

E. NEW BUSINESS

- 1. Lower Cohoe Subdivision Tracts 1-7; KPB File 2022-057
R&M Consultants / Alaska Mental Health Trust Authority
Location: Herrin Street, Fairway Avenue & Cohoe Lake Road
Cohoe Area**



Kenai Peninsula Borough Planning Department

Vicinity Map

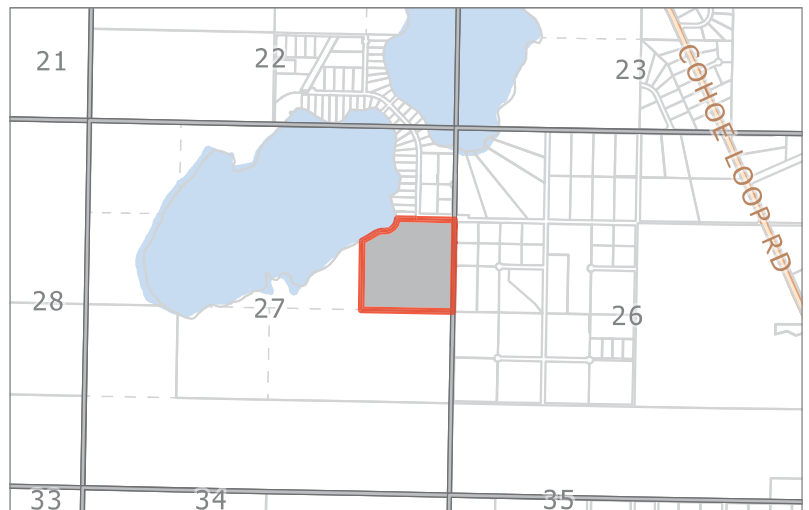
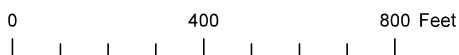


