

E. NEW BUISNESS

ITEM E2 - MCCLAREN SUBDIVISION



KPB File # 2016-083

Township 5 South Range 14 West Sections 19 & 20

Anchor Point area



CERTIFICATE OF ACCEPTANCE

THE UNDERSIGNED OFFICIAL, IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE KENAI PENINSULA BOROUGH FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS: ROLLINS WAY, THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSES DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY: _____ DATE: _____
NAME AND TITLE OF AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

CERTIFICATE OF OWNERSHIP

I hereby certify that I am the owner of the real property shown and described herein, and that I hereby adopt this plan of subdivision, and by my free consent dedicate all public rights-of-way and grant all easements to the use shown.

Adm Nathaniel Stockdale as PCA for
Teri Hope McClaren (owner)
37855 Sterling Highway
Anchor Point, AK 99556

NOTARY'S ACKNOWLEDGEMENT

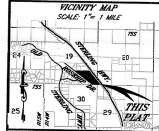
For Adm Nathaniel Stockdale
Acknowledged before me this _____ day
of _____, 2021.

History public for Alaska My Commission Expires _____

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of August 6, 2016. Time extensions were granted June 18, 2018 and May 7, 2020.
KENAI PENINSULA BOROUGH

BY _____
Authorized Official



DATE: 1/17/2022
SCALE: 1"=100'
JOB NO: 2858
DRAWING: 212

McCLAREN SUBDIVISION

A SUBDIVISION OF THAT PORTION OF THE SW 1/4 SW 1/4 SEC 20 LYING WEST OF THE NEW STERLING HIGHWAY TOGETHER WITH THAT PORTION OF THE S 1/2 S 1/2 SEC 19 LYING BETWEEN THE NEW STERLING HIGHWAY AND THE OLD STERLING HIGHWAY, EXCEPTING THEREFROM THAT PORTION OF S 1/2 SW 1/4 NE 1/4 SW 1/4 OF SAID SECTION 19, LYING EAST OF SAID OLD STERLING HIGHWAY, AND FURTHER EXCEPTING THEREFROM THE PLAT OF STERLING ACRES UNIT 1 (HM86-70), AND FURTHER EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES BY WARRANTY DEED RECORDED JANUARY 10, 2022 UNDER SERIAL NUMBER 2022-00089-D, ALL WITHIN T5S, 14W, S. M., KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, STATE OF ALASKA, HOMER RECORDING DISTRICT, CONTAINING 33.189 ACRES.

OWNER:
TERI HOPE McCLAREN
37855 STERLING HIGHWAY
ANCHOR POINT, AK 99556
ABILITY SURVEYS
GARY D. NELSON, P.L.S.
152 DOUGLASS AVE. HOMER, ALASKA

PLAT #
Rac Dist: 20
Date: _____
Time: _____ M

WASTEWATER DISPOSAL:
LOT 4 SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES IN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SERVING SINGLE-FAMILY OR DUPLEX RESIDENCES AND MEETING THE REGULATORY REQUIREMENTS OF THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE DESIGNED BY A PROFESSIONAL ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

LOTS 2,3,5,6 & 7 ARE AT LEAST 200,000 SQUARE FEET, OR NOMINAL 5 ACRES IN SIZE AND CONDITIONS MAY NOT BE SUITABLE FOR ON SITE WASTEWATER TREATMENT AND DISPOSAL. ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

ENGINEER: _____ LICENSE # _____ DATE: _____

KPB FILE NO. 2016-083

LEGEND

- FOUND 2.5" GLO BRASS CAP ON 2"IP, 1918
- FOUND 8"x 8" D.O.T. CONCRETE R.O.W. MON.
- FOUND 2" AL-CAP BY 1301-S, 1998
- SET 2" AL-CAP ON 5/8" REBAR, 7616-S, 2020
- FOUND 3" ALUM. MON BY 1301-S, 1985
- FOUND 2" AL-CAP BY 5780-S, 2000

CURVE	LENGTH	RADIUS	DELTA	CHORD BEING	CHORD
C1	31.42	20.00	88°59'31"	S84°34'24"E	28.28
C2	31.42	20.00	88°59'31"	N03°25'25"E	28.28
C3	30.27	20.00	88°43'27"	S83°11'16"W	27.46
C4	33.02	20.00	84°35'19"	S08°09'21"E	28.39

LINE	BEARING	DISTANCE
L1	N71°45'16"E	139.32
L2	N12°10'11"W	159.22
L3	S45°07'26"W	246.76

AGENDA ITEM E. NEW BUSINESS

ITEM 2 - MCCLAREN SUBDIVISION

KPB File No.	2016-083
Plat Committee Meeting:	April 11, 2022
Applicant / Owner:	Teri McClaren of Anchor Point, AK
Surveyor:	Gary Nelson / Ability Surveys
General Location:	Rosehip Drive, Anchor Point

Parent Parcel No.:	171-024-19
Legal Description:	Portion of S1/2 S1/2 in Section 19 lying west of Sterling Highway and east of Rosehip Drive and that portion of SW1/4 SW1/4 in Section 20 lying west of Sterling Highway
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The Kenai Peninsula Borough Plat Committee heard and approved the preliminary plat at the August 8, 2016 meeting. Time extensions were granted in 2018 and 2020 by Administrative Approval. The approval for the file is set to expire on August 8, 2022.

The original design, approved by the Plat Committee, was going to subdivide a 33 acre parcel into nine lots and provide a right of way dedication. The owners submitted their final with the same general design but reduced the number of lots to seven. The lots were designed to be over 200,000 square feet so that a soils analysis report would not be required except for one lot. That report was received and approved.

This plat is being brought back to the plat committee as the surveyor has requested an exception to KPB 20.40.030 or 040 as appropriate for Lot 1.

EXCEPTIONS REQUESTED:

KPB 20.40.040 – Conventional onsite soil absorption systems (requirement for a soils analysis report for Lot 1)

Surveyor's Discussion: A Certificate to Plat was provided on February 14, 2022. Shockingly to me, the CTP cited (2022-000089-0) a Deed to State of Alaska DOT, by McClarens for a 16.8 feet wide strip of land fronting the Sterling Highway recorded on January 10, 2022. I knew nothing of this deed.

In explanation; a history:

Clarence and Elizabeth McClaren asked me to subdivide the subject property in 2016 because Elizabeth was diagnosed with cancer and felt they were going to need to sell some land to help cover medical costs and distribute to children. Clarence thought he was going to be able to improve the roadway for the new Rollins Way dedication, but wanted to do it prior to plat recording so he would not have to get permits from KPB to make the improvements. Well life kept getting in the way. Clarence kept experiencing delays in obtaining equipment to do the work, combined with travel to hospital care for Elizabeth and at home care for her that became extensive. She died in December 18, 2016. His quest to do the roadwork and subdivide continued but somewhat on hold due to the circumstances. He traveled during winters, and always seemed to bite off more than he could chew so to speak regarding getting the roadwork done.

Clarence remarried, to Teri in December 2017.

In 2020 Clarence was diagnosed with pancreatic cancer. He continued his life as if he had not, and thought he would get the roadwork done. In 2021 he asked me to please complete the processing of the subdivision. I and KPB were very busy and so the processing took some time. The cancer combined with the radiation and chemotherapies obviously took their toll on his mental capacity. He obviously did not understand the significance of deeding the strip of highway frontage to DOT would have on the processing of his subdivision. He never mentioned the deed action to me. The lots fronting the highway had been designed and approved by KPB to meet the over 200,000 square feet provision of KPB Wastewater Code 20.40.030 Abbreviated Submittal. The lots 1, 3, and 7 were now going to be less than the required minimum. Lot 1 will now be .128 acre shy of meeting the code provision, Lot 3 can easily be adjusted to meet the code provision by moving the boundary between Lots 3 and 4. Lot 7 can be adjusted to meet the minimum by moving the line common with Lot 6. I am therefore requesting the plat be put on the next Plat Committee meeting for consideration of an exception to KPB Wastewater Code 20.40.030 Abbreviated Submittal or as needed, for Lot 1, due to the extenuating circumstances.

I understand that a few lot corners will need to be moved, wastewater note changed, and lot closures redone. I have enclosed an 11x17 reduced copy of the final prior to knowledge of the DOT deed. Also enclosed are seven 11x17 reduced copies and one full size copy of the final plat correct to conform to the new legal description excepting DOT Deed 2022-000089-0 and redesigned to incorporate the changes mentioned above.

Thank you for your assistance and consideration in this endeavor.

Staff Discussion: The exception request will be for 20.40.040(A), the requirement of submitting a soils analysis report.

The Kenai Peninsula Borough Plat Committee heard and approved the preliminary plat at the August 8, 2016 meeting. Time extensions were granted by Administrative Approval in 2018 and 2020. The approval for the file is set to expire on August 8, 2022. A final was received by the surveyor on September 9, 2021 and was followed by another final submittal on December 8, 2021 for another review. The surveyor was attempting to finalize the plat in 2021. The surveyor had requested a final certificate to plat on December 1, 2021 and per the surveyor, typically only take about 3 days to be submitted. It took the title company two months to provide the final certificate to plat. Once received a deed had been recorded where the owners deeded a portion of their property to Alaska DOT.

The warranty deed, recorded on January 10, 2022, states that 23,736 square feet were being conveyed to the State along the Sterling Highway. This deed was done as part of the project "Sterling Highway MP 157-169 Reconstruction, Anchor Point to Baycrest Hill." The state, as part of highway projects, sometimes needs to acquire additional property along the right of ways. This is usually done by deed and KPB records are updated once the deeds are recorded and the right of way project has been completed. It should be noted that this is the only time the KPB allows for property boundaries to change without a subdivision plat. It appears that the state took approximately 17 feet of right of way for approximately 1,400 feet along the preliminary subdivision.

The granting of the exception will not change the original approval date of the preliminary plat. Time extensions have been permitted as outlined in KPB 20.25.110. The last of which was granted and the approval will expire on August 8, 2022. Staff is working with the surveyor to try to complete this item prior to the expiration date.

Approval will require a new plat note for the exception granted in addition to the corrections noted by the surveyor.

If denied, a soils analysis report will be required to be submitted for review and approval and an engineer will need to sign the plat.

Surveyor's Findings:

1. The change was mandated by DOT after KPB Preliminary plat approval had been granted, and no alternative option was given the landowners by DOT.
2. The change in acreage will not diminish wastewater capacity.
3. The acreage change will not increase habitable density.

4. The change of ownership to DOT will only be used for highway corridor purposes.
5. Lot 1 slopes or drains to the Sterling Highway that is a 200 feet wide buffer to the undeveloped DNR land on the other side of the Highway, posing no possibility of adverse impact to the public.

Staff's Findings:

6. The owner is willing to adjust other impacted lots to comply with code.
7. A soils analysis report was presented to the Kenai Peninsula Borough and was approved on January 26, 2022.
8. The soils report was based on the seven lot configuration prior to the DOT deed.
9. The soils on Lot 4 were found to be suitable for conventional and on-site wastewater disposal and consistent with historically encountered soils in the area.
10. The test hole was excavated to a depth of 9 feet with significant groundwater at 7 feet from the surface.
11. Soils between 2' and 9' below grade are noted to be well graded sand and gravel.
12. Lot 1 contains 33 foot wide section line easements for a total of 66 feet.
13. A small area of wetlands are present in the western boundary of Lot 1.
14. The working map presented with the soils analysis indicate slopes greater than 20 percent are present within proposed Lot 1.
15. The working map indicates possible locations for future wells, septic, and replacement systems.

Staff reviewed the exception request and recommends granting approval.

Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;
Findings 1-7, 9-11, and 15 appear to support this standard.
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
Findings 1-7, 9-11, and 15 appear to support this standard.
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
Findings 1-7, 9-11, and 15 appear to support this standard.

Staff recommendation: place notes on the final plat indicating any exceptions granted by the Plat Committee with the meeting date and provide the correct Wastewater Disposal note.

