

E. NEW BUSINESS

- 4. Ordinance 2022-14: Authorizing the sale of certain parcels of borough-owned land by live outcry auction followed by a subsequent online-only auction land sale.**

Kenai Peninsula Borough

Planning Department – Land Management Division

MEMORANDUM

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

THRU: Charlie Pierce, Mayor *CPM*
Marcus A. Mueller, Land Management Officer *[Signature]*

FROM: Aaron Hughes, Land Management Agent *AH*

DATE: May 5, 2022

RE: Ordinance 2022-____, Authorizing the Sale of Certain Parcels of Borough-Owned Land by Live Outcry Auction Followed by a Subsequent Online-Only Auction Land Sale (Mayor)

The Kenai Peninsula Borough ("KPB") Land Management Division has identified **certain parcels of land that are surplus to the KPB's needs. These parcels could be** placed in a competitive market value land sale by outcry auction, followed by a secondary online-only auction. Attached are vicinity site maps showing the location of each parcel. Minimum sale prices, termed "Auction reserves", are proposed to be set at the estimated fair market value as determined through consultation with the KPB Assessing Department.

The live outcry auction is proposed for August 13, 2022, to be held at Soldotna High School. A sale brochure will identify the parcels and provide a brief explanation of the auction and subsequent closing process. Notice of the land sale will be published in accordance with KPB 17.10.110 and the brochure will be **made available on the KPB Land Management Division's website.** This ordinance provides a framework to reschedule the auction in the event the August 13th date is cancelled.

This ordinance will authorize an outcry auction land sale of certain parcels of borough land followed by a secondary online only auction land sale of the parcels not sold at auction.

The Planning Commission will hold a public hearing on May 23rd and will forward its recommendations to the assembly.

Your consideration of this ordinance is appreciated.

Introduced by:	Mayor
Date:	05/17/2022
Hearing:	06/07/2022
Action:	
Vote:	

**KENAI PENINSULA BOROUGH
ORDINANCE 2022-**

**AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN
PARCELS OF BOROUGH-OWNED LAND BY LIVE OUTCRY AUCTION
FOLLOWED BY A SUBSEQUENT ONLINE-ONLY AUCTION LAND SALE**

WHEREAS, the Kenai Peninsula Borough (“Borough”) has fee simple title to or management authority of the real property listed in Section 1 of this ordinance; and

WHEREAS, the listed Borough-owned or Borough-managed real property has been appropriately classified pursuant to KPB 17.10.080; and

WHEREAS, authorization of an outcry auction sale provides a competitive market process, followed by a subsequent online-only auction sale intended to keep the properties on the market over a longer term; and

WHEREAS, since the parcels referenced as KPB Parcel Identification Number (PIN) 017-120-06, 119-070-02, 119-070-01, and 131-070-32 require a completed record of survey prior to closing, this ordinance will authorize an extended due diligence period for review, approval and recording of the record of survey prior to finalizing any potential sale transactions resulting from the sale of these parcels; and

WHEREAS, due to remaining uncertainty in planning live events, allowing for an alternate live auction date is appropriate; and

WHEREAS, the Planning Commission at its regularly scheduled meeting of May 23, 2022, recommended _____;

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

SECTION 1. That the parcels listed below are authorized for sale at a minimum of the fair market value as determined through consultation with the Borough Assessing Department.

KPB PIN	General Location	Legal Description	Acres	Reserve
017-120-06	North Kenai	GOVERNMENT LOT 10, ACCORDING TO THE DIVISION OF LANDS SURVEY PLAT REFLECTING A REPLAT OF BLM SECTION LOTS 5, 6, 7, 9, 10, 12, 15, 16, 17, 18 AND THAT PORTION OF THE E1/2W1/2SW1/4SW1/4SE1/4 LYING ABOVE THE LINE OF MEAN HIGH WATER WITHIN SECTION 23, TOWNSHIP 6 NORTH, RANGE 12 WEST, SEWARD MERIDIAN, ALASKA, FILED IN THE KENAI RECORDING DISTRICT ON JUNE 16, 1969 AS K-1622 AND REFILED ON AUGUST 8, 1969 AS K-1637.	5.48	\$180,000.00
025-444-16	Point Possession	TRACT T, MOOSE POINT SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED UNDER PLAT NO. 84-65, RECORDS OF THE KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	11.08	\$25,000.00
035-030-74	Hope	LOT 11 OF DISCOVERY PARK SUBDIVISION, AS SHOWN ON PLAT NO. 2010-11, RECORDS OF THE SEWARD RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	2.26	\$110,000.00
057-530-15	Soldotna	LOT ONE (1), BLOCK 2-A, BLOCK 2- A AND A PORTION OF BLOCK 3-A OF THE IRONS SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED UNDER AMENDED PLAT NUMBER 75-4, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	0.34	\$23,000.00
055-035-29	Soldotna	LOT 7, BLOCK 4 WIDGEON WOODS PHASE 2, ACCORDING TO PLAT NO. 2012-32, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	1.24	\$85,000.00

055-010-16	Soldotna	THE S½SW¼SE¼ OF SECTION 10, TOWNSHIP 5 NORTH, RANGE 11 WEST, SEWARD MERIDIAN, KENAI RECORDING DISTRICT, STATE OF ALASKA.	20	\$350,000.00
065-190-63	Sterling	LOT 4, BLOCK 8 STEPHENKIE ALASKA SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED UNDER PLAT NUMBER 73-146, KENAI RECORDING DISTRICT, STATE OF ALASKA.	3.31	\$220,000.00
066-310-26	Funny River	LOT THREE (3), BLOCK FIVE (5), RIVER BEND RIDGE SUBDIVISION PART FIVE (5), FILED UNDER PLAT NO. 78-126, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	1.23	\$23,000.00
119-070-02	Cooper Landing	LOT 15 OF US SURVEY 3306 IN SECTION 28, TOWNSHIP 5 NORTH, RANGE 3 WEST, ACCORDING TO THE SURVEY PLAT ACCEPTED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT ON JANUARY 24, 1955, SEWARD RECORDING DISTRICT, STATE OF ALASKA.	1.6	\$125,000.00
119-070-01	Cooper Landing	LOT 14A OF US SURVEY 3306 IN SECTION 28, TOWNSHIP 5 NORTH, RANGE 3 WEST, ACCORDING TO THE SURVEY PLAT ACCEPTED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT ON JANUARY 24, 1955, SEWARD RECORDING DISTRICT, STATE OF ALASKA.	1.46	\$125,000.00
125-160-05	Moose Pass	LOT 4, ALASKA STATE LAND SURVEY 86-176, SECTION 13, TOWNSHIP 4 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, SEWARD RECORDING DISTRICT, STATE OF ALASKA.	0.87	\$40,000.00

125-160-07	Moose Pass	LOT 6, ALASKA STATE LAND SURVEY 86-176, SECTION 13, TOWNSHIP 4 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, SEWARD RECORDING DISTRICT, STATE OF ALASKA.	.88	\$40,000.00
131-070-32	Kalifornsky	GOVERNMENT LOTS 6 AND 7, SECTION 24, TOWNSHIP 4 NORTH, RANGE 12 WEST, SEWARD MERIDIAN, KENAI RECORDING DISTRICT, STATE OF ALASKA.	10.03	\$222,000.00
135-053-35	Caribou Island	LOT 6A, BLOCK 4, CARIBOU ISLAND SUBDIVISION KPB2020 REPLAT, AS SHOWN ON PLAT NO. 2020-9, SEWARD RECORDING DISTRICT, STATE OF ALASKA.	1.18	\$8,000.00
165-250-58	Anchor point	LOT ONE (1), ACCORDING TO THE PLAT OF DEED OF RECORD BOUNDARY SURVEY OF HEADACRES, FILED UNDER PLAT NO. 81-64, HOMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	1.05	\$15,000.00
193-261-14	Bear Cove	LOT 2, BLOCK 6, OF MARINERS WALK SUBDIVISION AMENDED, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED UNDER PLAT NUMBER 85-225, SEWARD MERIDIAN, HOMER RECORDING DISTRICT, STATE OF ALASKA.	8.77	\$125,000.00
211-280-11	Beluga	TRACT D, BLOCK 4 OF THREE MILE CREEK SUBDIVISION AMENDED, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED UNDER PLAT NUMBER 72-7, ANCHORAGE RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	6.76	\$25,000.00
211-280-13	Beluga	TRACT B, BLOCK 4 OF THREE MILE CREEK SUBDIVISION AMENDED, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED UNDER PLAT NUMBER 72-7, ANCHORAGE RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	8.33	\$30,000.00

SECTION 2. That the method of disposal shall be by outcry public auction pursuant to KPB 17.10.100(B) followed by an online-only auction sale. The date of the outcry public auction sale shall be August 13, 2022. The auction shall be held at Soldotna High School or other such advertised location. A subsequent online-only auction will be conducted for those not sold as part of the live auction. The online-only auction will remain open for a minimum of two weeks beginning not later than December 31, 2022.

SECTION 3. That the administration is authorized to remove any or all of the proposed land sale offerings for any reason, including real estate market conditions, at any time prior to the date of the initial auction and secondary online-only auction

SECTION 4. That in the event the administration is unable to proceed with the live outcry auction on the designated date due to unforeseen events, the administration shall be authorized to reschedule the outcry auction and subsequent secondary online-only auction land sale 45 to 90 days later than the date designated in this ordinance. In the event the dates designated in Section 2 are cancelled and an alternative date is rescheduled, then such sale date and location shall be re-advertised for at least 30 days prior to the sale, consistent with the original advertisement.

SECTION 5. That all parcels will be conveyed by quitclaim deed. Title insurance in the form of a lenders policy of title insurance must be obtained for all Borough-financed sales. All title insurance and closing fees are the buyer's expense. Title insurance must show the condition of title and no unsatisfied judgments or liens against the buyer at the time of closing, the latter of which shall also be verified by the buyer prior to closing. In the event a title report showing an acceptable condition of title cannot be obtained by seller, then either the buyer or the Borough may elect to terminate the purchase agreement, in which case all monies on deposit will be refunded to the buyer. For Borough-financed sales, buyers must execute a release authorizing the Borough to obtain a credit report on the said buyers.

