

Kenai Peninsula Borough

Plat Committee

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

April 10, 2023
5:30 PM
APPROVED MINUTES
(ZOOM ONLY)

A. CALL TO ORDER

Commissioner Gillham called the meeting to order at 5:45 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 (came in at 5:55 p.m.)

David Stutzer, District 8 – Homer

Franco Venuti, City of Homer

Staff Present

Robert Ruffner, Planning Director

Walker Steinhage, Deputy Borough Attorney

Julie Hindman, Platting Specialist

Ann Shirnberg, Planning Administrative Assistant

With 5 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 Brantley, 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. March 20, 2023 Plat Committee Meeting Minutes

- *4. Grouped Plats

- 4. Quartz Creek Subdivision 2023 Addition; KPB 2023-034
- 5. Soldotna Junction Subdivision Creekside Estates 2023 Addition; KPB File 2023-027
- 6. Southern Bluff Acres 2023 Replat; KPB File 2023029
- 8. Graham Ranch; KPB File 2023-028

Staff report by Platting Specialist Julie Hindman.

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 Plat

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, the March 20, 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, Stutzer, Venuti
Absent - 1	Staggs

D. OLD BUSINESS – None

Chair Gillham asked Ms. Shirnberg to read the consent agenda items into the record.

E. NEW BUSINESS

ITEM 1 – FOURTH OF JULY CREEK SUBDIVISION SEWARD MARINE INDUSTRIAL CENTER JAG REPLAT

KPB File No.	2023-004
Plat Committee Meeting:	April 10, 2023
Applicant / Owner:	City of Seward
Surveyor:	Stacy Wessel / AK Lands Land Surveying LLC
General Location:	Morris Avenue, Olga Street, City of Seward
Parent Parcel No.:	145-350-58 and 140-350-59
Legal Description:	
Assessing Use:	Commercial / Residential
Zoning:	Industrial
Water / Wastewater	City

Staff report given by Platting Specialist Julie Hindman..

Chair Gillham opened the item for public comment.

Stacy Wessel, AK Lands Surveying, LLC; aklands@aklands.com: Ms. Wessel was the surveyor on this project and made herself 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 he had voted on this matter as a planning commissioner with the City of Seward and requested to be recused, Chair Gillham granted his request.

MAIN MOTION: Commissioner Stutzer moved, seconded by Commissioner Venuti to grant preliminary approval to Fourth of July Creek Subdivision Seward Marine Industrial Center JAG Replat, based on staff recommendations and compliance to borough code and adopting and incorporating by reference the staff report and staff recommendations.

EXCEPTION REQUEST: Commissioner Stutzer moved, seconded by Commissioner Brantley to grant the exception request to KPB 20.30.030 – Proposed street layout-Requirements, citing findings 1-4 in support of standards one, two and three.

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

MOTION PASSED BY UNANIMOUS VOTE

Yes - 4	Brantley, Gillham, Stutzer, Venuti
Recused – 1	Staggs

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, Stutzer, Venuti
Recused – 1	Staggs

ITEM 2 – GATEWAY SUBDIVISION HILLTOP ADDITION

KPB File No.	2023-014
Plat Committee Meeting:	April 10, 2023
Applicant / Owner:	Hilltop Properties, LLC of Seward, Alaska
Surveyor:	John Segesser / Segesser Surveys
General Location:	Phoenix Road, Olympia Road, City of Seward
Parent Parcel No.:	145-351-51
Legal Description:	Tract C4, Gateway Subdivision Addition No. 2 Tracts C4, C5, C6, and C7, Plat SW 2013-16
Assessing Use:	Residential
Zoning:	Single Family Residential
Water / Wastewater	City

Staff report given by Platting Specialist Julie Hindman.

Chair Gillham opened the item for public comment.

Cole Peterson, Hilltop Properties, LLC; P.O. Box 825 Seward, AK 99664: Mr. Peterson is one the applicants and made himself available for questions.

Joseph Tougas, Hilltop Properties, LLC; P.O. Box 825 Seward, AK 99664: Mr. Tougas is one the applicants and made himself available for questions.

Linda Corbin; P.O. Box 1785, Seward, AK 99664: Ms. Corbin is a neighboring landowner and spoke in opposition to this subdivision. She had concerns that with so many new lots it would increase the traffic on Olympia and make it worse than it already is.

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 he had voted on this matter as a planning commissioner with the City of Seward and requested to be recused, Chair Gillham granted his request.

MAIN MOTION: Commissioner Brantley moved, seconded by Commissioner Venuti to grant preliminary approval to Gateway Subdivision Hilltop 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 Brantley moved, seconded by Commissioner Venuti to grant the exception request to KPB 20.30.190(A) – Lot Dimensions, 3:1 depth to width ratio, citing findings 1-5, 7-, 8 & 10 in support of standards one, two and three.

