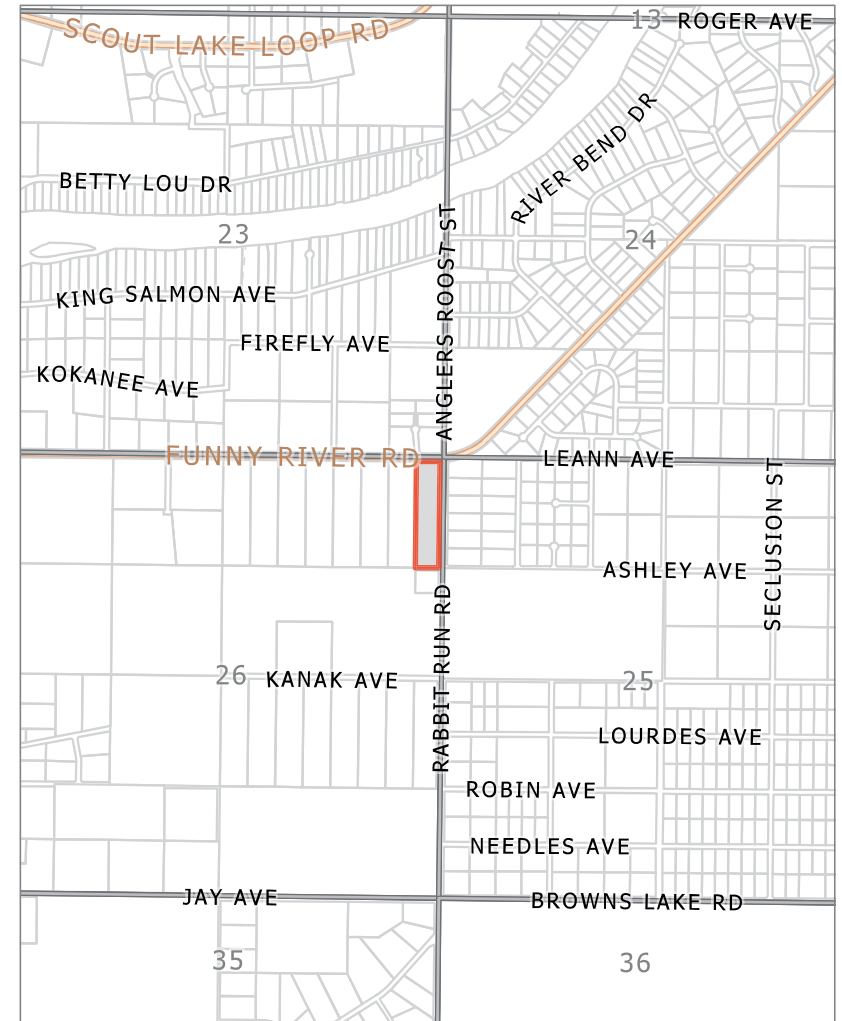
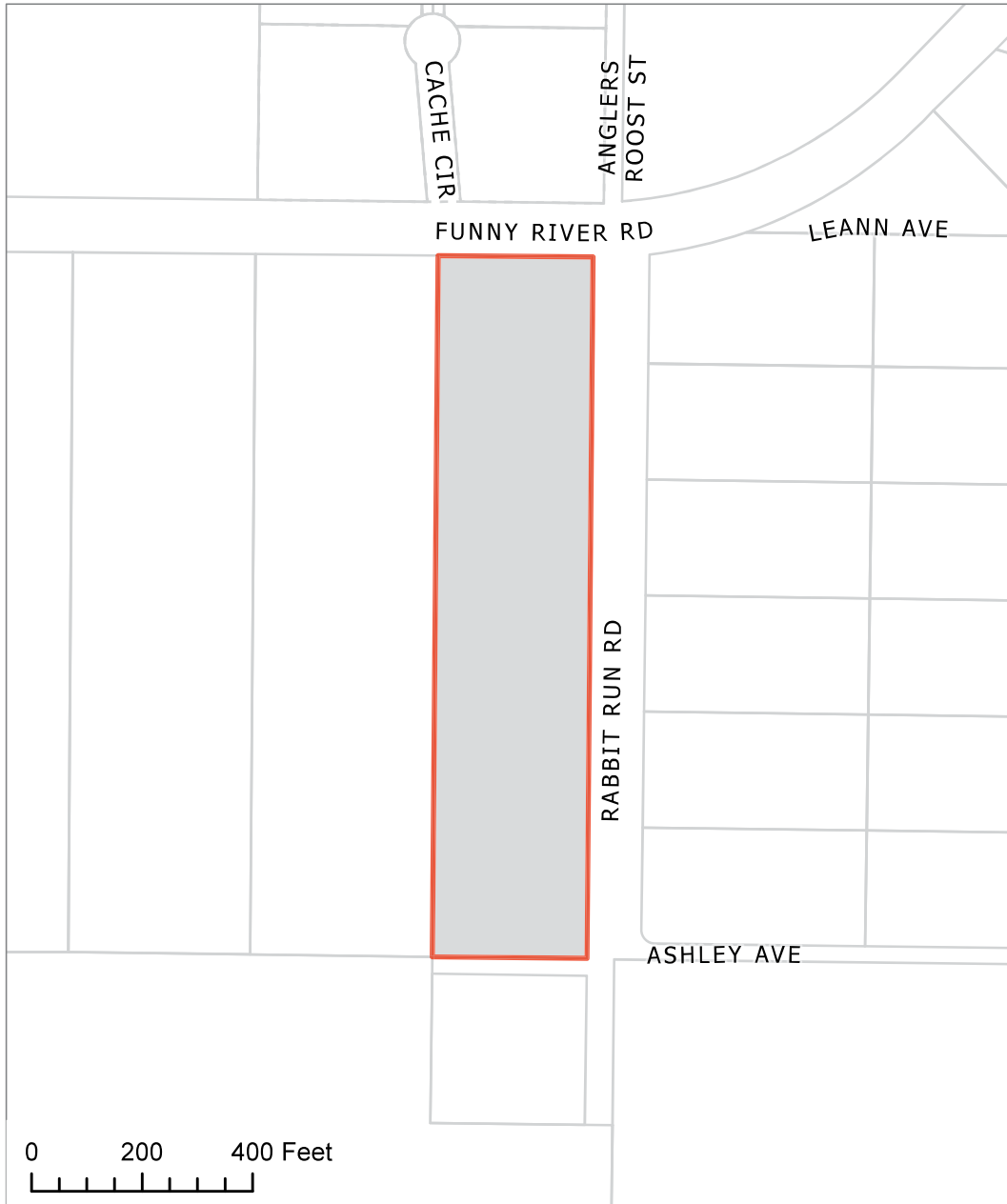


