of the lease. (Ord. 08-20 § 2, 2008)

**5.32.120 Lease of airport property.**

A. General. This section applies to the lease of airport property, to the exclusion of the provisions of all other sections of this chapter. Airport property may be leased through an application or sealed bid process.

B. Application Process. An applicant desiring to lease airport property shall submit an application to the city. The application shall contain:

- 1. Name, address and phone number of applicant;
- 2. Identification of area requested;
- 3. A description of the activity to be conducted;
- 4. A scale drawing depicting the proposed development, including but not limited to location, size and height of buildings, identification of materials to be installed on the property, and proposed location of all utility connections. This drawing must show the relationship between the development, the property lines, and any relevant development on adjacent or other properties;
- 5. If the proposed use is commercial, a written business plan for the activity to be conducted; and
- 6. Any and all additional information which may be requested by the city.

C. Action On Application. The city shall process applications depending upon use as follows:

- 1. For private use, such as a hanger or tie-down, where the building is less than ten thousand (10,000) square feet, and the term of the lease is ten (10) years or less, the application and lease may be approved by the mayor after administrative review and evaluation.
- 2. For a small commercial use, where the building is less than ten thousand (10,000) square feet and the term of the lease is ten (10) years or less, the application and lease may be approved by the mayor after administrative review and evaluation.



3. For any other use, the application will be reviewed by administration, submitted to the planning commission for review and recommendation, and then submitted to the city council for final action. Private or small commercial use may also be submitted to the planning commission and the city council if, in the opinion of the mayor, such submittal is appropriate under the circumstances.

4. For all uses, the city may accept, reject or place conditions on the acceptance of any application to lease airport property. The city may also require the prepayment by applicant of certain necessary costs such as administrative costs, surveying, subdividing, utility installation, soils testing, etc.

D. **Sealed Bid Process.** The city council may make specific areas of the airport available for lease for general or specific development through a sealed bid procedure under conditions to be specified by the city council. In this process, the city reserves the right to take into consideration factors other than lease rate, and may award the property to any bidder whose proposal is deemed to be in the best interests of the city, regardless of lease rate proposed. In addition, the city reserves the right to reject any and all bids or proposals.

E. **Lease Form.** A lease for airport property shall include certain provisions, as follows:

1. A requirement that the use of the property be in accord with the airport development plan, and that the use of the property shall not violate any condition or requirement placed on the property or the airport itself by the city, the state of Alaska, or the Federal Aviation Administration;

2. Lease rate, term, rental adjustment and other provisions that are in accord with the requirements and policy of the Federal Aviation Administration;

3. A provision prohibiting assignment or sublease without the approval of the city; and

4. A provision authorizing the granting of a security interest by the lessee in the leasehold interest for the purpose of securing financing for the construction of improvements on the property.

F. **No Warranties.** By classifying or leasing airport property, the city expressly does not warrant that the land is suited for the use proposed or authorized under the classification or lease, and no express or implied warranty or guaranty is given as to the present or any future condition of the property or that it shall be profitable to employ the land for the proposed or authorized use. (Prior code § 7.16.125)

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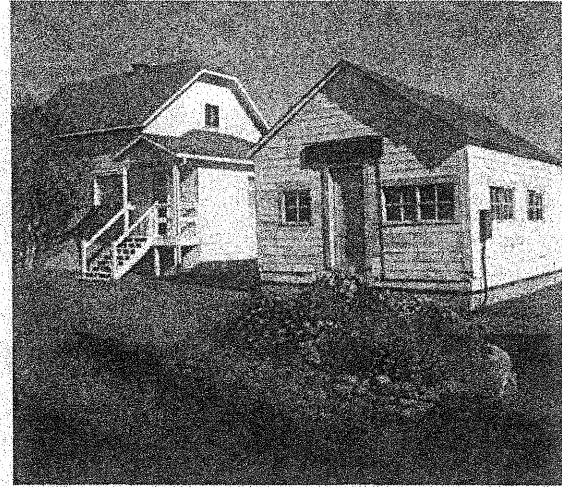
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## Chapter 5. Downtown

### 5.1 Current Conditions and Trends

#### *What Downtown?*

The City's Downtown does not have easily definable boundaries. Those not familiar with the City might wonder if there is a Downtown. For the purposes of describing the current conditions, the historic town site area is currently the "core" or heart of Downtown, surrounded by a larger area, which could eventually support a more defined Downtown (see Figure 7).



*Wasilla's Original Post Office and Historic Town Site*

Currently, Downtown has a variety of land uses including public facilities retail, housing, and offices. Public facilities include the historical museum and historic building complex, City Hall and offices, public library, parks, and the post office.

In 1917, a plat of small lots was auctioned off by the Alaska Railroad Commission, effectively creating what is now the Downtown district. From this beginning, a small crossroads commercial area has expanded east and west along the present Parks Highway to become the major commercial corridor of the Matanuska-Susitna Valley.

Until the population boom years of the last two decades, the City never had the opportunity to develop a traditional pedestrian-friendly mixed-use Downtown like older communities that grew during pre-automobile times. Instead, the recent period of growth followed the "suburban", highway-oriented development pattern classic to highway corridors in America. The original small lots of Downtown are not conducive to this development pattern and have been overlooked as development sites.

Creating a traditional town center is still possible for the City. The most important factor is that the market conditions are conducive for growth. There is significant room in the marketplace for retail, service and hospitality businesses.

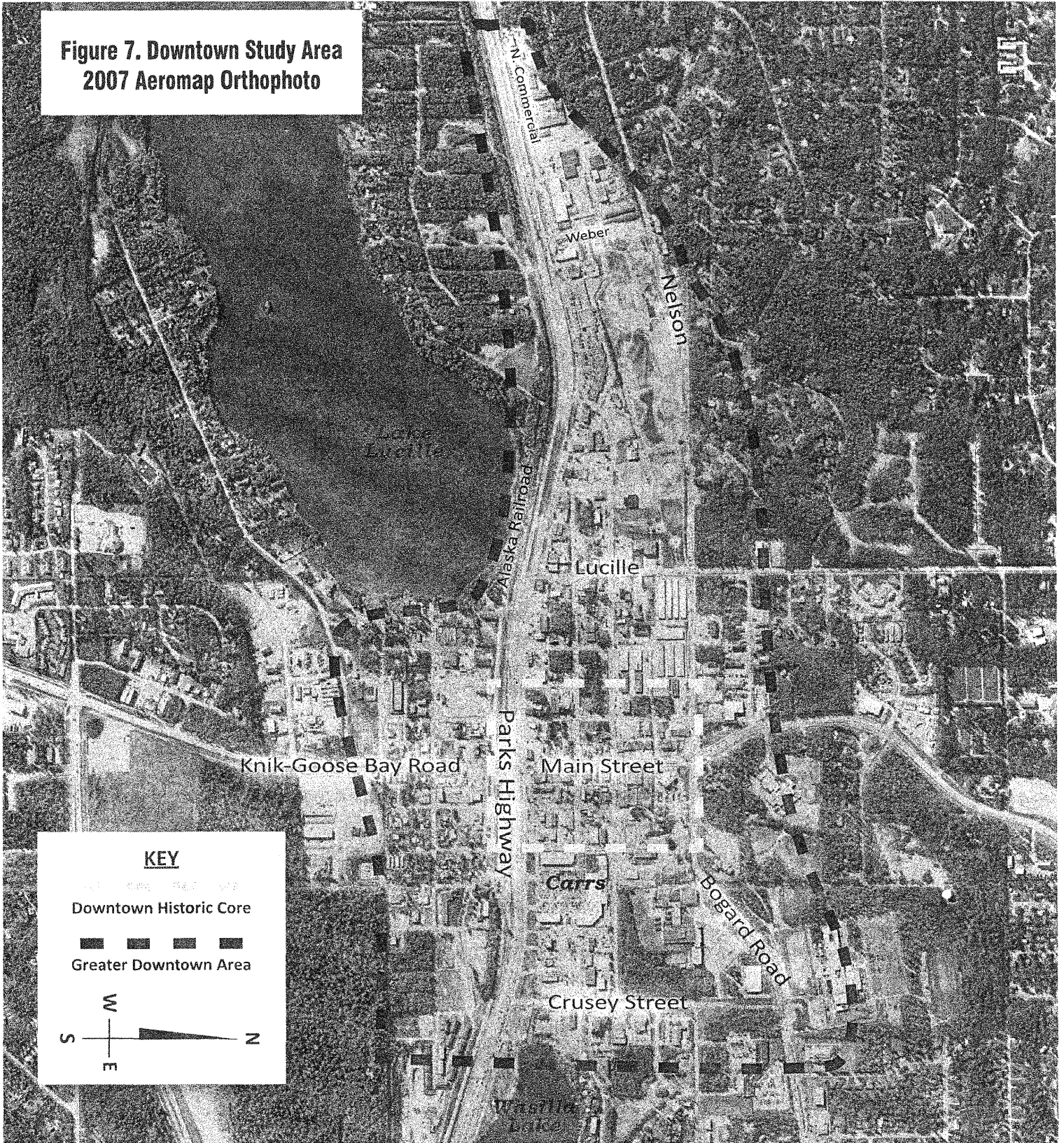
Remnants of the original fabric of the crossroads Downtown includes several historic structures, the museum, and historic town site complex, City Hall, and post office to serve as Downtown anchors. The existing small lot sizes can even become an asset for developing small businesses if the zoning codes are amended to enable commercial uses. At a minimum, revisions are needed to the minimum required setbacks and parking requirements.

#### *Community Input*

A week-long planning charrette was conducted for the City's Downtown in late October 2009. This included meetings with City officials, business leaders, walking tours, and three evening planning workshops with the public. In between meetings, concepts for the Downtown were sketched for presentation at the planning workshops.

# Chapter 5

**Figure 7. Downtown Study Area  
2007 Aeromap Orthophoto**



Current issues identified by workshop participants with Downtown include:

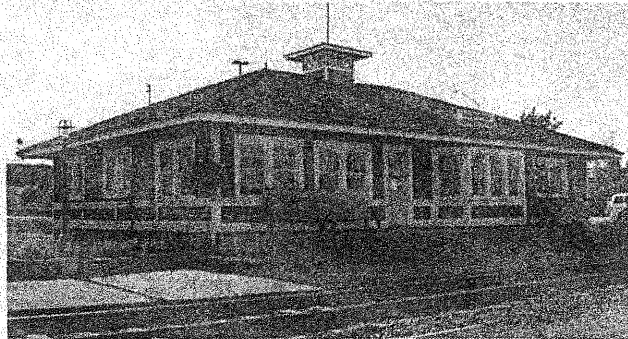
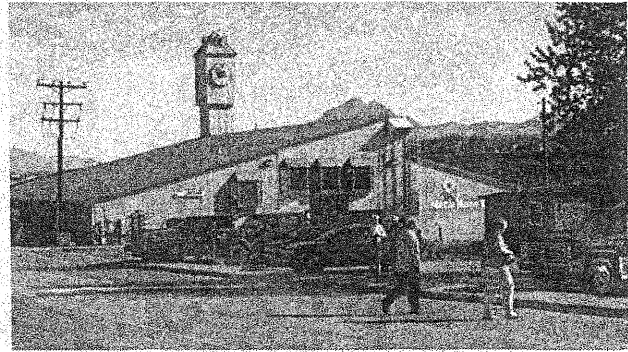
- Traffic congestion, especially related to vehicle stacking on Main Street for access to the Parks Highway.
- Poor pedestrian connectivity and a lack of sidewalks and crosswalks throughout the Downtown area.
- No identity as a Downtown district; looks like a strip mall and lacks personality.
- Appearance of buildings, streets, and sidewalks detract from economic development potential
- Lack of places to gather, learn, and enjoy arts and culture (need new Library and Valley Performing Arts Theater).
- Need a Downtown park as a gathering place and green area
- Need gateway entrances to town
- Identify Downtown boundaries

Opportunities identified by participants include:

- Market potential for growth
- Desire by the community to develop a vibrant Downtown
- Access and location
- Parks and open space

The planning charrette defined both the physical and built environment business owners and residents desired for Downtown. Rough sketches were produced during the charrette to communicate these ideas. These ideas would require extensive changes to the Downtown area. The concept plan features:

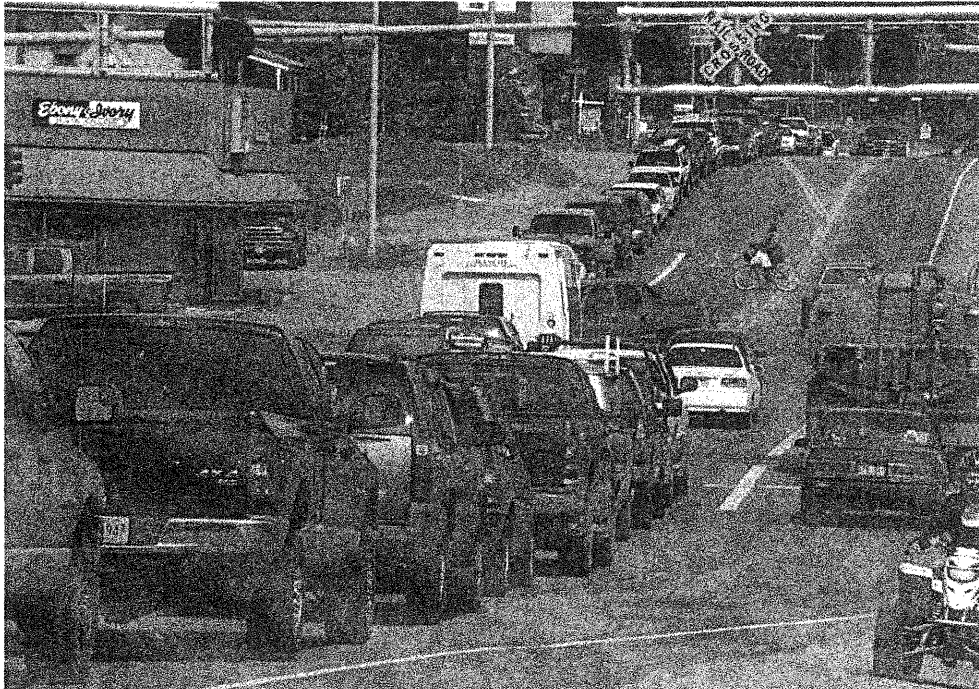
- **Pedestrian Focus:** Sidewalks should be constructed on both sides of all Downtown streets. Buildings are oriented to the sidewalk and street rather than parking lots and have minimal or no setbacks from the sidewalks. Crosswalks define safe pedestrian zones at intersections.



