

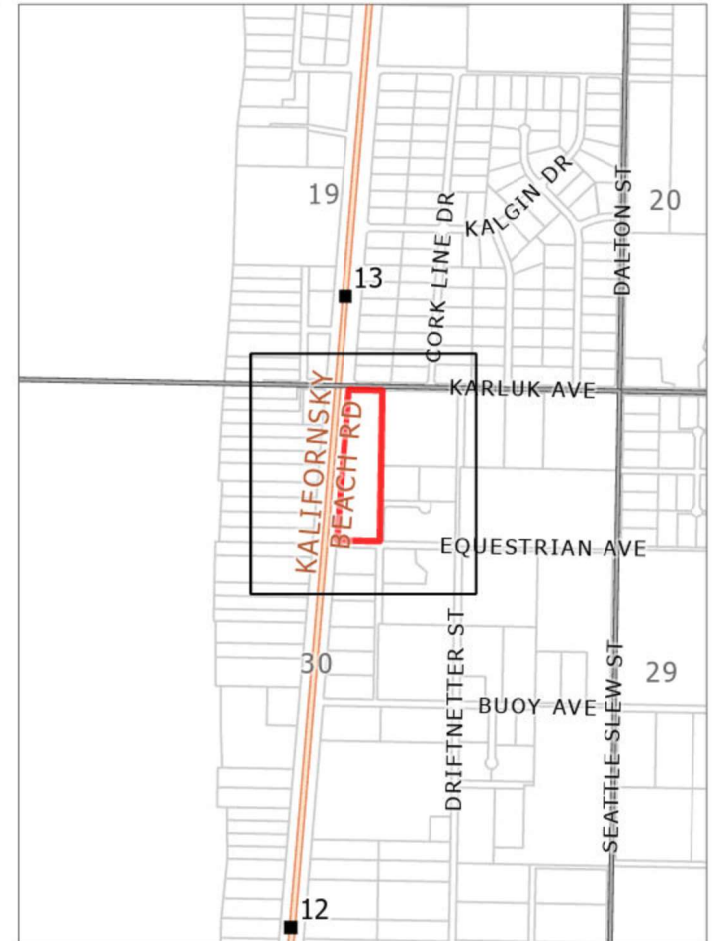
E. NEW BUSINESS

2. Kingswood Estates 2025 Addition; 2024-124

McLane Consulting Group / Keohane

Location: Kalifornsky Beach Rd., Karluk St. & Equestrian Ave.

