

Kenai Peninsula Borough

Plat Committee

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

March 21 2022
6:00 PM
UNAPPROVED MINUTES

A. CALL TO ORDER

Chair Brantley called the meeting to order at 6:00 p.m.

B. ROLL CALL

Plat Committee Members/Alternates

Jeremy Brantley, District 5 - Sterling
Pamela Gillham, District 1 – Kalifornsky
Robert Ruffner, District 7 – Central
Franco Venuti, City of Homer

Staff Present

Julie Hindman, Platting Specialist
Ann Shirnberg, Planning Administrative Assistant

C. APPROVAL OF AGENDA, EXCUSED ABSENCES, AND MINUTES

*4. Grouped Plats

Staff report by Julie Hindman.

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. – 4 Plats

2. Playle Estates; KPB File 2021-159R1
Peninsula Surveying, LLC / Schilling, Playle & Bannock
Location: Jacque Street
Nikiski Area
4. Inglebrook 2022 Replat; KPB File 2022-021
Johnson Surveying / Daniels
Location: Sondra Avenue, Inglebrook Court & Missouri Street
Sterling Area
5. Katamar Subdivision 2022; KPB File 2022-020
Ability Surveys / Sookraj
Location: Iliamna Drive & Brown Drive
Diamond Ridge Area / Kachemak Bay APC
6. Tulin West Highlands Replat 2022; KPB File 2022-019
Ability Surveys / Green
Location: Joe Super Street
Diamond Ridge Area / Kachemak Bay APC

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 Brantley 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 Ruffner moved, seconded by Commissioner Gillham to approve the agenda 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	No	0
Yes	Brantley, Gillham, Ruffner, Venuti		

ITEM E2 - Playle Estates

**Passed by Grouped Plats Under the Consent Agenda*

KPB File No.	2021-159R1
Plat Committee Meeting:	March 21, 2022
Applicant / Owner:	Duane Bannock of Kenai, AK Michael Schilling of Kenai, AK Thomas Playle of Nikiski, AK
Surveyor:	Jason Schollenberg / Peninsula Surveying
General Location:	Jacque Street, Wik Lake, Nikiski
Parent Parcel No.:	013-212-48, 013-216-01, 013-216-02, 013-216-28, 013-216-29, and 013-216-30
Legal Description:	Lots 2, 3, and 4, Block 1 Thompson Homestead Happy Hollow Acres Plat No KN 84-274 Government Lots 4, 5, and 6 in Section 8 Government Lot 12 in Section 5
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

ITEM E4 - Inglebrook 2022 Replat

**Passed by Grouped Plats Under the Consent Agenda*

KPB File No.	2022-021
Plat Committee Meeting:	March 21, 2022
Applicant / Owner:	John and Norma Daniels of Soldotna, AK
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Missouri Street, Sterling
Parent Parcel No.:	063-018-13 & 063-018-14
Legal Description:	Lots 13 & 14, Block 1 Inglebrook Subdivision Plat No KN 86-50
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

ITEM E5 - Katamar Subdivision 2022

**Passed by Grouped Plats Under the Consent Agenda*

KPB File No.	2022-020
Plat Committee Meeting:	March 21, 2022
Applicant / Owner:	Jerome Sookraj of Homer, AL
Surveyor:	Gary Nelson / Ability Surveys
General Location:	Brown Drive, Diamond Ridge Area / Kachemak Bay APC

Parent Parcel No.:	173-570-26
Legal Description:	Lot 14, Block 1 Katamar Subdivision Plat No HM 76-65
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

ITEM E6 - Tulin West Highlands Replat 2022

**Passed by Grouped Plats Under the Consent Agenda*

KPB File No.	2022-019
Plat Committee Meeting:	March 21, 2022
Applicant / Owner:	Kathleen and Todd Green of Homer, AK
Surveyor:	Gary Nelson / Ability Surveys
General Location:	Diamond Ridge / Kachemak Bay
Parent Parcel No.:	173-035-10 & 173-035-11
Legal Description:	Tracts 10 and 11, Tulin West Highlands Subdivision Plat No HM 2002-6
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

Chair Brantley asked Ms. Shirnberg to read into the record the procedure & rules for planning commission hearings.

