

# **E. NEW BUSINESS**

- 6. Sleepy Hollow Subdivision 2024 Addition**  
**KPB File 2024-085**  
**Johnson Surveying / Villa**  
**Location: Alma Avenue & Van Dyke Street**  
**Sterling Area**



KPB File 2024-085  
T 05N R 09W SEC 30  
Sterling



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# Sleepy Hollow Subdivision 2024 Addition Preliminary Plat

A subdivision of Lot 4 Block 3 Sleepy Hollow Subd., KRD 78-79.  
Located in the SE1/4 Section 30, T5N R10W, SM, Alaska.  
Kenai Recording District Kenai Peninsula Borough

Prepared for  
Alexander E & Annette B Villa  
39035 Alma Ave.  
Soldotna, AK 99669

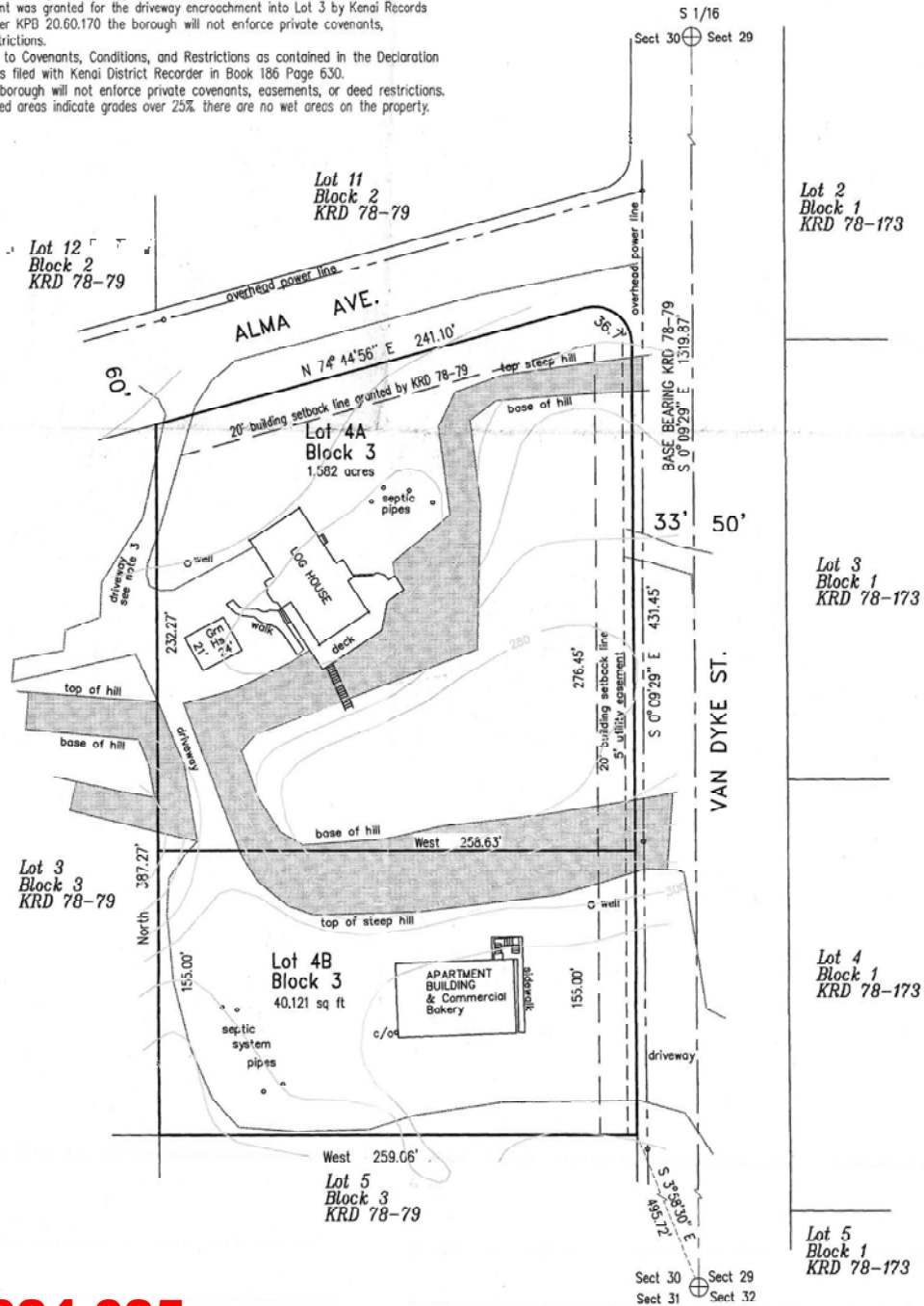
Prepared by  
Johnson Surveying  
P.O. Box 27  
Clam Gulch, Ak 99568  
(907) 262-5772