*Several unique, historic and well-located buildings are already in place in the Downtown core, providing cornerstones for future development with a stronger identity.*

## Chapter 5

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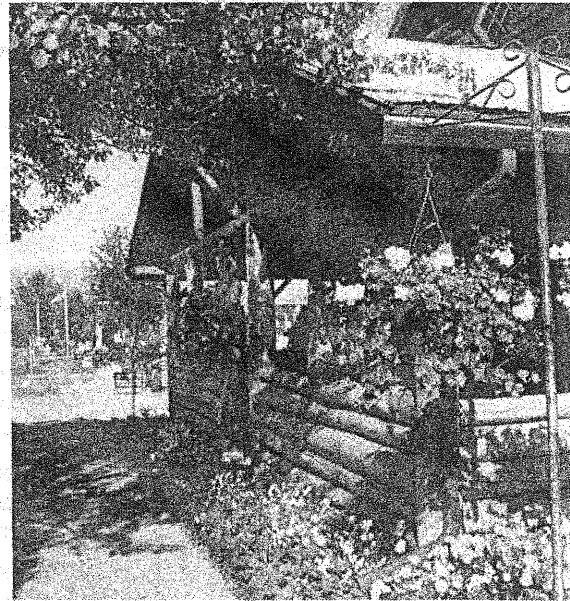


*Major roadway projects, including a Yenlo and Main Street couplet system are needed to address Downtown's traffic issues at Main Street, Knik-Goose Bay Road, the railroad, and Parks Highway.*

- **Improved Traffic Flows:** A one-way couplet should be constructed to improve traffic flows around Downtown. The Yenlo and Main Street couplet is a key project to move forward. On-street parking is essential for Downtown and must be included the project.
- **Town Square:** Residents liked the idea of a town square to add green space and a place for gatherings and celebrations in Downtown. There are two possible locations for the town square as shown in the concepts.
- **Building Form:** Two- and three-story commercial buildings should be developed in a zero lot line form, right up to the sidewalk. Private parking lots can be constructed in the rear of the buildings. Retail and service businesses should be located on the ground level, with office and residential use on upper floors. A 2009 Retail, Office and Lodging Study completed by the Gibbs Planning Group for this planning effort demonstrates that the City could add considerable retail, office and lodging development, some of which may be captured in the Downtown area.
- **Parking:** On-street parking throughout Downtown will serve to calm traffic and support business development. This will add a considerable parking inventory to Downtown and is sufficient for the development conceptualized. Additional parking may be located at the rear of buildings. Larger developments may require the construction of parking structures.
- **Landscaping:** Landscaped areas will add beauty and visual interest to Downtown. Gateway landscaping treatments at the intersections of Yenlo, Boundary and Main streets and the Parks Highway will attract attention to the Downtown.
- **Streetscape:** Clean, attractive sidewalks and pedestrian scale lighting fixtures will enhance the business district and appeal to pedestrians and shoppers. Fancy and expensive streetscape treatments are not necessary.

In October 2010 a final public meeting was held where residents were asked to articulate priorities for enhancing Downtown. Residents' input requested that the City focus at first in the core area of Downtown, and preserve and build on pre-statehood historical elements. Most residents expressed support for creating a "Main Street U.S.A" atmosphere, with some support for whole block re-development and taller structures in key locations to create more interest and energy Downtown.

As a tool for implementing what was envisioned in the charrette, this Plan recommends that the City and key Downtown interests explore "Overlay Zoning" to include land use provisions and specific design standards that are compatible with community needs. A general area to consider for the overlay is the Greater Downtown Area (see Figure 7).



Downtown sidewalks, on-street parking, and streetscape adds appeal for pedestrians and shoppers.

## 5.2 Desired Future Conditions

The City has a definable Downtown based around the historic town site with these attributes:

- It is pedestrian friendly, with sidewalks and crosswalks at street intersections.
- The area is attractive, with landscaping and good architecture that represents an Alaskan image and fits in with the spectacular natural surroundings.
- Downtown has convenient, on-street parking and easy access.
- Mixed uses are present, combining ground-level retail with office and housing in upper stories of buildings, as market conditions allow.
- The area is vibrant, attracting residents and tourists with a variety of specialty shops and activities, at all hours of the day and evening and in all seasons.

### City of Wasilla Resident Opinions Regarding Downtown

✓	Residents are generally supportive of "Redevelopment of the Downtown Area to strengthen its role as a town center": <i>33% residents - Very Supportive</i> <i>34% residents - Somewhat Supportive</i> <i>16% residents - Not Sure</i> <i>17% residents - Not Supportive</i>
✓	Many residents believe that Wasilla "should strengthen small city identity": <i>24% residents - Strongly Agree</i> <i>31% residents - Agree</i> <i>30% residents - Neutral</i> <i>10% residents - Disagree</i> <i>6% residents - Strongly Disagree</i>
✓	Residents have mixed views about "developing physical enhancements in the Downtown (e.g. gateways, streetscapes)": <i>24% residents - Very Supportive</i> <i>34% residents - Somewhat Supportive</i> <i>17% residents - Not Sure</i> <i>25% residents - Not Supportive</i>

Source: 2010 Community Survey (see page 1-4)

## Chapter 5

### 5.3 Goals, Objectives, and Actions

#### Goal 1. Promote and encourage development and redevelopment within the Downtown area.

Objective	Actions
<p>1.1 Adopt land use policies that encourage a mix of land uses in the Downtown area that create and establish a more vibrant town center, create a gathering place for residents and visitors, and a focus for business and cultural activities.</p>	<p>1.1.1 Create a Downtown overlay zoning district that incorporates Wasilla’s historic center (see Downtown overlay concept map). Develop land use regulations and development standards that encourage new development/redevelopment, appropriate land use patterns, and a cohesive town center.</p> <p>1.1.2 Consider developing an incentive based policy or other solutions to help reduce lot fragmentation of potentially valuable commercial sites.</p> <p>1.1.3 Support developer’s efforts to reconsolidate Downtown lots for high-quality development that will enhance the historic Downtown district.</p> <p>1.1.4 Adopt land use policies that allow development of multi-story buildings with street-level commercial and office uses with upper-story residential units in the Downtown area.</p>
<p>1.2 Identify opportunities to develop civic investments that revitalize the Downtown area and reinforce its identity as an attractive civic center.</p>	<p>1.2.1 Support partnership approaches that leverage funding and community support to help build a new library, expanded Valley Performing Arts Theater, town square, streetscape, sidewalks, and lighting in the Downtown core.</p> <p>1.2.2 Design and improve Downtown streets to encourage walking, on-street parking, covered walkways, and additional curbs and gutters.</p> <p>1.2.3 Work closely with ADOT&amp;PF on major road projects, including the Yenlo Street Extension/Main Street Couplet and the Parks Highway Alternative Route development, to ensure that roadway’s are upgraded to re-shape core area circulation for walkability, on-street parking, and to include streetscape design opportunities.</p>
<p>1.3 Improve pedestrian access in the Downtown area.</p>	<p>1.3.1 Work with roadway facility designers and community members to define basic functional and aesthetic parameters for streetscape improvements in the Downtown area.</p> <p>1.3.2 Dedicate city, state, and federal resources as available to developing Downtown’s streetscape infrastructure, including wide sidewalks and pedestrian amenities.</p> <p>1.3.3 Partner with Downtown business and property owners on improvement and management issues related to improving the Downtown pedestrian environment (parking needs, sidewalk upgrades, and regular snow clearing and maintenance).</p>



**Goal 2. Build the partnerships and develop the community capacity required to transform Downtown.**

Objective	Actions
2.1 Bring key stakeholders together to help mobilize implementation of a Downtown overlay zoning district.	2.1.1 Engage key stakeholders and involve them in creating and assisting with the implementation of the Downtown overlay zoning district, potentially through a Downtown Development committee.
2.2 Create public-private partnerships that can leverage resources to implement the Downtown overlay zoning district.	2.2.1 Encourage the creation of a business improvement district among core area businesses to supplement city services and invest in the Downtown’s maintenance, marketing, and the common improvements that help attract residents and visitors.



*Wasilla’s business district in 1974 (aerial, above) was focused in a “node” at the major crossroads. Today, much of the main business activity has become linear in nature, and spread along the highway corridor, making it harder to identify Wasilla’s “Downtown.”*

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The tables, found in Section 3: Issues, Goals, Objectives, also identify potential leads and/or participating partners for initiating actions or strategies to accomplish objectives and achieve associated goals.

## Overview of Plan Elements

Section 4: Plan Elements expand upon the goals and objectives identified for each area. Plan elements include land use, economic development, transportation and circulation, and public facilities and utilities. Each plan section addresses planning considerations, goals, and recommendations for implementing the Wasilla Area Plans.

LAND USE RECOMMENDATIONS include:

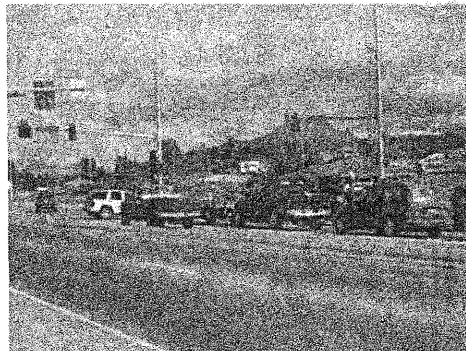
- design standards to establish an identity
- promoting infill development
- making changes to the zoning code to facilitate development
- establishing a land bank to manage parcels for future targeted land uses
- developing partnerships to achieve challenging goals
- developing and revising plans to address changing needs of the community
- evaluate City annexation options to reduce future land use conflicts
- improving public communication
- establishing committees and programs to involve citizens in implementation

ECONOMIC DEVELOPMENT RECOMMENDATIONS include:

- establish economic development incentives, such as tax abatements or deferrals, variances, business improvement districts, partnerships, and others
- establish economic development projects and / or programs
- improve public communication and support
- evaluate City annexation options to retain future economic development opportunities

TRANSPORTATION AND CIRCULATION RECOMMENDATIONS include:

- continue traffic planning for the community
- climate-sensitive design
- design for pedestrian access and multi-modal transportation
- evaluate the feasibility of public transportation options
- improve parking options and aesthetics
- utilize zoning to cluster heavy transport and freight facilities in the City
- preserve rural character of the community and enhance aesthetics in transportation projects



ISSUE	GOAL	OBJECTIVE(S)/POLICY(IES)	SCHEDULE	COST	RESPONSIBLE PARTY
<b>Community Character (CC)</b>					
1. Downtown Wasilla lacks a distinct identity. The boundaries are unclear.  2. The appearance of Downtown Wasilla needs to be improved, capitalizing on the historical elements.	A. Create an attractive identity for Downtown that complements Wasilla's natural setting and history.  B. Promote downtown as a center of public and education services, supported by mixed commercial and residential use.	i. Institute design standards such as signage, lighting, and accommodate winter design factors.	Short-term	<\$100,000	City of Wasilla Planning Department
		ii. Include pedestrian-oriented landscaping standards into a Downtown overlay zoning district such as using evergreen trees lining sidewalks to distinguish the area.	Mid-term	<\$100,000	City of Wasilla Planning Commission Wasilla City Council
		iii. Consider establishing a "Gateway Program/Committee" (primary responsibility is to plan, design, and implement improvements for wayfinding stations and gateway entrances).	Short-term	<\$100,000	Gateway Committee* Downtown Revitalization Committee*
		iv. Consider establishing a Downtown Revitalization Committee and Public-Private Partnerships to develop the character of Downtown Wasilla, design projects to achieve the character, and implement improvements.	Short-term	<\$100,000	Public-Private Partnerships*
		v. Develop visual cues to identify gateways and sub-districts, such as entry kiosks, wayfinding stations, thematic landscape design, and signage.	Mid-term	\$100,000 - \$500,000	Matanuska-Susitna Convention and Visitor's Bureau Civic Groups (including art and history)
		vi. Capitalize on existing facilities to develop plazas and community gathering places.	Long-term	<\$100,000	
		vii. Encourage use of design themes through incentives such as variances from requirements, expedited permit processing, tax abatements, and loan programs.	Long-term	<\$100,000	
		viii. Explore zoning areas by building type, rather than use to achieve aesthetic objectives but allow for flexibility in mixed use districts.	Long-term	<\$100,000	
		ix. Promote community events that support the identity and theme of the area to attract visitors and tourists.	On-going	<\$100,000	
		x. Create an educational program through a public-private partnership to promote Downtown's identity and theme.	Mid-term	<\$100,000	
					*Indicates an entity recommended to be established but not yet in existence

ISSUE	GOAL	OBJECTIVE(S)/POLICY(IES)	SCHEDULE	COST	RESPONSIBLE PARTY
<b>Land Ownership, Platting, and Zoning (LO)</b>					
1. Small lot sizes pose challenges to development.	A. Create larger, functional parcel sizes that accommodate development.	i. Create an overlay Downtown zoning district.	Mid-term	\$100,000 - \$500,000	City of Wasilla Planning Department
		ii. Work with the Matanuska-Susitna Borough to streamline the replatting process with regard to consolidation of small lots within the City of Wasilla.	Long-term	<\$100,000	City of Wasilla Planning Commission Downtown Landowners
		iii. Institute development incentives, such as replatting initiatives and business improvement districts.	Mid-term	\$100,000 - \$500,000	Matanuska-Susitna Homebuilders Association
		iv. Create a program where the City purchases available parcels to hold for potential replatting.	Long-term	>\$500,000	
					*Indicates an entity recommended to be established but not yet in existence

## Form-Based Codes

- Form-based codes emphasize building types, design, and parking location versus land uses and density. This type of zoning can bring cohesiveness to an area, while allowing the owner to determine the use of the building. The community aesthetics are more stable throughout the years, while the uses may be quite dynamic.
- Districts define form-based codes, and there is an awareness of the relationship between multiple elements like roads, parking, neighborhoods, and retail corridors.

## Overlay Zoning Districts

- An Overlay Zoning District would create a distinct district that delineates specific regulations within the current zoning boundaries. This zoning district can be arranged to protect certain resources (e.g., the historic town site), or promote a specific type of development in a particular area (e.g., community gathering places or tourist services).
- Overlay zoning districts should be created in Downtown to promote government office development and mixed use.
- Overlay zoning districts should include provisions requiring specific design, public art, or landscaping elements that contribute to the distinctiveness of the district.

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### PLATTING AUTHORITY

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*Platting configures parcels of land, either dividing or consolidating them.*

- Downtown has several small vacant parcels that are difficult to develop because of the lot size. The City should coordinate with the Matanuska-Susitna Borough to identify ways to streamline the platting process for combination of these lots as an incentive to stimulate development.
- This would reduce the burden on the Matanuska-Susitna Borough and provide Wasilla with increased autonomy and increased efficiency with re-platting and development.

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### LAND BANK

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*A municipal land bank can be organized to work as a real estate arm of the City to consolidate land by purchasing and reselling key parcels that have been identified for targeted future land uses.*

- The City should establish a land bank that serves as a repository for land with the intent that the parcels will later be disposed.
- The land bank can include and manage parcels of City land that are currently vacant.
- The land bank can also strategically purchase parcels that are too small for development but would be adequate if re-platted into larger parcels.
- Disposal or acquisition of land must be at fair market value and can occur by any method including outright sale or exchange.

Matanuska-Susitna School District

The School District is responsible for locating, planning, and constructing new school facilities, and for programming improvements to existing facilities. There are a number of recommendations

in Section 3 of this plan that should be considered by the School District.

Taxes, Fees, & Other Economic Incentives

The Matanuska-Susitna Borough can provide a number of economic development incentives, including tax deferrals and abatements, issuing revenue bonds and providing fast track permitting.

The City of Wasilla and the Matanuska-Susitna Borough should discuss potential uses of these tools to promote plan implementation.

**Existing Tools and Mechanisms – State of Alaska**

Transportation Capital Project Programming

State funding for major transportation projects is programmed through the State Transportation Improvement Program (STIP), and is usually

guided by recommendations from the City on their transportation priorities. The City should work with state transportation planners to incorporate plan recommendations into transportation priorities.

Property & Facility Investments & Decision

The State of Alaska makes decisions on the location and leasing of state office buildings, disposition and use of state properties. The City should work with

state facility planners to incorporate plan recommendations into facility decision-making.

