

E. NEW BUSINESS

3. Puffin Acres 2023; KPB File 2023-046

Ability Surveys / Hall

**Location: Crested Crane Street & East End Road
Kachemak City**



Kenai Peninsula Borough Planning Department

Vicinity Map

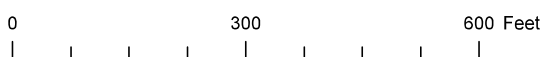


KPB File 2023-046

T 06S R 13W SEC 11

Kachemak

4/28/2023





AGENDA ITEM E. NEW BUSINESS

ITEM ## - Puffin Acres 2023

KPB File No.	2023-046
Plat Committee Meeting:	May 22, 2023
Applicant / Owner:	Ryan K Hall of Soldotna, AK
Surveyor:	Gary Nelson / Ability Surveys
General Location:	East End Road and Crested Crane Street, City of Kachemak

Parent Parcel No.:	174-192-14
Legal Description:	Lot 3 Block 2 Puffin Acres, HM 85-122 Excepting Therefrom that portion conveyed to the State of Alaska DOT&PF by warranty deed recorded in Book 313 Page 669
Assessing Use:	Residential
Zoning:	Unrestricted
Water / Wastewater	On site / City of Homer

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 2.086 acre parcel into two 1.043 acre lots. No new dedication is proposed with this plat.

Location and Legal Access (existing and proposed): the preliminary plat is located at the northwest corner of East End Road and Crested Crane Street in the City of Kachemak. East End Road is state-maintained with varying widths along its right-of-way. East End Road was originally dedicated as a 100 foot right of way by Puffin Acres HM 85-122. A deed was recorded in Book 313 Page 669 to the Alaska DOT as an acquisition for addition right of way from Lot 3 Block 2 along East End Road. Crested Crane street was originally named Old Squaw Street as dedicated on Puffin Acres HM 85-122 and is a 60-foot dedication.

Lot 3 Block 2 originally had access to both East End Road and Crested Crane Street. With the new lots, Lot 3A Block 2 will have direct access to East End Road, and Lot 3B Block 2 will have access to East End Road and Crested Crane Street. There is a private drive that starts on East End Road inside Lot 3A and exits onto Crested Crane Street through Lot 3B. Both lots appear to use the private drive. **Staff recommends** a plat note be added to the Final Plat concerning the use of the private drive "Private driveway shown, is for use of owners of these lots only and is not dedicated to the use of the public."

The block is closed and compliant as defined by the following roads: East End Road, Bear Creek Drive, Winding Trails Lane and Crested Crane Street.

PER DOT: The platting action voids any previous issued permits. The owners will need to reapply for driveway access permits to state right-of-way East End Road.

KPB Roads Dept. comments	Out of Jurisdiction: Yes Roads Director: Griebel, Scott Comments: No comments
SOA DOT comments	ROW for East End Rd appears to be shown correctly

Site Investigation: The proposed subdivision has smooth flat terrain from the north towards the south. There are wetlands present in the northwest corner and the southeast corner of the subdivision as shown, they are designated as discharge slopes. **Staff recommends** the wetlands remain identified on the final plat.

There are improvements on both lots of the proposed subdivision. **Staff recommends** the surveyor locate the structures to verify location to setbacks and lot lines. If there is an issue to notify staff and present a solution to the problem.

The proposed subdivision is located in a FEMA Flood Hazard Zone. The property is located in Zone X which is an area of minimal flooding possibility.

KPB River Center review	<p>A. Floodplain</p> <p>Reviewer: Hindman, Julie Floodplain Status: IS in flood hazard area Comments: Flood Zone: X (unshaded) Map Panel: 02122C-2115E In Floodway: False Floodway Panel:</p> <p>B. Habitat Protection</p> <p>Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p> <p>C. State Parks</p> <p>Reviewer: VACANT Comments:</p>
State of Alaska Fish and Game	No Objections

Staff Analysis The subdivision was originally an aliquot part of Section 11, Township 6 South, Range 13 West of the Seward Meridian, City of Kachemak, Alaska. The original subdivision was then platted from the East ½ of the Southwest ¼ of said Section 11 into Puffin Acres HM 85-122, creating two blocks, Lots 1-4 Block 1 and Lots 1 – 11 Block 2 and an unsubdivided remainder. The subdivision also dedicated four street right of ways.

