

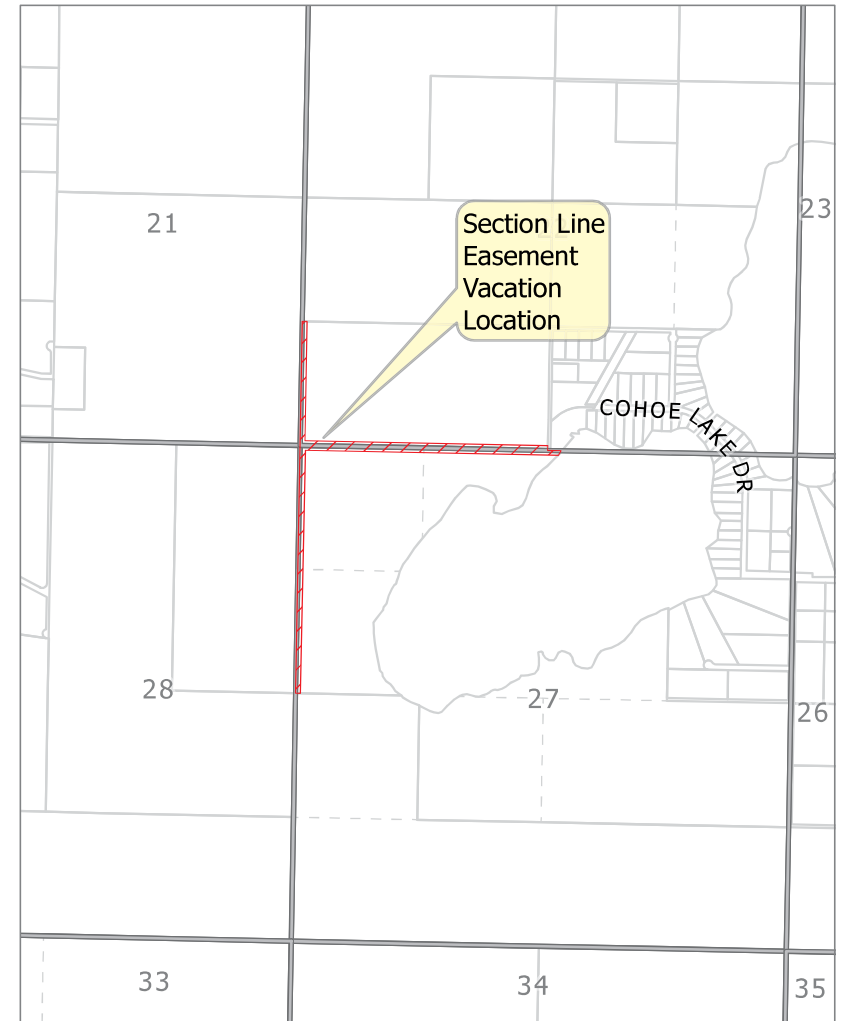
