

E. NEW BUSINESS

- 5. Doyle Estate Subdivision Sixth Addition; KPB Fil 2022-062
McLane Consulting Group / Doyle Family Trust
Location: Dalron Street South & Helmsman Avenue
Kalifornsky Area**



Vicinity Map

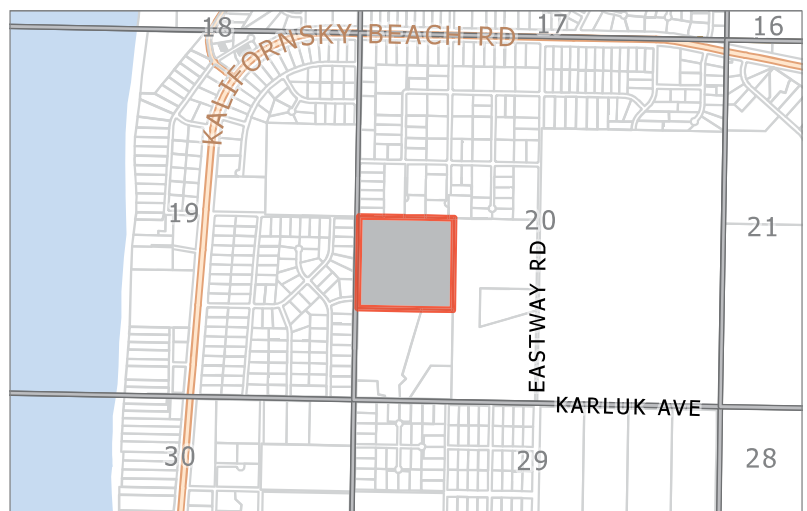
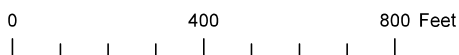