**New Tools and Mechanisms – City of Wasilla**

Downtown Business Improvement District/Redevelopment Authority

Establishment of a Downtown business improvement district and/or Redevelopment Authority can provide a means of encouraging infill development and sharing the cost of infrastructure improvements. It can also help the City promote

catalytic development projects such as public office buildings and mixed use development complexes, and organize special events that bring people Downtown.

A Business Development District can be run as a voluntary association of a formal organization with bylaws. Typically, a formal business improvement district is funded by a special tax assessment, with revenues dedicated to supporting activities within the district. There are a number of models and guidelines that can be investigated should this be of interest to the City and Downtown property and business owners.

Municipal Land Bank & Revenue Bonds

Municipal Land Bank programs are used to acquire lands for a variety of public purposes, including lot acquisition and consolidation for public facilities or resale to private parties for development. Resale

could be used to encourage mixed use and higher density residential development. Options

## Collaborating on Infill

Having won the National Main Street Center's 1996 Great American Main Street Award, the Chippewa Falls, Wisconsin, Main Street program has clearly been doing something right. While the program has a long list of impressive victories, perhaps its greatest achievement to date has been the new Korger Building, completed in 2004. Replacing a historic building on the Cobban Block that was lost to a fire in 1992, this \$1.6 million two-story infill building resulted from the collaboration of a wide range of entities and individuals:

- The Chippewa Falls Main Street, Inc. program served as a project catalyst and the coordinator of other resources for the project.
- The Main Street Cobban Block Development Task Force raised \$5,000 from downtown business owners that was later used for engineering work on the site.
- The Main Street Design Committee's chairperson, a local architect, designed the building's exterior.
- The Korger family developed the building for their business, Korger's Decorating and Fine Furnitures, and designed the building's interior.
- Chippewa Falls purchased the property for \$100,000 to ensure that it was not inappropriately

developed, then sold the property to the Korger Family for \$1. It also established a tax increment financing (TIF) district in 1994 that generated \$70,000 in site improvement funds for the project and provided the developers a \$475,000 loan at a 4 percent interest rate.

- The National Main Street Center provided consultants to help determine the most appropriate type of infill development.
- The Wisconsin Main Street program prepared a market analysis for the proposed new use, as well as a business and financing plan.
- Northwestern Bank provided a loan for some development costs and business inventory stock.
- The U.S. Small Business Administration helped secure the construction loan, taking a second position behind the bank and in front of the city.

Although the building footprint of this two-story, 17,000-square-foot building is substantially larger than those typical of downtown Chippewa Falls, it incorporates a pair of historic columns salvaged from the town's former Carnegie library as a nod to the community's past. In addition to filling a void in the



Figure 3-24. The Korger Building's development in 2004 involved the direct participation of seven different entities. Located in downtown Chippewa Falls, Wisconsin, it represents the combined efforts of a variety of local, state, and federal governmental organizations, in addition to the private sector. Source: Chippewa Falls Main Street, Inc.

streetscape, the business inside is flourishing, as its sales volumes have exceeded expectations, and customers are coming from as far away as Chicago, more than 250 miles away. Former Main Street director, Jim Schuh, stated regarding downtown's 12-year wait for the perfect fit, "It is difficult for

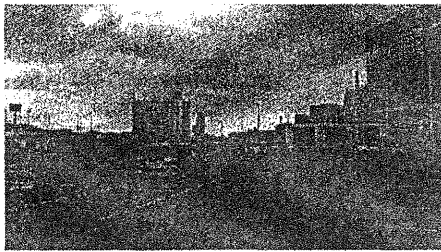
people to have patience and wait for the right project. Instead they tend to settle for something that is less than perfect. Luckily, Chippewa Falls took the right approach from the beginning and had the patience to stick with it until we found the right one—a 'patience and perseverance' approach."

# City Of Hartford Buying More Downtown Property For Redevelopment

by KENNETH R. GOSSELIN on APRIL 25, 2012 · 15 COMMENTS

On the northern edge of downtown Hartford, there is a no man's land of vacant parcels and parking lots, desolate and not at all pedestrian friendly.

But the city of Hartford sees potential for the area to one day form a crucial link between downtown and the North End, most likely with a combination of housing, retail and office space. The city already owns a little over 7 acres and is close to adding another one-acre wedge of land.



The city is acquiring this parking lot at 58 Chapel St. on the northern edge of downtown as part of an effort to assemble land for redevelopment. Photo by Kenneth R. Gosselin/kgosselin@courant.com.

The city council has approved spending \$1.3 million to purchase the LAZ parking lot at 58 Chapel St. The city hopes to gain control of enough land to attract a developer, possibly within the next year. The developer could then get started quickly without having to wait for the city to acquire land, city officials say.

The tract at 58 Chapel is the second the city has purchased in recent years. The first, the H.B. Davis building at 1161 Main St., was acquired for \$625,000 and later demolished. For years, the building was derided as the "Butt Ugly Building."

One of the largest tracts owned in the area by the city — 3.3 acres — is at 1212 Main. Channel 3, WFSB-TV, once considered relocating to the site from Broadcast House on Constitution Plaza, but ultimately chose a site in a Rocky Hill office park.



# Daily Herald

Big Picture . Local Focus

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Article updated: 2/2/2012 11:38 AM

## Des Plaines council to consider new development plan for TIF 6

By Madhu Krishnamurthy

The Des Plaines city council Monday night will consider a new redevelopment proposal for the long dormant city-owned property near Mannheim and Higgins roads, just south of the Jane Addams Tollway.

An earlier proposal to build two Hyatt hotels on the roughly 5-acre site was shelved in April 2010 after the city council denied developer HNI LLC's request to extend for another year the conditional use permit and variation granted for the hotels project.

That proposal called for two hotels stacked on top of each other, with a total of 313 rooms, and three outlets for restaurants and shops. Construction was expected to begin in April 2010.

Now that same developer has brought forward a different, multimillion dollar redevelopment proposal, Des Plaines Mayor Marty Moylan said without divulging details about the forthcoming plan.

The city council will meet in closed session Monday before the regularly scheduled council meeting at 7 p.m. to discuss the latest redevelopment proposals before acting in open session, Moylan added.

In late 2010, city officials sent out Requests for Proposals to developers interested in the site and received four proposals in April 2011.

The property — home to Ace car rental, a large billboard and a former Travelodge — falls within Tax Increment Financing District No. 6, which was created in 2001 to spur redevelopment in the area east of Mannheim Road, and north of Higgins Road on both sides of the I-90 tollway.

A TIF district captures increased property tax revenue from redevelopment — money that normally would go to taxing bodies such as schools — which can be used to defray costs of redeveloping the area.

The city borrowed \$10.4 million to buy land and for other redevelopment costs, which was to be repaid through TIF district revenues as the area redeveloped. Officials originally had agreed to sell the property for \$2.7 million to Chicago developer Harlem Irving Companies, HNI's parent group.

The property's current appraised value is between \$3 million and \$4 million, Des Plaines Acting City Manager Jason Slowinski said.

Whether the city will sell the property to a future developer is up for discussion, he said.

Officials have not ruled out the possibility of a hotels development on the site.

<http://www.dailyherald.com/article/20120202/news/702029880/print/>

"We're dealing with the economic realities of today," Slowinski said. "We want the best project that we can put together. Obviously, revenue is a big component of what we're looking at. We're going to make sure we do what we can to turn this TIF district around and pay off the debt,"

The Mannheim-Higgins TIF was \$5.2 million in the hole at the end of 2011, and is projected to have a \$5.9 million deficit by Dec. 31.

Officials restructured the debt in the fall of 2009, which pushed principal and interest payments that were due in 2009 out to 2013, and increases the total cost over the TIF district's lifetime to roughly \$15 million.

The city made \$36,000 in principal and interest payments on TIF 6 in 2011. That goes up to \$408,000 this year. By 2013, the debt payment ratchets up to \$1.1 million.

Yearly principal and interest payments are projected to rise to nearly \$1.4 million by 2017.

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## Local investors could buy Bessemer Shopping Center

Posted on: 6:37 pm, June 5, 2013, by [Brandon Jones \(http://myfox8.com/author/wghpbrandonjones/\)](http://myfox8.com/author/wghpbrandonjones/),  
updated on: 06:38pm, June 5, 2013

GREENSBORO, N.C.— With a 5-4 vote Tuesday night, the Greensboro City Council approved the sale of the Bessemer Shopping Center to Shahzad Akbar and Shehzad Quamar.

The city says the plan is for the two men to pay \$490,000 for the site, which includes a Family Dollar store and several abandoned storefronts.

The plan is build a new grocery store, health clinic and restaurant.

The city will give the investors a \$2 million loan, which must be repaid over a 10 year period. In addition, 20,000 square feet of the shopping center will go towards a non-profit that will include a host of community members and events.

The shopping center has been an eyesore for many people in the neighborhood for several years. The retail space once had a Winn-Dixie grocery store that closed in 1998, as well as a laundry mat.

Duke Holtzman lives near the shopping center, and is hoping this deal will be the one to give his community the things it needs.

"We would like to get somebody that's going to turn things around. This community has been broken for years," Holtzman said.

Former Guilford County Commissioner Skip Alston, a real estate broker for the investors, said the city plans to turn over the property within the next 30 days. Construction could begin as early as the fall.

City leaders have yet to sign off on the deal, but that process is expected to take two weeks.

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## City of McKinney Seeking Development Proposals for City-Owned Properties in Historic Downtown



The City of McKinney is seeking master development proposals from qualified development teams for the redevelopment of a City-owned primary site (approximately nine acres) and/or any combination of nine City-owned secondary sites located in the City's historic downtown.

Consistent with the City's adopted Master Plan for the historic downtown area, redevelopment of the primary site and/or any combination of the secondary sites is expected to include new residential uses and/or new commercial/office/retail/educational uses (single use and/or mixed use building improvements) within a compact and pedestrian-friendly design.

The City is committed to facilitating the redevelopment of the primary site and/or any of the secondary sites by any reasonable means, including the full range of economic development tools available under state law.

Offered incentives will aim to be mutually beneficial and will be based on negotiations with the selected development team and the merits of the proposed project.

The City's ownership of the primary site and of the secondary sites offers several options for property control/acquisition by the selected development team. The land conveyance process for any included sites will be undertaken in accordance with applicable state laws governing disposition of public property.

### Proposal Details:

Visit [www.mckinneytexas.org/DowntownRFP/](http://www.mckinneytexas.org/DowntownRFP/) to obtain the RFP and for links to various related documents.

- Pre-Submittal Conference/Tour: Wednesday, Aug. 1, 2012 starting at 8:30 a.m. at McKinney City Hall.

Submittals must be received by the City of McKinney Purchasing Department by mail or hand delivery no later than 2 p.m. on Thursday, Sept. 27, 2012.

The primary site (approximately nine acres) is located two blocks southeast of the historic downtown square and has 442 feet of frontage on State Highway 5 (McDonald Street). State Highway 5 is a major north-south regional roadway. (Detailed information about the primary site can be found in Section 2 of the RFP.)

Secondary Sites: There are nine City-owned secondary sites in the downtown area. Detailed site information for the secondary sites is not provided in the RFP. If specifically requested during the inquiry period, details for any of the secondary sites will be provided by formal written addendum.



## Downtown Redevelopment

### Redevelopment of City-Owned Downtown Properties

#### Potential Public-Private Partnership for the Redevelopment of City-Owned Downtown Properties

Since the adoption in 2008 of the [Town Center Study Initiative Phase 1 Report](#) and associated illustrative vision (together known as the "Town Center Master Plan"), the City of McKinney has been evaluating and implementing a comprehensive strategy of implementation tools (e.g. development policies, development ordinances, grants, public infrastructure investments, catalyst projects, etc.) in order to bring the vision to life and truly allow revitalization and economic redevelopment of the historic Town Center to be achieved and sustained over the long term.

In the summer of 2012, as a proactive step to increase momentum for continued revitalization in the Town Center, the city issued a Request for Proposals (RFP) seeking master development proposals from qualified private developers for the redevelopment of 10 under-utilized city-owned downtown properties. [View a map of these properties.](#)

Redevelopment of any combination of these properties is expected to include new residential uses and/or new commercial uses (in single use and/or mixed use buildings) within a pedestrian-friendly design that is consistent with the city's adopted Town Center Master Plan.

In November 2012, the city received four development proposals and is in the process of evaluating them in order to determine which proposal(s) offers the best overall value (including both qualitative and quantitative factors) for the city.

#### Latest News

On June 17, 2013, at 5:00 pm at City Hall, the City Council is scheduled to have a work session discussion on this project.

On May 7, 2013, the City Council hosted a public hearing on this project. City Staff also made a recommendation to formally select two of the redevelopment proposals and authorize the City Manager to begin a negotiation process with the selected development firms on potential public/private partnerships for this project. After discussion, the City Council voted to table action on City Staff's recommendation in order to take additional time to fully identify and discuss any outstanding concerns about the project. Watch [video](#) of the discussion.

On Monday, April 8, 2013 from 5:30 – 8:30 p.m. at McKinney City Hall, the City of McKinney hosted an Informational Open House during which the four private developers discussed with the City Council their redevelopment proposals for city-owned properties within the downtown area. All stakeholders (e.g. residents, business owners, property owners, etc.) were encouraged to attend this Open House and share feedback regarding the four redevelopment proposals via comment cards that were provided at this event. Watch [video](#) of the redevelopment proposals.

# NEWS

## City-owned land available for redevelopment

In an attempt to create the best possible development for the surrounding area, a Request for Proposals (RFP) has been issued for a package of three adjacent City-owned properties along Newton Street. The properties, known as 31, 43 and 61 Newton Street are vacant lots that equal almost half an acre. The RFP was issued on February 7, 2013 and proposals must be submitted to the Purchasing Department by March 27, 2013 at 10:00 a.m. For a copy of the official RFP containing a detailed listing of the property, description of buyer obligations, and procedure for selection of a winning proposal, contact the City's Purchasing Department at 413-322-5650 or visit the office in the lower level of City Hall, Room 15, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.

The City is intending to dispose of these parcels using the RFP process so they are developed at their highest and best use. The RFP illustrates the City's desired use for the property and provides a framework for interested parties to submit offers. For these parcels, the City would like to obtain proposals for future development with uses that benefit residents of the neighborhood and that are complimentary to abutting properties as well as the Holyoke Redevelopment Authority's newly approved urban renewal plan entitled, "Connéct. Construct. Create".

The property is located behind a row of storefronts along High Street and is adjacent to apartments and row houses along Newton Street. The Zoning of the parcels is Downtown Residential (DR) which allows for a variety of uses including residential, office, retail and others. Utilities include water, sewer, gas and electric available for hook-up. The property will be sold "as is" and is subject to a reverter clause that allows the City to take the property back if certain milestones are not met by the developer within a specified length of time. Once the RFP is closed on March 27, the Mayor and City Officials will evaluate proposals and make a recommendation to the City Council. If approved by the Council, the Mayor will negotiate and execute the Purchase and Sale Agreement and set a closing date.

Posted on February 20, 2013 by CRomboletti

## Agency Owned Properties

Redevelopment Agencies play a vital role in revitalizing areas that may be negatively affected by existing social, economic, environmental and physical blighted conditions. Property acquisition is a tool used to improve communities by generating tax increment revenue utilized to improve the quality of life for residents.

