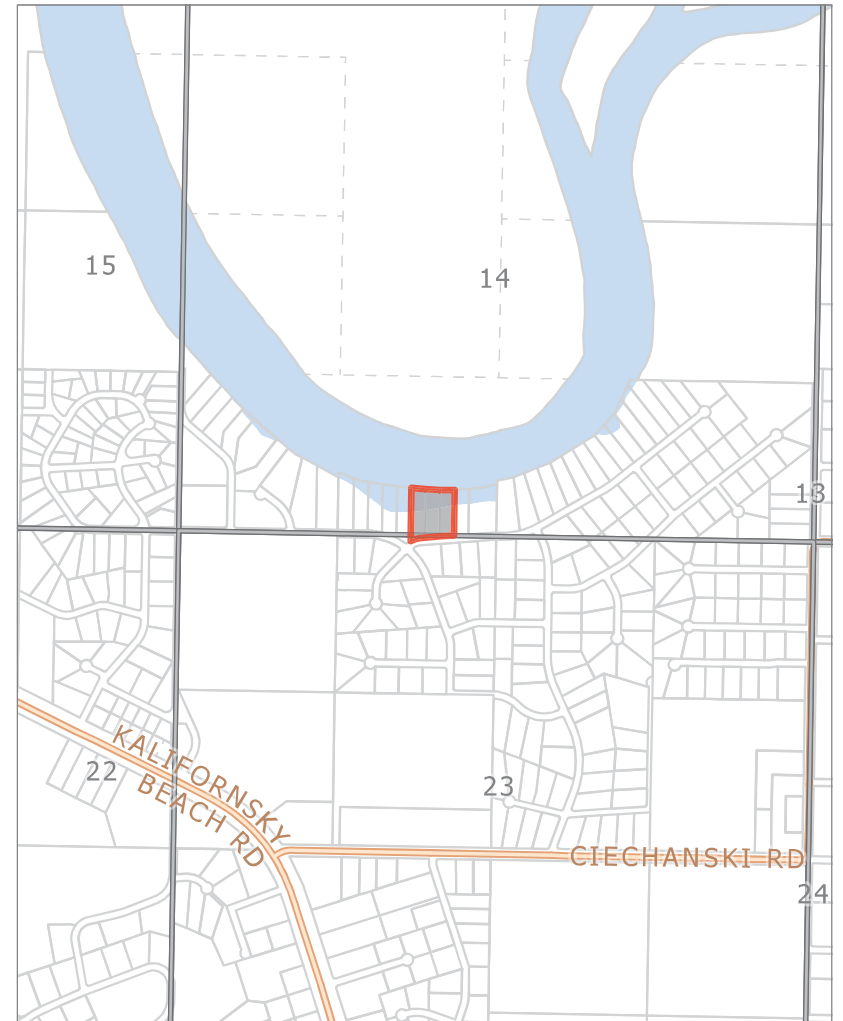


E. NEW BUSINESS

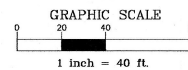
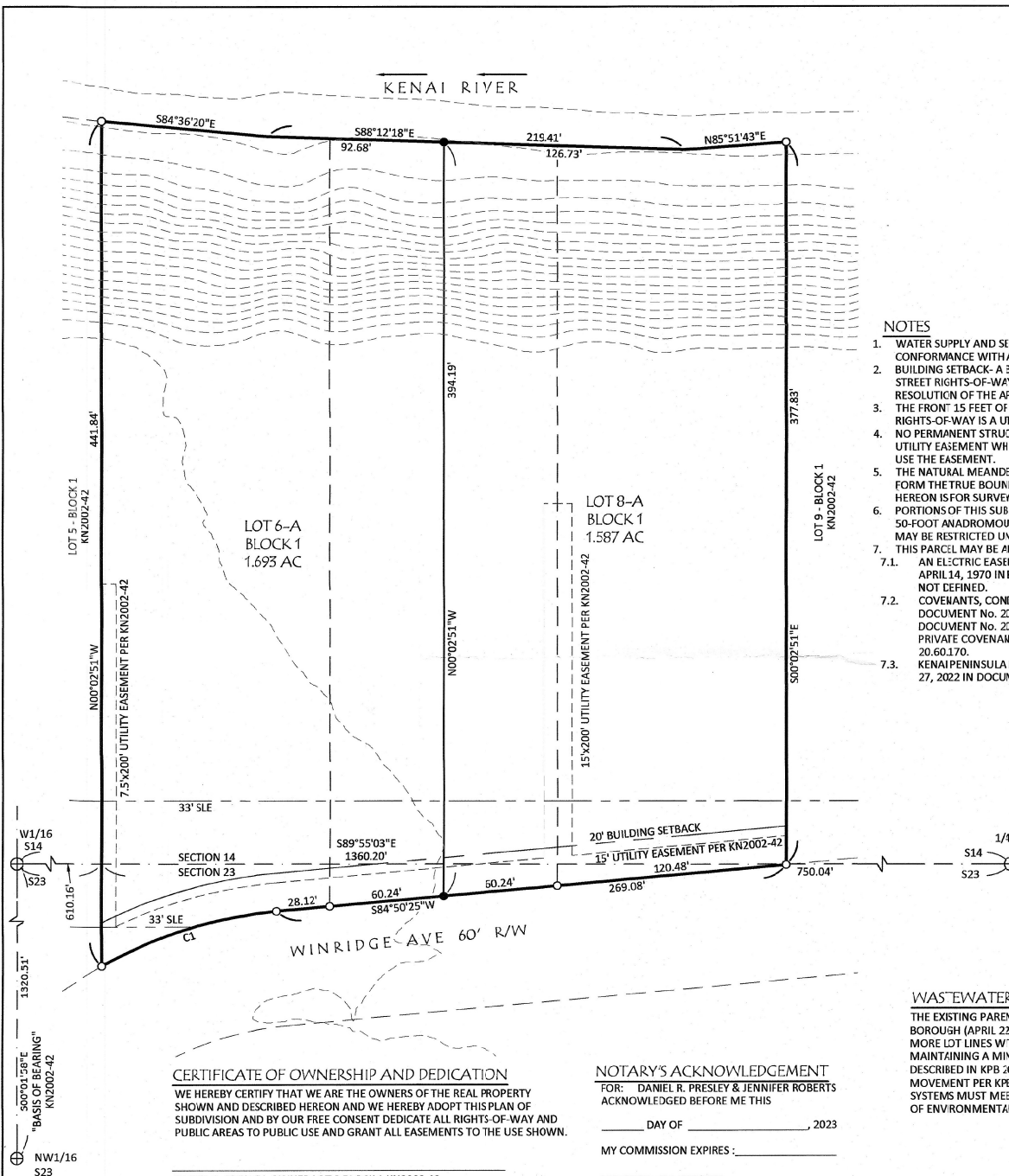
- 10. South Bend Bluff Estates 2023 Replat; KPB File 2023-112
McLane Consulting Group / Cunningham, Presley, Roberts
Location: Winridge Avenue
Kalifornsky Area / Kalifornsky APC**



KPB File 2023-112
T 05N R 11W SEC 14 & 23
Kalifornsky



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.

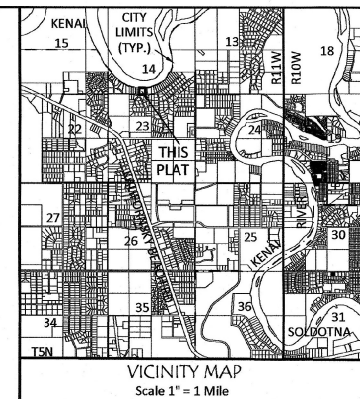


LEGEND

- ⊕ FOUND PRIMARY MONUMENT AS DESCRIBED
 - FOUND SECONDARY MONUMENT AS DESCRIBED
 - SET 5/8"x30" REBAR w/ 1" STAINLESS STEEL CAP 85032-S
- RECORD AND MEASURED DATA AGREE UNLESS NOTED OTHERWISE