E. NEW BUSINESS

ITEM E1 - Clan Maxwell Estates Woodland Hollow Addition

KPB File No.	2022-017
Plat Committee Meeting:	March 21, 2022
Applicant / Owner:	Robert J Cutler of Anchorage, AK Maxwell Enterprises LLC of Seattle, WA
Surveyor:	Ken Lang / Lang & Associates, Inc
General Location:	Big Bear Circle, Bear Creek
Parent Parcel No.:	144-010-66 and 144-010-73
Legal Description:	Tract 2D Clan Maxwell Estates Avalon Heights Addn #4 Plat SW 2018-05 Tract 3A Clan Maxwell Estates Woodland Hollow Addn Plat SW 2014-24
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

Staff report given by Julie Hindman.

Chair Brantley opened the meeting for public comment.

Kenneth Lang, Lang & Associates Inc.; 11500 Daryl Avenue, Anchorage AK 99515: Mr. Lang was the surveyor on this project and made himself available for questions.

Hearing no one else wishing to comment, public comment was closed and discussion was open among the commission.

MOTION: Commissioner Gillham moved, seconded by Commissioner Ruffner to grant preliminary approval to Clan Maxwell Estates Woodland Hollow Addition, based on staff recommendations and compliance to borough code.

AMENDMENT A: Commissioner Gillham moved, seconded by Commissioner Ruffner to grant the exception request to KPB 20.30.030 - Proposed street layout requirements, extension of Celestial Street and

dedications on section line easements and KPB 20.30.170 – Block length requirements, citing findings 1-14 in support of standards one, two and three.

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

AMENDMENT A MOTION PASSED BY UNANIMOUS VOTE

Yes	4	No	0
Yes	Brantley, Gillham, Ruffner, Venuti		

AMENDMENT B: Commissioner Gillham moved, seconded by Commissioner Venuti to grant the exception request to KPB 20.30.100 – Cul-de-sacs, citing findings 1-4 & 6-8 in support of standards one, two and three.

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

AMENDMENT B MOTION PASSED BY UNANIMOUS VOTE

Yes	4	No	0
Yes	Brantley, Gillham, Ruffner, 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	4	No	0
Yes	Brantley, Gillham, Ruffner, Venuti		

ITEM E3 - Grouse Creek Subdivision 2022 Addition

KPB File No.	2022-022
Plat Committee Meeting:	March 21, 2022
Applicant / Owner:	Marshall and Ester Ronne Living Trust of Seward, AK
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Mile 7 Seward Highway, Bear Creek
Parent Parcel No.:	125-033-28
Legal Description:	Tract B Grouse Creek Subdivision 2016 Addition Plat No SW 2016-7
Assessing Use:	Lodge - Multiple Cabins
Zoning:	Rural Unrestricted
Water / Wastewater	On site

Staff report given by Julie Hindman.

Chair Brantley opened the meeting for public comment. Hearing no one wishing to comment, public comment was closed and discussion was open among the commission.

MOTION: Commissioner Ruffner moved, seconded by Commissioner Gillham to grant preliminary approval to Grouse Creek Subdivision 2022 Addition, based on staff recommendations and compliance to borough code.

Commissioner Ruffner asked Ms. Hindman to clarify the wastewater disposal note for Tract B1. He wanted to know how it could be assured there will be no development allowed on this lot and that it would be used for flood control only. Is there a way to note on the plat that should development occur a wastewater soils report would be required? Ms. Hindman replied that the recommended rewording of the plat note was to bring it into compliance with KPB 20.40.08(A). She noted that in the end the regulatory requirement for this issue would fall to the DEC and should they see this plat note they would know that this lot was not intended to be developed.

