



**Meeting Agenda
Plat Committee**

Monday, February 14, 2022

6:00 PM

Betty J. Glick Assembly Chambers

Zoom Meeting ID 907 714 2200

The hearing procedure for the Plat Committee public hearings are as follows:

- 1) Staff will present a report on the item.
- 2) The Chair will ask for petitioner's presentation given by Petitioner(s) / Applicant (s) or their representative – 10 minutes
- 3) Public testimony on the issue. – 5 minutes per person
- 4) After testimony is completed, the Planning Commission may follow with questions. A person may only testify once on an issue unless questioned by the Planning Commission.
- 5) Staff may respond to any testimony given and the Commission may ask staff questions.
- 6) Rebuttal by the Petitioner(s) / Applicant(s) to rebut evidence or provide clarification but should not present new testimony or evidence.
- 7) The Chair closes the hearing and no further public comment will be heard.
- 8) The Chair entertains a motion and the Commission deliberates and makes a decision.

All those wishing to testify must wait for recognition by the Chair. Each person that testifies must write his or her name and mailing address on the sign-in sheet located by the microphone provided for public comment. They must begin by stating their name and address for the record at the microphone. All questions will be directed to the Chair. Testimony must be kept to the subject at hand and shall not deal with personalities. Decorum must be maintained at all times and all testifiers shall be treated with respect.

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA, EXCUSED ABSENCES, AND MINUTES

All items marked with an asterisk () are consent agenda items. Consent agenda items are considered routine and noncontroversial by the Plat Committee and may be approved by one motion. There will be no separate discussion of consent agenda items unless a Planning Commissioner removes the item from the consent agenda. The removed item will then be considered in its normal sequence on the regular agenda. If you wish to comment on a consent agenda item, please advise the recording secretary before the meeting begins, and she will inform the Chair of your wish to comment.*

1. Agenda
2. Member / Alternate Excused Absences
3. Minutes

D. OLD BUSINESS

E. NEW BUSINESS

1. [KPB-3742](#) Lost Lake Subdivision 2022 Addition; KPB File 2022-003

Attachments:

- [1. MAP Vicinity](#)
- [2. MAP Aerial Map](#)
- [3. Plat Prelim KPB 2022-003 Reduced](#)
- [4. Staff Report Lost Lake Sub 2022 Addn KPB 2022-003](#)
- [5. MAP Contour Map](#)
- [6. MAP Section Line Easement](#)
- [7. MAP Aerial Map 1996](#)
- [8. KPB Planning Commision minutes 051319](#)
- [9. ADL 20232731](#)
- [10. Plat Lost Lake Sub Addn No 6 KPB 2019-040](#)
- [11. Plat Parent SW SW 2003-13](#)
- [12. Plat Parent SW 98-14](#)
- [13. Plat Parent SW 96-20](#)

2. [KPB-3848](#) Poachers Cove PDM 2022 Replat; KPB File 2022-002

Attachments:

- [1. MAP Vicinity](#)
- [2. MAP Aerial Map](#)
- [3. Plat Prelim KPB 2022-002 Reduced](#)
- [4. Staff Report Poachers Cove McCarl Replat KPB 2022-002](#)
- [5. MAP Aerial Map 2](#)
- [6. MAP Flood Zone & Anadromous Waters](#)
- [7. MAP Wetlands](#)
- [8. Flood Map FEMA](#)
- [9. Plat Parent KN 87-69](#)
- [10. Plat Parent KN 1374](#)

3. [KPB-3847](#) Spruce Knoll; KPB File 2022-005

Attachments:

- [1. MAP Vicinity](#)
- [2. MAP Aerial Map](#)
- [3. Plat Prelim KPB 2022-005 Reduced](#)
- [4. Staff Report Spruce Knoll KPB 2022-005](#)
- [5. MAP Aerial Map 2021](#)
- [6. MAP Block Length](#)
- [7. MAP Utility](#)
- [8. Plat Parent HM 2001-43](#)
- [9. Plat Parent HM 1995-19](#)

4. [KPB-3840](#) Woody Acres 2022 Replat; 2022-006

Attachments:

- [1. MAP Vicinity](#)
- [2. MAP Aerial Map](#)
- [3. Plat Prelim KPB 2022-006 Reduced](#)
- [4. Staff Report Sub Plat Woody Acres 2022 Replat](#)
- [5. MAP Aerial Map 2021](#)
- [6. MAP Block](#)
- [7. Map Contours](#)
- [8. MAP Wetlands](#)
- [9. Plat Parent 82-11](#)
- [10. Plat Parent 80-86](#)
- [11. Plat Parent 79-38](#)

5. [KPB-3839](#) Arrowhead Estates 2022 Replat; KPB File 2022-001

Attachments:

- [1. MAP Vicinity](#)
- [2. MAP Aerial Map](#)
- [3. Plat Prelim KPB 2022-001 Reduced](#)
- [4. Staff Report Arrowhead Estates 2022 Replat KPB 2022-001](#)
- [5. MAP Contour](#)
- [6. MAP Section Line Easements](#)
- [7. MAP Wetlands](#)
- [8. Plat Parent KN 2010-47](#)
- [9. Plat Parent KN 2002-79](#)
- [10. Plat Parent KN 2000-7](#)
- [11. Plat Parent Waiver Res 97-24](#)

6. [KPB-3837](#) Beluga Bay Estates Barnett Replat; KPB File 2021-154

Attachments:

- [1. MAP Vicinity](#)
- [2. MAP Aerial Map](#)
- [3. Plat Prelim KPB 2022-008 Reduced](#)
- [4. Staff Report Beluga Bay Estates Barnett Replat KPB 2022-008](#)
- [5. MAP Aerial Map 2021](#)
- [6. MAP Block](#)
- [7. MAP Contours](#)
- [8. MAP Wetlands](#)
- [9. Parent Plat KN 77-155](#)

7. [KPB-3836](#) Murray Subdivision 2022 Replat; KPB File 2021-154

Attachments:

- [1. MAP Vicinity](#)
- [2. MAP Aerial Map](#)
- [3. Plat Prelim KPB 2021-154 Reduced](#)
- [4. Staff Report Murray Subdivision 2022 Replat KPB 2021-154](#)
- [5. MAP Aerial Map 2021](#)
- [6. Plat Parent KN 2017-59](#)
- [7. Plat Parent KN 2013-124](#)
- [8. Plat Parent KN 2007-85](#)
- [9. Plat Parent KN 88-38](#)
- [10. Plat Parent KN 86-246](#)

8. [KPB-3835](#) Timber Hills Subdivision 2022 Replat; KPB File 2022-007

Attachments:

- [1. MAP Vicinity](#)
- [2. MAP Aerial Map](#)
- [3. Plat Prelim KPB 2022-007 Reduced](#)
- [4. Staff Report Timber Hills Subdivision 2022 Replat KPB 2022-007](#)
- [5. MAP Aerial Map 2021](#)
- [6. MAP Block Length](#)
- [7. MAP Contour](#)
- [8. Plat Parent 1977-114](#)

F. PUBLIC COMMENT

(Items other than those appearing on the agenda or scheduled for public hearing. Limited to five minutes per speaker unless previous arrangements are made)

G. ADJOURNMENT

MISCELLANEOUS INFORMATIONAL ITEMS**NEXT REGULARLY SCHEDULED PLAT COMMITTEE MEETING**

The next regularly scheduled Plat Committee meeting will be held Monday, February 28, 2022 in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at 7:30 p.m.

KENAI PENINSULA BOROUGH PLANNING DEPARTMENT

Phone: 907-714-2215

Phone: toll free within the Borough 1-800-478-4441, extension 2215

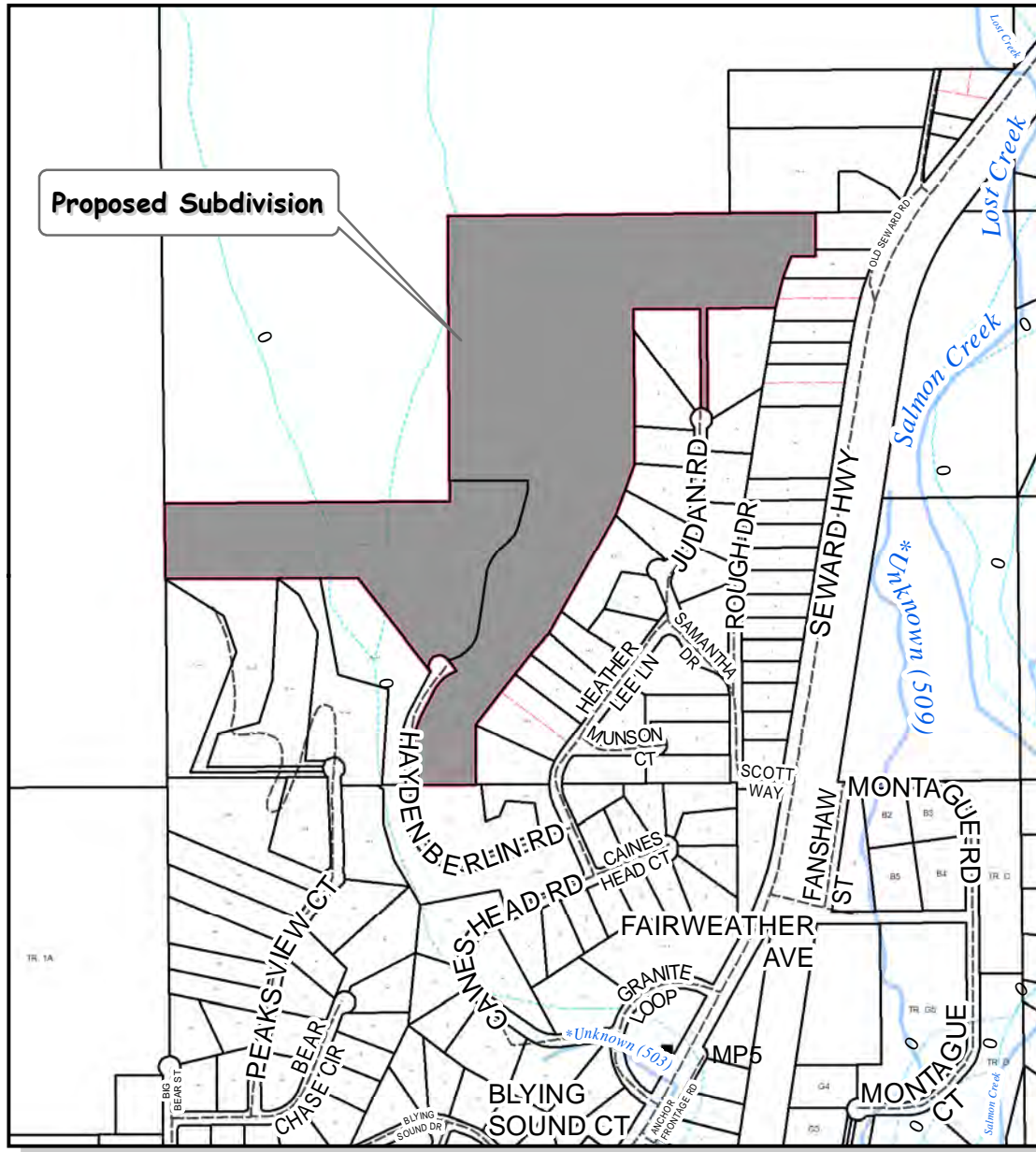
Fax: 907-714-2378

e-mail address: planning@kpb.us

website: <http://www.kpb.us/planning-dept/planning-home>

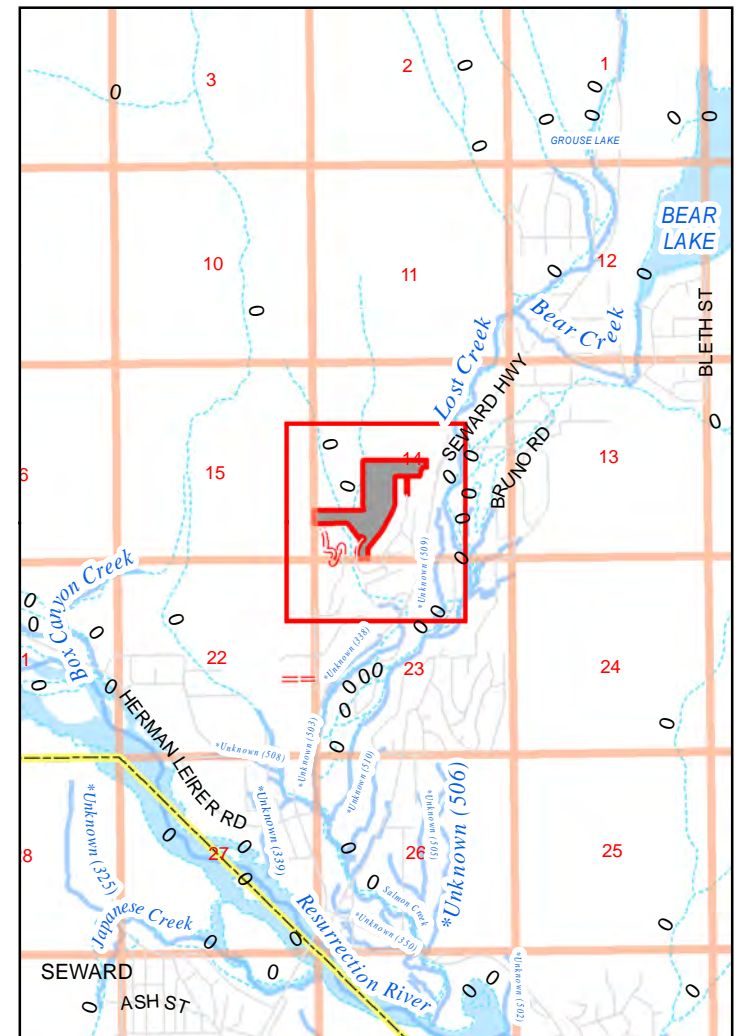
Written comments will be accepted until 1:00 p.m. on the last business day (usually a Friday) before the day of the Plat Committee meeting in which the item is being heard. If voluminous information and materials are submitted staff may request seven copies be submitted. Maps, graphics, photographs, and typewritten information that is submitted at the meeting must be limited to 10 pages. Seven copies should be given to the recording secretary to provide the information to each Committee member. If using large format visual aids (i.e. poster, large-scale maps, etc.) please provide a small copy (8 ½ x 11) or digital file for the recording secretary. Audio, videos, and movies are not allowed as testimony. If testimony is given by reading a prepared statement, please provide a copy of that statement to the recording secretary.

An interested party may request that the Planning Commission review a decision of the Plat Committee by filing a written request within 10 days of the written notice of decision in accordance with KPB 2.40.080.



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.

0 625 1,250 2,500'



0 3,750 7,500 15,000 Feet

KPB 2022-003
S14 T01N R01W
Bear Creek



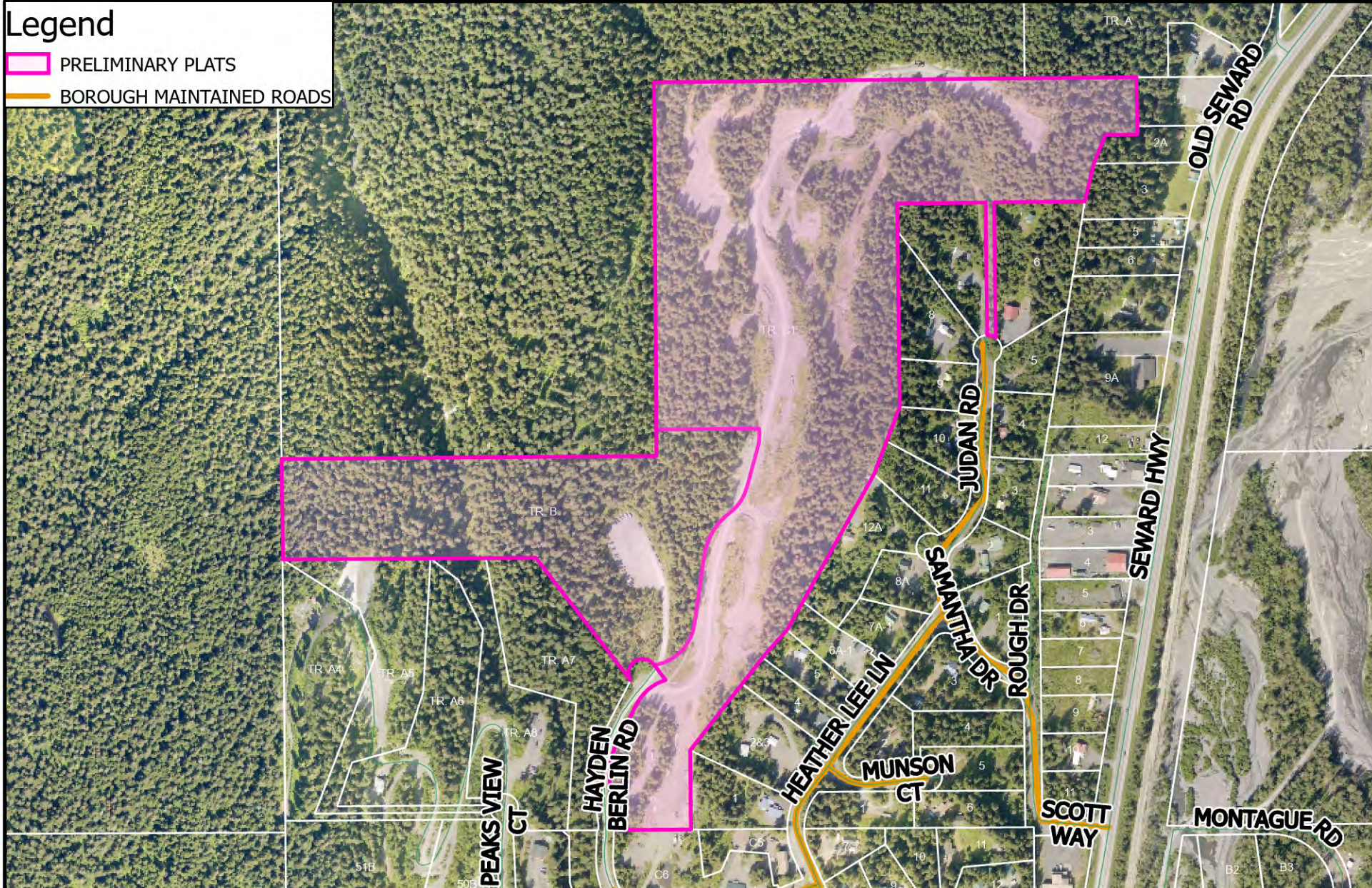
PClements, KPB 2022-003 Date: 1/18/2022

Legend

 PRELIMINARY PLATS

 BOROUGH MAINTAINED ROADS

BOROUGH MAINTAINED ROADS



CONTOUR DATA

7

NOTES:

1. Replat intended to resolve existing road encroachments of the Lost Lake Trailhead Road through original Tract C1, Lost Lake Subdivision No. 5, and the gravel road through original Tract B, Lost Lake Subdivision, Addition No. 4.
2. This replat is prepared in concurrence with the further subdivision of Tract C7, Lost Lake Subdivision No. 5. Proposed land use of new Tract B2, Lost Lake Subdivision, Addition No. 4, remains recreational use.
3. The error of closure of this survey does not exceed 1:5000
4. All bearings shown on this plat are true bearings as oriented to the basis of bearing. All distances shown are ground distances in U.S. Survey feet.
5. Basis of bearing taken from the Retracement Survey of Lost Lake Subdivision, Addition No. 4, Tract B, recorded as Plat No. 2003-13, Seward Recording District.
6. Record information for Tract C1 is from the survey of Lost Lake Subdivision No. 5 performed by Clifford E. Baker, recorded July 7, 1998 in the Seward Recording District as Plat No. 98-14.
7. A building setback of 20 feet is required from all street rights of way unless a lesser standard is approved by resolution of the appropriate planning commission.
8. Existing section line easements are not shown on this plat.
9. Survey monuments along the former lot line removed from field.
10. The geographic position of Corner No. 12, Tract B2, determined by GNSS observations utilizing the National Geodetic Survey, Online Positioning Users Service.

T. 1 N., R. 1 W., S.M.
Sec. 15 Sec. 14

State of Alaska

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough in accordance with KPB 20.10.040.

Borough Official _____ Date _____

Certificate of Ownership and Dedication

I hereby certify that I am the owner of the real property shown and described hereon as Tract C7, Lost Lake Subdivision No. 5, and that I hereby adopt this plan of subdivision and approve this replat.

Kathie S. Rough _____ Date _____
13146 Hayden Berlin Rd. #7
Seward, Alaska 99664

Notary's Acknowledgement

For: Kathie S. Rough

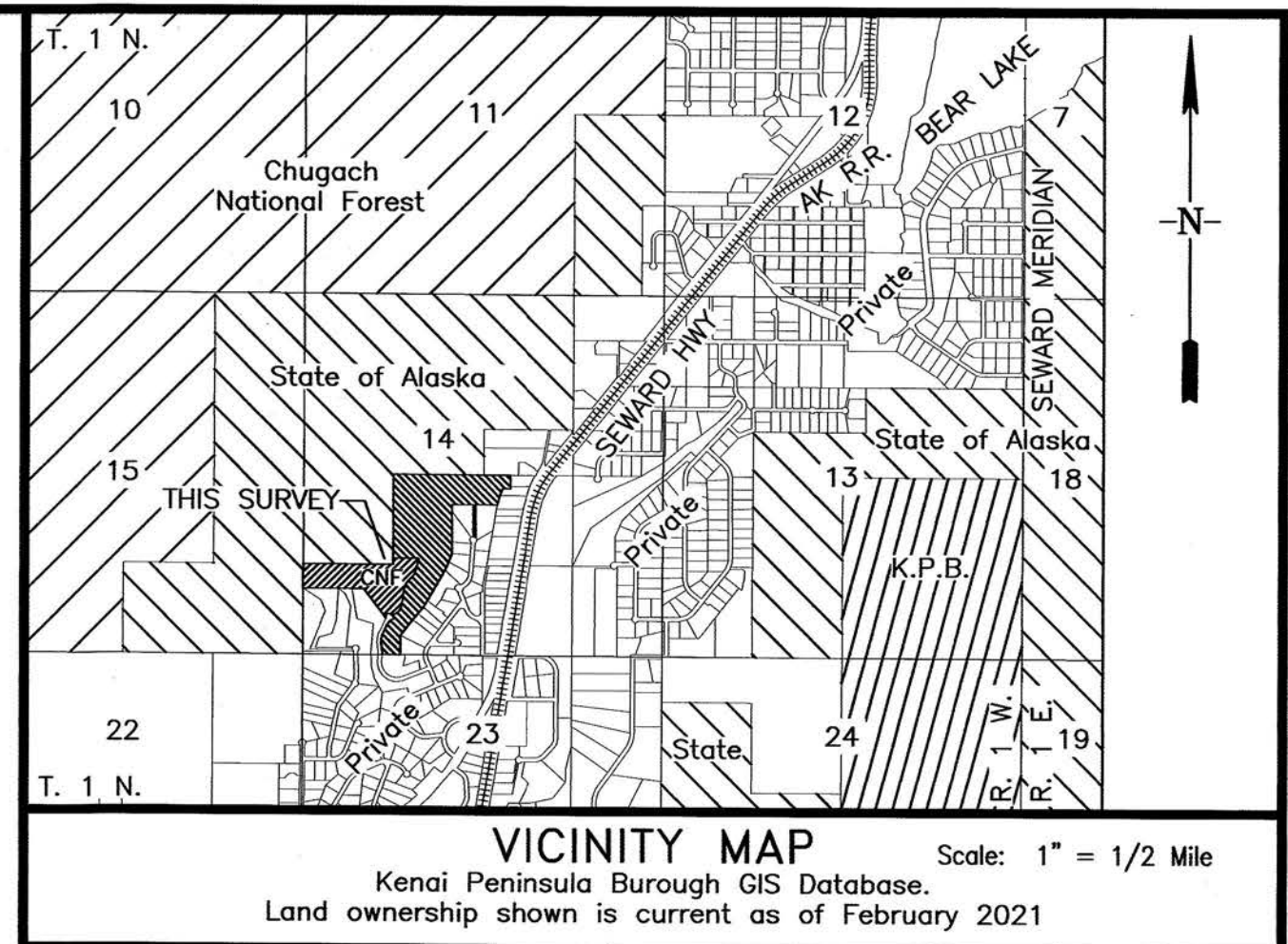
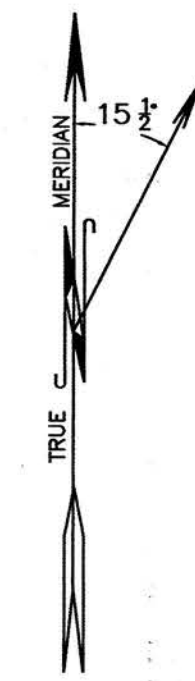
Acknowledged before me this _____ day of _____, 20____.

Notary Public for Alaska
My commission expires: _____

State of Alaska

Bryson Sub.
2011 Addn.
Tract A

Magnetic Declination derived from
WMM-2020 for June 20, 2021



VICINITY MAP
Kenai Peninsula Borough GIS Database.
Land ownership shown is current as of February 2021
Scale: 1" = 1/2 Mile

CURVE TABLE

Curve #	Delta	Radius	Length	Chord	Chord Bearing
[C10]	46°24'07"	170.00'	137.68'	133.95'	S.50°44'55"W.
[C11]	35°03'27"	270.00'	165.20'	162.64'	S.10°01'08"W.
[C12]	36°52'12"	50.00'	32.18'	31.62'	S.71°33'54"W.

LINE TABLE

Line #	Bearing	Distance
[L1]	N.02°15'02"E.	23.77'

SURVEY HISTORY

Section 14, Township 1 North, Range 1 West, Seward Meridian, Alaska, was originally surveyed by G.G. McDaniel and John P. Walker, US Land Surveyors for the General Land Office (GLO), from May 24 to June 23, 1911, and accepted by the GLO on July 7, 1914.

The subdivision of Section 14, T. 1 N., R. 1 W., Seward Meridian, Alaska into quarter sections and quarter-quarter sections, was surveyed by Clifford E. Baker, Registered Land Surveyor (LS-5152), between September 1, 1993 and January 21, 1994, and recorded February 2, 1994, in the Seward Recording District Office as No. Plat 94-2RS.

The survey of Lost Lake Subdivision, Addition No. 4, was performed by Clifford E. Baker, Registered Land Surveyor (LS-5152), between September, 1993 and September, 1996, and recorded November 8, 1996 in the Seward Recording District as Plat No. 96-20.

The survey of Lost Lake Subdivision No. 5, was performed by Clifford E. Baker, Registered Land Surveyor (LS-5152), between September, 1993 and September, 1996, and recorded July 7, 1998 in the Seward Recording District as Plat No. 98-14.

On September 29, 1997, Tract B of the Lost Lake Subdivision, Addn. No. 4, was acquired by the U.S. Forest Service via general warranty deed, and said deed was recorded September 30, 1997 in the Seward Recording District Office as document No. 97-1384, Book 87, Page 644.

The survey of Lost Lake Subdivision No. 7, was performed by Johnson Surveying, August 13, 1999, and recorded on March 28, 2000 in the Seward Recording District as Plat No. 2000-8.

The Retracement Survey of Lost Lake Subdivision, Addition No. 4, Tract B, was performed for the U.S. Forest Service by Randy D. Schrank, Registered Land Surveyor (LS-7609), between July 14, 1998 and August 20, 2003, and recorded December 17, 2003 in the Seward Recording District as Plat No. 2003-13.

The survey of Lost Lake Subdivision 2019 Replat, was performed by John F. Segesser, Registered Land Surveyor (LS-8859), May 2019, and recorded on November 26, 2019 in the Seward Recording District as Plat No. 2019-12.

KPB 2022-003

DATE OF SURVEY: BEGINNING: Sept. 15, 2020 ENDING: , 2021		SEWARD RECORDING DISTRICT	
EQUIPMENT: Trimble R10 and R12 GNSS Receivers, Spectra Precision Ranger 3 and Trimble TSC7 Data Collectors, Nikon 2.C total station			
REPLAT OF LOST LAKE SUBDIVISION, ADDITION No. 4, TRACT B, AND LOST LAKE SUBDIVISION No. 5, TRACT C1 LOCATED WITHIN SECTION 14, T. 1 N., R. 1 W., SEWARD MERIDIAN, ALASKA CONTAINING 61.288 ACRES			
CHUGACH NATIONAL FOREST 161 EAST 1ST AVENUE, DOOR 8 ANCHORAGE, ALASKA 99501			
DRAWN BY/DATE: G. KESLER / 8-24-2021	CHECKED BY/DATE: AJB / 10-5-2021	PROJECT NO: 3054-20	SHEET NO. 1 of 2
FILE NAME: Lost_Lake_Exchange_Final.dwg			

LEGEND

- ✕ USFS 3 1/4" brass cap set this survey
- ✕ USFS 3 1/4" alum. cap found this survey
- 2 1/2" alum. cap found this survey
- 5/8" x 30" rebar, with 1 1/2" alum cap, set this survey
- 5/8" rebar, found this survey
- ⊕ Computed Point (not found)
- ⊗ Monument of Record
- Surveyed Line
- Former Lot Line
- Edge of Gravel
- Toe of Road Fill
- (R1) RECORD PLAT: No. 2003-13
- [R2] RECORD PLAT: No. 98-14
- (C) COMPUTED
- (M) MEASURED

GEOGRAPHIC POSITION

FOR CORNER 12, TRACT B2

Lat. 60° 10' 16.318" N.
Long. 149° 24' 36.422" W.
NAD 83(2011) (EPOCH: 2010.00)

I hereby certify that this official USDA Forest Service survey was prepared in accordance with applicable Federal and State Law, by a Registered Land Surveyor employed by the United States Dept. of Agriculture, Forest Service, and that said surveyor prepared this survey at my request within the scope of this Federal Employment. The USDA Forest Service shall be responsible for this survey and subsequent amendments and corrections.

Forest Supervisor _____

Date _____

SURVEYOR'S CERTIFICATE

I certify that I am properly registered and licensed to practice land surveying in the State of Alaska, that this plat represents a survey made by me or under my direct supervision, that the monuments shown hereon exist as described, and that all dimensions and other details are correct.

Gates C. Kesler, LS-129837
Registered Land Surveyor, PLS# _____

DATE _____



GRAPHIC SCALE
1 inch = 150 feet
1 METER = 3.2808333 U.S. SURVEY FEET

Magnetic Declination derived from
WMM-2020 for June 20, 2021

State of Alaska

Lost Lake Subdivision, Addition No. 4,
Tract 'B2'
17.284 Acres

Lost Lake Subdivision No. 5,
Tract 'C7'

Lost Lake Subdivision No. 5,
Tract 'C7'
44.004 Acres

Outhouse
Lost Lake Trail
Parking Area
Lost Lake Trailhead

Lost Lake Subdivision,
Canyon Ridge Addn. 2
Tract A7

HAYDEN BERLIN ROAD

Trailhead Road

Gravel Pad

Exchange Area B
0.51 ac.

Exchange Area A
0.51 ac.

CURVE TABLE

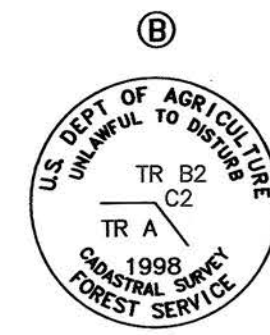
Curve #	Delta	Radius	Length	Chord	Chord Bearing
C1 (R1)	172°02'59"	50.00'	150.14'	99.37'	S.60°22'13"W.
C1 (M)	166°56'29"	50.00'	145.68'	99.35'	S.60°22'47"W.
C2 (R1)	72°46'56"	170.00'	215.95'	201.62'	S.45°08'21"W.
C2 (M)	72°45'12"	170.00'	215.86'	201.65'	S.45°10'14"W.
C3 (R1)	44°48'02"	230.00'	179.84'	175.39'	S.31°11'40"W.
C3 (M)	44°49'09"	230.00'	179.92'	175.36'	S.30°54'33"W.
C4 (R1)	37°44'11"	170.00'	111.97'	109.89'	S.34°30'31"W.
C4 (C)	37°40'41"	170.00'	111.79'	109.79'	S.34°38'02"W.
C5 (R1)	25°19'25"	170.00'	75.14'	74.61'	S.05°51'37"W.
C5 (C)	25°19'44"	170.00'	75.15'	74.54'	S.05°59'08"W.
C6	9°08'43"	230.00'	36.71'	36.67'	S.48°44'46"W.
C7	35°40'26"	230.00'	143.20'	140.90'	S.26°20'11"W.
C8	13°24'16"	800.00'	187.16'	186.73'	S.14°36'52"W.
C9	90°24'25"	100.00'	157.79'	141.92'	S.54°48'18"W.

GRAPHIC SCALE
1 inch = 50 feet
1 METER = 3.2808333 U.S. SURVEY FEET



Found standard USDA Forest Service 2 1/2" diam. alum. post, with 3 1/4" diam. alum. cap, 3" above the ground, mkd. as shown, from which,
A Hemlock, 18" diam., bears N. 66° W., 16.1 ft. dist. (Record: 16.6 ft. dist.)
A 4x4" wooden post with sign attached, bears N. 7° E., 1.9 ft. dist.

Change marks on cap to read as shown.



Found standard USDA Forest Service 2 1/2" diam. alum. post, with 3 1/4" diam. alum. cap, 1" above the ground, mkd. as shown, from which,
A Hemlock, 12" diam., bears N. 29 3/4° E., 26.1 ft. dist.
A Hemlock, 17" diam., bears N. 83 3/4° W., 35.8 ft. dist.

Change marks on cap to read as shown.



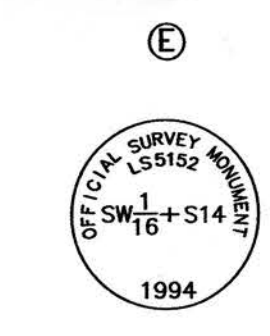
Found standard USDA Forest Service 2 1/2" diam. alum. post, with 3 1/4" diam. alum. cap, 9" above the ground, mkd. as shown, from which,
A Hemlock, 9" diam., bears S. 84 3/4° E., 16.6 ft. dist.
A Hemlock, 18" diam., bears S. 34 3/4° W., 10.3 ft. dist. (Record: 9.6 ft. dist.)

Change marks on cap to read as shown.



Found 2 1/2" diam. alum. post, with 2 1/2" diam. alum. cap, 5" above the ground, mkd. as shown, from which,
A Hemlock, 40" diam., bears N. 64 3/4° E., 15.7 ft. dist.
A Hemlock, 22" diam., bears S. 52 1/2° E., 17.9 ft. dist.

A Hemlock, 21" diam., bears S. 55 1/2° W., 9.7 ft. dist.



Found 2 1/2" diam. alum. post, with 2 1/2" diam. alum. cap, 9" above the ground, with a collar of stone, mkd. as shown, from which,
A Hemlock, 13" diam., bears N. 6 3/4° E., 9.9 ft. dist.
A Hemlock, 14" diam., bears S. 55 3/4° E., 22.1 ft. dist.

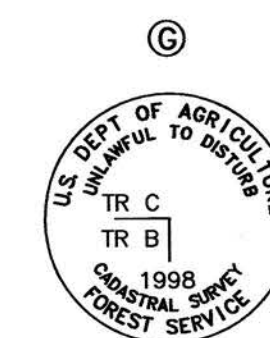
A Hemlock, 17" diam., bears S. 63 3/4° W., 8.0 ft. dist.



Found standard USDA Forest Service 2 1/2" diam. alum. post, with 3 1/4" diam. alum. cap, 10" above the ground, mkd. as shown, from which,
A Hemlock, 22" diam., bears N. 39° E., 18.7 ft. dist.
A Hemlock, 14" diam., bears S. 57 1/2° E., 13.4 ft. dist.

Added rock collar, 1.4 ft. diam., around alum. post.

Change marks on cap to read as shown.



Found standard USDA Forest Service 2 1/2" diam. alum. post, with 3 1/4" diam. alum. cap, 3" above the ground, mkd. as shown, from which,
A Hemlock stump, 8" diam., bears S. 87° W., 15.2 ft. dist.
A 4x4" wooden post with sign attached, bears S. 66° W., 1.8 ft. dist.

Alum. post and wood post removed from field.



Found a 5/8" diam. rebar, 3.8 ft. below ground, leaning, with no cap, from which
A Hemlock, 10" diam., bears N. 34° W., 5.6 ft. dist.

SW BT not found.

Alum. post with sign attached, bears N. 31° W., 1.0 ft. dist.

Note: found under edge of road fill.



Found 5/8" diam. rebar, with 1 1/4" diam. alum. cap, 7" above ground, in good condition, mkd. as shown, from which
A Hemlock, 18" diam., bears S. 14° W., 20.6 ft. dist.

A 4x4" wooden post with sign attached, bears N. 73° W., 1.2 ft. dist.

Rebar and wood post removed from field.

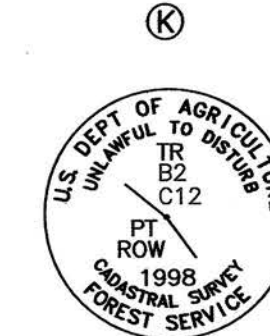


Found a 5/8" diam. rebar, with a 1 1/4" diam. alum. cap, 2 ins. above the ground, in good condition, mkd. as shown, from which,
A Hemlock, 8" diam., bears S. 57° W., 12.9 ft. dist.

A Hemlock stump, 21" diam., cut off 2' high, bears N. 6° W., 27.8 ft. dist.

Alum. post with sign attached in disturbed condition.

Rebar and alum. post removed from field.



Found standard USDA Forest Service 2 1/2" diam. alum. post, with 3 1/4" diam. alum. cap, flush with ground, mkd. TR B C13 PT ROW, from which,
A Hemlock, 11" diam., bears N. 2° E., 45.1 ft. dist.

Change Marks on alum. cap to read as shown.



Found 5/8" diam. rebar, 2.5 ft. below ground, in good condition, with 1 1/4" alum. cap, loosely attached, mkd. as shown.



Set a 2 1/2" diam. stainless steel post, 28" long, on top of original rebar, 0.2 ft. below ground, mkd. as shown.

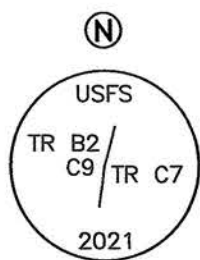
Alum. post with sign attached, bears N. XX W., XX ft.

**To be marked

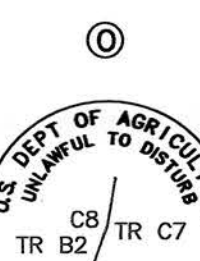
Corner falls in edge of road fill



Rebar w/ 2 1/2" alum. cap, Mon to be set



A Hemlock, 8" diam., bears N. 12 1/4° W., 108.8" dist. (Identical with SW bearing tree from former corner, designated J this survey.)



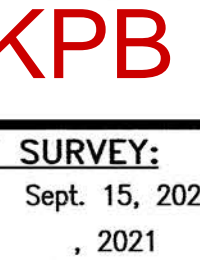
Rebar w/ 2 1/2" alum. cap, Mon to be set



A Hemlock, 10" diam., bears N. 30 1/2° W., 40.0" dist. (Identical with NW bearing tree of former corner, designated I this survey.)



Monument to be set



Monument to be set

LEGEND

- USFS 3 1/4" brass cap set this survey
- USFS 3 1/4" alum. cap found this survey
- 2 1/2" alum. cap found this survey
- 5/8" x 30" rebar, with 1 1/2" alum cap, set this survey
- 5/8" rebar, found this survey
- Computed Point (not found)
- Monument of Record
- Surveyed Line
- Former Lot Line
- Edge of Gravel
- Toe of Road Fill
- RECORD PLAT: No. 2003-13
- RECORD PLAT: No. 98-14
- COMPUTED
- MEASURED

KPB 2022-003

DATE OF SURVEY: BEGINNING: Sept. 15, 2020 ENDING: , 2021		SEWARD RECORDING DISTRICT	
EQUIPMENT: Trimble R10 and R12 GNSS Receivers, Spectra Precision Ranger 3 and Trimble TSC7 Data Collectors, Nikon 2.C total station			
REPLAT OF LOST LAKE SUBDIVISION, ADDITION No. 4, TRACT B, AND LOST LAKE SUBDIVISION No. 5, TRACT C1 LOCATED WITHIN SECTION 14, T. 1 N., R. 1 W., SEWARD MERIDIAN, ALASKA CONTAINING 61.288 ACRES			
CHUGACH NATIONAL FOREST 161 EAST 1ST AVENUE, DOOR 8 ANCHORAGE, ALASKA 99501			
DRAWN BY/DATE: G. KESLER / 8-24-2021	CHECKED BY/DATE: AJB / 10-5-2021	PROJECT NO: 3054-20	SHEET NO. 2 of 2
FILE NAME: Lost_Lake_Exchange_Final.dwg			

AGENDA ITEM E. NEW BUSINESS

ITEM 1 - LOST LAKE SUBDIVISION 2022 ADDITION

KPB File No.	2022-003
Plat Committee Meeting:	February 14, 2022
Applicant / Owner:	Forest Service, U.S. Department of Agriculture, Anchorage Dana S. Rough and Kathie Smith Rough, Seward
Surveyor:	Gates C. Kesler / Forest Service
General Location:	Hayden Berlin Road, Seward

Parent Parcel No.:	125-290-74 and 125-290-76
Legal Description:	Tract B, Lost Lake Sub Add No 4 Plat SW 96-20 Tract C1, Lost Lake Sub No 5 Plat SW 98-14
Assessing Use:	General Commercial Tract B, Residential Tract C1
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat reconfigures the shared lot line between Tract B, Forest Service property, and Tract C1, Rough's property. This platting action will resolve two land issues. Harden Berlin Road, the access road to the Lost Lake trailhead, crosses over a portion of the Rough's property. The Rough's have improved Tract C1 by constructing a new road for a proposed subdivision. The new roadway encroaches into the Forest Service property. The common boundary between Tract C1 and Tract B will be adjusted so that the road to the Lost Lake Trail parking area is within the Forest Service Tract and the road for Rough's subdivision will be within the Rough's property.

Dan and Kathie Rough have submitted a preliminary plat for their tract, Lost Lake Subdivision Addition No. 6. An exception to minimum lot size was denied but the plat was approved. After this boundary adjust between the Roughs and the Forest Service is complete, Dan and Kathie Rough can continue with their subdivision and obtain final plat approval.

Location and Legal Access (existing and proposed): This subdivision is located in Seward near milepost 5 of the Seward Highway. Legal access is from Hayden Berlin Road on the southwest boundary and by way of Judan Road on the eastern portion. Both access points are closed cul-de-sac right of ways that have been improved and are maintained by the KPB Roads Department.

Lost Lake Trailhead is located at the parking area within Tract B and is depicted on the preliminary plat.

A 33 foot wide section line easement affects the west boundary and the south boundary. **Staff recommends the section line easement be depicted and labeled on the drawing.**

A portion of the roadway within the Rough's property is located on State of Alaska lands on the north side of the northern boundary. ADL 232731 has been granted by the State of Alaska to allow the public use of the roadway. **Staff recommends ADL 232731 be depicted and noted on this plat.**

The subdivision is not within a compliant block as the block length is longer than allowed under KPB code. An exception to KPB 20.30.170 Block Length has been requested.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil
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	Comments: No comments
SOA DOT comments	

Site Investigation: This subdivision is located at the base of mountainous terrain. Areas with steep slopes dictate the location where roads, parking, and residential improvements can be constructed.

A drainage affects the western portion of Tract B2. **Staff recommends** the approximate location of the drainage is depicted and labeled on the plat.

KPB River Center review	<p>A. Floodplain</p> <p>Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: No comments</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: Russell, Pam Comments: No Comments</p>
State of Alaska Fish and Game	Alaska Dept. of Fish and Game has no objection to the proposed platting action. The proposed actions will not affect public access to public lands and waters.

Staff Analysis Parent parcels Tract B and Tract C were created with Lost Lake Subdivision Addition No. 4, SW 96-20. Tract C was subdivided with Lost Lake Subdivision Number 5, SW 98-14.

Aerial imagery from 1996 does not show the Lost Lake Trailhead parking lot but does show an area cleared where the Roughts road is now constructed.

Both tracts will be losing and gaining equal property so the overall size of the parcel will not change. Both parcels are larger than 200,000 sq. ft. so a soils report is not required. **Staff recommends** the appropriate wastewater disposal note per KPB 20.40.030.

A easement of record, recorded under SW 2009-000081-0 appears to affect Tract C1 and provides legal access to Lot 6 Lost Lake Subdivision Addition Number 1 SW 87-4. **Staff recommends** the surveyor confirm the status of said easement and if it affects Tract C1, depict and label the easement. If the location of the easement cannot be determined then a plat note will be required.

Notice of the proposed plat was mailed to the beneficial interest holder on January 19, 2022. 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.

The property is not within an advisory planning commission.

Utility Easements The parent plats granted a 10 foot utility easement adjoining the dedicated right of way. **Staff recommends** the utility easement of record be depicted and labeled on the 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	
ENSTAR	No comments or recommendations.
ACS	Not within our area, no comments.
GCI	
SEWARD ELECTRIC	
CHUGACH ELECTRIC	
TELALASKA	

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek Affected Addresses: None</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: HAYDEN BERLIN RD HEATHER LEE LN SAMANTHA DR JUDAN RD</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 addresses affected by this subdivision.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	<p>Reviewer: Aldridge, Morgan 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: Wilcox, Adeena Comments: No comment</p>

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

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:** *Revise the name of the plat to Lost Lake Subdivision 2022 Addition. Provide the names and address for all land owners within the title block. Provide the KPB file no. within or near the title block.*
- 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 the width of the dedication right of ways for Hayden Berlin Road and Judan Road.*
- 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:** *The cross hatching within the civility map is not required by KPB code and can be removed at the desecration of the surveyor.*
- 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:** *Update the large acreage tracts by adding an 'Unsubdivided' label. The ownership information for the large acreage tracts is not required and can be removed at the surveyor's discretion, i.e. State of Alaska.*
- 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 and label the drainage area located within the west portion of Tract B2.*
- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;
- Staff recommendation:** *Within the new parcels, remove the reference to the parent plat subdivision name. The owner's name is not required within the parcel boundary.*
- M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;

Staff recommendation: *Depict and label the areas affected by slopes greater than 20 percent. The top and toe of the steep terrain will suffice.*

- N. Apparent encroachments, with a statement indicating how the encroachments will be resolved prior to final plat approval;

Staff recommendation: *Concur that the preliminary plat depicts and labels the roadways that encroach and this platting action will correct the roadway encroachment.*

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.*

20.30.060. Easements-Requirements.

A. The planning commission may require easements it determines necessary for the benefit of the public. Such easements include, but are not limited to, lateral support (slope) easements, drainage easements for ditching or protection of a drainage, and utility easements. Required easements do not need to be for road purposes.

B. Upon submittal of a preliminary plat, the planning department shall provide a copy to public utility companies for their comments-and recommended design of utility easements. If the property is subject to existing natural gas or petroleum pipeline easements, a copy shall also be furnished to the appropriate company for comment.

C. The subdivider bears the responsibility for coordination with the utility companies during the design and development phases. When a subdivider and the utility company cannot agree on easements, the final plat will be taken to the planning commission for determination of easements.

D. Unless a utility company requests additional easements, the front ten feet adjoining rights-of-way shall be designated as a utility easement, graphically or by note. Within the boundaries of an incorporated city, the width and location of utility easements will be determined by the city and affected utility providers.

Staff recommendation: *Depict and label the 10 foot utility easement adjoining the dedicated right of ways.*

20.30.190. Lots-Dimensions.

A. The size and shape of lots shall provide usable sites appropriate for the locality in which the subdivision is located and in conformance with the requirements of any zoning ordinance effective for the area in which the proposed subdivision is located. Generally, lots shall be square or rectangular. Lots shall be at least 60 feet wide on the building setback line. The minimum depth shall be no less than 100 feet, and the average depth shall be no greater than three times the average width.

B. The access portion of a flag lot shall not be less than 20 feet wide. A flag lot with the access portion less than 60 feet wide may be subject to a plat note indicating possible limitations on further subdivision based on access issues, development trends in the area, or topography. If the access portion is less than 60 feet wide, it may not exceed 150 feet in length. The access portion may not be used for permanent structures or wastewater disposal area, must meet the design standards of KPB 20.30.030(A) and 20.30.090 for access, and, if at least 60 feet wide, will be subject to the building setback restrictions of KPB 20.30.240.

Staff recommendation: *place the standard note on the plat for the flag lot(s): No structures are permitted within the panhandle portion of the flag lot(s).*

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.

1. 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.

2. 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.

3. 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: *Depict and label the 20 foot building setback which adjoins both Hayden Berlin Road and Judan Road.*

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: The acreage for both tracts will not change and both tracts are larger than 200,000 sq. ft.

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.*

20.60.030. Certificate of borough finance department required.

Platting Staff Comments: All taxes levied on the property within the subdivision shall be paid prior to recordation of the final plat. If approval is sought between January 1 and the tax due date, there shall be on deposit with the borough finance department an amount sufficient to pay the entire estimated real property tax for the current year. Prior to filing of the final plat, a certificate to this effect shall be provided by the borough finance director or his designee upon request by the planning director. Estimated tax payments shall be applied to the actual bill as of July 1 or such earlier date as the taxes due have been determined.

Taxes owed may include special assessments for utility or road assessment districts established by KPB ordinance.

Staff recommendation: *comply with 20.60.030.*

20.60.140. Block and lot numbering. Blocks and lots within each block shall be numbered consecutively or all lots shall be numbered consecutively. If possible, each block should be shown entirely on one sheet. Each lot shall be shown entirely on one sheet.

Staff recommendation: *Concur that labeling former Tract C1 to C7 is advisable as there has already been another Tract labeled C2 within the Lost Lake Subdivision area. Remove the former subdivision name within Tract B2 and Tract C7.*

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.*

20.60.160. Easements.

A. The plat shall clearly show the location, width, and use of all easements. The easements must be clearly labeled and identified and, if already of record, the recorded reference given. If public easements are being granted by the plat, they shall be properly set out in the owner's certification of dedication.

1. Special purpose easements being granted by the plat shall be clearly defined for allowed use. Special purpose easements may require a signed acceptance statement on the plat.

B. Private easements may not be granted on the plat.

Staff recommendation: *Former Tract C1 may be subject to an access easement. Determine if Tract C7 will be affected by the utility easement of record and depict and label the easement if so. Comply with 20.60.160.*

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: *The survey history information block and the information within plat note 2 is not required by KPB code and can be removed at the discretion of the surveyor. Add notes for any exceptions that are granted by the Planning Commission.*

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: *Provide a Certificate of Ownership for the National Forest Service to sign. With the Certificate of Ownership state which parcels belong to which owner by adding the existing Tract designation under the owner's name.*

EXCEPTIONS REQUESTED:

A. KPB 20.30.030 Street Layout **KPB 20.30.170 Block Length**

Surveyor's Discussion: The existing trailhead road will lie on U.S. Forest Service Land once it leaves the current ROW of Hayden Berlin Road, there are no proposed changes to this road from existing use. The roughs further subdivision and development of Tract C1 will address any projection of right of way for newly constructed roads and will be shown on their subdivision plat.

There are no proposed changes for the Lost Lake Trailhead access road, the intent of the replat of this boundary is to resolve encroachment of the road on to the Roughs property. The dedication of any other right of ways for new road construction will be addressed on the further subdivision of new Tract C7 by the Roughs.

Staff Discussion: Staff has combined the two section of code into one request as both are in regards to the extension of right of ways through the subdivision to provide a closed block that complies with the length requirements.

The subdivision is affected by steep terrain. Harden Berlin Road is an open ended cul-de-sac which means that the right of way can be extended and there is room for the construction of a turnaround if needed. The roadway continues into the National Forest Service lands with a large parking area where vehicles can turnaround.

Steep terrain affects the subdivision and limits the location where roadways can be constructed. The Roughs have constructed a roadway within their large tract and have a preliminary approved subdivision plat. The preliminary plat will subdivide the large tract into lots and extend a right of way dedication to provide legal access to all lots. The proposed right of way will not provide a connection to Judan Road. A 30 foot wide panhandle extends from the Judan Road cul-de-sac to allow legal access to the large tract. Judan Road is a cul-de-sac and per KPB definitions is to remain a closed right of way.

If denied, right of way dedications will be required to be connect Hayden Berlin Road to Judan Road.

Findings:

1. The subdivision is affected by steep terrain.
2. Harden Berlin Road is an open ended cul-de-sac which means that the right of way can be extended and there is room for the construction of a turnaround if needed.
3. Harden Berlin Road continues into the National Forest Service lands with a large parking area where vehicles can turnaround.
4. Steep terrain affects the subdivision and limits the location where roadways can be constructed.
5. The Roughs have constructed a roadway within their large tract and have a preliminary approved subdivision plat, Lost Lake Subdivision Addition No. 6.
6. The preliminary plat for Lost Lake Subdivision Addition No. 6 will subdivide the large tract into lots and extend a right of way dedication to provide legal access to all lots.
7. The proposed right of way will not provide a connection to Judan Road.
8. A 30 foot wide panhandle extends from the Judan Road cul-de-sac to allow legal access to the large tract.
9. Judan Road is a cul-de-sac and per KPB definitions is to remain a closed right of way.
10. No lots will be denied legal access.
11. Both tract are large enough to be further subdivided in the future.

Staff reviewed the exception request and recommends granting approval.

Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;
Findings 1-5, 9-11 appear to support this standard.
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
Findings 1-5, 9-11 appear to support this standard.

3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.

Findings 1-5, 9-11 appear to support this standard.

Staff recommendation: *place notes on the final plat indicating any exceptions granted by the Plat Committee with the meeting date.*

EXCEPTIONS REQUESTED:

B. KPB 20.60.200 Survey and Monumentation

Surveyor's Discussion: New Tract C7, (Tract C1 Lost Lake Subdivision No. 5) will be concurrently subdivide by another surveyor, using the new boundary information from this replat. As the Roughs are further subdividing this tract for development, all survey monuments will be recovered and shown on their subdivision plat.

Staff Discussion: The Roughs have approval for a subdivision plat of Tract C1. The requirements of their platting action will include locating or reestablishing survey markers on the entire boundary of former Tract C1.

The surveyor for the National Forest Service will locate or establish survey markers for the entire boundary of proposed Tract B2. This will include the removal of survey markers on the former boundary line and the setting of new survey markers on the new common boundary between Tract B2 and Tract C7.

Tract C1 was surveyed in 1998 (SW 98-14) with the survey markers on the boundary being located and or reset. If approved, the record information from SW 98-14 will be shown with this platting action.

If denied, this platting action will be required to locate, or reestablish, survey markers on the boundary of former Tract C1.

Findings:

1. New Tract C7, (Tract C1 Lost Lake Subdivision No. 5) will be concurrently subdivide by another surveyor, using the new boundary information from this replat.
2. The Roughs are further subdividing Tract C7 for development; all survey monuments will be recovered and shown on their subdivision plat.
3. The Roughs have approval for a subdivision plat of Tract C1.
4. The requirements of the Rough's platting action will include locating or reestablishing survey markers on the entire boundary of former Tract C1.
5. The surveyor for the National Forest Service will locate or establish survey markers for the entire boundary of proposed Tract B2.
6. This current platting action will include the removal of survey markers on the former boundary line and the setting of new survey markers on the new common boundary between Tract B2 and Tract C7.
7. Tract C1 was surveyed in 1998 (SW 98-14) with the survey markers on the boundary being located and or reset.
8. If approved, the record information from SW 98-14 will be shown with this platting action.

Staff reviewed the exception request and recommends granting approval.

Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may

not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;
Findings 1-6 appear to support this standard.
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
Findings 1-6 appear to support this standard.
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
Findings 1-6 appear to support this standard.

Staff recommendation: *place notes on the final plat indicating any exceptions granted by the Plat Committee with the meeting date.*

RECOMMENDATION:

SUBJECT TO EXCEPTION(S) GRANTED, 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

SUBDIVISION REQUIREMENT CHECKLIST
Complete or not applicable items are marked with a check box - ☒

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. **Surveyor Ok'ed name change via email and will add to final.**
 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. **Info not listed**
- Staff recommendation:**
- ☒ B. North point;
Staff recommendation:
- ☐ 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; **Platted roads are listed, but no widths are depicted. There is a section line easement on the West side of proposed Tract B2 that is not depicted.**
Staff recommendation:
- ☒ 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:
- ☐ E. All parcels of land including those intended for private ownership and those to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purposes, conditions, or limitations of reservations that could affect the subdivision; **There are public trails and parking show in proposed Tract B2, but it doesn't state they are for public use.**
Staff recommendation:
- ☐ F. The location, width and name of existing and platted streets and public ways, railroad rights-of-way, easements, and travel ways existing and proposed, within the subdivision; **Widths not shown.**
Staff recommendation:
- ☒ 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:
- ☒ 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:
- ☒ I. Approximate locations of areas subject to tidal inundation and the mean high water line;
Staff recommendation:

- ☒ J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;
Staff recommendation:
- ☒ K. Within the limits of incorporated cities, the approximate location of known existing municipal wastewater and water mains, and other utilities within the subdivision and immediately abutting thereto or a statement from the city indicating which services are currently in place and available to each lot in the subdivision; **Outside city limits.**
Staff recommendation:
- ☐ L. Contours at suitable intervals when any roads are to be dedicated unless the planning director or commission finds evidence that road grades will not exceed 6 percent on arterial streets, and 1 0 percent on other streets;
Staff recommendation:
- ☒ M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such; **None shown.**
Staff recommendation:
- ☒ N. Apparent encroachments, with a statement indicating how the encroachments will be resolved prior to final plat approval;
Staff recommendation:
- ☒ O. If the subdivision will be finalized in phases, all dedications for through streets as required by KPB 20.30.030 must be included in the first phase. **No phases.**
Staff recommendation:

KPB 20.30 Design Requirements

Platting staff comments: *Staff reviewed the plat and all the items required by 20.30 were met, unless otherwise noted below:*

- ☐ 20.30.020. Reserved strips prohibited-Exception. There shall be no reserve strips controlling access to land dedicated or intended to be dedicated to public use, except when the control and disposition of land comprising such strips is placed within the jurisdiction of the borough under conditions specified by the commission and noted on the final plat.
Staff recommendation:
- ☐ 20.30.030. Proposed street layout-Requirements.
 - A. The streets provided on the plat must provide fee simple right-of-way dedications to the appropriate governmental entity. These dedications must provide for the continuation or appropriate projection of all streets in surrounding areas and provide reasonable means of ingress for surrounding acreage tracts. Adequate and safe access for emergency and service vehicle traffic shall be considered in street layout.
 - B. Subdivision of land classified as agricultural conveyed subject to AS 38.05.321(a)(2)(B) may provide public access easements in lieu of fee simple dedications if necessary to comply with the minimum lot size restriction of the statute. The public access easements must meet all applicable right-of-way design criteria of Title 20 and are subject to the building setback requirements set forth in KPB 20.30.240.
 - C. Preliminary plats fronting state maintained roads will be submitted by the planning department to the State of Alaska Department of Transportation and Public Facilities (DOT) for its review and comments.
Staff recommendation:
- ☐ 20.30.040. Streets within 100 feet of waterbodies. No dedications are allowed within 100 feet of the ordinary high water line of a waterbody unless necessary for access to a lot where no reasonable alternative access

exists or the dedication provides access to a bridge or public facility, waterbody or watercourse. Final plats must comply with KPB 20.60.050 and 20.60.060.

Staff recommendation:

☐ 20.30.050. Legal access.

A. The applicant shall provide an access plan to the planning department verifying the existence of legal access to the subdivision boundary. The plan shall consist of the documents depicting the access, a map depicting the location of the access, and topographic information indicating that construction which meets the design requirements set forth in KPB Chapter 20.30 is practical and economical. In this title, legal access exists where an unrestricted, public right-of-way connects the subdivision to the state highway system, the state marine highway system or a regularly served public airport, and one of the following is met:

1. Ingress and egress will be provided over section line easements located within a surveyed section;
2. The applicant provides copies of borough-accepted recorded conveyances creating the public easement or right-of-way where the access is located;
3. That access is a State of Alaska maintained road or municipal maintained road;
4. The applicant provides documentation satisfactory to the borough demonstrating that public legal access is guaranteed through judicial decree; or
5. The right-of-way is an easement or fee interest at least 60 feet in width dedicated or irrevocably conveyed to the public and acceptable to the planning commission.

B. The following situations may qualify for a waiver of the legal access requirement:

1. Upon finding that no practical means of providing road access to a proposed subdivision exists and upon presentation of credible and convincing evidence by the applicant that permanent public access by air, water, or railroad is both practical and feasible, the planning commission may waive the legal access requirements of KPB 20.30.050(A). If access other than by road is approved, the mode of access shall be noted on the plat. .
2. Where only a 30-foot dedication exists over all or a portion of the legal access to a subdivision, the provisions of KPB 20.30.050(A) may be considered met if it is reasonable to expect that the other 30 feet will be dedicated in the future.
3. Where a road is in use for physical access but there is no right-of-way document for all or part of the access road, the provisions of KPB 20.30.050(A) may be considered met if it is reasonable to expect that the right-of-way will be dedicated in the future.

Staff recommendation:

☐ 20.30.060. Easements-Requirements.

A. The planning commission may require easements it determines necessary for the benefit of the public. Such easements include, but are not limited to, lateral support (slope) easements, drainage easements for ditching or protection of a drainage, and utility easements. Required easements do not need to be for road purposes.

B. Upon submittal of a preliminary plat, the planning department shall provide a copy to public utility companies for their comments-and recommended design of utility easements. If the property is subject to existing natural gas or petroleum pipeline easements, a copy shall also be furnished to the appropriate company for comment.

C. The subdivider bears the responsibility for coordination with the utility companies during the design and development phases. When a subdivider and the utility company cannot agree on easements, the final plat will be taken to the planning commission for determination of easements.

D. Unless a utility company requests additional easements, the front ten feet adjoining rights-of-way shall be designated as a utility easement, graphically or by note. Within the boundaries of an incorporated city, the width and location of utility easements will be determined by the city and affected utility providers.

Staff recommendation: The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Grant utility easements requested by the utility providers.**

- ☐ 20.30.070. Lots on major streets-Access requirements. Lots fronting on arterial streets with less than 200 feet of right-of-way as identified in the arterial road plan adopted by the borough or lots fronting on state maintained roads with less than 200 feet of right-of-way may be required to provide interior or frontage road access after review and recommendation by the Kenai Peninsula Borough Road Service Area staff and upon a finding by the planning commission that due to size, topography, physical characteristics, or heavy traffic flow, that direct access to the arterial or state maintained road may present a traffic hazard.

Staff recommendation:

- ☐ 20.30.080. Alleys. Alleys are prohibited unless allowed by city ordinance.

Staff recommendation:

- ☐ 20.30.090. Streets-Maximum grades allowed. The subdivider shall demonstrate that streets can be readily constructed in accordance with current borough road standards and that the grades on any such roads shall not exceed 6 percent on arterial streets and 10 percent on other streets, or 4 percent within 130 feet of any centerline intersections. Submittal of centerline profiles and cross-sections may be required to demonstrate that compliant construction in the right-of-way is feasible.

Staff recommendation:

- ☐ 20.30.100. Cul-de-sacs.

A. Streets designed to have one end permanently closed shall be no more than 1000 feet long. The closed end of the cul-de-sac shall have a suitable turnaround with a minimum radius of 50 feet to the property line. The turnaround shall be constructible to a 4 percent grade or less.

B. Hammerhead or T -type turnarounds may be allowed on a case-by-case basis. Adequate turning radii, width and depth must be provided for road maintenance and emergency vehicle access. Plans must be reviewed with a recommendation by emergency service providers and the KPB Road Service Area Board prior to submittal for planning commission review.

C. Temporary turnarounds and self-vacating turnarounds shall not be granted or reserved on plats.

Staff recommendation:

- ☐ 20.30.120. Streets-Width requirements.

9. The minimum right-of-way width of streets shall be 60 feet.

1. Half streets shall generally not be allowed except to provide the logical extension of a right-of-way where the remaining half street can reasonably be expected to be dedicated in the future.
2. When a design change required as a condition of preliminary approval results in a half right-of-way that was not shown on the original preliminary plat, adjoiners to the new half right-of-way will be sent a copy of the plat committee minutes and a sketch showing the new half right-of-way and per KPB 2.40.080 can request a review of the plat committee decision by the full Planning Commission.

B. Additional right-of-way or easement width may be required to provide for the construction of side slopes or to otherwise accommodate right-of-way construction standards set forth in KPB Title 14.

Staff recommendation:

- ☐ 20.30.130. Streets-Curve requirements.

A. Where a deflection angle of more than 10 degrees in the alignment of a right-of-way occurs, a curve of minimum radius is required. On streets 100 feet or more in width, the centerline radius of curvature shall be not less than 300 feet; on other streets not less than 200 feet. If it is not possible to design a curve to be radial or tangential, that curve shall be clearly labeled non-radial or non-tangential.

B. A minimum 100-foot tangent is required between curves.

Staff recommendation:

- ☐ 20.30.140. Streets-Prohibited curves. Compound and broken-back curves are not allowed. Reverse curves will be considered on a case by case basis.

Staff recommendation:

- ☐ 20.30.150. Streets-Intersection requirements.

A. Street intersections shall be as nearly at right angles as possible, and no intersection shall be at an angle of less than 60 degrees. Where acute street intersections are designed, a minimum 50-foot radius corner at the right-of-way line of the acute angle shall be provided.

B. Offset intersections are not allowed. The distance between intersection centerline shall be no less than 150 feet.

C. Intersections of access streets with arterial streets or state maintained roads shall be limited to those intersections required for safe access consistent with KPB Title 14.

D. Intersections of access streets with arterial streets or state maintained roads must be designed to the American Association of State Highway and Transportation Officials (AASHTO) standards.

Staff recommendation:

- ☐ 20.30.160. Streets-Name requirements. Streets shall be named to conform to KPB Chapter 14.10

Staff recommendation:

- ☐ 20.30.170. Blocks-Length requirements. Blocks shall not be less than 330 feet or more than 1,320 feet in length. Along arterial streets and state maintained roads, block lengths shall not be less than 800 feet. Block lengths shall be measured from centerline intersections.

Staff recommendation:

- ☐ 20.30.180. Pedestrian ways required when. Pedestrian ways not less than 8 feet wide shall be required in blocks longer than 600 feet where reasonably deemed necessary to provide circulation or access to schools, playgrounds, shopping centers, transportation or other community facilities.

Staff recommendation:

- ☐ 20.30.190. Lots-Dimensions.

A. The size and shape of lots shall provide usable sites appropriate for the locality in which the subdivision is located and in conformance with the requirements of any zoning ordinance effective for the area in which the proposed subdivision is located. Generally, lots shall be square or rectangular. Lots shall be at least 60 feet wide on the building setback line. The minimum depth shall be no less than 100 feet, and the average depth shall be no greater than three times the average width.

B. The access portion of a flag lot shall not be less than 20 feet wide. A flag lot with the access portion less than 60 feet wide may be subject to a plat note indicating possible limitations on further subdivision based on access issues, development trends in the area, or topography. If the access portion is less than 60 feet wide, it may not exceed 150 feet in length. The access portion may not be used for permanent structures or wastewater disposal area, must meet the design standards of KPB 20.30.030(A) and 20.30.090 for access, and, if at least 60 feet wide, will be subject to the building setback restrictions of KPB 20.30.240.

Staff recommendation: *place the standard note on the plat for the flag lot(s): No structures are permitted within the panhandle portion of the flag lot(s).*

- ☐ 20.30.200. Lots-Minimum size.

Except in cities where zoning and subdivision regulations establish different minimums, lots must be designed to meet the following area requirements:

A. Lots shall contain at least 6,000 square feet if served by public wastewater disposal and water systems.

B. Lots shall contain at least 40,000 square feet if both the well and wastewater disposal are to be located on the lot unless it can be demonstrated to the satisfaction of the commission that a smaller lot size is adequate for the safe location and operation of an on-site well and wastewater disposal system.

C. Subdivisions designed to be served by public wastewater disposal and water systems but not yet served by such systems may be permitted to contain lots of less than 40,000 square feet if the following conditions are met:

1. The available area may be reduced to 20,000 square feet when public water or wastewater disposal system is available, complying with KPB 20.40;

2. A statement from an engineer affixed with his seal and signature attesting that the proposed lot design and associated building restrictions will assure adequate area is available to each building site for safe on-site well and wastewater disposal, including area for a replacement wastewater disposal system.

Staff recommendation:

- ☐ 20.30.210. Lots-Access to street. Each lot shall abut on a fee simple dedicated street except as provided by KPB 20.30.030(B).

Staff recommendation:

- ☐ 20.30.220. Lots-Side line requirements. Where reasonable, side lines of lots shall be at right angles to straight portions of the right-of-way or radial to curved portions of the right-of-way.

Staff recommendation:

- ☐ 20.30.230. Lots-Double frontage prohibited when. Double frontage lots with depths less than 250 feet will not be approved except where necessitated by topographic or other physical conditions, or to provide reverse frontage along arterial streets. Corner lots are not subject to the double frontage prohibition.

Staff recommendation:

- ☐ 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.

10. 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.

11. 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.

12. 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:

- ☐ 20.30.250. Building setbacks-Within cities. The building setback requirements for subdivisions located within cities shall be governed by the provisions of municipal zoning districts. Building setbacks as depicted, or noted, on recorded plats shall not be carried forward on a new subdivision plat located within a municipal zoning district. Provide a plat note stating, "Per KPB 20.30.250 the building setback of record has been removed. All development must comply with the municipal zoning requirements."

Staff recommendation:

- ☐ 20.30.260. Unsubdivided remainders prohibited. All parent parcels must be included in the boundary of the subdivision and all divisions must be given lot or tract numbers and must include areas.

Staff recommendation:

- ☐ 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 _____ does not meet the specified requirements for the application and consideration of different standards.*

- ☐ 20.30.280. Floodplain requirements.

- A. All subdivision plats which are within areas where the floodplain has been identified by the Federal Emergency Management Agency (FEMA), and which involve 50 lots or five acres whichever is lesser, shall include the base flood elevation source.
- B. Any area of the subdivision within the floodplain, floodway or Seward Mapped Flood Data Area (SMFDA) is to be shown and labeled on the plat.
- C. All subdivisions which are wholly or partially located within flood hazard areas as defined by KPB 21.06.030 must comply with KPB 21.06.050 standards for Floodplain Management.
- D. All subdivisions or replats within the Flood Insurance Rate Map (FIRM) area or SMFDA, as amended, as defined by KPB 21.06.020, shall contain the following note:

FLOOD HAZARD NOTICE:

Some or all of the property shown on this plat has been designated by FEMA or the Kenai Peninsula Borough Seward Mapped Flood Data Area as a flood hazard area district as of the date this plat is recorded with the district recorder's office. Prior to development, the Kenai Peninsula Borough floodplain administrator should be contacted for current information and regulations. Development must comply with Chapter 21.06 of the Kenai Peninsula Borough Code.

- E. All subdivisions or replats that include any portion of the mapped floodway shall contain the following note:

FLOODWAY NOTICE:

Portions of this subdivision are within the floodway. Pursuant to KPB Chapter 21.06, all development (including fill) in the floodway is prohibited unless certification by an engineer or architect is provided demonstrating that encroachments shall not result in any increases in flood levels during the occurrence of the base flood discharge.

- F. Each plat within a city which has met the requirements of this section shall contain the following statement: "The first finished and habitable floor of a building constructed within a floodplain shall be built at or above the 100-year flood level."

- G. This section applies to all cities which adopt a resolution requesting participation in the FEMA floodplain program and which are subsequently recognized by the state as participants.
- H. A city may adopt an ordinance as part of its building code with greater restrictions than those set forth in KPB 20.30.280(A). A note shall be placed on the plat to indicate that the developer is responsible for contacting the city to determine the restrictions prior to any development.

Staff Comments:

*To maintain consistency with KPB 21.06.050, **staff requests** the surveyor ensure the proposed subdivision have adequate drainage to reduce exposure to flood damage.*

Staff reminds the owner(s), that it is the responsibility of the subdivider to provide all necessary information regarding flood protection measures at the time the preliminary plat is presented for consideration by the planning commission (21.06.050).

Staff recommendation:

- ☐ 20.30.290. Anadromous Waters Habitat Protection District. If any portion of a subdivision or replat is located within an anadromous waters habitat protection district, the plat shall contain the following note:

ANADROMOUS WATERS HABITAT PROTECTION DISTRICT NOTE:

Portions of this subdivision are within the Kenai Peninsula Borough Anadromous Waters Habitat Protection District. See KPB Chapter 21.18, as may be amended, for restrictions that affect development in this subdivision. Width of the habitat protection district shall be in accordance with KPB 21.18.040.

Platting Staff Comments:

Staff recommendation: *comply with 20.30.290.*

KPB 20.40 -- Wastewater Disposal

- ☐ 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.*

- ☐ 20.60.010. Preparation requirements generally. The final plat shall be prepared in accordance with this chapter and the preliminary plat as approved. Information required for the preliminary plat by KPB 20.25.070 shall be included on the final plat except that the information required by KPB 20.25.070 (K) - (N) shall not be included. The approximate dimensions required by KPB 20.25.070(J) shall be replaced with accurate dimensions as required by KPB 20.60.110 and KPB 20. 60.120. If the final plat contains only a portion of the preliminary plat, it must comply with KPB 20.25.110(B).

Staff recommendation: *comply with 20.60.010.*

- ☐ 20.60.020. Filing-Form and number of copies required. The subdivider shall file a standard number of prints as determined by the planning director. All prints shall be folded as required by KPB 20.25.030 except those to be recorded with the district recorder.

Platting Staff Comments:

Staff recommendation: *submit one full-sized paper copy of the plat for final review prior to submittal of the mylar. Electronic submittals are not acceptable for final reviews.*

- ☐ 20.60.030. Certificate of borough finance department required.

Platting Staff Comments: All taxes levied on the property within the subdivision shall be paid prior to recordation of the final plat. If approval is sought between January 1 and the tax due date, there shall be on deposit with the borough finance department an amount sufficient to pay the entire estimated real property tax for the current year. Prior to filing of the final plat, a certificate to this effect shall be provided by the borough finance director or his designee upon request by the planning director. Estimated tax payments shall be applied to the actual bill as of July 1 or such earlier date as the taxes due have been determined.

Taxes owed may include special assessments for utility or road assessment districts established by KPB ordinance.

Staff recommendation: comply with 20.60.030.

- ☐ 20.60.040. Dedication of public use lands. Any land shown on a plat as a street, public park or other public area must be dedicated on the final plat to a tax exempt governmental entity. If the governmental entity is not the Kenai Peninsula Borough, the governmental entity shall be required to execute an acceptance of the dedication on the plat.

Staff recommendation:

- ☐ 20.60.050. Dedication and construction of anadromous waterbody crossings.
 - A. Where a dedication crosses a waterbody within the Kenai Peninsula Borough Road Service Area cataloged as important to the protection of anadromous fish under AS 16.05.871 as now enacted or as may be hereinafter amended, additional right-of-way dedication or slope easements may be required by the planning commission as necessary for construction to meet the criteria of KPB 14.40.061(B).
 - B. Where a dedication is proposed over an existing road crossing a waterbody within the Kenai Peninsula Borough Road Service Area cataloged as important to the protection of anadromous fish under AS 16.05.871 as now enacted or as may be hereinafter amended, the road and crossing must be brought up to the permitting standards established by KPB 14.40.061(A) prior to planning commission approval of the final plat.
 - C. Where a plat dedicates a right-of-way over an existing road which crosses an anadromous waterbody as described in KPB 20.60.050(B), the applicant shall have three years from the approval of the preliminary plat to have the final plat approved. The time frame may be extended by the planning director if the extension is requested prior to the termination of the initial three-year period for final plat approval or any previously granted extension, and only if there has been no change in the design of the subdivision's road system since preliminary plat approval. Extensions may only be granted for one year at a time.
 - D. The road service area shall inspect and provide certification to the planning department that waterbody crossings meet the permitting requirements of KPB 14.40.061(A) prior to the approval of the final plat.

Staff recommendation:

- ☐ 20.60.060. Dedications within 100 feet of waterbodies. In addition to the criteria set forth in KPB 14.40.061(B), where dedications are proposed within 100 feet of a waterbody, the requirements of KPB 20.30.040 shall be met as part of the subdivision design.

Staff recommendation:

- ☐ 20.60.070. Plat specifications. The final subdivision plat shall be clearly and legibly drawn to a scale of 1 inch equal to 10, 20, 30, 40, 50, 60, 150 feet or a multiple of 100 feet. The drawing shall be plotted on good quality polyester film at least 3 mm in thickness. All lines, letters, figures, certifications, acknowledgements and signatures shall be clear, legible, and in black ink. The minimum text size should be 10 point (0.1") font or the equivalent. Where necessary, 8 point (0.08") capitalized font or the equivalent can be used to label features. The plat shall be so made, and shall be in such condition when filed, that legible prints and

negatives can be made therefrom. Colors, grayscale or shading is not acceptable as it does not show when the drawing is reproduced. Sheets shall be one of these sizes: 11" x 17"; 18" x 24"; and 24" or 30" x 36". When more than one sheet is required, an index map shall be provided on the first sheet showing the entire subdivision and indicating the portion contained on each sheet. Each sheet shall show the total number (e.g. sheet 1 of 3). When more than one sheet is submitted, all sheets shall be the same size. Indelible ink or sealant shall be used to insure permanency.

Staff recommendation: *comply with 20.60.070.*

- ☐ 20.60.080. Improvements-Installation agreement required. A final plat of a subdivision located within city limits shall not be recorded with the district recorder prior to compliance with any city ordinances concerning the installation of improvements. Evidence of compliance shall be provided by the subdivider in the form of a written statement from the appropriate city official that improvements required by city ordinance are or will be installed. Evidence of compliance shall be a part of the final plat submission and the time for action required by KPB 20.60.210 shall not commence until evidence of compliance is submitted.

Staff recommendation:

- ☐ 20.60.090 Improvements-Other public systems. A final plat of a subdivision outside city limits served by a public or existing ADEC approved water or wastewater disposal system shall not be approved prior to provision of documentation from the owner of the system that service to the system is installed and available to each lot in the subdivision, and that connection to all lots will not exceed the capacity of the system.

Staff recommendation:

- ☐ 20.60.100. Reversion to acreage
 - A. Plats filed for the purpose of reverting subdivided land to acreage shall be conspicuously designated "THE PURPOSE OF THIS PLAT IS A REVERSION TO ACREAGE."

