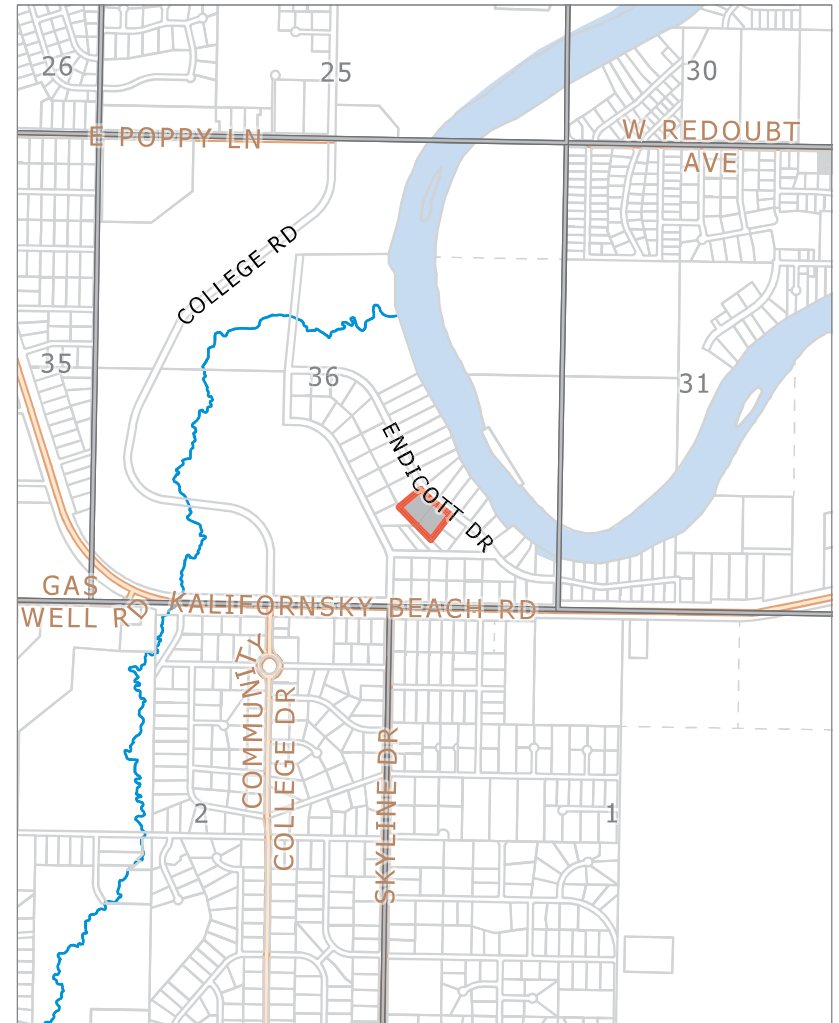


E. NEW BUSINESS

- 2. Slikok Creek Alaska Poindexter-Opperman Replat
KPB File 2023-100
Segesser Surveys / Poindexter, Opperman
Location: Endicot Drive PINs: 06028010 & 11
City of Soldotna**



KPB File 2023-100
T 05N R 11W SEC 36
Soldotna



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.

LEGEND:

- 2 1/2" BRASS CAP DOH MONUMENT FOUND
- 5/8" REBAR FOUND
- 5/8" REBAR w/PLASTIC CAP LS8859 SET
- RECORD DATUM PLAT K-1361 KR0

NOTES:

- 1) Basis of bearing taken from Slikok Creek Alaska Subdivision, Plat K-1361, Kenai Recording District.
- 2) This subdivision is subject to City of Soldotna zoning regulations.
- 3) Front 10 feet adjacent to right-of-ways and 20 feet within 5 feet of the side lot lines is a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
- 4) **WASTEWATER DISPOSAL:** Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional on-site wastewater treatment and disposal systems serving single-family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of on-site wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation.