KPB File # 2022-057

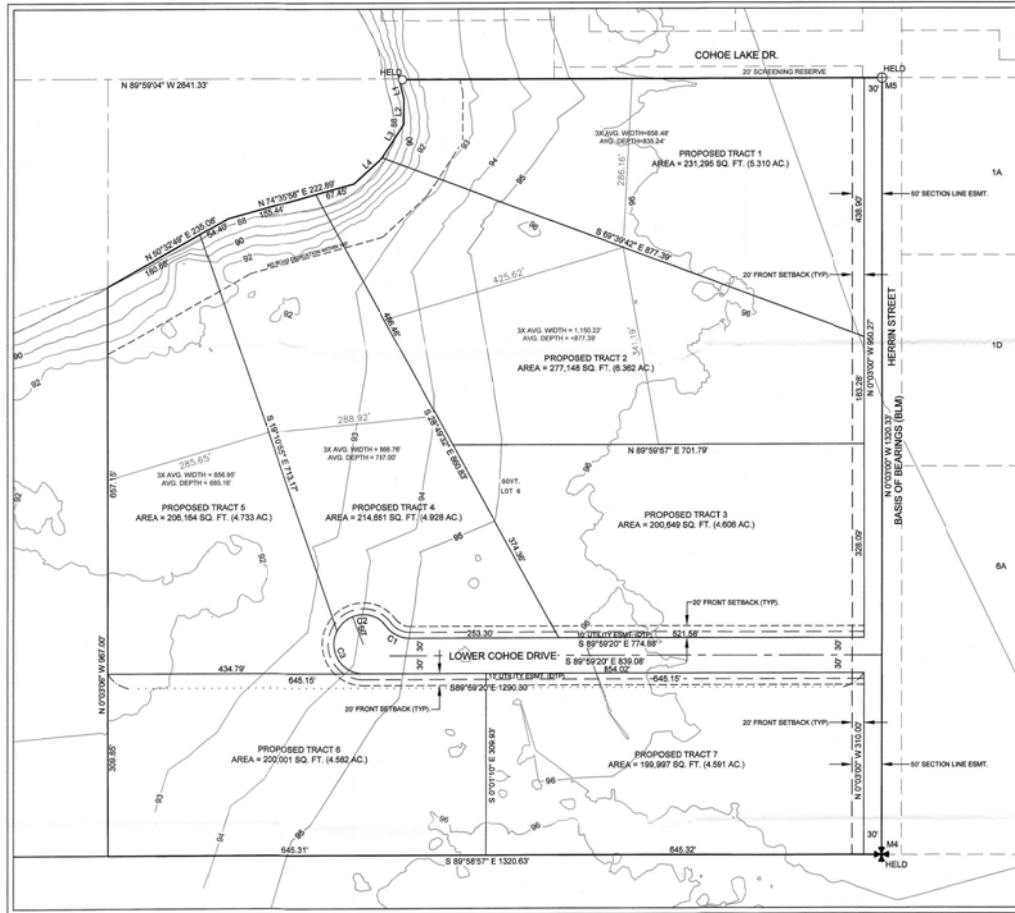
S27-T03N-R12W

Cohoe

4/25/2022

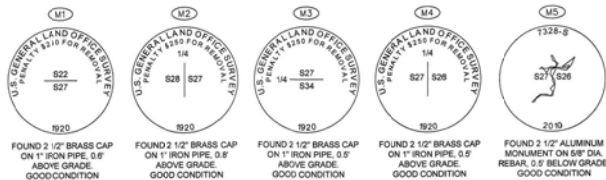






DETAIL: 1"=100'

FOUND MONUMENTS

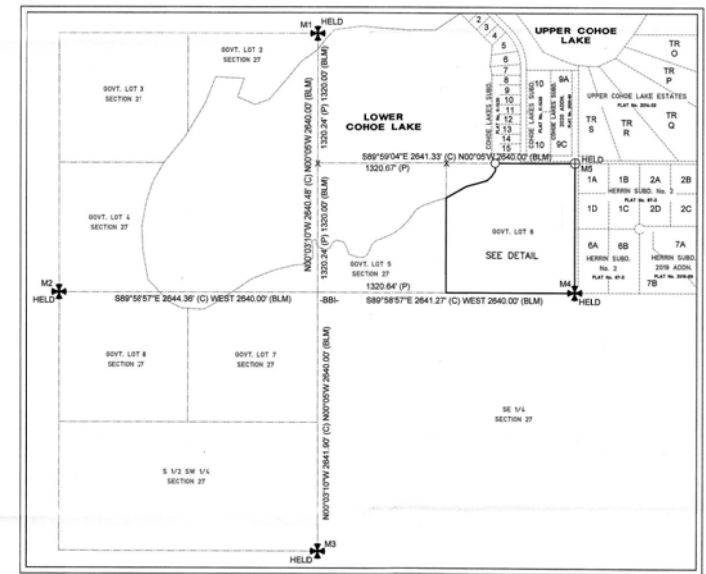
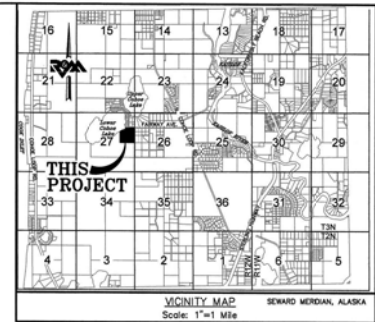
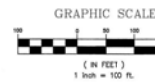


CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C1	46.36'	50.00'	53°07'12"	S 63° 25' 36" E	44.72'
C2	101.66'	50.00'	116°22'34"	S 84° 56' 50" W	84.98'
C3	100.98'	50.00'	116°42'33"	S 31° 05' 43" E	84.67'

LINE TABLE		
LINE#	DIRECTION	LENGTH
L1	N 13°12'28" W	33.75'
L2	N 02°04'38" E	42.86'
L3	N 32°56'12" E	67.85'
L4	N 47°40'23" E	65.55'

NOTES

- BUILDING SETBACK - A 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.
- CONTOUR INTERVAL IS 1-FOOT. CONTOURS WERE OBTAINED FROM PUBLICLY AVAILABLE GIS DATA FROM THE KENAI PENINSULA BOROUGH AND HAVE NOT BEEN FIELD VERIFIED.



ENLARGEMENT: 1"=600'

LEGEND

- ✕ FOUND GLO MONUMENT AS DESCRIBED
- ⊕ FOUND PRIMARY MONUMENT AS DESCRIBED
- FOUND IRON PIPE
- ⊙ SET 2" ALUMINUM CAP ON 5/8" X 30" REBAR THIS SURVEY
- HELD- HELD FOUND MONUMENT POSITION
- (M) MEASURED DIMENSION THIS SURVEY
- (C) COMPUTED DIMENSION
- (P) PROPORTIONED DIMENSION
- X COMPUTED POINT, NOTHING FOUND OR SET
- ⊕ COMPUTED BY BEARING-BEARING INTERSECTION
- BLM- RECORD DIMENSIONS PER BUREAU OF LAND MANAGEMENT PLAT APPROVED ON JULY 19, 1921



TYPICAL
2" ALUMINUM CAP ON 5/8" X 30"
REBAR SET THIS SURVEY

SURVEYOR'S CERTIFICATE

I CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA; THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION; AND THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED AND ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT TO THE NORMAL STANDARDS OF PRACTICE OF LAND SURVEYORS IN THE STATE OF ALASKA.