B. Reverted acreage may carry the original lot or tract designation.

Staff recommendation:

- ☐ 20.60.110. Dimensional data required.
 - A. The bearing and length of every lot line, block line, and boundary line shall be shown. Dimensions of lots shall be given as net dimensions to the boundaries of adjoining streets and shall be shown in feet. No ditto marks shall be used. Information shall be shown for all curves, including radius, central angle, arc length, chord length and chord bearing. The initial point of survey shall be shown and labeled. All non-radial lines shall be labeled. If monumented lines were not surveyed during this platting action, show the computed data per the record plat information.

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.

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.*

- ☐ 20.60.120. Accuracy of measurements. All linear measurements shall be shown to the nearest 1/10 foot, and angular measurements shall be at least to the nearest minute. All lot areas shall be shown to the nearest 10 square feet or to the nearest 1/1,000 of total acres. Meander lines, dry land areas and submerged land areas shall be shown in addition to total area when applicable. All boundary closures shall be to a minimum accuracy of 1:5,000. Boundary and lot closure computations must be submitted with the final plat.

Staff recommendation: provide boundary and lot closure computations with the paper final plat. KPB will verify closure complies with 20.60.120.

- ☐ 20.60.130. Boundary of subdivision. The boundary of the subdivision shall be designated by a wider border and shall not interfere with the legibility of figures or other data. The boundary of the subdivided area shall clearly show what survey markers, or other evidence, was found or established on the ground to determine the boundary of the subdivision. Bearing and distance ties to all survey markers used to locate the subdivision boundary shall be shown.

Staff recommendation:

- ☐ 20.60.140. Block and lot numbering. Blocks and lots within each block shall be numbered consecutively or all lots shall be numbered consecutively. If possible, each block should be shown entirely on one sheet. Each lot shall be shown entirely on one sheet.

Staff recommendation:

- ☐ 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.

- ☐ 20.60.160. Easements.
 - A. The plat shall clearly show the location, width, and use of all easements. The easements must be clearly labeled and identified and, if already of record, the recorded reference given. If public easements are being granted by the plat, they shall be properly set out in the owner's certification of dedication.

1. Special purpose easements being granted by the plat shall be clearly defined for allowed use. Special purpose easements may require a signed acceptance statement on the plat.

B. Private easements may not be granted on the plat.

Staff recommendation: comply with 20.60.160.

- ☐ 20.60.170. Other data required by law.
 - A. The plat shall show all other data that are or may be required on the plat by statute or ordinance.
 - B. Private covenants and restrictions of record in effect at the time the final plat is approved shall be referenced on the plat. The borough will not enforce private covenants, easements, or deed restrictions. The borough will not enforce private covenants, easements, or deed restrictions.

C. The plat must adhere to the requirement of the local option zone, where applicable.

Staff recommendation: comply with 20.60.170.

- ☐ 20.60.180. Plat notes.
 - C. 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.

D. 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.

- "No access to state maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation."
- Roads must meet the design and construction standards established by the borough in order to be considered for certification and inclusion in the road maintenance program (KPB 14.06).
- The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.

If the travel way shown on the plat is a private drive, **staff suggests** the following note be placed on the final plat to avoid confusion about public use in the future: Private road shown is for use of owners only and is not dedicated to public use.

- ☐ 20.60.190. Certificates, statements, and signatures required.

Staff recommendation: comply with 20.60.190.

KPB 20.60.190 corrected the Notary's Acknowledgement so it is an acknowledgement instead of a combination of an acknowledgement and a jurat.

Staff recommendation: the Notary's Acknowledgement on the final plat must comply with 20.60.190.

- ☐ 20.60.200. Survey and monumentation.

Staff recommendation: comply with 20.60.200

- ☐ 20.60.210. Approval-Authority-Certificate issued when.

Platting Staff Comments: If the Plat Committee conditionally approves the preliminary plat, staff will comply with, and follow, 20.60.210.

- ☐ 20.60.220. Administrative approval.

Platting Staff Comments: If the Plat Committee conditionally approves the preliminary plat and the final plat conforms to the conditions, staff will issue an administrative approval with notice to the Planning Commission as set forth in 20.60.220.

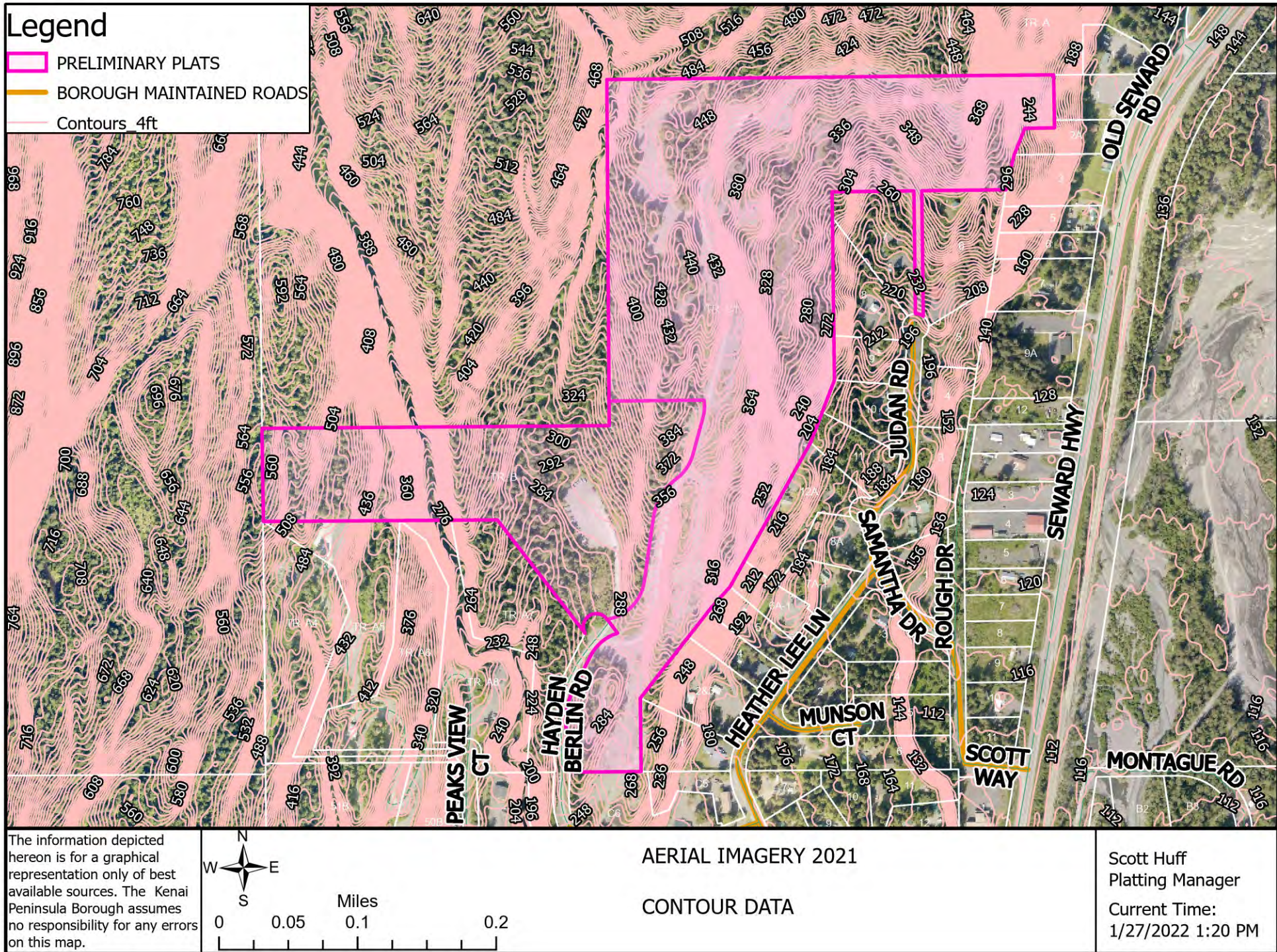
The planning director may refer the final plat to the planning commission when:

1. Major redesign was a condition of preliminary approval by the planning commission or the advisory planning commission of the city in which the subdivision is located;
2. Final approval by the commission was a condition of preliminary approval; or
3. The planning director determines there are other conditions to support referral to the commission.

- ☐ KPB 20.70 – Vacation Requirements

Staff recommendation.

END OF SUBDIVISION REQUIREMENT CHECKLIST



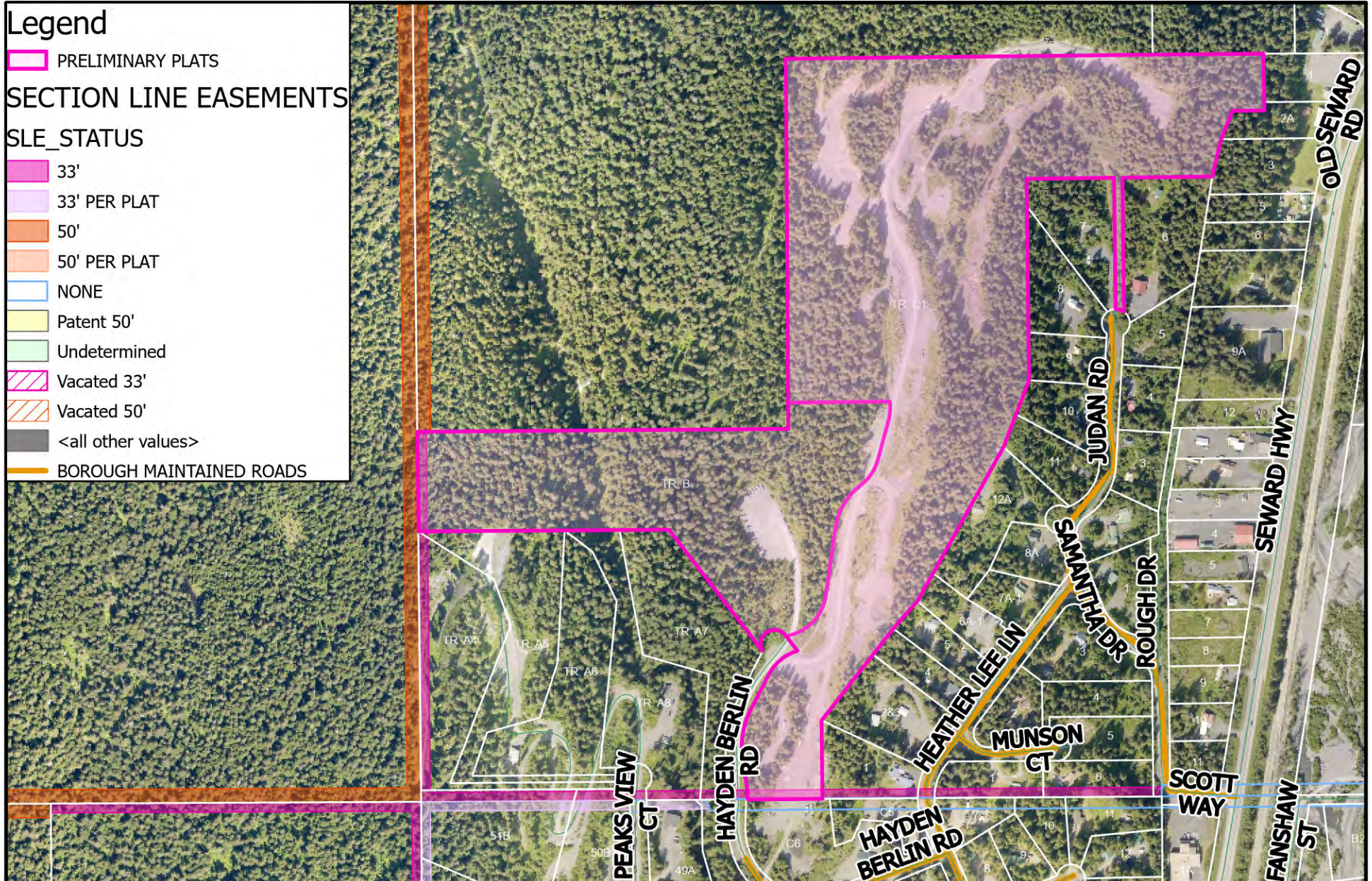
Legend

PRELIMINARY PLATS

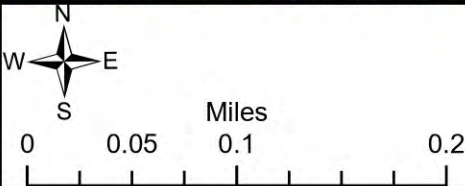
SECTION LINE EASEMENTS

SLE_STATUS

- 33'
- 33' PER PLAT
- 50'
- 50' PER PLAT
- NONE
- Patent 50'
- Undetermined
- Vacated 33'
- Vacated 50'
- <all other values>
- BOROUGH MAINTAINED ROADS



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.



AERIAL IMAGERY 2021

CONTOUR DATA

Scott Huff
Platting Manager
Current Time:
1/27/2022 1:24 PM

Legend

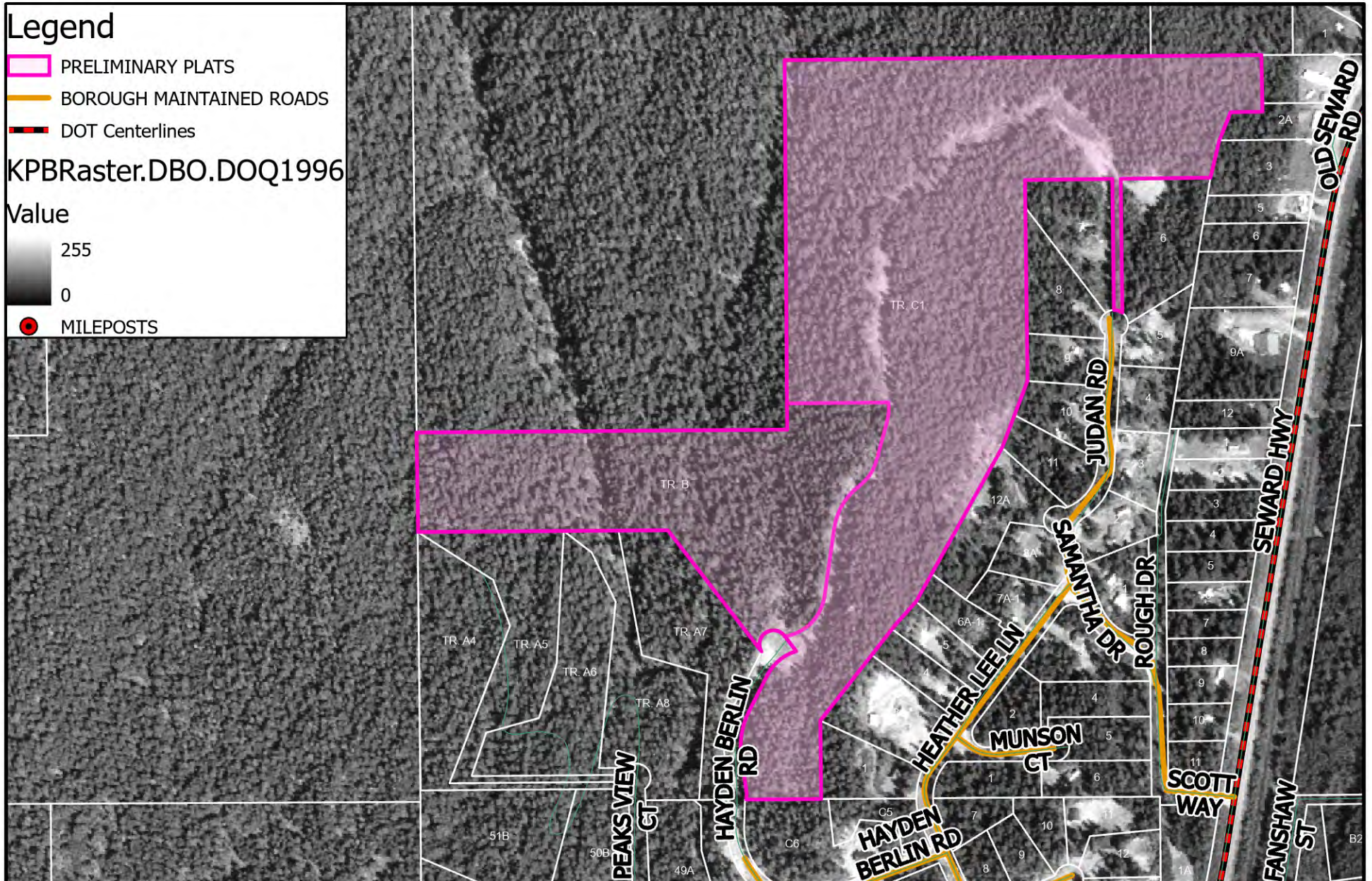
- PRELIMINARY PLATS
- BOROUGH MAINTAINED ROADS
- DOT Centerlines

KPBRaster.DBO.DOQ1996

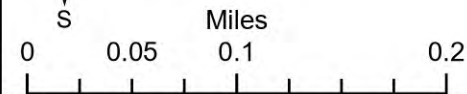
Value



● MILEPOSTS



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.



AERIAL IMAGERY 2021

LOST LAKE TRAIL

Scott Huff
Platting Manager
Current Time:
1/27/2022 1:45 PM

AMENDMENT A MOTION: Commissioner Ruffner moved, seconded by Commissioner Whitney to grant exception A. KPB 20.30.030- A Private Road not be dedicated as public right-of-way and KPB 20.30.170- block length, citing the finding that all lots in the subject subdivision have legal access, and the unique positioning adjacent to the Moose River creates a unique geography to allow this exception.

Vice Chair Ecklund wanted Commissioner Ruffner to explain his motion. Commissioner Ruffner wants to go along with the applicant and not grant this as a public road. Mr. Huff asked if they want to grant the exception but did not have requirements for a public access easement. Commissioner Ruffner confirmed.

Commissioner Whitney wanted to make sure what the results would be for a "Yes" vote or a "No" vote. Mr. Huff explained that a "Yes" vote would grant an exception to block length and right-of-way continuation the petitioner will not have to dedicate any rights-of-way. The motion did not have any requirements for a public access easement.

AMENDMENT A PASSED BY UNANIMOUS VOTE: 4 Yes; 0 No

Yes: Brantley, Ecklund, Ruffner, Whitney

No: --

Vice Chair Ecklund noted that exception B had been withdrawn. Commissioner Whitney noted there was an exception C. Mr. Huff noted that exception C was no longer needed due to exception A being granted. Vice Chair Ecklund stated that exception B and C would not be addressed by the Plat Committee due to no longer being required.

MAIN MOTION PASSED: Seeing and hearing no discussion or objection, the motion passed by unanimous consent.

AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS

8. Lost Lake Subdivision Addition No. 6 (name to be updated)
KPB File No. 2019-040; Segesser Surveys/Rough

Staff Report given by Scott Huff

Plat Committee Meeting: 5/13/19

Location:	off Hayden Berlin Road and Judan Road, Bear Creek area
Proposed Use:	Residential, Recreational, Agricultural, Commercial
Water/Sewer:	On-site
Zoning:	Unrestricted
Assessing Use:	Improved Land
Parent Parcel Number(s):	125-290-76

Supporting Information:

The proposed plat subdivides a 44-acre tract into 12 lots and 1 tract ranging in size from .650 acres to 6.4 acres. A soils report is required for lots less than 200,000 sq. ft. (4.59 acres), and an engineer will sign the plat. The subdivision fronts Hayden Berlin Road, which is constructed to approximately Lot 1 in the subject plat. Lot 12 also fronts KPB maintained Judan Road.

Notice of the proposed plat was mailed to the beneficial interest holder on April 15, 2019. 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.

The property is not within an advisory planning commission.

Staff recommends that notes be placed on the final plat indicating any exceptions granted by the Plat

Committee with the meeting date.

Exception Requested:

A. Minimum lot size – KPB 20.30.200

Surveyor's Discussion: Tract A is intended to be in a resubdivision of Lot 10 [Staff Note: Tract B, SW 96-20] to resolve a road encroachment (land swap).

Platting Staff Discussion: The most current imagery for this area is dated 2012-2013. Imagery supports the submittal's statement regarding encroachment of a road.

An existing travel way branches off Hayden Berlin Road into the U.S. Forest Service parcel which has a parking area for the Lost Lake Trailhead, a popular hiking trail.

Staff recommends an exception to wastewater review (KPB 20.40) be included with the exception to minimum lot size. In this case, both exceptions are closely related.

Findings

1. Tract A contains 0.650 acres, or 28,314 square feet.
2. Per the submittal, Tract A is intended to be in a resubdivision of Lot 10 (Tract B, SW 96-20) to resolve a road encroachment (land swap).
3. Imagery dated 2012-2013 appears to support the submittal's statement that an improved road or trail is located within Tract A.
4. Tract B, SW 96-20, belongs to the U.S. Forest Service and is used as a trailhead and parking area for Lost Lake Trail, a popular hiking trail.
5. If a road is located within Tract A it will be an encroachment and not comply with KPB 20.25.070.N.
6. The improved traveled ways are not shown on the preliminary plat.
7. Conveyance of Tract A to the U.S. Forest Service will place an improved road into federal owned lands.
8. KPB GIS 4-foot contours indicate much of the subdivision is affected by steep terrain, making it challenging to locate appropriate locations for practical rights-of-way.
9. It appears that moving the traveled way further to the east will be affected by very steep terrain.
10. Plat 2003-13 SRD shows the improved trail for the proposed subdivision wholly within former Tract C1.
11. The updated plat, provided by the surveyor, shows the travel way for Lost Lake Trail crossing proposed Tract A.
12. Staff has no information that the U.S. Forest Service is in agreement to acquiring Tract A.
13. Per the wastewater disposal note on the plat, no wastewater will be generated on Tract A.
14. A licensed professional engineer will sign the plat.
15. Signature by the licensed professional engineer will confirm no wastewater will be disposed on Tract A.

Based on findings 1-11 staff cannot recommend approval. **Staff recommends** Tract A be dedicated to public right of way so that the improved road to the trailhead will be within a dedicated right of way.

Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of

preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.

Exception Requested:

B. Block length – KPB 20.30.170

Staff Discussion: Tract C was created in 1996 by Lost Lake Subdivision Addition No. 4, SW 96-20. Tract C was further subdivided by Lost Lake Subdivision Number 5 (SW 98-14). The Planning Commission/Plat Committee did not discuss block length in 1996 or 1998.

KPB GIS 4-foot contours show much of the block is affected by slopes greater than 20 percent. Staff is recommending a centerline profile be provided (KPB 20.30.090), dedicate additional right-of-way (KPB 20.30.120), and/or grant easements for side slopes (KPB 20.30.120) if needed to accommodate terrain constraints.

Findings

1. The proposed subdivision provides a 60-foot dedication for Hayden Berlin Road per KPB 20.30.030.
2. Per KPB GIS 4-foot contours, much of the block is affected by slopes greater than 20 percent.
3. Staff is recommending a centerline profile be provided (KPB 20.30.090), dedicate additional right-of-way (KPB 20.30.120), and/or grant easements for side slopes (KPB 20.30.120) if needed to address terrain constraints.
4. Per Kenai Watershed Forum 2013 Cook Inlet Wetlands Mapping, the proposed subdivision is not affected by low wet areas.
5. National Wetlands Inventory indicates the plat may be affective by a minor riverine in the northwest portion of the subdivision.
6. No right-of-way is proposed to be dedicated in the northwest portion of the subdivision.
7. All adjoining lots and tracts front existing rights-of-way.
8. No adjoining or adjacent acreage parcels will be denied access.
9. Lot 12 will be a double fronting parcel but is acceptable due to lot depth greater than 150 feet and topographic conditions.
10. KPB Roads Director provided a review of 'No Comment'.
11. The flag area between Lots 6 and 7 is affected by steep side sloping terrain.
12. A private access easement across Lot 7 and former Tract C-1 provides access to Lot 6 (2009-00081-0 SRD).
13. A 30-foot-wide right of way could be dedicated within former Tract C-1 extending from Judan Road between Lots 6 and 7, then widening to a 60-foot width to connect to the proposed Hayden Berlin Road. This would provide a closed loop block.

Staff reviewed the exception request and recommends granting approval. Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the

requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;
Findings 1-12 appear to support this standard.
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
Findings 1-12 appear to support this standard.
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
Findings 1-12 appear to support this standard.

KPB 20.25.070 - Form and contents required.

Platting staff comments: Additional information is provided for the following portions of 20.25.070 or additional information, revision or corrections are 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;
 2. Legal description, location, date, and total area in acres of the proposed subdivision; and
 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor;
*Platting Staff Comments: The proposed plat's name is too similar to an existing subdivision (Lost Lake Subdivision Number Six). **Staff recommends** a new name be provided for this platting action, such as, Lost Lake Subdivision Addition No. 8, Lost Lake Subdivision Rough Addition, or Lost Lake Subdivision 2019 Addition.*
- 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;
*Platting Staff Comments: **Staff recommends***
 - *The existing right of way of Hayden Berlin Road outside of the subdivision be labeled with a road name and width.*
 - *The existing right of way of Judan Road be labeled with a road name and width.*
- 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;
*Platting Staff Comments: **Staff recommends** the Seward City limits be shown and labeled using a distinctive line style.*
- F. The names and widths of public streets and alleys and easements, existing and proposed, within the subdivision;
*Platting Staff Comments: **Staff recommends:***
 1. *Show and label the 33-foot section line easement.*
 2. *Show and label the easement per SW 2009-000081-0. Include the recording information.*
 3. *Show and label the 20-foot utility easement centered on the existing overhead power line.*

- Cite the source.*
4. *Work with GIS staff to select a new name for the cul-de-sac being dedicated. The suffix is Court.*
- G. Status of adjacent lands, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;
*Platting Staff Comments: **Staff recommends:***
1. *Add Unsubdivided for the DNR parcel adjoining the west and north boundaries.*
 2. *Add Block 1 to Lot 12A.*
 3. *Correct the recording information for Lot 10 and Lot 22 Block 3.*
 4. *Correct the plat number for Lot 2A.*
 5. *Correct Lot 10 to Tract B, SW 96-20.*
 6. *Correct the recording information and tract number for Tract C4, SW 2000-8.*
 7. *Correct the lot numbers and recording number for Lot 6A-1 and Lot 7A-1. Include the block number.*
- H. Approximate locations of areas subject to inundation, flooding, or storm water overflow, the line of ordinary high water, wetlands when adjacent to lakes or non-tidal streams, and the appropriate study which identifies a floodplain, if applicable;
Platting Staff Comments: National Wetlands Inventory indicates a minor riverine may cross into the subdivision. Staff requested additional information from the surveyor.
- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;
Platting Staff Comments: Lot numbers in the proposed plat are duplicates of existing adjoining lot numbers. Staff could find no combination of renumbering that would eliminate duplicate adjoining lot numbers. The adjoining lots are within blocks so the block numbers will help differentiate the lots.
- L. Contours at suitable intervals when any roads are to be dedicated unless the planning director or commission finds evidence that road grades will not exceed 6 percent on arterial streets, and 10 percent on other streets;
Platting Staff Comments: If KPB GIS mapping is correct, a map with contours should have been included with the plat submittal. Staff reminds the surveyor KPB 20.25.070 requires a contour map to be submitted when road grades exceed 6 percent on arterial streets and 10 percent on other streets.
- M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;
Platting Staff Comments: KPB GIS 4-foot contours indicates much of the subdivision may be affected by slopes greater than 20 percent. Staff requested additional information from the surveyor and the surveyor submitted an updated drawing showing areas with steep slopes.
- N. Apparent encroachments, with a statement indicating how the encroachments will be resolved prior to final plat approval; and
*Platting Staff Comments: Per the submittal, creation of Tract A is intended to resolve the road encroachment for access to Lost Lake Trailhead, but will continue the road encroachment on a separate parcel. **Staff recommends** the encroachment of the roadway be resolved such as a right of way being dedicated that encompasses the roadway.*

KPB Department/Agency Review Comments

- KPB Addressing/Street Name Review:
 - No addresses have been assigned to the parent tract.
 - The NW/SE ROW dedication ending in a cul-de-sac needs a name by the final plat (suffix will be Court)
- KPB Planner: No local option zone or material site issues.

- KPB Roads Department: Within KPB jurisdiction. No Comments.
- State Department of Fish & Game: Not available when the staff report was prepared.
- State Parks: No comments.

KPB 20.30 Design Requirements

Platting staff comments: Additional information is provided for the following portions of 20.30 or additional information, revision or corrections are required

20.30.020. Reserved strips prohibited-Exception. There shall be no reserve strips controlling access to land dedicated or intended to be dedicated to public use, except when the control and disposition of land comprising such strips is placed within the jurisdiction of the borough under conditions specified by the commission and noted on the final plat.

*Platting Staff Comments: Proposed Tract A appears to be a reserved strip which would limit access to Forest Service property and the Lost Lake Trail. **Staff recommends** that no reserved strips be created by this platting action.*

20.30.030. Proposed street layout-Requirements.

- A. The streets provided on the plat must provide fee simple right-of-way dedications to the appropriate governmental entity. These dedications must provide for the continuation or appropriate projection of all streets in surrounding areas and provide reasonable means of ingress for surrounding acreage tracts. Adequate and safe access for emergency and service vehicle traffic shall be considered in street layout.

*Platting Staff Comments: ADL 232731 is public access easement, granted by the State of Alaska, which encompasses the improved roadway that is within State lands. **Staff recommends** 'dedicated by this plat' be included in the label for Hayden Berlin Road being dedicated by this plat.*

- C. Preliminary plats fronting state maintained roads will be submitted by the planning department to the State of Alaska Department of Transportation and Public Facilities (DOT) for its review and comments.

State Department of Transportation Comments: No comment.

Platting Staff Comments: The subdivision does not front a State right-of-way.

20.30.090. Streets-Maximum grades allowed. The subdivider shall demonstrate that streets can be readily constructed in accordance with current borough road standards and that the grades on any such roads shall not exceed 6 percent on arterial streets and 10 percent on other streets, or 4 percent within 130 feet of any centerline intersections. Submittal of centerline profiles and cross-sections may be required to demonstrate that compliant construction in the right-of-way is feasible.

*Platting Staff Comments: **Staff recommends** compliance with KPB 20.30.090 if required due to steep terrain.*

20.30.100. Cul-de-sacs.

- A. Streets designed to have one end permanently closed shall be no more than 1000 feet long. The closed end of the cul-de-sac shall have a suitable turnaround with a minimum radius of 50 feet to the property line. The turnaround shall be constructible to a 4 percent grade or less.
- B. Hammerhead or T -type turnarounds may be allowed on a case-by-case basis. Adequate turning radii, width and depth must be provided for road maintenance and emergency vehicle access. Plans must be reviewed with a recommendation by emergency service providers and the KPB Road Service Area Board prior to submittal for planning commission review.
- C. Temporary turnarounds and self-vacating turnarounds shall not be granted or reserved on plats.

*Platting Staff Comments: Hayden Berlin Road ends in a parcel that is 6 acres and could possibly be further subdivided. A right of way connection to Judan Road could be possible in the future. **Staff recommends** the end of Hyden Berlin Road terminate with a turnaround area that could still be extended in the future, such as an eye-brow turn around, hammer head, to T type turnaround. The design can be worked out with staff.*

ADL 232731, a public access, provides a turnaround area for Hayden Berlin Road. Staff is not recommending a cul-de-sac dedication because Lot 12 contains 6 acres and can be further subdivided.

20.30.120. Streets-Width requirements.

- A. The minimum right-of-way width of streets shall be 60 feet.
- B. Additional right-of-way or easement width may be required to provide for the construction of side slopes or to otherwise accommodate right-of-way construction standards set forth in KPB Title 14.

*Platting Staff Comments: **Staff recommends** compliance with KPB 20.30.120 if required to accommodate steep terrain.*

20.30.130. Streets-Curve requirements.

- A. Where a deflection angle of more than 10 degrees in the alignment of a right-of-way occurs, a curve of minimum radius is required. On streets 100 feet or more in width, the centerline radius of curvature shall be not less than 300 feet; on other streets not less than 200 feet. If it is not possible to design a curve to be radial, or tangential, that curve shall be clearly labeled non-radial or non-tangential.

- B. A minimum 100-foot tangent is required between curves.

*Platting Staff Comments: Road centerline information was not provided. **Staff recommends** compliance with KPB 20.30.130.*

20.30.150. Streets-Intersection requirements.

- A. Street intersections shall be as nearly at right angles as possible, and no intersection shall be at an angle of less than 60 degrees. Where acute street intersections are designed, a minimum 50-foot radius corner at the right-of-way line of the acute angle shall be provided.

*Platting Staff Comments: **Staff recommends** compliance with KPB 20.30.150 by dedicating Tract A to right of way.*

20.30.160. Streets-Name requirements. Streets shall be named to conform to KPB Chapter 14.10

*Platting Staff Comments: The 285-foot cul-de-sac to Lot 3 will need a street name. **Staff recommends** compliance with KPB 20.30.160.*

20.30.190. Lots-Dimensions.

- B. The access portion of a flag lot shall not be less than 20 feet wide. A flag lot with the access portion less than 60 feet wide may be subject to a plat note indicating possible limitations on further subdivision based on access issues, development trends in the area, or topography. If the access portion is less than 60 feet wide, it may not exceed 150 feet in length. The access portion may not be used for permanent structures or wastewater disposal area, must meet the design standards of KPB 20.30.030(A) and 20.30.090 for access, and, if at least 60 feet wide, will be subject to the building setback restrictions of KPB 20.30.240.

Platting Staff Comments: The 477-foot long flag was created by a 1987 plat (Lost Lake Subdivision Addition No. 1, SW 87-4). The title report indicates the flag may be subject to a 30-foot access easement (SW 2009-000081-0).

Staff recommends the width of the flag be labeled.

Staff recommends the standard note be placed on the plat for the flag lot(s): No structures are permitted within the panhandle portion of the flag lot(s).

Since Lot 12 (the flag lot) has two right-of-way frontages, a plat note about possible limitation on further subdivision is not required in this case.

20.30.280. Floodplain requirements.

Platting Staff Comments: Per River Center review, the plat is not affected by a mapped flood hazard zone.

Per KPB GIS mapping, the proposed subdivision was not affected by the 1986, 1995, or 2006 flood events.

20.30.290. Anadromous habitat protection district.

Platting Staff Comments: Per KPB 21.18.025, all portions of waterways found within the Seward-Bear Creek Flood Service Area are exempt from KPB 21.18.

Per KPB GIS mapping, no anadromous streams flow through the subdivision.

KPB 20.40 -- Wastewater Disposal

*Platting Staff Comments: If the Committee approves the exception to wastewater review for Tract A, **staff recommends** the wastewater disposal note be revised per KPB 20.40.080.*

Subject to exception(s) granted, staff recommends compliance with KPB 20.40.

KPB 20.60 – Final Plat

Platting staff comments: Additional information is provided for the following portions of 20.60 or additional information, revision or corrections are required:

20.60.020. Filing-Form and number of copies required. The subdivider shall file a standard number of prints as determined by the planning director. All prints shall be folded as required by KPB 20.25.030 except those to be recorded with the district recorder.

*Platting Staff Comments: **Staff recommends** one full-sized paper copy of the plat be submitted for final review prior to submittal of the mylar. Electronic submittals are not acceptable for final reviews.*

20.60.030. Certificate of borough finance department required.

Platting Staff Comments: All taxes and special assessments levied on the property within the subdivision shall be paid prior to recordation of the final plat. If approval is sought between January 1 and the tax due date, there shall be on deposit with the borough finance department an amount sufficient to pay the entire estimated real property tax for the current year. Additionally, the entire balance, or estimated balance of all special assessments or pending special assessments, as provided in KPB 5.35.070(8) and KPB 14.31.080(8), against the property owed to the borough must be paid in full prior to filing of the final plat. Prior to filing of the final plat, a certificate to this effect shall be provided by the borough finance director or [HIS] designee upon request by the planning director. Estimated tax payments shall be applied to the actual bill as of July 1 or such earlier date as the taxes due have been determined.

Per KPB GIS mapping, the proposed subdivision is not within a special assessment district.

Staff recommends compliance with 20.60.030.

20.60.110. Dimensional data required.

- A. The bearing and length of every lot line, block line, and boundary line shall be shown. Dimensions of lots shall be given as net dimensions to the boundaries of adjoining streets and shall be shown in feet. No ditto marks shall be used. Information shall be shown for all curves, including radius, central angle, arc length, chord length and chord bearing. The initial point of survey shall be shown and labeled.

*Platting Staff Comments: **Staff recommends** compliance with 20.60.110.*

20.60.120. Accuracy of measurements. All linear measurements shall be shown to the nearest 1/10 foot, and angular measurements shall be at least to the nearest minute. All lot areas shall be shown to the nearest 10 square feet or to the nearest 1/1,000 of total acres. Meander lines, dry land areas and submerged land areas shall be shown in addition to total area when applicable. All boundary closures shall be to a minimum accuracy of 1:5,000. Boundary and lot closure computations must be submitted with the final plat.

*Platting Staff Comments: KPB GIS will verify closure complies with 20.60.120. **Staff recommends** boundary and lot closure computations be provided with the paper final plat.*

20.60.180. Plat notes. 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.

Platting Staff Comments: **Staff recommends** the recording district be corrected for the basis of bearing. **Staff recommends** the recording number of the plat used for the basis of bearing be provided.

20.60.200. Survey and monumentation.

Platting Staff Comments: **Staff recommends** compliance with 20.60.200.

SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:

- **GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO ANY ABOVE 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 10 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

Vice Chair Ecklund opened the meeting for public comment.

1. Casey Madden, Wince-Corthell-Bryson, 609 Marine Avenue, Kenai

Mr. Madden did the engineering portion of this project. He worked with Mr. and Mrs. Rough and Segesser Surveys. The Roughs asked him to address a few items. One of the comments that staff has on Tract A is that there is no information regarding the Forest Service's position on the road encroachment issue. Last Tuesday he participated in a teleconference with the Roughs and Forest Service's land person and engineer. Several alternatives were discussed. A letter was provided from the Forest Service dated May 10th. There are three alternatives that they have forwarded on. One is the realignment of the Lost Lake trailhead access road. This would require surveying, engineering, bidding, and reconstruction. Another option is acquiring a simple easement for that portion of the road. The Roughs did not like that option. The Roughs proposed another option which it seemed Forest Services were agreeable to. It would be a land trade. The Roughs would relinquish Tract A to the Forest Service and that would take care of some drainage issues and the encroachment problem. They would trade a like value and sized piece of property up by Tract 1. This would require a platting action. He would like the Plat Committee to consider that the Forest Service has responded.

There was discussion about the contours on the map. The soils report was submitted and approved. It contained a working map that had the contours on it. Another worry was the roads being over 10%. In the soils report the road, which is constructed now, it is not an issue of proving constructability as it is already built. As part of the soils work he did inspect the road and checked

the steeper parts of the road. He found them to be nominally 10%. This is a result of when Mr. Rough began putting the road in he had several places were in excess of that. Mr. Madden showed him how to use a clinometer and Mr. Rough used one to help get the road in. There is still some work that needs to be done.

2. John Segesser, 30485 Rosland St., Soldotna

Mr. Segesser is the surveyor on the project and let the Committee know he was available for questions.

Mr. Huff wanted to know if there was a way to bring the Forest Service into the platting action now to resolve the issues. The land swap could be done and not end up with remnant parcels. Mr. Segesser said it would be up to the Forest Service and how fast they want to move forward. Mr. Madden responded that during the teleconference Forest Service mentioned that things do not move real fast. It is not real slow but it could take up to two years to get through the process. He doesn't know but with Federal property it may take an act of Congress like for FAA property. It will take time but the Rough's have other property they will be replatting as more development is done to make some suitable ground to develop. They are willing to pay the taxes on the little tract until they can make the replat happen. They would like to get the subdivision moving and get cash flow coming back in instead of going out. It has been an expense getting the roads in. They would like to get some of the lots moving to get paid back and deal with it at a later time. Right now they would like to leave the Tract until it can be replatted and not dedicate the whole piece of property to right-of-way.

Vice Chair Ecklund noted that in the desk packet there was a red part and a green part. She was not sure what the colors represented. Mr. Huff answered that the green part is the area that would be given to Mr. Rough. Further down the road is 2450 square feet which is red. That is the section that they would acquire from the Forest Service. Vice Chair Ecklund referenced the map on page 145 of the packet. At the top there is a red dotted rectangle. She was unsure of that area and what that was. Mr. Huff stated that the road got constructed by Mr. Rough and he went outside of his boundary in that area. It is state property and it looks like he is working with the state to get an ADL easement so that his road will be within an easement. Mr. Segesser added that the ADL is about to be recorded.

Commissioner Ruffner wanted to know about the request for the minimum lot size exception. He asked if it is wrapped up in the potential deed to trade lands to make this all happen. Mr. Segesser said yes it is for Tract A and is the potential trade parcel from the Roughs.

Mr. Huff asked if the Roughs would be willing to dedicate right-of-way over the existing road that goes to Lost Lake Trailhead. Mr. Segesser said it would still leave them with a sub-sized lot. They are hoping to do a trade. Mr. Huff said there would still be an encroachment across Tract A. Mr. Segesser said yes, until the land swap happens. Mr. Huff said they could dedicate it or grant a public access easement for this platting action to allow open access to the trailhead. Mr. Segesser said a document may work.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion among the committee was opened.

MAIN MOTION: Commissioner Ruffner moved, seconded by Commissioner Whitney to grant preliminary approval to Lost Lake Subdivision Addition No. 6 based on staff recommendations and compliance with borough code.

AMENDMENT A MOTION: Commissioner Ruffner moved, seconded by Commissioner Whitney to grant exception requested A. Minimum lot size – KPB 20.30.200.

Mr. Huff asked the Committee if they wanted to include an exception to wastewater review since they are both for the small tract.

AMENDMENT A MOTION AMENDED: Commissioner Ruffner amended his motion to include exception to KPB 20.40 for minimum lot size attached to a septic system, Commissioner Whitney concurred.

Commissioner Ruffner is inclined not to support the exception. There are some serious issues to sort out before proceeding. There is a letter that they have not seen yet that give three options. He is agreeing with staff recommendations at this time.

Vice Chair Ecklund asked Mr. Huff about some options he mentioned that would allow this to be approved tonight. She mentioned an easement or right-of-way and she wanted to know if those were things that they could take up tonight if the applicants agree. Mr. Huff stated that the staff report does suggest Tract A become right-of-way. That would clear up the road into the Lost Lake Trailhead. The second portion is Mr. Rough's road that encroaches onto the Forest Service property. Mr. Huff's suggestion was to acquire an access easement from Forest Service for that portion of his road. Vice Chair Ecklund said that would probably take time. Mr. Huff said it probably would.

Vice Chair Ecklund asked the applicant to come forward to answer for a few questions.

3. Dan Rough, 13146 Hayden Berlin Rd. #7, Seward, AK 99664

Vice Chair Ecklund asked Mr. Rough if he would be willing to have Tract A be given as right-of-way. Mr. Rough answered that part of that has to do with having something to trade to make another lot up above. Vice Chair Ecklund wanted to know if this could be postponed until Forest Service does the swap or take parts out of the subdivision that are conflicting. Mr. Rough has worked with Forest Service before. It is not a speedy process and he is not getting any younger. He said it is a beautiful subdivision and if this trade goes through it would smooth up the line. It is rough building roads there since there is bedrock.

Vice Chair Ecklund asked Mr. Huff if the committee does not allow the exception would this plat be able to be approved and could they start selling lots. Mr. Huff said the road is still an encroachment on Tract A and it is required to show how to resolve the encroachments prior to final plat approval per code. Vice Chair Ecklund wanted to know if a statement on how the encroachment would be resolved would be through a land swap with the United States Forest Service would be sufficient. Mr. Huff said it would still be an encroachment until the swap. Vice Chair Ecklund noted the code said a statement on how the encroachment would be resolved. Mr. Huff said that is what the code says.

Commissioner Brantley wanted to know about the intended route of the road. He asked if it was to be the west portion of Tract A. Mr. Huff said that on the plat the road going to Lot 10 is the road to the Lost Lake Trailhead. Mr. Rough's driveway comes off of that and goes to the south of Tract A. He is then within the right-of-way he is dedicating after that. The road going to Forest Service encroaches on Mr. Rough's property from when they put the road in.

AMENDMENT A FAILED BY MAJORITY VOTE: 1 Yes, 3 No

Yes: Ecklund

No: Brantley, Ruffner, Whitney

AMENDMENT TO A MOTION: Commissioner Ruffner moved, seconded by Commissioner Whitney to cite staff report findings 1 through 11, supporting the three standards to support denial of the exception requested.

AMENDMENT TO A PASSED: Seeing and hearing no discussion or objection the motion passed by unanimous consent.

AMENDMENT B MOTION: Commissioner Ruffner moved, seconded by Commissioner Whitney to grant exception requested to KPB 20.30.170, citing staff report findings 1 through 12 in support of the three standards.

AMENDMENT B PASSED: Seeing and hearing no discussion or objection, the motion passed by unanimous consent.

Commissioner Ruffner stated the Committee's responsibility is to follow through with what the borough code says. Making the lot larger or resolving the encroachment needs to be figured out before they can move forward. The commissioners would like to do this faster but it is up to Forest Service and getting it resolved before the Committee can do their part.

Commissioner Whitney noted an alternative is for Forest Service to move their road. It appears that it is not a significant encroachment.

Vice Chair Ecklund allowed Mr. Rough to come forward. Mr. Rough said that the Forest Service is willing to make the trade it will take time. When they put the road in they knew and admitted that they knew where they were going but it was easier due to wet areas. They hugged the side of the hill knowing they were on his property because it was easier. They are willing to trade.

Commissioner Ruffner let Mr. Rough know that if there is anything that the borough can do to help speed things along to let staff know. It sounds like Forest Service screwed up to begin with by encroaching on Mr. Rough's property so hopefully that will be some motivation for it to not take long.

Vice Chair Ecklund agreed with Mr. Ruffner and suggested that Mr. Rough meet with Mr. Huff and provide the letter from Forest Service. There could be a chance he could meet the code requirement and make a statement of how he would resolve the conflict. Mr. Huff added that they could maybe get Forest Service to work on this by submitting a new plat that includes the land swap.

MAIN MOTION PASSED: Seeing and hearing no discussion or objection, the motion passed by unanimous consent.

~~**AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS**~~

- ~~9. The Renaissance Phase Two
KPB File No. 2019-043; McLane Consulting, Inc./Salamatof Native Association, Inc.~~

~~Staff report given by Scott Huff~~

~~Plat Committee Meeting: 5/13/19~~

~~Location: off the Escape Route Road, Nikiski
Proposed Use: Residential
Water/Sewer: On-site
Zoning: Unrestricted
Assessing Use: Vacant
Parent Parcel Number(s): 013-122-28~~

~~Supporting Information:~~

~~The Committee approved a phased development for the subject property in 2014. The first phase was recorded on September 3, 2014. Preliminary approval expired in 2016. Per KPB 20.25.110, the Renaissance Phase Two was submitted as a new preliminary plat.~~

~~The proposed plat subdivides an approximate 190-acre tract into 6 blocks with 64 lots and 1 tract. The tract contains 75.5 acres. Lots range in size from 1.3 to approximately 2 acres. A soils report is required for the lots, and an engineer will sign the plat. The proposed subdivision creates five more lots than the phase approved in 2014, but the basic subdivision design is approximately the same. This platting action is providing the following dedications:~~

- ~~1. 60-foot wide extension of Edwardian Loop, making it a full looped access.~~
- ~~2. 60-foot right-of-way (unnamed) from Edwardian Loop to Moody Avenue.~~

State of Alaska
Department of Natural Resources
Division of Mining, Land, and Water
Southcentral Regional Office

ADL 232731
Regional Manager's Decision
AS 38.05.850
Public Access Easement
Segment of Subdivision Access Road

Project Overview:

The Department of Natural Resources (DNR), Division of Mining, Land, and Water (DMLW), Southcentral Regional Office (SCRO) received an application on February 2, 2017 from Dan S. Rough requesting authorization for a segment of an existing road on State-owned, DMLW-managed uplands near Seward, Alaska. The road segment connects two portions of an access road through a parcel owned by Mr. Rough (identified as Tract C1 of the Lost Lake Subdivision No. 5) that is in the early stages of subdivision. The portion of road was mistakenly constructed on State land due to an erroneous flagging of the north boundary of Tract C1. The road begins in Tract C1 at a point connecting to existing public access (a right-of-way platted as Hayden Berlin Road/Trail Head Road), leaves Tract C1 and enters State land, and then reenters Tract C1 and ends in a cul-de-sac. Road construction on the segment under application is largely complete. See Figure 1 for the requested easement location.

Scope of Decision:

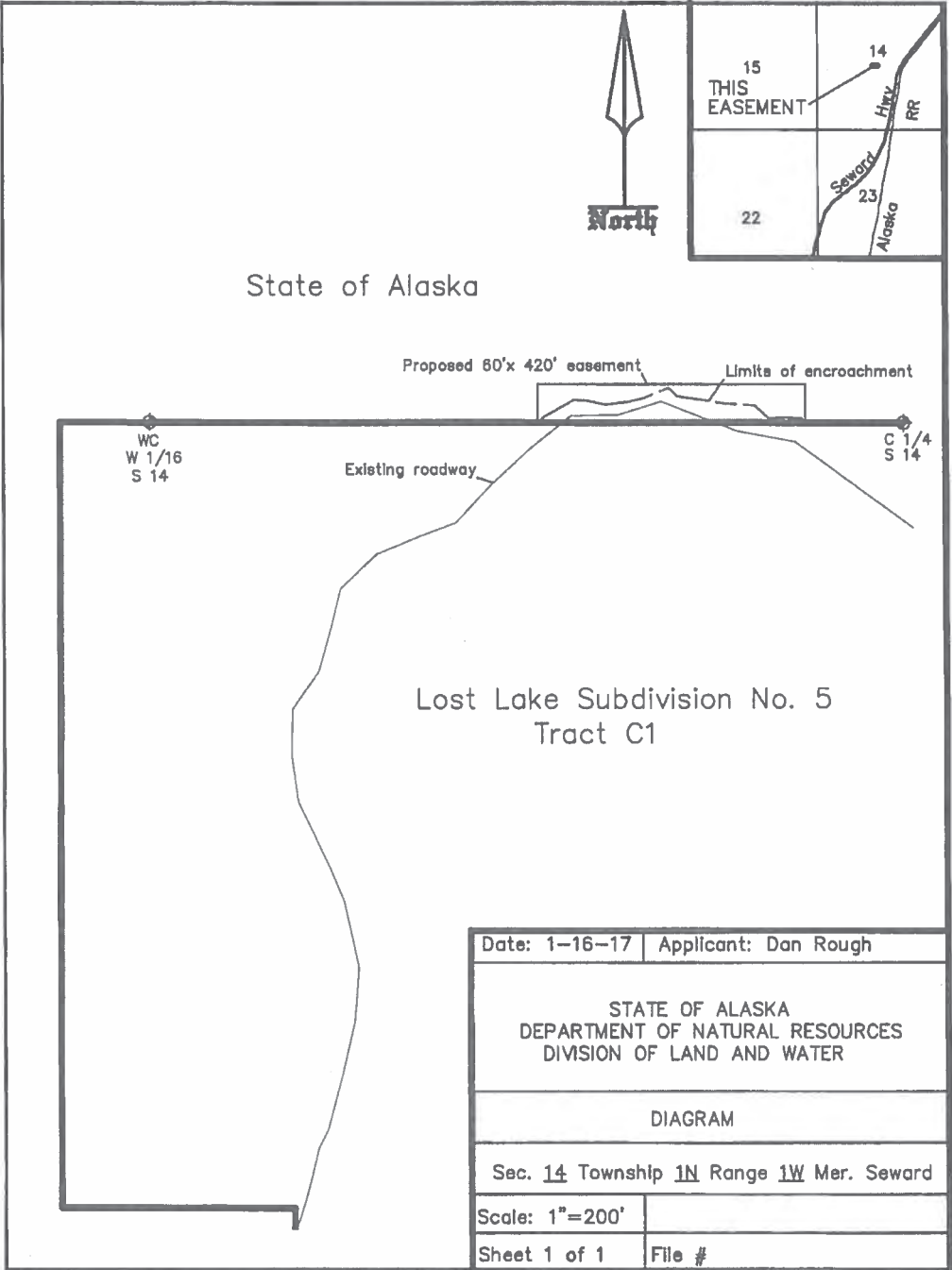
The scope of this decision is limited to the determination of whether it is in the State's interest to issue a public access easement approximately 420 feet in length and approximately 60 feet in width, occupying approximately 0.579 acres of State land for a segment of an access road. All other aspects of the project are outside the scope of this decision.

Location:

- Geographic: The request pertains to lands near Seward, Alaska.
- Legal Description: The requested easement is proposed to cross State-owned, DMLW-managed uplands located within
 - The SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 14 of Township 1 North, Range 1 West, Seward Meridian, Alaska.
- Width and Acreage: The request is for a public access easement to be approximately 420 feet in length, approximately 60 feet in width, encompassing approximately 0.579 acres. The applicant verbally notified SCRO on June 27, 2017 that additional width may be necessary, and therefore, the 60-foot width requested is approximate. The exact area and location of the final easement will be determined subsequent to DMLW's

approval of an as-built survey and shall encompass the full extent of the constructed road.

Figure 1: Applicant-supplied map of ADL 232731.



Title:

The State of Alaska received Tentative Approval to the subject lands within Section 14 of Township 1 North, Range 1 West, Seward Meridian, Alaska on July 23, 1986 under Tentative Approval No. 1986-0053, which is serialized by DNR as NFCG 189.

Authority:

DNR is authorized to execute easements on State land under the provisions of AS 38.05.850 (Permits). Also referred to in this decision are AS 38.05.860 (Deposits), 11 AAC 02 (Appeals), 11 AAC 05.010 (Fees), 11 AAC 96.060 (Performance Guaranty), and 11 AAC 96.065 (Insurance).

State Plans and Classifications:

The requested easement is located within the Kenai Area Plan (KAP) Region 3, within Management Unit 369, which is designated as Public Recreation and Tourism—dispersed use and classified as Public Recreation Land. Chapter 3 of the plan notes that the resources and uses for which unit 369 is designated are the Lost Lake Trail and its viewshed, the Seward Highway Scenic Byway, and the Alaska Railroad. Other resources and uses for the unit are timber harvest, wildlife habitat, and cultural sites. The specific management intent for the unit is timber harvest and management of significant amounts of beetle-killed spruce, and reference is made to Seward Highway Scenic Byway Corridor Preservation Area (SHSBCPA) guidelines for general management intent of the unit. Region 3 management constraints and considerations include the Seward Highway Scenic Byway Corridor Partnership Plan (SHSBCPP) and the Kenai Mountains—Turnagain Arm National Heritage Area (KMTA NHA). Chapter 2 of the KAP includes guidelines for management of Public Recreation and Tourism units, the Seward Highway Scenic Byway, and trails and access.

Chapter 2 Public Recreation and Tourism management guidelines for scenic resources direct that facilities should be located and designed to blend in with the natural surroundings.

The SHSBCPP identifies several issues and recommendations concerning scenic resources. Some of the strategies from the plan have been incorporated into KAP Public Recreation and Tourism management guidelines. Chapter 2 Public Recreation and Tourism management guidelines for the Seward Highway Scenic Byway state that SHSBCPAs should remain free of development that is visible from the highway. Infrastructure projects should be carefully designed to avoid or minimize visual intrusions. Complementary uses are allowed within Corridor Preservation Areas but will be constructed with maximum consideration given to maintaining the integrity of the area. The road segment under this application is not visible from the highway. The Department

of Transportation and Public Facilities (DOT&PF) was provided the Public and Agency Notice and did not provide a comment.

The Lost Lake Trail is a year-round, multi-use trail maintained by the US Forest Service (USFS) and is part of the Iditarod National Historic Trail (INHT) system. SCRO has issued an Entry Authorization to USFS for a portion of this trail in Section 14 of Township 1 North, Range 1 West, Seward Meridian under ADL 228890-B. ADL 228890-B is a 100-foot wide public right-of-way for the trail within a 1,000-foot wide buffer to be reserved to the State that the State is also subject to in TA 1986-0053. The requested easement is outside of ADL 228890-B and the 1,000-foot buffer and the road segment does not interfere with the Lost Lake Trail viewshed. The USFS was provided the Public and Agency Notice and did not provide a comment.

Unit 369 is located within the boundary of the KMTA NHA. KMTA NHA is administered by the National Park Service (NPS), though it is not a NPS unit, and the KMTA Corridor Communities Association (KMTA CCA) serves as the coordinating entity. Designation as a NHA confers no authority to manage or regulate land use but rather provides assistance to local communities to preserve their heritage resources. The KMTA CCA was provided a copy of the Public and Agency Notice and did not provide a comment.

A portion of the Alaska Railroad is located within unit 369. The requested easement is not located in the immediate vicinity of the Railroad right-of-way, and therefore does not impact the Alaska Railroad.

SCRO provided the Public and Agency Notice to the agencies that manage wildlife and habitat management (the Alaska Department of Fish and Game (ADF&G)), forest and timber (the Division of Forestry (DOF)), and historic sites (the Division of Parks and Recreation Office of History and Archaeology (DPOR OHA)). DOF, and OHA did not provide comments. ADF&G submitted a comment of non-objection.

In consideration of these factors, ADL 232731 is compatible with the land use guidelines described in the Kenai Area Plan.

Administrative Record:

The administrative record for this request for a public access easement for a road segment is ADL 232731.

Public and Agency Notice:

SCRO conducted a combined public and agency notice for ADL 232731 from May 3, 2017 to June 2, 2017. The notice was posted on the State of Alaska Online Public Notices Website and sent to the following:

- Seward US Post Office
- Applicant
- KPB Planning, Land Management, and Kenai River Center
- City of Seward
- Chugach Alaska Corporation
- USFS Chugach National Forest and Seward District Ranger
- US Army Corps of Engineers Kenai Field Office
- DNR
 - DMLW Survey Section and Land Sales Section
 - DPOR OHA
 - Division of Oil and Gas (DOG) Permitting Section and State Pipeline Coordinator's Section (SPCS)
 - DOF Kenai Office
- Department of Environmental Conservation (DEC) Division of Water and Division of Environmental Health
- Department of Commerce, Community, and Economic Development Division of Community and Regional Affairs
- ADF&G Division of Habitat and Division of Wildlife Conservation
- Mental Health Trust Land Office (MHTLO)
- DOT&PF Central Region Planning

Additionally, the KMTA CCA was provided a copy of the notice on June 12, 2017 when evaluation of the KAP illuminated the KMTA NHA as a management consideration. KMTA CCA did not provide a comment.

Comments of non-objection were issued by the DOG State Pipeline Coordinator's Section; the DEC Drinking Water Protection Group; the MHTLO, and ADF&G. No other comments were received.

Term:

The authorization requested under ADL 232731 will be issued for an indefinite length of time and may be revoked for non-compliance with the terms identified in relevant Departmental

authorizations issued in association with the requested land use approval, if the area described is no longer used for its intended purpose, or if a higher and better use for the project area is established as determined by the DMLW Director.

The Entry Authorization (EA) will be issued for a term ending 5 years from the effective date of this decision for the purpose of constructing, surveying, operating, and maintaining the road segment prior to DMLW's issuance of a public access easement. An extension of the EA may be granted at the written request of the applicant if granting the extension is deemed appropriate by SCRO, and may be subject to applicable fees. If an extension is required, the applicant must contact SCRO no later than 30 days prior to the expiration of the EA, and certify there have been no changes to the approved development plan.

SCRO may rescind this decision by written notification if, after 1 year from the effective date of this decision, the applicant has not completed all requirements outlined in this decision for issuance of the EA and returned to SCRO an EA signed by the applicant. At the applicant's request and SCRO concurrence, additional time may be allotted to complete these requirements.

Following termination of ADL 232731, whether by abandonment, revocation, or any other means, Mr. Rough shall restore the site to a condition that is acceptable to SCRO.

Third Party Interests:

A review of information available in DNR's Land Administration System records has identified no third party interest(s).

Management Issues:

The issuance of a public access easement under ADL 232731 is dependent upon the provision of legal public access to ADL 232731. Platted public access to ADL 232731 is currently anticipated via the subdivision of Tract C1 through the KPB Platting Board and is the preferred method providing for access to ADL 232731. The applicant may also provide a general dedication of public access no less than 60 feet in width through Tract C1 from Hayden Berlin Road/Trail Head Road to ADL 232731 if the platting process is concluded without acceptance of a plat.

Economic Benefit and Development of State Resources:

In accordance with AS 38.05.850, SCRO considers three criteria to determine if this project provides the greatest economic benefit to the State and the development of its natural

resources: direct economic benefit to the State, indirect economic benefit to the State, and encouraging development of the State's resources.

The EA fees of \$100 annually and the one-time easement issuance fee of approximately \$50 for ADL 232731 represent a direct economic benefit to the State. The road segment will allow for the development of private land, which will support the continued growth of Seward's economy, thereby providing an indirect economic benefit to the State. Improved access to State lands will facilitate the development of the State's resources. Because there are no competing projects which are incompatible with this proposal, and in consideration of the benefits described above, this project represents the greatest economic benefit to the State.

Other Authorizations:

The applicant is responsible for obtaining and complying with all other required authorizations for this activity, and the failure to do so shall constitute a violation of ADL 232731 and may be subject to action by SCRO.

Survey:

A DMLW-approved as-built survey is required for ADL 232731 to determine the proper location and acreage of installed improvements and the associated easement on State-owned, DMLW-managed lands. Mr. Rough must acquire survey instructions and coordinate with the DMLW Survey Section for the as-built process. A survey instruction fee per 11 AAC 05.010(a)(13)(A) may be applicable. A draft must be submitted to the Survey Section prior to the expiration of the EA and a final as-built survey must be approved by DMLW before issuance of the final easement document.

Fees:

ADL 232731 will be subject to the following fees, which are subject to adjustment if the regulation(s) pertaining to the fee(s) change during the term of the EA and/or easement:

- EA for construction, survey, operation, and maintenance activities within approximately 0.579 acres in accordance with 11 AAC 05.010(e)(9): an annual interim land use fee of \$50 per acre and no less than \$100, which is calculated to be \$100.
- Public access easement for the operation and maintenance of improvements within approximately 0.579 acres in accordance with 11 AAC 05.010(e)(12): a one-time issuance fee of \$50 per acre, calculated to be \$50.
- Appropriate recording fees to have the easement recorded by DMLW.

History of Compliance:

DNR Land Administration records indicate that Mr. Rough is in a state of compliance with the terms of other DMLW-issued authorizations.

Performance Guaranty:

To fulfill the requirement of a performance guaranty as described in 11 AAC 96.060, Mr. Rough is required to submit a performance guaranty in the amount of \$2,000.00 to ensure completion of EA requirements. These funds will also serve as a survey deposit (per AS 38.05.860) and may be reduced one time during the term of the EA by an amount equal to payments made by Mr. Rough to a licensed surveyor under contract for completion of an as-built survey of ADL 232731 in accordance with survey instructions issued by the DMLW Survey Section as described herein. This performance guaranty shall remain in place during the term of the EA and will be subject to release upon the acceptance of a DMLW-approved as-built survey and the fulfillment of all conditions and stipulations of this decision and the EA. The guaranty may also be adjusted to reflect updates and changes in the associated project, and the applicant may be required to furnish an additional performance guaranty if SCRO determines there to be additional risk to the State. The guaranty may be utilized by DMLW to cover actual costs incurred by the State to pay for necessary corrective actions in the event the applicant does not comply with site utilization and restoration requirements and other stipulations contained in the EA. An additional performance guaranty may be required for an extension of the EA beyond the 5 years proposed under this decision.

Insurance:

In accordance with 11 AAC 96.065, Mr. Rough shall be required to submit proof of insurance to protect the State from risks associated with the planned activities under the EA for ADL 232731. Mr. Rough is responsible for maintaining the insurance necessary during the term of the EA. The insurance may be adjusted to reflect updates and changes in the associated project, and the applicant may be required to furnish additional insurance if SCRO determines there to be additional risk to the State. A certificate of insurance listing the State of Alaska, Department of Natural Resources as an additional insured on the policy, or other insurance acceptable to the State, must be submitted to SCRO prior to entry on State land and maintained throughout the term of the EA.

Proposal and Recommendation for Issuance of Entry Authorization:

I recommend issuance of an EA to Mr. Rough to enter upon State-owned, DMLW-managed land within Section 14 of Township 1 North, Range 1 West, Seward Meridian, Alaska for the purpose of constructing, surveying, operating, and maintaining ADL 232731 prior to DMLW's issuance of a public access easement. Upon DMLW receipt of the required performance guaranty, proof of insurance, and land use fees, the EA will be issued for a term ending 5 years from the effective date of this decision.

Authorization of the activities proposed in ADL 232731 will occupy approximately 0.579 acres of State-owned, DMLW-managed land as depicted in Figure 1 on page 2 of this document. A finalized easement will not be granted until the applicant has conformed to all terms and conditions of this decision and the EA.

Proposal and Recommendation for Issuance of Public Access Easement:

In consideration of all events and criteria described above, it is my determination that this project is consistent with the overall classification and management intent for this land and would be a benefit to the State of Alaska. Therefore, I recommend issuance of a public access easement pursuant to AS 38.05.850, upon satisfactory completion of the project in conformance with all the terms and conditions of this decision and the EA. The easement will be held by DMLW for the benefit of the public. The easement will be issued for an indefinite term that may be terminated if a higher and better economic use for the project area is established as determined by the DMLW Director (AS 38.05.850), if the land is no longer used for the above stated purpose, or for non-compliance with the terms identified in relevant Departmental authorizations issued in association with the requested land use approval.

If issued, the easement will be approximately 420 feet in length and approximately 60 feet in width, occupying approximately 0.579 acres of State-owned land. The exact size of the easement will be as shown on an as-built survey approved by DMLW. This public access easement will authorize the operation and maintenance of the road segment described in ADL 232731. SCRO assumes no responsibility for maintenance or liability for injury or damages attributable to the easement ADL 232731.

Signature page follows.



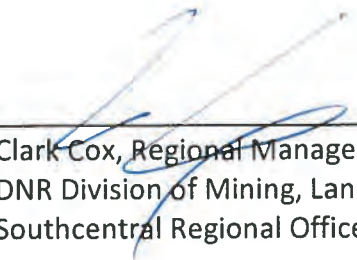
Cori Kindred, Natural Resource Specialist
DNR Division of Mining, Land, and Water
Southcentral Regional Office



Date

Decision:

When adjudicating an easement authorization pursuant to AS 38.05.850, DNR seeks to responsibly develop Alaska's resources by making them available for maximum use and benefit consistent with the public interest. In consideration of all events and criteria listed above, SCRO has determined that the authorizations to be granted under ADL 232731 are consistent with DNR's mission. It is my decision that this project is consistent with the overall classification and management intent for this land. SCRO will issue a public access easement, pursuant to AS 38.05.850, once the applicant has conformed to all terms and conditions of this decision and the EA.



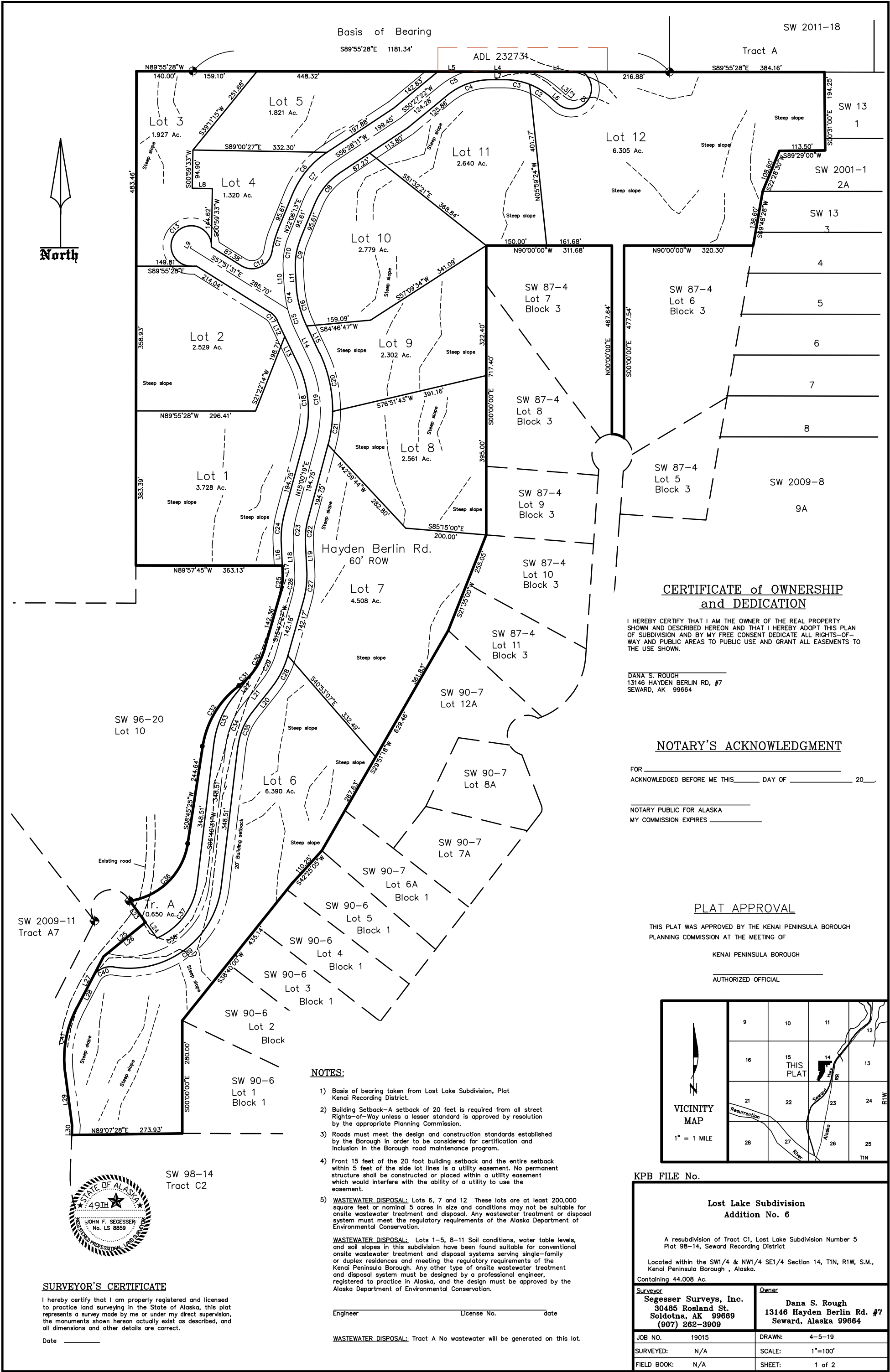
Clark Cox, Regional Manager
DNR Division of Mining, Land, and Water
Southcentral Regional Office



Date

Appeal Process:

A person affected by this decision may appeal it in accordance with 11 AAC 02. Any appeal must be received within 20 calendar days after the date of "issuance" of this decision, as defined in 11 AAC 02.040 (c) and (d), and may be mailed or delivered to the Commissioner of the Department of Natural Resources, 550 W.7th Avenue, Suite 1400, Anchorage, Alaska 99501, faxed to (907) 269-8918, or sent by electronic mail to dnr.appeals@alaska.gov. If no appeal is filed by that date, this decision goes into effect as a final order and decision on the 31st day after "issuance". An eligible person must first appeal this decision in accordance with 11 AAC 02 before appealing this decision to Superior Court. A copy of 11 AAC 02 may be obtained from any regional information office of the Department of Natural Resources.



CERTIFICATE of OWNERSHIP and DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

DANA S. ROUGH
13146 HAYDEN BERLIN RD, #7
SEWARD, AK 99664

NOTARY'S ACKNOWLEDGMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____

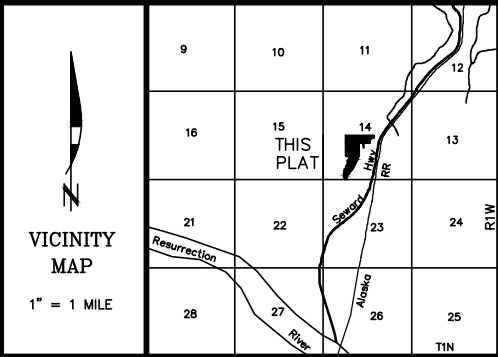
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

PLAT APPROVAL

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

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL _____



KPB FILE No.

Lost Lake Subdivision Addition No. 6

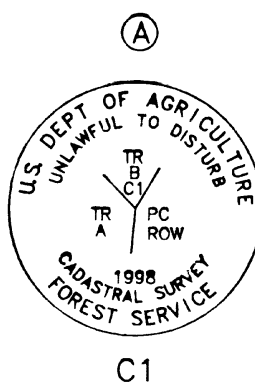
A resubdivision of Tract C1, Lost Lake Subdivision Number 5 Plat 98-14, Seward Recording District

Located within the SW1/4 & NW1/4 SE1/4 Section 14, T1N, R1W, S.M., Kenai Peninsula Borough, Alaska.

Containing 44,008 Ac.

Surveyor Segesser Surveys, Inc. 30485 Rosland St. Soldotna, AK 99669 (907) 262-3909	Owner Dana S. Rough 13146 Hayden Berlin Rd. #7 Seward, Alaska 99664
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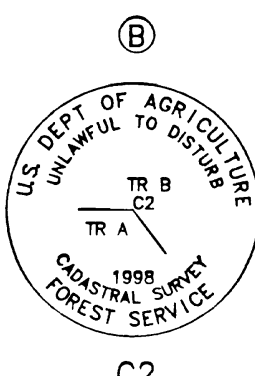
JOB NO.	19015	DRAWN:	4-5-19
SURVEYED:	N/A	SCALE:	1"=100'
FIELD BOOK:	N/A	SHEET:	1 of 2



Set a standard USDA Forest Service 3 1/4" diam. alum. cap (replaced a recovered 5/8" diam. rebar) , mkd. as shown on a 2 1/2" X 30" long magnetized alum. post, flush with ground.

BT's Set:
A 14" diam. Hemlock, mkd. "X BT", that bears N. 66° W., 16.6 ft. dist.

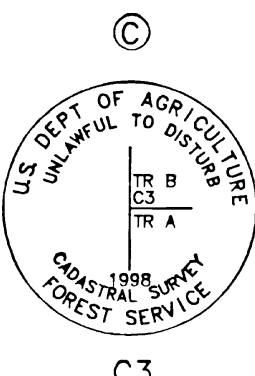
BO's Set:
Set a 4x4" wooden post with sign attached, that bears N 7° E., 1.9 ft. dist.



Set a standard USDA Forest Service 3 1/4" diam. alum. cap (replaced a recovered 5/8" diam. rebar) , mkd. as shown on a 2 1/2" X 30" long magnetized alum. post, flush with ground.

BT's Set:
A 10" diam. Hemlock, mkd. "X BT", that bears N. 29 3/4° E., 26.1 ft. dist.

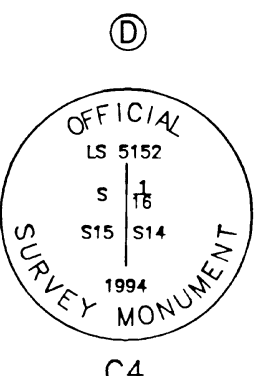
A 15" diam. Hemlock, mkd. "X BT", that bears N. 83 3/4° W., 35.8 ft. dist.



Set a standard USDA Forest Service 3 1/4" diam. alum. cap (replaced a recovered 5/8" diam. rebar) , mkd. as shown on a 2 1/2" X 30" long magnetized alum. post, flush with ground.

BT's Set:
A 16" diam. Hemlock, mkd. "X BT", that bears S. 34 3/4° W., 9.6 ft. dist.

An 8" diam. Hemlock, mkd. "X BT", that bears S. 84 3/4° E., 16.6 ft. dist.

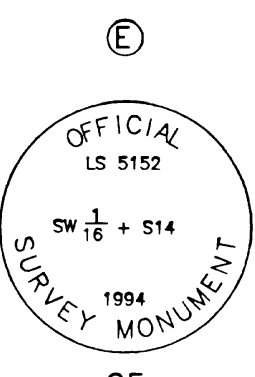


Recovered a 2 1/2" diam. alum. cap set on an alum. pipe, mkd. as shown, 5" above the grd. surface, in good condition.

BT's Recovered:
Fnd. a 21" diam. Hemlock, with full scribe, that bears S. 52 1/2° E., 17.9 ft. dist.

Fnd. a 38" diam. Hemlock, mkd. "X BT", that bears N. 64 3/4° E., 15.7 ft. dist.

Fnd. a 20" diam. Hemlock, mkd. "X BT", that bears S. 55 1/2° W., 9.7 ft. dist.

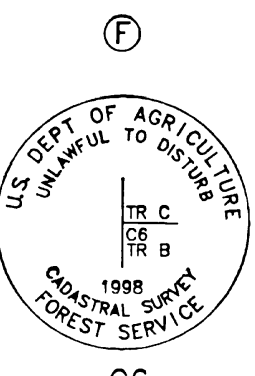


Recovered a 2 1/2" diam. alum. cap set on an alum. pipe, mkd. as shown, 6" above the grd. surface, in good condition.

BT's Recovered:
Fnd. a 13" diam. Hemlock, with full scribe, that bears N. 6 3/4° E., 9.9 ft. dist.

Fnd. an 11" diam. Hemlock, mkd. "X BT", that bears S. 55 3/4° E., 22.1 ft. dist.

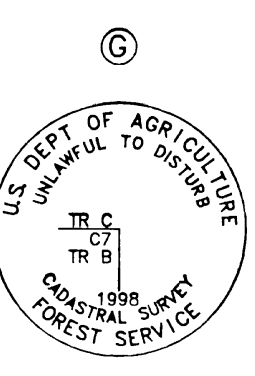
Fnd. a 15" diam. Hemlock, mkd. "X BT", that bears S. 63 3/4° W., 8.0 ft. dist.



Set a standard USDA Forest Service 3 1/4" diam. alum. cap (replaced a recovered 5/8" diam. rebar) , mkd. as shown on a 2 1/2" X 30" long magnetized alum. post, 6" above ground.

BT's Set:
A 19" diam. Hemlock, mkd. "X BT", that bears N. 39° E., 18.7 ft. dist.

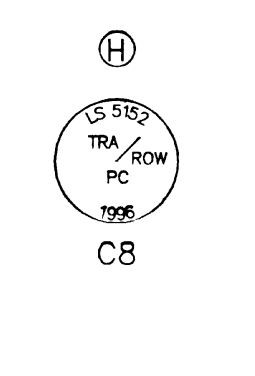
A 14" diam. Hemlock, mkd. "X BT", that bears S. 57 1/2° E., 13.4 ft. dist.



Set a standard USDA Forest Service 3 1/4" diam. alum. cap (replaced a recovered 5/8" diam. rebar) , mkd. as shown on a 2 1/2" X 30" long magnetized alum. post, 3" above ground.

BT's Set:
A 6" diam. Hemlock, mkd. "X BT", that bears S. 87° W., 15.2 ft. dist.