Engineer License No. Date

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF

KENAI PENINSULA BOROUGH

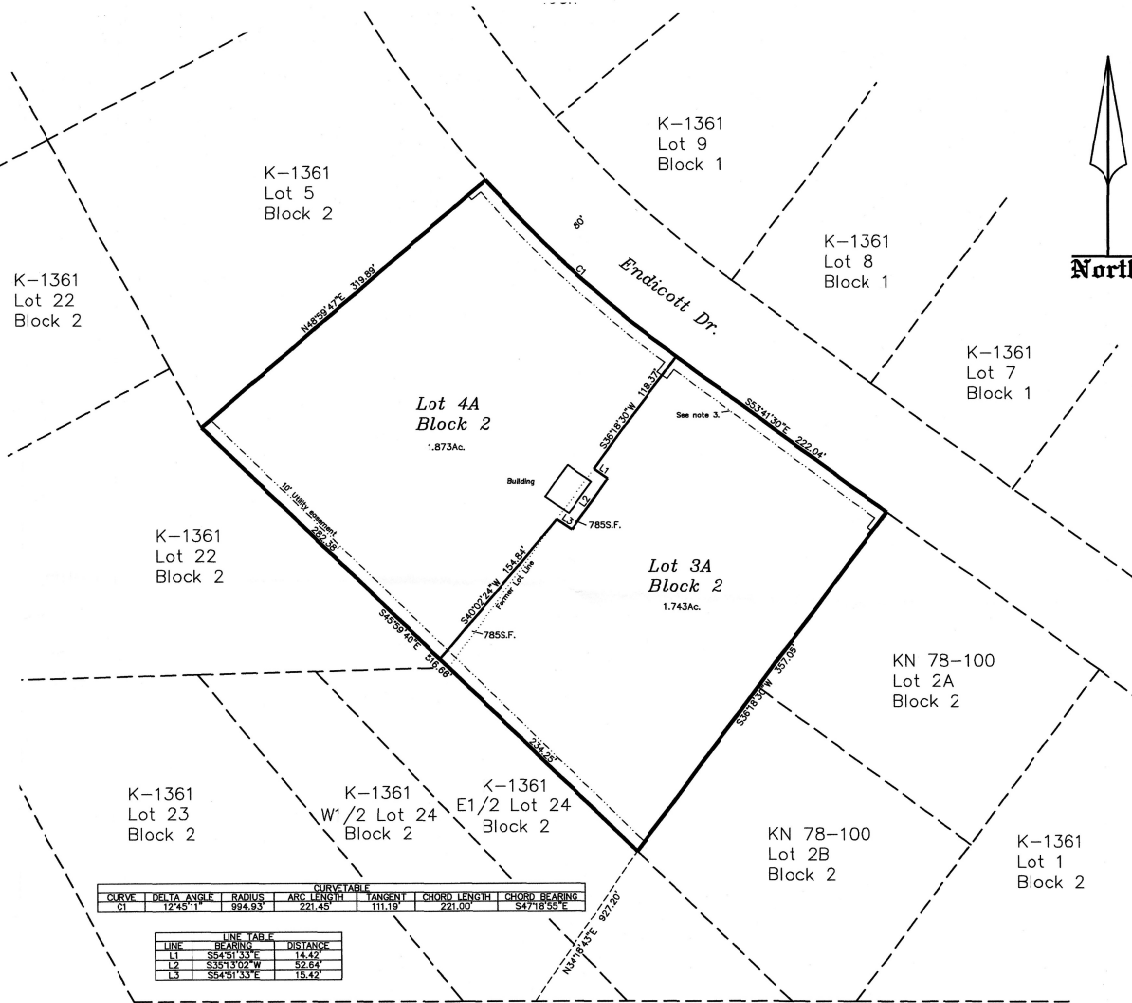
AUTHORIZED OFFICIAL



SURVEYOR'S CERTIFICATE

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct.

Date



CURVE TABLE					
CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD LENGTH
C1	124°51'1"	984.93	221.45	111.19	221.02

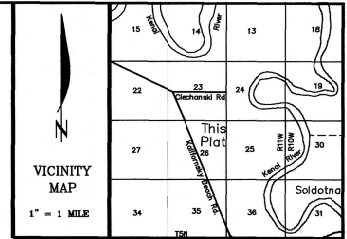
LINE TABLE		
LINE	BEARING	DISTANCE
L1	S84°51'33"E	14.42
L2	S35°15'02"W	52.64
L3	S54°51'33"E	15.42

S89°58'37"W 1901.72'
Basis of Bearing

NOTARY'S ACKNOWLEDGEMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____



CERTIFICATE of OWNERSHIP and DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

KARON W. POINDEXTER MELLINER R. POINDEXTER
425 ENDICOTT DRIVE
SOLDOTNA, ALASKA 99669
LOT 3

MICHAEL L. OPPERMAN MARYJA A. OPPERMAN
405 ENDICOTT DRIVE
SOLDOTNA, ALASKA 99669
LOT 4

NOTARY'S ACKNOWLEDGEMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGEMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGEMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

KPB FILE NO.

Slikok Creek Alaska
Poindexter-Opperman Replat

A resubdivision of Lots 3 and 4 Block 2 Slikok Creek Alaska Subdivision Plat K-1361, Kenai Recording District.
Located within SE1/4 Section 36, T5N, R11W, S4M, City of Soldotna, Kenai Peninsula Borough, Alaska.

Containing 3.647 Ac.

Surveyor Segesser Surveys 30485 Rosland St. Soldotna, AK 99669 (907) 282-3809	Owners Karon & Mellinse Michael L. & Martha A. Poindexter Opperman 425 Endicott Drive 405 Endicott Drive Soldotna, AK 99669 Soldotna, AK 99669
---	---

JOB NO. 21294	DRAWN 8-6-23
SURVEYED: July, 2021	SCALE: 1"=50'
FIELD BOOK: 21-3	SHEET: 1 of 1

KPB 2023-100

AGENDA ITEM E. NEW BUSINESS

**ITEM #2 - PRELIMINARY PLAT
SLIKOK CREEK ALASKA POINDEXTER-OPPERMAN REPLAT**

KPB File No.	2023-100
Plat Committee Meeting:	October 9, 2023
Applicant / Owner:	Aaron and Mellinee Poindexter and Michael and Martha Opperman all of Soldotna, Alaska
Surveyor:	John Segesser / Segesser Surveys
General Location:	City of Soldotna

Parent Parcel No.:	060-280-10 and 060-280-11
Legal Description:	T 5N R 11W SEC 36 Seward Meridian KN 0001361 Slikok Creek Alaska Sub Lot 3 and 4 Blk 2
Assessing Use:	Residential
Zoning:	Rural Residential
Water / Wastewater	On site
Exception Request	None

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will adjust a lot line between two lots due to an encroachment.

Location and Legal Access (existing and proposed): The proposed plat is located on Endicott Drive. Endicott Drive is an 80 foot wide dedicated right-of-way that is paved and maintained by the City of Soldotna. There are multiple routes to Endicott Drive with all originating near mile 21 of state maintained Kalifornsky Beach Road.

The parent lots currently have developed access from Endicott Drive. The replat will allow the new lots to continue using the existing driveways. There will be no new dedication with this plat.

Artifact Street, Endicott Drive, Brooks Avenue, and Chugach Drive provide a closed block. The rights-of-way defining the block are all constructed. The distances along Endicott Drive and Chugach Drive do exceed allowable block length limits. The block was created by Slikok Creek Alaska Subdivision, K-1361, when it was recorded in 1963. Due to development in the area the ability to get dedications to shorten the block is not possible. ***Staff recommends the plat committee concur that an exception to block length is not required as there are no dedications that can be given to improve the block.***

KPB Roads Dept. comments	
SOA DOT comments	

Site Investigation: The proposed plat is does not contain any low wet areas. The terrain is relatively flat.

The platting action is being completed to adjust a joint lot line that is currently going through a garage. The garage is crossing from Lot 4 onto Lot 3 Block 2. The new lot line will jog around the garage and allow for room to move around it. Both lots have existing structures and no other encroachments are apparent.

KPB River Center review	A. Floodplain Reviewer: Hindman, Julie Floodplain Status: Within City of Soldotna
-------------------------	---

	Comments: No comments B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments C. State Parks Reviewer: VACANT Comments:
State of Alaska Fish and Game	

Staff Analysis The proposed plat is a reconfiguration of two lots created by Slikok Creek Alaska Subdivision, Plat K-1361, an Alaska Department of Natural Resources subdivision recorded in 1963. The two lots proposed for replat were created as 1.873 acre and 1.743 acre lots with frontage on Endicott Drive.

