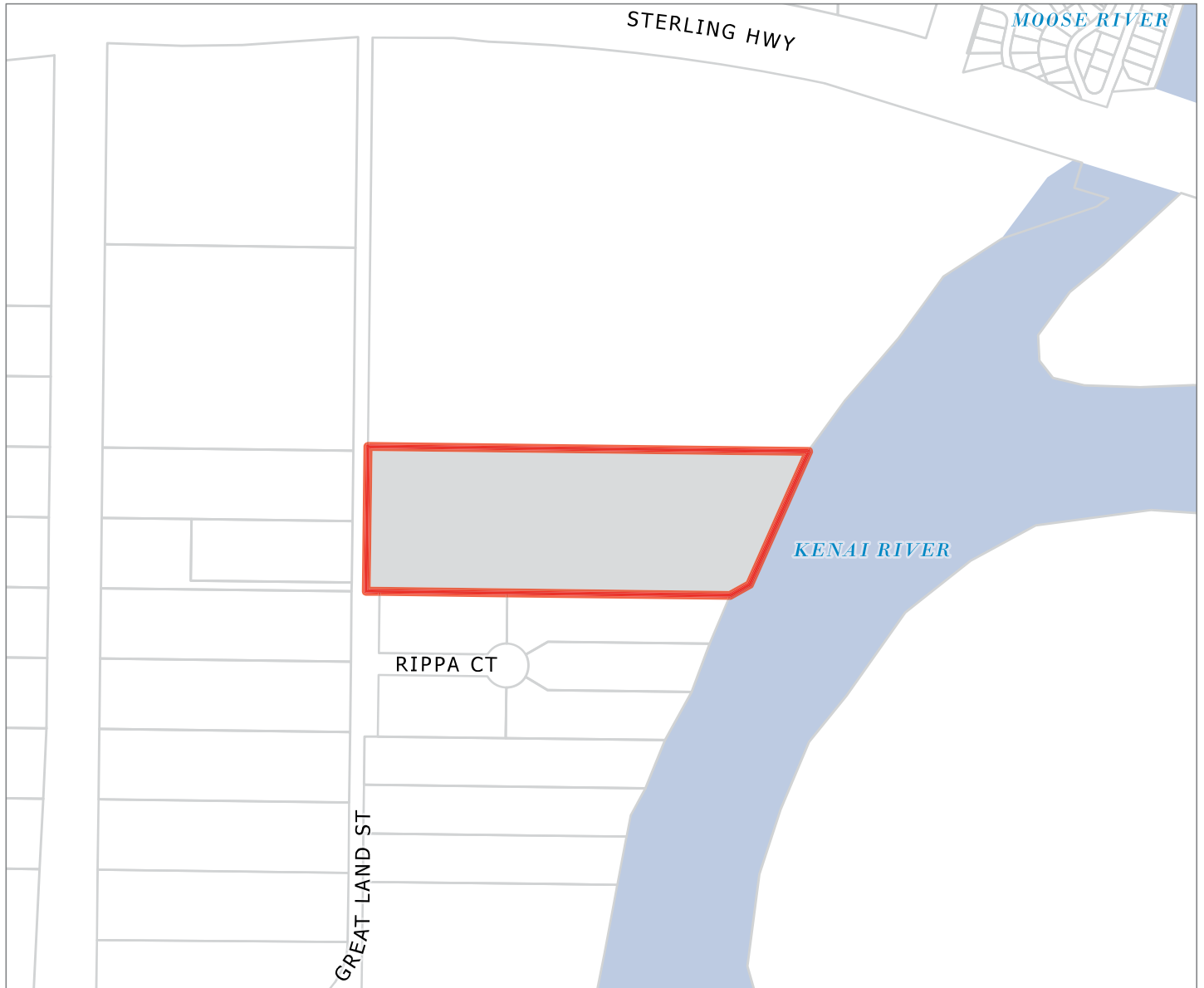


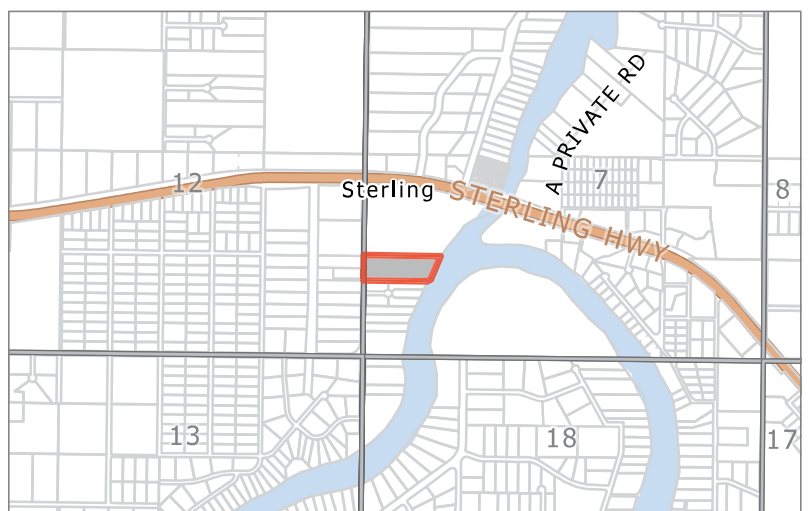
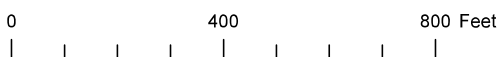
E. NEW BUSINESS

- 5. 3 John's Subdivision; KPB File 2024-064
Johnson Surveying / Great Alaska Fish Comp, Inc.
Location: Great Land Street
Sterling Area**



KPB File 2024-064
T 05N R 08W SEC 07
Sterling

6/18/2024





Aerial View



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

AGENDA ITEM E. NEW BUSINESS

**ITEM #5 - PRELIMINARY PLAT
3 JOHN'S SUBDIVISION**

KPB File No.	2024-064
Plat Committee Meeting:	July 22, 2024
Applicant / Owner:	Great Alaska Fish Camp, Inc. Poulsbo, WA
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Sterling

Parent Parcel No.:	065-012-02
Legal Description:	T 5N R 8W SEC 7 SEWARD MERIDIAN KN GOVT LOT 12
Assessing Use:	Vacant
Zoning:	Rural Unrestricted
Water / Wastewater	On Site
Exception Request	20.30.190

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 6.952 acre parcel into two lots of sizes 3.149 acres and 3.553 acres.

Location and Legal Access (existing and proposed):

Access to the proposed lots is from Great Land St., on their frontage. Great Land St. comes off of the Sterling Highway at approximately mile 82.3. The Sterling Highway is a State of Alaska DOT maintained highway. Great Land St. is currently 33' wide and borough maintained. In this section of the road, 33' has already been dedicated by Great Land Estates Collins Replat to the west. This plat will be dedicating the east 33' to complete the dedication of this portion of Great Land St.

Great Land St. is over the top of a 66' wide section line easement, 33' each side of the section line. The section line easement is shown on the east side of the road. **Staff recommends:** Surveyor show the 33' section line easement on the west side of Great Land St. also.

DOT has made a comment regarding a 16.5' ROW along the north, east, and west boundaries of the plat per patent easement. DOT's comment is included in the packet for viewing.

There is an existing drive located on the south lot that appears to be used for private access to the lot.

Block length is not compliant along Great Land St., but due to the close proximity of the cul-de-sac to the south, a dedication by this plat is not feasible to help. **Staff recommends:** Plat Committee concur an exception for block length is not required at this time.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Griebel, Scott Comments: No RSA comments or objections.
SOA DOT comments	See comments in packet.

Site Investigation:

There are no apparent buildings or improvements located on this property according to KPB GIS data and none were shown by the surveyor on the drawing.

