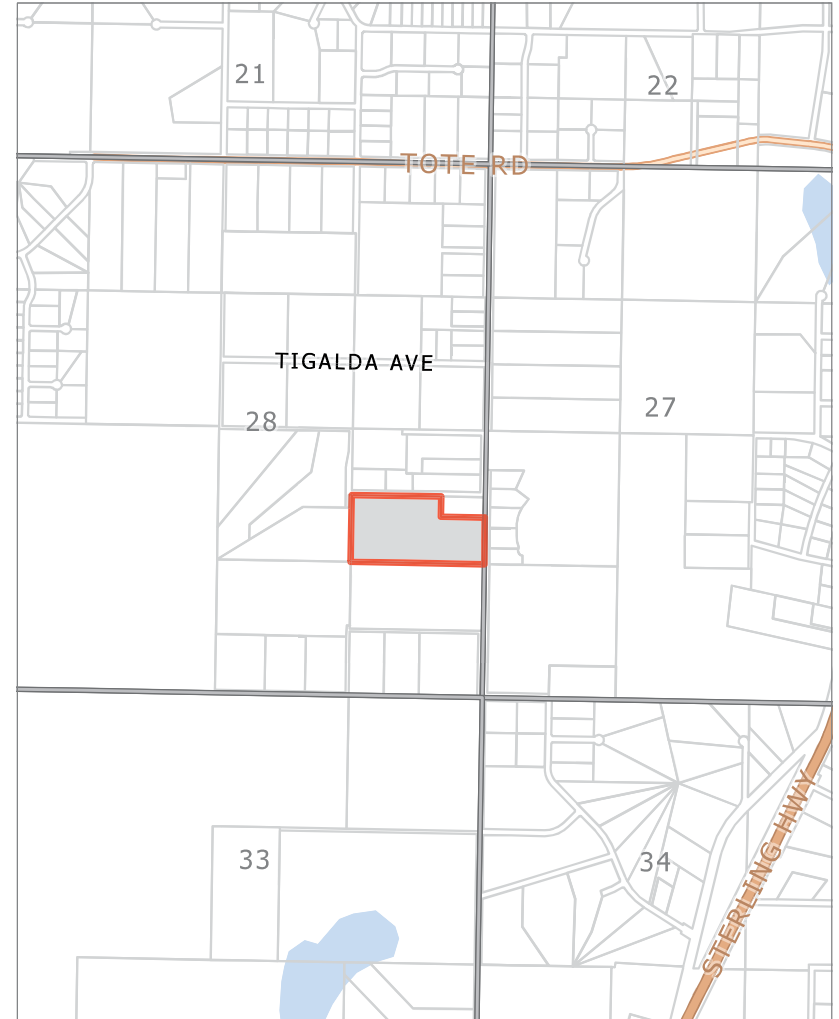


E. NEW BUISNESS

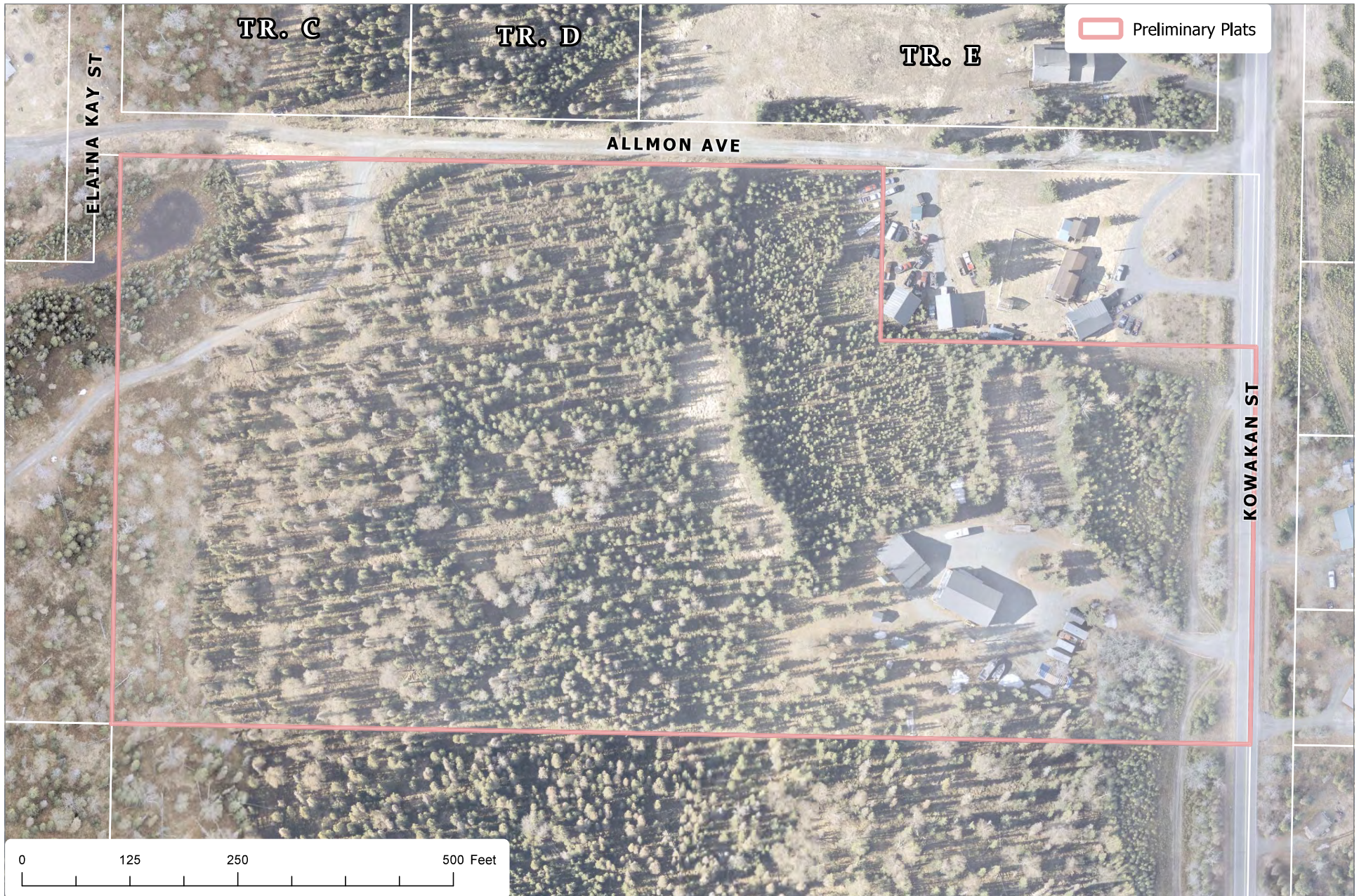
ITEM E6 – TOWNSLEY SUBDIVISION



KPB File # 2022-030

Township 04N-Range 11W-Section 28

Kalifornsky





Townsley Subdivision Preliminary Plat

A subdivision of the S 1/2 NE 1/4 Ne 1/4 Section 28, T4N R11W, SM, Kaslof, Alaska.
Excluding KRD Deed Parcel Serial #2012-003979-0,
Kenai Recording District Kenai Peninsula Borough