Per KPB 20.40.020 a wastewater review is not required if moving one or more lot lines without increasing the number of developable lots, while maintaining a minimum of 20,000 square feet of contiguous area. This platting action is to adjust the lot lines of a garage that was built over the shared lot line and the end result will be the same acreage. **Staff recommends:** *the Plat Committee concur a soils report is not required and the wastewater note be updated to reflect this.*

Notice of the proposed plat was mailed to the beneficial interest holder on September 19, 2023. The beneficial interest holder will be given 30 days from the date of the mailing of the notification to respond. They are given the opportunity to notify staff if their beneficial interest prohibits or restricts subdivision or requires their signature on the final plat. A response was received from the BIH. The BIH objects to the replat and would like to review and approve the replat.

The City of Soldotna Planning and Zoning Commission heard the preliminary plat at their September 6, 2023 regular meeting. They adopted Planning and Zoning Commission Resolution No. PZ2023-016 that recommended approval of the preliminary plat.

Utility Easements Slikok Creek Alaska Subdivision, Plat K-1361, granted 10-foot utility easements along the back-lot lines of Lots 3 and 4 Block 2. At the intersection of the original lots with the lot behind there appears to be a bump-out of the utility easement on the projection from the west. Please add this portion to the easement.

The certificate to plat does not indicate any easements exist per recorded document.

The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Staff recommends** to grant utility easements requested by the utility providers or work with the utility providers to obtain approval.

Utility provider review:

HEA	No comments
ENSTAR	No comments or recommendations
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Raidmae, Ryan

	<p>There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat. Review Not Required</p>
Assessing	<p>Reviewer: Windsor, Heather Comments: No comment</p>

The subdivision plat has been reviewed and generally complies with the 2019 Kenai Peninsula Borough Comprehensive plan.

STAFF RECOMMENDATIONS **CORRECTIONS / EDITS**

Add the KPB File No 2023-100 to the drawing.

KPB 20.25.070 – Form and contents required

Staff recommendation: *final plat submittals must comply with 20.25.070. Additional information, revisions, and/or corrections are required as noted below.*

- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries, and prominent natural and manmade features, such as shorelines or streams;

Staff recommendation:

Depict the subdivision within the vicinity map.

Shift the plat map to the north to center the plat location better.

- G. The status of adjacent lands within 100 feet of the proposed subdivision boundary or the land status across from any dedicated rights-of-way that adjoin the propose subdivision boundary, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;

Staff recommendation: *Correct the lot designation for lot 21 block 2 located to the northwest.*

KPB 20.30 – Subdivision Design Requirements

Staff recommendation: *final plat submittals must comply with 20.30. Additional information, revisions, and/or corrections are required as noted below.*

- 20.30.270. Different standards in cities. Where cities have enacted by ordinance different subdivision design standards than those set forth in this chapter, the planning commission shall apply the city standards in lieu of those set forth in this chapter. Any appeal of a city design standard is subject to KPB 21.01.020(E).

Staff recommendation: *The City of Soldotna does not meet the specified requirements for the application and consideration of different standards and the correct note is shown.*

KPB 20.40 – Wastewater Disposal

Staff recommendation: *final plat submittals must comply with 20.40. Additional information, revisions, and/or corrections are required as noted below.*

- 20.40.010 Wastewater disposal.

Platting Staff Comments: *Per 20.40.020(A)(1)(a) Moving one or more lot lines without increasing the number of developable lots, while maintaining a minimum of 20,000 square feet of contiguous area a wastewater review is not required. Update wastewater note to comply with 20.40.020(B)(2).*

Staff recommendation: *comply with 20.40.*

KPB 20.60 – Final Plat

Staff recommendation: *final plat submittals must comply with 20.60. Additional information, revisions, and/or corrections are required as noted below.*

20.60.200. Survey and monumentation.

Staff recommendation: *comply with 20.60.200*
Label the corners found.

RECOMMENDATION:

STAFF RECOMMENDS:

- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

NOTE: 20.25.120. - REVIEW AND APPEAL.

A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

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.



CALL TO ORDER & PLEDGE OF ALLEGIANCE

A regular meeting of the Soldotna Planning and Zoning Commission was held on September 6, 2023. Chair Vadla called the meeting to order at 5:30 p.m.

There were present:

Kaitlin Vadla, Chair
Charlene Tauffest
Mark Burton

Dennis Murray
Jenny Smithwick-Aley

Comprising a quorum of the Commission.

There were absent:

Thomas Anderson
Sonja Barbaza

Also in attendance were:

Lisa Parker, City Council Ex-Officio
Jennifer Hester, Associate Planner

APPROVAL OF THE AGENDA

The agenda was approved without objection.

APPROVAL OF THE MINUTES

The August 2, 2023 meeting minutes were approved without objection.

PUBLIC HEARINGS

Resolution PZ 2023-015 – A Resolution Recommending that Section 17.10.425 Public Hearings, be Amended to Align with the City of Soldotna Public Engagement and Communication Policy

MOTION: Commission Member Burton moved to approve Resolution PZ 2023-015.

Associate Planner Hester summarized the memo and resolution.

Chair Vadla opened the public hearing, asking for public comment. With no one wishing to speak, the item was back before the Commission.

Chair Vadla expressed her concern that there are members of the public who do not have access to a computer and whose source of information is the newspaper. Chair Vadla suggested that the Resolution be amended to require only one notice in the newspaper instead of two.

Associate Planner Hester stated effectiveness of public noticing in the newspaper was evaluated by Staff, along with fiscal and staffing considerations. These considerations resulted in the recommendation of this Code revision. Many of the issues like zoning amendments and Code changes may still be appropriate to notice in the newspaper, but flexibility and discretion would be given to Staff over what types of public noticing would be most effective for a given Resolution.

Commissioner Murray inquired if it was permissive under the Communications Policy to continue to have notice for a zoning change, or is it discretionary,

Associate Planner Hester stated the Communications Policy does not outline a requirement of when to notice in a newspaper. That would be a discretionary decision. Currently, City Council does not publish in the newspaper and this Code change is to align with Council's Communication Policy.

Commissioner Murray clarified that the public noticing policy would still comply with State Statutes and that Council has separate requirements for public noticing.

Associate Planner Hester confirmed that the public noticing of the City would abide by State Statutes, and that the Planning and Zoning Commission currently has an additional requirement of newspaper noticing which Council does not have.

Commissioner Smithwick-Aley stated that the requirement to publicly notice in the newspaper is likely more exclusive than the City's communication policy.

Chair Vadla stated it is hard to adequately public notice. She expressed the need to still publically notice in the newspaper for Resolutions with a larger impact, but that the discretionary policy would be sufficient.

