



# **KENAI PENINSULA BOROUGH**

## **PLANNING DEPARTMENT**

144 North Binkley Street • Soldotna, Alaska 99669-7520

**PHONE:** (907) 714-2215 • **FAX:** (907) 714-2378

**Toll-free within the Borough:** 1-800-478-4441, Ext. 2215

[www.kpb.us](http://www.kpb.us)

**MIKE NAVARRE**  
**BOROUGH MAYOR**

## **MEMORANDUM**

**TO:** Kelly Cooper, Assembly President  
Kenai Peninsula Borough Assembly Members

**THRU:** Mike Navarre, Borough Mayor *mn*

**FROM:** Max Best, Planning Director *mb*

**DATE:** June 14, 2017

**SUBJECT:** Ordinance 2017-12; An ordinance authorizing a cooperative sale and exchange of interests in lands with the State of Alaska Department of Transportation and Public Facilities in the areas of Crown Point and Miller Loop Road.

The Kenai Peninsula Borough Planning Commission reviewed the subject Ordinance during their regularly scheduled June 12, 2017 meeting.

A motion passed by unanimous consent to recommend approval of Ordinance 2017-12 thereby authorizing the sale and exchange of interest in lands with the State of Alaska DOT & Public Facilities in the areas of Crown Point and Miller Loop Road.

In the Ordinance, please make the following amendments to the last two WHEREAS statements:

*WHEREAS, the Moose Pass Advisory Planning Commission at its regularly scheduled meeting of the June 6, 2017, reviewed this ordinance and recommended approval.*

*WHEREAS, the Planning Commission at its regularly scheduled meeting of June 12, 2017, reviewed this ordinance and recommended approval by unanimous consent.*

Attached are the unapproved minutes of the subject portion of the meeting.

## AGENDA ITEM F. PUBLIC HEARINGS

3. Ordinance 2017-12; An ordinance authorizing a cooperative sale and exchange of interests in lands with the State of Alaska Department of Transportation and Public Facilities in the areas of Crown Point and Miller Loop Road.

Memorandum & Staff Report given by Marcus Mueller

PC Meeting: 5/22/17 & 6/12/17

The Kenai Peninsula Borough ("borough") has received final approval for the conveyance from the state of a 4.14 acre parcel through the municipal entitlement program. The parcel abuts the Alaska Department of Transportation and Public Facilities' ("DOT&PF") Crown Point Maintenance Station and the parcel could be used for expansion of the state's maintenance facility. The borough anticipates patent will be issued in the summer of 2017. The parcel is assessed at \$58,500. Rather than charging DOT&PF the value of the property, Land Management proposes a cooperative exchange of interests, where DOT&PF would release its material site interest in approximately 40 acres of an 80 acre parcel near the proposed LNG site in Nikiski. This would make the land eligible for conveyance to the borough. This 40 acres is valuable land which would not otherwise be available to the borough until the gravel resource is exhausted by DOT&PF. The parcel has good soils and has a good location. The property is adjacent to the LNG footprint.

The Moose Pass Advisory Planning Commission met and discussed this proposal. Mr. Mueller from the KPB and Mr. Hyde from DOT were able to attend. They discussed the property in the Crown Point area. There was some history on that property. It was known as the Pioneers of Alaska parcel.

The discussion that occurred had a lot to do with what was available for community use. There was a long term interest in community use lands in that area. There are additional lands of 11 acres that the borough now has further to the south contiguous to this that would be similarly situated and available for the same types of public uses that the community was considering for this parcel.

Another part of the discussion and the recommendation that came from the Moose Pass Advisory Planning Commission was to institute buffers on the parcel and that DOT would maintain the buffers from the highway, the adjacent property and the river.

The plan is to incorporate a conservation easement in the conveyance document in the deed to DOT. This will be worked out and presented to the Assembly according to the Moose Pass APC recommendation.

### END OF MEMORANDUM & STAFF REPORT

Chairman Martin opened the meeting for public comment. Seeing and hearing no one wishing to speak Chairman Martin closed the public comment period and opened discussion among the Commission.

**MOTION:** Commissioner Lockwood moved, seconded by Commissioner Morgan to recommend approval of Ordinance 2017-12 thereby authorizing the sale and exchange of interest in lands with the State of Alaska DOT & Public Facilities in the areas of Crown Point and Miller Loop Road.

Commissioner Ruffner asked if DOT supported placing buffers on the property. Mr. Mueller replied yes, the acreage was 4.14 acres and DOT does not need that much acreage. They recognized the need to maintain a buffer from the river, along the highway and on the south side of the property.

