

C. CONSENT AGENDA

***C3. April 24, 2023 Plat Committee Meeting Minutes**

Kenai Peninsula Borough

Plat Committee

Betty J. Glick Assembly Chambers, Kenai Peninsula Borough George A. Navarre Administration Building

April 24, 2023
6:30 PM
UNAPPROVED MINUTES

A. CALL TO ORDER

Commissioner Gillham called the meeting to order at 6:30 p.m.

B. ROLL CALL

Plat Committee Members/Alternates

Pamela Gillham, District 1 – Kalifornsky
Michael Horton, District 4 - Soldotna
Troy Staggs, City of Seward
Franco Venuti, City of Homer

Staff Present

Robert Ruffner, Planning Director
Walker Steinhage, Deputy Borough Attorney
Vince Piagentini, Platting Manager
Julie Hindman, Platting Specialist
Madeleine Quainton, Platting Technician
Ann Shirnberg, Planning Administrative Assistant

With 4 members of a 4-member committee in attendance, a quorum was present.

C. APPROVAL OF AGENDA, EXCUSED ABSENCES, AND MINUTES

- *3. Approval of Minutes
 - a. April 10, 2023 Plat Committee Meeting Minutes

- *4. Grouped Plats

- 3. Harlie A. Fellers Subdivision 2023 Replat: KPB File 2023-037
 - 5. Waterman Spring Replat 2023; KPB File 2023-039
 - 6. Jelinek Subdivision; KPB File 2023-035

Staff report by Platting Manager Vince Piagentini..

Staff has grouped the following plats located under **AGENDA ITEM E**. They are grouped as simple or non-controversial. The type of plats grouped are lot splits, creating a small number of lots, replats, no exceptions required and no public comments were received. – 3 Plat

Staff recommends the committee determine whether any members of the public, surveyors or committee members wish to speak to any of the plats in this group and remove the specific plats from the group, voting on the remainder of plats in the group in a single action to grant preliminary approval to the plats subject to staff recommendations and the conditions noted in the individual staff reports.

END OF STAFF REPORT

Chair Gillham asked Ms. Shirnberg to read the consent agenda items into the record.

Chair Gillham asked if anyone from the public wished to speak to any of the items under the consent agenda. Hearing no one wishing to comment discussion was opened among the commission

MOTION: Commissioner Horton moved, seconded by Commissioner Staggs to approve the agenda, the April 10, 2023 Plat Committee meeting minutes and grouped plates based on staff recommendations and compliance to borough code.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE

Yes- 4	Gillham, Horton, Staggs, Venuti
Absent - 0	

D. OLD BUSINESS – None

E. NEW BUSINESS

Chair Gillham ask Administrative Assistant Shirnberg to read the planning commission public hearing procedures into the record.

ITEM 1 – TROUT VIEW SUBDIVISION

KPB File No.	2022-127
Plat Committee Meeting:	April 24, 2023
Applicant / Owner:	Alaska Mental Health Trust Authority of Anchorage, AK
Surveyor:	Taylor Moore / Kuna Engineering
General Location:	Browns Lake Road, Funny River, Funny River APC

Parent Parcel No.:	066-321-34
Legal Description:	Government Lot 5 in Section 29, Township 5 North, Range 8 West
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

Staff report given by Platting Manager Vince Piagentini.

Chair Gillham opened the item for public comment.

Brian Schroyer, Kuna Engineering, 4300 B Street, Suite 605, Anchorage, AK 99503: Mr. Schroyer was a surveyor on this project and made himself available for questions. Mr. Schroyer spoke in favor of approving the exception request.

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

MOTION: Commissioner Staggs moved, seconded by Commissioner Venuti to grant the exception request to KPB 20.40.010 – Wastewater Disposal.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MOTION FAILED BY MAJORITY VOTE

No- 3	Gillham, Horton, Venuti
Yes - 1	Staggs

MOTION: Commissioner Horton moved, seconded by Commissioner Venuti to attach findings 5-11 from the staff report in support of the denial.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE

Yes- 4	Gillham, Horton, Staggs, Venuti
Absent - 0	

ITEM 2 – FOREST TRAILS SUBDIVISION

KPB File No.	2023-038
Plat Committee Meeting:	April 24, 2023
Applicant / Owner:	Delta JL, LLC of Fort Lauderdale, Florida
Surveyor:	Kenton Bloom / Seabright Survey and Design
General Location:	Near mile one of East End Road, Homer
Parent Parcel No.:	179-030-21
Legal Description:	A portion of the NE¼ SW¼, T6S R13W S16, excepting therefrom that portion conveyed to State of Alaska DOT & PF by warranty deed Book 315 Page 496 HRD
Assessing Use:	Residential
Zoning:	Rural Residential
Water / Wastewater	City

Staff report given by Platting Manager Vince Piagentini.

Chair Gillham opened the item for public comment.

Nicholas Botkin, 955 Willow Drive, Homer, AK 99603: Mr. Botkin is the applicant and made himself available for questions.

Joel Cooper, Kachemak Heritage Land Trust; 315 Klondike Avenue, Homer, AK 99603: Mr. Cooper requested that a pedestrian easement be granted on this plat.

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

Commissioner Venuti informed Chair Gillham that he had voted on this matter in his position as a planning commissioner for the City of Homer and requested to be recused. Chair Gillham approved his request.

MAIN MOTION: Commissioner Staggs moved, seconded by Commissioner Horton to grant preliminary approval to Forest Trails Subdivision, based on staff recommendations and compliance to borough code and adopting and incorporating by reference the staff report and staff recommendations.

