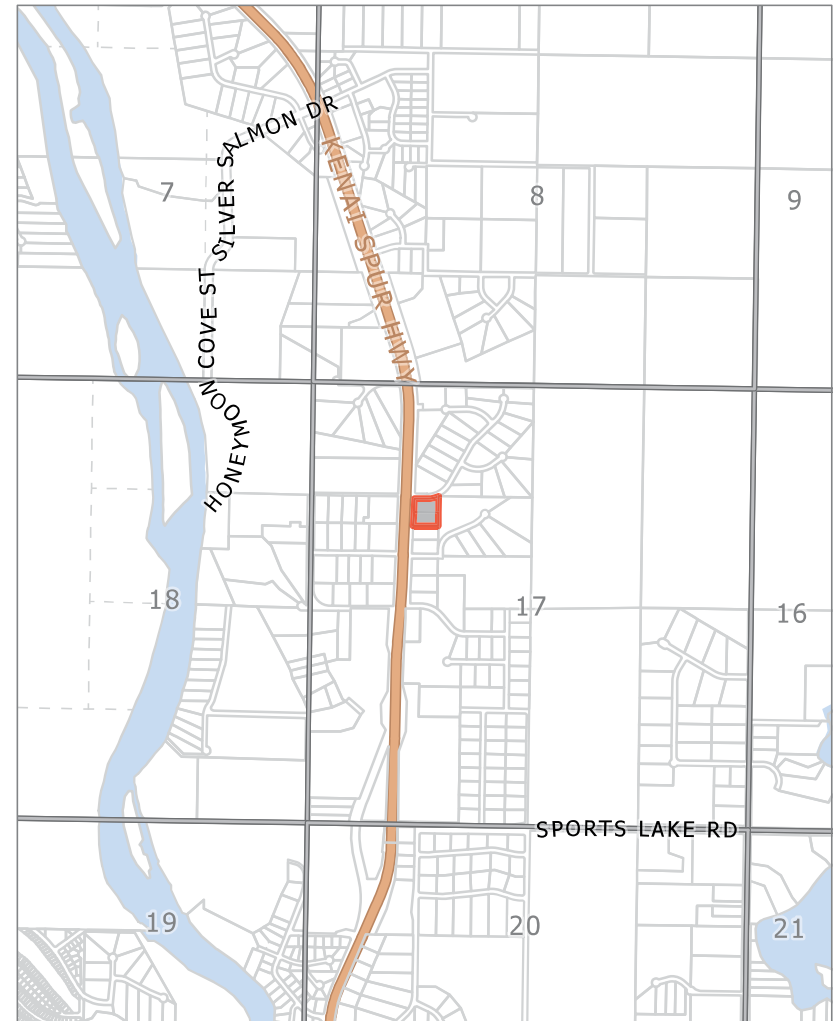


## **E. NEW BUSINESS**

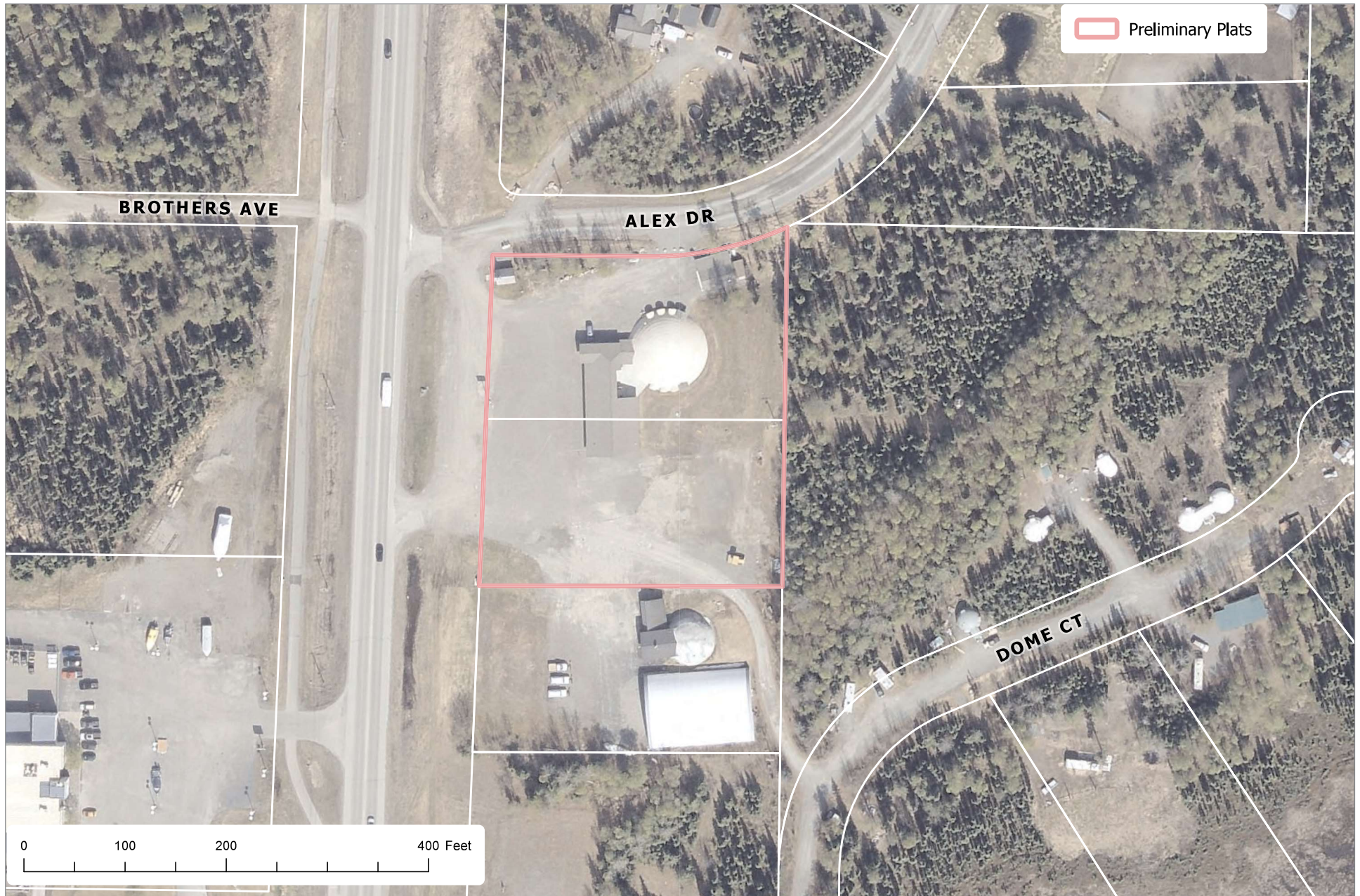
- 3. Sagerser Subdivision Trinity Center Replat  
KPB File 2024-067  
Edge Survey & Design / Trinity Christian Center  
Location: Kenai Spur Highway & Alex Drive  
Ridgeway Area**



KPB File 2024-067  
T 05N R 10W SEC 17  
Ridgeway



Aerial Map



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.







AGENDA ITEM E. NEW BUSINESS

**ITEM #3 - PRELIMINARY PLAT  
SAGERSER SUBDIVISION TRINITY CENTER REPLAT**

<b>KPB File No.</b>	2024-067
<b>Plat Committee Meeting:</b>	July 22, 2024
<b>Applicant / Owner:</b>	Gary and Sherry Morris - Trinity Christian Church / Soldotna, AK
<b>Surveyor:</b>	Mark Aimonetti – Edge Survey and Design, LLC
<b>General Location:</b>	Kenai Spur Highway, Alex Drive, Ridgeway Area, Soldotna, Alaska

<b>Parent Parcel No.:</b>	057-045-01 and 057-045-02
<b>Legal Description:</b>	T 5N R 10W SEC 17 SEWARD MERIDIAN KN 0920043 SAGERSER SUB NO 2 AMENDED LOTS 1 & 2 BLK 2
<b>Assessing Use:</b>	Institutional
<b>Zoning:</b>	Unrestricted
<b>Water / Wastewater</b>	Onsite
<b>Exception Request</b>	None

---

**STAFF REPORT**

**Specific Request / Scope of Subdivision:**

The proposed plat will combine a 1.12-acre parcel and a 1.13-acre parcel into one lot with the size of 2.242 acres.