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

MOTION PASSED BY UNANIMOUS VOTE

Yes - 4	Brantley, Gillham, Stutzer, Venuti
Recused – 1	Staggs

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, Stutzer, Venuti
Recused – 1	Staggs

ITEM 3 – PATCH SUBDIVISION 2023

KPB File No.	2023-030
Plat Committee Meeting:	April 10, 2023
Applicant / Owner:	Michael Patch of Homer, Alaska
Surveyor:	Stephen Smith / Geovera, LLC
General Location:	Kaleen Street, Shiloh Avenue, Fritz Creek, Kachemak Bay APC
Parent Parcel No.:	174-320-34
Legal Description:	Tract A, Patch Subdivision, Plat HM 2007-46
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

Staff report given by Platting Specialist Julie Hindman.

Chair Gillham opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the committee.

MAIN MOTION: Commissioner Brantley moved, seconded by Commissioner Stutzer to grant preliminary approval to Patch Subdivision 2023, 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 Stutzer to grant the exception request to KPB 20.30.170 – Blocks length requirements.

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

MOTION FAILED BY UNANIMOUS VOTE

Yes - 1	Stutzer
No – 4	Brantley, Gillham, Staggs, Venuti

MOTION: Commissioner Brantley moved, seconded by Commissioner Stutzer to attach findings 5, 7, 12-14, 16, 17, 19, 20 & 23 from the staff report in support of the denial

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

MOTION PASSED BY UNANIMOUS VOTE

Yes - 5	Brantley, Gillham, Staggs, Stutzer, Venuti
No - 0	

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

MAIN MOTION PASSED BY UNANIMOUS VOTE

Yes - 5	Brantley, Gillham, Staggs, Stutzer, Venuti
No – 0	

ITEM 4 – QUARTZ CREEK SUBDIVISION 2023 ADDITION

KPB File No.	2023-034
Plat Committee Meeting:	April 10, 2023
Applicant / Owner:	Jon James of Cooper Landing, AK
Surveyor:	Jason Young, Mark Aimonetti / Edge Survey and Design, LLC
General Location:	Sterling Highway, Persistent Way, Cooper Landing, Cooper Landing APC

Parent Parcel No.:	119-124-20
Legal Description:	Tract D-1 Quartz Creek Subdivision, Plat SW 2005-14
Assessing Use:	General Commercial
Zoning:	Rural Unrestricted
Water / Wastewater	On site

**Passed Under Grouped Plats Under The Consent Agenda*

ITEM 5 – SOLDOTNA JUNCTION SUBDIVISION CREEKSIDE ESTATES 2023 ADDITION

KPB File No.	2023-027
Plat Committee Meeting:	April 10, 2023
Applicant / Owner:	Jack C. Farnsworth Residuary Trust of Soldotna, Alaska
Surveyor:	James Hall / McLane Consulting Inc.
General Location:	Sharkathmi Avenue, E Redoubt Avenue, City of Soldotna

Parent Parcel No.:	059-220-24
Legal Description:	Tract D-2, Soldotna Junction Subdivision Creekside Estates, KN 2022-23
Assessing Use:	Residential
Zoning:	Rural Residential
Water / Wastewater	On Site

**Passed Under Grouped Plats Under The Consent Agenda*

ITEM 6 - SOUTHERN BLUFF ACRES 2023 REPLAT

KPB File No.	2023-029
Plat Committee Meeting:	April 10, 2023
Applicant / Owner:	Piotr Kibala and Elizabeth Babaian-Kibala of Soldotna, Alaska
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Southern Bluff Street, Sterling

Parent Parcel No.:	058-340-26, 058-340-27 and 058-340-28
Legal Description:	Lots 10, 11, and 12, Block 2, Southern Bluff Acres, Plat KN 84-252
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

**Passed Under Grouped Plats Under The Consent Agenda*

ITEM 7 – STEWART SUBDIVISION 2023 ADDITION

KPB File No.	2023-031
Plat Committee Meeting:	April 10, 2023
Applicant / Owner:	Philip Zimmerman of Seward, Alaska
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Salmon Creek Road, Avalon Street, Bear Creek
Parent Parcel No.:	144-110-05
Legal Description:	Lot 4, Block 2, Stewart Subdivision of Ole Martin Homestead, Plat SW 11
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

Staff report given by Platting Specialist Julie Hindman. Ms. Hindman informed the committee that a requested for postponement had been received from the surveyor after a public hearing was noticed. Staff recommends opening public comment and then postpone action on this plat until brought back by staff.

Chair Gillham opened the item for public comment.

Wesley Smith; P.O. Box 2873, Seward, AK 99664: Mr. Smith is a neighboring landowner and wanted to know what the landowners were planning to do on these lots. He wanted to know if they were planning on putting a condo on this property. Platting Specialist Julie Hindman replied that code does not require landowners to disclose the plans for the property. She then noted the zoning for this lot is rural unrestricted and would allow for a multi-family unit.

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

MAIN MOTION: Commissioner Stutzer moved, seconded by Commissioner Brantley to postpone until brought back by staff.