DAVID C. HALE, L.S. 9395

DATE

PRELIMINARY PLAT OF LOWER COCHO SUBDIVISION TRACTS 1 THRU 7

TRUST LAND OFFICE, STATE OF ALASKA, OWNER
2600 CORDOVA ST., SUITE 201
ANCHORAGE, ALASKA 99503

A 37.34 ACRE SUBDIVISION OF GOVERNMENT LOT 6, SECTIONS 27,
TOWNSHIP 3 NORTH, RANGE 12 WEST, SEWARD MERIDIAN, ALASKA

KENAI RECORDING DISTRICT

9101 Vanguard Drive, Anchorage, Alaska, 99507
PH (907) 522-1707 FAX (907) 522-3403
www.rmconsult.com

DRAWN: DCH SCALE: 1"=100' PROJECT: 2850.03 GRID:
CHECKED: AC FIELD BK: 2850.03 DATE: 03/31/22 SHEET: 1 OF 1



KPB 2022-057

AGENDA ITEM E. NEW BUSINESS

ITEM 1 - LOWER COHOE SUBDIVISION TRACTS 1 THRU 7

KPB File No.	2022-057
Plat Committee Meeting:	May 23, 2022
Applicant / Owner:	Alaska Mental Health Trust Authority of Anchorage, AK
Surveyor:	David Hale / R & M Consultants
General Location:	Herrin Street, Fairway Avenue, Cohoe Area

Parent Parcel No.:	133-110-98
Legal Description:	Government Lot 6, Section 27 Township 3 North Range 12 West
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 37.3 acre parcel into seven lots that will range in size from 4.582 acres to 6.362 acres. A 30 foot width dedication is proposed for Herrin Street to bring the street width into compliance. A new cul-de-sac is proposed for dedication within the subdivision.

Location and Legal Access (existing and proposed): The proposed plat is located at the end of Fairway Avenue, a varying width borough maintained right-of-way. Fairway Avenue is located near mile 13 of state maintained Cohoe Loop Road. This is near the southern Cohoe Loop Road intersection with the Sterling Highway. Fairway Avenue runs along a portion of the northern boundary of the proposed plat and then connects to Cohoe Lake Drive, which runs to the north and provides access to lots found between the two Cohoe Lakes. Herrin Street intersects with Fairway Avenue and provides access along the eastern boundary of the proposed plat. The current dedication of Herrin Street is only 33 feet wide. The northern portion appears to be cleared and in use but is not maintained by the borough. Section line easements are present within the existing dedication and proposed dedication of Herrin Street.

The plat is proposing to dedicate a 30 foot wide dedication for Herrin Street. The underlying 50 foot section line easement will remain and is depicted on the plat. The certificate to plat references 33 foot section line easements. That is the width on the eastern side of Herrin Street but the surveyor and KPB staff information shows 50 foot is present on the western side. **Staff recommends the surveyor verify the width and work with the title company to update their information or if it is found to be 33 feet, provide documentation to the borough to support the change to 33 feet.**

A new cul-de-sac is proposed within the subdivision. This right-of-way will provide access to several of the lots within the preliminary plat.

The block length is not compliant as defined in KPB Code 20.30.170. Due to the location of Lower Cohoe Lake, the ability to get a closed block is limited. The cul-de-sac does not improve the block as it does not provide a through continuation.

The land to the west and south is all owned by the State of Alaska DNR. It is currently shown as a 221 acre parcel. Low wet areas are present within the Herrin Street dedication and section line easements. The low wet areas continue through the DNR property. The access to the dryer portions of the property is limited.