Redevelopment agencies may acquire property for site assembly to create development-ready parcels; an essential component of revitalizing communities. Assembling development-ready properties is a critical strategy utilized by agencies to attract private investment and improve project feasibility for potential and future redevelopment projects. Land assembly is often utilized to eliminate slum and blighting conditions, protect human health and the environment through revitalization of environmentally-contaminated properties brownfields, while attracting tenants that will create jobs, generate sales tax revenues and improve property values. By generating wealth in the community, the city is able to improve service levels to its residents and businesses.



A redevelopment agency may utilize its authority to acquire property to assist its revitalization efforts. According to California Redevelopment Law, agencies are required to implement a "Five-Year Implementation Plan" that identifies specific goals and objectives that the redevelopment agency will carry out over that specific five-year period. As part of the Agency's Five-Year Implementation Plan's goals and objectives, the Agency has acquired and maintains an inventory of property. Each property is identified for a particular use in accordance with the Five-Year Implementation Plan.

For a complete listing of Agency owned property, access the link below.

[PROPERTY INVENTORY Updated January 02, 2013](#)

To learn more about the Agency's priority "Opportunity Sites," please visit [www.SmartCompton.com](http://www.SmartCompton.com)

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What type of activities would you like to see at the Alondra Regional Park Project?

- Sand dunes & exercise stairs
- Scenic vistas
- Water features
- Outdoor exercise equipment
- Natural running paths
- All of the above

[Vote](#) [Results](#)



## Selection process for redevelopment of city-owned properties in East Lansing set to begin

Angela Wittrock | [awittroc@mlive.com](mailto:awittroc@mlive.com) By Angela Wittrock | [awittroc@mlive.com](mailto:awittroc@mlive.com)

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on March 07, 2013 at 4:11 PM, updated March 18, 2013 at 6:06 PM

EAST LANSING, MI -- A **newly-appointed review team** will begin its work in selecting a proposal for redeveloping city-owned land in East Lansing.

The redevelopment proposal submitted by Lurvey White includes plans for a hotel.

The selection committee meets Thursday at 3:30 p.m. to begin the review process.

The parcels, located west of Abbott Road and south of Valley Court in East Lansing, total about 2.8 acres and include six buildings owned by the city's Downtown Development Authority and two municipal parking lots.

The city received seven proposals for the city-owned properties that were slated to be redeveloped as part of the failed City Center II public-private partnership with Strathmore Development Co.

**Seven developers submitted proposals** for the land: Capstone Collegiate Communities, LLC and Vlahakis Companies; Core Campus, LLC; DTN Management Co; Lurvey White Ventures; MTB Partners, LLC and Visser Brothers Development; The Parkside Project, LLC; and Urban Cultural and Arts District, LLC.

According to a timeline provided by city staff, the review team plans to issue a recommendation of up to three proposals to the East Lansing City Council sometime after its April 25 meeting. The team could also find no proposals worthy of recommendation and propose a new plan for moving forward with the property.





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[Homeownership Development Program \(Housing Division\)](#)

[U.S. Department of Housing and Urban Development](#)

[Franklin County Auditor](#)

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**Land Redevelopment Office**



**The Columbus Land Bank Program**

The Columbus Land Bank was established in 1994 under the Land Reutilization Program (ORC 5722) to improve Columbus neighborhoods by returning vacant, abandoned and underutilized residential and commercial properties into productive community assets. Today, the Columbus Land Bank receives property from various sources, including Tax and Environmental Court Foreclosures, donations, and purchases. The Columbus Land Bank will acquire and hold a property until it is sold to a homebuyer, non-profit developer, or investor for redevelopment. The Columbus Land Bank will also sell vacant lots to adjacent property owners to expand their property or lease open space for community gardens. Since its establishment, the Columbus Land Bank has sold over 700 properties to various non-profit or for-profit developers, homeowners, and adjacent property owners.

More information on land banks and how they can be used to improve communities can be found here.

Reporting assistance and information concerning the Mayor's Vacant and Abandoned Properties (VAP) Initiative can be found here.

**Interested In Buying Land Bank Property?**

VIEW NEW LISTINGS HERE

- To search for Land Bank houses for sale, or to find a vacant lot to build a new house, lease as a community garden, or purchase as a side yard, please select "Properties for Sale".
  - TIP: Information about each parcel, including Parcel ID, ownership history, and the ability to search by location on map (GIS), see the Franklin County Auditor.
  - TIP: To search by zip code on the Properties for Sale page, type it in the address box and click "Search".
  - TIP: To search by map, select "Map of Properties for Sale".
- Browse the related links to the left for other housing programs that may assist you in owning a home.
- For other properties not listed, please call us at (614) 645-LAND (5263).

Properties are only sold through an application to the Land Redevelopment Office. The specific application required will depend on the individual property and the intended use. Please note that with the exception of side yard lots, a redevelopment plan is required for all Land Bank purchases. If interested, call the office at the number above to speak with a property manager or to schedule a showing.

For more information on requirements to purchase property and the application process, select "Applications".

End of Year Report 2012

**Contact Us**

City of Columbus

Land Redevelopment Office

109 N. Front St.

Columbus, OH 43215

(614) 645-LAND (5263)

landredevelopmentoffice@columbus.gov

REQUEST FOR QUALIFICATIONS AND PROPOSALS  
FOR A CONTRACT FOR  
CONSTRUCTION OF THE REDEVELOPMENT PROJECT  
ON THE CITY HALL PARCEL WITHIN  
THE MAIN STREET REDEVELOPMENT AREA  
OF THE  
CITY OF ASBURY PARK

ISSUE DATE: APRIL 27, 2009

DUE DATE: JUNE 8, 2009

ISSUED BY:

CITY OF ASBURY PARK

COUNTY OF MONMOUTH, NEW JERSEY

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## SECTION 1

### INTRODUCTION AND GENERAL INFORMATION

#### 1.1 Introduction and Purpose

##### a. General Background and Description

The City of Asbury Park (the "City") has declared certain areas generally bordering the City's main north-south arterial road (State Route 71/Main Street) to be "an area in need of redevelopment" (the "Main Street Redevelopment Area") in accordance with the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* In an effort to facilitate the redevelopment of the Main Street Redevelopment Area, the City has chosen to initiate the redevelopment process with one of its most strategic locations: the City's existing municipal complex. The municipal complex occupies a one square block area bordered by Lake Avenue /Springwood Avenue to the south, Main Street to the east, Bangs Avenue to the north and the New Jersey Transit North Jersey Coast Rail line to the west (the "Development Parcel"). At present, the City's municipal and police operations are located on the site in an inefficient two story structure, together with a surface parking lot and the City's Transportation Center which services both an active rail station (800+/- riders daily) and bus route junction. The Site is roughly 191,300 square feet with approximately 750 linear feet of frontage on Highway 71. A map of the Site is attached as Exhibit A. The Site is serviced by the following utilities:

Gas:	Elizabethtown Gas
Electric:	Jersey Central Power and Light
Water:	New Jersey American
Sewer:	Asbury Park Municipal Sewer Services
Cable:	Cablevision/Verizon Fios

The City desires to reconfigure the Site to allow for mixed use development with ground floor retail and residential (either for sale or rental) and commercial space (the "Mixed Use Development" or "Project"). The Mixed Use Development should also incorporate public space to allow access to the City's rail platform (which is owned by the City) and structured parking to serve the Mixed Use Development, a new City municipal complex, the station commuters and the City's main street shopping district.

To house the City's new municipal building, the City will reserve a parcel within the Development Parcel of approximately 10,000 square feet (the "City Parcel"). The exact location of the City Parcel, the price of the Development Parcel and the staging of the Mixed Use Project in a manner that will be minimally disruptive to the City's municipal operations, will be the subject of negotiations with the Selected Respondent. The remainder of the Development Parcel will be sold or leased by the City for the development of the Mixed Use Development.

The design of the Mixed Use Development will be in accordance with the Main Street Redevelopment Plan, a copy of which is attached hereto as Exhibit B. The Main Street Redevelopment Plan does not allow for the use of eminent domain by the City and any Respondent should not assume that such powers are available to assemble additional parcels. The City does own lands adjacent to the west side of the New Jersey Transit North Jersey Coastline tracks that may be available to accommodate certain transportation related functions that could be dislocated due to the development of the Mixed Use Project.

b. Potential Financial Assistance

The City understands that the financial impact of a project of this size and scope to the Successful Respondent is significant. Part of the evaluation criteria is the ability of the Proposers to finance such a project. The State of New Jersey through various agencies has programs designed to assist in the redevelopment of urban areas, brownfields and landfills. In addition, there are a number of other financing tools that have been utilized to support similar projects. The City will work with the Successful Respondent to secure grants and low interest loans to help offset some of the costs of this project. Some of the programs to be considered are:

Hazardous Site Discharge Remediation Fund (HDSRF) NJ DEP - The City will apply for grants from this fund to undertake additional detailed environmental remediation planning once a site plan has been developed and approved. In certain areas of the site, this fund may also pay for the rehabilitation of specific portions, particularly in and around the "green seam" to enhance and protect the water supply.

Environmental Infrastructure Trust (EIT) NJDEP - The City will be applying to the EIT for funding for certain infrastructure improvements to help offset the costs of these required services and structures. Low interest loans, borrowers receive loans in two equal parts: Approximately one half to three quarters comes from a zero interest State Revolving Fund (SRF) maintained by the DEP. The other portion comes from proceeds of highly rated tax-exempt revenue bonds sold by the Trust. The combination of these two funding sources results in a loan that is 50 to 75% lower than traditional loan rates. The "Smart Growth Financing Program", offers lower than traditional EIT loans for specific project elements that enhance the overall environmental quality of the project when complete.

Brownfield Reimbursement Program - NJ Department of Commerce/NJ Treasury Department - Eight state taxes, including sales, business use and corporate taxes are eligible to be used to reimburse the developer for remediation costs. The program also allows for the reimbursement of sales taxes associated with the purchase of building materials.

Redevelopment Area Bond Financing Law (N.J.S.A. 40A:12A-65 et seq.) and Revenue Allocation District Financing (N.J.S.A. 52:27D-459 et seq.) - These are financing tools available for use by the City to assist in financing public and private improvements associated with the redevelopment of the Redevelopment Area.

Five Year Tax Exemption (N.J.S.A. 40A:21-1 et seq.) and Abatement and Long Term Tax Exemption Laws (N.J.S.A. 40A:20-1 et seq.) - These laws permit the City to accept payments in lieu of taxes for improvements developed in accordance with the Redevelopment Plan and will be considered for use in the Redevelopment Area.

The City will consider other available programs when presented to them.

c. Coordination with Rail Operations

During pre-construction due diligence and the period of construction, the Successful Respondent(s) will be responsible to obtain approval, if necessary, from NJ TRANSIT, which owns the North Jersey Coast Line adjacent to the project area, for any activities or operations that the Successful Respondent(s) proposes to undertake within the zone of influence extending from the edge of the ties on the North Jersey Coast Line and for any activities or operations proposed by the Successful Respondent(s) that otherwise would affect the operation of NJ TRANSIT trains on the North Jersey Coast Line.

d. Proposals Requested

The City desires to receive a Proposal from each respondent (the "Respondent") to construct the Mixed Use Development in accordance with the terms hereof. The City is issuing this Request for Qualifications/Request for Proposals ("RFQ/RFP") in furtherance of powers afforded to it under the Act with the ultimate goal of fostering the redevelopment of the Asbury Park Main Street Redevelopment Area. In connection therewith, the City intends to select one or more successful Respondents to be designated as a "redeveloper," in accordance with the Act, of the Development Parcel.

1.2 Definitions

The following terms used in this RFQ/RFP shall have the meanings indicated which are applicable to both their singular and plural forms.

"Act" means the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*

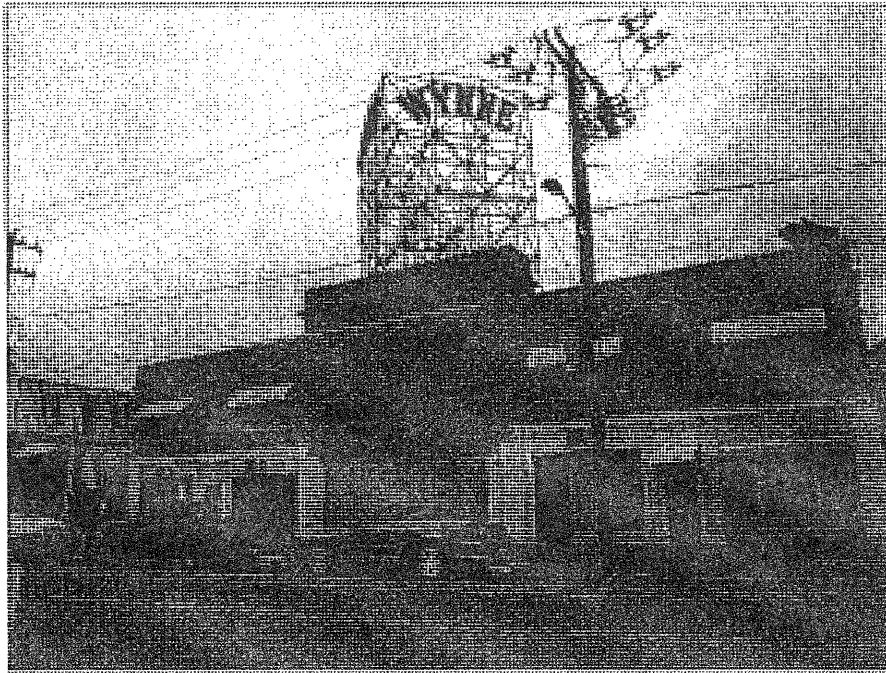
"Authorized Representative" means the individual(s) specified in writing by a Respondent to be the representative(s) of the Respondent for all purposes of the RFQ/RFP and in the case of the City shall mean the City Manager or such other representative otherwise designated by the City in writing.

"City" means the City of Asbury Park, Monmouth County, New Jersey.

"City Costs" means the costs incurred by the City in developing the Project, to be paid by the Selected Respondent, which costs include but are not limited to: Phase 2 Environmental Testing,

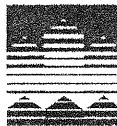
# REQUEST FOR PROPOSALS

## THE WYNNE BALLROOM



FEBRUARY 2013

**PHILADELPHIA REDEVELOPMENT AUTHORITY**  
1234 MARKET STREET, 16TH FLOOR  
PHILADELPHIA, PA 19107





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## V. PROPOSAL SUBMISSION REQUIREMENTS

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All responses to this Request for Proposals must contain the information described below and conform to the following format:

### A. EXECUTIVE SUMMARY

A written narrative of the proposed development should be provided in the form of a cover letter addressed to Leigh Jones, Project Manager. The narrative should be no longer than two (2) pages in length and should succinctly summarize and describe the proposed development. At a minimum, it should seek to address all of the evaluation criteria identified in Section VIII and note the bid price.

