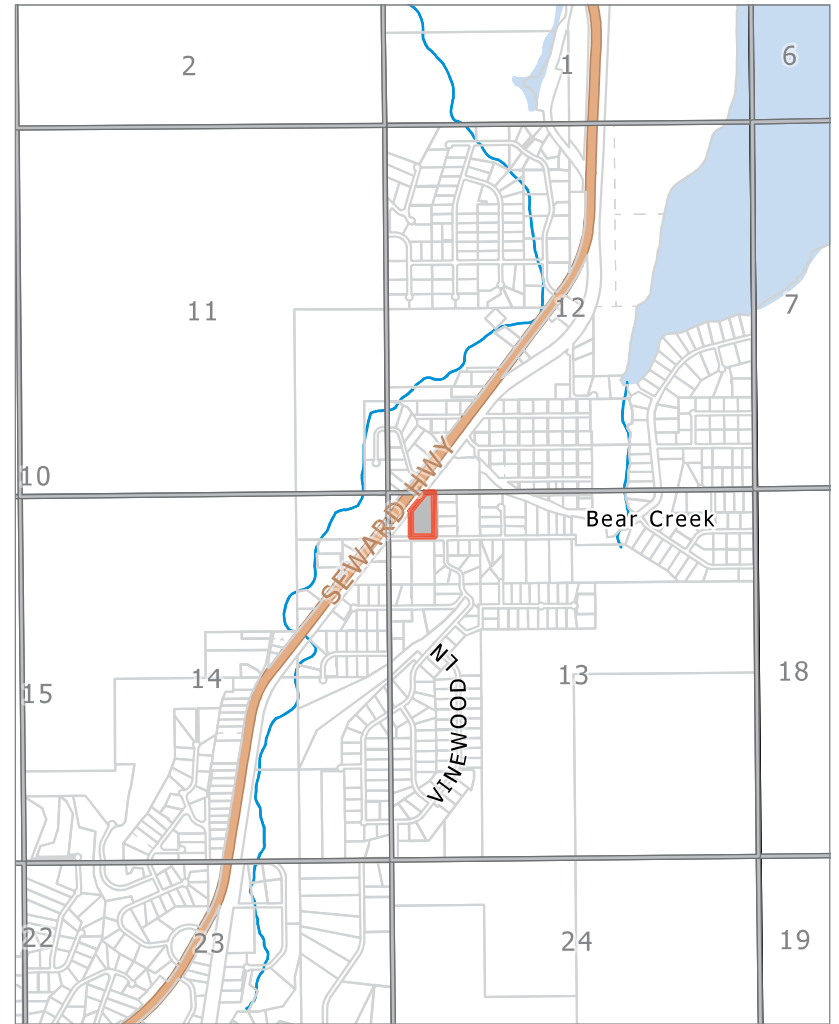