Associate Planner Hester will recommend to Director Czarnecki that the department decide upon a policy to determine the instances when newspaper public noticing should be utilized.

VOTE ON MOTION:

Yes: Burton, Murray, Smithwick-Aley, Tautfest, Vadla

No: None

Absent: Anderson, Barbaza

MOTION PASSED: 5 Yes, 0 No, 2 Absent

NEW BUSINESS

**Resolution PZ 2023-016 – Recommending Approval of the Slikok Creek
Alaska Poindexter-Opperman Replat**

MOTION: Commission Member Murray moved to approve Resolution PZ 2023-016.

Associate Planner Hester summarized the written staff report.

Chair Vadla asked for public comment.

The following person spoke in support of Resolution PZ 2023-006:

Melanie Poindexter, Soldotna

Ms. Poindexter requested the City update its policies to ensure that when a building permit is issued it does not have an encroachment issue.

With no one else wishing to speak, the item was back before the Commission.

Commissioner Murray asked the timeframe that the building was constructed. He expressed his appreciation that the applicants were able to work through the encroachment to apply for the replat. Commissioner Murray asked for confirmation that building permits do not require a survey of property lines. Commissioner Murray also stated that in this instance the property owner could have opted to require removal of the structure if the replat wasn't agreed upon.

Associate Planner Hester stated the City does not employ a surveyor on staff. Frequently landowners request their property lines to be marked by the City, but the City refers them to hire a surveyor to determine the property lines. For larger structures an engineered drawing is required that may involve an as-built survey. However, for most structures in the residential district, there is less oversight. The Building Official requires Code compliance of the building

itself, but the placement of the building within property boundaries is the responsibility of the property owner. In these instances where an encroachment is determined, that need for additional oversight comes to light. With Staff change and other encroachment issues, the property boundaries are a consideration and part of the conversation for the current Building Official, but it is not in City Code. Encroachments are a private landowner to private landowner issue, and the City does not typically get involved.

VOTE ON MOTION:

Yes: Burton, Murray, Smithwick-Aley, Tautfest, Vadla

No: None

Absent: Anderson, Barbaza

MOTION PASSED: 5 Yes, 0 No, 2 Absent

PUBLIC COMMENT WITHOUT PRIOR NOTICE

Frank Jones, River Terrace Mobile Home Park, Soldotna

Mr. Jones asked why the City did not install water lines to the mobile home park. Mr. Jones stated that 29 families are going to be evicted from their homes next spring, and the City does not have housing for these residents who are on a low income.

Chair Vadla reiterated a need for an affordable housing work session, which she stated in August's meeting, and asked for a status update on that work session.

Associate Planner Hester said that Staff has not scheduled a work session at this time, but that affordable housing is a nationwide crisis. Currently the American Planning Association has a lengthy article on the Nation's crisis and how it can pertain to planning and zoning specifically.

Rodman Eisenhart, River Terrace Mobile Home Park, Soldotna

Mr. Eisenhart commented that there is a difference between the mobile home park and the RV park at River Terrace. Mr. Eisenhart stated that only the mobile homes received a "Notice to Quit." He also detailed the water conditions present in the mobile home park with low water pressure and high arsenic levels. Additionally, Mr. Eisenhart detailed the electric issues and the lack of snow removal and road maintenance for the mobile homes. Mr. Eisenhart asked where can these residents get help. He is assisting his neighbors with filling out a legal representation request. He has called the State Legislature and the Department of Environmental Conservation, but has not been given any answers.

Associate Planner Hester said she did not have an official response, but has taken notes on the public statements and would talk to City Staff tomorrow morning. She stated staff has discussed the eviction and the plight of the residents at the mobile home park over the past month. Associate Planner Hester stated she has walked through their mobile home park and has seen the poor living conditions of some of the residents. She also spoke to the different of roles for City Council verses the Planning and Zoning Commission.

Chair Vadla thanked Mr. Eisenhart for speaking to the commission. The Chair asked for Mr. Eisenharts contact information and stated she will be thinking about how to move forward.

Mr. Eisenhart asked about the zoning of the land and if it had changed.

Associate Planner Hester stated that Mr. Hinkle is permitted to run a campground at River Terrace, and he has the flexibility as the property owner and business owner to change his own land use. There has been no recent City amendments to the zoning or the permitted land uses within this area. She recommended having the conversation with the City Manager. Associate

Planner Hester again explained the difference between the appointed roles of the Commissioners and that of City Council.

Commissioner Murray stated that City Council has much broader authority than the Planning and Zoning Commission. Commissioner Murray recommended the River Terrace residents address City Council next week on September 13th.

Penelope Maize, River Terrace Mobile Home Park

Ms. Maize stated that she offers her neighbors rides and takes them shopping and to appointments. She invited the Commissioners to come to the park to see the living conditions, which include exposed electrical wiring and areas where it is unsafe for children to play. The water is unsafe to drink and there is one resident with no running water at all.

Council Member Parker recommended contacting the Alaska Housing Finance Corporation.

REPORTS

Council Member Parker reported that the Field House went to bid. The results came in and Council will finalize the selections at an upcoming meeting. The Arts and Culture Master Plan report will be heard on the 13th, as well as a Riverfront Redevelopment update from the consultants.

COMMISSION COMMENTS

Commissioner Tautfest stated she was shocked to hear the public comments, and directed residents to Kenai Peninsula Housing Initiatives as another resource.

Commissioner Burton stated that the public comments were heartbreaking to hear and that he is supportive of a work session to brainstorm ideas. He hopes to fix some of the issues and find solutions for our neighbors.

Commissioner Murray spoke to the complicated nature of the public comments that were heard tonight. There are no easy solutions. Commissioner Murray is also supportive of a work session to brainstorm the existing resources for the residents. There are low vacancies no matter what the program. The clock is ticking for these residents. There may be options to explore their legal grievances, if determined that they have them. It is a difficult situation.

Commissioner Smithwick-Aley commented that the public testimony was sobering and took her by surprise. She stated that there is a dual problem, where the residents are living in an unsafe environment, but they are also upset that they won't be able to live there anymore. Legal advice may help, but at some point, they may be left behind as there may not be any way for enforcement proceedings to require the property owner to improve conditions to make it safe in the timeframe. The water situation is especially concerning. Commissioner Smithwick-Aley would also love to be involved in a work session.