E. NEW BUSINESS

- 1. Casa La Montana 2026 Replat; KPB File 2026-089
McLane Consulting Group / Huston
Location: Rabbit Run Road, Ashley Avenue & Funny River Road
Funny River Area**



KPB File 2026-089
T 05N R09W SEC 26
Funny River



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

CODY R. McLANE C.E. 11510 AK DATE

Drawn by: BG

AGENDA ITEM E. NEW BUSINESS

**ITEM #1 - PRELIMINARY PLAT
CASA LA MONTANA 2026 REPLAT**

KPB File No.	2026-089
Plat Committee Meeting:	August 24, 2026
Applicant / Owner:	Michael A. Huston of Eagle River, Alaska
Surveyor:	Andrew Hamilton; McLane Consulting Inc.
General Location:	Rabbit Run Road, Ashely Avenue, and Funny River Road; Funny River Area

Parent Parcel No.:	066-050-01
Legal Description:	T 5N R 9W SEC 26 Seward Meridian KN 0740040 CASA LA MONTANA SUB TRACT A
Assessing Use:	Residential Vacant
Zoning:	Rural Unrestricted
Water / Wastewater	Onsite / Onsite
Exception Request	None Requested

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed subdivision will subdivide an approximately 8.18-acre parcel into seven lots and will dedicate 30 feet to Ashley Avenue.

Location and Legal Access (existing and proposed):
The subdivision is located at milepost 14, Funny River Road.

Access to the subdivision is provided by Funny River Road, Rabbit Run Road, and Ashley Avenue.

Funny River Road abuts the subdivision to the north, and Rabbit Run Road is located to the east. Both are 100-foot state-maintained rights-of-way. The SOA DOT&PF has restricted Lot 1 to accessing Rabbit Run Road only. **Staff recommends** adding a plat note to the final plat documenting this access restriction.

Rabbit Run Road connects to Funny River Road to the north and intersects with Ashley Avenue to the south, then continues southward. Ashely Avenue is currently a 30-foot platted right-of-way. The proposed plat dedicates an additional 30 feet, bringing the right-of-way to the 60-foot minimum width required by KPB 20.30.120.

KPB records indicate 66-foot section line easements, with 33 feet on either side of the section line, lying within Funny River Road and Rabbit Run Road. **Staff recommends** verifying, depicting, and labeling the section line easements on the final plat.

The block is defined by Funny River Road to the north, Rabbit Run Road to the east, Ashley Avenue to the south, and James Street to the west. The block is incomplete and does not meet the east-west block length requirement under KPB 20.30.060. No additional right-of-way dedication is feasible at this time based on the following:

- The distance from the Rabbit Run Road intersection to the western boundary of the plat is approximately 280 feet, less than the 800-foot block length required along state-maintained roads.
- Dedication of a new right-of-way in this location would not be practical or functional.
- Parcels to the west and southwest may be subdivided in the future and could provide additional right-of-way to achieve compliant block length.

Staff recommends the Plat Committee concur that no exception request is required to KPB 20.30.060 due to the subdivision's location, existing block configuration, and the factors listed above.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: RSA has no objection at this time.
SOA DOT&PF comments	○ No objection to proposed plat. ○ No direct access onto Funny River Road for Lot 1. ○ Apply for driveway permits for Lot 1 through 7 to access Rabbit Run Road. ○ Apply for driveway permits at DOT&PF's online ePermits website: https://dot.alaska.gov/row/Login.po. Please contact DOT&PF's ROW division at 1-800-770-5263 to speak with a regional permit officer if you have any questions.

