

Introduced by:  
Date:  
Action:  
Vote:

Mayor  
10/12/04  
Adopted as Amended  
8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH  
RESOLUTION 2004-104**

**A RESOLUTION RECLASSIFYING CERTAIN BOROUGH LAND LOCATED IN  
THE COOPER LANDING AREA WITHIN SECTION 34, T5N, R3W, S.M., ALASKA AS  
INSTITUTIONAL**

- WHEREAS,** the Kenai Peninsula Borough has management authority on the subject lands; and
- WHEREAS,** pursuant to KPB 17.10.080, classification provides direction for the management of borough land; and
- WHEREAS,** the Cooper Landing Land Use Plan identifies the need for senior housing in the Cooper Landing Area; and
- WHEREAS,** the Cooper Landing Senior Citizen Corporation, Inc. is seeking land suitable for the development of a senior campus to provide senior housing in the Cooper Landing area; and
- WHEREAS,** the subject lands have been identified as suitable for developing a senior housing campus; and
- WHEREAS,** an "Institutional" classification is the most appropriate classification for a senior housing campus; and
- WHEREAS,** public notice of the proposed reclassification was published and notification was sent to landowners and/or leaseholders of record within a one-half mile radius of the subject land, applicable agencies, and interested parties; and
- WHEREAS,** the KPB Planning Commission conducted a public hearing during the regularly scheduled meeting of October 11, 2004, and recommended enactment by unanimous vote;

**NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:**

**SECTION 1.** That based on the findings of fact and analysis contained in the staff report dated October 11, 2004, the following described land shall be reclassified from Preservation to Institutional:

A parcel of land containing approximately 15 acres located south of Snug Harbor Road and north of FERC Power Project No. 2170 (AA-39417) within the S1/2NE1/4 Section 34, T5N, R3W, Seward Meridian, Alaska, and to be further defined by land survey and subdivision plat, in the area shown on Attachment A.

**SECTION 2.** That the assembly finds that this reclassification is compatible with the Cooper Landing Land Use Plan (1992, 1996 update) based on the following findings.

A) The reclassification achieves an express objective of the plan:

An objective of the plan was to set aside land for senior housing. The originally identified site was found to not be suited for senior housing purposes. This reclassification would set aside land for senior housing purposes in a suitable location.

B) The reclassification will not be detrimental to the plan:

The area to be reclassified was originally classified as preservation to protect the Shackelford Creek Watershed, provide a wildlife corridor, protect viewshed and aesthetics, and because soils would not support wells and septic systems. This particular 15 acres is not within the Shackelford Creek Watershed, its development would not impede the Shackelford Creek Watershed's ability to serve as a wildlife corridor, and the subject land has soils suitable for wells and septic systems. Aesthetic qualities and viewsheds may be affected by development of the subject land, however, less than 15% of the non-federal lands in Cooper Landing contain improvements, and the institutional development proposed for this location would not unreasonably detract from the aesthetics of the area.

C) The plan allows modification of classification boundaries:

The "Implementation" section of the plan states "Prior to development of large tracts of KPB land (the land needs) to be at a minimum, surveyed, soil tested, and subdivided. This could cause the modification of classification boundaries". This location is one of only a few locations in the Cooper Landing area where it is anticipated that the results of topographic survey and soil testing and the amount of subdividable acreage will be favorable for the institutional use of senior housing identified in the plan.

D) The public has been appropriately notified and provided the opportunity to present testimony:

Notice has been published and sent in accordance with KPB 17.10.080 (H). Public Hearings have been held by the Cooper Landing Advisory

Planning Commission, The KPB Planning Commission, and the Borough Assembly.

E) The public best interest is served and protected by this reclassification:

The reclassification of 15 acres in the Snug Harbor Area of Cooper Landing from Preservation to Institutional is consistent with the intent of the Plan and facilitates an important function of supporting borough seniors through guided management of borough lands.

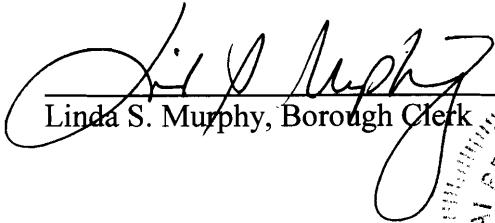
**SECTION 3.** This reclassification shall take effect upon recordation of a subdivision plat which establishes boundaries in accordance with this resolution.

**SECTION 4.** This resolution shall take effect immediately upon adoption.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 12TH DAY OF OCTOBER, 2004.**

  
Pete Sprague, Assembly President

ATTEST:

  
Linda S. Murphy, Borough Clerk