Due to the location of the lake and wetlands within a portion of the area and the DNR properties surrounding the preliminary plat, **staff recommends a dedication not be required at this time along the western boundary of the subdivision in an effort to improve block length.**

Due to the terrain restrictions present within the Herrin Street dedication, **staff recommends a 30 foot wide dedication be required along the southern boundary of the subdivision.**

The requirement of a dedication along the south will improve the block requirements as well as KPB Code 20.30.030(A), by providing access to surrounding acreage tracts. Changing the already proposed right-of-way to a through dedication will improve both 20.30.030 and 20.30.170 but due to wetlands present within the western area the southern dedication is the best solution. It would be expected to receive a 30 foot matching dedication from the State of Alaska lands if they have a subdivision done.

If the plat committee does not agree with staff, findings will be required to support their decision to not require the dedication.

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

Site Investigation: The area is relatively flat with no steep slopes present. There are some low wet areas along the western boundary. **Staff recommends low wet areas be depicted on the plat and the wetland determination plat note be added.**

The land appears to be vacant. KPB Assessing records indicate an improvement but upon further review it appears to be an improved travel way or driveway. The location is not easily detected on imagery.

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

Staff Analysis This is a subdivision of a Government Lot that is owned by Alaska Mental Health Trust Authority. There has not been a plat performed on the property through the Kenai Peninsula Borough.

The majority of the lots are currently over 200,000 square feet and will not require a soils analysis report. The surveyor has noted that if the design is approve, the intention will be to make some adjustments to get all lots to comply. As long as the adjustments are not significant and still complies with all of KPB Code, the final will not be brought back to the Planning Commission unless they request to review again. If any of the lots fail to be 200,000 square feet, a soils report will be required and an engineer will sign the final plat.

The surveyor provided the depth and width information on the lots to show they comply. Staff did find some slight differences with the measurements but found that they all comply.

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

The property is not within an advisory planning commission.

Utility Easements The property does not have any platted utility easement in place. The Certificate to Plat did not contain any easements granted by recorded document.

The plat has the 10 foot utility easements depicted along the proposed cul-de-sac. Utility easements will need to be required along the portion adjacent to Fairway Avenue. If a new dedication is required along the south, additional utility easements will need to be depicted. Per code, 10 foot easements should also be granted along Herrin Street. As noted by HEA's comments, the section line easement would encompass the utility easement and the section line easements can be used for utility needs. **Staff recommends the plat committee concur that utility easements not be granted along Herrin Street, all other utility easements be depicted and a plat note be added that clarifies which rights-of-way will have adjoining easements granted.**

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	HEA is not requesting the 10 foot utility easement adjoining the dedicated ROW be granted with this platting action as the 50 foot section line easement provides a greater area for the placement of utility lines.
ENSTAR	No comments or recommendations
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek</p> <p>Affected Addresses:</p> <p>None</p> <p>Existing Street Names are Correct: No</p> <p>List of Correct Street Names:</p> <p>HERRIN ST</p> <p>Existing Street Name Corrections Needed:</p> <p>COHOE LAKE DR</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>LOWER COHOE DR</p> <p>Comments:</p> <p>LOWER COHOE DR is denied because the word Cohoe is on the KPB prohibited names list. The street suffix for the newly dedicated ROW should be court (CT) due to the east-west direction and ending in a cul-de-sac. COHOE LAKE DR should be labeled FAIRWAY AVE.</p>
------------	--

Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat.
Assessing	Reviewer: Wilcox, Adeena Comments: No comment

The subdivision plat has been reviewed and generally complies with the 2019 Kenai Peninsula Borough Comprehensive plan.

STAFF RECOMMENDATIONS **CORRECTIONS / EDITS**

All that will be required on the lots is the acreage to the thousandths, three decimal digits. The square footage should be removed from the final.

The setback should be labeled and depicted along Fairway Avenue.

KPB 20.25.070 – Form and contents required

Staff recommendation: *final plat submittals must comply with 20.25.070. Additional information, revisions, and/or corrections are required as noted below.*

A. Within the Title Block

1. Name of the subdivision which shall not be the same as an existing city, town, tract, or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion. The parent plat's name shall be the primary name of the preliminary plat.
2. Legal description, location, date, and total area in acres of the proposed subdivision;
3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor.