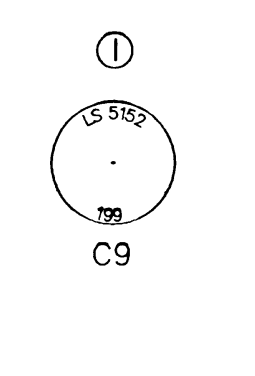
BO's Set:
Set a 4x4" wooden post with sign attached, that bears S 66° W., 1.8 ft. dist.



Recovered a 1 1/2" diam. alum. cap, set on 5/8" diam. rebar, mkd. as shown, in good condition.

BT's Set:
A 12" diam. Hemlock, mkd. "X BT", that bears S. 5° W., 14.7 ft. dist.

BO's Set:
Set a 4"x4" wooden post with sign attached, that bears N. 73° W., 1.2 ft. dist.



Recovered a 1 1/2" diam. alum. cap, set on 5/8" diam. rebar, mkd. as shown, in good condition.

BT's Set:
An 8" diam. Hemlock, mkd. "X BT", that bears S. 34° W., 6.1 ft. dist.

BO's Set:
Set a 4"x4" wooden post with sign attached, that bears N. 58° W., 1.2 ft. dist.

Curve Information					
Curve No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
1 (R)	172°02'59"	50.00'	150.14'	99.76'	S60°26'33"W
1 (M)				99.37'	S60°22'13"W
2 (R)	72°46'56"	170.00'	215.95'	201.72'	S45°07'03"W
2 (M)				201.62'	S45°08'21"W
3 (R)	44°48'02"	230.00'	179.84'	175.29'	S31°07'37"W
3 (M)				175.39'	S31°11'40"W
4 (R)	37°44'11"	170.00'	111.97'	109.95'	S34°39'32"W
4 (M)				109.89'	S34°30'31"W
5 (R)	25°19'25"	170.00'	75.14'	74.53'	S05°39'18"W
5 (M)				74.61'	S05°51'37"W

NOTES

1. The Forest Service land surveying field party consisted of Dave Hale, Survey Technician; LaQuita McElmurry, Survey Technician; and Blayde Boyd, Survey Technician.

2. All distances are in U.S. Survey feet.

3. Record information is from the original survey of Lost Lake Subdivision, Addition No. 4, done by Integrity Surveys between 1993 and 1996, and filed November 8, 1996, in the Seward Recording District as Plat #96-20.

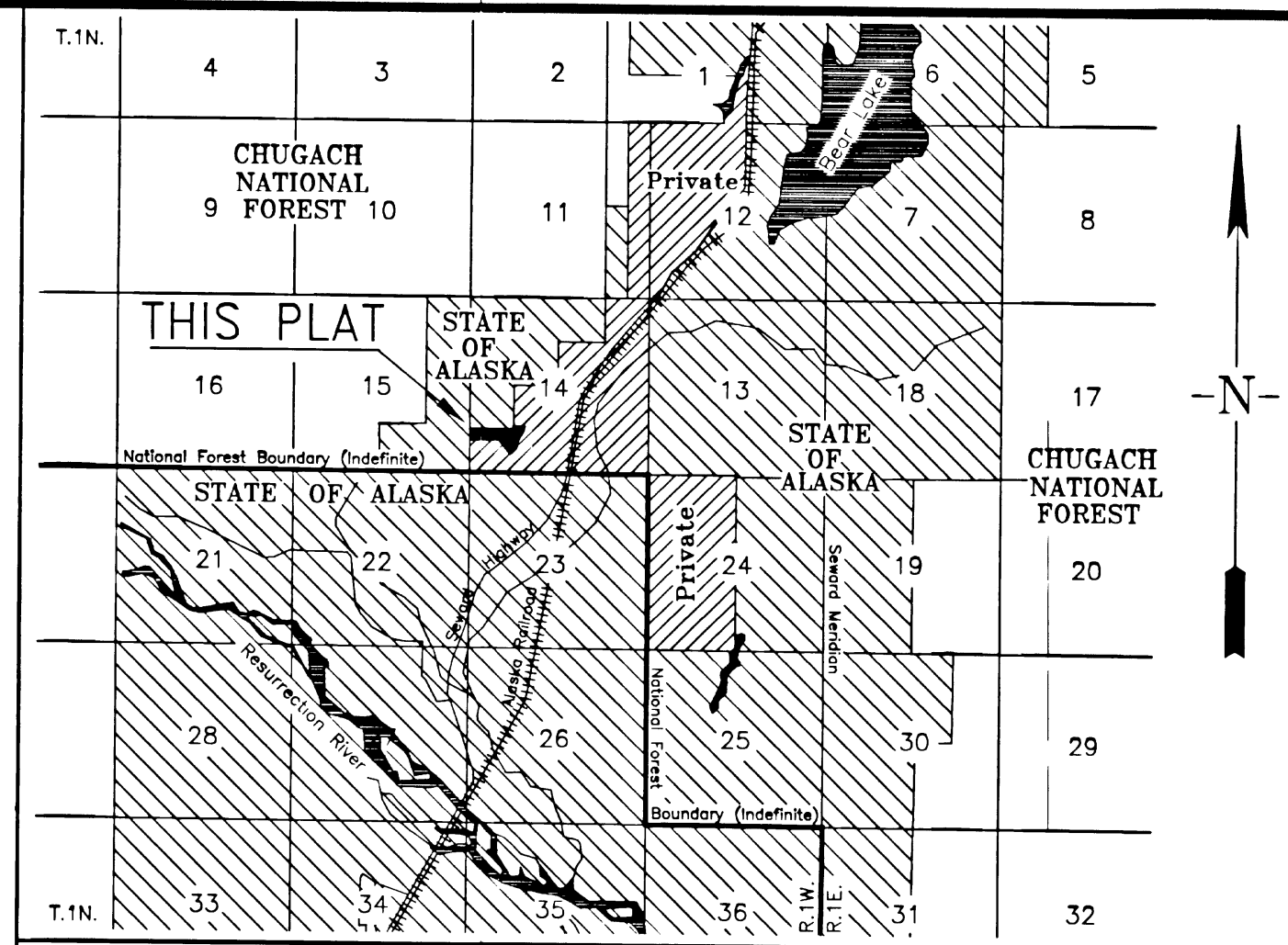
4. The monuments depicted hereon actually exist as shown.

5. This survey was a closed traverse executed to the standards prescribed by the A.S.P.L.S.

6. The bearings shown on this plat are True, unless otherwise noted.

7. All monumentation set by Integrity Surveys was recovered this survey, and found to be 5/8" diam. rebar with the exception of the South 1/16th corner (designated D), and the Southwest 1/16th corner (designated E), which were marked with standard 2 1/2" diam. alum. caps. The 5/8" diam. rebar at corners 1, 2, 3, 6, 7, and 13, were replaced with 3 1/4" diam. alum. U.S.D.A. caps on alum. posts. The rebar at corners 8 through 12 were straightened and firmed in their original positions. All monuments reset this survey were set in their original, found 1996 positions.

MAGNETIC DECLINATION FROM PBS QUAD SEWARD (A-7), ALASKA (REV. 1990)



SEWARD (A-7), ALASKA (REV. 1975)
Land status shown current as of March 28, 2000.

VICINITY MAP
SCALE: 1" = 1 MILE

LEGEND

- Standard U.S.D.A. 3-1/4" Aluminum Cap on 2-1/2" x 30" aluminum post set this survey. Replaced 5/8" diam. rebar recovered this survey.
- Standard 2-1/2" diam. alum. cap on 2-1/2" x 30" diam. alum. post recovered this survey.
- 5/8" diam. rebar recovered this survey.
- Boundary line posted and marked to U.S. Forest Service standards.
- (M) Measured information (1998-1999).
- (R) Record information (1996).

SURVEY HISTORY

Section 14, Township 1 North, Range 1 West, Seward Meridian, Alaska, was originally surveyed by G.G. McDaniel and John P. Walker, US Surveyors for the General Land Office (GLO), from May 24 to June 23, 1911, pursuant to instructions issued by the Commissioner of the General Land Office (GLO) on April 11, 1911, and accepted on July 7, 1914.

The subdivision of Section 14 into quarter sections and quarter-quarter sections was surveyed by Clifford Baker, Registered Land Surveyor (LS-5152), for Integrity Surveys from September 1, 1993 to January 21, 1994, and recorded February 2, 1994, in the Seward Recording District Office as Plat 94-2 RS.

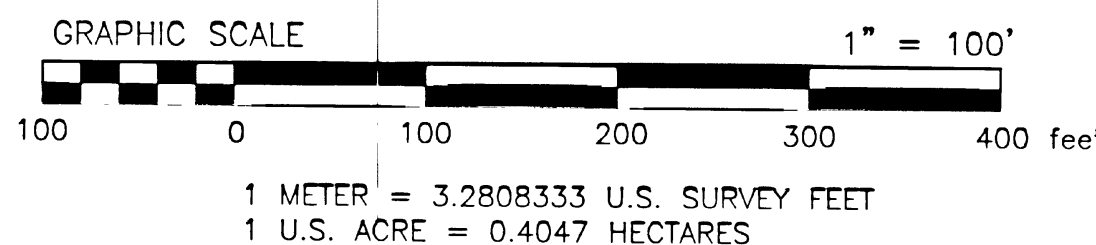
The survey of Lost Lake Subdivision, Addition No. 4, within Section 14, Township 1 North, Range 1 West, Seward Meridian, Alaska, was performed by Clifford Baker, Registered Land Surveyor (LS-5152), with Integrity Surveys between September, 1993 and September, 1996, and recorded November 8, 1996 in the Seward Recording District Office as Plat 96-20.

On September 29, 1997, Tract B of the Lost Lake Subdivision, Addn. No. 4, was acquired by the US Forest Service via general warranty deed, and said deed was recorded September 30, 1997 in the Seward Recording District Office as document No. 97-1384, Book 87, Page 644.

I hereby certify that this official USDA Forest Service survey was prepared in accordance with applicable Federal and State Law, by a Registered Land Surveyor employed by the United States Dept. of Agriculture, Forest Service, and that said surveyor prepared this survey at my request within the scope of this Federal Employment. The USDA Forest Service shall be responsible for this survey and subsequent amendments and corrections.

Randy D. Schrank
(s) Forest Supervisor

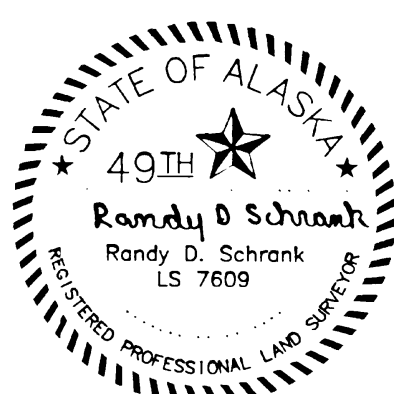
12/8/03
Date



GEOGRAPHIC POSITION FOR CORNER 1 (A)

Lat. 60° 10' 15.822" N.
Long. 149° 24' 38.113" W.
NAD 83 (EPOCH 1997.0)

2003-13
RECORDED-FILE
SEWARD REC. DIST.
DATE 12-17 2003
TIME 9:31 A M
Requested by United States Forest Service
Address



NOTE:

The geographic position for C1, Tract 'B', Addition #4, Lost Lake Subdivision, was computed using Global Positioning System (GPS) methods, and was post-processed, adjusted, and fully constrained to National Geodetic Survey (NGS) Continuously Operating Reference Stations (CORS) CAPE HINCHINBROOK 1', 'KENAI 1', and 'POTATO POINT 2'. GPS network baselines were processed using Trimble GPSurvey, v. 2.30 WAVE software, and adjusted with Trimnet Plus for GPSurvey, v. 92-11c.

SURVEYOR'S CERTIFICATE

I, Randy D. Schrank, hereby certify that I am a duly licensed land surveyor in the State of Alaska, and that the accompanying plat is a true and correct representation of a survey performed by me or under my direct supervision or guidance, and that the dimensions and other details of this plat are correct to the best of my professional knowledge and belief.

12-8-2003
Date

Registration No. LS-7609

Randy D. Schrank
Randy D. Schrank
Registered Land Surveyor

NOTE:

"This survey does not constitute a subdivision as defined by AS 40.15.290(2)"

DATE OF SURVEY: BEGINNING: July 14, 1998 ENDING: August 20, 2003		SEWARD RECORDING DISTRICT EQUIPMENT: Topcon GTS-3B Total Station HP48GX Data Collector	
RECORD OF SURVEY			
RETRACEMENT SURVEY OF LOST LAKE SUBDIVISION, ADDITION No. 4, TRACT B, LOCATED IN SURVEYED SECTION 14 T. 1 N., R. 1 W., S.M., ALASKA			
DRAWN BY: / DATE DCH / 4-13-1999 MLT / 1-4-2001 RB / 11-19-2003		CHECKED BY: RDS / 11-21-2003	FILE NAME: P231_99.dwg
PROJECT NO. 341-99		SHT. 1 OF 1	

SW 98-14



3-1/4" Alum. Cap

Basis of Bearing [S89°55'28"E 1181.26']

Unsubdivided

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	36°52'12"	50.00	32.18	31.62	N71°33'54"W
C2	24°01'50"	244.36	102.49	101.74	N12°00'56"W
C3	25°19'25"	170.00	75.14	74.53	N05°39'18"E
C4	37°44'11"	170.00	111.97	109.95	S34°39'32"W
C5	44°48'02"	230.00	179.84	175.29	S31°07'37"W
C6	72°46'56"	170.00	215.95	201.72	S45°07'03"W
C7	114°08'00"	230.00	458.16	386.08	N54°48'58"W
C8	35°03'27"	270.00	165.20	162.64	N10°01'08"E
C9	46°24'07"	170.00	137.68	133.95	N50°44'55"E

Unsubdivided

No.	Bearing	Distance
L1	N02°15'02"E	119.26'
L2	N02°15'02"E	95.49'
L3	N02°15'02"E	23.77'
L4	N36°02'32"W	65.42'

Tract 'C1'
44.008 Ac.



Tract 'B'

Tract 'A'

98-14
RECORDED
Seward REC. DIST.
DATE: 7/7/98
TIME: 1:15 P.M.
REQUESTED BY:
INTEGRITY SURVEYS
605 SWIRES DRIVE
KENAI, ALASKA 99611

LEGEND:

- Monument (found this survey)
- 1-1/2" Alum. Cap (found this survey)
- 5/8" Rebar (set this survey)
- Record Datum - Lost Lake Subdivision Addition No. 4 - Plat No. 96-20

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF May 26, 998.

KENAI PENINSULA BOROUGH
AUTHORIZED OFFICIAL

CERTIFICATE OF SURVEYOR

I hereby certify that; I am properly registered and licensed to practice land surveying in the State of Alaska, this sketch represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct to the normal standards of practice of land surveyors in the State of Alaska.

30 JUNE '98
DATE



NOTES:

- the NW1/4 of Section 23, T1N, R1W, S.M. was patented June 19, 1916 and therefore is not subject to section line easements.
- No structures permitted within the panhandle portion of flag lot.
- Proposed land uses are recreational, residential, agricultural, and commercial.
- Building Setback - A setback of 20 feet is required from all street right-of-ways unless a lesser standard is approved by resolution of the appropriate Planning Commission.
- Front 10 ft. of the building setback to be used as 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.
- WASTEWATER DISPOSAL:** Tract 'C1' is 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.

WASTEWATER DISPOSAL: Tract 'C2' soil conditions, water table levels, and soil slopes 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 professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Dept. of Environmental Conservation.

Engineer
WINEE CORTELL BROWN
License # 7235 CE
Date 6-23-98

CERTIFICATE of OWNERSHIP
and DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNER(S) 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 AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

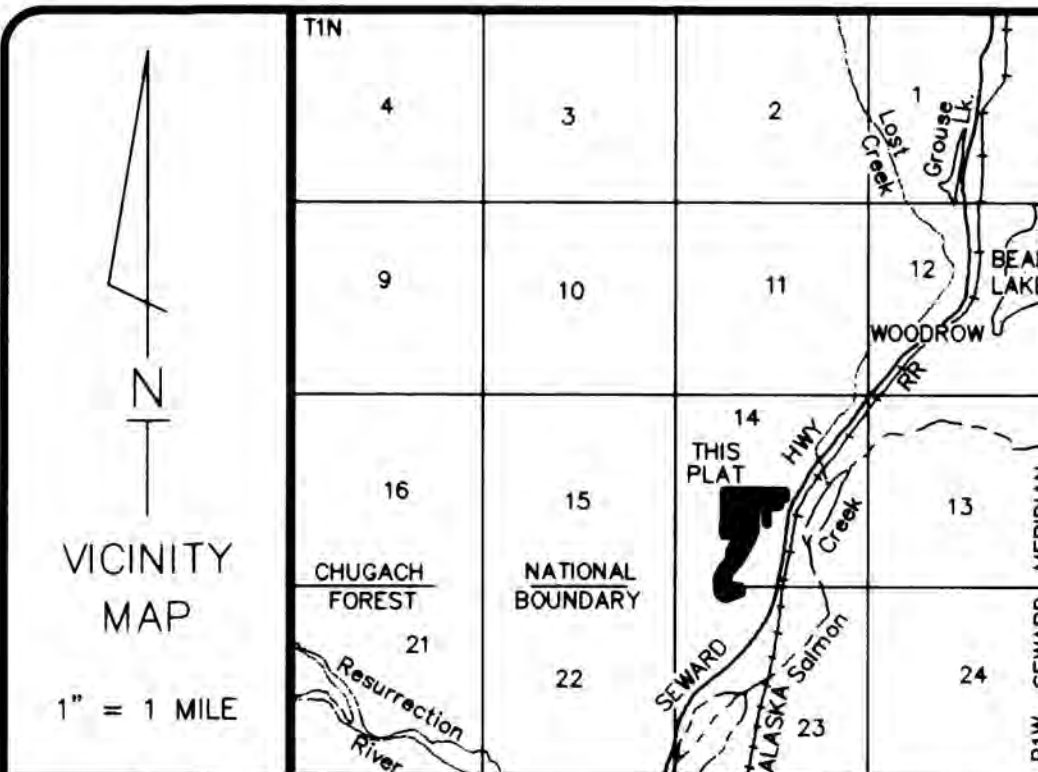
WE FURTHER CERTIFY THAT DEED(S) OF TRUST AFFECTING THIS PROPERTY DO NOT CONTAIN RESTRICTIONS WHICH WOULD PROHIBIT THIS REPLAT; OR REQUIRE SIGNATURE AND APPROVAL OF BENEFICIARY(IES).

Dana Scott Rough
By: Diana Davis, by POA
Dana Scott Rough
Judith Lee Rough
(Individually & As SECRETARY OF
D & J CONSTRUCTION, INC.)
P. O. Box 72
Seward, Alaska 99664
P. O. Box 72
Seward, Alaska 99664

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 26 DAY OF JUNE
1998 FOR DANA SCOTT ROUGH BY DIANA DAVIS BY POA
AND JUDITH LEE ROUGH

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 1-22-99



Lost Lake Subdivision
Number 5

A resubdivision of Tract 'C' Lost Lake Subdivision Addition No. 4.
Located within the SW1/4, NW1/4 SE1/4 Section 14, and N1/2 NW1/4 Section 23, T1N, R1W, S. M., Seward Recording District, Kenai Peninsula Borough, Alaska.

Containing 48.011 Ac. KPB FILE No. 98-073

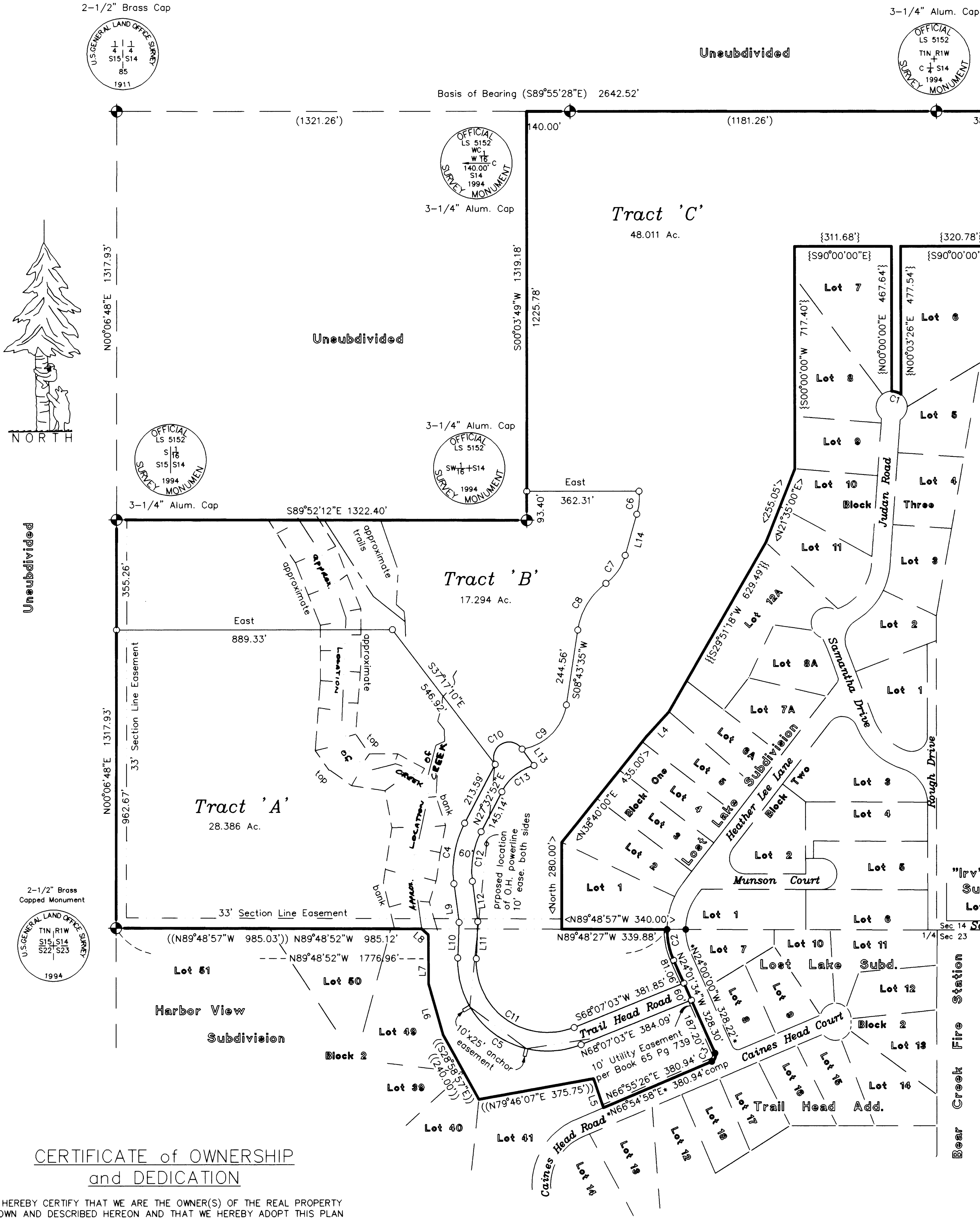
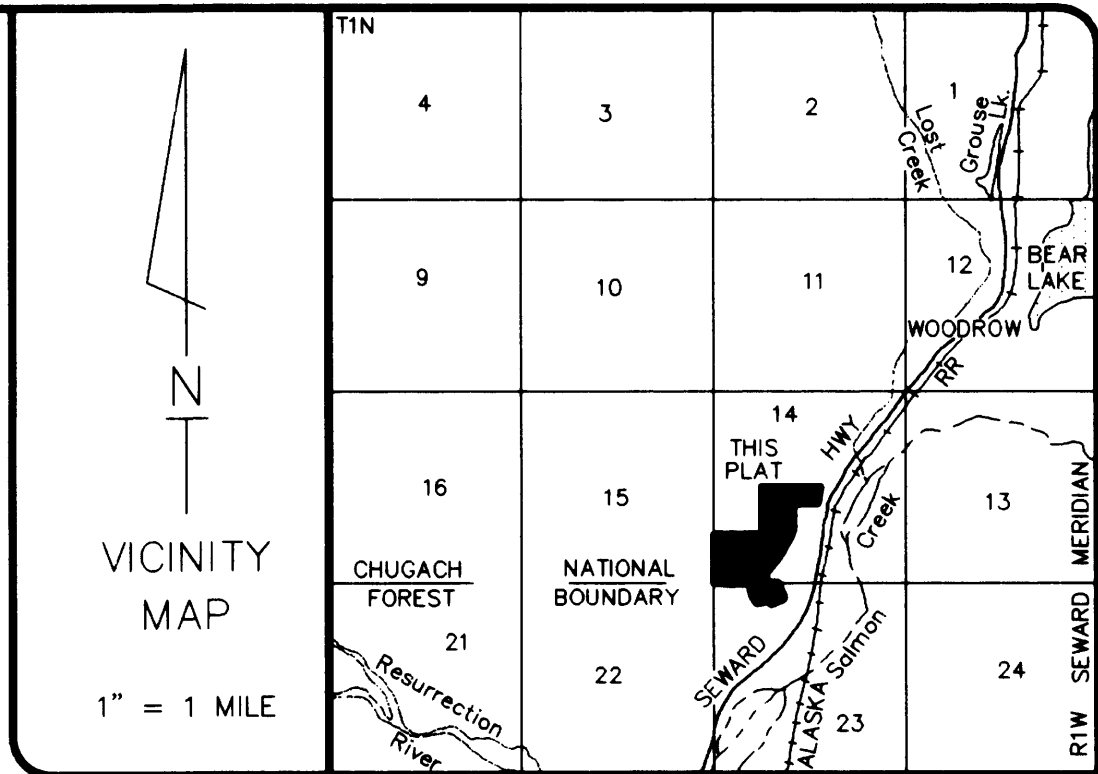
Integrity Surveys

605 Swires Drive Kenai, Alaska 99611-8363
SURVEYORS PHONE -- (907) 283-9047 FAX -- (907) 283-9071 PLANNERS

JOB NO:	98046 ref. 94006	PLATTED:	4 June, 1998 CB
SURVEYED:	Sept. 1993 - Sept. 1996	SCALE:	1" = 100'
FIELD BK.:	93-8, 93-13, 96-5	DISK:	\D-6\Lost Lake

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
[C1]	36°52'12"	50.00	32.18	31.62	N71°33'54"W
C2	24°01'50"	244.36	102.49	101.74	N12°00'56"W
+C2+	24°01'21"	244.36	102.45	101.70	N11°59'19"W
C3	90°54'58"	20.00	31.74	28.51	N21°25'55"E
+C3+	90°54'58"	20.00	31.74	28.51	N21°27'29"E
C4	35°03'27"	330.00	201.92	198.78	S10°01'08"W
C5	114°08'00"	290.00	577.68	486.80	S54°48'58"E
C6	25°19'25"	170.00	75.14	74.53	N05°39'18"E
C7	37°44'11"	170.00	111.97	109.95	S34°39'32"W
C8	44°48'02"	230.00	179.84	175.29	S31°07'37"W
C9	72°46'56"	170.00	215.95	201.72	S45°07'03"W
C10	172°02'59"	50.00	150.14	99.76	S60°26'33"W
C11	114°08'00"	230.00	458.16	386.08	N54°48'58"W
C12	35°03'27"	270.00	165.20	162.64	N10°01'08"E
C13	46°24'07"	170.00	137.68	133.95	N50°44'55"E

No.	Bearing	Distance
[L1]	N89°29'E	113.5'
[L2]	N22°28'30"E	108.6'
L3	{S09°46'28"W}	136.6' comp
<L4>	N42°25'00"E	110.36'
L5	N18°35'23"W	99.34' comp
((L5))	N18°27'14"W	99.34'
L6	N15°57'06"W	168.00'
((L6))	N15°48'57"W	168.00'
L7	N00°42'06"W	160.00'
((L7))	N00°33'57"W	160.00'
L8	N48°12'06"W	28.00'
((L8))	N48°03'57"W	28.00'
L9	S07°30'35"E	126.24'
L10	S02°15'02"W	114.14'
L11	N02°15'02"E	119.26'
L12	N07°30'35"W	131.37'
L13	N36°02'32"W	65.42'
L14	S15°47'27"W	138.07'



- LEGEND:**
- Monument (found this survey)
 - 1-1/2" Alum. Cap (found this survey)
 - 5/8" Rebar (set this survey)
 - () Record Datum - Record of Survey Section 14 TIN, R1W, S.M. - Plat No. 94-2RS
 - [] Record Datum - Delores McFarland Subdivision Stevens Addition - Plat No. 87-22
 - { } Record Datum - Lost Lake Subdivision Addition No. 1 - Plat No. 87-4
 - { } Record Datum - Lost Lake Subdivision Addition No. 2 - Plat No. 90-7
 - < > Record Datum - Lost Lake Subdivision Plat No. 86-11
 - * * Record Datum - Lost Lake Subdivision Trail Head Addition - Plat No. 92-12
 - (()) Record Datum - Harbor View Subdivision Plat No. 86-6

CERTIFICATE of OWNERSHIP and DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNER(S) 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 AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

WE FURTHER CERTIFY THAT DEED(S) OF TRUST AFFECTING THIS PROPERTY DO NOT CONTAIN RESTRICTIONS WHICH WOULD PROHIBIT THIS REPLAT; OR REQUIRE SIGNATURE AND APPROVAL OF BENEFICIARY(IES).

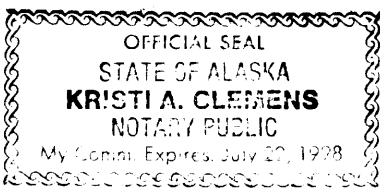
Dana Scott Rough
Dana Scott Rough
(Individually and President of
D & J Construction, Inc.)
P. O. Box 72
Seward, Alaska 99664

Judith Lee Rough
Judith Lee Rough
(Individually and Secretary of
D & J Construction, Inc.)
P. O. Box 72
Seward, Alaska 99664

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 11 DAY OF October
1996 FOR DANA SCOTT ROUGH & JUDITH LEE ROUGH

Kristi A. Clemens
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____



NOTES:

- The NW 1/4 of Section 23, TIN, R1W, S.M. was patented June 19, 1916 and are therefore not subject to section line easements.
- Proposed land uses are recreational, residential, agricultural, and commercial.
- A setback of 20 feet is required from all street Rights-of-Way unless a lesser standard is approved by the appropriate planning commission.
- Front 10 feet of the building setback to be used as 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.
- "WASTEWATER DISPOSAL: Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

Subject to any noted restrictions.
The Alaska Department of Environmental Conservation approves this subdivision for platting."

Environmental Engineer 10-29-96
signature title date

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF 10 June, 1996

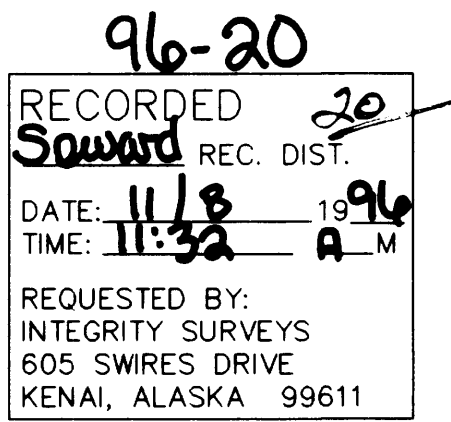
KENAI PENINSULA BOROUGH

Mark Burt
AUTHORIZED OFFICIAL

CERTIFICATE OF SURVEYOR

I hereby certify that; I am properly registered and licensed to practice land surveying in the State of Alaska, this sketch represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct to the normal standards of practice of land surveyors in the State of Alaska.

LS 5152
REGISTRATION No. 20 DATE OCTOBER, 1996
C. L. Baker
REGISTERED LAND SURVEYOR



KPB FILE No. 96-068

Lost Lake Subdivision Addition No. 4

Located within the S1/2 & NE1/4 of SW1/4 & NW1/4 SE1/4 Section 14, N1/2 NW1/4 Section 23, TIN, R1W, S. M., Seward Recording District, Kenai Peninsula Borough, Alaska.

Containing 96.024 Ac.

INTEGRITY SURVEYS

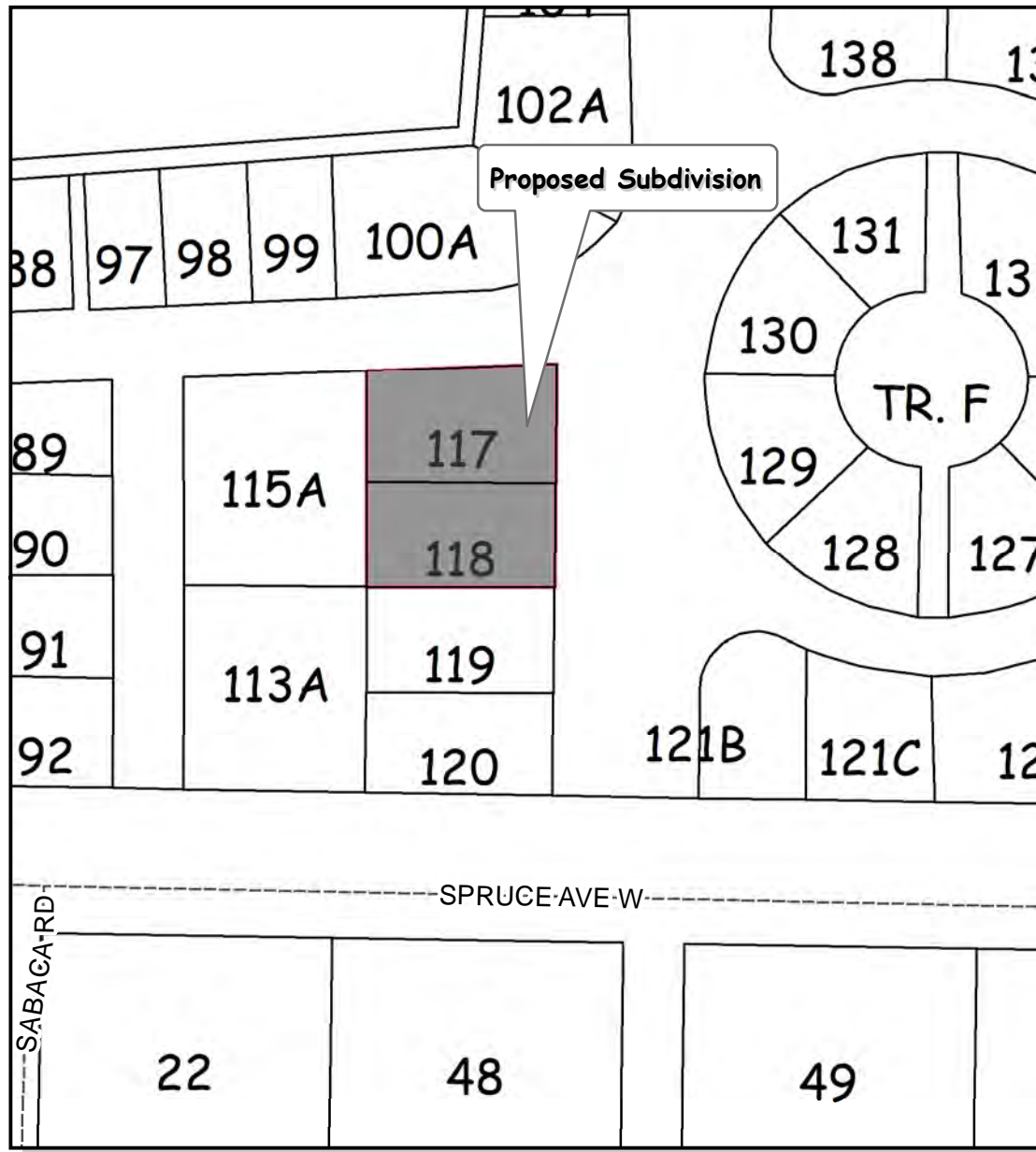
605 Swires Drive Kenai, Alaska 99611-8363
SURVEYORS PHONE -- (907) 283-9047 PLANNERS
FAX --- (907) 283-9071

JOB NO: 96036	PLATTED: 3 October, 1996	CB
SURVEYED: Sept. 1993 - Sept. 1996	SCALE: 1" = 200'	
FIELD BK: 93-8, 93-13, 96-5	DISK: \D-6\Lost Lake	

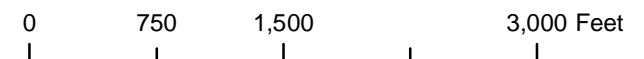
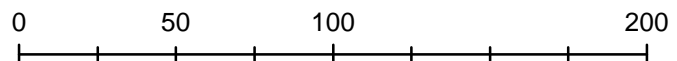
SW 96-20

96-20

MS



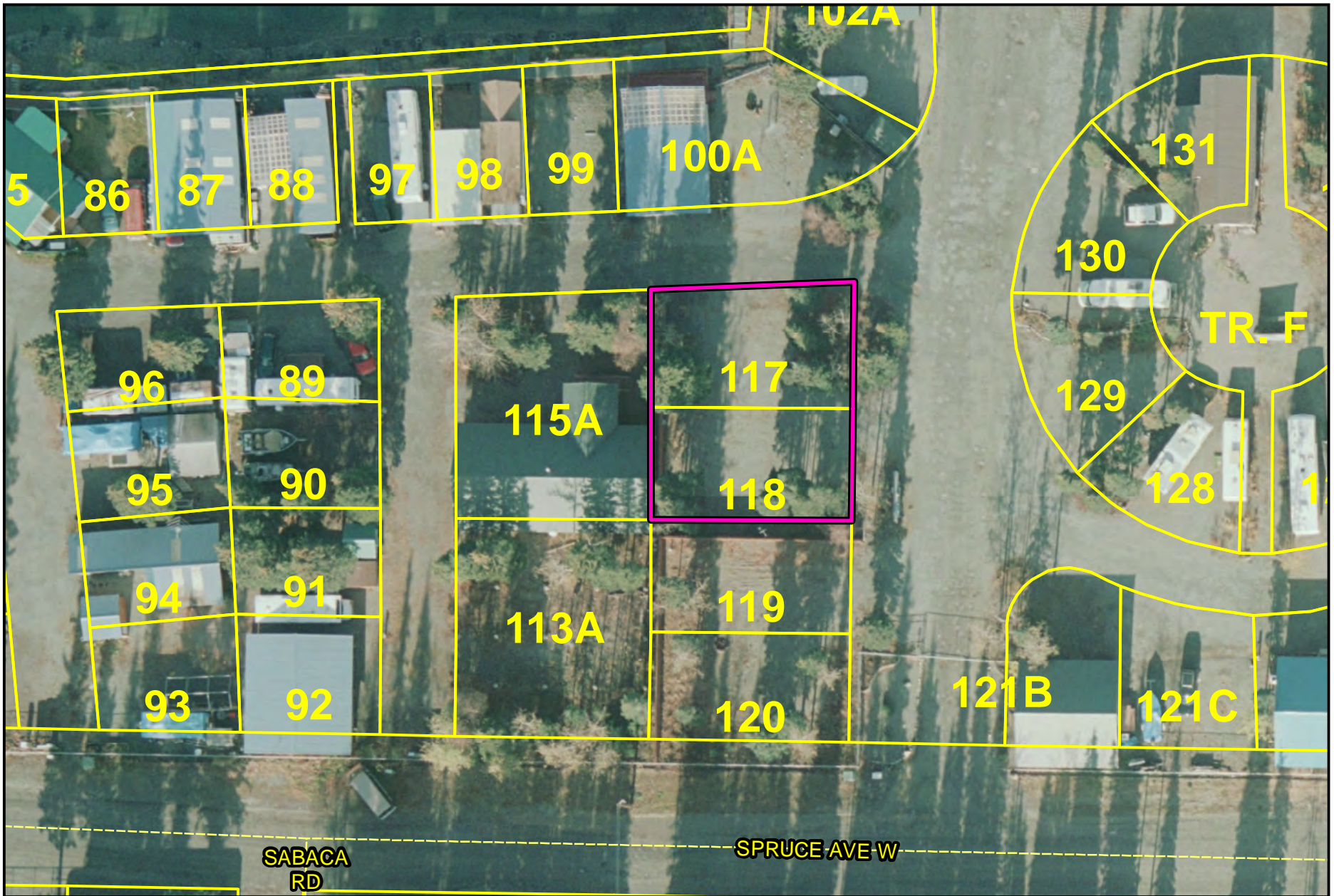
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



KPB 2022-002
S19 T05N R10W
Ridgeway



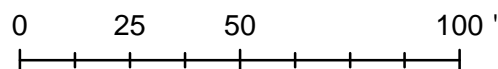
PClements, KPB 2022-002 Date: 1/12/2022



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.

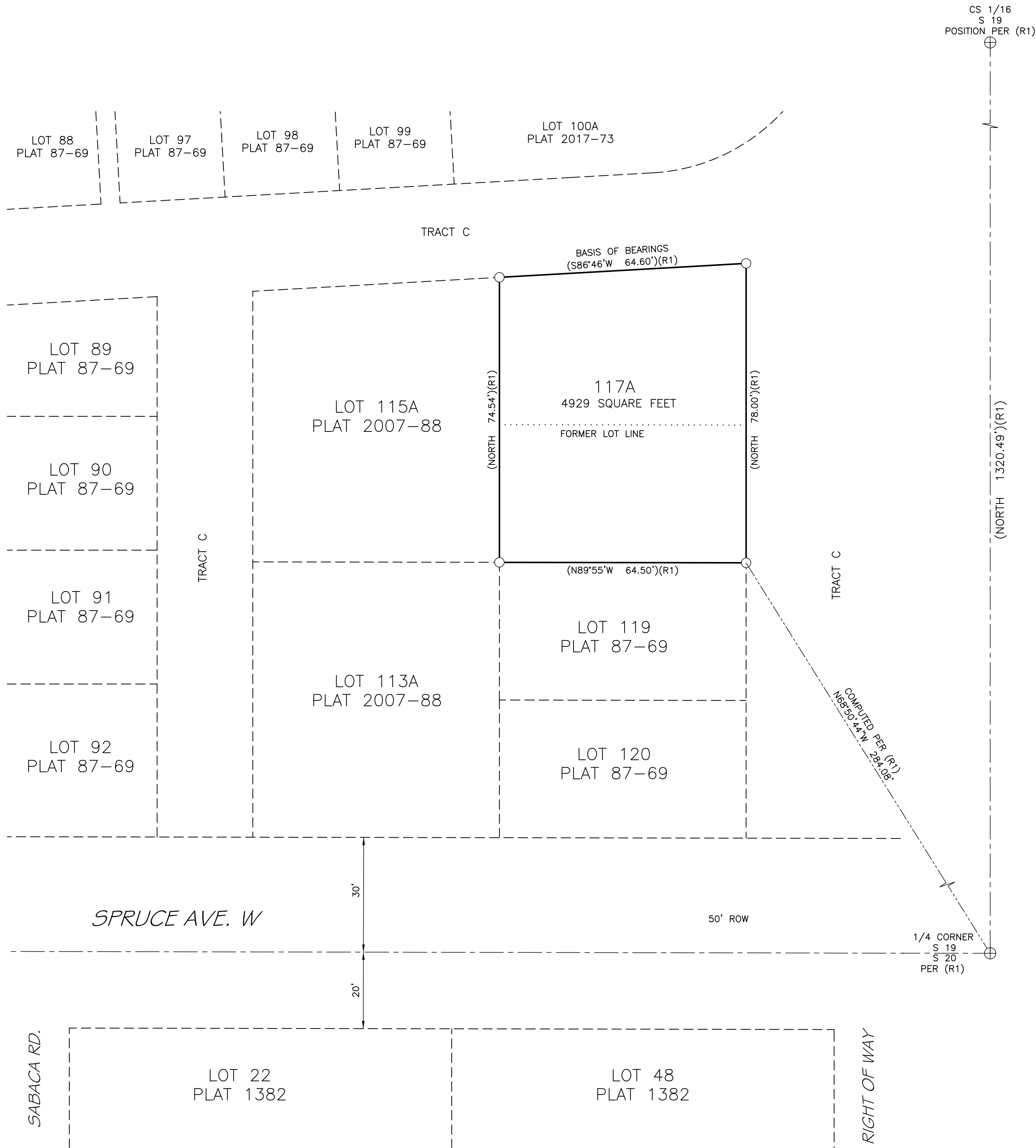
PClements, KPB 2022-002
Imagery Sterling

Aerial View



 PRELIMINARY PLAT





LEGEND

⊕	PRIMARY MONUMENT POSITION OF RECORD PER (R1) AS REFERENCED	—————	SUBDIVISION BOUNDARY
○	SECONDARY MONUMENT OF RECORD 12" IRON SPIKE PER (R1)	—————	INTERIOR LOT LINE
(R1)	RECORD DATA PLAT 87-69 KRD	- - - - -	ADJACENT PROPERTY LINE
		- . - . -	CENTRELINE
		FORMER LOT LINE
		- - - - -	MONUMENT TIE LINE

NOTES

- TRACT C SUBJECT TO AN UNDERGROUND 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.
- ACCESS TO THE LOTS WITHIN THIS SUBDIVISION IS BY PRIVATE ROAD LYING WITHIN TRACT C OF THE PARENT PLAT.
- THIS SUBDIVISION IS SUBJECT TO A GENERAL ELECTRICAL EASEMENT WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION ON JANUARY 3, 1961 IN MISC. BOOK 6 PAGE 223, KENAI RECORDING DISTRICT.
- THIS SUBDIVISION SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANT, CONDITION OR RESTRICTION VIOLATES 42 USC 3604 (C), AS CONTAINED IN AN INSTRUMENT: RECORDED: FEBRUARY 10, 1983. VOLUME/PAGE: 202/976 AND AMENDMENTS THERETO: RECORDED: JULY 31, 1990. VOLUME/PAGE: 369/157, AND RECORDED: SEPTEMBER 13, 1990. VOLUME/PAGE: 371/218.
- COVENANTS, CONDITIONS AND RESTRICTIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANT, CONDITION OR RESTRICTION VIOLATES 42 USC 3604 (C), AS CONTAINED IN AN INSTRUMENT: RECORDED: JULY 20, 2005. VOLUME/PAGE: 2005-006734-0.
- ANADROMOUS WATERS HABITAT PROTECTION DISTRICT NOTE: PORTIONS OF THIS SUBDIVISION ARE WITHIN THE KENAI PENINSULA BOROUGH ANADROMOUS WATERS HABITAT PROTECTION DISTRICT. SEE KPB CHAPTER 21.18, AS MAY BE AMENDED, FOR RESTRICTIONS THAT AFFECT DEVELOPMENT IN THIS SUBDIVISION. WIDTH OF THE HABITAT PROTECTION DISTRICT SHALL BE IN ACCORDANCE WITH KPB 21.18.040.
- WASTEWATER DISPOSAL: PLANS FOR WASTEWATER TREATMENT AND DISPOSAL, THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

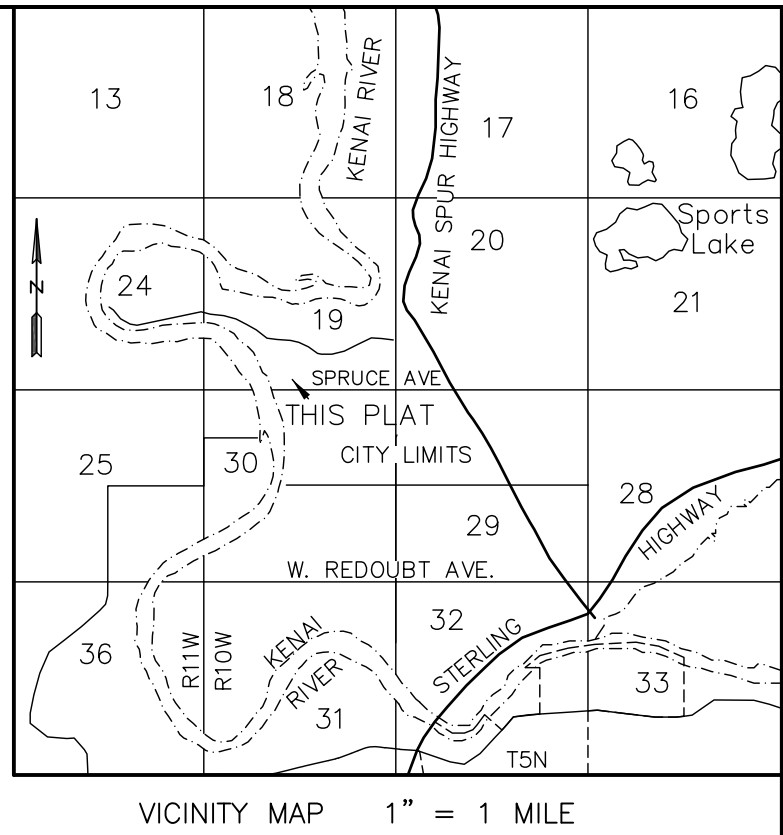
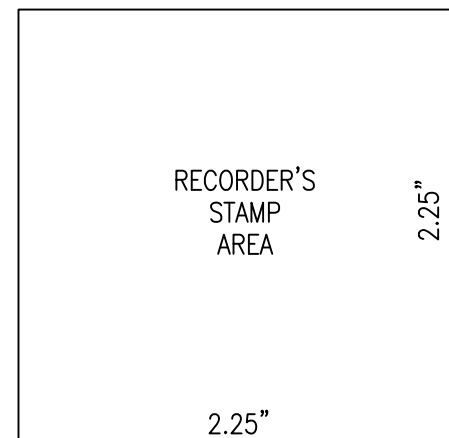
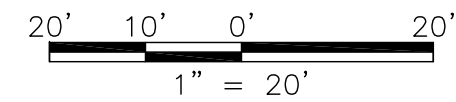
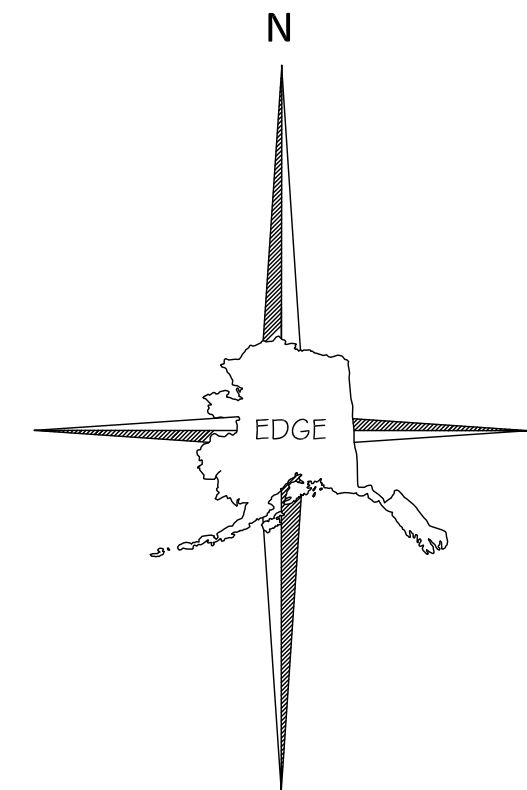
PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF FEBRUARY 14, 2022.
KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

CERTIFICATE OF SURVEYOR

I, MARK AIMONETTI 13022-S, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE MONUMENTS SHOWN ON THIS SURVEY ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



CERTIFICATE OF OWNERSHIP AND DEDICATION

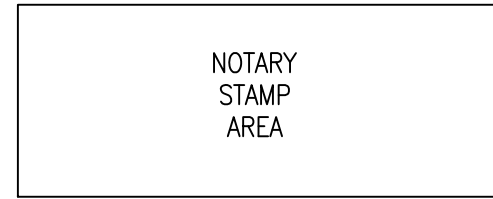
I HEREBY CERTIFY THAT I AM THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAYS, AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

PAMELA DIANE McCARL
2115 SORBUS WAY
ANCHORAGE, ALASKA 99508

NOTARY ACKNOWLEDGEMENT

FOR: PAMELA DIANE McCARL
ACKNOWLEDGED BEFORE ME
THIS _____ DAY OF _____, 2022

NOTARY PUBLIC SIGNATURE



KPB FILE No. 2022-000

POACHER'S COVE
PDM 2022 REPLAT

A REPLAT OF
LOTS 117 AND 118
POACHER'S COVE
PLANNED UNIT DEVELOPMENT
AMENDED
PLAT 87-69
KENAI RECORDING DISTRICT

OWNERS:
PAMELA DIANE McCARL
2115 SORBUS WAY
ANCHORAGE, ALASKA 99508

LOCATED WITHIN SW 1/4 SECTION 19,
T.5N., R.10W. S.M.
STATE OF ALASKA
KENAI PENINSULA BOROUGH
KENAI RECORDING DISTRICT

CONTAINING 4929 SQUARE FEET



12501 OLD SEWARD, D ANCHORAGE, AK 99515
Phone (907) 344-5990 Fax (907) 344-7794
AECL# 1392

DRAWN BY: JY	DATE: 1/11/2022	PROJECT: 21-644
CHECKED BY: MA	SCALE: 1" = 20'	SHEET: 1 OF 1

KPB 2022-002

AGENDA ITEM E. NEW BUSINESS

ITEM 2 - POACHERS COVE PDM 2022 REPLAT

KPB File No.	2022-002
Plat Committee Meeting:	February 14, 2022
Applicant / Owner:	Pamela Diane McCarl, Anchorage, AK
Surveyor:	Jason Young / Edge Survey and Design, LLC
General Location:	Spruce Avenue W, Ridgeway

Parent Parcel No.:	057-493-66, 057-493-67
Legal Description:	Lots 117 and 118 Poachers Cove PUD Amended Plat No KN 87-69
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	Community

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat combines two lots ranging in size from 2,300 to 2,600 sq. ft. into one lot that will be 4,900 sq. ft. by removing the shared lot line.

Location and Legal Access (existing and proposed): This subdivision does not front on a public right of way. Legal access to this subdivision is from an unnamed road located within Tract C, a private access tract. Poachers Cove Homeowners Association is the owner of Tract C. The roadway does not appear to have a street name.

Tract C connects to Spruce Avenue West, a dedicated right of way that is improved and maintained by KPB.

Any access issues will need to be worked out with the landowner, Poachers Cove HOA.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	

Site Investigation: The subdivision is generally flat and not affected by steep terrain. The Kenai River is located 530 feet to the west and a dredged boat basin is located 85 feet to the north. This subdivision is not located within a flood zone area and not affected by the anadromous waters habitat protection district. No wetlands are shown to affect this subdivision.

Staff recommends removing plat note 6 that references the anadromous waters habitat protection district.

KPB River Center review	A. Floodplain Reviewer: Carver, Nancy 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: Russell, Pam Comments: No Comments
Alaska Dept. of Fish and Game	Alaska Dept of Fish and Game has no objections to the proposed platting actions. The proposed actions will not affect public access to public lands and waters.

Staff Analysis Wilson Subdivision, KN 1374 created 2 acre lots and dedicated public right of ways. Poachers Cove – Amended, KN 87-69, is a planned unit development that vacated the right of ways, subdivided many small lots, and created a private access tract.

The two lots being replatted have no improvements.

The lot to the west and southwest are two combined lots, similar to this platting action, and both have buildings constructed on the lot. The two lots to the south of this subdivision appear to have non-permanent travel trailers located within the parcel.

The submittal application states that a community water and community wastewater system serve this parcel.

Per KPB 20.40.020(A)(2), this platting action will be increasing the size of the lot by more than 1,000 sq. ft. and a soils analysis report will not be required.

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 Platted utility easements do not affect this subdivision. A utility easement granted by separate document, with no defined location, has been identified in plat note 3.

As this lot does not front on a dedicated right of way, KPB 20.30.0360(D) will not apply to this platting action and no utility easements will be required to comply with KPB code.

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	
ENSTAR	No comments or recommendations.
ACS	
GCI	

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 45552 SPRUCE AVE W Lot 117 45552 SPRUCE AVE W Lot 118
------------	--

	<p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: SPRUCE AVE W</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: 45552 SPRUCE AVE W Lot 117 will be changed to 45552 SPRUCE AVE W Lot 117A 45552 SPRUCE AVE W Lot 118 will be deleted.</p>
Code Compliance	<p>Reviewer: Ogren, Eric</p> <p>Comments: No comments</p>
Planner	<p>Reviewer: Aldridge, Morgan</p> <p>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: Wilcox, Adeena</p> <p>Comments: No comment</p>
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

Staff recommendation: final plat submittals must comply with 20.25.070. Additional information, revisions, and/or corrections are required as noted below.

- 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: Remove the black text mask boxed on the labels. Depict and label the City limits.

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.

20.30.050. Legal access.

A. The applicant shall provide an access plan to the planning department verifying the existence of legal access to the subdivision boundary. The plan shall consist of the documents depicting the access, a map depicting the location of the access, and topographic information indicating that construction which meets the design requirements set forth in KPB Chapter 20.30 is practical and economical. In this title, legal access exists where an unrestricted, public right-of-way connects the subdivision to the state highway system, the state marine highway system or a regularly served public airport, and one of the following is met:

1. Ingress and egress will be provided over section line easements located within a surveyed section;
2. The applicant provides copies of borough-accepted recorded conveyances creating the public easement or right-of-way where the access is located;
3. That access is a State of Alaska maintained road or municipal maintained road;
4. The applicant provides documentation satisfactory to the borough demonstrating that public legal access is guaranteed through judicial decree; or
5. The right-of-way is an easement or fee interest at least 60 feet in width dedicated or irrevocably conveyed to the public and acceptable to the planning commission.

B. The following situations may qualify for a waiver of the legal access requirement:

1. Upon finding that no practical means of providing road access to a proposed subdivision exists and upon presentation of credible and convincing evidence by the applicant that permanent public access by air, water, or railroad is both practical and feasible, the planning commission may waive the legal access requirements of KPB 20.30.050(A). If access other than by road is approved, the mode of access shall be noted on the plat. .
2. Where only a 30-foot dedication exists over all or a portion of the legal access to a subdivision, the provisions of KPB 20.30.050(A) may be considered met if it is reasonable to expect that the other 30 feet will be dedicated in the future.
3. Where a road is in use for physical access but there is no right-of-way document for all or part of the access road, the provisions of KPB 20.30.050(A) may be considered met if it is reasonable to expect that the right-of-way will be dedicated in the future.

Staff recommendation: *Concur that an exception to KPB 20.30.050 is not required as Tract C, although a private tract, does provide physical access to all lots within Poacher's Cove development.*

20.30.060. Easements-Requirements.

A. The planning commission may require easements it determines necessary for the benefit of the public. Such easements include, but are not limited to, lateral support (slope) easements, drainage easements for ditching or protection of a drainage, and utility easements. Required easements do not need to be for road purposes.

B. Upon submittal of a preliminary plat, the planning department shall provide a copy to public utility companies for their comments-and recommended design of utility easements. If the property is subject to existing natural gas or petroleum pipeline easements, a copy shall also be furnished to the appropriate company for comment.

C. The subdivider bears the responsibility for coordination with the utility companies during the design and development phases. When a subdivider and the utility company cannot agree on easements, the final plat will be taken to the planning commission for determination of easements.

D. Unless a utility company requests additional easements, the front ten feet adjoining rights-of-way shall be designated as a utility easement, graphically or by note. Within the boundaries of an incorporated city, the width and location of utility easements will be determined by the city and affected utility providers.

Staff recommendation: *Concur that because this subdivision does not front on a dedicated right of way, no additional utility easements are required to be granted with this platting action. Any required utility easements will be a negotiation between the land owner and the utility provider.*

20.30.160. Streets-Name requirements. Streets shall be named to conform to KPB Chapter 14.10

Staff recommendation: *Concur that Tract C is a private access tract and a street name is not required at this time per the Addressing Officer's review.*

20.30.170. Blocks-Length requirements. Blocks shall not be less than 330 feet or more than 1,320 feet in length. Along arterial streets and state maintained roads, block lengths shall not be less than 800 feet. Block lengths shall be measured from centerline intersections.

Staff recommendation: *Concur that an exception is not required as this subdivision is located within a planned unit development and access is from a private tract. The block length is longer than allowed under KPB code, but this platting action cannot provide any additional right of way to help comply with block length.*

20.30.200. Lots-Minimum size.

Except in cities where zoning and subdivision regulations establish different minimums, lots must be designed to meet the following area requirements:

A. Lots shall contain at least 6,000 square feet if served by public wastewater disposal and water systems.

B. Lots shall contain at least 40,000 square feet if both the well and wastewater disposal are to be located on the lot unless it can be demonstrated to the satisfaction of the commission that a smaller lot size is adequate for the safe location and operation of an on-site well and wastewater disposal system.

C. Subdivisions designed to be served by public wastewater disposal and water systems but not yet served by such systems may be permitted to contain lots of less than 40,000 square feet if the following conditions are met:

1. The available area may be reduced to 20,000 square feet when public water or wastewater disposal system is available, complying with KPB 20.40;

2. A statement from an engineer affixed with his seal and signature attesting that the proposed lot design and associated building restrictions will assure adequate area is available to each building site for safe on-site well and wastewater disposal, including area for a replacement wastewater disposal system.

Staff recommendation: *Concur that an exception is not required as the lots that currently exist do not comply with this section of code and the combining of the two lots into one will provide a larger parcel, and no additional lots, under common ownership, can be included in the replat.*

20.30.210. Lots-Access to street. Each lot shall abut on a fee simple dedicated street except as provided by KPB 20.30.030(B).

Staff recommendation: *Concur that an exception is not required as the current access is a private access within Tract C and this platting action cannot provide a dedication to front on a fee simple right of way.*

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: *Concur that this parcel is not affected by a building setback as it does not front on a dedicated right of way.*

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: The wastewater disposal note on the plat complies with KPB standards.

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.*

20.60.030. Certificate of borough finance department required.

Platting Staff Comments: All taxes levied on the property within the subdivision shall be paid prior to recordation of the final plat. If approval is sought between January 1 and the tax due date, there shall be on deposit with the borough finance department an amount sufficient to pay the entire estimated real property tax for the current year. Prior to filing of the final plat, a certificate to this effect shall be provided by the borough finance director or his designee upon request by the planning director. Estimated tax payments shall be applied to the actual bill as of July 1 or such earlier date as the taxes due have been determined.

Taxes owed may include special assessments for utility or road assessment districts established by KPB ordinance.

Staff recommendation: *comply with 20.60.030.*

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.*

20.60.200. Survey and monumentation.

Staff recommendation: *Correct the survey marker symbols to unique symbols for the different types of survey markers. Correct the section information for the 1/4 corner Section 19 / Section 30. 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.

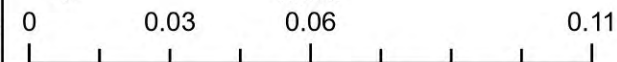
END OF STAFF REPORT

Legend

- PRELIMINARY PLATS
- BOROUGH MAINTAINED ROADS



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.






AERIAL IMAGERY 2021

WETLANDS

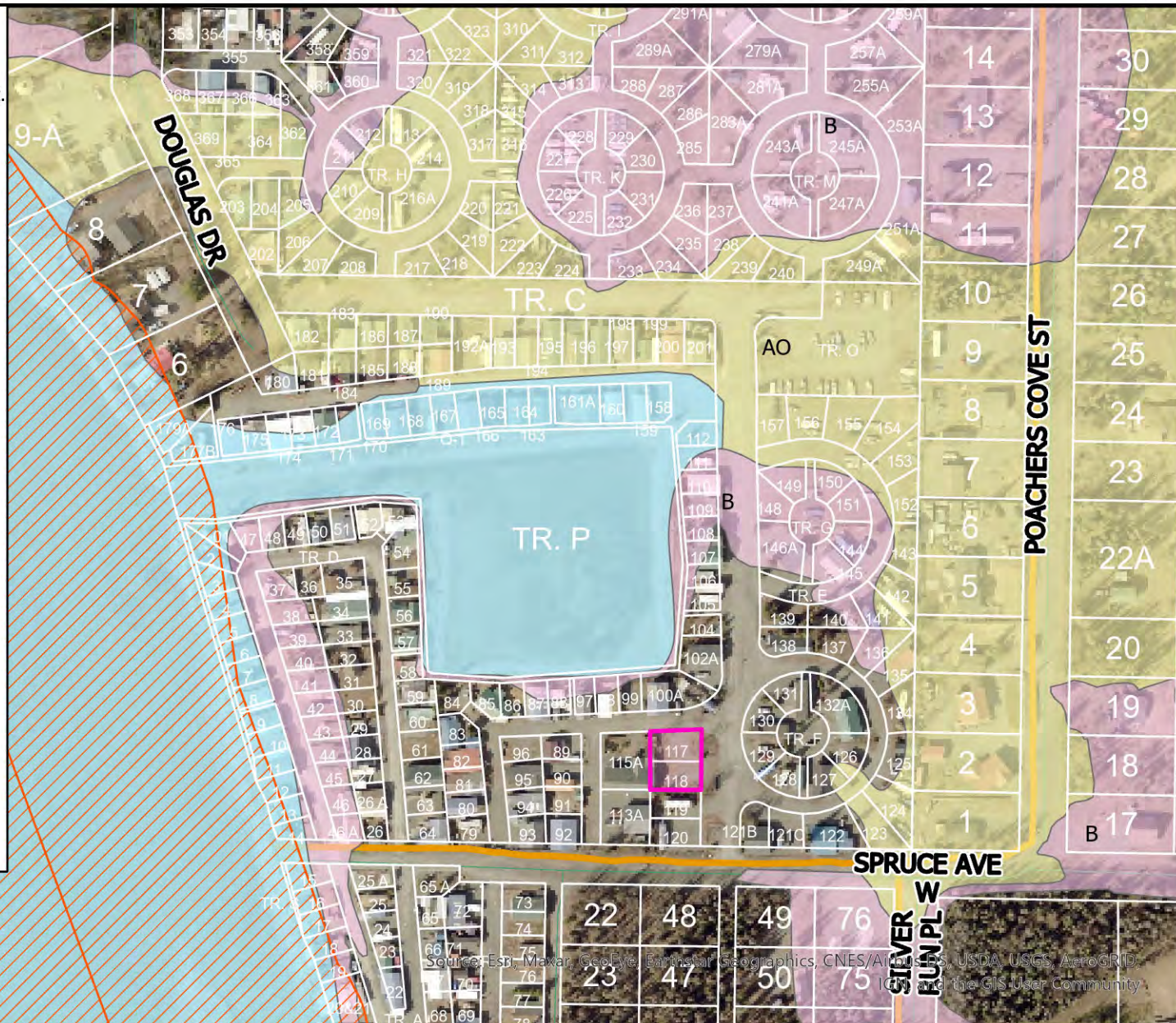
Scott Huff
 Platting Manager
 Current Time:
 1/27/2022 10:45 AM

Legend

-  PRELIMINARY PLATS
 Anadromous Waters Habitat Protection Dist.
 BOROUGH MAINTAINED ROADS

Zone

-
- Legend for the stacked bar chart:
- A
 - A3
 - A4
 - A5
 - AE
 - AH
 - AO
 - B
 - C
 - D
 - OPN
 - V
 - V1
 - V16
 - V19
 - V3
 - V5
 - V6
 - V7
 - V8
 - VE
 - X
 - <all other values>



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.



0 0.03 0.06 0.11

AERIAL IMAGERY 2021

Scott Huff
 Platting Manager
 Current Time:
 1/27/2022 10:53 AM

Legend

PRELIMINARY PLATS

WETLANDS Kenai Watershed Forum

ECOSYSTEM

DISTURB

Depression

Discharge Slope

Drainageway

Floating Island

Headwater Fen

Kettle

LAKE

Lakebed

Late Snow Plateau

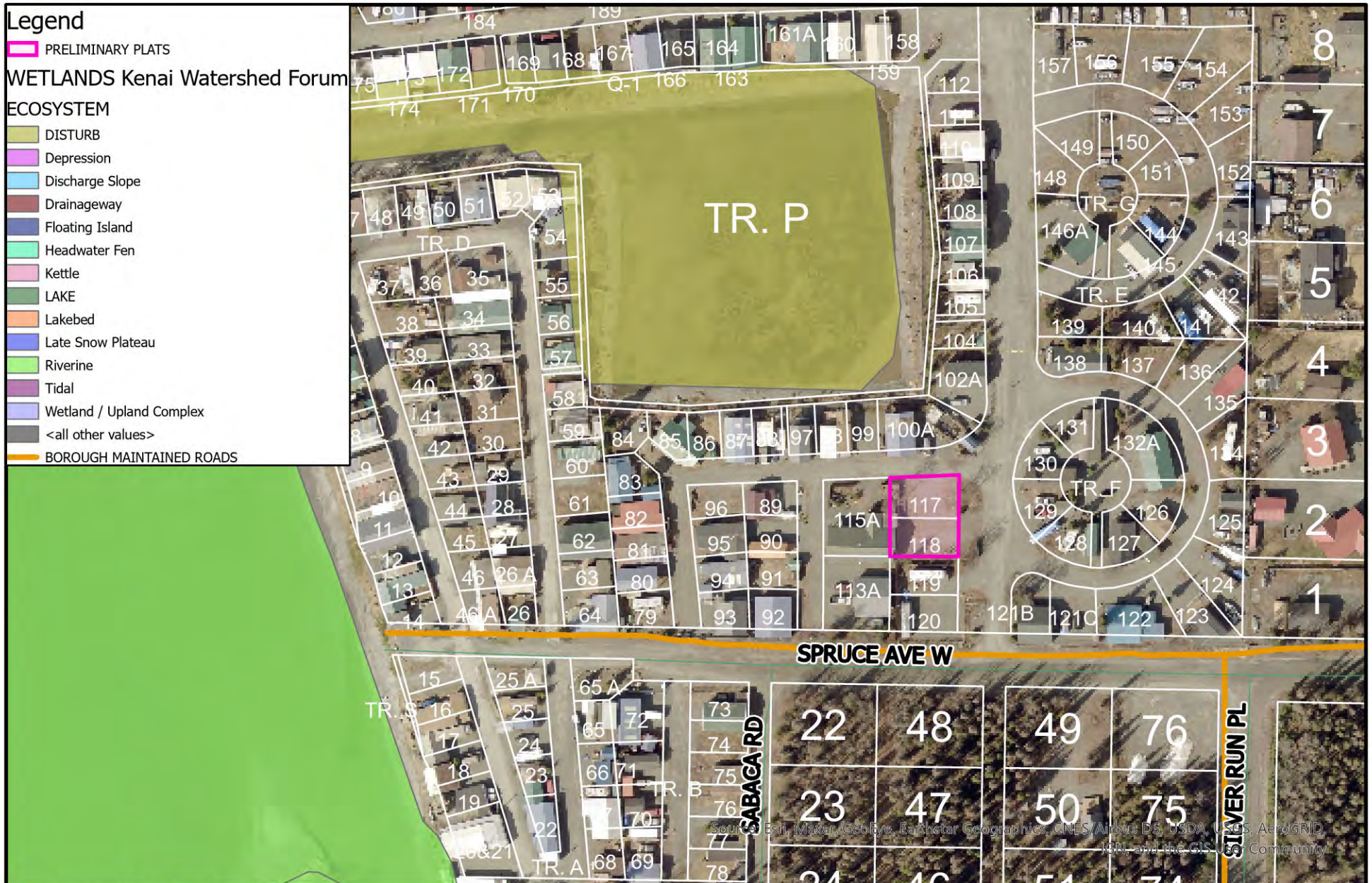
Riverine

Tidal

Wetland / Upland Complex

<all other values>

BOROUGH MAINTAINED ROADS



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.



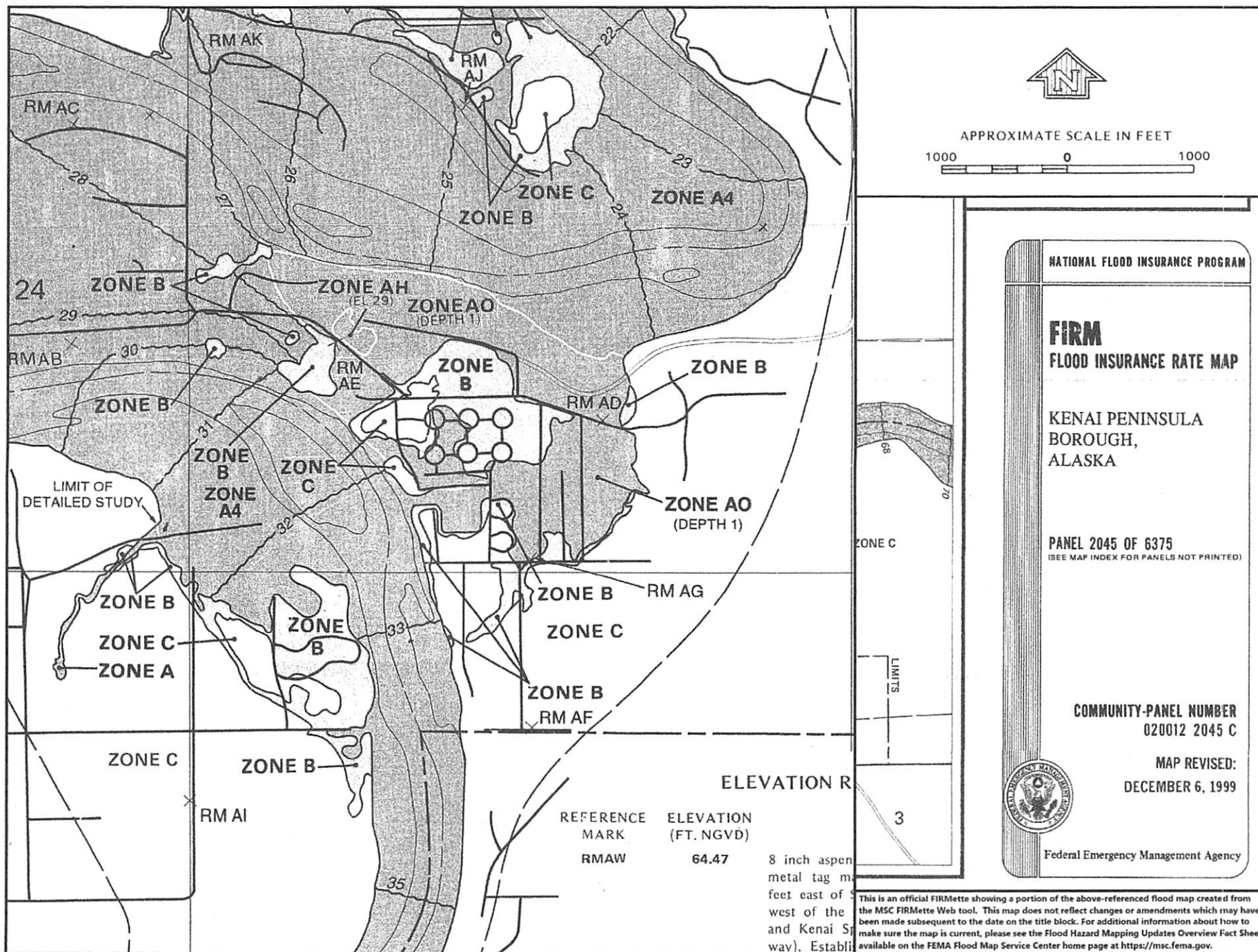
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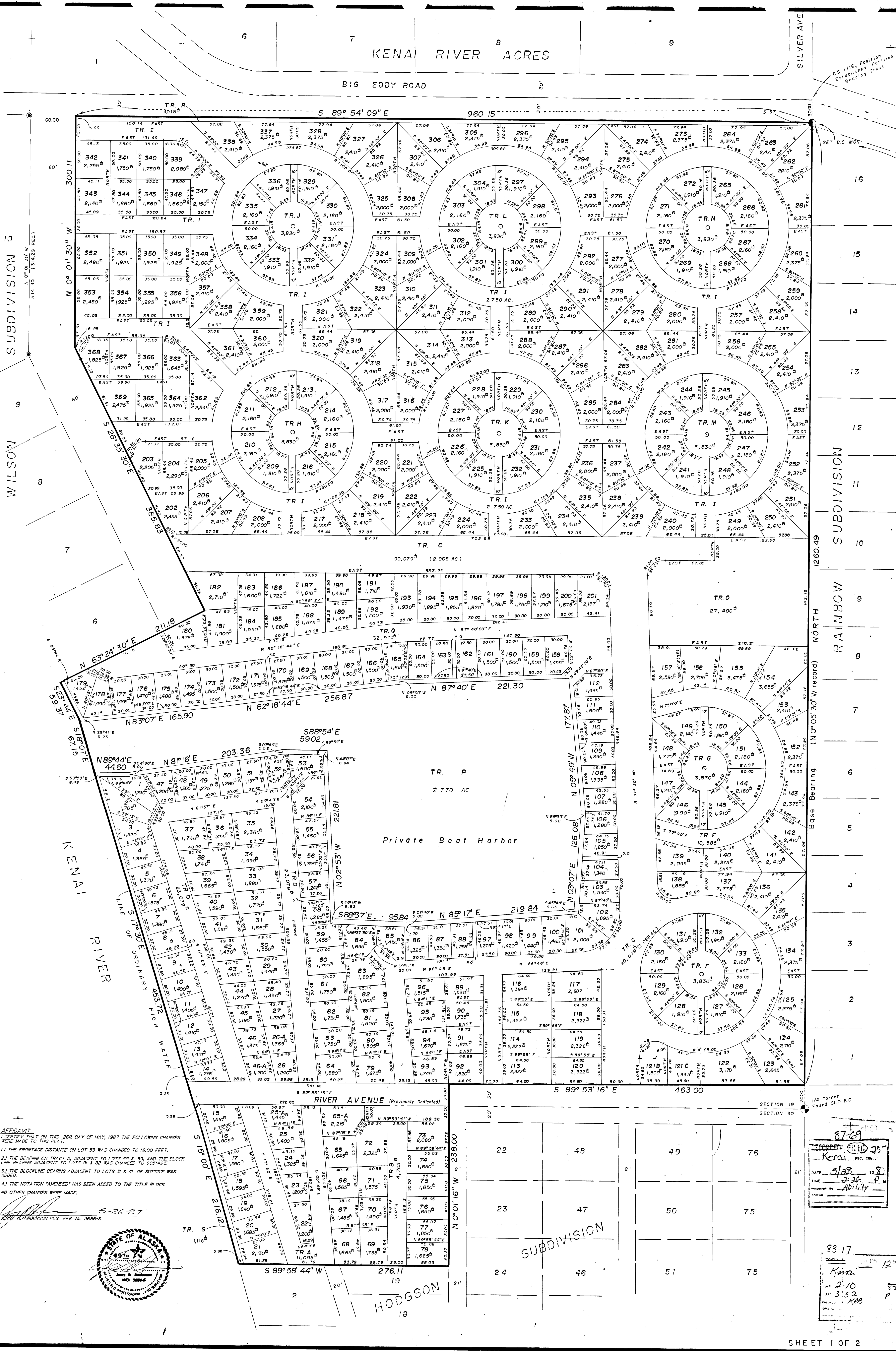
AERIAL IMAGERY 2021

WETLANDS

Scott Huff
Platting Manager

Current Time:
1/27/2022 9:38 AM





DETAIL (nts)

NOTES:

1. THE LOCATION OF THE ALASKA PIPELINE ESMT WAS TAKEN FROM THE PLAT OF RAINBOW SUBDIVISION, PLAT NO. 943, K.R.D.
2. THE TAXES ON THE LETTERED TRACTS, (A-S), SHALL BE EQUALLY APPORTIONED AMONG THE NUMBERED TRACTS.
3. RESTRICTIVE COVENANTS ARE RECORDED IN BOOK 202, PAGE 974, K.R.D.
4. THE LETTERED TRACTS ARE SUBJECT TO AN UNDERGROUND UTILITY EASEMENT.

