

Kenai Peninsula Borough Plat Committee

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

June 12, 2023
6:00 PM
APPROVED MINUTES

A. CALL TO ORDER

Commissioner Gillham called the meeting to order at 6:00 p.m.

B. ROLL CALL

Plat Committee Members/Alternates

Pamela Gillham, District 1 – Kalifornsky
Michael Horton, District 4 - Soldotna
David Stutzer, District 8 – Homer
Franco Venuti, City of Homer

Staff Present

Robert Ruffner, Planning Director
Walker Steinhage, Deputy Borough Attorney
Vince Piagentini, Platting Manager
Madeleine Quainton, Platting Specialist
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

- *3. Approval of Minutes
 - a. May 22, 2023 Plat Committee Meeting Minutes
- *4. Grouped Plats
 - 1. Atkinson Subdivision 2023 Replat; KPB File 2023-052
 - 3. Dairy Hill Subdivision Addition No. 1; KPB File 2023-057
 - 4. A.A. Mattox 2023 Replat; KPB File 2023-050
 - 5. Patch Subdivision 2023; KPB File 2023-030R1 (*Removed from 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

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.

Chair Gillham asked if anyone from the public wished to speak to any of the items under the consent agenda.

Commissioner Stutzer requested that Patch Subdivision be removed from the grouped agenda so that the comments from the Kachemak Bay APC could be addressed.

Patch Subdivision was removed from the grouped plats on the consent agenda.

Hearing no one else wishing to comment discussion was opened among the commission

MOTION: Commissioner Horton moved, seconded by Commissioner Venuti to approve the agenda, the May 22, 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	Gillham, Horton, Stutzer, Venuti
No - 0	

D. OLD BUSINESS – None

E. NEW BUSINESS

Chair Gillham asked Administrative Assistant Shirnberg to read the planning commission public hearing procedures into the record.

ITEM #1 – ATKINSON SUBDIVISION 2023 REPLAT

KPB File No.	2023-052
Plat Committee Meeting:	June 12, 2023
Applicant / Owner:	David and Susan Denzine, Kasilof, Alaska
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Sterling Highway MP 111.5, Cohoe area
Parent Parcel No.:	137-260-19, 137-260-18
Legal Description:	Lots 1 & 2 Atkinson Subdivision
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	Onsite

**Passed Under Grouped Plats Under The Consent Agenda*

ITEM #2 - BUTTERFLY MEADOWS NO. 3

KPB File No.	2023-056
Plat Committee Meeting:	June 12, 2023
Applicant / Owner:	The Don W. Bailey and Gloria Ann Bailey Living Trust of Anchor Point, Alaska & Von and Joanne Bailey of Anchor Point, Alaska
Surveyor:	Tom Latimer / Orion Surveys
General Location:	Green Woods Street, Coleman Lantern Avenue, and Wall Tent Street, Anchor Point Area / Anchor Point APC
Parent Parcel No.:	169-190-30 and 169-190-31
Legal Description:	Lots 2-A and 2-B, Butterfly Meadows No 2, Plat HM 2008-36
Assessing Use:	Residential
Zoning:	Single-family Dwellings (R-1), North Fork One LOZD
Water / Wastewater	On site

Staff report given by Platting Manager Vince Piagentini.

Chair Gillham opened the item for public comment.

Tom Latimer, Orion Surveys; P.O. Box 15025, Fritz Creek, AK, 99603: Mr. Latimer 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.

MOTION: Commissioner Horton moved, seconded by Commissioner Stutzer to grant preliminary approval to Butterfly Meadows 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 Horton moved, seconded by Commissioner Stutzer to grant exception request to KPB 20.30.030 Proposed Street Layout and KPB 20.30.170 Block Length, citing findings 2-6, 8 & 9 in support of standard one, findings 1-3, 7 & 9 in support of standard two, and findings 1, 2, 4-6 & 8 in support of standard three.

