

3. Lot 6A contains 30,439 square feet.
4. The parent plat was recorded in 1961, prior to formation of KPB.
5. The replat brings the lot closer to compliance with KPB 20.30.200.
6. The replat creates a better situation.
7. The increase in size is voluntary; KPB cannot require the replat.
8. Development on the lots must comply with all local, state and federal regulations.
9. All wastewater disposal systems must comply with ADEC regulations.
10. The subdivision is approximately 650 feet from Soldotna City limits.
11. It is reasonable to expect that city water and/or sewer service will be available to this area in the future.

Standard 2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title.

Findings

1. Increases size of lot by combining them together.
2. Per the parent plat, the three lots contained 10,125; 10,125; and 10,247 square feet.
3. Lot 6A contains 30,439 square feet.
4. The parent plat was recorded in 1961, prior to formation of KPB.
5. The replat brings the lot closer to compliance with KPB 20.30.200.
6. The replat creates a better situation.
7. The increase in size is voluntary; KPB cannot require the replat.
8. Development on the lots must comply with all local, state and federal regulations.
9. All wastewater disposal systems must comply with ADEC regulations.
10. The subdivision is approximately 650 feet from Soldotna City limits.
11. It is reasonable to expect that city water and/or sewer service will be available to this area in the future.

Standard 3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.

Findings

1. Increases size of lot by combining them together.
2. Per the parent plat, the three lots contained 10,125; 10,125; and 10,247 square feet.
3. Lot 6A contains 30,439 square feet.
5. The replat brings the lot closer to compliance with KPB 20.30.200.
6. The replat creates a better situation.
8. Development on the lots must comply with all local, state and federal regulations.
9. All wastewater disposal systems must comply with ADEC regulations.

AMENDMENT VOTE: The motion passed by unanimous consent.

CARLUCCIO YES	ECKLUND YES	ISHAM YES	MARTIN YES	WHITNEY YES	5 YES
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MAIN MOTION VOTE: The motion passed by unanimous consent.

CARLUCCIO YES	ECKLUND YES	ISHAM YES	MARTIN YES	WHITNEY YES	5 YES
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AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS

4. Riggs Subdivision ← Hensley Subdivision
KPB File No. 2015-075; Integrity/Littleknife, LLC

Location: west of Mackey Lake Road, Soldotna area
Proposed Use: Residential, Recreational, Commercial, Agricultural
Water/Sewer: On-site
Zoning: Unrestricted
Assessing Use: Vacant
Parent Parcel Number(s): 058-033-06

Supporting Information:

The proposed plat subdivides a 10-acre parcel into 5 lots ranging in size from 1.3 to 2.0 acres. A soils report is required, and an engineer will sign the plat. This platting action brings the parcel into compliance with the 3:1 depth to width ratio (KPB 20.30.190). The subdivision fronts KPB maintained Riggs Avenue. This platting action is dedicating a 60-foot cul-de-sac that will serve the interior lots and a matching 33-foot dedication for Riggs Avenue per KPB 20.30.030 and 20.30.110.

Notice of the proposed plat was mailed to the beneficial interest holder on July 22, 2015. 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. If no response is received within 30 days, staff will assume they have no requirements regarding the subdivision and it may be finalized.

A physical address has not been assigned to the parent parcel.

The property is not within an advisory planning commission.

Staff recommends that notes be placed on the final plat indicating any exceptions granted by the Plat Committee with the meeting date.

Exception Requested: Block length (KPB 20.30.170)

Staff Discussion: Based on the number of cul-de-sacs, the low wet areas, the pond, and existing development, it is unlikely this block will be able to strictly conform to 20.30.170. Cul-de-sac roadways cannot be considered with block connections but block length requirements also regulate the proximity of intersections with each other, i.e., "Blocks shall not be less than 330 feet or more than 1320 feet in length." The proposed street is 200 feet west of Shane Rae Circle as shown on the preliminary plat.

