E. NEW BUSINESS

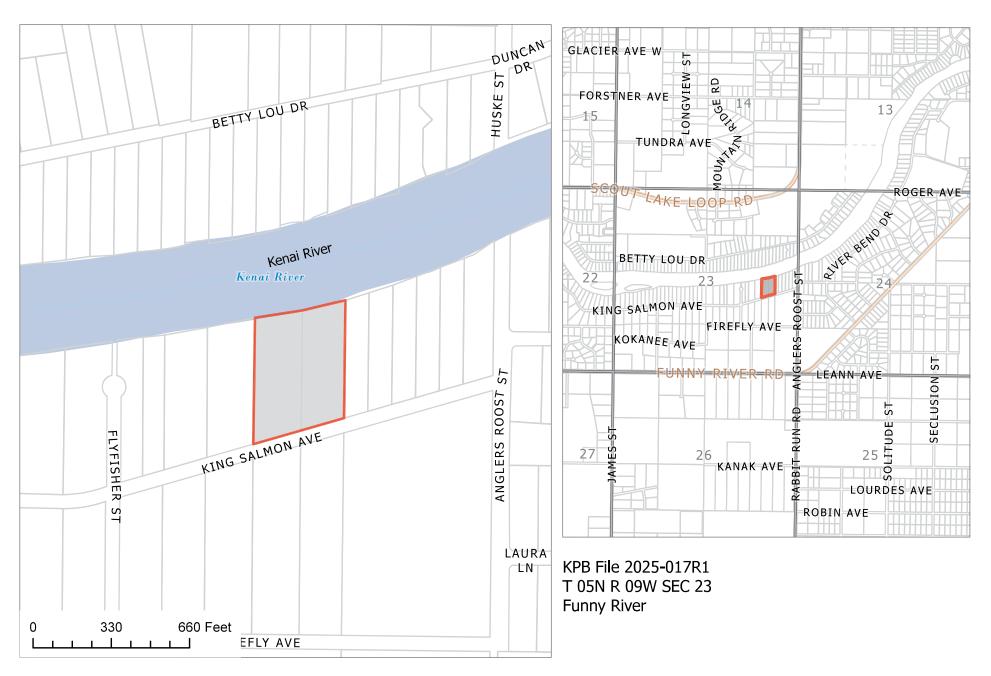
 Kenaitze Estates Subdivision 2025 Replat; KPB File 2025-017R1 McLane Consulting Group / Johnson Location: King Salmon Avenue