SECTION 6. That the parcel listed below is a tax-foreclosed property retained for public purpose under KPB Ordinance 2004-15 as a substandard lot (less than 40,000sf.). That in accordance with provisions of A.S. 29.45.460, the assembly finds that a public need no longer exists. The subject parcel has been enlarged by combining multiple small lots through survey plat No 2020-9 Kenai Recording District, curing the substandard size issue. As this parcel has been retained by the Borough in excess of 10 years, marketable or clear title to the subject parcel should now be available and properties can be marketed for sale.

KPB PIN	General Location	Legal Description	Last Owner of Record
135-053-35	Caribou Island	LOT 6A, BLOCK 4, CARIBOU ISLAND SUBDIVISION KPB2020 REPLAT, AS SHOWN ON PLAT NO. 2020-9, SEWARD RECORDING DISTRICT, STATE OF ALASKA.	Pylant, Fritz

SECTION 7. That the parcel listed below is a tax foreclosed property retained for public purpose. In accordance with provisions of A.S. 29.45.460, the assembly finds that a public need no longer exists. Due to parcel 057-530-15 being substandard in size, though similar and consistent to adjacent properties, the subject parcel should be presented for sale with special attention to the lot size and potential for an engineered septic treatment system. As the parcel has been retained by the Borough in excess of 10 years, marketable or clear title to the subject parcel is now available and the parcel can be marketed for sale.

KPB PIN	General Location	Legal Description	Last Owner of Record
057-530-15	Soldotna	LOT ONE (1), BLOCK 2-A, AND A PORTION OF BLOCK 3-A OF THE IRONS SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED UNDER AMENDED PLAT NUMBER 75-4, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Paul D. Waln Sheryl E. Waln

SECTION 8. That the sale of the parcels listed below are subject to and contingent upon the completion of a record of survey. As a result, the legal descriptions and acreage information for the subject parcels may be updated prior to sale. All marketing materials used for the subject parcels will contain the most current information available at the time of printing. Prior to finalizing any contemplated sale, the buyer shall have the opportunity to inspect the record of survey information.

KPB PIN	General Location	Legal Description	Acres
017-120-06	North Kenai	GOVERNMENT LOT 10, ACCORDING TO THE DIVISION OF LANDS SURVEY PLAT REFLECTING A REPLAT OF BLM SECTION LOTS 5, 6, 7, 9, 10, 12, 15, 16, 17, 18 AND THAT PORTION OF THE E1/2W1/2SW1/4SW1/4SE1/4 LYING ABOVE THE LINE OF MEAN HIGH WATER WITHIN SECTION 23,	5.48

		TOWNSHIP 6 NORTH, RANGE 12 WEST, SEWARD MERIDIAN, ALASKA, FILED IN THE KENAI RECORDING DISTRICT ON JUNE 16, 1969 AS K-1622 AND REFILED ON AUGUST 8, 1969 AS K-1637.	
119-070-02	Cooper Landing	LOT 15 OF US SURVEY 3306 IN SECTION 28, TOWNSHIP 5 NORTH, RANGE 3 WEST, ACCORDING TO THE SURVEY PLAT ACCEPTED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT ON JANUARY 24, 1955, SEWARD RECORDING DISTRICT, STATE OF ALASKA.	1.6
119-070-01	Cooper Landing	LOT 14A OF US SURVEY 3306 IN SECTION 28, TOWNSHIP 5 NORTH, RANGE 3 WEST, ACCORDING TO THE SURVEY PLAT ACCEPTED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT ON JANUARY 24, 1955, SEWARD RECORDING DISTRICT, STATE OF ALASKA.	1.46
131-070-32	Kalifornsky	GOVERNMENT LOTS 6 AND 7, SECTION 24, TOWNSHIP 4 NORTH, RANGE 12 WEST, SEWARD MERIDIAN, KENAI RECORDING DISTRICT, STATE OF ALASKA.	10.03

SECTION 9. That fee simple Patents shall be received from the State of Alaska for those properties currently under management authority prior to the date of the land sale auction. In the event the fee patents are not received, those parcels will be withdrawn from the 2022 land sale and be returned to the land bank.

SECTION 10. That upon successful sale at auction, buyer/bidder will enter into an agreement to acquire the subject parcel, a down payment of 10 percent of the sale price, or \$1,500.00, whichever is greater, shall be deposited with the Borough or its designee and the applicable terms and provisions of KPB 17.10.120 and KPB 17.10.130 shall apply, except that the Borough shall retain the down payment, up to \$1,000, if the prospective buyer breaches a term of the sale.

SECTION 12. That auction records will contain first and second position bid amounts for each property. In the event the first position buyer is unable to perform, the property will be offered for sale to the second position bidder for the amount of the second position bid, provided that the second position bid amount is in excess of the established reserve. If the second position bidder is not interested or unable to perform, and the second position bid is in excess of the established reserve, the second position bid amount will become the stated reserve price in the subsequent secondary online only auction. Auction records for the secondary online-only auction will contain first and second position bid amounts for each property. In the event the first position buyer is unable to perform, the property will be offered for sale to the second position bidder for the amount of the second position bid, provided that the second position bid amount is in excess of the established reserve. If the second position bidder is not interested or unable to perform, the parcel will be returned to the land bank.

SECTION 13. That the assembly authorizes the use of seller financing as a payment option for purchasers for those lands authorized for sale under this Ordinance. Terms of the seller financing shall be as defined in KPB 17.10.120.

SECTION 15. That the mayor is authorized to sign any documents necessary to effectuate this ordinance.

SECTION 16. That this ordinance shall be effective immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS
_____ DAY OF _____, 2022.**

Brent Johnson, Assembly President

ATTEST:

Johni Blankenship, MMC, Borough Clerk



Parcel No. 01712006

North Kenai



MINIMUM BID: \$180,000.00

Acres: 5.48

Legal Description: GOVT LOT 10, ACCORDING TO THE DIVISION OF LANDS SURVEY PLAT REFLECTING A REPLAT OF BLM SECTION LOTS 5, 6, 7, 9, 10, 12, 15, 16, 17, 18 AND THAT PORTION OF THE E1/2W1/2SW1/4SW1/4SE1/4 LYING ABOVE THE LINE OF MEAN HIGH WATER WITHIN SECTION 23, TOWNSHIP 6 NORTH, RANGE 12 WEST, SEWARD MERIDIAN, ALASKA, FILED IN THE KENAI RECORDING DISTRICT ON JUNE 16, 1969 AS K-1622 AND REFILED ON AUGUST 8, 1969 AS K-1637

Topography: Level to varied topography with an abrupt steep bluff edge on the West side off the subject parcel. Vegetation consists of a stand of medium to larger diameter spruce and birch.

Special Features: Large bluff lot North of Kenai. With proper lot preparation, subject parcel will have views to the West of Cook Inlet.

Disclosures: Steep bluff feature located on the East boundary of the subject parcel. KPB records indicate an existing encroachment exists along the easterly boundary of the parcel. An encroachment survey has been conducted and is available for review. A 50 foot wide to and along easement exists along the West boundary of the parcel. Easement will be reflected on a record of survey to be recorded prior to the sale.

Access: Potential access may be by way of the Kenai Spur Highway to a platted road located immediately West of Essence Avenue. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

Utilities: Gas and Electric utility are available in the area.



Parcel No. 02544416

Point Possession



MINIMUM BID: \$25,000.00

Acres: 11.08

Legal Description: TRACT T, MOOSE POINT SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED UNDER PLAT NO. 84-65, RECORDS OF THE KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

Topography: Level to slightly varied topography with an abrupt bluff edge on the West side off the subject parcel. Vegetation consists of moderately spaced stand of medium to smaller diameter birch and spruce with areas of thick undergrowth.

Special Features: With proper lot preparation, subject property may have potential views to the West of Cook Inlet. Parcel is located in a remote area of the peninsula.

Disclosures: Steep bluff feature located on the West boundary of the subject parcel. Parcel is remote with potentially difficult access.

Access: Potential access may be by way of the Kenai Spur Highway Extension. A platted undeveloped right of way. Access may be difficult and require use of snowmachine or atv. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

Utilities: No utilities are available.

Parcel No. 03503074

Hope



MINIMUM BID: \$110,000.00

Acres: 2.26

Legal Description: LOT 11 OF DISCOVERY PARK SUBDIVISION, AS SHOWN ON PLAT NO. 2010-11, RECORDS OF THE SEWARD RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA

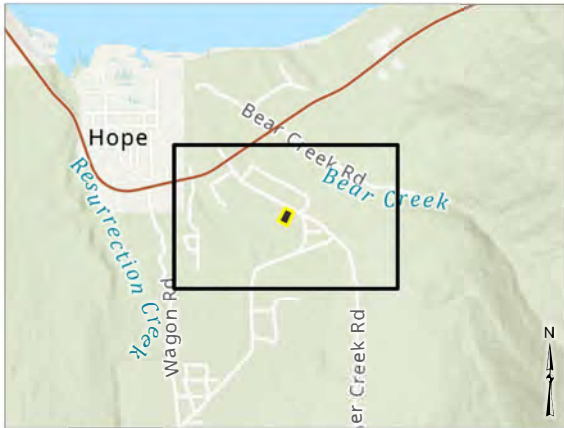
Topography: Level topography with a relatively thick stand of smaller diameter birch and spruce with areas of thick undergrowth.

Special Features: With proper lot preparation, a potential for mountain views exist. Parcel is in close proximity to Hope and nearby recreation opportunities.

Disclosures: Parcel is adjacent to an existing and active materials site located to the to the Southwest. An active air strip is also located Southwest of the parcel.

Access: Potential access may be by way of the Hope Highway to Palmer Creek Road. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

Utilities: Electric utility is available in the area.





Parcel No. 05501016

Soldotna



MINIMUM BID: \$350,000.00

Acres: 20

Legal Description: THE S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 10, TOWNSHIP 5 NORTH, RANGE 11 WEST, SEWARD MERIDIAN, KENAI RECORDING DISTRICT, STATE OF ALASKA

Topography: Topography is relatively flat and mostly forested with spruce and birch. This parcel is situated 40 feet above and adjacent to the Kenai River lowlands and the State's Kenai River Special Management Area. The lowland area is identified as "Drainageway".

Special Features: Large undeveloped lot within close proximity to the cities of Soldotna and Kenai. Potential views may exist along the Northwest corner of the property. Parcel is bound to the North and West by State land.