Prepared for
Billy Reynolds
5231 Heritage Hts Dr.
Anchorage, AK 99516

Prepared by
Johnson Surveying
P.O. Box 27
Clam Gulch, Ak 99568

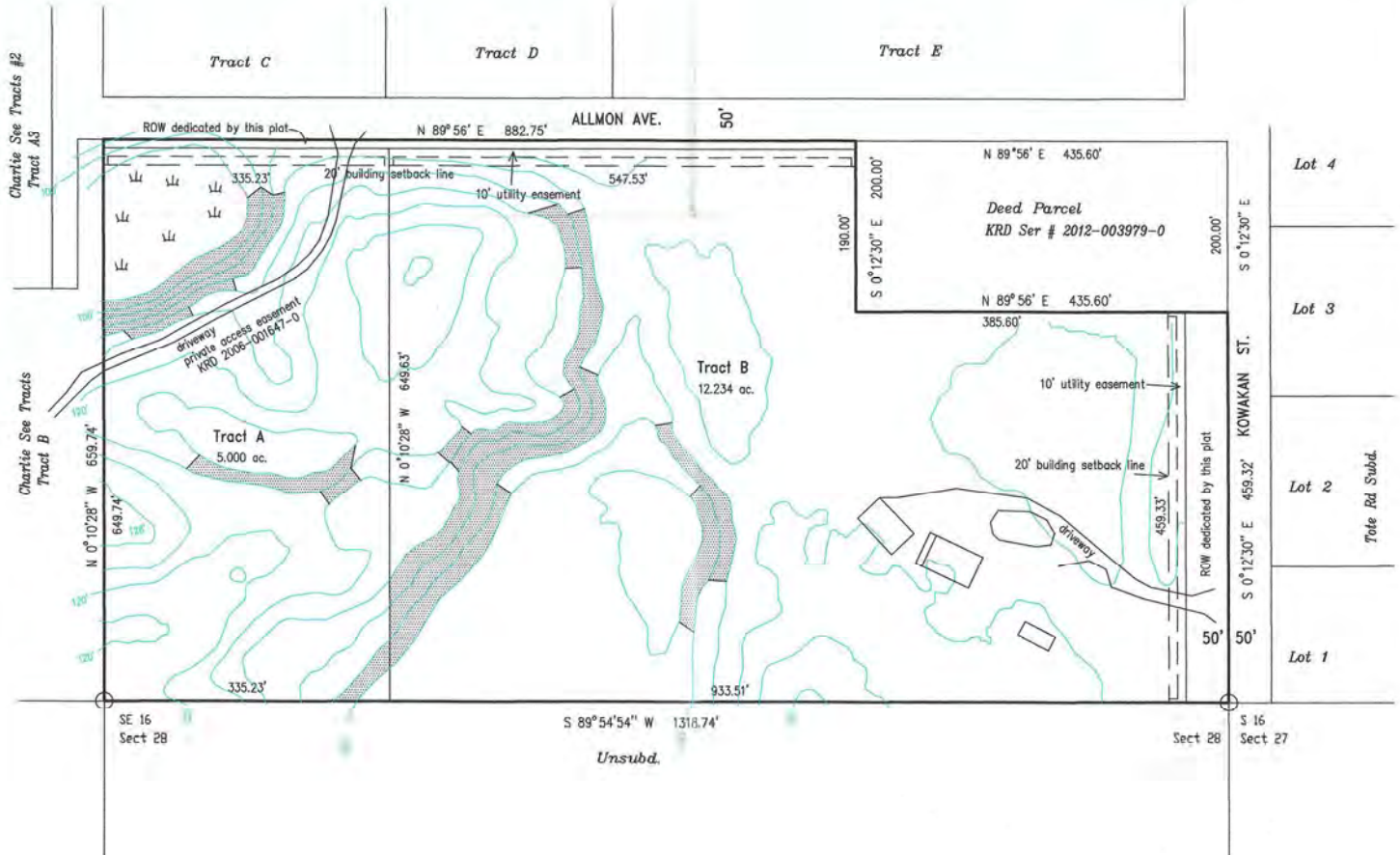
VICINITY 1" = 1 mile MAP

SCALE 1" = 100' AREA = 17.964 acres 15 February, 2022

NOTES

1. A building setback of 20' from all street ROWs is required unless a lesser standard is approved by a resolution of the appropriate planning commission. Front 10' of building setback is also a utility easement as is the entire setback within 5' of side lot lines.
2. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
3. This plat dedicates Kowakan Street 50' easement granted to State of Alaska DOT by KRD Book m141 Page 783.
3. Driveway shown crossing Tract A is the location of a 30' driveway easement granted by KRD 2006-001647-0.
4. Contour interval 4' Shaded areas are grades over 25%.

PE-ME-BA Subd.



WASTEWATER DISPOSAL

20.40.030
These lots are at least 200,000 square feet in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Dept. of Environmental Conservation.