SCALE 1" = 50' 2.503 acres 26 June, 2024

## NOTES

1. A building setback of 20' from all street ROWs is required unless a lesser standard is approved by a resolution of the appropriate planning commission. Front 10' adjacent to rights of way and 20' within 5' of side lot line are granted by this plat as utility easements.
2. 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.
3. A private access easement was granted for the driveway encroachment into Lot 3 by Kenai Records Deed bk 307 pg 233. Per KPB 20.60.170 the borough will not enforce private covenants, easements, or deed restrictions.
4. This property is subject to Covenants, Conditions, and Restrictions as contained in the Declaration of Protective Restrictions filed with Kenai District Recorder in Book 186 Page 630. Per KPB 20.60.170 the borough will not enforce private covenants, easements, or deed restrictions.
5. Contour interval 5'. Shaded areas indicate grades over 25%. there are no wet areas on the property.



**KPB 2024-085**

AGENDA ITEM E. NEW BUSINESS

**ITEM 6 - PRELIMINARY PLAT  
SLEEP HOLLOW SUBDIVISION 2024 ADDITION**

<b>KPB File No.</b>	2024-085
<b>Plat Committee Meeting:</b>	September 9, 2024
<b>Applicant / Owner:</b>	Alexander E & Annette B Villa of Sterling, Alaska
<b>Surveyor:</b>	Jerry Johnson / Johnson Surveying
<b>General Location:</b>	Alma Avenue & Van Dyke Street, Sterling

<b>Parent Parcel No.:</b>	063-630-10
<b>Legal Description:</b>	T 5N R 9W SEC 30 Seward Meridian KN 0780079 SLEEPY HOLLOW SUB LOT 4 BLK 3
<b>Assessing Use:</b>	Residential Dwellings 2-4
<b>Zoning:</b>	Unrestricted
<b>Water / Wastewater</b>	Onsite / Onsite
<b>Exception Request</b>	None Requested

**STAFF REPORT**

**Specific Request / Scope of Subdivision:** The proposed plat will subdivide a 2.50-acre parcel into two lots: ranging in size of 1.582 acres and the other 0.921 acres (40,121 sq ft).

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

Legal access is provided by Alma Avenue to the north and Van Dyke Street to the east, both maintained by the borough. Alma Avenue a 60-foot dedication that runs west from Van Dyke Street an 83 foot dedication and intersects with Hager Boulevard to the west. Van Dyke Street and Hager Blvd both run north to Fannie Mae Ave running east to intersect with Edgington Road, both borough-maintained, intersects with the Sterling Highway near mile 88.

There are no dedications proposed by this plat, or vacations being finalized.

The block length is compliant, with Labrador Cir, Retriever Ave, Van Dyke St, Alma Ave, Hager Blvd and Coulter Ct completing the block rounding with cul-de-sacs.

There is a private right-of-way access easement for ingress and egress affecting Lot 4A, Block 3, noted as plat note #3 onto Lot 3 to the west. Remove the covenant note in the second sentence of plat note #3 as this is not a covenant. Note on drawing should be more prominent.

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

**Site Investigation:**

An existing house and greenhouse are depicted on the plat and will be located on proposed Lot 4A, Block 3. On proposed Lot 4B, Block 3, an existing apartment building structure is depicted. The depiction of the structures demonstrates that there will be no encroachment issues with the new lot lines proposed. The drive encroachment to the west has been taken care of with a right-of-way easement as noted on the plat at plat note #3.

There is steep terrain shown on the plat with grades over 25% shaded. Contours can be removed for the final submittal, but the shading of the steep areas should remain.

No zoning or wetlands affect this plat. The River Center review did not indicate the plat to be located in a FEMA flood hazard area or a habitat protection district.

KPB River Center Review	<p>A. Floodplain          Reviewer: Hindman, Julie          Floodplain Status: Not within flood hazard area          Comments: No comments</p> <p>B. Habitat Protection          Reviewer: Aldridge, Morgan          Habitat Protection District Status: Is NOT within HPD          Comments: No comments</p>
State of Alaska Fish & Game	

**Staff Analysis**

Originally the land was platted as government lots 6 & 7 and a portion of the SE1/4 of Section 30, Township 5 North, Range 9 West, SM Alaska. Then Sleepy Hollow Subdivision KN 78-79 subdivided Lot 6 & 7 and the S1/2 of the SE1/4 of said Section 30 giving the current lot being divided. The proposed subdivision will subdivide Lot 4, Block 3, Sleepy Hollow Subdivision, KN 78-79. The preliminary plat will be creating two lots.

