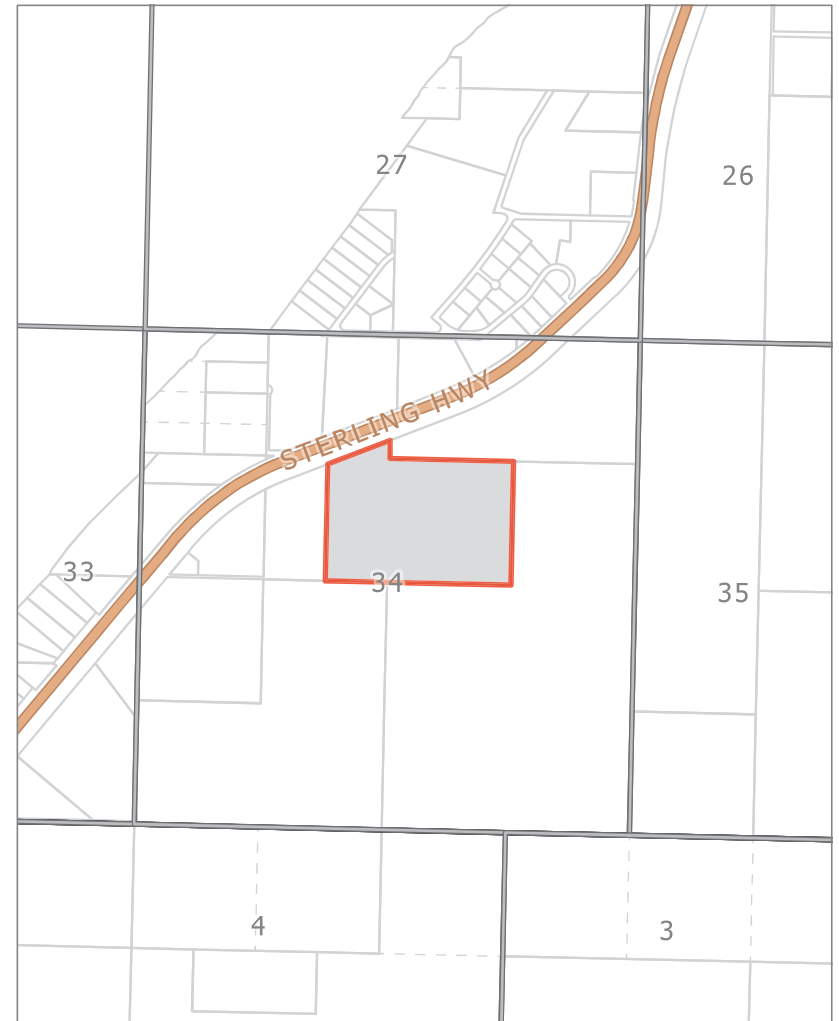
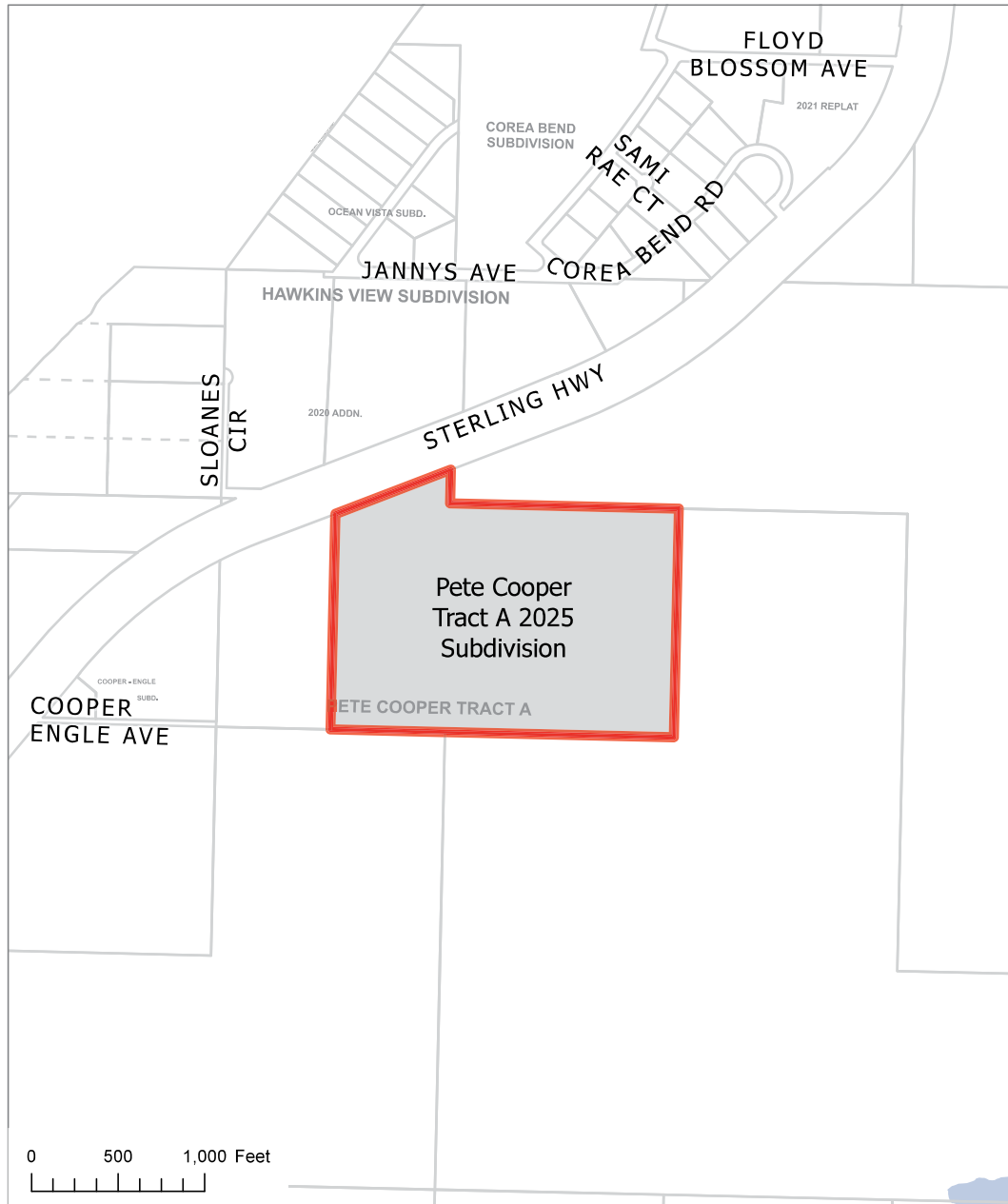