Funny River Area / Funny River APC

Vicinity Map

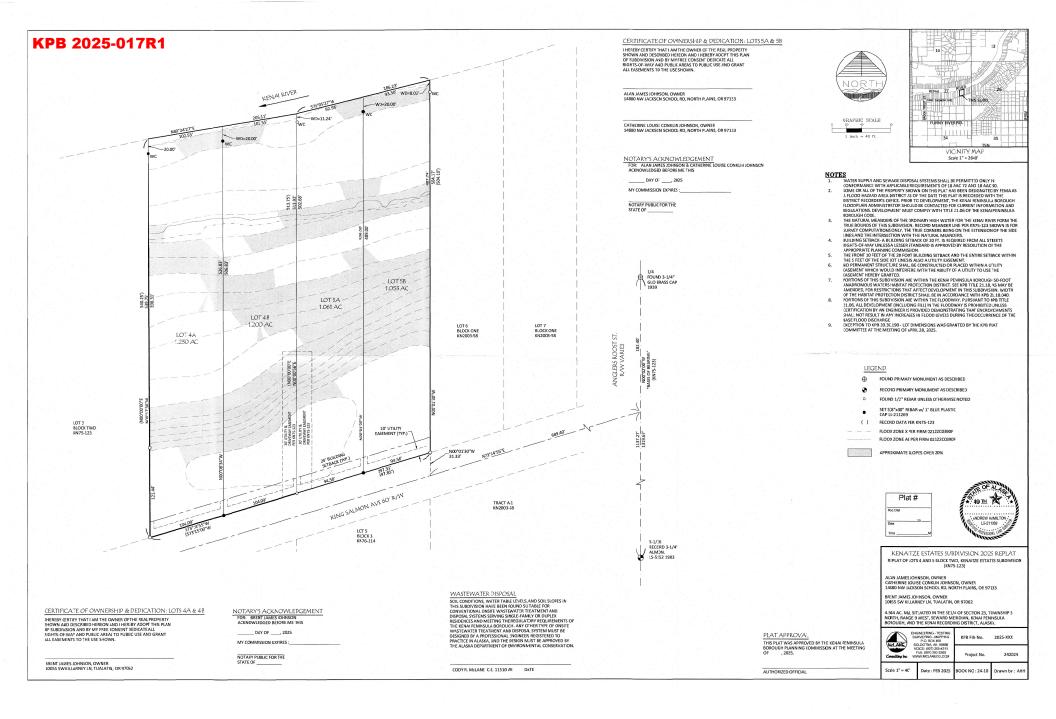












ITEM #5 - PRELIMINARY PLAT KENAITZE ESTATES SUBDIVISION 2025 REPLAT

KPB File No.	2025-017R1	
Plat Committee Meeting:	April 25, 2025	
Applicant / Owner:	Alan Johnson & Catherine Conklin Johnson / North Plains, OR and	
	Brent Johnson / Tualatin, OR	
Surveyor:	Andrew Hamilton McLane Consulting, Inc.	
General Location:	Funny River area, / Funny River APC	

Parent Parcel No.:	066-260-03 & 066-260-04
Legal Description:	T 5N R 9W SEC 23 SEWARD MERIDIAN KN 0750123 KENAITZE ESTATES SUB LOTs 4 & 5 BLK 2
Assessing Use:	Vacant
Zoning:	Rural Unrestricted
Water / Wastewater	Onsite / Onsite
Exception Request	20.30.190(A)

STAFF REPORT

<u>Specific Request / Scope of Subdivision:</u> The proposed plat will subdivide two parcels into four new lots of size 1.053 acres to 1.230 acres.

Location and Legal Access (existing and proposed):

Legal access to the lots is along King Salmon Ave a 60' private maintained road. King Salmon Ave is gotten to from Funny River Ave by turning on Brook Trout St at milepost 13.25 to King Salmon Ave then east to the site. The plat is also accessed from the Kenai River on the north but the north end has a steep slopes to the river as shown.

The plat is not proposing a right-of-way dedication nor completing a vacation. It not affected by a section line easement either.

Block length is not compliant near the plat, as between roads is 1700 feet. This plat is unable to give relief to the block length due the location of the river on the north **Staff recommends** the Plat Committee concur an exception to KPB 20.30.170 is not needed due to the plat not being able to accommodate the requirement due to the limitations noted.

KPB Roads Dept RSA review	Out of Jurisdiction: No
	Roads Director: Griebel, Scott Comments: RSA has no objection at this time.
SOA DOT comments	

Site Investigation:

Viewing KPB Aerial images and according to Assessing information, the plat is vacant land. Not structures are indicated on the property.

There are several areas of steep terrain shown on the drawing going from the front to the back of the lots towards the Kenai River.

The River Center review identified he plat to be located in a FEMA designated flood hazard zone and floodway.

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The notes as shown in KPB 20.30.280 D and E are included in plat notes, but should be modified to include the titles from the subcodes in 20.30.280. Also, to be included in plat note 2 should be the FEMA FIRM Panel and flood zones as noted by the River Center reviewer. Limits of the flood zones need to be identified on the drawing.

The River Center review also noted the plat to be located in a habitat protection district. The 50' habitat protection line should be shown on the drawing. Plat note 8 should included the title of the notice as given in KPB 20.30.290.

Need to carry over plat note 1 from the parent plat to this plat.

Staff recommendation: place a note on the final plat indicating 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.

