

RECEIVED

William J. and Georgia A. Polley
Russian Gap Subdivision
Cooper Landing, AK
(907) 229-6265

2005 AUG -2 PM 12:24

July 29, 2005

Kenai Peninsula Borough
Assembly

144 N. Birkley Street
Soldotna, AK 99669-7599

Via FAX

Agenda Item C. 1. a.
Committee Land
Page Number 122

Re: Support for reclassification of 23.32 acres of borough land in Cooper Landing to Recreational in its entirety

Dear Assembly Members:

We request your support for the initial draft resolution #2005-050 and request your opposition to the Mayor's substitute version. The initial draft resolution would reclassify 23 acres of borough land to recreational status in its entirety, whereas the Mayor's substitute version would split the acreage between recreational and residential classifications.

By examining the recent history of this parcel of land, you will see that the clear intent behind the current classification of "institutional" was that all 23 acres would revert back to its original classification of "recreational" should the Cooper Landing Senior Center not be built at this location. This intent is memorialized in KPB resolution #2003-093. The Seniors have subsequently chosen land elsewhere in Cooper Landing and, therefore, this reversionary intent needs to be honored.

The Cooper Landing Advisory Planning Commission, as recently as their July 14, 2005 meeting, unanimously endorsed the reclassification of all 23 acres to recreational status. Representatives from the Cooper Landing Seniors Organization, together with other members of the public who testified, also all endorsed the reclassification to recreational status in its entirety. Interestingly, no one from the KPB Planning Dept. attended this meeting even though they previously stated they would attend.

The Mayor's substitute resolution will only continue to disenfranchise us and other borough taxpayers, who would see a prior commitment and stated intent simply ignored. Please help restore our confidence by supporting the agreement that was worked between the Borough, the Seniors and areas residents in 2003 (see KPB resolution 2003-093) and vote to reclassify all 23 acres to recreational status.

Sincerely,


William and Georgia Polley

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2005 AUG -1 PM 3:06

KPB
CLERK'S OFFICE

Cooper landing Senior Citizen's Corporation, Inc.
P.O. Box 552
Cooper Landing, Alaska 99572

To: Sherry Biggs
Assembly Clerk
Kenai Peninsula Borough
144 N. Binkley
Soldotna, Alaska 99669

Fax:907-262-8615

Attached is a letter to the KPB Assembly members. I would appreciate this letter being included in the Assembly packets of each Assembly member for the Tuesday, August 2, 2005 meeting.

If you have any questions, please contact me at 595-1810. Thank you very much.

Respectfully,

Marjorie Van Kooten

Marjorie VanKooten
Acting President, CLSCCI
Phone: 595-1810
e-mail: jacanmar@arctic.net
Fax: (907) 595-1708

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Committee Land
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**Cooper Landing Senior Citizen's Corporation, Inc.
P.O. Box 552
Cooper Landing, Alaska 99572**

To: Kenai Peninsula Borough Assembly Members

From: Cooper Landing Senior Citizen's Corporation, Inc. (CLSCCI)

Re: KPB Resolution 2005-050

CLSCCI respectfully asks your support of the above Resolution to return the entire acreage, originally reclassified from recreation to institutional for Senior Campus use, back to the original recreation classification as noted in the 1996 Cooper Landing Land Use Plan.

It was CLSCCI's desire and understanding that if the land did not feasibly support the development of a Senior Campus, said property would be reclassified back to recreation. As you are aware, insufficient water was found after 3 wells were drilled on the property, and CLSCCI sought land elsewhere.

Please note that CLSCCI seeks your opposition of KPB Resolution 2005-050 (Mayor's Substitute) to reclassify the above parcel into 10 acres residential and 13 acres recreational.

Thank you for your consideration in this matter.

Respectfully,

Marjorie Van Kooten

**Marjorie VanKooten
Acting President
CLSCCI**

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August 1, 2005

2005 AUG -1 PM 3: 50

President Gary Superman
Land Committee Chair Grace Markes
Kenai Peninsula Borough Assembly
144 North Binkley
Soldotna, AK 99669

KPB
CLERK'S OFFICE

Page Number

Committee

Agenda Item

SUBJECT: Resolution 2005-050 and
Resolution 2005-050 (Mayor) Substitute

Dear President Superman, Land Chair Markes and Assembly Members,

I am Bill Stockwell, Owner of Lot 8, Russian Gap Subdivision

I ask that you SUPPORT the original Resolution 2005-050 that reclassifies Tract A, Russian Gap Subdivision, 2004 Addition from Institutional to Recreational. This action has the support of the Cooper Landing Advisory Planning Commission and the Community. It also fulfills the intent of the Assembly (if I heard correctly) and CLAPC when Resolution 2003-093 was passed. In fact the last WHEREAS in Resolution 2003-093 clearly states that intent. The original version of Ordinance 2003-41 also stated this intent in Section 5. However, for reasons unknown the wording in Section 5 was eliminated in the Mayor's Substitute Ordinance 2003-41 which was passed by the Assembly.

I ask that you OPPOSE the Mayor's Substitute Resolution 2005--050, as proposed by the Borough Planning Commission, that reclassifies Tract A, Russian Gap Subdivision, 2004 Addition from Institutional to 13 acres Recreational and 10 acres Residential. This action is opposed by the Cooper Landing Advisory Planning Commission, The Cooper Landing Seniors, The Friends of Cooper Landing and property owners in Russian Gap Subdivision. No support for this substitute resolution was offered at the CLAPC Meeting on July 13. I feel as a Russian Gap land owner that this resolution violates the intent that we felt was agreed to when Resolution 2003-093 was passed.

I ask that you consider some of the other reasons why this substitute resolution should be OPPOSED.

