

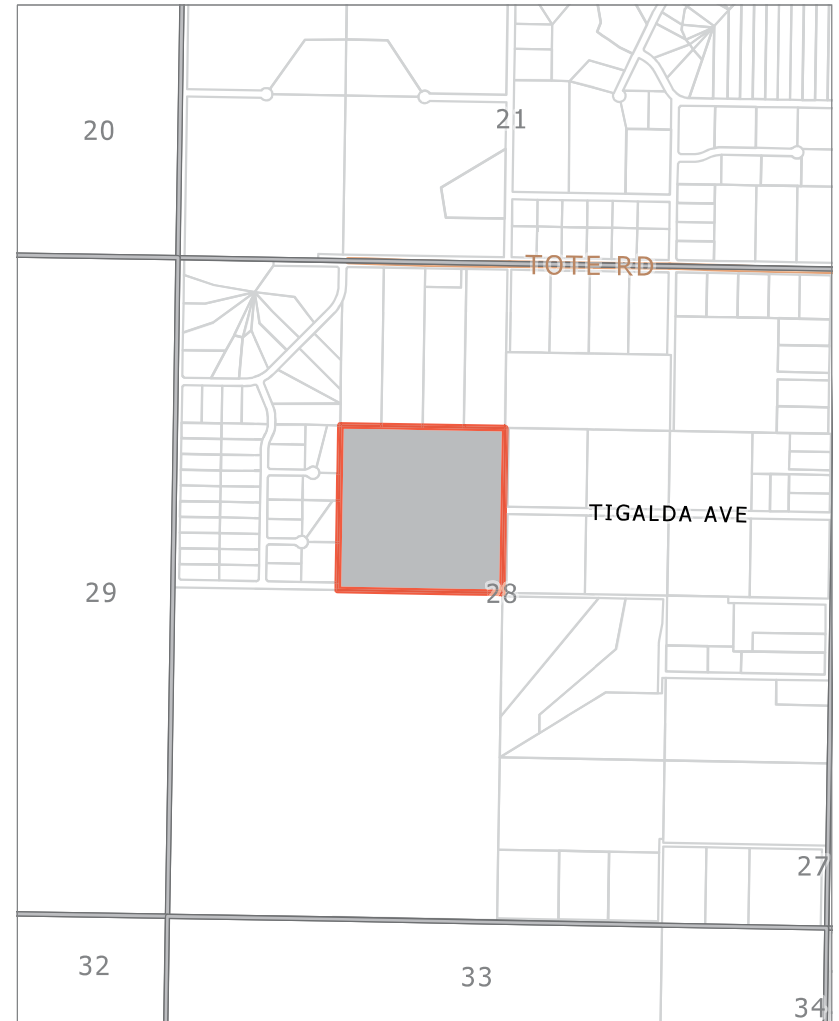
