Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda

Plat Committee

Monday, June 13, 2022 **5:30 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

KPB-4306 May 23, 2022 Plat Committee Meeting Minutes

Attachments: C3. 052322 Plat Committee Meeting Minutes

D. OLD BUSINESS

E. NEW BUSINESS

1. KPB-4307 AA Mattox Johnson Addition; KPB File 2022-064

Attachments: E1. AA Mattox Johnson Addn

2. KPB-4308 D&J Subdivision 2022 Addition: KPB File 2022-065

Attachments: E2. D&J Sub 2022 Addn

3. KPB-4309 Monk Acres; KPB File 2022-071

Attachments: E3. Monk Acres
E3. Monk Acres_Plat Desk Packet

4. KPB-4310 ASLS No. 2021-25 Tip Levarg Subdivision; KPB File 2022-072

Attachments: E4. ASLS 2021-25
E4. ASLS 2021-25_Plat Desk Packet

5. KPB-4311 Doyle Estates Subdivision Sixth Addition; KPB File 2022-062

Attachments: E5. Doyle Estates Sub Sixth Addn

6. KPB-4312 Tutl'uh Subdivision Carmondy Addition; KPB File 2022-068

Attachments: E6. Tutl'uh Sub Carmody Addn

7. KPB-4313 Common Ground Subdivision; KPB File 2022-066

Attachments: E7. Common Ground Sub
E7. Common Ground_Plat Desk Packet

8. KPB-4314 Quartz Creek Subdivision Outfitters Way Replat; KPB File 2022-060

Attachments: E8. Quartz Creek Sub Outfitters Way Replat
E8. Quartz Creek Sub_Plat Desk Packet

9. KPB-4315 Thorsland Subdivision Addition No. 1; KPB File 2022-069

Attachments: E9. Thorsland Sub Addn No. 1
E9. Thorsland Sub_Plat Desk Packet

10. KPB-4316 ROW Acquisition Seward Hwy. MP 25.5 to 36 Trial River to Sterling WYE Rehabilitation; KPB File 2022-063

Attachments: E10. ROW Acquisition Seward Hwy.
E10. ROW Acquisition_Plat Desk Packet

11. KPB-4317 East Oyster Cove Subdivision; KPB File 2022-047R1

Attachments: E11. East Oyster Cove Sub
E11. East Oyster Cove Sub_Plat Desk 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, June 27, 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. Minutes

a. May 23, 2022 Plat Committee Meeting Minutes

Kenai Peninsula Borough
Plat Committee

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

May 23, 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
John Hooper, District 3 – Nikiski
Michael Horton, District 4 – Soldotna
Charlene Tautfest, City of Soldotna
Franco Venuti, City of Homer

Staff Present
Robert Ruffner, Planning Director
Julie Hindman, Platting Specialist
Ann Shirnberg, Planning Administrative Assistant

C. APPROVAL OF AGENDA, EXCUSED ABSENCES, AND MINUTES

*3 Minutes
a. May 9, 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. He then requested that Ms. Hindman give the staff report for the grouped plats.

Platting Specialist Julie Hindman gave the staff report for the grouped plats and noted the following plats were contained in the report:
a. King's Creek 2022 Replat; KPB File 2022-056
b. Bailey Estates Karpik Rice Replat; KPB File 2022-038

Hearing no one wishing to comment discussion was opened among the commission.

MOTION: Commissioner Venuti moved, seconded by Commissioner Tautfest, to approve the agenda, the May 9, 2022 Plat Committee meeting minutes and grouped plats 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	5	Brantley, Hooper, Horton, Tautfest, Venuti
No	0	

UNAPPROVED

E. NEW BUSINESS

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

ITEM E1 - LOWER COHOE SUBDIVISION TRACTS 1 THRU 7

KPB File No.	2022-057
Plat Committee Meeting:	May 23, 2022
Applicant / Owner:	Alaska Mental Health Trust Authority of Anchorage, AK
Surveyor:	David Hale / R & M Consultants
General Location:	Herrin Street, Fairway Avenue, Cohoe Area

Parent Parcel No.:	133-110-98
Legal Description:	Government Lot 6, Section 27 Township 3 North Range 12 West
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

Staff report given by Platting Specialist Julie Hindman. Ms. Hindman noted that a redesign of the plat was submitted and is in the meeting desk packet. The surveyor redesigned the plat to comply with staff's recommendations sited in the staff report. The redesigned plat shows a dedication along the southern boundary that will supply additional access to DNR lands. The revised plat also demonstrates that the lots can be reconfigured to be over 200,000 sf, so no soils report will be required. Staff will also require that a 10-foot utility easement be adjacent along the southern dedication. The owners and the surveyors will need to work with the KPB Addressing Officer to come up with a name for the new southern dedication.

Chair Brantley opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Horton moved and was seconded by Commissioner Venuti to grant preliminary approval to Lower Cohoe Subdivision Tract 1-7, based on staff recommendations and compliance to borough code.

Commissioner Tautfest informed the chair that she serves on the Mental Health Trust Board and they are statutory advisors to the Alaska Mental Health Trust Authorities. She asked the chair if this could be considered a conflict of interest.

Director Ruffner asked Commissioner Tautfest if she or her family would stand to benefit financially or personally in any way by the Plat Committee's decision. She replied that her son is a beneficiary of the Alaska Mental Health Trust. Director Ruffner then asked if her son being a beneficiary of the Trust, would her decision on this matter put her son in a position to gain more than any other member of the public. If her answer was yes, then it possibly could be considered a conflict of interest. Commissioner Tautfest did note that proceeds from Alaska Mental Health Trust Land Sales do fund programs that her son receives services from. Ms. Hindman asked Commissioner Tautfest if in her position with the board, did she vote on anything related to this item. Commissioner Tautfest replied no. Ms. Hindman stated then she believed that she would be fine to participate and vote on this item. Chair Brantley then asked the committee if anyone had any issues with Commissioner Tautfest voting on this matter. There were no objections, so Chair Brantley ruled that Commissioner Tautfest could participate in the discussion and vote on this item.

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

MOTION PASSED BY UNANIMOUS VOTE

Yes	5	Brantley, Hooper, Horton, Tautfest, Venuti
No	0	

UNAPPROVED

ITEM E2 - MORNING PANORAMA SUBDIVISION #2

KPB File No.	2022-058
Plat Committee Meeting:	May 23, 2022
Applicant / Owner:	Hafiz Rahman of Salt Lake City, UT
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Morning Circle, Salamatof area

Parent Parcel No.:	017-110-47
Legal Description:	Lot 5 Morning Panorama Subdivision Richey Replat, Plat KN 2019-9
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

Staff report given by Platting Specialist Julie Hindman.

Chair Brantley opened the item for public comment.

Jerry Johnson, Johnson Surveys; P.O. Box 27, Clam Gulch, AK 99568: Mr. Johnson was the surveyor on this project and made himself available for questions.

Chair Brantley asked Mr. Johnson if he knew if the buildings were there before the creation of the utility easement in the middle of the lot. Mr. Johnson replied that he believed that the structures, which were very old, were there before the utility easement. He noted that the utility easement had been granted by the last paper plat.

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

MOTION: Commissioner Venuti moved and was seconded by Commissioner Horton to grant preliminary approval to Morning Panorama Subdivision #2, based on staff recommendations and compliance to borough code.

AMENDMENT MOTION: Commissioner Venuti moved, seconded by Commissioner Horton to grant exception request to KPB 20.30.190 – Lot Dimensions, 3:1 depth to width ratio for Lot 5B, citing findings 5-10 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	5	Brantley, Hooper, Horton, Tautfest, Venuti
No	0	

Seeing and hearing no objection or discussion, the motion was carried by the following vote:
MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes	5	Brantley, Hooper, Horton, Tautfest, Venuti
No	0	

ITEM 3 - MOTT'S SUBDIVISION 2022 ADDITION

KPB File No.	2022-059
Plat Committee Meeting:	May 23, 2022
Applicant / Owner:	Jackson Estate, Wortham Estate, and Priscilla Mott all of Soldotna, AK
Surveyor:	Jason Young, Mark Aimonetti / Edge Survey and Design
General Location:	Kalifornsky Beach Road, Gas Well Road, Price Avenue, Kalifornsky area / Kalifornsky APC

Parent Parcel No.:	131-220-20

UNAPPROVED

Legal Description:	Unsubdivided remainder of Mott's Farm Subdivision Plat No KN 2000-67
Assessing Use:	Residential
Zoning:	Rural Unrestricted

Staff report given by Platting Specialist Julie Hindman.

Chair Brantley opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Venuti moved and was seconded by Commissioner Horton to grant preliminary approval to Mott's Subdivision 2022 Addition, based on staff recommendations and compliance to borough code.

AMENDMENT MOTION: Commissioner Venuti moved, seconded by Commissioner Horton to grant exception request to KPB 20.30.030 – Proposed Street Layout Requirements & KPB 20.30.170 – Block Length Requirements, citing findings 1-8, 12 & 14 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	5	Brantley, Hooper, Horton, Tautfest, Venuti
No	0	

Seeing and hearing no objection or discussion, the motion was carried by the following vote:
MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes	5	Brantley, Hooper, Horton, Tautfest, Venuti
No	0	

ITEM E4 - TULCHINA POINT ESTATES 2022 REPLAT

KPB File No.	2022-023
Plat Committee Meeting:	May 9, 2022
Applicant / Owner:	LittleKnife, Inc, and Gale Smith all of Soldotna, Alaska
Surveyor:	James Hall / McLane Consulting Inc.
General Location:	Authentic Road, Paper Birch Lane, Foster Avenue, Sterling area

Parent Parcel No.:	058-360-58, 058-360-59, 058-360-62
Legal Description:	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 Platting Specialist Julie Hindman.

Chair Brantley opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Horton moved and was seconded by Commissioner Venuti to grant preliminary approval to Tulchina Point Estates 2022 Replat, 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	5	Brantley, Hooper, Horton, Tautfest, Venuti
No	0	

UNAPPROVED

ITEM E5 - KING'S CREEK 2022 REPLAT

Passed Under Grouped Plats on Consent Agenda

KPB File No.	2022-059
Plat Committee Meeting:	May 23, 2022
Applicant / Owner:	O'Neill Community Property Trust of Fritz Creek, AK
Surveyor:	Steve Smith / Geovera LLC
General Location:	Walters Street and Wilderness Lane, Fritz Creek / Kachemak APC

Parent Parcel No.:	172-460-11 and 172-460-12
Legal Description:	Lots D-4 and D-5 King's Creek 3, Plat HM 82-69
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

ITEM E6 - WALES SUBDIVISION

KPB File No.	2022-061
Plat Committee Meeting:	May 23, 20225
Applicant / Owner:	Charles Shenyer of Pateros, WA
Surveyor:	Steve Smith / Geovera LLC
General Location:	Tim Avenue, Sterling Highway, Shegota Loop, Happy Valley

Parent Parcel No.:	159-111-08
Legal Description:	NE ¼ NW ¼ Section 5 Township 3S Range 14W
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

Staff report given by Platting Specialist Julie Hindman.

Chair Brantley opened the item for public comment.

Kurt Marvin; P.O. Box 39293, Ninilchik, AK 99639: Mr. Marvin spoke in opposition to this plat. He was concerned this development would negatively impact the community.

Wynette Coleman; P.O. Box 39222, Ninilchik, AK 99639: Ms. Coleman spoke in opposition to the plat. She was concerned this development would negatively impact the community.

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

MOTION: Commissioner Venuti moved and was seconded by Commissioner Hooper to grant preliminary approval to Wales Subdivision, based on staff recommendations and compliance to borough code.

Commissioner Horton asked staff if the committee needed to determine if Tract A should be considered a flag lot. Ms. Hindman replied staff was asking for direction regarding whether or not additional notes associated with flag lots would be needed to be placed on the plat. If the committee did not consider Tract A a flag lot, then no note would be required.

Chair Brantley asked staff how wide the flag was on Tract A and does code address the minimum width required to be considered a flag. Ms. Hindman replied the flag portion was 80 feet. The minimum width of a flag is determined by the length of the flag. The flag portion on Tract A could qualify as a flag. She also noted that should the landowner decide to dedicate this area as a road, it would be wider than required by code. Ms. Hindman recommended if the committee did not consider Tract A a flag lot that they make a motion stating it was not one and that no additional and not additional restrictions would be required at this time.

UNAPPROVED

AMENDMENT MOTION: Commissioner Venuti moved, seconded by Commissioner Horton that Tract A is not a flag lot.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:
AMENDMENT MOTION PASSED BY UNANIMOUS VOTE

Yes	5	Brantley, Hooper, Horton, Tautfest, Venuti
No	0	

Seeing and hearing no objection or discussion, the motion was carried by the following vote:
MOTION PASSED BY UNANIMOUS VOTE

Yes	5	Brantley, Hooper, Horton, Tautfest, Venuti
No	0	

ITEM E7 – BEAVER CREEK ALASKA SUBDIVISION 2020 REPLAT

KPB File No.	2021-006
Plat Committee Meeting:	May 23, 2022
Applicant / Owner:	Freedom Indeed LLC and Luke Saven LLC, all of Kasilof, Alaska
Surveyor:	John Segesser / Segesser Surveys
General Location:	Kenai Spur Highway and Beaver Loop Road, City of Kenai

Parent Parcel No.:	041-071-02 and 041-071-03
Legal Description:	Lot 2 Block G and Lot 3 Block G, Beaver Creek Alaska Subdivision Amended, Plat KN 81-101
Assessing Use:	General Commercial
Zoning:	General Commercial Zone
Water / Wastewater	On-site

Staff report given by Platting Specialist Julie Hindman.

Chair Brantley opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Horton moved and was seconded by Commissioner Hooper to grant exception request to KPB 20.40 – Wastewater Disposal, citing findings 4-8 & 10-12 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	5	Brantley, Hooper, Horton, Tautfest, Venuti
No	0	

ITEM E8 - BAILEY ESTATES KARPIK RICE REPLAT

Passed Under Grouped Plats on Consent Agenda

KPB File No.	2022-038
Plat Committee Meeting:	May 23, 2022
Applicant / Owner:	David Karpik and Kathleen Rice all of Kenai, AK
Surveyor:	John Segesser / Segesser Surveys
General Location:	Lawton Drive, City of Kenai

Parent Parcel No.:	049-160-68 and 049-160-69
Legal Description:	Lots 1 and 2 Bailey Estates Amended, Plat KN 97-33
Assessing Use:	Residential
Zoning:	Suburban Residential 2
Water / Wastewater	Not disclosed

UNAPPROVED

ITEM E9 - KENAI MEADOWS ADDITION NO 1

KPB File No.	2022-035
Plat Committee Meeting:	May 23, 2022
Applicant / Owner:	City of Kenai of Kenai, AK
Surveyor:	John Segesser / Segesser Surveys
General Location:	Redoubt Avenue City of Kenai

Parent Parcel No.:	039-010-65
Legal Description:	Tract A Kenai Meadows Plat No KN 2017-17
Assessing Use:	Residential Vacant
Zoning:	Rural Residential
Water / Wastewater	City

Staff report given by Platting Specialist Julie Hindman.

Chair Brantley opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Venuti moved and was seconded by Commissioner Tautfest to grant preliminary approval to Kenai Meadows Addition No. 1, 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	5	Brantley, Hooper, Horton, Tautfest, Venuti
No	0	

ITEM E10 - QUARTZ CREEK SUBDIVISION OUTFITTERS WAY REPLAT

KPB File No.	2022-060
Plat Committee Meeting:	May 23, 2022
Applicant / Owner:	Three Bears of Alaska of Wasilla, AK Kenai Peninsula Borough of Soldotna, AK
Surveyor:	John Segesser / Segesser Surveys
General Location:	Cooper Landing / Cooper Landing APC

Parent Parcel No.:	119-124-17, 119-124-18, and 119-124-19
Legal Description:	Tracts A, B, and C of Quartz Creek Subdivision Plat No SW 94-11
Assessing Use:	Residential Vacant
Zoning:	Rural Unrestricted
Water / Wastewater	On site

Staff report given by Platting Specialist Julie Hindman. Ms. Hindman noted that the Cooper Landing Advisory Planning Commission (CLAPC) requested that action on this plat be postpone due to concerns related to the proposed frontage road and proposed changes to the conservation easement which were discussed at their recent meeting. The Kenai Peninsula Borough Land Management Division agreed to the postponement.

Chair Brantley opened the item for public comment.

Dan Steiner; 5900 W. Dewberry Drive, Wasilla, AK 99623: Mr. Steiner is a professional civil engineer working with Three Bears Alaska on the project. He asked staff if they could share what were the CLAPC concerns related to the plat. Ms. Hindman replied that the CLAPC concerns were related to how the frontage

UNAPPROVED

road was depicted on the plat as well as the changes to the existing conservation easement and they wanted more time to discuss them at their next meeting which will be on June 8, 2022. She also noted that the Land Management Division, representing the interests of the KPB, which is a part landowner, conceded to the request. This plat would then come back for consideration at the June 13, 2022 Plat Committee meeting.

Marcus Mueller, KPB Land Management Officer: Mr. Mueller stated he had been in attendance at the CLAPC meeting where this plat had been discussed. He noted that there several things that this platting action does. One was to vacate portions of several section line easements, which he did not believe were controversial. Another is to dedicate a frontage road that will run parallel with the Sterling Highway, which is being required by the AK DOT to address safety concerns at this location. AK DOT also wants to get rid of the section of Persistence Way that intersects with the Sterling Highway. AK DOT only wants controlled access at Quartz Creek and Russian Gap Roads. The dedication of the frontage road would accomplish this. He also noted that there is a conservation easement that runs parallel with the highway across these tracts in the proposed location of the frontage road. The loss of the conservation easement was the main concern of the CLAPC. The CLAPC wanted additional time to discuss a possible redesign to conserve at least a portion of the easement.

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

MOTION: Commissioner Venuti moved and was seconded by Commissioner Horton to postpone action on this plat until brought back by staff at the June 13, 2022 Plat Committee meeting.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:
MOTION PASSED BY UNANIMOUS VOTE

Yes	5	Brantley, Hooper, Horton, Tautfest, Venuti
No	0	

F. PUBLIC COMMENT - None

G. ADJOURNMENT

Commissioner Venuti moved to adjourn the meeting 7:23 P.M.

Ann E. Shirnberg
Administrative Assistant

UNAPPROVED

E. NEW BUSINESS

1. **AA Mattox Johnson Addition; KPB File 2022-064**
   Geovera LLC / Johnson
   Location: Pennock Street
   City of Homer

Kenai Peninsula Borough Planning Department

Vicinity Map



KPB File # 2022-064

S20-T06S-R13W

Homer

5/12/2022

0 200 400 Feet



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.

Kenai Peninsula Borough Planning Department

Aerial View

KPB 2022-064
5/12/2022

N



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

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

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

4. ALL LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO CITY OF HOMER ZONING REGULATIONS. REFER TO THE HOMER CITY CODE FOR ALL CURRENT SETBACK AND SITE DEVELOPMENT RESTRICTIONS. OWNERS SHOULD CHECK WITH THE CITY OF HOMER PLANNING DEPARTMENT PRIOR TO DEVELOPMENT ACTIVITIES.

5. THE 15 FEET FRONTING THE RIGHT-OF-WAYS AND THE FRONT 20 FEET WITHIN 5 FEET OF THE SIDE LOT LINES IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.

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. THIS SUBDIVISION IS AFFECTED BY AN EASEMENT OF RECORD WITH NO DEFINED LOCATON GRANTED TO HOMER ELECTRIC ASSOCIATION (BK 18, PG 119 HRD).

8. THESE LOTS ARE SERVED BY CITY OF HOMER WATER AND SEWER.

9. EXCEPTIONS TO KPB 20.30.030 (PROPOSED STREET LAYCUT-REQUIREMENTS) AND KPB 20.30.100 (CUL-DE-SACS) WERE APPROVED AT THE MEETING OF MAY 29, 2018.

CERTIFICATE OF ACCEPTANCE

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF HOMER 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:

THE 9.85 FOOT WIDE RIGHT OF WAY DEDICATED BY THIS PLAT.

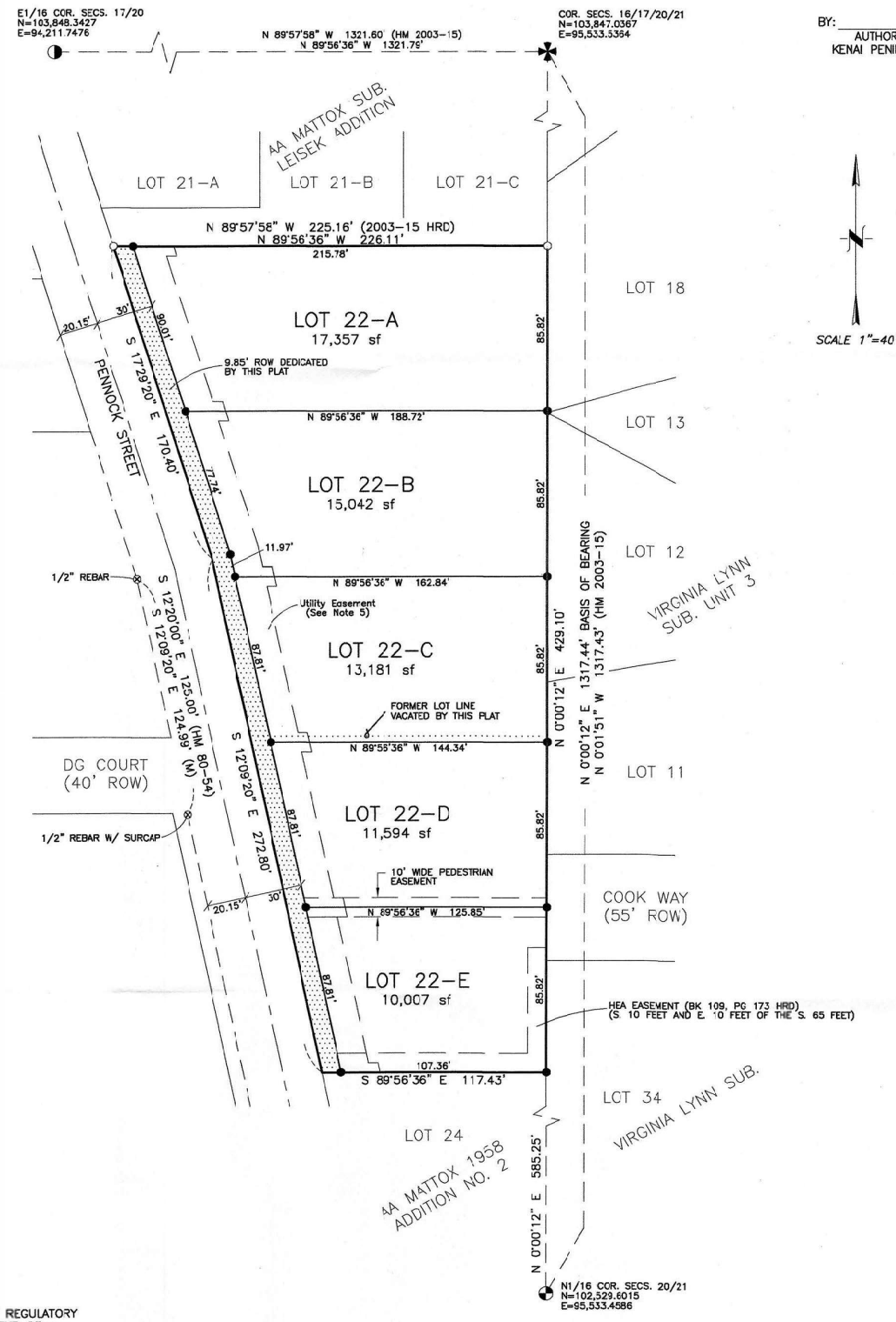
THE 10 FOOT WIDE PEDESTRIAN EASEMENT BETWEEN LOTS 22-D AND 22-E.

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

BY: _____ DATE: _____
ROB DUMOUCHEL, CITY MANAGER
CITY OF HOMER, ALASKA

LEGEND

- ✠ INDICATES 1917 GLO 2-1/2" BRASS CAP MONUMENT RECOVERED THIS SURVEY
- ◓ INDICATES 2-1/2" BRASS CAP MONUMENT RECOVERED THIS SURVEY (5780-S 1999)
- ◑ INDICATES 2" ALUM. POST MONUMENT RECOVERED THIS SURVEY (4469-S 1995)
- ○ INDICATES 2" ALCAP ON 5/8" REBAR (5780-S, 2003) RECOVERED THIS SURVEY
- ⊗ INDICATES CORNER FOUND THIS SURVEY AS SHOWN
- ● INDICATES 2" ALCAP ON 5/8" REBAR (7538-S, 2021) SET THIS SURVEY
- (M) MEASURED DIMENSION THIS SURVEY



0 40' 80' 120' 160'
GRAPHIC SCALE

SCALE 1"=40'

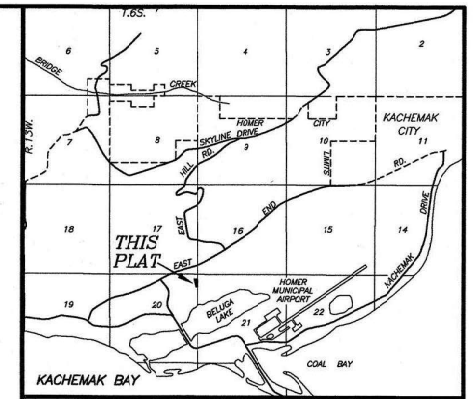
WASTEWATER DISPOSAL

PLANS FOR WASTEWATER DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

PLAT APPROVAL

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

BY: _____ _____
AUTHORIZED OFFICIAL DATE
KENAI PENINSULA BOROUGH



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

CERTIFICATE OF OWNERSHIP

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

_____
JASON C. JOHNSON
PO BOX 194
ANCHOR POINT, ALASKA 99556

_____
ANGELA F. JOHNSON
PO BOX 194
ANCHOR POINT, ALASKA 99556

NOTARY'S ACKNOWLEDGMENT

FOR JASON C. JOHNSON AND ANGELA F. JOHNSON
ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2022.

_____
NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES: _____

STATE OF ALASKA 49TH
Stephen C. Smith LS-7538
Registered Professional Land Surveyor

HOMER RECORDING DISTRICT KPB FILE No. 2022-??

AA MATTOX SUBDIVISION JOHNSON ADDITION

THE SUBDIVISION OF LOTS 22 AND 23, AA MATTOX 1958 ADDITION NO. 2 (58-3995 HRD)

LOCATED WITHIN THE NE1/4 NE1/4, SEC 20, T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA
CONTAINING 1.642 ACRES
OWNERS:
JASON C. JOHNSON AND ANGELA F. JOHNSON
PO BOX 194 ANCHOR POINT, ALASKA 99556

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

DRAWN BY: SCS	DATE: MAY 2022	SCALE: 1" = 40'
CHK BY: SCS	JOB #18-18	SHEET 1 OF 1

KPB 2022-064

E1-3

AGENDA ITEM E. NEW BUSINESS

ITEM 1 - AA MATTOX SUBDIVISON JOHNSON ADDITION

KPB File No.	2022-064
Plat Committee Meeting:	June 13, 2022
Applicant / Owner:	Jason and Angela Johnson of Anchor Point, Alaska
Surveyor:	Stephen Smith / Geovera, LLC
General Location:	Pennock Street, City of Homer

Parent Parcel No.:	177-302-91 and 177-302-92
Legal Description:	Lots 22 and 23 of AA Mattox 1958 Addition No. 2, Plat HM 58-3995
Assessing Use:	Residential
Zoning:	Urban Residential District
Water / Wastewater	City

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide two lots into five lots ranging in size from 10,007 square feet to 17,357 square feet. The plat will also dedicate 9.85 foot width of Pennock Street.

Location and Legal Access (existing and proposed): The proposed plat is located on Pennock Street within the City of Homer and north of Beluga Lake. Pennock Street is located off of state maintained East End Road and provides a connection to multiple cul-de-sacs and other access routes to provide looped access. Pennock Street is a varying width right-of-way managed by the City of Homer. The right-of-way was dedicated with varying widths that were around 40 feet wide. As replats occur along the right-of-way, the City of Homer has been requesting additional right-of-way in an attempt to bring the right-of-way closer to a compliant 60 foot width. This plat will be dedicating 9.85 feet to bring the eastern portion of the right-of-way to a 30 foot width.

Cook Way is a 50 foot wide right-of-way located to the east of the subdivision. The right-of-way ends at proposed Lot 22-D and Lot 22-E. An exception to not continue the dedication or provide a cul-de-sac has been requested.

Section line easements within and adjacent to this property were vacated by a Section Line Easement Vacation Plat, HM 85-109. The section line easement located adjacent to the proposed subdivision and south of Cook Way is still present per KPB information. ***Staff recommends*** *the 33 foot section line easement adjacent to the subdivision be depicted and labeled.*

As requested by the City of Homer, a 10 foot wide pedestrian easement centered on the common lot line for Lots 22-D and 2-E will be granted by this plat. ***Staff recommends*** *the label for the easement include "granted by this plat."*

The block is not compliant. Due to numerous rights-of-way that end in cul-de-sacs or are not dedicated through the block is longer than allowed by code. Virginia Lynn Way is not dedicate through although it appears to be constructed through property owned by the City of Homer. The past vacations of section line easements within this subdivision as well within the general area does not provide additional access to improve the block. A continuation of Cook Way would improve the block but would result in a reduced lot south of the dedication that appears to comply but will be significantly less than the size proposed if a 60 foot wide dedication is granted. An exception has been requested to not dedicate and extension of Cook Way. If the exception is granted, this plat will not be able to bring the block into compliance. ***Staff recommends*** *if the exception is granted, the plat committee concur that the block length requirements will not be met with this plat.*

KPB Roads Dept. comments	Out of Jurisdiction: Yes

	Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	No comment

Site Investigation: Low wet areas appear to be present within the eastern portion of the subdivision per the KPB GIS data from the Kenai Watershed Forum. A plat note to regarding wetland determinations is present. ***Staff recommends*** *the wetlands be shown on the final.*

There does not appear to be any steep slopes present. There are no visible encroachments issues present. There does appear, per KPB GIS Imagery, that there may be something present on parent Lot 22. If what is seen is permanent improvements, they appear to be within proposed Lot 22-C. ***Staff recommends*** *the surveyor verify that the proposed lot line location will not create an encroachment issue and disclose the planning department with the submittal of the final any issues found.*

KPB River Center review	A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Within City of Homer Comments: Located in Zone D - Non-Regulatory 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 lots created by AA Mattox 1958 Addition No. 2, HM 3995.

On May 9, 2018, the Kenai Peninsula Borough Plat Committee heard AA Mattox Subdivision Johnson Addition, KPB File 2018-047, and granted conditional approval. Per a letter submitted by the surveyor, "The approval expired because the owners thought they were going to sell the property without going forward with the subdivision plat. That sale fell through and the owners constructed an extension of the water main and installed water and sewer services to all of the lots. They now want to go forward with the subdivision."

Per KPB Code at the time of the initial approval, the approval was valid for two years but a time extension could be requested. An extension was not received and the approval lapsed. In order to move forward a new petition is required with a new hearing.

The City of Homer Advisory Planning Commission reviewed the proposed plat at their April 18, 2018 meeting. The surveyor submitted this preliminary plat to the City of Homer for additional review. Staff responded that due to the limited changes from the first proposal, it would not require a hearing with the Planning and Zoning Commission. KPB staff reviewed the previous approval and the requirements they requested. The requests made by the Homer Advisory Planning Commission have all been addressed or carried over onto the new preliminary plat.

A soils report will not be required as the lots are connected to the City of Homer services.

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.

Utility Easements The original plat did not grant any utility easements. This plat is proposing to grant 15 foot wide utility easement adjacent to right-of-way that increase to 20 feet within 5 feet of the side lot lines. The depiction along Pennock Street is present with a reference to a plat note. ***Staff recommends*** *the plat note include "granted this plat."*

KPB Code 20.30.060(D), states the front ten feet adjoining rights-of-way shall be designated as a utility easement. This would include along the dedication of Cook Way. Plat note 5 indicates the intention of creating 15 foot utility easements. An exception to not dedicate any portion of Cook Way has been requested. If denied, utility easements will be required along the dedication. If approved, dedications are required along the blunt end of Cook Way dedication. ***Staff recommends*** *the depiction of the utility easements be shown and reference plat note 5 be added along Cook Way.*

Two easements have been issued by recorded document. One is present within the plat notes and has no definite location disclosed. The other has a specific location and is noted and depicted within proposed Lot 22-E.

The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Staff recommends** to grant utility easements requested by the utility providers or work with the utility providers to obtain approval.

Utility provider review:

HEA	
ENSTAR	
ACS	No objections
GCI	

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 3962 PENNOCK ST 3994 PENNOCK ST Existing Street Names are Correct: Yes List of Correct Street Names: PENNOCK ST DG COURT COOK WAY Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: City of Homer will advise on affected addresses.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat. Review Not Required

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.*

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:** Provide lot and subdivision labels along the west side of Pennock Street. Please note a final has been submitted for Lot 25 of AA Mattox Sub 1958 Addition. Prior to printing the mylar verify the status in case the labels and lot depictions will require updating.*

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 Homer 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: It was stated that the lots are connected to City of Homer services. A soils report will not be required and the correct plat notes are present.
***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.*

20.60.080. Improvements-Installation agreement required. A final plat of a subdivision located within city limits shall not be recorded with the district recorder prior to compliance with any city ordinances concerning the installation of improvements. Evidence of compliance shall be provided by the subdivider in the form of a written statement from the appropriate city official that improvements required by city ordinance are or will be installed. Evidence of compliance shall be a part of the final plat submission and the time for action required by KPB 20.60.210 shall not commence until evidence of compliance is submitted.
***Staff recommendation:** An installation agreement, documentation one is not required, or documentation that all requirements have been satisfied will be required from the City of Homer.*

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:

Update the date in note 9 if the exceptions are granted.

EXCEPTIONS REQUESTED:

A. KPB 20.30.030 – Proposed street layout – requirements extension of Cook Way to Pennock Street.

Staff Discussion: The block does not have a dedicated connection to Mattox Road from Pennock Street. The City of Homer does own Lot 2 Block 4 of Lakeside Village Sub Amended. This is the lot to the west of the Virginia Lynn Way dedication and a portion of that lot appears to be used for a connection between Virginia Lynn Way and Pennock Street. This would provide a connection to Mattox Road and provide for a closed block although the lengths exceed code allowable distances.

Findings:

1. The proposed plat is within the City of Homer.
2. Development within the subdivision must comply with the requirements of the zoning district.
3. The proposed plat is in the Urban Residential District.
4. The Homer Advisory Planning Commission approved the original preliminary plat on April 18, 2018.
5. The Homer Advisory Planning Commission did not request a right-of-way continuation of Cook Way.
6. The Homer Advisory Planning Commission requested a 10 foot wide pedestrian easement that connects Pennock Street to Cook Way.
7. The City of Homer determined the preliminary plat did not require a new hearing.
8. The plat is dedicating 9.85 feet of right-of-way for Pennock Street.
9. Pennock Street, East End Road, and Mattox Road define the block that does not close.
10. If Lot 2 Block 4 of Lakeside Village Sub Amended, which is currently being used for access, dedicates a portion of Virginia Lynn Way the block will be closed.
11. Numerous rights-of-way have been dedicated between Pennock Street and Mattox Road but none connect the two rights-of-way.
12. North-south and east-west section line easements have been vacated within the block.
13. The KPB Plat Committee granted the exception at the May 9, 2018 meeting for the original preliminary plat submitted.

Denial of the exception will require a 60 foot wide dedication of right-of-way to connect Cook Way to Pennock Street.

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 1-8 and 10-13 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 1-8 and 10-13 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 1-8 and 10-13 appear to support this standard.

B. **KPB 20.30.100 – Cul-de-sacs** dedicating a cul-de-sac turnaround at the end of Cook Way if the first exception is granted.

Staff Discussion: If exception to KPB 20.30.030 is granted a request to not provide a turnaround area at the end of Cook Way is requested. Per KPB Code 20.30.100, if a street is to be permanently closed a cul-de-sac should be provided. Additionally, hammerhead or t-type turnarounds may be dedicated to provide a turnaround area.

Findings:

1. The proposed plat is within the City of Homer.
2. Development within the subdivision must comply with the requirements of the zoning district.
3. The proposed plat is in the Urban Residential District.
4. The Homer Advisory Planning Commission approved the original preliminary plat on April 18, 2018.
5. The Homer Advisory Planning Commission did not request a turnaround area at the end of Cook Way.
6. Requiring a cul-de-sac will limit any future need to acquire a through dedication.
7. A compliant bulb will greatly diminish the size of the proposed lots.
8. The Homer Advisory Planning Commission requested a 10 foot wide pedestrian easement that connects Pennock Street to Cook Way.
9. The City of Homer determined the preliminary plat did not require a new hearing.
10. The plat is dedicating 9.85 feet of right-of-way for Pennock Street.
11. The KPB Plat Committee granted the exception at the May 9, 2018 meeting for the original preliminary plat submitted.

Denial of the exception will require a compliant turnaround area to be dedicated at the end of Cook Way. Staff would recommend this to be a t-type or hammerhead to allow possible extension of the right-of-way.

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 1-11 appear to support this standard.

2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
   Findings 1-11 appear to support this standard.

3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
   Findings 1-11 appear to support this standard.

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

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.

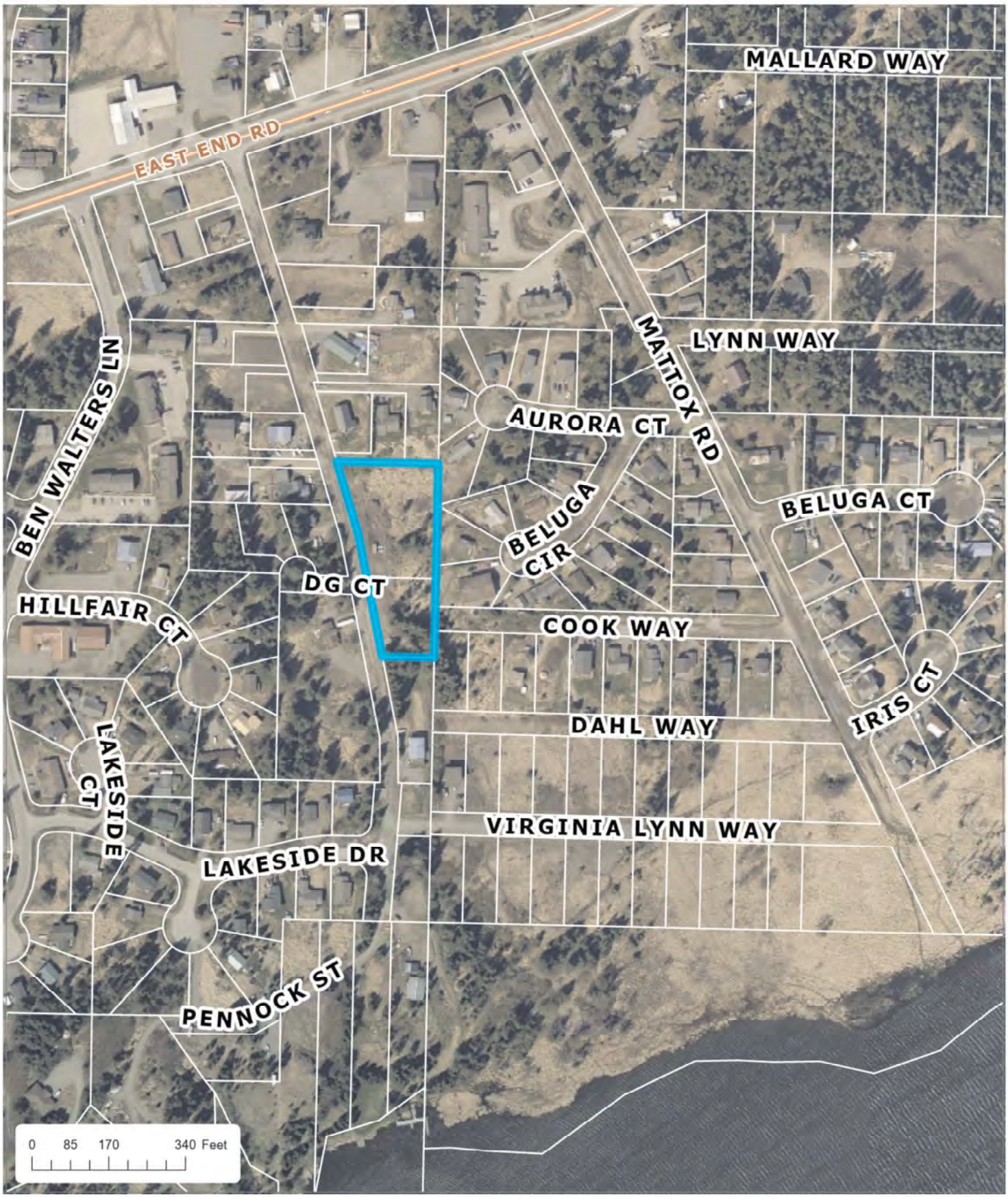
END OF STAFF REPORT

Kenai Peninsula Borough Planning Department

Aerial View

KPB File Number 2022-064

6/3/2022



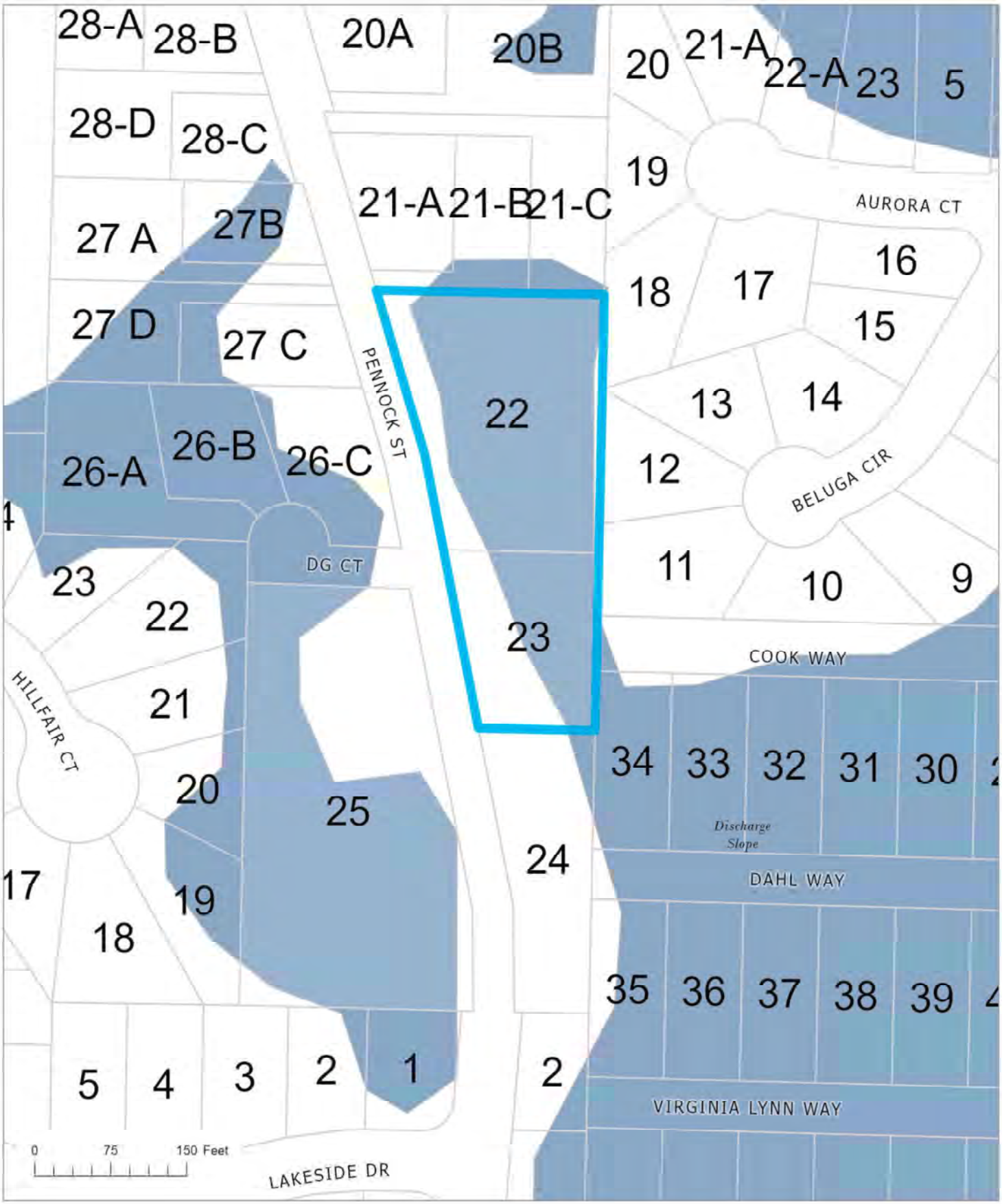
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map

Kenai Peninsula Borough Planning Department

Wetlands

KPB File Number 2022-064

6/3/2022



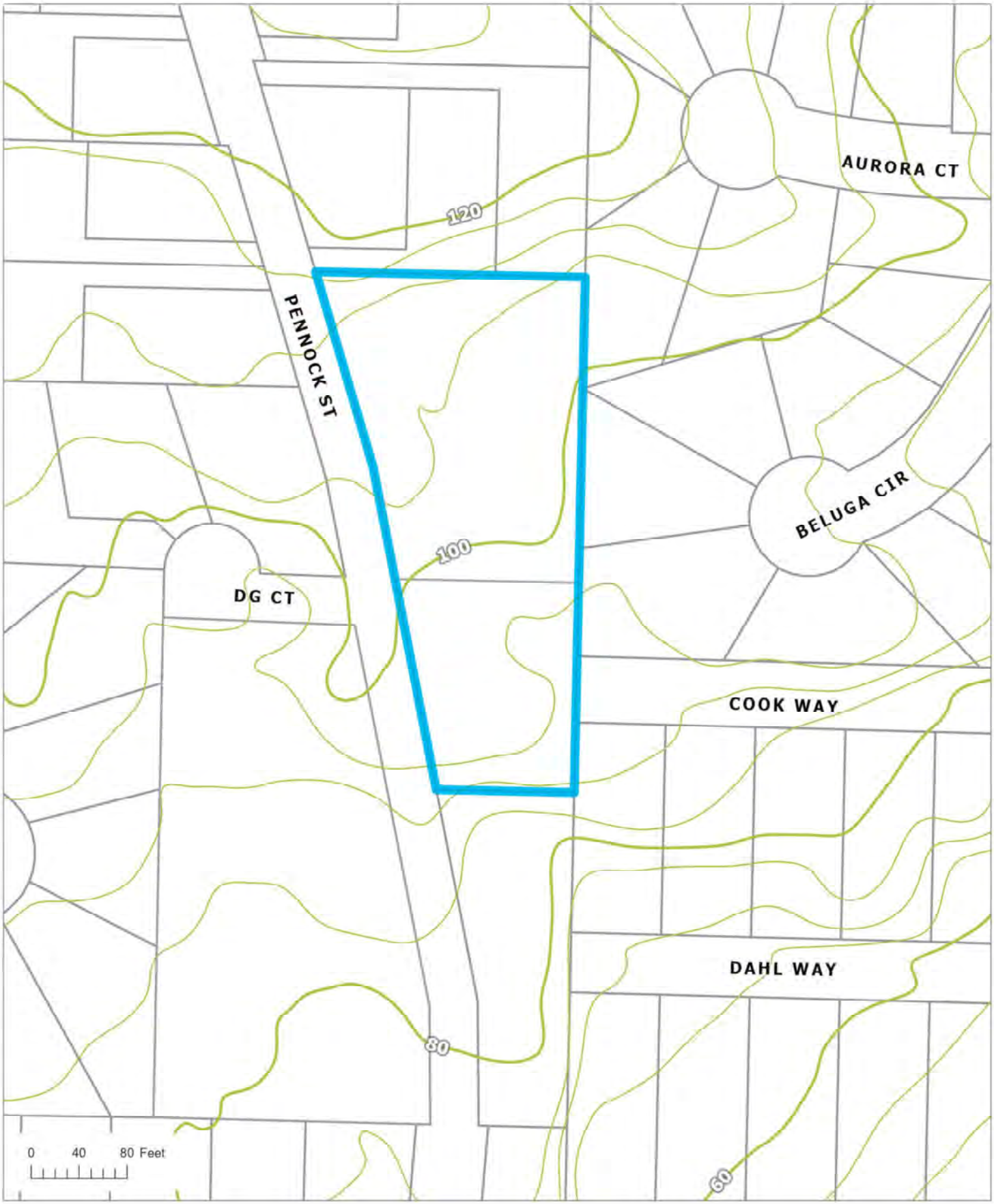
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map

Kenai Peninsula Borough Planning Department

5-foot Contours

KPB File Number 2022-064

6/3/2022

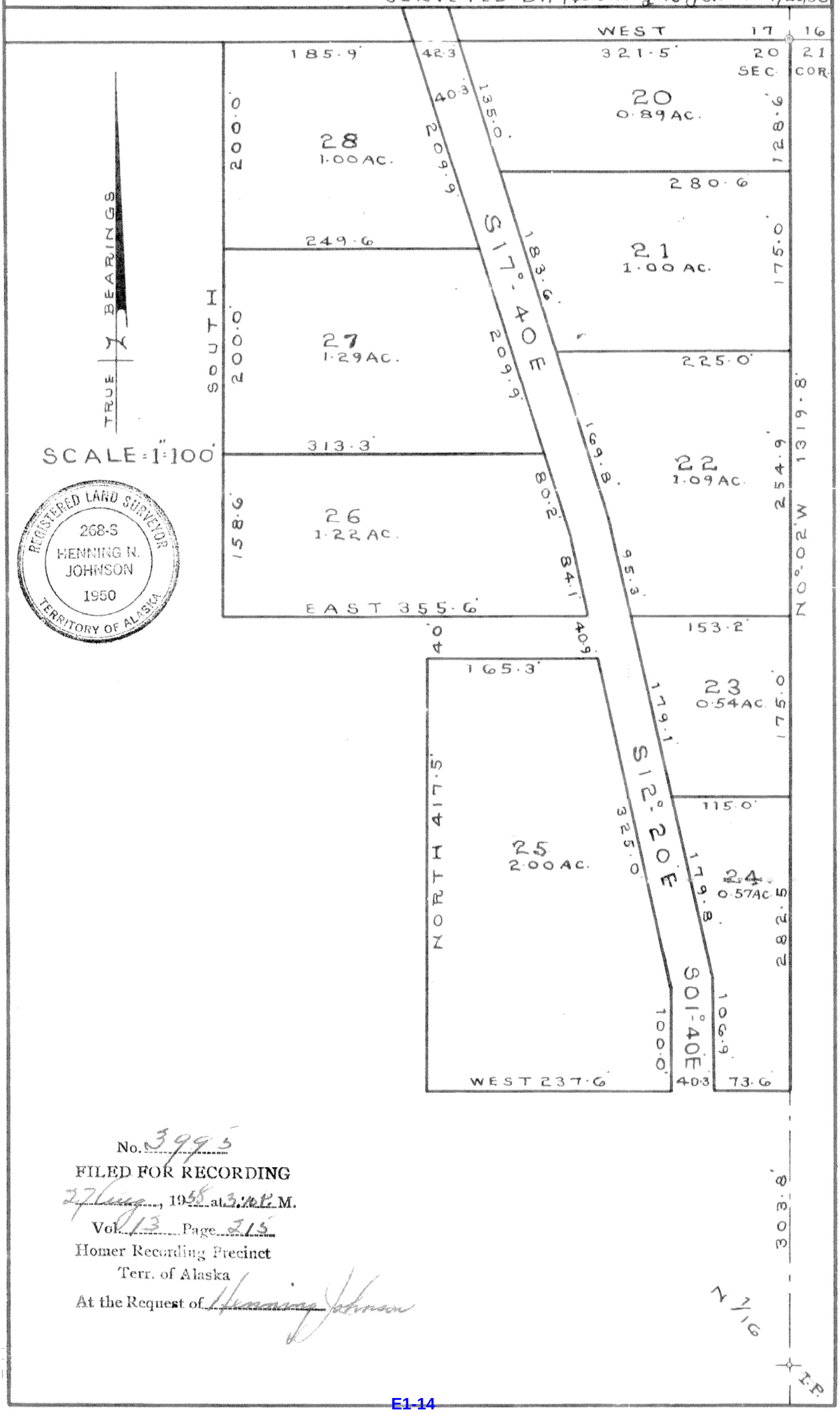


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map

A.A. MATTOX 1958 ADDITION NO. 2

LOCATED IN NE 1/4 NE 1/4 SEC. 20, T6S-R13W S.M. HOMER, ALASKA

SURVEYED BY; Henning N. Johnson 7/20/58



REGISTERED LAND SURVEYOR
268-S
HENNING N. JOHNSON
1950
TERRITORY OF ALASKA

No. 3995
FILED FOR RECORDING
27 Aug., 1958 at 3:40 P.M.
Vol. 13 Page 215
Homer Recording Precinct
Terr. of Alaska
At the Request of Henning Johnson

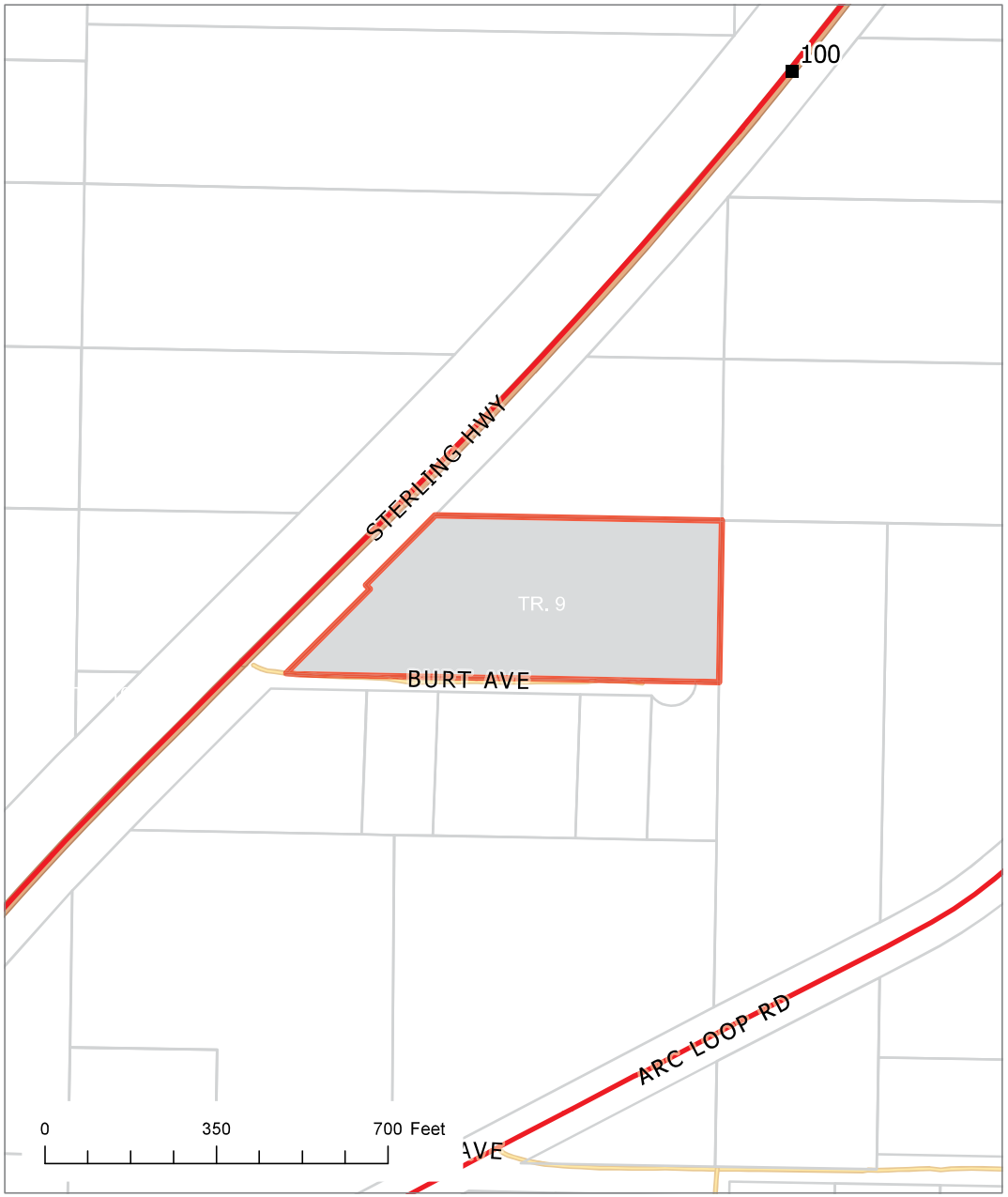
E. NEW BUSINESS

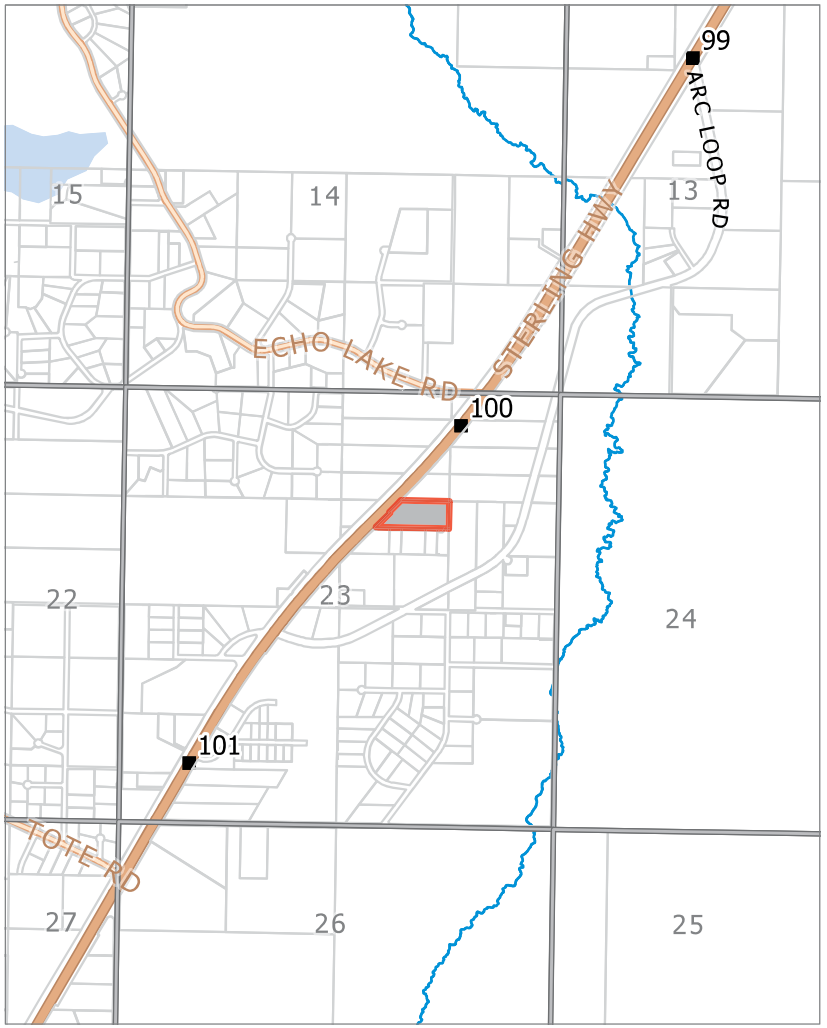
2. D&J Subdivision 2022 Addition; KPB File 2022-065
Johnson Surveying / Sentinel Properties LLC
Location: Burt Avenue & Sterling Highway
Kalifornsky Area

Kenai Peninsula Borough Planning Department

Vicinity Map

5/18/2022





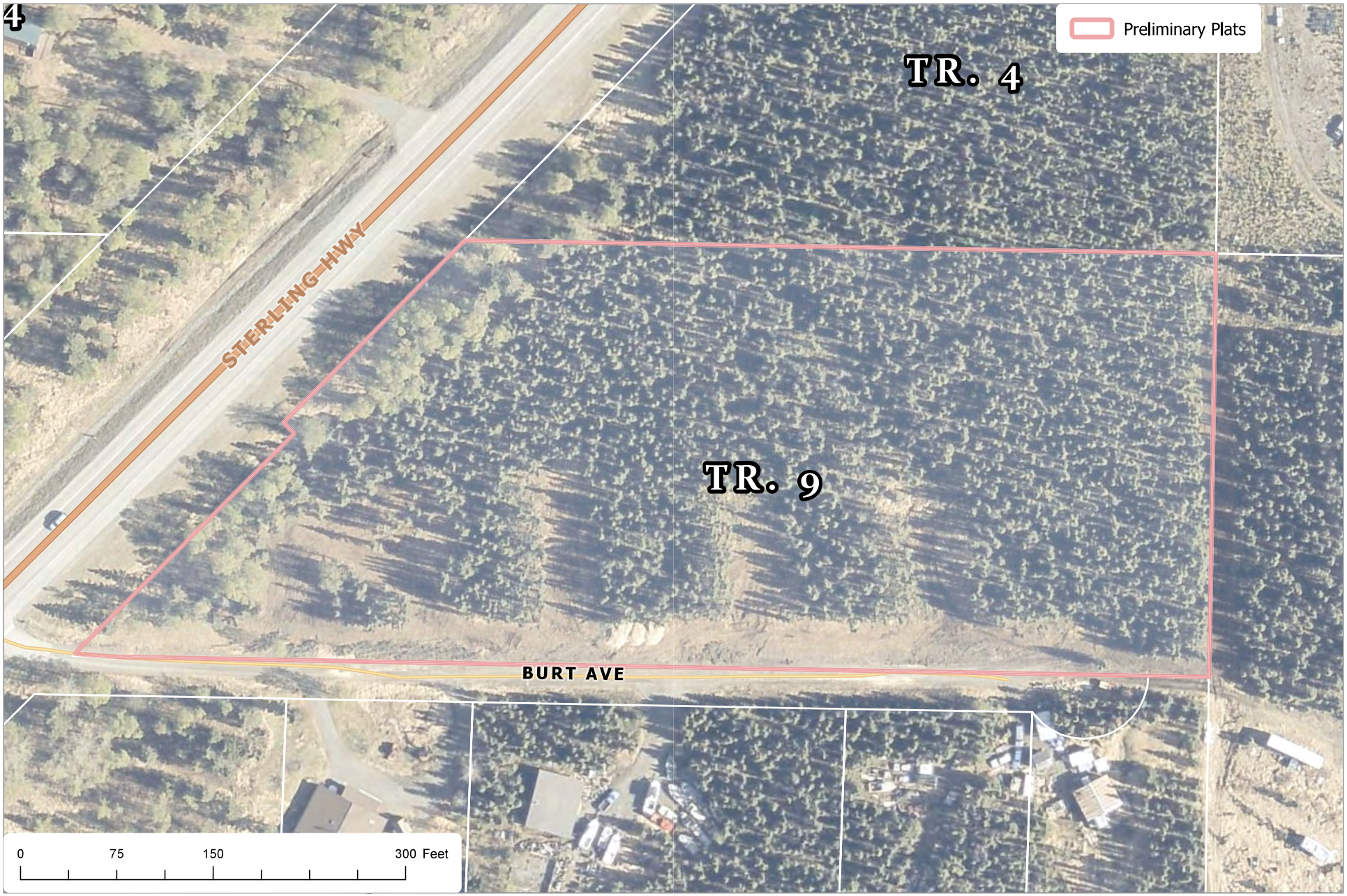
KPB File # 2022-065
S23 T04N R11W
Kalifornsky

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.

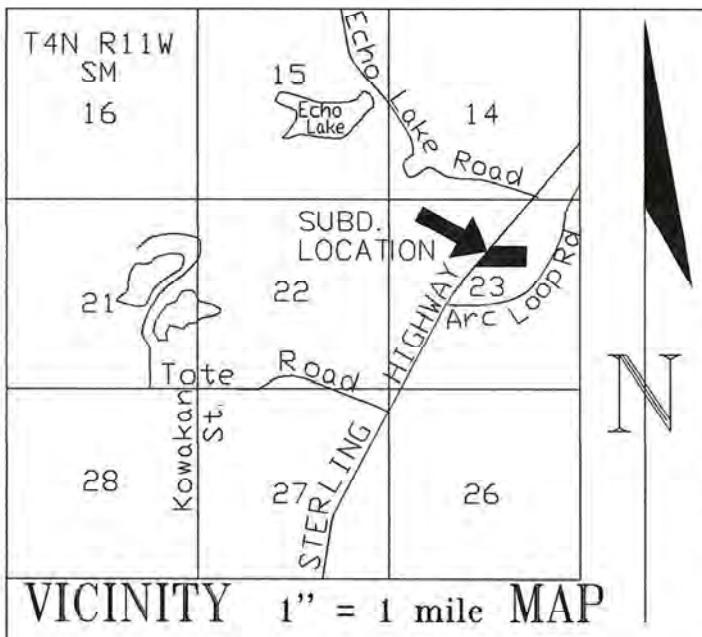
Kenai Peninsula Borough Planning Department

Aerial Map

KPB File Number 2022-065
5/18/2022



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.



VICINITY 1" = 1 mile MAP

D & J Subdivision #2

Preliminary Plat

A subdivision of Tract 9 D & J Subd., Amended, KRD 84-40, portion east of Sterling Highway.
Located in the SE1/4 Section 23, T4N R11W, SM, Alaska.
Kenai Recording District Kenai Peninsula Borough File 2021-

Prepared for

Sentinel Properties, LLC
P.O. Box 1696
Kodiak, AK 99615

Prepared by

Johnson Surveying
P.O. Box 27
Clam Gulch, Ak 99568

SCALE 1" = 100' AREA = 5.573 acres
13 May, 2022

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 15' 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. Any person developing this property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetlands determination, if applicable.
4. No access to state maintained ROWs permitted unless approved by the State of Alaska Dept. of Transportation.
5. This property is subject to an electrical easement granted to Homer Electric Association, Inc. in Kenai Records Book 38 Page 139. This is a general easement, no definite location given.
6. This proerty is subject to a reservation of easement for highway purposes, and any assignments or uses theretf for recreational, utility or other pyrposes, as disclosed by Public Land Order No. 601, dated August 10, 1949 and amended by Public Land Order No. 757, dated October 10, 1959; Public Land Order No. 1613, dated April 7, 1958; and Department of the Interior No, 2665; dated October 16, 1951, Amendment No. 1 thereto, dated July 17, 1952 and Amendment No. 2 thereto, dated September 15, 1956, filed in the Federal Register.
7. Contour interval 4'. No grades on the property exceed 18%. Grade from highway shoulder to west property boundary generally exceed 25%. Property is described in borough wetlands mapping as kettle.

KPB 2022-065

AGENDA ITEM E. NEW BUSINESS

ITEM 2 - D & J SUBDIVISION 2022 ADDITION

KPB File No.	2022-065
Plat Committee Meeting:	June 13, 2022
Applicant / Owner:	Sentinel Properties LLC of Kodiak, AK
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Sterling Highway, Burt Avenue, Kalifornsky Area / Kalifornsky APC

Parent Parcel No.:	131-300-18
Legal Description:	Tract 9 of D & J Subdivision Amended KN 84-40
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 5.58 acre parcel into five lots that will range in size from .976 acres to 1.013 acres. The plat will also dedicate a matching 30 foot width and portion of a cul-de-sac to make Burt Avenue compliant with borough right-of-way requirements.

Location and Legal Access (existing and proposed): The proposed plat is located near mile 100 of State maintained Sterling Highway. Proposed Lot 9A is located on the corner of the Sterling Highway and Burt Avenue, a borough maintained right-of-way. This plat will give the remaining required width for Burt Avenue and all lots will have access from Burt Avenue.

The block is not complete or compliant in this area. Burt Avenue has been dedicated with the intent to be a closed road ending with a cul-de-sac. The subdivision is located between the Sterling Highway and Arc Loop Road, a state maintained right-of-way. There are numerous larger acreage tracts in the area that have not been replatted since their original creation. In order to improve the block this plat would need to dedicate a right-of-way along the northern boundary. This would create improve the block lengths between Vada Way and Arc Loop Road but would still exceed allowable limits and would create another intersection with the Sterling Highway that would be about 450 feet from the Burt Avenue intersection. ***Staff recommends*** *the plat committee concur that an exception or dedication is not required to try to improve block length at this time.*

The State of Alaska DOT noted that the depiction of the Sterling Highway is slightly off from the current highway project map for this portion of the right-of-way. The advised change will reduce the size of Lot 9A slightly. Staff reviewed the change and the lot should still comply with the minimum lot size requirement. ***Staff recommends*** *the highway project map be referenced with a label or plat note.*

KPB Roads Dept. comments	Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	The ROW for Sterling Highway is generally as shown on sheet 9 of 35 of DOH Right of Way Plat F-021-1(3) except that a portion of the width is called out as 66' on the plat, whereas the previous plat (84-80) and the ROW Map calls for 68'. It appears that the "jog" should be 12' instead of 14' to correct the difference.

Site Investigation: There are no steep slopes present within the proposed plat. The majority of the property does contain wetlands. The type is designated as Kettle per the Kenai Watershed Forum's wetland assessment. Plat note 7 indicates wetlands are present. A wetland determination note is present. ***Staff recommends*** *the contour information be removed from the plat, add wetland depiction to the plat, and plat note 7 can be removed.*

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 D&J Subdivision, KN 73-46, that was later amended by Plat KN 84-40. The parent subdivision subdivided a 160 acres of aliquot lands into sixteen tracts. Per the plat notes, a field survey was not performed. Distances and acreage for this replat may vary from what is shown on the original plat. The parent plat did not grant any utility easements or put setbacks into place that impact this property.

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 within the Kalifornsky Advisory Planning Commission area. They are currently inactive due to lack of members.

Utility Easements There are no platted easements to carry over. Plat note 5 references an existing easement granted by document.

The plat is proposing to grant the front 15 feet adjacent to the rights-of-way that will increase to 20 feet within 5 feet of the side lot lines. ***Staff recommends*** *the utility easement be depicted and the plat note be reworded, "The front 15 feet adjacent to dedicated rights-of-way that increase to 20 feet within 5 feet of the side lot lines is a utility easement to be granted by this plat."*

The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Staff recommends** to grant utility easements requested by the utility providers or work with the utility providers to obtain approval.

Utility provider review:

HEA	
ENSTAR	
ACS	No objections
GCI	

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 48705 STERLING HWY

	Existing Street Names are Correct: Yes List of Correct Street Names: BURT AVE STERLING HWY Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: 48705 STERLING HWY will be deleted and new addresses assigned upon request.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat.
Assessing	Reviewer: Wilcox, Adeena Comments: No comments

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:** Subdivision name has been used. Surveyor has submitted D & J Subdivision 2022 Addition. The location should be updated to NE1/4.*

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:** Per the State of Alaska DOT comment, the depiction of the Sterling Highway should be revised and this will affect the acreage for proposed Lot 9A slightly.*

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: *Extend the depiction of the Sterling Highway beyond the centerline to show the full width.*

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.*

20.60.040. 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: *An acceptance to be signed by the borough for the dedication of Burt Avenue will be required.*

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).*

There are corrections needed for typos within plat note 6.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation*: The owner certificate should be written on behalf of the LLC and being signed by member or owner. Additional documentation will be required to be presented to verify who has the ability to sign the plat. 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.

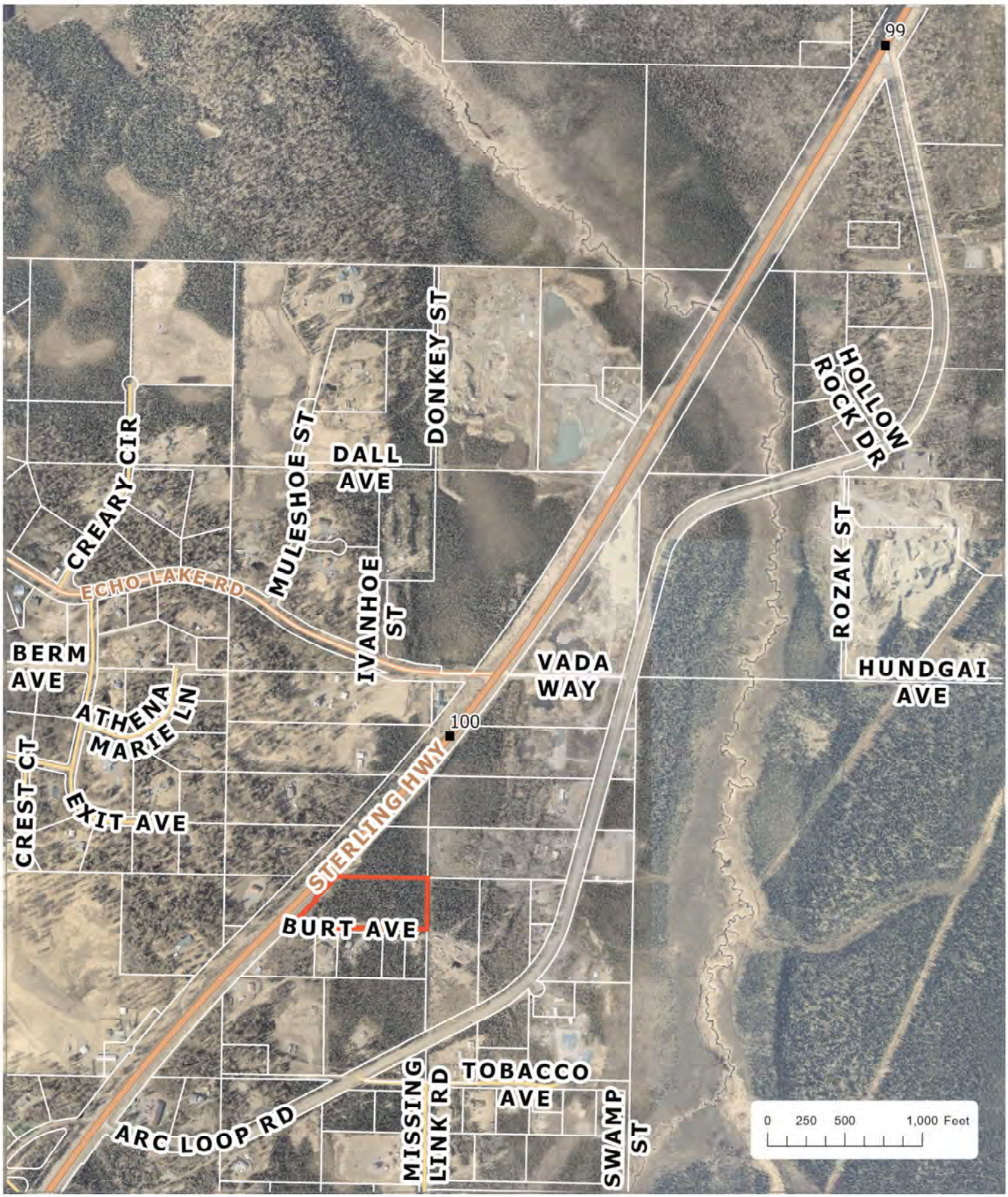
END OF STAFF REPORT

Kenai Peninsula Borough Planning Department

Aerial View

KPB File Number 2022-065

6/3/2022



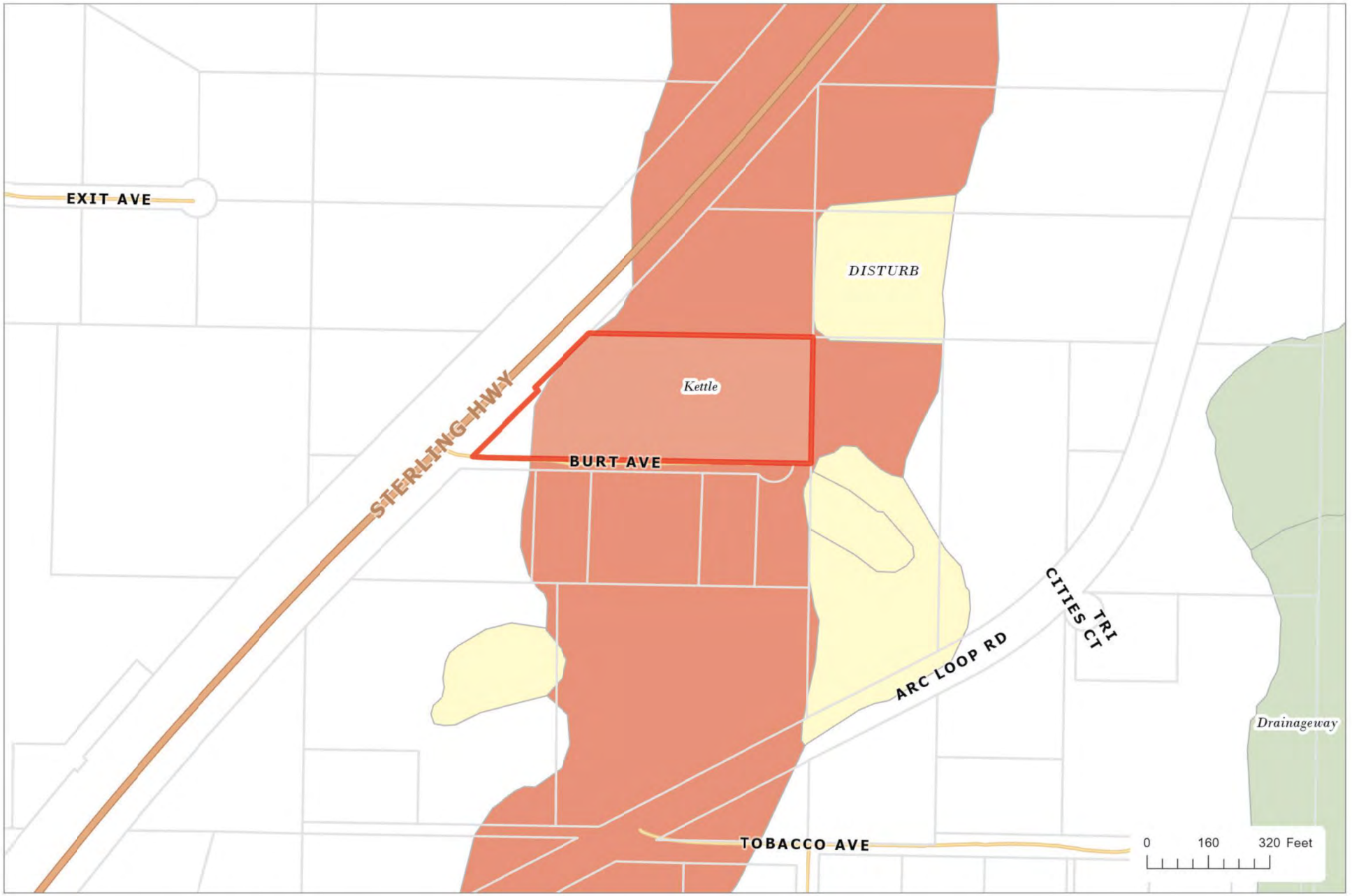
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map

Kenai Peninsula Borough Planning Department

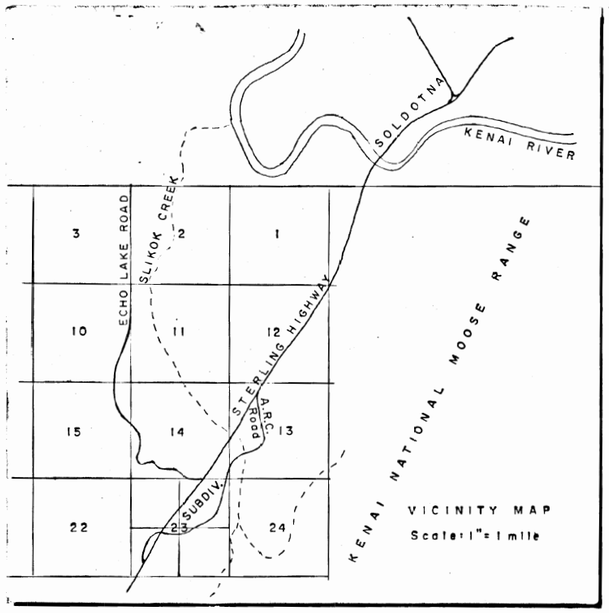
Wetlands

KPB File Number 2022-065

6/3/2022



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.