Findings

1. The section line easement (66 feet total width within the block) crosses a low wet area (approximately 650 feet) and a pond (approximately 1500 feet) to the north.
2. The block has 3 developed cul-de-sacs and 1 unfinished cul-de-sac (Shane Rae Circle).
3. Low wet areas within the plat have been shown and labeled.
4. Per KPB GIS 4-foot contours, the block is not affected by slopes greater than 20 percent.
5. The location and number of cul-de-sacs makes location for right-of-way for the block so it will conform to 20.30.170 problematic.
6. Low wet areas and the pond limit the location for constructible right-of-way.
7. The majority of rights-of-way that assist with block length are maintained by KPB (Riggs Avenue, Celcie Drive, Brenda Way) or the State of Alaska (Mackey Lake Road).
8. Rights-of-way that could have brought the block into or closer to compliance with 20.30.170 based on their locations were designed as cul-de-sacs.
9. Sufficient rights-of-way serve the surrounding parcels.
10. No surrounding parcels will be denied access.
11. As submitted, three intersections with Riggs Avenue will exist within 500 feet of each other.

Staff reviewed the exception request and recommends granting **conditional approval** based upon redesign

of the intersection with Riggs Ave. **Staff recommends** the intersection be aligned with Heath Street to the south and follow the section line north for a minimum distance of 60 feet from the right-of-way dedication line to provide ample landing (straight and reasonably flat) area for large vehicles. This redesign will remove the need for an exception to KPB 20.30.030. The roadway can then be routed easterly to the proposed alignment. **Staff recommends** the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;
Findings 1-10 support this standard.
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
Findings 1-10 support this standard.
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
Findings 7, 9, and 10 support this standard.

STAFF RECOMMENDATIONS:

- **GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO ANY ABOVE RECOMMENDATIONS, AND**
- **REQUIRE 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), SUBJECT TO EXCEPTION(S) GRANTED.**

20.25.070 - Form and contents required.

Platting staff comments: Additional information is provided for the following portions of 20.25.070 or additional information, revision or corrections are required

- C. The location, width, and name of existing or platted streets and public ways, railroad rights-of-way, and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;
*Platting Staff Comments: **Staff recommends** the city limits be shown and labeled.*
- 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;
*Platting Staff Comments: **Staff recommends** the location of the city limits be adjusted. Per KPB GIS mapping the centerline of Riggs Avenue is the city's boundary line.*
- F. The names and widths of public streets and alleys and easements, existing and proposed, within the subdivision;

*Platting Staff Comments: **Staff recommends** the surveyor/owner work with Carrie Henson, Addressing Officer, to select a name for the cul-de-sac. Based on its orientation, it is a Circle.*

The 33-foot section line easement has been shown and labeled. Staff is recommending a redesign and partial dedication (+/- 100 feet) of the section line easement. The remainder of the section line easement will remain in place for utilities and/or pedestrian or all-terrain vehicle traffic in the winter.

- H. Approximate locations of areas subject to inundation, flooding, or storm water overflow, the line of ordinary high water, wetlands when adjacent to lakes or non-tidal streams, and the appropriate study which identifies a floodplain, if applicable;
Platting Staff Comments: The low wet area has been shown and labeled.

Staff recommends a note be placed on the final plat indicating any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetland determination if applicable.

KPB 20.30 Design Requirements

Platting staff comments: Additional information is provided for the following portions of 20.30 or additional information, revision or corrections are required.

20.30.030. Proposed street layout – Requirements.

- A. The streets provided on the plat must provide fee simple right-of-way dedications to the appropriate governmental entity. These dedications must provide for the continuation or appropriate projection of all streets in surrounding areas and provide reasonable means of ingress for surrounding acreage tracts. Adequate and safe access for emergency and service vehicle traffic shall be considered in street layout.

*Platting Staff Comments: Per the submittal the proposed street lies 200 feet west of an existing intersection (Shane Rae Cir / Riggs Ave.) and 300 feet east of an existing intersection (Heath St / Riggs Ave). KPB Code limits block lengths to a 330-foot minimum and offset intersections are not allowed per KPB 20.30.150 (B). **Staff recommends** the proposed intersection be initially aligned with Heath Street and continue north along the section line a minimum of 60 feet from the right-of-way dedication line to provide a suitable landing (straight and reasonably flat) area for large vehicles.*

20.30.100. Cul-de-sacs.

- A. Streets designed to have one end permanently closed shall be no more than 1000 feet long. The closed end of the cul-de-sac shall have a suitable turnaround with a minimum radius of 50 feet to the property line. The turnaround shall be constructible to a 4 percent grade or less.

