E. NEW BUSINESS

7. Dawn Estates Whittenberg Addition; KPB File 2024-120 Edge Survey & Design, LLC / Whittenberg Location: Edgington Road & Ryan Lane Sterling Area

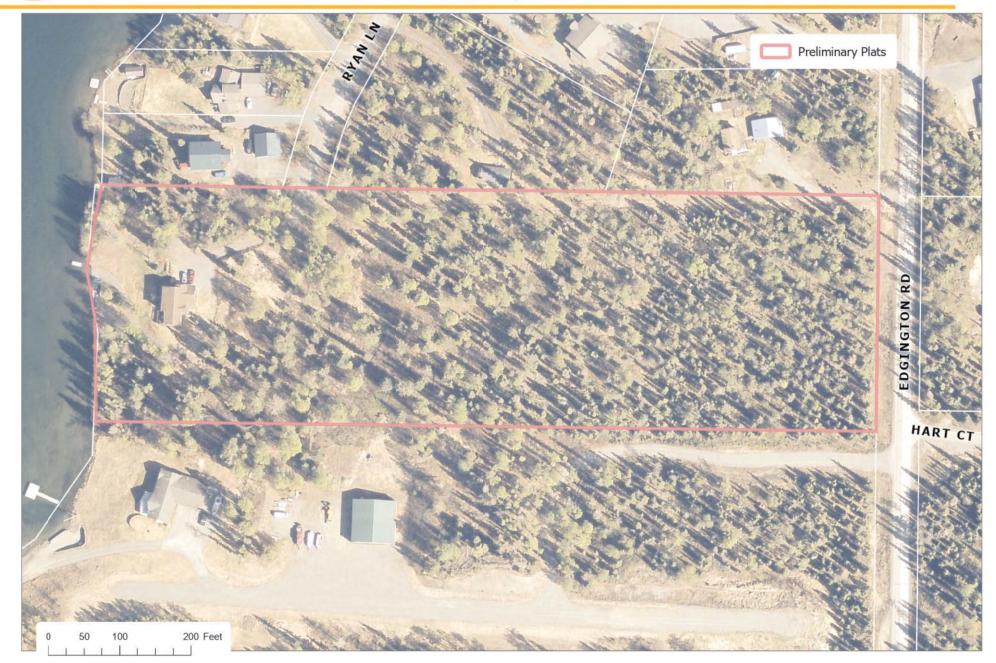


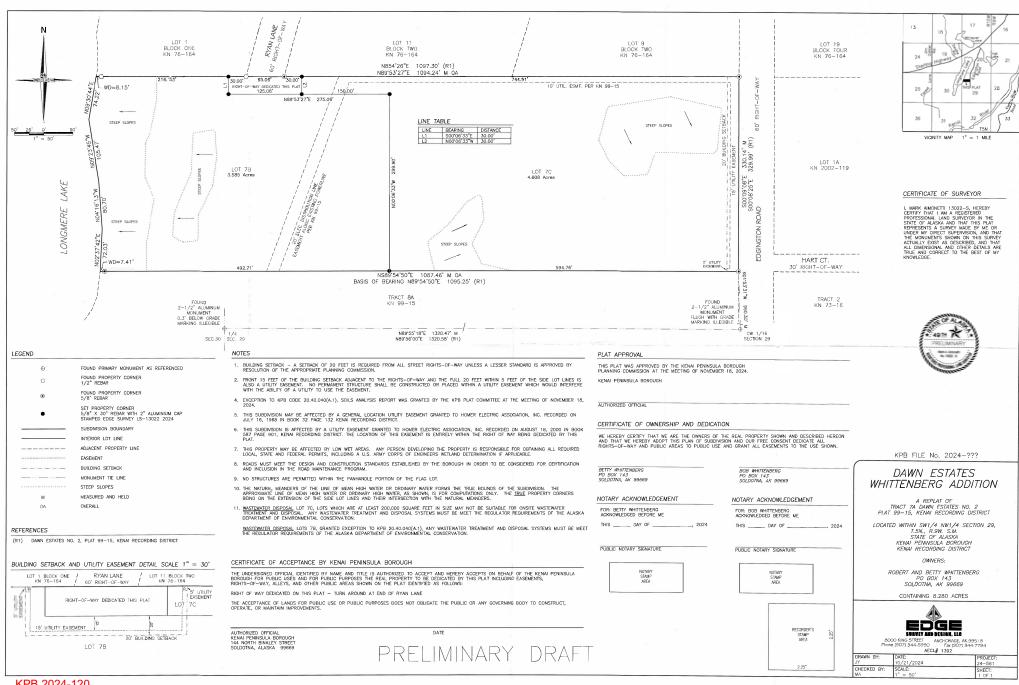


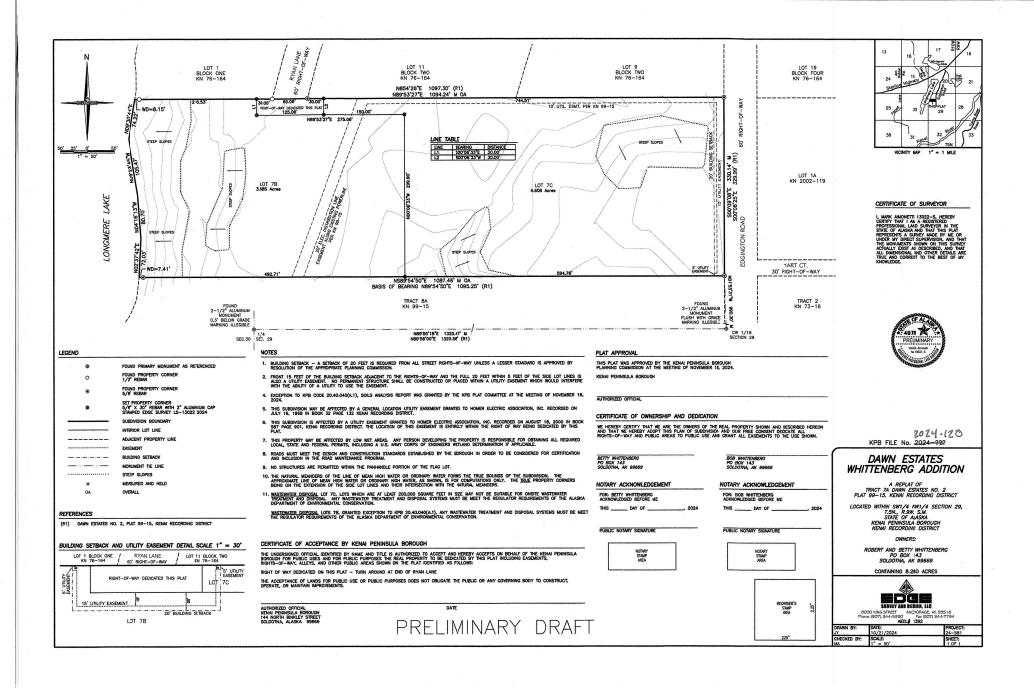
Aerial Map

KPB File 2024-120 10/29/2024









ITEM #7 - PRELIMINARY PLAT DAWN ESTATES WHITTENBERG ADDITION

KPB File No.	2024-120				
Plat Committee Meeting:	November 18, 2024				
Applicant / Owner:	Robert and Betty Whittenberg of Soldotna, Alaska				
Surveyor:	Jason Young – Edge Surveying and Design, LLC				
General Location:	Sterling				

Parent Parcel No.:	063-320-09				
Legal Description:	Tract 7A, Dawn Estates No 2, KN 99-15, Seward Meridian, T 05N, R09W, Section 29				
Assessing Use:	Residential Dwelling				
Zoning:	Unrestricted				
Water / Wastewater	On-Site — On-Site				
Exception Request	20.10.040- Soils Analysis Report for proposed Lot 7B				

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide an 8.32-acre parcel into two parcels: one of 3.585 acres and another of 4.608 acres and a small dedication.