E. NEW BUSINESS

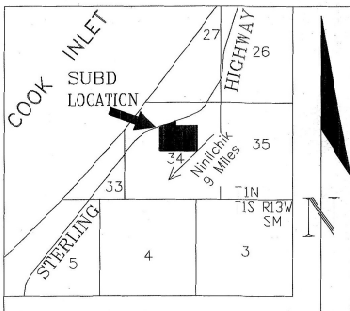
- 4. Pete Cooper Tract A 2025 Subdivision**
KPB File 2025-098
Johnson Surveying / Cooper
Location: MP 126.5 Sterling Highway
Ninilchik Area



KPB File 2025-098
T 1N R 13W Sec 34
Ninilchik



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.



Pete Cooper Tract A 2025 Subdivision PRELIMINARY PLAT

A subdivision of Tract A Pete Cooper Tract A HRD 2003-84.
 Located in the NW 1/4 & NE 1/4 Section 34, T1N R13W, SM, Askic
 Homer Recording District Kenai Peninsula Borough

Prepared for

Peter Allen Cooper
 P.O. Box 39032
 Ninilchik, AK 99639

Elaine K Cooper
 P.O. Box 91
 Healy, AK 99743

Prepared by

Johanson Surveying
 P.O. Box 27
 Clam Gulch, AK 99568
 (907) 262-5772

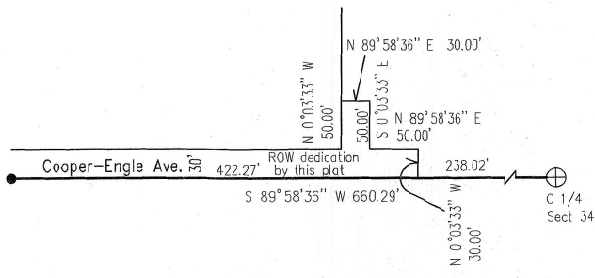
SCALE 1" = 200'
 AREA = 61.790 acres
 21 June, 2025