KPB File # 2022-062

S20-T05N-R11W

Kalifornsky

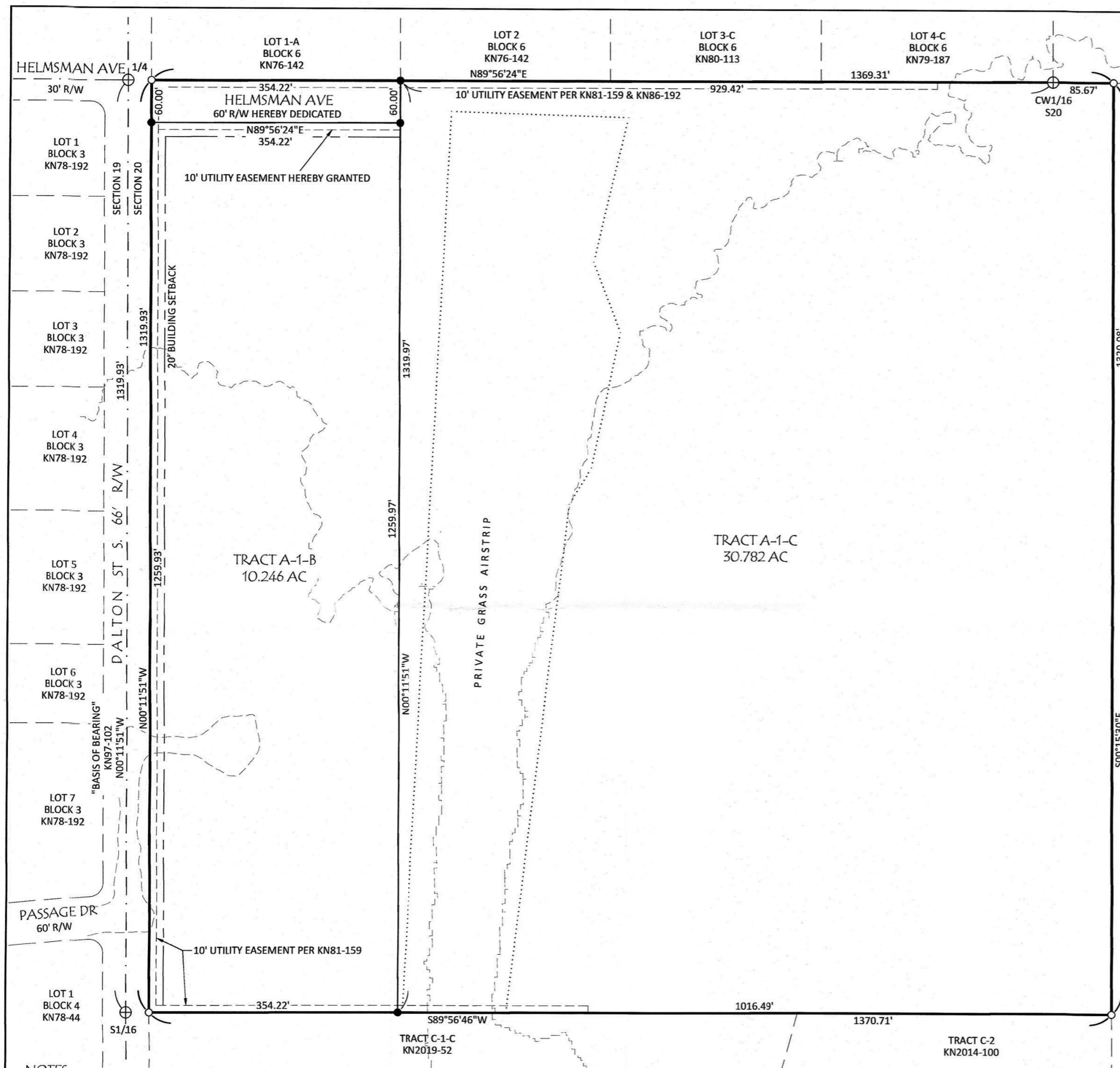
5/6/2022





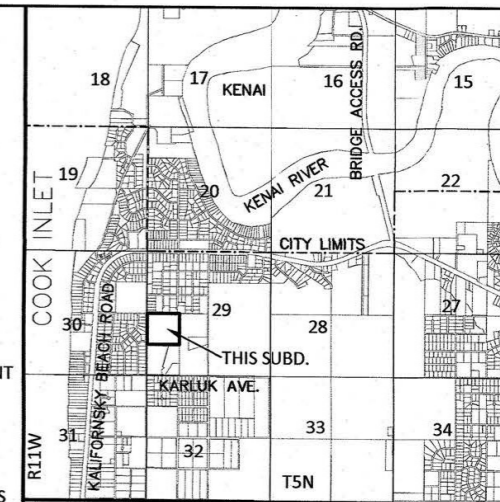
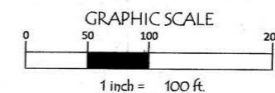
Aerial View





LEGEND

- ⊕ FOUND PRIMARY MONUMENT AS DESCRIBED
- FOUND 5/8" REBAR UNLESS NOTED
- SET 5/8"x30" REBAR w/ 1" STAINLESS STEEL CAP 85032-S
- CONTOUR INTERVAL = 4'



VICINITY MAP
Scale 1" = 1 Mile

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE, THE UNDERSIGNED, HEREBY CERTIFY THAT DOYLE FAMILY REVOCABLE TRUST, IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND ON BEHALF OF DOYLE FAMILY REVOCABLE TRUST, WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

JAMES H. DOYLE, TRUSTEE
PO BOX 582, KENAI, AK 99611

TRINA DOYLE, TRUSTEE
PO BOX 582, KENAI, AK 99611

NOTARY'S ACKNOWLEDGEMENT

FOR: JAMES H. DOYLE & TRINA DOYLE
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____
MY COMMISSION EXPIRES : _____

NOTARY PUBLIC FOR THE
STATE OF _____



Plat #	
Rec Dist	
Date	20____
Time	____ M

NOTES

1. WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS SHALL BE PERMITTED ONLY IN CONFORMANCE WITH APPLICABLE REQUIREMENTS OF 18 AAC 72 AND 18 AAC 80.
2. BUILDING SETBACK- A BUILDING SETBACK OF 20 FT. IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
3. THE FRONT 10 FEET ADJOINING DEDICATED RIGHTS-OF-WAY IS ALSO A UTILITY EASEMENT HEREBY GRANTED.
4. 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.

WASTEWATER DISPOSAL

THESE LOTS ARE AT LEAST 200,000 SQUARE FEET AND CONDITIONS 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.

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____, 2022.

AUTHORIZED OFFICIAL _____

DATE _____

DOYLE ESTATES SUBDIVISION SIXTH ADDITION A RESUBDIVISION OF TRACT A-1A DOYLE ESTATES SUBDIVISION THIRD ADDITION (KN97-102)			
DOYLE FAMILY REVOCABLE TRUST, OWNER PO BOX 582, KENAI, AK 99611			
41.515 AC. M/L - SITUATED IN THE SW1/4 OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 11 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH AND THE KENAI RECORDING DISTRICT, ALASKA.			
	ENGINEERING - TESTING SURVEYING - MAPPING P.O. BOX 468 SOLDOTNA, AK 99669 VOICE: (907) 283-4218 FAX: (907) 283-3265 WWW.MCLANECG.COM	KPB FILE NO. 2022-xxx	PROJECT NO. 222013
	SCALE 1" = 100'	DATE : APR. 2022	BOOK NO. : xxx

KPB 2022-016

AGENDA ITEM E. NEW BUSINESS

ITEM 5 - DOYLE ESTATES SUBDIVISION SIXTH ADDITION

KPB File No.	2022-062
Plat Committee Meeting:	June 13, 2022
Applicant / Owner:	Doyle Family Revocable Trust of Kenai, AK
Surveyor:	James Hall / McLane Consulting Group
General Location:	Helmsman Avenue, Dalton St S, Kalifornsky / Kalifornsky APC

Parent Parcel No.:	055-181-08
Legal Description:	Tract A-1A Doyle Estates Subdivision Third Addition KN 97-102
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 41.52 acre parcel into two tracts that will be 10.246 acres and 30.782 acres. A 60 foot wide dedication is proposed for a 354 foot length of right-of-way.

