

E. NEW BUSINESS

- 4. Street Naming Resolution 2023-03: Renaming Deneki Trail and an unnamed section line easement in T06S, R14W, SEC 05, in the Anchor Point area to Virginia Avenue.**

AGENDA ITEM E NEW BUSINESS

4. Street Name Change: Deneki Trail, a public right of way, named by plat HM73-638, and an unnamed section line easement, Sections 5 and 6, T06S, R14W; Seward Meridian, Kenai Peninsula Borough, AK; in the Anchor Point Community; ESN 202

STAFF REPORT

PC MEETING: April 24, 2023

Applicant: Initiated by the Kenai Peninsula Borough

Existing right-of-way names: Deneki Trl

Name proposed by Borough: Virginia Ave

Reason for Change: Deneki Trl was recently constructed to the intersection with Marmot St, and connects to Virginia Ave via an unnamed section line easement. Virginia Ave connects to the Sterling Hwy, and signage for Virginia Ave exists at that intersection.

Background:

Name	Deneki Trl; unnamed section line easement
ESN	202
Community	Anchor Point
YR Named	1973
Constructed	Partially
Total Lots	11
Residential	1
Commercial	0
E911 Address	1
Mailing	0
Decision	

Review and Comments:

Notice was sent by regular mail to the ten property owners of the eleven parcels fronting Deneki Trl and the unnamed section line easement, as listed on the KPB tax roll.

Comments were received from one property owner by the writing of this staff report.

The road name request was emailed to the Kenai Peninsula Borough Road Service Area (RSA) and Kachemak Emergency Services Area (KESA) for review. RSA and KESA supplied statements of non-objection.

Staff Discussion:

A Virginia Ave landowner contacted the Borough to share concerns regarding different street names for two parallel rights of way (Virginia Ave/Deneki Trl) connected by a section line easement; the landowner stated that the right of way between the existing Virginia Ave and the platted Deneki Trail had recently been built to the intersection with Lynx Ln, and that a continuously constructed road with different street signs could cause confusion for emergency services.

Deneki Trl was created by The James Thomas Oliver Homestead plat in 1973, as a publicly dedicated right of way. The unnamed section line easement between Deneki Trl and Virginia Ave was patented in 1963.

The Borough initiated the street renaming process by mailing letters to property owners fronting Deneki Trl and the unnamed section line easement.

One of the notified property owners wrote a letter stating no objection to the street renaming, but clarifying that the construction is only to the intersection of Deneki Trl and Marmot St. The property owner also stated that the construction was a permitted, single-lane driveway and objects to the Borough stating that it's two lanes, and using the term "public road" due to implications of accessibility and maintenance. The property owner requests that the Borough place signage at the intersection of Denny Lane and Virginia Ave, stating "no outlet/no turnaround" beyond the signage.

Borough staff called Deneki Trl a public road based on the definition of a dedicated right-of-way within Borough code. Signage as requested by the above-referenced property owner would be coordinated by, and at the discretion of, the Borough's Road Service Area.

STAFF RECOMMENDATION: Rename Deneki Trl, and the unnamed section line easement, to **VIRGINIA AVE.** by adoption of Resolution SN 2023-03.

END OF STAFF REPORT



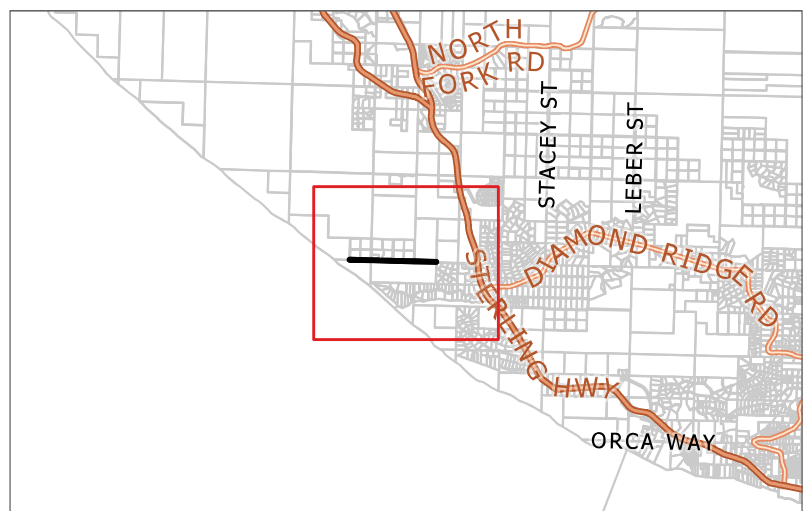
Vicinity Map



SLE & Public Road Naming
Resolution SN 2023-03
Anchor Point area

Map Date: 3/21/2023
Imagery Year: 2022

0 500 1,000 Feet
| | | | |



KENAI PENINSULA BOROUGH
PLANNING COMMISSION RESOLUTION

RESOLUTION SN 2023-03

RENAMING A CERTAIN PUBLIC ROAD AND AN UNNAMED SECTION LINE EASEMENT WITHIN
SECTIONS 05 AND 06, T06S, R14W; SEWARD MERIDIAN; WITHIN EMERGENCY SERVICE NUMBER
(ESN) 202

WHEREAS, the planning commission, upon a finding that an existing street name conflicts with or duplicates another existing street name thereby causing confusion as to the exact location of either street, shall officially rename the street(s) in accordance with KPB 14.10.040; and

WHEREAS, due deference will be given to local or historic acceptance of existing street names to the extent possible; and

WHEREAS, all unnamed streets that have been recognized as public rights-of-way by reason of a previously filed subdivision plat or other recorded document shall be officially named by the planning commission; and

WHEREAS, on April 24, 2023 public hearings were held by the Kenai Peninsula Borough Planning Commission to address all concerns about the proposed public road renaming and the naming of an unnamed section line easement; and

