

AGENDA ITEM E. NEW BUSINESS

ITEM 4 - Golf Acres Subdivision 2022 Replat

KPB File No.	2022- 014
Plat Committee Meeting:	February 28, 2022
Applicant / Owner:	Michael Schoessler and Heather Swanson of Soldotna, Alaska
Surveyor:	Jason Young, Mark Aimonetti / Edge Survey & Design
General Location:	Long Drive, City of Soldotna

Parent Parcel No.:	059-430-15, 059-430-16, and 059-430-17
Legal Description:	Lots 1-3, Block 3 Golf Acres Subdivision Plat KN 81-43
Assessing Use:	Residential
Zoning:	Rural Residential
Water / Wastewater	Onsite

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will combine three lots to create a 5.47 acre lot.

Location and Legal Access (existing and proposed): The preliminary plat is located at the end of Long Drive. Long Drive ends with a cul-de-sac. Long Drive provides a connection between On Par Lane and Fairway Drive. All three right of ways are 60 feet wide and managed by the City of Soldotna. On Par Lane and Fairway Drive are located near mile 92.5 of the Sterling Highway.

The preliminary plat is part of a subdivision that surrounds the Birch Ridge Golf Course. The golf course is located to the east of the preliminary plat.

The block is not compliant. The preliminary plat is located at the end of a cul-de-sac and is surrounded along the west and south by large acreage parcels that have not been subdivided. Wetlands are present south of the subdivision and some steep slopes are present within the proposed lot. To the east is the golf course. **Staff recommends** that the plat committee concur that an exception is not required, as this subdivision plat cannot dedicate practical right of way to improve the block.

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

Site Investigation: There are areas of low wet areas present and the preliminary plat depicts the areas. **Staff recommends** a note be placed 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.

Per KPB GIS data, there are steep slopes present through a portion of the subdivision. The slopes run northwest to southeast through the property. The property is relatively flat in the low wet area and north of the slopes where the improvements are located. **Staff recommends** the steep slopes be verified and include the top and/or toe of any bluffs located on the property.

Improvements are on the property with a residential home located on parent Lot 2. Improvements on Lot 2 do appear to be close to the lot line with Lot 3. There is no indication that there is an encroachment but if one exists, the platting action will resolve the issue. The land surrounding the subdivision is mostly vacant or contains the golf course. The lot directly north of the subdivision does have improvements but no encroachment issues appear to

be present.

KPB River Center review	<p>A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Within City of Soldotna/Kenai Comments: No comments</p> <p>B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p> <p>C. State Parks Reviewer: Russell, Pam Comments: No Comments</p>
State of Alaska Fish and Game	No objections. The proposed actions will not affect public access to public lands and waters.

Staff Analysis The proposed plat will be combining three lots that were created by Golf Acres Subdivision Addition No. 1, Plat KN 81-43. That plat subdivided some aliquot lands and dedicated the cul-de-sac that provides access to the proposed plat.

The proposed plat is within the City of Soldotna. The City of Soldotna Planning and Zoning Commission recommended approval of the preliminary plat at their February 2, 2022 meeting and adopted Resolution PZ 2022-002.

Per the City of Soldotna Resolution, municipal water and sewer are not available and an installation agreement is not required. The minutes indicate the owner spoke about the preliminary plat and said the lots are limited by the topography and future development will be limited as it will not be possible to meet septic and well standards. A soils analysis report will not be required and an engineer will not need to sign the plat. Per KPB 20.40.020(A)(2), the report is not required, as this will be increasing the lot size by more than 1,000 square feet of suitable area.

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.

Utility Easements The parent plat granted two 30 foot radius utility easements on the shared lot lines. Those easements are being carried over and are depicted and noted on the plat. An additional easement was granted to Homer Electric Association by recorded document. That easement is within plat note 3. This plat contains the note that 10 foot utility easements are present adjacent to the right of way. **Staff recommends the easement be depicted and noted that it is being 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 comments
ENSTAR	No comments or recommendations
ACS	No objections
GCI	Approved as shown.

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek Affected Addresses: 291 LONG DR 285 LONG DR 279 LONG DR</p> <p>Existing Street Names are Correct: Yes List of Correct Street Names: LONG DR</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied:</p> <p>Comments: The city of Soldotna will advise on affected addresses.</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: Wilcox, Adeena Comments: No comment</p>

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:** *Provide the rest of the parent subdivision name by adding "Addition No. 1". The scale appears to be off. Please verify and update before final.*
- 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:** *The scale appears to be slightly off. Please verify and update prior to final.*

- 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: *Provide labels for the unsubdivided parcels located to the west of the subdivision. Labels and lot depictions are needed for Tract A1-E and Lot 9A located south of the subdivision.*

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.*

- 20.30.270. Different standards in cities. Where cities have enacted by ordinance different subdivision design standards than those set forth in this chapter, the planning commission shall apply the city standards in lieu of those set forth in this chapter. Any appeal of a city design standard is subject to KPB 21.01.020(E).

Staff recommendation: *The City of Soldotna does not meet the specified requirements for the application and consideration of different standards.*

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 not required.

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.*

- 20.60.180. 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.

- *The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.*
- *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.*

Make the following corrections.

- *Add to note 2 that the easements are being granted by this plat.*
- *Add “KRD” or “Kenai Recording District” to note 4.*
- *Note 4 can be shortened. This is a suggestion and not required. “Subject to covenants, conditions and restrictions as contained in instrument recorded on April 10, 1981 in Book 169 Page 494, KRD.”*

- 20.60.190. Certificates, statements, and signatures required.

Staff recommendation: *Include with the signature lines which parent lots they are signing as owner.
Comply with 20.60.190.*

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
