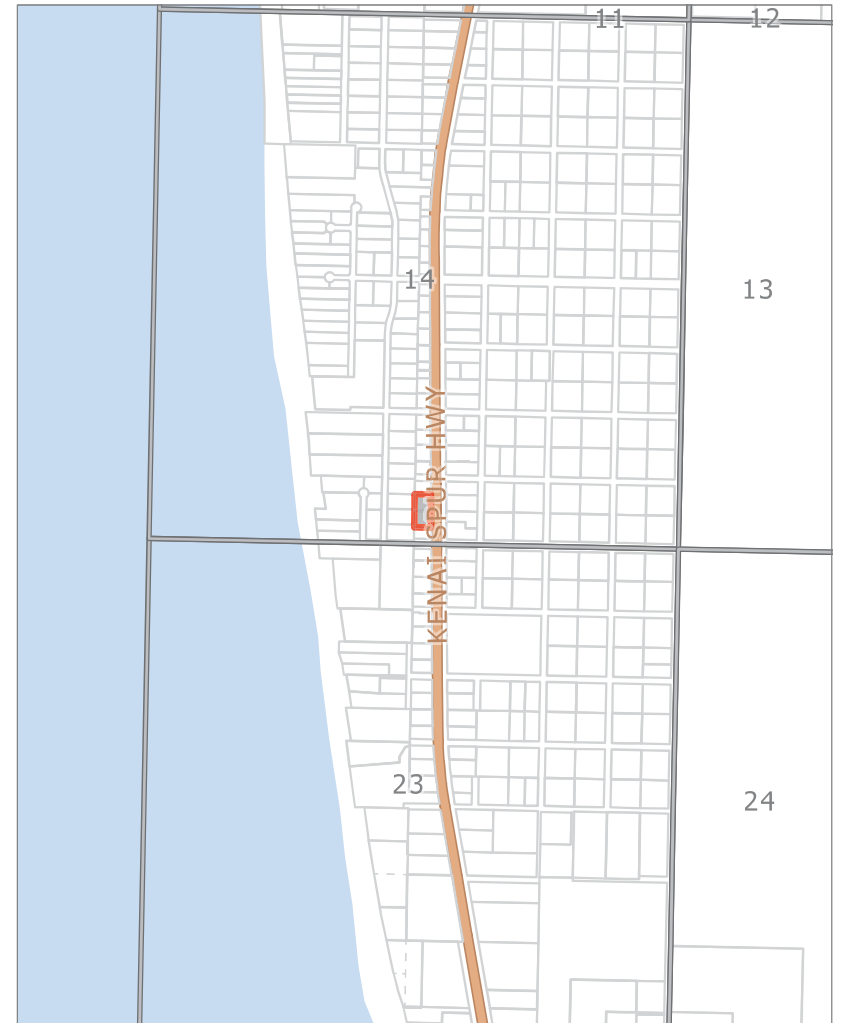
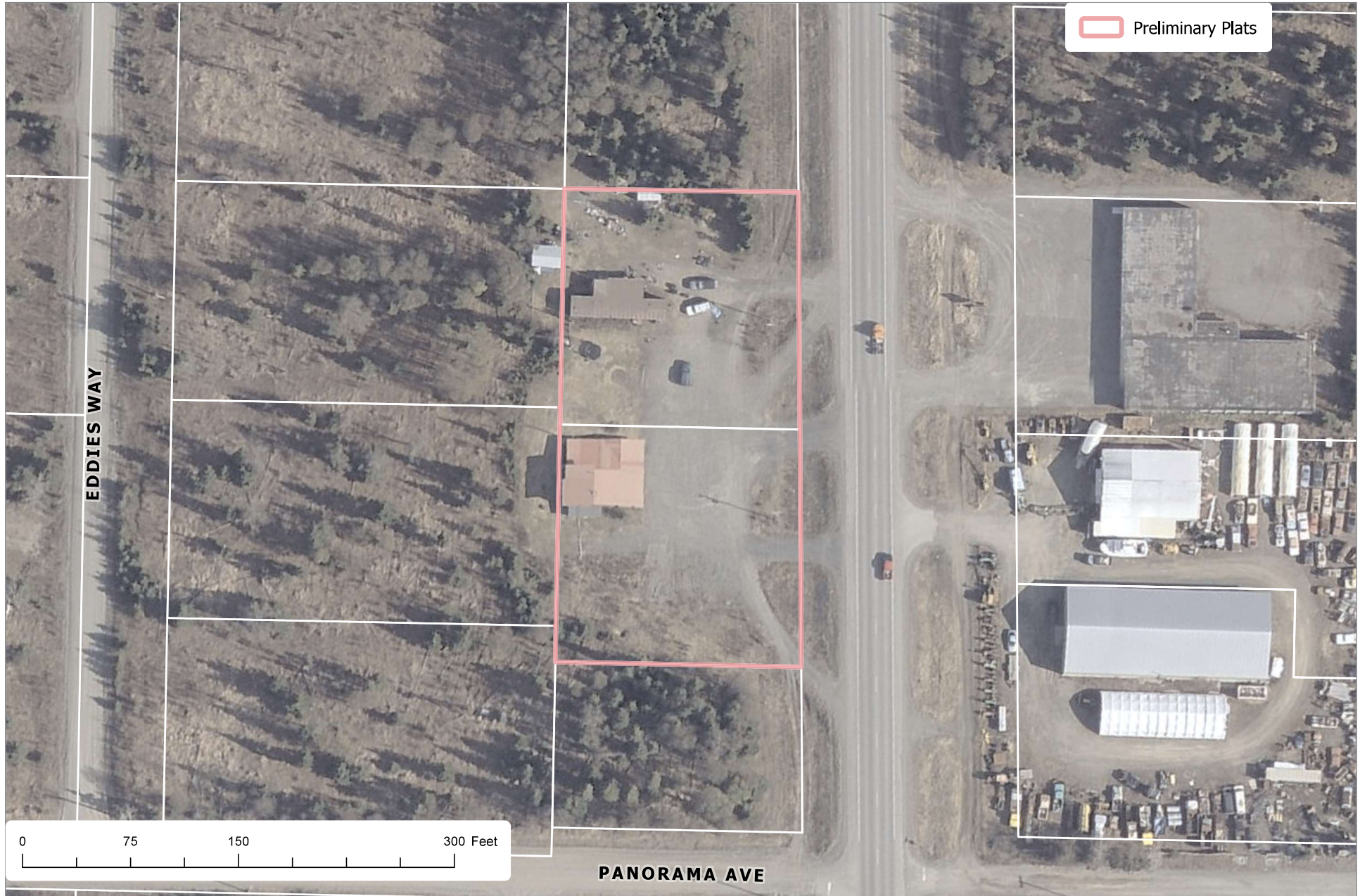