WHEREAS, Chapter 14.10 of the Kenai Peninsula Borough Code of Ordinances authorizes the Planning Commission to accomplish naming and renaming by Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH:

Section 1. That the road and section line easement listed below are named as follows:

DESCRIPTION	FROM	TO	BASE MAP
a. Deneki Trail originally named by plat HM 73-638, The James Thomas Oliver Homestead, Sections 05 and 06, T06S, R14W, Seward Meridian, Kenai Peninsula Borough, AK; in the Anchor Point Community; ESN 202	Deneki Trail	Virginia Ave	AR67
b. An unnamed 33' section line easement, US Patent 1232417, Section 05, T06S, R14W, Seward Meridian, Kenai Peninsula Borough, AK; in the Anchor Point Community; ESN 202	Unnamed SLE	Virginia Ave	AR67

Section 2. That according to Kenai Peninsula Borough Code of Ordinance 14.10.030, the official street name map, 1:500 scale series base map Anchor River 67, is hereby amended to reflect these changes.

Section 3. That the map showing the location of the renamed public road and named section line easement be attached to, and made a permanent part of this resolution.

Section 4. That this Resolution takes effect immediately upon adoption.

ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH THIS 24th DAY
OF APRIL 2023.

Jeremy L Brantley, Chairperson
Planning Commission
State of Alaska
Kenai Peninsula Borough

Signed and sworn to (or affirmed) in my presence this _____ day of _____ 2023 by
_____.

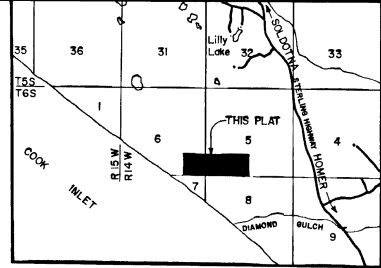
Notary Public

My Commission expires _____

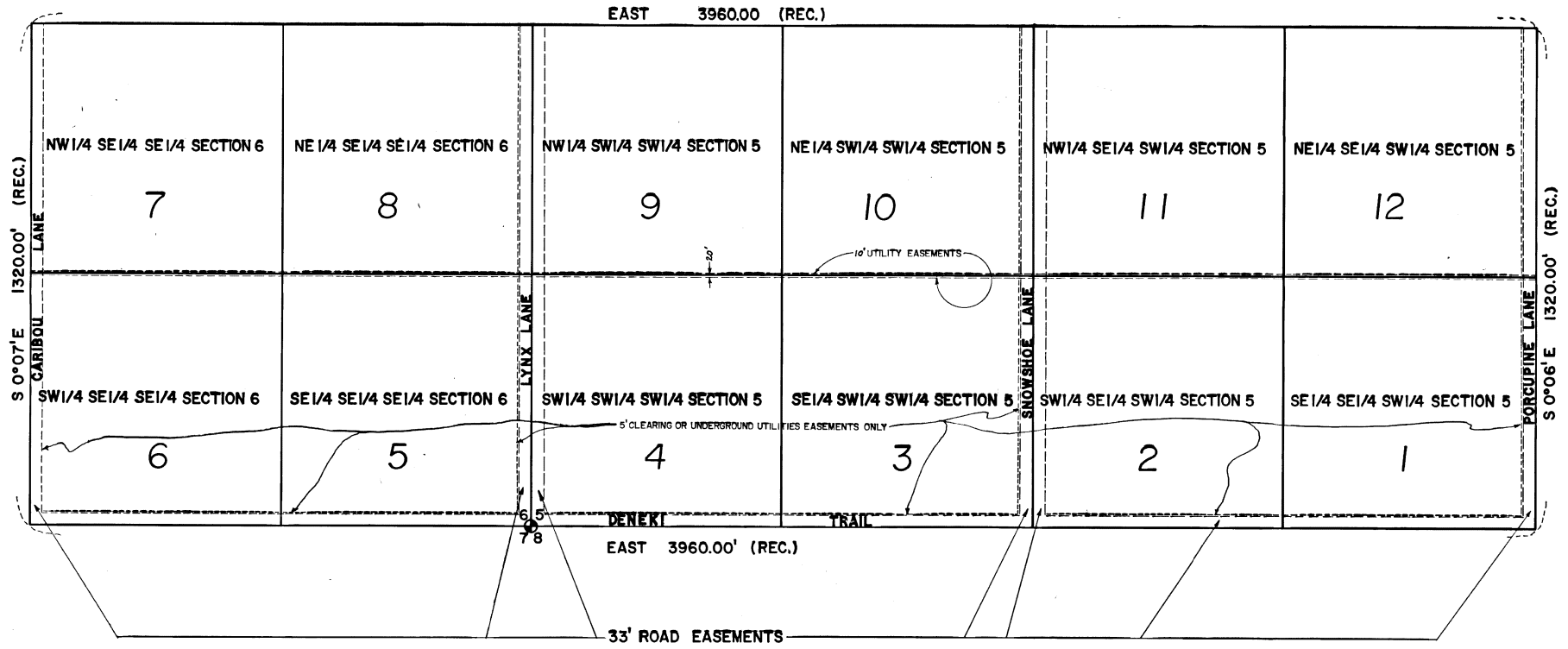


NOTE: NO FIELD SURVEY MADE THIS DATE.

