E. NEW BUSINESS

 Whisper Lake Subdivision Miller Addition Prather Replat KPB File 2023-048 Segesser Surveys / Prather Location: Ben Court Sterling Area



Kenai Peninsula Borough Planning Department

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Kenai Peninsula Borough Planning Department

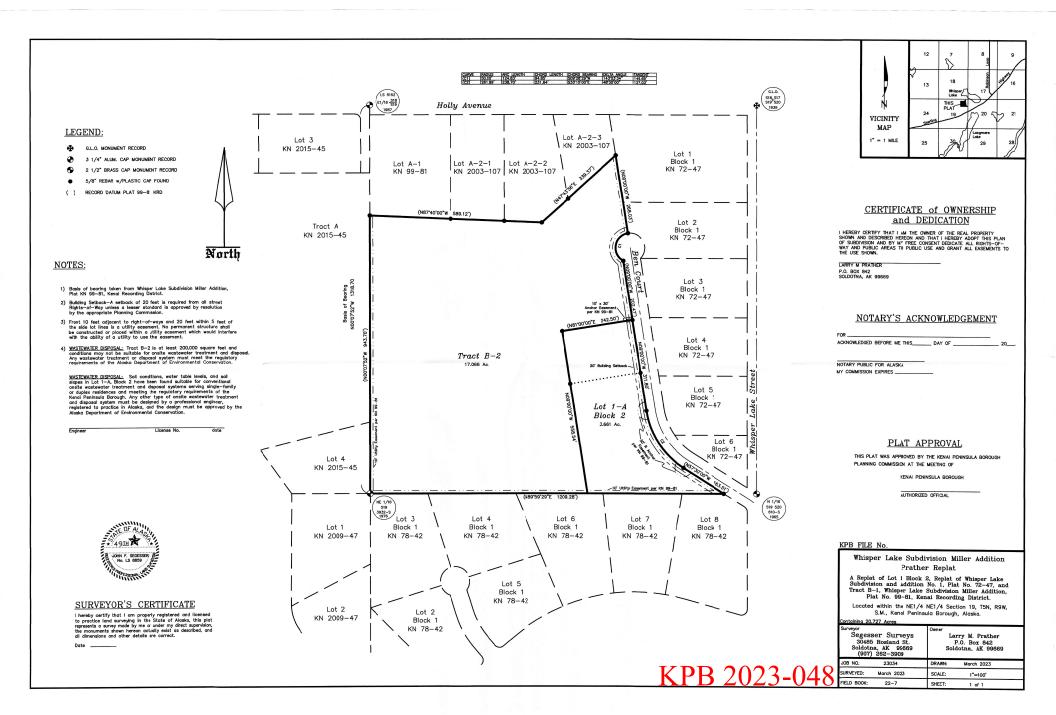


Aerial View

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E6-3

AGENDA ITEM E. NEW BUSINESS

KPB File No.	2023-048
Plat Committee Meeting:	May 22, 2023
Applicant / Owner:	Larry Prather of Soldotna, AK
Surveyor:	John Segesser / Segesser Surveys Inc
General Location:	Ben Court, Sterling
Parent Parcel No.:	063-600-06 and 063-600-37
Legal Description:	Lot 1 Block 2, Replat of Whisper Lake Subdivision and Addition No 1
	Tract B-1 Whisper Lake Subdivision Miller Addition
Assessing Use:	Tract B: Commercial
	Lot 1 Block 2: Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

ITEM #6 - Whisper Lake Subdivision Miller Addition Prather Replat

STAFF REPORT

<u>Specific Request / Scope of Subdivision</u>: The proposed plat will reconfigure two parcels from a lot with 1.016 acres and a tract with 19.711 acres to a lot with 3.661 acres and a tract with 17.066 acres.

Location and Legal Access (existing and proposed): The subdivision is located on Ben Court, which is borough maintained. Ben Court via Whisper Lake Street connects to Sterling Highway at mile marker 89 which is all Borough maintained.

Ben Court was dedicated originally as Ben Drive on Whisper Lake Subdivision Plat K-1748 as a 60 foot through dedication to Holly Avenue on the north. Replat of Whisper Lake Subdivision and Addition No. 1 KN 72-47 vacated the northern part of Ben Drive and created the cul-de-sac as Ben Court is now.

Lot 1 Block 2 and Tract B-1 currently have access to Ben Court, after replatting, Lot 1-A Block 2 and Tract B-2 will continue to access Ben Court. No new dedications are proposed.

The block is defined by Deville Road, Holly Avenue, Whisper Lake Street, and Grassy Vale Road and is not compliant. With the airstrip running diagonally though Tract B-1, a dedication at this time would not improve the block. **Staff recommends** the Plat Committee concur an exception to block length is not required as this plat is unable to improve block length requirements.

