

E. NEW BUSINESS

- 2. C & C Bear Subdivision 2023 Replat
KPB File 2023-133
McLane Consult Group / Boling
Location: On C&C Bear Street
Funny River Area / Funny River APC**

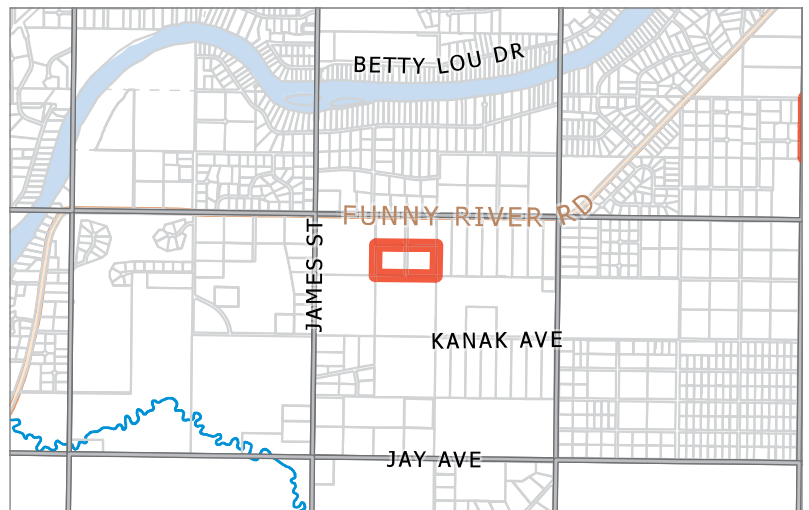
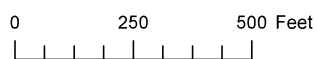