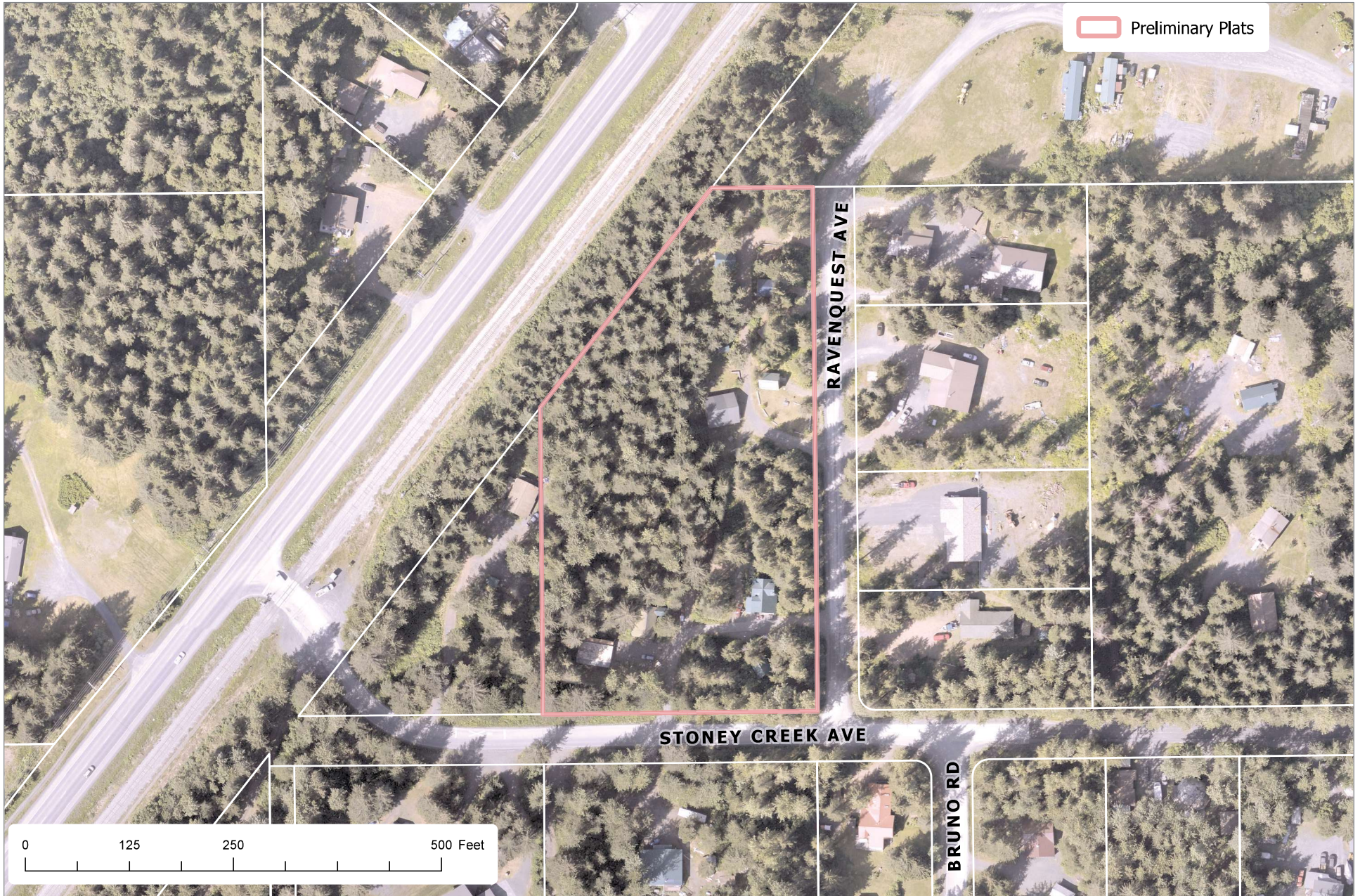