40MER
Serial No. 73-638
FILED 27
Homer REC DIST
DATE 5-29-73
TIME 1:00 P.M.
Knaik G. Bird
Box 850
Seldovia



VICINITY MAP
1" = 1 MILE



PLAT APPROVAL
PLAT APPROVED BY THE COMMISSION THIS
5th DAY OF FEBRUARY 1973.
MAYOR

CERTIFICATE OF OWNERSHIP & DEDICATION
WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF
THE PROPERTY SHOWN AND DESCRIBED HEREON AND
THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION,
AND DEDICATE ALL STREETS, UTILITY EASEMENTS
AND OTHER OPEN SPACES TO PUBLIC USE.
DATE April 26 1973.
James T. Oliver Betty Coleen Oliver
JAMES THOMAS OLIVER BETTY COLEEN OLIVER
ST. RTE. A, BOX 441 ST. RTE. A, BOX 441
ANCHORAGE, ALASKA ANCHORAGE, ALASKA
99502 99502

STATE OF ALASKA
THIRD JUDICIAL DISTRICT SS
ON THIS 26th DAY OF APRIL 1973, BEFORE ME, THE
UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF ALASKA,
PERSONALLY APPEARED JAMES T. OLIVER AND
BETTY COLEEN OLIVER TO ME KNOWN TO BE THE PERSONS
DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFI-
CATE OF OWNERSHIP AND DEDICATION AND ACKNOWLEDGED
TO ME THAT THEY EXECUTED THE SAME AS THEIR FREE AND
VOLUNTARY ACT.
WITNESS MY HAND AND OFFICIAL SEAL THE DAY, MONTH AND
YEAR HEREINABOVE WRITTEN.
Mary L. Wilson
NOTARY PUBLIC FOR ALASKA
11/24/74
MY COMMISSION EXPIRES

THE
JAMES THOMAS OLIVER
HOMESTEAD 120 ACRES±
S1/2, SW1/4, SECTION 5 & SE1/4, SE1/4, SECTION 6,
TOWNSHIP 6 SOUTH, RANGE 14 WEST, SEWARD MERID.
SCALE: 1"=200' DECEMBER 1972 DRAWN BY: S.I.L.
ALASKA PLANNERS, ENGINEERS & SURVEYORS
7337 OLD SEWARD HIGHWAY 344-1310
ANCHORAGE, ALASKA 99502

Anchorage 048689

The United States of America

To all to whom these presents shall come, Greeting:

HOMERSerial No. 63-710

WHEREAS, a certificate of the Land Office at Anchorage, Alaska, is now deposited in the Bureau of Land Management, whereby it appears that pursuant to the act of Congress of May 20, 1862 (12 Stat. 392),

and the acts supplemental thereto, the claim of Lloyd L. Sells

has been established and that the requirements of law pertaining to the claim have been met, for the following described land:

Seward Meridian, Alaska.

T. 6 S., R. 14 W.,

Sec. 5, NWSE $\frac{1}{4}$.

The area described contains 80 acres, according to the official plat of the survey of the said land, on file in the Bureau of Land Management:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, DOES HEREBY GRANT unto the said claimant and to the heirs of the said claimant the tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to (1) any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and (2) the reservation of a right-of-way for ditches or canals constructed by the authority of the United States, in accordance with the act of August 30, 1890 (26 Stat. 891, 43 U. S. C. sec. 945). There is also reserved to the United States a right-of-way for the construction of railroads, telegraph and telephone lines, in accordance with section 1 of the act of March 12, 1914 (38 Stat., 305, 48 U. S. C. sec. 505).

Excepting and reserving, also, to the United States all the coal, oil and gas in the lands so patented, and to it, or persons authorized by it, the right to prospect for, mine and remove such deposits from the same upon compliance with the conditions and subject to the provisions and limitations of the Act of March 8, 1922 (42 Stat. 415). As to the NWSE $\frac{1}{4}$ said Sec. 5, this entry is made under Section 29 of the Act of February 25, 1920 (41 Stat. 437), and the Act of March 4, 1933 (47 Stat. 1570), and the patent is issued subject to the rights of prior permittees or lessees to use so much of the surface of said lands as is required for mining operations, without compensation to the patentee for damages resulting from proper mining operations.

RECORDED - FILED	
<i>Homer</i> REC. DIST.	
DATE	<u>8-7</u> 19 <u>63</u>
TIME	<u>10:25</u> A.M.
Requested by	<u>Lloyd L. Sells</u>
Address	<u>Homer, Alaska</u>

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat., 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the TWENTY-SIXTH day of JUNE in the year of our Lord one thousand nine hundred and SIXTY-THREE and of the Independence of the United States the one Hundred and EIGHTY-SEVENTH.

For the Director, Bureau of Land Management.

By Elizabeth B. Hicks
Chief, Patents Section.

Patent Number 1232417

CP03200R Bureau of Land Management - Alaska LIS 14-May-09
 Adm-State: AK Case Abstract for: AKA 048689 Page 1

Case Serial Num: AKA 048689 FRC Site Code: SEA
 Case Type: 256700 He Alaska Accession Num: 06-1963
 Case Status: Closed Box Num: of
 Case Status Actn: Case Closed Disp Date:
 Case Status Date: 26-JUN-1963 Location Code: 20409

 Customer Data
 Custid: 000024045 Int Rel: Applicant Pct Int: .00000
 Cust Name: SELLE LLOYD L
 Cust Address: STAR ROUTE
 HOMER AK 99603

Administrative/Status Action Data					
Date	Code/Description	Remarks	Doc Id	Ofc	Emp
28-APR-1959	001	Application Filed		AJA	LH
14-MAY-1959	906	Location Date		AJA	LH
22-SEP-1959	176	Authorization Issued		AJA	LH
13-NOV-1962	244	Final Proof Filed		AJA	LH
26-JUN-1963	879	Patent Issued	PA0001232417	PSA	MER
26-JUN-1963	970	Case Closed		AJA	LH
27-AUG-1992	996	Converted To Prime		940	BKM