LEGEND:

- SET B.C. MONUMENT
- SET 1/2" IRON PIPE
- ⊥ SET 12" IRON SPIKE
- FOUND 1/2" REBAR
- FOUND 1/2" REBAR WITH PLASTIC CAP, 610-S

CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON. I HEREBY REQUEST APPROVAL OF THIS PLAT SHOWING SUCH EASEMENTS FOR PUBLIC ROADWAYS AND EASEMENTS DEDICATED BY ME FOR PUBLIC USE.

POACHER'S COVE ASSOC

BY: David H. Keating 800 1026 SOLDOTNA, AK. 99669

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS 9th DAY OF November, 1982.

Halter C. Marchant 6/27/83
NOTARY PUBLIC FOR ALASKA MY COMMISSION EXPIRES:

Audie L. Moore
BY: AUDIE L. MOORE P.O. BOX 4-1521 ANCHORAGE, AK. 99509

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS 9th DAY OF November, 1982.

Halter C. Marchant 6/27/83
NOTARY PUBLIC FOR ALASKA MY COMMISSION EXPIRES:

SURVEYOR'S CERTIFICATE

I, THE UNDERSIGNED REGISTERED SURVEYOR HEREBY CERTIFY THAT A LAND SURVEY HAS BEEN COMPLETED UNDER MY DIRECT SUPERVISION AND THAT CORNERS AND MONUMENTS HAVE BEEN LOCATED AND ESTABLISHED AND THAT DIMENSIONS SHOWN HEREON ARE TRUE AND CORRECT.

Jerry Anderson 11/28/82
DATE

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF MARCH 8, 1982.

KENAI PENINSULA BOROUGH

BY: Jerry Anderson
AUTHORIZED OFFICIAL

VICINITY MAP 1" = 1 MILE

DATE: APRIL, 1982

SCALE: 1" = 50'

DRAWN BY: S. WILSON

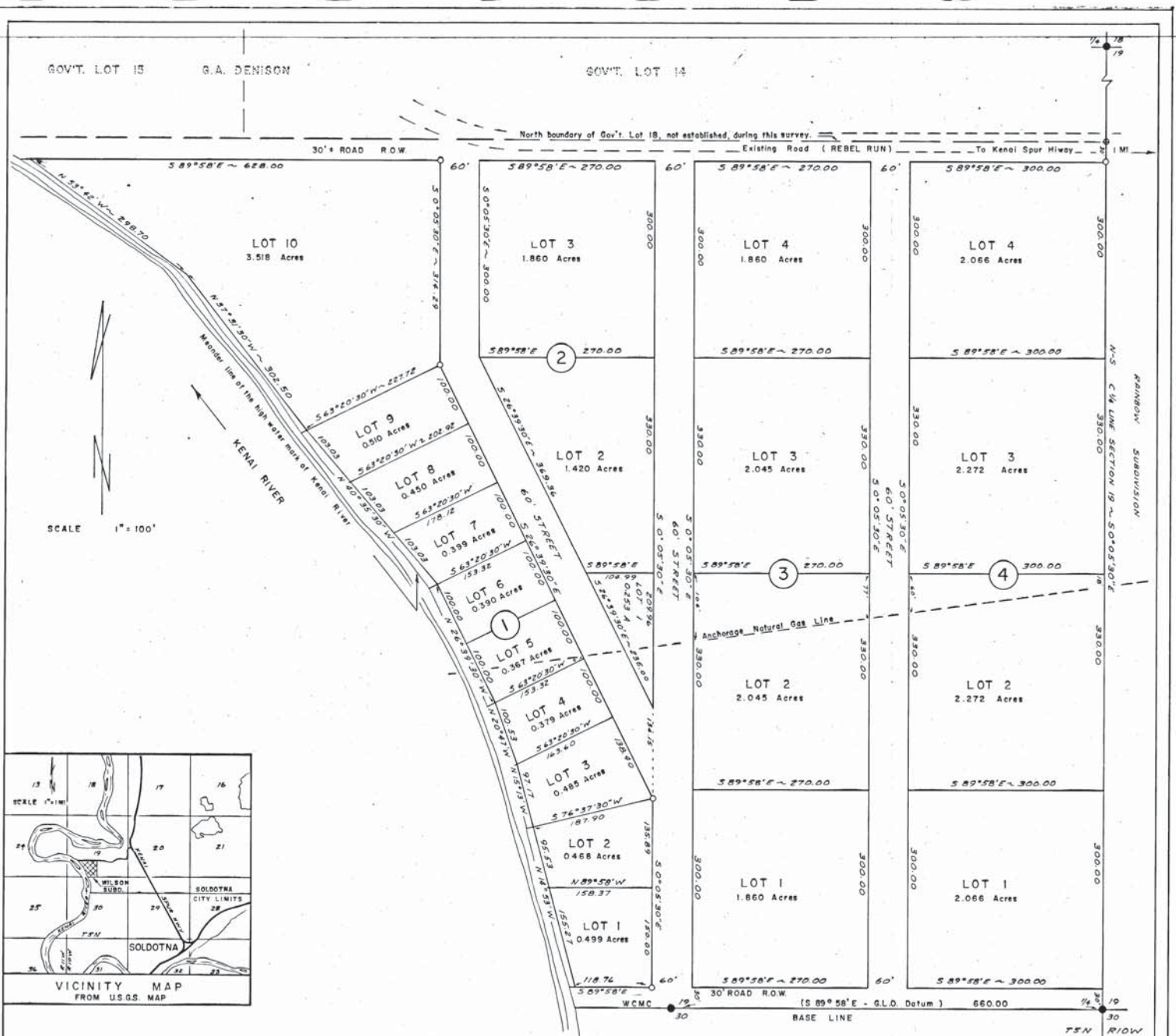
JOB No.: 1398

FLD. BK. No.: 113,123

POACHER'S COVE

PLANNED UNIT DEVELOPMENT

Being a replat of Wilson Subd., K-1374, except lots 6-10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 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CERTIFICATE OF OWNERSHIP AND DEDICATION.

I hereby certify that I am the owner of said property, and adopt this plan of subdivision with my free consent, and dedicate all streets as shown to public use.

Date _____

OWNER

CERTIFICATE OF REGISTERED LAND SURVEYOR

I hereby certify that I am a registered land surveyor, and that this plan represents a survey made by me, and the monuments shown thereon actually exist as located, and that all dimensional and other details are correct.

Date Dec. 30, 1963

Stanley S. McLane

Land Surveyor

LEGEND AND NOTES.

- Found USGLO monument.
- ⊙ Found 5/8" steel tube with cap stamped, Property Corner, set 1961.
- Set 5/8" x 24" steel tube with cap stamped, Property Corner - 610-S.
- All other lot corners are marked by a 1/2" or 3/4" steel rod.

All bearings refer to the G.L.O. datum of S 89° 58' E, for the South boundary of Section 19.

The natural meanders along the Kenai River, form the bounds of the lots adjoining the river. The traverse line, as established is for survey computations and data only. All corners, as set on said traverse line, are witness corners, with true corners being on the extension of lot lines and the natural meanders.

Wilson, W. S. Subdivision
K-1374 Kenai
2/26/64

WILSON SUBDIVISION

W. S. WILSON, Owner and Developer

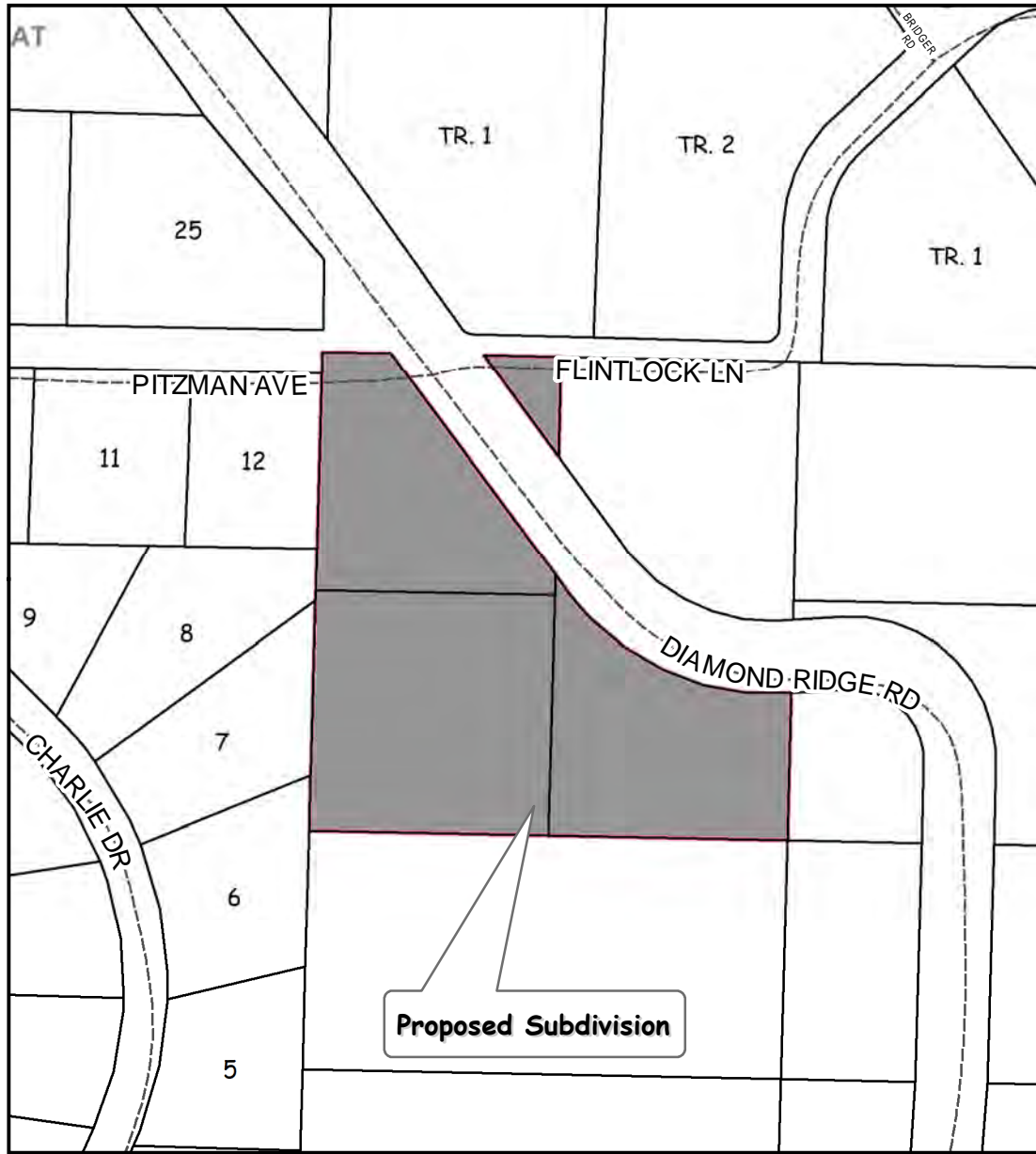
LEGAL DESCRIPTION
THE WHOLE OF GOV'T. LOT 18, SECTION 19, T5N, R10W,
OF THE SEWARD MERIDIAN, ALASKA, CONTAINING
34.00 ACRES OF LAND.

SURVEYED BY

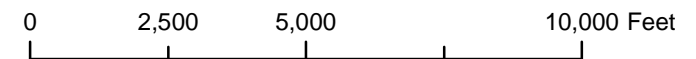
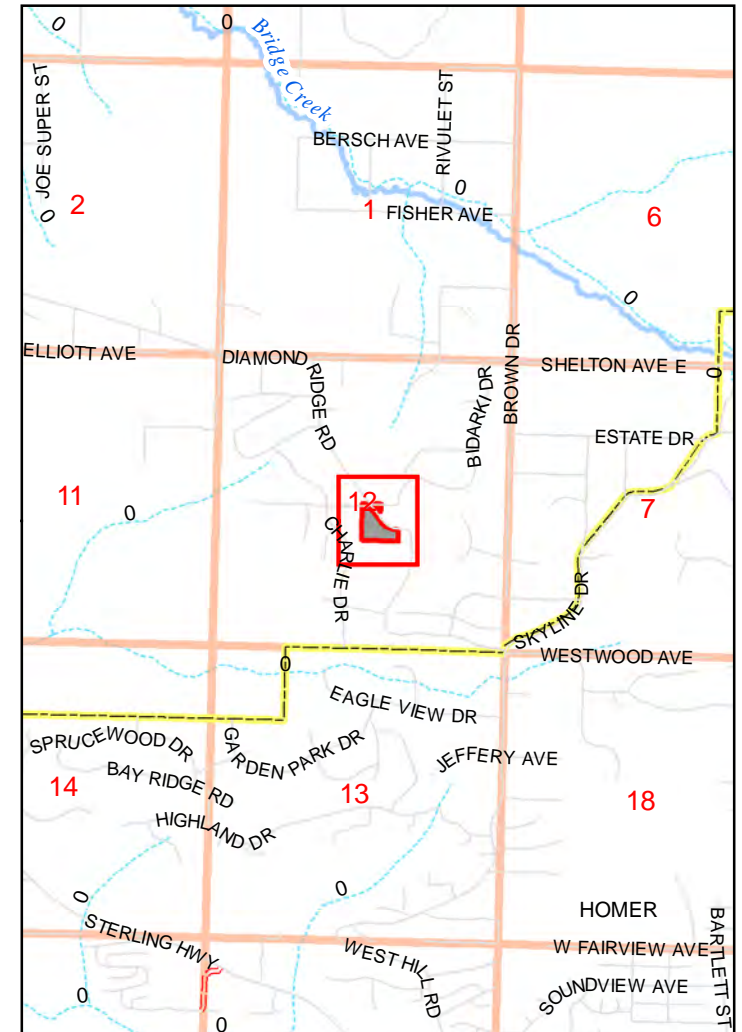
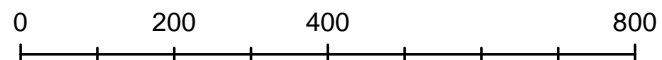
Stanley S. McLane, R.L.S.

Date Begin Aug. 14, 1963
End Aug. 29, 1963





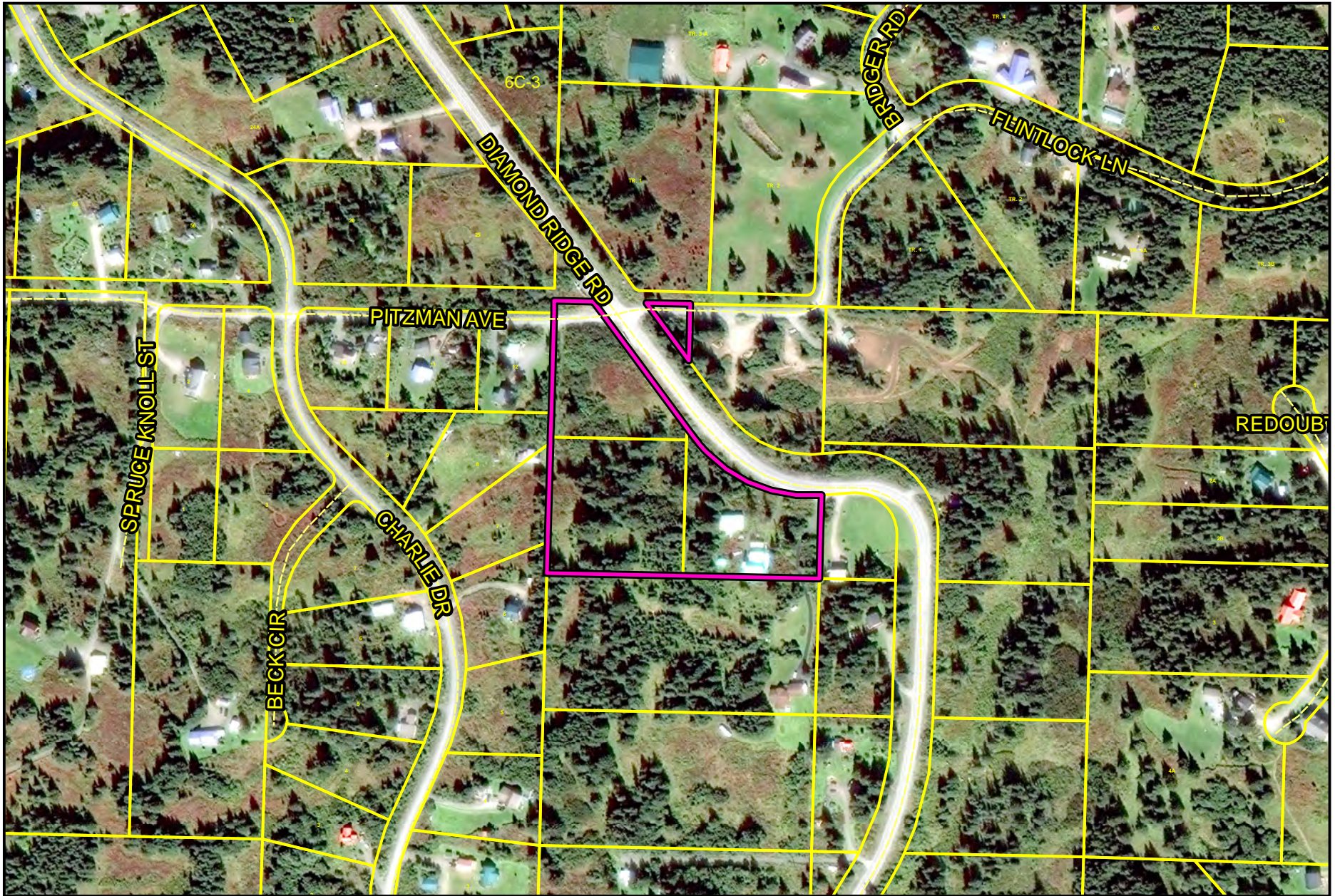
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



KPB 2022-005
S12 T06S R14W
Diamond Ridge



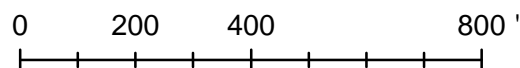
PClements, KPB 2022-005 Date: 1/21/2022



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.

PClements, KPB 2022-004
Imagery 2016 Homer

Aerial View



 PRELIMINARY PLAT



NOTES

1. BASIS OF BEARING FOR THIS SURVEY WAS DETERMINED BY A HIGH PRECISION GPS SURVEY USING TOPCON DUAL-FREQUENCY HiPer V RECEIVERS, DIFFERENTIALLY CORRECTED AND PROCESSED WITH MAGNET OFFICE VERSION 3.1 SOFTWARE. NAD83 ALASKA STATE PLANE GRID COORDINATES (U.S. SURVEY FEET) OBTAINED FROM THE GPS OBSERVATIONS WERE BASED ON THE NGS PUBLISHED VALUES FOR FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" (PID TT0155).

2. TRUE BEARINGS AND DISTANCES WERE DETERMINED BY ROTATING AND SCALING FROM GRID USING FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY ROTATING GRID INVERSE AZIMUTHS -1°17'13.4". TRUE DISTANCES WERE OBTAINED BY DIVIDING GRID INVERSE DISTANCES BY 0.999986696.

3. THE RESULTING SCALED COORDINATES WERE TRANSLATED TO A LOCAL COORDINATE SYSTEM BASED ON FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" N=100,000 E=100,000. ALL COORDINATE VALUES REPRESENT GROUND DISTANCES IN U.S. SURVEY FEET ORIENTED TO TRUE NORTH.

4. THE 15 FEET FRONTING THE RIGHT-OF-WAYS 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.

5. 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.

6. ACCESS TO STATE MAINTAINED DIAMOND RIDGE ROAD IS PROHIBITED WITHOUT PRIOR WRITTEN APPROVAL FROM THE ALASKA STATE DOT.

7. THESE LOTS WILL BE SERVED BY ONSITE WATER AND SEWER.

8. THE POSITION OF THE CENTERLINE OF DIAMOND RIDGE ROAD IS PER THE 1995 RECORD OF SURVEY BY KEN BRANCH, PLS (HM 95-19RS). THE BOUNDARIES OF THE ALIQUOT PART GOVERNMENT LOTS IN THIS SUBDIVISION ARE CONTROLLED BY THE MONUMENTS SET DURING THAT SURVEY.

9. 33 FOOT RIGHT-OF-WAYS WHICH WERE RESERVED IN THE PATENT DOCUMENTS ADJOINING THE NORTH AND WEST BOUNDARY OF ORIGINAL GOVERNMENT LOT 2, THE SOUTH AND WEST BOUNDARY OF ORIGINAL GOVERNMENT LOT 3 AND THE NORTH, SOUTH AND EAST BOUNDARY OF ORIGINAL GOVERNMENT LOT 4 WERE NOT ACCEPTED BY THE PROPERTY OWNERS AND ARE THEREFORE CONSIDERED NOT TO EXIST BY THE KENAI PENINSULA BOROUGH.

WASTEWATER DISPOSAL

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

CERTIFICATE OF ACCEPTANCE AND DEDICATION
BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THE PLAT IDENTIFIED AS FOLLOWS:

THE DIAMOND RIDGE ROAD RIGHT-OF-WAY INDICATED BY HATCHED AREA ON THIS PLAT

THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY: RANDY VANDERWOOD, P.E.
CENTRAL REGION ROW CHIEF
STATE OF ALASKA DOT & PF
4111 AVIATION AVENUE
ANCHORAGE, ALASKA 99516

DATE

LEGEND

- INDICATES 2" ALCAP MONUMENT (1301-S 1995) RECOVERED THIS SURVEY
- INDICATES 5/8" REBAR (1301-S 1995) PER HM 95-19RS RECOVERED THIS SURVEY
- INDICATES 5/8" X 30" REBAR WITH 2" ALCAP (7538-S, 2021) SET THIS SURVEY

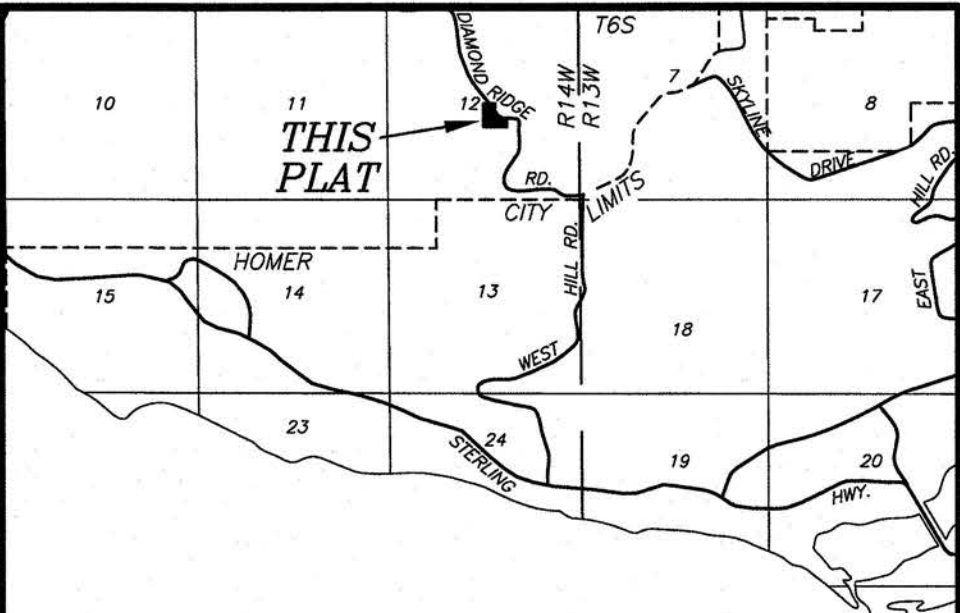
PLAT APPROVAL

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

BY: AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

DATE

SCALE 1"=60'



KACHEMAK BAY

VICINITY MAP

SCALE: 1" = 1 MILE U.S.G.S. QUAD, SELDOVIA (C-4 & C-5)

CERTIFICATE OF OWNERSHIP

WE HEREBY CERTIFY THAT BEACHY REVOCABLE TRUST IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT ON BEHALF OF BEACHY REVOCABLE TRUST 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.

SANFORD A. BEACHY, CO-TRUSTEE
PO BOX 800
HOMER, ALASKA 99603

MARILYN F. BEACHY, CO-TRUSTEE
PO BOX 800
HOMER, ALASKA 99603

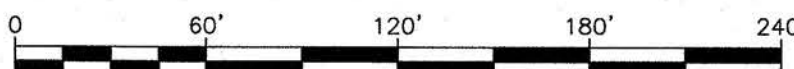
NOTARY'S ACKNOWLEDGMENT

FOR SANFORD A. BEACHY AND MARILYN F. BEACHY

ACKNOWLEDGED BEFORE ME THIS
DAY OF , 2022.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES:



GRAPHIC SCALE

HOMER RECORDING DISTRICT KPB FILE No. 2021-???

SPRUCE KNOLL

THE SUBDIVISION OF
GOVERNMENT LOTS 2 AND 3
AND THAT PORTION OF GOVERNMENT LOT 4 LYING SOUTH OF
THE SOUTHERLY RIGHT-OF-WAY OF DIAMOND RIDGE ROAD
LOCATED WITHIN

THE NW1/4 SE1/4, SEC. 12,
T. 6 S., R. 14 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI
PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA
CONTAINING 4.837 ACRES

OWNERS:
BEACHY REVOCABLE TRUST
PO BOX 800, HOMER, ALASKA 99603

GEOVERA, LLC

PO BOX 3235
HOMER ALASKA 99603
(907) 399-4345
EMAIL: scsmith@gci.net

DRAWN BY: SCS JANUARY 2022 SCALE: 1" = 60'
CHK BY: SCS JOB #2021-56 SHEET 1 OF 1



LINE TABLE

LINE	BEARING	DISTANCE
L1	S 37°41'32" E	27.96'

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD BRNG	CHORD DIST
C1	58°10'37"	350.00'	355.38'	S 66°46'50" E	340.31'
C2	9°39'52"	350.00'	59.04'	S 51°17'22" E	58.97'
C3	7°55'26"	350.00'	48.40'	S 60°06'01" E	48.37'
C4	69°30'05"	200.00'	242.61'	N 79°07'49" E	228.00'
C5	8°45'54"	350.00'	53.54'	S 42°04'29" E	53.49'
C6	31°49'25"	350.00'	194.40'	S 79°57'26" E	191.91'
C7	103°06'34"	25.00'	44.99'	N 5°05'52" E	39.16'
C8	44°46'29"	170.00'	132.85'	N 79°02'24" E	129.49'
C9	131°13'18"	50.00'	114.51'	N 84°34'25" W	91.08'
C10	97°02'19"	50.00'	84.68'	S 18°42'13" E	74.92'
C11	57°33'50"	50.00'	50.23'	N 83°59'42" E	48.15'
C12	39°57'02"	230.00'	160.37'	N 83°12'16" E	157.14'
C13	16°14'01"	230.00'	65.17'	N 55°06'45" E	64.95'
C14	68°57'32"	25.00'	30.09'	N 81°28'30" E	28.31'

KPB 2022-005

AGENDA ITEM E. NEW BUSINESS

ITEM 3 – SPRUCE KNOLL

KPB File No.	2022-005
Plat Committee Meeting:	February 14, 2022
Applicant / Owner:	Beachy Revocable Trust PO Box 800 Homer, AK 99603
Surveyor:	Geovera LLC. PO Box 3235 Homer, AK 99603
General Location:	Diamond Ridge Road, Homer

Parent Parcel No.:	173-04-010, 173-04-009, 173-04-011
Legal Description:	Government Lots 2, Government Lot 3, and Government Lot 4 lying south of the southerly right of way of Diamond Ridge Road, Section 12, T6S, R14W, Seward Meridian
Assessing Use:	Residential Dwelling
Zoning:	Unrestricted
Water / Wastewater	On-site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide the government lots ranging in size from 1.76 acres to 2.47 acres into 5 lots that are 1 acre to 1.2 acres.

Location and Legal Access (existing and proposed): Legal access to this subdivision is from Diamond Ridge Road, a constructed collector road that is maintained by the State of Alaska. Diamond Ridge Road was transferred to the State of Alaska under public law 86-70 and is identified as Federal Aid Secondary Class A Route number 430. This platting action will officially dedicate the portion of land affected by Diamond Ridge Road and the State of Alaska will be required to accept the right of way dedication.

Pitzman Avenue and Flintlock Lane intersect Diamond Ridge Road on the north boundary of the subdivision. Both right of ways have been improved and are maintained by KPB.

A matching portion of Pitzman Avenue will be dedicated with this platting action.

The Diamond Ridge right of way dedication will leave a small remnant portion in the northeast corner of the subdivision. The remnant parcel is smaller than allowed under the subdivision standards and cannot support improvements. Because of this, the owner has chosen to dedicate the remnant parcel as right of way for Flintlock Lane.

Shuman Court will be dedicated as a cul-de-sac to provide legal access to all lots within this subdivision. Currently Lot 5 has improved access to Diamond Ridge Road. Any new access to Diamond Ridge Road will require approval from the State of Alaska DOT.

A 25 foot wide private access easement, centered on the existing driveway, provides legal and physical access for the residence located to the south of this subdivision. However, the lot to the south, Government Lot 7 does not front on a dedicated right of way. The parcel to the east, a portion of Government Lot 5 is a small remnant parcel and it is unlikely to be subdivided in the future. Per KPB 20.30.030 projection of right of way, 20.30.120 Streets Width requirements, and 20.30.210 Lots – Access to street ***Staff recommends this platting action dedicate a minimum 60 foot width right of way on the east boundary between Diamond Ridge Road and Government Lot 7.***

Per the original government issued patents 33 foot right of way easements were reserved on the north and west boundary of Government Lot 2, the west and south boundary of Government Lot 3, and the south and east side of Government Lot 4. **Staff recommends** plat note 9 be reworded to state, 'The parent parcels are subject to a 33 foot right of way easement on the north and west boundary of Government Lot 2, the west and south boundary of Government Lot 3, and the south and east side of Government Lot 4.' **Staff recommends** the location of the 33 foot wide right of way be depicted and labeled on the plat. The building depicted within Lot 5 is approximately 25 feet from the boundary and 8 feet within the 33 foot wide right of way. **Staff recommends** a plat note be added that states, 'The acceptance of this plat by the Borough does not include acceptance of any possible encroachments.'

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	The ROW for Diamond Ridge Road is as shown on Record of Survey 95-19 and appears to be shown correctly.

Site Investigation: The subdivision is affected by varying terrain with no slopes greater than 20%. Low wet areas do not affect this subdivision.

Improvements consisting of a house, shop, and shed are shown within proposed Lot 5. The remaining lots are undeveloped.

KPB River Center review	<p>A. Floodplain</p> <p>Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: No comments</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: Russell, Pam Comments: No Comments</p>
State of Alaska Fish and Game	No objections to the proposed platting actions.

Staff Analysis The parent parcels are Government Lots that were deeded in 1954 and 1955. The Government Lots are subject to 33 foot wide right of ways as described in the patents.

A soils report will be required 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 minutes were not available when the staff report was prepared (KPB 21.02.020). These will be provided with the desk packet if available.

Utility Easements The subdivision is affected by 33 foot right of ways on the exterior which can be used for utility purposes. **Staff recommend the 33 foot right of ways be depicted and labeled on the plat.**

This platting action will grant 15 foot utility easements adjoining all dedicated right of ways including Shuman Court, Diamond Ridge Road and Pitzman Avenue. The additional utility easements shown on the west and east boundary are not required as there is a 33 foot right of way for roadway and public utility purposes that overlaps those areas.

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	
ENSTAR	No comments or objections.
ACS	No objections.
GCI	Approved as shown.

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek Affected Addresses: 64435 DIAMOND RIDGE RD</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: PITZMAN AVE FLINTLOCK LN DIAMOND RIDGE RD</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: Yes</p> <p>List of Approved Street Names: SHUMAN CT</p> <p>List of Street Names Denied:</p> <p>Comments: 64435 DIAMOND RIDGE RD will remain with lot 5.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	<p>Reviewer: Aldridge, Morgan 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: Wilcox, Adeena Comments: No comment</p>

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

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

Typically the hatched area is to represent vacated right of ways. **Staff recommend the cross hatch be removed from the Diamond Ridge Road, Pitzman Avenue, and Flintlock Lane right of way dedications with a label remaining that states the right of ways are being dedicated with this plat.**

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.

- 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:** Within the title block remove, 'City of Homer' and add 'Homer Recording District'.
- F. The location, width and name of existing and platted streets and public ways, railroad rights-of-way, easements, and travel ways existing and proposed, within the subdivision;
- Staff recommendation:** Depict and provide a street name for the 60 foot wide right of way dedication on the east boundary between Diamond Ridge Road and Government Lot 7. Work with the KPB Addressing Officer to obtain an approved street name.
- 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:** Revise the label for the lot to the north to state Govt. Lot 4, north of Diamond Ridge Road. Provide a total right of way width (100') label for Diamond Ridge Road.
- N. Apparent encroachments, with a statement indicating how the encroachments will be resolved prior to final plat approval;
- Staff recommendation:** The house is depicted approximately 8 feet into the 33 foot wide right of way. Provide a plat note that states, 'The acceptance of this plat by the Borough does not include acceptance of any possible encroachments.'

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.

20.30.030. Proposed street layout-Requirements.

- A. The streets provided on the plat must provide fee simple right-of-way dedications to the appropriate governmental entity. These dedications must provide for the continuation or appropriate projection of all

streets in surrounding areas and provide reasonable means of ingress for surrounding acreage tracts. Adequate and safe access for emergency and service vehicle traffic shall be considered in street layout.

B. Subdivision of land classified as agricultural conveyed subject to AS 38.05.321(a)(2)(B) may provide public access easements in lieu of fee simple dedications if necessary to comply with the minimum lot size restriction of the statute. The public access easements must meet all applicable right-of-way design criteria of Title 20 and are subject to the building setback requirements set forth in KPB 20.30.240.

C. Preliminary plats fronting state maintained roads will be submitted by the planning department to the State of Alaska Department of Transportation and Public Facilities (DOT) for its review and comments.
Staff recommendation: *Provide a 60 foot wide right of way dedication from Diamond Ridge Road to the land locked parcel to the south, Government Lot 7.*

20.30.070. Lots on major streets-Access requirements. Lots fronting on arterial streets with less than 200 feet of right-of-way as identified in the arterial road plan adopted by the borough or lots fronting on state maintained roads with less than 200 feet of right-of-way may be required to provide interior or frontage road access after review and recommendation by the Kenai Peninsula Borough Road Service Area staff and upon a finding by the planning commission that due to size, topography, physical characteristics, or heavy traffic flow, that direct access to the arterial or state maintained road may present a traffic hazard.

Staff recommendation: *The correct plat note is on the plat that states that access to State maintained roads is prohibited without prior approval from the State of Alaska DOT.*

20.30.120. Streets-Width requirements.

A. The minimum right-of-way width of streets shall be 60 feet.

1. Half streets shall generally not be allowed except to provide the logical extension of a right-of-way where the remaining half street can reasonably be expected to be dedicated in the future.
2. When a design change required as a condition of preliminary approval results in a half right-of-way that was not shown on the original preliminary plat, adjoiners to the new half right-of-way will be sent a copy of the plat committee minutes and a sketch showing the new half right-of-way and per KPB 2.40.080 can request a review of the plat committee decision by the full Planning Commission.

B. Additional right-of-way or easement width may be required to provide for the construction of side slopes or to otherwise accommodate right-of-way construction standards set forth in KPB Title 14.

Staff recommendation: *Verify the location the roadway within Pitzman Avenue right of way. If needed, provide additional right of way dedication so that the existing roadway is within Pitzman Avenue right of way dedication.*

20.30.170. Blocks-Length requirements. Blocks shall not be less than 330 feet or more than 1,320 feet in length. Along arterial streets and state maintained roads, block lengths shall not be less than 800 feet. Block lengths shall be measured from centerline intersections.

Staff comments: *The block is defined by Pitzman Avenue, Diamond Ridge Road, Sheep Drive, and Charlie Drive. The block length from Pitzman Avenue to Sheep Drive is approximately 1,984 feet long and greater than the allowable length of 1,320 feet.*

Staff recommendation: *Concur that an exception to KPB 20.30.170 is not required as this platting action will be providing a 60 foot right of way dedication on the east boundary to help with the block length requirement and due to the development to the west, there are no logical points to provide a connection to Charlie Drive.*

20.30.200. Lots-Minimum size.

Except in cities where zoning and subdivision regulations establish different minimums, lots must be designed to meet the following area requirements:

A. Lots shall contain at least 6,000 square feet if served by public wastewater disposal and water systems.

B. Lots shall contain at least 40,000 square feet if both the well and wastewater disposal are to be located on the lot unless it can be demonstrated to the satisfaction of the commission that a smaller lot size is adequate for the safe location and operation of an on-site well and wastewater disposal system.

C. Subdivisions designed to be served by public wastewater disposal and water systems but not yet served by such systems may be permitted to contain lots of less than 40,000 square feet if the following conditions are met:

1. The available area may be reduced to 20,000 square feet when public water or wastewater disposal system is available, complying with KPB 20.40;

2. A statement from an engineer affixed with his seal and signature attesting that the proposed lot design and associated building restrictions will assure adequate area is available to each building site for safe on-site well and wastewater disposal, including area for a replacement wastewater disposal system.

Staff recommendation: *After the right of way dedication is removed from the total area, confirm that all lots comply with 20.30.200.*

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: A soils analysis report, prepared by a licensed engineer, will be required for this platting action.

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.*

20.60.030. Certificate of borough finance department required.

Platting Staff Comments: All taxes levied on the property within the subdivision shall be paid prior to recordation of the final plat. If approval is sought between January 1 and the tax due date, there shall be on deposit with the borough finance department an amount sufficient to pay the entire estimated real property tax for the current year. Prior to filing of the final plat, a certificate to this effect shall be provided by the borough finance director or his designee upon request by the planning director. Estimated tax payments shall be applied to the actual bill as of July 1 or such earlier date as the taxes due have been determined.

Taxes owed may include special assessments for utility or road assessment districts established by KPB ordinance.

Staff recommendation: *comply with 20.60.030.*

20.60.040. Dedication of public use lands. Any land shown on a plat as a street, public park or other public area must be dedicated on the final plat to a tax exempt governmental entity. If the governmental entity is not the Kenai Peninsula Borough, the governmental entity shall be required to execute an acceptance of the dedication on the plat.

Staff recommendation: *At the direction of KPB Legal, please provide an additional Certificate of Acceptance for Flintlock Lane and Pitzman Avenue right of way dedications which will be under KPB jurisdiction.*

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.*

- *Roads must meet the design and construction standards established by the borough in order to be considered for certification and inclusion in the road maintenance program (KPB 14.06).*
- *Provide a plat note for item 5 of the Certificate to Plat, as this subdivision may be affected by a reservation of easement for highway purposes.*

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

SUBDIVISION REQUIREMENT CHECKLIST
Complete or not applicable items are marked with a check box - ☒

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:**
- ☐ B. North point;
Staff recommendation:
- ☐ 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:
- ☐ 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:
- ☐ E. All parcels of land including those intended for private ownership and those to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purposes, conditions, or limitations of reservations that could affect the subdivision;
Staff recommendation:
- ☐ F. The location, width and name of existing and platted streets and public ways, railroad rights-of-way, easements, and travel ways existing and proposed, within the subdivision;
Staff recommendation:
- ☐ 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:
- ☐ 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:
- ☐ I. Approximate locations of areas subject to tidal inundation and the mean high water line;
Staff recommendation:

- ☐ J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;
Staff recommendation:
- ☐ K. Within the limits of incorporated cities, the approximate location of known existing municipal wastewater and water mains, and other utilities within the subdivision and immediately abutting thereto or a statement from the city indicating which services are currently in place and available to each lot in the subdivision;
Staff recommendation:
- ☐ L. Contours at suitable intervals when any roads are to be dedicated unless the planning director or commission finds evidence that road grades will not exceed 6 percent on arterial streets, and 10 percent on other streets;
Staff recommendation:
- ☐ M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;
Staff recommendation:
- ☐ N. Apparent encroachments, with a statement indicating how the encroachments will be resolved prior to final plat approval;
Staff recommendation:
- ☐ O. If the subdivision will be finalized in phases, all dedications for through streets as required by KPB 20.30.030 must be included in the first phase.
Staff recommendation:

KPB 20.30 Design Requirements

Platting staff comments: Staff reviewed the plat and all the items required by 20.30 were met, unless otherwise noted below:

- ☐ 20.30.020. Reserved strips prohibited-Exception. There shall be no reserve strips controlling access to land dedicated or intended to be dedicated to public use, except when the control and disposition of land comprising such strips is placed within the jurisdiction of the borough under conditions specified by the commission and noted on the final plat.
Staff recommendation:
- ☐ 20.30.030. Proposed street layout-Requirements.
 - A. The streets provided on the plat must provide fee simple right-of-way dedications to the appropriate governmental entity. These dedications must provide for the continuation or appropriate projection of all streets in surrounding areas and provide reasonable means of ingress for surrounding acreage tracts. Adequate and safe access for emergency and service vehicle traffic shall be considered in street layout.
 - B. Subdivision of land classified as agricultural conveyed subject to AS 38.05.321(a)(2)(B) may provide public access easements in lieu of fee simple dedications if necessary to comply with the minimum lot size restriction of the statute. The public access easements must meet all applicable right-of-way design criteria of Title 20 and are subject to the building setback requirements set forth in KPB 20.30.240.
 - C. Preliminary plats fronting state maintained roads will be submitted by the planning department to the State of Alaska Department of Transportation and Public Facilities (DOT) for its review and comments.
Staff recommendation:
- ☐ 20.30.040. Streets within 100 feet of waterbodies. No dedications are allowed within 100 feet of the ordinary high water line of a waterbody unless necessary for access to a lot where no reasonable alternative access

exists or the dedication provides access to a bridge or public facility, waterbody or watercourse. Final plats must comply with KPB 20.60.050 and 20.60.060.

Staff recommendation:

☐ 20.30.050. Legal access.

A. The applicant shall provide an access plan to the planning department verifying the existence of legal access to the subdivision boundary. The plan shall consist of the documents depicting the access, a map depicting the location of the access, and topographic information indicating that construction which meets the design requirements set forth in KPB Chapter 20.30 is practical and economical. In this title, legal access exists where an unrestricted, public right-of-way connects the subdivision to the state highway system, the state marine highway system or a regularly served public airport, and one of the following is met:

1. Ingress and egress will be provided over section line easements located within a surveyed section;
2. The applicant provides copies of borough-accepted recorded conveyances creating the public easement or right-of-way where the access is located;
3. That access is a State of Alaska maintained road or municipal maintained road;
4. The applicant provides documentation satisfactory to the borough demonstrating that public legal access is guaranteed through judicial decree; or
5. The right-of-way is an easement or fee interest at least 60 feet in width dedicated or irrevocably conveyed to the public and acceptable to the planning commission.

B. The following situations may qualify for a waiver of the legal access requirement:

1. Upon finding that no practical means of providing road access to a proposed subdivision exists and upon presentation of credible and convincing evidence by the applicant that permanent public access by air, water, or railroad is both practical and feasible, the planning commission may waive the legal access requirements of KPB 20.30.050(A). If access other than by road is approved, the mode of access shall be noted on the plat. .
2. Where only a 30-foot dedication exists over all or a portion of the legal access to a subdivision, the provisions of KPB 20.30.050(A) may be considered met if it is reasonable to expect that the other 30 feet will be dedicated in the future.
3. Where a road is in use for physical access but there is no right-of-way document for all or part of the access road, the provisions of KPB 20.30.050(A) may be considered met if it is reasonable to expect that the right-of-way will be dedicated in the future.

Staff recommendation:

☐ 20.30.060. Easements-Requirements.

A. The planning commission may require easements it determines necessary for the benefit of the public. Such easements include, but are not limited to, lateral support (slope) easements, drainage easements for ditching or protection of a drainage, and utility easements. Required easements do not need to be for road purposes.

B. Upon submittal of a preliminary plat, the planning department shall provide a copy to public utility companies for their comments-and recommended design of utility easements. If the property is subject to existing natural gas or petroleum pipeline easements, a copy shall also be furnished to the appropriate company for comment.

C. The subdivider bears the responsibility for coordination with the utility companies during the design and development phases. When a subdivider and the utility company cannot agree on easements, the final plat will be taken to the planning commission for determination of easements.

D. Unless a utility company requests additional easements, the front ten feet adjoining rights-of-way shall be designated as a utility easement, graphically or by note. Within the boundaries of an incorporated city, the width and location of utility easements will be determined by the city and affected utility providers.

Staff recommendation: The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Grant utility easements requested by the utility providers.**

- ☐ 20.30.070. Lots on major streets-Access requirements. Lots fronting on arterial streets with less than 200 feet of right-of-way as identified in the arterial road plan adopted by the borough or lots fronting on state maintained roads with less than 200 feet of right-of-way may be required to provide interior or frontage road access after review and recommendation by the Kenai Peninsula Borough Road Service Area staff and upon a finding by the planning commission that due to size, topography, physical characteristics, or heavy traffic flow, that direct access to the arterial or state maintained road may present a traffic hazard.

Staff recommendation:

- ☐ 20.30.080. Alleys. Alleys are prohibited unless allowed by city ordinance.

Staff recommendation:

- ☐ 20.30.090. Streets-Maximum grades allowed. The subdivider shall demonstrate that streets can be readily constructed in accordance with current borough road standards and that the grades on any such roads shall not exceed 6 percent on arterial streets and 10 percent on other streets, or 4 percent within 130 feet of any centerline intersections. Submittal of centerline profiles and cross-sections may be required to demonstrate that compliant construction in the right-of-way is feasible.

Staff recommendation:

- ☐ 20.30.100. Cul-de-sacs.

A. Streets designed to have one end permanently closed shall be no more than 1000 feet long. The closed end of the cul-de-sac shall have a suitable turnaround with a minimum radius of 50 feet to the property line. The turnaround shall be constructible to a 4 percent grade or less.

B. Hammerhead or T -type turnarounds may be allowed on a case-by-case basis. Adequate turning radii, width and depth must be provided for road maintenance and emergency vehicle access. Plans must be reviewed with a recommendation by emergency service providers and the KPB Road Service Area Board prior to submittal for planning commission review.

C. Temporary turnarounds and self-vacating turnarounds shall not be granted or reserved on plats.

Staff recommendation:

- ☐ 20.30.120. Streets-Width requirements.

B. The minimum right-of-way width of streets shall be 60 feet.

3. Half streets shall generally not be allowed except to provide the logical extension of a right-of-way where the remaining half street can reasonably be expected to be dedicated in the future.
4. When a design change required as a condition of preliminary approval results in a half right-of-way that was not shown on the original preliminary plat, adjoiners to the new half right-of-way will be sent a copy of the plat committee minutes and a sketch showing the new half right-of-way and per KPB 2.40.080 can request a review of the plat committee decision by the full Planning Commission.

B. Additional right-of-way or easement width may be required to provide for the construction of side slopes or to otherwise accommodate right-of-way construction standards set forth in KPB Title 14.

Staff recommendation:

- ☐ 20.30.130. Streets-Curve requirements.

A. Where a deflection angle of more than 10 degrees in the alignment of a right-of-way occurs, a curve of minimum radius is required. On streets 100 feet or more in width, the centerline radius of curvature shall be not less than 300 feet; on other streets not less than 200 feet. If it is not possible to design a curve to be radial or tangential, that curve shall be clearly labeled non-radial or non-tangential.

B. A minimum 100-foot tangent is required between curves.

Staff recommendation:

- ☐ 20.30.140. Streets-Prohibited curves. Compound and broken-back curves are not allowed. Reverse curves will be considered on a case by case basis.

Staff recommendation:

- ☐ 20.30.150. Streets-Intersection requirements.

A. Street intersections shall be as nearly at right angles as possible, and no intersection shall be at an angle of less than 60 degrees. Where acute street intersections are designed, a minimum 50-foot radius corner at the right-of-way line of the acute angle shall be provided.

B. Offset intersections are not allowed. The distance between intersection centerline shall be no less than 150 feet.

C. Intersections of access streets with arterial streets or state maintained roads shall be limited to those intersections required for safe access consistent with KPB Title 14.

D. Intersections of access streets with arterial streets or state maintained roads must be designed to the American Association of State Highway and Transportation Officials (AASHTO) standards.

Staff recommendation:

- ☐ 20.30.160. Streets-Name requirements. Streets shall be named to conform to KPB Chapter 14.10

Staff recommendation:

- ☐ 20.30.170. Blocks-Length requirements. Blocks shall not be less than 330 feet or more than 1,320 feet in length. Along arterial streets and state maintained roads, block lengths shall not be less than 800 feet. Block lengths shall be measured from centerline intersections.

Staff recommendation:

- ☐ 20.30.180. Pedestrian ways required when. Pedestrian ways not less than 8 feet wide shall be required in blocks longer than 600 feet where reasonably deemed necessary to provide circulation or access to schools, playgrounds, shopping centers, transportation or other community facilities.

Staff recommendation:

- ☐ 20.30.190. Lots-Dimensions.

A. The size and shape of lots shall provide usable sites appropriate for the locality in which the subdivision is located and in conformance with the requirements of any zoning ordinance effective for the area in which the proposed subdivision is located. Generally, lots shall be square or rectangular. Lots shall be at least 60 feet wide on the building setback line. The minimum depth shall be no less than 100 feet, and the average depth shall be no greater than three times the average width.

B. The access portion of a flag lot shall not be less than 20 feet wide. A flag lot with the access portion less than 60 feet wide may be subject to a plat note indicating possible limitations on further subdivision based on access issues, development trends in the area, or topography. If the access portion is less than 60 feet wide, it may not exceed 150 feet in length. The access portion may not be used for permanent structures or wastewater disposal area, must meet the design standards of KPB 20.30.030(A) and 20.30.090 for access, and, if at least 60 feet wide, will be subject to the building setback restrictions of KPB 20.30.240.

Staff recommendation: *place the standard note on the plat for the flag lot(s): No structures are permitted within the panhandle portion of the flag lot(s).*

- ☐ 20.30.200. Lots-Minimum size.

Except in cities where zoning and subdivision regulations establish different minimums, lots must be designed to meet the following area requirements:

A. Lots shall contain at least 6,000 square feet if served by public wastewater disposal and water systems.

B. Lots shall contain at least 40,000 square feet if both the well and wastewater disposal are to be located on the lot unless it can be demonstrated to the satisfaction of the commission that a smaller lot size is adequate for the safe location and operation of an on-site well and wastewater disposal system.

C. Subdivisions designed to be served by public wastewater disposal and water systems but not yet served by such systems may be permitted to contain lots of less than 40,000 square feet if the following conditions are met:

1. The available area may be reduced to 20,000 square feet when public water or wastewater disposal system is available, complying with KPB 20.40;

2. A statement from an engineer affixed with his seal and signature attesting that the proposed lot design and associated building restrictions will assure adequate area is available to each building site for safe on-site well and wastewater disposal, including area for a replacement wastewater disposal system.

Staff recommendation:

- ☐ 20.30.210. Lots-Access to street. Each lot shall abut on a fee simple dedicated street except as provided by KPB 20.30.030(B).

Staff recommendation:

- ☐ 20.30.220. Lots-Side line requirements. Where reasonable, side lines of lots shall be at right angles to straight portions of the right-of-way or radial to curved portions of the right-of-way.

Staff recommendation:

- ☐ 20.30.230. Lots-Double frontage prohibited when. Double frontage lots with depths less than 250 feet will not be approved except where necessitated by topographic or other physical conditions, or to provide reverse frontage along arterial streets. Corner lots are not subject to the double frontage prohibition.

Staff recommendation:

- ☐ 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.

C. 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.

D. 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.

E. 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:

- ☐ 20.30.250. Building setbacks-Within cities. The building setback requirements for subdivisions located within cities shall be governed by the provisions of municipal zoning districts. Building setbacks as depicted, or noted, on recorded plats shall not be carried forward on a new subdivision plat located within a municipal zoning district. Provide a plat note stating, "Per KPB 20.30.250 the building setback of record has been removed. All development must comply with the municipal zoning requirements."

Staff recommendation:

- ☐ 20.30.260. Unsubdivided remainders prohibited. All parent parcels must be included in the boundary of the subdivision and all divisions must be given lot or tract numbers and must include areas.

Staff recommendation:

- ☐ 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 _____ does not meet the specified requirements for the application and consideration of different standards.*

- ☐ 20.30.280. Floodplain requirements.

- A. All subdivision plats which are within areas where the floodplain has been identified by the Federal Emergency Management Agency (FEMA), and which involve 50 lots or five acres whichever is lesser, shall include the base flood elevation source.
- B. Any area of the subdivision within the floodplain, floodway or Seward Mapped Flood Data Area (SMFDA) is to be shown and labeled on the plat.
- C. All subdivisions which are wholly or partially located within flood hazard areas as defined by KPB 21.06.030 must comply with KPB 21.06.050 standards for Floodplain Management.
- D. All subdivisions or replats within the Flood Insurance Rate Map (FIRM) area or SMFDA, as amended, as defined by KPB 21.06.020, shall contain the following note:

FLOOD HAZARD NOTICE:

Some or all of the property shown on this plat has been designated by FEMA or the Kenai Peninsula Borough Seward Mapped Flood Data Area as a flood hazard area district as of the date this plat is recorded with the district recorder's office. Prior to development, the Kenai Peninsula Borough floodplain administrator should be contacted for current information and regulations. Development must comply with Chapter 21.06 of the Kenai Peninsula Borough Code.

- E. All subdivisions or replats that include any portion of the mapped floodway shall contain the following note:

FLOODWAY NOTICE:

Portions of this subdivision are within the floodway. Pursuant to KPB Chapter 21.06, all development (including fill) in the floodway is prohibited unless certification by an engineer or architect is provided demonstrating that encroachments shall not result in any increases in flood levels during the occurrence of the base flood discharge.

- F. Each plat within a city which has met the requirements of this section shall contain the following statement: "The first finished and habitable floor of a building constructed within a floodplain shall be built at or above the 100-year flood level."

- G. This section applies to all cities which adopt a resolution requesting participation in the FEMA floodplain program and which are subsequently recognized by the state as participants.
- H. A city may adopt an ordinance as part of its building code with greater restrictions than those set forth in KPB 20.30.280(A). A note shall be placed on the plat to indicate that the developer is responsible for contacting the city to determine the restrictions prior to any development.

Staff Comments:

*To maintain consistency with KPB 21.06.050, **staff requests** the surveyor ensure the proposed subdivision have adequate drainage to reduce exposure to flood damage.*

Staff reminds the owner(s), that it is the responsibility of the subdivider to provide all necessary information regarding flood protection measures at the time the preliminary plat is presented for consideration by the planning commission (21.06.050).

Staff recommendation:

- ☐ 20.30.290. Anadromous Waters Habitat Protection District. If any portion of a subdivision or replat is located within an anadromous waters habitat protection district, the plat shall contain the following note:

ANADROMOUS WATERS HABITAT PROTECTION DISTRICT NOTE:

Portions of this subdivision are within the Kenai Peninsula Borough Anadromous Waters Habitat Protection District. See KPB Chapter 21.18, as may be amended, for restrictions that affect development in this subdivision. Width of the habitat protection district shall be in accordance with KPB 21.18.040.

Platting Staff Comments:

Staff recommendation: *comply with 20.30.290.*

KPB 20.40 -- Wastewater Disposal

- ☐ 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.*

- ☐ 20.60.010. Preparation requirements generally. The final plat shall be prepared in accordance with this chapter and the preliminary plat as approved. Information required for the preliminary plat by KPB 20.25.070 shall be included on the final plat except that the information required by KPB 20.25.070 (K) - (N) shall not be included. The approximate dimensions required by KPB 20.25.070(J) shall be replaced with accurate dimensions as required by KPB 20.60.110 and KPB 20. 60.120. If the final plat contains only a portion of the preliminary plat, it must comply with KPB 20.25.110(B).
Staff recommendation: *comply with 20.60.010.*
- ☐ 20.60.020. Filing-Form and number of copies required. The subdivider shall file a standard number of prints as determined by the planning director. All prints shall be folded as required by KPB 20.25.030 except those to be recorded with the district recorder.
Platting Staff Comments:
Staff recommendation: *submit one full-sized paper copy of the plat for final review prior to submittal of the mylar. Electronic submittals are not acceptable for final reviews.*
- ☐ 20.60.030. Certificate of borough finance department required.

Platting Staff Comments: All taxes levied on the property within the subdivision shall be paid prior to recordation of the final plat. If approval is sought between January 1 and the tax due date, there shall be on deposit with the borough finance department an amount sufficient to pay the entire estimated real property tax for the current year. Prior to filing of the final plat, a certificate to this effect shall be provided by the borough finance director or his designee upon request by the planning director. Estimated tax payments shall be applied to the actual bill as of July 1 or such earlier date as the taxes due have been determined.

Taxes owed may include special assessments for utility or road assessment districts established by KPB ordinance.

Staff recommendation: comply with 20.60.030.

- ☐ 20.60.040. Dedication of public use lands. Any land shown on a plat as a street, public park or other public area must be dedicated on the final plat to a tax exempt governmental entity. If the governmental entity is not the Kenai Peninsula Borough, the governmental entity shall be required to execute an acceptance of the dedication on the plat.

Staff recommendation:

- ☐ 20.60.050. Dedication and construction of anadromous waterbody crossings.
 - A. Where a dedication crosses a waterbody within the Kenai Peninsula Borough Road Service Area cataloged as important to the protection of anadromous fish under AS 16.05.871 as now enacted or as may be hereinafter amended, additional right-of-way dedication or slope easements may be required by the planning commission as necessary for construction to meet the criteria of KPB 14.40.061(B).
 - B. Where a dedication is proposed over an existing road crossing a waterbody within the Kenai Peninsula Borough Road Service Area cataloged as important to the protection of anadromous fish under AS 16.05.871 as now enacted or as may be hereinafter amended, the road and crossing must be brought up to the permitting standards established by KPB 14.40.061(A) prior to planning commission approval of the final plat.
 - C. Where a plat dedicates a right-of-way over an existing road which crosses an anadromous waterbody as described in KPB 20.60.050(B), the applicant shall have three years from the approval of the preliminary plat to have the final plat approved. The time frame may be extended by the planning director if the extension is requested prior to the termination of the initial three-year period for final plat approval or any previously granted extension, and only if there has been no change in the design of the subdivision's road system since preliminary plat approval. Extensions may only be granted for one year at a time.
 - D. The road service area shall inspect and provide certification to the planning department that waterbody crossings meet the permitting requirements of KPB 14.40.061(A) prior to the approval of the final plat.

Staff recommendation:

- ☐ 20.60.060. Dedications within 100 feet of waterbodies. In addition to the criteria set forth in KPB 14.40.061(B), where dedications are proposed within 100 feet of a waterbody, the requirements of KPB 20.30.040 shall be met as part of the subdivision design.

Staff recommendation:

- ☐ 20.60.070. Plat specifications. The final subdivision plat shall be clearly and legibly drawn to a scale of 1 inch equal to 10, 20, 30, 40, 50, 60, 150 feet or a multiple of 100 feet. The drawing shall be plotted on good quality polyester film at least 3 mm in thickness. All lines, letters, figures, certifications, acknowledgements and signatures shall be clear, legible, and in black ink. The minimum text size should be 10 point (0.1") font or the equivalent. Where necessary, 8 point (0.08") capitalized font or the equivalent can be used to label features. The plat shall be so made, and shall be in such condition when filed, that legible prints and

negatives can be made therefrom. Colors, grayscale or shading is not acceptable as it does not show when the drawing is reproduced. Sheets shall be one of these sizes: 11" x 17"; 18" x 24"; and 24" or 30" x 36". When more than one sheet is required, an index map shall be provided on the first sheet showing the entire subdivision and indicating the portion contained on each sheet. Each sheet shall show the total number (e.g. sheet 1 of 3). When more than one sheet is submitted, all sheets shall be the same size. Indelible ink or sealant shall be used to insure permanency.

Staff recommendation: *comply with 20.60.070.*

- ☐ 20.60.080. Improvements-Installation agreement required. A final plat of a subdivision located within city limits shall not be recorded with the district recorder prior to compliance with any city ordinances concerning the installation of improvements. Evidence of compliance shall be provided by the subdivider in the form of a written statement from the appropriate city official that improvements required by city ordinance are or will be installed. Evidence of compliance shall be a part of the final plat submission and the time for action required by KPB 20.60.210 shall not commence until evidence of compliance is submitted.

Staff recommendation:

- ☐ 20.60.090 Improvements-Other public systems. A final plat of a subdivision outside city limits served by a public or existing ADEC approved water or wastewater disposal system shall not be approved prior to provision of documentation from the owner of the system that service to the system is installed and available to each lot in the subdivision, and that connection to all lots will not exceed the capacity of the system.

Staff recommendation:

- ☐ 20.60.100. Reversion to acreage
 - A. Plats filed for the purpose of reverting subdivided land to acreage shall be conspicuously designated "THE PURPOSE OF THIS PLAT IS A REVERSION TO ACREAGE."

B. Reverted acreage may carry the original lot or tract designation.

Staff recommendation:

- ☐ 20.60.110. Dimensional data required.
 - A. The bearing and length of every lot line, block line, and boundary line shall be shown. Dimensions of lots shall be given as net dimensions to the boundaries of adjoining streets and shall be shown in feet. No ditto marks shall be used. Information shall be shown for all curves, including radius, central angle, arc length, chord length and chord bearing. The initial point of survey shall be shown and labeled. All non-radial lines shall be labeled. If monumented lines were not surveyed during this platting action, show the computed data per the record plat information.

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.

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.*

- ☐ 20.60.120. Accuracy of measurements. All linear measurements shall be shown to the nearest 1/10 foot, and angular measurements shall be at least to the nearest minute. All lot areas shall be shown to the nearest 10 square feet or to the nearest 1/1,000 of total acres. Meander lines, dry land areas and submerged land areas shall be shown in addition to total area when applicable. All boundary closures shall be to a minimum accuracy of 1:5,000. Boundary and lot closure computations must be submitted with the final plat.

Staff recommendation: provide boundary and lot closure computations with the paper final plat. KPB will verify closure complies with 20.60.120.

- ☐ 20.60.130. Boundary of subdivision. The boundary of the subdivision shall be designated by a wider border and shall not interfere with the legibility of figures or other data. The boundary of the subdivided area shall clearly show what survey markers, or other evidence, was found or established on the ground to determine the boundary of the subdivision. Bearing and distance ties to all survey markers used to locate the subdivision boundary shall be shown.

Staff recommendation:

- ☐ 20.60.140. Block and lot numbering. Blocks and lots within each block shall be numbered consecutively or all lots shall be numbered consecutively. If possible, each block should be shown entirely on one sheet. Each lot shall be shown entirely on one sheet.

Staff recommendation:

- ☐ 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.

- ☐ 20.60.160. Easements.

A. The plat shall clearly show the location, width, and use of all easements. The easements must be clearly labeled and identified and, if already of record, the recorded reference given. If public easements are being granted by the plat, they shall be properly set out in the owner's certification of dedication.

1. Special purpose easements being granted by the plat shall be clearly defined for allowed use. Special purpose easements may require a signed acceptance statement on the plat.

B. Private easements may not be granted on the plat.

Staff recommendation: comply with 20.60.160.

- ☐ 20.60.170. Other data required by law.

A. The plat shall show all other data that are or may be required on the plat by statute or ordinance.

B. Private covenants and restrictions of record in effect at the time the final plat is approved shall be referenced on the plat. The borough will not enforce private covenants, easements, or deed restrictions. The borough will not enforce private covenants, easements, or deed restrictions.

C. The plat must adhere to the requirement of the local option zone, where applicable.

Staff recommendation: comply with 20.60.170.

- ☐ 20.60.180. Plat notes.

C. 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.

D. 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.

- "No access to state maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation."
- Roads must meet the design and construction standards established by the borough in order to be considered for certification and inclusion in the road maintenance program (KPB 14.06).
- The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.

If the travel way shown on the plat is a private drive, staff suggests the following note be placed on the final plat to avoid confusion about public use in the future: Private road shown is for use of owners only and is not dedicated to public use.

- ☐ 20.60.190. Certificates, statements, and signatures required.
Staff recommendation: comply with 20.60.190.

KPB 20.60.190 corrected the Notary's Acknowledgement so it is an acknowledgement instead of a combination of an acknowledgement and a jurat.

Staff recommendation: the Notary's Acknowledgement on the final plat must comply with 20.60.190.

- ☐ 20.60.200. Survey and monumentation.
Staff recommendation: comply with 20.60.200

- ☐ 20.60.210. Approval-Authority-Certificate issued when.
Platting Staff Comments: If the Plat Committee conditionally approves the preliminary plat, staff will comply with, and follow, 20.60.210.

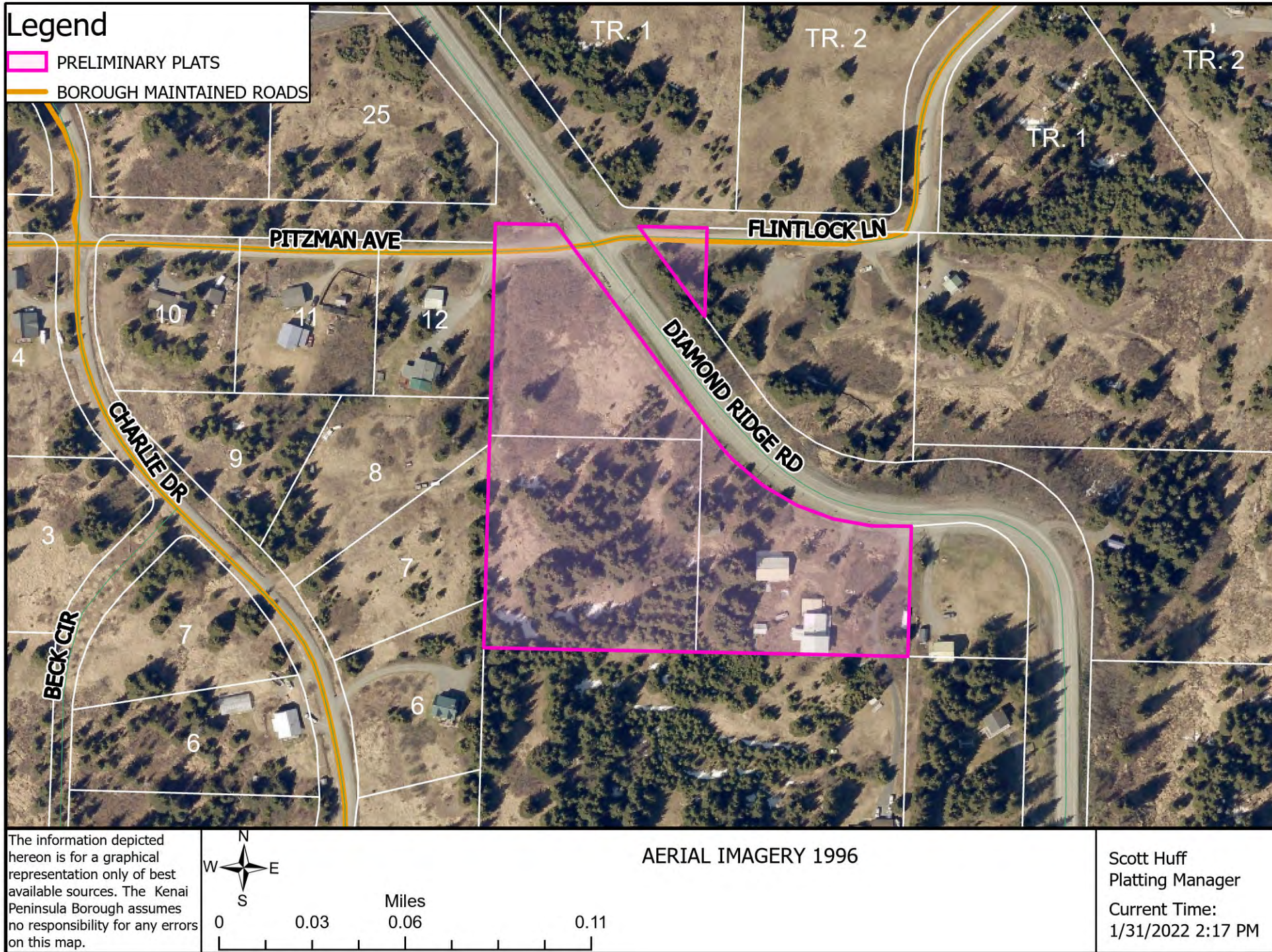
- ☐ 20.60.220. Administrative approval.
Platting Staff Comments: If the Plat Committee conditionally approves the preliminary plat and the final plat conforms to the conditions, staff will issue an administrative approval with notice to the Planning Commission as set forth in 20.60.220.

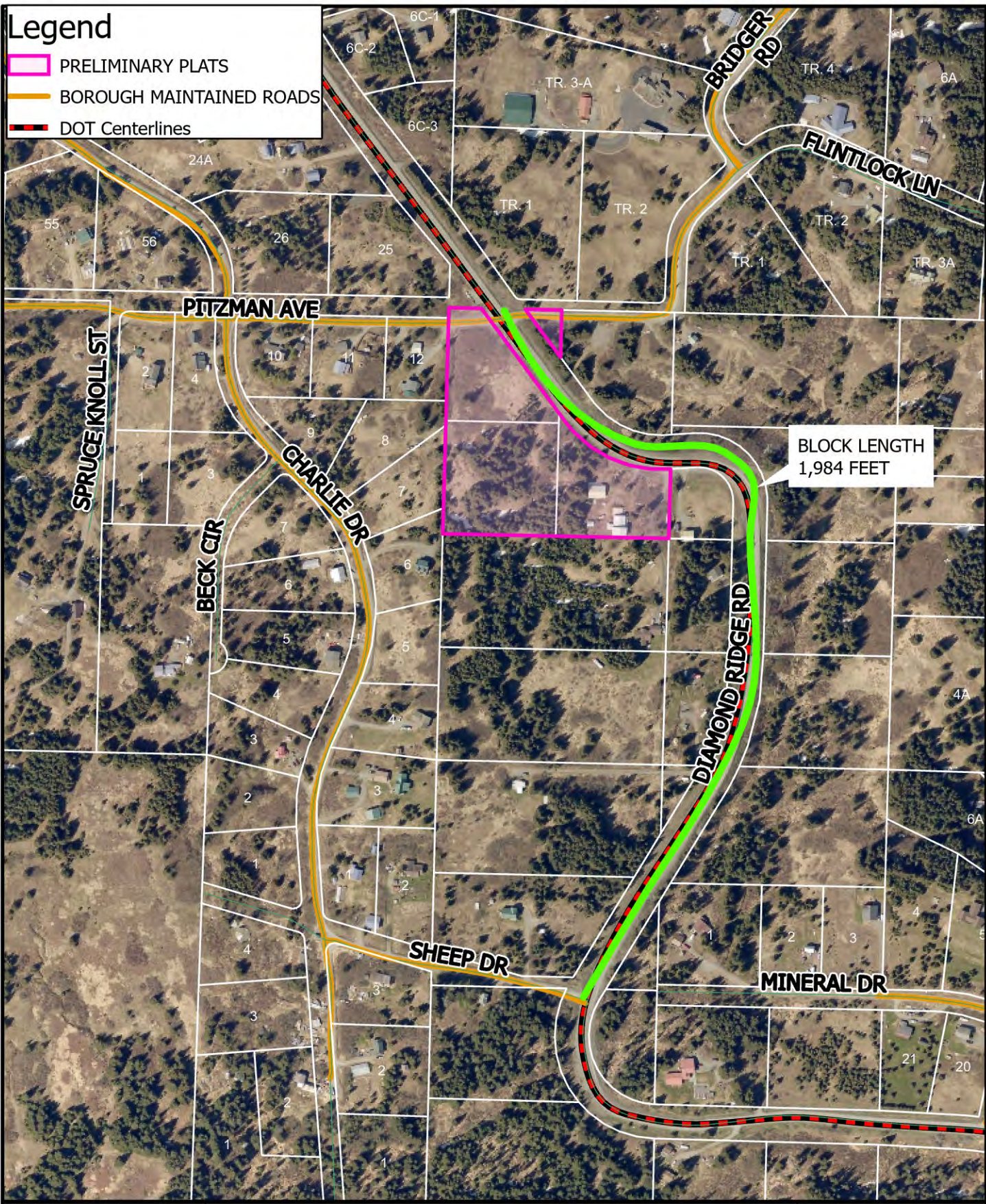
The planning director may refer the final plat to the planning commission when:

1. Major redesign was a condition of preliminary approval by the planning commission or the advisory planning commission of the city in which the subdivision is located;
2. Final approval by the commission was a condition of preliminary approval; or
3. The planning director determines there are other conditions to support referral to the commission.

- ☐ KPB 20.70 – Vacation Requirements
Staff recommendation.

