

E. NEW BUSINESS

- 1. Corea Bend Subdivision 2022 Addition**
KPB File 2022-131
Johnson Surveying / Blossom & Duncan
Location: Haybale Ln., Corea Bend Rd. & Janny's Ave.
Ninilchik Area



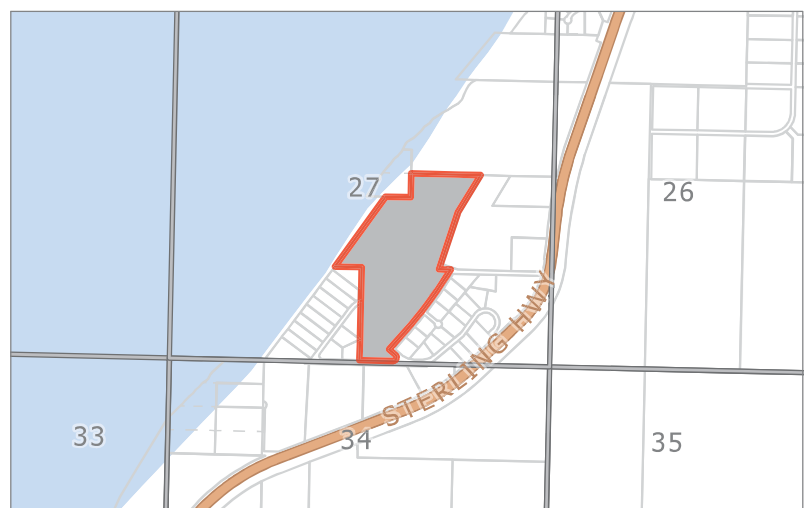
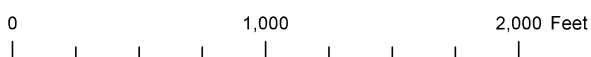
Kenai Peninsula Borough Planning Department

Vicinity Map



KPB File 2022-131
T 01N R 13W SEC 27
Ninilchik

9/1/2022





Aerial View



PRELIMINARY PLAT

KPB 2022-131

AGENDA ITEM E. NEW BUSINESS

ITEM 1 - COREA BEND SUBDIVISION 2022 ADDITION

KPB File No.	2022-131
Plat Committee Meeting:	September 26, 2022
Applicant / Owner:	David & Katie Blossom and Heath & Diane Duncan all of Kasilof, AK
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Corea Bend Road & Floyd Blossom Ave, Ninilchik area

Parent Parcel No.:	139-101-29
Legal Description:	Tract D of Corea Bend Subdivision #2
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	onsite

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 59.245 acre tract into 2 tracts ranging in size from 17.772 acres to 40.434 acres. Dedications of rights-of-way for Haybale Lane and the intersection of Floyd Blossom Avenue and Corea Bend Road are proposed.

Location and Legal Access (existing and proposed): The proposed plat is located along Corea Bend Road and Haybale Lane. The south end of Corea Bend Road connects to the Sterling Highway near mile marker 125. Corea Bend Road is borough maintained and has varying widths. The north end of Corea Bend Road and the south end of Haybale Lane can be accessed from the Sterling Highway by Floyd Blossom Avenue. Haybale Lane is not maintained and this plat will provide the additional width to make it a 60 foot wide right-of-way. Floyd Blossom Avenue is 60 feet wide but not maintained. Crestline Lane is a 60 foot wide borough maintained right-of-way that ends abutting the southwest portion of the proposed subdivision. Crestline Lane is accessed from the southern portion of Corea Bend Road and Jannys Avenue, a 60 foot borough maintained right-of-way.

There is a 33-foot section line easement to the south of the plat that coincides with Janny's Avenue, which is 33 feet wide for the right-of-way on the north side of the section line.

Two dedications are proposed with this plat. One is at the intersection of Corea Bend Road, Haybale Lane and Floyd Blossom Avenue, being a triangular piece to bring the intersection into compliance and include the road as it proceeds north to Haybale Lane. The second is a 30-foot dedication for Haybale Lane on the northeast side of the plat.

Proposed Tract D-1 will have access from Haybale Lane that will run along the eastern boundary of the lot. Proposed Tract D-2 will have access from Haybale Lane and Corea Bend Road along the eastern boundary of the lot. The lot will also have access along the south from Jannys Avenue and the section line easement and from Crestline Lane from the west.

Block length is not compliant. An exception has been requested for block length and to not provide a dedication for the end of Crestline Lane.

