



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 2020-06; An Ordinance Authorizing a Community Trail Management Agreement on Borough Land within the City of Soldotna with Shimai Toshi Garden Trails, Inc.

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 2020-06.

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

WHEREAS, the Kenai Peninsula Borough Planning Commission at its regularly scheduled meeting of January 27, 2020 recommended approval by unanimous consent.

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

AGENDA ITEM F. PUBLIC HEARING

1. Ordinance 2020-06; An Ordinance Authorizing a Community Trail Management Agreement on Borough Land within the City of Soldotna with Shimai Toshi Garden Trails, Inc.

Staff Report given by Marcus Mueller

PC MEETING: January 27, 2020

Shimai Toshi Garden Trails, Inc. has applied for a Community Trail Management Agreement to develop a Japanese garden and trail system on approximately 7-acres of borough property adjacent to Soldotna High School. This is the same form of agreement that the Tsalteshi Trails and the Kachemak Nordic Ski Club are under. This proposal is for a trail and garden system. It includes about 2,700 linear feet of gravel trails that are 5 to 8 feet in width, outdoor garden areas, and a rotunda with a bronze peace crane sculpture. A statement is proposed to be on a plaque that recognizes the Borough's sister city. It is proposed to read "Shimai Toshi 'Sister City' Garden Trails are to honor the KPB's sister city Akita-shi, Akita, Japan. This garden is a symbol of peace, hope and survivorship in remembrance of WWII. We hope this garden become a healing space for all veterans, and a place to foster harmony, peace, well-being, and education for all who visit." The ordinance would authorize a trail management agreement. The agreement authorizes the management plan and delegates some of the Borough's management authority to a third party group to implement the management. The Community Trail Management Agreement sets up the rules and regulations and requires an annual report. The annual report will be due on April 15 of each year and will indicate how much progress has been made on the implementation of the management plan, how much usage the facility is receiving, and what maintenance activities have been done. It will also state how many grants have been applied for or implemented. There is a map in the packet that shows the general location of the trail. The trail management plan lays out what is being proposed in three phases. Phase 1 is the only phase being authorized under this Community Trail Management Agreement. The second and third phases show the overall project goals. The agreement does allow the trail manager to regulate uses as approved by the Assembly. The use restrictions being proposed are non-motorized uses and no pets. There are no fees being proposed so all trails are open to the public. There is an illustration in the packet that shows the proposed plan under this agreement. Another illustration shows a more elaborate design that includes Phase 2 and Phase 3. Due to the nature of the improvements shown in Phase 2 and Phase 3 this will likely go to the Assembly with a lease proposal if the project moves to those stages. The application is in the packet and shows the details and the thought process behind the trails. There are some illustrations of some of the features being proposed including the bronze sculpture, gate structure, and seating elements.

END OF STAFF REPORT

Chair Martin asked if anyone from the public wished to comment on this item.

1. Sarah Pyhala, President of Shimai Toshi Garden Trails, Inc.
Ms. Pyhala was available for questions.

Commissioner Carluccio noted that it would be for non-motorized use. She wanted to know what contingencies were being made for handicapped access. Ms. Pyhala said that all the trails would be handicapped accessible. Commissioner Carluccio wanted to know if a person in a motorized chair would be able to use the trails. Ms. Pyhala said the trails will be wide enough and on level ground so that wheelchairs or scooters could be used. The restriction is to limit use of four wheelers and similar items.

2. Matthew Pyhala, Secretary of Shimai Toshi Garden Trails, Inc.

Mr. Pyhala noted that the packet give some origin to the project. He and Ms. Pyhala went to a Rotary International Peace Conference in Vancouver, Canada a few years ago. They received Gingko and Hackberry seeds from survivor trees from the Hiroshima bombing. They brought the seeds back and germinated them and they plan on those plants being a centerpiece of the garden. They were sent from that Peace Conference with a challenge to come up with grass roots ideas to promote peace and to prevent nuclear war from happening again. The garden would be a way to promote peace and healing for all in the community.

Commissioner Ernst asked if there would be any water features. Mr. Pyhala said that in Phase 1 there are no water features. In Phase 2, there are plans for a large pond with a waterfall feature. Phase 1 does allow the construction of the dry bed from where the waterfall will be to where the pond will be.

Seeing and hearing no one else wishing to comment, Chair Martin closed public comment and opened discussion among the Commission.

MOTION: Commissioner Venuti moved, seconded by Commissioner Morgan, to forward to the Assembly a recommendation to approve Ordinance 2020-06 to enter into a Trail Management Agreement with Shimai Toshi Garden Trails, Inc.

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