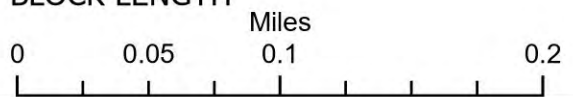
END OF SUBDIVISION REQUIREMENT CHECKLIST



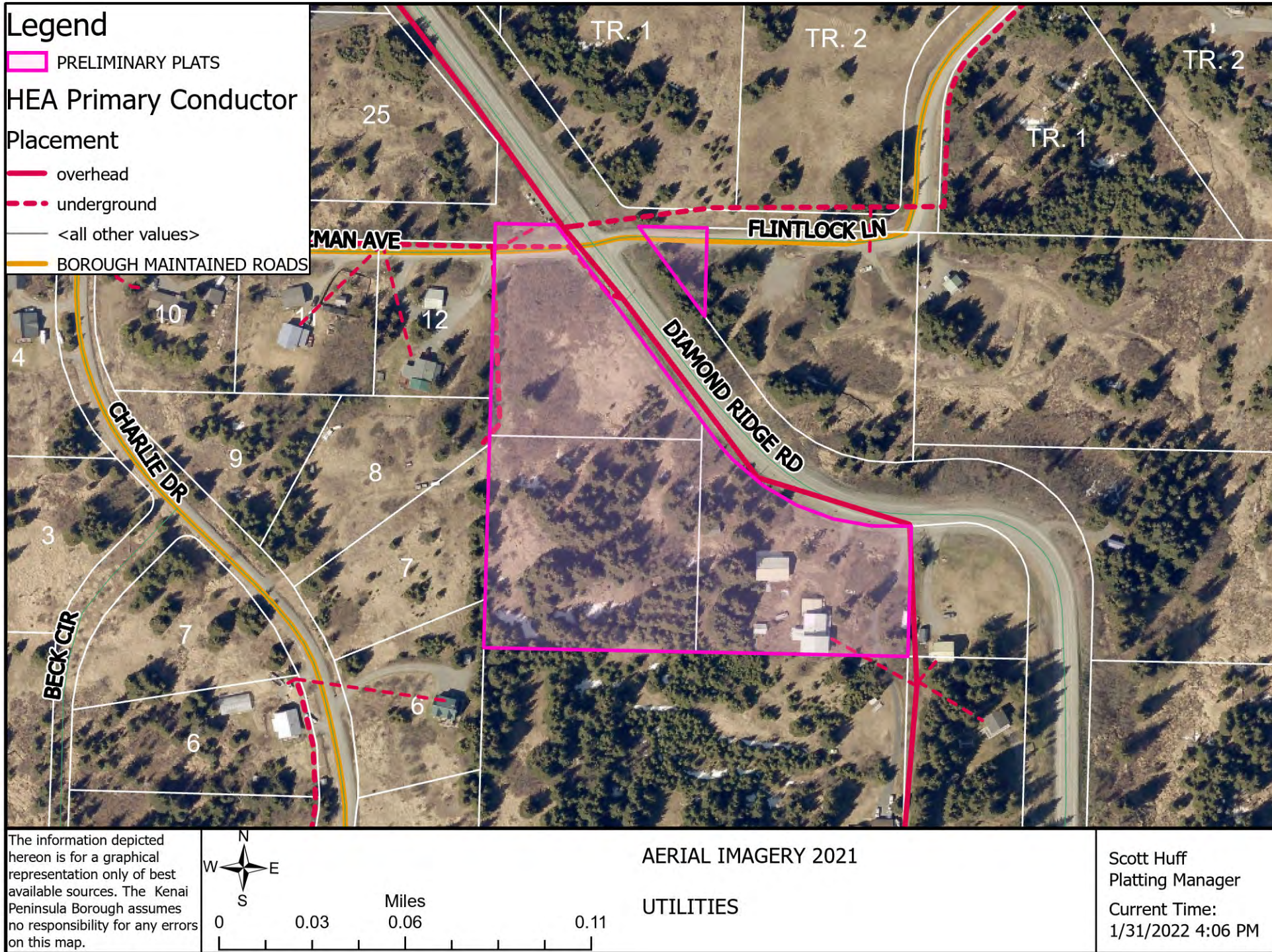


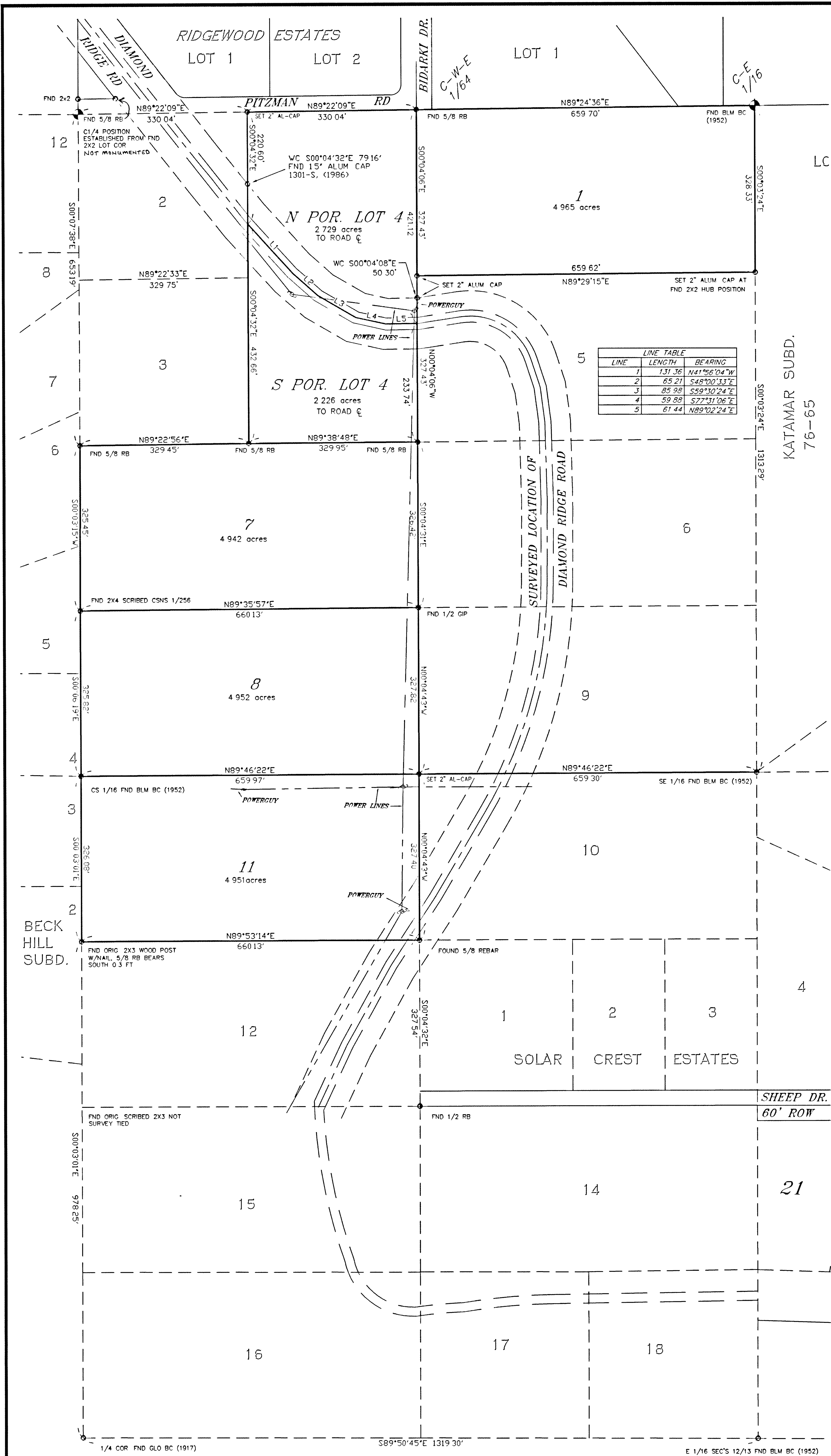
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

AERIAL IMAGERY 2021
BLOCK LENGTH

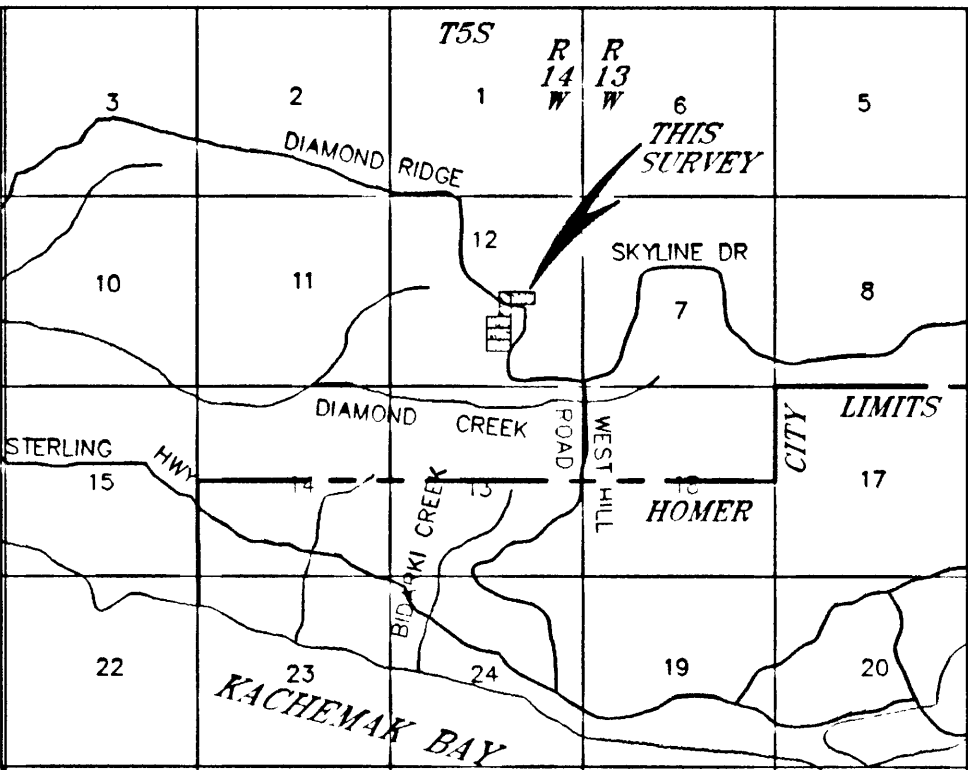


Scott Huff
 Platting Manager
 Current Time:
 2/1/2022 10:02 AM





VICINITY MAP SCALE: 1" = 1 MILE



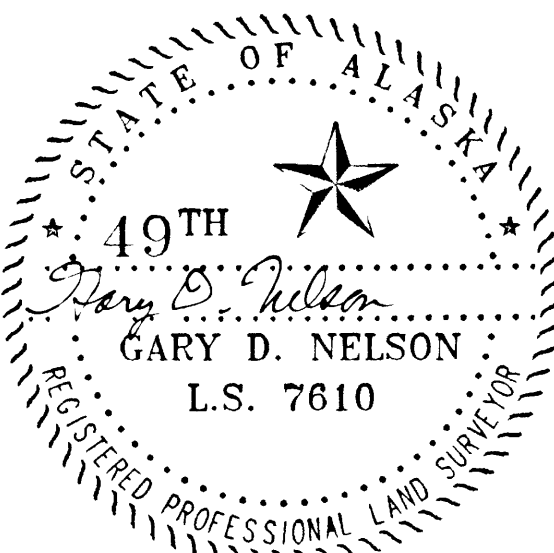
2001-43 20
Homee
Date 10/17/01
Time 1:26 P.
A. Lindy

NOTES

- THIS SURVEY DOES NOT CONSTITUTE A SUBDIVISION AS DEFINED BY AS 40.15.190(2)
- THE BASIS OF BEARINGS FOR THIS SURVEY IS RANDOM ASSUMED AND DOES NOT PERTAIN TO PREVIOUSLY RECORDED DOCUMENTS ALTHOUGH IT MATCHES TO WITHIN 1 MINUTE OF SOLAR CREST ESTATES PLATTED BEARINGS.
- THIS SURVEYOR ASSUMES THAT OWNERSHIP OF LOT 4 IS TO THE EXISTING ROAD CENTER LINE. DIMENSIONED ROAD CENTER LINE IS FROM A REPRESENTATIVE SERIES OF SURVEYED ROAD CENTER LINE POSITIONS.
- NO ABSTRACT OF MATTERS AFFECTING TITLE HAS BEEN PROVIDED TO THE SURVEYOR. EASEMENTS, PUBLIC LAND ORDERS, OR OTHER ACTIONS AFFECTING TITLE MAY EXIST BUT ARE NOT SHOWN.

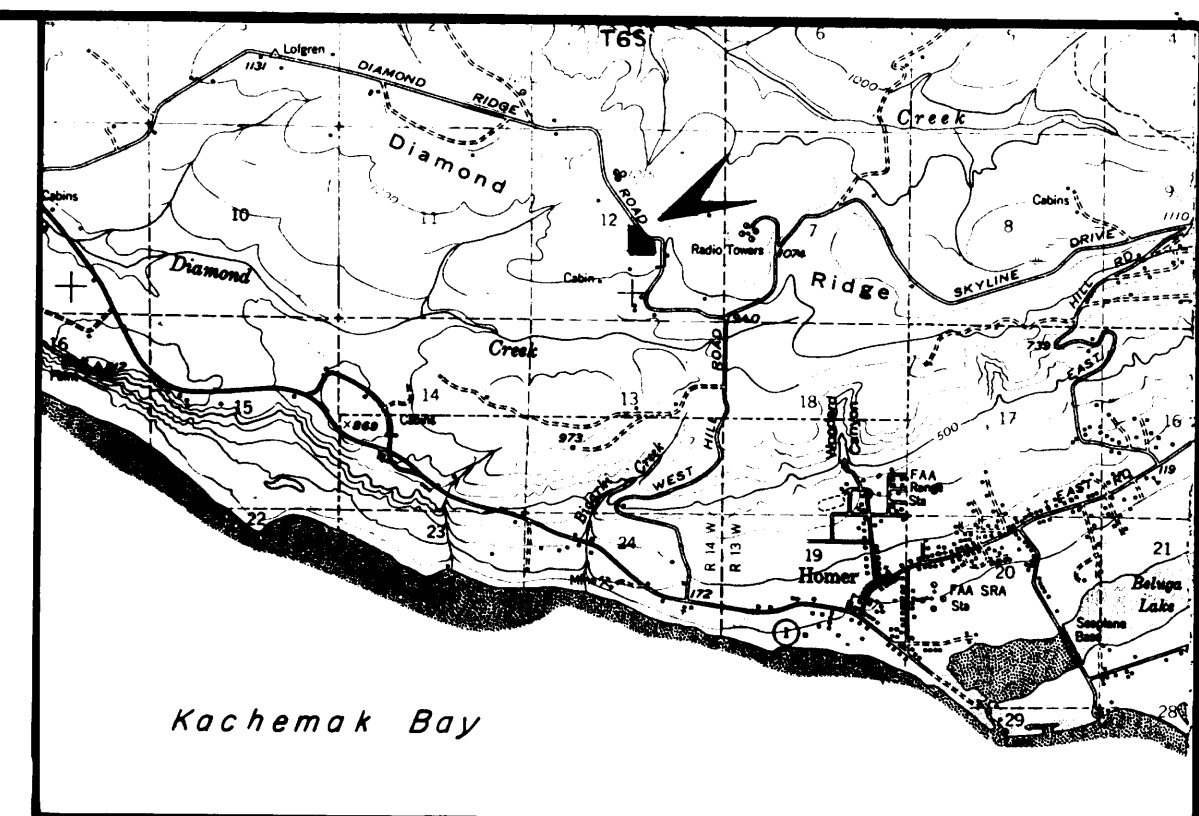
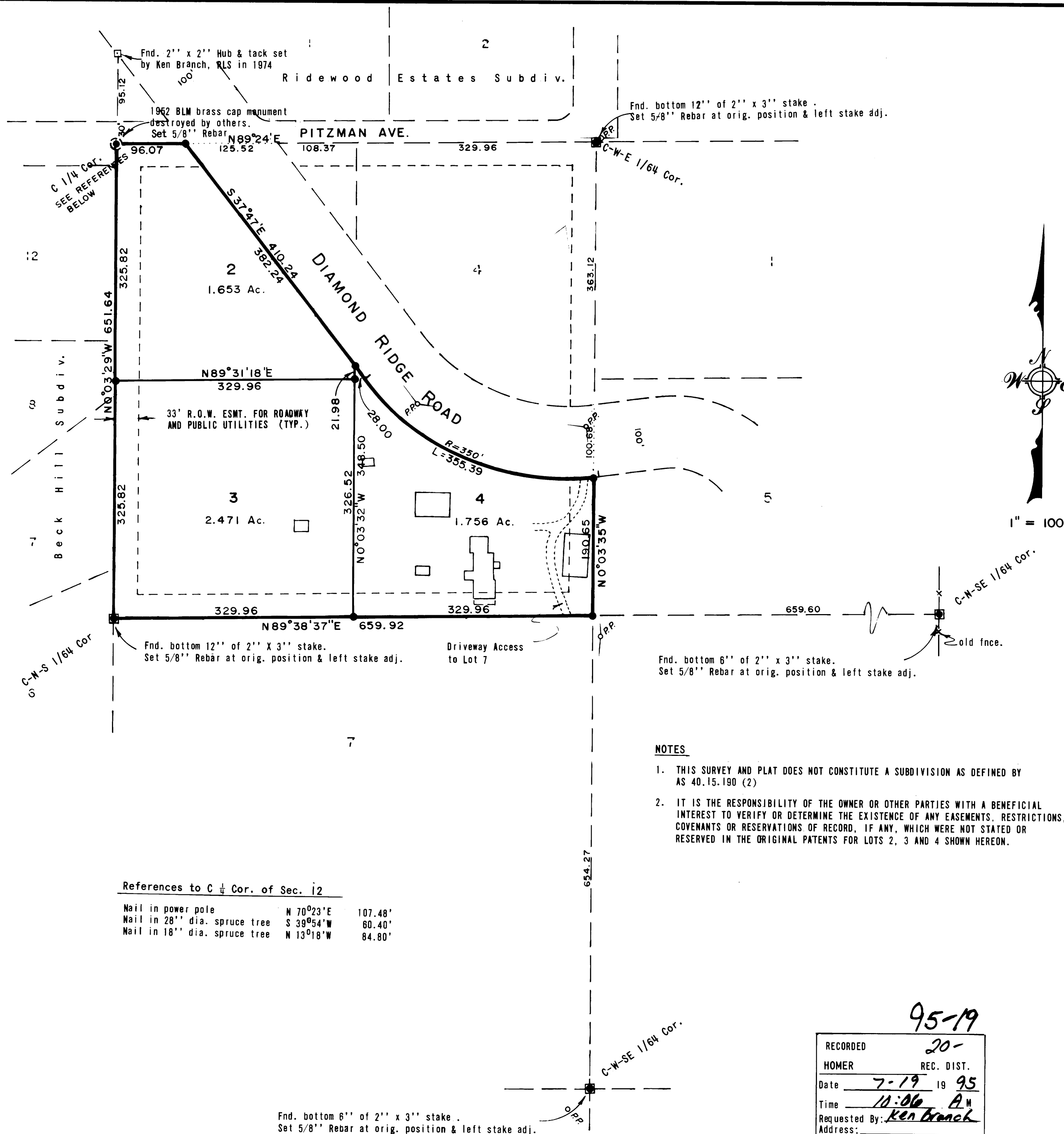
LEGEND

POWER POLE



JOB No.	3498
DATE	10/16/01
SCALE	1" = 100'
BASE MAP	AR-68
SECTION	SW-1/4, 12
TOWNSHIP	6S
RANGE	14W (SM)

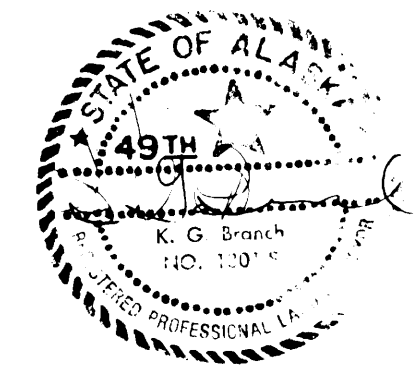
RECORD OF SURVEY
GLO LOTS 1, 4, 7, 8, AND 11
SEC12, T6S R14W, S.M., ALASKA
NEAR THE COMMUNITY OF HOMER
HOMER RECORDING DISTRICT
ABILITY SURVEYS
REGISTERED LAND SURVEYORS
(907) 235-8440
152 DEHEL AVE., HOMER, ALASKA 99603



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED AND THAT ALL OTHER DETAILS ARE CORRECT TO THE BEST OF MY KNOWLEDGE.

Date 7/19/95
 Ken Branch, RLS NO. 1301 S
 Box 1295
 Homer, Alaska 99603



LEGEND

- ☐ Indicates 2' x 3' wood stake, painted white, set by BLM in 1952, recovered this survey.
- Indicates 5/8" x 30" rebar set this survey.
- Indicates adjacent property lines.
- ☐ Indicates existing buildings
- - - Indicates 33' R.O.W. Esmt. reserved by Govt. in original patent for roadway and public utilities.

RECORD OF SURVEY

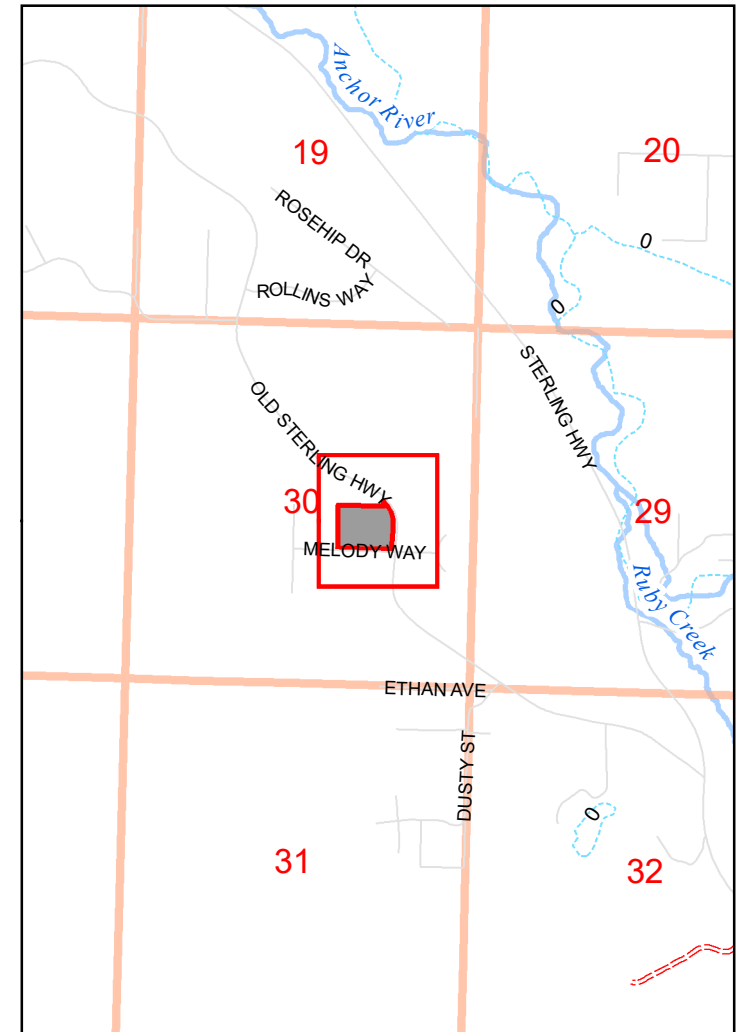
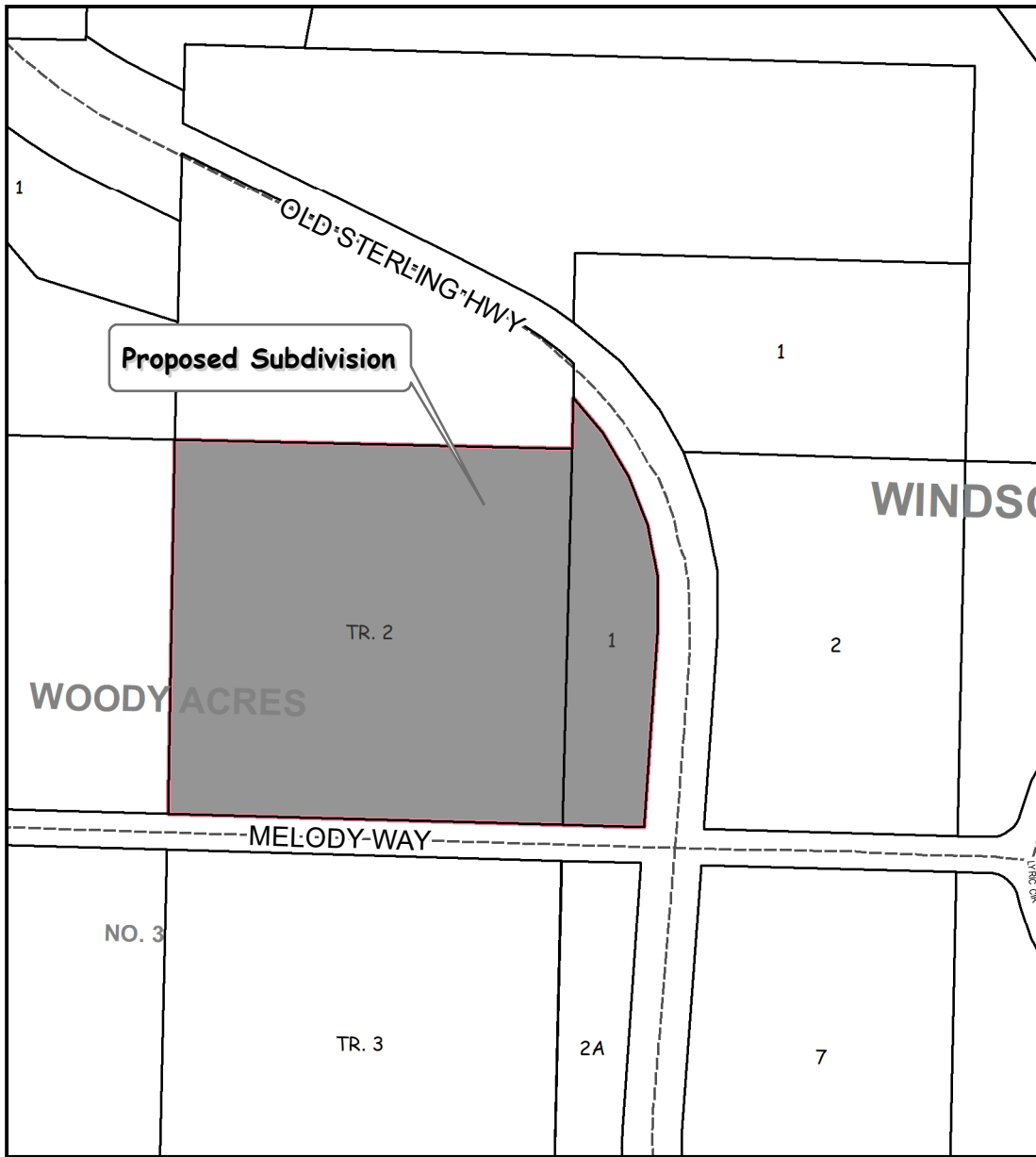
GOVT. LOTS 2, 3 & 4 OF SECTION 12, T6S, R14W, S. M., SITUATED ON THE SOUTH SIDE OF DIAMOND RIDGE ROAD, HOMER RECORDING DISTRICT, ALASKA

Prepared For
 ROSEMARY SHUMAN
 204 MA KEE RD. NO. 103
 HONOLULU, HAWAII 96815

Prepared By
 KEN BRANCH, RLS
 BOX 1295
 HOMER, ALASKA 99603

95-19

RECORDED	20-
HOMER	REC. DIST.
Date	7-19 19 95
Time	10:06 AM
Requested By:	Ken Branch
Address:	



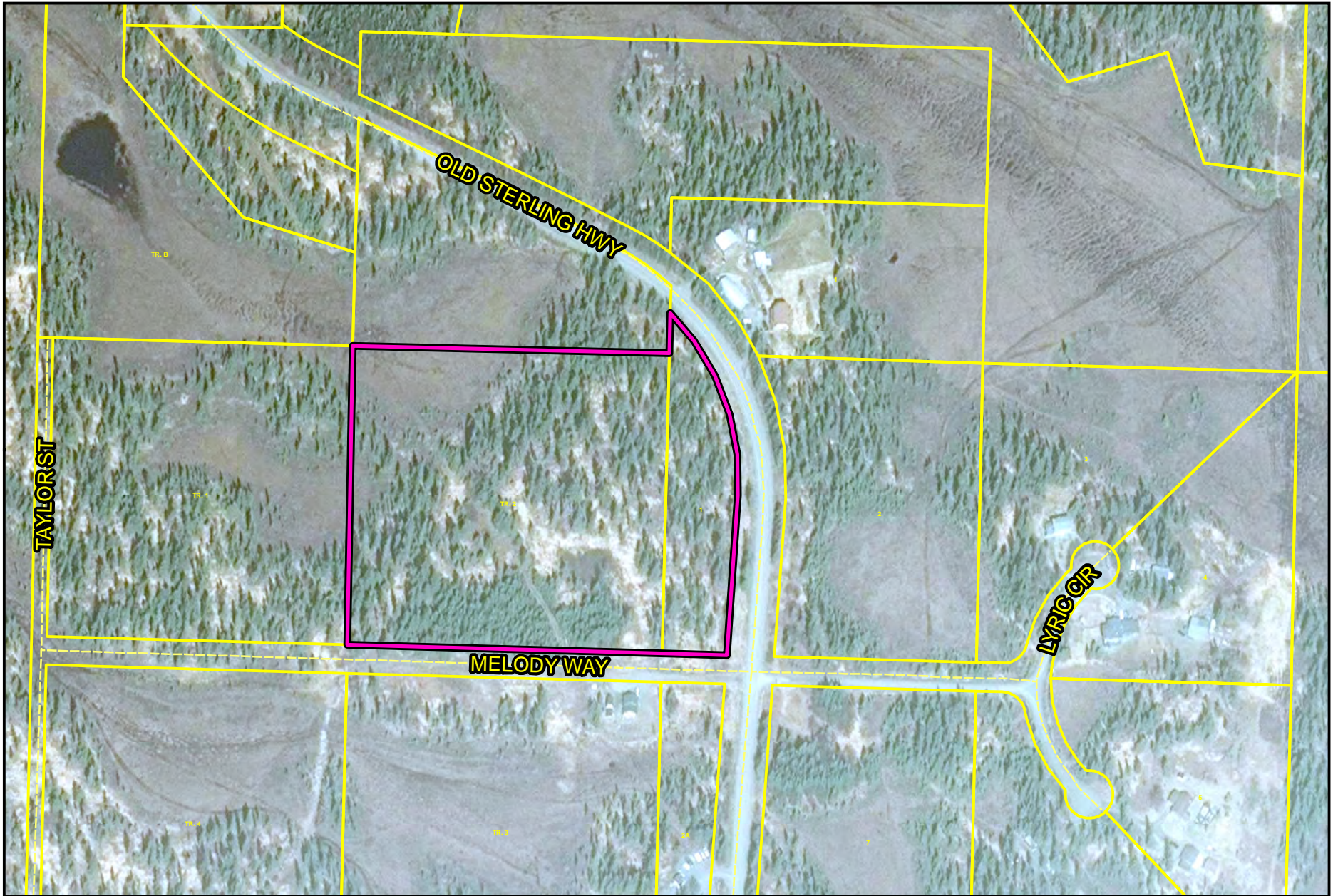
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

0 250 500 1,000'

KPB 2022-006
S30 T05S R14W
Anchor Point



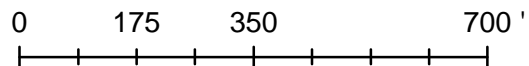
MQuinton, KPB 2022-006 Date: 1/21/2022



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.

MQuainton, KPB 2022-006
Imagery 2017 Anchor Point

Aerial View



 PRELIMINARY PLAT



NOTES

1. BASIS OF BEARING IS FROM THE PLAT OF WOODY ACRES NO. 3 (HM 82-11).
2. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.
3. A BUILDING SETBACK OF 20 FEET IS REQUIRED FROM ALL STREET RIGHT-OF-WAYS UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION PER THE PARENT PLATS (HM 82-11) AND (HM 79-38).
4. NO FIELD SURVEY WAS PERFORMED FOR THIS REPLAT. MONUMENTS AND DIMENSIONS SHOWN ARE PER THE RECORD PLATS.
5. 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.
6. 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.
7. ORIGINAL LOT 1, BLOCK 1, WINDSONG AMENDED (HM 79-38) IS AFFECTED BY COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED FEBRUARY 7, 1979 (BK 105, PG 255 HRD). THE BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS, OR DEED RESTRICTIONS PER KPB 20.60.170.
8. THESE LOTS ARE AFFECTED BY AN EASEMENT OF RECORD WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION (BK 49, PG 286 HRD).
9. THESE LOTS ARE AFFECTED BY RESERVATION OF EASEMENT FOR HIGHWAY PURPOSES, AND ANY ASSIGNMENTS OR USES THEREOF FOR RECREATIONAL, UTILITY OR OTHER PURPOSES, AS DISCLOSED BY PUBLIC LAND ORDER NO. 601, DATED AUGUST 10, 1949, AND AMENDED BY PUBLIC LAND ORDER NO. 757, DATED OCTOBER 10, 1959; PUBLIC LAND ORDER NO. 1613, DATED APRIL 7, 1958; AND DEPARTMENT OF THE INTERIOR ORDER NO. 2665, DATED OCTOBER 16, 1951, AMENDMENT NO. 1 THERETO, DATED JULY 17, 1952 AND AMENDMENT NO. 2 THERETO, DATED SEPTEMBER 15, 1956, FILED IN THE FEDERAL REGISTER.

NOTARY'S ACKNOWLEDGMENT

FOR KEITH DANIEL EDENS AND KAYCEE SHEA EDENS

ACKNOWLEDGED BEFORE ME THIS _____

DAY OF _____, 2022.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES: _____

LEGEND

- INDICATES 2-1/2" BRASS CAP (3686-S 1977) RECORD PER HM 79-38
- INDICATES 1" IRON PIPE W/ PLASTIC CAP (3686-S) RECORD PER HM 82-11
- ⊗ INDICATES 1/2" REBAR (3686-S) RECORD PER HM 79-38

▲ ▲ ▲ INDICATES POTENTIAL LOW WET AREAS

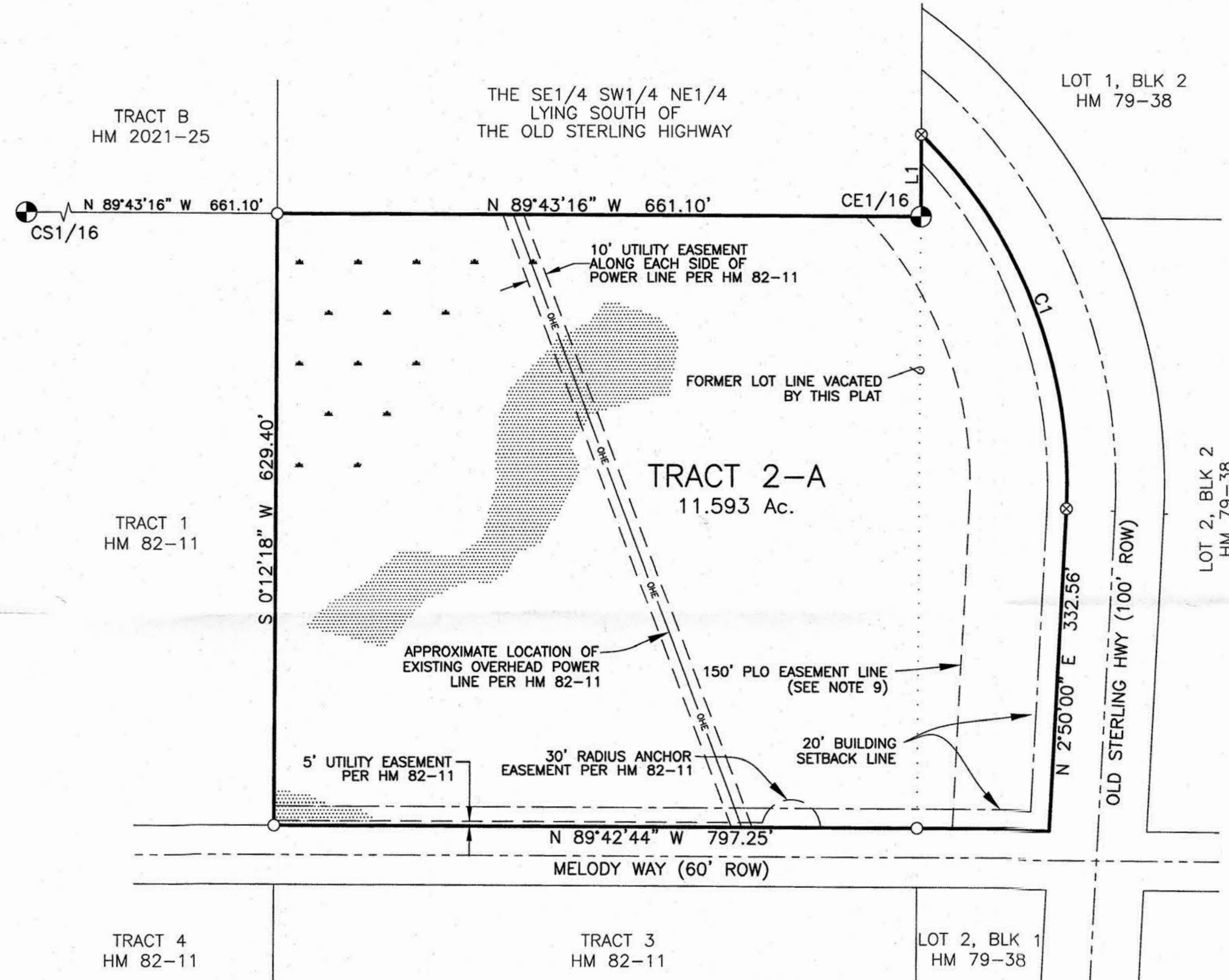
■■■■■ INDICATES AREAS WITH SLOPES GREATER THAN 20%

PLAT APPROVAL

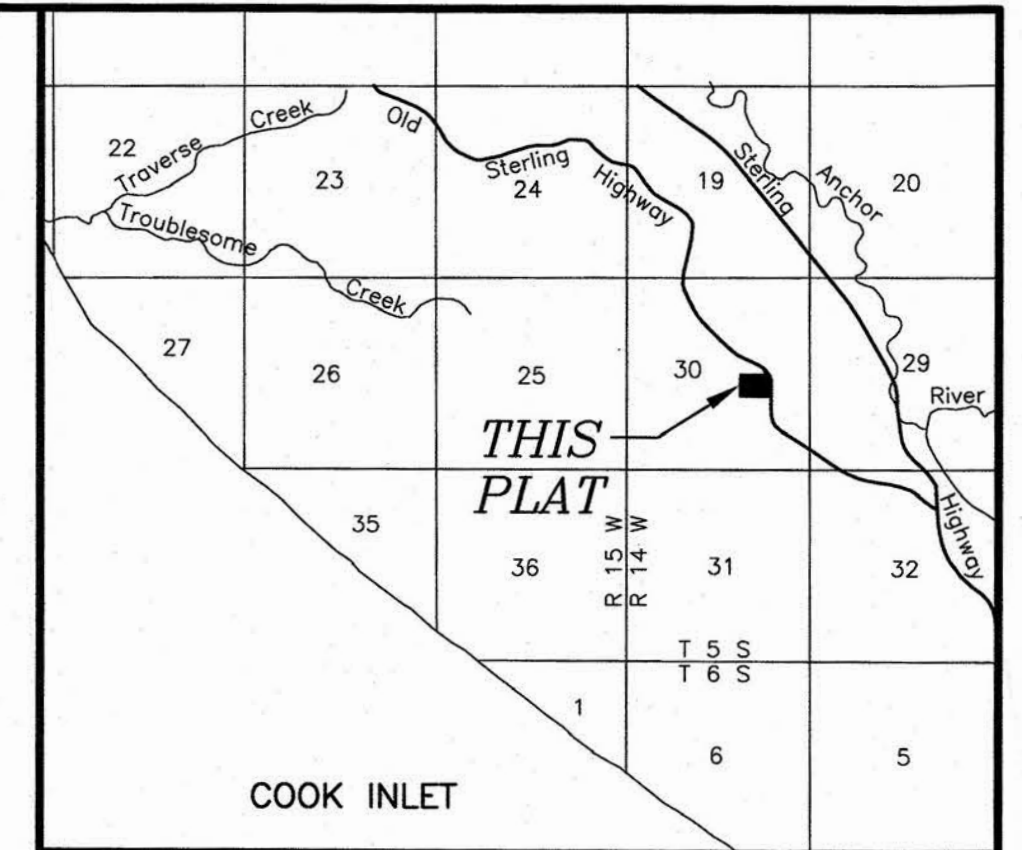
THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____

BY: _____
AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

DATE _____



SCALE 1"=120'



VICINITY MAP

SCALE: 1" = 1 MILE

U.S.G.S. QUAD. SELDOVIA (D-5)

CERTIFICATE OF OWNERSHIP

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.

KEITH DANIEL EDENS
PO BOX 992
HOMER, ALASKA 99603

KAYCEE SHEA EDENS
PO BOX 992
HOMER, ALASKA 99603

HOMER RECORDING DISTRICT KPB FILE No. 2022-???

WOODY ACRES 2022 REPLAT

THE COMBINATION OF
TRACT 2, WOODY ACRES NO. 3 (HM 82-11)
AND
LOT 1, BLOCK 1, WINDSONG AMENDED (HM 79-38)
LOCATED WITHIN
N1/2 SE1/4 SEC 30, T. 5 S., R. 14 W.,
SEWARD MERIDIAN, KENAI PENINSULA BOROUGH,
THIRD JUDICIAL DISTRICT, ALASKA
CONTAINING 11.593 ACRES
OWNERS:
KEITH DANIEL EDENS AND KAYCEE SHEA EDENS
PO BOX 992, HOMER, ALASKA 99603

GEOVERA, LLC

PO BOX 3235
HOMER ALASKA 99603
(907) 399-4345
EMAIL: scsmith@gci.net

DRAWN BY: SCS

JANUARY 2022

SCALE: 1" = 120'

CHK BY: SCS

JOB #2022-02

SHEET 1 OF 1

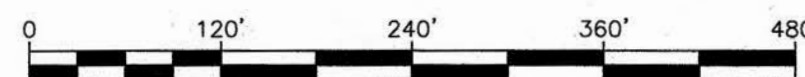
CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD BRNG	CHORD DIST
C1	48°30'54"	500.00'	423.37'	N 21°25'27" W	410.84'

LINE TABLE

LINE	BEARING	DISTANCE
1	N 0°10'55" E	84.42'

KPB 2022-006



GRAPHIC SCALE



AGENDA ITEM E. NEW BUSINESS

ITEM 4 - Woody Acres 2022 Replat

KPB File No.	2022-006
Plat Committee Meeting:	February 14, 2022
Applicant / Owner:	Keith Daniel and Kaycee Shea Edens of Homer, Alaska
Surveyor:	Stephen C. Smith / Geovera, LLC
General Location:	Melody Way and Old Sterling Highway / Anchor Point

Parent Parcel No.:	171-440-01 and 171-440-13
Legal Description:	Tract 2, Woody Acres No. 3 Plat HM 82-11 Lot 1, Block 1, Windsong Amended Plat HM 79-38
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will combine two lots to create one tract that will be 11.6 acres.

Location and Legal Access (existing and proposed): The proposed subdivision is located along the Old Sterling Highway between Anchor Point and Homer, northeast of the intersection with Melody Way.

The Old Sterling Highway is a state maintained right of way by a Public Land Order (PLO) easement. The plat as submitted depicts a 150 foot wide PLO. Per comments received from State of Alaska Department of Transportation, a 100 foot PLO is in existence. ***Staff recommends the surveyor work with Alaska DOT to determine the correct width and depict the correct easement width.***

Melody Way is a 60 foot wide right of way. A deed granted a portion of Lot 1 and Lot 2 of Windsong Amended, HM 79-38, that portion was then dedicated as right of way for Melody Way on Woody Acres, HM 80-86. Only the eastern portion is constructed and used for access for Tract 3 located south of Melody Way. Melody Way is not a maintained road.

The new lot will have legal access from Old Sterling Highway and Melody Way. Access approval will be subject to Alaska DOT or KPB Roads Department.

The block is not compliant. There are large acreage lots in the area that have not been subdivided. The block along Melody Way is approximately 1,490 feet. Alaska State Land Survey No. 2018-30, HM 2021-35, received an exception not to continue Taylor Street due to wetlands and terrain. The exception allowed the block to stay out of compliance. The block would be improved if Taylor Street had been dedicated to the north. Lot 1 is a long narrow lot and the intent of this platting action is to combine two lots. A dedication along the western boundary would result in a right of way crossing a wetland area. ***Staff recommends the plat committee concur that an exception is not required, as a dedication will not provide a closed block, the block length is only 170 feet too long, and any additional right of way dedication will be affected by wetlands.***

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: No comments
--------------------------	---

SOA DOT comments	The PLO Easement for Old Sterling Highway appears to be shown incorrectly. Based on the application date for the N1/2SE1/4 of Sec 20 T5S R14W of August 12, 1952, the September 15, 1956 amendment to SO2665 that changed Sterling Highway from a Feeder (200') to a Through (300') road wouldn't apply to this property. I believe the easement width should be 200' (100' from centerline) rather than 300' (150' from centerline) as shown currently.
------------------	--

Site Investigation: Hilly terrain affects the subdivision and the areas with slopes greater than 20 percent have been depicted on the drawing. Low wet areas are present and depicted on the plat. The appropriate plat note for wetlands is present.

KPB River Center review	<p>A. Floodplain</p> <p>Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: No comments</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: Russell, Pam Comments: No Comments</p>
State of Alaska Fish and Game	No objections. The proposed actions will not affect public access to public lands and waters.

Staff Analysis Parent Tract 2 was created in 1979 with the recording of Woody Acres, HM 79-107 which was amended with plat HM 80-86. This plat subdivided an aliquot parcel and dedicated Melody Way and Taylor Street. A field survey was not performed for HM 80-86. Woody Acres No. 3, HM 82-11, resurveyed the property and a field survey was performed and created the current boundary information for Tract 2. Parent Lot 1 Block 1 was created in 1977 with the recording of Windsong HM 77-87 which was amended with plat HM 79-38. This plat subdivided an aliquot parcel and dedicated the right of way for the Old Sterling Highway and Melody Way to the west.

This platting action will be combining two lots and creating a new lot that is increasing in size by more than 1,000 square feet. Per KPB 20.40.020(A)(2), a soils report will not be required and an engineer will not need to sign the plat.

No improvements appear to be present within this subdivision.

Per KPB 20.60.200(A), a field survey is not required if it is only eliminating existing property lines. Plat note 4 states a field survey is not being performed.

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.

Anchor Point Advisory Planning Commission minutes were not available when the staff report was prepared (KPB 21.02.020). These will be provided with the desk packet if available.

Utility Easements Windsong Amended, Plat HM 79-38, did not grant utility easements along the right of way. It did grant a 10' x 30' anchor easement adjacent to the Old Sterling Highway within the southern portion of Lot 1. That easement is now within the Melody Way dedication. Woody Acres Amended, Plat HM 80-86, granted 5 foot utility easements along the southern boundary of Tract 2 and a 30' radius anchor easement. There were no additional utility easements granted by that plat. Woody Acres No. 3, Plat HM 82-11, granted a 20 foot utility easement centered on an existing powerline.

A utility easement was granted by document to Homer Electric Association and is noted within plat note 8. KPB Code requires a minimum 10 foot utility easement be granted along dedicated right of ways. **Staff recommends the following:**

- *Depict and label the 10 foot utility easements along the right of ways to be granted by this plat.*
- *Include a plat note that reads, "Plat HM 80-86 granted 5 foot utility easements along a portion of Melody Way and a 30 foot radius anchor easement. This plat will be granting an additional 5 foot utility easement for a 10 foot wide utility easement. This plat will be granting 10 foot utility easements along all the right of ways."*
- *Correct the label for the 5 foot utility easement and anchor easement to reference Plat HM 80-86.*

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 comments or recommendations
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek</p> <p>Affected Addresses: 69288 MELODY WAY</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: OLD STERLING HWY MELODY WAY</p> <p>Existing Street Name Corrections Needed: All New Street Names are Approved: Yes List of Approved Street Names: List of Street Names Denied:</p> <p>Comments: 69288 MELODY WAY will remain with tract 2-A</p>
Code Compliance	<p>Reviewer: Ogren, Eric</p> <p>Comments: No comments</p>
Planner	<p>Reviewer: Aldridge, Morgan</p> <p>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	Reviewer: Wilcox, Adeena Comments: No comment
Advisory Planning Commission	Minutes not received when the staff report was prepared

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

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: *Within the description for Lot 1 include "Excepting South 30 Feet per Book 109 Page 306 HRD"*

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:

- *Tract B to the northwest should be revised to include "Block 4" and the recording number updated to "2021-35"*
- *Lot 2 located south of Melody Way should be revised to "Lot 2A" and the recording number updated to "2017-088".*

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: The plat is combining two lots and creating a new lot that is increasing in size by more than 1,000 square feet. Per KPB 20.40.020(A)(2), a soils report will not be required and an engineer will not need to sign the plat.

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.*

20.60.070. Plat specifications. The final subdivision plat shall be clearly and legibly drawn to a scale of 1 inch equal to 10, 20, 30, 40, 50, 60, 150 feet or a multiple of 100 feet. The drawing shall be plotted on good quality polyester film at least 3 mm in thickness. All lines, letters, figures, certifications, acknowledgements and signatures shall be clear, legible, and in black ink. The minimum text size should be 10 point (0.1") font or the equivalent. Where necessary, 8 point (0.08") capitalized font or the equivalent can be used to label

Page 4 of 6

features. The plat shall be so made, and shall be in such condition when filed, that legible prints and negatives can be made therefrom. Colors, grayscale or shading is not acceptable as it does not show when the drawing is reproduced. Sheets shall be one of these sizes: 11" x 17"; 18" x 24"; and 24" or 30" x 36". When more than one sheet is required, an index map shall be provided on the first sheet showing the entire subdivision and indicating the portion contained on each sheet. Each sheet shall show the total number (e.g. sheet 1 of 3). When more than one sheet is submitted, all sheets shall be the same size. Indelible ink or sealant shall be used to insure permanency.

Staff recommendation: *The preliminary plat scale is 1 inch equals 120 feet. The scale must be revised for the final. Comply with 20.60.070.*

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.*

- *"No access to state maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation."*
- *"Plat HM 80-86 granted 5 foot utility easements along a portion of Melody Way and a 30 foot radius anchor easement. This plat will be granting an additional 5 foot utility easement for a 10 foot wide utility easement. This plat will be granting 10 foot utility easements along all the right of ways."*

Revise plat note 4, "No field survey was performed for this replat as permitted by KPB 20.60.200(A). Monuments and dimensions shown are per the record plats."

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: *The owners took title with two variations of their names. For their Certificate of Ownership please provide an "AKA..." or "Also took title as..." Comply with 20.60.190.*

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.

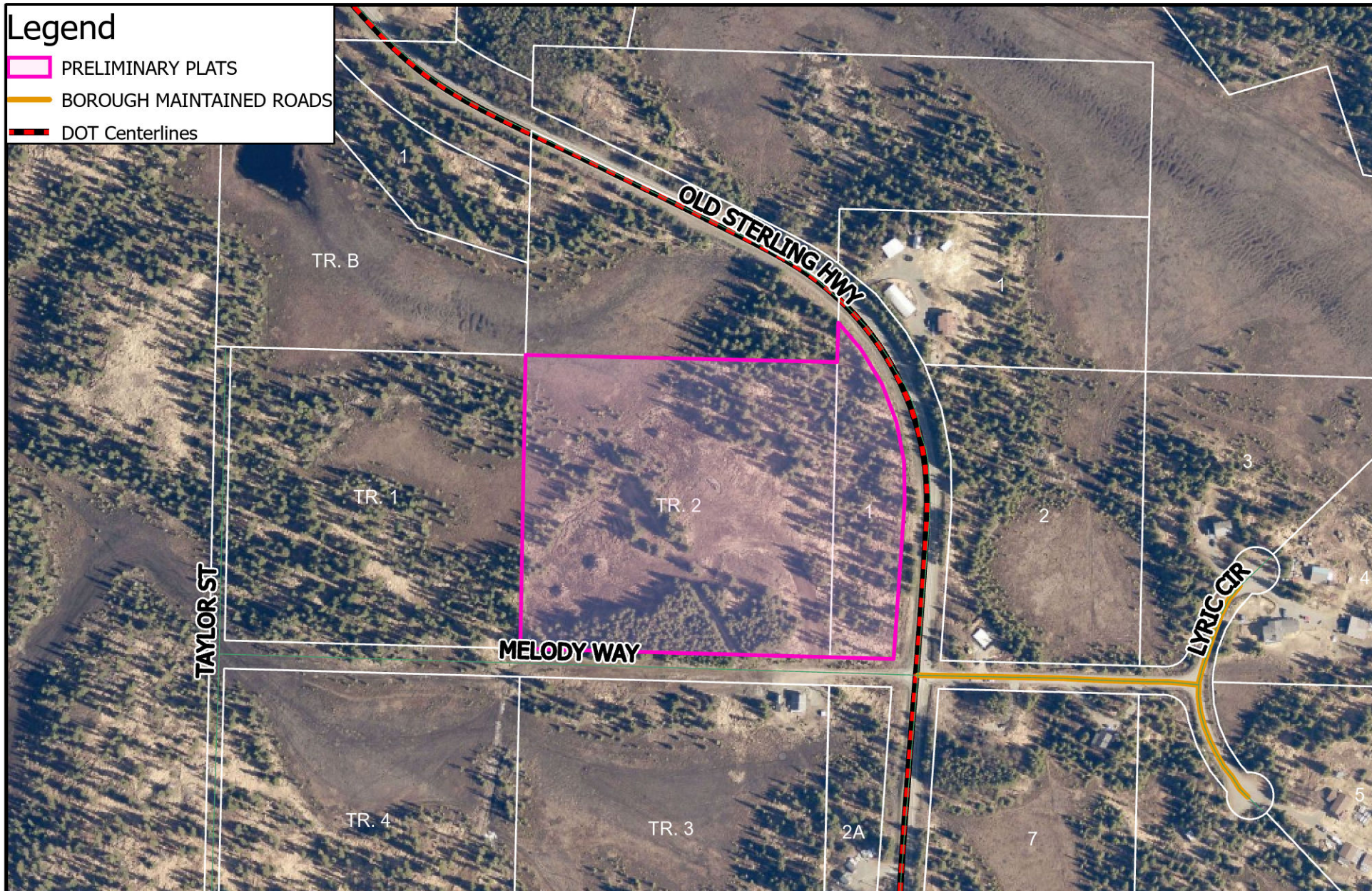
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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

Legend

- PRELIMINARY PLATS
- BOROUGH MAINTAINED ROADS
- DOT Centerlines



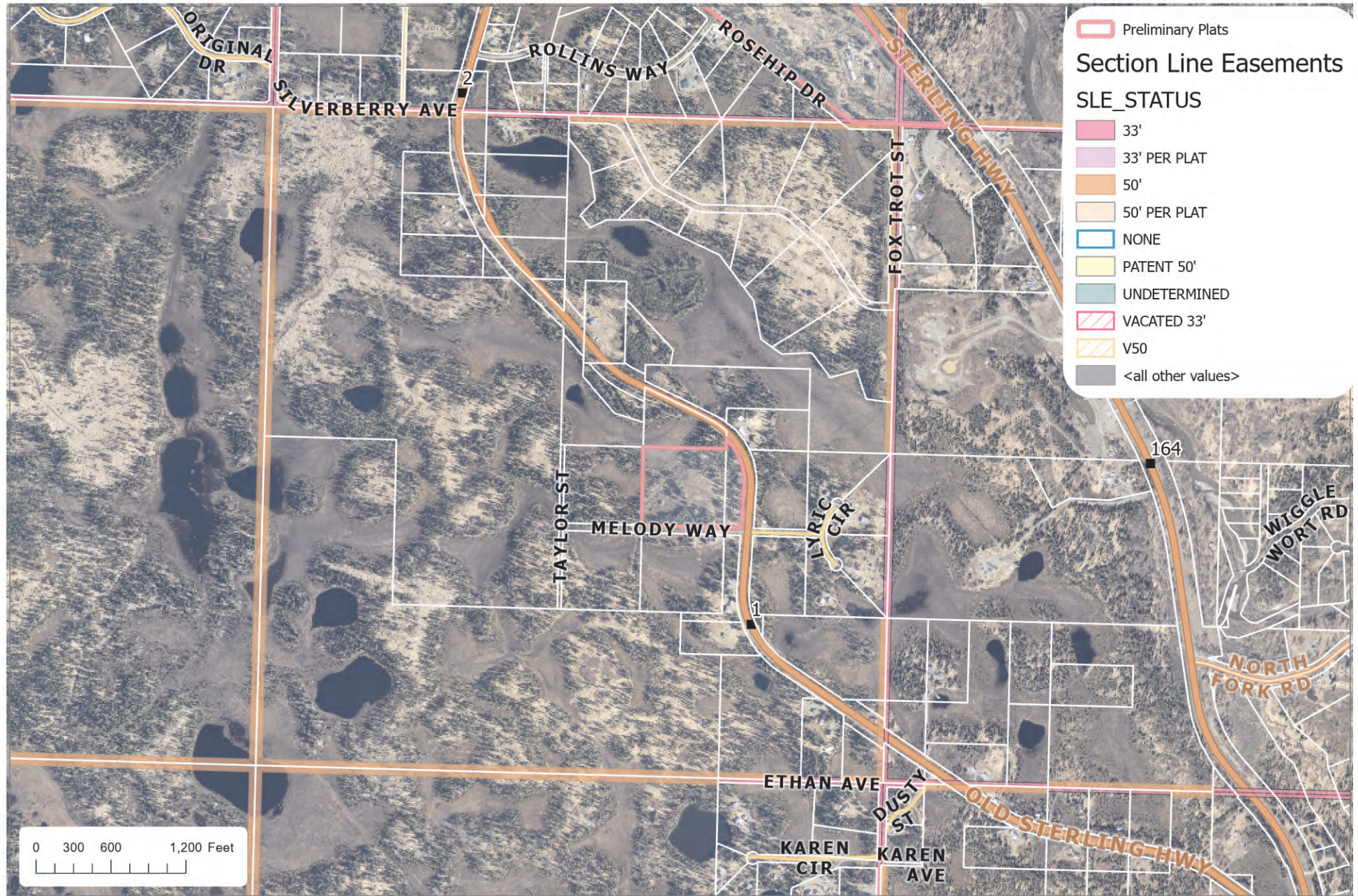
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



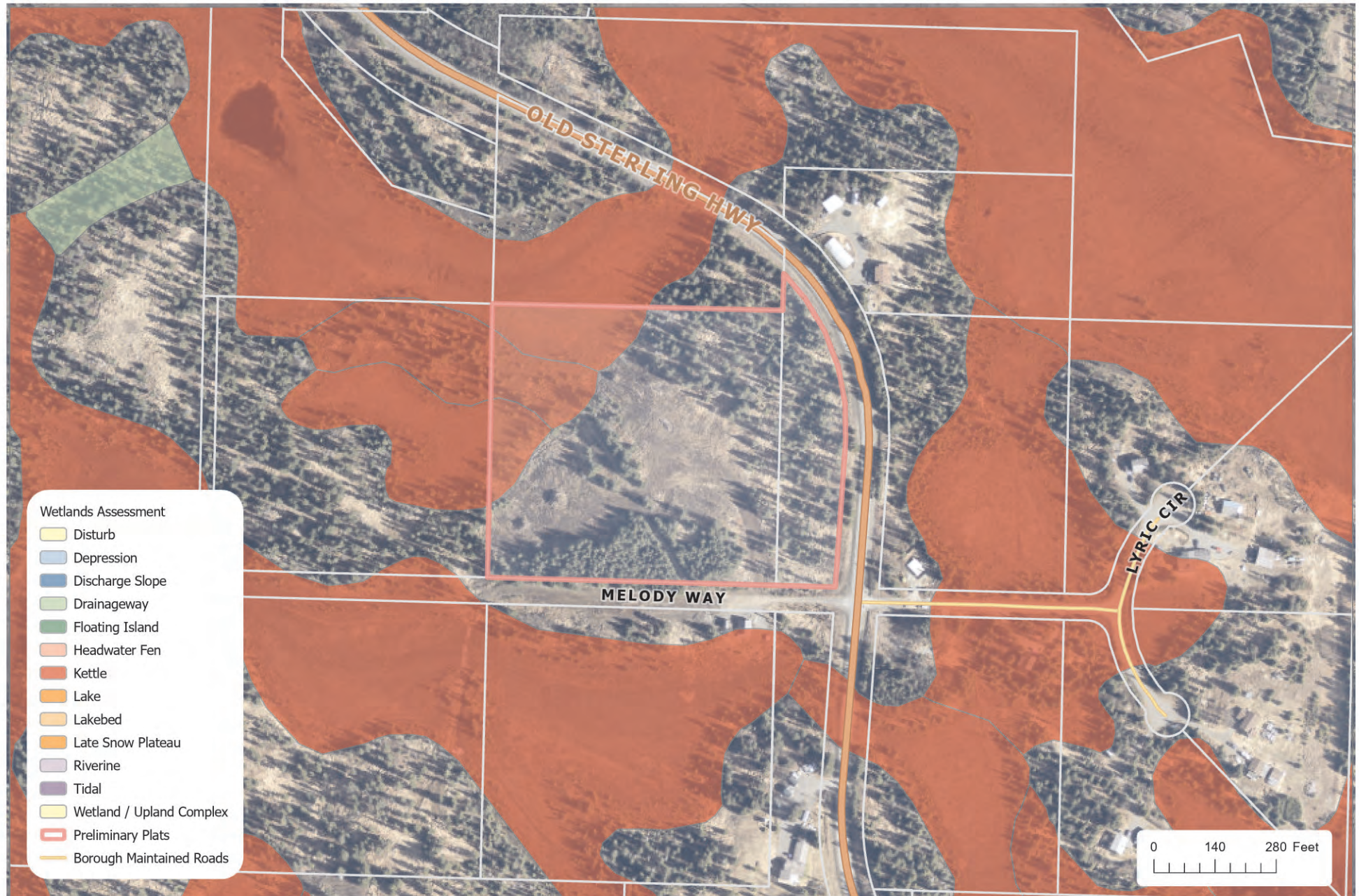
AERIAL IMAGERY 2021

BLOCK LENGTH

Scott Huff
 Platting Manager
 Current Time:
 2/2/2022 4:48 PM







PADDY MCGUIRE 330 W. 8th AVE. JUNEAU, AK.
 MOLLY MCGUIRE
 NOTARY'S ACKNOWLEDGEMENT (FOR PADDY & MOLLY MCGUIRE)
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 1st DAY OF January 1981
 NOTARY PUBLIC FOR ALASKA MY COMMISSION EXPIRES

CERTIFICATE OF OWNERSHIP
 I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON I HEREBY REQUEST APPROVAL OF THIS PLAT SHOWING SUCH EASEMENTS FOR PUBLIC UTILITIES DEDICATED BY ME FOR PUBLIC USE
Jack E. Kleinkauf Cecilia M. Kleinkauf
 JACK E. KLEINKAUF CECILIA M. KLEINKAUF
 4201 McJINNES ANCHORAGE, AK. 99504

NOTARY'S ACKNOWLEDGEMENT
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 1st DAY OF January 1981
 FOR JACK E. & CECILIA M. KLEINKAUF
Adlene L. Patta March 6, 1984
 NOTARY PUBLIC FOR ALASKA MY COMMISSION EXPIRES

Barbara Nachmann
 BARBARA NACHMAN BOX 1052 EAGLE RIVER, AK. 99577
 NOTARY'S ACKNOWLEDGEMENT
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 5th DAY OF June 1981
 FOR BARBARA NACHMAN.

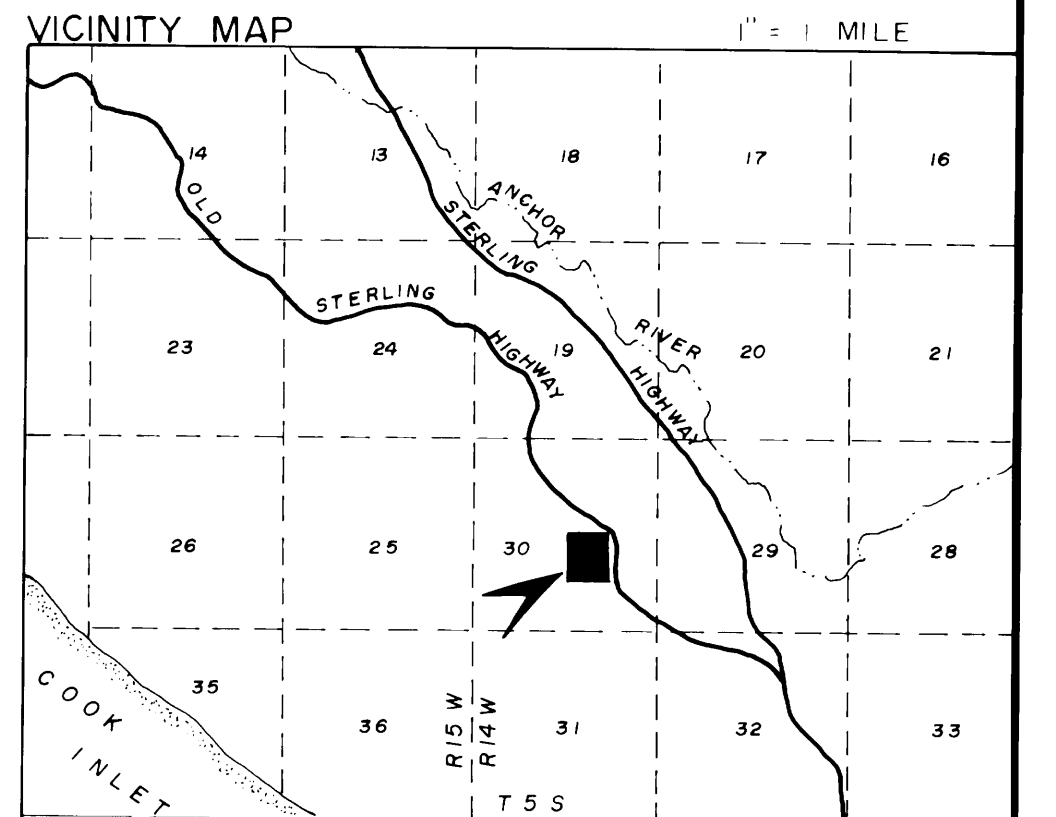
Jan Thomas 4-24-85
 NOTARY PUBLIC FOR ALASKA MY COMMISSION EXPIRES
 SURVEYOR'S CERTIFICATE

I, THE UNDERSIGNED REGISTERED SURVEYOR, HEREBY CERTIFY THAT A LAND SURVEY HAS BEEN COMPLETED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT CORNERS AND MONUMENTS HAVE BEEN LOCATED AND ESTABLISHED AND THAT DIMENSIONS SHOWN HEREON ARE TRUE AND CORRECT

Jerry Anderson JAN 11 1981
 JERRY ANDERSON, 3686-S DATE

PLAT APPROVAL
 THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF January 29, 1981
 KENAI PENINSULA BOROUGH

BY Frank S. Dager
 AUTHORIZED OFFICIAL



DATE: NOVEMBER, 1981

SCALE: 1" = 200'

DRAWN BY: S.W.

FLD. BK. NO.: 21, 110

JOB NO.: 1386



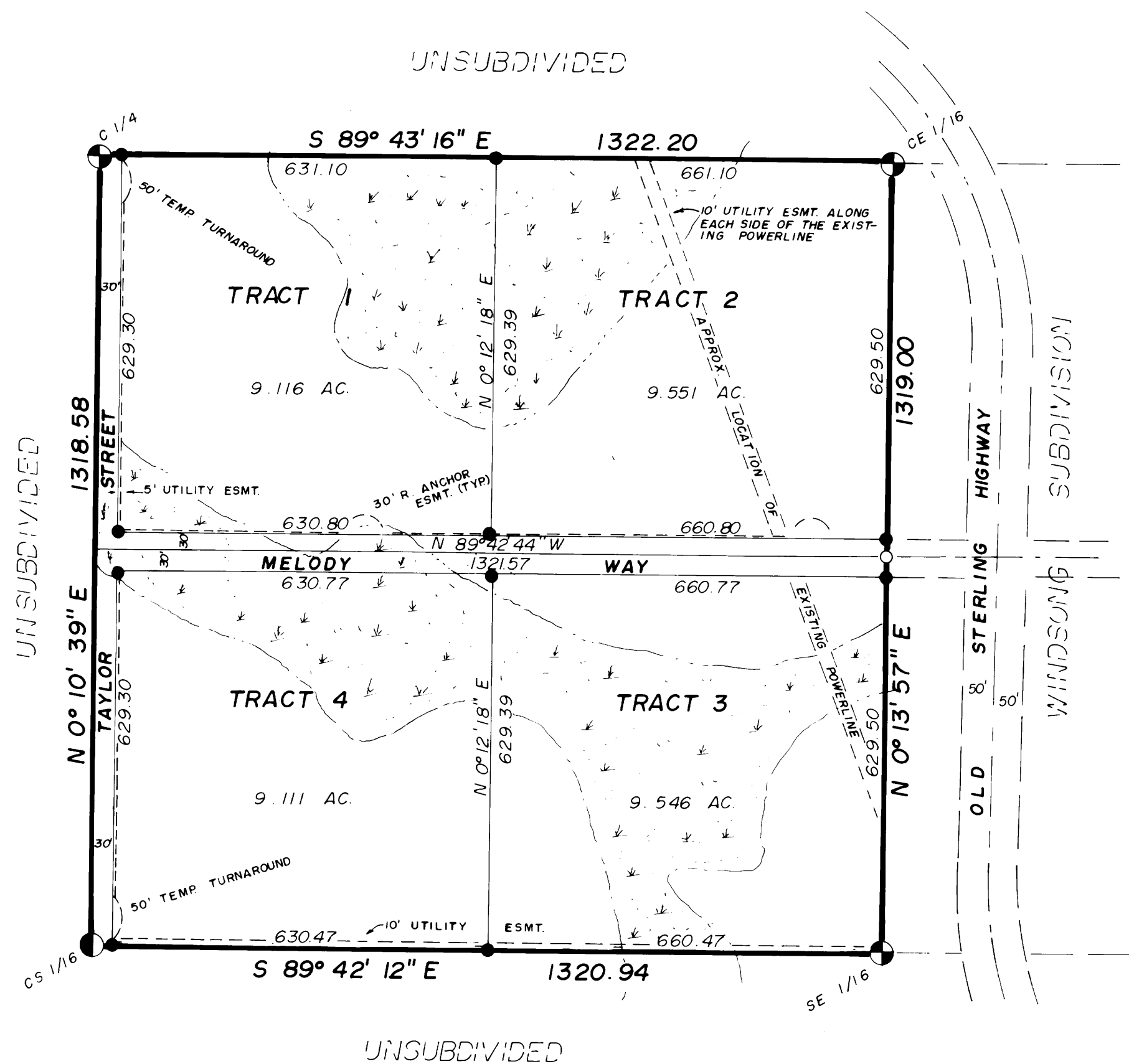
WOODY ACRES No. 3

Being a replat of Woody Acres Subdivision, Amended, according to Plat No. 80-86, H.R.D. Situated within the SE 1/4, Sec. 30, T 5 S, R 14 W, S.M.

CONTAINING 40.011 ACRES

ABILITY SURVEYS

JERRY ANDERSON, RLS BOX 1263 HOMER, ALASKA



LEGEND:

- Found B.C. Monument, 3686-S, 1977
- Set B.C. Monument
- Found 1/2" Rebar, 1977
- Set 1" X 18" Iron Pipe with Plastic Cap
- Wet, Marshy Area

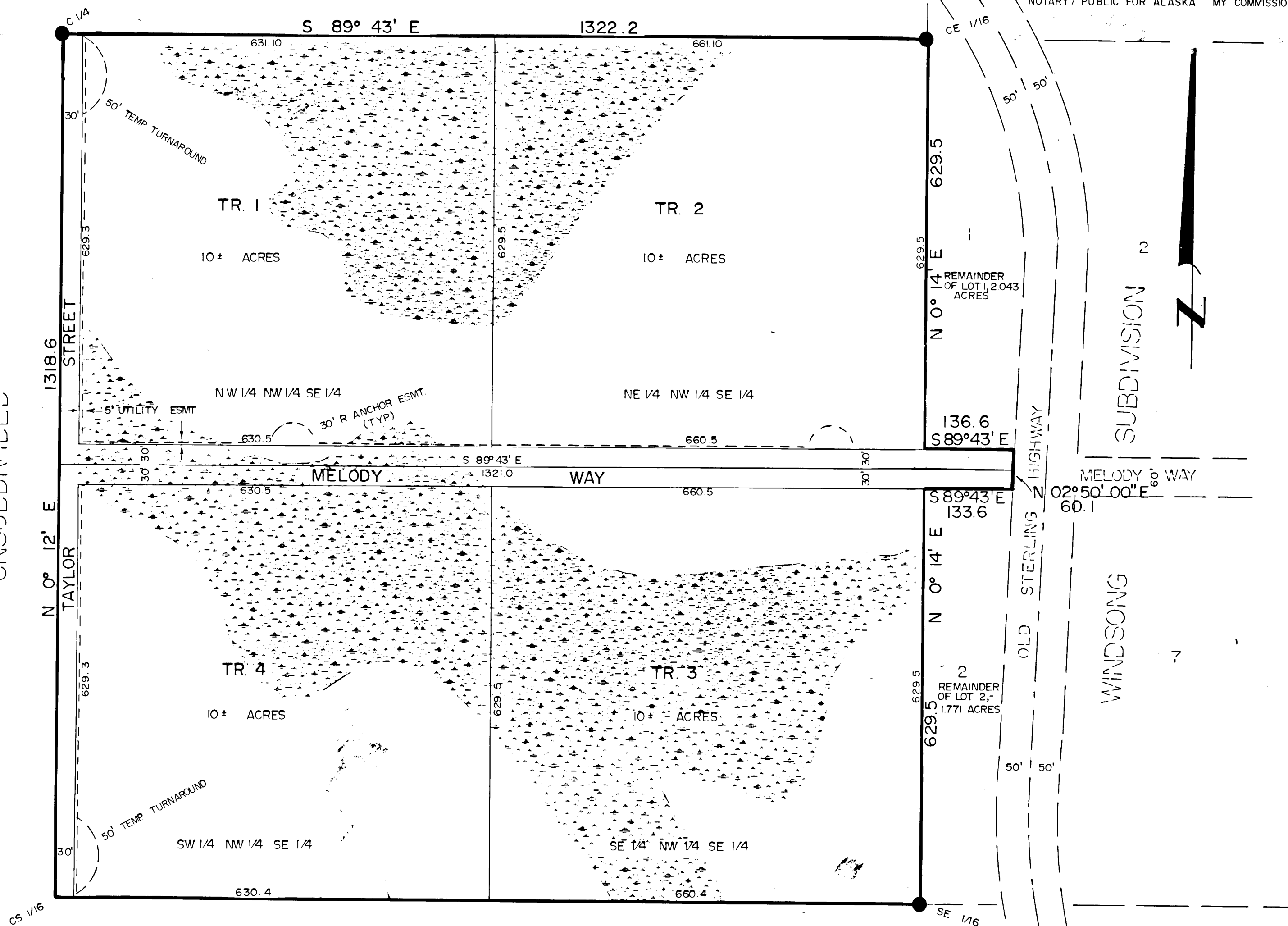
NOTES:

1. A setback of 20' is required from all rights-of-way unless a lesser standard is approved by resolution of the appropriate planning commission.

82-11

RECORDED - FILED 10-
Homer REC. DIST.
 DATE 2-3- 1982
 TIME 9:07 A.M.
 Requested by J.P. Brough
 Address Homer

UNSUBDIVIDED



UNSUBDIVIDED

NOTES:

1. NO SURVEY WAS MADE NOR WERE ANY STAKES OR MONUMENTS SET.
2. ALL ACREAGES INCLUDES ROAD RIGHTS OF WAY.
3. A 20' BUILDING SETBACK LINE EXISTS ALONG ALL RIGHTS OF WAY.
4. ALL WASTEWATER DISPOSAL SYSTEMS MUST COMPLY WITH EXISTING LAW AT THE TIME OF CONSTRUCTION.
5. THE STATE OF ALASKA REQUIRES ALL WASTEWATER DISPOSAL SYSTEMS TO BE A MINIMUM OF 100' FROM ANY WATER SOURCE.
6. THIS QUALIFIES AS AN ISOLATED SUBDIVISION AS DEFINED IN 18 AAC 72.100.

LEGEND:

- B.C. MONUMENT, 3686-S, 1977 (RECORD)

RECORDED - FILED 204
Homer REC. DIST.
DATE 9-16-80
TIME 8:49 A.M.
Requested by RPB
Address Soldotna

RECORDED - FILED 3-
Homer REC. DIST.
DATE 8-29-79
TIME 4:06 P.M.
Requested by RPB
Address Soldotna

SHEET 1 OF 6

Ovid E. Eckroate
SR BOX 1240
ANCHOR POINT, AK
Audrey G. Eckroate
NOTARY PUBLIC FOR ALASKA
My Commission Expires July 17, 1980

NOTARY'S ACKNOWLEDGEMENT
SUBSCRIBED AND SWORN TO BEFORE ME THIS 12th DAY OF July 1979
NOTARY PUBLIC FOR ALASKA MY COMMISSION EXPIRES

CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON. I HEREBY REQUEST APPROVAL OF THIS PLAT SHOWING SUCH EASEMENTS FOR PUBLIC UTILITIES AND ROADWAYS DEDICATED BY ME FOR PUBLIC USE.

Richard R. Engle
6757 OLEANDA CIRCLE
ROANOKE, VIR. 24019
NOTARY'S ACKNOWLEDGEMENT
SUBSCRIBED AND SWORN TO BEFORE ME THIS 23 DAY OF July 1979
NOTARY PUBLIC FOR VIRGINIA MY COMMISSION EXPIRES

Ann B. Armstrong
March 28, 1983
NOTARY PUBLIC FOR VIRGINIA MY COMMISSION EXPIRES

William A. Lemp Jr.
423 WARRIOR DRIVE
OLYMPIA, WA. 98503
NOTARY'S ACKNOWLEDGEMENT
SUBSCRIBED AND SWORN TO BEFORE ME THIS 17th DAY OF July 1979
NOTARY PUBLIC FOR WASHINGTON MY COMMISSION EXPIRES

Travis A. Antler
January 5, 1980
NOTARY PUBLIC FOR WASHINGTON MY COMMISSION EXPIRES

SURVEYOR'S CERTIFICATE

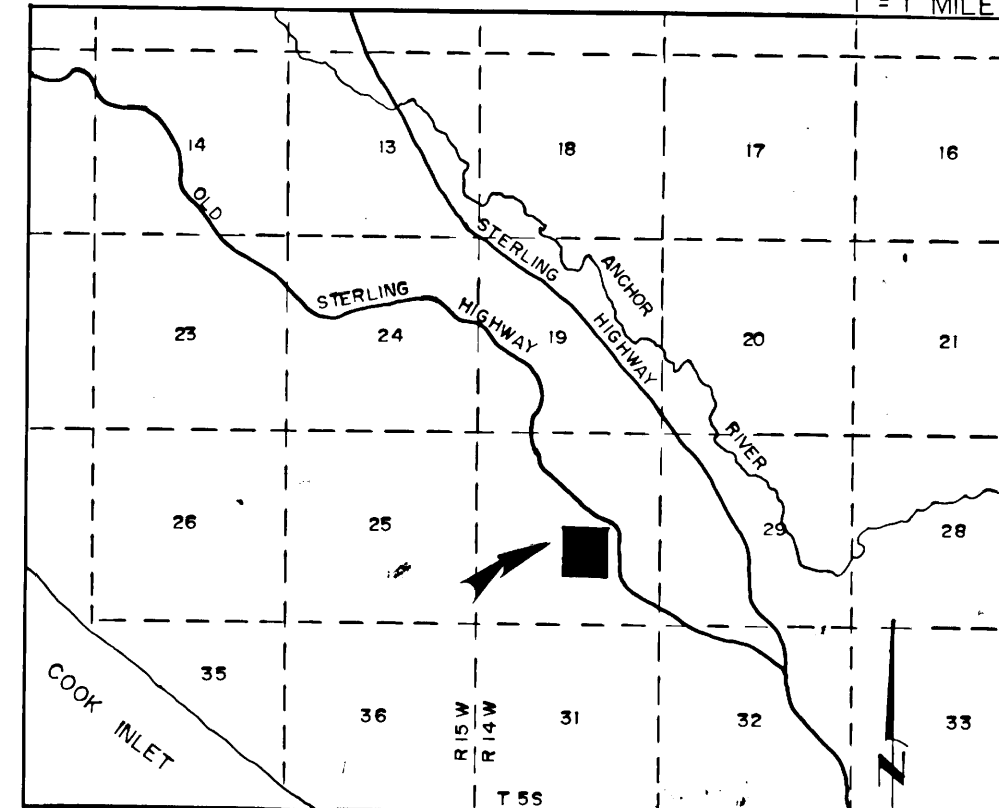
I, THE UNDERSIGNED REGISTERED SURVEYOR, HEREBY CERTIFY THAT THE INFORMATION SHOWN ON THIS PLAT IS BASED UPON THE MOST RECENT PLATS OF THE PROPERTIES SHOWN AND THAT NO FIELD SURVEY WAS PERFORMED.

Jerry Anderson, 3686-S
DATE 1/30/79

PLAT APPROVAL
THIS PLAT HAVING BEEN APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AS RECORDED IN THE OFFICIAL MINUTES OF THE MEETING OF February 19, 1979, IS HEREBY ACKNOWLEDGED AND ACCEPTED AS THE OFFICIAL PLAT, SUBJECT TO ANY AND ALL CONDITIONS AND REQUIREMENTS OF ORDINANCES AND LAW APPERTAINING THERETO.
KENAI PENINSULA BOROUGH

By: Philip Waring

VICINITY MAP



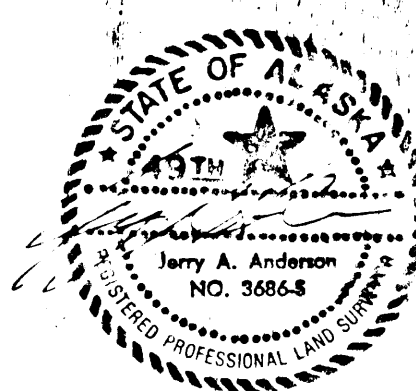
DATE: FEBRUARY, 1979

SCALE: 1" = 132'

DESIGNED BY: M.H.

CHECKED BY: M.R.

DRAWN BY: SW.



WOODY ACRES
AND A RESUBDIVISION OF LOTS 18, 2, BLOCK 1,
WINDSONG SUBDIVISION, PLAT NO. 79-38, H.R.D.
BEING THE NW 1/4 SE 1/4, SEC. 30, T 5 S, R 14 W, S.M.