Site Investigation:

KPB data indicates the subject area is vacant with no existing improvements.

The preliminary plat includes 5-foot contours, consistent with KPB data. No steep slopes are present within the subdivision.

An area of inundation is present within proposed Lots 4 and 5, as shown on the preliminary plat and confirmed by the KWF Wetlands Assessment layer on KPB imagery. **Staff recommends:**

- Including the source of inundation data in the legend on the final plat.
- Adding the following plat note: any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetland determination if applicable.

The River Center Reviewer has identified the northern portion of the subdivision is located within Flood Zone X-Unshaded, a non-regulatory flood zone with minimal flood hazard. **Staff recommends** adding the Flood Hazard Notice per KPB 20.30.280(D) to the final plat referencing:

- Flood Zone X-Unshaded
- FIRM Panel 02122C0295F.

No depiction is required.

The subdivision is not located with a habitat protection district.

KPB River Center review	A. Floodplain Reviewer: Hindman, Julie Floodplain Status: Not within flood hazard area Comments: The northern portions has been mapped by FEMA and is within a non-regulatory zone that is an area with minimal hazard and beyond the 500 year data. No note or depiction requested. Any low wet areas should be shown and noted. B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Comments: No comments
State of Alaska Fish and Game	No response

Staff Analysis

The land was originally an aliquot portion of the N1/2 NE1/4 of Section 26, Township 5 North, Range 9 West, Seward Meridian. In 1974, the area was subdivided by Casa La Montana Subdivision (KN 74-40), which created Tracts A through H and dedicated portions of Funny River Road and Rabbit Run Road. The proposed subdivision further subdivides Tract A into Lots 1-7 and dedicates the northern 30 feet to Ashley Avenue.

A 20-foot building setback along Funny River Road and Rabbit Run Road was required at the time of dedication by the parent plat. **Staff recommends** modifying the label on the final plat to clearly show:

- The building setback required by the parent plat adjacent to Funny River Road and Rabbit Run Road; and
- The building setback required by this plat along Ashley Avenue.

All proposed lots are less than 200,000 square feet which requires a soils report and engineer's signature on the final plat. The Wastewater Disposal Note will be reviewed once the soils report has been submitted.

Per the preliminary Certificate to Plat, beneficial interest holders do not affect the proposed plat. Notification per KPB 20.25.090 will not be required unless the final Certificate to Plat states the property is affected by beneficial interest holders.

Funny River Advisory Planning Commission minutes were not available when the staff report was prepared (KPB 21.02.020). These will be provided with the desk packet if available.

Utility Easements

The parent plat (KN 74-40) granted a 10-foot utility easement on the southern boundary of Tract A and a 5-foot clearing and/or underground distribution easement along the northern boundary. The 5-foot easement has been correctly depicted and labeled on the preliminary plat. Due to the dedication of Ashley Avenue, the existing 10-foot utility easement has been realigned to the southern boundary of proposed Lot 7. **Staff recommends** labeling this easement on the final plat with the parent plat source.

The proposed plat grants a 10-foot utility easement, extending to 20-feet within 5 feet of side lot lines, adjacent to Rabbit Run Road, as depicted on the preliminary plat. **Staff recommends** modifying the label to: "10' utility easement granted this plat" and adding the code required plat note per 20.60.150 (B).

According to the Certificate to Plat, no easements appear to be recorded by document.

As part of our routine notification process, the subdivision plat was emailed to the affected utility providers for review. **Staff recommends:** the surveyor work with the utility providers to accommodate their request, ensuring optimal use of the owner's land and maximum benefit for both the provider and the public.

Utility provider review:

HEA	No comments
ENSTAR	No comments or recommendations
ACS	
GCI	Approved as shown.

KPB department / agency review:

Addressing	Reviewer: Pace, Rhealyn Affected Addresses: None Existing Street Names are Correct: Yes List of Correct Street Names: Ashley Ave, Rabbit Run Rd, Funny River Rd, Cache Cir, Anglers Roost St Existing Street Name Corrections Needed:
------------	---

	All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: No other comments
Code Compliance	Vacant
LOZMS Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat.
Assessing	Reviewer: Windsor, Heather Comments: No comment
Advisory Planning Commission	

The subdivision plat has been reviewed and generally complies with the 2019 Kenai Peninsula Borough Comprehensive plan.

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

- Modify the KPB File No to 2026-089.
- Add the date of August 24, 2026 to the Plat Approval.

Add the following plat notes:

- Roads must meet the design and construction standards established by the borough in order to be considered for certification and inclusion in the road maintenance program (KPB 14.06).

KPB 20.25.070 – Form and contents required

Staff recommendation: *final plat submittals must comply with 20.25.070. Additional information, revisions, and/or corrections are required as noted below.*

A. Within the Title Block

1. Name of the subdivision which shall not be the same as an existing city, town, tract, or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion. The parent plat's name shall be the primary name of the preliminary plat.
2. Legal description, location, date, and total area in acres of the proposed subdivision;
3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor.