Location and Legal Access (existing and proposed): The subdivision is located near mile 13 of state maintained Kalifornsky Beach Road. Helmsman Avenue is a varying width dedicated right-of-way that is partial constructed and not currently maintained by the borough. The plat is proposing to provide a continuation of Helmsman Avenue along the northern boundary of the subdivision for a length of 354 feet. Along the western boundary of the subdivision is 66 foot wide right-of-way, Dalton Street S. This dedication coincides with 33 foot wide section line easements. Helmsman Avenue and Dalton Street S are not currently built to provide access at this time. Passage Drive, a 60 foot wide maintained right-of-way is located to the southwest of the subdivision and could provide a close access to Dalton Street S and to Tract A-1-B.

The new dedication will provide a northern access to Tract A-1C. This will be the only platted access to that tract at this time. Tract A-1-B will have access from the new dedication and has access from Dalton Street S. all along the western boundary.

A private grass airstrip is present and will be within proposed Tract A-1-C. The airstrip does continue further south onto property owned by the owners of the preliminary plat. The access to that property and the airstrip is currently from Karluk Avenue, a varying width borough maintained right-of-way.

Due to the ability to continue the proposed dedication in the future, and the existing airstrip **staff recommends the plat committee concur that a cul-de-sac bulb as outlined in KPB Code 20.30.100 is not required at this time.**

Exceptions have been requested for block length and for street layout requirements.

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

Site Investigation: There are no low wet areas present within the boundary of the preliminary plat. The contours are shown on the preliminary but there are no steep areas present. A private grass airstrip is present and shown on the plat. There are no known encroachment issues for the property included within this preliminary design.

KPB River Center review	A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: Located in Zone D - Non-Regulatory 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 preliminary plat for property that has been replatted several times. The first plat was recorded as Doyle Estates, Plat KN 81-159. The most recent is Doyle Estates Subdivision Third Addition, Plat KN 97-102, and it provides the current lot configuration.

The two lots proposed will be larger than 200,000 square feet and a soils analysis report will not be required.

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.

Kalifornsky Advisory Planning Commission is currently inactive.

Utility Easements Through the platting process there are been numerous utility easements granted. These easements have also been vacated through the years as the lot lines adjusted. The currently depicted easements are correct and contain the proper labels. There does not appear to be any utility easements granted by recorded document.

The plat is proposing to grant 10 foot utility easements along the new dedication. **Staff recommends the depiction of the utility easement, as well as the setback, be extended to go along the end of the dedication.**

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	
ENSTAR	
ACS	No objections
GCI	

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: None Existing Street Names are Correct: Yes
------------	---

	List of Correct Street Names: HELMSMAN AVE PASSAGE DR DALTON ST S Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: No addresses affected by this subdivision.
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

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.*

- 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: *Correct the section labels*

- 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 a width label for Dalton Street S located north of Helmsman Avenue intersection. Lot 2 Block 6 located north of the subdivision needs the recording number revised to 75-28.*

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: Lots are both over 200,000 square feet. Soils report will not be required and an engineer will not need to sign the plat.

Staff recommendation: comply with 20.40.

KPB 20.60 – Final Plat

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

20.60.040. 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: An acceptance will be required for the dedication of Helmsman Avenue.

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).
- Add a plat note for any exceptions granted.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: Additional documentation may be required for the signers of the trust. Comply with 20.60.190.

EXCEPTIONS REQUESTED:

KPB 20.30.030 – Proposed street layout-requirements and KPB 20.30.170 – Blocks-length requirements

Staff Discussion: Staff has grouped the exception request together. If the plat committee wishes to hear each exception separately they may by discussing under two separate motions.

The exceptions requested will allow them the option to not dedicate right-of-way in locations that may cause issues due to the airstrip. The proposed tracts are large enough to be subdivided further and if the airstrip is no longer in use, the dedications can then be granted in locations that fit the needs of the area and comply with KPB Code. A dedication along the eastern boundary would not provide any connection to existing roads, resulting in the need to cross the airstrip to reach.