Disclosures: A ravine is located in the Northwest corner of the parcel. 30 foot right of way will be reserved along the entire South property boundary for future road dedication and to aid in access to KPB owned land to the West.

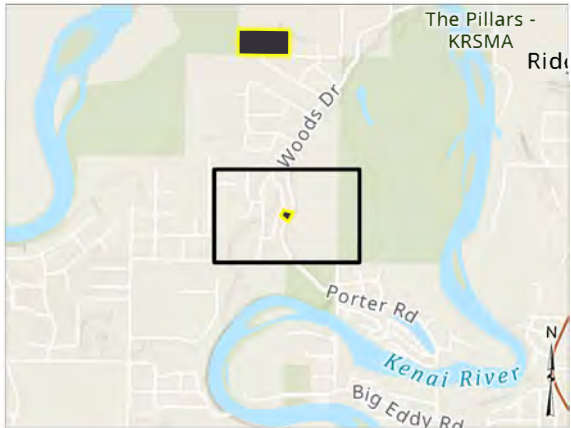
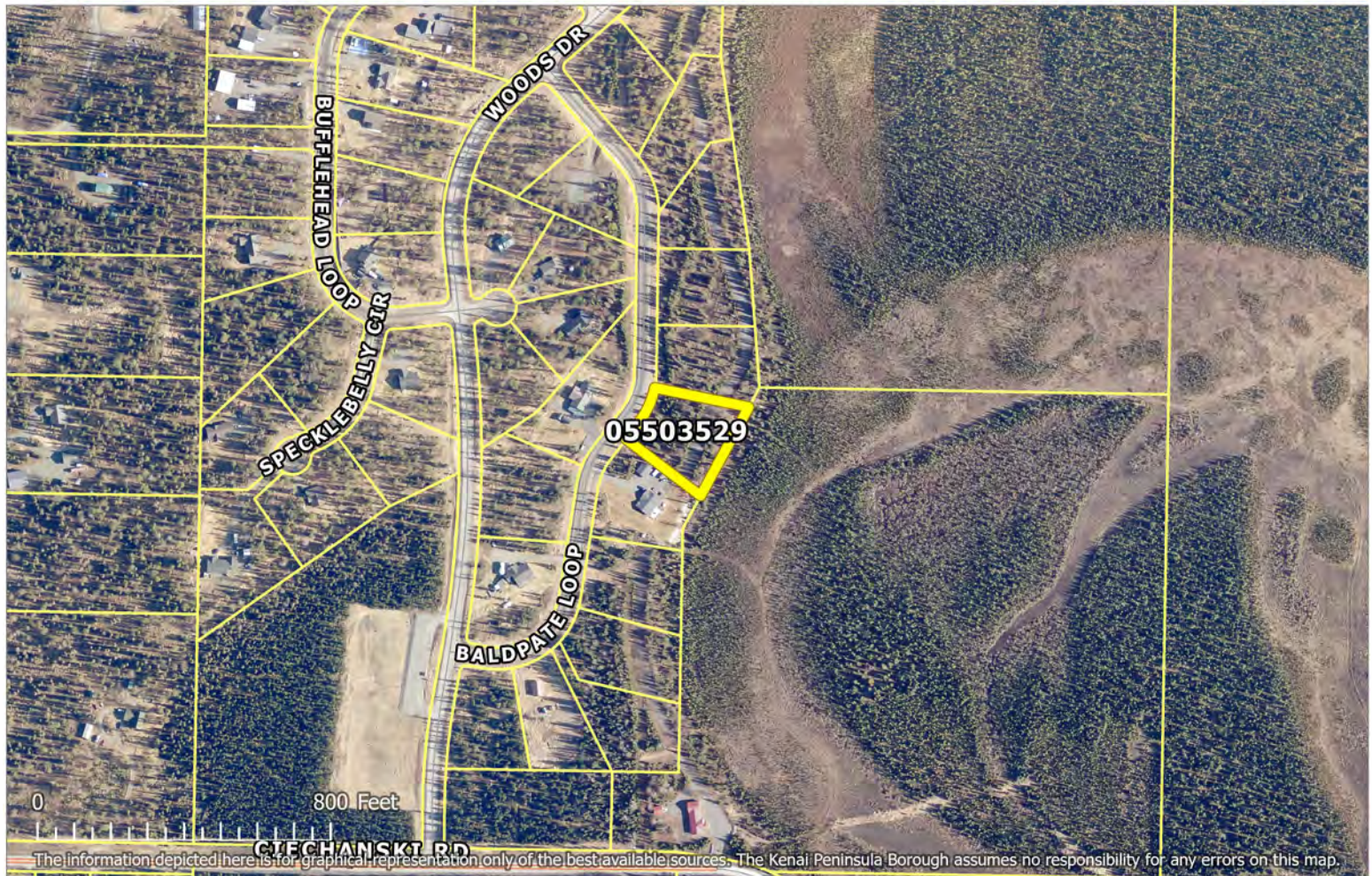
Access: Potential access may be by way of Woods Drive to Maudi Drive. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

Utilities: Electric and gas utility is available in the area.



Parcel No. 05503529

Soldotna



MINIMUM BID: \$85,000.00

Acres: 1.24

Legal Description: LOT 7, BLOCK 4 WIDGEON WOODS PHASE 2, ACCORDING TO PLAT NO. 2012-32, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA

Topography: Southeasterly sloping residential lot becoming varied with a bench on the East side of the subject parcel. Vegetation consists of an open stand of birch and spruce.

Special Features: Undeveloped residential lot in close proximity to the Cities of Soldotna and Kenai. Parcel is part of a Residential Local Option Zoning District.

Disclosures: Remnants of an old road bed is located on the easterly half of the lot.

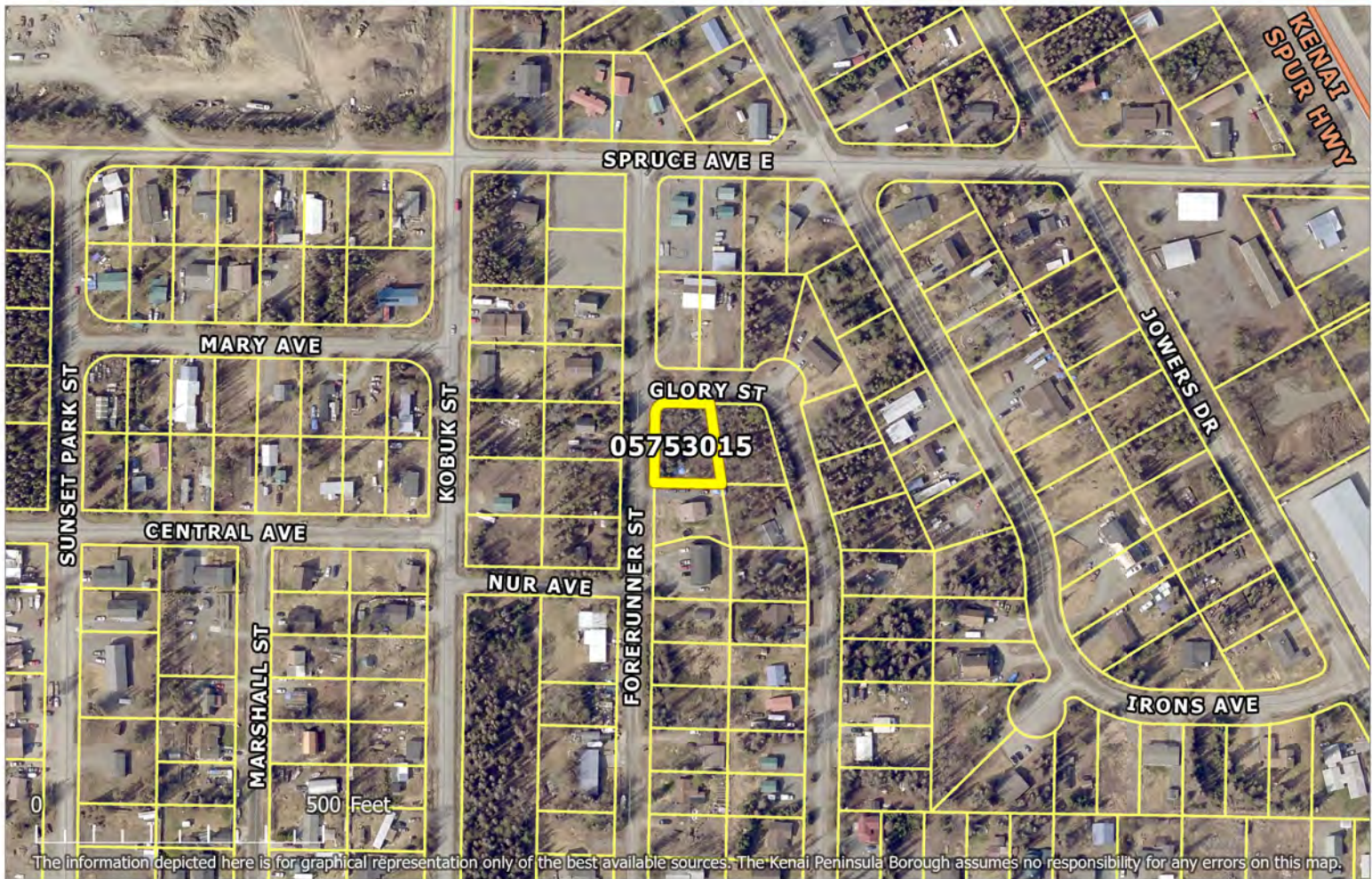
Access: Potential access may be by way of the Woods Drive to Baldpate Loop. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

Utilities: Electric and gas utility is available in the area.



Parcel No. 05753015

Soldotna



MINIMUM BID: \$23,000.00

Acres: 0.34

Legal Description: LOT ONE (1), BLOCK 2-A, BLOCK 2-A AND A PORTION OF BLOCK 3-A OF THE IRONS SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED UNDER AMENDED PLAT NUMBER 75-4, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA

Topography: Level platted residential lot with a smaller stand of birch and spruce.

Special Features: Undeveloped lot in close proximity to the City of Soldotna, schools and hospital. Parcel is similar in size to those in the nearby area.

