

Kenai Peninsula Borough Plat Committee

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

January 9, 2023
5:30 PM
APPROVED MINUTES
(Meeting Held Via Zoom)

A. CALL TO ORDER

Commissioner Gillham called the meeting to order at 5:30 p.m.

B. ROLL CALL

Plat Committee Members/Alternates

Pamela Gillham, District 1, Kalifornsky
Troy Staggs, City of Seward
David Stutzer, District 8 - Homer
Franco Venuti, City of Homer

Staff Present

Samantha Lopez, Acting Planning Director
Vince Piagentini, Platting Manager
Julie Hindman, Platting Specialist
Ann Shirnberg, Planning Administrative Assistant
Rhonda Foster-Deskins, Land Management Administrative Assistant

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

Election of Officers

Commissioner Venuti nominated, seconded by Commissioner Stutzer, Commissioner Gillham for the position of Chairman. Seeing and hearing no objections, discussion or other nominations, Commissioner Gillham was appointed Chairman.

Commissioner Stutzer nominated, seconded by Commissioner Horton, Commissioner Venuti for the position of Vice Chair. Seeing and hearing no objections, discussion or other nominations, Commissioner Venuti was appointed Vice-Chairman.

C. APPROVAL OF AGENDA, EXCUSED ABSENCES, AND MINUTES

- *3. Approval of Minutes
 - a. December 12, 2022 Plat Committee Meeting Minutes

- *4. Grouped Plats

Staff report by Platting Manager Vince Piagentini.

Staff has grouped the following plats located under **AGENDA ITEM E**. They are grouped as simple or non-controversial. The type of plats grouped are lot splits, creating a small number of lots, replats, no exceptions required and no public comments were received. – 4 Plats

1. Bay Ridge Estates Lot 22 Caron 2023 Replat; KPB File 2022-175
2. Brown's Acre Estates Addition No.; KPB File 2022-170
3. Fort Raymond subdivision No. 1 Hemlock Addition; KPB File 2022-177

5. Tatum Denise Subdivision Derks Lake Addition; KPB File 2022-155R1

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

END OF STAFF REPORT

Chair Gillham asked 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 Venuti moved, seconded by Commissioner Stutzer 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	Gillham, Staggs, Stutzer, Venuti
No - 0	

D. OLD BUSINESS – None**E. NEW BUSINESS****ITEM E1 - BAY RIDGE ESTATES LOT 22 CARON 2023 REPLAT**

KPB File No.	2022-175
Plat Committee Meeting:	January 9, 2023
Applicant / Owner:	Patricia Caron of Homer, Alaska
Surveyor:	Kenton Bloom / Seabright Survey + Design
General Location:	Diamond Ridge Road, Diamond Ridge, Kachemak Bay APC

Parent Parcel No.:	173-500-44
Legal Description:	Lot 22 Bay Ridge Estates (HM 75-20)
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

**Passed Under Grouped Plats Under The Consent Agenda*

ITEM E2 – BROWN'S ACRE ESTATES ADDITION NO. 1

KPB File No.	2022-170
Plat Committee Meeting:	January 9, 2023
Applicant / Owner:	Anchorage Development and Construction LLC of Anchorage, Alaska
Surveyor:	Jason Schollenberg / Peninsula Surveying, LLC
General Location:	Lopez Avenue, Forest Lane, Sterling

Parent Parcel No.:	058-350-23
Legal Description:	Tract B Brown's Acres Subdivision 2021, KN 2021-76
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

**Passed Under Grouped Plats Under The Consent Agenda*

ITEM E3 – FORT RAYMOND SUBDIVISION NO. 1 HEMLOCK REPLAT

KPB File No.	2022-177
Plat Committee Meeting:	January 9, 2023
Applicant / Owner:	City of Seward, Seward, Alaska
Surveyor:	David Hale, R&M Consultants, Inc.
General Location:	Hemlock Avenue, Sea Lion Avenue, Seward Highway, City of Seward

Parent Parcel No.:	145-026-02
Legal Description:	Lot 12A, Fort Raymond Subdivision Replat No. 1, Plat SW 87-12
Assessing Use:	Residential
Zoning:	Institutional
Water / Wastewater	City

**Passed Under Grouped Plats Under The Consent Agenda*

ITEM E4 – SURREAL SUBDIVISION TRACT C REPLAT

KPB File No.	2022-174
Plat Committee Meeting:	January 9, 2023
Applicant / Owner:	Dawson Cabbage, Shahar and Daphane Maxon all of Anchor Point, Alaska
Surveyor:	Gary Nelson / Ability Surveys
General Location:	Diamond Ridge Road, Zoe Street, Elliott Avenue, Diamond Ridge area, Kachemak APC

Parent Parcel No.:	173-710-18
Legal Description:	Tract C, Surreal Subdivision Unit 5, HM 2010-59
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

Staff report given by Platting Manager Vince Piagentini.