Surveyor's Findings:

1. Large tracts with existing private airstrip.
2. All adjoining and adjacent parcels front a dedicated R/W

Staff's Findings:

3. Green Forest Drive, Eastway Road, Karluk Avenue, and Dalton Street S. do provide a closed block.
4. The closed block exceeds allowable limits.
5. To comply with code a dedication of Helmsman Avenue along the entire length of the northern boundary would be required.
6. To comply with code a dedication would be required along the entire length of the southern boundary.
7. To comply with code a dedication would be required along the entire eastern boundary.
8. To comply with code, multiple rights-of-way would cross an existing private grass airstrip.
9. The proposed dedication of Helmsman Avenue, would improve the block length if ever dedicated through.
10. Except for the lots off Green Forest Drive, the lots in the area are larger acreage parcels.

If denied, additional dedications will be required to comply with code.

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 1-3 and 8-10 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 1-3 and 8-10 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 1-3 and 8-10 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.

RECOMMENDATION:

SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:

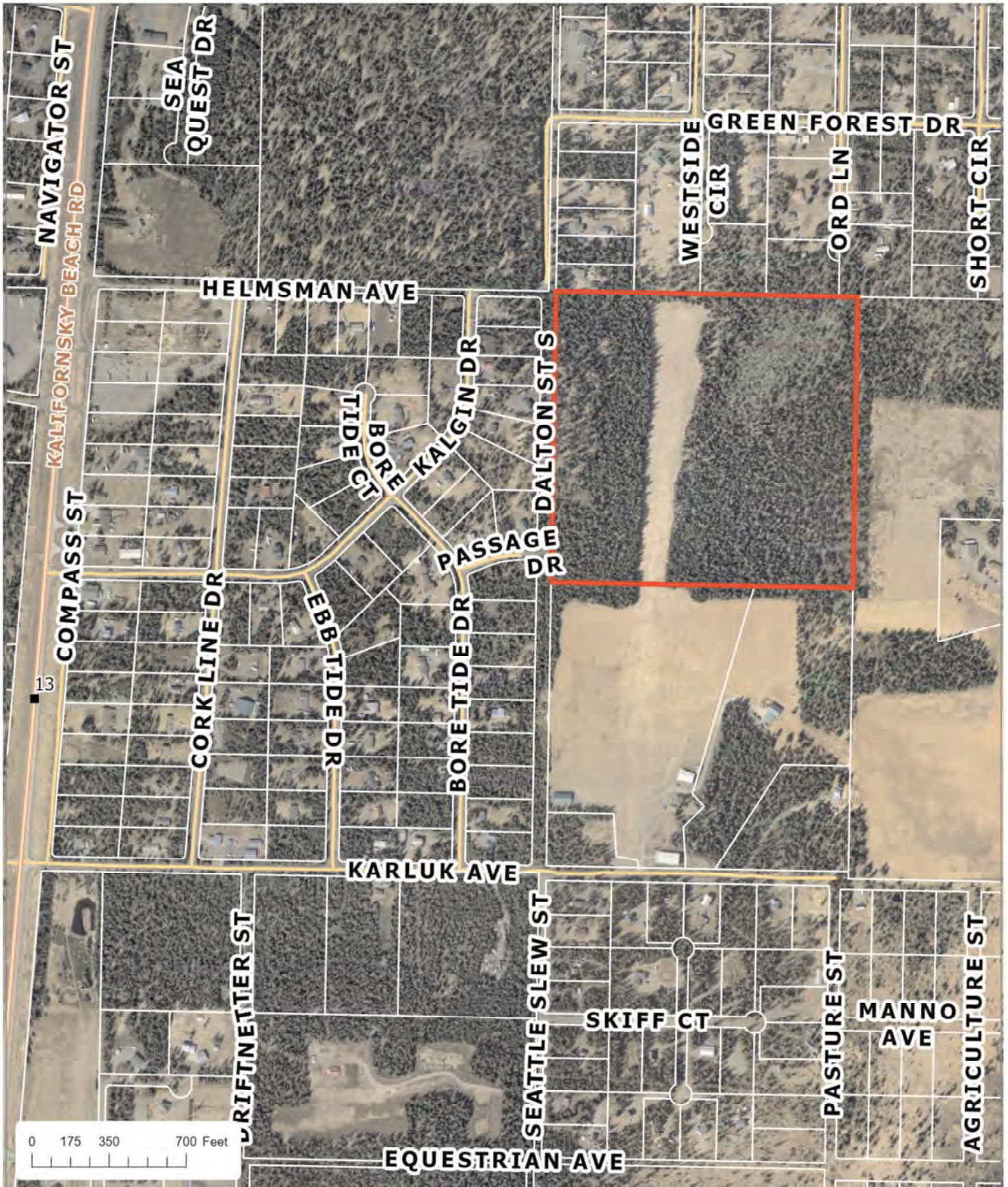
- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL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

