

AGENDA ITEM E. NEW BUSINESS

ITEM 8 - HIRIDGE SUBDIVISION AMENDED THOMPSON ADDITION

<b>KPB File No.</b>	2021-163
<b>Plat Committee Meeting:</b>	January 10, 2022
<b>Applicant / Owner:</b>	Curtis D. and Laura W. Thompson of Tucson, Arizona
<b>Surveyor:</b>	John Segesser / Segesser Surveys
<b>General Location:</b>	Moser Street and Dylan Avenue, Ridgway

<b>Parent Parcel No.:</b>	057-57-023
<b>Legal Description:</b>	Lot 14 Block 1 Hiridge Subdivision Amended, Plat KN 76-132
<b>Assessing Use:</b>	Residential
<b>Zoning:</b>	Rural Unrestricted
<b>Water / Wastewater</b>	On Site

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STAFF REPORT

**Specific Request / Scope of Subdivision:** The proposed plat will subdivide a 2.1-acre parcel into two lots each 1.049 acre in size.

**Location and Legal Access (existing and proposed):** The proposed subdivision is located in the Sports Lake area on the corner of Dylan Avenue and Moser Street. The Kenai Peninsula Borough maintains both right of ways. Dylan Avenue is dedicated 60 feet wide and Moser Street is dedicated 66 feet wide. Per KPB data, Moser Street dedication coincides with 33 foot wide and 50 foot wide section line easements. Moser Street is located off Sports Lake Road; a 100 foot wide borough maintained right of way located near mile 2.5 of State maintained Kenai Spur Highway.

Both proposed lots will have access via Dylan Avenue and Lot 14B will have additional access from Moser Street.

The subdivision is not within an open block as defined by Sports Lake Road, Moser Street, and Dylan Avenue. Due to the lot configuration design and road design the ability to obtain a closed and compliant block will be difficult. The distance along Moser Street and Dylan Avenue are compliant. ***Staff recommends the plat committee concur that an exception or dedications are not required, as any dedications will not improve the block length requirements due to the existing lot configuration and right of way configuration.***

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

**Site Investigation:** The subdivision does not appear to contain any low wet areas and the property is relatively flat. No improvements are located on the parcel.

KPB River Center review	A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: No comments  B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD
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	Comments: No comments  C. State Parks Reviewer: Russell, Pam Comments: No Comments
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**Staff Analysis** Hiridge Subdivision Amended, Plat KN 76-132, created the parent lot. The plat subdivided 80 acres into 24 lots and dedicated right of ways including a portion of Moser Street and Dylan Avenue.

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

Per the preliminary Certificate to Plat, beneficial interest holders do not affect the proposed plat. Notification per KPB 20.25.090 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.

**Utility Easements** The parent plat was recorded in 1976. Utility easements were not granted adjoining all right of ways and no easements were granted within the subject parcel. Per plat note 5, a 10 foot utility easement that increase to 20 feet within 5 feet of the side lot lines, will be granted by this plat. **Staff recommends the utility easements being granted be depicted and labeled and add to the plat note that the easements are "granted by this 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 comment
ENSTAR	No comments or recommendations
ACS	
GCI	Approved as shown.

**KPB department / agency review:**

Addressing	Reviewer: Haws, Derek Affected Addresses: 44015 DYLAN AVE  Existing Street Names are Correct: Yes List of Correct Street Names: DYLAN AVE MOSER ST SCHMELZY LOOP  Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied:  Comments: 44015 DYLAN AVE will remain with lot 14B
Code Compliance	Reviewer: Ogren, Eric

	Comments: No comments
Planner	Reviewer: Aldridge, Morgan 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.

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.

- 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:** The range needs updated to 10W.
- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;  
**Staff recommendation:** Provide a block label within the subdivision boundary.

#### **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.

#### **20.30.240. Building setbacks.**

- A. A minimum 20-foot building setback shall be required for dedicated rights-of-way in subdivisions located outside incorporated cities.
- A. The setback shall be graphically depicted and labeled on the lots; if such depiction will interfere with the legibility of the plat, a typical lot showing the depiction and label may be provided on the plat, clearly indicating that the typical setback applies to all lots created by the plat.
- B. The setback shall be noted on the plat in the following format:  
Building setback- A setback of 20 feet is required from all dedicated street right-of-ways unless a lesser standard is approved by resolution of the appropriate planning commission.
- C. When a subdivision is affected by a Local Option Zoning District (LOZD), an approved by the assembly, all building setbacks shall be graphically depicted and labeled on the lots. A local option zoning setback shall be noted on the plat in the following format:  
Building setback – This subdivision is located within (name of LOZD) Local Option Zoning District as contained in KPB Chapters 21.44 and 21.46 and adopted by KPB Ordinance (number), recorded

under (serial no. and recording district). Information regarding the zoning restrictions and copies of the ordinance are available from the KPB Planning Department.  
**Staff recommendation:** *Depict and label the setback.*

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#### **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 is required and an engineer will need to sign the plat.*

**Staff recommendation:** *comply with 20.40.*

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#### **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.*

##### 20.60.110. Dimensional data required.

A. The bearing and length of every lot line, block line, and boundary line shall be shown. Dimensions of lots shall be given as net dimensions to the boundaries of adjoining streets and shall be shown in feet. No ditto marks shall be used. Information shall be shown for all curves, including radius, central angle, arc length, chord length and chord bearing. The initial point of survey shall be shown and labeled. All non-radial lines shall be labeled. If monumented lines were not surveyed during this platting action, show the computed data per the record plat information.

B. 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.

C. Any discrepancy between the survey and the record description, and the source of all information used in making the survey shall be indicated. When an inconsistency is found including a gap or overlap, excess or deficiency, erroneously located boundary lines or monuments, or when any doubt as to the location on the ground of the true boundary or property rights exists, the nature of the inconsistency shall be clearly shown on the drawing.

**Staff recommendation:** *Provide a distance and bearing label for the new boundary line. The legend states record information is located in parenthesis but there currently is no information presented in parenthesis. Comply with 20.60.110.*

##### 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:**

- *Revise plat note 3 to include the correct code reference, 20.60.170.*
- *Include in plat note 4 that the book is "Misc".*

##### 20.60.190. Certificates, statements, and signatures required.

**Staff recommendation:** Revise the certificate of ownership and dedication to be plural owners. Documents were submitted for power of attorney. If the power of attorney will be signing on behalf of Laura W. Thompson the signature line should be revised.

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Laura W. Thompson by  
Curtis D Thompson as her  
Power of Attorney

The notary's acknowledgements should be for Curtis D. Thompson and Curtis D. Thompson as power of attorney for Laura W. Thompson.  
Comply with 20.60.190.

20.60.200. Survey and monumentation.

**Staff recommendation:** Provide a tie to a second GLO/BLM survey marker. Comply with 20.60.200

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### **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