There are steep areas shown on the plat. The area near the front by the road should be verified as KPB data does not indicate the steepness indicated on the drawing. There is a steep area on the east side of the plat as the ground goes down to the river from the west. **Staff recommends:** Contours to be removed for the final submittal and the shading be left on the drawing and identified in the legend.

The Kenai River abuts the plat on the east property line and is labeled. There are areas of wetlands identified on the drawing, which should remain. The River Center review has identified the plat to be in a FEMA mapped flood hazard zone and floodway and made comments below. These comments should be followed and the notices in KPB 20.30.280 D & E should be added as plat notes to the plat. **Staff recommendation:** Place a note 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.

River Center review has also indicated the plat to be located in an Anadromous Streams Protection District and any work near the Kenai River will require a permit. **Staff recommends:** Plat note be added to indicate as such.

KPB River Center review	<p>A. Floodplain</p> <p>Reviewer: Hindman, Julie Floodplain Status: IS in flood hazard area Comments: This subdivision contains portions of FEMA mapped regulatory floodplain and floodway. Code required notes should be added and the floodway and A5 Zone should be marked and labeled. Please note that this is within an area remapped by FEMA. The new maps have not yet been adopted. Prior to final plat, please confirm if zones, boundary location, or map panel have been updated so current information is presented.</p> <p>Flood Zone: A5,C,Floodway Map Panel: 020012-2070A In Floodway: True Floodway Panel: *same as FIRM Panel</p> <p>B. Habitat Protection</p> <p>Reviewer: Aldridge, Morgan Habitat Protection District Status: IS totally or partially within HPD Comments: Portions of this plat lie within the KPB Anadromous Streams Habitat Protection District and permitting through the River Center is required.</p>
State of Alaska Fish and Game	

Staff Analysis

This is the first division of the parcel since being surveyed by the Federal Cadastral Surveyors in 1939. This parcel was surveyed as Government Lot 12 of Section 7, Township 5 North, Range 8 West, SM Sterling, Alaska.

The lot is being divided into two long lots extending from Great Land St to the Kenai River. An exception to KPB 20.30.190 - Lot Dimensions, specifically the length / width ratio, has been requested.

A soils report will be required and an engineer will sign the final plat.

Notice of the proposed plat was mailed to the beneficial interest holder on June 19, 2024. 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.

The property is not within an advisory planning commission.

The subdivision plat has been reviewed and generally complies with the 2019 Kenai Peninsula Borough Comprehensive plan.

Utility Easements

An overhead power line is shown on the plat. HEA has made a request for a label on the power line. HEA's request is included in the packet for viewing.

The plat is also proposing a new 10' utility easement along the road right-of-way.

The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Staff recommends** to grant utility easements requested by the utility providers or work with the utility providers to obtain approval.

Utility provider review:

HEA	See comment in packet
ENSTAR	No comment
ACS	
GCI	Approved as shown
SEWARD ELECTRIC	
CHUGACH ELECTRIC	
TELALASKA	

KPB department / agency review:

Addressing	<p>Reviewer: Leavitt, Rhealyn Affected Addresses: 38240 GREAT LAND ST</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: GREAT LAND ST</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments: 38240 GREAT LAND ST WILL BE DELETED.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat.</p>

	Material Site Comments: There are not any material site issues with this proposed plat.
Assessing	Reviewer: Windsor, Heather Comments: No comment
Advisory Planning Commission	

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

- Add Great Land St to the vicinity map
- Great Land St. ROW width appears to be labeled incorrectly in the southwest – please verify

Plat Notes:

- Add note for CTP item 4.
- Add Flood Hazard, Floodway, and Anadromous Waters notes.

KPB 20.25.070 – Form and contents required

Staff recommendation: final plat submittals must comply with 20.25.070. Additional information, revisions, and/or corrections are required as noted below.

