



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

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**JOHN J. WILLIAMS
BOROUGH MAYOR**

M E M O R A N D U M

TO: Grace Merkes, Assembly President
Kenai Peninsula Borough Assembly Members

THRU: John J. Williams, Borough Mayor 

FROM:  Max J. Best, Planning Director

DATE: September 24, 2008

SUBJECT: Ordinance 2008-19-21 authorizing the purchase of land adjacent to Heritage Place and the exchange of real property on behalf of Central Kenai Peninsula Hospital Service Area, appropriating funds for the purchase, and classifying the land

The Planning Commission reviewed the subject ordinance during their regularly scheduled September 22, 2008 meeting. A motion to recommend enactment of the ordinance passed by unanimous consent.

Draft, unapproved minutes of the subject portion of the meeting are attached.

AGENDA ITEM C. CONSENT AGENDA

8. Minutes

- a. September 8, 2008 Plat Committee Minutes
- b. September 8, 2008 Planning Commission Minutes

MOTION: Commissioner Murphy moved, seconded by Commissioner McClure to adopt the amended consent agenda and approve the regular agenda. Seeing and hearing no discussion or objection, the motion passed by unanimous consent.

AGENDA ITEM D. PUBLIC COMMENT / PRESENTATIONS / COMMISSIONERS

Chairman Bryson asked if there was anyone who wanted to comment on items not listed on the agenda. Hearing none the meeting proceeded.

AGENDA ITEM E. UNFINISHED BUSINESS - None

AGENDA ITEM F. PUBLIC HEARINGS

- 1. Ordinance 2008-19-21 authorizing the purchase of land adjacent to Heritage Place and the exchange of real property on behalf of Central Kenai Peninsula Hospital Service Area, appropriating funds for the purchase, and classifying the land.

Staff Report given by Max Best

PC Meeting: 9/22/08

Heritage Place is a skilled nursing facility on Rockwell Street, west of the hospital. That area is predominately health care related.

The Heritage Place administration has looked for years at the potential of obtaining adjacent lands to allow for added parking and future facility expansion. They are making full use of the existing site and have a current need for additional parking and a foreseeable need for future expansion of services. In 2006 the Kenai Peninsula Borough, through the Central Kenai Peninsula Hospital Service Area, acquired Heritage Place, which is now operated by Central Peninsula Hospital under the Lease and Operating Agreement.

The area around the Central Peninsula Hospital has significantly developed as a health care services district, which is reflected by the continued expansion of the City of Soldotna's "Limited Commercial" zoning surrounding the Hospital. The area around the hospital and specifically adjacent to Heritage Place is nearly all developed with only one contiguous block of land remaining that could accommodate Heritage Place's future needs without substantial costs in property buyout or creating inefficient satellite locations. The borough has a long-term interest in ensuring that borough services can be adequately provided and that those services are achieved with the greatest economy.

The borough has an opportunity to purchase the last remaining vacant land that is strategically located through an exchange sale with the property owner, Mr. R. Dan Green. A parcel of borough-owned land across from Mackey Lake Fire Station and adjacent to Mr. Green's primary residence has motivated Mr. Green to negotiate with the borough for the acquisition of this property.

This proposed exchange involves a 2.92-acre borough-owned parcel, which is appropriately classified for disposition, and 2.3 acres of subdivided lands owned by Mr. Green neighboring Heritage Place. Derry and Associates have independently appraised the properties at \$24,500 for the Borough parcel, and \$380,000 for Mr. Green's property. The value differential will be paid in cash to Mr. Green. The expenditure would come from the Central Kenai Peninsula Hospital Service Area fund balance, including reimbursement to the Land Trust Fund for the value of the Borough's general land holding. As contingencies to this exchange, Mr. Green

would be required to return the subdivided property to acreage through subdivision plat and vacation of the cul-de-sac right-of-way contained within the property. Mr. Green would also be responsible for obtaining a rezoning of the property to "limited commercial" or "institutional" under the City of Soldotna's zoning code. The borough would participate in the rezoning process.

The administration requests the Planning Commission's recommendation on the purchasing of this property in exchange.

END OF STAFF REPORT

Chairman Bryson read the rules by which public testimony was taken.

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 Murphy moved, seconded by Commissioner Foster to recommend enactment of Ordinance 2008-19-21.

VOTE: The motion passed by unanimous consent.

BRYSON YES	CARLUCCIO ABSENT	COLLINS YES	FOSTER YES	GROSS YES	ISHAM YES	JOHNSON ABSENT
LOCKWOOD YES	MARTIN YES	MCCLURE YES	MURPHY YES	PETERSEN YES	TAURIAINEN YES	11 YES 2 ABSENT

AGENDA ITEM G. ANADROMOUS STREAM HABITAT PROTECTION (KPB 21.18)

1. A Conditional Use Permit Pursuant to KPB 21.18 for the construction of a 4-foot by 116-foot ELP gratewalk along the river attached to an upland 3-foot by 9-foot ELP ramp attached to an upland 3-foot by 20-foot ELP stairway attached to an upland 3-foot by 4-foot ELP gratewalk at the top of the bank. This project is located near Kenai River Mile 24.8, located on Lot 12, Block 1, Hideaway Estates Subdivision, Section 35, T. 5 N., R. 10 W., S.M., AK, (KPB Parcel I.D.: 058-230-18).

KPB PC Resolution 2008-35

STAFF REPORT

PC MEETING: September 22, 2008

Applicant: James Platz, 34199 Keystone DR, Soldotna, AK 99669

Property Owner: Same

Project Location: Lot 12, Block 1, Hideaway Estates Subdivision
Section 35, T. 5 N., R. 10 W., S.M., AK
KPB Parcel I.D.: 058-230-18

Proposed Action: The proposed project includes the installation of a 4-foot by 116-foot ELP gratewalk along the Kenai River attached to an upland 3-foot by 9-foot ELP ramp attached to an upland 3-foot by 20-foot ELP stairway attached to an upland 3-foot by 4-foot ELP gratewalk at the top of the bank.

Background Information

Site Visit: John Mohorcich (KPB / KRC) went on site May 27, 2008 with Mr. Platz. Lot 12, Block 1, Hideaway Estates Subdivision contains .96 acres and has 116.09-feet along the Kenai River. This property contains an existing residential cabin set back from the river and a badly damaged wooden stairway from the top of the bank down towards the river. People have been allowed to fish from the edge of the river for many seasons and have created a "fishing trail" along the bank. Mr. Platz recently purchased the property and would like to install