# **E. NEW BUSINESS**

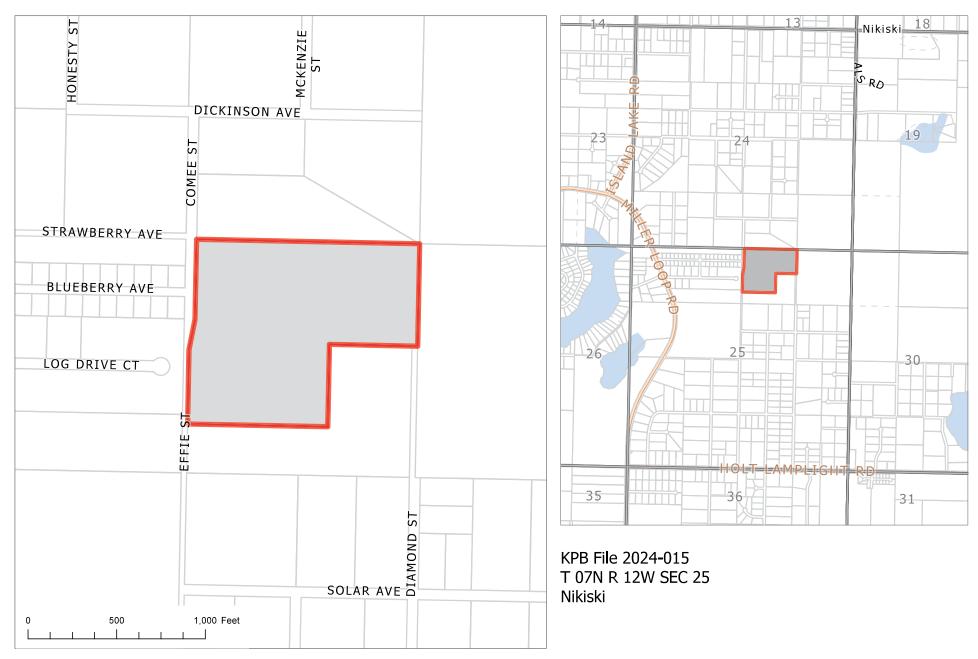
Shamrock Subdivision No. 3; KPB File 2024-015
 McLane Consulting Group / Heite
 Location: Effie Street
 Nikiski Area / Nikiski APC

