Kenai Peninsula Borough Planning Department

MEMORANDUM

TO:

Peter Ribbens, Assembly President

Kenai Peninsula Borough Assembly Members

FROM:

Robert Ruffner, Planning Director

DATE:

October 14, 2025

RE:

CORONA COURT & HIDDEN VALLEY CIRCLE, T 07N R 12W SEC 14 Seward Meridian

KN 2023053 STEPHENS SUB WHITCOMB REPLAT LOT 5A BLK 2

In accordance with AS 29.40.140, no vacation of a Borough right-of-way and/or easement may be made without the consent of the Borough Assembly.

During their regularly scheduled meeting of October 13, 2025 the Kenai Peninsula Borough Planning Commission granted approval of the above proposed vacation by unanimous vote (9-Yes) based on the means of evaluating public necessity established by KPB 20.65. This petition is being sent to you for your consideration and action.

A draft copy of the unapproved minutes of the pertinent portion of the meeting and other related materials are attached.

October 13, 2025 Planning Commission Draft Meeting Minutes October 13, 2025 Agenda Item E5 Meeting Packet Materials

ITEM #5 - RIGHT OF WAY VACATION

VACATE THE ENTIRE CORONA COURT ROW & HIDDEN VALLEY CIRCLE ROW AS DEDICATED BY PLAT KN 76-111, AND INCLUDING ADJACENT UTILITY EASEMENTS; AND EXCEPTING THE 10' UTILITY EASEMENT PARALLEL TO ALEXANDER ROAD AS GRANTED BY PLAT KN 2023-53

KPB File No.	2025-143V
Planning Commission Meeting:	October 13, 2025
Applicant / Owner:	Robert & Deanna Whitcomb
Surveyor:	Jerry Johnson, Johnson Surveying
General Location:	Between Bernice Lake & Island Lake / Nikiski Area
	Corona Court & Hidden Valley Circle, T 07N R 12W SEC 14
Legal Description:	Seward Meridian KN 2023053 STEPHENS SUB WHITCOMB
	REPLAT LOT 5A BLK 2

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley opened the item for public comment.

<u>Jerry Johnson, Johnson Surveying; P.O. Box 27, Clam Gulch AK 99568:</u> Mr. Johnson was the surveyor for this project and made himself available for questions.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the committee.

<u>MOTION:</u> Commissioner X moved, seconded by Commissioner X to grant the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.65, adopting and incorporating by reference the staff report, staff recommendations and subject to the four conditions as set forth in the staff report.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 9	Brantley, England, Eppe	rheimer, Fikes, Gillham,	Morgan, Slaughter, Wh	itnev. Venuti

ITEM #5 – STREET NAMING RESOLUTION 2025-02 NAMING AN UNNAMED ROAD IN THE SALAMATOF COMMUNITY TO ROOTS LOOP

Street Naming Resolution	2025-02
Planning Commission Meeting:	October 13, 2025
Name	Unnamed
ESN	501
Community	Salamatof
Constructed	Yes
Total Lots Affected	1
E911 Address	1

Staff report given by Addressing Officer Rhea Pace.

Chair Brantley opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the committee.

<u>MOTION:</u> Commissioner Slaughter moved, seconded by Commissioner Gillham to adopt Street Naming Resolution 2025-02 renaming an unnamed private road in the Salamatof community to Roots Loop.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

tley, England, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Whitney, Venuti
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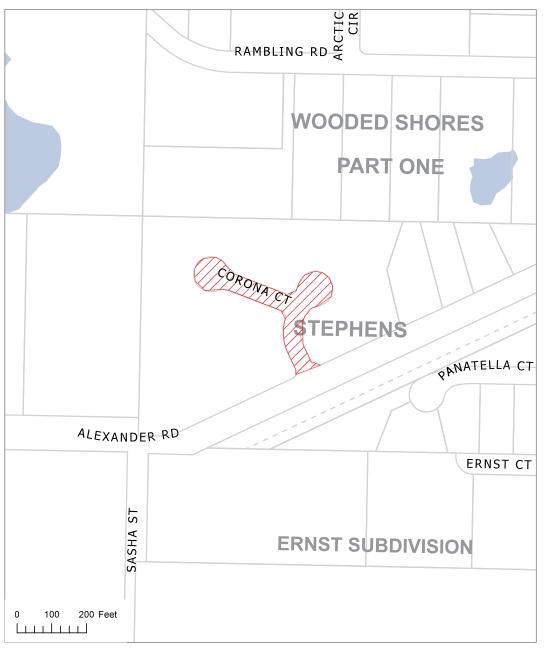
Kenai Peninsula Borough Page 4

