

Kenai Peninsula Borough Plat Committee

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

February 13, 2023
6:30 PM
APPROVED MINUTES

A. CALL TO ORDER

Commissioner Gillham called the meeting to order at 6:30 p.m.

B. ROLL CALL

Plat Committee Members/Alternates

Jeremy Brantley, District 5 – Sterling/Funny River
Pamela Gillham, District 1 – Kalifornsky
Troy Staggs, City of Seward
Franco Venuti, City of Homer

Staff Present

Robert Ruffner, Planning Director
Walker Steinhage, Deputy Borough Attorney
Vince Piagentini, Platting Manager
Ann Shirnberg, Planning Administrative Assistant

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

C. APPROVAL OF AGENDA, EXCUSED ABSENCES, AND MINUTES

- *2 Excused Absences
 - David Stutzer, District 8 - Homer
- *3. Approval of Minutes
 - a. January 23, 2023 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. – 3 Plats

- 2. New Homestead Subdivision; KPB File 2023-007
- 3. Slikok Creek Alaska Subdivision Moore Replat; KPB File 2023-005
- 4. Leisure Time Estates Ivy Replat; KPB File 2022-130

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 Brantley moved, seconded by Commissioner Venuti to approve the agenda, the January 23, 2023 Plat Committee meeting minutes 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	Brantley, Gillham, Staggs, Venuti
No - 0	

D. OLD BUSINESS – None

E. NEW BUSINESS

ITEM E1 – JESSE LEE HEIGHTS GREAT BEAR ADDITION

KPB File No.	2023-008
Plat Committee Meeting:	February 13, 2023
Applicant / Owner:	Scotty Wilde of Seward, Alaska and James Hunt of Whittier, Alaska
Surveyor:	Ken Lang / Lang & Associates, inc.
General Location:	Great Bear Circle, City of Seward

Parent Parcel No.:	145-190-06 and 145-190-07
Legal Description:	Lots 6 and 7, Block 1, Jesse Lee Heights Plat SW-50
Assessing Use:	Residential
Zoning:	Single Family Residential
Water / Wastewater	City

Staff report given by Platting Manager Vince Piagentini.

Chair Gillham opened the item for public comment.

Kenneth Lang, Lang & Associates Inc.; 11500 Daryl Ave., Anchorage, AK 99515: Mr. Lang was the surveyor for 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.

Commissioner Staggs informed Chair Gillham that he had voted on this item in his role as a planning commissioner for the City of Seward Planning & Zoning Commission. He requested to be recused from voting on this matter. Chair Gillham approved his request.

MOTION: Commissioner Venuti moved, seconded by Commissioner Brantley to grant preliminary approval to Jesse Lee Heights Great Bear Addition, based on staff recommendations and compliance to borough code and adopting and incorporating by reference the staff report and staff recommendations.

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

MOTION PASSED BY UNANIMOUS VOTE

Yes 3	Brantley, Gillham, Venuti
Recused 1	Staggs
No - 0	

ITEM E2 – NEW HOMESTEAD SUBDIVISION

KPB File No.	2023-007
Plat Committee Meeting:	February 13, 2023
Applicant / Owner:	City of Soldotna and Lisa Schmitter of Soldotna, Alaska
Surveyor:	Jason Young, Mark Aimonetti / Edgy Survey and Design, LLC
General Location:	Homestead Lane, E Redoubt Avenue, City of Soldotna

Parent Parcel No.:	060-300-08 and 060-300-33
Legal Description:	Tract A, New Morning Subdivision, Plat KN 74-55 and Tract B-2C, Mullen Homestead Subdivision Soldotna Creek Addition, Plat KN 2015-47
Assessing Use:	Residential
Zoning:	Rural Residential, Commercial
Water / Wastewater	City

**Passed Under Grouped Plats Under The Consent Agenda*

TEM E3 - SILKOK CREEK ALASKA SUBDIVISION MOORE REPLAT

KPB File No.	2023-005
Plat Committee Meeting:	February 13, 2023
Applicant / Owner:	W. Mikel and Ann Moore of Soldotna, Alaska
Surveyor:	John Segesser / Segesser Surveys
General Location:	Endicott Drive, City of Soldotna

