

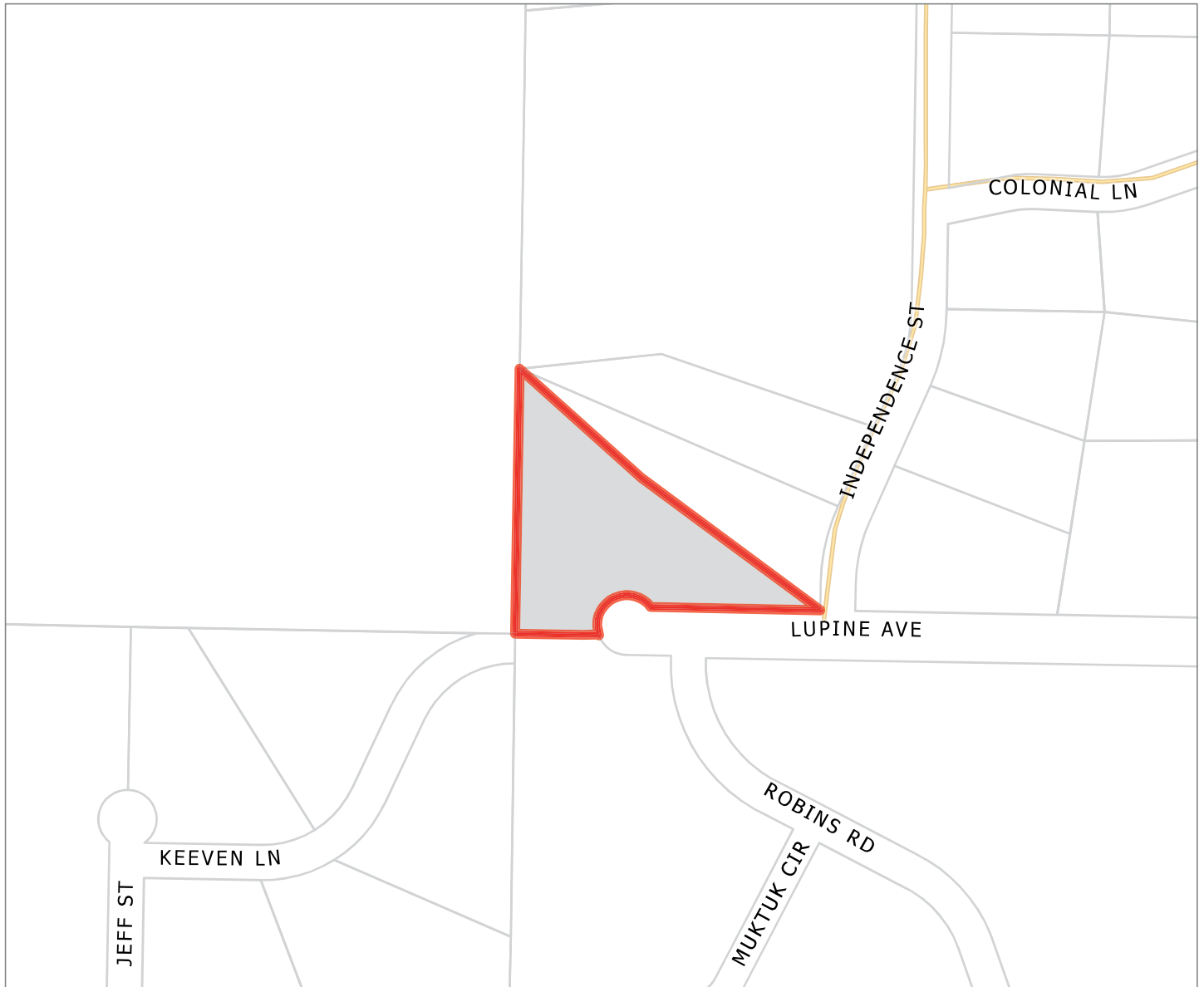
E. NEW BUSINESS

E7. Centennial Shores Subdivision 2023 Replat



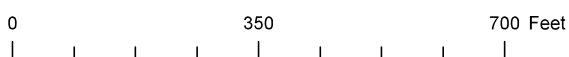
Kenai Peninsula Borough Planning Department