NOTES

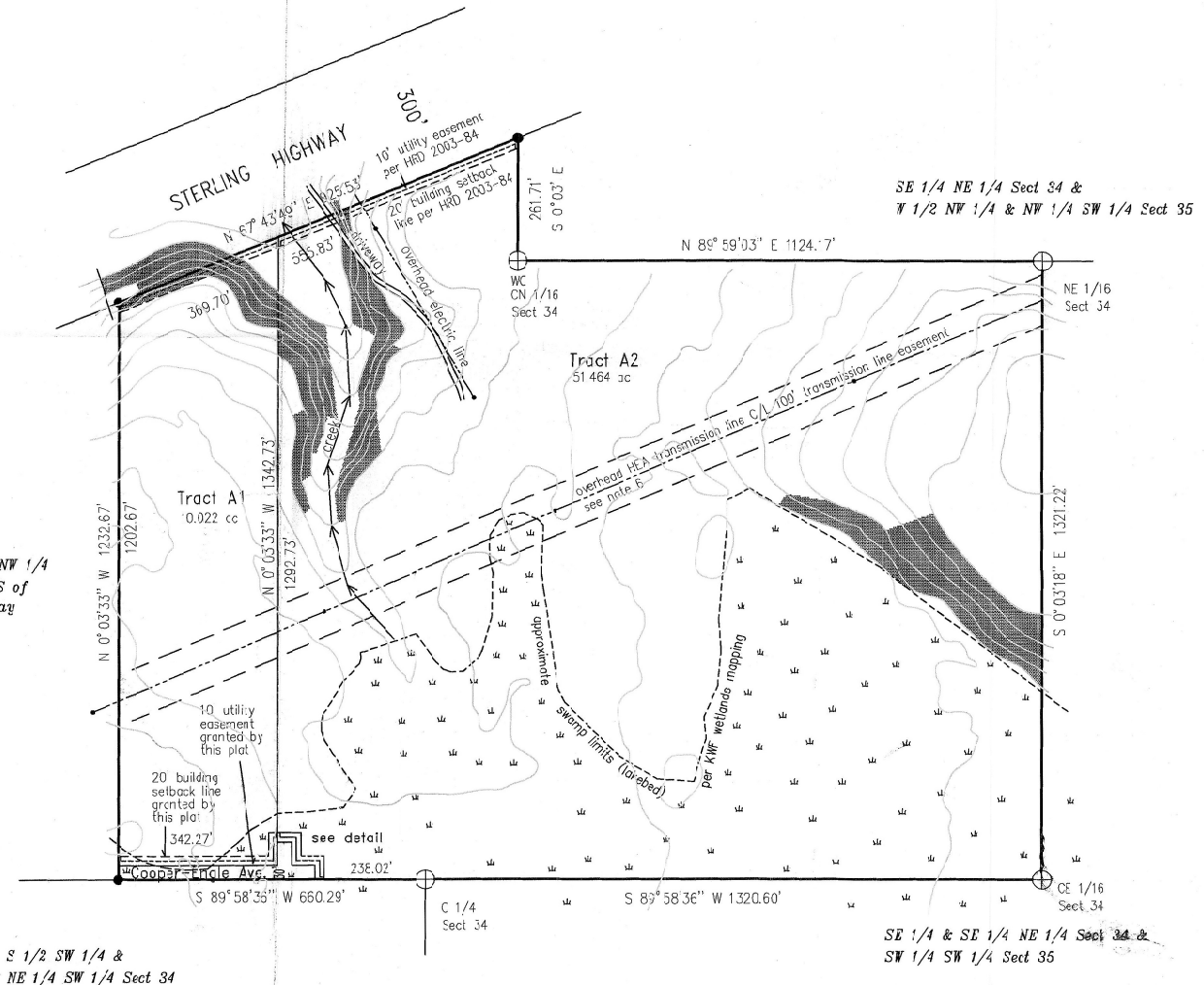
1. A building setback of 20' from all street ROW's is required unless a lesser standard is approved by a resolution of the appropriate planning commission. Front 10' of building setback is also a utility easement, as is the entire setback within 5' of side lot lines.
2. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
3. No access to State maintained ROW's permitted unless approved by the State of Alaska Dept. of Transportation.
4. Sterling Highway ROW is as shown on State of Alaska Dept. of Transportation ROW Plan F-021-1(3) sheet 32 of 35.
5. Any person developing this property is responsible for obtaining all required local, state and federal permits, including a U.S. Army Corps of Engineers wetlands determination, if applicable.
6. The existing overhead electrical transmission line is the centerline of 100' wide electrical transmission line easement, including guys and anchors, granted by this plat. Construction of public roads shall be restricted to the outer 20' of one side or the other, but no both sides of the easement. Public roads or driveways crossing the easement shall be located as nearly perpendicular to the transmission line as reasonably possible. No portion of any road or driveway shall be closer than 25' to a transmission line pole/structure.
7. No excavation or fill within the easement is allowed without the express written permission of H.E.A.
7. Contour interval 5'. Shaded areas are grades over 25%.

DETAIL

1" = 100'



W 1/2 SE 1/4 NW 1/4
 Sect 34 lying S of
 Sterling Highway



KPB 2025-098

AGENDA ITEM E. NEW BUSINESS

**ITEM #4 - PRELIMINARY PLAT
Pete Cooper Tract A Subdivision**

KPB File No.	2025-098
Plat Committee Meeting:	August 11, 2025
Applicant / Owner:	Peter Allen and Elaine K. Cooper of Ninilchik, Alaska
Surveyor:	Jerry Johnson / Johnson Land Surveying
General Location:	Sterling Hwy Mi 126.5 / Ninilchik

Parent Parcel No.:	139-100-47
Legal Description:	T 1N R 13W SEC 34 SEWARD MERIDIAN HM 2003084 PETE COOPER TRACT A TRACT A
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	Onsite / Onsite
Exception Request	20.30.170 & 20.30.190

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 61.79-acre parcel into two parcels of 10.022-acres and 51.464-acres and includes a dedication.