**Location and Legal Access (existing and proposed):**

The subdivision is accessed from the Kenai Spur Highway, a developed and state maintained 200' right-of-way near mile point 3.6. The proposed Lot 1A has current access to the Kenai Spur Highway on the west, and Alex Drive on the north, which is developed and currently borough maintained. The parent plat Sagerser Subdivision No. 2 Amended Plat KN 92-43 has a plat note stating Lot 1 shall have access only from Alex Drive, Lots 2 and 3 shall share a common driveway from the Kenai Spur Hwy, and Lot 4 shall have access only from Linda Ave. **Staff recommends** the Plat Committee concur the note carried forward for proposed Lot 1A Block 2 and revised to accommodate the new numbering.

No dedications are proposed on this plat, all roads have been dedicated by previously recorded subdivisions and there are no vacations with this subdivision either.

The is subdivision is not affected by a section line or patent easements.

Block length is compliant along the Kenai Spur Highway, with Alex Dr and Sagerser Way to the south.

**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: Griebel, Scott Comments: No RSA comments or objections.
SOA DOT comments	No comments

**Site Investigation:**

There are buildings, a parking lot and driveways located on the property. By combining the lots, this will fix an encroachment issue of the building over the joint lot line.

There are no steep slopes on the subdivision and the land is mostly flat with a slight slope towards the Kenai Spur Highway and Alex Drive.

There are no wetlands associated with this plat. The River Center review did not identify and FEMA floodways or flood Hazard areas or habitat protection zone on the property.

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

**Staff Analysis**

The subdivision was originally an aliquot portion of the S1/2 NW1/4 Section 17, T5N, R10W, SM, Soldotna, Alaska. The subdivision, Sagerser Subdivision No. 2 Amended Plat, KN 92-43 created the current Lots 1 and 2 Block 2. The border between these lots is being removed to produce the proposed Lot 1A by this platting action.

A soils report will not be required and an engineer will not sign the final plat.

Notice of the proposed plat was mailed to the beneficial interest holder on June 28, 2024. The beneficial interest holder 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.

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.

It appears that former Lot 2 and adjacent Lot 3 to the south share a driveway and perhaps even access to Dome Court to the east. **Staff recommends:** the surveyor confirm the existence of an easement in place for the shared driveway between Lot 2 and Lot 3 to Dome St. If found it should be noted. The shared crossing to Lot 3 from Lot 2 should be shown on the drawing as this may be considered an encroachment.

Fixed wing imagery indicates structure(s) are very close to the northern lot line of former Lot 1. The plat is not creating any new lot lines and cannot create any encroachments. It is the duty of a surveyor to report any encroachments found during a survey to his client. No survey is required for a plat that simply removes lot lines, under KPB 20.60.200. **Staff requests:** The surveyor confirm whether an encroachment affects the plat. If a permanent structure or structures cross a lot line, **staff requests** a note be placed on the final plat to indicate that acceptance of the plat by the Borough does not indicate acceptance of any encroachments.

**Utility Easements**

Easements listed in the certificate to plat are shown in the plat notes.

The front 10' of the setback along the rights-of-way should be depicted and noted on the plat as a utility easement per 20.30.060.D. **Staff recommends:** Surveyor depict and notate the utility easement on the final plat.

The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Staff recommends:** 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 or recommendations.
ACS	
GCI	Approved as shown

**KPB department / agency review:**

Addressing	<p>Reviewer: Leavitt, Rhealyn  Affected Addresses:  37730 KENAI SPUR HWY</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names:  KENAI SPUR HWY, ALEX DR, BROTHERS AVE</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:  37730 KENAI SPUR HWY WILL REMAIN WITH LOT 1A</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>

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

Place the following note on the plat:

“No access to state-maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation.”



**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 20024-067.  
SW1/4 Section 17 to be corrected to NW1/4 Section 17.  
Correct owner to Trinity Christian Center, Inc. to match the CTP.
- 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:**  
Correct the name of "Sports Lake", and depict and label Sports Lake Road.  
Close the border gap of section 24.
- 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:**  
Correct parcel label in southwest to "Lot 6"
- N. Apparent encroachments, with a statement indicating how the encroachments will be resolved prior to final plat approval;
- Staff recommendation:**  
**Check** apparent encroachments to north and south boundaries.

---

#### 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.

##### 20.30.060. Easements-Requirements.

D. Unless a utility company requests additional easements, the front ten feet adjoining rights-of-way shall be designated as a utility easement, graphically or by note. Within the boundaries of an incorporated city, the width and location of utility easements will be determined by the city and affected utility providers.