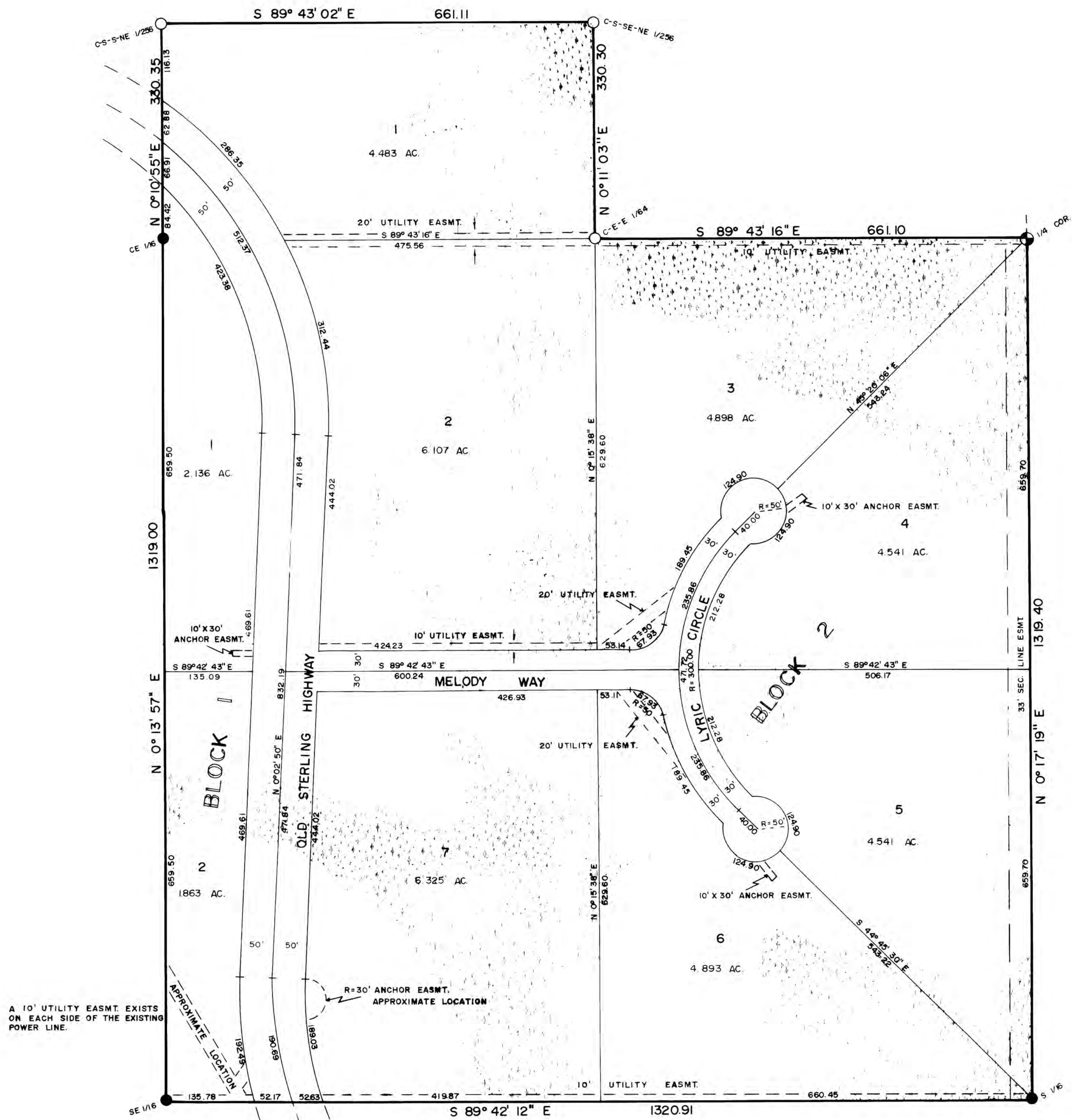
CONTAINING 40+ ACRES

ABILITY SURVEYS

JERRY ANDERSON, RLS

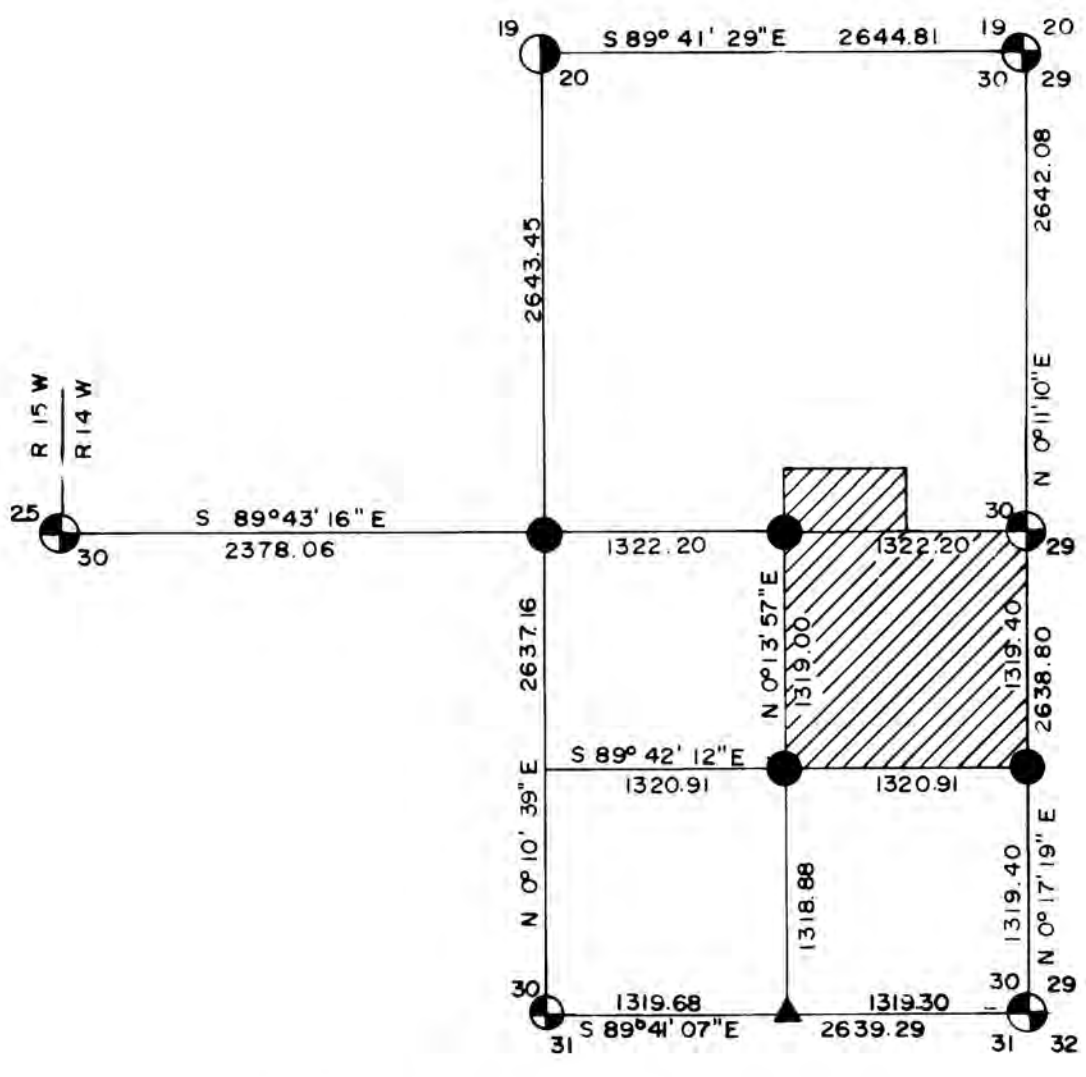
BOX 1263

HOMER, ALASKA

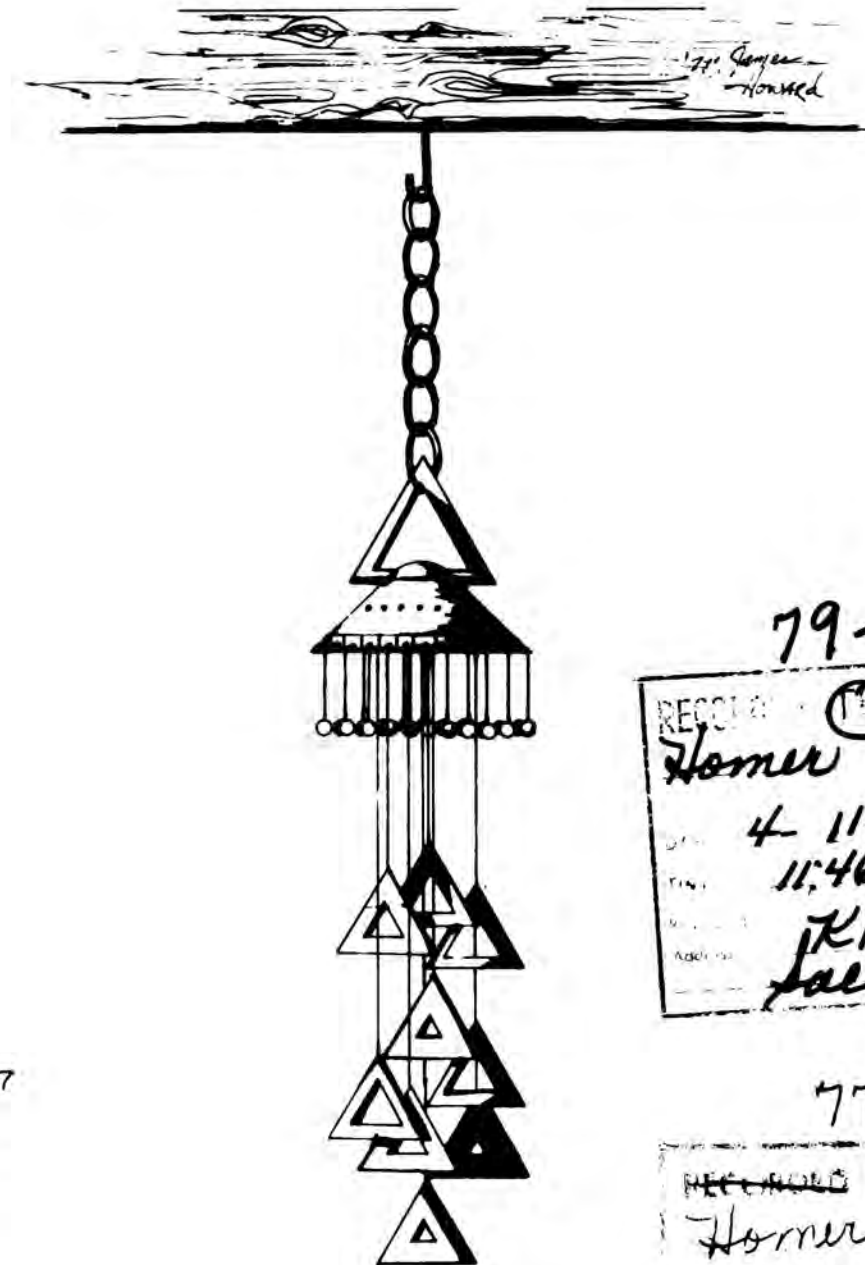


1. ALL WASTEWATER DISPOSAL SYSTEMS MUST COMPLY WITH EXISTING LAW AT TIME OF CONSTRUCTION.
2. A 20' BUILDING SETBACK LINE EXISTS ALONG ALL RIGHTS OF WAY.
3. THE STATE OF ALASKA REQUIRES ALL WASTEWATER DISPOSAL SYSTEMS TO BE A MINIMUM OF 100' FROM ANY WATER SOURCE.
4. ALL ADJACENT LAND IS UNSUBDIVIDED.
5. 1/2" X 24" REBAR SET AT ALL LOT CORNERS.
6. BASIS OF BEARING IS THE TRUE BEARING S 69° 51' 15" E BETWEEN USC & GS GULL, 1910 & USC & GS HOMER EAST BASE AND WAS CARRIED TO THIS SURVEY BY PREVIOUS SURVEYS IN THE AREA.

NOTE:
THIS IS A RERECORDING OF PLAT NO. 77-87
TO SHOW CORRECTED LEGAL DESCRIPTION



- LEGEND:
- FOUND GLO 1918 B.C. MONUMENT
 - SET B.C. MONUMENT
 - SET 3/4" I.P.
 - FOUND B.C. MONUMENT, 1301-S, 1977
 - ▲ FOUND B.C. MONUMENT, 1564-S, (NO DATE)



79-38
RECORDED
Homer
4-11-79
11:46 A
KPB
Saldana

77-87
RECORDED
Homer
12-7-77
11:30 A
KPB
Saldana

CERTIFICATE OF OWNERSHIP
WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON. WE HEREBY REQUEST APPROVAL OF THIS PLAT SHOWING SUCH EASEMENTS FOR PUBLIC UTILITIES, ROADWAYS AND ALLEYS DEDICATED FOR PUBLIC USE.

David E. Eckroate
DAVID E. ECKROATE
BOX 609
STERLING ROUTE
ANCHOR POINT, ALASKA

Audrey G. Eckroate
AUDREY G. ECKROATE

NOTARY'S ACKNOWLEDGEMENT
SUBSCRIBED AND SWORN TO BEFORE ME THIS 14TH DAY OF October 1977.

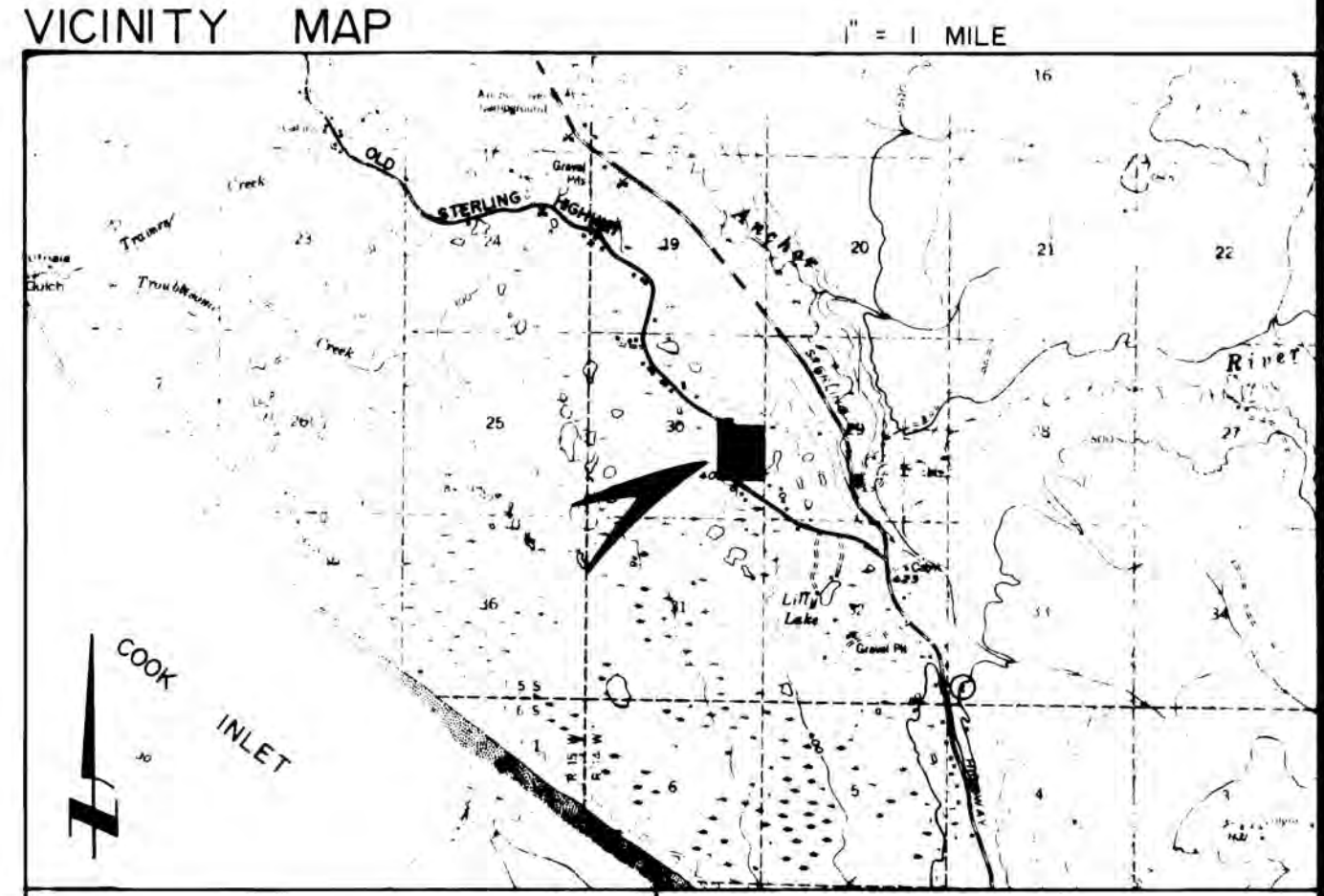
Virginia L. Wilson
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 2-26-80
State of Alaska
NOTARY PUBLIC
VIRGINIA L. WILSON

SURVEYOR'S CERTIFICATE
I, THE UNDERSIGNED REGISTERED SURVEYOR, HEREBY CERTIFY THAT A LAND SURVEY HAS BEEN COMPLETED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT CORNERS AND MONUMENTS HAVE BEEN LOCATED AND ESTABLISHED AND THAT DIMENSIONS SHOWN HEREON ARE TRUE AND CORRECT.

Jerry Anderson
JERRY ANDERSON, 3686-S 9-21-77

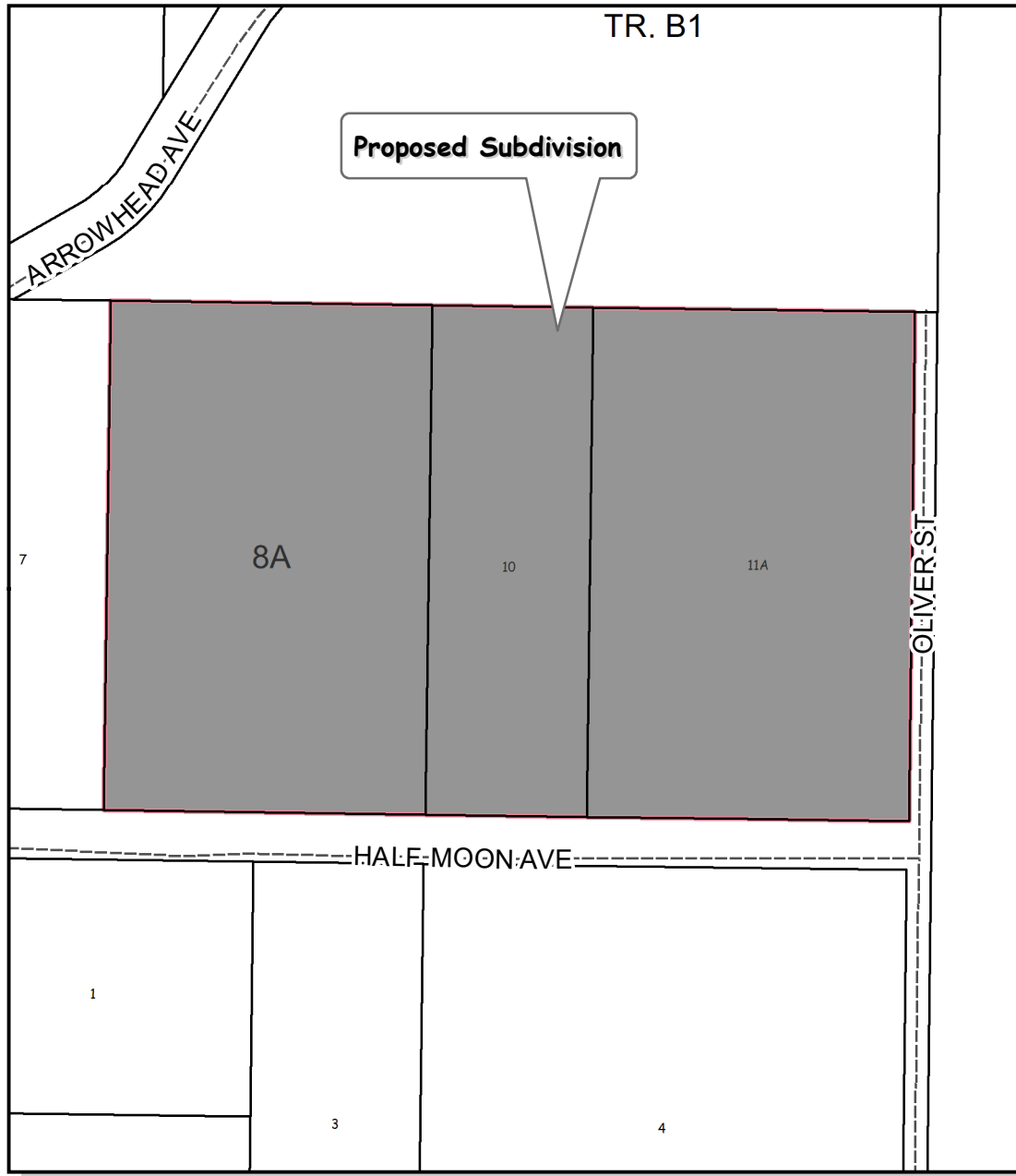
PLAT APPROVAL
THIS PLAT HAVING BEEN APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AS RECORDED IN THE OFFICIAL MINUTES OF THE MEETING OF July 11, 1977, IS HEREBY ACKNOWLEDGED AND ACCEPTED AS THE OFFICIAL PLAT, SUBJECT TO ANY AND ALL CONDITIONS AND REQUIREMENTS OF ORDINANCES AND LAW APPERTAINING THERETO.
KENAI PENINSULA BOROUGH

Philip Waring
BY: PHILIP WARING

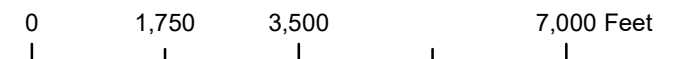
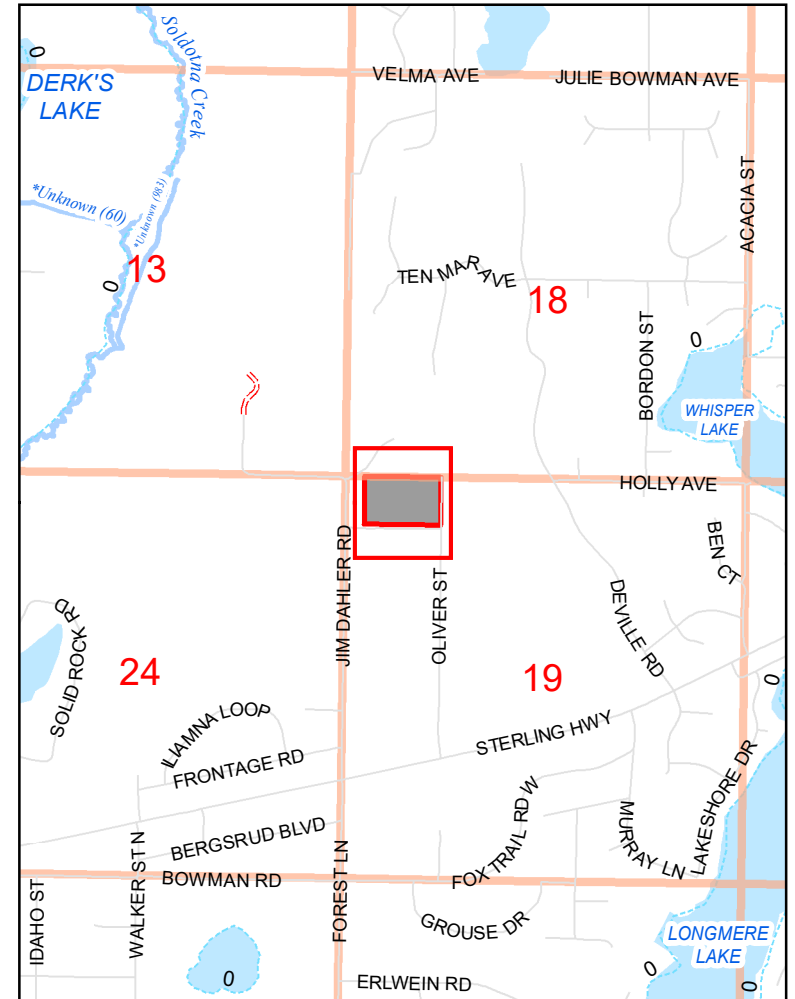
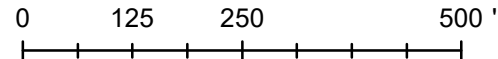


DATE:	APRIL, 1977
SCALE:	1" = 100'
DRAWN BY:	SW
DESIGNED BY:	JA
CHECKED BY:	JA
FLD. BK. NO.:	21, 27, 31

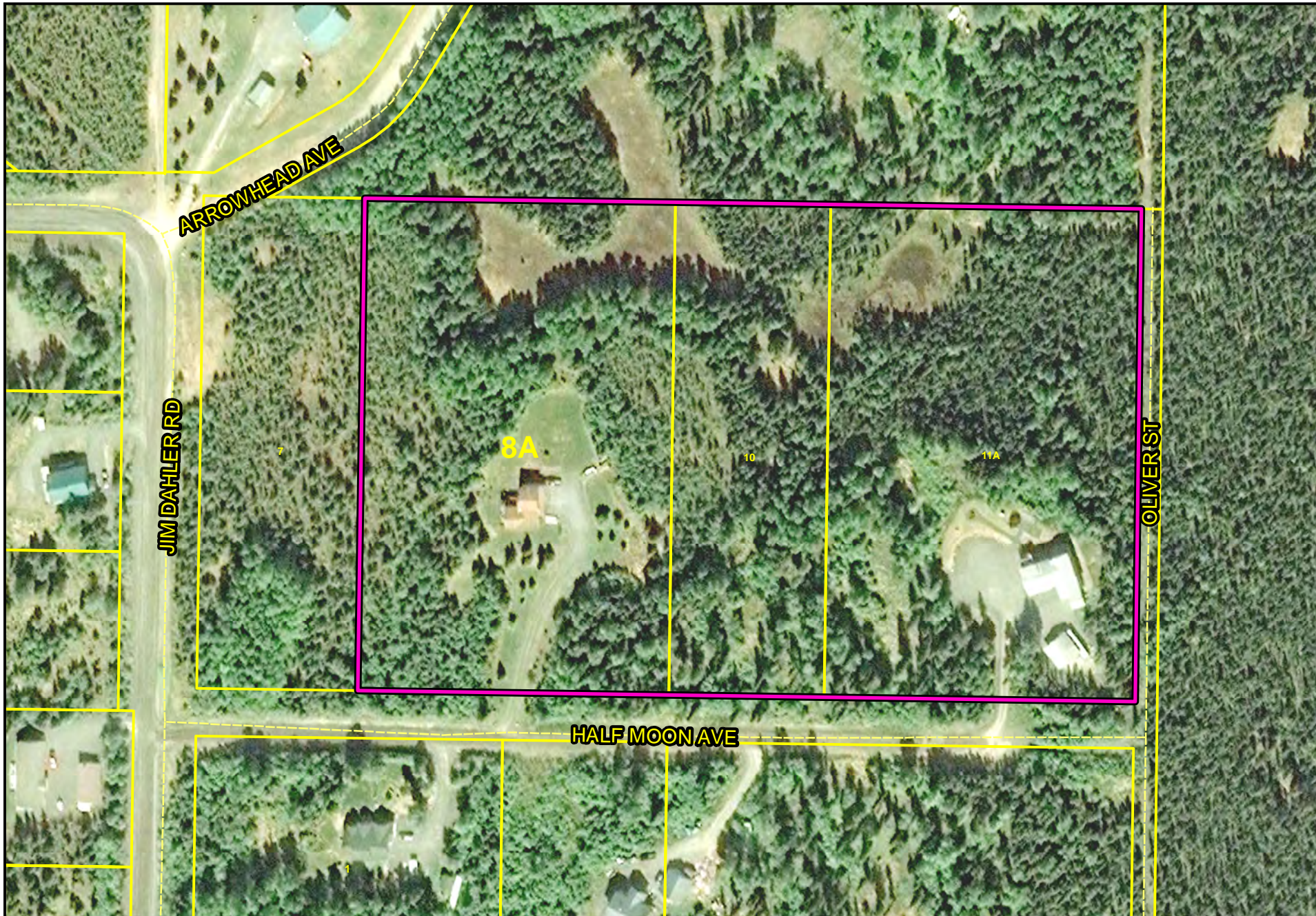
WINDSONG
(AMENDED)
SITUATED IN THE NE 1/4 SE 1/4, S 1/2 SW 1/4 SE 1/4 NE 1/4, SEC 30, T 5 S, R 14 W, S 1 M.
CONTAINING 45.036 ACRES
ABILITY SURVEYS
JERRY ANDERSON, RLS BOX 1263 HOMER, ALASKA



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.



KPB 2022-001
S19 T05N R09W
Sterling



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.

0 50 100 200'

Aerial View



 PRELIMINARY PLAT

PClements, KPB 2022-001
Imagery Sterling

LEGEND:

- 2 1/2" ALUM. CAP MONUMENT FOUND
5/8" REBAR w/ALUM. CAP FOUND
5/8" REBAR w/PLASTIC CAP LS8859 SET
() RECORD DATUM PLAT 2011-41 KRD

NOTES:

- 1) Basis of bearing taken from Arrowhead Estates Subdivision Phase 1, Plat 2000-7, Kenai Recording District.
2) Building Setback-A setback of 20 feet is required from all street Rights-of-Way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
3) Front 10 feet adjacent to right-of-ways and 20 feet within 5 feet of the side lot lines 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) No Engineer's Subdivision and Soils Report is available for this subdivision, soil conditions may be unsuitable for onsite wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.
The purpose of this platting action is to combine 3 lots into 2, which will provide greater available wastewater disposal area as described by 20.40.020(A). The State of Alaska DEC approved the parent plat (KN 2000-7).

PLAT APPROVAL

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

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

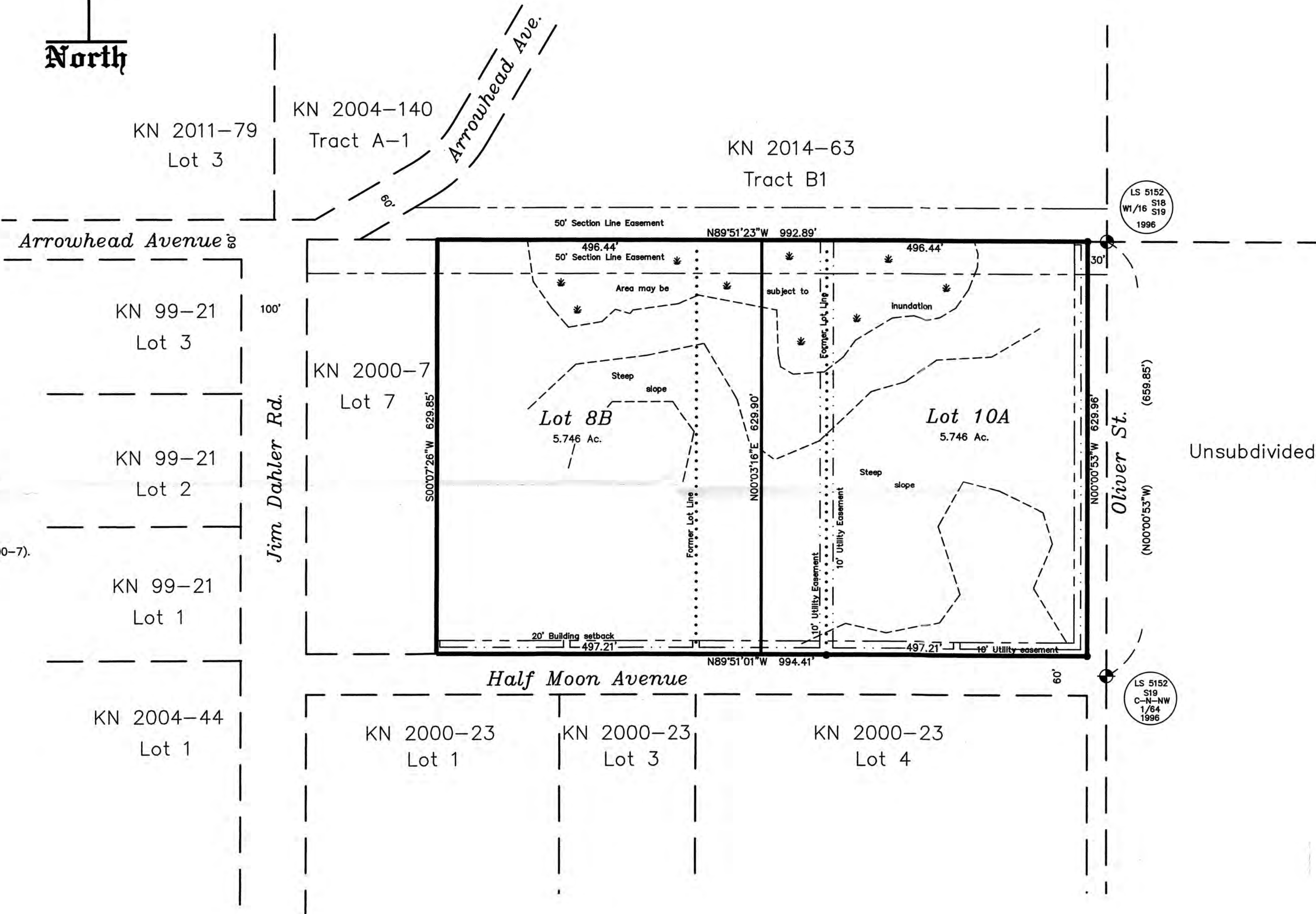


SURVEYOR'S CERTIFICATE

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct.

Date

North



CERTIFICATE of OWNERSHIP and DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS 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 AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

NATHAN D. MOORE
39750 HALF MOON AVENUE
SOLDOTNA, ALASKA 99669

MICHAEL ALLEN ZWEIFEL RAYLYNN MARIE ZWEIFEL
39820 HALF MOON AVENUE
SOLDOTNA, ALASKA 99669

NOTARY'S ACKNOWLEDGEMENT

FOR
ACKNOWLEDGED BEFORE ME THIS DAY OF 20

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES

NOTARY'S ACKNOWLEDGEMENT

FOR
ACKNOWLEDGED BEFORE ME THIS DAY OF 20

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES

NOTARY'S ACKNOWLEDGEMENT

FOR
ACKNOWLEDGED BEFORE ME THIS DAY OF 20

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES

KPB FILE No.

Arrowhead Estates
2022 Replat

A resubdivision of Lot 8A Arrowhead Estates Dusek Replat, Plat 2002-79, Lot 10 Arrowhead Estates Phase 1, Plat 2000-7, and Lot 11A Arrowhead Estates Moore Replat, Plat 2010-47, Kenai Recording District.

Located within the NE1/4 NW1/4 Section 19, T5N, R9W, S.M., Kenai Peninsula Borough, Alaska.

Containing 14.368 Ac.

Surveyor
Segesser Surveys
30485 Rosland St.
Soldotna, AK 99669
(907) 282-3909

Owner
Nathan D. Moore Raylynn Marie
39750 Half Moon Ave. Zweibel
Soldotna, AK 99669 39820 Half Moon Ave.
Soldotna, AK 99669

JOB NO.	21285	DRAWN:	1-5-22
SURVEYED:	Oct., 2021	SCALE:	1"=100'
FIELD BOOK:	21-5	SHEET:	1 of 1

KPB 2022-001

AGENDA ITEM E. NEW BUSINESS

ITEM 5 - ARROWHEAD ESTATES 2022 REPLAT

KPB File No.	2022-001
Plat Committee Meeting:	February 14, 2022
Applicant / Owner:	Michael Allen & Raylynn Marie Zweifel of Soldotna, Alaska Nathan D. & Julie A. Moore of Soldotna, Alaska
Surveyor:	John Segesser / Segesser Surveys
General Location:	Half Moon Avenue and Oliver Street, Sterling

Parent Parcel No.:	063-094-04, 063-094-13 and 063-094-16
Legal Description:	Lot 8A, Arrowhead Estates Dusek Replat Plat KN 2002-79 Lot 10, Arrowhead Estates Phase 1 Plat KN 2000-7 Lot 11A Arrowhead Estates Moore Replat Plat KN 2010-47
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will combine three lots ranging in size from 5.7 to 2.9 acres to create two lots that will be 5.7 acres each.

Location and Legal Access (existing and proposed): This subdivision is located between Soldotna and Sterling north of the mile post 90 of the Sterling Highway. Access to the property is from Jim Dahler Road to Half Moon Avenue. Both right of way are improved and maintained by KPB Roads Dept. Oliver Street, a half width right of way that is not improved, is located on the east boundary.

A 50 foot section line easement affects the north portion of the subdivision. A matching 50 foot section line easement is adjoins the north boundary of the subdivision boundary for a total width of 100 feet.

KPB Roads Dept. comments	
SOA DOT comments	

Site Investigation: The subdivision is not flat but there are no areas with steep slopes. The north portion of the subdivision is affected by a depression ecosystem as identified by the Kenai Watershed Forum mapping data. **Staff recommendation:** place a note on the final plat indicating 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.

KPB River Center review	<p>A. Floodplain</p> <p>Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: No comments</p> <p>B. Habitat Protection</p> <p>Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p>
-------------------------	--

	C. State Parks Reviewer: Russell, Pam Comments: No Comments
--	--

Staff Analysis Arrowhead Estates Phase 1, KN 2000-7 created the original 6 lots with each one being 2.8 acres in size. KN 2000-7 also dedicated right of ways for Jim Dahler Road, Half Moon Ave, and Ridge Street. Arrowhead Estates Dusek Replat, KN 2002-79, combined Lot 8 and 9 into one parcel, 8A, that is 5.7 acres in size. Arrowhead Estates Moore Replat, KN 2010-47, combined Lots 11 and 12 into one parcel, 11A, that is 5.7 acres in size. This platting action will be to split Lot 10 in half and combine it with the lot on each side.

Oliver Street was approved to be vacated by the KPB Planning Commission at the January 11, 2021 meeting. The KPB Assembly vetoed the Planning Commission decision at the February 2, 2021 meeting. The landowner asked the Assembly to rescind their decision, as he did not receive notice of the Assembly meeting until after the meeting date. On April 6, 2021 the motion to rescind failed by a vote of 3 yes to 6 no. Oliver Street was not approved to be vacated.

A soils report is not required as both lots are gaining in size and there is a contiguous 20,000 sq. ft. of land available for wastewater installation.

Notice of the proposed plat was mailed to the beneficial interest holder on January 6, 2022. 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 Per the record plats, the front 10 feet adjoining the right of way, and 20 feet within 5 feet of the side lot lines, is a utility easement. This easement of record has been correctly depicted on the drawing and plat note 3 carries forward the easements of record. The boundary between Lot 11A and Lot 10 is subject to a 10 foot utility easement. This easement has been depicted and labeled correctly and will be located within proposed Lot 10A.

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	
ENSTAR	No comments or recommendations.
ACS	
GCI	

KPB department / agency review:

Addressing	
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Aldridge, Morgan 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: Wilcox, Adeena Comments: No comment
Advisory Planning Commission	

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

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:

- *Correct the location description to NW1/4 NW1/4 Section 19, T5N, R9W, S.M.*
- *Capitalize the name of the parent plat, Arrowhead Estates.*

- 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: *Provide the Township and Range within the Vicinity Map.*

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.*

20.30.100. Cul-de-sacs.

A. Streets designed to have one end permanently closed shall be no more than 1000 feet long. The closed end of the cul-de-sac shall have a suitable turnaround with a minimum radius of 50 feet to the property line. The turnaround shall be constructible to a 4 percent grade or less.

B. Hammerhead or T -type turnarounds may be allowed on a case-by-case basis. Adequate turning radii, width and depth must be provided for road maintenance and emergency vehicle access. Plans must be reviewed with a recommendation by emergency service providers and the KPB Road Service Area Board prior to submittal for planning commission review.

C. Temporary turnarounds and self-vacating turnarounds shall not be granted or reserved on plats.

Staff comments: *the north end of Oliver Street is a dead end right of way dedication. The section line easement provided legal access to the east and west of Oliver Street.*

Staff recommendation: *Concur that a cul-de-sac is not required as the public access from Oliver Street continues to the east and west within the 100 foot wide section line easement.*

20.30.120. Streets-Width requirements.

- A. The minimum right-of-way width of streets shall be 60 feet.
1. Half streets shall generally not be allowed except to provide the logical extension of a right-of-way where the remaining half street can reasonably be expected to be dedicated in the future.
 2. When a design change required as a condition of preliminary approval results in a half right-of-way that was not shown on the original preliminary plat, adjoining to the new half right-of-way will be sent a copy of the plat committee minutes and a sketch showing the new half right-of-way and per KPB 2.40.080 can request a review of the plat committee decision by the full Planning Commission.

B. Additional right-of-way or easement width may be required to provide for the construction of side slopes or to otherwise accommodate right-of-way construction standards set forth in KPB Title 14.

Staff comment: *Oliver Street is a half width right of way that was dedicated with the parent plat. The parcel to the east is 155 acres and owned by KPB. When this parcel is further subdivided it will be required to provide the matching width for Oliver Street.*

20.30.170. Blocks-Length requirements. Blocks shall not be less than 330 feet or more than 1,320 feet in length. Along arterial streets and state maintained roads, block lengths shall not be less than 800 feet. Block lengths shall be measured from centerline intersections.

Staff comment: *The section line easement is a public right of way. The block is defined by Half Moon Avenue, Oliver Street, Jim Dahler Road, and the section line easements. The block length complies with KPB standards.*

Staff recommendation: *Concur that this platting action does not need to dedicate the section line easement as a right of way as the section line easement can be used for public access and the subdivision is within the block length requirements.*

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: *A soils analysis report was prepared for the parent plat. This plat will be increasing the area of both lots by more than 1,000 sq. ft. and a soils analysis report is not required.*

Staff recommendation: *Provide a wastewater disposal note per KPB 20.40.020(B)(1). 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.*

20.60.030. Certificate of borough finance department required.

Platting Staff Comments: *All taxes levied on the property within the subdivision shall be paid prior to recordation of the final plat. If approval is sought between January 1 and the tax due date, there shall be on deposit with the borough finance department an amount sufficient to pay the entire estimated real property tax for the current year. Prior to filing of the final plat, a certificate to this effect shall be provided by the borough finance director or his designee upon request by the planning director. Estimated tax payments shall be applied to the actual bill as of July 1 or such earlier date as the taxes due have been determined.*

Taxes owed may include special assessments for utility or road assessment districts established by KPB ordinance.

Staff recommendation: *comply with 20.60.030.*

20.60.120. Accuracy of measurements. All linear measurements shall be shown to the nearest 1/10 foot, and angular measurements shall be at least to the nearest minute. All lot areas shall be shown to the nearest 10 square feet or to the nearest 1/1,000 of total acres. Meander lines, dry land areas and submerged land areas shall be shown in addition to total area when applicable. All boundary closures shall be to a minimum accuracy of 1:5,000. Boundary and lot closure computations must be submitted with the final plat.

Staff recommendation: *Verify the acreage of the new lots. Provide boundary and lot closure computations with the paper final plat. KPB will verify closure complies with 20.60.120.*

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: *Provide the following*

- *A plat note to reference the private covenants of record per the Certificate to Plat.*
- *A plat note that states, 'The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.'*

RECOMMENDATION:

STAFF RECOMMENDS:

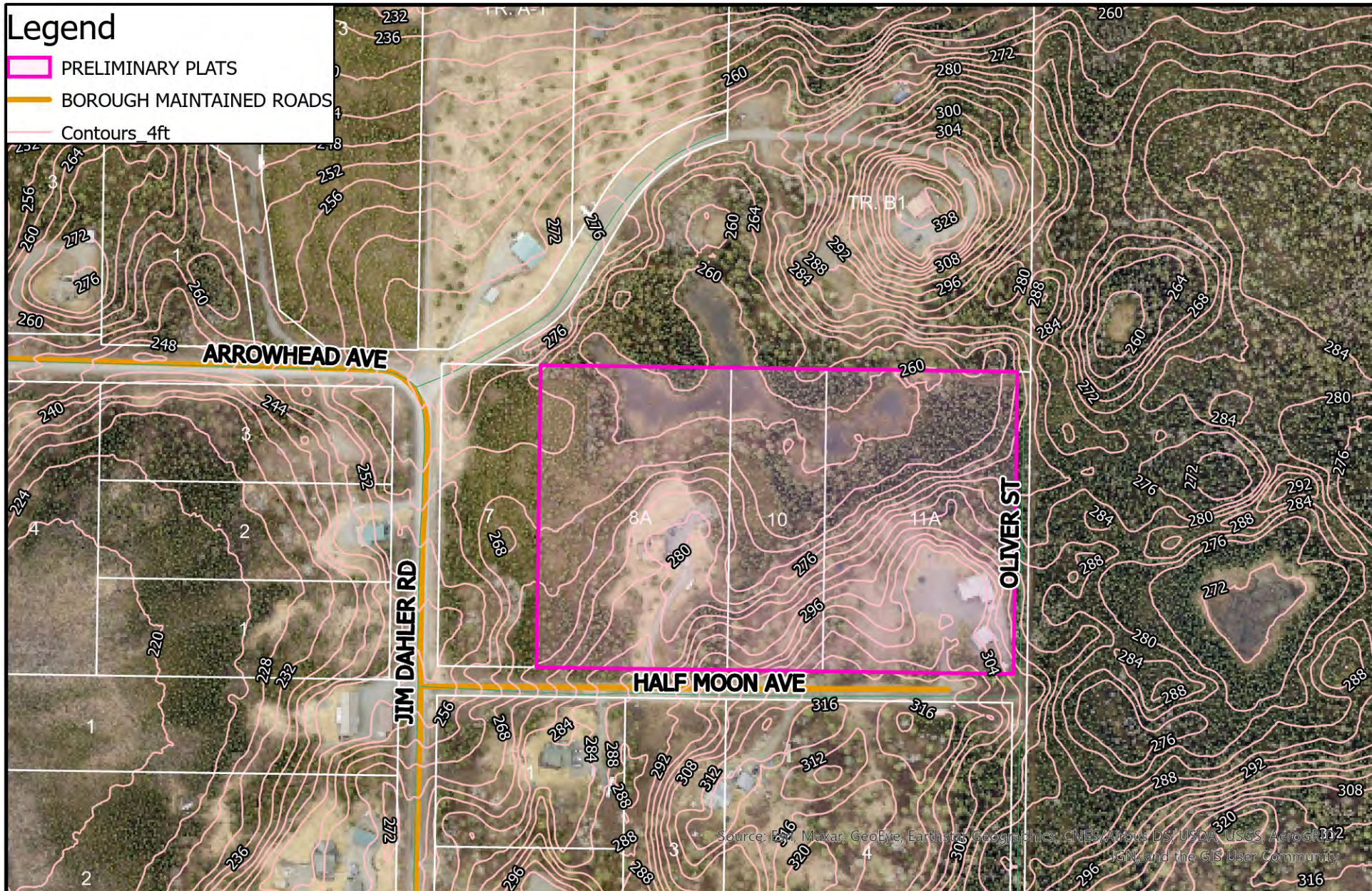
- **GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND**
- **COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND**
- **COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE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

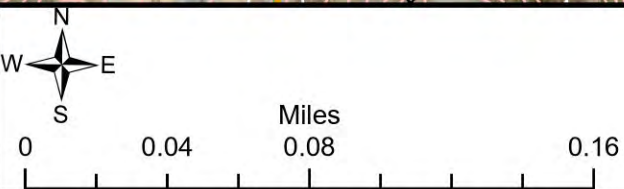
END OF STAFF REPORT



Legend

- PRELIMINARY PLATS
- BOROUGH MAINTAINED ROADS
- Contours 4ft

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.

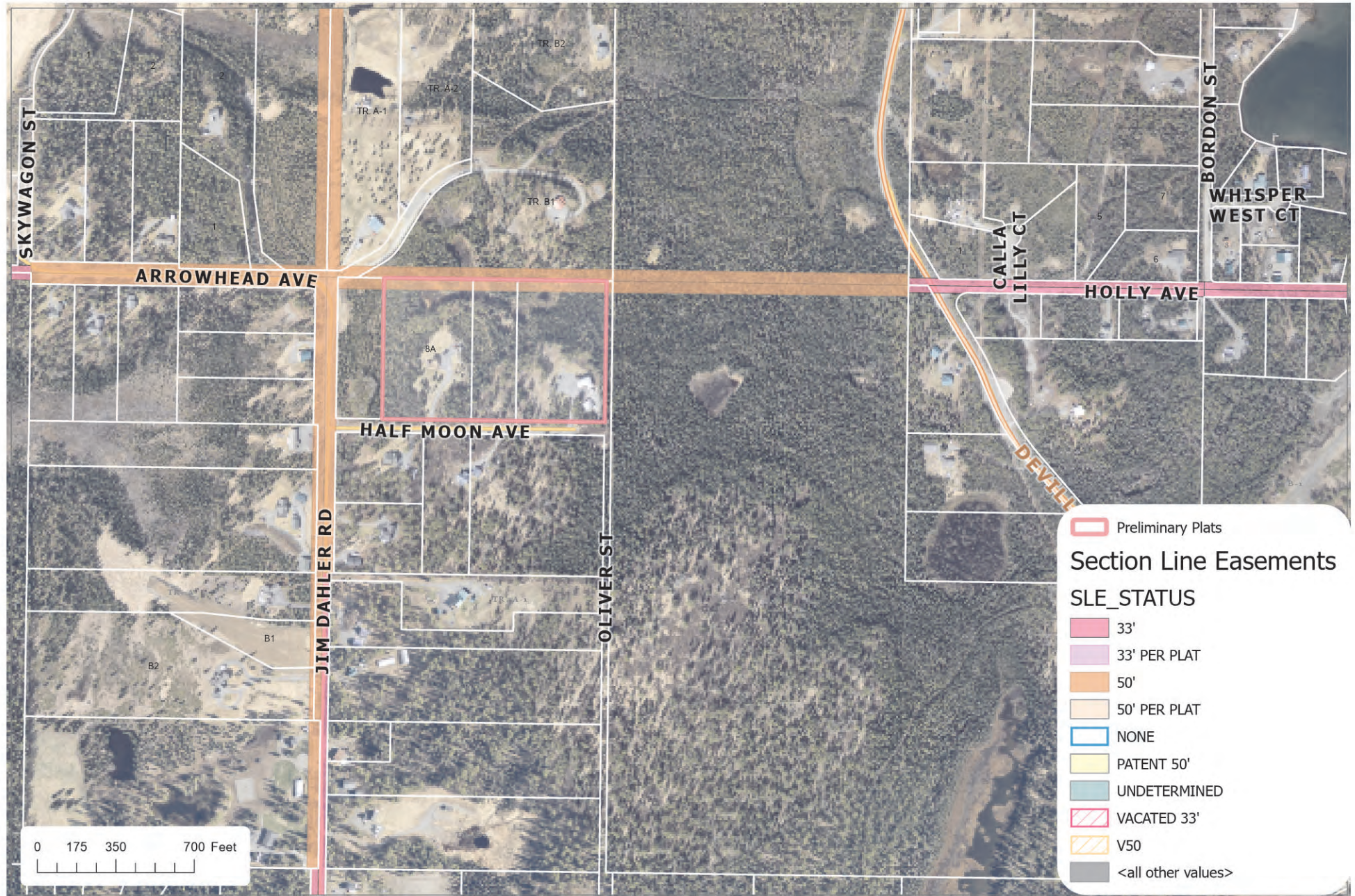


AERIAL IMAGERY 2021

WETLANDS MAPPING

Date: 5/28/2021
 1:50 PM
 Scott Huff
 Platting Manager

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Legend

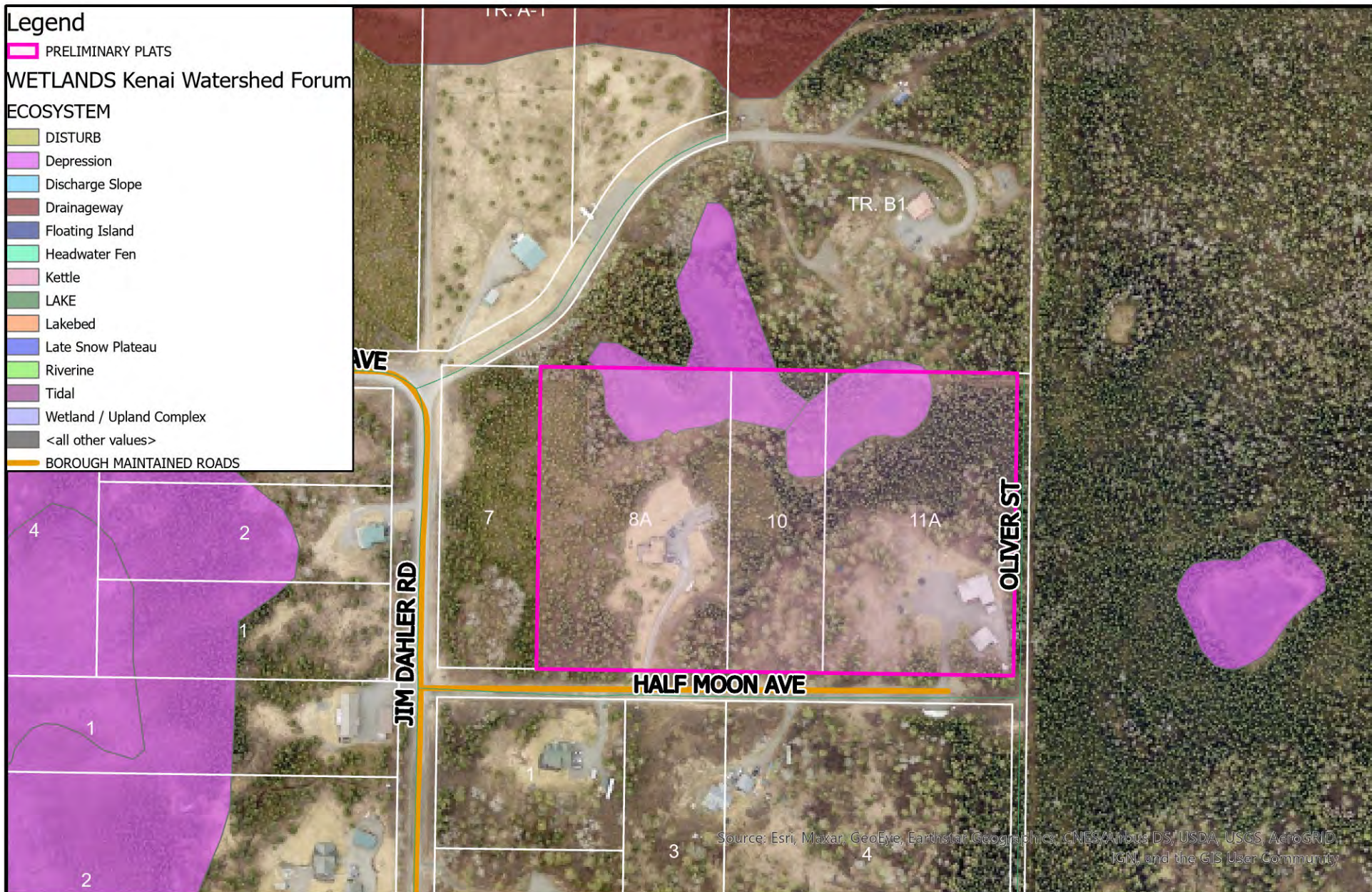
PRELIMINARY PLATS

WETLANDS Kenai Watershed Forum

ECOSYSTEM

- DISTURB
- Depression
- Discharge Slope
- Drainageway
- Floating Island
- Headwater Fen
- Kettle
- LAKE
- Lakebed
- Late Snow Plateau
- Riverine
- Tidal
- Wetland / Upland Complex
- <all other values>

BOROUGH MAINTAINED ROADS



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.



0 0.04 0.08 0.16 Miles

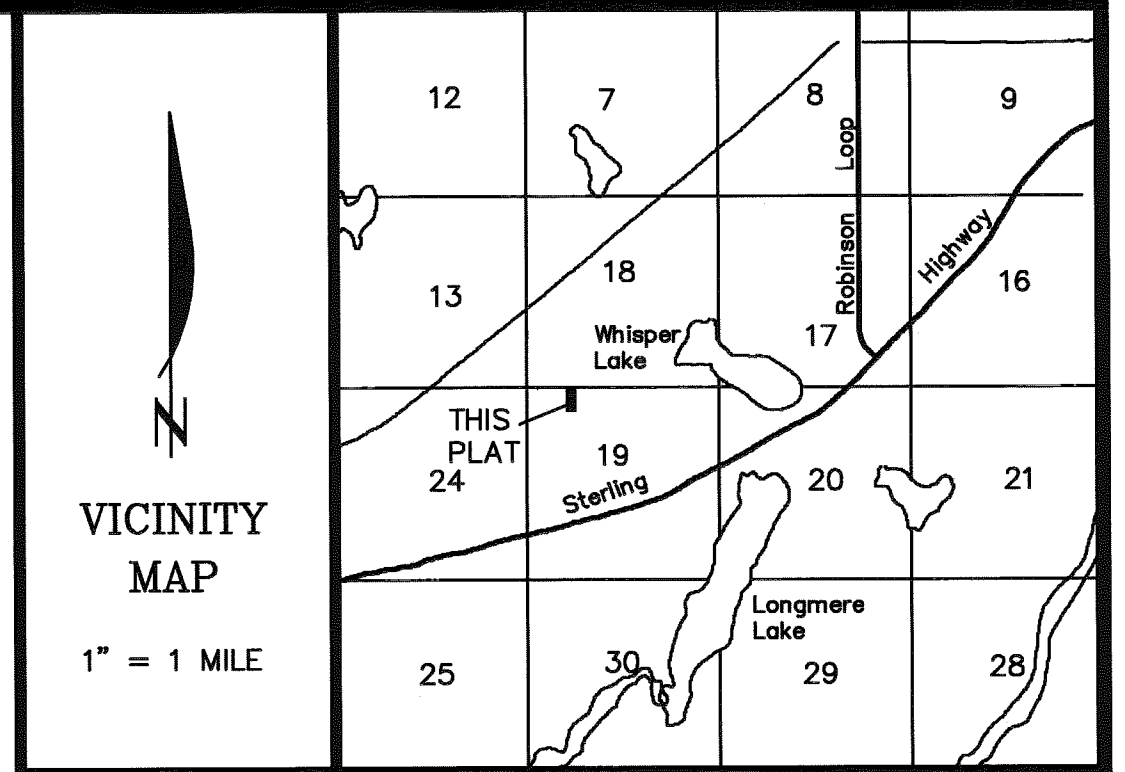
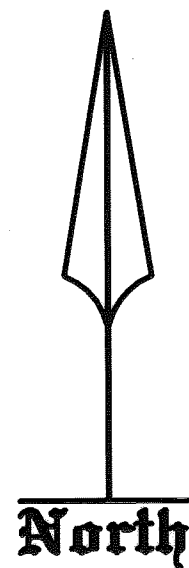
AERIAL IMAGERY 2021

WETLANDS MAPPING

Date: 5/28/2021
1:50 PM
Scott Huff
Platting Manager

LEGEND:

- ⊕ MONUMENT OF RECORD
- 5/8" REBAR OF RECORD
- () RECORD DATUM PLAT 2000-7 KRD



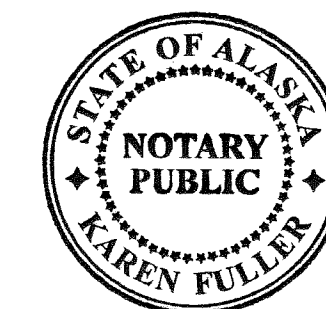
CERTIFICATE of OWNERSHIP
and DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

Nathan D. Moore
NATHAN D. MOORE
39750 HALF MOON AVENUE
SOLDOTNA, ALASKA 99669

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 3 DAY OF September, 2010
FOR Nathan D. Moore



Karen Fuller
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 9-25-2012

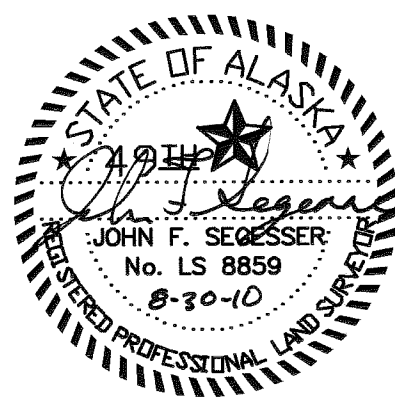
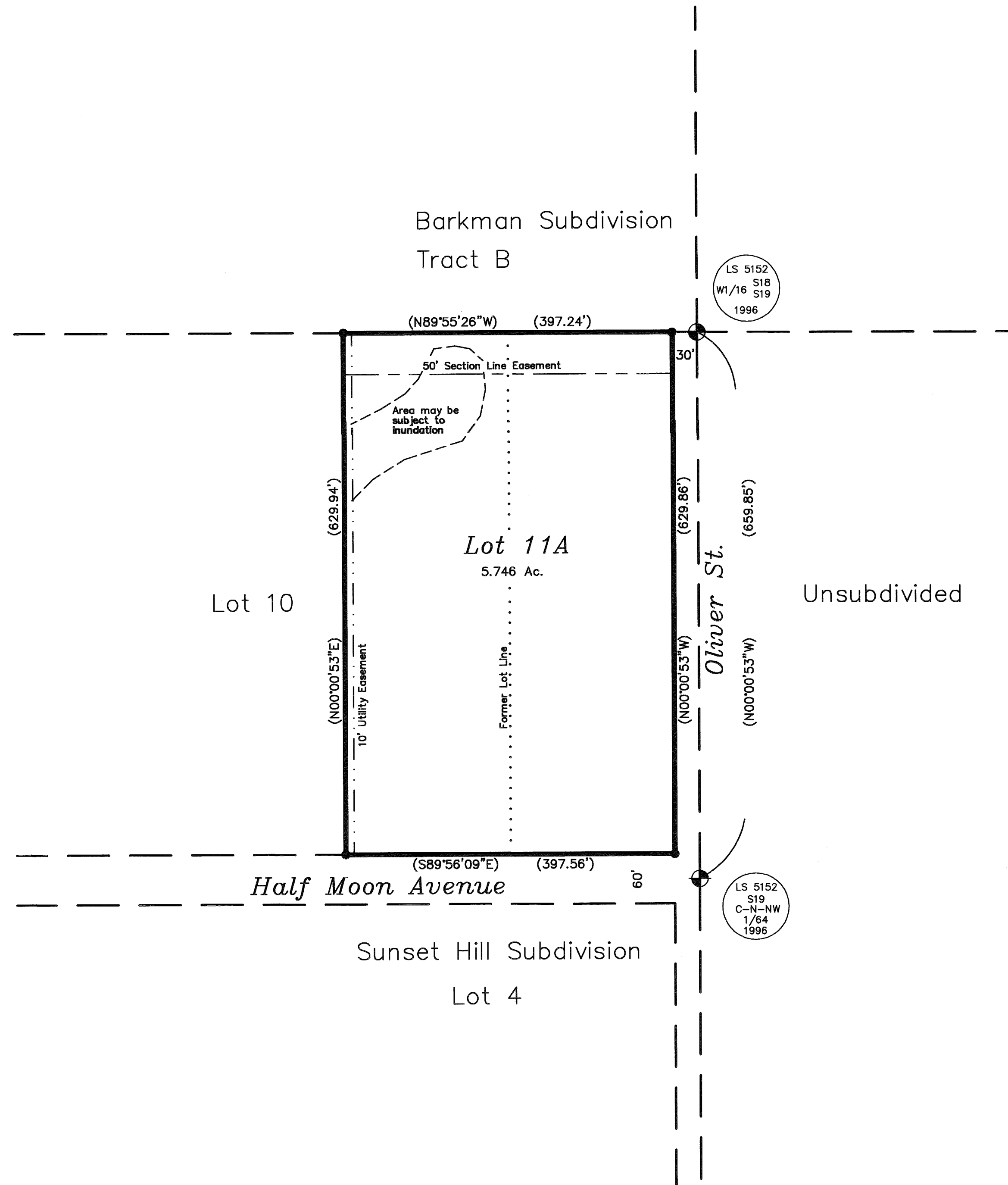
PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF JUNE 28, 2010.

KENAI PENINSULA BOROUGH
Max Burt
AUTHORIZED OFFICIAL

NOTES:

- Record information taken from Arrowhead Estates Phase 1, plat 2000-7, Kenai Recording District.
- Building Setback--A setback of 20 feet is required from all street Rights-of-Way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
- Development may be subject to Coastal Zone Management and Corps of Engineers reviews and permitting.
- Covenants, conditions and restrictions which affect this plat are recorded in Book 560 Page 557 and Book 581 Page 57 in the Kenai Recording District.
- Front 10 feet of the 20 foot building setback and the entire setback within 5 feet of the side lot lines 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.
- WASTEWATER DISPOSAL: This lot is 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. A soils report from the parent plat of this subdivision is on file with the Kenai Peninsula Borough.



SURVEYOR'S CERTIFICATE

I hereby certify that; I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct.

Date 8-30-10

2010-47
RECORDED
KENAI REC. DIST.
DATE: 9-21 2010
TIME: 3:47 P.M.
REQUESTED BY:
SEGESSER SURVEYS
30485 ROSLAND ST.
SOLDOTNA, AK 99669

KPB FILE No. 2010-082

Arrowhead Estates
Moore Replat

A resubdivision of Lots 11 and 12, Arrowhead Estates Phase 1, Plat 2000-7, Kenai Recording District.

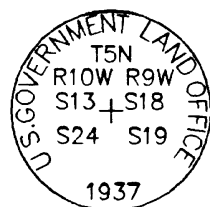
Located within the NE1/4 NW1/4 NW1/4 Section 19, T5N, R9W, S.M., Kenai Peninsula Borough, Alaska.

Containing 5.746 Ac.

SEGESSER SURVEYS

30485 Rosland St.
Soldotna, AK 99669

JOB NO.	10044	DRAWN:	8-18-10
SURVEYED:	N/A	SCALE:	1"=100'
FIELD BOOK:	N/A	SHEET:	1 of 1



Unsubdivided

N89°55'26"W 1271.73'

248.62'

397.24'

625.86'

50' Section Line Easement

50' Section Line Easement

Lot 8A

5.748 Ac

20' Utility Easement vacation approved by Planning Commission on September 9, 2002
- former lot line -

Lot 7

N00°03'31"E 630.06'

Lot 10

N00°01'46"E 629.98'

S89°56'09"E 397.56'

Half Moon Avenue

60' ROW

Sunset Hill Subdivision

NOTES:

- 1) Proposed land uses are recreational, residential, agricultural, and commercial
- 2) Building Setback - A setback of 20 feet is required from all street rights-of-way unless a lesser standard is approved by resolution of the appropriate Planning Commission.
- 3) Development may be subject to Coastal Zone Management and Corp of Engineer reviews and permitting.
- 4) Front 10 ft of the building setback adjacent to rights-of-way is also a utility easement as is the entire setback within 5 feet of side lot lines. 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.
- 5) This is a paper plat, NO FIELD SURVEY WAS PERFORMED. All dimensional data shown was obtained from Arrowhead Estates Phase 1, Plat #2000-7 KRD.
- 6) **WASTEWATER DISPOSAL:** The parent subdivision for the lots resulting from this platting action was approved by the Kenai Peninsula Borough on 8 March, 1999. Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

LEGEND:

- 2-1/2" Brass Cap of Record
- 2-1/2" Alum Cap of Record
- 5/8" Rebar of Record

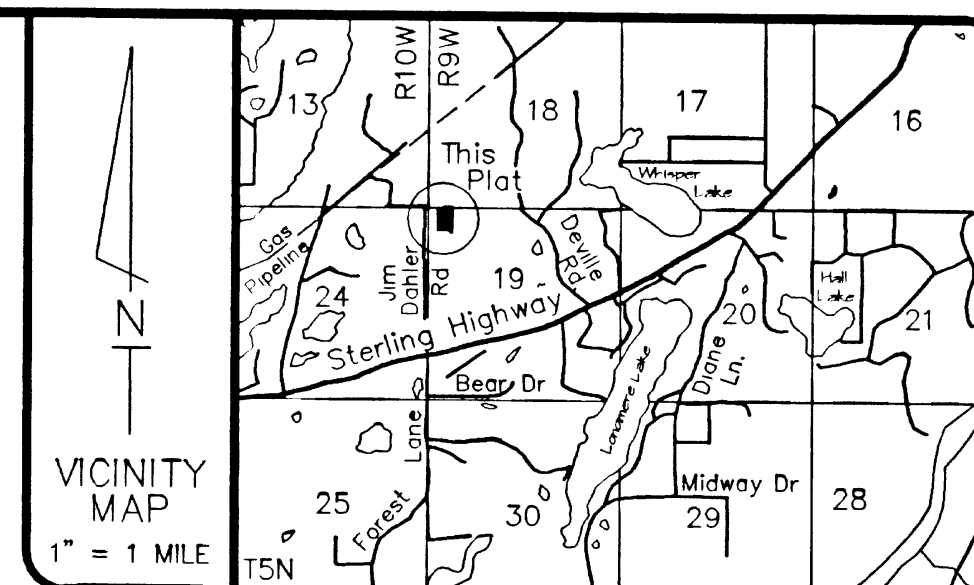
SURVEYOR'S CERTIFICATE

I hereby certify that, I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct to the normal standards of practice of land surveyors in the State of Alaska

Date 11 Oct 2002



LS 5152
W1/16+ S18
S19
1996



CERTIFICATE of OWNERSHIP and DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS 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 AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN

Sean Dusek
Sean Dusek

Lynn Dusek
Lynn Dusek

P.O. Box 243
Soldotna, AK 99669

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 11th DAY OF October
2002 FOR Sean & Lynn Dusek

Sean M. Dobrick
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 12/12/04

III Judicial District

PLAT APPROVAL

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

KENAI PENINSULA BOROUGH

Marc Brown
AUTHORIZED OFFICIAL

KPB FILE No 2002-193

Arrowhead Estates Dusek Replat

Replat of Lots 8 & 9 Arrowhead Estates - Phase 1
Plat #2000-7 KRD.

Located within the N1/2 NW1/4 NW1/4 Section 19, T5N, R9W, S.M.,
Kenai Recording District, Kenai Peninsula Borough, Alaska

Contains 5.748 Acres

Integrity Surveys

605 Swires Drive Kenai, Alaska 99611-8363

SURVEYORS PHONE - (907) 283-9047 PLANNERS
FAX --- (907) 283-9071

JOB NO	22137	DRAWN	13 September, 2002 CB
SURVEYED	N/A	SCALE	1" = 60'
FIELD BK	N/A	DISK:	Arrowhead

2002-79
RECORDED 20
KENAI REC. DIST.
DATE 10-21 2002
TIME 3:53 P.M.
REQUESTED BY:
INTEGRITY SURVEYS
605 SWIRES DRIVE
KENAI, ALASKA 99611

134

KENAI PENINSULA BOROUGH
PLANNING COMMISSION

PLAT WAIVER RESOLUTION 97-24

KENAI RECORDING DISTRICT

GRANTING A PLATTING WAIVER FOR CERTAIN LANDS WITHIN SECTION 19,
TOWNSHIP 5 NORTH, RANGE 9 WEST, SEWARD MERIDIAN, ALASKA

WHEREAS, the Mary Elizabeth Revocable Trust has petitioned for a waiver of platting requirements for the following described parcel:

Government Lot 1 Section 19 T5N R9W S.M. AK cntg 38.66 acres.

WHEREAS, 29.40.090 of Alaska Statutes provides that the platting authority shall waive the preparation, submission for approval, and recording of a plat upon satisfactory evidence that certain conditions exist.

WHEREAS, it has been determined that all requirements have been met.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH:

Section 1: That a waiver of platting requirements is hereby granted for the above described parcel.

Section 2: That the plat waiver is being granted for the purpose of creating two parcels described as follows:

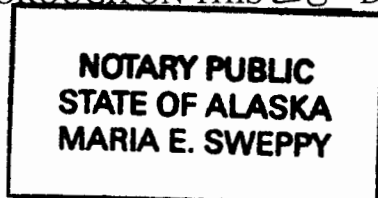
Parcel 1: N1/2 Gov't Lot 1, Section 19 T5N R9W, S.M. AK; cntg 19.33 acres

Parcel 2: S1/2 Gov't Lot 1, Section 19 T5N R9W, S.M. AK; cntg 19.33 acres

Section 3. That this resolution is void if not recorded in the appropriate Recording District within thirty days of adoption.

Section 4. That this resolution becomes effective upon being properly recorded.

ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH ON THIS 28 DAY OF July, 1997.



John Hammelman
John Hammelman, Chairperson
Planning Commission

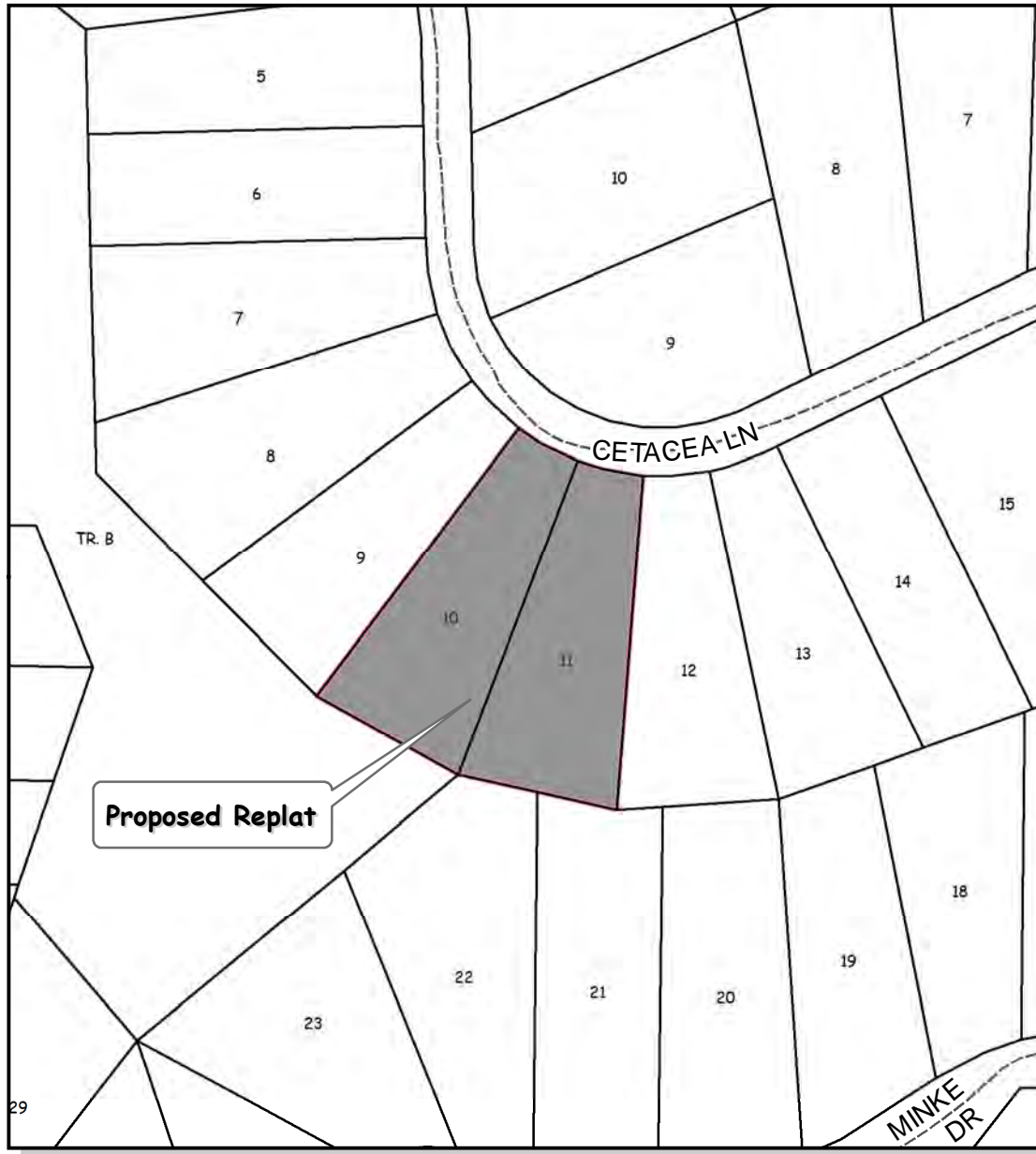
NOTARY ACKNOWLEDGEMENT:

Subscribed and sworn before me this 28 day of July, 1997.