Location and Legal Access (existing and proposed):

The proposed plat is located in Ninilchik on the Sterling Highway near milepost 126.

Legal access to the plat is provided as follows:

Sterling Highway is a 300-foot state-maintained road to the northwest side of the plat providing access to both proposed tracts. PER DOT: The platting action voids any previous issued permits. Land owners will need to reapply for driveway access permits to state road and right-of-way access.

The plat proposes to dedicate a 30' extension of Cooper-Engle Ave on the western portion of the southern border, including a 30' ROW dedication extending 50 feet to the north near the eastern terminus of the Cooper-Engle Ave dedication. The connection to Cooper-Engle Ave currently is not constructed coming from the west off of Sterling Highway. Wetlands classified as lake bed prevent the feasible continuation of Cooper-Engle Avenue to the east. **Staff recommends** the surveyor modify the design of Cooper-Engle Avenue to a partial cul-de-sac with the reasonable expectation in the future that the land to the south will dedicate the additional 30-feet.

The plat is not vacating a right-of-way and it is not affected by a section line easement.

Block length is not compliant and the surveyor has requested an exception to KPB 20.30.170 Block Length Requirements.

KPB Roads Dept RSA review	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: no objection at this time
SOA DOT comments	No response

Site Investigation:

There are structures and improvements located on the plat according to KPB GIS Imagery and KPB Assessing

records. Once finalized, the structures appear they will be located on Tract A2. The plat does not appear to be creating any encroachments with the division of the lot.

The lots are long and narrow as created and the surveyor has requested an exception to KPB 20.30.190 Lot Dimensions.

There are steep areas indicated on the plat with the shading that follows the ravine out of the swamp area in the south towards the Sterling Highway right-of-way.

The east part of the plat starting near the ravine and the west side of the swamp is all wetlands designated as Riverine, Lakebed and Wetland/ Upland Complex. The Lakebed designation is located where the swamp area is, the riverine is following the ravine in the low area north of the transmission line and the rest of the area north and west is the wetland / upland complex.

The River Center review did not identify the plat to be located in a flood hazard area or a habitat protection district.

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

Staff Analysis

The land was previously aliquot parts of the NW1/4 and NE1/4 of Section 34, Township 1 North, Range 13 West, Seward Meridian, Alaska. Pete Cooper Tract A (plat HM2003-84) was the first plat of the parcel in 2003.

A soils report will not be required as the tract are both above 200,000 sq ft. **Staff recommends** the proper Wastewater Disposal note shall be put on the plat to comply with KPB 20.40.030.

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.

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 100' transmission line easement shown on the plat and note 6 was carried forward from the parent plat. **Staff recommends** this be noted as being carried forward from HM2003-84 and modify the plat note to remove the "granted by this plat".

The parent plat included a plat note for a 20-foot-wide easement on the overhead power line located to the north. **Staff recommends** Plat note number 6 should be carried forward from the parent plat referencing the overhead powerline and a label should be included on the depiction referencing the plat note.

The 10' utility easement located along the Sterling Highway was granted by the parent plat HM 2003-84.

Right-of-way easements were granted to HEA by recorded documents book 50 page 55, HRD and Misc. Book 4, Page 150 KRD. **Staff recommends** the surveyor add the easement information to the plat.

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.

The 10' utility easement located along Cooper-Engle Ave is being granted by this plat.

Utility provider review:

HEA	No comments
ENSTAR	No Response
ACS	No objections
GCI	No Response

KPB department / agency review:

Addressing Review	Reviewer: Pace, Rhealyn Affected Addresses: 73575 STERLING HWY Existing Street Names are Correct: Yes List of Correct Street Names: STERLING HWY, COOPER ENGLE AVE Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: 773575 STERLING HWY WILL REMAIN WITH TRACT A2
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: Windsor, Heather Comments: No comments

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

- Add legend to drawing
- Add cap detail to the GLO/BLM monuments.
- Add Plat Approval note

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).

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 KPB File No 2025-098 to the 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:

Show Cooper – Engle Ave to the west

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.

Show proper Wastewater Disposal note on drawing

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.

EXCEPTIONS REQUESTED:

A. KPB 20.30.170 Block Length, 20.30.190 Lot Dimensions for Tract A2

Surveyor's Discussion:

These exceptions are necessary for preservation and enjoyment of property rights and are the most practical manner of complying with code. The granting of these exceptions will not be detrimental to the public welfare or injurious.

The Surveyor/Applicant has submitted the following proposed Findings in support of the exception request.

1. Any ROW dedicated from the Sterling Highway onto this property would create a dangerous intersection due to short sight distances and hills.
2. Any north-south dedication would encounter steep slopes.
3. On the south, any extension of Cooper-Engle Avenue would cross a large swamp
4. Any property being accessed are large government owned parcels with alternate access.
5. Lot is a large lot that can be further subdivided in the future to bring it in compliance.
6. The lot configuration is what the owners want.