Vicinity Map



KPB File 2022-156
T 07N R 11W SEC 7
Nikiski

10/19/2022

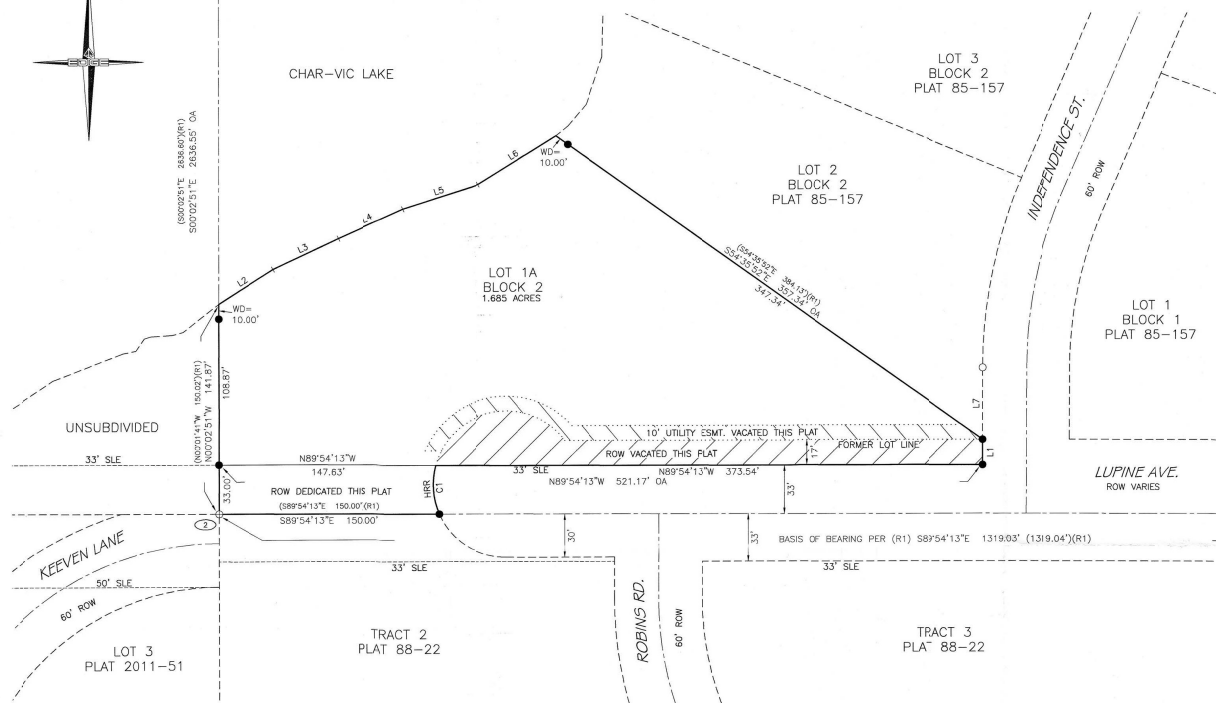






REFERENCES

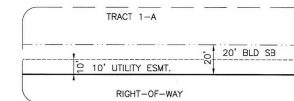
(R1) CENTENNIAL SHORES SUBDIVISION NUMBER ONE, PLAT 85-157, KENAI RECORDING DISTRICT



NOTES

- 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.
- THE FRONT 10 FEET ADJACENT TO THE RIGHTS-OF-WAY 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.
- THE KENAI PENINSULA BOROUGH PLANNING COMMISSION APPROVED THE VACATION OF A PORTION OF LUPINE AND ASSOCIATED UTILITY EASEMENTS GRANTED BY PLAT KN 85-157, AT THE MEETING OF DECEMBER 12, 2022. THE VACATION RECEIVED CONSENT BY THE KENAI PENINSULA ASSEMBLY JANUARY ??, 2023.
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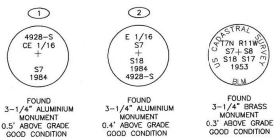
BUILDING SETBACK AND UTILITY EASEMENT TYPICAL



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LEGEND

⊗	FOUND BLM MONUMENT - SEE REFERENCE	_____	SUBDIVISION BOUNDARY
⊕	FOUND PRIMARY MONUMENT - SEE REFERENCE	_____	INTERIOR LOT LINE
○	FOUND 5/8" REBAR	-----	ADJACENT PROPERTY LINE
●	SET PROPERTY CORNER 5/8" X 30" REBAR WITH 2" ALUMINUM CAP STAMPED EDGE SURVEY LS-13022 2022	-----	CENTERLINE/MONUMENT TIE LINE
(R1)	RECORD DATA, SEE REFERENCE	-----	EASEMENT
OA	OVERALL	-----	BUILDING SETBACK
(HRR)	HELD RECORD RADIUS	-----	FORMER LOT LINE/EASEMENT LINE
ESMT	EASEMENT		ROW VACATED THIS PLAT
ROW	RIGHT-OF-WAY		UTILITY ESMT. VACATED THIS PLAT
SLE	SECTION LINE EASEMENT		
BLD SB	BUILDING SETBACK		

