# E. NEW BUSINESS

6. Alpine Meadows No. 3 2025 Swanson Replat; KPB File 2024-138 Seabright Survey & Design / Swanson Location: Alpine Meadows Drive & Iris Meadows Street Fritz Creek Area / Kachemak Bay APC

Vicinity Map

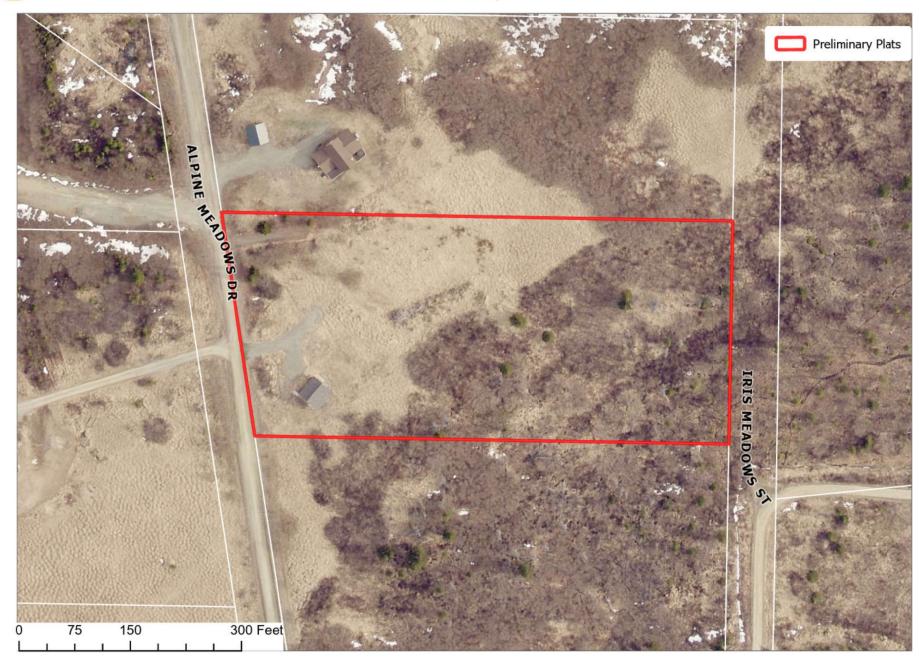


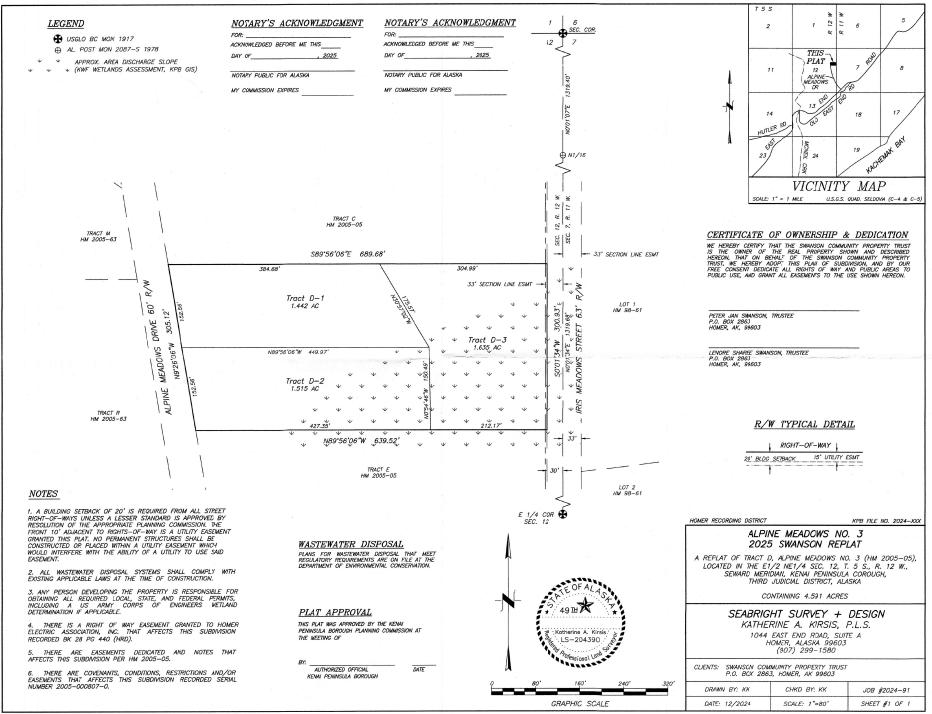




Aerial Map







#### ITEM #6 - PRELIMINARY PLAT ALPINE MEADOWS NO. 3 2025 SWANSON REPLAT

KPB File No.	2024-138	
Plat Committee Meeting:	January 13, 2025	
Applicant / Owner:	Swanson Community Property Trust of Homer, Alaska	
Surveyor:	Katherine Kirsis – Seabright Survey and Design	
General Location:	Alpine Meadows Drive and Iris Meadows Street, Fritz Creek Area -	
	Kachemak Bay APC	

Parent Parcel No.:	172-041-24	
Legal Description:	Township 5 South, Range 12 West, Seward Meridian, HM, 2005-05, Alpine	
	Meadows No. 3, Tract D	
Assessing Use:	Residential Dwellings	
Zoning:	Unrestricted	
Water / Wastewater	On-Site — On-Site	
Exception Request	None Requested	

#### STAFF REPORT

<u>Specific Request / Scope of Subdivision:</u> The proposed plat will subdivide a 4.59-acre parcel into three tracts: one of 1.442 acres, one of 1.515 acres and another of 1.635 acres.

#### **Location and Legal Access (existing and proposed):**

Legal access to the proposed plat is provided by Iris Meadows Street to the east and Alpine Meadows Drive to the west. Iris Meadows Street is a 63-foot, partially constructed road, and is located within a 66-foot section line easement, with 33-feet being on either side of the section line. Iris Meadows Street connects to Dwarf Willow Avenue to the south and Mossberry Avenue to the north. It is constructed from Dwarf Willow Avenue to just before Tract D, Alpine Meadows No. 3, HM 2005-05, and then reverts back to being dedicated access until the intersection of Fairy Slipper Avenue to the north. Alpine Meadows Drive is a 60-foot partially borough-maintained road which connects to East End Road to the south and Mossberry Avenue to the north. Alpine Meadows is borough-maintained from East End Road to the intersection of Eva Court to the north. It then reverts to being only dedicated access to Mossberry Avenue.