 No Financial Actions Found

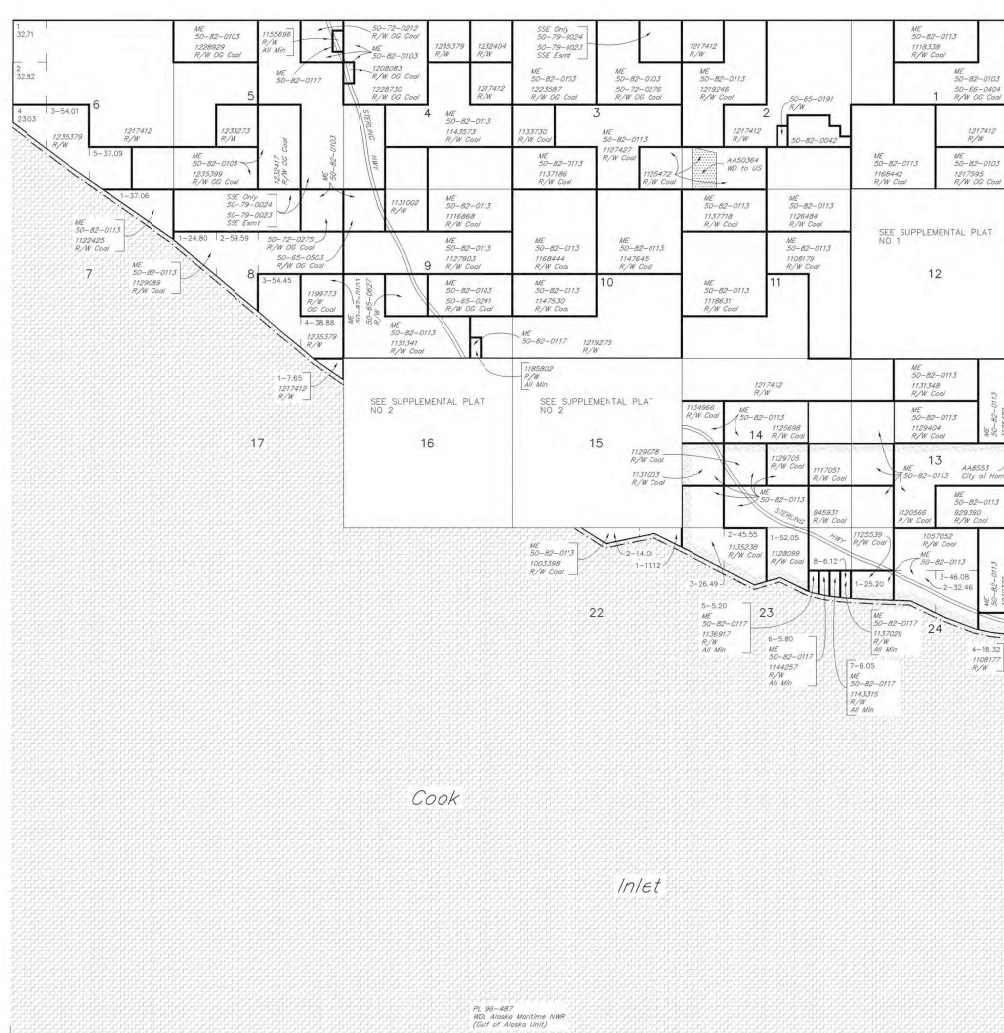
 No General Remarks Found

 No Geographic Names Found

Land Description													
Mr	Twp	Rng	Sec	Aliquot	Survey Id	Tr	Blk	Lot	Di	Bor	NR	LS	Acres
28	6S	14W	5	W2SE					04	122	07	PA	80.0000
Doc ID: PA0001232417					USR: 105 145 570 754							80.0000	
Patented:					80.0000		Conveyed Total:					80.0000	
Total Case Acres:												80.0000	

End of Case: AKA 048689

SURVEYED TOWNSHIP 6 SOUTH RANGE 14 WEST OF THE SEWARD MERIDIAN, ALASKA



Lat 59°41'26"N
Long 151°34'51"W

STATUS OF PUBLIC COMAIN
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.

PLG 5184 W/L CI affects Lds/Interests not conveyed

A058732 SS Reserved Min Estate Only

AA78552 Acq. Conservation Easmt affects:
Lots 1-44, Tracts A & B of the Twin Park
Subdivision All within Protracted sections 8 & 9.

AA80495 Acq. Conservation Easmt affects:
Sec 15, Lot 2, W/2SE1/4SE1/4
Sec 22, W/2 Lot 1, Lot2

Cook

Inlet

PL 80-487
ACS Alaska Maritime NWR
(Call of Alaska unit)