Location and Legal Access (existing and proposed):

Legal access is provided by Edgington Road to the east and Ryan Lane to the north. Edgington Road provides access to proposed Lot 7A and connects to St Theresa Road to the north. St Theresa Road connects to the state-maintained Sterling Highway. Edgington Road is a 60-foot constructed right-of-way and is borough maintained. Ryan Lane provides access on the north side of the plat via a constructed 60-foot right-of-way and is borough maintained. Ryan Lane connects to Edgington Road to the northeast. The proposed plat dedicates a 30-foot by 125.06-foot hammerhead turnaround at the end of Ryan Lane, sufficient for RSA maintenance and allows for potential future extension to the east and west. This dedication will provide access to proposed Lots 7B and 7C.

This platting action is not affected by a section line easement and does not include a vacation.

The block length is non-compliant. Due to the specific location of the subdivision directly adjacent to Longmere Lake, and considering the access to Edgington Road and Ryan Lane, **staff recommends** the plat committee concur that an exception is not required due to the limiting factor presented by the plat location

KPB Roads Dept RSA review	Roads Director: Griebel, Scott Comments: The provision of the "hammer head" should be adequate to support
	RSA maintenance needs. however, the construction of the provision would be an uncertainty. No further RSA comments or objections.
SOA DOT comments	Ranges in wrong location in Vicinity Map. No other comments.

Site Investigation:

KPB imagery and KPB Assessing records indicate a dwelling on proposed Lot 7B. According to KPB imagery, a shed may be encroaching on Proposed Lot 7B from the parcel to the north, Lot 1, Block 1, Timber Lake Estates Subdivision, KN 76-164.

Longmere Lake is located directly west of proposed Lot 7B and KWF Wetlands Assessment indicate lake wetlands.

Page 1 of 5

Steep slopes affect the subdivision and are depicted on the plat, with the direction of the slope labeled. A supplemental contours map was provided by the surveyor and is included in the packet.

The river Center review did not indicate the plat to be located in a FEMA designated flood hazard area or a habitat protection district.

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: waterbody that this parcel is adjacent to is not regulated by KPB 21.18
State of Alaska Fish and Game	No response

Staff Analysis

The land originally consisted of aliquot parcels, including the SE1/4 NW1/4 and Lot 2 within Section 29, Township 5 North, Range 9 West, Seward Meridian, Sterling, Alaska. Dawn Estates, KN 73-16, created Tracts 7 and 8 and dedicated a 60-foot right-of-way named Diane Lane. A Street Naming resolution, recorded on November 26, 1986, renamed Diane Lane to Edgington Road. Dawn Estates No. 2, KN 99-15, reconfigured Tracts 7 and 8 into Tracts 7A and 8A. The proposed platting action will subdivide Tract 7A.

A soils report will not be needed as an existing system is located on Lot 7B and the design has been submitted with the submittal. The system was installed by an ADEC approved installer according to the owner. **Staff recommends:** an exception is not needed to 20.40.100(F) with the submittal of an existing report of an installed system and that the surveyor put the correct note on the plat. Plat note #4 needs to be revised.

Notice of the proposed plat was mailed to the beneficial interest holder on October 29, 2024. 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 not within an advisory planning commission.

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

According to KPB imagery, a shed may be encroaching on Proposed Lot 7B from the parcel to the north, Lot 1, Block 1, Timber Lake Estates Subdivision, KN 76-164. **Staff requests** the surveyor confirm whether an encroachment affects the replat. If a permanent structure or structures cross a lot line, **staff requests** a note be placed on the final plat to indicate that acceptance of the plat by the Borough does not indicate acceptance of any encroachments.

