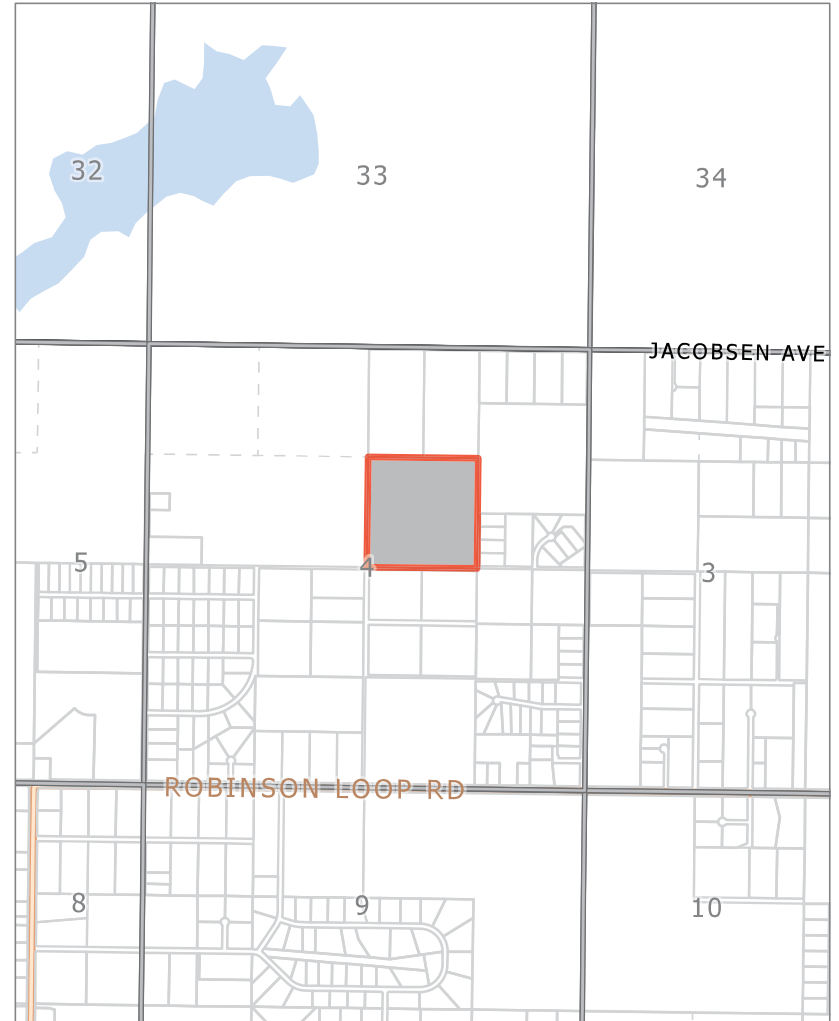
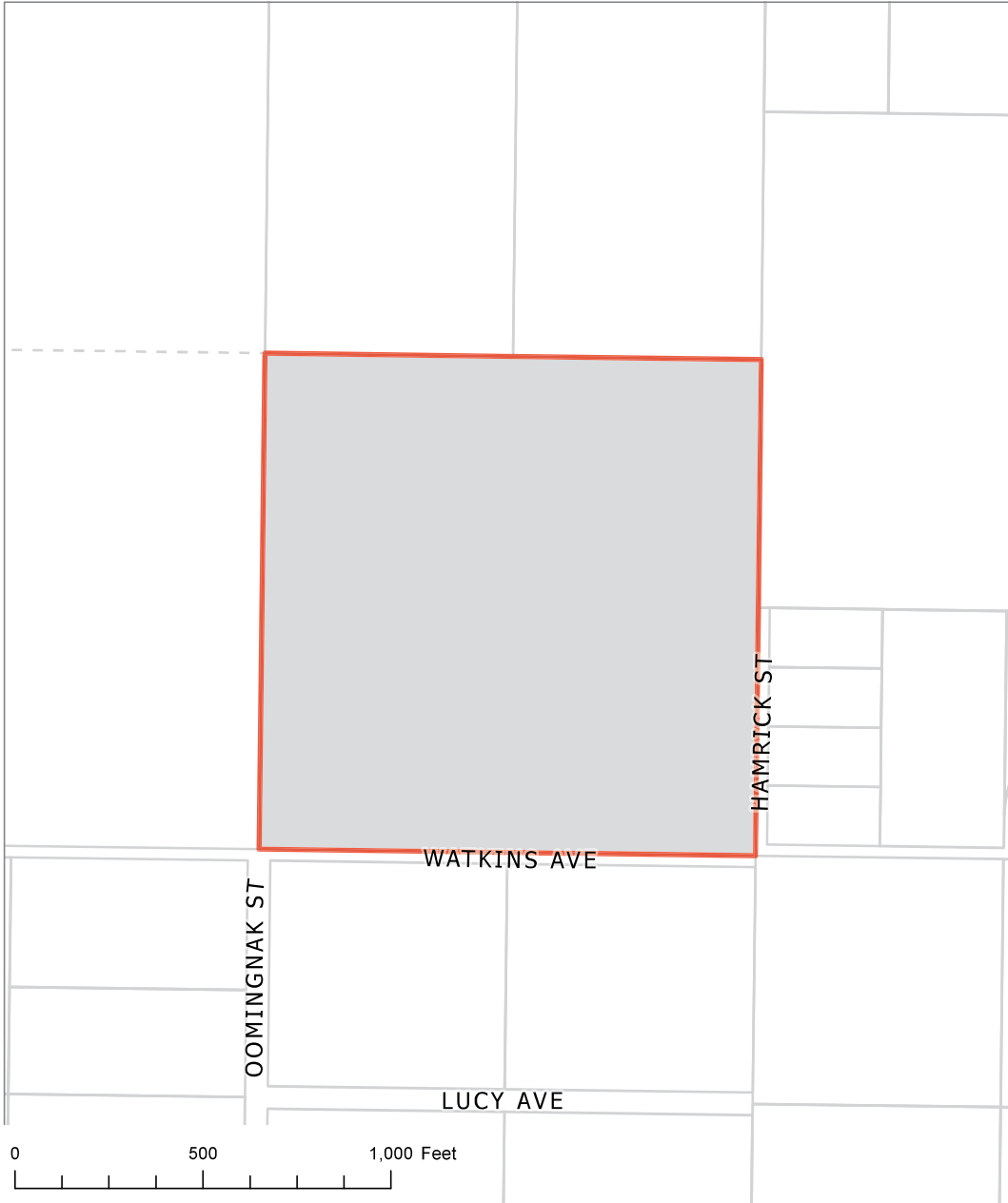


