



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

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JOHN J. WILLIAMS
BOROUGH MAYOR

MEMORANDUM

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

THRU: John J. Williams, Borough Mayor

FROM: Max J. Best, Planning Director

DATE: March 25, 2008

SUBJECT: Resolution 2008-025; Proposed Resource Development Classification of approximately 10 acres of Borough land located in the Beluga area within Section 4, T12N, R10W, S.M., Alaska, Pursuant to KPB Code of Ordinances, Chapter 17.10.080(F)

The Planning Commission reviewed the subject resolution during their regularly scheduled March 24, 2008 meeting. A motion to recommend adoption of the resolution passed by unanimous consent.

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

Agenda Item P. 1. b.

Committee Lands

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AGENDA ITEM F. PUBLIC HEARINGS

4. Resolution 2008-____; Proposed Resource Development Classification of approximately 10 acres of Borough land located in the Beluga area within Section 4, T12N, R10W, S.M., Alaska, Pursuant to KPB Code of Ordinances, Chapter 17.10.080(F)

Staff Report given by Marcus Mueller

PC Meeting: March 24, 2008

Petitioner: Kenai Peninsula Borough, Alaska

Basis for Classification: The Borough Land Management Division has identified a 10-acre parcel for the development of a new gravel site in the Beluga area. As per KPB Code of Ordinances 17.10.080, parcels appropriate for Resource Development may be then considered for development purposes. A gravel source will be beneficial to the communities of Beluga and Tyonek for commercial and small quantity purchase. Test holes were drilled on the subject land indicating an available gravel source was present.

Current Classification: Subject land is not classified (undesignated)

Proposed Classification: "Resource Development" means land containing resources of sufficient volume and quality and located so that on-going development or production of those resources would yield an overall net economic return. Lands so classified may be sold or leased subject to appropriate restrictions concerning operations or future reclamation. Lands so classified may be retained by the borough and resources on those lands may be sold or permitted for use.

Description of Borough Land Proposed for Classification: That portion of Beluga Terrace Sub, Addn No 3, Tract A-3, AN 2003044, filed as Plat Number 2003-44, Anchorage Recording District, and more particularly as shown on Attachment A, containing approximately 10± acres.

Public Notice: Public notice was published in the Peninsula Clarion Newspaper, February 20 and February 24, 2008; notices were sent by regular mail to all owners and/or leaseholders of record within a one-half mile radius of the land proposed for classification; and, notice was sent to applicable agencies, and interested parties. The notices consisted of a cover letter, map, and list of land classification definitions. Written public comments were requested to be returned by 5:00 p.m., March 10, 2008.

Public Comment: As of the writing of this report, no written comments were received.

Planning Commission Review: March 24, 2008, the Planning Commission held a public meeting and recommended _____.

Department / Agency Review: Written comments were received from the following agencies:

- No comments received.

Findings of Fact:

1. **Land Status:** The Borough received State Patent for subject land. Tyonek Native Corporation was conveyed subsurface interest under the Terms and Conditions for Land Consolidation in the Cook Inlet Region.
2. **Topography:** The topography is nearly level at 25'-30' elevation above sea level. Aspen, birch, and black spruce cover approximately 99 percent of the subject land. An unnamed creek runs parallel to the northern boundary of subject land.
3. **Land Use:** Surrounding land use within one-half of a mile of the subject land includes residential single-family homes in the Three Mile Creek Subdivision; over 1800 acres of undeveloped Borough and Cook Inlet Region lands; the Borough land fill; an adjacent gravel site; and, an adjacent gas well pad. The Village of Tyonek is approximately 12 miles south of the subject land.

4. **Surrounding Land Ownership:** Surrounding land ownership includes Borough, Cook Inlet Region, Inc., and private land.
5. **Access:** Access to subject land can be gained by the Beluga Highway or a section-line running along the south boundary of the subject land.
6. **Utilities:** No utilities are currently installed on the subject land but electrical power is in the near vicinity.
7. **Soil:** As provided by the 2000 U.S. Department of Agriculture, Soil Conservation Service, Exploratory Soil of Survey Alaska, the soil type for the subject area are classified as *HY1 – Cook Inlet-Susitna Lowlandt loam, 85 percent level*. This soil is well drained commonly surrounded by very poorly drained peat. Generally, soils in the area consist of a one to two foot thick layer of topsoil that is generally a silty sand with some clay and ash over very gravelly drift. Test boring in the general vicinity by PacRim Coal, LP, in November 2006, indicated that the high water table was between 18'-21'. On-site test boring indicated 2'-2½' overburden, with sandy gravel from 2½' to a depth of 12', and no water encountered.

Conclusions: Limited gravel resources are currently available in the Beluga area. The Borough is a dominant landowner in Beluga. This site lends itself to the development of gravel resources. The development of subject land to the extraction of gravel resources will be beneficial for meeting residential and commercial needs.

Staff Recommendation: Based on the findings of fact and conclusions, KPB staff recommends that the KPB Planning Commission recommend adoption of the resolution classifying subject land as Resource Development as follows:

Parcel No	Description	Acres	Classification
A portion of 211-08-327	Beluga Terrace Sub, Addn No 3, Tract A-3, Section 4, T12N, R10W, Seward Meridian, AN 2003044	10±	Resource Development

END OF STAFF REPORT

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 Gross moved, seconded by Commissioner Martin to recommend adoption of KPB Resolution 2008-___ classifying the subject land as Resource Development.

Commissioner Johnson asked if there was a connection between developing the gravel pit and the coal facility. Mr. Mueller replied the intended purpose of this site would be a gravel resource.

VOTE: The motion passed by unanimous consent.

BRYSON YES	CARLUCCIO YES	COLLINS ABSENT	FOSTER YES	GROSS YES	ISHAM YES	JOHNSON YES
LOCKWOOD ABSENT	MARTIN YES	PETERSEN YES	TAURIANEN ABSENT			8 YES 3 ABSENT

AGENDA ITEM F. PUBLIC HEARINGS

5. Resolution 2008-___; Resolution authorizing the acquisition of a 2.65 acre parcel of land from the University of Alaska within the City of Homer.

Memorandum reviewed by Marcus Mueller

PC Meeting: 3/24/08

The Borough and UAA Lands Office has been in discussion over the past four years regarding a potential acquisition/sale of this property. This particular 2.65 acre parcel (SW¼ SE¼ NW¼ SE¼ SW¼ NW¼ lying north of the south boundary of the Sterling Highway right of way, Section 15, T6S, R14W, S.M., Alaska; KPB Assessor No. 173-16-45) fronts the Sterling Highway on Baycrest Hill In Homer and is adjacent to the south of a 20 acre