E. NEW BUSINESS

- 12. Woodrow Farms Taylor Addition
KPB File 2023-130
AK Lands / Taylor
Location: Stoney Creek Ave. & Seward Hwy.
Bear Creek Area**



KPB File 2023-130
T 01N R 01W SEC 13
Bear Creek



CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT THE CITY OF SEWARD IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I ON BEHALF OF THE CITY OF SEWARD HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

OWNER
 NANCY TAYLOR
 PO BOX 1535
 SEWARD, AK 99664

AUTHORIZED OFFICIAL SIGNATURE _____ DATE _____

TITLE _____ PRINTED NAME _____

NOTARY'S ACKNOWLEDGMENT

FOR: _____
 ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 2024

NOTARY PUBLIC FOR ALASKA
 MY COMMISSION EXPIRES: _____

CERTIFICATE OF ACCEPTANCE

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF _____ FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAN INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAN IDENTIFIED AS FOLLOWS:

THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

AUTHORIZED OFFICIAL SIGNATURE _____ DATE _____

TITLE _____ PRINTED NAME _____

PLAT APPROVAL

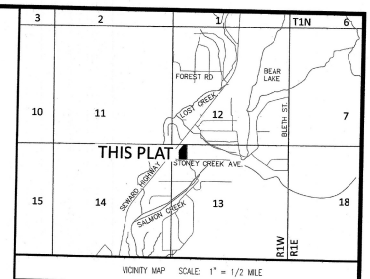
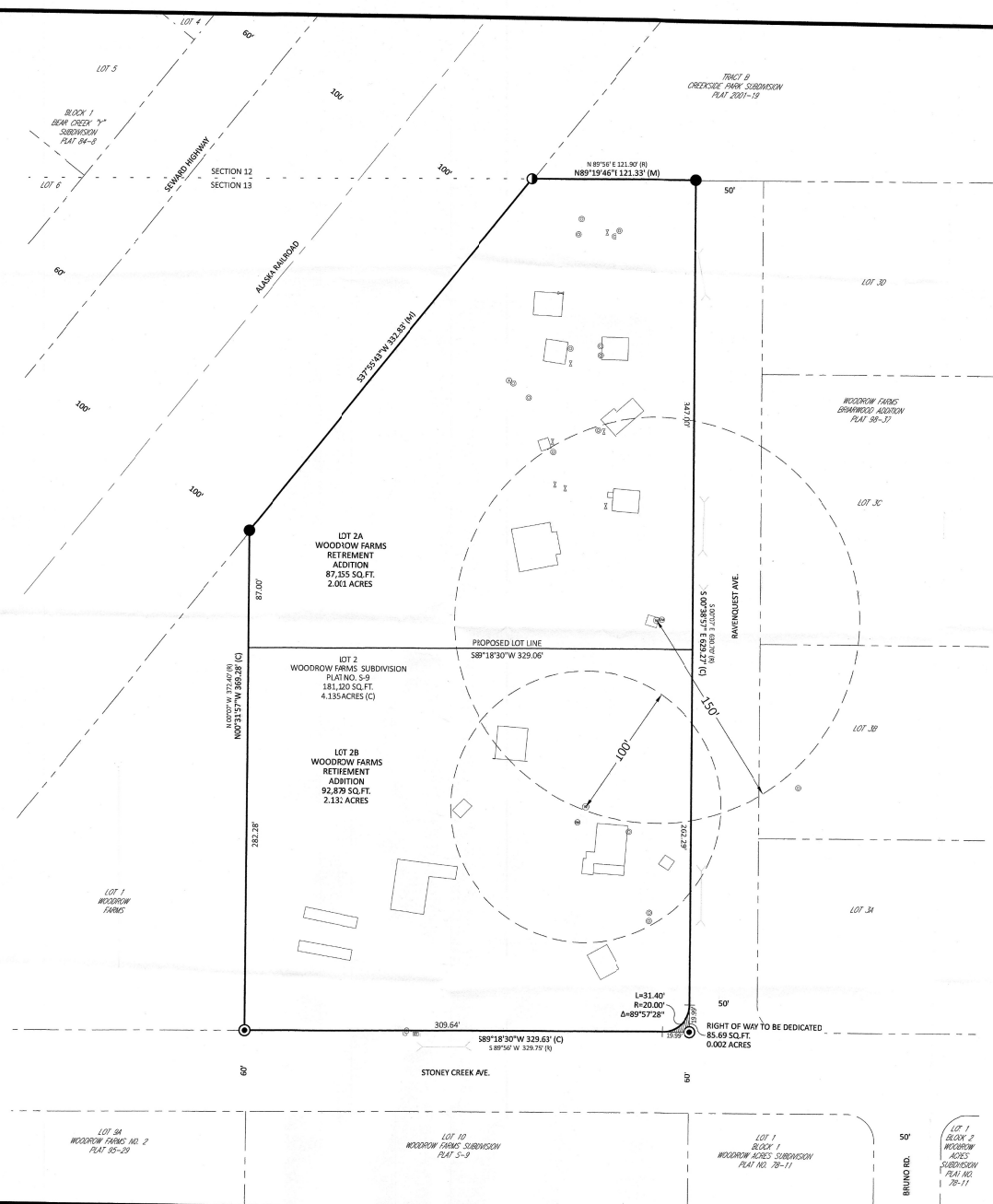
THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL SIGNATURE _____

LEGEND

- FOUND ALGAE
- FOUND REBAR
- NOTHING FOUND OR SET
- (R) RECORD PER PLAT S-9
- (M) MEASURES BEARING AND/OR DISTANCE
- (C) COMPUTED BEARING AND/OR DISTANCE
- ⊕ TRANSFORMER
- ⊕ ELECTRIC METER
- ⊕ CULVERT
- ⊕ CURB CUT
- ⊕ SEWER MANHOLE
- ⊕ TEE-PERISCOPE
- ⊕ WATER VALVE
- ⊕ WELL



- NOTES**
1. THIS IS A PROPOSED PLATTING ACTION.
 2. THERE MAY BE OTHER UTILITIES, NOT SHOWN HEREON, THAT EXIST ON LOT 2.

SURVEYOR'S CERTIFICATE

I, STACY MUESSEL, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA. THAT THIS PLAN REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.