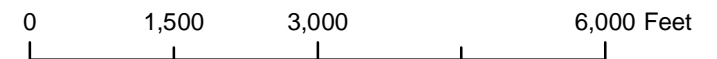
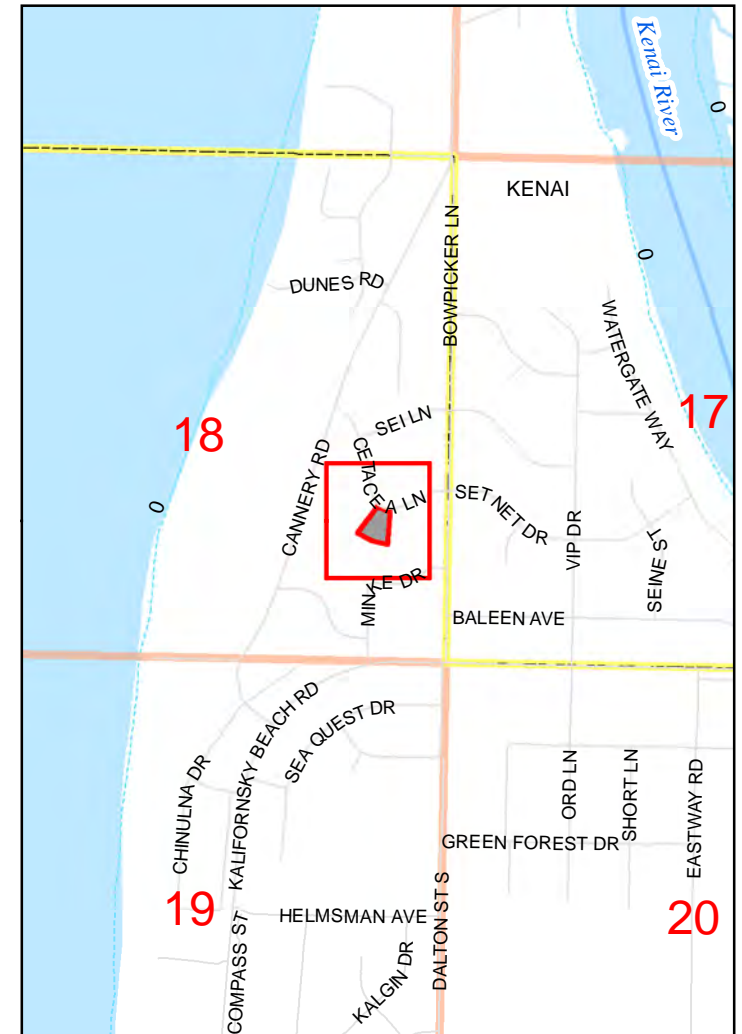
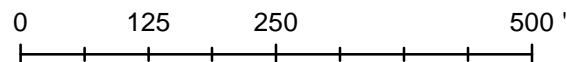
Maria E. Sweppy
Notary Public for State of Alaska
My Commission Expires: 1-16-99

Please return to:
Planning Department
Kenai Peninsula Borough
144 North Binkley
Soldotna, Alaska 99669-7599

575752
REC 15
JUL 29 1997
FILED BY Integrity
'97 JUL 29 PM 3 14



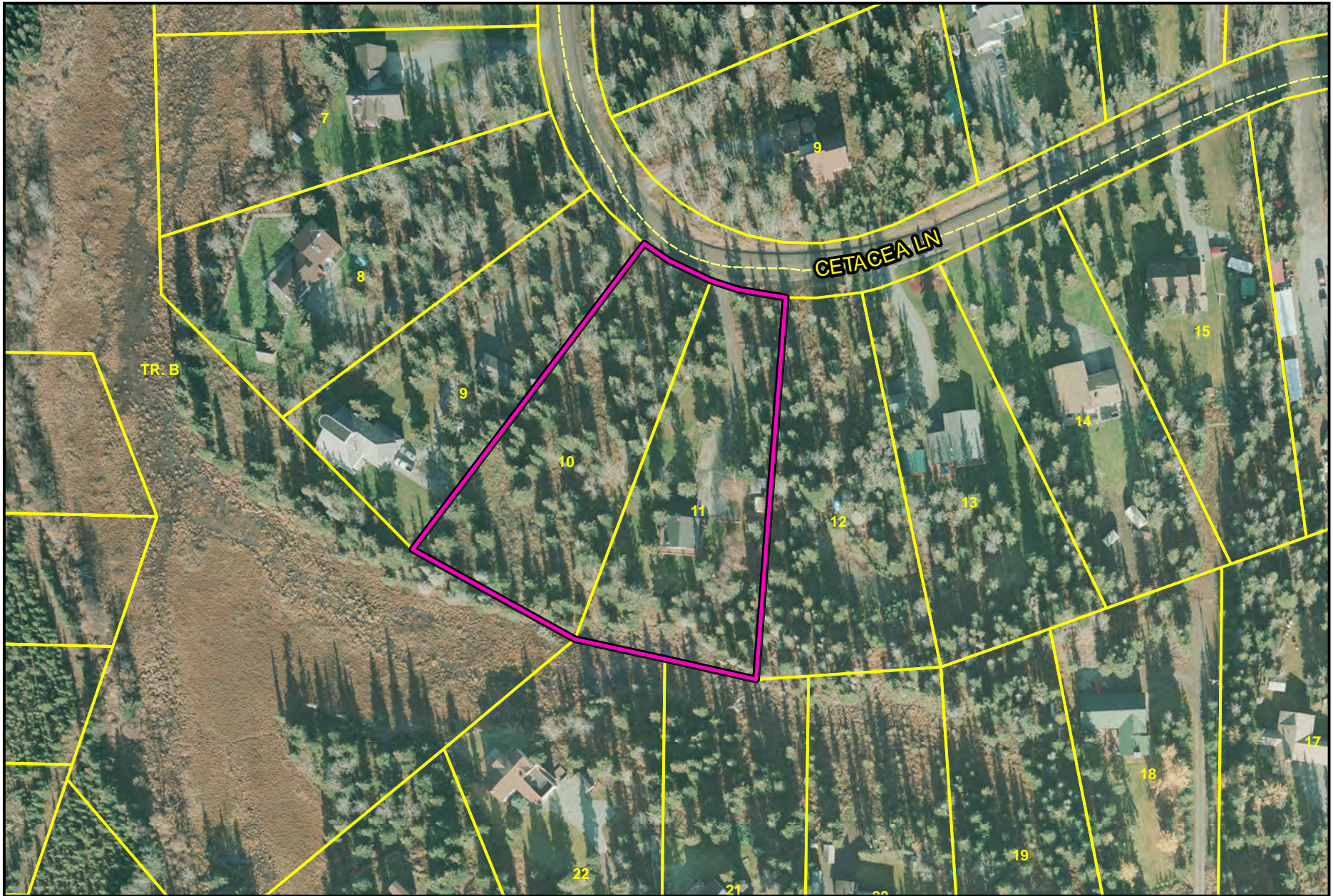
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



KPB 2022-008
S18 T05N R11W
Kalifornsky

MQuanton, KPB 2022-008 Date: 1/24/2022

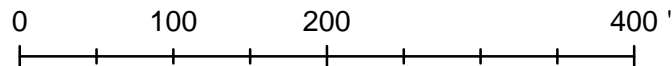




The information depicted hereon
is for a graphical representation
only of best available sources.
The Kenai Peninsula Borough
assumes no responsibility
for any errors on this map.

MQuainton, KPB 2022-008
Imagery 2010 Kenai River Imagery

Aerial View

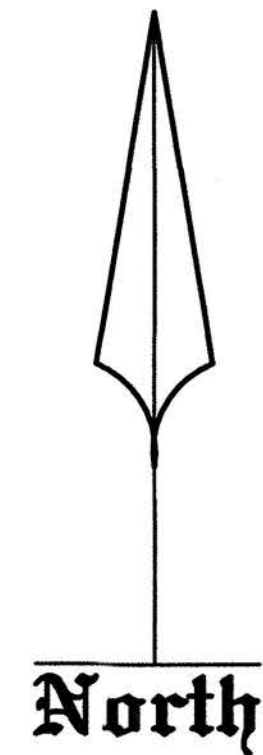


 PRELIMINARY PLAT



LEGEND:

- ⊗ 2 1/2" BRASS. CAP MON. GLO 1922 RECORD
- ⊕ 2 1/2" BRASS. CAP MON. DOH NO DATE RECORD
- 1/2" REBAR RECORD
- () RECORD DATUM PLAT 77-155 KRD



NOTES:

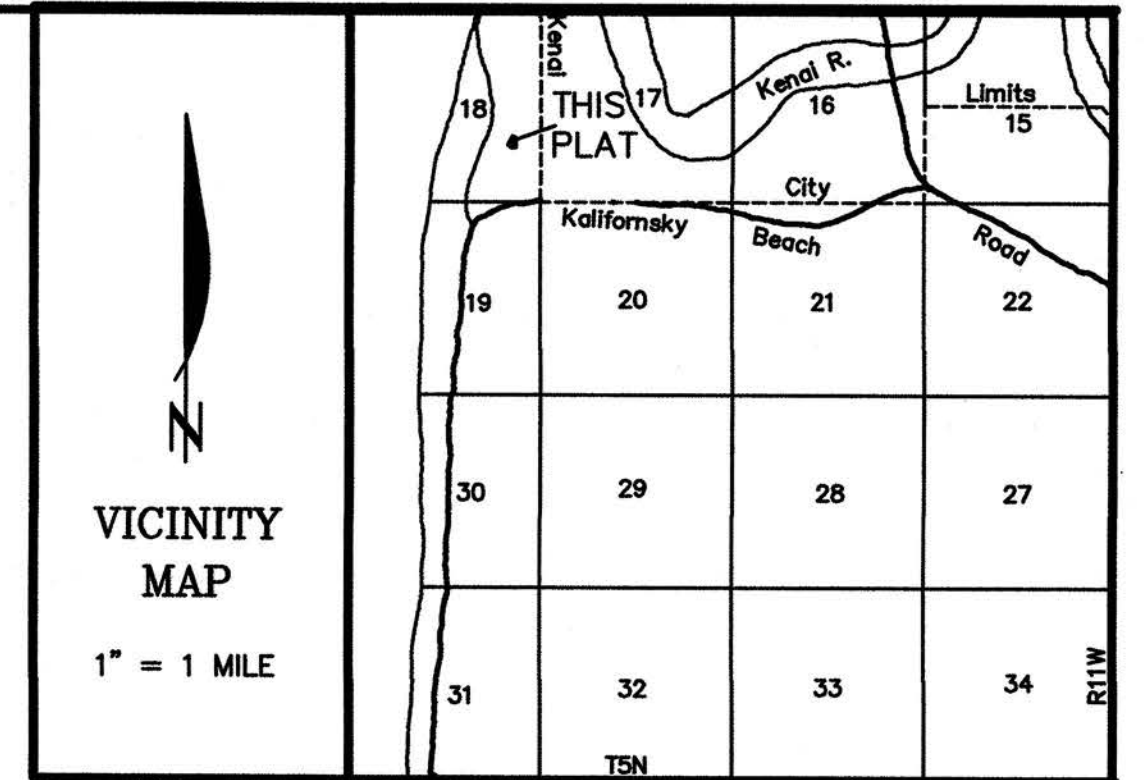
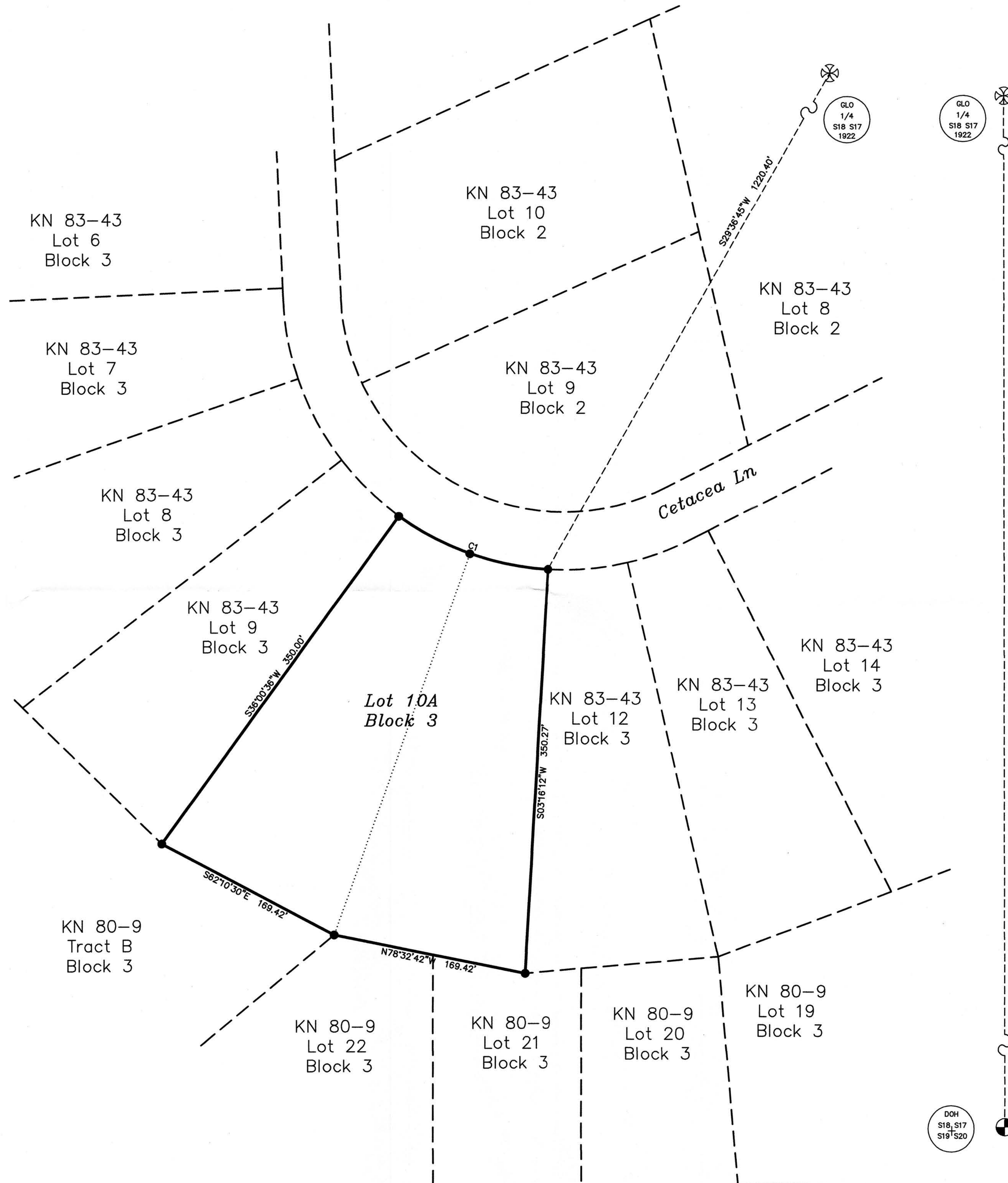
- 1) This is a paper plat. A field survey was not performed in accordance with KPB 20.60.200(A).
- 2) Basis of bearing taken from Beluga Bay Estates Subdivision Part Two, Plat 77-155, Kenai Recording District.
- 3) Building Setback-A setback of 20 feet is required from all street Rights-of-Way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
- 4) Front 10 feet adjacent to right-of-ways and 20 feet within 5 feet of the side lot lines 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.
- 5) **WASTEWATER DISPOSAL:** No wastewater will be generated or disposed of on these lots. Conditions might not be suitable for onsite wastewater treatment and disposal systems. Any onsite wastewater treatment and disposal system must meet the wastewater disposal requirements of KPB Chapter 20.14 and regulatory requirements of the Alaska Department of Environmental Conservation.



SURVEYOR'S CERTIFICATE

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct.

Date _____



CERTIFICATE of OWNERSHIP
and DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS 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 AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

KEVIN RICHARD BARNETT ANNETTE MARIE THORNTON-BARNETT
37255 CETACEA LANE
KENAI, ALASKA 99611

NOTARY'S ACKNOWLEDGEMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGEMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

PLAT APPROVAL

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

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL _____

KPB FILE No. _____

Beluga Bay Estates Subdivision
Bartlett Replat

A resubdivision of Lots 10 and 11 Block 3 Beluga Bay Estates
Subdivision Part Two, Plat 77-155, Kenai Recording District.

Located within the E1/2 SE1/4 Section 18, T5N, R11W, S.M.,
Kenai Peninsula Borough, Alaska

Containing 2.897 Ac.

Surveyor Segesser Surveys 30485 Rosland St. Soldotna, AK 99669 (907) 262-3909	Owner Kevin Richard Barnett and Annette Marie Thornton-Barnett 37255 Cetacea Lane Kenai, Alaska 99611
JOB NO. 21389	DRAWN: 1-11-22
SURVEYED: N/A	SCALE: 1"=50'
FIELD BOOK: N/A	SHEET: 1 of 1

KPB 2022-008

AGENDA ITEM E. NEW BUSINESS

ITEM 6 – BELUGA BAY ESTATES SUBDIVISION BARTLETT REPLAT

KPB File No.	2022-008
Plat Committee Meeting:	February 14, 2022
Applicant / Owner:	Kevin Richard Barnett and Annette Marie Thornton-Barnett
Surveyor:	John Segesser / Segesser Surveys
General Location:	Cetacea Lane, Kalifornsky

Parent Parcel No.:	055-340-27, 055-340-28
Legal Description:	Lots 10 and 11 Block 3 Beluga Bay Estates Subdivision Part Two Amended KN 83-43
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will combine two lots into one lot that will be 2.9 acres.

Location and Legal Access (existing and proposed): The lot will front along borough maintained Cetacea Lane. Cetacea Lane provides a connection between State DOT maintained Cannery Road and City of Kenai maintained Set Net Drive. The replat is near mile 14 of state maintained Kalifornsky Beach Road.

Cetacea Lane was dedicated on Beluga Bay Estates Subdivision Part Two Amended, Plat KN 83-43. It was dedicated as a 50 foot wide right of way. Per KPB Code, a full right of way dedication shall be 60 feet wide. This right of way is 10 feet narrower than code allowance. The KPB Roads Department had no comment on this plat.

Similar situations in the past have dealt with this situation by requiring additional right of way dedications with subsequent platting actions. To comply with KPB standards a 5 foot dedication would be required during this platting action with a corresponding 5 foot dedication from the opposite parcels. Nearly all lots in this area have single family homes constructed on them and the ability to receive 5 foot dedications on both sides of the right of way for the entire length of the right of way is unlikely. ***Staff recommends the plat committee concur that an exception to 20.30.120 – Streets-Width requirements, or a right of way dedication, is required as the ability to acquire a full 60 foot right of way in unlikely do to the current development and additional right of way was not requested by the KPB Roads Department.***

The subdivision is within a closed block. Cetacea Lane, Bowpicker Lane, Minke Drive, Biscayen Drive, and Cannery Road define the block. The block is irregular in design that results in block lengths that exceed the allowable lengths. Due to wetlands and existing improvements, this plat cannot provide a dedication that will improve the block length. ***Staff recommends the plat committee concur that an additional right of way dedication is not required for block length compliance as any dedication will lead to wetlands and will not provide a new block connection.***

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	Comment not received when staff report was prepared.

Site Investigation: Per KPB GIS data, there are wetlands present within the southeastern portion of the subdivision. A sloping area affects the southern edge of proposed Lot 10A. The remaining portion of the subdivision

is relatively flat with no low wet areas. **Staff recommends** the wetlands be depicted and a plat note be added that states, 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.

KPB River Center review	<p>A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: No comments</p> <p>B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p> <p>C. State Parks Reviewer: Russell, Pam Comments: No Comments</p>
State of Alaska Fish and Game	No objections. The proposed actions will not affect public access to public lands and waters.

Staff Analysis The parent parcels were created in 1977 with the recording of Beluga Bay Estates Subdivision Part Two, KN 77-155. This was a subdivision of a government lot and aliquot divided lands and dedicated right of ways to all new parcels. KN 77-155 was amended in 1983 per KN 83-43.

Per KPB data, Lot 10 is currently vacant and Lot 11 contains a residential improvement. KPB Imagery from 2021 does not indicate any encroachments are present.

Per KPB Code 20.40.020(A)(2), a soils report will not be required; the plat will be increasing the lot size by more than 1,000 square feet.

Per KPB Code 20.60.200(A), a field survey will not be required. Plat note 1 states that a field survey will not be performed and references KPB code.

Notice of the proposed plat was mailed to the beneficial interest holder on January 26, 2022. 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.

Kalifornsky Advisory Planning Commission minutes were not available when the staff report was prepared (KPB 21.02.020). These will be provided with the desk packet if available.

Utility Easements The parent plat granted utility easements in select locations but not adjoining all right of ways. A 30 foot radius anchor easement utility easement was granted centered on the shared lot line of Lots 10 and 11 common with Cetacea Lane right of way. Per plat note 4, this plat will be granting 10 foot utility easements along Cetacea Lane that increase to 20 feet within 5 feet of shared lot lines. **Staff recommends** the radius easement be depicted and noted it was granted by KN 83-43, and depict the newly dedicated utility easements.

An additional easement with no definite location was granted by recorded document to Homer Electric Association. **Staff recommends** a plat note be added with the easement information.

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 comments or recommendations
ACS	No objection
GCI	Approved as shown

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek Affected Addresses: 37255 CETACEA LN</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: CETACEA LN</p> <p>Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied:</p> <p>Comments: 37255 CETACEA LN will remain with lot 10A.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	<p>Reviewer: Aldridge, Morgan 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: Wilcox, Adeena Comments: No comment</p>
Advisory Planning Commission	Comments not received when staff report was prepared

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

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:

- *Verify that the intent was to name the replat Bartlett instead of the owners' last name, Barnett.*
- *The legal description for the parent lots needs the subdivision name to include "Amended" and update the recording number to 83-43.*

- 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 a 50 foot width label to Cetacea Lane.*

- 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:

- *Spell out "River" on the label.*
- *Provide a label for the Cook Inlet.*

- 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: *Tract B located to the southwest does not have a block designation assigned. Please remove Block 3 from the Tract B 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.*

20.30.120. Streets-Width requirements.

- A. The minimum right-of-way width of streets shall be 60 feet.
1. Half streets shall generally not be allowed except to provide the logical extension of a right-of-way where the remaining half street can reasonably be expected to be dedicated in the future.
 2. When a design change required as a condition of preliminary approval results in a half right-of-way that was not shown on the original preliminary plat, adjoiners to the new half right-of-way will be sent a copy of the plat committee minutes and a sketch showing the new half right-of-way and per KPB 2.40.080 can request a review of the plat committee decision by the full Planning Commission.

- B. Additional right-of-way or easement width may be required to provide for the construction of side slopes or to otherwise accommodate right-of-way construction standards set forth in KPB Title 14.

Staff recommendation: *Concur that the 50 foot width for Cetacea Lane is adequate and an exception, or additional right of way dedication, is not required due to the following items.*

- *The existing improved roadway.*
- *Additional replats/subdivisions that could provide additional right of way are not expected as all lots have single family residences.*
- *The inability to obtain a 60 foot wide right of way for the entire length of Cetacea Lane*
- *The KPB Roads Department did not bring up any issues do the to the right of way width.*

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.

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.

Staff recommendation: *Depict and label the 20 foot building setback.*

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: 20.40.010 Wastewater disposal.

Platting Staff Comments: The plat is combining two lots and creating a new lot that is increasing in size by more than 1,000 square feet. Per KPB 20.40.020(A)(2), a soils report will not be required and an engineer will not need to sign the plat.

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.*

20.60.030. Certificate of borough finance department required.

Platting Staff Comments: All taxes levied on the property within the subdivision shall be paid prior to recordation of the final plat. If approval is sought between January 1 and the tax due date, there shall be on deposit with the borough finance department an amount sufficient to pay the entire estimated real property tax for the current year. Prior to filing of the final plat, a certificate to this effect shall be provided by the borough finance director or his designee upon request by the planning director. Estimated tax payments shall be applied to the actual bill as of July 1 or such earlier date as the taxes due have been determined.

Taxes owed may include special assessments for utility or road assessment districts established by KPB ordinance.

Staff recommendation: *comply with 20.60.030.*

20.60.120. Accuracy of measurements. All linear measurements shall be shown to the nearest 1/10 foot, and angular measurements shall be at least to the nearest minute. All lot areas shall be shown to the nearest 10 square feet or to the nearest 1/1,000 of total acres. Meander lines, dry land areas and submerged land areas shall be shown in addition to total area when applicable. All boundary closures shall be to a minimum accuracy of 1:5,000. Boundary and lot closure computations must be submitted with the final plat.

Staff recommendation: *Provide the acreage of proposed Lot 10A Block 3 within the drawing. Provide boundary and lot closure computations with the paper final plat. KPB will verify closure complies with 20.60.120.*

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.*
- *Property is subject to covenants, conditions, and restrictions found in Book 121 Page 407 Kenai Recording District and Amendments found in Book 383 Page 840 Kenai Recording District.*
- *Subject to an easement for electric lines or system and/or telephone lines together with right to enter, maintain, repair and clear shrubbery granted to Homer Electric Association, Inc. recorded in Book 25 Page 344 Kenai Recording District. No definite location disclosed.*
- *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.*

Plat note 2 should revise the recording number and subdivision names to include "Amended" and the recording number of "KN 83-43".

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.

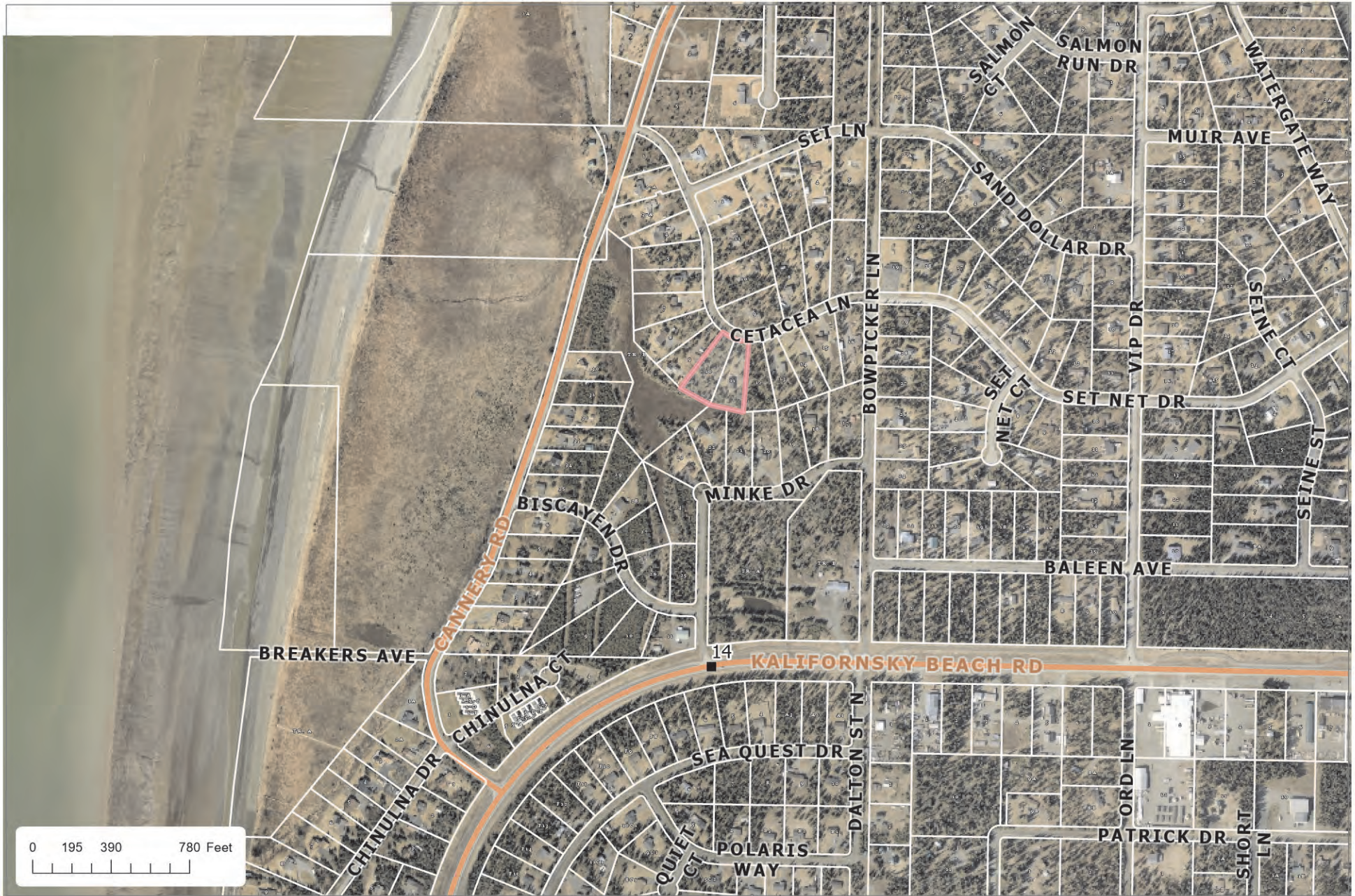
NOTE: 20.25.120. - REVIEW AND APPEAL.

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









PLAT APPROVAL

This plot having been approved by the Kono Peninsula
Through Planning Commission as recorded in the official
minutes of the meeting of Oct 2nd 1977
is hereby acknowledged and accepted as the official plot,
subject to any and all conditions and requirements of
ordinances and law appertaining thereto.

WILLIAM L. BRYANT, JR. JOHN J. HANCOCK JOHN W. HARRIS

RENAI PENINGDEW BANGGON
- P. Subhalana

CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of said property and request the approval of this plat showing such easements for public utilities, roadways, and or streets dedicated by us for public use.

Steven D. Ellis — witness — 6451 Carlin Court, Anchorage, Ak.

Lawrence B. Taylor
Lawrence B. Taylor - owner - 6450 Curtis Court, Anchorage, AK

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this
16th day of October, 1971

My commission expires _____

Billie Buckner
notary public for Arizona

Steve B. Schuch
Steve B. Schuchford CB 2 Box 707, Krasnodar

10-20-68

Subscribed and sworn before me this
6th day of October 1977

My commission expires _____

William E. Burke
Notary Public for Alaska

RELIKA RAY ESTATES SUBDIVISION PART TWO
ASSIGNMENT

The above referenced subdivision plat as filed in the office of the District Recorder, General Recording District under Plat File No. 77-155, has been amended as follows:

The following distances were added:

- 1) Centerline tangent distance from CE1/16 to P.C. of curve = Distance of 59.55.
- 2) Straight tangent distance on north boundary of sec 3 Block 3. Distance of 9.86.

These distances are shown in [redacted].
The above revisions constitute the sole changes made to the plat, aside from their notation thereon.
The above revisions do not alter lot areas and do not affect or influence any change of ownership, drainage features, rights of way or any other item which would adversely affect this or adjacent properties. We therefore are submitting this plat for recording as corrected.

Date: March 30, 1981

Michael P. McLean 3952-S
Registered Land Surveyor

77-155
 KENAI - FILED 60
 KENAI - 10/11
 3:43 P
 KPB

UNSUBD REMAINDER 76 AC M/L

83-43
SEARCHED INDEXED
SERIALIZED FILED
MAR 3 1963
FBI - NEW YORK

LEGEND	AM	NOTES
--------	----	-------

- Found US610 brass cap monument (1923)
Found Dent of Hays brass cap monument in monument box
Set official survey at monument (3932-5)
Found cone filled iron pipe
Set US "X 24" steel vapor at all lot corners

All bearings refer to the south boundary of Sec. 18 as

being WEST GLO. datum

All wastewater disposal systems shall comply with existing law of state and jurisdiction.

Time of exposure

(R) Radiol line

Curve	Δ	R	T	L
①	$114^{\circ} 32'$	600.00	101.71	601.50
②	$81^{\circ} 02' 00''$	500.00	74.80	514.58
③	$71^{\circ} 30' 00''$	500.00	56.61	495.57
④	$114^{\circ} 40' 30''$	250.00	142.03	479.65
⑤	$27^{\circ} 14' 00''$	300.00	52.37	312.40
⑥	$14^{\circ} 00' 00''$	500.00	83.77	427.66

C
CURVE
DATA



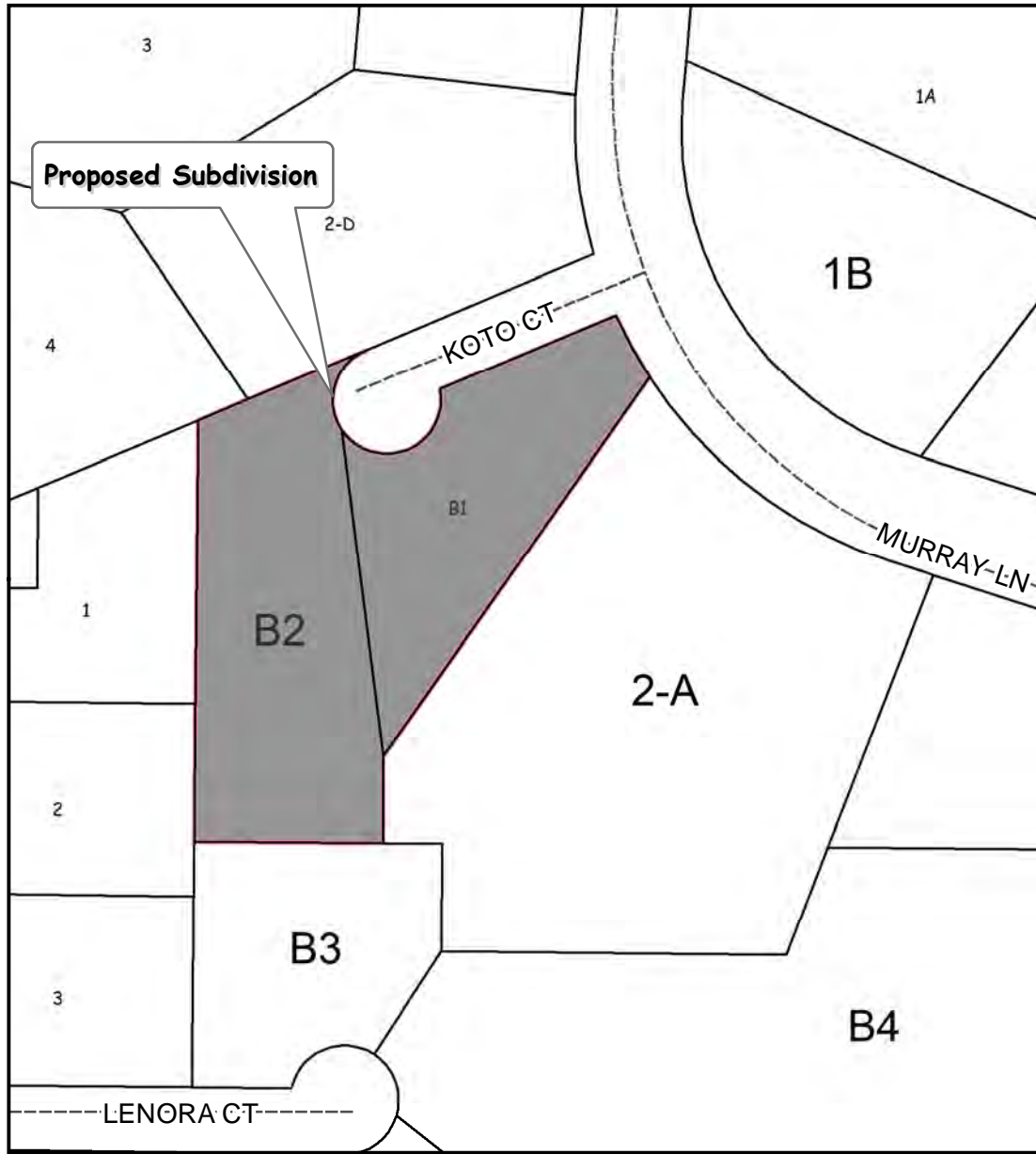
AMENDED
BELUGA BAY ESTATES
SUBDIVISION PART TWO

Tom Schaafsma El ell olne
SR 2 Box 703, Kasilof Ak

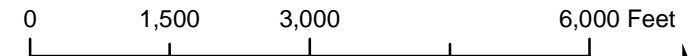
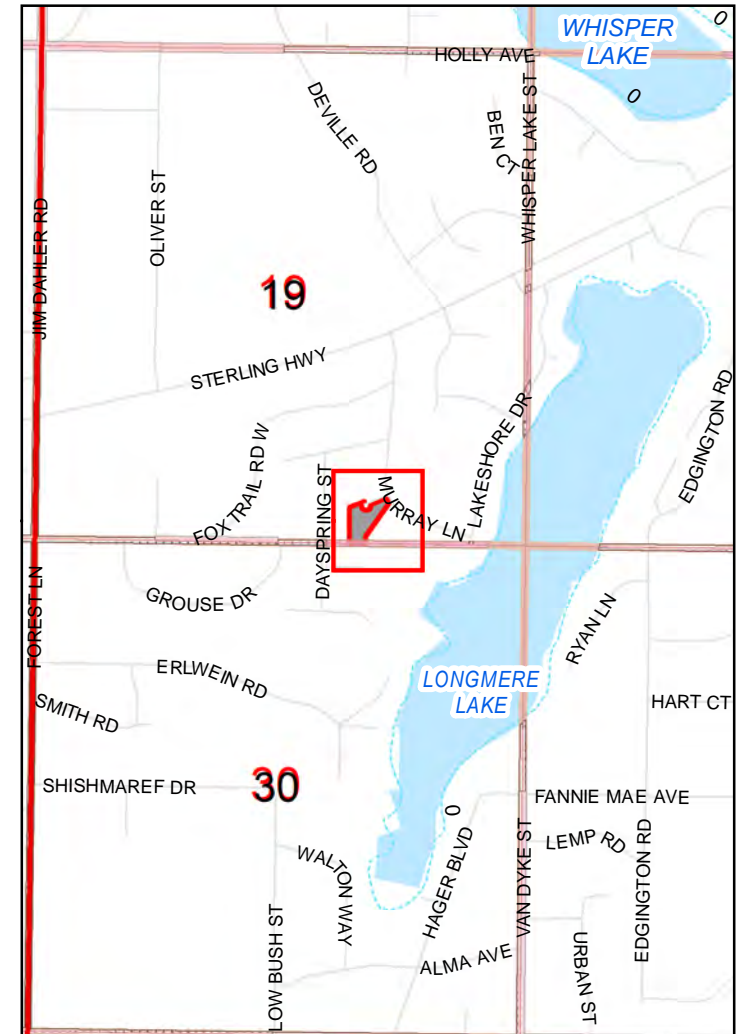
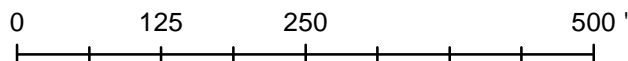
DESCRIPTION
17.423 ACRES SITUATED IN THE E 1/2 SE 1/4, -
S 1/2 GOV'T LOT 3, SW 1/4 SE 1/4 SEC 18,
T 3N, R 11W S 4X AND THE KENAI
PENINSULA BOROUGH

Surveyed by: Milene and Associates
Registered Land Surveyors
Saskatoon, Saskatchewan

Date of Survey	Score	Bk. No.
Aug. 10, 1933	75 = 100	75 = 10



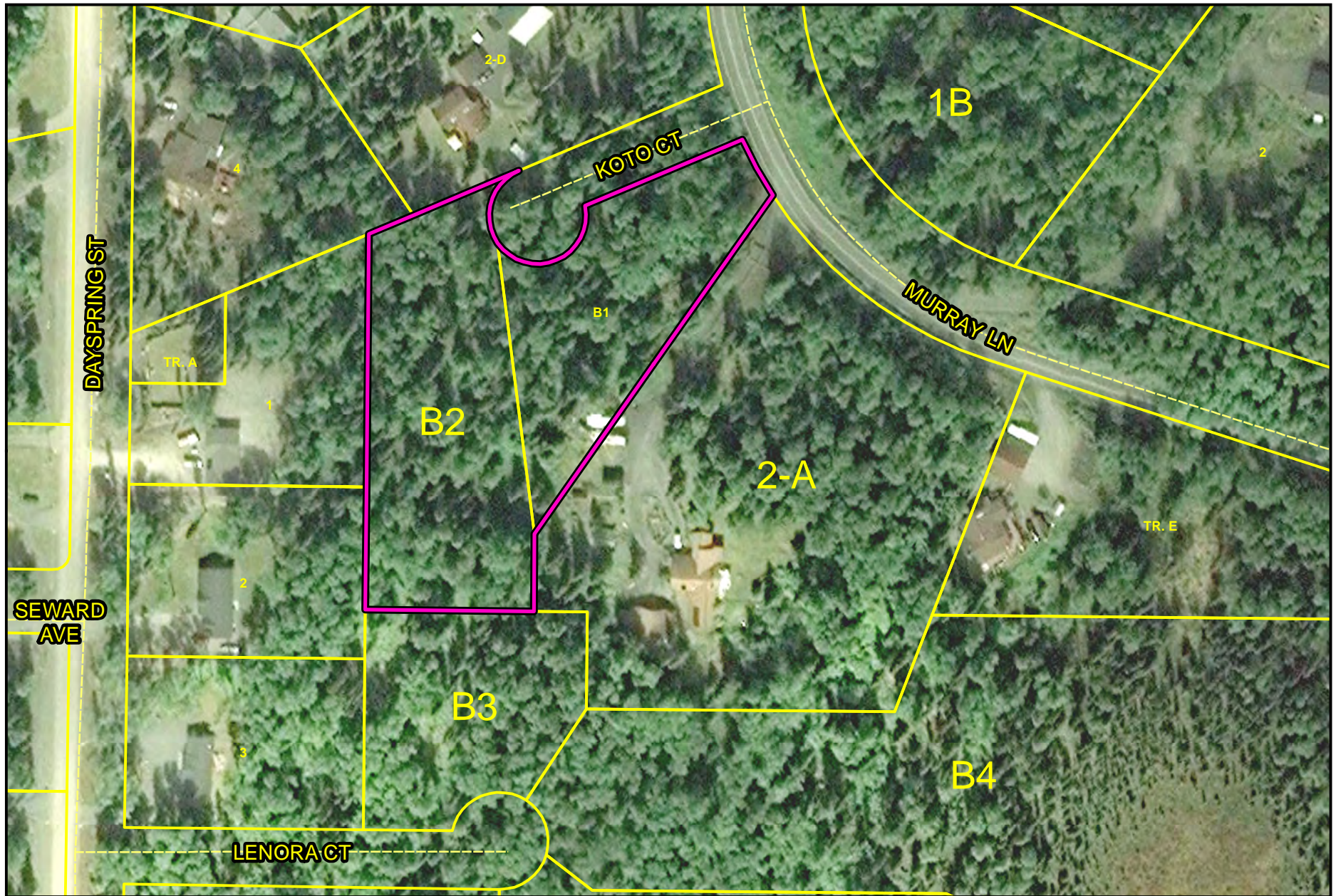
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



KPB 2021-154
S19 T05N R09W
Sterling



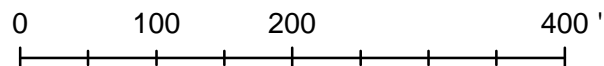
PClements, KPB 2021-154 Date: 1/10/2022



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.

PClements, KPB 2021-154
Imagery Sterling

Aerial View

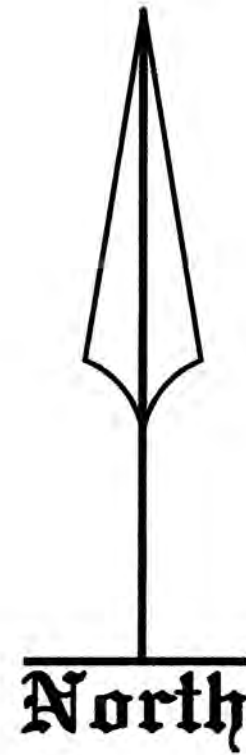


 PRELIMINARY PLAT



LEGEND:

- ⊗ 2 1/2" BRASS. CAP MON. GLO 1920 RECORD
- 1/2" REBAR RECORD
- () RECORD DATUM PLAT 2017-59 KRD



NOTES:

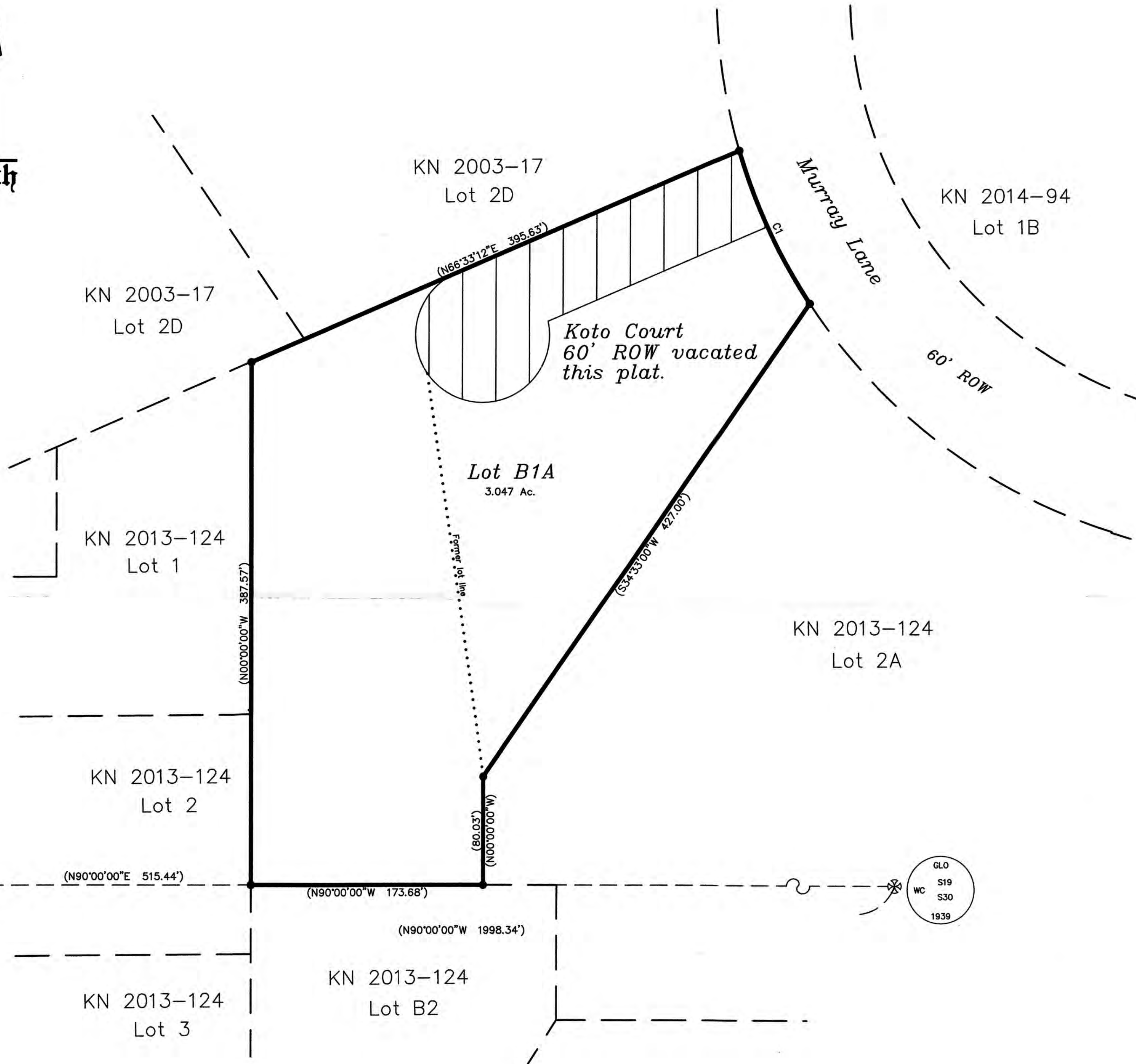
- 1) This is a paper plat. A field survey was not performed in accordance with KPB 20.60.200(A).
- 2) Basis of bearing taken from Murray Subdivision Buck Addition, Plat 2017-59, Kenai Recording District.
- 3) Building Setback-A setback of 20 feet is required from all street Rights-of-Way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
- 4) The vacation of Koto Court was approved by the Planning Commission at the meeting of December 13, 2022.
- 5) Front 15 feet adjacent to right-of-ways and 20 feet within 5 feet of the side lot lines is a utility easement per KN 2017-59. 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.
- 6) WASTEWATER DISPOSAL: The parent subdivision for lots resulting from this platting action was approved by the Kenai Peninsula Borough on November 3, 2017. Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.



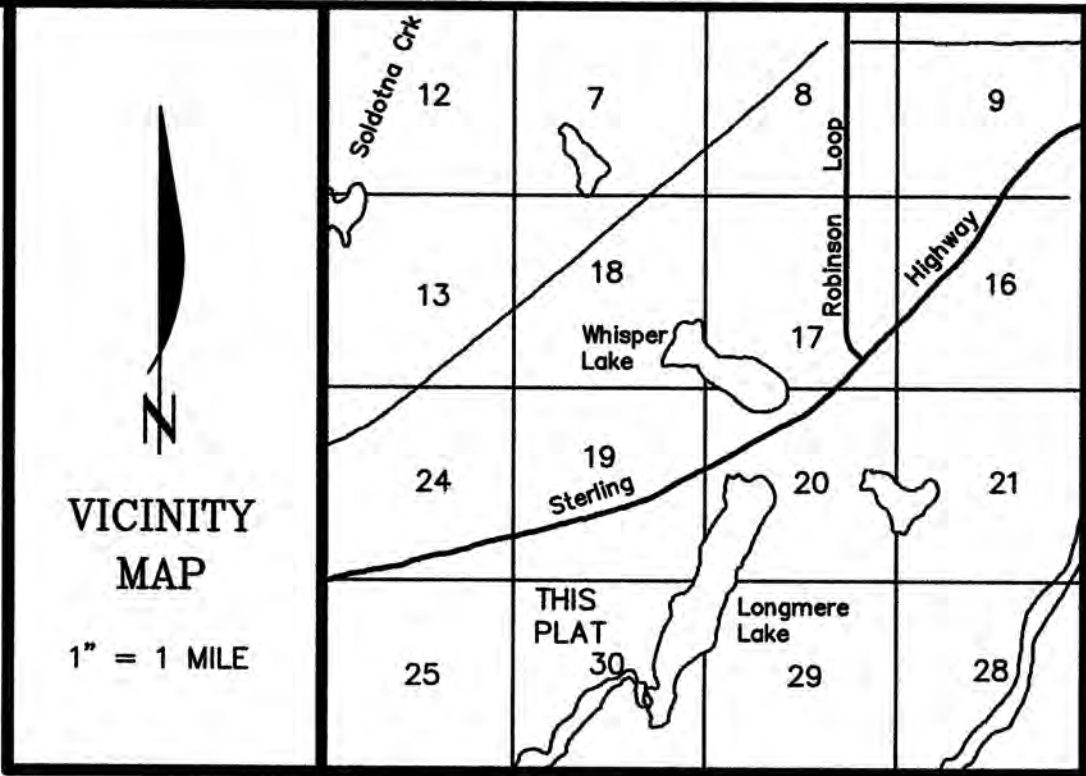
SURVEYOR'S CERTIFICATE

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct.

Date _____



CURVE TABLE						
CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
C1	171°3'00"	417.56'	125.47'	63.21'	125.00'	S25°01'29"E



CERTIFICATE of OWNERSHIP
and DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

MARSHALL W. MARTIN
36075 MURRAY LANE
SOLDOTNA, ALASKA 99669

NOTARY'S ACKNOWLEDGEMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

PLAT APPROVAL

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

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL _____

KPB FILE No. _____

Murray Subdivision
2022 Replat

A resubdivision of Lots B1 and B2 Murray Subdivision Buck Addition, Plat 2017-59, Kenai Recording District, and the vacation of Koto Court.

Located within the SW1/4 SE1/4 Section 19, T5N, R9W, S.M., Kenai Peninsula Borough, Alaska.

Containing xx.xxx Ac.

Surveyor Segesser Surveys 30485 Rosland St. Soldotna, AK 99669 (907) 262-3909	Owner Marshall W. Martin 36075 Murray Lane Soldotna, AK 99669
---	--

JOB NO.	21319	DRAWN:	12-31-21
SURVEYED:	N/A	SCALE:	1"=50'
FIELD BOOK:	N/A	SHEET:	1 of 1

KPB 2021-154

AGENDA ITEM E. NEW BUSINESS

ITEM 7 - MURRAY SUBDIVISION 2022 REPLAT

KPB File No.	2021-154
Plat Committee Meeting:	February 14, 2022
Applicant / Owner:	Marshall W. Martin of Soldotna, Alaska
Surveyor:	John Segesser / Segesser Surveys, Inc.
General Location:	Koto Court and Murray Lane, Sterling

Parent Parcel No.:	063-460-30 and 063-460-31
Legal Description:	Lot B1 and Lot B2, Murray Subdivision, Buck Addition Plat KN 2017-59
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will combine two lots into one and finalize a right of way vacation. The new lot will be 3.047 acres.

Location and Legal Access (existing and proposed): The proposed subdivision is located on Murray Lane, a 100 foot wide right of way maintained by the State of Alaska DOT. Murray Lane is located near mile 89 of the Sterling Highway. The new lot will have access via Murray Lane.

A petition to vacate the Koto Court right of way was approved by the Kenai Peninsula Borough Planning Commission at the December 13, 2021 meeting. The Kenai Peninsula Borough Assembly consented to the vacation at their January 4, 2022 meeting. Koto Court provided legal access to Lot B2 and provided an additional access for Lot B1 and Lot 2D. The combining of Lots B1 and B2 will remove the need for Koto Court as an access. Lot 2D has an existing access via Murray Lane.

The block is not closed and the block length is not compliant. Murray Lane, Dudley Avenue, Dayspring Street, and Hallelujah Drive define the block. A vacation has removed the section line easements that would have provided a closed and compliant block. Murray Lane ends at an intersection with Lakeshore Drive while Hallelujah Drive ends at a lot. This block is bordered by Longmere Lake and the ability to obtain a closed block will be difficult due to existing structures and low wet areas. The distance along Dayspring Street exceed allowable lengths. **Staff recommends the plat committee concur that an exception to block length requirements is not required as this subdivision will not be able to provide right of way dedications to improve the block length.**

KPB Roads Dept. comments	Out of jurisdiction: No Roads Director: Uhlin, Dil Comments: No comments.
SOA DOT comments	The ROW for Murray Lane is labeled as 60' wide, however plat 2018-18 shows Murray Lane as a 100' ROW width at this location.

Site Investigation: The subdivision is not affected by low wet areas or steep terrain.

KPB River Center review	A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: No comments
-------------------------	--

	<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: Russell, Pam Comments: No Comments</p>
State of Alaska Fish and Game	The proposed actions will not affect public access to public lands and waters. No objections.

Staff Analysis The property was first subdivided by Murray Tract "A", Plat KN 76-26. Multiple subdivisions and replats have occurred involving the property. Murray Subdivision Buck Addition, Plat KN 2017-59, created the current configuration and dedicated Koto Court.

The preliminary plat will be combining two lots and attaching the land from the vacated right of way back to the property from which it was dedicated from.

Per KPB 20.40.020(A)(1)(a), a wastewater review will not be required as the plat increased the lot by 1,000 sq. ft. or more of area available for wastewater disposal. A soils analysis report was reviewed and approved by the Kenai Peninsula Borough Planning Department for the parent subdivision. The correct plat note is present on the plat.

Per KPB Code 20.60.200(A), a field survey is not required as this is only eliminating existing property lines. This is noted in plat note 1.

Per KPB GIS Imagery, possible encroachments may be present on the shared lot line with Lot 2A Murray Subdivision Martin Addition No. 3, Plat KN 2013-124. KPB Assessing records indicate that the owner of Lot 2A is the same owner of the property within this replat. A field survey is not required for this platting action so the encroachment will not be verified. **Staff recommends the plat note be added, "Acceptance of this plat by the Kenai Peninsula Borough does not indicate acceptance of any encroachments."**

The building setback is noted on the plat. **Staff recommends depiction of the building setback be added and if it interferes with the legibility of the plat add a typical lot depiction.**

The property is not within an advisory planning commission.

Utility Easements The original survey, Murray Tract "A" (Plat KN 76-26), did not grant utility easements that affect the subject properties. When the property was resubdivided by Murray Tract "A" Martin 1982 Subdivision (Plat KN 83-276) the 20 foot building setback along Murray Lane became the limit of utility easements. Murray Subdivision Replat of Lot 2 & Martin 1986 Subdivision of Tract A-1 & Replat of Tract D (Plat KN 88-38) granted a 20 foot utility easement centered on the shared lot line of what is now the northern boundary of the proposed subdivision.

Murray Subdivision Buck Addition (Plat KN 2017-59) dedicated Koto Court with associated utility easements. The dedication of Koto Court was atop the previously granted 10 foot utility easement. The dedication did not vacate or void the easement. The vacation of Koto Court included associated utility easements that were granted with the dedication. The petition was viewed that the vacation would include the 10 foot utility easement within Koto Court but the portion within the lot, as granted by Plat KN 88-38, still exists. If the owners wish to leave the easement intact along the entire length of the property line or a utility provider requests the easement remain it should be depicted and noted. **Staff recommends the following,**

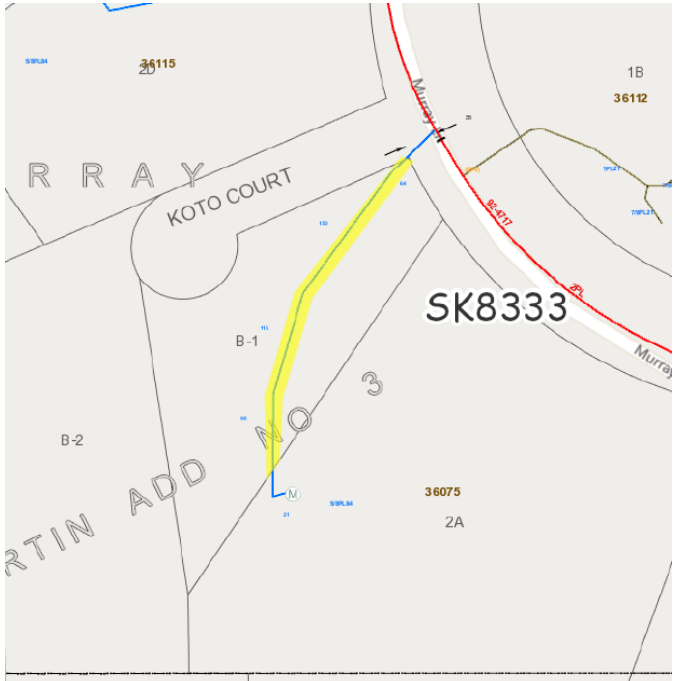
- Provide a depiction of the 20 foot setback along Murray Lane and include a note stating the setback is the limit of the utility easements.

- Update plat note 5 to reflect the correct utility easements as granted by KN 83-276.
- Depict and label the existing 10 foot utility easement along the northern property line from the northwest corner to the vacated portion of Koto Court.
- Depict and label the utility easement associated with Koto Court that is being vacated with this platting action.
- Provide a plat note that states, "the 10 foot utility easement granted per KN 88-38, where located within Koto Court, will be vacated with the recording of this plat."

The certificate to plat indicates a recorded easement granted to Homer Electric Association has been issued. **Staff recommends** a plat note be added to note the easement of record.

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	
ENSTAR	<p>ENSTAR Natural Gas Company has reviewed preliminary plat Murray Subdivision 2022 Replat (KPB Case # 2021-154) and advises that there is an existing natural gas service line which appears to cross proposed Lot B1A to serve Lot 2A. Attached is an approximate ENSTAR as-built for your reference. ENSTAR objects to this plat unless one of the following scenarios is met:</p> <ol style="list-style-type: none"> 1. Add a note which says, "There is a ten foot (10 FT) wide natural gas easement centered on the existing service lines." And draw in the approximate location of the service line on the map and add, "Approximate location of natural gas service line and centerline of ten foot (10 FT) wide natural gas easement". 2. Owner signs an ENSTAR Natural Gas Easement document for a ten foot (10 FT) wide natural gas easement centered on the service line at this location.
	
ACS	No objections.
GCI	Approved as shown.

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek Affected Addresses: None</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: KOTO CT MURRAY LN</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 addresses affected by this subdivision.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	<p>Reviewer: Aldridge, Morgan 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: Wilcox, Adeena Comments: No comment</p>
Advisory Planning Commission	

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**

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: *Revise the description to read, ‘... and the vacation of Koto Court and associated utility easements.’ Update the total acreage.*

- 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:

- Remove or label the line through sections 24, 13, 18, 7, 8, and 9.
- Provide the suffix “Road” to Robinson Loop Road.
- Add the location of the subject subdivision.
- Provide the township and range labels.
- Either remove the Soldotna Creek label or add the depiction of the creek.
- Add a label for the Kenai River in section 28.

- F. The location, width and name of existing and platted streets and public ways, railroad rights-of-way, easements, and travel ways existing and proposed, within the subdivision;

Staff recommendation: *Correct the width for Murray Lane to 100 feet.*

- 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:

- Update the recording number for Lot 1B to KN 2018-18
- Update the labels for the lot to the northwest, Lot 4 KN 88-38
- Update the labels for the lot to the south, Lot B3 KN 2017-59
- Provide a label to the lot located southeast, Lot B4 KN 2017-59 (this lot is within 100 feet of the subdivision boundary)

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: Soils analysis not required as it is increasing the lot size.

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.*

- 20.60.130. Boundary of subdivision. The boundary of the subdivision shall be designated by a wider border and shall not interfere with the legibility of figures or other data. The boundary of the subdivided area shall clearly show what survey markers, or other evidence, was found or established on the ground to determine the boundary of the subdivision. Bearing and distance ties to all survey markers used to locate the subdivision boundary shall be shown.

Staff recommendation: *Depict the former right of way boundary with a broken or dotted line style.*

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.*

- *"No access to state maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation."*
- *Subject to an easement for electric lines or system and/or telephone lines together with right to enter, maintain, repair and clear shrubbery granted to Homer Electric Association, Inc. in Misc Book 7 Page 37 of the Kenai Recording District. No definite location disclosed.*
- *Acceptance of this plat by the Kenai Peninsula Borough does not indicate acceptance of any encroachments.*

If the plat does not intend to leave the 10 foot utility easement along the northern boundary, add the plat note "The 10 foot utility easement granted per KN 88-38, located within Koto Court, will be vacated with the recording of this plat."

Update plat note 4, "The vacation of Koto Court and associated utility easements was approved by the Planning Commission at the meeting of December 13, 2021. The Kenai Peninsula Borough Assembly consented to the vacation at the meeting of January 4, 2022."

Revise plat note 5, "Front 20 feet adjacent to right of ways is a utility easement per KN 83-276. No permanent..."

KPB 20.70 – Vacation Requirements

Staff recommendation. *Must be recorded within one year of Assembly consent received on January 4, 2022.*

RECOMMENDATION:

STAFF RECOMMENDS:

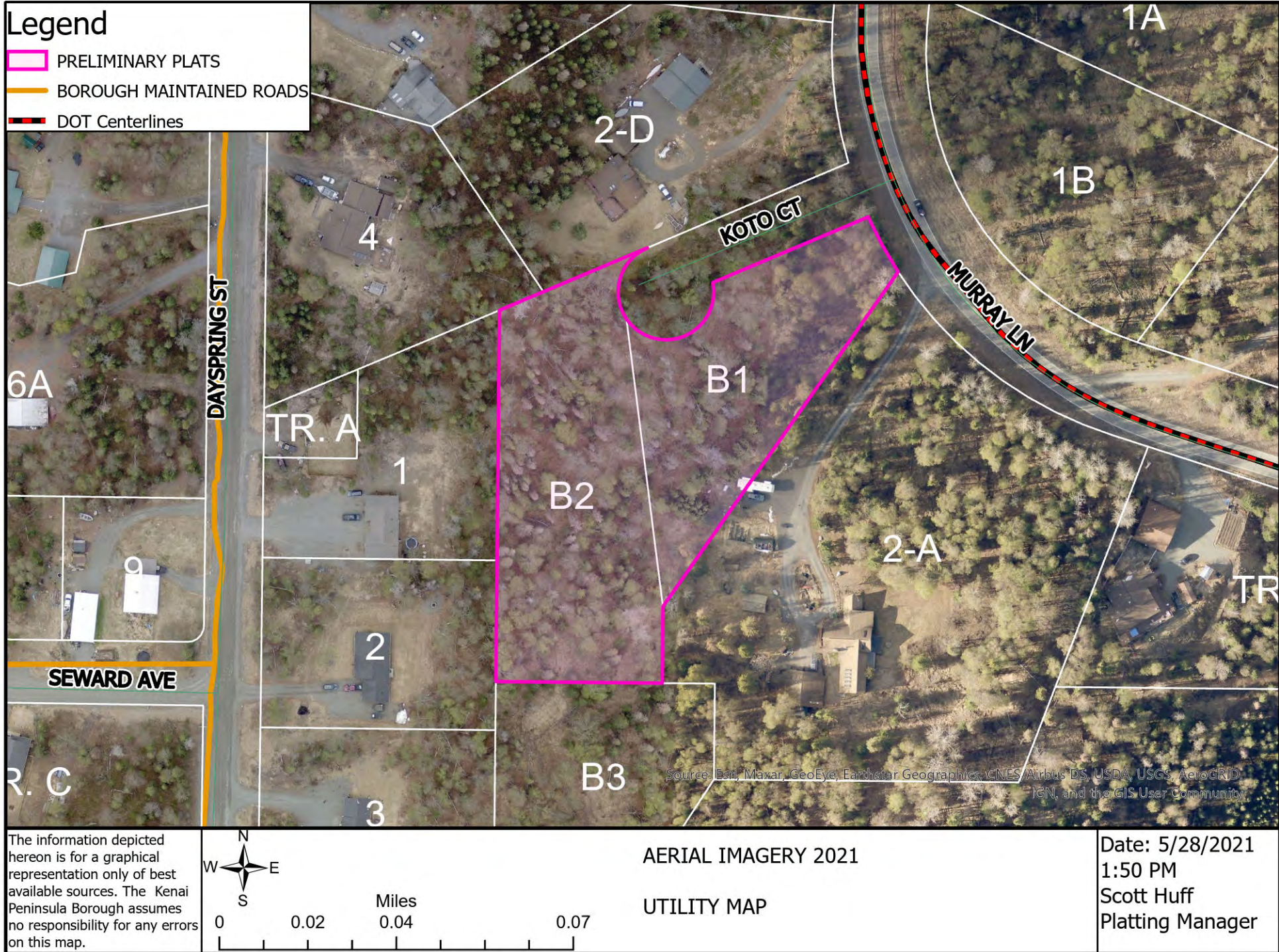
- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL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

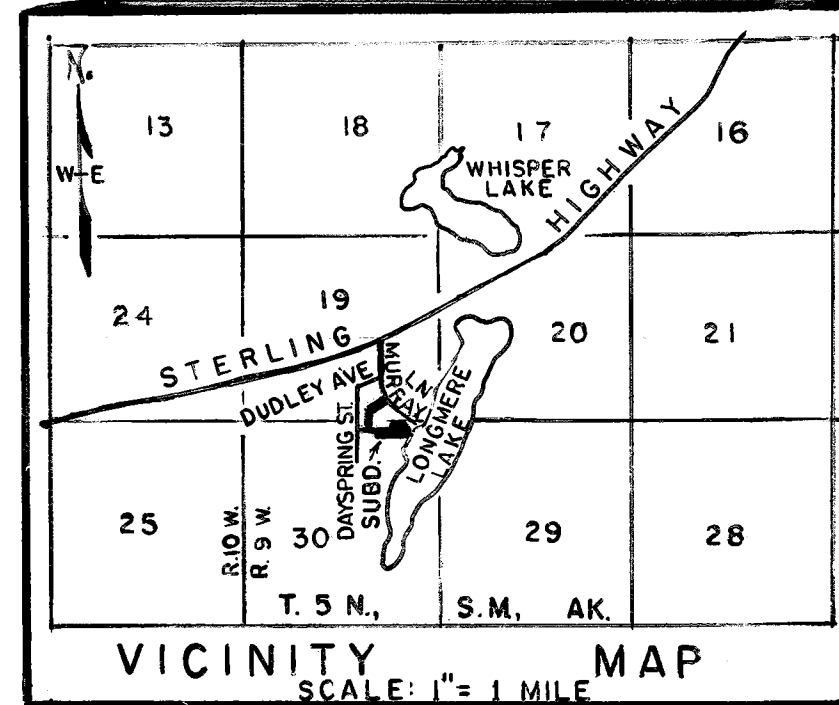
A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

END OF STAFF REPORT



Δ	R	T	ARC	BEARING	CORD
1. 17°13'02"	417.56'	63.21'	125.47'	S 25°01'29"E	125.0'
2. 8°15'02"	417.56'	30.12'	60.13'	S 20°32'30"E	60.08'
3. 8°58'00"	417.56'	32.74'	65.34'	S 29°09'00"E	65.28'
4. 101°32'20"	50.0'	61.24'	88.61'	S 15°47'00"W	77.46'
5. 156°55'10"	50.0'	244.88'	136.94'	N 66°33'12"E	97.98'
6. 110°59'00"	50.0'	72.73'	96.85'	N 67°01'43"E	82.4'
7. 73°44'23"	50.0'	37.5'	64.35'	S 20°36'35"E	60.0'
8. 73°44'23"	50.0'	37.5'	64.35'	S 53°07'48"W	60.0'

LEGEND
 2 1/2" BRASS CAP MONUMENT FOUND 1920 G.L.O.
 1/2" REBAR ROD FOUND
 1/2" x 24" REBAR ROD SET
 --- UTILITY EASEMENT
 --- BUILDING SETBACK LINE
 () = RECORD DATA

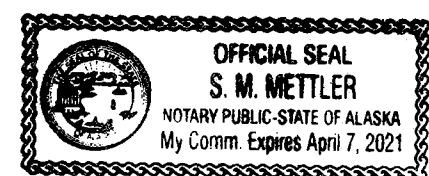


CERTIFICATION OF OWNERSHIP AND DEDICATION
 I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHT OF WAYS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

Marshall W. Martin
 Marshall W. Martin (36075 MURRAY LANE, SOLDOTNA, AK 99669)

NOTARY'S JURAT
 SUBSCRIBED AND SWORN BEFORE ME THIS 24 DAY OF Nov 2017
 FOR: Marshall W. Martin
 NOTARY PUBLIC FOR ALASKA

My Commission Expires 4/7/2021

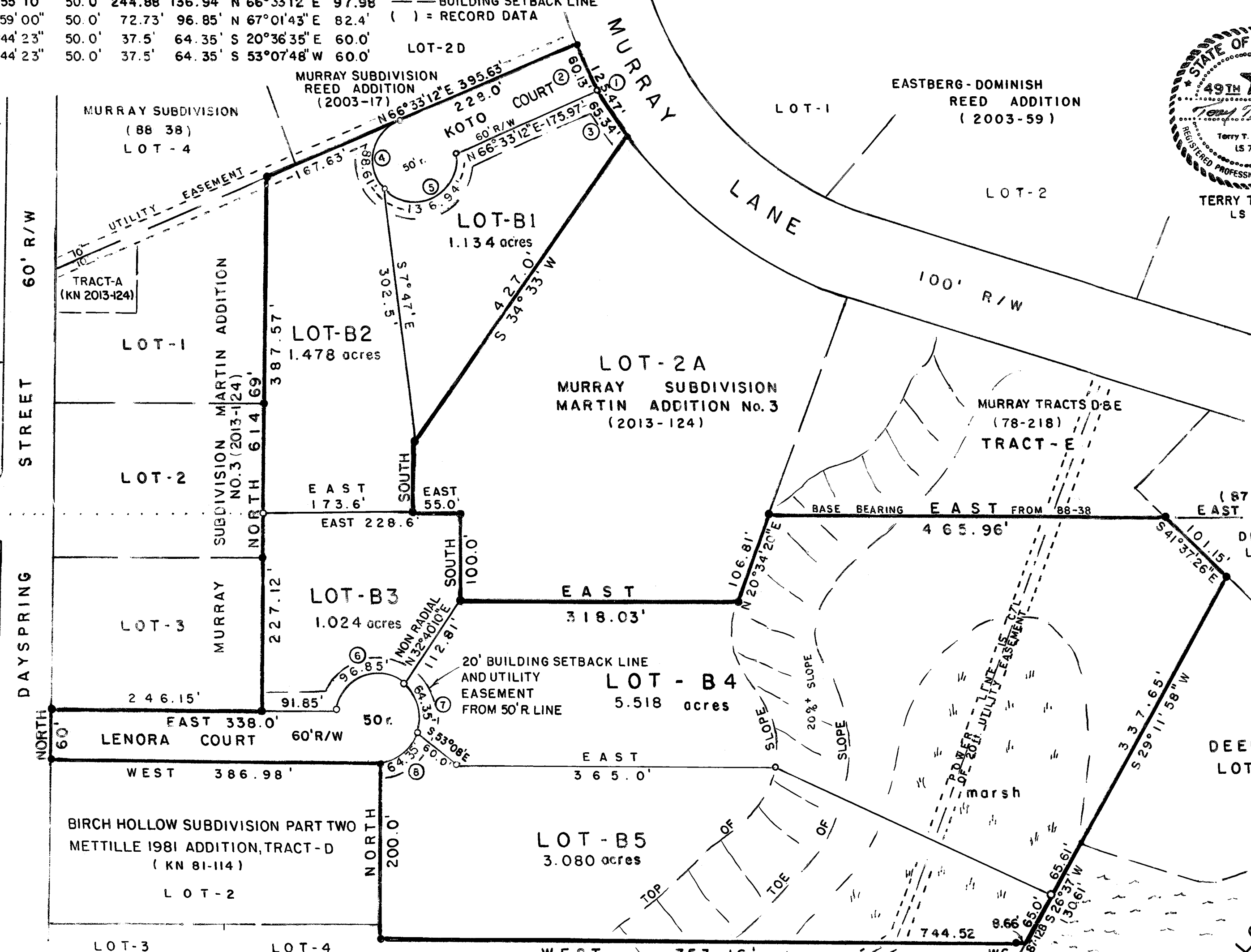


PLAT APPROVAL:
 This subdivision plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of MAY 8, 2017
 Kenai Peninsula Borough by *Max Best*
 Authorized Official

MURRAY SUBDIVISION BUCK ADDITION

COMPRISED OF 13.324 acres TRACT-B OF MURRAY SUBDIVISION MARTIN ADDITION NO. 3 (2013-124) IN THE S 1/2 SE 1/4 SECTION 19, AND IN THE N 1/2 NE 1/4 SECTION 30, T.5N., R.9W., S.M. KENAI RECORDING DISTRICT
 KENAI PENINSULA BOROUGH, ALASKA
 OWNER: MARSHALL W. MARTIN, 36075 MURRAY LANE, SOLDOTNA, AK 99669
 SURVEYOR: TERRY T. EASTHAM No. 7629-S
 33986 COMMUNITY COLLEGE DR. SOLDOTNA, AK 99669
 K. P. B. File No. 2015-066R1 Scale: 1" = 100' March 15, 2017

SCALE: 1"=100'
 LOT-6 (76-101)
 LOT-8 LOT-9 JONES STREET
 LOT-1 BIRCH HOLLOW SUBD. PART-TWO JEAN DITTRICK 1983 SUBDIVISION TRACT-C (KN 83-249)
 LOT-2

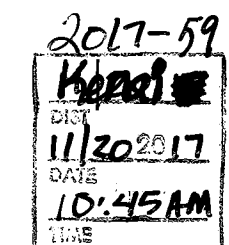


- NOTES:**
- SUBDIVISION TIES TO MONUMENTS ARE MEASURED AND OF RECORD IN COMPLIANCE WITH K.P.B. 20.60.120.
 - FOR AREAS SUBJECT TO INUNDATION ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENG. WETLANDS DETERMINATION IF APPLICABLE.
 - AN EXCEPTION TO KPB 20.30.190. 3:1 DEPTH TO WIDTH RATIO FOR LOT-B5, AND A EXCEPTION TO KPB 20.30.170. BLOCK LENGTH REQUIREMENTS WERE GRANTED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF JULY 13, 2015.
 - ROADS MUST MEET THE DESIGN AND CONSTRUCTION STANDARDS ESTABLISHED BY THE BOROUGH IN ORDER TO BE CONSIDERED FOR CERTIFICATION AND INCLUSION IN THE ROAD MAINTENANCE PROGRAM (KPB 14.06).
 - A BUILDING SETBACK OF 20FT. IS REQUIRED FROM ALL STREET RIGHT OF WAYS UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
 - NO DIRECT ACCESS TO STATE MAINTAINED RIGHT-OF-WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES.
 - EXISTING OVERHEAD POWER LINES ARE CENTERLINE OF A 20FT. WIDE ELECTRICAL DISTRIBUTION LINE EASEMENT INCLUDING GUYS AND ANCHORS.
 - THE FRONT 15' FT. OF THE 20FT. BUILDING SETBACK IS A UTILITY EASEMENT, AND THE ENTIRE SETBACK WITHIN 5 FT. OF SIDE LOT LINES 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.
 - THE NATURAL MEANDERS OF ORDINARY HIGH WATER FORMS THE TRUE LIMITS OF LOT LINES.
 - THIS SUBDIVISION IS SUBJECT TO CONDITIONS AND EASEMENT FROM PARENT PLATS KN 2013-124 KN 86-246, AND KN 2007-85.
 - THE UTILITY EASEMENT FOR LOTS B3, B4, AND B5, FRONTING LENORA COURT IS LIMIT OF 20FT. BUILDING SETBACK LINE PER BIRCH HOLLOW SUBDIVISION NO. 3, KN 83-245.

WASTEWATER DISPOSAL

SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES IN 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 PROFESSIONAL ENGINEER REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

DECEASED ON 11/03/17
 (SIGNATURE OF ENGINEER) LICENSE NO. DATE
 ORIGINAL SIGNED SOIL REPORT
 IS ON FILE WITH K.P.B. *P.O.B. Jeller 11/20/17*
 PLANNING OFFICER

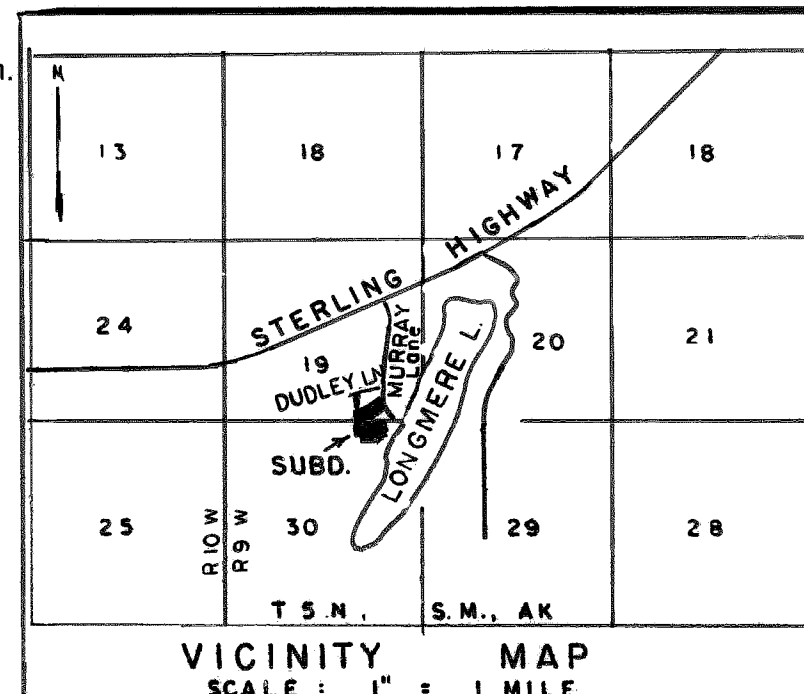


WASTEWATER DISPOSAL FOR TRACT-A: No wastewater will be generated or disposed of on Tract-A. Conditions might not be suitable for onsite wastewater treatment and disposal systems. Any onsite wastewater treatment and disposal system must meet the wastewater disposal requirements of KPB Chapter 20.14 and regulatory requirements of the Alaska Department of Environmental Conservation.

NOTE: Exceptions were granted to 20.20.030 and 20.20.190 by the Kenai Peninsula Borough Nov. 14, 2014

NOTES:

1. Subdivision limits and ties to monuments are record data from Murray Subdivision. (no.88-38) measured and accepted as true data for this subdivision.
2. A building setback of 20ft. is required from all street right-of-ways unless a lesser standard is approved by resolution of the appropriate planning commission.
3. No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
4. The data for the State (Murray Lane) is record for subdivision limits from Murray Subdivision (no.88-38).
5. No access to state maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation.
6. Existing overhead power lines are centerline of a 20 ft. wide electrical distribution line easement including guys and anchors.
7. The front 10 ft. of the 20 ft. building setback is a utility easement.
8. Tract and Lots in this subdivision are subject to reservations, easements, dedications, and restrictions of record. U.S. Mineral Patent 9-27-1982 B.194 P.758, Oil gas and mineral rights 5-28-1976 B.96 P.28 H.E.A Elec. easement 8-4-1961 B.7 P.37, Subdivision plats and notes by 83-245, 86-246, 2007-85.



CERTIFICATION OF OWNERSHIP AND DEDICATION

I hereby certify that I am the owner of the property shown and described hereon, and that I hereby adopt this plan of subdivision and by my free consent grant all easements to the use shown.