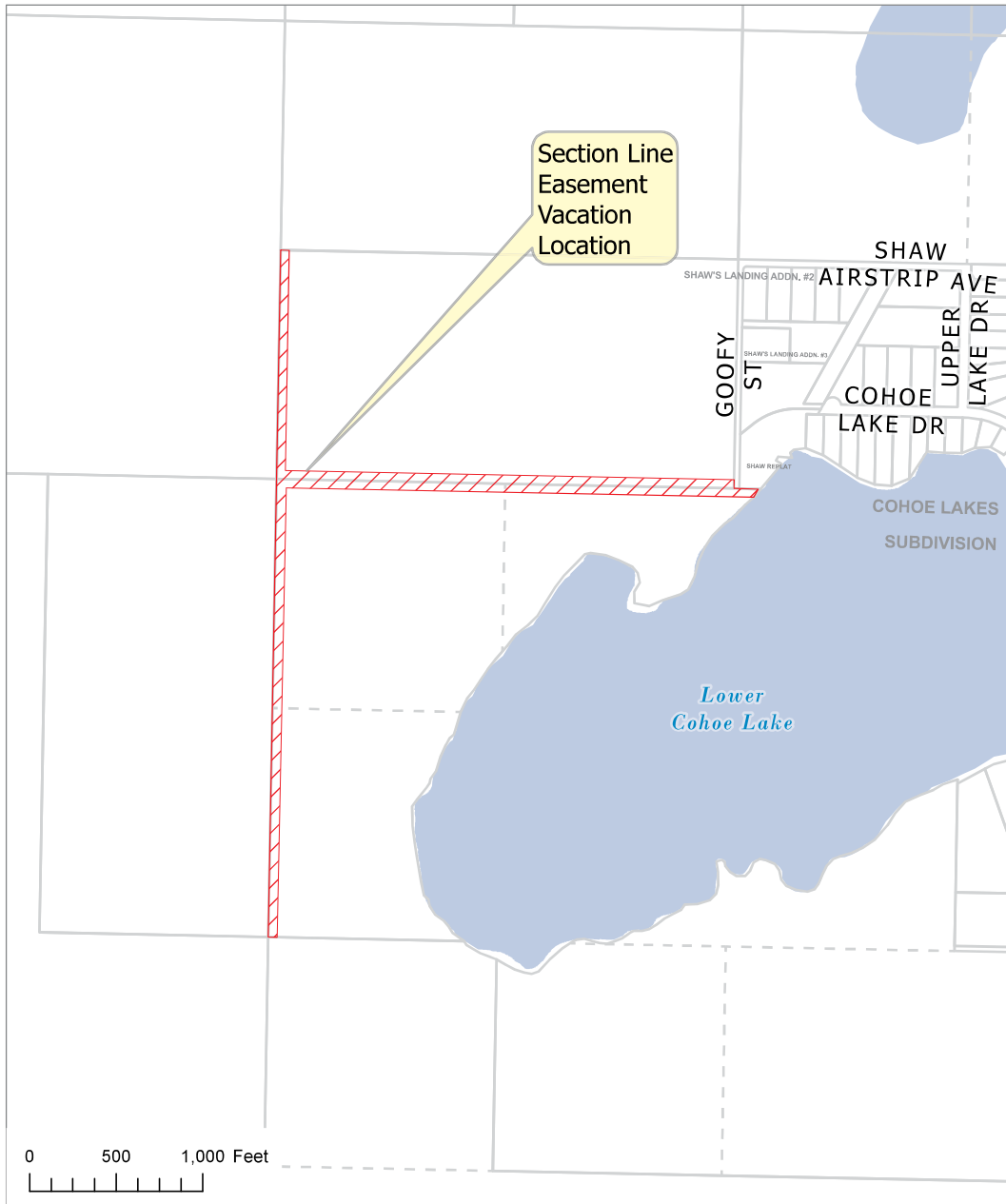
E. NEW BUSINESS