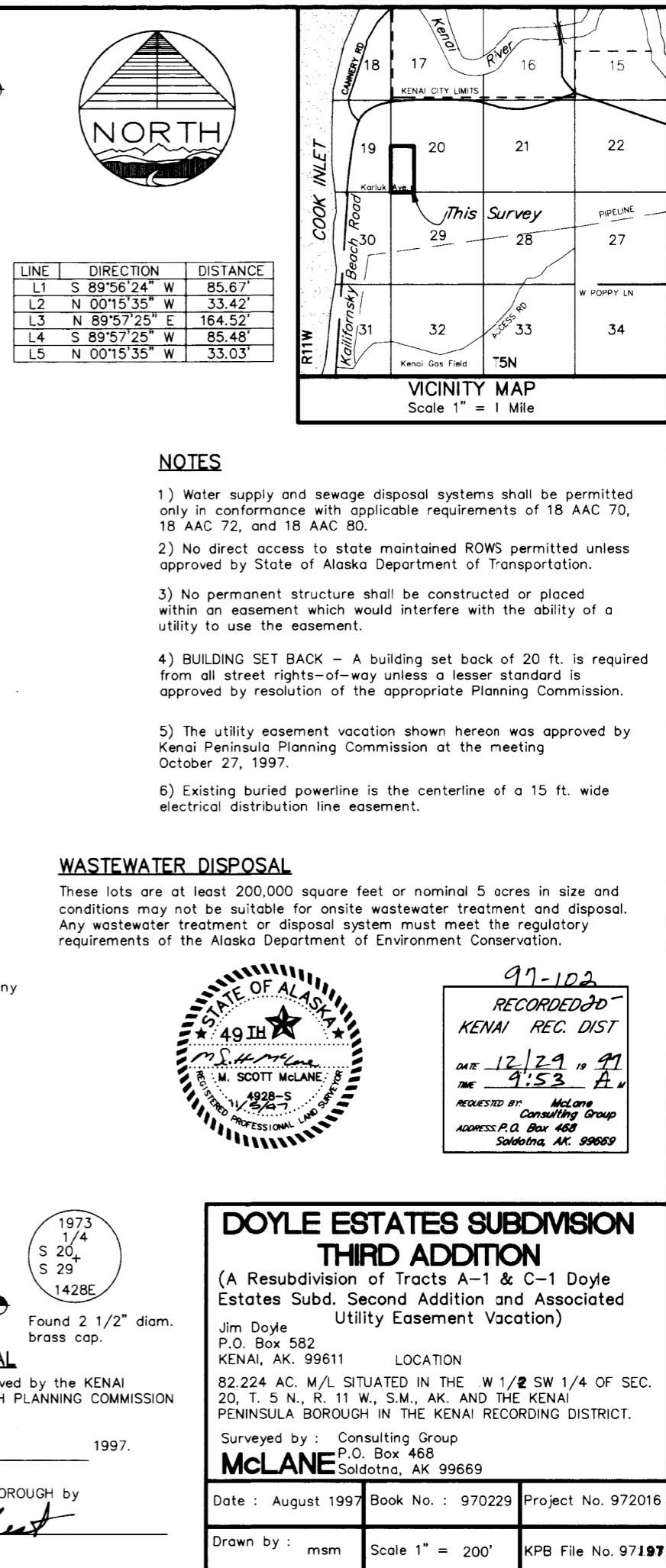
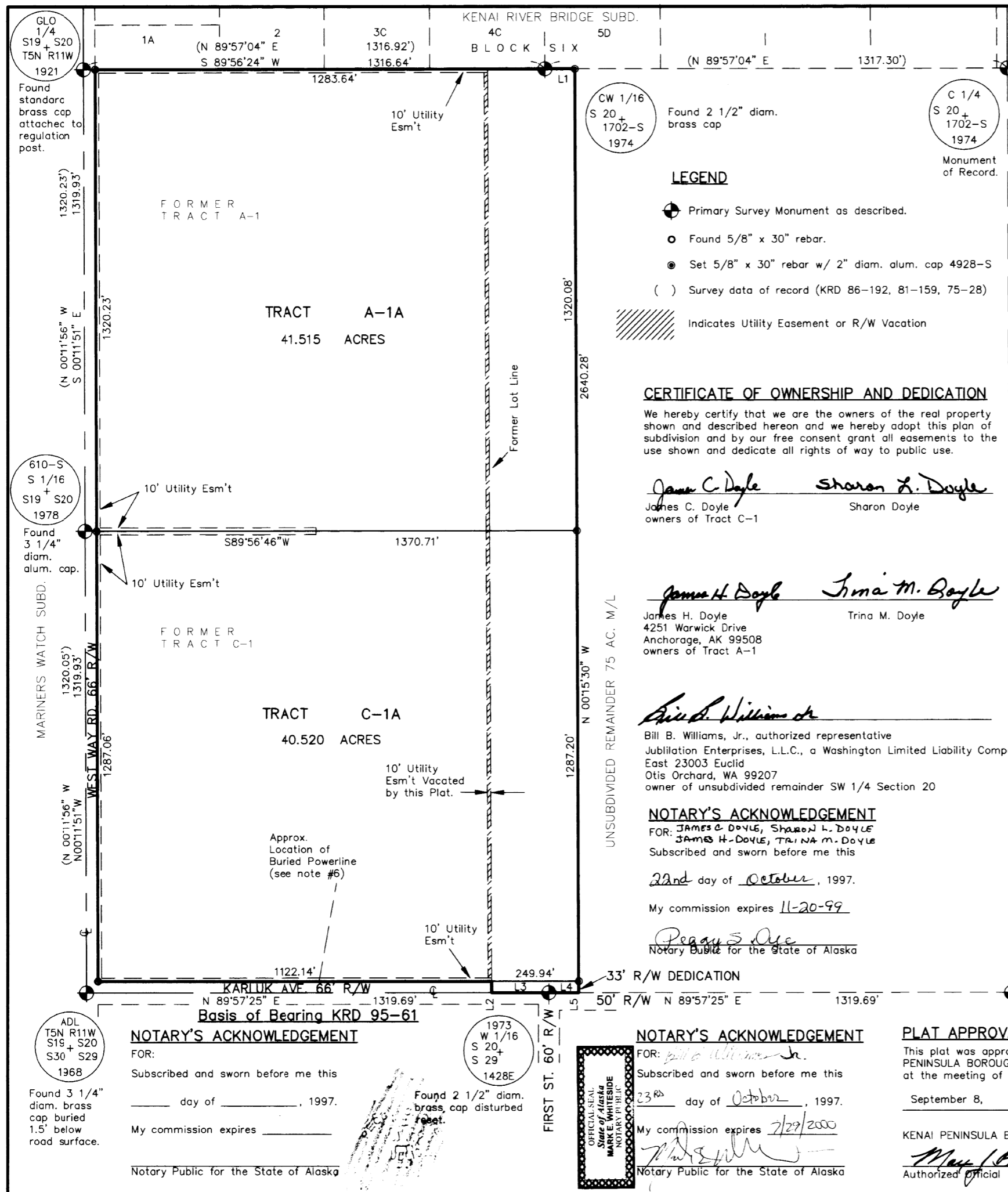
NOTE: 20.25.120. - REVIEW AND APPEAL.

