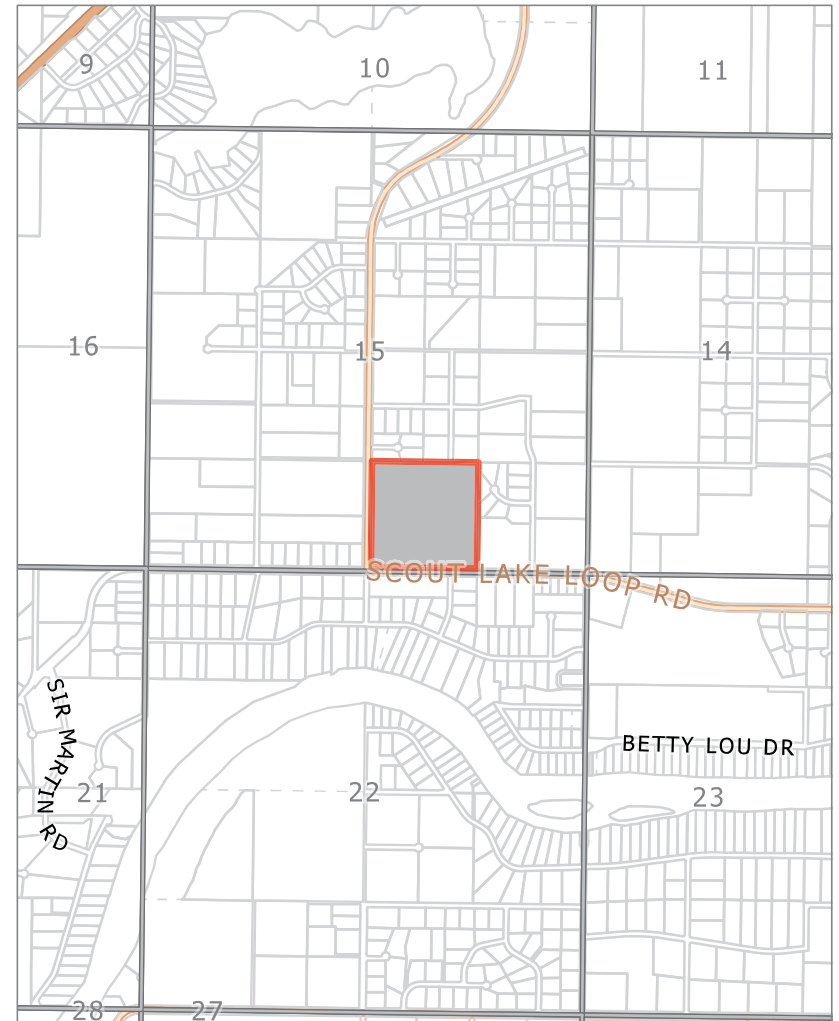
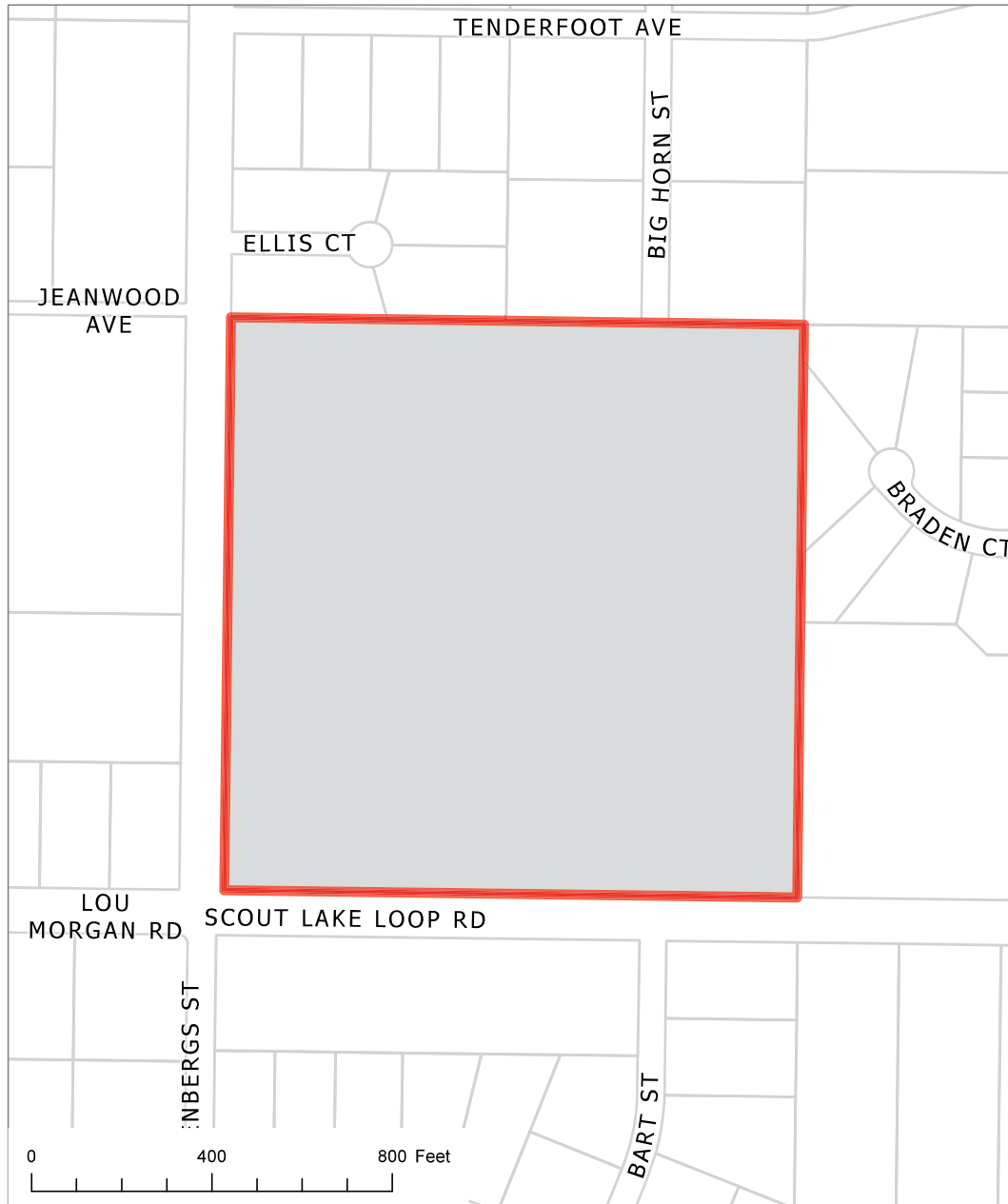


