



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

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**JOHN J. WILLIAMS
BOROUGH MAYOR**

MEMORANDUM

TO: Grace Merkes, Assembly President
Kenai Peninsula Borough Assembly Members

THRU: John J. Williams, Borough Mayor *TJW*

FROM:  Max J. Best, Planning Director

DATE: May 14, 2008

SUBJECT: Ordinance 2008-11 Authorizing the Sale of Land to the Cooper Landing Senior Citizen Corporation, Inc. at Less than Fair Market Value

The Planning Commission reviewed the subject ordinance during their regularly scheduled May 12, 2008 meeting. A motion to recommend adoption of the ordinance passed by unanimous consent.

Draft, unapproved minutes of the subject portion of the meeting are attached.

AGENDA ITEM F. PUBLIC HEARING

Due to Chairman Bryson's firm submitting a proposal for this project he passed the gavel to Vice Chairman Martin.

5. Ordinance 2008-11 Authorizing the Sale of Land to the Cooper Landing Senior Citizen Corporation, Inc. at Less than Fair Market Value

Ordinance 2005-06 (Mayor) Substitute authorized a negotiated lease with option to purchase on 12.5 acres of land off Snug Harbor Road in Cooper Landing. From that offer the Cooper Landing Senior Citizen Corporation, Inc. (CLSCCI) purchased a 2+ acre parcel and successfully developed that property according to plan. The new senior housing has been well received and there is ample demand for more senior housing.

Under Ordinance 2005-06, 12.5 acres was considered with Lot 1 being conveyed and Lot 2 having a lease with an option to purchase. Since that time, the Borough has collected \$27,288.70, which was for the purchase of Lot 1 and for the rents of Lot 2.

CLSCCI has since received additional funding to begin developing more senior housing, and therefore requires ownership of additional lands. Assembly Member Long and Mayor Williams have been working with seniors of Cooper Landing to find ways to make their project successful in moving forward.

This ordinance revisits the terms offered by the 2005 ordinance and draws new findings based on CLSCCI's demonstrated success, the importance of this type of community development, and the payments already received by the Borough.

This ordinance authorizes the sale of 10.352 acres for \$1.00. It considers the monies that have already been collected and the Senior Citizen Corporation's success of building the first phase. Your consideration of offering these lands to CLSCCI for \$1.00 for senior housing purposes is appreciated.

END OF STAFF REPORT

Vice Chairman Martin opened the meeting for public comment.

1. Tim Navarre, Borough Chief of Staff

Mr. Navarre stated the Mayor felt that the Borough is Cooper Landing's government and that this request should be considered. The Borough has given away land for less than fair market value of \$1 to cities, non-profits, etc. There have been long-term leases given which ends up being a lifetime lease. He stated this particular land has a reversionary clause that if it is not used as it is intended then it comes back to the Borough. When the Borough wanted to become a Borough, Mr. Navarre thought it was given 150,000 acres of land entitlement to build it. He believed the Borough has a responsibility for those areas outside the city when a request is made and felt this is a reasonable request.

Vice Chairman Martin asked if there were questions for Mr. Navarre. Hearing none the public hearing continued.

Seeing and hearing no one else wishing to speak, Vice Chairman Martin closed the public comment period and opened discussion among the Commission.

MOTION: Commissioner Carluccio moved, seconded by Commissioner Murphy to recommend adoption of KPB Ordinance 2008-11.

VOTE: The motion passed by unanimous consent.

BRYSON RECUSED	CARLUCCIO YES	COLLINS YES	FOSTER ABSENT	GROSS YES	ISHAM YES	JOHNSON YES
LOCKWOOD YES	MARTIN YES	MURPHY YES	PETERSEN ABSENT	TAURIAINEN ABSENT		8 YES 1 RECUSED 3 ABSENT