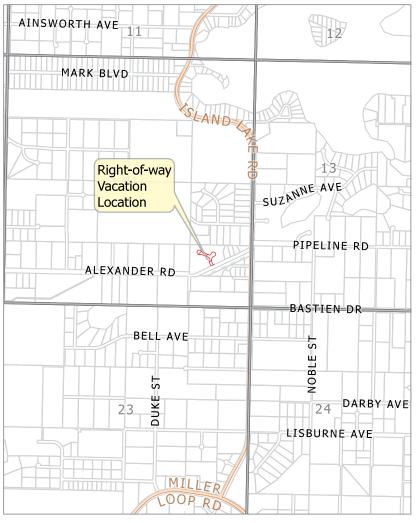
E. NEW BUSINESS

5. Right-Of-Way Vacation; KPB File 2025-143V
Johnson Surveying / Whitcomb
Request: Vacate Corona Ct & Hidden Valley Cir & associated utility
easements per Stephen Subdivision, Plat KN 76-111
Nikiski Area

Staff Person Responsible: Platting Manager Vince Piagentini

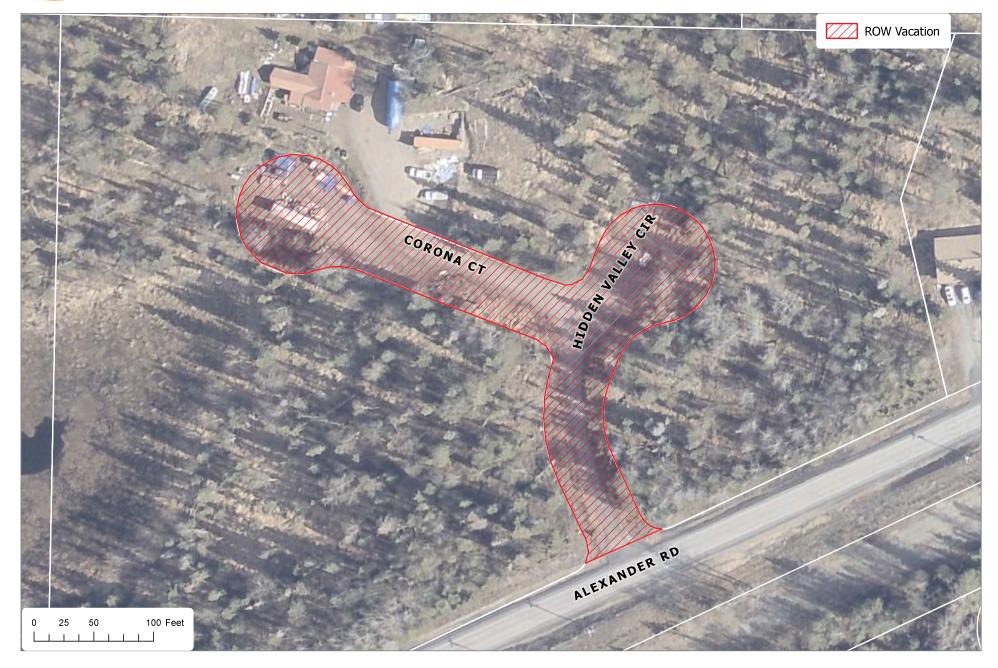
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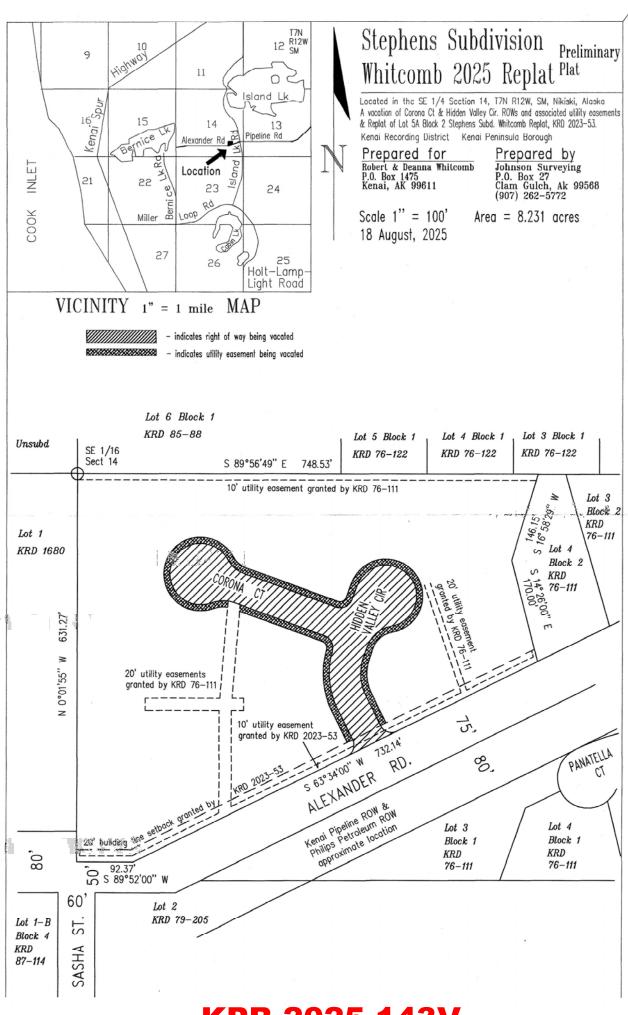