SCALE in chains
10 5 0 10 20 30 40 50 60

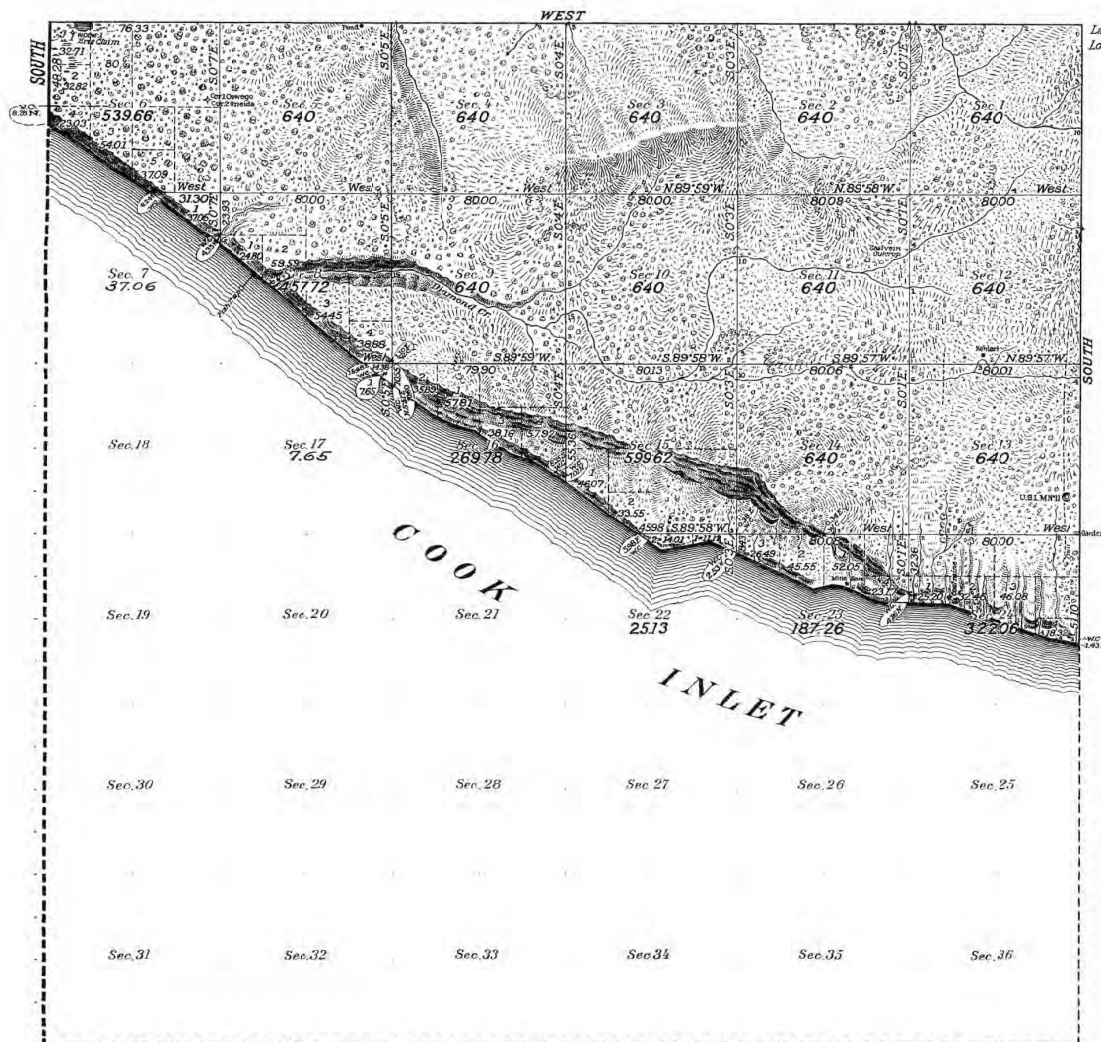
WARNING:
This plat is the Bureau's Record of Title, and should be used
only as a graphic display of the interests in the land. It
does not reflect title changes which may have been
effected by mineral interests of record or other forms of water.
Refer to the cadastral survey for official survey information.

CURRENT TO	Acq
7-3-2007	Sew Mer
	T 6 S
	R 14 W

(4-675a)

Township No 6 South, Range No 14 West of the Seward Meridian, Alaska.

Survey accepted G. L. O.
June 6, 1919



Lat. 59°41'26" N.
Long. 151°34'51" W.

Areas in Acres	
Public Land	9485.94
Indian Reservation	
Indian Allotments	
Mineral Claims	
Water Surface	
Total Area	9485.94

Scale 40 Chains to an inch

Magn. Magnetic Declination 24°10'E.

Surveys Designated	By Whom Surveyed	Group		Amount of Surveys			When Surveyed	
		No.	Date	Mls.	chs.	lks.	Began	Completed
East Boundary		7	June 1, 1917	3	51	10	June 24, 1917	Aug 12, 1917
North "	FW Williamson, U.S. Gen. Exp.	9	May 21, 1918	5	76	33	" 12, 1918	July 30, 1918
West "	Fred Dahlgren, U.S.T.	"	" " "	0	48	28	" 30, "	June 30, "
Subdivisions		7, 9	" " "	24	62	55	Aug 6, 1917	Aug 6, "
Meanders		"	" " "	6	71	81	" " "	" " "

The above map of Township No. 6 South, Range No 14 West of the Seward Meridian, Alaska, is strictly conformable to the field notes of the survey thereof on file in this office, which have been examined and approved

U. S. Surveyor General's Office.
Juneau, Alaska, May 17, 1919

Charles E. Anderson
Surveyor General.

SEC 5 TOWNSHIP 6S RANGE 14W OF THE SEWARD MERIDIAN, ALASKA

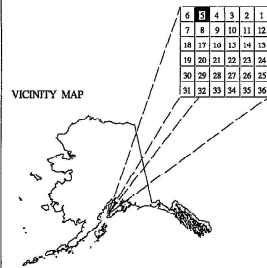
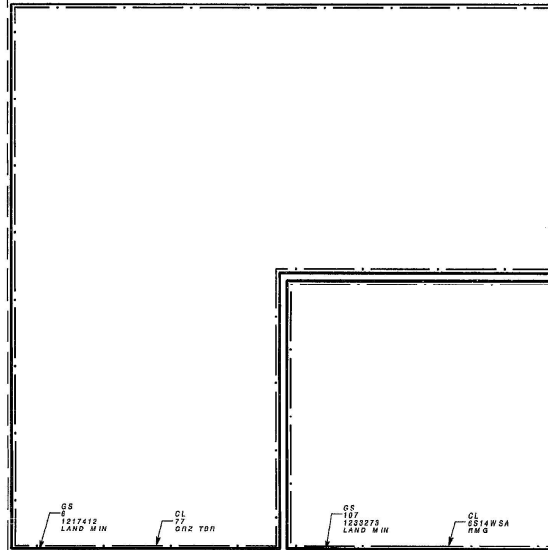
LEGEND

BASE INFORMATION

- HYDROGRAPHY
- SURVEY LINE
- SURVEY LOT LINE
- TOWNSHIP/SECTION GRID
- 1/4 SECTION LINE
- HIGHWAY
- ROAD
- TRAIL
- RAILROAD
- ELECTRICAL POWER LINE
- TELEPHONE LINE
- PIPELINE
- AIRPORT/LANDING STRIP
- HORIZONTAL CONTROL
- CONTROL MONUMENT

STATUS INFORMATION

- TITLE
- BOUNDARY
- CLASSIFICATION
- DISPOSAL
- MUNICIPAL
- RESTRICTION
- FEDERAL ACTION
- MENTAL HEALTH TRUST
- LIMITS OF ACTION
- NAVIGATIONAL AIDE
- CABIN PERMIT
- TRAPPING CABIN PERMIT
- TRESPASS LOCATION



AN INDEX OF STATUS PLAT ABBREVIATIONS
IS INCLUDED WITH EACH APERTURE CARD
SET OF STATE STATUS PLATS.



