



Meeting Agenda Plat Committee

Monday, April 25, 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

- a. [KPB-4099](#) April 11, 2022 Plat Committee Meeting Minutes
Attachments: [C3. 041122 Plat Committee Minutes](#)

D. OLD BUSINESS

E. NEW BUSINESS

1. [KPB-4122](#) The Business Center Sub. 2022 Replat; KPB File 2022-039
Attachments: [E1. Business Center Packet.pdf](#)
2. [KPB-4123](#) Herrin Subdivision No. 5; KPB File 2022-042
Attachments: [E2. Herrin Packet](#)
3. [KPB-4124](#) Bear Run Tract 2 Replat; KPB File 2022-043
Attachments: [E3. Bear Run Packet](#)
4. [KPB-4125](#) Crossman Ridgeview; KPB 2022-044
Attachments: [E4. Crossman Packet](#)
5. [KPB-4126](#) McGahan-Schilling Tracts 2022 Addition; KPB File 2022-031
Attachments: [E5. McGahan-Schilling Packet](#)
6. [KPB-4127](#) Saddle Ridge Subdivision 2022 Replat; KPB File 2022-036
Attachments: [E6. Saddle Ridge Packet](#)
7. [KPB-4128](#) Sterling Heights Subdivision 2022 Addition; KPB File 2022-037
Attachments: [E7. Sterling Heights Packet](#)
8. [KPB-4129](#) Tatum Denise Subdivision; KPB File 2021-122R1
Attachments: [E8. Tatum Denise Packet](#)

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, May 9, 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.

C. CONSENT AGENDA

- *3. April 11, 2022 Plat Committee Meeting Minutes**

Kenai Peninsula Borough

Plat Committee

Betty J. Glick Assembly Chambers, Kenai Peninsula Borough George A. Navarre Administration Building

April 11, 2022
6:00 PM
UNAPPROVED MINUTES

A. CALL TO ORDER

Chair Brantley called the meeting to order at 6:00 p.m.

B. ROLL CALL

Plat Committee Members/Alternates

Jeremy Brantley, District 5 - Sterling
Pamela Gillham, District 1 – Kalifornsky
Robert Ruffner, District 7 – Central
Franco Venuti, City of Homer

Staff Present

Julie Hindman, Platting Specialist
Ann Shirnberg, Planning Administrative Assistant

C. APPROVAL OF AGENDA, EXCUSED ABSENCES, AND MINUTES

*3 Minutes

a. March 21, 2022 Plat Committee Meeting Minutes

Chair Brantley asked if anyone from the public wished to speak to any of the items under the consent agenda. Hearing no one wishing to comment discussion was opened among the commission

MOTION: Commissioner Ruffner moved, seconded by Commissioner Venuti to approve the agenda, the 3/21/22 Plat Committee meeting minutes.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE

Yes	4	No	0
Yes	Brantley, Gillham, Ruffner, Venuti		

E. NEW BUSINESS

Chair Brantley asked Ms. Shirnberg to read into the record the public hearing procedures

ITEM E1 - ALASKAN WILDWOOD EAST

KPB File No.	2021-126
Plat Committee Meeting:	April 11, 2022
Applicant / Owner:	Joe Balyeat of Bozeman, MT
Surveyor:	Andre Kaeppele, Buk Saliz / Fixed Height LLC
General Location:	Nikolaevsk / Anchor Point APC

Parent Parcel No.:	165-111-42
Legal Description:	SE 1/4 SE 1/4 Section 13, Township 4 South, Range 14 West. Parcel 2 of Plat Waiver Resolution 93-26 Amended, Serial Number 93-3636 HRD.
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On-site

Staff report given by Julie Hindman.

Chair Brantley opened the meeting for public comment. Hearing no one wishing to comment, public comment was closed and discussion was open among the commission.

MOTION: Commissioner Ruffner moved, seconded by Commissioner Gillham to grant exception request to KPB 20.30.190 – Lot Dimensions, 3:1 depth to width ratio for Lot 4, citing findings 1-4 & 7-10 in support of standards one, two and three.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE

Yes	4	No	0
Yes	Brantley, Gillham, Ruffner, Venuti		

ITEM E2 - MCCLAREN SUBDIVISION

KPB File No.	2016-083
Plat	Committee April 11, 2022
Meeting:	
Applicant / Owner:	Teri McClaren of Anchor Point, AK
Surveyor:	Gary Nelson / Ability Surveys
General Location:	Rosehip Drive, Anchor Point

Parent Parcel No.:	171-024-19
Legal Description:	Portion of S1/2 S1/2 in Section 19 lying west of Sterling Highway and east of Rosehip Drive and that portion of SW1/4 SW1/4 in Section 20 lying west of Sterling Highway
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

Staff report given by Julie Hindman.

Chair Brantley opened the meeting for public comment. Hearing no one wishing to comment, public comment was closed and discussion was open among the commission.

MOTION: Commissioner Gillham moved, seconded by Commissioner Venuti to grant exception request to KPB 20.40.040 – Conventional onsite soil absorption systems requirement for a soils analysis report for Lot 1, citing findings 1-7, 9-11 & 15 in support of standards one, two and three.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE

Yes	4	No	0
Yes	Brantley, Gillham, Ruffner, Venuti		

ITEM E3 - TULCHINA POINTE ESTATES 2022 REPLAT

KPB File No.	2022-023
Plat Committee Meeting:	April 11, 2022
Applicant / Owner:	LittleKnife, Inc, Gale Smith, and Cody McLane, all of Soldotna, Alaska
Surveyor:	James Hall / McLane Consulting Inc.
General Location:	Authentic Road, Paper Birch Lane, Foster Avenue, Sterling area

Parent Parcel No.:	058-360-01, 058-360-58, 058-360-59, 058-360-62
Legal Description:	Lot 1 of Forest Hills Lookout Subdivision Amended (Plat KN 86-204) Lots 8, 9, & 15 of Tulchina Pointe Estates Subdivision Phase 2 Amended (Plat KN 2009-48)
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

Staff report given by Julie Hindman

Chair Brantley opened the meeting for public comment. Hearing no one wishing to comment, public comment was closed and discussion was open among the commission.

MOTION: Commissioner Ruffner moved, seconded by Commissioner Gillham to postpone until brought back by staff.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE

Yes	4	No	0
Yes	Brantley, Gillham, Ruffner, Venuti		

ITEM E4 – TERRA BELLA SUBDIVISION

KPB File No.	2022-024
Plat Committee Meeting:	April 11, 2022
Applicant / Owner:	Terra Bella Properties, LLC of Anchorage, Alaska
Surveyor:	Stephen Smith / Geovera, LLC
General Location:	West Fairview Avenue, City of Homer

Parent Parcel No.:	175-040-05
Legal Description:	SE1/4 SW1/4 of Section 18, Township 6 South, Range 13 West, excluding W Fairview Avenue dedication on Plat HM 88-52
Assessing Use:	Residential
Zoning:	Rural Residential District
Water / Wastewater	Lots will have City / Tract will be on site.

Staff report given by Julie Hindman

Chair Brantley opened the meeting for public comment. Hearing no one wishing to comment, public comment was closed and discussion was open among the commission.

MOTION: Commissioner Venuti moved, seconded by Commissioner Ruffner to grant preliminary approval to Terra Bella Subdivision, based on staff recommendations and compliance to borough code.

AMENDMENT: Commissioner Venuti moved, seconded by Commissioner Ruffner to grant exception request to KPB 20.30.030(A) – Proposed Street Layout Requirements & KPB 20.30.170 – Block Length Requirements, citing findings 2-10 in support of standards one, two and three.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

AMENDMENT MOTION PASSED BY UNANIMOUS VOTE

Yes	4	No	0
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Yes	Brantley, Gillham, Ruffner, Venuti
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Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes	4	No	0
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Yes	Brantley, Gillham, Ruffner, Venuti
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ITEM E5 – FORT RAYMOND SUBDIVISION REPLAT NUMBER 5

KPB File No.	2022-029
Plat Committee Meeting:	April 11, 2022
Applicant / Owner:	City of Seward, Alaska
Surveyor:	Stacy Wessel / AK Lands Land Surveying
General Location:	Sea Lion Avenue, City of Seward

Parent Parcel No.:	145-026-23
Legal Description:	6A-2 Fort Raymond Subdivision Replat Number 3, Plat SW 2012-12
Assessing Use:	Institutional
Zoning:	Institutional
Water / Wastewater	Municipal

Staff report given by Julie Hindman

Chair Brantley opened the meeting for public comment.

Courtney Bringhurst, Planner, City of Seward; 410 Adams Street, Seward AK 99664: Ms. Bringhurst made herself available for questions.

Stacy Wessel, Surveyor; AK Lands: Ms. Wessel was the surveyor on this project and she made herself available for any questions.

Hearing no one else wishing to comment, public comment was closed and discussion was open among the commission.

MOTION: Commissioner Gillham moved, seconded by Commissioner Venuti to grant preliminary approval to Fort Raymond Subdivision Replat Number 5, based on staff recommendations and compliance to borough code.

AMENDMENT: Commissioner Gillham moved, seconded by Commissioner Venuti to grant exception request to KPB 20.30.030 Proposed Street Layout Requirements & KPB 20.30.210 – Lots, Access to Street, subject to a 60-foot public access easement being recorded prior to finalization & the document being noted and depicted on the plat, citing finding 4-11 in support of standards one, two and three.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

AMENDMENT MOTION PASSED BY UNANIMOUS VOTE

Yes	4	No	0
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Yes	Brantley, Gillham, Ruffner, Venuti
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Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes	4	No	0
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Yes	Brantley, Gillham, Ruffner, Venuti
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ITEM E6 – TOWNSLEY SUBDIVISION

KPB File No.	2022-030
Plat Committee Meeting:	April 11, 2022
Applicant / Owner:	Billy Reynolds of Anchorage, Alaska
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Kowakan Street and Allmon Avenue, Kalifornsky

Parent Parcel No.:	131-600-02
Legal Description:	S1/2 NE1/4 SE1/4 of Section 28, Township 4 North, Range 11 West, Seward Meridian
Assessing Use:	General Commercial
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

Staff report given by Julie Hindman

Chair Brantley opened the meeting for public comment. Hearing no one wishing to comment, public comment was closed and discussion was open among the commission.

MOTION: Commissioner Ruffner moved, seconded by Commissioner Gillham to grant preliminary approval to Townsley Subdivision, based on staff recommendations and compliance to borough code.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE

Yes	4	No	0
Yes	Brantley, Gillham, Ruffner, Venuti		

ITEM E7 – EVELYN'S CORNER

KPB File No.	2022-032
Plat Committee Meeting:	April 11, 2022
Applicant / Owner:	Evelyn Anderson (Vanmeter) of Kasilof, Alaska
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Matson Street, Ahlrich Avenue, Wells Street, and Alexandria Avenue, Ninilchik

Parent Parcel No.:	185-513-01
Legal Description:	NW1/4 NW1/4, Section 10, Township 2 South, Range 12 West, excluding portions lying within the seismograph or other road right of way. (Tract 169 of Ninilchik Right of Way Map, HM 84-115)
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

Staff report given by Julie Hindman

Chair Brantley opened the meeting for public comment. Hearing no one wishing to comment, public comment was closed and discussion was open among the commission.

MOTION: Commissioner Ruffner moved, seconded by Commissioner Gillham to grant preliminary approval to Evelyn's Corner, based on staff recommendations and compliance to borough code.

AMENDMENT: Commissioner Ruffner moved, seconded by Commissioner Gillham to grant exception request to KPB 20.30.190 – Lot Dimensions, 3:1 depth to width ratio for Tract 2 & Tract 3, citing findings 5-

11 in support of standards one, two and three.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

AMENDMENT MOTION PASSED BY UNANIMOUS VOTE

Yes	4	No	0
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Yes	Brantley, Gillham, Ruffner, Venuti
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Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes	4	No	0
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Yes	Brantley, Gillham, Ruffner, Venuti
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ITEM E8 – COOK ESTATES IVERSIE ADDITION

KPB File No.	2022-028
Plat Committee Meeting:	April 11, 2022
Applicant / Owner:	Scott Iverslie of Anchorage, AK
Surveyor:	John Segesser / Segesser Surveys
General Location:	Landess Avenue, Sterling

Parent Parcel No.:	065-075-10
Legal Description:	Lot 2-2 Cook Estates No. 2, Plat KN 86-22
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

Staff report given by Julie Hindman

Chair Brantley opened the meeting for public comment. Hearing no one wishing to comment, public comment was closed and discussion was open among the commission.

MOTION: Commissioner Venuti moved, seconded by Commissioner Gillham to grant preliminary approval to Cook Estates Iverslie Addition, based on staff recommendations and compliance to borough code.

AMENDMENT: Commissioner X moved, seconded by Commissioner X t to grant exception request to KPB 20.30.170 – Block Length Requirements, citing findings 1-10 in support of standards one, two and three.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

AMENDMENT MOTION PASSED BY UNANIMOUS VOTE

Yes	4	No	0
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Yes	Brantley, Gillham, Ruffner, Venuti
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Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes	4	No	0
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Yes	Brantley, Gillham, Ruffner, Venuti
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ITEM E9 – STRAWBERRY ACRES SUBDIVISION 2022 REPLAT

KPB File No.	2022-025
Plat Committee Meeting:	April 11, 2022
Applicant / Owner:	Russell Wilson of Soldotna, Alaska and Anna Hall of Kenai, Alaska
Surveyor:	John Segesser / Segesser Surveys
General Location:	Frogberry Street, outside Kenai City limits.

Parent Parcel No.:	025-142-08
Legal Description:	Tract 24, Strawberry Acres Subdivision, Plat KN 85-185
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

Staff report given by Julie Hindman

Chair Brantley opened the meeting for public comment. Hearing no one wishing to comment, public comment was closed and discussion was open among the commission.

MOTION: Commissioner Gillham moved, seconded by Commissioner Venuti to grant preliminary approval to Strawberry Acres, based on staff recommendations and compliance to borough code.

AMENDMENT: Commissioner Gillham moved, seconded by Commissioner Venuti to grant exception request to KPB 20.30.190 – Lot Dimensions, 3:1 depth to width ratio, citing findings 4-9 in support of standards one, two and three.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

AMENDMENT MOTION PASSED BY UNANIMOUS VOTE

Yes	4	No	0
Yes	Brantley, Gillham, Ruffner, Venuti		

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes	4	No	0
Yes	Brantley, Gillham, Ruffner, Venuti		

F. PUBLIC COMMENT - None

G. ADJOURNMENT

Commissioner Venuti moved to adjourn the meeting 7:18 P.M.

Ann E. Shirnberg
Administrative Assistant

E. NEW BUSINESS

- 1. The Business Center Subd. 2022 Replat; KPB File 2022-039
Johnson Surveying / Beez, LLC
Location: Kenai Spur Highway & Knight Drive
City of Soldotna**



Vicinity Map

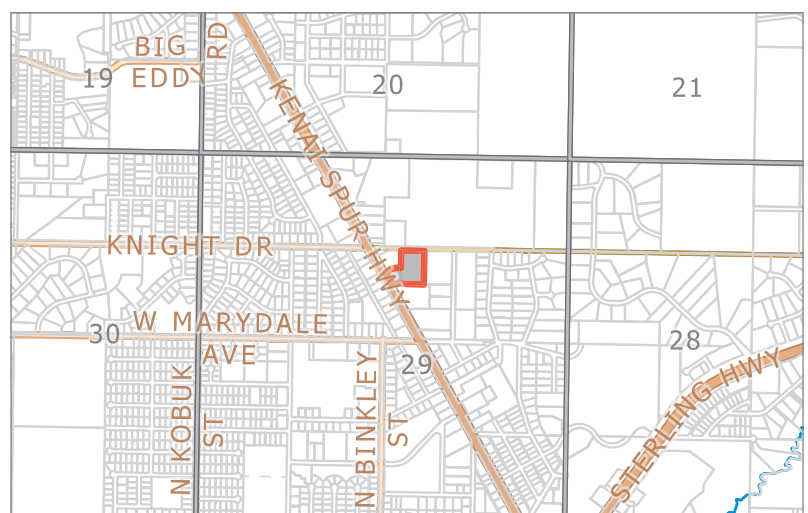
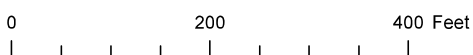


KPB File # 2022-039

S29-T05N-R10W

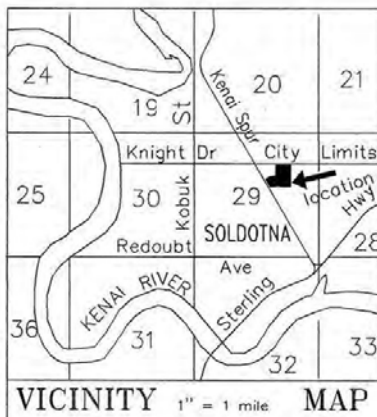
Soldotna

3/30/2022





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.



The Business Center Subd., 2022 Replat Preliminary Plat

A replat of Lot 1 The Business Center Subd., Pt 2, KRD 85-151, & Tract 3A Gebhart Homestead Subd., 1996 Addn., KRD 97-99. Located in the NE 1/4 Section 29, T5N R10W, SM, City of Soldotna, Alaska. Kenai Recording District Kenai Peninsula Borough

Prepared for
BEEZ, LLC.
35670 Kenai Spur Hwy.
Suite 1018
Soldotna, AK 99669

Prepared by
Johnson Surveying
P.O. Box 27
Clam Gulch, Ak 99568
(907) 262-5772

SCALE 1" = 100' AREA = 4.451 acres
2 February, 2022

NOTES

1. These lots are served by City water & sewer.
2. These Lots are subject City of Soldotna zoning code.
3. No access to state maintained ROWs allowed unless permitted by State of Alaska Dept. of Transportation.
3. 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. Kenai Spur Highway information taken from AK DOT & PF ROW Map F-022-1(7) page 9 of 24.
5. This plat is subject to a highway reservation 100' on each side of the centerline of the Kenai Spur Highway as claimed by the State of Alaska or its successor in interest, pursuant to Public Land Orders 601, 757, and 1613, and Department Order 2665 issued by the Secretary of the Interior of the United States of America.

WASTEWATER DISPOSAL

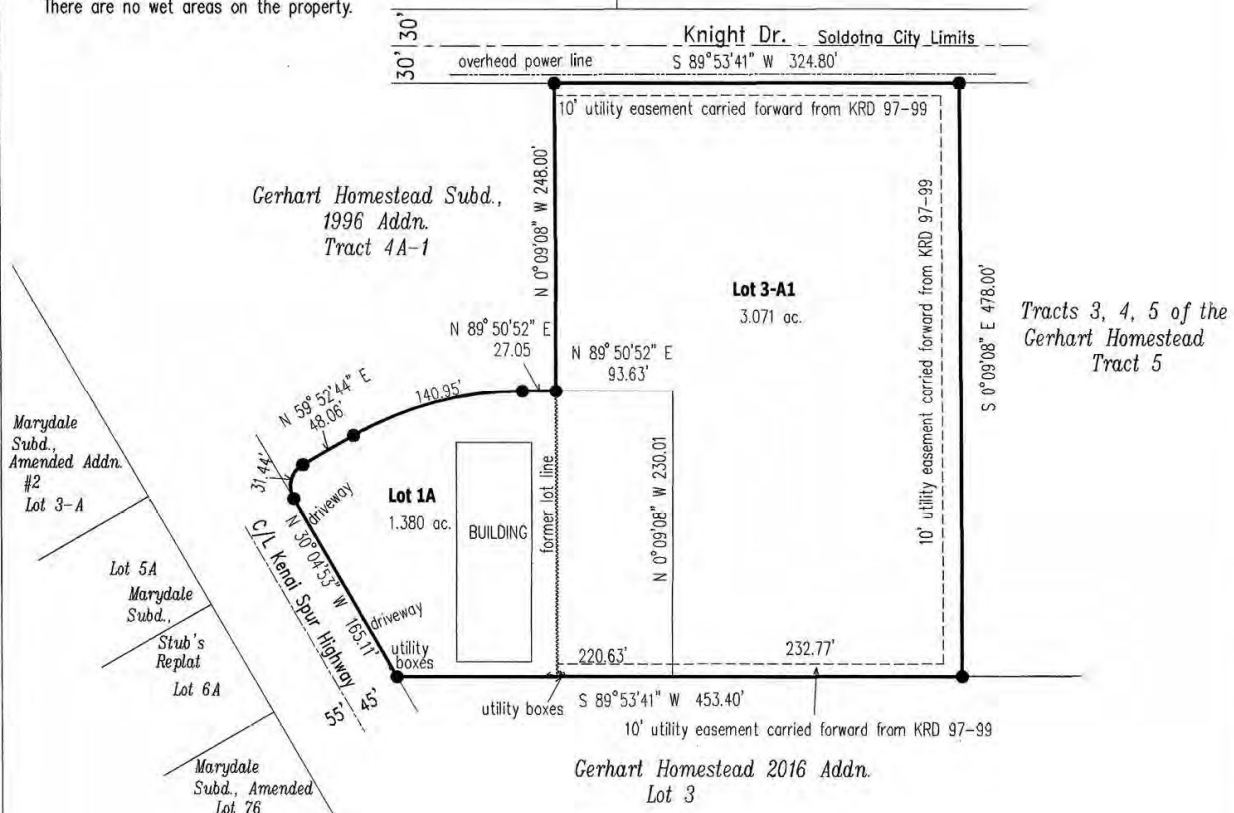
20.40.070
Plans for wastewater disposal that meet regulatory requirements are on file at the Alaska Department of Environmental Conservation.

NOTE :

Topography of the property is flat.
There are no wet areas on the property.

Gerhart Homestead Subd.,
1996 Addn.
Tract 9

Agregate Subd., 2020 Replat
Tract 10



AGENDA ITEM E. NEW BUSINESS

ITEM 1 - THE BUSINESS CENTER SUBDIVISION 2022 REPLAT

KPB File No.	2022-039
Plat Committee Meeting:	April 25, 2022
Applicant / Owner:	BEEZ LLC of Kenai, AK
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Kenai Spur Highway and Knight Drive, City of Soldotna

Parent Parcel No.:	059-340-57 & 059-340-63
Legal Description:	Lot 1 The Business Center Subdivision Part 2, KN 85-151 and Tract 3-A Gerhart Homestead Subdivision 1996 Addition, KN 97-99
Assessing Use:	General Commercial and Residential
Zoning:	Commercial District
Water / Wastewater	City

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will move the shared lot line between two lots. The new lots will be 1.38 and 3.071 acres.

Location and Legal Access (existing and proposed): The proposed subdivision is located near mile 1 of the Kenai Spur Highway. The western lot will continue having access from the Kenai Spur Highway. A developed driveway is in place. The eastern lot will continue having access from Knight Drive. There does not appear to be constructed access at this time. The Kenai Spur Highway is a state maintained right of way. Knight Drive is a 60 foot wide right of way that appears to be partially cleared but is not maintained. The city limits of Soldotna run along Knight Drive.

The block is closed and compliant. Kenai Spur Highway, Knight Drive, Arbor Street, and E Marydale Avenue define the block. Several of the roads that define the block are not fully constructed.

The plat shows the centerline and widths for the Kenai Spur Highway. Per the highway reservation, there is 100 feet from centerline reserved for right of way. Parent Plats Irons Subdivision Tracts A-B-C, Plat KN 73-47, and Tracts 3, 4, 5 of the Gerhard Homestead, Plat KN 74-105, indicate a 35 foot construction easement and building setback. The Business Center Subdivision Part 2, Plat KN 85-151 vacated the 35 foot construction easement in addition to additional travelways and easements.

KPB Roads Dept. comments	Out of Jurisdiction: Yes Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	The ROW for Kenai Spur Highway is as shown on Kenai Spur Highway Mile 0.0 to 2.8 ROW Map (F-022-1(7)/56709) sheet 9 of 24, Plat 99-86 KRD, and appears to be shown correctly.

Site Investigation: There are no low wet areas present. The terrain is relatively flat with no steep slopes.

Proposed Lot 1A will contain the building that currently is being used for medical offices. The building has a parking lot in the front that is within the bounds of the parent parcel. The back parking area is within another lot. The lot line reconfiguration will allow both parking areas to be on the same lot as the building. Proposed Lot 3-A1 will be vacant. The area is zoned commercial with structures on the lots north and south of the proposed subdivision. The lot to the east is vacant.

The city limits for Soldotna runs along Knight Drive. To the north of Knight Drive, outside city limits, is an active

material site. The improvements and close vicinity to the material site do not appear to cause any issues or encroachments with the subject property.

KPB River Center review	<p>A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Within City of Soldotna/Kenai 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

Staff Analysis The property within the proposed plat were originally part of the subdivision Tracts 3, 4, 5 of the Gerhart Subdivision, Plat KN 74-105. Multiple subdivisions have occurred that included portions of this plat through the years. The Business Center Subdivision Part 2, Plat KN 85-151, is the last plat including parent Lot 1 and Gerhart Homestead Subdivision 1996 Addition, Plat KN 97-99, is the last plat that included parent Lot 3-A.

Plat KN 74-105 did put into place a 20 foot building setback along Knight Drive. That setback was again referenced on Plat KN 79-158. Plat KN 97-99 included property inside and outside city limits. The setback note was included and the depiction of the setback was not included on this property. A note to address the previously shown setback is not present. **Staff recommends a plat note be added in accordance with 20.30.250, "Per KPB 20.30.250 the building setback of record has been removed. All development must comply with the municipal zoning requirements."**

The lots are within the City of Soldotna. A soils report is not required. Per the City of Soldotna Planning and Zoning Commission Resolution PZ2022-004, municipal water and sewer are available and an installation agreement is not 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 the property is affected by beneficial interest holders.

The City of Soldotna Planning and Zoning Commission heard the plat at their March 2, 2022 meeting. The Planning and Zoning Commission adopted Resolution PZ2022-004 which recommends approval of the plat based on the following condition.

1. The depictions of private utility boxes and sewer manholes be removed from the plat.

The plat reviewed by the Soldotna Planning and Zoning Commission included additional utility boxes and sewer manholes within the subdivision. Some of the depicted items are not within utility easements. The City of Soldotna utility manager stated the sewer manhole and the utility boxes are not owned by the City. The lots are connected to City water and sewer but the mains are not to City standards and are considered private. The City of Soldotna noted that the city does not maintain nor is responsible for any improvements or maintenance on private utilities. So there is no confusion regarding the existing utilities the City of Soldotna has requested the utility boxes and sewer manholes not be depicted on the plat. **Staff recommends the remaining utility boxes being depicted be removed from the final plat and if utility easements are requested by providers around the utility boxes they be granted.**

Utility Easements Tracts 3, 4, 5 of the Gerhart Homestead, Plat KN 74-105, granted a 10 foot utility easement along the southern boundary and a 15 foot wide utility easement along the eastern boundary of the subdivision. Gerhart Homestead Subdivision No. 2, Plat KN 79-158, granted a 10 foot utility easement along Knight Drive. The Business Center Subdivision Part 1, Plat KN 80-90, granted a 20 foot travelway and utility easement along the western portion of the southern boundary that was later vacated along with the 35 construction easement along the Kenai Spur Highway. The vacations were finalized by The Business Center Subdivision Part 2, Plat KN 85-151. Gerhard Homestead Subdivision 1996 Addition, Plat KN 97-99, carried over the previously easements. It also depicted the vacation of a 60 foot wide easement granted by Book 275 Page 274, KRD. **Staff recommends the plat labels be updated from carried over to "granted by" and include the original plat number and update the eastern boundary label to 15 feet.**

The certificate to plat indicates an easement with an undefined location has been granted by document. **Staff recommends a plat note be added for the easement.**

An overhead power line is depicted on the plat within the Knight Drive right of way. Plat KN 97-99 stated it was center of a 20 foot wide utility easement. Due to the location and the 10 foot utility easement existing within Tract 3-A1 this will not result in additional width of the easement being needed. **Staff recommends the depiction be removed or the plat note from Plat KN 97-99 be carried over.**

Per KPB 20.30.060(D), the front 10 feet adjoining rights-of-way shall be designated as a utility easement. **Staff recommends the front 10 feet adjoining the Kenai Spur Highway be depicted and granted as a 10 foot utility easement.**

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

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek Affected Addresses: 35670 KENAI SPUR HWY</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: KENAI SPUR HWY KNIGHT DR</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: 35670 KENAI SPUR HWY will remain with lot 1A.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	Comments not received when staff report was prepared.

Assessing	Reviewer: Wilcox, Adeena Comments: No comment
-----------	--

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

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

KPB 20.25.070 – Form and contents required

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: *Update Tract 3A Gebhart to "Tract 3-A Gerhart"*

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: *Add "Hwy" to the Kenai Spur label.*

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 spelling of "Aggregate" for the subdivision label to the north.*

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.*

20.30.270. 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 Soldotna does not meet the specified requirements for the application and consideration of different standards.*

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: Municipal water and sewer are available. Soils report not 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.

20.60.180. Plat notes.

A. Plat notes shall not be placed on a final plat unless required by borough code or by the planning commission in order to promote or protect the public health, safety, and welfare consistent with borough and state law.

B. Revision of, or not carrying forward, an existing plat note from the parent plat will adhere to KPB 20.50.010. Separate advertising of the plat note removal is not required, Notification of the requested change will be sent by regular mail to all owners within the subdivision (parent plat and subsequent replats) as shown on the borough tax rolls. Upon approval by the planning commission, the revision or removal of the record plat note shall be finalized by recording a planning commission resolution or subdivision plat.

Staff recommendation: Place the following notes on the plat.

- Subject to easement granted to Homer Electric Association, Inc. for electric lines or system and/or telephone lines together with right to enter, maintain, repair and clear shrubbery recorded in Misc Book 4 Page 129, Kenai Recording District. No definite location disclosed.
- Per KPB 20.30.250 the building setback of record has been removed. All development must comply with the municipal zoning requirements.
- The front 10 feet adjoining rights-of-way shall be designated as a utility easement.

Update the plat note numbers.

Within plat note 5 (6) include "of the Interior" after Department in the third line of the note.

Include the recording number "99-86, KRD" for the ROW map in note 4 (5).

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: Both members of the LLC will be required to sign unless documentation is submitted that shows who has the ability to sign on behalf of the LLC. 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.

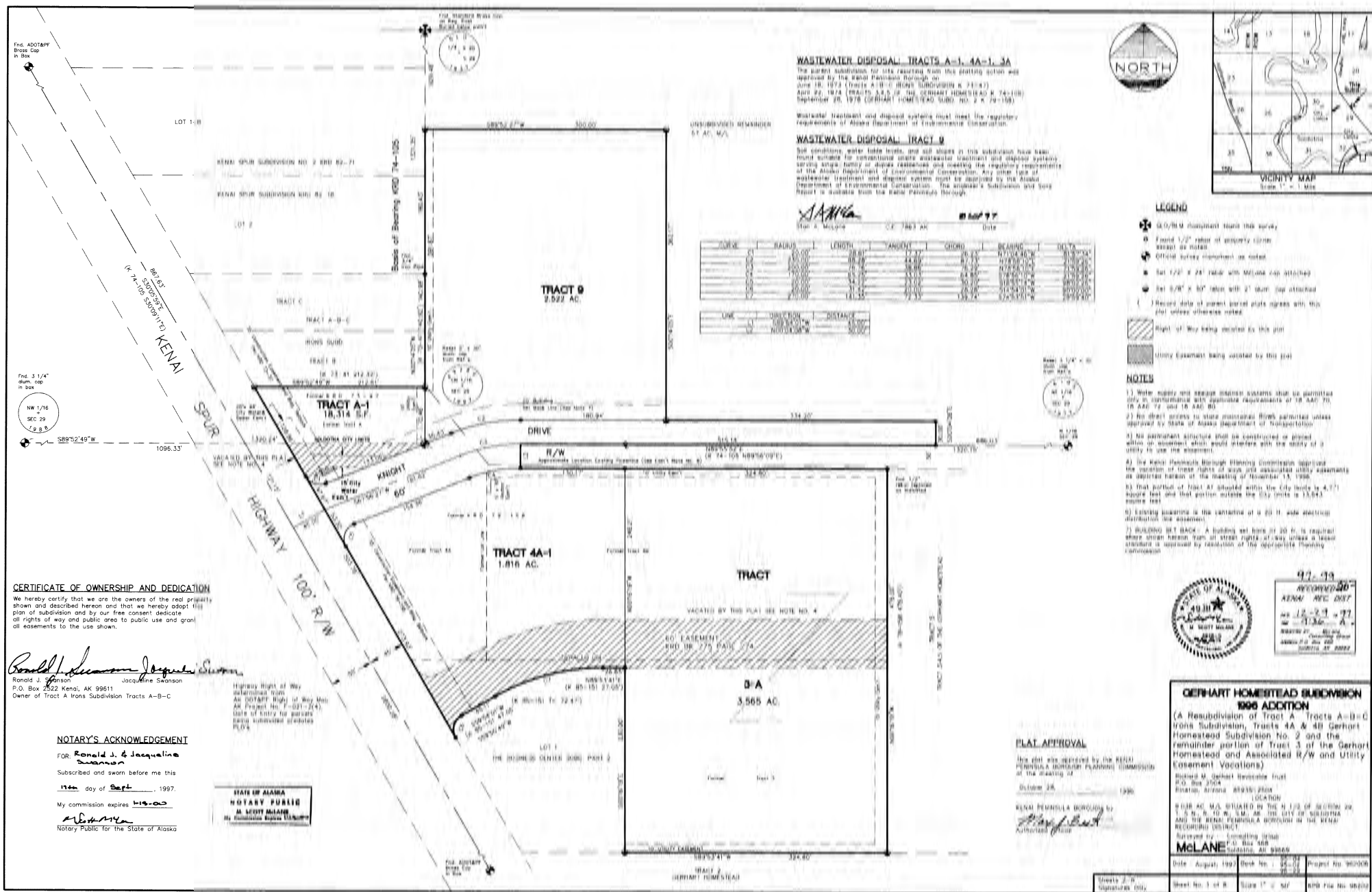
NOTE: 20.25.120. - REVIEW AND APPEAL.

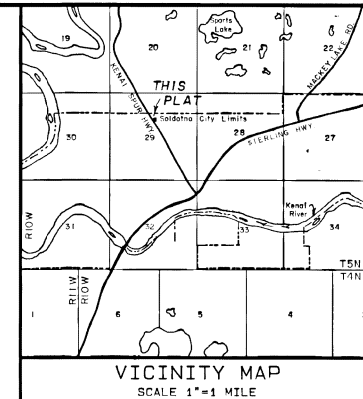
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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

- BLM or GLO monument recovered
- BLM or GLO monument not recovered
- Found official survey monument
- Set Bernsten 3 1/4"x 30" aluminum survey monument
- Monument of record not recovered
- Found 5/8" rebar
- Set 5/8"x 30" rebar with 2" aluminum cap
- 1/2" rebar of record not recovered
- Set 1/2"x 24" rebar with plastic cap C 263
- Found 1 1/2" aluminum cap

Indicates record data

NOTES

- 1) Water supply and sewage disposal systems shall be permitted only in conformance with applicable requirements of 18 AAC 70, 18 AAC 72, and 18 AAC 80.
- 2) All technical data shown hereon is record data from Plat KRD 80-90, The Business Center Subdivision Part I.
- 3) This plat eliminates the covenant shown on The Business Center Subdivision Part I plat KRD 80-90 which reads "Temporary access to the Kenai Spur Hwy. allowed until such time that Commercial Ave. is constructed." This plat also vacates the 35' construction easement and building setback created by plat KRD 74-105 Tracts 3, 4, 5 of the Gerhart Homestead.

THE BUSINESS CENTER SUBDIVISION PART 2

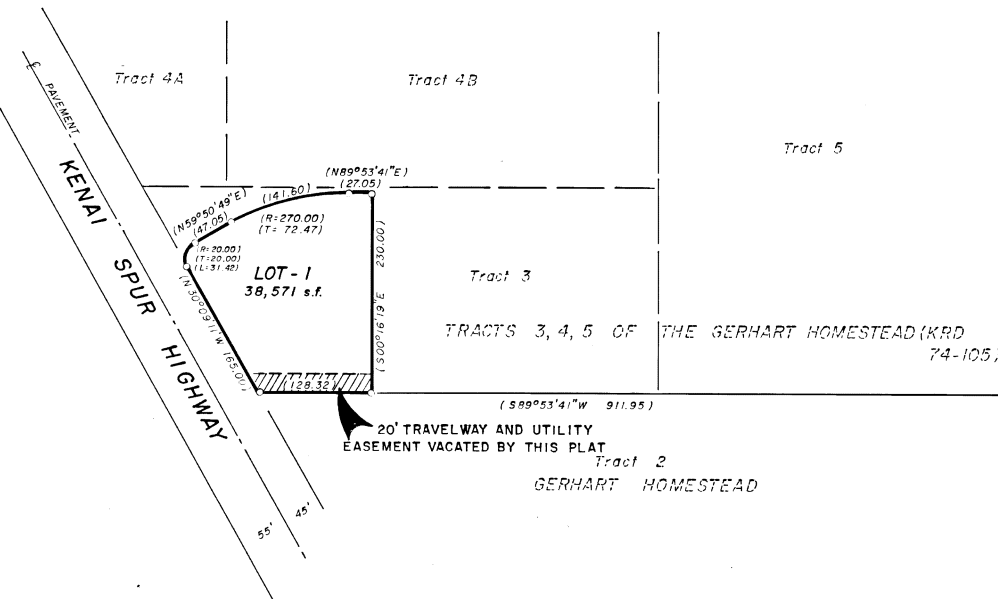
A Replat of Lot 1 Block 2 The Business Center Subd. Part I, Vacation of a 20' Travelway and Util. Easement, Vacation of a 35' Construction Easement and Bldg. Setback, Elimination of a Covenant

LOCATION

38,571 S.F. LOCATED IN THE S1/2 N1/2 NW1/4 SECTION 29, T5N, R10W, S.M. AK., THE CITY OF SOLDOTNA AND THE KENAI PENINSULA BOROUGH.

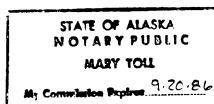
Prepared by: McLane and ASSOC., INC. Soldotna, AK 99669
Prepared for: B and E INVESTMENTS 520 E. 4th Anchorage, AK 99501

DATE July 25, 1985	SCALE 1" = 100'	SHEET 1 of 1
DRAWN BY MTT CHECKED BY MPM	BK.No. JOB No. 85-2024	K.P.B. FILE No. 85-264



NOTARY'S ACKNOWLEDGEMENT FOR: John Estabrook

Subscribed and sworn before me this
...17th... day of ...August... 1985.
My commission expires 9-22-85.
Notary Public for the State of Alaska



CERTIFICATE OF APPROVAL BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION

This subdivision has been reviewed in accordance with 18AAC72.065 and is approved, subject to any noted restrictions.

Paul D. Horvath, Director
Signature Title Date 8-22-85

NOTARY'S ACKNOWLEDGEMENT

FOR: LOTTIE BUSCEMI

Subscribed and sworn before me this
17th day of August, 1985.

My commission expires April 27, 1988.
Notary Public for the State of Alaska

CERTIFICATE OF OWNERSHIP AND DEDICATION

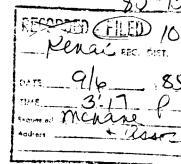
We hereby certify that we are the owners of the property shown and described hereon and that we hereby adopt this plan of subdivision and dedicate all right-of-ways to public use and grant all easements to the use shown.

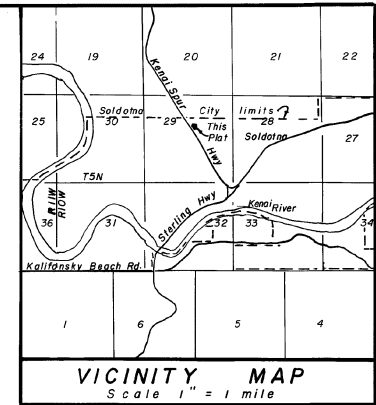
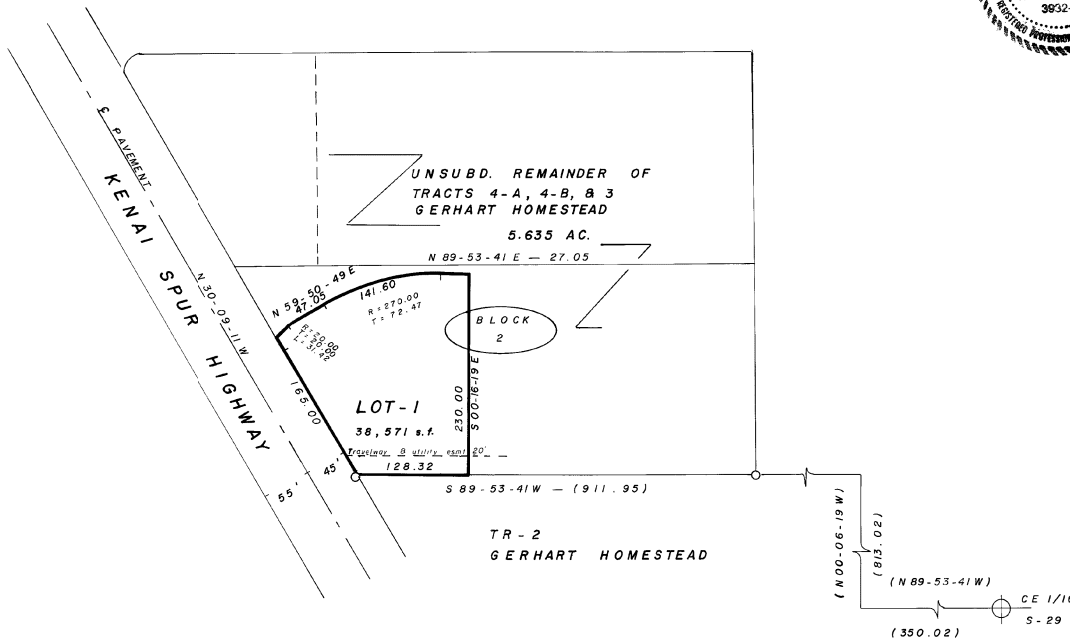
Lottie Buscemi, John Estabrook
Signature Title Date

PLAT APPROVAL

This plat was approved by the KENAI PENINSULA BOROUGH PLANNING COMMISSION at the meeting of

Aug 12, 1985
KENAI PENINSULA BOROUGH
By Stephen E. Cervantes, Authorized Official





LEGEND AND NOTES

- ⊕ Found official survey brass cap.
- Found 1/2" X 24" steel rebar.
- ⊥ Set 1/2" X 24" steel rebar at all lot corners.

All bearings refer to the South bounds of Tract 3 Gerhart Homestead data of record.

() Indicates data of record.

All wastewater treatment and disposal systems shall comply with existing law at time of construction.

COVENANT

- 1) Each of the lots in this subdivision shall be subject to assessments for improvements required by ordinance of the City of Soldotna when installed by the City of Soldotna.
- 2) Temporary access to the Kenai Spur Hwy. allowed until such time that Commercial Ave. is constructed.

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of May 12, 1980.

Kenai Peninsula Borough
By *Philip A. Waring*
Authorized Official

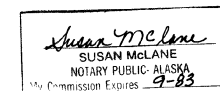
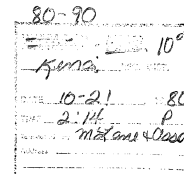
CERTIFICATE OF OWNERSHIP AND DEDICATION

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.

KWMK Lands, Box 468 Soldotna, Ak.

John T. Stubblefield
John T. Stubblefield
Sandra Stubblefield
Sandra Stubblefield
Paul Snell
Paul Snell

Micki E. Kobylik
Micki E. Kobylik
Michael P. McLane
Michael P. McLane
Roberta C. Wilpitt
Roberta C. Wilpitt



NOTARY'S ACKNOWLEDGEMENT

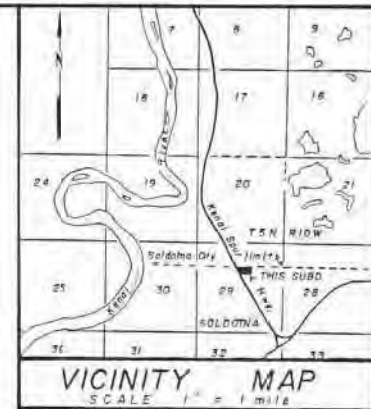
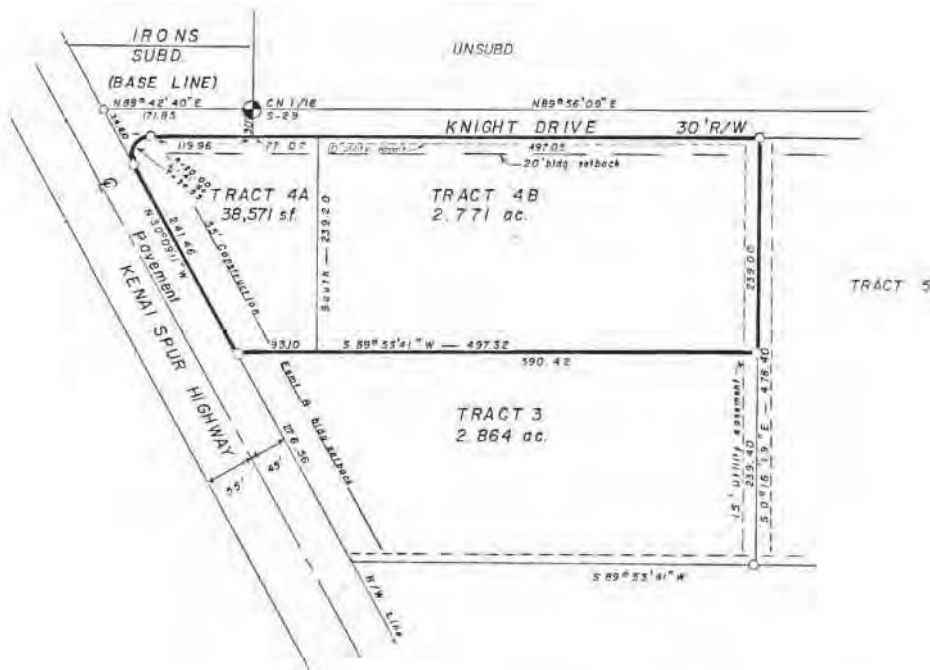
Subscribed and sworn before me this 4... day of August, 1980.
My commission expires 9-83.
Susan McLane
notary public for Alaska

THE BUSINESS CENTER SUBDIVISION PART I

KWMK Lands, owner
Box 468, Soldotna, Ak.
LOCATION
38,571 s.f. located in the S1/2 N1/2 NW1/4 Sec 25 T5N R10W S.M. AK. the City of Soldotna, Ak. and the Kenai Peninsula Borough.