No vacation finalization or dedications are being proposed with this platting action.

A section line easement abuts the subdivision to the east, with a 33-foot easement located on the east and west sides of the section line, being located within the Iris Meadows Street right-of-way. This is depicted and labeled on the plat and **staff recommends** that the surveyor add a plat note referencing the easement from the certificate to plat at item number nine.

Block length is compliant due to existing roads: Fairy Slipper Avenue to the north, Iris Meadows Street to the east, Dwarf Willow Avenue to south and Alpine Meadows Drive on the west.

KPB Roads Dept RSA review	Out of Jurisdiction: No
	Roads Director: Griebel, Scott
	Comments:
	No RSA comments or objections.
SOA DOT comments	No comment

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#### **Site Investigation:**

The submitted plat does not show any improvements on the drawing. Reviewing information from KPB GIS imagery and KPB Assessing records, the parcel is determined to have multiple improvements, including several dwellings. It appears a dwelling will be located on each lot when the subdivision is complete. **Staff recommends** that the surveyor confirm during the site survey if there are not any encroachments to be identified.

According to KWF Wetlands Assessment, discharge slopes affect the proposed subdivision and is depicted on the plat. The River Center Reviewers did not indicate the plat to be located within FEMA designated flood hazard area or a habitat protection district.

The topography is sloping toward the southeast with the grade going at 6% from the northwest corner to the southeast corner.