*Platting Staff Comments: Per the initial submittal, the cul-de-sac is longer than 1,000 feet. A second submittal states the length is 990 feet. With the recommended realignment at Riggs Avenue, **staff recommends** compliance with 20.30.100.*

20.30.280. Floodplain requirements.

Platting Staff Comments: Per River Center review, the plat is not affected by a mapped flood hazard zone.

20.30.290. Anadromous habitat protection district.

Platting Staff Comments: Per River Center review, the subdivision is not affected by the Anadromous Habitat Protection District.

Per KPB GIS mapping, no anadromous streams flow through the subdivision.

STAFF RECOMMENDATIONS: COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

Platting staff comments: Additional information is provided for the following portions of 20.60 or additional information, revision or corrections are required

20.60.020. Filing-Form and number of copies required.

The subdivider shall file a standard number of prints as determined by the planning director. All prints shall be folded as required by KPB 20.25.030 except those to be recorded with the district recorder.

*Platting Staff Comments: **Staff recommends** one full-sized paper copy of the plat be submitted for final review prior to submittal of the Mylar.*

20.60.110. Dimensional data required.

- A. The bearing and length of every lot line, block line, and boundary line shall be shown. Dimensions of lots shall be given as net dimensions to the boundaries of adjoining streets and shall be shown in feet. No ditto marks shall be used. Information shall be shown for all curves, including radius, central angle, arc length, chord length and chord bearing. The initial point of survey shall be shown and labeled.

*Platting Staff Comments: The curve data for the cul-de-sac and a bearing are missing. **Staff recommends** compliance with 20.60.110.*

20.60.120. Accuracy of measurements.

All boundary closures shall be to a minimum accuracy of 1:5,000. Boundary and lot closure computations must be submitted with the final plat.

*Platting Staff Comments: **Staff recommends** compliance with 20.60.120.*

20.60.160. Easements.

- A. The plat shall clearly show the location, width, and use of all easements. The easements must be clearly labeled and identified and, if already of record, the recorded reference given. If public easements are being granted by the plat, they shall be properly set out in the owner's certification of dedication.

*Platting Staff Comments: **Staff recommends:***

- 1) *Provide a plat note for the 60-foot right-of-way easement granted to Alaska Pipeline Company.*
- 2) *Provide a plat note for the blanket easement of recorded granted to Homer Electric Association.*

20.60.190. Certificates, statements, and signatures required.

*Platting Staff Comments: Per the State of Alaska corporation database, Haley Bowen is also an owner of Littleknife, Inc. **Staff recommends** both owners of the corporation sign the Mylar. An option is for one owner to provide the Planning Department written authorization for the other owner to sign the Mylar.*

20.60.200. Survey and monumentation.

*Platting Staff Comments: **Staff recommends** compliance with 20.60.200.*

NOTE: 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 10 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

PARTIES OF RECORD (KPB 20.90.010): UNLESS SPECIFIED OTHERWISE MEANS THOSE PERSONS WHO HAVE COMMENTED IN A WRITTEN AND SIGNED DOCUMENT OR IN PERSON ON AN AGENDA ITEM BEFORE THE PLANNING COMMISSION OR PLAT COMMITTEE WHO OWN PROPERTY WITHIN THE NOTIFICATION RADII ESTABLISHED IN THIS CHAPTER.

END OF STAFF REPORT

Chairman Martin read the rules by which public hearings were conducted.

Chairman Martin opened the meeting for public comment.

1. Scott Huff, Integrity Surveys

Mr. Huff is the surveyor on this project. Staff conditionally recommended granting the Block Length exception which means that the shape of the right of way would need to be changed to have a curve so that it meets the intersection. He stated that the parent lot was a difficult lot to subdivide since it is very narrow being ¼ miles deep by 330 feet wide. What makes the most sense for being able to use this lot was to put a right of way road on the eastern side with the useable lots being on the western side of the property. Mr. Huff requested that the condition be removed from the exception so that a curve would not be required in the road. He reiterated that staff recommended approval of the exception but required it to be redesigned so that the road starts on Heath St, goes north on the western boundary, curves through the entire middle of the parcel, then meets the eastern boundary and back up the eastern boundary to where the cul-de-sac terminates. It would make a big "S" in the right of way. If they did that it would take up a lot of the useable land that is good land for development. Mr. Huff stated that a 60 foot swath through there chews up the long narrow parcel. He asked that the exception request be approved but leave the right of way on the eastern side of the parcel as proposed on the preliminary plat.

