

AGENDA ITEM E. NEW BUSINESS

ITEM 3 - KUSTATAN ESTATES TKC ADDITION

KPB File No.	2021-140
Plat Committee Meeting:	Nov. 29, 2021
Applicant / Owner:	TKC LLC, PO Box 10658, Bakersfield, CA 93389
Surveyor:	Segesser Surveys
General Location:	W. Poppy / Kalifornsky Beach APC

Parent Parcel No.:	055-320-66
Legal Description:	Lot 1-A Block 1, Kustatan Estates – Smithy Resubdivision
Assessing Use:	General Commercial
Zoning:	Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 3.1 acre parcel into two lots with Lot 1D being 1.3 acres and Lot 1C being 1.8 acres.

Location and Legal Access (existing and proposed): This subdivision is located in the Kalifornsky Beach Road area within the Kalifornsky Beach APC. Legal access is from W. Poppy Lane and Kustatan Street. W. Poppy Lane is a 100 foot wide dedicated right of way maintained by the State of Alaska DOT. Kustatan Street is a 60 foot wide dedicated right of way maintained by KPB.

The block is defined by Kustatan Street, W. Poppy Lane, Lori Jo St. and Scott Ave. The subdivision is located within an open block. Existing development and low wet areas limit the extension of Kustatan Street to create a closed block. Farr Street is a dedicated right of way located to the east of Kustatan Street that creates a closed block that nearly complies with the block length requirements. **Staff recommends** that the plat committee concur that an exception to block length is not required due to the existing development trends, low wet areas, and the existence of an alternative right of way.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	We do not have any current mapping for West Poppy Lane, however the ROW for West Poppy Lane appears to be shown correctly as 100'.

Site Investigation: The area is generally flat and not affected by wetlands or drainage issues. A majority of the parent has been cleared with vegetation remaining on the west and north areas. Aerial imagery shows a building is located at the south end of proposed Lot 1C.

KPB River Center review	A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: No comments B. Habitat Protection
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	Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments C. State Parks Reviewer: Russell, Pam Comments: No Comments
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Staff Analysis The parent parcel is a 3.12 acre parcel that was created by Kustatan Estates – Smith Resubdivision, plat KN 85-52. Both new parcels will be less than 200,000 sq. ft., a soils report will be required, and an engineer will sign the final plat.

Lot 1B, located to the southeast, contains improvements and is under common ownership as this plat.

Lot 1D will have a depth to width ratio of 2.99:1 and complies with KPB subdivision standards.

Notice of the proposed plat was mailed to the beneficial interest holder on October 26, 2021. 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.

Kachemak Bay Advisory Planning Commission minutes were not available when the staff report was prepared (KPB 21.02.020). These will be provided with the desk packet if available.

Utility Easements Parent plat KN 85-52 granted 10 foot utility easements on the north, east, and south boundaries. Parent Plat KN 77-132 granted a 10 foot utility easement on the west boundary. The preliminary plat correctly depicts the platted utility easements of record. **Staff recommends** the first sentence of plat note 4 be removed as it is incorrect and all the utility easements of record have been depicted and labeled on the drawing.

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	No comments or recommendations.
ACS	
GCI	Approved as shown

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: None Existing Street Names are Correct: Yes List of Correct Street Names: W POPPY LN KUSTATAN ST Existing Street Name Corrections Needed:
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	All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: No addresses affected by this subdivision.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Taylor, Bryan 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: Bruns, Matthew Comments: No concerns from Assessing Dept.
Advisory Planning Commission	Not available at the time the staff report was prepared.

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

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

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.

- 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 shape of the subdivision within the vicinity map.

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: A soils analysis, prepared by a licensed engineer, will be required before final plat approval.

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.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: Within the Certificate of Ownership, correct the certificate to read, 'I hereby certify that TKC LLC is the owner of the real property shown and described hereon and on behalf of TKC LLC here by adopt this plat of subdivision ...' Comply with 20.60.190.

20.60.200. Survey and monumentation.

Staff recommendation: Determine the property boundary location and set survey markers at all property corners. Comply with 20.60.200

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