AGENDA ITEM E. NEW BUSINESS

ITEM 6 – TOWNSLEY SUBDIVISION

KPB File No.	2022-030
Plat Committee Meeting:	April 11, 2022
Applicant / Owner:	Billy Reynolds of Anchorage, Alaska
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Kowakan Street and Allmon Avenue, Kalifornsky

Parent Parcel No.:	131-600-02
Legal Description:	S1/2 NE1/4 SE1/4 of Section 28, Township 4 North, Range 11 West, Seward Meridian
Assessing Use:	General Commercial
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 17.96 acre parcel into two tracts that will be 5 acres and 12.23 acres. Dedications for Kowakan Street and Allmon Avenue are proposed.

Location and Legal Access (existing and proposed): The subdivision can be access from two locations on the Sterling Highway. Near mile 101 is state maintained Tote Road. Kowakan Street is state maintained and intersects Tote Road to provide a northern access route. Kowakan Street continues south and connects with borough maintained right of ways. Mallette Avenue, Brewer Road, and Reflection Lake Road provide the southern connection near mile 103 of the Sterling Highway.

Proposed Tract B will have frontage along Kowakan Street. Tract B and Tract A will have access from Allmon Avenue. The width of Kowakan Street varies but state easements are in place. A 33 foot section line easement is also present within the Kowakan Street easement. This plat will be dedicating a 50 foot width of Kowakan Street atop an existing right of way easement and section line easement. Allmon Avenue is a 50 foot wide right of way that is constructed but not maintained. The plat is proposing to dedicate a 10 foot width along Allmon Avenue to bring that portion into compliance with KPB Code street width requirements.

A private access easement has been granted to the parcel located to the west. This was done by recorded document and is depicted and labeled on the plat.

The block is not closed or compliant. To the west is areas of kettle and per KPB GIS imagery, open water. Subdivisions in the area and the terrain make the continuation of right of way difficult. At the end of Allmon Avenue is a dedication of Elaina Kay Street. This right of way has varying widths and connects to Melott Avenue. The southern portion of Elaina Kay Street is a 30 foot wide dedication on the western side. The eastern portion is not dedicated and is a flag lot for Tract B of Charlie See Tracts. This is the lot with a private access easement through the proposed subdivision. A dedication requirement from this subdivision to improve the block and a right of way continuation will result in a 30 foot wide gap between the dedications. The dedication will also go through wetlands that appear to have some standing water present. The block distance from Allmon Avenue to Victoria Avenue are compliant. ***Staff recommends the plat committee concur that an exception or dedication are not required, as a dedication will result in offset dedications with low construction feasibility.***

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: RSA has no objection at this time
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SOA DOT comments	The ROW dedication for Kowakan Street (Tote Loop Road) matches the public access easement recorded at Book 144 Page 783 as called for on the plat, and appears to be shown correctly. I was unable to find any official ROW mapping for this area in our records. (There is an edit to the plat – it is the subdivision of the S1/2 NE1/4 SE1/4 Section 28...)
------------------	--

Site Investigation: Low wet areas are present within the northwest corner of the subdivision. The wetlands are depicted. **Staff recommends** the wetlands remain on the final plat and a plat note be added “Any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetland determination if applicable.”

There are some slopes present within the subdivision. The steeper slopes appear around the low wet area with a few other areas scattered throughout. **Staff recommends** the contours be removed from the final and due to the locations of the steep areas do not need to be depicted on the final.

KPB River Center review	<p>A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: No comments</p> <p>B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p> <p>C. State Parks Reviewer: Russell, Pam Comments: No Comments</p>
State of Alaska Fish and Game	No comments

Staff Analysis This is a subdivision of an aliquot piece of property. Some property has been deeded off through the years. This is a subdivision of the remainder.

The plat will dedicate the state public access easement that appears to coincide with a section line easement. PE ME BA Subdivision, Plat KN 79-110, dedicated Allmon Avenue as a 50 foot wide right of way. This subdivision will dedicate 10 feet along the southern portion of Allmon Avenue to bring a portion of it into compliance.