Kalifornsky Area

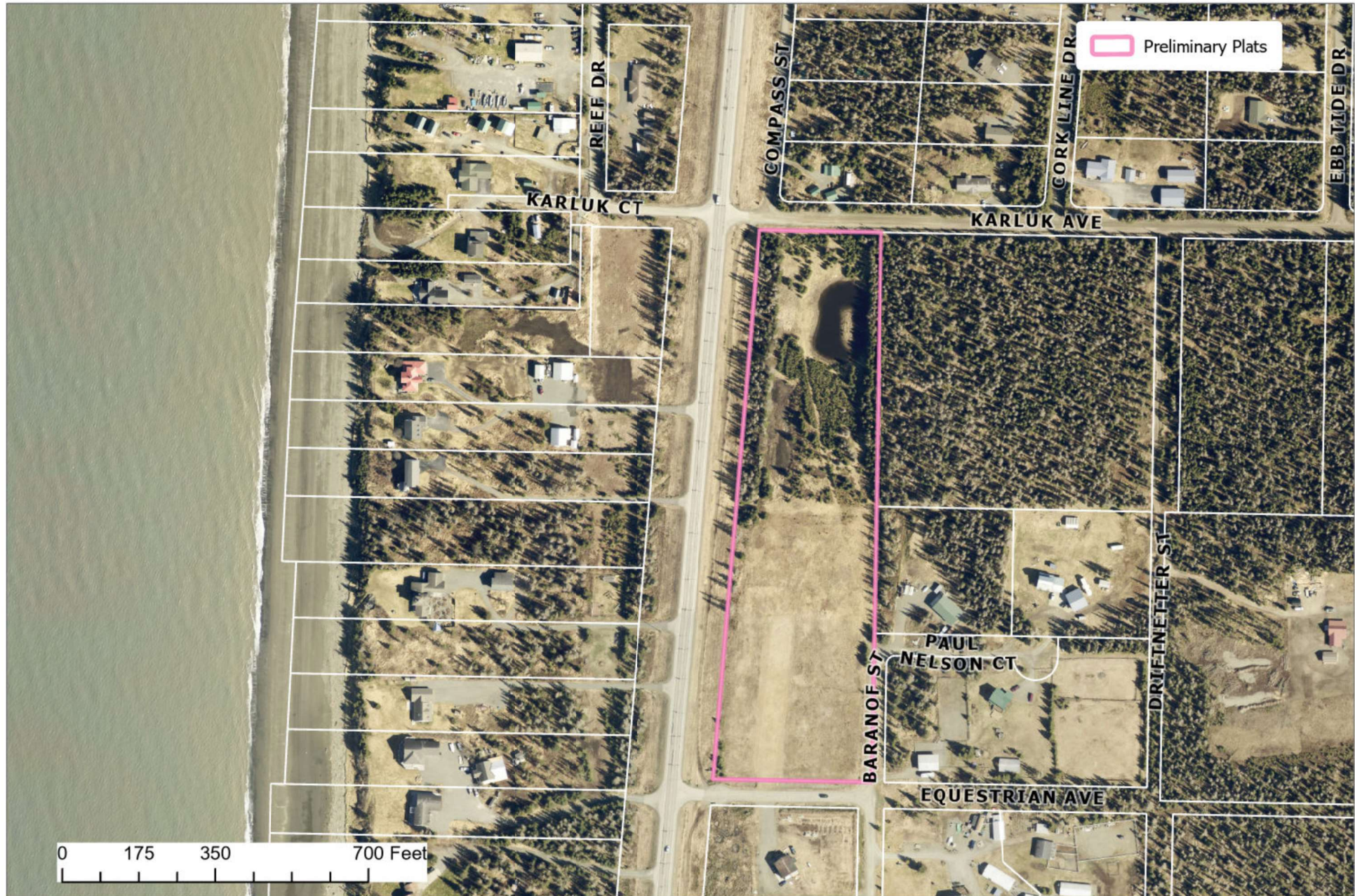


KPB File 2024-124
T05N R11W SEC 30
Kalifornsky

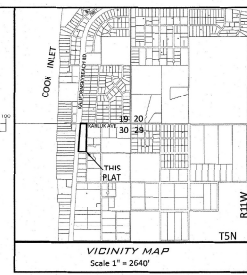
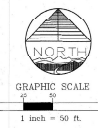
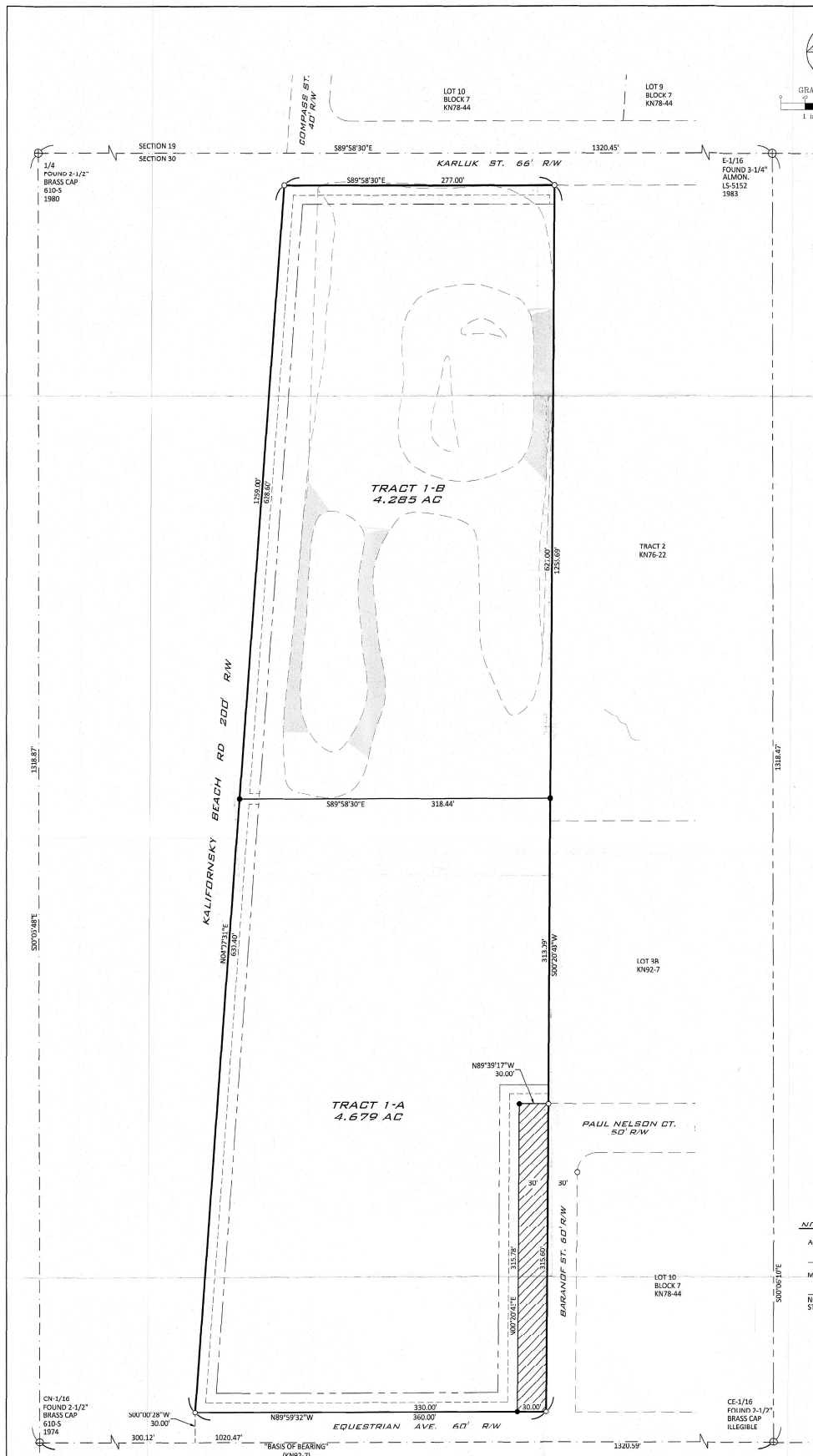
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Aerial Map



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- LEGEND**
- ⊕ FOUND PRIMARY MONUMENT AS DESCRIBED
 - FOUND 5/8" REBAR UNLESS OTHERWISE NOTED
 - SET 5/8"x30" REBAR w/ 1" STAINLESS STEEL CAP IS-211269
 - CONTOUR INTERVAL = 5'
 - ▨ SLOPES GREATER THAN 20%
 - ▨ R/W HEREBY DEDICATED

RECORD PLAT REFERENCE

KINGSWOOD ESTATES SUBD. JOLLY ADDITION - KN93-74
 KINGSWOOD ESTATES SUBD. - KN76-22
 KINGSWOOD ESTATES SUBD. NELSON ADDITION - KN92-7
 RESUBDIVISION OF TRACT - 4 KINGSWOOD ESTATES SUBD. - KN-77-27

- NOTES:**
1. NO DIRECT ACCESS TO ESTATE MAINTAINED RIGHTS OF WAY PERMITTED UNLESS APPROVED BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES.