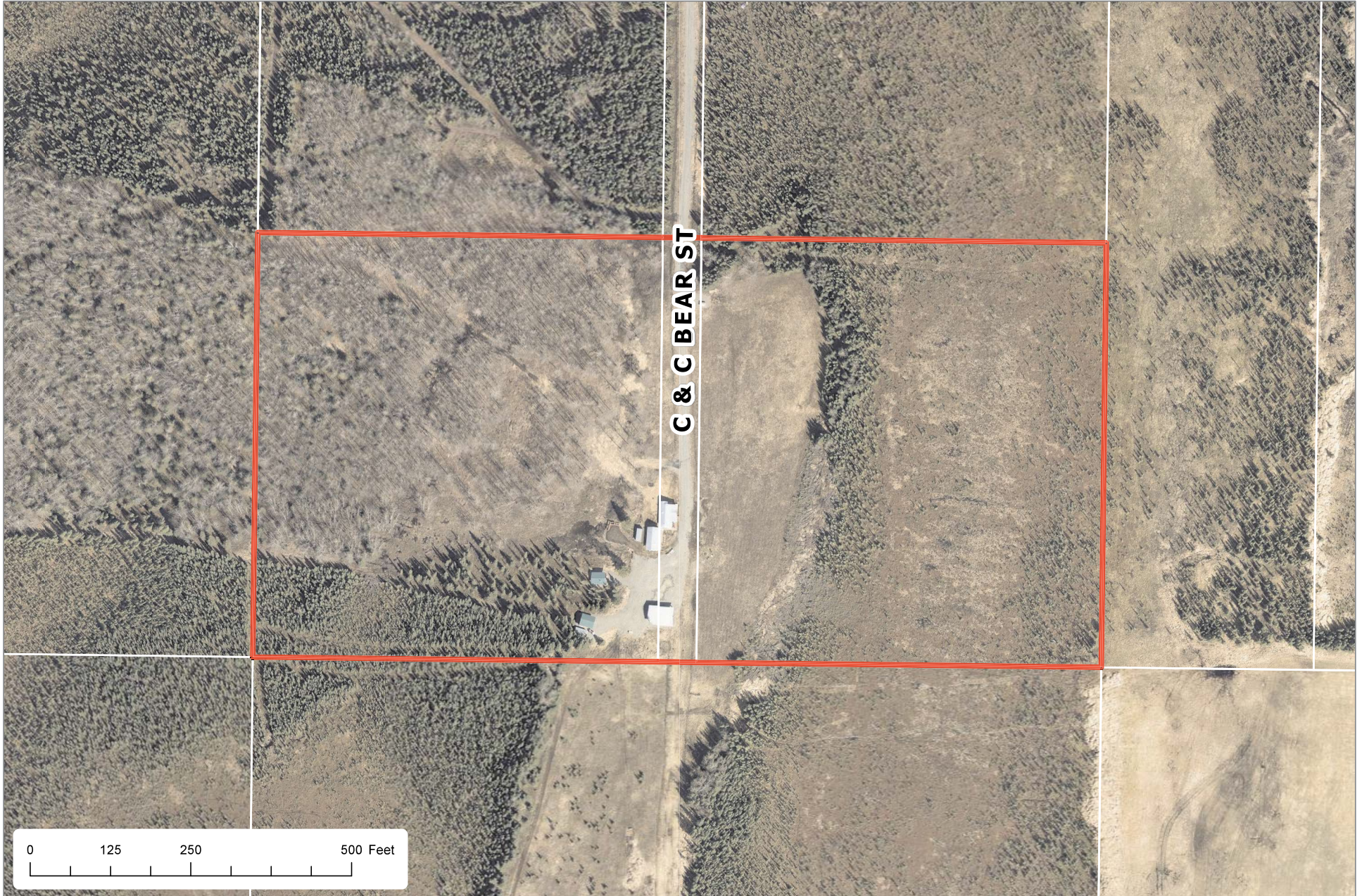
Vicinity Map



KPB File # 2023-133
T 05N- R 09W -Section 26
Funny River

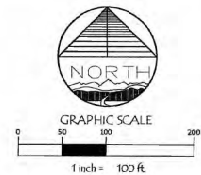
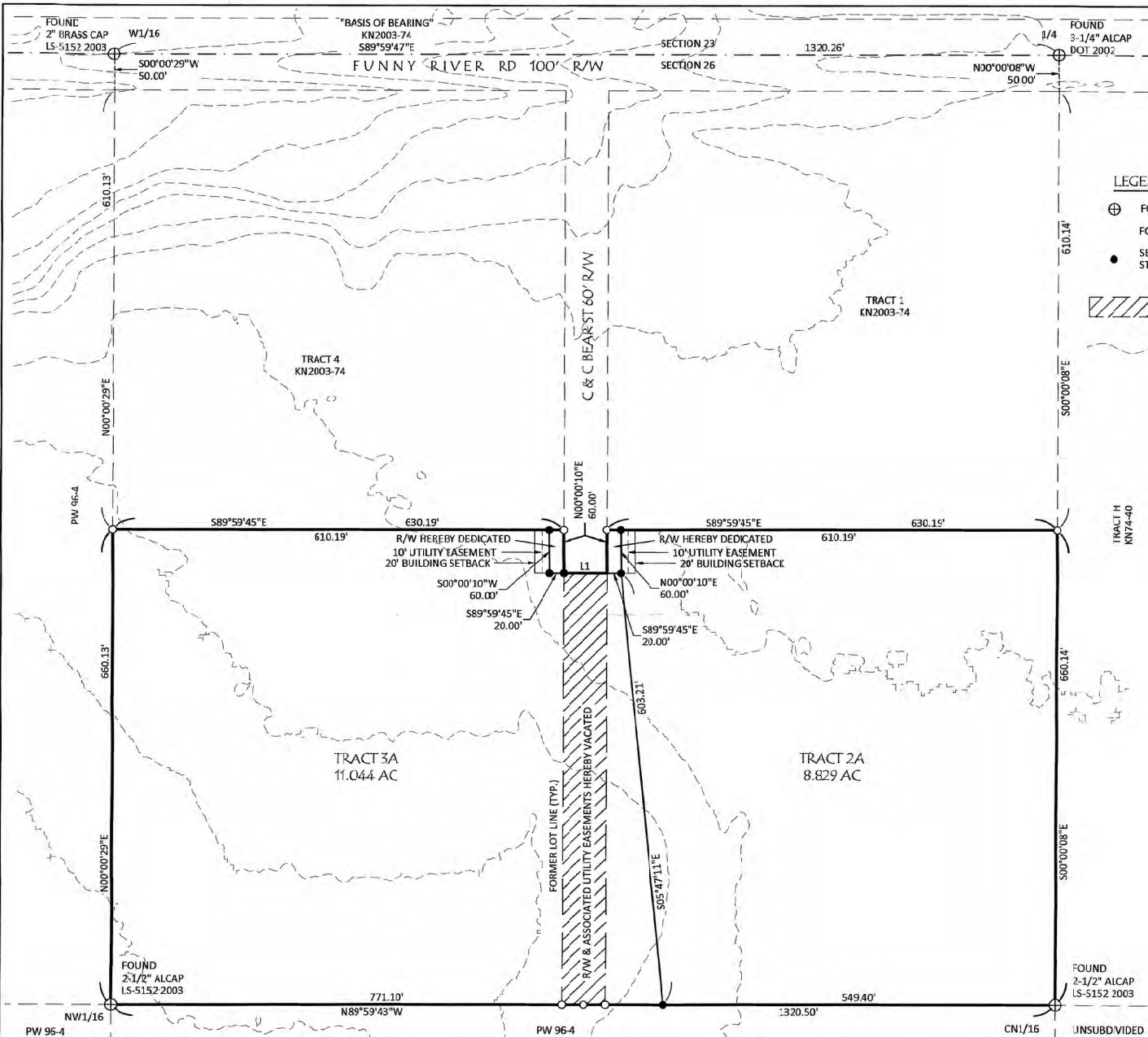
12/19/2023