Staff recommendation:

- Modify KPB File No to 2026-089
- Modify the legal description to NE1/4 of Section 26

C. The location, width, and name of existing or platted streets and public ways, railroad rights-of-way, and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;

Staff recommendation:

66' SLE within Rabbit Run Road
66' SLE within Funny River Road

- G. The status of adjacent lands within 100 feet of the proposed subdivision boundary or the land status across from any dedicated rights-of-way that adjoin the proposed subdivision boundary, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;

Staff recommendation:

- Modify Cashe Circle to "Cache Circle."

KPB 20.30 – Subdivision Design Requirements

Staff recommendation: final plat submittals must comply with 20.30. Additional information, revisions, and/or corrections are required as noted below.

20.30.170. Blocks-Length requirements. Blocks shall not be less than 330 feet or more than 1,320 feet in length. Along arterial streets and state-maintained roads, block lengths shall not be less than 800 feet. Block lengths shall be measured from centerline intersections.

All subdivisions or replats within the Flood Insurance Rate Map (FIRM) area or SMFDA, as amended, as defined by KPB 21.06.030, shall contain the following note:

FLOOD HAZARD NOTICE:

Some or all of the property shown on this plat has been designated by FEMA or the Kenai Peninsula Borough Seward Mapped Flood Data Area as a flood hazard area district as of the date this plat is recorded with the district recorder's office. Prior to development, the Kenai Peninsula Borough floodplain administrator should be contacted for current information and regulations. Development must comply with Chapter 21.06 of the Kenai Peninsula Borough Code.

KPB 20.40 – Wastewater Disposal

Staff recommendation: final plat submittals must comply with 20.40. Additional information, revisions, and/or corrections are required as noted below.

20.40.010 Wastewater disposal.

Platting Staff Comments:

Staff recommendation: comply with 20.40.

KPB 20.60 – Final Plat

Staff recommendation: final plat submittals must comply with 20.60. Additional information, revisions, and/or corrections are required as noted below.

20.60.040. Dedication of public use lands. Any land shown on a plat as a street, public park or other public area must be dedicated on the final plat to a tax-exempt governmental entity. If the governmental entity is not the Kenai Peninsula Borough, the governmental entity shall be required to execute an acceptance of the dedication on the plat.

20.60.150. Utility easements.

B. The following note shall be shown on the final plat:

No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.

20.60.160. Easements.

A. The plat shall clearly show the location, width, and use of all easements. The easements must be clearly labeled and identified and, if already of record, the recorded reference given. If public easements are being granted by the plat, they shall be properly set out in the owner's certification of dedication.

20.60.190. Certificates, statements, and signatures required.

5. Certificate of ownership and dedication

- Within the Certificate of Ownership, modify the owner's mailing address to 12202 Sweetwater Cir., Eagle River, AK 995777.

7. A certificate of acceptance for any dedicated right-of-way, easement, or other public area in substantially the following form shall be executed by a government official authorized to bind the governmental entity accepting the dedication. Nothing in this paragraph impairs the authorized official from refusing a dedication for reasonable public cause, consistent with applicable law or ordinance.

Certificate of Acceptance

The undersigned official identified by name and title is authorized to accept and hereby accepts on behalf of _____ for public uses and for public purposes the real property to be dedicated by this plat including easements, rights-of-way, alleys, and other public areas shown on this plat identified as follows:

The acceptance of lands for public use or public purpose does not obligate the public or any governing body to construct, operate, or maintain improvements.

By: _____ Date: _____
(Name and title of authorized official)

RECOMMENDATION:

SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:

- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

NOTE: 20.25.120. - REVIEW AND APPEAL.