1. Section Line Easement Vacation; KPB File 2025-058V

R & M Consultants / AK Mental Health Trust Authority

Request: Vacate the entire 50' section line easement on the north line of Government Lots 2 & 3 and the entire 50' section line easement on the west line of Government Lots 3 & 4, SEC 27; and the entire west 50' and the entire south 50' of the S1/2 SW1/4 of SEC 22 all being located in T03N, R12W

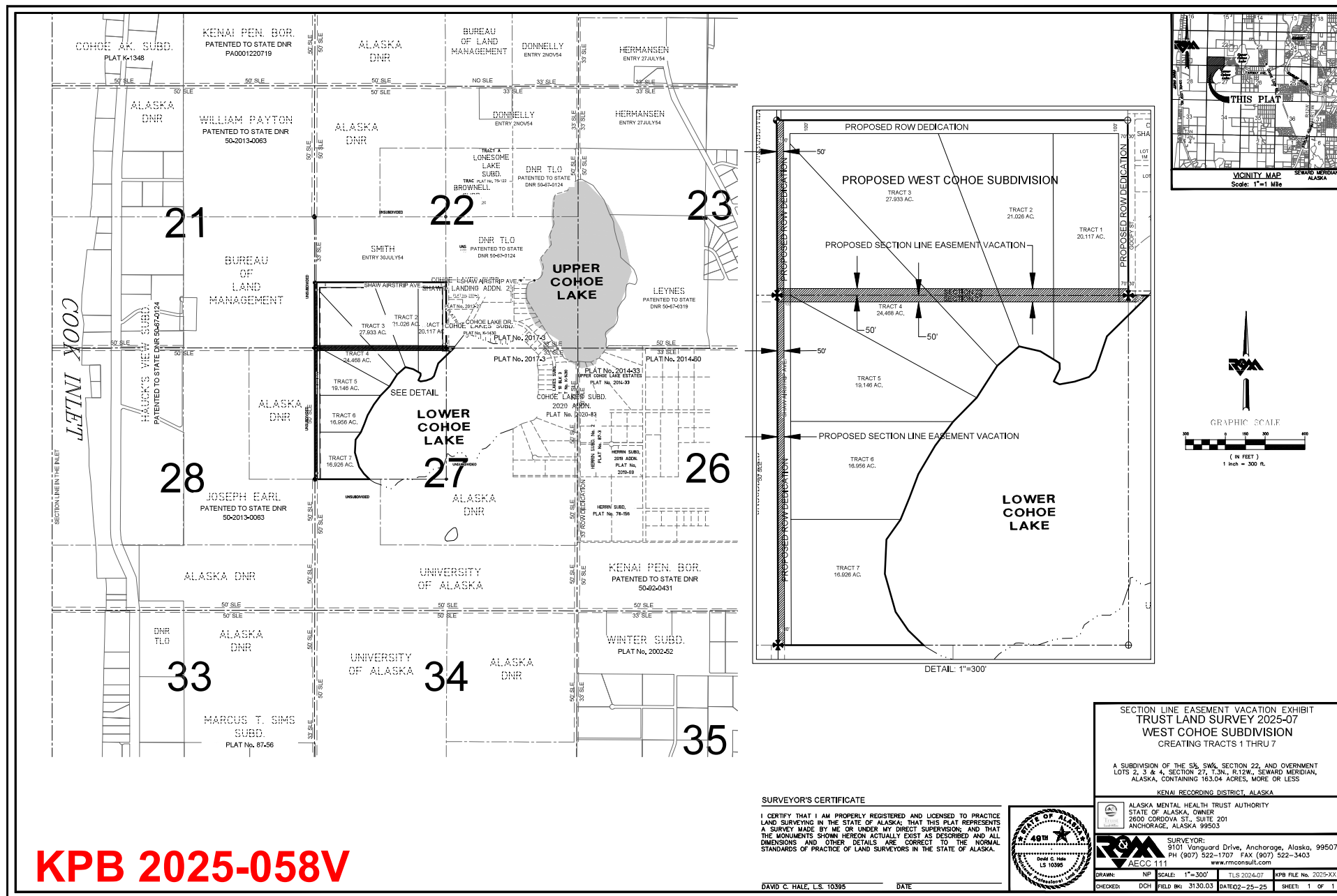
Kasilof Area



KPB File 2025-058V
T 03N R 12W S22 & 27
Cohoe



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.



AGENDA ITEM E. NEW BUSINESS

ITEM #1 - SECTION LINE EASEMENT VACATION

VACATE THE ENTIRE 50-FOOT SECTION LINE EASEMENT ON THE NORTH LINE OF GOVERNMENT LOTS 2 AND 3 AND THE ENTIRE 50-FOOT SECTION LINE EASEMENT ON THE WEST LINE OF GOVERNMENT LOTS 3 AND 4 IN SECTION 27; AND THE ENTIRE WEST 50 FEET AND THE ENTIRE SOUTH 50 FEET OF THE S1/2 SW1/4 OF SECTION 22 ALL BEING LOCATED IN TOWNSHIP 3 NORTH, RANGE 12 WEST