 2. BUILDING SET BACK: A BUILDING SET BACK OF 30 FT IS REQUIRED FROM ALL STREETS RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
 3. THE FRONT 10 FEET OF THE 20 FOOT BUILDING SETBACK AND THE ENTIRE SETBACK WITHIN THE 5 FEET OF THE SIDE LOT LINES IS ALSO A UTILITY EASEMENT.
 4. ROADS MUST MEET THE DESIGN AND CONSTRUCTION STANDARDS ESTABLISHED BY THE BOROUGH IN ORDER TO BE CONSIDERED FOR CERTIFICATION AND INCLUSION IN THE ROAD MAINTENANCE DEPARTMENT.
 5. EXCEPTION TO KPB 20.40.040(4), WASTEWATER DISPOSAL WERE GRANTED BY THE PLAT COMMITTEE AT THE MEETING OF DECEMBER 16, 2024.
 6. THE PARCELS INCLUDED IN THIS SUBDIVISION MAY BE SUBJECT TO THE FOLLOWING:
 - 6.1. AN INGRESS AND EGRESS EASEMENT GRANTED ON APRIL 6, 1992 IN FAVOR OF WILLIAM J. NELSON AND MELINDA M. NELSON, RECORDED IN BOOK 987 PAGE 827, KENAI RECORDING DISTRICT.
 - 6.2. A STORM WATER COLLECTION AND DRAINAGE EASEMENT GRANTED TO THE KENAI PENINSULA BOROUGH ON OCTOBER 27, 2017 RECORDED AS DOCUMENT NO. 2017-011948-0, KENAI RECORDING DISTRICT. THIS EASEMENT IS LOCATED ENTIRELY WITHIN TRACT 1-B.