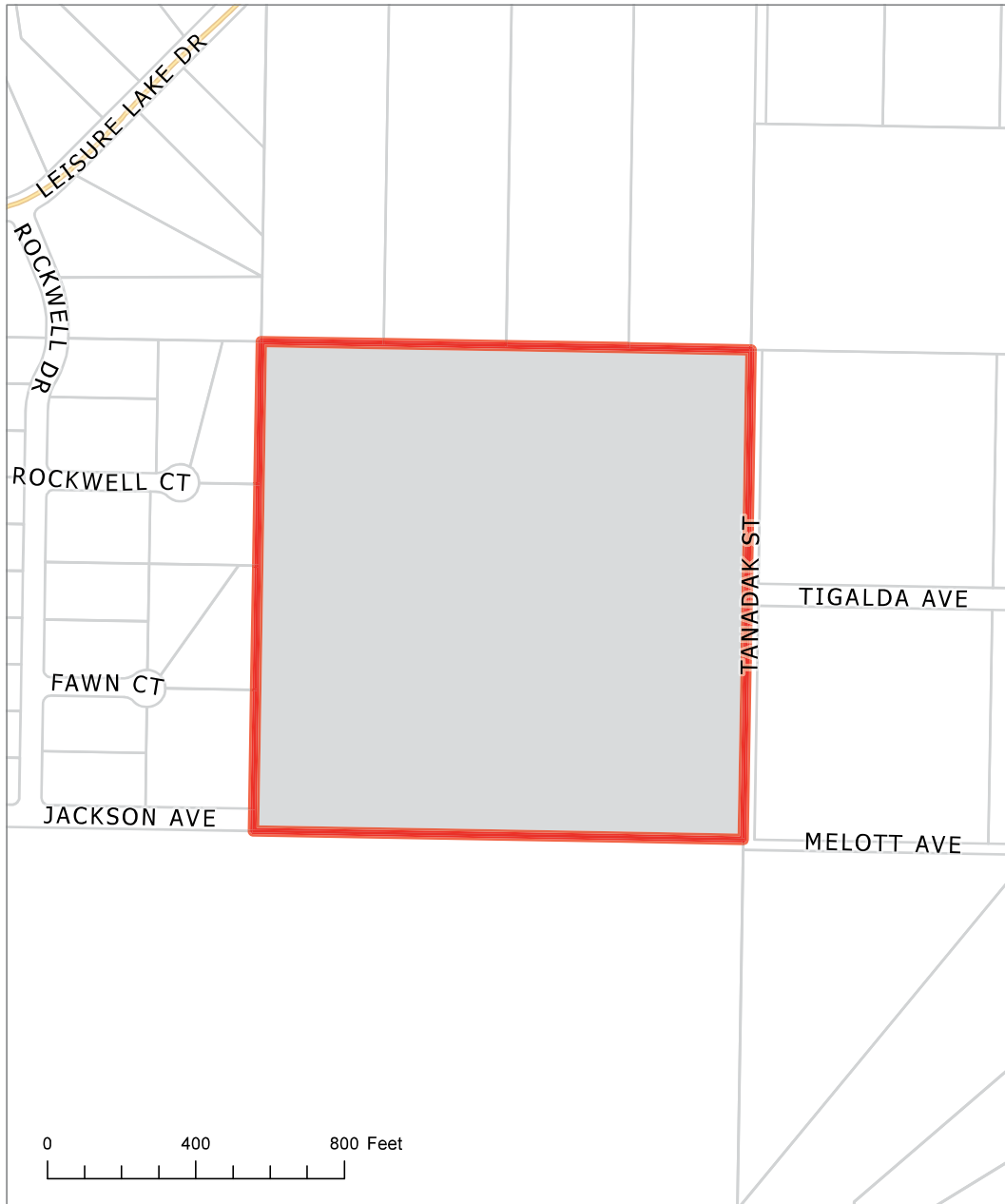
E. NEW BUSINESS

