

DESK PACKET

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E. NEW BUSINESS

- 4. Skyline Heights Estates Kachemak Landing Airpark; KPB File 2023-142
Seabright Surveying / Kachemak Landing, LLC
Location: Near Sterling Highway & Aviation Way
Diamond Ridge Area / Kachemak Bay APC**

Submitted via email: planning@kpb.us

January 1, 2024

Kenai Peninsula Borough Planning Department
c/o Beverly Carpenter
144 N Binkley Street
Soldotna, AK 99669

Re: Kachemak Landing LLC Preliminary plat dated December 23, 2023

To whom it may concern,

I was invited to comment on the above-referenced preliminary plat because I am a homeowner with a property less than 600 feet from the proposed subdivision. The purpose of this letter is to express my concerns about the approval of the subdivision plan under Borough Code, the failure to consider the requisite FAA due diligence, and to provide some historical context regarding the past attempt to develop the lots in this manner.

For clarity, my concern is not with the development itself. The proposed subdivision creates 48 lots and one tract from 27 lots. This is, on its face, a reasonable proposal for the planning department. My concern, however, is that the subdivision proposed to include a private runway through the middle of the subdivision, and the location of our home means that planes will be consistently flying over our house. This creates health and safety issues and noise pollution, but it also creates jurisdictional issues. I have reviewed the KPB Code and there is no language contemplating the planning department's approval of a private runway. The reasons for this should be obvious. The planning department has vast expertise in interpreting its code sections with respect to property developments. With all due respect, however, the planning department does not have the same expertise with respect to determining whether or not a private runway is sufficiently safe.

The nature of the private runway, including its size, location, and the amount of use, determines the level of review required by the FAA. In other words, the FAA must conduct at least minimum due diligence in order to determine what approvals, if any, are needed. This is supported by the federal regulations found at <https://www.ecfr.gov/current/title-14/chapter-I/subchapter-I/part-157>.

Additional guidelines are found at

https://www.faa.gov/airports/resources/advisory_circulars/index.cfm/go/document.current/documentNumber/150_5300-13. In order to comply with the FAA guidelines, the landowner must provide a report for the runway construction and proposed usage consistent with these FAA guidelines. The KPB planning department cannot approve any subdivision containing a runway until the landowner and the FAA complete these necessary steps.

Finally, it should be noted that around twenty years ago the previous owners of the lots now owned by Kachemak Landing LLC unsuccessfully attempted to create a private runway on the property. It is believed that the development failed due to the concerns set forth in this letter, but I have been unable to verify the specific reasons.

Regards,

John Bouman

907-299-6191
jbhomesak@gmail.com

From: [Bryan Hawkins](#)
To: [Planning Dept.](#)
Subject: <EXTERNAL-SENDER>Kpb 2023 142
Date: Thursday, January 4, 2024 7:57:32 PM

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My name is Bryan Hawkins and my residence is at 67725 Diamond Ridge Road

I have a couple comments/concerns with the proposal made by Skyline Heights Estates for the development adjacent to Cirrostratus Loop road.

1) When the runway went in that area there was not enough effort made to control the runoff water and the downstream erosion was significant. The biggest impact to this was where Diamond Creek passes under the highway. Shortly after the trees and turf was disturbed for the airstrip, the State had to launch a big restoration project at the highway so that the water would channel back into the creek. The proposed improvement will bare a lot of land of the trees and turf that normally absorbs the rainwater and then slowly release it back into the system. I have concerns that if the runoff water is not managed correctly there will be downstream impacts to the adjoining properties, public land, Diamond creek and potentially the Highway.

2) septic systems: this area of Diamond Ridge has very poor Perk and most likely leach fields will have to be above ground if to be effective. Although this may not be a planning commission issue, the question as to what kind of systems will be installed for these properties should be asked.

3) I would like to know if the state DOT would have an opportunity to speak to the increased traffic load at the intersection of Diamond Ridge and the Sterling Highway. As Diamond Ridge continues to be built out with homes I'm curious to know if there is a plan for improvements for that intersection

Thank you for the opportunity to weigh in on this proposal.

Bryan Hawkins

Sent from my iPad