Mr. Huff also stated that an exception to the cul-de-sac length would need to be granted if the committee approves the exception request with the redesign requirement.

Chairman Martin asked if there were questions for Mr. Huff. Hearing none, the public hearing continued.

2. Jessica Young

Ms. Young lives on Lot 2 just off of Shane Rae Circle. She and her husband own Lots 1, 2, 3, 4 and the unsubdivided area.

Ms. Young supported the road placement of it starting on Heath St and moving across the property. She expressed concern for a low wet area that is along there which will be problematic for building a road. Their lots are only 135 feet across, which limits them from having a front or back yard if they are to put a house on Lot 4. She also expressed concern with the area where the cul-de-sac was located because it is a very wet area in the spring. Ms. Young questioned how high the road would have to be constructed if the road was built in the wet areas. She expressed concern of the watershed coming off her property to the new lots which would build up and make their lots not as useable. There will be standing water for most of the spring and was concerned with the installation of a septic in an area of standing water for most of the spring and going into the summer. She felt the Commission was correct in placing the road where staff suggested.

Chairman Martin asked if there were questions for Ms. Young. Hearing none the public hearing continued.

3. Cole Young, 42924 Riggs Ave.

Mr. Young stated that they are the owners of S & S Subdivision. There is an unsubdivided area that is undeveloped because of the drainage that goes through there as shown on the aerial. He felt a road in this area was not a good idea. A lack of planning on their part should not constitute construction on his part of Lots 1 and 4.

Mr. Young stated that Lot 1 will have a triple frontage and Lot 4 will have a double road frontage if the plat was approved as submitted. He moves against the subdivision replat.

Chairman Martin asked if there were questions for Mr. Young. Hearing none the public hearing continued.

4. Steve Bowen, 36496 Haleys Way, Soldotna

Mr. Bowen has been building a four-plex for Febra Hensley on proposed Lot 1 so he has a pretty good deal of experience with the soils in that immediate area. He felt the soils are very favorable to any kind of construction since he was there for the test holes that were dug along the east boundary and seeing the type of soils there. At a considerable depth the soils are solid, dry and drainable.

Mr. Bowen stated that they have run into a lot of trouble on the west side even with the driveway and the fill for the building that they put in with deep holes of unfavorable building soils. It has cost up to \$10,000 in extra gravel to get the pad and driveway in with the construction of the four-plex. He felt that they would most likely encounter quite a bit of problems that would add up to a lot of extra costs with the construction of the road if a road was to be built along the western boundary that follows the north boundary of Lot 1.

Mr. Bowen also stated that he will be involved in all of this supervised construction for whatever they end up building for a road to access these new lots. He stated that their intention was to build something that would minimally impact and as tastefully as they can get it done without interfering with the privacy and the aesthetics of the neighbors.

Chairman Martin asked if there were questions for Mr. Bowen.

Chairman Martin asked if he was building on Lot 1. Mr. Bowen replied that they are currently building on the proposed Lot 1.

There being no further comments or questions, the public hearing continued.

5. Febra Hensley, 36963 Beau Circle, Soldotna

Ms. Hensley is the owner of Hensley Subdivision and assured the commission that they have given the upmost care and thought to subdividing this property. She stated that they are actually looking for something favorable to the neighborhood and Borough which is why they have proposed having nice large parcels. Ms. Hensley pointed out that they will be creating covenants on the proposed plat that will be beneficial to the neighborhood.

Ms. Hensley stated that the Corp of Engineers looked at imagery of the area and agreed that they were right on with the original suggested placement of the right of way which is on the east lot line. She pointed out to the Corp of Engineers that there are lower lands and more wetlands which would be more difficult to construct a right of way if they are required to construct it on the west lot line. Also she believed that Heath St was not intended to go all the way through. With the Corp of Engineers looking at the imagery, they said they see no danger or harm to the wetlands and found their proposed right of way location in line with thought and care of the wetlands. They are also willing to write a letter, if needed.