KPB River Center review	A. Floodplain
	Reviewer: Hindman, Julie
	Floodplain Status: Not within flood hazard area
	Comments: No comments
	B. Habitat Protection
	Reviewer: Aldridge, Morgan
	Habitat Protection District Status: Is NOT within HPD
	Comments: No comments
State of Alaska Fish and Game	No response

#### **Staff Analysis**

Originally, this parcel was an aliquot portion of the E1/2 NW1/4 SE1/4 and the NE1/4 SE1/4 of Section 12, Township 5 South, Range 12 West, Seward Meridian, Homer, Alaska. Alpine Meadows, HM 99-67, first subdivided the land into Tract 1 Alpine Meadows No. 2 HM 2001-30 added to Tract 1 and created Tracts 1-A and 2. Alpine Meadows No. 3 HM 2005-5 subdivided Tract 1-A, and a portion of the E1/2 NE1/4 of said Section 12, creating tracts including Tract D. The proposed plat will further subdivide Tract D into Tracts D-1, D-2 and D-3.

Per KPB Imagery, a shared drive appears to be located accessing all proposed lots coming from Alpine Meadows Dr. *Staff recommends* that the drive be depicted on the final plat and confirmation of any encroachments onto neighboring lots be noted when doing the field survey. Grant driveway easements between each lot, over the existing travel way to eliminate the encroachments to each proposed lot. Since the driveway easements would be private, **staff recommends** the easements be created by separate document, recorded and then shown or noted on the final plat, if done prior to the finalization of this plat.

The previous plat involving Alpine Meadows No. 2 HM 2005-5, did not require soils report as the lots were over 200,000 square feet. This plat is dividing Tract D into lots that are below 200,000 square feet and a soils report will now 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 20.10.100 will not be required unless the final Certificate to Plat states the property is affected by beneficial interest holders.

Kachemak Bay Advisory Planning Commission minutes for the January 13, 2025 meeting were not available when the staff report was prepared on December 31, 2024 (KPB 21.02.020). Meeting notes will be provided with the desk packet if available but not necessarily addressed in the staff report.

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

#### **Utility Easements**

The parent plat, HM 2005-05, granted the front 10 feet of the 20 foot building setback and the entire setback within 5 feet of the side lot lines as a utility easement. Per KPB 20.30.060 (A), the front 10 feet adjoining rights-of-way shall be a utility easement. The proposed plant shows a 15 foot utility easement graphically and 10 foot utility easement noted as plat note number 1. **Staff recommends** the surveyor to update the plat to abide by KPB code 20.30.060 unless requested otherwise by a utility company.

An easement was granted to Homer Electric Association with no location disclosed per Book 28, Page 440, HRD. This easement is noted as plat note number six.

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	No comments
ENSTAR	No comments or recommendations
ACS	No response
GCI	No response

KPB department / agency review:

A LL	
Addressing Review	Reviewer: Leavitt, Rhealyn
	Affected Addresses: 35556 ALPINE MEADOWS DR
	Existing Street Names are Correct: Yes
	List of Correct Street Names: ALPINE MEADOWS DR, IRIS MEADOWS ST
	LIST OF COFFECT STEEL Names. ALF INC INLADOWS DR, INIS INLADOWS ST
	E intro Charles Norwa Consultana Nordad
	Existing Street Name Corrections Needed:
	All New Street Names are Approved: No
	List of Approved Street Names:
	List of Street Names Denied:
	Comments: 35556 ALPINE MEADOWS DR WILL REMAIN WITH LOT D2
Code Compliance	Reviewer: Ogren, Eric
· ·	Comments: No comments
LOZMS Review Planner	Reviewer: Raidmae, Ryan
LOZING REVIEW Flammer	•
	There are not any Local Option Zoning District issues with this proposed
	plat.
	Conditional Land Use Permit
	CLUP Resolution Number: 2006-02
	CLUP Approval Date: 1/23/2006
	Other Material Site Type
	Material Site Comments:
	Material Site Comments.