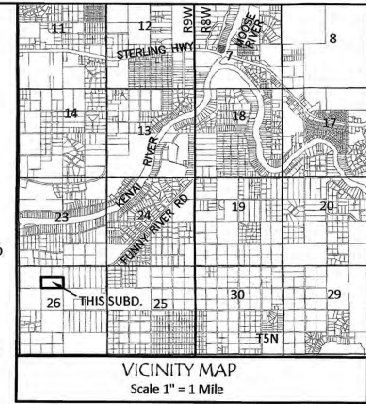
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

 Preliminary Plats



LEGEND

- ⊕ FOUND PRIMARY MONUMENT AS DESCRIBED
- FOUND 5/8" REBAR UNLESS NOTED
- SET 5/8"x30" REBAR w/ 1" STAINLESS STEEL CAP 85032-5
- R/W & ASSOCIATED UTILITY EASEMENTS APPROVED FOR VACATION BY KP3 PLANNING COMMISSION AT THE MEETING ON DECEMBER 11, 2023
- CONTOUR INTERVAL = 4'



NOTES

1. WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS SHALL BE PERMITTED ONLY IN CONFORMANCE WITH APPLICABLE REQUIREMENTS OF 18 AAC 72 AND 18 AAC 83.
2. BUILDING SETBACK - A BUILDING SETBACK OF 20 FT. IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION. THE FRONT 10 FEET OF THE 20 FOOT BUILDING SETBACK WITH AN ADDITIONAL 10 FEET WITHIN 5 FEET OF THE SIDE PROPERTY LINE IS A UTILITY EASEMENT PER KN2003-74.
3. 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.
4. 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 DEPARTMENT.
5. NO DIRECT ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES.

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S 89°59'45" E	60.00'



Plat #	
Rec Dist	
Date	20
Time	M

WASTEWATER DISPOSAL
 THIS TRACT IS AT LEAST 200,000 SQUARE FEET IN SIZE AND CONDITIONS MAY NOT BE SUITABLE FOR ON-SITE WASTEWATER TREATMENT AND DISPOSAL. ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

CERTIFICATE OF OWNERSHIP AND DEDICATION
 I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND 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.
 BETH BOLING
 4720 CRAFTSMAN RD, HOMER, AK 99603

NOTARY'S ACKNOWLEDGEMENT
 FOR: BETH BOLING
 ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2023
 MY COMMISSION EXPIRES: _____
 NOTARY PUBLIC FOR THE STATE OF ALASKA

PLAT APPROVAL
 THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF DECEMBER 11, 2023.

C & C BEAR SUBDIVISION 2023 REPLAT
 A RESUBDIVISION OF TRACT 2 & 3 C & C BEAR SUBDIVISION (KN2003-74) & ASSOCIATED R/W VACATION OF C & C BEAR STREET
 BETH BOLING, OWNER
 4720 CRAFTSMAN RD
 HOMER, AK 99603
 19.928 AC. M/L SITUATED IN THE NW1/4 OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 9 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, AND THE KENAI RECORDING DISTRICT, ALASKA.

ENGINEERING - TESTING SURVEYING - MAPPING
 P.O. BOX 488
 SOLDOTNA, AK 99689
 VOICE: (907) 283-4213
 FAX: (907) 283-3285
 WWW.MCLANECG.COM

KPB FILE NO. 2023-133V
 PROJECT NO. 232030

SCALE 1" = 100'
 DATE: OCT. 2023
 BOOK NO.: 23-00
 DRAWN BY: JAH

AGENDA ITEM E. NEW BUSINESS

**ITEM #2 - PRELIMINARY PLAT
C&C Bear Subdivision 2023 Replat**

KPB File No.	2023-133
Plat Committee Meeting:	January 8, 2023
Applicant / Owner:	Beth Boiling of Homer Alaska
Surveyor:	James Hall / McLane Consulting Inc.
General Location:	Funny River Road, Funny River APC

Parent Parcel No.:	066-041-02 & 066-041-03
Legal Description:	Lots 2 & 3 in C&C Bear Subdivision
Assessing Use:	Residential / Vacant
Zoning:	Rural Unrestricted
Water / Wastewater	onsite
Exception Request	none

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will re-subdivide two lots to reconfigure them and finalize a road vacation that was heard at the December 11, 2023 KPB Planning Commission meeting and approved at the December 16, 2023 KPB Assembly meeting.

