

AGENDA ITEM E. NEW BUSINESS

ITEM 6 - KACHEMAK WILDERNESS AND ROLLING MEADOWS REPLAT

KPB File No.	2021-165
Plat committee meeting:	January 10, 2022
Applicant / owner:	Avram V. Kalugin
Surveyor:	Ability Surveys / Gary Nelson
General location:	Frontier Lane, Walters Street, Tradewind Court and Scott Avenue

Parent parcel no.:	172-450-21, 172-450-47, 172-450-50
Legal description:	Tracts 1A and 1D Kachemak Wilderness Acres Addition No 4 plat HM 2011-14 and Lot 14 Rolling Meadows Sub plat HM 2002-89, Homer Recording District
Assessing use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will be dividing three parcels, approximately 4.3 acres in size, into six lots that will be approximately 2.2 acres in size.

Location and Legal Access (existing and proposed): This plat is located in the Fritz Creek area. Legal access to the subdivision is from milepost 8.75 of East End Road to Bonnie Avenue, to Rolling Meadows Road. Both Bonnie Avenue and Rolling Meadows Road are 60 foot wide dedicated right of ways that are maintained by the Kenai Peninsula Borough.

Rolling Meadows Road intersects with Tradewind Court and Walters Street. Tradewind Court and Walters Street north of Tradewind Court have been improved but are not maintained. The south end of Walters Court intersects Scott Avenue, a 83 foot dedicated right of way to the east, and a 83 foot section line easement to the west. The north end of Walters Street intersects Frontier Lane, a 60 foot wide dedicated right of way with borough maintenance to the northeast corner of the subdivision.

This plat will be dedicated a 33 foot wide right of way on the south boundary of Lot 14 which will encompass the 33 foot section line easement.

Large acreage parcels are located to the south and when subdivided will be required to provide the necessary right of way dedications to comply with KPB subdivision standards.

Kachemak Wilderness Acres Addition No. 4, plat HM 2011-14, depicts a cat trail extending east from Tradewind Court. No public access easement exists on the cat trail.

The parcels east of Walters Street are within a compliant block defined by Frontier Lane, Sarah Street, Scott Avenue, and Walters Street. The parcels west of Walters Street are within a compliant block defined by Walters Street, Rolling Meadows Road, Dicks Stepping Stone Street, and the 83 foot section line easement.

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

Site Investigation: Per the Kenai Watershed Forum wetland mapping information, a majority of the subdivision is

affected by an Upland Complex ecosystem with a small portion of Kettle ecosystem in the southeast corner.

The terrain is generally sloping to the south. The surveyor has identified area with slopes greater than 20% with gray shading on the preliminary plat. It appears that there is a seasonal drainage running from the north boundary of Lot 14-A to the south boundary of Lot 14-B.

KPB River Center review	<p>A. Floodplain</p> <p>Reviewer: Carver, Nancy 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 totally or partially within HPD Comments: No comments</p> <p>C. State Parks</p> <p>Reviewer: Russell, Pam Comments: No Comments</p>
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Staff Analysis The parent parcels were created by two different plats. Kachemak Wilderness Acres Addition No. 4, HM 2011-44, created parent lots 1-A and 1-D while Rolling Meadows, HM 2002-89, created Lot 14 Block 1.

No improvements currently exist on the three parent parcels.

A soils analysis report was not prepared for the parent parcels but will be required for this platting action. An engineer will sign the final plat.

The plat is intended to be completed in three phases.

Due to an eight week delay with the title companies, the Certificate to Plat has not yet been delivered. In the interest of time, **Staff recommends that the plat committee concur that the plat can be reviewed at this time and Staff can review the certificate to plat when it is delivered. Staff will bring the plat back to the plat committee if there are any items in the report that need to be addressed.**

If a beneficial interest holder affects the property, then staff will send notice of the proposed plat to the beneficial interest holder on. 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.

If the property is not affected by a beneficial interest holder, then notification per KPB 20.25.090 will not be required unless the final Certificate to Plat states beneficial interest holders affect the property.

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 The parent plats granted a 10 foot easement adjoining the dedicated right of ways with a 20 foot easement adjoining the right of way within 5 feet of the side lot lines. The plat notes reference the correct information. **Staff recommends the utility easement of record be depicted and labeled on the drawing or provide a typical drawing.**

If the Certificate to Plat identifies any additional easements of record then, **Staff recommends that the easements of record be depicted and 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 or recommendations.
ACS	
GCI	Approved as shown.

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek Affected Addresses: 54445 TRADEWIND CT 54475 ROLLING MEADOWS RD</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: TRADEWIND CT ROLLING MEADOWS RD WALTERS ST SCOTT AVE FRONTIER 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: 54445 TRADEWIND CT will remain with Lot 1-D-1 54475 ROLLING MEADOWS RD will remain with Lot Lot 14A</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	<p>Reviewer: Aldridge, Morgan 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: Bruns, Matthew Comments: No concerns from Assessing Dept.</p>
Advisory Planning Commission	

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 depiction of the subdivision boundary within the vicinity map.
- 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 proposed 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: Label the block number within Lot 13 Block 1 and Lot 9 Block 2 HM 2002-89.
- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;
Staff recommendation: Label the block number within proposed Lots 14-A and 14-B.

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: A soils analysis report will be required for this subdivision plat.

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: Provide a certificate of acceptance for KPB to accept the dedication of Scott Avenue.

- 20.60.120. Accuracy of measurements. All linear measurements shall be shown to the nearest 1/10 foot, and angular measurements shall be at least to the nearest minute. All lot areas shall be shown to the nearest 10 square feet or to the nearest 1/1,000 of total acres. Meander lines, dry land areas and submerged land areas shall be shown in addition to total area when applicable. All boundary closures shall be to a minimum accuracy of 1:5,000. Boundary and lot closure computations must be submitted with the final plat.

Staff recommendation: provide boundary and lot closure computations with the paper final plat. KPB will verify closure complies with 20.60.120.

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.

- Roads must meet the design and construction standards established by the borough in order to be considered for certification and inclusion in the road maintenance program (KPB 14.06).

20.60.200. Survey and monumentation.

Staff recommendation: Comply with 20.60.200.

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