	An expired material site lies West of the subject parcel, across Alpine
	Meadows Drive. Tract D-3 should have dedicated access, because IRIS
	Meadows Street looks to be unbuildable.
Assessing Review	Reviewer: Windsor, Heather
	Comments: No comment
Advisory Planning Commission	Unavailable

#### **STAFF RECOMMENDATIONS**

#### **CORRECTIONS / EDITS**

- o Add the meeting date of January 13, 2025 to the Plat Approval note.
- Modify the Wastewater Disposal Note to reflect the proper note per the soils report finding.
- Plat should be surveyed and measured data added.
- Show the 20' building setback and 10' utility easement on the drawing as noted in plat note #1

#### PLAT NOTES TO ADD

- The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170(B).
- Acceptance of this plat by the Borough does not indicate acceptance of any encroachments.

#### 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:

Correct spelling of borough in "Kenai Peninsula Borough" within title block. Modify KPB File No 2024-138

E. All parcels of land including those intended for private ownership and those to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purposes, conditions, or limitations of reservations that could affect the subdivision;

#### Staff recommendation:

Confirm and specify which easements affect the proposed plat and carry forward those specific easements to replace plat note number five.

#### **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.

#### **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 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

KPB File 2024-138 12/19/2024

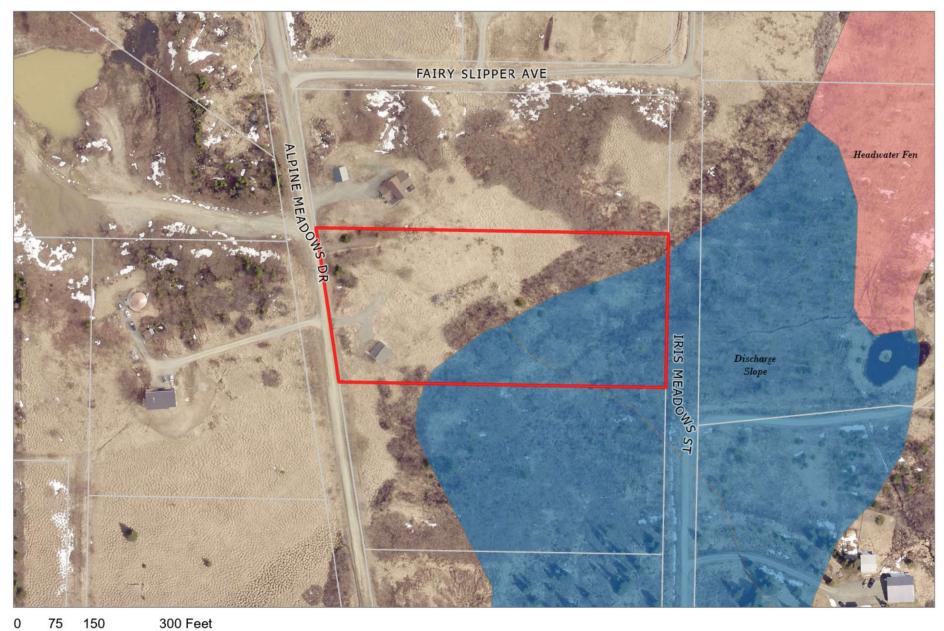




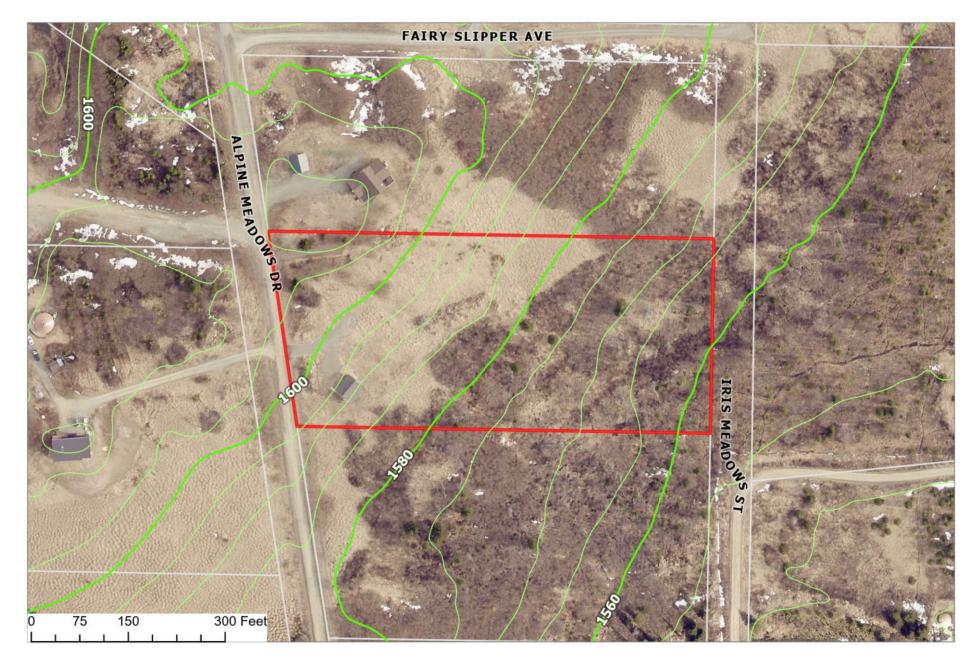
Wetlands

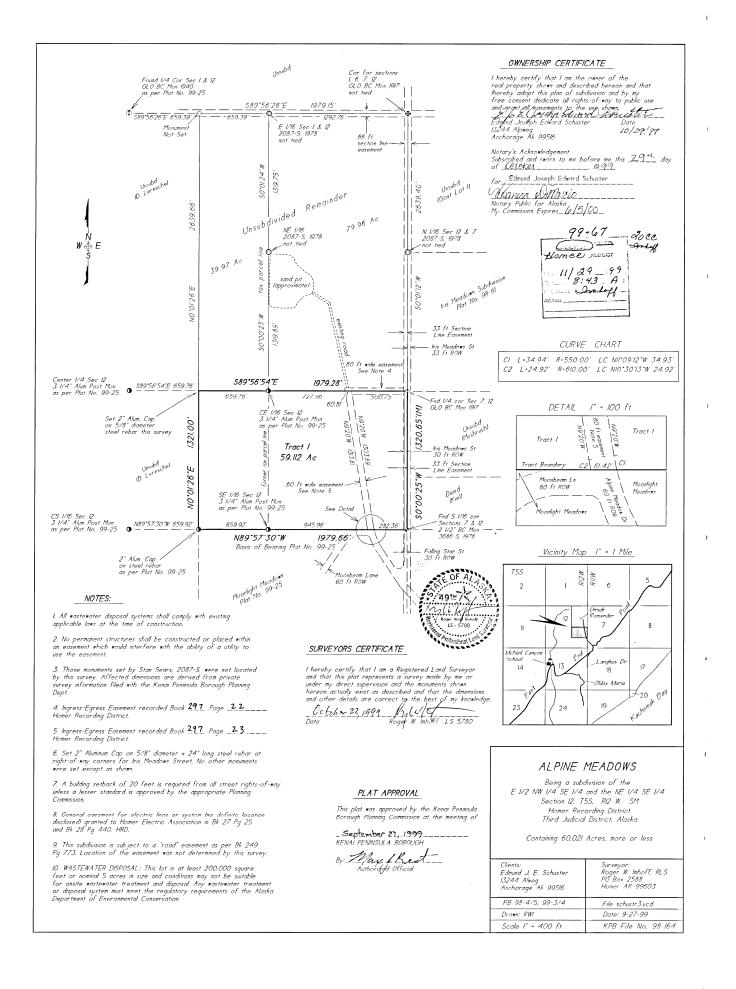
KPB File 2024-138 12/19/2024

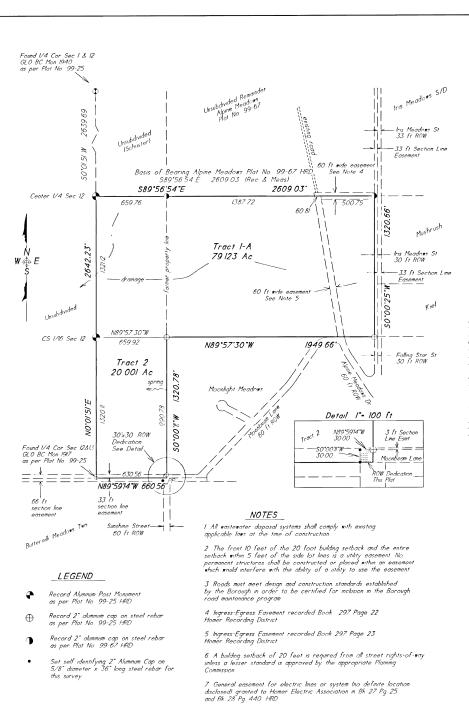




The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.







#### OWNERSHIP CERTIFICATE

I hereby certify that I am the owner of the real property shown and described hereon and that hereby adopt the plan of subdivision and by my free consent dedicate all rights-of-my to public use and grant all easements to the use shown

Omfr of Tormer W 1/2 W 1/2 SE 1/4 Section 12 Ethinal Joseph Edward Schuster Date 13366 Sunshine Loop Anchorage Ak 99516

for Department of Natural Resources with MEAN MAN NOTAD M

NOTAR A PUBLIC

O ALASKA MANIN

Notary Public for Aldska 6/5/02 My Commission Expires 6/5/02

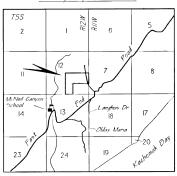
Owner foll former Tract I Alpine Meadows
for field of Alaska Dept of Natural Resources
Dissipation of Parks and Outdoor Recreation