Location and Legal Access (existing and proposed): The plat is located at the end of C&C Bear Street which is access from Funny River Rd at approximately mile 13.5.

This plat is finalizing a vacation requested and approved by the KPB planning commission and Assembly s stated above. The plat is dedicating at the end of the road above the vacation two wings to a t-type turn around cul-de-sac as recommended by staff, so that future development to the east, south or west would not need to break the cul-de-sac to extend the C&C Bear St. into the large tracts.

Lock length is compliant for the subdivision. Large tracts exist in the three directions adjacent to the subdivision, west and south are currently unsubdivided lands.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Griebel, Scott Comments: No RSA objections.
SOA DOT comments	

Site Investigation:

The land of the plat is relatively flat with a slope from northeast to southwesterly.

There are structures located in the current right-of-way. With the vacation being completed, this will remove them from being a problem and the new property line further helps the issue.

There are wetlands designated on the property not identified on the drawing. **Staff recommends:** the wetlands be identified on the final and to 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.

There is not a floodplain or flood hazard on the property as indicated below by the review from the River Center Staff.

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> <p>C. State Parks</p> <p>Reviewer: Comments:</p>
State of Alaska Fish and Game	

Staff Analysis

The subdivision is located on a parcel that was given a plat waiver in 1996 and was able to be divided in 40 acre parcels out of the quarter section. C & C Bear Subdivision KN 2003-74 then divided the parcel into four tracts and the dedication of C & C Bear Street a 60-foot right-of-way.

Adjacent tracts are subdivided into large tracts to the east and unsubdivided tracts to the south and west.

A soils report will not be required as the lots are over 200,000 sq ft.

Per the preliminary Certificate to Plat, beneficial interest holders do not affect the proposed plat. Notification per KPB 20.25.090 will not be required unless the final Certificate to Plat states the property is affected by beneficial interest holders.

Funny River Advisory Planning Commission minutes for the January 3, 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

The plat is perpetuating the use of a 10' utility easement along all right-of-ways. **Staff recommends:** the 10' utility easement be continued around the bottom of the new turn around cul-de-sac.

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	
ENSTAR	
ACS	

GCI	
SEWARD ELECTRIC	
CHUGACH ELECTRIC	
TELALASKA	

KPB department / agency review:

Addressing	<p>Reviewer: Leavitt, Rhealyn Affected Addresses: 35765 C & C BEAR ST</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: C & C BEAR ST</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments: 35765 C & C BEAR ST WILL REMAIN WITH TRACT 3A</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan 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.</p>
Assessing	<p>Reviewer: Windsor, Heather Comments: No comment</p>
Advisory Planning Commission	

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

The icon for found 5/8" rebar unless noted, did not appear on drawing. Please check setting.
Add to the legend PW – Plat Waiver

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:

KPB number should be 2023-133

Put the owners name below the legal description instead of splitting it.

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 the parcel and # to the parcels having plat waivers.

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.

Plating 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.

20.60.110. Dimensional data required.

A. The bearing and length of every lot line, block line, and boundary line shall be shown. Dimensions of lots shall be given as net dimensions to the boundaries of adjoining streets and shall be shown in feet. No ditto marks shall be used. Information shall be shown for all curves, including radius, central angle, arc length, chord length and chord bearing. The initial point of survey shall be shown and labeled. All non-radial lines shall be labeled. If monumented lines were not surveyed during this platting action, show the computed data per the record plat information.

B. 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.

C. Any discrepancy between the survey and the record description, and the source of all information used in making the survey shall be indicated. When an inconsistency is found including a gap or overlap, excess or deficiency, erroneously located boundary lines or monuments, or when any doubt as to the location on the ground of the true boundary or property rights exists, the nature of the inconsistency shall be clearly shown on the drawing.

Staff recommendation: comply with 20.60.110.

Show recorded and measured distances and source for recorded data.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: *comply with 20.60.190.*

Add a Certificate of Acceptance for the wings of the t-type turn around.

Change the date in the Plat Approval to January 8, 2024

Note the year in the Notary's Acknowledgement is listed at 2023.

RECOMMENDATION:

SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:

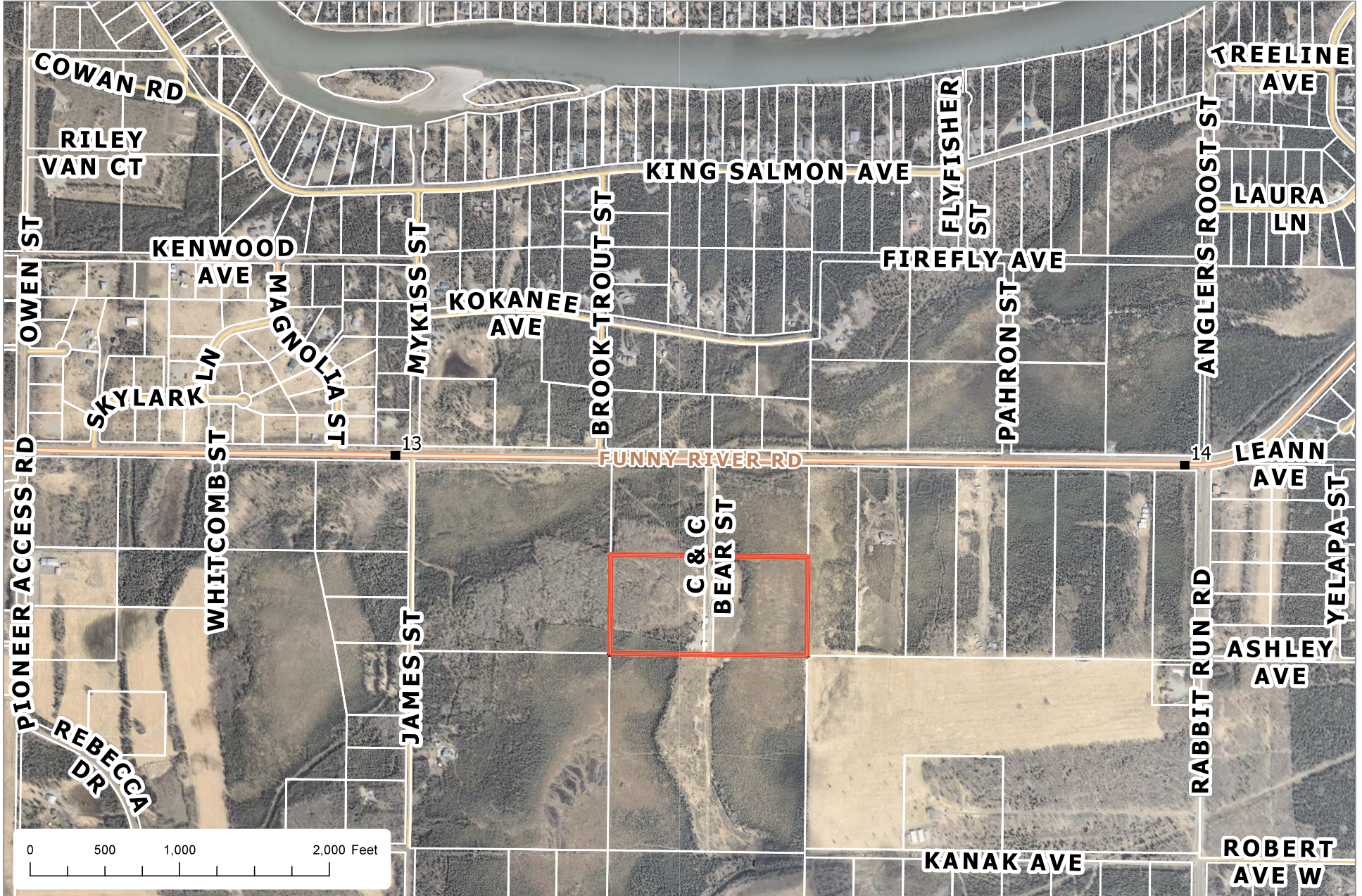
- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL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

NOTE: 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.

