

E. NEW BUSINESS

7. Nakada Subdivision Alexson Replat

KPB File 2023-126

Geovera, LLC / Alexson

Location: Heather Street off Diamond Ridge Road

Diamond Ridge Area / Kachemak Bay APC



KPB File 2023-126
T 06S R 14W SEC 03
Diamond Ridge



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.

NOTES

1. BASIS OF BEARING FOR THIS SURVEY IS N 89°46'15" W BETWEEN A GLO BRASS CAP MONUMENT AT THE CORNER OF SECTIONS 2/3/10/11 AND A BRASS CAP MONUMENT AT THE E1/16 CORNER OF SECTIONS 3/10 AS SHOWN ON THE PLAT OF REUBEN CALL HOMESTEAD SUBDIVISION (98-47 HRD).
2. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.
3. THE FRONT 10 FEET OF THE BUILDING SETBACK AND 10 FEET EACH SIDE OF THE ORIGINAL INTERIOR LOT LINES OF PLAT HM 92-18 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.
4. THE LOT IS AFFECTED BY AN EASEMENT OF RECORD WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION (BK19, PG 59 HRD).
5. THIS SUBDIVISION MAY BE AFFECTED BY COVENANTS, CONDITIONS AND RESTRICTIONS AS CONTAINED IN DECLARATION OF COVENANTS AND RESTRICTIONS RECORDED SEPTEMBER 17, 1993 (BK 226, PG 427 HRD) AND IN DECLARATION OF RESTRICTIVE COVENANTS RECORDED NOVEMBER 15, 2004 (HM 2004-005554-0). THE KENAI PENINSULA BOROUGH DOES NOT MANAGE OR ENFORCE PRIVATE COVENANTS AND RESTRICTIONS.
6. THERE IS A PRIVATE EASEMENT FOR INGRESS AND EGRESS ALONG AN EXISTING DRIVEWAY WHICH STRADDLES A PORTION OF THE COMMON BOUNDARY LINE BETWEEN ORIGINAL LOTS 7A AND 7B RECORDED ON NOVEMBER 15, 2004 (HM 2004-005555-0).
7. 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.

WASTEWATER DISPOSAL

LOT 6-B
THIS TRACT IS AT LEAST 200,000 SQUARE FEET IN SIZE AND CONDITIONS MAY NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL. ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

LOT 6-A
SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES ON THE LOTS WITHIN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SERVING SINGLE-FAMILY OR DUPLEX RESIDENCES AND MEETING THE REGULATORY REQUIREMENTS OF THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE DESIGNED BY A QUALIFIED ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

ENGINEER LICENSE # DATE

LEGEND

- INDICATES 1918 2-1/2" GLO 30 MONUMENT RECOVERED THIS SURVEY (CAP BROKEN OFF)
- INDICATES PRIMARY MONUMENT (AS SHOWN) RECOVERED THIS SURVEY
- INDICATES 2" ALCAP (7538-S 1991) RECOVERED THIS SURVEY
- INDICATES 5/8" X 30" REBAR WITH 2" ALCAP (7538-S, 2023) SET THIS SURVEY

INDICATES AREAS WITH SLOPES GREATER THAN 20%

INDICATES RIVERINE WETLAND PER KENAI WATERSHED FORUM 2013 COOK INLET WETLANDS MAPPING

LINE TABLE

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | N 89°46'15" E | 181.31 |
| L2 | S 89°49'48" E | 30.00 |

CURVE TABLE

| CURVE | DELTA | RADIUS | LENGTH | CHORD BRNG | CHORD DIST |
|-------|-----------|--------|--------|---------------|------------|
| C1 | 40°42'30" | 270.00 | 150.00 | N 40°42'30" E | 264.38 |
| C2 | 54°15'24" | 170.00 | 160.98 | N 35°37'20" E | 155.09 |
| C3 | 19°58'33" | 230.00 | 84.13 | N 20°29'04" E | 63.92 |
| C4 | 28°50'14" | 170.00 | 84.59 | N 14°13'03" E | 83.72 |
| C5 | 15°29'46" | 170.00 | 45.98 | N 59°00'19" E | 45.84 |
| C6 | 38°45'39" | 170.00 | 115.01 | N 31°52'37" E | 112.63 |

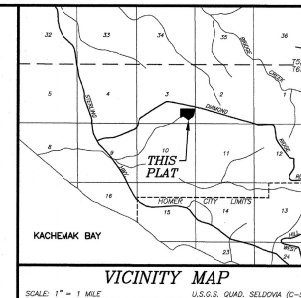
PLAT APPROVAL

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

BY: AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

DATE

SCALE 1"=100'



CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON THAT 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 HEREON.