CERTIFICATE OF ACCEPTANCE AND DEDICATION BY CITY OF KENAI

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF KENAI FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THE PLAT IDENTIFIED AS FOLLOWS:

DEDICATION OF RIGHT OF WAY - 33' WIDE EXTENSION OF LUPINE AVE

THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSES DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY:

AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH
144 NORTH BRINKLEY STREET
SOLDOTNA, ALASKA 99669

DATE

PLAT APPROVAL

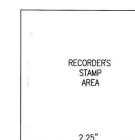
THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF DECEMBER 12, 2022.

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

CERTIFICATE OF SURVEYOR

I, MARK AMONETTI 13022-S, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE MONUMENTS SHOWN ON THIS SURVEY ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



PRELIMINARY PLAT

KPB FILE No. 2022-XXX

CENTENNIAL SHORES SUBDIVISION 2023 REPLAT

VACATING A PORTION OF LUPINE AVENUE
A SUBDIVISION OF LOT 1 BLOCK 2 CENTENNIAL SHORES SUBDIVISION NUMBER ONE PLAT 85-157 KENAI RECORDING DISTRICT

OWNER:

ERIC C. RANGUETTE
34760 POPPYWOOD STREET
SOLDOTNA, ALASKA 99669

LOCATED WITHIN SE 1/4 SECTION 7, T.7N., R.11W. S.M. STATE OF ALASKA KENAI PENINSULA BOROUGH KENAI RECORDING DISTRICT

CONTAINING 1.796 ACRES



12501 OLD SEWARD, D. ANCHORAGE, AK 99515
Phone (907) 344-5990 Fax (907) 344-7794

AECL# 1392

DRAWN BY:	DATE:	PROJECT:
JY	10/10/2022	22-555
CHECKED BY:	SCALE:	SHEET:
MA	1\"/>	1 OF 1

KPB 2022-156

AGENDA ITEM E. NEW BUSINESS

ITEM E7 - CENTENNIAL SHORES SUBDIVISION 2023 REPLAT

KPB File No.	2022-156
Plat Committee Meeting:	November 14, 2022
Applicant / Owner:	Eric Ranguette of Soldotna, AK
Surveyor:	Jason Young, Mark Aimonetti / Edge Survey and Design, LLC
General Location:	Lupine Avenue, Keeven Lane, Nikiski area

Parent Parcel No.:	013-218-24
Legal Description:	Lot 1 Block 2, Centennial Shores Subdivision Number One, Plat KN 85-157
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will finalize a vacation of a right-of-way and dedication a continuation of the right-of-way.

Location and Legal Access (existing and proposed): The access will remain from Lupine Avenue. The proposed vacation will be reducing the width of the right-of-way and removing a portion of the cul-de-sac bulb.

Lupine Avenue is located at the south end of borough maintained Independence Street. The area is accessed from Pipeline Road that is located near mile 6 of state-maintained Holt Lamplight Road. Not all portions of Pipeline Road are maintained by the roads accessing this vacation do connect to the maintained portion.

Lupine Avenue is dedicated as 83 feet wide atop section line easements that are 66 feet in width. The northern half of Lupine Avenue was dedicated as 50 feet in width. The right-of-way ends with a cul-de-sac bulb. While this right-of-way ends with a bulb, which indicates it is to be permanently closed, it is atop a section line easement and a travelway exists beyond the bulb to connect to Keeven Lane and then to Jeff Street. While these rights-of-way have dedicated access to Pipeline Road, the dedications go through some low wet areas and so the owners in the area use Lupine Avenue for their access. Lupine Avenue, Keeven Lane, and Jeff Street are not borough maintained.

There is an existing structure within the building setback and utility easement adjacent to Lupine Avenue. The proposal is to reduce the width of the right-of-way, vacate a portion of the bulb, and provide a through dedication atop the existing travelway. The vacation will vacate a 17 foot width of Lupine Avenue and a portion of the cul-de-sac bulb. The plat will straighten the dedication and provide a 33 foot wide continuation of Lupine Avenue.

