



Kenai Peninsula Borough

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2005 AUG - 2 AM 10: 23
Planning Department
Land Management Division
144 North Bigley, Soldotna, AK 99669
(907) 714-2200 Fax (907) 262.8618

CLERK'S OFFICE

MEMORANDUM

TO: Gary Superman, Assembly President
Kenai Peninsula Borough Assembly Members

THRU: *DLB* Dale Bagley, Mayor
MB Max Best, Planning Director

FROM: *P.O.* Paul C. Ostrander, Land Management Officer

DATE: August 2, 2005

SUBJECT: Substitute Resolution 2005-050 A Resolution Reclassifying Certain Borough Land Located In The Russian Gap Area of Cooper Landing, Section 25, T5N, R3W, S.M., Alaska, as Recreational and Residential.

Agenda Item 0.1.a
Committee Land
Page Number 122

Attached for your consideration are written comments regarding the subject Resolution that were included for the Kenai Peninsula Borough Planning Commission meeting of July 18, 2005.

Additionally attached are the minutes from the Cooper Landing Advisory Planning Commission meeting of July 13, 2005 regarding the subject Resolution.

FOCL

Friends of Cooper Landing, Inc.

JUL 18 2005

Post Office Box 815
Cooper Landing, Alaska 99572

July 15, 2005

Philip Bryson, Chair
Planning Commission
Kenai Peninsula Borough
144 North Binkley
Soldotna, AK 99669

Subject: July 18, 2005 Planning Commission Agenda Item F.5. Reclassification of Borough Land From Institutional to Recreational and Residential in the Russian Gap Area

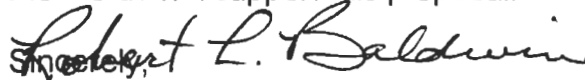
Dear Chairman Bryson,

The Friends of Cooper Landing strongly oppose this reclassification; and support reclassifying this 23-acre tract solely to Recreational, as agreed to by the community and formalized by the Kenai Peninsula Borough in Resolution 2003-093, and Ordinance 2003-41. The Cooper Landing Land Use Plan designated this tract as Recreational. FOCL strongly opposes reclassification of 10 acres of the tract to Residential, as now proposed by the Borough Administration.

FOCL further strongly objects to the Kenai Peninsula Borough not honoring the agreement made with this community about returning the Russian Gap Senior Housing tract to a Recreation classification. The Cooper Landing Land Use Plan is the standard for development in Cooper Landing. It is not acceptable for the KPB Administration to arbitrarily force random, incompatible development in Cooper Landing. Unplanned proposals like this do not respect the rigorous 15-year land use planning effort undertaken by this community.

In 2005, the Cooper Landing Advisory Planning Commission has twice voted unanimously to return this tract to Recreational. As a member stated during the July 13 discussion of this matter: "The Land Use Plan should only be changed under extraordinary circumstances, and this isn't one."

Please do not support this proposal.



Robert L. Baldwin, President

rbaldwin@gci.com

cc: Cooper Landing Advisory Planning Commission

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JUL 20 2005

KENAI PENINSULA BOROUGH
PLANNING DEPARTMENT

July 17, 2005

Philip Bryson, Chair
Planning Commission
Kenai Peninsula Borough
144 North Binkley
Soldotna, AK 99669

RECEIVED
JUL 18 2005
KPB ASSESSING DEPT.

SUBJECT: Proposed Reclassification of Tract A, Russian Gap
Subdivision 2004 Addition, to Recreational and Residential.
Planning Commission Agenda Item F.5.

SENT BY FAX

Dear Chair Bryson,

I am the owner of Lot 8, Russian Gap Subdivision. I attended the July 13, 2005 meeting of the Cooper Landing Advisory Planning Commission and I strongly SUPPORT the position of the Advisory Planning Commission that the entire Tract A, Russian Gap Subdivision 2004 Addition, be reclassified back to "Recreational" from "Institutional" as purposed and agreed to per Resolution 2003-093 and Ordinance 2003-41, Section 5. before this requirement was removed in the Mayor's final substitute ordinance.

Several members of the Cooper Landing Senior Citizens testified that at all the meetings they have had with Borough staff on this tract and on the Snug Harbor Senior Site, it was always understood that the Russian Gap institutional land would return to a recreational classification if not suitable for the Senior Citizens Site. Members of the public testified that they always understood that the agreement between Community and the Borough was that the land would return to a recreational classification if not suitable for Senior housing.

I ask that the Borough Planning Commission follow the wishes of the Cooper Landing Community, the advice of the Advisory Planning Commission and the Assembly intent per the last WHEREAS in Resolution 2003-093 and OPPOSE THIS RECLASSIFICATION TO RECREATIONAL AND RESIDENTIAL. This parcel in its entirety should be reclassified recreational.