Utility Easements

Dawn Estates, KN 73-16, granted a 5-foot utility easement adjacent to the east right-of-way.

Dawn Estates No. 2, KN 99-15, granted a 10-foot utility easement, containing the original 5-foot utility easement. The surveyor has shown a 15 foot easement also being shown along the new dedication to Ryan Lane. It is at the surveyor's discretion to leave it at 15 feet or change them to 10 feet which what is required by KPB 20.30.060(D).

The Land Management Officer with HEA states that the 20' foot electric distribution line easement along the existing powerline can be vacated.

Staff recommends that the owners determine if the easement should be vacated. This will be done through the Easement Vacation Process through the KPB Planning Department.

A 10-foot utility easement was granted to HEA per Book 587, Page 901. This easement should be depicted and notated on the plat. HEA has addressed this in their review which has been included in the packet.

Staff Recommends the surveyor to delineate the easement. Modify plat note number 6 to remove the sentence of the easement being within the proposed right-of-way.

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	See Comments
ENSTAR	No Comments or Recommendations
ACS	No response
GCI	No response

KPB department / agency review:

Addressing Review	Reviewer: Leavitt, Rhealyn
	Affected Addresses:
	35737 RYAN LN
	Existing Street Names are Correct: Yes
	List of Correct Street Names:
	RYAN LN, EDGINGTON RD, HART CT
	Existing Street Name Corrections Needed:
	All New Street Names are Approved: No
	List of Approved Street Names:
	List of Street Names Denied:
	Comments: 35737 RYAN LN WILL REMAIN WITH LOT 7B
Code Compliance	Reviewer: Ogren, Eric
	Comments: No comments
LOZMS Review 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 Review	Reviewer: Wilcox, Adeena
	Comments: No objection

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

PLAT NOTES TO ADD

- Roads must meet the design and construction standards established by the borough in order to be considered for certification and inclusion in the road maintenance program (KPB 14.06).
- The natural meanders of ordinary high water (or mean high water line as applicable) is for area computations only, the true corners being on the extension of the sidelines and the intersection with the natural meanders.
- 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.
- No structures are permits within the panhandle portion of the flag lot

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: Include middle initial to owner's name: Robert L Whittenberg to match the CTP Revise the KPB File no to 2024-120

- 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: Move the locations of the ranges to correct location
- 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:** Add plat note referencing CCR's per CTP # 11.
- F. The location, width and name of existing and platted streets and public ways, railroad rights-of-way, easements, and travel ways existing and proposed, within the subdivision;
 - **Staff recommendation:** Label and depict HEA easement per CTP # 11. Modify plat note number 5 to exclude easement being within ROW dedication. See HEA's comment.
 - The utility easement adjacent to Edgington Road was granted by plat KN 99-15 as a 10-foot utility easement. Change easement width if want to down to 10'
- 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

Page **4** of **5**

subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;

Staff recommendation: Correct parcel to the north on plat and plat detail: Lot 1, Block 2, KN 76-164. Correct parcel to east: Lot 10. Block 4. KN 76-164.

- H. Approximate locations of low wet areas, areas subject to inundation, areas subject to flooding or storm water overflow, and the line of ordinary high water. This information may be provided on an additional sheet if showing these areas causes the preliminary plat to appear cluttered and/or difficult to read;
 Staff recommendation: Note the line of ordinary high water.
- N. Apparent encroachments, with a statement indicating how the encroachments will be resolved prior to final plat approval;