KPB River Center review	A. Floodplain
	Reviewer: Hindman, Julie Floodplain Status: IS in flood hazard area Comments: Flood zone depictions and required plat note.
	Flood Zone: AE,X (shaded),X (unshaded),Floodway Map Panel: 02122C-0295F In Floodway: True Floodway Panel:
	B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: IS totally or partially within HPD
	Comments: Required plat note.
State of Alaska Fish and Game	

Staff Analysis

The plat originated from the Government Lots 5 & 6 and part of the E1/2 E1/2 SE1/4 of Section 23, Township 5 North, Range 9 West of the SM, Alaska. Kenaitze Estates Subdivision KN75-123 first subdivided the land creating two blocks of five lots each and two tracts. The lots are lying north of King Salmon Ave and King Salmon Ave continues east through Tract A, which has been replatted on the north of and including King Salmon Ave. This platting action is subdividing two of the lots of Block 2.

A soils report will be required for the lots and an engineer will need sign the final plat as all the lots are below 200,000 square feet.

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.

There appears to be a possible encroachment from the east onto the property. **Staff recommends** the surveyor be aware of any encroachments onto the property from adjacent properties and make note of any on the final submittal with indication of a resolution prior to final plat approval.

Funny River Advisory Planning Commission minutes as per KPB 21.02.020, for the May 7, 2025 meeting will not available when the staff report was prepared on April 17, 2025.

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

The lots being created are long narrow lots and a request to KPB 20.30.190(A) 3:1 Lot Dimensions has been received. If the request is denied, this subdivision will not meet code and will need to be reconsidered.

Utility Easements

There is an existing 40' utility and driveway easement on the plat being carried forward from the parent plat as shown on the drawing.

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 plat is proposing a new 10' utility easement at the front of the 20' building setback line and the full 20' within 5' of the side lot lines as noted at plat note 5.

Utility provider review:

HEA	No comment
ENSTAR	No comment or recommendation
ACS	
GCI	Approved as shown

KPB department / agency review:

RPB department / agency reviews	
Addressing Review	Reviewer: Leavitt, Rhealyn
	Affected Addresses:
	NONE
	Existing Street Names are Correct: Yes
	Existing Street Harrist die Goriest. 165
	List of Correct Street Names:
	KING SALMON AVE
	KING SALWON AVE
	Eviating Street Name Corrections Needed
	Existing Street Name Corrections Needed:
	All New Street Names are Approved: No
	All New Offeet Names are Approved. No
	List of Approved Street Names:
	List of Approved offeet Names.
	List of Street Names Denied:
	List of Street Names Defiled.
	Comments:
	No other comments
Cada Camplianas	
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
, lococoning i to viow	Comments: No comments
	Comments. No comments

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

In the individual Certificate of Ownership and Dedications, the lots indicated need to be corrected to the parent lots. In the Plat Approval, add the date of April 28, 2025

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:

Modify the KPB File No to 2025-017

Legal description needs to be modified as the lot is also in the NE1/4 of Section 23.

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:

Put the correct section numbers on vicinity map.

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:

Add reference to the MHW along the Kenai River or note that the line indicate is the record meander per KN75-123 as noted in plat note 3, whichever should apply.

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:

Add lot label to the southwest

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:

Riverine area according to KWF Wetlands Assessment needs shown

J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots; **Staff recommendation:**

Add Block 2 label to the lot labels on the plat.

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.

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 20.30.190(A) – 3:1 Lot Dimensions

Surveyor's Discussion:

Requesting exception to 3:1 Lot Dimensions

The subdivision immediately adjacent to subject property was granted an exception to KPB 20.30.190(A) – 3;1 Lot Dimensions by KPB Plat Committee in 2003. Please reference KN2003-58. (Staff included minutes from appropriate meetings in packet)

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

- 1. Proposed lots exceed the required 40,000 square feet per KPB 20.30.200
- 2. Proposed lots have sufficient space suitable for a well and wastewater disposal system per the attached soils report produced by McLane Consulting Engineering Department.