The block is not compliant due to lakes, wetlands, and large acreage tracts in the area. The proposed dedication does improve the block and access but this plat will not be able to provide any additional dedications to improve the block due to the lake. ***Staff recommends the plat committee concur an exception is not required for block length as this plat cannot improve the block lengths.***

A petition for the vacation of Lupine Avenue and associated utility easements has been received and is scheduled to be heard by the Planning Commission at the November 14, 2022 meeting and will require consent by the Kenai Peninsula Borough Assembly.

PER DOT: The platting action voids any previous issued permits. You need to reapply for driveway access permits to state ROW.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	No comment

Site Investigation: There are some areas of steeper terrain that lead to the shore of Char-Vic Lake. There are no areas of steep terrain within the vacation or proposed vacation areas. Other than along the shore of the lake there are no low wet areas present. **Staff recommends a wetland determination note be added.**

An as-built was done for a previous submittal for a setback encroachment permit and utility easement vacation. The as-built shows a portion of the house with portions of the deck are within the building setback associated with the cul-de-sac bulb for Lupine Avenue. The roadway continues past the house and uses the section line easement to go past the bulb for access to lots further to the west. The petitions were denied by the Planning Commission on August 8, 2022. The desire was to correct the issue by a vacation and new dedication. This proposal will allow for a dedication on the existing travelway and will resolve the encroachment issues. **Staff recommends the surveyor verify that the setback and utility easement being created along the new right-of-way edge will be clear of all existing structures and that the location of the existing roadway be verified to make sure it is within the dedicated areas.**

The original plat for the property extended the property lines into the lake. Per the certificate to plat there are rights to the public below mean high water of the lake. This plat is indicating that the lake will no longer be part of the lot. Currently all portions of the lake are included within the bounds of lots. Even if the lot boundary includes the lake, the rights of the public remain and with the inclusion of the plat note it makes that clear. It needs to be determined if the lake should be excluded from the lot's boundary. If the depiction as shown on the preliminary remains, **staff recommends the source or date of the meander must be give, and a note regarding the side lot lines must be added.**

KPB River Center review	Floodplain: No comments Habitat Protection: Is NOT within HPD. No comments. State Parks: No comments
State of Alaska Fish and Game	No objections

Staff Analysis The property was originally subdivided by Centennial Shores Subdivision Number one, Plat KN 85-157. The plat created Lot 1 Block 2 as well as dedicated Lupine Avenue, originally named Dog Bone Avenue, as a 50 foot wide right-of-way that ended with a partial bulb as an existing roadway continued to the south.

The property to the south was originally subdivided by Robins Subdivision No. 1, KN 79-139. It did not dedicate any portion of Lupine Avenue but did indicate a section line easement was present. The property was then replatted by Kenai Timbers, Plat KN 86-133, which was amended by KN 86-195. That plat vacated the original dedication of Robins Road and dedicated the new location as currently exists. The plat also dedicated the southern portion of Lupine Avenue by granting 30 feet to 33 feet of dedication. The plat indicates 30 feet at the western portion with 33 feet on the eastern portion with a 33 foot section line easement still in place. Kenai Timbers Replat, KN 88-22, was recorded which removed lot lines to create larger tracts but the dedications remained as granted by the parent plats.

The current configuration is an 80 to 83 foot wide right of way atop section line easements. The cul-de-sac bulb has been broke through to provide access to the properties to the west by the use of the section line easements.

The Kenai Peninsula Borough Planning Commission heard a petition for a building setback encroachment permit and a utility easement vacation for the encroachments shown on the as-built. The Planning Commission, at their August 8, 2022 meeting denied the encroachment permit and utility easement alteration. As the dedicated right-of-way is wider than required by KPB Code and that landowners were using the section line easements west of the

dedication, it was recommended to propose a vacation and dedication to resolve not only the encroachment issues but to provide a dedication.

A soils report will not be required but the plat note should be updated as the parent plat was approved by DEC.

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.

The property is not within an advisory planning commission.

Utility Easements The parent plat granted 10 foot utility easements adjacent to the right-of-way dedications. The proposed vacation includes the associated utility easements as there are encroachments within the easement. The plat will be granting the required 10 foot utility easements adjacent to the rights-of-way. The granting of the 10 foot utility easement will include along the new right-of-way edge. **Staff recommends** the plat note granting the easement include "granted this plat". To make clear to all seeing the plat that it does include within the vacation area, this may be done by note or depiction.