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 15 FEET OF THE 20 FOOT BUILDING SETBACK ADJOINING RIGHTS-OF-WAY IS A UTILITY EASEMENT PER KN2002-42.
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.
5. THE NATURAL MEANDERS OF THE ORDINARY HIGH WATER OF THE KENAI RIVER FORM THE TRUE BOUNDS OF EACH PARCEL. THE 2002 MEANDER LINE SHOWN HEREON IS FOR SURVEY COMPUTATIONS ONLY.
6. PORTIONS OF THIS SUBDIVISION ARE WITHIN THE KENAI PENINSULA BOROUGH 50-FOOT ANADROMOUS STREAM HABITAT PROTECTION AREA. DEVELOPMENT MAY BE RESTRICTED UNDER CHAPTER 21.18 BOROUGH CODE OF ORDINANCES.
7. THIS PARCEL MAY BE AFFECTED BY THE FOLLOWING:
 - 7.1. AN ELECTRIC EASEMENT GRANTED TO HOMER ELECTRIC ASSOCIATION ON APRIL 14, 1970 IN BOOK 37, PAGE 81, KENAI RECORDING DISTRICT, LOCATION NOT DEFINED.
 - 7.2. COVENANTS, CONDITIONS & RESTRICTIONS RECORDED JUNE 26, 2002 IN DOCUMENT No. 2002-005876-0 KR.D AND AMENDED APRIL 29, 2010 IN DOCUMENT No. 2010-003393-0 KR.D. THE BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS OR DEED RESTRICTIONS PER KPB 20.60.170.
 - 7.3. KENAI PENINSULA BOROUGH RESOLUTION 2022-001 RECORDED FEBRUARY 27, 2022 IN DOCUMENT No. 2022-001403-0 KR.D.



CERTIFICATE OF OWNERSHIP AND DEDICATION

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 DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

SCOTT M. CUNNINGHAM, OWNER LOTS 6 & 7 BLOCK 1 KN2002-42
37100 EDGEWOOD DR, KENAI, AK 99611

DENA R. CUNNINGHAM, OWNER LOTS 6 & 7 BLOCK 1 KN2002-42
37100 EDGEWOOD DR, KENAI, AK 99611

NOTARY'S ACKNOWLEDGEMENT

FOR: SCOTT M. & DENA R. CUNNINGHAM
ACKNOWLEDGED BEFORE ME THIS

DAY OF _____, 2023

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE
STATE OF ALASKA



Plat #	
Rec Dist	
Date	20
Time	M

CERTIFICATE OF OWNERSHIP AND DEDICATION

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 DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

DANIEL R. PRESLEY, OWNER LOT 8 BLOCK 1 KN2002-42
PO BOX 3288, SOLDOTNA, AK 99669

JENNIFER ROBERTS, OWNER LOT 8 BLOCK 1 KN2002-42
PO BOX 3288, SOLDOTNA, AK 99669

NOTARY'S ACKNOWLEDGEMENT

FOR: DANIEL R. PRESLEY & JENNIFER ROBERTS
ACKNOWLEDGED BEFORE ME THIS

DAY OF _____, 2023

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE
STATE OF ALASKA

WASTEWATER DISPOSAL

THE EXISTING PARENT SUBDIVISION WAS APPROVED BY THE KENAI PENINSULA BOROUGH (APRIL 22, 2002) AND THIS SUBDIVISION IS LIMITED TO MOVING ONE OR MORE LOT LINES WITHOUT INCREASING THE NUMBER OF DEVELOPABLE LOTS, WHILE MAINTAINING A MINIMUM OF 20,000 SQUARE FEET OF CONTIGUOUS AREA, AS DESCRIBED IN KPB 20.40.040(A)(4)(A), FOR EACH LOT AFFECTED BY THE LOT LINE MOVEMENT PER KPB 20.40.020(1)(C). WASTEWATER TREATMENT AND DISPOSAL SYSTEMS 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 NOVEMBER 13, 2023.

AUTHORIZED OFFICIAL

DATE



ENGINEERING - TESTING
SURVEYING - MAPPING
P.O. BOX 488
SOLDOTNA, AK 99669
VOICE: (907) 283-4218
FAX: (907) 283-3265
WWW.MCLANECG.COM

KPB FILE NO. 2023-xxx

PROJECT NO. 232026

SCALE: 1" = 40'

DATE: OCT. 2023

BOOK NO.: 23-xx

DRAWN BY: JAH

KPB 2023-112

AGENDA ITEM E. NEW BUSINESS

ITEM #10 - PRELIMINARY PLAT
SOUTH BEND BLUFF ESTATES 2023 REPLAT

KPB File No.	2023-112
Plat Committee Meeting:	November 13, 2023
Applicant / Owner:	Scott and Dena Cunningham of Kenai, Alaska Daniel Presley and Jennifer Roberts of Soldotna, Alaska
Surveyor:	James Hall / McLane Consulting
General Location:	Kalifornsky

Parent Parcel No.:	055-423-06, 055-423-07, and 055-4230-78
Legal Description:	T 5N R 11W SEC 14 & 23 Seward Meridian KN 2002042 South Bend Bluff Estates Lot 6, 7, and 8 Blk 1
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site
Exception Request	None

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will combine three lots into two ranging in size from 1.693 acres to 1.587 acres.