Chair Vadla commented that further clarification is needed from the City. She is sympathetic that Staff has so many things in the works, but this does feel like an emergency. Chair Vadla raises the question if there is anything in the City's purview of enforcing State landlord-tenant issues regarding unsafe living environments or the Department of Environmental Conservation's water regulations, specifically that which may pertain to water pressure and contaminants. Chair Vadla's follow up comment is that even if there is nothing in the City's purview of state code enforcement, there is a need to explore short-term and long-term options of affordable housing in the City. This should be of a higher priority to address the basic needs of residents. A focus could be in subdividing parcels in town into smaller lots that are more affordable in a similar manner that other communities to address this problem.

ADJOURNMENT

There being no further business to come before the Commission, Chair Vadla adjourned the September 6, 2023 Planning & Zoning Commission meeting at 7:00 p.m. The next regular meeting is scheduled for 5:30 p.m. on October 4, 2023.

Jennifer Hester, Associate Planner

Approved by the Commission: _____

Date:
Action:
Vote:

CITY OF SOLDOTNA
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ 2023-016

RECOMMENDING APPROVAL OF
THE SLIKOK CREEK ALASKA POINDEXTER-OPPERMAN REPLAT

WHEREAS, the Slikok Creek Alaska Poindexter-Opperman Replat was referred to the City of Soldotna Planning and Zoning Commission, and initially received from Segesser Surveys Inc. on August 17, 2023; and

WHEREAS, the City of Soldotna Planning and Zoning Commission find:

1. The plat reconfigures the property line between two lots;
2. The replat corrects an existing encroachment issue;
3. The preliminary plat resubdivides Lot 3 into Lot 3A, which will be 1.743 acres in size, and Lot 4 into Lot 4A, which is 1.873 acres in size;
4. The owners of the above lots are represented by the applicant;
5. Both lots contain a principal structure;
6. The properties are zoned Rural Residential;
7. The surrounding zoning is Rural Residential;
8. Municipal water and sewer are not available to this subdivision;
9. Both lots have constructed access Endicott Drive;
10. The plat does not subdivide property within a public improvement district subject to special assessments. There is not a delinquency amount owed to the City of Soldotna for the referenced property;
11. An installation or subdivision agreement is not required;
12. The replat meets all other general standards of Soldotna Municipal Code; and,

WHEREAS, in accordance with SMC 16.10.040.E the City mailed 24 notices to property owners within 300 feet notifying them of the proposed action;

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF SOLDOTNA, ALASKA:

Section 1. That the Commission recommends the Kenai Peninsula Borough Planning Commission approve the Slikok Creek Alaska Poindexter-Opperman Replat Preliminary Plat subject to findings as stated above.

Section 2. A copy of this resolution shall be forwarded to the Kenai Peninsula Borough Planning Department for their consideration.

Section 3. This resolution shall become effective immediately upon its adoption.

PASSED BY THE PLANNING AND ZONING COMMISSION THIS 6TH DAY OF SEPTEMBER, 2023.

Kaitlin Vadla, Chair

ATTEST:

Jennifer Hester, Associate Planner

Yes:
No:
Absent:

TO: Planning and Zoning Commission
THROUGH: John Czarnezki, Director of Economic Development & Planning
FROM: Jennifer Hester, Associate Planner
DATE: August 21, 2023
SUBJ: Resolution PZ 2023-016 - Recommending Approval of the Slikok Creek Alaska Poindexter-Opperman Replat.

GENERAL INFORMATION

Applicants: Michael & Martha Opperman
405 Endicott Drive
Soldotna, AK 99669
Segesser Surveys Inc.
30485 Rosland St.
Soldotna, AK 99669
Aaron & Mellinee Poindexter
425 Endicott Drive
Soldotna, AK 99669

Legal descriptions: T 5N R 11W Sec 36 Seward Meridian KN 0001361 Slikok Creek
Alaska Sub Lot 3 Blk 2
T 5N R 11W Sec 36 Seward Meridian KN 0001361 Slikok Creek
Alaska Sub Lot 4 Blk 2

Parcel IDs: 060-280-11(Lot 3)
060-280-10 (Lot 4)

Physical Addresses: 425 Endicott Drive (Lot 3)
405 Endicott Drive (Lot 4)

Location: One third mile from the intersection of Endicott Drive and
Kalifornsky Beach Road

Size of Existing Lot(s): 1.743 acres (Lot 3)
1.874 acres (Lot 4)

Size of Proposed Lot(s): 1.743 acres (Lot 3A)
1.873 acres (Lot 4A)

Zoning: Rural Residential

Existing Land Use: Single Family Residential Dwelling (Lot 3)
Single Family Residential Dwelling (Lot 4)

**Surrounding Land Use
and (Zoning):**

North:	Rural Residential	Single family dwellings
South:	Rural Residential	Single family dwellings
East:	Rural Residential	Single family dwellings
West:	Rural Residential	Single family dwellings

Kenai River Overlay District (KROD): The property does not contain land within the KROD.

Utilities: The property is not served by municipal sewer or water.

Access: Access is gained via Endicott Drive

BACKGROUND INFORMATION

The proposed preliminary plat intends to reconfigure the property line that separates Lot 4 from Lot 3. This redistribution of land will correct a building encroachment issue that currently exists without a loss of net area from either lot.

The parcels are zoned Rural Residential, as are the surrounding parcels. The applicants Michael and Martha Opperman currently own a detached garage, which was built over the property line. The Slikok Creek Alaska Poindexter-Opperman Replat would correct this encroachment issue and allow for the required 10 ft. side setback around the detached garage. The minimum area needed to correct this encroachment issue is 785 ft². The same amount of area is then redistributed back to Lot 3 along the southern border of the lot line.

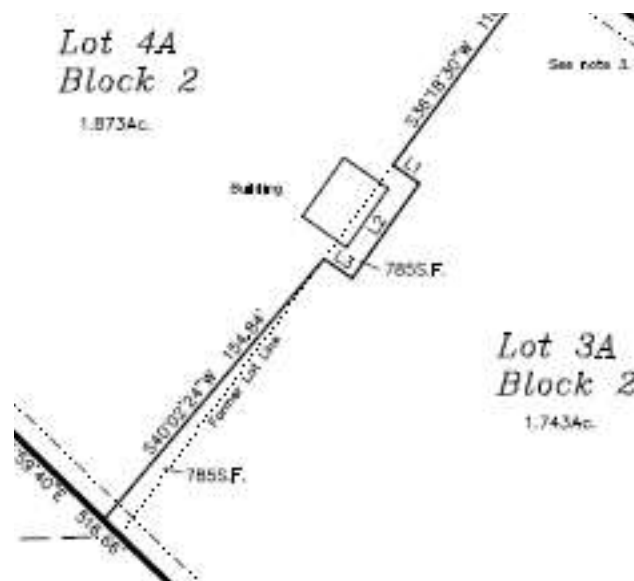


Figure 1. The preliminary plat redistributes 785 ft² between Lot 3A and Lot 4A

The owners of the two lots, Poindexter and Opperman, are both represented by Segesser Surveys Inc.