(1) For no stated or justifiable reason this resolution would change the Cooper Landing Land Use Plan. The original purpose of the Recreational classification in the land plan was to keep the entrance into Cooper Landing from having the "stripped out" look with road side development. This was good land planning and showed local pride in our community.

(2) This resolution violates common sense. The Borough did not establish any criteria for what was "developable" and "non-developable" in Russian Gap and Birch/Grouse Ridge before they sold the land to the public. Why suddenly do we have criteria for this tract? In Russian Gap the Borough sold the

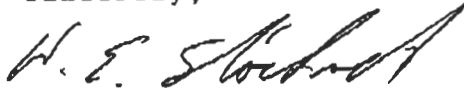
PAGE 2 Comments on Resolution 2005-050 August 1, 2005

CEA transmission power line right of way which is certainly "non-developable". If the Borough would like to increase the size of Russian Gap Subdivision then that is a different issue and should be handled through proper planning and not by this community opposed resolution. I would accept the Assembly returning this issue to the Community for further planning and will actively participate.

(3) This new residential area proposed by this resolution is not contiguous with the present Russian Gap Plat and thus would not come under our RR zoning. (Chapter 21.44.030.C.) In theory the Borough could sell the 10 acres to a developer who could sell 10 one acre lots or one 10 acre dog lot at the entrance of our subdivision. Expensive homes are being built in Russian Gap and while the above might not be the Borough intent at present, I have already discussed past Borough intent in this letter. The Russian Gap property owners have a justifiable concern for their life style and property values.

Thank you for read my concerns. Please SUPPORT the original resolution and OPPOSE the substitute.

Sincerely,



Bill Stockwell
P.O. Box 721
Cooper Landing, AK 99572

FOCL**Friends of Cooper Landing, Inc.**

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2005 AUG -2 AM 3: 50

KPB
CLERK'S OFFICE
Post Office Box #15
Cooper Landing, Alaska 99572

August 1, 2005

Gary Superman, President
Grace Merkes, Chair Lands Committee
Honorable Members
Kenai Peninsula Borough Assembly
144 North Binkley
Soldotna, Alaska 99669

Fax 907.714.2388

Subject: August 2, 2005 Agenda Item O.1.a. Resolution 2005-050 and Mayor's
Substitute, Russian Gap Area Reclassification, Cooper Landing

Dear President Superman, Chair Merkes, and Members of the Assembly:

The Friends of Cooper Landing strongly support the original Resolution 2005-050, which reclassifies the 23.32 acre Tract A, Russian Gap Area, from Institutional to Recreational. The Recreational classification is consistent with the Cooper Landing Land Use Plan. Reclassification to Recreational is also what the Borough promised the Community would be the result of not utilizing this tract as Institutional.

It has become clear that the current Borough Administration does not appreciate the rigorous planning effort and public vote that established the Cooper Landing Land Use Plan. Fifteen years ago, and again 10 years ago, a visionary Borough Administration guided this community through land use planning processes that became a model for balanced development throughout the Borough.

The Cooper Landing Land Use Plan very carefully applied screening buffers along heavily traveled roadways. The community wishes to conserve Cooper Landing's natural alpine setting, which is the basis for both the community's economy, and quality of life for residents. The proposed residential development will strip away the natural setting, adding to the KPB Waste Transfer Site eyesore located directly across the Sterling Highway. Both sites will be highly visible to travelers entering Cooper Landing.

Cooper Landing expects and is entitled to a good-faith planning process. Without conducting a proper planning process, the Borough is arbitrarily changing a land use plan adopted by public vote. The Cooper Landing Land Use Plan can be changed under careful planning and by agreement of the community. The Borough simply deciding to develop a given parcel does not represent the required planning process. The community insists on orderly land use planning, conducted in relation to area surroundings and the

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Friends of Cooper Landing

entire community. This practice of spot developing isolated parcels in a vacuum is not acceptable. The community is opposed to this method of irrational development.

The Mayor caused this unfortunate set of circumstances to occur by manipulating the Senior Citizens' housing site away from the desirable, centralized Birch-Grouse Ridge location specified in the Cooper Landing Land Use Plan, to this unsuitable outlying tract 4 miles away, across from the Waste Transfer Site.

Specific objections to the Mayor's Substitute Resolution follow:

1. It is inconsistent with Recreation Classification of Cooper Landing Land Use Plan, adopted by public vote and ordinance
2. An incomplete public planning process was conducted by the Borough
3. The Community does not support the substitute resolution, which is believed to negatively impact the local economy and quality of life.
4. The Cooper Landing Advisory Planning Commission has voted twice in 2005 to support Recreational Classification
5. Additional eyesore at the entrance to Cooper Landing is created by destroying the Sterling Highway buffer specifically designed to prevent this from occurring.
6. Removing the buffer will increase highway noise within the existing Russian Gap Subdivision
7. This tract was originally classified Recreational to screen the Russian Gap Subdivision from the Sterling Highway and the Waste Transfer Site.
8. A residential area has not been planned in relation to the existing high value Russian Gap Subdivision
9. Development criteria for the speculative residential area do not exist.
10. Property values in the existing Russian Gap Subdivision will be negatively impacted.
11. Quality of life in the existing Russian Gap Subdivision will be negatively impacted.
12. Bad faith is demonstrated by the Borough in not honoring the agreement with Cooper Landing to return the tract to Recreational Classification.
13. The Mayor's Substitute was incorrectly titled and advertised, which mislead the public about the true intent of the proposal.

The Friends of Cooper Landing urge you not to adopt the Substitute Resolution.

Thank you for your consideration,


Robert L. Baldwin, President

cc: Cooper Landing Advisory Planning Commission