PRELIMINARY PLAT DRAFT

REVISION 2

Plat of:
WOODROW FARMS TAYLOR ADDITION
 CREATING LOTS 2A AND 2B
 CONTAINING 4.135 ACRES MORE OR LESS

A SUBDIVISION OF:
 LOT 2
 WOODROW FARMS SUBDIVISION
 FILED UNDER PLAT NO. S-9

SEWARD RECORDING DISTRICT
 KENAI PENINSULA BOROUGH

LOCATED WITHIN: SECTION 13, T1N, R1W, S9, AK

OWNER
 NANCY TAYLOR
 PO BOX 1535
 SEWARD, AK 99664

AK Lands, Land Surveying LLC
 PO Box 110485
 Anchorage, AK 99511
 alands@aklands.com
 http://aklands.com
 (907) 744-1444

Date: 11/21/2023 Scale: 1"= 40' Date of Survey: 09/14-15, 10/17, 28-2023 Sheet: 1 of 1
 Drawn by: SMA PN: 1365 Field Book: 06/56-57-07/21, 34-35 KPB No. 2023-XX

AGENDA ITEM E. NEW BUSINESS

**ITEM #12 - PRELIMINARY PLAT
Woodrow Farms Taylor Addition**

KPB File No.	2023-130
Plat Committee Meeting:	December 11, 2023
Applicant / Owner:	Nancy Taylor / Seward Alaska
Surveyor:	Stacy Wessel / AK Lands Land Surveying
General Location:	City of Seward

Parent Parcel No.:	125-020-37
Legal Description:	Lot 2 Woodrow Farms Subdivision S - 9
Assessing Use:	Commercial
Zoning:	Unrestricted
Water / Wastewater	Onsite
Exception Request	20.30.120 Streets – Width requirements

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 4.135 acres parcel into 2 lots ranging in size from 2.001 acres to 2.132 acres.

Location and Legal Access (existing and proposed): The preliminary plat is located off Seward Highway between mile 6 and 7 at Stoney Creek Ave. The plat is on the northwest corner of Stoney Creek Ave and Ravenquest Ave both 50 foot dedicated right-of-ways that are borough maintained. Ravenquest Ave is a dead-end road ending in a public turnaround easement filed in Serial 2002-000245-0.

The plat is proposing a dedication of the corner of Stoney Creek Ave and Ravenquest Ave to round the corner to match the northeast corner of the intersection. The applicant has requested an exception to KPB 20.30.120 Streets – Width requirements to be addressed further in the staff report.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Griebel, Scott Comments: No department comments
SOA DOT comments	

Site Investigation:

There is no steep terrain on the property and the ground is relatively flat sloping to the West.

There are structures located on the property as shown on the subdivision drawing. The residential house and associated buildings will be situated on Lot 2B and the rental cabins and office will be situated on Lot 2A.

There are no wetlands on the property. The KPB Floodplain review stated the area the subdivision is not within a floodway. It is within the Floodplain Zone X, which is minimal flood risk and shown as not regulatory. Unless advised otherwise there will be no required floodplain or floodway notes

KPB River Center review	A. Floodplain Reviewer: Hindman, Julie
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	<p>Floodplain Status: IS in flood hazard area Comments: Flood Zone: X (shaded) Map Panel: 02122C-4542D In Floodway: False Floodway Panel:</p> <p>B. Habitat Protection</p> <p>Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p> <p>C. State Parks</p> <p>Reviewer: Comments:</p>
State of Alaska Fish and Game	

Staff Analysis The subdivision is being platted from Woodrow Farms S-9 filed in 1917. The legal description of the plat as located upon the J. D. Johnson Homestead, found to be Patent 525343 in April of 1916.

A 20 foot building setback along right of ways need shown per KPB code. **STAFF RECOMMENDS:** surveyor add to drawing a note and graphical depiction of the setback.

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

Per the preliminary Certificate to Plat, beneficial interest holders do not affect the proposed plat. Notification per KPB 20.25.090 will not be required unless the final Certificate to Plat states the property is affected by beneficial interest holders.

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

The previous plat did not list any easements on the face of the plat. Per the certificate to plat, there are no easements affecting this plat either.

A 10 foot utility easement along right of ways need shown per KPB code. **STAFF RECOMMENDS:** surveyor add to drawing a note and graphical depiction of the easement.