E. NEW BUSINESS

- 4. Owl Perch Subdivision; KPB File 2024-049
Edge Survey & Design / Kenai Peninsula Borough
Location: Watkins Avenue, Hamrick Street &
Oomingnak Street
Sterling Area**

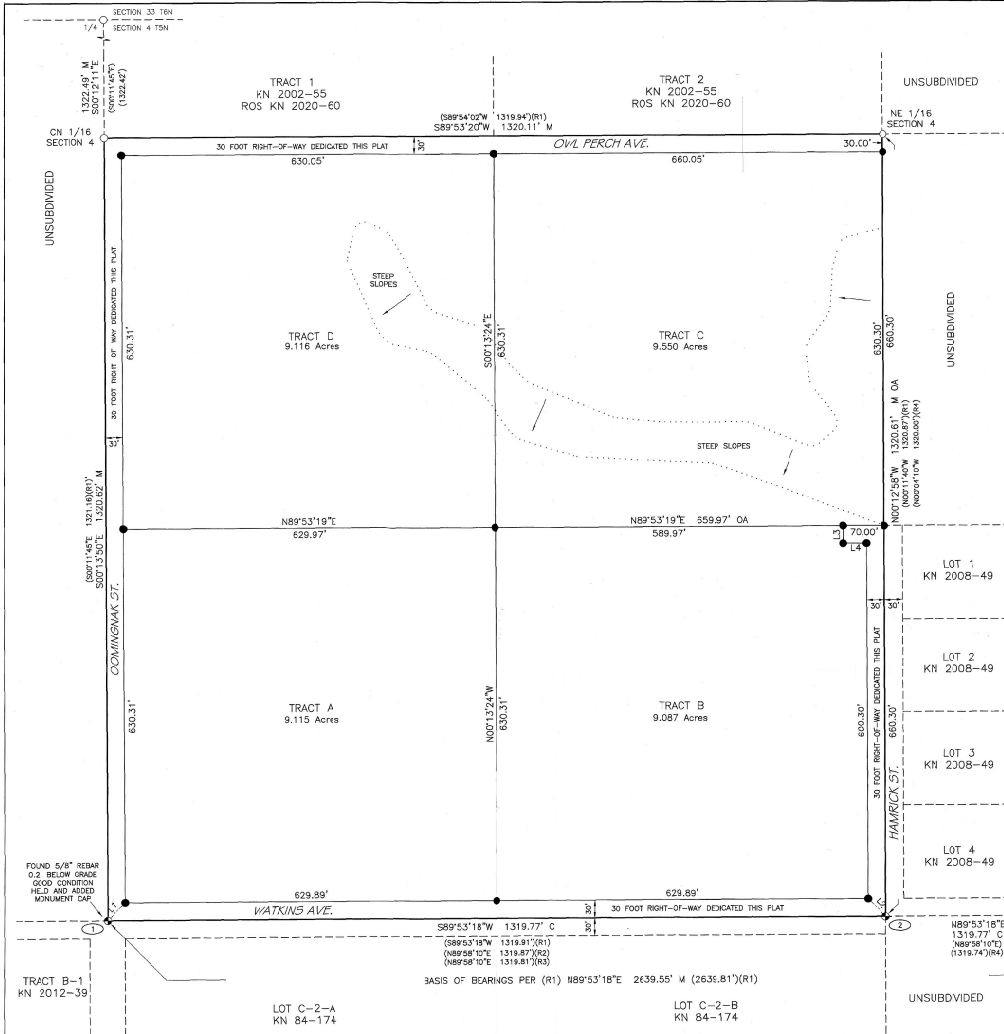


KPB File 2024-049
T 05N R 09W SEC 04
Sterling

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.

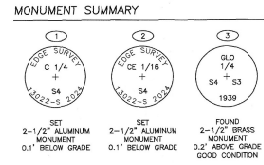


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



- LEGEND**
- ⊕ FOUND PRIMARY MONUMENT AS REFERENCED
 - ⊙ SET PRIMARY MONUMENT AS REFERENCED
 - FOUND PROPERTY CORNER 5/8" REBAR WITH 1" STEEL CAP STAMPED 85032-S
 - SET PROPERTY CORNER 5/8" X 30" REBAR WITH 2" ALUMINUM CAP STAMPED EDGE SURVEY LS-13022 2024
 - ① MONUMENT REFERENCE NUMBER
 - M MEASURED
 - CA COMPUTED
 - OA OVER ALL
 - (R#) RECORD DATA, SEE REFERENCE

- SUBDIVISION BOUNDARY
- INTERIOR LOT LINE
- - - ADJACENT PROPERTY LINE
- - - CENTERLINE
- - - 10' UTILITY EASEMENT
- - - 20' FOOT BUILDING SETBACK
- - - MONUMENT TIE LINE
- - - STEEP SLOPES



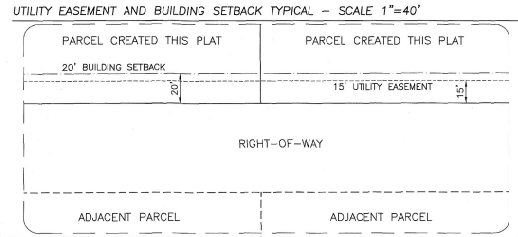
LINE TABLE

| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| L1 | N44°49'44"E | 42.26' |
| L2 | S45°09'50"E | 42.17' |
| L3 | N00°12'58"W | 30.00' |
| L4 | S89°53'19"W | 40.00' |

- NOTES**
- BUILDING SETBACK - A SETBACK OF 20 FEET IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