E. NEW BUSINESS

- 2. Adams-Shaw Subdivision; KPB File 2024-096**
Edge Survey & Design / Adams
Location: Scout Lake Loop Rd. & Big Horn St.
Sterling Area



KPB File 2024-096
T 05N R 09W SEC 15
Sterling



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 2 - PRELIMINARY PLAT
ADAMS-SHAW SUBDIVISION**

| | |
|--------------------------------|---|
| KPB File No. | 2024-096 |
| Plat Committee Meeting: | September 23, 2024 |
| Applicant / Owner: | Benjamin Adams of Soldotna, AK |
| Surveyor: | Jason Young / Edge Survey and Design, LLC |
| General Location: | Sterling Area |

| | |
|---------------------------|---|
| Parent Parcel No.: | 063-870-24 |
| Legal Description: | T 5N R 9W SEC 15 Seward Meridian KN SW1/4 SE1/4 |
| Assessing Use: | Residential |
| Zoning: | Rural Unrestricted |
| Water / Wastewater | On Site / On Site |
| Exception Request | 20.30.170; 20.30.030 and 20.30.100 |

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 39.975-acre acre parcel into twelve parcels. Eleven lots will be 0.918 acres and one tract will be 26.902 acres and there will be a dedication of right-of-way on two side of the plat.

