



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

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MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

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

THRU: Mike Navarre, Borough Mayor *MN*

FROM: Max Best, Planning Director *MB*

DATE: June 13, 2012

SUBJECT: Ordinance 2012-19-15; Authorizing the Acquisition of Lots 2, 3, 4 and 5, Block 8, as shown on U.S. Survey 3025 A and B, East Addition, Townsite of Kenai on behalf of the Kenai Peninsula Borough School District, Pursuant to KPB 17.10.040

The Planning Commission reviewed the subject Ordinance during their regularly scheduled June 11, 2012 meeting. A motion passed by unanimous consent to recommend approval of the ordinance.

In the ordinance, please make the following amendment to the last WHEREAS:

WHEREAS, the KPB Planning Commission at its regularly scheduled meeting of June 11, 2012, recommended approval by unanimous consent.

Attached are the unapproved minutes of the subject portion of the meeting.

AGENDA ITEM F. PUBLIC HEARINGS

- 1.a. Ordinance 2012-19-15; Authorizing the Acquisition of Lots 2, 3, and 4, Block 8, as shown on U.S. Survey 3025 A and B, East Addition, Townsite of Kenai on behalf of the Kenai Peninsula Borough School District, Pursuant to KPB 17.10.040

Memorandum given by Max Best

PC Meeting: 6/11/12

The relationship between the borough school district and borough is established pursuant to AS 14.14.060. Purchase of subject property was approved at the KPBSD's meeting of May 7, 2012. (See KPBSD minutes). The School District wishes to expand the Aurora Borealis Charter School (ABCS) with the purchase of adjacent land. Over the years the ABCS's playground space has been reduced due to the addition of two portables. Acquisition of adjacent lots would make available much needed space for a playground and a storage building that would be utilized by both the Kenai Alternative School and the ABCS. Pursuant to KPB 17.10.040 acquisition of land shall be by resolution.

Virginia Poore is the owner of subject lots and is agreeable to proceed with this sale. The Borough would purchase these lots on behalf of the KPB School District. It is the opinion of the KPB Assessing Department that the current assessed value of each lot is \$20,900. The total cost of the three lots would be \$62,700. The Borough's offer to purchase these lots has been reduce to writing as shown in the attached Purchase Agreement. The attached ordinance would authorize the acquisition of subject property on behalf KPB School Board. The purchase price is not to exceed \$62,700 plus closing costs with funding coming from the KPB School District / ABCS.

The property lies within the Kenai City limits and is zoned as Central Commercial which is appropriate for school purposes. Each lot contains 0.12 acres for a total of 0.36 acres. (See Exhibit A—Area Map).

END OF MEMORANDUM

- 1.b. Ordinance 2012-19-15; Authorizing the Acquisition of Lot 5, Block 8, as shown on U.S. Survey 3025 A and B, East Addition, Townsite of Kenai on behalf of the Kenai Peninsula Borough School District, Pursuant to KPB 17.10.040

Memorandum given by Max Best

PC Meeting: 6/11/12

The Relationship between the borough school district and borough is established pursuant to AS 14.14.060. Purchase of subject property was approved at the KPBSD's meeting of May 7, 2012. (See KPBSD minutes). The School District wishes to expand the Aurora Borealis Charter School (ABCS) with the purchase of adjacent land. Over the years the ABCS's playground space has been reduced due to the addition of two portables. Acquisition of adjacent lots would make available much needed space for a playground and a storage building that would be utilized by both the Kenai Alternative School and the ABCS. Pursuant to KPB 17.10.040 acquisition of land shall be by resolution.

Gene L. Herrick is the owner of subject lots and is agreeable to proceed with this sale. The Borough would purchase this lot on behalf of the KPB School District. It is the opinion of the KPB Assessing Department that the current assessed value is \$20,900. The Borough's offer to purchase this lot has been reduce to writing as shown in the attached Purchase Agreement. The attached ordinance would authorize the acquisition of subject property on behalf KPB School Board. The purchase price is not to exceed \$20,900 plus closing costs with funding coming from the KPB School District / ABCS.

The property lies within the Kenai City limits and is zoned as Central Commercial which is appropriate for school purposes. Subject lot contains 0.12 acres. (See Exhibit A—Area Map).

END OF MEMORANDUM

Chairman Bryson opened the meeting for public comment. Seeing and hearing no one wishing to speak, Chairman Bryson closed the public comment period and opened discussion among the Commission.

MOTION: Commissioner Tauriainen moved, seconded by Commissioner Lockwood to recommend approval of Ordinances 2012-19-15; authorizing the acquisition of Lots 2, 3, 4 and 5, Block 8, as shown on US Survey 3025 A and B, East Addition, Townsite of Kenai on behalf of the Kenai Peninsula Borough School District, pursuant to KPB 17.10.040.

Chairman Bryson asked if there was justification for the acquisition of the property. Mr. Best indicated the need for additional parking and placement of a playground area.

Commissioner Collins asked if the purchase amount that the school board approved was up to \$90,000. Mr. Best replied that was correct, it is up to \$90,000 which would take care of additional costs of closing, etc.

VOTE: The motion passed by unanimous consent.

BRYSON YES	CARLUCCIO ABSENT	COLLINS YES	ECKLUND YES	FOSTER YES	GROSS YES	HOLSTEN YES
ISHAM YES	LOCKWOOD YES	MARTIN YES	RUFFNER YES	TAURIAINEN YES		11 YES 1 ABSENT

AGENDA ITEM F. PUBLIC HEARING

2. Ordinance 2012-23; Authorizing Retention or Sale of Certain Real Property Obtained by the Kenai Peninsula Borough through Tax Foreclosure Proceedings

Memorandum given by Max Best

PC Meeting; 6/11/12

Pursuant to KPB 17.10.100(A) and tax foreclosure proceedings pursuant to AS 29.45.290 et seq. the borough has obtained a Clerk’s Deed to the real property listed in the subject ordinance. Notice of sale was sent to the last owner(s) of record by certified mail within five days after the first publication of the hearing on the ordinance as per AS 29.45.460(c).

A preliminary list of parcels proposed for the 2012 auction was sent for review and comment to the Kenai Peninsula Borough School District, all KPB administrative departments, service areas, and cities. Subject ordinance authorizes 49 parcels to be sold by public outcry auction as shown on Exhibit B. The number of parcels to be sold or retained will change if taxes are paid.

There are 21 parcels proposed for retention for a public purpose with recommended classifications as shown on Exhibit A. These parcels include the following:

- 4 parcels have been identified as wetlands and would not serve a practical purpose in private ownership.
- 16 parcels are less than 40,000 sq. ft. Pursuant to KPB 20.20.190 parcels shall meet minimum acreage to provide for well and septic. Parcels less than 40,000 sq. ft. are generally considered to be “substandard” as they are not large enough to provide for both well and septic. These parcels could be proposed for a borough Substandard Lot Sale in the future and offered to the adjacent property owners who wish to combine it with their land.
- Parcel 01316213 would provide access to a water body leading to Bear Lake for recreational purposes. This parcel is subject to a plat note #2 reserving all open space area for lot owners and would not be practical to have in private ownership. The parcel, once retained, would be open to the public.

Please reference the maps / aerial photos of the parcels listed in the ordinance.

The tax foreclosure auction is scheduled for Saturday, October 13, 2012, in the Soldotna High School Auditorium. The KPB Planning Commission will consider this ordinance at its regularly scheduled meeting of