Disclosures: Parcel is located North of the Soldotna City limits. A potential encroachment of personal property may exist along the South boundary. Parcel was acquired by tax foreclosure action in 2010. The property is subject to a 20' wide building setback along the West and North property lines and a 10' wide utility easement along the East property line.

Access: Potential access may be by way of the Kenai Spur Highway to Spruce Avenue East, to Forerunner Street. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

Utilities: Electric and gas utility is available in the area.



Parcel No. 06519063

Sterling



PHOTO
COMING
SOON

MINIMUM BID: \$220,000.00

Acres: 3.31

Legal Description: LOT 4, BLOCK 8 STEPHENKIE ALASKA SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED UNDER PLAT NUMBER 73-146, KENAI RECORDING DISTRICT, STATE OF ALASKA

Topography: Parcel topography is rolling with a steep bluff towards the West side of the lots fronting the Kenai River. The vegetation present on the parcels is relatively young due to having been burned in recent wildland fire activity.

Special Features: Large 3.31 acre Kenai River frontage parcel with potential views.

Disclosures: Steep bluff located along the South boundary of the subject property. Parcel has been impacted by wildfire. Subject parcel will be incorporated to a R-W Local Option Zoning District prior to sale. KPB has received management authority to the property. The fee recording of the fee patent will be required prior to the sale. Parcel may be subject to additional matters as disclosed on the recorded patent.

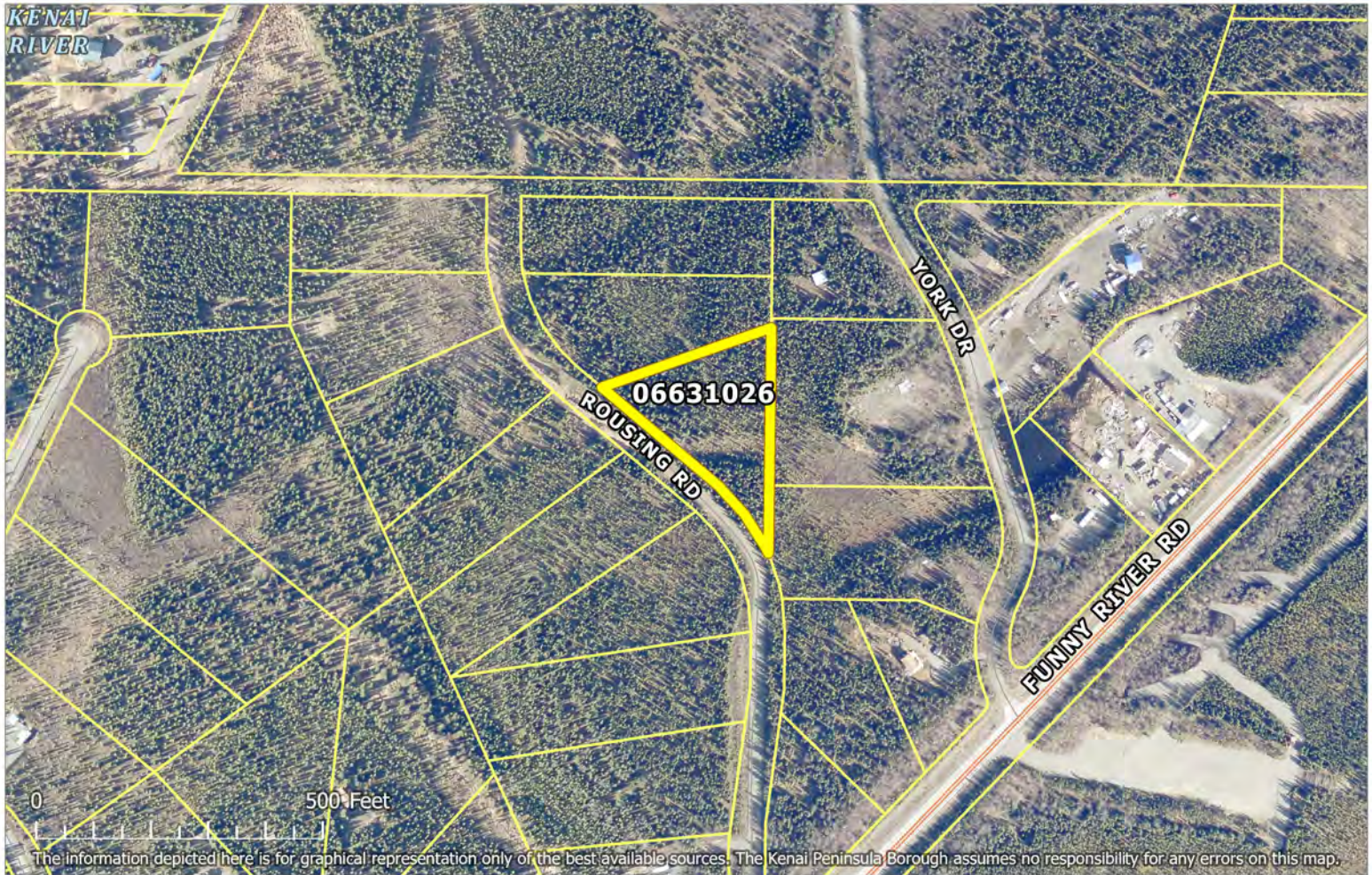
Access: Potential access may be by way of the Sterling Highway, Feuding Lane, Kenai Keys Road to Slough Avenue. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

Utilities: Electric and gas utility are available in the area.



Parcel No. 06631026

Funny River



MINIMUM BID: \$23,000.00

Acres: 1.23

Legal Description: LOT THREE (3), BLOCK FIVE (5), RIVER BEND RIDGE SUBDIVISION PART FIVE (5), FILED UNDER PLAT NO. 78-126, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA

Topography: Parcel topography is rolling with a slight elevation gain to the North property corner. Vegetation consists of a mixed stand of medium to small diameter spruce.

Special Features: 1.23 acre parcel located East of Soldotna in the Funny River area.

Disclosures: KPB received title to this parcel by Clerks Deed in 1992 as a result of a tax foreclosure action. A 10 foot wide utility easement exists along the entire East boundary. See plat for additional information.

Access: Access may be by way of Funny river road to Rousing Road, a platted and developed road. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

Utilities: Electric and gas utilities are available in the area.





Parcel No. 11907001

Cooper Landing



MINIMUM BID: \$125,000.00

Acres: 1.46

Legal Description: LOT 14A OF US SURVEY 3306 IN SECTION 28, TOWNSHIP 5 NORTH, RANGE 3 WEST, ACCORDING TO THE SURVEY PLAT ACCEPTED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT ON JANUARY 24, 1955, SEWARD RECORDING DISTRICT, STATE OF ALASKA

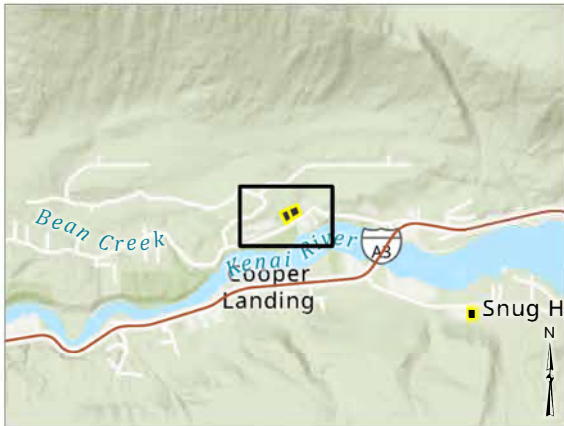
Topography: Parcels are comprised of varied terrain with slopes and benches. A dense stand of small to medium diameter spruce and birch exist on the parcel. With proper site preparation mountain and river views may be possible from to the South.

Special Features: South facing 1.46 acre parcel located North of the Kenai River in Cooper Landing. Parcel is in close proximity to recreational activities.

Disclosures: 10 Foot wide telecom easement exists along the South property line.

Access: Access may be by way of the Sterling Highway to Bean Creek Road. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

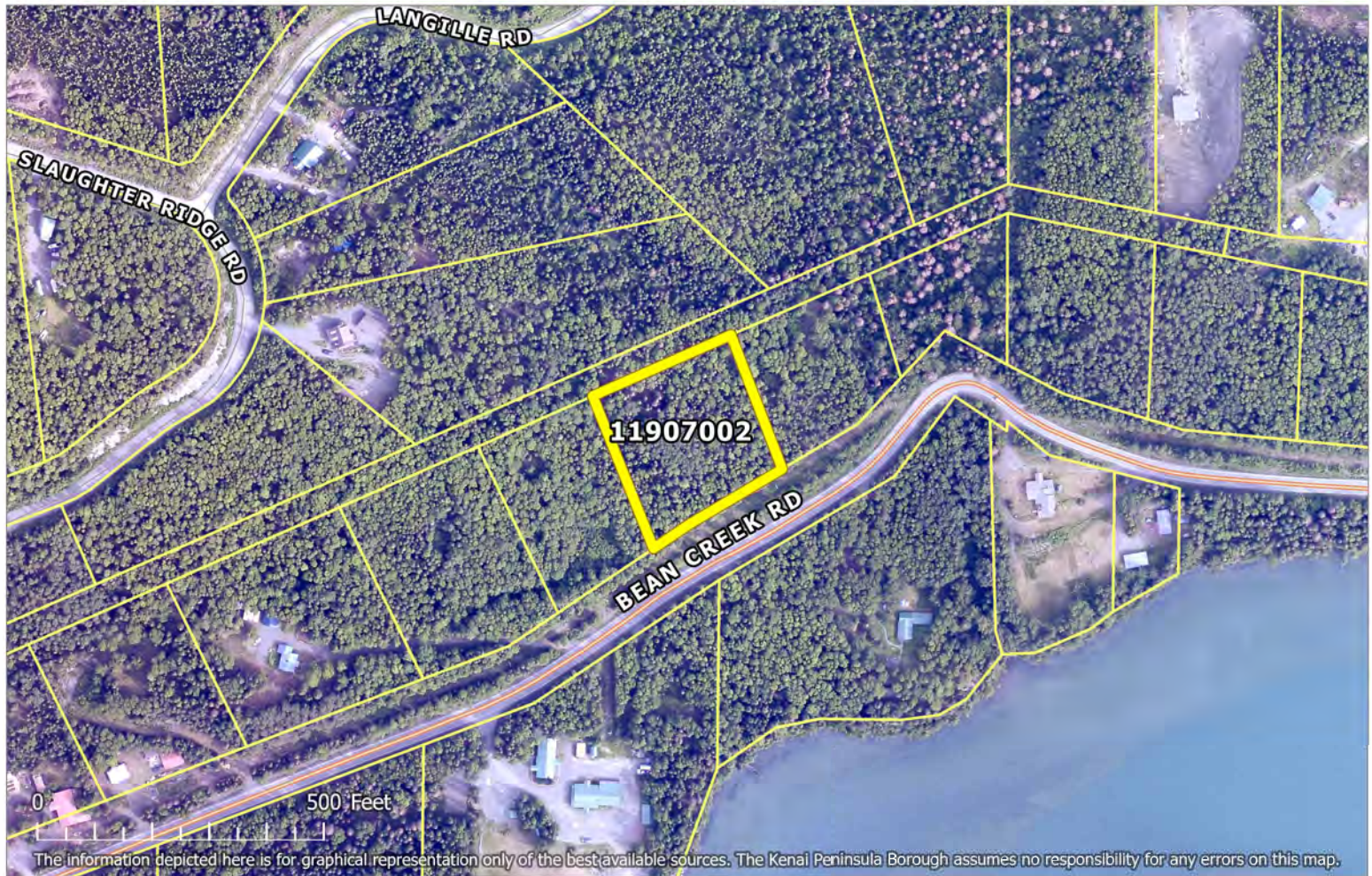
Utilities: Electric utility is available in the area.