Location and Legal Access (existing and proposed):

Legal access is by Scout Lake Loop Road on the south and west and by Big Horn Street at a single point on the north. All proposed lots and Tract A will all have access to Scout Lake Loop Road which is a constructed, 50-foot-wide dedicate road and is state-maintained. Tract A will also have access to Big Horn St. Big Horn Street is a 60-foot-wide, partially constructed and borough-maintained road, connecting to Tenderfoot Avenue to the north, which then connects to Scout Lake Loop Road to the west.

The proposed plat will extend the width of Scout Lake Loop Road with a 50 foot dedication on the west and south, resulting in a 100-foot complete right-of-way. Since Scout Lake Loop Rd is a State maintained road the Certificate of Acceptance needs to be to the State of Alaska. **Staff recommends** a Certificate of Acceptance be added in the name of the State of Alaska for Scout Lake Loop Road 50 foot dedication.

There are no vacations proposed.

According to KPB GIS data Scout Lake Loop Road has a 66-foot section line easement, being 33-feet on either side of the section line. **Staff recommend** the surveyor verify the width of the section line easement and show said easement on the drawing.

Block length is not compliant. An exception to block length has been requested.

PER DOT: The platting action voids any previous issued permits. Land owners will need to reapply for driveway access permits to state road and right-of-way access.

| | |
|--------------------------|--|
| KPB Roads Dept. comments | Out of Jurisdiction: No Roads Director: Griebel, Scott Comments: Property access from ROW permitted through AK DOT. No RSA objections. |
|--------------------------|--|

| | |
|------------------|--|
| SOA DOT comments | The ROW for Scout Loop Road appears to be shown correctly. Requested an acceptance of the dedication to be provided on the plat. |
| CES | No comments |

Site Investigation:

According to KPB imagery, the parcel appears to be vacant. No improvements or encroachments exist. The KPB assessing records indicate the property to be vacant also.

The land does not have any steep slopes on it as the terrain slopes at approximately 1 percent from the northwest to the southeast corner of the plat. from the northeast corner to the southwest corner is a relatively flat terrain.

There are no wetlands affecting this plat. The River Center reviewers did not identify this plat to be located in a FEMA identified flood hazard area or habitat protection district.

| | |
|-------------------------------|---|
| 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> |
| State of Alaska Fish and Game | |

Staff Analysis

Originally, the land was aliquot part of the southwest one-quarter of the southeast one-quarter (SW 1/4 SE 1/4) of Section 15, Township 5 North, Range 9 West, Seward Meridian, Kenai Recording District, Alaska. The proposed subdivision will subdivide the parcel into twelve parcels and a dedication on the west and south. Eleven Lots will each contain 0.918 acres and one Tract will consist of 26.902 acres.

Looking at the current layout of the plat, the 60' opening on the northwest corner, if this is to be a future road, it is too close to Jeanwood Ave and causing an offset intersection issue. Centerline to centerline distances shall not be less than 150', which this is 30 feet. ***Staff recommends*** either the surveyor request an exception to KPB 20.30.150 Street -intersection requirements or consider moving Lot 1 up against the north line and putting the 60' opening between Lots 1 & 2. This will create a centerline distance of greater than 150' and compliance with KPB 20.30.150(B).

A soils report will be required and an engineer will sign the final plat for the lots.

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.

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.

Utility Easements

The proposed plat grants a 15-foot utility easement adjacent to the rights-of-way and is noted on the plat and shown in the detail. KPB Code 20.30.060(D) only requires a 10' utility easement, it is the surveyor's choice to keep the 15' utility easement or reduce to the 10' utility easement.

The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. No companies have had any comments to date. **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 or recommendations |
| ACS | Approved as shown |
| GCI | |

KPB department / agency review:

| | |
|-----------------|---|
| Addressing | <p>Reviewer: Leavitt, Rhealyn</p> <p>Affected Addresses: 37090 SCOUT LAKE LOOP RD</p> <p>Existing Street Names are Correct: No</p> <p>List of Correct Street Names: SCOUT LAKE LOOP RD, BIG HORN ST, BART ST, ENBERGS ST, LOU MORGAN RD, JEANWOOD AVE, ELLIS CT</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: 37090 SCOUT LAKE LOOP RD WILL BE DELETED.</p> |
| Code Compliance | <p>Reviewer: Ogren, Eric</p> <p>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.</p> |
| Assessing | <p>Reviewer: Wilcox, Adeena</p> <p>Comments: Assessing has no comment</p> |

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

Update KPB File to 2024-096

PLAT NOTES TO ADD?