Staff recommendation:

- *The owner should match the deeds and certificate to plat, which is Alaska Mental Health Trust Authority.*
- *Update the location description to make "Sections" singular as it is only within one section.*
- *The KPB File number will need to be included within or near the title block.*
- *Staff suggests the name be shortened to Lower Cohoe Subdivision. In smaller text below the name you can add "Creating Tracts 1 Thru 7" if desired.*

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;

Staff recommendation:

- *Update the label of Cohoe Lake Drive to Fairway Avenue. Cohoe Lake Drive is the north-south right-of-way located at the end of Fairway Avenue.*
- *Provide a label for Cohoe Lake Drive.*
- *Provide a label for Herrin Circle.*
- *Provide right of way width labels for Cohoe Lake Drive, Fairway Avenue, Herrin Street, and Herrin Circle.*

- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries, and prominent natural and manmade features, such as shorelines or streams;
Staff recommendation: *Map meets all criteria but the sections shown can be reduced to make the map smaller to improve spacing on the plat. A 3 x 3, 3 x 4, or 4 x 4, depiction with subject section being near center will be sufficient.*
- F. The location, width and name of existing and platted streets and public ways, railroad rights-of-way, easements, and travel ways existing and proposed, within the subdivision;
Staff recommendation:
- *A new dedication is proposed as Lower Cohoe Drive. Cohoe is on the street name prohibited list. The suffix should also be Court as defined by KPB code.*
 - *A 30 foot wide dedication for Herrin Street is proposed.*
 - *Both rights-of-way will require a label stating "Dedicated by this Plat".*
- G. The status of adjacent lands within 100 feet of the proposed subdivision boundary or the land status across from any dedicated rights-of-way that adjoin the proposed subdivision boundary, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;
Staff recommendation:
- *Include the name of the lake.*
 - *Add a Government Lot 5 label to the lot to the west.*
 - *Provide an "Unsubdivided" label for the land to the south.*
 - *We generally request all streets and lots be labeled within 100 feet for the subdivision. Many of these are being shown on the area enlargement. As long as the information is present within the enlargement additional labeling will not be required.*
 - *Within the enlargement area, Lot 9C north of the subdivision, is incorrectly depicted as well as the depiction of Herrin Circle. Update the lot depiction to configuration at the time of final.*

KPB 20.30 – Subdivision Design Requirements

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

20.30.030. 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.

B. Subdivision of land classified as agricultural conveyed subject to AS 38.05.321(a)(2)(B) may provide public access easements in lieu of fee simple dedications if necessary to comply with the minimum lot size restriction of the statute. The public access easements must meet all applicable right-of-way design criteria of Title 20 and are subject to the building setback requirements set forth in KPB 20.30.240.

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.

Staff recommendation: *A dedication along the southern boundary should be required to provide access to lots to the west.*

20.30.160. Streets-Name requirements. Streets shall be named to conform to KPB Chapter 14.10

Staff recommendation: *Work with the KPB Addressing Officer for approved street names.*

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.

Staff recommendation: *Does not comply. Due to lake, a fully closed block will be difficult. A dedication along the southern boundary will improve the block.*

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: All tracts but Tract 7, will not require a soils analysis report due to size of the lots. Provide required plat notes in compliance with code. Multiple wastewater disposal notes may need to be provided and should indicate which tracts the note applies.

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: *All rights-of-way will need to be accepted by the Kenai Peninsula Borough. Provide the acceptance as outlined in KPB Code.*

20.60.110. Dimensional data required.

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

B. The natural meanders of ordinary high water (or mean high water line as applicable) is for area computations only, the true corners being on the extension of the sidelines and the intersection with the natural meanders.

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

Staff recommendation: *Meander source is required to be sited or provide a year label for the data if measured or computed as part of this plat. Comply with 20.60.110.*

20.60.130. Boundary of subdivision. The boundary of the subdivision shall be designated by a wider border and shall not interfere with the legibility of figures or other data. The boundary of the subdivided area shall clearly show what survey markers, or other evidence, was found or established on the ground to determine the boundary of the subdivision. Bearing and distance ties to all survey markers used to locate the subdivision boundary shall be shown.