Location and Legal Access (existing and proposed): The proposed subdivision is located north of Ciechanski Road to River Hills Road then Winridge Avenue. Winridge Avenue is a 60-foot-wide, borough-maintained right-of-way. The proposed lots will have access to Winridge Avenue. No new dedications are proposed.

There is a 33' section line easement on both sides of the section line crossing east/west through the subdivision on the southerly side. This appears to be depicted correctly.

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

Site Investigation: The proposed subdivision is located long the Kenai River creating the boundary to the north and is within a classified flood hazard area. Plat note six does reference the Habitat Protection District, but ***staff recommends: the note be updated to match current verbiage and the flood hazard note be added to the plat notes. See KPB 20.30.280(D) and 20.30.290 for reference.***

The northern portion of the lots has steep terrain leading to the Kenai River. ***Staff recommends: the depiction of the top of bluff and steep bluff be shown and remain on the final. All other contours can be removed.***

Current lot six and eight both have structures on their lots. Lot seven is currently vacant and be divided between six and eight. There does not appear to be any encroachments.

KPB River Center review	See attachments A. Floodplain
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	Reviewer: Hindman, Julie Floodplain Status: IS in flood hazard area Comments: Flood Zone: A3,C Map Panel: 020012-2045C In Floodway: False Floodway Panel: B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: IS totally or partially within HPD Comments: i:0#.w kpb\maldridge C. State Parks Reviewer: VACANT Comments:
State of Alaska Fish and Game	

Staff Analysis This area was originally all part of Government Lot 13 of Section 14 and the NE1/4 NW1/4 of Section 23 both of T5N, R11W, SM and was subdivided by South Bend Bluff Estates, KN 2002-42. No other platting actions have been done for the subject parcels.

A soils report will not be required as the lots meet the requirements of 20.40.020 (A)(1).

Notice of the proposed plat was mailed to the beneficial interest holder on October 23, 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 Kalifornsky Beach APC is not currently active.

Utility Easements The parent plat, KN 2002-42, granted 15-foot utility easements along all dedicated rights-of-ways and these all appear to be depicted correctly with the sources listed. KN 2002-42 also granted a 15-foot by 200-foot utility easement long the former shared lot line of Lots 5 and 6 and 7 and 8. This utility easement is shown correctly and will remain until a separate platting action of a utility easement vacation is done.

The Certificate to Plat also indicated there is a general easement for the benefit of Homer Electric Association Inc. The easement is shown in plat note 7.1.

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	
ACS	No objections
GCI	

KPB department / agency review:

Addressing	Reviewer: Leavitt, Rhealyn Affected Addresses:
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	<p>47566 WINRIDGE AVE, 47546 WINRIDGE AVE, 47526 WINRIDGE AVE</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: WINRIDGE AVE</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>List of Street Names Denied:</p> <p>Comments: 47546 WINRIDGE AVE WILL BE DELETED</p>
Code Compliance	<p>Reviewer: Ogren, Eric</p> <p>Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan</p> <p>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>
Assessing	<p>Reviewer: Windsor, Heather</p> <p>Comments: No comment</p>

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

STAFF RECOMMENDATIONS **CORRECTIONS / EDITS**

- Within plat note 7.3 please update the date to February 17th to match the recorded document.
- Add missing distances along the back of lots

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.

- I. Approximate locations of areas subject to tidal inundation and the mean high water line;
Staff recommendation: lot line along Kenai River from Parent plat is listed as 2002 MW meander. Should be shown and/ or updated.
- M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;
Staff recommendation: Steep Bluff and Top of Bluff from parent plat not shown, needs shown.

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: current note complies.

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.

20.60.180. 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.

- **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.

- **ANADROMOUS WATERS HABITAT PROTECTION DISTRICT NOTE:**

Portions of this subdivision are within the Kenai Peninsula Borough Anadromous Waters Habitat Protection District. See KPB Chapter 21.18, as may be amended, for restrictions that affect development in this subdivision. Width of the habitat protection district shall be in accordance with KPB 21.18.040.