 - PER THIS PLAT THE FRONT 15 FEET ADJACENT TO THE RIGHTS-OF-WAY IS A UTILITY EASEMENT. 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.
 - EXCEPTIONS TO KPBC CODE 20.30.030 AND 20.30.170 WERE GRANTED BY THE KENAI PENINSULA BOROUGH PLAT COMMITTEE AT THE JUNE 10, 2024 MEETING.
 - ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLANDS DETERMINATION IF APPLICABLE.
 - THE KENAI PENINSULA BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS, OR DEED RESTRICTIONS PER KPBC 20.60.170.
 - THE BASIS OF COORDINATES IS ALASKA STATE PLANE ZONE 4, NAD 83 EPOCH 2010.00, U.S. SURVEY FEET, AS DERIVED FROM TOPCON TOPNET CORRECTION SERVICE. STATE PLANE BEARING BETWEEN MONUMENTS PROVIDED DIFFERS FROM PLAT.
 - WASTEWATER DISPOSAL LOTS WHICH ARE AT LEAST 200,000 SQUARE FEET IN SIZE MAY NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL. ANY WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATOR REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

STATE PLANE COORDINATES FOR BASIS OF BEARINGS MONUMENTS

| MONUMENT | NORTHING | EASTING | DESCRIPTION |
|----------|-------------|-------------|----------------------------|
| 1 | 2394855.516 | 1481242.759 | CENTER 7/4 SECTION 4 |
| 3 | 2394825.920 | 1480862.143 | 1/4 CORNER SECTION 3 AND 4 |