Surveyed By: McLane & Associates
Soldotna, Ak. 99669

Date of survey	Scale	BK. NO.
7/21/80	1" = 100'	35 - 69



LEGEND AND NOTES

- Found official survey monument
 - Found 1/2" steel rebar
 - Set 1/2" x 24" steel rebar
- All bearings refer to the GN 1/16 line Sec 29 as being N89°42'-40"E data of record.
- All wastewater disposal and treatment systems shall comply with existing law at time of construction.
- Building setback — A building setback of 20' is required from all street rights of ways unless a lesser standard is approved by resolution of the appropriate planning commission.



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.

John T. Stubbs and S. L. Stubbs
 John T. Stubbs and S. L. Stubbs owners
 Box 773, Soldotna, AK 99669

Susan Mc Lane
 SUSAN McLANE
 NOTARY PUBLIC, ALASKA
 My Commission Expires 8-83

NOTARY'S ACKNOWLEDGEMENT
 Subscribed and sworn before me this
 27 day of Sept., 1979
 My commission expires 8-83
Susan Mc Lane
 notary public for Alaska

79-153
 FILED
 9/28 - 1979
 12:07 - P.M.
 Mc Lane

PLAT APPROVAL

This plat was approved by the Kena Peninsula Borough Planning Commission at the meeting of September 27, 1979.

Kena Peninsula Borough
 By *Philip W. Waring*
 Authorized Official 11/28/79

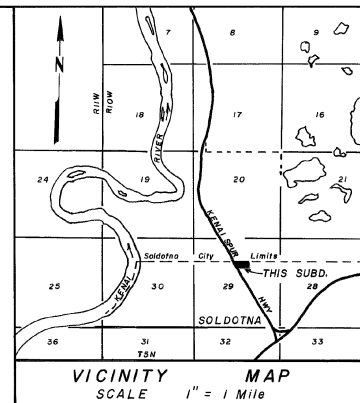
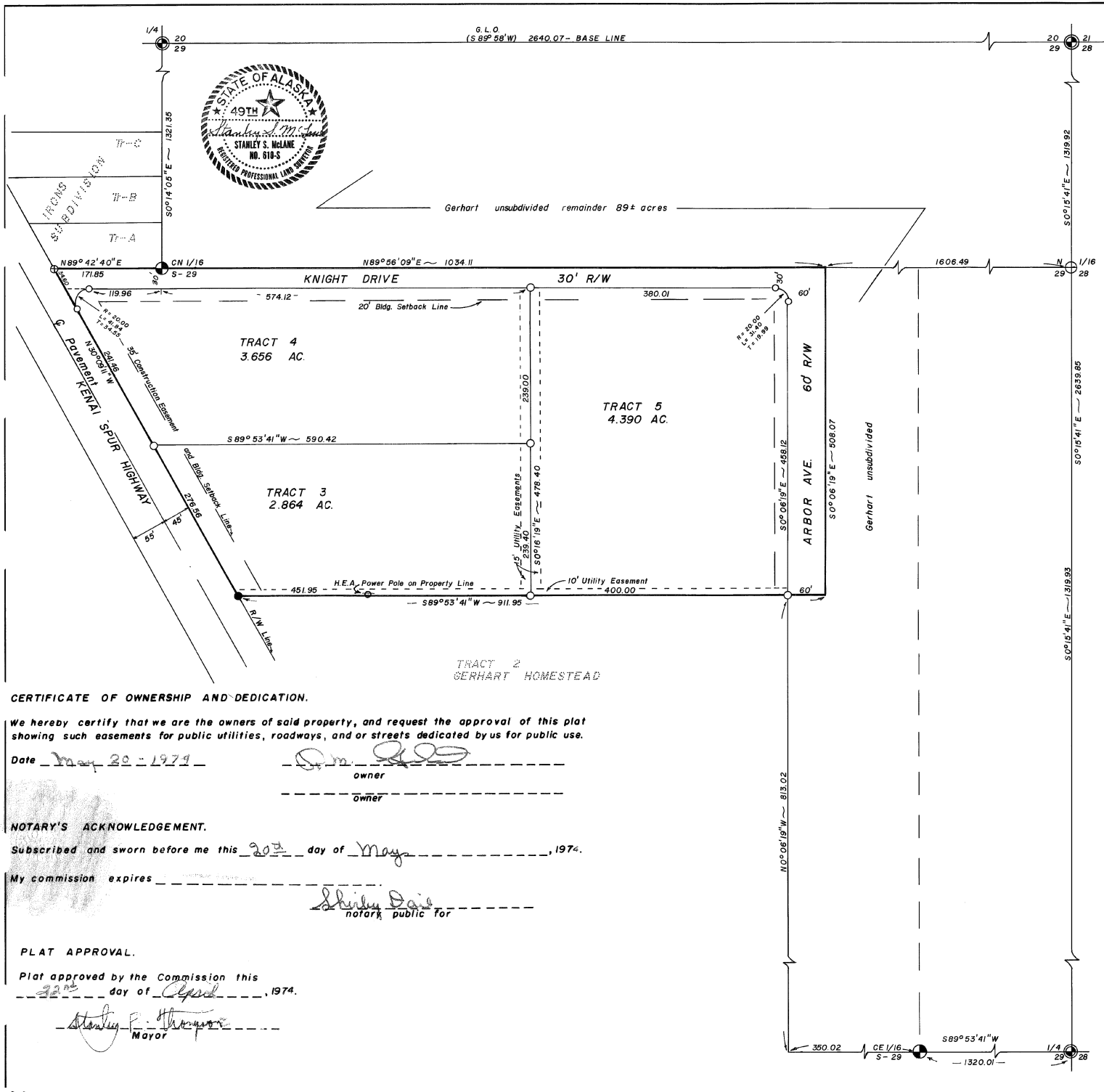
COVENANT

Each of the lots in this subdivision is subject to existing assessments for improvements, if any, and may be subject to future assessments for improvements when required by ordinance by the City of Soldotna.

GERHART HOMESTEAD SUBD. NO.2 (A resubd. of TR. - 4)

KMWK Lands, owner
 Box 468 Soldotna, AK
 LOCATION
 3656 acres situated in the NE 1/4 SE 1/4 NW 1/4, NW 1/4 SW 1/4 NE 1/4 Sec 29 T5N R10W S.M. AK, The City of Soldotna and the Kena Peninsula Borough.
 Surveyed by: Mc Lane and Associates, Inc.
 Soldotna, Ak. 99669

DATE OF SURVEY	SCALE	BK. NO.
8/15/79	1" = 100'	



LEGEND AND NOTES

- Found G.L.O. brass cap
- Found official survey monument
- Set 2 1/2" brass cap
- Found 1" Al. cap
- Found 1/2" steel rod
- Set 1/2" x 24" steel rod

All bearings refer to G.L.O. datum of N89°58'E for the North boundary of Sec. 29.

COVENANTS

Each of the lots in this subdivision shall be subject to assessments for improvements required by ordinance of the City of Soldotna, when installed by the City of Soldotna.

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.

Date May 20 - 1974
owner
owner

NOTARY'S ACKNOWLEDGEMENT.

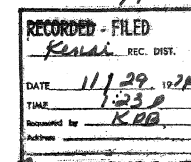
Subscribed and sworn before me this 20th day of May, 1974.

My commission expires _____
notary public for

PLAT APPROVAL.

Plat approved by the Commission this 22nd day of April, 1974.

Mayor



TRACTS 3,4,5 OF THE GERHART HOMESTEAD

R.M. Gerhart (owner)
1638 E. 18th St., Tucson, Arizona 85719

DESCRIPTION
12.361 ACRES LOCATED IN THE N1/2
OF SEC. 29, T5N, R10W, S.M. AK. WITHIN
THE CITY OF SOLDOTNA, AK.

Surveyed by: S.S. McLane R.L.S.
Soldotna, Ak. 99669

DATE OF SURVEY 3/26/74	SCALE 1" = 100'	BK. NO. 35 - 69
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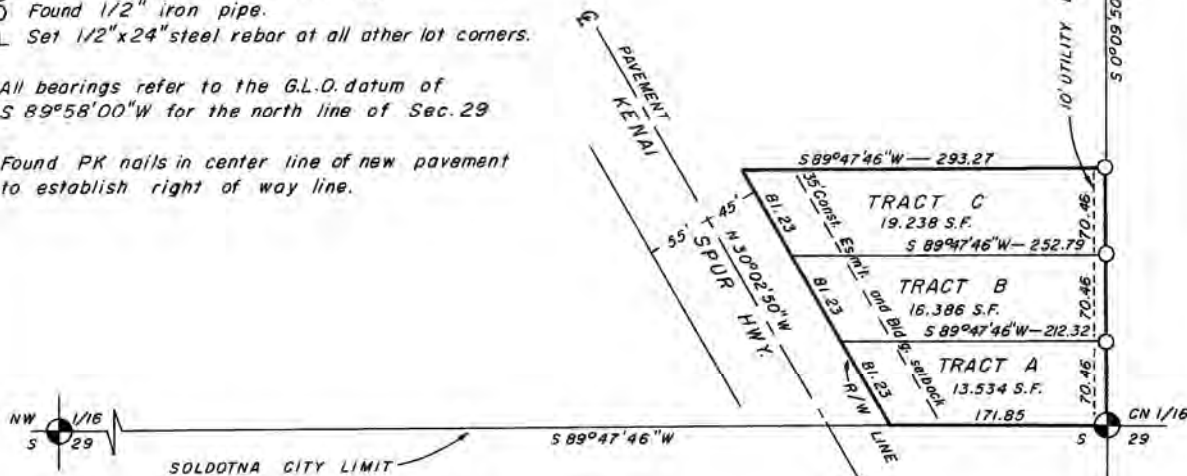


LEGEND AND NOTES

- ⊙ Found G.L.O. brass cap monument.
- ⊙ Found official survey brass cap.
- Found 1/2" iron pipe.
- ⊥ Set 1/2"x24" steel rebar at all other lot corners.

All bearings refer to the G.L.O. datum of
S 89°58'00"W for the north line of Sec. 29

Found PK nails in center line of new pavement
to establish right of way line.



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.

Date 6-19-73

Jack L. Irons
owner
Margaret D. Irons
owner

NOTARY'S ACKNOWLEDGEMENT.

Subscribed and sworn before me this 19th day of June, 1973.

My commission expires July 4, 1974

Edith B. Smith
notary public for Alaska



PLAT APPROVAL.

Plat approved by the Commission this 18th day of June, 1973.

Stanley F. Thompson
Mayor

TRACTS A-B-C
IRONS SUBDIVISION

Jack L. Irons Sr. — owner
1007 College Ave. Redlands, California 92373

DESCRIPTION

1.129 ACRES SITUATED IN NE 1/4 NW 1/4 SEC. 29
T5N, R10W, S.M. AK. EAST OF KENAI SPUR HWY,
NEAR SOLDOTNA, AK.

Surveyed by: S.S. McLane R.L.S.

DATE OF SURVEY June 11, 1973	SCALE 1" = 100'	BK. NO. 26 — 67
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CALL TO ORDER & PLEDGE OF ALLEGIANCE

A Regular Meeting of the Soldotna Planning and Zoning Commission was held on March 2, 2022. Chair Vadla called the meeting to order at 5:30 p.m.

There were present:

Kaitlin Vadla, Chair
Mark Burton

Thomas Anderson
Charlene Tautfest

Comprising a quorum of the Commission.

There were absent:

Jenny Smithwick-Aley

Also in attendance were:

Jordan Chilson, City Council Ex-Officio
John Czarnezki, Director of Economic Development and Planning Department (ED & P)
Jennifer Hester, Associate Planner

APPROVAL OF THE AGENDA

The agenda was approved without objection.

APPROVAL OF THE MINUTES

The February 2, 2022 meeting minutes were approved without objection.

NEW BUSINESS

Resolution PZ 2022-004 – Recommending Approval of the Business Center Subdivision 2022 Replat

MOTION: Commission Member Burton moved to approve Resolution PZ 2022-004.

Associate Planner Hester summarized the written staff report.

Chair Vadla inquired if the parcel is inside of City Limits and about the private ownership of the utility services.

Associate Planner Hester clarified that the plat is currently served by City water and sewer. The private service extensions to and from the City's mains are longer than normal and are not of the same material or diameter as the piping the City uses. On plats it is not common to see utility structures or sewer manholes called out. In order to avoid confusion in the future, the City thought the most straightforward approach would be to eliminate the depictions of the privately owned utility boxes and sewer manholes from the plat.

Chair Vadla inquired that plats typically have the lot lines and do not include the utilities.

Associate Planner Hester clarified that plats don't typically have utility structures depicted. The City debated if it was best to have a plat note stating the utilities were private, but decided to instead ask for the utility boxes and sewer manhole to be removed from the plat.

Chair Vadla asked for public comment. With no one wishing to speak, the item was back before the Commission.

With no one else wishing to speak, the item was back before the Commission.

VOTE ON MOTION:

Yes: Anderson, Burton, Tautfest, Vadla

No: None

Absent: Smithwick-Aley

MOTION PASSED: 4 Yes, 0 No, 1 Absent

REPORTS

Council Member Chilson reported Council has conducted two work sessions addressing the City Clerk vacancy. He stated that the City is awaiting the decision for the Economic Development Administration grant application. Additionally, Council has passed resolutions for the funding of Parks and Recreation Department projects and developments.

Council Member Chilson reported the City is working on an RFP for a grant writer position. Additionally, the City Council authorized the City Manager to apply for forgivable loans to begin a utility rate study. He also reported that Council awarded its mini grant to Project Homeless Connect again this year for the use of local food gift card purchases to hand out as a part of their services.

Chair Vadla inquired about the scope of work of the grant writer position. She mentioned a priority of infrastructure to enhance walkability. Also, the Planning & Zoning Commission is able to provide input to the grant writer. Chair Vadla also inquired if the EPA drinking water funding could be used to extend utility services to areas of the City that are not served.

Director of ED & P Czarnezki reported that Acting City Clerk Hewitt needs the APOC reporting to be completed and to copy her upon submission of the paperwork. He also stated there is likely a joint work session with Council on March 23, 2022 regarding downtown land use. Director Czarnezki informed the Commission that the Annual Alaska Chapter of the American Planning Association (APA) is March 22-24, 2022.

Director Czarnezki reported that the City's annexation appeal will be heard at 2:30 on March 8, 2022. For anyone interested he will share the zoom invitation. He also stated that at next week's council meeting, Mayor Whitney will nominate a new Planning and Zoning Commissioner. Mayor Whitney has also submitted two names to the Kenai Peninsula Borough to fill the vacant Soldotna seat on the Borough Planning Commission.

Associate Planner Hester reported the City has addressed a sign code violation, and followed up on a code complaint.

COMMISSION COMMENTS

Commissioner Burton commented that he is thankful for the opportunity to attend the virtual APA conference. He also inquired if parcel lines by the (David Douthit Veterans Memorial) bridge were replatted in order to create a separate lot of the contaminated area. Commissioner Burton also inquired if the use of EPA Brownfield Grant Funds could be used to help with reclamation of the contaminated soils within the downtown land use study area around this parcel.

Chair Vadla commented that she hopes to join via zoom the joint session on March 23 and inquired as to the difference between the information that the Commission received in their

Date:
Action:
Vote:

CITY OF SOLDOTNA
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2022-004

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF
THE CITY OF SOLDOTNA RECOMMENDING APPROVAL OF
THE BUSINESS CENTER SUBDIVISION 2022 REPLAT

WHEREAS, the attached plat for The Business Center Subdivision 2022 Replat was referred to the City of Soldotna Planning and Zoning Commission, and initially received from Johnson Surveying on February 4, 2022; and

WHEREAS, the City of Soldotna Planning and Zoning Commission find:

1. The Business Center Subdivision 2022 preliminary plat allocates .499 acres from existing Tract 3-A to the existing parcel to the west, Lot 1;
2. The parent plat includes Lot 1, which is .89 acres in size and Tract-3A, which is 3.57 acres in size;
3. The two existing lots are owned by the subdivider;
4. Lot 1 contains a principal structure with medical offices, and Tract 3-A is vacant;
5. The plat creates Lot 1A, a 1.380 acre lot, and Lot 3-A1, a 3.071 acre lot;
6. The properties are zoned Commercial;
7. The surrounding zoning is Commercial;
8. Municipal water and sewer are available to this subdivision;
9. Proposed Lot 1A has constructed access from the Kenai Spur Highway, and proposed Lot 3-A1 has access from a portion of Knight Drive which is unbuilt;
10. The plat does not subdivide property within a public improvement district subject to special assessments. There is not a delinquency amount owed to the City of Soldotna for the referenced property;
11. An installation or subdivision agreement is not required;
12. The replat meets all other general standards of Soldotna Municipal Code; and,

WHEREAS, in accordance with SMC 16.10.040.E the City mailed 19 notices to property owners within 300 feet notifying them of the proposed action;

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF SOLDOTNA, ALASKA:

Section 1. That the Commission recommends the Kenai Peninsula Borough Planning Commission approve The Business Center Subdivision 2022 Replat subject to the findings as stated above and the following condition:

1. The depictions of private utility boxes and sewer manholes be removed from the plat.

Section 2. A copy of this resolution shall be forwarded to the Kenai Peninsula Borough Planning Department for their consideration.

Section 3. This resolution shall become effective immediately upon its adoption.

PASSED BY THE PLANNING AND ZONING COMMISSION THIS 2ND DAY OF MARCH, 2022.

Kaitlin Vadla, Chair

ATTEST:

Jennifer Hester, Associate Planner

Yes:
No:
Absent:

TO: Planning and Zoning Commission
THROUGH: John Czarnecki, Director of Economic Development & Planning
FROM: Jennifer Hester, Associate Planner
DATE: February 8, 2022
SUBJ: Resolution PZ 2022-004 A Resolution of the Planning and Zoning Commission
Recommending Approval of the Business Center Subdivision, 2022 Replat

GENERAL INFORMATION

Applicant(s): BEEZ, LLC Johnson Surveying
35670 Kenai Spur Highway P.O. Box 27
Suite 1018 Clam Gulch, AK 99568
Soldotna, AK 99669 (907) 262-5772

Legal descriptions: T 5N R 10W SEC 29 Seward Meridian KN 0850151 The Business
Center Sub Part 2 Lot 1
T 5N R 10W SEC 29 Seward Meridian KN 0970099 Gerhart
Homestead Sub 1996 Addn Tract 3-A

Parcel IDs: 059-340-57 (Lot 1)
059-340-63 (Tract 3-A)

Physical Addresses: 35670 Kenai Spur Hwy (Lot 1)
No assigned physical address (Tract 3-A)

Location: Southeast of the intersection of the Kenai Spur Highway and
Knight Drive.

Size of Existing Lots: 0.89 acres (Lot 1)
3.57 acres (Tract 3-A)

Size of Proposed Lots: 1.380 acres (Lot 1A)
3.071 acres (Lot 3-A1)

Zoning: Commercial

Existing Land Use: Lot 1 has medical offices.
Tract 3-A is vacant.

**Surrounding Zoning
and Land Use:**

North:	Commercial	Sea Food Processing Facility
	Unincorporated Land (not zoned)	Gravel Pit
South:	Commercial	Retail
East:	Commercial	Undeveloped
West:	Commercial	Medical Office

**Kenai River Overlay
District (KROD):**

The property does not contain land within the KROD.

Utilities:

The property is served by municipal sewer and water (Lot 1).
Municipal sewer and water are available (Tract 3-A)

Access:

Access is gained via the Kenai Spur Highway (Lot 1)
Access is provided by a portion of Knight Drive that is platted, but
unbuilt and unmaintained right-of-way (Tract 3-A)

BACKGROUND INFORMATION

The proposed preliminary plat for the Business Center Subdivision 2022 Replat intends to transfer .499 acres from Tract 3-A to Lot 1. Lot 1 is currently developed with medical offices. Tract 3-A is undeveloped. The petitioner, Johnson Surveying, submitted the application on behalf of the owners of record for both parcels, BEEZ, LLC on February 4, 2022.

Lot 1's medical office building at 35670 Kenai Spur Highway is served by parking that extends across the property line into Tract 3-A. Soldotna Municipal Code 17.10.330 requires that parking be provided on the same lot as the use it serves, or on an adjacent parcel with a written cross parking agreement. This replat would correct the off-street parking and loading area by expanding the size of the parcel so that the parking area that serves Lot 1 is solely within newly created Lot 1A.

The parcels are zoned Commercial, as are all of the surrounding parcels.

Legal access to proposed Lot 1A is provided by Kenai Spur Highway. Legal access to proposed Lot 3-A1 is provided by a portion of Knight Drive which is platted, but is not built to Kenai Peninsula Borough standards and is not maintained by the City. Lot 1 is currently served by municipal water and sewer. Municipal water and sewer are both available to Tract 3-A.

Authority to review and approve proposed vacations, abbreviated subdivision plats, subdivision plat waivers, and preliminary plats showing a subdivision of land within the corporate boundary of the City of Soldotna is provided by AS 29.40.010 and Kenai Peninsula Borough (KPB) code 20.25.050, and is codified within Soldotna Municipal Code (SMC) 16.10.040.



Figure 1. Subject Lots to redistribute .499 acres from Lot 1 to Tract 3-A.

ANALYSIS

The intent of the Commercial District is intended to provide an area which is convenient, visually pleasing, contributes to the economic welfare of the community, and allows a wide range of general business and other compatible uses. The preliminary plat meets all the following general standards for the Commercial District, which can be found under Section 17.10.265 of the SMC and are summarized in the table below:

Commercial District

Standard		Required	Provided		Standard Met?	Code Reference
			Lot 1A	Lot 3-A1		
Minimum Lot Size;		see note*	60,113 ft ²	133,773 ft ²	YES	17.10.265.E.1
Minimum Lot Width		see note*	264 ft.	276 ft.	YES	17.10.265.E.2
Maximum Lot Coverage		see note*	18%	no structure	YES	17.10.265.E.3
Maximum Building Height		48 ft.	< 48 ft.	no structure	YES	17.10.265.E.4
Minimum Yard Setback	Front: Back: Side:	see note*	54 ft. [°] 109 ft. [°] 13 ft. [°]	no structure	YES	17.10.265.E.5

*Area, width, coverage and yard setback requirements shall be governed by off-street parking, loading, landscaping, building, and fire code requirements

°Approximate distances based on staff overlay of the submitted plat with imagery

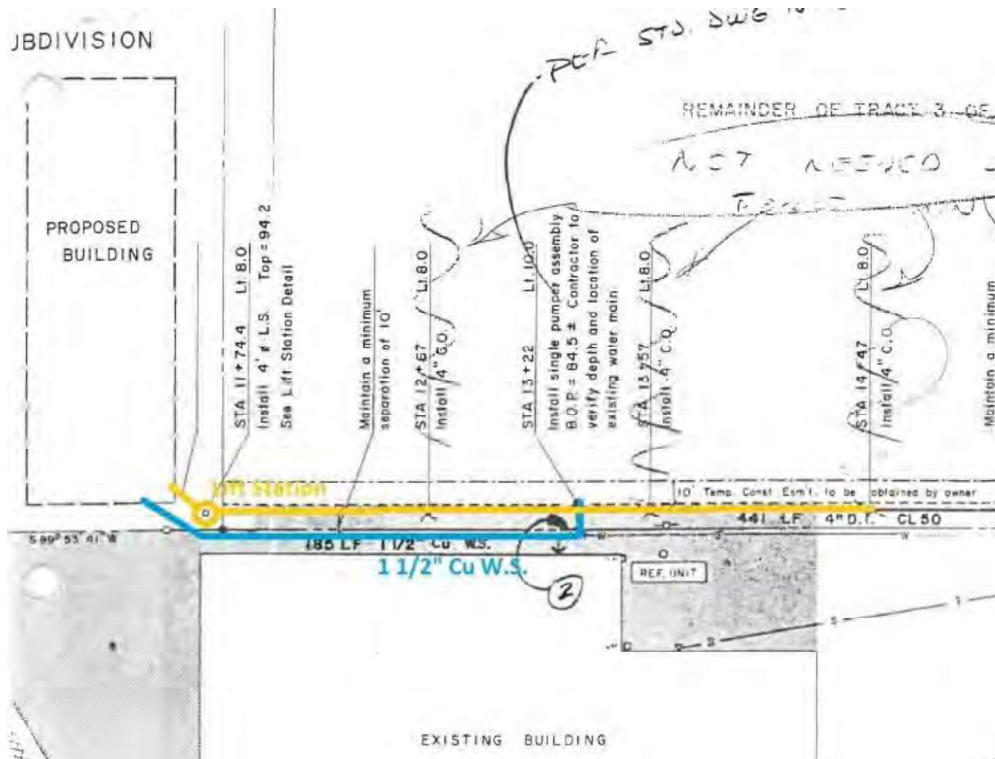


Figure 2. Private service lines (blue and yellow lines) and a lift station connect to the City owned infrastructure.

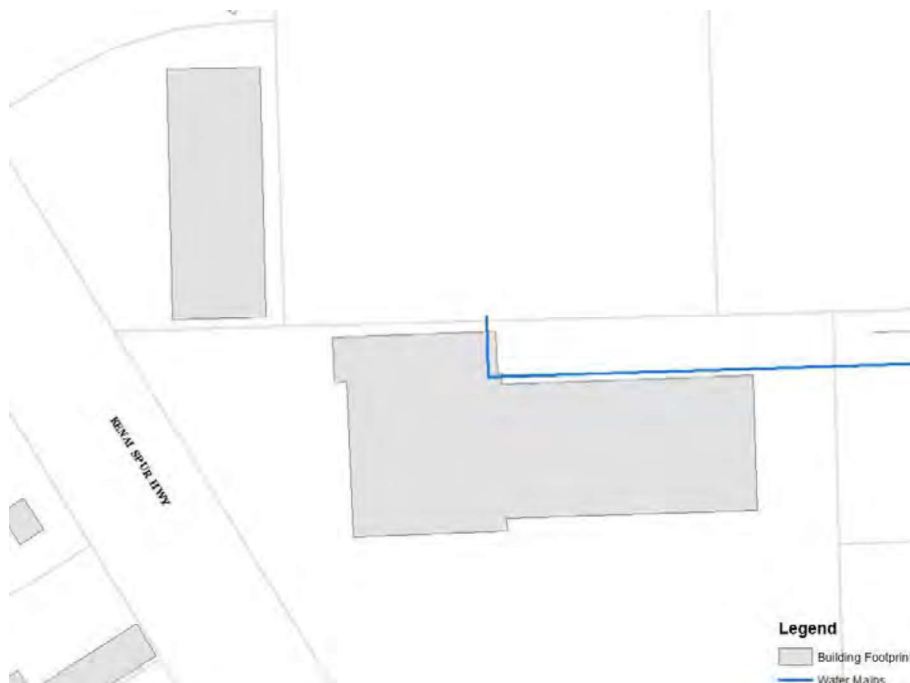


Figure 3. The City owned water main terminates at the privately owned service line.

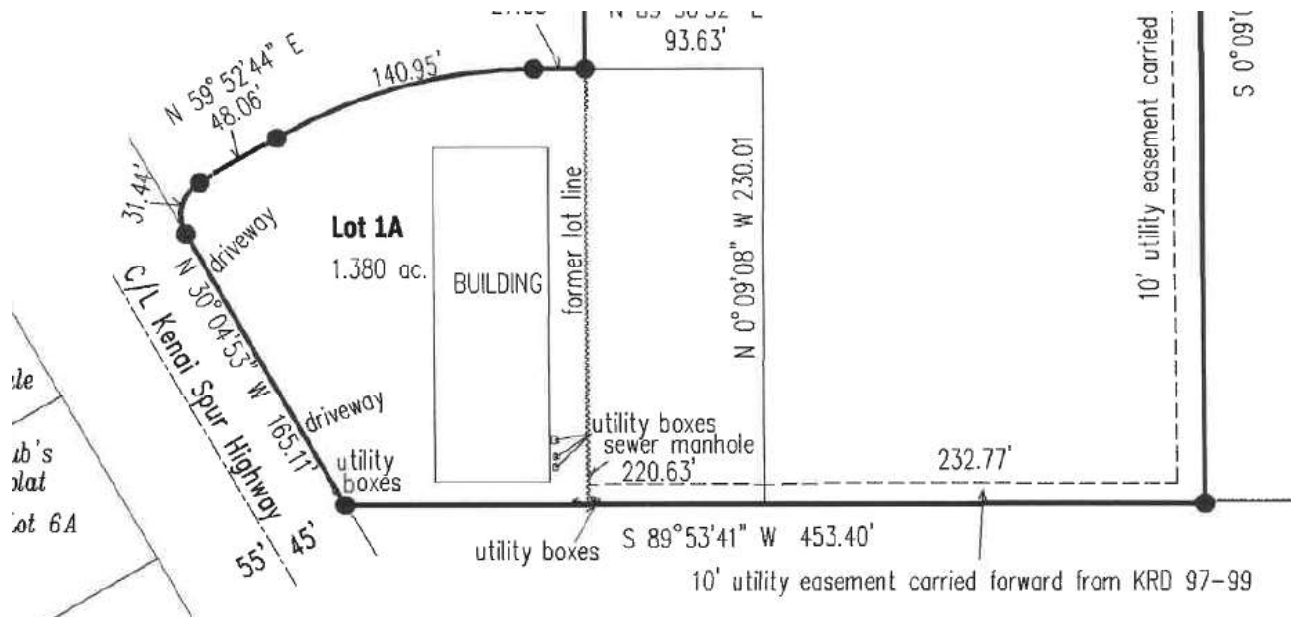


Figure 4. The preliminary plat depicts privately owned sewer manhole and utility boxes on Lot 1A.

STAFF COMMENTS

This plat is a reallocation of .499 acres from Tract 3-A to Lot 1.

The plat was circulated to City Staff for review.

Mike Allen, the Utility Manager, stated that the sewer manhole and utility boxes depicted on the preliminary plat are not owned by the City (figure 4). The service lines that were constructed to connect to City water and sewer mains were not to City standards and are private (figure 2). The City's water main terminates prior to proposed Lot 1A (figure 3).

Allen also stated that the existing sewer line, manhole, and lift station located on Lot 1A, connect to city sewer but do not comply with City standards. The City's sewer main terminates prior to proposed Lot 1A (figure 2).

The City of Soldotna does not maintain nor is responsible for any improvements or maintenance on the existing private utilities. As these private utilities are not necessary to the replat and may cause confusion regarding ownership, a request to have those depictions removed from the preliminary plat is included in the Resolution.

Nineteen (19) public notices were mailed on February 8, 2022. No comments had been received at the time this report was drafted.

STAFF RECOMMENDATION

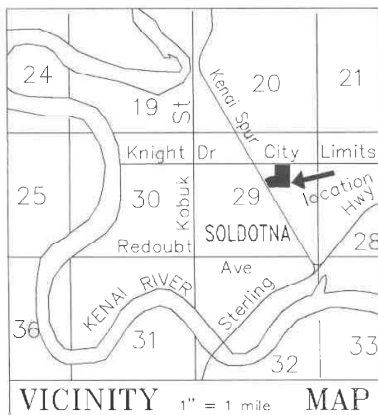
Staff finds the preliminary plat for The Business Center Subdivision 2022 Replat meets the general standards of the Soldotna Municipal Code, and therefore recommends approval subject to the following condition:

1. The depictions of privately owned utility boxes and the privately owned sewer manhole be removed from the plat.

Resolution PZ 2022-004 has been provided for your use, and would recommend approval to the Kenai Peninsula Borough.

Attachments:

- A. Location Map
- B. Preliminary Plat, The Business Center Subdivision 2022 Replat
- C. Parent Plat, Gerhart Homestead Subdivision 1996 Addition



The Business Center Subd., 2022 Replat Preliminary Plat

A replat of Lot 1 The Business Center Subd., Pt 2, KRD 85-151, & Tract 3A Gebhart Homestead Subd., 1996 Addn., KRD 97-99. Located in the NE 1/4 Section 29, T5N R10W, SM, City of Soldotna, Alaska. Kenai Recording District Kenai Peninsula Borough

Prepared for

BEEZ, LLC.
35670 Kenai Spur Hwy.
Suite 1018
Soldotna, AK 99669

Prepared by

Johnson Surveying
P.O. Box 27
Clam Gulch, Ak 99568
(907) 262-5772

SCALE 1" = 100' AREA = 4.451 acres
2 February, 2022

NOTES

1. These lots are served by City water & sewer.
2. These Lots are subject City of Soldotna zoning code.
3. No access to state maintained ROWs allowed unless permitted by State of Alaska Dept. of Transportation.
3. 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. Kenai Spur Highway information taken from AK DOT & PF ROW Map F-022-1(7) page 9 of 24.
5. This plat is subject to a highway reservation 100' on each side of the centerline of the Kenai Spur Highway as claimed by the State of Alaska or its successor in interest, pursuant to Public Land Orders 601, 757, and 1613, and Department Order 2665 issued by the Secretary of the Interior of the United States of America.

WASTEWATER DISPOSAL

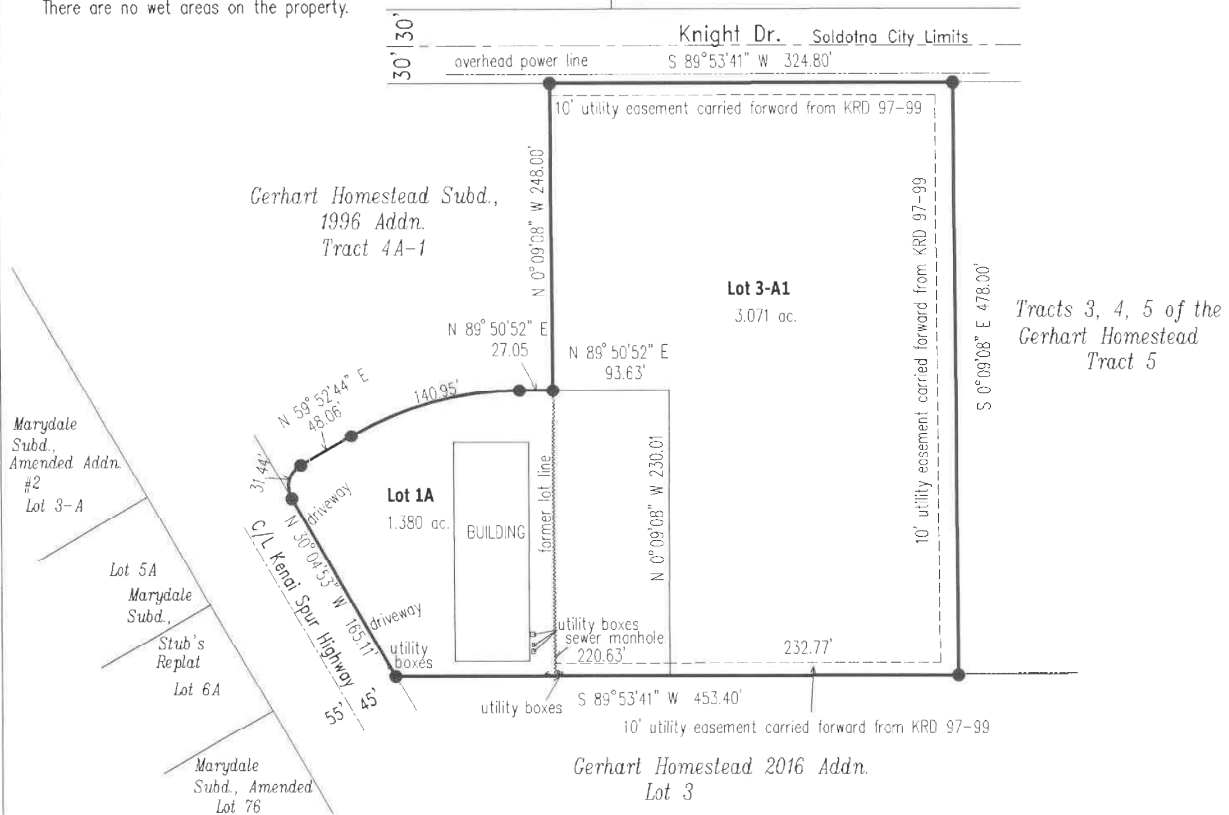
20.40.070
Plans for wastewater disposal that meet regulatory requirements are on file at the Alaska Department of Environmental Conservation.

NOTE :

Topography of the property is flat.
There are no wet areas on the property.

Gerhart Homestead Subd.,
1996 Addn.
Tract 9

Agregate Subd., 2020 Replat
Tract 10





Kenai Peninsula Borough Planning Department
144 North Binkley Street
Soldotna, AK 99669

Plat Submittal Form

Abbreviated Plat - Use the Abbreviated Plat Submittal Form.

Survey Firm Name & Address:

Johnson Surveying

Phone: 262-5772

P.O. Box 27

Clam Gulch, AK 99568

Email: johnsonsurveying@hotmail.com



Preliminary Plat



Revised Preliminary Plat



Minor Revisions



Major Revisions]



Preliminary Design



Subdivision Plat Phase (If a phased development, note preliminary design name below.)

[Preliminary Design Name: _____]



Submittal of 2 full size plats and 7- 11x17 size plats.



Plat Submittal Fee in the Amount of _____.



Final Plat - Preliminary Approval Granted _____ (date)



Plat Recording Fee in the Amount of _____

Plat Name: The Business Center Subdivision 2022

General Location: City of Soldotna

USE:



Residential



Recreational



Commercial



Agricultural



Other: _____



City minutes attached (Plat location is in city limits or Bridge Creek Watershed District.)

CURRENT ZONING WHERE APPLICABLE: _____

SEWER:



On site



City



Community

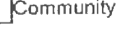
WATER:



On site



City



Community

EXCEPTIONS REQUIRED AND REQUESTED:

1. _____

2. _____

3. _____

4. _____

Comments: (Attach an additional sheet if needed.)

Original Signature(s) of Owner(s) of a Majority of Land within the Subdivision

Bobbie Behrens

Print Name

Theodore Barron

Print Name

Print Name

Print Name

Signature

Signature

Signature

Signature



The Business Center Subdivision 2022 Replat
 PZ - Resolution 2022-004



177 N. Birch St.
Soldotna, AK 99669
Phone: 907.262.9107
Fax: 907.262.1245
www.soldotna.org

CITY OF SOLDOTNA PLANNING AND ZONING COMMISSION

NOTICE OF PRELIMINARY PLAT SUBMISSION

Notice is hereby given that a preliminary plat has been received by the City of Soldotna to create The Business Center Subdivision, 2022 Replat. You are being sent this notice because you are a property owner within three hundred (300) feet of the proposed plat.

The preliminary plat reallocated .499 acres of land from Tract 3-A to Lot 1. The properties are zoned Commercial. A copy of the preliminary plat is enclosed and is described below:

Resolution PZ 2022-004. A Resolution of the Planning and Zoning Commission Recommending Approval of The Business Center Subdivision 2022 Replat.

Although final approval lies with the Kenai Peninsula Borough government, the City of Soldotna Planning and Zoning Commission has first review of any platting applications. The Planning and Zoning Commission meeting is an opportunity for any individual to submit commentary on this plat in person or via other communication methods (see below).

A meeting will be held by the City of Soldotna Planning and Zoning Commission on **Wednesday, March 2, 2022, commencing at 5:30 p.m.**, or soon thereafter as business permits. The meeting will be held at City Hall in the Council Chambers, located at 177 N. Birch Street, Soldotna, Alaska 99669.

Participating during COVID-19: While in-person testimony will be taken during the meeting, interested persons are encouraged to participate via Zoom Webinar or submit written comments in advance of the meeting. Written comments may be submitted to the attention of Jennifer Hester, Associate Planner, City of Soldotna, 177 N. Birch Street, Soldotna, Alaska 99669; faxed to 907-714-1234; or emailed to jhester@soldotna.org

The Zoom Webinar ID is: 845 1108 3895. To join the webinar from a computer visit <https://us02web.zoom.us/j/84511083895> or to join by telephone call 1-669-900-6833.

For additional information contact the Planning Department, 907-714-1234.

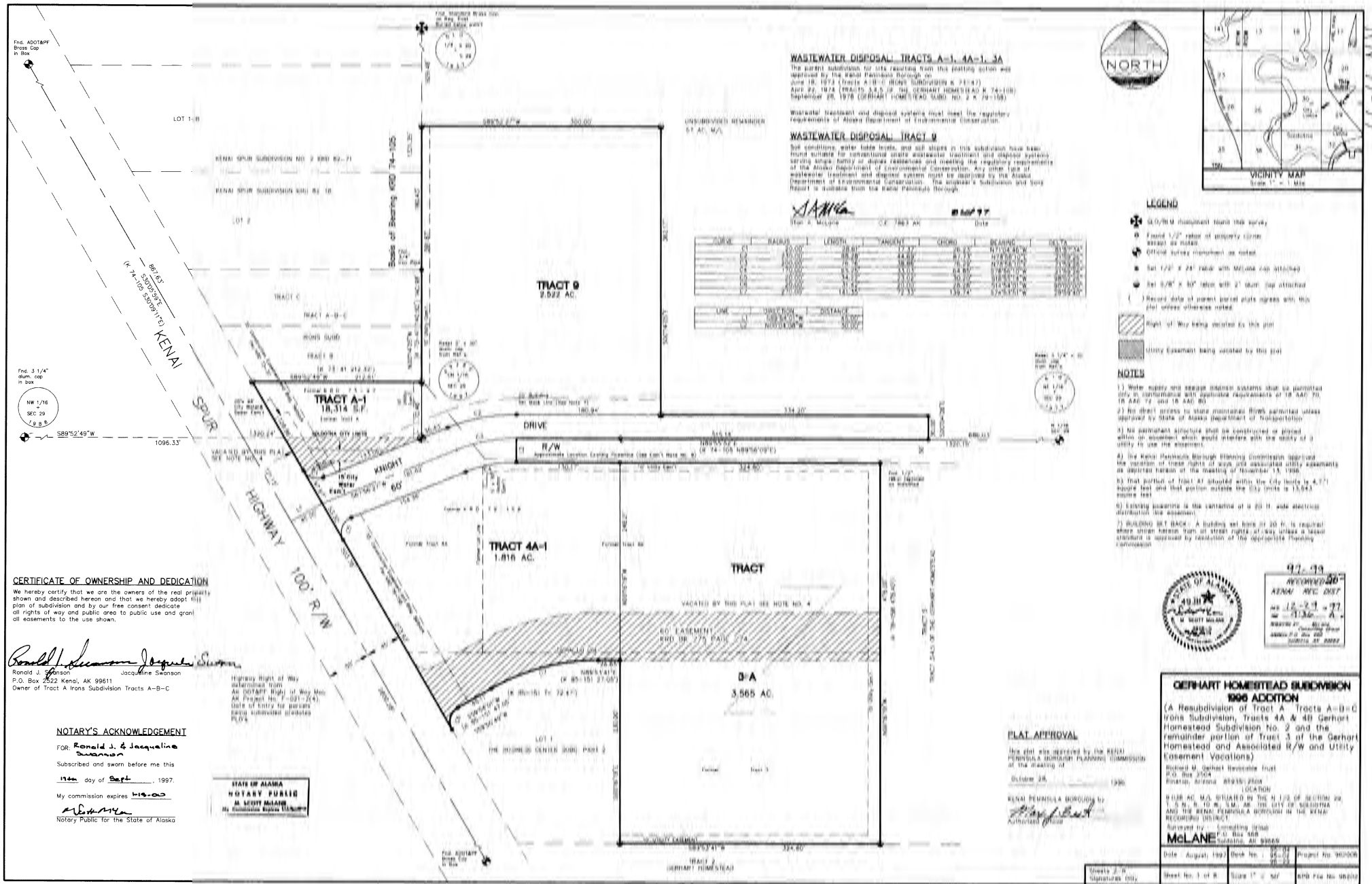
A MAP OF THE REPLAT LOCATION IS ON THE BACK OF THIS NOTICE.

A COPY OF THE PROPOSED PLAT IS ALSO ENCLOSED.