The new subdivision will create two lots and no new dedication.

A soil report not will be required and the correct plat note is shown.

Notice of the proposed plat was mailed to the beneficial interest holder on April 28, 2023. The beneficial interest holder will be given 30 days from the date of the mailing of the notification to respond. They are given the opportunity to notify staff if their beneficial interest prohibits or restricts subdivision or requires their signature on the final plat. If no response is received within 30 days, staff will assume they have no requirements regarding the subdivision and it may be finalized.

The property is not within an advisory planning commission.

There does not appear to be any encroachments on the subdivision. Improvements on Lot 3B Block 2 may be located near a setback on the east line. The improvement looks to have been built in 1996 and would be subject to municipal standards of the City of Kachemak Zoning.

Utility Easements

The parent plat dedicated a 10 foot utility easement along the east and south side of the lot. The south is now within the right-of-way dedication in technicality. This plat is dedicating a new 10 foot utility easement along the right of way of East End Rd. Both easements are indicated correctly.

There is a general electrical utility easement granted to Homer Electric Association in Book 30 Page 32 with no specific location given noted on the plat.

A 15 foot sanitary sewer easement granted to the City of Homer at Book 276 Page 702 which now lies within the right of way as dedicated to Alaska DOT in Book 313 Page 669 is noted on the 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	
ENSTAR	No comments or recommendations.
ACS	No Objections
GCI	Approved as shown

KPB department / agency review:

Addressing	<p>Reviewer: Robinson, Celina Affected Addresses: 60456 EAST END RD</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: EAST END RD; CRESTED CRANE ST</p> <p>Existing Street Name Corrections Needed:</p> <p>All New street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>Comments: 60456 EAST END RD ADDRESS WILL REMAIN WITH LOT 3B AFTER RECORDING</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> <p>There is a licensed Marijuana Store located on proposed Lot 3B. The proposed subdivision does not appear to affect the Marijuana site plan, access or pedestrian routes.</p>
Assessing	<p>Reviewer: Windsor, Heather</p>

	Comments: No comment
City of Kachemak	Approved

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

City of Kachemak City Council at the meeting of April 12, 2023 voted unanimously to write a letter of non-objection to the subdivision of Puffin Acres 2023.

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

Add KPB file number.

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: *Add City of Kachemak.*

- 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: *If the total width of East End Road cannot be shown please show the centerline and the boundary for Kachemak City within the dedication.*

- 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: *Please add missing 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: *Correct the plat number for Lots 1, 4 and 5 of Lower Winding Trails to HM 99-44.*

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.*

- 20.30.250. Building setbacks-Within cities. The building setback requirements for subdivisions located within cities shall be governed by the provisions of municipal zoning districts. Building setbacks as depicted, or noted, on recorded plats shall not be carried forward on a new subdivision plat located within a municipal zoning

district. Provide a plat note stating, "Per KPB 20.30.250 the building setback of record has been removed. All development must comply with the municipal zoning requirements."

Staff recommendation: *Provide a plat note stating, "Per KPB 20.30.250 the building setback of record has been removed. All development must comply with the municipal zoning requirements."*

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:

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.*

20.60.110. 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. Check the distances given, the south line appears to be off.*

Check closure on all parcels, could not get them to close.

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.

If the driveway shown on the plat is a private drive, staff suggests the following note be placed on the final plat to avoid confusion about public use in the future: "Private driveway shown, is for use of owners of these lots only and is not dedicated to the use of the public."

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.