KPB File 2025-143V T 07N R 12W S14 Nikiski







KPB 2025-143V

ITEM #5 - RIGHT OF WAY VACATION

VACATE THE ENTIRE CORONA COURT RIGHT-OF-WAY AND HIDDEN VALLEY CIRCLE RIGHT-OF-WAY AS DEDICATED BY PLAT KN 76-111, AND INCLUDING ADJACENT UTILITY EASEMENTS; AND EXCEPTING THE 10-FOOT UTILITY EASEMENT PARALLEL TO ALEXANDER ROAD AS GRANTED BY PLAT KN 2023-53

KPB File No.	2025-143V
Planning Commission Meeting:	October 13, 2025
Applicant / Owner:	Deanna Whitcomb and Robert Whitcomb of Kenai, Alaska
Surveyor:	Jerry Johnson, Johnson Surveying
General Location:	Between Bernice Lake and Island Lake, Nikiski Area
Legal Description:	Corona Court and Hidden Valley Circle, T 07N R 12W SEC 14 Seward Meridian KN 2023053 STEPHENS SUB WHITCOMB REPLAT LOT 5A BLK 2

STAFF REPORT

Specific Request / Purpose as stated in the petition:

Right-of-way (ROW) is completely within 1 parcel of property and provides no access to any other properties. Vacation will allow the owner of the surrounding property to make use of the ROW and prevent existing trespass issues.

Notification: The public hearing notice was published in the October 3, 2025 issue of the Peninsula Clarion and the October 2, 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 Nikiski

Post Office of Nikiski

Nikiski Community Council

Twenty-eight certified mailings were sent to owners of property within 300 feet of the proposed vacation. Twelve receipts had been returned when the staff report was prepared.

Eleven public hearing notices were emailed to agencies and interested parties as shown below;

State of Alaska Dept. of Fish and Game

State of Alaska DNR Alaska Communication Systems (ACS)

State of Alaska DOT ENSTAR Natural Gas

State of Alaska DNR Forestry

Nikiski Advisory Planning Commission

General Communications Inc, (GCI)

Homer Electric Association (HEA)

Emergency Services of Nikiski

Legal Access (existing and proposed):

Alexander Road, Corona Court and Hidden Valley Circle provide legal access to the subject parcel.