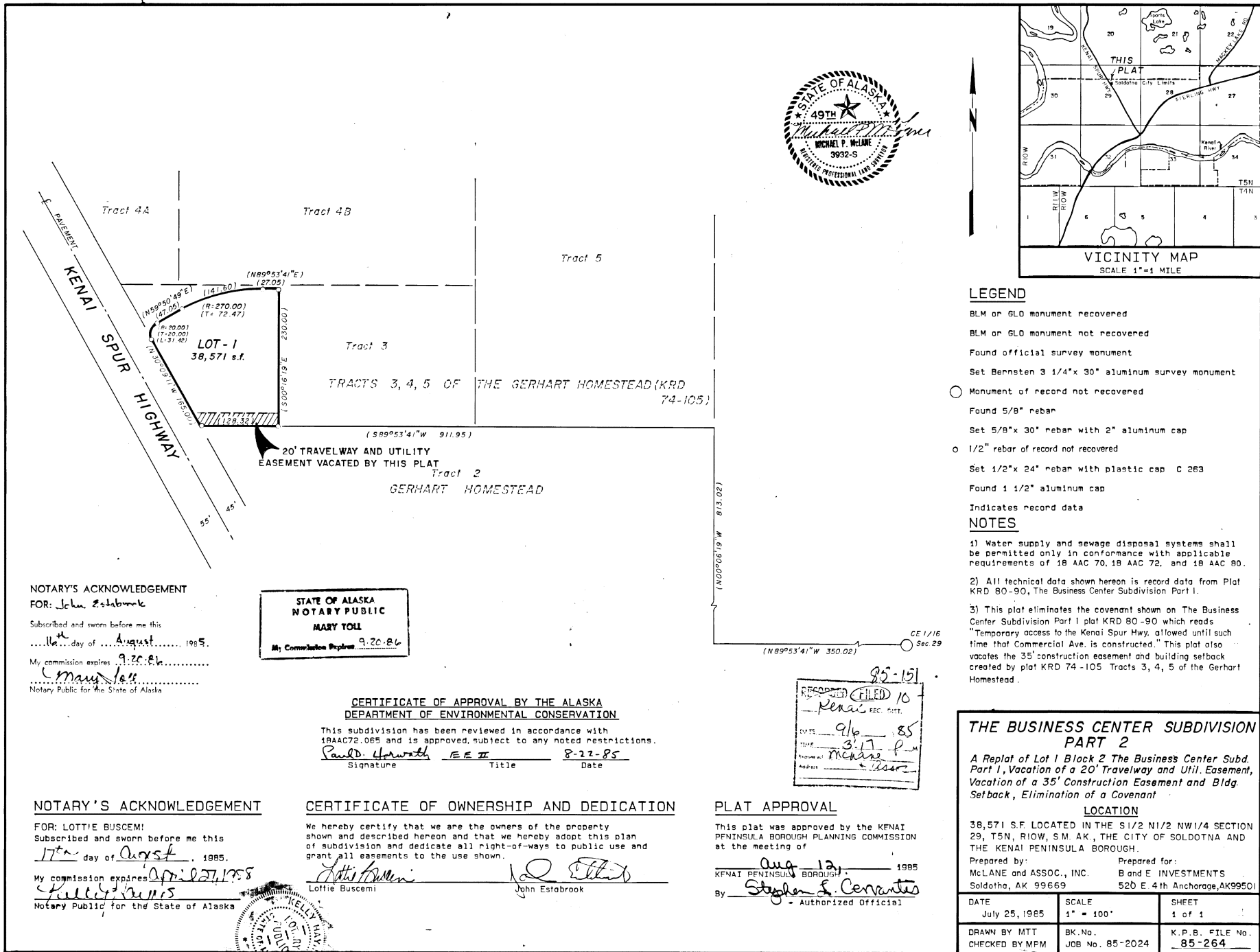
Owners of real property within 300 feet of The Business Center Subdivision 2022 Replat
who recieved noticing of the subdivision request and meeting information

OWNER	ADDRESS	CITY, STATE ZIP
KNIK CONSTRUCTION COMPANY INC	6520 KULIS DR	ANCHORAGE, AK 99502
SWANSON TRAVIS CARL	35770 KENAI SPUR HWY	SOLDOTNA, AK 99669
SWANSON JACQUELINE	PO BOX 2522	KENAI, AK 99611
KNIK CONSTRUCTION COMPANY INC	6520 KULIS DR	ANCHORAGE, AK 99502
FRIENDSHUH GENE J & GEORGE U	35581 KENAI SPUR HWY	SOLDOTNA, AK 99669
STURMAN MARY A	PO BOX 513	SOLDOTNA, AK 99669
STURMAN MARY A	PO BOX 513	SOLDOTNA, AK 99669
BOWEN VICTOR S & LINDA J	35723 KENAI SPUR HWY	SOLDOTNA, AK 99669
NUKKA PROPERTIES LLC	PO BOX 1044	SOLDOTNA, AK 99669
O'DONOGHUE PROPERTIES LLC	35657 KENAI SPUR HWY	SOLDOTNA, AK 99669
C R MORRISON RENTALS LLC	143 LORD BARANOF ST	SOLDOTNA, AK 99669
POTTER JOHN MATTHEW	PO BOX 4346	SOLDOTNA, AK 99669
BEEZ LLC	35670 KENAI SPUR HWY STE 101B	SOLDOTNA, AK 99669
NORTHERN OUTDOORS LLC	3000 ALTAMESA BLVD STE 300	FORT WORTH, TX 76133
BEEZ LLC	35670 KENAI SPUR HWY STE 101B	SOLDOTNA, AK 99669
SWANSON JACQUELINE	PO BOX 2522	KENAI, AK 99611
POTTER JOHN M	PO BOX 4346	SOLDOTNA, AK 99669
MLP INVESTMENTS LLC	PO BOX 4346	SOLDOTNA, AK 99669
BAILEY FAMILY PARTNERSHIP	350 W INTERNATIONAL RD STE 100	ANCHORAGE, AK 99518

Parent Plat



Parent Plat



E. NEW BUSINESS

- 2. Herrin Subdivision No. 5; KPB File 2022-042
Edge Survey & Design, LLC / McNeil & Oldenberg
Location: Mandy Court, Hidden Avenue & Cache Street
Cohoe Area**



Vicinity Map

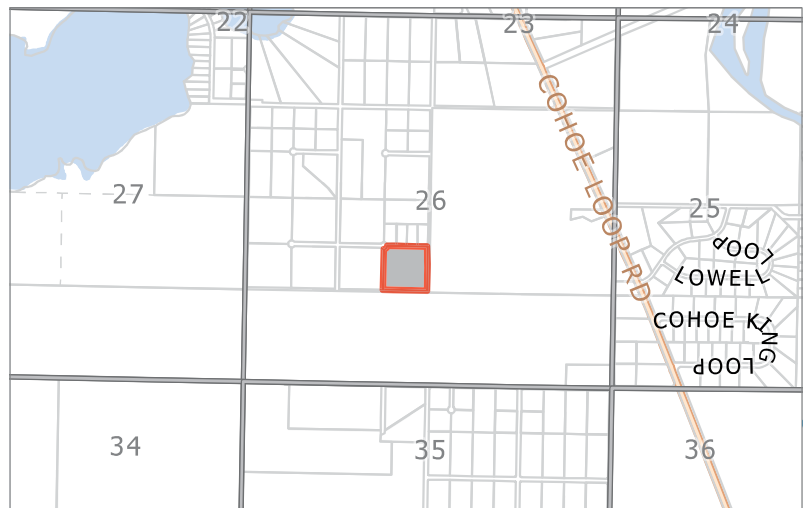
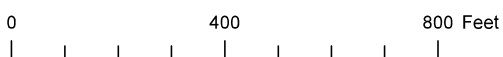


KPB File # 2022-042

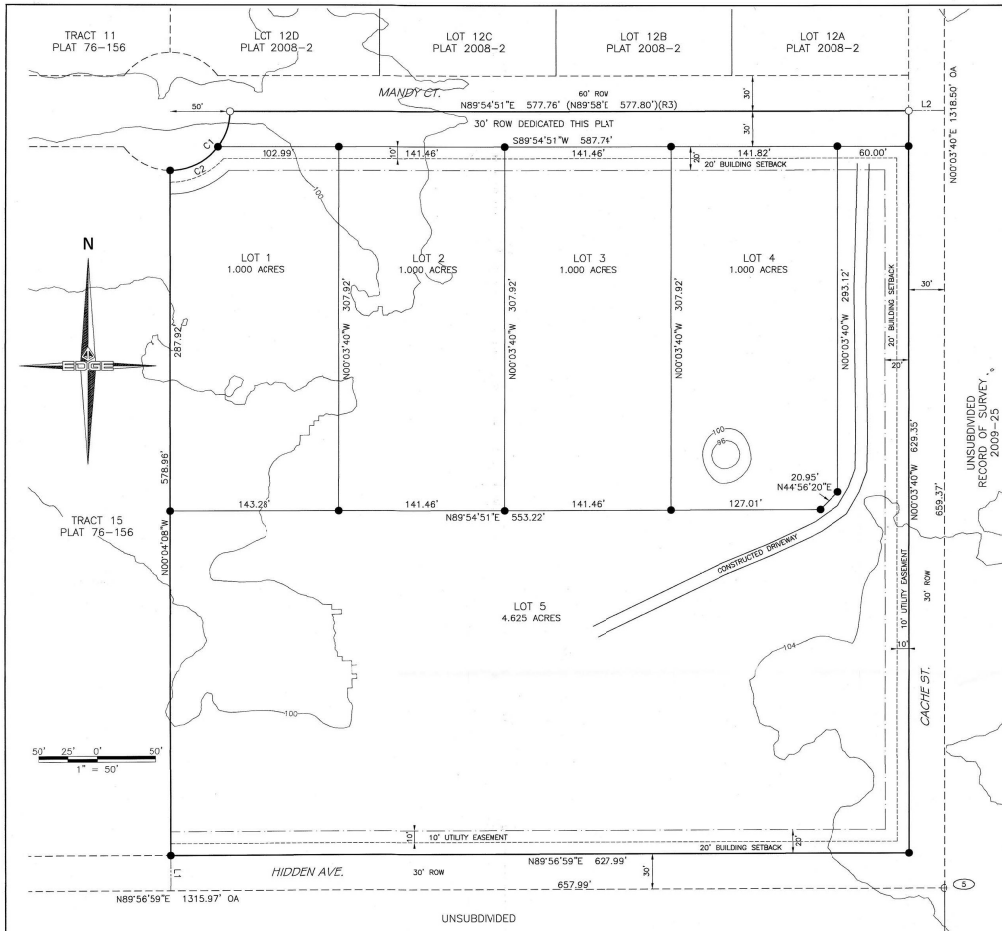
S26-T03N-R12W

Cohoe

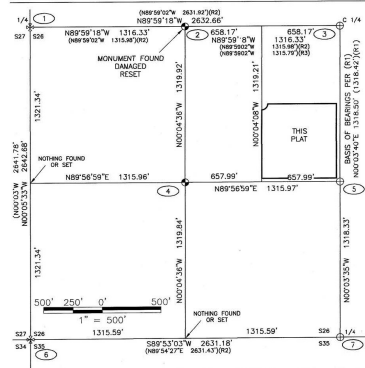
4/1/2022







SECTION 26 BREAKDOWN SW 1/4



MONUMENT SUMMARY

1 G.O. S27 S28 191x	2 EDGE SURVEY C 1/4 S26 13022-S 2022	3 4028-S C 1/4 S28 1906	4 SET 2-1/2" ALUMINUM MONUMENT 0.1' ABOVE GRADE GOOD CONDITION
5 FOUND 2-1/2" BRASS MONUMENT 0.2' ABOVE GRADE GOOD CONDITION	6 FOUND 2-1/2" ALUMINUM MONUMENT 0.4' ABOVE GRADE GOOD CONDITION	7 FOUND 2-1/2" BRASS MONUMENT 0.2' ABOVE GRADE GOOD CONDITION	8 FOUND 2" ALUMINUM PIPE CAP MISSING
9 TYPICAL PROPERTY CORNER SET 2" ALUMINUM CAP FLUSH WITH GRADE			

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	50.00'	78.87'	90°23'03"	S45°06'23"W	70.95'
C2	50.00'	46.70'	85°30'51"	N63°32'28"E	45.02'

LINE TABLE

LINE	BEARING	DISTANCE
L1	S00°04'08"E	30.00'
L2	N89°54'51"E	30.00'

NOTES

- 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.
- PLAT 76-156 GRANTED A 10 FOOT UTILITY EASEMENT ALONG CACHE STREET, PER THIS PLAT THE FRONT 10 FEET ADJACENT TO THE RIGHTS-OF-WAY 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.
- 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).
- WASTE, WATER, 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 NUMBER

DATE

NOTARY ACKNOWLEDGEMENT

FOR: TAMMY McNEIL
ACKNOWLEDGED BEFORE ME:
THIS _____ DAY OF _____, 2022

PUBLIC NOTARY SIGNATURE

MY COMMISSION EXPIRES

NOTARY ACKNOWLEDGEMENT

FOR: SCOTT OLDENBURG
ACKNOWLEDGED BEFORE ME:
THIS _____ DAY OF _____, 2022

PUBLIC NOTARY SIGNATURE

MY COMMISSION EXPIRES

LEGEND

⊕	FOUND ELM MONUMENT AS REFERENCED	---	SUBDIVISION BOUNDARY
⊙	FOUND PRIMARY MONUMENT AS REFERENCED	---	INTERIOR LOT LINE
○	FOUND YELLOW PLASTIC CAP STAMPED 7328-S 2003	---	ADJACENT PROPERTY LINE
●	SET PRIMARY MONUMENT AS REFERENCED	---	CENTERLINE
●	SET PROPERTY CORNER 5/8" X 30" REBAR WITH 2" ALUMINUM CAP STAMPED EDGE SURVEY LS-13022 2022	---	20 FOOT BUILDING SETBACK
●	MONUMENT REFERENCE NUMBER	---	10 FOOT UTILITY EASEMENT
Ⓡ		(R1)	RECORD DATA, SEE REFERENCE
OA		OA	OVERALL

REFERENCES

- (R1) RECORD OF SURVEY 2009-25, KENAI RECORDING DISTRICT
(R2) PLAT 87-3, HERRIN SUBDIVISION NO. 2, KENAI RECORDING DISTRICT
(R3) PLAT 2008-2, HERRIN SUBDIVISION NO. 3, KENAI RECORDING DISTRICT

CERTIFICATE OF ACCEPTANCE AND DEDICATION BY KENAI PENINSULA BOROUGH

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE KENAI PENINSULA BOROUGH 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:

RIGHT OF WAY DEDICATED ON THIS PLAT - SOUTH 30' OF MANDY COURT

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

AUTHORIZED OFFICIAL

KENAI PENINSULA BOROUGH
144 NORTH BINKLEY STREET
SOLDOTNA, ALASKA 99669

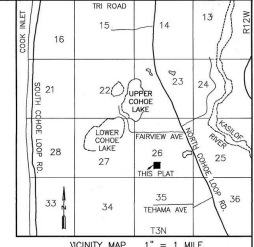
PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF APRIL 25, 2022.
KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

CERTIFICATE OF SURVEYOR

I, MARK AMONETTI 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.

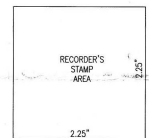


CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY SHOW THIS PLAN OF SUBDIVISION AND OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

TAMMY McNEIL
PO BOX 1055
KASLOF, ALASKA 99610

SCOTT OLDENBURG
PO BOX 1055
KASLOF, ALASKA 99610



KPB FILE NO. 2022-000

HERRIN SUBDIVISION NO. 5

A SUBDIVISION OF
TRACT 16
HERRIN SUBDIVISION
PLAT: 76-156
KENAI RECORDING DISTRICT

OWNERS:

TAMMY McNEIL
AND
SCOTT OLDENBURG
PO BOX 1055
KASLOF, ALASKA 99610

LOCATED WITHIN SW 1/4 SECTION 26,
T.3N., R.12W., S.M.
STATE OF ALASKA
KENAI PENINSULA BOROUGH
KENAI RECORDING DISTRICT

CONTAINING 9.025 ACRES



12501 OLD SEWARD, S ANCHORAGE, AK 99515
Phone (907) 344-5950 Fax (907) 344-7754
AECL# 1392

DRAWN BY: DATE: 4/1/2022 PROJECT: 22-506
CHECKED BY: SCALE: AS SHOWN SHEET: 1 OF 1

PRELIMINARY PLAT

KPB 2022-042

AGENDA ITEM E. NEW BUSINESS

ITEM 2 - HERRIN SUBDIVISION NO 5

KPB File No.	2022-042
Plat Committee Meeting:	April 25, 2022
Applicant / Owner:	Tammy McNeil and Scott Oldenberg both of Kasilof, AK
Surveyor:	Jason Young, Mark Aimonetti / Edge Survey and Design
General Location:	Mandy Court, Cache Street, Hidden Avenue, Cohoe

Parent Parcel No.:	133-112-26
Legal Description:	Tract 16 Herrin Subdivision KN 76-159
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 9 acre parcel into five lots. Four lots will be 1 acre each and one lot will be 4.625 acres. A 30 foot width dedication to bring Mandy Court into width compliance.

Location and Legal Access (existing and proposed): The preliminary plat is located near mile 13 of state maintained Cohoe Loop Road. Cohoe Loop Road is a loop road with north and south intersections with the Sterling Highway. The closest access is via the northern intersection located near mile 111 Sterling Highway. Fairway Avenue is a borough maintained right of way near mile 13 of Cohoe Loop Road. Cache Street, a 30 foot wide right of way, is off Fairway Avenue and provides access to the preliminary plat and to Mandy Court.

Cache Street is constructed but not maintained. The width is currently 30 feet wide. Preliminary plat, Kinder Subdivision KPB File 2021-079, was approved by the Plat Committee and will be dedicating the additional 30 foot width of Cache Street to bring into width compliance. Kinder Subdivision will also be dedicating a 30 foot wide right of way along the southern boundary to extend Hidden Avenue. This will provide additional access to the subdivision.

Mandy Court is constructed but not maintained. Herrin Subdivision, Plat KN 76-176, dedicated Mandy Court as a 60 foot wide right of way that ended with a cul-de-sac. Herrin Subdivision #3, Plat KN 2008-2, provided a continuation of Mandy Court to connect to Cache Street. At the meeting of September 10, 2007 the opening of the cul-de-sac was discussed and approved. Due to wetlands located within the right of way dedication for Lost Street, the access being used was from Mandy Court to Cache Street. KPB GIS imagery from 2003 show that the access was already in use. The northern 30 foot width of the extension of Mandy Court was dedicated by Herrin Subdivision #3, Plat KN 2008-2. This plat is proposing to dedicate the southern 30 foot width of Mandy Court to bring it into width compliance.

Mandy Court will provide access to lots 1 through 4. Lot 5 will have dedicated access from Cache Street and Mandy Court. The design of Lot 5 will be a flag lot to allow the existing driveway from Mandy Court to be within the lot.

The block is compliant and closed. Hidden Avenue, Cache Street, Mandy Court and Lost Street define the block. With the recording of Kinder Subdivision to the east, all the surrounding right of ways will be of compliant width. Hidden Avenue is currently only 30 feet wide. The land to the south is owned by the Kenai Peninsula Borough and is 155 acres. Dedications may be granted in the future if needed or the property is subdivided.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: No comments
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SOA DOT comments	No comment
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Site Investigation: There are no low wet areas within the subdivision boundary. There are some located within the Lois Street dedication to the northwest which limits the ability to use Lois Street for access. The area is relatively flat with no steep areas. Contour information is present on the preliminary plat.

Improvements are present on the property and are proposed to be within Lot 5. The existing driveway will be within the flag portion of Lot 5.

There does not appear to be any encroachment issues.

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

Staff Analysis The property within the preliminary plat was originally subdivided as part of Herrin Subdivision, Plat KN 76-156. The plat was a paper plat with no field survey performed. It approximated the acreage at 10 acres. KPB data is reflecting closer to 8 acres.

Lots 1 through 4 will required a soils analysis report and an engineer will need to sign the final plat. Lot 5 is approximately 201,465 square feet. If Lot 5 is not included in the soils analysis report a separate note will need to be added for Lot 5 in compliance with KPB 20.40.

The length of the flag portion of Lot 5 is approximately 293 feet and proposed at 60 feet wide. This is to accommodate the existing driveway that is off Mandy Court. Per KPB 20.30.190, the access portion of a flag lot may exceed 150 feet in length if over 60 feet wide. Per KPB 20.30.190(B), if the access portion is at least 60 feet wide, it will be subject to a building setback exception. This will result in a 20 foot building setback along the western portion of the panhandle within Lot 4. The intention of that requirement is if the access portion may later be required to be dedicated as a right of way for future replats the setback is already in place to reduce the risks of improvements within the setback area. Lot 5, along the access portion, will have frontage along a 60 foot wide right of way once Kinder Subdivision is recorded. The need for the panhandle to be dedicated as right of way in the future is minimal. If Lot 5 contains improvements that will be near center of the lot. If future subdivisions occur the design can take into consideration the already dedicated Hidden Avenue and Cache Street. The flag portion will be subject to a 20 foot setback along Cache Street. **Staff recommends the plat committee concur that the 20 foot building setback along the access portion of Lot 5 to be placed within Lot 4 is not required as the access portion runs parallel with a right of way that does not require additional dedication from this plat.**

Notice of the proposed plat was mailed to the beneficial interest holder on April 4, 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 Herrin Subdivision, Plat KN 76-156, granted a 10 foot utility easement along the northern boundary. This easement will now be within the Mandy Court dedication. The parent plat also granted 10 feet along the eastern boundary along Cache Street. This is depicted and plat note 2 indicates the parent plat granted that easement. The preliminary plat will be granting additional utility easements along the dedicated right of ways. The easements along Mandy Court and Hidden Avenue are depicted and explained within plat note 2.

The certificate to plat did not indicate any additional utility easements by document.

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

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 23303 CACHE ST Existing Street Names are Correct: Yes List of Correct Street Names: CACHE ST HIDDEN AVE MANDY CT Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: 23303 CACHE ST will be deleted. New Mandy CT addresses will be assigned.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Comments not received when the staff report was prepared.
Assessing	Reviewer: Wilcox, Adeena Comments: No comment

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

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

KPB 20.25.070 – Form and contents required

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:** The subdivision name should be reviewed. There is the original, No. 2, and No. 3. There is not a number 4 used. A 2015 and 2019 replat additions have also been used. It would be recommended to use No. 4, 2022, or a unique replat name.
- 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:** The depiction of Cache Street may need to be updated if KPB File 2021-079 is recorded prior to this preliminary plat.
- 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 official designation for Cohoe Loop Road does not have North or South designations. Please remove from the vicinity map.
- 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:** Preliminary plat, Kinder Subdivision KPB File 2021-079, is located to the east and has received preliminary approval. Finals have been submitted for review but the plat has not finalized at the time this preliminary plat was reviewed. Prior to the final being printed to mylar, the surveyor should verify the status of the neighboring property.

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.

20.30.190. 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).

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 will be required and an engineer will 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.

20.60.180. 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).
- No structures are permitted within the panhandle portion of the flag lot(s).

RECOMMENDATION:

STAFF RECOMMENDS:

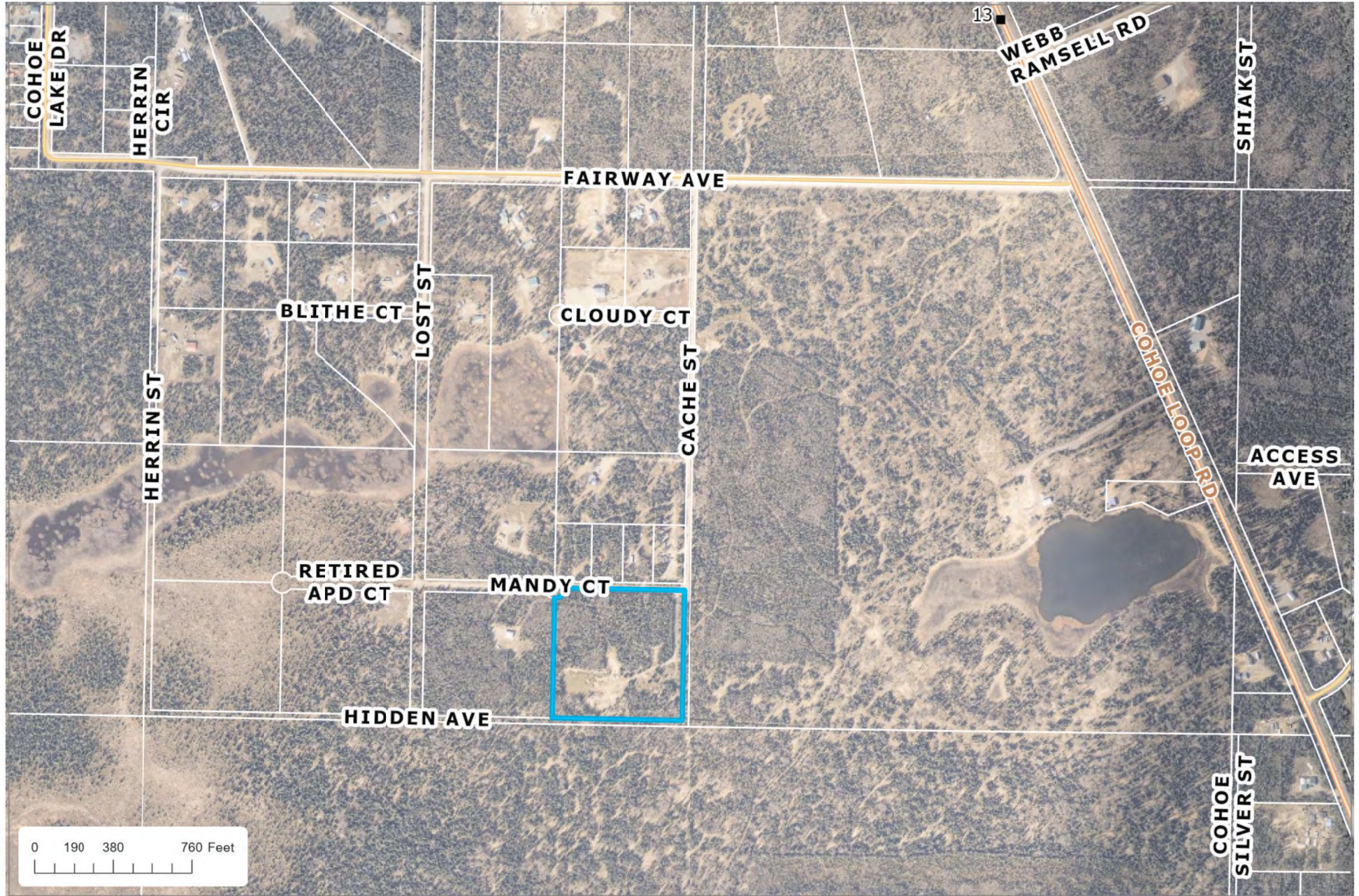
- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

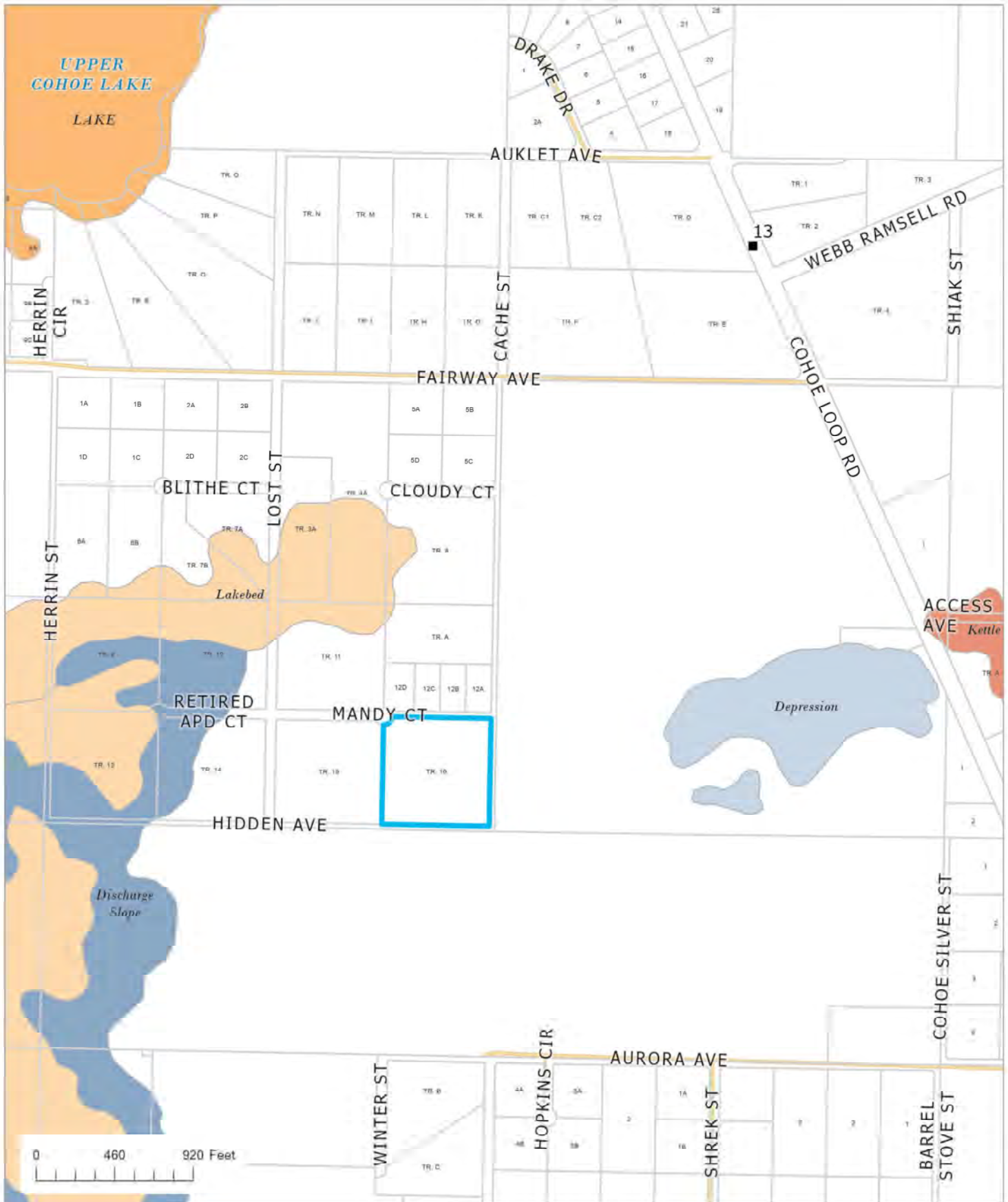
NOTE: 20.25.120. - REVIEW AND APPEAL.

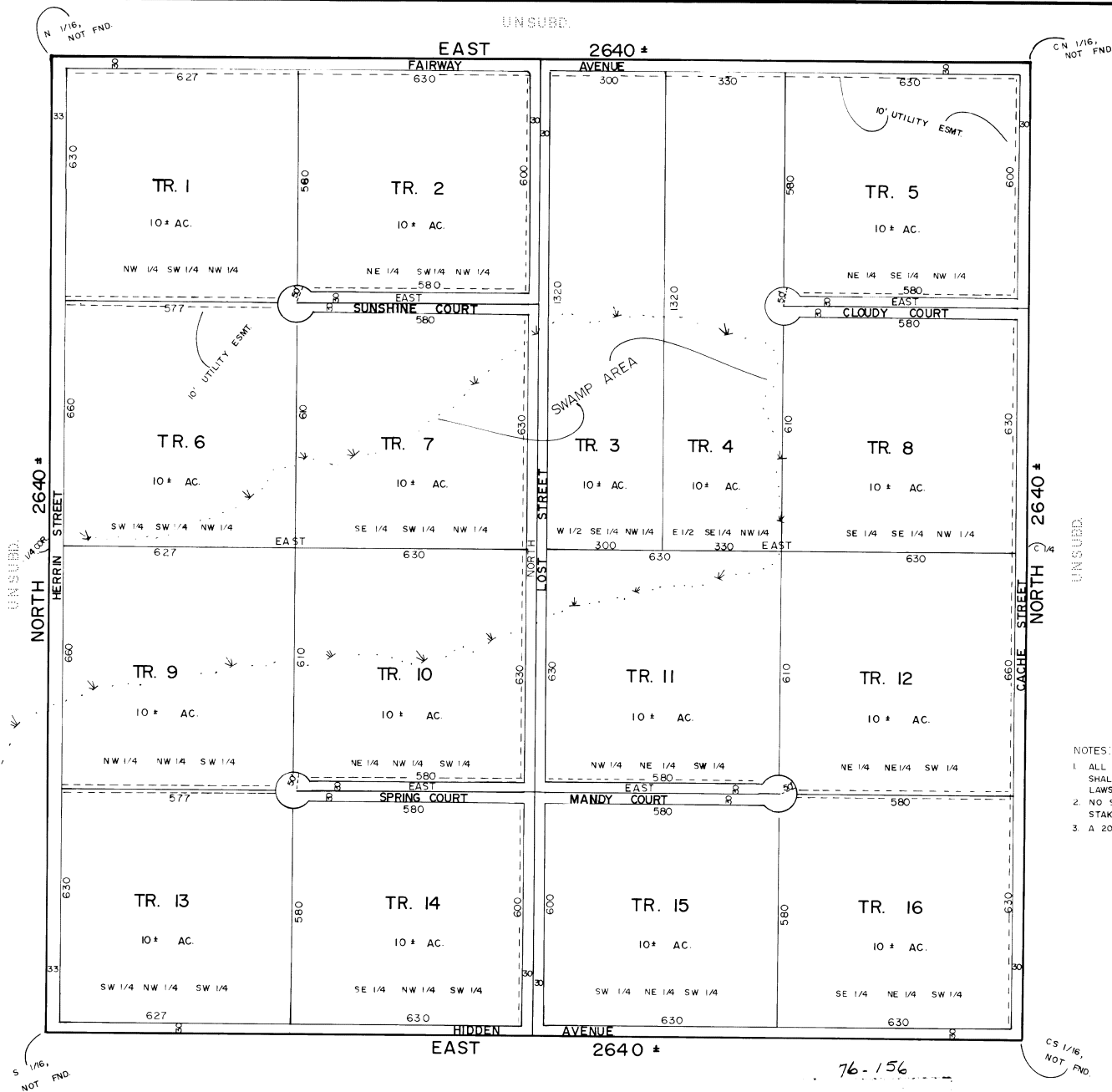
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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





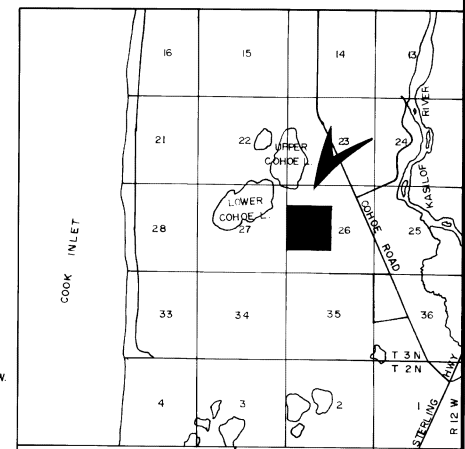


- NOTES:
1. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS.
 2. NO SURVEY WAS MADE NOR WERE ANY STAKES SET.
 3. A 20' BLDG LINE EXISTS ALONG ALL ROW.

76-156
KENAI
11-4 76
4-22 P
KAB

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 BY US FOR PUBLIC USE.
 DENNIS HERRIN By *Dennis Herrin*
 BOY 1223 NANCY HERRIN
 KENAI, ALASKA Special Powers Attorney
 Superior Court & State of Alaska
 NOTARY'S ACKNOWLEDGEMENT
 SUBSCRIBED AND SWORN, BEFORE ME THIS 14th DAY OF SEPTEMBER 1976.
Harold Dale 10/3/77
 NOTARY PUBLIC FOR ALASKA 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.
6-3-76
 JERRY ANDERSON, 3686-S
PLAT APPROVAL
 PLAT APPROVED BY THE BOROUGH PLANNING COMMISSION THIS 17th DAY OF May 1976.
Harold E. Eilman
 BOROUGH MAYOR



DATE:	MAY, 1976
SCALE:	1" = 200'
DESIGNED BY:	J.A.
DRAWN BY:	S.W.
CHECKED BY:	D.H.
FLD. BK. NO.:	



HERRIN SUBDIVISION
 SITUATED IN THE S 1/2 NW 1/4, N 1/2 SW 1/4, S. 26, T. 3 N., R. 12 W., S.M.
 CONTAINING 160+ ACRES
ABILITY SURVEYS
 JERRY ANDERSON, L.S. BOX 1263 HOMER, ALASKA 99603



VICINITY 1" = 1 mile MAP

HERRIN SUBDIVISION #3

A subdivision of Tract 12 Herrin Subd. 1 KRD 76-156.1
Located in the SW1/4 Section 25, T3N R12W, S.M. Cohoe, Alaska.
Kenai Recording District Kenai Peninsula Borough File 2007-242

Prepared for
Cliff & Jeanne Bishop
P.O. Box 833
Kastof, AK 99610

Prepared by
Johnson Surveying
Box 27
Clan Gulick, AK 99568



SCALE 1" = 100' AREA = 9.464 acres 13 August, 2007

2D08-2

RECORDED-FILED

Kenai REC. DIST.

DATE 1-25-2008

TIME 9:44 AM

Requested by:
Johnson Surveying
Box 27
Clan Gulick 99568

NOTES

1. A building setback of 20' from all street ROWs 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, as is the entire setback within 5' of side lot lines.
2. No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
3. 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.

LEGEND

- ⊕ - 3/8" alcap monument, 4928-S, 1985, Found
- - 5/8" rebar lot corner, found
- ⊥ - 1/2" x 4" rebar with 1" plastic cap, set
- () - Record information, plat KRD 87-3
- W - indicates swamp



WASTEWATER DISPOSAL

TRACT A:
These lots are 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 systems must meet the regulatory requirements of the Alaska Dept. of Environmental Conservation (LUTS 12A, 12B, 12C & 12D).
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 Dept. of Environmental Conservation.

Engineer: Clan Gulick License # CE8300 Date 12-15-07

PLAT APPROVAL

This plat was approved at the Kenai Peninsula Borough Planning Commission meeting of 10 September, 2007.

KENAI PENINSULA BOROUGH

By: Max J. Deat 1-29-2008
Authorized Official Date

OWNERSHIP CERTIFICATE & 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 ROWs and grant all easements to the use shown.
I further certify that Deeds of Trust affecting this property do not contain restrictions which would prohibit this subdivision or require signature and approval of beneficiaries.

Jerry Gibson
Jerry Gibson, P.O. Box 917 Kastof, AK 99610

NOTARYS ACKNOWLEDGEMENT

For Jerry Gibson
Subscribed and sworn to before me this 31
day of December 2007.

Chloe M. Telf
Notary Public for Alaska

My commission expires 3/7/2009



Chairman Johnson opened the meeting for public comment. Seeing and hearing no one wishing to comment, Chairman Johnson closed the public hearing and opened discussion among the Committee.

MOTION: Commissioner Isham moved, seconded by Commissioner Heimbuch to grant approval of the preliminary plat subject to staff recommendations and conditions.

Commissioner Carluccio asked for staff's comments regarding the written concerns from a nearby landowner. Ms. Toll replied the surrounding wells would be taken into account when an engineer soils report was done since it's required to locate all the wells within 100 feet of the lot. She also stated there are requirements that prohibit installation of septic systems near drainages.

Commissioner Heimbuch asked if the nearby landowner's request of taking into account any future well installation was a strange request since they couldn't predict where a well would go. Ms. Toll stated it was a strange request.

VOTE: The motion passed by unanimous consent.

CARLUCCIO YES	GROSS ABSENT	HEIMBUCH YES	ISHAM YES	JOHNSON YES	PETERSEN YES	5 YES 1 ABSENT
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AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS

4. Herrin Subdivision No. 3
KPB 2007-242; Johnson/Bishop, Gibson

Staff Report reviewed by Patti Hartley

Plat Committee Meeting: 9/10/07

Location: West of Cohoe Loop Road in Kasilof
Proposed Use: Residential
Zoning: Unrestricted
Sewer/Water: On-site
Assessing Use: Residential

Supporting Information:

The proposed plat subdivides an 8.8-acre tract created by a 1976 paper plat into 4 lots and 1 tract. Per the submittal, topography of the subdivision is basically flat. Improvements have been shown. Per the submittal, no encroachments will be created by this plat. The lots contain approximately one acre each; the tract contains about 4.9 acres.

A soils report is required for the lots, and an engineer will sign the plat. Tract 12D is larger than 200,000 square feet; no soils report is required. **Staff recommends** the appropriate wastewater disposal notes per KPB 20.14 be placed on the final plat.

The plat contains a Lot 12D and a Tract 12 D. To avoid confusion, **staff recommends** the Tract be renamed to a lettered tract – Tract A.

This platting action extends a 30-foot half right-of-way for Mandy Court to Cache Street. The proposed dedication will bring the block into compliance with KPB 20.20.160 and create another loop access, a desired route for emergency service providers, to Fairway Avenue for the neighborhood. The existing travel way within the proposed half dedication has been shown and labeled.

Extending Mandy Court opens a cul-de-sac. Per KPB 20.20.090, cul-de-sacs are meant to be permanently ended. Typically, staff recommends the subdivider proposing to open a cul-de-sac obtain written non-objection from 75 percent of the adjoining landowners. Satellite imagery shows a well-established road from the 'end' of the existing Mandy Court to Cache Street. Mandy Court is not in use as a permanently ended street. Access to Mandy Court from Fairway Avenue south along Lost Street may never be feasible for construction due to the possible wetland areas. Constructed access from Fairway Avenue to Mandy Court exists along Cache Street. **Staff recommends** the committee concur that the special circumstances eliminate the need for the owner to obtain non-objection from the adjoining landowners to extend the cul-de-sac. The adjoining landowners on the cul-de-sac have been notified.

Mandy Court may need a suffix correction in the future.

The two tracts south of the half dedication contain approximately 8 acres. It is reasonable to expect a matching dedication in the future. The adjoining property owners to the proposed half right-of-way were notified (KPB 20.20.100). No comments were received when the staff report was prepared.

The travel ways within Tract 12D and Lot 12D have been shown and labeled.

Staff requests the following note be placed 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).*

Staff recommends the 10-foot utility easement be carried forward from the parent plat.

The northwestern corner of Tract 12D is affected by a low wet area that has been shown and labeled.

Development within the subdivision may be subject to the administrative policies and/or enforceable policies of the KPB Coastal Zone Management Program (Ordinance 2007-25).

Per Planning Commission Resolution 2000-25, if the Certificate to Plat indicates any beneficial interests affect this property, they will be notified and 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.

If the Certificate to Plat shows the property is affected by private covenants, **staff recommends** the recording information of the private covenants and restrictions of record in effect at the time the final plat is approved be noted on the plat (KPB 20.16.140).

The property is not within an advisory planning commission.

No exceptions have been requested.

STAFF RECOMMENDATIONS: Grant approval of the preliminary plat subject to any above recommendations, and the following conditions:

REVISE OR ADD TO THE PRELIMINARY PLAT IN ACCORDANCE WITH THE PROVISIONS CONTAINED IN KPB 20.12 AS FOLLOWS:

1. Confirm the name and/or address of the owner(s) (KPB 20.12.060).

ADDITIONAL REQUIREMENTS FOR ADMINISTRATIVE APPROVAL OF THE FINAL PLAT IN ACCORDANCE WITH TITLE 20 INCLUDE:

2. Add Kenai Peninsula Borough to the title block.
3. Provide or correct the dedication and/or approval statement(s) with the notary's acknowledgement as needed (KPB 20.16.155).
4. Survey and monumentation must meet the ordinance requirements (KPB 20.16.160).
5. Provide the building setback statement in accordance with KPB 20.20.230.
6. Conform to conditions of KPB Planning Commission Resolution 78-6.
7. Comply with Chapter 20.16.155 D and 20.14 Wastewater Disposal regulations.
8. Compliance with Ordinance 90-38 (Substitute) - Ownership.
9. Compliance with Ordinance 90-43 Easement Definition.
10. Compliance with Ordinance 93-59 - Payment of all taxes due prior to final approval. If final approval and filing of plat is sought between January 1 and the tax due date, the full amount of the estimated taxes will be on deposit with the Finance Department.

NOTE: A NOTICE OF RECONSIDERATION MAY BE TAKEN FROM THE DECISION OF THE PLAT COMMITTEE

TO THE PLANNING COMMISSION ACTING AS PLATTING BOARD BY FILING WRITTEN NOTICE THEREOF WITH THE BOROUGH PLANNING DIRECTOR ON A FORM PROVIDED BY THE BOROUGH WITHIN 10 DAYS AFTER NOTIFICATION OF THE DECISION OF THE PLAT COMMITTEE BY PERSONAL SERVICE, SERVICE BY MAIL, OR PUBLICATION 2.40.080 BOROUGH CODE OF ORDINANCES).

THE NOTICE OF RECONSIDERATION SHALL BRIEFLY STATE THE REASON RECONSIDERATION IS REQUESTED AND THE APPLICABLE PROVISIONS OF THE BOROUGH CODE OR OTHER LAW UPON WHICH RECONSIDERATION IS BASED.

END OF STAFF REPORT

STAFF REPORT ADDENDUM

Staff Report Addendum read by Patti Hartley

Plat Committee Meeting: 9/10/07

The original staff report contained the following:

Extending Mandy Court opens a cul-de-sac. Per KPB 20.20.090, cul-de-sacs are meant to be permanently ended. Typically, staff recommends the subdivider proposing to open a cul-de-sac obtain written non-objection from 75 percent of the adjoining landowners. Satellite imagery shows a well-established road from the 'end' of the existing Mandy Court to Cache Street. Mandy Court is not in use as a permanently ended street. Access to Mandy Court from Fairway Avenue south along Lost Street may never be feasible for construction due to the possible wetland areas. Constructed access from Fairway Avenue to Mandy Court exists along Cache Street. **Staff recommends** the committee concur that the special circumstances eliminate the need for the owner to obtain non-objection from the adjoining landowners to extend the cul-de-sac. The adjoining landowners on the cul-de-sac have been notified.

Comments have been received from Wendy Warren, the landowner of Tract 16 to the south, adjoining the proposed half right-of-way dedication. Ms. Warren opposes the dedication, indicating that she does not want to be required to provide the matching half dedication. Her letter indicates the original developer built the road that connected Wendy Court to Cache Street when he found that the location of a large swampy area prevented construction of Lost Street. The original plat was recorded in 1976; it is not known when the road was constructed. Aerial photography from 1990 shows the roads in place. Borough assessing information shows the improvements on Ms. Warren's parcel date back to 1970's. Ms. Warren uses the proposed dedication to access her property. Ms. Warren will not be required to match any dedication until she or a subsequent owner subdivides Tract 16. Dedication of a half right-of-way will give Ms. Warren legal access to her driveway.