- REFERENCES**
- (R1) RECORD OF SURVEY, PLAT 2029-60, KENAI RECORDING DISTRICT
 - (R2) ELDON HAMRICK HOMESTEAD SUBDIVISION ADDITION NO. 2, PLAT 2008-49, KENAI RECORDING DISTRICT
 - (R3) EPPS HOMESTEAD 1984 ADDITION, PLAT 84-174, KENAI RECORDING DISTRICT
 - (R4) ELDON HAMRICK HOMESTEAD SUBDIVISION ADDITION NO.1, PLAT 2007-74, KENAI RECORDING DISTRICT

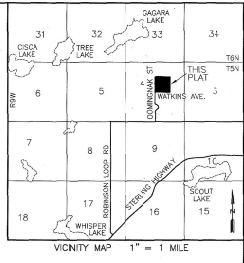
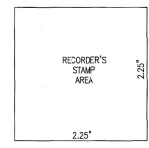
PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF MAY 13, 2024. KENAI PENINSULA BOROUGH.

AUTHORIZED OFFICIAL

CERTIFICATE OF SURVEYOR

I, MARK AIMONETTI 13022-S, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE MONUMENTS SHOWN ON THIS SURVEY ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



CERTIFICATE OF OWNERSHIP AND DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT KENAI PENINSULA BOROUGH IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND ON BEHALF OF KENAI PENINSULA BOROUGH, I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH
144 NORTH BINKLEY STREET
SOLDOTNA, ALASKA 99669

NOTARY ACKNOWLEDGEMENT

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

PUBLIC NOTARY SIGNATURE

MY COMMISSION EXPIRES:



KPB FILE No. 2024-000

OWL PERCH SUBDIVISION

A SUBDIVISION OF
SW 1/4 NE 1/4 SECTION 4,
T.5N., R.9W., S.4M
STATE OF ALASKA
KENAI PENINSULA BOROUGH
KENAI RECORDING DISTRICT

OWNER:
KENAI PENINSULA BOROUGH
144 NORTH BINKLEY STREET
SOLDOTNA, ALASKA 99669

CONTAINING 40.017 ACRES



8000 KING STREET ANCHORAGE, AK 99518
Phone (907) 344-3930 Fax (907) 344-7754
ACCL# 1392

| | | |
|----------------|------------------|-----------------|
| DRAWN BY: VY | DATE: 05/12/2024 | PROJECT: 24-514 |
| CHECKED BY: MA | SCALE: 1" = 100' | SHEET: 1 OF 1 |

KPB 2024-049

PRELIMINARY DRAFT R1

AGENDA ITEM E. NEW BUSINESS

**ITEM #4 - PRELIMINARY PLAT
Owl Perch Subdivision**

| | |
|--------------------------------|--|
| KPB File No. | 2024-049 |
| Plat Committee Meeting: | June 10, 2024 |
| Applicant / Owner: | Kenai Peninsula Borough |
| Surveyor: | Mark Aimonetti – Edge Survey and Design, LLC |
| General Location: | Sterling, Alaska |

| | |
|---------------------------|---|
| Parent Parcel No.: | 063-011-11 |
| Legal Description: | T 5N R 9W SEC 4 SEWARD MERIDIAN KN SW1/4 NE1/4 |
| Assessing Use: | Vacant |
| Zoning: | Unrestricted |
| Water / Wastewater | Onsite |
| Exception Request | 20.30.030 - Street Layout, and 20.30.170 – Block Length |

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 40.017-acre parcel into 4 lots ranging in size from 9.087 acres to 9.550 acres and four 30 foot dedications.

Location and Legal Access (existing and proposed):

Legal access to the plat is from the Sterling Highway, at approximately mile 87.6, north on Robinson Loop Road to Oomingnak St., and north to Watkins Ave. A 30' dedicated right-of-way is proposed by this plat action along the northern, southern, eastern and western borders of the subdivision to supply access to the proposed tracts. The dedication includes the north half of Watkins Ave. and the matching half of Hamrick St. which goes half way up the development for which an exception to KPB 20.30.030 has been requested to not extend the dedication. Also dedicated are half portions of Oomingnak St. and Owl Perch Ave. which are undeveloped at this time.

Maintenance of Oomingnak St to the south of this plat was noted by the RSA Director in his comments during review and are noted below.

There are no section line easements crossing this plat or affecting it.