KPB File No.	2025-058V
Planning Commission Meeting:	September 22, 2025
Applicant / Owner:	Alaska Mental Health Trust Authority / Anchorage, AK
Surveyor:	Dave Hale / R&M Consultants Inc
General Location:	Coho Area
Legal Description:	T 3N R 12W SEC 22 SEWARD MERIDIAN KN S1/2 SW1/4 & T 3N R 12W SEC 27 SEWARD MERIDIAN KN GOV'T LOTS 2, 3 & 4

STAFF REPORT

Specific Request / Purpose as stated in the petition:

Requesting a vacation of all section line easements within the proposed subdivision Trust Land Survey 2025-07 West Coho Subdivision

Notification: The public hearing notice was published in the September 12, 2025 issue of the Peninsula Clarion and the September 11, 2025 issue of the Homer News as part of the Commission's tentative agenda.

The public notice was posted on the Planning Commission bulletin board at the Kenai Peninsula Borough George A. Navarre Administration building. Additional notices were mailed to the following with the request to be posted for public viewing.

Library of Kasilof

Post Office of Kasilof

Twelve mailings were sent to owners of property within 300 feet of the proposed vacation on September 4th, 2025.

Eleven notifications were emailed to agencies and interested parties as shown below;

State of Alaska Dept. of Fish and Game
State of Alaska DNR
State of Alaska DOT
State of Alaska DNR Forestry
The Alaska Mental Health Trust Authority
Central Emergency Services

Ninilchik Traditional Council
Alaska Communication Systems (ACS)
ENSTAR Natural Gas
General Communications Inc, (GCI)
Homer Electric Association (HEA)

Legal Access (existing and proposed):

Current access to the property is by Shaw Strip Avenue in the northeast and Goofy Street on the east. Shaw Airstrip Avenue is a 40-foot dedicated road that is currently undeveloped. Shaw Airstrip Avenue connects to Upper Lake Drive to the east and then intersects with Coho Lake Drive to the south. Coho Lake Drive connects to Fairway Avenue to the south, then connects near milepost 13.2 Coho Loop Road, a state-maintained road.

Multiple dedications are proposed by the associated Preliminary Plat, Trust Land Survey 2025-07 West Coho Subdivision: 70 feet on the west of Goofy Street for a total of 100 feet, 100 feet on the north side of the plat and 100 feet on the west side of the plat both being to Shaw Airstrip Avenue.

The KPB Addressing Officer requested a new street name for Shaw Airstrip Avenue running north-south along the west side of the plat to be submitted with the suffix of street. **Staff recommends** the surveyor submit a new street name to the KPB Addressing Officer and update the final plat upon submittal.

50-foot section line easements are located along the west line of the plat and through the middle being the section line between Sections 22 and 27. These easements are those proposed to be vacated and are labeled and shaded on the submitted exhibit.

Block length requirement is not complaint and an exception to KPB 20.30.170 was granted for the plat at the May 12, 2025 Plat Committee meeting.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: We need to make sure there is dedicated ROW for the road on the west.
SOA DOT comments	No response

Site Investigation:

According to KPB GIS Imagery, there appears to be a possible structure located in the current 30-foot dedication of Goofy Street that could encroach into the proposed dedication from the associated plat. **Staff recommends** the surveyor identify any encroachments on the final submittal with a solution to resolve the issue prior to final approval.

KPB GIS Imagery Contours Layer indicates the subject area is relatively flat with no slopes greater than 20%.

Lower Cohoe Lake abuts the parcels to the east. Large areas of wetlands are present on the majority of the subject area classified as Lakebed, Wetland/Upland Complex and Kettle.

KPB Reviewers did not identify the subject area to be within a Flood Hazard area or a Habitat Protection District.

KPB River Center review	A. Floodplain Reviewer: Hindman, Julie Floodplain Status: Not within flood hazard area Comments: No comments B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments
State of Alaska Fish and Game	No Response

Staff Analysis:

The land was originally surveyed as the S1/2 SW1/4 of Section 22 and Government Lots 2, 3 and 4 of Section 27, all within Township 3 North, Range 12 West, Seward Meridian, Alaska, as shown on the BLM section plat accepted on July 19, 1921.

