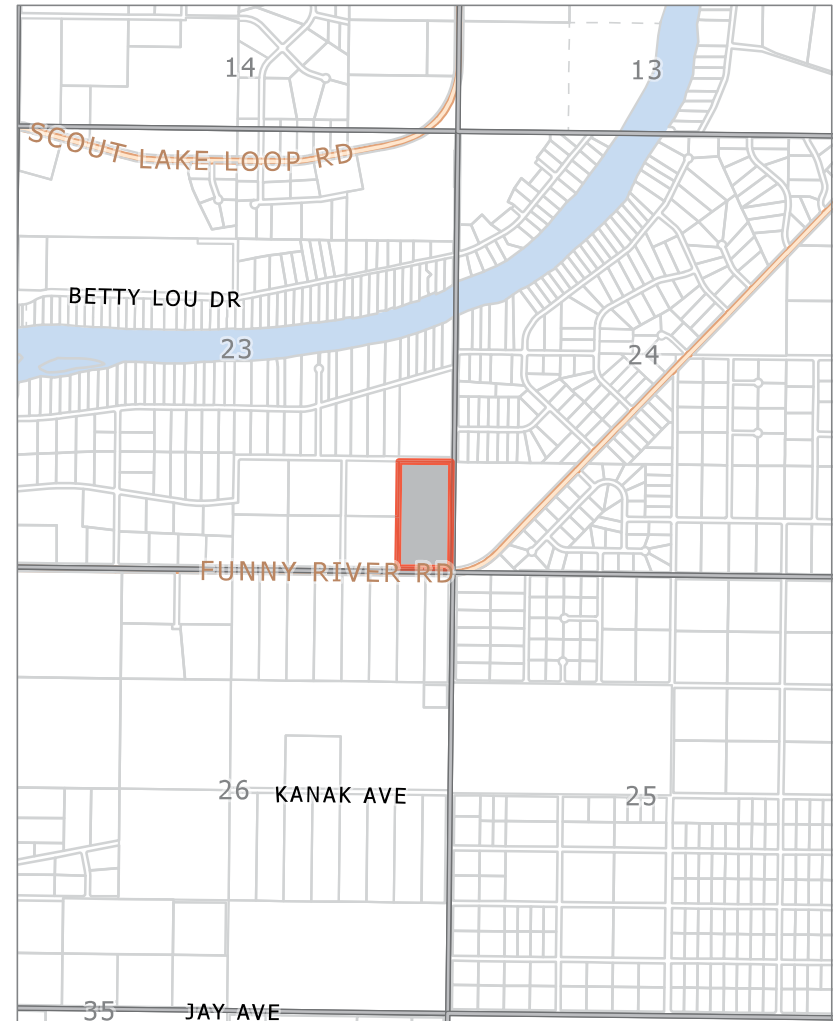


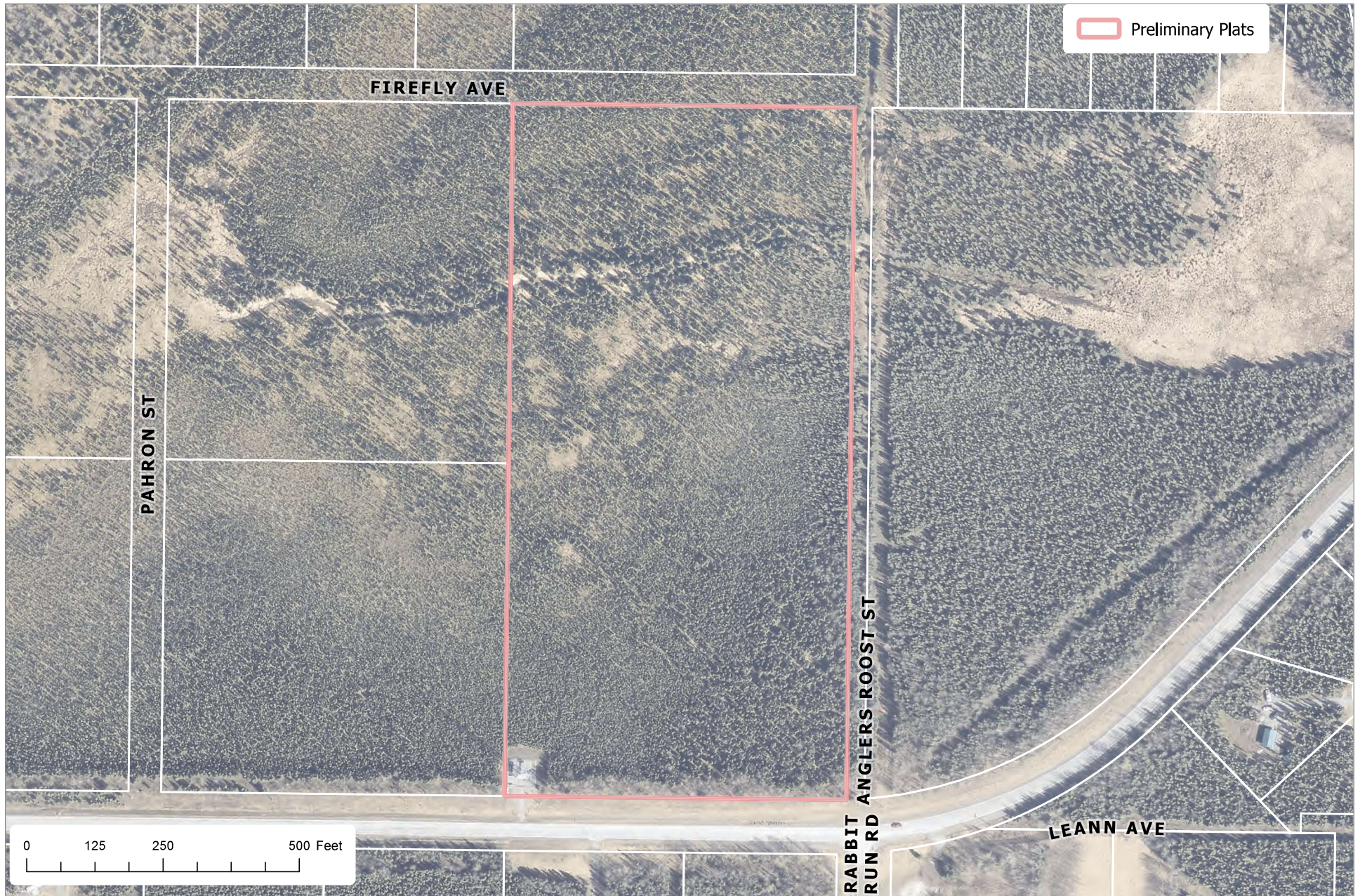
## **E. NEW BUSINESS**

- 1. Kenaitze Estates Subdivision Fall Addition No. 2**  
**KPB File 2024-058**  
**Johnson Surveying / Fall**  
**Location: Funny River Road & Anglers Roost Street**  
**Funny River Area / Funny River APC**



KPB File 2024-058  
T 05N R 09W SEC 23  
Funny River





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 MON. FOUND
- 3 1/4" ALUM. CAP MONUMENT FOUND
- REBAR FOUND
- 5/8" REBAR w/PLASTIC CAP LS8859 SET
- RECORD DATUM PLAT 2011-41 KRD
- WETLANDS

## NOTES:

- 1) Basis of bearing taken from Kenaitze Estates Subdivision, Plat 75-123 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) Roads must meet the design and construction standards established by the Borough in order to be considered for certification and inclusion is the Borough road maintenance program.
- 4) No private access to State maintained ROW's permitted unless approved by the State of Alaska Department of Transportation.
- 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: Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single-family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation.