A recorded easement to Homer Electric Association has been granted and is noted on the 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	No comments
ENSTAR	No comments for recommendations
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek Affected Addresses: 51200 LUPINE AVE</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: LUPINE AVE INDEPENDENCE ST ROBINS RD KEEVEN LN</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:</p>
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	51200 LUPINE AVE will remain with lot 1A.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
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	Reviewer: Windsor, Heather Comments: No comment

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

STAFF RECOMMENDATIONS **CORRECTIONS / EDITS**

*Please update the typical setback and utility easement depiction to match the lot label on the plat.
Recorded measurement on west line needs corrected.*

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 the owners address as Poppy Wood is two words.
- 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:** Add "Kenai" to the Spur Highway label. Verify the name of Duck Lake. There is a line within Section 24 that should be labeled or removed.
- N. Apparent encroachments, with a statement indicating how the encroachments will be resolved prior to final plat approval;
- Staff recommendation:** This platting action is to resolve encroachments within the setback and utility easement.

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.

20.30.120. Streets-Width requirements.

- A. The minimum right-of-way width of streets shall be 60 feet.
1. Half streets shall generally not be allowed except to provide the logical extension of a right-of-way where the remaining half street can reasonably be expected to be dedicated in the future.

2. When a design change required as a condition of preliminary approval results in a half right-of-way that was not shown on the original preliminary plat, adjoining to the new half right-of-way will be sent a copy of the plat committee minutes and a sketch showing the new half right-of-way and per KPB 2.40.080 can request a review of the plat committee decision by the full Planning Commission.

B. Additional right-of-way or easement width may be required to provide for the construction of side slopes or to otherwise accommodate right-of-way construction standards set forth in KPB Title 14.

Staff recommendation: *The plat is reducing the width of the right-of-way but still complies with KPB Code.*

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: *The parent subdivision was approved by DEC. Update the wastewater disposal note to comply with code.*

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.*

20.60.040. Dedication of public use lands. Any land shown on a plat as a street, public park or other public area must be dedicated on the final plat to a tax exempt governmental entity. If the governmental entity is not the Kenai Peninsula Borough, the governmental entity shall be required to execute an acceptance of the dedication on the plat.

Staff recommendation: *The acceptance in place needs updated as it currently contains wording for the City of Kenai instead of the Kenai Peninsula Borough.*

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.*

- *Update plat note 3 with the correct days and remove "granted by plat KN 85-157.*
- *Correct the wastewater disposal note, "The parent subdivision for lots resulting from this platting action was approved by the Alaska Department of Environmental Conservation on August 16, 1985. Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.*
- *The natural meanders of ordinary high water is for area computations only, the true corners being on the extension of the sidelines as shown on the parent plat and the intersection with the natural meanders. (Only if current configuration is used.)*
- *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.*

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: Correct the owner's street name for his signature line. Update the date in the plat approval note. Comply with 20.60.190.

KPB 20.60.190 corrected the Notary's Acknowledgement so it is an acknowledgement instead of a combination of an acknowledgement and a jurat.

Staff recommendation: the Notary's Acknowledgement on the final plat must comply with 20.60.190.
Flip Notary and Public around

20.60.200. Survey and monumentation.

Staff recommendation: comply with 20.60.200
Monument 3 in the Monument Summary is not labeled

KPB 20.70 – Vacation Requirements

Staff recommendation. Must be recorded within one year of Assembly consent.

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.