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

EXCEPTION REQUEST PASSED BY UNANIMOUS VOTE

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

ITEM #3 - DAIRY HILL SUBDIVISION ADDITION NO 1

KPB File No.	2023-057
Plat Committee Meeting:	June 12, 2023
Applicant / Owner:	Leirer Family Limited Partnership of Seward, Alaska
Surveyor:	Joshua Varney / Lounsbury & Associates Inc
General Location:	Phoenix Road, Bayview Place, Aialik Street, Dairy Hill Lane, Third Avenue, and Seward Highway, City of Seward
Parent Parcel No.:	145-104-14
Legal Description:	Tract 5, Dairy Hill Subdivision, Plat SW 2000-21
Assessing Use:	Residential
Zoning:	Resource Management (RM) and Single-family Residential (R1)
Water / Wastewater	City

**Passed Under Grouped Plats Under The Consent Agenda*

ITEM 4 - A.A. MATTOX 2023 REPLAT

KPB File No.	2023-050
Plat Committee Meeting:	June 12, 2023
Applicant / Owner:	Church of the Rock
Surveyor:	Stephen Smith / Geovera, LLC
General Location:	City of Homer
Parent Parcel No.:	177-054-09, 177-054-12, 177-054-13
Legal Description:	Lot 14A-2 AA Mattox Subdivision Pennock Place Addition No 2 HM 2003-70 and Lot 14-C1 and Lot 14-B1-A of A.A. Mattox Subdivision 2018 HM 2018-43
Assessing Use:	Institutional (Lot 14-B1-A), Commercial (Lot 14-C1), and Residential (Lot 14A-2)
Zoning:	Residential Office District
Water / Wastewater	City

Passed Under Grouped Plats Under The Consent Agenda*ITEM 5 – PATCH SUBDIVISION 2023**

KPB File No.	2023-030R1
Plat Committee Meeting:	June 12, 2023
Applicant / Owner:	Michael Patch of Homer, Alaska & Eric Shafford of Fritz Creek, Alaska
Surveyor:	Stephen Smith / Geovera, LLC
General Location:	Kaleen Street, Shiloh Avenue, Fritz Creek, Kachemak Bay APC
Parent Parcel No.:	174-320-34 & 174-320-33
Legal Description:	Lot 1 & Tract A, Patch Subdivision, Plat HM 2007-46
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. Seeing and hearing no one 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 Patch Subdivision 2023, based on staff recommendations and compliance to borough code and adopting and incorporating by reference the staff report and staff recommendations.

Commissioner Stutzer asked staff to address the concerns raised by the Kachemak Bay APC about not depicting the wetlands on the plat. Platting Manager Piagentini replied note #7 on the plat states that the entire subdivision contains possible low wet areas per the Kenai Watershed Forum Wetlands Assessments. The reason the borough is not requiring the wetlands to be depicted on the plat is the plat would become too busy and make it difficult to read.

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

MOTION PASSED BY UNANIMOUS VOTE

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

ITEM #6 – DAN LEE SUBDIVISION NO 5

KPB File No.	2023-051
Plat Committee Meeting:	June 12, 2023
Applicant / Owner:	John and Tami Johnson
Surveyor:	John Segesser / Segesser Surveys
General Location:	Trader John St and Paneyagiak St, Nikiski
Parent Parcel No.:	013-212-62, 013-212-61, 013-212-60,
Legal Description:	Tract 5B Dan Lee Subdivision No. 3 KN 2018-52 and Tracts 3A and 5A1 Dan Lee Subdivision No. 4 KN 2020-51
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	Onsite

Staff report given by Platting Manager Vince Piagentini.

Chair Gillham opened the item for public comment.

John Segesser, Segesser Surveys; 30485 Rosland Street, Soldotna, AK 99669: Mr. Segesser was the surveyor on this project and made himself available for questions.

Tami Johnson, 51835 Trader John Street, Kenai, AK 99669: Ms. Johnson is the landowner 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.