The surveyor included locations of structures. Reviewing that information with KPB GIS imagery for that area, there does not appear to be any encroachment issues.

A soils report will be required and an engineer will sign the final plat.

There is an encroachment of the driveway coming into Lot 4A from Alma Ave tat crosses into Lot 3. This was addressed above and is taken care of with a private access easement noted at plat note #3.

Notice of the proposed plat was mailed to the beneficial interest holders on August 13, 2024. The beneficial interest holders will be given 30 days from the date of the mailing of the notification to respond. They are given the opportunity to notify staff if their beneficial interest prohibits or restricts subdivision or requires their signature on the final plat. If no response is received within 30 days, staff will assume they have no requirements regarding the subdivision and it may be finalized.

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**

The parent plat, Sleepy Hollow Subdivision, KN 78-79, granted a 5-foot utility easement along Van Dyke Street. The proposed plat grants a 10-foot utility easement adjoining all rights-of-ways and should be shown on the plat. the 5' utility easement can be removed on the drawing and can remain as a plat note being carried forward from the parent plat.

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	No comments
ENSTAR	No comments or recommendations
ACS	
GCI	Approved as shown

**KPB Department / Agency Review:**

Addressing	Reviewer: Leavitt, Rhealyn Affected Addresses: 39035 ALMA AVE; 35131 VAN DYKE ST Existing Street Names are Correct: Yes List of Correct Street Names: ALMA AVE; VAN DYKE ST Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: ADDRESSES WILL NOT BE AFFECTED.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat.  Material Site Comments: There are not any material site issues with this proposed plat.
Assessing	Reviewer: Windsor, Heather Comments: No comment

**STAFF RECOMMENDATIONS**

**CORRECTIONS / EDITS**

- Remove from plat note number 3, the portion regarding KPB 20.60.170.

**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 the range in the legal description.*

*Correct the owner's mailing address to reflect KPB records.*

Add the KPB File number 2024-085 to title block.

- 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:**

*Correct the spelling of Fannie Mae Avenue.*

*Move Soldotna city limits label to the South to reflect location more accurately.*

- 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:**

*Label southwest lot 6, block 3, KN 78-79.*

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**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.*

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**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.*

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**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.*

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**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**