KPB 20.20.100 (A) does not allow the Borough to accept half dedications except where one of the following circumstances applies:

1. The street is identified on the borough road plan as an arterial.
2. The street is the logical extension of an existing street.
3. The remaining half street can reasonably be expected to be dedicated.

There is currently no formal borough road plan in place for the entire Borough, so arterials have not been identified. Due to the surrounding terrain and layout of private property, it is doubtful that this would become an arterial.

Staff considers the uninterrupted use of the street since the 1970's to make it a logical extension of Mandy Court.

While Ms. Warren has no plans to match the dedication, the size and location of the parcel makes further subdivision at some point in the future a reasonable expectation of the Borough staff.

Staff recommendations remain unchanged from the original report.

END OF STAFF REPORT ADDENDUM

Chairman Johnson abstained from discussion and voting due to a possible conflict of interest. He passed the gavel to Commissioner Carluccio.

Commissioner Carluccio opened the meeting for public comment. Seeing and hearing no one wishing to comment, Commissioner Carluccio closed the public hearing and opened discussion among the Committee.

MOTION: Commissioner Isham moved, seconded by Commissioner Petersen to grant approval of the preliminary plat subject to staff recommendations and conditions.

Commissioner Heimbuch asked for a short recess so that the commissioners could read the adjoining landowner's written comments. Commissioner Carluccio called for a short recess so that the commissioners could read the written comments that were included in the desk packet from the adjoining landowner.

Commissioner Heimbuch asked if cul-de-sacs were not meant to go through. Ms. Toll replied that cul-de-sacs are to be permanently ended. She referred to page 47 of the packet, which showed that Mandy Court was a 30-foot half dedication that extended from the bulb to east of Cache Street.

Commissioner Heimbuch asked which tract was Ms. Warren concerned about. Ms. Toll replied that Ms. Warren owns Tract 16.

Commissioner Petersen asked if Ms. Warren wouldn't be required to provide a half dedication unless she chose to develop her property. Ms. Toll replied that was correct since they couldn't force her to dedicate. She referred to the aerial photo that showed Ms. Warren's driveway coming off of the extended road.

Commissioner Carluccio understood that Ms. Warren's concerns were that she didn't want to give a half dedication.

Commissioner Heimbuch asked if there was other access to Ms. Warren's property such as Hidden Avenue. Ms. Toll replied all access was from Cache Creek.

Commissioner Heimbuch asked if Hidden Avenue was a dedicated street. Ms. Toll replied, yes, it was a half right of way.

There being no further discussion, the committee proceeded to vote.

VOTE: The motion passed by unanimous consent.

CARLUCCIO YES	GROSS ABSENT	HEIMBUCH YES	ISHAM YES	JOHNSON ABSTAIN	PETERSEN YES	4 YES 1 ABSTAIN 1 ABSENT
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Commissioner Carluccio passed the gavel back to Chairman Johnson.

AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS

5. Sixmile Creek Sub Holloway Addition
KPB 2007-243; Whitford/KPB, Holloway

Staff Report reviewed by Patti Hartley

Plat Committee Meeting: 9/10/07

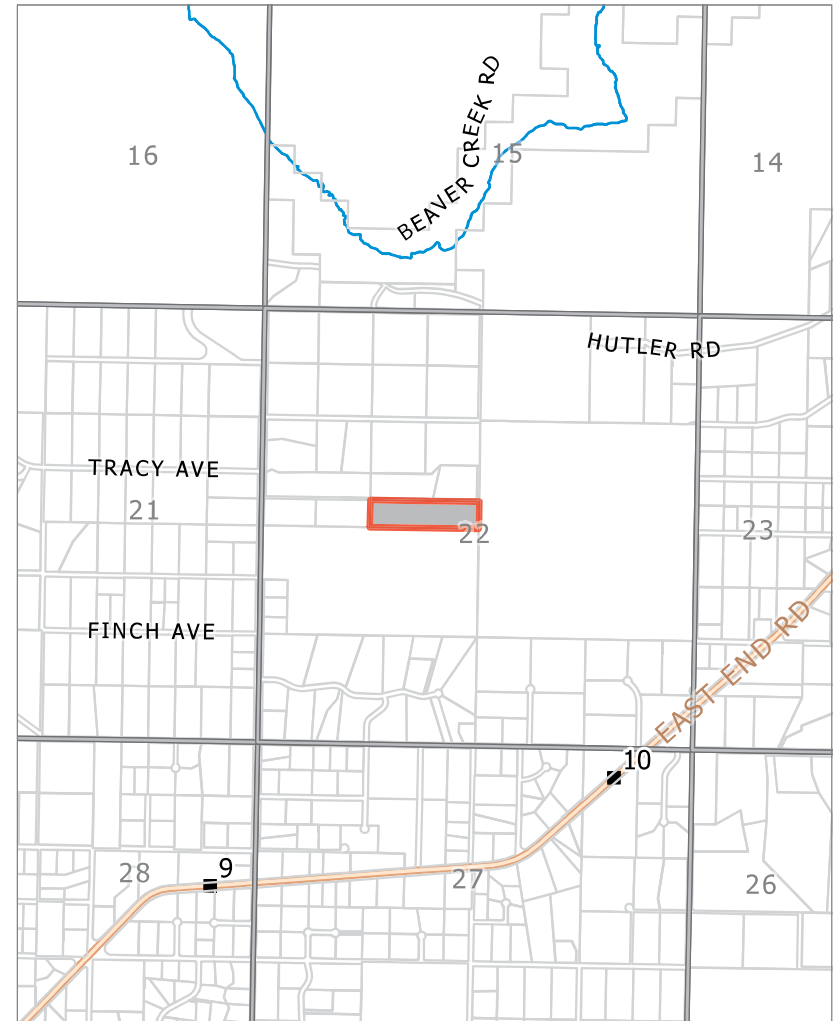
Location: Near Hope area within Hope/Sunrise APC
Proposed Use: Residential, Recreational
Zoning: Unrestricted
Sewer/Water: Not Provided
Assessing Use: Vacant

Supporting Information:

The proposed plat combines a 4.3 Government Lot with a portion of a Borough-owned parcel to create a 4.9-acre tract. A soils report is not required. The appropriate wastewater disposal note is on the plat. Tract 10A fronts the Hope

E. NEW BUSINESS

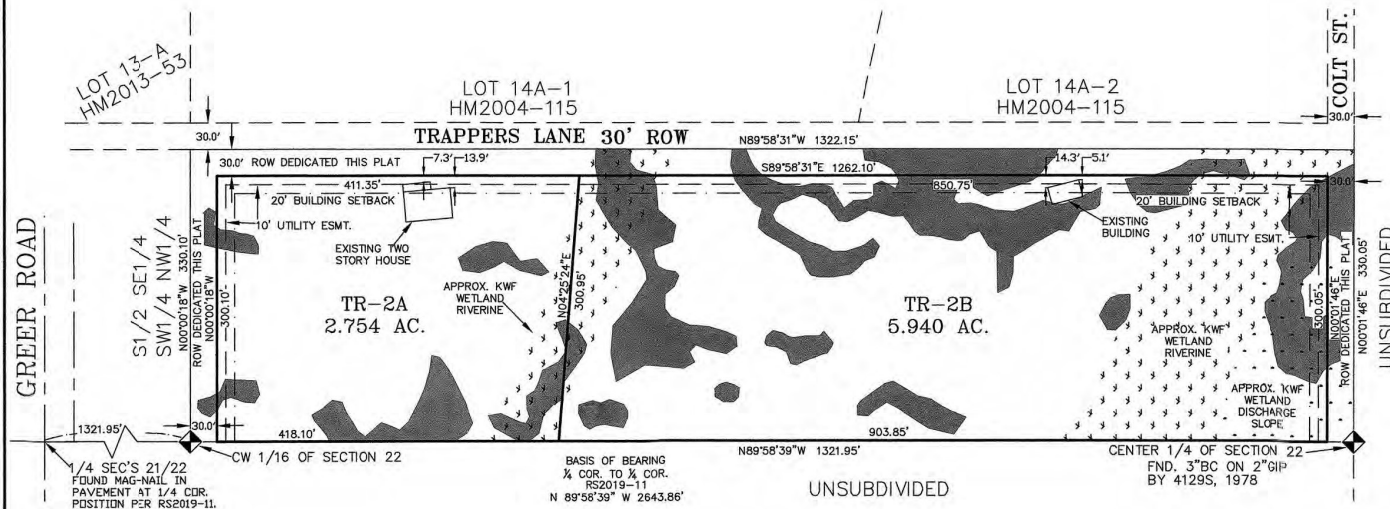
- 3. Bear Run Tract 2 Replat; KPB File 2022-043
Ability Surveys / Cary
Location: Trappers Land & Colt Street
Fritz Creek Area / Kachemak Bay APC**



KPB File # 2022-043
S22 T05S R12W
Fritz Creek



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.



NOTES

1. 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.
2. THE FRONT 10 FEET OF THE 20 FOOT BUILDING SETBACK IS A UTILITY EASEMENT.
3. 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. 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).
5. WETLAND HATCHING REPRESENTS POTENTIAL WETLANDS AS CLASSIFIED BY KENAI WATERSHED FORUM SHOWN ON KENAI PENINSULA BOROUGH GIS MAPPING 3/14/2022.
6. GREY SHADING REPRESENTS SLOPES STEEPER THAN 20 PERCENT AS SHOWN ON KENAI PENINSULA BOROUGH GIS MAPPING 3/14/2022.

WASTEWATER NOTES

LEGEND

- WETLAND CLASSIFICATION: RIVERINE
- WETLAND CLASSIFICATION: DISCHARGE SLOPE
- MONUMENT AS DESCRIBED

PLAT

Rec Dist _____
Date 20_____
Time _____M

KPB 2022-043

KPB FILE No. 2022-_____

CERTIFICATE OF OWNERSHIP

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 public rights-of-way and grant all easements to the use shown.

JAMES R CARY
P.O. BOX 3053
Homer, AK 99603

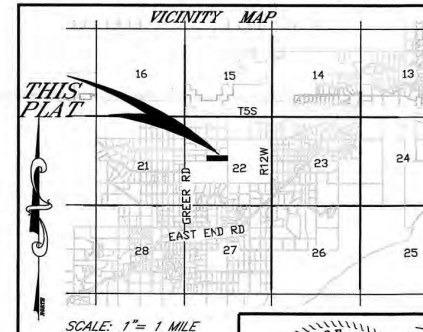
NOTARY'S ACKNOWLEDGEMENT

For JAMES R CARY
Acknowledged before me this _____ day of _____ 2019.
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

BY _____
Authorized Official



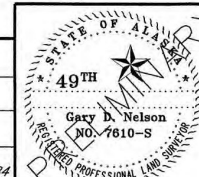
SCALE: 1" = 1 MILE

DATE 3-16-2022

SCALE 1" = 100'

JOB No. 5362

DRAWING: 5362_5329_5284



BEAR RUN TRACT 2 REPLAT

A SUBDIVISION OF TRACT 2, BEAR RUN SUBDIVISION (HM74-984), LOCATED WITHIN THE NW1/4 SEC. 22, T5S, R12W, S.M., KENAI PENINSULA BOROUGH, HOMER RECORDING DISTRICT, STATE OF ALASKA CONTAINING 10.000 ACRES

OWNERS: JAMES R CARY
PO BOX 3053
HOMER, AK 99603

ABILITY SURVEYS

GARY NELSON, PLS
(907) 235-8440
152 DEHEL AVE., HOMER ALASKA 99603

AGENDA ITEM E. NEW BUSINESS

ITEM 3 - BEAR RUN TRACT 2 REPLAT

KPB File No.	2022-043
Plat Committee Meeting:	April 25, 2022
Applicant / Owner:	James R Cary of Homer, AK
Surveyor:	Gary Nelson / Ability Surveys
General Location:	Greer Road, Fritz Creek / Kachemak APC

Parent Parcel No.:	172-160-03
Legal Description:	Tract 2 of Bear Run Subdivision HM 74-984
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 10 acre parcel into two lots that will be 2.754 acres and 5.94 acres. A 30 foot wide right of way dedication is proposed along the western boundary. A 30 foot wide dedication for Trappers Lane is proposed to bring this portion of the right of way into compliance for width. A 30 foot wide dedication is proposed along the eastern boundary to provide a continuation of Colt Street.

Location and Legal Access (existing and proposed): The proposed plat is located on Trappers Lane, a 30 foot wide dedication that is partially cleared and not maintained. Trappers Lane is located at the end of the state maintenance of Greer Road. The widths for Greer Road vary and the right of way coincides with various section line easements. The width at the intersection with Trappers Lane is 83 feet. Greer Road is located near mile 9 of East End Road.

The plat is proposing to dedicate a 30 foot width for Trappers Lane to bring the portion adjoining the subdivision into compliance at 60 feet wide. The new lots will each have access from Trappers Lane. Additional access will be available to the tracts. Tract 2A will have access from the west by the proposed 30 foot dedication of a new right-of-way. Tract 2B will have access from the east by the proposed 30 foot dedication that is an extension of Colt Street located to the north.

There are existing structures on the property and the division of the property will result in structures being within each of the new lots. They currently have access from Trappers Lane.

Greer Road and Trappers Lane currently define the incomplete block. The preliminary plat is proposing to dedicate along the western and eastern boundaries. These dedications will help the block requirements and are compliant lengths. The block will not be closed until an east-west dedication occurs south of the subdivision. There is a 73 acre parcel owned by the Kenai Peninsula Borough that can provide dedications in the future if it is subdivided. **Staff recommends** the plat committee concur an exception is not required for block length due to the proposed dedications that will be improving the block.

The parent plat, Bear Run Subdivision, Plat HM 74-984, granted a temporary cul-de-sac with a 50 foot radius at the end of that plats dedication of Trappers Lane. The temporary cul-de-sac is located in the northwest corner of this preliminary plat. The parent plat did state the temporary cul-de-sac was to be vacated if the street was extended. Bear Run Subdivision Lots 12A and 14A, Plat HM 82-77, provided a 30 foot wide continuation of Trappers Lane past the temporary cul-de-sac. There was no mention of the temporary turn around area on the plat. This plat is providing additional 30 foot width for the right-of-way to bring into compliance as a 60 foot wide right-of-way. Current code no longer allows for temporary rights-of-way or turn around areas to be depicted on plats. **Staff recommends** the plat committee concur that the temporary cul-de-sac is not required to be noted or carried over onto this plat.

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

Site Investigation: There are low wet areas present along the proposed lot line and along the eastern portion of the subdivision. **Staff recommends** the wetland depiction remains and a plat note be added, "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."

Steep terrain is located in various locations of the proposed subdivision. The preliminary plat has shading present for those areas with slopes greater than 20 percent. Some of the steep slopes, along with wetlands, are present within the proposed right-of-way dedications. Per KPB Code 20.30.090, the submittal of centerline profiles and cross-sections may be required to demonstrate construction to current borough standards is feasible. **Staff recommends** centerline profiles be submitted for review to determine if additional easements are required.

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
State of Alaska Fish and Game	No objections

Staff Analysis This is a replat of a tract created by Bear Run Subdivision, Plat HM 74-984. That plat was a paper plat with no field survey. The plat dedicated a 30 foot width of Trappers Lane to the western corner of this preliminary plat. There were no utility easements or setbacks put into place. A temporary cul-de-sac was created as discussed above in the staff report.

Subdivisions have occurred to the north of Trappers Lane that have provided a continuation of Trappers Lane as well as granting utility easements and putting setbacks into place.

The new dedications proposed with this plat will have the code required setbacks put into place as well as the 10 foot utility easements adjacent to the rights-of-way. There are several structures that will be within the setback, utility easement, or both. These structures will pre-date the creation of the setbacks and easements and will be allowed within those areas. The lots will be subject to the setbacks and easements. Any improvements to the existing structures shall be subject to the setback and utility easement and if the building ceases to exist, no new structures may be put within the setback or utility easement. **Staff recommends** the depiction of the buildings remain on the final plat with the dimensions indicating the allowable area and a plat note must be added that the buildings pre-date the setback and easements.

A soils report will be required and an engineer will sign the final plat. Tract 2B is over 200,000 square feet. If the tract is not included in the soils report a separate plat note will be required.

Due to a delay with the title companies, the Certificate to Plat has not yet been delivered. The surveyor has requested an exception to KPB Code for the application requirement of a Certificate to Plat.

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 parent plat did not create any platted utility easements. A certificate to plat was not available when the staff report was prepared. Any easements of record shall be noted or depicted on the final plat.

10 foot utility easements are proposed adjacent to the right of ways. Homer Electric Association is requesting a 15 foot wide easement over existing lines.

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	It appears that the utility line may be located outside the proposed utility easement. HEA requests a 15 foot wide electrical distribution line easement centered on the existing buried powerline including pedestals and transformers. The approximate location has been depicted on the preliminary plat review.
ENSTAR	No comments or recommendations
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 54655 TRAPPERS LN 54689 TRAPPERS LN Existing Street Names are Correct: Yes List of Correct Street Names: TRAPPERS LN GREER RD COLT ST Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: 54655 TRAPPERS LN will remain with tract 2A. 54689 TRAPPERS LN will remain with tract 2B.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Comments not received when the staff report was prepared
Assessing	Reviewer: Wilcox, Adeena Comments: No Comment
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.

- 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: New street name required, provide a label for the extension of Colt Street unless advised by the Addressing Officer that a new name is needed.
- G. The status of adjacent lands within 100 feet of the proposed subdivision boundary or the land status across from any dedicated rights-of-way that adjoin the proposed subdivision boundary, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;
Staff recommendation: The lot to the west can be labeled as “Unsubdivided”
- N. Apparent encroachments, with a statement indicating how the encroachments will be resolved prior to final plat approval;
Staff recommendation: Structures were present prior to the creation of the setback and utility easements. Provide additional plat notes.

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.

- 20.30.160. Streets-Name requirements. Streets shall be named to conform to KPB Chapter 14.10
Staff recommendation: Work with KPB Addressing Officer for an approved street name.

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 report for Tract 2-A is required and an engineer will 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.

- 20.60.040. 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: Acceptance for the rights-of-way must be included to be signed by KPB.

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.*

- *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.*
- *The buildings depicted on the plat predate the 20 foot building setback and 10 foot utility easement being created by this plat and are not subject to the 20 foot building setback and 10 foot utility easement. Any replacement or improvement to the buildings must comply with the 20 foot building setback and 10 foot utility easement as shown on this plat."*
- *Any additional plat notes as determined by the Certificate to Plat.*

EXCEPTIONS REQUESTED:

A. KPB 20.25.080(E) – Current Certificate to Plat

Surveyor's Discussion: When submitted, I didn't realize the submittal would be rejected without a Certificate to Plat. I am therefore requesting a formal exception be granted by the Planning Commission, Plat Committee.

Certificate to Plat was requested on March 13. I have performed a limited title search on the Recorder's website and found a 2017 deed to James R. Cary and document #2017-001703-0 that is a Deed of Trust showing Beluga Services Limited Partnership as the Beneficiary. A copy is not downloadable for Deeds of Trust. A CTP will show if it still has affect on the Subject Tract 2.

Staff Discussion: KPB Code 20.25.080 outlines the requirements for a complete petition. Once a complete petition is received it is scheduled for the first available Plat Committee/Planning Commission meeting in accordance with KPB Code and State Statute.

Item E, requires a certificate to not be more than 28 business days prior to submittal be issued by a title company. The information within that Certificate to Plat is used to determine ownership, existing easements, restrictions, and any deeds of trust present.

Due to the pandemic and the huge surge in real estate transactions there was a significant delay in receiving title reports from the title companies. Staff at that time allowed plats to come before the plat committee for review. Staff received some additional petitions without certificate to plats with the request to hear them due to a five week delay. Staff allowed those to be presented but informed the surveyor on February 22, 2022 that after the February 25, 2022 cut-off, certificate to plats would be required to proceed with petitions.. Several surveyors have requested a reprieve from this requirement and, since March 2020, some preliminary plats have been allowed to move forward without the certificate to plat. Surveyors and developers have been notified that relaxed requirement due to the COVID pandemic is no longer applicable and that the certificate to plat will be required for a complete submittal.

The Planning Director, Melanie Aeschliman, also notified the surveyor on March 21, 2022 that the certificate to plat would be required as outlined in code.

Surveyor's Findings:

1. Due to current economic and business conditions, Certificates to Plat cannot be obtained in a timely manner.
2. The absence of a CTP, according to KPB 20.25.080 E will delay plat processing so that lots will not be able

- to be listed for sale until the middle of our very short summer, thereby missing an important selling period.
3. The delay in CTP processing will cause irreparable damage to the owner's rights to a fair and speedy processing of the subdivision of his land.
 4. A delay of receiving the CTP by KPB Planning Department will not be detrimental to Health, Safety, and Welfare of the Public.
 5. The CTP can be received by KPB Planning Department prior to review of the Final Plat, and the Final Plat can easily be modified to conform to the CTP if it needs to be.
 6. A limited title search has been made by the Licensed Land Surveyor (owner's agent), and deeds as far back as 2017 are furnished herewith to show apparent legal ownership.

Staff's Findings:

7. Per the surveyor, the certificate to plat was ordered on March 13, 2022.
8. The submittal for the preliminary plat was received by the Planning Department on March 30, 2022.
9. KPB Code requires a complete application to be scheduled for the Planning Commission meeting.
10. The requirement for a Certificate to Plat at the preliminary stage has been part of the KPB Code since 2014 with the passing of Ordinance 2014-02 that took effect on February 11, 2014.

Denial of the exception request will result in the application being incomplete. This will result in the need for a postponement until brought back by staff. If postponed, staff will schedule for the first available meeting after the application is complete, which will be when the Certificate to Plat is received.

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.

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

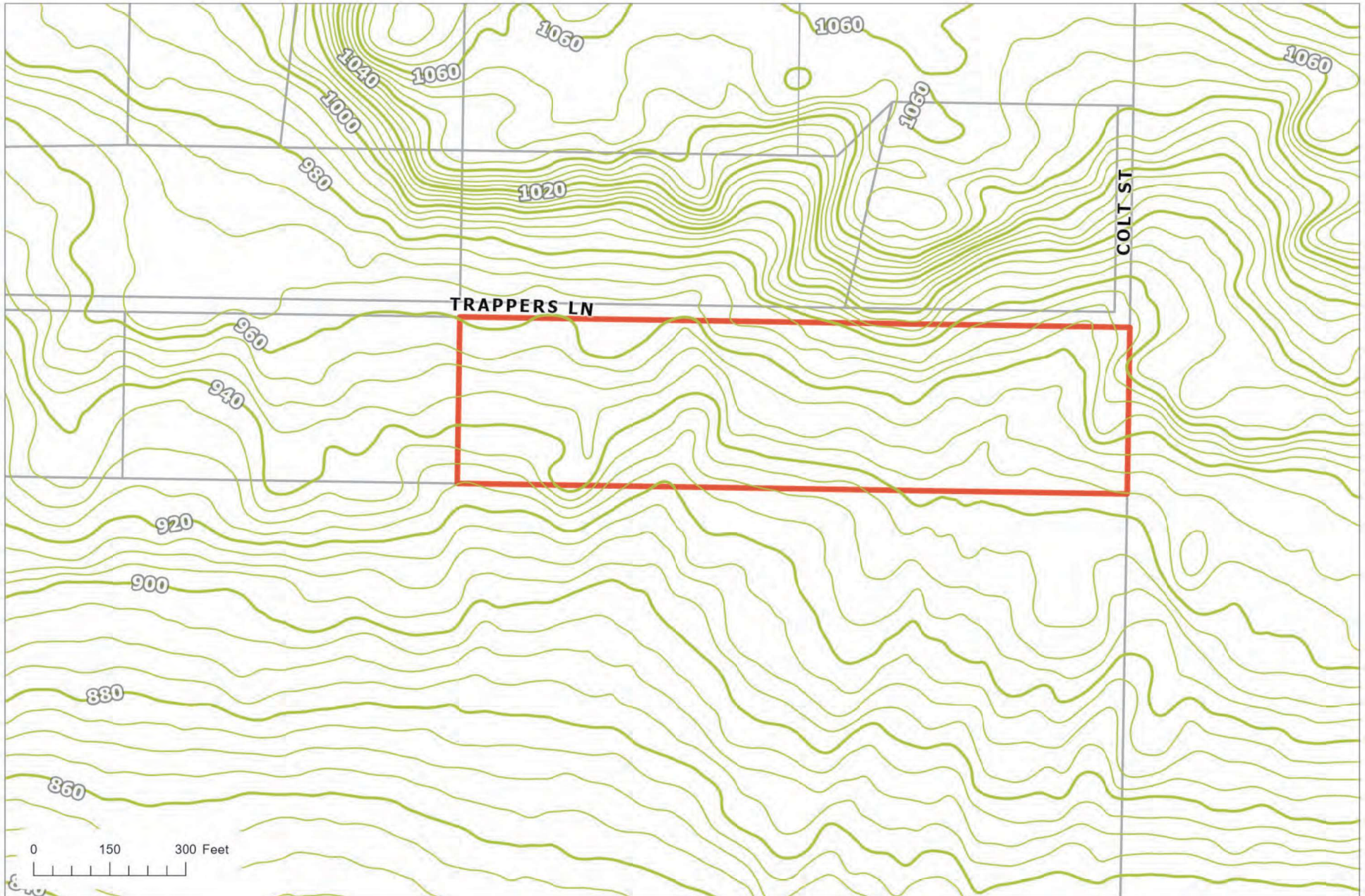
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

NOTE: 20.25.120. - REVIEW AND APPEAL.

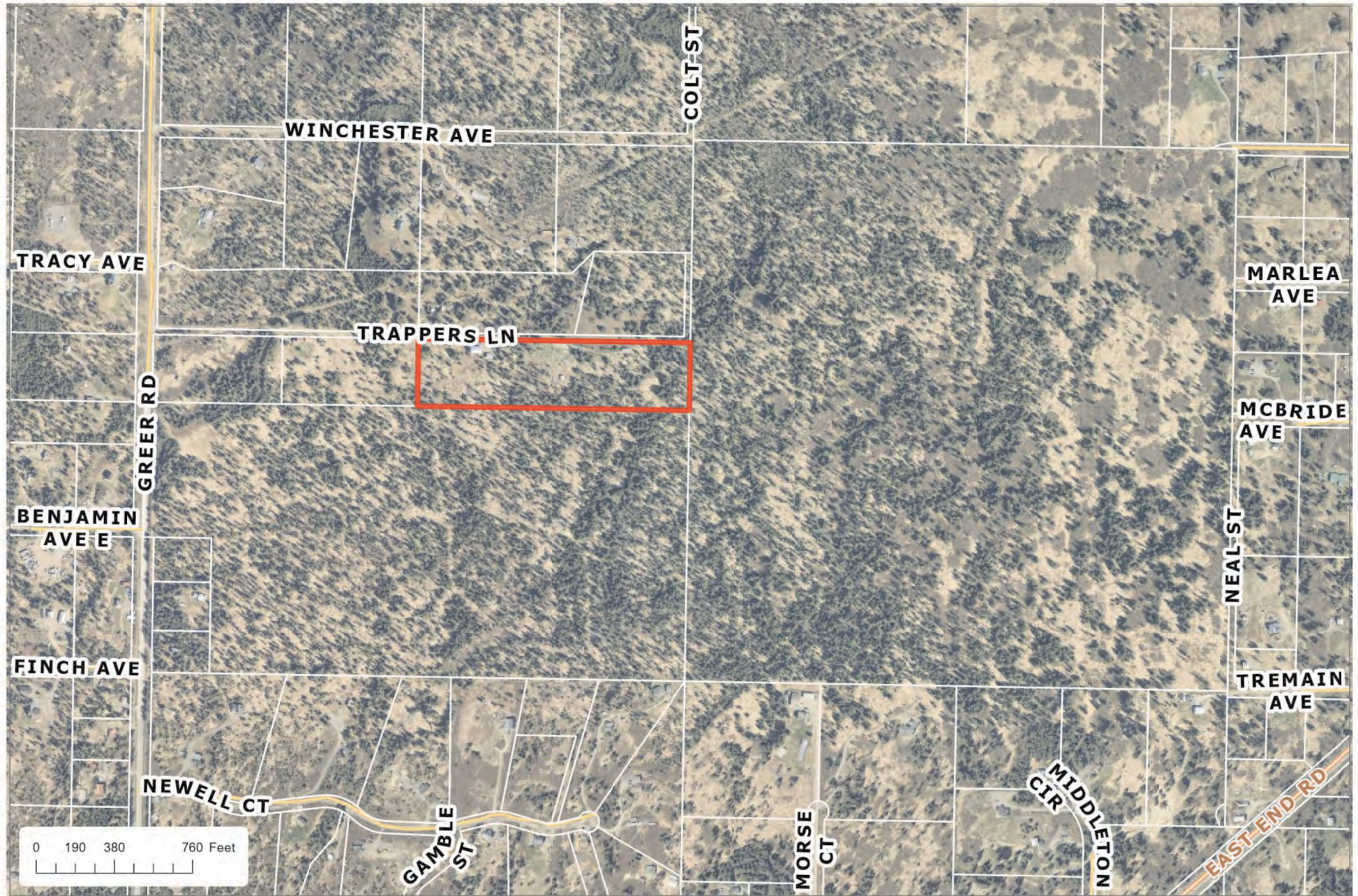
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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.

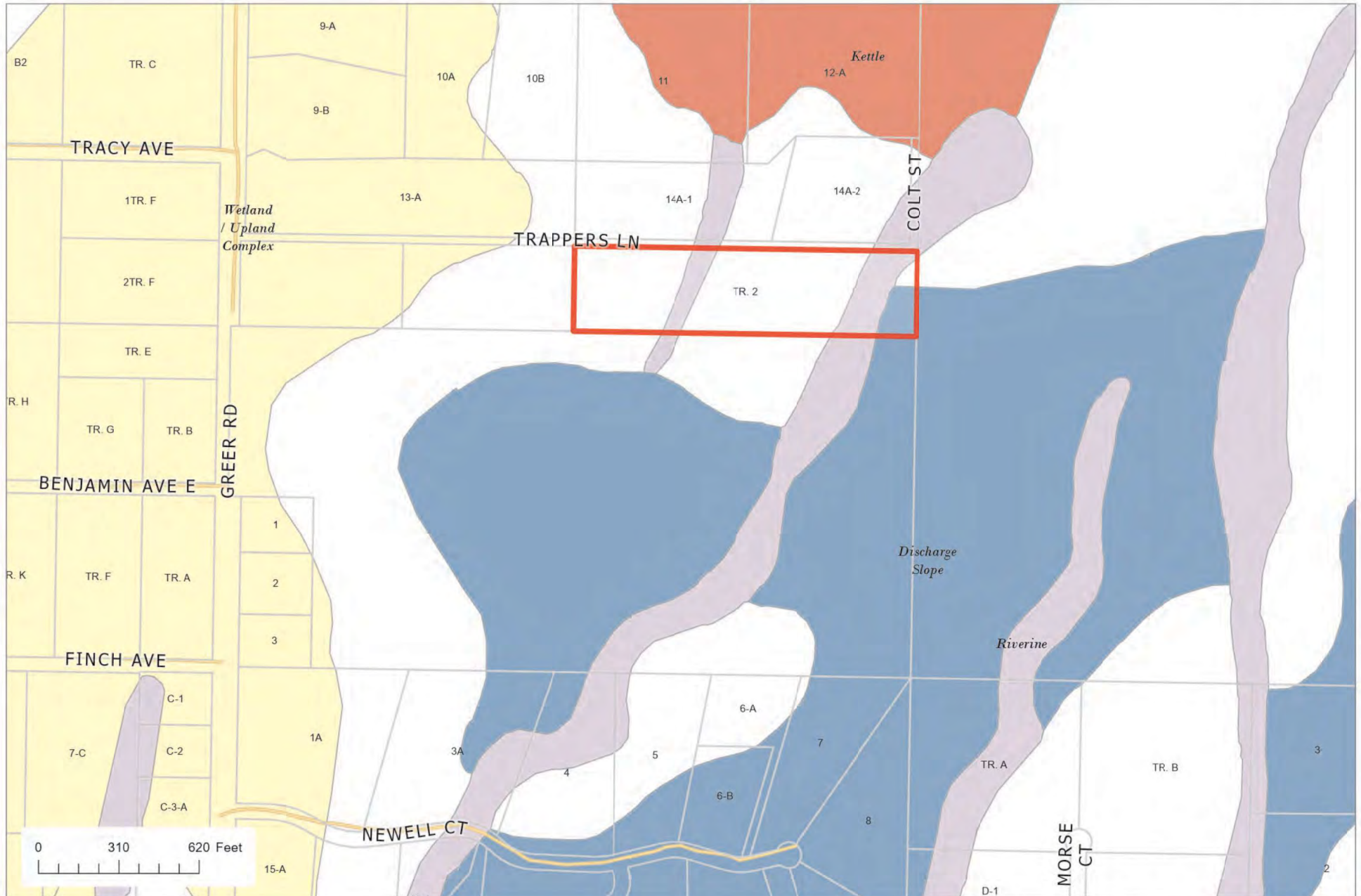
END OF STAFF REPORT



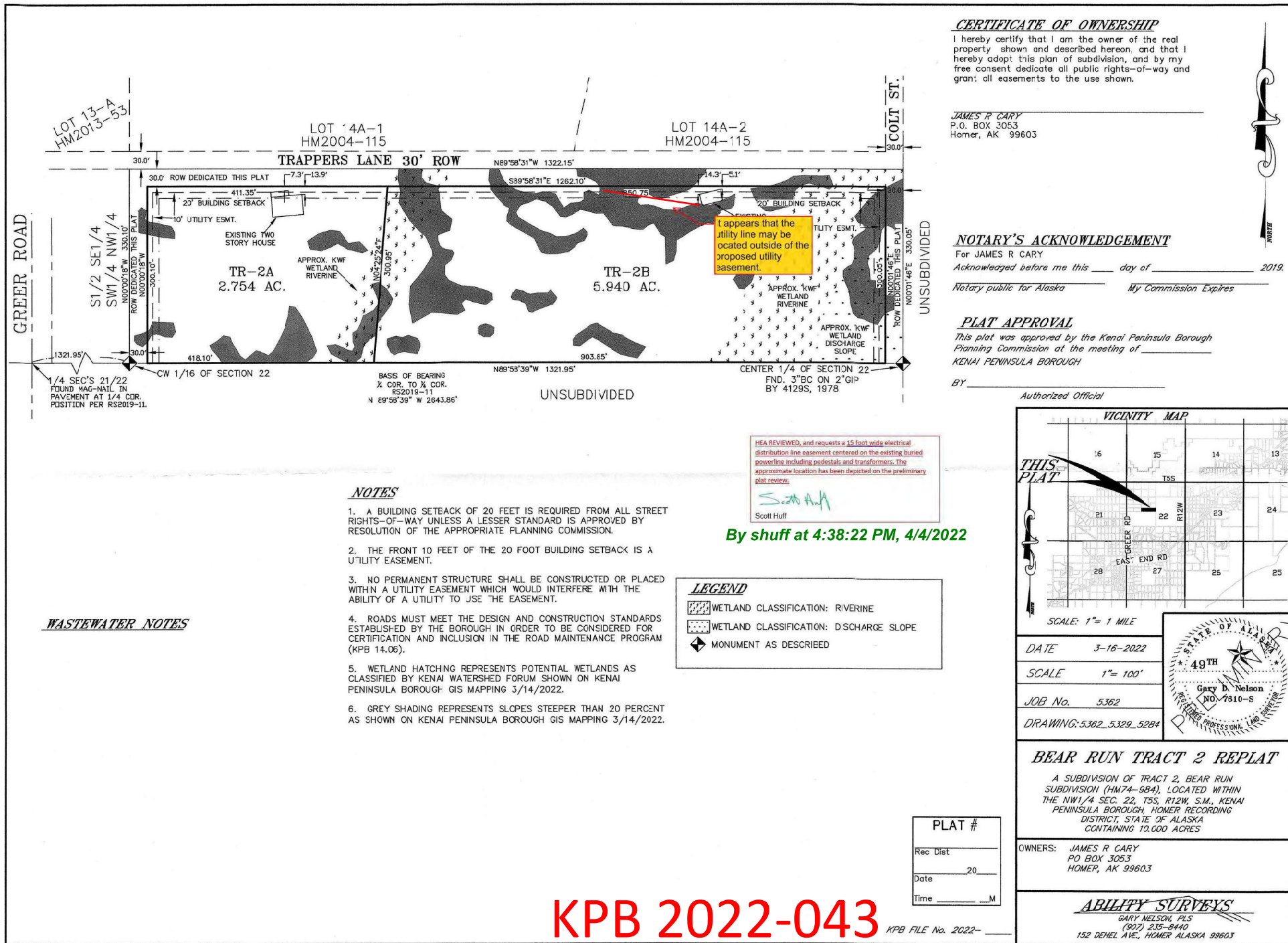
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Quinton, Madeleine

From: Gary Nelson <gary@abilitysurveys.com>
Sent: Friday, April 1, 2022 4:25 PM
To: Hindman, Julie
Cc: Quinton, Madeleine
Subject: <EXTERNAL-SENDER> BEAR RUN TRACT 2 REPLAT; Exception to CTP request
Attachments: 309-2017-001702-0.pdf

CAUTION: This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

KPB Planning Dept;

Please accept this request for an exception to **KPB 20.25.080 E Current Certificate to Plat (CTP)**.

When submitted, I didn't realize the submittal would be rejected without a Certificate Plat. I am therefore requesting a formal exception be granted by the Planning Commission, Plat Committee.

Certificate to Plat was requested on March 13.

I have performed a limited title search on the Recorder's Web site and found a 2017 deed to James R Cary (attached) and document #2017-001703-0 that is a Deed of Trust showing Beluga Services Limited Partnership as the Beneficiary. A copy is not downloadable for Deeds of Trust. A CTP will show if it still has affect on the Subject Tract 2.

Findings;

- Due to current economic and business conditions, Certificates to Plat cannot be obtained in a timely manner
- The absence of a CTP, according to **KPB 20.25.080 E** will delay plat processing so that lots will not be able to listed for sale until the middle of our very short summer, thereby missing an important selling period.
- The delay in CTP processing will cause irreparable damage to the owner's rights to a fair and speedy processing of the subdivision of his land.
- A delay of receiving the CTP by KPB Planning Department will not be detrimental to Health, Safety, and Welfare of the Public.
- The CTP can be received by KPB Planning Department prior to review of the Final Plat, and the Final Plat can easily be modified to conform to the CTP if it needs to be.
- A limited title search has been made by the Licensed Land Surveyor (owner's agent), and deeds as far back as 2017 are furnished herewith to show apparent legal ownership.

Respectfully,

Gary Nelson, PLS

Hindman, Julie

From: Quainton, Madeleine
Sent: Tuesday, February 22, 2022 3:38 PM
To: 'gary@abilitysurveys.com'
Cc: Hindman, Julie
Subject: Preliminary Submittals

Hello Gary,

I wanted to touch base with you on the submittals without Certificate to Plats. For this cutoff we are extending the period of allowing files to be submitted without certificate to plats, but after this cutoff it will be a requirement that we have those submitted. We understand that at the end of last year the title companies were backed up, but it seems like the wait time has gone down. If at a later time the wait times skyrocket again we will reevaluate the policy.

Sorry for any inconvenience.