Ms. Hensley also stated that their right of way easement was properly thought of and expressed that to all of the neighbors that may have concerns. The original right of way with it being on higher ground is economically more beneficial. The Borough's proposed right of way crosses over the lowlands on the west side increasing the amount of materials and changes that will have to happen to that parcel. It will increase the distance of the project and costs to improve it. They have a bonded licensed contractor to install the right of way whichever the way the Borough leans to whether it will be on the east or west lot line. The licensed, bonded contractor will be conforming to all Borough requirements. She wanted everyone to understand and acknowledge that the Corp of Engineers is behind them with this project.

Chairman Martin asked if there were questions for Ms. Hensley. Hearing none the public hearing continued.

Seeing and hearing no one else wishing to comment, Chairman Martin closed the public hearing and opened discussion among the Committee.

MAIN MOTION: Commissioner Isham moved, seconded by Commissioner Carluccio to grant approval of the preliminary plat subject to staff recommendations.

Mr. Voeller commented that a testifier stated that they would be losing buildable ground however the lots would be picking up the 60 foot strip where the road is proposed to be located. It is a bit of an exchange and felt that they would not be losing much ground. He requested to see the soils and test holes results which may

have a big influence on his recommendations.

Commissioner Ecklund understood that staff recommended having a new cul-de-sac starting at the intersection of Riggs & Heath St then goes north and then does some sort of a "S". She asked where it heads west. Mr. Voeller recommended that it be pushed up about 100 feet and do a diagonal curve and tie into the alignment. It would probably tie in somewhere in the neighborhood of where Lot 2 fronts where the proposed road is now. Chairman Martin understood that it would then proceed as drawn. Mr. Voeller replied that was correct.

Commissioner Carluccio thought it might be helpful in making their decision if they were able to see the Corp of Engineers report. Mr. Voeller agreed that it would be good to see the report once they did a field site visit.

Commissioner Ecklund asked what staff's reasoning was in recommending starting that road at Heath and Riggs. Mr. Voeller replied that is was twofold. It is a natural progression of a street but was coming intersections reasonably far apart so that isn't an abundance of intersections with a road. He felt that Riggs may have the potential of becoming fairly well traveled with higher speed roads sometime in the future. All of these little intersections close together make it a dangerous situation as well as butting up against Lot 1 and Lot 4 of the neighboring subdivision.

Chairman Martin asked if the surveyor needed an exception for double frontage. Mr. Voeller replied that double frontage doesn't apply to corner lots. The code states that a double frontage lot shall not be less than 250 feet deep. Chairman Martin asked how deep Lot 4 was in the existing subdivision. Mr. Voeller replied that Lot 4 was 135 feet deep.

Commissioner Ecklund asked if the design was the widths of the existing S&S Subdivision lots. Mr. Voeller believed so. Commissioner Ecklund understood that there couldn't be a double frontage road on lots less than 250 feet which makes someone that wants to build a subdivision on their property having to abide by that. Mr. Voeller replied that by putting the proposed roadway where they have it would be making Lots 1 and 4 double frontage lots so they would have the right to use this access also. He thought they would not be subject to the building setback because it was not their property. Mr. Best clarified that it was in the design portion of the Code which should be taken into consideration when a subdivision was being designed adjacent to another subdivision.

Commissioner Carluccio asked for clarification the Lots 1 & 4 wouldn't have to abide by the setbacks. Mr. Voeller replied they wouldn't have to on the new right of way. Commissioner Carluccio asked why. Mr. Voeller replied that it was a situation that was forced upon them. Commissioner Carluccio stated she didn't want to see a house constructed five feet from the road. Mr. Voeller replied that was true but he discussed this with other staff members who felt that the setback couldn't be imposed on a neighboring lot. Commissioner Carluccio asked if this was a bad design. Mr. Voeller replied that it could be better.

With the approval of the Commission, Chairman Martin asked if the surveyor could address the committee

Chairman Martin asked why the surveyor did not want to follow staff's recommendations.

Scott Huff, Integrity Surveys

Mr. Huff requested to keep the right of way on the eastern boundary. It is the simplest and best layout that they could come up with. It makes the most useable lots on the western side. The road is on the one side with the lots on the other side. He submitted a letter to staff giving nine findings supporting the granting of the block length exception. They do not want to redesign the subdivision.

Commissioner Ecklund asked if he was aware of the design requirements in the code that made the design of a new subdivision have to take into consideration an adjoining subdivision. Mr. Huff replied that he wasn't directly aware of that but he normally looks at neighboring property when the preliminary plat was drawn. The neighboring lots to the east are not very deep and the lot being subdivided is a tough one to subdivision being long and narrow.

