# **E. NEW BUSINESS**

2. Pacific Park Subdivision Blauvelt Addition KPB File 2023-088 Fineline Surveys Inc. / Blauvelt Location: Whiskey Gulch Street Anchor Point Area / Anchor Point APC

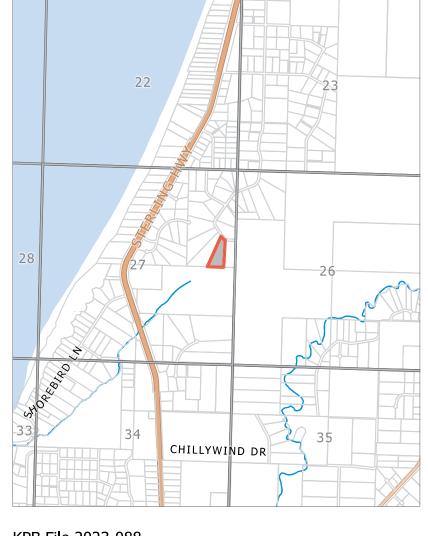






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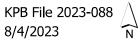


T 04S R 15W SEC 27

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Aerial 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.





1. NO ACCESS TO STATE MAINTAINED RIGHTS OF WAY PERMITTED UNLESS APPROVED BY THE STATE OFALASKA DEPT. OF TRANSPORTATION.

2. THE FRONT 10 FEET OF ADJOINING RIGHTS-OF-WAY, AND 20' WITHIN 5 FEET OF THE SIDE LOT LINES IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN THE UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF THE UTILITY TO USE THE EASEMENT.

3. PROPERTY SUBJECT TO RESERVATION OF AN EASEMENT FOR ALL MINERALS, OIL, GAS, AND HYDROCARBONS BELOW THE DEPTH OF 50 FEET. (SERIAL NUMBER 2004-001090-0 03/15/2004)

4. THIS PROPERTY MAY BE SUBJECT TO COVENANTS, CONDITIONS, OR DEED RESTRICTIONS RECORDED IN BK 804, PG 337 (SERIAL NUMBER 2004-002402-0 05/25/2004)

5. HOMER ELECTRIC ASSOCIATION, INC. WAS GRANTED AN EASEMENT (BK. 32, PG. 12 HRD 03/02/1964) FOR ELECTRIC LINES AND SYSTEM, WITH THE RIGHT TO ENTER, MAINTAIN, OR REPAIR AND CLEAR SHRUBBERY. NO DEFINITE LOCATION DISCLOSED.

6. NO STRUCTURES PERMITTED WITHIN THE PANHANDLE PORTION OF FLAG LOT.

THE BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS, OR DEED RESTRICTIONS PER KPB 20.60.170.

8. POSSIBLE LIMITATIONS ON FURTHER SUBDIVISION BASED ON ACCESS ISSUES, DEVELOPEMENT TRENDS IN THE AREA, OR TOPOGRAPHY.

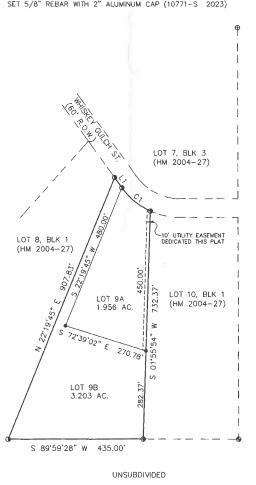
9. THE DRIVEWAY IN THE PANHANDLE OF LOT 9B SHALL BE SHARED USE FOR ACCESS TO BOTH LOTS.

LINE L1 CURVE C1	BEARING S 35'42'00" RADIUS 230.00'	DISTANCE E 40.30' ARC LENGTH 119.47'		CHORD BEARING S 50"34"51" E	DELTA ANGLE 29'45'41"
PLAT APPROVAL: THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING DATED,					
KENAI PENINSULA BOROUGH					
BY:					
AUTHORIZED OFFICIAL:					
SOIL COM HAVE BE AND DISI MEETING ANY OTH MUST BE ALASKA,	NDITIONS, WA EN FOUND S POSAL SYSTI THE REGUL/ IER TYPE OF DESIGNED	SUITABLE FOR COI EMS SERVING SING ATORY REQUIREME ONSITE WASTEW BY A QUALIFIED E ESIGN MUST BE A	NVENTIONAL ONSIT GLE FAMILY OR DU NTS OF THE KEN ATER TREATMENT ENGINEER, REGISTE	PES IN THIS SUBDI E WASTEWATER TR JPLEX RESIDENCES A PENINSULA BOR AND DISPOSAL SY RED TO PRACTICE ALASKA DEPARTM	EATMENT AND DUGH. STEM IN