Parent Parcel No.:	060-280-07 and 060-280-08
Legal Description:	Lots 6 and 7, Block 2, Slikok Creek Alaska Subdivision, Plat K-1361
Assessing Use:	Residential
Zoning:	Rural Residential
Water / Wastewater	On site

**Passed Under Grouped Plats Under The Consent Agenda*

ITEM E4 – LEISURE TIME ESTATE IVY REPLAT

KPB File No.	2022-130
Plat Committee Meeting:	February 13, 2023
Applicant / Owner:	Alain and Virginia Wilkinson of Ninilchik, Alaska
Surveyor:	Jason Schollenberg / Peninsula Surveying, LLC
General Location:	Ivy Avenue, Lothrop Park Drive, Ninilchik

Parent Parcel No.	159-540-07
Legal Description:	Lot 1 Block 4, Leisure Time Estates, Plat HM 80-32
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

**Passed Under Grouped Plats Under The Consent Agenda*

ITEM E5 – LUCKY HORSESHOE ESTATES 2023 ADDITION

KPB File No.	2023-010
Plat Committee Meeting:	February 13, 2023
Applicant / Owner:	Garilyn Anderson of Cortez, Colorado
Surveyor:	Jason Schollenberg / Peninsula Surveying
General Location:	Misty Lane, Happy Valley, Anchor Point APC

Parent Parcel No.:	159-150-60
Legal Description:	Tract A, Lucky Horseshoe Estates Unit 4, HM 2010-52
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 Schollenberg, Peninsula Surveying; 10535 Katrina Blvd., Ninilchik, AK 99639: Mr. Schollenberg was the surveyor for 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 Staggs moved, seconded by Commissioner Brantley to grant preliminary approval to Lucky Horseshoe Estates 2023 Addition, based on staff recommendations and compliance to borough code and adopting and incorporating by reference the staff report and staff recommendations.

EXCEPTION REQUEST: Commissioner Staggs moved, seconded by Commissioner Brantley to grant exception request to KPB 20.30.170 – Block Length Requirements, citing findings 2-4, 6, 7, 9 & 11-14 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 PASSED BY UNANIMOUS VOTE

Yes – 4	Brantley, Gillham, Staggs, Venuti
No - 0	

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

MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes – 4	Brantley, Gillham, Staggs, Venuti
No - 0	

ITEM E6 – MALLETTE HOMESTEAD SUBDIVISION NO. 3

KPB File No.	2023-001
Plat Committee Meeting:	February 13, 2023
Applicant / Owner:	Dawn Mallette, Daniel and Jessica Rouggy all of Soldotna, Alaska
Surveyor:	Jason Schollenberg / Peninsula Surveying, LLC
General Location:	Sterling Highway, DJ's Drive, June Marie Street, Kalifornsky

Parent Parcel No.:	131-700-12, 131-480-50
Legal Description:	Lot 1 Mallette Homestead Subdivision No. 1, Plat KN 91-34 and Tract E Mallette Homestead Subdivision No. 2, Plat KN 99-79
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.

Dawn Mallette, Applicant; 48339 DJs Drive, Soldotna, AK 99669: Ms. Mallette requested that the committee support their exception request. As a homeowner living on the property, she does not believe that these roads should be continued. The type of land these roads would cross does not allow for easy development. Also requiring DJs and June Marie to connect would take almost an acre of land from the parcel. She also noted that the property to the north, Tract B, currently has access to their property via June Marie Street. She noted staff expressed concerns that should there be an accident on the highway there should be other routes to get around the accident. She stated there were currently other routes available that could be used in such cases.

Jason Schollenberg, Peninsula Surveying; 10535 Katrina Blvd., Ninilchik, AK 99639: Mr. Schollenberg was the surveyor for this project. He stated he supports granting the exception request. They would like to put cul-de-sacs at the ends of the two roads instead of extending them. He noted proposed Lot 5 has the best building site of the properties. If they were required to dedicate a road across the lot it would negatively impact this lot. The likelihood of the road in this area ever being built is very low, as the land in that area is not suitable for development. He then 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.