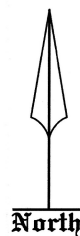
Engineer License No. Date



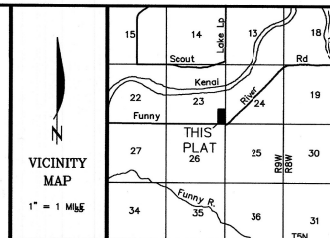
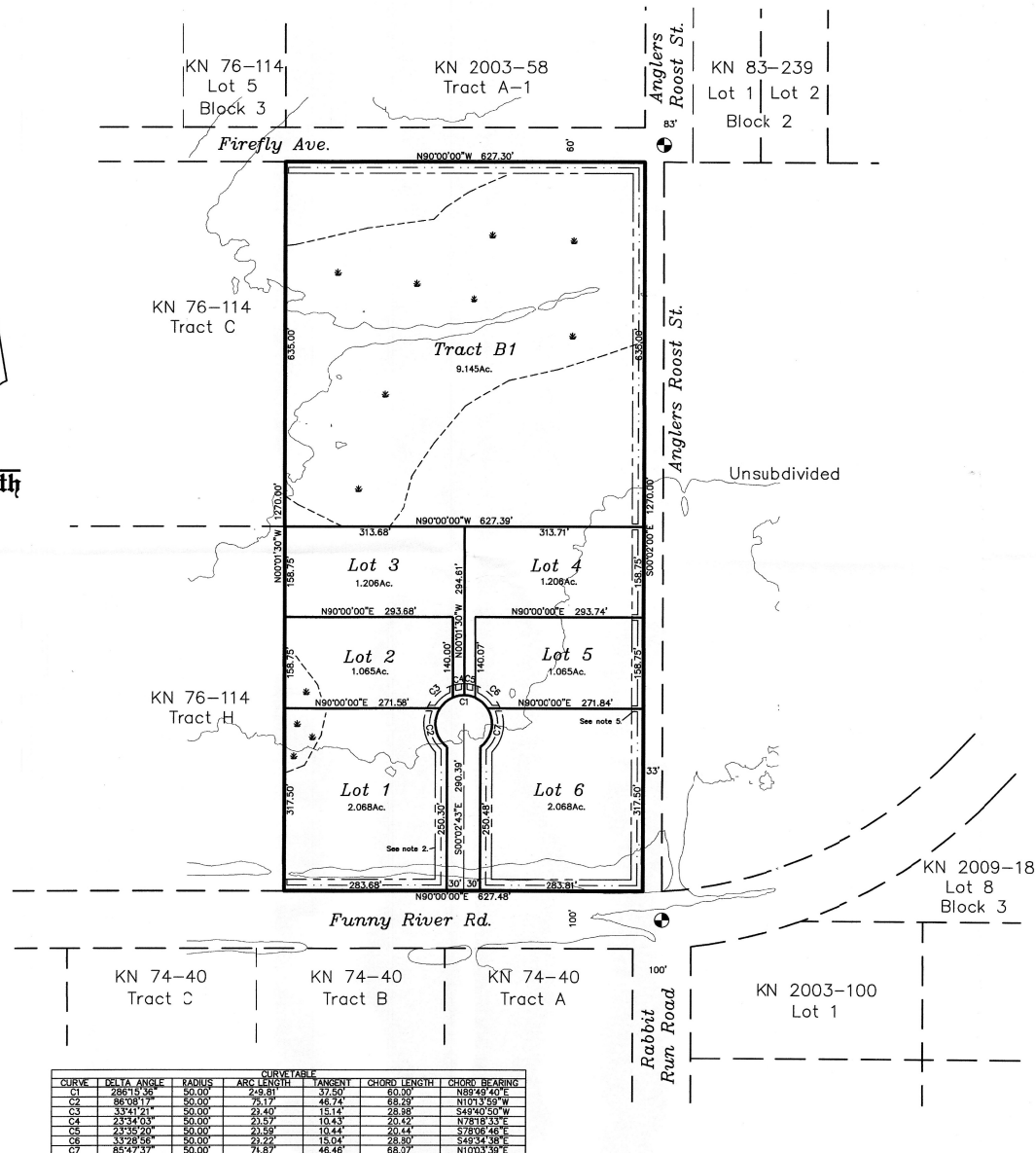
## SURVEYOR'S CERTIFICATE

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



North



## CERTIFICATE of OWNERSHIP and DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

RANDY FALL  
34915 POPPY WOOD STREET  
SOLDOTNA, ALASKA 99669

## 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.

## Kenaitze Estates Subdivision Fall Addition No. 2

A resubdivision of Tract B Kenaitze Estates Subdivision, Plat 75-123, Kenai Recording District.

Located within the E1/2 SE1/4 SE1/4 Section 23 T5N, R9W, S.M., Kenai Peninsula Borough, Alaska.

Containing 18.292 Ac.