PETER R. ALEXSON AKA PETE ALEXSON
PO BOX 661
HOMER, ALASKA 99603

MARIE ALEXSON
PO BOX 661
HOMER, ALASKA 99603

NOTARY'S ACKNOWLEDGMENT

FOR PETER R. ALEXSON AND MARIE ALEXSON

ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2023.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES: _____

HOMER RECORRING DISTRICT KPB FILE NO. 2023-???

NAKADA SUBDIVISION ALEXSON REPLAT

BEING A SUBDIVISION OF LOT 6,
NAKADA SUBDIVISION (92-18 HRD)
AND LOT 7A AND 7B
NAKADA SUBDIVISION NO. 2 (HM 2004-50)
LOCATED WITHIN THE SE1/4 SE1/4, SECTION 3,
T. 6 S., R. 14 W., SEWARD MERIDIAN, KENAI PENINSULA
BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA
CONTAINING 21.061 ACRES

OWNERS:
PETER R. ALEXSON AND MARIE ALEXSON
PO BOX 661 HOMER, AK 99603

GEOVERA, LLC

PO BOX 3235

HOMER, ALASKA 99603

(907) 399-4345

EMAIL: scsmith@gci.net

DRAWN BY: SCS

DATE: OCTOBER 2023

SCALE: 1" = 100'

CHK BY: SCS

JOB #2023-47

SHEET 1 OF 1



KPB 2023-126

AGENDA ITEM E. NEW BUSINESS

**ITEM #7 - PRELIMINARY PLAT
Nakada Subdivision Alexson Replat**

| | |
|--------------------------------|---------------------------------------|
| KPB File No. | 2023-126 |
| Plat Committee Meeting: | December 11, 2023 |
| Applicant / Owner: | Peter & Marie Alexson of Homer Alaska |
| Surveyor: | Stephen Smith / Geovera LLC |
| General Location: | Heather Street in Kachemak APC |

| | |
|---------------------------|---|
| Parent Parcel No.: | 173-033-18, 173-033-23 & 173-033-24 |
| Legal Description: | Lot 6 Nakada Subdivision 92-18 HRD & Lots 7A & 7B Nakada Subdivision No. 2 HM 2004-50 |
| Assessing Use: | Residential |
| Zoning: | Rural Unrestricted |
| Water / Wastewater | Onsite / Onsite |
| Exception Request | none |

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide 3 lots totaling 21.061 acre into 2 lots ranging in size from 2.472 acres to 18.589 acres.

Location and Legal Access (existing and proposed):

The existing lots are accessed from Heather Street which is a Borough maintained 60-foot right-of-way. Heather Street can be accessed from Diamond Ridge Road being state maintained. Both proposed lots will continue to access Heather Street.

No new dedication is being proposed and a section line easement does not affect the property. There appears to be a section line easement to the northeast going north up Heather Street from the plat boundary and across Diamond Ridge Road, this easement should be confirmed and shown on the drawing.

The block is not compliant as Heather Street is a cul-de-sac and a dedication is not possible due to terrain on this plat and surrounding lots being feasible. ***Staff recommends:*** the Commission concur an exception is not needed.

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

Site Investigation:

Areas with slopes greater than 20 percent are shown on the plat. These should be changed to top of slope and toe of slope for the final and shading removed.

There are no improvements on the property, all lots are currently vacant.

There are wetlands shown on the plat and should remain shown on the final.

The KPB Floodplain review stated the area the subdivision is not within a floodway. It is within the Floodplain Zone X, which is minimal flood risk and shown as not regulatory. Unless advised otherwise there will be no required floodplain or floodway notes needed.

| | |
|-------------------------------|---|
| KPB River Center review | <p>A. Floodplain</p> <p>Reviewer: Hindman, Julie Floodplain Status: IS in flood hazard area Comments: Flood Zone: X (shaded) Map Panel: 02122C-1995E 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: Comments:</p> |
| State of Alaska Fish and Game | |

Staff Analysis

The land was originally subdivided by Nakada Subdivision HRD 92-18 from the aliquot lands of Sections 2 & 3 of Township 6 South, Range 14 West SM, Alaska. Nakada Subdivision gave the current layout and the building setback. Nakada Subdivision also granted the 10' front utility easement along with 10' side utility easements on interior lot lines. **Staff recommends:** the Commission concur that the 10' utility easements on the interior lot lines does not need to be carried forward to this subdivision interior lot lines.