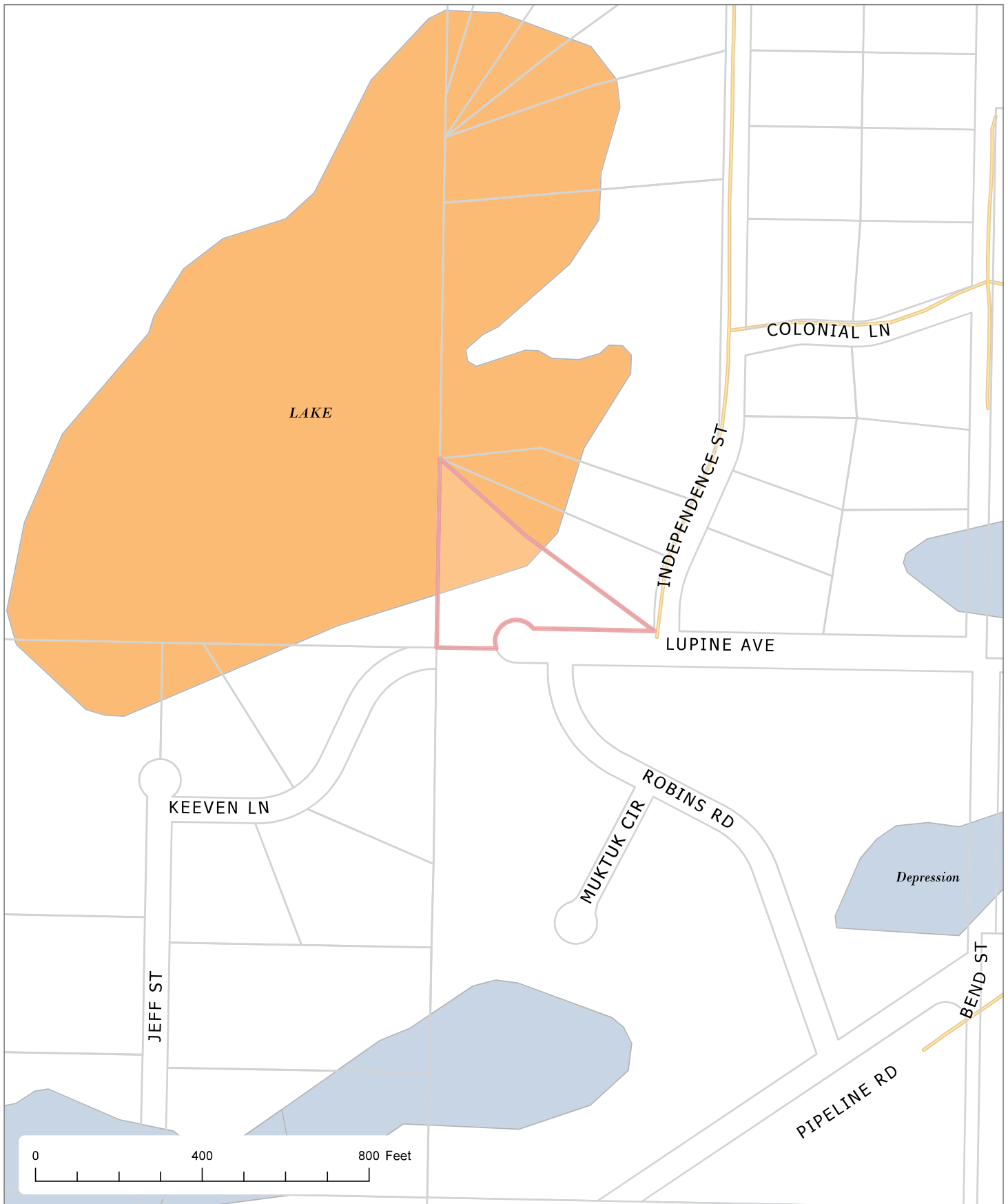
A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