Staff Discussion:

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.

- 3. Working map of the soils report from McLane Consulting shows limited area for systems.
- 4. The lots have a bluff on them overlooking the river, having a steep slope down.
- 5. Adjacent properties to the east have gotten an exception for the same code.
- 6. Granting this exception will not affect any member of the public.

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

Page 5 of 6

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, 2 **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 3-5 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 6 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

Aerial Map





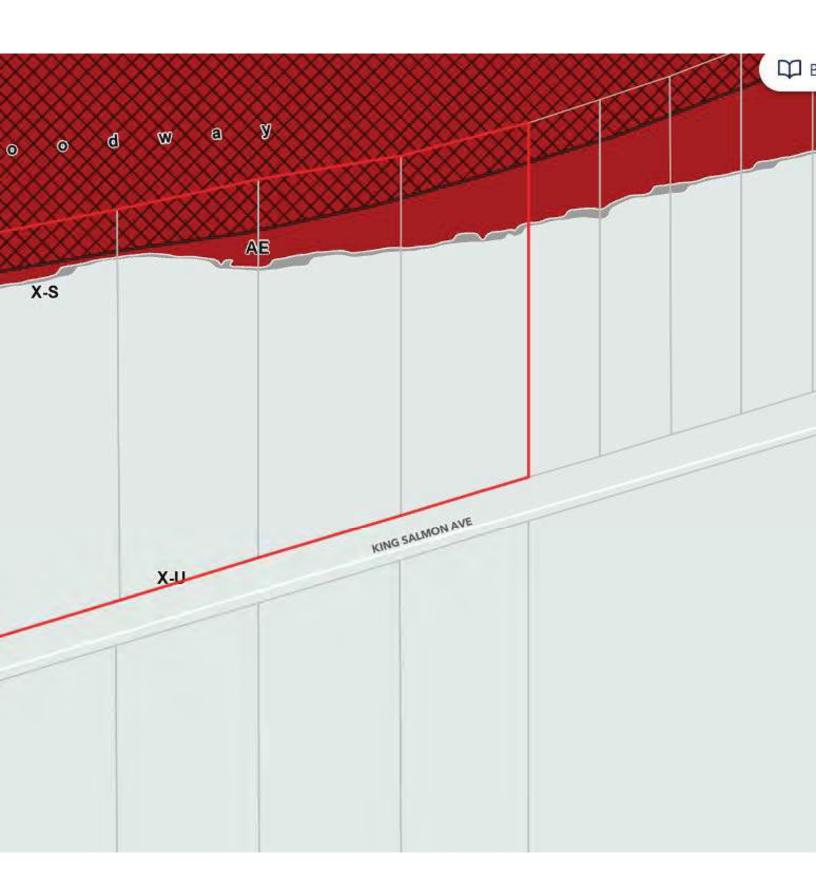
Wetlands

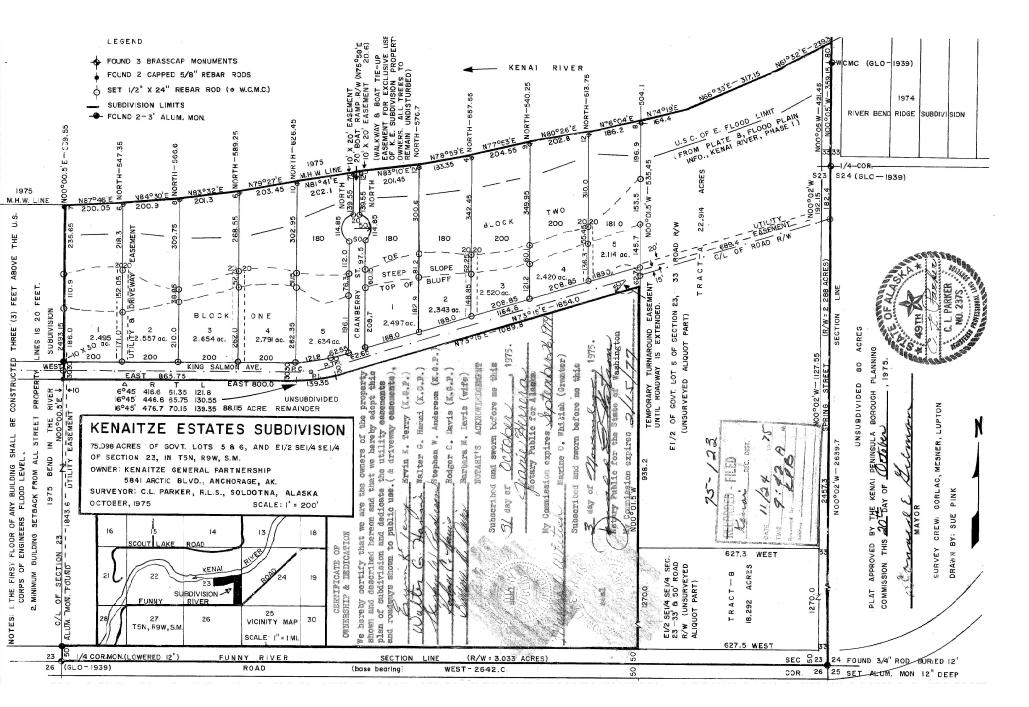
KPB File 2025-017R1 4/7/2025

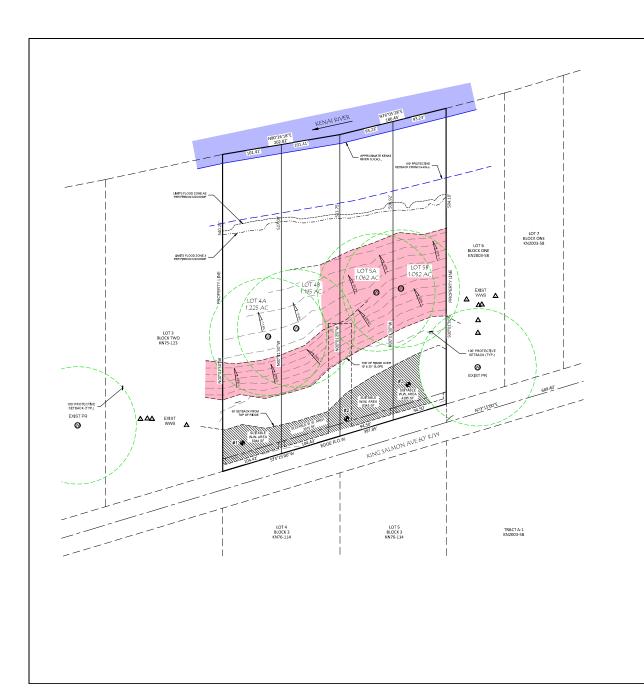
















WORKING MAP LEGEND:

⊚ P⊤ PERCOLATION TEST **⊕**#2 ◎ TEST HOLE

WELL (PR) OR (PU) WITH PROTECTIVE RADIUS

WWW WASTEWATER DISPOSAL SYSTEM R REPLACEMENT DISPOSAL SYSTEM

7///

SUITABLE WW SYSTEM AREA AREA WITH SLOPE OF 20% OR GREATER WETLANDS / SURFACE WATER

% SLOPE & DIRECTION OF GROUND SURFACE WASTE WATER SYSTEM TUBE/VENT

BURY PIT - AREA NOT SUITABLE FOR WW SYSTEMS

WORKING MAP NOTES PER KPB 20.40.040 (3):

A. GROUND SLOPES GREATER THAN 20% ARE SHOWN BY RED CROSS HATCHED AREAS. THE LAND IN THIS SUBDIVISION HAS AREAS OVER 20% SLOPES.