A. Within the Title Block

1. Name of the subdivision which shall not be the same as an existing city, town, tract, or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion. The parent plat's name shall be the primary name of the preliminary plat.
2. Legal description, location, date, and total area in acres of the proposed subdivision;
3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor.

Staff recommendation:

Correct the spelling of the city under "Prepared for".
Add 2024-064 to the Kenai Peninsula Borough File.

G. The status of adjacent lands within 100 feet of the proposed subdivision boundary or the land status across from any dedicated rights-of-way that adjoin the propose subdivision boundary, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;

Staff recommendation:

Add Block 1 to lots 7A and 7B to the west.
Change gov't lot 7 to lot 5 to the north

J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;

Staff recommendation:

Change lot 12A to 12B on the south lot.

KPB 20.30 – Subdivision Design Requirements

Staff recommendation: final plat submittals must comply with 20.30. Additional information, revisions, and/or corrections are required as noted below.

KPB 20.40 – Wastewater Disposal

Staff recommendation: final plat submittals must comply with 20.40. Additional information, revisions, and/or corrections are required as noted below.

20.40.010 Wastewater disposal.
Platting Staff Comments:

Staff recommendation: *comply with 20.40.*

KPB 20.60 – Final Plat

Staff recommendation: *final plat submittals must comply with 20.60. Additional information, revisions, and/or corrections are required as noted below.*

EXCEPTIONS REQUESTED:

A. KPB 20.30.190 Length /width

Surveyor's Discussion:

Findings:

1. A large portion of the property is too wet to support lots with onsite well and septic.
2. The only use of the property area adjoining the street is to access the usable area at the top of the bluff.
3. Limited wastewater disposal area will not permit more than the 2 buildable areas at the top of the bluff.

Staff Discussion:

20.30.190. - Lots—Dimensions.

A. The average depth shall be no greater than three times the average width.

Findings:

4. Usable areas in the front reduce the ratio greatly.
5. No adjacent property owners will be affected if this exception is granted.
6. Access to other properties will not be affected.

Staff reviewed the exception request and recommends granting approval.

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 1-4 appear to 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 1-4 appear to 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 5 & 6 appear to support this standard.

Staff recommendation: place notes on the final plat indicating any exceptions granted by the Plat Committee with the meeting date.

RECOMMENDATION:

SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:

- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- 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), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

NOTE: 20.25.120. - REVIEW AND APPEAL.