84-40

RECORDED - FILED 10.00
Kenai REC. DIST.
DATE 3-5 19 84
TIME 9:14 A M
Requested by KPB
Address

CERTIFICATE OF OWNERSHIP & DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND THAT WE ADOPT THIS PLAN OF SUBDIVISION AND DEDICATE TO PUBLIC USE THE ROADWAYS AND EASEMENTS SHOWN.

Alfred H. Derkevorkian, OWNER

Alice G. M. Derkevorkian, OWNER

Fitted Areard, OWNER

M. Hairnisi, OWNER

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 20 DAY OF Sept, 1972.

Wilbur Asher
NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES 11/8/75

PLAT APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION

Stanley F. Thompson — January 22, 1973
PLATTING OFFICER — DATE

NOTES

1. ALL 16 TRACTS SHOWN ARE UNSURVEYED 10 ACRE ALIQUOT PARTS OF SECTION 23, MINUS THE SHADED ROAD RIGHT-OF-WAY AREA FROM EACH.
2. ALL TRACT DIMENSIONS SHOWN ARE SCALED APPROXIMATELY ONLY, AND WILL CHANGE SOME (NORMALLY LESS THAN 1%) AFTER SECTION 23 IS SUBDIVIDED INTO THESE ALIQUOT PARTS BY A FIELD SURVEY.
3. THE STERLING HIGHWAY RIGHT-OF-WAY DATA IS FROM THE 6/1/60 STATE DIVISION OF HIGHWAYS RIGHT-OF WAY PLAT OF PROJECT F-021-1(3), SHEETS 7 AND 8. (KENAI RIVER TO KASILOF RIVER)

NOTARY'S ACKNOWLEDGEMENT

FOR WALLACE CREARY AND ANN CREARY, SUBSCRIBED AND SWORN BEFORE ME THIS 22nd DAY OF FEBRUARY 1984.

Frank Sayer
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: 8/16/85

Wallace Creary
WALLACE CREARY

Ann Creary
ANN CREARY

BOX 212
SOLDOTNA, ALASKA
99669

P.I.

CURVE DATA
Δ = 15°01'30"
D = 0°30'
R = 11,459.2'
T = 1,511.3'
L = 3,005.0'

UNSUBDIVIDED

Echo Lake Road

UNSUBDIVIDED

CURVE DATA
Δ = 14°14' D = 0°30'
R = 11,459.2'
T = 1,430.8'
L = 2,846.7'

S14 1/4 Cor. — Section 940' Line — E1/16 — 725' — 14 | 13 Section Corner — S23 — 23 | 24

33 x 2640' section line roadway easement claimed by State Dept. Hiways

130' ROAD — 260' — R-O-W 50' — 215' — 836.7' from section corner

132' R-O-W — P.O.T. — 68' — 59°53' — 365.5' — 415' — R-O-W 50/50'

TRACT-1 N1/2 N1/2 NW1/4 NE1/4 — 1320' — 330' — (5) 350' — 280' — P.I. — 890' — TRACT-5 N1/2 N1/2 NE1/4 NE1/4 — 342' — (285') (5) — 275'

TRACT-2 S1/2 N1/2 NW1/4 NE1/4 — 1060' — 330' — 425' — 420' — 1065' — TRACT-6 S1/2 N1/2 NE1/4 NE1/4 — 342' — 342' (6) — 330' — 70' — 150'

TRACT-3 N1/2 S1/2 NW1/4 NE1/4 — 770' — 330' — 435' — 435' (3) — 280' — 330' — TRACT-7 N1/2 S1/2 NE1/4 NE1/4 — 980' — 342' — 342' (7) — 330' — 235'

Section 23

TRACT-4 S1/2 S1/2 NW1/4 NE1/4 — 455' — 330' — 455' — 450' — (4) — 585' — 330' — TRACT-8 S1/2 S1/2 NE1/4 NE1/4 — 895' — 342' — 342' (8) — 330' — 320'

C N1/16 — NE1/16 — 330' — 330' — 235' — N1/16

Section Line

(9) 465' — 555.8' — 240' — TRACT-9 N1/2 N1/2 S W1/4 NE1/4 — 330' — 885' — 330' — (15) 645' — TRACT-15 NE1/4 SE1/4 NE1/4 — 660' — 595'

(10) 185' — 130' — 132' — P.C. — 80' — 460' — TRACT-10 S1/2 N1/2 S W1/4 NE1/4 — 330' — 1205' — 845' — TRACT-13 W1/2 W1/2 SE1/4 NE1/4 — TRACT-14 E1/2 W1/2 SE1/4 NE1/4 — 720' — easement — 585'

STERLING HIGHWAY — 420' — 110' — 20' powerline

545' — 660' — 175' — 530' — 360' — 375' — 395' — 580' — 660' — 2640'

TRACT-11 SW1/4 SW1/4 NE1/4 — 660' — TRACT-12 SE1/4 SW1/4 NE1/4 — 565' — 385' — (12) 185' — 165' — 30' R-O-W — (13) — 365' — (14) — TRACT-16 SE1/4 SE1/4 NE1/4

C1/4 — 660' — 340' — 330' — 330' — 73-4 660' — 1/4 Cor.

Centerline of — enterline (CE1/16) of — Section 23

H.E.A. transmission line — 150'/50' tree clearing easement — 100' utility easement

212' R-O-W deeded to State in 1959 (K.R.D. deed book 13, pages 4,5,6)

20' x 2640' utility easement

A.R.C. ROAD 50/50' R-O-W (located from airphoto)

UNSUBDIVIDED

UNSUBDIVIDED

RECORDED - FILED
Kenai REC. DIST.
DATE 6-20-73
TIME 1:52 P M
Requested by KDB
Address

AMENDED

D. & J. SUBDIVISION

160 ACRES IN NE1/4 OF SECTION 23 IN T4N, R11W, S.M.
OWNER: ALFRED DERKEVORKIAN, BOX 428, SOLDOTNA, AK.
SURVEYOR: C. L. PARKER, R.L.S. 237, SOLDOTNA
SEPTEMBER, 1970 — SCALE: 1"=200'

AMENDMENT / NOTARY'S ACKNOWLEDGEMENT and TWO SIGNATURE LINES

STATE OF ALASKA
49TH
C. L. Parker
NO 237 S
REGISTERED LAND SURVEYOR

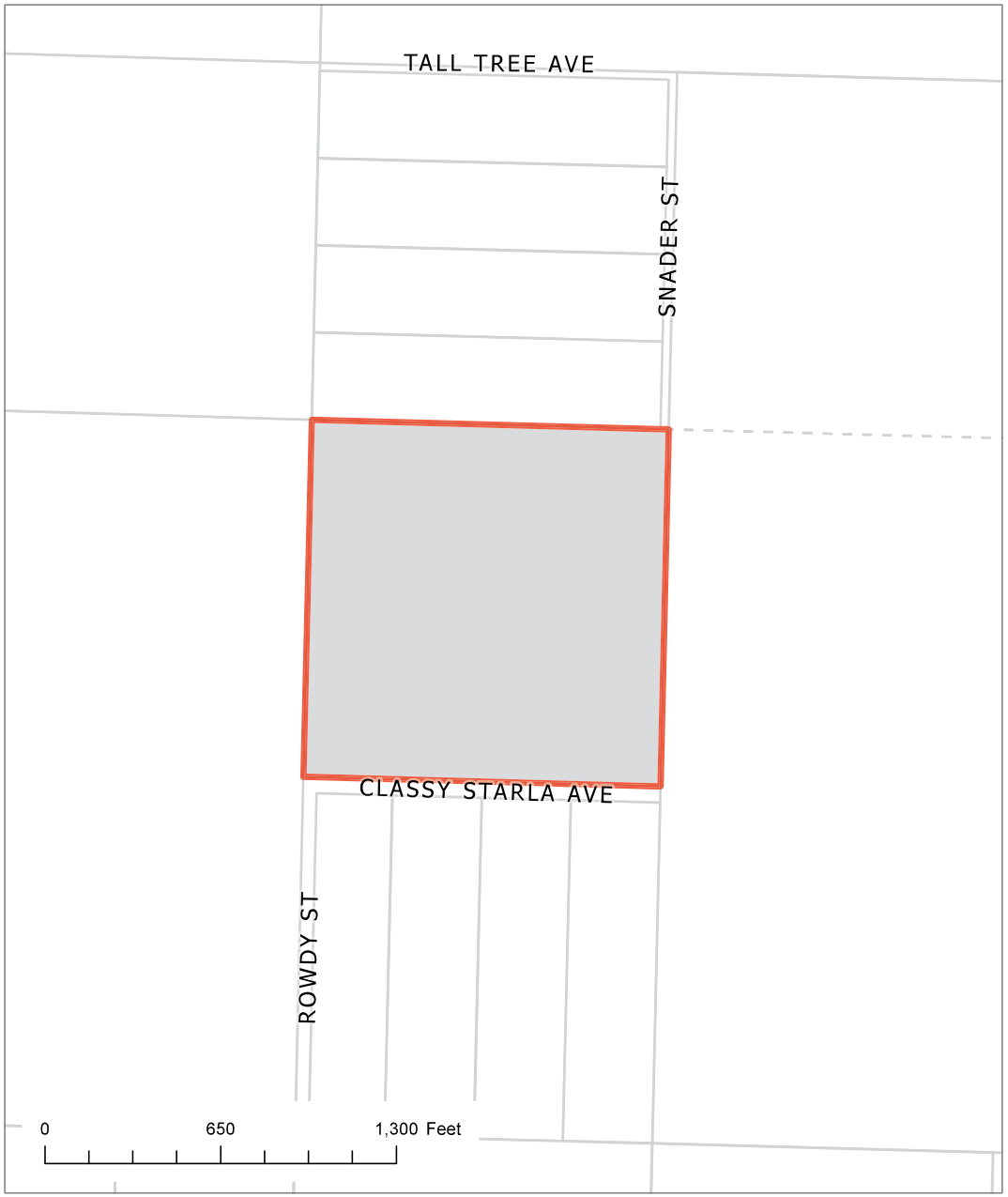
E. NEW BUSINESS

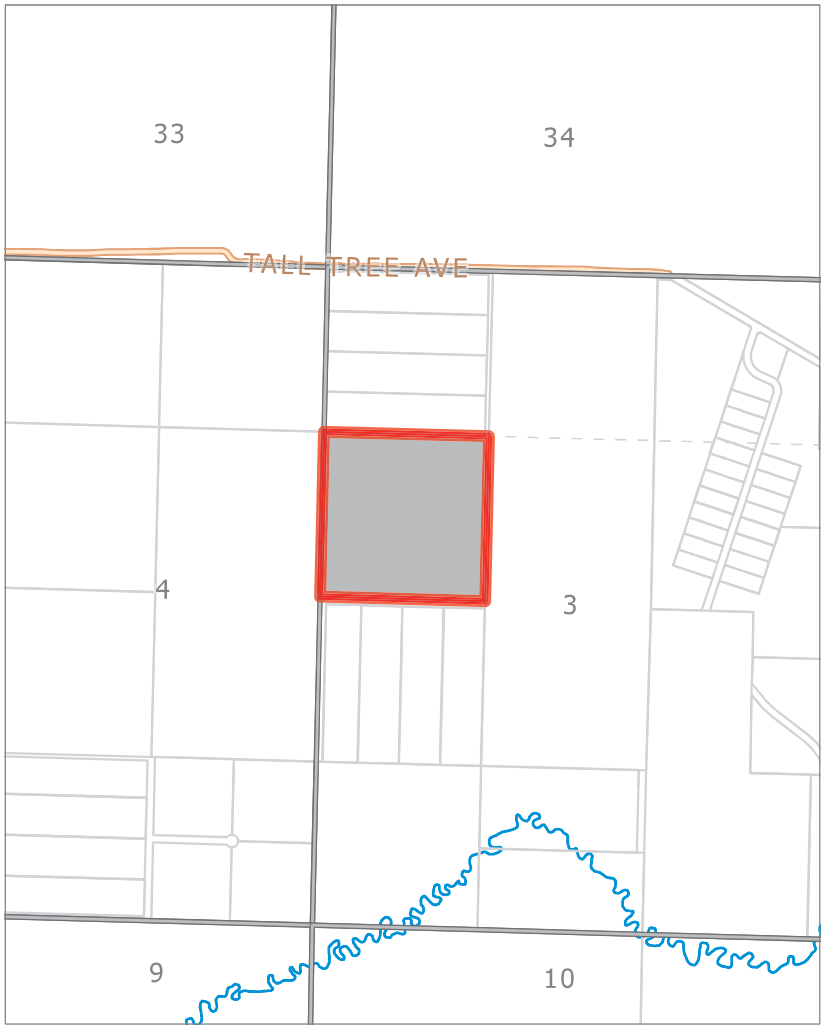
3. Monk Acres; KPB File 2022-071
Peninsula Surveying LLC / Monk
Location: Snader Street & Classy Starla Avenue
Anchor Point Area / Anchor Point APC

Kenai Peninsula Borough Planning Department

Vicinity Map

5/20/2022





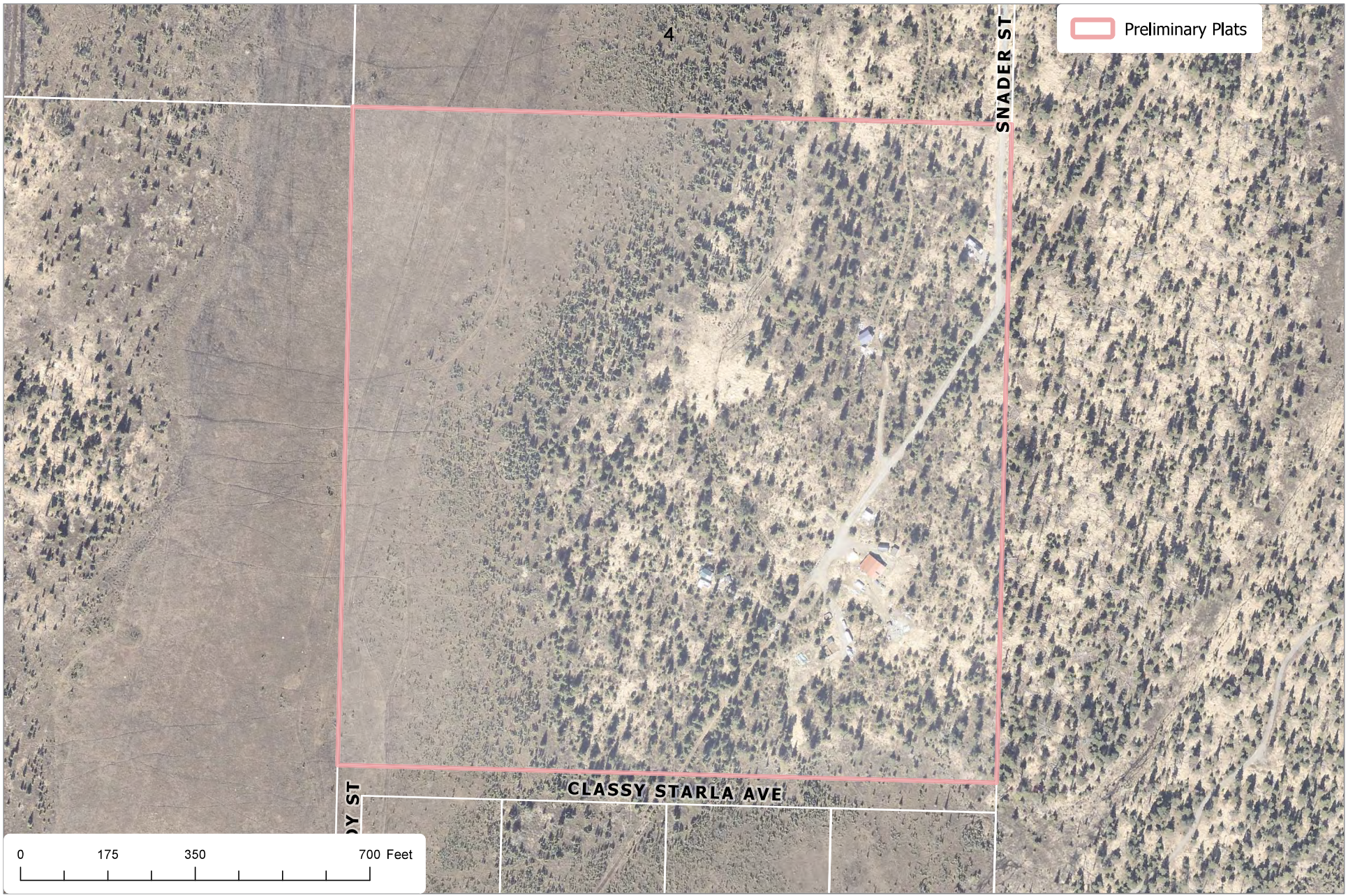
KPB File # 2022-071
S03 T04S R14W
Anchor Point

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.

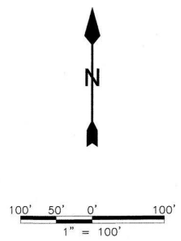
Kenai Peninsula Borough Planning Department

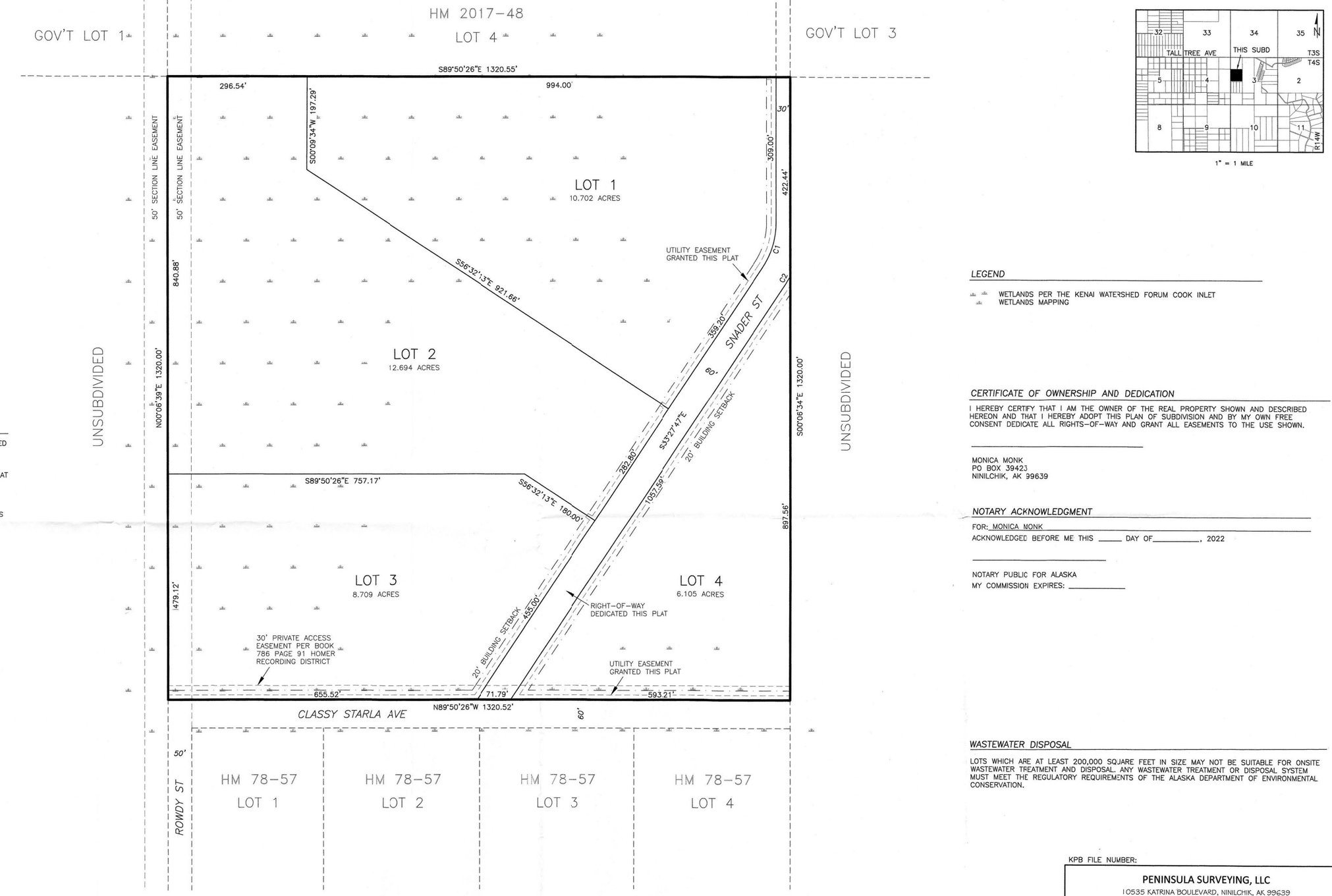
Aerial Map

KPB File Number 2022-071
5/20/2022



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.





LEGEND

WETLANDS PER THE KENAI WATERSHED FORUM COOK INLET WETLANDS MAPPING

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

MONICA MONK
PO BOX 39423
NINILCHIK, AK 99639

NOTARY ACKNOWLEDGMENT

FOR: MONICA MONK

ACKNOWLEDGED BEFORE ME THIS _____ DAY OF_____, 2022

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES: _____

CERTIFICATE OF ACCEPTANCE

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPT 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:

SNADER STREET RIGHT-OF-WAY

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

BY: _____ DATE: _____

PLAT APPROVAL

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

KENAI PENINSULA BOROUGH

BY: _____

AUTHORIZED OFFICIAL

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.

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA ANGLE	TANGENT	CHORD	CHORD BEARING
C1	99.61	170.00	33°34'21"	51.28	98.19	N16°40'36"E
C2	15.98	230.00	3°58'50"	7.99	15.98	N31°28'22"E

NOTES

1. A BUILDING SETBACK OF 20' IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION. THE FRONT 10' OF THE BUILDING SETBACK AND THE ENTIRE SETBACK WITHIN 5' OF THE SIDE LOT LINES IS ALSO A UTILITY EASEMENT.
2. 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.
3. 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.
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).



KPB 2022-071

KPB FILE NUMBER:

PENINSULA SURVEYING, LLC
10535 KATRINA BOULEVARD, NINILCHIK, AK 99639
(907)306-7065

PLAT OF
MONK ACRES

A SUBDIVISION OF
SW1/4 NW1/4 SEC. 3, T.4S., R14W., S.M.
HOMER RECORDING DISTRICT, KENAI PENINSULA BOROUGH
CONTAINING 39.996 ACRES

OWNER: MONICA MONK
PO BOX 39423, NINILCHIK, AK 99639

SCALE: 1" = 100' | DATE: MAY 17, 2022

DRAWN: JLS | SHEET: 1 OF 1

AGENDA ITEM E. NEW BUSINESS

ITEM 3 - MONK ACRES

KPB File No.	2022-071
Plat Committee Meeting:	June 13, 2022
Applicant / Owner:	Monica Monk of Ninilchik, AK
Surveyor:	Jason Schollenberg / Peninsula Surveying LLC
General Location:	Tall Tree Avenue, Anchor Point /Anchor Point APC

Parent Parcel No.:	165-030-47
Legal Description:	SW1/4 NW1/4 Section 3, Township 4 South, Range 14 West
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 40 acre parcel into four lots ranging in size from 6.105 acres to 12.694 acres. A right-of-way dedication is proposed.

Location and Legal Access (existing and proposed): Near mile 150 of the Sterling Highway is Tall Tree Avenue. Tall Tree Avenue is a varying width right-of-way. The right-of-way coincides with section line easements and some portions have not been dedicated at this time. The Kenai Peninsula Borough maintains the first 1.5 miles of Tall Tree Avenue. A constructed Tall Tree Avenue continues to the east and the proposed subdivision is about 2.5 miles from the end of the maintained portion. Snader Street, off Tall Tree Avenue, is a 30 foot wide dedication that provides access to the subdivision from the north. This plat is proposing to dedicate a northern 30 foot wide portion and a 60 foot diagonal portion over the existing travelway. This will provide a connection to dedicated 60 foot wide Classy Starla Avenue, which is not constructed. The new lots will have access from the newly dedicated Sander Street.

A 50 foot wide section line easement is located along the western boundary with an adjacent 50 foot to allow for a 100 foot easement. An exception has been requested to 20.30.030 to not dedicate atop the section line easement.

The area contains many large acreage tracts with trails being used for access. The block will be closed for the western portion if section line easements are used but the lengths will not be compliant north and south. Lot 4 will be within a block that is not closed. The subdivision to the north was granted exceptions to KPB code for block length and street dedications on September 11, 2017. They were not required to dedicate an east-west right-of-way to provide a compliant block. The subdivision is providing dedications atop existing travelways, there are wetlands along the west. An exception for block length has been received as well as request to not dedicate right-of-way along the northern boundary.

A private access easement was granted by document and is depicted and labeled along the southern boundary the subdivision. ***Staff recommends*** *the book and page numbers must be corrected to Book 91 and Page 786.*

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

Site Investigation: There does not appear to be any steep slopes present within the subdivision boundary. Low wet areas are present and are depicted on the final plat. The correct wetland determination note is present. ***Staff recommends*** *the wetland depiction remain on the final plat.*

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 subdivision of an aliquot piece of property with an existing travelway present.

Due to the size of the lots a soils report will not be required. The correct wastewater disposal note is present.

There are several structures present on the property. It does appear that all should be clear of property lines but when the field survey is performed this should be verified. If a structure crosses a property line, the line must be adjusted to not create an encroachment.

There are several items that can be seen along the proposed dedications. If any of these are non-permanent items, they should be removed from the right-of-way prior to finalization of the plat. Any permanent structures within the proposed right-of-way will not be allowed. The right-of-way will either need to be adjusted or the buildings relocated prior to recording of the plat. When the field survey is performed all structure and improvement locations should be documented. If the surveyor finds no issues, provide a written statement stating there will be no encroachments. If some encroachments are detected an as-built will be required prior to administrative approval that shows all encroachments issues have been resolved.

If any structures will be within the setback or utility easements that will be created by this plat, the structures should be depicted on the final and appropriate notes added that states the structures pre-date the setback or utility 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.

Anchor Point Advisory Planning Commission minutes were not available when the staff report was prepared (KPB 21.02.020). These will be provided with the desk packet if available.

Utility Easements There are no previously platted utility easements. The certificate to plat did not indicate any easements have been issued by recorded document.

The plat is proposing to grant 10 foot utility easements along the dedicated rights-of-way that will increase to 20 feet within 5 feet of the side lot lines. The depiction is present and includes “granted this plat”. ***Staff recommends*** *the plat note be revised to state “The front 10 feet adjoining dedicated rights-of-way that increase to 20 feet within 5 feet of the side lot lines is granted as utility easement by this plat.”*

The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Staff recommends** to grant utility easements requested by the utility providers or work with the utility providers to obtain approval.

Utility provider review:

HEA	
ENSTAR	
ACS	No objections
GCI	

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 28251 SNADER ST Existing Street Names are Correct: Yes List of Correct Street Names: SNADER ST CLASSY STARLA AVE ROWDY ST Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: 28251 SNADER ST will be deleted and new addresses assigned.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat.
Assessing	Reviewer: Wilcox, Adeena Comments: No comment

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.*

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: *Include an additional label for width and street name for Snader Street located north of the subdivision.*

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.*

20.30.150. Streets-Intersection requirements.

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

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

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

D. Intersections of access streets with arterial streets or state maintained roads must be designed to the American Association of State Highway and Transportation Officials (AASHTO) standards.
Staff recommendation: *Verify the angle at the Snader Street and Classy Starla Avenue intersection. Staff finds that it is approximately 57 degrees. If the angle is less than 60 degrees, provide a compliant intersection.*

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: Due to the size of lots, a soils report will not be required. Correct plat note is present.
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.*

- *A note for any exceptions granted.*
- *Additional notes may be required if any possible encroachments are found within the setbacks or utility easements.*

EXCEPTIONS REQUESTED:

KPB 20.30.030 – Proposed street layout-Requirements and KPB 20.30.170 – Blocks-length requirements
Dedicating the 50' section line easement along the west and providing a dedication on the northern boundary

Surveyor's Discussion: The property is in a fairly remote area near the end of Tall Tree Avenue. There are many large tracts of land in the area. There is an existing road form the end of Snader Street that goes through the property all the way to the southern boundary, where it intersects Classy Starla Avenue. This road will be dedicated with the new plat. The entire length of the section line easement is in a swampy wet area it is unlikely that a road would ever be constructed along the easement. The north boundary is also mostly wetlands. It is unlikely that a road would ever be constructed in these areas.

Staff Discussion: Staff grouped the two exceptions. If the plat committee wishes to address separately, two motions will be required. The block is closed within the western portion of the subdivision if the section line easements are used. A dedication along the western boundary will not change any access currently available. The dedication along the north would bring the block into compliance but would go through wet areas. The lot to the north of the subdivision as well as the ones within this subdivision are all large enough to be replatted and can grant additional right-of-way at that time.

Findings:

1. The block is defined by section line easements, Tall Tree Avenue, Sander Street, and Classy Starla Avenue.
2. This is a recreational area.
3. Multiple structures are located within the subject property as well as neighboring lots.
4. The western portion of the subdivision contains low wet areas.
5. Per the Kenai Watershed Forum Wetlands Assessment, the western portion of the subdivision contains Lakebed and Drainageway.
6. The lots being created are large enough to be further subdivided.
7. The block exceeds allowable limits.
8. A dedication along the northern boundary will provide compliant blocks for the property to the north and the western portion of this subdivision.
9. The plat to the north did not require a dedication along the southern boundary that would abut the subject preliminary plat.
10. Exceptions to block length and dedications were granted to the northern plat by the KPB Plat Committee on September 11, 2017.
11. No surrounding properties will be denied access or utilities.

Denial of the exception will require a dedication along the northern and western boundaries.

Staff reviewed the exception request and recommends granting approval.

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

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

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

1. That special circumstances or conditions affecting the property have been shown by application;
   Findings 1-6 and 9-11 appear to support this standard.

2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
Findings 1-6 and 9-11 appear to support this standard.

3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
Findings 1-6 and 9-11 appear to support this standard.

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

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.

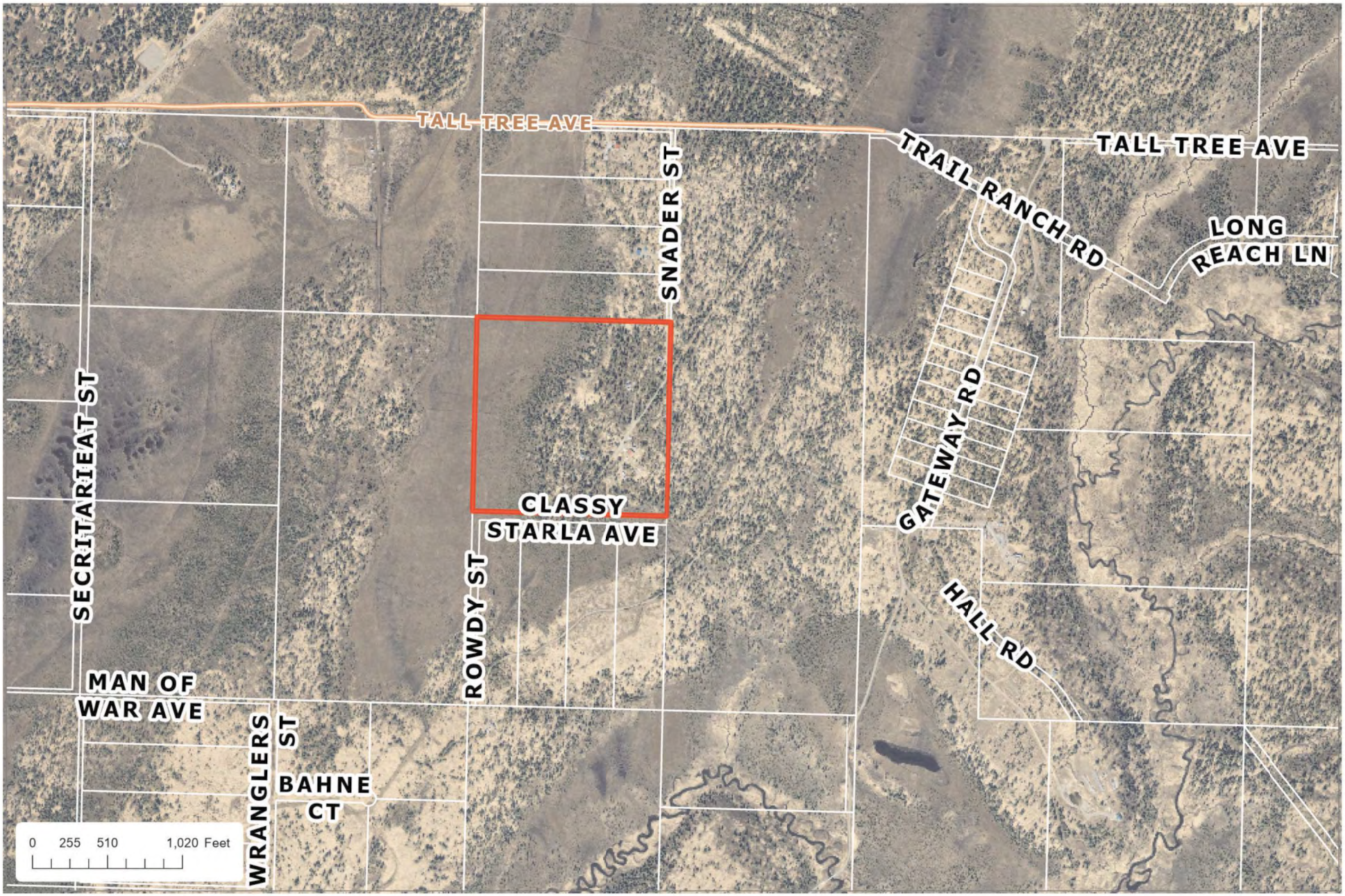
END OF STAFF REPORT

Kenai Peninsula Borough Planning Department

Aerial

KPB File Number 2022-071

6/3/2022



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.

Kenai Peninsula Borough Planning Department

Wetlands

KPB File Number 2022-071

6/3/2022



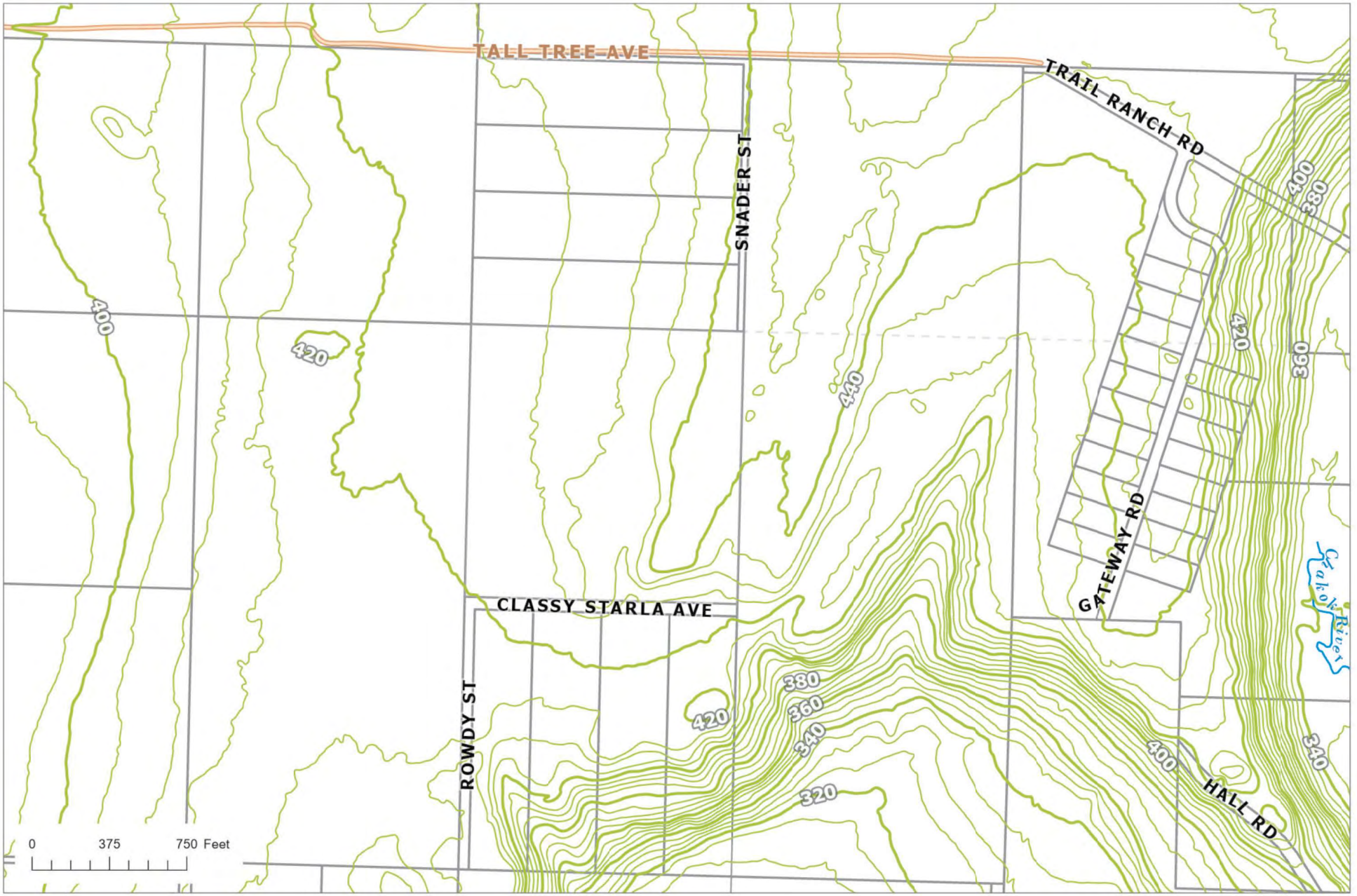
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

Kenai Peninsula Borough Planning Department

5-foot Contours

KPB File Number 2022-014

6/3/2022



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.

DESK PACKET ITEMS

(Items received after the publishing of the meeting packet on 6/7/22)

3. **Monk Acres; KPB File 2022-071**
   Peninsula Surveying LLC / Monk
   Location: Snader Street & Classy Starla Avenue
   Anchor Point Area / Anchor Point APC

Anchor Point Advisory Planning Commission

Meeting Minutes: June 9, 2022

Call to Order: Meeting called to order at 7:00 pm

Roll Call: Dawson Slaughter, John Cox, Maria Bernier and Donna White were present.

Approval of April 7, 2022 minutes. Minutes approved with language correction.

Approval of Agenda: It was noted that it was too late to provide input to the KPB on the Old Business items, so they were deleted from the agenda.

Correspondence: None

Public Comment: None

Reports from Borough: Ryan Raidmae was present telephonically.
We did discuss the budget request for internet access for zoom meetings. The Borough will not fund internet access, but could provide rental $ for a location that does have internet access.

Old Business:

New Business:

A. Plat Prelim. KPB 2022-066
Donna White made a motion to recommend approval of this plat to the Borough. Maria Bernier seconded. The motion passed.

B. Plat Prelim. KPB 2022-071
Donna White made the motion to recommend approval to the Borough. John Cox seconded. The motion passed.

Announcements: None

Next Regular Meeting: July 14, 2022

Commissioner's comments: John Cox questioned the Boroughs procedure for subdividing private property. Currently, the property owner is required to have land surveyed at quite an expense prior to being submitted to the Borough for approval. If the subdivision is not approved, the land owner has paid thousands of dollars for nothing. Why couldn't the Borough give a temporary approval prior to the outlay of money by the private property owner?

Quainton, Madeleine

From: Planning Dept,
Sent: Thursday, June 9, 2022 6:07 AM
To: Quainton, Madeleine; Hindman, Julie
Subject: FW: <EXTERNAL-SENDER>KPB File No 2022-071

From: jeff kirchner <jkemprise@gmail.com>
Sent: Wednesday, June 8, 2022 6:38 PM
To: Planning Dept, <planning@kpb.us>
Subject: <EXTERNAL-SENDER>KPB File No 2022-071

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.

I am writing regarding the request 2022-071 to create four lots from one parcel, submitted by Monica Monk.

I have reviewed Ms Monk's request and have no objection.

Jeff Kirchner
67187 Tall Tree Ave
Anchor Point AK
907-671-6130

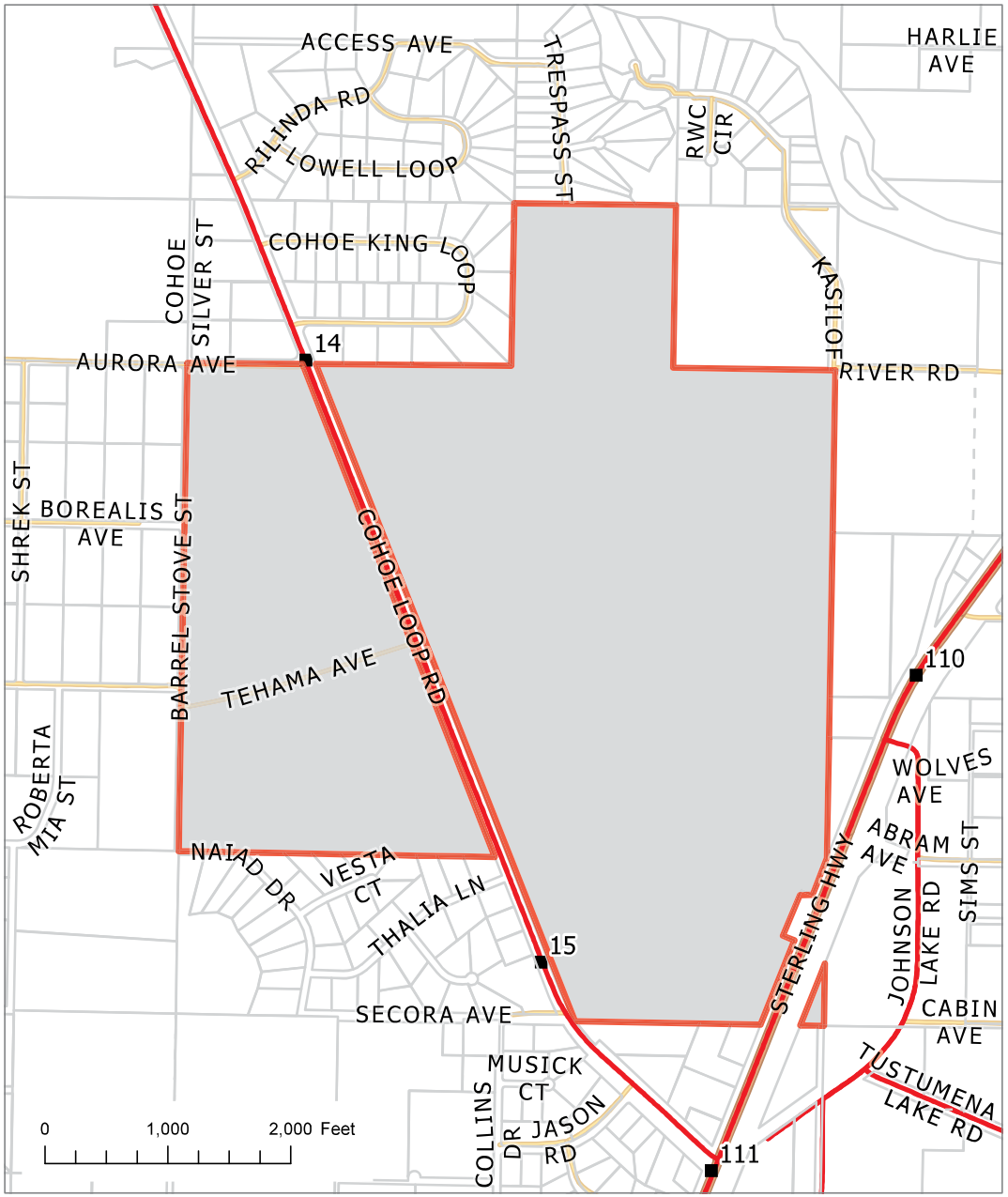
E. NEW BUSINESS

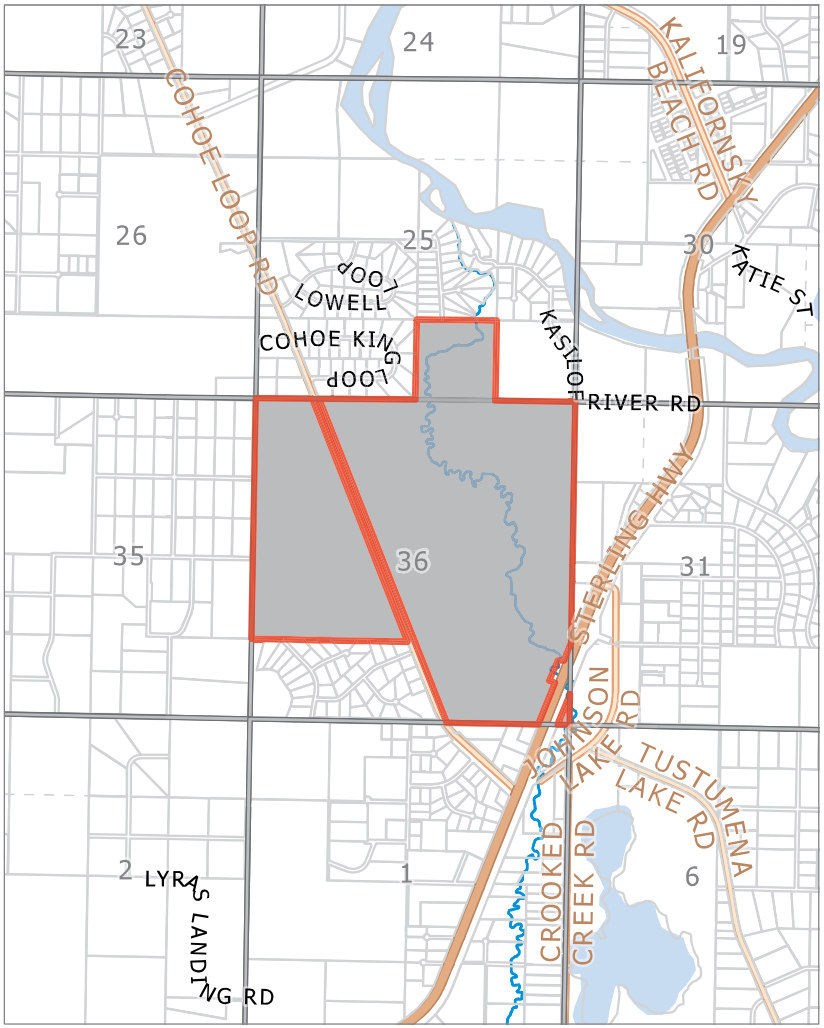
4. ASLS No. 2021-25 Tip Levarg Subdivision; KPB File 2022-072
McLane Consulting Group / State of Alaska DNR
Location: Cohoe Loop Rd., Barrel Stove St., Aurora Ave., Tehama Ave. & Sterling Hwy.
Cohoe Area

Kenai Peninsula Borough Planning Department

Vicinity Map

5/23/2022





KPB File # 2022-072
S36 T03N R12W
Cohoe

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.

Kenai Peninsula Borough Planning Department

Aerial View

KPB 2022-072
5/23/2022



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

SEE SHEET 2

SEE SHEET 3

NOTES:

1. THIS SURVEY WAS ACCOMPLISHED IN ACCORDANCE WITH AS 38.04.045, GSC 852, AND SSI ASLS No. 2021-25.
2. THE ERROR OF CLOSURE OF THIS SURVEY DOES NOT EXCEED 1:5000 AND/OR CORNER POSITIONS HAVE A RELATIVE POSITIONAL ACCURACY AT THE 95 PERCENT CONFIDENCE LEVEL OF 0.13 FEET PLUS 100 ppm.
3. ALL BEARINGS SHOWN ARE TRUE BEARINGS AS ORIENTED TO THE BASIS OF BEARING AND DISTANCES SHOWN ARE REDUCED TO HORIZONTAL FIELD DISTANCES.
4. THE BASIS OF BEARINGS: (S00°00'06"W KN90-32) FOR THIS PLAT IS BETWEEN THE FOUND ¼ AND N¼ CORNERS ON THE EAST PROPERTY BOUNDARY AND COMMON TO S36-T3N-R12W-SM AND S31-T3N-R11W-SM, ALASKA AS SHOWN HEREON.
5. THE COORDINATES USED ARE BASED ON AVERAGE NGS OPUS SOLUTIONS AND ARE CONSTRAINED TO THE NATIONAL SPATIAL REFERENCE SYSTEM USING CORS STATIONS "ACS1", "AC39" & "MCES".
6. WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS SHALL BE PERMITTED ONLY IN CONFORMANCE WITH APPLICABLE REQUIREMENTS OF 18 AAC 72 AND 18 AAC 80.
7. BUILDING SETBACK- A BUILDING SETBACK OF 20 FEET IS REQUIRED FROM ALL DEDICATED RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
8. THE 20 FOOT BUILDING SETBACK IS ALSO A UTILITY EASEMENT.
9. 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.
10. NO DIRECT ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES.
11. 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.
12. 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.
13. 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.
14. ALL PARCELS OF LAND OWNED BY THE STATE OF ALASKA, LOCATED WITHIN 50.00 FEET OF, OR BISECTED BY A SURVEYED OR PROTRACTED SECTION LINE, ARE SUBJECT TO A 50.00 FOOT (50') EASEMENT, EACH SIDE OF THE SECTION LINE, WHICH IS RESERVED TO THE STATE OF ALASKA FOR PUBLIC HIGHWAYS UNDER AS 19.10.010.
15. THIS PARCEL MAY BE AFFECTED BY THE FOLLOWING:
    - 15.1. ADL 209352; A 60 FOOT PUBLIC ACCESS EASEMENT OVERLAYING TEHAMA AVENUE AND DEDICATED PER THIS PLAT.
    - 15.2. ADL 228162; A 35 FOOT PIPELINE EASEMENT FOR KENAI KACHEMAK PIPELINE SHOWN ON RECORD OF SURVEY KN2007-17
    - 15.3. ADL 34494; A 100 FOOT UTILITY EASEMENT TO HOMER ELECTRIC ASSOCIATION SHOWN PER DOCUMENT No. 2019-000154-0 KENAI RECORDING DISTRICT.

RETRIEVAL DATE 5/13/2022

VICINITY MAP
Scale 1" = 1 Mile
SOURCE: KENAI PENINSULA BOROUGH

BASIS OF COORDINATES
NAD83(2011)(EPOCH2010.0000)
TIP #1
ADOT GPS No. 29 KN2016-35
NGS OPUS SOLUTION
ASP NAD83, ZONE 4
N: 2,306,255.71
E: 1,410,643.86
NAD83, GEOGRAPHIC
LAT.: N 60°18'24.69870"
LONG.: W 151°16'01.32697"

DETAIL CS1/16
FROM SHEET 3 OF 4
SCALE: 1" = 40'

DETAIL (INT.)
SCALE: 1" = 40'

DETAIL STERLING HWY
SCALE: 1" = 100'

SCALE
0 150 300 450 750 950 1350 FEET
150 300 METERS
1 METER = 3.280833 U.S. SURVEY FEET 1 U.S. ACRE = 0.4047 HECTARE

LEGEND

FOUND GLO/BLM MONUMENT	SURVEYED	(R1)	RECORD PER PLAT KN90-32
FOUND PRIMARY MONUMENT AS DESCRIBED	UNSURVEYED	(R2)	RECORD PER PLAT KN2021-2
SET PRIMARY MONUMENT: SEE TYPICAL ON SHEET 4	SECTION LINE EASEMENT PER AS19.10.010	(R3)	RECORD PER PLAT KN86-205
FOUND SECONDARY MONUMENT AS DESCRIBED	UTILITY EASEMENT AS NOTED	(R4)	RECORD PER PLAT KN78-103
SET SECONDARY MONUMENT 5/8"x30" REBAR w/ 1-1/2" ALCAP 85032-S	SECTIONAL LINE	(R5)	RECORD PER PLAT KN85-139
ADOT 6x6 R/W MONUMENT	BUILDING SET3ACK AND UTILITY EASEMENT	(R6)	RECORD PER PLAT KN89-23
	(115) MONUMENT IDENTIFIER	SLE	SECTION LINE EASEMENT PER AS19.10.010
	AREA SUBJECT TO INUNDATION		CONTOUR INTERVAL = 4'

STATE OF ALASKA 49TH
JAMES A. HALL 85032-S
REGISTERED PROFESSIONAL LAND SURVEYOR

DATE OF SURVEY: BEGINNING 3/2022 ENDING 9/2022

SURVEYOR: 907-283-4218
McLANE CONSULTING INC.
38240 KENAI SPUR HWY
SOLDOTNA, AK 99669
LICENSE # AECC981

McLANE Consulting Inc

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER
ANCHORAGE, ALASKA

ALASKA STATE LAND SURVEY No. 2021-25
TIP LEVARG SUBDIVISION

A SUBDIVISION OF SECTION 36, TOWNSHIP 3 NORTH, RANGE 12 WEST, SEWARD MERIDIAN, ALASKA EXCLUDING RHODES ESTATES AMENDED (KN86-205)

CREATING LOTS 1 - 7 BLOCK 1, LOTS 1 - 13 BLOCK 2, LOTS 1 - 19 BLOCK 3, LOTS 1 -17 BLOCK 4, LOTS 1 - 14 BLOCK 5 AND TRACTS A, B & C CONTAINING 544.704 ACRES MORE OR LESS

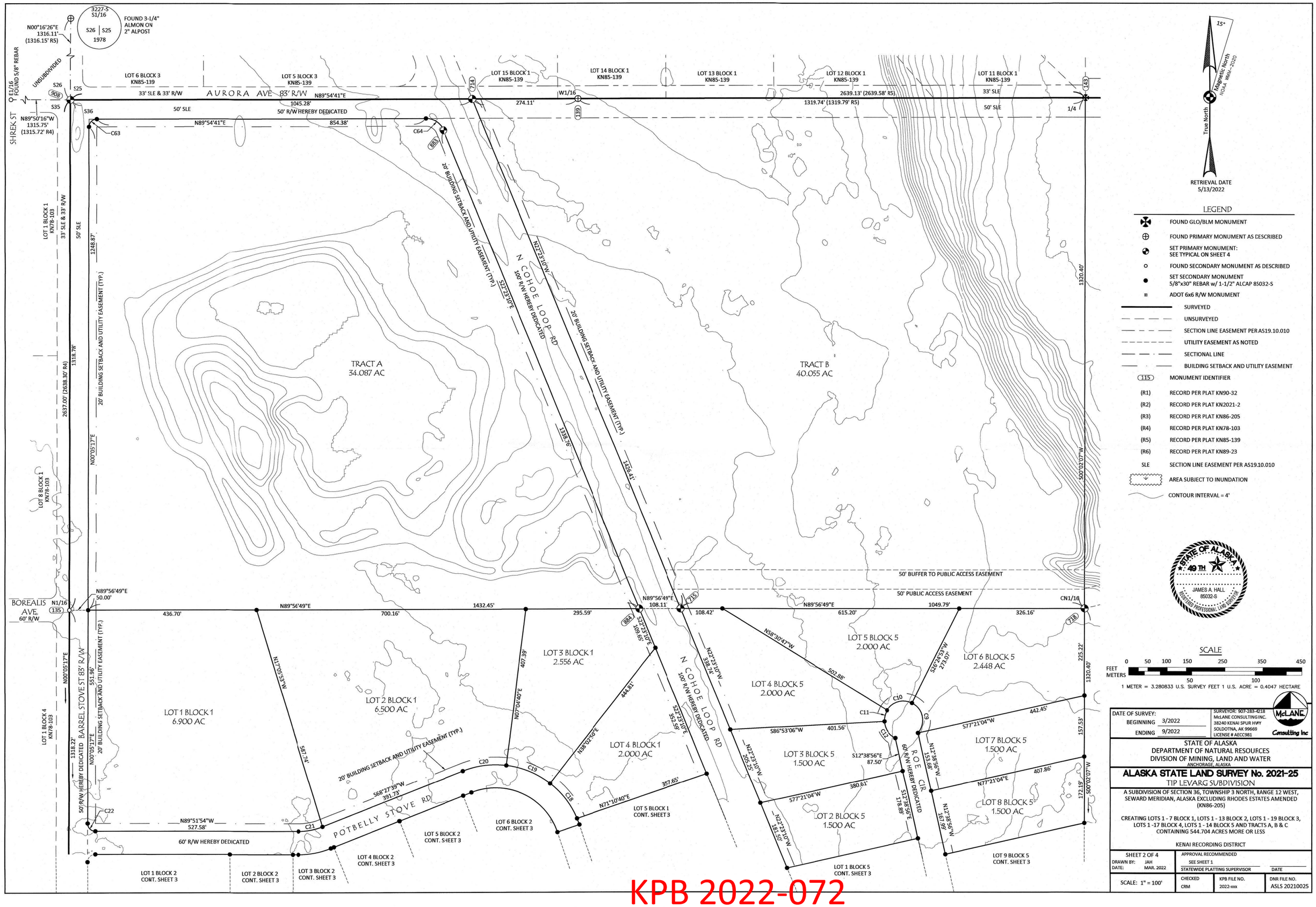
KENAI RECORDING DISTRICT

SHEET 1 OF 4	APPROVAL RECOMMENDED		
DRAWN BY: JAH DATE: MAR. 2022	STATEWIDE PLATTING SUPERVISOR		DATE
SCALE: 1" = 300'	CHECKED CRM	KPB FILE NO. 2022-xxx	DNR FILE NO. ASLS 20210025

KPB 2022-072

E4-3

09



LEGEND

- FOUND GLO/BLM MONUMENT
- FOUND PRIMARY MONUMENT AS DESCRIBED
- SET PRIMARY MONUMENT: SEE TYPICAL ON SHEET 4
- FOUND SECONDARY MONUMENT AS DESCRIBED
- SET SECONDARY MONUMENT 5/8"x30" REBAR w/ 1-1/2" ALCAP 85032-S
- ADOT 6x6 R/W MONUMENT
- SURVEYED
- UNSURVEYED
- SECTION LINE EASEMENT PER AS19.10.010
- UTILITY EASEMENT AS NOTED
- SECTIONAL LINE
- BUILDING SETBACK AND UTILITY EASEMENT
- (115) MONUMENT IDENTIFIER
- (R1) RECORD PER PLAT KN90-32
- (R2) RECORD PER PLAT KN2021-2
- (R3) RECORD PER PLAT KN86-205
- (R4) RECORD PER PLAT KN78-103
- (R5) RECORD PER PLAT KN85-139
- (R6) RECORD PER PLAT KN89-23
- SLE SECTION LINE EASEMENT PER AS19.10.010
- AREA SUBJECT TO INUNDATION
- CONTOUR INTERVAL = 4'

STATE OF ALASKA 49TH
JAMES A. HALL
85032-S
REGISTERED PROFESSIONAL LAND SURVEYOR

SCALE

0 50 100 150 250 350 450
FEET
METERS
50 100

1 METER = 3.280833 U.S. SURVEY FEET 1 U.S. ACRE = 0.4047 HECTARE

DATE OF SURVEY:		SURVEYOR: 907-283-4218
BEGINNING	3/2022	McLANE CONSULTING INC.
ENDING	9/2022	38240 KENAI SPUR HWY
		SOLDOTNA, AK 99669
		LICENSE # AECC981

McLANE Consulting Inc

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER
ANCHORAGE, ALASKA

ALASKA STATE LAND SURVEY No. 2021-25

TIP LEVARG SUBDIVISION

A SUBDIVISION OF SECTION 36, TOWNSHIP 3 NORTH, RANGE 12 WEST, SEWARD MERIDIAN, ALASKA EXCLUDING RHODES ESTATES AMENDED (KN86-205)

CREATING LOTS 1 - 7 BLOCK 1, LOTS 1 - 13 BLOCK 2, LOTS 1 - 19 BLOCK 3, LOTS 1 -17 BLOCK 4, LOTS 1 - 14 BLOCK 5 AND TRACTS A, B & C CONTAINING 544.704 ACRES MORE OR LESS

KENAI RECORDING DISTRICT

SHEET 2 OF 4	APPROVAL RECOMMENDED	
DRAWN BY: JAH	SEE SHEET 1	
DATE: MAR. 2022	STATEWIDE PLATTING SUPERVISOR	DATE
SCALE: 1" = 100'	CHECKED CRM	KPB FILE NO. 2022-xxx
		DNR FILE NO. ASLS 20210025

KPB 2022-072

E4-4



KPB 2022-072
E4-5

REFERENCE TABLE - SET PRIMARY MONUMENTS THIS SURVEY

MON #		DESC	BEARING TO	DISTANCE
111	SOA ASLS 2021-25 / TR B / RW / L2B / 85032-S 2022	FOUND 1/2" REBAR RE-SET w/ PRIMARY MONUMENT	MON # 110	N 89° 59' 41" E	509.73'
			ADOT R/W MON	N 20° 37' E	198.7'
707	SOA ASLS 2021-25 / TR C / RW / RW / 85032-S 2022	FOUND 1/2" REBAR RE-SET w/ PRIMARY MONUMENT	SET SECONDARY MONUMENT	S 27° 27' E	204.3'
			SET SECONDARY MONUMENT	S 33° 42' E	245.7'
708	SOA ASLS 2021-25 / L10 B4 / RW / L1 / 85032-S 2022	FOUND 1/2" DISTURBED REBAR RE-SET w/ PRIMARY MONUMENT	MON # 906	N 36° 17' E	117.1'
			POWER POLE	N 72° 58' E	6.9'
			POWER POLE	S 24° 52' E	166.3'
714	SOA ASLS 2021-25 / L15 B1 / RW / TR B / 85032-S 2022	SET PRIMARY MONUMENT	FOUND 1-1/2" ALCAP LS-5152 1985	N 55° 54' W	182.1'
			MON # 883	S 42° 39' W	110.3'
715	SOA ASLS 2021-25 / TR B / RW / L4 B5 / 85032-S 2022	SET PRIMARY MONUMENT	MON # 884	S 89° 57' W	108.1'
			SET SECONDARY MONUMENT	N 89° 57' E	108.4'
718	SOA ASLS 2021-25 CN1/16 S36 / L6 B5 / TR B / 85032-S 2022	SET PRIMARY MONUMENT	SET SECONDARY MONUMENT	S 89° 57' W	326.2'
			SET SECONDARY MONUMENT	S 00° 02' W	225.2'
724	SOA ASLS 2021-25 / E1/16 S36 T3N S1 T2N / 85032-S 2022	SET PRIMARY MONUMENT	MON # 111	N 89° 59' 41" E	811.9'
			MON # 113	S 89° 59' 41" W	704.6'
822	SOA ASLS 2021-25 / B3 / L12 L11 / RW / 85032-S 2022	SET PRIMARY MONUMENT	SET SECONDARY MONUMENT	S 86° 05' W	178.1'
			SET SECONDARY MONUMENT	N 86° 05' E	241.5'
845	SOA ASLS 2021-25 / B2 / L8 / L7 / RW / 85032-S 2022	SET PRIMARY MONUMENT	SET SECONDARY MONUMENT	S 54° 57' E	74.3'
			SET SECONDARY MONUMENT	S 45° 31' W	138.6'
883	SOA ASLS 2021-25 / RW / TR A / RW / 85032-S 2022	SET PRIMARY MONUMENT	MON # 714	N 42° 39' E	110.3'
			SET SECONDARY MONUMENT	N 56° 14' W	55.7'
884	SOA ASLS 2021-25 / TR A / RW / L3 B1 / 85032-S 2022	SET PRIMARY MONUMENT	MON # 715	N 89° 57' E	108.1'
			SET SECONDARY MONUMENT	S 22° 23' E	109.7'
906	SOA ASLS 2021-25 / L12 B5 / RW / TR B / 85032-S 2022	SET PRIMARY MONUMENT	MON # 708	S 36° 17' W	117.1'
			SET SECONDARY MONUMENT	N 68° 22' W	139.1'
907	SOA ASLS 2021-25 / E1/16 S25 S36 / 85032-S 2022	SET PRIMARY MONUMENT	FOUND 5/8" REBAR	N 58° 01' E	62.6'
			FOUND 1/2" REBAR	S 32° 14' W	62.2'
908	SOA ASLS 2021-25 / S26 S25 / S35 S36 / 85032-S 2022	SET PRIMARY MONUMENT	FOUND 5/8" REBAR	N 58° 01' E	62.6'
			FOUND 1/2" REBAR	S 32° 14' W	62.2'

107 122 143 SEE FOUND PRIMARY MONUMENT TABLE

REFERENCE TABLE - FOUND PRIMARY MONUMENTS THIS SURVEY

MON #		DESC	BEARING TO	DISTANCE	SOURCE	STATUS
107	NO CAP; SOA ASLS 2021-25 1/4 R12W R11W S36 S31 85032-S 2022	FOUND 1" IRON PIPE MON. DISTURBED RE-SET w/ PRIMARY MONUMENT	7" BIRCH	N 2° E	309 LINKS	GLO	NOT FOUND
			8" COTTONWOOD	N 74° 15' W	135 LINKS	GLO	NOT FOUND
			8" DOUBLE SPRUCE	N 43° 40' E	36.96'	KN90-32	NOT FOUND
			5" SPRUCE	S 75° 23' E	25.33'	KN90-32	NOT FOUND
			7" SPRUCE 8" SPRUCE	S 37° 20' E S 37° 49' E	41.38' 41.31'	KN90-32 THIS SURVEY	FOUND
108	KPB ASCS 89-142 TRD COR S36 R12W S31 R11W ROW 7328-S 1989	FOUND 3-1/4" AL. MON. ON 2" AL. PIPE FLUSH w/ GROUND	11" SPRUCE	N 22° 20' E	29.19'	KN90-32	NOT FOUND
			1-1/2" ALCAP	SOUTH	8.93'	KN90-32	NOT FOUND
			1-1/2" ALCAP	WEST	10.51'	KN90-32	NOT FOUND
110	GLO T3N R12W R11W S36 S31 S1 S6 T2N 1920	FOUND 3-1/4" BRASS CAP ON 3" IRON PIPE FLUSH w/ GROUND	5" WILLOW	N 62° E	45 LINKS	GLO	NOT FOUND
			6" WILLOW	S 54° 30' E	81 LINKS	GLO	NOT FOUND
			5" WILLOW	S 11° 45' W	115 LINKS	GLO	NOT FOUND
			5" BIRCH	N 15° 15' W	62 LINKS	GLO	NOT FOUND
			16" SPRUCE	N 00° 17' W	51.0'	THIS SURVEY	FOUND
			POWER POLE	S 69° 55' W	56.4'	THIS SURVEY	SET NEW
114	4928-S T3N 1/4 S36 S1 T2N R12W 2003	FOUND 3-1/4" AL. MON. ON 2" AL. PIPE FLUSH w/ GROUND	9" SPRUCE	N 63° 30' W	566 LINKS	GLO	NOT FOUND
			DIG PITS	18x18x12 N.&S.	3'	GLO	NOT FOUND
118	GLO T3N R12W S35 S36 S2 S1 T2N 1920	FOUND 2-1/2" BRASS CAP ON 2" IRON PIPE FLUSH w/ GROUND	6" SPRUCE	S 32° 30' E	18 LINKS	GLO	NOT FOUND
			5" SPRUCE	S 55° 30' W	152 LINKS	GLO	NOT FOUND
			5" SPRUCE	N 64° 45' W	136 LINKS	GLO	NOT FOUND
			6" SPRUCE	S 42° 39' E	47.5'	THIS SURVEY	FOUND
122	NO CAP; SOA ASLS 2021-25 1/4 S35 S36 85032-S 2022	FOUND 1" IRON PIPE MON. DISTURBED RE-SET w/ PRIMARY MONUMENT	8" BIRCH 12" COTTONWOOD	N 25° 15' E N 25° 24' E	217 LINKS 142.9'	GLO THIS SURVEY	FOUND
			8" SPRUCE	N 33° 45' W	72 LINKS	GLO	NOT FOUND
			FOUND 1/2" REBAR	N 33° 36' W	59.3'	THIS SURVEY	NEW
			SET SECONDARY MON.	S 23° 02' E	127.6'	THIS SURVEY	SET NEW
143	GLO 1/4 S25 S36 1920; SOA ASLS 2021-25 1/4 S25 S36 85032-S 2022	FOUND 2-1/2" BRASS CAP ON 1" IRON PIPE SEVERE LEAN RE-SET w/ PRIMARY MONUMENT AT GROUND ENTRY BURIED GLO CAP UPSIDE DOWN UNDER ALMON	5" SPRUCE	S 45° W	54 LINKS	GLO	NOT FOUND
			5" SPRUCE	N 25° 15' W N 25° 40' W	115 LINKS 76.0'	GLO THIS SURVEY	FOUND
145	HNJ 268-S N 1/16 S36 S31 1971	FOUND 3" AL. MON. ON 2" AL. PIPE FLUSH w/ GROUND	7" SPRUCE	N 39° 50' E	28.63'	KN90-32	NOT FOUND
			10" SPRUCE	S 39° 50' E	55.54'	KN90-32	NOT FOUND
			POWER POLE	N 48° 45' W N 41° 22' W	69.52' 69.0'	KN90-32 THIS SURVEY	FOUND
146	KPB ASCS 89-142 NNS 1/256 TRB S36 COR5 S31 R12W TRD COR1 R11W 7328-S 1989	FOUND 3-1/4" AL. MON. ON 2" AL. PIPE FLUSH w/ GROUND	5" SPRUCE	N 33° 28' E	33.20'	KN90-32	NOT FOUND
			5" SPRUCE 12" SPRUCE	S 33° 16' E S 35° 24' E	14.99' 15.02'	KN90-32 THIS SURVEY	FOUND
			POWER POLE	N 40° 55' W N 41° 22' W	79.36' 78.5'	KN90-32 THIS SURVEY	FOUND
151	HNJ 268-S T3N S25 S30 S36 S31 R12W R11W 1971	FOUND 2-1/2" BRASS CAP ON 2" IRON PIPE FLUSH w/ GROUND	5" SPRUCE	N 69° E	108 LINKS	GLO	NOT FOUND
			8" SPRUCE	S 34° 30' E	407 LINKS	GLO	NOT FOUND
			8" SPRUCE	S 67° 30' W	403 LINKS	GLO	NOT FOUND
			5" SPRUCE	N 23° W	37 LINKS	GLO	NOT FOUND
			YPC 5/8" REBAR	S 89° 45' W N 89° 59' W	50.00' 50.2'	KN2007-19 THIS SURVEY	FOUND
			YPC 5/8" REBAR	N 59° E	71.0'	KN2007-19	FOUND

121 LS-4928 S1/16 S35 S36 1986 — FOUND 3-1/4" ALMON ON 2" AL.POST FLUSH w/ GROUND NO RECORD BEARING TREES

124 LS-4928 C1/4 SEC 36 1986 — FOUND 3-1/4" ALMON ON 2-1/2" AL.POST FLUSH w/ GROUND NO RECORD BEARING TREES

131 LS-4928 SW1/16 SEC 36 1986 — FOUND 3-1/4" ALMON ON 2-1/2" AL.POST FLUSH w/ GROUND NO RECORD BEARING TREES

139 LS-5152 W1/16 S25 S36 1985 — FOUND 3-1/4" ALMON ON 2-1/2" AL.POST FLUSH w/ GROUND NO RECORD BEARING TREES

SURVEYOR'S CERTIFICATE

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

DATE

JAMES A. HALL 85032-S
REGISTERED LAND SURVEYOR

STATE OF ALASKA 49TH — JAMES A. HALL 85032-S — REGISTERED PROFESSIONAL LAND SURVEYOR

CERTIFICATE OF OWNERSHIP AND DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE DIRECTOR, DIVISION OF MINING, LAND AND WATER AND THAT THE STATE OF ALASKA IS THE OWNER OF THE REAL PROPERTY ASLS No. 2021-25 SHOWN AND DESCRIBED HEREON. I HEREBY APPROVE THIS SURVEY AND PLAT FOR THE STATE OF ALASKA, AND DEDICATE FOR PUBLIC OR PRIVATE USE AS NOTED, ALL EASEMENTS, PUBLIC UTILITY AREAS AND RIGHTS-OF-WAY SHOWN AND DESCRIBED HEREON.

