

E. NEW BUSINESS

- 9. Quartz Creek Subdivision Outfitters Way Replat
KPB 2022-060R1
Segesser Surveys / KPB, Three Bears Alaska Inc.
Location: Persistent Way & Sterling Highway
Cooper Landing Area / Cooper Landing APC**

AGENDA ITEM E. NEW BUSINESS

**ITEM #9 - FINAL PLAT
QUARTZ CREEK SUBDIVISION OUTFITTER WAY REPLAT**

KPB File No.	2022-060R1
Plat Committee Meeting:	January 8, 2024
Applicant / Owner:	Kenai Peninsula Borough and Three Bears Alaska, Inc.
Surveyor:	John Segesser / Segesser Surveys
General Location:	Cooper Landing / Cooper Landing APC

Parent Parcel No.:	119-124-17, 119-124-18, and 119-124-19
Legal Description:	Tracts A, B, and C of Quartz Creek Subdivision Plat No SW 94-11
Assessing Use:	Residential Vacant
Zoning:	Rural Unrestricted
Water / Wastewater	On site
Exception Request	none

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will dedicate a frontage right-of-way and reconfigure three lots into six lots to provide a division between the highway and the frontage right-of-way. The tracts north of the frontage road will be between .183 acres and .720 acres. The three lots south of the frontage road will range in size from 9.996 acres and 13.413 acres.

A preliminary design for this subdivision received conditional approval at the June 13, 2022 and August 22, 2022 plat committee meetings. One of the requirements was for the final to be presented to the Cooper Landing APC and the KPB Plat Committee for review before administrative approval was granted by the planning department.

The Cooper Landing APC reviewed it at their meeting of January 4, 2024. Minutes were not available for the meeting when the staff report was prepared (KPB 21.02.020). These will be provided with the desk packet if available.

RECOMMENDATIONS

STAFF RECOMMENDS:

- **GRANT APPROVAL OF THE FINAL 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

LEGEND:

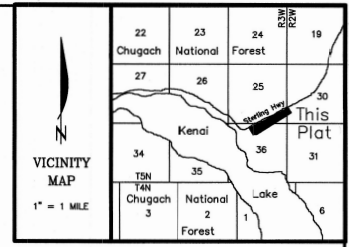
- ⊗ 3 1/4" ALUM. CAP MONUMENT BLM 1986 FOUND
- ⊙ 2 1/2" ALUM. CAP MONUMENT LS5152 2000 FOUND
- ⊕ 3 1/4" ALUM. CAP MONUMENT 1928-S 1992 FOUND
- ⊖ 2 1/2" ALUM. CAP MONUMENT 4469-S 2003 FOUND
- ⊙ 5/8" REBAR w/ 2" ALUM. CAP MCLANE 1994 FOUND
- 5/8" REBAR w/ PLASTIC CAP LS8589 SET
- () RECORD DATUM PLAT 2004-9 SRD
- [] RECORD DATUM PLAT 2005-10 SRD
- { } RECORD DATUM PLAT 94-11 SRD



TABLES APPLY TO THIS PAGE ONLY

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
(1)	29.9956	169.45	88.72	43.40	87.71	S71.5045°W
(2)	30.0000	170.00	89.01	43.55	88.00	S71.2335°W

LINE	RECORDING	DISTANCE
(L)	S86°50'42" W	131.60
(L)	S86°23'36" W	131.98



CERTIFICATE of OWNERSHIP and DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE KENAI PENINSULA BOROUGH IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, AND ON BEHALF OF THE 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.

PETER A. MISCHE, MAYOR
KENAI PENINSULA BOROUGH
144 N BINKLEY STREET
SOLDOTNA, ALASKA 99669
TRACTS A AND C

CERTIFICATE of OWNERSHIP and DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THREE BEAR ALASKA INC IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, AND ON BEHALF OF THREE BEAR ALASKA INC, 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.

DAVID A. WEISZ, PRESIDENT/CEO
THREE BEARS ALASKA INC
445 N. FITZMAN ROAD, SUITE B
WASILLA, ALASKA 99623
Tract B

NOTARY'S ACKNOWLEDGEMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20__

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGEMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20__

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

KPB FILE No. 2022-060R1

Quartz Creek Subdivision Outfitters Way Replat

A subdivision of Tracts A, B, and C, Quartz Creek Subdivision Plat 94-11, Seward Recording District.

Located within the SW1/4 Section 30, T5N, R2W, the SE1/4 Section 25 and the N1/2 Section 36, T5N, R3W, S.M., Kenai Peninsula Borough, Alaska.

Containing 40.085 Ac.