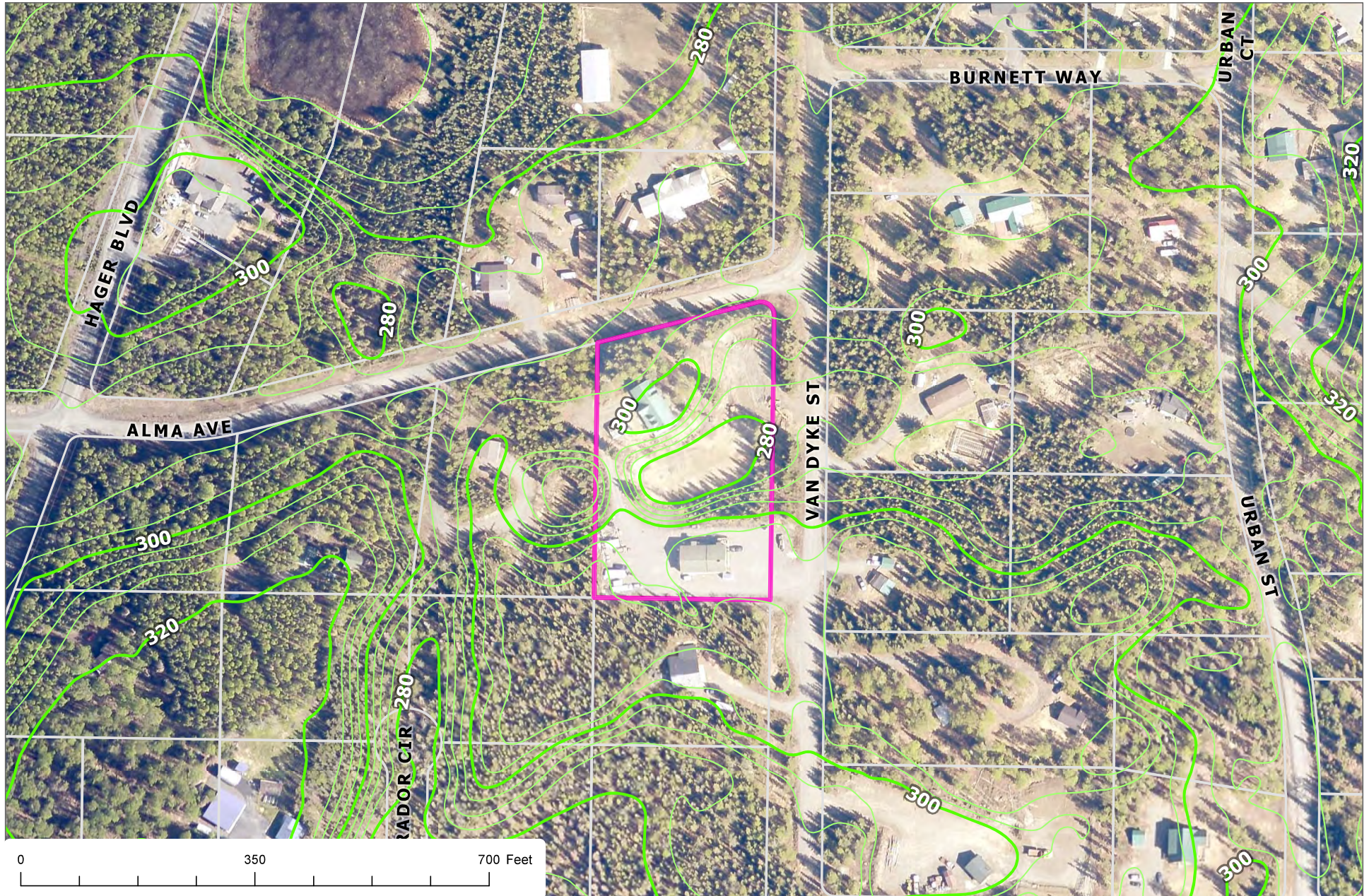




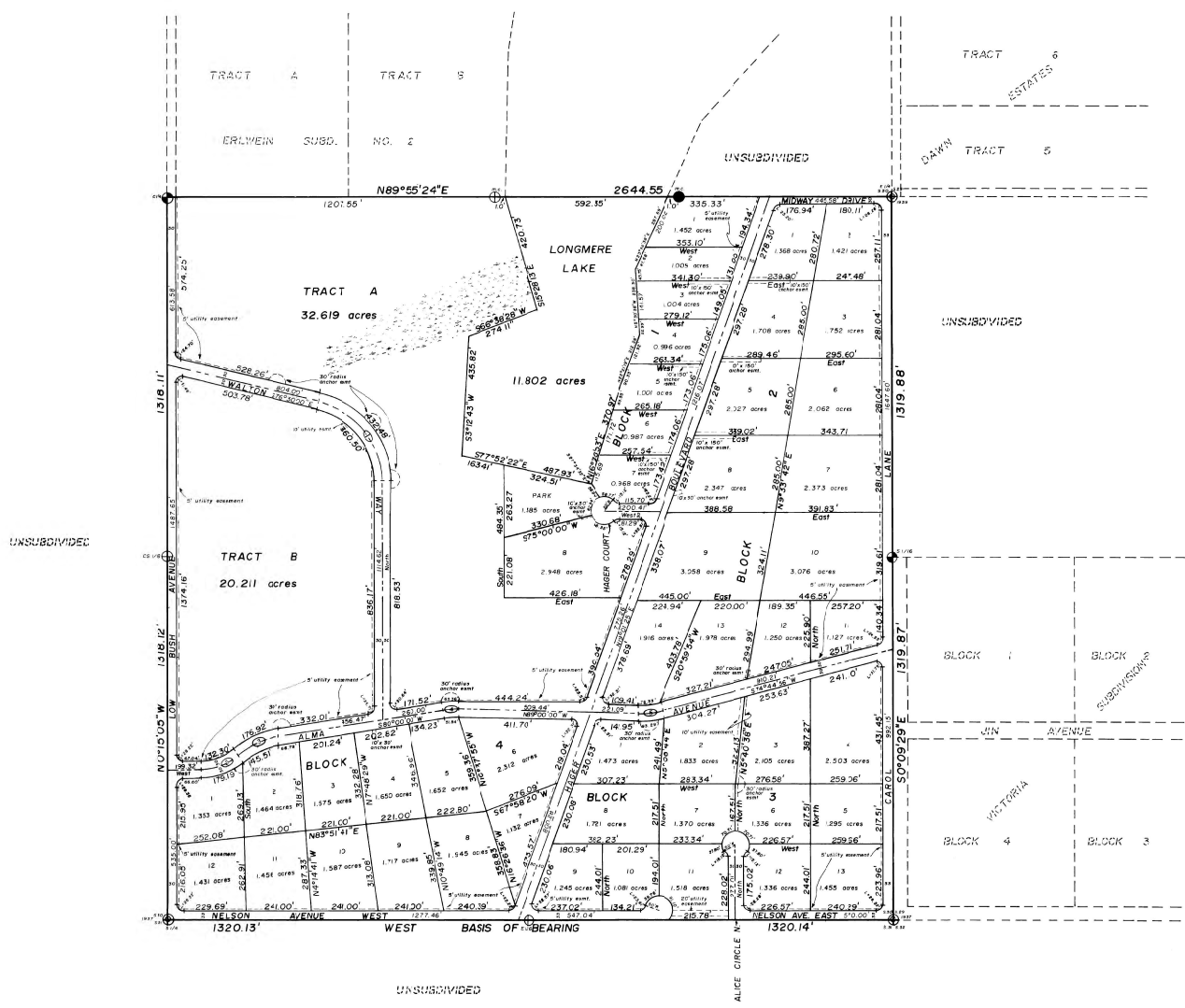
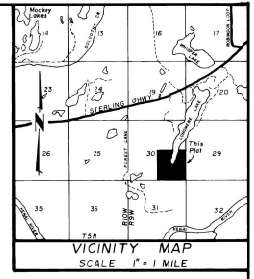
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Aerial with 5-foot Contours



