

AGENDA ITEM E. NEW BUSINESS

ITEM 6 - McReed Subdivision 2021 Replat

KPB File No.	2021-093
Plat Committee Meeting:	August 9, 2021
Applicant / Owner:	Patricia E. and David J. Harne of Kasilof, Alaska
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Cohoe

Parent Parcel No.:	137-010-27 and 137-010-40
Legal Description:	Tract B, Warfle Tracts, Plat KN 81-168 Tract B, McReed Subdivision, Plat KN 93-12
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site/On Site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will adjust a common lot line between two lots. Tract B1 will increase from 1.125 acres to 1.382 acres. Tract B2 will decrease from 9.535 acres to 9.275 acres.

Legal Access (existing and proposed): Both lots being created have dedicated access via Cohoe Loop Road, a state maintained 200 foot wide right of way.

The subdivision is within an open and non-compliant block. A closed block will be difficult to obtain, as Cook Inlet is located to the west approximately 1,200 feet from the western subdivision boundary. There are various wetlands and steep slopes in the areas that dedications would improve the block. The lots surrounding the subdivision are all large acreage lots. **Staff recommends** the plat committee concur that an exception is not required due to the development trends, topographic constraints, and any required dedications will not improve the block length requirements.

KPB Roads Dept. comments	Within jurisdiction, no comments
SOA DOT comments	The ROW for Cohoe Loop Road is as shown on S-0461(1) sheet 4-5 of 11, and appears to be shown correctly.

Site Investigation: The plat indicates the low wet areas along the western portion of the subdivision. Contours are also shown with shading representing the areas greater than 25 percent.

Floodplain Hazard Review	Not within flood hazard area, no comments
Anadromous Waters Habitat Protection District Review	Is not within HPD, no comments
State Parks Review	No comments

Staff Analysis The proposed plat will be reconfiguring the lot line between a smaller tract and a large acreage tract. Reasons for this change were not disclosed but per KPB GIS imagery, a structure appears to be encroaching on the lot line. The adjustment of the lot line will place all the improvements on Tract B1 and resolve any encroachment issues. The same owners currently own both lots.

The larger tract was created with the recording of McReed Subdivision, KN 93-12. Warfle Tracts, KN 81-168, created the smaller tract. Plat KN 81-168 established the boundary of deed parcels as recorded in Bk. 128 Pg. 350 KRd. One of the parcels depicted was for the lands located south of Cohoe Loop Road.

A soils analysis report will not be required and an engineer will not need to sign the plat. Tract B2 is larger than 200,000 square feet and Tract B1 is increasing in size approximately 11,000 square feet.

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 beneficial interest holders affect the property.

The property is not within an advisory planning commission.

Utility Easements Warfle Tracts, KN 81-168, did not grant any utility easements. McReed Subdivision, KN 93-12, granted the front 10 feet of the building setback as well as the full setback within 5 feet of the side lot lines. Due to scale, depiction may be difficult unless the plat size is increased. Per plat note 1, this plat will grant 10 foot utility easements along the former Tract B of Warfle Tracts and 20 feet within 5 feet of the new side lot line. A 20 by 10 utility easement will still be present along the former lot line. A detail drawing of the area around the new and old lot line would help depict the existing and new utility easements.

Per the certificate to plat there is an easement granted to Homer Electric Association, Inc. with no definite location given. An overhead utility powerline is depicted and labeled on the plat. **Staff recommend** a plat be added for the easement of record and note that it is a general easement with not location defined.

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. Additionally, revise the utility easement portion of plat note 1 to the following. "Plat KN 93-12 granted 10 foot wide utility easements along dedicated right of ways and 20 feet within 5 feet of the side lot lines. This plat will be granting 10 foot utility easements adjoining all rights of way and increasing to 20 feet within 5 feet of all new side lot lines."

Utility provider review:

HEA	No comments
ENSTAR	No comments or recommendations
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing – Derek Haws	Affected Addresses: 22019 Cohoe Loop Road (will remain on Tract B1) and 21845 Cohoe Loop Road (will remain on Tract B2) Existing street names are correct
Code Compliance – Eric Ogren	No comments
Planner – Bryan Taylor	There are not any Local Option Zoning District or material site issues with this proposed plat.
Assessing – Adeena Wilcox	No comment

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.

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: A space is needed between "Located" and "in". Add the KPB File number 2021-093.

- 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: The plat waiver lots east of Cohoe Loop Road need the parcel labels corrected. The northern lot is Lot G-1-A and the southern lot is Lot G-1-B.

KPB 20.40 -- Wastewater Disposal

20.40.010 Wastewater disposal.

Platting Staff Comments: The proposed plat will add approximately 11,000 square feet to the smaller lot. Per KPB 20.40.020(A)(2) a soils analysis is not required. Tract B2 will be greater than 200,000 square feet.

Staff recommendation: Revise the note for Tract B2 to remove "or nominal 5 acres" and 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.

20.60.180. 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.

- Subject to an easement granted to Homer Electric Association, Inc. per Book 3 Page 20 KRD. No definite location disclosed.

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