### B. ARCHITECTURAL PLANS

Architectural submissions must be prepared by a registered architect, submitted on 11" x 17" size paper and address at a minimum the following:

1. Site Plan
2. All proposed buildings/improvements with dimensions, horizontal, vertical, and ground elevations
3. Materials, finishes, and colors for each of the facades of the proposed buildings and improvements
4. Ground floor and principal floor plans
5. Site dimensions and lot coverage
6. If a Property is to be subdivided, the dimensions for each new Property
7. Tree plantings, fencing, lighting, and streetscape
8. Proposed setbacks, side yards, back yards, driveways, height and parking
9. Detailed description of the minimum sustainability goals the project will achieve

### C. URBAN DESIGN AND SUSTAINABILITY

The proposed development should also comport with the following urban design and sustainability goals and standards, which will be attached as an appendix to the selected developer's Redevelopment Agreement.

#### URBAN DESIGN OBJECTIVES

1. To provide attractive, well designed development that enhances the quality of the built environment.
2. To improve the overall quality and physical appearance of the community.

## LAND USE

The land use for the proposed development should be mixed-use. A multi-purpose interior space for use by the neighborhood and residents of the development should be included in the programming of the building. Ground floor retail on the 54th Street frontage is strongly encouraged to extend the existing neighborhood commercial corridor.

## BUILDING ENVELOPE AND APPEARANCE

The development should create an engaging pedestrian environment through building facades that are lively and provide an interesting pedestrian experience. Developments shall recognize and reinforce the key elements that make up the positive, valuable qualities of the physical fabric of the immediate neighborhood. Building size, scale and mass should be designed to enhance walkability, specifically:

1. Renovations to the existing building and/or new structures shall create a strong visual presence as part of the 54th Street commercial corridor. If possible, the eastern side of the development should be at a residential scale similar to that of existing adjacent residential buildings.
2. The development shall enhance and strengthen the street edge by incorporating transparency and active uses on all street-facing facades.
3. New structures should include variation in height, massing and fenestration so that large structures are broken into a series of individually identifiable units.
4. Blank walls shall be limited. All facades, including those along the alley and parking area, shall employ transparency in order to ensure a design that will create "eyes on the street".
5. Any residential entrances shall be clearly distinguishable from that of the building's commercial space(s).
6. Any new structure(s) at street level shall be to the property line to strengthen the street edge.
7. All new materials and architectural detailing on street-facing facades shall employ good-quality building materials. Materials may include Wissahickon schist, yellow and red brick, etc.
8. All residential units shall have their primary entrance from a common residential lobby or from the street. No residential units may have their primary entrance from the alley or parking area.
9. The metal truss element with the Wynne sign on the roof should be restored and creatively incorporated into all proposals.
10. The proposal should make every effort to preserve the western side of the existing building, including the 54th Street façade and lobby area.

*If the development team proposes to maintain all or part of the existing structure, the renovation should be sensitive to the meaningful architectural elements of the existing building, specifically:*

11. Key architectural elements, such as the ornamental brickwork and arches over the main entrance on 54th Street should be maintained and restored.
12. Any addition above the existing building must be set back on the 54th Street side in order to preserve the street presence of the existing façade.

*If the development team proposes to tear down the existing structure and build a new building in its place, the new building should incorporate design elements that are sensitive to the site's history, specifically:*

13. Key architectural elements on the 54th Street facade, such as the monumental central entryway, the ornamental brickwork and arches should be reinterpreted and included as part of the new building design.

#### OPEN SPACE, PARKING, AND THE PEDESTRIAN ENVIRONMENTS

1. No curb cuts or garages shall be permitted on 54th Street. Instead, consider the placement of parking in the rear of the development, accessible from Arlington Street or from the alleyway on the north side of the site.
2. Any private walkways or driveways not intended for public use shall be secured with a decorative gate. Gates should have ornamentation of a similar style as the rest of the development's architectural style.
3. Where permitted, amenities to include a combination of landscaping, suitable street trees, pedestrian-oriented lighting and others shall be provided along both 54th Street and Arlington Street. Pedestrian oriented lighting shall be used to enhance the alley and parking area. Refer to the Complete Streets handbook provided by the Philadelphia Streets Department for details ([http://philadelphiastreet.com/pdf/Complete-CS-Handbook\\_FINAL\\_lowres.2.pdf](http://philadelphiastreet.com/pdf/Complete-CS-Handbook_FINAL_lowres.2.pdf))
4. Dumpsters, electrical and mechanical equipment shall not be located on nor visible from public streets.

#### SUSTAINABLE DESIGN

Development should incorporate sustainable, "green" design features and building materials in both the site plan and building design. Project should consider building performance objectives outlined by LEED's Green Building Rating System and Energy Star's building design guidelines that integrate energy efficiency into design. However, obtaining a formal certification is not required.

The following sustainability elements should be included in the Project:

1. The use of energy-efficient systems (HVAC and lighting) is strongly encouraged.
2. Energy efficient architectural and site design techniques should also be employed as part of the project's design.
3. The building shall incorporate reused or recycled materials for both interior and exterior improvements wherever possible. Materials from existing building demolition shall be recycled if feasible.
4. Materials and finishes shall include non-toxic materials such as low VOC paints and adhesives.
5. Building floors should be made of renewable materials.
6. The use of water efficient plumbing fixtures in kitchen and bathrooms is encouraged.
7. The project is encouraged to incorporate cisterns or other rainwater harvesting mechanism for greywater recycling. Low-water landscaping is also encouraged.

8. If feasible, the building shall include a green roof, solar panels, ground source heating or combination of three in an effort to generate renewable energy on site.
9. The building shall include enclosed and secured resident bicycle parking for at least 15% of occupants. Electric vehicle charging stations or a car sharing program pod should also be provided.

#### **D. DEVELOPMENT SCHEDULE & MILESTONE**

1. Predevelopment Schedule- Include a schedule listing important milestones and dates, beginning with due diligence activity (no more than 60 days), securing required government approvals and financing commitments. Please provide an anticipated closing date.
2. Post-Closing Construction Schedule- Include, at a minimum, a schedule showing critical milestones such as construction commencement and completion deadlines, and projected occupancy dates.

#### **E. PROJECT FINANCIAL SUMMARY**

Please include the following elements when summarizing the financial components of the proposed development program.

1. Completion of the Development Pro Forma and Financing Plan (Exhibits B-1 and B-2).
2. An operating pro forma for projects that include rental units.
3. Evidence of financial capability to fund the total cost of the development program. Acceptable forms of evidence include audited financial statements for any and all members of the development team, signed commitment letter(s), or other written evidence of financial support from one or more lending institutions acceptable to PRA having the capability and demonstrating the commitment to provide financing required to successfully complete the proposed development program.
4. Litigation/Judgments – The proposal must contain information regarding any litigation (pending or threatened) in which the development entity or any members of the development team are involved and any judgments that have been rendered against the development entity or any member of the development team that may affect the ability to successfully execute the proposed project for the Property.

#### **F. DEVELOPER TEAM QUALIFICATION**

The development team should demonstrate experience with similar types of projects and with green building. In addition, the development team must fill out the "Developer's Statement of Qualification and Financial Responsibility" (Exhibit C).

**REQUEST FOR PROPOSAL  
FOR  
SALE AND REDEVELOPMENT OF CITY-OWNED PROPERTY  
LOCATED AT FIRST AND WASHINGTON STREETS,  
ANN ARBOR, MICHIGAN**



**RFP NO. 621  
January 27, 2006**

**OFFICE OF FINANCIAL AND ADMINISTRATIVE SERVICES  
CITY OF ANN ARBOR**

**100 North Fifth Avenue  
Ann Arbor, Michigan 48104**

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## SECTION 1

### GENERAL INFORMATION AND INSTRUCTIONS

#### General

Work to be done under this Contract is generally described in the Scope of Services and proposals must be submitted in accordance with the specifications in the document. Any proposal that does not conform fully to these instructions may be rejected.

#### Issuing Office

The City of Ann Arbor Financial and Administrative Services Area Administrator has issued this Request for Proposal. All contact regarding this RFP is to be directed to:

Tom Crawford  
Financial and Administrative Services Area Administrator  
City of Ann Arbor  
100 N. Fifth Avenue  
P. O. Box 8647  
Ann Arbor, Michigan 48107  
Fax: (734) 994-2909  
Email: [tcrawford@ci.ann-arbor.mi.us](mailto:tcrawford@ci.ann-arbor.mi.us)

#### Purpose

The City of Ann Arbor is seeking high quality proposals for the purchase and redevelopment of City-owned parcels of land, which together are approximately 15600 square feet, located at First and Washington Streets in the downtown district of Ann Arbor, Michigan. It is anticipated that this project will be redeveloped as a Planned Unit Development (PUD).

#### Goals for this site

- Increase downtown residential density and diversity
- Replace public parking spaces on this site
- Maximize the financial return to the City for the sale of the land
- Maximize TIF revenue to the DDA for the redevelopment of this site

#### Our vision for this site

- A project design that is appropriate in this transitional area on the edge of downtown and the nearby historic residential neighborhood
- A pedestrian friendly building that relates well to the street, and which includes setbacks as building height increases
- A project that will help activate the area
- A project that provides housing for a diversity of people, including some units affordable to downtown workers earning between 60% and 80% of Area Median



Income (AMI), as defined by the U.S. Department of Housing and Urban Development (HUD)

- A project that provides a minimum of 120 and a maximum of 200 public parking spaces, either constructed below ground or otherwise hidden from view, built to the City's specifications. The parking needs of the building shall be provided for by the developer separate from those public spaces on site at the developer's sole expense.
- A project that improves the functionality of the alley, ~~which may include straightening the alley~~
- A project that is approximately 8 inhabitable stories including parking, with a maximum of 10 stories measured from the First and Washington Street corner.
- A project that will include a number of environmentally sensitive design features that follow Leadership in Energy and Environmental Design (LEED) standards.

#### DDA Contributions for This Site

The Ann Arbor DDA has determined that a redevelopment of this site would be in keeping with its revised 2003 Development Plan. It has therefore designated the following assistance it will make to enable this project to go forward:

##### Parking

If the public parking spaces on this site are constructed above grade, the DDA will provide \$35,000 per car space for each public parking space. If the public parking on this site is constructed below grade, the DDA will provide up to \$45,000 per car space for each public parking space. This contribution is inclusive of all project costs to construct this parking. Below grade parking shall be determined to be situated completely below the lowest point on the site as currently excavated. The City of Ann Arbor will ultimately own these public parking spaces and this parking must be constructed to City engineering specifications.

##### Affordable Housing

The City ordinance regarding Planned Unit Developments has determined that 10 to 15% of the residential units provided as part of the project must be affordable to individuals earning up to 60% of AMI. To encourage these affordable units to be built on site, the DDA has determined that it will contribute \$100,000.00 from its Housing Fund to the selected developer toward the cost to construct each affordable housing unit on site, with a maximum of \$400,000 toward the construction of up to four units on site. The affordability of these units must be maintained for 99 years.

The DDA's contributions to this project will be limited to the two items mentioned above. The DDA will not waive its TIF capture from this site as a local Brownfield contribution.

##### Site Description

The parcel is approximately .50 acres with frontage on East Washington and South First Streets (a parcel site map is attached in Appendix B). It is the City's intention to use this RFP to identify a qualified developer to develop the City property west of the alley.

# R

# ESIDENTIAL INTENSIFICATION CASE STUDIES

## Municipal Initiatives

### MARKETING CITY-OWNED PROPERTIES

North Vancouver, British Columbia

#### SUMMARY

City-owned lands in a former industrial area of the city are being marketed and redeveloped. A new neighbourhood is emerging.

*Date Implemented:* 1998

*Key Outcomes:* Two projects completed with a total of 114 housing units and another project of 266 units currently underway. Potential for 1,200 units in total.



Figure 1: A view of Lower Lonsdale from the air, 2002.  
Source: City of North Vancouver

#### BACKGROUND

The Lower Lonsdale area is one of the designated nodes for higher-density, mixed-use development in the City of North Vancouver. In 1998, the six-block area had a resident population of about 600.

The area, especially near the waterfront, is characterized by vacant or under-used lands, creating a discontinuous space that is poorly protected at night and lacks vitality during the day. Historically, the waterfront area was largely industrial (mills, ship building, etc.) and the resulting nuisances (noise, smells, etc.) discouraged residential and commercial development in the vicinity. An added concern was the steepness of the slope leading down to the water, which made the site unsuitable for most uses.

The City came into possession of many small properties in the area due to tax defaults in the 1930s and many of these parcels have remained vacant since then. The lack of development potential and correspondingly low land prices discouraged any thought of selling the properties. Some of the parcels, especially the ones on flatter ground, were put to use as parking lots during Expo 86 or as community gardens. In recent years, however, the general area has become more attractive to home seekers due to the proximity of the City of Vancouver (across Burrard Inlet on the SeaBus), where housing costs skyrocketed in the 1990s. As property values began to rise in Lower Lonsdale, so did the City's interest in selling its vacant lands for redevelopment.

## DESCRIPTION AND GOALS

The marketing of City-owned vacant sites in the Lower Lonsdale area was begun in 1998 and will continue until the process is completed around 2007. The goal of the initiative is to help revitalize Lower Lonsdale by selling vacant City-owned sites for redevelopment. The City has not set specific targets for the number of residential units to be built on the sites, but would like to see a large share of the redevelopment in the form of residential and mixed-use development. It hopes to create a high quality urban environment where once was urban blight.

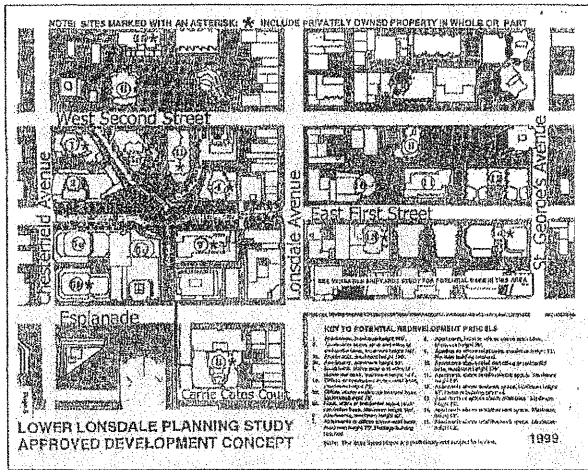


Figure 2: Vacant City-owned sites in the Lower Lonsdale Area.  
Source: City of North Vancouver

There are approximately 75 City-owned properties in the area, which are being gradually assembled into 11 sites for sale and redevelopment (see Figure 2). The process of assembling, planning, and marketing sites for redevelopment is initiated by a team of City staff members, including the Deputy Director of Finance, the Deputy Director of Engineering, the Manager of City Lands, a City planner, and a part-time Project Manager. The team meets regularly and comes forward with recommendations to Council as to which site should be planned and marketed next. If Council approves the recommendation, the team works out a marketing strategy, the development guidelines, and the required zoning changes and then returns to Council for approval.

In some cases, marketable sites need to be assembled from both City-owned and privately-owned properties in order to make the site feasible for redevelopment. In such cases, the team works cooperatively with relevant property owners, inviting them to join the process.

Once a site has been successfully rezoned, the team announces the availability of the site for sale through daily newspapers and the Internet, and notifies a list of 50 known developers via regular mail. Interested parties are informed of the development guidelines that will govern the building envelopes, densities and other development parameters. For instance, bidders may be told that the site is to be developed as a mixed-use project composed of retail, residential and community uses, to be no more than 12 storeys, have 12,000 ft<sup>2</sup> (1,115 m<sup>2</sup>) of floor space, with setbacks that relate to view corridors, services to the street at certain points, access at certain points, and so on. These parameters are based on the guidelines contained in the City's Official Community Plan for this area (see below).