Staff recommendation: *Correct the line along the southwest located outside the boundary to be the same depiction of neighboring lot lines.*

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.*

- *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).*
- *"The front 10 feet adjoining dedicated rights-of-way is granted by this plat as utility easements." If not granted along Herrin Street revised to "The front 10 feet adjoining the dedicated rights-of-way of Fairway Avenue, new street names is granted by this plat as utility easements. Easements along Herrin Street were not required with this platting action."*
- *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.*
- *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.*
- *The natural meanders of ordinary high water is for area computations only, the true corners being on the extension of the sidelines and the intersection with the natural meanders.*
- *WASTEWATER DISPOSAL (Tracts #'s): Lots which are at least 200,000 square feet in size may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.*
- *WASTEWATER DISPOSAL (Tracts #'s): 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. An Engineer's Subdivision and Soils Report is available from the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a qualified engineer, registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation.*

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: *Provide the Certificate of Ownership on behalf of the Alaska Mental Health trust Authority. Provide the notary's acknowledgment. In addition to the Certificate of Acceptance for the rights-of-way being dedicated, a plat approval note will be required for the borough to sign. Comply with 20.60.190.*

RECOMMENDATION:

STAFF RECOMMENDS:

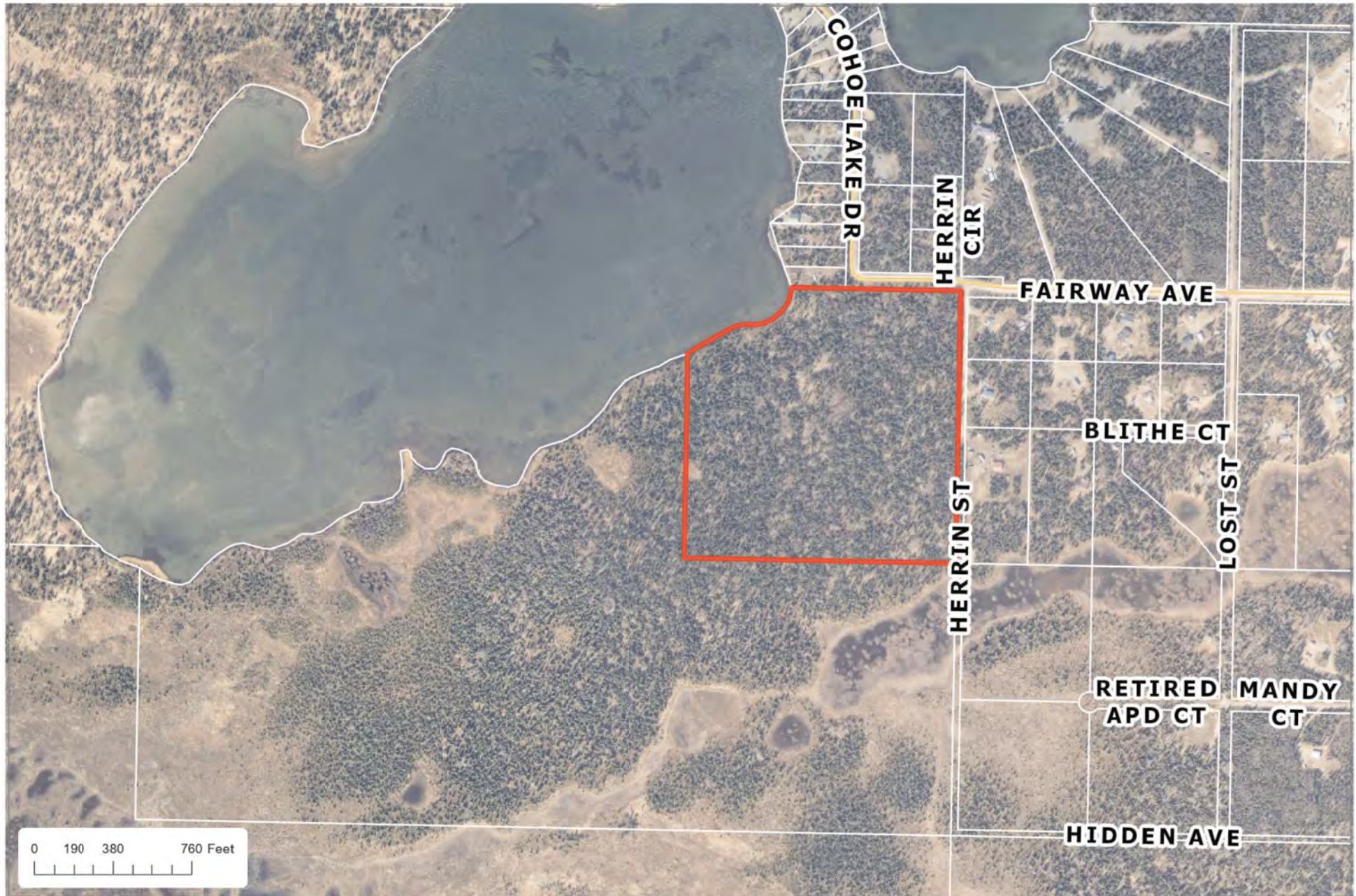
- **GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND**
- **COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND**
- **COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE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

NOTE: 20.25.120. - REVIEW AND APPEAL.