RECOMMENDATION:

SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:

- **GRANT THE EXCPETION REQUESTED TO THE ALL READY APPROVED PRELIMINARY PLAT, 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

ABILITY SURVEYS

SURVEYING HOMER SINCE 1976

LAND SURVEYING - CONSTRUCTION SURVEYING - DESIGN SURVEYING
152 DEHEL AVE. , HOMER, AK. 99603 PH. 907-235-8440 FAX. 235-8440

3/17/2022

Julie Hindman
KPB Planning Dept.
144 N. Binkley
Soldotna, AK 99669

Re: Action needed for McClaren Subdivision.
KPB FILE NO. 2016-083

Pursuant to our communication of 3/16/2022, I submit this revised plat for Plat Committee consideration of exception to KPB 20.40.030 & 040 or as appropriate.

A Certificate to Plat was provided on February 14, 2022.

Shockingly to me, the CTP cited (2022-000089-0) a Deed to State of Alaska DOT, by McClarens for a 16.8 feet wide strip of land fronting the Sterling Highway recorded on January 10, 2022.

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In 2020 Clarence was diagnosed with Pancreatic Cancer. He continued his life as if he had not, and thought he would get the road work done. In 2021 he asked me to please complete the processing of the subdivision. I and KPB were very busy and so the processing took some time. The Cancer combined with the Radiation and Chemo therapies obviously took their toll on his mental capacity. He obviously did not understand the significance of deeding the strip of highway frontage to DOT would have on the processing of his subdivision. He never mentioned the deed action to me. The lots fronting the highway had been designed and approved by KPB to meet the over 200,000 square feet provision of **KPB Wastewater Code 20.40.030 Abbreviated Submittal**. The lots 1, 3, and 7 were now going to be less than the required minimum. Lot 1 will now be .128 acre shy of meeting the code provision. Lot 3 can easily be adjusted to meet the code provision by moving the boundary between Lots 3 and 4. Lot 7 can be adjusted to

meet the minimum by moving the line common with Lot 6. I am therefore requesting the plat be put on the next Plat Committee meeting for consideration of an exception to **KPB Wastewater Code 20.40.030 Abbreviated Submittal or as needed**, for Lot 1, due to the extenuating circumstances and following findings:

- > The change was mandated by DOT after KPB Preliminary plat approval had been granted, and no alternative option was given the land owners by DOT.
- > The change in acreage will not diminish wastewater capacity.
- > The acreage change will not increase habitable density.
- > The change of ownership to DOT will only be used for highway corridor purposes.
- > Lot 1 slopes or drains to the Sterling Highway, that is a 200 feet wide buffer to the undeveloped DNR land on the other side of the Highway, posing no possibility of adverse impact to the public.

I understand that a few lot corners will need to be moved, Wastewater note changed, and lot closures redone. I have enclosed an 11X17 reduced copy of the final prior to knowledge of the DOT Deed.

Also enclosed are seven 11X17 reduced copies and one full sized copy of the final plat corrected to conform to the new legal description excepting DOT Deed 2022-000089-0 and redesigned to incorporate the changes mentioned above.

Thank you for your assistance and consideration in this endeavor. Please don't hesitate to call for any reason.

Sincerely,

Gary Nelson, PLS



STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES

WARRANTY DEED

PROJECT NAME: STERLING HIGHWAY: MP
157-169 RECONSTRUCTION, ANCHOR POINT
TO BAYCREST HILL

STATE PROJECT #: Z581060000

FEDERAL-AID PROJECT #: 0211052

PARCEL NO: 13

The **GRANTORS, CLARENCE JAMES MCCLAREN and TERI HOPE MCCLAREN**, whose mailing address is 37895 Sterling Highway, Anchor Point, Alaska 99556-9446, for and in consideration of ten (\$10.00) DOLLARS, and other valuable consideration, in hand paid, conveys and warrants to the **GRANTEE, STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES** (hereinafter DOT&PF), whose mailing address is P.O. Box 196900, Anchorage, Alaska 99519-6900, the following described real estate, located in the State of Alaska:

All that part of the following-described tract of land:

That portion of the Southwest one-quarter of the Southwest one-quarter (SW1/4 SW1/4), lying West of the New Sterling Highway, in Section 20, Township 5 South, Range 14 West, Seward Meridian, Homer Recording District, Third Judicial District, State of Alaska, TOGETHER WITH that portion of the South one-half of the South one-half (S1/2 S1/2), lying between the New Sterling Highway and the Old Sterling Highway of Section 19, Township 5 South, Range 14 West, Seward Meridian, Homer Recording District, Third Judicial District, State of Alaska, EXCEPTING THEREFROM that portion of the South one-half of the Southwest one-quarter of the Southeast one-quarter of the Southwest one-quarter (S1/2 SW1/4 SE1/4 SW1/4) of said Section 19, lying East of said Old Sterling Highway, and FURTHER EXCEPTING THEREFROM the Plat of Sterling Acres Unit 1, Plat No. 86-70,

which lies adjacent to right-of-way lines of Alaska Project No. Z581060000, delineated as to said tract of land on the plat attached hereto and made a part hereof as pages 4 thru 7 of this instrument and designated as Parcel No. 13.

Return to:
DOT&PF Right of Way,
Engineering
P.O. Box 196900
Anchorage, AK 99519-6900
State Business-No Charge

Said parcel, containing 23,736 square feet, more or less, in addition to existing right-of-way, is hereby conveyed to the **STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES**.

Dated this 16th day of November, 2020


CLARENCE JAMES MCCLAREN

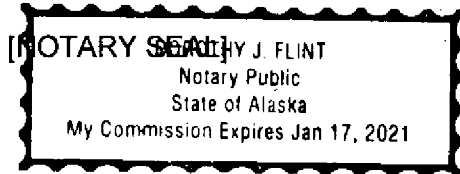

TERI HOPE MCCLAREN

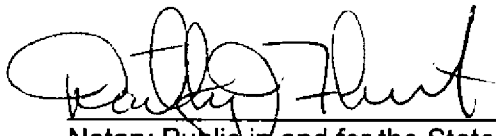
ACKNOWLEDGMENT OF GRANTORS

STATE OF ALASKA)
) ss
THIRD JUDICIAL DISTRICT)

On this 16th day of November, 2020, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared **CLARENCE JAMES MCCLAREN**, the Grantor, known to me to be the identical person who executed the foregoing instrument and who acknowledged to me that they signed the same freely and voluntarily, with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

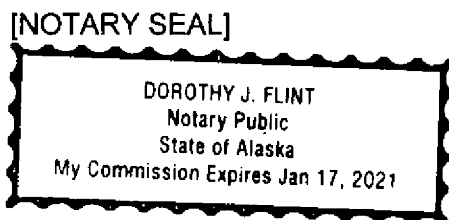


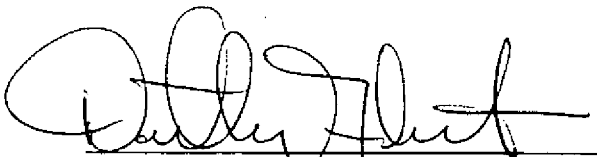

Notary Public in and for the State of Alaska
My Commission Expires: Jan 17, 2021

STATE OF ALASKA)
) ss
THIRD JUDICIAL DISTRICT)

On this 16th day of November, 2020, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared **TERI HOPE MCCLAREN**, the Grantor, known to me to be the identical person who executed the foregoing instrument and who acknowledged to me that they signed the same freely and voluntarily, with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.




Notary Public in and for the State of Alaska
My Commission Expires: Jan 17, 2021



CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY that the STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, Grantee herein, acting by and through its Commissioner, hereby accepts for public purposes the real property, or interest therein, described in this instrument and consents to the recordation thereof.

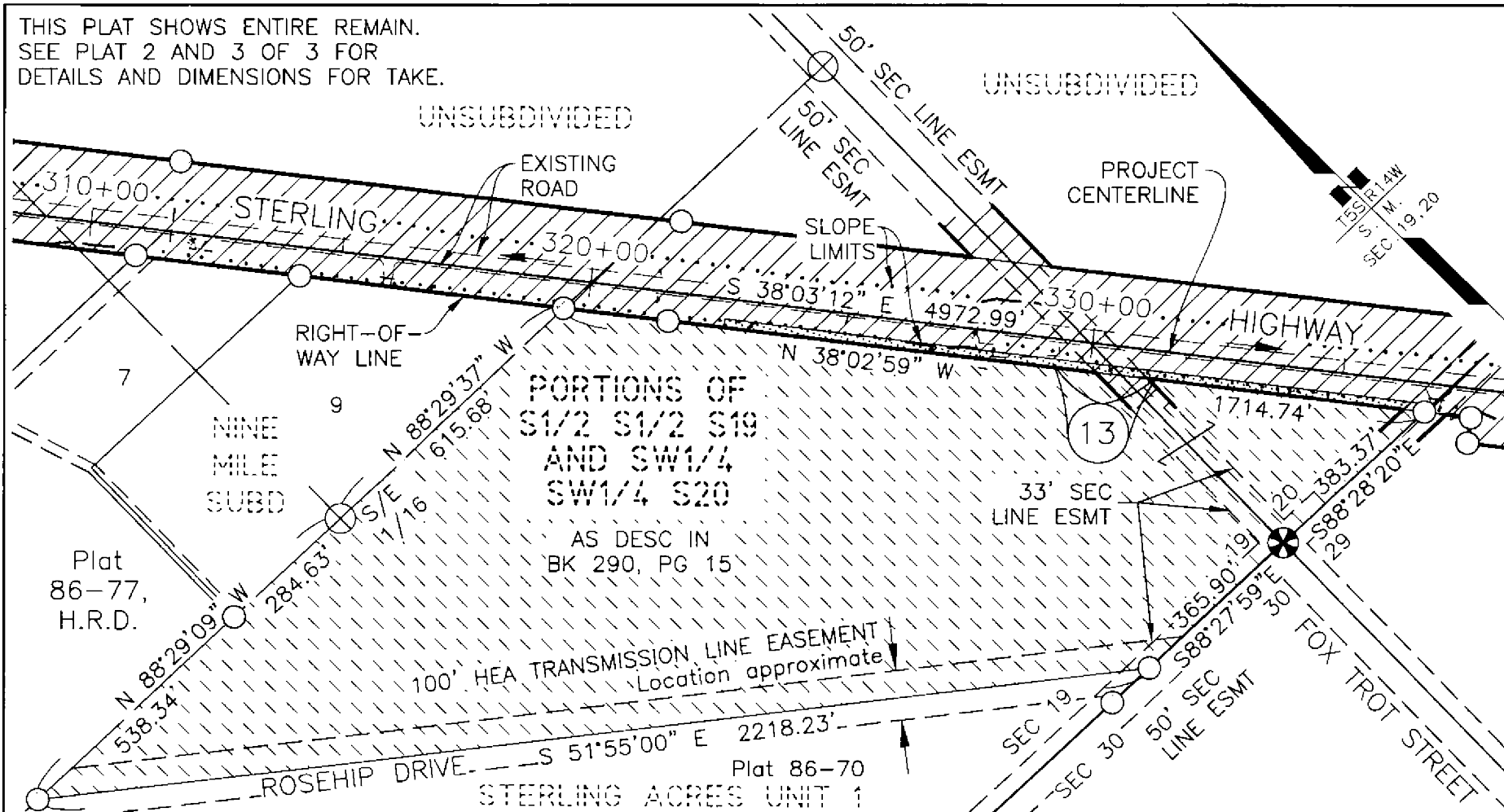
IN WITNESS WHEREOF, I have hereunto set my hand this 8 day of December, 2020





STATE OF ALASKA DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES

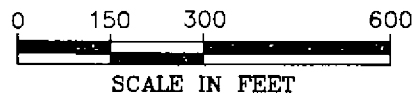
By: *Jason Acting Chief*
For the Commissioner



THIS PLAT SHOWS ENTIRE REMAIN.
SEE PLAT 2 AND 3 OF 3 FOR
DETAILS AND DIMENSIONS FOR TAKE.