Surveyor <b>Segesser Surveys</b> 30485 Rosland St. Soldotna, AK 99669 (907) 262-3909	Owner <b>Randy Fall</b> 34915 Poppy Wood St. Soldotna, Alaska 99669
--	--

JOB NO. 23165	DRAWN: 6-5-24
SURVEYED:	SCALE: 1"=100'
FIELD BOOK:	SHEET: 1 of 1

AGENDA ITEM E. NEW BUSINESS

**ITEM #1 - PRELIMINARY PLAT  
Kenaitze Estates Subdivision No. 2**

<b>KPB File No.</b>	2024-058
<b>Plat Committee Meeting:</b>	June 24, 2024
<b>Applicant / Owner:</b>	Randy Fall – 34915 Poppy Wood St., Soldotna, AK 99669
<b>Surveyor:</b>	John Segesser – Segesser Surveys
<b>General Location:</b>	Funny River Road Mile 14, Soldotna, AK / Funny River APC

<b>Parent Parcel No.:</b>	066-260-01
<b>Legal Description:</b>	T 5N R 9W SEC 23 SEWARD MERIDIAN KN 0750123 KENAITZE ESTATES SUB TRACT B
<b>Assessing Use:</b>	Vacant
<b>Zoning:</b>	Unrestricted
<b>Water / Wastewater</b>	Onsite
<b>Exception Request</b>	None

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**STAFF REPORT**

**Specific Request / Scope of Subdivision:** The proposed plat will subdivide an 18.292-acre parcel into six lots, one tract, and one cul-de-sac dedication. The proposed lots and tract will range in size from 1.065 acres to 9.145 acres.

**Location and Legal Access (existing and proposed):** Existing access to the proposed subdivision is from the north side of Funny River Road at approximately mile 14. There is a 50 foot section line easement along Funny River Road that the surveyor needs to verify and show if confirmed.

Anglers Roost St. is a 33' undeveloped dedication provided by dedication along the east of the proposed subdivision and also as a possible 33 foot section line easement then needs verification and shown if confirmed. Firefly Ave. is a 60' undeveloped dedication lying to the north providing access for Tract B1. Funny River Road is a 100' paved and developed state-maintained dedication, accessed from the Sterling Highway.

A 250' foot cul-de-sac dedication is proposed by this platting action which will be accessed from Funny River Road for proposed Lots 1-6. The cul-de-sac is currently unnamed. Staff recommends: the surveyor contact the Addressing Officer and confirm a suitable name for the cul-de-sac to meet standards for a name.

Block length is compliant with the dedications of Pahron St., Firefly Ave, and Anglers Root St. completing the block along Finny River Road.

*DESCRIBE THE EXISTING LEGAL ACCESS TO THE SUBDIVISION AND WHAT ACCESS WILL BE DEDICATED BY THE SUBDIVISION.*

*WILL THIS PLAT BE COMPLETING A ROW VACATION?*

*IS THE SUBDIVISION AFFECTED BY A SLE?*

*ANY SPECIFIC ACCESS EASEMENTS GRANTED BY PATENT?*

*ANY PRIVATE TRAILS? IF SO, LABEL AS 'PRIVATE USE ONLY, NOT DEDICATED THIS PLAT.'*

*IS BLOCK LENGTH COMPLIANT?*

*PUT A REMINDER ON THE CALENDAR FOR THESE PLATS AFTER PLAT COMMITTEE REVIEW: IF WE REQUEST A HALF DEDICATION AND THE COMMITTEE APPROVES IT BUT IT WAS NOT ON THE PRELIMINARY PLAT DISTRIBUTED FOR THE PUBLIC HEARING, SEND THE MEETING MINUTES & COPY OF THE REVISED PLAT TO THE ADJOINERS PER 20.30.120 ASAP*

KPB Roads Dept. comments	Out of Jurisdiction: No
	Roads Director: Griebel, Scott

	Comments: Additional permitting will be required through AK DOT for connecting access to Funny River Rd. No other RSA comments or objections.
SOA DOT comments	

#### **Site Investigation:**

A leased tower structure appears on the proposed Lot 1 in the southwest corner, as indicated on KPB GIS data. This is consistent with the beneficial interest holder list from the certificate to plat.

There are no areas of steep slope indicated on KPB GIS data which is consistent with what is indicated on the plat.