A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

END OF STAFF REPORT



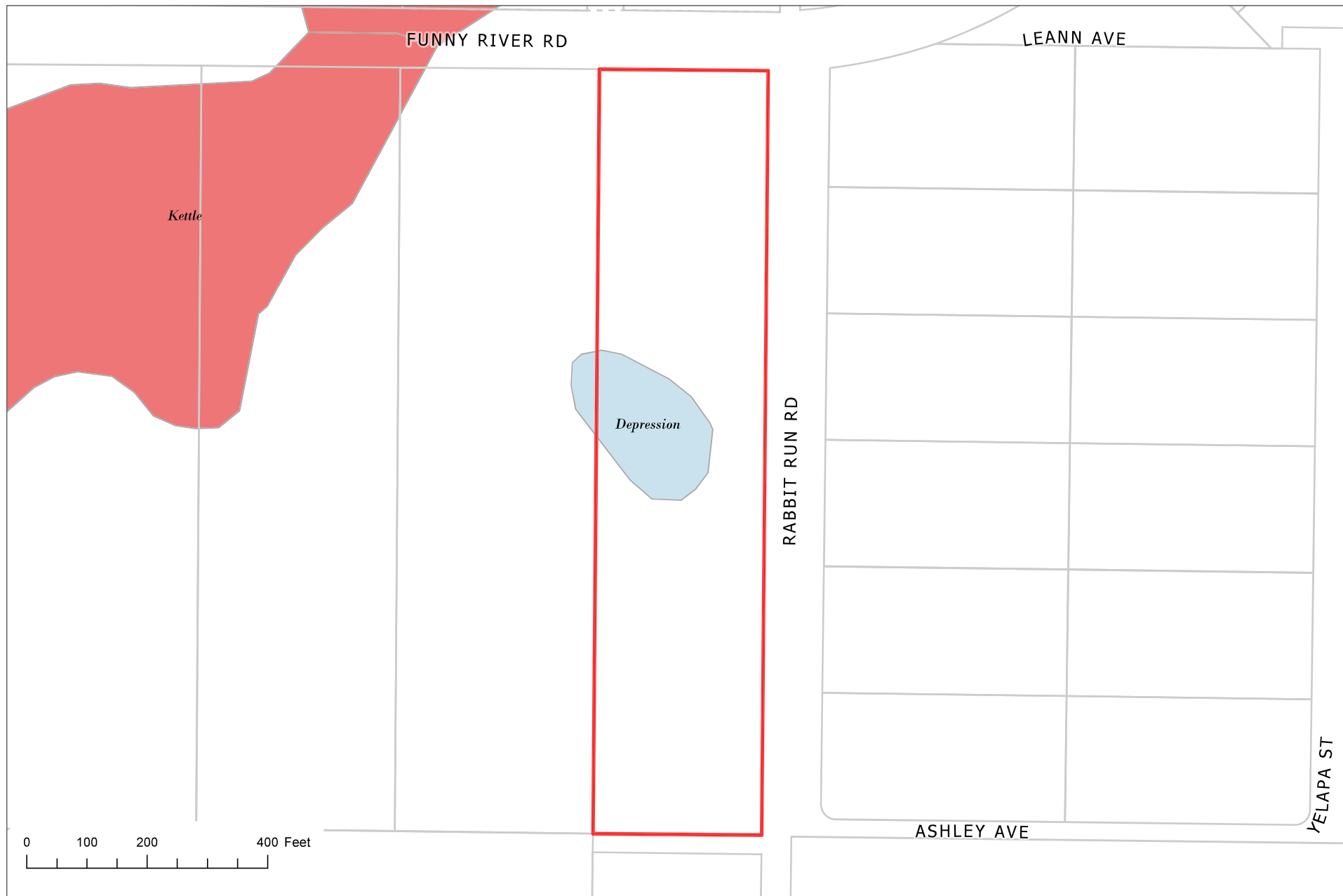
Aerial Map



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