Block length is not compliant and an exception to 20.30.170 – Block Length has been requested for the plat, specifically for the east side along Hamrick St., due to the terrain.

| | |
|--------------------------|---|
| KPB Roads Dept. comments | Out of Jurisdiction: No Roads Director: Griebel, Scott Comments: The Oomingnak St access (Sondra Ave to Watkins Ave) is a maintained “grandfather” road that was joined with the Epps homestead access in '09. The southern portion of Oomingnak (former Epps homestead Rd.) is located on private property (Parcels: 06301825 & 06301416). The associated 1979 plat (79-182) notes “Prescriptive Rights Road” at the existing location. |
| SOA DOT comments | |

Site Investigation:

There are no improvements or structures on the parcel that appear on KPB GIS data.

There are areas of steep slope that are indicated on the plat with labels and arrows of slope direction. These are in the northeast portion of the plat.

There are no wetlands identified by KPB wetland assessment data. KPB River Center review did not identify the property to be located in a FEMA flood hazard area or a habitat protection district either.

| | |
|-------------------------------|---|
| KPB River Center review | <p>A. Floodplain</p> <p>Reviewer: Hindman, Julie Floodplain Status: Not within flood hazard area Comments: No comments</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 | |

Staff Analysis

This parcel is an unsubdivided aliquot part of the SW¼ NE¼ of Section 4, Township 5 North, Rand 9 West, Seward Meridian, Alaska. This quarter section is now being subdivided by this platting action.

A soils report will not be required and an engineer will not sign the final plat. The appropriate note is currently indicated on the 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.

There does not appear to be any encroachments to or from the property across lines and there are no structures located on the property at this time.

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

There is a 20 foot utility easement listed in the certificate to plat at Serial 2003-003766-0 Patent No 18705 in ADL 228070 the surveyor should research and show on the plat if applicable to this property.

HEA sent a comment that should be noted and depicted on the plat, the comment is in the packet for viewing.

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 comments |
| ACS | |
| GCI | Approved as shown |

KPB department / agency review:

| | |
|-----------------|---|
| Addressing | <p>Reviewer: Leavitt, Rhealyn Affected Addresses: NONE</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: WATKINS AVE, HAMRICK ST, OOMINGNAK 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: No other comments</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> |

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

- On recorded length of western boundary line, correct the placement of foot (apostrophe) indicator.
- 10-foot utility easement line indicator in legend needs corrected to match typical detail of 15 foot.
- Monument tie line in the legend does not match the lines used to tie monuments to the plat corners.
- Remove plat note 5 as there are no private covenants, easements, or restrictions in this proposed subdivision.

PLAT NOTES?

- 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
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:

Change KPB file number to 2024-049.

- C. The location, width, and name of existing or platted streets and public ways, railroad rights-of-way, and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;

Staff recommendation:

Label Watkins Ave and indicate width to southeast across Hamrick St.

Label Oomingnak St and indicate width to southwest across Watkins Ave.

Label Watkins Ave and indicate width to southwest across Oomingnak St.

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.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: comply with 20.60.190.

Add Certificate of Acceptance.

Change commission meeting date to June 10, 2024. in Plat Approval

20.60.200. Survey and monumentation.

Staff recommendation: comply with 20.60.200

Correct monument tie lines to match legend.

EXCEPTIONS REQUESTED:

A. KPB 20.30.030 Street Layout and 20.30.170 Block Length

Surveyor's Discussion:

Asking to not dedicate right-of-way along entire length of Eastern boundary of proposed Tract C.

Findings:

1. Steep Slopes make construction of road impractical.
2. Adjacent right-of-way dedication ends at steep slopes.
3. Right-of-way dedication along North boundary provides adequate access to proposed Tract C and unsubdivided parcels to the East.

Staff Discussion:

20.30.170. - Blocks—Length requirements.

Blocks shall not be less than 330 feet or more than 1,320 feet in length. Along arterial streets and state-maintained roads, block lengths shall not be less than 800 feet. Block lengths shall be measured from centerline intersections.

20.30.030. - Proposed street layout—Requirements.

A. The streets provided on the plat must provide fee simple right-of-way dedications to the appropriate governmental entity. These dedications must provide for the continuation or appropriate projection of all streets in surrounding areas and provide reasonable means of ingress for surrounding acreage tracts. Adequate and safe access for emergency and service vehicle traffic shall be considered in street layout.

Findings:

4. Future subdivision of Tracts will provide cul-de-sac or road development, thereby, increasing parcel access and further bringing the block into compliance.
5. Right-of-way dedication along eastern boundary provides adequate access for northeast corner of proposed Tract B and the southeast corner of proposed Tract C.
6. Right-of-way dedication along eastern boundary will serve to further secure future access to parcels along Hamrick St.
7. No property will be denied access with the granting of these exceptions.

