
From: Homestead Trophy Lodge [homestead@alaska.net]
Sent: Monday, December 13, 2010 2:22 PM
To: Planning Dept.; Planning Land Management
Subject: track
Attachments: track.pdf

I am most definitely against the proposal to lease this land to the Racing Lions.

Cathy Campbell
Kenai Peninsula Fishing
Homestead Trophy Lodge

Kenai Peninsula Borough

Land Management Division and Planning Commission

144 N. Binkley St.

Soldotna, AK 99669

Dear Planning Commission Members:

I understand that a proposal is before the Borough at this time to lease 157 acres of prime real estate to the Racing Lions for the well below market value of \$1 per year. I have numerous issues with this proposal. I have operated a bed and breakfast on Bound Brook Drive for approximately 15 years. Since the motocross moved in I have consistently lost customers because of the racetrack. The noise levels far exceed anything that could be considered acceptable. Guests arrive and marvel at the tranquil wilderness setting and then the motocross bikes show up and ruin what they paid a lot of money to come and experience. They tell me that they can hear loud, obnoxious noise at home and that's not why they came here. A 6am fishing trip in Homer means a 3am wake up. This is tough when the motocross bikes are out on the track all hours of the night. This ruins the Alaskan experience for our guests and in turn helps erode our tourism industry in general. My business was here prior to the motocross. Why do they get to just move in and pollute the entire area with noise pollution.

I have also learned that the motocross was kicked out of their last location because of the same problem. Their neighbors there didn't like the constant noise that they created either. So they moved to the circle track and made themselves at home. They did this without consent of the Borough, without permits, without following laws and regulations passed by the Borough to protect the rights of all citizens. Now the Borough wants to basically give them 157 acres and hopes that they abide by the terms set down in the lease. They have already proven that following the rules is for others and not for them. What happens when they break the conditions of the lease? How does the Borough plan to enforce the lease? Why would the Borough want to reward them for bad behavior. They don't follow the rules and they get 157 acres for the next 30 years for free? And they get to ruin my business in the process. This doesn't make sense to me.

As a home owner in Valhalla Heights subdivision I have many of the same concerns. The noise levels produced daily at that track far exceed any levels that should be allowed in a residential area. This alone brings down the property values in several nearby neighborhoods such as Beaver Loop, Thompson Park and Valhalla Heights for starters. The motocross is in use as much as seven days a week, all hours of the day and night. You cannot get away from the annoying whine of the engines, inside and outside, it's relentless. I have lived on Boundbrook Drive for 15 years and in my current location for one. Ever since the motocross came there has been no peace and quiet. You cannot stay outside on nice summer days. If you try to retreat to inside you must close all your windows and doors. Summers are too short to run and hide from them. The following are issues in addition to the ones mention above:

1. **Hours:** Currently the motocross is operational 24 hours per day, seven days per week. Because access cannot be restricted anyone is free to use the track whenever they would like. Hours must be established and strictly enforced. This means a fence to restrict riders who currently just drive around the gate. Absolutely no snow machine races. You have taken my summers away from me and you're not going to get my winters too.
2. **Insurance/Liability:** I am aware that the Racing Lions is required to carry liability insurance. Is the insurer aware that there is 24/7 access by anyone who wants to use the track? With no way to restrict access anyone can use it any time.
3. **Safety:** Over the years since the motocross has been at that track I have nearly hit riders on numerous occasions that were traveling to or from the track. I have seen them leave the race track, race across the Spur Hwy without even stopping and scream down Beaver Loop Road, I've seen them race from the track up and across the highway to get to Thompson Park and I've nearly run them over driving out my driveway on Boundbrook Dr. because they scream down the dirt trail along the highway like it's a freeway with no traffic lights and then turn into the track. This is a safety issue for them and the driver's that try to avoid hitting them.

With all of the land on the Kenai Peninsula why can't the Borough find some property where they don't have such a negative impact on so many people. I'm not interested in shutting the racing down, only moving it to somewhere that it is not ruining my business or my life and that of many others.