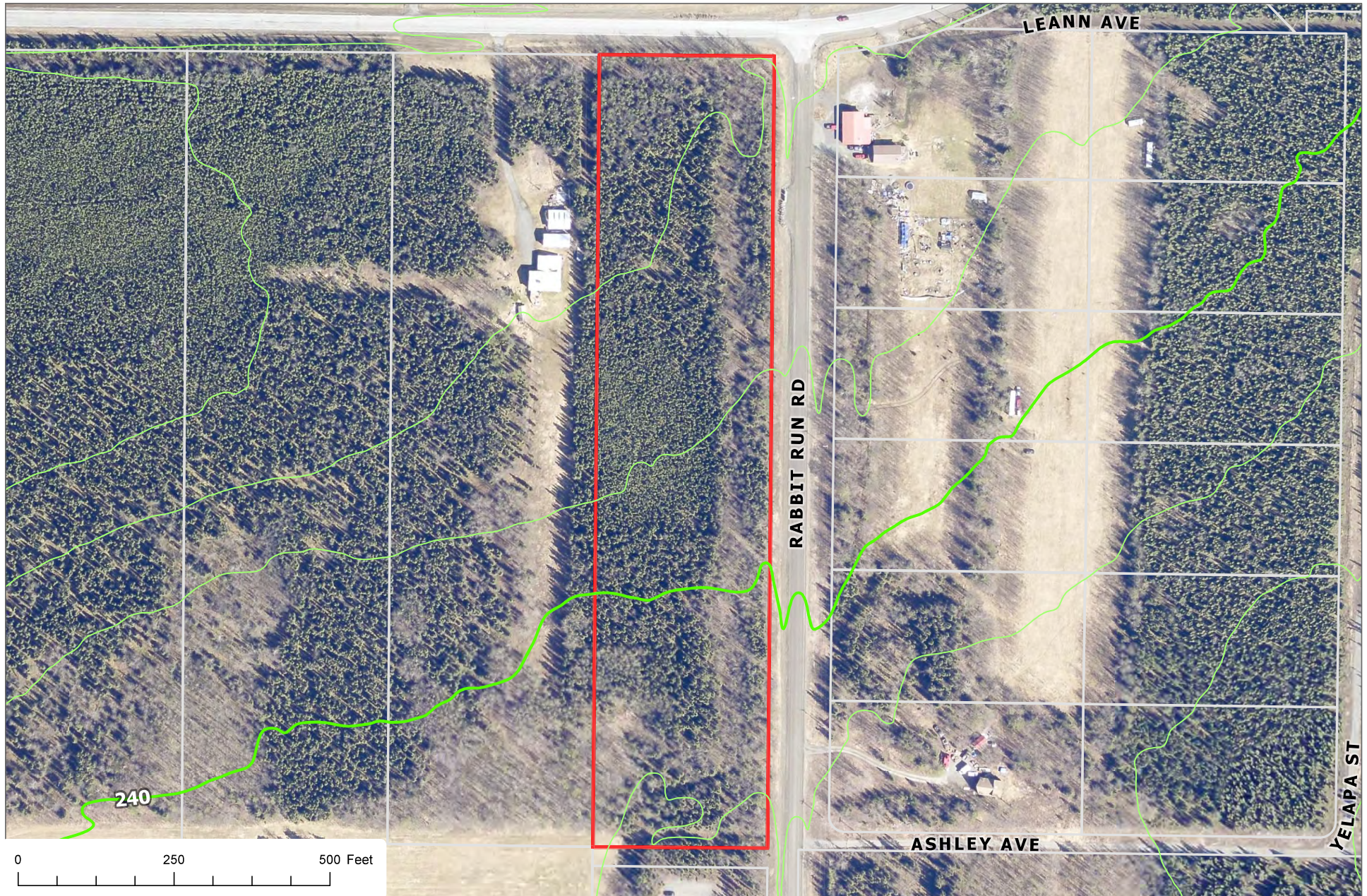
Wetlands



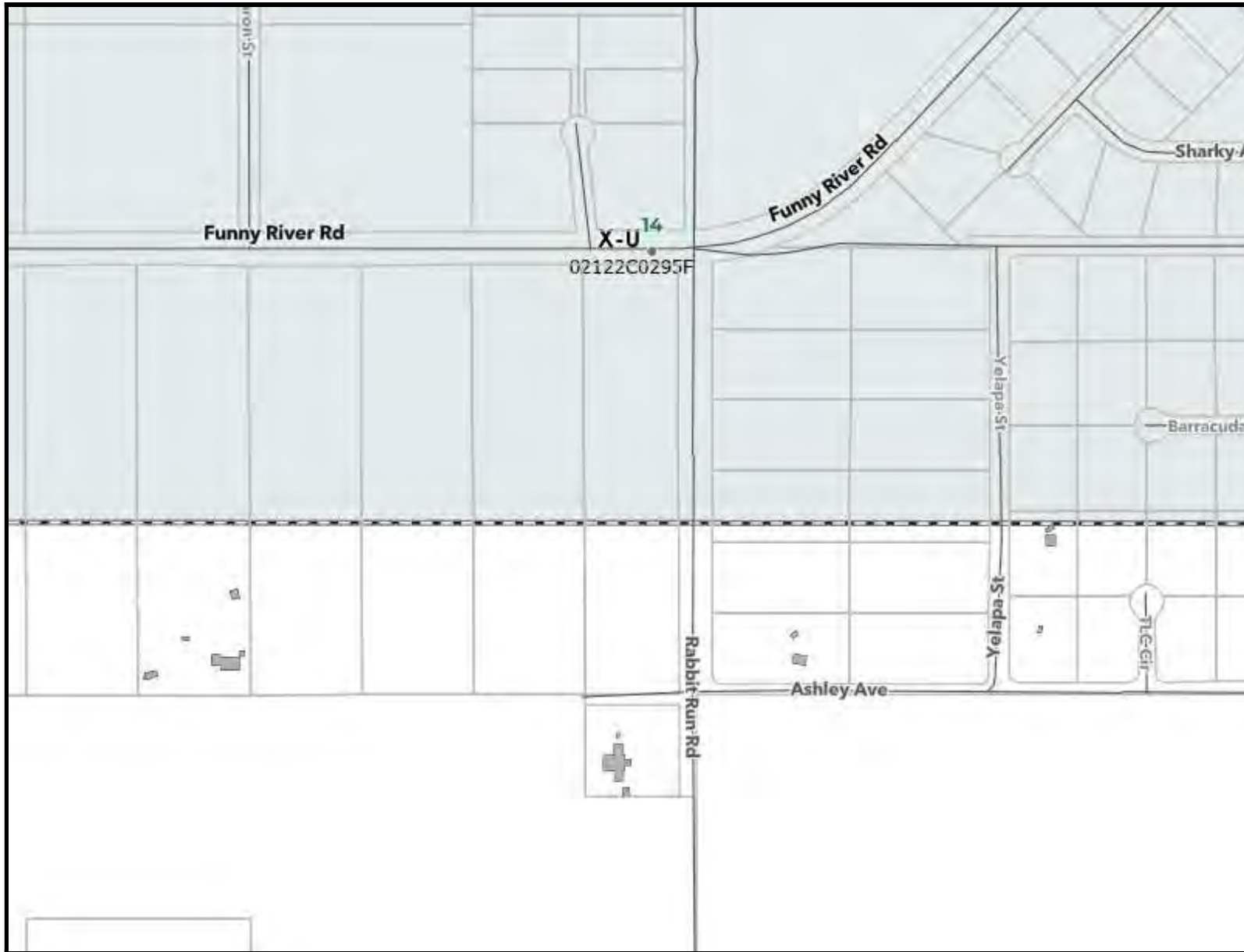
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



