

AGENDA ITEM E. NEW BUSINESS

ITEM 10 - EAGLES LANDING SUBDIVISION BRASSFIELD REPLAT

KPB File No.	2021-070
Plat Committee Meeting:	JUNE 14, 2021
Applicant / Owner:	Thomas J and Carol A Brassfield Declaration of Trust 7400 Old Hillside Way Anchorage, AK 99516
Surveyor:	John Segesser/ Segesser Surveys, Inc.
General Location:	Sterling area on the north shore of Whisper Lake

Parent Parcel No.:	063-095-56, 063-095-57
Legal Description:	Lot 12 and Lot 13, Eagles Landing Subdivision, Plat No. 2000-12 KRD
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will replat two 1.1 acre lots into one parcel that will be 2.5 acres.

Legal Access (existing and proposed): The subdivision fronts on Eagles Wing Circle, which is a 60 foot wide right of way that is improved but not maintained by KPB. The parcel also fronts on Acacia Street to the east which is a 66 foot wide right of way that is not improved or maintained. It appears that a trail is being used within Acacia Street to access Whisper Lake. Acacia Street coincides with a 66 foot wide section line easement.

KPB Roads Dept. comments	Within KPB jurisdiction, no comments.
SOA DOT comments	N/A

Site Investigation: The subdivision is not affected by steep terrain. The plat is affected by a lake on the south boundary and small portions of land may be low wet areas.

Floodplain Hazard Review	Not within a flood hazard area
Anadromous Waters Habitat Protection District Review	Not within a HPD.
State Parks Review	No comments.

Staff Analysis This plat is a simple replat of two lots into one larger one. The parent plat was approved in 2000.

A house and improvements exist on Lot 12. A soils analysis report will not be required as the parcel will be larger in size, have additional area for a wastewater system, and a report was prepared for the parent plat and approved by DEC.

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 property is not within an advisory planning commission.

The property is affected by covenants, conditions and restrictions and has been noted on the plat.

Utility Easements The parent plat granted the front 10 feet adjoining the right of way as a utility easement and is correctly noted under plat note 5. The parent plat also granted a 15 foot utility easement on the interior lot line. **Staff recommends** the 15 foot utility easement of record per KN 2000-12 be depicted and noted on the plat.

The subdivision is also affected by an electric easement of record with no defined location. This easement has been correctly noted under plat note 3.

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.

Utility provider review:

HEA	
ENSTAR	No comments or concerns.
ACS	
GCI	

KPB department / agency review:

Addressing – Derek Haws	Reviewer: Haws, Derek Affected Addresses: 39007 EAGLES WING CIR Comments: 39007 EAGLES WING CIR will remain on Lot 12A
Code Compliance – Eric Ogren	No comments.
Planner – Bryan Taylor	There are no local option zoning district issues or material site issues associated with this subdivision.
Assessing – Adeena Wilcox	No comments.
Advisory Planning Commission	N/A

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.

- H. Approximate locations of low wet areas, areas subject to inundation, areas subject to flooding or storm water overflow, and the line of ordinary high water. This information may be provided on an additional sheet if showing these areas causes the preliminary plat to appear cluttered and/or difficult to read;
Staff recommendation: *Depict any areas that are affected by low wet lands.*

20.30.240. Building setbacks.

- A. Minimum 20-foot building setback shall be required for dedicated rights-of-way in subdivisions located outside incorporated cities.
- B. 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.
- C. 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.

Staff recommendation: *Depict and label the 20 foot building setback from the dedicated right of ways.*

KPB 20.40 -- Wastewater Disposal

20.40.010 Wastewater disposal.

Platting Staff Comments: The parent plat was approved by DEC on March 6, 2000. A copy of the report is on file with KPB Planning Department.

Staff recommendation: *Revise the wastewater note to comply with 20.40.020(B)(1).*

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.

B. The natural meanders of ordinary high water (or mean high water line as applicable) is for area computations only, the true corners being on the extension of the sidelines and the intersection with the natural meanders.

Staff recommendation: *Provide a plat note with the information from 20.60.110(B). Comply with 20.60.110.*

20.60.200. Survey and monumentation.

Staff recommendation: *correct the symbol for the 1/4 corner as it appears the point information from the cad drawing is showing. Comply with 20.60.200*

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