Multiple improvements are located with access from Kowakan Street. Those improvements will be located with Tract B. The deed parcel located in the northeast corner has multiple improvements. Per KPB GIS imagery, there is some possible encroachment issues. Looking at imagery it appears the encroachments may be moveable items. **Staff recommends** when the field survey is performed the status of any possible permanent encroachments be provided with the final, including means for resolution. The following plat note may be required, “Acceptance of this plat by the Kenai Peninsula Borough does not indicate acceptance of any encroachments.”

The lots are over 200,000 square feet and a soils report will not be required. Excluding the wetlands and steep terrain, there still appears to be adequate area within Tract A.

Per the preliminary Certificate to Plat, beneficial interest holders do not affect the proposed plat. Notification per KPB 20.25.090 will not be required unless the final Certificate to Plat states the property is affected by beneficial interest holders.

The property is within the Kalifornsky Beach advisory planning commission. The APC is currently inactive due to inability to have a quorum.

Utility Easements There are currently no platted utility easement present on this property. The plat is intending to grant 10 foot utility easements along the right of ways that increase to 20 feet within the side lot lines. This is depicted and properly noted on the plat.

The certificate to plat did not indicate any easements granted by document are present.

The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Staff recommends** to grant utility easements requested by the utility providers or work with the utility providers to obtain approval.

Utility provider review:

HEA	No comments
ENSTAR	No comment
ACS	No objection
GCI	Approved as shown

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek Affected Addresses: 29305 KOWAKAN ST</p> <p>Existing Street Names are Correct: No List of Correct Street Names: KOWAKAN ST ALLMON AVE</p> <p>Existing Street Name Corrections Needed: ROW west of Tract C should be labeled ELAINA KAY ST.</p> <p>All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied:</p> <p>Comments: ELAINA KAY ST should be labeled. 29305 KOWAKAN ST will remain with Tract B.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan 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: Correct the description to S1/2 NE1/4 SE1/4.

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 propose subdivision boundary, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;

Staff recommendation: Provide labels for Tract 1 of KN 2006-84 in the southwest corner and an unsubdivided label for the lot located to the southeast. Provide a label for Elaina Kay Street. Provide some width labels or a width varies label.

KPB 20.30 – Subdivision Design Requirements

Staff recommendation: final plat submittals must comply with 20.30. Additional information, revisions, and/or corrections are required as noted below.

KPB 20.40 – Wastewater Disposal

Staff recommendation: final plat submittals must comply with 20.40. Additional information, revisions, and/or corrections are required as noted below.

20.40.010 Wastewater disposal.

Platting Staff Comments: Soils report not required due to the size of the proposed lots.

Staff recommendation: comply with 20.40.

KPB 20.60 – Final Plat

Staff recommendation: final plat submittals must comply with 20.60. Additional information, revisions, and/or corrections are required as noted below.

20.60.040. Dedication of public use lands. Any land shown on a plat as a street, public park or other public area must be dedicated on the final plat to a tax exempt governmental entity. If the governmental entity is not the Kenai Peninsula Borough, the governmental entity shall be required to execute an acceptance of the dedication on the plat.

Staff recommendation: Acceptance by the Kenai Peninsula Borough for Allmon Avenue and one for the State of Alaska for Kowakan Street.

20.60.180. Plat notes.

- A. Plat notes shall not be placed on a final plat unless required by borough code or by the planning commission in order to promote or protect the public health, safety, and welfare consistent with borough and state law.

B. Revision of, or not carrying forward, an existing plat note from the parent plat will adhere to KPB 20.50.010. Separate advertising of the plat note removal is not required, Notification of the requested change will be sent by regular mail to all owners within the subdivision (parent plat and subsequent replats) as shown on the borough tax rolls. Upon approval by the planning commission, the revision or removal of the record plat note shall be finalized by recording a planning commission resolution or subdivision plat.

Staff recommendation: *Place the following notes on the plat.*

- *"No access to state maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation."*
- *Roads must meet the design and construction standards established by the borough in order to be considered for certification and inclusion in the road maintenance program (KPB 14.06).*

Correct plat note 3 by removing the "m" prior to the book number.