Parcel No. 11907002

Cooper Landing



MINIMUM BID: \$125,000.00

Acres: 1.6

Legal Description: LOT 15 OF US SURVEY 3306 IN SECTION 28, TOWNSHIP 5 NORTH, RANGE 3 WEST, ACCORDING TO THE SURVEY PLAT ACCEPTED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT ON JANUARY 24, 1955, SEWARD RECORDING DISTRICT, STATE OF ALASKA

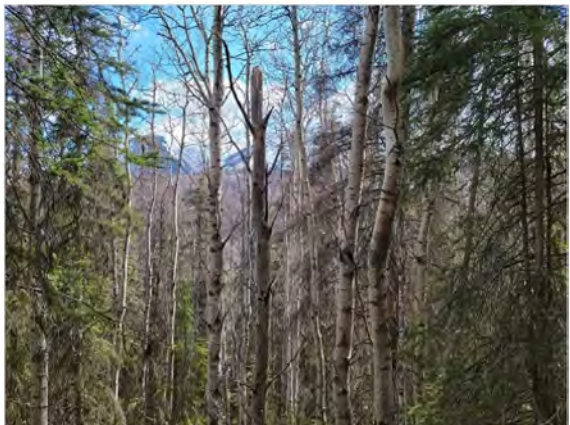
Topography: Parcels are comprised of varied terrain with slopes and benches. A dense stand of small to medium diameter spruce and birch exist on the parcel. With proper site preparation mountain and river views may be possible from to the South.

Special Features: South facing 1.6 acre parcel located North of the Kenai River in Cooper Landing. With proper site preparation, mountain and potential Kenai River views may be possible.

Disclosures: 10 Foot wide telecom easement exists along the South property line.

Access: Access may be by way of the Sterling Highway to Bean Creek Road. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

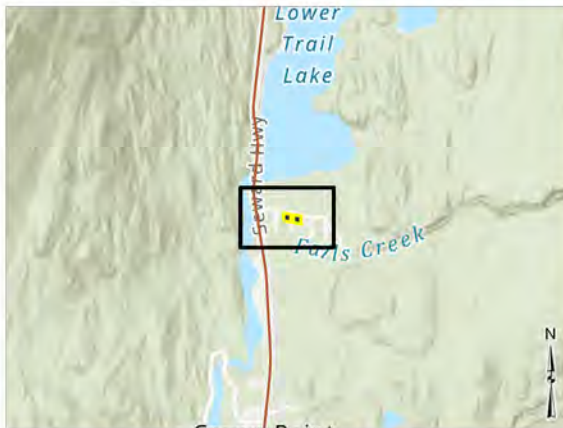
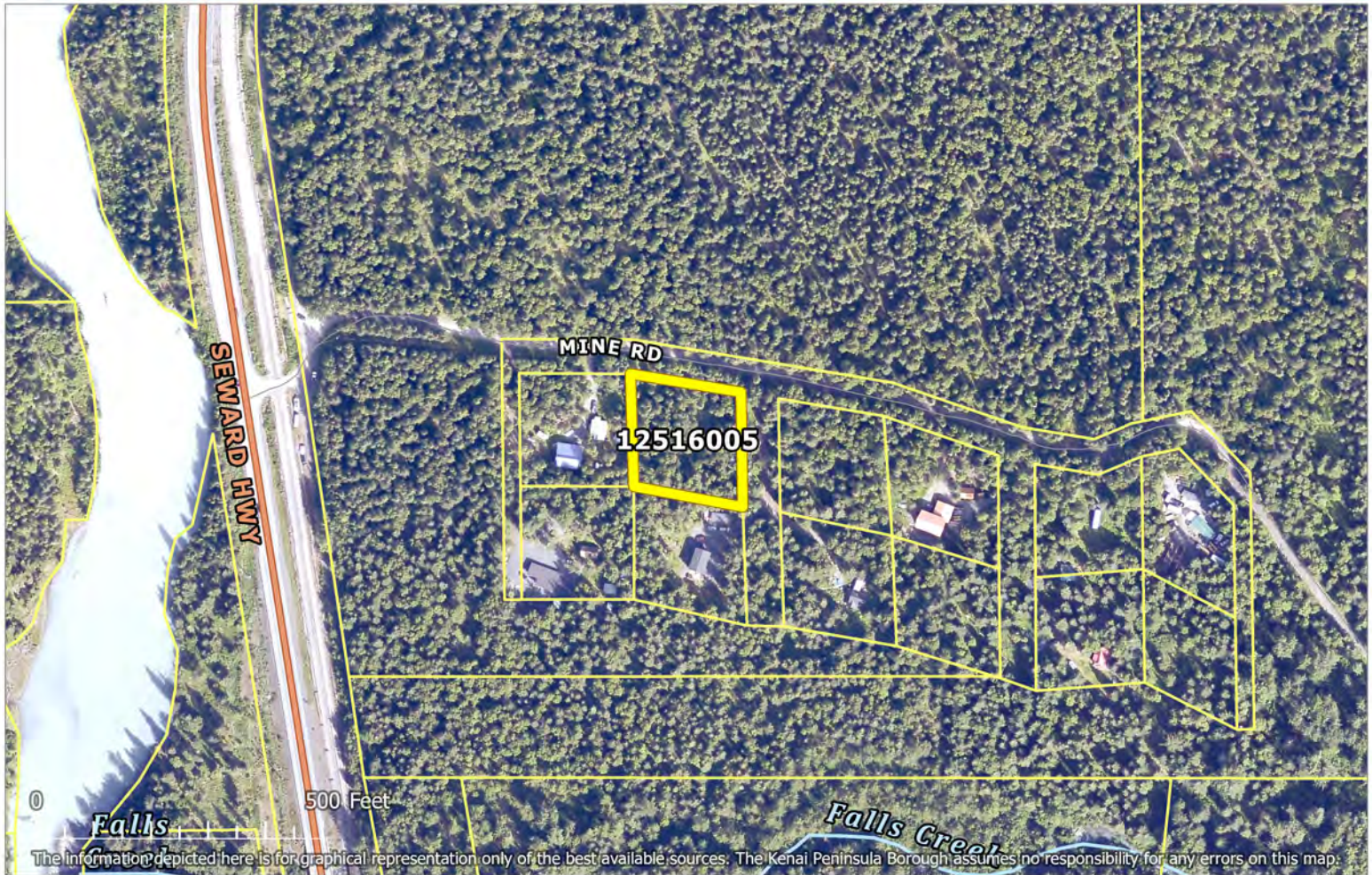
Utilities: Electric utility is available in the area.





Parcel No. 12516005

Moose Pass



MINIMUM BID: \$40,000.00

Acres: 0.87

Legal Description: LOT 4, ALASKA STATE LAND SURVEY 86-176, SECTION 13, TOWNSHIP 4 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, SEWARD RECORDING DISTRICT, STATE OF ALASKA

Topography: Topography of subject parcels is relatively level with areas of varied terrain.

Special Features: Residential / Recreational lot in the Moose Pass Area. Parcel is within close proximity to recreation activities and public land.

Disclosures: KPB has been conveyed Management Authority to subject parcels through ADL Number 201306. Although KPB does not currently have fee title to the property, fee title will be received prior to sale. Parcel may be subject to additional matters as disclosed on the State of Alaska Patent.

Access: Access may be by way of the Seward Highway to Lower Trail Lake (aka Mine Road). It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

Utilities: Electric utility is available in the area.



Parcel No. 12516007

Moose Pass



MINIMUM BID: \$40,000.00

Acres: 0.88

Legal Description: LOT 6, ALASKA STATE LAND SURVEY 86-176, SECTION 13, TOWNSHIP 4 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, SEWARD RECORDING DISTRICT, STATE OF ALASKA

Topography: Topography of subject parcels is relatively level with areas of varied terrain.

Special Features: Residential / Recreational lot in the Moose Pass Area. Parcel is within close proximity to recreation activities and public land.

Disclosures: KPB has been conveyed Management Authority to subject parcels through ADL Number 201306. Although KPB does not currently have fee title to the property, fee title will be received prior to sale. Parcel may be subject to additional matters as disclosed on the State of Alaska Patent.

Access: Access may be by way of the Seward Highway to Lower Trail Lake (aka Mine Road). It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

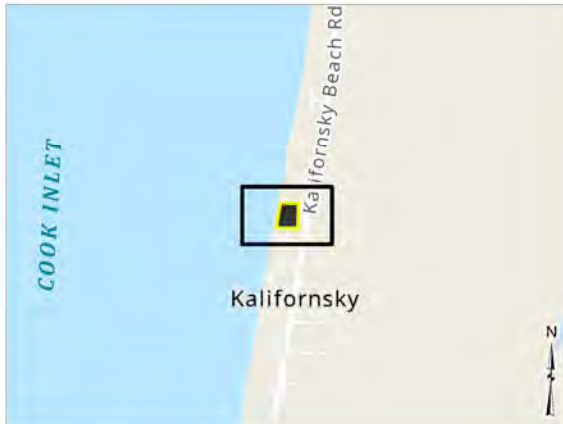
Utilities: Electric utility is available in the area.





