

AGENDA ITEM E. NEW BUSINESS

ITEM 8 - CARL F AHLSTROM SUBDIVISION RPMS REPLAT NUMBER 2

<b>KPB File No.</b>	2021-054
<b>Plat Committee Meeting:</b>	JUNE 14, 2021
<b>Applicant / Owner:</b>	RPM's LLC and John Mellish
<b>Surveyor:</b>	John Segesser / Segesser Surveys, Inc.
<b>General Location:</b>	Kenai, corner of Kenai Spur Highway and Wildwood Drive

<b>Parent Parcel No.:</b>	039-081-24, 039-081-25, 039-081-26, 039-081-28
<b>Legal Description:</b>	Lots 19, 20 and 21, Block 13, Carl F. Ahlstrom Subdivision Plat KN-216, Excepting Therefrom that portion conveyed to the State of Alaska, Department of Highways by Book 61 Page 239. Lot 22A, Block 13, Carl F. Ahlstrom Subdivision, RPM's Replat KN Plat 2017-66
<b>Assessing Use:</b>	General Commercial
<b>Zoning:</b>	Rural Unrestricted
<b>Water / Wastewater</b>	Lot 22A, Block 13 is connected to City water and sewer. Lots 19, 20 and 21 are not connect to City water and sewer.

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STAFF REPORT

**Specific Request / Scope of Subdivision:** The proposed plat will combine a 0.6 acre lot with three 0.21 acre parcels to create one lot that is 1.28 acres in size. This plat is also depicting the vacation of utility easements which are located on the interior lot lines being removed. An application to vacate the utility easements has been submitted but it incomplete. Once the application to vacate the utility easement is complete, it will be scheduled for the next available meeting.

**Legal Access (existing and proposed):** The subdivision is located on the corner of Kenai Spur Highway and Wildwood Drive. Kenai Spur Highway is a State of Alaska DOT road with a width of at least 150 feet. Wildwood Drive is maintained by the City of Kenai and has a minimum width of 120 feet.

This plat is within a block that complies with KPB block length requirements.

KPB Roads Dept. comments	Within KPB jurisdiction, no comments.
SOA DOT comments	The ROW for Kenai Spur Highway is as shown on Kenai Spur F-021-2(7), sheet 13 of 13, and appears to be shown correctly.

**Site Investigation:** The area is generally flat and not affected by low wet areas.

Improvements consist of a auto shop on former Lot 22A and storage unit buildings on Lots 21 and 20. Lot 19 does not appear to contain any improvements.

Floodplain Hazard Review	Within the City of Kenai and not within the scope of review.
Anadromous Waters Habitat Protection District Review	Not affected by a HPD.
State Parks Review	No comments

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**Staff Analysis** The parent plat (K-216) was recorded in 1955. Plat K-216 granted 10 foot utility easement on both sides of all lot boundary lines.

A recent replat, Carl F. Ahlstrom Subdivision RPM's Replat, was recorded in 2017. The replat vacated the utility easements on the interior lot lines and combined three lots into one parcel.

Per the City of Kenai staff report; this subdivision is served by a City water main line that runs on the back lot line and by a City wastewater main line that runs within the Kenai Spur Highway right of way. The shop/building on Lot 22A is connected to City water and wastewater services. The buildings on Lot 20 and Lot 21 are not connected to City services. An installation agreement is not required. No soils report will be required. Any connection to the City water or wastewater system will require approval from the City of Kenai.

Improvements exist on the lots but from aerial imagery it does not appear that any improvements encroach on neighboring properties. **Staff requests** the surveyor confirm whether an encroachment affects the replat. If a permanent structure or structures cross a lot line, **staff requests** a note be placed on the final plat to indicate that acceptance of the plat by the Borough does not indicate acceptance of any encroachments. As this is a replat, a field survey is not required. If not field survey was completed for this platting action, **Staff recommends** that a plat note be added with this information.

Notice of the proposed plat was mailed to the beneficial interest holder on May 21, 2021. 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.

**Utility Easements** The parent plat granted 10 foot utility easements on each side of all lot lines. This platting action will carry forward the utility easements of record. The plat is depicting the vacation of the utility easements that adjoin the interior lot lines. The vacation of the utility easements will need to be reviewed and approved by the KPB Planning Commission.

Two utility easements of record affect this subdivision and have been correctly noted on the plat. the utility easements are general easements with no defined location.

Plat KN 2017-66 depicts a covered road area which is not affected by the 15 foot utility easement. **Staff recommends** the depiction of the utility easement be corrected with a plat note added that carries forward the information from plat KN 2017-66.

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	Reviewed, no comments.
ENSTAR	Reviewed, no comments.
ACS	Reviewed, no comments.
GCI	Reviewed, no comments.

**KPB department / agency review:**

Addressing – Derek Haws	Affected Addresses: 14096 KENAI SPUR HWY 14080 KENAI SPUR HWY 14064 KENAI SPUR HWY 14032 KENAI SPUR HWY Comments: COOK INLET DR should be COOK INLET VIEW DR. Incorrect location on vicinity map. City of Kenai will advise on affected addresses.
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Code Compliance – Eric Ogren	No comments.
Planner – Bryan Taylor	This plat is within the City of Kenai and not subject to location option zoning districts or KPB material site reviews.
Assessing – Adeena Wilcox	No comments.

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

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**STAFF RECOMMENDATIONS**  
**CORRECTIONS / EDITS**

KPB 20.25.070 - Form and contents required.

- A. Within the Title Block  
3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor.

**Staff recommendation:** *Within the title block correct the owners name to RPM's LLC and John Mellish.*

- 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:** *Provide a street name label for Augustine Way. Provide right of way widths for Cook Inlet Drive 80', Wildwood Drive "various widths" and Iliamna Road 40'.*

- 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:** *Correct the location of the subdivision in the SW1/4 of section 25.*

20.30.270. Different standards in cities. Where cities have enacted by ordinance different subdivision design standards than those set forth in this chapter, the planning commission shall apply the city standards in lieu of those set forth in this chapter. Any appeal of a city design standard is subject to KPB 21.01.020(E).

**Staff recommendation:** *The City of Kenai does not meet the specified requirements for the application and consideration of different standards.*

20.60.190. Certificates, statements, and signatures required.

**Staff recommendation:** *Within the certificate of ownership and dedication, correct RPM LLC to RPM's LLC and capitalize Kenai within the mailing address. Comply with 20.60.190.*

20.60.200. Survey and monumentation.

**Staff recommendation:** *Verify that the size of the survey marker symbols match between the legend and the drawing. Comply with 20.60.200*

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**KPB 20.40 -- Wastewater Disposal**

20.40.010 Wastewater disposal.

**Platting Staff Comments:** *this parcel is served by City of Kenai wastewater services. The existing structure on Lot 22A Block 13 is connected to the City wastewater utility. Any new improvements or connections to the wastewater system will require approval from the City of Kenai. The correct wastewater disposal note is on the plat.*

**Staff recommendation:** *comply with 20.40.*

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**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.

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**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**