LAND ESTATE

GRAPHIC ILLUSTRATION ONLY. SOURCE DOCUMENTS REMAIN THE OFFICIAL RECORD

THE STATE OWNS ALL LAND UNDER WATERS THAT ARE NAVIGABLE-
IN-FACT, ARE SUBJECT TO THE SUB AND FLOW OF THE TIDES, OR
ARE RIPARIAN OR LITTORAL TO UPLANDS OWNED BY THE STATE.

BASED ON:

COORDINATES:
ALASKA STATE PLANE ZONE 4
SE CORNER OF TOWNSHIP:
X 2091600
Y 2031033.70
LAT 59 26 24.316 N
LONG 151 34 11.882 W

HYDROGRAPHY:
USGS SELDOVA (C3) REVISED BY BLM FROM AERIAL HIGH
ALTITUDE PHOTOGRAPHY 1978-1983

LAND NET:
ADL PROTRACTION DIAGRAM S16-5; APPROVED 08/30/1963
USRS 9,483.94 ACRES; APPROVED 05/17/1919
USRS SUPPLEMENTAL PLAT OF SECTION 23; ACCEPTED 05/26/1952
USRS DEFENDENT RESURVEY AND SUBDIVISION OF SECTION 12
ACCEPTED 12/03/1953
ITS 012, FILED 10/13/1977
EV 2-3; APPROVED 07/07/1975
EV 2-56; FILED 04/01/1980
EV 2-96; FILED 08/28/1980
EV 2-114; FILED 11/01/1980
EV 2-417; FILED 06/24/1988
EV 2-485; FILED 12/03/1991
EV 2-347; WIN SECTION 9 ONLY; RECORDED 06/28/1994

OTHER ACTIONS AFFECTING DISPOSAL OR USE OF STATE LANDS;
SEE THE LAS CASEFILE OR ORIGINAL SOURCE DOCUMENTS FOR
ADDITIONAL INFORMATION.

ENTIRELY WITH HOMER RECORDING DISTRICT
ENTIRELY WITH KENAI PENINSULA BOROUGH
ADL 32359; CITY OF HOMER, CORPORATE BOUNDARY PER
CERTIFICATE DATED 11/04/1986
ADL 32746; SPT 860 EXCLUDING A 400 FEET WIDE CORRIDOR
EMBRACING BRIDGE CREEK AND A TRIBUTARY OF ANCHOR RIVER
AS 38.05.184; KACHEMAK BAY OIL AND GAS CLOSURE;
STATE-OWNED LAND AND WATERS SEAWARD OF THE MEAN
HIGHER HIGH WATER LINE
AS 16.03.290; KACHEMAK BAY CRITICAL HABITAT AREA;
ONLY TIDAL AND SUBMERGED LAND AND WATERS

ATTENTION: WATER ESTATE USERS

WATER ESTATE SUPPLEMENTALS FOR SECTIONS 6, 8, 17 AND 22
HAVE NO ACTIONS AND WERE NOT CREATED.

ATTENTION: MENTAL HEALTH LAND INFORMATION

SHADED AREAS (SEE LEGEND) - DESIGNATED
MENTAL HEALTH TRUST LAND PURSUANT TO
SECTIONS 4 AND 5, CHAPTER 1, SSIA 1994.
CONSULT LAS FOR FURTHER INFORMATION.

ORIGINAL MENTAL HEALTH TRUST LAND (MHT) NOT
SHOWN AS MENTAL HEALTH TRUST LAND IS
RETRIBUTED AS GENERAL GRANT LAND
PURSUANT TO SECTIONS 6 AND 7, CHAPTER 1,
SSIA 1994. CONSULT LAS FOR FURTHER
INFORMATION.

ATTENTION STATUS PLAT USERS: ON THIS PLAT, ALL STATUS
LINES CLOSE FOR ACTIONS THAT EXTEND INTO ADJACENT TOWNSHIPS;
THIS INCLUDES STATUS LINES SUCH AS DISPOSAL, MUNICIPAL, TITLE,
CLASSIFICATION, ETC. PLEASE REFER TO ADJACENT TOWNSHIPS OR LAS
TO DETERMINE IF ACTIONS EXTEND BEYOND THE BOUNDARIES SHOWN ON
THIS PLAT. REMEMBER TITLE, CLASSIFICATION, AND RESTRICTION LINES
ALWAYS CLOSE ON ALL PLATS.



A PRODUCT OF THE
STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
LAND RECORDS INFORMATION SECTION

SEC 5
LE
TWP 6S
RNG 14W
SM

BY: MP QUALITY CONTROL CHECKED
DATE: 9/19/96

USERNAME: mla

DATE: 16 Sep 96 17:31:56 Monday

LOCATION: /net/mercury/mercury/plots/0006014w_00002/plots

Ac/INFO 7.0.1, Pre-Release (Thu Jun 16 22:18:54 PDT 1994)

Tue 3/21/2023 10:59 AM

Cicciarella, Bob

Re: KESA - proposed SLE and street naming resolution

To: Robinson, Celina

Cc: Griebel, Scott

Sounds good to go!