WASTEWATER DISPOSAL: TRACT 1-B

CONDITIONS MIGHT NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS. NO WASTEWATER WILL BE GENERATED OR DISPOSED OF ON THESE LOTS AS OF THE DATE OF THIS PLAT. IF CIRCUMSTANCES CHANGE TO ALLOW LAWFUL ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS, THESE SYSTEMS MUST MEET THE WASTEWATER DISPOSAL REQUIREMENTS OF KPB CHAPTER 20.40 AND THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

WASTEWATER DISPOSAL: TRACT 1-A

THESE LOTS ARE AT LEAST 200,000 SQUARE FEET OR NOMINAL 5 ACRES IN SIZE AND CONDITIONS MAY NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL. ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

TIMOTHY J. KEOHANE, OWNER
 PO BOX 1411
 COUPEVILLE, WA 98239

PAULA N. KEOHANE, OWNER
 PO BOX 1411
 COUPEVILLE, WA 98239

NOTARY ACKNOWLEDGEMENT

PAULA N. KEOHANE AND TIMOTHY J. KEOHANE
 ACKNOWLEDGED BEFORE ME THIS

DAY OF _____, 2025
 MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE STATE OF _____



Plat #	
Sheet	20
Date	20
Time	M

CERTIFICATE OF ACCEPTANCE - KPB

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

PAUL NELSON CT.

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 _____ DATE _____

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF DECEMBER 16, 2024.

AUTHORIZED OFFICIAL _____

KINGSWOOD ESTATES SUBDIVISION 2025 ADDITION
 A RESUBDIVISION OF TRACT 1 KINGSWOOD ESTATES SUBDIVISION (KN76-22)

PAULA N. KEOHANE, OWNER & TIMOTHY J. KEOHANE, OWNER
 OWNER TRACT 1 KN76-22
 PO BOX 1411, COUPEVILLE, WA 98239.

9.182 AC - SITUATED IN THE NE1/4 SECTION 30, TOWNSHIP 5 NORTH, RANGE 11 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH AND KENAI RECORDING DISTRICT, ALASKA.

ENGINEERING - TESTING SURVEYING - MAPPING P.O. BOX 468 SOLDOTNA, AK 99589 VOICE: (907) 283-4218 FAX: (907) 283-3268 WWW.MCLANEGG.COM	MCLANEGG Consulting Inc	KPB File No. 2024-XXX	Project No. 242022
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Scale: 1" = 50' Date: NOV. 2024 BOOK: XX-XX Drawn by: AHH

AGENDA ITEM E. NEW BUSINESS

**ITEM #2 - PRELIMINARY PLAT
KINGSWOOD ESTATES SUBDIVISION 2025 ADDITION**

KPB File No.	2024-124
Plat Committee Meeting:	December 16, 2024
Applicant / Owner:	Paula N. Keohane of Coupeville, Washington
Surveyor:	Andrew Hamilton – McLane Surveying
General Location:	Kalifornsky Beach Area, Kalifornsky Beach Road, Equestrian Avenue and Karluk Street

Parent Parcel No.:	055-300-07
Legal Description:	Township 5 North, Range 11 West, Section 30, Seward Meridian, KN 76-22, Kingswood Estates Subdivision, Tract 1
Assessing Use:	Vacant
Zoning:	Unrestricted
Water / Wastewater	On-Site – On-Site
Exception Request	20.40.040 (A) Wastewater Disposal

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 9-2-acre parcel into two tracts: one of 4.679 acres and another of 4.285 acres.