### Kenai Peninsula Borough Planning Department

Vicinity Map

2/5/2024



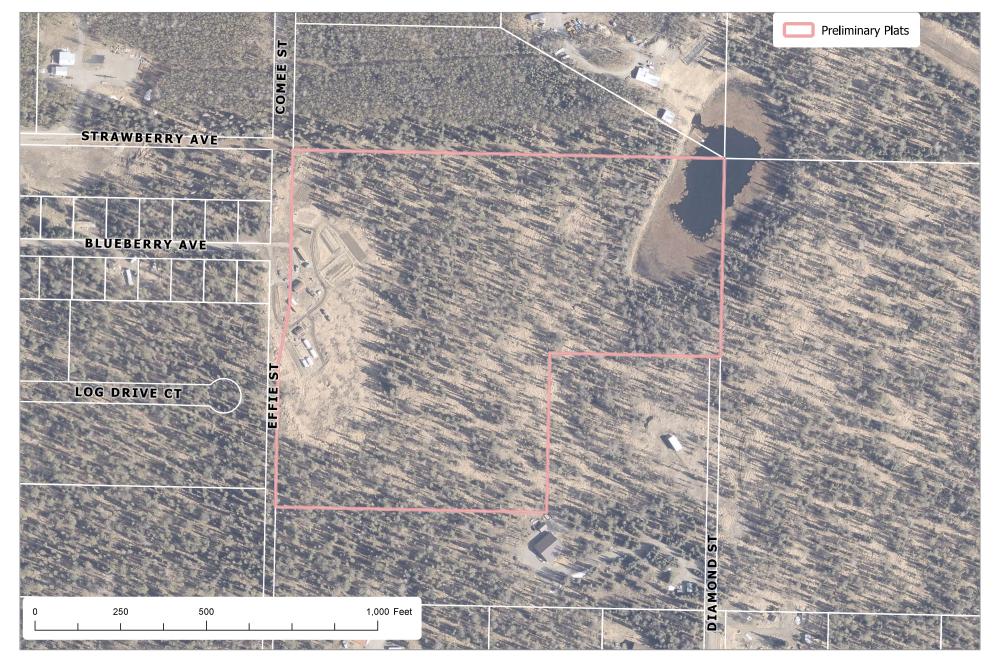


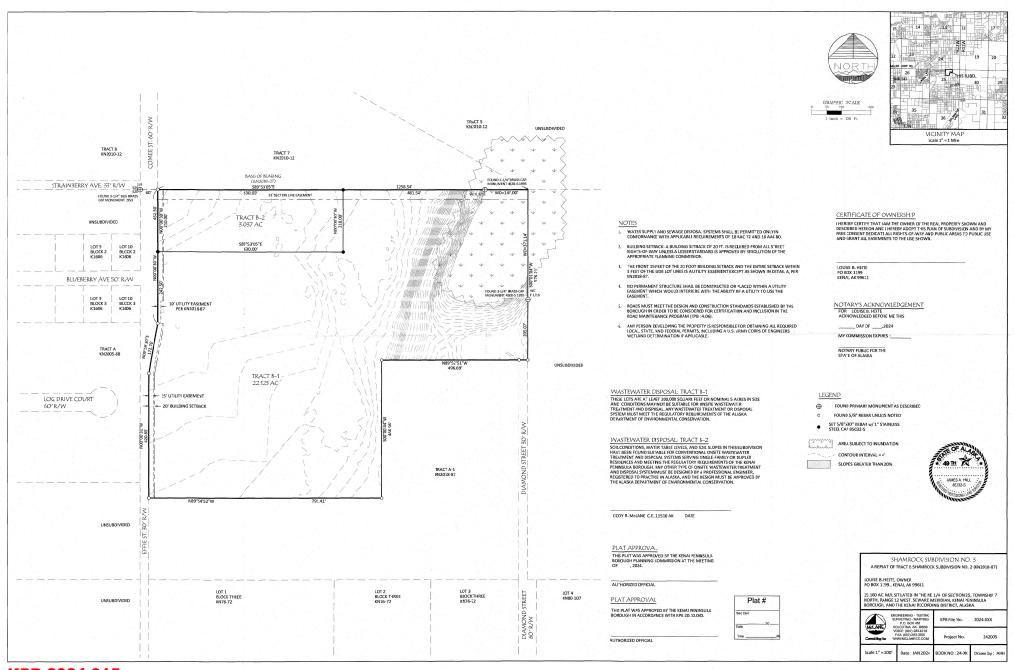


## Kenai Peninsula Borough Planning Department

Aerial Map

KPB File 2024-015 2/5/2024  $\bigcap_{\mathbf{N}}$ 





## ITEM #9 - PRELIMINARY PLAT SHAMROCK SUBDIVISION No 3

KPB File No.	2024-015
Plat Committee Meeting:	February 26, 2024
Applicant / Owner:	Louise Heite of Kenai
Surveyor:	James Hall / McLane Consulting, Inc
General Location:	Blueberry Ave in Nikiski APC

Parent Parcel No.:	015-150-59
Legal Description:	T 07N R 12W SEC 25 SEWARD MERIDIAN KN 2018087 SHAMROCK SUB NO
	2 TRACT B
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	Onsite
Exception Request	none

#### STAFF REPORT

<u>Specific Request / Scope of Subdivision:</u> The proposed plat will subdivide 25.160 acre tract into two new tracts having sizes o 3.037 acres and 22.123 acres.

#### **Location and Legal Access (existing and proposed):**

Access to the plat is by Blueberry Ave a 50 foot dedication coming from Miller Loop Rd. Blueberry Ave intersects with Effie St which gives access to both tracts.

There is a 33 foot section line easement located on the north side of the plat as shown on the drawing.

Block length is compliant along the plat. With the size of Tract B-1 future development could give a cul-de-sac if the developer did have plans to.

KPB Roads Dept. comments	Out of Jurisdiction: No
	Roads Director: Griebel, Scott Comments: No RSA protest to the tract subdivision
SOA DOT comments	

#### Site Investigation:

There are structures on the plat. On the parent plat, the main structure was given exceptions to the building setback and utility easement requirements. The notes for the exceptions should be carried forward to this plat. All structures near the front should be located for compliance to setbacks as there appears to be other structures that may be close to the building setback lines currently.