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

Site Investigation: There are steep areas shown on the west side of the plat as the land drops to Cook Inlet. The

top of the bluff and approximate base is shown on the plat. **Staff recommends the top and base of the bluff remain on the final plat.**

The base of the bluff as shown is also being labeled as the limits of tidal flooding. Other than some of the steep terrain, the majority of the property is considered to be wetlands per KPB GIS data. There is a creek running along the proposed new lot line that is not within the anadromous streams catalog. **Staff recommends the creek remain on the final plat, due to the majority being wetlands do not depict on the final plat but add a note that wetlands may be present and the wetland determination note.**

There are no improvements on the land and according to the surveyor, the land is used as a hay field.

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 objections

Staff Analysis The property was originally part of a government lot and aliquot lands that were subdivided by Corea Bend Subdivision #2, Plat HM 99-41. That plat created Tract D that is now proposed to be split into two tracts and provide two road dedications. The north dedication will widen Haybale Lane being the access for Tract D-1.

To the north of the subdivision a Conditional Lane Use Permit was issued for a material site in 2016. This should not affect the proposed subdivision. A Prior Existing Use (PEU) material site was recognized in 1999 on the parent lot of this subdivision. Portions of the original lot have been subdivided several times. Records are indicating that the parcel to the east of Haybale Lane are still under the PEU. KPB GIS imagery does indicate that there has been some gravel extraction on this property. There are a few areas of steep terrain located near Haybale Lane along the pit area. A portion of Haybale Lane is constructed that leads to the material site and does cross the existing creek and will provide access to the northern lot. Any requirements regarding the PEU must be discussed with a KPB Planner at the River Center. Platting staff has no concerns regarding the existing site and this proposed plat.

Due to the size of the tracts a soils 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.

The property is not within an advisory planning commission.

Utility Easements The parent plat Corea Bend Subdivision #2 HM99-41 granted 10 foot utility easements along the west side near Ocean Vista Subdivision Amended HM2010-7 and the north side, both of which are being carried over to this plat. The front 10 feet of the 20 foot building setback and the entire setback within 5 feet of side lot lines is a utility easement as noted on the parent plat and shown and noted on this plat. **Staff recommends the easements granted previously have added to the label "granted per HM 99-41" and the new ones being granted include "granted this plat".**

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 Comment
ENSTAR	No Comment
ACS	No Objections
GCI	Approved as shown

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek Affected Addresses: None</p> <p>Existing Street Names are Correct: No</p> <p>List of Correct Street Names: SAMI RAE CT CRESTLINE LN COREA BEND RD JANNYS AVE</p> <p>Existing Street Name Corrections Needed: BLOSSOM AVE should be FLOYD BLOSSOM AVE per SN 2005-06 ROW between TRACT D-1 and TRACT C should be HAYBALE LN per HM2005-34</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Names Denied:</p> <p>Comments: BLOSSOM AVE should be FLOYD BLOSSOM AVE per SN 2005-06 ROW between TRACT D-1 and TRACT C should be HAYBALE LN per HM2005-34 No affected addresses.</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>Prior Existing Use PEU Recognized Date: 2/24/1999 Conditional Land Use Permit CLUP Resolution Number: 2016-13 CLUP Approval Date: 4/25/2016 Material Site Comments: PEU was recognized on 02/24/1999 as PID: 139-101-25 CLUP PID: 139-100-07</p>
Assessing	Reviewer: Windsor, Heather

	Comments: No comment
--	----------------------

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

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

Move text from the line on the west to read better.

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: *In the located portion remove "Gov Lot 10 and the".*
- 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: *Adjacent street names not shown, of those shown some are incorrect labeled.*
- 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: *Remove the line and arrow with "Ninilchik 9 miles" label. Not required but if wanting to give a better idea of location could add milepost of the Sterling Highway.*
- 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: *Labels that indicate the dedications occurring should be added as wells as street name 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: *Lands within 100 feet not labeled correctly to the northeast. Block numbers need to be added to the lands to the southwest. Government Lot 9 can have the unsubdivided label removed as Government Lot 9 is the designation. To the north of the subdivision replace the unsubdivided label with Government Lot 7. For abutting southern lots on both sides of the subdivision, adjust the subdivision name labels to indicate that lots on both sides of their rights-of-way are part of the same subdivision or add a second label for each.*

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: Due to size of lots, soils analysis report will not be required.

Staff recommendation: On Wastewater Disposal certification revise statement to match 20.40.030. 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 for all dedicated rights-of-way will be required to be signed by the Kenai Peninsula Borough.

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: comply with 20.60.110. Show measured and recorded dimensions. Some data missing. Provide a line and curve table to clean up the drawing. Provide source of meander line.