Location and Legal Access (existing and proposed):

Legal access is provided by Kalifornsky Beach Road to the west, Equestrian Avenue to the south and Karluk Street to the north. Kalifornsky Beach Road is a state-maintained 200-foot constructed road. Karluk Street, a 66-foot borough-maintained road, connects to Kalifornsky Beach Road to the west and provides access to proposed Tract 1-B from the north. Equestrian Avenue is a 60-foot dedicated road, connecting to Kalifornsky Beach Road to the west and provides access to proposed Tract 1-A.

This plat is proposing to dedicate 30 feet to Baranof Street, increasing the road width from 30 feet to 60 feet. Baranof Street begins from Equestrian Avenue to the south, continues north and connects to Paul Nelson Court to the east. Baranof Street provides access to the southeast of proposed Tract 1-A. Dedicating the additional right-of-way width will bring the road to borough standards per KPB 20.30.120.

No vacations are proposed with this platting action.

A section line abuts the subdivision to the north, with a 33-foot easement located on the north and south sides of the section line, located where Karluk Street is dedicated with the parent plat. This is noted in the certificate to plat at #9 and should be added as a plat note and identified on the drawing.

Block length is compliant due to the presence of existing roads: Kalifornsky Beach Road to the west, Karluk Avenue to the north and Equestrian Avenue to the south.

KPB Roads Dept RSA review	Out of Jurisdiction: No Roads Director: Griebel, Scott Comments: The parent parcel has direct interaction with the drainage runoff of the surrounding vicinity. Development of Tract 1-B has some related concerns.
SOA DOT comments	No response

Site Investigation:

The submitted plat does not show any improvements. Reviewing that information with KPB GIS imagery and KPB Assessing records, the parcel is determined as vacant.

There is steep terrain shown on the plat with grades over 25% shaded. **Staff recommends that** the shading remain for the final submittal and the contours removed. Add arrows to show the direction of the slope.

No zoning restrictions or wetlands affect this plat. The River Center reviewer did not identify this plat to be located in a FEMA designated flood hazard area or habitat protection district.

The area encompassed in Tract 1-B is reserved as a drainage easement recorded in serial 2017-011948-0 KRD to the Kenai Peninsula Borough. There is a drainage basin located on proposed Tract 1-B, the intent is to maintain the usage of the basin.

KPB River Center review	<p>A. Floodplain</p> <p>Reviewer: Hindman, Julie Floodplain Status: Not within flood hazard area Comments: Per new panel 02122C0120F, not within a mapped floodplain.</p> <p>B. Habitat Protection</p> <p>Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p>
State of Alaska Fish and Game	No response

Staff Analysis

The land originally consisted of aliquot parcels, including the portion of the W1/2 NE1/4 east of Kalifornsky Beach Road and the SE1/4 NE1/4 of Section 30, Township 5 North, Range 11, Seward Meridian, Alaska. Kingswood Estates Subdivision, KN 76-22, created Tracts 1 through 7 and dedicated C-Avenue, south of Tract 1 and A Avenue, north of Tract 1. In 1999, the KPB Planning Commission granted a street naming resolution, SN 99-13, renaming A Avenue to Karluk Avenue. The KPB Planning Commission granted a street naming resolution in 2004, SN 2004-16, renaming C-Avenue to Equestrian Avenue. The proposed plat will subdivide Tract 1 into two tracts and dedicates 30 feet to Baranof Street.

An exception has been requested to not provide a soils analysis report or engineer signature on the final plat.

Per the preliminary Certificate to Plat, beneficial interest holders do not affect the proposed plat. Notification per KPB 20.10.100 will not be required unless the final Certificate to Plat states the property is affected by beneficial interest holders.

This plat is in the Kalifornsky Beach Advisory Planning Commission, which is inactive at this time.

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

Utility Easements

The parent plat, granted a 5-foot clearing only for overhead distribution. The proposed plat grants a 10-foot utility easement, containing the original 5-foot utility easement, adjoining all rights-of-way and is notated on the plat as

plat note number 3. The Land Management Officer with HEA requests the 10-foot utility easement to be labeled. **Staff recommends** that the utility easement being granted, be labeled on the depiction along with the setback line

As part of our routine notification process, the subdivision plat was emailed to the affected utility providers for review. **Staff recommends:** the surveyor work with the utility providers to accommodate their request, ensuring optimal use of the owner’s land and maximum benefit for both the provider and the public.