5. The Lady L Ranch; KPB File 2022-123

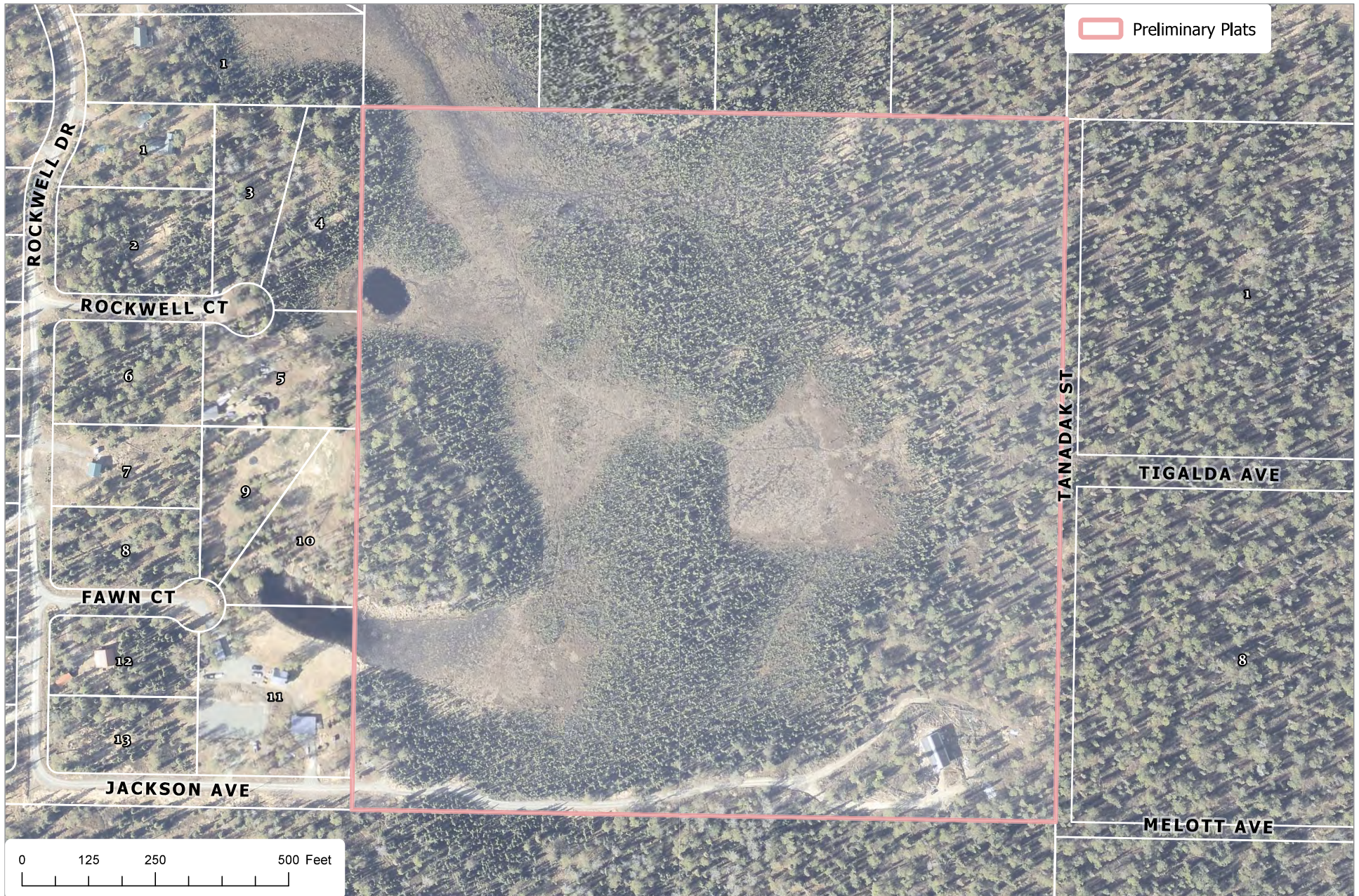
Segesser Surveys / Short

Location: Tanadak St. & Jackson Ave.

Kalifornsky Area



KPB File # 2022-123
S28 T04N R11W
Kalifornsky



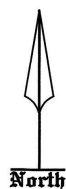
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

LEGEND:

- 2 1/2" BRASS CAP MONUMENT GLO 1937 FOUND
- 3 1/4" ALUM. CAP MONUMENT 3932-S 1978 FOUND
- 2 1/2" ALUM. CAP MONUMENT LS5152 2001 FOUND
- MONUMENT LOCATED UNDER PAVEMENT
- 5/8" REBAR w/PLASTIC CAP LS8859 SET
- () RECORD DATUM PLAT 86-63 KRD

NOTES:

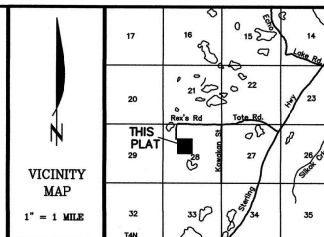
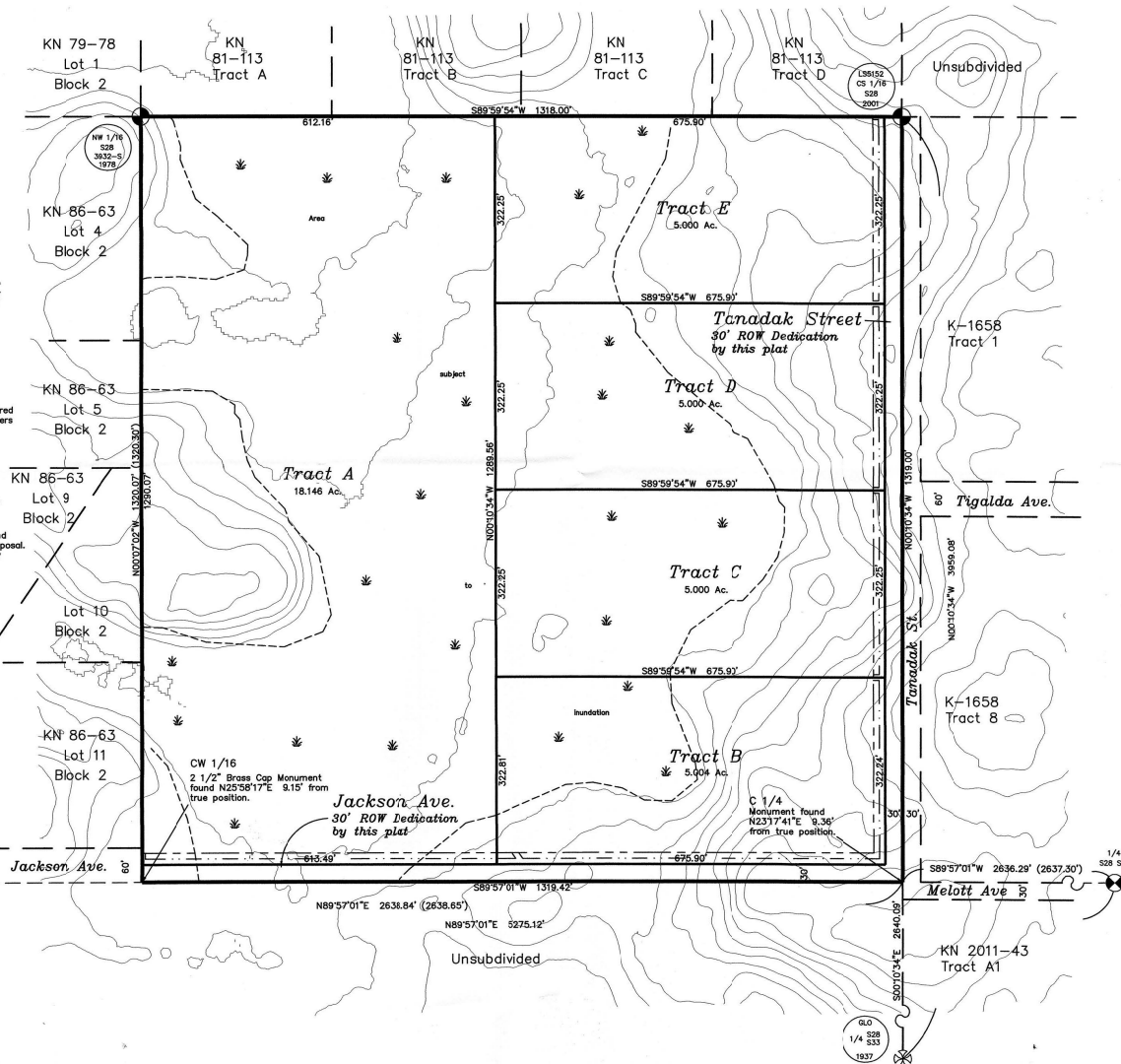
- 1) Basis of bearing taken from Hideaway Haven, Plat 86-63, Kenai Recording District.
- 2) Building Setback-A setback of 20 feet is required from all street Rights-of-Way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
- 3) Any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetland determination if applicable.
- 4) 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.
- 5) Front 10 feet adjacent to right-of-ways and 20 feet within 5 feet of the side lot lines 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.
- 6) WASTEWATER DISPOSAL: 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.



SURVEYOR'S CERTIFICATE

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct.

Date _____



CERTIFICATE of OWNERSHIP and DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

DAVID R. SHORT REBECCA J. SHORT
49746 JACKSON AVENUE
SOLDOTNA, ALASKA 99669

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 _____

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL _____

KPB FILE No. _____

The Lady L Ranch

A subdivision of the SE1/4 NW1/4 Section 28, T4N, R11W, S.M., Kenai Recording District, Kenai Peninsula Borough, Alaska.

Containing 40,000 Ac.