RECOMMENDATION:

STAFF RECOMMENDS:

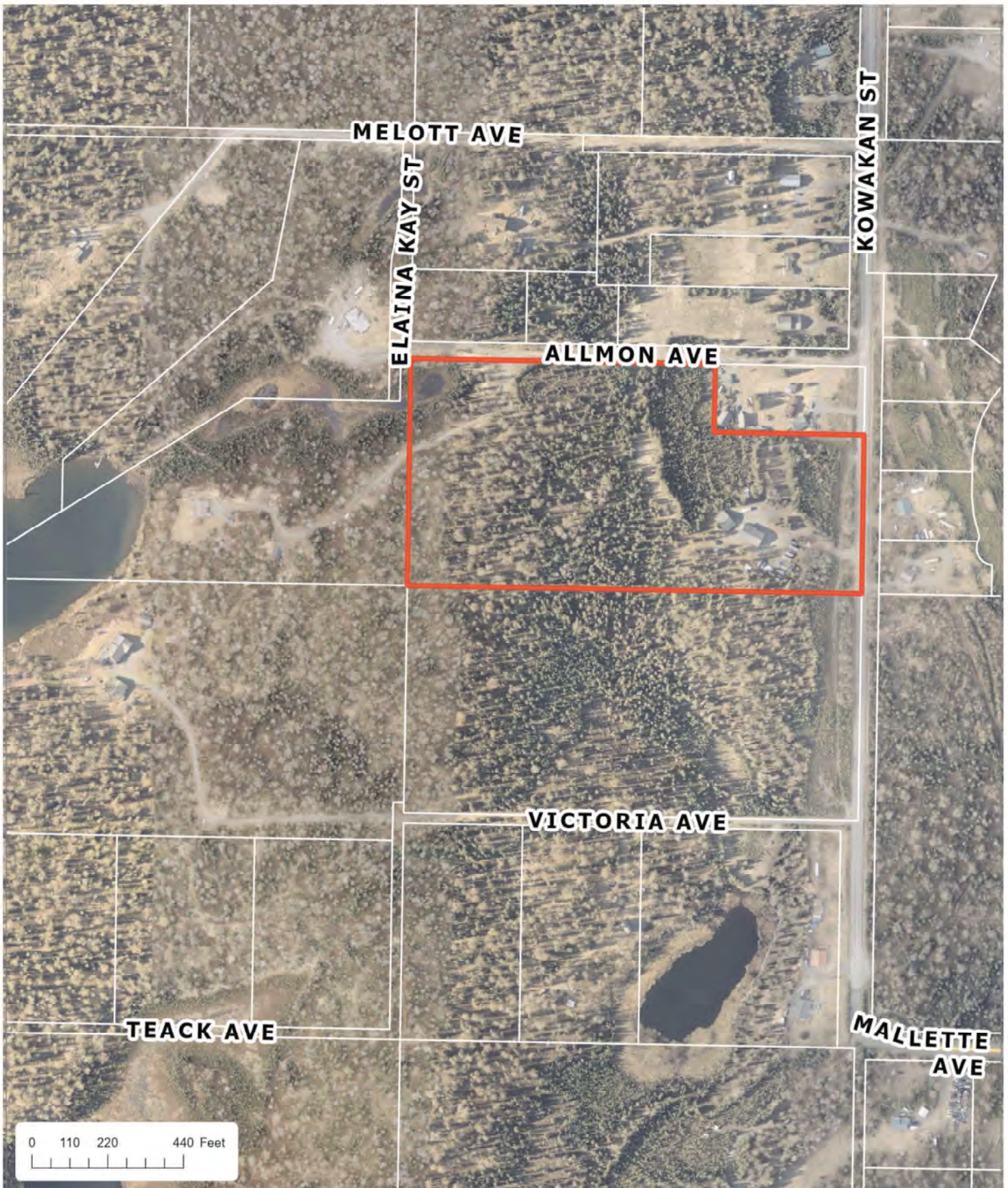
- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

