E. NEW BUSINESS

5. Spruce Park Estates Subdivision Davis Addition No. 2 KPB File 2025-078

Johnson Surveying / Davis

Location: Spruce Park Dr. off Irish Hills & Sterling Hwy.

Kalifornsky Area

Vicinity Map 5/14/2025

KOWAKAN-ST

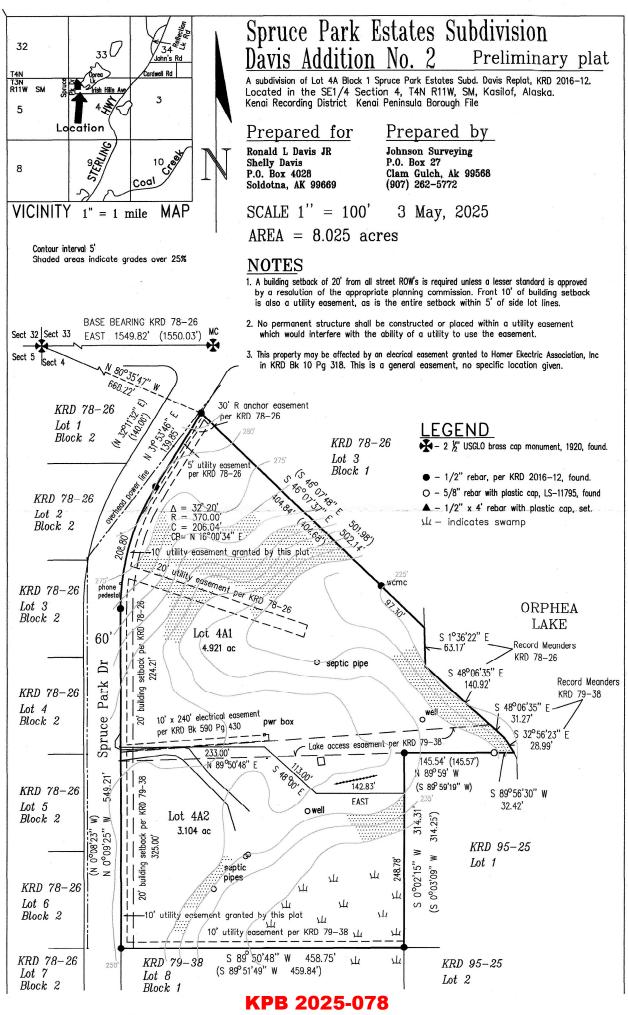


Aerial Map

KPB File 2025-078 5/14/2025







E5-3

ITEM #5 - PRELIMINARY PLAT SPRUCE PARK ESTATES SUBDIVISION DAVIS ADDITION NO. 2

KPB File No.	2025-078
Plat Committee Meeting:	June 9, 2025
Applicant / Owner:	Ronald L. Davis Jr. and Shelley A. Davis of Soldotna, Alaska
Surveyor:	Jerry Johnson; Johnson Surveying
General Location:	Spruce Park Drive off Irish Hills Avenue, Kalifornsky Area

Parent Parcel No.:	133-390-30		
Legal Description:	Lot 4A, Block 1, Spruce Park Estates Subdivision Davis Replat, Plat 2016-012, Kenai		
	Recording District, Township 3 North, Range 11 West, Section 4, Seward Meridian		
Assessing Use:	Residential Dwelling		
Zoning:	Rural Unrestricted		
Water / Wastewater	On-Site / On-Site		
Exception Request	None Requested		

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide one 8.025-acre lot into two lots: one of 4.921 acres and one of 3.104 acres.

Location and Legal Access (existing and proposed):

The proposed plat is gotten to from Irish Hills Avenue, between mile post 103 and 104 on the Sterling Highway, a state-maintained road. Irish Hills connects to Spruce Park Drive to the west, both being 60-foot dedications and constructed roads that are borough-maintained. Spruce Park Drive provides legal access to both proposed lots on the west side of them.

A lake access easement is situated on the southern end of proposed Lot 4A1 and northern end of proposed Lot 4A2. This easement was originally granted by Spruce Park Estates Subdivision Part Two (KN 79-38) and is noted on the parent plat as having, "the access is restricted to use by lot owners of Spruce Park Estates Subdivisions Part One and Two." The easement has been depicted on the proposed plat. **Staff recommends** the surveyor include the dimensions of the easement as shown on the parent plat and a plat note clarifying that the lake access easement is restricted to use by all owners of parcels included in Spruce Park Estates Subdivision Part One and Two and any parcels resulting from future subdivisions.