- The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170(B).
- Add Certificate of Acceptance in the name of the State of Alaska.
- *place the standard note on the plat for the flag lot(s): No structures are permitted within the panhandle portion of the flag lots/portions of Tract A.*

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.

- 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: Correct Road name to, “Scout Lake Loop Road.” on both sides
Verify and Indicate section lines easement on south line

- 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 Ellis Street to Ellis Court to the north.
Label Lot 2, KN 99-93, to the east.
South parcel should be corrected to reflect Tract C1, KN 2013-33.
West-south parcel plat reference should be KN 2003-50.
Please remove the hyphen on the south-southeast parcel, “Tract A1.”

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.

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 20.30.170 Block – Length Requirements, 20.30.030 Proposed Street Layout and 20.30.100 Cul-de-sacs

Surveyor's Discussion:

Asking exception to not dedicate ROW along the North and East boundary.

Asking exception to not dedicate Cul-de-sac or other turn-around at South end of Big Horn Street

Findings:

1. Plat to North and East have not dedicated ROW along the ¼ lines.
2. Parcels to North and East are small and will not be further subdivided.
3. All parcels to North and East have legal access from existing ROW.
4. Proposed Tract A designed with 60' flag access that can be dedicated to ROW if Tract A further subdivided.
5. Big Horn Street is not constructed or improved for the South 225 feet.
6. Parcels East and West of Big Horn Street have adequate access and existing driveways providing a constructed and improved turn around area.
7. Proposed Tract A can utilize Big Horn Street as an access point if further subdivided.

Staff Discussion:

20.30.030. - Proposed street layout—Requirements.

A. These dedications must provide for the continuation or appropriate projection of all streets in surrounding areas and provide reasonable means of ingress for surrounding acreage tracts. Adequate and safe access for emergency and service vehicle traffic shall be considered in street layout.

20.30.100. - Cul-de-sacs.

A. The closed end of the cul-de-sac shall have a suitable turnaround with a minimum radius of 50 feet to the property line.

20.30.170. - Blocks—Length requirements.

Blocks shall not be less than 330 feet or more than 1,320 feet in length. Along arterial streets and state maintained roads, block lengths shall not be less than 800 feet. Block lengths shall be measured from centerline intersections.

Findings:

8. To dedicate the right-of-way on the north and east, applicant would need to give the full 60'.
9. Parcel to the East on Scout Lake Loop Road could dedicate right-of-way with a development.
10. Granting of these exceptions will not be detrimental to any adjacent properties or cause hardships to them.
11. With the granting of the exceptions, development of Tract A will be more open to design.
12. Dedication on the north would be not in compliance with KPB 20.30.150.

Staff reviewed the exception request and recommends granting approval.

Staff recommends the Committee 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 this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (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 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 by application;
Findings 1,2, 4, 5, 11 & 12 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 6, 7 & 12 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 3, 10 & 12 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: 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.