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	No comments
ENSTAR	
ACS	No objections
GCI	

SEWARD ELECTRIC	
CHUGACH ELECTRIC	
TELALASKA	

KPB department / agency review:

Addressing	<p>Reviewer: Leavitt, Rhealyn Affected Addresses: 33104 STONEY CREEK AVE</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: RAVENQUEST AVE, STONEY CREEK AVE, BRUNO RD, SEWARD HWY</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: 33104 STONEY CREEK AVE WILL REMAIN WITH LOT 2B</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> <p>Material Site Comments: There are not any material site issues with this proposed plat.</p>
Assessing	<p>Reviewer: Windsor, Heather Comments: No comment</p>
Advisory Planning Commission	

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

Add 130 to the KPB File No 2023-xxx.
Add a north arrow to the vicinity map

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.

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.

20.30.060. Easements-Requirements.

A. The planning commission may require easements it determines necessary for the benefit of the public. Such easements include, but are not limited to, lateral support (slope) easements, drainage easements for ditching or protection of a drainage, and utility easements. Required easements do not need to be for road purposes.

B. Upon submittal of a preliminary plat, the planning department shall provide a copy to public utility companies for their comments-and recommended design of utility easements. If the property is subject to existing natural gas or petroleum pipeline easements, a copy shall also be furnished to the appropriate company for comment.

C. The subdivider bears the responsibility for coordination with the utility companies during the design and development phases. When a subdivider and the utility company cannot agree on easements, the final plat will be taken to the planning commission for determination of easements.

D. Unless a utility company requests additional easements, the front ten feet adjoining rights-of-way shall be designated as a utility easement, graphically or by note. Within the boundaries of an incorporated city, the width and location of utility easements will be determined by the city and affected utility providers. **Staff recommendation:** *The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. Grant utility easements requested by the utility providers.*

Add the 10' utility easement to the front.

20.30.240. Building setbacks.

A. A minimum 20-foot building setback shall be required for dedicated rights-of-way in subdivisions located outside incorporated cities.

A. The setback shall be graphically depicted and labeled on the lots; if such depiction will interfere with the legibility of the plat, a typical lot showing the depiction and label may be provided on the plat, clearly indicating that the typical setback applies to all lots created by the plat.

B. The setback shall be noted on the plat in the following format:
Building setback- A setback of 20 feet is required from all dedicated street right-of-ways unless a lesser standard is approved by resolution of the appropriate planning commission.

C. When a subdivision is affected by a Local Option Zoning District (LOZD), an approved by the assembly, all building setbacks shall be graphically depicted and labeled on the lots. A local option zoning setback shall be noted on the plat in the following format:

Building setback – This subdivision is located within (name of LOZD) Local Option Zoning District as contained in KPB Chapters 21.44 and 21.46 and adopted by KPB Ordinance (number), recorded under (serial no. and recording district). Information regarding the zoning restrictions and copies of the ordinance are available from the KPB Planning Department.

Staff recommendation:

Add note for 20' building setback to all right-of-ways

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.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: comply with 20.60.190.

Add date of December 11, 2023 to Plat Approval

20.60.200. Survey and monumentation.

Staff recommendation: comply with 20.60.200

Comply with 20.60.200 for final

EXCEPTIONS REQUESTED:

A. KPB 20.30.120 Streets – Width requirements

Surveyor's Discussion:

See Exception Request Letter in the Packet

Staff Discussion: **20.30.120. - Streets—Width requirements.**

- A. The minimum right-of-way width of streets shall be 60 feet.

The applicant has requested an exception along an existing road that according to the request has utilities in place and a 25' road in use within the platted 50' right-of-way.

Findings:

1. The right-of-way was platted in 1917.
2. Current right-of-way required 60 feet wide.
3. There is an existing 25' gravel road, with culverts for drives.
4. The road is 630 feet in length.
5. Utilities are in place.
6. Minimal traffic uses the road, being mostly residents and users of the cabins.
7. There is a public turnaround easement on the property to the north for use of the road.
8. Reconstruction of the road would serve no purpose of betterment to use it appears.
9. There re no apparent sight issues to rectify.

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 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, 3, 5-7 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, 3, 5,6 & 8 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 1, 3, 7 & 8 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



PO Box 110485
Anchorage, AK 99515
(907) 744-LAND
aklands@aklands.com
<http://aklands.com>

October 17, 2023

Kenai Peninsula Borough
Planning Commission
144 N. Binkley St.
Soldotna, AK 99669

Subject: Preliminary Plat-Woodrow Farms, Retirement Addition

Dear Commission Members of the Kenai Peninsula Borough (KPB),

AK Lands, Land Surveying is seeking to subdivide Lot 2, Woodrow Farms Subdivision, located in Bear Creek community, at 33104 Stoney Creek Ave into two Lots. Lot 2 is situated between mile 6 and mile 7 of the Seward Highway, north of the City of Seward and is currently outside any specific zoning area.