Chairman Martin asked him to address the concerns of drainage. Mr. Huff replied that it looks like there is some drainage with slight slopes to the property from east to west. The low wet areas are up around Lots 3 & 4. The way that the subdivision was designed was that each lot would have a useable area to build a house and part of the area would be a nice view of the low wet and open area. The contractor will have to take into consideration the low wet area south of the cul-de-sac that goes across from east from the unsubdivided remainder through the subject subdivision and continues to the west when the road is constructed.

Commissioner Isham asked if it was too wet to build a road on the west side within the right of way. Mr. Huff replied that he has seen roads in a lot worse conditions than that being constructed. It would have to be approved and go through the Borough review and the contractor would have to make sure he could build it. Commissioner Isham felt it would solve the safety and double frontage problems if the road were built on the west side. Mr. Huff felt they could do that at the Heath St intersection. There would be a 200 foot radius for the center of the road where it curves off to the east and then a 200 foot radius where it curves back to the west if the road was started at the Heath St intersection. Commissioner Isham thought the road could go straight up Heath St on the west. Mr. Huff replied that they would run into the low wet areas if Heath St went straight up. Commissioner Isham asked if it was too wet to go straight up Heath. Mr. Huff replied yes, it was too wet on the west side. He stated that the road design would create weird triangle part of the lots that nobody could really use which was what he was trying to avoid.

Mr. Voeller asked if the subdivision could be designed by starting on the west, aligning with Heath St, curving through as staff suggested and still have good building sites on every lot. Mr. Huff replied yes, it could be redesigned but preferred not to.

Commissioner Ecklund referred to Mr. Huff's finding which states, "A plat note can be added to the plat requiring that all lots use the dedicated ROW cul-de-sac to access Riggs Ave." She asked if that was only for the five lots in the subject subdivision. Mr. Huff replied that it would only be the lots in the subject subdivision would be required to use the new cul-de-sac to access Riggs Ave. Commissioner Ecklund asked how else they could get out. Mr. Huff replied that Lot 1 could have a direct driveway onto Riggs Ave. He stated that staff expressed concern with having too many driveways and right-of-ways along Riggs Ave. One option was to make sure that every lot fronts and uses the new cul-de-sac.

AMENDMENT A MOTION: Commissioner Isham moved, seconded by Commissioner Whitney to grant exception to KPB 20.30.170, Block Length; citing the 11 findings and tying them to the three standards in the following manner.

Standard 1. That special circumstances or conditions affecting the property have been shown by application.

Findings

1. The section line easement (66 feet total width within the block) crosses a low wet area (approximately 650 feet) and a pond (approximately 1500 feet) to the north.
2. The block has 3 developed cul-de-sacs and 1 unfinished cul-de-sac (Shane Rae Circle).
3. Low wet areas within the plat have been shown and labeled.
4. Per KPB GIS 4-foot contours, the block is not affected by slopes greater than 20 percent.
5. The location and number of cul-de-sacs makes location for right-of-way for the block so it will conform to 20.30.170 problematic.
6. Low wet areas and the pond limit the location for constructible right-of-way.
7. The majority of rights-of-way that assist with block length are maintained by KPB (Riggs Avenue, Celcie Drive, Brenda Way) or the State of Alaska (Mackey Lake Road).
8. Rights-of-way that could have brought the block into or closer to compliance with 20.30.170 based on their locations were designed as cul-de-sacs.
9. Sufficient rights-of-way serve the surrounding parcels.
10. No surrounding parcels will be denied access.

Standard 2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title.

Findings

1. The section line easement (66 feet total width within the block) crosses a low wet area (approximately 650 feet) and a pond (approximately 1500 feet) to the north.
2. The block has 3 developed cul-de-sacs and 1 unfinished cul-de-sac (Shane Rae Circle).
3. Low wet areas within the plat have been shown and labeled.
4. Per KPB GIS 4-foot contours, the block is not affected by slopes greater than 20 percent.
5. The location and number of cul-de-sacs makes location for right-of-way for the block so it will conform to 20.30.170 problematic.
6. Low wet areas and the pond limit the location for constructible right-of-way.
7. The majority of rights-of-way that assist with block length are maintained by KPB (Riggs Avenue, Celcie Drive, Brenda Way) or the State of Alaska (Mackey Lake Road).
8. Rights-of-way that could have brought the block into or closer to compliance with 20.30.170 based on their locations were designed as cul-de-sacs.
9. Sufficient rights-of-way serve the surrounding parcels.
10. No surrounding parcels will be denied access.