There are wetlands identified by KPB wetland assessment data the area of drainageway is shown as wetlands but the area of Kettle is not labeled. KPB River Center review did not identify the property to be located in a FEMA 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: No comments
State of Alaska Fish and Game	

#### **Staff Analysis**

This parcel was originally an aliquot part consisting of the E1/2, SE¼, SE¼ of Section 23, Township 5 North, Range 9 West, Seward Meridian, Alaska. Kenaitze Estates Subdivision, KN 75-123, established Tract B which is now being subdivided by this platting action.

A soils report will be required and an engineer will sign the final plat for lots 1 – 6. A soils report will not be needed for Tract B1 as it is over 200,000 sq ft.

Notice of the proposed plat was mailed to the beneficial interest holders on June 03, 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.

There does appear to be a tower located on proposed lot 1. Filing 2017-010961-0 mentions a occupancy agreement and an exclusive easement that appear to affect this property. Surveyor needs to clarify and note on the plat these items.

There does not appear to be any encroachments to or from property across lines, however, there are structures located on proposed Lot 1 and any possibility of encroachments should be verified by the surveyor.

Funny River Advisory Planning Commission minutes for the June 5<sup>th</sup> 2024 meeting were not available when the staff report was prepared (KPB 21.02.020). These will be provided with the desk packet if available.

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

### **Utility Easements**

Utility easements of record appear to be depicted and noted correctly on the plat. Utility easements granted along the proposed cul-de-sac dedication appear to be correctly depicted and noted on the plat as well.

*UTILITY EASEMENTS OF RECORD? ARE THEY DEPICTED AND NOTED ON THE PLAT?*

*NEW UTILITY EASEMENT REQUESTS FROM PROVIDERS.*

*UTILITY EASEMENT VACATIONS SHOWN ON THIS 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	HEA Reviewed, No Comments
ENSTAR	ENSTAR Natural Gas Company has reviewed the preliminary plat and has no comments or recommendations.
ACS	Alaska Communications has no objections.
GCI	
SEWARD ELECTRIC	
CHUGACH ELECTRIC	
TELALASKA	

### **KPB department / agency review:**

Addressing	<p>Reviewer: Leavitt, Rhealyn  Affected Addresses:  35060 FUNNY RIVER RD</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names:  FIREFLY AVE, ANGLERS ROOST ST, FUNNY RIVER RD, RABBIT RUN RD</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:  NO NAMES PROVIDED TO REVIEW</p> <p>List of Street Names Denied:</p> <p>Comments:  35060 FUNNY RIVER RD WILL BE DELETED AND NEW ADDRESS ASSIGNED UPON OWNER REQUEST</p>
Code Compliance	<p>Reviewer: Ogren, Eric  Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan</p>

	<p>There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat. Communication Tower, driveway and utilities should be shown/labeled in the Southwest corner of Lot 1.</p>
Assessing	<p>Reviewer: Windsor, Heather</p> <p>Comments: No comment</p>
Advisory Planning Commission	

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**STAFF RECOMMENDATIONS**  
**CORRECTIONS / EDITS**

- Update KPB file number to 2024-058.
- Lot 8 to the east needs Block changed to 1
- Provide KPB approved name for cul-de-sac.
- Add Certificate of Acceptance.
- Depict and provide detail on plat to match items in legend.

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**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:** Update KPB file number to 2024-058.
- C. The location, width, and name of existing or platted streets and public ways, railroad rights-of-way, and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;  
**Staff recommendation:**  
Depict section line easement along eastern & southern boundary of section.
- 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:**  
*Label Anglers Roost St and remove Lake St 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:** Provide name for cul-de-sac.

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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.

20.30.160. Streets-Name requirements. Streets shall be named to conform to KPB Chapter 14.10

**Staff recommendation:** Provide name for cul-de-sac.

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.

B. The access portion of a flag lot shall not be less than 20 feet wide. A flag lot with the access portion less than 60 feet wide may be subject to a plat note indicating possible limitations on further subdivision based on access issues, development trends in the area, or topography. If the access portion is less than 60 feet wide, it may not exceed 150 feet in length. The access portion may not be used for permanent structures or wastewater disposal area, must meet the design standards of KPB 20.30.030(A) and 20.30.090 for access, and, if at least 60 feet wide, will be subject to the building setback restrictions of KPB 20.30.240.