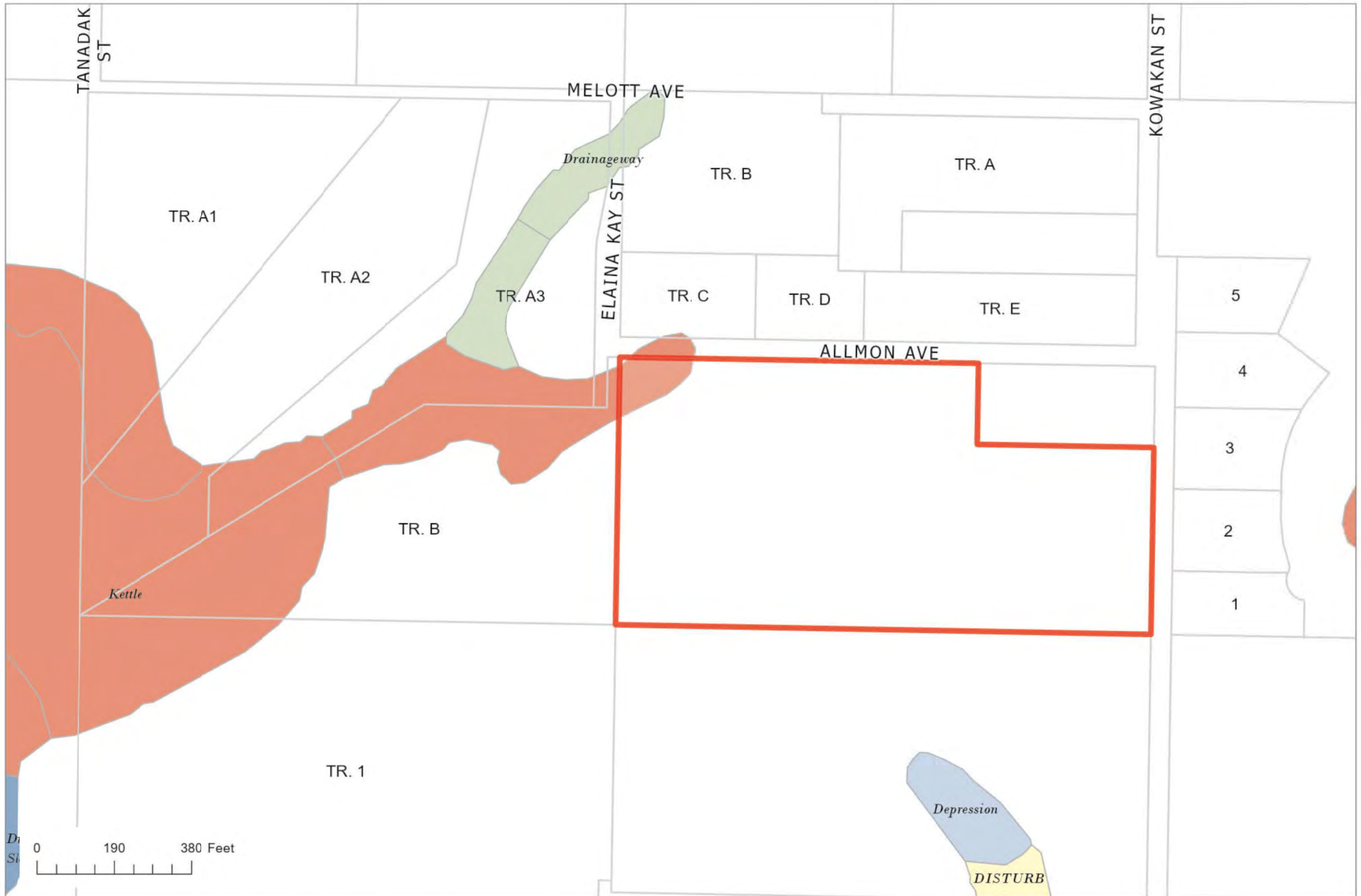
NOTE: 20.25.120. - REVIEW AND APPEAL.

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





The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.