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

Site Investigation:

The terrain of this subdivision is relatively flat. An airstrip crosses from northeast to southwest across Tract B-1. There are improvements on both Lot 1 Block 2 and Tract B-1. The new configuration looks to be cleaning up some lot line crossing of improvements by Lot 1 Block 2 with the creation of Lot 1-A Block 2 and adding other structures to the proposed lot.

There are no wetland classifications or floodways located within the subdivision boundaries.

KPB River Center review	A. Floodplain
	Reviewer: Hindman, Julie 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: Comments:
State of Alaska Fish and Game	NO OBJECTIONS

Staff Analysis

This area has been replated several times and was originally an unsubdivided remainder of Whisper Lake Subdivision K-1748. Lot 1 Block 2 and the Ben Drive vacation were finalized by Replat of Whisper Lake Subdivision and Addition No 1 KN 72-47 leaving an unsubdivided portion. The unsubdivided portion was subdivided by Whisper Lake Subdivision Addition No 2 KN 79-67. The current configuration of Tract B-1 was created by Whisper Lake Subdivision Miller Addition KN 99-81.

Building setbacks were granted by Replat of Whisper Lake Subdivision and Addition No 1 KN 72-47 for Lot 1 Block 2 and Whisper Lake Subdivision Addition No 2 KN 79-67 for Tract B-1.

An exception was requested for 20.40 by the surveyor citing the lot has a current system in place. Per KPB Code 20.40.020 (2) if a lot increased the size by 1,000 square feet or more a soils review is not required. **Staff** *recommends* the Plat Committee concur that an exception is not needed.

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

Whisper Lake Subdivision Addition No. 2 KN 79-67 granted 30 foot radius anchor easements adjacent to Ben Ct that have been carried forward to this subdivision, along with a 10 foot by 30 foot utility easement on the north side of Lot 1 Block 2 adjacent to Ben Ct. Whisper Lake Subdivision Miller Addition KN 99-81 granted a 10 foot utility easement adjacent to Ben Ct, has been carried forward to this subdivision.

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.

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HEA	NO COMMENTS
ENSTAR	Additional easements requested and comments is in the packet.
ACS	No objections
GCI	Approved as shown

Utility provider review:

KPB department / agency review:

KPB department / agency r	
Addressing	Reviewer: Robinson, Celina
	Affected Addresses:
	36845 BEN CT
	Existing Street Names are Correct: Yes
	List of Correct Street Names:
	Existing Street Name Corrections Needed:
	HOLLY AVE; BEN CT; WHISPER LAKE ST
	All New Street Names are Approved: No
	List of Approved Street Names:
	List of Street Names Denied:
	Comments:
	36845 BEN CT WILL REMAIN WITH LOT 1-A AFTER RECORDING
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.
	F
	Material Site Comments:
	There are not any material site issues with this proposed plat.
Assessing	Reviewer: Windsor, Heather
, locooling	Comments: No comment

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

STAFF RECOMMENDATIONS CORRECTIONS / EDITS

PLAT NOTES?

- A plat note be added for the 5-foot utility easement created by plat number KN 79-67 and increased to 10feet by KN 99-81.

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.

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: width of Ben Court to be depicted.

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: Township and Range need to be shown. Add label to Kenai River in section 28.

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: Street labels and widths need to be shown for rights-of-ways shown on the plat.

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.

20.30.170. 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: Plat Committee concur due to the airstrip running diagonally through Tract B-1 a dedication at this time would not 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: 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.

