

E. NEW BUSINESS

6. Stewart Subdivision 2023 Addition; KPB File 2023-031R1

Johnson Surveying / Zimmerman

Location: Avalon Street & Salmon Creek Road

Bear Creek Area

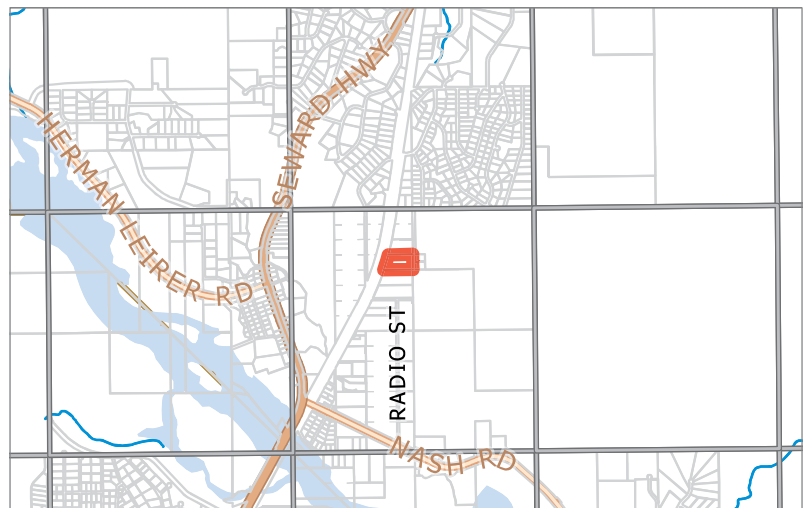
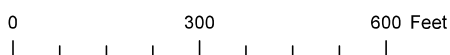