B. THE LOCATION OF BORINGS, PERCOLATION TESTS AND TEST HOLES ARE

LOSTELLOCATION OF BORINGS, PERCOLATION TESTS AND TEST HOLES ARE SHOWN.

C. EACH EDISTING WATER SOURCE FOR A PUBLIC DRINKING WATER SYSTEM WITHIN THE SUBSYSION WITHIN A DESERT OF SUBDIVISION WATER SOURCE FOR A PRIVATE DRINKING WATER SOURCE FOR A PRIVATE DRINKING WATER SYSTEM WITHIN THIS SUBPONSION AND WITHIN THIS SUBDIVISION AND WITHIN THIS DESIRED WATER SOURCE FOR A PRIVATE DRINKING WATER SOURCE BOUNDARY ARE DEPOTED. ONE WAS FOUND.

E. APPROXIMATE CENTRATION OF A PRABENT USBLE WASTEWATER

F. APPROXIMATE DELINEATION OF A PRABENT USBLE WASTEWATER

AND REPLACEMENT WASTEWATER DISPOSAL SYSTEMS. PLANS SHOWNING A SULTIBLE WASTEWATER DISPOSAL SYSTEMS AND AREA SULTIBLE FOR A REPLACEMENT SYSTEM AND AREA SULTIBLE FOR A REPLACEMENT SYSTEM AND AREA SULTIBLE FOR A REPLACEMENT SYSTEM AND AREA SULTIBLE AND AREA SULTIBLE FOR A REPLACEMENT SYSTEM AND AREA SULTIBLE AND AREA SULTIBLE FOR A REPLACEMENT SYSTEM AND AREA SULTIBLE AND AREA SULTIBLE FOR A REPLACEMENT SYSTEM AND AREA SULTIBLE AND AREA SULTIBLE FOR A REPLACEMENT SYSTEM AND AREA SULTIBLE AND AREA SULTIBLE FOR A REPLACEMENT SYSTEM AND AREA SULTIBLE AND AREA SULTIBLE FOR A REPLACEMENT SYSTEM AND AREA SULTIBLE FOR A REPLACEMENT SYSTEM AND AREA SULTIBLE FOR A REPLACEMENT SULTIBLE SOURCE AND AREA SOURCE FOR AND AREA SULTIBLE FOR A REPLACEMENT SYSTEM AND AREA SULTIBLE FOR A REPLACEMENT SULTIBLE AND



WORKING MAP

KENAITZE ESTATES SUBDIVISION 2024 REPLAT REPLAT OF LOTS 4 AND 5 BLOCK TWO, KENAITZE ESTATES SUBDIVISION (KN75-123)

BRENT JOHNSON, OWNER 10055 SW KILLARNEY LN, TUALATIN, OR 97062

ALAN JOHNSON, OWNER 14880 NW JACKSON SCHOOL RD, NORTH PLAINS, OR 97133

4.534 AC. M/L SITUATED IN THE SE1/4 OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 9 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, AND THE KENAI RECORDING DISTRICT, ALASKA.

	SO VC Fr

HNEERING - TESTING RVEYING - MAPPING P.O. BOX 488 DLDOTINA, AK, 89669 DLCE: (807) 283-4218 AXX: (807) 283-3295 WV.MCLANECG.COM

Date : NOV 2024

KPB File No. 2020-XXX 2020XX

Drawn by : AH

BOOK NO : XX-XX

CODY R. McLANE C.E. 11510 AK

WASTEWATER DISPOSAL: LOTS 4A, 4B, 5A & 5B

TYAST SERVAL ERI DIPCYALE DUTS 4-0, 4, 8, 75, 46 35 0 CONDITIONS, WHERE TABLE LEFES, AND SOIL SLOPES IN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ONSITY WAS TENDER TREATMENT AND DEPOSAL STSTEMS OF THE SERVEN SUITABLE FOR CONVENTIONAL ON THE SERVEN SUITABLE FOR CONVENTION OF THE SERVEN SUITABLE FOR S