ENGINEER LICENSE # DATE

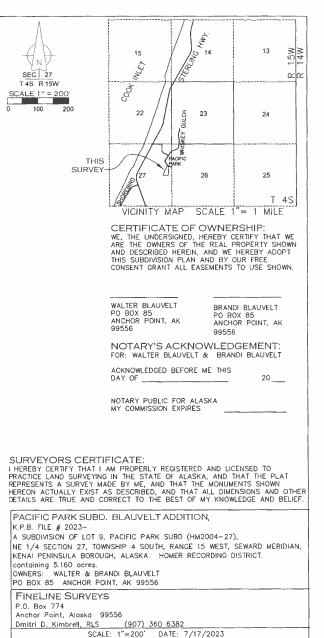
#### LEGEND:

- GLO BRASS CAP 1917 1/4 CORNER SECS 26 & 27
- FOUND 5/8" REBAR WITH 2" ALUMINUM CAP (5780-S 2004)
- O FOUND 5/8" REBAR
- SET 5/8" REBAR WITH 2" ALUMINUM CAP (10771-S 2023)



**UNSUBDIVIDED** 





#### AGENDA ITEM E. NEW BUSINESS

#### ITEM #2 – PRELIMINARY PLAT PACIFIC PARK SUBDIVISION BLAUVELT ADDITION

KPB File No.	2023-088
Plat Committee Meeting:	August 28, 2023
Applicant / Owner:	Walter and Brandi Blauvet of Anchor Point, Alaska
Surveyor: Dmitri Kimbrell / Fineline Surveys	
General Location:	Anchor Point area / Anchor Point APC
Parent Parcel No.:	165-165-09
Assessor Description:	T 4S R 15W SEC 27 SEWARD MERIDIAN HM 2004027 PACIFIC PARK LOT 9
	BLK 1
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site
Exceptions Requested	20.30.190(B)

#### STAFF REPORT

<u>Specific Request / Scope of Subdivision</u>: The proposed plat will subdivide a 5.160 acre parcel into two lots ranging in size from 1.956 acres and 3.203 acres.

**Location and Legal Access (existing and proposed):** This subdivision is located at the south end of Whiskey Gulch Street is a 60-foot-wide right-of-way and borough maintained to the property. The subdivision is accessed from mile marker 154.5 of the Sterling Highway to Valleyside Avenue then Pacific Park Street then Whiskey Gulch Street. Whisky Gulch Street ends to the east of the property with the intent to continue the dedication.

Block length is not compliant due to wetlands to the south and unsubdivided parcel to the south and east. Until future subdividing occurs this plat cannot improve the block lengths. **Staff recommends**: the plat committee concur an exception is not needed.

KPB Roads Dept. comments	
SOA DOT comments	No comment

**Site Investigation:** This area is covered by large portions of wetland classification from the Kenai Watershed Forum. Staff would like to remind the surveyor that approximate locations of low wet areas, areas subject to inundation are required on preliminary submittals. If showing the information makes information hard to read a supplemental map would suffice. **Staff recommends:** any wetlands or areas subject to inundation be shown on the final plat.

This subdivision is in a Flood Hazard Area and **staff recommends** the correct plat note be shown with the map panel information provided by the Floodplain – Planner be included.

Terrain for the area is relatively flat with some gentle slopes running north to south towards the classified Lakebed area to the south.

The subject parcel is currently vacant and no improvements are apparent from imagery.

KPB satellite imagery indicates this property may contain wet areas. **Staff recommendation**: place a note on the final plat indicating 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.

KPB River Center review	See attachments
	A. Floodplain Reviewer: Hindman, Julie Floodplain Status: IS in flood hazard area Comments: Flood Zone: D Map Panel: 02122C-1890E In Floodway: False Floodway Panel:
	B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments
	C. State Parks Reviewer: VACANT Comments:
State of Alaska Fish and Game	

#### Staff Analysis

This parcel has only been subdivided once and was originally part of a large aliquot description parcel. The parent plat, Pacific Park HM 2004-24, created Lot 9 Block 1 and dedicated this portion of Whiskey Gulch Street.

Plat note #9 indicates the driveway will be located in the panhandle portion of Lot 9B and will be a share access for both lots. Staff recommends to be added to the note, that a joint access agreement be drawn up when new ownership of the lots occurs.

A soils report will be required and an engineer will sign the final plat.

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.