 EXISTING
 RIGHT-OF-WAY
 RIGHT-OF-WAY
 REQUIRED
 AREA REMAINING



STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

RIGHT-OF-WAY REQUIRED FOR
STERLING HIGHWAY MP 157-169 RECONSTRUCTION
ANCHOR POINT TO BAYCREST HILL
PROJECT NUMBER: 0211052/Z581060000

OWNER'S INITIAL CKY VM
ATTACHED TO Warranty Deed
PAGE 4 OF 7 DATED 10-27-2020

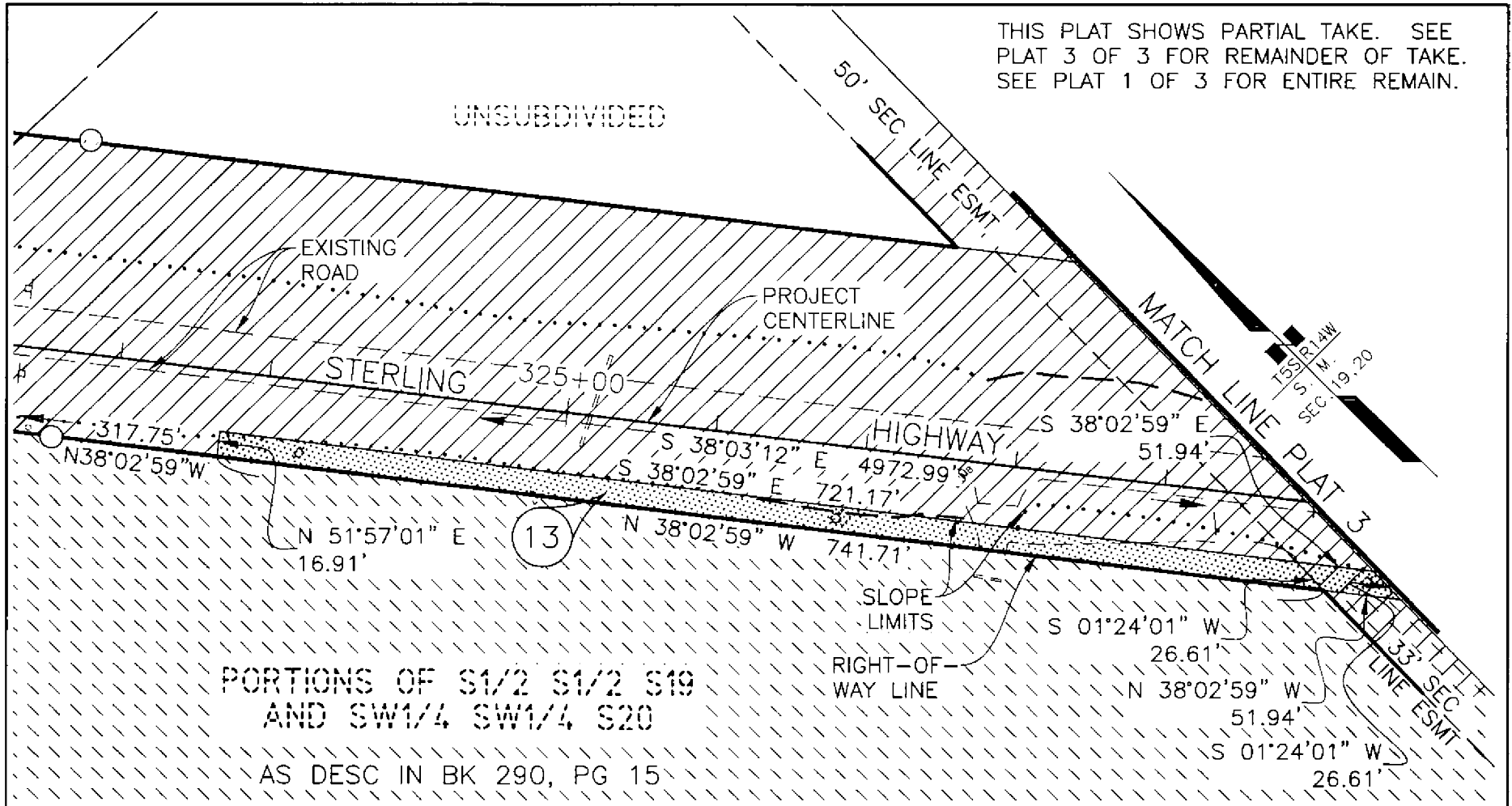
PLAT 1 OF 3

GROSS TAKE	<u>23,736</u>	S.F.
NET TAKE	<u>21,256</u>	S.F.
REMAIN	33.192	AC

DRAWN BY AFF
DATE Jul 2019

PARCEL NO. 13

THIS PLAT SHOWS PARTIAL TAKE. SEE
PLAT 3 OF 3 FOR REMAINDER OF TAKE.
SEE PLAT 1 OF 3 FOR ENTIRE REMAIN.



STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

RIGHT-OF-WAY REQUIRED FOR
STERLING HIGHWAY MP 157-169 RECONSTRUCTION
ANCHOR POINT TO BAYCREST HILL
PROJECT NUMBER: 0211052/Z581060000

OWNER'S INITIAL DM Am
ATTACHED TO Warranty Deed
PAGE 5 OF 7 DATED 10-27-20

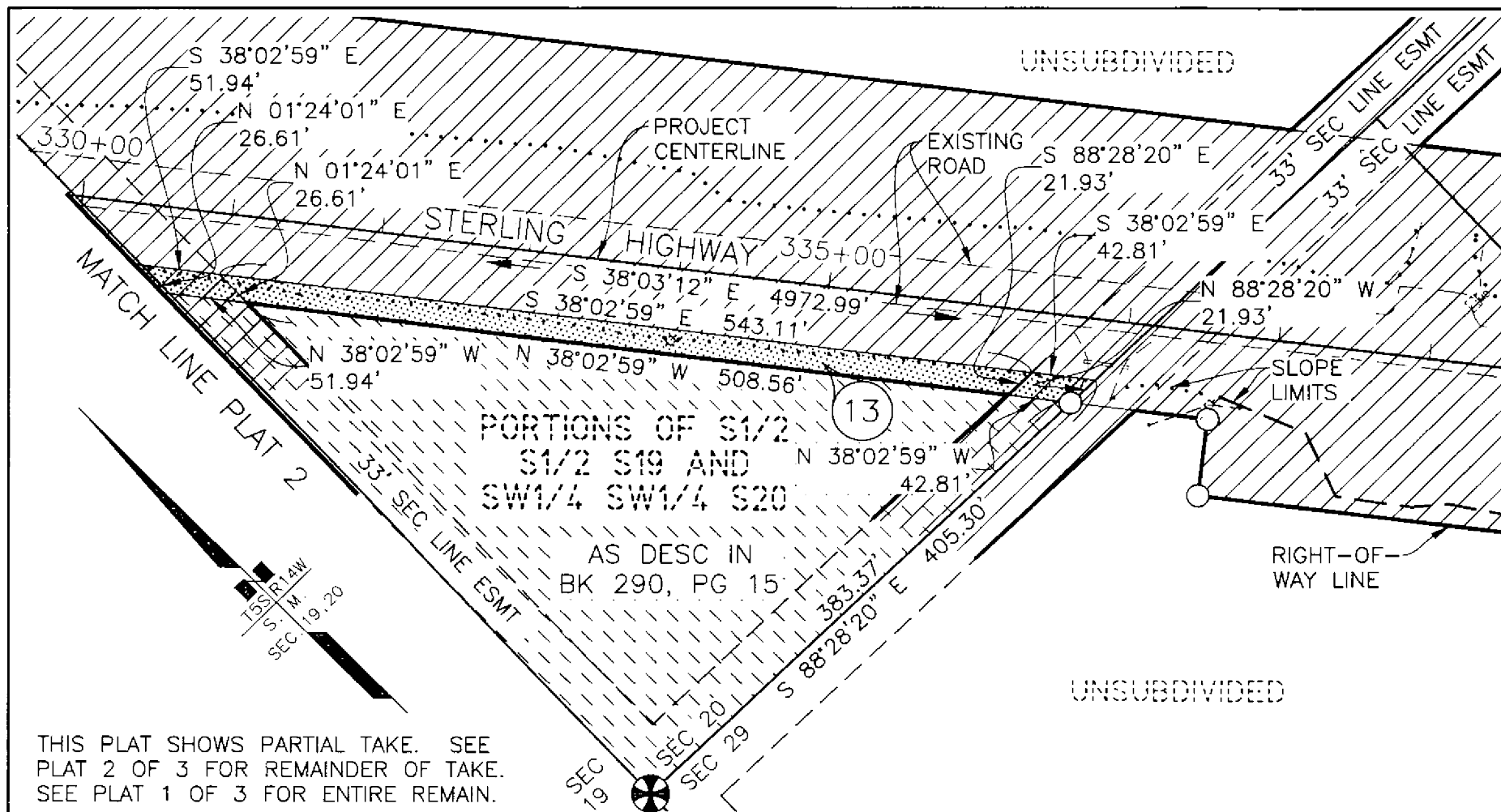
PLAT 2 OF 3




GROSS TAKE 23,736 S.F.
NET TAKE 21,256 S.F.
REMAIN 33.192 AC

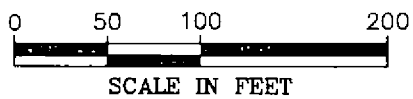
DRAWN BY AFF

DATE Jul 2019

PARCEL NO. 13



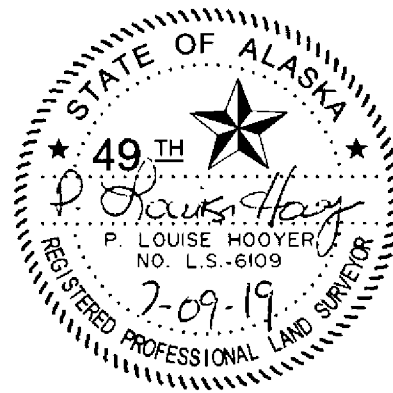
-  EXISTING RIGHT-OF-WAY
-  RIGHT-OF-WAY REQUIRED
-  AREA REMAINING



STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES			
RIGHT-OF-WAY REQUIRED FOR STERLING HIGHWAY MP 157-169 RECONSTRUCTION ANCHOR POINT TO BAYCREST HILL PROJECT NUMBER: 0211052/Z581060000		OWNER'S INITIAL <u>DM</u> <u>SM</u> ATTACHED TO <u>Warranty Deed</u> PAGE <u>6</u> OF <u>7</u> DATED <u>10-27-20</u>	
PLAT 3 OF 3		GROSS TAKE <u>23,736 S.F.</u> NET TAKE <u>21,256 S.F.</u> REMAIN <u>33.192 AC</u>	
DRAWN BY <u>AFF</u>		DATE <u>Jul 2019</u>	
PARCEL NO. <u>13</u>			

THESE PLATS MAY BE USED FOR THE ESTABLISHMENT OF
THE RIGHT-OF-WAY BOUNDARY ONLY, AND SHOULD NOT
BE USED AS A BASIS FOR ESTABLISHING ADJOINING
PROPERTY LINES AND CORNERS.

THIS SEAL IS FOR ALL WORK CONTAINED ON PLATS 1-3 OF 3.