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.

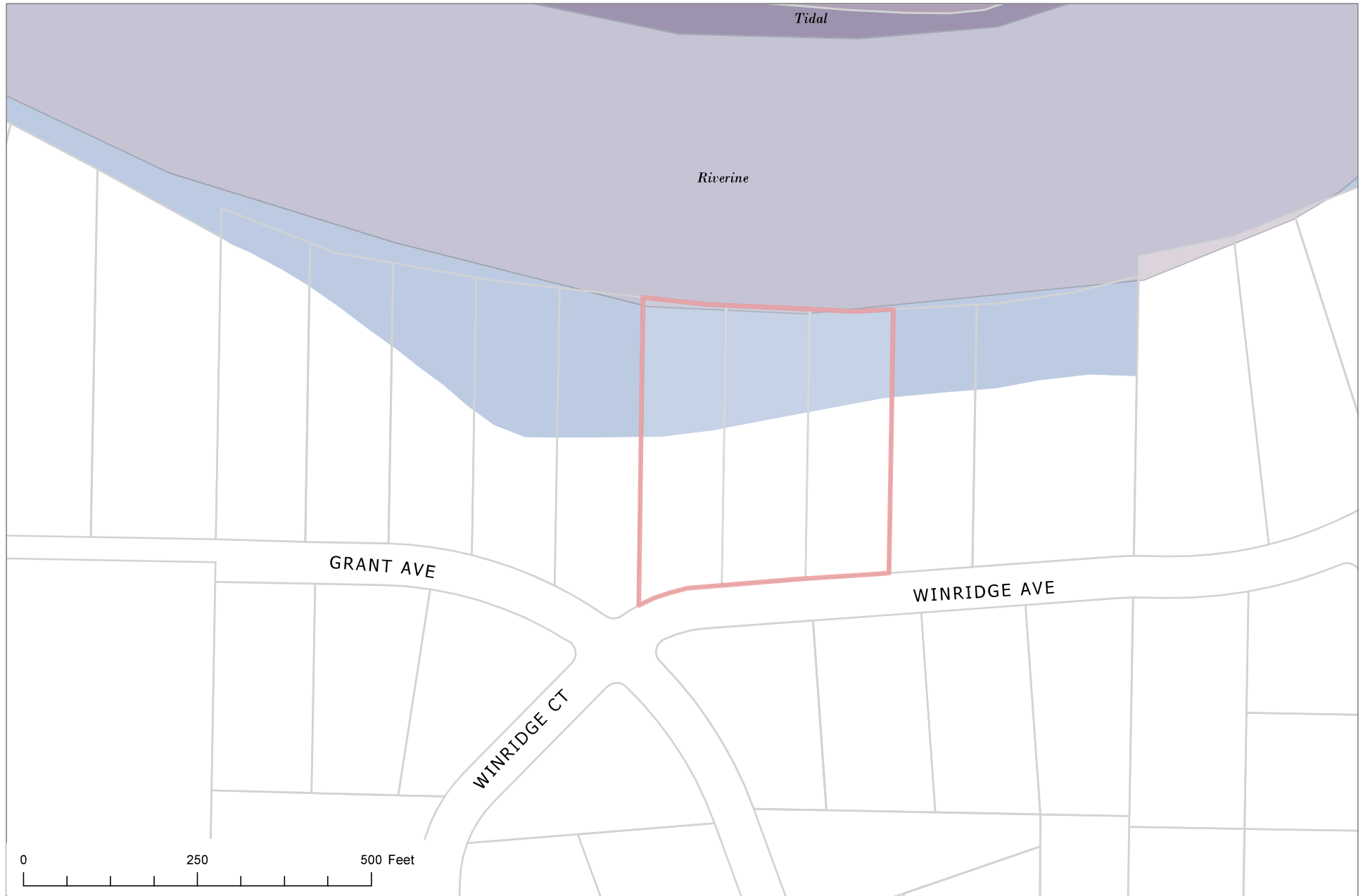
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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



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.



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.