DIRECTOR, DIVISION OF MINING, LAND & WATER DATE

NOTARY'S ACKNOWLEDGEMENT

FOR: _____

ACKNOWLEDGED BEFORE ME THIS

_____ DAY OF _____, 20__

MY COMMISSION EXPIRES :_____

NOTARY PUBLIC FOR THE
STATE OF ALASKA

CERTIF CATE 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 PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY (AURORA AVE, BARREL STOVE ST, COHOE LOOP RD, POTBELLY STOVE RD, ROE CIR, TEHAMA AVE, ALEVIN CIR, QUINTIN CIR & NAIAD DR), ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT. THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OF ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

AUTHORIZED OFFICIAL DATE

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

WASTEWATER DISPOSAL - TRACTS A, B & C

THESE TRACTS ARE AT LEAST 200,000 SQUARE FEET IN SIZE AND CONDITIONS MAY NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL. ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

WASTEWATER DISPOSAL - TRACT D

CONDITIONS MIGHT NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS. NO WASTEWATER WILL BE GENERATED OR DISPOSED OF ON THIS TRACT AS OF THE DATE OF THIS PLAT. IF CIRCUMSTANCES CHANGE TO ALLOW LAWFUL ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS, THOSE SYSTEMS MUST MEET THE WASTEWATER DISPOSAL REQUIREMENTS OF KPB CHAPTER 20.40 AND THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

FOUND SECONDARY MONUMENTS

TYP. — ASLS 2021-25 / B2 L8 / L9 / RW / 2022 / 85032-S
SET SECONDARY MONUMENT 5/8"x30" REBAR w/ 1-1/2" ALCAP 85032-S FLUSH w/ GROUND

135 — N1/16
FOUND 1-1/2" ALCAP ON 5/8" REBAR

128, 133, 134 — C 263
FOUND 1" YELLOW PLASTIC CAP C 263

TYPICAL PRIMARY MONUMENT

SET THIS SURVEY

STATE OF ALASKA ASLS 2021-25 DEPT. OF NATURAL RESOURCES 85032-S 2022

SET 3-1/4" ALUMINUM CAP w/ PRE-INSTALLED MAGNET UNDER CAP
ON 2-3/8" x 30" FLANGED ALUMINUM PIPE
SET CAP FLUSH WITH GROUND
3" PINK CASED MAGNET SET BELOW BASE OF MON.
3" x 6' CARSONITE POST w/ SURVEY MARKER LABEL
SET 2' IN GROUND AS WITNESS POST

BASIS OF COORDINATES

TIP #1 — ADOT / PF — JOHNSON — 2015 — GPS No. 29

FOUND 2-1/2" BRASS CAP ON 5/8"x12' DRIVE ROD IN METAL CASING FLUSH WITH GROUND

CURVE TABLE						
CURVE #	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD LENGTH
C1	11°37'37"	1206.22'	244.78'	122.81'	N 28° 11' 59" W	244.36'
C2	10°08'09"	1156.22'	204.54'	102.54'	N 27° 27' 15" W	204.28'
C3	90°02'19"	50.00'	78.57'	50.03'	N 22° 38' 00" E	70.73'
C4	9°41'55"	270.00'	45.70'	22.91'	N 72° 30' 07" E	45.65'
C5	90°00'00"	20.00'	31.42'	20.00'	S 57° 38' 56" E	28.28'
C6	95°31'28"	50.00'	83.36'	55.07'	S 07° 16' 52" E	74.04'
C7	119°41'57"	50.00'	104.46'	86.08'	N 65° 06' 25" E	86.47'
C8	71°02'11"	50.00'	61.99'	35.69'	N 30° 15' 39" W	58.10'
C9	104°04'00"	50.00'	90.82'	64.07'	N 11° 33' 07" W	78.84'
C10	84°55'40"	50.00'	74.11'	45.76'	S 73° 57' 03" W	67.51'
C11	34°36'06"	50.00'	30.20'	15.57'	S 14° 11' 10" W	29.74'
C12	62°39'51"	50.00'	54.68'	30.44'	S 34° 26' 49" E	52.00'
C13	90°00'00"	20.00'	31.42'	20.00'	S 32° 21' 04" W	28.28'
C14	9°41'55"	330.00'	55.86'	28.00'	S 72° 30' 07" W	55.79'
C15	89°57'41"	50.00'	78.51'	49.97'	N 67° 22' 00" W	70.69'
C16	93°33'50"	50.00'	81.65'	53.21'	S 24° 23' 45" W	72.88'
C17	90°00'00"	20.00'	31.42'	20.00'	N 63° 49' 20" W	28.28'
C18	28°54'52"	230.00'	116.07'	59.30'	N 37° 29' 44" W	114.84'
C19	30°58'09"	230.00'	124.32'	63.72'	N 67° 26' 15" W	122.81'
C20	28°37'01"	230.00'	114.88'	58.66'	S 82° 46' 10" W	113.69'
C21	21°40'27"	170.00'	64.31'	32.54'	S 79° 17' 53" W	63.93'
C22	89°57'11"	20.00'	31.40'	19.98'	N 44° 53' 18" W	28.27'
C23	90°02'49"	20.00'	31.43'	20.02'	N 45° 06' 42" E	28.30'
C24	21°40'27"	230.00'	87.01'	44.03'	N 79° 17' 53" E	86.49'
C25	92°43'01"	170.00'	275.10'	178.26'	S 65° 10' 50" E	246.05'
C26	90°00'00"	20.00'	31.42'	20.00'	S 26° 10' 40" W	28.28'
C27	0°08'24"	4470.00'	10.93'	5.46'	S 71° 14' 52" W	10.93'
C28	2°50'06"	4470.00'	221.18'	110.61'	S 72° 44' 08" W	221.16'
C29	2°36'23"	4470.00'	203.34'	101.69'	S 75° 27' 22" W	203.32'
C30	1°40'08"	4470.00'	130.21'	65.11'	S 77° 35' 38" W	130.21'
C31	101°36'03"	20.00'	35.47'	24.52'	N 50° 46' 16" W	31.00'
C32	78°23'57"	20.00'	27.37'	16.31'	N 39° 13' 44" E	25.28'
C33	0°43'01"	4530.00'	56.68'	28.34'	N 78° 04' 12" E	56.68'
C34	1°55'27"	4530.00'	152.14'	76.08'	N 76° 44' 58" E	152.13'
C35	1°59'34"	4530.00'	157.55'	78.78'	N 74° 47' 27" E	157.54'
C36	2°02'05"	4530.00'	160.87'	80.44'	N 72° 46' 38" E	160.86'
C37	0°34'55"	4530.00'	46.02'	23.01'	N 71° 28' 08" E	46.02'
C38	90°00'00"	20.00'	31.42'	20.00'	S 63° 49' 20" E	28.28'
C39	104°54'19"	170.00'	311.26'	221.17'	N 33° 37' 50" E	269.57'
C40	15°01'15"	230.00'	60.30'	30.32'	N 78° 34' 22" E	60.12'
C41	27°42'37"	230.00'	111.24'	56.73'	S 57° 12' 26" W	110.16'
C42	21°31'34"	230.00'	86.41'	43.72'	S 32° 35' 20" W	85.90'
C43	21°50'08"	230.00'	87.65'	44.37'	N 10° 54' 29" E	87.12'
C44	89°59'48"	20.00'	31.41'	20.00'	S 44° 59' 19" W	28.28'
C45	90°02'32"	20.00'	31.43'	20.01'	N 44° 59' 31" W	28.29'
C46	86°05'34"	170.00'	255.44'	158.79'	S 43° 02' 12" W	232.08'
C47	58°28'17"	230.00'	234.72'	128.73'	N 56° 50' 50" E	224.67'
C48	78°27'47"	20.00'	27.39'	16.33'	S 66° 50' 36" W	25.30'
C49	82°09'23"	170.00'	243.76'	148.19'	N 32° 50' 49" W	223.41'
C50	56°19'50"	50.00'	49.16'	26.77'	N 33° 11' 46" E	47.20'
C51	37°58'35"	50.00'	33.14'	17.20'	N 13° 57' 26" W	32.54'
C52	77°28'59"	50.00'	67.62'	40.12'	S 71° 41' 13" E	62.58'
C53	56°03'43"	50.00'	48.92'	26.62'	S 41° 32' 26" W	46.99'
C54	58°24'30"	50.00'	50.97'	27.95'	S 15° 41' 41" E	48.79'
C55	23°52'48"	230.00'	95.86'	48.64'	N 03° 42' 31" W	95.17'
C56	33°16'03"	230.00'	133.54'	68.71'	N 32° 16' 56" W	131.68'
C57	25°00'33"	230.00'	100.39'	51.01'	N 61° 25' 14" W	99.60'
C58	78°27'47"	20.00'	27.39'	16.33'	N 34° 41' 37" W	25.30'
C59	23°21'36"	230.00'	93.77'	47.55'	S 07° 08' 32" E	93.12'
C60	90°00'00"	20.00'	31.42'	20.00'	N 26° 10' 40" E	28.28'
C61	86°26'10"	50.00'	75.43'	46.98'	S 65° 36' 15" E	68.48'
C62	4°12'59"	230.00'	16.93'	8.47'	N 20° 55' 49" W	16.92'
C63	89°49'24"	20.00'	31.35'	19.94'	N 44° 59' 59" E	28.24'
C64	67°42'08"	50.00'	59.08'	33.54'	S 56° 14' 14" E	55.70'
C65	57°29'00"	50.00'	50.16'	27.42'	S 61° 15' 49" E	48.09'

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N 69°11'26" W	100.00'
L2	S 69°11'26" E	100.00'

PLAT APPROVAL

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

AUTHORIZED OFFICIAL

Plat #
Rec Dist
Date _____ 20__
Time _____ M

DATE OF SURVEY:
BEGINNING 3/2022
ENDING 9/2022

SURVEYOR: 907-283-4218
McLANE CONSULTING INC.
38240 KENAI SPUR HWY
SOLDOTNA, AK 99669
LICENSE # AECC981
McLANE Consulting Inc

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER
ANCHORAGE, ALASKA

ALASKA STATE LAND SURVEY No. 2021-25

TIP LEVARG SUBDIVISION

A SUBDIVISION OF SECTION 36, TOWNSHIP 3 NORTH, RANGE 12 WEST, SEWARD MERIDIAN, ALASKA EXCLUDING RHODES ESTATES AMENDED (KN86-205)

CREATING LOTS 1 - 7 BLOCK 1, LOTS 1 - 13 BLOCK 2, LOTS 1 - 19 BLOCK 3, LOTS 1 -17 BLOCK 4, LOTS 1 - 14 BLOCK 5 AND TRACTS A, B & C CONTAINING 544.704 ACRES MORE OR LESS

KENAI RECORDING DISTRICT

SHEET 4 OF 4	APPROVAL RECOMMENDED	
DRAWN BY: JAH	SEE SHEET 1	
DATE: MAR. 2022	STATEWIDE PLATTING SUPERVISOR	DATE
SCALE: N/A	CHECKED: CRM	KPB FILE NO.: 2022-xxx
		DNR FILE NO.: ASLS 20210025

KPB 2022-072

E4-6

AGENDA ITEM E. NEW BUSINESS

ITEM 4 - ALASKA STATE LAND SURVEY NO 2021-25 TIG LEVARG SUBDIVISON

KPB File No.	2022-072
Plat Committee Meeting:	June 13, 2022
Applicant / Owner:	State of Alaska Department of Natural Resources Division of Mining, Land and Water
Surveyor:	James Hall / McLane Consulting Inc.
General Location:	Cohoe Loop Road, Cohoe Area

Parent Parcel No.:	133-110-88
Legal Description:	All of Section 36 excluding Rhodes Estates Amended and Excluding Cohoe Road
Assessing Use:	Industrial Mining
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide 544 acres seventy lots and four tracts. The lots will range in size from 1.5 acres to 6.9 acres. The tracts will be 1.076, 34.087, 40.055, and 298.134 acres. Numerous rights-of-way are proposed within the subdivision as well as dedications to bring existing rights-of-way into compliance and to dedication atop some of the section line easements.

Location and Legal Access (existing and proposed): The subdivision is located between miles 14 and 15 of Cohoe Loop Road, a state maintained right-of-way. The majority of the right-of-way has a 100 foot width. The property within this proposed plat is on both sides of Cohoe Loop Road and will be formally dedicating right-of-way to bring the adjacent portions into compliance of 100 feet dedications. The proposed plat is located on the northern loop portion of Cohoe Loop Road near mile 111 of the Sterling Highway.

This plat has existing section line easements along the eastern, northern, western, and southern boundaries. A 30 foot dedication is proposed along the eastern boundary atop the 50 foot wide section line easement. A 50 foot wide dedication is proposed along the northern boundary west of Cohoe Loop Road that will bring the dedication of Aurora Avenue to an 83 foot wide dedication atop existing section line easements. Along the western boundary a 50 foot wide dedication of Barrel Stove Street is proposed to create an 83 foot wide right-of-way that coincides with existing section line easements. Along the southwestern boundary, west of Cohoe Loop Road, a partial 30 foot wide dedication to match the existing dedication of Naiad Drive to bring it into compliance. Along the southeastern boundary, east of Cohoe Loop Road, a 30 foot wide dedication is proposed for East Secora Avenue. This dedication will provide another connection between Cohoe Loop Road and the Sterling Highway and also coincides with a 50 foot section line easement. A 33 foot section line easement is to the south.

There are no dedications proposed along the northern boundary located east of Cohoe Loop Road or adjacent to Tract D located to the east of the Sterling Highway. Exceptions for block length and street requirements have been requested.

KPB GIS imagery indicates possible encroachments within the area proposed to be dedicated as East Secora Avenue. Per KPB Code 20.10.110, a statement indicating how the encroachments will be resolved prior to final approval must be submitted. The Kenai Peninsula Borough will not accept a new right-of-way dedication with known encroachments. ***Staff recommends*** *the surveyor provide in writing if no encroachments were found during the field survey, if encroachments are found a declaration of how they will be resolved followed by an as-built showing resolution shall be submitted.*

Some of the block lengths are compliant, closed or improving. An exception has been requested for those not compliant.

Additional 50 foot public access easements are being granted along the southern boundary of proposed Tract B and into Tract C to provide access to Crooked Creek. A 50 foot buffer is also being put into place within Tract B along the public access easement. If this is every dedicated in the future that could provide a possible compliant right-of-way with setbacks.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	The 100' ROW width shown for Cohoe Loop appears to be shown correctly, with the exception that the portion adjacent to Rhodes Estates (Plat 86-57/86-205) was previously dedicated and isn't shown as such on this plat. I would also request removing "Cohoe Loop Road" from the language in the Certificate of Acceptance note, as Cohoe Loop Road is a State road rather than a KPB road.

Site Investigation: Steep terrain is present within portions of the proposed plat. The steeper grades are mostly found within proposed Tract B and Tract C. Some slopes are also present within proposed Tract A. ***Staff recommends*** *the top or toe of bluff be depicted or shade only those areas with 20 percent or steeper grades.*

Wet lands are present and will mostly be contained within proposed Tract C. Tract C will be a large acreage tract that contains the low wet areas as well as the anadromous stream, Crooked Creek. ***Staff recommends*** *wet lands and creek location remain on the final plat.*

Portions of the proposed plat are within a floodplain zone. ***Staff recommends*** *required plat notes be added and depict the boundary of any regulated flood zones within the subdivision.*

Crooked Creek is an anadromous stream that will run through proposed Tract C, crosses the Sterling Highway, and runs through a portion of proposed Tract D. The correct depiction and notes are present on the plat.

Per KPB Code 20.30.090, streets-maximum grades allowed, any proposed rights-of-way may require submittal of centerline profiles and cross-section to demonstrate compliant construction of the right-of-way. There are a few areas that appear to be steep within the proposed eastern dedication and the dedication of East Secora Avenue. Due to the proposed remaining size of Tract C and that the dedications coinciding with existing section line easements, ***staff recommends*** *the plat committee concur that centerline profiles and cross-sections are not required at this time.* If Tract C is subdivided in the future centerline profiles and cross-sections may be required to determine if additional width or easements are required.

Prior existing use and a conditional land use permit are present within the boundary of this subdivision. These areas appear to be within what is proposed as Tract A and Tract B. The KPB Planner will be in contact with the owners/permittees to discuss how this subdivision may impact their permits and what may be required. Additional plat notes may be required.

KPB River Center review	Reviewer: Carver, Nancy Floodplain Status: IS in flood hazard area Comments: Flood Zone: A,AE,C,D,X (shaded) Map Panel: 02122C-0860E In Floodway: False Floodway Panel: B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: IS totally or partially within HPD Comments: KPB\maldridge

	C. State Parks Reviewer: Russell, Pam Comments: No Comments
State of Alaska Fish and Game	No objections

Staff Analysis This is a subdivision of aliquot lands owned by the State of Alaska. KPB data has the land within this subdivision combined with some aliquot lands to the north. That portion is not part of this subdivision and not required to be included.

A soils report will be required for the lots being created. The tracts are all larger than 200,000 square feet and will not require a soils report. The correct notes are present and an engineer will be required to sign the plat for the lots.

Tract D is an unusual tract as it is located on the eastern side of the Sterling Highway. When highways go through large parcels of land they sometimes create remnant parcels. This would be the case with proposed Tract D that is still considered a portion of the parcel being subdivided. Tract D is proposed to be 1.076 acres. The Tract will be limited due to following:

- 50 foot wide section line easements that run along the western and southern boundary.
- Crooked Creek meanders through portions of the lot.
- A 100 foot ADL for the benefit of HEA
- A 20 foot building setback from the Sterling Highway

Taking into consideration all of the above, except for the habitat protection district that further reduces useable space, there is about 2,880 square feet available.

Sheet four indicates that there is no intent to allow a wastewater disposal system on the property based on the wastewater disposal note. ***Staff recommends*** *the plat committee concur that a soils analysis report is not required and that the correct plat note is present.*

If the plat committee does not concur, Tract D will be required to be included in the soils analysis report and the plat notes will require updating.

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 There are no existing plated easements. The plat is proposing to grant 20 foot utility easements along the dedicated rights-of-way.

There are a few easements granted by the state with an issuance of an ADL. These are noted and depicted on the plat.

The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Staff recommends** to grant utility easements requested by the utility providers or work with the utility providers to obtain approval.

Utility provider review:

HEA	
ENSTAR	
ACS	No objections
GCI	

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: None Existing Street Names are Correct: No List of Correct Street Names: TAHEMA AVE BARREL STOVE ST NAIAD DR VESTA CT THALIA LN AURORA AVE COHOE KING LOOP BOREALIS AVE STERLING HWY SECORA AVE Existing Street Name Corrections Needed: N COHOE LOOP RD should be COHOE LOOP RD All New Street Names are Approved: Yes List of Approved Street Names: E SECORA AVE POTBELLY STOVE RD E TAHAMA AVE ROE CIR ALEVIN CIR QUINTIN CIR List of Street Names Denied: Comments: N COHOE LOOP RD should be COHOE LOOP RD
Code Compliance	Reviewer: Ogren, Eric Comments: on a portion of the parcel is a Pre-existing Use (PEU) gravel pit that may be affected by the change of the plat
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Prior Existing Use PEU Recognized Date: 3/12/2003 Conditional Land Use Permit CLUP Resolution Number: 2018-16 CLUP Approval Date: 5/29/2018 Material Site Comments: An expired material site is located adjacent to 133-110-88, PID number 133-114-15, Weiss Casey E. Planning Commission Resolution 2009-36. An active material CLUP is located on the East Side of N Cohoe Loop Rd labeled Tract B on KPB 2022-072. CLUP is registered to Silver Truck Division, Planning Commission Resolution 2018-16. Material site has not been developed yet.

	An existing PEU is located on the West Side of N Cohoe Loop Rd labeled Tract A on KPB 2022-072. PEU was recognized on 3/12/2003. For a subdivision of a PEU the applicant should follow the process set forth in in 21.29.120(C): • After the Parcel has been subdivided, notice will be sent stating that the PEU is considered abandoned; • The parcel owner may protest the termination of the PEU by filing a written notice with the planning director on a form provided by the planning department; • Notice will be sent out to property owners within ½ mile for written comment; • The Planning Director/Department will issue a written determination based on gathered relevant information.
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:** Title block should include the address for Division of Mining, Land and Water.*

F. The location, width and name of existing and platted streets and public ways, railroad rights-of-way, easements, and travel ways existing and proposed, within the subdivision;

***Staff recommendation:** Correct all labels of N. Cohoe Loop Road to "Cohoe Loop Road". An approved street name is needed for the dedication along the eastern boundary of Tract C.*

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:** Try to provide some street width labels on sheet 1 for all previously dedicated rights-of-way.*

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: *All names are approved by the KPB Addressing Officer. Change "N Cohoe Loop Road" to "Cohoe Loop Road."*

20.30.240. Building setbacks.

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

A. The setback shall be graphically depicted and labeled on the lots; if such depiction will interfere with the legibility of the plat, a typical lot showing the depiction and label may be provided on the plat, clearly indicating that the typical setback applies to all lots created by the plat.

B. The setback shall be noted on the plat in the following format:
Building setback- A setback of 20 feet is required from all dedicated street right-of-ways unless a lesser standard is approved by resolution of the appropriate planning commission.

C. When a subdivision is affected by a Local Option Zoning District (LOZD), an approved by the assembly, all building setbacks shall be graphically depicted and labeled on the lots. A local option zoning setback shall be noted on the plat in the following format:
Building setback – This subdivision is located within (name of LOZD) Local Option Zoning District as contained in KPB Chapters 21.44 and 21.46 and adopted by KPB Ordinance (number), recorded under (serial no. and recording district). Information regarding the zoning restrictions and copies of the ordinance are available from the KPB Planning Department.

Staff recommendation: *Setbacks need to be depicted and labeled along the Sterling Highway within Tract C and D and along Cohoe Loop Road within Tract A, B, and C.*

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 for the lots. Tracts A, B, and C will not require a soils analysis report based on size. Tract D will need to be reviewed by the Plat Committee to determine if a soils analysis report will be required.

Staff recommendation*: comply with 20.40.*

KPB 20.60 – Final Plat

Staff recommendation*: final plat submittals must comply with 20.60. Additional information, revisions, and/or corrections are required as noted below.*

20.60.040. 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: *The borough acceptance for rights-of-way being dedicated should have Cohoe Loop Road removed and add E Tehama Avenue and E Secora Avenue. A name is needed along the eastern boundary of Tract C. Add the approved street name to the acceptance.*

An additional acceptance will be required to be signed by Alaska DOT for the acceptance of the Cohoe Loop Road dedication.

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.*

- *Provide a note for any exceptions granted.*
- *Plat notes will be required for any approved continuation of material sites on any of the property within this subdivision.*
- *FLOOD HAZARD NOTICE:*
  Some or all of the property shown on this plat has been designated by FEMA as a flood hazard area district as of the date this plat is recorded with the district recorder's office. Prior to development, the Kenai Peninsula Borough floodplain administrator should be contacted for current information and regulations. Development must comply with Chapter 21.06 of the Kenai Peninsula Borough Code. Map Panel 02122C-0860E.

Update plat note 15.3 to have the serial number 2019-000671-0.
Within plat note 15.1 include the serial number 2019-000679-0.

EXCEPTIONS REQUESTED:

KPB 20.30.170 – Blocks-Length requirements and KPB 20.30.030 – Proposed street layout-requirements

Staff Discussion: Staff has combined the exceptions requested as the denial of one will require the other to be met. If the Plat Committee elects to discuss separately, two motions may be made.

In regards to block length requirements, the size of Tract C and the ability to comply with block length requirements cannot be met. Additional dedications within Tract C would be required. Additionally the size along Tracts A and B exceed allowable limits. The design of Potbelly Stove Road also creates an unusual shaped block that would exceed limits. A closed block is also not present around Block 5.

To comply with street layout requirements, dedications would be required along the northern boundary of the proposed subdivision. Additionally, a dedication along the southern boundary of Block 4 would provide a continuation of Naiad Drive.

Surveyor's Findings:

1. Tract A and B are large Tracts with intent of current and future use as material extraction sites.
2. Tract C is a large tract with Crooked Creek meandering through. The intent for the large tract is to remain in state ownership.
3. All adjoining adjacent parcel front a dedicated R/W and/or Section Line Easement.
4. Individual blocks provide access to lots with 1.5 acre minimum state requirements for this ADL.

Staff's Findings:

5. Public access easements are being granted for access to Crooked Creek.
6. The blocks west of Cohoe Loop Road have closed blocks.
7. A subdivision is present south of Block 4 that limits the ability to continue Naiad Drive.
8. Some of the area within Tract C contain wetlands and steep contours.
9. Additional dedications can occur within Tract C if subdivided in the future.
10. Lots and roads are designed to limit direct access to Cohoe Loop Road.
11. Rights-of-way can be dedicated through Tracts A and B if ever subdivided and they are no longer being used for material extraction sites.

If the exceptions are denied, additional dedications will be required to bring the preliminary plat 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:

1. That special circumstances or conditions affecting the property have been shown by application;
   Findings 1-11 appear to support this standard.

2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
   Findings 1-11 appear to support this standard.

3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
   Findings 1-11 appear to support this standard.

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

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.

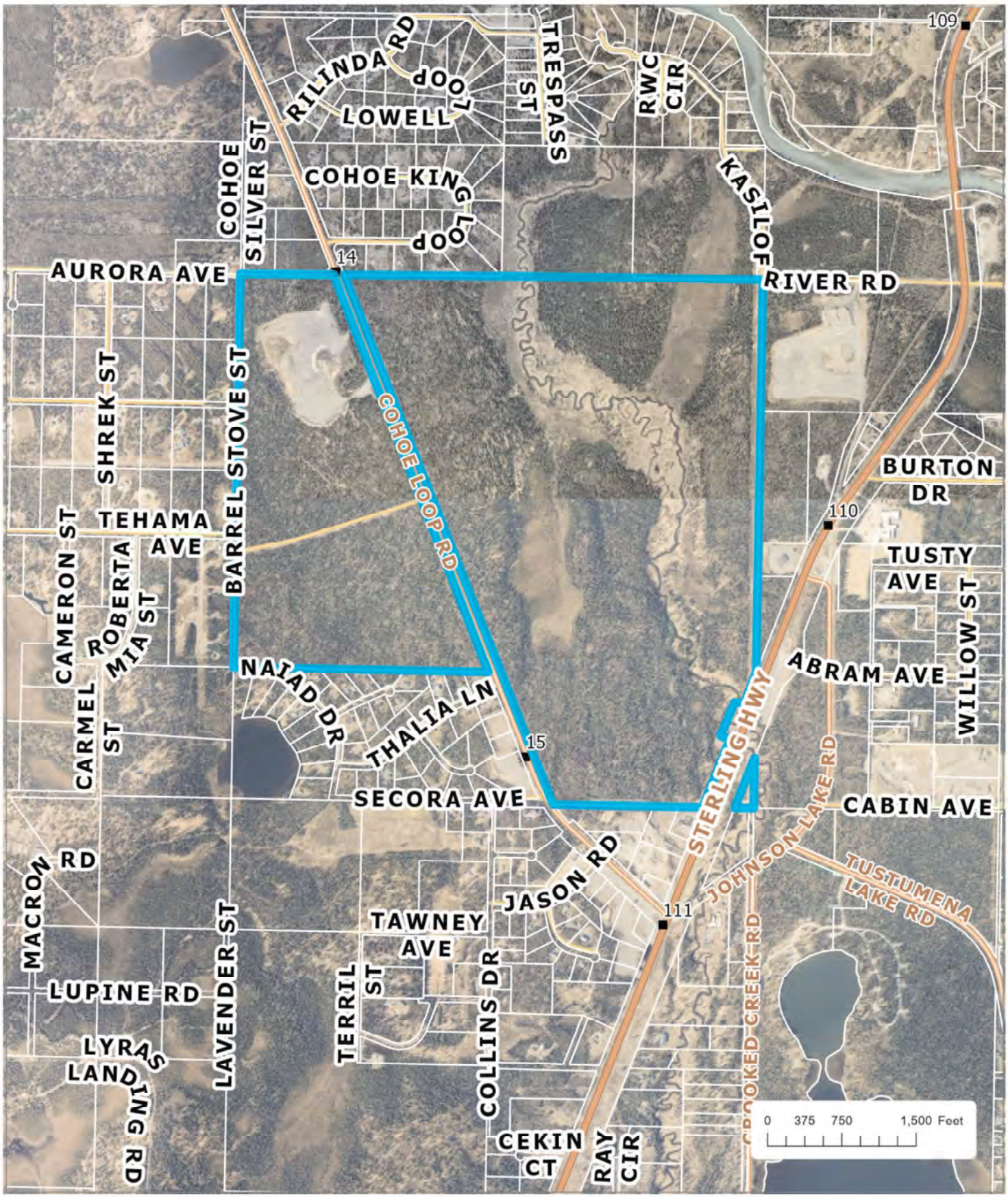
END OF STAFF REPORT

Kenai Peninsula Borough Planning Department

Aerial View

KPB File Number 2022-072

6/3/2022



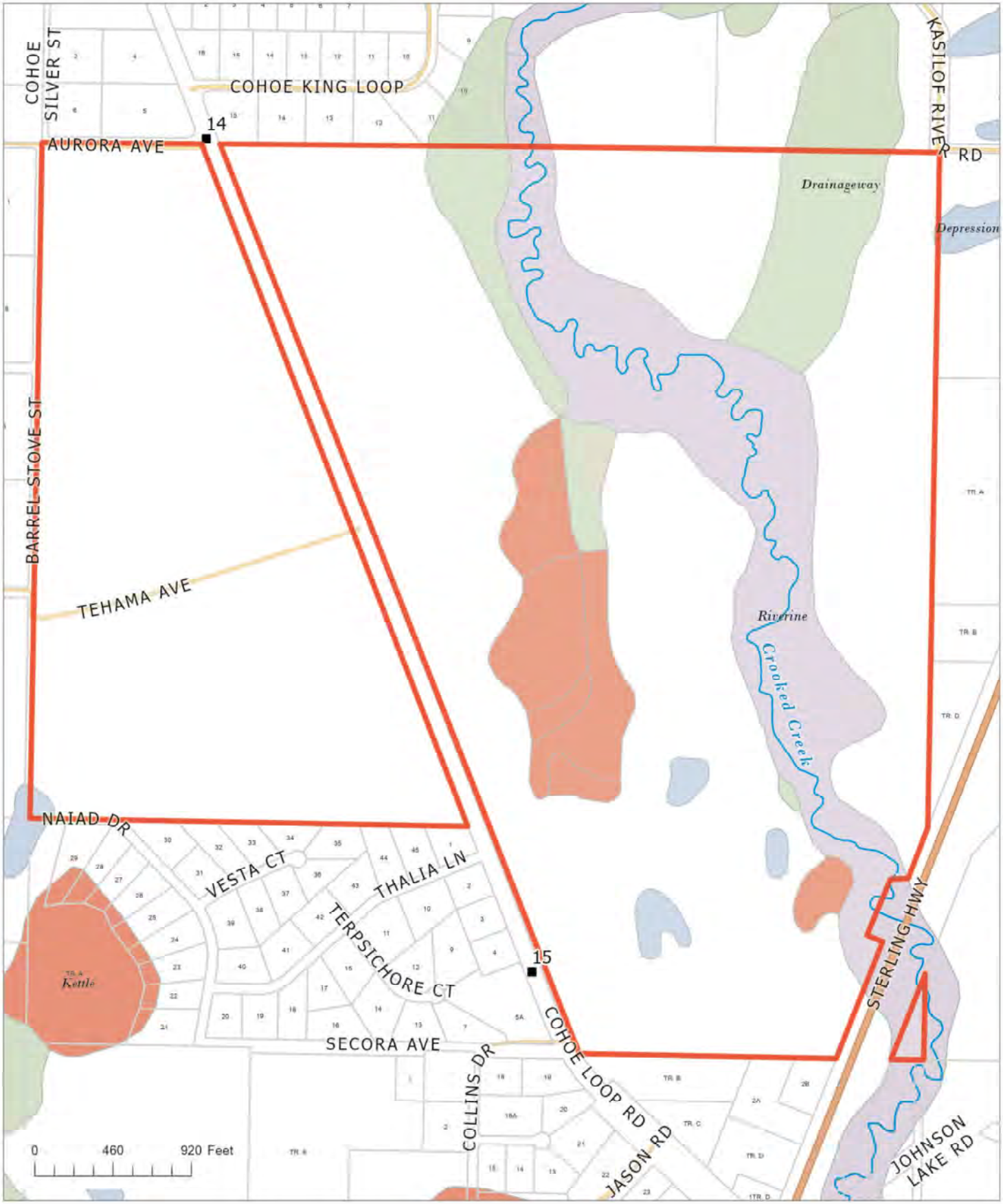
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map

Kenai Peninsula Borough Planning Department

Wetlands

KPB File Number 2022-072

6/3/2022



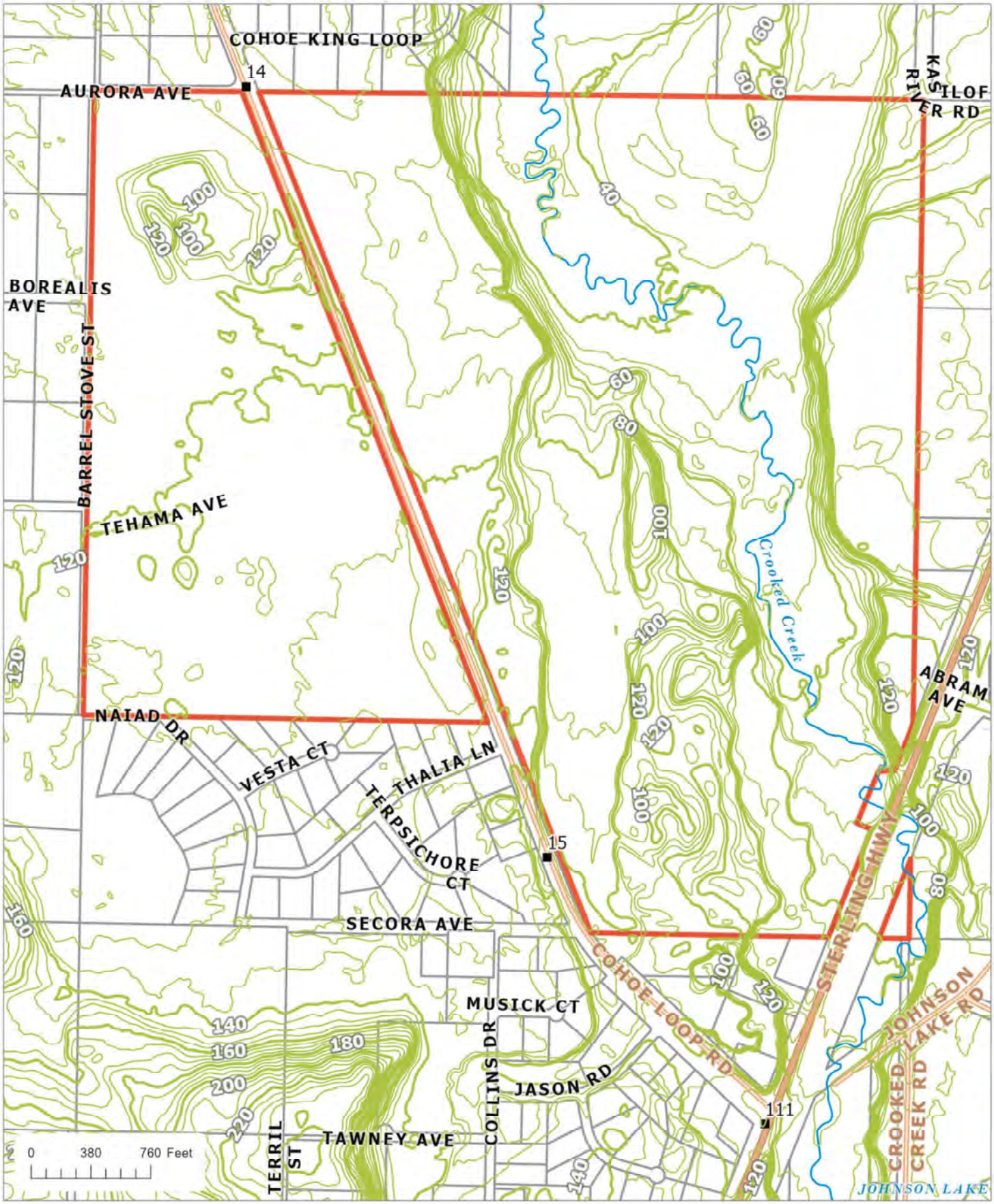
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map

Kenai Peninsula Borough Planning Department

5-foot Contours

KPB File 2022-072

6/3/2022



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

DESK PACKET ITEMS

(Items received after the publishing of the meeting packet on 6/7/22)

E. NEW BUSINESS

4. ASLS No. 2021-25 Tip Levarg Subdivision; KPB File 2022-072
McLane Consulting Group / State of Alaska DNR
Location: Cohoe Loop Rd., Barrel Stove St., Aurora Ave., Tehama Ave. & Sterling Hwy.
Cohoe Area

BEATY & DRAEGER
3900 Arctic Blvd., Suite 101
Anchorage, AK 99503
(907) 563-7889 Tel
(907) 562-6936 Fax
beaty-draeger@ak.net

FAX COVER SHEET

TO: Kenai Peninsula Bourough

COMPANY: Planning Department

FAX NO. 907-714-2378

DATE: 6/6/2022

FROM: Terry P Draeger

REGARDING: Proposed Development
KPB File No 2022-072

TOTAL NUMBER OF PAGES TRANSMITTED (including this cover page): 3

Please see attached opposition.

BEATY & DRAEGER, LTD.
ATTORNEYS AT LAW
3900 ARCTIC BLVD., SUITE 101
ANCHORAGE, ALASKA 99503
BEATY-DRAEGER@AK.NET

ROGER H. BEATY (1946-1998)
TERRY P. DRAEGER

TEL. (907) 563-7889
FAX (907) 562-6936

Kenai Peninsula Planning Department
144 N. Binkley Street
Soldotna, Ak 99669

June 6, 2022

RE: Proposed Subdivision
KPB File No. 2022-072

Dear Sir/Madam:

I am opposed to the development, as it relates to the small portion of the tract to be developed, as seen on the attached map. There were no additional detailed maps in the packet explaining the development of this small piece of land. Your packet did not include a detailed map of the area, so I am unable to address in detail my concerns with the planned development. I would suggest that you re-notice the development with the correct maps or do not develop that particular parcel.

If you have any questions, please feel free to contact me.

Sincerely,

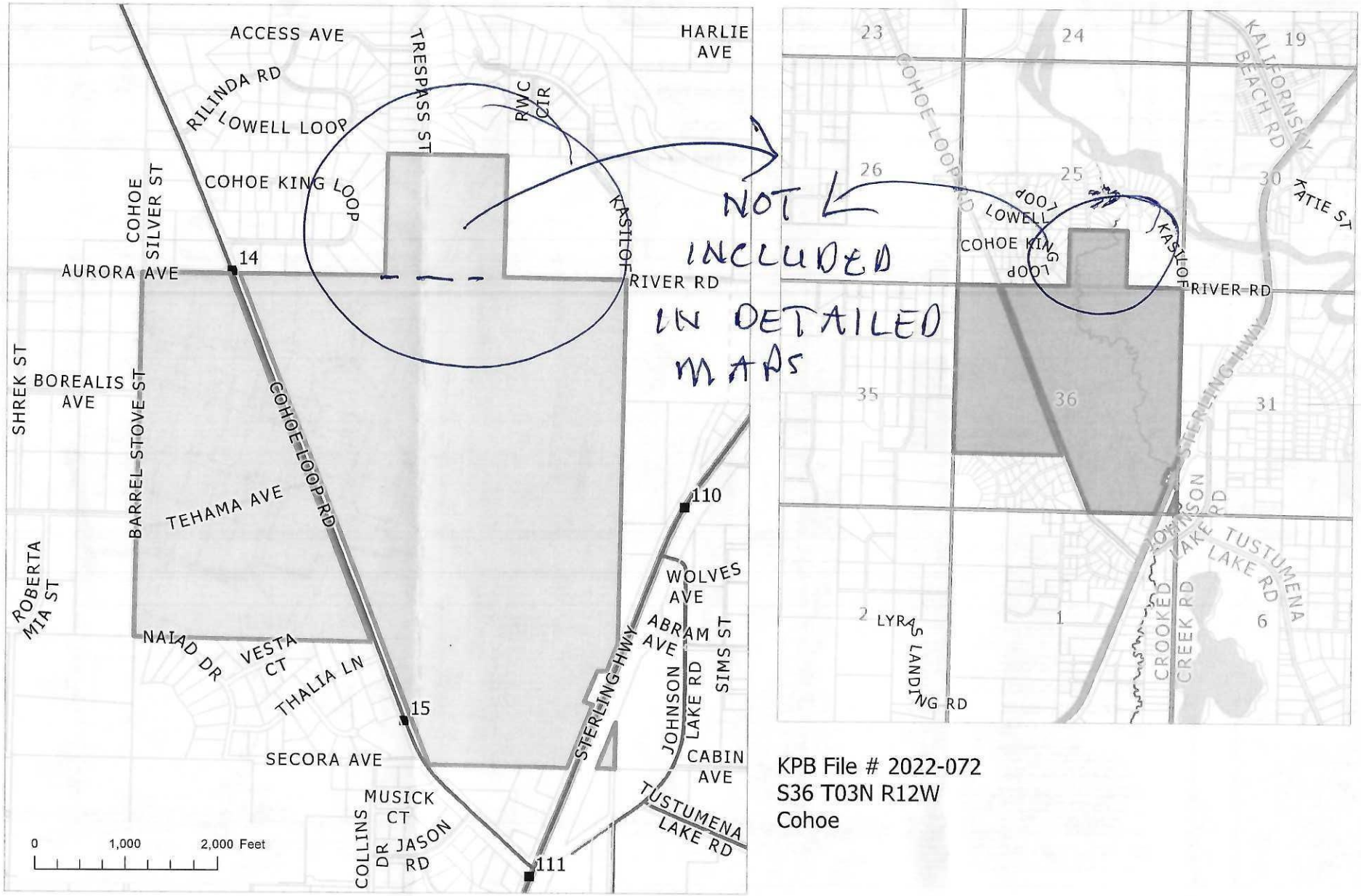
BEATY & DRAEGER, LTD

Terry P. Draeger

Kenai Peninsula Borough Planning Department

Vicinity Map

5/23/2022



KPB File # 2022-072
S36 T03N R12W
Cohoe

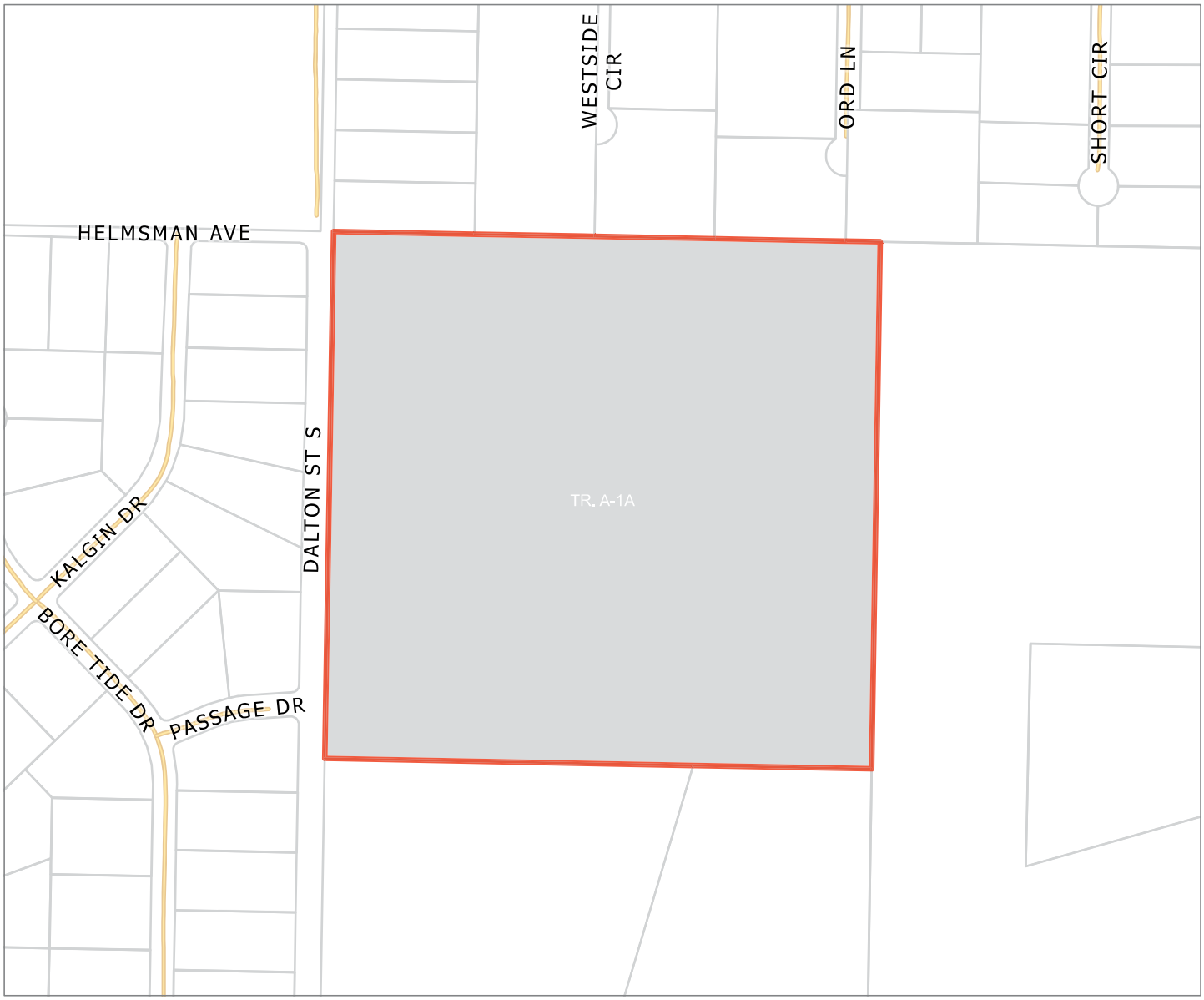
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

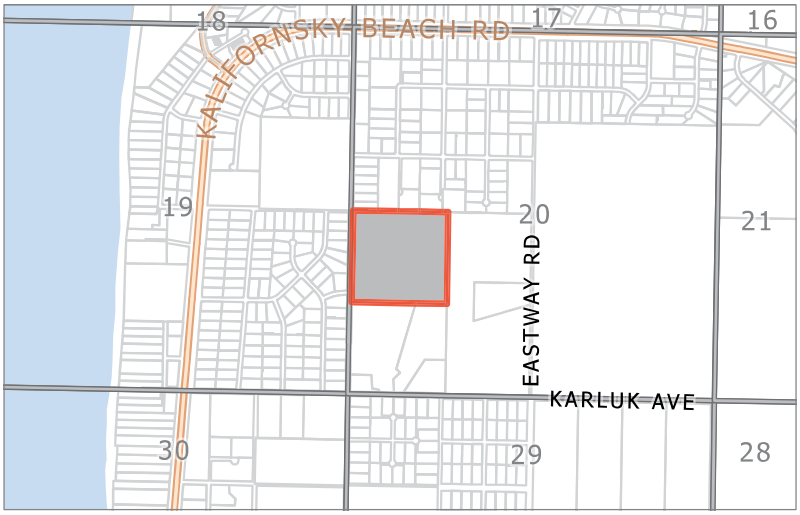
E. NEW BUSINESS

5. Doyle Estate Subdivision Sixth Addition; KPB Fil 2022-062
McLane Consulting Group / Doyle Family Trust
Location: Dalron Street South & Helmsman Avenue
Kalifornsky Area

Kenai Peninsula Borough Planning Department

Vicinity Map





N

KPB File # 2022-062

S20-T05N-R11W

Kalifornsky

5/6/2022

0 400 800 Feet

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.

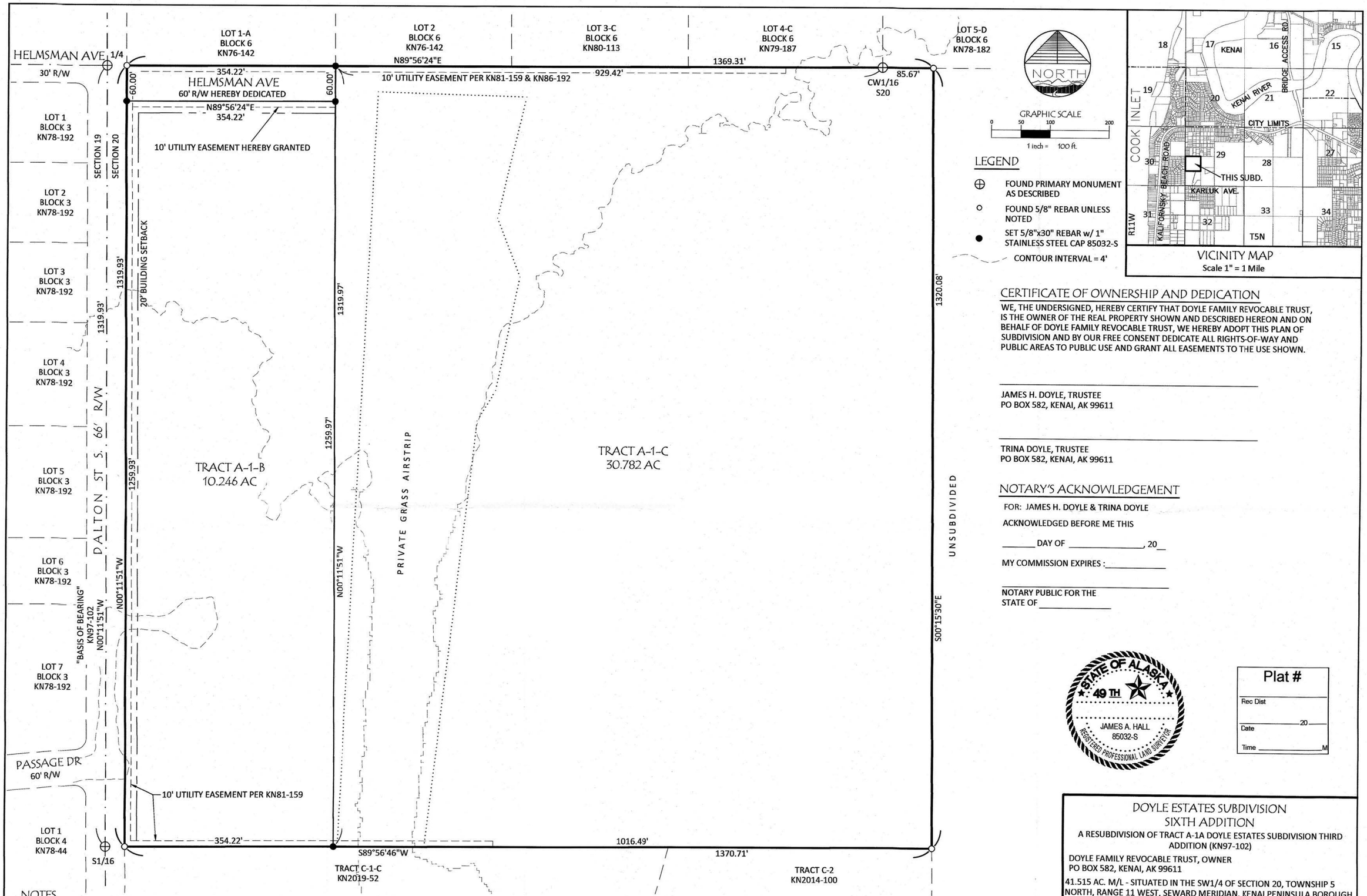
Kenai Peninsula Borough Planning Department

Aerial View

KPB 2022-062
5/6/2022



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



CERTIFICATE OF OWNERSHIP AND DEDICATION

WE, THE UNDERSIGNED, HEREBY CERTIFY THAT DOYLE FAMILY REVOCABLE TRUST, IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND ON BEHALF OF DOYLE FAMILY REVOCABLE TRUST, WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

JAMES H. DOYLE, TRUSTEE
PO BOX 582, KENAI, AK 99611

TRINA DOYLE, TRUSTEE
PO BOX 582, KENAI, AK 99611

NOTARY'S ACKNOWLEDGEMENT

FOR: JAMES H. DOYLE & TRINA DOYLE

ACKNOWLEDGED BEFORE ME THIS

_____ DAY OF _____, 20__

MY COMMISSION EXPIRES :_____

NOTARY PUBLIC FOR THE
STATE OF _____

STATE OF ALASKA
49TH
JAMES A. HALL
85032-S
REGISTERED PROFESSIONAL LAND SURVEYOR

Plat #
Rec Dist
_____ 20__
Date
Time _____ M

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 ADJOINING DEDICATED RIGHTS-OF-WAY IS ALSO A UTILITY EASEMENT HEREBY GRANTED.
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.

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 , 2022.

_____
AUTHORIZED OFFICIAL DATE

DOYLE ESTATES SUBDIVISION SIXTH ADDITION

A RESUBDIVISION OF TRACT A-1A DOYLE ESTATES SUBDIVISION THIRD ADDITION (KN97-102)

DOYLE FAMILY REVOCABLE TRUST, OWNER
PO BOX 582, KENAI, AK 99611

41.515 AC. M/L - SITUATED IN THE SW1/4 OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 11 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH AND THE KENAI RECORDING DISTRICT, ALASKA.

McLANE Consulting Inc
ENGINEERING - TESTING
SURVEYING - MAPPING
P.O. BOX 468
SOLDOTNA, AK. 99669
VOICE: (907) 283-4218
FAX: (907) 283-3265
WWW.MCLANECG.COM

KPB File No. 2022-xxx

Project No. 222013

Scale 1" = 100' | Date :APR. 2022 | Book No. : xxx | Drawn by : JAH

KPB 2022-016

AGENDA ITEM E. NEW BUSINESS

ITEM 5 - DOYLE ESTATES SUBDIVISION SIXTH ADDITION

KPB File No.	2022-062
Plat Committee Meeting:	June 13, 2022
Applicant / Owner:	Doyle Family Revocable Trust of Kenai, AK
Surveyor:	James Hall / McLane Consulting Group
General Location:	Helmsman Avenue, Dalton St S, Kalifornsky / Kalifornsky APC

Parent Parcel No.:	055-181-08
Legal Description:	Tract A-1A Doyle Estates Subdivision Third Addition KN 97-102
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 41.52 acre parcel into two tracts that will be 10.246 acres and 30.782 acres. A 60 foot wide dedication is proposed for a 354 foot length of right-of-way.

Location and Legal Access (existing and proposed): The subdivision is located near mile 13 of state maintained Kalifornsky Beach Road. Helmsman Avenue is a varying width dedicated right-of-way that is partial constructed and not currently maintained by the borough. The plat is proposing to provide a continuation of Helmsman Avenue along the northern boundary of the subdivision for a length of 354 feet. Along the western boundary of the subdivision is 66 foot wide right-of-way, Dalton Street S. This dedication coincides with 33 foot wide section line easements. Helmsman Avenue and Dalton Street S are not currently built to provide access at this time. Passage Drive, a 60 foot wide maintained right-of-way is located to the southwest of the subdivision and could provide a close access to Dalton Street S and to Tract A-1-B.

The new dedication will provide a northern access to Tract A-1C. This will be the only platted access to that tract at this time. Tract A-1-B will have access from the new dedication and has access from Dalton Street S. all along the western boundary.

A private grass airstrip is present and will be within proposed Tract A-1-C. The airstrip does continue further south onto property owned by the owners of the preliminary plat. The access to that property and the airstrip is currently from Karluk Avenue, a varying width borough maintained right-of-way.

Due to the ability to continue the proposed dedication in the future, and the existing airstrip ***staff recommends*** *the plat committee concur that a cul-de-sac bulb as outlined in KPB Code 20.30.100 is not required at this time.*

Exceptions have been requested for block length and for street layout requirements.

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

Site Investigation: There are no low wet areas present within the boundary of the preliminary plat. The contours are shown on the preliminary but there are no steep areas present. A private grass airstrip is present and shown on the plat. There are no known encroachment issues for the property included within this preliminary design.

KPB River Center review	A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: Located in Zone D - Non-Regulatory 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 preliminary plat for property that has been replatted several times. The first plat was recorded as Doyle Estates, Plat KN 81-159. The most recent is Doyle Estates Subdivision Third Addition, Plat KN 97-102, and it provides the current lot configuration.

The two lots proposed will be larger than 200,000 square feet and a soils analysis report will not be required.

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

Kalifornsky Advisory Planning Commission is currently inactive.

Utility Easements Through the platting process there are been numerous utility easements granted. These easements have also been vacated through the years as the lot lines adjusted. The currently depicted easements are correct and contain the proper labels. There does not appear to be any utility easements granted by recorded document.

The plat is proposing to grant 10 foot utility easements along the new dedication. ***Staff recommends*** *the depiction of the utility easement, as well as the setback, be extended to go along the end of the dedication.*

The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Staff recommends** to grant utility easements requested by the utility providers or work with the utility providers to obtain approval.

Utility provider review:

HEA	
ENSTAR	
ACS	No objections
GCI	

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: None Existing Street Names are Correct: Yes

	List of Correct Street Names: HELMSMAN AVE PASSAGE DR DALTON ST S Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: No addresses affected by this subdivision.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat.
Assessing	Reviewer: Wilcox, Adeena Comments: No comment

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:** Correct the section labels*

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:** Provide a width label for Dalton Street S located north of Helmsman Avenue intersection. Lot 2 Block 6 located north of the subdivision needs the recording number revised to 75-28.*

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: Lots are both over 200,000 square feet. Soils report will not be required and an engineer will not need to sign the plat.

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

KPB 20.60 – Final Plat

***Staff recommendation**: final plat submittals must comply with 20.60. Additional information, revisions, and/or corrections are required as noted below.*

20.60.040. 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:** An acceptance will be required for the dedication of Helmsman Avenue.*

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).*
- *Add a plat note for any exceptions granted.*

20.60.190. Certificates, statements, and signatures required.

***Staff recommendation**: Additional documentation may be required for the signers of the trust. Comply with 20.60.190.*

EXCEPTIONS REQUESTED:

KPB 20.30.030 – Proposed street layout-requirements and KPB 20.30.170 – Blocks-length requirements

Staff Discussion: Staff has grouped the exception request together. If the plat committee wishes to hear each exception separately they may by discussing under two separate motions.

The exceptions requested will allow them the option to not dedicate right-of-way in locations that may cause issues due to the airstrip. The proposed tracts are large enough to be subdivided further and if the airstrip is no longer in use, the dedications can then be granted in locations that fit the needs of the area and comply with KPB Code. A dedication along the eastern boundary would not provide any connection to existing roads, resulting in the need to cross the airstrip to reach.

Surveyor's Findings:

1. Large tracts with existing private airstrip.
2. All adjoining and adjacent parcels front a dedicated R/W

Staff's Findings:

3. Green Forest Drive, Eastway Road, Karluk Avenue, and Dalton Street S. do provide a closed block.
4. The closed block exceeds allowable limits.
5. To comply with code a dedication of Helmsman Avenue along the entire length of the northern boundary would be required.
6. To comply with code a dedication would be required along the entire length of the southern boundary.
7. To comply with code a dedication would be required along the entire eastern boundary.
8. To comply with code, multiple rights-of-way would cross an existing private grass airstrip.
9. The proposed dedication of Helmsman Avenue, would improve the block length if ever dedicated through.
10. Except for the lots off Green Forest Drive, the lots in the area are larger acreage parcels.

If denied, additional dedications will be required to comply with 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:

1. That special circumstances or conditions affecting the property have been shown by application;
   Findings 1-3 and 8-10 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 1-3 and 8-10 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 1-3 and 8-10 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

Kenai Peninsula Borough Planning Department

Aerial View

KPB File Number 2022-062

6/6/2022



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

KN 97-102

KENAI RIVER BRIDGE SUBD.

BLOCK SIX

GLO 1/4 S19 + S20 T5N R11W 1921

Found standard brass cap attached to regulation post.

1A | 2 (N 89°57'04" E, S 89°56'24" W, 1316.64') | 3C 1316.92') | 4C | 5D (N 89°57'04" E 1317.30')

1283.64'

L1

10' Utility Esm't

CW 1/16 S 20 + 1702-S 1974

Found 2 1/2" diam. brass cap

C 1/4 S 20 + 1702-S 1974

Monument of Record.

FORMER TRACT A-1

(N 00°11'56" W, S 00°11'51" E) 1320.23' 1319.93'

1320.23'

TRACT A-1A

41.515 ACRES

1320.08'

2640.28'

Former Lot Line

610-S S 1/16 + S19 S20 1978

Found 3 1/4" diam. alum. cap.

10' Utility Esm't

S89°56'46"W 1370.71'

10' Utility Esm't

MARINERS WATCH SUBD.

FORMER TRACT C-1

(N 00°11'56" W, N00°11'51"W) 1320.05') 1319.93'

WEST WAY RD. 66' R/W

1287.06'

TRACT C-1A

40.520 ACRES

10' Utility Esm't Vacated by this Plat.

1287.20'

N 00°15'30" W

UNSUBDIVIDED REMAINDER 75 AC. M/L

Approx. Location of Buried Powerline (see note #6)

10' Utility Esm't

1122.14'

249.94'

33' R/W DEDICATION

KARLUK AVE. 66' R/W

N 89°57'25" E 1319.69' | L2 | L3 | L4 | L5 | 50' R/W N 89°57'25" E 1319.69'

Basis of Bearing KRD 95-61

FIRST ST. 60' R/W

ADL T5N R11W S19 + S20 S30 + S29 1968

Found 3 1/4" diam. brass cap buried 1.5' below road surface.

1973 W 1/16 S 20 + S 29 1428E

Found 2 1/2" diam. brass cap disturbed 1.0' deep.

1973 1/4 S 20 + S 29 1428E

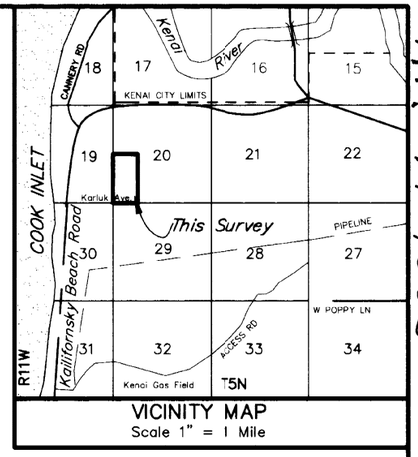
Found 2 1/2" diam. brass cap.

NORTH

LEGEND

- Primary Survey Monument as described.
- Found 5/8" x 30" rebar.
- Set 5/8" x 30" rebar w/ 2" diam. alum. cap 4928-S
- ( ) Survey data of record (KRD 86-192, 81-159, 75-28)
- Indicates Utility Easement or R/W Vacation

LINE	DIRECTION	DISTANCE
L1	S 89°56'24" W	85.67'
L2	N 00°15'35" W	33.42'
L3	N 89°57'25" E	164.52'
L4	S 89°57'25" W	85.48'
L5	N 00°15'35" W	33.03'



VICINITY MAP
Scale 1" = 1 Mile

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

James C. Doyle — Sharon L. Doyle

James C. Doyle, owners of Tract C-1

Sharon Doyle

James H. Doyle — Trina M. Doyle

James H. Doyle
4251 Warwick Drive
Anchorage, AK 99508
owners of Tract A-1

Bill B. Williams, Jr., authorized representative
Jublilation Enterprises, L.L.C., a Washington Limited Liability Company
East 23003 Euclid
Otis Orchard, WA 99207
owner of unsubdivided remainder SW 1/4 Section 20

NOTARY'S ACKNOWLEDGEMENT

FOR: JAMES C DOYLE, SHARON L. DOYLE
JAMES H. DOYLE, TRINA M. DOYLE

Subscribed and sworn before me this

22nd day of October, 1997.

My commission expires 11-20-99

Peggy S Dye
Notary Public for the State of Alaska

NOTARY'S ACKNOWLEDGEMENT

FOR:

Subscribed and sworn before me this

_____ day of _____, 1997.

My commission expires _____

Notary Public for the State of Alaska

NOTARY'S ACKNOWLEDGEMENT

FOR: Bill B. Williams Jr.

Subscribed and sworn before me this

23RD day of October, 1997.

My commission expires 7/29/2000

Notary Public for the State of Alaska

OFFICIAL SEAL
State of Alaska
MARK A. WHEELOCK
NOTARY PUBLIC

PLAT APPROVAL

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

September 8, 1997.

KENAI PENINSULA BOROUGH by

Authorized Official

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) No direct access to state maintained ROWS permitted unless approved by State of Alaska Department of Transportation.

3) No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.

4) BUILDING SET BACK – A building set back of 20 ft. is required from all street rights-of-way unless a lesser standard is approved by resolution of the appropriate Planning Commission.

5) The utility easement vacation shown hereon was approved by Kenai Peninsula Planning Commission at the meeting October 27, 1997.

6) Existing buried powerline is the centerline of a 15 ft. wide electrical distribution line easement.

WASTEWATER DISPOSAL

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 system must meet the regulatory requirements of the Alaska Department of Environment Conservation.

STATE OF ALASKA
49TH
M. SCOTT McLANE
4928-S
REGISTERED PROFESSIONAL LAND SURVEYOR

97-102
RECORDED TO
KENAI REC. DIST
DATE 12/29 19 97
TIME 9:53 AM
REQUESTED BY: McLane Consulting Group
ADDRESS: P.O. Box 468 Soldotna, AK. 99669

DOYLE ESTATES SUBDIVISION THIRD ADDITION

(A Resubdivision of Tracts A-1 & C-1 Doyle Estates Subd. Second Addition and Associated Utility Easement Vacation)

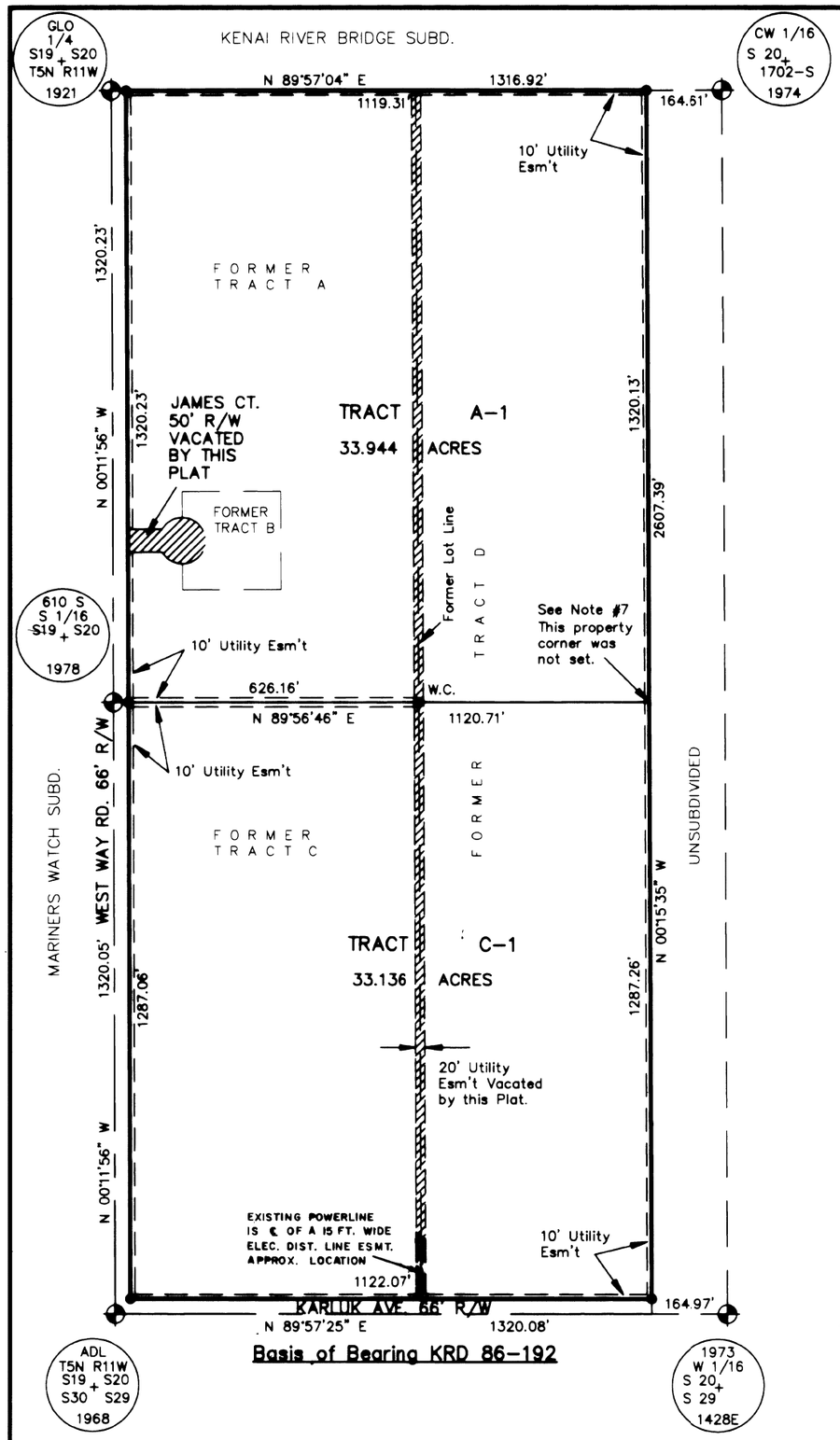
Jim Doyle
P.O. Box 582
KENAI, AK. 99611

LOCATION

82.224 AC. M/L SITUATED IN THE W 1/2 SW 1/4 OF SEC. 20, T. 5 N., R. 11 W., S.M., AK. AND THE KENAI PENINSULA BOROUGH IN THE KENAI RECORDING DISTRICT.

Surveyed by : Consulting Group
McLANE P.O. Box 468 Soldotna, AK 99669

Date : August 1997	Book No. : 970229	Project No. 972016
Drawn by : msm	Scale 1" = 200'	KPB File No. 97197



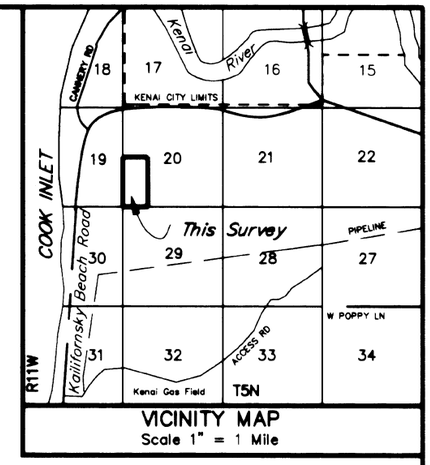
NORTH

WASTEWATER DISPOSAL

Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

The Alaska Department of Environmental Conservation approves this subdivision for platting.

Signature Title Date 10-19-95



VICINITY MAP
Scale 1" = 1 Mile

LEGEND

- Survey Monument of Record.
- 5/8" x 30" Rebar of Record.

All survey data is of record (KRD 86-192 & 81-159)

Indicates Utility Easement or R/W Vacation

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) No direct access to state maintained ROWS permitted unless approved by State of Alaska Department of Transportation.

3) No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.

4) BUILDING SET BACK - A building set back of 20 ft. is required from all street rights-of-way unless a lesser standard is approved by resolution of the appropriate Planning Commission.

5) The right of way vacation shown hereon was approved by the Kenai Peninsula Borough Planning Commission at the meeting of October 23, 1995.

6) The utility easement vacation shown hereon was approved by Kenai Peninsula Planning Commission at the meeting September 25, 1995.

7) A partial survey and monumentation waiver was approved by Kenai Peninsula Planning Commission at the meeting August 28, 1995.

CERTIFICATE OF OWNERSHIP AND DEDICATION

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 grant all easements to the use shown.

We further certify that Deed of Trust affecting this property do not contain restrictions which would prohibit this subdivision; or require signature and approval of beneficiaries.

James H. Doyle Trina M. Doyle

James H. Doyle Trina M. Doyle

James C. Doyle

James C. Doyle

STATE OF ALASKA 49TH M. SCOTT McLANE 4928-S REGISTERED PROFESSIONAL LAND SURVEYOR

95-61
RECORDED 20
KENAI REC. DIST
DATE 12-6 19 95
TIME 10:53 A M
REQUESTED BY McLane Consulting Group
ADDRESS P.O. Box 468 Soldotna, AK. 99669

NOTARY'S ACKNOWLEDGEMENT

FOR: James H. Doyle, Trina M. Doyle and James C. Doyle

Subscribed and sworn before me this 17th day of OCTOBER, 1995.

My commission expires 11-20-95

Notary Public for the State of Alaska

PLAT APPROVAL

This plat was approved by the KENAI PENINSULA BOROUGH PLANNING COMMISSION at the meeting of October 9, 1995.

KENAI PENINSULA BOROUGH by

Authorized Official

DOYLE ESTATES SUBDIVISION SECOND ADDITION

(A Resubdivision of Tracts A, B, C & D Doyle Estates)

Jim Doyle
P.O. Box 582
KENAI, AK. 99611

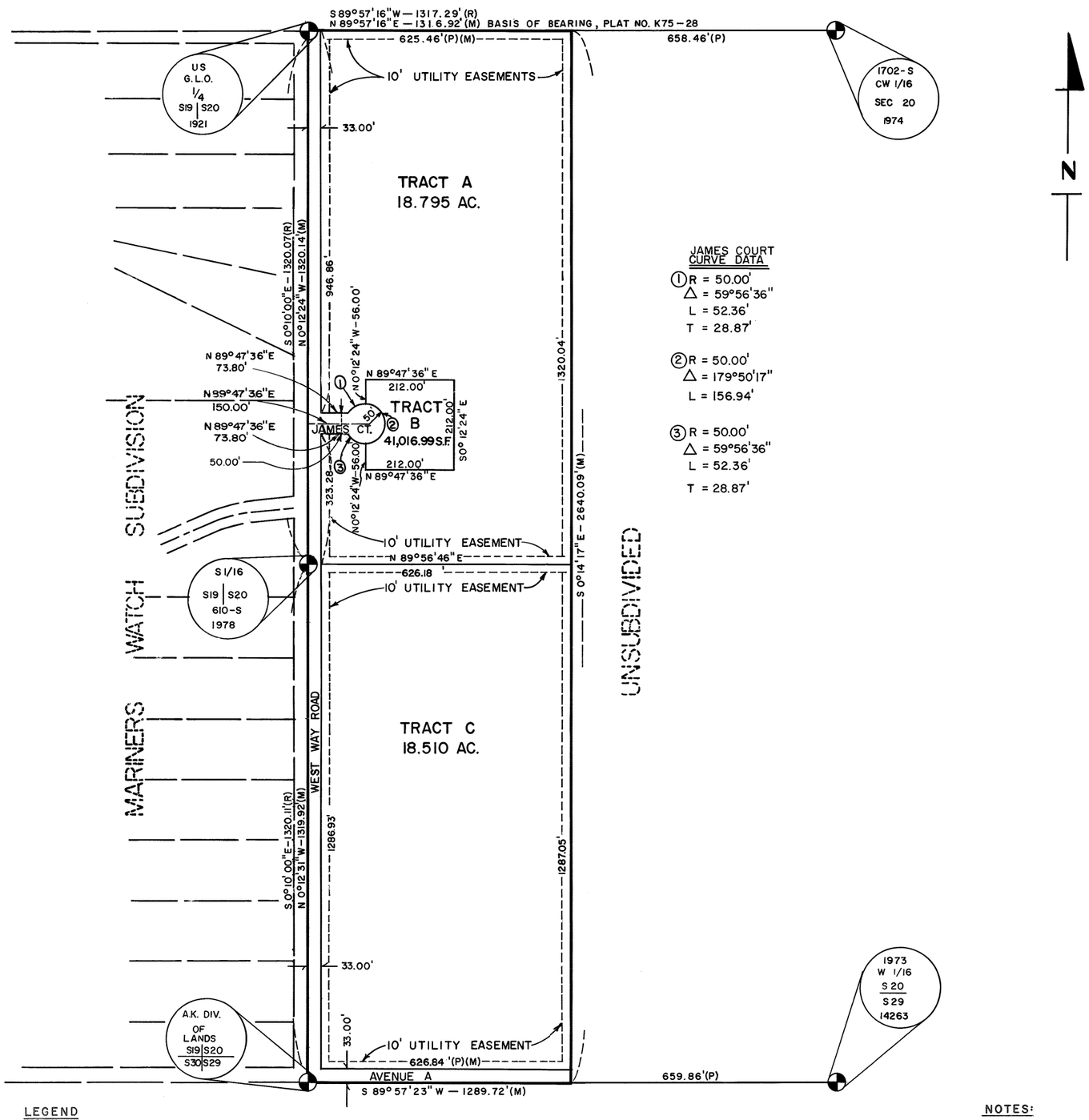
LOCATION

67.08 AC. M/L SITUATED IN THE W 1/2 SW 1/4 OF SECTION 20, T. 5 N., R. 11 W., S.M., AK. AND THE KENAI PENINSULA BOROUGH IN THE KENAI RECORDING DISTRICT.