ALASKA DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES

4111 AVIATION AVENUE
ANCHORAGE, AK 99502
PHONE (907) 269-0700

ATTACHED TO WASCEANY DEED PAGE 7 OF 7 DATED 11-16-20

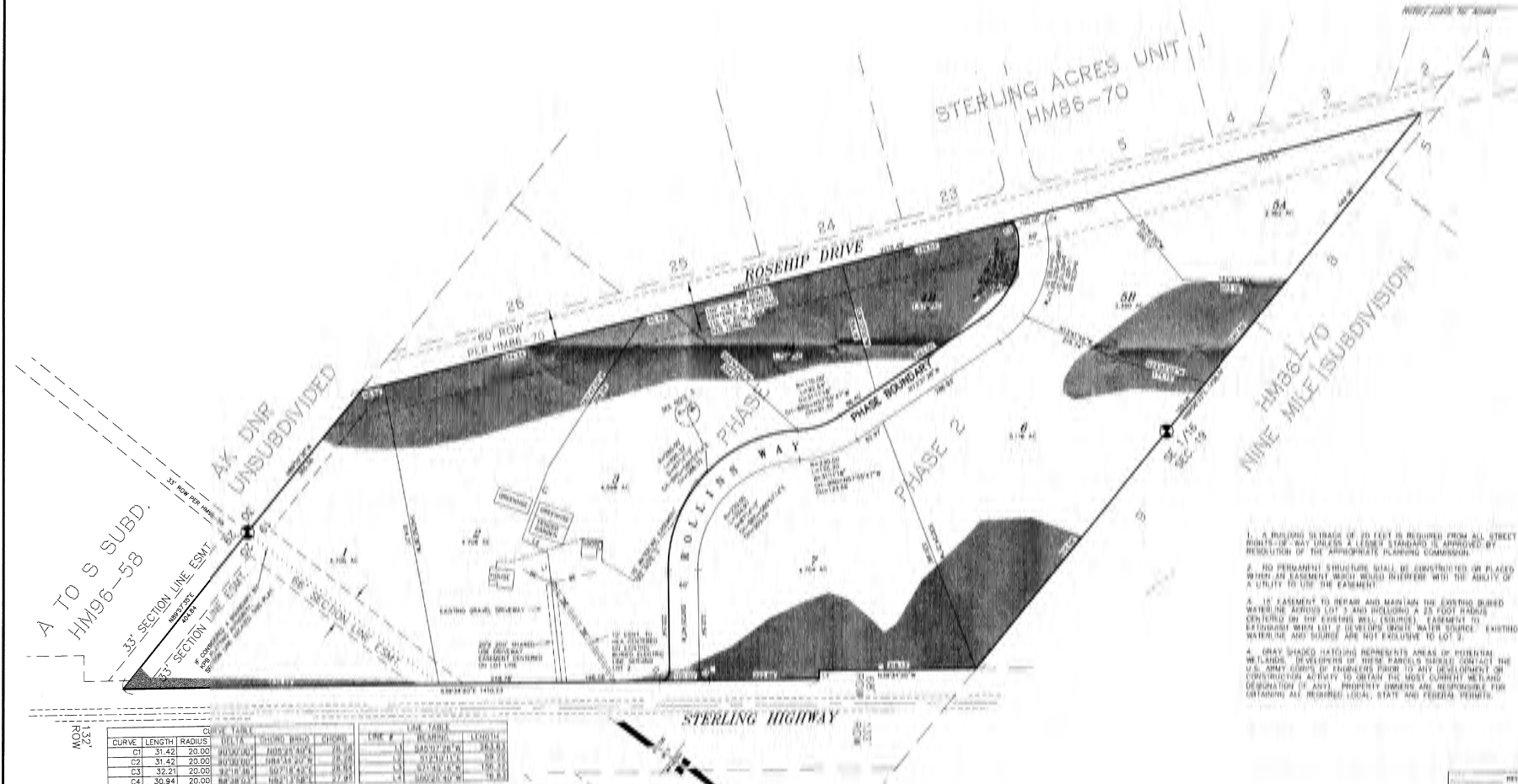
PROJECT NUMBER: 0211052 / Z591060000

PARCEL NO. 13



We hereby certify that we are the owners of the land property shown and described herein, and that we hereby adopt the plan of subdivision, and by our free consent dedicate or public rights-of-way and grant of easements to the use shown.

NOTARY'S ACKNOWLEDGEMENT
For Clarence J. & Elizabeth J. McGloren
Acknowledged before me this _____ day
of _____, 2016.

Author's note to readers *My Commission Expires*

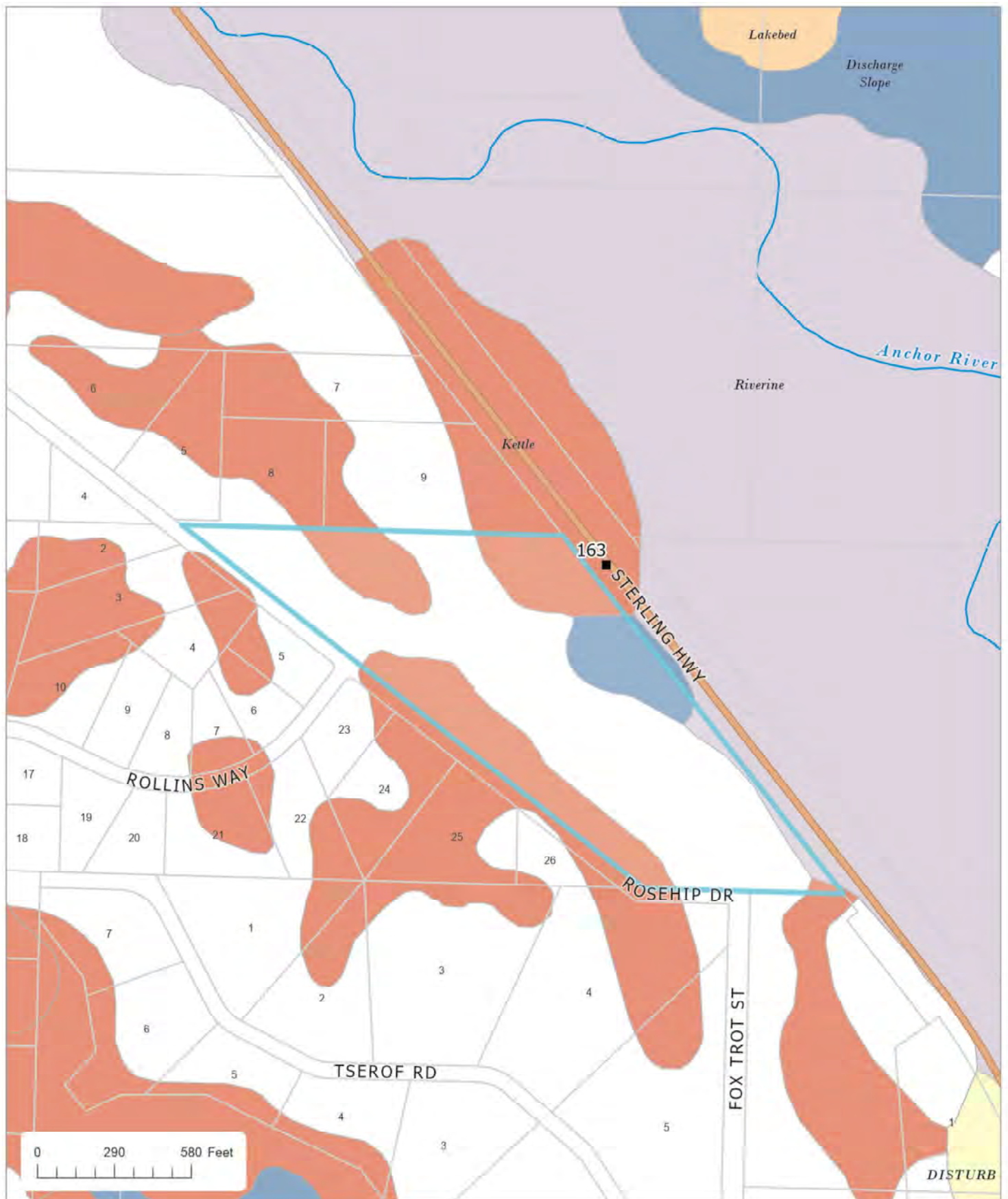
CURVE TABLE				LINE TABLE		
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARS	CHORD	LINE #
C1	31.42	20.00	90°00'00"	88.531'40"	78.78	1
C2	31.42	20.00	90°00'00"	88.531'20"	78.78	2
C3	32.21	20.00	92°18'00"	90.718'42"	78.84	3
C4	30.94	20.00	90°18'00"	88.715'84"	77.95	4

- [illegible]

REC-1007
Date _____ 20____
Time _____ M
Requested By _____
Address _____

APR 2016





January 17, 2022

Teri Hope McClaren
37895 Sterling Highway
Anchor Pt., AK 99556

Reference: KPB Soils Evaluation Report
Physical Address: 37895 Sterling Highway,
Anchor Pt., AK

Legal Description: KPB Subdivision Soils Evaluation for McClaren Subdivision, a Subdivision of that Portion of the SW1/4, SW1/4, SEC 20 Lying West of the New Sterling Hwy Together with that Portion of the S1/2, S1/2, SEC. 19 Lying Between the New Sterling Highway and the Old Sterling Highway, Excepting Therefrom that Portion S1/2, SW1/4, NE1/4, SW1/4 of said Section 19, Lying East of said Old Sterling Highway, and Further Excepting the Play of Sterling Acres Unit 1 (HM86-70). All Within T6S, R14W, S. M., Kenai Peninsula Borough, Third Judicial District, State of Alaska, Homer Recording District, Containing 33.19 Acres

Dear Teri:

Please find enclosed the Soils Evaluation Report for this project. This package has been submitted to the KPB Planning Department for review and approval.

Thank you very much for the opportunity to perform these services. We very much appreciate your business. Please feel free to contact me at the numbers below if you have any questions regarding these submittals.

Sincerely,



Eric Struben, P.E., Principal
Kalie Rubalcava, Civil E.I.T.

BAYSIDE ENGINEERING, LLC

4375 KACHEMAK DR.
HOMER, AK 99603

January 17, 2022

Mr. Scott Huff
KPB Planning Department
144 North Binkley St.
Soldotna, AK 99669

Re: KPB Subdivision Soils Evaluation for McClaren Subdivision, a Subdivision of that Portion of the SW1/4, SW1/4, SEC 20 Lying West of the New Sterling Hwy Together with that Portion of the S1/2, S1/2, SEC. 19 Lying Between the New Sterling Highway and the Old Sterling Highway, Excepting Therefrom that Portion S1/2, SW1/4, NE1/4, SW1/4 of said Section 19, Lying East of said Old Sterling Highway, and Further Excepting the Play of Sterling Acres Unit 1 (HM86-70). All Within T6S, R14W, S. M., Kenai Peninsula Borough, Third Judicial District, State of Alaska, Homer Recording District, Containing 33.19 Acres

Dear Mr. Huff:

Enclosed please find my Soils Evaluation Report for the referenced subdivision.

This proposed subdivision creates 7 new lots. Lot 2 has an existing driveway, home, and sanitary absorption system and is serviced by a well located on Lot 3. In addition to the well, Lot 3 has a single storage building that is not serviced by water or a septic. The remaining lots are undeveloped with no existing structures, driveways or wells. Rollins Way has been cleared for access purposes but is not fully developed. The following table represents the contiguous area available for a wastewater treatment and disposal system on each new lot:

Lot No.	Area Available (SF)
1	204,993
2	204,993
3	200,806
4	28,956
5	203,817
6	209,131
7	200,680

Lots 1,2,3,5,6, &7, all are greater than 200,000 sq. ft. Based on our soils investigation on Lot 4, the soils on site are suitable for conventional an on-site wastewater disposal system and consistent with soils historically encountered in this area.

Please contact me at the numbers or emails listed in the event you have questions regarding this submittal.

Sincerely,



Eric Struben, P.E., Principal
Kalie Rubalcava, Civil E.I.T.