Parcel No. 13107032

Kalifornsky



MINIMUM BID: \$222,000.00

Acres: 10.03

Legal Description: GOVERNMENT LOTS 6 AND 7, SECTION 24, TOWNSHIP 4 NORTH, RANGE 12 WEST, SEARD MERIDIAN, KENAI RECORDING DISTRICT, STATE OF ALASKA

Topography: Topography of subject parcels is relatively level.

Special Features: Large acreage bluff lot located North of Kasilof. With proper site preparation, Cook inlet views are possible.

Disclosures: Parcel is subject to a steep coastal bluff along the westerly property line. Bluff is subject to erosion. Soils sample work has been conducted on the property and is available for review upon request.

Access: Access may be by way of Kalifornsky Beach Road. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

Utilities: Electric utility is available in the area.





Parcel No. 13505335

Caribou Island



MINIMUM BID: \$8,000.00

Acres: 1.18

Legal Description: LOT 6A, BLOCK 4, CARIBOU ISLAND SUBDIVISION KPB2020 REPLAT, AS SHOWN ON PLAT NO. 2020-9, SEWARD RECORDING DISTRICT, STATE OF ALASKA

Topography: Parcel is mostly level with a decline towards the lake shore. A mixed timber stand of spruce and birch exist on the parcel.

Special Features: Remote, interior Caribou Island lot located on Skilak Lake.

Disclosures: Remote property. It is buyers responsibility to conduct adequate due diligence prior to the sale.

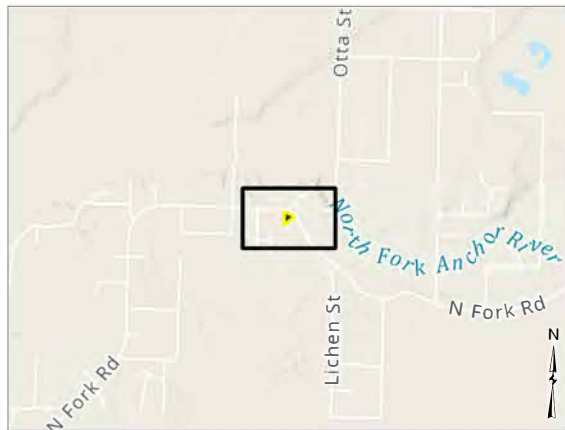
Access: Remote. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to sale.

Utilities: No utilities are available.



Parcel No. 16525058

Anchor Point



MINIMUM BID: \$15,000.00

Acres: 1.05

Legal Description: LOT ONE (1), ACCORDING TO THE PLAT OF DEED OF RECORD BOUNDARY SURVEY OF HEADACRES, FILED UNDER PLAT NO. 81-64, HOMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA

Topography: Parcel is relatively flat and appears to have been partially cleared in preparation for development. Vegetation consists of a small stand of spruce located in the southern corner of the parcel.

Special Features: Level building lot adjacent to a developed road.

Disclosures: Physical inspection indicates the lot appears to have undergone some prior clearing and site preparation. KPBB has no knowledge of prior use.

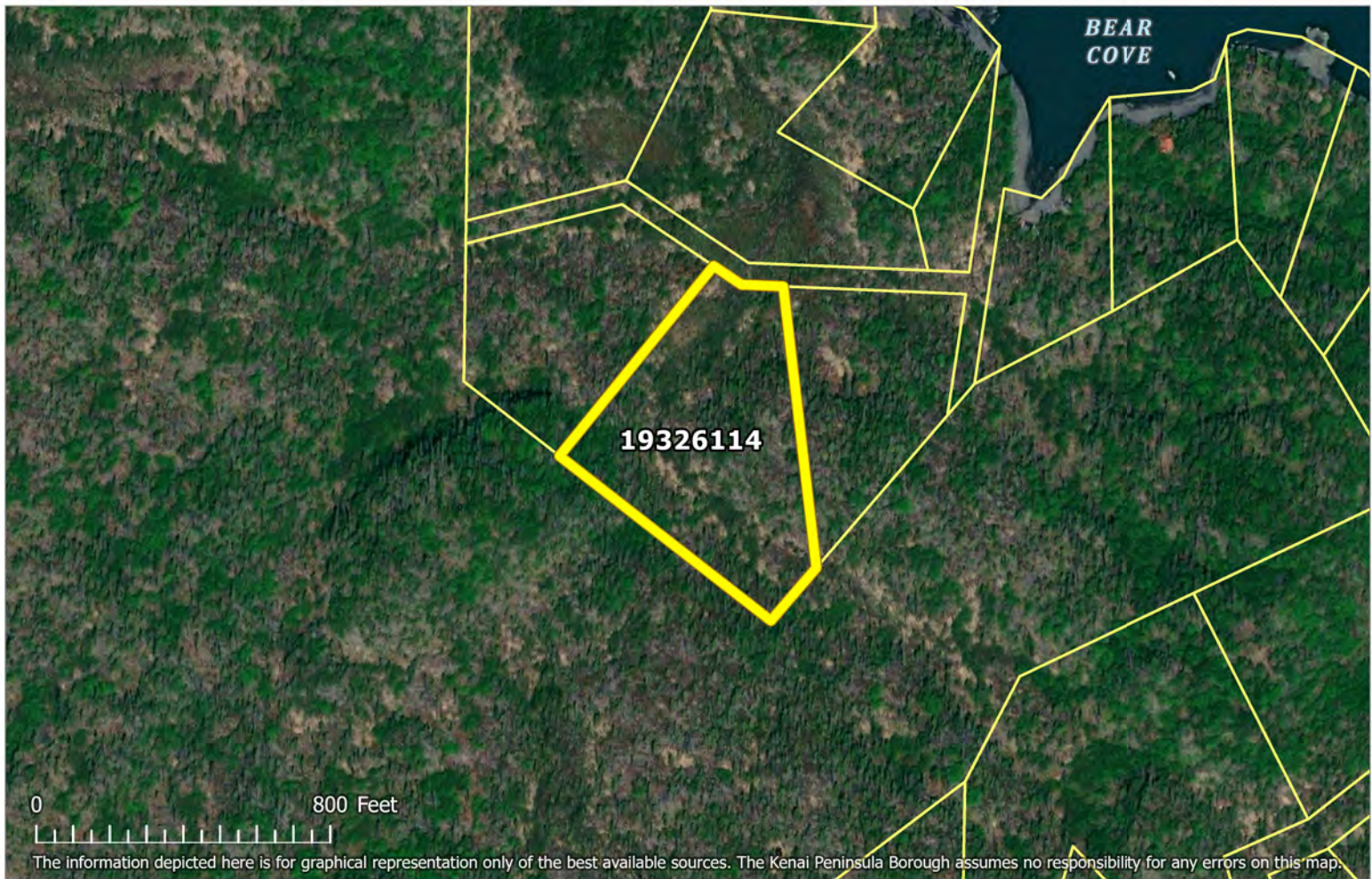
Access: Access is by way of the Sterling Highway to the North Fork Road which abuts the North boundary of the parcel.

Utilities: Electric utility is available in the area.



Parcel No. 19326114

Bear Cove



MINIMUM BID: \$125,000.00

Acres: 8.77

Legal Description: LOT 2, BLOCK 6, OF MARINERS WALK SUBDIVISION AMENDED, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED UNDER PLAT NUMBER 85-225, SEWARD MERIDIAN, HOMER RECORDING DISTRICT, STATE OF ALASKA

Topography: Parcel is varied and undulating with a stand of spruce and birch.

Special Features: Remote 8.77 acre parcel located in Bear cove, located southeast of Homer.

Disclosures: Parcel is currently under Management Authority by KPB awarded through ADL Number 227981. Fee patent to KPB is to be recorded prior to the sale. Property may be subject to additional matters as disclosed on the recorded patent.

Access: Remote parcel. Access is by way of boat or float plane to Bear Cove, and undeveloped platted trail to the subject parcel.

Utilities: No utilities are available in the area.



Parcel No. 21128011

Beluga



MINIMUM BID: \$25,000.00

Acres: 6.76

Legal Description: TRACT D, BLOCK 4 OF THREE MILE CREEK SUBDIVISION AMENDED, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED UNDER PLAT NUMBER 72-7, ANCHORAGE RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA

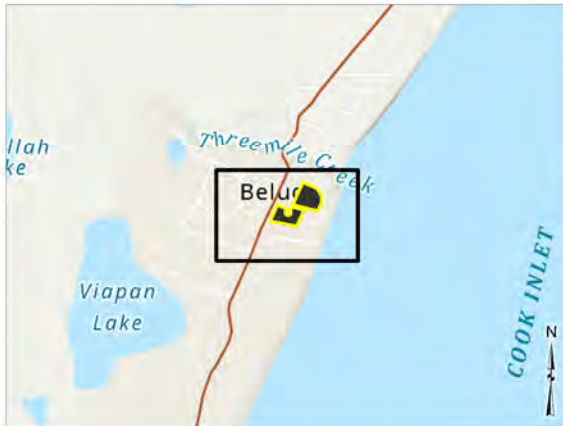
Topography: Parcel is relatively flat with some areas of rolling terrain, densely covered with a stand of birch and spruce.

Special Features: Remote 6.76 +/- acre Beluga lot. Parcel is located just South of the Beluga Highway.

Disclosures: Parcel is subject to a 20 foot building setback from all exterior boundaries. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

Access: The Beluga area is primarily accessed from the Beluga airstrip, which is privately maintained. Parcel 211-280-11 fronts the Beluga Highway a developed gravel road.

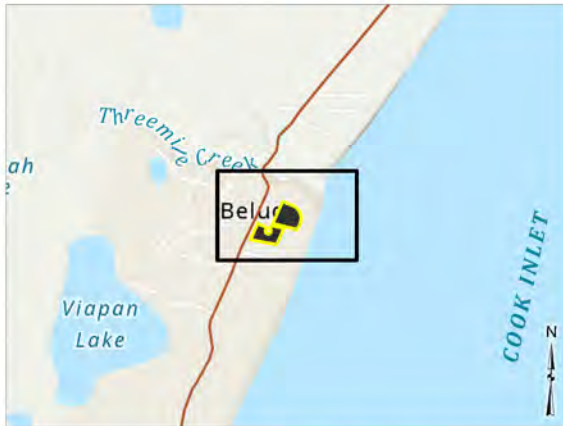
Utilities: Electric utility is available in the area.