The land is currently in the process of being subdivided by Trust Land Survey 2025-07 West Cohoe Subdivision and was granted conditional approval during the May 12, 2025 KPB Plat Committee Meeting. This plat will subdivide the land and dedicate rights-of-way totaling 100 feet in width each. The justification provided by the surveyor stated the intent to subdivide is for residential development.

The parcels affected by the portions of the section line easements to be vacated are owned by the State of Alaska, Trust Land Office. Surrounding adjacent parcels are owned by private individuals, the State of Alaska, and the BLM.

The surrounding parcels are currently unsubdivided with no constructed access. Legal access throughout the area is primarily by section line easements.

The associated plat will grant a 10-foot utility easement adjoining the proposed dedicated rights-of-ways.

20.65.050 – Action on vacation application

D. The planning commission shall consider the merits of each vacation request and in all cases the planning commission shall deem the area being vacated to be of value to the public. It shall be incumbent upon the applicant to show that the area proposed for vacation is no longer practical for the uses or purposes authorized, or that other provisions have been made which are more beneficial to the public. In evaluating the merits of the proposed vacation, the planning commission shall consider whether:

1. The right-of-way or public easement to be vacated is being used;

Applicant comments: No roads or trails exist within the section line easement and there has been no current or historic use of the easement for access to any parcels in the area. If the land is developed in the future, and requires rights-of-way for access to the developed properties, the proposed rights-of-way dedications shown on the accompanying plat will provide the required access in lieu of the section line easement that traverses this proposed subdivision.

Staff comments:

2. A road is impossible or impractical to construct, and alternative access has been provided;

Applicant comments: The proposed dedicated rights-of-way that replace the section line easements through the subdivision provide a comparable alternative to the existing easements. The width of the dedication will be 100-feet making it the same width as the vacated easements. The location of the alternative access routes create better flow through the subdivision, and provide the same or better access to adjacent parcels.

Staff comments:

3. The surrounding area is fully developed and all planned or needed rights-of-way and utilities are constructed;

Applicant comments: The TLO is proposing to subdivide their property into multiple lots for residential development. To facilitate the intended subdivision access and improve overall use of the land, TLO is requesting a vacation of all section line easements within the proposed subdivision to be replaced by new dedicated rights-of-way with equal or better access. The east-west section line easement bisects four of the proposed new tracts, negatively impacting the ability of the TLO or future landowners to develop their property.

Staff comments:

4. The vacation of a public right-of-way provides access to a lake, river, or other area with public interest or value, and if so, whether equal or superior access is provided;

Applicant comments: Goofy Street Dedication: proposed dedication of a 70-foot right-of-way that runs north-south along the east boundary of the subdivision, and east to the lake. The width of both sections of right-of-way will be equal or better than the previous SLE width and will continue to provide access to Lower Cohoe Lake, but with a wider right-of-way and better access from the north.

Staff comments:

5. The proposed vacation would limit opportunities for interconnectivity with adjacent parcels, whether developed or undeveloped;

Applicant comments: The proposed subdivision aims to reconfigure legal access through the subdivision, while improving legal access to adjacent parcels.

Staff comments:

6. Other public access, other than general road use, exist or are feasible for the right-of-way;

Applicant comments:

Staff comments:

7. All existing and future utility requirements are met. Rights-of-way which are utilized by a utility, or which logically would be required by a utility, shall not be vacated, unless it can be demonstrated that equal or superior access is or will be available. Where an easement would satisfactorily serve the utility interests, and no other public need for the right-of-way exists, the commission may approve the vacation and require that a utility easement be granted in place of the right-of-way.

Applicant comments: The TLO proposes to dedicate new right-of-way within the proposed subdivision to provide the same level of access throughout the subdivision and to other parcels that lay adjacent to it.