Lot 6-B is over 200,000 sq ft and will not require a soil report. A soils report will be required for Lot 6-A 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.

Kachemak Bay Advisory Planning Commission meeting for December 4, 2023 has been cancelled and minutes will not be available.

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

Utility Easements

Nakada Subdivision granted the 10' front utility easement at the right of way along with 10' side utility easements on interior lot lines. **Staff recommends:** the Commission concur that the 10' utility easements on the interior lot lines does not need to be carried forward to this subdivision interior lot lines.

There is a private ingress-egress easement listed in plat note #6 at document HM 2004-005555-0 that the location should be shown on the final.

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 | |
| CHUGACH ELECTRIC | |
| TELALASKA | |

KPB department / agency review:

| | |
|-----------------|--|
| Addressing | <p>Reviewer: Leavitt, Rhealyn Affected Addresses: NONE</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: HEATHER 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>List of Street Names Denied:</p> <p>Comments: No other comments</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> |
| Assessing | <p>Reviewer: Windsor, Heather Comments: No comment</p> |

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

Add 2023-126 to KPB No.

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 'aka Pete' to the owner's name as it is being used in the Certificate of Ownership and Dedication.

- 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:

Add the street name and ROW to Diamond Ridge Road.

Add the section line easement above the section to the east unless it is found to be vacated also.

Label ROW of Heather Street above section line.

- 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:

Label the rivers and creeks on the map

Show and label Heather Street

- 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:

The parcel northeast of the subdivision needs labeled with lot and plat 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.

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.

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.*

Curve and line table needs a note as to if they are listing recorded or measured data and then opposing data given.

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.*

- The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: *comply with 20.60.190.*

Add the date of December 11, 2023 to the Plat Approval

RECOMMENDATION:

STAFF RECOMMENDS:

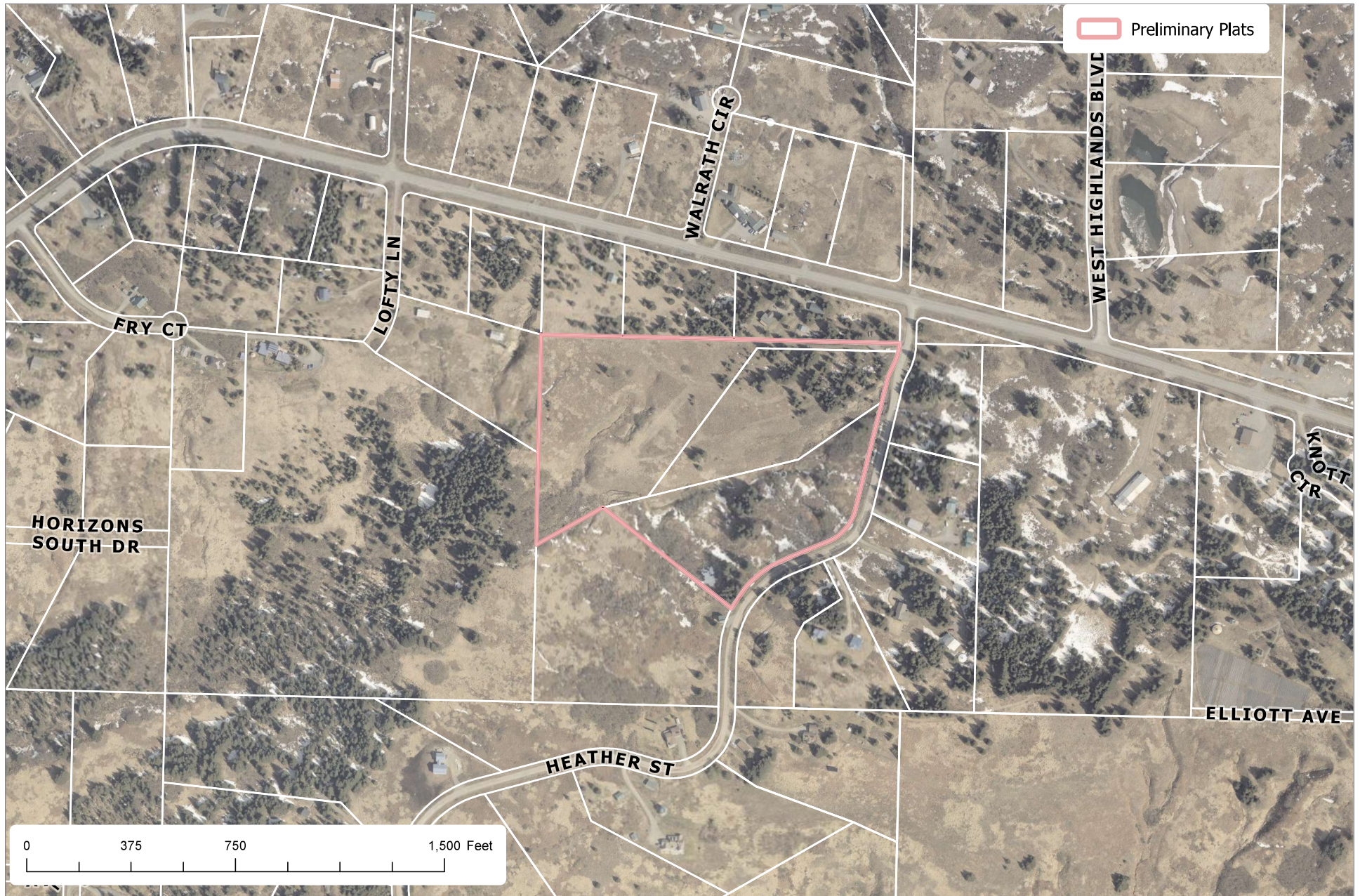
- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