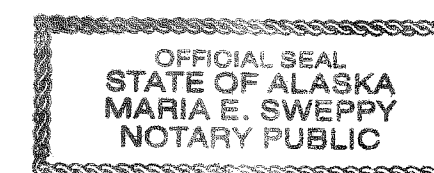
Marshall W. Martin
MARSHALL W. MARTIN
36075 Murray LN
Soldotna AK 99669

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me
this 30 day of December 2013
for: Marshall W. Martin

Notary Public
for Alaska

My Commission
Expires
1-16-15



PLAT APPROVAL

This subdivision plat was approved
by the Kenai Peninsula Borough
Planning Commission at the
meeting of NOVEMBER 14, 2011
Kenai Peninsula Borough
by *Raul B. Joeller*
Authorized Official

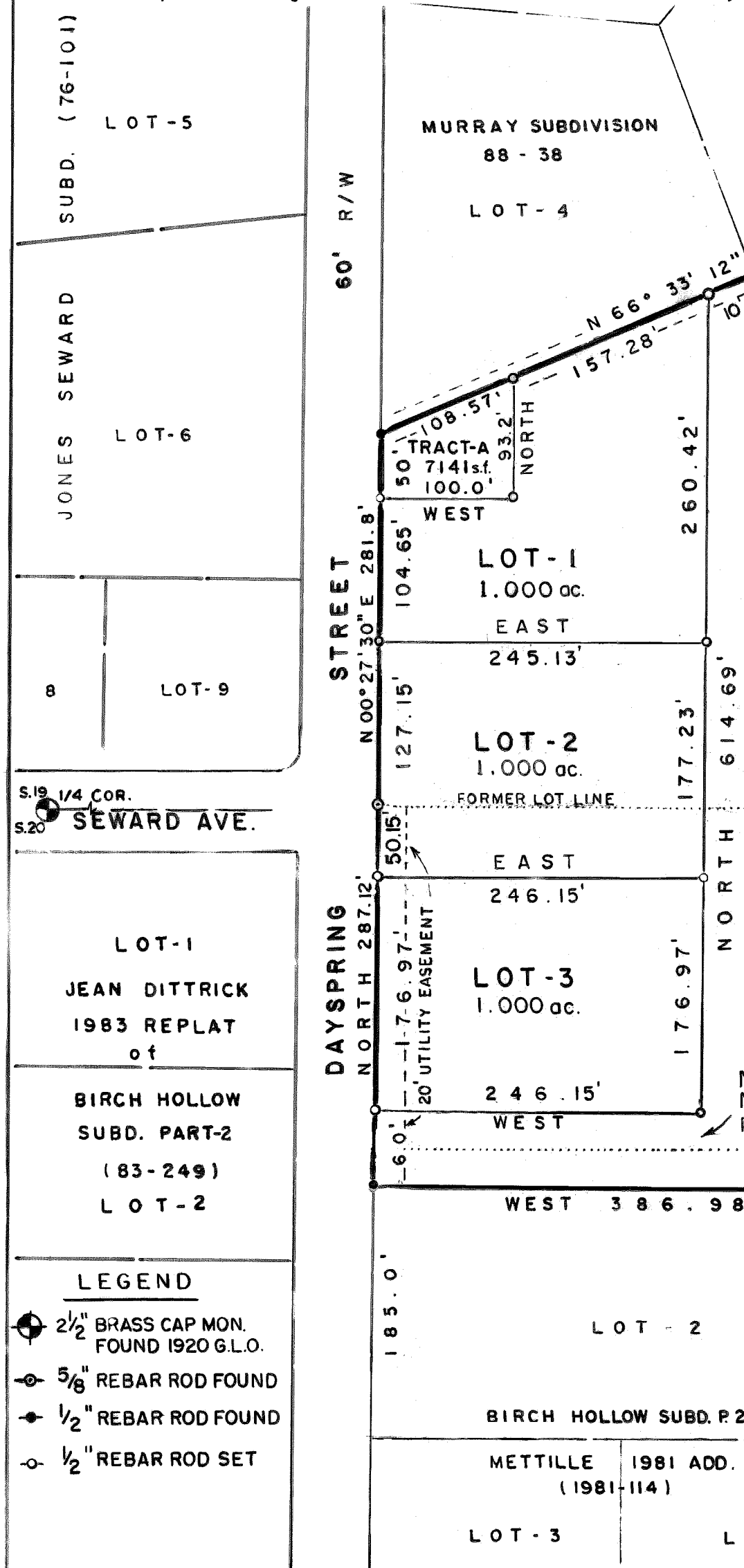
MURRAY SUBDIVISION MARTIN ADDITION NO.3

COMPRISED OF 20.345 acres LOT-1 (4.993 ac) LOT-2 (3.00 ac)
MURRAY SUBDIVISION MARTIN ADDITION NO.2 (2007-85)
TRACT-B-1 (4.731 ac) BIRCH HOLLOW SUBD. NO.3 (83-245)
LOT-1A-1 (7.621 ac) BIRCH HOLLOW SUBD. P.2 (87-120)
IN THE N 1/2 NE 1/4 SECTION 30, and the SE 1/4 SECTION 19
T.5N., R.9N., S.M., Kenai Recording District

KENAI PENINSULA BOROUGH, ALASKA

OWNERS: MARSHALL W. MARTIN
BOX 49 Rt 2 SOLDOTNA, AK 99669

SURVEYOR: TERRY T. EASTHAM NO. 7629, 33986 COMMUNITY COLLEGE DR.
SCALE: 1" = 100' DATE: AUGUST 2011 SOLDOTNA, AK 99669



NOTE:
No structures are permitted within the
panhandle portion of flag lot.

CURVE DATA					
Δ	R.	T	L.	B.	C.
① 17°13'02"	417.56'	63.21'	125.47'	S25°01'29"E-125.0'	
② 39°15'12"	417.56'	148.90'	286.07'	S53°15'34"E-280.51'	
③ 56°28'11"	417.56'	224.22'	411.54'	S44°39'00"E-395.08'	

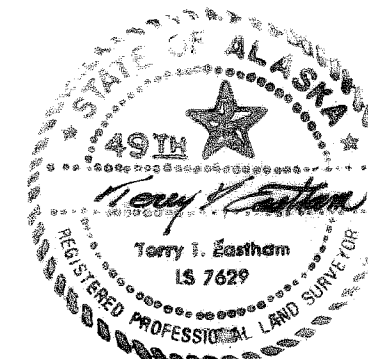
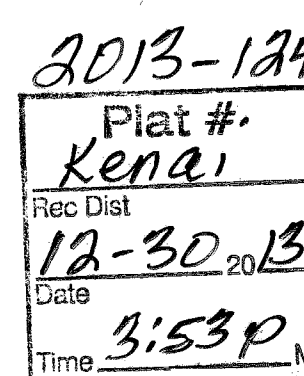
WASTEWATER DISPOSAL FOR TRACT B: Tract-B is at least 200,000 square feet or nominal 5 acres in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

WASTEWATER DISPOSAL: Conditions, water table levels, and soil slopes for LOTS 1,2,2A,3 in 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 professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation.

[Signature]
(Signature of Engineer)

CE13353
License no.

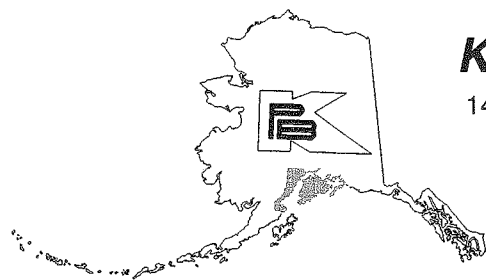
23 Dec 2013
Date



October 30, 2013
Terry T. Eastham
No. LS 7629

K. P. B. FILE NO. 2011-168

Kenai 2013-124



KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520

Toll-free within the Borough: 1-800-478-4441

PHONE: (907) 262-4441 • FAX: (907) 262-1892

www.borough.kenai.ak.us

MIKE NAVARRE
BOROUGH MAYOR

CERTIFICATE OF TAX DEPARTMENT

I, Rhonda K. Krohn, Property Tax and Collections Supervisor for the Kenai Peninsula Borough, do hereby certify that, as of the date of this certificate, all real property taxes levied by the Kenai Peninsula Borough have been paid for the area(s) described as:

Subdivision: MURRAY SUBDIVISION MARTIN ADDITION NUMBER THREE

Parcel # 06372023

T 5N R 9W SEC 30 Seward Meridian KN 0830245 BIRCH HOLLOW SUB NO 3 TRACT B-1

Parcel # 06372032

T 5N R 9W SEC 30 Seward Meridian KN 0870128 BIRCH HOLLOW SUB PART 2 1987
SUPPLEMENTAL TO PLAT KN860246 LOT 1-A-1

Parcel # 06346020

T 5N R 9W SEC 19 Seward Meridian KN 2007085 MURRAY SUB MARTIN ADDN NO 2 LOT
1

Parcel # 06346021

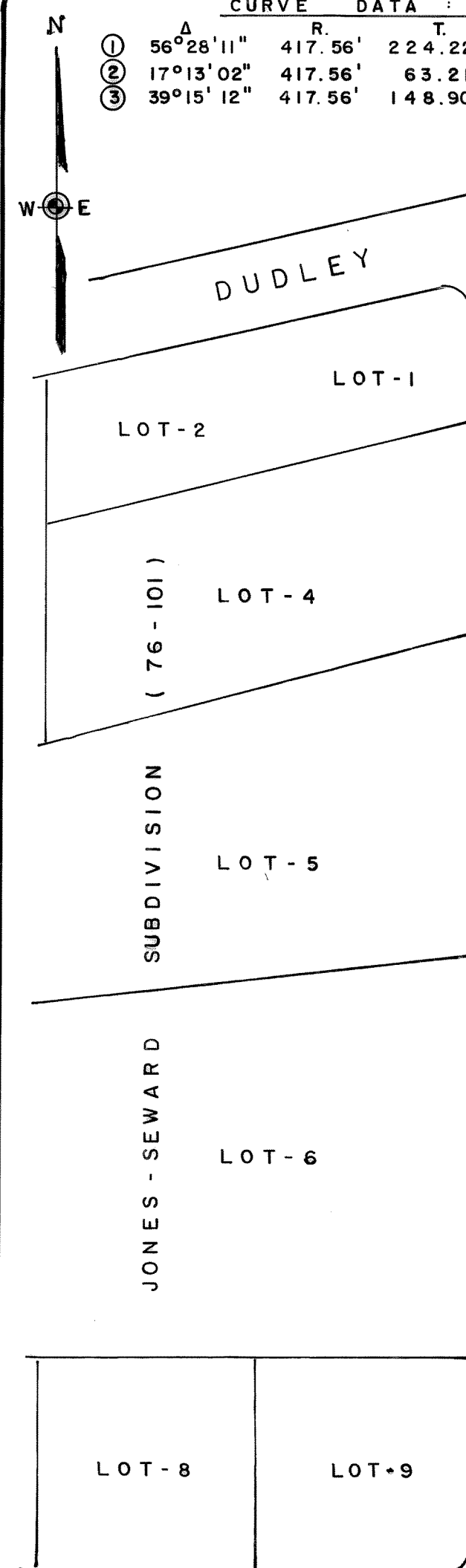
T 5N R 9W SEC 19 Seward Meridian KN 2007085 MURRAY SUB MARTIN ADDN NO 2 LOT
2

The following assessments (except assessments for the cities of Homer, Kenai, Seward, Seldovia, and Soldotna) levied against this property are outstanding:
NONE.

Witness my hand and seal this 13th day of December, 2013.

Rhonda K. Krohn
Property Tax and Collections Supervisor

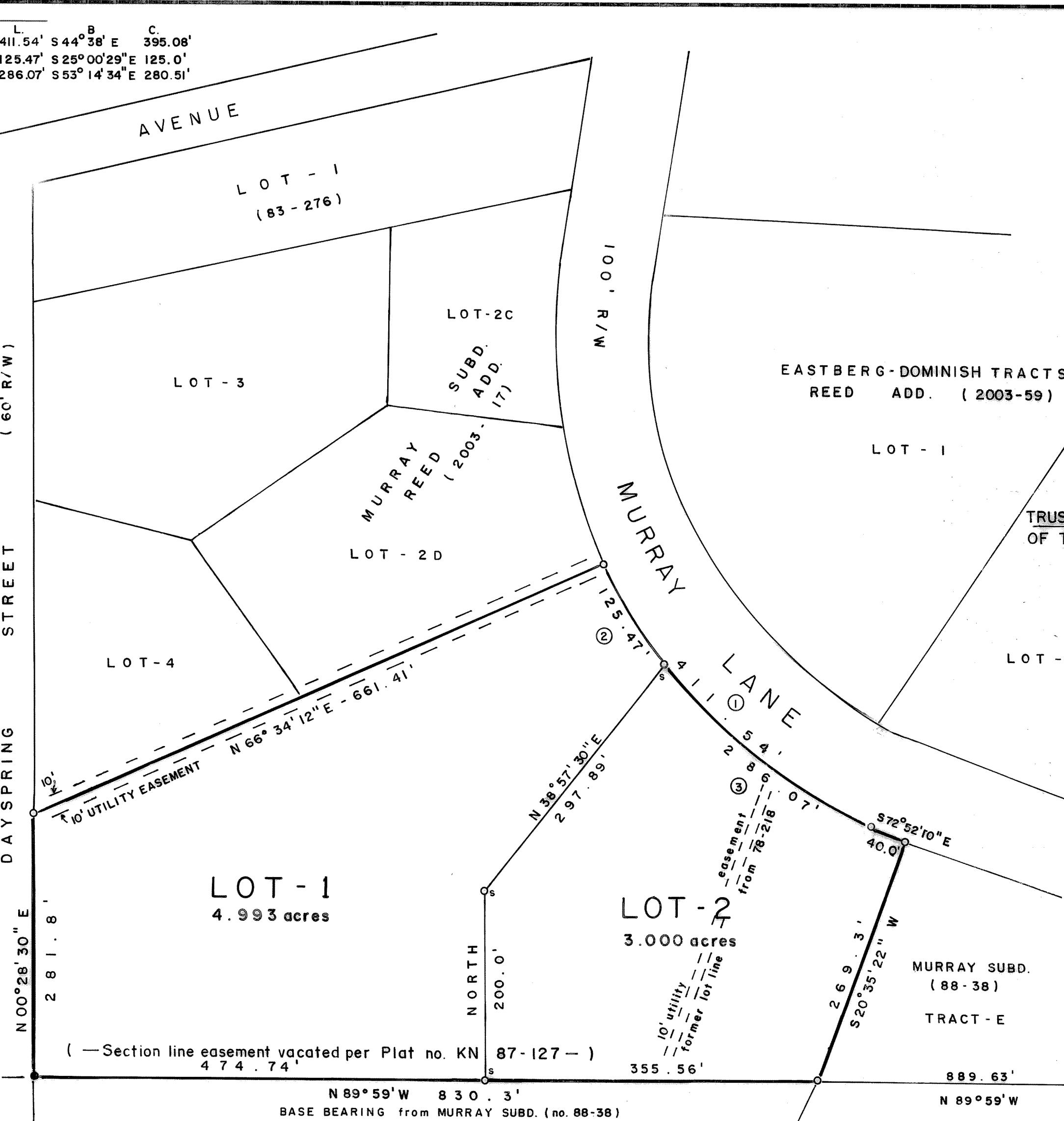
CURVE DATA					
	Δ	R	T	L	B
①	56°28'11"	417.56'	224.22'	411.54'	S 44°38'E 395.08'
②	17°13'02"	417.56'	63.21'	125.47'	S 25°00'29"E 125.0'
③	39°15'12"	417.56'	148.90'	286.07'	S 53°14'34"E 280.51'



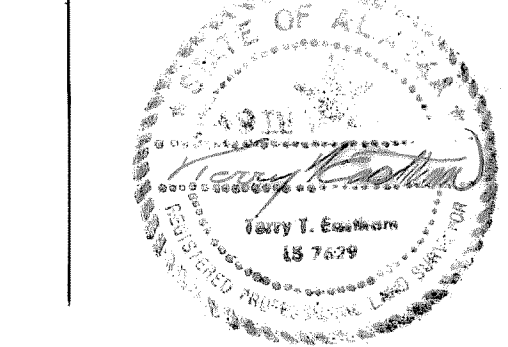
SEC. 19
1/4 cor SEWARD AVE. (66' R/W)
SEC. 30 N 89°59'W 515.44'

LOT - 1
BIRCH HOLLOW
SUBD. PART - 2,
JEAN DITTRICK 1983 Tr.C.
(83-249)
LOT - 2

LEGEND
2 1/2" Brass cap monument found
(1920 G.L.O.)
5/8" rebar rod found
1/2" rebar rod found
1/2" rebar rod set

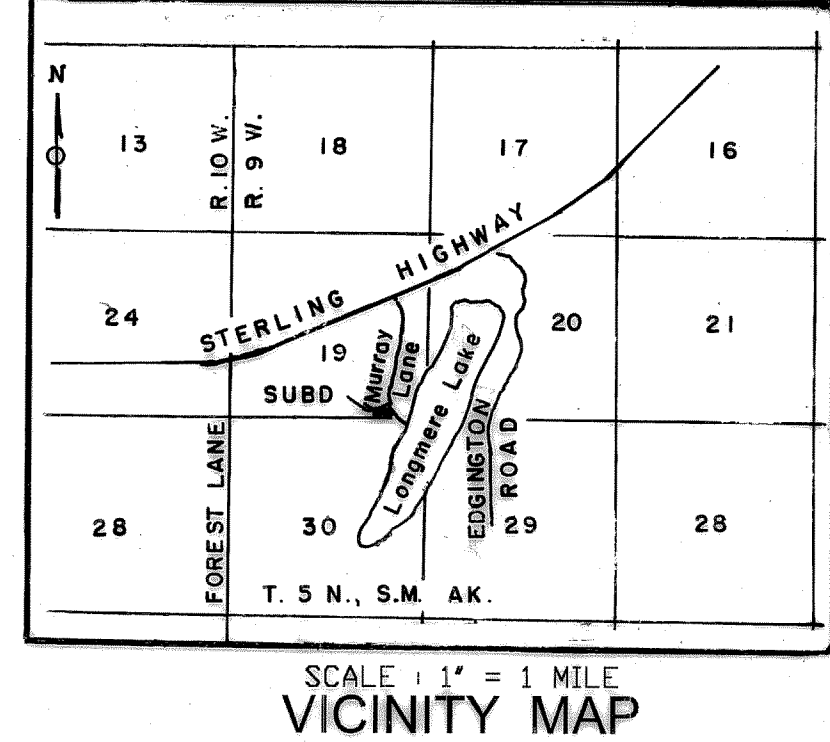


(— Section line easement vacated per Plat no. KN 87-127 —)
474.74'
N 89°59'W 830.3'
BASE BEARING from MURRAY SUBD. (no. 88-38)
BIRCH HOLLOW
SUBD. NO. 3 (83-245)
TRACT - B1
BIRCH HOLLOW SUBD. PART - 2
(87-128)
LOT - 1A1



Wastewater Disposal: Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single family of 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 professional engineer registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation.
Terry T. Eastham
3365.E
7/24/07
(Signature of engineer) License No. Date

PLAT APPROVAL
This subdivision plat was approved by the Kenai Peninsula Planning Commission at the meeting of October 11, 2004 by Marshall W. Martin Authorized Official



CERTIFICATION OF OWNERSHIP AND DEDICATION
We hereby certify that we are the owners of the property shown and described hereon, and that we hereby adopt this plan of subdivision and by our free consent grant all easements to the use shown.

TRUSTEE: MARSHALL W. MARTIN TRUSTEE: ALICE M. MARTIN
OF THE MARTIN FAMILY TRUST

NOTARY'S ACKNOWLEDGEMENT
Subscribed and sworn before me this 10 day of July 2007 for: Marshall W. Martin Alice M. Martin

Notary Public for Alaska
My Commission Expires 7-18-11

- NOTES
1. Subdivision limits and ties to monuments are record data from Murray Subdivision. (no.88-38) measured and accepted as true data for this subdivision.
 2. A building setback of 20ft. is required from all street right-of-ways unless a lesser standard is approved by resolution of the appropriate planning commission.
 3. No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
 4. The data for the State road (Murray Lane) is record for subdivision limits from Murray Subdivision (no. 88-38).

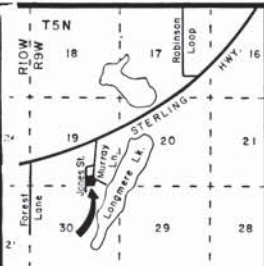
2007-85
Kenai REC DIST 10
Date 10/2 2007
Time 10:23 AM
Requested By Eastham
Address Terry

MURRAY SUBDIVISION MARTIN ADDITION NO.2

Comprised of 7.993 acres; LOT-5D of MURRAY SUBDIVISION Replat of Lot-2 and Martin 1986 Subd. of Tract-1A and Replat of Tract-D. PLAT NO 88-38 K.R.D. AK.
Owner: Marshall W. Martin and Alice M. Martin
36195 MURRAY LANE, SOLDOTNA, AK 99669

Surveyor: Terry T. Eastham #7629
po box 2891 Soldotna AK 99669

Drawn and Surveyed August 2006
Scale 1"=100" KPB no. 2004-249



VICINITY 1"=1 mi. MAP

PLAT APPROVAL

This plat was approved by the Kenai Pen. Borough Planning Commission at the meeting of 12-1-86, 1987.

KENAI PENINSULA BOROUGH

By Richard S. Torgler
authorized official

LEGEND

- - 1940 brass cap mon. by GLO, found
- - 5/8" rerod, found
- - 1/2" rerod, found
- - 1/2"x2' rerod, set

NOTE

A building setback of 20' from all street R.O.W.'s is required unless a lesser standard is approved by a resolution of the appropriate planning commission.
Building setback line to be limit of utility easements along streets.

Soils on these lots may or may not be suitable for conventional on-site waste disposal systems. No person may construct, install, maintain, or operate a pressurized water system or water born waste disposal system unless approval of the of the Alaska D.E.C. is obtained.

CURVES

I	2
A 20°-34'-56"	56°-27'-54"
R 417.56'	417.56'
C 149.19'	395.08'
T 75.82'	224.2'
L 150'	411.51'
B S06°-06'-28"E	S44°-38'E

MURRAY SUBDIVISION

Replat of Lot 2 & Martin 1986 Subd. of Tract A-I
& Repat of Tract D

LOCATED IN SE 1/4 SEC. 19, T5N., R.9W., S.M., AK. KENAI REC. DISTRICT
SCALE 1"=100' AREA = 14.294 AC. 5-4-1987

BY MARSHALL & ALICE MARTIN, BOX 49 RT.2 SOLDOTNA, AK. 99669

88-38
RECORDED FILED 20-
Kenai REC. DIST.
DATE 6/28/88
TIME 2:20 P.M.
Submitted by G. Martin

OWNERS' CERTIFICATE & DEDICATION

We hereby certify that we are the owners of the property shown and described hereon, and that we hereby adopt this plan of subdivision, and dedicate all R.O.W.'s to public use, and grant all easements to the uses shown.

Marshall W. Martin
Marshall W. Martin

Alice M. Martin
Alice M. Martin

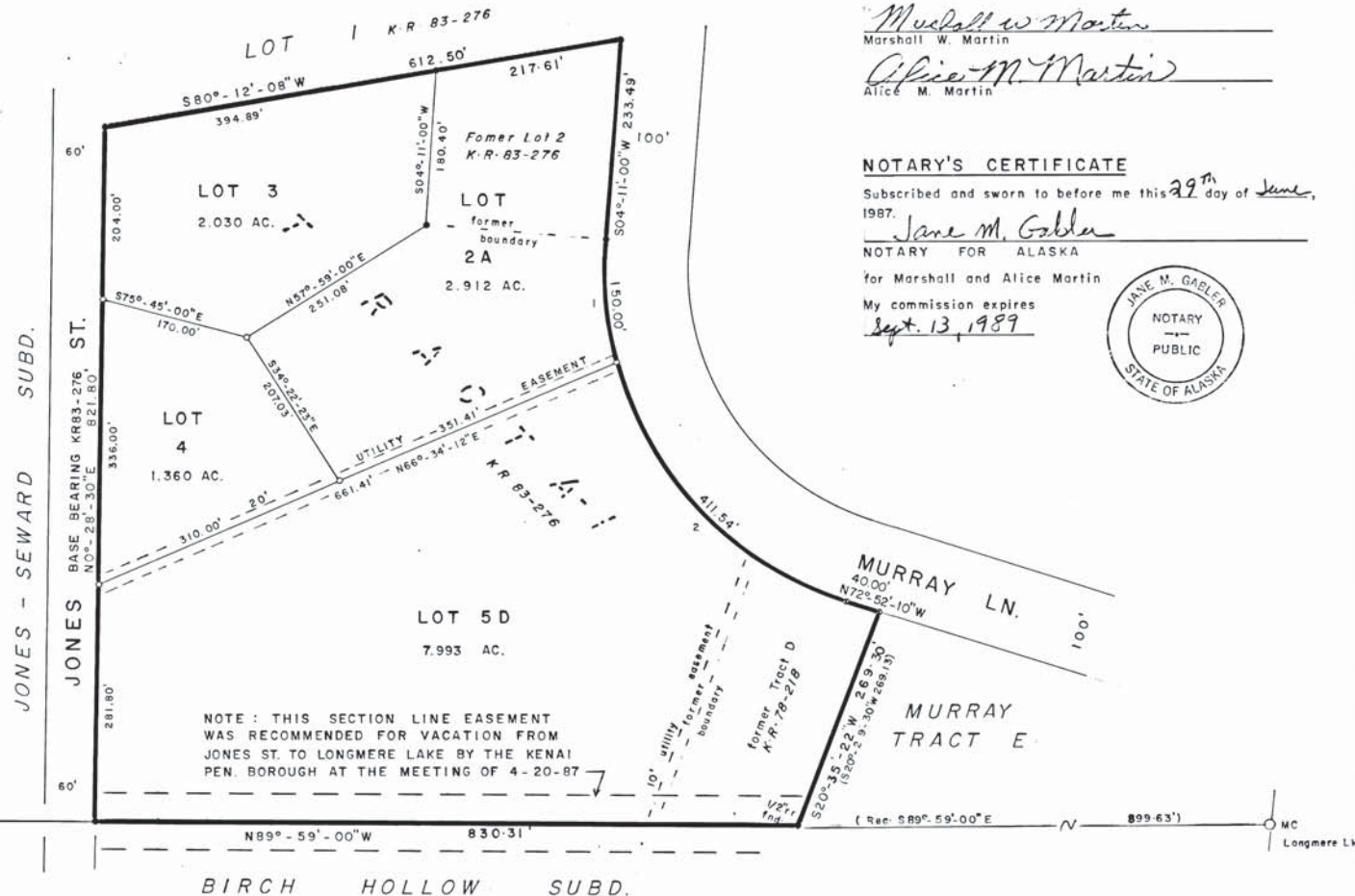
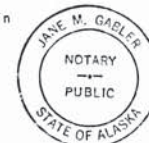
NOTARY'S CERTIFICATE

Subscribed and sworn to before me this 29th day of June, 1987.

Jane M. Garler
NOTARY FOR ALASKA

for Marshall and Alice Martin

My commission expires
Sept. 13, 1989



'LAT APPROVAL

This plat was approved by the Kenai Peninsula
Borough Planning Commission at the meeting
of Dec. 1 1986

KENAI PENINSULA BOROUGH

by Richard B. Torgue
AUTHORIZED OFFICIAL

NOTE

1. building set back of 20' from all R.O.W.s is
required unless a lesser standard is approved
by a resolution of the appropriate planning commission.
Front 10' of building setback is also a utility easement and also the
entire setback within 5' of side lot lines for guy wires.
Soils on these lots may or may not be suitable
for conventional on site waste disposal systems.
No person may construct, install, maintain or
operate a pressurized water system or water
waste disposal system, unless approval
of the ALASKA DEPT. OF ENVIRONMENTAL
CONSERVATION is obtained
No structures permitted within panhandle portion of
lot 1-A-1

OWNER'S CERTIFICATE

We hereby certify that we are the owners of
the property shown and described hereon,
and that we hereby adopt this plan of
subdivision and grant all easements to
uses shown.

For APOSTOLIC ASSEMBLY
OF JESUS CHRIST
(LOT 1-A, KRD 83-245)

Charles W. Mettille By Marshall W. Martin
CHARLES W. METTILLE MARSHALL W. MARTIN

Diana Mettille By Alice M. Martin
DIANA METTILLE ALICE M. MARTIN

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn to before me this _____ day
of _____ 1986.

NOTARY PUBLIC FOR ALASKA for C.W. and D. Mettille, and
M.W. and A.M. Martin

My commission expires _____

LEGEND

- ✚ - 1920 G.L.O. brass cap mon.
- - 1/2" rebar found.
- - 1/2" x 2' rebar set.

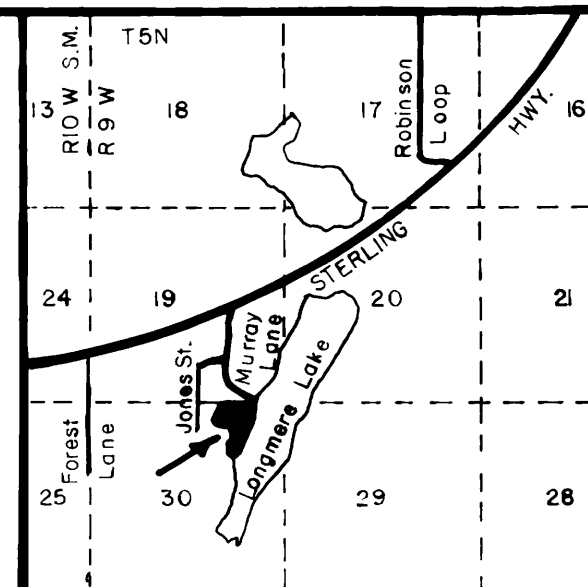
BIRCH HOLLOW SUBD. PART 2 1986 REPLAT OF TRACT A-2, AND LOT 1-A - KRD 83-245

LOCATED IN NE 1/4, SEC. 30, T.5N., R.9W., S.M.,
KENAI RECORDING DISTRICT, ALASKA.

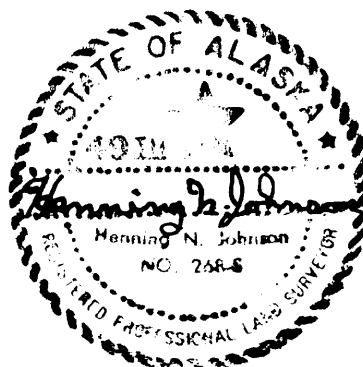
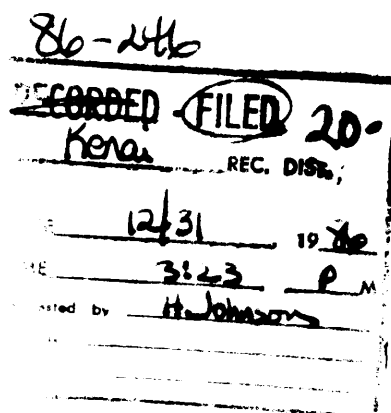
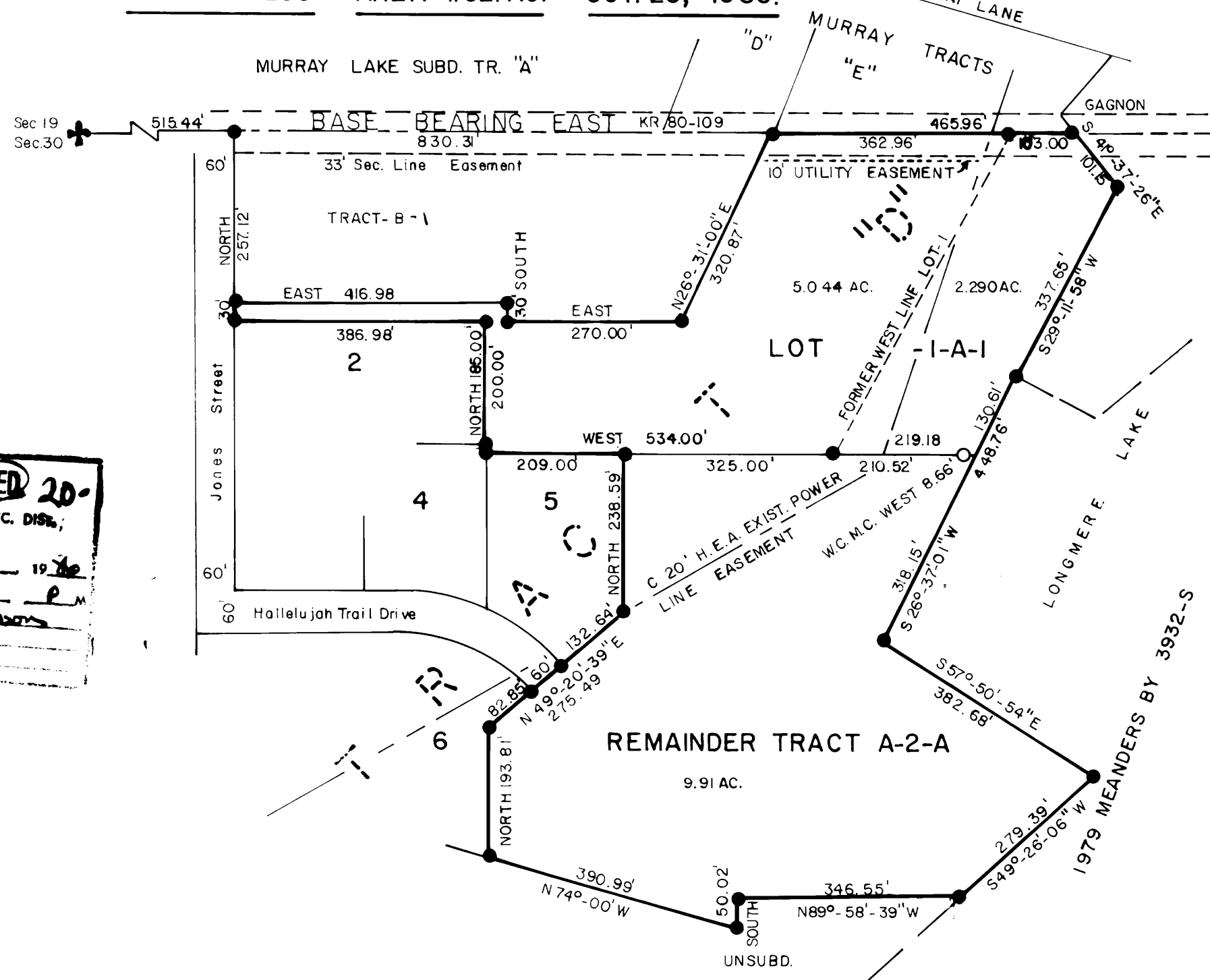
BY MARSHALL AND ALICE MARTIN

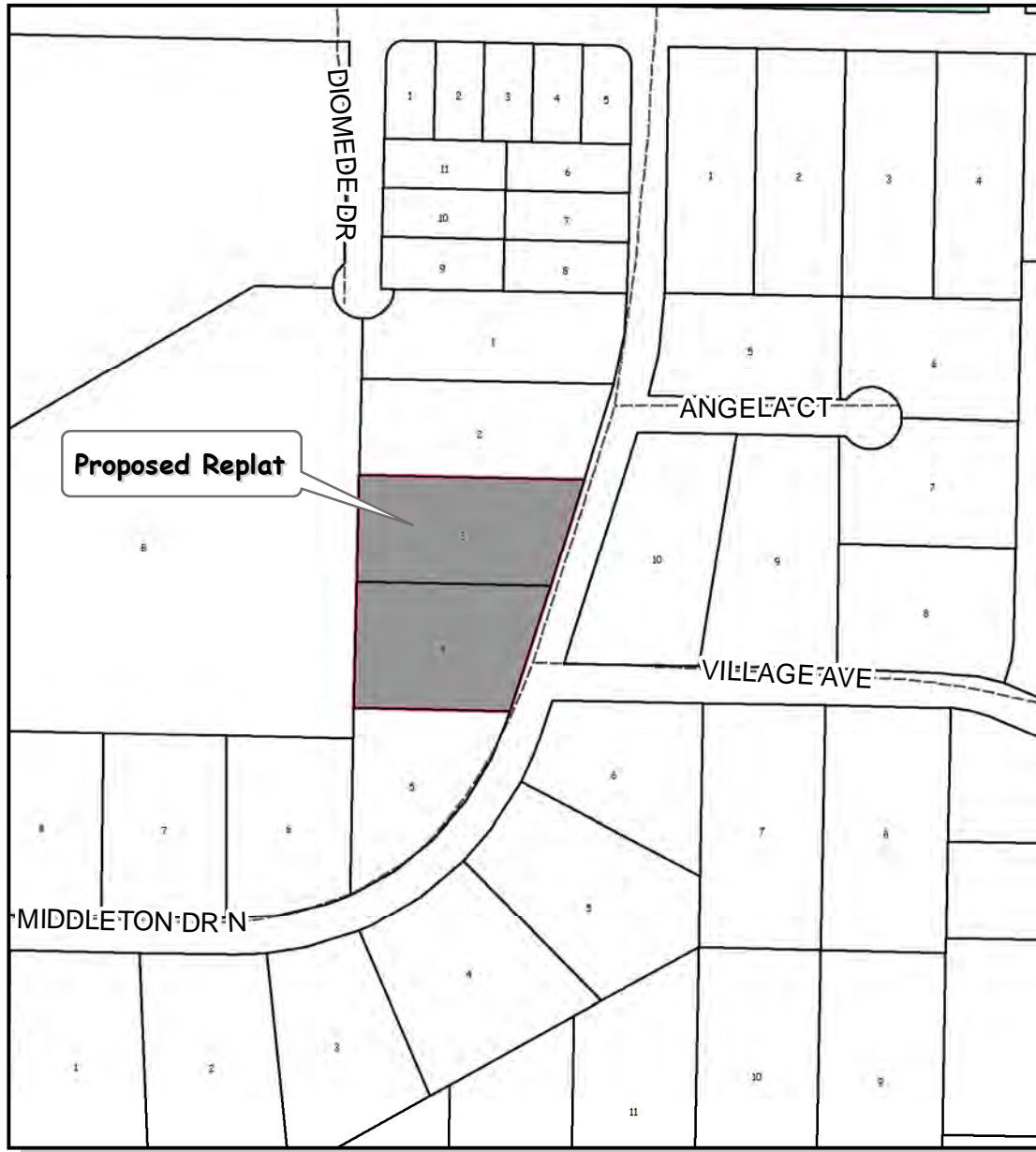
BOX 49 RT.2 SOLDOTNA, ALASKA, 99669

SCALE 1"=200' AREA=7.621 AC. OCT. 20, 1986.

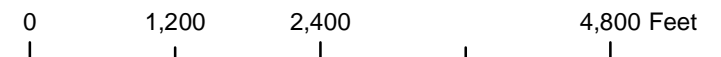
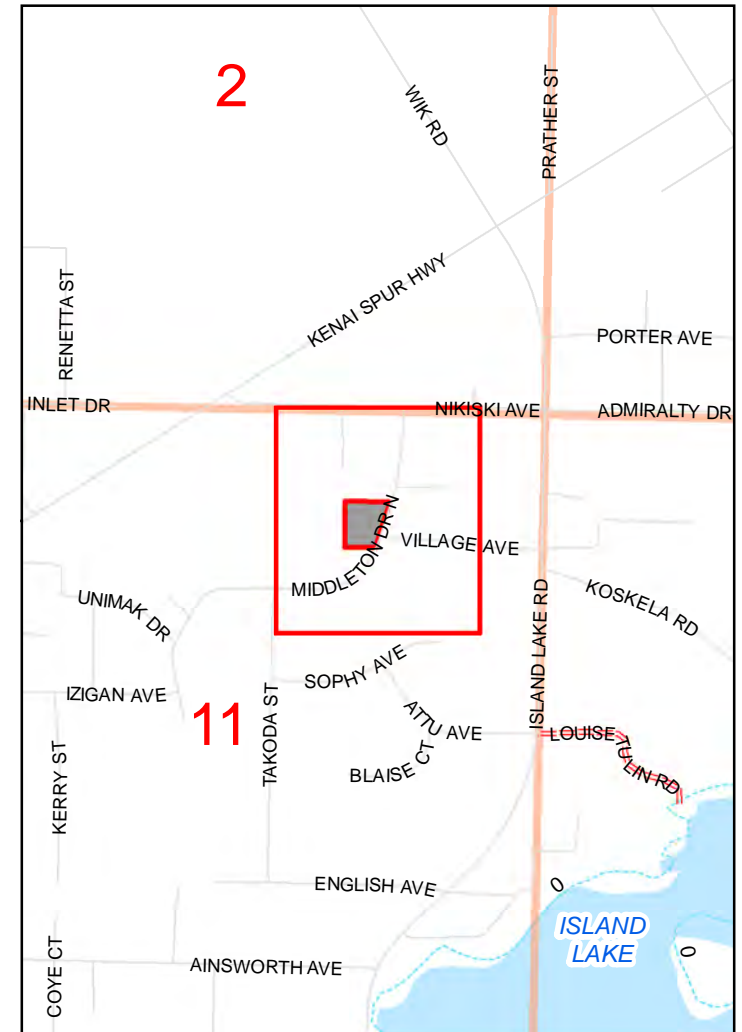
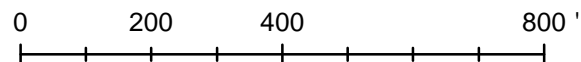


VICINITY MAP





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.



KPB 2022-007
S11 T07N R12W
Nikiski



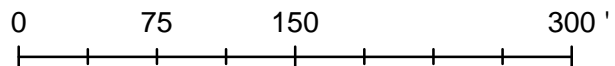
MQuinton, KPB 2022-007 Date: 1/24/2022



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.

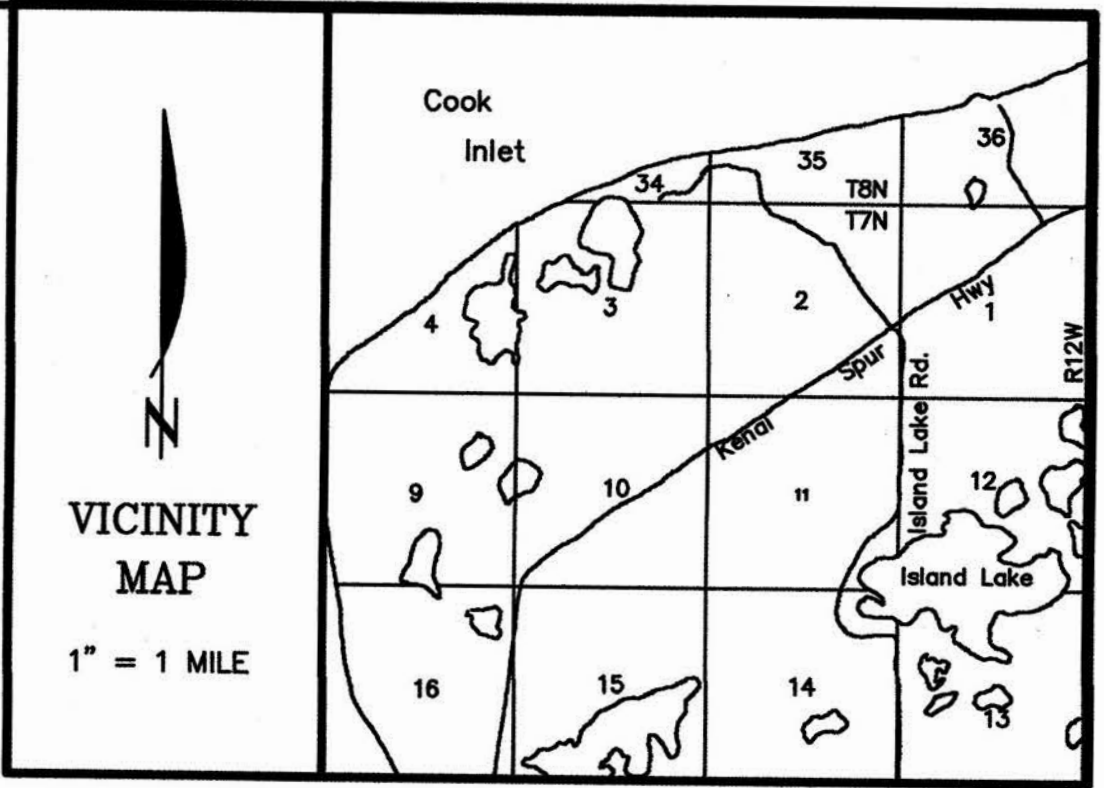
MQuainton, KPB 2022-007
Imagery Kenai 2012-2013

Aerial View



 PRELIMINARY PLAT





VICINITY
MAP
1" = 1 MILE

**CERTIFICATE of OWNERSHIP
and DEDICATION**

WE HEREBY CERTIFY THAT WE ARE THE OWNERS 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 AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

MICHAEL B. BRUNKE
P.O. BOX 7594
NIKISKI, ALASKA 99635

GEORGE F. BROWN
P.O. BOX 8153
NIKISKI, ALASKA 99635

NOTARY'S ACKNOWLEDGEMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20__

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGEMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20__

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

PLAT APPROVAL

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

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

KPB FILE No.

**Timber Hills Subdivision
2022 Replat**

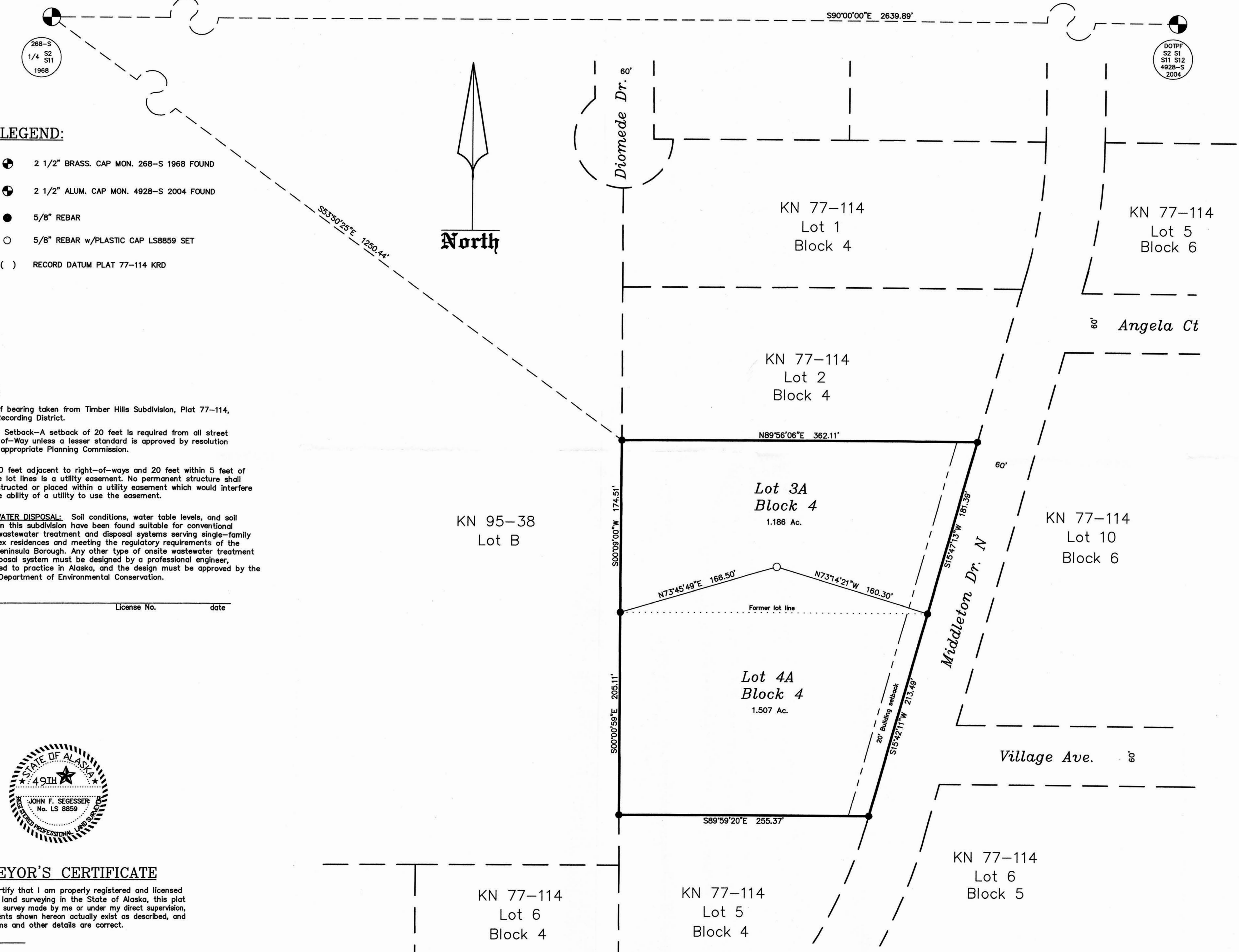
A resubdivision of Lots 3 and 4 Block 4 Timber Hills Subdivision, Plat 77-114, Kenai Recording District.

Located within the SW1/4 NE1/4 Section 11, T7N, R12W, S.M., Kenai Peninsula Borough, Alaska.

Containing 2.694 Ac.

Surveyor Segesser Surveys 30485 Rosland St. Soldotna, AK 99669 (907) 262-3909	Owners George F. Brown P.O. Box 8153 Nikiski, AK 99635	Michael B. Brunke P.O. Box 7594 Nikiski, AK 99635
--	--	--

JOB NO.	21335	DRAWN:	11-8-21
SURVEYED:	Nov., 2021	SCALE:	1"=50'
FIELD BOOK:	21-5	SHEET:	1 of 1



LEGEND:

- 2 1/2" BRASS. CAP MON. 268-S 1968 FOUND
- 2 1/2" ALUM. CAP MON. 4928-S 2004 FOUND
- 5/8" REBAR
- 5/8" REBAR w/PLASTIC CAP LS8859 SET
- () RECORD DATUM PLAT 77-114 KRD

NOTES:

- 1) Basis of bearing taken from Timber Hills Subdivision, Plat 77-114, Kenai Recording District.
- 2) Building Setback-A setback of 20 feet is required from all street Rights-of-Way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
- 3) Front 10 feet adjacent to right-of-ways and 20 feet within 5 feet of the side lot lines 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) **WASTEWATER DISPOSAL:** Soil conditions, water table levels, and soil slopes in 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 professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation.

Engineer _____ License No. _____ date _____



SURVEYOR'S CERTIFICATE

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct.

Date _____

KPB 2022-007

AGENDA ITEM E. NEW BUSINESS

ITEM 8 - Timber Hills Subdivision 2022 Replat

KPB File No.	2022-007
Plat Committee Meeting:	February 14, 2022
Applicant / Owner:	Michael B. Brunke, Nikiski George F. Brown, Nikiski
Surveyor:	John Segesser / Segesser Surveys
General Location:	Nikiski

Parent Parcel No.:	012-150-21 and 012-150-22
Legal Description:	Lots 3 and 4, Block Four, Timber Hills Sub Plat KN 77-114
Assessing Use:	Residential Usage
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will adjust a common boundary between two parcels to avoid a structure. Lot 3 will decrease from 1.4 acres to 1.2 acres and Lot 4 will increase from 1.3 to 1.5 acres. The exchange of area will be 7,448 sq. ft. between the two lots.

Location and Legal Access (existing and proposed): This subdivision is located in the Nikiski area new milepost 25 of the Kenai Spur Highway. Legal access to the subdivision is via Nikiski Avenue to Middleton Drive North. Both streets are improved and maintained by KPB.

No additional right of ways will be dedicated with this platting action.

This subdivision is within a closed block but the block length is longer the allowed per KPB 20.30.170 Block Lengths. The block is defined by Kenai Spur Highway, Nikiski Ave., Middleton Dr. N., and Unimak Dr. The parcel to the west is 10.65 acres in size and can be further subdivided. Diomed Drive, a cul-de-sac, provides the only legal access to the 10.65 acre parcel. Further subdivision of the 10.65 acre parcel is limited due to the lack of right of way dedication. The 10.65 acre parcel and Lot 5 are under common ownership and can be combined to allow a secondary access. A 60 foot wide right of way dedication on the south boundary would provide secondary access to the 10.65 acre parcel and would generally align with Village Avenue.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	

Site Investigation: Sloping terrain affects this subdivision but no slopes appear to be greater than 20% in grade. Low wet areas do not affect this subdivision.

Several buildings have been constructed within this subdivision. There appears to be a residential structure on the boundary line between Lot 3 and Lot 4. This platting action will revise the encroachment of the building that affects Lot 3 and Lot 4. There appears to be a residential structure on the boundary line between Lot 2 and Lot 3. Mr. Michael Brunke is the owner of Lot 2 and Lot 3. Per KPB 20.25.070 (N) encroachments will need to be resolved prior to final plat approval. As both lots are under common ownership, the building is not an issue at this time. Staff would like to put the land owner on notice that a sale of either lot may create an issues as the building would then be an encroachment. Staff strongly encourages the land owner to combine Lot 2 and Lot 3A into one

parcel to avoid any encroachment issues. **Staff recommends** a plat note be added that states, “The acceptance of this plat by KPB does not indicate acceptance of any possible encroachments.”

KPB River Center review	<p>A. Floodplain</p> <p>Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: No comments</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: Russell, Pam Comments: No Comments</p>
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Staff Analysis The parent parcels were created in 1977 with the recording of Timber Hills Subdivision (KN 77-114).

A soils analysis report was not prepared for the parent plat. Per KPB 20.40 Wastewater Disposal, a soils analysis report is required and an engineer will sign the final plat. The correct wastewater disposal note is on the preliminary plat.

Due to a delay with the title companies, the Certificate to Plat has not yet been delivered. In the interest of time, **Staff recommends** that the Planning Commission concur that the plat can be reviewed at this time and Staff can review the certificate to plat when it is delivered. Staff will bring the plat back to the Planning Commission if there are any items in the report that need to be addressed.

Utility Easements The parent plat granted a 5 foot utility easement adjoining Middleton Drive North, including a 10 foot by 20 foot anchor easement. **Staff recommends** the easement of record per KN 77-144 be depicted and labeled on the plat.

This plat will be granting the front 10 feet adjoining the right of way and 20 feet within 5 feet of side lot as utility easements.

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 comments or recommendations.
ACS	No objections.
GCI	Approved as shown.

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek Affected Addresses: 50835 MIDDLETON DR N 50805 MIDDLETON DR N</p>
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	<p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: MIDDLETON DR N ANGELA CT VILLAGE AVE</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: 50835 MIDDLETON DR N will remain with lot 3A. 50805 MIDDLETON DR N will remain with lot 4A.</p>
Code Compliance	<p>Reviewer: Ogren, Eric</p> <p>Comments: No comments</p>
Planner	<p>Reviewer: Aldridge, Morgan</p> <p>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: Wilcox, Adeena</p> <p>Comments: No comment</p>
Advisory Planning Commission	Not within an APC area.

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

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: Correct the aliquot part location to NW1/4 NE1/4 Section 11, T7N, R12W, S.M.

- 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: *Provide the location of the subdivision within the Vicinity Map.*
- N. Apparent encroachments, with a statement indicating how the encroachments will be resolved prior to final plat approval;
Staff recommendation: *This platting action will resolve an encroachment of a building on the boundary of Lot 3 and Lot 4. Another structure appears to be located over the boundary of Lot 2 and proposed Lot 3A. Cuncur that as both Lots 2 and proposed Lot 3A are under common ownership that an encroachment does not exist at this time on the north boundary of this subdivision. Staff cautions the land owner that any transfer of title of either Lot 2 or Lot 3A may create an encroachment issue.*

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.*

20.30.030. Proposed street layout-Requirements.

- A. The streets provided on the plat must provide fee simple right-of-way dedications to the appropriate governmental entity. These dedications must provide for the continuation or appropriate projection of all streets in surrounding areas and provide reasonable means of ingress for surrounding acreage tracts. Adequate and safe access for emergency and service vehicle traffic shall be considered in street layout.
- B. Subdivision of land classified as agricultural conveyed subject to AS 38.05.321(a)(2)(B) may provide public access easements in lieu of fee simple dedications if necessary to comply with the minimum lot size restriction of the statute. The public access easements must meet all applicable right-of-way design criteria of Title 20 and are subject to the building setback requirements set forth in KPB 20.30.240.
- C. Preliminary plats fronting state maintained roads will be submitted by the planning department to the State of Alaska Department of Transportation and Public Facilities (DOT) for its review and comments.
Staff recommendation: *The parcel to the west is a large acreage parcel that can be further subdivided. Provide a 60 foot right of way dedication to provide for the continuation of Village Avenue to the surrounding tract to the west.*

20.30.120. Streets-Width requirements.

- A. The minimum right-of-way width of streets shall be 60 feet.
1. Half streets shall generally not be allowed except to provide the logical extension of a right-of-way where the remaining half street can reasonably be expected to be dedicated in the future.
 2. When a design change required as a condition of preliminary approval results in a half right-of-way that was not shown on the original preliminary plat, adjoiners to the new half right-of-way will be sent a copy of the plat committee minuytes and a sketch showing the new half right-of-way and per KPB 2.40.080 can request a review of the plat committee decision by the full Planning Commission.
- B. Additional right-of-way or easement width may be required to provide for the construction of side slopes or to otherwise accommodate right-of-way construction standards set forth in KPB Title 14.
Staff recommendation: *A right of way dedication for the extension of Village Avenue must be 60 feet wide as the neighboring parcel is unlikely to be subdivided and cannot provide a matching right of way dedication.*

20.30.150. Streets-Intersection requirements.

- A. Street intersections shall be as nearly at right angles as possible, and no intersection shall be at an angle of less than 60 degrees. Where acute street intersections are designed, a minimum 50-foot radius corner at the right-of-way line of the acute angle shall be provided.

B. Offset intersections are not allowed. The distance between intersection centerline shall be no less than 150 feet.

C. Intersections of access streets with arterial streets or state maintained roads shall be limited to those intersections required for safe access consistent with KPB Title 14.

D. Intersections of access streets with arterial streets or state maintained roads must be designed to the American Association of State Highway and Transportation Officials (AASHTO) standards.

Staff recommendation: *Concur that a 60 foot right of way dedication on the south boundary will generally align with Village Avenue as the width of the opposing right of ways will have an area that overlaps.*

20.30.160. Streets-Name requirements. Streets shall be named to conform to KPB Chapter 14.10

Staff recommendation: *Work with the Addressing Officer to obtain an approved street name for any right of way dedications.*

20.30.170. Blocks-Length requirements. Blocks shall not be less than 330 feet or more than 1,320 feet in length. Along arterial streets and state maintained roads, block lengths shall not be less than 800 feet. Block lengths shall be measured from centerline intersections.

Staff recommendation: *The block length along Middleton Drive North is 2,663 feet long and longer than the allowable length of 1,320 feet. A right of way dedication for the extension of Village Avenue will help to comply with block length by allowing the 10 acre parcel to the west to extend the right of way when it is further subdivide.*

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: *A soils report was not prepared for the parent plat. Per KPB 20.40.020 a soils analysis report will be required.*

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.*

20.60.030. Certificate of borough finance department required.

Platting Staff Comments: *All taxes levied on the property within the subdivision shall be paid prior to recordation of the final plat. If approval is sought between January 1 and the tax due date, there shall be on deposit with the borough finance department an amount sufficient to pay the entire estimated real property tax for the current year. Prior to filing of the final plat, a certificate to this effect shall be provided by the borough finance director or his designee upon request by the planning director. Estimated tax payments shall be applied to the actual bill as of July 1 or such earlier date as the taxes due have been determined.*

Taxes owed may include special assessments for utility or road assessment districts established by KPB ordinance.

Staff recommendation: *comply with 20.60.030.*

20.60.040. Dedication of public use lands. Any land shown on a plat as a street, public park or other public area must be dedicated on the final plat to a tax exempt governmental entity. If the governmental entity is not the Kenai Peninsula Borough, the governmental entity shall be required to execute an acceptance of the dedication on the plat.

Staff recommendation: *Provide a certificate of acceptance for the KPB to accept any right of way dedications.*

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.*

- *Roads must meet the design and construction standards established by the borough in order to be considered for certification and inclusion in the road maintenance program (KPB 14.06).*

RECOMMENDATION:

STAFF RECOMMENDS:

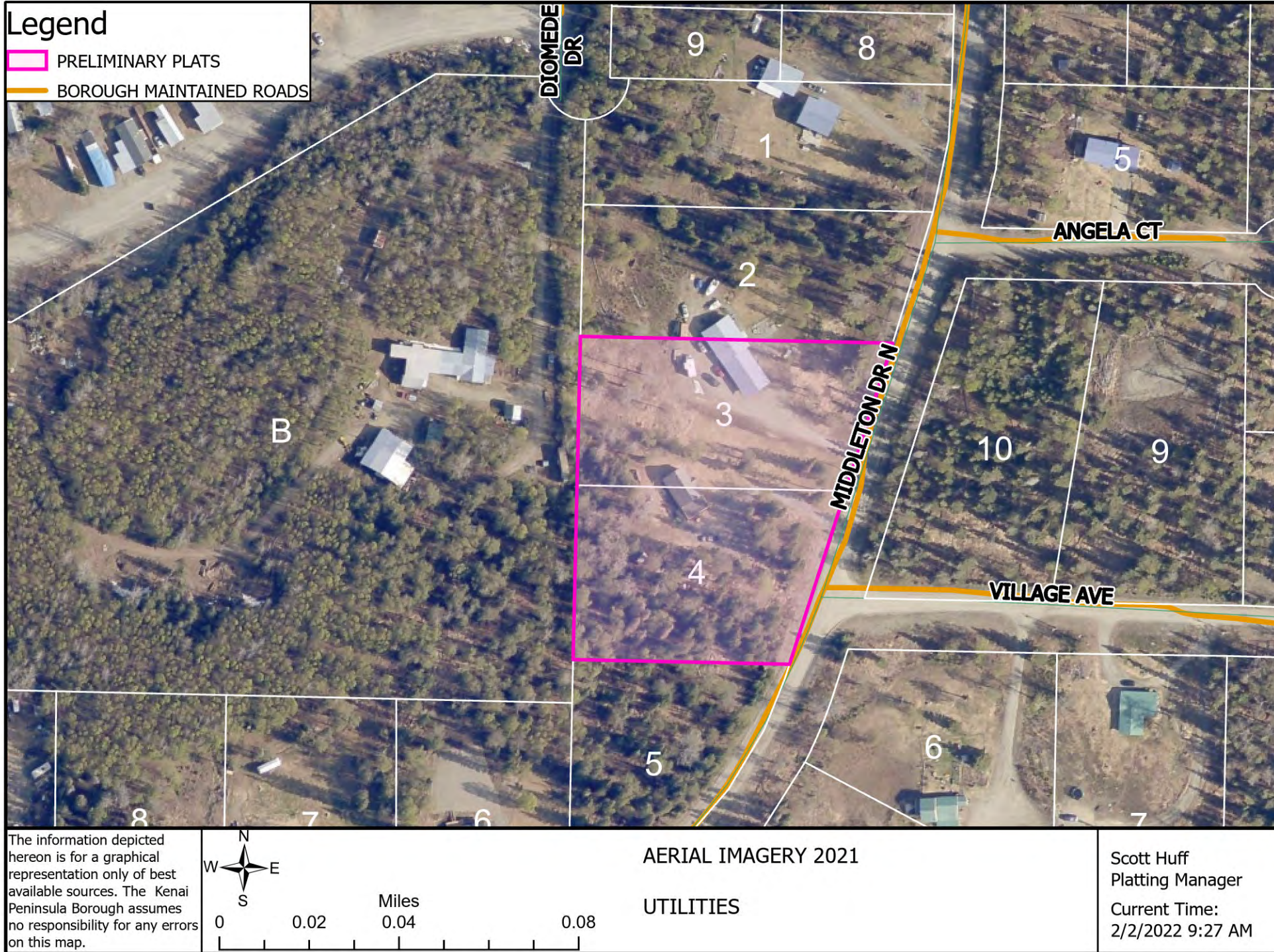
- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL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



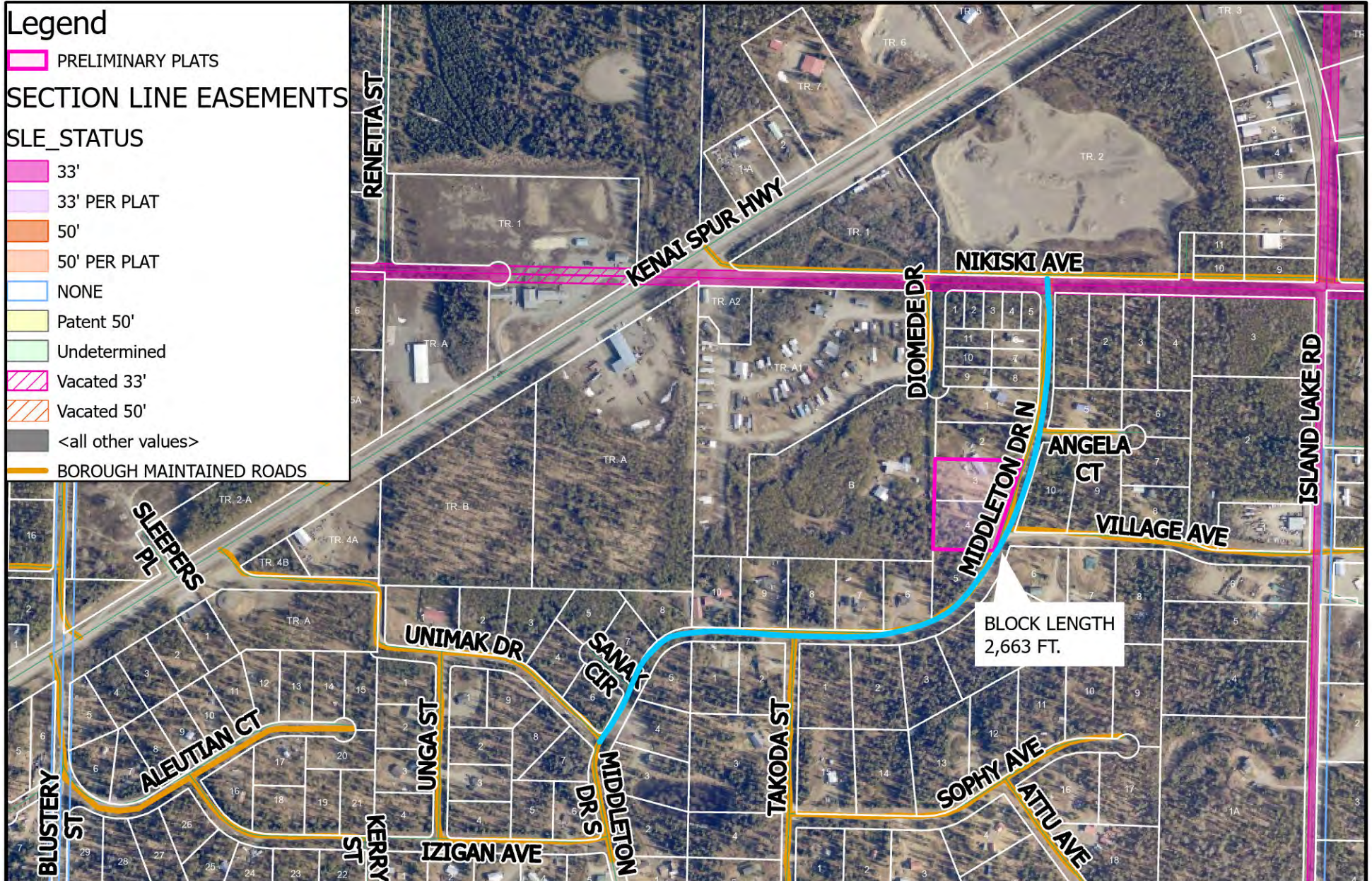
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PRELIMINARY PLATS

SECTION LINE EASEMENTS

SLE_STATUS

- 33'
- 33' PER PLAT
- 50'
- 50' PER PLAT
- NONE
- Patent 50'
- Undetermined
- Vacated 33'
- Vacated 50'
- <all other values>
- BOROUGH MAINTAINED ROADS



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.



0 0.07 0.15 0.3 Miles

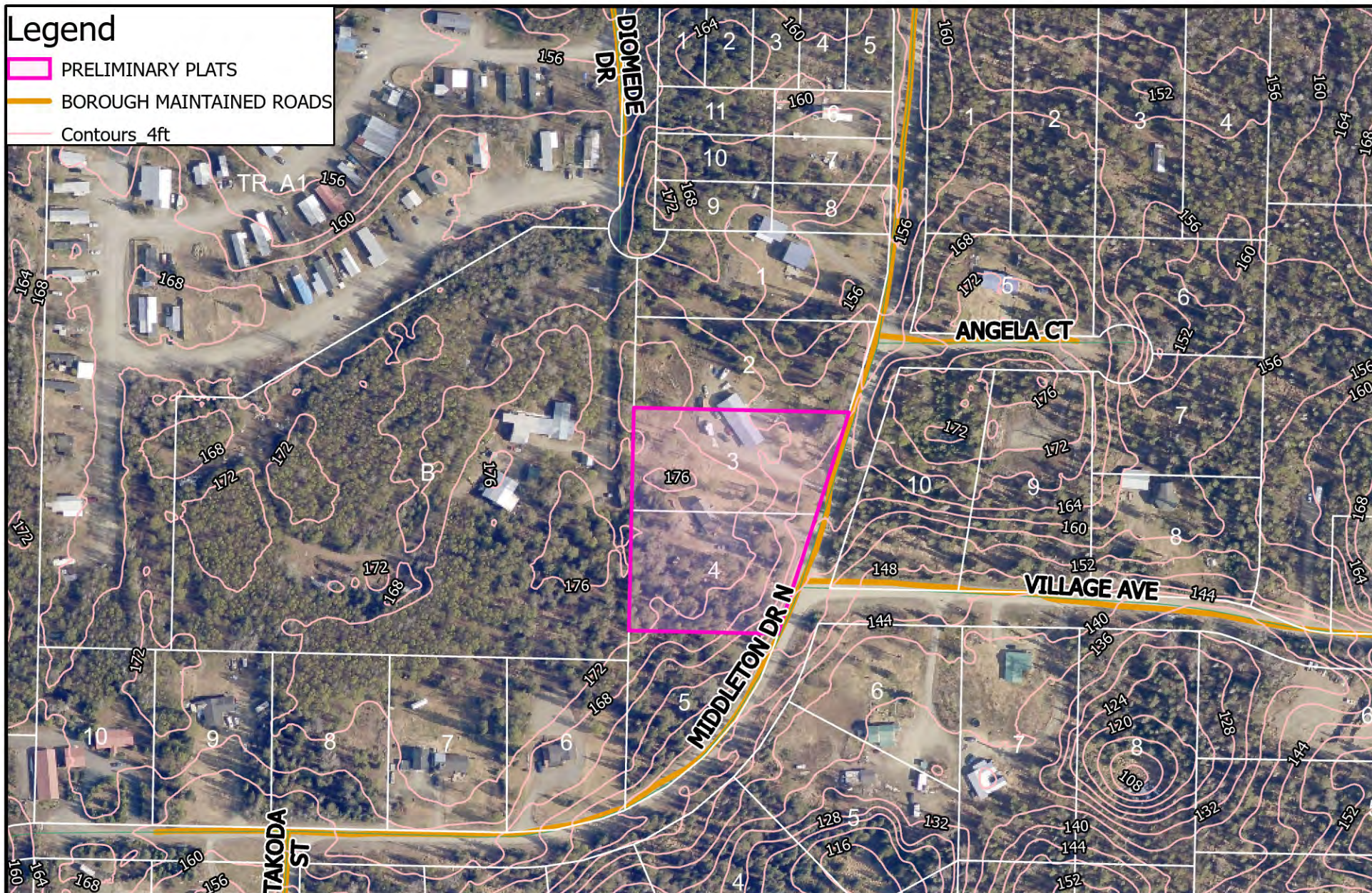
AERIAL IMAGERY 2021

BLOCK LENGTH

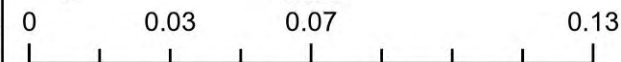
Scott Huff
Platting Manager
Current Time:
2/2/2022 9:54 AM

Legend

- PRELIMINARY PLATS
- BOROUGH MAINTAINED ROADS
- Contours 4ft



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.

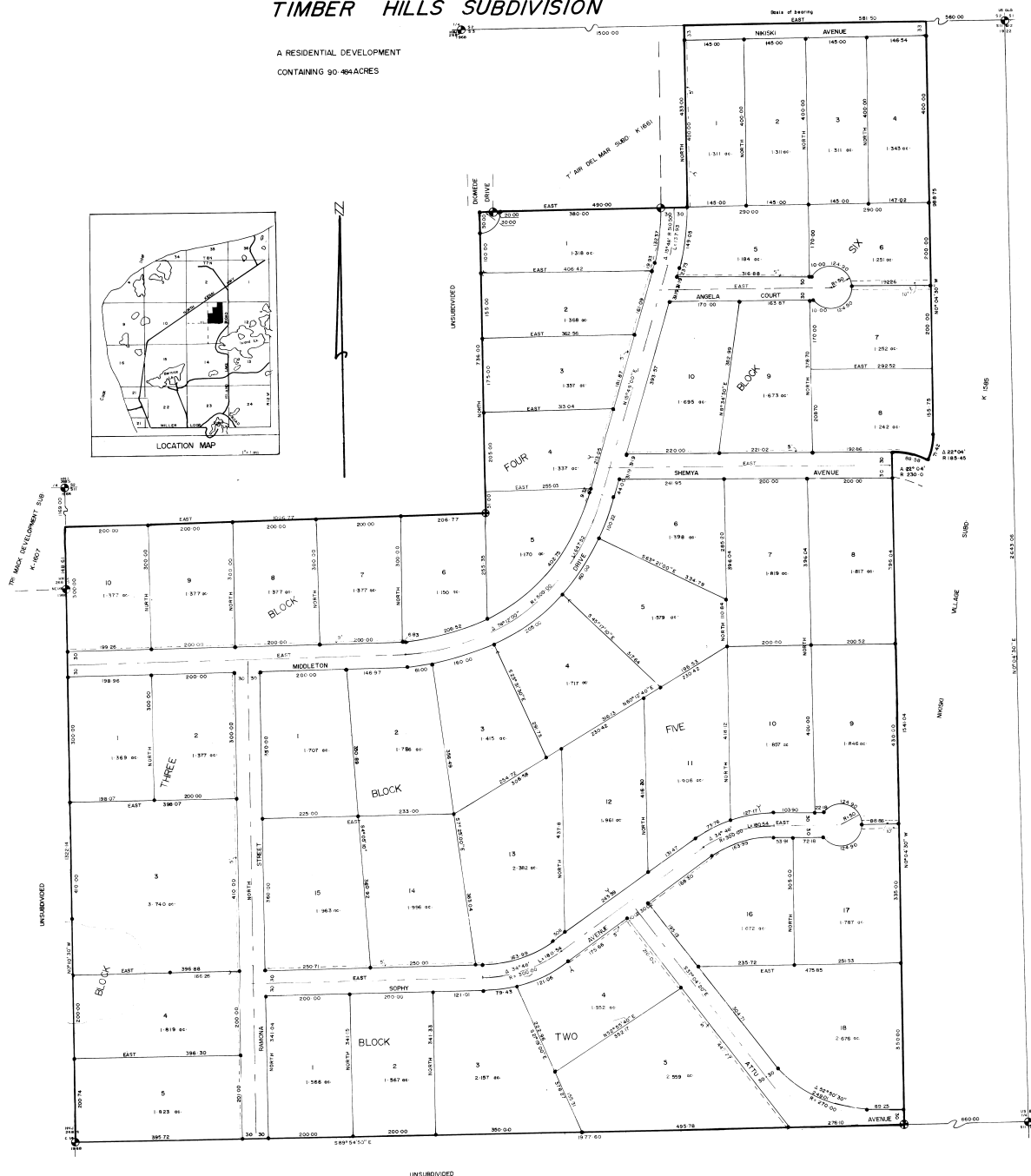
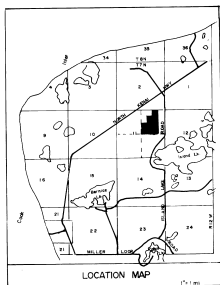


AERIAL IMAGERY 2021

Scott Huff
 Platting Manager
 Current Time:
 2/2/2022 9:31 AM

TIMBER HILLS SUBDIVISION

A RESIDENTIAL DEVELOPMENT
CONTAINING 90.484 ACRES



CERTIFICATE OF OWNERSHIP AND DESIGNATION

I HEREBY CERTIFY THAT I AM THE OWNER OF PROPERTY SHOWN HEREIN, THAT I ADOPT THIS PLAN OF SUBDIVISION, AND DO HEREBY DEDICATE TO THE PUBLIC, AND TO THE PUBLIC UTILITIES THE STREETS AND EASEMENTS SHOWN.

ROBERT S. BOLES
RT. 2, BOX 317
SOLDOTNA, ALASKA

WOODROW J. BOLES
P.O. BOX 659
SOLDOTNA, ALASKA

ERNE BOLES
P.O. BOX 659
SOLDOTNA, ALASKA

NOTARY'S ACKNOWLEDGMENT

SWORN AND SUBSCRIBED TO BEFORE ME, A NOTARY PUBLIC THIS 22nd DAY OF August, 1977.

Notary Signature

MY COMMISSION EXPIRES 1980.

BOROUGH APPROVAL

THIS PLAN HAVING BEEN APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AS RECORDED IN THE OFFICIAL MINUTES OF THE MEETING OF 6-22-77, I HEREBY ACKNOWLEDGE AND ACCEPT AS THE OFFICIAL PLAN, SUBJECT TO ANY AND ALL CONDITIONS OF ORDINANCES AND LAW APPLICABLE THERE TO.

KENAI PENINSULA BOROUGH

Signature

Signature

NOTE: 20' Building setback adjacent to all rights of way.

NOTE: All wastewater disposal systems shall comply with existing law at time of construction.

LEGEND

- Appar. location for utility structure and/or easements for use up to 20' street line.
- Utility easement
- Brass capped survey monument found
- Brass capped survey monument set
- 5/8" steel pin set

TIMBER HILLS SUBDIVISION

WITHIN THE NE 1/4 SEC 10 T17N R14W SW
KENAI PENINSULA BOROUGH, ALASKA

DEVELOPERS
WOODY & ROBERT BOLES
BOX 659
SOLDOTNA, ALASKA

SURVEY COMPLETED
JUNE, 1977
JERRY LOBELLE - SURVEYOR
ROUTE 1, BOX 47
KENAI, ALASKA