Surveyor: **Segesser Surveys**
30485 Roland St.
Soldotna, AK 99669
(907) 282-9809

Owners: **Kenai Peninsula Borough**
445 N Binkley St.
Soldotna, AK 99669

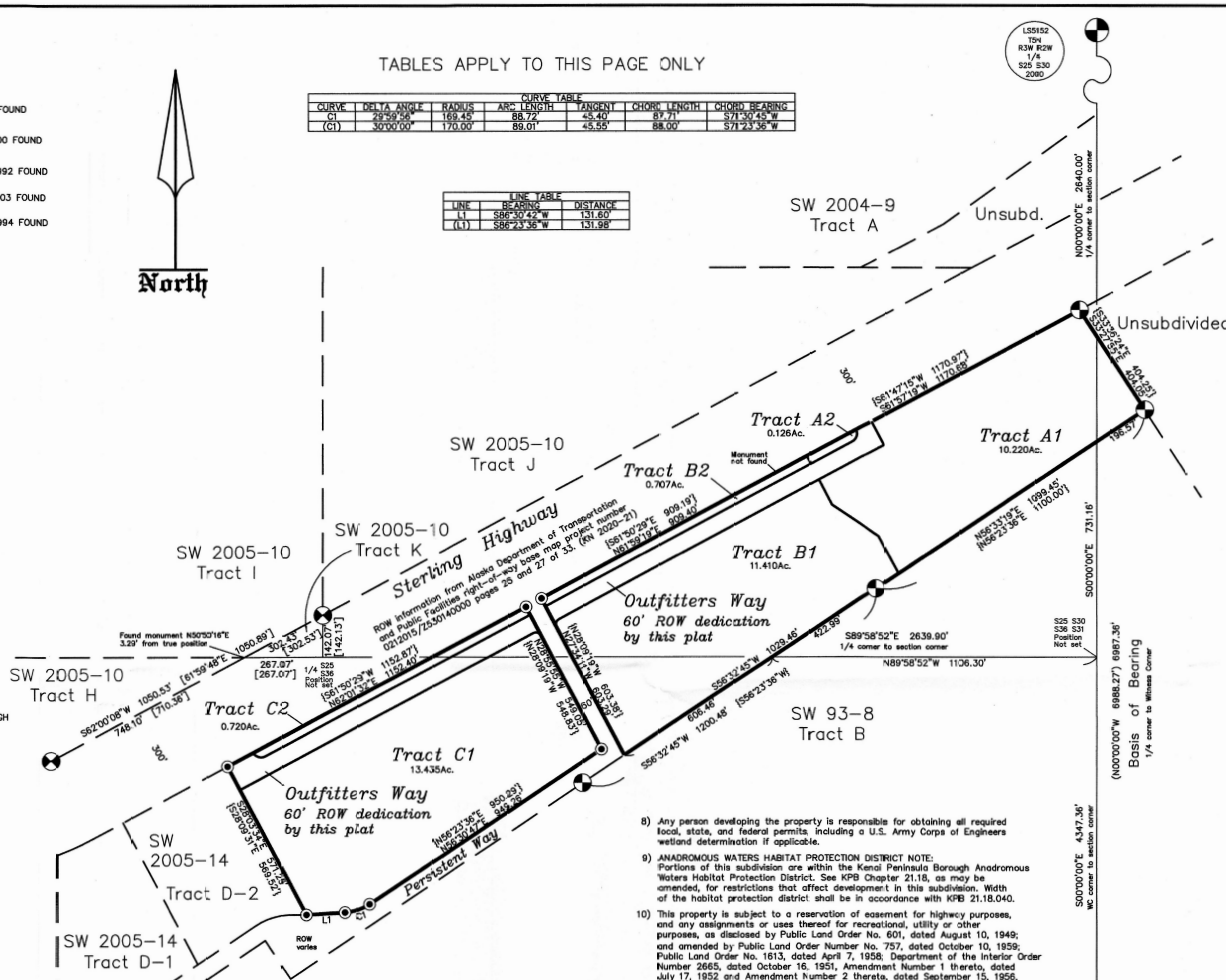
Three Bears Alaska Inc
445 N Pittman Rd.
Suite B
Wasilla, AK 99623

JOB NO. 22031	DRAWN: 9-4-23
SURVEYED: March, 2022	SCALE: 1"=200'
FIELD BOOK: 22-1	SHEET: 1 of 2

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETINGS OF JUNE 13 AND AUGUST 22, 2022.

