

AGENDA ITEM __. PUBLIC HEARINGS

__. Proposed Classification of Certain Borough Land, Pursuant to KPB Code of Ordinances, Chapter 17.10.080.

STAFF REPORT

PC Meeting September 27, 2021

KPB Land Management proposes to classify certain parcels of borough owned land.

Basis for Classification: Subject parcels are being considered for future management decisions including disposal or lease. Classification provides guidance for the management of borough land. KPB land must be classified prior to disposal or leasing pursuant to KPB Code of Ordinances, Chapter 17.10.090.

Assessor's Parcel No.	General Location	Legal Description	Acres	Proposed Classification	Current Zoning
169-050-71	Anchor Point	That portion of S1/2 NE1/4 as per WD Book 143, Page 830 Homer Recording District, Excluding that Portion as per Commissioners QCD Book 194, Page 990 T5S, R15W. S.M.	14.43	Waste Handling/ Institutional/ Residential/ Utility Transportation	Rural
169-050-67	Anchor Point	That portion of S1/2 NE1/4 as per QCD Book 194, Page 985 Homer Recording District, T5S, R15W. S.M.	1.49	Waste Handling/ Institutional/ Residential/ Utility Transportation	Rural

Public Notice: Public notice was published in the Homer News, August 26, 2021, and September 3, 2021 and the Peninsula Clarion, August 31, 2021 and September 2, 2021. Public notice was sent to all land owners and/or leaseholders within a one-half mile radius of the land proposed to be classified, applicable agencies, and interested parties. Written public comments were requested to be returned by 5:00 p.m., September 14, 2021.

Overview: Subject properties are adjoining each other totaling approximately 16 acres. The parcels are located in Anchor Point bounded on the east by the Old Sterling Highway, north by School Ave, West by Birch Street, and South by Spinaker Ave and a private parcel. The property was acquired from the State of Alaska Department of Transportation and was formerly used as a materials site. Part of the property is currently used as the Anchor Point Solid Waste Transfer Facility which is accessed from the Old Sterling Highway. The Anchor Point Food Pantry has submitted an application for a negotiated lease of a portion of the property.

Findings of Fact:

1. Property Status: Borough received title by Commissioner's Quitclaim Deed through a land exchange authorized by Ordinance 2001-23 in accordance with a Memorandum of Agreement dated April 30, 2002. The memorandum of agreement references a public water well in the Northwest Corner of the Parcel with associated setbacks. WELTS ID 7497 and 7594 has been researched by the KPB Environmental Compliance Manager to determine the current well status. The wells have been identified as test wells that are not in use and can be decommissioned. The east side of the parcel is used the Anchor Point Solid Waste Transfer Facility, accessed from the Old Sterling Highway. The remainder of the property is vacant, serving partly as buffer to the solid waste activity. KPB receives occasional community-member complaints about trespass, squatting, and dumping on the parcel. This parcel is currently not classified (undesignated).
2. Zoning: Rural District pursuant to KPB 21.04.010(B).
3. Topography: Parcel topography is shaped by prior material site uses, which includes various berms and

depressions and areas without topsoil or having low vegetation. Some areas on the parcel are relatively flat and are forested. Water table appears to be about 10 feet below original ground elevation. Parcel is within the Anchor River Watershed.

4. Soil: The parent soil type on the parcel is Whitsol Silt Loam 0-4 percent slopes, which is a well-drained soil underlain by gravelly coarse sand found on till plains.

Source Data: Web Soil Survey, provided by the U.S.D.A. Natural Resources Conservation Service, Available online at the following link: <https://websoilsurvey.sc.egov.usda.gov/>. Accessed [Aug 31, 2021]. (Note: Soil information is not site-specific and does not eliminate the need for onsite testing and sampling).