**Staff recommendation:**

- Depict and note item D above.

*The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Grant utility easements requested by the utility providers.***

---

#### 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.*

20.60.150. Utility easements.

B. The following note shall be shown on the final plat:

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.

**Staff recommendation:** *comply with 20.60.150.*

Depict and note font 10' of setback is utility easement.

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.*

- *No access to state-maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation.*

20.60.190. Certificates, statements, and signatures required.

**Staff recommendation:** *comply with 20.60.190.*

Add "and public areas to public use" after "rights-of-way" in line 3 of both Certificates of Ownership.

Add ", INC." to line 2 and owner addresses of both Certificates of Ownership.

---

#### **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**

---



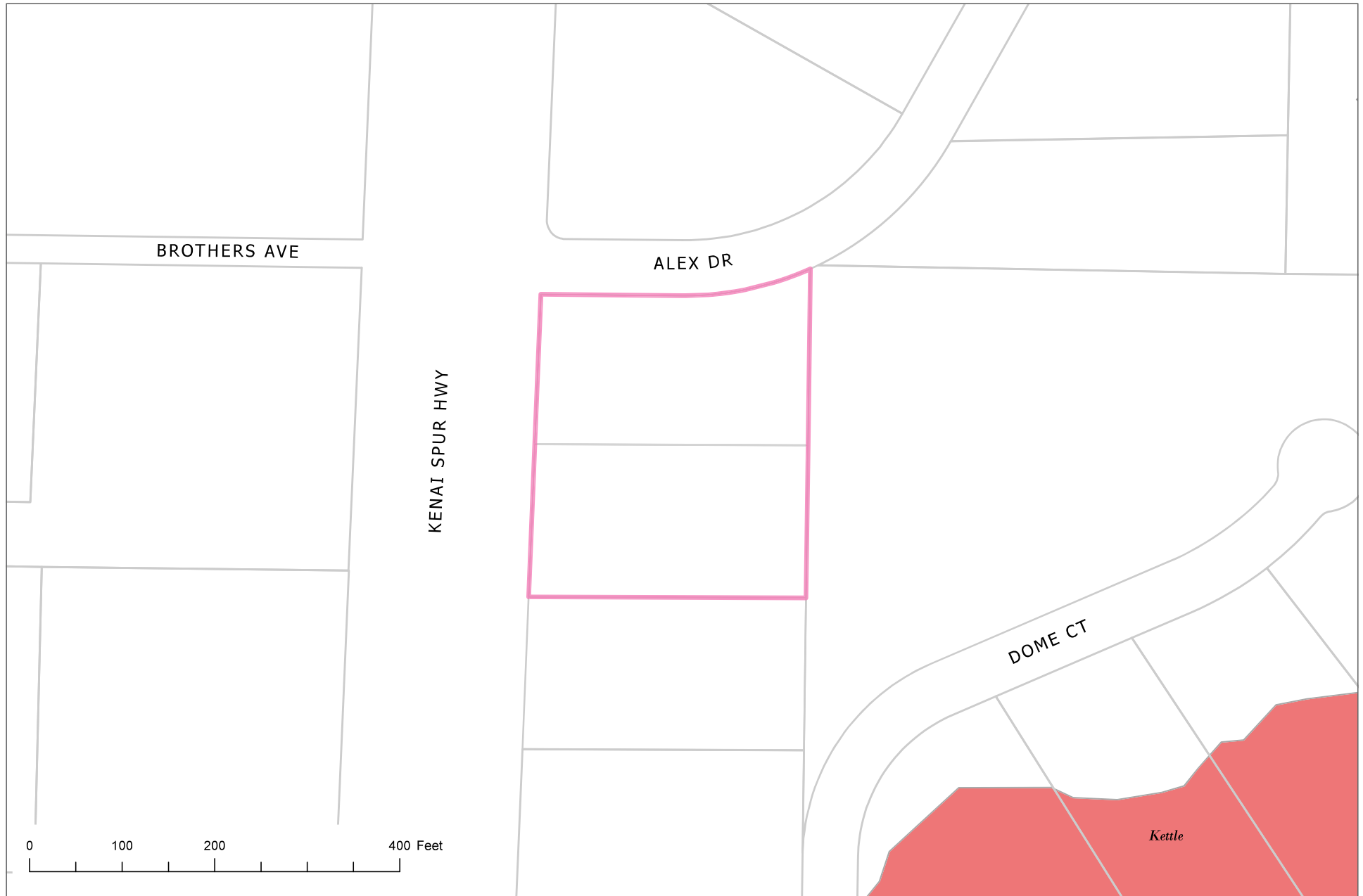


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.