Up to six bids may be received for a site and the team selects the highest bidder as the winner. A sales agreement is drawn up between the City and the developer, who makes a non-refundable deposit and is given four months to submit architectural drawings for the site. Final approval is given by senior staff after a technical review confirms that the developers' plans correspond to the development guidelines approved by Council. Any variances from the guidelines have to be approved by Council.

The team paces the marketing of the sites so as to have one project on the go all the time, resulting in a steady stream of new units coming onto the market.

## COMPLEMENTARY POLICIES AND PROGRAMS

To ensure that the redevelopment of City-owned and other properties contributes to the attractiveness of Lower Lonsdale, the City has created a set of overall design guidelines governing the physical aspects of new development in the area. The guidelines are in turn based upon an amendment to the City's Official Community Plan that took place in 1998.

The 1992 Official Community Plan encouraged the redevelopment of the area into a medium-density, mixed-use area using a low-rise apartment block pattern. Concerned that this building form would result in a monotonous and nondescript streetscape and skyline, staff persuaded Council to consider an OCP amendment that would allow a variety of building heights, including high-rise type developments. To maintain the views of existing residents living north of the area, the OCP amendment limited the heights

of buildings according to the slope (i.e., the lower on the slope, the greater height permitted). Maximum heights now vary from 60 to 180 feet (18 to 55 metres), with a maximum density of 2.6 times the site area, the highest density allowed in the city.

Besides the marketing of City-owned land, the Lower Lonsdale redevelopment strategy involves a number of other initiatives designed to increase the capacity of the area to accept new development while improving its attractiveness to new residents. This includes:

- a review of underground infrastructure needs in the redevelopment area in order to determine a program of upgrading and rehabilitation;
- the improvement of cultural and human service facilities in the area, including a museum, an arts gallery, live theatre and a community centre;
- improvements to transit facilities such as bus bays and stops;
- pedestrian improvements such as sidewalks and upgraded lighting;
- creating well-designed urban open spaces.

This policy is not linked to any provincial or federal enabling law or program.

## STAKEHOLDER RESPONSE

The OCP amendment mentioned above was the subject of extensive public consultations, including resident surveys, public meetings and public hearings. Because each site-marketing process requires a rezoning, public hearings are also held on a site-by-site basis.

During the OCP amendment process, there was broad public and stakeholder support for redevelopment in the Lower Lonsdale area as this was widely seen as a desirable way to revitalize a dilapidated area of the city. However, disagreements occurred over the scale and type of redevelopment. The public's concern was focused on issues related to views from residences located further up the slope. Other planning issues that typically vex redevelopment processes, such as concern over parking and the increased use of city amenities (like parks), were not major public concerns in this case. This reflects the fact that the Lower Lonsdale redevelopment area is not itself heavily populated. The OCP amendment has apparently resolved the design issues from the point of view of adjacent neighbourhoods and individual site rezonings tend to go ahead with a minimum of public concern over site envelopes.

However, there is a segment of the public that objects to the sale of public property for private development. They feel that the land should be turned over to public use, such as public parks.

The development community strongly supported the OCP and Zoning By-law amendments and is very receptive to the marketing of City-owned sites.

## IMPACT

The first City-owned site (site 4 on the map in Figure 2) was rezoned and sold in 1998. This project resulted in a 12-storey apartment building with ground floor retail uses and 72 residential units (see Figure 3).



Figure 3: The "Q", the first completed project on formerly vacant City-owned lands.  
Source: City of North Vancouver

Subsequently, another site (number 6) was rezoned and a four-storey apartment building with 42 units, known as The Quay View, was completed in 2001. The building targets seniors, families and people with disabilities. Currently, construction has started on a third site (combining numbers 5a, 5b and 5c). The project will include a mix of uses, such as a municipally-funded community centre, more than 266 condominiums, and a major grocery store.

Eight other sites remain to be assembled and sold for redevelopment, a process that is anticipated to take until about 2007, depending on market conditions.

A total of approximately 1,200 dwelling units will have been created on the 11 redevelopment sites once they are fully built out. About two-thirds of these units will be located on land that was City-owned and the remainder will be on adjoining private parcels that were assembled into the marketed properties. The population of the area has already doubled (to about 1,200) since the initiative was inaugurated in 1998 and is expected to climb to 3-4,000 once all the available lands are built upon.

## FINANCIAL ISSUES

The staff resources for the administration of this initiative are largely confined to the planning and marketing team mentioned above, comprised of four City staff persons and one outside consultant. Taken together the four City staff people commit about 80 per cent of a full time position preparing and participating in team meetings where the key decisions are made. The consultant is employed for about 16 hours a week. Other City staff are involved in the typical planning application and inspection procedures that characterize any major development project.

Revenue from the sale of property is used to update the infrastructure and install new services, such as a community energy system, or to improve cultural and recreational facilities in the area. This investment not only improves the attractiveness of the area to prospective new developers and residents, it increases land values (which benefits the City in terms of future sales of City-owned land) and sends the signal that the City is not just a land developer but a partner in building a new community.

To date, City revenues from the sale of properties in the area have amounted to \$11.3 million. Approximately \$50 million is expected to have accrued to the City once all the sites have been sold.

## EVALUATION

To date, the marketing and redevelopment of City-owned lands in Lower Lonsdale has been extremely successful. Several sites have been sold and redeveloped and developer interest in the remaining sites is high. The City's primary goal of revitalizing the area is being realized as a diverse urban neighbourhood takes shape in an area that was traditionally a "no man's land."

From an administrative point of view, the current team approach seems to work well. Prior to the hiring of the outside consultant as Project Manager, there was some concern that the program was "no one's job" because each member of the team spent less than 20 per cent of their working time on this portfolio.

The current system of pre-zoning the site before seeking a purchaser also seems to be working well. Prior to this arrangement, sites were zoned following lengthy negotiations with developers, which introduced an element of uncertainty for everyone involved in the process. Furthermore, because the City owned these sites, there was a public perception that Council was agreeing to developer demands in order to clinch the sale of the sites. The new system injects more predictability into the process for the developer and adjacent communities, raises the value of the land and minimizes the political aspects involved in the transaction.

## FOR MORE INFORMATION

### CONTACT:

**Richard White**  
City Planner  
Community Development Department  
City of North Vancouver, B.C.  
Tel: (604) 990-4215  
Fax: (604) 985-0576  
Email: [rwhite@cnv.org](mailto:rwhite@cnv.org)

### DOCUMENTS:

John Talbot and Associates report entitled "Proposed Development Options for the Lower Lonsdale Planning Study Area"; October 1997.

City of North Vancouver, January 22, 2003.  
Lower Lonsdale Project Report. (Community Development Department report to Council).

City of North Vancouver, 2002. Lower Lonsdale Design Guidelines and Architectural Controls. Community Development Department.

### WEB SITES:

[www.cnv.org](http://www.cnv.org)  
(City of North Vancouver)

[www.cnv.org/Projects/LowerLonsdale/Activities.htm](http://www.cnv.org/Projects/LowerLonsdale/Activities.htm)  
(Planning and development activities in Lower Lonsdale).

[www.bchousing.org/Whats\\_New/News\\_Releases\\_2001/news10280101.asp](http://www.bchousing.org/Whats_New/News_Releases_2001/news10280101.asp)  
(Information about the Quay View project).

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## Tina Crawford

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**From:** Verne Rupright  
**Sent:** Tuesday, March 12, 2013 10:06 AM  
**To:** Tina Crawford  
**Subject:** Clock Tower Sale

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

TO: Tina Crawford  
Wasilla City Planner

Pursuant to our discussion this a.m., please review the code sections in WMC 5.32 as it –pertains to the Planning Commission recommendations as it relates to the sale of the Clock Tower Building and prepare the needed documentation for presentation to the commission.

Thank you,

Verne Rupright  
Mayor

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CITY OF

# WASILLA

• ALASKA •

Date of Action: 3/11/13	
Approved <input checked="" type="checkbox"/>	Denied <input type="checkbox"/>
By: Amended See Below <i>[Signature]</i>	

## CITY COUNCIL ACTION MEMORANDUM

**AM No. 13-07: Directing administration to proceed with the sale of the Meta Rose Square, Lot 5A, Block 1, Fred Nelson Subdivision, Block 1E Re-subdivision, Wasilla Townsite.**

Originator: Council Member Brandon Wall

Date: 2/26/2013

Agenda of: 3/11/2013

Route to:	Department Head	Signature	Date
X	Public Works Director	<i>[Signature]</i>	3/1/13
X	Recreation & Cultural Services Director	<i>[Signature]</i>	2/27/2013
X	Finance Director	<i>[Signature]</i>	2-27-13
X	Deputy Administrator	<i>[Signature]</i>	2-27-13
X	City Clerk	<i>[Signature]</i>	2/27/13

Reviewed by Mayor Verne E. Rupright:

*[Signature]*  
AS TO FORM NOT CURRENT  
3-4-13

Fiscal Impact:  yes or  no

Funds Available:  yes or  no

Account name/number/amount:

Account Name

Account #

Dollar Amount

Attachments: Ordinance Serial No. 07-76(AM) (2 pages)  
WMC 5.32 Sale or Lease of Public Lands (8 pages)

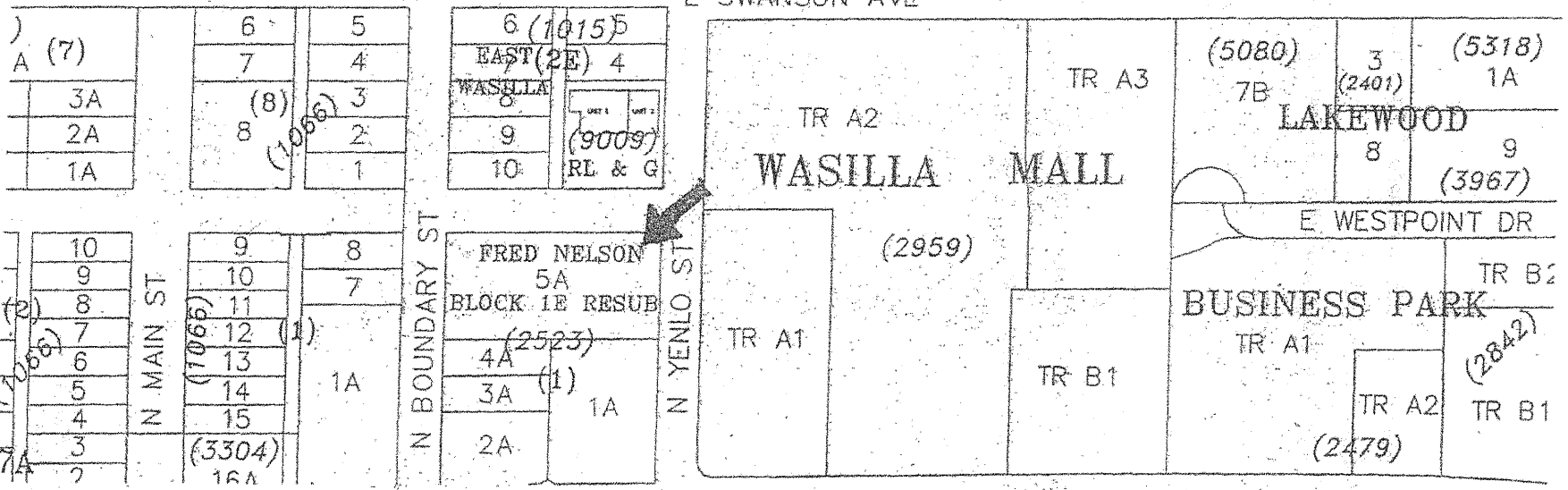
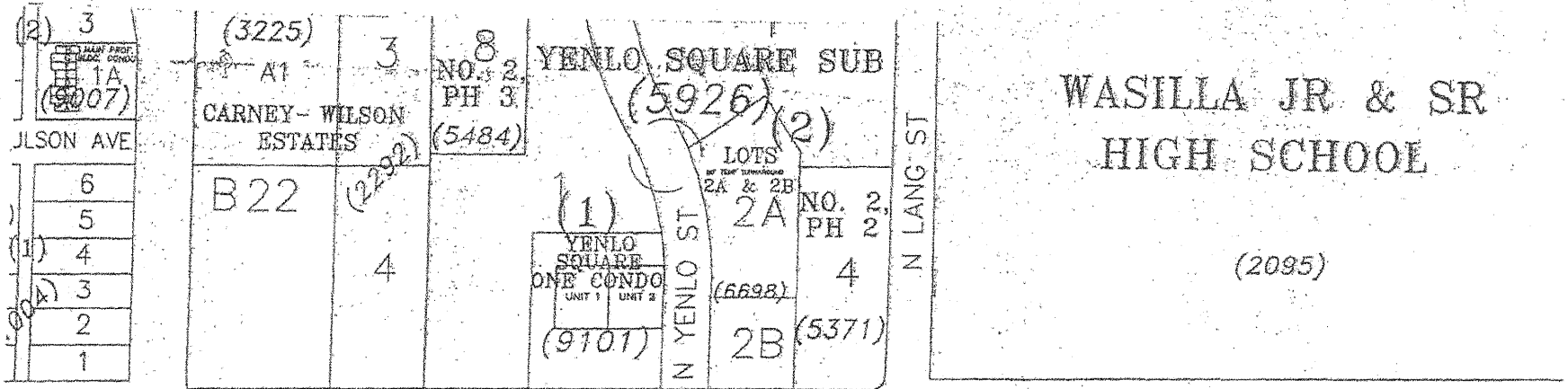
**Summary Statement:** This item was previously submitted as AM No. 13-06 during the City Council meeting of February 25, 2013. The AM failed with all other items on the Consent Agenda. This item is now being resubmitted as AM No. 13-07, to the meeting of March 11, 2013, and City Council action is requested. AM No. 13-07 differs from AM No. 13-06 by striking the sale of the parking lot, which is currently leased by Krazy Moose Subs.

The Wasilla City Council adopted Ordinance Serial No. 09-76(AM) which purchased the Meta Rose Square building for the purpose of using it as a City library.

Since its purchase, this property is not being used as a library and is not needed for, or devoted to, a municipal purpose. Ownership of this property places the City of Wasilla in direct competition with private sector retail property management entities. Therefore, this land should be sold in accordance with Chapter 5.32 of the Wasilla Municipal Code.

**Council Member Recommendation:** Adopt AM No. 13-07 to direct administration to proceed with the sale of the Meta Rose Square, Lot 5A, Block 1, Fred Nelson Subdivision, Block 1E re-subdivision, Wasilla Townsite. *And authorize the Mayor to obtain a Broker's Opinion.*

# PROPERTY LOCATION MAP



106 of 131

By: Finance  
Introduced: 11/23/09  
Public Hearing: 12/28/09  
Amended: 12/28/09  
Adopted: 12/28/09

**CITY OF WASILLA  
ORDINANCE SERIAL NO. 09-76(AM)**

**AN ORDINANCE OF THE WASILLA CITY COUNCIL AMENDING THE FISCAL YEAR 2010 BUDGET BY APPROPRIATING \$1,632,800 TO THE CAPITAL PROJECTS FUND LAND ACQUISITION ACCOUNT FROM THE GENERAL FUND, CAPITAL RESERVE FUND AND LAND BANK FUND TO PURCHASE LOT 5A, BLOCK 1, FRED NELSON SUBDIVISION BLOCK 1E RESUBDIVISION (META ROSE SQUARE) AND LOT 1, BLOCK 8, WASILLA TOWNSITE (USS1175).**

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**Section 1. Classification.** This is a non-code ordinance.