Staff comments: The associated plat will grant a 10-foot utility easement adjoining the proposed dedicated rights-of-ways.

8. Any other factors that are relevant to the vacation application or the area proposed to be vacated.

Applicant comments: With the sale of lakeside tracts within the new subdivision, access will likely be built within the new rights-of-way, creating better physical access than previously contained with the SLE.

Staff comments:

A KPB Planning Commission decision denying a vacation application is final. A KPB Planning Commission decision to approve the vacation application is subject to consent or veto by the KPB Assembly, or City Council if located within City boundaries. The KPB Assembly, or City Council must hear the vacation within thirty days of the Planning Commission decision.

The KPB Assembly will hear the vacation at their scheduled October 14, 2025 meeting to give consent or denial.

If approved, the vacation will be finalized by the recording of the Section Line Easement Vacation Exhibit document as presented in the packet. The document is currently being reviewed by the State of Alaska DNR Survey Section for approval by the State for filing purposes.

KPB department / agency review:

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.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Addressing	Reviewer: Pace, Rhealyn Affected Addresses: NONE Existing Street Names are Correct: Yes List of Correct Street Names: GOOFY ST, SHAW AIRSTRIP AVE Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied:

	Comments: NEW N/S ROW WILL NEED NEW STREET NAME WITH SUFFIX OF STREET.
Assessing	Reviewer: Windsor, Heather Comments: No comment

Utility provider review:

HEA	No objection to the vacation of the section line easement
ENSTAR	No comments or recommendations
ACS	
GCI	Approved as shown
Central Emergency Services	No conflicts or issues

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

- Comply with staff report recommendations for associated plat, Trust Land Survey 2025-07 West Cohoe Subdivision (KPB 2025-058)
- Add the KPB File No of 2025-058V to the drawing
- Verify the owner address as KPB Assessing has different.
- Dedications can be reduced, KPB 20.30.120 Streets – Width Requirements calls for full width of 60' ROW, 30' from each side of property/section lines normally. Equal or better only is considered when access by a public right-of-way provides access to a lake, river or other area with public interest or value. Goofy Lane is already providing for the alternate / equal or better access.
- A cul-de-sac should be added to the end of Goofy Lane for better turn around purposes for emergency vehicles. Give detail at end of Goofy St for better detail.
- Land labels around the drawing are not uniform.

RECOMMENDATION:

Based on consideration of the merits as per KPB 20.65.050(D) as outlined by Staff comments, Staff recommends **APPROVAL** as petitioned, subject to:

1. Consent by KPB Assembly.
2. Approval of the State of Alaska DNR Survey Department
3. Compliance with the requirements for preliminary plats per Chapter 20 of the KPB Code including a submittal to and approval by the Plat Committee.
4. Grant utility easements requested by utility providers.
5. Submittal of a final plat within a timeframe such that the plat can be recorded within one year of vacation consent (KPB 20.65.050(I)).

KPB 20.65.050 – Action on vacation application

- H. A planning commission decision to approve a vacation is not effective without the consent of the city council, if the vacated area to be vacated is within a city, or by the assembly in all other cases. The council or assembly shall have 30 days from the date of the planning commission approval to either consent to or veto the vacation. Notice of veto of the vacation shall be immediately given to the planning commission. Failure to act on the vacation within 30 days shall be considered to be consent to the vacation. This provision does not apply to alterations of utility easements under KPB 20.65.070 which do not require the consent of the assembly or city council unless city code specifically provides otherwise.**

- I. Upon approval of the vacation request by the planning commission and no veto by the city council or assembly, where applicable, the applicant shall have a surveyor prepare and submit a plat including the entire area approved for vacation in conformance with KPB 20.10.080. Only the area approved for vacation by the assembly or council may be included on the plat. The final plat must be recorded within one year of the vacation consent.
- J. A planning commission decision denying a vacation application is final. No reapplication or petition concerning the same vacation may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed.
- K. An appeal of the planning commission, city council or assembly vacation action under this chapter must be filed in the superior court in accordance with the Alaska Rules of Appellate Procedure.