Authority to review and approve proposed vacations, abbreviated subdivision plats, subdivision plat waivers, and preliminary plats showing a subdivision of land within the corporate boundary of the City of Soldotna is provided by AS 29.40.010 and Kenai Peninsula Borough (KPB) code 20.25.050, and is codified within Soldotna Municipal Code (SMC) 16.10.040.

Legal access to proposed Lots 3A and 4A are dedicated and constructed from Endicott Drive. Endicott Drive is paved and maintained by the City.

Municipal water and sewer are not available.



Figure 2. Subject Lots 3 and 4 to reconfigure the property line between them.
Both lots contain single-family dwellings and are zoned rural residential.

ANALYSIS

The intent of the Rural Residential (RR) District is to provide for stable, quiet, and low density residential development and other uses which are both compatible with the maintenance of a rural, open environment and convenient to the residents of such a district.

Standard		Required	Provided		Standard Met?	Code Reference
			Lot 3A	Lot 4A		
Minimum Lot Size		40,000 ft ²	75,925 ft ²	81,588 ft ²	YES	17.10.230.E.1
Minimum Lot Width		125 ft.	228 ft.	251 ft.	YES	17.10.230.E.1
Maximum Lot Coverage		30%	3%	3%	YES	17.10.230.E.1
Maximum Building Height		36 ft.	<36 ft.	<36 ft.	YES	17.10.230.E.2
Yard Setback	Front:	20 ft.	~70 ft.	~130 ft.	YES	17.10.230.E.1
	Back:	20 ft.	~100 ft.	~100 ft.		
	Side:	10 ft.	10 ft.	15 ft.		

**proposed lot size, width and setbacks that will be provided after the replat*

STAFF COMMENTS

This replat moves the lot line to redistribute land between Lots 3 and 4 in order to correct a building encroachment issue of a detached garage. The lot line is moved to come into compliance with the City's setback requirements, and to account for a similar area of 785 ft² to be distributed along the southern portion of the lot line. No exceptions are being requested.

Twenty-four notices were mailed on August 22, 2023 to neighboring property owners within 300 feet. No comments had been received at the time this report was drafted.

The plat was circulated to City Staff for review and comments.

STAFF RECOMMENDATION

Staff finds the preliminary plat for the Slikok Creek Alaska Subdivision Poindexter-Opperman Replat meets the general standards of the Soldotna Municipal Code, and therefore recommends approval.

Resolution PZ 2023-016 has been provided for your use, and would recommend approval to the Kenai Peninsula Borough.

Attachments:

- A. Location Map
- B. Preliminary Plat, Slikok Creek Alaska Subdivision Poindexter-Opperman Replat
- C. Parent Plat, Slikok Creek Alaska Subdivision

LEGEND:

- 2 1/2" BRASS CAP DOH MONUMENT FOUND
- 5/8" REBAR FOUND
- 5/8" REBAR w/PLASTIC CAP LS8859 SET
- RECORD DATUM PLAT K-1361 KRD

NOTES:

- 1) Basis of bearing taken from Slikok Creek Alaska Subdivision, Plat K-1361, Kenai Recording District.
- 2) This subdivision is subject to City of Soldotna zoning regulations.
- 3) Front 10 feet adjacent to right-of-ways and 20 feet within 5 feet of the side lot lines is a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
- 4) **WASTEWATER DISPOSAL:** Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single-family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation.