**Section 2. Purpose.** To appropriate \$1,632,800 to the Capital Project Fund, Land Acquisition Account from the General Fund \$174,689, Capital Reserve Fund \$1,408,111 and the Land Bank Fund \$50,000 to purchase Lot 5A, Block 1, Fred Nelson Subdivision Block 1E Re-subdivision (Meta Rose Square) And Lot 1, Block 8, Wasilla Townsite (USS1175).

**Section 3. Appropriation.** Funds are appropriated to the following accounts:

110-4181-499.45-12 Constr. Services - Land Acquisition \$1,458,111

**Section 4. Sources of funds.**

001-4990-499.99-11 General Fund \$ 174,689

250-4990-499.99-11 Capital Reserve Fund \$1,408,111

280-4990-499.99-11 Land Bank Fund \$ 50,000


**Section 5. Stipulation of funds.** Any future library will contain the name Meta-Rose in some manner. Additionally, the proceeds or any net gain from the future sale of said property, over and above cost, will be set aside in an account for the use of a future library.

**Section 6. Effective date.** This ordinance shall take effect upon adoption by the Wasilla City Council.

ADOPTED by the Wasilla City Council on December 28, 2009.

  
VERNE E. RUPRIGHT, Mayor

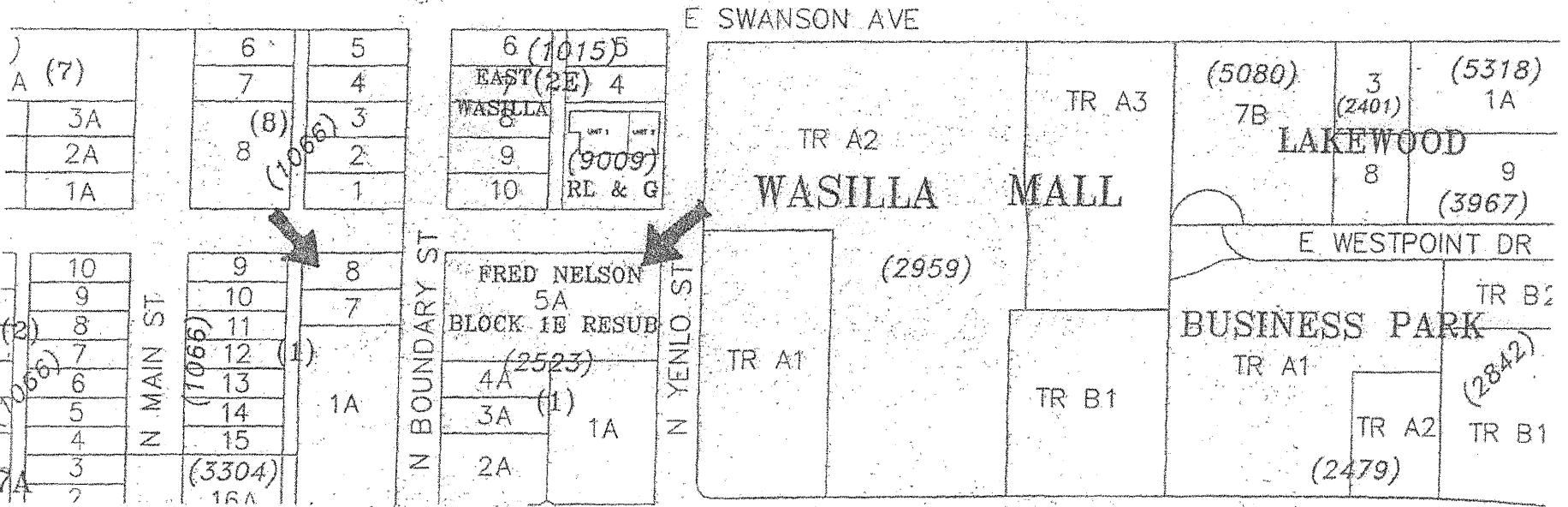
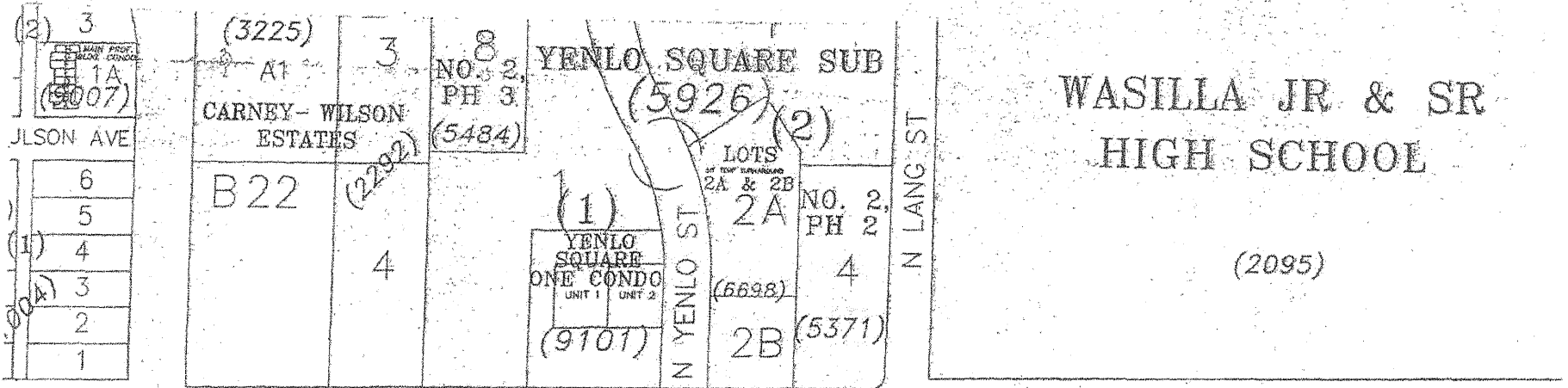
ATTEST:

  
KRISTIE SMITHERS, MMC, City Clerk

[SEAL]

VOTE: Harris, Holler, Katkus, Larson, and Woodruff in favor. Hall absent.

# PROPERTY LOCATION MAP



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## Chapter 5.32 SALE OR LEASE OF PUBLIC LANDS

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Sections:

- 5.32.010 Lands available.
- 5.32.020 Qualifications of applicants or bidders.
- 5.32.030 Appraisal required.
- 5.32.040 Methods of disposal.
- 5.32.050 Public notice.
- 5.32.060 Council approval.
- 5.32.070 Conditions of sale.
- 5.32.080 General sale procedures.
- 5.32.090 Lease procedures.
- 5.32.100 Negotiated sales and exchanges.
- 5.32.110 Negotiated leases.
- 5.32.115 Leases of space in city buildings.
- 5.32.120 Lease of airport property.

**5.32.010 Lands available.**

All lands which the city holds title, and which in the opinion of the council are not needed for, or devoted to, a municipal purpose, may be leased or sold, as hereinafter provided for, and in such case where such sale or lease would be in the best interest of the public. (Prior code § 7.16.010)

**5.32.020 Qualifications of applicants or bidders.**

- A. An applicant or bidder for a lease or purchase must be:
  - 1. A citizen of the United States and nineteen (19) years of age or over;

2. A permanent resident who has filed a declaration of intention to become a citizen and be nineteen (19) years of age or over; or

3. A group, association or incorporation which is authorized to conduct business under the laws of Alaska.

B. A person acting as an agent for a qualified bidder must independently meet the requirements of this section and must file with the mayor, prior to the time set for the auction, a proper power of attorney or a letter of authorization creating such agency. The agent shall represent only one principal, who must meet the qualifications of this section.

C. A person is not a qualified applicant or bidder if:

1. He or she has failed to pay a deposit or payment due to the city in relation to city land in the previous five years and full payment, including interest at the legal rate, is not made;

2. He or she is currently in breach or default on any contract or lease involving land in which the city has an interest;

3. He or she has failed to perform under a contract or lease involving city land in the previous five years and the city has acted to terminate the contract or lease or to initiate legal action; or

4. The city has other good cause to believe that the person is unlikely to make payment or responsibly perform under the lease or other contract. (Prior code § 7.16.020)

#### **5.32.030 Appraisal required.**

No lands or any interest in land shall be sold or exchanged unless the same has been appraised by a qualified appraiser within six months prior to the date fixed for the sale or exchange. The mayor shall be responsible to have such appraisal made and it shall reflect any restrictions on the use of the land as offered for sale. Alternatively, the latest available Matanuska-Susitna Borough assessed value may be used. No land shall be sold or exchanged for less than the approved minimum appraised or assessed value. (Prior code § 7.16.030)

#### **5.32.040 Methods of disposal.**

Land, or any interest in land may be disposed of under one of the following procedures as approved by the city council.

A. By public auction or sealed bid to the highest qualified bidder; and

B. By negotiated sale, lease or exchange as provided in Sections 5.32.100 and 5.32.110. (Prior code § 7.16.040)

#### **5.32.050 Public notice.**

A. The public notice procedure set forth by subsections B and C of this section are not intended to



apply to "temporary use permits," as defined and set forth in Section 5.32.060.

B. Sale or Lease of Land. Except as otherwise provided, public notice shall be given of any sale or lease of public lands or any interest therein. Notice shall be published once a week for three consecutive weeks preceding the time of sale or lease stated in the notice in at least one newspaper of general circulation in the vicinity in which the land or interest therein is to be sold or leased. In no event shall the sale or lease be held less than nine days nor more than three weeks following the last date of publication. In addition to the newspaper publications a notice of sale or lease shall also be posted in three public places. Such notice shall set forth a description of the land and the interest therein to be sold or leased and the time, place and general terms of the sale or lease and limitations.

C. Negotiated Sales, Lease and Exchanges. If disposal of land or interest in land is authorized by negotiated sale or lease, or by exchange of lands, public notice or the ordinance approving the disposal shall be given in the same manner as for other ordinances and a public hearing shall be held. (Prior code § 7.16.050)

**5.32.060 Council approval.**

A. "Temporary use permits," as defined by this subsection, are not subject to the formal lease requirements specified by the terms of Section 5.32.050 nor are temporary use permits subject to the requirements of council approval as stated in Section 5.32.090(B), (C) and (D). Similarly, the lease procedures provided for by Sections 5.32.090 and 5.32.110 are not intended to apply to temporary use permits. The mayor is granted the authority to exercise his or her discretion to permit the use of city-owned land and/or improvements thereon for temporary use if the mayor, in his or her discretion, finds the following conditions to have been met:

1. The land and/or improvements are not needed or necessary, during the anticipated term of use, for the normal and ordinary activities of the city;
2. The temporary use is not anticipated to exceed six months;
3. The purpose of the temporary use permit is for an activity or purpose of nonprofit character;
4. The temporary use will be compatible with the conduct of regular and ordinary city business and the use of other city offices and property;
5. The activities contemplated by the temporary use occupant will be nondiscriminatory and based upon principles of equal opportunity;
6. The temporary use occupant will provide general liability insurance and agree to hold the city harmless in the event of claims for injury or damage; and
7. The temporary use occupant shall agree to pay a permit fee, in an amount to be established in the discretion of the mayor, intended to assist the city in the costs related to provision of utilities, maintenance, repairs and management and other such similar costs incurred by the city in maintaining such land and/or improvements thereon.

B. Any sale, lease or exchange of city land shall be approved by the council by ordinance after consideration of the recommendations of the planning commission. The ordinance shall identify the

parcels for sale, lease or exchange, the manner of disposition and any special terms and conditions thereof. Any other disposition of an interest in city land shall be approved by the city by resolution.

C. No public auction, deed or contract purporting to dispose of or convey any interest in city land is valid or binding unless the disposal has been approved by the council or as otherwise provided within this title. (Prior code § 7.16.060)

#### **5.32.070 Conditions of sale.**

Any sale or other disposition of city lands or any interest in lands shall be subject to terms and conditions as set forth in this chapter and in the city ordinance or resolution approving the disposition. The mayor may impose additional conditions, limitations and terms for the protection of the interest of the city and the public. (Prior code § 7.16.070)

#### **5.32.080 General sale procedures.**

A. All applications for purchase or lease of city lands shall be filed with the city on appropriate forms. Each application for lease or sale shall be accompanied by a ten dollar (\$10.00) filing fee. Filing fees are not refundable. The filing of an application for purchase shall not in any way vest any right in the applicant to the land or to the use of the land applied for.

B. Public auctions shall be held by the mayor or his or her representative. At the completion of the auction of each tract of land, the mayor or his or her representative shall indicate the apparent high bidder.

C. The apparent high bidder shall concurrently deposit with the city not less than ten (10) percent of the high bid, or in case of a lease offering, an amount equal to the annual rent. Lands to be purchased for a principal sum of five hundred dollars (\$500.00) or less will not be sold on contract but will be paid for in full.

D. Upon deposit of the required sum by the apparent high bidder, the mayor or his or her representative shall immediately issue a receipt containing a description of the land or interest therein sold, the price bid and the terms of the sale, which receipt shall be acknowledged in writing by the bidder. Upon completion of the final payment on the contract of purchase, the city will issue to the vendee a quitclaim deed. A contract of sale or lease in a form approved by the city shall be signed by the purchaser or lessee.

E. The council shall ratify the sale or lease, or it may reject any and all bids in the best interest of the city. Upon ratification, the contract of sale or lease shall be signed by the mayor and clerk on behalf of the city. (Prior code § 7.16.080)

#### **5.32.090 Lease procedures.**

A. General Regulations. In addition to the regulations governing leasing as set forth within sale procedures above, the additional regulations and procedures set forth below shall apply specifically to leases.

B. Expiration. Unless the lease is renewed or sooner terminated as provided herein, the lessee shall peaceably and quietly leave, surrender, and yield up unto the lessor all of the leased land on the last day of the term of the lease.

C. Renewal. If, at the expiration of any lease of any lands hereunder, the lessee desires a renewal lease on the land, properties, or interests covered thereby, he or she shall, not sooner than one hundred eighty (180) days prior to the expiration, make application for a renewal lease in writing on forms provided entitled "Application for Renewal of Lease," certifying under oath as to the character and value of all improvements existing on the lands, properties or interests therein, the purpose for which he or she desires to renew the lease, and such other information as the mayor may require. The applicant shall deposit with the mayor an amount equal to the annual rent. The mayor shall upon recommendation of the planning commission and direction of the council issue a renewal of the lease to the lessee. The date that the application for renewal of lease is presented to the office of the mayor, as evidenced by the date stamped thereon, whether delivered or forwarded by regular, certified or registered mail, shall be binding.