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

MAIN MOTION PASSED BY UNANIMOUS VOTE

Yes - 5	Brantley, Gillham, Staggs, Stutzer, Venuti
No – 0	

ITEM 8 – GRAHAM RANCH

KPB File No.	2023-028
Plat Committee Meeting:	April 10, 2023
Applicant / Owner:	Dal Graham of Rancho Cascades, California; Charles Graham of Buhl, Idaho; Gabriel Graham of Thousand Oaks, California; Linda Graham of Fritz Creek, Alaska; Donna Graham of Homer, Alaska; John Graham of Kenai, Alaska; and the Estate of Robert Graham, Rancho Cascades, California
Surveyor:	Gary Nelson / Ability Surveys
General Location:	Swift Creek Lane, East End Road, Fox River, Kachemak Bay APC
Parent Parcel No.:	185-210-06
Legal Description:	U.S. Survey 3610
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

**Passed Under Grouped Plats Under The Consent Agenda*

ITEM 9 – NEWELL PARK EAST LOT 7 REPLAT

KPB File No.	2023-032
Plat Committee Meeting:	April 10, 2023
Applicant / Owner:	Oudiz Community Property Trust of Fritz Creek, Alaska and Zachariah Tappan and Nancy Tappan-Eigenheer of Fritz Creek, Alaska
Surveyor:	Gary Nelson / Ability Surveys
General Location:	Newell Court, Fritz Creek, Kachemak Bay APC
Parent Parcel No.:	172-054-07
Legal Description:	Lot 7, Newell Park East, HM 97-21
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

Staff report given by Platting Specialist Julie Hindman.

Chair Gillham opened the item for public comment.

Gary Nelson, Ability Surveys; 152 Dehel Avenue, Homer, AK 99603: Mr. Nelson was 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.

MAIN MOTION: Commissioner Stutzer moved, seconded by Commissioner Venuti to grant preliminary approval to Newell Park East Lot 7 Replat, based on staff recommendations and compliance to borough code and adopting and incorporating by reference the staff report and staff recommendations.

EXCEPTION REQUEST: Commission Stutzer moved, seconded by Commissioner Venuti to grant the exception request to KPB 20.30.190(A) – Lot Dimensions, 3:1 depth to width ratio, citing findings 1-6 in support of standards one, two and three.

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

MOTION PASSED BY UNANIMOUS VOTE

Yes - 5	Brantley, Gillham, Staggs, Stutzer, 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 - 5	Brantley, Gillham, Staggs, Stutzer, Venuti
No – 0	

ITEM 10 – STANLEY’S MEADOW 2023

KPB File No.	2023-024
Plat Committee Meeting:	April 10, 2023
Applicant / Owner:	Cecil and Ina Jones of Fritz Creek, Alaska and Billy and Stephanie Jones of Homer, Alaska
Surveyor:	Gary Nelson / Ability Surveys
General Location:	Perkins Road, Jones Drive, Fritz Creek, Kachemak APC
Parent Parcel No.:	185-430-14, 185-430-15, 185-430-37, 185-430-46
Legal Description:	Lots 1 & 2, Block 2, Stanley’s Meadow Sub. No. 7 (HM 87-45), Tract 2-C Stanley’s Meadow Vikki’s Replat (HM 99-30, and Lot 3-A Block 2 Stanley’s Meadow Sub. No. 13 (HM 93-34)

Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

Staff report given by Platting Specialist Julie Hindman.

Chair Gillham opened the item for public comment.

Gary Nelson, Ability Surveys: 152 Dehel Avenue, Homer, AK 99603: Mr. Nelson was the surveyor on this project and made himself available for questions.

Seeing and hearing no one 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 Stanley's Meadow 2023, based on staff recommendations and compliance to borough code and adopting and incorporating by reference the staff report and staff recommendations.

EXCEPTION REQUEST A : Commissioner Brantley moved, seconded by Commissioner Staggs to grant the exception request to KPB 20.30.170 – Blocks Length Requirements, citing findings 1, 2, 6, 7, 10 & 11 in support of standards one, two and three.

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

MOTION PASSED BY UNANIMOUS VOTE

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

EXCEPTION REQUEST B : Commissioner Brantley moved, seconded by Commissioner Staggs to grant the exception request to KPB 20.30.030 – Proposed Street Layout, citing findings 1 & 6-8 in support of standards one, two and three.

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

MOTION PASSED BY UNANIMOUS VOTE

Yes - 5	Brantley, Gillham, Staggs, Stutzer, 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

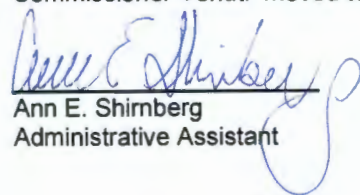
Yes - 5	Brantley, Gillham, Staggs, Stutzer, Venuti
No – 0	

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 Venuti moved to adjourn the meeting Stutzer 7:24 P.M.


Ann E. Shirnberg
Administrative Assistant