## Wetlands

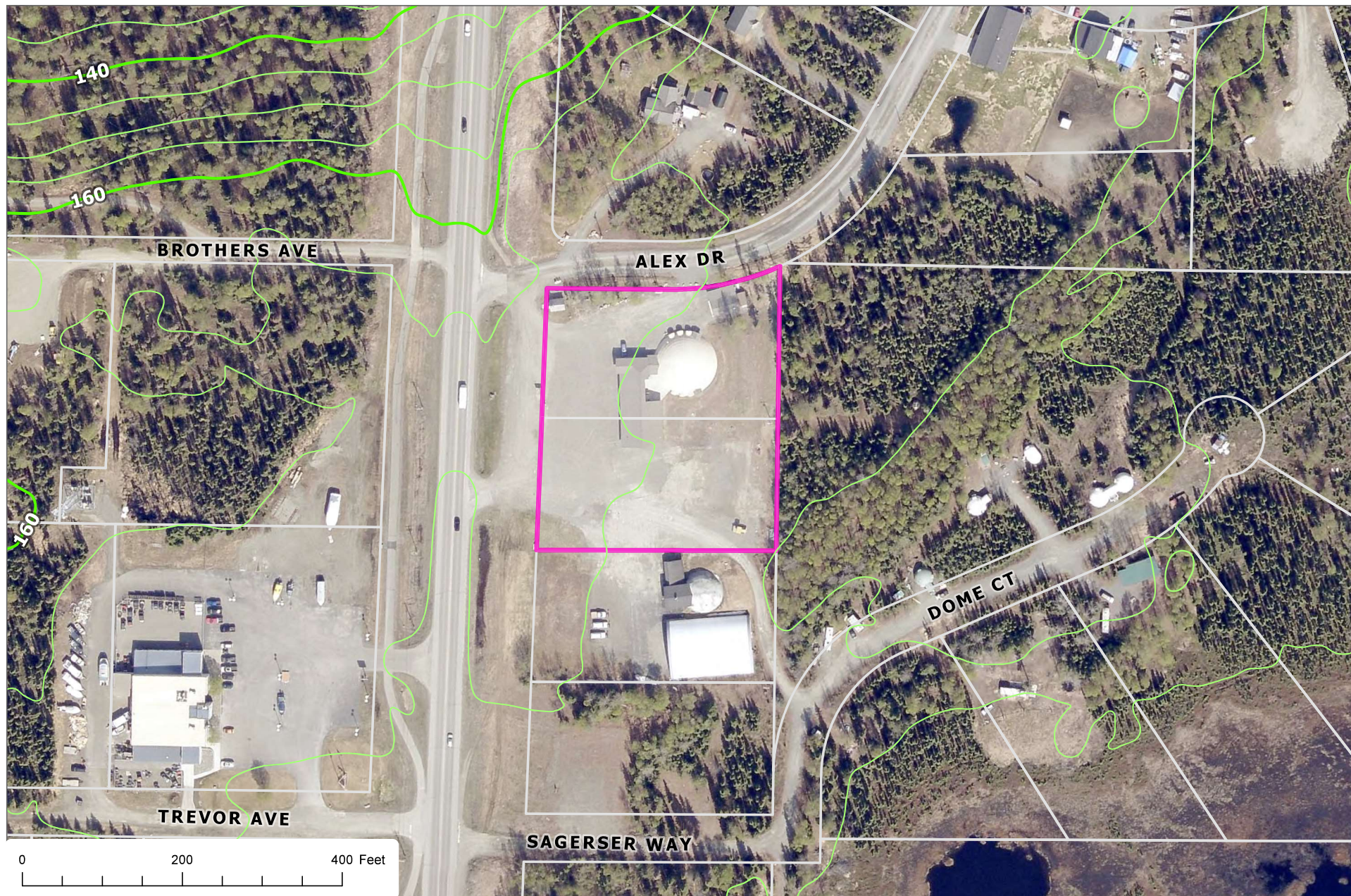


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.





Aerial with 5-foot Contours



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.