Utility provider review:

HEA	See comments
ENSTAR	No comments or recommendations
ACS	No response
GCI	Approved as shown

KPB department / agency review:

Addressing Review	<p>Reviewer: Leavitt, Rhealyn Affected Addresses: 51402 EQUESTRIAN AVE</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: COMPASS ST, KARLUK AVE, PAUL NELSON CT, BARANOF ST, EQUESTRIAN AVE, KALIFORNSKY BEACH RD.</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: Comments: 51402 EQUESTRIAN AVE WILL REMAIN WITH TRACT 1-A</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
LOZMS Review 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 Review	<p>Reviewer: Windsor, Heather Comments: No comment</p>
Advisory Planning Commission	

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

- Add to the title block, KPB 2024-124
- Signatory line for Timothy under the Certificate of Ownership and Dedication can be removed

PLAT NOTES TO ADD

- Roads must meet the design and construction standards established by the borough in order to be considered for certification and inclusion in the road maintenance program (KPB 14.06).

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

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 owners name to reflect “Paula N. Keohane as the sole owner
Remove the parent parcel legal description listed under owner name in the address.

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:

Correct parcel label to the southeast to Lot 3C, KN 92-07

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.

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.**

20.30.240. Building setbacks.

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 rights-of-way unless a lesser standard is approved by resolution of the appropriate planning commission.

Staff recommendation:

The building setback be labeled on the depiction and plat note number 2 be modified to reflect code.

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 20.40.040(A) Conventional Onsite soil absorption systems

Surveyor’s Discussion:

The intent of this plat is to separate the usable land from the drainage easement. The entirety of the drainage easement is encompassed within Tract 1-B. Tract 1-A exceeds the minimum 200,000 square feet requirement. Granting the exception would allow for a more cost-effective solution for the homeowner to divide her land in a manner that separates usable land from the land encumbered by the drainage easement.

Findings:

1. Lot is encumbered by a drainage easement granted to Kenai Peninsula Borough on October 27, 2017 recorded as Document No. 2017-011948-0. Kenai Recording District, which states ‘Grantors agree that no improvements may be constructed or installed on the above-described easements by of for Grantors of their successors, assigns, licenses, and permittees without the written permission of Grantee.’
2. This easement renders Tract 1-B unsuitable for private residential development.
3. The intent of this plat is to separate the usable land from the drainage easement. The entirety of the drainage easement is encompassed within Tract 1-B. Tract 1-A exceeds the minimum 200,000 square feet requirement.
4. Granting the exception would allow for a more cost-effective solution for the homeowner to divide her land in a manner that separates usable land from the land encumbered by the drainage easement

Staff Discussion:

20.40.040. - Conventional onsite soil absorption systems.

A. If any lots within a subdivision will utilize conventional onsite soil absorption systems and are less than 200,000 square feet, the following requirements must be met and submitted to the planning director:

Findings:

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 1-4 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 DECISION OF THE PLAT COMMITTEE 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