The block length is defined by Irish Hills Avenue to the south, Spruce Park Drive to the West, Shoreline Avenue to the north and Orphea Lake. The block length is non-compliant due to the lake abutting the subdivision on the east. Existing rights-of-ways serve the surrounding parcels and no parcels will be denied access. **Staff recommends** the Plat Committee concur that no exception is required to KPB 20.30.170 due to the location of the proposed plat and existing features.

KPB Roads Dept RSA review	Out of Jurisdiction: No			
	Roads Director: Uhlin, Dil Comments: No comments			
SOA DOT comments	No Response			

Site Investigation:

Multiple Structures are located on the property per KPB GIS Imagery. There does not appear to be any

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encroachment issues on the preliminary design when comparing the imagery to the preliminary plat. **Staff recommends** the surveyor confirm if there are any encroachments during the field survey and to notify staff of any encroachments with a resolution prior to finalization.

Orphea Lake abuts the subdivision on the eastern side of proposed Lot 4A1. KWF Wetlands Assessment shows wetlands on the southeast section of Proposed Lot 4A2 identified as Kettle. The preliminary plat contains a label for the lake and symbology representing swamp for the kettle. **Staff recommends** to include 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.

KPB GIS Terrain Viewer shows steep areas affecting the subject property. Contours have been added on the preliminary plat with grades over 25% shaded. **Staff recommends** the surveyor's to remove the contours from the final plat per KPB 20.60.010 and label the top and toe of slopes.

This plat is not within a Flood Hazard Area or Habitat Protection District per the KPB GIS River Center Reviewers.

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	No Objections

Staff Analysis

Originally, the land was surveyed as Government Lot 4 in Section 4, Township 3 North, Range 11 West, Seward Meridian, Alaska. In 1978, Spruce Park Estates Subdivision Part One (KN 78-26) subdivided a portion of Government Lot 4 into two blocks. Spruce Park Estates Subdivision Part Two (KN 79-38) subdivided a further portion of Government Lot 4, creating additional lots within Block 1. In 2016, Spruce Park Estates Subdivision Davis Replat (KN 2016-12) subdivided Lots 4 and 5, Block 1 (KN 78-26) and Lots 6 and 7, Block 1 (KN 79-38), into one large Lot. The proposed plat will subdivide the former large Lot into two new lots.

A soils report will be required and an engineer will sign the final plat as proposed Lot 4A2 is less than 200,000 sq ft (135,210.24 sq ft). **Staff recommends** the surveyor add the proper wastewater disposal note and reference to the corresponding lot to the final plat.

A soils report will not be required for proposed Lot 4A1 as the lot is greater than 200,000 sq ft (214,358.76 sq ft). **Staff recommends** the surveyor include the corresponding lot to the proper wastewater disposal note.

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.

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Utility Easements

Spruce Park Estates Subdivision Part Two (KN 79-38) granted a 10-foot utility easement on the south lot line of Lot 7. This easement was carried forward to former Lot 4A, Block 1, Spruce Park Estates Subdivision Davis Replat (KN 2016-12). The easement has been depicted and labeled correctly on the proposed plat.

Spruce Park Estates Subdivision Part One (KN 78-26) granted a 30-foot radius anchor easement on the northwest corner of Lot 4. This easement was carried forward to former Lot 4A, Block 1, Spruce Park Estates Subdivision Davis Replat (KN 2016-12). The easement has been depicted and referenced correctly on the proposed plat.

The parent plat KN 78-26 granted a 5-foot utility easement adjacent to the right-of-way on the eastern lot line of former Lot 4. This easement was carried forward to plat KN 2016-12. The easement has been correctly depicted and referenced on the proposed plat.

A general easement for electric lines or system and/or telephone lines was granted to Homer Electric Association, Inc. as recorded in Miscellaneous Book 10, Page 318, KRD. This easement is denoted as plat note number 3. **Staff recommends** correcting the typos within the plat note.

A 10-foot by 240-foot electrical easement was granted to Homer Electric Association, Inc. as recorded in Book 590, Page 430, KRD. This easement has been correctly depicted on the plat. **Staff recommends** the surveyor include a plat note referencing the easement.

As part of our routine notification process, the subdivision plat was emailed to the affected utility providers for review. **Staff recommends:** the surveyor work with the utility providers to accommodate their request, ensuring optimal use of the owner's land and maximum benefit for both the provider and the public.

The proposed plat is granting a 10-foot-wide utility easement adjacent to Spruce Park Drive, extending to 20-feet within 5-feet of the side lot lines. The easement is shown on the preliminary plat and denoted as plat note number one.