Aerial with 5-foot Contours



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



KPB Parcel ID(s):

06605001

 Selected Parcel
Boundary or Boundaries

Transportation

Mileposts

Roads

Regulatory Floodplain

FIRM_Panels



Floodplain

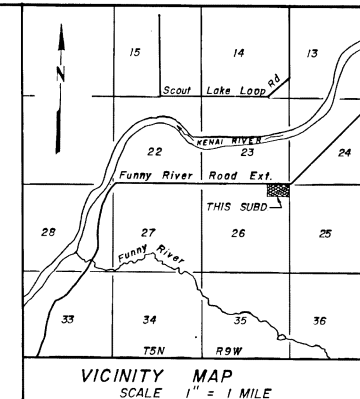
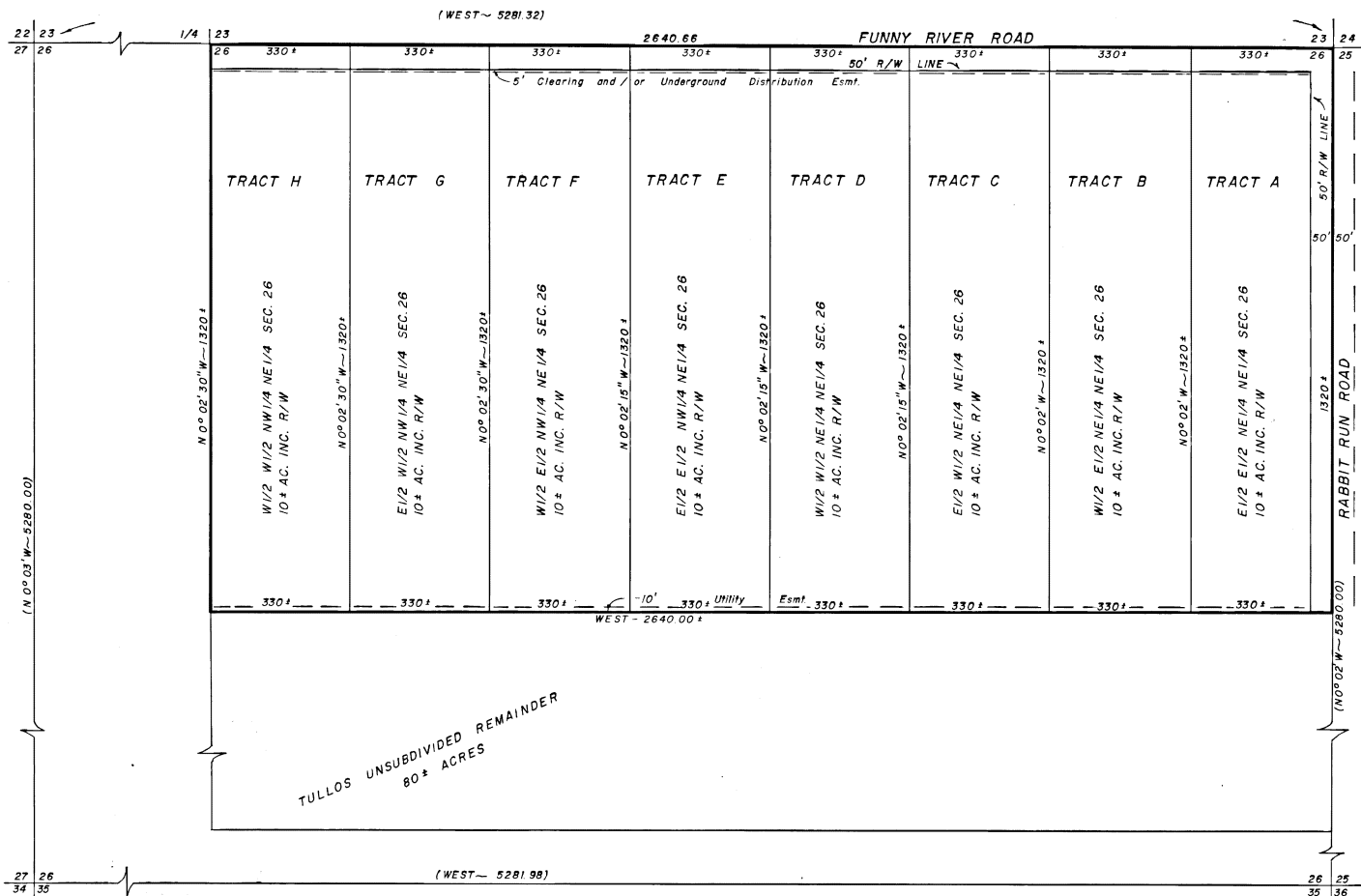
X-Unshaded

**Community Flood Insurance
Rate Map (FIRM) Panel(s):**

02122C0295F

0 1000 2000
ft

For a detailed description of the mapped floodplain areas, please see the letter accompanying this map.