Staff Discussion:

20.30.170. - Blocks—Length requirements.

Blocks shall not be less than 330 feet or more than 1,320 feet in length. Along arterial streets and state maintained roads, block lengths shall not be less than 800 feet. Block lengths shall be measured from centerline intersections.

20.30.190. - Lots—Dimensions.

A. The size and shape of lots shall provide usable sites appropriate for the locality in which the subdivision is located and in conformance with the requirements of any zoning ordinance effective for the area in which the proposed subdivision is located. Generally, lots shall be square or rectangular. Lots shall be at least 60 feet wide on the building setback line. The minimum depth shall be no less than 100 feet, and the average depth shall be no greater than three times the average width.

Findings.

Staff reviewed the exception request and recommends granting approval

Staff recommends the Committee (or Commission, as applicable) select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under KPB Title 20, the Committee may authorize exceptions to any of the requirements set forth in KPB Title 20. A request for an exception shall be in writing and presented to the Committee with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The Committee shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown
Findings 1-4 appear to support this standard.
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
Findings 1-4 appear to support this standard.
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
Findings 1-4 appear to support this standard.

Staff recommendation: place notes on the final plat indicating any exceptions granted by the Plat Committee with the meeting date.

RECOMMENDATION:

SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:

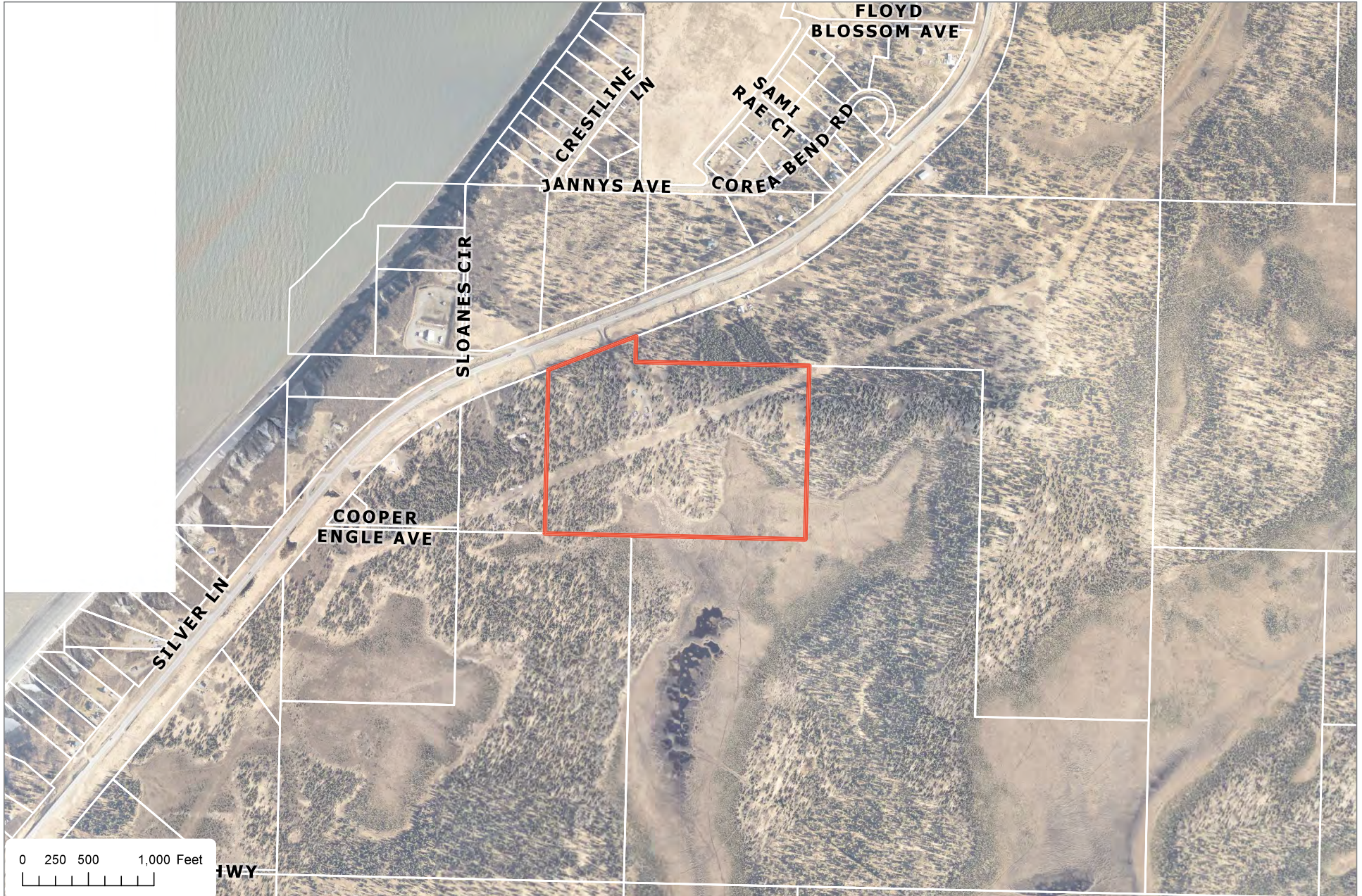
- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

NOTE: KPB 20.25.120. - REVIEW AND APPEAL.