Surveyed by : Consulting Group
McLane P.O. Box 468 Soldotna, AK 99669

Date : Oct. 1995	Book No. : N/A	Project No. 952017
Drawn by : msm	Scale 1" = 200'	KPB File No. 95123

KENAI RIVER BRIDGE SUBDIVISION

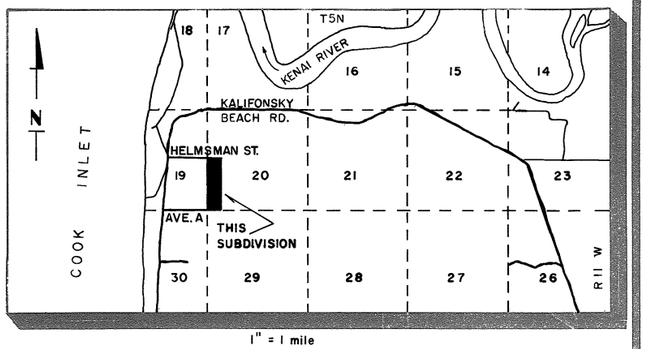


JAMES COURT CURVE DATA

① R = 50.00'
△ = 59°56'36"
L = 52.36'
T = 28.87'

② R = 50.00'
△ = 179°50'17"
L = 156.94'

③ R = 50.00'
△ = 59°56'36"
L = 52.36'
T = 28.87'



1" = 1 mile

VICINITY MAP

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND DEDICATE ALL RIGHT-OF-WAYS AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

James H. Doyle
JAMES H. DOYLE
BOX 582
KENAI, AK.

James C. Doyle
JAMES C. DOYLE
BOX 582
KENAI, AK.

Trina M. Doyle
TRINA DOYLE
BOX 582
KENAI, AK.

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 13 DAY OF Nov, 1981, FOR JAMES C. DOYLE, TRINA DOYLE & JAMES H. DOYLE.

Donnet L. [illegible]
NORTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 4-21-84

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF Sept 21 1981.

KENAI PENINSULA BOROUGH
BY: [signature]
AUTHORIZED OFFICIAL

81-159
~~RECORDED~~ - FILED 10⁰⁰
Kenai
DATE 12-11 1981
TIME 12:27 P.M.
Requested by Dowling-Rice
Address Assoc.

James Karl Dowling
JAMES KARL DOWLING, R.L.S.
REGISTRATION NO. 1564-S

STATE OF ALASKA 49TH James Karl Dowling 1564-S REGISTERED PROFESSIONAL LAND SURVEYOR

LEGEND

- MONUMENT (Existing)
- REBAR # 5 x 30" (Set this survey)
- HUB & TACK (Existing)
- REBAR # 5 x 30" (Found this survey)
- BRASS CAP MONUMENT (Set this survey)

(M)(R)(P) MEASURED, RECORD, PROPORTIONED

NOTES:

1. PROPOSED LAND USES ARE RECREATIONAL, RESIDENTIAL AND AGRICULTURAL.
2. A SETBACK OF 20 FEET IS REQUIRED FROM ALL STREET RIGHT-OF-WAYS UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
3. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING LAWS AT THE TIME OF CONSTRUCTION.

DOYLE ESTATES TRACTS A, B & C

LOCATED IN THE W1/2 W1/2 SW1/4
SEC. 20, T5N, R11W, S.M.

CONTAINING 38.25 ACRES

DOWLING-RICE and ASSOCIATES
P.O. BOX 1974 SOLDOTNA, ALASKA 99669
ENGINEERS 262-9011 SURVEYORS

DATE: AUGUST 27, 1981	SCALE: 1" = 200'
DRAFTED: SBJ.	SHEET: 1 of 1
CHECKED:	

KN 81-159

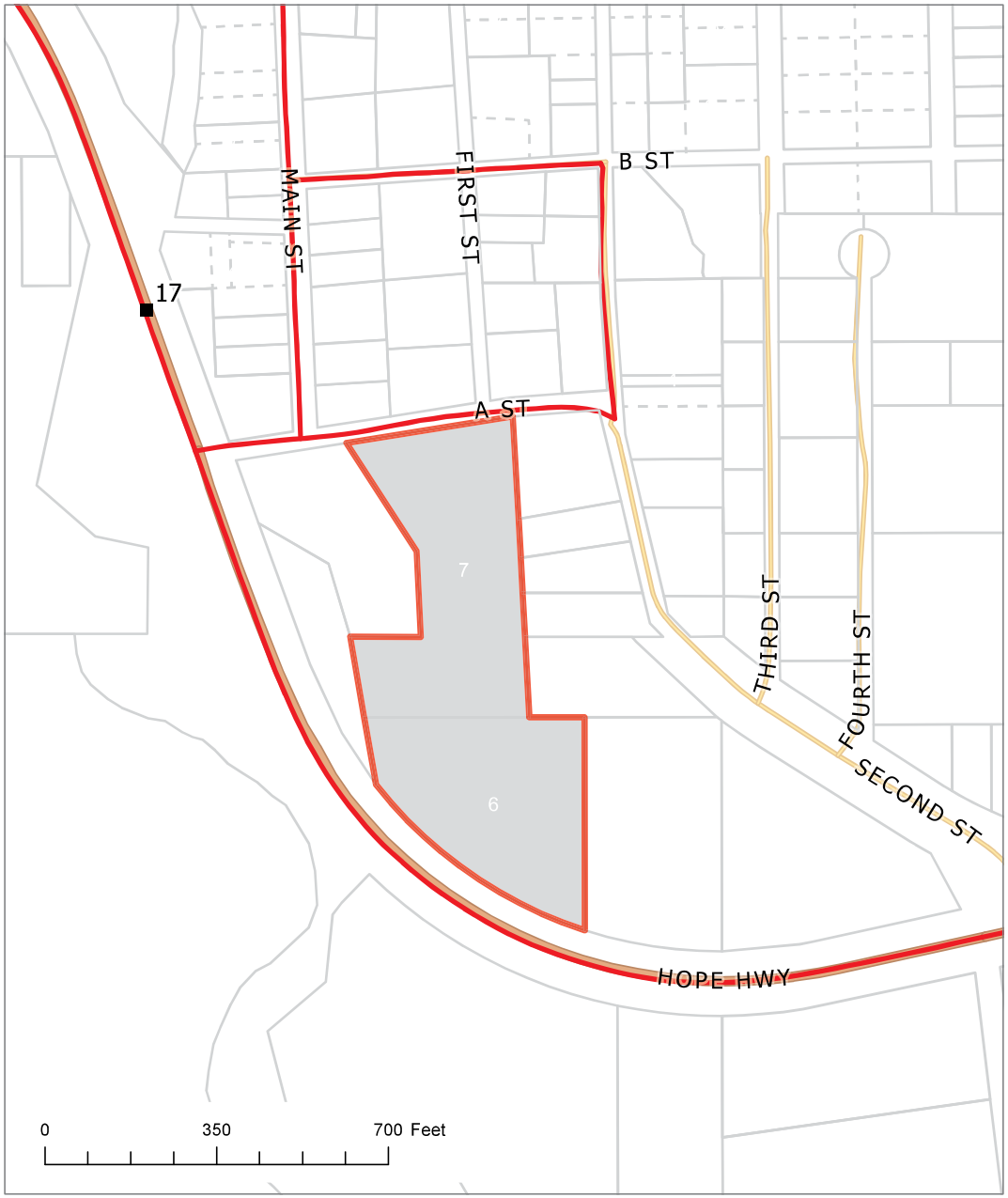
E. NEW BUSINESS

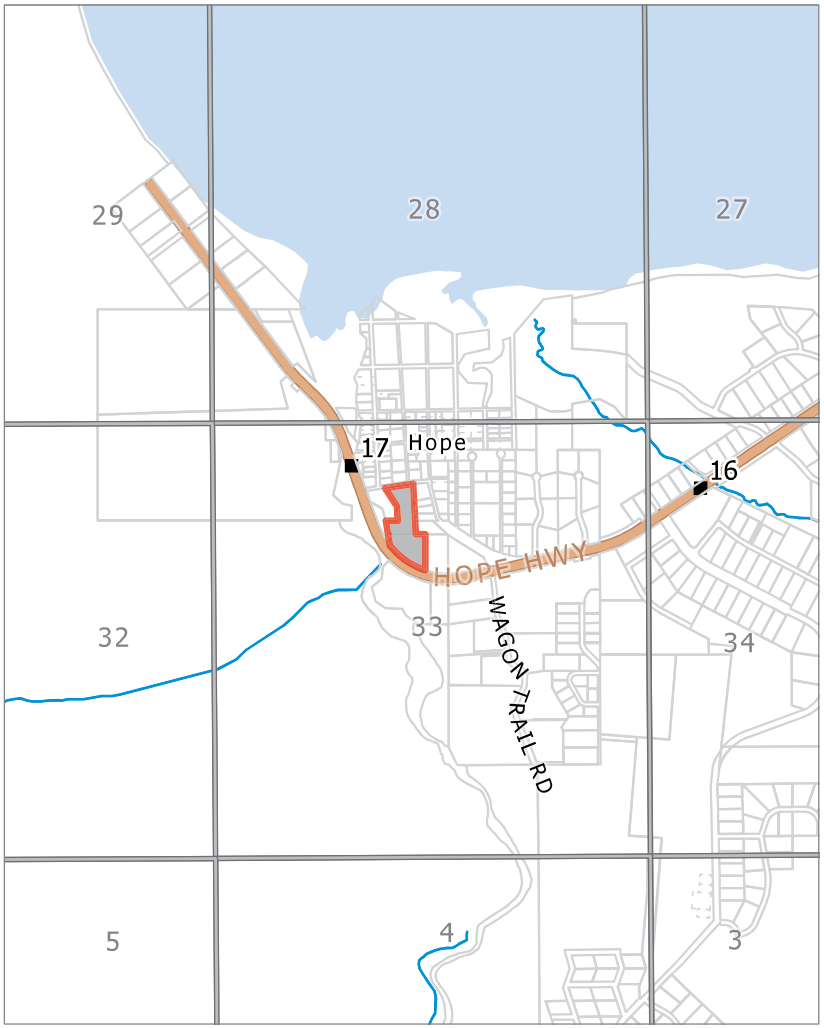
6. Tutl'uh Subdivision Carmody Addition; KPB File 2022-068
McLane Consulting Group / Gwartney
Location: A Street & Hope Highway
Hope Area / Hope-Sunrise APC

Kenai Peninsula Borough Planning Department

Vicinity Map

5/20/2022





KPB File # 2022-068
S33 T10N R02W
Hope

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.

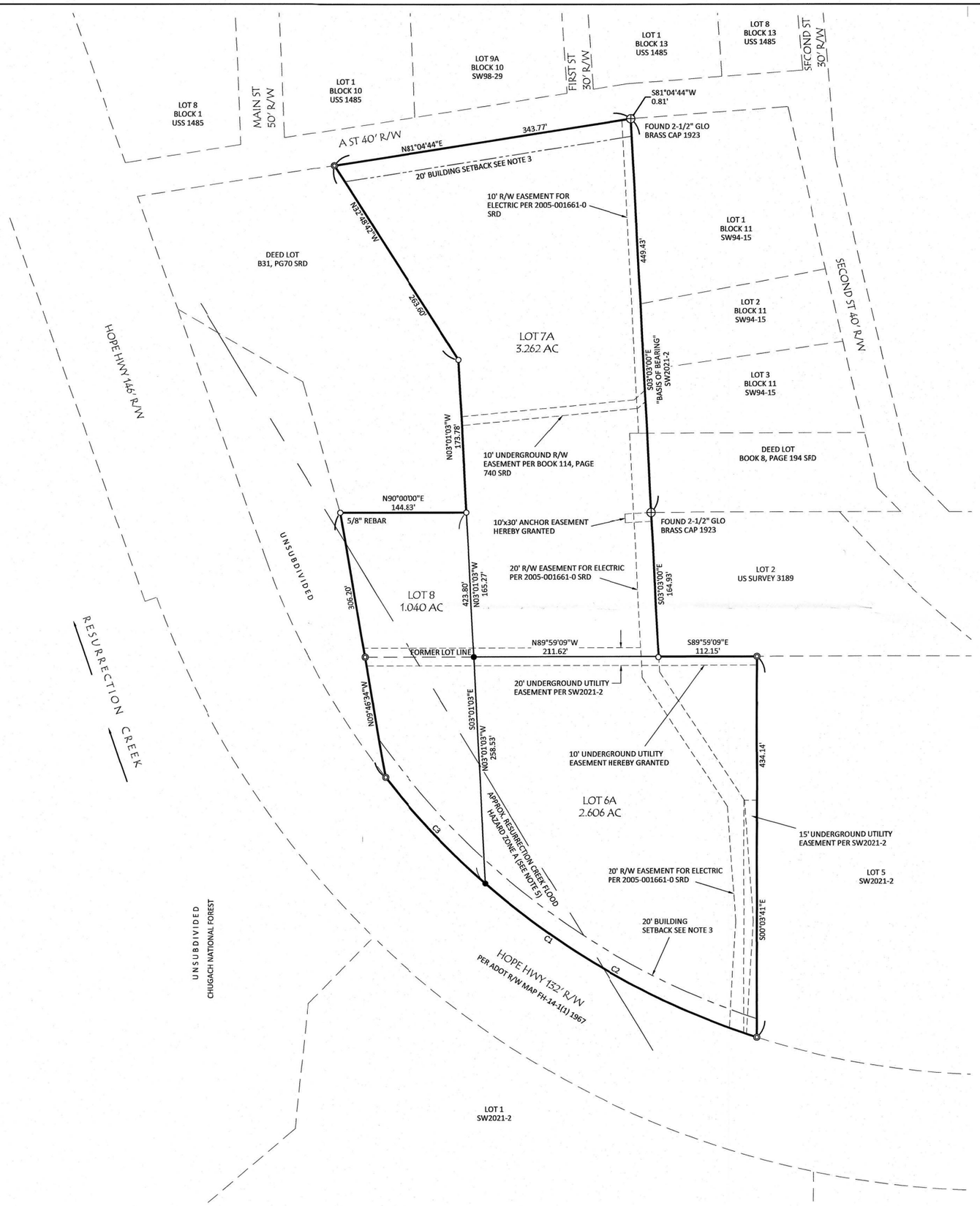
Kenai Peninsula Borough Planning Department

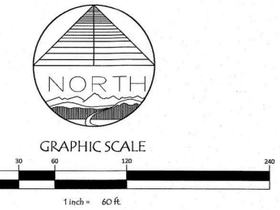
Aerial View

KPB 2022-068
5/20/2022



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

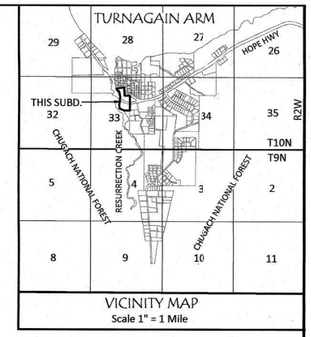




CURVE TABLE						
CURVE #	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD LENGTH
C1	33°58'26"	888.93	527.10	271.55	N 55° 03' 21" W	519.41'
C2	23°10'14"	888.93	359.49	182.23	N 60° 27' 27" W	357.04'
C3	10°48'12"	888.93	167.61	84.05	N 43° 28' 14" W	167.36'

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. 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.
3. 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.
4. NO DIRECT ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES.
5. FLOOD HAZARD NOTICE: SOME OR ALL OF THE PROPERTY SHOWN ON THIS PLAT HAS BEEN DESIGNATED BY FEMA AS A FLOOD HAZARD AREA DISTRICT AS OF THE DATE THIS PLAT IS RECORDED WITH THE DISTRICT RECORDER'S OFFICE. SUBDIVISION IS LOCATED WITHIN FLOOD ZONE A PER FEMA MAP PANEL NUMBER 020012-1125A. PRIOR TO DEVELOPMENT, THE KENAI PENINSULA BOROUGH FLOODPLAIN ADMINISTRATOR SHOULD BE CONTACTED FOR CURRENT INFORMATION AND REGULATIONS. DEVELOPMENT MUST COMPLY WITH CHAPTER 21.06 OF THE KENAI PENINSULA BOROUGH CODE.
6. 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.
7. 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.
8. HOPE HIGHWAY R/W PER ALASKA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FH-14-1(1).
9. THESE PARCELS MAY BE AFFECTED BY THE FOLLOWING:
   - 9.1. AN ELECTRIC EASEMENT GRANTED TO CHUGACH ELECTRIC ASSOCIATION ON OCTOBER 17, 2002 IN BOOK 114, PAGE 740 SRD. LOCATION NOT DEFINED.
   - 9.2. AN ELECTRIC EASEMENT GRANTED TO CHUGACH ELECTRIC ASSOCIATION ON NOVEMBER 1, 2005 IN DOCUMENT 2005-001661-0 SRD. LOCATION NOT DEFINED.



VICINITY MAP
Scale 1" = 1 Mile

LEGEND

- ⊕ FOUND PRIMARY MONUMENT AS DESCRIBED
- ○ FOUND 1/2" REBAR UNLESS NOTED
- ◎ FOUND 5/8"x30" REBAR w/ 1" STAINLESS STEEL CAP 85032-S
- ● SET 5/8"x30" REBAR w/ 1" STAINLESS STEEL CAP 85032-S

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

FRANK GWARTNEY
PO BOX 90227, ANCHORAGE, AK 99509

NOTARY'S ACKNOWLEDGEMENT

FOR: FRANK GWARTNEY

ACKNOWLEDGED BEFORE ME THIS

_____ DAY OF _____, 2022

MY COMMISSION EXPIRES :_____

_____
NOTARY PUBLIC FOR THE
STATE OF ALASKA

WASTEWATER DISPOSAL

SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES IN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SERVING SINGLE-FAMILY OR DUPLEX RESIDENCES AND MEETING THE REGULATORY REQUIREMENTS OF THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE DESIGNED BY A PROFESSIONAL ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

CODY R. McLANE C.E. 11510 AK DATE

Plat #
Rec Dist
Date _____ 20____
Time _____ M

STATE OF ALASKA 49TH
JAMES A. HALL
85032-S
REGISTERED PROFESSIONAL LAND SURVEYOR

PLAT APPROVAL

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

AUTHORIZED OFFICIAL DATE

TUTL'UH SUBDIVISION CARMODY ADDITION

A RESUBDIVISION OF LOT 6 & LOT 7 TUTL'UH SUBDIVISION (SW2021-2)

FRANK GWARTNEY, (OWNER)
PO BOX 90227, ANCHORAGE, AK 99509

6.908 AC. M/L SITUATED IN SECTION 33, TOWNSHIP 10 NORTH, RANGE 2 WEST, SEWARD MERIDIAN, ALASKA, THE KENAI PENINSULA BOROUGH, IN THE SEWARD RECORDING DISTRICT.

McLANE Consulting Inc
ENGINEERING - TESTING
SURVEYING - MAPPING
P.O. BOX 468
SOLDOTNA, AK. 99669
VOICE: (907) 283-4218
FAX: (907) 283-3265
WWW.MCLANECG.COM

		KPB File No.	2022-xxx
		Project No.	222016
Scale 1" = 60'	Date : MAY 2022	Book No. : xxx	Drawn by : JAH

KPB 2022-068

AGENDA ITEM E. NEW BUSINESS

ITEM 6 - TUTL'UH SUBDIVISION CARMODY ADDITION

KPB File No.	2022-068
Plat Committee Meeting:	June 13, 2022
Applicant / Owner:	Frank Gwartney of Anchorage, AK
Surveyor:	James Hall / McLane Consulting
General Location:	Hope Highway, A Street, Hope / Hope/Sunrise APC

Parent Parcel No.:	035-031-10 and 035-031-11
Legal Description:	Lot 6 and 7 of Tutl'uh Subdivision SW 2021-2
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will reconfigure two parcels into three lots. The lots will be 1.04 acres, 2.606 acres, and 3.262 acres.

Location and Legal Access (existing and proposed): The preliminary plat is located near mile 17 of state maintained Hope Highway. Along the northern boundary is state maintained A Street. The Hope Highway has varying widths but within this location it is 132 feet wide. A Street is a 40 foot wide right-of-way.

Proposed Lot 7A will continue to have access from A Street. Lot 8 and Lot 6A will have access from the Hope Highway.

Many of the rights-of-way within the historic portion of Hope do not meet current street width requirements. Many of the lots in this area are small with existing structures that make future dedications difficult. The parent plat for this proposed plat was approved by the plat committee in 2020 and an exception was granted for street width requirements. ***Staff recommends*** *the plat committee concur to carry over the exception to KPB 20.30.120 per the same finding of fact that follow and a plat note be added for the exception.*

2. A Street was granted in 1924 by Hope Townsite Alaska, US Survey No. 1485.
3. A Street is improved with a roadway.
4. SOA DOT provides maintenance on A Street.
5. SOA DOT did not request any additional right of way.
7. No parcels will be denied access and access will not be limited.
8. Right of ways or varying width were dedicated in 1924 and have been adequate for 96 years.

Hope Highway, Second Street, and A Street provide a closed block. All portions are constructed and maintained by either the State or the Borough. The lengths do exceed allowed lengths due to the unusual shape. Any requirements to improve those block lengths will result in creating blocks that will not comply due to being short length or will not improve the block due to location. ***Staff recommends*** *the plat committee concur that an exception is not required as any dedications would not improve the block requirements.*

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	The Hope Highway is generally as shown on sheet 3 of 5 of DOH Right of Way Plat FH-14-1-(1) and appears to be shown correctly.

Site Investigation: There does not appear to be any low wet areas present on the property. The area is relatively flat. If any steep areas or wet areas are detected during the field survey they should be depicted on the final plat and any required plat notes be added.

There appears to be multiple improvements on the property. Using KPB GIS Imagery, it cannot be determined the status and if any are permanent. There is an existing structure that will be on proposed Lot 6A that appears to be accessed through proposed Lot 7A. It would be recommended if this access is to continue in the future and either property has an ownership change, a driveway or private access easement document be recorded. It does appear that there may be an existing driveway from the Hope Highway that would provide additional access to the structure. ***Staff recommends*** *the surveyor verify that there will be no encroachments created by this plat and add the borough encroachment note.*

The parent plat was subject to an anadromous habitat protection district. This preliminary plat is not and plat note 6 can be removed.

KPB River Center review	A. Floodplain Reviewer: Carver, Nancy Floodplain Status: IS in flood hazard area Comments: Flood Zone: A,C Map Panel: 020012-1125A In Floodway: False Floodway Panel: 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 proposed plat is replat of lots created by Tutl'uh Subdivision, Plat SW 2021-02. That plat subdivided some lands that were originally part of U.S. Survey 3189 that was approved in 1954.

This plat will be reconfiguring the shared lot line between two lots to create three lots. All lots will comply with the 3:1 depth to width ration.

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.

Hope 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 Numerous easements have been granted by recorded document. They are depicted with labels noting their creation. The parent plat granted several easements which are also depicted and labeled. ***Staff recommends*** *the label for the 10x30 anchor easement and the 10' underground utility easement within Lot 6A have the labels updated to state "per SW 2021-2".*

An exception request has been received for KPB Code 20.30.060(D).

The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Staff recommends** to grant utility easements requested by the utility providers or work with the utility providers to obtain approval.

Utility provider review:

HEA	
ENSTAR	
ACS	No objections
GCI	
SEWARD ELECTRIC	
CHUGACH ELECTRIC	
TELALASKA	

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 18938 HOPE HWY Existing Street Names are Correct: Yes List of Correct Street Names: HOPE HWY A ST MAIN ST FIRST ST SECOND ST Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: 18938 HOPE HWY will remain with Lot 6A
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat.
Assessing	Reviewer: Wilcox, Adeena Comments: No comment

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:** Add the aliquot location to the description, NW1/4.*

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 proposed plat.*

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 report will be required and an engineer will 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.*

- *Add a plat note for any exceptions granted.*
- *Add a plat note for the highway reservation easement as found within the Certificate to Plat.*

- *The exception to KPB Code 20.30.120, street-width requirements for A Street that was granted at the November 30, 2020 Plat Committee meeting was carried over at the June 13, 2022 Plat Committee Meeting.*
- *Acceptance of this plat by the Kenai Peninsula Borough does not indicate acceptance of any encroachments.*

Remove plat note 6.
Notes 9.1 and 9.2 state "location not defined" but the face of the plat references the notes for specific easements. Either remove "location not defined" or if the easements contained additional undefined locations change to "Additional locations other than those depicted are allowed but not defined."

EXCEPTIONS REQUESTED:

KPB 20.30.060(D) – Easements-Requirements (Front 10 feet adjoining rights-of-way)

Surveyor's Discussion: There is no overhead utilities through the subdivision. Parent plats granted utility easements for underground utilities that service all lots being created and adjoining parcels.

Staff Discussion: Per KPB 20.30.060(D), "Unless a utility company requests additional easements, the front ten feet adjoining rights-of-way shall be designated as a utility easement, graphically or by note." Utility providers have been emailed a copy of the preliminary plat and are given the opportunity to request additional easements.

Findings:
1. KPB Code requires the front 10 feet be granted as utility easements.
2. The proposed subdivision in encumbered by multiple utility easements.
3. Some of the existing easements are for the benefit of specific providers.
4. A copy of the proposed plat was been emailed to utility providers for review.
5. With proper permitting, some rights-of-way may be used for utility needs.
6. The parent plat, Tutl'Uh Subdivision was heard by the Plat Committee on November 30, 2020.
7. The parent plat was not required to grant utility easements adjacent to the rights-of-way.
8. Chugach requested seven easements during the parent plat review and all were granted.
9. Staff requested during the parent plat review that the plat committee concur that the easements granted by that plat would satisfy the requirements of 20.30.060 and no additional easements were required.

If denied, 10 foot minimum utility easements will be required to be granted along A Street and Hope Highway.

Staff reviewed the exception request and recommends granting approval ***subject to*** any requested easements from providers be granted which may include those adjacent to the rights-of-way.

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

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

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

1. That special circumstances or conditions affecting the property have been shown by application;
   Findings 2 and 4-9 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 2 and 4-9 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 2 and 4-9 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

Kenai Peninsula Borough Planning Department

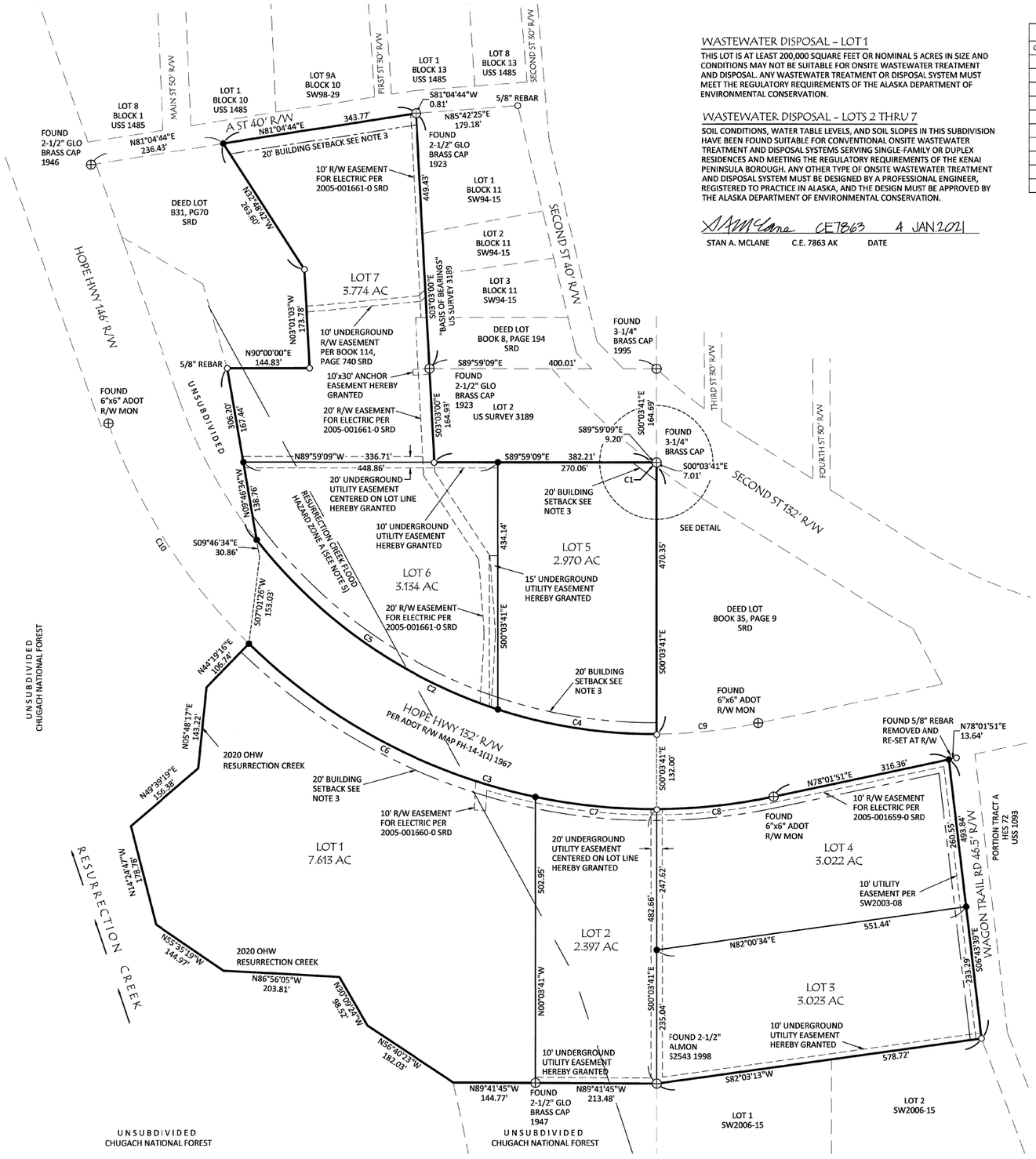
Aerial View

KPB File Number 2022-068

6/6/2022



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 n



WASTEWATER DISPOSAL - LOT 1

THIS LOT IS AT LEAST 200,000 SQUARE FEET OR NOMINAL 5 ACRES IN SIZE AND CONDITIONS MAY NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL. ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

WASTEWATER DISPOSAL - LOTS 2 THRU 7

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.

STAN A. MCLANE C.E. 7863 AK — DATE: 4 JAN 2021

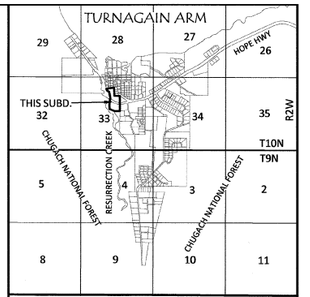
CURVE TABLE						
CURVE #	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD LENGTH
C1	0°32'50"	1211.92	11.57	5.79	S 52° 42' 09" E	11.57'
C2	52°16'09"	888.93	810.94	436.15	N 64° 12' 12" W	783.11'
C3	56°17'25"	1020.93	1003.01	546.16	S 73° 49' 27" E	963.16'
C4	18°17'43"	888.93	283.85	143.14	N 81° 11' 25" W	282.64'
C5	33°58'26"	888.93	527.10	271.55	N 55° 03' 21" W	519.41'
C6	32°33'33"	1020.93	580.16	258.14	S 61° 57' 30" E	572.38'
C7	12°03'51"	1020.93	214.97	107.88	S 84° 16' 12" E	214.57'
C8	11°40'01"	1020.93	207.89	104.31	N 83° 51' 52" E	207.53'
C9	11°37'52"	888.93	180.46	90.54	N 83° 50' 47" E	180.15'
C10	26°03'51"	1020.93	464.43	236.30	S 32° 38' 49" E	460.43'

NORTH

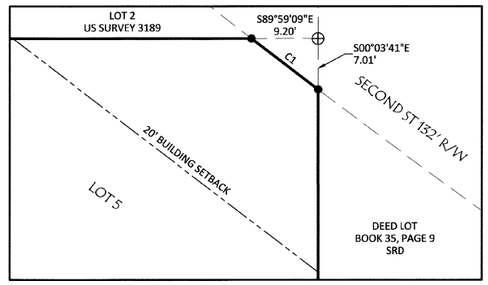
GRAPHIC SCALE

100 0 50 100 200 400

1 inch = 100 ft.



VICINITY MAP
Scale 1" = 1 Mile



DETAIL
SCALE: 1" = 10'

LEGEND

- ⊕ FOUND PRIMARY MONUMENT AS DESCRIBED
- ○ FOUND 1/2" REBAR UNLESS NOTED
- ● SET 5/8"x30" REBAR w/ 1" STAINLESS STEEL CAP 85032-S

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

Frank Gwartney

FRANK GWARTNEY aka FRANKEL GWARTNEY
PO BOX 90227, ANCHORAGE, AK 99509

NOTARY'S ACKNOWLEDGEMENT

FOR: FRANK GWARTNEY aka FRANKEL GWARTNEY
ACKNOWLEDGED BEFORE ME THIS 6th DAY OF January, 2021

MY COMMISSION EXPIRES: 10-17-23

NOTARY PUBLIC FOR THE STATE OF ALASKA

TONIA WOLFE NOTARY PUBLIC STATE OF ALASKA

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. 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.
3. 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.
4. NO DIRECT ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES.
5. FLOOD HAZARD NOTICE: SOME OR ALL OF THE PROPERTY SHOWN ON THIS PLAT HAS BEEN DESIGNATED BY FEMA AS A FLOOD HAZARD AREA DISTRICT AS OF THE DATE THIS PLAT IS RECORDED WITH THE DISTRICT RECORDER'S OFFICE. SUBDIVISION IS LOCATED WITHIN FLOOD ZONE A PER FEMA MAP PANEL NUMBER 020012-1125A. PRIOR TO DEVELOPMENT, THE KENAI PENINSULA BOROUGH FLOODPLAIN ADMINISTRATOR SHOULD BE CONTACTED FOR CURRENT INFORMATION AND REGULATIONS. DEVELOPMENT MUST COMPLY WITH CHAPTER 21.06 OF THE KENAI PENINSULA BOROUGH CODE.
6. 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.
7. 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.
8. HOPE HIGHWAY R/W PER ALASKA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FH-14-1(1).
9. EXCEPTION GRANTED TO STREET WIDTH (KPB 20.30.120) BY THE PLANNING COMMISSION AT THE NOVEMBER 30, 2020 MEETING.

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF NOVEMBER 30, 2020.

Scott Walden — 2/12/21

AUTHORIZED OFFICIAL — DATE

2020-2
Plat # Seward
Rec Dist
Date 2/17 20 21
Time 2:13 PM

STATE OF ALASKA 49TH
JAMES A. HALL
85032-S
1/11/2021
REGISTERED PROFESSIONAL LAND SURVEYOR

TUTL'UH SUBDIVISION

A SUBDIVISION OF PARCEL 1 OF PLAT WAIVER 2004-26 SEWARD RECORDING DISTRICT (SRD) AND A PORTION OF LOT 1 US SURVEY 3189 EXCEPTING DEED PARCEL PER BOOK 31, PAGE 70 SRD AND HOPE HIGHWAY R/W PER WARRANTY DEED BOOK 31D, PAGE 163 SRD

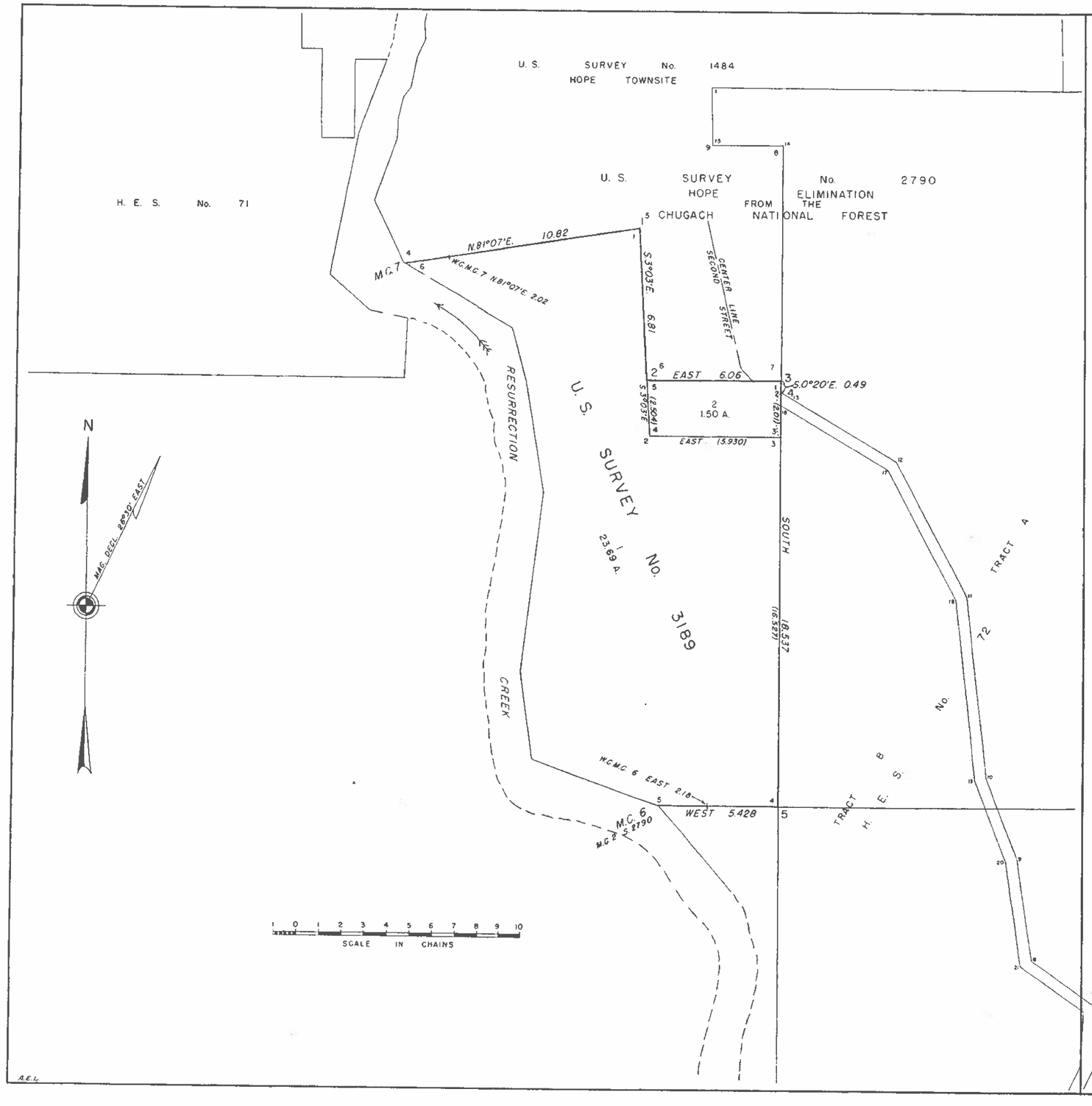
FRANK GWARTNEY aka FRANKEL GWARTNEY, (OWNER)
PO BOX 90227, ANCHORAGE, AK 99509

25.932 AC. M/L SITUATED IN SECTION 33, TOWNSHIP 10 NORTH, RANGE 2 WEST, SEWARD MERIDIAN, ALASKA, THE KENAI PENINSULA BOROUGH, IN THE SEWARD RECORDING DISTRICT.

McLANE Consulting Inc — ENGINEERING - TESTING SURVEYING - MAPPING P.O. BOX 468 SOLDOTNA, AK. 99669 VOICE: (907) 283-4218 FAX: (907) 283-3265 WWW.MCLANECG.COM		KPB File No.	2020-130
		Project No.	202020
Scale 1" = 100'	Date : AUG. 2020	Book No. : 20-01	Drawn by : JAH

Sheet 1 of 1

ORIGINAL



U. S. SURVEY
No. 3189 ALASKA

EMBRACING
LOTS 1 & 2

SITUATED

IN U. S. SURVEY NO. 2790, HOPE ELIMINATION FROM

CHUGACH NATIONAL FOREST

ADJOINING U. S. SURVEY NO. 1484 AND H.E.S. NO. 72

IN

Latitude 60°55'10" N. (approximate) Longitude 149°38' W. (approximate)

AT CORNER NO. 3

AREA: LOT 1 -- 23.69 ACRES

AREA: LOT 2 -- 1.50 ACRES

TOTAL AREA -- 25.19 ACRES

EXECUTED BY

LEONARD M. BERLIN,
AREA CADASTRAL ENGINEERING OFFICER

JULY 30, 1954

UNDER SPECIAL INSTRUCTIONS
DATED MAY 16, 1952
AND APPROVED MAY 29, 1952.

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington, D. C.
September 27, 1954

This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director

Earl G. Harrington

Cadastral Engineering Officer

69394

D.S. 581
A.S. 1249

E. NEW BUSINESS

7. Common Ground Subdivision; KPB File 2022-066
Segesser Surveys / Kenai Peninsula Borough
Location: School Ave., Birch St. & Old Sterling Hwy.
Anchor Point Area / Anchor Point APC

Kenai Peninsula Borough Planning Department

Vicinity Map

5/18/2022





KPB File # 2022-066
S04 T05S R15W
Anchor Point

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.

Kenai Peninsula Borough Planning Department

Aerial Map

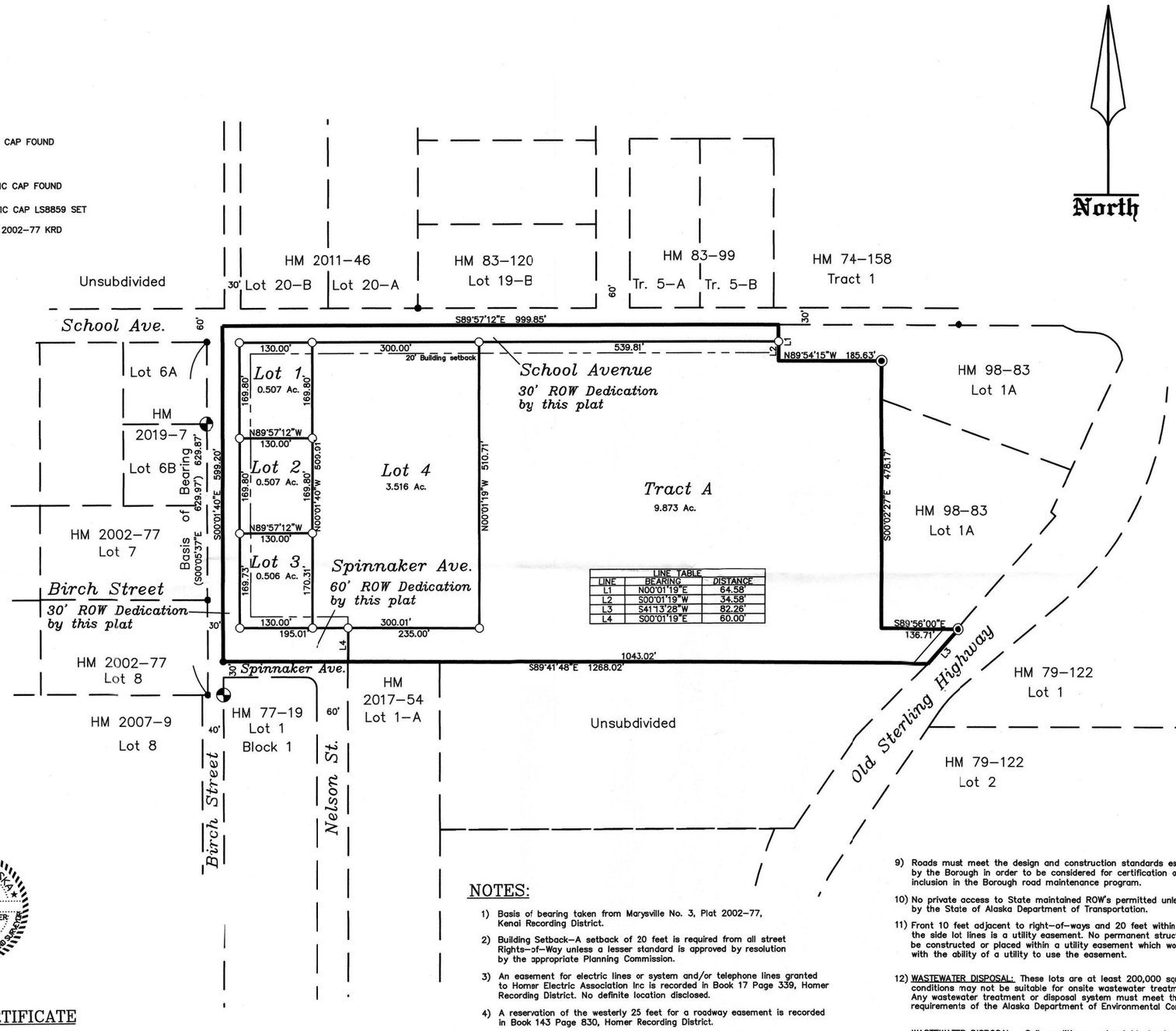
KPB File Number 2022-066
5/18/2022



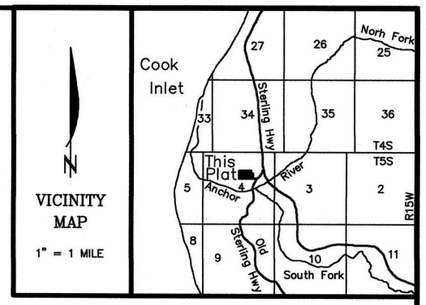
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

LEGEND:

- IRON PIPE FOUND
- 5/8" REBAR w/ALUM. CAP FOUND
- 5/8" REBAR FOUND
- 1/2" REBAR w/PLASTIC CAP FOUND
- 5/8" REBAR w/PLASTIC CAP LS8859 SET
- ( ) RECORD DATUM PLAT 2002-77 KRD



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N00°01'19"E	64.58'
L2	S00°01'19"W	34.58'
L3	S41°13'28"W	82.26'
L4	S00°01'19"E	60.00'



CERTIFICATE of OWNERSHIP and DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE KENAI PENINSULA BOROUGH IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, AND ON BEHALF OF THE KENAI PENINSULA BOROUGH, 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.

CHARLIE PIERCE, MAYOR
KENAI PENINSULA BOROUGH
144 N BINKLEY STREET
SOLDOTNA, ALASKA 99669

NOTARY'S ACKNOWLEDGEMENT

FOR _____

ACKNOWLEDGED BEFORE ME THIS_____ DAY OF _____ 20___.

_____
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

PLAT APPROVAL

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

KENAI PENINSULA BOROUGH

_____
AUTHORIZED OFFICIAL

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 _____

STATE OF ALASKA
49TH
JOHN F. SEGESSER
No. LS 8859
REGISTERED PROFESSIONAL LAND SURVEYOR

NOTES:

1) Basis of bearing taken from Marysville No. 3, Plat 2002-77, 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) An easement for electric lines or system and/or telephone lines granted to Homer Electric Association Inc is recorded in Book 17 Page 339, Homer Recording District. No definite location disclosed.
4) A reservation of the westerly 25 feet for a roadway easement is recorded in Book 143 Page 830, Homer Recording District.
5) An easement for underground fiber optic line granted to Alaska Communication Systems, Inc is recorded as serial number 2009-002443-0, Homer Recording District.
6) An easement for electric lines or system and/or telephone lines granted to Homer Electric Association Inc is recorded as serial number 2008-003180-0, Homer Recording District.
7) A public utility easement in favor of the public is recorded as serial number 2012-003313-0, and corrected by instrument recorded as serial number 2013-000666-0, Homer Recording District.
8) An easement for natural gas pipeline granted to Enstar Natural Gas Company is recorded as serial number 2013-000939-0, Homer Recording District.
9) 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.
10) No private access to State maintained ROW's permitted unless approved by the State of Alaska Department of Transportation.
11) Front 10 feet adjacent to right-of-ways and 20 feet within 5 feet of the side lot lines is a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
12) 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.

WASTEWATER DISPOSAL: Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single-family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation.

_____ _____ _____
Engineer License No. date

KPB FILE No.

Common Ground Subdivision

A subdivision of that portion of the S1/2 NE1/4 Section 4 T5S, R15W, S.M., as per Commisioner's Quit Claim Deed recorded as serial number 2002-006119-0, Homer Recording District.

Located within the S1/2 NE1/4 Section 4, T5S, R15W, S.M., Kenai Peninsula Borough, Alaska.

Containing 16.259 Ac.

Surveyor	Owner
Segesser Surveys 30485 Rosland St. Soldotna, AK 99669 (907) 262-3909	Kenai Peninsula Borough 144 N. Binkley Street Soldotna, Alaska 99669

JOB NO.	22030	DRAWN:	5-17-22
SURVEYED:	April, 2022	SCALE:	1"=100'
FIELD BOOK:	22-2	SHEET:	1 of 1

KPB 2022-066

AGENDA ITEM E. NEW BUSINESS

ITEM 7 - COMMON GROUND SUBDIVISION

KPB File No.	2022-066
Plat Committee Meeting:	June 13, 2022
Applicant / Owner:	Kenai Peninsula Borough of Soldotna, AK
Surveyor:	John Segesser / Segesser Surveys
General Location:	School Avenue, Old Sterling Highway, Anchor Point / Anchor Point APC

Parent Parcel No.:	169-050-67 and 169-050-71
Legal Description:	Portion of S1/2 NE1/4 Section 4, Township 5 South, Range 15 West, per Deed 2002-006119-0, HRD
Assessing Use:	Residential / Industrial Mining
Zoning:	Rural Unrestricted
Water / Wastewater	On site / Community

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will reconfigure two parcels into one tract and four lots. The tract will be 9.873 acres. One of the lots will be 3.516 acres and the other three lots will be .5 acres. Dedications for School Avenue, Birch Street, and Spinnaker Avenue are proposed.

Location and Legal Access (existing and proposed): The proposed plat is located along School Avenue and Birch Street in the Anchor Point area. There is an approximate 82 foot access to the Old Sterling Highway from the subdivision. The Old Sterling Highway is a varying width state maintained right-of-way. School Avenue is a varying width borough maintained right-of-way. Both of these roads intersect the Sterling Highway near mile 157. Birch Street appears to be constructed but is not currently maintained and the width varies. Spinnaker Avenue connects Birch Street and Nelson Street. It is a short right-of-way that is currently maintained by the Kenai Peninsula Borough.

Tract A is the current site for the Anchor Point Transfer Site. It currently has access from the Old Sterling Highway. Access will also be available from School Avenue and Spinnaker Avenue. Lot 4 will have access from Spinnaker Avenue and School Avenue. Lots 1 through 3 will all have access from Birch Street with Lot 1 having additional access to School Avenue and Lot 3 having access from Spinnaker Avenue.

One of the current parcels is a narrow strip of land located along School Avenue. A portion of that is proposed to be dedicated as a 30 foot width strip of School Avenue to bring this portion of the right-of-way into compliance for width. There is a utility easement within the area proposed to be dedicated for School Avenue. This easement is noted within plat note 7.

A 30 foot dedication is proposed for Birch Street. This will bring the width for the right-of-way into compliance for this portion. A roadway easement is already in place for a 25 foot width of the proposed dedication and is noted in plat note 4.

A 60 foot wide dedication is proposed for Spinnaker Avenue. There is an existing 30 foot dedication for Spinnaker Avenue and this will bring the dedication to 90 feet wide. Tract A is proposed to have a flag that is 235 feet which exceeds code allowance for any width less than 60 feet. The panhandle portion of Tract A is proposed at 60 feet wide and will be in line with the new proposed dedication of Spinnaker Avenue.

The block length along School Avenue is approximately 1,720 feet and exceeds the allowable length. The block is not complete in this area. To the south is a prior existing use material site that limits the ability to provide dedications through to have a closed block. Tract A is the Anchor Point Transfer Site and any dedications at this time may

cause some restrictions. The new dedication of Spinnaker Avenue and the flag portion of Tract A are in line with the current access to Old Sterling Highway. Tract A could be further subdivided in the future and provide a dedication of Spinnaker Avenue to help improve the block. ***Staff recommends*** *the plat committee concur that an exception or dedication for block length is not required at this time.*

It does currently appear that Spinnaker Avenue and Birch Street may be built outside of the right-of-way dedication. During the field survey it should be determined if the existing roadway will be within the dedications. ***Staff recommends*** *the surveyor inform staff of the status found of the existing roadway and if needed review dedications or easements for resolution.*

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	The ROW for Old Sterling Highway is generally as shown on sheet 4 of 4 of DOT Right of Way Map F-021-1(35) and appears to be shown correctly.

Site Investigation: There does not appear to be any low wet areas present within the proposed plat. There are some steep slopes found within proposed Tract A. These are mostly found within the southern portion and northeast corner of the tract. ***Staff recommends*** *the steep slopes do not impact any property other than the property used for the transfer site and the depiction of steep slopes will not be 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 subdivision of Kenai Peninsula Borough lands acquired through a Commissioner's Deed from the State of Alaska. Kenai Peninsula Borough Resolution 2021-075 was enacted by the Borough Assembly on October 12, 2021. The resolution classified the lands within this subdivision as waste handling/institutional/residential/utility transportation. That resolution will allow for the proper classification for the management of the Solid Waste Transfer Site. This will also allow for the potential institutional use of proposed Lot 4. The three smaller lots are classified as residential. The utility transportation classifications apply to the areas proposed for dedication.

Per some documents within the certificate to plat and some additional land management documentation, there is potentially some wells within the property. It is believed these were test wells as portions of this property had been formally used by DOT for gravel. The status of these wells should be verified so that it may be determined if additional depictions, notes, or any issues needing resolved can be reviewed. ***Staff recommends*** *the location of the wells be verified and that it be determined that they have been capped and are not in use.*

Tract A will not require a soils report based on the size of the lot. The four lots will require a soils analysis report and an engineer will need to sign the plat. ***Staff recommends*** *the existing wastewater disposal notes be revised to indicate which lots or tracts the notes pertain.*

Lots 1-3 are proposed to be .5 acres. This is approximately 22,085 square feet and 22,041 square feet. Per KPB 20.30.200(B), lots shall be a minimum of 40,000 square feet if onsite well and wastewater disposal are to be located on the lot. Per KPB 20.30.200(C), this area may be reduced to 20,000 square feet if public water or wastewater disposal systems are available. The application did not indicate the intent for water and wastewater disposal. The Anchor Point area does have a water system, the Anchor Point Safe water Corporation Public Water System. If the proposed lots will be connecting to this system ***Staff recommends*** *documentation be provided to show that the new lots are approved, or have been approved, to connect to the existing water system and that the water system will support the additional lots.*

If the lots will not be able to connect to the existing community water system, the plat, along with the soils analysis report, will go back to the plat committee to review the lots sizes proposed or a new design will be required to bring the lots into compliance.

Tract A will have a panhandle that will be 60 feet wide thus requiring a 20 foot building setback within Lot 4 for the panhandle portion of the tract. ***Staff recommends*** *the 20 foot building setback be extended in Lot 4 and the appropriate plat notes be added.*

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

Anchor Point Advisory Planning Commission minutes were not available when the staff report was prepared (KPB 21.02.020). These will be provided with the desk packet if available.

Utility Easements There have been multiple easements granted by recorded documents within the boundary of this subdivision. The easement within plat notes 5 and 6 have defined areas that should be depicted on the plat with a reference to the plat note. The easement within plat note 7 is now going to be within the School Avenue dedication or within the adjacent utility easement. ***Staff recommends*** *the location of the easement be determined and a note be added to refer to note 7.*

The plat is proposing to grant utility easements within the front 10 feet adjacent to rights-of-way that will increase to 20 feet within 5 feet of the side lot lines. ***Staff recommends*** *the note include "granted by this plat", a depiction of the easements be added, if the depiction interferes with required information add a typical detail, and extend the utility easement along the eastern boundary of Spinnaker Avenue within Tract A.*

Staff recommends *the easement found in plat note 8 be depicted.*

The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Staff recommends** to grant utility easements requested by the utility providers or work with the utility providers to obtain approval.

Utility provider review:

HEA	
ENSTAR	
ACS	No objections
GCI	

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses:

	34401 OLD STERLING HWY Existing Street Names are Correct: Yes List of Correct Street Names: OLD STERLING HWY NELSON ST BIRCH ST SCHOOL AVE SPINNAKER AVE Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: 34401 OLD STERLING HWY will remain with TRACT A.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat.
Assessing	Reviewer: Wilcox, Adeena Comments: No Comment

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

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

The code only requires depiction to 100 feet from the subdivision. Some of the depictions exceed that area but do not include labels. ***Staff recommends*** *adding some additional labels or removing some of the area lot depictions.*

Within the legend, update the recording district for the record source.

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 a width label or a width varies label for the Old Sterling Highway. Provide a label for the project map information or add a plat note.*

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: *Provide street name labels for the rights-of-way north of School Avenue. Lot 1 shown to the east of Old Sterling Highway should be updated to Lot 1-A of HM 85-7*

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."*
The setback will need to be put in place along the panhandle within Lot 4.

20.30.240. Building setbacks.

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

A. The setback shall be graphically depicted and labeled on the lots; if such depiction will interfere with the legibility of the plat, a typical lot showing the depiction and label may be provided on the plat, clearly indicating that the typical setback applies to all lots created by the plat.

B. The setback shall be noted on the plat in the following format:
Building setback- A setback of 20 feet is required from all dedicated street right-of-ways unless a lesser standard is approved by resolution of the appropriate planning commission.

C. When a subdivision is affected by a Local Option Zoning District (LOZD), an approved by the assembly, all building setbacks shall be graphically depicted and labeled on the lots. A local option zoning setback shall be noted on the plat in the following format:
Building setback – This subdivision is located within (name of LOZD) Local Option Zoning District as contained in KPB Chapters 21.44 and 21.46 and adopted by KPB Ordinance (number), recorded under (serial no. and recording district). Information regarding the zoning restrictions and copies of the ordinance are available from the KPB Planning Department.

Staff recommendation: *Update the line style used for the setback as the setback along the Old Sterling Highway appears as a solid line. Extend the setback into Lot 4 along the panhandle.*

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: Tract A will not require a soils analysis report based on size. All other lots will require a soils analysis report. The notes currently shown will need to be revised to designate which lots they are for.

***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:** All rights-of-way will need to be added to an acceptance to be signed by the Kenai Peninsula Borough.*

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

***Staff recommendation:** Lots 1-3 are smaller than allowed by code for onsite wastewater and water. If these lots are to be connected to the Anchor Point Safe Water system documentation will be require that they are connected or that the system will allow them to be connected. Additional plat notes will be required.*

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.

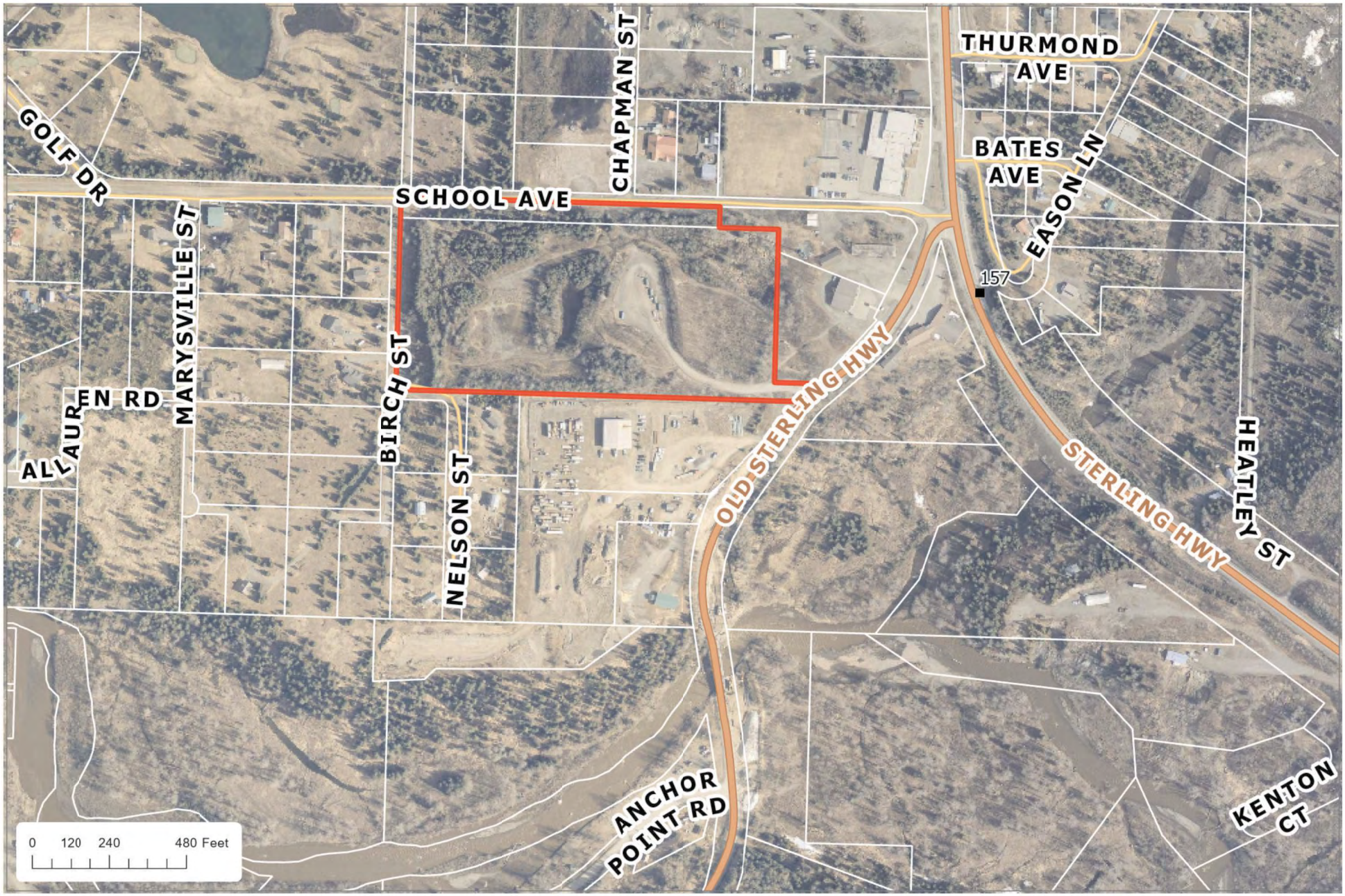
A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

END OF STAFF REPORT

Kenai Peninsula Borough Planning Department

Aerial

KPB File Number 2022-066
6/6/2022



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.

Kenai Peninsula Borough Planning Department

Aerial with 5-foot Contours

KPB File Number 2022-066

6/6/2022



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.

Introduced by:	Mayor
Date:	10/12/21
Action:	Adopted
Vote:	9 Yes, 0 No, 0 Absent

KENAI PENINSULA BOROUGH
RESOLUTION 2021-075

A RESOLUTION CLASSIFYING CERTAIN PARCELS OF BOROUGH OWNED LAND IN THE ANCHOR POINT AREA

WHEREAS, the Kenai Peninsula Borough ("Borough") is the title owner of the subject land; and

WHEREAS, pursuant to KPB 17.10.080 classification provides guidance for the management of borough land; and

WHEREAS, public notice was published and notification was sent to land owners and/or leaseholders of record within a one-half mile radius of the land proposed for classification, including applicable borough departments, government agencies, and interested parties; and

WHEREAS, the Anchor Point Advisory Planning Commission, at its meeting held on September 9, 2021, did not recommend approval; and

WHEREAS, the Kenai Peninsula Borough Planning Commission at its regularly scheduled meeting of September 27, 2021 recommended approval;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. Based on the findings of fact, analysis, and conclusions contained in the staff report of September 27, 2021 the following classifications for borough lands described below are compatible with the surrounding land use and shall be classified as follows consistent with the Plan of Classification map contained in the staff report:

Assessor's Parcel No.	General Location	Legal Description	Acres	Classification
169-050-71	Anchor Point	That portion of S1/2 NE1/4 as per WD Book 143, Page 830 Homer Recording District, Excluding that Portion as per Commissioners QCD Book 194, Page 990 T5S, R15W. S.M.	14.43	Waste Handling/ Institutional/ Residential/ Utility Transportation
169-050-67	Anchor Point	That portion of S1/2 NE1/4 as per QCD Book 194, Page 985 Homer Recording District, T5S, R15W. S.M.	1.49	Waste Handling/ Institutional/ Residential/ Utility Transportation

SECTION 2. This resolution shall take effect immediately upon adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 12TH DAY OF OCTOBER, 2021.

Brent Hibbert, Assembly President

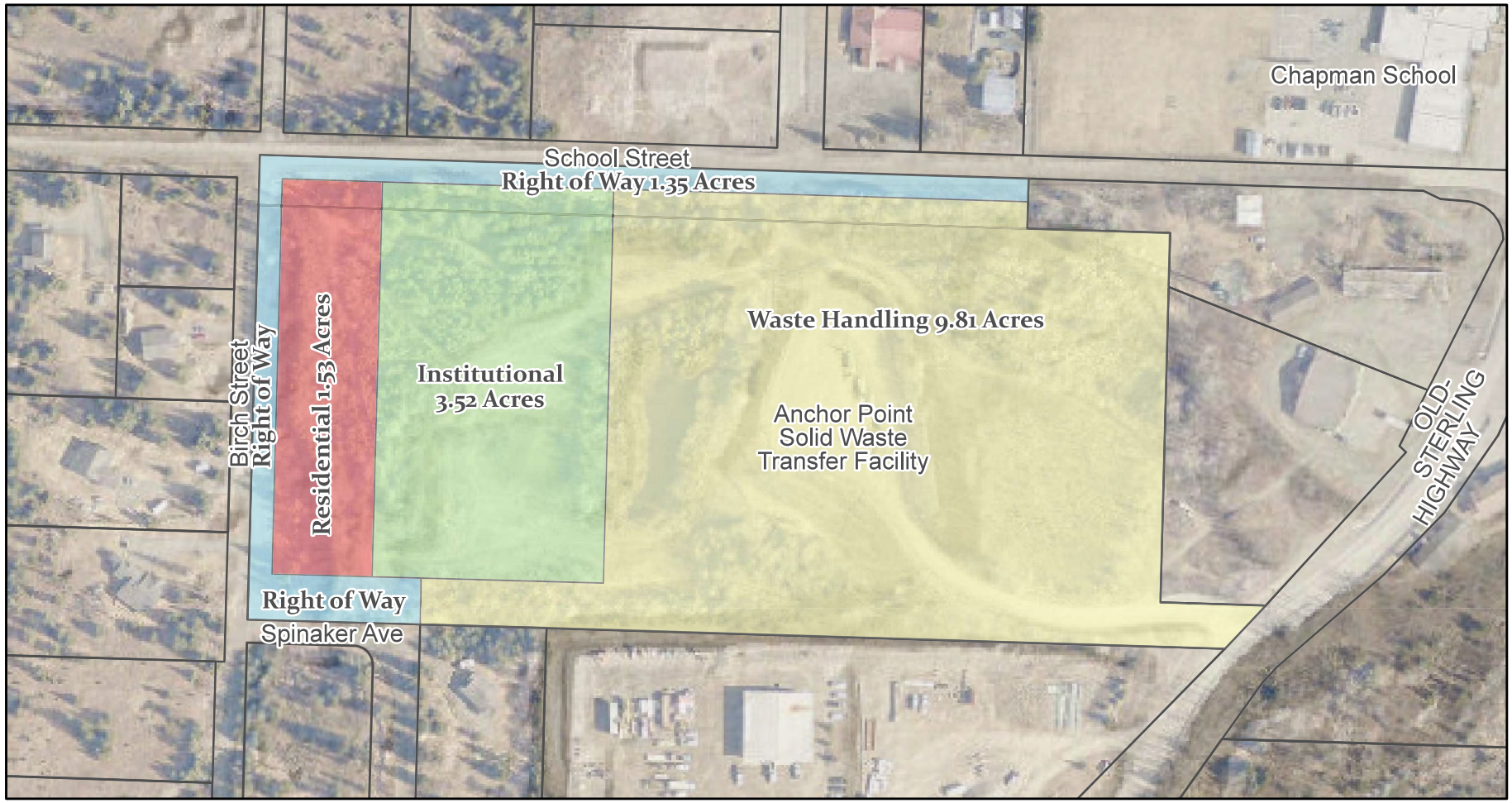
ATTEST:

Johni Blankenship, MMC, Borough Clerk

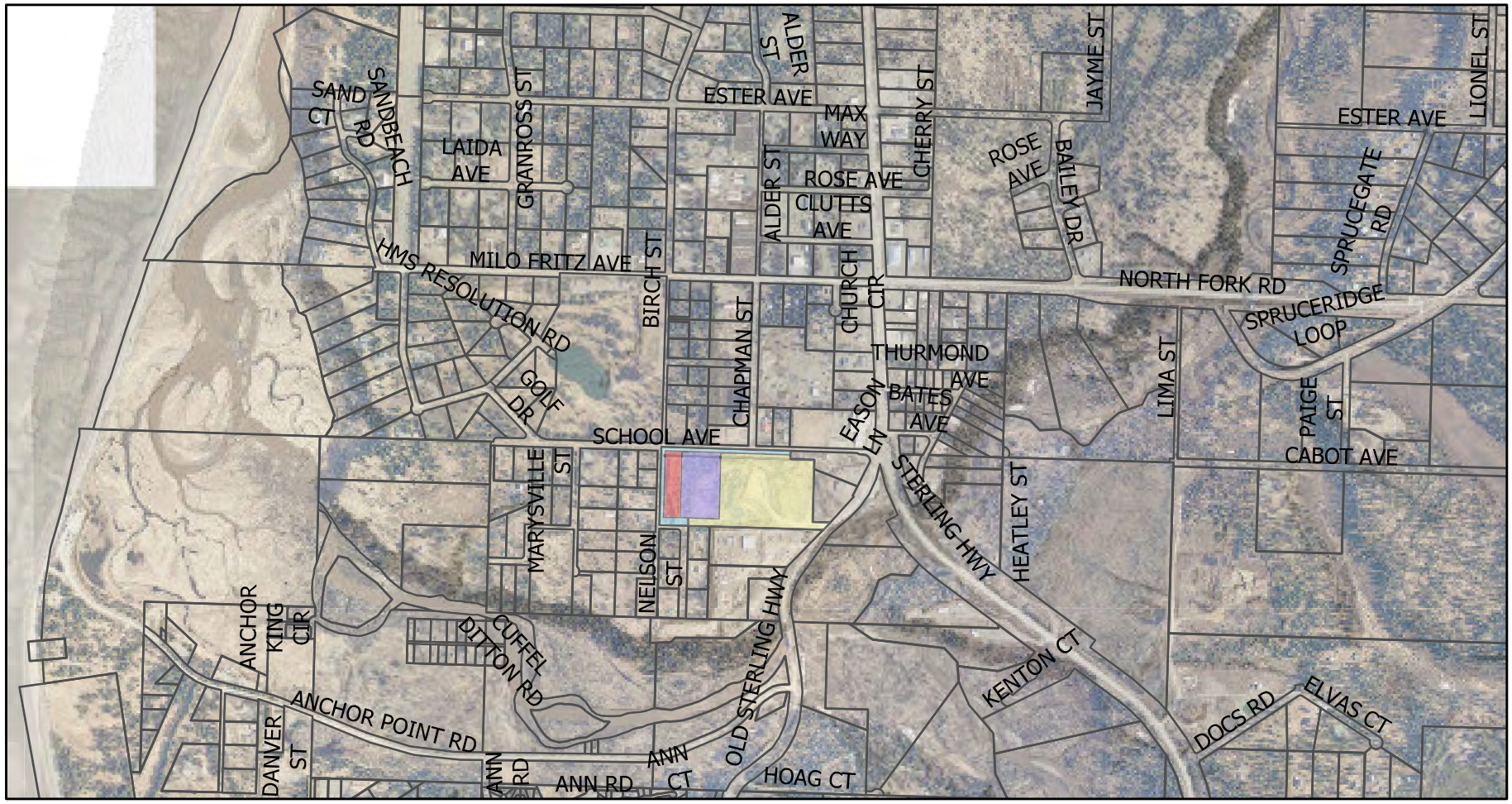
KENAI PENINSULA BOROUGH 1964

Yes:	Bjorkman, Carpenter, Chesley, Cox, Derkevorkian, Dunne, Elam, Johnson, Hibbert
No:	None
Absent:	None

Land Classification Plan
16.2 Acres in Anchor Point, Alaska
Kenai Peninsula Borough Land Management Division



Land Classification Vicinity Map
Anchor Point, Alaska
Kenai Peninsula Borough Land Management Division



DESK PACKET ITEMS

(Items received after the publishing of the meeting packet on 6/7/22)

7. **Common Ground Subdivision; KPB File 2022-066** ***(Grouped Plats)***
   Segesser Surveys / Kenai Peninsula Borough
   Location: School Avenue, Birch Street & Old Sterling Highway
   Anchor Point Area / Anchor Point APC

Anchor Point Advisory Planning Commission

Meeting Minutes: June 9, 2022

Call to Order: Meeting called to order at 7:00 pm

Roll Call: Dawson Slaughter, John Cox, Maria Bernier and Donna White were present.

Approval of April 7, 2022 minutes. Minutes approved with language correction.

Approval of Agenda: It was noted that it was too late to provide input to the KPB on the Old Business items, so they were deleted from the agenda.

Correspondence: None

Public Comment: None

Reports from Borough: Ryan Raidmae was present telephonically.
We did discuss the budget request for internet access for zoom meetings. The Borough will not fund internet access, but could provide rental $ for a location that does have internet access.

Old Business:

New Business:

A. Plat Prelim. KPB 2022-066
Donna White made a motion to recommend approval of this plat to the Borough. Maria Bernier seconded. The motion passed.

B. Plat Prelim. KPB 2022-071
Donna White made the motion to recommend approval to the Borough. John Cox seconded. The motion passed.

Announcements: None

Next Regular Meeting: July 14, 2022

Commissioner's comments: John Cox questioned the Boroughs procedure for subdividing private property. Currently, the property owner is required to have land surveyed at quite an expense prior to being submitted to the Borough for approval. If the subdivision is not approved, the land owner has paid thousands of dollars for nothing. Why couldn't the Borough give a temporary approval prior to the outlay of money by the private property owner?

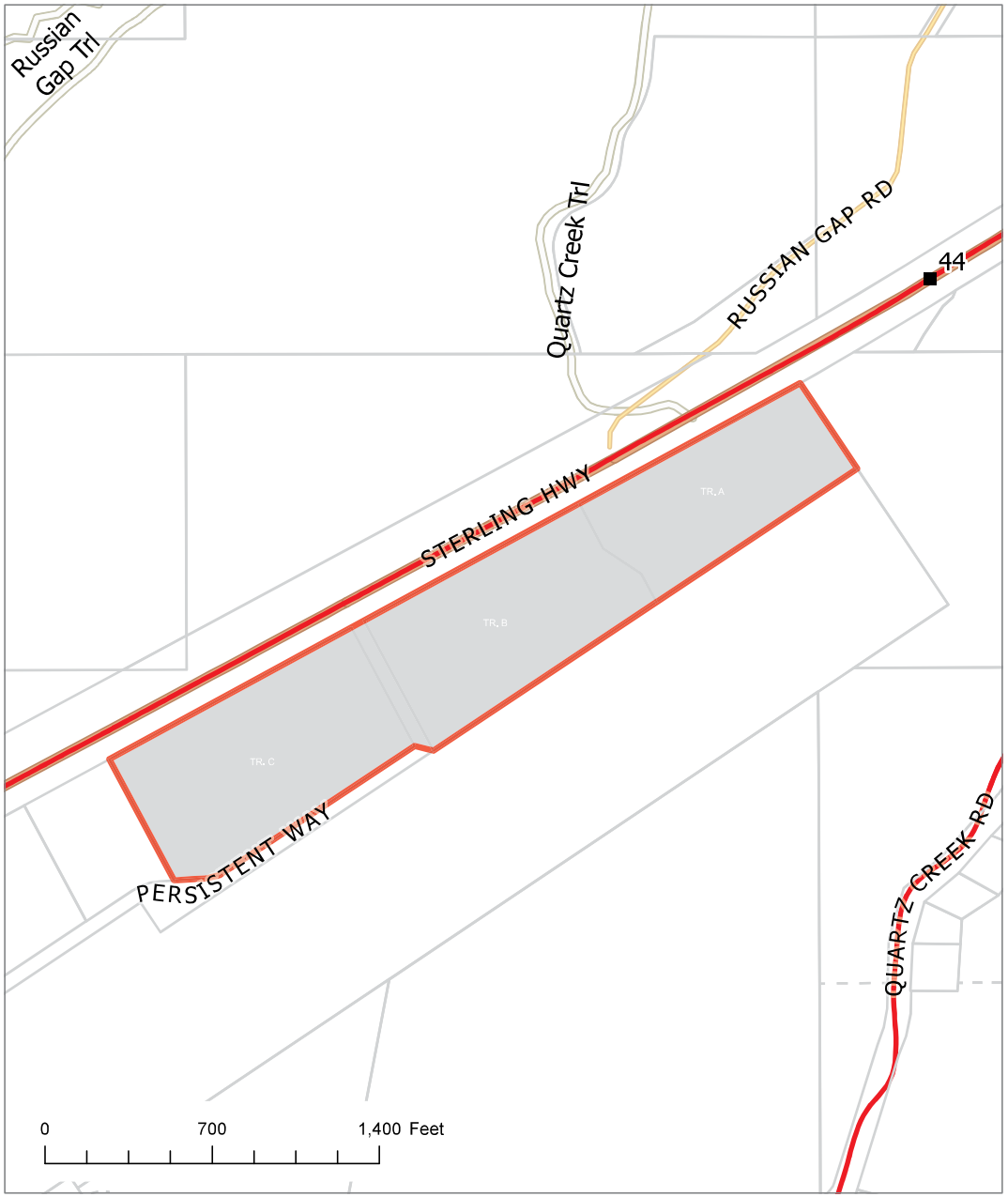
E. NEW BUSINESS

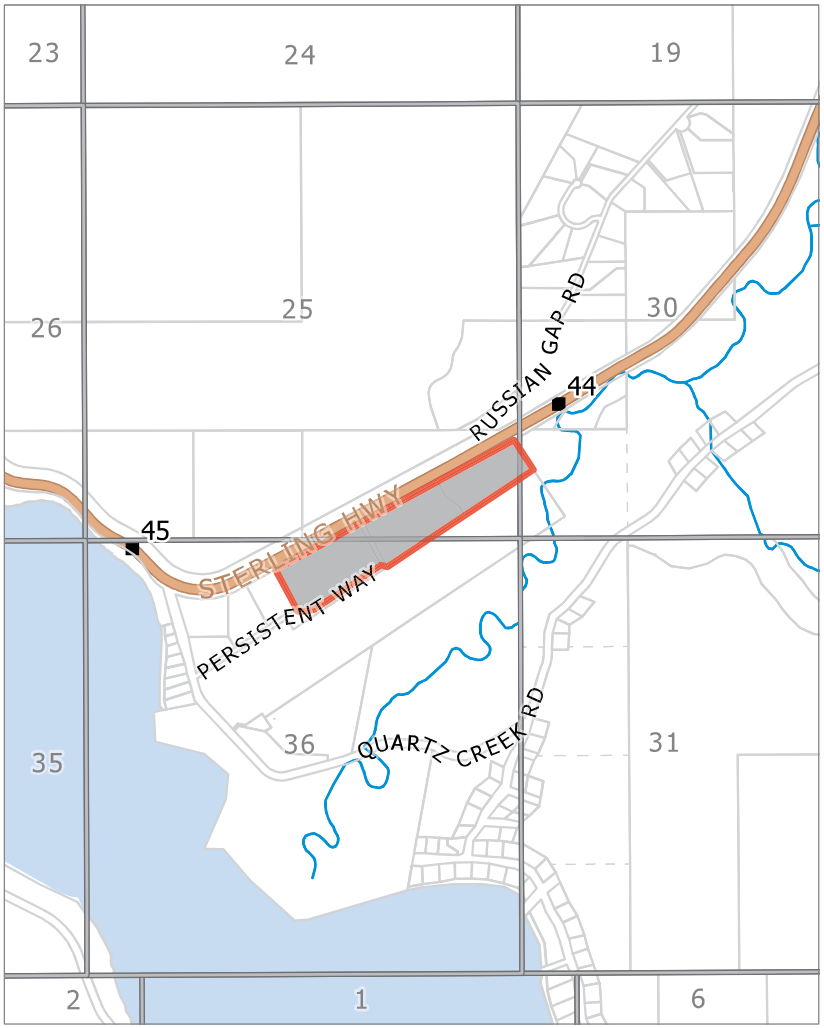
8. Quartz Creek Sub Outfitters Way Replat; KPB File 2022-060
Segesser Surveys / KPB & Three Bears Alaska Inc.
Persistent Way & Sterling Highway
Cooper Landing Area / Cooper Landing APC

Kenai Peninsula Borough Planning Department

Vicinity Map

4/28/2022





KPB File # 2022-060

S25 T05N R02W
S30 T05N R02W
S36 T05N R03W

Cooper Landing

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.