The 2019 Kenai Peninsula Borough Comprehensive Plan adopted November, 2019 by Ordinance No. 2019-25. The relevant objectives are listed.

Goal 3. Preserve and improve quality of life on the Kenai Peninsula Borough through increased access to local and regional facilities, activities, programs and services.

- *Focus Area: Energy and Utilities*
 - o *Objective A - Encourage coordination of residential, commercial, and industrial development with extension of utilities and other infrastructure.*
 - *Strategy 1. Near – Term: Maintain existing easements (especially section line easements) in addition to establishing adequate utility rights of way or easements to serve existing and future utility needs.*
 - *Strategy 2. Near – Term: Maintain regular contact with utility operators to coordinate and review utility easement requests that are part of subdivision plat approval.*
 - *Strategy 3. Near – Term: Identify potential utility routes on Borough lands.*
- *Housing*
 - o *Objective D. Encourage efficient use of land, infrastructure and services outside incorporated cities by prioritizing future growth in the most suitable areas.*
 - *Strategy 1. Near – Term: Collaborate with the AK Department of Transportation, incorporated cities within the borough, utility providers, other agencies overseeing local services, and existing communities located adjacent to the undeveloped areas that are appropriate for future growth, to align plans for future expansion of services to serve future residential development and manage growth.*

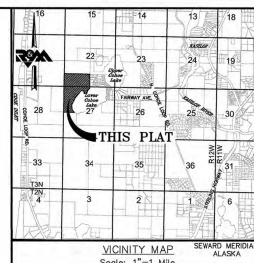
Goal 4. Improve access to, from and connectivity within the Kenai Peninsula Borough

- *Focus Area: Transportation*
 - o *Objective B. Ensure new roads are developed in alignment with existing and planned growth and development.*
 - *Strategy 2. Near – Term: Establish subdivision codes that dictate road construction standards to accommodate future interconnectivity and/or public safety.*
 - *Strategy 3. Near – Term: Identify areas of anticipated growth to determine future access needs.*

END OF STAFF REPORT



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.



- DAVID C. HALE, L.S. 10395 DATE

LINE TABLE		
LINE No.	DIRECTION	LENGTH
L12	S 32°31'11" W	285.70'
L13	S 44°43'21" W	255.00'
L14	S 36°52'13" W	224.94'
L15	S 30°16'11" W	249.88'
L16	S 21°01'28" W	190.64'
L17	S 35°27'11" W	185.10'
L18	S 02°32'59" W	259.44'
L19	S 15°49'54" E	299.04'
L20	S 34°23'40" E	167.59'
L21	S 46°06'03" E	160.55'

I CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA; THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION; AND THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED AND ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT TO THE NORMAL STANDARDS OF PRACTICE OF LAND SURVEYORS IN THE STATE OF ALASKA.



SURVEYED TOWNSHIP 3 NORTH RANGE 12 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