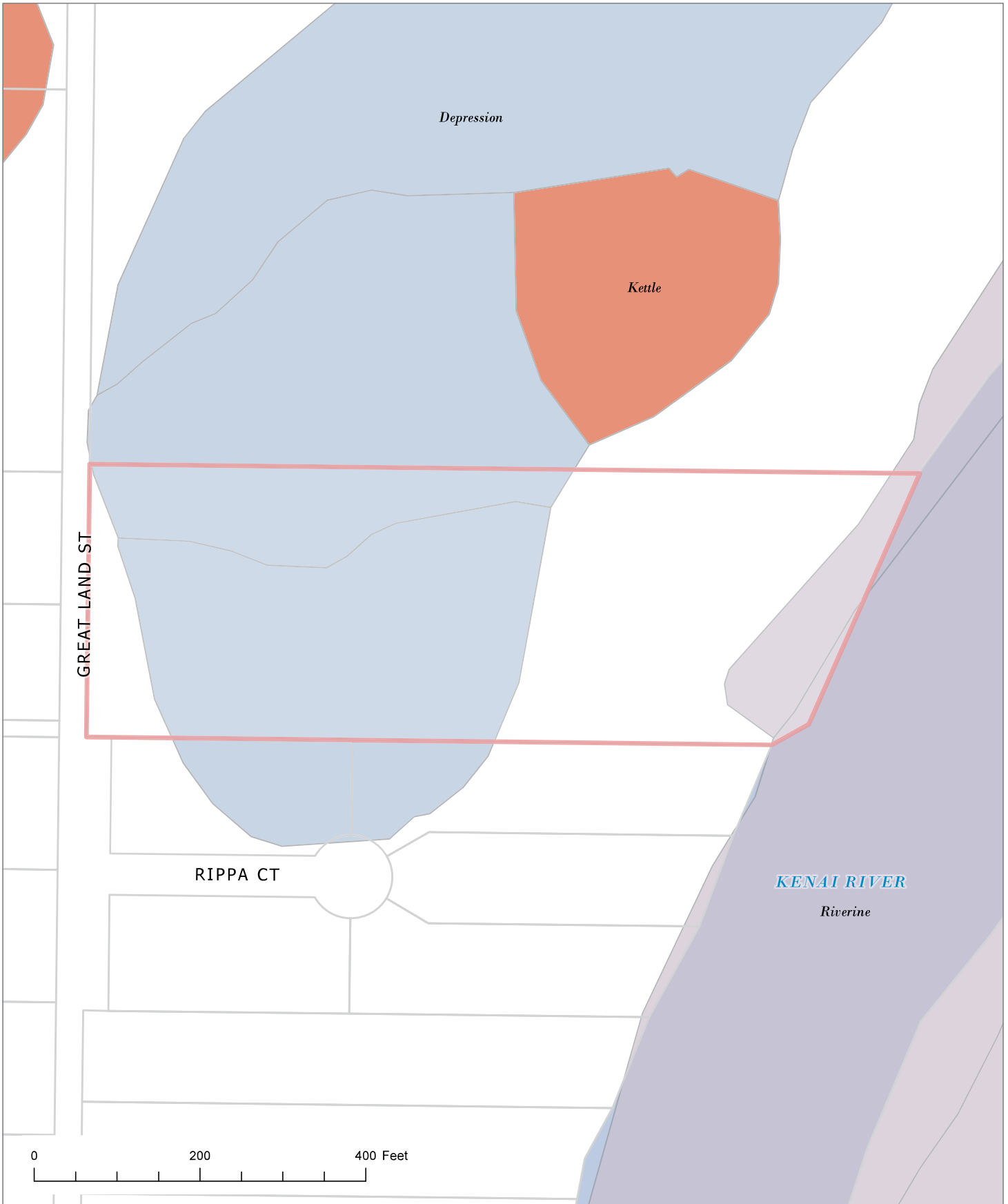
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

END OF STAFF REPORT



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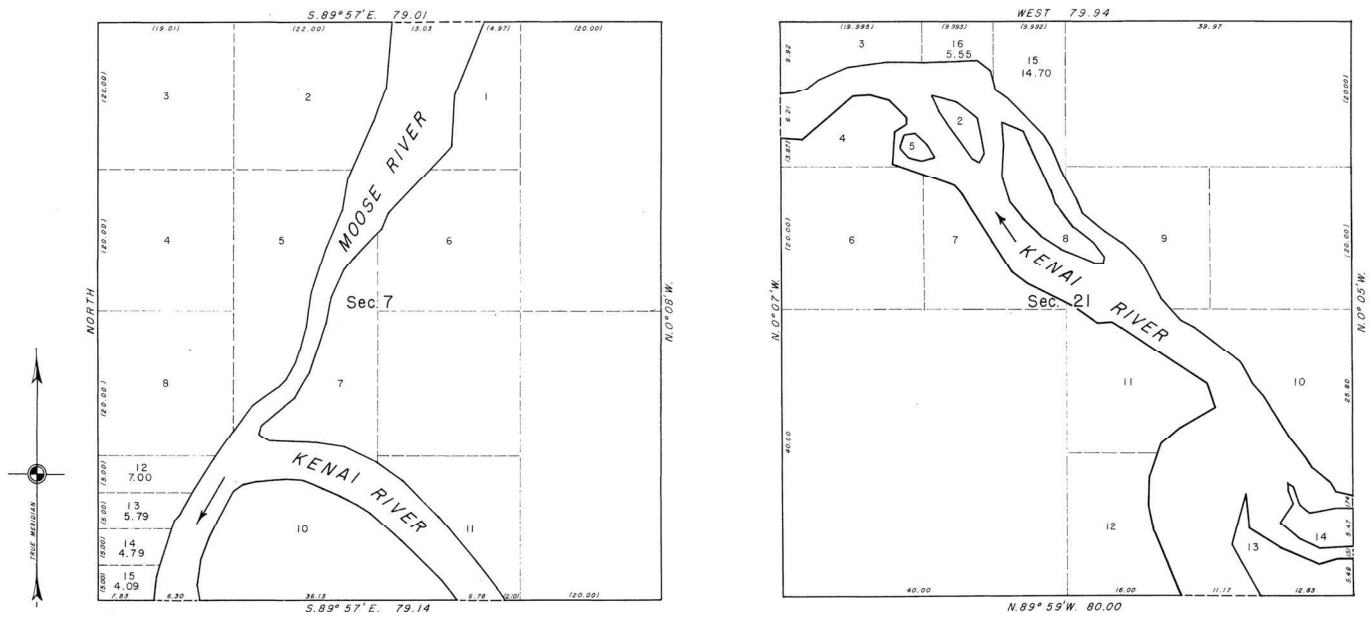
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TOWNSHIP 5 NORTH, RANGE 8 WEST OF THE SEWARD MERIDIAN, ALASKA

