

# **KENAI PENINSULA BOROUGH**

PLANNING DEPARTMENT

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
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**DAVID R. CAREY**  
**BOROUGH MAYOR**

## **MEMORANDUM**

**TO:** Milli Martin, Assembly President  
Kenai Peninsula Borough Assembly Members

**THRU:**  David R. Carey, Borough Mayor

**FROM:**  Max J. Best, Planning Director

**DATE:** March 27, 2009

**SUBJECT:** Ordinance 2008-19-43; Authorizing the acquisition of certain real property at the corner of Kalifornsky Beach Road and Ciechanski Drive for a Central Emergency Service Fill site, a future fire station and other government purposes and appropriating funds for the acquisition.

The Planning Commission reviewed the subject ordinance during their regularly scheduled March 27, 2009 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 F. PUBLIC HEARINGS

4. Ordinance 2008-19-43; Authorizing the acquisition of certain real property at the corner of Kalifornsky Beach Road and Ciechanski Drive for a Central Emergency Service Fill site, a future fire station and other government purposes and appropriating funds for the acquisition.

Memorandum reviewed by Marcus Mueller

PC Meeting: 3/23/09

Central Emergency Services (CE5) has developed an Insurance Services Office (ISO) plan to optimize fire response capabilities within the service area. Additionally, the Land Management Division conducted an analysis to determine optimal locations for future fire stations to ensure proper placement for maximum response coverage. CES intends to acquire sites that are appropriate for future fire stations in the long term, and to develop those sites in the near term with high-volume water supply capabilities as implementation of its ISO plan.

CES, Land Management, Capital Projects, and the administration have worked together to identify an appropriate CES site in the Ciechanski Area. The property identified is a 30.3-acre parcel, of which 4 acres are needed for CES's operations. CES will contribute \$195,000 toward the property which is based on a 70/30 size adjustment on the overall land purchase. CES previously budgeted \$120,000 in FY09 for this land purchase; the ordinance would appropriate an additional \$75,000 from the CES Capital Projects Fund. The Land Trust Fund will pay \$330,000 for the remaining 26± acres and hold the property for future borough needs. Land Management intends to dedicate a matching dedication to Phillips Avenue from the parcel. This will allow for the construction of alternative egress for the Willowbrook Subdivision area. Additionally, this property is centrally located on Kalifornsky Beach Road midway between the business districts of Kenai and Soldotna. The property has excellent potential for community development and to serve future government functions which are goals of the Land Trust as outlined in the FY09 budget document. The acquisition of the acreage is an investment of the Land Trust to enhance the Borough's landholdings in the rapidly developing K-Beach area.

The ordinance would authorize the acquisition of a 30.3-acre parcel at the corner of K-Beach Road and Ciechanski from Lynn C. Martinez. The proposed purchase price is \$525,000 which is based on the fair market value appraised by Derry and Associates.

END OF MEMORANDUM

Chairman Bryson asked if a 4 acre tract of land could be found rather than a 30 acre parcel. Mr. Mueller replied this site was ideal which leaves a 26 acre remainder parcel. The interest that the Land Trust Fund has in purchasing this parcel is that the Borough received 155,000 acres of State lands that range in size, shape and location. Of that entitlement there was not a whole lot that fits the bill for actual Borough services. He stated this piece of property was well suited for future municipal uses and is located in one of the fastest growing areas of the Peninsula. The property is suited for anything other than a ski hill. From a land management philosophy Mr. Mueller considers this as a reinvestment of municipal entitlement back into land resources. One of the functions of Land Management was to provide lands for future Borough uses.

Chairman Bryson stated that it appeared there was gravel on site. Mr. Mueller replied there was good gravel on this property but it was not staff's intent to expand the gravel pit.

Chairman Bryson opened discussion among the Commission.

**MOTION:** Commissioner Murphy moved, seconded by Commissioner McClure to recommend enactment of Ordinance 2008-19-43.

Commissioner Tauriainen asked if there were uses for the remainder of the 26 acres. Mr. Mueller replied there was no particular purpose identified at this time. It is well suited for any number of future uses but has not been tagged. Commissioner Tauriainen asked if this purchase was for investment purposes. Mr. Mueller replied it is a reinvestment of the municipal entitlement lands. He stated in this instance this was a repurchase

of property to reinvest into Land Trust and secure proper and suitable holdings for government purposes. This property was identified for CES.

There being no further discussion, the commission proceeded to vote.

**VOTE:** The motion passed by unanimous consent.

BRYSON YES	CARLUCCIO ABSENT	COLLINS ABSENT	FOSTER YES	GROSS YES	ISHAM YES	JOHNSON ABSENT
LOCKWOOD YES	MARTIN YES	MCCLURE YES	MURPHY YES	PETERSEN YES	TAURIAINEN YES	10 YES 3 ABSENT

AGENDA ITEM G. ANADROMOUS STREAM HABITAT PROTECTION (KPB 21.18) - None

AGENDA ITEM H. VACATIONS NOT REQUIRING A PUBLIC HEARING

1. Vacate the 20-foot utility easement centered on the line common to Tracts 3 and 4 granted by Nightwatch Subdivision (Plat HM 74-2191); within Section 31, Township 4 South, Range 14 West, Seward Meridian, Alaska; within the Kenai Peninsula Borough. KPB File 2009-043; KPB PC Resolution 2009-04

Staff Report reviewed by Mary Toll

PC Meeting: 3/23/2009

Purpose as stated in petition: There are currently no utilities utilizing this easement. To our knowledge there are also no plans of use for this easement.

Petitioners: Clifford A. Shafer of Anchor Point and Gary Cullip of Anchorage, Alaska.

Notification:

Nine notices of vacation mailings were sent by regular mail to owners of property within 300 feet. Notices were mailed to six interested parties and agencies. Notices were mailed to the Homer Community Library and Homer Post Office to post in public places. The notice was posted on the Borough web site and on the Borough bulletin board in Soldotna.

Statement(s) of non-objection

Homer Electric Association  
Enstar Natural Gas Company  
Alaska Communications Systems

**Findings:**

1. Per petition, the easement is not in use.
2. Three affected utility companies have provided written non-objection to the vacation.
3. No surrounding properties will be denied utilities.
4. No letters of objection have been received.
5. The utility easement extends into the center of the two tracts.
6. All preliminary plats are sent to the utility companies for review.
7. All other utility easements will remain in place.
8. If approved, the vacation will be finalized by resolution.

Based upon the above findings, **staff recommends** adoption of KPB PC Resolution 2009-04 thereby granting the vacation as petitioned.

**DENIAL OF A VACATION PETITION IS A FINAL ACT FOR WHICH NO FURTHER CONSIDERATION SHALL BE GIVEN BY THE KENAI PENINSULA BOROUGH. APPEALS TO PLANNING COMMISSION**