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 note for any exceptions granted.
- The subdivision may contain low wet areas.
- 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 mean high water line is for area computations only, the true corners being on the extension of the sidelines and the intersection with the natural meanders.
- Subject to an easement issued to Homer Electric Association, Inc. for electric lines or system together with right to enter, maintain, repair and clear shrubbery as recorded in Book 4 Page 60, HRD. No definite location disclosed.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: comply with 20.60.190. Add certifications and statements necessary.

20.60.200. Survey and monumentation.

Staff recommendation: Bearings and distances are missing on GLO line on south and tie to plat. Comply with 20.60.200

EXCEPTIONS REQUESTED:

A. KPB 20.30.030 – Proposed street layout-Requirements and KPB 20.30.100 – Cul-de-sac

Surveyor's Discussion: 20.30.100 - Cul-de-sacs, dedicating a turn-around at the end of Crestline Ln, existing turn-around in ROW is adequate for amount of traffic.

Staff Discussion: The surveyor requested an exception to 20.30.100 to not be required to dedicate a turnaround at the end of Crestline Lane. Staff included the exception to 20.30.030 as the desire is to not grant a dedication at this time and per 20.30.030 a continuation or projection would be expected. Tract D-2 is a large acreage tract that could be further subdivided in the future. Requiring a cul-de-sac would make the right-of-way permanently closed when a future replat may require a continuation.

Findings:

1. Large tracts can be divided in the future.
2. There are 11 driveway entrances along Crestline Lane.
3. There are 13 lots with access available via Crestline Lane.
4. Roads department provided no comment.
5. Emergency services did not provide a comment.
6. A cul-de-sac dedication is the intention of not allowing a through dedication.
7. Tract D-2 is proposed to be 40 acres.
8. There are some wetlands present within the uplands and the majority of the proposed tract is classified as disturb.

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 1-8 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 1-8 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 1-8 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.

B. KPB 20.30.170 – Blocks-length requirement

Surveyor's Discussion: 20.30.170 Block length, current use is for hayfield, additional ROW dedication would serve no purpose.

Staff Discussion: Code requires block lengths to be between 330 feet and 1,320 feet in length from intersection to intersection. The block is considered incomplete due to a lack of dedications to complete the block. There is some property located to the northwest of this subdivision that has no dedicated access. The lots are owned by the Ninilchik Native Association and were notified of this proposal. A dedication along the north will improve the block and provide those lots access. However, looking at terrain there is minimal upland area available for development and the lots do have access from Cook Inlet.

Findings:

1. KPB Code says blocks shall not be more than 1,320 feet.
2. The length along Haybale Lane will be 1,440 feet.
3. Crestline Lane is not a through dedication leaving the block incomplete.
4. Cook Inlet borders along the western boundary.
5. A creek divides the two tracts.
6. Wetlands are present per KPB GIS and are designated at disturb.
7. Large tracts can be divided in the future.
8. No development is proposed along Haybale Lane.
9. There is a material site with approved Conditional Land Use Permit to the north of Haybale Lane.
10. Steep terrain is present in the western portion.

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 4-10 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 4-10 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 4-10 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.