Aerial Map



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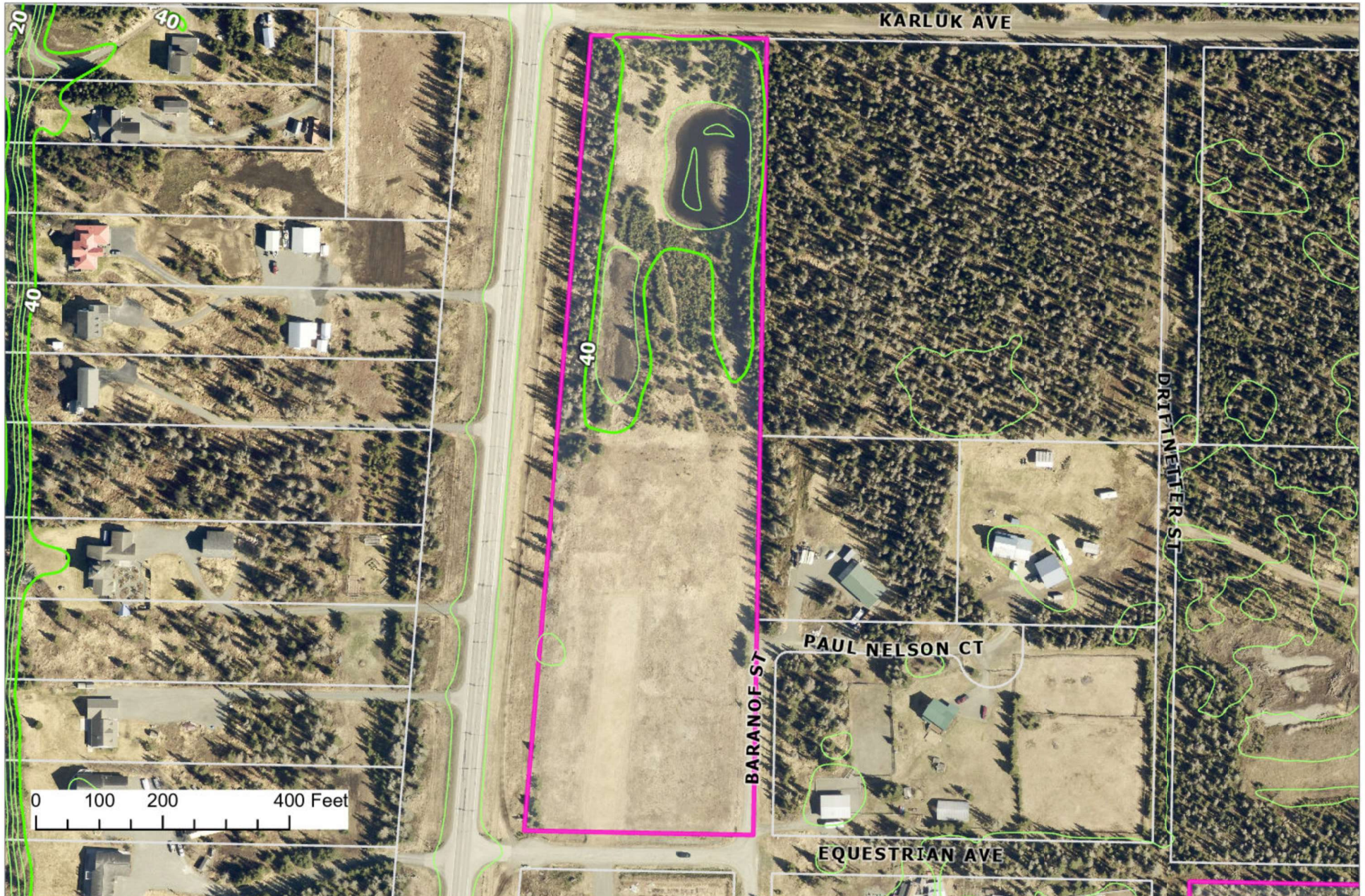
Wetlands