E. NEW BUSINESS

- 15. St. Luke Lutheran Church Replat; KPB File 2023-118
Segesser Surveys / St. Luke Lutheran Church of the
Unaltered Augsburg Confession
Location: Kenai Spur Highway
Salamatof Area / Nikiski APC**



KPB File 2023-118
T 06N R 12W SEC 14
Salamatof



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:

- 3 1/4" ALUM. CAP MONUMENT FOUND
- 5/8" REBAR w/PLASTIC CAP FOUND
- 5/8" REBAR w/PLASTIC CAP LS8859 SET
- () RECORD DATUM PLAT 2011-41 KRD

NOTES:

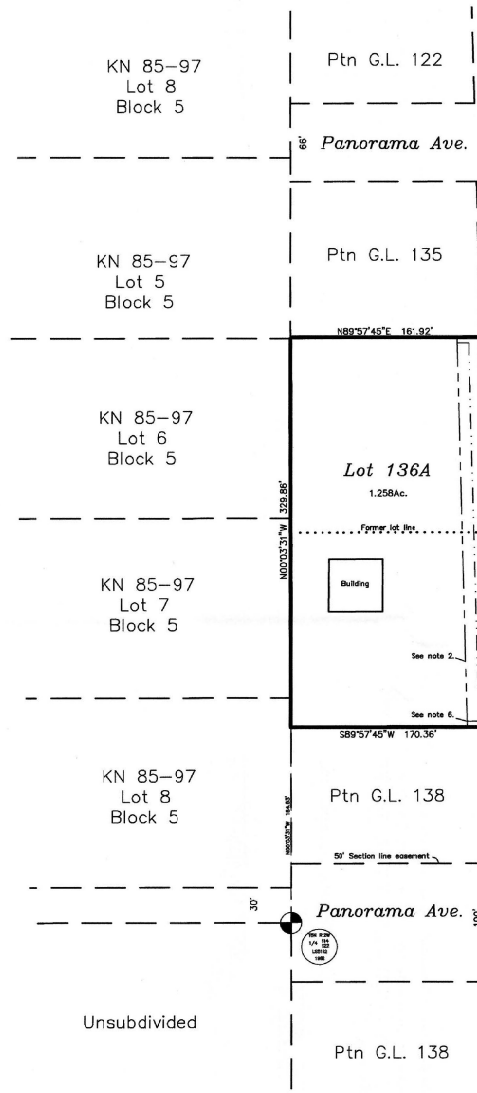
- 1) Basis of bearing taken from Inlet Glen Subdivision, Plat 85-57, Kenai Recording District.
- 2) Building setback—a setback of 20 feet is required from all street Rights-of-Way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
- 3) No private access to State maintained ROW's permitted unless approved by the State of Alaska Department of Transportation.
- 4) Kenai Spur Highway Information taken from State of Alaska Department of Highway Right-of-Way map Project number S-040(2) page 5 of 28.
- 5) This property is subject to a reservation of easement for highway purposes, and any assignments or uses thereof for recreational, utility or other purposes, as disclosed by Public Land Order No. 301, dated August 10, 1949, and amended by Public Land Order No. 757, dated October 10, 1959, Public Land Order No. 1813, dated April 7, 1958, Department of the Interior Order Number 2665, dated October 16, 1951, Amendment Number 1 thereto, dated July 17, 1952 and Amendment Number 2 thereto, dated September 15, 1956, filed in the Federal Register.
- 6) Front 10 feet adjacent to right-of-ways and 20 feet within 5 feet of the side lot lines is a utility easement. 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.
- 7) No Engineer's Subdivision and Soils Report is available for this subdivision, soil conditions may be unsuitable for onsite wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation. The purpose of this platting action is to combine 2 lots into 1, which will provide greater available wastewater disposal area as described by 20.40.020(A).