MAIN MOTION: Commissioner Brantley moved, seconded by Commissioner Staggs to grant preliminary approval to Mallette Homestead Subdivision No. 3, based on staff recommendations and compliance to borough code and adopting and incorporating by reference the staff report and staff recommendations.

EXCEPTION REQUEST: Commissioner Brantley moved, seconded by Commissioner Staggs to grant exception request to KPB 20.30.030 – Proposed Street Layout for the continuation of DJs Drive & June Marie Street & KPB 20.30.170 – Block Length Requirements.

Commissioner Brantley stated that he is fine voting in favor of approving this exception request. If the road extensions are most likely never going to be built, he is okay with granting the exception.

Commissioner Gillham noted that she does not see very much development on the properties to the north. She asked staff if they were aware of any development to the north that would lose access if the extensions were not granted. Platting Manager Piagentini noted when the earlier plat waiver went through, the applicant asked to waive the road extensions until further subdivision of the lots. The lots are now going through another subdivision and borough code requires a matching dedication of these roads. Not extending these roads will limit the access to the lots in the back. He reminded the committee that putting cul-de-sac bulbs at the end of both streets will not allow any further development.

Commissioner Brantley asked staff if it would be acceptable to only require a half (30') dedication of June Marie Street with a T-type turnaround at the end. Platting Manager Piagentini replied that a T-type turnaround would be preferable to a cul-de-sac as they do allow for future development of the road. Commissioner Brantley then stated that with the other road in the area providing access to the back properties he doesn't see a real need to further extend DJs Drive or June Marie Street

Commissioner Staggs stated that he agrees with Commissioner Brantley. He doesn't see any pressing reasons to extend either road. He also understands why the applicant does not want to lose almost an acre of useable space to the extensions, losing that land would limit the development options on the lot.

Commissioner Gillham asked how Tract B was accessing their lot. In looking at the arial view provided in the meeting packet she can't tell if not extending June Marie Street would cause the tract to be land locked. Commissioner Brantley replied that is why he is suggesting that the applicant gives a half dedication of June Marie Street with the T-turn around, that would provide access to Tract B.

Ms. Mallett stated that Tract B Currently uses June Marie St. to access their property. The property owners of Tract B put in June Marie Street. Their driveway comes right off of the end of the street.

Planning Director Ruffner reminded everyone that it is difficult to open up a cul-de-sac. Opening the cul-de-sac would require the approval of all landowners on the street, not just the properties fronting the cul-de-sac. Commissioner Brantley noted a T-type turnaround is not closed off like a cul-de-sac. T-turnarounds can be extended without having to secure the approval of the other landowners on the road.

Commissioner Brantley stated it might be best if the committee split the question and deal with DJs Drive & June Mare Street in separate motions. Commission Gillham agreed.

AMENDED EXCEPTION REQUEST: Commissioner Brantley moved, seconded by Commissioner Staggs to amend the motion on the floor and grant the exception request to KPB 20.30.030 – Proposed Street Layout for the continuation of DJs Drive. Requiring the installation of a T-type turnaround at the end of the existing drive.

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

AMENDED EXCEPTION REQUEST BY UNANIMOUS VOTE

Yes – 4	Brantley, Gillham, Staggs, Venuti
No - 0	

MOTION: Commissioner Brantley moved, seconded by Commissioner Staggs, to attach findings 1-4 in the staff report to support of standards one, two and three to the exception request.

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

MOTION PASSED BY UNANIMOUS VOTE

Yes – 4	Brantley, Gillham, Staggs, Venuti
No - 0	

MOTION: Commissioner Brantley moved, seconded by Commissioner Staggs to require only a half dedication, 30-foot, for June Marie Street with a T-turnaround at the end.

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

MOTION PASSED BY UNANIMOUS VOTE

Yes – 4	Brantley, Gillham, Staggs, Venuti
No - 0	

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

MAIN MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

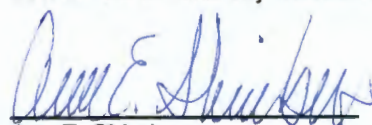
Yes – 4	Brantley, Gillham, Staggs, Venuti
No - 0	

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 Brantley moved to adjourn the meeting 7:30 P.M.


 Ann E. Shirmberg
 Administrative Assistant