Staff recommendation: Possible shed encroachment from Lot 1

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 2024-120 10/29/2024





Wetlands

KPB File 2024-120 10/29/2024







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 wastewater treatment LINE DATA or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation. REARING DISTANCE N 00'06'28"W N 00'06'28"W 17 41' N N 52'57'46"E MONUMENT RECOVERED REBAR RECOVERED 5/8" REBAR/PLASTIC CAP SET THIS SURVEY VICINITY MAP 1" = 1 MILE () RECORD DATA KN73-16 ESTATES SUBDIVISION TIMBER LAKE LOT 1 LOT 9 BLK 2 LOT 10 BLK 4 LOT 1 BLK 2 BLK 1 (S 89*56'W 1059.7' N 89*54'26"E 1127.3 CERTIFICATE OF OWNERSHIP AND DEDICATION 10' LTILITY EASM'T We hereby certify that we are the owners of the real property √- 11.25' WC shown and described hereon and that we hereby adopt this plan of subdivision and by our free consent dedicate all rights—of—way to public use and grant all easements to the R TR 1 1997 20' ELECTRICAL
DISTRIBUTION LINE
EASM'T ALONG
EXISTING POWERLINE 2" AL CAP We further certify that the Deed of Trust affecting this property does not contain restrictions which would prohibit this subdivision or require signature and approval of beneficiaries. TRACT JA TR 1 8.320 AC LONGMERE antl Slean Timothy A. Gleason Janet L. Gleason LAKE PO Box 4183 - Soldotna, AK 99669 15.00 N 89'54'50"E 1095.25 ORDINARY HIGH WATER LINE NOTARY'S ACKNOWLEDGMENT Subscribed and sworn before me this 10+5 March , 1998.9 For Timothy A. Gleason & Janet L. Gleason 2 1/2" BRASS CAP MON maria. Whichord TRACT 8A G_0 NC T5N R9W S30 S29 1939 TR 2 Notary Public for Alaska
My Commission Expires 7-14-02 8.959 AC 15.00 10' UTILITY EASM'T LOT 1 EDGINGTON SUBD NO 2 S 89*55'13"W 1320.20 PLAT APPROVAL (S 89°56'W 1319.3') This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of August 10, 1998 TRACT 6 DAWN ESTATES KENAI PENINSULA BOROUGH NOTES BUILDING SET BACK - A setback of 20' feet is required from all street rights-of-way unless a lesser standard is approved by resolution of the appropriate planning commission. RECORDED 20 DAWN ESTATES NO. 2 No permanent structure shall be constructed or placed within an KENAL RECORDING DISTRICT easement which would interfere with the ability of a utility to DATE <u>4-7</u> 2 1/2" BRASS CAP MON use the easement. A Resubdivision of Tracts 7 & 8 Dawn Estates. Located within the SW1/4 NW1/4 Sec. 29, T5N, R9W, SM, AK TIME 4:00 3 1/4" ALUM CAP MON The natural meanders of the line of ordinary high water forms BLM the true boundary of this subdivision. The approximate line of 17.802 AC. RECUESTED BY-1/4 ordinary high water as shown, is for area computations only. WHITFORD SURVEYING S30 S29 4608-S

N 89'56'00"E 1320.58' (1319.2')