BAYSIDE ENGINEERING, LLC

4375 KACHEMAK DR.
HOMER, AK 99603

BAYSIDE ENGINEERING

K.P.B. Subdivision Soils Evaluation Report

KPB Subdivision Soils Evaluation for McClaren Subdivision, a Subdivision of that Portion of the SW1/4, SW1/4, SEC 20 Lying West of the New Sterling Hwy Together with that Portion of the S1/2, S1/2, SEC. 19 Lying Between the New Sterling Highway and the Old Sterling Highway, Excepting Therefrom that Portion S1/2, SW1/4, NE1/4, SW1/4 of said Section 19, Lying East of said Old Sterling Highway, and Further Excepting the Play of Sterling Acres Unit 1 (HM86-70). All Within T6S, R14W, S. M., Kenai Peninsula Borough, Third Judicial District, State of Alaska, Homer Recording District, Containing 33.19 Acres

Prepared for:

**Teri Hope McClaren
37895 Sterling Highway
Anchor Pt., AK 99556**

Prepared by:

**Eric Struben, P.E.
4375 Kachemak Drive
Homer, AK 99603
562-370-5078 cell
eric.struben@gmail.com**

JANUARY 2022

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PROJECT DESCRIPTION

This report is the KPB Subdivision Soils Evaluation for McClaren Subdivision, a Subdivision of that Portion of the SW1/4, SW1/4, SEC 20 Lying West of the New Sterling Hwy Together with that Portion of the S1/2, S1/2, SEC. 19 Lying Between the New Sterling Highway and the Old Sterling Highway, Excepting Therefrom that Portion S1/2, SW1/4, NE1/4, SW1/4 of said Section 19, Lying East of said Old Sterling Highway, and Further Excepting the Play of Sterling Acres Unit 1 (HM86-70). All Within T6S, R14W, S. M., Kenai Peninsula Borough, Third Judicial District, State of Alaska, Homer Recording District, Containing 33.19 Acres

This subdivision contains 33.19 acres and is to be subdivided into 7 lots. Lots 1, 2, 3, 5, 6, and 7 are all greater than 200,000 and the soils encountered on Lot 4 are consistent with soils historically encountered in this area. A soils investigation was performed on Lot 4 and those results are included in this report. The following areas were determined to be of contiguous usable area to support wastewater treatment and disposal on each new lot:

Lot No.	Area Available (SF)
1	204,993
2	204,993
3	200,806
4	28,956
5	203,817
6	209,131
7	200,680

Lot 2 is fully developed with an existing driveway, house, and wastewater disposal system and is served by a private well located on Lot 3. In addition to the existing well, Lot 3 has a storage building that is not serviced by the well or a septic system. All remaining lots are undeveloped with no existing permanent structures, driveways, or wells. The proposed Rollins Way is partially developed. Each property in the new subdivision has sufficient room on the site for a 3-bedroom single-family residence, private well, parking, driveway, as well as a new and replacement on-site septic system. All pertinent landmarks are shown on the working map in Appendix B.

KPB Subdivision Soils Evaluation for McClaren Subdivision, a Subdivision of that Portion of the SW1/4, SW1/4, SEC 20 Lying West of the New Sterling Hwy Together with that Portion of the S1/2, S1/2, SEC. 19 Lying Between the New Sterling Highway and the Old Sterling Highway, Excepting Therefrom that Portion S1/2, SW1/4, NE1/4, SW1/4 of said Section 19, Lying East of said Old Sterling Highway, and Further Excepting the Play of Sterling Acres Unit 1 (HM86-70). All Within T6S, R14W, S. M., Kenai Peninsula Borough, Third Judicial District, State of Alaska, Homer Recording District, Containing 33.19 Acres
December 11, 2021 Soils Evaluation Report

There are no known Class A or B wells within 200 feet of the property lines for each of the 7 proposed lots. There are no known private wells within 100 feet of any part of the proposed subdivision. All future lots will be served by private wells.

This subdivision is situated on sloping terrain between 0-15% in most areas. There is an upper bench and a lower bench on the property that is divided by a steep slope. The steep slopes exceeding 20% grade are showing in the working map in Appendix B with the appropriate setbacks. At the time of the soils investigations no seasonal drainages were present. This subdivision has potential wetlands as noted via the Kenai Peninsula Borough Parcel viewer and developers should contact the U.S. Army Corps of Engineers prior to any development or construction activity to obtain the most current wetland designations. At the time of investigation there was no standing water within 100' of the potential locations of future sanitary absorption systems.

All undeveloped lots are vegetated with low bushes, mature spruce, tall grasses, and alder.

A working map in the form of a survey plat is attached in Appendix B.

SOILS INVESTIGATION AND SOILS PROFILE

The soils investigation was conducted by Bayside Engineering with the assistance of Maurice Vachon. A large excavator was used to excavate the test hole on proposed Lot 4. The soils investigation was conducted on August 27, 2021. The location of the test hole is shown on the survey plat in Appendix B. All soils were visually graded and logged in accordance with the Unified Soils Classification System. The results of the soils profile and percolation test is shown in the soils profiles in Appendix A.

The soils analysis was conducted in accordance with KPB Chapter 20.40.100 and ADEC 18 ACC 72.265(9). Due to the nature of the soils, no falling head percolation test procedure was performed. The results of the soils investigation and the soils percolation tests for Lot 4 is presented in Appendix A of this report.

KPB Subdivision Soils Evaluation for McClaren Subdivision, a Subdivision of that Portion of the SW1/4, SW1/4, SEC 20 Lying West of the New Sterling Hwy Together with that Portion of the S1/2, S1/2, SEC. 19 Lying Between the New Sterling Highway and the Old Sterling Highway, Excepting Therefrom that Portion S1/2, SW1/4, NE1/4, SW1/4 of said Section 19, Lying East of said Old Sterling Highway, and Further Excepting the Play of Sterling Acres Unit 1 (HM86-70). All Within T6S, R14W, S. M., Kenai Peninsula Borough, Third Judicial District, State of Alaska, Homer Recording District, Containing 33.19 Acres December 11, 2021 Soils Evaluation Report

SOILS PERCOLATION RESULTS (TH-1) Lot 4:

Test Hole #1 was excavated on August 27, 2021 on proposed Lot 4. This test hole was excavated to a depth of 9.0 feet. Significant groundwater was discovered at 7.0 feet from the surface. No impermeable soils were encountered at the time of excavation.

The soils encountered between 2' and 9' feet below grade are noted to be well graded sand and gravels and were visually graded to yield a percolation test result of 1-5 min/ inch. These soils are suitable for a conventional system but would require a 2-ft sand liner on top of the existing GW soils per KPB 20.40.100(A)(4). Additionally, a vertical separation distance requirement of 4 feet to groundwater would need to be maintained. An original and a replacement conventional soil absorption system (SAS), each measuring 15' x 40' to service up to a 3-bedroom home, was designed and located as shown on the working map in Appendix B. There is adequate room for each SAS within the 28,956 SF of available contiguous area on Lot 4.

The results of the soils investigation for Test Hole #1 are presented in Appendix A of this report.

Soils Profile (TH-1):

The soils profile encountered is shown below:

0.0' to 0.5'	Vegetative matt with roots, organics and dark brown loamy soil	(PT)
0.5' to 2.0'	Reddish brown, silty sands, dry, loose, no balls, no ribbons	(SM)
2.0' to 9.0'	Grey, well graded sands and gravels, some rocks up to 8 in, unstable sides, difficult to excavate	(GW)

RECOMMENDED WASTEWATER TREATMENT AND DISPOSAL SYSTEMS:

The soils encountered on Lot 4 allows for a conventional shallow bed type soil absorption system (SAS) with a 2' ADEC approved sand liner placed on top of the in the GW soils with the bottom of the sewer rock no deeper than 3 feet below grade to

KPB Subdivision Soils Evaluation for McClaren Subdivision, a Subdivision of that Portion of the SW1/4, SW1/4, SEC 20 Lying West of the New Sterling Hwy Together with that Portion of the S1/2, S1/2, SEC. 19 Lying Between the New Sterling Highway and the Old Sterling Highway, Excepting Therefrom that Portion S1/2, SW1/4, NE1/4, SW1/4 of said Section 19, Lying East of said Old Sterling Highway, and Further Excepting the Play of Sterling Acres Unit 1 (HM86-70). All Within T6S, R14W, S. M., Kenai Peninsula Borough, Third Judicial District, State of Alaska, Homer Recording District, Containing 33.19 Acres
December 11, 2021 Soils Evaluation Report

maintain the required 4 feet of vertical separation to groundwater encountered at 7 feet below grade. A section view of a typical shallow bed SAS is included in Appendix C.

It should be noted that all types of on-site septic systems for all proposed lots for this subdivision would be required to meet the regulatory requirements of the Kenai Peninsula Borough Chapter 20.40 and the state of Alaska Department of Environmental Conservation regulations 18 AAC 72.

Additionally, all on-site systems must meet the specifications contained in the ADEC "Onsite Wastewater System Installation Manual", January 27, 2016 or the most current edition if applicable.

A conventional wastewater treatment and disposal system for this subdivision would typically consist of a two-compartment septic tank from an approved manufacturer, possibly an approved lift station, and a shallow bed type soil absorption system.

ADEC must approve any type system serving any facility other than a single-family residence or a duplex prior to installation.

Per section 18 AAC 72.015 of the ADEC Wastewater Disposal Regulations advanced on-site wastewater disposal systems must be designed and inspected by an engineer licensed in the state of Alaska or installed by a person certified under 18 ACC 72.400-18 ACC 72.440.

Any system installed within this subdivision must be properly sized, sited, constructed and maintained. Proper location of septic systems is very important. In the event that all parts of the system (e.g. septic tank and soil absorption system) cannot meet the minimum required horizontal and/or vertical separations (e.g. 100 feet from any private water supply wells and/or surface water, 200 feet from Class A or Class B wells, 4 feet vertical to groundwater or 6 feet vertical to impermeable soils or 50 feet to a slope > 25%), a waiver request must be submitted to ADEC. Due to the presence of SM and SC soils at levels required for the SAS, an engineer's soil log and percolation test is required per ADEC regulations.

KPB Subdivision Soils Evaluation for McClaren Subdivision, a Subdivision of that Portion of the SW1/4, SW1/4, SEC 20 Lying West of the New Sterling Hwy Together with that Portion of the S1/2, S1/2, SEC. 19 Lying Between the New Sterling Highway and the Old Sterling Highway, Excepting Therefrom that Portion S1/2, SW1/4, NE1/4, SW1/4 of said Section 19, Lying East of said Old Sterling Highway, and Further Excepting the Play of Sterling Acres Unit 1 (HM86-70). All Within T6S, R14W, S. M., Kenai Peninsula Borough, Third Judicial District, State of Alaska, Homer Recording District, Containing 33.19 Acres
December 11, 2021 Soils Evaluation Report

CONCLUSION:

Based on the available contiguous area for each lot and the suitable soils encountered on Lot 4, this subdivision is suitable for development utilizing either a conventional system, above grade mound, or advanced on-site wastewater treatment and disposal systems. It is recommended, however, that soil and groundwater conditions be verified at or prior to construction of any on-site wastewater treatment systems.

KPB Subdivision Soils Evaluation for McClaren Subdivision, a Subdivision of that Portion of the SW1/4, SW1/4, SEC 20 Lying West of the New Sterling Hwy Together with that Portion of the S1/2, S1/2, SEC. 19 Lying Between the New Sterling Highway and the Old Sterling Highway, Excepting Therefrom that Portion S1/2, SW1/4, NE1/4, SW1/4 of said Section 19, Lying East of said Old Sterling Highway, and Further Excepting the Play of Sterling Acres Unit 1 (HM86-70). All Within T6S, R14W, S. M., Kenai Peninsula Borough, Third Judicial District, State of Alaska, Homer Recording District, Containing 33.19 Acres
December 11, 2021 Soils Evaluation Report