Parcel No. 21128013

Beluga



MINIMUM BID: \$30,000.00

Acres: 8.33

Legal Description: TRACT B, BLOCK 4 OF THREE MILE CREEK SUBDIVISION AMENDED, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED UNDER PLAT NUMBER 72-7, ANCHORAGE RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA

Topography: Parcel is relatively flat with some areas of rolling terrain, densely covered with a stand of birch and spruce.

Special Features: Remote 8.33 +/- acre Beluga. Located just South of the Beluga Highway.

Disclosures: Parcel is subject to a 20 foot building setback from all exterior boundaries.

Access: The Beluga area is primarily accessed from the Beluga airstrip, which is privately maintained. Parcel. Parcel 211-280-13 is accessed off the Beluga Highway and Chickaleutun Loop, a platted and partially developed road. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

Utilities: Electric utility is available in the area.

MPAPC Unapproved Minutes May 5th, 2022

New Business:

A) Application LAS34020- Moose Pass Adventures Commercial Recreation Camp at Grant Lake

Unanimous approval to support.

B) Land Reclassification (013-042 & 013-092-76) Regarding the reclassification of the 4 lots on Mine Road.

Recommendation to change the classification to Residential rather than Rural. Unanimous approval to recommend Residential classification.

C) Ordinance 2022-____ Authorizing the Sale of Certain Parcels of Borough-Owned Land by Live Outcry Auction ...

Recommended to delay the sale of the 2 lots on Mine Road for at least one year. (Residents are interested in pursuing a Local Option Zone before sale). Unanimous approval to recommend delaying the sale.

D) Ordinance 2022-____ Authorizing Emergency Harvest of Spruce Bark Beetle Impacted Forestlands...

Vote: 6 in favor of supporting the ordinance (Monika Adam, Kevin Dunham, Jeff Estes, Jeff Hetrick, Tsali Janek, David Pearson). 1 against (Bruce Jaffa)

E) Resolution 2022-____ Classifying or Reclassifying Certain Borough-Managed Land in the Moose Pass Area for Transportation and Utility Purposes Associated with a Hydro Project

Vote: 1 in favor of reclassification (Kevin Dunham). 6 Against reclassification (Monika Adam, Jeff Estes, Jeff Hetrick, Bruce Jaffa, Tsali Janek, David Pearson).

This is contrary to our newly amended Moose Pass Comprehensive Plan.

F) ADL Easement 233782 and ADL Easement 233857 to Kenai Hydro LLC

Vote: 1 in favor of recommending issuance of easements (Bruce Jaffa). 6 against recommending issuance of the easements (Monika Adam, Jeff Estes, Jeff Hetrick, Bruce Jaffa, Tsali Janek, David Pearson). Motion failed.

G) Water Rights Application ADL27264 To Kenai Hydro LLC

Vote: 4 in favor of granting water rights (Bruce Jaffa, Kevin Dunham, Jeff Estes, Tsali Janek). 3 opposed (Monika Adam, David Pears, Jeff Hetrick) Motion passed

H) Amendment to Kenai River Comprehensive Plan to remove lands along Upper and Lower Trail Lake from the Management Area

Vote: 1 in favor of the amendment (Bruce Jaffa). 6 Opposed (Monika Adam, Kevin Dunham, Jeff Estes, Jeff Hetrick, Tsali Janek, David Pearson). Motion failed

J) Conditional Use Permit DODT Project MP17-22.5 parcel ID 12509028.

Recommend adding stipulations to the permit limiting hours of operation from 8am to 8pm. To provide for dust abatement and air quality monitoring. Unanimous approval to recommend issuance of permit provided the stipulations are included.

COOPER LANDING ADVISORY PLANNING COMMISSION
REGULAR MEETING
LOCATION: ZOOM TELECONFERENCE
WEDNESDAY, MAY 04, 2022
6:00 PM
UNAPPROVED MINUTES

1. CALL TO ORDER – 6:00 pm
2. ROLL CALL – J. Cadieux, K. Recken, Y. Galbraith, C. Degernes, L. Johnson, D. Story present. H. Harrison excused absent.
 - a. Nancy Carver; Kenai River Center, Jonathan Tymick ADOT&PF, Marcus Mueller; KPB Land Management, Aaron Hughes; KPB Land Management, Dakota Truitt; KPB Land Management, Alice Rademacher, Carol Fox, Rhonda Lynn, Phil Weber, Jerry Fox, Kim Neis, Jerry Neis, Virginia Morgan attending.
3. APPROVAL OF AGENDA – C. Degernes moves to approve the agenda as amended. L. Johnson seconds. All approve.
4. APPROVAL OF MINUTES for April 06, 2022 - This items was mistakenly skipped and will be addressed at the June 8 meeting.
5. CORRESPONDENCE - none
6. PUBLIC COMMENT/PRESENTATION WITHOUT PREVIOUS NOTICE – none
7. REPORT FROM BOROUGH
 - a. DOT&PF Sterling Hwy MP 45-60 Project report and questions/answers. Jonathan Tymick, PE, Project Manager, AKDOT&PF.
 - i. Lane closures at MP 58 for blasting were successful. There will be other closures to be determined at a future date.
 - ii. Open house was successful.
 - iii. Construction is finally happening on the pioneer roads. There will be a temporary cul-de-sac on Langille Road for emergency vehicles.
 - iv. There will be more publicly available firewood this year so stay tuned.
 - b. No KPB report other than those items in the agenda
8. OLD BUSINESS - none

9. NEW BUSINESS

- a. Resolution 2022-XX Land Classification, 4 parcels in Cooper Landing
 - i. Aaron Hughes, KPB Land Management Agent, explained this will reclassify 35 units of land in the borough. Public notice was sent out (over 1,800 individual notices along with public comment notices in newspapers and through agency notification). Deadline for comment is May 6th.
 - 1. 4 parcels in Cooper Landing. 3 on Bean Creek and one on Snug Harbor.
 - 2. All of the Cooper Landing parcels are presented with classification of Rural to match the surrounding areas. Once the parcels are sold the classification falls off.
 - 3. All the parcels are currently undesignated.
 - ii. K. Recken said that the Snug Harbor parcel was the previous Cooper Landing dump and asked about remediation.
 - 1. Aaron Hughes said adjacent landowners gave similar reports and the KPB has researched public documents and cannot find this info but that is why they appreciate local information and is interested in any documentation.
 - 2. K. Recken said that Mona Painter has found a map with dump noted on the parcel and also had personal attribution.
 - iii. Carol Fox said that her family has owned a nearby lot since the 40's and she can personally attest to the property being a dump site.
 - iv. Kim Neis said that speaking with David Rhodes and he also recalled the parcel being used as a dump and that there may be aerial views from this period of use.
 - v. Phil Weber asked the specific location of this lot.
 - 1. J. Cadieux clarified.
 - vi. A. Hughes asked about the specific date range which may be attributed to the dump use of the site.
 - 1. K. Recken estimated it would include at least the early 50's through the early 60's.
 - vii. K. Recken said that K. Freeman attests to the timbers from the old Shackleford Creek bridge were dumped there.
 - viii. A. Hughes explained that this resolution is prior to the land sale of the parcels which would have an extended due diligence period for potential land owners to inspect the parcels before purchase.
 - ix. J. Cadieux asked about accessing the parcels off of Bean Creek and driveways.
 - 1. A. Hughes explained that the owner of the units that sold last year partnered together for a shared entry and the subsequent units have what appears to be an easier approach.

2. J. Cadiuex mentioned that previously the CLAPC recommended the classification of the previous parcels as Residential to indicate the community's intended or suggested use for the parcels.
- x. C. Degernes said that she knows there will be a due diligence timeframe for the Snug Harbor site but she thinks it would be unfair to any prospective buyer without further inspection conducted by the KPB.
- xi. K. Neis said that when they bought their property in 2004 they inquired about purchasing the next lot over and the KPB said at that time that that lot would never be sold because it was a dump site.
- xii. C. Degernes moves to recommend that the KPB the Snug Harbor parcel 119.110.19 be removed from the resolution for classification at this time until further investigation can be made regarding its status. K. Recken seconds. All approve.
- xiii. K. Recken moves to recommend the Bean Creek lots are classified as Residential to reflect the community's intended use. L. Johnson seconds. All approve.
- xiv. A. Hughes thanked everyone bringing this information to light and explained how important public input and local knowledge is in this process.
- b. Ordinance 2022-XX Land Sale including 3 parcels in Cooper Landing
 - i. C. Degernes moves to recommend the sale of the parcels on Bean Creek but withhold support of the sale of the parcel on Snug Harbor until further investigation of its status is completed. Y. Galbraith seconds. All approve. Motion passes.
- c. Ordinance 2022-11 Spruce Bark Beetle Forest Management Project.
 - i. Dakota Truitt, KPB Land Agent, thanked the APC for the forum for input of public comment which has helped shape and form this ordinance.
 - ii. J. Cadiuex asked about the intent of the reforestation practices and how they would be affected by bluejoint grass and/or the site preparation.
 1. D. Truitt said that grasses are already present in the stands but are outcompeted by the living trees. If dead trees stand, the grasses can spread to the stand of ladder fuels making a severe fire. If the trees are cut, the grassland fires can still exist but they are less likely to create circumstances of the standing dead trees making more intense fires.
 - iii. J. Cadiuex asked about the Whereas, "treatments will establish and preserve logging infrastructure such as roads, resource management access, and recreational trails, along with methods to close out temporary forest access; and" saying she is very concerned about the unintended consequences of these access points.