Chair Gillham opened the item for public comment.

Kristen Dixon; 65375 Diamond Ridge Rd., Homer AK 99603: Ms. Dixon is a neighboring landowner and she expressed concerns regarding the size of the lots and potential issues that the wastewater systems on these lots could negatively affect other properties in the area. She also noted that the ski trail that crosses this property has been maintained by the Kachemak Nordic Ski Club and used for years. She does not want to lose access to this trail and would like to see the trail become a dedicated easement.

Daphne Maxon; PO Box 1089, Anchor Point, AK 99556: Ms. Maxon is the owner of this parcel and she stated that she is aware of the ski trail and has no plans to limit its' use. She stated that she would be happy to talk with any of the area residents about the development plans for the proposed lots.

Jennifer Edwards; 66740 Elliot Ave., Homer AK 99603: Ms. Edwards is a neighboring landowner and expressed the same concerns as Ms. Dixon.

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

Commissioner Stutzer informed the committee that he is a resident in this neighborhood and received the public notice on this item. However he did not believe this would create a conflict of interest in this matter. He just wanted this to be noted in the record.

Commissioner Stutzer noted that several of the proposed lots were pretty small and asked staff per code what is the minimum lot size. Platting Manager Piagentini replied that 20.30.200(B) states that lots must

contain at least 40,000 square feet if both the well and wastewater system are to be located on the lot. The smallest lot is .93 acres and meets the require minimum lot size.

Commissioner Stutzer also noted that the proposed legal access for these lots are unconstructed roads. He noticed there was a private easement on this lot and wondered if the new lots would be able to use this easement. Platting Specialist Hindman replied that code requires that there be platted legal access, code does not require that it be constructed. The private access road is currently for the owners use only and they do not wish to dedicate it. Currently the owner would not be able to grant access to this private easement, as the new lots do not yet legally exist. Granting use of the private easement could be discussed after the subdivision is finalized and recorded.

MOTION: Commissioner Venuti moved, seconded by Commissioner Stutzer to grant preliminary approval to Surreal Subdivision Tract C Replat, based on staff recommendations and compliance to borough code.

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

MOTION PASSED BY UNANIMOUS VOTE

Yes 4	Gillham, Staggs, Stutzer, Venuti
No - 0	

ITEM 5 – TATUM DENISE SUBDIVISION DERKS LAKE ADDITION

KPB File No.	2022-155R1
Plat Committee Meeting:	January 9, 2023
Applicant / Owner:	Gene, Linda, and George Friendshuh all of Soldotna, Alaska
Surveyor:	James Hall / McLane Consulting Inc.
General Location:	Derks Lake Road, Cinnamon Street, Ridgeway

Parent Parcel No.:	058-320-51, 058-320-52, 058-320-53, 058-320-54, and 058-320-55
Legal Description:	Lot 10A, Lot 11A, Lot 12A, Lot 13A, and Lot 14A, Tatum Denise Subdivision, KN 2022-43
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

**Passed Under Grouped Plats Under The Consent Agenda*

ITEM 6 – HANK AND MATTIE BARTOS SUBDIVISION

KPB File No.	2022-180
Plat Committee Meeting:	January 9, 2023
Applicant / Owner:	Henrietta Minium and Katherine Lee both of Nikiski, Ak Bureau of Indian Affairs
Surveyor:	Jason Young, Mark Aimonetti / Edge Survey and Design, LLC
General Location:	Louis Anne Lane, Bend Street, Chickadee Street, Wik Lake, Nikiski, Nikiski APC

Parent Parcel No.:	013-211-11
Legal Description:	Government Lots 1 and 6 within Section 7, Township 7 North, Range 11 West
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

Staff report given by Platting Manager Vince Piagentini.

Chair Gillham opened the item for public comment.

Jason Young, Edge Survey & Design: PO Box 59, Kasilof, AK 99610: Mr. Young is the surveyor on this project and made himself available for questions.

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

MOTION: Commissioner Venuti moved, seconded by Commissioner Stutzer to grant preliminary approval to Hank & Mattie Bartos Subdivision, based on staff recommendations and compliance to borough code.