A056658 SS entire Tp

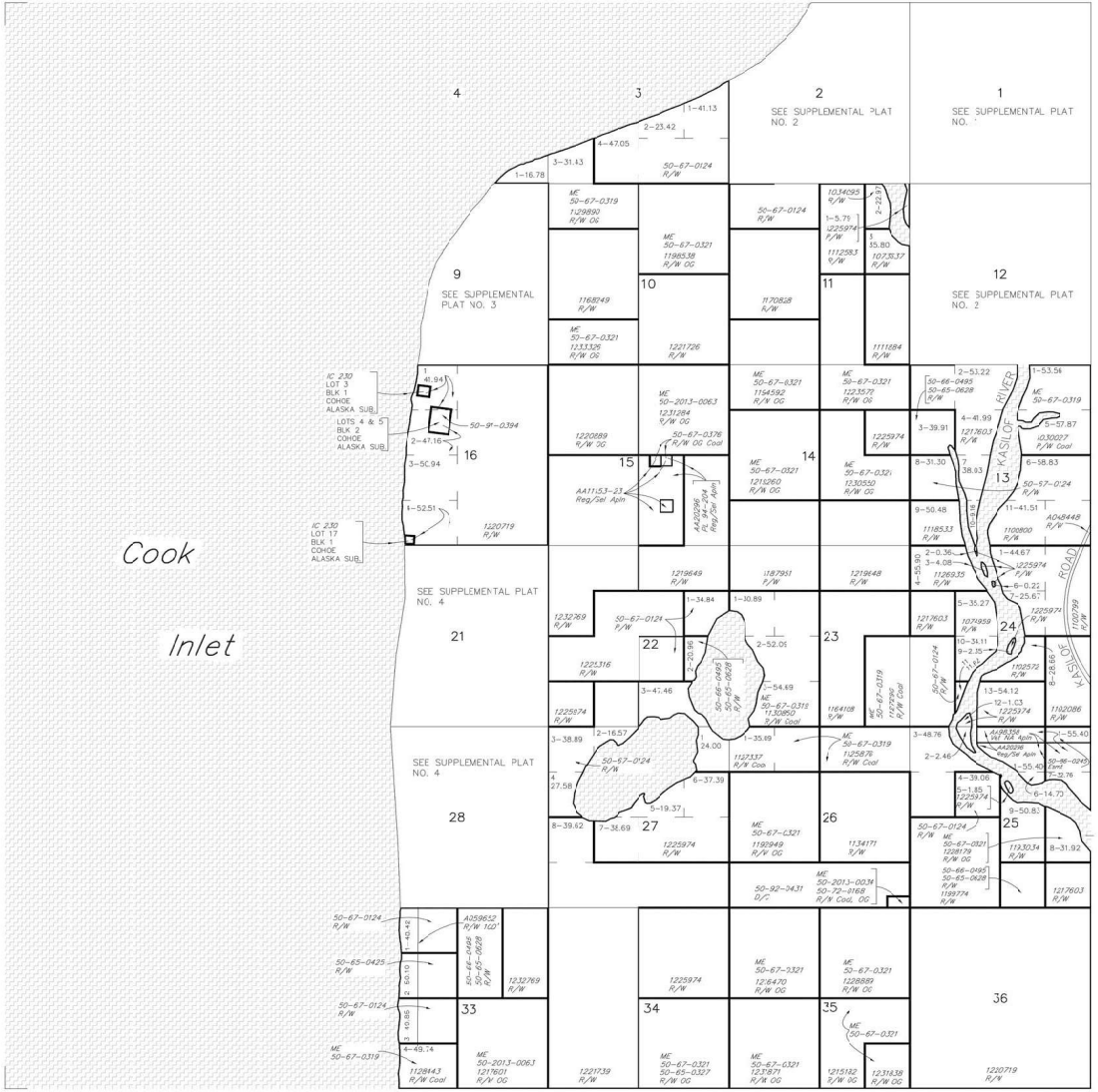
PLO 5184 Will CI affects Lts/Interests not conveyed

A056463 SS Amdt PL 96-487 Sec 906(e) Top Filed

AA79911 Acq Conservation Easement affects:
Sec 13; Lots 1-5 of Block 1 & Tract A of the
Coal Creek Moorage Subdivision Part 1, according to the
official plat thereof filed under plat No. 92-8, Kenai
Recording District, Third Judicial District, State of AK,
and also depicted on the Record of Survey recorded on
9/4/1996 as No. 96-39 in the Kenai Recording District.

A056731 SS Reserved Min Estate Only

A005446 ROI issued 9/11/2005 (Kasilof River)



Lot 601756.00"N
Long 15116'30.00"W

WARNING:
This plat is the Bureau's Record or Title, and should be used
only as a graphic display of the township survey data. Rec-
ords herein do not reflect title changes which may have been
effected by lateral movements of rivers or other bodies of water.
Refer to the cadastral survey for official survey information.

CURRENT TO		Acq
4-11-2024		3 N
		12 W

ACAD