Commissioner Ruffner asked about the financial side of the transaction. Mr. Mueller understood that DOT will get the utility that they are looking for with the buffers in place.

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

CARLUCCIO YES	ECKLUND ABSENT	ERNST YES	FIKES YES	FOSTER YES	ISHAM YES	LOCKWOOD YES
MARTIN YES	MORGAN YES	RUFFNER YES	VENUTI YES	WHITNEY YES		11: YES 1 ABSENT

Moose Pass Advisory Planning Commission  
June 6<sup>th</sup>, 2017

Minutes: Jeff Hetrick  
Agenda Attached

1. Call to order 6:08 Vice Chair- Dave Pearson

2. Roll Call: Dave Pearson, Jeff Hetrick, Jesse Labenski, Bruce Jaffa, Jan Odhner. Excused absence: Ben Ikerd and Mike Cooney

Audience: Brook Estes, Jeff Estes, Clare Shipton, Mike Johnson, Julie Lindquist Carole Jaffa. KPB Staff Planner: Marcus Mueller  
D.O.T. Foreman Carl Hyde

3. Oath of office-None

4. Approval of Minutes- Done by email

5. Approval of Agenda; Moved Bruce Jaffa, 2nd Jeff Hetrick

6. Correspondences- Commissioner Jaffa reported on email from Historical Society relative to later discussion

7. Public Comment without Notice- None

8. Report from Borough- Marcus Mueller presented efforts from D.O.T. to acquire 300' Right of way on Borough selected land adjacent to the Seward and Sterling Highway which the KPB supports. The State wants the area to be able to comply with federal highway standards. This is still in the planning phase. No action required by APC.

9. Old Business- None

10. New Business

A. State historic Commission Ridge names- The APC was invited to comment on a request to name ridges above Moose Pass and Carter/Crescent Lakes.

Moved to approve: Jeff Hetrick, 2nd Dave Pearson.

Bruce Jaffa and Marcus Mueller described process for nominating the names. Concern was expressed about the overlay of naming a ridge beyond Moose Peak. Other issues with the naming of the peaks was the fact the mountains are not known locally as the proposed names (the Western most peak is already named on State maps as Moose Mountain), the short time the proposers resided in the



community and were unknown to community members and perhaps more appropriate names may surface in time.

The motion was defeated unanimously.

#### **B. Recommendation to the KPB regarding Transfer Tract A ASLC known as Old Pioneers of Alaska**

The KPB would like to exchange the parcel for 40 acres on Millers Road in Nikiski. The State DOT would like to be able to expand their complex at Mile 25 to have space for additional storage of sand, gravel, D-1, culverts and other material. DOT had wanted to acquire this property for some time but waited until the Municipal Land selection process was complete prior to officially requesting the property to be transferred. Most D.O.T. sites have 6-8 acres while the station at Crown Point currently is only 2.5. The property in Nikiski is valuable to the KPB for possible resource extraction (gravel), proximity to the new LNG facility and subdivision.

Attendees asked what was in it for Moose Pass? It was suggested that it will assist with the operations of the D.O.T. site which translates to safety. The history of D.O.T. and their management of the facility with waste disposal and salt storage was discussed. Mr. Hyde insured the Committee that this is a new day and cited several instances of the improved management plan and commitment to being good neighbors. It was acknowledged how well run the Crown Point facility seemed to be operating. Mr. Hyde also described how the present site was acquired after exhaustive search for a location outside of Seward. Mr. Hyde noted that 1/2 of the 4.14 acres was not suitable for use and accepted that conditions of screening from the highway, a buffer from the river and adjacent properties were of significant importance to the attendees and would be applied. Mr. Mueller agreed these issues would be included in a property transfer agreement.

The motion passed 4:1. The dissention expressed concern that the cost outweighs the benefit's being near the Trail River Campground and river and that the land has not yet been classified by the planning process.

#### **C. Discussion of Comprehensive Plan relating to New Moose Pass Library- No action**

##### **11. Announcements-Vacancies on the MPAPC-None**

##### **12. Next meeting- To be determined.**

##### **13. Commissioner's Comments-**

- a. Jan Odhner inquired about acquiring old Harry Johnson Cabin for the community. The cabin's ownership is not well understood.
- b. Bruce Jaffa and others expressed frustration to the KPB about short notice on issues and the fact this has been a recurring problem.
- c. Jeff Hetrick requested Marcus Mueller look into what it would take for the KPB to select DNR land known as the "ball diamond" for community use especially for a hockey area.

##### **14. Adjournment 7:30**