Kenai Peninsula Borough Planning Department

Aerial Map

KPB File Number 2022-060
4/28/2022

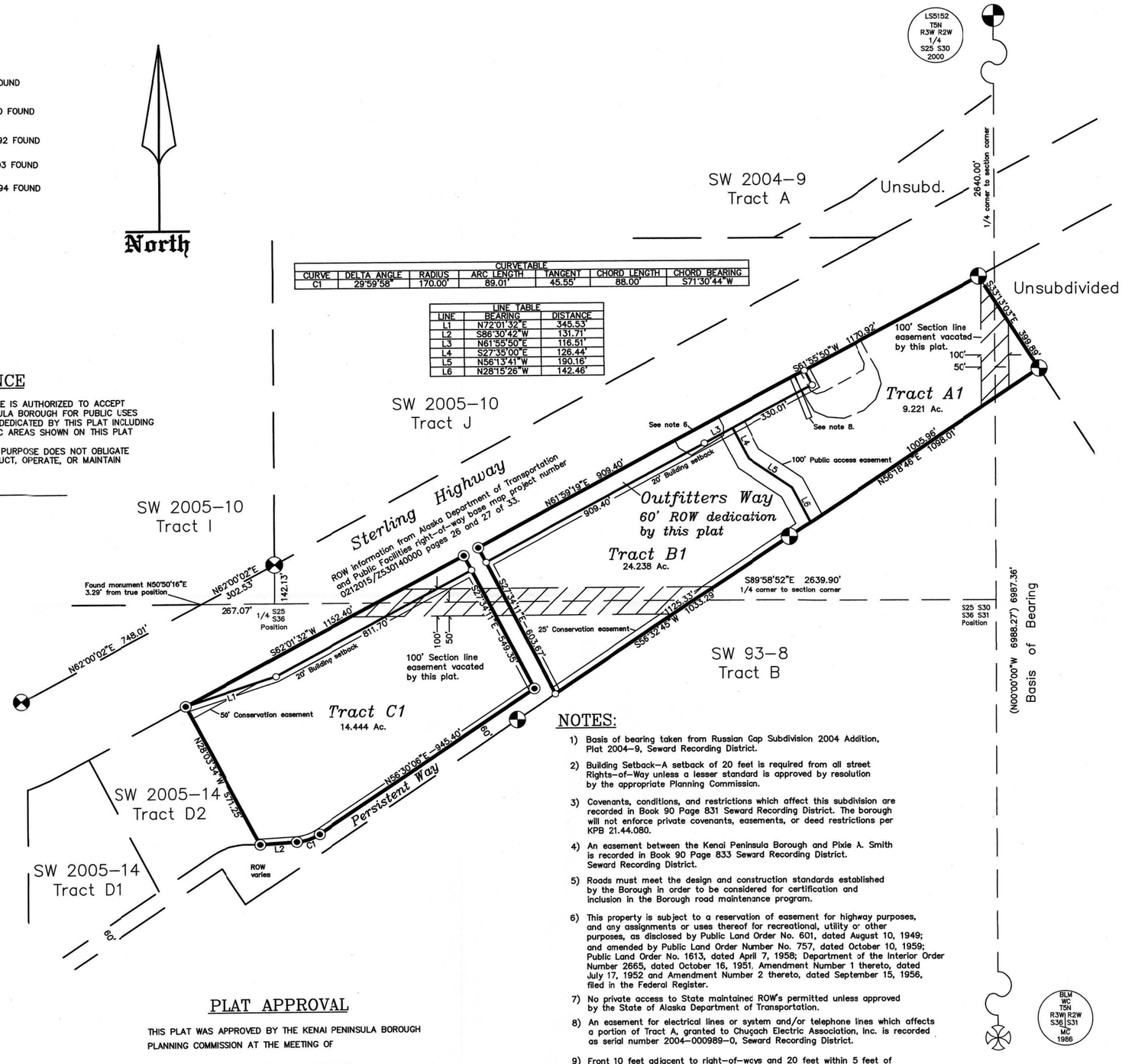


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

LEGEND:

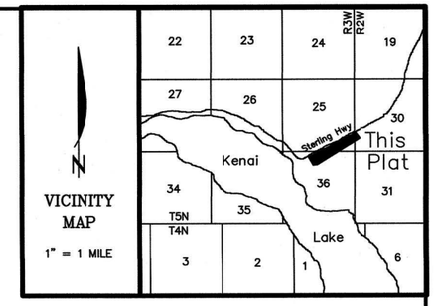
- 3 1/4" ALUM. CAP MONUMENT BLM 1986 FOUND
- 2 1/2" ALUM. CAP MONUMENT LS5152 2000 FOUND
- 3 1/4"" ALUM. CAP MONUMENT 1928–S 1992 FOUND
- 2 1/2" ALUM. CAP MONUMENT 4469–S 2003 FOUND
- 5/8" REBAR w/ 2" ALUM. CAP MCLANE 1994 FOUND
- 5/8" REBAR w/PLASTIC CAP LS8859 SET
- ( ) RECORD DATUM PLAT 2004–9 KRD

North



CURVE TABLE						
CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
C1	29°59'58"	170.00'	89.01'	45.55'	88.00'	S71°30'44"W

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N72°01'32"E	345.53'
L2	S86°30'42"W	131.71'
L3	N61°55'50"E	116.51'
L4	S27°35'00"E	126.44'
L5	N56°13'41"W	190.16'
L6	N28°15'26"W	142.46'



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

AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

DATE

SURVEYOR'S CERTIFICATE

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

Date _____

STATE OF ALASKA 49TH
JOHN F. SEGESSER
No. LS 8859
REGISTERED PROFESSIONAL LAND SURVEYOR

PLAT APPROVAL

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

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

NOTES:

1) Basis of bearing taken from Russian Gap Subdivision 2004 Addition, Plat 2004–9, Seward 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 in Book 90 Page 831 Seward Recording District. The borough will not enforce private covenants, easements, or deed restrictions per KPB 21.44.080.
4) An easement between the Kenai Peninsula Borough and Pixie A. Smith is recorded in Book 90 Page 833 Seward Recording District. Seward Recording District.
5) 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.
6) This property is subject to a reservation of easement for highway purposes, and any assignments or uses thereof for recreational, utility or other purposes, as disclosed by Public Land Order No. 601, dated August 10, 1949; and amended by Public Land Order Number No. 757, dated October 10, 1959; Public Land Order No. 1613, dated April 7, 1958; Department of the Interior Order Number 2665, dated October 16, 1951, Amendment Number 1 thereto, dated July 17, 1952 and Amendment Number 2 thereto, dated September 15, 1956, filed in the Federal Register.
7) No private access to State maintained ROW's permitted unless approved by the State of Alaska Department of Transportation.
8) An easement for electrical lines or system and/or telephone lines which affects a portion of Tract A, granted to Chuçach Electric Association, Inc. is recorded as serial number 2004–000989–0, Seward Recording District.
9) Front 10 feet adjacent to right–of–ways and 20 feet within 5 feet of the side lot lines is a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
10) 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.

BLM
WC
T5N
R3W R2W
S36 S31
MC
1986

CERTIFICATE of OWNERSHIP and DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE KENAI PENINSULA BOROUGH IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, AND ON BEHALF OF THE KENAI PENINSULA BOROUGH, 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.

CHARLIE PIERCE, MAYOR
KENAI PENINSULA BOROUGH
144 N BINKLEY STREET
SOLDOTNA, ALASKA 99669
TRACTS A AND C

CERTIFICATE of OWNERSHIP and DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THREE BEAR ALASKA INC IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, AND ON BEHALF OF THREE BEAR ALASKA INC, 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.

DAVID A. WEISZ, PRESIDENT/CEO
THREE BEARS ALASKA INC
445 N. PITTMAN ROAD, SUITE B
WASILLA, ALASKA 99623
Tract B

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.

Quartz Creek Subdivision Outfitters Way Replat and Section Line Easement Vacation

A resubdivision of Tracts A, B, and C, Quartz Creek Subdivision Plat 94–11, Seward Recording District.

Located within the SW1/4 Section 30, T5N, R2W, the SE1/4 Section 25 and the N1/2 Section 36, T5N, R3W, S.M., Kenai Peninsula Borough, Alaska.

Containing 40.040 Ac.

Surveyor	Owners
Segesser Surveys 30485 Rosland St. Soldotna, AK 99669 (907) 262–3909	Three Bears Alaska Inc Kenai Peninsula Bor. 445 N Pittman Rd. 144 N Binkley St. Suite B Soldotna, AK 99669 Wasilla, AK 99623

JOB NO.	22031	DRAWN:	4–27–22
SURVEYED:	March, 2022	SCALE:	1"=200'
FIELD BOOK:	22–1	SHEET:	1 of 1

KPB 2022-060

AGENDA ITEM E. NEW BUSINESS

ITEM 8 - QUARTZ CREEK SUBDIVISION OUTFITTERS WAY REPLAT

KPB File No.	2022-060
Plat Committee Meeting:	June 13, 2022
Applicant / Owner:	Three Bears of Alaska of Wasilla, AK Kenai Peninsula Borough of Soldotna, AK
Surveyor:	John Segesser / Segesser Surveys
General Location:	Cooper Landing / Cooper Landing APC

Parent Parcel No.:	119-124-17, 119-124-18, and 119-124-19
Legal Description:	Tracts A, B, and C of Quartz Creek Subdivision Plat No SW 94-11
Assessing Use:	Residential Vacant
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

This proposed plat was originally scheduled for the May 23, 2022 Plat Committee meeting. Per the request from the Cooper Landing Advisory Planning Commission and the owner, the Kenai Peninsula Borough, the item was postponed. The staff report presented is based on the information presented with the application and what was available to staff at the time the report was prepared. Any additional information will be presented in the desk packet.

Specific Request / Scope of Subdivision: The proposed plat will finalize section line easement vacations and dedicate a frontage right-of-way.

Location and Legal Access (existing and proposed): The proposed plat is located between miles 44 and 45 of the Sterling Highway, a state maintained right-of-way. Additional access is available by a 60 foot wide right-of-way between two of the tracts that contains a turn to intersect with Quartz Creek Road. The right-of-way is Persistent Way and is not constructed at this time. Quartz Creek Road is constructed and maintained by the State of Alaska DOT.

The plat will be finalizing some section line easement vacations that were scheduled for a hearing by the Planning Commission on May 23, 2022. The hearing was postponed and rescheduled for hearing at the June 13, 2022 Planning Commission meeting. There are section line easements still present outside of this subdivision boundary.

The plat is proposing to dedicate a 60 foot wide right-of-way adjacent to the Sterling Highway and is proposed to be named Outfitters Way. This dedication is to provide a frontage right-of-way to the properties fronting along the Sterling Highway. There have been discussions with the State of Alaska DOT and Three Bears Alaska on the best options to allow access along the northern portion of their property while not creating safety concerns on the highway.

The block containing Tract C1 is closed. Persistent Way, Quartz Creek Road, and the Sterling Highway define the block. The lengths along the block are not compliant and exceed allowable limits. The vacation of the section line easements, the location of an airstrip to the south, and anadromous streams between Tract A2 and B2, limit the ability to get a closed block for the eastern portion of the proposal. Tract A1 is owned by the Kenai Peninsula Borough (KPB) and is used as a transfer site. Tract C1 is also owned by the KPB and could be subdivided in the future. ***Staff recommends*** *the plat committee concur that an exception is not required and additional dedications are not needed at this time.*

KPB Roads Dept. comments	Out of Jurisdiction: No

	Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	Please see attached email comments that were submitted separately from the Sterling Highway 45-60 project team to Marcus Mueller.

Site Investigation: The area is relatively flat within the subdivision boundary and there are no steep slopes within the lots are proposed dedication. There are some low wet areas within the subdivision. ***Staff recommends*** *low wet areas be depicted on the final plat and a wetland determination plat note be added to the plat.*

Per the parent plat, Quartz Creek Subdivision SW 94-11, the boundary between parent parcels, Tracts A and B, is a thread of creek that forms the tract boundaries. A 100 foot easement is centered over the creek. The easement is depicted and labeled. ***Staff recommends*** *the shared boundary line be labeled as "Thread of Creek forms Tract Boundary."*

The creek is within the Anadromous Waters Habitat Protection catalog and the appropriate plat note must be added to the final plat.

Alaska State Land Survey No. 92-22, Plat SW 93-8, depicted the creek and showed a 50 foot public access easement on each side of the creek. Quartz Creek Subdivision, Plat SW 94-11, carried over the depiction but stated it was a pedestrian access easement. Per the Certificate to Plat there are rights of the public to have access to the creek and to portions lying below the mean high water mark. The plat is proposing to carry over the label from the original plat and states it is "100' Public Access Easement". ***Staff recommends*** *allowing the label to match the first plat as any development of access within the easement may require permitting.*

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\maldridge C. State Parks Reviewer: Russell, Pam Comments: No Comments
State of Alaska Fish and Game	No objections

Staff Analysis This land was federal land as shown on the US BLM section plat recorded September 28, 1992. The property was transferred to the State of Alaska and then subdivided by Alaska State Land Survey 92-22, Plat SW 93-8. The borough acquired Tract A, ASLS 92-22 and further subdivided the land as shown on Quartz Creek Subdivision, Plat SW 94-11.

The ownership of Tract B has changed several times and is currently owned by Three Bears Alaska, Inc. The ownership of Tracts A and B is still the Kenai Peninsula Borough. Tract A is currently being used as a waste transfer site.

A petition to vacate the section line easements within Tract B was heard and approved by the Kenai Peninsula Borough Planning Commission on September 14, 2020. The Kenai Peninsula Borough Assembly consented to the vacation at their October 13, 2020 meeting. Some issues arose at the state level about the plan in place. Three

Bears Alaska have been working with the state and the borough and are now seeking approval of a new design that includes additional section line easements to be vacated and a frontage right-of-way dedication.

The preliminary plat is proposing to alter some conservation easements. These easements were created by an Ordinance and they were later put into the deed that transferred ownership from the borough. Any alterations or removal of those conservation easements may be discussed at the Plat Committee meeting but any formal action will require an Ordinance that will be presented to the Planning Commission for recommendations to the Assembly. The proposed right-of-way dedication is atop one of the conservation easements and the other easements are proposed to be removed or reduced. The status of the conservation easements will be required to be the configuration at the time of recording with correct depiction and notations. ***Staff recommends*** *the plat committee review the right-of-way dedication and if the preliminary plat is approved it will be subject to approval by the Assembly to alter or remove the conservation easement.*

A soils report will not be required due to the size of the lots.

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.

Cooper Landing Advisory Planning Commission reviewed the preliminary plat on May 4, 2022. It was explained that the proposed right-of-way would be a frontage road that extends to the waste transfer site. The traffic safety team at DOT has been involved with the design to bring traffic from Quartz Creek road and to improve the turning safety to Russian Gap Road. The highway access for Persistence Way would be removed and would reduce the waste transfer site driveways to one. It was confirmed that the frontage road would extend from the parking lot of the Sunrise Inn to the transfer site. The concerns by the APC were in regards to the conservation easements and the possibility of altering the frontage road dedication to still allow some greenspace or conservation easement as a buffer. The postponement from the May 23, 2022 plat committee meeting would allow for continued discussion at the June 8, 2022 Cooper Landing Advisory Planning Commission meeting.

Utility Easements Alaska State Land Survey 92-22, did not grant any utility easements that affect this property. Quartz Creek Subdivision, Plat SW 94-11, did not grant any utility easements. Some of the areas fronting rights-of-way are conservation easements and there is no depiction or note to create easements along Persistent Way. Plat note 8 contains the information for a utility easement granted by document and it is depicted on the plat within proposed Tract A1.

Plat note 9 indicates the intent to grant 10 foot utility easements adjacent to rights-of-way. The easements should be depicted on the plat. If the creation of the utility easements fall within a conservation easement area, it should be noted that those areas are excluded or easements should be granted outside the conservation easement if requested by utility providers. ***Staff recommends*** *the utility easements be depicted and if they overlap with conservation easements the plat note specify those areas are excluded.*

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	Not within HEA service area
ENSTAR	No comments or recommendations
ACS	Not an Alaska Communications Service Area – No objections
GCI	Approved as shown
SEWARD ELECTRIC	
CHUGACH ELECTRIC	

TELALASKA	

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 21919 STERLING HWY 21971 STERLING HWY 21949 STERLING HWY Existing Street Names are Correct: Yes List of Correct Street Names: STERLING HWY PERSISTANT WAY Existing Street Name Corrections Needed: All New Street Names are Approved: Yes List of Approved Street Names: OUTFITTERS WAY List of Street Names Denied: Comments: 21919 STERLING HWY and 21949 STERLING HWY will be deleted and replaced with OUTFITTERS WAY addresses.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat.
Assessing	Reviewer: Wilcox, Adeena Comments: No comment
Advisory Planning Commission	Disapprove the plat as presented and recommend for extended time for public review and comment regarding the design options.

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

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

The same line style is used for the setback, public access easements, conservation easements, and utility easements. ***Staff recommends*** *different line styles be used to depict various items present within the subdivision.*

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: *Include labels for the Chugach National Forest, which is located on both sides of Kenai Lake.*

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 a 60 foot wide label between Tracts B1 and C1.*

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 labels for Tract D1 and D2 to the southwest of the subdivision to include hyphens, D-1 and D-2.*

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.*

20.30.240. Building setbacks.

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

A. The setback shall be graphically depicted and labeled on the lots; if such depiction will interfere with the legibility of the plat, a typical lot showing the depiction and label may be provided on the plat, clearly indicating that the typical setback applies to all lots created by the plat.

B. The setback shall be noted on the plat in the following format:
Building setback- A setback of 20 feet is required from all dedicated street right-of-ways unless a lesser standard is approved by resolution of the appropriate planning commission.

C. When a subdivision is affected by a Local Option Zoning District (LOZD), an approved by the assembly, all building setbacks shall be graphically depicted and labeled on the lots. A local option zoning setback shall be noted on the plat in the following format:
Building setback – This subdivision is located within (name of LOZD) Local Option Zoning District as contained in KPB Chapters 21.44 and 21.46 and adopted by KPB Ordinance (number), recorded under (serial no. and recording district). Information regarding the zoning restrictions and copies of the ordinance are available from the KPB Planning Department.

Staff recommendation: *Depictions may need to be revised once conservation easements are determined. Suggest using a different line style.*

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: A creek is present between Tract A1 and Tract B2. This is anadromous and should be labeled as a creek and the Anadromous Waters note should be added.
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: The lots are all over 200,000 square feet. Correct plat notes are present.
***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:** The jurisdiction on the proposed dedication will need to be reviewed to determine the correct acceptance.*

20.60.160. Easements.

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

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

B. Private easements may not be granted on the plat.
***Staff recommendation**: A public easement is in place along the creek and is depicted. Conservation easements will need to be further reviewed and adjusted by Ordinance. Comply with 20.60.160.*

20.60.180. Plat notes.

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

B. Revision of, or not carrying forward, an existing plat note from the parent plat will adhere to KPB 20.50.010. Separate advertising of the plat note removal is not required, Notification of the requested change will be sent by regular mail to all owners within the subdivision (parent plat and subsequent replats) as shown on the borough tax rolls. Upon approval by the planning commission, the revision or removal of the record plat note shall be finalized by recording a planning commission resolution or subdivision plat.
***Staff recommendation:** 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.*
- *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.
- *Notes will be required to note the date the Planning Commission and the Assembly approved the section line easement vacations.*
- *Conservation easements will require notes to indicate creation and/or documents altering the easements.*

Correct plat note 3 to reference KPB Code 20.60.170.

KPB 20.70 – Vacation Requirements

Staff recommendation. *If the section line easement vacations are approved, the plat will need to be recorded within four years of consent.*

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.

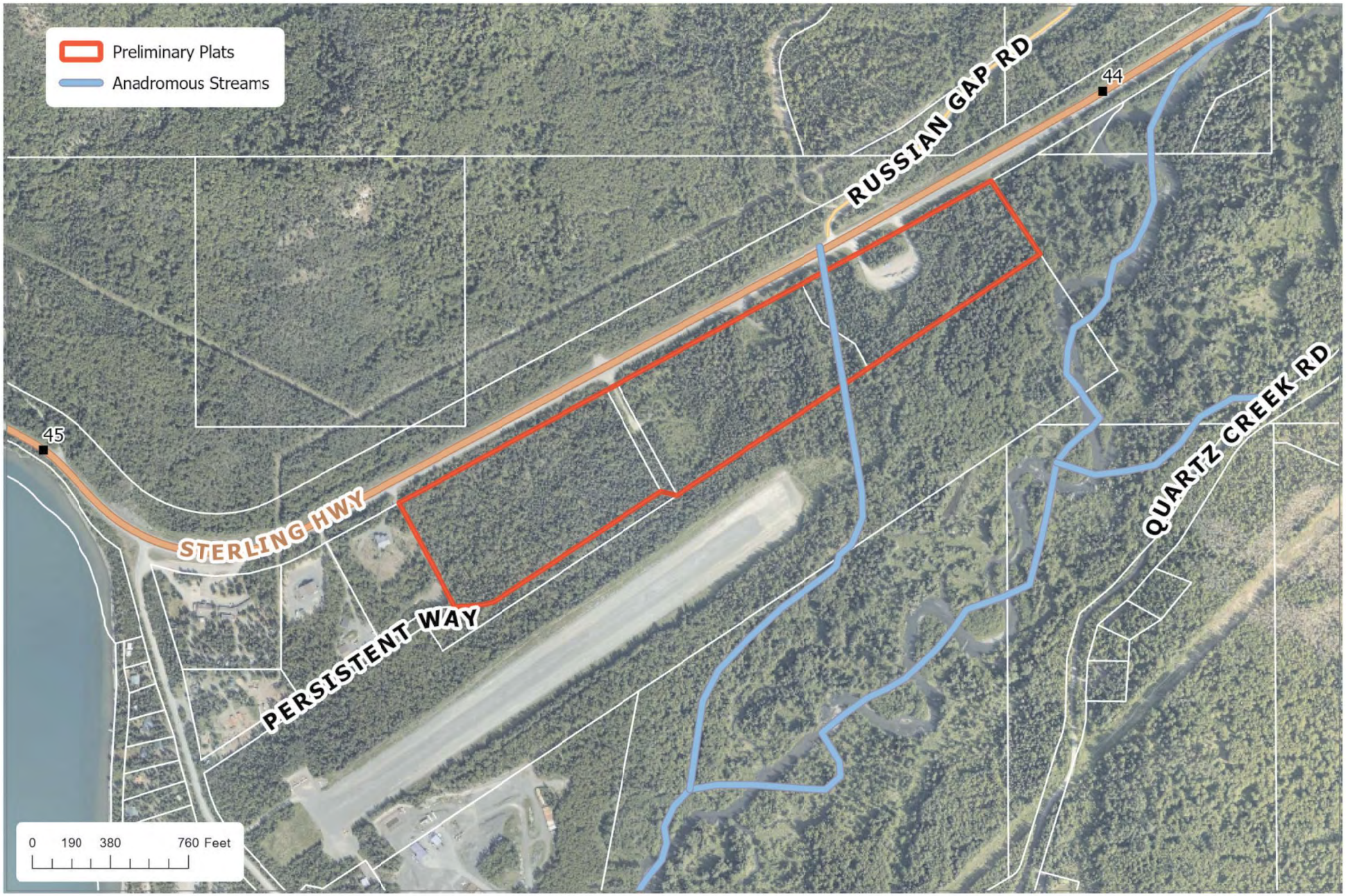
END OF STAFF REPORT

Kenai Peninsula Borough Planning Department

Aerial

KPB File Number 2022-060

5/13/2022



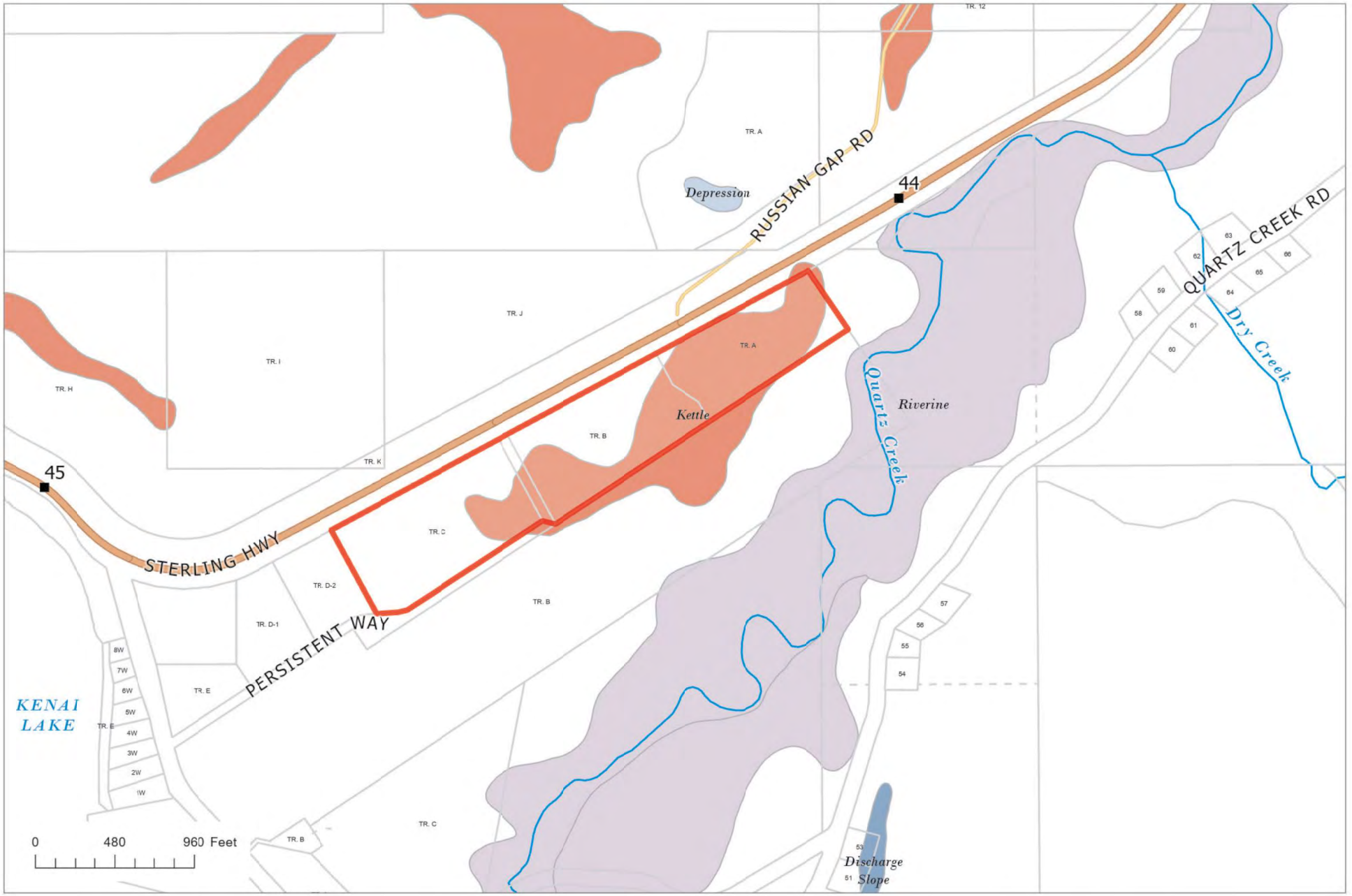
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

Kenai Peninsula Borough Planning Department

Wetlands

KPB File Number 2022-060

5/13/2022



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.

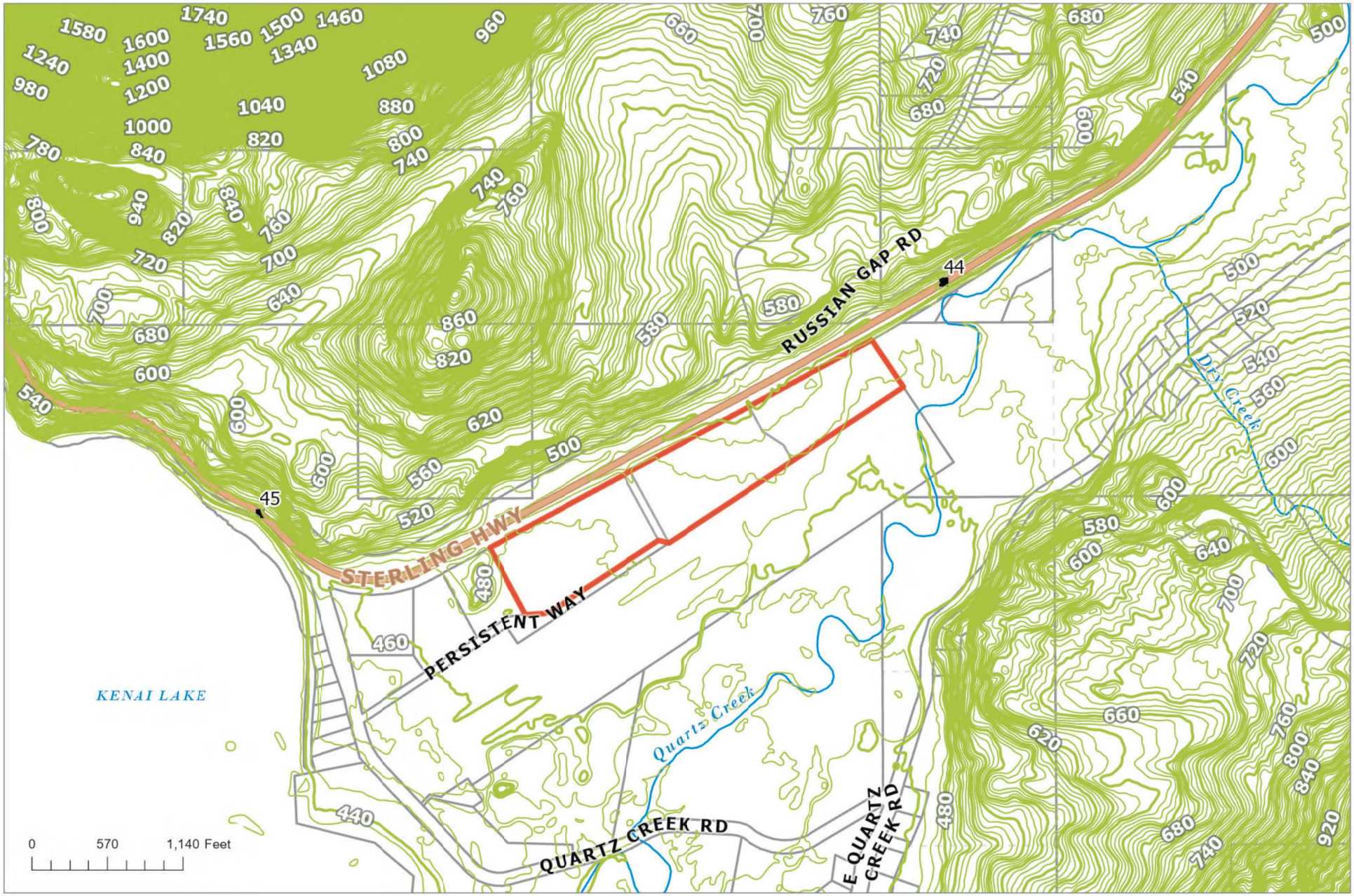
Kenai Peninsula Borough Planning Department

5-foot Contours

KPB File Number 2022-060

5/13/2022

N



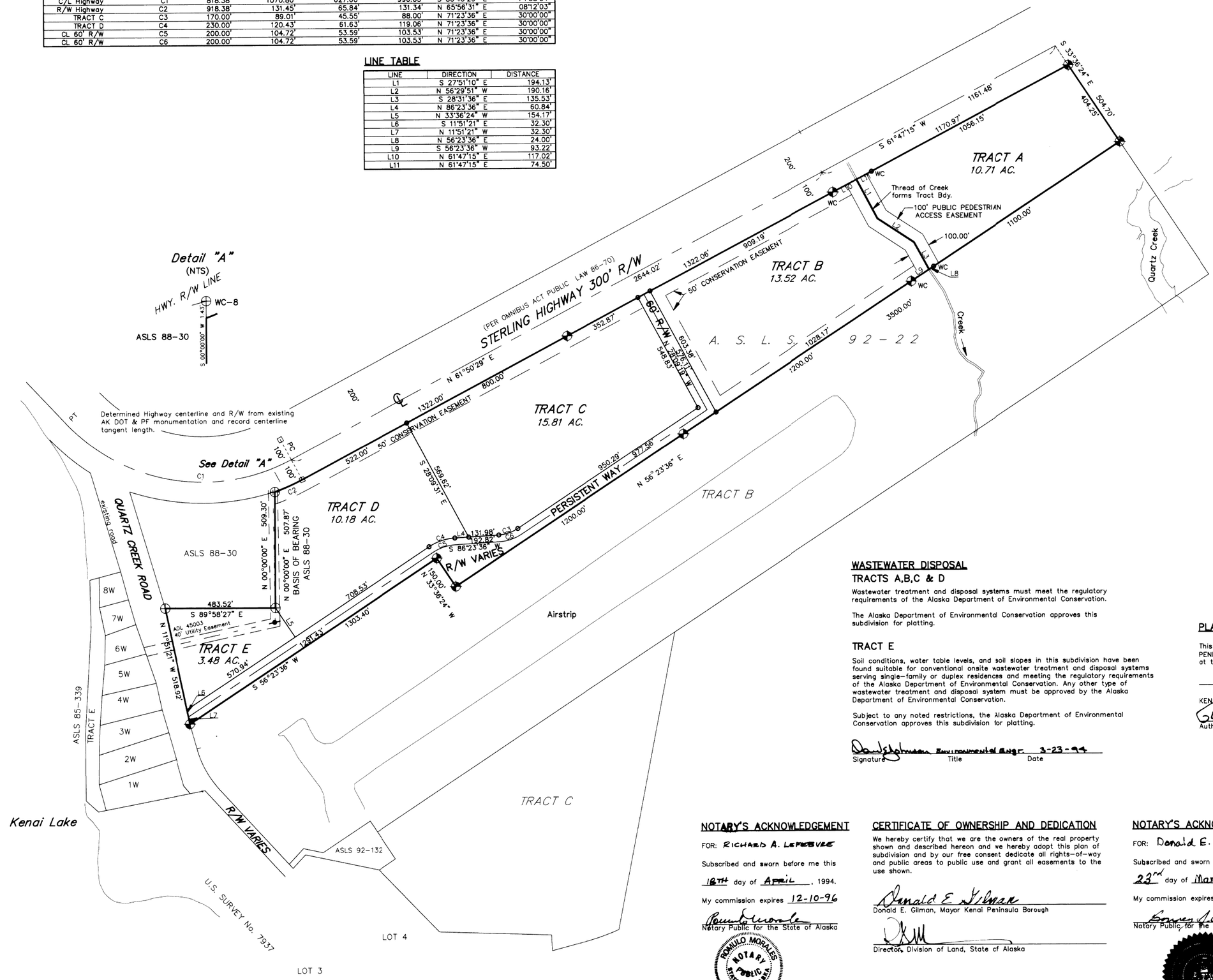
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

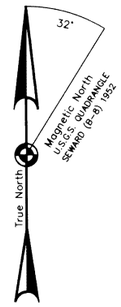
CURVE TABLE

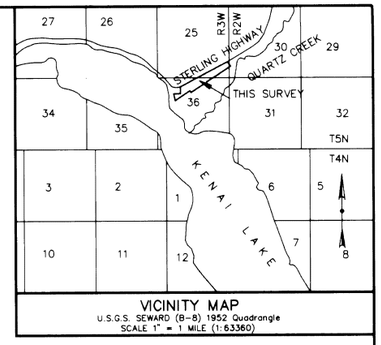
LOT	CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C/L Highway	C1	818.38'	1070.80'	627.60'	996.03'	S 80°40'29" E	74°58'04"
R/W Highway	C2	918.38'	131.45'	65.84'	131.34'	N 65°56'31" E	08°12'03"
TRACT C	C3	170.00'	89.01'	45.55'	88.00'	N 71°23'36" E	30°00'00"
TRACT D	C4	230.00'	120.43'	61.63'	119.06'	N 71°23'36" E	30°00'00"
CL 60' R/W	C5	200.00'	104.72'	53.59'	103.53'	N 71°23'36" E	30°00'00"
CL 60' R/W	C6	200.00'	104.72'	53.59'	103.53'	N 71°23'36" E	30°00'00"

LINE TABLE

LINE	DIRECTION	DISTANCE
L1	S 27°51'10" E	194.13'
L2	N 56°29'51" W	190.16'
L3	S 28°31'36" E	135.53'
L4	N 86°23'36" E	60.84'
L5	N 33°36'24" W	154.17'
L6	S 11°51'21" E	32.30'
L7	N 11°51'21" W	32.30'
L8	N 56°23'36" E	24.00'
L9	S 56°23'36" W	93.22'
L10	N 61°47'15" E	117.02'
L11	N 61°47'15" E	74.50'







VICINITY MAP
U.S.G.S. SEWARD (B-8) 1952 Quadrangle
SCALE 1" = 1 MILE (1:63360)

LEGEND

- ⊕ PRIMARY MONUMENT RECOVERED THIS SURVEY
- ◉ SECONDARY MONUMENT RECOVERED THIS SURVEY
- ⊡ AK DOT & PF 6" x 6" CONC. R/W MONUMENT RECOVERED THIS SURVEY
- ◓ PRIMARY MONUMENT SET THIS SURVEY
- ◒ SECONDARY MONUMENT SET THIS SURVEY
- ○ 1/2" REBAR WITH PLASTIC CAP.

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) No direct access to state maintained ROWS permitted unless approved by State of Alaska Department of Transportation.

3) No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.

4) BUILDING SET BACK – A building set back of 20 ft. is required from all street rights-of-way unless a lesser standard is approved by resolution of the appropriate Planning Commission.

WASTEWATER DISPOSAL

TRACTS A,B,C & D

Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

The Alaska Department of Environmental Conservation approves this subdivision for platting.

TRACT E

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 Alaska Department of Environmental Conservation. Any other type of wastewater treatment and disposal system must be approved by the Alaska Department of Environmental Conservation.

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

Signature Title Date

PLAT APPROVAL

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

December 13, 1993.

KENAI PENINSULA BOROUGH by

Authorized Official

94-11

RECORDED
SEWARD REC. DIST.
DATE 5/5 19 94
TIME 3:34 P.M.
REQUESTED BY McLANE & ASSOC.
ADDRESS P.O. BOX 468
SOLDOTNA, AK. 99669

STATE OF ALASKA
49TH
M. SCOTT McLANE
4928-S
REGISTERED PROFESSIONAL LAND SURVEYOR

SCALE

FEET 0 50 200 300 500 700 900
METERS 25 50 100 200 250

1 METER = 3.280833 U.S. SURVEY FEET 1 U.S. ACRE = 0.4047 HECTARE

NOTARY'S ACKNOWLEDGEMENT

FOR: RICHARD A. LEFEBVRE

Subscribed and sworn before me this 18TH day of APRIL, 1994.

My commission expires 12-10-96

Notary Public for the State of Alaska

ROMULO MORALES NOTARY PUBLIC STATE OF ALASKA

CERTIFICATE OF OWNERSHIP AND DEDICATION

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.

Donald E. Gilman, Mayor Kenai Peninsula Borough

Director, Division of Land, State of Alaska

NOTARY'S ACKNOWLEDGEMENT

FOR: Donald E. Gilman

Subscribed and sworn before me this 23rd day of March, 1994.

My commission expires 7/22/97

Notary Public for the State of Alaska

QUARTZ CREEK SUBDIVISION
(A Resubdivision of Tract A ASLS 92-22)

KENAI PENINSULA BOROUGH, OWNER
144 N. Binkley
Soldotna, AK 99669

LOCATION

58.814 AC. M/L WITHIN UNSURVEYED SEC. 30, T. 5 N., R. 2 W., AND UNSURVEYED SEC.'S 25 & 36, T. 5 N., R. 3 W., S.M., AK, THE KENAI PENINSULA BOROUGH IN SEWARD RECORDING DISTRICT.

Surveyed by : McLANE & ASSOCIATES
P.O. BOX 468
Soldotna, AK 99669

Date : Nov. 29, 1993	Book No. : 92-08	Project No. 922018p
Drawn by : Checked by : MSM	Scale 1" = 200'	KPB File No. 93-185

COOPER LANDING ADVISORY PLANNING COMMISSION
REGULAR MEETING
LOCATION: ZOOM TELECONFERENCE
WEDNESDAY, MAY 04, 2022
6:00 PM
UNAPPROVED MINUTES

1. CALL TO ORDER – 6:00 pm

2. ROLL CALL – J. Cadieux, K. Recken, Y. Galbraith, C. Degernes, L. Johnson, D. Story present. H. Harrison excused absent.

    a. Nancy Carver; Kenai River Center, Jonathan Tymick ADOT&PF, Marcus Mueller; KPB Land Management, Aaron Hughes; KPB Land Management, Dakota Truitt; KPB Land Management, Alice Rademacher, Carol Fox, Rhonda Lynn, Phil Weber, Jerry Fox, Kim Neis, Jerry Neis, Virginia Morgan attending.

3. APPROVAL OF AGENDA – C. Degernes moves to approve the agenda as amended. L. Johnson seconds. All approve.

4. APPROVAL OF MINUTES for April 06, 2022 - This items was mistakenly skipped and will be addressed at the June 8 meeting.

5. CORRESPONDENCE - none

6. PUBLIC COMMENT/PRESENTATION WITHOUT PREVIOUS NOTICE – none

7. REPORT FROM BOROUGH

    a. DOT&PF Sterling Hwy MP 45-60 Project report and questions/answers. Jonathan Tymick, PE, Project Manager, AKDOT&PF.
        i. Lane closures at MP 58 for blasting were successful. There will be other closures to be determined at a future date.
        ii. Open house was successful.
        iii. Construction is finally happening on the pioneer roads. There will be a temporary cul-de-sac on Langille Road for emergency vehicles.
        iv. There will be more publicly available firewood this year so stay tuned.
    b. No KPB report other than those items in the agenda

8. OLD BUSINESS - none

applied for and others are still being sought but all is in process and none yet confirmed.
    b. M. Mueller explained the framework this ordinance provides is the same whether it is a timber sale or a service contract.
8. Y. Galbraith moved to recommend approval of the ordinance with the amended language for Whereas #12. L. Johnson seconds.
    a. The modification of the language is as follows: "Whereas, treatments will establish, preserve, and regulate logging infrastructure such as roads, resource management access, and recreational trails, along with methods to close out temporary forest access; and"

iv. D. Story suggested the modification of the language of Whereas 15 to read, "…forest management sale reports designed for a given unit may exceed the standards of the Alaska Forest Resource and Practices Act, and should in areas determined to be sensitive, susceptible to damage, and in need of additional protection; and"
    1. Y. Galbraith agreed to the amended motion to include the modified language for Whereas #15 as well as #12 as proposed.
    2. All approved, motion passed.
    3. C. Degernes said she appreciates the work of KPB staff members on this important project.

d. Permit for floodplain action Drift Worldwide, Inc.
    i. After group discussion of the structure type, location, and adequacy of the onsite septic, C. Degernes moves to recommend approval of the permit for construction of the structures. Y. Galbraith seconds. D. Story recuses. All approve. Motion passes.

e. Ordinance 2021-19-51 Land Trust Fund monies for investigation and land planning in Unit 395
    i. Respect is the firm that has been selected and the ordinance is asking the land trust for monies to fund the investigation and land planning in Unit 395.
        1. C. Degernes moves to support the ordinance as written. L. Johnson seconds. All approve. Motion passes.

10. PLAT REVIEW
    a. Plat Preliminary 2022-060 Outfitters Way replat
        i. M. Mueller explained that this plat is to lay out the right-of-way for a frontage road extending to the waste transfer site. It was brought by DOT to limit the accesses to the highway. The traffic safety team at DOT has been involved with this frontage road to bring the traffic from Quartz Creek Rd. and improve the turning safety to Russian Gap Rd. It would remove access to the highway

from Persistance Way and reduce the driveways at the KPB waste transfer site to just the one across from Russian Gap Rd.

ii. Conservation easement on the plat goes across Tracts A and B. Tract B also has a conservation easement that surrounds the tract. In the ordinance that authorized the sale to Sherman Smith it created that 50' easement. The KPB is trying to figure out the mechanics of unwinding the conservation easements to 25' on two of the sides and subsequently an action to modify the deed.

iii. On the plat the Outfitters Way frontage road would lay over the existing conservation easement on the north side of the tracts and the remaining conservation easements would be reduced from 50' to 25'.

iv. K. Recken asked for confirmation that the frontage road would extend from the parking lot of the Sunrise Inn to the transfer site with no conservation easements.
    1. M. Mueller explained that that is correct.

v. J. Cadieux asked if it is because there is not enough room for both the conservation easement and the frontage road.
    1. M. Mueller said that they occupy the same location.

vi. V. Morgan asked where she could access the plat.
    1. J. Cadieux said the CLAPC had only gotten this information yesterday.
    2. N. Carver confirmed that the plat is up for review at the May 23, 2022 Planning Commission Meeting. Comments are due May 11th.

vii. J. Tymick shared a graphic to help explain.
    1. He said that the Three Bears access congests the MP 45-60 project and this proposed project may help with access and the Russian Gap turning lane.

viii. J. Neiss said that one of the issues with the transfer station is that we get a lot of non-residents dumping and this layout would help reduce that.
    1. K. Recken clarified that the plans show that the highway access to the transfer station will still be preserved so it would not prevent the non-resident dumping.

ix. J. Tymick said that the conservation easement being reclassified started with the DOT's belief that a frontage road is in the best interest of the project.

x. J. Cadeiux said that the community had a series of meetings that fielded many comments saying that a frontage road was not desirable but that a compromise had been achieved to allow a frontage road as far as the Cozy Bear property then the road would pass through Tract C and on to Tract B.

xi. L. Johnson asked whether the reduction of the greenbelt would continue down to Tract D.

1. M. Mueller said this would not alter Tract D's conservation easement.

xii. J. Cadieux asked if the conservation easement would be vacated on the other boundaries of Tract B to allow the new owner to use more of the land. M. Mueller indicated that was so though the 50' conservation easement would remain next to the parcel's boundary with Dena'ina Creek, an anadromous stream.

xiii. K. Recken asked why the frontage road couldn't go on the same alignment as on Tract D and if it was just because Three Bears doesn't want the conservation agreement that we approved during their initial plat request. J. Tymick referred back to the drawing showing the space available along Tracts C and B would require elimination of the conservation easement to make way for the frontage road.

xiv. J. Cadieux said that it seems like if we are not having access to the highway why can't we return to the plans we spent so much time at previous CLAPC meetings with KPB and a hired design professional.

1. J. Tymick said that the proposed frontage road is intended to stay within the DOT right of way and not mean DOT would need to take possession of the maintenance of the frontage road.
2. J. Cadieux asked that since the planning process of Tract C involved notable community effort over multiple meetings, can the original planning for Tract C be on the table or has it been abandoned and we have to give up our green space.
    a. M. Mueller indicated it might be possible.

xv. D. Story said that the timing of this information is hard to support since it is just being presented and the community was not informed via draft agenda that this change was proposed.

xvi. J. Cadieux asked if this is something that needs to happen right now.

1. M. Mueller said that from his standpoint in land management there is not a time crunch but the platting process does have a statutory timeframe.

xvii. C. Degernes said that one of the biggest benefits to the community is DOT's willingness to provide safe ingress and egress to Russian Gap Rd. but that the loss of the 50' treed buffer is a big deal. C. Degernes said that a hybrid might be that there is a spur road from the transfer site side to Tract B but the 50' buffer remains and the frontage road across Tracts C and B from Quartz Creek runs south of the 50' buffer.

xviii. J. Cadieux said that she also supports the improvement to the ingress/egress.

xix. D. Story said that the resistance to a frontage road at the entry to our community seemed to come from the desire to keep it from

feeling like a strip mall. He said that the Brewery's treatment of the 50' conservation easement seemed like a good compromise with the need for a business to be seen and maintaining greenspace that ties the community to the land management intent.

xx. L. Johnson said she agreed with D. Story

xxi. K. Recken said that the importance of the conservation easement is considerable for the community.

xxii. C. Degernes said that another possible compromise is to move the frontage road further in. The businesses get more access and the community retains the buffer. They lose some of the usable area of their property but maintain the easements that are a part of their property. Right now it seems like Three Bears doesn't lose much while the community does.

xxiii. D. Story said that in this short discussion we have already had several ideas for compromise or change and we are the only ones in the community that know that this is a discussion. He said that it seems like our obligation is to make sure the community has more opportunity for input.

xxiv. V. Morgan speaking, not as a Planning Commission member but as a community member, said this should be brought before the community.

xxv. R. Lynn asked whether it can be withdrawn from the May 23rd Planning Commission Meeting.

1. M. Mueller said that he would consult the platting specialist for KPB and find out more about bringing this up for the June CLAPC meeting.

xxvi. D. Story moves to recommend disapproval of the plat as presented and recommend for extended time for public review and comment regarding the design options. L. Johnson seconds. All approve. Motion passes.

11. INFORMATION and ANNOUNCEMENTS

a. Ordinance 2022-07 Re-Apportionment of Board of Education
   i. V. Morgan said that this is a part of a regular review of the districts and their populations. She explained that there are generally two options for changes which are presented with the review. In this case it is a 9 district option and an 11 district options. She said that the conceptual maps presented in the voting pamphlets are just that and after the vote the KPB will make the actual map based on the census blocks. She said this is also for the assembly districts and that there is a cost increase with an 11 district model and that the 11 district model is what was recommended by the committee.
b. The new Planning Department Director is Robert Ruffner.

12. COMMISSIONER'S COMMENTS

Introduced by: Mayor
Date: April 30, 1991
Hearing: June 18, 1991
Action: FAILED AS AMENDED
Vote: 6 YES, 9 NO
MOTION TO RECONSIDER: BROWN
Reconsidered: 7/9/91
Action: ENACTED AS AMENDED
Vote: 9 YES, 5 NO

KENAI PENINSULA BOROUGH
ORDINANCE 91-20

AUTHORIZING A LEASE WITH OPTION TO PURCHASE FOR SHERMAN C. SMITH ON LANDS LOCATED IN THE COOPER LANDING VICINITY AND LOCATED WITHIN A PORTION OF THE NW¼NE¼ OF SECTION 36 AND A PORTION OF THE S½SE¼ OF SECTION 25, TOWNSHIP 5 NORTH, RANGE 3 WEST, SEWARD MERIDIAN AND CLASSIFYING THESE LANDS AS "SALE LANDS"

WHEREAS, an application has been received from Sherman C. "Red" Smith for purchase of ten acres, more or less, located in the Cooper Landing area, for industrial development; and,

WHEREAS, the borough selected the subject land pursuant to the Municipal Entitlement Act and has received a final decision from the State of Alaska approving the selection; and

WHEREAS, a final decision does transfer certain management rights of the land allowing the borough to enter into leases, grant permits, easements, rights-of-way and dispose of lands; and,

WHEREAS, it is not borough policy to sell or otherwise convey title in lands until patent has been issued by the State of Alaska and received by the borough; and,

WHEREAS, on March 11, 1991, a memorandum, maps and supporting backup was sent out for review and comments to the School District, Cooper Landing Community Club, Cooper Landing Advisory Planning Commission, East Peninsula Road Service Area and departments of the borough; and,

NOW THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. That a long-term lease with option to purchase is hereby authorized for ten acres, more or less, located within a portion of NW¼NE¼ of Section 36 and S½SE¼ of Section 25, Township 5 North, Range 3 West, Seward Meridian, Alaska.

Section 2. That the subject lands are hereby classified as "Sale Lands" pursuant to Chapter 17.04 of the KPB Code of Ordinances.

Section 3. That the plat which creates the subject ten acre parcel shall designate a fifty foot conservation easement around the perimeter of the site, exclusive of a fifty foot wide entry and exit wherein no live, naturally existing vegetation over 3" in diameter shall be removed.

Section 4. That the annual lease shall be at the rate of six percent (6%) of the borough assessed valuation and shall be reappraised every five (5) years and the fee adjusted accordingly.

Section 5. That upon the borough receiving patent, the lessee may exercise his option to purchase the subject land at the current fair market value. Said purchase may be made by payment in full or a minimum down payment of ten percent (10%) of the fair market value with the remaining principal balance payable in installments at the rate of ten (10%) percent interest.

Section 6. That the Mayor is authorized to sign any documents necessary to effectuate this ordinance and deemed to be in the best interest of the borough.

ENACTED THIS 9th DAY OF July BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH.

James W. Skogstad

James W. Skogstad, Assembly President

ATTEST:

Borough Clerk

90-831

...TRICT

Return To: Grantee

STATUTORY WARRANTY DEED
(AS 34.15.030)

893 The GRANTOR, KENAI PENINSULA BOROUGH, an Alaska municipal corporation, whose address is 144 North Binkley Street, Soldotna, Alaska 99669, for ten dollars ($10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, and pursuant to Assembly Ordinance 91-20 enacted July 9, 1991, conveys and warrants unto the GRANTEE(S), Pixie A. Smith, a single person, whose address of record is 309 Katmai Avenue, Soldotna, Alaska 99669, her heirs, successors and assigns, the following described real property:

> Tract B, Quartz Creek Subdivision, according to Plat No. 94-11, on file in the Seward Recording District, Third Judicial District, State of Alaska,

TOGETHER WITH all the improvements thereon, if any, and all rights of the Grantor to any and all hereditaments and appurtenances hereto, and

SUBJECT TO any taxes and assessments, exceptions, reservations, restrictions, conditions, covenants, easements, rights-of-way, encroachments either of record or ascertainable by physical inspection, including without limitation, pursuant to Ordinance 91-20, a 50-foot conservation easement around the perimeter of the parcel wherein no live, naturally existing vegetation over 3" in diameter shall be removed except for a 50-foot wide entry and a 50-foot wide exit, and

FURTHER SUBJECT TO a restrictive covenant pursuant to KPB 17.10.130(D), that the real property described in this conveyance instrument shall be used for commercial and light industrial purposes as defined hereinbelow, and that the use of the land for any other purpose is prohibited, provided that this restriction may be modified by the Borough Assembly pursuant to KPB 17.10.130(F) as presently enacted. Pursuant to KPB 17.10.250(D), "commercial" means lands suitable for development or location of service oriented facilities such as stores, offices, medical clinics, restaurants, lodges, vehicular service stations, hotels, and camper parks, and able to support on-sight water and sewer systems or capable of receiving water and/or sewer service, near public utilities and in proximity to residential areas. Pursuant to KPB 17.10.250(R) and legislative intent supporting adoption of KPB Ordinance 91-20, "light industrial" means lands suitable for industrial uses that generally do not have offensive characteristics and can be conducted primarily inside closed buildings. Such uses may include warehousing, storage inside enclosed area, light manufacturing not inside buildings, and the development of sawmills or other wood processing.

KENAI PENINSULA BOROUGH:

Mike Navarre

Mike Navarre, Mayor
Dated: 4-30-98

GRANTEE(S):

Pixie A. Smith

Pixie A. Smith
Dated: 5-1-98

Kenai Peninsula Borough, Alaska
wd

BOOK 90 PAGE 832
RECORDING DISTRICT

ATTEST:

Teresa Walker, Deputy
Linda S. Murphy,
Borough Clerk

APPROVED AS TO LEGAL FORM
AND SUFFICIENCY:

Colette G. Thompson,
Borough Attorney

NOTARY ACKNOWLEDGMENT

STATE OF ALASKA)
)ss.
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this 30th day of April, 1998, by Mike Navarre, Mayor of the Kenai Peninsula Borough, an Alaska municipal corporation, on behalf of the corporation.

Beverley S. Dove
Notary Public in and for Alaska
My commission expires: Aug 22, 1999

NOTARY ACKNOWLEDGMENT

NOTARY PUBLIC
BEVERLEY S. DOVE
STATE OF ALASKA

STATE OF ALASKA)
)ss.
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this 1st day of May, 1998, by Pixie A. Smith.

Notary Public in and for Alaska
My commission expires: 6/17/2001

6960
1800
rict
5/13, 1998
8:35 AM
Recorded by Smith

SAMMIE L COLE
Commission Expires
NOTARY PUBLIC
6-17-01
State of Alaska

Kenai Peninsula Borough, Alaska
wd

DESK PACKET ITEMS

(Items received after the publishing of the meeting packet on 6/7/22)

8. **Quartz Creek Subdivision Outfitters Way Replat; KPB File 2022-060**
   Segesser Surveys / Kenai Peninsula Borough & Three Bears Alaska Inc.
   Persistent Way & Sterling Highway
   Cooper Landing Area / Cooper Landing APC

AGENDA ITEM E. NEW BUSINESS

ITEM 8 - QUARTZ CREEK SUBDIVISION OUTFITTERS WAY REPLAT

KPB File No.	2022-060
Plat Committee Meeting:	June 13, 2022
Applicant / Owner:	Three Bears of Alaska of Wasilla, AK Kenai Peninsula Borough of Soldotna, AK
Surveyor:	John Segesser / Segesser Surveys
General Location:	Cooper Landing / Cooper Landing APC

Parent Parcel No.:	119-124-17, 119-124-18, and 119-124-19
Legal Description:	Tracts A, B, and C of Quartz Creek Subdivision Plat No SW 94-11
Assessing Use:	Residential Vacant
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT ADDENDUM

The preliminary plat was discussed during the June 8, 2022 Cooper Landing Advisory Planning Commission. All parties involved discussed possible solutions and came to agreeable terms. The Cooper Landing APC minutes are available in the desk packet.

The proposed changes will have the creation of a 30 foot wide lot that will be between the Sterling Highway dedication and the proposed frontage road dedication. This proposed lot will take the place of the existing 50 foot conservation easement currently in place within the subject property along the Sterling Highway.

Several items that were discussed included the development of the proposed frontage road. As part of the Sterling Highway project, DOT along with the land owners will be developing the frontage road but the construction at this time will only extend north of the Persistent Way dedication. In the future the remaining portion of the right-of-way will then be developed. The future construction will have to abide by the regulations for crossing a stream and will then coincide with the southern transfer site entrance. The goal at that time will be to improve the safety along this portion of the right-of-way corridor as there is also the existing highway entrance from Russian Gap Road. No party has committed to the associated construction of that portion at this time.

If Persistent Way will continue to provide access to the Highway at this time, two lots will be required to be dedicated to provide the 30 foot wide lots. If DOT does not agree to the continued access at that location a vacation will be required for that portion of Persistent Way and only one lot will be created. If it is allowed, the right-of-way will be required to be vacated once the entire frontage right-of-way is constructed.

The purpose of the 30 foot wide lot(s) is to provide a buffer between the Sterling Highway and the frontage right-of-way. At this time the lot(s) would be under KPB ownership and would require several code exceptions and a classification to be put into place to limit its future use. A future Ordinance would be presented that would outline the classification and the use of the property.

In exchange for the additional land along the highway, the APC would be in agreement to remove the 50 foot conservation easements within Tract B that are located along Persistent Way and the southern boundary. The 100 foot public access easement centered along the anadromous stream and the shared lot line will remain in place and will be subject to KPB 21.18.040. A 20 foot building setback will be required along Persistent Way and the Frontage Road as outlined in KPB Code unless exceptions are requested and granted.

This plat cannot adjust or remove the conservation easements. The conditional approval of this plat will allow for staff and the property owners to move forward with an Ordinance to present to the Assembly. The Ordinance will

be presented to the Cooper Landing APC and the Planning Commission to make recommendations to the Assembly.

A new design was not formally presented to the Planning Department. The decision at this meeting is based upon the sketch as shown in the packet. Due to the extensive changes staff makes the following recommendations.

Staff recommendations:
Conditional approval be granted to this preliminary design subject to:

1. the creation of a 30 foot wide lot to be owned by the borough with a future Ordinance to establish classification
2. any changes to Conservation Easements are subject to an Ordinance being enacted by the KPB Assembly
3. the submittal of a final design will require review by the Cooper Landing APC
4. the final design will be scheduled for a public hearing by the KPB Planning Commission
5. if the final design requires any exceptions to KPB code, they will be presented to the KPB Planning Commission for review and potential approval.

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

COOPER LANDING ADVISORY PLANNING COMMISSION
REGULAR MEETING
LOCATION: ZOOM TELECONFERENCE OR
COOPER LANDING COMMUNITY HALL
WEDNESDAY, JUNE 08, 2022
6:00 PM
UNAPPROVED MINUTES

1. CALL TO ORDER – 6:00pm

2. ROLL CALL

    a. J. Cadieux, H. Harrison, Y. Galbriath, D. Story, C. Degernes, L. Johnson, K. Recken , present
    b. Zoom Attendees: Phil Weber, Heather Pearson, Rachel Mundy, Jerry Fox, Rhonda Lynn, Steve Mierop, Alan, Tommy Gossard, Nancy Carver, Alice Radenmacher (HDR Public Involvement Coordinator), DOT P&F Staff: Sean Baski, Jonathan Tymick Construction Project Manager, Scott Thomas (DOT P&F Traffic and Safety Engineer, Plat reviewer), Alvin Talbert, Alan, and Virginia Morgan
    c. Attendees at hall: Ryan Marlow, Vince Beltrami, Kim Neis, Jerry Neis, Dan Steiner (SDCS, LLC Civil Engineer for Three Bears), Robert Ruffner (KPB Planning Director), Representative Ben Carpenter, Kendra Broussard (Staff to Rep. Carpenter)

3. APPROVAL OF AGENDA – L. Johnson moves to approve as amended, H. Harrison seconds. All approve by roll call vote.

4. APPROVAL OF MINUTES for April 06, 2022 and May 04, 2022

    a. L. Johnson moves to approve the April 6 minutes. D. Story seconds. All approve by roll call vote.
    b. Y. Galbraith moves to approve the May 4 minutes as amended by the edits of Virginia Morgan. L. Johnson seconds. H. Harrison abstains due to absence. All others approve.

5. CORRESPONDENCE

    a. Emailed letter to KPB Planning Department, Land Management from Kim and Jerry Neis copied to CLAPC read into record.
    b. Letter from Jon James read into record.

6. PUBLIC COMMENT/PRESENTATION WITHOUT PREVIOUS NOTICE
    a. Kim Neis presented an update on the Snug Harbor parcel 119.110.19 and submitted written comments for record.

a. Replat 2022-060 Preliminary Plat Quartz Creek Subdivision, Outfitters Way, Tracts C and B (Three Bears)
    i. R. Ruffner introduced the plat.
    ii. N. Carver displayed the plat via Zoom.
    iii. R. Ruffner said there are a certain number of days by statute to take action on a plat.
        1. At the last Planning Commission meeting the KPB 2022-060 there was a little bit of confusion with the notes for which sites would be vacated.
        2. The conceptual extended frontage road providing access to Tracts B and C (beyond the previously planned frontage access for businesses as far as Tract D2) that the DOT is interested in pursuing because of the Russian Gap turn and for egress and ingress for all the tracts.
        3. The other thing that the people are interested in is the conservation easement that the frontage road would be going through.
        4. He said, one of the things the KPB is trying to help accommodate is the construction of the frontage road including a 30' greenbelt and trail setback but not all the way to Dena'ina Creek.
        5. He said there is currently a 50' conservation easement on all sides of the tract.
        6. This proposed concept would create a 60' frontage road, 30' greenbelt, and 10' utility easement, taking about 100' away from usable space in Tracts C and B.
        7. K. Recken said she is unclear whether R. Ruffner is talking about vacating Persistance Way. R. Ruffner said that he is talking about removing the 50' conservation easement on parts of Tract B.
        8. The 100' that would be used in this proposed concept is not available for their [Three Bears] development because it would be tied up in the needs on the front of the property.
        9. C. Degernes said that it looked like there was a 10' easement on the back side and wondered about that.
            a. Dan Steiner, the civil engineer for Three Bears said they may want to keep that but for other green space.
        10. J. Cadieux said that she understood that the current road alignment would be used for the frontage road Quartz Creek Rd in front of Sunrise and Tracts D1 and D2 and would not take property from those tracts. and asked for clarification.
            a. J. Tymick confirmed that is the case.
            b. S. Baski clarified that most of the land for the proposed frontage road concept would be coming

from DOT right-of-way with only sliver acquisitions of private property.

i. J. Cadieux asked for an explanation of "sliver acquisitions".

1. S. Baski explained they are anything that leaves the parcel within compliance of minimum size requirements of the local jurisdiction which could be up to 40'. He said that it is meant to be a smaller amount but he tries to present the full extent of possibilities to manage expectations.

11. J. Cadieux said that if the 40' were taken off of the D1 or D2 it would be 40' of the 50' of greenspace of those properties if the frontage road stops at Cozy Bear.
12. J. Cadieux asked whether the land for the frontage road would be coming from on Tracts C and B.

    S. Baski said there is no design right now, only conceptual sketches. That said, for Tracts B and C the road would need to be entirely on those tracts to avoid pushing the roadway design which would need to account for commercial size traffic turning radius etc. into to the highway interface.

    a. R. Ruffner said that the 30' greenbelt proposal would come out of tracts C and B.
13. The KPB conceptual design was presented on Zoom which shows that there is a 30' green-strip that is at the top [Sterling Hwy side] of those parcels while the 60' frontage road would be on the non-highway side of the green-strip.
14. K. Neis asked whether the frontage road would go all the way to the transfer site.
    a. S. Baski said that the DOT would use MP 45-60 dollars to construct up to Persistent Way and then anything further would be picked up by other projects.
15. S. Thomas is the traffic engineer and technical advisor for DOT who deals with safety. He said that the two descriptions are different. In work with highway crashes, he sees and hears a series of concerns about safety with each of these parcels and the [MP 45-60] project. Under this proposal the passing lane would have to go away and there would be turn lanes added in the existing footprint of the highway's current three lanes. He recommended we look at it past the proposed project.

16. J. Neis asked S. Thomas about how many people go through the Girdwood interchange with a turn lane and wonders why we can't give turn lane access to these areas.
    a. S. Thomas said that Girdwood is a part of a safety corridor with many driveways and there are crashes there enough that DOT is considering an interchange there.
    b. He continued that the DOT is trying to separate high speed and low speed uses.
    c. He said that in every part of our road systems with multiple driveways and old geometry there are crashes.
17. J. Cadieux thanked S. Thomas for acknowledging the safety risk posed at Russian Gap Rd. and the change of this project for traffic as speeds will change from 45mph to 65mph even if limits are posted at 55mph.
18. S. Baski said that as a part of the MP 45-60 Project the frontage road cannot move further north than Persistent Way.
    a. S. Thomas said that the project can only go so far but if there is a frontage road plan all parties can agree on, as each project comes along it can be extended which can be how you get to a turning lane being included etc.
19. J. Tymick stated that the [MP 45-60] project could add to the volume of cars and so looking at things like striping to address the turning lanes etc. in the short turn is possible.
20. S. Baski said that this project has to compete with the many other similar uses.
21. S. Thomas said that there have been turn lanes built in other safety corridors. There are, however, safety issues with turning lanes.
22. C. Degernes thanked DOT for listening to the community's concerns.
23. D. Steiner asked S. Thomas to describe the striping that would be needed for Three Bears to gain access.
    a. S. Thomas said that the MP 45-60 project ends at Persistent Way but the need remains for repaved and restriped. For 3 Bears project to move forward that striping has to happen.
24. J. Cadieux asked if the KPB and Three Bears is planning to construct the frontage road to Tract A in this timeframe.
    a. R. Ruffner said no.
25. J. Cadieux asked if the proposed future eastern access would be reduced to one point, Tract A and would it cross the creek?

    a. S. Thomas said yes.
26. J. Cadieux asked about the impact on the anadromous stream.
    a. R. Ruffner said that in general the DOT on the Kenai Peninsula had done a good job of doing more than the bare minimum for fish passage and flood conveyance.
27. J. Cadieux asked D. Steiner if the plan is approved for a frontage road to Persistent Way, what is the timeline for development of the project?
    a. D. Steiner said that this plat includes a 60' right of way for that frontage road.
28. K. Recken asked about the exit and whether it would cross the creek.
29. Page 43 [Supporting document SLEV5-23packet.pdf] shows the proposed pink portion labeled "Future Frontage Road Project" [Pink indicates DOT/KPB collaboration project] extending to Persistent Way with ingress/egress to the New Sterling Highway at Persistence Way. The purple labeled "Future Three Bears Frontage" Three Bears would develop within the DOT right of way with a temporary ingress/egress [labeled "Interim Access"]. This purple portion extends to the north of their property [the right of page 43/left of page 44] where it meets with the pink section [DOT/KPB collaboration] to the north being built out to the Waste Transfer Station where the permanent ingress/egress would be built and turning lanes and traffic safety would be provided.
30. J. Cadieux stated that in the last meeting it was suggested that the frontage road could drop further into the parcels to maintain the 50' vegetative barrier before returning to the ingress/egress points. She asked whether Three Bears looked at the Tract C concepts generated by the community over many months and several public processes.
    a. D. Steiner said they were unaware of those plans. He doesn't represent Three Bears but is just an engineer for them but does know from working on a number of projects for Three Bears and knows they are interested in being good neighbors. He said that the owner of Three Bears, D. Wise, feels that he is losing more land than he knew about when he was purchasing the land.
31. K. Recken mentioned it would go a long way to guarantee the greenbelt to gain the support and trust of the community.

    a. D. Steiner said that the 30’ would be owned by the KPB. It was a concept put together by Marcus Mueller.

32. D. Story said that as an individual he knows it is hard to rely on guarantees but that other ways to gain the support and trust of the community are to learn about the long-term goals and efforts the community has spent considerable time developing. He explained that the Tract C designs were a result of three separate meetings facilitated by the KPB with a landscape architect over six or so months to gain an understanding of the community’s desires for the development of Tract C. Those desires included; affordable housing which could potentially come from multi-family units or above business apartments and the like; active transportation facilities throughout developed areas such as these tracts to extend the connectivity of the separated pathway that is a part of the MP 45-60 Phase 1B; and maintaining the integrity of the viewshed that is the entry point to the community.
33. He said that each of these things and others are repeated concerns and desires of the community going back for a long time, are in the Land Management Plan, and one of the main concerns of residents is that Cooper Landing is a forest town and much of what defines it is the natural resources people come here to enjoy. If the viewshed and greenspaces are not maintained it could be easy for the town to be defined by a storefront and most of the community does not want the first thing people think of or see when they arrive to be gas prices or a grocery special.
34. D Story described the possible negative impacts of the Sterling Hwy. MP 45-60 Project on community businesses and the potential for a large project such as Three Bears at the start of “town” to contribute to those impacts.
35. He suggested that gaining the support of the community could be achieved by learning more of the efforts the community has put forward to work on its goals.
36. R. Ruffner said that moving between a preliminary plat which is what this is, the CLAPC can say we approve the plat with addition of a 30’green-space included before the final plat.
37. D. Steiner asked DOT if they have any thoughts or concerns about the concept.
    a. S. Thomas said that at a high level it is the theme of how to connect all properties or all parcels and the design widths and specifics are better handled by the crew that does that.

b. S. Baski said that which side of the frontage road a pathway would go on is a good thing for the community to discuss. In other communities it is on the outside so ingress/egress to the properties is easier. He can offer up help from the DOT designers but knows that the conceptual design's sharp turn will not be what they will come up with. Also, there is a wide right of way held by the State of Alaska including much of the depth of the trees in the existing 150' strip which means that any of those trees on DOT right of way (ROW) are susceptible to being cut for maintenance, and safety etc.

38. J. Cadiuex asked R. Ruffner if what is being asked is to let a frontage road determine the land use plan by developing a public road but would a private road for both KPB (Tract C) and a private landowner (Tract B) be more appropriate?
    a. J. Tymick said that it may be necessary to deal with the overarching problems of the roadway connections here and that it is a meet in the middle sort of design where Three Bears loses some of its land and the public loses some of its conservation easement.
        i. R. Ruffner said that it seems like the greenspace on the conceptual drawing being 30' instead of 50' is what you are asking about and that to address the traffic issue.
        ii. J. Cadieux asked to confirm that the 30' space would be maintained as forest.
            1. D. Story attempted to interpret the information that was presented by DOT, KPB, and Three Bears.
            2. It was made clear that the 30' space would be part of the newly created KPB frontage road right of way for the 30' greenspace concept. This greenspace would not be a part of the State of Alaska's right of way after this transfer took place so would not be susceptible to the clearing for maintenance etc. by AKDOT but would instead be managed by KPB. The frontage road would be on the non-highway side of this 30' greenspace. The AKDOT's remaining right of way may retain

treed area further than the 30' but that area is susceptible to being cleared for typical DOT purposes.

b. C. Degernes hoped to summarize her thoughts; a long-term solution for safe access to our important sites like the transfer station, even if it doesn't all happen with this project it seems like we would get there. It may not be everything we want but it seems like a good compromise.