Stephens Subdivision (Plat KN 76-111) dedicated Corona Court and Hidden Valley Circle in 1976 serving nine parcels at the time. Stephens Subdivision Whitcomb Replat (Plat KN 2023-53) combined Lots 5-16 Block 2 of KN 76-111 causing the two cul-de-sacs to only serve one parcel.

Alexander Road is a 75-foot-wide right-of-way that is state-maintained and provides access to the subject parcel, Corona Ct, Hidden Valley Cir and adjacent parcels to the east and west. Rambling Road provides access to parcels north of the affected parcel.

The block is defined by Rambling Road and Arctic Circle to the north, Island Lake Road to the east, Alexander Road to the south and Freda Dr 2650 feet to the west. The dedication of Corona Court and Hidden Valley Circle currently provides relief to KPB 20.30.170 Block Length for they are approximately 929.14 feet from Island Lake Road to the east. Future subdivision of the parcel could provide new right-of-way design to adhere to code length and utilization of the parcel.

No section line easements are present within the subject area. No new access is proposed.

KPB Roads Dept. comments	Out of Jurisdiction: No
	Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	No response
SOA DNR Survey Section	No comments

Site Investigation:

Wetlands classified as a depression per KWF wetlands assessment layer on KPB GIS Imagery is located on the east boundary of the parcel and slightly within Corona Court right-of-way. The parcel abutting to the northwest and east include depressions.

The parcel is affected by steep topography and some steep slopes are present near the depression with slopes exceeding 20%.

The affected parcel is not located with a flood hazard area nor in a habitat protection district according to the KPB River Center reviewers.

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

Staff Analysis:

Originally the land was an aliquot section of the N1/2 SE1/4 SE1/4 of Section 14, Township 7 North, Range 12 West, Seward Meridian. In 1976, Stephens Subdivision subdivided the land and dedicated Corona Court right-of-way which included both cul-de-sacs. According to the KPB Road Inventory list, Hidden Valley Circle was assigned by Street Naming Resolution SN 1997-05 for the cul-de-sac to the east. There was no adjacent utility easement on the cul-de-sac per the plat. Utility easement were along the lot lines. In 2023, Stephens Subdivision Whitcomb Replat KN2023-53 combined Lots 5-16 Block 2 into one parcel. And created a 10' utility easement along a right-of-way dedication.

HEA has provided a comment requesting a utility easement to be granted along the overhead powerline on the plat finalizing the vacation of the right-of-way. **Staff recommends** the surveyor include the easement requested by HEA on the plat finalizing the vacation along with a plat note.

No proposed future development is planned.

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;

Surveyor comments: The right-of-way is being used by the public at this time to trespass on the petitioner's property.

Staff comments: Corona Court and Hidden Valley Circle only serve one parcel currently.

2. A road is impossible or impractical to construct, and alternative access has been provided; **Surveyor comments:** The roads are constructed facilitating the trespass use mentioned.

Staff comments: Alexander Road provides access to the subject parcel. Wetlands classified as a depression is located on the east boundary of the parcel and slightly within Corona Court right-of-way. The parcel is affected by steep topography and some steep slopes are present near the depression with slopes exceeding 20%.

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

Surveyor comments: The roads are closed cul-de-sacs contained entirely within the petitioner's property.

Staff comments: Alexander Road provides access to the subject parcel and adjacent parcels to the east and west. Rambling Road provides access to parcels north of the affected parcel. HEA requested an easement be granted with the finalization of the plat. Other Utility agencies provided no objections or no response was received.

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;

Surveyor comments: No lakes, rivers, or public interest features are provided access by these ROWs.

Staff comments: Corona Court and Hidden Valley Circle only serve one parcel currently.

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

Surveyor comments: No connectivity with adjacent parcels will be affected by this vacation.

Staff comments: Future subdivision of the parcel could provide new right-of-way design to adhere to code length and utilization of the parcel. All existing parcels have current legal access and the proposed vacation will not limit that access.