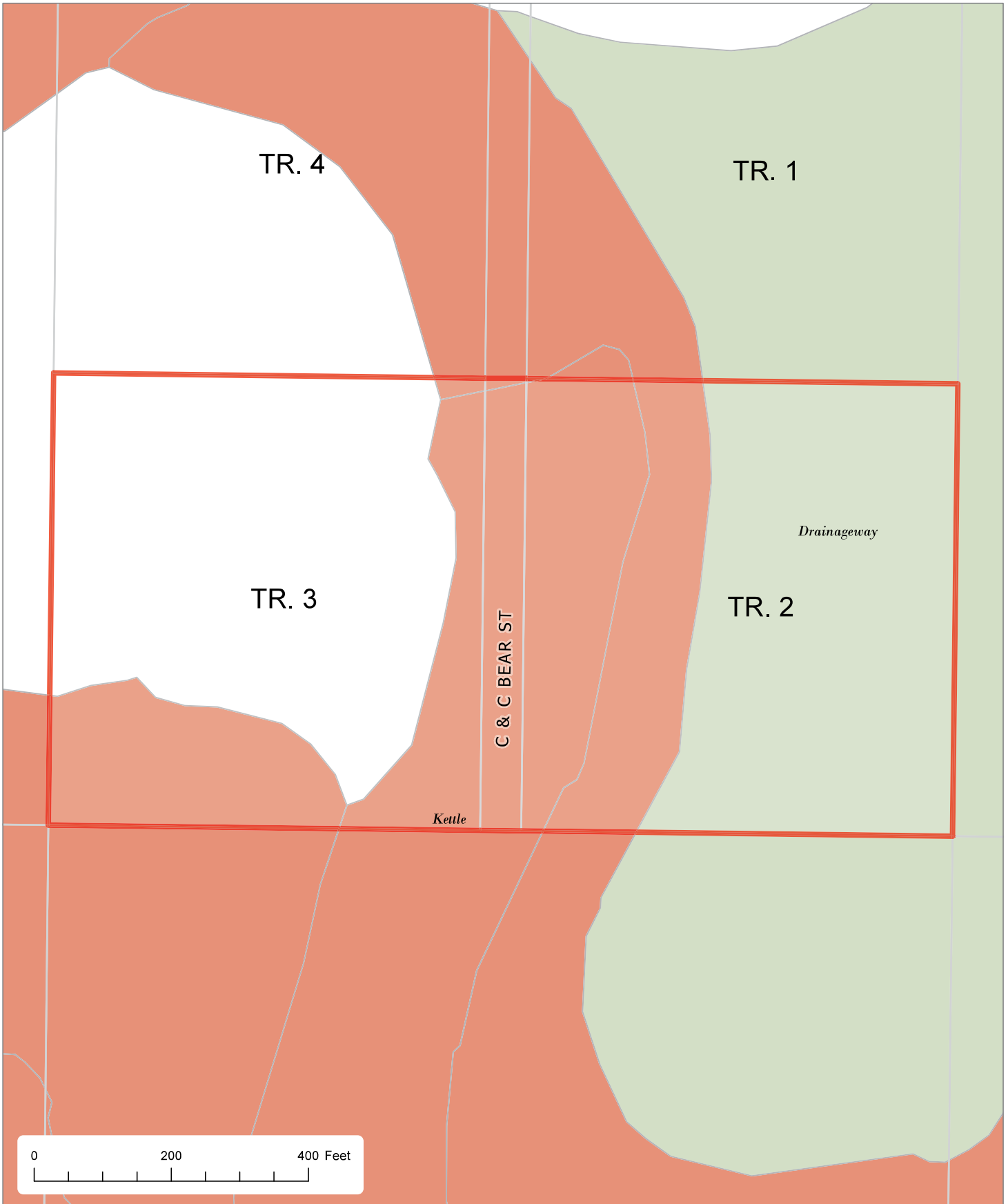
A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