39. D. Steiner said he wants to make sure everyone knows what is being proposed and asked to show the design plan.
    a. There is a conservation easement that surrounds the property. Three Bears would like to abandon the conservation easement on the back of the lot (south border) and along Persistent Way (west border) in exchange for maintaining the frontage road and 30' greenspace concept as presented by the KPB drawing.
    b. Steve Mierop, VP Three Bears, said that the back side of the lot will have some differences between what is shown in the drawing as it is still being designed. They anticipate using the space right up to the parcel border because a treed area that exists on the other side of the parcel line which will not likely change as it belongs to the airport.
40. C. Degernes moved to recommend approval of the preliminary plat 2022-060 subject to maintaining the 30' greenspace concept as presented by the KPB drawing and agreed to by Three Bears, and provided the original 50' conservation easement along Denaina Creek is maintained. L. Johnson seconds. All approve by roll call vote.

iv. D. Steiner asked what else Three Bears could do to connect with the community.
    1. J. Cadieux said the CLAPC is a good place to start but also to attend and introduce yourself at the Cooper Landing Community Club meetings as well as the Chamber of Commerce and provide updates via the Crier.

v. K. Recken mentioned the importance of safety precautions for the proposed firepits. S. Mierop indicated they are aware of fire danger in the area and will consider that in the design of fire pits.

b. Section Line Easement Vacations on Tracts A, B, C Quartz Creek Subdivision
    i. C. Degernes moves to support the vacation of section line easements assuming the approval of the 2022-060 Preliminary Plat subject to the 30' greenspace concept as discussed. H. Harrison seconds. All approve by roll call vote.

12. COMMISSIONER'S COMMENTS – none.

13. ADJOURNMENT

a. L. Johnson moves to adjourn. Y. Galbraith seconds. All approve by roll call vote. 9:23pm

For more information or to submit comments please contact:

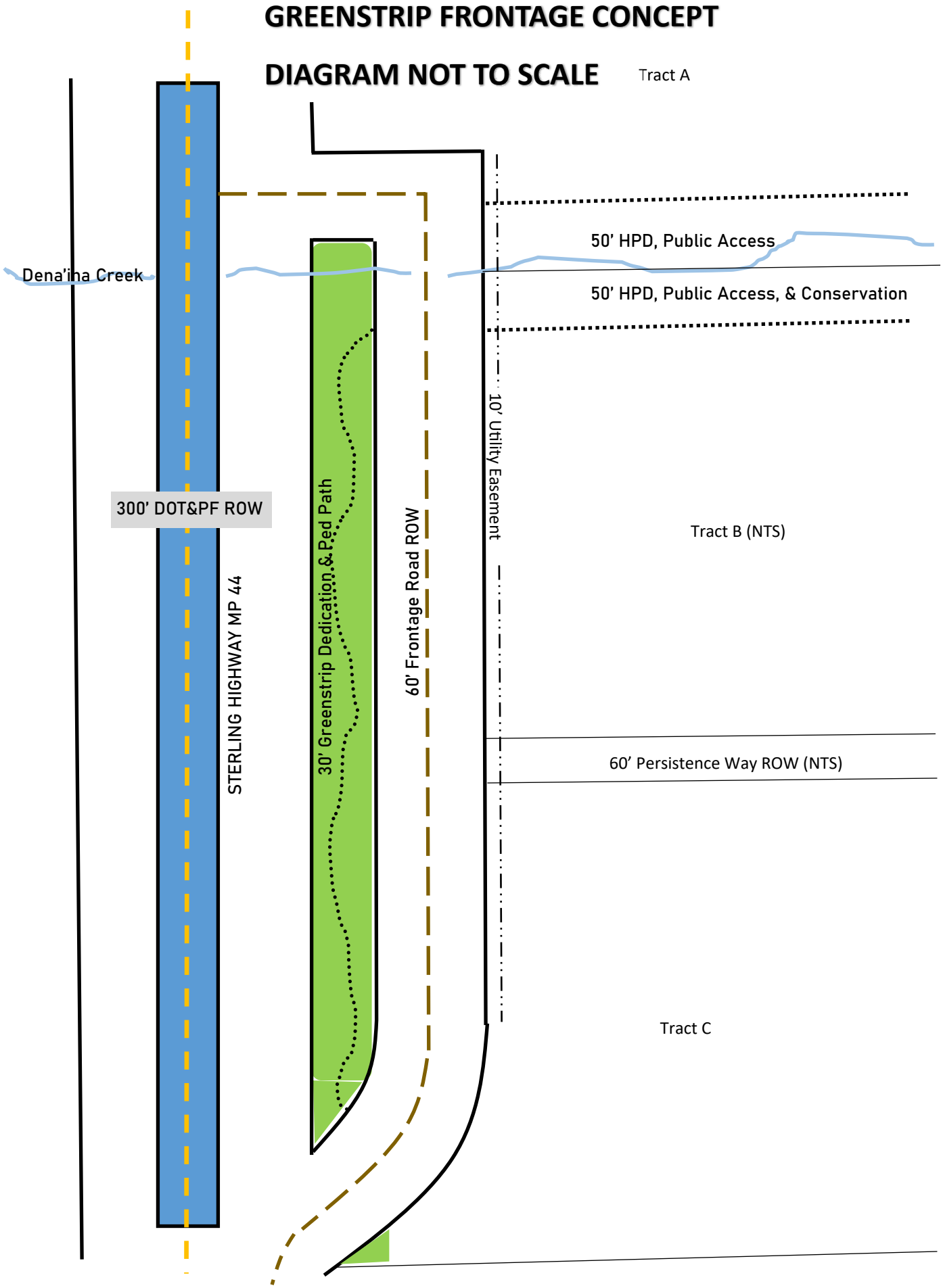
David Story, Secretary Treasurer or Janette Cadieux, Chair, P.O. Box 694, Cooper Landing, 99572CooperLandingAPC@gmail.com

Please note that the CLAPC voted by roll call as follows:

- Ordinance 2022-19-XX Firewise Slash Disposal
  - Declined to support or oppose this ordinance.
  - Would like to provide input on the RFP that is developed for our community.

- Preliminary Plat 2022-060 Quartz Creek Subdivision, Outfitters Way, Tracts C and B (Three Bears)
  - Recommend approval of the preliminary plat subject to final plat reflecting the 30' greenspace concept as presented by the KPB and agreed to by Three Bears and provided the original 50' conservation easement along Dena'ina Creek is maintained. All approve.

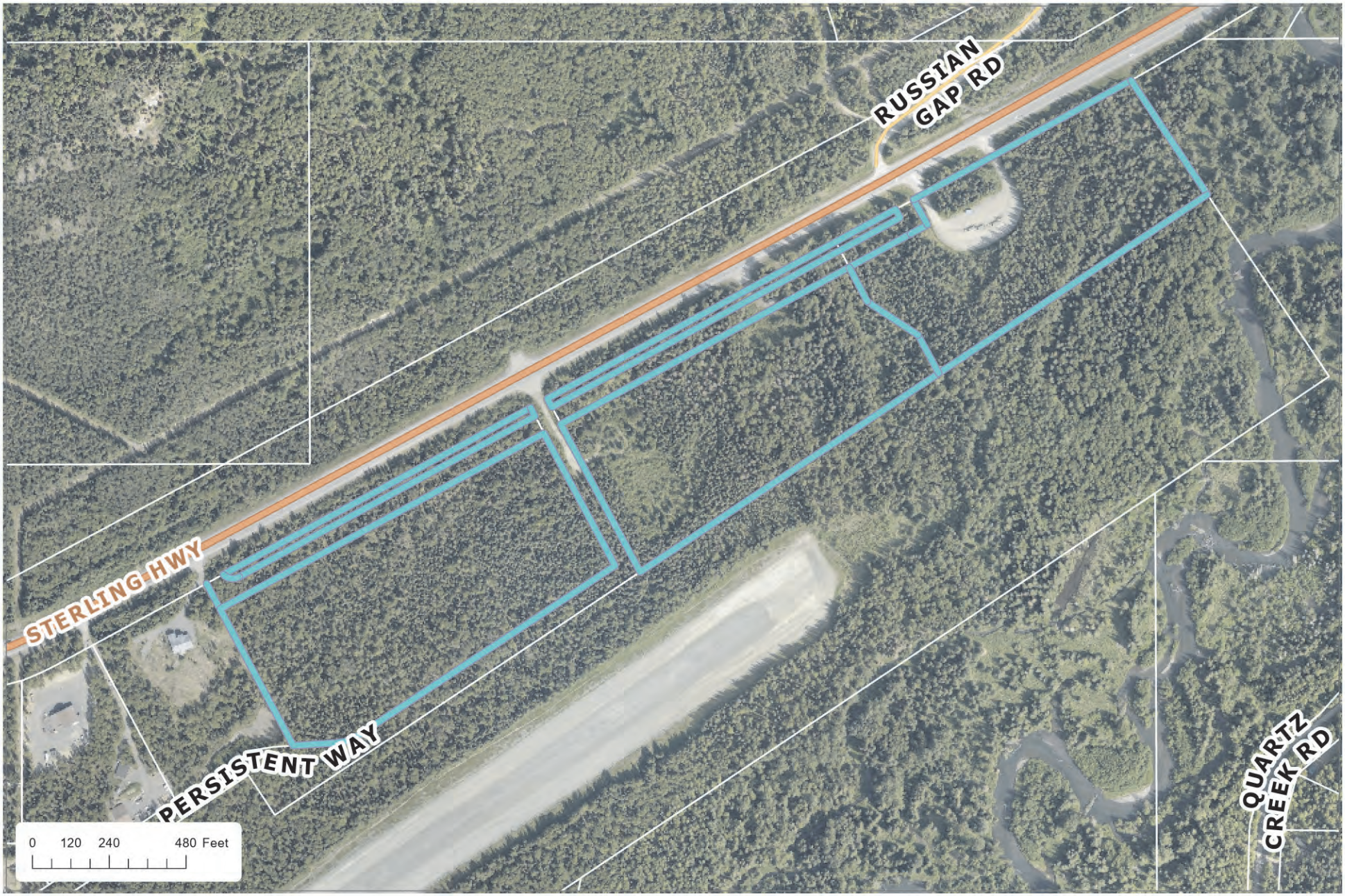
- 2022-060V Section Line Easement Vacations on Tracts A, B, and C Quartz Creek Subdivision
  - Support the section line easement vacations assuming the approval of Preliminary Plat 2022-060 with recommended changes for final plat. All approve.


GREENSTRIP FRONTAGE CONCEPT
DIAGRAM NOT TO SCALE
Tract A
Dena'ina Creek
50' HPD, Public Access
50' HPD, Public Access, & Conservation
10' Utility Easement
300' DOT&PF ROW
STERLING HIGHWAY MP 44
30' Greenstrip Dedication & Ped Path
60' Frontage Road ROW
Tract B (NTS)
60' Persistence Way ROW (NTS)
Tract C

Kenai Peninsula Borough Planning Department

Aerial - This is an approximation done by staff.

6/9/2022



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.

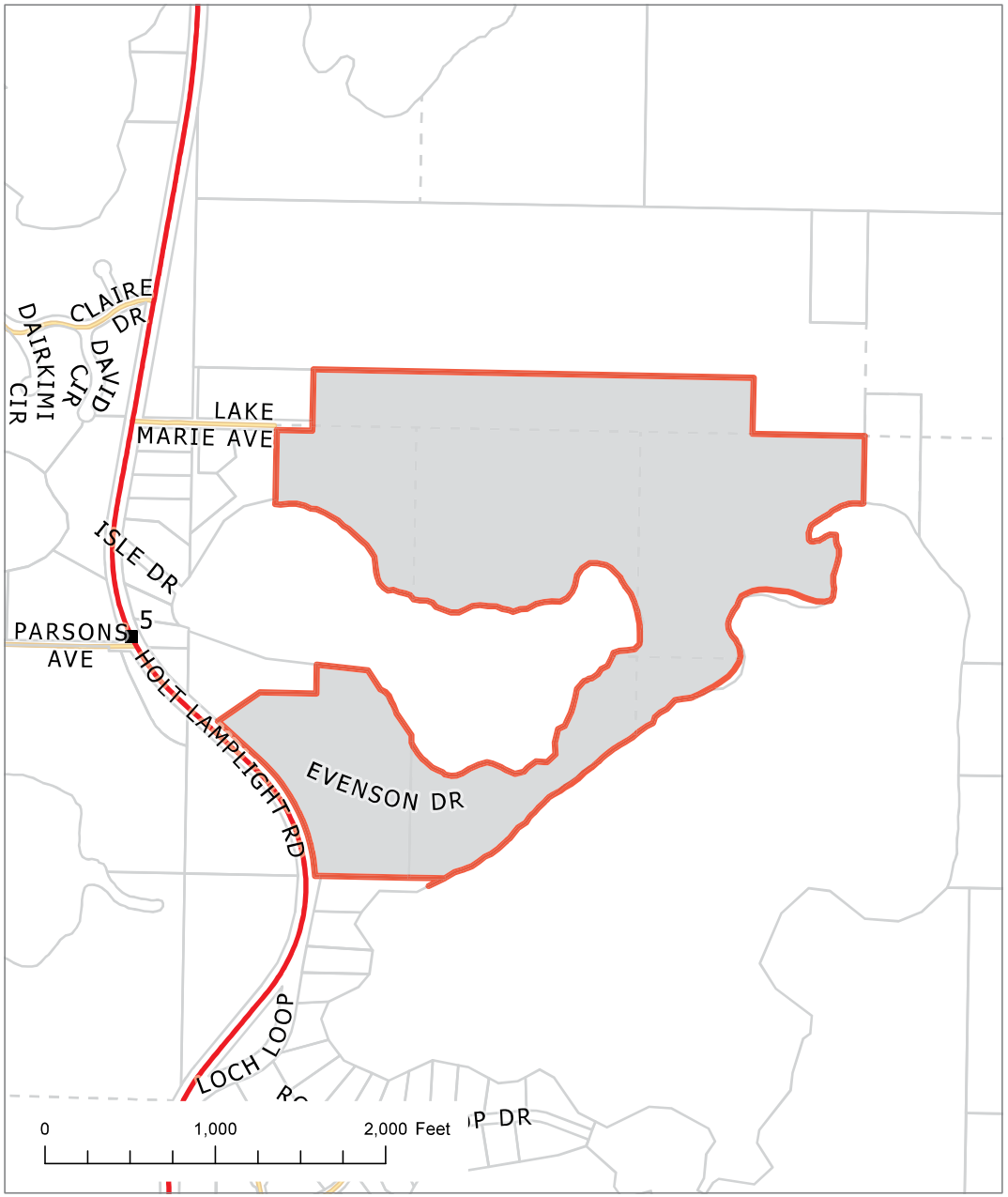
E. NEW BUSINESS

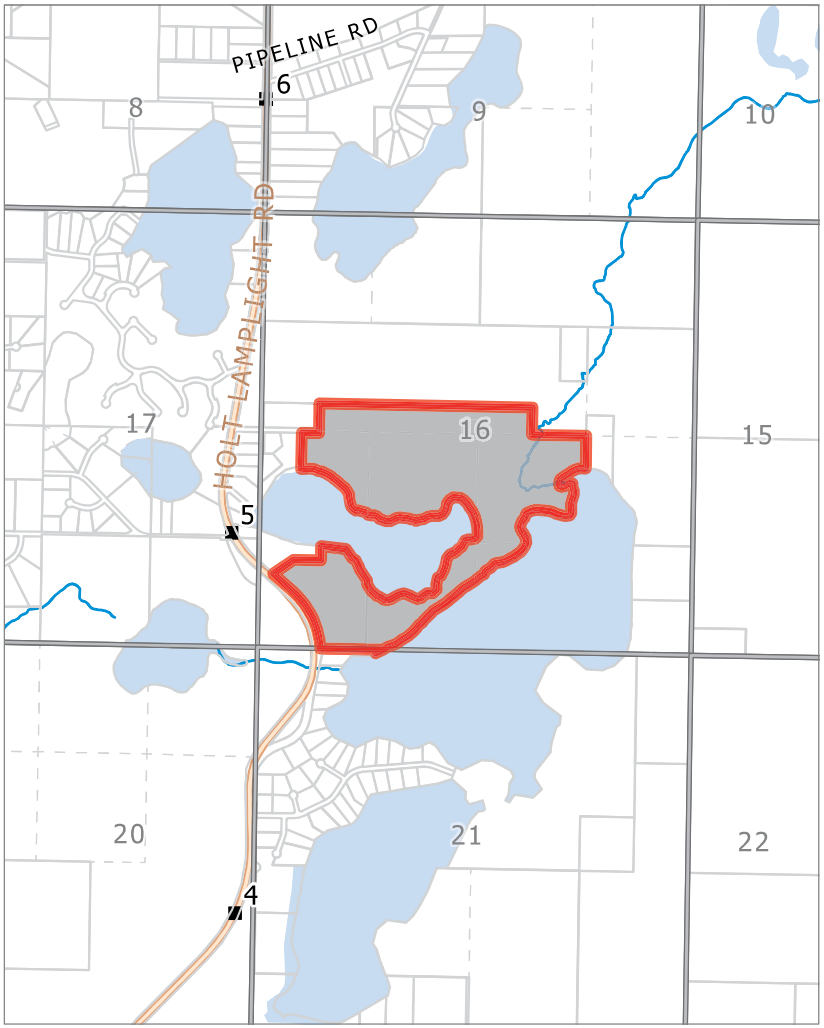
9. Thorsland Subdivision Addition No. 1; KPB File 2022-069
Segesser Surveys / Evenson
Location: Lake Marie Ave. & Holt Lamplight Rd.
Nikiski Area

Kenai Peninsula Borough Planning Department

Vicinity Map

5/20/2022





KPB File # 2022-069
S16 T07N R11W
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.

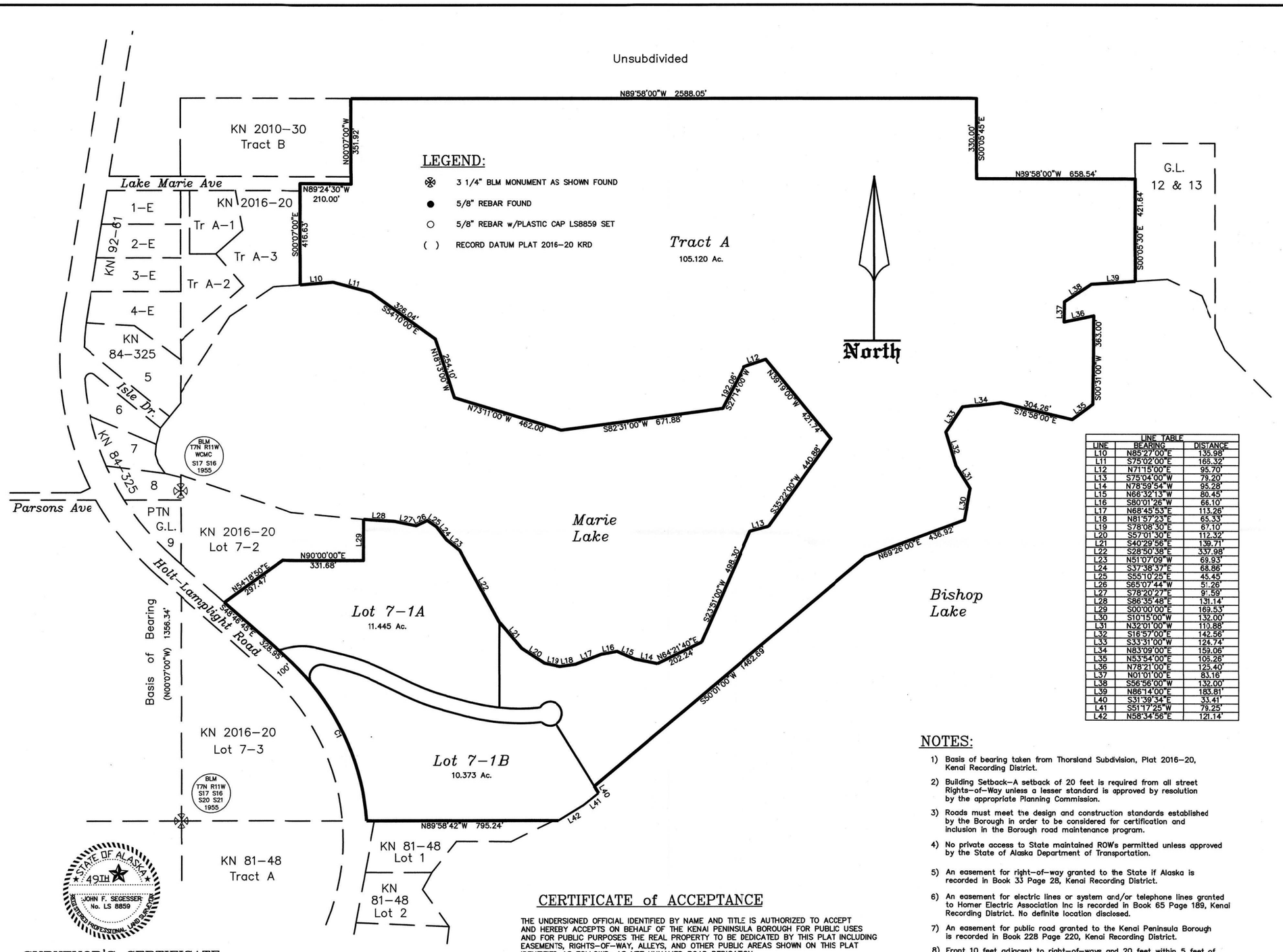
Kenai Peninsula Borough Planning Department

Aerial Map

KPB File Number 2022-069
5/20/2022



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.



LINE TABLE		
LINE	BEARING	DISTANCE
L10	N85°27'00"E	135.98'
L11	S75°02'00"E	168.32'
L12	N71°15'00"E	95.70'
L13	S75°04'00"W	79.20'
L14	N78°59'54"W	95.28'
L15	N66°32'13"W	80.45'
L16	S80°01'26"W	66.10'
L17	N68°45'53"E	113.26'
L18	N81°57'23"E	65.33'
L19	S78°08'30"E	67.10'
L20	S57°01'30"E	112.32'
L21	S40°29'56"E	139.71'
L22	S28°50'36"E	337.98'
L23	N51°07'09"W	69.93'
L24	S37°38'37"E	68.86'
L25	S55°10'25"E	45.45'
L26	S65°07'44"W	51.26'
L27	S78°20'27"E	91.59'
L28	S86°35'48"E	131.14'
L29	S00°00'00"E	169.53'
L30	S10°15'00"W	132.00'
L31	N32°01'00"W	110.88'
L32	S16°57'00"E	142.56'
L33	S33°31'00"W	124.74'
L34	N83°09'00"E	159.06'
L35	N53°54'00"E	105.26'
L36	N78°21'00"E	125.40'
L37	N01°01'00"E	83.16'
L38	S55°56'00"W	132.00'
L39	N86°14'00"E	183.81'
L40	S31°39'34"E	33.41'
L41	S51°17'25"W	79.25'
L42	N58°34'56"E	121.14'

LEGEND:

- ⊕ 3 1/4" BLM MONUMENT AS SHOWN FOUND
- ● 5/8" REBAR FOUND
- ○ 5/8" REBAR w/PLASTIC CAP LS8859 SET
- ( ) RECORD DATUM PLAT 2016-20 KRD

NOTES:

1) Basis of bearing taken from Thorsland Subdivision, Plat 2016-20, 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) No private access to State maintained ROW's permitted unless approved by the State of Alaska Department of Transportation.
5) An easement for right-of-way granted to the State if Alaska is recorded in Book 33 Page 28, Kenai Recording District.
6) An easement for electric lines or system and/or telephone lines granted to Homer Electric Association Inc is recorded in Book 65 Page 189, Kenai Recording District. No definite location disclosed.
7) An easement for public road granted to the Kenai Peninsula Borough is recorded in Book 228 Page 220, Kenai Recording District.
8) Front 10 feet adjacent to right-of-ways and 20 feet within 5 feet of the side lot lines is a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
9) 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.

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.

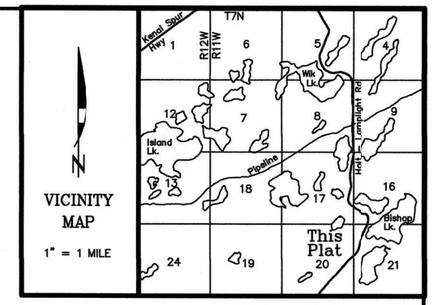
Date _____

STATE OF ALASKA 49TH JOHN F. SEGESSER No. LS 8859 REGISTERED PROFESSIONAL LAND SURVEYOR

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: AS YET UNNAMED ROAD DEDICATION.
THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY OTHER GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

_____ DATE _____
AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH



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.

_____ _____
JAMES L. EVENSON NEDRA T. EVENSON
4140 FOLKER ST. APT 205
ANCHORAGE, ALASKA 99508

NOTARY'S ACKNOWLEDGEMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS_____ DAY OF _____ 20___.

_____
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGEMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS_____ DAY OF _____ 20___.

_____
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

PLAT APPROVAL

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

KENAI PENINSULA BOROUGH

_____
AUTHORIZED OFFICIAL

KPB FILE No.

KPB 2022-069

Thorsland Subdivision Addition No. 1

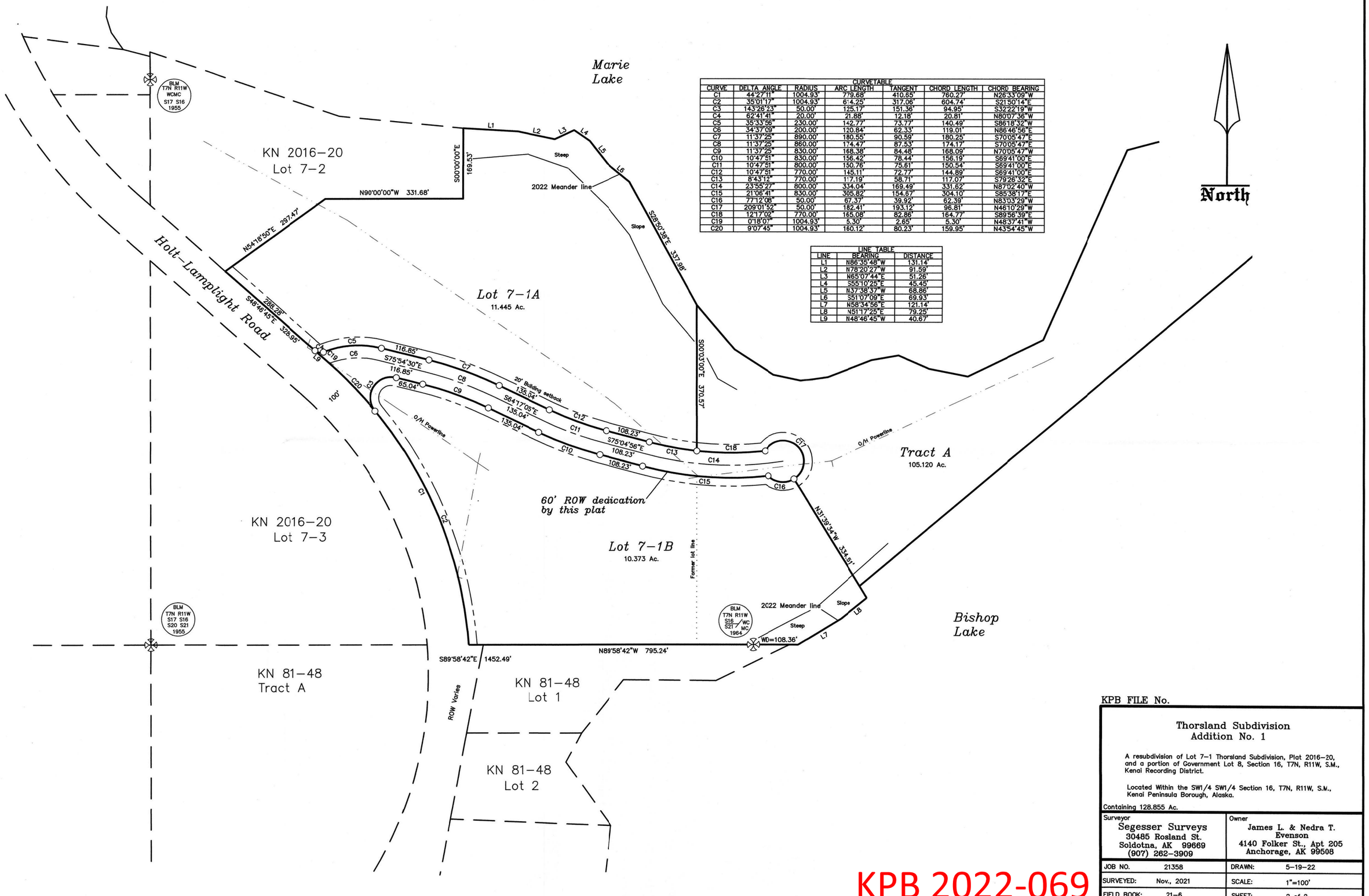
A resubdivision of Lot 7-1 Thorsland Subdivision, Plat 2016-20, and a portion of Government Lot 8, Section 16, T7N, R11W, S.M., Kenai Recording District.

Located Within the SW1/4 SW1/4 Section 16, T7N, R11W, S.M., Kenai Peninsula Borough, Alaska.

Containing 128.855 Ac.

Surveyor	Owner
Segesser Surveys 30485 Rosland St. Soldotna, AK 99669 (907) 262-3909	James L. & Nedra T. Evenson 4140 Folker St., Apt 205 Anchorage, AK 99508

JOB NO.	21358	DRAWN:	5-19-22
SURVEYED:	Nov., 2021	SCALE:	1"=200'
FIELD BOOK:	21-6	SHEET:	1 of 2



CURVE TABLE						
CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
C1	44°27'11"	1004.93'	779.68'	410.55'	760.27'	N26°33'09"W
C2	35°01'17"	1004.93'	614.25'	317.06'	604.74'	S21°50'14"E
C3	143°26'23"	50.00'	125.17'	151.36'	94.95'	S32°22'19"W
C4	62°41'41"	20.00'	21.88'	12.18'	20.81'	N80°07'36"W
C5	35°33'56"	230.00'	142.77'	73.77'	140.49'	S86°18'32"W
C6	34°37'09"	200.00'	120.84'	62.33'	119.01'	N86°46'56"E
C7	11°37'25"	890.00'	180.55'	90.59'	180.25'	S70°05'47"E
C8	11°37'25"	860.00'	174.47'	87.53'	174.17'	S70°05'47"E
C9	11°37'25"	830.00'	168.36'	84.48'	168.09'	N70°05'47"W
C10	10°47'51"	830.00'	156.42'	78.44'	156.19'	S69°41'00"E
C11	10°47'51"	800.00'	150.76'	75.61'	150.54'	S69°41'00"E
C12	10°47'51"	770.00'	145.11'	72.77'	144.89'	S69°41'00"E
C13	8°43'12"	770.00'	117.19'	58.71'	117.07'	S79°26'32"E
C14	23°55'27"	800.00'	334.04'	169.49'	331.62'	N87°02'40"W
C15	21°06'41"	830.00'	305.82'	154.67'	304.10'	S85°38'17"E
C16	77°12'08"	50.00'	67.37'	39.92'	62.39'	N83°03'29"W
C17	209°01'52"	50.00'	182.41'	193.12'	96.81'	N46°10'29"W
C18	12°17'02"	770.00'	165.08'	82.86'	164.77'	S89°56'39"E
C19	0°18'07"	1004.93'	5.30'	2.65'	5.30'	N48°37'41"W
C20	9°07'45"	1004.93'	160.12'	80.23'	159.95'	N43°54'45"W

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N86°35'48"W	131.14'
L2	N78°20'27"W	91.59'
L3	N65°07'44"E	51.26'
L4	S55°10'25"E	45.45'
L5	N37°38'37"W	68.86'
L6	S51°07'09"E	69.93'
L7	N58°34'56"E	121.14'
L8	N51°17'25"E	79.25'
L9	N48°46'45"W	40.67'

KPB FILE No.

Thorsland Subdivision Addition No. 1

A resubdivision of Lot 7-1 Thorsland Subdivision, Plat 2016-20, and a portion of Government Lot 8, Section 16, T7N, R11W, S.M., Kenai Recording District.

Located Within the SW1/4 SW1/4 Section 16, T7N, R11W, S.M., Kenai Peninsula Borough, Alaska.

Containing 128.855 Ac.

Surveyor	Owner
Segesser Surveys 30485 Rosland St. Soldotna, AK 99669 (907) 262-3909	James L. & Nedra T. Evenson 4140 Folker St., Apt 205 Anchorage, AK 99508

JOB NO.	21358	DRAWN:	5-19-22
SURVEYED:	Nov., 2021	SCALE:	1"=100'
FIELD BOOK:	21-6	SHEET:	2 of 2

KPB 2022-069

AGENDA ITEM E. NEW BUSINESS

ITEM 9 - THORSLAND SUBDIVISION ADDITION NO 1

KPB File No.	2022-069
Plat Committee Meeting:	June 13, 2022
Applicant / Owner:	Evenson Estate of Anchorage, AK
Surveyor:	John Segesser / Segesser Surveys
General Location:	Holt Lamplight Road, Lake Marie Avenue, Nikiski

Parent Parcel No.:	013-105-12 and 013-105-15
Legal Description:	Lot 7-1 Thorsland Subdivision KN 2016-20, Government Lots 4-6, 8, 9, S1/2 S1/2 S1/2 NW1/4 and S1/2 SW1/4 SW1/4 NE1/4 (excluding Plats KN 2003-71, KN 2006-43, and KN 2010-30, in Section 16, Township 7 North, Range 11 West
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will reconfigure a lot, government lots, and aliquot parcels into one tract and two lots. The tract will be 105 acres and the lots will be 10.373 acres and 11.445 acres. A new right-of-way dedication is proposed.

Location and Legal Access (existing and proposed): The proposed plat is located near mile 5 of Holt Lamplight Road, a state maintained right-of-way. The newly proposed right-of-way will be directly off Holt Lamplight Road and will provide access to all three parcels being created. Lake Marie Avenue is a borough maintained right-of-way located to the north that provides additional access to proposed Tract A. The Nikiski Senior Center is located on Lake Marie Avenue and is adjacent to proposed Tract A.

The proposed cul-de-sac appears to be proposed on an existing drive that provides access to an improvement that is located between Marie Lake and Bishop Lake. The proposed length of the cul-de-sac exceeds the length limits stated within KPB 20.30.100. The surveyor has discussed with staff that the dedication could be shortened to comply. ***Staff recommends*** *the length of the cul-de-sac be revised to comply with KPB Code unless an exception is requested and granted.*

There are two recorded easements that were granted for right-of-way or public roads. They are noted on the plat. The locations are defined within the documents and should be verified that they pertain to this plat. If they are within the boundary of the proposed plat, the location should be depicted if possible. If depiction is difficult, the plat note should give an approximate location of the easements. It is possible that these easements are now within areas that have since been dedicated as right-of-way and should be noted as such. ***Staff recommends*** *the easements be verified and depicted and noted in detail.*

The depiction of Lake Marie Avenue on sheet one appears to need revision. The current depiction indicates that the right-of-way narrows to 30 feet that is only dedicated on the northern side of the right-of-way. Senior Shore Addition Number 2, Plat KN 2010-30, created Tract B to the north and also dedicated a full 60 foot wide right of way from the eastern edge of Tract A-3 to the eastern edge of Tract B. ***Staff recommends*** *the depiction of Lake Marie Avenue be revised to show existing dedications.*

The block is not closed. Tract A is proposed to be 105 acres with frontage along Marie Lake and Bishop Lake. Bishop Creek is also present within the eastern portion of the Tract. Due to the location of the water bodies and the large size of the property a compliant block will be difficult. ***Staff recommends*** *the plat committee concur that an exception to block length nor additional dedications to improve block length are required at this time.*

An exception has been requested to KPB 20.30.030, to not dedicate an extension of Lake Marie Avenue at this time.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	The ROW for Holt Lamplight Road is generally as shown on KPB Right of Way Map Lamplight Rd. Phase II (Kenai Plat 85-44) and appears to be shown correctly.

Site Investigation: The proposed plat is along the shores of Marie Lake and Bishop Lake. The narrowest portion between the two lakes is approximately 170 feet. Per KPB Imagery, a structure is located between the two lakes. Within the eastern portion of proposed Tract A is Bishop Creek. Bishop Creek is an anadromous stream that goes through the property and connects to Bishop Lake. ***Staff recommends*** *Bishop Creek be depicted on the plat and the anadromous note be added to the plat as well as notes regarding the meander lines of the lakes and any source information for the meanders be listed.*

Other than the lakes the majority of the property is free from low wet areas. Per KPB GIS data, there is some additional wetlands near Bishop Lake in addition to some low wet areas surrounding the creek. ***Staff recommends*** *the low wet areas be depicted on the final plat and the wetland determination note be added to the plat.*

There are some steep slopes present within the subdivision. Most of these areas are found along the edge of the lakes or near Bishop Creek. The slopes do not appear to impact the area proposed for right-of-way dedication. There are some additional steep areas found throughout the subdivision with the majority being with proposed Tract A. Due to the size of the proposed Tract A, staff does not feel the steep slopes need to be depicted within its boundary at this time however, the two lots should have any steep slopes shown as it may impact development. ***Staff recommends*** *any steep slopes present within proposed Lot 7-1A and Lot 7-1B be depicted on the final plat if the information will not interfere with other required information.*

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\maldridge C. State Parks Reviewer: Russell, Pam Comments: No Comments
State of Alaska Fish and Game	No objections

Staff Analysis The property within this subdivision is from a large acreage parcel that included aliquot described land in addition to government lots. Several subdivisions have been done from this original property. Several plats off Lake Marie Avenue have been done as well as the Thorsland Subdivision from which one of the lots in this plat is from. The largest portion of this subdivision is what would be considered an unsubdivided remainder from those plats and is now going to be part of this survey.

A soils report will not be required due to the sizes of the lots.

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 plat contains the note to grant utility easements within the front 10 feet adjacent to rights-of-way that increases to 20 feet within 5 feet of the side lot lines. Due to the scale of the plat and the size of Tract A, ***staff recommends*** *a detail that shows the typical setback and utility easements being created by this plat.*

The parent Lot 7-1 had some easements granted with the recording of Thorsland Subdivision, Plat KN 2016-20. The parent plat granted 15 foot utility easements along Holt Lamplight Road. ***Staff recommends*** *sheet two depict the 15 foot utility easements and provide a note stating they were "granted per KN 2016-20."*

Some overhead powerlines are depicted on the plat. The ones that were depicted on Thorsland Subdivision, Plat KN 2016-20, were granted 20 foot wide easements per the plat note located on the plat. "Existing overhead power line is the centerline of a 20 foot wide distribution line easement including guys and anchors." ***Staff recommends*** *the existing easements be depicted and labeled with width and site the source of creation or depict and refer to a plat note that contains the additional details.*

Additional powerlines are indicated within this subdivision but outside the original Thorsland Subdivision, Plat KN 2016-20. An additional easement was granted by recorded document and is included in plat note 6. That easement had no defined location. If it is determined that the existing power lines fall under this already granted easement then no additional easements for the power lines will be required. ***Staff recommends*** *the owner and surveyor work with the utility providers to determine the required easements and that they be depicted and granted by this plat.*

The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Staff recommends** to grant utility easements requested by the utility providers or work with the utility providers to obtain approval.

Utility provider review:

HEA	
ENSTAR	
ACS	No objections
GCI	

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 49576 EVENSON DR Existing Street Names are Correct: No List of Correct Street Names: PARSONS AVE LAKE MARIE AVE Existing Street Name Corrections Needed: Newly dedicated ROW should be labeled EVENSON DR (SN 2009-11) HOLT - LAMPLIGHT RD should be HOLT LAMPLIGHT RD All New Street Names are Approved: No

	List of Approved Street Names: List of Street Names Denied: Comments: 49576 EVENSON DR will remain with Tract A. Newly dedicated ROW should be labeled EVENSON DR (SN 2009-11).
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat.
Assessing	Reviewer: Wilcox, Adeena Comments: No Comment

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 legal description needs to be updated to include all the government lots, the aliquot portions, and excluding the three Senior Shore Subdivision plats. The ownership will need to be updated to the Estate has both owners listed have passed.*

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 width labels for Lake Marie Avenue and Isle Drive on sheet 1. Provide a label for Holt Lamplight Road that includes the plat number for the right-of-way information, Plat KN 85-44. Remove the hyphen from Holt Lamplight labels.*

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:** Shaded "this plat" is not shown in vicinity.*

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: *The proposed dedication is atop a private road that had been named Evenson Drive. Include the name for the new dedication on both sheets and a width label is needed on sheet 1.*

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: *Sheet 1 – The lots adjacent to Holt Lamplight Road along the east have block designations that should be added, update the recording number for Tract A-3 that is adjacent to the plat, provide a label width for Parsons Avenue, review the depiction of the Parsons Avenue intersection and update as needed, revised the depiction for the lot south of Parsons Avenue as this appears to be two lots in that area and both will need labels.*

Sheet 2 – Update the depiction of the lots across Holt Lamplight Road and provide labels, and add labels for the lots adjacent to Lot 7-2.

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 cul-de-sac will need to be shortened unless an exception is requested and received.*

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: Bishop Creek is located in the northeast corner and should be depicted with the correct plat note added.

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: Lots will be larger than 200,000 square feet and a 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.*

20.60.040. 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:** the right-of-way will need the name added to the certificate of acceptance.*

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.*
- *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.*
- *The natural meanders of ordinary high water is for area computations only, the true corners being on the extension of the sidelines and the intersection with the natural meanders.*
- *Subject to rights of the public and/or governmental agencies in and to that portion of said premises lying below the mean high water mark of Bishop Creek, Bishop Lake, and Marie Lake and any questions or right of access to the water in the event said lands do not in fact abut the water.*

Plat notes 5 and 7 refer to specific locations for right-of-way easements. Determine the location and if needed provide additional information on the locations within the notes or provide a depiction on the plat.

20.60.190. Certificates, statements, and signatures required.

***Staff recommendation**: The certificate of ownership will need to be revised to be on behalf of the estate and provide the name of the executor or representative. Comply with 20.60.190.*

EXCEPTIONS REQUESTED:

KPB 20.30.030 – Proposed street layout-requirements Continuation of Lake Marie Avenue.

Surveyor's Discussion: My clients have no intention of developing that property at this time.

Staff Discussion: Per KPB Code, dedications must provide for continuation or appropriate projection of all streets in surrounding areas. A continuation of Lake Marie Avenue would be required with this subdivision plat. A straight through dedication at this time would split the owner's property and result in an additional lot being created that they do not wish to create. There are some large acreage lots in the area that are owned by Alaska Mental Health Trust Authority. There are two lots that are to the east and north of the proposed plat. The access to those properties is

unknown and they may have access easements or use navigable waters for access. One of those lots is private while the other is under Bureau of Indian Affairs ownership. A dedication of Lake Marie Avenue will not provide them access at this time and anything that would be of benefit would require crossing an anadromous stream.

If the exception request is denied, a dedication to continue Lake Marie Avenue will be required.

Findings:

1. Tract A is proposed as a 105 acre parcel.
2. A dedication will split the owner's property, thus creating an additional lot.
3. The dedication will provide access to Alaska Mental Health Trust Lands right at Bishop Creek.
4. The large acreage tracts surrounding the subdivision have additional access.
5. The access for the smaller lots in the area is unknown.
6. The only lot with potential to benefit would be the Bureau of Indian Affairs property.
7. The BIA property would acquire a 30 foot width access that crosses steep terrain, wetlands, and an anadromous stream.
8. Future development of the large acreage tract can provide appropriate continuations of the right-of-way at that time.
9. Isle Drive provides public access to Marie Lake.
10. Public access to Bishop Lake is undetermined due to unknown status of some section line easements in the area.

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, 2, 4, and 7-9 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 1, 2, 4, and 7-9 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 1, 2, 4, and 7-9 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.

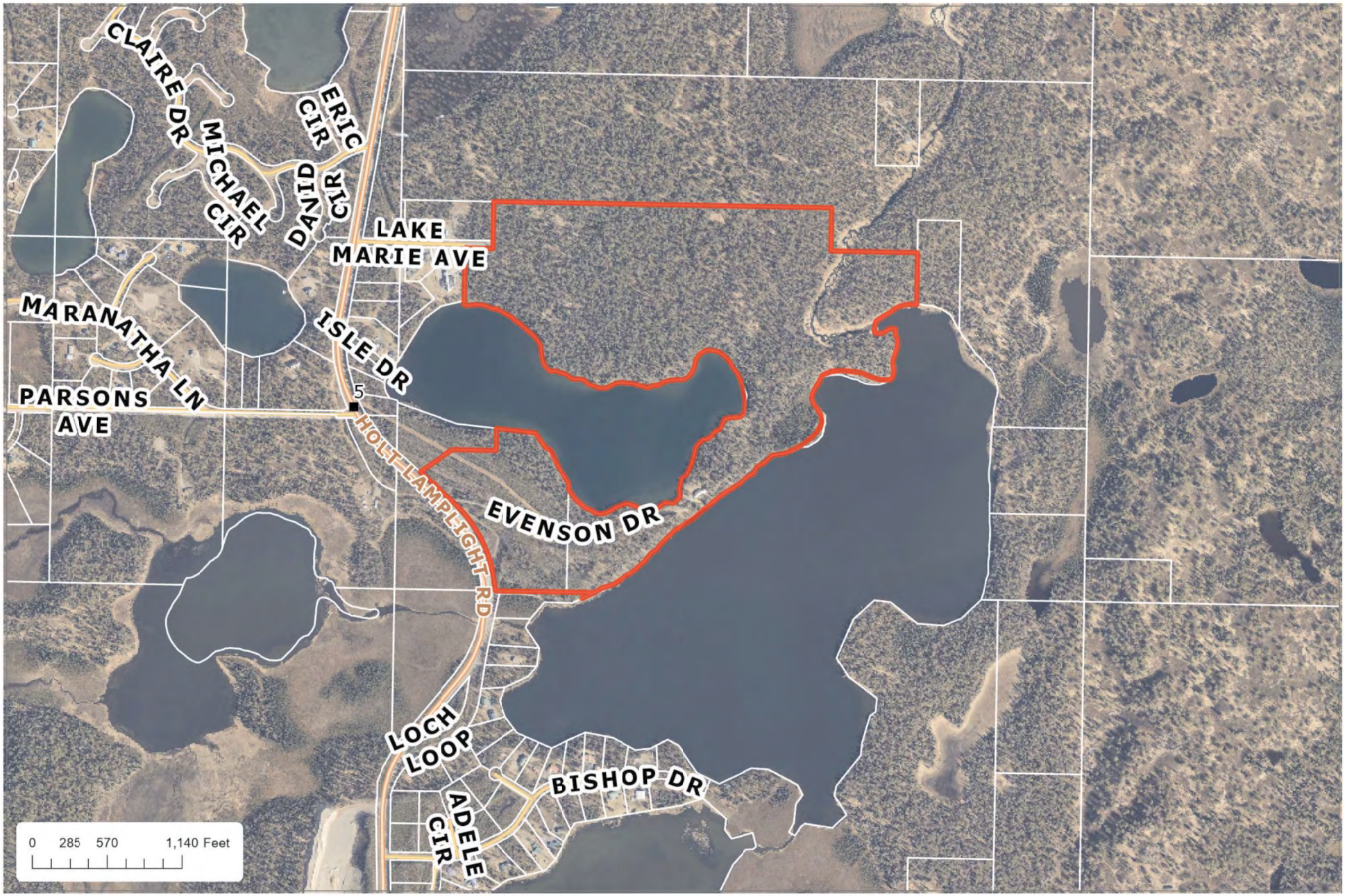
A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

END OF STAFF REPORT

Kenai Peninsula Borough Planning Department

Aerial

KPB File Number 2022-069
6/6/2022



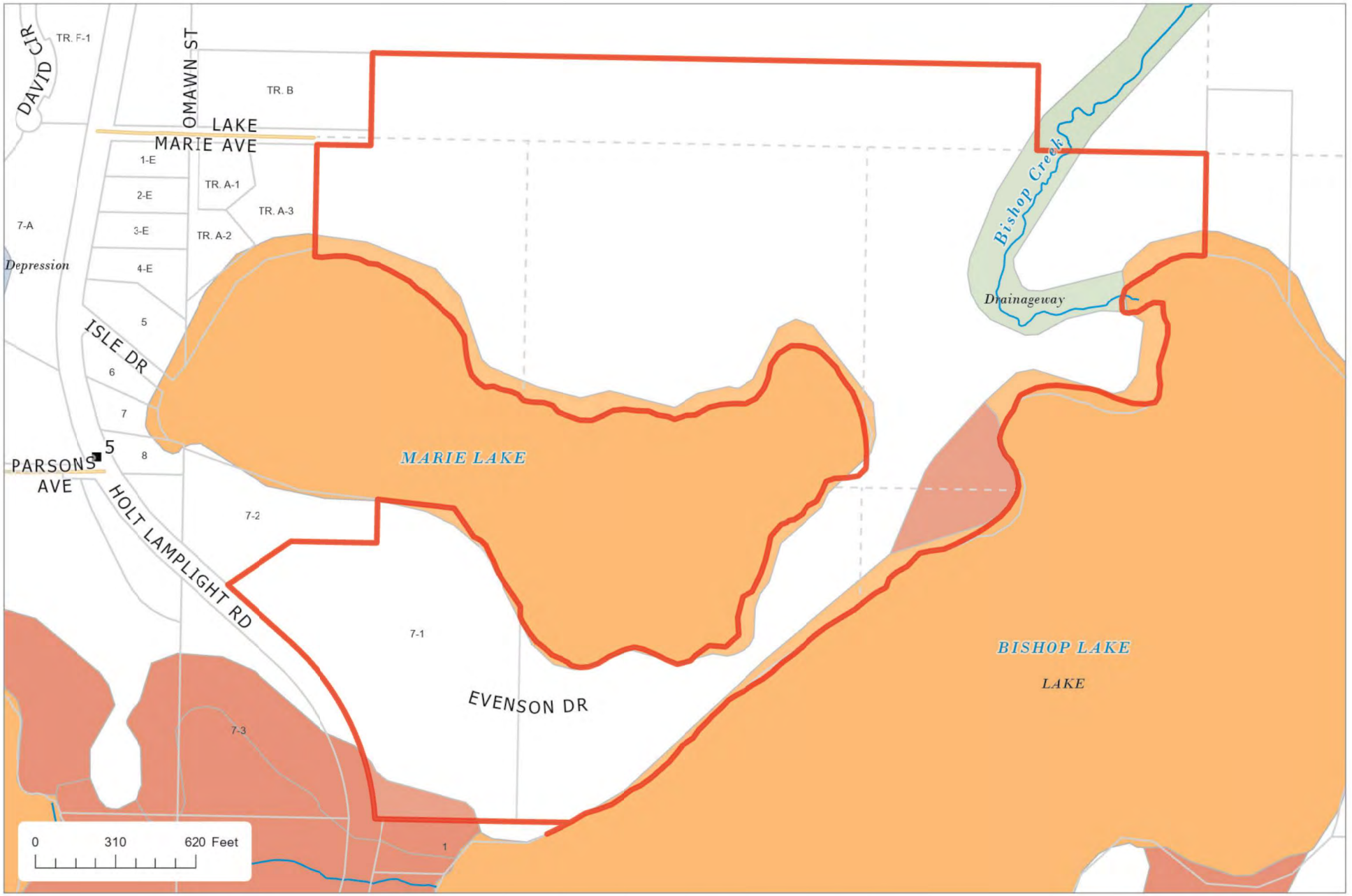
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

Kenai Peninsula Borough Planning Department

Wetlands

KPB File Number 2022-069

6/6/2022



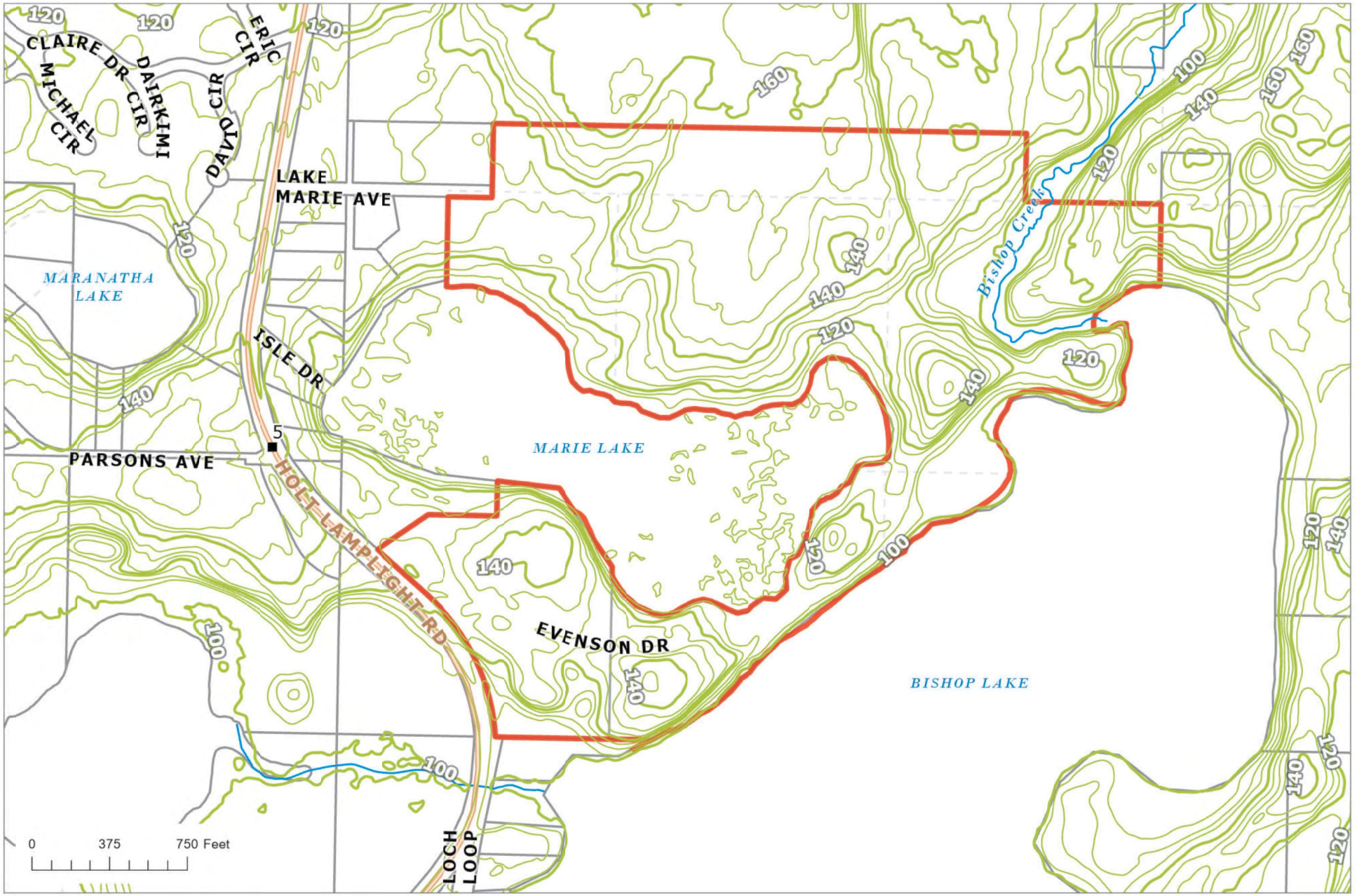
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

Kenai Peninsula Borough Planning Department

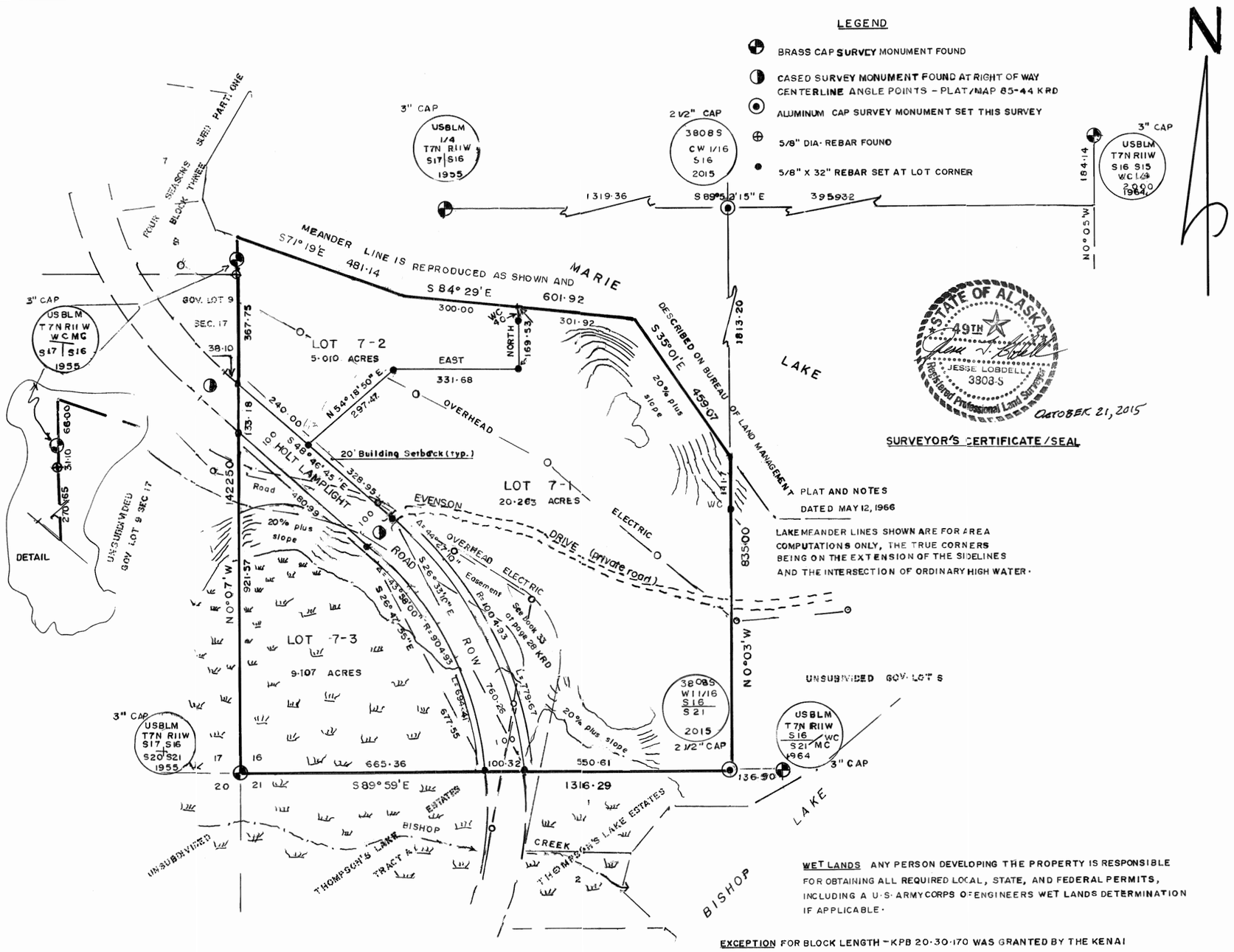
Aerial with 5-foot Contours

KPB File Number 2022-069

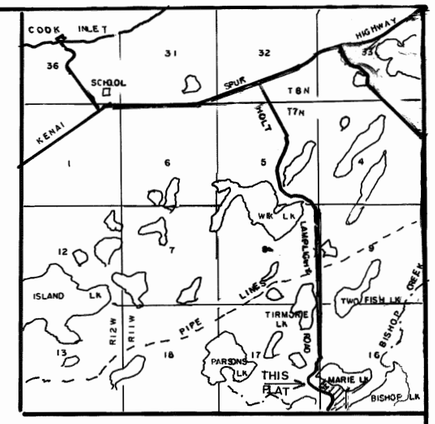
6/6/2022



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.



N



LOCATION MAP 1" = 1 mi

STATE OF ALASKA
49TH
JESSE LOBDELL
3808-S
Registered Professional Land Surveyor
October 21, 2015

SURVEYOR'S CERTIFICATE/SEAL

LAKE MEANDER LINES SHOWN ARE FOR AREA COMPUTATIONS ONLY, THE TRUE CORNERS BEING ON THE EXTENSION OF THE SIDELINES AND THE INTERSECTION OF ORDINARY HIGH WATER.

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 TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

James L. Evenson Nedra T. Evenson

JAMES L EVENSON NEDRA T EVENSON

P O BOX 324
KENAI, ALASKA

NOTARY'S ACKNOWLEDGEMENT

FOR: James L. Evenson AND Nedra T. Evenson
ACKNOWLEDGED BEFORE ME THIS 22nd DAY OF October, 2015

Susan C. Tauriainen
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: 2/1/2017

State of Alaska
Notary Public
Susan C. Tauriainen

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF OCTOBER 12, 2015.

KENAI PENINSULA BOROUGH
BY: Max J. Best
AUTHORIZED OFFICIAL

WASTEWATER DISPOSAL

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

WET LANDS ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WET LANDS DETERMINATION IF APPLICABLE.

EXCEPTION FOR BLOCK LENGTH - KPB 20.30.170 WAS GRANTED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THEIR MEETING OF OCTOBER 12, 2015.

BUILDING SETBACK - A SETBACK OF 20 FEET IS REQUIRED FROM ALL STREET RIGHT-OF-WAYS UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION

EASEMENTS - GENERAL FOR ELECTRIC LINES OF SYSTEMS GRANTED HOMER ELECTIC ASSOCIATION RECORDED AT BOOK 65 PAGE 189 KRD. EXISTING OVERHEAD POWER LINE IS THE CENTERLINE OF A 20 FT. WIDE DISTRIBUTION LINE EASEMENT INCLUDING GUYS AND ANCHORS.

NO PERMANENT STRUCTURE SHALL BE PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT. THE 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.

PORTIONS OF THIS SUBDIVISION ARE WITHIN KENAI PENINSULA BOROUGH 50-FOOT ANADROMOUS STREAM HABITAT PROTECTION DISTRICT. SEE CHAPTER 21.18 BOROUGH CODE OF ORDINANCES FOR RESTRICTIONS THAT AFFECT DEVELOPMENT OF THIS SUBDIVISION.

2016-20
Kenai
DIST 5/25/2016
DATE 1:18 PM
TIME

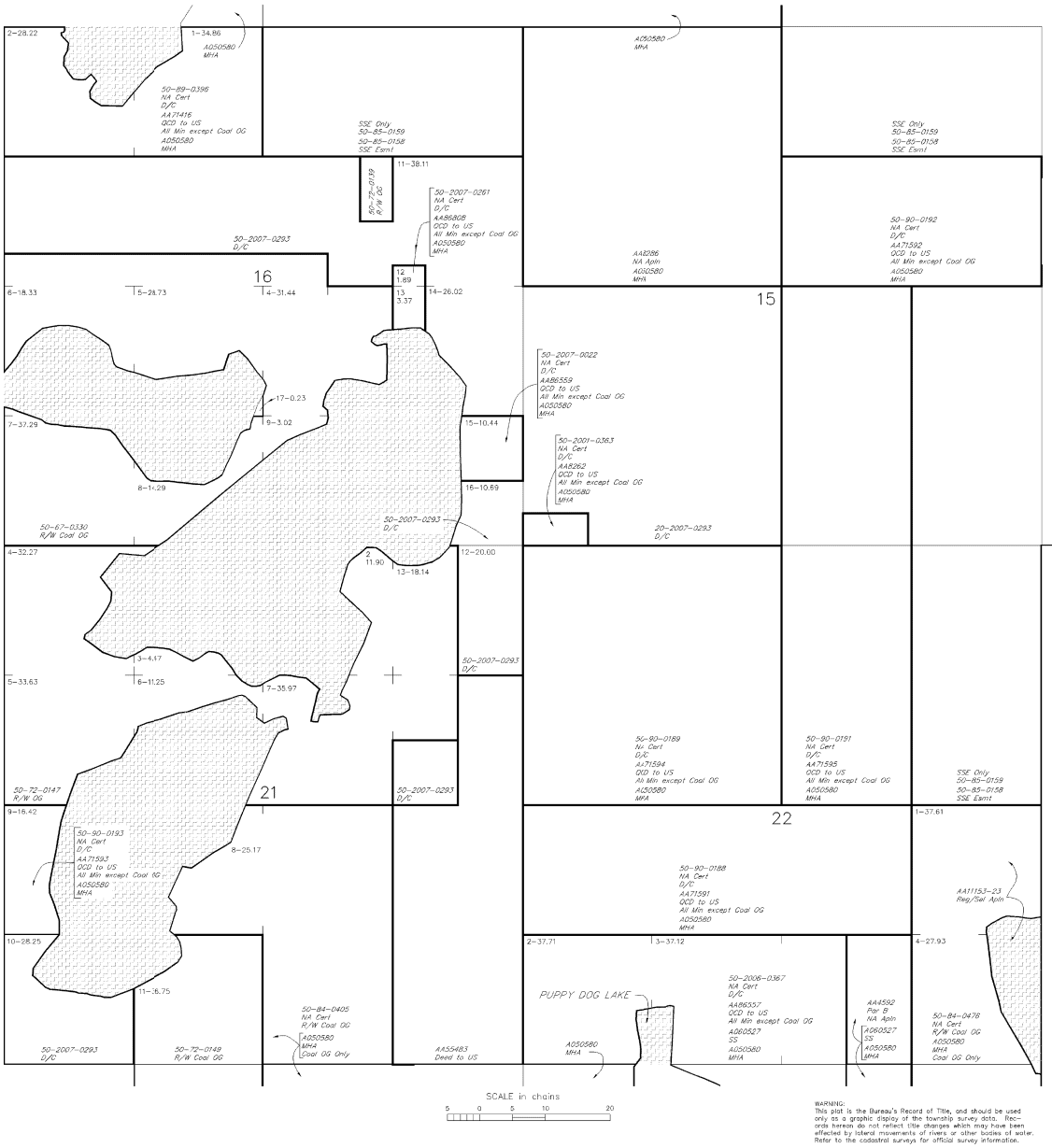
THORSLAND SUBDIVISION

A SUBDIVISION OF GOVERNMENT LOT 7 IN SEC. 16 T7N R11W OF THE SEWARD MERIDIAN SITUATED WITHIN THE KENAI PENINSULA BOROUGH, ALASKA

SCALE	AREA SUBDIVDED INCLUDING ROWs	SURVEY COMPLETED
1" = 200'	37.275 ACRES	DATE: APR. 14, 2016

JIM AND NEDRA EVENSON OWNERS P O BOX 324 KENAI, ALASKA 99611	JESSE LOBDELL - SURVEYOR P O BOX 7517 NIKISKI, ALASKA 99635
BASIS OF BEARING - N 0°07' W FOR THE LINE BETWEEN SECTIONS 16 AND 17, PLAT OF MAY 12, 1966 US BUREAU OF LAND MANAGEMENT	KPB FILE NUMBER 2015-107
KENAI RECORDING DISTRICT	

SURVEYED TOWNSHIP 7 NORTH RANGE 11 WEST OF THE SEWARD MERIDIAN, ALASKA



STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP SUPPL SEC 15,16,21,22

NO 4

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PL 92-203 Wdl AA6698, Lds W/I AA6698-A

PLO 5183 Wdl Aid of Leg & Cl affects Lds/Interests not conveyed W/I Kenai National Moose Range

PLO 5184 Wdl Cl affects Lds/Interests not conveyed

AA6698-A V/Sel Apln Excl Nav waters, patented Lds & Lds W/I 2 miles of the city limits of Kenai & Soldotna

A060527 SS Amdt PL 96-487 Sec 906(e) Top Filed

A058731 SS Reserved Min Estate Only

Group Survey 954, approved on 1/23/2007, affects lands within section 15

WARNING:
This plat is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Records hereon do not reflect title changes which may have been effected by lateral movements of rivers or other bodies of water. Refer to the cadastral surveys for official survey information.

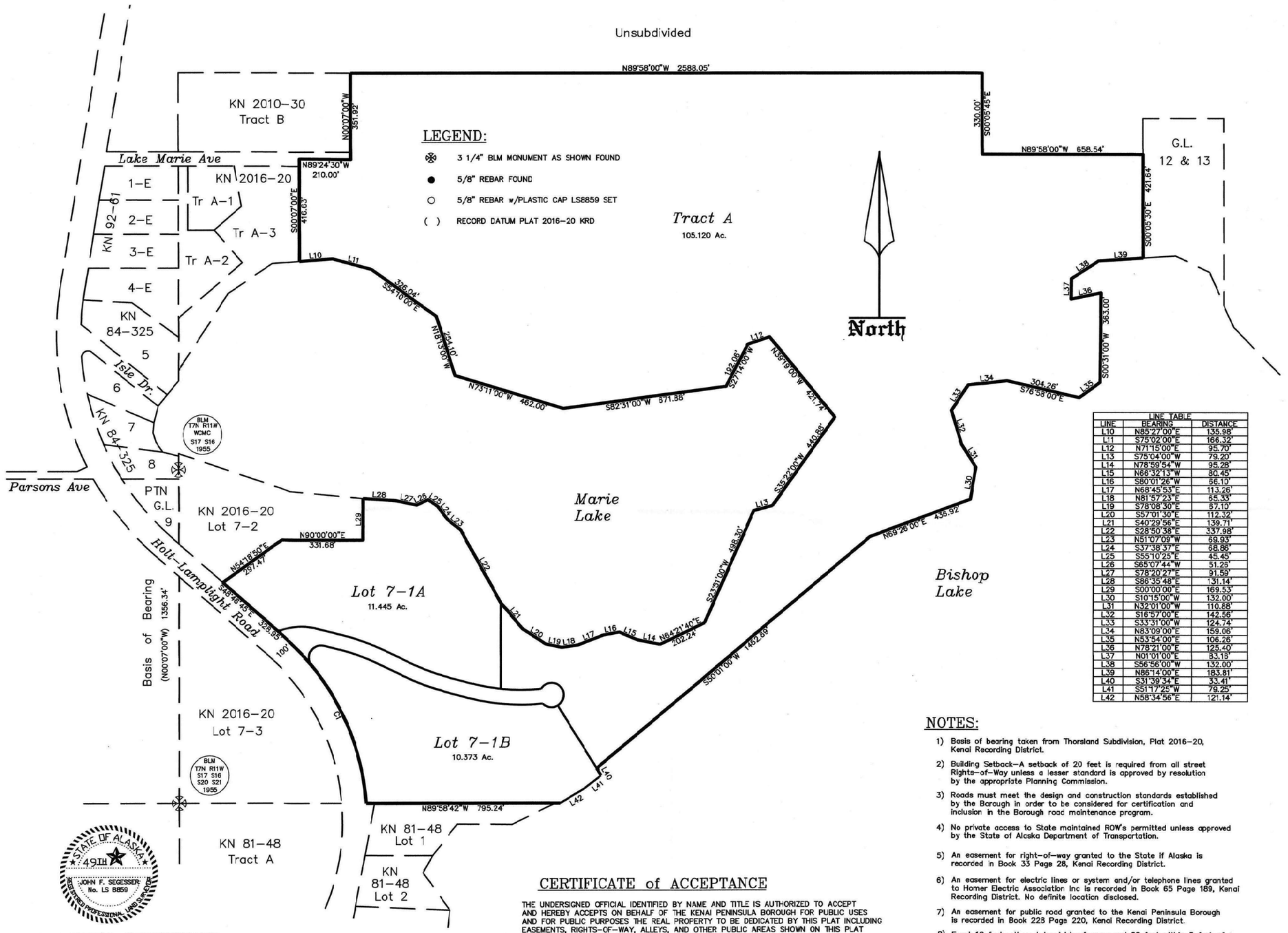
CURRENT TO	
8-17-2007	

NO 4
Sew Mer
T 7 N
R 11 W
ACAD

DESK PACKET ITEMS

(Items received after the publishing of the meeting packet on 6/7/22)

9. Thorsland Subdivision Addition No. 1; KPB File 2022-069
Segesser Surveys / Evenson
Location: Lake Marie Avenue & Holt Lamplight Road
Nikiski Area



LEGEND:

- ⊕ 3 1/4" BLM MONUMENT AS SHOWN FOUND
- ● 5/8" REBAR FOUND
- ○ 5/8" REBAR w/PLASTIC CAP LS8859 SET
- ( ) RECORD DATUM PLAT 2016–20 KRD

LINE TABLE		
LINE	BEARING	DISTANCE
L10	N85°27'00"E	135.98'
L11	S75°02'00"E	166.32'
L12	N71°15'00"E	95.70'
L13	S75°04'00"W	79.20'
L14	N78°59'54"W	95.28'
L15	N66°32'13"W	80.45'
L16	S80°01'26"W	86.10'
L17	N68°45'53"E	113.26'
L18	N81°57'23"E	65.33'
L19	S78°08'30"E	87.10'
L20	S57°01'30"E	112.32'
L21	S40°29'56"E	139.71'
L22	S28°50'38"E	337.98'
L23	N51°07'09"W	69.93'
L24	S37°38'37"E	68.86'
L25	S55°10'25"E	45.45'
L26	S65°07'44"W	51.25'
L27	S78°20'27"E	91.59'
L28	S86°35'48"E	131.14'
L29	S00°00'00"E	169.53'
L30	S10°15'00"W	132.00'
L31	N32°01'00"W	110.68'
L32	S16°57'00"E	142.56'
L33	S33°31'00"W	124.74'
L34	N83°09'00"E	159.06'
L35	N53°54'00"E	106.26'
L36	N78°21'00"E	125.40'
L37	N01°01'00"E	83.18'
L38	S56°56'00"W	133.00'
L39	N86°14'00"E	183.81'
L40	S31°39'34"E	33.41'
L41	S51°17'25"W	79.25'
L42	N58°34'56"E	121.14'

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 _____

STATE OF ALASKA 49TH
JOHN F. SEGESSER
No. LS 8859
REGISTERED PROFESSIONAL LAND SURVEYOR

CERTIFICATE of ACCEPTANCE

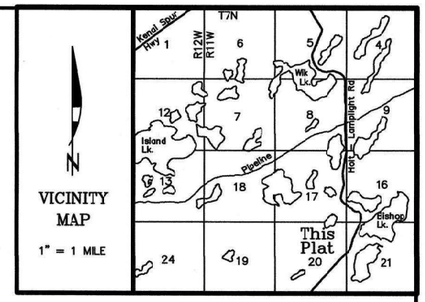
THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE KENAI PENINSULA BOROUGH FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS–OF–WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS: AS YET UNNAMED ROAD DEDICATION.
THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY OTHER GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

DATE

NOTES:

1) Basis of bearing taken from Thorsland Subdivision, Plat 2016–20, 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) No private access to State maintained ROW's permitted unless approved by the State of Alaska Department of Transportation.
5) An easement for right–of–way granted to the State if Alaska is recorded in Book 33 Page 28, Kenai Recording District.
6) An easement for electric lines or system and/or telephone lines granted to Homer Electric Association Inc is recorded in Book 65 Page 189, Kenai Recording District. No definite location disclosed.
7) An easement for public road grantee to the Kenai Peninsula Borough is recorded in Book 223 Page 220, Kenai Recording District.
8) Front 10 feet adjacent to right–of–ways and 20 feet within 5 feet of the side lot lines is a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
9) 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.



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.

JAMES L. EVENSON NEDRA T. EVENSON
4140 FOLKER ST. APT 205
ANCHORAGE, ALASKA 99508

NOTARY'S ACKNOWLEDGEMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS_____ DAY OF _____ 20___.

_____
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGEMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS_____ DAY OF _____ 20___.

_____
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

PLAT APPROVAL

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

KENAI PENINSULA BOROUGH

_____
AUTHORIZED OFFICIAL

KPB FILE No.

Thorsland Subdivision Addition No. 1

A resubdivision of Lot 7–1 Thorsland Subdivision, Plat 2016–20, and a portion of Government Lot 8, Section 16, T7N, R11W, S.M., Kenai Recording District.

