

Kenai Peninsula Borough
Office of the Borough Clerk

MEMORANDUM

TO: Brent Johnson, Assembly President
Kenai Peninsula Borough Assembly Members

FROM: Johni Blankenship, Borough Clerk (JB)

DATE: August 23, 2022

RE: Ordinance 2022-31: Authorizing the Release of a Commercial Deed Restriction on A Parcel of Land Located in Cooper Landing Originally Conveyed by The Kenai Peninsula Borough (Mayor)

Per KPB 22.40.050(F), the borough clerk, or the clerk's designee in his or her absence, has the authority to revise pending resolutions and ordinances prior to assembly action, by filling in any blanks in the legislation stating advisory board recommendations made concerning the legislation. This serves as our memorandum to advise the assembly of same.

Conforming to the advisory board's actions, the last Whereas clauses has been updated to read:

WHEREAS, the Cooper Landing Advisory Planning Commission at its regularly scheduled meeting of August 3, 2022, recommended enactment by unanimous consent; and

WHEREAS, the KPB Planning Commission at its regularly scheduled meeting of August 8, 2022, recommended enactment;

Thank you.

From: Cooper Landing Advisory Planning Commission
To: jaeger06@hotmail.com; [Tymick, Jonathan J \(DOT\)](mailto:Tymick.Jonathan.J@DOT); [Cindy Ecklund](mailto:Cindy.Ecklund); [Baski, Sean M \(DOT\)](mailto:Baski.Sean.M@DOT); [Mueller, Marcus](mailto:Mueller.Marcus); ygalbraith@gmail.com; [Planning Dept.](mailto:Planning.Dept); jette.cadieux@gmail.com; [Laura Johnson](mailto:Laura.Johnson); [Virginia Morgan](mailto:Virginia.Morgan); [David Story](mailto:David.Story); brandonandheather@live.com; [Kathy Recken](mailto:Kathy.Recken); [Fletcher, Sandra](mailto:Fletcher.Sandra); [Carver, Nancy](mailto:Carver.Nancy)
Subject: <EXTERNAL-SENDER>Re: 2022 08 03 CLAPC Unapproved Minutes
Date: Thursday, August 4, 2022 9:24:31 AM
Attachments: [1. Chugach Electric Daves Creek Substation MAP 7.13.2022.pdf](#)

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On Thu, Aug 4, 2022 at 9:23 AM Cooper Landing Advisory Planning Commission
<cooperlandingapc@gmail.com> wrote:

Commissioners:

Attached are the Unapproved Minutes from our August 3, 2022 Regular Meeting. The support documents include all but the document titled *1. Chugach Electric Daves Creek Substation MAP 7.13.2022.pdf*. Due to size limitations it will be sent as a second email.

Also attached are the approved minutes from June 8, 2022

Please note that the CLAPC voted by roll call as follows:

- **Ordinance 2022-XX An Ordinance Authorizing the Release of a Commercial Deed Restriction on a Parcel of Land Located in Cooper Landing Originally Conveyed by the Kenai Peninsula Borough. "Cozy Bear" property.**
 - Recommend the removal of the deed restriction on the land.
 - All approve.
- **Ordinance 2022-XX An Ordinance Authorizing the Release of a Portion of a Conservation Easement Deed Restriction on a Parcel of Land Located in Cooper Landing and to Acquire a 30-Foot-Wide tract of Land and Classify Three, 30-Foot-Wide Tracts of Land as Government. "Three Bears" property.**
 - Recommend supporting the ordinance if:
 1. The 30' greenspace is maintained in its entirety
 2. Design of final plat includes a separated pathway within the right of way corridor along its length that connects to the Phase 1B separated pathway and is not within the maintained greenspace.
 - All approve.
- **Conditional Use Permit to Chugach Electric Association to use rip rap and create a new alignment of Quartz Creek near the Dave's Creek Substation to keep water away from the substation.**
 - Recommend approval of the permit application as proposed.
 - All approve.

Please let me know if you have questions or need more information.

Cheers,
David

From: [Shirnberg, Ann](#)
To: [Blankenship, Johni](#); [Turner, Michele](#)
Subject: Ordinance Recommendations
Date: Tuesday, August 9, 2022 8:28:29 AM
Attachments: [image001.png](#)
Importance: High

Good Moring Johni,

At the August 8, 2022 regularly scheduled Planning Commission meeting, the commission voted unanimously (12-Yes, 0-No, 2-Vacant) recommending that the assembly adopt the two ordinances below:

1. Ordinance 2022-31: Authorizing the release of a commercial deed restriction on a parcel of land located in Cooper Landing originally conveyed by the Kenai Peninsula Borough.
2. Ordinance 2022-19-08: Authorizing the acquisition of real property located in Anchor Point, Alaska on behalf of Western Emergency Services for future expansion of emergency service facilities with funding through an interfund loan from the Land Trust Investment Fund. Appropriating loan proceeds for the property acquisition, and appropriating Western Emergency Service Area operating funds for the annual loan payment to the Land Trust Investment Fund.

Thank You,

Ann Shirnberg
Administrative Assistant
Planning Department
(907) 714-2215

KENAI PENINSULA BOROUGH
144 North Binkley Street
Soldotna, Alaska 99669



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