IN ACCORDANCE WITH KPB 2.40.080, ANY PERSON, AGENCY, OR CITY THAT PARTICIPATED AT THE PLAT COMMITTEE HEARING, EITHER BY WRITTEN OR ORAL PRESENTATION, MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF DATE OF DISTRIBUTION OF THE DECISION.

A DECISION OF THE PLAT 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.

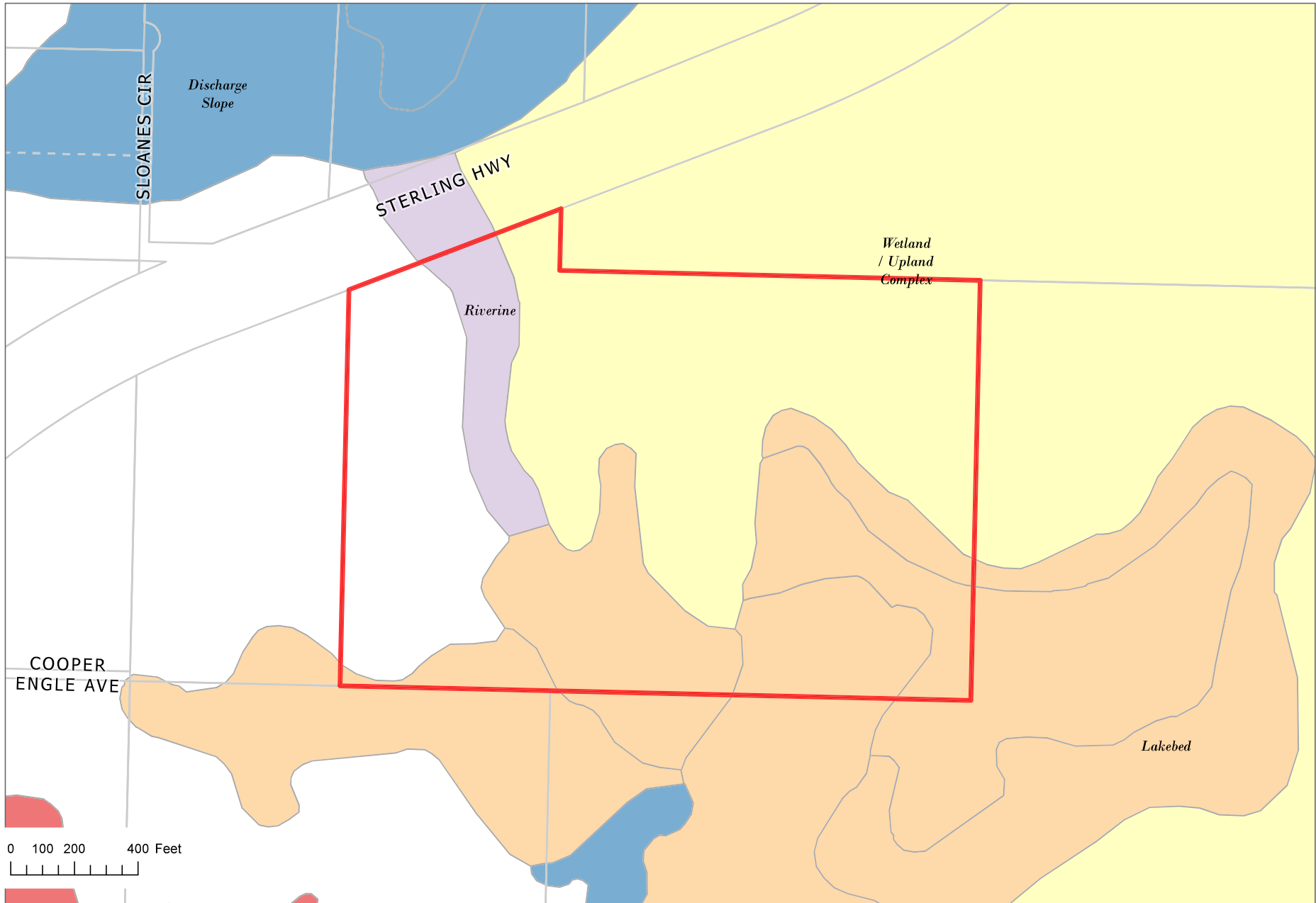
END OF STAFF REPORT



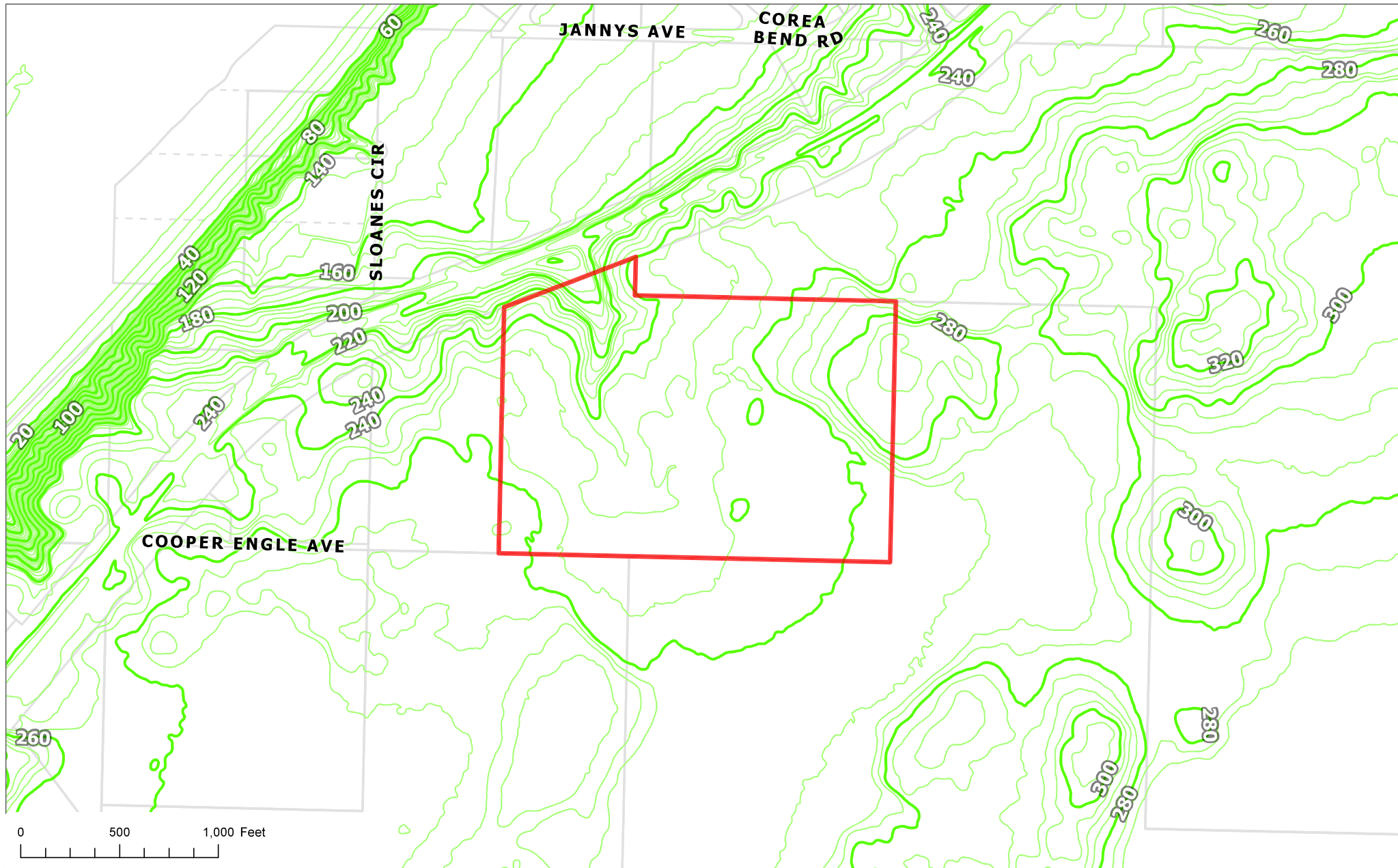
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



Wetlands



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PETE COOPER TRACT A

Located in the NW1/4 & NE1/4 Section 34, T14N R14W S14 Alaska
Homer Recording District RPB File 2003-157

Prepared for
Pete Cooper
P.O. Box 39032
Natchik, AK 99821

Prepared by
Johnson Surveying
Box 27
Glen Ranch, AK 99568

SCALE 1" = 200'
25 June, 2003

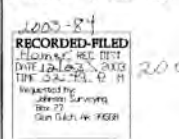
AREA = 61,790 acres

LEGEND

- ✱ - 1989 USGS Brass cap monument, found
- - 2" aluminum monument, 2003-5, 1994, found
- - 2" aluminum monument, 1928-5, 1947, found
- - 2" aluminum monument, set
- - 2" aluminum monument, 1928-5, 1947, found
- - 1" plastic cap, 1928-5, 1947, found
- - 1" plastic cap on 1/2" of rubber seal
- - Concrete State monument, found
- - corner position, set