KENAI PENINSULA BOROUGH
AUTHORIZED OFFICIAL _____



NOTES:

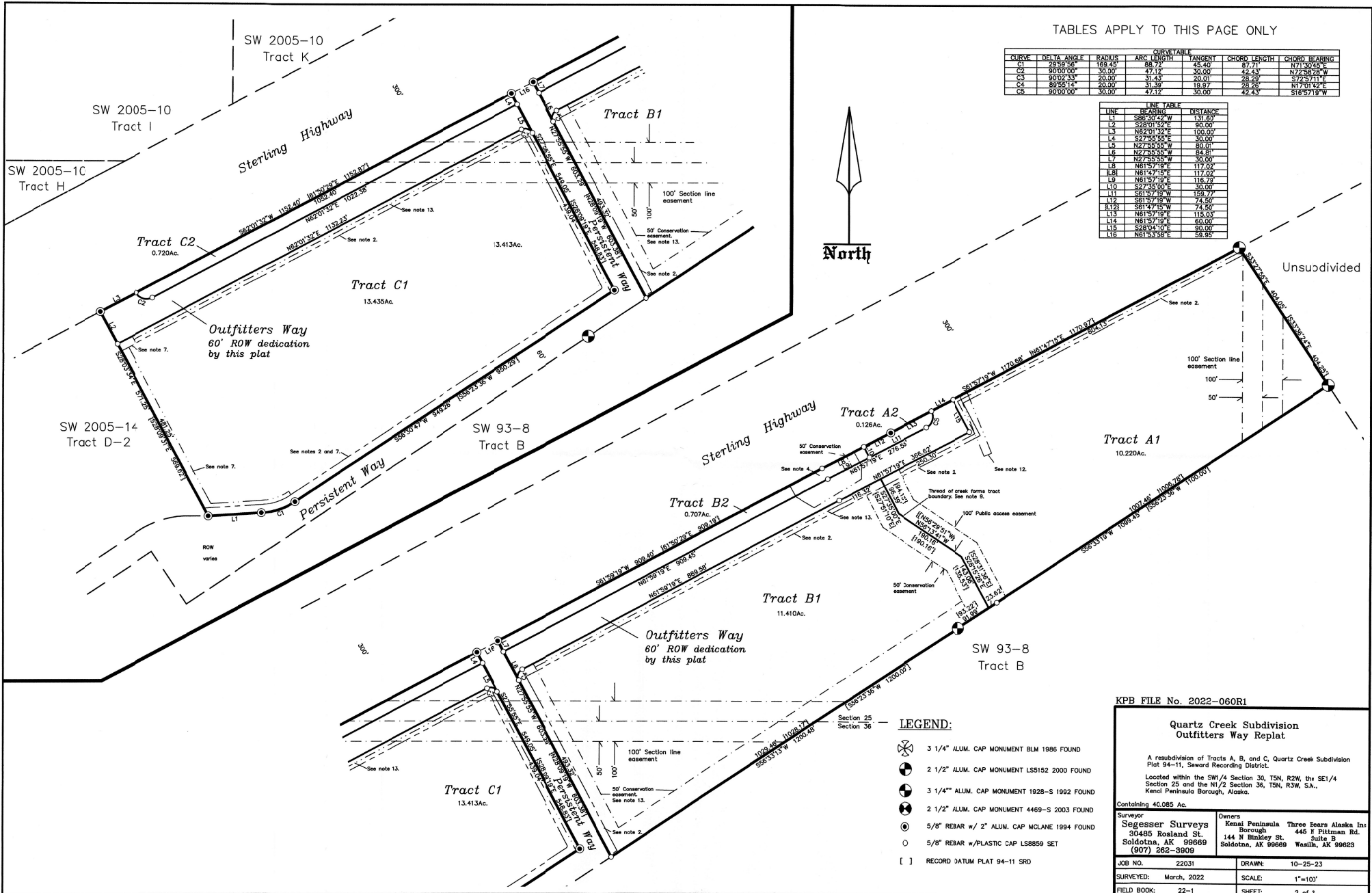
- 1) Basis of bearing taken from Russian Gap Subdivision 2004 Addition, Plat 2004-9, Seward Recording District.
- 2) Building Setback-A setback of 20 feet is required from all street Rights-of-Way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
- 3) Covenants, conditions, and restrictions which affect this subdivision are recorded in Book 90 Page 831 Seward Recording District. The Borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.
- 4) An easement between the Kenai Peninsula Borough and Pixie A. Smith is recorded in Book 90 Page 833 Seward Recording District, Seward Recording District.
- 5) Roads must meet the design and construction standards established by the Borough in order to be considered for certification and inclusion in the Borough road maintenance program.
- 6) Tracts A2, B2, and C2 are wholly within the 20' Building setbacks of rights-of-way.
- 7) Utility easements granted to Chugach Electric and Talaska Inc by this plat are as follows: 20 feet along the southwesternly and southeasterly boundaries, 30 feet on the southern boundary and a 20 foot by 20 foot anchor easement at the northwestern corner.