Engineer License No. Date

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF

KENAI PENINSULA BOROUGH

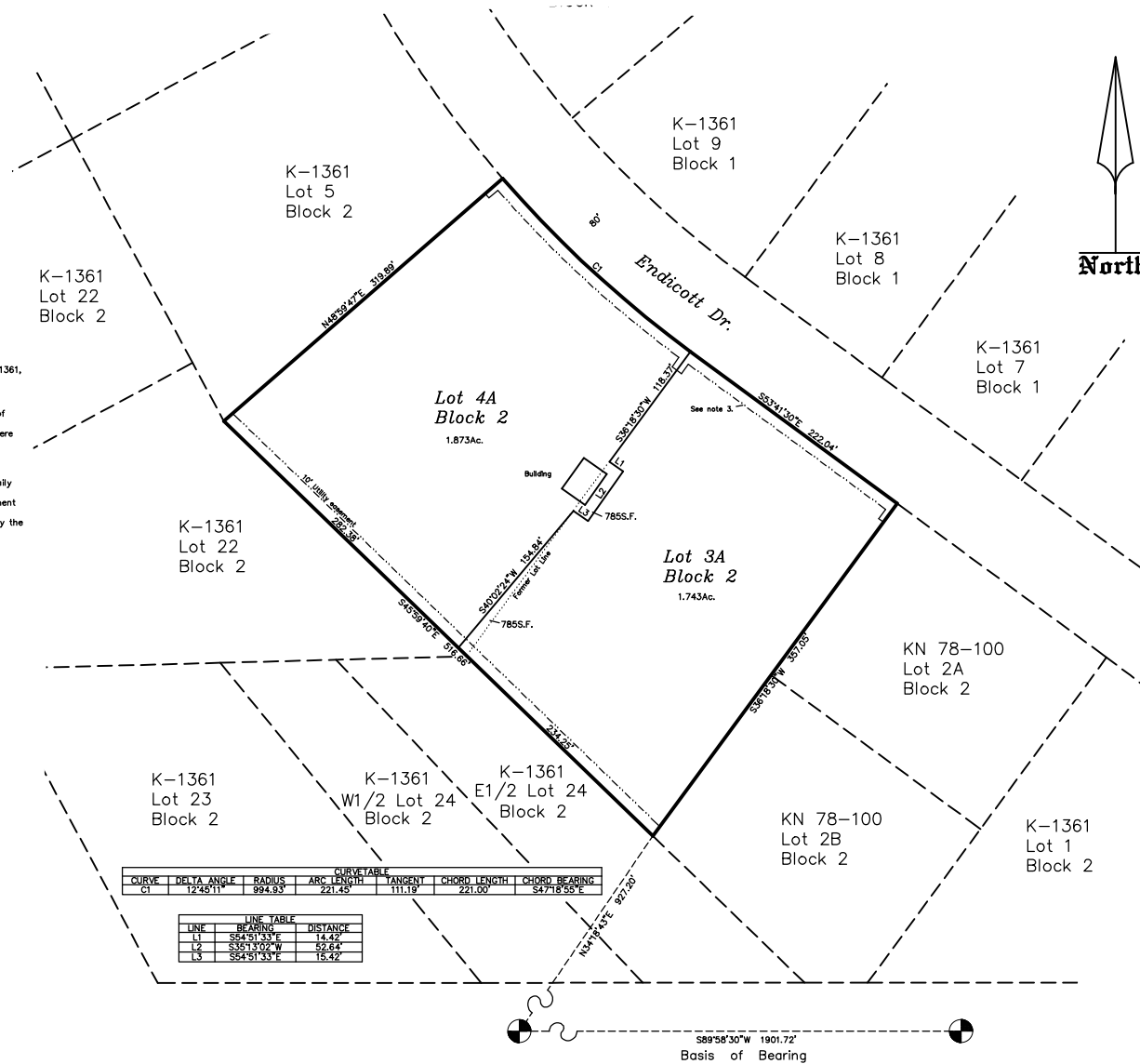
AUTHORIZED OFFICIAL



SURVEYOR'S CERTIFICATE

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown herein actually exist as described, and all dimensions and other details are correct.

Date



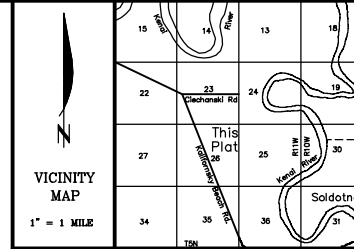
CURVE TABLE						
CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
C1	12°45'11"	994.93'	221.45'	111.19'	221.00'	S47°16'55"E

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S84°51'33"E	14.42'
L2	S85°13'02"W	52.64'
L3	S84°51'33"E	15.42'

NOTARY'S ACKNOWLEDGEMENT

FOR
ACKNOWLEDGED BEFORE ME THIS DAY OF 20

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES



CERTIFICATE of OWNERSHIP and DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

AARON W. POINDEXTER MELLINEE R. POINDEXTER
425 ENDICOTT DRIVE
SOLDOTNA, ALASKA 99669
LOT 3

MICHAEL L. OPPERMAN MARTHA A. OPPERMAN
405 ENDICOTT DRIVE
SOLDOTNA, ALASKA 99669
LOT 4

NOTARY'S ACKNOWLEDGEMENT

FOR
ACKNOWLEDGED BEFORE ME THIS DAY OF 20

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES

NOTARY'S ACKNOWLEDGEMENT

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ACKNOWLEDGED BEFORE ME THIS DAY OF 20

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NOTARY'S ACKNOWLEDGEMENT

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NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES

KPB FILE No.

Slikok Creek Alaska
Poindexter-Opperman Replat

A resubdivision of Lots 3 and 4 Block 2 Slikok Creek Alaska Subdivision Plat K-1361, Kenai Recording District.
Located within SE1/4 Section 36, T5N, R11W, S.M., City of Soldotna, Kenai Peninsula Borough, Alaska.

Containing 3.647 Ac.

Surveyor
Segesser Surveys
30485 Rosland St.
Soldotna, AK 99669
(907) 262-3909

Owners
Aaron & Mellinee Poindexter
425 Endicott Drive
Soldotna, AK 99669

Michael L. & Martha A. Opperman
405 Endicott Drive
Soldotna, AK 99669

JOB NO.	21294	DRAWN	8-6-23
SURVEYED:	July, 2021	SCALE:	1"=50'
FIELD BOOK:	21-3	SHEET:	1 of 1



177 N. Birch St.
Soldotna, AK 99669
Phone: 907.262.9107
Fax: 907.262.1245
www.soldotna.org

CITY OF SOLDOTNA PLANNING AND ZONING COMMISSION

NOTICE OF PRELIMINARY PLAT SUBMISSION

Notice is hereby given that a preliminary plat has been received by the City of Soldotna to move a lot line in-between Lots 3 and 4 of the Slikok Creek Alaska Subdivision. You are being sent this notice in accordance with Section 17.10.425 of the Soldotna Municipal Code (SMC) and Soldotna Public Notification Policy, because you are a property owner within 300 feet of the proposed replat.

The preliminary plat moves the lot line, which divides the two lots, around an existing structure on Lot 4A and redistributes a similar area of 785 ft² to Lot 3A. Access to both parcels is from Endicott Drive. The properties are zoned Rural Residential, and are located at 405 and 425 Endicott Drive (T 5N R 11W Sec 36 Seward Meridian KN 0001361 Slikok Creek Alaska Sub Lot 3 Blk 2 and Lot 4 Blk 2).

The plat is being recommended for approval by the following resolution:

Resolution PZ 2023-016.

Recommending Approval of the Slikok Creek Alaska Poindexter-Opperman Replat.