Sincerely,



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

July 5, 2005

Philip Bryson, Chair
Planning Commission
Kenai Peninsula Borough
144 North Binkley
Soldotna, AK 99669

SUBJECT: Proposed Reclassification of Tract A, Russian Gap
Subdivision 2004 Addition, to Recreational and Residential.

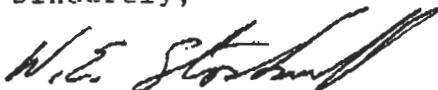
Dear Chair Bryson,

As the owner of Lot 8, Russian Gap Subdivision, I am strongly
OPPOSED to reclassifying any part of Tract A, Russian Gap
Subdivision 2004 Addition, to "Residential". The entire Tract
A should be reclassified back to "Recreational" as purposed
and agreed to per Ordinance 2003-41, Section 5.

The Borough, The Borough Assembly and The Cooper Landing Senior
Citizens Corporation agreed with Cooper Landing Advisory Planning
Commission, the Community and the Russian Gap property owners
that if the then to become Tract A, Russian Gap Subdivision
2004 Addition, was not suitable for Senior Housing Development,
the tract would return to the original classification as shown
in the Cooper Landing Land Use Plan - "Recreational".

Your proposed reclassification violates this agreement, violates
the public planning process and violates the stated intent of
the Community in their vote on the Cooper Landing Land Use Plan.
Further you give no stated justification, purpose or need for
this proposed violation of ordinance, agreement and public intent.

Sincerely,



Bill Stockwell
Owner, Tract 8, Russian Gap Subdivision
P.O. Box 721
Cooper Landing, AK 99572

Phone: 595-1540

William J. and Georgia A. Polley
4620 Hunter Drive
Anchorage, Alaska 99502
(907) 243-8643

July 5, 2005

Kenai Peninsula Borough
Land Management Division
144 N. Binkley Street
Soldotna, AK 99669-7599

Via FAX

Re: Borough proposal to reclassify 23.32 acres of borough land in Cooper Landing to Recreational AND Residential

Dear KPB Planning Commission Members:

We are opposed to the substitute resolution to reclassify subject land as Recreational and Residential as recommended by the Planning Commission at their May 9, 2005 hearing. Our opposition is due to the inclusion of "and residential" in the substitute resolution. We fully support the earlier proposal to reclassify all of the 23 acres to recreational status.

We continue to be dismayed and disappointed that the clear intent expressed in KPB Resolution #2003-093; the related Cooper Landing Planning Commission resolution; and Section 5 of KPB Ordinance 2003-41 is not being honored. This intent called for all 23 acres to revert from "Institutional" status back to its original "Recreational" status should the Cooper Landing Senior Citizen Center not be constructed at this site. Now that an alternative site has been chosen for the Center, the reclassification of all subject acreage back to "Recreational" status should be a straightforward exercise, with a credible result.

To now offer a substitute resolution that would split the acreage between two classifications – let alone being given a compressed notice period – is a violation of dealing in good faith, and a breach of the previously expressed clear intent.

We would like to thank Dan Conetta for his responsiveness to our inquiries, and the KPB Assembly for what we understand was their guidance to employ the public notice/hearing process regarding the substitute resolution.

Again, we urge you to withdraw this substitute resolution, and to honor the previously expressed intent and reclassify all of the subject acreage to its original "Recreational" status.

Sincerely,



William and Georgia Polley (Lot #9, Russian Gap Subdivision)

cc: Cooper Landing Advisory Planning Commission and KPB Assembly

Cooper Landing Advisory Planning Commission Minutes For July 13, 2005

Cooper Landing Community Hall, Bean Creek Road
Cooper Landing, AK 99572

Call to Order and Roll Call

Call to order 7:40

Commissioners present: Rob Bear, George Siter, Dottie Wilson, Jon James, Carl Romig

Commissioners absent: Carrie Williams, Marcelle Young - All excused

Approval of Agenda

Unanimous Approval

Approval of Minutes

N/A

New Business

Russian Gap (Old Senior Site) – Bill Stockwell spoke against the Residential portion and was concerned that the residential area would not fall under any RR Zoning. Bill Pauly another owner in Russian Gap Subdivision also spoke up against the proposed residential portion sighting assembly resolution 03093 which stated that all this land should revert back to recreation if Seniors could not develop proposed land. Jackie Green spoke up on behalf of the seniors and opposed the residential classification as did Jim and Pinky Richardson.

Jon James, Dottie Wilson, George Siter Carl Romig all spoke against residential portion of proposed plat. With that George made a motion to oppose the mixed classification of residential and recreational land and have all this land revert back to recreational as approved by the community plan and based upon assembly resolution 03093.

Carl Second.

Unanimous approval.

Public Comment and Presentations

Jon James Informed board that he was subdividing his land by sunrise into 2 – 5 acre parcels. No one objected to his proposed replat.

Adjournment: 8:05 p.m.