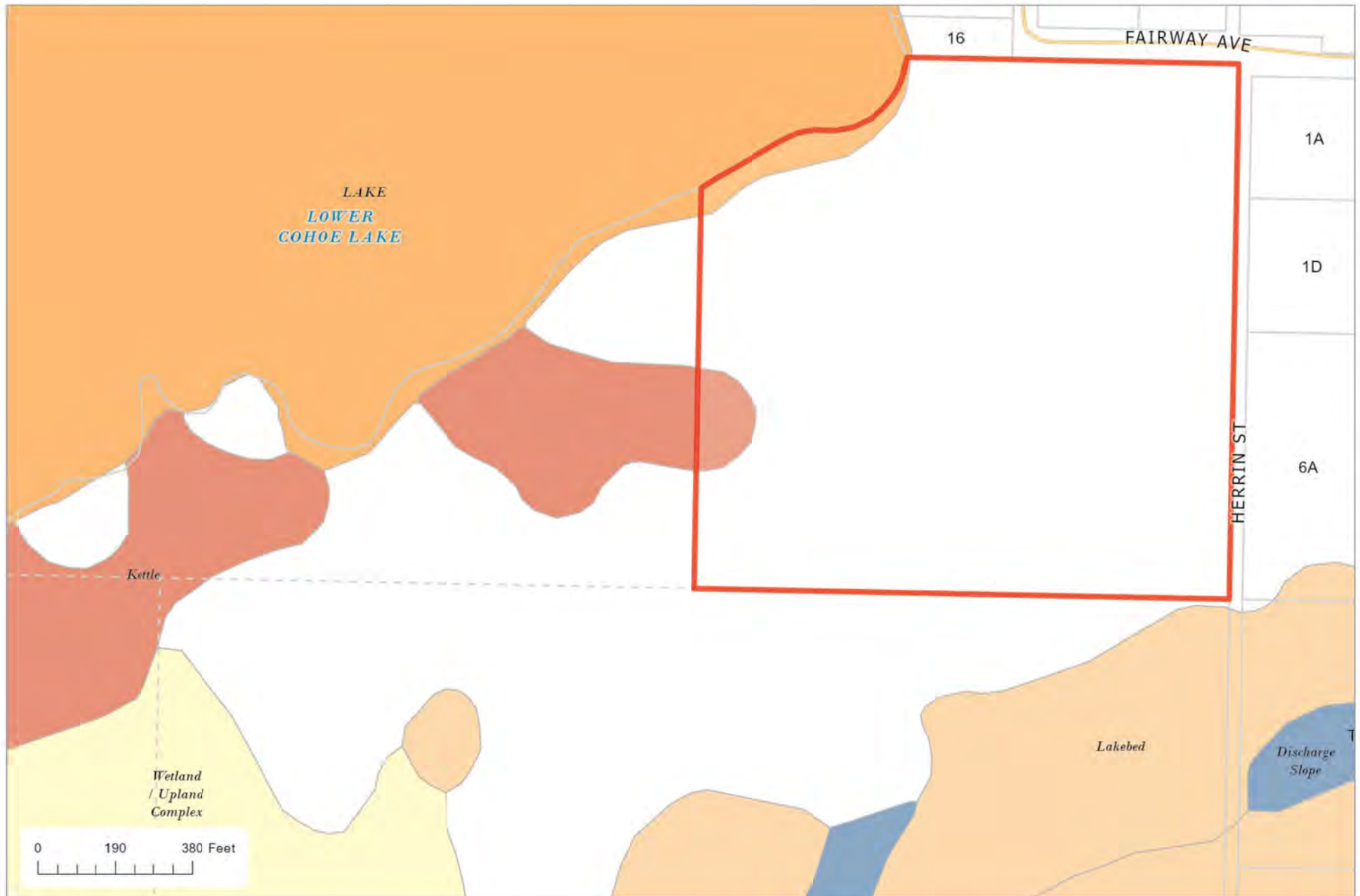
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

END OF STAFF REPORT



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.



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.

DESK PACKET ITEMS

(Items received after the publishing of the meeting packet on 5/13/22)