Sent from my iPhone

On Mar 21, 2023, at 9:33 AM, Robinson, Celina <CRobinson@kpb.us> wrote:

Hello,

It was recently requested of the Planning Department to propose the renaming of a section line easement and street within the KESA response area; the street was constructed last year, and is contiguous with an already-established and Borough maintained street that connects to the Sterling Highway. We'd like to rename the SLE and newly-constructed street in order to avoid confusion during emergency response.

I've attached an aerial photo of the area with the SLE/street to be renamed marked. Please let me know if you have any comments, and these will be included in the Planning Commission's packet.

Celina Robinson
GIS Specialist
(907) 714-2221

Tue 3/21/2023 9:44 AM

Griebel, Scott

RE: KESA - proposed SLE and street naming resolution

To: Robinson, Celina; Ciciarella, Bob

No RSA comments.

Scott Griebel, KPB RSA Director

From: Robinson, Celina <CRobinson@kpb.us>

Sent: Tuesday, March 21, 2023 9:33 AM

To: Ciciarella, Bob <bCiciarella@kpb.us>; Griebel, Scott <SGriebel@kpb.us>

Subject: KESA - proposed SLE and street naming resolution

Hello,

It was recently requested of the Planning Department to propose the renaming of a section line easement and street within the KESA response area; the street was constructed last year, and is contiguous with an already-established and Borough maintained street that connects to the Sterling Highway. We'd like to rename the SLE and newly-constructed street in order to avoid confusion during emergency response.

I've attached an aerial photo of the area with the SLE/street to be renamed marked. Please let me know if you have any comments, and these will be included in the Planning Commission's packet.

Celina Robinson

GIS Specialist

(907) 714-2221

KENAI PENINSULA BOROUGH
144 North Binkley Street
Soldotna, Alaska 99669

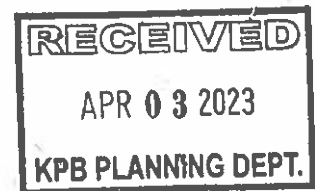


PUBLIC RECORDS LAW DISCLOSURE: This email and responses to this email may be subject to provisions of Alaska Statutes and may be made available to the public upon request.

March 30, 2023

Addressing

Kenai Peninsula Borough Planning Department
144 N. Binkley Street
Soldotna, AK 99669



In re: Kenai Peninsula Borough Planning Commission Notice of Public Hearing to Rename a Street and Name an Unnamed Section Line Easement

To Whom It May Concern:

The Knapp Family Trust owns six parcels in the James Thomas Oliver Subdivision; I am one of the two trustees of the Knapp Family Trust. As owners in the area, we have no objection to renaming Deneki Trail and the unnamed portion of the Section Line Easement to Virginia Avenue. This renaming is only logical.

We do take issue with an implicit assumption of sovereignty associated with the wording of the notice, and with several inaccuracies in the wording of the notice you presented.


- 1) The initial paragraph begins as follows: "Public notice is hereby given that the Planning Department proposes the renaming of a public road, and the renaming of an unnamed Section Line Easement, in the Anchor Point area for emergency services purposes.". There is no basis for calling this a "public road".
 - a) When we purchased these parcels, there was no access to them. As my wife and I and our daughter's family desire to build and live on these parcels, I initiated plans to provide access, sought and received permits to construct a driveway, and contracted for and paid for construction of said driveway access to our properties.
 - b) As permitted and constructed, this driveway access does not constitute a "public road": it is a driveway. It has only a single lane of travel and does not meet the definition of a Borough Standard Road in its design, construction, or intent. (See point 2.a. below for additional information.)
 - c) We feel that designating this driveway as a "public road" invites non-resident traffic use. Non-residents have no access to any public property beyond the end of the pre-existing gravel driveway that extends approximately 500 feet west from the intersection of Denny Lane and Virginia Avenue. Beyond that point, there are no turnarounds nor parking available to non-residents.
- 2) Two major items are inaccurately stated in the "Reason for Renaming" that was provided in your notice of public hearing, which reads as follows: "Deneki Trl was recently constructed (two-lane gravel road) to the intersection of Lynx Ln, and connects to Virginia Ave via an unnamed Section Line Easement. Virginia Ave connects to the Sterling Hwy, and signage for Virginia Ave exists at that intersection."

- a) As stated above, the improvements mentioned were not completed to Borough Standard and do not constitute a “two-lane road”. Instead, they were completed as permitted by both the KPB Road Service Area and the US Army Corps of Engineers as a single lane driveway that was not designed nor completed to KPB Standard:
 - i) On 2/11/2022, we received authorization to construct a proposed driveway crossing wetlands under the jurisdiction of the US Army Corps of Engineers, identified as File Number POA-2021-00536. This permit described the road as it was to cross both upland (non-wetland) and wetland areas. The design was prescribed by the USACE to comprise only a 12’ travel-way of a driveway of up to 24” depth, without disturbance of underlying materials in wetland areas. This permit was signed by Regulatory Specialist Andrew Gray.
 - ii) On 3/23/2022, we received R.O.W. Permit – Project Specific # 22-024P from the KPB Road Service Area, permitting us to construct a “road” that was to be completed “Not to KPB Standard”, with overall base width of 15’ and of approximately 5,500 linear feet. This permit was contingent upon obtaining the above mentioned permit from the USACE, and was signed by Inspector Tammaron Baxter.
 - iii) Construction of this single-lane driveway was completed on 3/14/2023 and certification of completion was sent to the USACE, as required.
- b) The driveway we built did not extend to the intersection of Deneki Trail and Lynx Lane, as stated. The driveway extends only to the intersection of Deneki Trail and Marmot Street. There was never any intent to extend the driveway to Lynx Lane, it was never proposed in any application, and no improvements were made on Deneki Trail beyond the intersection of Marmot Street.

