

Introduced by: Mayor
Date: June 18, 1991
Hearing: July 23, 1991
Action: ENACTED
Vote: UNANIMOUS

*Amended by 093-18
05/04/93*

KENAI PENINSULA BOROUGH
ORDINANCE 91-30

AUTHORIZING LEASE OF THE FORMER KENAI LANDFILL DESCRIBED AS TRACT A, ALASKA STATE LAND SURVEY NO. 79-57 TO PENINSULA MODELERS ASSOCIATION

WHEREAS, an application to lease the former Kenai Landfill has been received from Peninsula Modelers Association; and,

WHEREAS, the borough has title to Tract A, Alaska State Land Survey No. 79-57 pursuant to state patent #5146; and,

WHEREAS, a request for review and comment was sent to various agencies and departments and no adverse comment was received; and

NOW THEREFORE BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH;

Section 1. That the following described lands are hereby classified for long term lease:

Approximately 26 acres located within Tract A, Alaska State Land Survey No. 79-57, and located within Sec. 36, T6N, R12W, S.M., Kenai Recording District, Third Judicial District, State of Alaska, to be determined upon surveying and platting.

Section 2. That the Mayor is authorized to enter a lease with the Peninsula Modelers Association for approximately 26 acres of this property to be determined upon surveying and platting. The lease shall be for an initial term not exceeding ten years with an option to renew for two successive five year terms. The rental rate shall be one percent (1%) of the assessed value as established by the borough assessor. The assessed value shall be adjusted every five years with the rent changing accordingly. The Mayor may provide such other terms and conditions as he deems in the best interest of the borough.

Section 3. That the lease shall be further subject to the condition that it may be terminated at the borough's option on 60 days notice if the borough needs the property for other uses or if the activities interfere with monitoring of the site or operation of a transfer site at this location.

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Section 4. That this offer to lease shall expire 60 days after adoption of this ordinance unless otherwise extended by the Mayor.

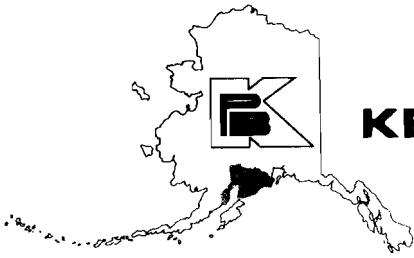
Section 5. That the Mayor is authorized to sign any documents necessary to effectuate this ordinance and deemed to be in the best interests of the borough.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS
23rd DAY OF July, 1991.

ATTEST:

Janet Naugan
Borough Clerk

James W. Skogstad
James W. Skogstad, Assembly President



Ord. 91-30

KENAI PENINSULA BOROUGH

144 N. BINKLEY • SOLDOTNA, ALASKA 99669
PHONE (907) 262-4441

DON GILMAN
MAYOR

MEMORANDUM

TO: James W. Skogstad, Assembly President
Kenai Peninsula Borough Assembly Members

THRU: *TRB for* Don Gilman, Mayor

THRU: Richard Troeger, Planning Director *RPT*

FROM: Carolyn Turkington, Land Management Officer

DATE: June 5, 1991

SUBJECT: Application to Lease Former Kenai Landfill -
Peninsula Modelers Association

Applicant: Peninsula Modelers Association
C/O PO Box 4337
Kenai, AK 99611

Contact Person: Bill Toppa, President
Address same as above
Phone: 283-3735

Property Location: Within Kenai City Limits lying northerly of the
Kenai Spur Road and easterly of Redoubt Avenue.

Property Legal Description: Portion of Section 36, Township 6 North, Range 12
West, Seward Meridian, consisting of 93.83 acres,
more or less, being more particularly described as
Tract A, Alaska State Land Survey No. 79-57 Amended,
plat #80-33, Kenai Recording District.

Assessor's parcel #043-010-25
Assessed valuation: \$246,300

Ownership: Title vests in the Kenai Peninsula Borough. State
patent #5146 was received by the KPB and recorded
July 11, 1980.

Existing KPB Land Classification: A search of assembly actions indicates that
apparently the land has not been classified by the
borough.

Memorandum

RE: Peninsula Modelers

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Existing Kenai Zoning/Uses Allowed: Rural Residential. The City of Kenai Zoning Code, under public/institutional, allows lands zoned as "Rural Residential" to be used for parks and recreation as a secondary use.

Existing Use: The KPB Public Works Department uses an area at the entrance as a transfer site. There are plans to seed the landfill area this summer.

Applicant's Proposed Use: Long term lease to develop the site into a multiple use facility for flying model airplanes, a track for remote control cars, a shelter and picnic area for club and public functions. (See letter of application.)

Requests for review and comment were sent to the City of Kenai Planning & Zoning Commission, City of Kenai Airport Commission, KPB School District, KPB Legal Department, KPB Assessing Department, KPB Finance Department, KPB Emergency Management, KPB Public Works Department, Central Peninsula Hospital Service Area, State of Alaska Division of Aviation, Federal Aviation Agency and the Kenai Air Traffic Control Tower.

To date, the following comments have been received:

1. KPB School District - no objection to the application (copy of memo included).
2. City of Kenai Airport Commission, Bob Summers, Chairman - recommended the application be approved (copy of letter included).

Verbally, the Assessing Department has advised that the parcel will need to be reappraised if the application is approved and the value will probably be less.

After comments, staff recommends this land be classified for long term lease for uses not inconsistent with a former landfill site and the necessary borough activities on the property.

To assist in your review of the requested lease and proposed use, the following items are attached:

1. Letter of application from Peninsula Modelers Association
2. Vicinity map of the area depicting general location
3. Portion of City of Kenai Zoning Code pertaining to "Rural Residential" and Land Use Table
4. Draft of proposed lease
5. Copy of memo from KPB School District
6. Copy of letter from City of Kenai Airport Commission
7. Copy of Memorandum and sketch from Catherine Mayer, KPB Solid Waste Administrator