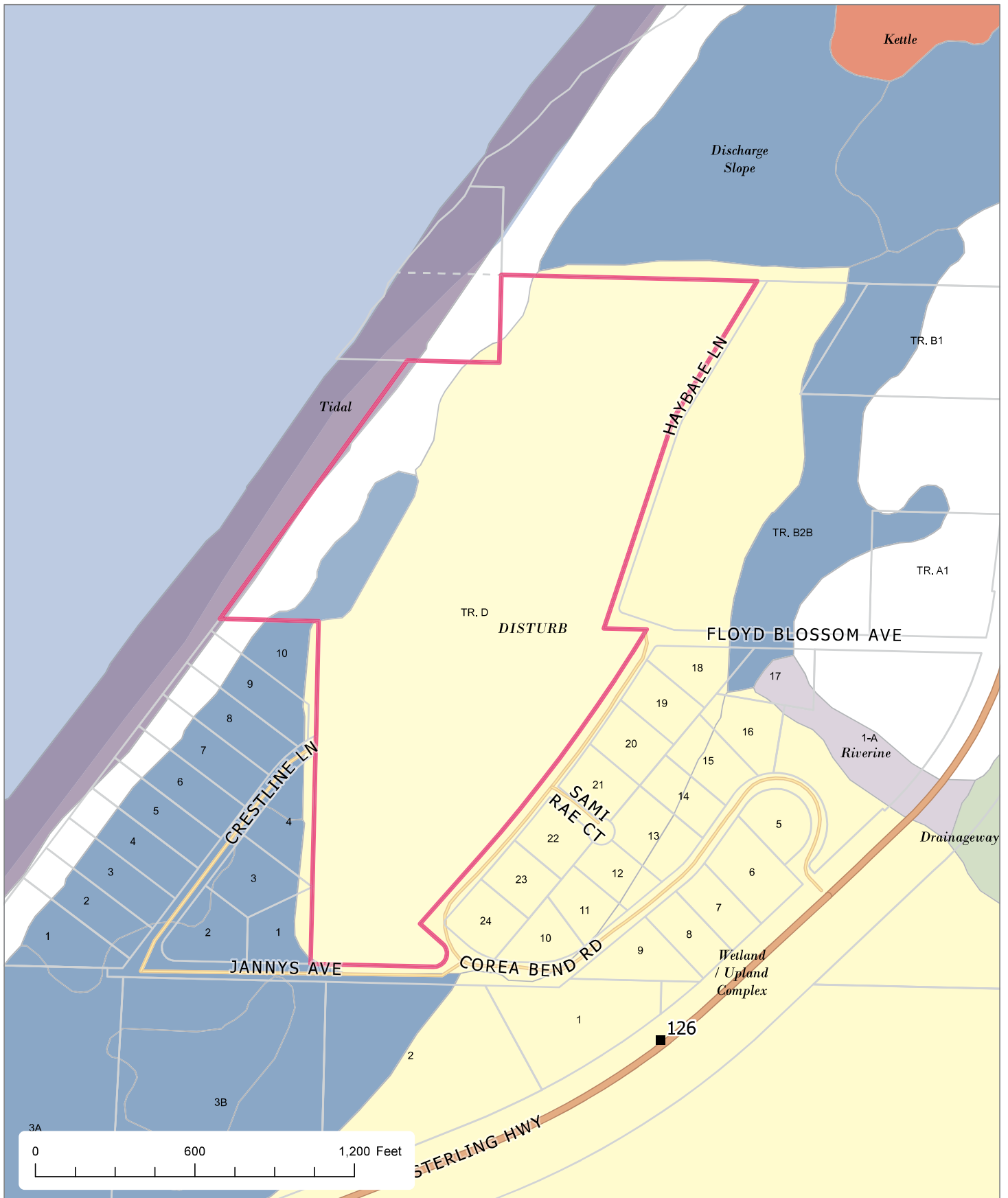
A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

END OF STAFF REPORT





Wetlands





COREA BEND SUBDIVISION #2

Located in Gvmt Lot 10 & SE 1/4 Section 27, T1N R13W, S1M, Alaska.
Homer Recording District KPB File 99-076

Prepared for
Marion Blossom
72590 Sterling Highway
Clam Gulch, AK 99568

Prepared by
Johnson Surveying
Box 27
Clam Gulch, AK 99568

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of 24 May, 1999.

KENAI PENINSULA BOROUGH

BY: *Marion Blossom* 8-27-99
Authorized Official Date

SCALE 1" = 200'
30 April, 1999

AREA = 98.395 acres

VICINITY 1" = 1 mile MAP

99-41 2000

RECORDED-FILED
HOMER RECORDING DIST.
DATE 8/31/1999
TIME 11:02 A.M.
Requested by:
Johnson Surveying
Box 27
Clam Gulch, AK 99568