EXCEPTION REQUEST A: Commissioner Venuti moved, seconded by Commissioner Stutzer to grant exception request to KPB 20.30.17 – Block Length Requirements, citing findings 1-4, 7, 10, 12 & 13 in support of standards one, two and three.

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

EXCEPTION REQUEST A MOTION PASSED BY UNANIMOUS VOTE

Yes 4	Gillham, Staggs, Stutzer, Venuti
No - 0	

EXCEPTION REQUEST B: Commissioner Venuti moved, seconded by Commissioner Horton, to grant exception request to 20.30.100 – Cul-de-sacs, citing findings 1-9 in support of standards one, two and three.

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

EXCEPTION REQUEST B MOTION PASSED BY UNANIMOUS VOTE

Yes 4	Gillham, Staggs, Stutzer, Venuti
No - 0	

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

MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes 4	Gillham, Staggs, Stutzer, Venuti
No - 0	

ITEM 7 – SMITH-STANTON SUBDIVISION

KPB File No.	2022-178
Plat Committee Meeting:	January 9, 2023
Applicant / Owner:	Joshua and Melissa Smith of Ninilchik, Alaska
Surveyor:	Jason Young, Mark Aimonetti / Edge Survey and Design, LLC
General Location:	Lower Salamatof Avenue, Amethyst Avenue, Berly Street, Salamatof area, Nikiski APC

Parent Parcel No.:	017-260-29
Legal Description:	W1/2 NE1/4 Section 12, Township 6 North, Range 12 West
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

Staff report given by Platting Manager Vince Piagentini.

Chair Gillham opened the item for public comment.

Jason Young, Edge Survey & Design: PO Box 59, Kasilof, AK 99610: Mr. Young is the surveyor on this project and made himself available for questions.

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

MOTION: Commissioner Horton moved, seconded by Commissioner Venuti to grant preliminary approval to Smith-Stanton Subdivision, based on staff recommendations and compliance to borough code.

EXCEPTION REQUEST: Commissioner Horton moved, seconded by Commissioner Venuti to grant exception request to KPB 20.30.170 – Block Length Requirements, citing findings 1-3 & 7-9 in support of standards one, two and three.

EXCEPTION REQUEST PASSED BY UNANIMOUS VOTE

Yes 4	Gillham, Staggs, Stutzer, Venuti
No - 0	

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

MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes 4	Gillham, Staggs, Stutzer, Venuti
No - 0	

ITEM 8 – THE PLACE SUBDIVISION

KPB File No.	2022-179
Plat Committee Meeting:	January 9, 2023
Applicant / Owner:	The Place Motel, Bar and Grill LLC of Kenai, Alaska
Surveyor:	Jason Young, Mark Aimonetti / Edge Survey and Design, LLC
General Location:	Mile 17.75 Kenai Spur Highway, Sparrow Lane, Salamatof Area, Nikiski APC

Parent Parcel No.:	017-260-11
Legal Description:	A portion of US Survey 1098 west of the Kenai Spur Highway as defined in Book 112 Page 499, KRD
Assessing Use:	General Commercial
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

Staff report given by Platting Manager Vince Piagentini.

Chair Gillham opened the item for public comment.

Jason Young, Edge Survey & Design: PO Box 59, Kasilof, AK 99610: Mr. Young is the surveyor on this project and made himself available for questions.

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

MOTION: Commissioner Horton moved, seconded by Commissioner Stutzer to grant preliminary approval to The Place Subdivision, based on staff recommendations and compliance to borough code.

EXCEPTION REQUEST: Commissioner Horton moved, seconded by Commissioner Stutzer to grant exception request to KPB 20.30.19 – Lot Dimensions, subject to a plat note stating “There may be possible limitation on further subdivision based on access issues, development trends in the area or topography, citing findings 1-4, 6-8 & 13-15 in support of standards one, two and three.

EXCEPTION REQUEST PASSED BY UNANIMOUS VOTE

Yes 4	Gillham, Staggs, Stutzer, Venuti
No - 0	

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

MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

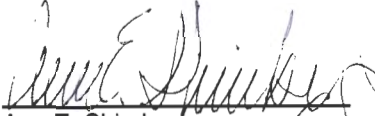
Yes 4	Gillham, Staggs, Stutzer, Venuti
No - 0	

F. PUBLIC COMMENT

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

G. ADJOURNMENT

Commissioner Stutzer moved to adjourn the meeting 6:35 P.M.



Ann E. Shirnberg
Administrative Assistant