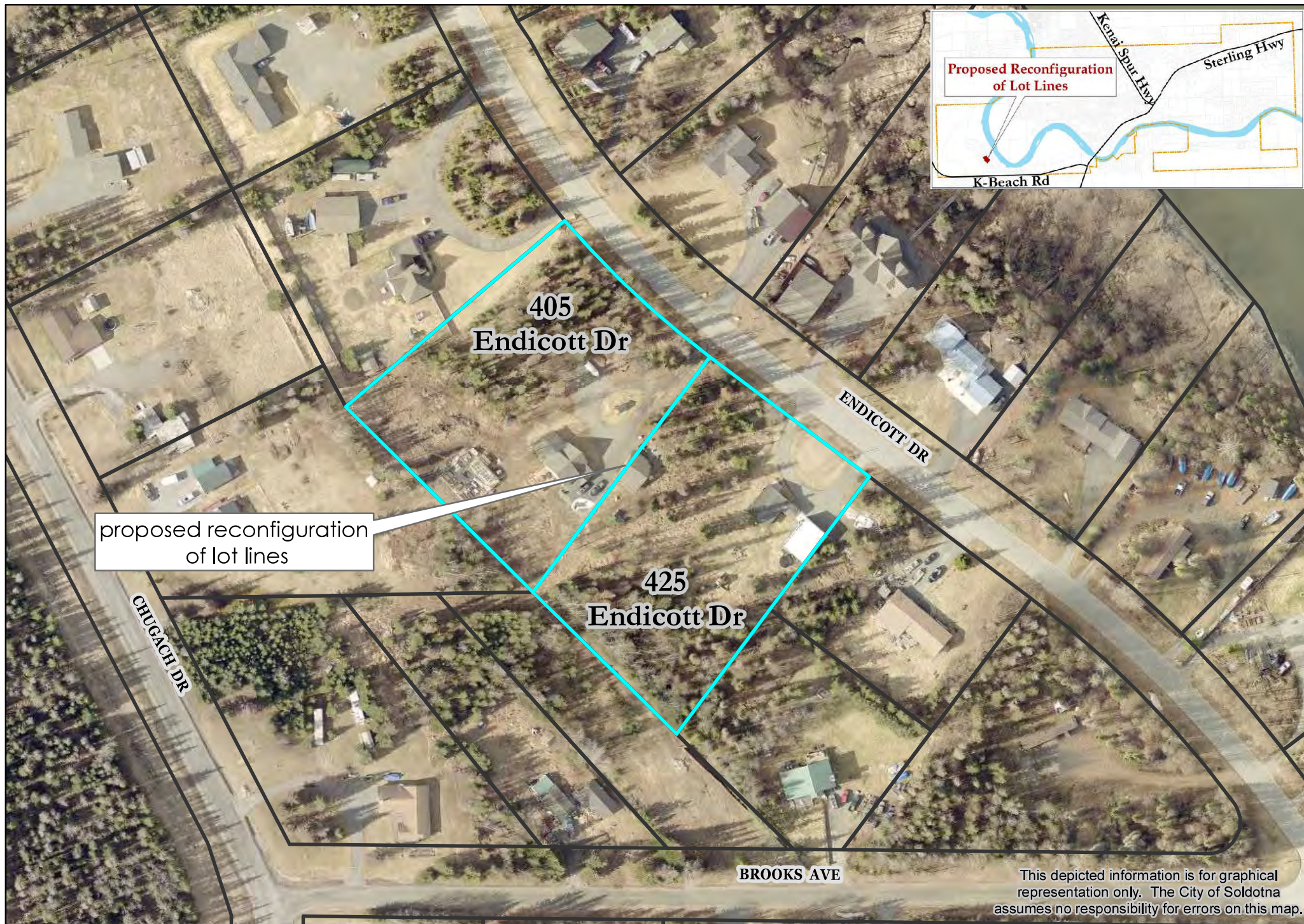
Although final approval lies with the Kenai Peninsula Borough government, the City of Soldotna Planning & Zoning Commission has first review of any platting applications. The Planning & Zoning Commission meeting is an opportunity for any individual to submit commentary on this plat in person or via other communication methods (see below).

A meeting will be held by the City of Soldotna Planning and Zoning Commission on **Wednesday, September 6, 2023**, commencing at 5:30 p.m. The meeting will be held at 177 N. Birch Street, Soldotna, Alaska 99669.

Anyone wishing to testify may come to the above meeting to give testimony; or may submit a written statement to the attention Jennifer Hester, Associate Planner, City of Soldotna, 177 N. Birch Street, Soldotna, Alaska 99669; fax to 907-714-1234; or email to jhester@soldotna.org

The Zoom Webinar ID is: 845 1108 3895. To join the webinar from a computer visit <https://us02web.zoom.us/j/84511083895> or to join by telephone call 1-669-900-6833

A MAP SHOWING THE PARCEL REPLAT LOCATION IS ON THE BACK OF THIS NOTICE.



Notification List of Property Owners within 300 ft.

OWNER	ADDRESS	CITY, STATE ZIP
ALASKA STATE FISH & GAME	333 RASPBERRY RD	ANCHORAGE, AK 99518
OELRICHS ON THE KENAI RIVER LLC	PO BOX 2686	SOLDOTNA, AK 99669
CUSACK CRAIG AND LINDA LIVING TRUST	430 ENDICOTT DR	SOLDOTNA, AK 99669
O'CONNELL KEVIN BLAIR	22928 BLUE JAY LN	ANDERSON, CA 96007
HODGES CECILE R	384 ENDICOTT DR	SOLDOTNA, AK 99669
MOORE W MIKEL	385 ENDICOTT DR	SOLDOTNA, AK 99669
POINDEXTER AARON W	425 ENDICOTT DR	SOLDOTNA, AK 99669
MORTENSON NORMAN V	830 BROOKS AVE	SOLDOTNA, AK 99669
SCOSKIE PAUL R Jr	PO BOX 3273	SOLDOTNA, AK 99669
LANDESS THOMAS W	28434 LANDESS AVE	STERLING, AK 99672
MITCHELL GLENN & LINDA LIVING TRUST	398 CHUGACH DR	SOLDOTNA, AK 99669
KANAKIS GARY C	13055 SE FINN LN	DAYTON, OR 97114
BERG TIMOTHY R	720 K BEACH RD	SOLDOTNA, AK 99669
MAU LANDON M	435 ENDICOTT DR	SOLDOTNA, AK 99669
WELCH KYLE L	790 BROOKS AVE	SOLDOTNA, AK 99669
WEBBER WILLIAM A & MARSHA K	470 CHUGACH DR	SOLDOTNA, AK 99669
GROVE JOHN E & CAROLYN J	101 KIPLING LN	CENTRALIA, WA 98531
OELRICHS PAUL	PO BOX 2686	SOLDOTNA, AK 99669
PALM RONALD A & TRACY Y	785 BROOKS AVE	SOLDOTNA, AK 99669
SPINKA JAMES D & SUZANNE E	400 ENDICOTT DR	SOLDOTNA, AK 99669
NELSON DANIEL J	395 ENDICOTT DR	SOLDOTNA, AK 99669
OPPERMAN MICHAEL L	405 ENDICOTT DR	SOLDOTNA, AK 99669
SMITH PAUL A & RUTH A	10642 E TALKING MAN DR	PALMER, AK 99645
LAWSON ROWLAND CARLOS	390 ENDICOTT DR	SOLDOTNA, AK 99669

At least seven days prior to the meeting, a copy of the subdivision request and meeting information shall be mailed to the applicant and owners of real property within 300 feet of the property to be acted upon, as shown on the Borough Assessor's public parcel information records. SMC 16.10.040