BASIS OF BEARING

1939

CW 1/16

S 29 1978

SURVEYED: 7/98

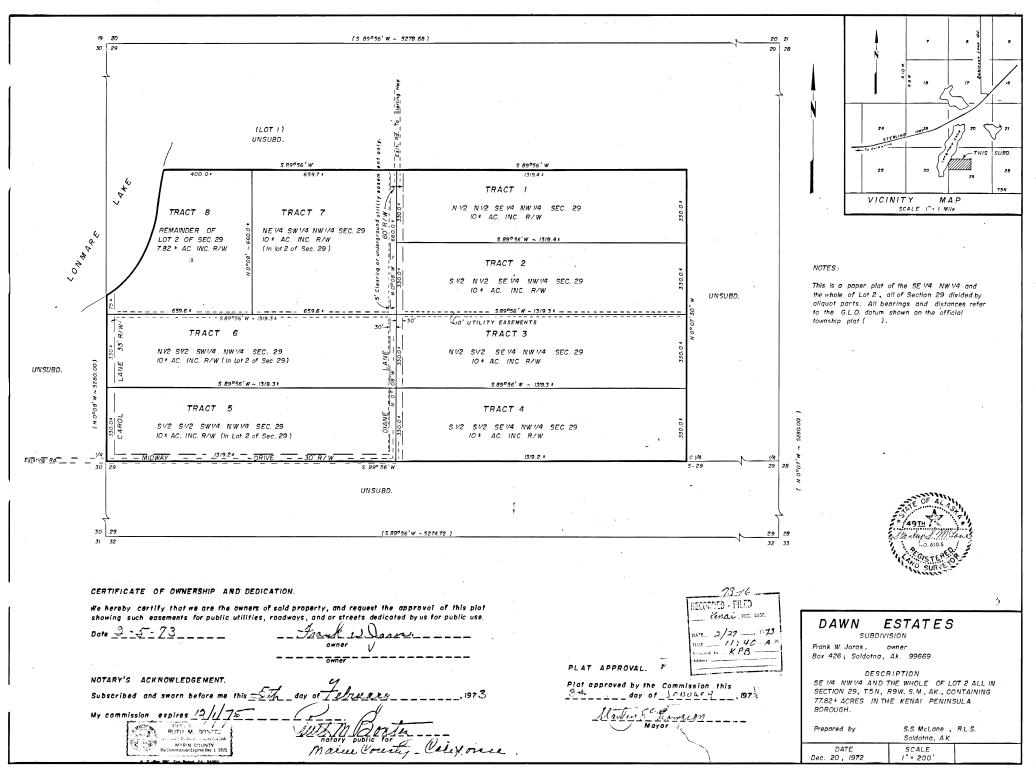
KPR FILE NO: 98-159

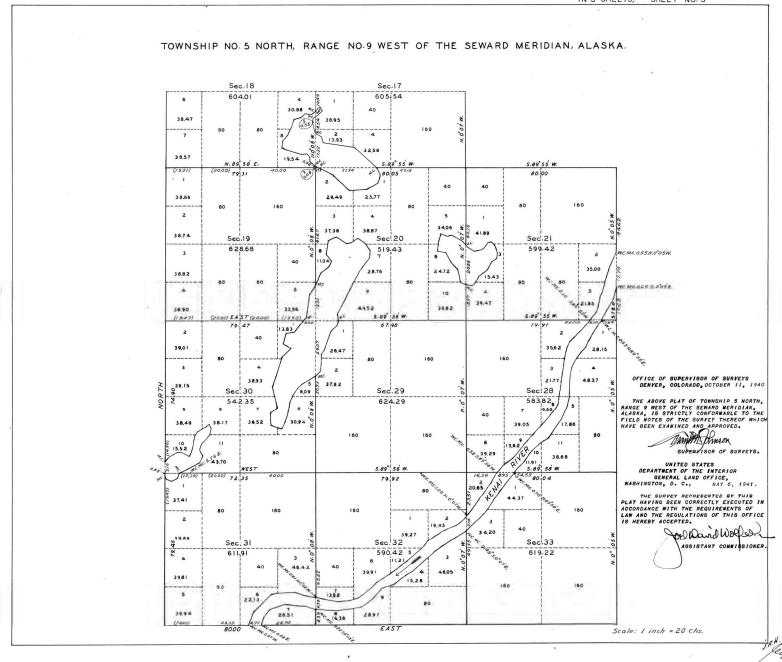
WHITFORD SURVEYING

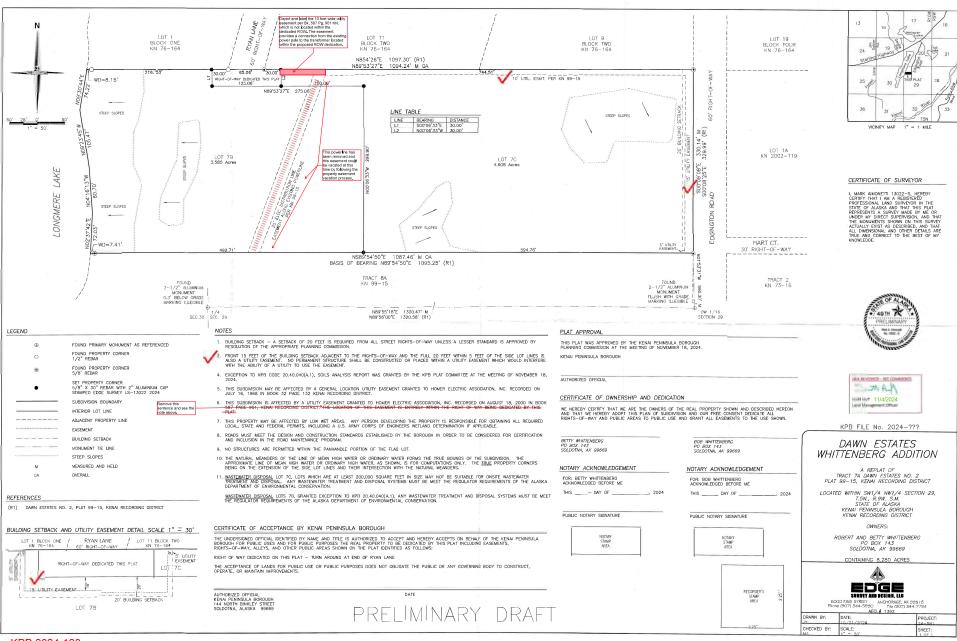
PO BOX 4032 - SOLDOTNA, AK 99669 (907) 260-9092

SCALE: 1" = 100'

DWG FILE: DAWN2.DWG







KPB 2024-120

Mike Tauriainen, P.E., Consulting Engineers, Inc. 35186 Spur Hwy Soldotna, AK 99669 (907)262-4624 FAX 262-5777

ON-SITE WATER AND WASTEWATER SYSTEMS DOCUMENTATION

HE DEVICE WAS THE					
Legal Description TRACT 7A. E	AWN ESTATES	Nº2			
Client	1	Type of Resider	ce a Sino	gle Family	
Mailing Address P.O. BOX 17		Total # Of Bedro		gio antiny worth antiny	
The state of the s			OHIS _ OR_	Distings transfer british property and property and property of the property o	
City, State, Zip Code SOCDOT~A	AK 99669	Telephone			
		•			
Source of Water and Containment (Check all that apply)	Type of Water Supply S Private Public (Serves more than			Treatment of Water (Check all that apply) None	
☐ Roof Catchment		one twenty	☐ Filtration		
☐ Holding Tank			☐ Chlorinati	on	
	Surface (Identify)			☐ Mineral Removal	
Cl Other (Identify)			Other:i	I wiknow	
Height of well casing above ground: Is a sanitary seal or well cap installed on Its drainage directed away from or around	H 10-11	of 10 feet of the v	well casing?	Yes □ No	