LEGEND

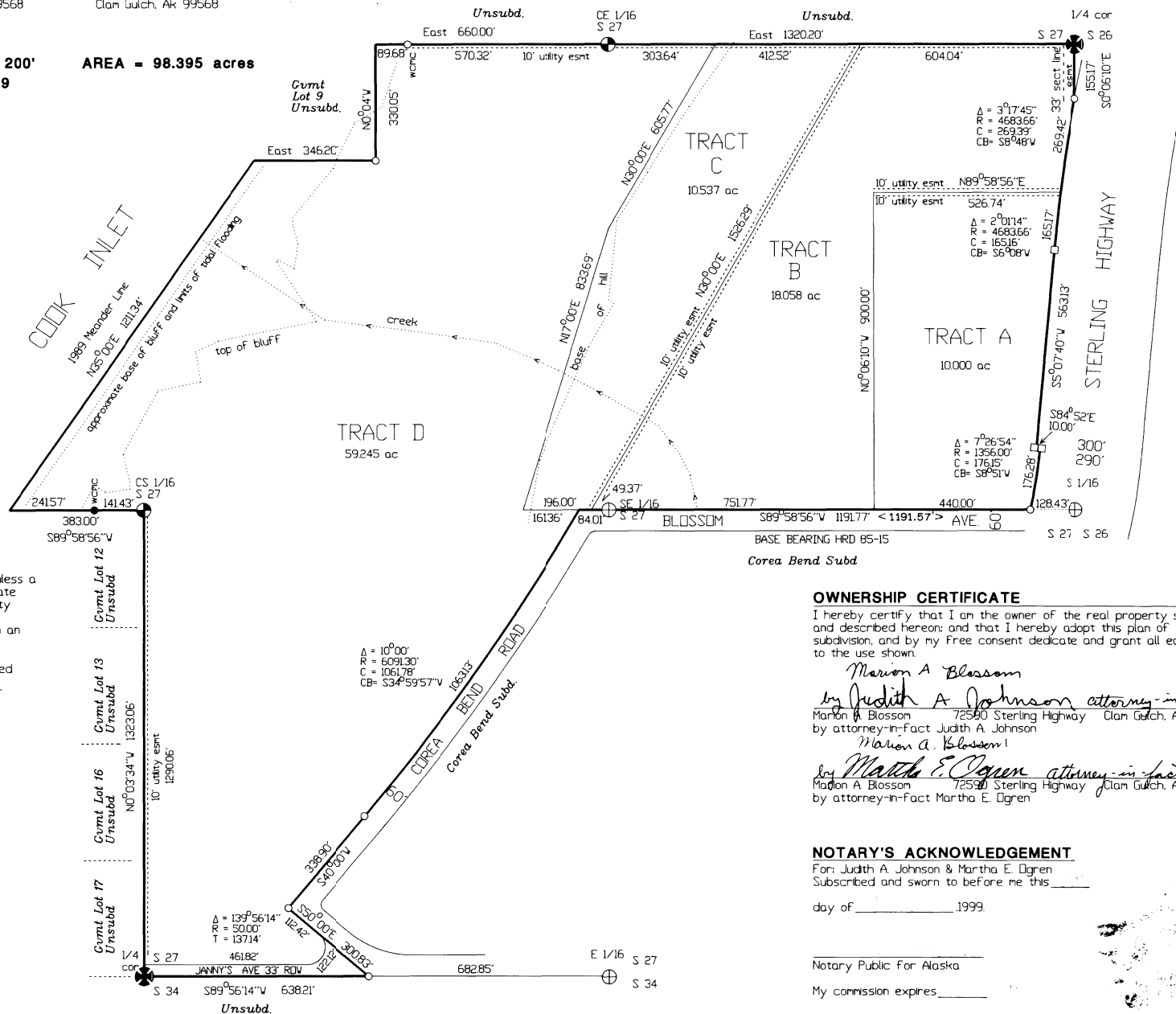
- ✱ 1919 USGLD Brass cap monument, Found.
- ⊕ -
- ⊕ -2 1/2" alcap monument, 268-S, 1984, Found.
- ⊕ -3 1/4" alcap monument, 4928-S, 1993, Found.
- ⊕ -2" alcap monument, 7328-S, 1994, Found.
- ⊕ -2" alcap monument, 'McLane', 1993, Found.
- -Concrete State RDW monument, Found.
- -1" plastic cap on 1/2" rebar, 7328-S, 1994, Found.
- ⊕ -1/2" x 4" rebar with 1" plastic cap, set.
- (1) -Record information, USGLD, 1921.
- <> -Record information, HRD 85-15.

NOTES

1. A building setback of 20' from all street RDW's 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 an easement which would interfere with the ability of a utility to use the easement.
3. No access to State maintained RDW's permitted unless approved by the State of Alaska Dept. of Transportation.
4. Sterling Highway RDW is as shown on State of Alaska Dept. of Transportation RDW Plan F-021-1C3.

WASTEWATER DISPOSAL

These lots are at least 200,000 square feet or nominal 5 acres in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal systems must meet the regulatory requirements of the Alaska Dept. of Environmental Conservation.



OWNERSHIP CERTIFICATE

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

Marion A. Blossom
by *Judith A. Johnson* attorney-in-fact
Marion A. Blossom 72590 Sterling Highway Clam Gulch, AK 99568
by attorney-in-fact Judith A. Johnson
Marion A. Blossom
by *Martha E. Ogren* attorney-in-fact
Marion A. Blossom 72590 Sterling Highway Clam Gulch, AK 99568
by attorney-in-fact Martha E. Ogren

NOTARY'S ACKNOWLEDGEMENT

For: Judith A. Johnson & Martha E. Ogren
Subscribed and sworn to before me this _____
day of _____, 1999.

Notary Public for Alaska
My commission expires _____