Thank you,

Madeleine Quainton

Platting Technician

Planning Department

Ph: (907) 714-2207

Fx: (907) 714-2378

KENAI PENINSULA BOROUGH
144 North Dinkley Street
Seldovia, Alaska 99669

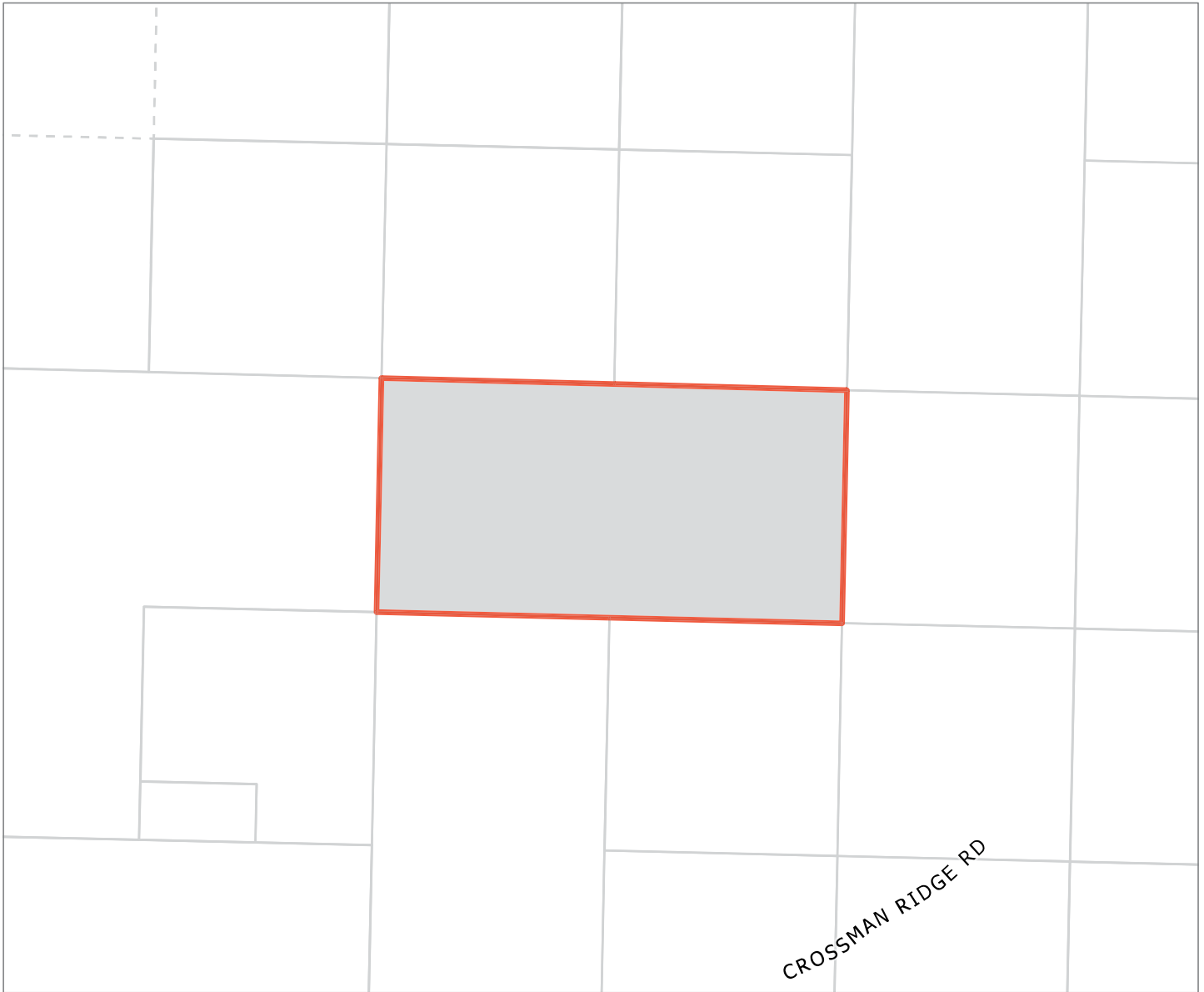


E. NEW BUSINESS

- 4. Crossman Ridgeview; KPB File 2022-044
Ability Surveys / Endres & George
Location: Northwest of Crossman Ridge Road
Diamond Ridge Area / Kachemak Bay APC**



Vicinity Map



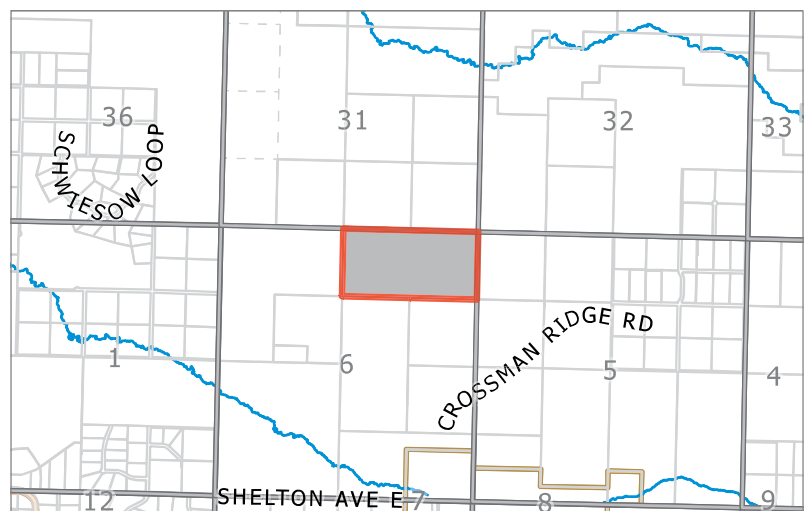
KPB File # 2022-044

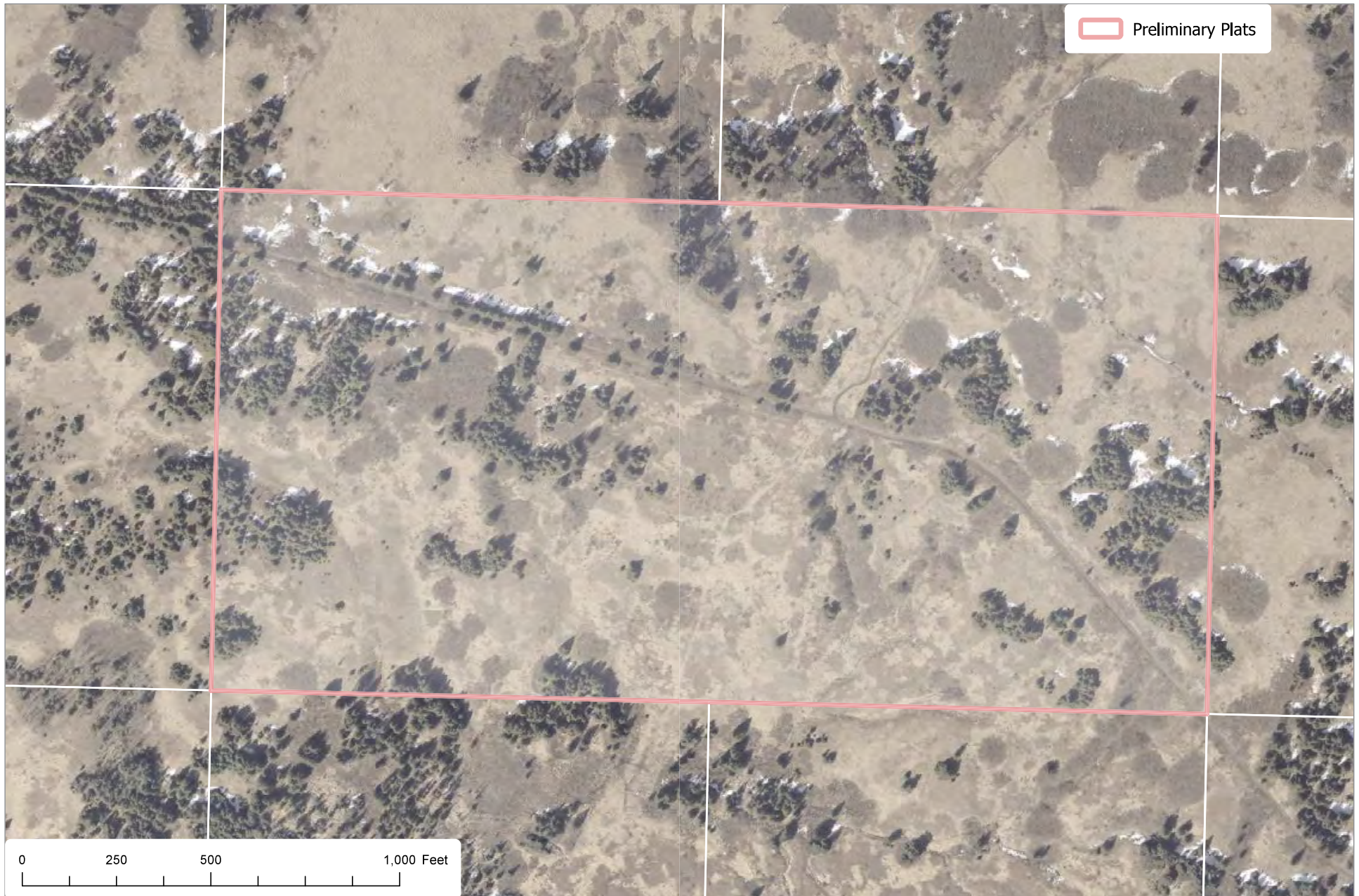
S06-T06S-R13W

Diamond Ridge

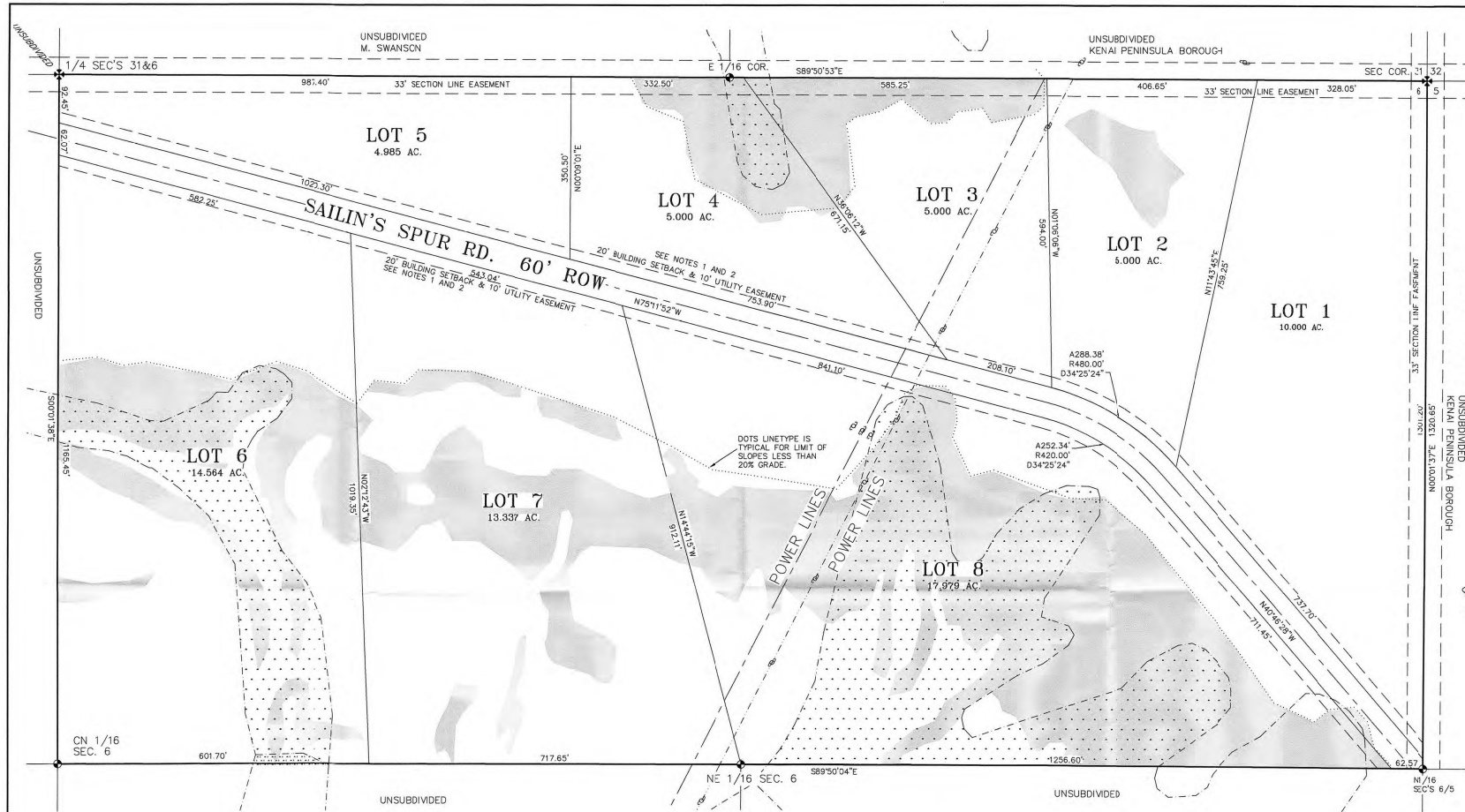
4/4/2022

0 500 1,000 Feet





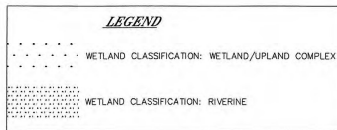
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2. THE FRONT 10 FEET OF THE 20 FOOT BUILDING SETBACK IS A UTILITY EASEMENT.
3. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
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6. GREY SHADING REPRESENTS SLOPES STEEPER THAN 20 PERCENT AS SHOWN ON KENAI PENINSULA BOROUGH GIS 2/10/2022.
7. IF SHOWN: CONTOURS ARE 4 FOOT INTERVAL, TAKEN FROM KENAI PENINSULA BOROUGH GIS ON 2/10/2022.

LEGEND



WASTEWATER NOTES

WASTEWATER DISPOSAL:
LOTS WHICH ARE AT LEAST 200,000 SQUARE FEET IN SIZE 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.

CERTIFICATE OF OWNERSHIP

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 public rights-of-way and grant all easements to the use shown.

DAN ENDRES
1421 30TH AVE
GREELEY, CO 80634

JOHN C GEORGE
PO BOX 1336
BARROW, AK 99723

NOTARY'S ACKNOWLEDGEMENT

For DAN ENDRES
Acknowledged before me this ____ day of _____, 2022.
Notary public for Alaska My Commission Expires _____

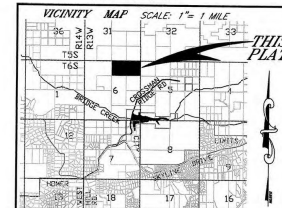
NOTARY'S ACKNOWLEDGEMENT

For JOHN C GEORGE
Acknowledged before me this ____ day of _____, 2022.
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

BY _____
Authorized Official



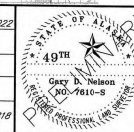
DATE 03-22-2022

SCALE 1" = 100'

GRID No. AR-69

JOB No. 5356

DRAWING: 5356_S208L_4010



CROSSMAN RIDGEVIEW

A SUBDIVISION OF THE N1/2 NE1/4 SEC. 6, T6S, R13W, S.M., KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, HOMER RECORDING DISTRICT, STATE OF ALASKA, CONTAINING 85,000 ACRES

OWNERS: DAN ENDRES JOHN C GEORGE
1421 30TH AVE PO BOX 1336
GREELEY, CO 80634 BARROW, AK 99723

ABILITY SURVEYS

GARY NELSON, PLS
(907) 235-4440
152 DENEL AVE, HOMER ALASKA 99603

PLAT #
Rec Dist _____
Date _____ 20 ____
Time _____ M

KPB 2022-044

KPB FILE No. 2022- _____

AGENDA ITEM E. NEW BUSINESS

ITEM 4 - CROSSMAN RIDGEVIEW

KPB File No.	2022-044
Plat Committee Meeting:	April 25, 2022
Applicant / Owner:	Dan Endres of Greeley, CO and John C George of Barrow, AK
Surveyor:	Gary Nelson / Ability Surveys
General Location:	Diamond Ridge / Kachemak APC

Parent Parcel No.:	173-051-02
Legal Description:	The N1/2 NE1/4 Section 6, Township 6 South, Range 13 West
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide an 80 acre parcel into eight lots and dedicate a 60 foot wide right of way. The proposed lots will range in size from 4.985 acres to 17.979 acres.

Location and Legal Access (existing and proposed): The proposed plat is located north of the City of Homer and the Bridge Creek Reservoir. The access is from state maintained Skyline Drive. Crossman Ridge Road is partially dedicated in areas and the portion within the city limits is managed by the City of Homer. North of the Bridge Creek Reservoir, the borough maintains about 850 feet of the right of way. Crossman Ridge Road dedications occur further to the east but the portion used for access is not dedicated. An existing trail continues to the northeast and to access this subdivision a trail that connects and goes to the northwest is used. The portion of the trail within the boundary of the plat is proposed for dedication. Staff did not locate any ADL or easements for the trails. The surveyor provided a vicinity map from 1957 that does show the roads. Using the route numbers shown, staff found a state report regarding Alaska's inclusion in the federal-aid highway act of 1956. The report lists Route 4302, Crossman Ridge Road, as a secondary system route approved February 26, 1957.

Section line easements are present to provide additional access but are not currently constructed.

The plat is proposing to dedicate a 60 foot wide right of way atop the trail. The proposed name is Sailin's Spur Road. The property is surrounded by other large acreage lots that have not been subdivided and there are no road dedications granted. Exceptions have been requested for block length and dedications atop the existing section line easements.

Comments were received by the Chief of Kachemak Emergency Services, Robert Cicciarella. "My concern is that there are these re-plats in areas that can be very difficult for us to access especially in winter and break-up seasons. When the road is private the minimum is done to keep the road open. This equates to manpower intensive "Off Grid" calls on medicals and almost inaccessible for apparatus yet they are the one calling for assistance."

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

Site Investigation: Low wet areas are present in several areas. The wetlands are currently depicted. The depiction is within the legend and is noted in plat note 5. **Staff recommends** if the plat note is left in place that the date be removed from the note as that is the date the information was taken from the borough mapping not the date of the information. **Staff recommends** 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.

Steep terrain is shown with shading. Various areas contain steep slopes south of the proposed dedication. Steep slopes are also present along the northern boundary of the subdivision. The road dedication is over an existing trail that has been in place for many years and appears to have been put in a location that follows the terrain. There does not appear to be any need for cross sections or centerline profiles. **Staff recommends any toe or top of bluffs be depicted and labeled on the final plat.**

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

Staff Analysis The preliminary plat is an aliquot piece of property that has not been part of a subdivision. The proposal is to create eight lots that will all be over 5 acres in size. A road dedication will occur to provide access to the lots over the existing travelway.

Past information indicates the travelway has been in place and used for many years. An ADL or easement does not appear to be recorded. Section line easements are present along the northern and eastern boundary of the subdivision.

Due to the size of the lots a soils report will be 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 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 property was not previously subdivided and there are no platted easements in place. Per the certificate to plat there are several easements granted by recorded documents.

A 10 foot utility easement is in place along the N1/2 NE1/4 of T6S R13W S6 along the southern property line beginning at the southwest corner for the length of 1,320 feet to the east. **Staff recommends the easement be depicted and labeled with a reference to a plat note that describes the easement and creation.**

A judgement was issues in favor of Homer Electric Association, Inc. for a 50 foot wide easement that was centered along a line. The judgement describes the location. **Staff recommends the easement be depicted as described by the judgement and labeled with reference to a plat note that describes the easement and creation.**

Homer Electric Association's review noted that there is an ADL that granted a 100 foot wide easement. ADL 200045 was recorded with Serial Number 2004-005069-0, HRD. **Staff recommends** the easement per ADL 200045 be depicted and labeled with a reference to the ADL or to a plat note that describes the easement and creation.

The plat does have powerlines shown on the plat. If it is determined that any of these lines are center of the above mentioned easements, they may remain with reference to the plat notes for the easements. The surveyor or owner may wish to show the full width of the easements instead of the powerlines and then provide a reference to the correct plat notes. **Staff recommends** the existing easements be reviewed to determine if they need to be individually shown and if showing the powerlines is the best method for showing the easements. If the powerlines will remain on the plat, staff requests the line symbology be added to the legend.

The plat is intending to grant 10 foot utility easements along the dedicated right of way. **Staff recommends** plat note 2 be reworded, "The front 10 foot adjoining right of ways is granted by this plat as a utility easement."

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	Provide a label or plat note to reference the 100 foot wide right-of-way easement per ADL 200045, recorded under Serial No. 2004-005069-0, HRD.
ENSTAR	No comments or recommendations
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 List of Correct Street Names: Existing Street Name Corrections Needed: All New Street Names are Approved: Yes</p> <p>List of Approved Street Names: SAILINS SPUR RD</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	Comments not received when the staff report was prepared.
Assessing	<p>Reviewer: Wilcox, Adeena Comments: Access would be considered limited/none for assessing purposes.</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

Have the title company correct the spelling of Mr. Endres name to match the deeds he took ownership.

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.

- 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 depiction and labels for the section lines abutting the subdivision. KPB data indicates a 50 foot easement is adjacent to the eastern boundary. Along the north, east of E 1/16 is a 50 foot easement and to the west is 33 feet.
- 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 depiction of the Bridge Creek Reservoir or use a shading that does not match the subdivision depiction. Remove overstrikes from text.
- 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: Remove the ownership information on the surrounding properties for the final.

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 report not 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.

20.60.040. 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: Acceptance for new 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.*

- *A plat note should be added for any exceptions granted.*
- *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.*
- *Wording will vary depending on how the easements will be depicted but include plat notes for the following:*
 - o *Subject to a judgement that granted a 50 foot easement to Homer Electric Association, Inc. as described in Book 111 Page 310, Homer Recording District.*
 - o *Subject to a 10 foot easement to PTI Communications, Inc. as described in Book 260 Page 462 and Book 260 Page 477, Homer Recording District.*
 - o *Subject to 100 foot ADL 200045 Right of Way granted to Homer Electric Association, Inc. as described in the permit found at Serial Number 2004-005069-0, Homer Recording District.*

Revise plat note 2, "The front 10 foot adjoining right of ways is granted by this plat as a utility easement."

EXCEPTIONS REQUESTED:

A. KPB 20.30.030 – Proposed Street Layout-Requirements and KPB 20.30.170 – Blocks-Length Requirements

Surveyor's Discussion: Please understand this subdivision straddles the crest of a mountain ridge and contains quite a number of steep slopes, making much of the KPB Code for subdivision design requirements impracticable to meet.

We ask for an exception to 20.30.170 Blocks-Length Requirements, due to the topographic constraints of steep slopes (see contour map), that would prohibit compliance with KPB 20.30.090 Streets-Maximum grades allowed. Generally north-south roadways are prohibited by the east-west direction of the mountain ridge containing steep slopes.

We are asking for exception to KPB 20.30.030 Proposed Street Layout-Requirements item A: fee simple right of way dedications. We feel the preliminary subdivision plat addresses the need to provide for the continuation or appropriate projection of all streets in the surrounding areas and provides reasonable means of ingress for surrounding acreage tracts. The section line easements along the north and east subdivision boundaries are not being dedicated as fee simple right-of-way due to terrain limitations that would require exceeding gradient limitations of KPB 20.30.090 Streets-Maximum grades allowed, i.e. shall not exceed 4% gradient within 130 feet of intersections, shall not exceed 10% gradient. Specifically the subdivision north boundary is a section line with section lines easements that crosses very steep canyon slopes, and the east boundary is a section line that intersects Sailin's Spur Road right of way at an angle of 40 degrees and 48 minutes which exceeds the KPB 20.30.150A limitation of not less than 60 degrees. That intersection would also exceed KPB 20.30.090 gradient requirements, and making the intersection fit the 60 degree minimum would make the gradients worse.

The north and east boundaries are section lines that have section line easements created by statute that would be a minimum width of 33 feet on each side of the section line. These section line easements are for public ingress, egress and utilities. The adjacent land parcel east of the subdivision, and north of the east half of the subdivision is Kenai Peninsula Borough owned, allowing for design of roadways that meet code standards.

We ask for an exception to dedicating right-of-way adjacent to the west boundary of Lot 5 due to the geometric configuration of existing Sailin's Spur Road, subdivision boundaries, and nearby connection to section lines that have future potential as roadways. KPB 20.130.150B mandates no centerline intersections less than 150 feet.

If requested by KPB, we would grant a 30 foot wide public access easement along the west boundary of Lot 5 in lieu of a public dedication with the idea a public access easement will not violate the KPB 20.130.150B 150 feet centerline requirement, and would not force a matching right-of-way dedication if the future subdivision of adjacent land to the west would create a better geometric designed road network.

Staff Discussion: Staff has grouped the two exceptions requested as they appear to be related. The plat committee may elect to hear the exceptions separately by making two separate motions.

The dedication of Sailin's Spur Road is atop an existing travelway. This will split the property into two blocks, north and south. Sailin's Spur Road and section line easements will define the northern block as proposed. The length from the dedication along the eastern boundary will be within allowable lengths. The lengths along the right of way and the northern section line easements exceed allowable lengths but using the existing travelway will be a closed block. The southern block will have the new dedication and the section line easements going south. There is no dedications along the west to provide a connection and the distance along the east to the existing Crossman Ridge Road travelway is beyond allowable limits.

Dedications along the west will be within low wet areas and will encounter steep terrain. Dedications along the southern boundary will face the same issues. The surveyor has noted the concerns for an intersection along the eastern boundary even though that location does not appear to be dealing with any extreme terrain. A dedication along the northern boundary will also face some steep terrain and low wet areas. A dedication along the western portion of Lot 5 will could result in some issues for future dedications or if someone elects to use the existing section line easements. The section line easement continues to the west past Lot 5 and connects back to the travelway. It appears to be approximately 450 feet from the northwest corner to the travelway to the west.

There are several large acreage lots to the south that do not front along a section line easement or have dedicated access. The lots may have private easements granted to them but without title search it is unknown what access they may have. Along the western boundary of the subdivision is some steep terrain and wetlands. There are also some along the southern portion of the subdivision. Due to the terrain and distances involved staff would prefer an access along the western boundary of proposed Lot 6. Due to the terrain, staff would be agreeable to a 30 foot wide public access easement in lieu of a right of way dedication at this time.

Surveyor's Findings:

1. Steep slopes prohibit compliance with KPB 20.30.090.
2. East section line intersects the right of way at an angle of 40 degrees and 48 minutes which exceeds KPB 20.30.150A limitation of no less than 60 degrees.
3. Section lines easements created by statute are on each side of the section lines.
4. Section line easements are for public ingress, egress, and utilities.
5. Dedication west of Lot 5 will conflict with KPB 20.30.150B, no centerline intersections less than 150 feet.

Staff's Findings:

6. The preliminary plat is surrounded by parcels that are 40 acres or larger.
7. The lots within the preliminary plat are large enough to be further subdivided.
8. This is considered a more remote area with limited access.
9. There are no right of way dedications in close proximity that need continuation.
10. The plat will create a dedicated right of way atop the existing travelway.
11. The 80 acre lot to the south does not have dedicated access or section line easements.
12. The lot to the southwest is owned by the same owner of the land to the south.

Staff reviewed the exception request and recommends granting approval **subject to a 30 foot public access easement or dedication of right of way along the western boundary of Lot 6 to provide access to the lots to the south.**

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 and 7-10 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 and 7-10 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 11-5 and 7-10 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.

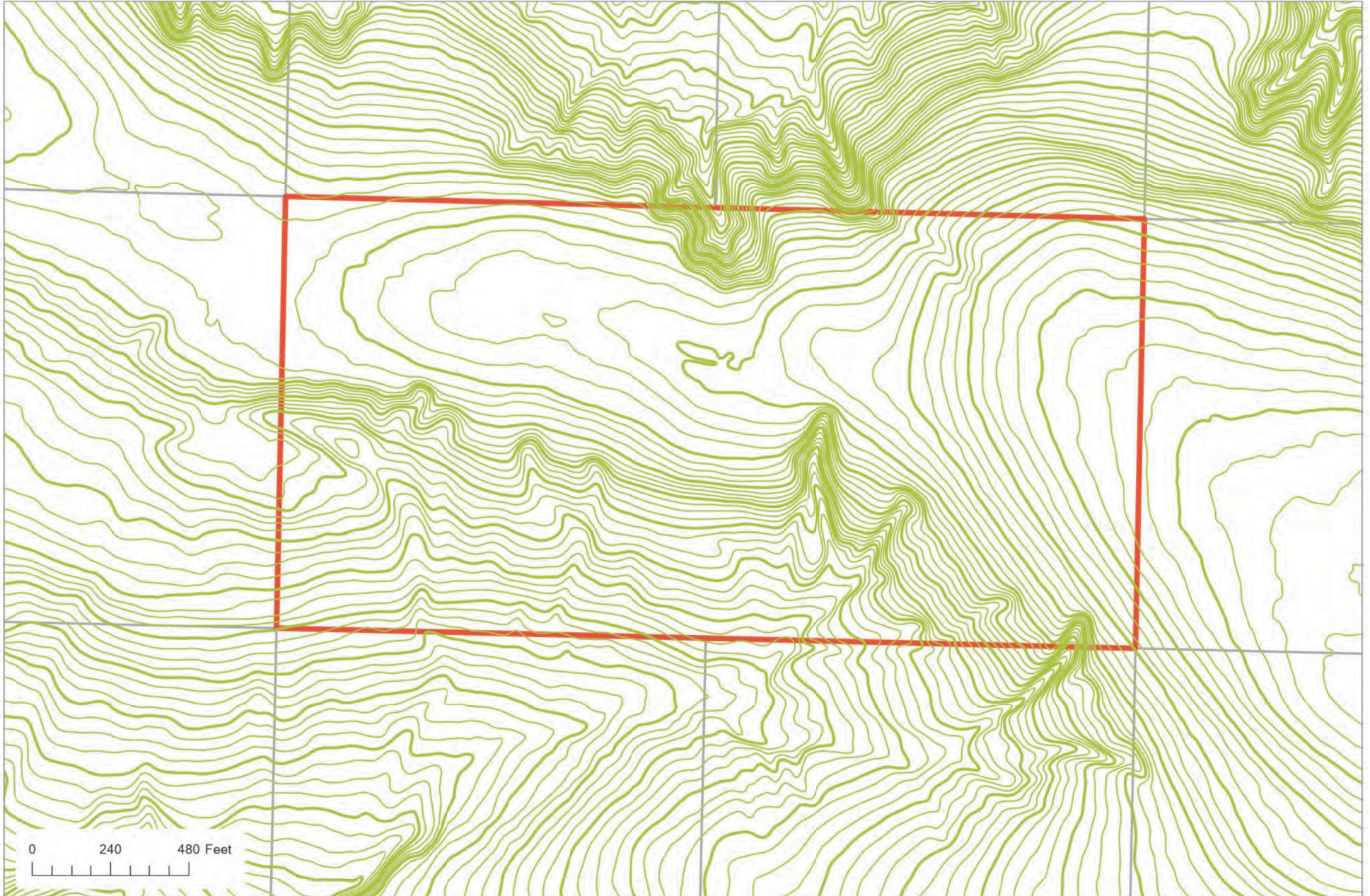
NOTE: 20.25.120. - REVIEW AND APPEAL.

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.

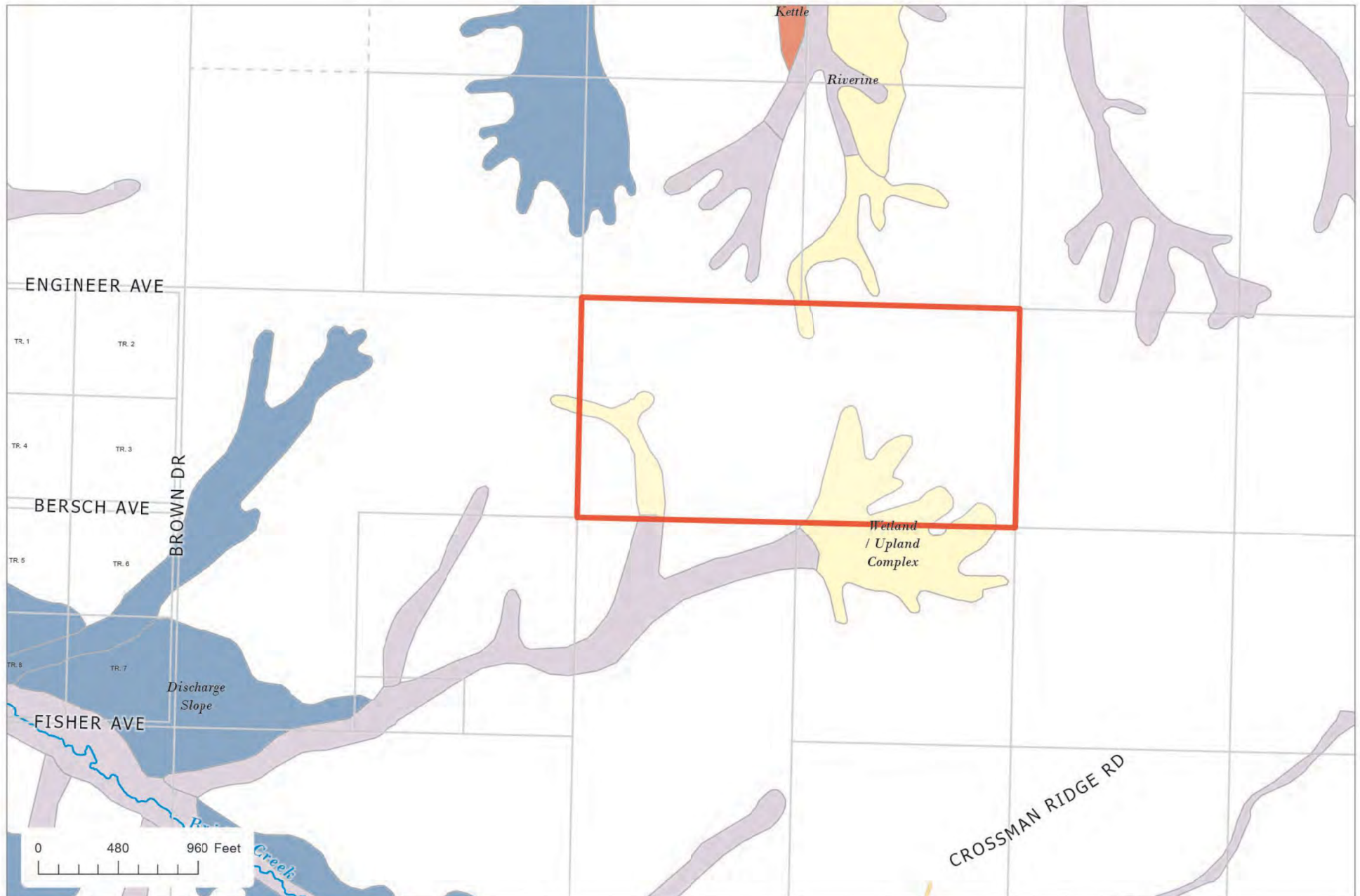
A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

END OF STAFF REPORT





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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UNSUBDIVIDED
M. SWANSON

UNSUBDIVIDED
KENAI PENINSULA BOROUGH

CERTIFICATE OF OWNERSHIP

We hereby certify that we are the owners of the real property shown and described herein, and that we hereby adopt this plan of subdivision, and by our free consent dedicate all public rights-of-way and grant all easements to the use shown.

DAN ENDRES
1421 30TH AVE
GREELEY, CO 80634

JOHN C. GEORGE
PO BOX 1326
BARROW, AK 99723

NOTARY'S ACKNOWLEDGEMENT

For DAN ENDRES
Acknowledged before me this ____ day of _____, 2022.
Notary public for Alaska My Commission Expires _____

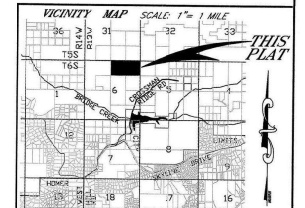
NOTARY'S ACKNOWLEDGEMENT

For JOHN C. GEORGE
Acknowledged before me this ____ day of _____, 2022.
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

BY _____
Authorized Official



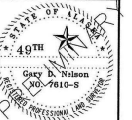
DATE 03-29-2022

SCALE 1" = 100'

GRID No. AR-65

JOB No. 5356

DRAWING: 5356_5208_4918



CROSSMAN RIDGEVIEW

A SUBDIVISION OF THE N1/2 NE1/4 SEC. 6, T6S, R13W, S.M., KENAI PENINSULA BOROUGH, 3RD JUDICIAL DISTRICT, HOMER RECORDING DISTRICT, STATE OF ALASKA, CONTAINING 85.000 ACRES

OWNERS: DAN ENDRES JOHN C. GEORGE
1421 30TH AVE PO BOX 1326
GREELEY, CO 80634 BARROW, AK 99723

ABILITY SURVEYS

GARY NELSON, PLS
(907) 335-9440
152 DEVEL AVE., HOMER, ALASKA 99603

NOTES

1. 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.
2. THE FRONT 10 FEET OF THE 20 FOOT BUILDING SETBACK IS A UTILITY EASEMENT.
3. 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. 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).
5. WETLAND HATCHING REPRESENTS POTENTIAL WETLANDS AS CLASSIFIED BY KENAI WATERSHED FORUM SHOWN ON KENAI PENINSULA BOROUGH GIS MAPPING 2/16/2022.
6. GREY SHADING REPRESENTS SLOPES STEEPER THAN 20 PERCENT AS SHOWN ON KENAI PENINSULA BOROUGH GIS 2/16/2022.
7. IF SHOWN, CONTOURS ARE 4 FOOT INTERVAL, TAKEN FROM KENAI PENINSULA BOROUGH GIS ON 2/16/2022.

WASTEWATER NOTES

WASTEWATER DISPOSAL:
LOTS WHICH ARE AT LEAST 200,000 SQUARE FEET IN SIZE MAY NOT BE SUITABLE FOR ON-SITE WASTEWATER TREATMENT AND DISPOSAL. ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

LEGEND

WETLAND CLASSIFICATION: WETLAND/UPLAND COMPLEX

WETLAND CLASSIFICATION: RIVERINE

HEA REVIEWED - SEE COMMENTS

Scott Huff

Land Management Officer

By shuff at 11:15:37 AM, 4/5/2022

PLAT

REC DIST

Date 20

Time M

KPB FILE No. 2022-

KPB 2022-044

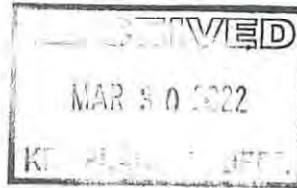
ABILITY SURVEYS

MEASURING MAPPING & REPORTING ON ALASKA'S INFRASTRUCTURE
SINCE 1976

152 DEHEL AVE., HOMER, AK. 99603 PH. 907-235-8440 FAX. 235-8440

3/29/2022

Julie Hindman, Platting Specialist
KPB Planning Dept.
144 N. Binkley
Soldotna, AK 99669



Re: Preliminary Plat submittal of CROSSMAN RIDGEVIEW subdivision.

Enclosed herewith are 7 reduced 11"X17" copies, and 1 full sized 24X36 copy of the preliminary plat, one 24X36 copy with contours and check #3778 in the amount of \$400.00 for the KPB filing fee, and the signed Preliminary Plat Submittal Form is attached.

The Certificate to Plat is coming from the title company. It was ordered on February 10th, and they say they are 5 weeks out, so it should have arrived????

Please understand this subdivision straddles the crest of a mountain ridge and contains quite a number of steep slopes, making much of the KPB Code for subdivision design requirements impracticable to meet.

We ask for an **exception to 20.130.170 Blocks – Length Requirements**, due to the topographic constraints of steep slopes (see contour map), that would prohibit compliance with **KPB 20.30.090 Streets – Maximum grades allowed**. Generally north-south roadways are prohibited by the east-west direction of the mountain ridge containing steep slopes.

We are asking for **exception to KPB 20.30.030 Proposed Street Layout – Requirements, item A: fee simple right-of-way dedications.**

Discussion: We feel the Preliminary subdivision plat addresses the need to provide for the continuation or appropriate projection of all streets in the surrounding areas and provides reasonable means of ingress for surrounding acreage tracts. The section line easements along the north and east subdivision boundaries are not being dedicated as fee simple right-of-way due to terrain limitations that would require exceeding gradient limitations of **KPB 20.30.090 Streets – Maximum grades allowed**, ie shall not exceed 4% gradient within 130 feet of intersections, shall not exceed 10% gradient. Specifically the subdivision north boundary is a section line with section line easements that crosses very steep canyon slopes, and the east boundary is a section line that intersects SAILIN'S SPUR ROAD right-of-way at an angle of 40 degrees and 48 minutes which exceeds the **KPB 20.30.150 A**. limitation of not less than 60 degrees. That intersection would also exceed **KPB 20.30.090** gradient requirements, and making the intersection fit the 60 degree minimum would make the gradients worse.

The north and east boundaries are section lines that have section lines easements created by statute that would be a minimum width of 33 feet on each side of the section line. These section line easements are for public ingress, egress and utilities. The adjacent land parcel east of the subdivision, and north of the east half of the subdivision is Kenai Peninsula Borough owned, allowing for design of roadways that meet code standards.

We ask for an exception to dedicating right-of-way adjacent to the west boundary of Lot 5 due to the geometric configuration of existing SAILIN'S SPUR ROAD, subdivision boundaries, and nearby connection to section lines that have future potential as roadways. **KPB 20.30.150 B** mandates no centerline intersections less than 150 feet.

If requested by KPB, we would grant a 30 feet wide public access easement along the west boundary of Lot 5 in lieu of a public dedication with the idea that a public access easement will not violate the **KPB 20.130.150 B** 150 feet centerline requirement, and would not force a matching right-of-way dedication if the future subdivision of adjacent land to the west would create a better geometric designed road network.

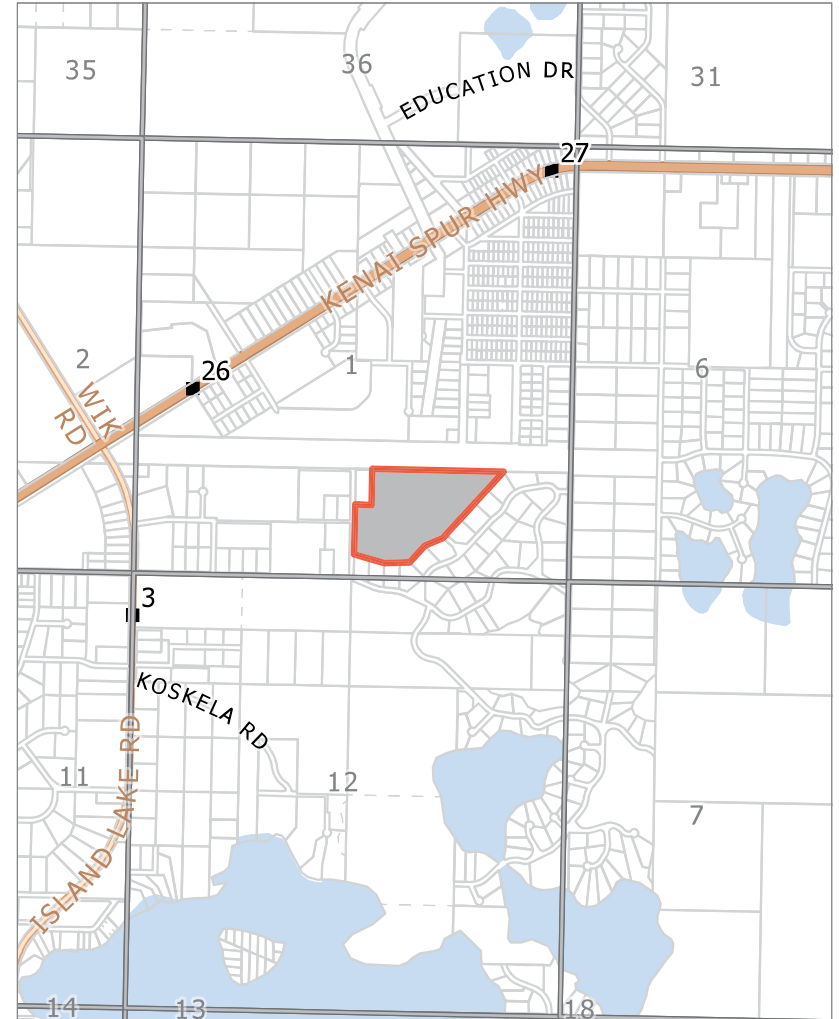
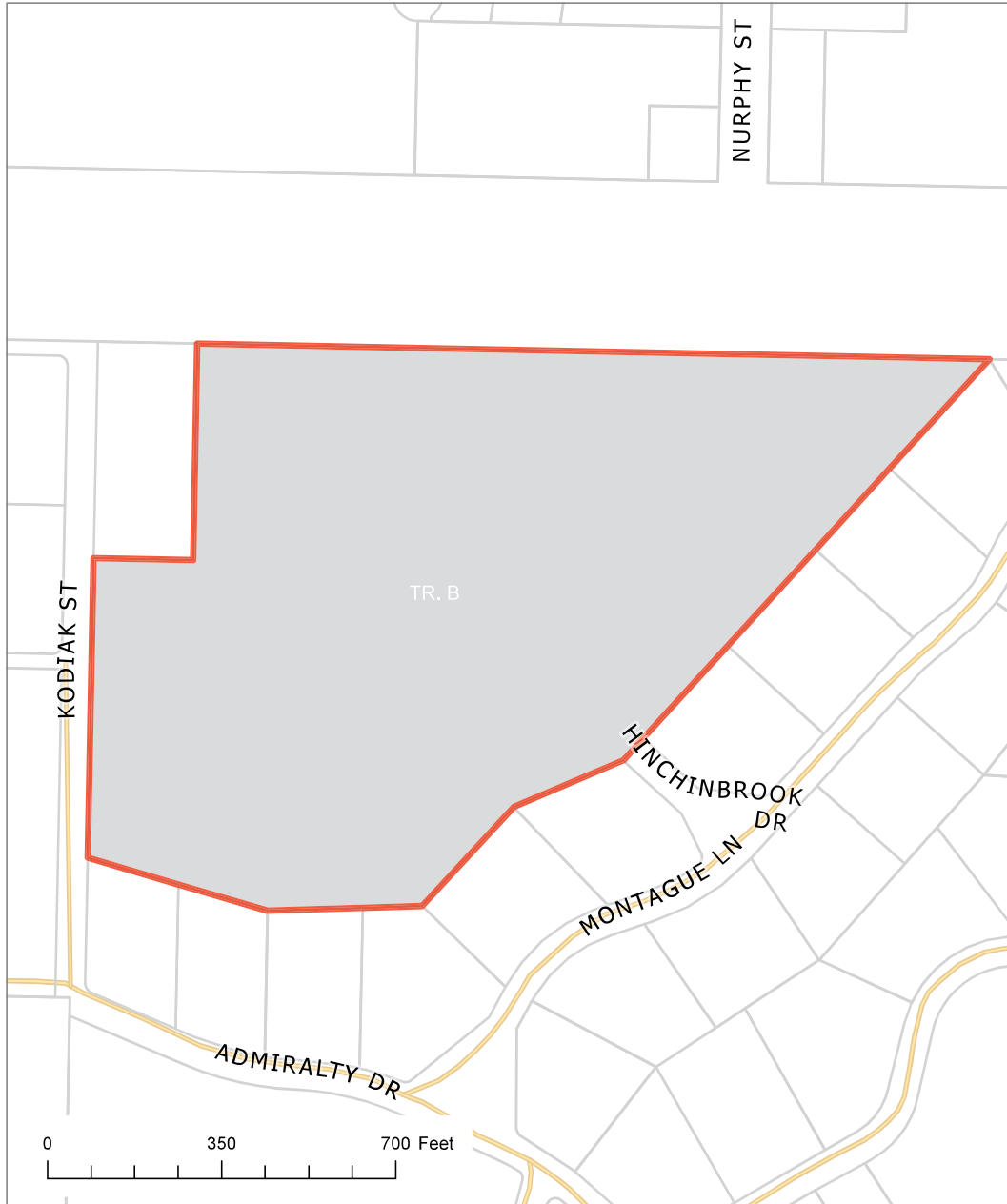
I recently submitted via email, a DEPARTMENT OF COMMERCE, BUREAU OF PUBLIC ROADS REGION TEN, ANCHORAGE ALASKA HOMER VICINITY MAP NO. 59 dated AUGUST 1957, that shows a dark bold line representing state road routes, that shows the existing unimproved dirt ATV route, shown on the preliminary plat as SAILIN'S SPUR, as a bold line connecting to CROSSMAN RIDGE ROAD ROUTE 4302. The roadway is an unimproved dirt ATV route that receives no government agency maintenance. A reduced copy of the map (11x17) is enclosed.

Thank you for your assistance in processing this subdivision.


Gary Nelson, PLS

E. NEW BUSINESS

- 5. McGahan-Schilling Tracts 2022 Addition; KPB File 2022-031
Segesser Surveys / McGahan Family Limited Partnership &
McGahan
Location: Hinchinbrook Drive, Porter Avenue & Kodiak Street
Nikiski Area**



KPB File # 2022-031

Township 07N-Range 12W-Section 01

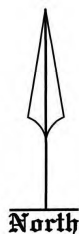
Nikiski



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.

LEGEND:

- 3 1/4" ALUM. CAP MONUMENT FOUND
- 2 1/2" ALUM. CAP MONUMENT FOUND
- 5/8" REBAR w/ALUM. CAP FOUND
- 5/8" REBAR w/PLASTIC CAP FOUND
- 5/8" REBAR w/PLASTIC CAP LS8859 SET
- () RECORD DATUM PLAT 98-56 KRD

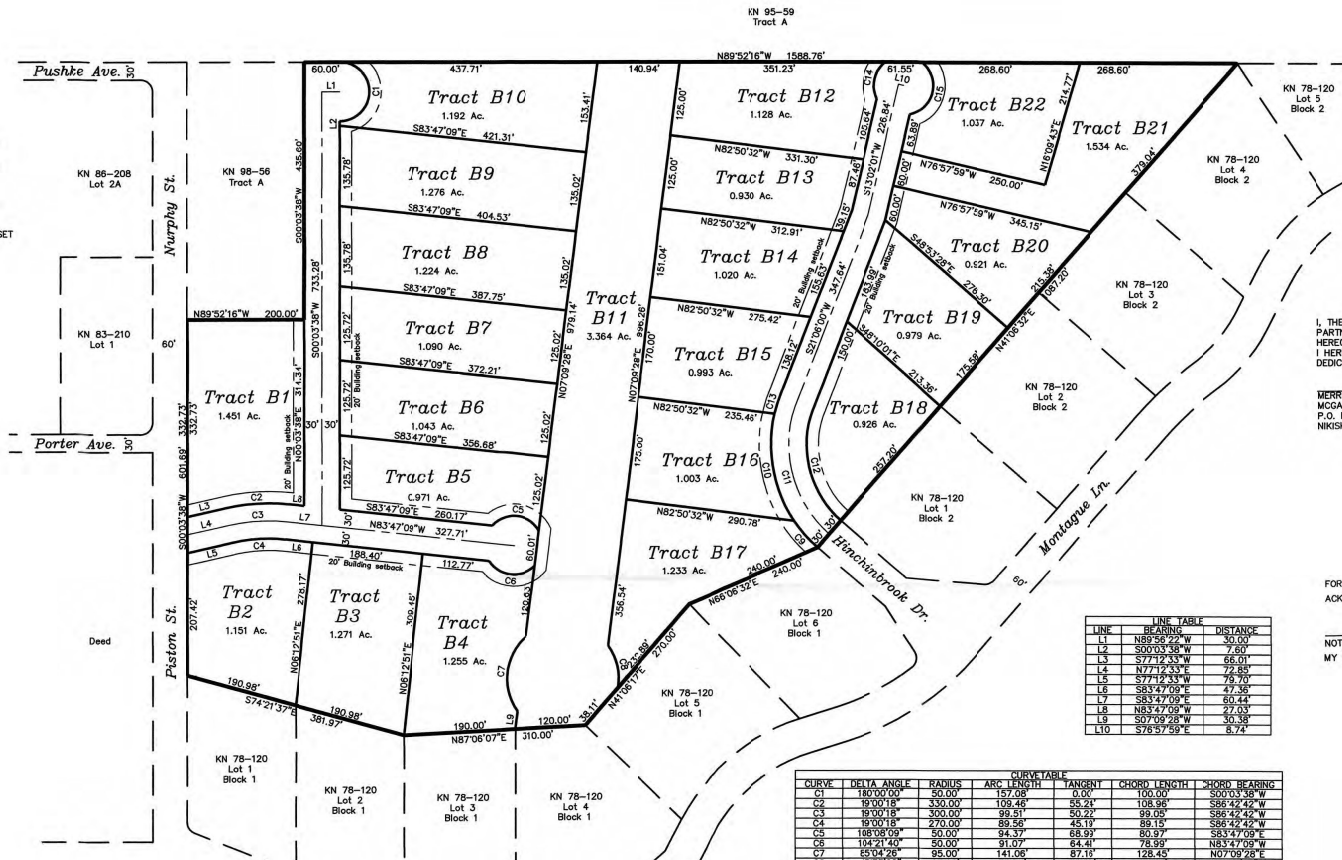


SURVEYOR'S CERTIFICATE

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 _____

Engineer License No. date



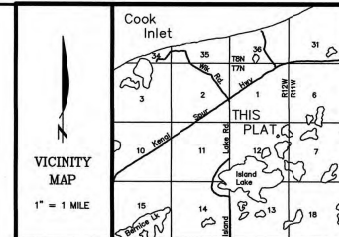
NOTES:

- 1) Basis of bearing taken from McGahan-Schilling Tracts, Plat 98-56, 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) Roads must meet the design and construction standards established by the Borough in order to be considered for certification and inclusion in the Borough road maintenance program.
- 4) An easement for electric lines or system and/or telephone lines granted to Homer Electric Association is recorded in Book 2 Page 153, Kenai Recording District. No definite location disclosed.
- 5) 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.
- 6) WASTEWATER DISPOSAL: Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional on-site 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 on-site 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.