Surveyor	Owners
Segesser Surveys 30485 Rosland St. Soldotna, AK 99669 (907) 262-3909	David R. & Rebecca J. Short 49746 Jackson Avenue Soldotna, Alaska 99669
JOB NO. 22140	DRAWN: 8-18-22
SURVEYED: July, 2022	SCALE: 1"=100'
FIELD BOOK: 22-2	SHEET: 1 of 1

KPB 2022-123

AGENDA ITEM E. NEW BUSINESS

ITEM 5 - THE LADY L RANCH

KPB File No.	2022-123
Plat Committee Meeting:	September 12, 2022
Applicant / Owner:	David and Rebecca Short of Soldotna, Alaska
Surveyor:	John Segesser / Segesser Surveys
General Location:	Jackson Avenue, Kalifornsky

Parent Parcel No.:	131-591-34
Legal Description:	SE1/4 NW1/4 Section 28 Township 4 North Range 11 West
Assessing Use:	Residential
Zoning:	Rural Residential
Water / Wastewater	Onsite

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 40 acre parcel into five tracts. Four of the tracts will be 5 acres and one will be 18.146 acres. Right-of-way dedications are proposed along the southern and eastern boundaries.

Location and Legal Access (existing and proposed): The proposed plat currently has access from Jackson Avenue via Rockwell Drive. These two roads were dedicated from the plat Hideaway Heaven KRD 86-63. The roads are constructed but not maintained. Rockwell Drive is found near the end of borough maintained Leisure Lake Drive, which is located at the end of Tote Road that is located near mile 101 of the Sterling Highway.

The proposed plat has a dedication to extend Jackson Avenue along the south line where an existing driveway is located to the existing house on proposed Tract B. Tract A will also access Jackson Avenue. Jackson Avenue will connect to Melott Avenue in the southeast corner which was dedicated from Charlie See Tracts #2 KRD 2011-43. The plat also has a dedication on the east of 30 feet for Tanadak Street, giving access for Tracts C, D and E. Tanadak Street was dedicated by Birch Manor KRD K-1658.

The dedication for Jackson Avenue is to the west of the subdivision and is dedicated as 60 feet wide. To the east of the subdivision and the Tanadak Street dedication is Melott Avenue, which is only a southern 30 feet dedication. The proposed dedication along the southern boundary will provide a continuation of Jackson Avenue and connect to the Tanadak Street / Melott Avenue intersection. The proposed width is 30 foot wide and will result in the Jackson Avenue dedication to be offset by 30 feet to the south as the adjacent 60 foot dedication all came from the northern property. An existing travelway appears to be present that connects to the structure that will be located on Tract B. It appears that portions of the travelway would be within the dedication with other areas being outside the dedication. Staff is recommending that the dedication try to encompass as much of the existing travelway as possible and reduce the width as the dedication goes to the east. The Kenai Peninsula Borough owns the property to the south and could provide additional width in the future to create a compliant right-of-way. The properties north of Melott Avenue will be required to provide additional 30 feet of right-of-way if ever subdivided and will provide for the rights-of-way to not be offset. **Staff recommends the dedication of Jackson Avenue start as 60 feet wide to provide a continuation of the existing dedication, the new dedication try to encompass as much of the existing travelway as possible, the road width be reduced to 30 feet on the eastern portion to create compliant intersections, and any required curves follow KPB Code for road dedications.**

The plat is proposing to dedicate a 30 foot width for Tanadak Street along the eastern boundary. This will bring this portion of Tanadak Street into compliance for width as there is already a 30 foot wide dedication. Per the State of Alaska Patent found in Book 117 Page 554, the property is subject to a 50 foot right-of-way along the east boundary of the NW1/4. 30 foot of the right-of-way will be dedicated but a 20 foot portion will remain along the tracts. **Staff**

recommends the right-of-way be depicted within the subdivision with a reference label to either a plat note or a label stating “50 foot right-of-way permit, ADL 63002, as found in Book 117 Page 554, KRD.”

Block length is not compliant in length. Tote Road, Leisure Lake Drive, Rockwell Drive, Jackson Avenue, Tanadak Street, and ADL 63002 define the block. Due to large acreage tracts, dedications of cul-de-sacs in the area, steep terrain, and low wet areas the ability to bring the block into compliance will be difficult at this time. The dedications are improving the block. **Staff recommends** the plat committee concur that an exception or additional dedications are not required at this time.