Staff reviewed the exception request and recommends granting approval.

Staff recommends the Commission (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 & 2 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 3, 5 & 6 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 3, 5-7 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:

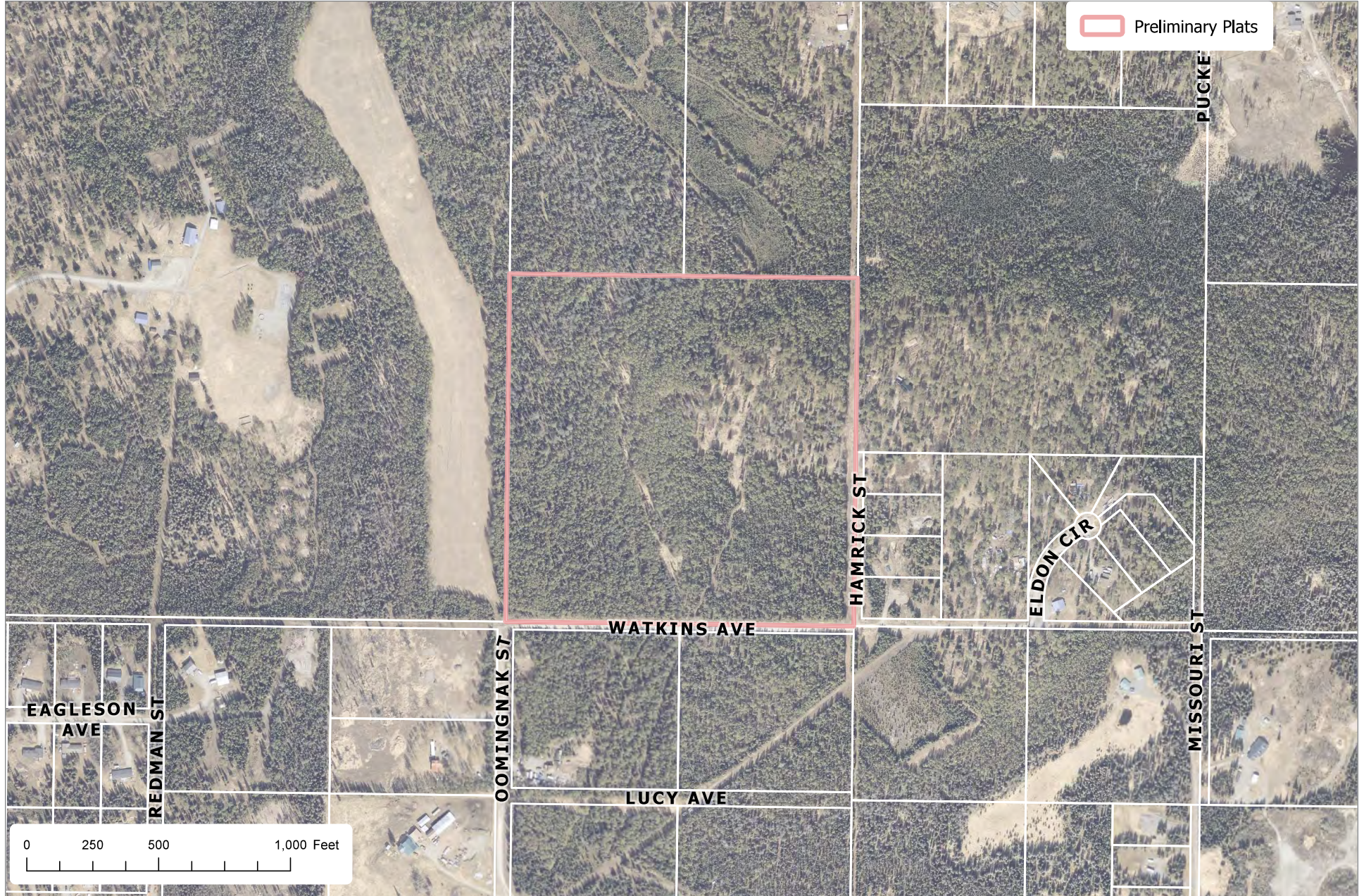
- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

NOTE: 20.25.120. - REVIEW AND APPEAL.