NOTE: 20.25.120. - REVIEW AND APPEAL.

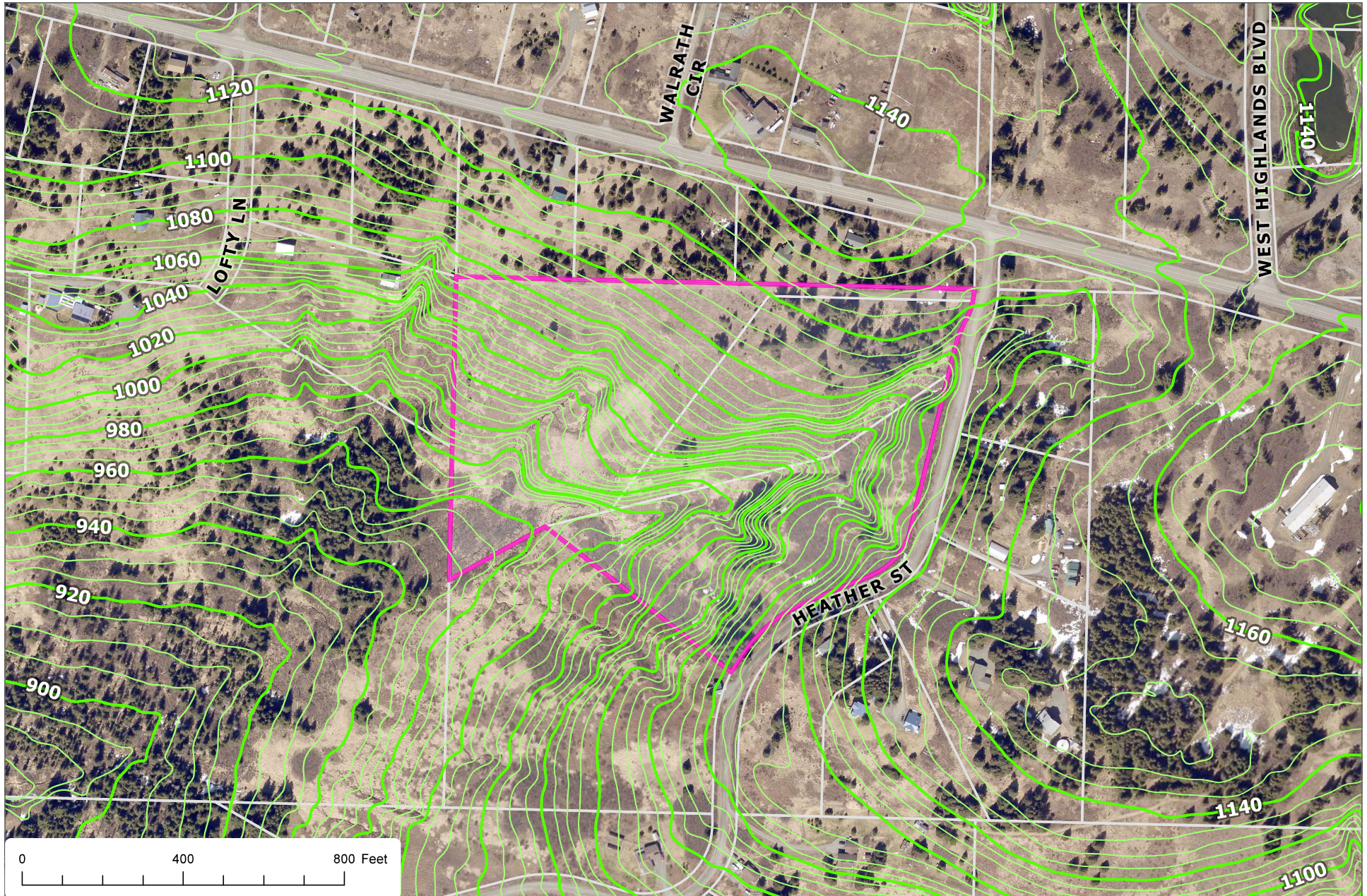
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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