STSTATION Director
550 W 7th Ave Ste 1390
Anchorage Ak 99501
Notary's Acknorth

Notary's Acknowledgement Subscribed and sworn to me before me this \_\_3\_ day of \_July\_\_\_\_\_\_

for Department of Natural Resources NOTAP A

Notary Public Tor Alaska My Commission Expires 6/5/02

#### Vicinity Map 1" = 1 Mile



#### Alpine Meadows No. 2

Being a subdivision of Tract I Alpine Meadows as per Plat No 99-6/ HkU and W 1/2 W 1/2 SE 1/4 Section 12 T5S R12 W SM Homer Recording District Third Judicial District Alaska

Containing 99145 Acres more or less

Clients Edmund J E Schuster 13366 Sunshine Loop Anchorage Ak 99516	Surveyor Roger W Imhoff RLS PO Box 2588 Homer AK 99603
FB 98-4/5 99-3/4 2001-1	File schustr-park2 vcd
Drawn RWI	Date 6-09-2001
Scale  " - 400 [i	KFB File No 2001-045

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of

April 9, 2001

KENAL PENINSULA BOROUGH

By Dal L Ba flor

Authorized Official

PLAT APPROVAL

### SURVEYORS CERTIFICATE

I hereby certify that I am a Registered Land Surveyor and that I his plat represents a survey made by me or under my direct supervision and the monuments shown hereon actually exist as described and that the dimensions and other details are correct to the best of my knowledge Law 22 2001 MSW Month LS 5780