KPB NOTES: See PC Resolutions 2011-25 and 2012-04 and 2020-04

NOTES:

- 1) Proposed land uses are recreational, residential, agricultural, and commercial.
- 2) Building setback - A setback of 30 feet is required from all street right-of-way unless a lesser standard is approved by resolution of the appropriate Planning Commission.
- 3) Front 16 ft. of the building setback adjacent to right-of-way is also a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the utility's ability to use the easement.
- 4) 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.
- 5) An exception was granted to UPR 20-0-180 for Lots 1-9 Block 1 by the Plat Committee at the meeting of April 22, 2002.
- 6) The natural meanders of the line of Mean High Water or ordinary high water form the true boundary of the subdivision. The approved meander line of Mean High Water or ordinary high water, as shown, is for computations only. The final property corners using the extension of the side lot lines and their intersection with the natural meanders.
- 7) Portions of this subdivision are within the Kenai Peninsula Borough 50 Ft. Anadromous Stream Habitat Protection Area. Development may be restricted under Chapter 21.18 Borough Code of Ordinances.
- 8) No structures shall be constructed or placed within the drainage easement that would inhibit the natural drainage.
- 9) The mapped flood limits shown on FIRM map 2045 dated July 6, 1983, show a steep bluff near the MHW line shown and does not affect the usable area of the lots within this subdivision.
- 10) Development within this subdivision is subject to covenants recorded in the Kenai Recording District.
- 11) WASTEWATER DISPOSAL: Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for on-site wastewater treatment and disposal systems meeting single-family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of on-site wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Dept. of Environmental Conservation.

H. J. Burroughs
Surveyor

June 2, 2002
Owner

LEGEND:

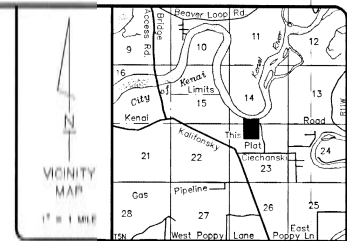
- Monument (found)
- 2-1/2" Alum. Cap Monument (set)
- Iron Pipe (found)
- Rebar with Yellow Plastic Cap (found)
- 1/2" Rebar (found)
- 5/8" Rebar (set)
- Witness Corner Marker
- 5/8" Rebar (set)
- Record Datum = Winbridge Estates Subd. Part One Plat # 88-7 KRD
- Record Datum = Meandered Bluff Plat # 88-7 KRD
- Record Datum = Phillips Subdivision Plat # 79-180 KRD

Line	Bearing	Length
1	S 89° 52' 28" E	28.12
2	S 89° 52' 28" E	28.12
3	S 89° 52' 28" E	28.12
4	S 89° 52' 28" E	28.12
5	S 89° 52' 28" E	28.12
6	S 89° 52' 28" E	28.12
7	S 89° 52' 28" E	28.12
8	S 89° 52' 28" E	28.12
9	S 89° 52' 28" E	28.12
10	S 89° 52' 28" E	28.12

CERTIFICATE OF SURVEYOR

I hereby certify that I am a properly registered and licensed to practice land surveying in the State of Alaska; this plat represents a survey made by me or under my direct supervision; the monuments shown herein actually exist as described; and all dimensions and other details are correct to the normal standards of practice of land surveyors in the State of Alaska.

June 2, 2002



CERTIFICATE of OWNERSHIP and DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER(S) OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

George O'Gorman
Owner
Kenai, Alaska 99611

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SIGNED BEFORE ME THIS 11th day of June, 2002 FOR George O'Gorman

George O'Gorman
Owner
Kenai, Alaska 99611



PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF April 22, 2002

KENAI PENINSULA BOROUGH

Mayor
Kenai, Alaska 99611

2002-42
RECORDED
Kenai REC. DIST.
DATE: 6-26-2002
TIME: 2:20 P.M.
REQUESTED BY:
VICTORY SURVEYS
605 SWIRES DRIVE
KENAI, ALASKA 99611

KPB FILE No. 2002-066

South Bend Bluff Estates

A subdivision of Government Lot 13 located within SE1/4 SW1/4 Sec. 14 and the NE1/4 NW1/4 of the 23, T2N, R11W, S.M., Kenai Recording District, Kenai Peninsula Borough, Alaska.
Containing 59.348 Acres

Integrity Surveys

605 Swires Drive Kenai, Alaska 99611-8563
SURVEYORS PHONE: (907) 283-9047 FAX: (907) 283-9071 PLANNERS

KPB NO. 2001-3 DRAWN: 7 May, 2002 CB
SURVEYED: March - May, 2002 SCALE: 1" = 100'
FIELD BH: 2002-3, Pg. 1- DISK: South Bend Bluff