6. Other public access, other than general road use, exist or are feasible for the right-of-way; **Surveyor comments:** This vacation does not affect the existing general road use in the area.

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.

Surveyor comments: It is not intended to vacate any utility easements that are in use and identified by a utility company.

Staff comments: HEA requested an easement be granted with the finalization of the plat. Other Utility agencies provided no objections or no response was received.

8. Any other factors that are relevant to the vacation application or the area proposed to be vacated. Surveyor comments: ROW is completely within 1 parcel of property and provides no access to any other properties. Vacation will allow the owner of the surrounding property to make use of the ROW and prevent existing trespass issues.

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 Assembly will hear the vacation at their scheduled October 28, 2025 meeting.

If approved, Stephens Subdivision Whitcomb 2025 Replat will finalize the proposed right of way vacations. The preliminary plat will be scheduled for review by the Plat Committee once a complete submittal and application have been submitted to the Planning Department.

KPB department / agency review:

Addressing	Reviewer: Pace, Rhealyn
	Affected Addresses:
	53216 CORONA CT
	Existing Street Names are Correct: Yes
	List of Correct Street Names: CORONA CT, HIDDEN VALLEY CIR, ALEXANDER RD
	Existing Street Name Corrections Needed:
	All New Street Names are Approved: No
	List of Approved Street Names:
	List of Street Names Denied:
	Comments: UPON PLAT RECORDING 53216 CORONA CT WILL BE DELETED AND NEW ALEXANDER RD ADDRESS WILL BE ASSIGNED.

Code Compliance	Reviewer: Ogren, Eric
·	Comments: No comments
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	

Utility provider review:

HEA	See comment in packet
ENSTAR	No comment or recommendation
ACS	No objections
GCI	Approved as shown

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

- Add lot number to drawing
- Revise the utility hatching to correct area of vacations. Area below name of Corona Ct is combination of two easements from parent subdivision KN76-111 along the old lot line and utility easement adjacent to ROW from KN2023-53
- Add ROW width to cul-de-sacs
- ROW width of Alexander to the west is 100'
- Add ROW to the right-of-way of the width on roads for designation of the ROW widths

RECOMMENDATION:

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

- Consent by KPB Assembly.
- 2. Compliance with the requirements for preliminary plats per Chapter 20 of the KPB Code including a submittal to and approval by the Plat Committee.
- 3. Grant utility easements requested by utility providers.
- 4. 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

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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
 - Objective A Encourage coordination or 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
 - 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
 - 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