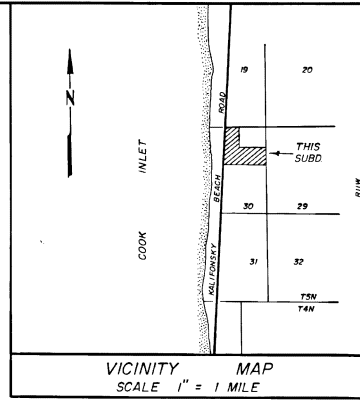
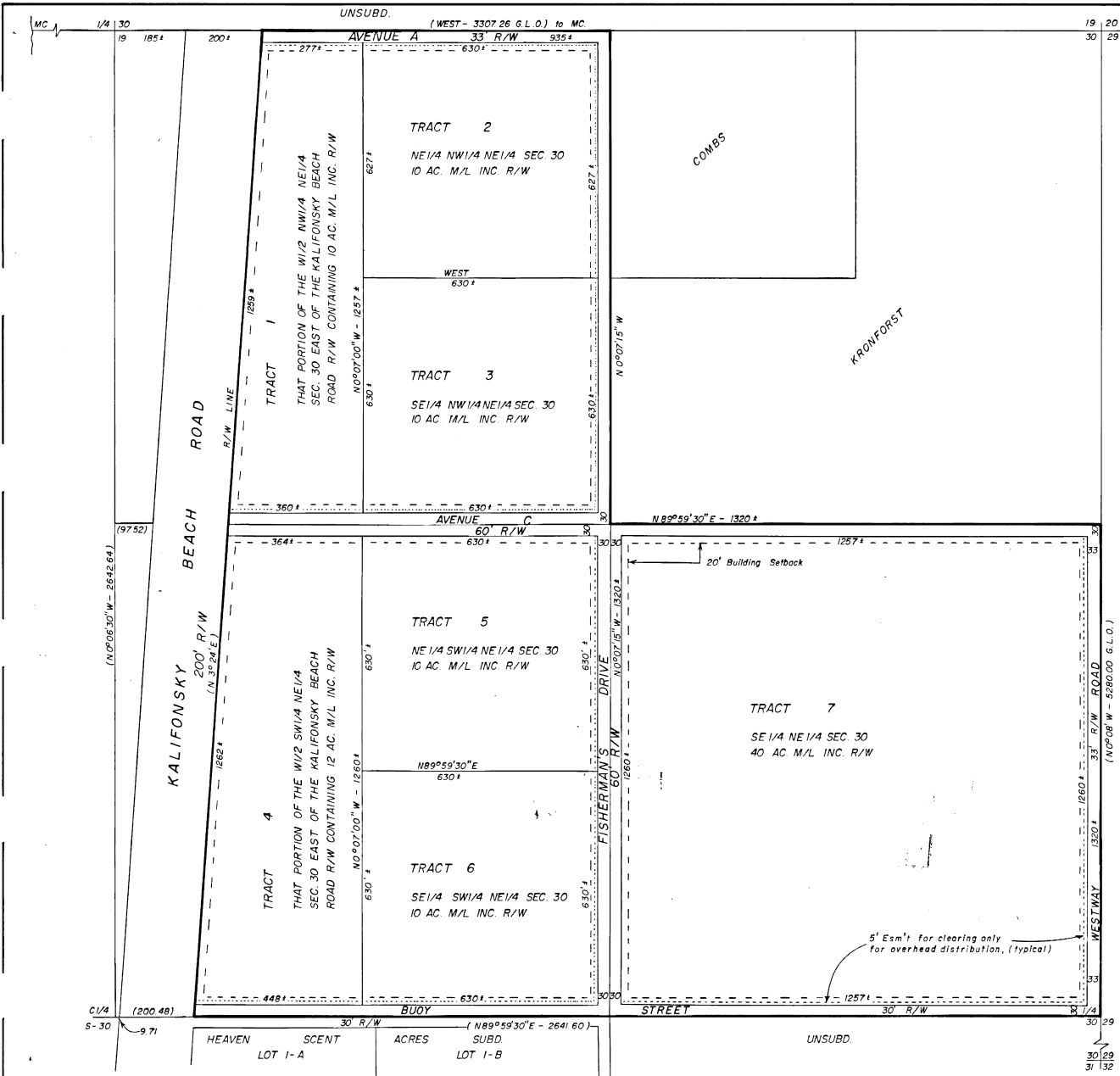
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Aerial with 5-foot Contours



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NOTES

This is a paper plat of a portion of the NE 1/4 Sec. 30, T5N, R11W, S.M Ak divided by aliquot parts.

All bearings and distances refer to the B.L.M. township plat of record for T5N, R11W, S.M Ak and later survey data of record for Sec. 30.

Data of record shown within ()

No field survey was made this date and no stakes or monuments set.

PLAT APPROVAL

Plat approved by the commission this

19th day of January, 1976
Donald E. Gilman
 Mayor

76-22
 FILED 300
 Kenai REC. DIST.
 DATE 2-25-1976
 TIME 4:17 P
 Examined by KPB

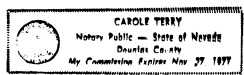
CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of said property, and request the approval of this plat showing such easements for public utilities, roadways, and/or streams dedicated to us for public use.
 Date: January 15, 1976

Paul W. Nelson
 owner
Patty J. Nelson
 owner

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this 14th day of FEBRUARY, 1976.
 My commission expires 11-22-77



Carole Terry
 notary public for

KINGSWOOD ESTATES SUBDIVISION

Paul W Nelson — owner
 Rt. 2, Box 753, Soldotna, Ak. 99669

DESCRIPTION
 THAT PORTION OF THE W 1/2 NE 1/4 EAST OF THE KALIFONSKY BEACH ROAD R/W & THE SE 1/4 NE 1/4 SEC. 30, T5N, R11W, S.M AK CONTAINING 102+ ACRES WITHIN THE KENAI PENINSULA BOROUGH

Prepared by — McLane & Associates, Soldotna, Ak.

DATE OF PREPARATION: Sept 22, 1975
 SCALE: 1" = 200'