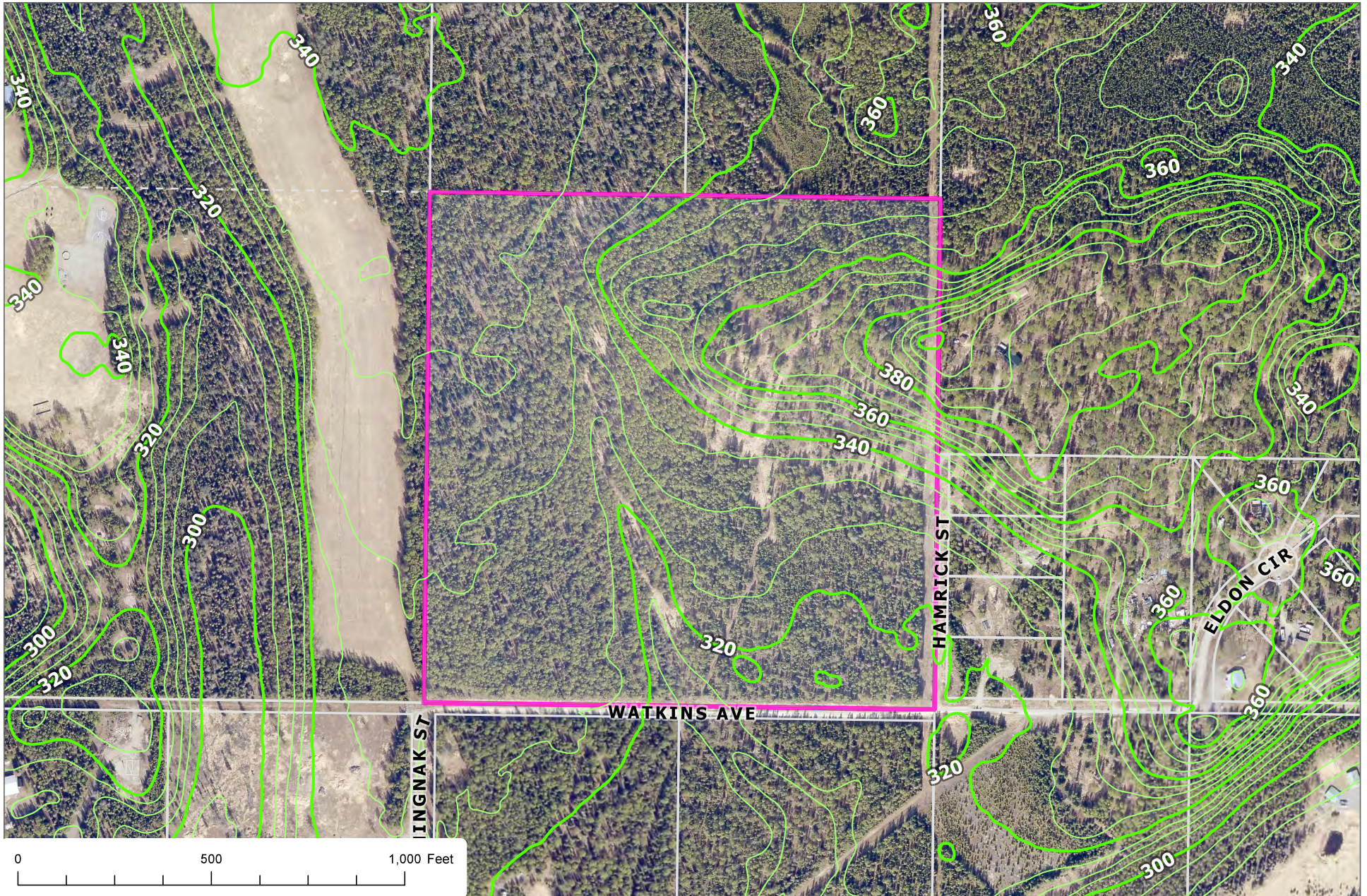
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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