- 8) 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.
- 9) ANADROMOUS WATERS HABITAT PROTECTION DISTRICT NOTE: Portions of this subdivision are within the Kenai Peninsula Borough Anadromous Waters Habitat Protection District. See KPB Chapter 21.18, as may be amended, for restrictions that affect development in this subdivision. Width of the habitat protection district shall be in accordance with KPB 21.18.040.
- 10) This property is subject to a reservation of easement for highway purposes, and any easements or uses thereof for recreational, utility or other purposes, as disclosed by Public Land Order No. 601, dated August 10, 1949; and amended by Public Land Order Number No. 757, dated October 10, 1959; Public Land Order No. 1813, dated April 7, 1958; Department of the Interior Order Number 2665, dated October 16, 1951, Amendment Number 1 thereto, dated July 17, 1952 and Amendment Number 2 thereto, dated September 15, 1956, filed in the Federal Register.
- 11) No access to State maintained ROW's permitted unless approved by the State of Alaska Department of Transportation.
- 12) An easement for electrical lines or system and/or telephone lines which affects a portion of Tract A, granted to Chugach Electric Association, Inc. is recorded as serial number 2004-000989-0, Seward Recording District.
- 13) Front 10 feet adjacent to right-of-ways and 20 feet within 5 feet of the side lot lines is a utility easement except within the 50 foot Conservation 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.
- 14) **WASTEWATER DISPOSAL:** Tracts A1, B1, and C1-These lots are at least 200,000 square feet 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.
- 15) **WASTEWATER DISPOSAL:** Tracts A2, B2, and C2-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, those systems must meet the wastewater disposal requirements of KPB Chapter 20.40 and regulatory requirements of the Alaska Department of Environmental Conservation.
- 15) Exceptions to KPB 20.30.190, Lot Dimensions, KPB 20.30.200, Minimum Lot Size and KPB 20.60.060, Utility easements along dedicated rights-of-way for Tracts A2, B2, and C2, were granted by the Plat Committee at the meeting of August 22, 2022.

TABLES APPLY TO THIS PAGE ONLY

CURVE TABLE						
CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
C1	29°59'56"	169.45	84.72	45.40	87.71	N71°50'25" E
C2	90°00'00"	30.00	47.12	30.00	42.43	N72°58'28" W
C3	90°00'00"	20.00	31.41	20.00	28.29	S72°31'11" E
C4	89°55'14"	20.00	31.39	19.97	28.28	N17°31'12" E
C5	90°00'00"	30.00	47.12	30.00	42.43	S16°57'19" W

LINE TABLE		
LINK	BEARING	DISTANCE
L1	S86°50'42" W	131.89
L2	S28°01'52" E	90.00
L3	N5°21'15" W	100.00
L4	S27°58'55" E	30.00
L5	N27°55'55" W	80.00
L6	N27°55'55" W	84.81
L7	N27°55'55" W	30.00
L8	N61°57'19" E	117.92
L9	N61°57'19" E	116.79
L10	S27°55'04" E	30.00
L11	S61°57'19" W	158.77
L12	S61°57'19" W	74.50
L13	S61°57'19" W	74.50
L14	N61°57'19" E	115.03
L15	S28°04'10" E	90.00
L16	N61°53'58" E	59.83



KPB FILE No. 2022-060R1

**Quartz Creek Subdivision
Outfitters Way Replat**

A resubdivision of Tracts A, B, and C, Quartz Creek Subdivision Plot 94-11, Seward Recording District.
Located within the SW1/4 Section 30, T5N, R2W, the SE1/4 Section 25 and the N1/2 Section 36, T5N, R3W, S14., Kenai Peninsula Borough, Alaska.

Containing 40.085 Ac.

Surveyor Segesser Surveys 30485 Rosland St. Soldotna, AK 99669 (907) 282-3909	Owners Kenai Peninsula Borough 144 N Binkley St. Soldotna, AK 99669	Three Bears Alaska, Inc. 445 Y Pittman Rd. Suite B Wasilla, AK 99663
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JOB NO. 22031	DRAWN: 10-25-23
SURVEYED: March, 2022	SCALE: 1"=107'
FIELD BOOK: 22-1	SHEET: 2 of 2

LEGEND:

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- [] RECORD DATUM PLAT 94-11 SRD