END OF STAFF REPORT



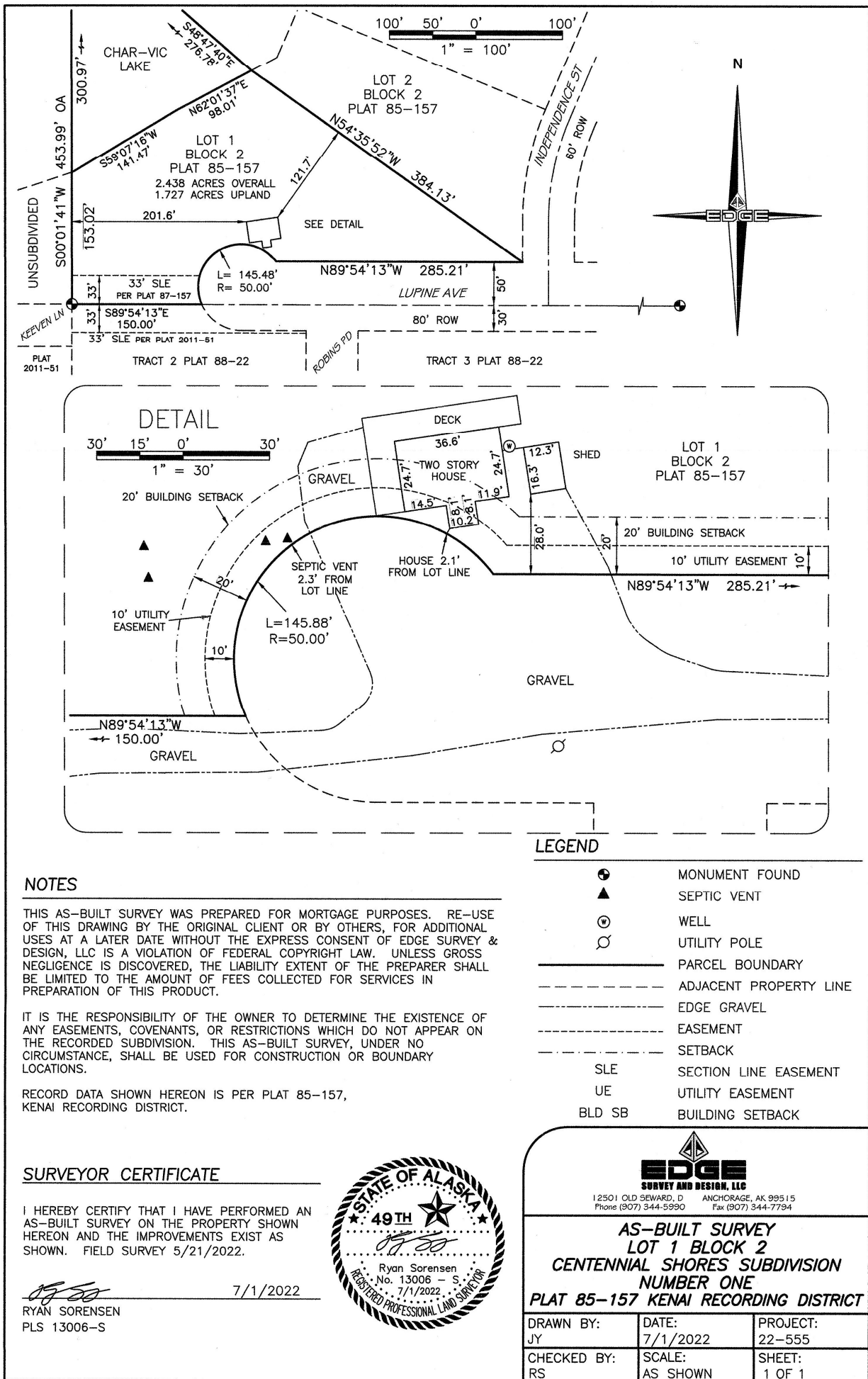


Wetlands

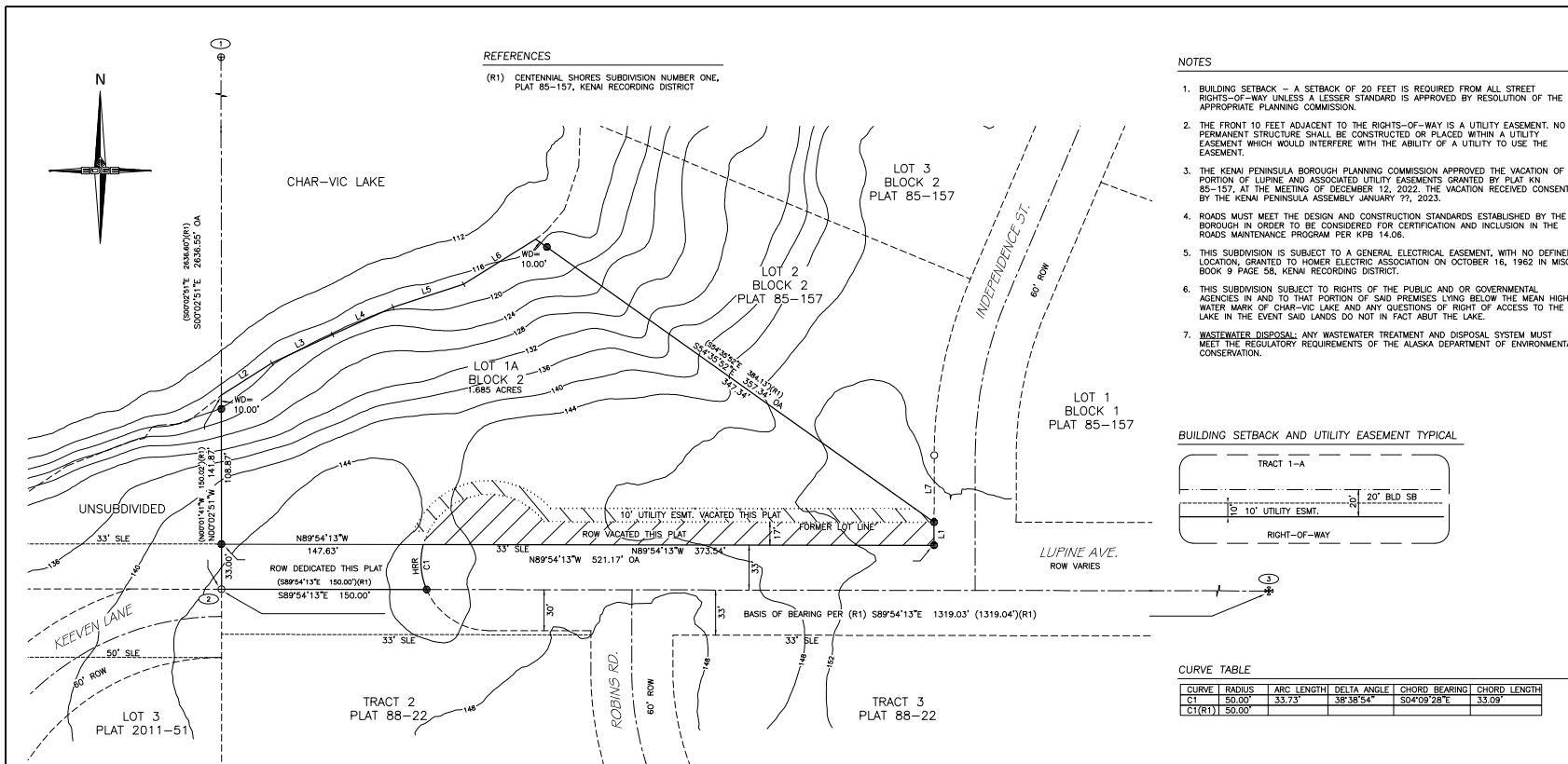




KPB 2022-100



C:\Users\Juson Young\Documents\1-Active Jobs 2022 05 27\22-555 Char Vic - Rangnette ASB\DWG\22-555 Char Vic Rangnette ASB.dwg PLOTTED: 6/30/2022 9:11:27 PM

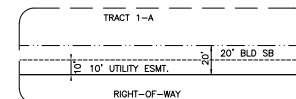


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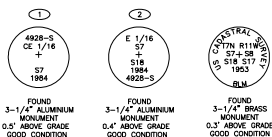
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BY:

AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH
144 NORTH BINKLEY STREET
SOLDOTNA, ALASKA 99669

DATE

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF DECEMBER 12, 2022.

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

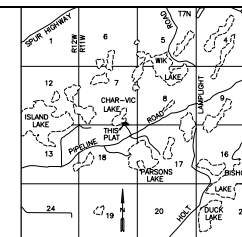
CERTIFICATE OF SURVEYOR

I, MARK A. MONNETTI 13022-5, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE MONUMENTS SHOWN ON THIS SURVEY ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



RECORDERS
STAMP