KPB Roads Dept. comments	
SOA DOT comments	No comment

Site Investigation: There are low wet areas present in the proposed plat that are depicted. Per KPB GIS imagery, there may be areas with open water. **Staff recommends** the status of the open water be determined and depicted on the plat and label as pond, seasonal pond, etc., and wetlands remain on the final plat.

Slopes are depicted on the plat. There is a solid dotted lines that appear on the plat but it is not labeled or within the legend. **Staff recommends** label the line to indicate what that line represents if it is for the top or toe of bluff that it remain on the final plat.

The slopes within Tanadak Street and Jackson Avenue appear to exceed allowable slopes for rights-of-way. **Staff recommends** the surveyor verify the slopes are compliant and if they exceed allowable slopes provide centerline profiles and cross-section analysis to determine if additional widths or slope easements are required.

There is a current house on Tract B with a driveway starting in the southwest corner coming off Jackson Avenue. The driveway runs along the south through Tracts A and B and the dedication of Jackson Avenue. As stated within the legal access discussion, staff recommends the right-of-way dedication encompass as much of the existing right-of-way as possible and be 60 feet wide on the western portion and reduce down to 30 feet wide on the eastern portion. **Staff recommends** the location of the structure will need to be verified to ensure it is not within the dedication, if the structure will be within the 20 foot setback or 10 foot utility easement, the building will need to be depicted on the final plat with plat notes added that it predates the creation of the setback and/or utility easement.

KPB River Center review	<p>A. Floodplain Reviewer: Carver, Nancy 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> <p>C. State Parks Reviewer: Russell, Pam Comments: No Comments</p>
State of Alaska Fish and Game	No objections

Staff Analysis The proposed subdivision will be dividing a 40 acres parcel into five tracts and two road dedications. The property has not been previously platted.

The lots are all larger than 200,000 square feet and a soils report will not be required. The lots do appear to contain sloping terrain and wetlands that will reduce the development areas. Looking at the design of the plat it appears

there will be more than 40,000 square feet of upland area. **Staff recommends** the overall acreage and upland acreage for each lot be labeled on the final.

Notice of the proposed plat was mailed to the beneficial interest holder on September 2, 2022. The beneficial interest holder 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 within Kalifornsky Advisory Planning Commission, which is inactive.

Utility Easements The parcel within this subdivision has not had a plat done and thus no utility easement granted by plat exist. The plat is proposing a 10 foot utility easement along the dedicated rights-of-way that increases to 20 feet within 5 feet of the side lot lines. **Staff recommends** the depiction of the utility easement between Tract A and Tract B be adjusted.

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
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	
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

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

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

- Provide Basis of Bearing
- Plat note 3 needs to be changed to 3 from 4.
- Add distance and bearing to line to west at southwest corner of plat

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:** *Check acreage, not sure total is 40.000 acres*
- 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:** *Rex's Road was renamed to Tote Road to the intersection with Leisure Lake Dr. Update the label.*
- 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:** *Lot 10 on the west, add the subdivision notation, update Tract C to the north to Lot 2 from Plat KN 2001-65.*

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.*

- 20.30.090. Streets-Maximum grades allowed. The subdivider shall demonstrate that streets can be readily constructed in accordance with current borough road standards and that the grades on any such roads shall not exceed 6 percent on arterial streets and 10 percent on other streets, or 4 percent within 130 feet of any centerline intersections. Submittal of centerline profiles and cross-sections may be required to demonstrate that compliant construction in the right-of-way is feasible.
- Staff recommendation:** *Review the slopes within the proposed dedications and provide centerline profiles and cross-sections if they do not comply to determine if additional width or slope easements are required.*
- 20.30.120. Streets-Width requirements.
- B. Additional right-of-way or easement width may be required to provide for the construction of side slopes or to otherwise accommodate right-of-way construction standards set forth in KPB Title 14.
- Staff recommendation** *Start the right-of-way dedication of Jackson Avenue on the west side at the 60' point as is shown for the dedication from Hideaway Heaven. Continue east across plat to a point that is 30 feet north and 30 feet west of the southeast corner of the property; also, being the intersection point for Tanadak Street and Jackson Avenue, this will pick up some of the existing drive/road on the west side of the dedication.*

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: Lots are over the required 200,000 square feet. Soils report will not 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:

- Include the reference to KPB Code in plat note 4, "(KPB 14.06)".
- Add plat notes if the structure is within the setback and utility easement.