APPENDIX A: SOILS PROFILE/ SOILS PERCOLATION TEST RESULTS

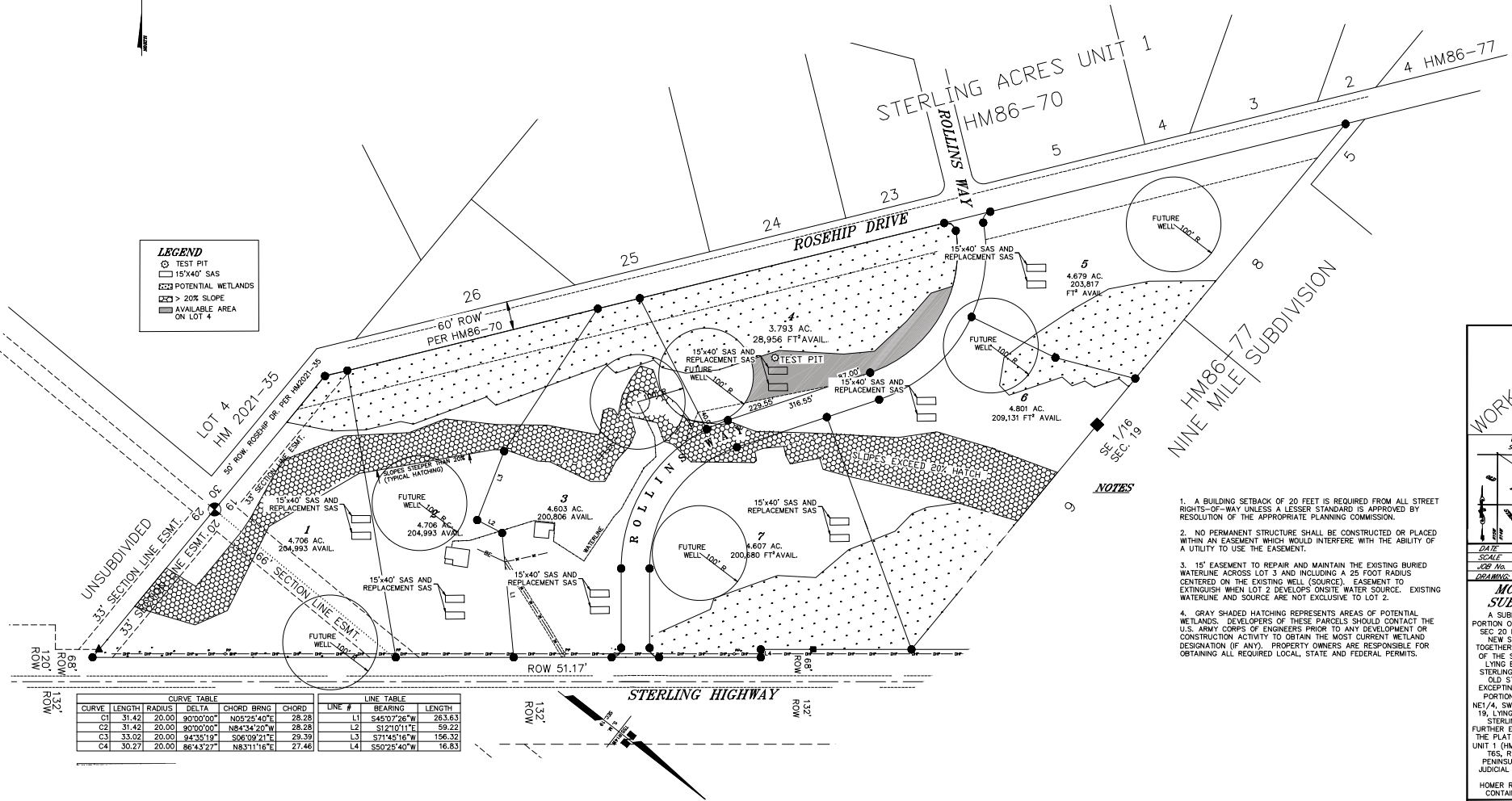
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KPB Subdivision Soils Evaluation for McClaren Subdivision, a Subdivision of that Portion of the SW1/4, SW1/4, SEC 20 Lying West of the New Sterling Hwy Together with that Portion of the S1/2, S1/2, SEC. 19 Lying Between the New Sterling Highway and the Old Sterling Highway, Excepting Therefrom that Portion S1/2, SW1/4, NE1/4, SW1/4 of said Section 19, Lying East of said Old Sterling Highway, and Further Excepting the Play of Sterling Acres Unit 1 (HM86-70). All Within T6S, R14W, S. M., Kenai Peninsula Borough, Third Judicial District, State of Alaska, Homer Recording District, Containing 33.19 Acres
December 11, 2021 Soils Evaluation Report

APPENDIX B: SUBDIVISION WORKING MAP



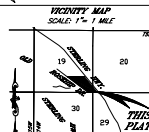
LEGEND
○ TEST PIT
□ 15'x40' SAS
▨ POTENTIAL WETLANDS
▨ > 20% SLOPE
▨ AVAILABLE AREA ON LOT 4



- NOTES**
1. A BUILDING SETBACK OF 20 FEET IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
 2. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN AN EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
 3. 15' EASEMENT TO REPAIR AND MAINTAIN THE EXISTING BURIED WATERLINE ACROSS LOT 3 AND INCLUDING A 25 FOOT RADIUS CENTERED ON THE EXISTING WELL (SOURCE). EASEMENT TO EXTINGUISH WHEN LOT 2 DEVELOPS ONSITE WATER SOURCE. EXISTING WATERLINE AND SOURCE ARE NOT EXCLUSIVE TO LOT 2.
 4. GRAY SHADED HATCHING REPRESENTS AREAS OF POTENTIAL WETLANDS. DEVELOPERS OF THESE PARCELS SHOULD CONTACT THE U.S. ARMY CORPS OF ENGINEERS PRIOR TO ANY DEVELOPMENT OR CONSTRUCTION ACTIVITY TO OBTAIN THE MOST CURRENT WETLAND DESIGNATION (IF ANY). PROPERTY OWNERS ARE RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE AND FEDERAL PERMITS.

CURVE TABLE				LINE TABLE			
CURVE	LENGTH	RADIUS	DELTA	CHORD BRNG	CHORD	LINE #	BEARING
C1	31.43	20.00	90°00'00"	N08°28'40"E	28.28	L1	S49°07'28"W
C2	31.42	20.00	90°00'00"	N84°34'20"W	28.28	L2	S12°10'11"E
C3	33.02	20.00	94°35'19"	S06°09'21"E	29.39	L3	S71°45'16"W
C4	30.27	20.00	86°43'27"	N83°11'16"E	27.46	L4	S50°25'40"W

WORKING MAP

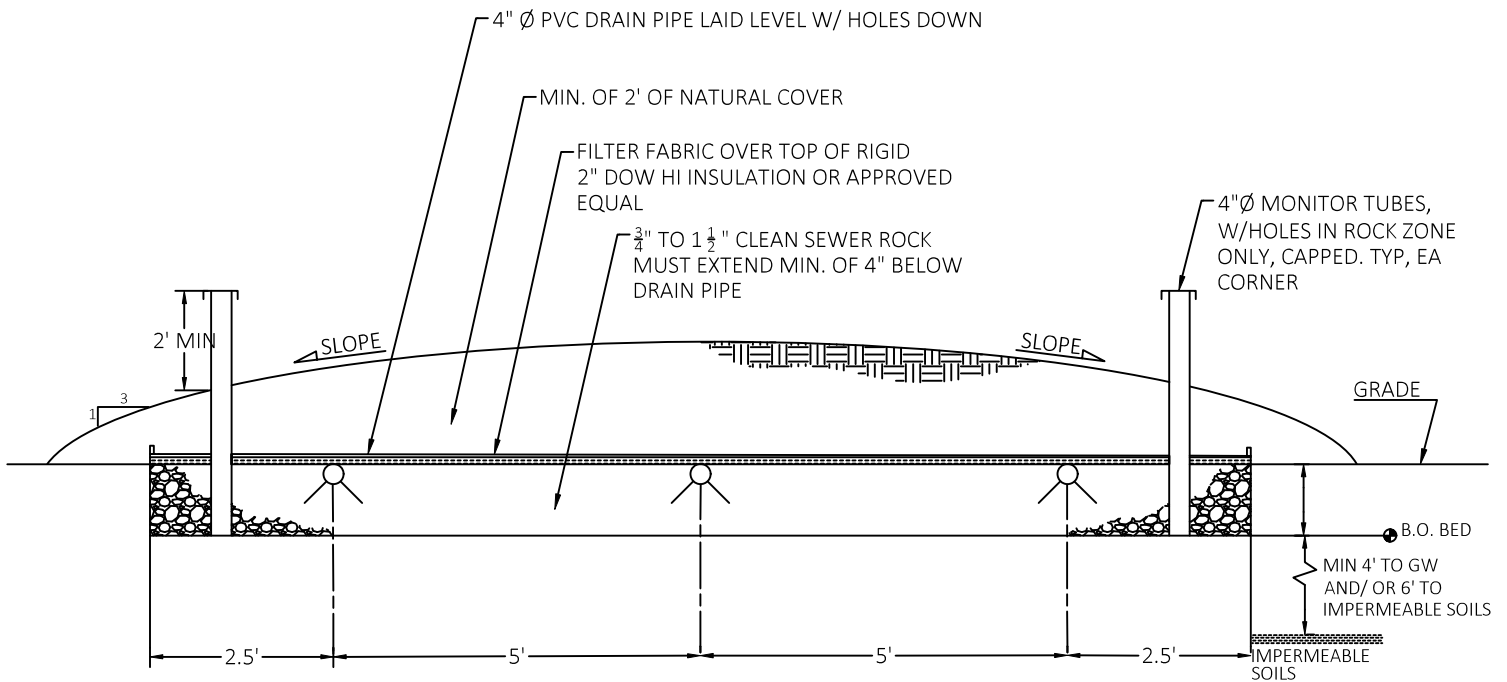


DATE: 01/12/2022
SCALE: 1"=100'
JOB NO.
DRAWING

McCLAREN SUBDIVISION
A SUBDIVISION OF THAT PORTION OF THE SW1/4, SW1/4, SEC 20 LYING WEST OF THE NEW STERLING HIGHWAY TOGETHER WITH THAT PORTION OF THE S1/2, S1/2, SEC. 19 LYING BETWEEN THE NEW STERLING HIGHWAY AND THE OLD STERLING HIGHWAY, EXCEPTING THEREFROM THAT PORTION OF S1/2, SW1/4, NE1/4, SW1/4 OF SAID SECTION 19, LYING EAST OF SAID OLD STERLING HIGHWAY, AND FURTHER EXCEPTING THEREFROM THE PLAT OF STERLING ACRES UNIT 1 (HM86-70), ALL WITHIN T6S, R14W, S. W. M., KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, STATE OF ALASKA, HOMER RECORDING DISTRICT, CONTAINING 33.19 ACRES.

KPB Subdivision Soils Evaluation for McClaren Subdivision, a Subdivision of that Portion of the SW1/4, SW1/4, SEC 20 Lying West of the New Sterling Hwy Together with that Portion of the S1/2, S1/2, SEC. 19 Lying Between the New Sterling Highway and the Old Sterling Highway, Excepting Therefrom that Portion S1/2, SW1/4, NE1/4, SW1/4 of said Section 19, Lying East of said Old Sterling Highway, and Further Excepting the Play of Sterling Acres Unit 1 (HM86-70). All Within T6S, R14W, S. M., Kenai Peninsula Borough, Third Judicial District, State of Alaska, Homer Recording District, Containing 33.19 Acres
December 11, 2021 Soils Evaluation Report

APPENDIX C: TYPICAL BED TYPE SOIL ABSORPTION SYSTEM DETAILS



SECTION VIEW SHALLOW BED SOIL ABSORPTION SYSTEM

N.T.S.

BAYSIDE ENGINEERING

4375 KACHEMAK DRIVE

HOMER, AK 99603

907-299-2266

**TYPICAL SHALLOW
BED CROSS SECTION**

E2-34

SCALE: NTS

DATE:

SHEET: 1 OF 1

COLLINS YES	ECKLUND YES	GLENDENING ABSENT	MARTIN YES	WHITNEY YES	4 YES 1 ABSENT
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AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS

6. McClaren Subdivision
KPB File No. 2016-083; Ability Surveys/McClaren

Staff Report given by Patti Hartley

Plat Committee Meeting: 8/8/16

Location: off Rosehip Drive, Anchor Point
Proposed Use: Residential
Water/Sewer: On-site
Zoning: Unrestricted
Assessing Use: Residential
Parent Parcel Number(s): 171-024-19

Supporting Information:

The proposed plat is the overall preliminary design for a phased subdivision. An approximate 33-acre parcel is being subdivided into 9 lots ranging in size from 1.6 to 5 acres. A soils report is required for all lots less than 5 acres, and an engineer will sign the plat. This platting action is providing a 60-foot wide dedication for Rollins Way from Rosehip Drive to the Sterling Highway. Lots within the proposed plat front the Sterling Highway, Rosehip Drive, and/or Rollins Way.

Carrie Henson, Addressing Officer, reported that the address assigned to the parent parcel will be retained on Lot 2, and a new Sterling Highway address will be assigned to Lot 3. Ms. Henson can answer questions about addresses for the plat.

Notice of the proposed plat was mailed to the beneficial interest holder on July 19, 2016. 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.

Anchor Point 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. Anchor Point Fire and EMS had no concerns with the proposed plat.

Staff recommends that notes be placed on the final plat indicating any exceptions granted by the Plat Committee with the meeting date.

Exception Requested: KPB 20.30.130 – 100-foot tangent between curves. Non-compliance to fit hillside bluff.