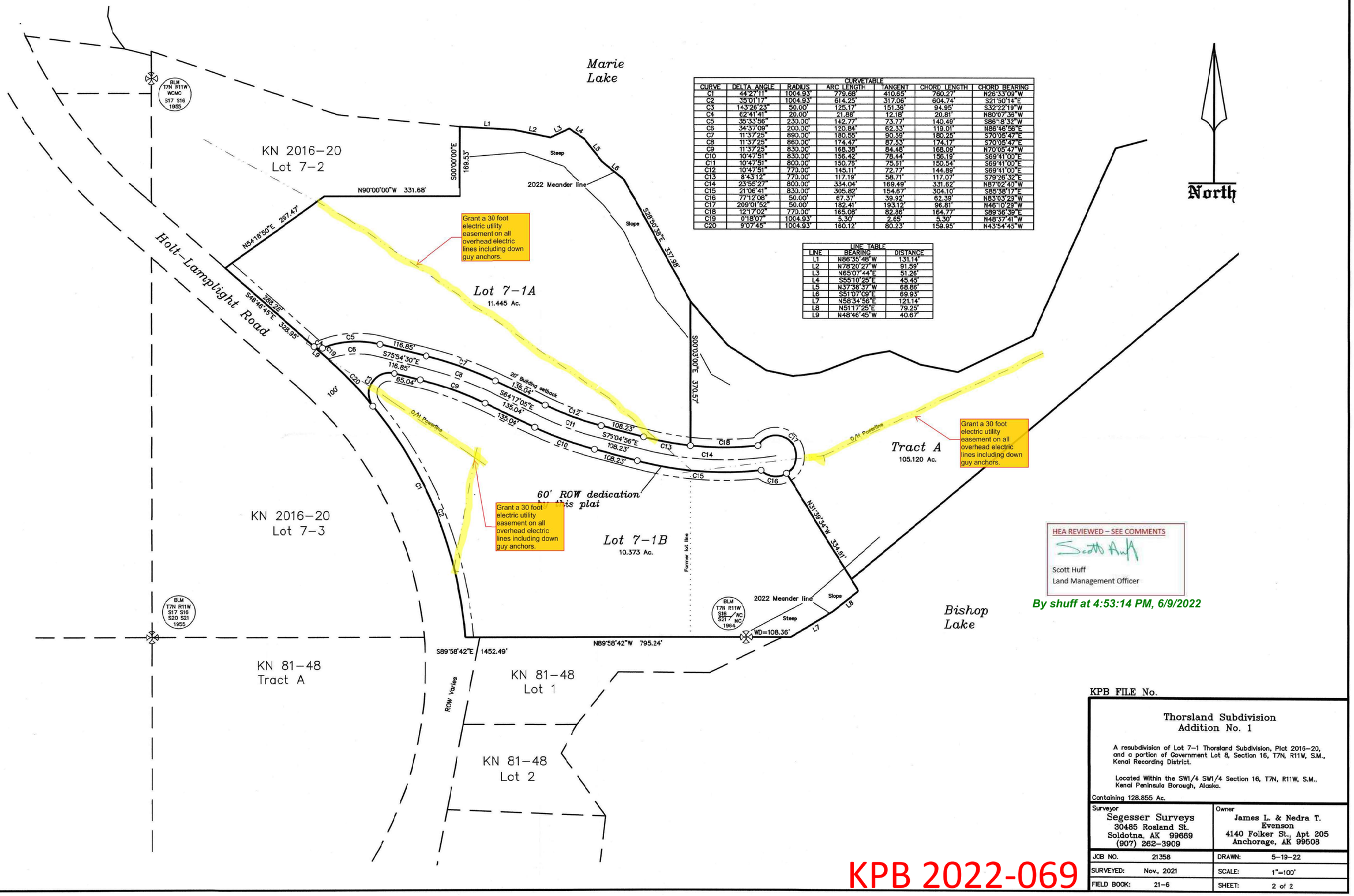
Located Within the SW1/4 SW1/4 Section 16, T7N, R11W, S.M., Kenai Peninsula Borough, Alaska.

Containing 128.855 Ac.

Surveyor	Owner
Segesser Surveys 30485 Rosland St. Soldotna, AK 99669 (907) 262–3909	James L. & Nedra T. Evenson 4140 Folker St., Apt 205 Anchorage, AK 99508

JOB NO.	21358	DRAWN:	5–19–22
SURVEYED:	Nov., 2021	SCALE:	1"=200'
FIELD BOOK:	21–6	SHEET:	1 of 2

KPB 2022-069



KPB FILE No.

Thorsland Subdivision Addition No. 1

A resubdivision of Lot 7-1 Thorsland Subdivision, Plat 2016-20, and a portion of Government Lot 8, Section 16, T7N, R11W, S.M., Kenai Recording District.

Located Within the SW1/4 SW1/4 Section 16, T7N, R11W, S.M., Kenai Peninsula Borough, Alaska.

Containing 128.855 Ac.

Surveyor	Owner
Segesser Surveys 30485 Rosland St. Soldotna, AK 99669 (907) 262-3909	James L. & Nedra T. Evenson 4140 Folker St., Apt 205 Anchorage, AK 99508

JOB NO.	21358	DRAWN:	5-19-22
SURVEYED:	Nov., 2021	SCALE:	1"=100'
FIELD BOOK:	21-6	SHEET:	2 of 2

KPB 2022-069

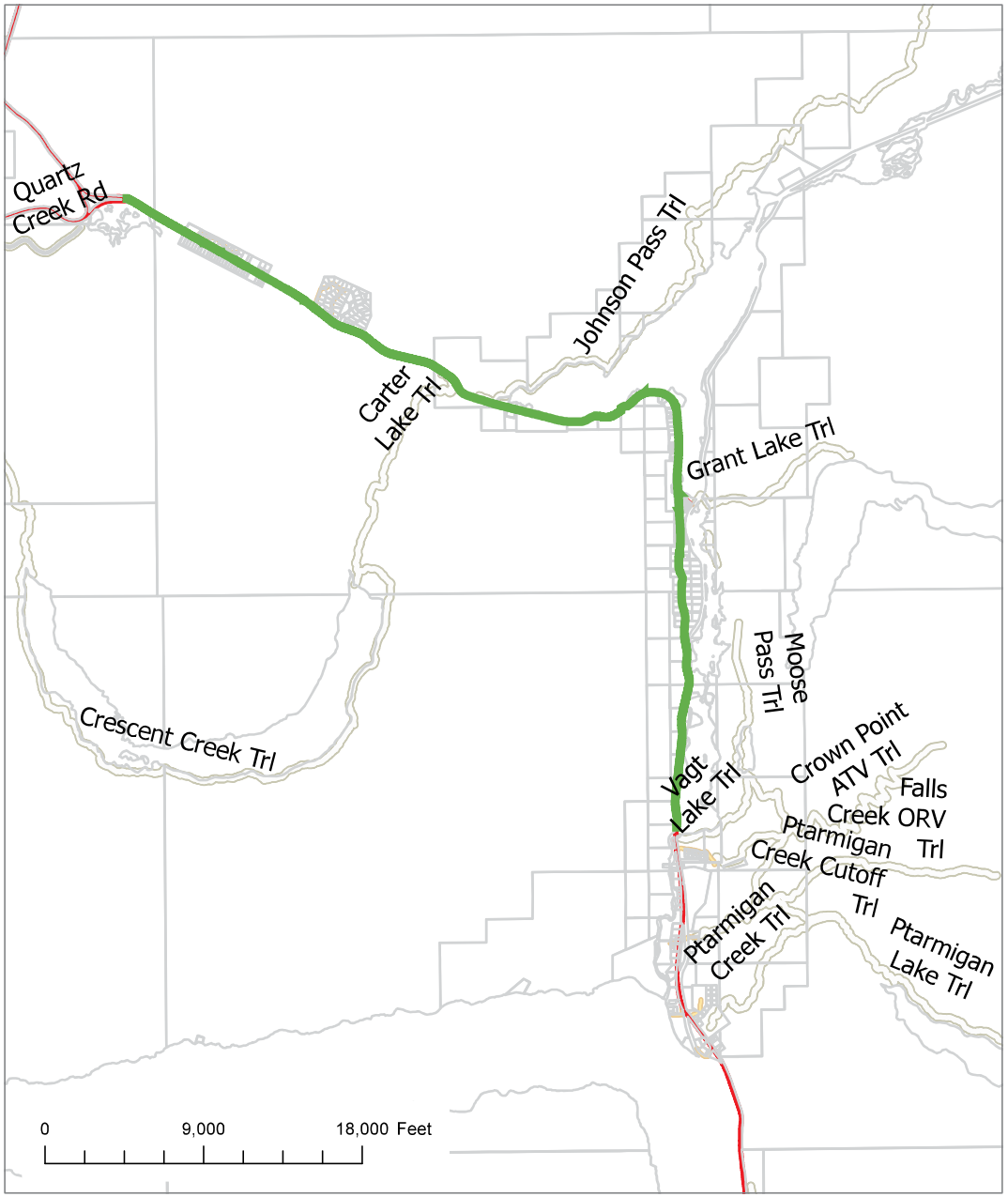
E. NEW BUSINESS

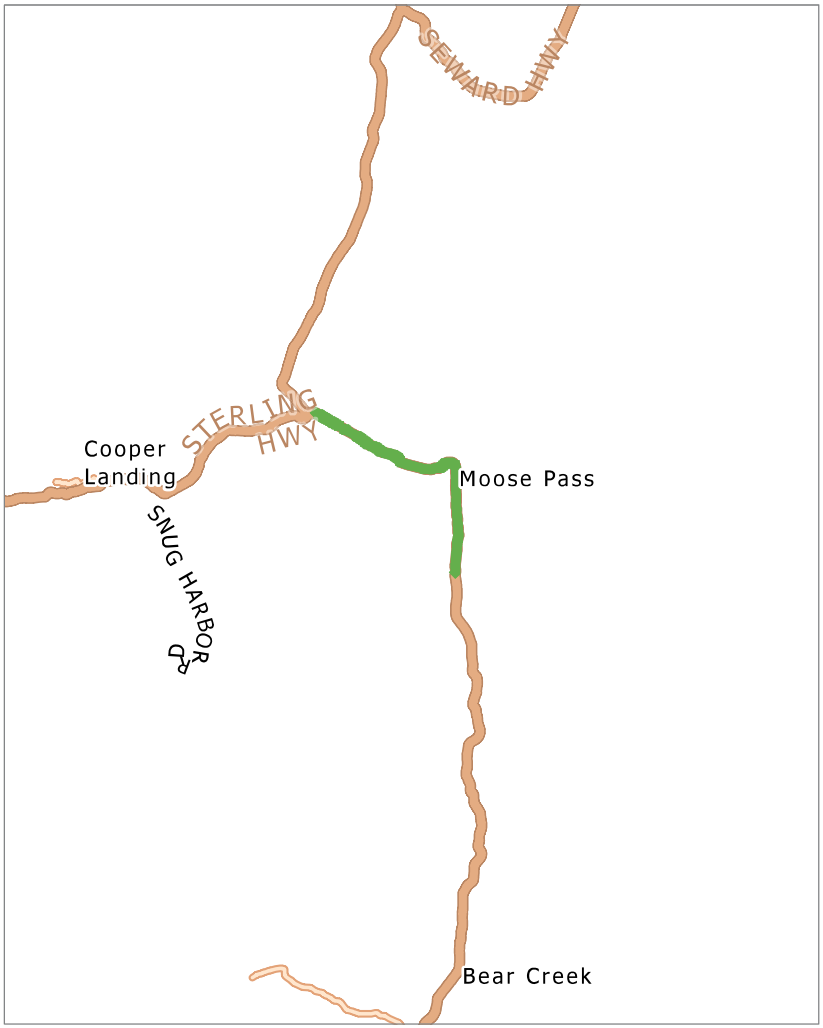
10. ROW Acquisition Seward Hwy. MP 25.5 to 36 Trial River to Sterling WYE Rehabilitation
State of AK DOT&PF / State of Alaska
Location: MP 25.5 to 36 Sterling Highway
Moose Pass Area / Moose Pass APC

Kenai Peninsula Borough Planning Department

Vicinity Map

5/13/2022





KPB File # 2022-063
Approximate Location of Right of Way Acquisition Project
Moose Pass

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.

Kenai Peninsula Borough Planning Department

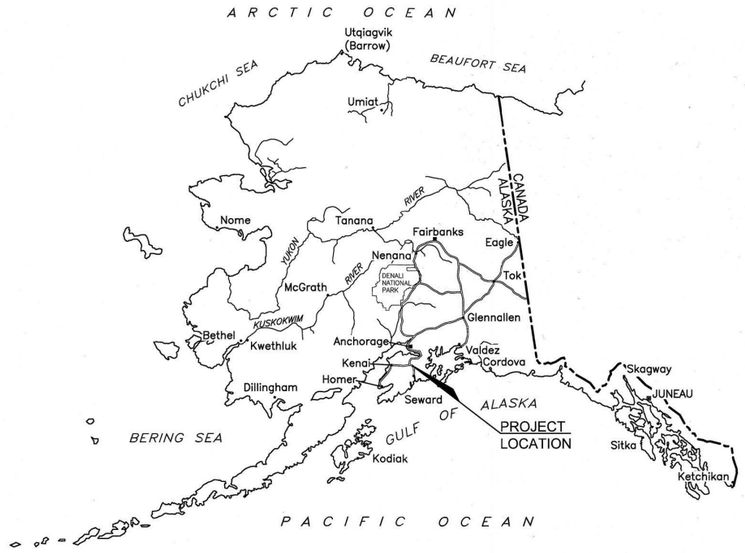
Aerial View

KPB 2022-063
5/13/2022

N



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 n

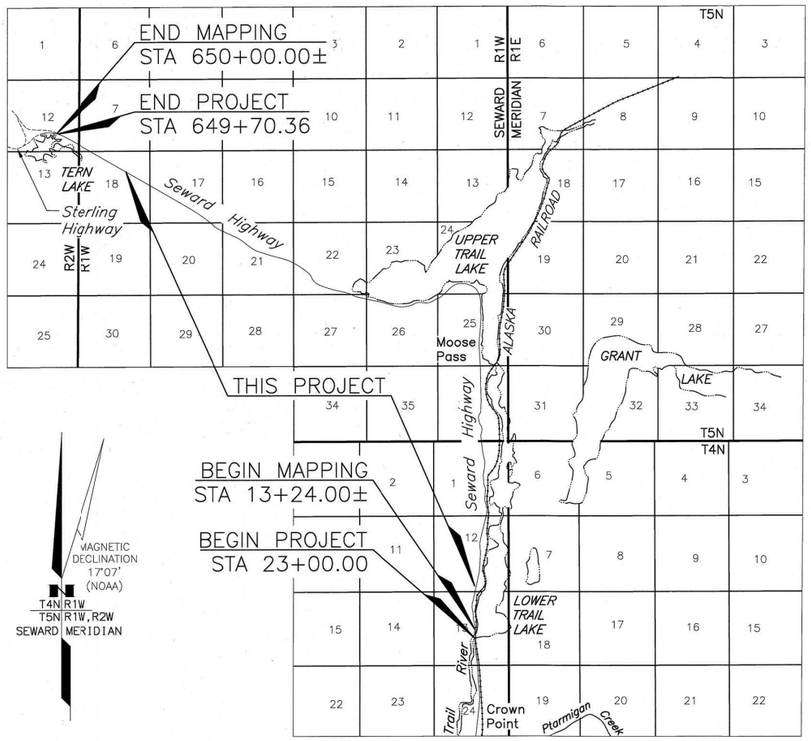


ALASKA STATE MAP

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

RIGHT - OF - WAY MAP
ALASKA PROJECT

SEWARD HIGHWAY MP 25.5 - 36
TRAIL RIVER TO STERLING WYE, REHABILITATION
0311(031)/Z546590000



VICINITY MAP
U.S.G.S. QUADRANGLE SEWARD (B-7) & (C-7) ALASKA 1994
1" = 1 MILE

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R1	R46

PLATTING AUTHORITY APPROVAL
THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION IN ACCORDANCE WITH KPB 20.10.070 AT THE MEETING OF _____. KPB FILE 2019-032.

KENAI PENINSULA BOROUGH

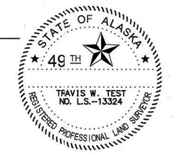
BY: _____
AUTHORIZED OFFICIAL

DEPARTMENT LOCATIONS SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF ALASKA AND THAT ALL RIGHT-OF-WAY CENTERLINE MONUMENT LOCATIONS HAVE BEEN ESTABLISHED AS INDICATED ON THE RIGHT-OF-WAY PLANS, ALL EXISTING FOUND SUBDIVISION MONUMENTS, PROPERTY CORNERS AND SECTION LINE MONUMENTATION AS INDICATED ON THE RIGHT-OF-WAY PLANS HAVE BEEN REFERENCED TO PROJECT SURVEY CONTROLS BY ME OR UNDER MY SUPERVISION.

_____ _____
DATE REGISTRATION NUMBER

_____
TRAVIS W. TEST

ALASKA DOT&PF
4111 AVIATION AVENUE
ANCHORAGE AK 99502
PHONE: (907) 269-0700



DEPARTMENT LOCATIONS SURVEYOR'S CERTIFICATE

DEPARTMENT RIGHT-OF-WAY SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF ALASKA AND THAT THIS PLAT WAS MADE BY ME OR UNDER MY SUPERVISION. THIS PLAT WAS BASED UPON THE MONUMENTS RECOVERED DURING THE DEPARTMENT'S LOCATIONS SURVEY FOR THIS PROJECT.

_____ _____
DATE REGISTRATION NUMBER

_____
ROBERT M. KEINER

ALASKA DOT&PF
4111 AVIATION AVENUE
ANCHORAGE AK 99502
PHONE: (907) 269-0700



DEPARTMENT RIGHT-OF-WAY SURVEYOR'S CERTIFICATE

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

APPROVED_____, 20_____
Date

_____
REGIONAL CHIEF RIGHT-OF-WAY AGENT

WITHIN A PORTION OF PARTIALLY SURVEYED SECTIONS 1, 12, & 13 TOWNSHIP 4 NORTH, RANGE 1 WEST,
AND
PROTRACTED SECTIONS 7, 17, 18, 20, & 21 PARTIALLY SURVEYED SECTIONS 22, 24, 25, 26, 27, & 36 TOWNSHIP 5 NORTH, RANGE 1 WEST,
AND
PROTRACTED SECTION 12 TOWNSHIP 5 NORTH, RANGE 2 WEST

SEWARD RECORDING DISTRICT

STATE BUSINESS - NO FEE

PRELIMINARY

DRAFT 5/4/2022

ACQUISITION DATES: MONTH YEAR - MONTH YEAR
CONSTRUCTION DATES: MONTH YEAR - MONTH YEAR
PROJECT LENGTH: 10.5 MILES

KPB 2022-063

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R2	R46

ROADWAY

	EXISTING	PROPOSED
MILE POST	MP 26	
EDGE OF PAVEMENT		
LIMIT OF CUT SLOPE & FILL SLOPE		CUT / FILL
GRAVEL EDGE		
SIDEWALK AND PATH/TRAIL		
CONCRETE CURB & GUTTER		
CONCRETE CURB CUT		
PARALLEL CURB RAMP PERPENDICULAR CURB RAMP		
UNIDIRECTIONAL CURB RAMP & MID-BLOCK CURB RAMP		
DETECTABLE WARNING TILE		
BRIDGE		
TUNNEL		
GUARDRAIL		
END & PARALLEL END SECTIONS		
ROADWAY OBLITERATION		
FENCE	X X	X X
STONE FENCE		
NOISE BARRIER	====X====X	====X====X
RETAINING WALL		
HEADWALL & WINGWALL		
BOTTOM OF DITCH		
SPECIAL DITCH		
FLAT BOTTOM DITCH		
BERM		
RIPRAP		
BOULDER OR BOULDERS		
PRIVATE SIGN, MAILBOX	MB	MB
POST, BOLLARD		
PLANTER	P	
BUILDING OR FOUNDATION		
BOARDWALK AND STAIRS		

UTILITIES

	EXISTING	PROPOSED
STORM DRAIN	SD	
STORM DRAIN MANHOLE, CLEANOUT	SD CO	SD CO
CURB INLET CATCH BASIN FIELD INLET CATCH BASIN	FI	FI
PIPE CULVERT WITH END SECTION		
SANITARY SEWER	SS	SS
SANITARY SEWER MANHOLE, CLEANOUT	SS CO	SS CO
SEPTIC VENT, SEWER SERVICE CONNECTION	S	
WATER	W	W
FIRE HYDRANT, VALVE OR RISER		
WELL, WATER SERVICE CONNECTION	W	
NATURAL GAS, METER	G G GAS	
OIL OR GASOLINE PIPELINE, PUMP	O O GP	
TANKS (ABOVE GROUND, UNDERGROUND)		
ELECTRIC	OE (OVERHEAD) UE (UNDERGROUND) OE&OT (OVERHEAD)	
UTILITY POLE, POLE WITH LUMINAIRE		
GUY POLE, GUY WIRE ANCHOR	GP	
TRANSMISSION TOWER (WOOD, STEEL)		
ELECTRIC PEDESTAL, TRANSFORMER		
ELECTRIC MANHOLE, METER	E	
ELECTRIC OUTLET, LANDSCAPE LIGHT		
TELEPHONE	OT (OVERHEAD) UT (UNDERGROUND) UT&TV (UNDERGROUND)	
TELEPHONE MANHOLE, PEDESTAL	T	
FIBER OPTIC	FO	
FIBER OPTIC MANHOLE	FO	
CABLE TV	OTV (OVERHEAD) UTV (UNDERGROUND)	
CABLE TV PEDESTAL, SATELLITE DISH		
UNDERGROUND DUCT, UTILIDOR (ELECTRIC, TELEPHONE, FIBER OPTIC)		
VENT		

TOPOGRAPHY

	EXISTING	EXISTING	PROPOSED
LAKE OR POND, WETLANDS	LAKE/POND	CONTOUR, MAJOR OR MINOR	520
TREE (CONIFER/DECIDUOUS) TREELINE (EDGE OF VEGETATION)		DRAINAGE FLOW	
		CREEK (CENTERLINE)	
		RIVER (NORMAL OF WATER)	

PRELIMINARY KPB 2022-063

TRAFFIC

	EXISTING	PROPOSED
LOAD CENTER		
STATE TRAFFIC, MOA TRAFFIC, & BEACON CONTROLLER ARROW INDICATES DOOR LOCATION		
TYPE 1A, II, III, IV JUNCTION BOX		##
FIBER OPTIC VAULT	F/O	F/O #
ELECTROLIER		
HIGHTOWER		HT#
SIGNAL POLE WITH MASTARM		14
PEDESTRIAN PUSH BUTTON & SIGNAL		
VEHICULAR SIGNAL		
VEHICULAR SIGNAL LEFT & RIGHT		
OPTICAL, CAMERA, RADAR, AND GPS DETECTOR		CAM RAD GPS
LOOP DETECTOR		###
COMMUNICATION ANTENNA		
MASTARM BEACON		A R Ar Y
RURAL & SCHOOL ZONE BEACON		
LOOP DETECTOR CONDUIT		
SIGNAL CONDUIT	TR	TR
LIGHTING CONDUIT	LTG	LTG
SIGNAL & LIGHTING CONDUIT	T/L	T/L
CONDUIT BORING		
CONDUIT SIZE IN INCHES	2"-3C4	2" 1-3C4 CKT BA12 CKT BA13
INTERCONNECT	I/C	I/C
SIGN POST		##

PAVEMENT MARKINGS

	PROPOSED
TRAFFIC PROJECT CENTERLINE	
8" & 4" WHITE SOLID STRIPE	8"W 4"W
4" WHITE SKIP STRIPE 10' STRIPES AND 30' SPACES	4"W SKIP
8" WHITE LANE GUIDE SKIP LANE CONTINUATION OR TURN SKIP 1' STRIPES AND 3' SPACES	8"W GUIDE SKIP
8" & 4" YELLOW SOLID STRIPE	8"Y 4"Y
4" YELLOW SKIP STRIPE 10' STRIPES AND 30' SPACES	4"Y SKIP
STRIPING CHANGE STATION INTERVAL	+20
2' CROSSWALK OR STOPBAR	24"W (TYP)
LADDER CROSSWALK LAYOUT 2' WIDE RUNGS WITH 2' SPACES ALIGNED TO AVOID TIRE PATHS	10'
TYPICAL PAINTED MEDIAN	12' (2)-4"Y 3" APART; VARIES; 18"Y @ 45°

RIGHT-OF-WAY

	RECOVERED	SET THIS PROJECT
FEDERAL GOVERNMENT SURVEY MONUMENT		
GOVERNMENT CONTROL STATION		
PRIMARY MONUMENT (BRASS/AL CAP)		
MISC SECONDARY CORNER		
PRIMARY CENTERLINE MONUMENT		
SECONDARY CENTERLINE MONUMENT		
RANDOM CONTROL MONUMENT	RCM	RCM
PRIMARY GPS CONTROL POINT	GPS	
HORIZONTAL CONTROL POINT	CP	
SECONDARY CONTROL POINT	SCP	
VERTICAL BENCHMARK	BM	
TEMPORARY BENCHMARK	TBM	
TOWNSHIP AND RANGE / SECTION LINES	T13N / T12N; R2W / R3W	
SECTION LINE		
1/4 SECTION LINE		
1/16 SECTION LINE		
CORPORATE or CITY LIMITS		
EXISTING RIGHT-OF-WAY		
RIGHT-OF-WAY OR EASEMENT REQUIRED		
PROJECT RIGHT-OF-WAY LINE		
EXISTING RIGHT-OF-WAY EASEMENT		
EXISTING PROPERTY LINE		
CONTROLLED ACCESS LINE		
EXISTING UTILITY EASEMENT		
PROPOSED UTILITY EASEMENT		
DESIGN CENTERLINE		
ROW PROPOSED CENTERLINE (DESIGN)		
EXISTING CENTERLINE		
RAILROAD CENTERLINE		
TEMPORARY CONSTRUCTION EASEMENT		
TEMPORARY CONSTRUCTION PERMIT		

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

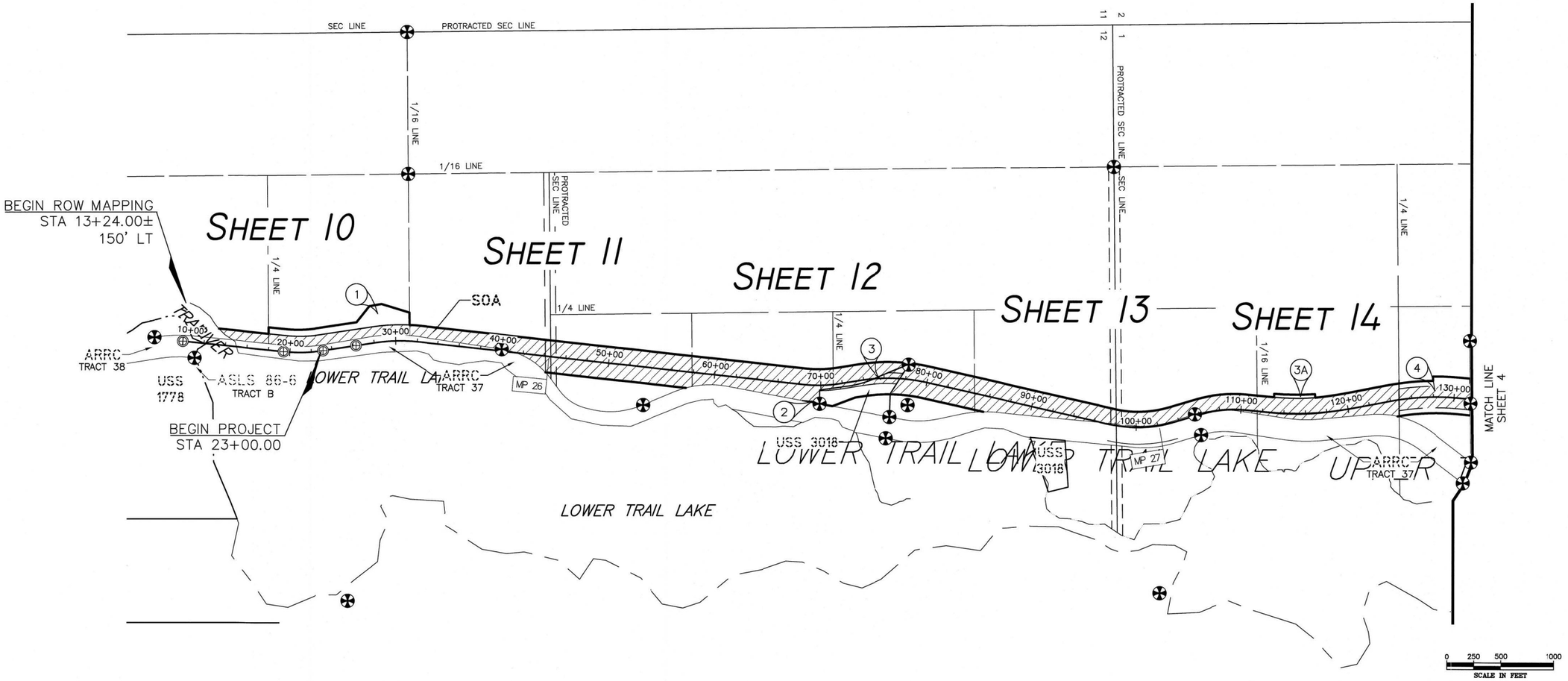
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	AFF	DATE	5/04/2022	SCALE	N/A
CHECKED	EPF	DATE		SHEET	2 OF 46

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R3	R46

T4N R1W S. M. SEC. 1, 2, 11, 12, 13, 14



DATE	REVISIONS	BY

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 500'
CHECKED		DATE		SHEET	3 OF 46

KPB 2022-063

PRELIMINARY

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R4	R46

T5N R1W SEC. 36
T4N R1W SEC. 1
S. M.

1/4 LINE
SEC LINE T5N SEC 36
T4N SEC 1
1/16 LINE

SOA
USS 2.528
RALPH MOORE SUBD NO 2
RESUBDIVISION OF LOT 22 OF TRAIL LAKES HOMESITES
MP 28
140+00
150+00
160+00
170+00
E-25

MATCH LINE SHEET 3
MATCH LINE SHEET 5

SHEET 15
SHEET 16
SHEET 17
SHEET 18
SHEET 19
SHEET 20

ARRC TRACT 37

0 75 150 300
SCALE IN FEET

DATE	REVISIONS	BY

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

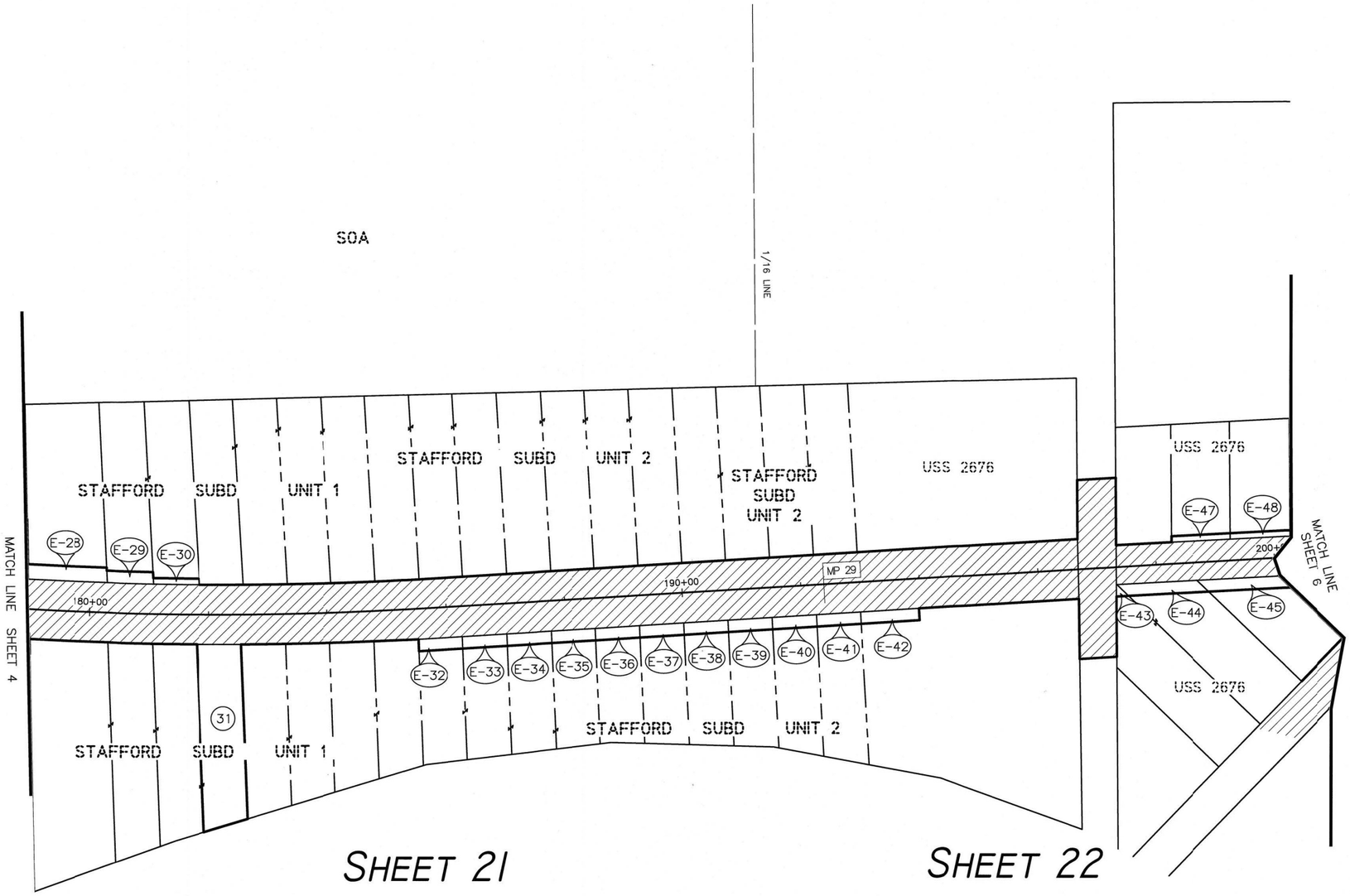
DRAWN	DATE	SCALE
EPF/AFF	5/04/2022	1" = 150'
CHECKED	DATE	SHEET 4 OF 46

KPB 2022-063

PRELIMINARY

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R5	R46



0 50 100 200
SCALE IN FEET

DATE	REVISIONS	BY

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

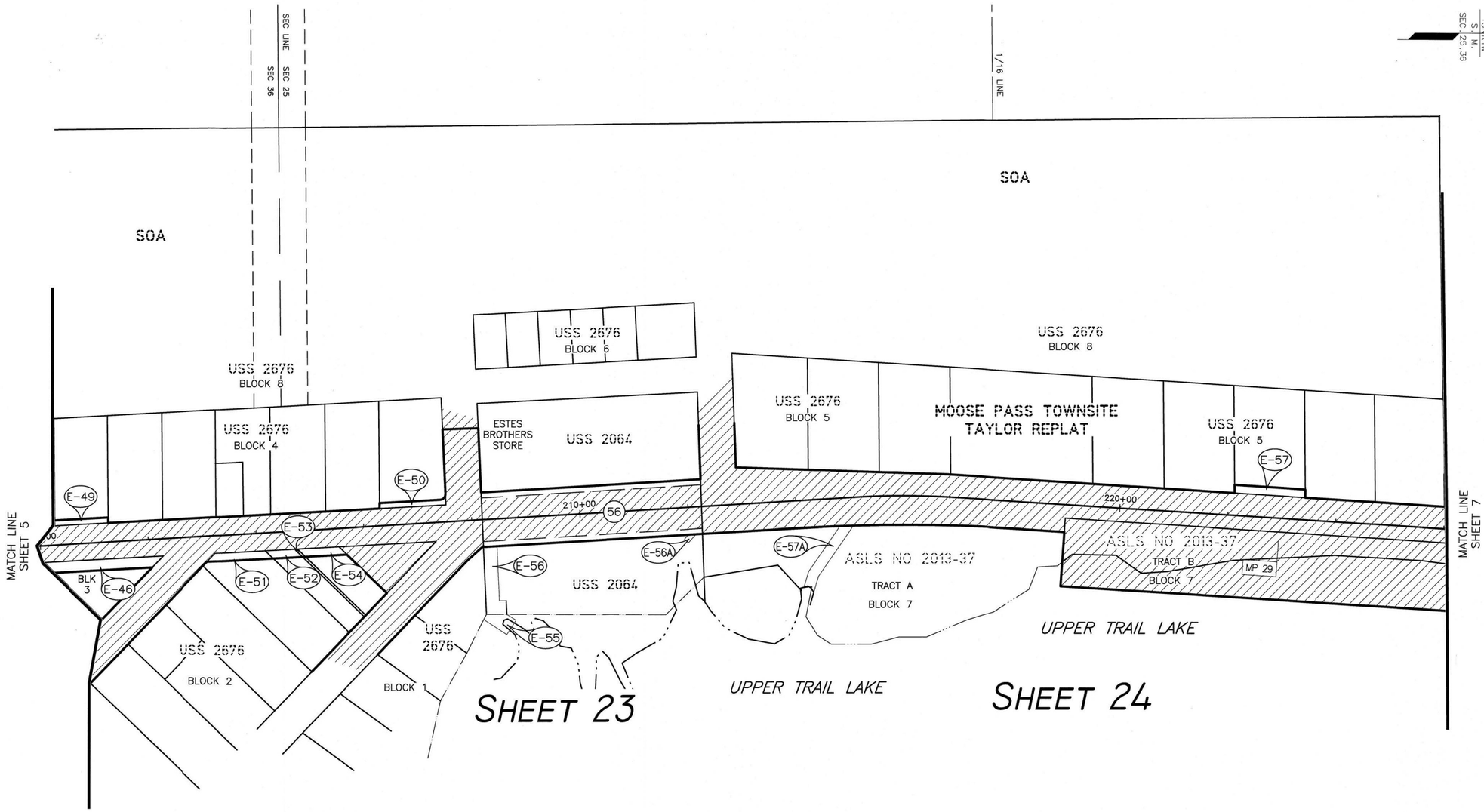
DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	5 OF 46

KPB 2022-063

PRELIMINARY

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R6	R46



0 50 100 200
SCALE IN FEET

DATE	REVISIONS	BY

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES
RIGHT–OF–WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

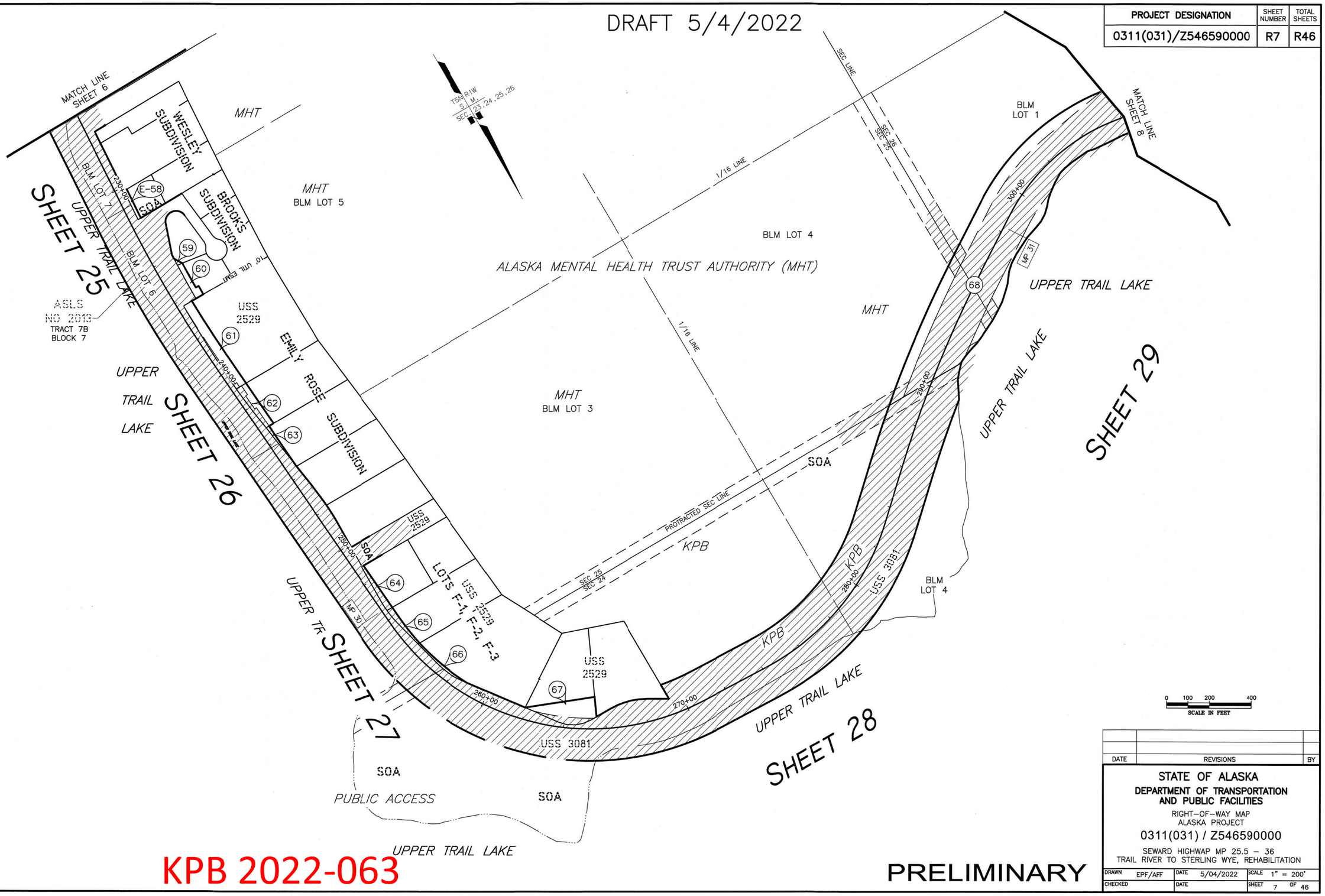
DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	6 OF 46

KPB 2022-063

PRELIMINARY

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R7	R46



KPB 2022-063

PRELIMINARY

0 100 200 400
SCALE IN FEET

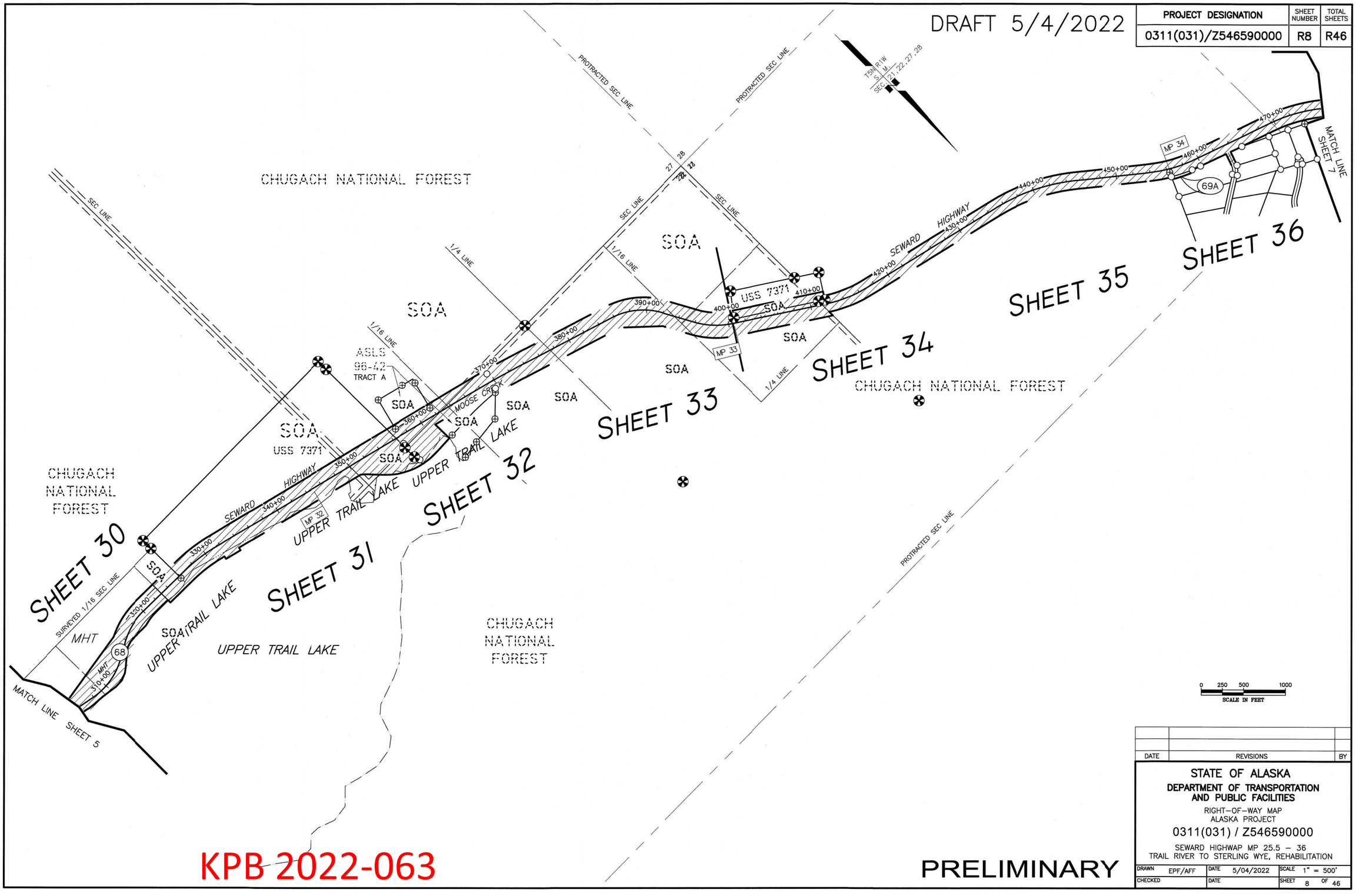
DATE	REVISIONS	BY

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN EPF/AFF	DATE 5/04/2022	SCALE 1" = 200'	
CHECKED	DATE	SHEET 7	OF 46

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R8	R46



DATE	REVISIONS	BY

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

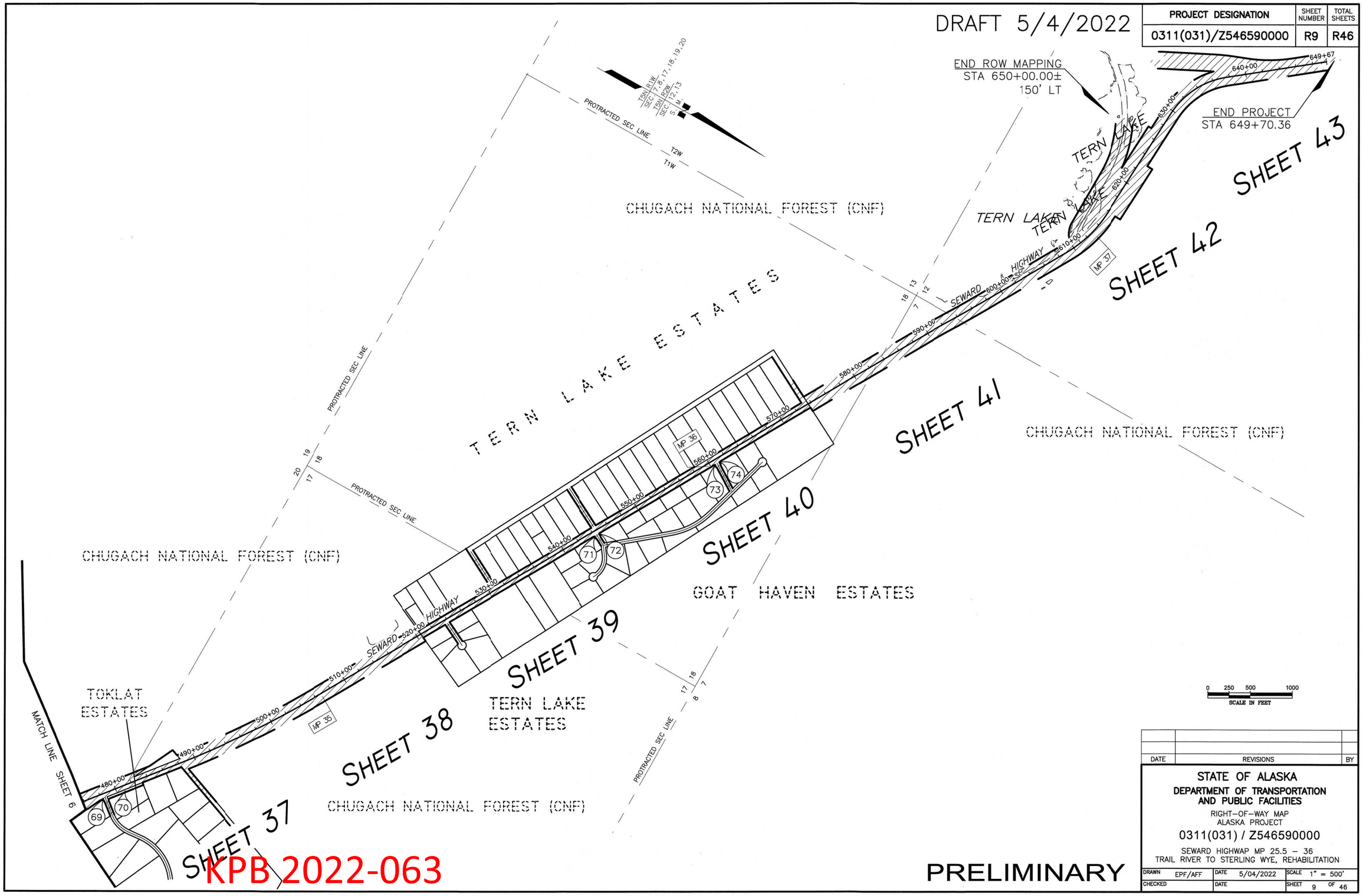
DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 500'
CHECKED		DATE		SHEET	8 OF 46

KPB 2022-063

PRELIMINARY

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R9	R46



DATE	REVISIONS	BY

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

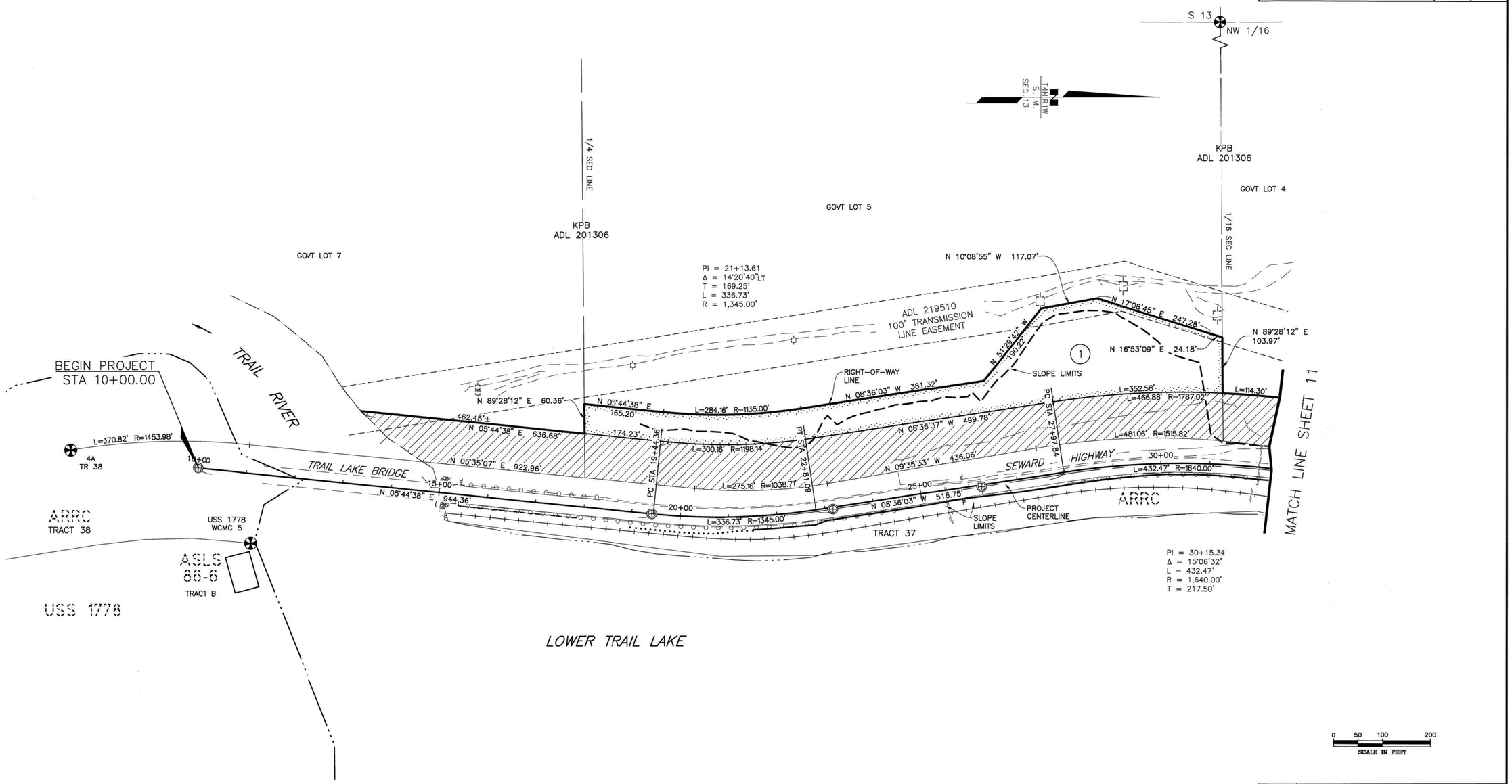
DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 500'
CHECKED		DATE		SHEET	9 OF 46

PRELIMINARY

KPB 2022-063

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R10	R46



PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
1	FEE	KENAI PENINSULA BOROUGH	LARGE	2.989 AC	2.989 AC	LARGE	
		ALASKA RAILROAD CORP		XX AC	XX AC		CONTRACT NO.

PARCEL INFORMATION

KPB 2022 063

PRELIMINARY

DATE	REVISIONS	BY

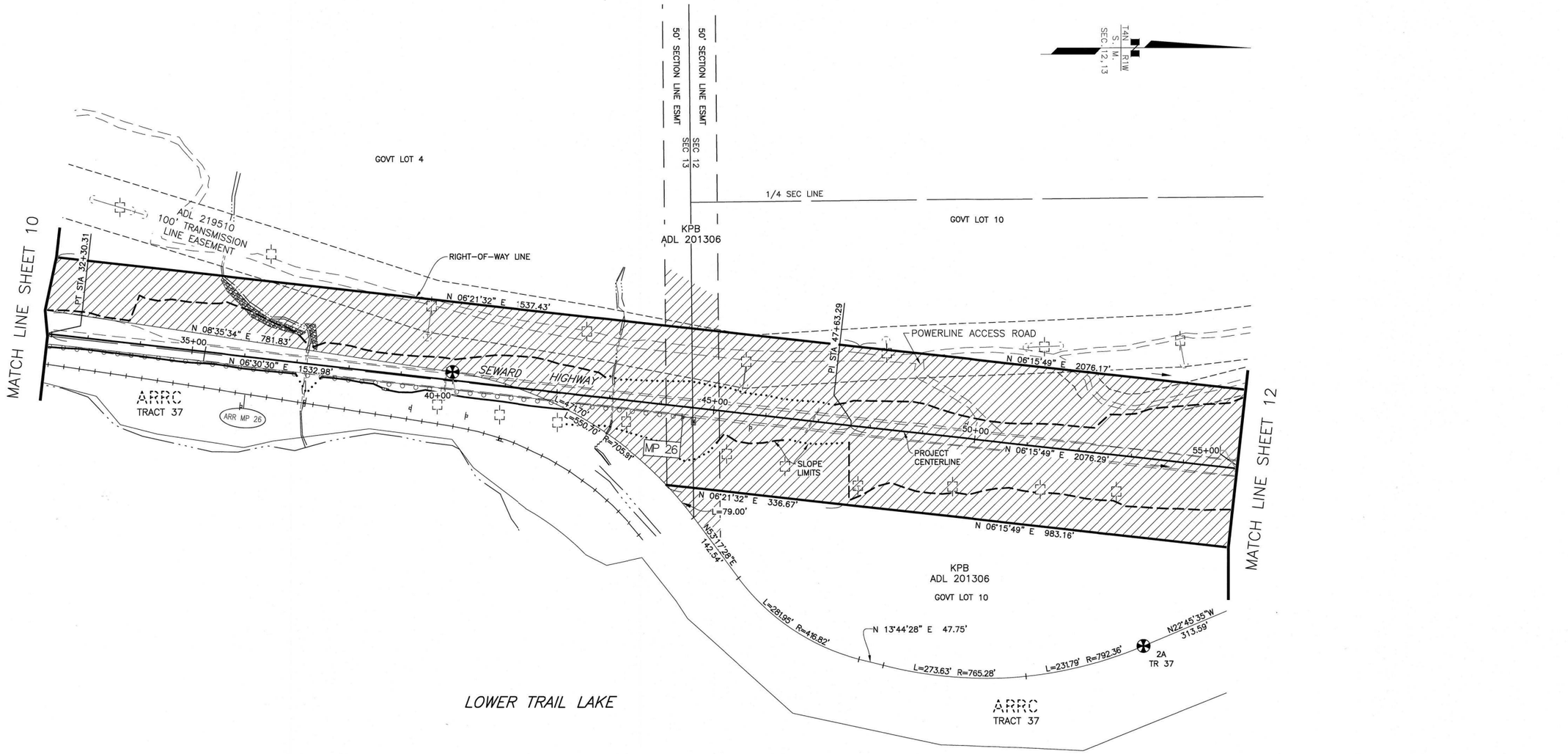
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	10 OF 46

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\ccad\Plans and Parcels\54659 PLANS Sewhwy 25.5-36 R10-43 5/4/2022 12:57:29 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R11	R46



0 50 100 200
SCALE IN FEET

PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
		ALASKA RAILROAD CORP		XX AC	XX AC		CONTRACT NO.

PARCEL INFORMATION

KPB 2022 063

PRELIMINARY

DATE	REVISIONS	BY

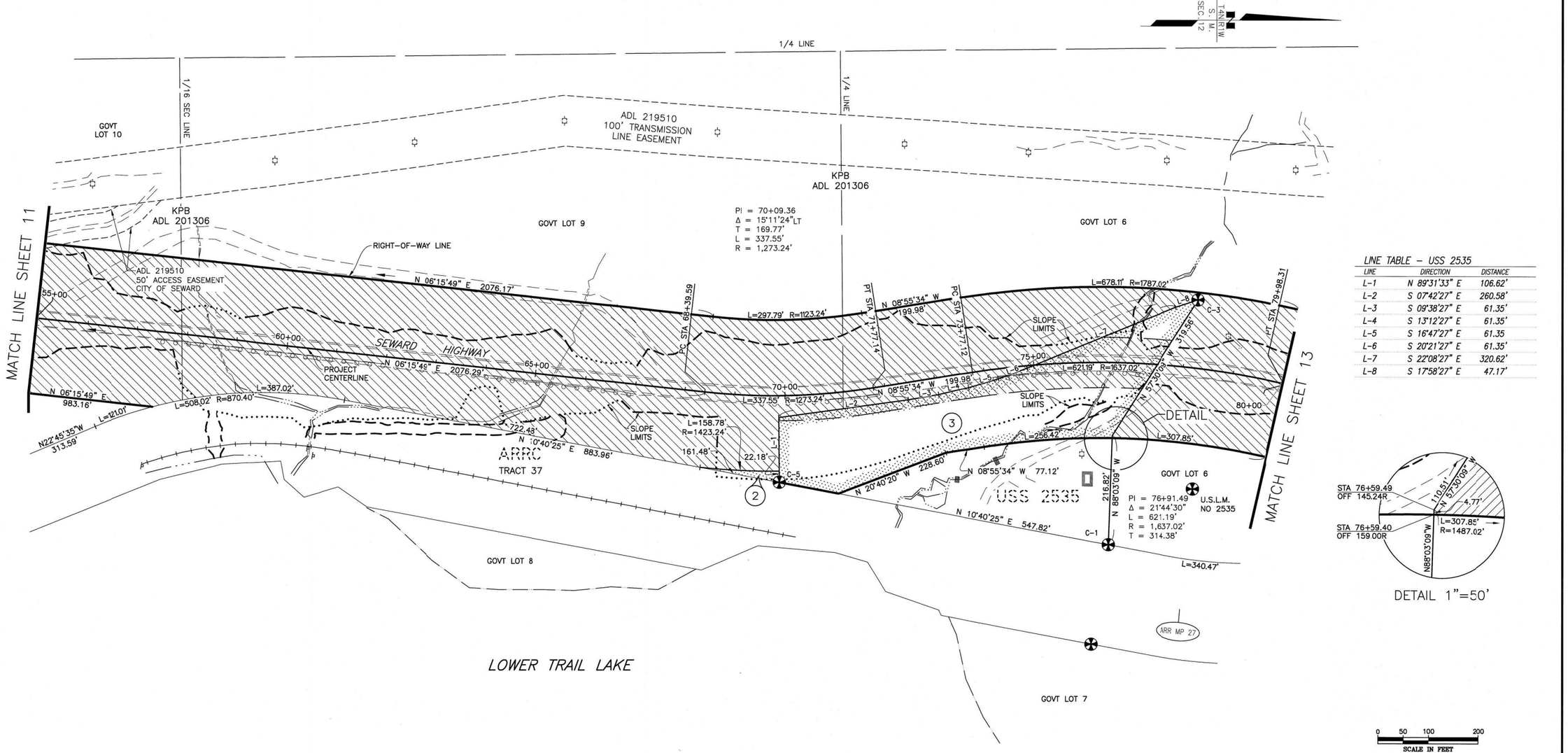
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	11 OF 46

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS Sewhwy 25.5-36 R10-43 5/4/2022 12:57:35 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R12	R46



LINE TABLE – USS 2535

LINE	DIRECTION	DISTANCE
L-1	N 89°31'33" E	106.62'
L-2	S 07°42'27" E	260.58'
L-3	S 09°38'27" E	61.35'
L-4	S 13°12'27" E	61.35'
L-5	S 16°47'27" E	61.35
L-6	S 20°21'27" E	61.35'
L-7	S 22°08'27" E	320.62'
L-8	S 17°58'27" E	47.17'

PARCEL INFORMATION

PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
3	FEE	GILBERT ROLAND DICKASON TRUST (1/2) & CORINA J DICKASON TRUST (1/2)	4.263 AC	2.670 AC	1.950 AC	1.593 AC	
2	FEE	KENAI PENINSULA BOROUGH	LARGE	1,523 SF	1,523 SF	LARGE	
		ALASKA RAILROAD CORP		XX AC	XX AC		CONTRACT NO.

KPB 2022.063

PRELIMINARY

DATE	REVISIONS	BY

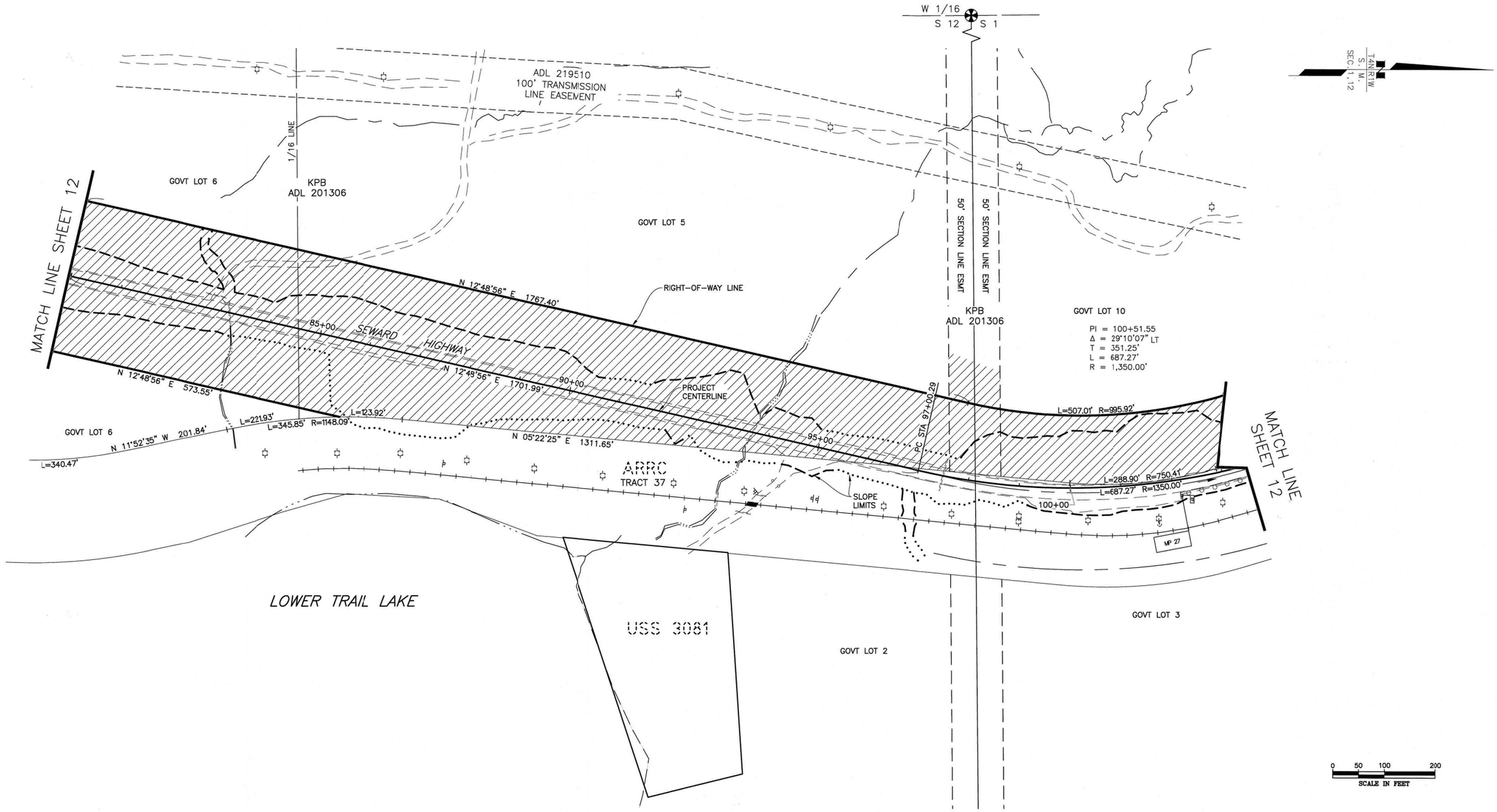
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	12 OF 46

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\ccad\Plans and Parcels\54659 PLANS Sewhwy 25.5-36 R10-43 5/4/2022 12:57:44 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R13	R46



PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENTS	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
		ALASKA RAILROAD CORP		XX AC	XX AC		CONTRACT NO.

PARCEL INFORMATION

KPB 2022-063

PRELIMINARY

DATE	REVISIONS	BY

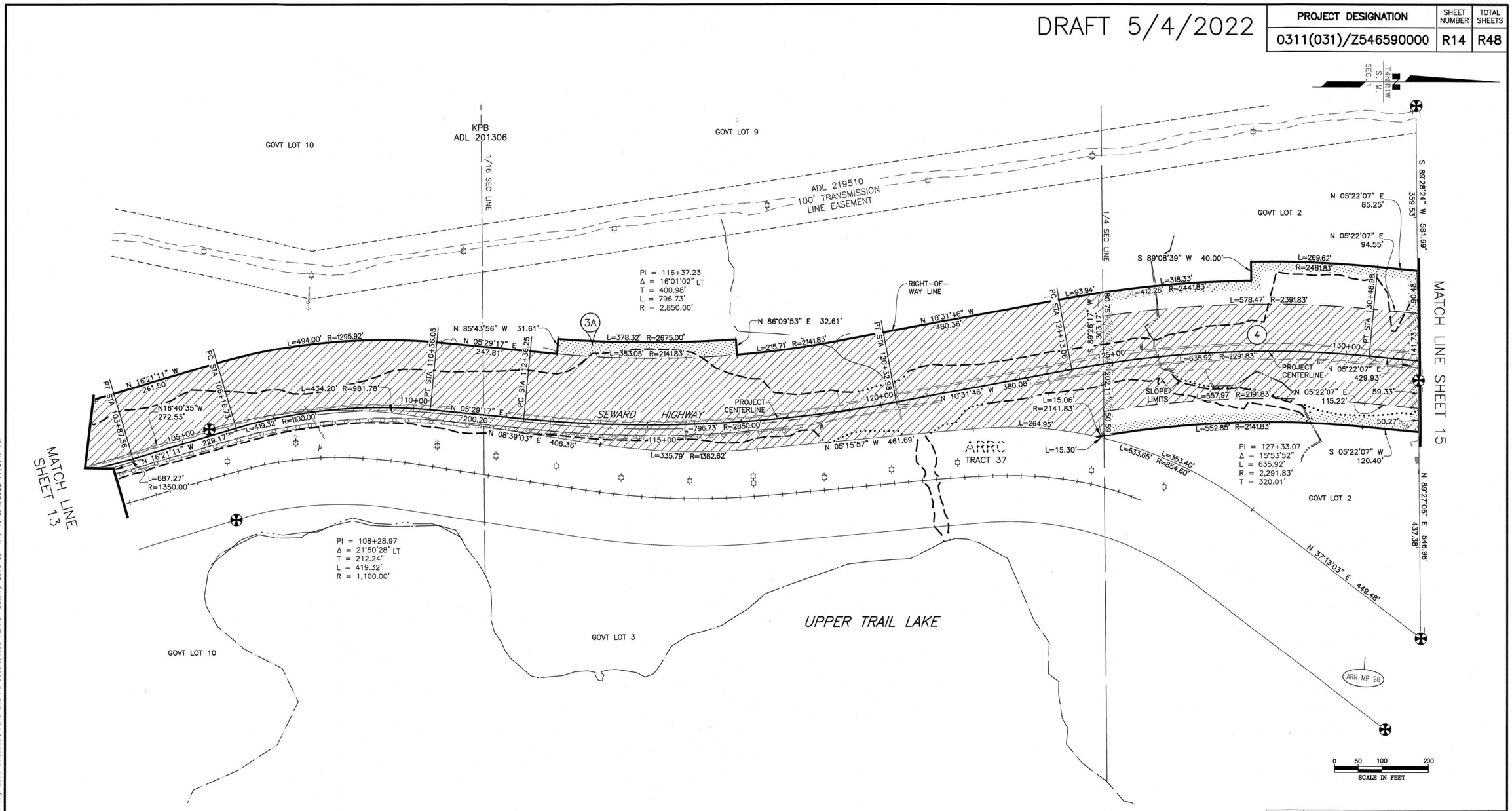
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	13 OF 46

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS SewHwy 25.5-36 R10-43 5/4/2022 12:57:50 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R14	R48



PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENTS	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
4	FEE	AK MENTAL HEALTH TRUST AUTHORITY	LARGE	4.961 AC	1.871 AC	LARGE	
3A	FEE	KENAI PENINSULA BOROUGH	LARGE	0.291 AC	0.291 AC	LARGE	
		ALASKA RAILROAD CORP		XX AC	XX AC		CONTRACT NO.