In summary I have to wonder why the Borough is so interested in giving away 157 acres for so little just to appease an organization that was run out of its last location because of excessive noise, ignored Borough rules and laws and just invited themselves to take over this piece of prime real estate giving no consideration to the rights of its neighbors. They can break the rules, ruin my established business and get rewarded for it. I am most definitely against the proposal to lease this land to the Racing Lions.

Sincerely,

Cathy Campbell
Kenai Peninsula Fishing
Homestead Trophy Lodge

From: Bob [bobflanders@alaska.net]
Sent: Wednesday, December 22, 2010 10:43 AM
To: Blankenship, Johni; pa12gary@hotmail.com; linda@clerkworksak.com; ragweb@gci.net; hvsmalley@yahoo.com; cpierce@gci.net; bsmith@xyz.net; rtauri@gci.net; suemccl@gmail.com; mako@xyz.net
Subject: Ord. 2010-36 Negotiated lease to Kenai Pen. Racing Lions

Dated 12-22-2010

Robert E. Flanders
4769 Beaver Loop Rd.
Kenai, Ak. 99611

To the members of the borough assembly:

On the Jan. 4th regular meeting you will be voting on a proposed negotiated lease on a piece of property to the Kenai Peninsula Racing Lions.(KPRL). I have just caught wind of this deal and have not had much time to review it. I feel the KPRL are trying to push this deal through before the general public can oppose or confer about it. I reflect to their signed petition which states "we the undersigned are concerned citizens who urge our leaders to act now to transfer said property to Twin City Raceway, KPRL".

With the key words being "concerned citizens, and act now".

I did attend the Borough Planning and Zoning meeting on Dec. 15th and did voice my concerns and stated my opinion on the matter with what little I knew up to that point. I met briefly with others there who shared my concerns and listened to the concerns of the Kenai City Manager Rick Koch as well as the concerns of the Borough Planning and Zoning.

I do not see the KPRL as being the concerned citizens and feel more dialogue is needed between all parties involved. (The Kenai Peninsula Borough, the City of Kenai, the KPRL, and the citizens who oppose this lease).

But with this being the holidays I find it hard to meet with everyone. I would like to see a postponement so that due process can be played out. I think after the holidays are over this can be accomplished by the time the next Borough Assembly Meeting convenes on Jan. 18th.

Thank you for your time and consideration into this matter.

From: Homestead Trophy Lodge [homestead@alaska.net]
Sent: Wednesday, December 22, 2010 12:18 PM
To: Blankenship, Johni
Subject: Ord. 2010-36

Johni Blankenship, CMC
Borough Clerk

To the Borough Assembly members:

I would like to request a postponement On the January 4th Borough assembly meeting when you are scheduled to vote on a proposed lease, Ord. 2010-36, on the property of The Twin City Raceway.

Although this issue has been before the Borough Assembly for some time it is difficult to prepare any response due to the holidays. I support postponing this important decision until the January 18th meeting.

Thank you for your time and consideration into this matter.

Cathy Campbell
Vocational Rehabilitation Assistant
145 Main Street Loop #143
Kenai, AK 99611
(907)283-3133
Fax (907)283-3814

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My name is Richard Mc Gahan, Sr. I've been involved in the property being discussed in this ordinance since we cleared it in 1970, if my memory is correct. We built a dirt track and had our first races around 1972. I have been the primary volunteer heavy equipment operator for many of these 38 years. The track has always been operated by volunteer families. Since that time in my own personal family we have 3 generations of racers involved, and that's true of other families also.

This has always been a public use, family oriented, volunteer built and operated facility. During these years the property has been developed and improved with volunteer labor, donated equipment and funds. In the past few years we have added \$300,000 to \$400,000 worth of material to the motor cross track and circle track and the parking lots. The motor cross has been there for the last 10 years. We built a new 30x40 ft. building for the announcer, the timers, concessions, and a meeting room. This building sits on two 40 ft. connexes which can be used for storage. We also have fencing and guard rails, a flag stand and race signal lights, and of course, the pits. We have bleachers for both the grand stand and the pits. We have parking lots for the pits and the spectators.

The local racing group, even with different leaders and different names, has leased the same property from the borough and paid the lease fees all these years. We would now like to re-new the lease.