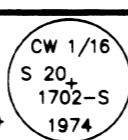
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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



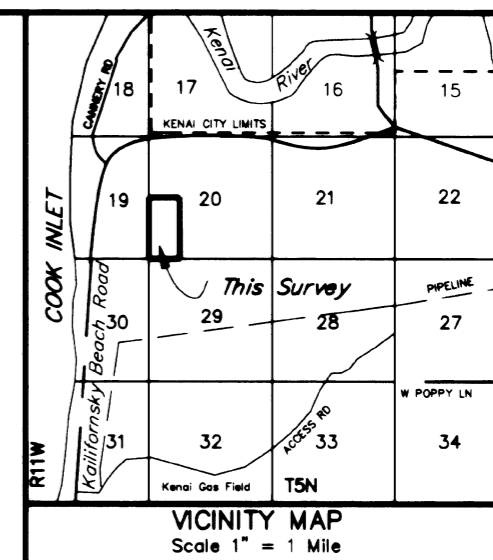




Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

The Alaska Department of Environmental Conservation approves this subdivision for platting.


Signature David S. Johnson Title Environmental Eng. Date 10-19-93



● Survey Monument of Record.

● 5/8" x 30" Rebar of Record.

All survey data is of record (KRD 86-192 & 81-159)

 Indicates Utility Easement or R/W Vacation

We hereby certify that we are the owners of the real property shown and described hereon and we hereby adopt this plan of subdivision and by our free consent grant all easements to the use shown.

We further certify that Deed of Trust affecting this property do not contain restrictions which would prohibit this subdivision; or require signature and approval of beneficiaries.

James H. Doyle Trina M. Doyle
James H. Doyle Trina M. Doyle

James C. Doyle
James C. Doyle

FOR: James H. Doyle, Trina M. Doyle
and James C. Doyle
Subscribed and sworn before me this

17th day of OCTOBER, 1995.

My commission expires 11-20-95

Peggy S. Dye

This plat was approved by the KENAI
PENINSULA BOROUGH PLANNING COMMISSION
at the meeting of

October 9, 1995.