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- LEGEND AND NOTES**
- Set 3 1/4" alum. cap monument (1300-S)
  - ⊙ Found U.S.G.L.D. B.C. monument
  - ⊙ Found official survey alum. cap monument (1237-S)
  - ⊙ Set 1/2" x 24" steel rebar.
  - ⊕ Set 1 1/2" Aluminum Cap monument (1300-S)

All datum of record shown thus ( ).  
 All lot area subject to a 20' bldg setback along all dedicated R/W's.  
 All wastewater disposal systems shall comply with existing law at time of construction.  
 All corner returns have a radius of 20'.

**CERTIFICATE OF OWNERSHIP AND DEDICATION**  
 We hereby certify that we are the owners of the property shown and described hereon and that we hereby adopt this plan of subdivision, and dedicate all streets, alleys, walks, parks, utility easements, and other open spaces to public use.

*William Schneider*      *Peter Walton*  
 J. H. Company                      J. H. Company  
 William Schneider, President      Peter Walton, Secretary

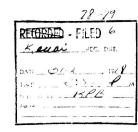
**NOTARY'S ACKNOWLEDGEMENT**  
 Subscribed and sworn to before me this 10<sup>th</sup> day of May, 1978.

*Curry & Thompson*  
 Notary Public for Alaska

4-21-78  
 My Commission Expires \_\_\_\_\_

**PLAT APPROVAL**  
 This plat having been approved by the Kenai Peninsula Borough Planning Commission as recorded in the official minutes of the meeting of April 9, 1978, 1978, is hereby acknowledged and accepted as the official plat, subject to any and all conditions and requirements of ordinances and law pertaining thereto.

**KENAI PENINSULA BOROOGH**  
 By *Samuel J. Phillips*



SLEEPY HOLLOW SUBDIVISION	
DESCRIPTION	
Located within U.S. Govt. Lots 6 & 7 and the S1/2 SE 1/4 Section 30, T5N, R9W, 3 M., AK, containing 160 acres M/L including the lake.	
Owner:	J. H. Company 1/2 Peter Walton, Attorney-In-Fact 350 L Street Anchorage, Alaska 99501
PD Box:	476 <b>SOLDERS, AT</b>
Geologist:	G.S. Best
Date Surveyed:	April, 1978
Scale:	1" = 200'
Sheet No.:	77-3

No.	CENTERLINE CURVE DATA
	Radius      Tangent      Length
1	76°50'00"      300.00'      236.60'      490.35'
2	40°00'00"      226.37'      82.53'      158.24'
3	30°00'00"      307.89'      82.53'      161.21'
4	11°00'00"      300.00'      28.87'      57.60'
5	18°15'04"      300.00'      42.87'      85.69'