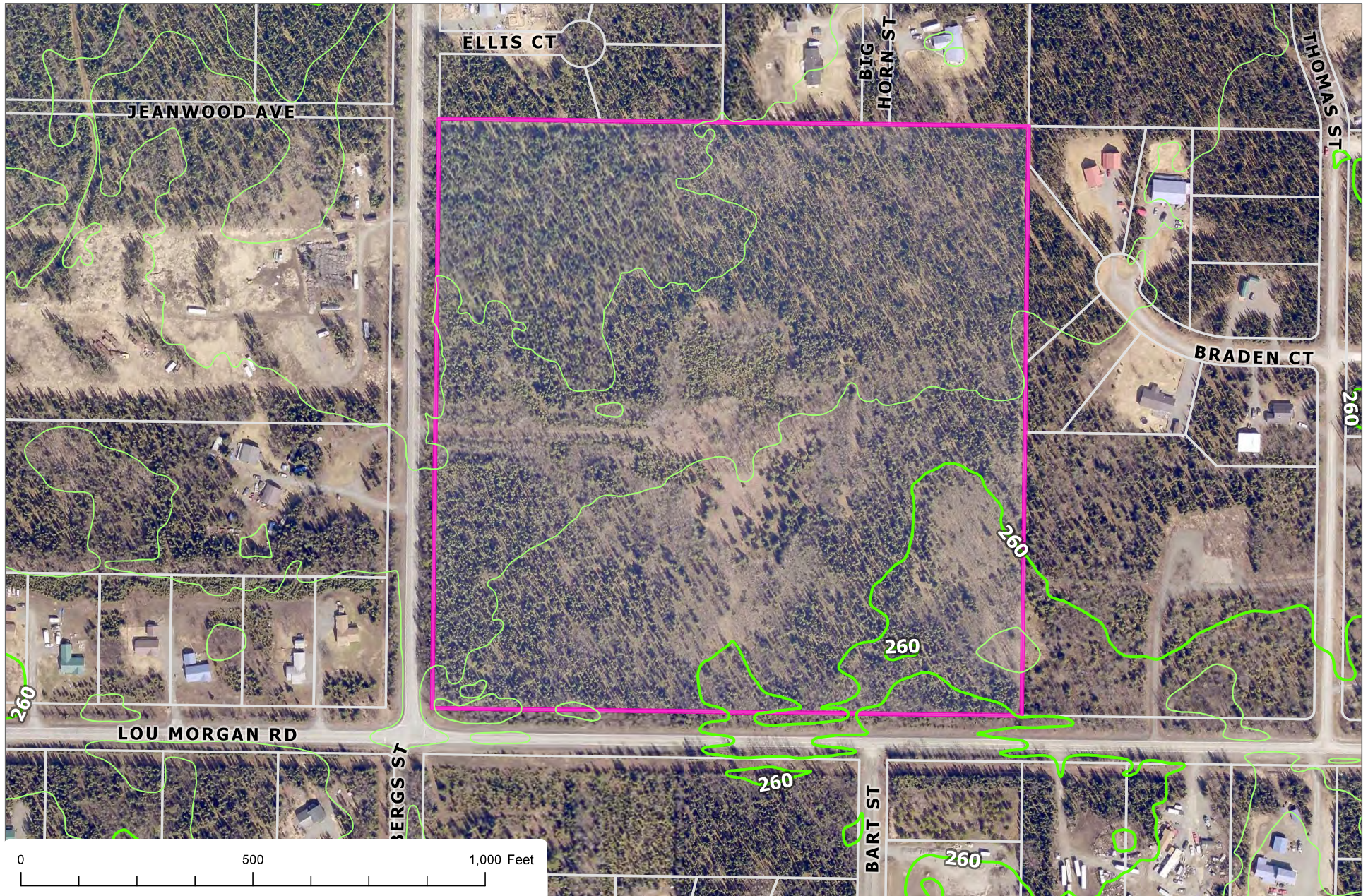
END OF STAFF REPORT



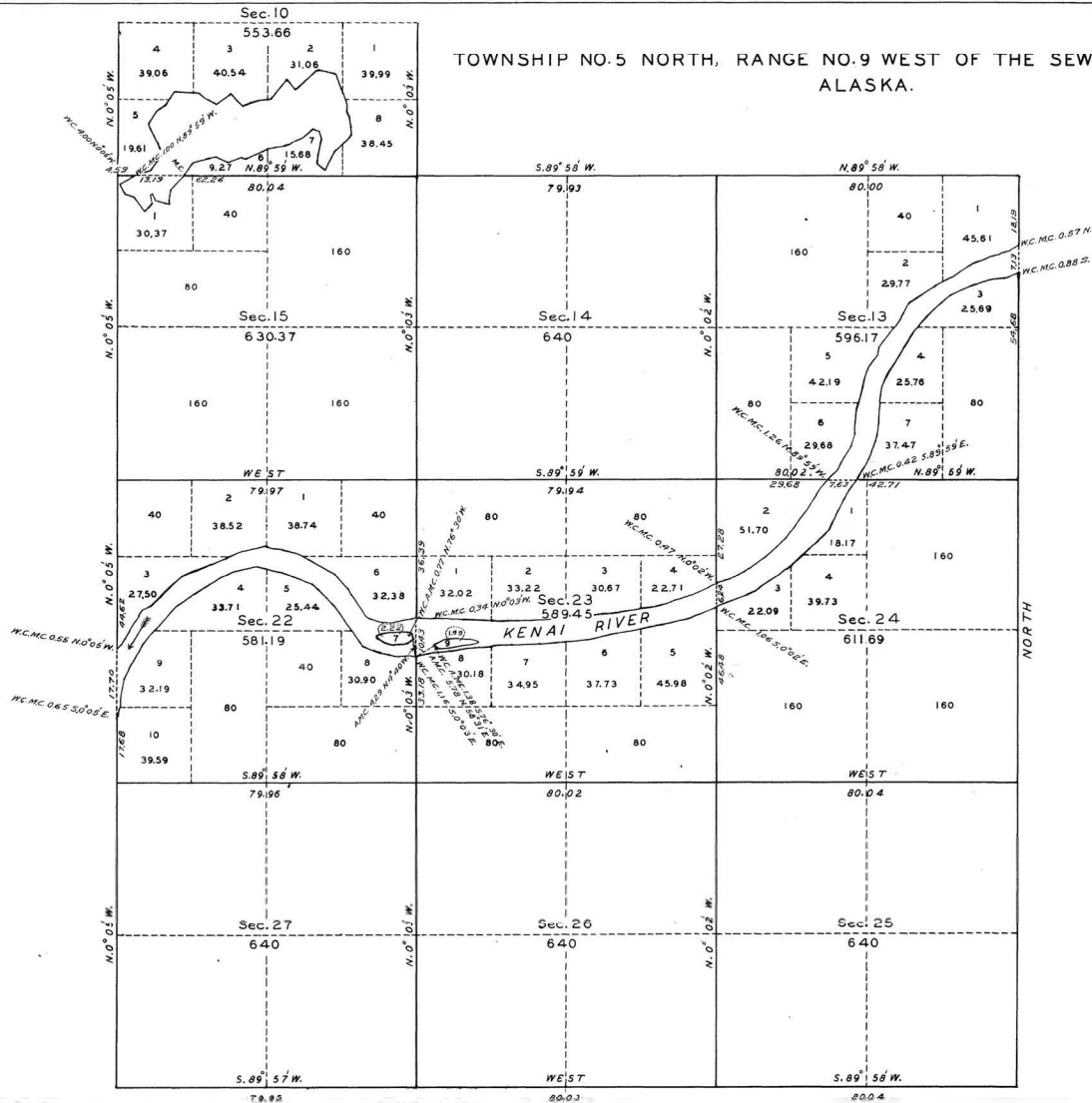
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



Aerial with 5-foot Contours



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TOWNSHIP NO. 5 NORTH, RANGE NO. 9 WEST OF THE SEWARD MERIDIAN,
ALASKA.

OFFICE OF SUPERVISOR OF SURVEYS
DENVER, COLORADO, OCTOBER 11 1940.

THE ABOVE PLAT OF TOWNSHIP NO. 5 NORTH,
RANGE 9 WEST OF THE SEWARD MERIDIAN, ALASKA,
IS STRICTLY CONFORMABLE TO THE FIELD NOTES OF
THE SURVEY THEREOF WHICH HAVE BEEN EXAMINED AND
APPROVED.

Samuel P. Simon
SUPERVISOR OF SURVEYS.

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON, D.C.,
MAY 5, 1941.

THE SURVEY REPRESENTED BY THIS PLAT HAVING BEEN
CORRECTLY EXECUTED IN ACCORDANCE WITH THE REQUIREMENTS
OF LAW AND THE REGULATIONS OF THIS OFFICE, IT IS HEREBY
ACCEPTED.

John Daniel Wolfson
ASSISTANT COMMISSIONER.

Scale: 1 inch = 20 rods