In 2005, the legal description known as the Twin City Raceway contained the whole 157 acres. It's in the staff report to the assembly. We thought this would be a simple sale or lease renewal and could be simply pulled from the file and re-done. However, it became more complicated than that, and we have done, and will do, all that is needed to keep this community, family oriented facility for our children and grandchildren.

The City of Kenai having any issue came as a complete surprise at the assembly meeting in Homer when the original ordinance was introduced. Due to the city's memo, we decided not to pursue owning the property, which was an idea simply to be able to get grants, and to continue with the lease. Leasing was the original recommendation from the Borough Land Manager. By not changing ownership, we are grandfathered in as a racetrack with the City of Kenai. I, personally, have met with the City Manager, Mr. Koch, several times regarding the memo they sent and their issues with the land boundaries. In December, when we met, we worked out boundaries that would satisfy us both, if the borough is in agreement. The city wants 60 acres on the east side where the aquifer is located. We agreed and understand the reasoning on their part, however, in that case, we would like to request the 60 acres on the other side, which is borough property also. It's not wet lands and would be useable for parking. Our parking lot is already full, and if you look at the aerial photo, the extra 5 acres the city wants impacts our parking lot. That would also alleviate possible future residential concerns in that area.

We have had a camper living on the property in the summer for the last 2 years, like the borough does at the schools. We will continue this program to alleviate trespassing.

In case there are any fears of pollution, I would like to assure the assembly members that there has never been a pollution issue in all the years of usage as a racetrack. The borough did an assessment and found no soil contamination. The City of Kenai drilled its well, and by DEC regulation, has the water tested regularly. The raceway has had no impact on the water quality in the old well, or in the new well. The raceway was already there, so obviously, it wasn't a concern to the city when drilling the wells. Racers bring their own gas and take it home. Nothing is ever stored on the property. Even though this is a fact, and there have been no pollution problems, we have complied with the request of the borough with a Spill Response Plan. The racers had already implemented much of this readiness even though it wasn't in writing previously.

Since recent concerns have come forward about noise from motor cross racing: The Motor Cross Division has passed some very good resolutions for noise mitigation.

I would like to thank Mayor Carey and the assembly for giving us this time to testify. We have met all the requests of the borough and the City of Kenai. We ask for the passage of this ordinance.

I don't know how many of you follow Nascar racing, but the Talladega Superspeedway in Alabama was originally bought from the City of Talladega for \$1.00. I'll bet they have no regrets. Thank you for listening.

From: Linda Murphy [linda@clerkworksak.com]
Sent: Wednesday, January 05, 2011 10:08 AM
To: Blankenship, Johni
Subject: Fwd: Twin City Race Way

Just read this this a.m. Thought you might want it for the files if you haven't received it yet.

Linda

----- Forwarded message -----

From: **ann flanders** <aaflanders@yahoo.com>

Date: Tue, Jan 4, 2011 at 2:07 PM

Subject: Twin City Race Way

To: linda@clerkworksak.com

Twin City Race Way Motor cross concerns

I live a about a quarter of a mile from Twin City Race Way, On the corner of Beaver loop rd and Togiak. The motor cross bikes ride right past my house using the sewer maintenance accesses road(Togiak). They travel at high speeds and the noise is horrible, and ware are these riders going? We watch them go right to Twin City Race way. We have made number of calls to the Kenai police in the past years and present but nothing has ever been done.

I have one more very concrete concern that is property values declining due noise pollution. Nationwide studies have shown the mere presence of these noises raise stress levels and blood pressure. I feel that personally I can't come home after working a 12 hour shift at the hospital and enjoy sitting on my deck to relax or work in my yard because of the noise levels. I'm very frustrated and physically and mentally stressed out because of the noise levels that come from the race track motor cross racing and practicing. I believe we have endured this noise pollution long enough. I plan on living in my current location for the next thirty years. The Kenai Peninsula Borough and the City of Kenai are going to give away the hard earned value of local resident's property? I cannot support an open ended 30 year lease or any expansion for the raceway property at this time. I believe they have out grown there current location.

We would like to ask the Borough Assembly to help all of us with a way in resolving this issue.

Thank you,

Ann Flanders

4769 Beaver loop rd

Kenai, Ak, 99611

aaflanders@yahoo.com