1. D. Truitt said this whereas was meant to acknowledge the challenges of these areas.
2. K. Recken asked whether the community would be involved in determining which infrastructure was used for what.
3. D. Truitt replied that the community would be afforded opportunity for input.
4. J. Cadieux suggested modifying the language of two of the ordinance's Whereas' in the following way and M. Mueller thought the wording adaptation was acceptable for #12:
 - a. Whereas 12, "treatments will be planned to establish, preserve, and regulate logging infrastructure such as roads, resource management access, and recreational trails, along with methods to close out temporary forest access; and"
 - b. Whereas 15, "forest management sale reports designed for a given unit may exceed the standards of the Alaska Forest Resource and Practices Act, and should in areas determined to be sensitive, susceptible to damage, and in need of additional protection ; and"
 - i. D. Truitt explained that determining which areas should receive special protection would come through opportunities for community input during the time that the prescriptions are written.
 - ii. J. Cadieux withdrew suggestion for language on Whereas #15.
5. K. Recken asked whether the opportunity for input would be limited to the management sale report.
 - a. M. Mueller suggested that the forms the process would use are still being developed but that they would include a menu of items for treatment and reporting to allow for public involvement.
6. J. Fox asked about whether this process might be used to help steer funds to KPB stump dumps.
 - a. D. Truitt acknowledged the need for more site management at sites like the Cooper Landing organic dump.
7. Y. Galbraith asked about the status of funding of this project.
 - a. D. Truitt explained that timber sales are being used as the first option for SBB risk mitigation and that taking this action as the first step of mitigation will help set up a management framework while other funding sources are pursued. Grants have been

- applied for and others are still being sought but all is in process and none yet confirmed.
- b. M. Mueller explained the framework this ordinance provides is the same whether it is a timber sale or a service contract.
8. Y. Galbraith moved to recommend approval of the ordinance with the amended language for Whereas #12. L. Johnson seconds.
- a. The modification of the language is as follows:
“Whereas, treatments will establish, preserve, and regulate logging infrastructure such as roads, resource management access, and recreational trails, along with methods to close out temporary forest access; and”
- iv. D. Story suggested the modification of the language of Whereas 15 to read, “...forest management sale reports designed for a given unit may exceed the standards of the Alaska Forest Resource and Practices Act, and should in areas determined to be sensitive, susceptible to damage, and in need of additional protection; and”
- 1. Y. Galbraith agreed to the amended motion to include the modified language for Whereas #15 as well as #12 as proposed.
 - 2. All approved, motion passed.
 - 3. C. Degernes said she appreciates the work of KPB staff members on this important project.
- d. Permit for floodplain action Drift Worldwide, Inc.
- i. After group discussion of the structure type, location, and adequacy of the onsite septic, C. Degernes moves to recommend approval of the permit for construction of the structures. Y. Galbraith seconds. D. Story recuses. All approve. Motion passes.
- e. Ordinance 2021-19-51 Land Trust Fund monies for investigation and land planning in Unit 395
- i. Respect is the firm that has been selected and the ordinance is asking the land trust for monies to fund the investigation and land planning in Unit 395.
 - 1. C. Degernes moves to support the ordinance as written. L. Johnson seconds. All approve. Motion passes.

10. PLAT REVIEW

- a. Plat Preliminary 2022-060 Outfitters Way replat
 - i. M. Mueller explained that this plat is to lay out the right-of-way for a frontage road extending to the waste transfer site. It was brought by DOT to limit the accesses to the highway. The traffic safety team at DOT has been involved with this frontage road to bring the traffic from Quartz Creek Rd. and improve the turning safety to Russian Gap Rd. It would remove access to the highway

- from Persistence Way and reduce the driveways at the KPB waste transfer site to just the one across from Russian Gap Rd.
- ii. Conservation easement on the plat goes across Tracts A and B. Tract B also has a conservation easement that surrounds the tract. In the ordinance that authorized the sale to Sherman Smith it created that 50' easement. The KPB is trying to figure out the mechanics of unwinding the conservation easements to 25' on two of the sides and subsequently an action to modify the deed.
 - iii. On the plat the Outfitters Way frontage road would lay over the existing conservation easement on the north side of the tracts and the remaining conservation easements would be reduced from 50' to 25'.
 - iv. K. Recken asked for confirmation that the frontage road would extend from the parking lot of the Sunrise Inn to the transfer site with no conservation easements.
 - 1. M. Mueller explained that that is correct.
 - v. J. Cadieux asked if it is because there is not enough room for both the conservation easement and the frontage road.
 - 1. M. Mueller said that they occupy the same location.
 - vi. V. Morgan asked where she could access the plat.
 - 1. J. Cadieux said the CLAPC had only gotten this information yesterday.
 - 2. N. Carver confirmed that the plat is up for review at the May 23, 2022 Planning Commission Meeting. Comments are due May 11th.
 - vii. J. Tymick shared a graphic to help explain.
 - 1. He said that the Three Bears access congests the MP 45-60 project and this proposed project may help with access and the Russian Gap turning lane.
 - viii. J. Neiss said that one of the issues with the transfer station is that we get a lot of non-residents dumping and this layout would help reduce that.
 - 1. K. Recken clarified that the plans show that the highway access to the transfer station will still be preserved so it would not prevent the non-resident dumping.
 - ix. J. Tymick said that the conservation easement being reclassified started with the DOT's belief that a frontage road is in the best interest of the project.
 - x. J. Cadeiux said that the community had a series of meetings that fielded many comments saying that a frontage road was not desirable but that a compromise had been achieved to allow a frontage road as far as the Cozy Bear property then the road would pass through Tract C and on to Tract B.
 - xi. L. Johnson asked whether the reduction of the greenbelt would continue down to Tract D.

1. M. Mueller said this would not alter Tract D's conservation easement.
- xii. J. Cadieux asked if the conservation easement would be vacated on the other boundaries of Tract B to allow the new owner to use more of the land. M. Mueller indicated that was so though the 50' conservation easement would remain next to the parcel's boundary with Dena'ina Creek, an anadromous stream.
- xiii. K. Recken asked why the frontage road couldn't go on the same alignment as on Tract D and if it was just because Three Bears doesn't want the conservation agreement that we approved during their initial plat request. J. Tymick referred back to the drawing showing the space available along Tracts C and B would require elimination of the conservation easement to make way for the frontage road.
- xiv. J. Cadieux said that it seems like if we are not having access to the highway why can't we return to the plans we spent so much time at previous CLAPC meetings with KPB and a hired design professional.
 1. J. Tymick said that the proposed frontage road is intended to stay within the DOT right of way and not mean DOT would need to take possession of the maintenance of the frontage road.
 2. J. Cadieux asked that since the planning process of Tract C involved notable community effort over multiple meetings, can the original planning for Tract C be on the table or has it been abandoned and we have to give up our green space.
 - a. M. Mueller indicated it might be possible.
- xv. D. Story said that the timing of this information is hard to support since it is just being presented and the community was not informed via draft agenda that this change was proposed.
- xvi. J. Cadieux asked if this is something that needs to happen right now.
 1. M. Mueller said that from his standpoint in land management there is not a time crunch but the platting process does have a statutory timeframe.
- xvii. C. Degernes said that one of the biggest benefits to the community is DOT's willingness to provide safe ingress and egress to Russian Gap Rd. but that the loss of the 50' treed buffer is a big deal. C. Degernes said that a hybrid might be that there is a spur road from the transfer site side to Tract B but the 50' buffer remains and the frontage road across Tracts C and B from Quartz Creek runs south of the 50' buffer.
- xviii. J. Cadieux said that she also supports the improvement to the ingress/egress.
- xix. D. Story said that the resistance to a frontage road at the entry to our community seemed to come from the desire to keep it from

feeling like a strip mall. He said that the Brewery's treatment of the 50' conservation easement seemed like a good compromise with the need for a business to be seen and maintaining greenspace that ties the community to the land management intent.

- xx. L. Johnson said she agreed with D. Story
- xxi. K. Recken said that the importance of the conservation easement is considerable for the community.
- xxii. C. Degernes said that another possible compromise is to move the frontage road further in. The businesses get more access and the community retains the buffer. They lose some of the usable area of their property but maintain the easements that are a part of their property. Right now it seems like Three Bears doesn't lose much while the community does.
- xxiii. D. Story said that in this short discussion we have already had several ideas for compromise or change and we are the only ones in the community that know that this is a discussion. He said that it seems like our obligation is to make sure the community has more opportunity for input.
- xxiv. V. Morgan speaking, not as a Planning Commission member but as a community member, said this should be brought before the community.
- xxv. R. Lynn asked whether it can be withdrawn from the May 23rd Planning Commission Meeting.
 - 1. M. Mueller said that he would consult the platting specialist for KPB and find out more about bringing this up for the June CLAPC meeting.
- xxvi. D. Story moves to recommend disapproval of the plat as presented and recommend for extended time for public review and comment regarding the design options. L. Johnson seconds. All approve. Motion passes.

11. INFORMATION and ANNOUNCEMENTS

- a. Ordinance 2022-07 Re-Appportionment of Board of Education
 - i. V. Morgan said that this is a part of a regular review of the districts and their populations. She explained that there are generally two options for changes which are presented with the review. In this case it is a 9 district option and an 11 district options. She said that the conceptual maps presented in the voting pamphlets are just that and after the vote the KPB will make the actual map based on the census blocks. She said this is also for the assembly districts and that there is a cost increase with an 11 district model and that the 11 district model is what was recommended by the committee.
- b. The new Planning Department Director is Robert Ruffner.

12. COMMISSIONER'S COMMENTS

- a. Y. Galbraith said she sent an email out regarding review of the Planning Commission Handbook and the duty of commissioners to represent the community and make note of when we are representing our own opinions when we speak.
- b. C. Degernes said she really appreciates the agency attendance of M. Mueller, D. Truitt, N. Carver, and J. Tymick and said that is a really big benefit of the Zoom meetings which would be much harder to provide in person.
- c. J. Cadieux reported work is ongoing to make hybrid Zoom and in-person meetings possible. S. Lopez acknowledged that the Planning Commission and Assembly had similar experiences to CLAPC in increased community participation via Zoom and they are working to provide hybrid meetings as well but did not have technical support to provide us in our endeavor to develop that for our community. D. Story indicated he thought the technology exists and he will try to test it before the next meeting. J. Cadieux offered help.

13. ADJOURNMENT – L. Johnson moves to adjourn. K. Recken seconds. All approve. 8:57pm

For more information or to submit comments please contact:

David Story, Secretary Treasurer or Janette Cadieux, Chair, P.O. Box 694, Cooper Landing, 99572 CooperLandingAPC@gmail.com