Utility provider review:

Canty provided forten	
HEA	No Comments
ENSTAR	No Response
ACS	No Objections
GCI	Approved as Shown-Suggested the legal description in the title block be NW1/4 NW1/4

KPB department / agency review:

KPB department / agency review:	<u>. </u>
Addressing Review	Reviewer: Leavitt, Rhealyn
	Affected Addresses:
	27914 SPRUCE PARK DR
	Existing Street Names are Correct: Yes
	List of Correct Street Names:
	SPRUCE PARK DR
	Existing Street Name Corrections Needed:
	All New Street Names are Approved: No
	List of Approved Street Names:
	List of Approved offeet Names.
	List of Street Names Denied:
	Comments:
	27914 SPRUCE PARK DR WILL REMAIN WITH LOT 4A1

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Code Compliance	Reviewer: Ogren, Eric
	Comments: No comments
LOZMS Review 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 Review	Reviewer: Windsor, Heather
	Comments: No comment

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

Show set pins on new lot line

Add distances where missing for new lot lines.

PLAT NOTES TO ADD

- 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.
- The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170(B).
- Acceptance of this plat by the Borough does not indicate acceptance of any encroachments.

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:

- Staff Suggests for the plat name: Spruce Park Estates Subdivision Davis Replat Addition No. 2
- Modifications to the legal description:
 - Located in the NW 1/4
 - Township 3 North
 - Modify Kasilof to Kalifornsky
- Modify the KPB File Number to 2025-078
- Name of the Owners:
 - Ronald Davis Jr. AKA Ronald L. Davis Jr.
 - Revise name to: Shelley Davis AKA Shelley A. Davis
- 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:

Label Shoreline Ave and ROW to the north

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 a label for Reflection Lake
- Modify spelling of Orphea Lake
- 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 a label for the unsubdivided parcel to the northwest
- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots; **Staff recommendation:**
 - o Include "Block 1" on the proposed Lots

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.

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: KPB 20.25.120. - REVIEW AND APPEAL.

IN ACCORDANCE WITH KPB 2.40.080, ANY PERSON, AGENCY, OR CITY THAT PARTICIPATED AT THE PLAT COMMITTEE HEARING, EITHER BY WRITTEN OR ORAL PRESENTATION, MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF DATE OF DISTRIBUTION OF THE DECISION.

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A DECISION OF THE PLAT	COMMISSION MAY BE	APPEALED TO THE HE	EARING OFFICER I	BY A PARTY OF
RECORD WITHIN 15 DAYS	OF THE DATE OF NOTION	CE OF DECISION IN AC	CORDANCE WITH	KPB 21.20.250.

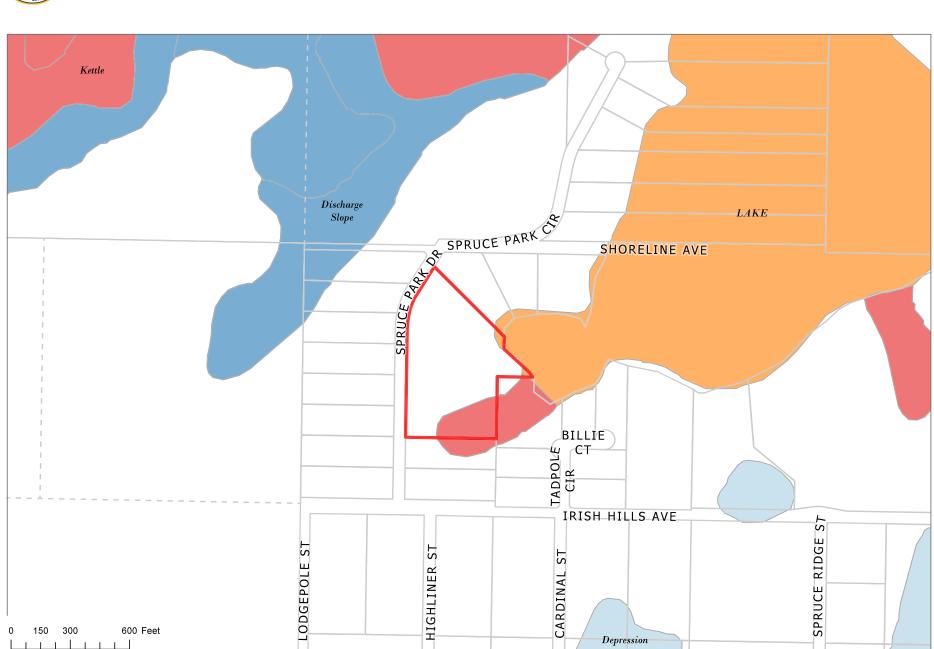
END OF STAFF REPORT





KPB File 2025-078
Wetlands 5/14/2025





Aerial with 5-foot Contours

KPB File 2025-078 5/14/2025

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