CERTIFICATE of ACCEPTANCE

THE UNDERSIGNED OFFICIAL, IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE KENAI PENINSULA BOROUGH 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 THIS PLAT IDENTIFIED AS FOLLOWS: HINCHBROOK DRIVE, DEDICATIONS.

AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH



CERTIFICATE of OWNERSHIP and DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE MCGAHAN FAMILY LIMITED PARTNERSHIP IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, AND ON BEHALF OF THE MCGAHAN FAMILY LIMITED PARTNERSHIP, I HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

MERRILL W. MCGAHAN
MCGAHAN FAMILY LIMITED PARTNERSHIP
P.O. BOX 8022
NIKISKI, ALASKA 99635

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.

McGahan-Schilling Tracts 2022 Addition

A resubdivision of Tract B, McGahan-Schilling Tracts, Tracts, Plat 98-56, Kenai Recording District.

Located within the SE1/4 Section 1, T7N, R12W, S4M, Kenai Peninsula Borough, Alaska.

Containing 30.921 ac.

Surveyor	Owner
Segesser Surveys 30485 Roland St. Soldotna, AK 99669 (907) 262-3909	McGahan Family Limited Partnership P.O. Box 8022 Nikiski, Alaska 99635

JOB NO.	20107	DRAWN:	3-4-22
SURVEYED:	July, 2020	SCALE:	1"=100'
FIELD BOOK:	20-1	SHEET:	1 of 1

KPB 2022-031

AGENDA ITEM E. NEW BUSINESS

ITEM 5 - MCGAHAN-SCHILLING TRACTS 2022 ADDITION

KPB File No.	2022-031
Plat Committee Meeting:	April 25, 2022
Applicant / Owner:	McGahan Family Limited Partnership and Carmen McGahan all of Kenai, AK
Surveyor:	John Segesser / Segesser Surveys
General Location:	Admiralty Drive, Montague Lane, Nikiski

Parent Parcel No.:	012-350-09
Legal Description:	Tract B McGahan-Schillings Tracts KN 98-56
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 30.9 acre parcel into twenty-two tracts and dedicate several right of ways. The tracts will range in size from .921 acres to 3.364 acres.

Location and Legal Access (existing and proposed): The proposed subdivision is in the Nikiski area near mile 26 of the Kenai Spur Highway. Island Lake Road is a state maintained right of way that intersects Kenai Spur Highway. Off Island Lake Road is multiple access routes. Porter Avenue appears to be partially cleared but not maintained. Admiralty Drive is maintained and loops around to Montague Lane. Kodiak Street is also maintained and is located on Admiralty Drive. Kodiak Street will continue to provide access to some of the lots and new dedications are proposed, both ending in cul-de-sacs. Hinchinbrook Drive is a partially dedicated right of way off Montague Lane. The subdivision proposed to continue the dedication of Hinchinbrook Drive to provide access to the other lots.

To the north of the subdivision is Tract A of McGahan Industrial Airpark Subdivision No. 1. This is being used as an airstrip.

All lots will be fronting on a dedicated right of way. Tract B11 will have a 60 foot wide access from the new east-west cul-de-sac dedication.

The right of ways are proposed as cul-de-sacs that end with blunt bulbs that will provide access to Tract A to the north.

The eastern right of way is ending in a cul-de-sac that exceeds code allowed lengths of 1,000 feet. An exception has been requested. The KPB Roads Department comment was discussed with the Roads Director by staff. After some additional discussion and review it was determined that the cul-de-sacs are compliant. Due to the blunt design of the cul-de-sacs the radius is short but still within allowable limits.

The block is currently not compliant. The dedications proposed will not improve the block as they are proposed as cul-de-sacs. Due to the airstrip to the north, the ability to get a closed and compliant block will be difficult. **Staff recommends the plat committee concur that an exception is not needed as the proposed roads cannot continue to improve the block due to the airstrip.**

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments:
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	Cul-de-sacs on the plat do not meet the road design standard. Minimum radius should be 35.
SOA DOT comments	No comment

Site Investigation: The proposed area contains no low wet areas. The terrain is relatively flat with increased slopes around the southern boundary of the subdivision. It does not appear that any slopes in the subdivision exceed 20 percent slopes. Areas proposed for dedications are relatively flat.

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

Staff Analysis The property within this subdivision was left as an unsubdivided remainder when the first subdivision of the area occurred, Lake Hills Plat KN 78-120. It was later replated as Tract B of McGahan-Schilling Tracts, Plat KN 98-56.

Lake Hills, Plat KN 78-120, dedicated a portion of Kodiak Street, Hinchinbrook Drive, Montague Lane, and portions of Admiralty Drive in addition to creating the lots that abut along the southern boundary of the proposed subdivision. That plat left an unsubdivided remainder. A 50 foot radius temporary turnaround was also granted at the end of the Kodiak Street dedication within the unsubdivided remainder parcel. 20 foot setbacks were put in place but there were no utility easements granted.

McGahan-Schilling Tract, Plat KN 98-56, created two tracts from the unsubdivided remainder and provided a continuation of Kodiak Street. That plat did grant 10 foot utility easements along the dedicated right of ways. The temporary turnaround was not noted or depicted on the replat.

The temporary turnaround has minimal impact due to the continued dedication of Kodiak Street. A small portion of the turnaround is present within the southwest corner of Tract B2. **Staff recommends the plat committee concur that old code did not address how to remove temporary turnarounds, no notes were listed to remove the turn around, and that the intended need is no longer valid, and the turnaround does not need to be carried over.** If the plat committee does not concur then the turnaround should be shown.

Per KPB Code 20.30.190, Tract B20 and Tract B22 will be subject to 20 foot building setbacks along the panhandle portion of Tract B21. Due to the size of Tract B20, this will reduce the usable area. The intent for this portion of code is in case a lot is further subdivided and a right of way needs to be granted along the panhandle. Due to the size of the lots, the design of neighboring lots, the need for the panhandle to be dedicated as right of way in the future is minimal. **Staff recommends the plat committee concur that the setback will not be required along the panhandle of Tract B21.** If the plat committee does not concur, the setbacks must be depicted and noted on the plat.

A soils report will be required and an engineer will sign the final plat.

Notice of the proposed plat was mailed to the beneficial interest holder on March 31, 2022. The beneficial interest holder was given 30 days from the date of the mailing of the notification to respond. They have provided a letter of non-objection.

The property is not within an advisory planning commission.

Utility Easements There are two utility easements granted by document. One is within the plat notes. An additional plat note is needed to include the other.

No platted easements were granted on the unsubdivided remainder per Lake Hills, Plat KN 78-120. McGahan-Schilling Tracts, Plat KN 98-56, granted 10 foot along dedicated right of ways increasing to 20 feet within 5 feet of side lot lines. The plat depicted the easement along Kodiak Street but did not depict along Hinchinbrook Drive. The plat note would have created that easement as it was not listed as being excluded. The easement will not need to be labeled or depicted as the new right of way dedication will be atop it. Per the plat note 5, this plat will be granting 10 feet adjacent to right of ways increasing to 20 feet within 5 feet of the side lots lines. Due to the scale and information provided **Staff recommends a typical utility easement depiction be shown in detail on the plat and refer to plat note 5 within the detail.**

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

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek</p> <p>Affected Addresses: 51116 KODIAK ST</p> <p>Existing Street Names are Correct: No</p> <p>List of Correct Street Names: PUSHKE AVE PORTER AVE MONTAGUE LN HINCHINBROOK DR</p> <p>Existing Street Name Corrections Needed: PISTON ST should be KODIAK ST.</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied: New street names needed for newly dedicated ROWs.</p> <p>Comments: 51116 KODIAK ST will be deleted. New street names needed for newly dedicated ROWs.</p>
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	PISTON ST should be KODIAK ST.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Comments not received prior to staff report being prepared.
Assessing	Reviewer: Wilcox, Adeena Comments: No Comment

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

STAFF RECOMMENDATIONS **CORRECTIONS / EDITS**

KPB 20.25.070 – Form and contents required

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:**
- Update the spelling of "Schilling".
 - Remove the duplicate "Tracts".
 - Certificate to plat states Carmen M. McGahan is part owner. Include name and address within 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: Update Piston Street/Nurphy Street to Kodiak Street.
- 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: Show the proposed subdivision on the map.
- 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: Approved street names are required.

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 recommendation: *The eastern dedication exceeds the 1,000 foot length maximum. An exception has been requested.*

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

Staff recommendation: *Work with Addressing Officer for approved names.*

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). Tracts B7, B9 and B11 do not comply with the 3:1 an exception has been requested. Tracts B22 and B20 will be subject to the building setback along the flag portion of Tract B21. The setbacks should be shown and a plat note added unless the Plat Committee concurs it is not required.*

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 and an engineer's signature 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.*

20.60.180. 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:

Add a plat note for any exceptions granted.

To plat note 3, include the reference to KPB Code, "(KPB 14.06)".

For plat note 4 include "Misc" in front of the book.

The following can be included in note 4 or a new note added. "An easement for electric lines or system and/or telephone lines, granted to Homer Electric Association is recorded in Book 2 Page 37, Kenai Recording District. No definite location disclosed.

Add "No structures are permitted within the panhandle portion of the flag lot."

Add a plat note, "Tract B22 and Tract B20 are subject to a 20 foot building setback along the panhandle portion of Tract B21.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: *Another certificate of ownership for the individual, Carmen M. McGahan, will be needed. Add a signature line and notary for Carmen McGahan. Comply with 20.60.190.*

EXCEPTIONS REQUESTED:

A. KPB 20.30.100 – Cul-de-sacs

Staff Discussion: Per KPB Code 20.30.100(A), streets designed to have one end permanently closed shall be no more than 1,000 feet long. The existing design for the continuation of Hinchinbrook Drive will exceed the limit by about 100 feet. That is measure from the intersection with Montague Lane to the center of the cul-de-sac bulb.

Findings:

1. KPB Code required roads ending in a cul-de-sac to be no longer than 1,000 feet.
2. The proposed design exceeds the allowable limit when measured from the intersection of Montague Lane to the center of the bulb.
3. Shortening the right of way will still allow for all proposed lots to have access.
4. Shortening the right of way will not allow for access to the tract to the north.
5. The lot to the north is used as an airstrip.
6. The current design provides an additional access to the airstrip for emergency vehicles.
7. Access to the airstrip is available from the north of the airstrip and by the proposed design of the western right of way.
8. Access is not required to the lot to the north.
9. Allowing non-emergency vehicles on airstrips would need to be reviewed by the FAA.
10. If the lot to the north is no longer used as an airstrip, dedications could continue north.

If the exception is denied, a redesign will be required that brings the right of way into compliance while providing required access.

Staff reviewed the exception request and recommends *denial*.

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.

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

EXCEPTIONS REQUESTED:

B. KPB 20.30.190 – Lots-Dimension (3:1 depth to width for Tracts B7, B9, and B11)

Staff Discussion: Per KPB Code 20.30.190(A), the average depth of lots shall be no greater than three times the average width. Tracts B7, B9, and B11 exceed the allowable 3:1 ratio. Tract B11 appears to be designed to allow access to the airstrip for the lots abutting the tract. Due to the design of that tract, design of abutting tracts, and limited access, the future replatting of this lot will be limited.

Findings:

1. KPB Code requires a design of 3:1 depth to width ratio.
2. Tract B11 only has a 60 foot access point.
3. Tract B11 appears to have a ratio of 8:1.
4. Tract B7 has a ratio of 3:03:1.
5. Tract B9 has a ratio of 3.04:1.
6. All other lots comply with the 3:1.
7. A redesign that shortens the lots and shifts Tract B11 to the west will create non-compliant lots to the east of Tract B11.
8. Tract B7 and B9 are barely over the allowable limit.
9. Tract B11 appears to be designed to provide access to the airstrip to the north.

If the exception is denied, a redesign will be required that brings all lots into compliance with KPB Code.

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:

That special circumstances or conditions affecting the property have been shown by application;

Findings 6-9 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 6-9 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 6-9 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.

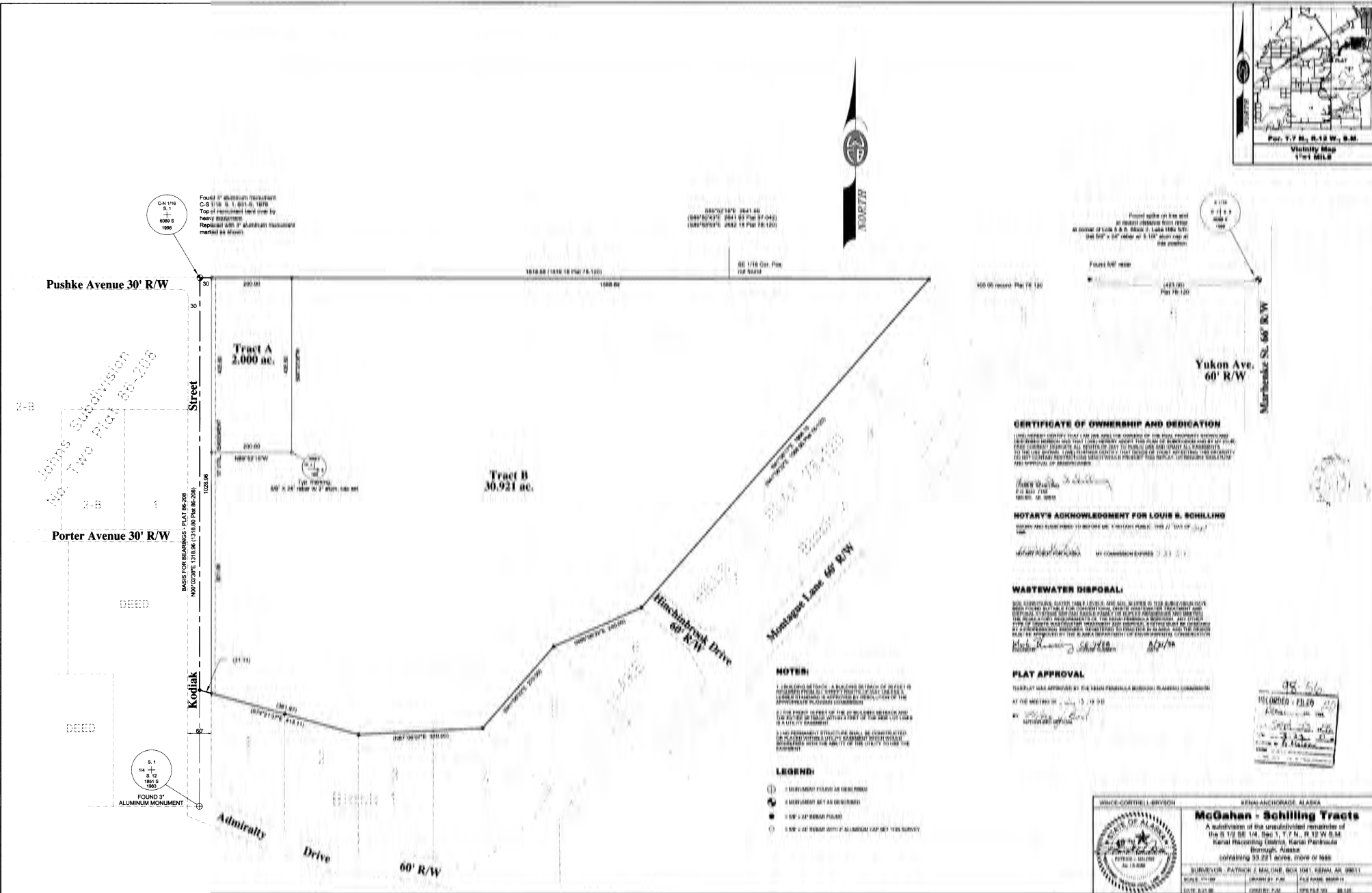
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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



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.

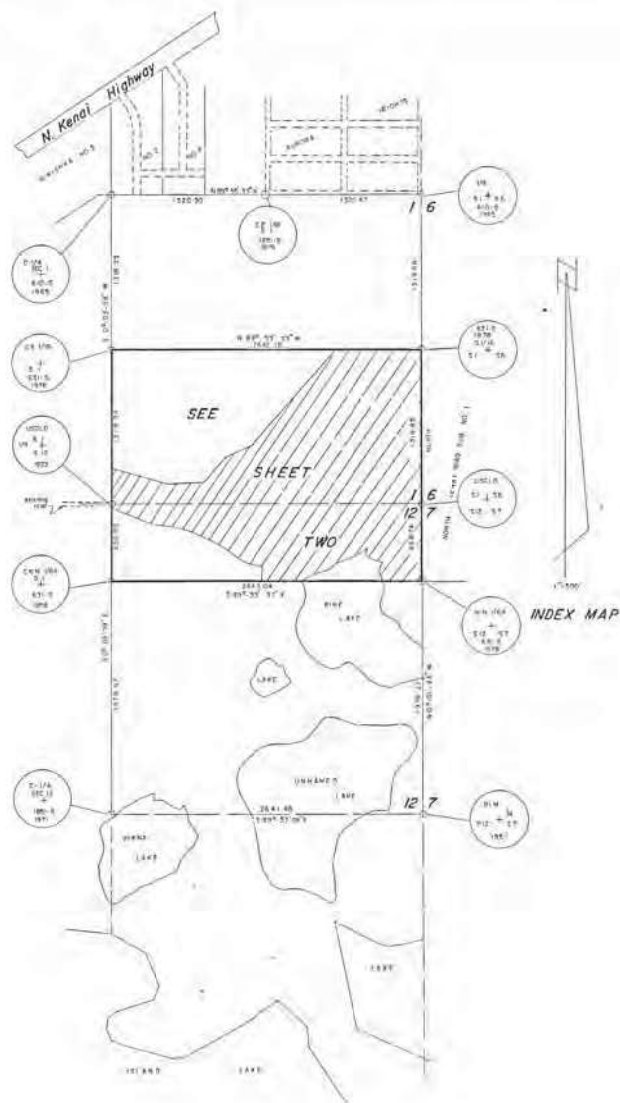




PART ONE,

LAKE HILLS,

A SUBDIVISION WITHIN THE $SE\frac{1}{2}\ SE\frac{1}{4}$,
SECTION 1, AND THE $NE\frac{1}{2}\ NE\frac{1}{2}\ NE\frac{1}{4}$, SECTION 12,
T.7 N, R.12W, S.M., KENAI PENINSULA BOROUGH, AK.



71-140
RECORD - 121 6 00
7/2 1978
3-24-78
115



DATE 6/23/78

LAKE HILLS - INDEX SHEET (OF 3)

LOUIS SCHILLING, DEVELOPER
RT. 1, BOX 1113,
KENAI, ALASKA

MALONE SURVEYING
BOX 566
KENAI, ALASKA



CERTIFICATE OF OWNERSHIP & DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS
OF THE PROPERTY SHOWN HEREON, THAT WE ADOPT THIS
PLAN OF SUBDIVISION WITH OUR FREE CONSENT, AND
DO HEREBY DEDICATE TO PUBLIC USE, AND THE USE
OF PUBLIC UTILITIES, THE STREETS, AND EASEMENTS,
AS SHOWN

James Schilling
LOUIS SCHILLING
RT 1, BOX 1115,
KENAI, ALASKA

James A. Arness
JAMES A. ARNESS
KENAI, ALASKA

Fred Braun
FRED BRAUN
KENAI, ALASKA

NOTARY'S ACKNOWLEDGMENT

SWORN AND SUBSCRIBED TO BEFORE ME, A NOTARY PUBLIC,
THIS 26th DAY OF June, 1978.

Barbara M. Mena
NOTARY PUBLIC

MY COMMISSION EXPIRES July 22, 1982

PLAT APPROVAL

THIS PLAT HAVING BEEN APPROVED BY THE KENAI
PENINSULA BOROUGH PLANNING COMMISSION AS RECORDED
IN THE OFFICIAL MINUTES OF THE MEETING OF March 16,
1978, IS HEREBY ACKNOWLEDGED AND ACCEPTED AS
THE OFFICIAL PLAT, SUBJECT TO ANY AND ALL CONDITIONS
AND REQUIREMENTS OF ORDINANCES AND LAW APPERTAINING
THERE TO.

KENAI PENINSULA BOROUGH
BY Richard H. Hargrove

78-190
FILED 6
7/6 1978
B. J. S.
1978

DATE 6/23/78

LAKE HILLS - SHEET 3 OF 3

LOUIS SCHILLING, DEVELOPER
RT 1, BOX 1115,
KENAI, ALASKA

MALONE SURVEYING
BOX 566,
KENAI, ALASKA

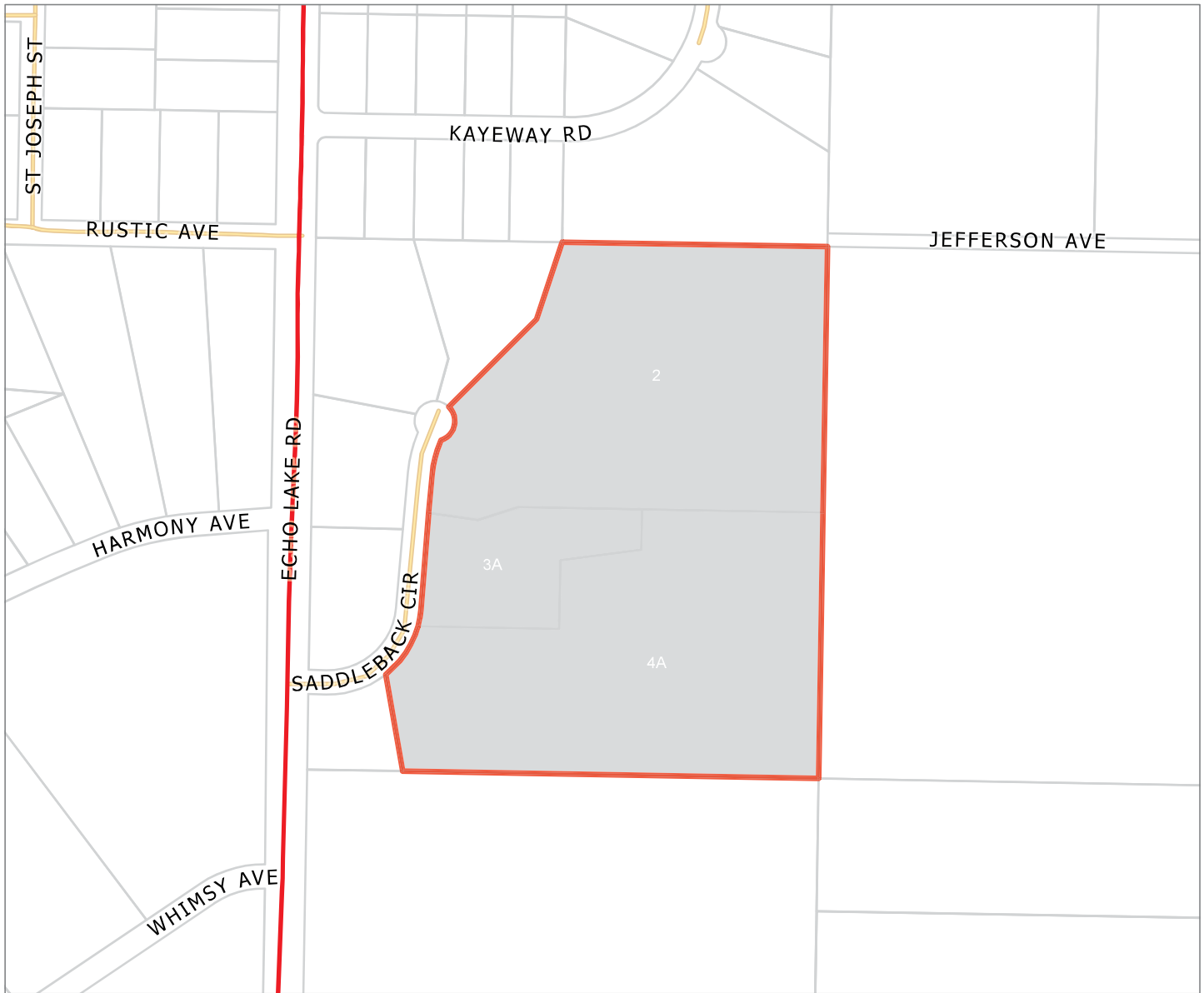


E. NEW BUSINESS

- 6. Saddle Ridge Subdivision 2022 Replat; KPB File 2022-036
Segesser Surveys / Baxter & Morgan
Location: Saddleback Circle
Kalifornsky Area / Kalifornsky APC**



Vicinity Map

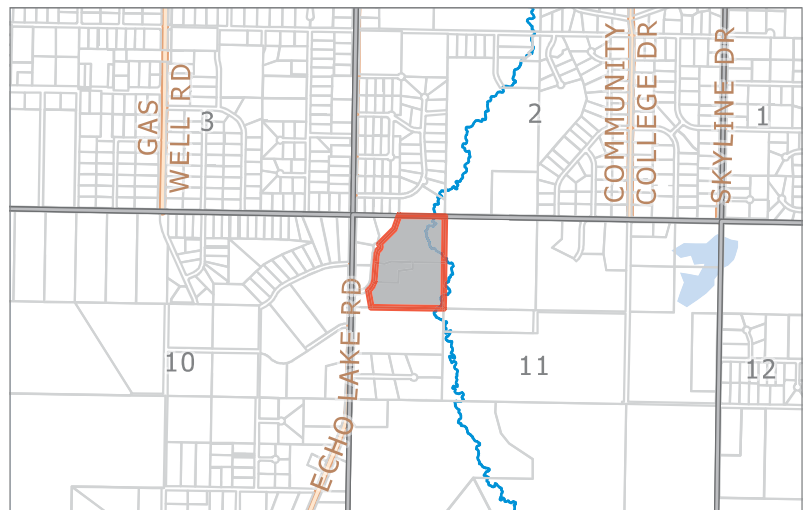
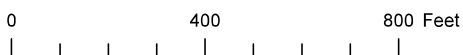


KPB File # 2022-036

S11-T04N-R11W

Kalifornsky

3/29/2022





Aerial View



LEGEND:

- 2 1/2" BRASS CAP MON. IN MON CASE DOT NO DATE FOUND
- 2 1/2" ALUM. CAP MON. LS 11795 2017 FOUND
- 3 1/4" ALUM. CAP MONUMENT 7328-S 2013 FOUND
- 5/8" REBAR w/PLASTIC CAP LS11795 FOUND
- 5/8" REBAR w/PLASTIC CAP LS3859 SET
- RECORD DATUM PLAT 2017-81 KRD

NOTES:

- 1) Basis of bearing taken from Saddle Ridge Subdivision, Plat 2017-81, 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) Covenants, conditions, and restrictions which affect this subdivision are recorded as serial number 2018-202450-0, Kenai Recording District. The borough will not enforce private covenants, easements, or deed restrictions per KPB 21.44.060.
- 4) 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.
- 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) Existing overhead powerline is the centerline of a 20 foot wide electrical distribution line easement including guys and anchors per KN 2017-81.
- 7) Front 15 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.
- 8) WASTEWATER DISPOSAL: These lots are at least 200,000 square feet 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.

PLAT APPROVAL

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

KENAI PENINSULA BOROUGH

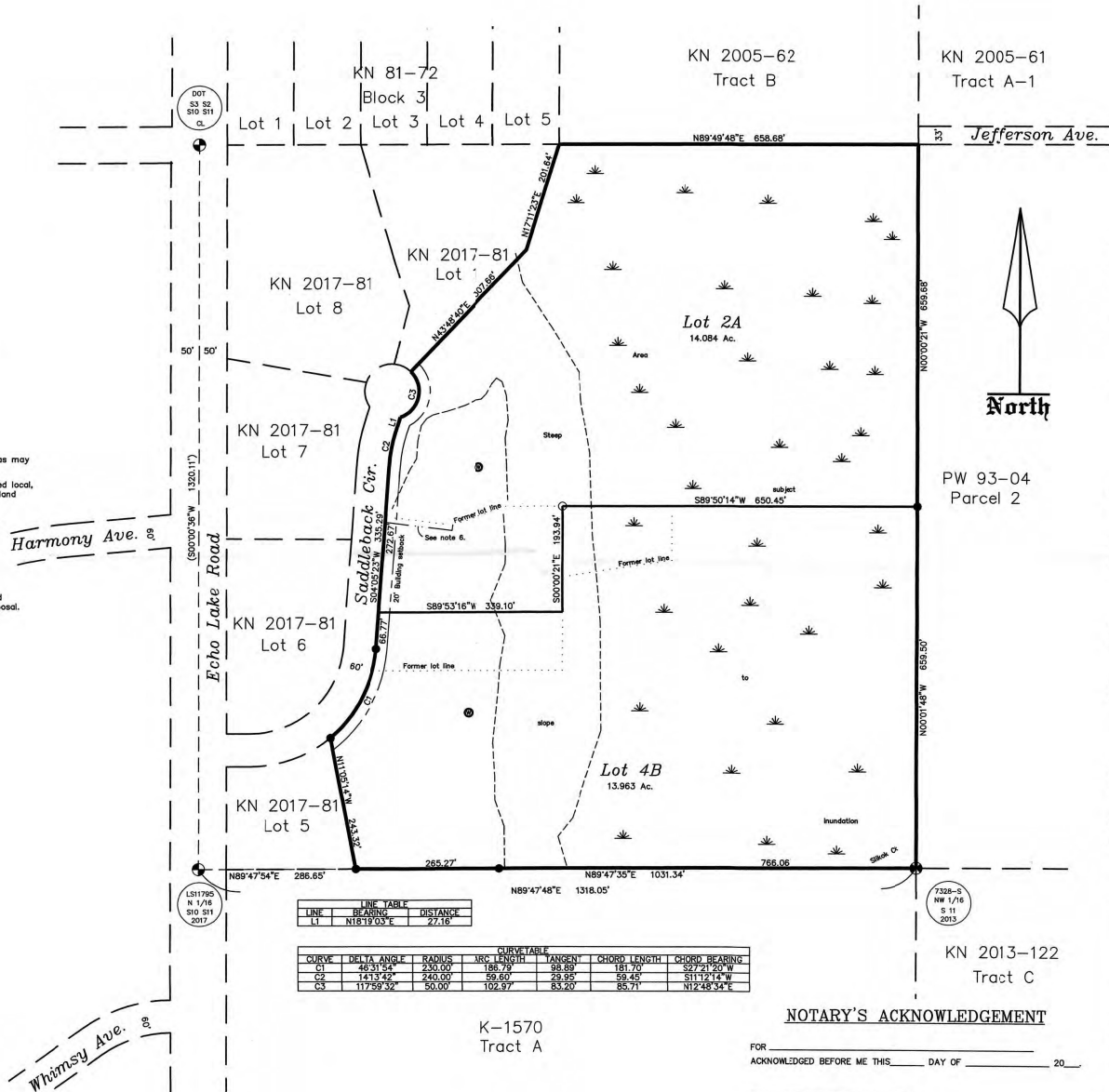
AUTHORIZED OFFICIAL



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



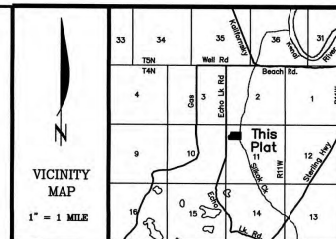
K-1570
Tract A

KPB 2022-036

NOTARY'S ACKNOWLEDGEMENT

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

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____



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.

DOUGLAS S. BAXTER AMY C. BAXTER
FORMER LOTS 3A&4A
P.O. BOX 2377
SOLDOTNA, ALASKA 99669

SCOTT FOSTER MORGAN FOSTER
FORMER LOT 2
P.O. BOX 303
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.

Saddle Ridge Subdivision
2022 Replat

A re-subdivision of Lot 2 Saddle Ridge Subdivision, Plat 2017-81, and Lots 3A and 4A Saddle Ridge Subdivision Baxter Replat, Plat 2020-89, Kenai Recording District
Located within the NW1/4 NW1/4 Section 11, T4N, R11W, S.11, Kenai Peninsula Borough, Alaska.

Containing 15,329 Ac.

Surveyor: Segesser Surveys
30485 Rosland St.
Soldotna, AK 99669
(907) 262-3909
Owners: Douglas S. & Amy C. Baxter
P.O. Box 2377
Soldotna, AK 99669
Scott & Morgan Foster
P.O. Box 303
Soldotna, AK 99669

JOB NO. 21388 DRAWN: 3-24-22
SURVEYED: Sept., 2020 SCALE: 1"=100'
FIELD BOOK: 20-3 SHEET: 1 of 1

AGENDA ITEM E. NEW BUSINESS

ITEM 6 - SADDLE RIDGE SUBDIVISION 2022 REPLAT

KPB File No.	2022-036
Plat Committee Meeting:	April 25, 2022
Applicant / Owner:	Douglas and Amy Baxter, Scott and Morgan Foster all of Soldotna, AK
Surveyor:	John Segesser / Segesser Surveys
General Location:	Echo Lake Road, Saddleback Circle, Kalifornsky / Kalifornsky APC

Parent Parcel No.:	131-044-35, 131-044-42, & 131-044-43
Legal Description:	Lot 2 Saddle Ridge Subdivision KN 2017-81 and Lots 3A and 4A Saddle Ridge Subdivision Baxter Replat KN 2020-89
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will replat three lots into two lots. The proposed lots will be 13.963 acres and 14.084 acres.

Location and Legal Access (existing and proposed): The proposed plat is located on Saddleback Circle, a 60 foot wide borough maintained right of way that ends with a cul-de-sac. Saddleback Circle is located off state maintained Echo Lake Road, a 100 foot wide right of way.

33 foot section line easements are present on each side of the section line located along the northern boundary of the subdivision. Those easements provide another access to Echo Lake Road to the west. To the east they connect to additional easements, the northern easement has been dedicated as 33 foot wide Jefferson Avenue.

The block is not compliant. A closed block that includes this subdivision exceeds allowable limits as there are many looped and cul-de-sacs granted in the area. This is mostly due to the location of the anadromous stream Slikok Creek and the wet lands that surround the creek.

Parent plat Saddle Ridge Subdivision, KN 2017-81, received exceptions to KPB Code 20.30.030 – proposed street layout – requirements and KPB Code 20.30.170 – blocks-length requirements. The replat of Lots 3 and 4 were done by plat Saddle Ridge Subdivision Baxter Replat, KN 2020-89. The plat committee concurred to carry over the exceptions to the replat. Staff is asking at this time that the Plat Committee agree to carry over the exceptions from the parent plat, KN 2017-81. Circumstances in the area have not changed. Below are the findings used to support the exception to not require a continuation of Jefferson Avenue and no dedications along the southern or eastern boundary to try to improve the block length.

1. Per Kenai Watershed Forum 2013 Cook Inlet Wetlands Mapping, the subdivision is affected by riverine, discharge slope, and drainage way.
2. The low wet areas have been shown and labeled.
3. Slikok Creek, an anadromous stream protected by KPB 21.18, flows through the eastern portion of the subdivision.
4. The subdivision is affected by slopes greater than 20 percent, which have been shown and labeled.
5. Jefferson Avenue right-of-way to the east overlies a 33-foot section line easement.
6. KPB records show the total width of the section line easements from the existing right-of-way for Jefferson Avenue to Echo Lake Road is 66 feet.
7. The proposed plat is subject to a 33-foot section line easement along its northern boundary.
8. Lots 1-5, Betty Goodrich Subdivision No. 2 (KN 81-72), range in size from 30,175 to 30,342 square feet.

9. Lots 1-5, Betty Goodrich Subdivision No. 2 (KN 81-72), are too small to be further subdivided to obtain a matching right-of-way for Jefferson Avenue.
10. Lots 1-5, Betty Goodrich Subdivision No. 2 (KN 81-72), show the southern boundary is affected by a 33-foot section line easement.
11. KPB records show an existing HEA power line within the 33-foot section line easement in Lots 1-3, Betty Goodrich Subdivision No. 2 (KN 81-72).
12. Surrounding acreage tracts and lots front existing, constructed, and/or maintained rights-of-way.
13. No surrounding tracts or lots will be denied access.
14. The cul-de-sac being dedicated by this plat has been designed to avoid wet and steep areas.

Staff recommends the plat committee concur to carry over the exceptions granted by the parent plat, the section line easement along the northern boundary be depicted, and labeled, and a plat note be added that the exceptions were carried over but dedications may be required with future replats.

If the plat committee does not concur, right of way dedications will be required to provide right of way continuation of Jefferson Avenue and 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 100' wide ROW for Echo Lake Road is as shown on plat 2017-81 KRD, and appears to be shown correctly.

Site Investigation: There is steep terrain present that divides the proposed lots in half. The steep slopes are depicted with a dashed line on the preliminary plat. **Staff recommends** the line be added to the legend or a label be added that indicates if top or toe of bluff or boundary of steep slopes.

The eastern portion of the subdivision contains has low wet areas. Slikok Creek, an anadromous stream, meanders along the western portion going in and out of the subdivision. The low wet areas are depicted on the plat and the plat note for wetland determinations is present. There is a Slikok Creek label present in the southeast portion of the plat but there is no depiction and nothing shown for the northern portions. The anadromous note is present but needs to be revised to match current code. **Staff recommends** the approximate location of Slikok Creek throughout the subdivision should be depicted and labeled.

Staff would like to note that the 2016 KPB GIS imagery does not show a pond or open water. KPB GIS Imagery from 2021 does shown open water or pond within proposed Lot 4B. It should be determined if this is a pond that is seasonal or open water is present throughout the year. **Staff recommends** an approximate location and boundary be depicted on the plat and label as "pond" or "seasonal pond".

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 totally or partially within HPD Comments: KPB\maldrige C. State Parks Reviewer: Russell, Pam Comments: No Comments
State of Alaska Fish and Game	No objections

Staff Analysis The property within this proposed subdivision was originally split by aliquot descriptions by a Plat Waiver and was part of Parcel 1. Planning Commission Resolution 93-04 was approved and recorded as 93-05W, KRD. Saddle Ridge Subdivision, Plat KN 2017-81, subdivided Parcel 1 to create eight lots and dedicated Saddleback Circle and a 50 foot portion of Echo Lake Road. Saddle Ridge Subdivision Baxter Replat, Plat KN 2020-89, replatted original Lots 3 and 4. The proposed plat will be replatting Lots 3A and 4A from the Baxter Replat with Lot 2 from the original subdivision plat to create two lots.

The plat is proposing to reduce the number of lots and the new lot configurations will add additional land to the parent lots. Both lots will be over 200,000 square feet. A soils report is not required and an engineer will not be required to sign the plat.

Notice of the proposed plat was mailed to the beneficial interest holder on April 12, 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 Beach Advisory Planning Commission has been inactive for failure to have a quorum.

Utility Easements Saddle Ridge Subdivision, Plat KN 2017-81, granted 15 feet adjacent to right of ways as utility easements. There was also a 20 foot utility easement centered on an existing powerline, including guys and anchors granted. Saddle Ridge Subdivision Baxter Replat, Plat KN 2020-89, carried over the portion of the 20 foot easement within its boundary. It also carried over the 15 foot utility easement along Saddleback Circle but increased the easement to 20 feet within 5 feet of the side lot lines. This plat is proposing to have 15 foot utility easements adjacent to the right of way increasing to 20 feet within 5 feet of the side lot lines. The 20 foot centered on the powerline is also being carried over.

The depiction of the 20 foot utility easement should be reviewed. The line being shown makes it appear to be the powerline but per the previously plats the line was closer to the shared lot line. The line should be labeled or added to the legend. The label should indicate if the line is representing the approximate location of the powerline and the location verified. If it is representing the boundary of the easement, the depiction should include the full 20 foot width.

The utility easements along Saddleback Circle should be depicted. Staff would normally allow a typical depiction to be used. Due to the original plat not granting to 20 feet along the side lot lines, the replat did, and the proposed plat does, a depiction will be needed as the utility easements vary within the plat.

Staff recommends the powerline be shown and labeled and/or the full width of the easement be drawn in, and provide depiction of the utility easements along the right of way.

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	Depict and label the overhead electric line and the easement of record per KN 2017-81
ENSTAR	No comment
ACS	No comment
GCI	Approved as shown

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses:
------------	--

	32960 SADDLEBACK CIR 32960 SADDLEBACK CIR Existing Street Names are Correct: Yes List of Correct Street Names: SADDLEBACK CIR ECHO LAKE RD JEFFERSON AVE Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: 32960 SADDLEBACK CIR will remain with lot 2A 32842 SADDLEBACK CIR will remain with lot 4B.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Comments not received when the staff report was prepared.
Assessing	Reviewer: Wilcox, Adeena Comments: No comment

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

STAFF RECOMMENDATIONS **CORRECTIONS / EDITS**

KPB 20.25.070 – Form and contents required

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:** Update the acreage
- 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: Depict the 33 foot wide section line easement running along the north and to the east of the northern boundary.
- 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:

- Update the depiction of the subdivision
- Spell out "Lake" for the Echo Lake Road labels
- Provide a depiction and label for the limits of the City of Soldotna.

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: *Include the 33 foot wide section line easement along the northern boundary*

G. The status of adjacent lands within 100 feet of the proposed subdivision boundary or the land status across from any dedicated rights-of-way that adjoin the proposed subdivision boundary, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;

Staff recommendation:

- Provide a label and width for Rustic Avenue to the west.
- Add "RES" to the Plat Waiver label to the east. The recording number is 93-05W. It is best to make it clear that the number listed is the resolution number as opposed to the recording number.

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: The lots are increasing in size and larger than 200,000 square feet. Soils analysis report will not 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.*

20.60.180. 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.*

- *If exceptions are carried over provide a note. "Exceptions to KPB Code 20.30.030 –Proposed street layout-requirements and KPB 20.30.170 – Blocks-length requirements were granted to the parent plat by the Plat Committee at the meeting of April 24, 2017. The exceptions were carried over to this plat by the Plat Committee at the meeting of April 25, 2022. Future subdivisions may be required to provide dedications."*

Following plat note corrections are required.

- *Plat Note 3, update the code reference to 20.60.170.*

- Plat note 4 should be updated to comply with current code. "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."

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: Douglas Baxter took title on one of the properties without Amy Baxter. Their signature lines should be updated. Douglas Baxter's should show he is signing as owner of Lots 3A & 4A. Amy Baxter's should show she is signing as owner of Lot 4A. 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:

- 2 1/2" BRASS CAP MON. IN MOB (CASE DOT NO DATE FOUND)
- 2 1/2" ALUM. CAP MON. LS 11795 2017 FOUND
- 3 1/4" ALUM. CAP MONUMENT 7308-9 2013 FOUND
- 5/8" REBAR w/PLASTIC CAP LS1296 FOUND
- 5/8" REBAR w/PLASTIC CAP LS8889 SET
- () RECORD DATUM PLAT 2017-81 KHI

NOTES:

- 1) Beas of bearing taken from Saddle Ridge Subdivision, Plat 2017-81, 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) Covenants, conditions, and restrictions which affect this subdivision are recorded as serial number 2018-001460, Kenai Recording District. The borough will not enforce private covenants, easements, or deed restrictions per KPB 21.44.060.
- 4) Portions of this subdivision are within the Kenai Peninsula Borough Andromeda Waters Habitat Protection District, see KPB Chapter 21.10, or may be amended, for restrictions that affect development in this subdivision.
- 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) Existing overhead powerline is the centerline of a 30 foot wide electrical distribution line easement including poles and conductors per KN 2017-81.
- 7) Front 15 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: Lot 4A This lot is at least 20,000 square feet or nominal 5 acres in size and conditions may just 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: Lot 3A 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.

CE 1315 17 Dec 2020
 Engineer CLARENCE HUI

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF AUGUST 24, 2020.