KENAI PENINSULA BOROUGH by

Authorized Official

- 1) Water supply and sewage disposal systems shall be permitted only in conformance with applicable requirements of 18 AAC 70, 18 AAC 72, and 18 AAC 80.
- 2) No direct access to state maintained ROWS permitted unless approved by State of Alaska Department of Transportation.

3) No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.

4) **BUILDING SET BACK** - A building set back of 20 ft. is required from all street rights-of-way unless a lesser standard is approved by resolution of the appropriate Planning Commission.

5) The right of way vacation shown hereon was approved by the Kenai Peninsula Borough Planning Commission at the meeting of October 23, 1995.

6) The utility easement vacation shown hereon was approved by Kenai Peninsula Planning Commission at the meeting September 25, 1995.

7) A partial survey and monumentation waiver was approved by Kenai Peninsula Planning Commission at the meeting August 28, 1995.



95-6

RECORDED 20
KENAI REC. DIST

DATE 12-6 19 95
TIME 10:53

REQUESTED BY: McLane
Consulting Group
ADDRESS: P.O. Box 468
Salem, AK. 99669

(A Resubdivision of Tracts A, B, C & D
Doyle Estates)

Jim Doyle
P.O. Box 582
KENAI, AK. 99611

LOCATION
KENAI, AK. 99611

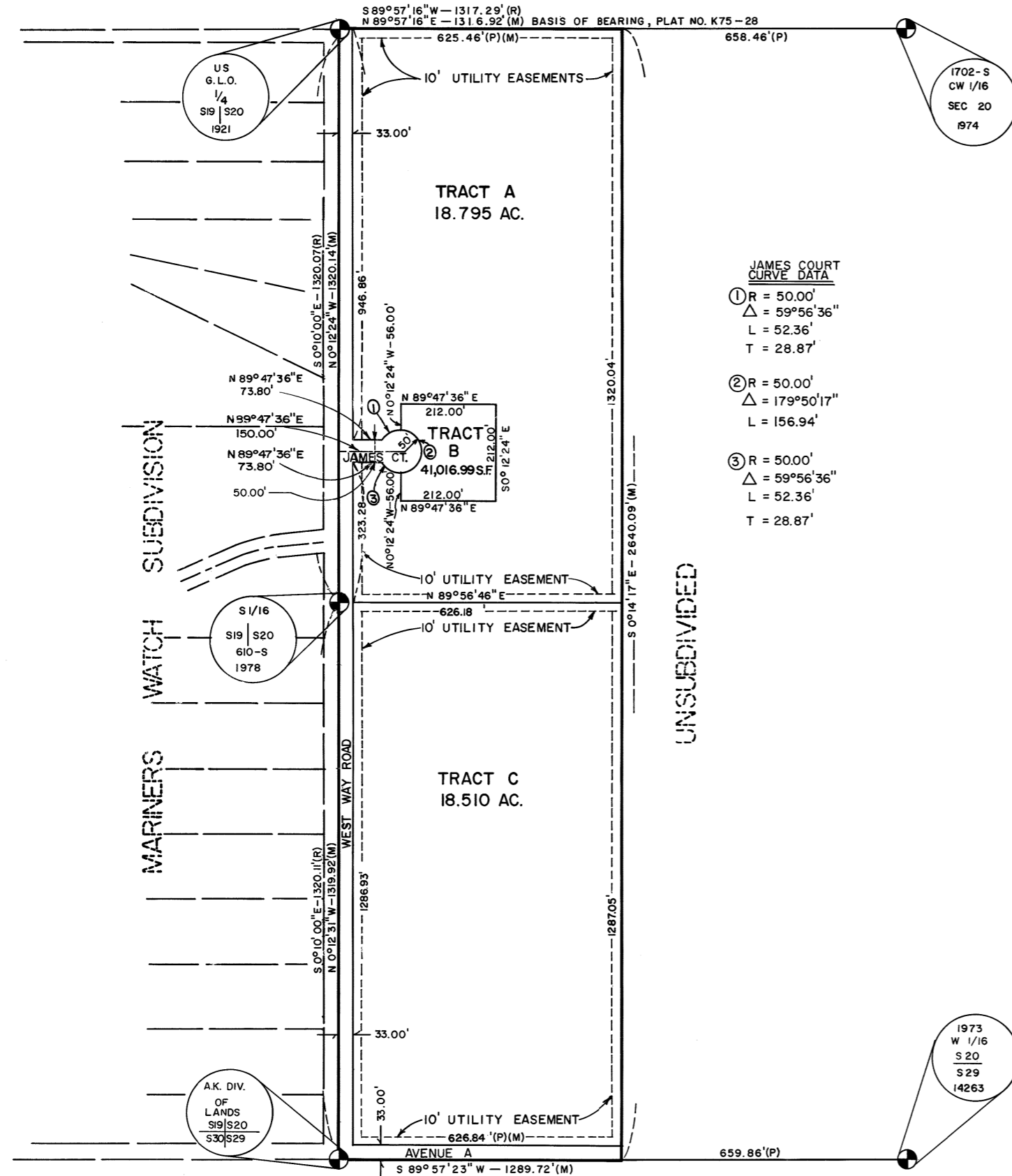
67.08 AC. M/L SITUATED IN THE W 1/2 SW 1/4 OF SECTION 20, T. 5 N., R. 11 W., S.M., AK. AND THE KENAI PENINSULA BOROUGH IN THE KENAI RECORDING DISTRICT.