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

Kenai Peninsula Borough Planning Department

KPB 2023-048 4/28/2023

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Aerial View



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HOLLY AVE



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Aerial with 5-foot Contours

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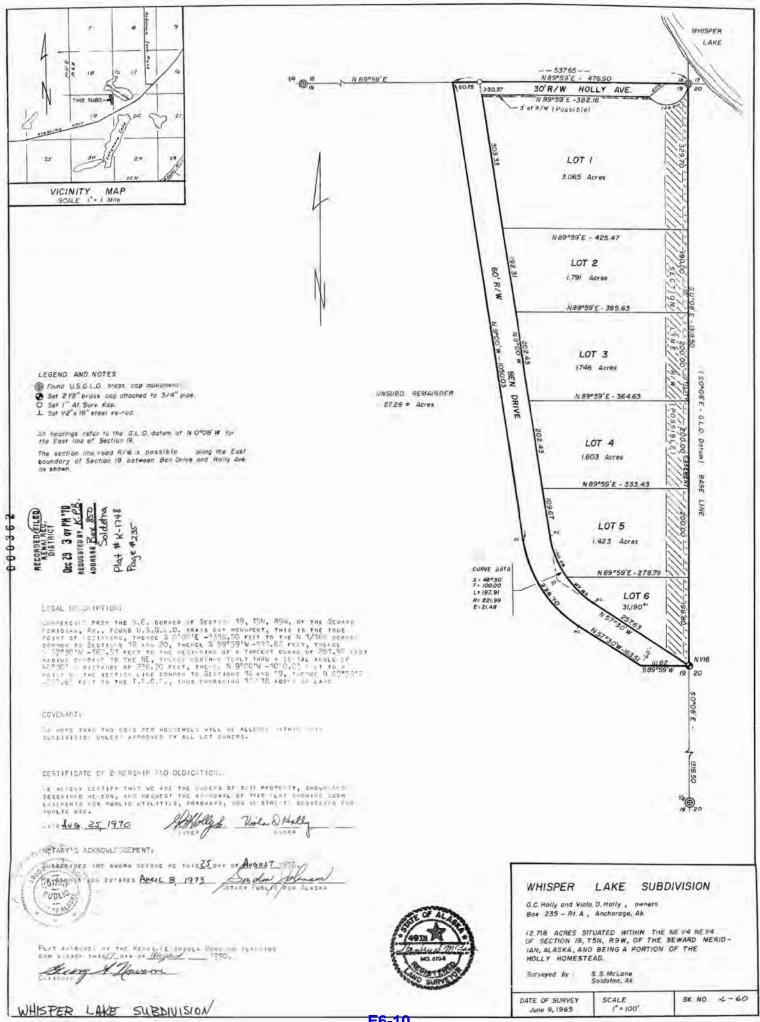