Aerial Map

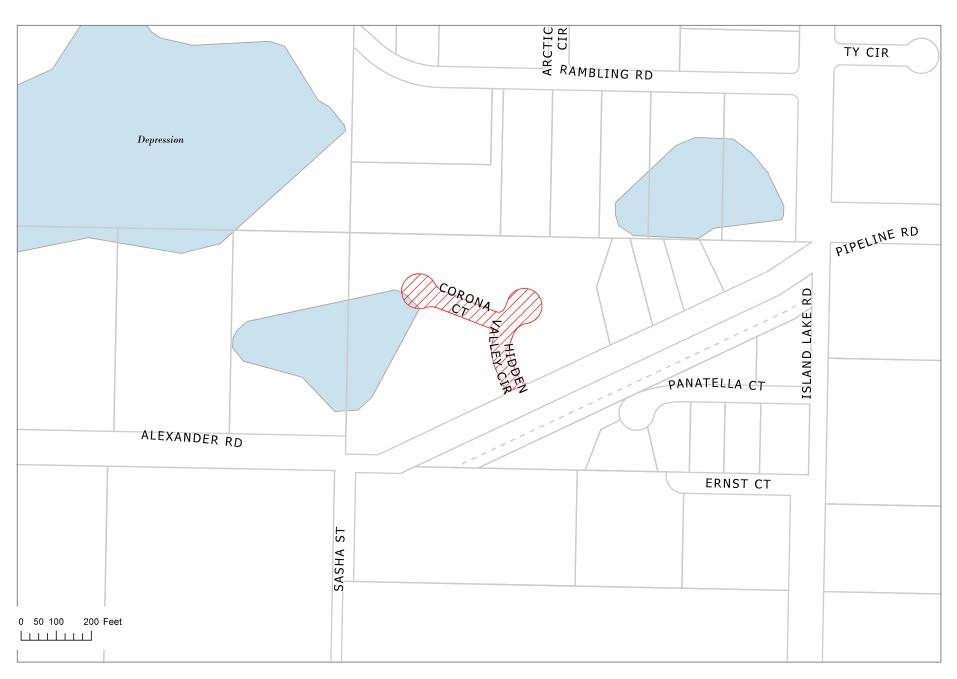
KPB File 2025-143V 9/16/2025





KENAI PENINSULA BOROUGH

Planning

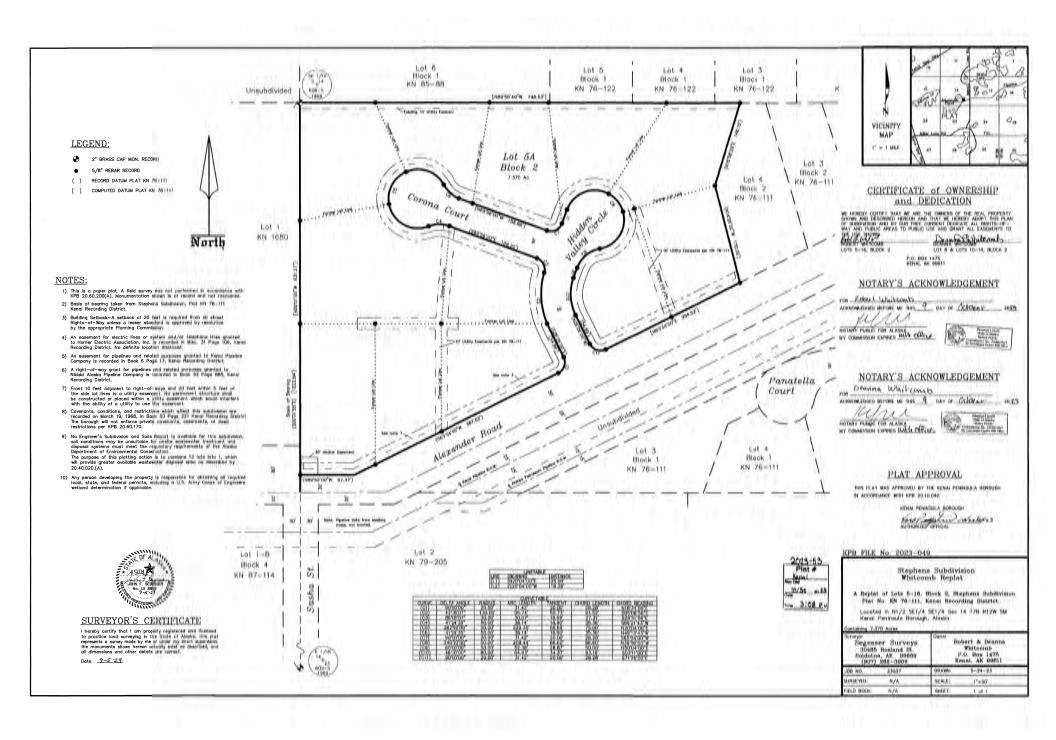