**Staff recommendation:** place the standard note on the plat for the flag lot(s): No structures are permitted within the panhandle portion of the flag lot(s).

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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.

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:** Place the following notes on the plat.

- 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 borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.
- 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

20.60.200. Survey and monumentation.

**Staff recommendation:** *comply with 20.60.200*

Depict and provide detail on plat to match items in legend.

20.60.210. Approval-Authority-Certificate issued when.

**Platting Staff Comments:** If the Plat Committee conditionally approves the preliminary plat, staff will comply with, and follow, 20.60.210.

**Staff recommendation:**

Add Certificate of Acceptance.

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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**

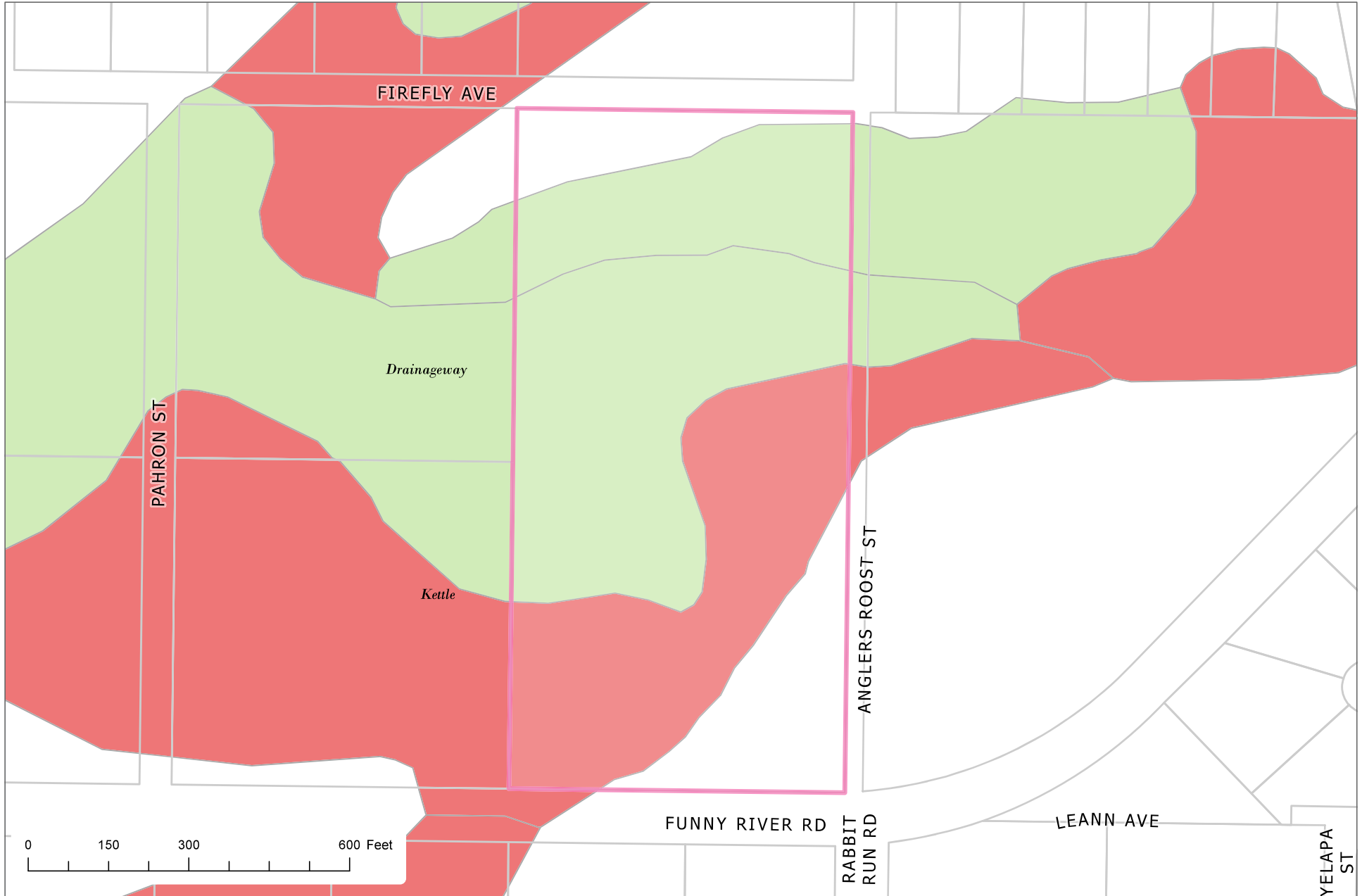
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NOTES: 1. THE FIRST FLOOR OF ANY BUILDING SHALL BE CONSTRUCTED THREE (3) FEET ABOVE THE U.S. CORPS OF ENGINEERS FLOOD LEVEL.  
2. MINIMUM BUILDING SETBACK FROM ALL STREET PROPERTY LINES IS 20 FEET.