Surveyed by : Consulting Group
McLane P.O. Box 468
 Soldotna, AK 99669

Date : Oct. 1995	Book No. : N/A	Project No. 952017
------------------	----------------	--------------------

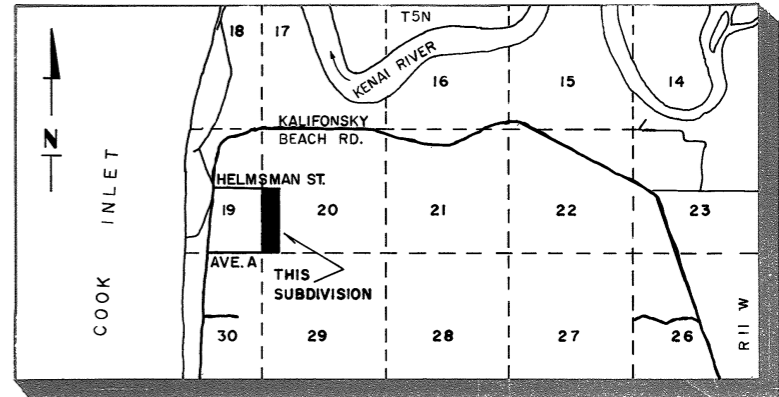
Drawn by : msm	Scale 1" = 200'	KPB File No. 95123
----------------	-----------------	--------------------

KENAI RIVER BRIDGE SUBDIVISION



JAMES COURT CURVE DATA

- $R = 50.00'$
 $\Delta = 59^{\circ}56'36''$
 $L = 52.36'$
 $T = 28.87'$
- $R = 50.00'$
 $\Delta = 179^{\circ}50'17''$
 $L = 156.94'$
- $R = 50.00'$
 $\Delta = 59^{\circ}56'36''$
 $L = 52.36'$
 $T = 28.87'$



CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND DEDICATE ALL RIGHT-OF-WAYS AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

James H. Doyle
JAMES H. DOYLE
BOX 582
KENAI, AK.

James C. Doyle
JAMES C. DOYLE
BOX 582
KENAI, AK.

Trina M. Doyle
TRINA DOYLE
BOX 582
KENAI, AK.

NOTARY'S ACKNOWLEDGEMENT

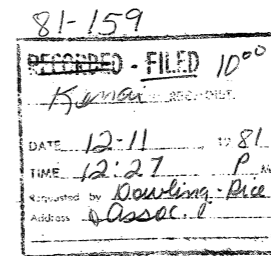
SUBSCRIBED AND SWORN BEFORE ME THIS 13 DAY OF Nov, 1981, FOR JAMES C. DOYLE, TRINA DOYLE & JAMES H. DOYLE.

Donna L. Sullivan
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 4-21-84

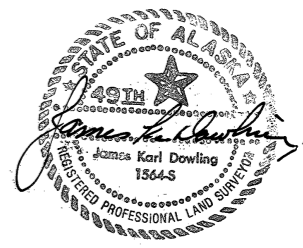
PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF SEPT 21 1981.

KENAI PENINSULA BOROUGH
BY: *[Signature]*
AUTHORIZED OFFICIAL



James K. Dowling
JAMES KARL DOWLING, R.L.S.
REGISTRATION NO. 1564-S



NOTES:

- PROPOSED LAND USES ARE RECREATIONAL, RESIDENTIAL AND AGRICULTURAL.
- A SETBACK OF 20 FEET IS REQUIRED FROM ALL STREET RIGHT-OF-WAYS UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
- ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING LAWS AT THE TIME OF CONSTRUCTION.

DOYLE ESTATES TRACTS A, B & C

LOCATED IN THE W1/2 W1/2 SW1/4
SEC. 20, T5N, R11W, S.M.

CONTAINING 38.25 ACRES

DOWLING-RICE and ASSOCIATES
P.O. BOX 1974 SOLDOTNA, ALASKA 99669

ENGINEERS 262-9011 SURVEYORS

DATE: AUGUST 27, 1981 SCALE: 1" = 200'

DRAFTED: *DR* Sheet: 1 of 1

CHECKED:

KN 81-159