Findings

1. Potential wetlands have been shown and labeled.
2. Per KPB GIS 4-foot contours, the plat is affected by slopes greater than 20 percent.
3. This platting action is extending Rollins Drive per KPB 20.30.030, which provides the block with a dedicated public right-of-way connecting the Old Sterling Highway and the new Sterling Highway.
4. Rollins Way is 60 feet wide with extra dedication (curve return radius ends) at the intersections with Rosehip Drive and the Sterling Highway.
5. Rollins Way was designed to avoid the potential wetlands and slopes greater than 20 percent to the extent possible.
6. The right-of-way within the subdivision has been designed to provide reasonable access to surrounding parcels per KPB 20.30.030.

Staff reviewed the exception request and wishes to support the request but needs additional terrain and alignment information to support the request (See 20.30.190 & 20.30.120). The requirement of a 100-foot tangent section was placed within Title 20 specifically for reverse curves which are what the type of curves is shown on the plat. This is a traffic safety concern and should not be overlooked. Additional information is needed by staff to support this request.

Staff reviewed the exception request and recommends denial. Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.

STAFF RECOMMENDATIONS:

- **GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO ANY ABOVE RECOMMENDATIONS, AND**
- **REQUIRE 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), SUBJECT TO EXCEPTION(S) GRANTED.**

20.25.070 - Form and contents required.

Platting staff comments: Additional information is provided for the following portions of 20.25.070 or additional information, revision or corrections are required

- 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;
 2. Legal description, location, date, and total area in acres of the proposed subdivision; and
 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor;
- Platting Staff Comments: **Staff recommends:***
- a. *Remove the commas from the aliquot descriptions, such as, SW1/4 SW1/4.*
 - b. *Correct the Township.*
 - c. *Include the owners' names and address in the title block.*

- C. The location, width, and name of existing or platted streets and public ways, railroad rights-of-way, and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;
*Platting Staff Comments: **Staff recommends** Fox Trot Street be labeled.*
- F. The names and widths of public streets and alleys and easements, existing and proposed, within the subdivision;
Platting Staff Comments: The 66-foot section line easement crossing Lot 1 and a small portion of Lot 2 has been shown and labeled. A section line easement is not a lot boundary.
- G. Status of adjacent lands, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;
*Platting Staff Comments: **Staff recommends:***
 1. Correct the label for HM 86-77
 2. Clarify Lot 4 to the northwest is part of HM 86-77.
 3. Revise the label to the south. The unsubdivided remainder of A to S Subdivision adjoins the proposed plat.
 5. Label the existing dedication for Rollins Way.
- L. Contours at suitable intervals when any roads are to be dedicated unless the planning director or commission finds evidence that road grades will not exceed 6 percent on arterial streets, and 10 percent on other streets;
Platting Staff Comments: Additional information was requested from the surveyor (July 26th) to confirm the right-of-way being dedicated by this plat complies with 20.25.070 and 20.30.090.
- M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;
Platting Staff Comments: Per KPB GIS 4-foot contours, it appears the plat is subject to slopes greater than 20 percent. Additional information was requested from the surveyor.
- O. If the subdivision will be finalized in phases, all dedications for through streets as required by KPB 20.30.030 must be included in the first phase.
*Platting Staff Comments: The phase boundary appears to exclude Rollins Way. **Staff recommends** Rollins Way be dedicated in the first phase per KPB 20.25.070.*

KPB 20.30 Design Requirements

Platting staff comments: Additional information is provided for the following portions of 20.30 or additional information, revision or corrections are required

20.30.030. Proposed street layout-Requirements.

- A. The streets provided on the plat must provide fee simple right-of-way dedications to the appropriate governmental entity. These dedications must provide for the continuation or appropriate projection of all streets in surrounding areas and provide reasonable means of ingress for surrounding acreage tracts. Adequate and safe access for emergency and service vehicle traffic shall be considered in street layout.

*Platting Staff Comments: If Rollins Way is being dedicated atop an existing travel way, **staff recommends** the existing road be depicted within the dedication.*

Staff is not recommending fee right-of-way be dedicated atop the 66-foot section line easement, which would be an extension of Fox Trot Street. KPB GIS 4-foot contours indicate the section line easement crosses slopes greater than 20 percent. The section line easement will remain in place for pedestrian use, all-terrain vehicles, and utilities.

- C. Preliminary plats fronting state maintained roads will be submitted by the planning department to the State of Alaska Department of Transportation and Public Facilities (DOT) for its review and comments.

State Department of Transportation Comments: Property fronts on the Sterling Highway. ROW is shown on unrecorded Sterling Highway MP 157 to 169, Sheets 20 and 21. See also historical data for acquisition. DOT Planning should be commenting on the access to the Sterling Highway.

Platting Staff Comments: The existing driveway off the highway is approximately 200 feet from Rollins Way. DOT may not allow a driveway and a right-of-way within the same plat that close together on a highway with a 55-mile per hour speed limit.

20.30.060. Easements-Requirements

- B. Upon submittal of a preliminary plat, the planning department shall provide a copy to public utility companies for their comment and recommended design of utility easements. If the property is subject to existing natural gas or petroleum pipeline easements, a copy shall also be furnished to the appropriate company for comment.

Alaska Communications requested a Plat Note be added to allow the front 15 feet of the 20-foot setback line to be a utility easement.

Staff recommends compliance with 20.30.060.

20.30.070. Lots on major streets-Access requirements.

Lots fronting on arterial streets with less than 200 feet of right-of-way as identified in the arterial road plan adopted by the borough or lots fronting on state maintained roads with less than 200 feet of right-of-way may be required to provide interior or frontage road access after review and recommendation by the Kenai Peninsula Borough Road Service Area staff and upon a finding by the planning commission that due to size, topography, physical characteristics, or heavy traffic flow, that direct access to the arterial or state maintained road may present a traffic hazard.

KPB Roads Department Comments: Not available with the staff report was prepared.

20.30.090. Streets-Maximum grades allowed.

The subdivider shall demonstrate that streets can be readily constructed in accordance with current borough road standards and that the grades on any such roads shall not exceed 6 percent on arterial streets and 10 percent on other streets, or 4 percent within 130 feet of any centerline intersections. Submittal of centerline profiles and cross-sections may be required to demonstrate that compliant construction in the right-of-way is feasible.

*Platting Staff Comments: **Staff recommends** the surveyor confirm the right-of-way being dedicated by this plat complies with 20.30.090 and a plan and profile drawing be provided. Cross sections will also be needed in any areas of considerable cut or fill (greater than four (4) feet.*

20.30.120. Streets-Width requirements.

- B. Additional right-of-way or easement width may be required to provide for the construction of side slopes or to otherwise accommodate right-of-way construction standards set forth in KPB Title 14.

*Platting Staff Comments: **Staff recommends** compliance with 20.30.120 if the right-of-way being dedicated by this plat requires additional right-of-way or easement due to steep slopes. The requested plan, profile and cross-section information will allow the need for extra widths to be determined.*

20.30.150. Streets-Intersection requirements.

- A. Street intersections shall be as nearly at right angles as possible, and no intersection shall be at an angle of less than 60 degrees. Where acute street intersections are designed, a minimum 50-foot radius corner at the right-of-way line of the acute angle shall be provided.

Platting Staff Comments: The proposed plat is dedicating curve return radii at the intersections with Rosehip Drive and the Sterling Highway.

20.30.160. Streets-Name requirements.

Streets shall be named to conform to KPB Chapter 14.10

Platting Staff Comments: Carrie Henson approved Rollins Way for the new dedication.

20.30.170. Blocks-Length requirements.

Blocks shall not be less than 330 feet or more than 1,320 feet in length. Along arterial streets and state maintained roads, block lengths shall not be less than 800 feet. Block lengths shall be measured from centerline intersections.

Platting Staff Comments: Based on rights-of-way and section line easements three blocks exist within the proposed plat. The northern-most block is incomplete at this time. Subdivision of the 41 and 79-acre parcels to the north will require right-of-way dedications; however, KPB GIS mapping indicates placement of the right-of-way will be constrained by wet areas and slopes greater than 20 percent. Due to terrain challenges, the block may not be able to strictly comply with length requirements.

With the dedication of Rollins Way, the plat meets the requirements of 20.30.170.

20.30.180. Pedestrian ways required when.

Pedestrian ways not less than 8 feet wide shall be required in blocks longer than 600 feet where reasonably deemed necessary to provide circulation or access to schools, playgrounds, shopping centers, transportation or other community facilities.

Platting Staff Comments: The section line easement provides pedestrian access.

20.30.230. Lots-Double frontage prohibited when.

Double frontage lots with depths less than 250 feet will not be approved except where necessitated by topographic or other physical conditions, or to provide reverse frontage along arterial streets. Corner lots are not subject to the double frontage prohibition.

Platting Staff Comments: Lot 1 is a corner lot in this subdivision.

Lot 5B has double frontage and is less than 250 feet deep. Lot 3 has triple frontage and is less than 250 feet deep.

KPB GIS 4-foot contours indicate a ridge crosses approximately through the middle of the subdivision. The plat is affected by potential wetlands, which have been shown and labeled on the plat.

The property is sandwiched between Rosehip Drive and the Sterling Highway. Right-of-way is being extended from the highway to connect with the existing Rollins Way on the opposite site of Rosehip Drive. Unless smaller lots are created, double and triple right-of-way frontage can be expected. Lot 5B contains 2.4 acres; Lot 3 contains 4.6 acres.

Staff recommends the Committee concur that the double and triple frontage is acceptable based on topographic and other physical conditions.

20.30.240. Building setbacks.

- B. 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.

*Platting Staff Comments: **Staff recommends** compliance with 20.30.240.*

20.30.280. Floodplain requirements.

Platting Staff Comments: Per River Center review, the plat is not affected by a mapped flood hazard zone.

20.30.290. Anadromous habitat protection district.

Platting Staff Comments: Per River Center review, the subdivision is not affected by the Anadromous Habitat Protection District.

Per KPB GIS mapping, no anadromous streams flow through the subdivision.

KPB 20.40 -- Wastewater Disposal

*Platting Staff Comments: **Staff recommends** the wastewater disposal notes per 20.40 be placed on the final plat. **Staff recommends** each note identify the lots to which it applies.*

STAFF RECOMMENDATIONS: COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

Platting staff comments: Additional information is provided for the following portions of 20.60 or additional information, revision or corrections are required

20.60.020. Filing-Form and number of copies required.

The subdivider shall file a standard number of prints as determined by the planning director. All prints shall be folded as required by KPB 20.25.030 except those to be recorded with the district recorder.

*Platting Staff Comments: **Staff recommends** one full-sized paper copy of the plat be submitted for final review prior to submittal of the mylar. Electronic submittals are not acceptable for final reviews.*

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.

*Platting Staff Comments: KPB GIS will verify closure complies with 20.60.120. **Staff recommends** boundary and lot closure computations be provided with the paper final plat.*

20.60.160. Easements.

A. The plat shall clearly show the location, width, and use of all easements. The easements must be clearly labeled and identified and, if already of record, the recorded reference given. If public easements are being granted by the plat, they shall be properly set out in the owner's certification of dedication.

1. Special purpose easements being granted by the plat shall be clearly defined for allowed use. Special purpose easements may require a signed acceptance statement on the plat.

B. Private easements may not be granted on the plat.

*Platting Staff Comments: Easements granted by plat do not self-extinguish when no longer needed. If the easement for the waterline needs to be removed at some point in the future, **staff recommends** it be granted by separate document. Once the need for the easement ceases, the owner(s) can eliminate it by document without KPB involvement.*

*If the owners wish to grant the waterline easement by this plat, **staff recommends** compliance with 20.60.160, and the easement be labeled 'granted this plat.' Removal of the platted easement will require Planning Commission review and approval.*

Staff recommends wording be included the shared driveway easement clarifying it is being granted by this plat.

Staff recommends wording be added to the 10-foot easement to HEA to clarify if it is an existing easement or it is being granted this plat. If the HEA easement is existing, **staff recommends** the recording information be noted on the plat if the easement was recorded.

Staff recommends a plat note be provided by the blanket easement of record granted to Homer Electric Association.