Anchor Point Advisory Planning Commission cancelled the August meeting and this plat was not reviewed.

#### Utility Easements

The parent plat, HM 2004-24, granted 10-foot utilities along all rights-of-ways and the correct note has been carried over. This easement should be shown on the drawing.

The plat is proposing a 10' utility easement along the east line of Lot 9A. HEA has reviewed and made the comment to increase the easement to 15' wide as that is standard width.

The Certificate to Plat indicates there is an easement for the benefit of Homer Electric Association, Inc and is reflected within plat note five. **Staff recommends:** all plat notes referencing recorded documents include "Homer Recording District" in the note.

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	Revise the easement width to 15' as this is the standard width for underground electric service installation.
ENSTAR	No comment
ACS	
GCI	

Addressing	
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: Windsor, Heather
	Comments: No Comment
Anchor Point Advisory Planning	
Commission	

#### KPB department / agency review:

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

#### STAFF RECOMMENDATIONS

**CORRECTIONS / EDITS** 

Show building setback on drawing Needs distances and bearings to tie to the pins to the east.

#### 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 block designation and KPB file number 2023-088.

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: Add Street to Whisky Gulch and remove Pacific Park.

J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots; **Staff recommendation:** Ad block 1 to label

#### 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.

20.30.280. Floodplain requirements.

D. All subdivisions or replats within the Flood Insurance Rate Map (FIRM) area or SMFDA, as amended, as defined by KPB 21.06.020, shall contain the following note:

FLOOD HAZARD NOTICE:

Some or all of the property shown on this plat has been designated by FEMA or the Kenai Peninsula Borough Seward Mapped Flood Data Area as a flood hazard area district as of the date this plat is recorded with the district recorder's office. Prior to development, the Kenai Peninsula Borough floodplain administrator should be contacted for current information and regulations. Development must comply with Chapter 21.06 of the Kenai Peninsula Borough Code.

#### 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: a soils analysis will be required and an engineer will need to sing the final 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.

#### **EXCEPTIONS REQUESTED:**

#### A. KPB 20.30.190(B) – Lots - Dimensions

<u>Staff Discussion:</u> A flag lot with the access portion less than 60 feet wide may be subject to a plat note indicating possible limitations on further subdivision based on access issues, development trends in the area, or topography. If the access portion is less than 60 feet wide, it may not exceed 150 feet in length. The access portion may not be used for permanent structures or wastewater disposal area

#### Findings:

- **1.** Large classified wetlands in the area.
- 2. The panhandle will be the shared driveway for both proposed lots.
- 3. No permanent structures can be constructed in the panhandle.
- 4. The width of the panhandle is 40.30 feet.
- **5.** The length of the panhandle is 480 feet.
- 6. Both lots have large buildable areas still.

#### 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 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, 2, 3 & 6 appear to support this standard.**
- 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, 2, 3 & 6 appear to support this standard.
- 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, 2, 3 & 6 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.

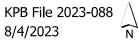
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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







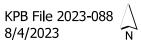


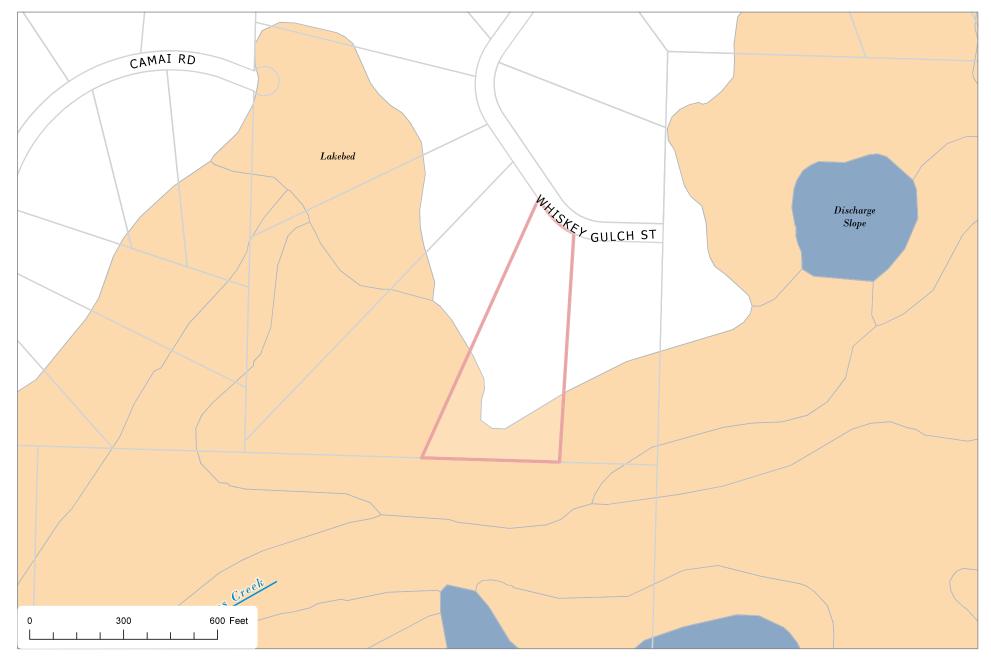
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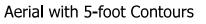