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.

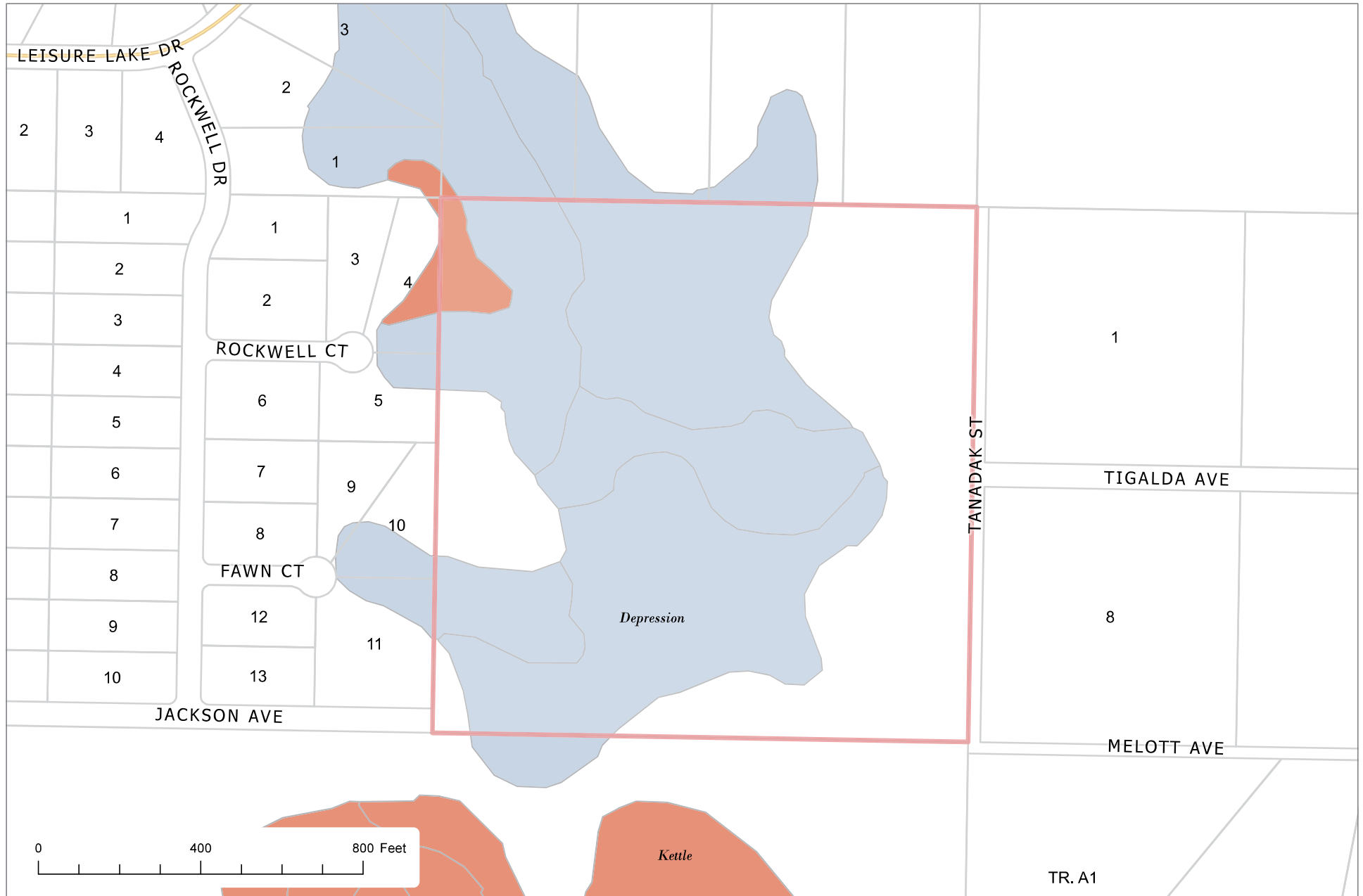
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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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