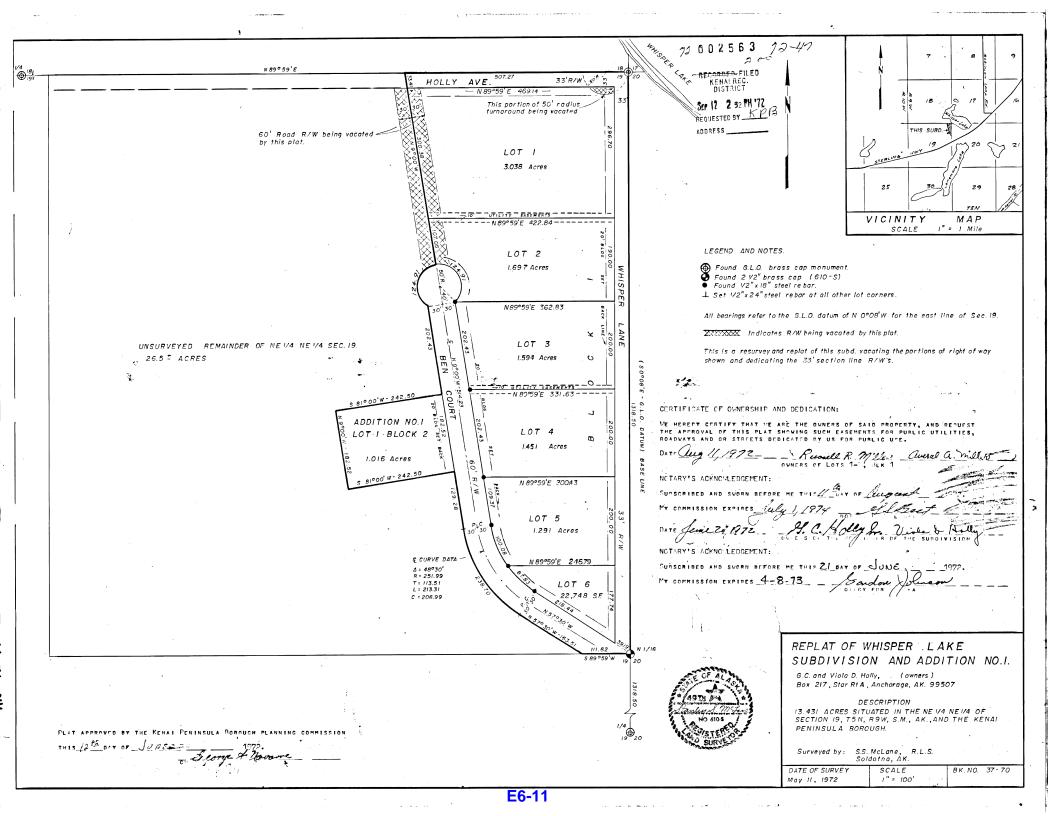
WHISPER LAKE

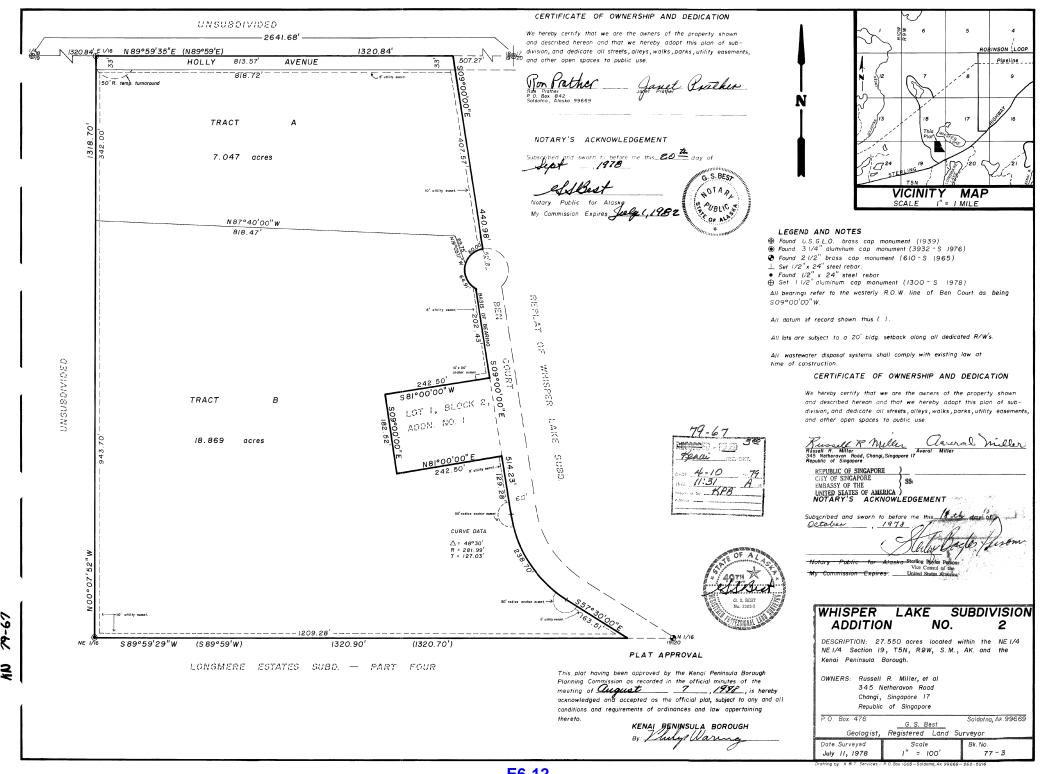
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SPER LAKE BENCT GRASSY VALE RD 350 700 Feet The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map. E6-9



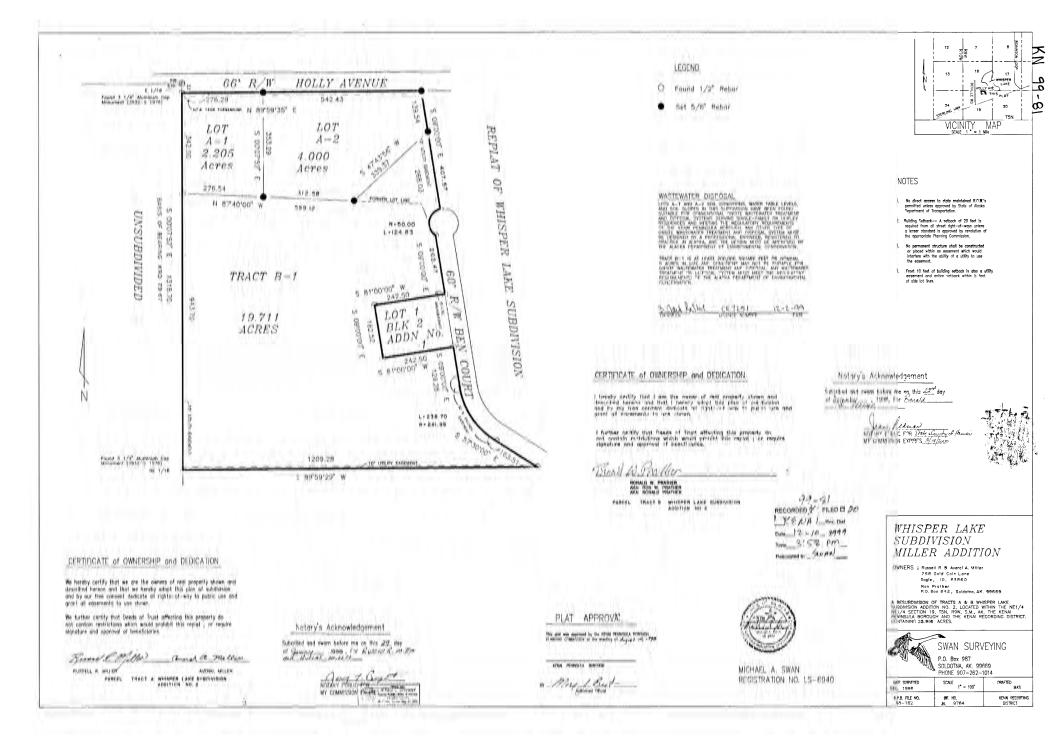




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