20.60.190. Certificates, statements, and signatures required.

*Platting Staff Comments: **Staff recommends:***

1. *Correct the spelling of Mrs. McClaren's name in the Certificate of Ownership and the Notary's Acknowledgement.*
2. *Provide the Plat Approval statement.*
3. *Include the engineer's wastewater disposal certificate.*

20.60.200. Survey and monumentation.

*Platting Staff Comments: **Staff recommends** compliance with 20.60.200.*

NOTE: 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 10 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

PARTIES OF RECORD: UNLESS SPECIFIED OTHERWISE MEANS THOSE PERSONS WHO HAVE COMMENTED IN A WRITTEN AND SIGNED DOCUMENT OR IN PERSON ON AN AGENDA ITEM BEFORE THE PLANNING COMMISSION OR PLAT COMMITTEE WHO OWN PROPERTY WITHIN THE NOTIFICATION RADII ESTABLISHED IN THIS CHAPTER.

END OF STAFF REPORT

Commissioner Ecklund read the rules by which public hearings are heard.

Commissioner Ecklund opened the meeting for public comment.

1. Gary Nelson, Ability Surveys

Mr. Nelson is the surveyor for this project. He addressed the exception request to KPB 20.30.130, 100-foot tangent between curves and believes he could redesign that to fit code requirements. Basically, he will eliminate one curve with a fairly minor revision. His request would be that it would be considered a minor revision and that it would not have to come back before the Plat Committee.

Mr. Nelson asked for clarification regarding the following note that was placed near Lot 1. *"If considered a boundary by KPB Platting authority, section line vacated this plat."* When he has done plats for the State of Alaska, they have always said that that section line has to be vacated and this was not addressed in the staff report. He asked how the borough felt about that because it seems that they are in a contradictory opinion as to the State.

Mr. Nelson stated they were asking for an exception to the Rollins Way dedication during Phase 1. He felt this would be pretty detrimental to the owner if this was dedicated in Phase 1 because the Borough Roads Department has stringent permitting requirements that are pretty restrictive. They hoped to get the first 2-3 lots on the market as soon as possible to help finance the over \$30,000 expenditure that it takes to build the 1,100 feet of road. The owner would like to rough that road in and then do Phase 2. They felt that if it was dedicated in Phase 1 then the owner would have to deal with the other layer of bureaucracy that would really be tough to deal with.

Commissioner Ecklund asked if there were questions for Mr. Nelson.

Mr. Voeller replied to Mr. Nelson's request and stated he would like to see if a tangent length between those two curves could be worked out for safety reasons. The grade issue was what concerned him. He requested a plan profile and settings.

Mr. Voeller stated that staff was reluctant to support not dedicating the road at this time but understood the concerns of permitting. The roads department wants roads built to certain standard which is what the permitting was for. He wasn't sure how they would let them do that so he recommended they discuss it with the Roads Department.

Mr. Voeller addressed the note on the plat regarding the section line and stated that he has seen plats all through the borough that have crossed the section line on the same lots. He felt that the easement was there and didn't feel the necessity to vacate that.

Mr. Nelson asked if he considered it a boundary. Mr. Voeller replied no, not if it has already been platted. It was a contiguous piece of property. Mr. Nelson replied no it wasn't. Mr. Voeller asked if there was separate ownership in Section 20. Mr. Nelson replied no, this was the first time this land has been platted. Mr. Voeller replied that he didn't see a problem with that if his owner owns that. He thought the State may see it differently.

Commissioner Ecklund asked if staff considered changing Rollins Way a minor change that that it would need to come back before the Plat Committee if that was changed. Mr. Voeller replied that it would depend on how it would come out; he would need to see the plan and profile for the proposed gradients. Commissioner Ecklund asked if they could move forward with approvals and then if it staff doesn't approve it then it would come back before the committee. Mr. Voeller replied yes, that was correct. Commissioner Martin stated they could do a conditional approval. Commissioner Ecklund understood that they could conditionally approve it. Mr. Voeller stated that he had full confidence that this could be worked out. Commissioner Ecklund also understood that would cover staff's non-approval of Rollins Way. Mr. Voeller replied yes, but the surveyor agreed to redesign it to the requirements. He stated the big issue now was if the road was to be dedicated in Phase 1 or Phase 2.

Commissioner Ecklund asked which three lots the owner was going to sell first just so the committee can make sure they don't have any access issues. Mr. Nelson replied that it would be Lots 1-4 in Phase 1. Commissioner Ecklund asked if it Lots 4A and 4B were included in that. Mr. Nelson replied yes. Commissioner Ecklund asked where the access was for Lot 1. Mr. Nelson replied that that parcel fronts the Sterling Highway.

Mr. Nelson stated that the roads department will commonly will accept the dedications with some sort of roadbed in them. When a permit is received to construct roads in their right-of-way then they want them built to their standards. He believed Mr. McClaren was planning on building the roads to their standards but he would need to really decide if he wants to do that. There was quite a bit of expense to that. The road could be dedicated right now with nothing there however the owner wants to rough a road in there. Mr. Nelson stated there was quite a bit of gravel material on this property that could be used for the development of the road. The argument for not taking it up to borough standards would be that the owner believes this could incur a lot of through traffic. If it was not up to borough standards then it could become quite bumpy which could slow and deter people from using it. It could create a lot of through traffic zooming through there if the road was constructed to borough standards. He stated it was the only cut across between Anchor Point and 8-mile where the Old Sterling meets the New Sterling.

There being no further comments or questions, the public hearing continued.

2. Clarence McClaren, 37895 Sterling Hwy, Anchor Point

Mr. McClaren was the owner of the property. The reason he was wanting to have this road be more like a driveway was because that he plans on using some of the material off the upper portion of Phase 2 in the development of the first set of lots; Lots 1-4 & 4A and 4B.

Mr. McClaren asked for clarification regarding the Borough's requirement for engineering. He asked if the requirement was for a lot to be 200,000 square feet.

Mr. Nelson replied that it was 200,000 square feet for a soils engineering. Mr. Voeller replied that was correct. Mr. McClaren asked if it would be approximately 4.59. Mr. Voeller replied that was correct.

Seeing and hearing no one else wishing to comment, Commissioner Ecklund closed the public hearing and opened discussion among the Committee.

MAIN MOTION: Commissioner Collins moved, seconded by Commissioner Whitney to grant approval of the preliminary plat for McClaren Subdivision Preliminary Design, KPB File 2016-083 as per staff

recommendations, conditions and adherence to borough code.

Commissioner Martin understood the strategy in trying to get funding to build the roads. The road has to be constructed if it is dedicated. He asked if there was a way that this first phase could be legally platted and not deny access but have the drawings in place as an earnest that there was a plan and that it was coherent. Then the owners could then come back with the next phase that would dedicate that road and the new lots that wouldn't be served by the already existing right-of-way. Mr. Voeller replied that it would take an exception to the code. Code requires that any through streets in a phased development be dedicated in the first phase.

Commissioner Ecklund asked if it needed to be dedicated or built. Mr. Voeller replied that the road would need to be dedicated. Commissioner Ecklund understood that if the preliminary plat was approved, if they fix the road driveway to take care of the curve and the slope was developed to borough code then this could move forward. She asked if at that point the owners could sell the lots and then construct the road. Mr. Voeller recommended that the road be dedicated in the first phase per code. Commissioner Ecklund asked if the owner could sell lots if the plat goes through with the road being dedicated and then the construction of the road take place in phase two. Mr. Voeller replied yes, but once the road was dedicated according to Roads Service Area policy they need to permit it before it was developed which is where the Road Design Criteria comes into play.

Commissioner Martin asked if the Roads Department has a process for a pioneer phase for construction. Mr. Voeller replied that he heard that in some instances they will allow them to develop a half width roadway. Mr. Nelson believed that it would be on a case by case basis.

Mr. Nelson stated that their request for an exception here infringes on the owners' rights to do anything with that land once it was dedicated. He stated the owner felt that he needs to use that right-of-way. Commissioner Martin stated that they just don't know what the Roads Service Area policy is for a road.

Commissioner Ecklund understood that the exception request to KPB 20.30.130, 100-foot tangent between curves was no longer needed since that will be fixed by the surveyor. Mr. Voeller stated that they need to demonstrate that the road can be constructed to no steeper than 10%. He agreed that the surveyor could fix the tangent between curves so that exception request would not be needed.

Commissioner Ecklund stated the surveyor and owner will work with the Roads Department to build whatever they need to start, sell and the final plat will handle that.

Mr. Voeller referred to the staff report under "O" which states, *"If the subdivision will be finalized in phases, all dedications for through streets as required by KPB 20.30.030 must be included in the first phase. Platting Staff Comments: The phase boundary appears to exclude Rollins Way. Staff recommends that Rollins Way be dedicated in the first phase per KPB 20.25.070."* He stated the surveyor requests an exception to KPB 20.25.070 as a second exception.

Commissioner Ecklund asked if it would be dedicated if the bold line was drawn on the other side of Rollins Way. She understood that if the Phase 1 boundary line was moved to the east side of Rollins Way then the road was dedicated in Phase 1. Mr. Voeller replied yes, that was correct. Mr. Nelson stated that they requested an exception to that.

AMENDMENT MOTION: Commissioner Martin moved, seconded by Commissioner Whitney to grant exception to KPB 20.25.070, Rollins Way dedication so that the dedication of Rollins Way can be postponed until Phase 2 citing the following findings of fact.

Findings

1. It would be onerous to pay for the construction costs up front.
2. The dedication prohibits the owner's ability to use or develop his land.

Mr. Voeller stated that staff does not support the request.

Mr. Nelson asked if Phase 1 would have a two year approval and would need to be finalized within two years.

He also asked if Phase 2 would fall under that two year deadline or if they would have two years to complete Phase 2 once it was submitted. Mr. Voeller replied that Phase 1 would have a two year deadline and once Phase 2 was submitted and approved then it would have two years to finalize. Mr. Nelson stated that the owner wants to finalize Phase 2 as soon as possible but wants to be able to utilize that right-of-way for his purposes then record it once he was done with his development efforts. Mr. Voeller thought that the Roads Service Area would not restrict his construction effort if he permitted and dedicated that road in the first phase. Mr. Nelson stated that technically and legally the owner couldn't do anything in that right-of-way without a permit. Mr. Voeller replied that the owner would have to get a permit which would dictate what the finished product would be.

Commissioner Martin asked if there was a timeframe that the owner must accomplish getting a roads permit and constructing a right-of-way once they break ground. Mr. Voeller replied that he wasn't sure.

Commissioner Ecklund asked if he could get a permit without a dedicated road if this road was not dedicated in Phase 1. Mr. Voeller didn't see why he would not be able to since it is his land. Commissioner Ecklund understood that he could put a driveway in. Mr. Voeller replied that yes that was correct.

There being no further comments or questions, the committee proceed to vote.

AMENDMENT VOTE: The motion passed by unanimous consent.

COLLINS YES	ECKLUND YES	GLENDENING ABSENT	MARTIN YES	WHITNEY YES	4 YES 1 ABSENT
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MAIN MOTION VOTE: The motion passed by unanimous consent.

COLLINS YES	ECKLUND YES	GLENDENING ABSENT	MARTIN YES	WHITNEY YES	4 YES 1 ABSENT
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AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS

7. Parsons Lake West Subdivision (*NC from Idleman Subdivision*)
KPB File No. 2016-089 [Segesser / Idleman]

Staff Report given by Patti Hartley

Plat Committee Meeting: 8/8/16

Location: off Vandevere Drive, Nikiski
 Proposed Use: Residential
 Water/Sewer: On-site
 Zoning: Unrestricted
 Assessing Use: Vacant
 Parent Parcel Number(s): 013-700-20

Supporting Information:

The proposed plat subdivides an approximate 38-acre parcel into 7 lots containing about 4.7 acres each. A soils report is not required. This platting action provides the following dedications per KPB 20.30.030 and 20.30.170:

1. 60-foot extension of Vandevere Drive over the existing travel way to the subdivision to the north.
2. 30-foot matching dedication for Grebe Avenue that connects with Vandevere Drive being dedicated by this plat.
3. 30-foot half dedication for Trenchant Street.