EXCEPTION REQUEST: Commissioner Staggs moved, seconded by Commissioner Horton to grant the exception request to KPB 20.30.130(A) – Streets - Curve Requirements, citing findings 1-4, & 7-9 in support of standards one and two, and finding 1-4 & 7-10 in support of standard three.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

EXCEPTION REQUEST MOTION PASSED BY UNANIMOUS VOTE

Yes- 3	Gillham, Horton, Staggs
Recused - 1	Venuti

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MAIN MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes- 3	Gillham, Horton, Staggs
Recused - 1	Venuti

ITEM 3 - HARLIE A. FELLERS SUBDIVISION 2023 REPLAT

KPB File No.	2023-037
Plat Committee Meeting:	April 24, 2023
Applicant / Owner:	Kasilof Community Church Inc of Kasilof, Alaska and Steinbeck, Inc of Kenai, Alaska
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Sterling Highway, Pollard Loop Road, Mercantile Avenue, Kasilof
Parent Parcel No.:	133-120-58, 133-240-06, 133-410-08, and 133-410-23
Legal Description:	Tract B Harlie A. Fellers Subdivision KN 78-31 Tract A Pollard Tract A Subdivision KN 85-237 Lot A-G Kasilof Community Church KN 87-80 SE ¼ NW ¼ Section 30, portion lying south east of the Sterling Highway
Assessing Use:	Residential, Institutional Church, and Commercial
Zoning:	Rural Unrestricted
Water / Wastewater	On site

**Passed Under Grouped Plats Under The Consent Agenda*

ITEM 4 – RIGHT-OF-WAY ACQUISITION PARK ROAD KPB 2023-033

KPB File No.	2023-033
Plat Committee Meeting:	April 24, 2023
Applicant / Owner:	Louis and Stacy Oliva of Nikiski, Alaska
Surveyor:	James Hall / McLane Consulting Inc
General Location:	Park Road, Nikiski, Nikiski APC
Parent Parcel No.:	013-410-69
Legal Description:	Government Lot 17 of Section 34 Township 08N Range 11W

Staff report given by Platting Manager Vince Piagentini.

Chair Gillham opened the item for public comment.

James Hall, McLane Consulting Inc.; P.O. Box 468, Soldotna, AK 99669: Mr. Hall is the surveyor on 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.

MOTION: Commissioner Horton moved, seconded by Commissioner Staggs to postpone action on this item until the May 22, 2023 Planning Commission meeting. .

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MOTION PASSED UNANIMOUS VOTE

Yes- 4	Gillham, Horton, Staggs, Venuti
Absent - 0	

ITEM 5 - WATERMAN SPRING REPLAT 2023

KPB File No.	2023-039
Plat Committee Meeting:	April 24, 2023
Applicant / Owner:	Gentian van de Werken of Homer, Alaska
Surveyor:	Gary Nelson / Ability Surveys
General Location:	Glacier View Road S, Fritz Creek, Kachemak Bay APC

Parent Parcel No.:	174-230-16
Legal Description:	Lot 2A, Waterman Spring Replat 2020 KN 2020-51
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

**Passed Under Grouped Plats Under The Consent Agenda*

ITEM 6 - JELINEK SUBDIVISION

KPB File No.	2023-035
Plat Committee Meeting:	April 24, 2023
Applicant / Owner:	Stephen Jelinek and Lesa Hall, Anchorage, Alaska
Surveyor:	John Segesser / Segesser Surveys Inc
General Location:	Kenai Spur Highway, Aspen Court, Spruce Grove Avenue, Nikiski, Nikiski APC

Parent Parcel No.:	012-210-19
Legal Description:	SE ¼ SE ¼ Township 07N Range 12W Section 10
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

**Passed Under Grouped Plats Under The Consent Agenda*

ITEM 7 – SUNSET VIEW ESTATES ADDITION NO 2

KPB File No.	2023-041
Plat Committee Meeting:	April 24, 2023
Applicant / Owner:	Don Rappe and Louis Oliva, Jr. of Nikiski, Alaska
Surveyor:	John Segesser / Segesser Surveys
General Location:	Sunset Street, Crestview Avenue, Nikiski, Nikiski APC

Parent Parcel No.:	013-200-85
Legal Description:	Tract A-1 Sunset View Estates Addition No 1 in NW1/4 NE1/4 Sec 06, T07N, R11W
Assessing Use:	Industrial Mining
Zoning:	Rural Unrestricted
Water / Wastewater	On site

Staff report given by Platting Manager Vince Piagentini.

Chair Gillham opened the item for public comment.

Stacy Oliva; P.O. Box 8567, Nikiski, AK 99635: Ms. Oliva is the landowner and let the committee know that they will be applying for a conditional land use permit on the prior existing gravel pit on the properties

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

MAIN MOTION: Commissioner Horton moved, seconded by Commissioner Staggs to grant preliminary approval to Sunset View Estates Addition No. 2, based on staff recommendations and compliance to borough code and adopting and incorporating by reference the staff report and staff recommendations.

EXCEPTION REQUEST: Commissioner Horton moved, seconded by Commissioner Staggs to grant the exception request to KPB 20.30.190 - Lot Dimensions (3:1 depth to width ratio for Tract A-2), citing findings 5-7 in support of standards one, two and three.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

EXCEPTION REQUEST MOTION PASSED BY UNANIMOUS VOTE

Yes- 4	Gillham, Horton, Staggs, Venuti
Absent - 0	

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MAIN MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes- 4	Gillham, Horton, Staggs, Venuti
Absent - 0	

F. PUBLIC COMMENT

Chair Gillham asked if there was anyone from the public who would like to comment on anything not appearing on the agenda. No one wished to comment

G. ADJOURNMENT

Commissioner Staggs moved to adjourn the meeting 7:16 P.M.

Ann E. Shirnberg
Administrative Assistant