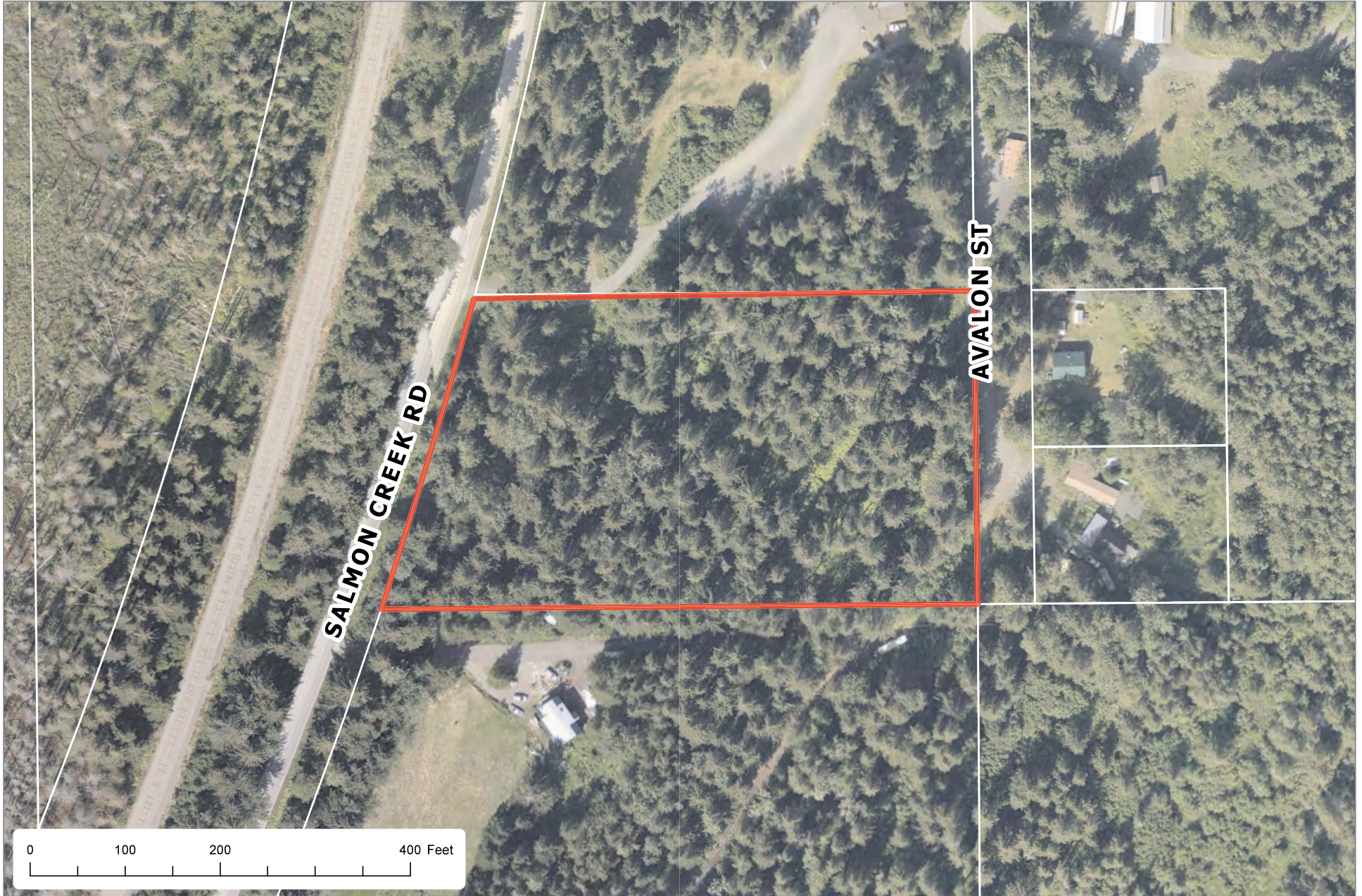
Vicinity Map



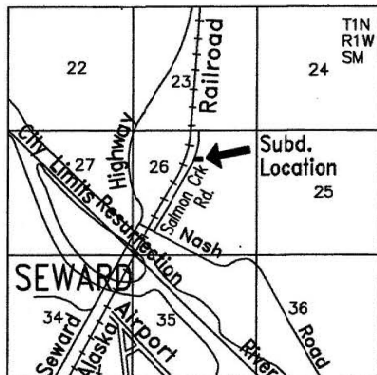
KPB 2023-031R1
T01N R01W SEC 26
Bear Creek

6/8/2023





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.



Stewart Subdivision 2023 Addition

Revised Preliminary Plat

A subdivision of Lot 4 Block 2 Stewart Subd. of Ole Martin Homestead, SWD plat #11
 Located in the NW 1/4 Section 26, T1N R1W, SM
 Seward Recording District Kenai Peninsula Borough