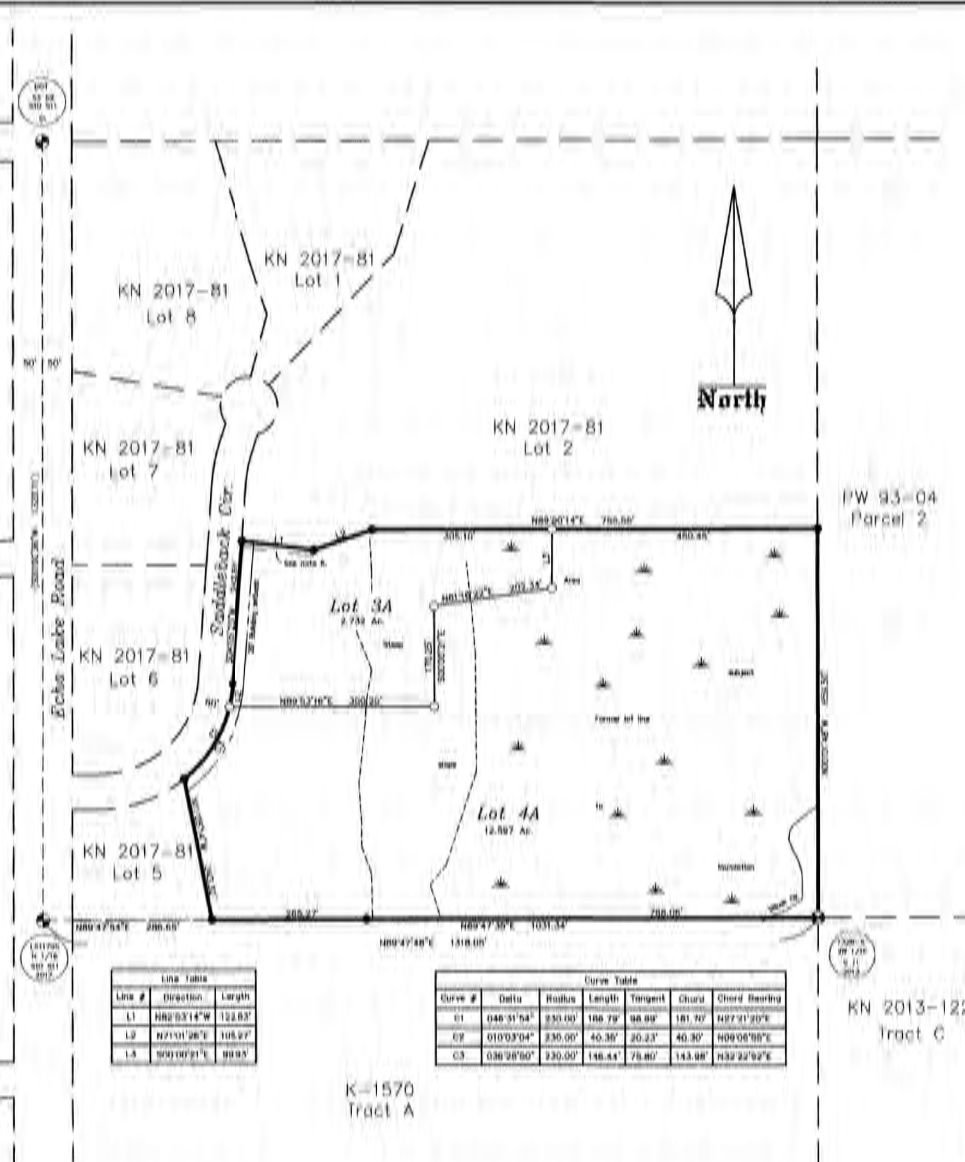
KENAI PENINSULA BOROUGH
 AUTHORIZED OFFICIAL
 11/30/20



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 herein actually exist as described, and all dimensions and other details are correct.

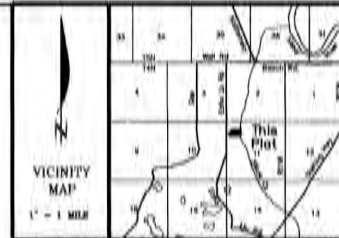
11-30-20
 Date



Line Table		
Line #	Bearing	Length
L1	N89°03'14\"W	122.03'
L2	N21°01'26\"E	105.97'
L3	S09°08'01\"E	88.85'

Curve Table						
Curve #	Delta	Radius	Length	Tangent	Chord	Chord Bearing
C1	046°31'54\"	235.00'	188.79'	88.88'	181.70'	N97°21'20\"E
C2	010°03'04\"	230.00'	40.36'	20.23'	40.36'	N09°08'08\"E
C3	026°28'00\"	230.00'	146.44'	75.80'	143.88'	N33°22'52\"E

KN 2013-122
 Tract C



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 DEDICATE THIS PLAT 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.

Donna J. Baxter
 DONNA J. BAXTER
 FORMER LOT 2-844
 P.O. BOX 2377
 SOLDOTNA, ALASKA 99689
AMY O. BAXTER
 AMY O. BAXTER
 FORMER LOT 1-4

NOTARY'S ACKNOWLEDGEMENT

FOR *Donna J. Baxter*
 ACKNOWLEDGED BEFORE ME THIS 3rd DAY OF December, 2020
Donna J. Baxter
 NOTARY PUBLIC FOR ALASKA
 MY COMMISSION EXPIRES 26-1-2024
 STATE OF ALASKA
 BAKHTAJOV FLETCHER
 NOTARY PUBLIC
 MY COMMISSION EXPIRES 4-1-24

NOTARY'S ACKNOWLEDGEMENT

FOR *Donna J. Baxter*
 ACKNOWLEDGED BEFORE ME THIS 3rd DAY OF December, 2020
Donna J. Baxter
 NOTARY PUBLIC FOR ALASKA
 MY COMMISSION EXPIRES 26-1-2024
 STATE OF ALASKA
 BAKHTAJOV FLETCHER
 NOTARY PUBLIC
 MY COMMISSION EXPIRES 4-1-24

KPB FILE NO. 2020-081	
Saddle Ridge Subdivision Baxter Replat	
A re-subdivision of Lots 3 and 4 Saddle Ridge Subdivision, Plat 2017-81, Kenai Recording District.	
Located within the N81/4 S81/4 Section 11, T4N, R11E, S.M., Kenai Peninsula Borough, Alaska.	
Containing 15.329 Ac.	
Surveyor Sessors Surveys 30405 Rutland Bl. Soldotna, AK 99689 (907) 381-1809	Owner Douglas J. and Amy O. Baxter P.O. Box 2377 Soldotna, Alaska 99689
SD NO. 20128	DRAWN 11-12-20
SURVEYED Sept., 2020	SCALE: 1"=100'
FIELD BOOK: 30-3	SHEET: 1 of 1

NOTES:

- 1) 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.
- 2) NO PRIVATE ACCESS TO STATE MAINTAINED ROAD PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION. ALL TRAVEL WILL USE SADDLERIDGE CIRCLE RIGHT-OF-WAY FOR ACCESS.
- 3) FRONT 15 FEET OF THE BUILDING SETBACK ADJACENT TO THE RIGHTS-OF-WAY IS ALSO A UTILITY EASEMENT. A PERMANENT STRUCTURE SHALL BE CONSTRUCTED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
- 4) THIS PROPERTY MAY BE AFFECTED BY LOW WET AREAS. 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.
- 5) ROADS MUST MEET THE DESIGN AND CONSTRUCTION STANDARDS ESTABLISHED BY THE BOROUGH IN ORDER TO BE CONSIDERED FOR CLUSTERING AND INCLUSION IN THE ROAD MAINTENANCE PROGRAM.
- 6) PORTIONS OF THIS SUBDIVISION ARE WITHIN THE KENAI PENINSULA BOROUGH AND LOT 1 ANADROMOUS HABITAT PROTECTION DISTRICT. SEE KPB CHAPTER 21.18, AS MAY BE AMENDED, FOR RESTRICTIONS THAT AFFECT DEVELOPMENT IN THIS SUBDIVISION.
- 7) EXCEPTIONS TO KPB 20.30.030 (EXTENSION OF JEFFERSON AVENUE), KPB 20.30.170 (BLOCK LENGTH) AND KPB 20.30.190 (3:1 DEPTH TO WIDTH RATIO) WERE GRANTED AT THE KPB PLAT COMMITTEE MEETING OF APRIL 24, 2017.
- 8) NO STRUCTURES ARE PERMITTED WITHIN THE PANNABLE PORTION OF A FLAG LOT. FURTHER SUBDIVISION OF A FLAG LOT MAY BE LIMITED BASED ON ACCESS ROUTES, DEVELOPMENT TRENDS IN THE AREA OR TOPOGRAPHY.
- 9) EXISTING OVERHEAD POWERLINE IS THE CENTERLINE OF A 20' WIDE ELECTRICAL DISTRIBUTION LINE EASEMENT INCLUDING GUYS AND ANCHORS.
- 10) WASTEWATER DISPOSAL, LOTS 2-4. THESE LOTS ARE AT LEAST 200,000 SQUARE FEET OR A 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, LOTS 1, 5, 6, 7. SOIL CONDITIONS, WATER TABLE LEVELS, AND RAIN SLOPES IN THIS SUBDIVISION HAVE BEEN FOUND UNSUITABLE FOR CONVENTIONAL WASTEWATER TREATMENT AND DISPOSAL SYSTEMS. PLANS SHOWING A SUITABLE ALTERNATE WASTEWATER DISPOSAL SYSTEM THAT COULD BE USED ON LOTS IN THIS SUBDIVISION ARE INCLUDED IN THE ENGINEER'S SUBDIVISION AND SOILS REPORT AND ARE AVAILABLE FROM THE KENAI PENINSULA BOROUGH. ALL ALTERNATE ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST BE DESIGNED FOR THE SPECIFIC INSTALLATION BY A QUALIFIED ENGINEER REGISTERED IN THE STATE OF ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION PRIOR TO CONSTRUCTION.

M. J. Burdick
ENGINEER
3380-C
LICENSE #
DATE: 10/10/17

WASTEWATER DISPOSAL, LOTS 5, 6, 7. SOIL CONDITIONS IN THIS SUBDIVISION HAVE BEEN FOUND UNSUITABLE FOR CONVENTIONAL WASTEWATER TREATMENT AND DISPOSAL SYSTEMS. PLANS SHOWING A SUITABLE ALTERNATE WASTEWATER DISPOSAL SYSTEM THAT COULD BE USED ON LOTS IN THIS SUBDIVISION ARE INCLUDED IN THE ENGINEER'S SUBDIVISION AND SOILS REPORT AND ARE AVAILABLE FROM THE KENAI PENINSULA BOROUGH. ALL ALTERNATE ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST BE DESIGNED FOR THE SPECIFIC INSTALLATION BY A QUALIFIED ENGINEER REGISTERED IN THE STATE OF ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION PRIOR TO CONSTRUCTION.

M. J. Burdick
ENGINEER
3380-C
LICENSE #
DATE: 10/10/17

CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY THAT THE STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, GRANTED HEREIN, ACTION BY AND THROUGH ITS COMMISSIONER, HEREBY ACCEPTS FOR PUBLIC PURPOSE THE REAL PROPERTY, OR INTEREST HEREIN CONTAINED WITHIN THE AREA DELINEATED AS ECHO LAKE ROAD, DESCRIBED IN THIS PLAT AND RIGHT-OF-WAY AND CONSENTS TO THE RECORDATION THEREOF.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND ON THIS 29th DAY OF September, 2017.

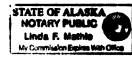
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

BY: *[Signature]*
FOR THE COMMISSIONER

NOTARY'S ACKNOWLEDGMENT

FOR JOHN LINNELL
ACKNOWLEDGED BEFORE ME THIS 29th DAY OF September, 2017

Linda F. Mathis
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 10/10/2021



CURVE	RADIUS	ARC LENGTH	CHORD	CHORD BEARING	DELTA ANGLE
C1	170.00'	254.93'	21.71'	114.0239°	25.0000°
C2	230.00'	344.91'	23.30'	111.0000°	25.0000°
C3	300.00'	474.50'	24.30'	111.0000°	25.0000°
C4	240.00'	59.60'	59.60'	111.0000°	25.0000°
C5	50.00'	249.81'	50.00'	111.0000°	25.0000°
C6	50.00'	47.11'	50.00'	111.0000°	25.0000°
C7	50.00'	65.91'	50.00'	111.0000°	25.0000°
C8	50.00'	102.66'	50.00'	111.0000°	25.0000°
C9	200.00'	299.92'	20.00'	111.0000°	25.0000°
C10	230.00'	158.11'	20.00'	111.0000°	25.0000°
C11	230.00'	114.99'	20.00'	111.0000°	25.0000°
C12	230.00'	71.80'	20.00'	111.0000°	25.0000°
C13	270.00'	67.05'	20.00'	111.0000°	25.0000°
C14	50.00'	34.13'	20.00'	111.0000°	25.0000°

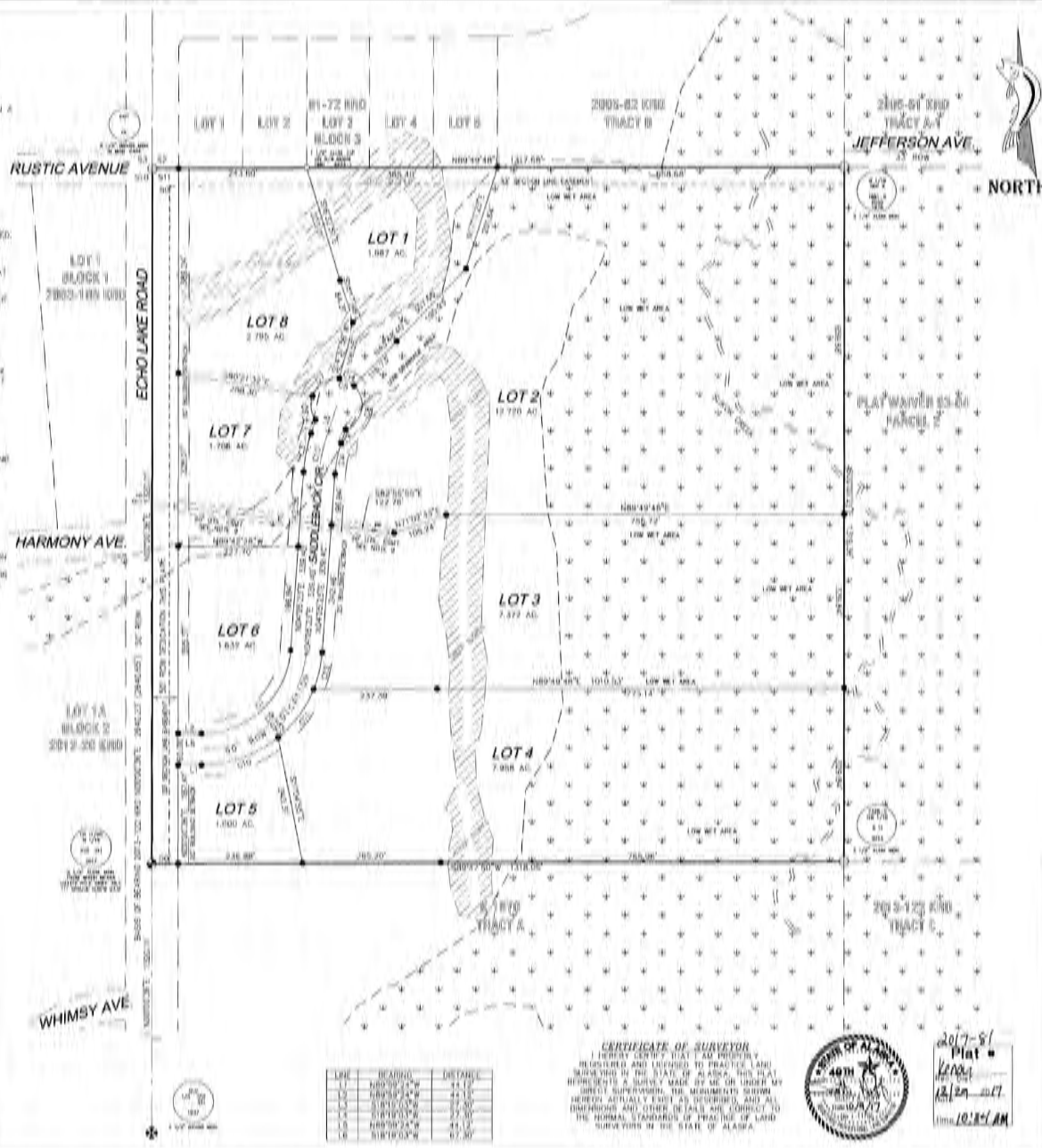
LINE	BEARING	DISTANCE
1	N 89° 57' 00" W	41.13'
2	S 89° 57' 00" W	41.13'
3	S 89° 57' 00" W	41.13'
4	S 89° 57' 00" W	41.13'
5	S 89° 57' 00" W	41.13'
6	S 89° 57' 00" W	41.13'
7	S 89° 57' 00" W	41.13'
8	S 89° 57' 00" W	41.13'
9	S 89° 57' 00" W	41.13'
10	S 89° 57' 00" W	41.13'

CERTIFICATE OF SURVEYOR

HERBERT C. JONES, STATE AND COUNTY SURVEYOR, HAS REVIEWED AND RECORDED THIS PLAT AND SURVEYED IN THE STATE OF ALASKA. THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION. THE MEASUREMENTS GIVEN 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.



2017-81
Plat #
1000-1
12/29/17
Time 10:15 AM



CERTIFICATE OF OWNERSHIP AND DEDICATION

WE, THE UNDERSIGNED, HEREBY CERTIFY THAT S & B PROPERTIES LLC, IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND ON BEHALF OF S & B PROPERTIES, LLC, WE HEREBY GRANT RIGHTS-OF-WAY AND SUBDIVISION AND BY OUR FREE CONSENT, DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

Hebecca Foster
S & B PROPERTIES LLC
PO BOX 303
SADDLERIDGE, AK 99569

NOTARY'S ACKNOWLEDGMENT

FOR HEBCA FOSTER AND STEVE FOSTER
ACKNOWLEDGED BEFORE ME THIS 14th DAY OF June, 2017

[Signature]
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 10/10/21



LEGEND

- 1. 1/2" ALUM. MON. SET THIS SURVEY
- 2. 1/2" ALUM. MON. SET THIS SURVEY
- 3. 1/2" ALUM. MON. SET THIS SURVEY
- 4. 1/2" ALUM. MON. SET THIS SURVEY
- 5. 1/2" ALUM. MON. SET THIS SURVEY
- 6. 1/2" ALUM. MON. SET THIS SURVEY
- 7. 1/2" ALUM. MON. SET THIS SURVEY
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- 14. 1/2" ALUM. MON. SET THIS SURVEY
- 15. 1/2" ALUM. MON. SET THIS SURVEY
- 16. 1/2" ALUM. MON. SET THIS SURVEY
- 17. 1/2" ALUM. MON. SET THIS SURVEY
- 18. 1/2" ALUM. MON. SET THIS SURVEY
- 19. 1/2" ALUM. MON. SET THIS SURVEY
- 20. 1/2" ALUM. MON. SET THIS SURVEY

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF June 25, 2017.

KENAI PENINSULA BOROUGH

[Signature]
AUTHORIZING OFFICIAL

KPB FILE NO. 2017-047

SADDLERIDGE SUBDIVISION

A SUBDIVISION OF PARCEL 1 OF PLAT NUMBER REGISTRATION NO. 1000-1, UNDER SERIAL NUMBER 1993-00043-D KENAI RECORDING DISTRICT 121 FEB 9, 1995

OWNER: S & B PROPERTIES LLC
PO BOX 303
SADDLERIDGE, AK 99569

LOCATED WITHIN THE 400' X 400' SECTION 11, T40N, R10E, SEWARD MERIDIAN, KENAI RECORDING DISTRICT, KENAI PENINSULA BOROUGH, ALASKA

CONTAINING: 50.00 ACRES

INTEGRITY SURVEYS INC.

820 SE 1ST DRIVE KENAI, AK 99501

PHONE: (907) 383-0007 FAX: (907) 383-0001

WWW.INTEGRITYSURVEYS.COM

JOB NO.	217028	DRAWN:	AUG 14, 2017 SH
SURVEYED:	MARCH 2017	SCALE:	1" = 100'
FIELD BK:	2016-B PG. 48-52	FILE:	217028 PG.DWG

Page 1081

ERNST YES	LOCKWOOD YES	RUFFNER YES	WHITNEY YES	4 YES
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AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS

6. Saddle Ridge Subdivision KPB File 2017-047 [Integrity / S & B Properties, LLC]

Staff Report given by Patti Hartley

Plat Committee Meeting: 4/24/17

Location: off Echo Lake Road, Kalifornsky area
Proposed Use: Residential
Water/Sewer: On-site
Zoning: Unrestricted
Assessing Use: Vacant
Parent Parcel Number(s): 131-044-17

Supporting Information:

The proposed plat subdivides an approximate 40-acre Plat Waiver parcel into 8 lots ranging in size from 1 to 8 acres. This platting action provides a 50-foot matching right-of-way for paved State maintained Echo Lake Road and a 60-foot wide cul-de-sac (Saddle Ridge Circle). Proposed Lots 1-3 and 8 are of a size that will require a soils report and an engineer will sign the 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.

A physical address has not been assigned to the parent parcel.

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. KPB 20.30.030 (extension of Jefferson Avenue) and KPB 20.30.170 (block length).

Staff Discussion: In this case the exception to extending Jefferson Avenue right-of-way and block length (requiring extension and/or dedication of new right-of-way) are closely related. Findings for KPB 20.30.030 and 20.30.170 are the same. In an effort to shorten the staff report, staff recommends the Committee consider the exception to KPB 20.30.030 and 20.30.170 in the same motion.

Per KPB 20.90.010, Slikok Creek is the block's boundary, but in reality, the ridge is the boundary of this block. Extending an east/west right-of-way to connect with Jefferson Avenue or align with Dakota Avenue will help the block on paper but will be of no practical help for the block due to the ridge, low wet areas, Slikok Creek, and the 50-foot Anadromous Habitat Protection District.

The proposed plat has a 33-foot section line easement within its northern boundary. Section line easements are for public access and utilities.

Findings

1. Per Kenai Watershed Forum 2013 Cook Inlet Wetlands Mapping, the subdivision is affected by riverine, discharge slope, and drainage way.
2. The low wet areas have been shown and labeled.

3. Slikok Creek, an anadromous stream protected by KPB 21.18, flows through the eastern portion of the subdivision.
4. The subdivision is affected by slopes greater than 20 percent, which have been shown and labeled.
5. Jefferson Avenue right-of-way to the east overlies a 33-foot section line easement.
6. KPB records show the total width of the section line easements from the existing right-of-way for Jefferson Avenue to Echo Lake Road is 66 feet.
7. The proposed plat is subject to a 33-foot section line easement along its northern boundary.
8. Lots 1-5, Betty Goodrich Subdivision No. 2 (KN 81-72), range in size from 30,175 to 30,342 square feet.
9. Lots 1-5, Betty Goodrich Subdivision No. 2 (KN 81-72), are too small to be further subdivided to obtain a matching right-of-way for Jefferson Avenue.
10. Lots 1-5, Betty Goodrich Subdivision No. 2 (KN 81-72), show the southern boundary is affected by a 33-foot section line easement.
11. KPB records show an existing HEA power line within the 33-foot section line easement in Lots 1-3, Betty Goodrich Subdivision No. 2 (KN 81-72).
12. Surrounding acreage tracts and lots front existing, constructed, and/or maintained rights-of-way.
13. No surrounding tracts or lots will be denied access.
14. The cul-de-sac being dedicated by this plat has been designed to avoid wet and steep areas.

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 1-14 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 1-14 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 1-14 appear to support this standard.

Exception Requested:

- B. KPB 20.30.190 – 3:1 depth to width ratio for Lots 4-7

Staff Discussion: Lots 5 and 6 may comply with the 3:1 depth to width ratio based on right-of-way frontage. Lots 5 and 6 are included in the exception to ensure all lots not in compliance with KPB Code have been exempted from the requirement based on specific findings.

Findings

1. Per Kenai Watershed Forum 2013 Cook Inlet Wetlands Mapping, the subdivision is affected by riverine, discharge slope, and drainage way.
2. The low wet areas have been shown and labeled.
3. Slikok Creek, an anadromous stream protected by KPB 21.18, flows through the eastern portion of

- the subdivision.
4. The subdivision is affected by slopes greater than 20 percent, which have been shown and labeled.
 5. Lots 4-7 range in size from 7 to 8 acres each.
 6. A soils report is not required for Lots 4-7.
 7. Four-foot contours have been provided.
 8. The terrain separates each lot into distinct upper and lower portions.
 9. The upland, usable portion of each lot appears to be in compliance with the 3:1 ratio.
 10. Low wet areas, slopes greater than 20 percent, Slikok Creek, and the 50-foot Habitat Protection District constrain the subdivision's right-of-way and lot design.

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 1-10 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 1-10 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 and 7-10 appear to support this standard.

STAFF RECOMMENDATIONS:

- **GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO ANY ABOVE RECOMMENDATIONS, AND**
- **REQUIRE 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), SUBJECT TO EXCEPTION(S) GRANTED.**

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: **Staff recommends** the recording information for the plat waiver be corrected to either 93-5W (plat number) or 1993-000831-0 (document number).*

- 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** the spelling of Whimsy be corrected.*
- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;
*Platting Staff Comments: **Staff recommends** the lot numbers be revised such that two Lot 4s (Lot 4 in this plat and Lot 4, Betty Goodrich Subdivision No. 2) do not adjoin.*

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

20.30.030. 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: Staff cautions the surveyor and owners that the only alternative for access off Echo Lake Road for Lots 1-3 and 8 will be written permission from the Planning Commission in the form of a recorded Planning Commission Resolution as well as the permitting requirements of the Alaska Department of Transportation and Public Facilities if the access restriction in Plat Note 2 remains on the plat.

*Per the submittal, a low wet area and slopes greater than 20 percent are between the developable area of Lot 2 and Saddle Ridge Circle. **Staff recommends** the surveyor confirm practical driveway access off Saddle Ridge Circle is possible for Lot 2. If practical driveway access off Saddle Ridge Circle is not possible for Lot 2, **staff recommends** this lot be exempted from the access restriction to the cul-de-sac per Plat Note 2.*

Staff recommends Plat Note 2 be revised to read smoother. It appears "all parcels to use for access" is extraneous.

- 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: Not available when the staff report was prepared.

20.30.060. Easements-Requirements.

- 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.

Platting Staff Comments: The affected utility providers were mailed the subdivision plat public hearing notice as part of the routine notification process. GCI submitted a statement of no comments.

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.

KPB Roads Department Comments: Not available when the staff report was prepared.

20.30.160. Streets-Name requirements.

Streets shall be named to conform to KPB Chapter 14.10

*Platting Staff Comments: The street name review was not available when the staff report was prepared. Staff could not find an existing street named Saddle so it is probably acceptable; however, Ridge is on the prohibited list. **Staff recommends** the cul-de-sac name be approved by the KPB Addressing Officer.*

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.

Platting Staff Comments: The section line easements can serve as pedestrian ways.

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: It appears the developable portion of the access off Saddle Ridge Circle for Lot 4 is less than 60 feet wide. Plat Note 2 limits access for Lot 3 to only Saddle Ridge Circle.

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).

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.

Platting Staff Comments: Lots 1, 3, and 8 are corner lots. Lot 2 is less than 250 feet deep.

*Lot 2 is sandwiched between Echo Lake Road and Saddle Ridge Circle. Plat Note 2 restricts access for Lot 2 to Saddle Ridge Circle. The average depth of Lot 2 appears to be close to the requirement. **Staff recommends** the Committee concur the double frontage is acceptable based on other physical conditions.*

20.30.280. Floodplain requirements.

Platting Staff Comments: River Center review was not available when the staff report was prepared.

Per KPB GIS mapping, the plat is not affected by a mapped flood hazard zone. If the Floodplain Administrator determines the plat is affected by a mapped flood hazard zone and/or floodway, staff recommends compliance with recommendations in accordance with KPB Code. Questions regarding information required to comply with 20.30.280 and 21.06 can be directed to the KPB Floodplain Administrator.

20.30.290. Anadromous habitat protection district.

*Platting Staff Comments: Slikok Creek, which is included in the Anadromous Habitat Protection District, flows through the eastern portion of the subdivision. **Staff recommends** Plat Note 6 be revised per KPB 20.30.290:*

Portions of this subdivision are within the Kenai Peninsula Borough 50-foot Anadromous Habitat Protection District. See KPB Chapter 21.18, as may be amended, for restrictions that affect development in this subdivision.

STAFF RECOMMENDATIONS: COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE 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(s) 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: **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: A distance is missing in Lot 7 and Lot 8. **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.*

20.60.160. 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.

*Platting Staff Comments: A 33-foot section line easement underlies the 50-foot right-of-way dedication being provided for Echo Lake Road. **Staff recommends** the spelling of section be corrected within Lot 8.*

The 50-foot dedication for Echo Lake Road being provided by this plat overlies a 50-foot right-of-way easement granted for a Pioneer Access Road per Book 159 Page 383 KRD.

20.60.190. Certificates, statements, and signatures required.

*Platting Staff Comments: Per the State of Alaska corporation database, the LLC has two owners who have 50/50 ownership. **Staff recommends** both owners sign the mylar. Or, an alternative is for one owner to provide the Planning Department with written permission for the other owner to sign the mylar.*

*If both owners sign the mylar, **staff recommends** the Certificate of Ownership and Dedication be revised accordingly.*

20.60.200. Survey and monumentation.

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

NOTE: 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.

PARTIES OF RECORD: UNLESS SPECIFIED OTHERWISE MEANS THOSE PERSONS WHO HAVE COMMENTED IN A WRITTEN AND SIGNED DOCUMENT OR IN PERSON ON AN AGENDA ITEM BEFORE THE PLANNING COMMISSION OR PLAT COMMITTEE WHO OWN PROPERTY WITHIN THE NOTIFICATION RADII ESTABLISHED IN THIS CHAPTER.

END OF STAFF REPORT

Chairman Ruffner opened the meeting for public comment.

1. Scott Huff, Integrity Surveys
Mr. Huff was the surveyor on the project and was available to answer questions.

Chairman Ruffner asked if there were questions for Mr. Huff. Hearing none the public hearing continued.

Seeing and hearing no one else wishing to comment, Chairman Ruffner closed the public hearing and opened discussion among the Committee.

MAIN MOTION: Commissioner Whitney moved, seconded by Commissioner Lockwood to approve the preliminary plat of Saddle Ridge Subdivision based on staff recommendations and compliance with Borough Code.

AMENDMENT A MOTION: Commissioner Whitney moved, seconded by Commissioner Lockwood to grant exceptions to KPB 20.30.030, extension of Jefferson Ave and KPB 20.30.170, Block Length; citing the 14 findings and tying them to the three standards.

Findings

1. Per Kenai Watershed Forum 2013 Cook Inlet Wetlands Mapping, the subdivision is affected by riverine, discharge slope, and drainage way.
2. The low wet areas have been shown and labeled.
3. Slikok Creek, an anadromous stream protected by KPB 21.18, flows through the eastern portion of the subdivision.
4. The subdivision is affected by slopes greater than 20 percent, which have been shown and labeled.
5. Jefferson Avenue right-of-way to the east overlies a 33-foot section line easement.
6. KPB records show the total width of the section line easements from the existing right-of-way for Jefferson Avenue to Echo Lake Road is 66 feet.
7. The proposed plat is subject to a 33-foot section line easement along its northern boundary.
8. Lots 1-5, Betty Goodrich Subdivision No. 2 (KN 81-72), range in size from 30,175 to 30,342 square feet.
9. Lots 1-5, Betty Goodrich Subdivision No. 2 (KN 81-72), are too small to be further subdivided to obtain a matching right-of-way for Jefferson Avenue.
10. Lots 1-5, Betty Goodrich Subdivision No. 2 (KN 81-72), show the southern boundary is affected by a 33-foot section line easement.
11. KPB records show an existing HEA power line within the 33-foot section line easement in Lots 1-3, Betty Goodrich Subdivision No. 2 (KN 81-72).
12. Surrounding acreage tracts and lots front existing, constructed, and/or maintained rights-of-way.
13. No surrounding tracts or lots will be denied access.
14. The cul-de-sac being dedicated by this plat has been designed to avoid wet and steep areas.

AMENDMENT A VOTE: The motion passed by unanimous consent.

ERNST YES	LOCKWOOD YES	RUFFNER YES	WHITNEY YES	4 YES
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AMENDMENT B MOTION: Commissioner Whitney moved, seconded by Commissioner Lockwood to grant exceptions to KPB 20.30.190, 3:1 depth to width ratio for Lots 4-7; citing the 10 findings and tying them to the three standards in the following manner.

Standard 1. That special circumstances or conditions affecting the property have been shown by application.

Findings

1. Per Kenai Watershed Forum 2013 Cook Inlet Wetlands Mapping, the subdivision is affected by riverine, discharge slope, and drainage way.
2. The low wet areas have been shown and labeled.
3. Slikok Creek, an anadromous stream protected by KPB 21.18, flows through the eastern portion of the subdivision.
4. The subdivision is affected by slopes greater than 20 percent, which have been shown and labeled.
5. Lots 4-7 range in size from 7 to 8 acres each.
6. A soils report is not required for Lots 4-7.
7. Four-foot contours have been provided.
8. The terrain separates each lot into distinct upper and lower portions.
9. The upland, usable portion of each lot appears to be in compliance with the 3:1 ratio.
10. Low wet areas, slopes greater than 20 percent, Slikok Creek, and the 50-foot Habitat Protection District constrain the subdivision's right-of-way and lot design.

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. Per Kenai Watershed Forum 2013 Cook Inlet Wetlands Mapping, the subdivision is affected by riverine, discharge slope, and drainage way.
2. The low wet areas have been shown and labeled.
3. Slikok Creek, an anadromous stream protected by KPB 21.18, flows through the eastern portion of the subdivision.
4. The subdivision is affected by slopes greater than 20 percent, which have been shown and labeled.
5. Lots 4-7 range in size from 7 to 8 acres each.
6. A soils report is not required for Lots 4-7.
7. Four-foot contours have been provided.
8. The terrain separates each lot into distinct upper and lower portions.
9. The upland, usable portion of each lot appears to be in compliance with the 3:1 ratio.
10. Low wet areas, slopes greater than 20 percent, Slikok Creek, and the 50-foot Habitat Protection District constrain the subdivision's right-of-way and lot design.

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. Per Kenai Watershed Forum 2013 Cook Inlet Wetlands Mapping, the subdivision is affected by riverine, discharge slope, and drainage way.
2. The low wet areas have been shown and labeled.
3. Slikok Creek, an anadromous stream protected by KPB 21.18, flows through the eastern portion of the subdivision.
4. The subdivision is affected by slopes greater than 20 percent, which have been shown and labeled.
5. Lots 4-7 range in size from 7 to 8 acres each.
7. Four-foot contours have been provided.
8. The terrain separates each lot into distinct upper and lower portions.
9. The upland, usable portion of each lot appears to be in compliance with the 3:1 ratio.
10. Low wet areas, slopes greater than 20 percent, Slikok Creek, and the 50-foot Habitat Protection District constrain the subdivision's right-of-way and lot design.

AMENDMENT B VOTE: The motion passed by unanimous consent.

ERNST YES	LOCKWOOD YES	RUFFNER YES	WHITNEY YES	4 YES
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MAIN MOTION VOTE: The motion passed by unanimous consent.

ERNST YES	LOCKWOOD YES	RUFFNER YES	WHITNEY YES	4 YES
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AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS

7. Valhalla
KPB File 2017-048 [Seabright / Hopkins]

STAFF REPORT

Plat Committee Meeting: 4/24/17

Location: Off Frank Raby Road in the Seldovia area
Proposed Use: Residential, Commercial
Water/Sewer: On-site
Zoning: Unrestricted
Assessing Use: Residential
Parent Parcel Number(s): 191-123-52

Supporting Information:

The proposed plat subdivides a 5-acre parcel into two lots containing 1.3 and 3.2 acres. This platting action is providing a 30-foot matching dedication for Frank Raby Drive, bringing the right-of-way to a 55-foot width adjoining the plat. Sewer and water are to be provided on-site; an engineer will prepare a soils report and sign the plat. The subdivision fronts Frank Raby Drive and a 33-foot section line easement.

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.

Although the proposed plat is outside the city limits, staff emailed the plat public hearing notice to the Seldovia City Clerk because the dedication for Frank Raby Drive being provided by this plat matches an existing city right-of-way.

A physical address may be affected by the replat. Carrie Henson, Addressing Officer, can answer questions about the effect of the replat on addresses.

STAFF RECOMMENDATIONS:

- **GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO ANY ABOVE RECOMMENDATIONS, AND**
- **REQUIRE 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), SUBJECT TO EXCEPTION(S) GRANTED.**

20.25.070 - Form and contents required.

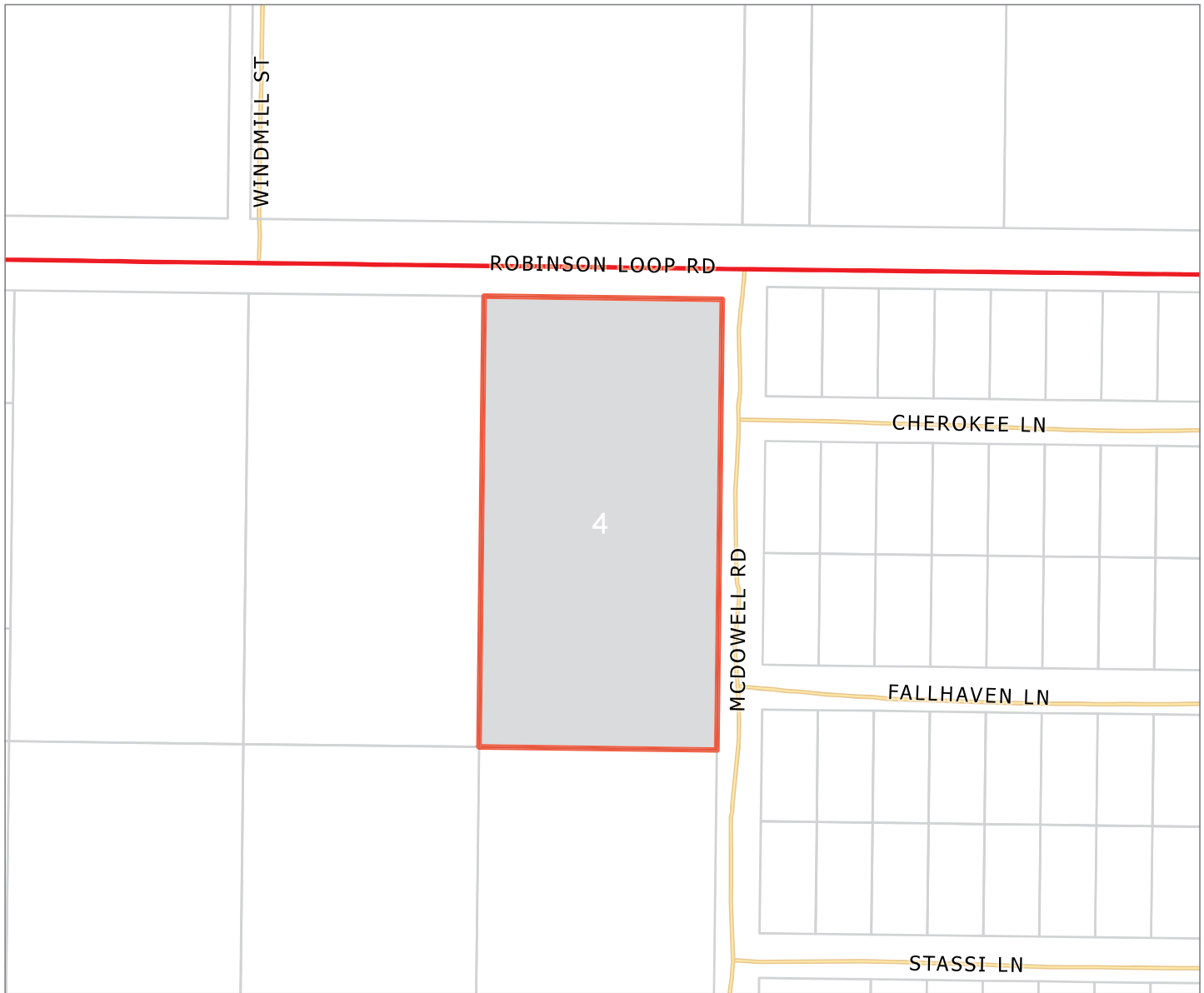
Platting staff comments: Additional information is provided for the following portions of 20.25.070 or additional information, revision or corrections are required:

E. NEW BUSINESS

- 7. Sterling Heights Subdivision 2022 Addition; KPB File 2022-037
McLane Consulting Group / Hibpshman
Location: Robinson Loop Road & McDowell Road
Sterling Area**



Vicinity Map

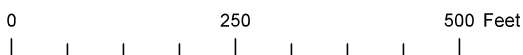


KPB File # 2022-037

S11-T04N-R11W

Sterling

3/29/2022





AGENDA ITEM E. NEW BUSINESS

ITEM 7 - STERLING HEIGHTS SUBDIVISION 2022 ADDITION

KPB File No.	2022-037
Plat Committee Meeting:	April 25, 2022
Applicant / Owner:	Tom Hibpshman of Sterling, AK
Surveyor:	James Hall / McLane Consulting Inc
General Location:	Robinson Loop Road, McDowell Road, Sterling

Parent Parcel No.:	063-454-04
Legal Description:	Lot 4 Block 1 Sterling Heights Subdivision Addition No 2 KN 76-174
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 4.4 acre parcel into two lots that will be 1.14 acres and 3.284 acres.

Location and Legal Access (existing and proposed): The proposed plat is located on the corner of Robinson Loop Road and McDowell Road. Robinson Loop Road is a state maintained right of way that is 100 feet wide with section line easements present within the dedication. McDowell Road is a 60 foot wide right of way that is maintained by the Kenai Peninsula Borough. Robinson Loop Road, along with Swanson River Road, provides a loop from the Sterling Highway. This proposed subdivision on the eastern portion of Robinson Loop Road and the closest access is via Swanson River Road near mile 83.5 of the Sterling Highway. McDowell Road continues south and connects with other borough maintained right of ways to provide additional routes to access the subdivision. McDowell Road does not connect to the Sterling Highway.

The parent lot currently has access from Robinson Loop Road and McDowell Road. Proposed Lot 4A will continue to have access from both right of ways. Proposed Lot 4B will have access from McDowell Road. An existing driveway is present from McDowell Road to proposed Lot 4A.

The block is closed and compliant with KPB Code length requirements.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	The 100' ROW for Robinson Loop Road is as shown on plat 76-174 KRD, and appears to be shown correctly.

Site Investigation: There does not appear to be any low wet areas within the proposed subdivision. The western portion contains some steep slopes. The contours are shown with shading for the slopes greater than 20 percent.

Per KPB GIS Imagery, there are several improvements present on the property. The improvements will be within the boundary of Lot 4A. There does not appear to be any encroachment issues.

KPB River Center review	A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: No comments
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	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
State of Alaska Fish and Game	No objections

Staff Analysis Sterling Heights Subdivision Addition No. 2, Plat KN 76-174, originally subdivided aliquot lands into eight lots and created the parent Lot 4. The parent subdivision also dedicated the adjacent 50 foot of Robinson Loop Road, the full 60 feet of McDowell Road and Entrada Drive, and the 30 foot width of Shady Lane (now Skeeter Street).

The proposed plat will be taking the original Lot 4 and dividing into two lots that will be 1.14 acres and 3.28 acres.

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.

The property is not within an advisory planning commission.

Utility Easements The parent plat, Plat KN 76-174, granted a 5 foot clearing easement along McDowell Road. Two 10 foot by 30 foot anchor easements were granted within Lot 4 along McDowell Road. The preliminary plat has depicted the easements granted by Plat KN 76-174. In addition to the previous easements, the plat is proposing to grant the code required 10 foot utility easements adjacent to Robinson Loop Road and McDowell Road.

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 comments
ENSTAR	No comments
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 38935 MCDOWELL RD Existing Street Names are Correct: Yes List of Correct Street Names: MCDOWELL RD ROBINSON LOOP RD FALLHAVEN LN CHEROKEE LN Existing Street Name Corrections Needed:
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	All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: 38935 MCDOWELL RD will remain with lot 4A.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Comments not received prior to staff report being prepared.
Assessing	Reviewer: Wilcox, Adeena Comments: No comment

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

STAFF RECOMMENDATIONS **CORRECTIONS / EDITS**

KPB 20.25.070 – Form and contents required

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 overstrikes on text.

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: A soils report will be required and an engineer will 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.

20.60.180. 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."*

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.