NOTES

This is a paper plat of the N1/2 NE1/4 Section 26 T5N R9W. SM. Ak. Subdivided by aliquot parts.

G.L.O. data of record shown thus () 74-40

RECORDED - FILED	
Kenai REC. DIST.	
DATE	5-3-1974
TIME	9:56 P.M.
RECORDED BY	KPB
INDEXED	

CERTIFICATE OF OWNERSHIP AND DEDICATION.

We hereby certify that we are the owners of said property, and request the approval of this plat showing such easements for public utilities, roadways, and or streets dedicated by us for public use.

Date April 22, 1974 Gerry S. Tullos
Owner
Lou Jean Tullos
Owner

NOTARY'S ACKNOWLEDGEMENT.

Subscribed and sworn before me this 22nd day of April, 1974.

My commission expires July 4, 1974
Stanley S. McLane
notary public for Alaska

PLAT APPROVAL.

Plat approved by the Commission this 4th day of MARCH, 1974.

Stanley S. McLane
Mayor



CASA La MONTANA SUBDIVISION

Gerry S. Tullos, owner
Box 1314, Soldotna, Ak. 99669

DESCRIPTION
N1/2 NE1/4 SECTION 26 T5N, R9W
S.M. AK. CONTAINING 80± ACRES
IN THE KENAI PENINSULA BOROUGH.

Prepared by: S.S. McLane R.L.S.
Soldotna, Ak.

DATE
Jan. 16, 1974

SCALE
1" = 200'



August 12, 2026

Vince Piagentini PLS, Platting Manager
Kenai Peninsula Borough
144 N. Binkley St.
Soldotna, AK 99669

[Sent Electronically]

Re: Plat Review

Dear Mr. Piagentini:

The Alaska Department of Transportation and Public Facilities (DOT&PF) Central Region has reviewed the following plats and have no comments:

- **Doyle Estates Subdivision Eighth Addition (KPB 2026-086)**

The Alaska Department of Transportation and Public Facilities (DOT&PF) Central Region has reviewed the following plats and have the following comments:

- **Casa La Montana 2026 Replat (KPB 2026-089)**
 - No objection to proposed plat.
 - No direct access onto Funny River Road for Lot 1.
 - Apply for driveway permits for Lots 1 through 7 to access Rabbit Run Rd.
 - Apply for driveway permits at DOT&PF's online ePermits website: <https://dot.alaska.gov/row/Login.po>. Please contact DOT&PF's ROW division at 1-800-770-5263 to speak with a regional permit officer if you have any questions.
- **France Airpark Subdivision Amended (KPB 2025-145A1)**
 - No objection to proposed plat.
 - No direct access to Forest Lane will be granted for Block One Lots 1, 2, 3, 4. All lots must take access from common access area onto Aeroway Ave and Bush Pilot Court as shown on proposed plat.
 - Apply for an Approach Road Review for the Aeroway Ave connection to Forest Lane. Approach Road Reviews can be applied for at DOT&PF's online ePermits website: <https://dot.alaska.gov/row/Login.po>. Please contact DOT&PF's ROW division at 1-800-770-5263 to speak with a regional permit officer if you have any questions.
 - Apply for driveway access onto Forest Lane for Tract A-1.

- Apply for driveway permits at DOT&PF's online ePermits website: <https://dot.alaska.gov/row/Login.po>. Please contact DOT&PF's ROW division at 1-800-770-5263 to speak with a regional permit officer if you have any questions.

All properties accessing DOT&PF roads must apply to Right of Way for a driveway permit and/or approach road review, subject to provisions listed in 17 AAC 10.020. Any previously issued access permits become invalid once the property undergoes a platting action and must be reissued.

We recommend the petitioner verify all section line easements and DOT&PF road rights-of-way adjacent to their property. For assistance, the petitioner may contact the Engineering group within the Right of Way section in DOT&PF at (907) 269-0700. The petitioner is liable to remove any improvements within the easements and rights-of-way that impede the operation and maintenance of those facilities even if they are not shown on the plat, so it is in the petitioner's best interest to identify the exact locations and widths of any such easements or rights-of-way before they improve the property.

If any section line easements or road rights-of-way exist within the bounds of their plat, we recommend the petitioner dedicate them. If there is an existing right-of-way or easement, the petitioner is unable to develop that portion of the property yet continues to pay property taxes on it; dedicating will remove that cost to the petitioner.

If there are any questions regarding these comments please feel free to contact me at (907) 269-0514 or romorenzo.marasigan@alaska.gov.

Sincerely,



Romorenzo Marasigan
Kenai Area Planner, DOT&PF

cc: Chris Post, P.E., Highway Design Chief, DOT&PF
Devki Rearden, Engineering Associate, DOT&PF
Gabe Kutcher, Acting Property Management Supervisor, Right of Way, DOT&PF
Anna Bosin, P.E., Traffic & Safety Engineer, DOT&PF