Prepared for
 Philip Zimmerman
 33318 Bear Lake Rd.
 Seward, AK 99664

Prepared by
 Johnson Surveying
 Box 27
 Clam Gulch, Ak 99568
 (907) 262-5772

VICINITY 1" = 1 mile MAP

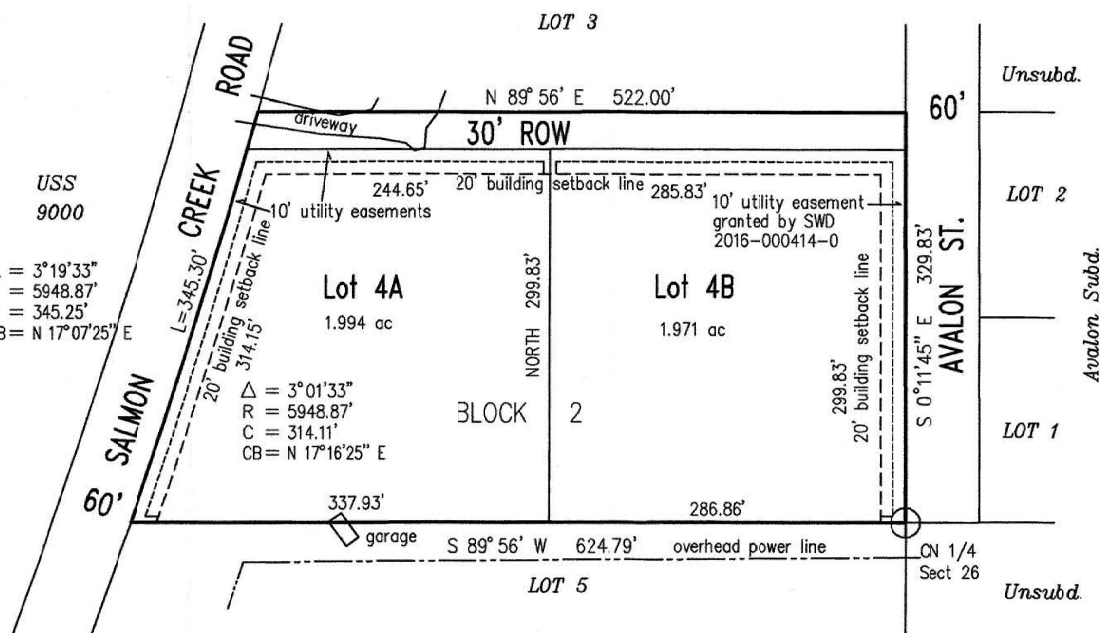
SCALE 1" = 100' AREA = 4.328 acres 30 May, 2023

NOTES

1. A building setback of 20' from all street ROW's is required unless a lesser standard is approved by a resolution of the appropriate planning commission.
 Front 10' of building setback is also a utility easement as is the entire setback within 5' of side lot lines.
2. No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
3. This property is subject to an electrical easement granted to the City of Seward in SWD book 6 page 368. This is a general easement, no specific location given.
4. Lot topography is flat. KPB GIS mapping shows no wet areas on the property.

USS
 9000

$\Delta = 3^{\circ}19'33''$
 $R = 5948.87'$
 $C = 345.25'$
 $CB = N 17^{\circ}07'25'' E$



KPB 2023-031R1

AGENDA ITEM E. NEW BUSINESS

ITEM 6 – STEWART SUBDIVISION 2023 ADDITION

KPB File No.	2023-031R1
Plat Committee Meeting:	July 17, 2023
Applicant / Owner:	Philip Zimmerman of Seward, Alaska
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Salmon Creek Road, Avalon Street, Bear Creek

Parent Parcel No.:	144-110-05
Legal Description:	Lot 4, Block 2, Stewart Subdivision of Ole Martin Homestead, Plat SW 11
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 4.33-acre parcel into two lots that will be 1.994 and 1.971 acres and dedicated a 30-foot-wide right-of-way along the north boundary.

Location and Legal Access (existing and proposed): The proposed subdivision is located along state-maintained Salmon Creek Road in the Bear Creek Area. Salmon Creek Road is a road that is within the Alaska Railroad dedication. The roadway is an access road that runs along the eastern portion of the dedication and west side of this subdivision. Along the eastern boundary of the subdivision is Avalon Street. A 60-foot-wide dedication that appears to be used for access but is not maintained. The roadway appears to meander within the dedication. Avalon Street is accessed via borough-maintained Moat Way that is located to the north and connects to Salmon Creek Road. There does not appear to be an access developed on the parent lot. Proposed Lot 4A will have access from Salmon Creek Road and Lot 4B will have access from Avalon Street.

This subdivision is proposing a 30-foot-wide dedication to be compliant with the block length. **Staff recommends:** the surveyor contact the KPB Addressing Officer for an approved name or send staff proposed names for approval.

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

Site Investigation: There does not appear to be any low wet areas within the subdivision. The terrain is relatively flat.

There are no improvements located on the property. It does appear that an access route cuts through the southeastern portion of proposed Lot 4B. The access appears to continue to the south through multiple lots. The lots do not have access from the east as the Avalon Street dedication ends at the southeastern corner of this subdivision but may continue into the lot to the south through this lot. Surveyor should verify if this is the case and show with resolution to issue if needed. The lots to the south appear to all have constructed access from Salmon Creek Road and that the access route may not be in use or required.