AK Lands is seeking to partition the lots into two areas based on existing infrastructure: the southern section hosts the primary residence complete with a garage and outlying sheds, while the northern realm serves as the operational hub for the Ravenquest Cabins business. This thriving business is home to an assemblage of six structures, including a duplex, four individual cabins, and a washeteria, each complemented with dedicated utilities like wells, septic systems, and driveways.

The underlying motive for this subdivision is twofold: first, to distinctly separate the main residence, with its associated garage and sheds, from the Ravenquest Cabins, ensuring a clearer demarcation between personal and business spaces. Second, and perhaps more poignantly, the owner is on the brink of retirement, eyeing the horizon with plans to sell the Ravenquest Cabins business.

Background and Property Information:

- Lot 2, Woodrow farms was created in 1917.
- In 1998, the neighboring Lot 3, Woodrow farms underwent a subdivision (Woodrow farms, Briarwood Addition), creating four lots and dedicating the existing 50' Right-of-way known as Ravenquest Avenue. Similarly, East of Lot 2, Lots 5 and 6, Woodrow Farms were subdivided in 1988, creating seven lots and a 50' right of way, Collman circle. See attached Plats.
- Lot 2 benefits from two dedicated rights-of-way. Stoney Creek Avenue, a 60' right-of-way, serves as the main feeder road, channeling traffic from neighboring side streets and directing them to the Seward Highway and, Ravenquest Avenue, a 50' right-of-way, approximately 630 feet in length, that hosts a 25-foot ± wide gravel road, complete with culverts along existing driveways. Ravenquest Avenue supports minimal traffic, catering primarily to five other lots. It is a side street culminating in a dead-end.

Exceptions and Rationale

Proposed Lot 2A and 2B abuts Ravenquest Avenue a 50' dedicated Right-Of-way. AK Lands request an exception to KPB code 20.30.120. - Streets—Width requirements; the minimum right-of-way width of streets shall be 60 feet.

A 5 foot dedication of right-of-way along the west side of Ravenquest Avenue is in excess to the public needs because:

- 1) **Minimal Traffic:** Ravenquest Avenue supports only a small amount of traffic and is primarily used by a few residents. Expanding the right-of-way might not significantly improve traffic flow or safety.
- 2) **Existing Infrastructure:** The road already has sufficient infrastructure, such as utilities, and drainage, so additional right-of-way might not offer any substantial benefit.
- 3) **Land Use:** The adjacent properties along Ravenquest Avenue are developed and are not anticipated to change significantly, so an expanded right-of-way is not needed to accommodate future development for increased traffic.
- 4) **Environmental or Aesthetic Concerns:** An expanded right-of-way could potentially result in the removal of trees, landscaping, or other natural features, which might negatively affect the aesthetics or environment of the area.
- 5) **Economic Concerns:** If a portion of their land is taken for an expanded right-of-way, this can lead to loss of property value.
- 6) **Redundancy:** Given that this road isn't a main thoroughfare, and terminates after serving four lots to the east and one lot at the end of the road and considering the fact that utilities and culverts are already in place, further dedicating a right of way seems redundant and unnecessary.

Proposal:

AK Lands proposes to dedicate right of way at the southeast corner of Lot 2 where Stoney Creek intersects with Ravenquest Dr. The dedication would encompass a 20-foot radius arc at a length of 31 feet. The dedication ensures a smooth access to Ravenquest Avenue. This approach mirrors practices followed in the previous subdivisions mentioned earlier.

Conclusion:

This property isn't just a piece of land; it is a tapestry woven with memories, efforts, and the indomitable spirit of its owner. It represents Nancy's journey, encapsulating years of hard work, determination, and dreams realized. With her impending retirement, Nancy envisions this subdivision as the final piece in her entrepreneurial journey, streamlining the process of selling her business. Post-sale, she dreams of a tranquil retirement, occasionally retreating to her primary residence during the summers.

In conclusion, based on the historical context, current infrastructure, and the nature of the neighborhood, we urge the Planning Commission to reconsider any additional right-of-way dedication. It would not serve a significant purpose and could impact the value and appeal of this treasured property.

For any questions or additional information, please feel free to contact me by phone or email

Sincerely,

Stacy Wessel

AK Lands, Land Surveying, LLC by Stacy Wessel