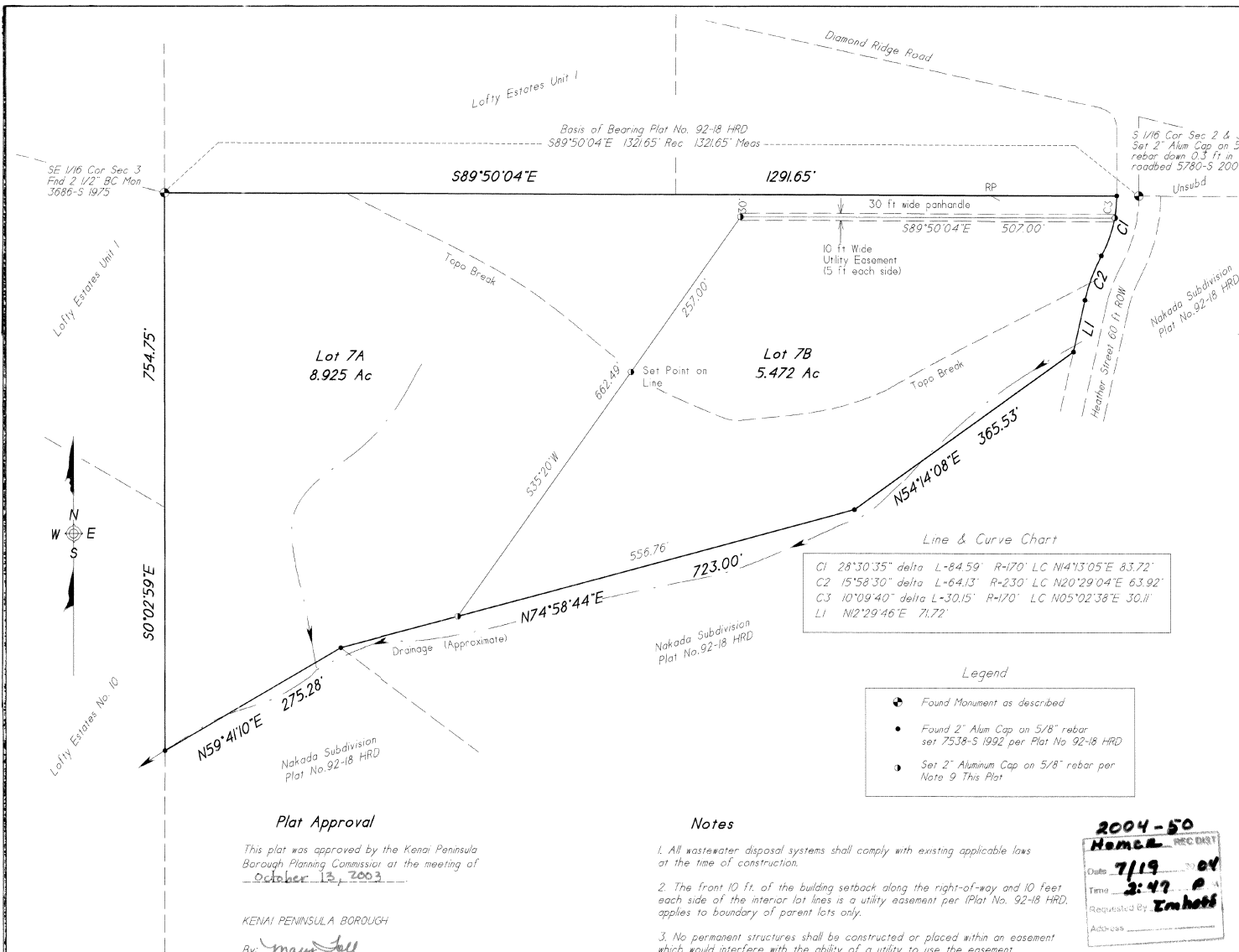
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