KPB Code Compliance referenced a greenhouse in their comment. Staff has reviewed the comment and it appears the greenhouse is shown on older imagery. The aerial map in the packet is newer and does not show the greenhouse located on the lot to the north currently. **Staff recommends:** the surveyor determine if the greenhouse

would indeed encroach into the new dedication when doing the field work. If the greenhouse does encroach, please let staff know in writing what resolution will be done.

KPB River Center review	See attachments A. Floodplain Reviewer: Hindman, Julie Floodplain Status: IS in flood hazard area Comments: Flood Zone: AE,X (shaded),SMFDA Map Panel: 02122C-4544E In Floodway: False Floodway Panel: B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments C. State Parks Reviewer: VACANT Comments:
State of Alaska Fish and Game	No objections

Staff Analysis This is a replat of a lot originally created by Stewart Subdivision of Ole Martin Homestead, Plat SW 11, that was done in 1916. The parent plat had minimal dedications and no utility easements granted. Avalon Subdivision, Plat SW 85-15, was done to the east and provided the 60 foot wide dedication for Avalon Street.

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.

Utility Easements The subdivision is subject to an easement that was granted by recorded document to the City of Seward with no definite location stated. The easement is noted within the plat notes. An additional easement was granted to the City of Seward that is along the eastern boundary of the subdivision. The easement is depicted with a label. **Staff recommends** if the label remains, the serial number needs corrected. The plat will be granting the code required 10 foot utility easement along the dedications. A 10 foot will be granted along the eastern and western sides. Due to the existing easement that is specifically for a utility provider, **staff recommends** the depiction as shown remains with the labels stating "10' utility easement granted this plat", add a plat note for the eastern utility easement granted by document and include in the note it is now within the new easement being granted with this plat. There appears to be a portion of an easement in the Certificate to Plat showing a power line crossing the lot, surveyor should have the title company further research the entire document shown at book 6 page 369.

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	This subdivision plat is not located within HEA service area. No comments at this time.
ENSTAR	No comments or recommendations
ACS	No objections
GCI	Approved as shown
SEWARD ELECTRIC	
CHUGACH ELECTRIC	Not located in our area.
TELALASKA	

KPB department / agency review:

Addressing	<p>Reviewer: Leavitt, Rhealyn Affected Addresses:</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: AVALON ST, SALMON CREEK 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:</p> <p>Comments: NEW 30' ROW WILL NEED AN APPROVED NAME.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: Green house structure is in 20ft set back, possibly in ROW, these encroachments would need to be addressed.</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>

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

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

Add KPB File 2023-031R1 to the drawing.

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:** Add Alaska to the location
- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries, and prominent natural and manmade features, such as shorelines or streams;
- Staff recommendation:** Clear up the overstrikes to make map easier to read.
Continue Salmon Creek Road north.
Adjust the map so the subdivision is in the NW1/4 as it is.
- 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:** Provide a label for Alaska Railroad with width to the west. The labels for Lot 1 and Lot 2 of Avalon Subdivision need swapped.

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: Soils report will be required.

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.

20.60.180. Plat notes.

A. Plat notes shall not be placed on a final plat unless required by borough code or by the planning commission in order to promote or protect the public health, safety, and welfare consistent with borough and state law.

B. Revision of, or not carrying forward, an existing plat note from the parent plat will adhere to KPB 20.50.010. Separate advertising of the plat note removal is not required, Notification of the requested change will be sent by regular mail to all owners within the subdivision (parent plat and subsequent replats)

as shown on the borough tax rolls. Upon approval by the planning commission, the revision or removal of the record plat note shall be finalized by recording a planning commission resolution or subdivision plat.

