



Kenai Peninsula Borough
Planning Department

MEMORANDUM

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

THRU: Charlie Pierce, Borough Mayor 

FROM: Max J. Best, Planning Director 

DATE: January 29, 2020

RE: Ordinance 2020-04; An Ordinance Authorizing the Mayor to Select a Parcel of Land in the City of Kenai Through the Kenai Peninsula Borough's Municipal Entitlement Land Grant and Authorizing the Conveyance of the Parcel to the City of Kenai for a Municipal Park.

The Kenai Peninsula Borough Planning Commission reviewed the subject Ordinance during their regularly scheduled January 27, 2020 meeting.

A motion passed by unanimous consent to recommend approval of Ordinance 2020-04.

In the Ordinance, please make the following amendment to the last WHEREAS statement:

WHEREAS, the Kenai Peninsula Borough Planning Commission held a public hearing on January 27, 2020 and recommended approval by unanimous consent.

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

AGENDA ITEM F. PUBLIC HEARING

2. Ordinance 2020-04; An Ordinance Authorizing the Mayor to Select a Parcel of Land in the City of Kenai Through the Kenai Peninsula Borough's Municipal Entitlement Land Grant and Authorizing the Conveyance of the Parcel to the City of Kenai for a Municipal Park.

Staff Report given by Marcus Mueller

PC MEETING: January 27, 2020

This is the 4th Avenue Park in the City of Kenai. It was originally deeded from BLM to the North Kenai Home Owners Association. The property ended up in tax foreclosure and was deeded to the City of Kenai. The City of Kenai has maintained the park since the 1970's. The deed between BLM and the Home Owners Association had a reversionary clause that did not allow for conveyance without BLM approval. BLM took action to reclaim title to the property. Since that time, the City of Kenai has been working with the State and BLM. The property has transferred to the State of Alaska. The City of Kenai has asked the Borough to work with the State to receive that land and then convey it to the City of Kenai. This Ordinance would allow the 3.75 acres to come from the Borough's municipal entitlement grant. The Borough has about 13,000 acres still available for selection so this would be a minor portion. The Ordinance proposes the conveyance to the City of Kenai for one dollar along with a deed restriction that the property is for park purposes only and must be open to the public. The map in the packet shows the general location.

END OF STAFF REPORT

Chair Martin asked if anyone from the public wished to comment on this item. Seeing and hearing no one wishing to comment, Chair Martin closed public comment and opened discussion among the Commission.

MOTION: Commissioner Bentz moved, seconded by Commissioner Foster, to forward to the Assembly a recommendation to approve Ordinance 2020-04 to select a parcel through the municipal entitlement land grant to convey to the City of Kenai for a municipal park.

Commissioner Foster looked at the aerial map and wanted to know if there was a baseball field on the property. Mr. Mueller thought there was a ball field and playground equipment in the park.

MOTION PASSED: Seeing and hearing no discussion or objection, the motion passed by unanimous consent.