

3/1/07

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION 96-58(SUB)(AM)

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING THE CLASSIFICATION AND CONVEYANCE OF BOROUGH-OWNED LAND LOCATED WITHIN A PORTION OF TRACT A, SECTION 7, AND A PORTION OF TRACT A, SECTION 18, TOWNSHIP 17 NORTH, RANGE 3 EAST, SEWARD MERIDIAN, ACCORDING TO ALASKA SUPPLEMENTAL CADASTRAL SURVEY 92-118, BUTTE AREA.

WHEREAS, the Matanuska-Susitna Borough has received an application to purchase borough-owned land consisting of approximately 320± acres; and

WHEREAS, the borough-owned land within the above described area is currently not classified; and

WHEREAS, the Agricultural and Forestry Advisory Board concurs that the property be classified as general purpose lands; and

WHEREAS, existing trails through the property are recognized as having value to the public in general, and local residents in particular; and

WHEREAS, any relocation of the existing trails would require meeting platting vacation requirements which include providing equal or better alternate access; and

WHEREAS, a well-planned destination resort with an estimated initial investment in excess of 15 million dollars is in the best interest of the borough residents as a whole; and

WHEREAS, the applicant has indicated acquisition of the 320± acres is critical to the development project and portions of the trails will need to be relocated in order to accommodate the project; and

WHEREAS, residents of the community have expressed concerns over the loss of recreational opportunities, potential negative environmental impacts, additional infrastructure costs, and the financial feasibility associated with the proposed land conveyance for a golf course and resort development; and

NOW, THEREFORE, BE IT RESOLVED that the Matanuska-Susitna Borough Planning Commission recommends the Matanuska-Susitna Borough Assembly approve classification of the parcel as general purpose land; and

FURTHER, BE IT RESOLVED that the Matanuska-Susitna Borough Planning Commission recommends to the Matanuska-Susitna Borough Assembly that the property be approved for conveyance as a lease with option to purchase; and

BE IT FURTHER RESOLVED that the Matanuska-Susitna Borough Planning Commission recommends that as a means of protecting the public interest and addressing community concerns that performance measures, development standards, proof of financial capability, and further conditions as shown on Attachment A be required as conditions of the lease; and

BE IT FURTHER RESOLVED that the Matanuska-Susitna Planning Commission recommends that as an additional condition of conveyance, the existing trails on the property be kept open until a platting vacation approval is obtained and equal or better alternate trails are dedicated, constructed and accepted by the borough; and

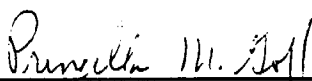
BE IT FURTHER RESOLVED that the Matanuska-Susitna Borough Planning Commission recommends that if the proposed golf course and associated resort development are found not to be financially viable or impractical to construct, or if conditions of the lease are not met, the lease may be terminated by the borough.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 17 day of March, 1997.



TIMOTHY L. ANDERSON, Chairman

ATTEST:



PRISCILLA M. GOFF, Planning Clerk

(SEAL)

Non-Code Ordinance

By: D. Moore
Introduced:
Public Hearing:
Action:

MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 97-039

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY CLASSIFYING APPROXIMATELY 320 ACRES OF BOROUGH-OWNED LAND WITHIN PORTIONS OF TRACT A, SECTION 7, AND A PORTION OF TRACT A, SECTION 18, ACCORDING TO ASCS 92-118, BEING WITHIN TOWNSHIP 17 NORTH, RANGE 3 EAST, SEWARD MERIDIAN, AS GENERAL PURPOSE LAND AND APPROVING A CONVEYANCE BY LEASE WITH OPTION TO PURCHASE TO HOMESTEAD RESORT PROPERTIES.

WHEREAS, an application has been received to purchase borough-owned land; and

WHEREAS, MSB 23.10.030(B) requires that borough-owned land be classified prior to sale or lease; and

WHEREAS, the highest and best use of the property is believed to be best defined by the general purpose land classification; and

WHEREAS, the Matanuska-Susitna Borough Agricultural and Forestry Board and Planning Commission concur with the recommendation to classify this land as general purpose land; and

WHEREAS, the Matanuska-Susitna Borough Planning Commission believes that special conditions as outlined in Planning Commission Resolution No. 97-58(SUB)(AM) should become part of the lease with option to purchase in order to protect the public health, safety, convenience and welfare of the Butte community; and

BE IT ENACTED:

* Section 1. Classification. This is a non-code ordinance.

* Section 2. Classification of land. The assembly of the Matanuska-Susitna Borough does hereby classify approximately 320 acres of borough-owned land within portions of Tract A, Section 7,

and portions of Tract A, Section 18, according to ASCS 92-118, being within Township 17 North, Range 3 East, Seward Meridian, as general purpose land.

* Section 3. Terms of Sale. The Matanuska-Susitna Borough Assembly approves the conveyance of land as a lease with option to purchase in accordance with the requirements and conditions of MSB Title 23 and those conditions set forth by the Matanuska-Susitna Borough Planning Commission Resolution No. 97-58 (SUB)AM).

* Section 4. Effective date. Ordinance Serial No. 97- shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this day
of , 1997.