Staff recommendation: *Place the following notes on the plat.*

- *"No access to state maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation."*
- *Provide a note for the easement located along Avalon Street with the information as this easement was specifically granted to the City of Seward and the new easement will be for any utility provider. "This property is subject to a 10 foot wide utility easement granted to the City of Seward by document 2016-000415-0. The easement is within the 10 foot utility easement being granted by this plat adjacent to Avalon Street."*
- **FLOOD HAZARD NOTICE:**
Some or all of the property shown on this plat has been designated by the Kenai Peninsula Borough Seward Mapped Flood Data Area as a flood hazard area district as of the date this plat is recorded with the district recorder's office. Prior to development, the Kenai Peninsula Borough floodplain administrator should be contacted for current information and regulations. Development must comply with Chapter 21.06 of the Kenai Peninsula Borough Code. Map panel: 02122C-4544E

RECOMMENDATION:

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.

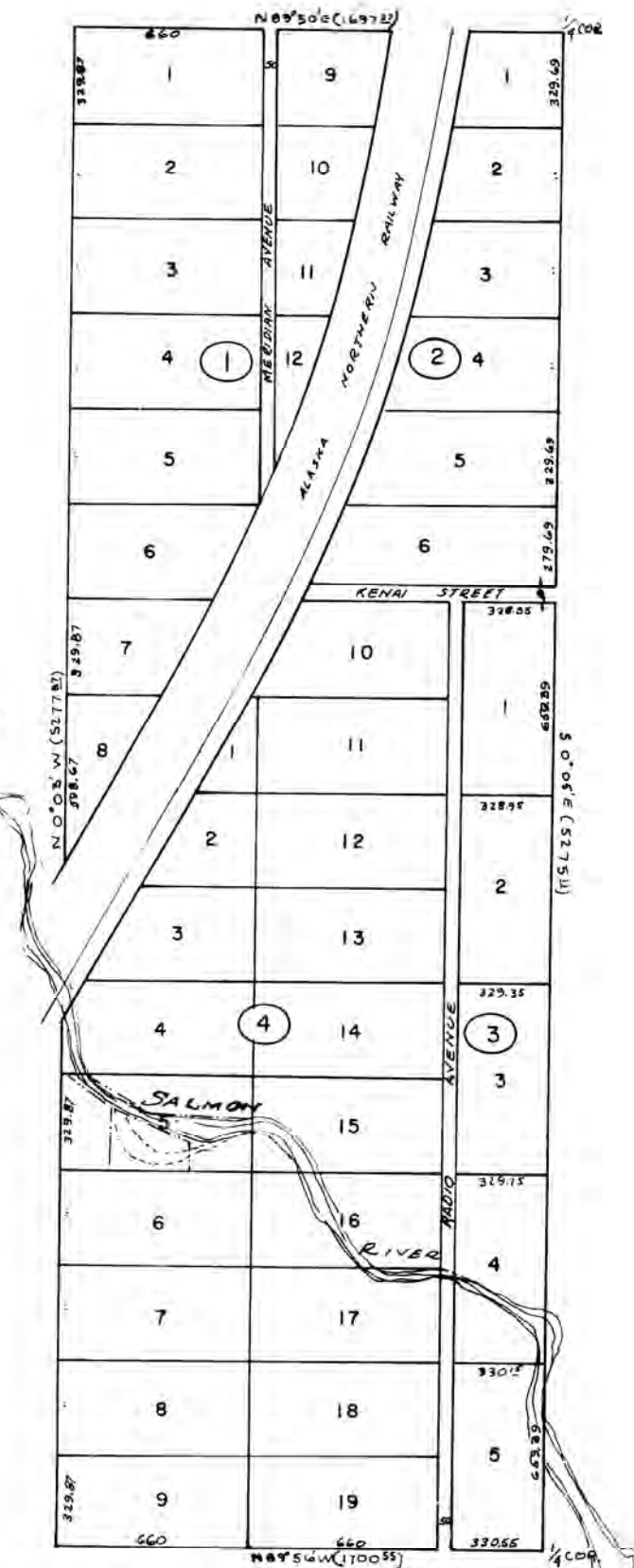
END OF STAFF REPORT



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.

SW 11

#11 August, 1936



STEWART SUB-DIVISION OF
OLE MARTIN HOMESTEAD
KENAI PRECINCT, TERRITORY OF ALASKA.
Scale 1"=100'

SIGNED:
Daniel D. Dunlap
Engineer

E6-10