Date Drilled UNKNOWN Depth of Well (TOC) work, ft Static Wi	ater Level (TOC)	U-W. A PI	umped Rate UNK. gpm	
Separation distance from well casing to follow	ving sources of contaminat	don:			
Septic/Holding Tank on Lot > /ap ft	Sewer Lines on Lot	25 ft	Absorption A	rea on Lot > /oo ft	
Septic/Holding Tank on Adj Lot > 100 ft	Sewer Lines on Adj Lot	> 25 ft	Absorption A	rea on Adj Lot > /oe ft	
If toxic materials are observed on the property, including fuel to petroleum products, pesticides, fungicides, or herbicides, indici-	nks, paints, fubricants and other	On Lot		On Adjacent Lot	
Casing:	are distance from Consuminations to we			NONE OBSERVED	
Water Sample Taken By: (Name) # DAV	E PETERSE~			The same of the sa	
Water Sample Results (attach copy):	Satisfactory - Date 3/	OCTOO	□ Unsatisfact	ory - Date	
Comments/Recommendations: * Record in	formation not verified by en	ngineer	alakan Talah pina meri dahan pendalah sebagai kemenjalah sebagai kemenjalah sebagai kemenjalah sebagai kemenja	nakananganangananganan kumun Ning Ning Ning Ning Ning Ning Ning Nin	
I confirm that the above information is correct	unless otherwise noted	=N 1-	e E	Novo	
Signature	Print Name	Title		Date	