BARBARA LACHER, Borough Mayor

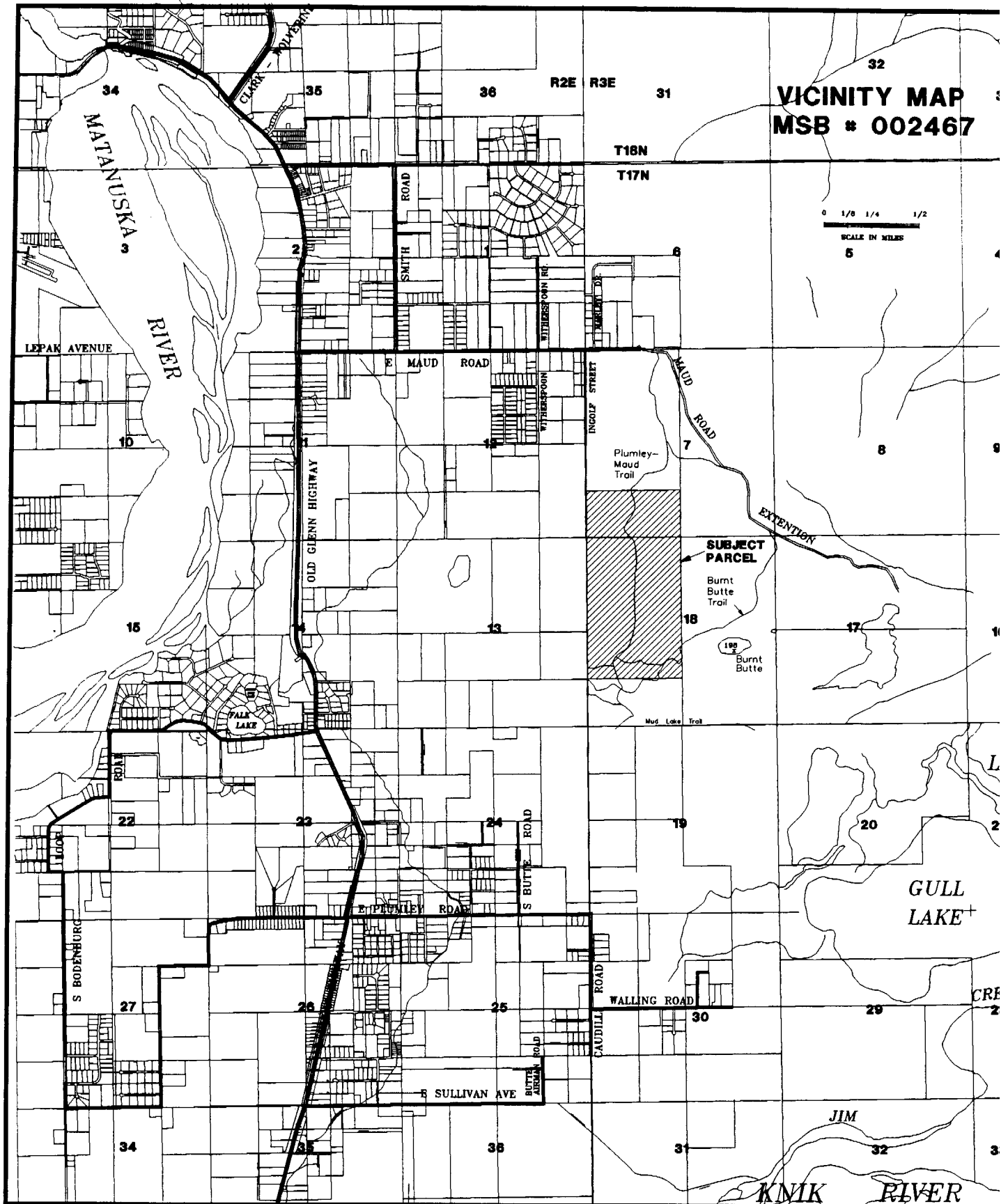
ATTEST:

SANDRA A. DILLON, Borough Clerk

(Seal)

VICINITY MAP
MSB # 002467

0 1/8 1/4 1/2
 SCALE IN MILES
 5



ATTACHMENT A

1. That a master plan be developed and submitted to the borough for approval that provides a detailed schematic and narrative description of the proposed development.
2. That all relevant permits be obtained from federal, state and borough agencies prior to development, including the U.S. Army Corps of Engineers 404 permit.
3. That a projected investment schedule, including phases, be submitted to the borough.
4. That a projected development schedule, including phases, be submitted to the borough.
5. That the exercise of any option to purchase be contingent upon satisfactory completion of the development or a specific, pre-agreed upon phase.
6. That evidence of credit worthiness, letters of reference from financial institutions, proof of ability to finance the project, including phases, and ability to obtain performance bonds and insurance be provided to the borough.
7. That a traffic impact analysis be completed based upon the master plan, and if Maud Road requires upgrade that it be paid for by the developer or an alternate access be developed.
8. That a ground water monitoring system be installed.
9. That a storm water, drainage, erosion and flood control plan, to include McRoberts Creek, be developed based on the master plan and submitted to the borough for approval.
10. That a fertilizers and pesticides management plan be submitted to the borough for approval.
11. That a site rehabilitation plan describing how sites disturbed by construction or development activities will be rehabilitated be submitted to the borough for approval.
12. That a vegetative buffer for the relocated trail be provided, and that coordination with the local trail users on the design and location of the relocated trail occur.