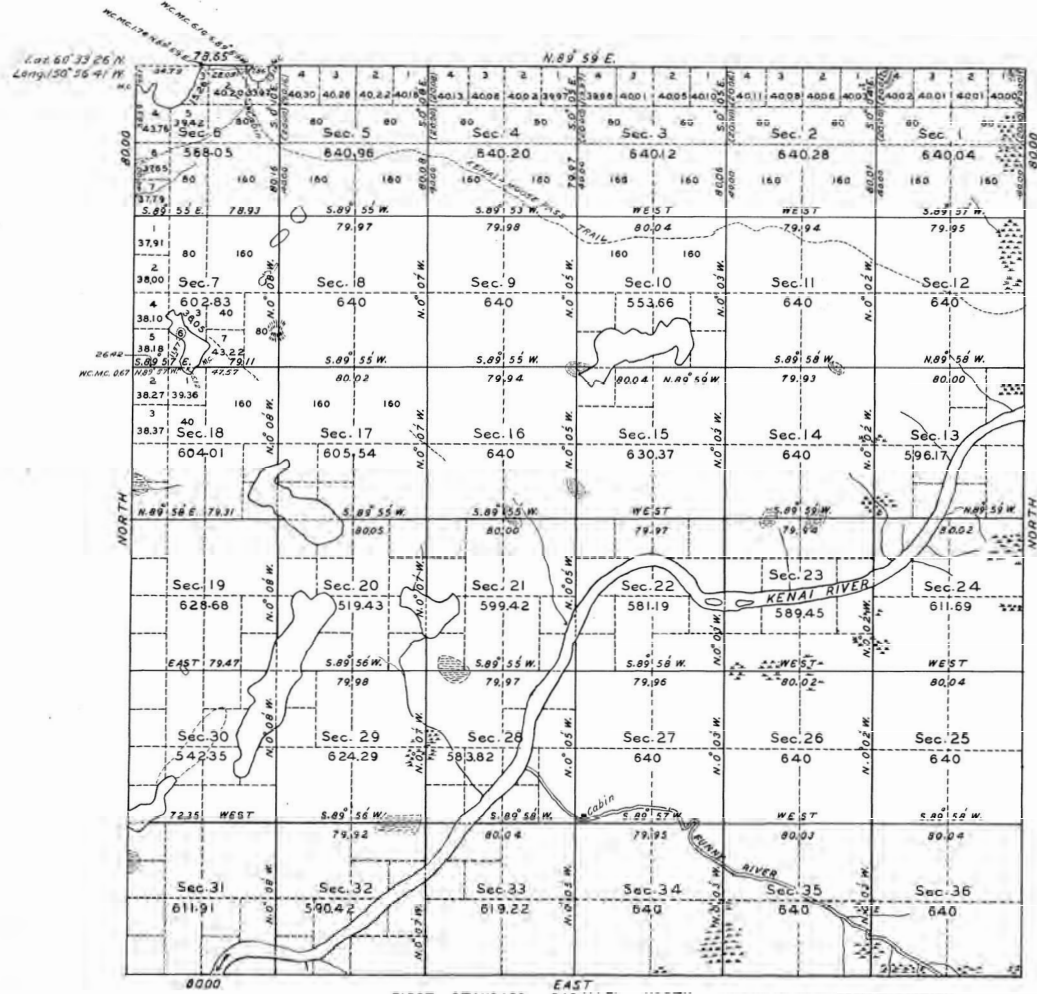


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



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.

TOWNSHIP NO. 5 NORTH, RANGE NO. 9 WEST OF THE SEWARD MERIDIAN, ALASKA



MEAN MAGNETIC DECLINATION 26° 30' E

SCALE: 40 CHAINS TO AN INCH

| LINES DESIGNATED | BY WHOM SURVEYED | GROUP NO. | DATE | AREA SURVEYED 22144.10 ACRES | | WHEN SURVEYED | |
|------------------|--------------------------------------|-----------|---------------|------------------------------|-----------|---------------|---------------|
| | | | | MILEAGE | MLS. CHS. | BEGUN | COMPLETED |
| EXTERIOR | FLOYD G. BETTS (CORRECTING SURV.) | 51 | AUG. 27, 1935 | 17 | 7865 | JUNE 5, 1937 | AUG. 25, 1938 |
| SUBDIVISIONAL | LEONARD M. BERLIN (SURVEYOR) | 52 | ... | 59 | 6919 | ... | ... |
| MEANDER | L. A. DAUBHINY (TRANSITMAN) | 53 | ... | 27 | 7993 | ... | ... |

OFFICE OF SUPERVISOR OF SURVEYS
DENVER, COLORADO, OCTOBER 11 1940.

THE ABOVE PLAT OF TOWNSHIP NO. 5 NORTH, RANGE NO. 9 WEST OF THE SEWARD MERIDIAN, ALASKA, IS STRICTLY CONFORMABLE TO THE FIELD NOTES OF THE SURVEY THEREOF WHICH HAVE BEEN EXAMINED AND APPROVED.

William H. Johnson
SUPERVISOR OF SURVEYS.

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON, D.C. MAY 5, 1941

THE SURVEY REPRESENTED BY THIS PLAT HAVING BEEN CORRECTLY EXECUTED IN ACCORDANCE WITH THE REQUIREMENTS OF LAW AND THE REGULATIONS OF THIS OFFICE, IS HEREBY ACCEPTED.

John Paul Wolf
ASSISTANT COMMISSIONER.