Standard 3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.

Findings

7. The majority of rights-of-way that assist with block length are maintained by KPB (Riggs Avenue, Celcie Drive, Brenda Way) or the State of Alaska (Mackey Lake Road).
9. Sufficient rights-of-way serve the surrounding parcels.
10. No surrounding parcels will be denied access.

AMENDMENT A VOTE: The motion passed by unanimous consent.

CARLUCCIO YES	ECKLUND YES	ISHAM YES	MARTIN YES	WHITNEY YES	5 YES
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Chairman Martin asked if the main motion was to for conditional approval per staff recommendations. Commissioner Isham replied that was correct. Commissioner Carluccio also wondered if the motion was to approve the plat as submitted or to grant conditional approval based on the realignment of the right-of-way. Ms. Hartley clarified that the main motion was to grant approval of the preliminary plat subject to staff recommendations. Chairman Martin stated that they are not granting approval of what the surveyor requested but was aligning with staff’s conditional approval based on redesign. Mr. Voeller replied that was correct.

Mr. Voeller replied that if redesign is approved then an exception to cul-de-sac length would need to be addressed. The length that was noted on the preliminary plat was incorrect. It is actually about 990 feet now. The incorporation of a couple curves would probably put it a little over 1,000 feet.

Commissioner Carluccio asked if staff wanted them to address the exception now or wait until it was redesigned. Mr. Voeller preferred that it be addressed and granted now. Chairman Martin stated that they will need to cite findings to match the standards.

Mr. Voeller suggested the following findings in support of granting the cul-de-sac length exception.

Findings

1. The length of the cul-de-sac will provide for the best use of the land for building by exceeding 1,000 feet.
2. The cul-de-sac is slightly more than the maximum allowable length.

AMENDMENT B MOTION: Commissioner Carluccio, seconded by Commissioner Isham to grant exception to the KPB 20.30.100, Cul-de-sac Length citing the 2 findings and tying them to the three standards.

Findings

1. The length of the cul-de-sac will provide for the best use of the land for building by exceeding 1,000 feet.
2. The cul-de-sac length is slightly more than the maximum allowable length.

AMENDMENT B VOTE: The motion passed by unanimous consent.

CARLUCCIO YES	ECKLUND YES	ISHAM YES	MARTIN YES	WHITNEY YES	5 YES
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Commissioner Ecklund stated that staff mentioned that there are 3 driveways or roadways within 500 feet. She asked if he was talking about Jakes Cir, Shane Rae Cir and Riggs Ave. Mr. Voeller replied that Riggs Ave would be the fourth one. The third one was Heath St.

Commissioner Ecklund stated that she liked the design that was presented by the surveyor and the applicants. She did not support redesign.

There being no further comments or questions, Chairman Martin called for a roll call vote.

MAIN MOTION VOTE: The motion passed by majority consent.

CARLUCCIO YES	ECKLUND NO	ISHAM YES	MARTIN YES	WHITNEY YES	4 YES 1 NO
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AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS

7. ~~Rosewood Subdivision
KPB File 2015-084; Geovera/Rainwater~~

Staff Report given by Patti Hartley

Plat Committee Meeting: 8/10/15

Location: Fritz Creek area
 Proposed Use: Residential
 Water/Sewer: On-site
 Zoning: Unrestricted
 Assessing Use: Accessory Building
 Parent Parcel Number(s): 172-031-17

Supporting Information:

The proposed plat subdivides a 10-acre landlocked parcel into 5 lots ranging in size from 1 to 5 acres. A 60-foot cul-de-sac, which is generally aligned with the 60-foot driveway access easement to the west, provides interior access. A soils report is required, and an engineer will sign the plat.

Notice of the proposed plat was mailed to two beneficial interest holders on July 28, 2015. The beneficial interest holders 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. If no response is received within 30 days, staff will assume they have no requirements regarding the subdivision and it may be finalized.

A physical address has not been assigned to the parent parcel.

Kachemak Bay Advisory Planning Commission is inactive at this time.