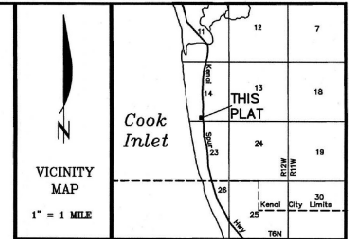
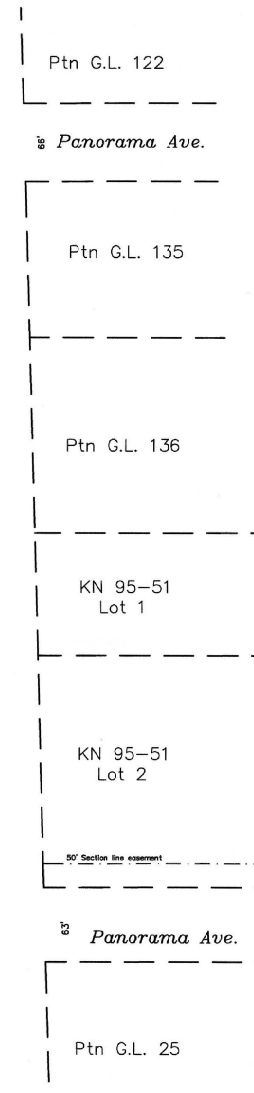
SURVEYOR'S CERTIFICATE

I hereby certify that I am 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.

Date _____



Kenai Spur Highway



North

CERTIFICATE of OWNERSHIP and DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT ST LUKE LUTHERAN CHURCH (OF THE UNALTERED AUGSBURG CONFESSION) IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, AND ON BEHALF OF ST LUKE LUTHERAN CHURCH (OF THE UNALTERED AUGSBURG CONFESSION) I HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

SETH TAURIANEN
P.O. BOX 1404
KENAI, ALASKA 99611

NOTARY'S ACKNOWLEDGEMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL _____

KPB FILE No. _____

St Luke Lutheran Church Replat

A resubdivision of Government Lots 136 and 137 Section 14, T6N, R12W, S.M., lying west of the Kenai Spur Highway.

Located within the SW1/4 SW1/4 SE1/4 Section 14, T6N, R12W, S.M., Kenai Peninsula Borough, Alaska.

Containing 1.258 Ac.

| Surveyor | Owner |
|---|---|
| Segesser Surveys 30485 Rosland St. Soldotna, AK 99669 (907) 262-3909 | St Luke Lutheran Church of the Unaltered Augsburg Confession P.O. Box 1404 Kenai, Alaska 99611 |
| JOB NO. 23146 | DRAWN: 10-4-23 |
| SURVEYED: | SCALE: 1"=50' |
| FIELD BOOK: | SHEET: 1 of 1 |

KPB 2023-118

AGENDA ITEM E. NEW BUSINESS

**ITEM #11 - PRELIMINARY PLAT
ST LUKE LUTHERAN CHURCH REPLAT**

| | |
|--------------------------------|--|
| KPB File No. | 2023-118 |
| Plat Committee Meeting: | November 13, 2023 |
| Applicant / Owner: | St Luke Lutheran Church of the Unilateral Augsburg Confession of Kenai, Alaska |
| Surveyor: | John Segesser / Segesser Surveys |
| General Location: | North Kenai / Nikiski APC |

| | |
|---------------------------|---|
| Parent Parcel No.: | 017-170-38 and 017-170-23 |
| Legal Description: | T 6N R 12W SEC 14 Seward Meridian KN portion of Govt Lot 136 and 137 lying West of North Kenai RD |
| Assessing Use: | Institutional (southern) & Residential (northern) |
| Zoning: | Rural Unrestricted |
| Water / Wastewater | onsite |
| Exception Request | none |

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will combine two 0.629 acres parcels into one 1.258-acre lot.