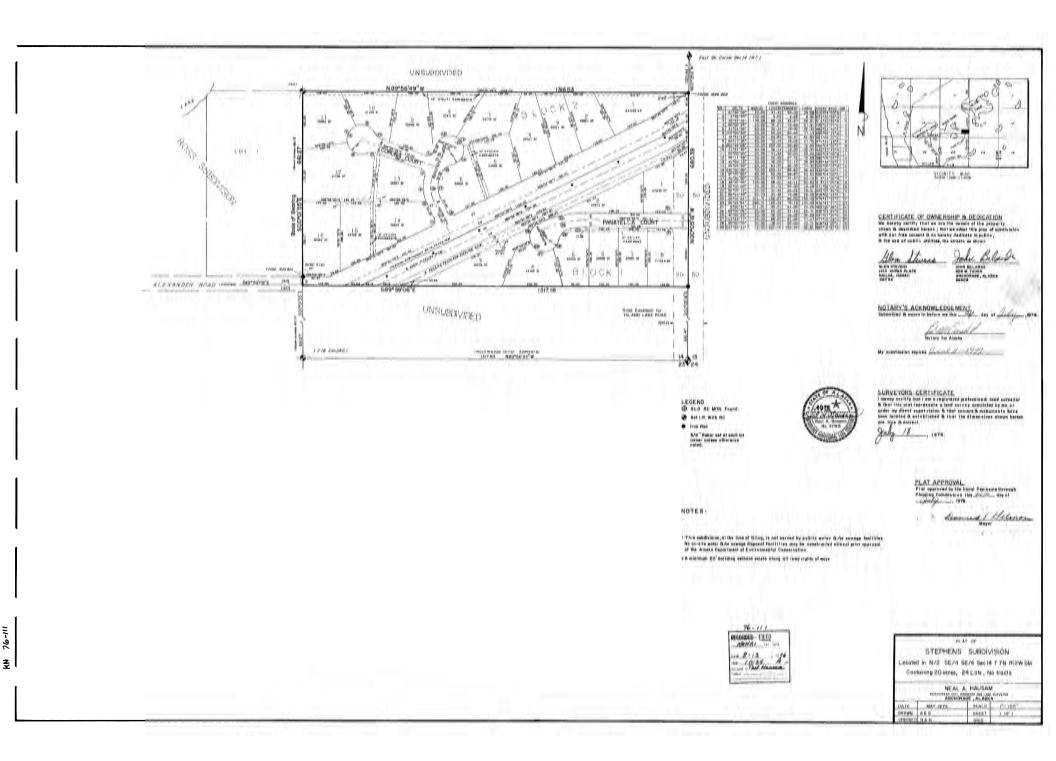
Aerial with 5-foot Contours

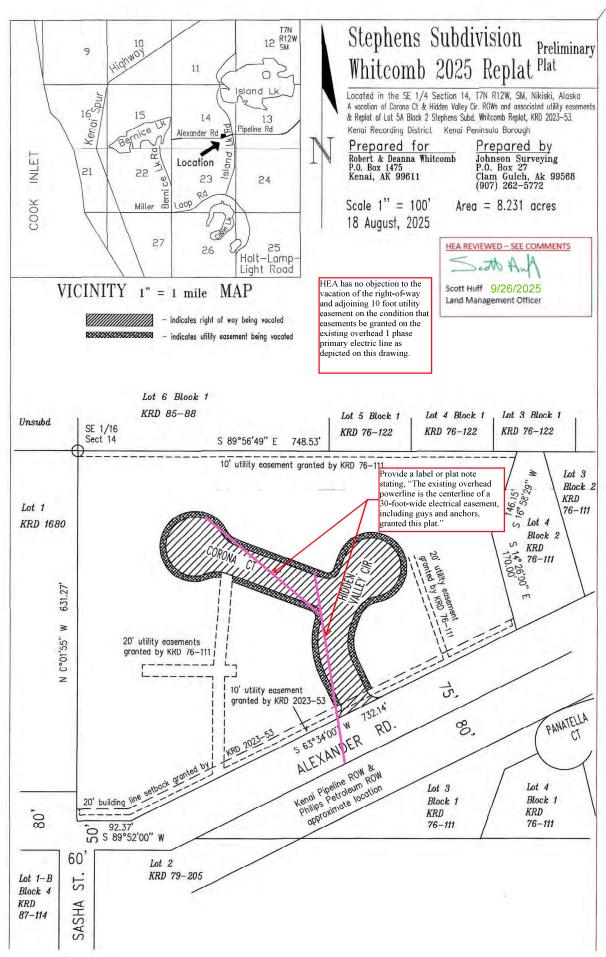
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KPB 2025-143V