D. Subdivision Regulations. Leases for terms longer than ten (10) years shall comply with the Matanuska-Susitna Borough subdivision regulations. (Prior code § 7.16.090)

#### **5.32.100 Negotiated sales and exchanges.**

A. The mayor may, with the approval of the city council by ordinance, negotiate a sale or exchange of city land without public auction or sealed bid if the following conditions exist:

1. The application to purchase or exchange city land is: (a) by an owner of property contiguous on a side with the city land applied for and the purchase is necessary for the proper utilization of the owner's contiguous property; (b) by the United States, the state or a political subdivision; (c) by a public utility for facilities serving the general public; (d) for a beneficial new industry; or (e) for a particular, stated purpose in the best interests of the city, and the council approves the sale with appropriate findings and conditions;

2. The land so sold or exchanged shall not be used by the vendee, his or her heirs or assigns for any purpose other than that for which it has been classified by the city council at time of sale or unless otherwise zoned subsequent to sale;

3. No such sale or exchange shall be made if the result of such sale or exchange were to hinder or prevent the utilization of a larger parcel of city land to its best advantage;

4. Such sale or exchange is to the best interest of the city.

B. Negotiated sales shall be subject to all other requirements and conditions applicable to sales under this chapter. (Prior code § 7.16.100)

#### **5.32.110 Negotiated leases.**

A. The mayor may, with the approval of the council by ordinance, negotiate a lease of city land without public auction or sealed bid and without voter ratification under the following conditions:

1. The lease is for a beneficial new industry;
2. The lease is for a public purpose, to a governmental agency or nonprofit organization authorized to carry out the public purpose; or
3. The lease is to a public utility for a site for public utility facilities.

B. Leases authorized under this section shall be subject to all other requirements and conditions applicable to leases under this chapter, except that no appraisal of the leased property is required for a lease to a public utility under subsection (A)(3) of this section.

C. An application to lease city lands for a beneficial new industry under subsection (A)(1) of this section, or for a public purpose under subsection (A)(2) of this section shall be made in the same manner as other applications to lease city land and shall include a plan for development and use of the property requested. To approve an application under subsection (A)(1) of this section, the council must find that the proposed use of city land is for a beneficial new industry. To approve an application under subsection (A)(2) of this section, the council must determine that the proposed use of city land is for a worthwhile public service, that there will be no discrimination in providing the service, and that the use will be nonprofit. The city may, from time to time, make such other requirements as it deems proper before the issuance of such leases. The lessee's failure to develop and use the land in accordance with the approved plan may result in revocation of the lease. (Ord. 08-16(SUB) § 2, 2008; Ord. 02-20 § 2, 2002; prior code § 7.16.110)

#### **5.32.115 Leases of space in city buildings.**

This section applies to the leasing of space in city-owned buildings, to the exclusion of the provisions of all other sections of this chapter. The mayor may, with the approval of the council by resolution, award a lease of space in a building owned by the city either by negotiation or to the person that submits the best proposal in response to a request for proposals. The lease shall be for one or more of the following uses:

- A. A government agency or nonprofit organization providing a public service.
- B. The provision of goods or services, on either a for-profit or nonprofit basis, that support or supplement the public uses or functions that are located in the building.
- C. Provide revenue to the city from the productive use of building space that will not be required for any public purpose during the term of the lease. (Ord. 08-20 § 2, 2008)

#### **5.32.120 Lease of airport property.**

A. General. This section applies to the lease of airport property, to the exclusion of the provisions of all other sections of this chapter. Airport property may be leased through an application or sealed bid process.

B. Application Process. An applicant desiring to lease airport property shall submit an application to the city. The application shall contain:

1. Name, address and phone number of applicant;
  2. Identification of area requested;
  3. A description of the activity to be conducted;
  4. A scale drawing depicting the proposed development, including but not limited to location, size and height of buildings, identification of materials to be installed on the property, and proposed location of all utility connections. This drawing must show the relationship between the development, the property lines, and any relevant development on adjacent or other properties;
  5. If the proposed use is commercial, a written business plan for the activity to be conducted;
- and
6. Any and all additional information which may be requested by the city.

C. Action On Application. The city shall process applications depending upon use as follows:

1. For private use, such as a hanger or tie-down, where the building is less than ten thousand (10,000) square feet, and the term of the lease is ten (10) years or less, the application and lease may be approved by the mayor after administrative review and evaluation.
2. For a small commercial use, where the building is less than ten thousand (10,000) square feet and the term of the lease is ten (10) years or less, the application and lease may be approved by the mayor after administrative review and evaluation.
3. For any other use, the application will be reviewed by administration, submitted to the planning commission for review and recommendation, and then submitted to the city council for final action. Private or small commercial use may also be submitted to the planning commission and the city council if, in the opinion of the mayor, such submittal is appropriate under the circumstances.
4. For all uses, the city may accept, reject or place conditions on the acceptance of any application to lease airport property. The city may also require the prepayment by applicant of certain necessary costs such as administrative costs, surveying, subdividing, utility installation, soils testing, etc.

D. Sealed Bid Process. The city council may make specific areas of the airport available for lease for general or specific development through a sealed bid procedure under conditions to be specified by the city council. In this process, the city reserves the right to take into consideration factors other than lease rate, and may award the property to any bidder whose proposal is deemed to be in the best interests of the city, regardless of lease rate proposed. In addition, the city reserves the right to reject any and all bids or proposals.

E. Lease Form. A lease for airport property shall include certain provisions, as follows:

1. A requirement that the use of the property be in accord with the airport development plan, and that the use of the property shall not violate any condition or requirement placed on the property or the airport itself by the city, the state of Alaska, or the Federal Aviation Administration;
2. Lease rate, term, rental adjustment and other provisions that are in accord with the requirements and policy of the Federal Aviation Administration;

3. A provision prohibiting assignment or sublease without the approval of the city; and
4. A provision authorizing the granting of a security interest by the lessee in the leasehold interest for the purpose of securing financing for the construction of improvements on the property.

F. No Warranties. By classifying or leasing airport property, the city expressly does not warrant that the land is suited for the use proposed or authorized under the classification or lease, and no express or implied warranty or guaranty is given as to the present or any future condition of the property or that it shall be profitable to employ the land for the proposed or authorized use. (Prior code § 7.16.125)

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**I. CALL TO ORDER**

The regular meeting of the Wasilla City Council was held on Monday, March 11, 2013, at the Wasilla City Council Chambers, Wasilla, Alaska. Mayor Verne E. Rupright called the meeting to order at 6:00 p.m.

**II. ROLL CALL**

Council Members present and establishing a quorum were:

- Council Member Steven D. Lovell
- Council Member A. Clark Buswell III
- Council Member Leone Harris
- Deputy Mayor Colleen Sullivan-Leonard
- Council Member Dianne Woodruff
- Council Member Brandon Wall

Staff in attendance were:

- Gene Belden, Interim Police Chief
- John Combs, Recreation and Cultural Services Director
- Bert Cottle, Interim Deputy Administrator
- Archie Giddings, Public Works Director
- Richard Payne, City Attorney
- Kristie Smithers, City Clerk
- Troy Tankersley, Finance Director
- Sarah Whiteley, Deputy Clerk

**III. PLEDGE OF ALLEGIANCE**

Mayor Rupright asked Council Member Woodruff to lead the Pledge of Allegiance.

**IV. APPROVAL OF AGENDA**

Mayor Rupright inquired about any modifications to the agenda.

There were no modifications noted.

GENERAL CONSENT: The agenda was approved as presented without objection.

**V. SPECIAL ORDERS OF THE DAY**

There were no special orders of the day.

## VI. COMMISSION AND AGENCY REPORTS

### A. Friends of Wasilla Public Library

Ms. Jeanne Troshynski, President:

- Reported that Eowyn Ivy, author of *Snow Child*, performed a reading on February 28th;
- Noted that the dates of the book sale changed to April 4th-8th;
- Announced that they are seeking donations for the Summer Reading Program;
- Commented on the importance of the sales tax ordinances to fund the new library; and
- Spoke to the importance of funding operating expenses.

### B. Wasilla Area Seniors, Inc. (WASI)

Ms. Lois Wier:

- Provided an update from WASI; and
- Commented on an upcoming potluck.

### C. Knik Tribal Council

No report was provided.

## VII. PUBLIC PARTICIPATION

### A. Public Hearings (3-Minutes Per Person)

There were no public hearings.

### B. Persons to be Heard (3 Minutes Per Person)

Ms. Martha Schoenthal, Project Manager, Foraker Group:

- Spoke to the library predevelopment plan;
- Commented on the ongoing operating costs of the new library;
- Projected future increases in operating costs; and
- Encouraged the Council to plan for the ongoing sustainability of the new infrastructure.

Ms. Pam Ockerlander:

- Commented on the building of a new library; and
- Spoke to the importance of funding for ongoing operation costs.

Ms. Marci Hawkins:

- Commented on the proposed sales tax ordinances;
- Spoke in favor of Ordinance Serial No. 13-09; and
- Expressed condolences to Mary Kvalheim, who recently passed away and to Margaret Heaven who is very ill.



Ms. Mary Robinson;

- Voiced approval of constructing a new library; and
- Thanked the Council for its support.

#### VIII. CONSENT AGENDA

##### A. Minutes of Preceding Meetings

1. Regular Meeting: January 28, 2013
2. Regular Meeting: February 25, 2013

##### B. Introduction of Ordinances: Recommended for Public Hearing on April 8, 2013

1. **Ordinance Serial No. 13-07:** Amending Wasilla Municipal Code 3.65.020.I.4, Coverage, use, accrual, and other aspects of PTO (Paid Time Off) in regard to forfeiture, carryover, cash out, and maximum accrual.

##### C. Resolutions

##### D. Action Memorandums

1. **AM No. 13-08:** Award a three (3) year contract to Wasilla Chevron and Chevron USA, Inc., for unleaded gasoline in the amount of \$97,057 for the remainder of FY2013 and \$212,015 each year for FY2014 and FY2015.
2. **AM No. 13-09:** Contract award to Kendall Ford in the amount of \$41,310 for one (1) 2013 Ford F550 with dump body.
3. **AM No. 13-10:** Contract award in the amount of \$35,000 for an Asphalt Melter Applicator from the State of Alaska Fleet Equipment contract.

MOTION: Deputy Mayor Colleen Sullivan-Leonard moved to adopt the Consent Agenda as read into the record by the City Clerk.

GENERAL CONSENT: There was no objection noted and the Consent Agenda was adopted as read into the record.

#### IX. UNFINISHED BUSINESS

There was no unfinished business.

#### X. NEW BUSINESS

##### A. Introduction of Ordinances: Recommended for Public Hearing on April 8, 2013

1. **Ordinance Serial No. 13-08:** Amending Wasilla Municipal Code 5.16.030, 5.16.100 and 5.16.210 to increase the rate of the City sales tax by one percent

(1%) to three percent (3%) beginning on January 1, 2014, and shall expire on December 31, 2014; amending Wasilla Municipal Code 5.16.210 to allocate one percent (1%) of the sales tax increase to a special account to finance the construction of the new Wasilla Public Library; and authorizing the City Clerk to submit the question of such sales tax rate increase to the qualified voters of the City at the October 1, 2013, regular City election. (Sponsored by Deputy Mayor Sullivan-Leonard and Council Members Harris, Wall and Woodruff)

MOTION: Deputy Mayor Sullivan-Leonard moved Ordinance Serial No. 13-08 to be set for public hearing on April 8, 2013.

Discussion ensued.

VOTE: The motion to set Ordinance Serial No. 13-08 for public hearing on April 8, 2013, passed with Lovell, Harris, Sullivan-Leonard, Wall, and Woodruff in favor and Buswell opposed.

2. **Ordinance Serial No. 13-09:** Amending Wasilla Municipal Code 5.16.030, 5.16.100 and 5.16.210 to increase the rate of the City sales tax by one percent (1%) to three percent (3%) beginning on January 1, 2014; amending Wasilla Municipal Code 5.16.210 to allocate one half (0.5%) of the sales tax increase to a special account to finance major capital improvements as set by City Council with voter approval costing in excess of one million dollars; and authorizing the City Clerk to submit the question of such sales tax rate increase to the qualified voters of the City at the October 1, 2013, regular election. (Sponsored by Council Members Lovell and Buswell)

MOTION: Council Member Lovell moved Ordinance Serial No. 13-09 be set for public hearing on April 8, 2013.

Discussion ensued.

VOTE: The motion to set Ordinance Serial No. 13-09 for public hearing on April 8, 2013, failed with Buswell, Harris, Sullivan-Leonard, Woodruff, and Wall opposed and Lovell in favor.

B. Action Memorandums

1. **AM No. 13-07:** Directing administration to proceed with the sale of the Meta Rose Square, Lot 5A, Block 1, Fred Nelson Subdivision, Block 1E Re-subdivision, Wasilla Townsite. (Sponsored by Council Member Wall)

MOTION: Council Member Woodruff moved to adopt AM No. 13-07.

Mayor Rupright spoke to Title 5.32 of the Wasilla Municipal Code pertaining to the sale of City Property.

Discussion ensued.

Council Member Wall provided a report.

Discussion ensued.

Council Member Harris suggested obtaining a broker's opinion of value before an appraisal.

Mr. Payne clarified that they could obtain a broker's opinion of value and then decide to get an appraisal or go with the assessment amount. He clarified that, according to Code, it must be taken to the Planning Commission.

Discussion ensued.

**MOTION:** Council Member Harris moved to allow Administration to obtain a broker's opinion of value.

**GENERAL CONSENT:** There was no objection noted.

Discussion ensued.

**VOTE:** The motion to adopt AM No. 13-07 passed unanimously.

## **XI. COMMUNICATIONS**

### **A. Informational Memorandums**

1. **IM No. 13-02:** Monthly financial reports for the period ending January 31, 2013; to include the Month-To-Date Expenditure Report and Disbursements Greater than \$5,000.

### **B. Commission Minutes**

1. Planning Commission: February 12, 2013
2. Parks and Recreation Commission: February 13, 2013

There was no action taken on communication items.

## **XII. AUDIENCE COMMENTS (3-Minutes Per Person)**

Jeanne Troshynski:

- Commented on Ordinance Serial No. 13-08;
- Voiced concern regarding the ongoing operating costs of a new library;
- Requested a meeting with Council to plan for the operating costs; and
- Noted that the Friends of the Wasilla Public Library cannot participate in any political action as they are a nonprofit group.

### **XIII. MAYOR, CLERK AND ATTORNEY COMMENTS**

Ms. Smithers:

- Reminded the Council that Alaska Public Offices Commission (APOC) financial disclosure statements are due Friday;
- Announced that there are several Special Purpose Committees seeking members; and
- Reported that the Library Needs Committee is expiring.

### **XIV. COUNCIL COMMENTS**

Council Member Wall:

- Inquired about the Library Funding Committee formed at the joint Borough and Tri Cities meeting.

Council Member Harris:

- Reported that she is working on legislation to impose library fees to go toward operating costs.

Council Member Buswell:

- Commented on the two sales tax ordinances; and
- Noted the importance of funding for operating costs.

Council Member Lovell:

- Thanked the audience members for attending.

Council Member Woodruff:

- Commented on funding operating costs for the new library;
- Suggested trimming and modifying the budget; and
- Noted that they have a year to come up with funding.

Deputy Mayor Sullivan-Leonard:

- Thanked the audience for attending;
- Expressed appreciation to the Council for support on the sales tax ordinance;
- Commented on operating expenditures;
- Challenged administration to find funding;
- Commended the Wasilla Lady Warriors on their recent victory; and
- Announced that she is a new grandmother.

Mayor Rupright:

- Announced his daughter graduated from the youth military academy; and
- Reported that Locomotive 557 is being built at the Kenai Supply building.

### **XV. EXECUTIVE SESSION**

There was no executive session held.

**XVI. ADJOURNMENT**

With no further business at hand, Mayor Rupright adjourned the meeting at 6:47 p.m.

  
Verne E. Rupright, Mayor

ATTEST:

  
KRISTIE SMITHERS, MMC, City Clerk

Minutes approved: April 8, 2013