1 - Record information (1928-5, 1947)

VICINITY MAP

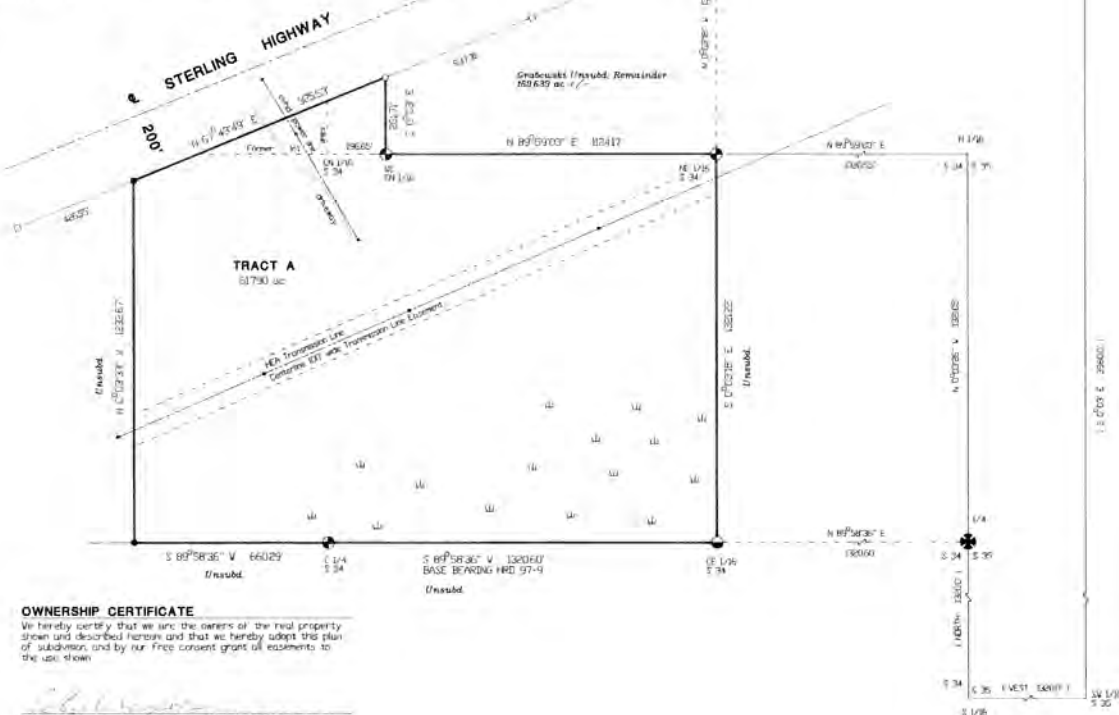


NOTES

1. A building setback of 20' from all street R/W'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 utility 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. No access to State maintained R/W's permitted unless approved by the State of Alaska Dept. of Transportation.
4. Sterling Highway R/W is as shown on State of Alaska Dept. of Transportation R/W Plan F-02-133.
5. An exception to subsection of Cooper-Engle Act was granted by the Alaska Planning Commission at the meeting of 28 July 2002.
6. Utility overhead power line is the centerline of a 20' wide electrical distribution line easement.
7. TRANSMISSION LINE EASEMENT: Construction of public roads shall be restricted to the outer 20' of, one side or the other, but not both, of the easement. Public roads or driveways crossing the easement shall be located at nearly perpendicular to the transmission line, as possible. No portion of a road or driveway shall be closer than 25' to a transmission line pole/structure. No excavation or fill within the easement is allowed without the express written permission of HEA.

WASTEWATER DISPOSAL

These lots are at least 200,000 square feet or (normal) 5 acres in size 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 Dept. of Environmental Conservation.



OWNERSHIP CERTIFICATE

We hereby certify that we are the owners of the real property shown and described herein and that we hereby adopt this plan of subdivision, and by our free consent grant all easements to the use shown.

Peter Allen Cooper P.O. Box 39032 Natchik, AK 99821-0032

Elaine K. Cooper Formerly Elaine Cooper Williamson
7734 Island Drive Anchorage, AK 99504

Sophia M. Grabowski
1870 SE 69th Way Apt. 701
Newcastle, WA 98056-3091

NOTARY'S ACKNOWLEDGEMENT

For Peter Allen Cooper
Subscribed and sworn to before me this 17th day of June, 2003

Notary Public for Alaska

My commission expires 12/31/04

NOTARY'S ACKNOWLEDGEMENT

For Elaine K. Cooper
Subscribed and sworn to before me this 17th day of June, 2003

Notary Public for Alaska

My commission expires 12/31/04

NOTARY'S ACKNOWLEDGEMENT

For Sophia M. Grabowski
Subscribed and sworn to before me this 17th day of December, 2003

Notary Public for Washington

My commission expires 11/1/04