END OF STAFF REPORT

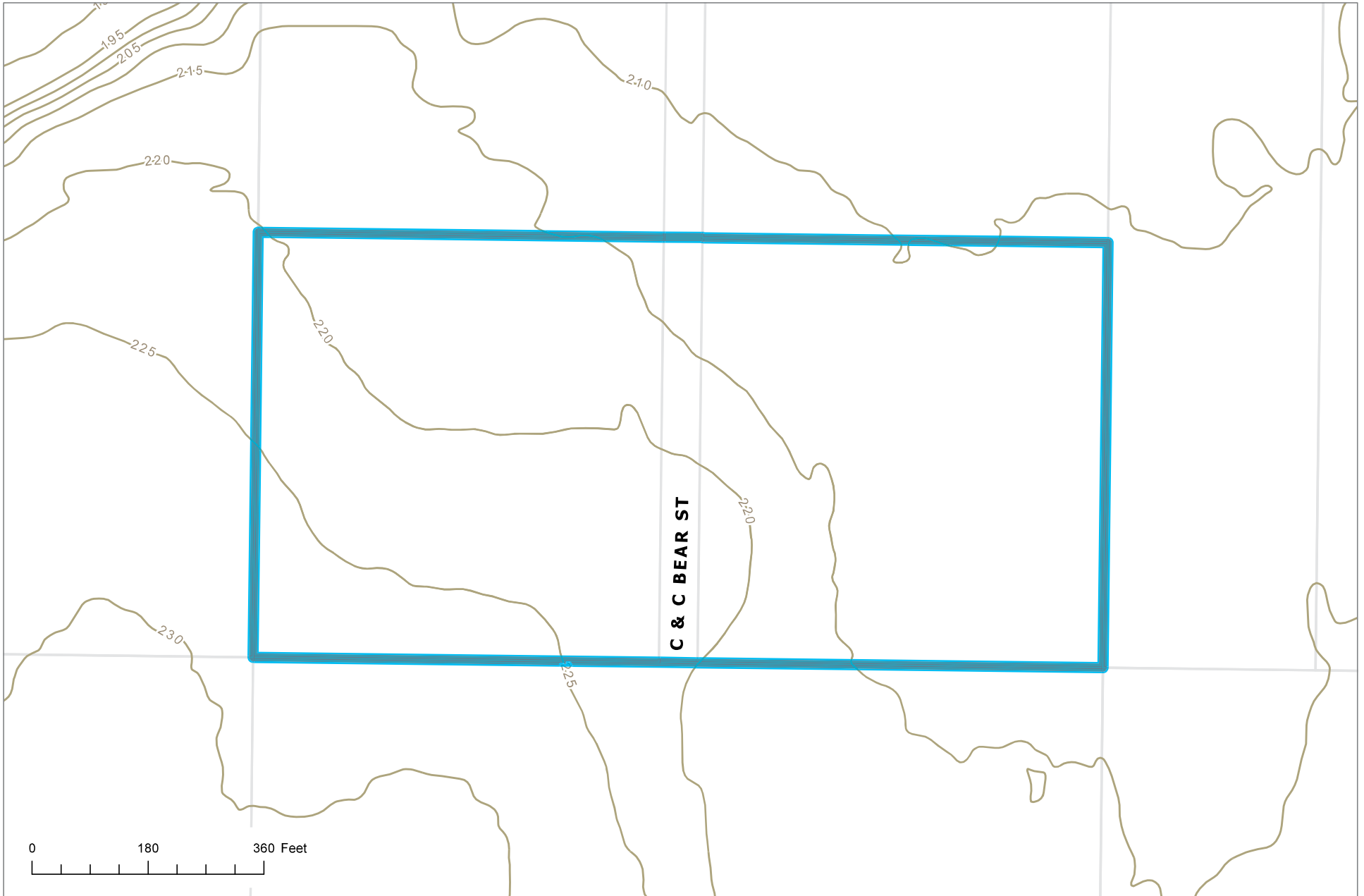


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 Preliminary Plats



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KENAI PENINSULA BOROUGH
PLANNING COMMISSION

BOOK 0478 PAGE 936

PLAT WAIVER RESOLUTION 96-04

KENAI RECORDING DISTRICT

GRANTING A PLATTING WAIVER FOR CERTAIN LANDS WITHIN SECTION 26 TOWNSHIP 5 NORTH, RANGE 9 WEST, SEWARD MERIDIAN, ALASKA

WHEREAS, James E. Chapman has petitioned for a waiver of platting requirements for the following described parcel:

NW1/4 Section 26, Township 5 North, Range 9 West, Seward Meridian,
Alaska cntg 160 acres plus/minus

WHEREAS, 29.04.090 of Alaska Statutes provides that the platting authority shall waive the preparation, submission for approval, and recording of a plat upon satisfactory evidence that certain conditions exist.

WHEREAS, it has been determined that all requirements have been met.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH:

Section 1: That a waiver of platting requirements is hereby granted for the above described parcel.

Section 2: That the plat waiver is being granted for the purpose of creating four parcels described as follows:

Parcel 1: NW1/4 NW1/4 Section 26, Township 5 North, Range 9 West, Seward Meridian, Alaska, cntg 40 acres plus/minus

Parcel 2: NE1/4 NW1/4 Section 26, Township 5 North, Range 9 West, Seward Meridian, Alaska, cntg 40 acres plus/minus

Parcel 3: SW1/4 NW1/4 Section 26, Township 5 North, Range 9 West, Seward Meridian, Alaska, cntg 40 acres plus/minus

Parcel 4: SE1/4 NW1/4 Section 26, Township 5 North, Range 9 West, Seward Meridian, Alaska, cntg 40 acres plus/minus

Section 3: That this resolution is void if not recorded in the appropriate Recording District within thirty days of adoption.

Section 4: That this resolution becomes effective upon being properly recorded.

ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH ON THIS 12 DAY OF February, 1996.

Philip W Bryson
Philip Bryson, Vice Chairperson
Planning Commission

NOTARY ACKNOWLEDGEMENT:

Subscribed and sworn before me this 12 day of February, 1996.

Maria E Sweppy
Notary Public for State of Alaska
My Commission Expires: 1-16-99

96-1190
KENAI REC 15
DISTRICT
REQUESTED BY *RPB*

NOTARY PUBLIC
STATE OF ALASKA
MARIA E. SWEPPY

Please return to:
Planning Department
Kenai Peninsula Borough
144 North Binkley
Soldotna, Alaska 99669-7599