Commissioner Ruffner asked if staff knew the condition of the bridge on this right-of-way. Ms. Hindman replied that she the comments received from the Roads Department indicated that they did not know what materials were used in the construction of the bridge. Commissioner Ruffner note dedicating a right-of-way on top of something that may or may not be structurally sound creates public safety concerns. He understands that there is nothing in code that address this concern but at some point, he believes that this will be something that will catch up and possibly create issues for the borough in the future.

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

MOTION PASSED BY UNANIMOUS VOTE

Yes	4	No	0
Yes	Brantley, Gillham, Ruffner, Venuti		

ITEM E7 - Lobdell Subdivision

KPB File No.	2022-018
Plat Committee Meeting:	March 21, 2022
Applicant / Owner:	M. Muriel Lobdell Revocable Trust of Nikiski, AK
Surveyor:	John Segesser / Segesser Surveys
General Location:	Miller Loop Road, Nikiski
Parent Parcel No.:	015-160-13
Legal Description:	N1/3 NE1/4 NE1/4 and the North 610 feet of the NW1/4 NE1/4 Section 35 T07N R12W
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

Staff report given by Julie Hindman.

Chair Brantley opened the meeting for public comment. Hearing no one wishing to comment, public comment was closed and discussion was open among the commission.

MOTION: Commissioner Ruffner moved, seconded by Commissioner Gillham to grant preliminary approval to Lobdell Subdivision based on staff recommendations and compliance to borough code.

AMENDMENT: Commissioner Ruffner moved, seconded by Commission Gillham to grant exception request to KPB 20.30.190 – Lot dimensions, 3:1 depth to width ratio for Tract B, citing findings 3-5 & 7-9 in support of standards one, two and three.

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

AMENDMENT MOTION PASSED BY UNANIMOUS VOTE

Yes	4	No	0
Yes	Brantley, Gillham, Ruffner, Venuti		

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

MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes	4	No	0
Yes	Brantley, Gillham, Ruffner, Venuti		

ITEM E8 - Timber Hills Subdivision 2022 Replat

KPB File No.	2022-007
Plat Committee Meeting:	March 21, 2022
Applicant / Owner:	Michael B. Brunke, Nikiski George F. Brown, Nikiski
Surveyor:	John Segesser / Segesser Surveys
General Location:	Nikiski
Parent Parcel No.:	012-150-21 and 012-150-22
Legal Description:	Lots 3 and 4, Block Four, Timber Hills Sub Plat KN 77-114
Assessing Use:	Residential Usage
Zoning:	Rural Unrestricted
Water / Wastewater	On site

Staff report given by Julie Hindman.

Chair Brantley opened the meeting for public comment. Hearing no one wishing to comment, public comment was closed and discussion was open among the commission.

MOTION: Commissioner Gillham moved, seconded by Commissioner Venuti to grant the exception request to KPB 20.40.100 – Soils analysis and report, citing findings 1-4, 6, 10 & 11 in support of standards one, two and three.

Commissioner Ruffner noted that when this preliminary plat was initially approved this lot did not meet the 40,000-sf minimum requirement. By code this lot should be required to get a soils test. Ms. Hindman replied he was correct, to support this request the owners are point to the fact that a soils analysis report was not required for approval for the previous plat. The owners also noted that they are simply moving a lot line and the both lots have improvements with existing septic systems. The owner did not ask for the exception earlier as they were not aware of the requirement of a soils report. When it was brought to their attention that one was required that is when they asked for the exception request. Commissioner Ruffner noted that the justification here is that this a minor lot line change and that the lots both have existing septic systems. Ms. Hindman replied that he was correct, the landowner here is just want to fix an encroachment issue.

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

MOTION PASSED BY UNANIMOUS VOTE

Yes	4	No	0
Yes	Brantley, Gillham, Ruffner, Venuti		

F. PUBLIC COMMENT - None

G. ADJOURNMENT

Commissioner Ruffner moved to adjourn the meeting 6:55 P.M.

Ann E. Shirnberg
Administrative Assistant