

AGENDA ITEM E. NEW BUSINESS

ITEM 6 - PACES PLEASANT HAVEN SUBDIVISION ADDITION NO 3

KPB File No.	2022-013
Plat Committee Meeting:	February 28, 2022
Applicant / Owner:	KOA Family Trust of Soldotna, Alaska
Surveyor:	Jason Young, Mark Aimonetti / Edge Survey & Design
General Location:	John's Circle, City of Soldotna

Parent Parcel No.:	059-260-10
Legal Description:	N1/2 N1/2 NE1/4 SW1/4 of Section 28, Township 5 North, Range 10 West, excluding Pace's Pleasant Haven Addition No. 1 (Plat K-1654) and the west 303.4 feet
Assessing Use:	Residential
Zoning:	Commercial/Rural Residential
Water / Wastewater	Onsite

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 2.3 acre parcel into two lots that will be 1.15 and 1.41 acres.

Location and Legal Access (existing and proposed): The proposed plat currently has constructed access off Johns Circle. Johns Circle is located at the end of Paces Boulevard. Both the right of ways are 60 foot wide right of ways that are managed by the City of Soldotna. Paces Boulevard is located off state maintained Whistle Hill Loop. Whistle Hill Loop is a frontage road along mile 93.5 of the Sterling Highway.

The new lots will continue to have access via Johns Circle.

The block does not close. Johns Circle ends in a cul-de-sac. To the west is a 6 acre lot that has not been further subdivided and has wetlands in the western portion. Lot 1A, located south of the subdivision has improvements. Any dedication along the southern boundary of this subdivision would not be matched due to improvements. A continuation of Paces Boulevard would greatly affect the lots north of the subdivision in addition to creating a small lot within this subdivision. ***Staff recommends the plat committee concur that an exception is not required, as any required dedication would not improve the block.***

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

Site Investigation: There are no low wet areas present within the subdivision. Contours are shown on the preliminary plat. The area where this subdivision is present has level areas with elevations lowering as it approaches the Sterling Highway.

There is a four plex with a gravel driveway present on what will be known as Lot 5. The area to be Lot 4 is currently vacant. Lot 1A contains several businesses and parking lots. Of the other surrounding lots, four are shown to be currently vacant and three contain residential dwellings. There does not appear to be any encroachment issues.

KPB River Center review	A. Floodplain Reviewer: Carver, Nancy
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	Floodplain Status: Within City of Soldotna/Kenai Comments: No comments B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments C. State Parks Reviewer: Russell, Pam Comments: No Comments
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 subdivision will be dividing an aliquot remainder lot into two lots. A deed was recorded in 1967 that granted the western 303.4 feet to another owner. That portion is excluded from this subdivision and is noted as the unsubdivided property to the west. Pace's Pleasant Haven Subdivision Addition No. 1, Plat K-1654, was recorded in 1969 and subdivided the southern portion of the original aliquot lands. This subdivision is now subdividing the remainder of the aliquot lands.

Municipal sewer and water are not available. A soils report will be required and an engineer will sign the final plat.

Notice of the proposed plat was mailed to the beneficial interest holder on February 4, 2022. 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.

The City of Soldotna Planning and Zoning Commission heard and recommended approval at their February 2, 2022 meeting. They adopted Resolution PZ2022-001. The resolution notes that city water and sewer are not available. An installation is not required. The resolution also noted that the zoning for the parent lot is split. Lot 4 will be completely within the Commercial District while Lot 5 will remain split between Commercial and Rural Residential Districts.

Utility Easements The parcel within this subdivision has not had a plat done and thus no utility easement granted by plat exist. This plat is proposing to grant 15 foot utility easements along the dedicated right of way.

Per the Certificate to Plat there are no easements granted by recorded documents.

Homer Electric Association has requested an easement over an existing power line.

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	Provide a 15 foot utility easement centered on existing power line including poles, guys, and anchors within proposed Lot 4. Please verify the location during the field survey, approximate location depicted on drawing.
ENSTAR	No comments or recommendations
ACS	No objections.
GCI	Approved as shown

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek Affected Addresses: 209 JOHNS CIR</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: JOHNS CIR PACES BLVD TURNBUCKLE TERRACE RD</p> <p>Existing Street Name Corrections Needed: 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:

- *Update the description of the subdivision to "N1/2 N1/2 NE1/4 SW1/4".*
- *The Certificate to Plat and KPB Assessing records indicate the owner as KOA Family Trust. Update the owner information and the mailing address.*
- *Within the location update to "SW1/4".*
- *Scale appears to be off. Please verify and update prior to submitting the final plat.*

- 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.
- Section 30 needs to be labeled.
- The proposed plat does not appear to be present. This should be included with an obvious outline or shading and a label such as "This Plat".

- 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: Update the label for the lot located to the northwest. The lot is Lot 13-A from Plat 2014-46.

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: Municipal water and sewer are not available. A soils report will be required and an engineer will need to sign the 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.

- 20.60.110. 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: *The northern boundary will need to have the distance broken down between monuments to depict the correct boundary of each lot. 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: *Update the plat note numbers. There is some extra spaces within the wastewater disposal note that can be removed.*

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: *Update the signature line to show Mr. Krull is signing as a Co-Trustee of the KOA Family Trust. Update the address for the signature line. 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