5. Surrounding Land Use: No comprehensive land use plan has been developed for this area. Jacque Street is the nearest platted, undeveloped road located to the South of the both subject parcels. Surrounding land use includes residential single-family homes, commercial business, school, church, and light industrial development. Subject parcel is large for the area and is unplatted. Street Right-of-way dedications to match existing streets will be required if the property becomes platted.
6. Surrounding Land Ownership: Surrounding land is primarily in private ownership with a borough owned school parcel across School Ave to the northeast.
7. Access: Parcels are accessible from several location including frontage along School Avenue, Birch Street and Spinaker Avenue and a point of access along the Old Sterling Highway which is the location of the entrance to the Solid Waste Transfer Facility.
8. Utilities: Gas, electric and water utilities are in the area.
9. Public Comment: One public comment was received expressing concern in future development of these parcels, potential impacts on residents, wildlife and the atmosphere the area provides. Requested properties be retained in a preserved status.
10. Advisory Planning Commission Review: The Anchor Point Advisory Planning Commission held a public hearing on September 9, 2021 and defeated a motion to recommend approval of the land classification as proposed by a vote of 2 yes and 4 no.
11. Department / Agency Comments: No Comment or Non Objection to the plan of classification was received from the Kenai Peninsula School District, Western Emergency Service Area, Office of Emergency Management, the KPB Road Service Area, and the Kenai River Center.

Analysis:

This a large parcel of land with significant vacant areas. Some areas of the surface appear to be undisturbed from historic gravel pit excavations and some areas would become more useful with re-contouring the surface. A water table may be encountered at approximately 10-feet below original grade. The parcel is centrally located on the southern side of downtown Anchor Point and would have many potential uses based on the location and qualities of the land. The Solid Waste Transfer Site uses are well established and the KPB Solid Waste intends to continue to operate the Anchor Point Solid Waste Transfer facility at the current location.

A plan of classification has been prepared by Land Management staff with considerations given to future right of way dedications, the solid waste transfer facility uses, residential use potential along birch street, and community type institutional uses such as the Anchor Point Food Pantry proposal.

The plan of classification includes a Transportation/Utility Classification for areas that would become dedicated to road right-of-way for School Avenue, Birch Street and Spinaker Ave. A 60' wide area is shown along Spinaker to provide connectivity options along the south side of the parcel.

The plan of classification includes a Waste Handling classification for any area that contains the Solid Waste Transfer site footprint, including its access, and surrounding land that provides an immediate buffer to the Solid Waste facility uses and contains space that may become useful for other purposes. Included in this classification is a strip of land to Spinaker Avenue to maintain access connectivity options for future design and uses. The area of land proposed for Waste Handling Classification is approximately 9.81 Acres.

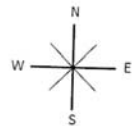
The birch street frontage is wooded and has newly developed 1/2 acre residential lots across the street. The lots are served by a public water system. The plan of classification includes a Residential Classification along Birch Street. A strip of land as 130 feet wide is shown for a total of 1.53 Acres. This would provide for up to three lots that could be subdivided and offered in a general land sale. Without specific zoning the actual use of the land would not be restricted by regulation, meaning that use of the land other than residential would be lawful. This classification would prompt Land Management to prepare the land for sale, but would not create a land use regulation if the land were sold.

The plan of classification includes an Institutional Classification in the west-center of the parcel, fronting School Avenue and Spinaker Ave. The area shown is approximately 300 feet-wide and includes about 3.52 acres. The location and area could be useful for community type uses fitting with the land classification. If the land were classified as institutional, the borough could consider Anchor Point Food Pantry's proposal to lease the area.

Conclusions:

This parcel contains land that is important for right-of-ways and KPB solid waste operations. The parcel contains additional land that is available for the borough to consider options such as making land available for sale or lease. Adopting land classifications will guide the management actions by KPB.

**Land Classification Plan
16.2 Acres in Anchor Point, Alaska
Kenai Peninsula Borough Land Management Division**



Classification Plan
 Right of Way (Utility/Transportation)
 Waste Handling
 Residential
 Institutional