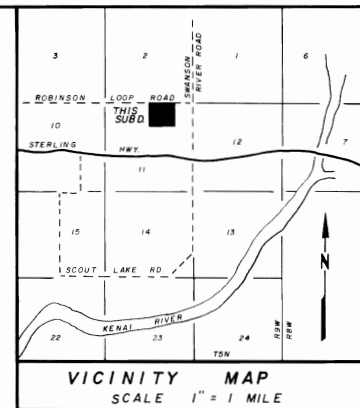
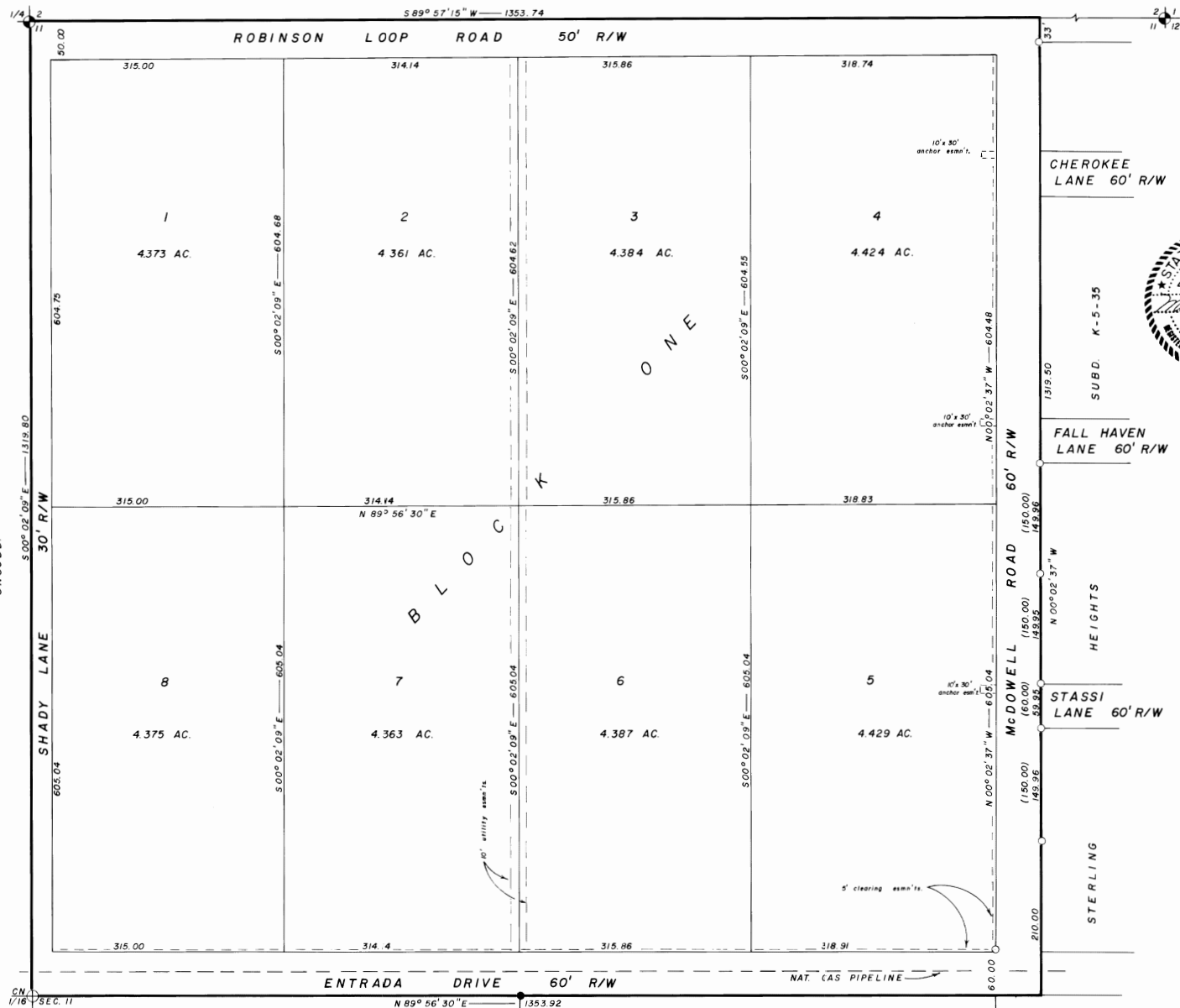
NOTE: 20.25.120. - REVIEW AND APPEAL.

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

DUTCH BASIN SUBD.



LEGEND AND NOTES:

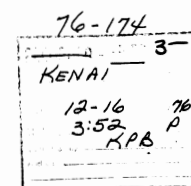
- Found U.S.G.L.O. B.C. monument
- Found official survey B.C.
- Found 1" al. cap monument
- Found 1/2" x 24" steel rebar
- Set 1/2" x 24" steel rebar at all lot corners.

All bearings refer to the NS centerline, Section 11 as S0°02'09"E—datum of record, Sterling Heights Subd. Add. No. 1.

All lots are subject to a 20' bldg. setback along dedicated R/W's.

Datum of record—K-5-35 shown in ().

All wastewater disposal systems shall comply with existing law at time of construction.



STERLING HEIGHTS SUBDIVISION
ADDITION NO. 2

Fred F. and Thelma F. McCall, owners
Box 592, Sterling, Ak. 99672

DESCRIPTION

41.014 ACRES SITUATED IN THE N1/2 NE1/4 SEC. 11, T5N, R9W, S.M. AK. AND THE KENAI PENINSULA BOROUGH.

Surveyed by: McLane & Associates
Soldotna, Alaska

PLAT APPROVAL

Plat approved by the
Commission this 1st day of June, 1976.

Shelley
Mayor or Planning Director

DATE OF SURVEY 10/1 - 10/4/76	SCALE 1" = 100'	BK. NO. 74-2
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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.

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this 15th day of June, 1976. My commission expires June 17, 1977.

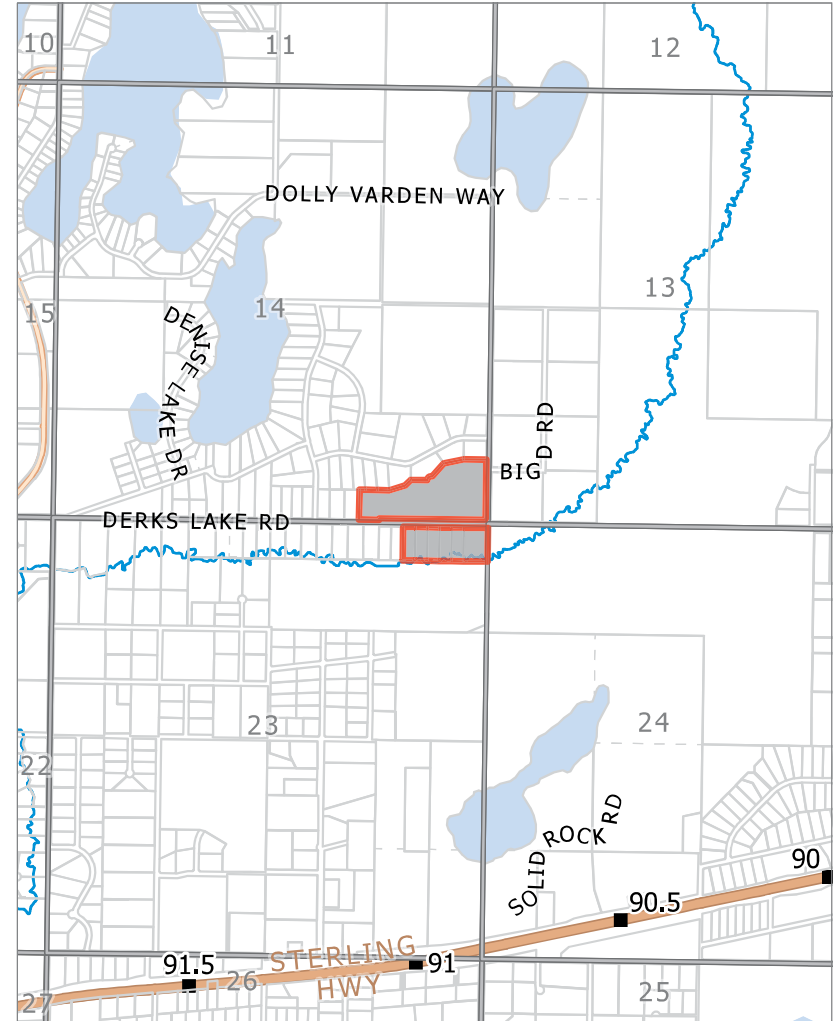
Devin M. Mendoza
Notary public for California

Fred F. McCall
Fred F. McCall—owner—Box 592, Sterling, Ak. 99669

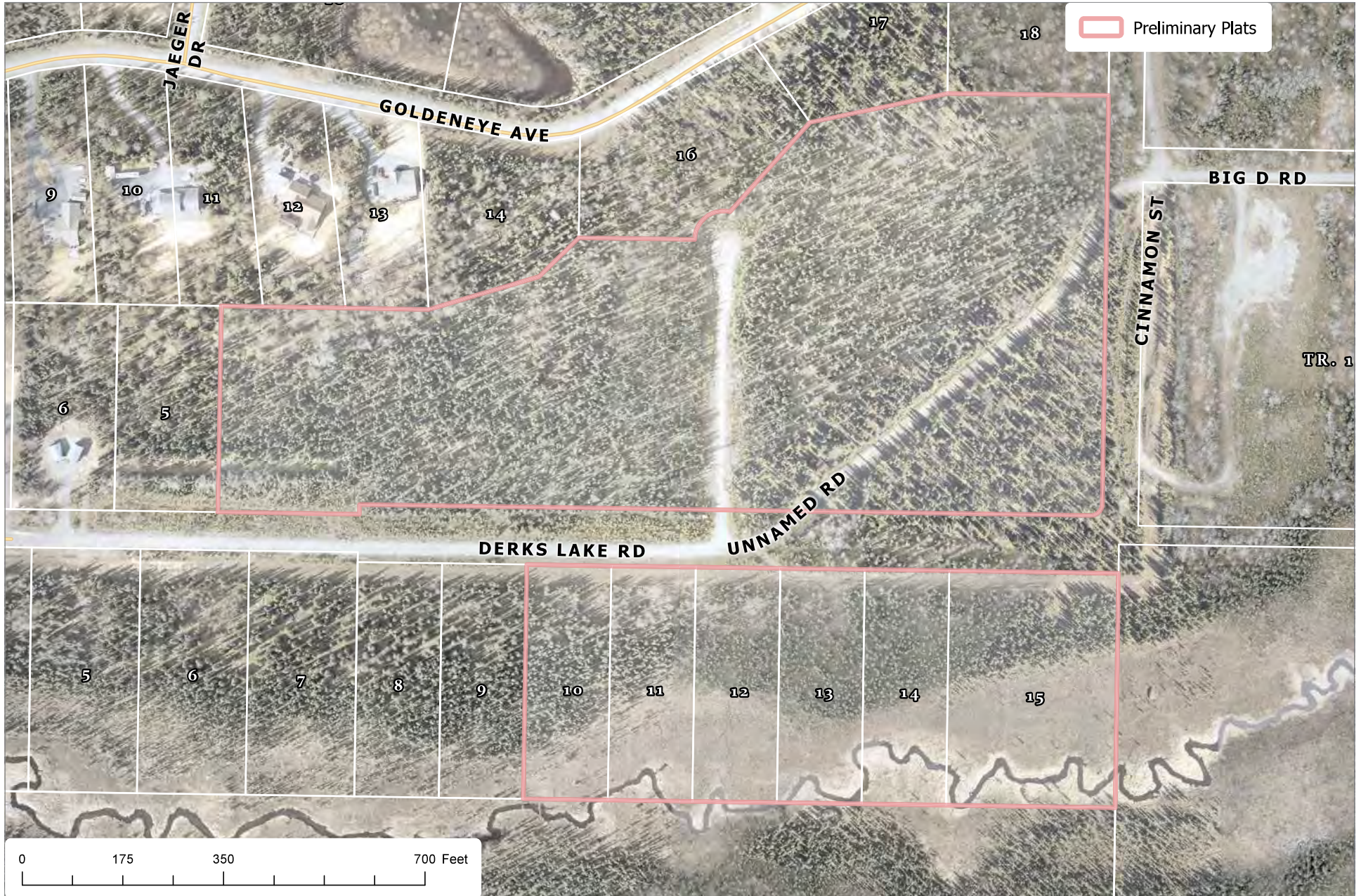
Thelma F. McCall
Thelma F. McCall—owner

E. NEW BUSINESS

- 8. Tatum Denise Subdivision; KPB File 2021-122R1
McLane Consulting Group / Friendshuh
Location: Derks Lake Road, Goldeneye Avenue &
Cinnamon Street
Sterling Area**



KPB File # 2021-122R1
S23 T05N R10W
S14 T05N R10W
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.

WASTEWATER DISPOSAL - LOTS

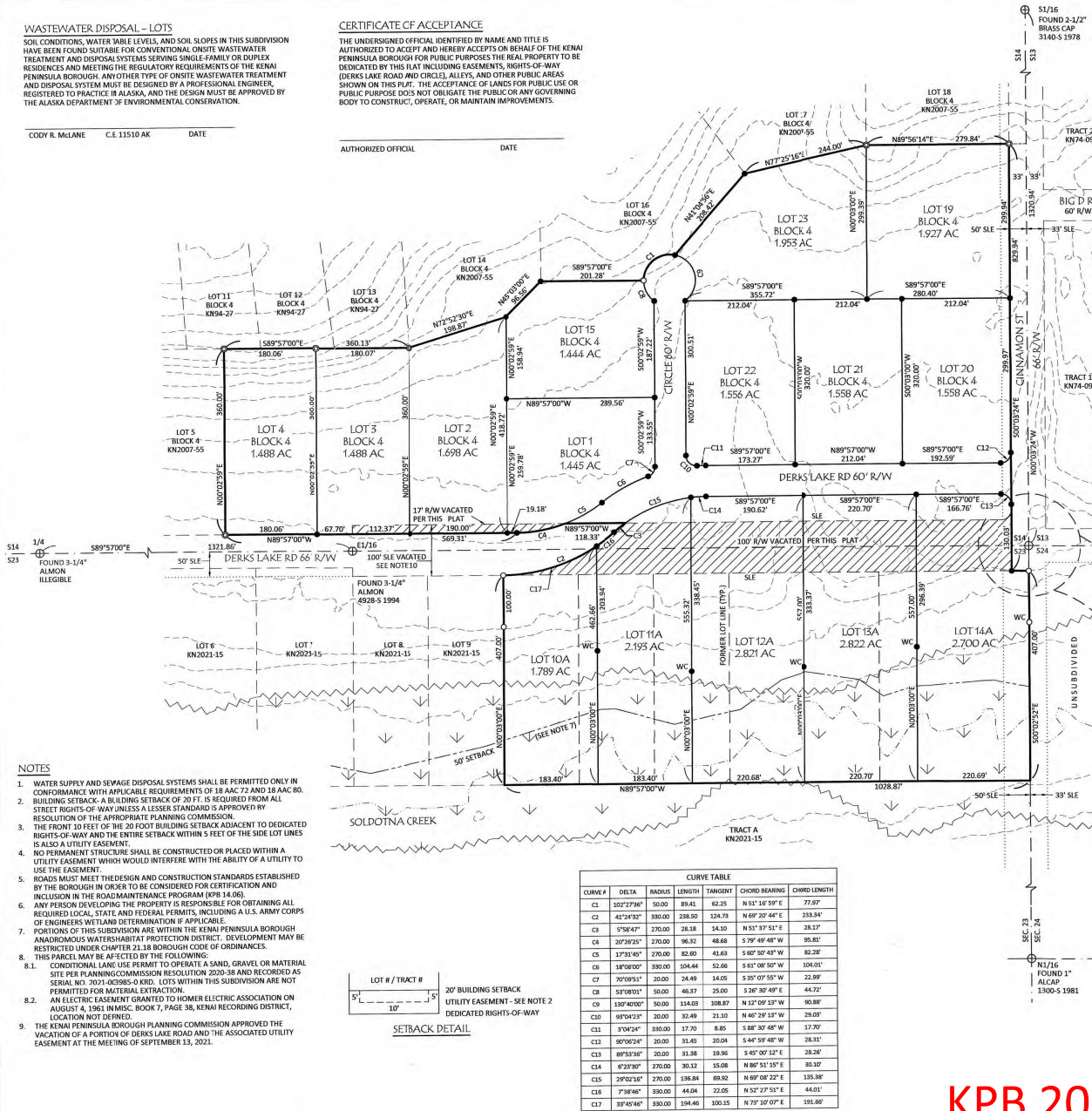
SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES IN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SERVING SINGLE-FAMILY OR DUPLEX RESIDENCES AND MEETING THE REGULATORY REQUIREMENTS OF THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ONSITE 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.

CODY R. MULANE C.E. 11510 AK DATE

CERTIFICATE OF ACCEPTANCE

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE KENAI PENINSULA BOROUGH FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAN INCLUDING EASEMENTS, RIGHTS-OF-WAY (DERKS LAKE ROAD AND CIRCLE), ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAN. 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.

AUTHORIZED OFFICIAL DATE



CURVE #	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD LENGTH
C1	100°27'38"	50.00	89.41	62.25	N 51° 52' 59" E	77.97
C2	42°30'42"	300.00	238.50	124.75	N 69° 20' 44" E	233.34
C3	57°58'47"	270.00	28.18	14.50	N 69° 17' 51" E	28.17
C4	20°38'25"	270.00	96.32	48.68	S 79° 49' 48" W	95.81
C5	17°31'45"	270.00	82.60	41.63	S 60° 50' 43" W	82.28
C6	18°08'00"	330.00	104.44	52.66	S 61° 08' 50" W	104.01
C7	70°09'51"	20.00	24.40	14.05	S 93° 07' 53" W	22.89
C8	58°18'01"	30.00	46.37	25.00	S 26° 30' 49" E	44.72
C9	135°40'00"	50.00	114.08	58.87	N 42° 09' 12" W	90.98
C10	90°01'21"	20.00	32.49	21.50	N 40° 29' 15" E	29.07
C11	37°04'24"	330.00	17.70	8.85	S 88° 30' 48" W	17.70
C12	90°02'48"	20.00	31.45	20.04	S 44° 59' 48" W	28.31
C13	89°53'58"	20.00	31.38	19.96	S 45° 00' 12" E	28.26
C14	6°27'30"	270.00	30.12	15.08	N 86° 51' 15" E	30.10
C15	29°02'18"	270.00	136.84	69.92	N 69° 08' 22" E	135.36
C16	7°18'48"	330.00	44.04	22.05	N 52° 27' 51" E	44.01
C17	33°45'48"	330.00	194.46	100.15	N 79° 30' 07" E	191.68

LEGEND

- FOUND PRIMARY MONUMENT AS DESCRIBED
- FOUND 2" ALUMINUM CAP #928-B
- FOUND 5/8" REBAR UNLESS NOTED
- SET 5/8"x30" REBAR W/ 1" STAINLESS STEEL CAP #5032-S
- AREA SUBJECT TO INUNDATION
- SECTION LINE EASEMENT

CERTIFICATE OF OWNERSHIP

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DELEGATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

GENE J. FRIENDSHUH, OWNER LOTS 10 THRU 15 TATUM SUBD. KN2021-15
35581 KENAI SPUR HWY, SOLDOTNA, AK 99669

LINDA A. FRIENDSHUH, OWNER LOTS 10 THRU 15 TATUM SUBD. KN2021-15
35581 KENAI SPUR HWY, SOLDOTNA, AK 99669

GEORGE U. FRIENDSHUH, OWNER LOTS 10 THRU 15 TATUM SUBD. KN2021-15
35581 KENAI SPUR HWY, SOLDOTNA, AK 99669

NOTARY'S ACKNOWLEDGEMENT

FOR: GENE J. FRIENDSHUH, LINDA A. FRIENDSHUH, GEORGE U. FRIENDSHUH
ACKNOWLEDGED BEFORE ME THIS

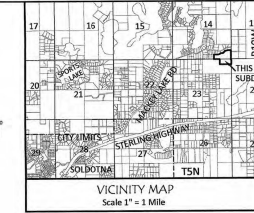
DAY OF

MY COMMISSION EXPIRES

NOTARY PUBLIC FOR THE STATE OF ALASKA



GRAPHIC SCALE
1 inch = 100 ft.



CERTIFICATE OF OWNERSHIP

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DELEGATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

LINDA A. FRIENDSHUH, OWNER 1/2 INTEREST IN S1/2 OF SE1/4 SEC. 14, T5N, R10W, S4, AK EXCEPT KN86-214, KN94-27, KN97-18 & KN2007-55
35581 KENAI SPUR HWY, SOLDOTNA, AK 99669

GEORGE URBAN FRIENDSHUH, OWNER 1/2 INTEREST IN S1/2 OF SE1/4 SEC. 14, T5N, R10W, S4, AK EXCEPT KN86-214, KN94-27, KN97-18 & KN2007-55
35581 KENAI SPUR HWY, SOLDOTNA, AK 99669

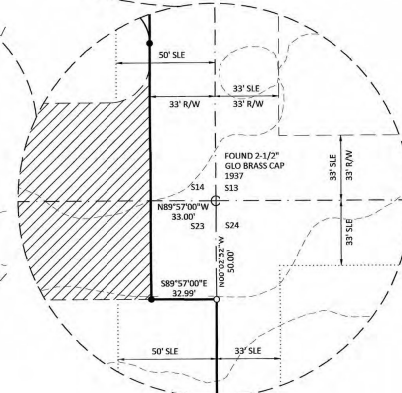
NOTARY'S ACKNOWLEDGEMENT

FOR: LINDA A. FRIENDSHUH, GEORGE URBAN FRIENDSHUH
ACKNOWLEDGED BEFORE ME THIS

DAY OF

MY COMMISSION EXPIRES

NOTARY PUBLIC FOR THE STATE OF ALASKA



SECTION CORNER DETAIL

SCALE: 1" = 30'

PLAT APPROVAL

THIS PLAN WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF SEPTEMBER 27, 2021.
REVISED PLAN WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF

AUTHORIZED OFFICIAL DATE



Plat #
How Dtd
Date
Time

TATUM DENISE SUBDIVISION
A RESUBDIVISION OF LOTS 10 THRU 15 TATUM SUBDIVISION (KN2021-15) AND THE SE1/4 SECTION 14 AND NE1/4 OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 10 WEST, SEWARD MERIDIAN, ALASKA EXCEPTING DENISE LAKE ESTATES PART ONE (KN86-214), DENISE LAKE ESTATES PART TWO (KN94-27), DENISE LAKE ESTATES PART THREE (KN97-18) & DENISE LAKE ESTATES PART FOUR (KN2007-55) AND THE ASSOCIATED R/W VACATION
GENE J. FRIENDSHUH, OWNER
35581 KENAI SPUR HWY, SOLDOTNA, AK 99669
LINDA A. FRIENDSHUH, OWNER
35581 KENAI SPUR HWY, SOLDOTNA, AK 99669
GEORGE U. FRIENDSHUH, OWNER
35581 KENAI SPUR HWY, SOLDOTNA, AK 99669
29.301 AC. MA SITUATED IN THE E1/2 OF SECTION 21, TOWNSHIP 5 NORTH, RANGE 9 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, AND THE KENAI RECORDING DISTRICT, ALASKA.

ENGINEERING - TESTING
SURVEYING - MAPPING
P.O. BOX 46
SOLDOTNA, AK 99669
VOICE: (907) 265-5014
FAX: (907) 265-5014
WWW.MAC-AEGEO.COM

KPB FILE NO. 2021-122
PROJECT NO. 212032
SCALE: 1" = 100'
DATE: AUG. 2021
BOOK NO.: 21-104
DRAWN BY: JAH

KPB 2021-122R1

AGENDA ITEM E. NEW BUSINESS

ITEM 8 - TATUM DENISE SUBDIVISION

KPB File No.	2021-122R1
Plat Committee Meeting:	April 25, 2022
Applicant / Owner:	Gene Friendshuh, Linda Friendshuh, and George Friendshuh all of Soldotna, AK
Surveyor:	James Hall / McLane Consulting
General Location:	Derks Lake Road, Sterling

Parent Parcel No.:	058-301-72, 058-320-45, 058-320-46, 058-320-47, 058-320-48, 058-320-49, & 058-320-50
Legal Description:	Lots 10-15 Tatum Subdivision KNJ 2021-15 and the SE1/4 Sec 14 and NE1/4 of Sec 23, T05N R10W, Seward Meridian, Alaska Excepting Denise Lake Estates Part One KN 86-124, Denise Lake Estates Part Two KN 94-27, Denise Lake Estates Part Three KN 97-18 and Denise Lake Estates Part Four KN 2007-55
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will reconfigure seven parcels that total 29.3 acres into fifteen lots, finalize a vacation, provide a road realignment, and dedicate a new right of way. The lots will range in size from 1.444 acres to 2.822 acres.

The vacation of Derks Lake Road and the associated section line easements was heard and approved by the Kenai Peninsula Borough Planning Commission on September 13, 2021. The petitions were forwarded to the Kenai Peninsula Borough Assembly for a consent or veto decision. The Assembly consented to the vacations on October 12, 2021. The section line easement vacations have been submitted to the state by the surveyor/owners for review.

This is a revision of a previously reviewed preliminary plat, Tatum Denise Subdivision Phase 1, which was heard on September 27, 2021 and was approved. The original design was going to create eleven lots. One of the lots was to be further subdivided in the future. The owners have decided on a design plan for that area prior to the finalization of the plat. They have submitted this revision to include the additional lots.

Location and Legal Access (existing and proposed): The subdivision is located in the Mackey Lake area. Legal access to Derks Lake Road is via Mackey Lake Road to Denise Lake Drive. An alternate route is from Denise Lake Drive to Aksala Lane and Arctic Tern Road.

Nearby right of ways Goldeneye Avenue, Big D Road, and Cinnamon Street provide additional access. Cinnamon Street does not appear to be improved. Big D Street appears to have a constructed road. Neither right of way is maintained by KPB.

The preliminary plat design shows a realignment of Derks Lake Road. KPB GIS Imagery appears to show a roadway that angles to the north of the dedication and connects to Big D Road. The proposed dedication does not appear to follow the existing trail or drive.

The vacation of a portion of Derks Lake Road and the section line easements were approved by the Planning Commission and the Assembly. The finalization of the section line easement vacation will require the approval of the State of Alaska.

The northern block is closed but not within compliance for length. Arctic Tern Road, Goldeneye Avenue, Cinnamon Street, and Derks Lake Road define that block and exceeds the length requirements along the north and south. The southern lots are within a very large block. Derks Lake Road, Birch Road, Gerrard Avenue, and section line easements define the block. Anadromous stream, Soldotna Creek, runs through the lots within the southern portion of the subdivision. A material site permit has been granted for the large acreage Tract A located to the south. The parent subdivision that created those lots was granted an exception for block length due to the anadromous stream and material site. **Staff recommends the plat committee concur that an exception is not required as any dedication granted will not improve the block length and a dedication across an anadromous stream and additional public access to the material site is not desired.**

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

Site Investigation: The contours are depicted on the plat. Some steep slopes appear to be present along the northern portion of Lot 4 and Lot 3 within Block 4. There does not appear to be any steep slopes affecting the proposed right of way dedications.

Low wet areas are depicted on the plat. These are within the lots located south of Derks Lake Road. The correct plat note regarding contacting the U.S. Army Corps of Engineers.

The anadromous stream Soldotna Creek runs through the southern lots. It is depicted and plat note 7 contains the anadromous plat note.

Staff recommends contours data be removed from final but any slopes greater than 20 percent should be shown and plat note 7 must be reworded to match KPB Code.

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 totally or partially within HPD Comments: KPB\maldrige C. State Parks Reviewer: Russell, Pam Comments: No Comments
State of Alaska Fish and Game	No objections

Staff Analysis The proposed plat will result in fifteen parcels, a new right of way dedication, and a right of way vacation with a new dedication to realign the right of way. Tatum Subdivision, Plat KN 2021-15, created the lots south of Derks Lake Road. The lots contain setbacks from an anadromous stream as well as wetlands that limit the usable areas on the lots. The plat will finalize right of way vacation that will shift the road to the north and provide additional usable acreage to those lots. If the approval from the state is received in time, the section line easement vacation may be finalized by this plat. The approval for the section line easement vacation is four years to allow time to work with the state and may be finalized later by a section line easement vacation plat if needed. The lots north of Derks Lake Road are a remainder of the S1/2 SE1/4. Multiple subdivisions have subdivided the original lot.

The lots south of Derks Lake Road, had an approved soils report submitted in 2021. Lots 10A through 13A are increasing in size and will not require any additional soils analysis. Lot 14A is reducing in size but was included in its original design in the previous soils analysis report. Additional analysis may not be required if the engineer can demonstrate that there is still adequate area for the installation of systems including a second wastewater area in case needed. The lots north of Derks Lake Road will require a soils analysis report to be reviewed and approved. **Staff recommends** *Update the wastewater disposal note accordingly and if lots included with the previous are not included in the new report, they should have a separate plat note that complies with KPB 20.40.*

Per the preliminary Certificate to Plat, beneficial interest holders do not affect the proposed plat. Notification per KPB 20.25.090 will not be required unless the final Certificate to Plat states the property is affected by beneficial interest holders.

The property is not within an advisory planning commission.

The Certificate to Plat notes the property is subject to a material site permit. The permit was issued for the N1/2 NE1/4 of Section 23. Per the site plan submitted with the permit application the active material site area was to be south of Soldotna Creek. With the parent subdivision Tatum Subdivision, Plat KN 2021-15, a review of the permit was performed as outlined by code. The Planning Director issued a letter granting a permit amendment exemption as the lots north of Soldotna Creek were not part of the permit area and the large acreage tract south of Soldotna Creek was to contain the material site operations. Since the property was originally part of the permit application parcel the permit is referenced on the certificate to plat. Plat note 8.1 addresses the permit and the resolution that granted it. It also states the lots within this subdivision are not permitted for material extraction.

Utility Easements The land north of Derks Lake Road is an unsubdivided. No utility easements have been granted by plat north of Derks Lake Road. A utility easement has been granted to Homer Electric Association by recorded document within this section and is noted on the plat as note 8.2. The location of the easement is not defined.

The lots south of Derks Lake Road had utility easements granted per Tatum Subdivision, Plat KN 2021-15. The easements were associated with the dedicated right of way. The vacation of Derks Lake Road included the associated utility easements and was approved on September 13, 2021 by the Planning Commission. New utility easements are proposed along the new right of way dedications.

An existing powerline runs through the southern lots, located south of the right of way and section line easement vacation. **Staff recommends** *the owners work with the utility providers to make sure the line has the required easement.*

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.

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Utility provider review:

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

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: None
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	<p>Existing Street Names are Correct: Yes List of Correct Street Names: DERKS LAKE RD CINNAMON ST BIG D RD</p> <p>Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names:</p> <p>List of Street Names Denied: New street name needed for newly dedicated ROW.</p> <p>Comments: No addresses affected by this subdivision. New street name needed for newly dedicated ROW.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	<p>Comments not received when the staff report was prepared.</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: *The description in the title block needs to be adjusted. Staff suggests, "To finalize a R/W vacation and a replat of Lots 10 thru 15 Tatum Subdivision (KN 2021-15) and the SE1/4 Section 14, Township 5 North, Range 10 West, Seward Meridian, Alaska excepting therefrom Denise Lake Estates Part One (KN 86-214), Denis Lake Estates Part Two (KN 94-27), Denise Lake Estates Part Three (KN 97-18), and Denise Lake Estates Part Four (KN 2007-55).*

The description also needed revised to "situated in the SE1/4 of Section 14 and NE1/4 of Section 23, Township 5 North, Range 10 West, ..."

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.

20.30.290. 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: Revise the existing note to match code.

Staff recommendation: comply with 20.30.290.

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 report will be required and an engineer will need to sign the plat. Additional plat notes may be required if the lots south of the subdivision are not included in the new report.

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.

KPB 20.70 – Vacation Requirements

Staff recommendation. This plat is to finalize a right of way vacation. The plat must be finalized within one year of consent, October 12, 2022, or a new petition for the right of way vacation will be required. The section line easement vacation has four years in which to finalize. If it is completed prior to the finalization of the plat, it may be depicted and noted.

RECOMMENDATION:

STAFF RECOMMENDS:

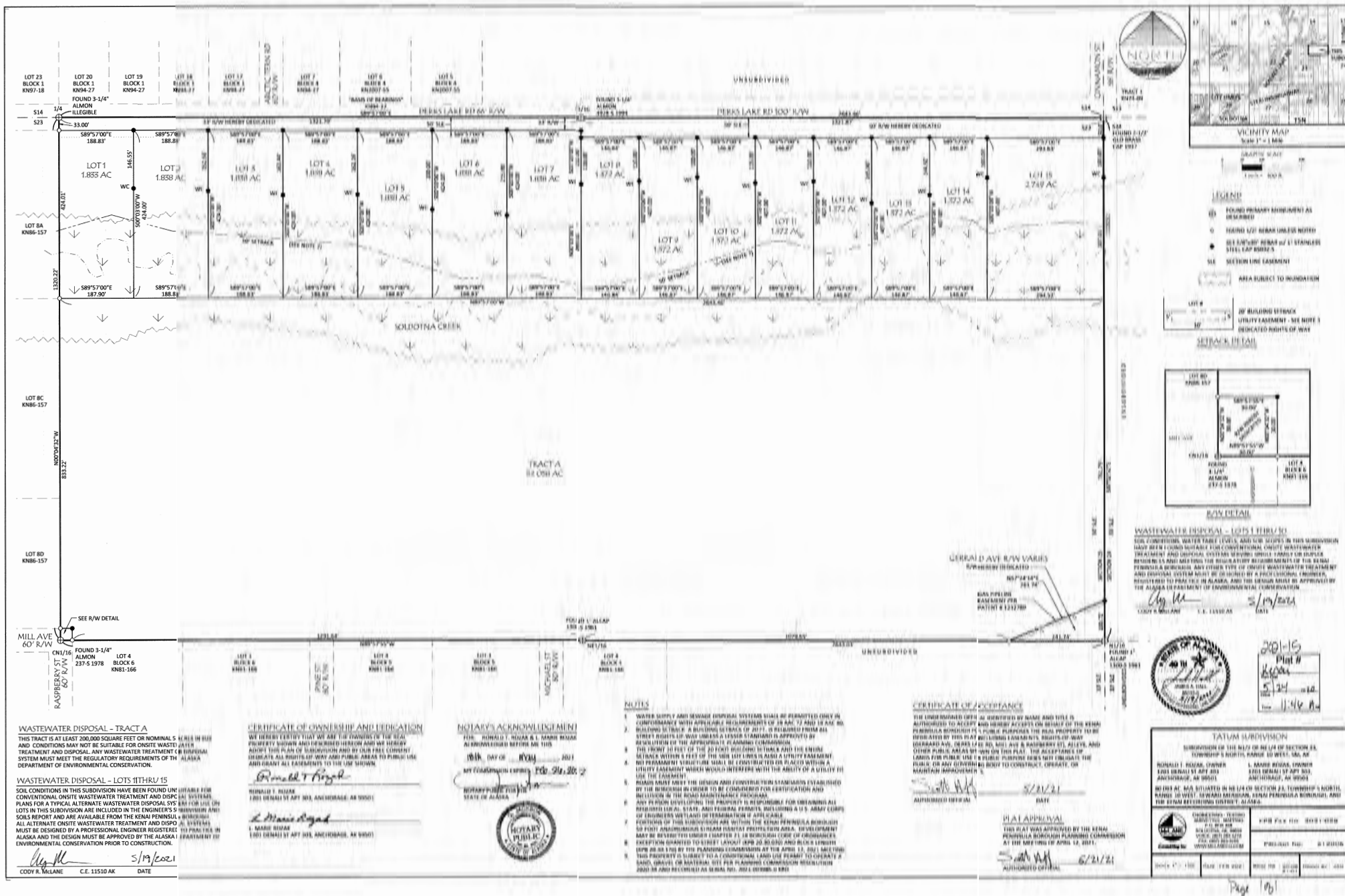
- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL 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



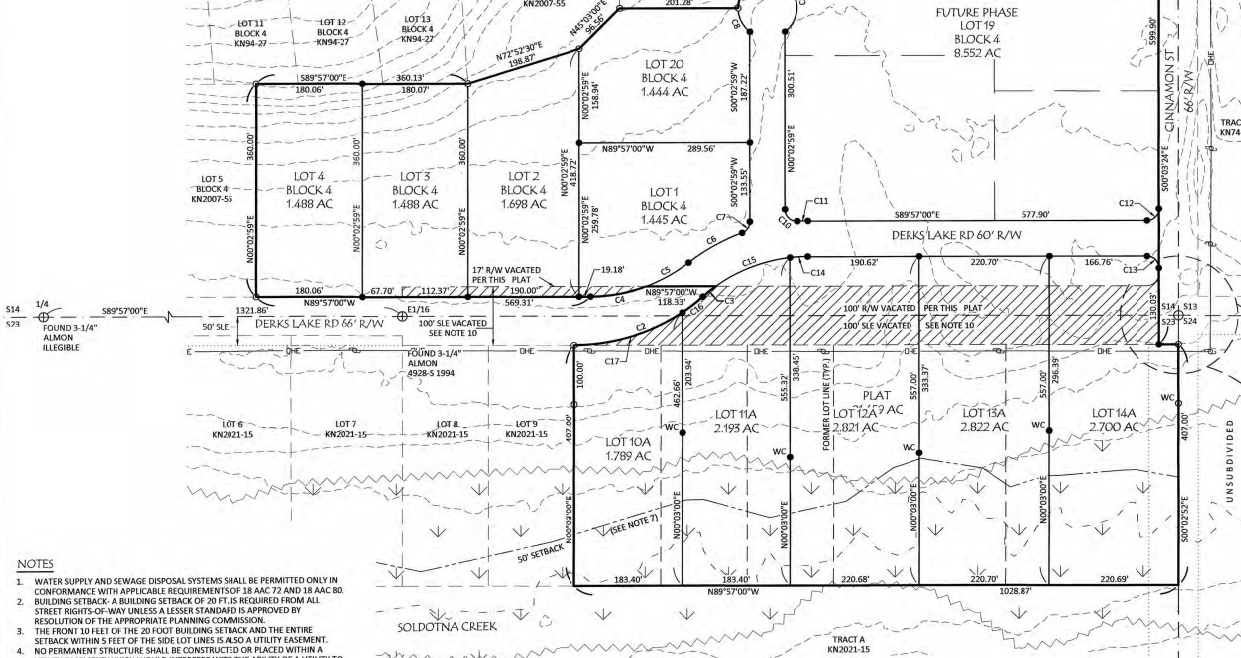
WASTEWATER DISPOSAL - TRACT A

THIS LOT IS AT LEAST 200,000 SQUARE FEET 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 - LOTS

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.

CODY R. McLANE C.E. 11510 AK DATE



NOTES

1. WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS SHALL BE PERMITTED ONLY IN CONFORMANCE WITH APPLICABLE REQUIREMENTS OF 18 AAC 72 AND 18 AAC 80.
2. BUILDING SETBACK: A BUILDING SETBACK OF 20 FT IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
3. THE FRONT 10 FEET OF THE 20 FOOT BUILDING SETBACK AND THE ENTIRE SETBACK WITHIN 5 FEET OF THE SIDE LOT LINES IS ALSO A UTILITY EASEMENT.
4. 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. 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.
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. PORTIONS OF THIS SUBDIVISION ARE WITHIN THE KENAI PENINSULA BOROUGH 50-FOOT ANADROMOUS STREAM HABITAT PROTECTION AREA. DEVELOPMENT MAY BE RESTRICTED UNDER CHAPTER 21.18 BOROUGH CODE OF ORDINANCES.
8. THIS PARCEL MAY BE AFFECTED BY THE FOLLOWING:
 - a. CONDITIONAL LAND USE PERMIT TO OPERATE A SAND, GRAVEL OR MATERIAL SITE PER PLANNING COMMISSION RESOLUTION 2020-38 AND RECORDED AS SERIAL NO. 2021-00385-0 KPD.
 - b. AN ELECTRIC EASEMENT GRANTED TO HOMER ELECTRIC ASSOCIATION ON AUGUST 4, 1961 IN MISC. BOOK 7, PAGE 38, KENAI RECORDING DISTRICT, LOCATION NOT DERIVED.
9. THE KENAI PENINSULA BOROUGH PLANNING COMMISSION APPROVED THE VACATION OF A PORTION OF DERKS LAKE ROAD AND THE ASSOCIATED UTILITY EASEMENT AT THE MEETING OF
10. THE STATE OF ALASKA APPROVED THE VACATION OF THE SECTION LINE EASEMENT PER PLAT KN2021-xx.

LOT # / TRACT #
20' BUILDING SETBACK
UTILITY EASEMENT - SEE NOTE 2
DEDICATED RIGHTS-OF-WAY

SETBACK DETAIL

CURVE TABLE						
CURVE #	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD LENGTH
C1	102°27'38"	50.00	88.41	62.25	N 51° 16' 59" E	77.97
C2	41°24'32"	330.00	238.50	124.73	N 60° 20' 44" E	239.34
C3	5°50'47"	270.00	28.18	14.10	N 51° 37' 51" E	28.17
C4	20°26'25"	270.00	96.32	48.68	S 79° 49' 48" W	95.81
C5	17°24'49"	270.00	82.60	41.63	S 69° 55' 48" W	82.28
C6	38°09'09"	330.00	104.48	52.66	S 62° 08' 50" W	104.01
C7	30°09'51"	30.00	24.40	14.05	S 53° 07' 55" W	22.90
C8	53°08'16"	50.00	46.37	25.00	S 20° 30' 40" E	44.72
C9	43°00'00"	50.00	114.03	108.87	N 12° 09' 33" W	90.88
C10	9°04'23"	30.00	32.49	21.10	N 46° 29' 13" W	29.03
C11	8°04'24"	330.00	17.70	8.85	S 88° 30' 48" W	17.70
C12	90°00'24"	20.00	31.45	20.04	S 46° 59' 48" W	28.31
C13	89°53'38"	20.00	31.18	19.96	S 45° 00' 12" E	28.20
C14	8°22'36"	270.00	80.17	41.08	N 86° 51' 15" E	80.10
C15	20°26'25"	270.00	136.36	69.31	N 69° 08' 22" E	135.28
C16	7°36'46"	330.00	44.04	22.05	N 52° 27' 51" E	44.01
C17	33°00'46"	330.00	134.46	100.15	N 75° 10' 07" E	131.66

LEGEND

- FOUND PRIMARY MONUMENT AS DESCRIBED
- FOUND 5/8" REBAR UNLESS NOTED
- SET 5/8"x30" REBAR w/ 1" STAINLESS STEEL CAP 85032-5
- POWER POLE
- OVERHEAD ELECTRIC
- AREA SUBJECT TO FLOODATION
- CONTOUR INTERVAL = 4'

CERTIFICATE OF OWNERSHIP

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND 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.

GENE J. FRIENDSHUH, OWNER LOTS 10 THRU 15 TATUM SUBD. KN2021-15
35581 KENAI SPUR HWY, SOLDOTNA, AK 99669

LINDA A. FRIENDSHUH, OWNER LOTS 10 THRU 15 TATUM SUBD. KN2021-15
35581 KENAI SPUR HWY, SOLDOTNA, AK 99669

GEORGE U. FRIENDSHUH, OWNER LOTS 10 THRU 15 TATUM SUBD. KN2021-15
35581 KENAI SPUR HWY, SOLDOTNA, AK 99669

NOTARY'S ACKNOWLEDGEMENT

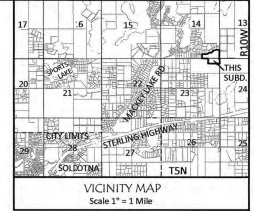
FOR: GENE J. FRIENDSHUH, LINDA A. FRIENDSHUH, GEORGE U. FRIENDSHUH
ACKNOWLEDGED BEFORE ME THIS

DAY OF

MY COMMISSION EXPIRES:

NOTARY PUBLIC FOR THE

STATE OF ALASKA



CERTIFICATE OF OWNERSHIP

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND 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.

LINDA A. FRIENDSHUH, OWNER 1/2 INTEREST IN S1/2 OF SE1/4 SEC. 14, T3N, R10W, SM, AK EXCEPT KN86-214, KN94-27, KN97-18 & KN2007-55
35581 KENAI SPUR HWY, SOLDOTNA, AK 99669

GEORGE URBAN FRIENDSHUH, OWNER 1/2 INTEREST IN S1/2 OF SE1/4 SEC. 14, T3N, R10W, SM, AK EXCEPT KN86-214, KN94-27, KN97-18 & KN2007-55
35581 KENAI SPUR HWY, SOLDOTNA, AK 99669

NOTARY'S ACKNOWLEDGEMENT

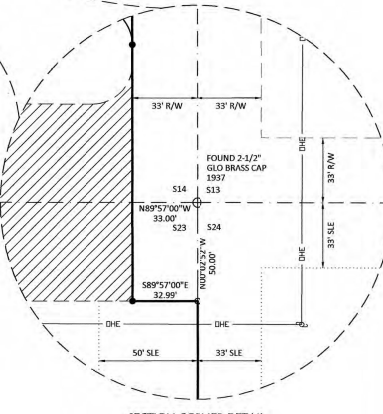
FOR: LINDA A. FRIENDSHUH, GEORGE URBAN FRIENDSHUH
ACKNOWLEDGED BEFORE ME THIS

DAY OF

MY COMMISSION EXPIRES:

NOTARY PUBLIC FOR THE

STATE OF ALASKA



SECTION CORNER DETAIL

SCALE: 1" = 30'



Plat #	
Rec. Dist.	
Date	
Time	

TATUM DENISE SUBDIVISION PHASE 1

A RESUBDIVISION OF LOTS 10 THRU 15 TATUM SUBDIVISION (KN2021-15) AND THE S1/2 OF SE1/4 SECTION 14, TOWNSHIP 5 NORTH, RANGE 10 WEST, SEWARD MERIDIAN, ALASKA ACCEPTING DENISE LAKE ESTATES PART ONE (KN86-214), DENISE LAKE ESTATES PART TWO (KN94-27), DENISE LAKE ESTATES PART THREE (KN91-18) & DENISE LAKE ESTATES PART FOUR (KN2007-55) AND THE ASSOCIATED R/W VACATION

GENE J. FRIENDSHUH, OWNER
35581 KENAI SPUR HWY, SOLDOTNA, AK 99669

LINDA A. FRIENDSHUH, OWNER
35581 KENAI SPUR HWY, SOLDOTNA, AK 99669

GEORGE U. FRIENDSHUH, OWNER
35581 KENAI SPUR HWY, SOLDOTNA, AK 99669

29.301 AC, M/L SITUATED IN THE E1/2 OF SECTION 21, TOWNSHIP 5 NORTH, RANGE 9 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, AND THE KENAI RECORDING DISTRICT, ALASKA.

ENGINEERING - TESTING SURVEYING - MAPPING P.O. BOX 408 SOLDOTNA, AK 99669 VOICE: (907) 283-2518 FAX: (907) 283-2519 WWW.MCLANE.COM	KPB FILE NO. 2021-xxx
PROJECT NO. 212032	

SCALE: 1" = 100' DATE: JAN. 2021 BOOK NO.: 21-XX DRAWN BY: JAH

KPB 2021-122

PLAT APPROVAL

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

AUTHORIZED OFFICIAL

DATE