MOTION: Commissioner Horton moved, seconded by Commissioner Venuti to grant preliminary approval to Dan Lee Subdivision No. 5, based on staff recommendations and compliance to borough code and adopting and incorporating by reference the staff report and staff recommendations.

EXCEPTION REQUEST: Commissioner Horton moved, seconded by Commissioner Venuti to grant exception request to KPB 20.30.170 – Blocks – Length requirements, 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:

EXCEPTION REQUEST PASSED BY UNANIMOUS VOTE

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

ITEM #7 - RIVERWIND 1 SUBDIVISION SUTHERLIN ADDITION

KPB File No.	2023-055
Plat Committee Meeting:	June 12, 2023
Applicant / Owner:	Susan Haggart of Soldotna, Alaska
Surveyor:	John Segesser / Segesser Surveys Inc
General Location:	Funny River Road in Funny River Area / Funny River APC

Parent Parcel No.:	066-161-02
Legal Description:	Lot 7 Riverwind Subdivision, Plat KN 72-48
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.

John Segesser, Segesser Surveys; 30485 Rosland Street, Soldotna, AK 99669: Mr. Segesser was the surveyor on this project and made himself available for questions.

Jeffery Deitz; 5600 East 98th Avenue, Anchorage, 99507: Mr. Deitz owns land in the subdivision and expressed concerns about adding more lots to the subdivision. He noted there is a private river access for the subdivision and it is near his lot. As more lots are added to the subdivision more and more folks and their family/friends are using that private access. As the usage increases the private river bank access area is getting more and more damaged.

Commissioner Gillham stated she understood his concerns but there is nothing in code that would support the committee denying approval for this plat. She encouraged Mr. Deitz to take his concerns about the damage to the riverbank to the Kenai River Center and hopefully they can assist him in finding a way to preserve the area.

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 Riverwind 1 Subdivision Sutherlin 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 Horton moved, seconded by Commissioner Stutzer to grant exception request to KPB 20.30.150(B) Street Intersection Requirements, citing findings 1-4 & 6 in support of standard one, findings 2-4 & 6 in support of standard two and findings 1-6 in support of standard three.

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

EXCEPTION REQUEST PASSED BY UNANIMOUS VOTE

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

ITEM #8 – ROOFE SUBDIVISION

KPB File No.	2023-054
Plat Committee Meeting:	June 12, 2023
Applicant / Owner:	Laura and Christopher Roofe
Surveyor:	John Segesser / Segesser Surveys
General Location:	Kenai Spur Highway MP 29.5, Nikiski

Parent Parcel No.:	013-140-59
Legal Description:	Part of S1/2 NW1/4 & NW1/4 NE1/4 & Gov't Lot 10 Sec 33, T8N, R11W SM KRD Alaska
Assessing Use:	Residential
Zoning:	Unrestricted
Water / Wastewater	Onsite

Staff report given by Platting Manager Vince Piagentini.

Chair Gillham opened the item for public comment.

John Segesser, Segesser Surveys; 30485 Rosland Street, Soldotna, AK 99669: Mr. Segesser 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.

MOTION: Commissioner Horton moved, seconded by Commissioner Venuti to grant preliminary approval to Roofe Subdivision, based on staff recommendations and compliance to borough code and adopting and incorporating by reference the staff report and staff recommendations.

EXCEPTION REQUEST: Commissioner Horton moved, seconded by Commissioner Venuti to grant exception request to KPB 20.30.170 – Block length 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:

EXCEPTION REQUEST PASSED BY UNANIMOUS VOTE

Yes- 4	Gillham, Horton, Stutzer, 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

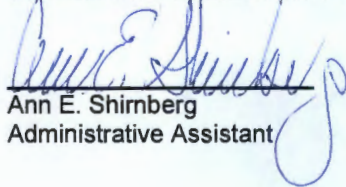
Yes- 4	Gillham, Horton, Stutzer, Venuti
No - 0	

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 Horton moved to adjourn the meeting 7:06 P.M.



Ann E. Shirnberg
Administrative Assistant