'96 FEB 15 PM 2 53

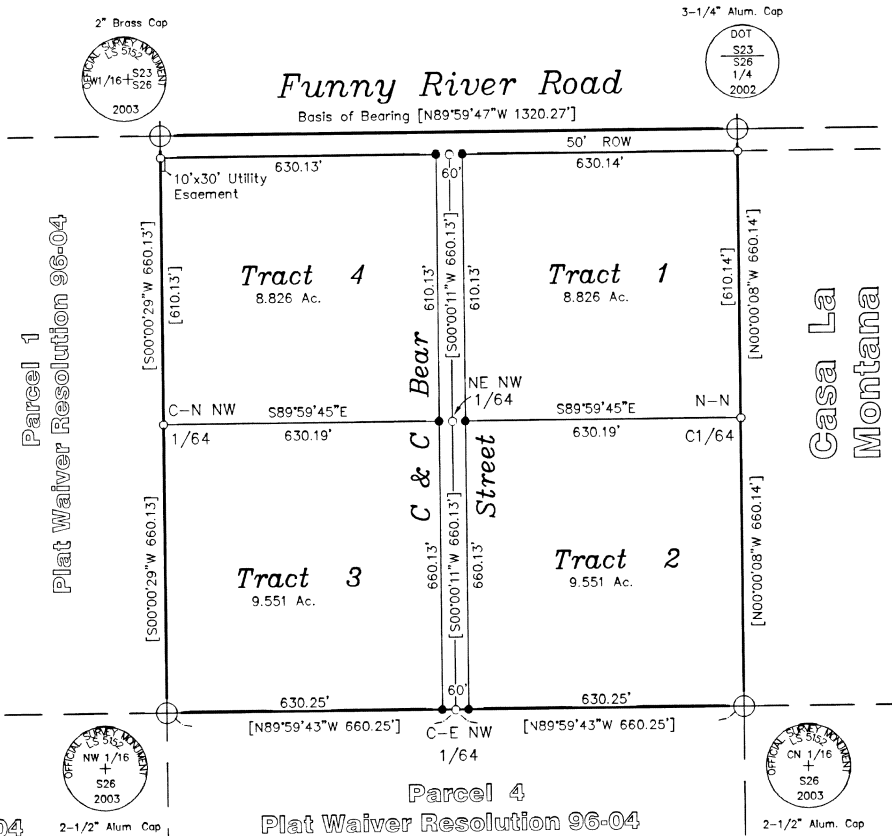


SURVEYOR'S CERTIFICATE

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 to the normal standards of practice of land surveyors in the State of Alaska.
Date 11 Nov, '03

Parcel 3
Plat Waiver Resolution 96-04

Parcel 1
Plat Waiver Resolution 96-04

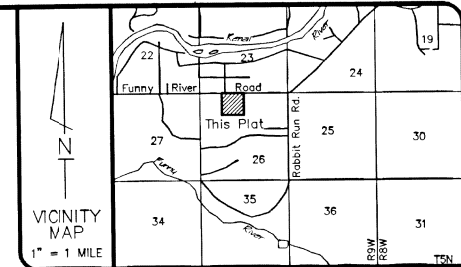


NOTES:

- Proposed land uses are recreational, residential, agricultural, and commercial.
- Building Setback - 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.
- No private access to State maintained ROW's permitted unless approved by the State of Alaska Department of Transportation.
- Front 10 ft. of the building setback adjacent to rights-of-way with an additional 10 within 5 ft. of the side property line to 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.
- 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 or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.
- 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.

LEGEND:

- ⊕ Monument (found)
- 1-1/2" Alum. Cap Monument (Found)
LS 5152, 2003
- 5/8" Rebar (set this survey)
- [] Record and Measured Datum - Record of Survey, Plat # 2003-48



CERTIFICATE of OWNERSHIP and DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNER(S) 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.

Carl R. Bear
Carl R. Bear
Carole A. Bear
Carole A. Bear

168 Hillcrest Avenue
Soldotna, Alaska 99669

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 11th DAY OF November, 2001 FOR Carl R. Bear and Carole A. Bear.

Rita M. Hart
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 10-21-06



PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF September 8, 2003

KENAI PENINSULA BOROUGH

Mary Joell
AUTHORIZED OFFICIAL

KPB FILE No. 2003-189

C & C Bear Subdivision

A subdivision of Parcel 2, KPB Plat Waiver Resolution 96-04. Located within the NE1/4 NW1/4 Section 26, T5N, R9W, S1M., Kenai Recording District, Kenai Peninsula Borough, Alaska, Peninsula Borough, Alaska.

Containing 40.00 Acres

Integrity Surveys

605 Swires Drive Kenai, Alaska 99611-8363
SURVEYORS PHONE - (907) 283-9047 PLANNERS
FAX - (907) 283-9071

JOB NO: 23189 ref. 23121	DRAWN: 7 November, 2003 CB
SURVEYED: September, 2003	SCALE: 1" = 200'
FIELD BK: ?	DISK: S26, T5N, R9W, S1M

2003-74
RECORDED 30 -
KENAI REC. DIST.
DATE: 11-14 2003
TIME: 3:42 P.M.
REQUESTED BY:
INTEGRITY SURVEYS
605 SWIRES DRIVE
KENAI, ALASKA 99611