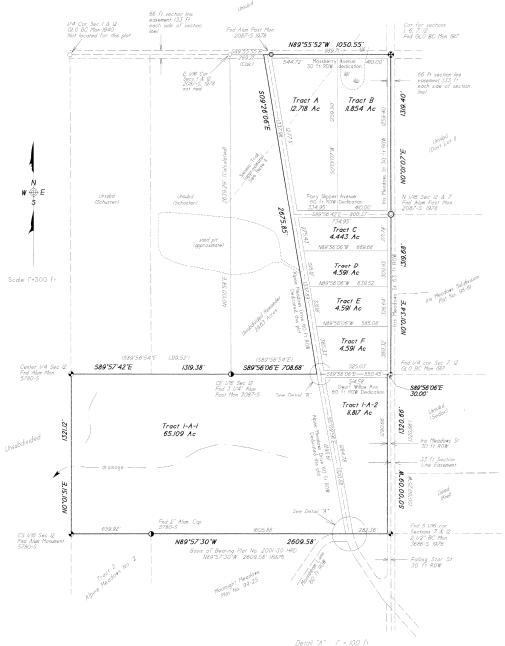


2001-30 Womer Russes Date 8/20 \_201 Time\_ 10'3 2 A\_M Requested By Imhoff

8 Tract I-A is subject to a "road" easement as per Bk 249 Pg 773 Location of the easement was not determined by this survey

9 WASTEWATER DISPOSAL. 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 mastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

10 Covenants conditions and restrictions effecting Tract I-A are recorded in Book 304 Page 174 HRD



#### Notes

- I. All wastewater disposal systems shall comply with existing applicable laws at the time of construction.
- The Front 10 feet of the 20 ft building setback and the antire setback within 5 feet of the side lot for lines is a utility easement.
   No permanent structures shall be constructed or placed within an easement which would afterfere with the ability of a utility to
- 3. Set 2" Alaminian Cyp on 576" diameter x 33" long steel rebut of all lot corners and right-of-way points or cuvature for this survey, unless otherwise noted.
- 4. A building setback of 20 feet is required from all street rights-of-way unless a lesser standard is approved by the appropriate Planning

- 5. WASTEWATER DIGPOSAL: These lots are at least 200.000 square feet or naminal 5 acres in size and conditions may not be satiable for noisile wastewater treatment and Byposal Any wastewater treatment or disposal system must meet the egulatory requirements of the Alaska Department of Environmental Conservation.
- 7. Tracts I-A-I and I-A-2 are subject to covenants, conditions, and restrictions per Baok 304 Page 174 HRD.

- IO. That portion of Tracts A. B. C. D. E. F. and I-A-2 fronting on Iris Meadows Street and Wickersham Avenue are all subject to a 3 ft wide section line
- II. The seismic trail is shown for information only. No easement is granted or implied by this plat.



CURVE CHART

CI L-26.98" R-550.00" LC NII'34'15"W 26.98 C2 L-16.09" R-610.00" LC NI0"55'16"W 16.09"

## Legend

( ) Record dimension Plat No. 2003-30 HRD

W Wetlands (approximate)

#### Ownership Certificate

2/14/05 Edword Schuster 2/ E langter

ry's Acknowledgement cribed and sworn to me before me this 1475 day February 2005

Sandra K Cleveland Commission Expires 16-34-07

knowledgement md sworn to me before me this <u>1475</u> day **acy**\_\_\_\_\_\_\_20**05**\_

Gary A. Morrison Sandia K. Churland

ary Public for Alaska Commission Expires <mark>11-29-07</mark>



#### Plat Approval

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of

November 22, 2004

KENAI PENINSULA BOROUGH

By: Mary Joll
Authorized Official

#### Surveyors Certificate

2-07-05



Vicinity Map RIZW

#### Alpine Meadows No. 3

Reing a subdivision of Tener I-A Africa Mendows No. 2 according to Plat No. 2001-30 HRD and a portion within the E 1/2 W 1/2 NE 1/4 and the E 1/2 NE 1/4 Section 12, TSS, RI2 W, SM Homer Recording District Third Judicial District, Alaska

Containing 129.463 Acres, more or less

~	
Clients: Edmund J. E. Schuster 13366 Sunshine Loop Anchorage Ak 99516	Surveyor: Roger W. Unhoff, RLS PÖ Box 2588 Homer AK 99603
FB 98-4/5, 99-3/4/04-6	File schustr2004.vcd
Drawn: RWI	Date: 10-22-04
Scale I" = 300 ft	KPB File No. 04-289



Detail "B" No Scale