There appears to be steep areas in the back of Tract B-1 as shown on the plat. the contours can be removed for the final submittal.

Wetlands appear to be limited to the pond area as shown. No plod hazard area was identified. Proper wetland appear on the plat.

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	

#### **Staff Analysis**

Shamrock Subdivision No 1 KN 95-78 was the first division of the NW1/4 NE1/4 Section 25, Township 7 North, Range 12 West, SM Alaska. Shamrock Subdivision No 2 KN 2018-87 divided the remainder of the NW1/4 NE1/4 into two tracts and two dedications. This platting action is subdividing the north tract of KN 2018-87.

A soils report will be required for Tract B-2 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.

The Nikiski Advisory Planning Commission recommended approval of the plat Shamrock Subdivision No 3 at their meeting of February 8, 2024. There wee no notes, just a notification from the representative.

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

#### **Utility Easements**

There are no easements noted 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	No comment
ENSTAR	No comment
ACS	
GCI	Approved as shown
SEWARD ELECTRIC	
CHUGACH	
ELECTRIC	
TELALASKA	

KPB department / agency review:

KPB department / agency revie	Reviewer: Leavitt, Rhealyn
	Affected Addresses:
	52400 BLUEBERRY AVE
	Existing Street Names are Correct: Yes
	List of Correct Street Names: COMEE ST, STRAWBERRY AVE, BLUEBERRY AVE, LOG DRIVE CT, EFFIE ST, DIAMOND ST
	Existing Street Name Corrections Needed:
	All New Street Names are Approved: No
	List of Approved Street Names:
	List of Street Names Denied:
	Comments: 52400 BLUEBERRY AVE IS SUBJECT TO CHANGE AS DEVELOPMENT IN THIS AREA OCCURES.
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
Advisory Planning Commission	

### STAFF RECOMMENDATIONS

### **CORRECTIONS / EDITS**

- KPB File No is 2024-015
- Label some of the adjacent streets to the plat on the vicinity map

### 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.

### **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.

20.30.240. Building setbacks.

- A. A minimum 20-foot building setback shall be required for dedicated rights-of-way in subdivisions located outside incorporated cities.
- A. The setback shall be graphically depicted and labeled on the lots; if such depiction will interfere with the legibility of the plat, a typical lot showing the depiction and label may be provided on the plat, clearly indicating that the typical setback applies to all lots created by the plat.
- B. The setback shall be noted on the plat in the following format:
  Building setback- A setback of 20 feet is required from all dedicated street right-of-ways unless a lesser standard is approved by resolution of the appropriate planning commission.
- C. When a subdivision is affected by a Local Option Zoning District (LOZD), an approved by the assembly, all building setbacks shall be graphically depicted and labeled on the lots. A local option zoning setback shall be noted on the plat in the following format:
  Building setback This subdivision is located within (name of LOZD) Local Option Zoning District as contained in KPB Chapters 21.44 and 21.46 and adopted by KPB Ordinance (number), recorded under (serial no. and recording district). Information regarding the zoning restrictions and copies of the ordinance are available from the KPB Planning Department.

#### Staff recommendation:

- Locate the structures as they exist now, when the field work is done to be shown on the drawing. The exception to setback was for future development and was not to exceed closer than 10 feet.
- The 10' utility is also a setback as granted by exception and should be noted as on parent plat.

#### **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.

#### 20.60.150. Utility easements.

- A. The utility easements approved by the planning commission shall be clearly shown on the final plat in dimensioned graphic form or as a note.
- B. The following note shall be shown on the final plat:

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.

Staff recommendation: comply with 20.60.150.

Label the front utility easement "granted by 2018-87" where flagged to line.

#### 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)

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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.

- Carry forward all notes from the parent plat that are necessary
- Plat note #5 is not needed as there are no roads being dedicated.

20.60.190. Certificates, statements, and signatures required.

**Staff recommendation**: comply with 20.60.190. Add February 26 to the Plat Approval Remove the lower 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** 



### Kenai Peninsula Borough Planning Department

Aerial Map

KPB File 2024-015 2/5/2024 A