SUPPLEMENTAL PLAT OF SECTIONS 7 AND 21

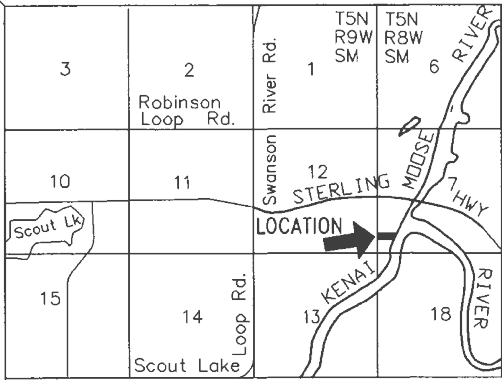


This plat of T. 5 N., R. 8 W., of the Seward Meridian, Alaska, showing a subdivision of original lot 9, sec. 7 into new lots 12 to 15 inclusive, and a subdivision of original lot 1, sec. 21 into new lots 15 and 16, is based upon the plat accepted June 24, 1943.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington, D. C., February 3, 1953

This plat, showing amended lottings, having been correctly prepared in accordance with the regulations, is hereby accepted.

For the Director
Gonzalez Clement
Assistant Chief, Division of
Cadastral Engineering



3 John's Subdivision

Preliminary Plat

KPB 2024-064

A subdivision of Gov Lot 12
 Located in the SW 1/4 Section 7, T5N R8W, SM, Sterling, Alaska.
 Kenai Recording District Kenai Peninsula Borough File

Prepared for
 Great Alaska Fish Camp, Inc.
 P.O. Box 2670
 Poulabo, WA 98370

Prepared by
 Johnson Surveying
 P.O. Box 27
 Clam Gulch, AK 99568
 (907) 262-5772

HEA REVIEWED - SEE COMMENTS

Scott Huff
 Scott Huff 7/5/2024
 Land Management Officer

SCALE 1" = 100' AREA = 6.952 ac. 23 April, 2024

NOTES

Provide a label or plat note stating, "The existing overhead powerline is the centerline of a 30-foot-wide electrical easement, including guys and anchors, granted this plat."

1. A building setback of 20' from all street ROWs is required unless a lesser standard is approved by a resolution of the appropriate planning commission. The front 10' adjoining rights-of-way and 20' within 5' of side lot lines shall be designated as a utility easement.
2. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
3. Contour interval 5'. shaded areas indicate grades over 25%.