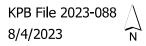


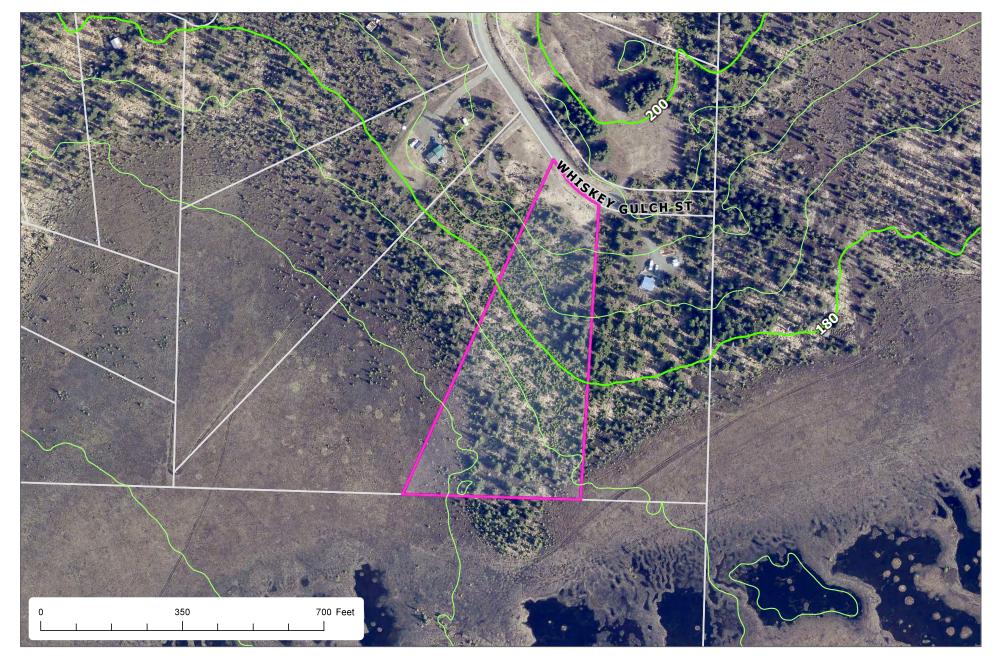


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### **Quainton, Madeleine**

From:	dmitri <flccdmitri@ak.net></flccdmitri@ak.net>
Sent:	Wednesday, August 9, 2023 9:32 AM
То:	Quainton, Madeleine
Subject:	<external-sender>Re: Pacific Park Subdivision Blauvelt Addition KPB 2023-088</external-sender>

**CAUTION**: This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

#### Madeleine

missed that. yes, I would like to request an exception to this code. thank you, have a good week.

dmitri

From: <u>Quainton, Madeleine</u>
Sent: Wednesday, August 09, 2023 9:01 AM
To: <u>'flccdmitri@ak.net'</u>
Cc: <u>Piagentini, Vincent</u>
Subject: Pacific Park Subdivision Blauvelt Addition KPB 2023-088

Good morning Dimitri,

I am working on the staff report for this above referenced file. Per KPB code 20.30.190(B) an exception is needed for the length of the panhandle. Below is the portion of code I am referencing.

B. The access portion of a flag lot shall not be less than 20 feet wide. A flag lot with the access portion less than 60 feet wide may be subject to a plat note indicating possible limitations on further subdivision based on access issues, development trends in the area, or topography. If the access portion is less than 60 feet wide, it may not exceed 150 feet in length. The access portion may not be used for permanent structures or wastewater disposal area, must meet the design standards of KPB 20.30.030(A) and 20.30.090 for access, and, if at least 60 feet wide, will be subject to the building setback restrictions of KPB 20.30.240.

Please let me know if you know would like to request this exception.

Thanks!

#### **Madeleine Quainton**

Platting Specialist Planning Department Ph: (907) 714-2200