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.



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.



Ownership Certificate

We hereby certify that we are the owner of the real property shown and described hereon and that we hereby adopt this plan of subdivision and by our free consent dedicate all rights-of-way to public use and grant all easements to the use shown.

Deborah Nakada 6/23/04
Deborah Nakada Date
PO Box 3001
Homer Ak 99603

Michael Nakada by Henry J. Nakada AIF
Michael Nakada Date
AKA Mike H. Nakada AKA Michael H. Nakada 6/23/04
PO Box 1838
Homer Ak 99603

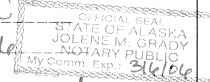
NOTARY'S ACKNOWLEDGEMENT
Subscribed and sworn to before me this 23rd day of June, 2004

For Deborah Nakada

Jolene M. Grady

Notary Public for Alaska

My Commission Expires 3/16/16



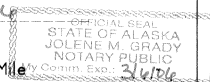
NOTARY'S ACKNOWLEDGEMENT
Subscribed and sworn to before me this 23rd day of June, 2004

For Michael Nakada by Henry J. Nakada, his AIF

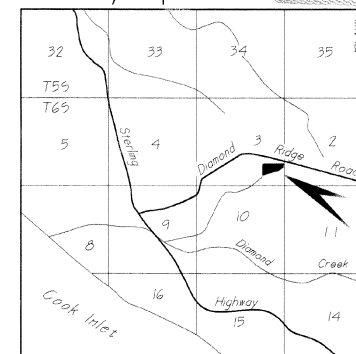
Jolene M. Grady

Notary Public for Alaska

My Commission Expires 3/16/16



Vicinity Map 1" = 1 Mile



Plat Approval

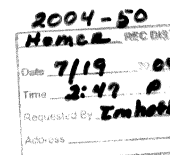
This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of October 13, 2003

KENAI PENINSULA BOROUGH

By: Mary Bell
Authorized Official

Notes

- All wastewater disposal systems shall comply with existing applicable laws at the time of construction.
- The front 10 ft. of the building setback along the right-of-way and 10 feet each side of the interior lot lines is a utility easement per (Plat No. 92-18 HRD, applies to boundary of parent lots only.
- No permanent structures shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
- 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.
- No permanent structures may be placed within the panhandle portion of any lot.
- WASTEWATER DISPOSAL: These lots are at least 200,000 square feet or nominal 5 acres in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.
- This subdivision may be subject to covenants, conditions, and restrictions per Book 226 Page 427, HRD.
- Section line easement common to sections 2 and 3 vacated by Plat No. 91-61 Homer Recording District.
- Set 2" self identifying aluminum cap on 5/8" diameter x 33" long steel rebar at all lot corners and ROW points of curvature for this survey unless shown otherwise.



Surveyors Certificate

I hereby certify that I am a Registered Land Surveyor and that this plat represents a survey made by me or under my direct supervision and the monuments shown hereon actually exist as described and that the dimensions and other details are correct to the best of my knowledge.

6-07-04 RWiff
Date Roger W. Imhoff LS 5780



Nakada Subdivision No. 2

Being a Subdivision of Lot 7 Nakada Subdivision as shown on Plat No. 92-18 HRD

Located in the SE 1/4 of Sec. 3, T6S, R14W, S1M

Homer Recording District, Third Judicial District, Alaska

Containing 14.397 Acres, more or less

| | | |
|--|--|--|
| Client: Deborah Nakada PO Box 3001 Homer Ak 99603 | Surveyor: Roger W. Imhoff, RLS PO Box 2588 Homer Ak 99603 | nakada.cgo Drawn RWI SCALE 1" = 100 ft |
| Date 9-22-03 | File nakada.vcd | KPB File No. 03-227 |