Location and Legal Access (existing and proposed): The current access to the subdivision is by state maintained Kenai Spur Highway at milepost 16 and shall remain with that access. There are four points of entry currently to the two parcels off the highway.

There is no proposed dedication or vacation with this subdivision.

PER DOT: The platting action voids any previous issued permits. You need to reapply for driveway access permits to state ROW.

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

Site Investigation: The terrain of the subdivision is relatively flat with a slight slope to the west.

There are a several structures on the property that do not appear to be encroaching outside the property lines. ***Staff recommends: the surveyor observe for encroachments when doing the fieldwork and if any are located notify staff in writing and what remedies will be taken.***

There are no classified wetlands within the boundary of the subdivision; however this area is in a mapped flood hazard area. ***Staff recommends: plat notes be added for floodplain and floodway.***

| | |
|-------------------------|----------------------------------|
| 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-0105E 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

The parcel was previously divided as Government Lots 136 and 137 of Section 14, Township 6 North, Range 12 West SM, AK which was split by the Kenai Spur Highway previously know as the North Kenai Highway.

A soils report will not be required, as this subdivision is reducing the number of lots and increasing available area.

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.

Nikiski Advisory Planning Commission minutes for the November 9, 2023 meeting were not available when the staff report was prepared (KPB 21.02.020). These will be provided with the desk packet if available.

There is an encroachment of a parking lot noted in a deed, which this subdivision will cover the area of issue.

Utility Easements There are no easement to be carried forward from the previous division and no easement shown in the certificate to 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 | Locate and depict the overhead three phase electric line. Provide a label or plat note stating, "The existing overhead powerline is the centerline of 40 ft. wide electrical distribution line, including guys and anchors, granted this plat." |
| ENSTAR | |
| ACS | No objections |
| GCI | |

KPB department / agency review:

| | |
|------------|---|
| Addressing | Reviewer: Leavitt, Rhealyn Affected Addresses: |
|------------|---|

| | |
|------------------------------|--|
| | <p>43085 KENAI SPUR HWY, 43055 KENAI SPUR HWY</p> <p>Existing Street Names are Correct: No</p> <p>List of Correct Street Names: MELODY LN, PANORAMA AVE, KENAI SPUR HWY</p> <p>Existing Street Name Corrections Needed: STREET TO THE NORTH OF SUBDIVISION SHOULD BE MELODY LN</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: ADDRESSES WILL NOT BE AFFECTED.</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> |
| Advisory Planning Commission | |

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

STAFF RECOMMENDATIONS **CORRECTIONS / EDITS**

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 KPB No 2023-118 to title block.

- 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:

- All side roads need correct names listed for them except Panorama Ave to the south.

- 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 proposed 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:

- Parcel to the south needs correct label.
- Parcel to the northwest needs correct 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: Not required, creating fewer lots 20.40.020(A)(1)(a)

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.

- 20.60.070. Plat specifications. The final subdivision plat shall be clearly and legibly drawn to a scale of 1 inch equal to 10, 20, 30, 40, 50, 60, 150 feet or a multiple of 100 feet. The drawing shall be plotted on good quality polyester film at least 3 mm in thickness. All lines, letters, figures, certifications, acknowledgements and signatures shall be clear, legible, and in black ink. The minimum text size should be 10 point (0.1") font or the equivalent. Where necessary, 8 point (0.08") capitalized font or the equivalent can be used to label features. The plat shall be so made, and shall be in such condition when filed, that legible prints and negatives can be made therefrom. Colors, grayscale or shading is not acceptable as it does not show when the drawing is reproduced. Sheets shall be one of these sizes: 11" x 17"; 18" x 24"; and 24" or 30" x 36". When more than one sheet is required, an index map shall be provided on the first sheet showing the entire subdivision and indicating the portion contained on each sheet. Each sheet shall show the total number (e.g. sheet 1 of 3). When more than one sheet is submitted, all sheets shall be the same size. Indelible ink or sealant shall be used to insure permanency.

Staff recommendation: *comply with 20.60.070.*

- Dimension from southwest corner down to GLO monument needs to be adjusted to match the size of the other dimensions on the drawing.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: *comply with 20.60.190.*

- Add meeting date of November 13, 2023 to Plat Approval
- On the Certificate of Ownership and Dedication, Correct the spelling of Seth Tauriainen and add President/Director behind his name.

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



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