In a plan view, locate and identify each of the following as appropriate b) Structures e) Surface Water c) Septic Tank h) Closest well on adjacent property f) Sources of contemination d) Sod Absorption System g) Property Line i) Closest edge of SAS on adjacent property (Include dimensions) I) Closest septic tank on an adjacent property Show distances between the well and wastewater systems. k) Cleanouts and monitor tubes Show distances between water bodies and wastewater systems In a cross section of the SAS identify each component and show the depth (thickness) of the following:

d) Bedrock e) Native Soit

3-BR HOUSE 10' 1000-GAL TRENCH TEX HOLE 40 GRADE 25 CONCR +14.14h 15 10 1000-GAL ST SILF & GEFF ROCK 540

This record information is based on our inspection and surveyor/owner/contractor furnished information and is provided only to show compliance with 18 AAC 72 and 18 AAC 80. It represents the systems as constructed, however, the exactness of information contained herein is not guaranteed. Any use made of this information subsequent to this date shall be for information and record

See attached copy of ___ marked-up as-built survey for plan view information. Mike Tauriainen, P.E., Consulting Engineers, Inc.

		Cl. Clark and Transimpnt (Search Street Name of Process)				
Septic Tank/Absorption S	ystem		L Package	☐ Package Treatment (Soedly Brand Name or Process)		
Holding Tank - Specify:	Capaci	ty of Tank Who	ere Waste is Disp	posed Frequency	of Pumping	
Septic Tank Outfall Discharged To			☐ Other - S	Other - Specify (Outnouse, Inclinerator, etc.)		
	lew Syst	em	STREET, THE PARTY OF	□ Existing System	n. is is is	
		AVATING		Date Installed 4	PCTOU	
Owner/Builder Certi			Septic Tank	Type/Manufacturer/	D&W	
Septic Tank Size 1000		Number of Compartment	-	Soil Type and Rating	WELLY SA-0/15078	
ype Soil Absorption Syste		Di		Type/Quantity Backfill Mat SEWEL ROCK	erial Used for SAS / 36 cy	
					Company of the party	
Adequacy Test (Existing Fest Completed by) 🗀 Pass Date		N/A		
Date Septic tank pumped		(Altach rece	ipl)		and the state of t	
					The state of the s	
Percolation Test (New Perc Rate/Depth				NA		
Depth to water table Test completed by		Date		Northern and Northern Pro-	1886 - 1888 - 1888 - 1888 - 1888 - 1888 - 1888 - 1888 - 1888 - 1888 - 1888 - 1888 - 1888 - 1888 - 1888 - 1888	
					42"	
Minimum Ground Cover o	ver Septic	Tank 3.5 +2 /~ ** - *		Minimum Ground Cover over SAS 3.5 +2" Jusus #		
Cleanout Pipes/Caps Inst	alted on Se	ptic Tank Pres D	lo Cleanout F	Pipes/Caps Installed on SAS	WYes LING	
Separation Distance from	wastewate	r system to:				
Water Source on Lot	Water So Adjacent	urce on Neares	t Body of Water	Water Table/Bedrock	Lot Line	
Comments/Recommends	tions: *	Record information not v	rerified by engine	per		
					1842200000000000000000000000000000000000	
I confirm that the above i	nformation	is correct, unless otherw	ise noted	/ PE	1 Now or	

F WP80 LADEFORMS ADEQUACY ADECAPPR. FRM