Summary and Recommendation:

1. We do not object to renaming the improvements along the un-named Section Line Easement and Deneki Trail to Virginia Avenue.
2. We object to characterizing these improvements as a “public road” and the implication that it provides Borough-Standard Road capabilities and services.
3. We object to the stated termination of the improvements as being at Lynx Lane.
4. Due to the above-stated reasons, this driveway cannot be classified as a publicly accessible, Borough-standard road. Therefore, we request that the Borough place signage at the intersection of Denny Lane and Virginia Avenue, designating the termination of Borough maintenance and that there is no outlet nor turnaround available beyond the signs.

Respectfully,



Charles M. Knapp

Trustee

40705 Old Sterling Highway
Anchor Point, AK 99556



Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

Peter Micciche
Borough Mayor

KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF PUBLIC HEARING TO RENAME A STREET AND NAME AN UNNAMED SECTION LINE EASEMENT

Public notice is hereby given that the Planning Department proposes the renaming of a public road, and the naming of an unnamed section line easement, in the Anchor Point area for emergency service purposes. Area under consideration is described as follows:

- A. **Location:** Deneki Trl, Sections 5 and 6, and unnamed section line easement, Section 5, T06S, R14W, Seward Meridian, Kenai Peninsula Borough, AK; in the Anchor Point Community, ESN 202.

Reason for Renaming: Deneki Trl was recently constructed (two-lane gravel road) to the intersection with Lynx Ln, and connects to Virginia Ave via an unnamed section line easement. Virginia Ave connects to the Sterling Hwy, and signage for Virginia Ave exists at that intersection.

Proposed Name: VIRGINIA AVE

The location of the proposed street renaming is provided on the attached map. Public hearing will be held by the Kenai Peninsula Borough Planning Commission on **Monday, April 24, 2023**, commencing at **7:30 p.m.**, or as soon thereafter as business permits. The meeting is being held in person at the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 N. Binkley Street, Soldotna, Alaska and remotely through zoom.

To attend the meeting using Zoom from a computer, visit <https://us06web.zoom.us/j9077142200>. You may also connect to Zoom by telephone, by calling toll free **1-888-788-0099** or **1-877-853-5247**. If calling in you will need the Meeting ID of 907 714 2200. Additional information about connecting to the meeting may be found at <https://www.kpb.us/planning-dept/planning-commission>.

Anyone wishing to testify may attend the meeting in person or through Zoom. Written testimony may be submitted by email to addressing@kpb.us, or mailed to the attention of Addressing, Kenai Peninsula Borough Planning Department, 144 N. Binkley Street, Soldotna, Alaska 99669. [Written comments may also be sent by Fax to 907-714-2378.] All written comments or documents must be submitted by **1:00 PM, Friday, April 21, 2023**. The deadline to submit written comments or documents does not impact the ability to provide verbal testimony at the public hearing.

PLEASE NOTE: Upon adoption of a street name change resolution, no reapplication or petition concerning the name of the same street may be filed within one calendar year of the final adoption, except in the case where new evidence or circumstances exist that were not available, present or reasonably ascertainable when the original resolution was adopted (KPB 14.10.050).

PARCEL_ID	LEGAL	OWNER	ADDRESS	CITY STATE ZIP
17302103	T 6S R 14W SEC 5 SEWARD MERIDIAN HM S1/2 NW1/4 & N1/2 SW1/4	ALASKA STATE D N R	550 W 7TH AVE STE 650	ANCHORAGE, AK 99501
17302110	T 6S R 14W SEC 5 SEWARD MERIDIAN HM W1/2 SE1/4	THOMPSON LINDA K TRUST	PO BOX 1918	HOMER, AK 99603
17302112	T 6S R 14W SEC 4 SEWARD MERIDIAN HM W1/2 SW1/4 PORTION LYING W OF STERLING HWY	SELDOVIA NATIVE ASSN INC	800 E DIMOND BLVD STE 3-640	ANCHORAGE, AK 99515
17302311	T 6S R 14W SEC 8 SEWARD MERIDIAN HM 0950001 TULIN PARK LOT 17	ALASKA STATE D N R	550 W 7TH AVE STE 650	ANCHORAGE, AK 99501
17341002	T 6S R 14W SEC 5 SEWARD MERIDIAN HM 0730638 JAMES THOMAS OLIVER HOMESTEAD SUB LOT 1	KELLY BRIAN J	446 ELDERBERRY CT	HOMER, AK 99603
17341010	T 6S R 14W SEC 6 SEWARD MERIDIAN HM 0730638 JAMES THOMAS OLIVER HOMESTEAD SUB LOT 5	KNAPP FAMILY TRUST	PO BOX 222	ANCHOR POINT, AK 99556
17341012	T 6S R 14W SEC 6 SEWARD MERIDIAN HM 0730638 JAMES THOMAS OLIVER HOMESTEAD SUB LOT 7	KNAPP FAMILY TRUST	PO BOX 222	ANCHOR POINT, AK 99556
17346003	T 6S R 14W SEC 4 SEWARD MERIDIAN HM 0742239 BELNAP SUB UNIT 1 BLK 3 TRACT 6	LEES MATTHEW ROBERT	40487 BELNAP DR	HOMER, AK 99603
17347007	T 6S R 14W SEC 4 SEWARD MERIDIAN HM 0742239 BELNAP SUB UNIT 1 BLK 1 TRACT 1	CUNNINGHAM SAMANTHA ASHTON LIVING TRUST	PO BOX 1907	HOMER, AK 99603
17347010	T 6S R 14W SEC 4 SEWARD MERIDIAN HM 0742502 OVERSON SUB TRACT 2	OLSEN RONALD G	PO BOX 3273	HOMER, AK 99603
17347015	T 6S R 14W SEC 4 SEWARD MERIDIAN HM 0760042 BELNAP SUB UNIT 3 BLK 1 TRACT 11	JANSMA MICHAEL	1462 EXCALIBER DR	CLEARWATER, FL 33764

SN2023-03_ParcelsNotified