23 50 26  
1/4 CORNER LOWERED 12"  
(GLO-1939)  
FUNNY RIVER  
ROAD  
SECTION LINE  
(R/W=3,033 ACRES)  
WEST-2642.0  
COR 26  
24 FOUND 3/4" ROD BURIED 12"  
25 SET ALUM. MON 12" DEEP



**KENAITZ ESTATES SUBDIVISION**  
75.096 ACRES OF GOVT. LOTS 5 & 6, AND E1/2 SE1/4 OF SECTION 23, IN T5N, R9W, S.M.  
OWNER: KENAITZ GENERAL PARTNERSHIP  
5841 ARCTIC BLVD., ANCHORAGE, AK.  
SURVEYOR: C.L. PARKER, R.L.S., SOLDOTNA, ALASKA  
OCTOBER, 1975  
SCALE: 1" = 200'

**CERTIFICATE OF OWNERSHIP & 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 the utility easements and roadways shown to public use. (& driveway easements).

Ervin K. Terry Ervin K. Terry (K.G.P.)  
Walter G. Hanni Walter G. Hanni (K.G.P.)  
Stephen W. Anderson Stephen W. Anderson (K.G.P.)  
Roder C. Davis Roder C. Davis (K.G.P.)  
Barbara M. Davis Barbara M. Davis (wife)

**NOTARY'S ACKNOWLEDGMENT**

Subscribed and sworn before me this  
31 day of October, 1975.

Janie Herrera  
Notary Public for Alaska

My Commission expires September 2, 1977  
Maxine O. Whittish Maxine O. Whittish (Grantor)

Subscribed and sworn before me this  
3 day of November, 1975.

James E. Thompson  
Notary Public for the State of Washington

My Commission expires 2/15/77

E1/2 SE1/4 SEC. 23-33' & 50' ROAD  
R/W (UNSURVEYED ALIQUOT PART)

TEMPORARY TURNAROUND EASEMENT  
UNTIL ROADWAY IS EXTENDED.  
E1/2 OF GOVT. LOT 5 OF SECTION 23, - 33  
(UNSURVEYED ALIQUOT PART)

TRACT - B  
18.292 ACRES

75-123  
RECORDED - FILED  
Kenai REC. DIST.  
DATE 11/24/75  
TIME 9:42 A.M.  
Requested by KPB  
Address

UNSUBDIVIDED 80 ACRES  
PLAT APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION THIS 20<sup>TH</sup> DAY OF October, 1975.

Donna Lee Gilman  
MAYOR

SURVEY CREW: GORLAC, MESNER, LUPTON  
DRAWN BY: SUE PINK



- LEGEND**
- FOUND 3 BRASSCAP MONUMENTS
  - FOUND 2 CAPPED 5/8" REBAR RODS
  - SET 1/2" X 24" REBAR ROD (@ W.C.M.C.)
  - SUBDIVISION LIMITS
  - FOUND 2-3" ALUM. MON.

10' X 20' EASEMENT  
20' BOAT RAMP R/W (N75°58'E 20.6)  
10' X 20' EASEMENT  
(WALKWAY & BOAT TIE-UP EASEMENT FOR EXCLUSIVE USE OF K.E. SUBDIVISION PROPERTY OWNERS. ALL TREES TO REMAIN UNDISTURBED)

U.S.C. OF E. FLOOD LIMIT  
(FROM KENAI RIVER FLOOD PHASE PLAN)