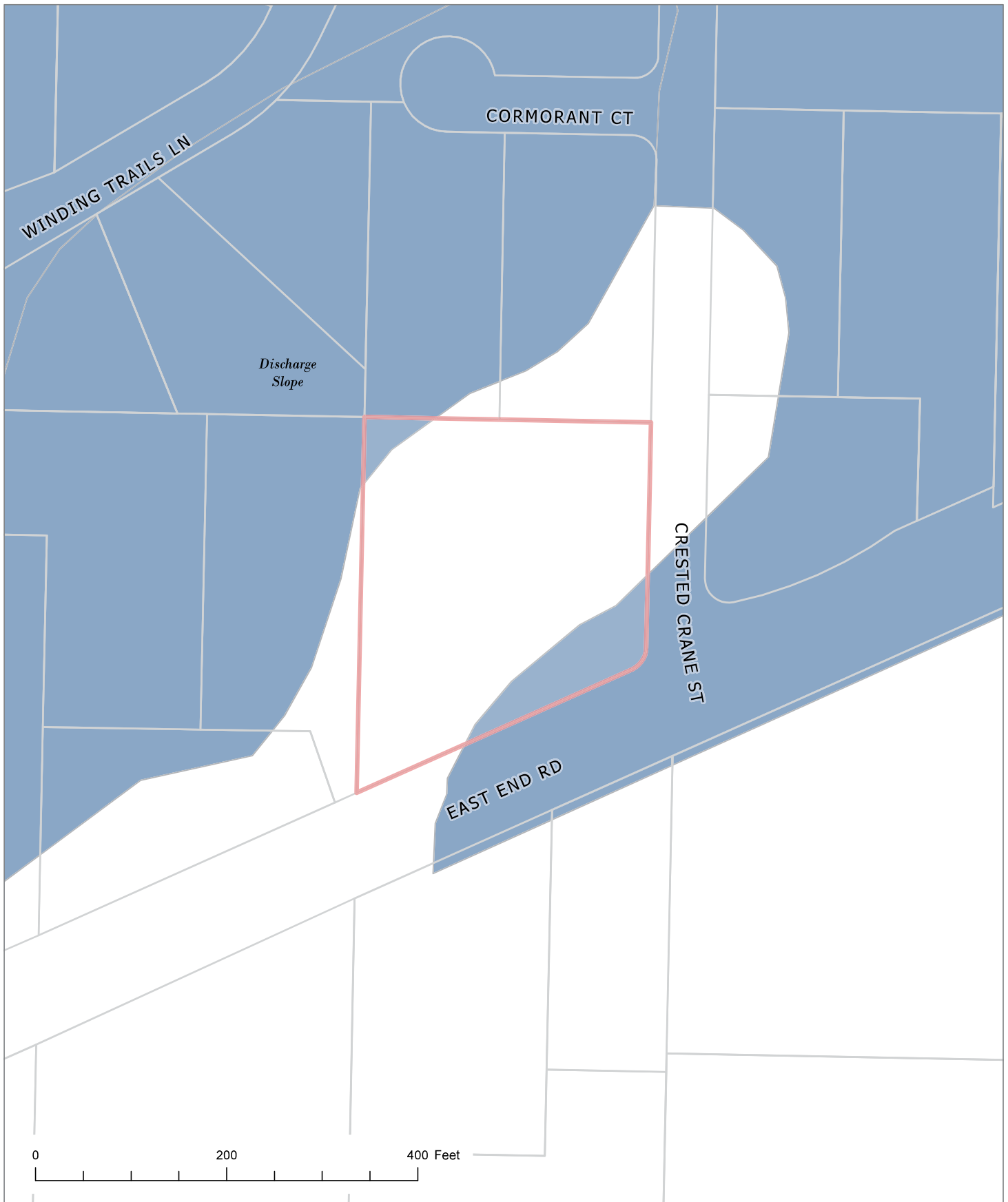
A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

END OF STAFF REPORT





Wetlands



City of Kachemak
P.O. Box 958
Homer, AK 99603
p. 907.235.8897 e. cityclerk@kachemak.city

Kenai Peninsula Borough
ATTN: Planning Department
144 North Binkley Street
Soldotna, AK 99669


April 13, 2023

RE: Puffin Acres Replat

To Whom it May Concern:

The Kachemak City Council met on April 12, 2023, and voted unanimously to write a letter of non-objection to the Subdivision Plat of Puffin Acres Lot 3, Block 2, T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0850122 PUFFIN ACRES SUB LOT 3 BLK 2 EXCLUDING DOT ROW.

Please let us know if you have any questions.


Connie Isenhour,
Mayor