AREA

KPB 2022-156



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 MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

ERIC C. RANGUETTE
34760 POPPYWOOD STREET
SOLDOTNA, ALASKA 99669

NOTARY ACKNOWLEDGEMENT

FOR: ERIC C. RANGUETTE
ACKNOWLEDGED BEFORE ME
THIS _____ DAY OF _____, 2023

PUBLIC NOTARY SIGNATURE

NOTARY
STAMP
AREA

KPB FILE No. 2022-XXX

CENTENNIAL SHORES SUBDIVISION 2023 REPLAT VACATING A PORTION OF LUPINE AVENUE

A SUBDIVISION OF LOT 1 BLOCK 2
CENTENNIAL SHORES SUBDIVISION NUMBER ONE
PLAT 85-157 KENAI RECORDING DISTRICT

OWNER:

ERIC C. RANGUETTE
34760 POPPYWOOD STREET
SOLDOTNA, ALASKA 99669

LOCATED WITHIN SE 1/4 SECTION 7,
T.7N., R.11W. S.M.
STATE OF ALASKA
KENAI PENINSULA BOROUGH
KENAI RECORDING DISTRICT

CONTAINING 1.796 ACRES



12501 OLD Seward, D. Anchorage, AK 99515
Phone (907) 344-5990 Fax (907) 344-7794

AECL# 1392

DRAWN BY:

DATE:

PROJECT:

CHECKED BY:

SCALE:

SHEET:

MA

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