PARCEL INFORMATION

KPB 2022 063

PRELIMINARY

DATE	REVISIONS	BY

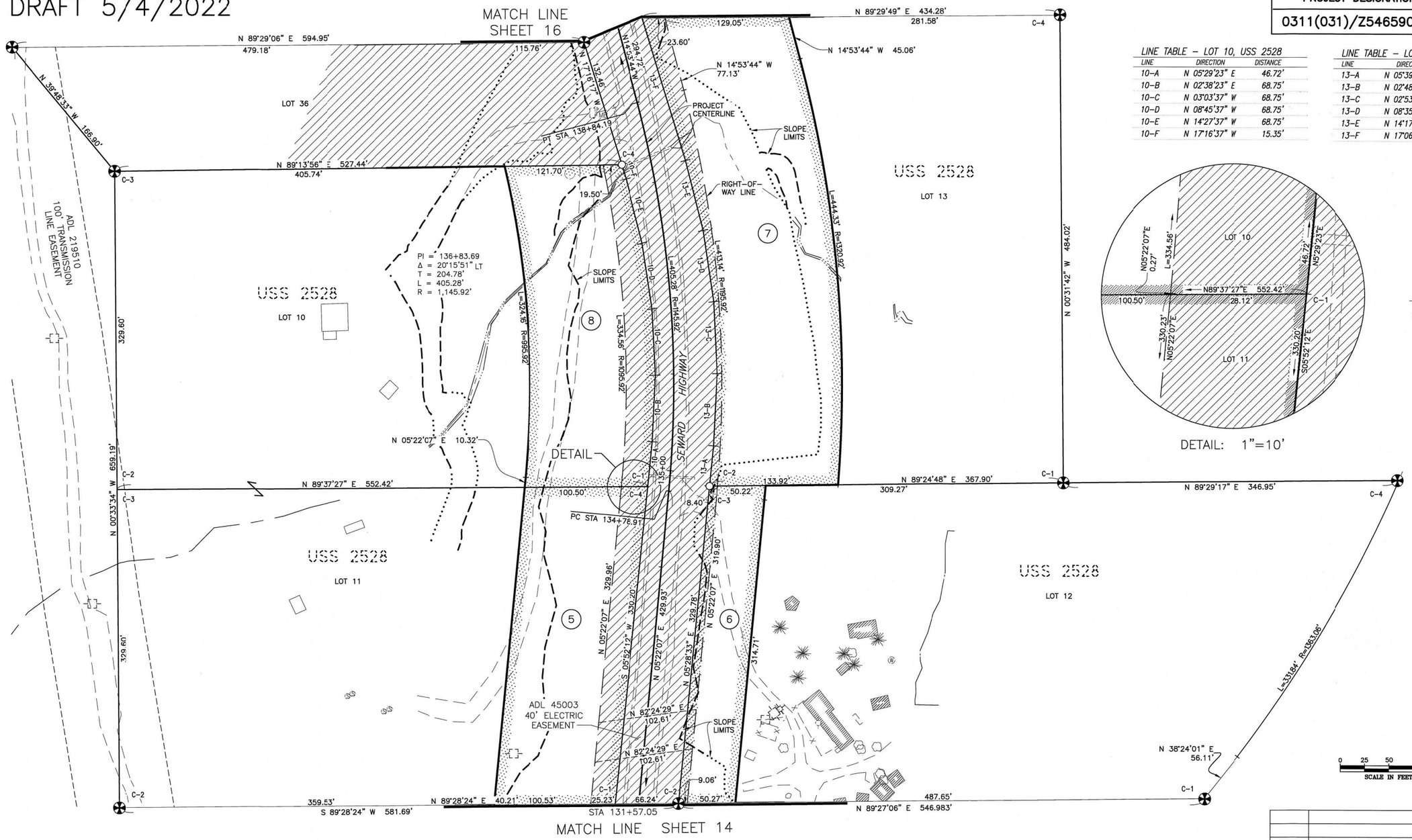
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	14 OF 48

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS Sewhwy 25.5-36 R10-43 5/4/2022 1:13:47 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R15	R46



DETAIL: 1"=10'



LINE TABLE – LOT 10, USS 2528

LINE	DIRECTION	DISTANCE
10–A	N 05°29'23" E	46.72'
10–B	N 02°38'23" E	68.75'
10–C	N 03°03'37" W	68.75'
10–D	N 08°45'37" W	68.75'
10–E	N 14°27'37" W	68.75'
10–F	N 17°16'37" W	15.35'

LINE TABLE – LOT 13, USS 2528

LINE	DIRECTION	DISTANCE
13–A	N 05°39'13" E	41.93'
13–B	N 02°48'13" E	74.62'
13–C	N 02°53'47" W	74.62'
13–D	N 08°35'47" W	74.62
13–E	N 14°17'47" W	74.62'
13–F	N 17°06'47" W	153.87'

PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
8	FEE	KATIE HAMILTON	183,103 SF	42,705 SF	33,465 SF	140,398 SF	
7	FEE	KATHY RYAN	184,525 SF	66,868 SF	61,229 SF	117,657 SF	
6	FEE	ROBERT P. CONDIT	210,669 SF	19,357 SF	16,487 SF	191,312 SF	
5	FEE	KATIE HAMILTON	175,606 SF	41,765 SF	33,010 SF	133,841 SF	

PARCEL INFORMATION

KPB 2022-063

PRELIMINARY

DATE	REVISIONS	BY

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

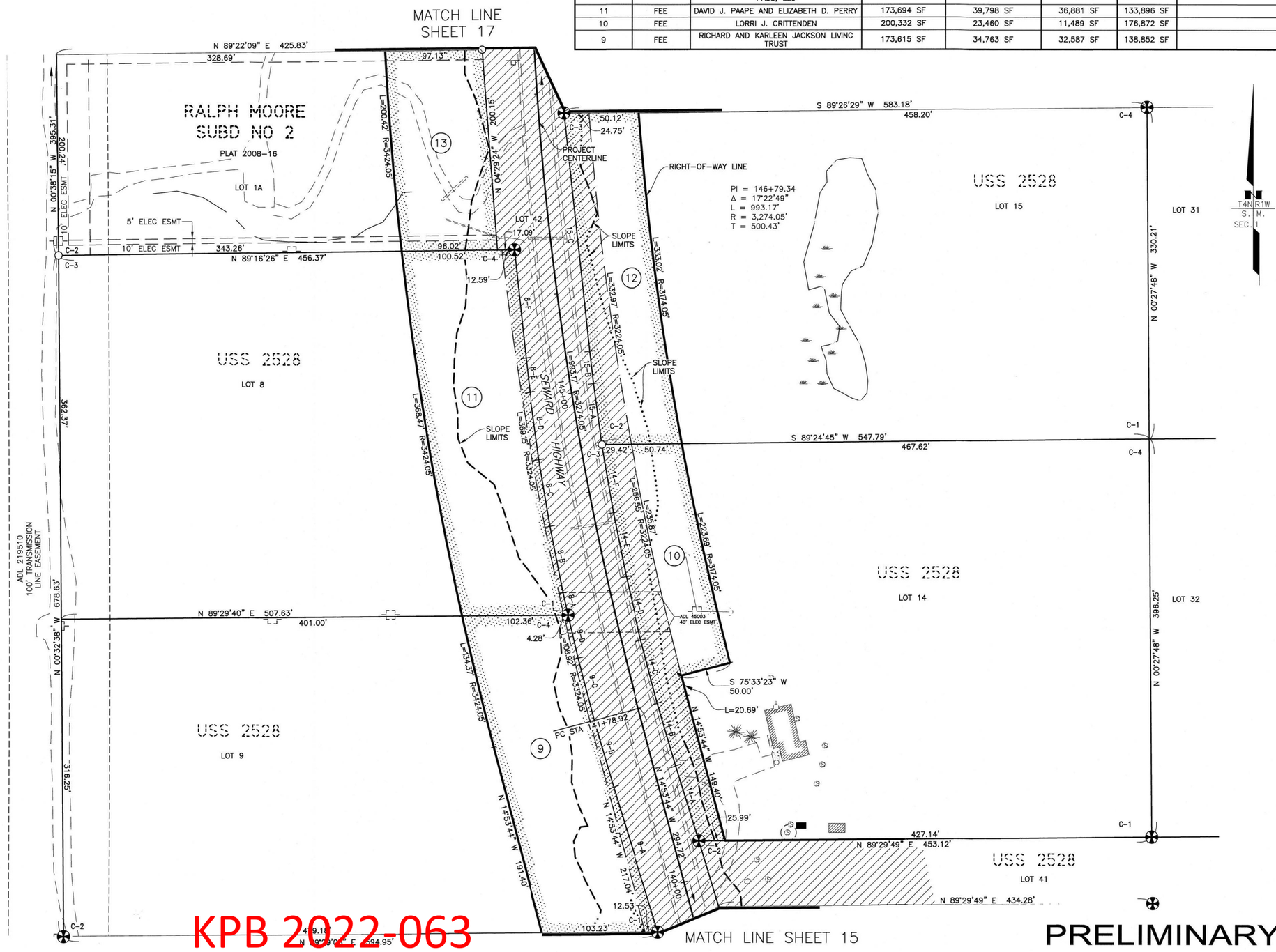
DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 50'
CHECKED		DATE		SHEET	15 OF 46

PARCEL INFORMATION

PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
13	FEE	DAVID J. PAAPE & ELIZABETH D. PERRY	86,541 SF	19,491 SF	19,491 SF	67,050 SF	
12	FEE	TRACY MAXWELL & BASE CAMP MOOSE PASS, LLC	187,069 SF	24,910 SF	16,650 SF	162,159 SF	
11	FEE	DAVID J. PAAPE AND ELIZABETH D. PERRY	173,694 SF	39,798 SF	36,881 SF	133,896 SF	
10	FEE	LORRI J. CRITTENDEN	200,332 SF	23,460 SF	11,489 SF	176,872 SF	
9	FEE	RICHARD AND KARLEEN JACKSON LIVING TRUST	173,615 SF	34,763 SF	32,587 SF	138,852 SF	

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R16	R46

DRAFT
5/4/2022



KPB 2022-063

PRELIMINARY

LINE TABLE – LOT 8, USS 2528

LINE	DIRECTION	DISTANCE
8–A	N 12°56'16" W	22.92'
8–B	N 11°16'16" W	67.43'
8–C	N 09°36'16" W	67.43'
8–D	N 07°56'16" W	67.43'
8–E	N 06°41'16" W	34.54'
8–F	N 06°16'16" W	108.28'

LINE TABLE – LOT 9, USS 2528

LINE	DIRECTION	DISTANCE
9–A	N 17°10'12" W	150.95'
9–B	N 16°25'12" W	66.62'
9–C	N 14°45'12" W	66.62'
9–D	N 13°05'12" W	43.97'

LINE TABLE – LOT 14, USS 2528

LINE	DIRECTION	DISTANCE
14–A	N 17°16'34" W	78.17'
14–B	N 16°31'34" W	64.98'
14–C	N 14°51'34" W	64.98'
14–D	N 13°11'34" W	64.98'
14–E	N 11°31'34" W	64.98'
14–F	N 09°51'34" W	64.98'
14–G	N 08°11'34" W	3.96'

LINE TABLE – LOT 15, USS 2528

LINE	DIRECTION	DISTANCE
15–A	N 07°53'47" W	61.18'
15–B	N 06°38'47" W	32.41'
15–C	N 06°13'47" W	238.75'

0 25 50 100
SCALE IN FEET

DATE	REVISIONS	BY

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

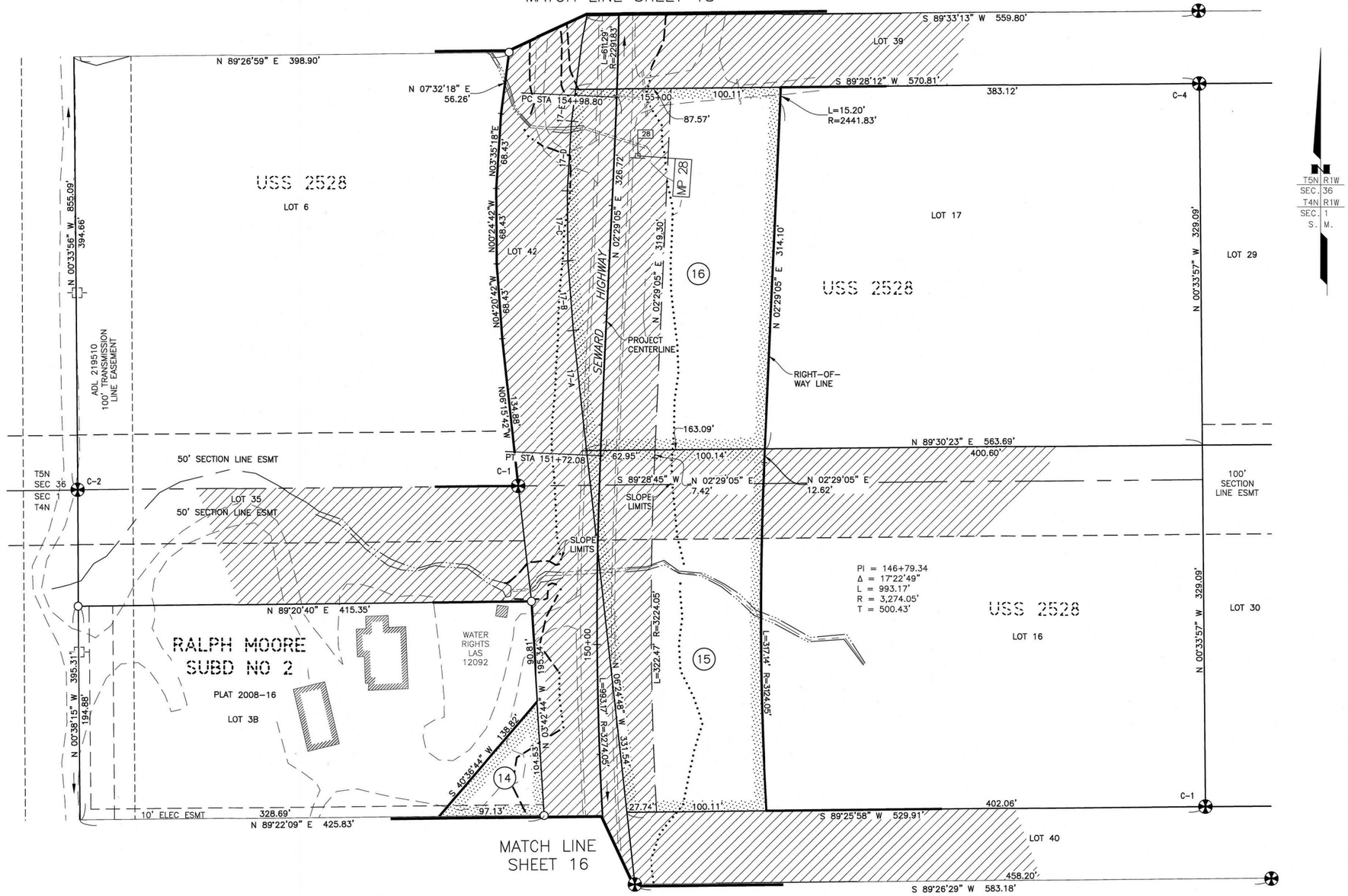
DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 50'
CHECKED		DATE		SHEET	16 OF 46

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\Locad\Plans and Parcels\54659 PLANS SewHwy 25.5-36 R10-43 5/4/2022 12:58:10 PM R10-43 5/4/2022 12:58:10 PM

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R17	R46

DRAFT 5/4/2022

MATCH LINE SHEET 18



LINE TABLE – LOT 17, USS 2528

LINE	DIRECTION	DISTANCE
17-A	N 06°24'48" W	110.08'
17-B	N 04°29'48" W	63.61'
17-C	N 00°33'48" W	63.61'
17-D	N 03°26'12" E	63.61'
17-E	N 07°23'12" E	29.00

PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENTS	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
PARCEL INFORMATION							
16	FEE	IVAN R LAMMERS	188,970 SF	60,067 SF	32,926 SF	128,903 SF	
15	FEE	MHT – CONTRACT TO SELL	180,141 SF	47,010 SF	24,821 SF	133,131 SF	
14	FEE	TERESA M & IAN KIRCHNER	82,002 SF	5,069 SF	5,069 SF	76,933 SF	

KPB 2022-063

PRELIMINARY

DATE	REVISIONS	BY

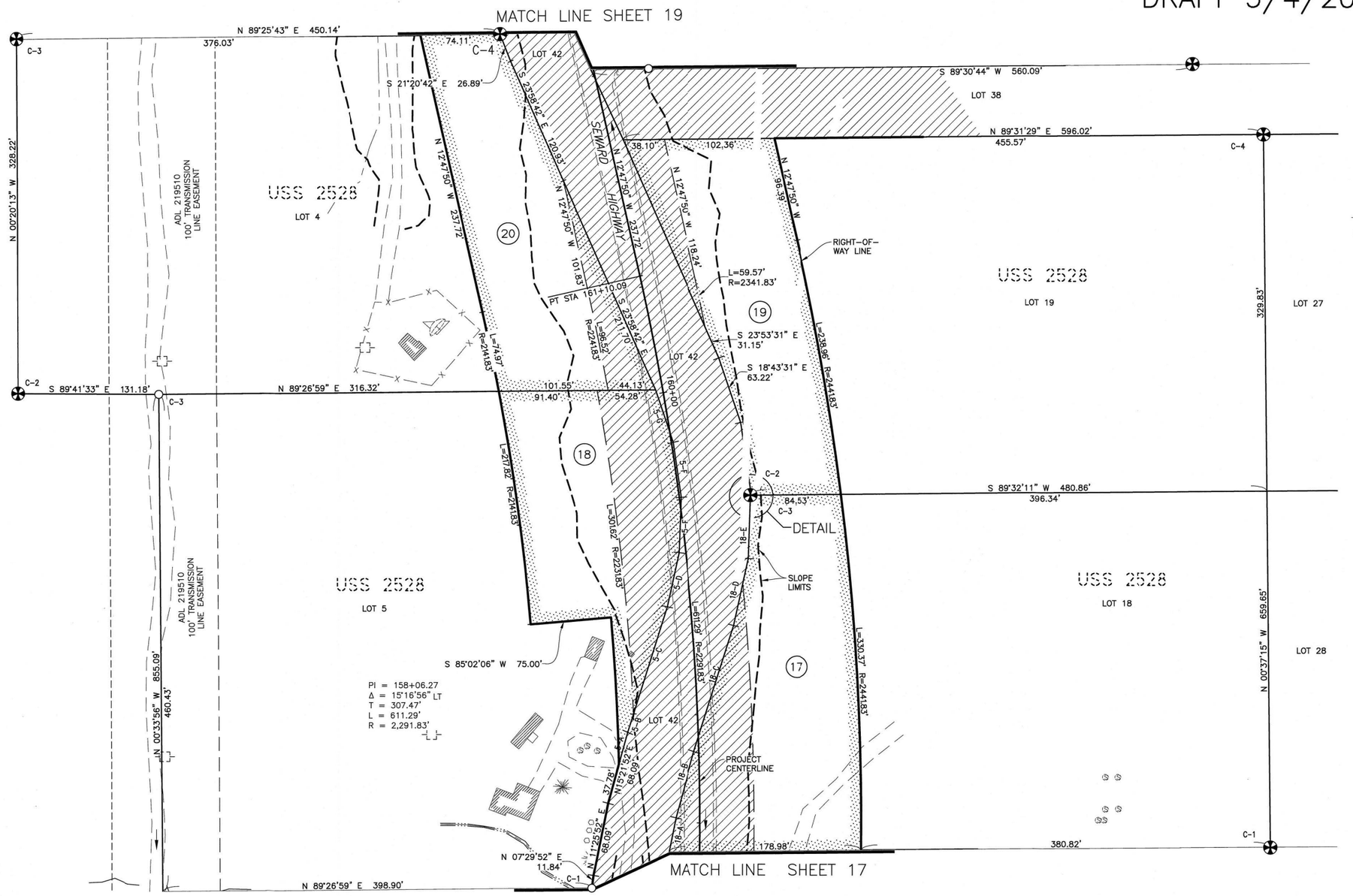
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 50'
CHECKED		DATE		SHEET	17 OF 46

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS SewHwy 25.5-36 R10-43 5/4/2022 12:58:15 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R18	R46

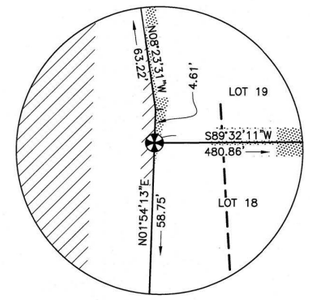


LINE TABLE – LOT 5, USS 2528

LINE	DIRECTION	DISTANCE
5–A	N 15°21'52" E	30.31'
5–B	N 17°29'52" E	17.73'
5–C	N 17°29'52" E	103.98'
5–D	N 12°19'52" E	51.31'
5–E	N 01°59'52" E	51.31'
5–F	N 08°20'08" W	51.31'
5–G	N 18°40'08" W	51.31'

LINE TABLE – LOT 18, USS 2528

LINE	DIRECTION	DISTANCE
18–A	N 11°24'13" E	32.35'
18–B	N 15°20'13" E	63.70'
18–C	N 17°28'13" E	122.13'
18–D	N 12°18'13" E	39.93'
18–E	N 01°54'13" E	58.75'



DETAIL 1"=10'

0 25 50 100
SCALE IN FEET

DATE	REVISIONS	BY

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 50'
CHECKED		DATE		SHEET	18 OF 46

PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
20	ROW ESMT	STATE OF ALASKA, LEASE TO ALASCOM	171,957 SF	35,929 SF	31,782 SF	136,028 SF	
19	FEE	MHT – CONTRACT TO SELL	174,414 SF	34,971 SF	31,607 SF	139,443 SF	
18	FEE	BERNADINE M SHAFFER	207,991 SF	34,089 SF	20,970 SF	173,902 SF	
17	FEE	KEN W PERRY	169,672 SF	42,761 SF	32,273 SF	126,911 SF	

PARCEL INFORMATION

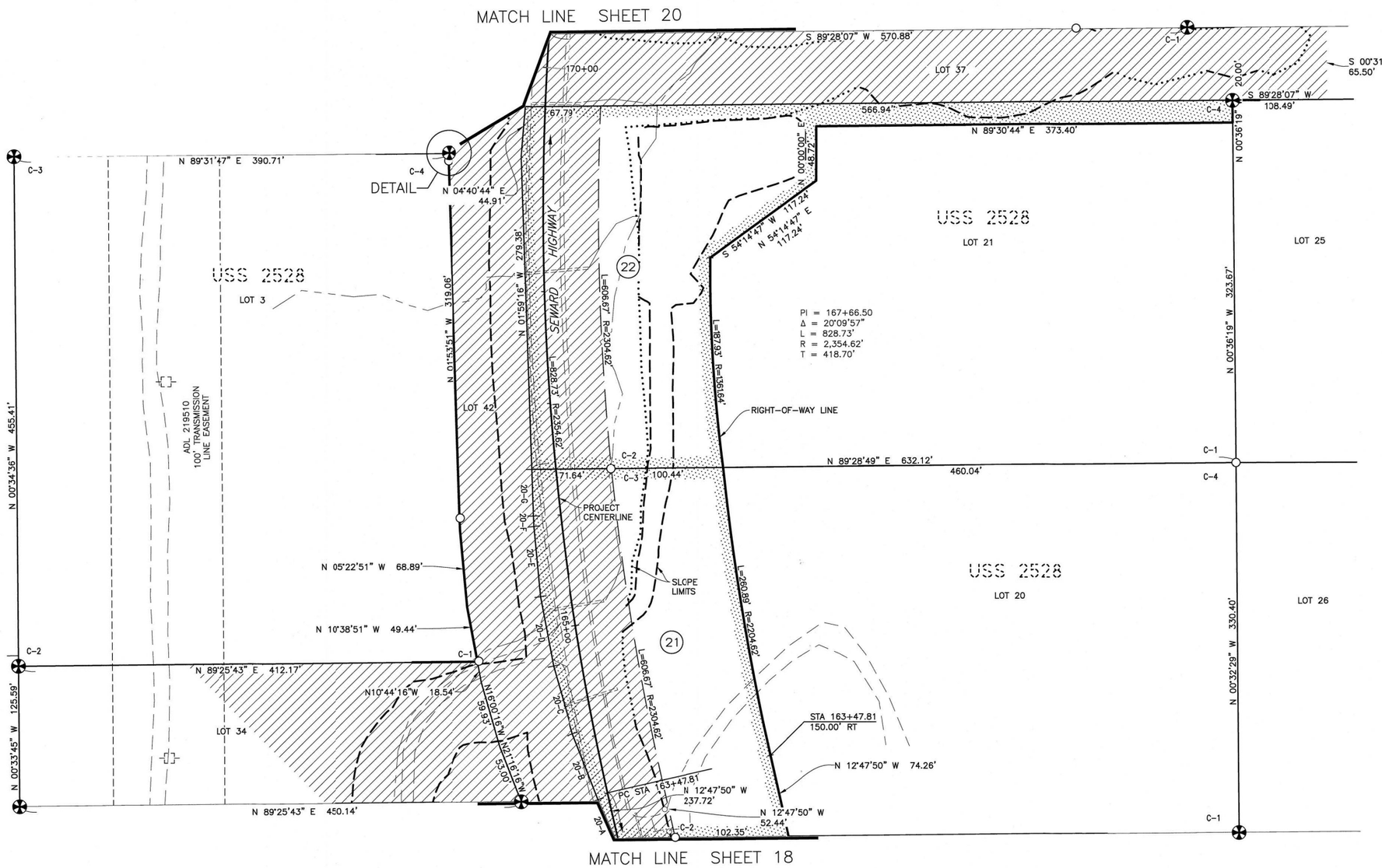
KPB 2022.063

PRELIMINARY

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS SewHwy 25.5-36 R10-43 5/4/2022 12:58:24 PM

DRAFT 5/4/2022

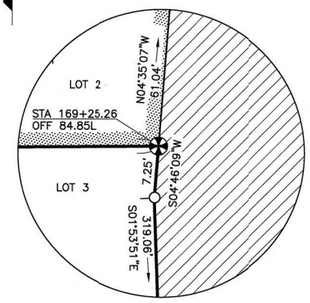
PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R19	R46



LINE TABLE – LOT 20, USS 2528

LINE	DIRECTION	DISTANCE
20-A	N 23°54'16" W	37.65'
20-B	N 21°16'16" W	63.08'
20-C	N 16°00'16" W	63.08'
20-D	N 10°44'16" W	63.08'
20-E	N 05°28'16" W	63.08'
20-F	N 02°32'16" W	9.25'
20-G	N 01°59'16" W	41.61'

T5N R1W
S. M.
SEC. 36



DETAIL 1"=10'

0 25 50 100
SCALE IN FEET

PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
22	FEE	MHT – SALE APPROVED	205,857 SF	71,576 SF	49,493 SF	134,281 SF	
21	FEE	PETRA SATTLER–SMITH & KEVIN G. SMITH	201,138 SF	57,194 SF	33,497 SF	143,944 SF	

PARCEL INFORMATION

KPB 2022-063

PRELIMINARY

DATE	REVISIONS	BY

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT–OF–WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 50'
CHECKED		DATE		SHEET	19 OF 46

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS Sewhwy 25.5-36 R10-43 5/4/2022 12:58:34 PM

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R20	R46

DRAFT 5/4/2022

MATCH LINE SHEET 21

MATCH LINE SHEET 19

ADL 219510 100' TRANSMISSION LINE EASEMENT

USS 2528 LOT 1

USS 2528 LOT 2

USS 2528 LOT 23

LOT 24

LOT 42

LOT 22A

LOT 22B

PLAT 77-19

RESUBDIVISION OF LOT 22 OF THE TRAIL LAKE HOMESITES

SEWARD HIGHWAY

RIGHT-OF-WAY LINE

SLOPE LIMITS

MOOSE PASS COMMUNITY CHURCH

BK 63 PG 721

ARR MP 29

T5N R1W S. M. SEC. 36

N 88°47'56" E 433.93'
398.95'
N 89°30'08" E 534.55'
469.12'
N 89°29'42" E 534.93'
369.89'
N 89°31'47" E 390.71'
S 89°31'47" W 65.17'
N 89°16'30" W 451.88'
447.44'
S 89°29'40" W 460.69'
445.95'
S 89°28'07" W 471.14'
N 89°28'07" E 371.75'
S 89°28'07" W 99.69'
S 89°28'07" W 99.74'
N 89°28'07" E 99.74'
S 00°30'12" E 865.94'
461.66'
202.14'
102.14'
S 00°30'12" E 15.00'
S 00°30'12" E 100.00'
100.00'
S 00°31'33" W 824.21'
428.96'
395.37'
N 07°22'07" E 135.07'
N 07°22'07" E 158.66'
N 07°22'07" E 300.64'
S 07°22'07" W 128.15'
S 07°22'07" W 172.49'
S 07°22'07" W 81.15'
S 07°22'07" W 28.58'
S 06°18'53" E 56.63'
S 07°20'53" E 56.63'
S 09°38'07" W 26.64'
S 04°35'07" W 61.04'
N 39°41'04" E 166.24'
S 37°35'39" W 37.03'
S 56°48'39" W 87.45'
S 32°39'39" W 25.79'
S 56°48'39" W 64.15'
S 41°42'39" W 64.15'
S 26°36'39" W 64.15'
S 11°30'39" W 64.15'
S 03°55'21" E 64.15'
S 18°48'21" E 64.15'
S 33°41'21" E 64.15'
S 48°34'21" E 64.15'
S 63°27'21" E 64.15'
S 78°20'21" E 64.15'
S 87°42'39" W 64.15'
S 72°35'39" W 64.15'
S 57°28'39" W 64.15'
S 42°21'39" W 64.15'
S 27°14'39" W 64.15'
S 12°07'39" W 64.15'
S 03°02'39" E 64.15'
S 18°09'39" E 64.15'
S 33°16'39" E 64.15'
S 48°23'39" E 64.15'
S 63°30'39" E 64.15'
S 78°37'39" E 64.15'
S 87°44'39" E 64.15'
S 72°51'39" E 64.15'
S 57°58'39" E 64.15'
S 43°05'39" E 64.15'
S 28°12'39" E 64.15'
S 13°19'39" E 64.15'
S 01°42'39" W 64.15'
S 16°35'39" W 64.15'
S 31°28'39" W 64.15'
S 46°21'39" W 64.15'
S 61°14'39" W 64.15'
S 76°07'39" W 64.15'
S 87°00'39" W 64.15'
S 72°07'39" W 64.15'
S 57°14'39" W 64.15'
S 42°21'39" W 64.15'
S 27°28'39" W 64.15'
S 12°35'39" W 64.15'
S 02°57'39" E 64.15'
S 17°50'39" E 64.15'
S 32°43'39" E 64.15'
S 47°36'39" E 64.15'
S 62°29'39" E 64.15'
S 77°22'39" W 64.15'
S 62°29'39" W 64.15'
S 47°36'39" W 64.15'
S 32°43'39" W 64.15'
S 17°50'39" W 64.15'
S 02°57'39" W 64.15'
S 12°56'07" E 64.15'
S 27°49'07" E 64.15'
S 42°42'07" E 64.15'
S 57°35'07" E 64.15'
S 72°28'07" E 64.15'
S 87°21'07" E 64.15'
S 72°28'07" E 64.15'
S 57°35'07" E 64.15'
S 42°42'07" E 64.15'
S 27°49'07" E 64.15'
S 12°56'07" E 64.15'
S 01°37'07" W 64.15'
S 16°30'07" W 64.15'
S 31°23'07" W 64.15'
S 46°16'07" W 64.15'
S 61°09'07" W 64.15'
S 76°02'07" W 64.15'
S 87°55'07" W 64.15'
S 72°02'07" W 64.15'
S 57°09'07" W 64.15'
S 42°16'07" W 64.15'
S 27°23'07" W 64.15'
S 12°30'07" W 64.15'
S 02°22'39" W 64.15'
S 17°15'39" W 64.15'
S 32°08'39" W 64.15'
S 47°01'39" W 64.15'
S 61°54'39" W 64.15'
S 76°47'39" W 64.15'
S 87°40'39" W 64.15'
S 72°47'39" W 64.15'
S 57°54'39" W 64.15'
S 43°01'39" W 64.15'
S 28°08'39" W 64.15'
S 13°15'39" W 64.15'
S 01°38'39" E 64.15'
S 16°31'39" E 64.15'
S 31°24'39" E 64.15'
S 46°17'39" E 64.15'
S 61°10'39" E 64.15'
S 76°03'39" E 64.15'
S 87°56'39" E 64.15'
S 72°03'39" E 64.15'
S 57°10'39" E 64.15'
S 42°17'39" E 64.15'
S 27°24'39" E 64.15'
S 12°31'39" E 64.15'
S 02°22'39" E 64.15'
S 17°15'39" E 64.15'
S 32°08'39" E 64.15'
S 47°01'39" E 64.15'
S 61°54'39" E 64.15'
S 76°47'39" E 64.15'
S 87°40'39" E 64.15'
S 72°47'39" E 64.15'
S 57°54'39" E 64.15'
S 43°01'39" E 64.15'
S 28°08'39" E 64.15'
S 13°15'39" E 64.15'
S 01°38'39" W 64.15'
S 16°31'39" W 64.15'
S 31°24'39" W 64.15'
S 46°17'39" W 64.15'
S 61°10'39" W 64.15'
S 76°03'39" W 64.15'
S 87°56'39" W 64.15'
S 72°03'39" W 64.15'
S 57°10'39" W 64.15'
S 42°17'39" W 64.15'
S 27°24'39" W 64.15'
S 12°31'39

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R21	R46

DRAFT 5/4/2022



PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
E-37	ROW ESMT	CLAYTON MICHAEL & KRISTI KAY ELLSWORTH		1,496 SF	1,496 SF		
E-36	ROW ESMT	CLAYTON MICHAEL & KRISTI KAY ELLSWORTH		1,492 SF	1,492 SF		
E-35	ROW ESMT	JULIE M OSGOOD		1,502 SF	1,502 SF		
E-34	ROW ESMT	JULIE M OSGOOD		1,495 SF	1,495 SF		
E-33	ROW ESMT	JULIE M OSGOOD		1,496 SF	1,496 SF		
E-32	ROW ESMT	JULIE M OSGOOD		1,495 SF	1,495 SF		
31	FEE	BERGHOLDT TRUST	22,766 SF	22,766 SF	22,766 SF	0	
E-30	ROW ESMT	JAMES W BUTTREY, II & JILLIAN L BUTTREY		771 SF	771 SF		
E-29	ROW ESMT	JAMES W BUTTREY, II & JILLIAN L BUTTREY		1,542 SF	1,542 SF		
E-28	ROW ESMT	DENNIS C OWENS		3,339 SF	3,339 SF		

PARCEL INFORMATION

KPB 2022-063

PRELIMINARY

0 25 50 100
SCALE IN FEET

DATE	REVISIONS	BY

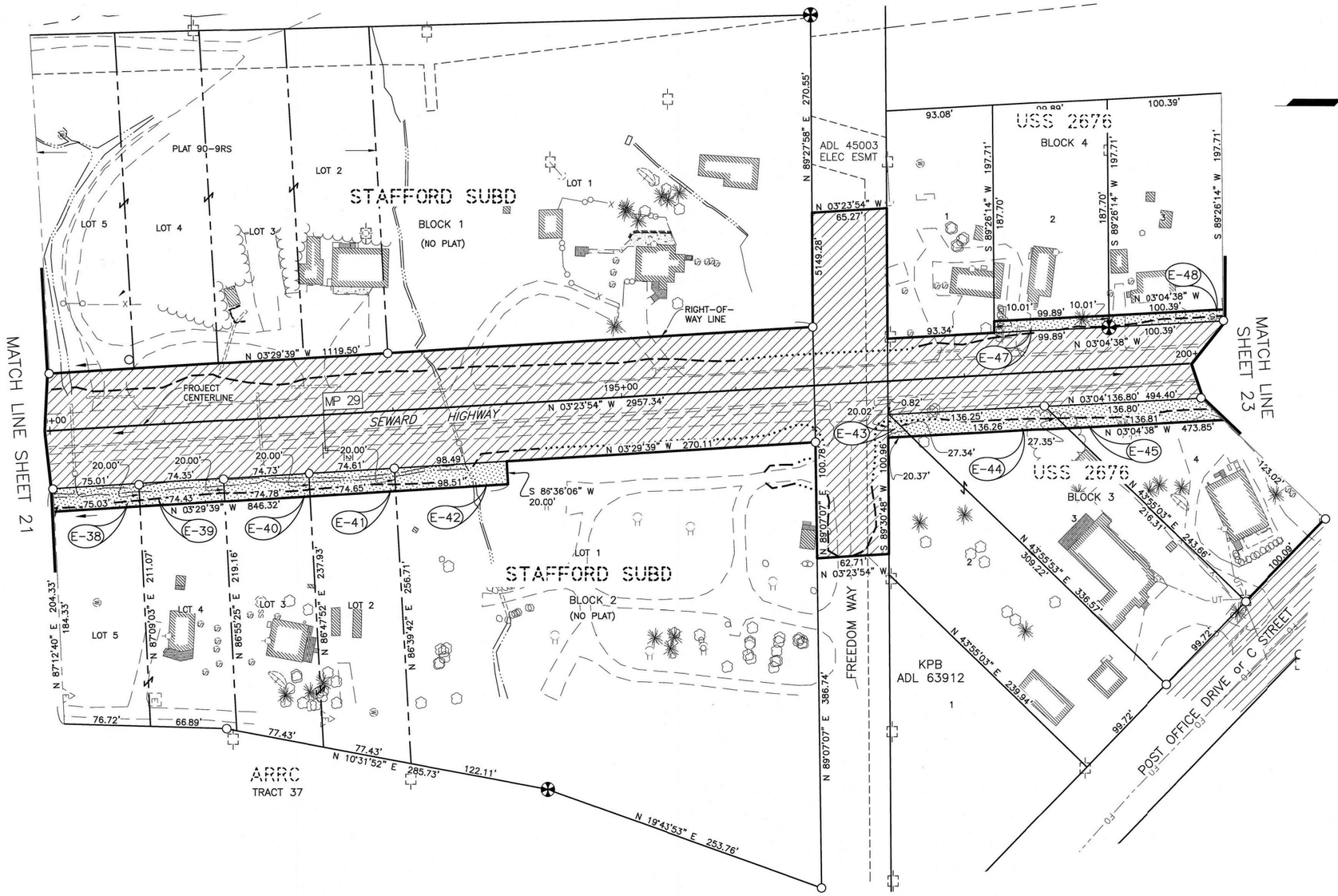
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 50'
CHECKED		DATE		SHEET	21 OF 46

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\ccad\Plans and Parcels\54659 PLANS Sewhwy 25.5-36 R10-43 5/4/2022 12:58:50 PM

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R22	R46

DRAFT 5/4/2022



PARCEL NO.	ROW ESMT	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
E-48	ROW ESMT	NANCY ELLEN ERICKSON		1,003 SF	1,003 SF		
E-47	ROW ESMT	HENRY E MELVILLE		999 SF	999 SF		
E-45	ROW ESMT	NICHOLAS DIPIERO		2,736 SF	2,736 SF		
E-44	ROW ESMT	CLAUDE JR. & DOROTHY HIGBEE		2,725 SF	2,725 SF		
E-43	ROW ESMT			212 SF	212 SF		
E-42	ROW ESMT	STEPHANIE WRIGHT		1,970 SF	1,970 SF		
E-41	ROW ESMT	DAMON EDWARD & RENEE LOUISE ROCKWELL REVOCABLE TRUST		1,493 SF	1,493 SF		
E-40	ROW ESMT			1,495 SF	1,495 SF		
E-39	ROW ESMT	ARNE E & KIMBERLY B AAMODT		1,488 SF	1,488 SF		
E-38	ROW ESMT			1,500 SF	1,500 SF		

PARCEL INFORMATION

KPB 2022 063

PRELIMINARY

0 25 50 100
SCALE IN FEET

DATE	REVISIONS	BY

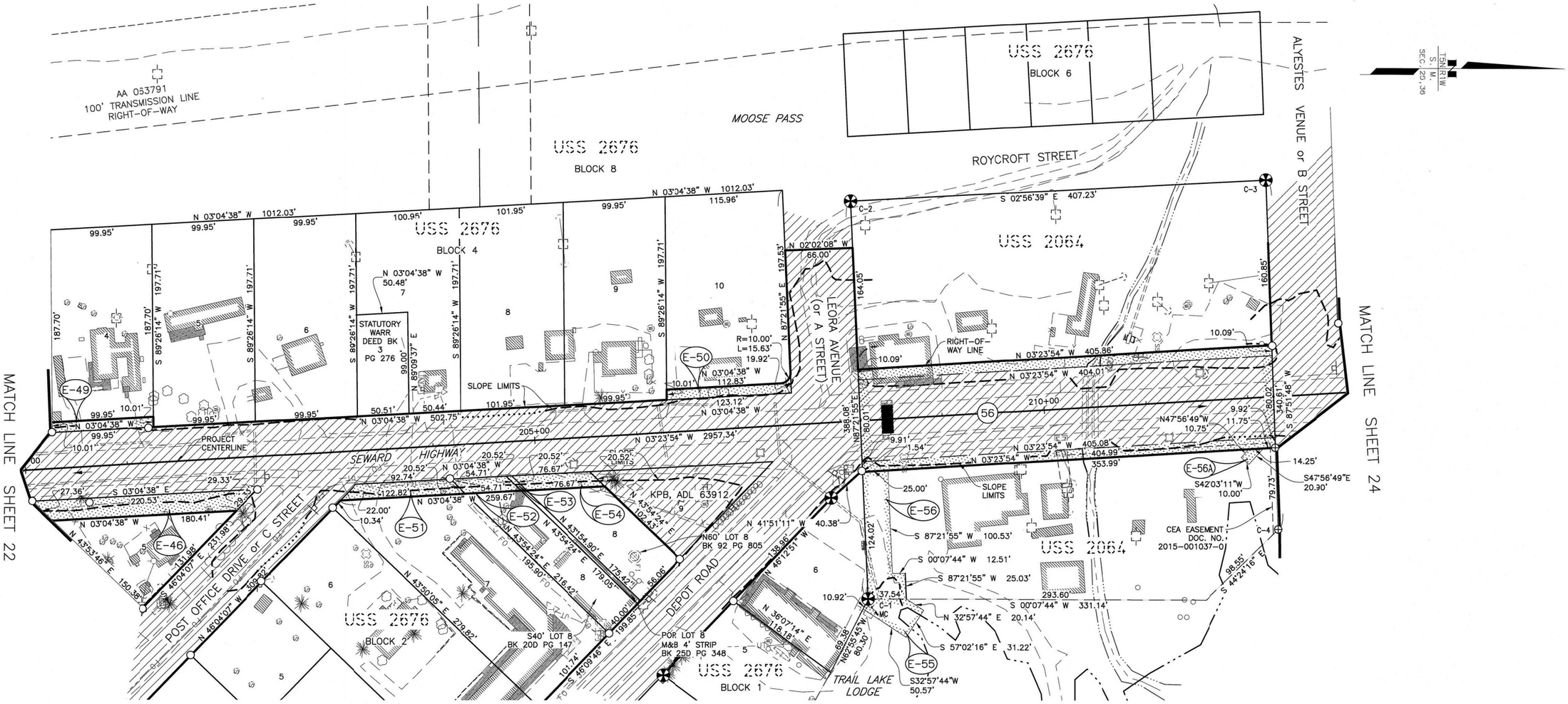
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	22 OF 46

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\ccad\Plans and Parcels\54659 PLANS Sewhwy 25.5-36 R10-43 5/4/2022 12:58:55 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R23	R46



PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENTS	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
E-56A	DRAINAGE EASEMENT	EDWARD R. ESTES DECLARATION OF TRUST		158 SF	158 SF		
E-56	DRAINAGE ESMT			3,433 SF	3.433 SF		
56	FEE		159,231 SF	40,542 SF	8,109 SF	118,689 SF	
E-55	DRAINAGE ESMT	ESTES/ROHR BROTHERS PROPERTY, LLC/DNR		1,286 SF	1,286 SF		
E-54	ROW ESMT	MOOSE PASS SPORTSMENS CLUB, INC.		1,150 SF	1,150 SF		
E-53	ROW ESMT			82 SF	82 SF		
E-52	ROW ESMT			821 SF	821 SF		
E-51	ROW ESMT	ROHR BROTHERS PROPERTY, LLC		1,617 SF	1,617 SF		
E-50	ROW ESMT	ROSELLA J & BERNARD N IKERD		1,250 SF	1,250 SF		
E-49	ROW ESMT	RODNEY & JANE BURRILL		1,000 SF	1,000 SF		
E-46	ROW ESMT	HETRICK AND SONS, LLC		4,009 SF	4,009 SF		

PARCEL INFORMATION

KPB 2022-063

PRELIMINARY

0 25 50 100
SCALE IN FEET

DATE	REVISIONS	BY

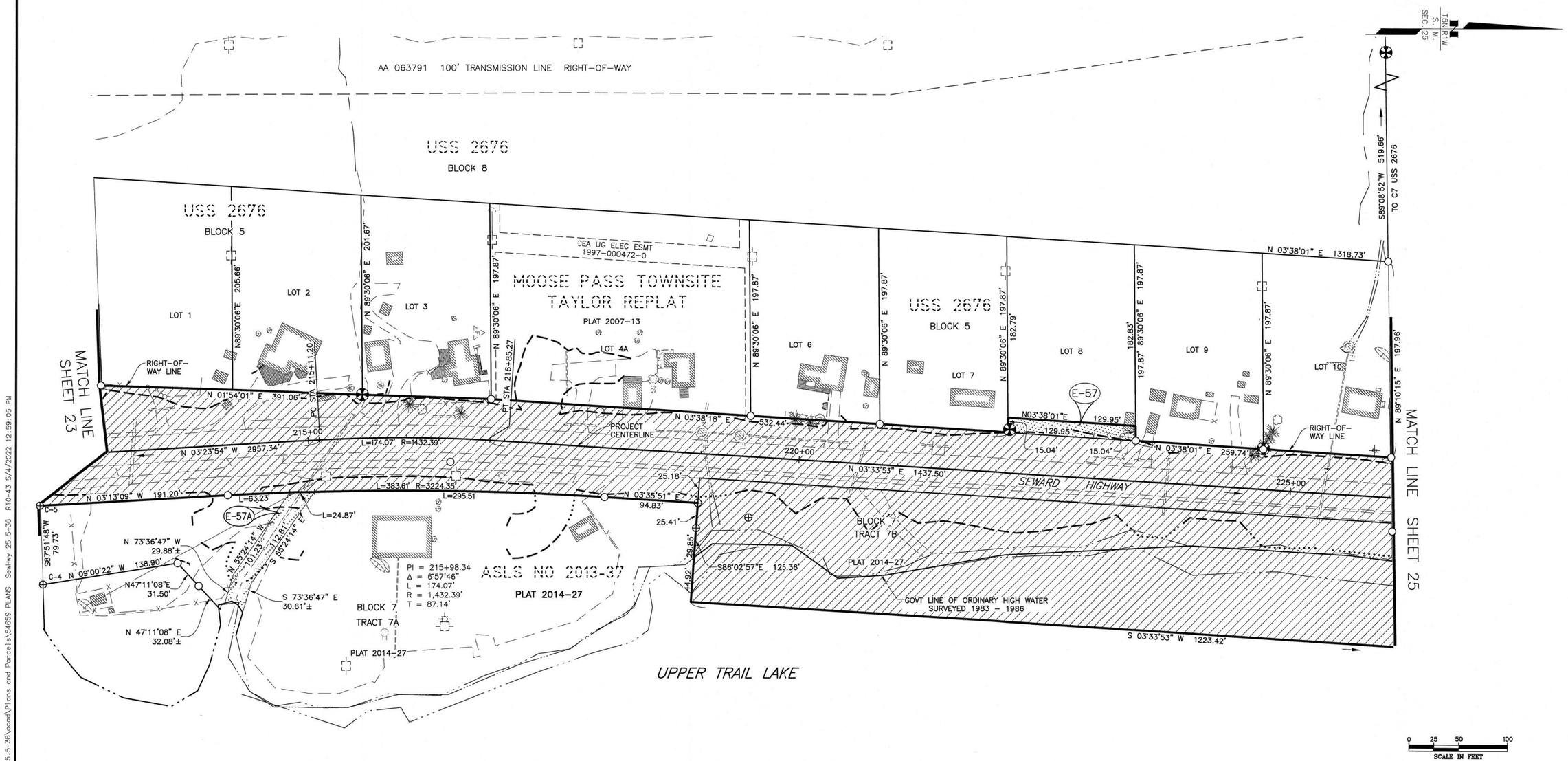
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 50'
CHECKED		DATE		SHEET	23 OF 46

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Saw Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS Sawhwy 25.5-36 R10-43 5/4/2022 12:59:00 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R24	R46



PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENTS	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
PARCEL INFORMATION							
E-57	ROW ESMT	CARTER WESTLUND		1,949 SF	1,949 SF		
E-57A	DRAINAGE ESMT	MOOSE PASS SPORTSMENS CLUB, INC.		2,680 SF	2,680 SF		

KPB 2022-063

PRELIMINARY

DATE	REVISIONS	BY

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

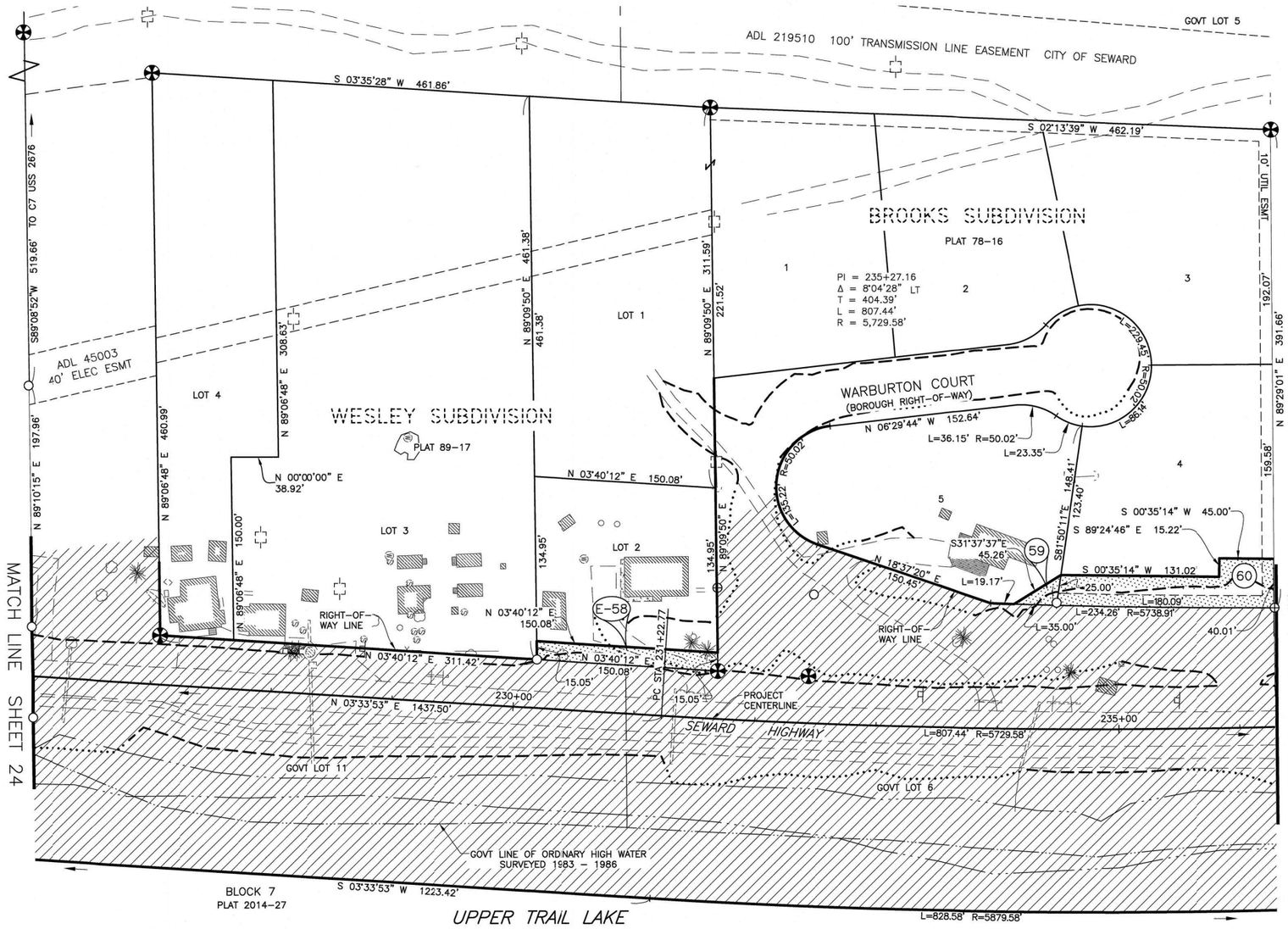
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 - 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 50'
CHECKED		DATE		SHEET	24 OF 46

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\ccad\Plans and Parcels\54659 PLANS Sewhwy 25.5-36 R10-43 5/4/2022 12:59:05 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R25	R46



PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
60	FEE	RANDY BOYER & MARY MELISSA ROBINSON	30,621 SF	5,188 SF	5,188 SF	25,433 SF	
59	FEE	NORTHERN LIGHTS VENTURES LLC	30,973 SF	435 SF	435 SF	30,538 SF	
E-58	ROW ESMT	MARK MILLIGAN		2,251 SF	2,251 SF		

PARCEL INFORMATION

KPB 2022-063

PRELIMINARY

DATE	REVISIONS	BY

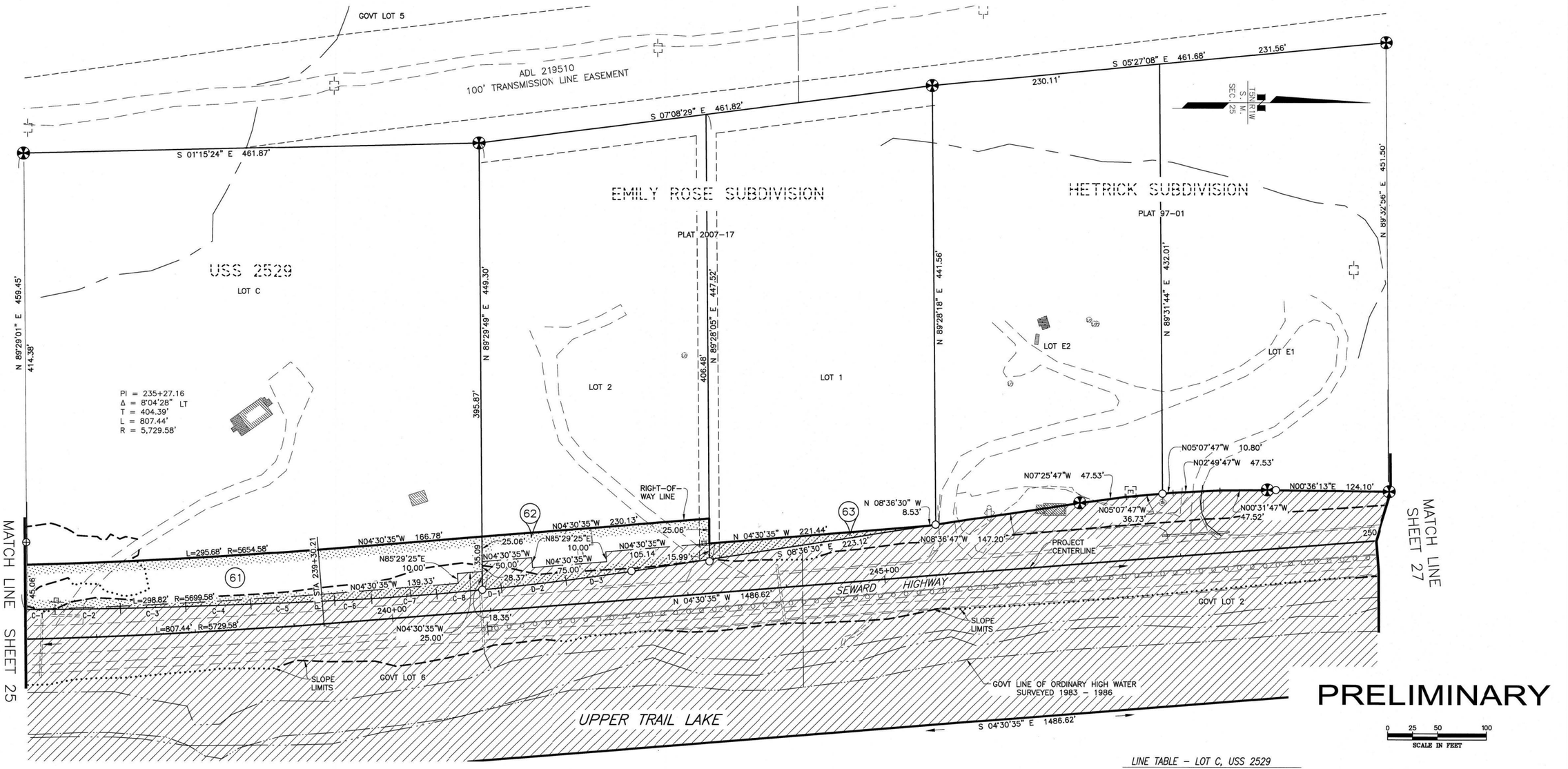
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 - 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 50'
CHECKED		DATE		SHEET	25 OF 46

W:\Projects\Highways\SEWARD_HIGHWAY\64659 Sew Hwy 25.5-36\acad\Plans and Parcels\64659 PLANS Sewhwy 25.5-36 R10-43 5/4/2022 12:59:10 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R26	R46



PRELIMINARY

SCALE IN FEET 0 25 50 100

LINE TABLE – LOT C, USS 2529

LINE	DIRECTION	DISTANCE
C-1	N 00°13'22" W	28.99'
C-2	N 00°53'22" W	66.03'
C-3	N 01°33'22" W	66.03'
C-4	N 02°14'22" W	66.03'
C-5	N 02°34'22" W	84.52'
C-6	N 02°59'22" W	37.64'
C-7	N 04°01'22" W	66.03'
C-8	N 05°21'22" W	46.88'

LINE TABLE – LOT D, USS 2529

LINE	DIRECTION	DISTANCE
D-1	N 05°16'30" W	19.16'
D-2	N 06°36'30" W	66.05'
D-3	N 07°56'30" W	66.05'

DATE	REVISIONS	BY

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 50'
CHECKED		DATE		SHEET	26 OF 46

PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
63	FEE	JEFFREY SCOTT & KATHY KAY MITCHELL	101,960 SF	1,766 SF	0 SF	100,194 SF	
62	FEE	WILLIAM J. & LYNNE M. LAWRENCE	103,165 SF	11,108 SF	6,503 SF	92,057 SF	
61	FEE	RANDY BOYER & MARY MELISSA ROBINSON	211,290 SF	23,186 SF	20,564 SF	188,104 SF	

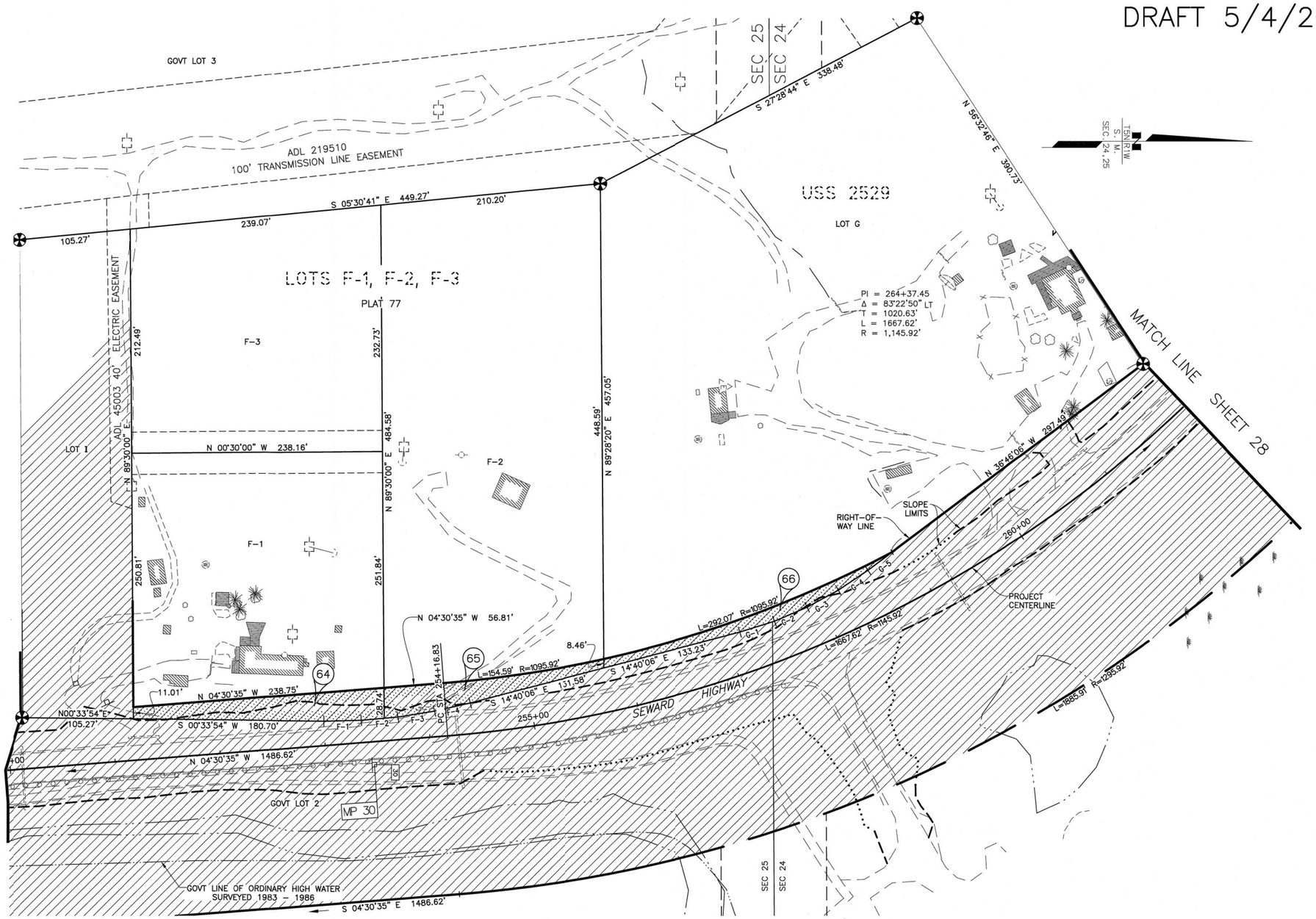
PARCEL INFORMATION

KPB 2022-063

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\cosd\Plans and Parcels\54659 PLANS Sewhwy 25.5-36 R10-43 5/4/2022 12:59:15 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R27	R46



LINE TABLE – LOT F, USS 2529

LINE	DIRECTION	DISTANCE
F-1	N 01°22'06" W	35.70'
F-2	N 05°10'06" W	35.04'
F-3	N 08°58'06" W	35.04'
F-4	N 12°46'06" W	35.04'

LINE TABLE – LOT G, USS 2529

LINE	DIRECTION	DISTANCE
G-1	N 17°24'06" W	34.38'
G-2	N 22°26'06" W	33.72'
G-3	N 28°28'06" W	33.72'
G-4	N 34°00'06" W	33.72'
G-5	N 36°46'06" W	28.49'

0 25 50 100
SCALE IN FEET

PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
66	FEE	JOHN B. & ANN E. GAULE	197,917 SF	2,619 SF	0 SF	195,298 SF	
65	FEE	FRANK J. & PATRICIA B. JASPER	99,177 SF	3,845 SF	0 SF	95,332 SF	
64	FEE	MARK K. STAUBLE & KATHLEEN M. TOTH-STAUBLE	60,188 SF	5,066 SF	0 SF	55,122 SF	

PARCEL INFORMATION

KPB 2022-063

PRELIMINARY

DATE	REVISIONS	BY

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 50'
CHECKED		DATE		SHEET	27 OF 46

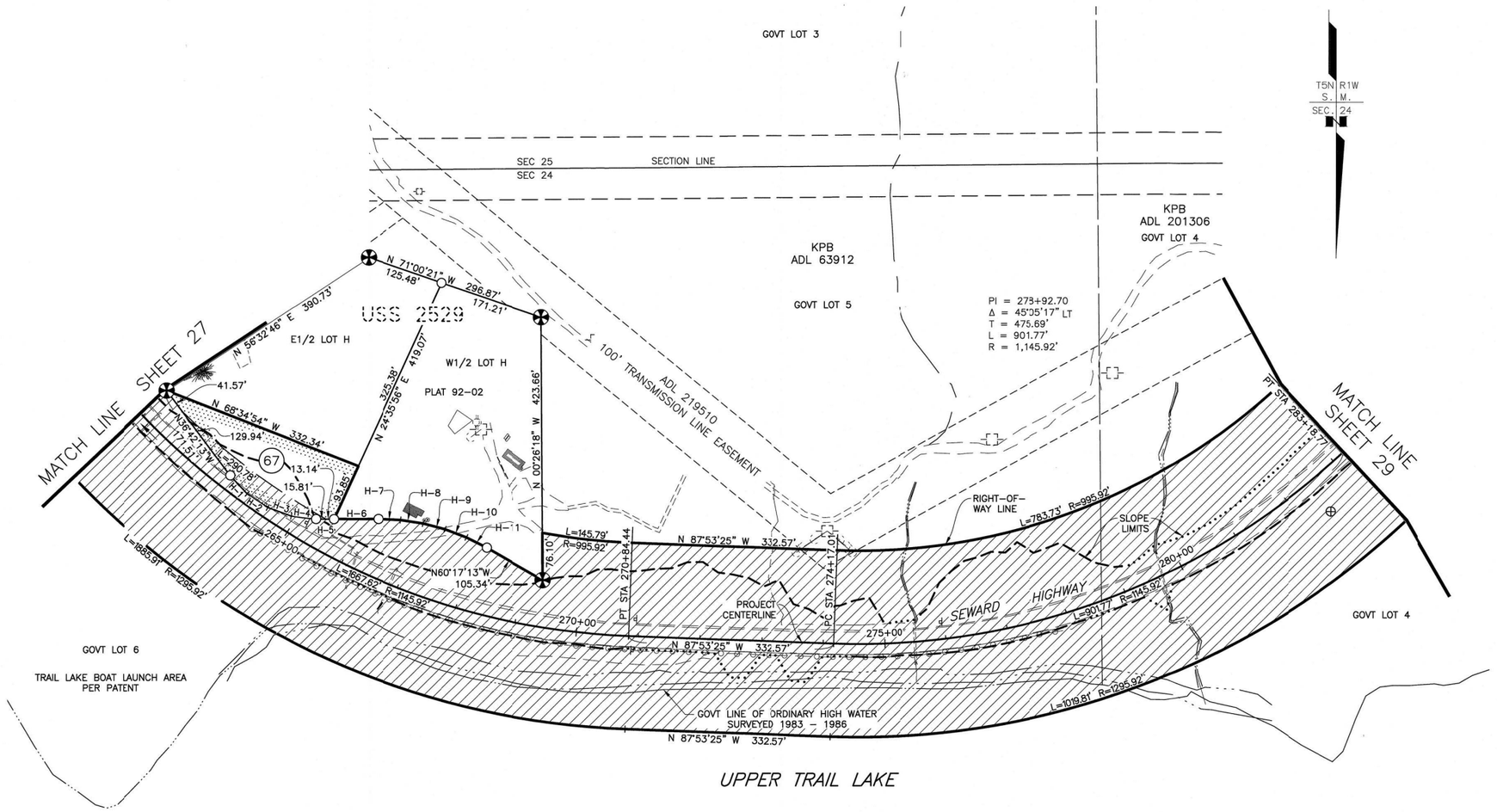
W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS Sewhwy 25.5-36 R10-43 5/4/2022 12:59:20 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R28	R46

LINE TABLE – LOT H, USS 2529

LINE	DIRECTION	DISTANCE
H–1	N 43°22'13" W	40.16'
H–2	N 56°46'13" W	40.16'
H–3	N 70°10'13" W	40.16'
H–4	N 83°34'13" W	40.16'
H–5	N 89°43'47" E	28.95'
H–6	S 89°43'47" W	71.78'
H–7	N 87°17'13" W	36.87'
H–8	N 81°17'13" W	36.87'
H–9	N 75°17'13" W	36.87'
H–10	N 69°17'13" W	36.87'
H–11	N 63°17'13" W	36.87'



UPPER TRAIL LAKE

0 50 100 200
SCALE IN FEET

PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
67	FEE	JOHN B. & ANN E. GAULE	99,836 SF	26,384 SF SF	20,518 SF	73,452 SF	

PARCEL INFORMATION

KPB 2022-063

PRELIMINARY

DATE	REVISIONS	BY

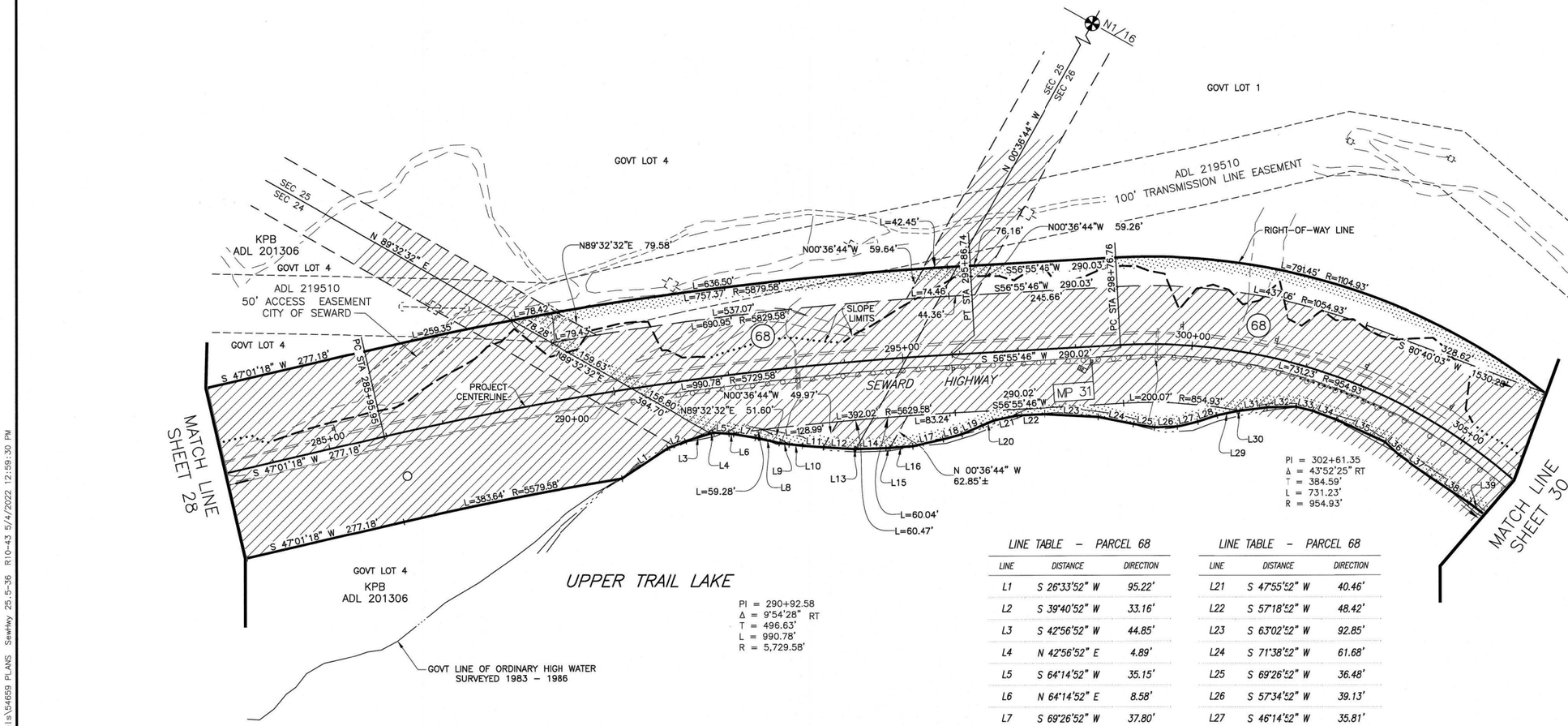
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT–OF–WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	28 OF 46

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS SewHwy 25.5-36 R10-43 5/4/2022 12:59:25 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R29	R46



LINE TABLE – PARCEL 68

LINE	DISTANCE	DIRECTION
L1	S 26°33'52" W	95.22'
L2	S 39°40'52" W	33.16'
L3	S 42°56'52" W	44.85'
L4	N 42°56'52" E	4.89'
L5	S 64°14'52" W	35.15'
L6	N 64°14'52" E	8.58'
L7	S 69°26'52" W	37.80'
L8	S 73°12'52" W	42.45'
L9	N 66°35'52" E	16.69'
L10	N 66°35'52" E	23.10'
L11	N 63°49'52" E	36.05'
L12	N 63°49'52" E	52.82'
L13	S 58°33'52" W	2.73'
L14	S 58°33'52" W	51.65'
L15	N 56°02'52" E	6.76'
L16	N 56°02'52" E	39.67'
L17	S 47°38'52" W	54.38'
L18	S 44°59'52" W	33.16'
L19	S 36°48'52" W	38.47'
L20	S 37°11'52" W	21.22'

LINE TABLE – PARCEL 68

LINE	DISTANCE	DIRECTION
L21	S 47°55'52" W	40.46'
L22	S 57°18'52" W	48.42'
L23	S 63°02'52" W	92.85'
L24	S 71°38'52" W	61.68'
L25	S 69°26'52" W	36.48'
L26	S 57°34'52" W	39.13'
L27	S 46°14'52" W	35.81'
L28	S 41°33'52" W	34.49'
L29	S 47°54'52" W	35.15'
L30	N 53°05'52" E	5.12'
L31	N 53°05'52" E	46.61'
L32	S 58°52'52" W	52.39'
L33	S 74°03'52" W	28.52'
L34	S 80°33'52" W	43.11'
L35	S 84°49'52" W	92.19'
L36	N 77°17'08" W	32.50'
L37	N 85°13'08" W	67.65'
L38	S 86°22'08" E	80.25'
L39	N 82°32'08" W	61.02'

PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
68	FEE	AK MENTAL HEALTH TRUST AUTHORITY	LARGE	20.528 AC±	3.171 AC±	LARGE	

PARCEL INFORMATION

KPB 2022-063

PRELIMINARY

0 50 100 200
SCALE IN FEET

DATE	REVISIONS	BY

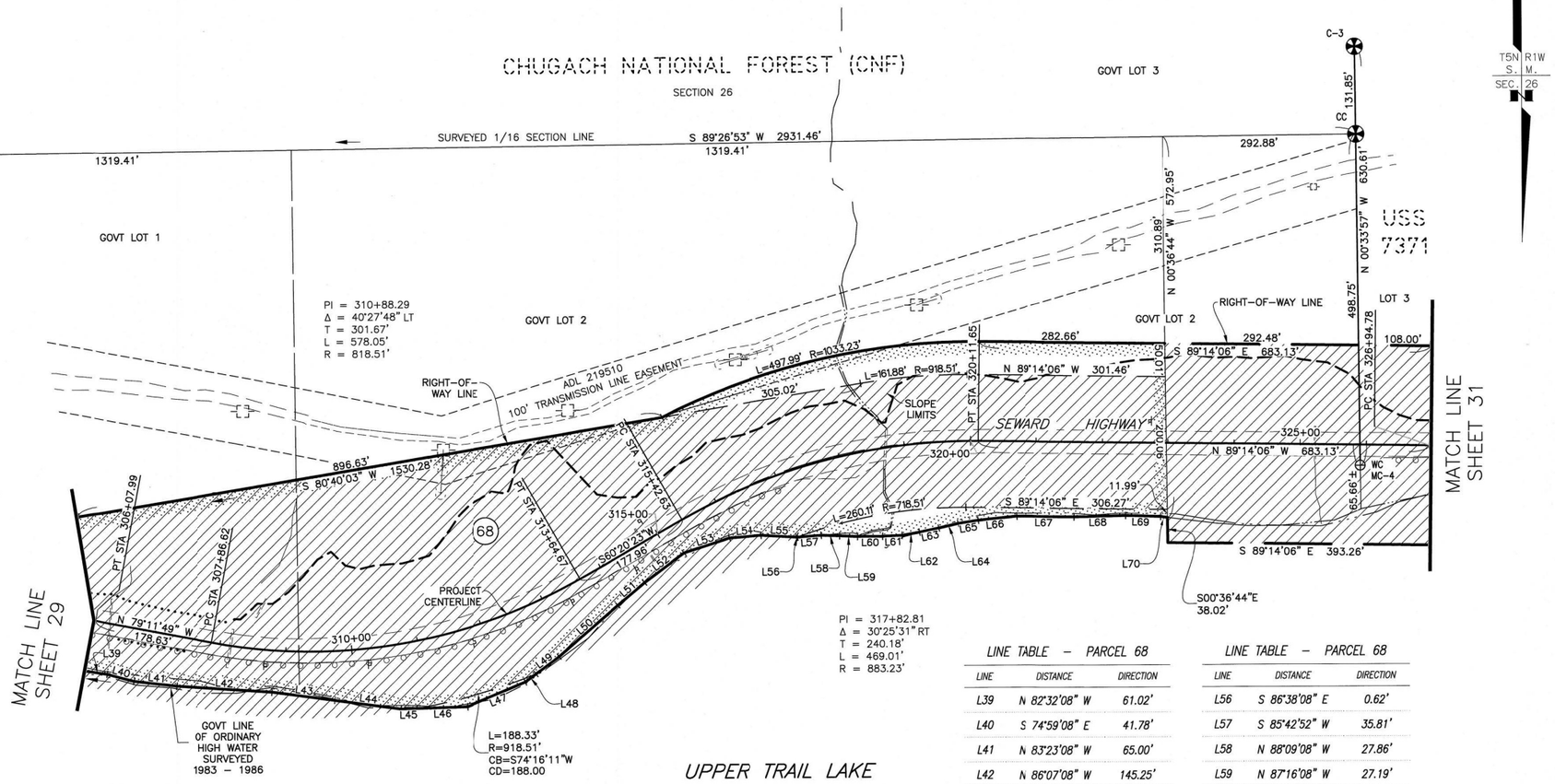
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	29 OF 46

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS Sewhwy 25.5-36 R10-43 5/4/2022 12:59:30 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R30	R46



LINE TABLE – PARCEL 68

LINE	DISTANCE	DIRECTION
L39	N 82°32'08" W	61.02'
L40	S 74°59'08" E	41.78'
L41	N 83°23'08" W	65.00'
L42	N 86°07'08" W	145.25'
L43	N 82°17'08" W	96.17'
L44	N 82°13'08" W	100.81'
L46	S 88°16'52" W	76.64'
L47	S 67°24'52" W	95.50'
L48	S 53°26'52" W	20.13'
L49	S 53°26'52" W	43.54'
L50	S 49°23'52" W	117.39'
L51	S 49°48'52" W	53.06'
L52	S 53°23'52" W	74.28'
L53	S 72°10'52" W	72.29'
L54	S 85°38'52" W	49.08'
L55	N 86°38'08" W	54.43'

LINE TABLE – PARCEL 68

LINE	DISTANCE	DIRECTION
L56	S 86°38'08" E	0.62'
L57	S 85°42'52" W	35.81'
L58	N 88°09'08" W	27.86'
L59	N 87°16'08" W	27.19'
L60	S 89°47'52" W	37.80'
L61	S 87°45'52" W	29.85'
L62	S 79°44'52" W	26.53'
L63	N 78°12'52" E	29.85'
L64	S 77°11'52" W	29.85'
L65	N 81°22'52" E	30.51'
L66	N 84°17'52" E	58.36'
L67	S 89°16'08" E	87.55'
L68	N 88°34'52" E	77.60'
L69	S 88°01'08" E	53.06'
L70	N 83°02'08" W	11.76'

0 50 100 200
SCALE IN FEET

PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
67	FEE	AK MENTAL HEALTH TRUST AUTHORITY	LARGER	20.528 AC±	3.171 AC±	LARGE	
PARCEL INFORMATION							

KPB 2022-063

PRELIMINARY

DATE	REVISIONS	BY

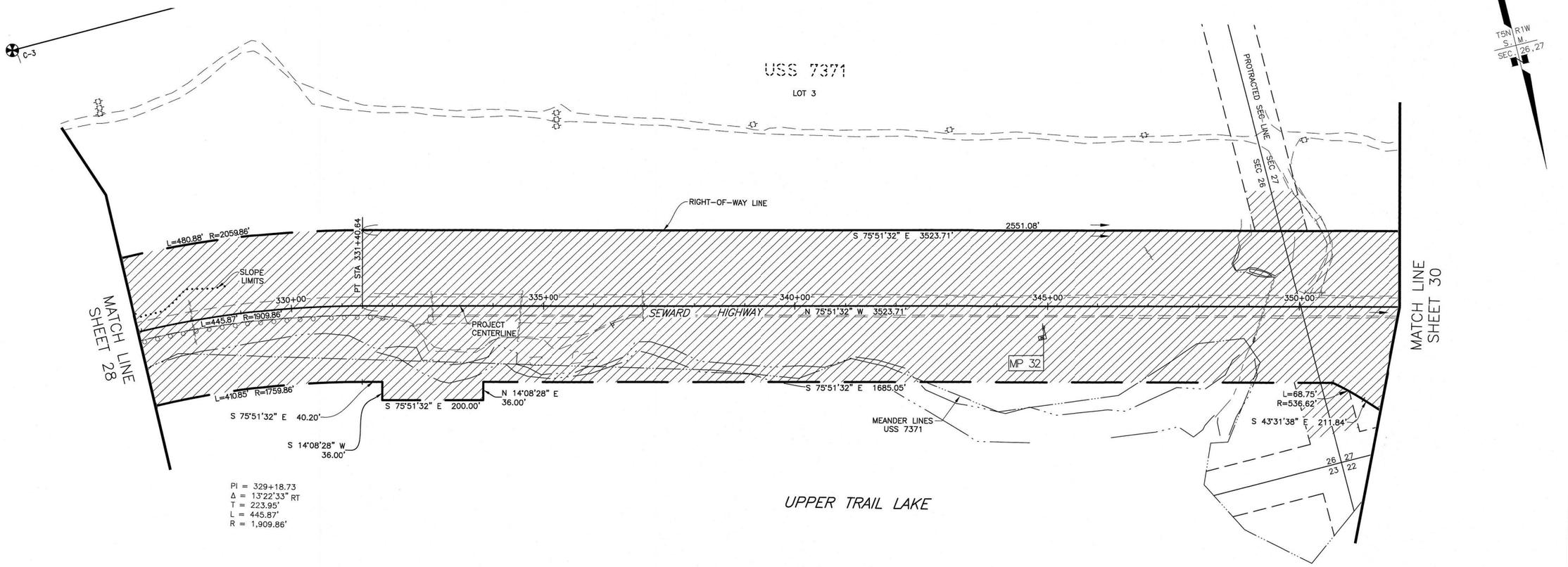
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	30 OF 46

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS Sewhwy 25.5-36 R10-43 5/4/2022 12:59:35 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R31	R46



PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
PARCEL INFORMATION							

KPB 2022-063

PRELIMINARY

DATE	REVISIONS	BY

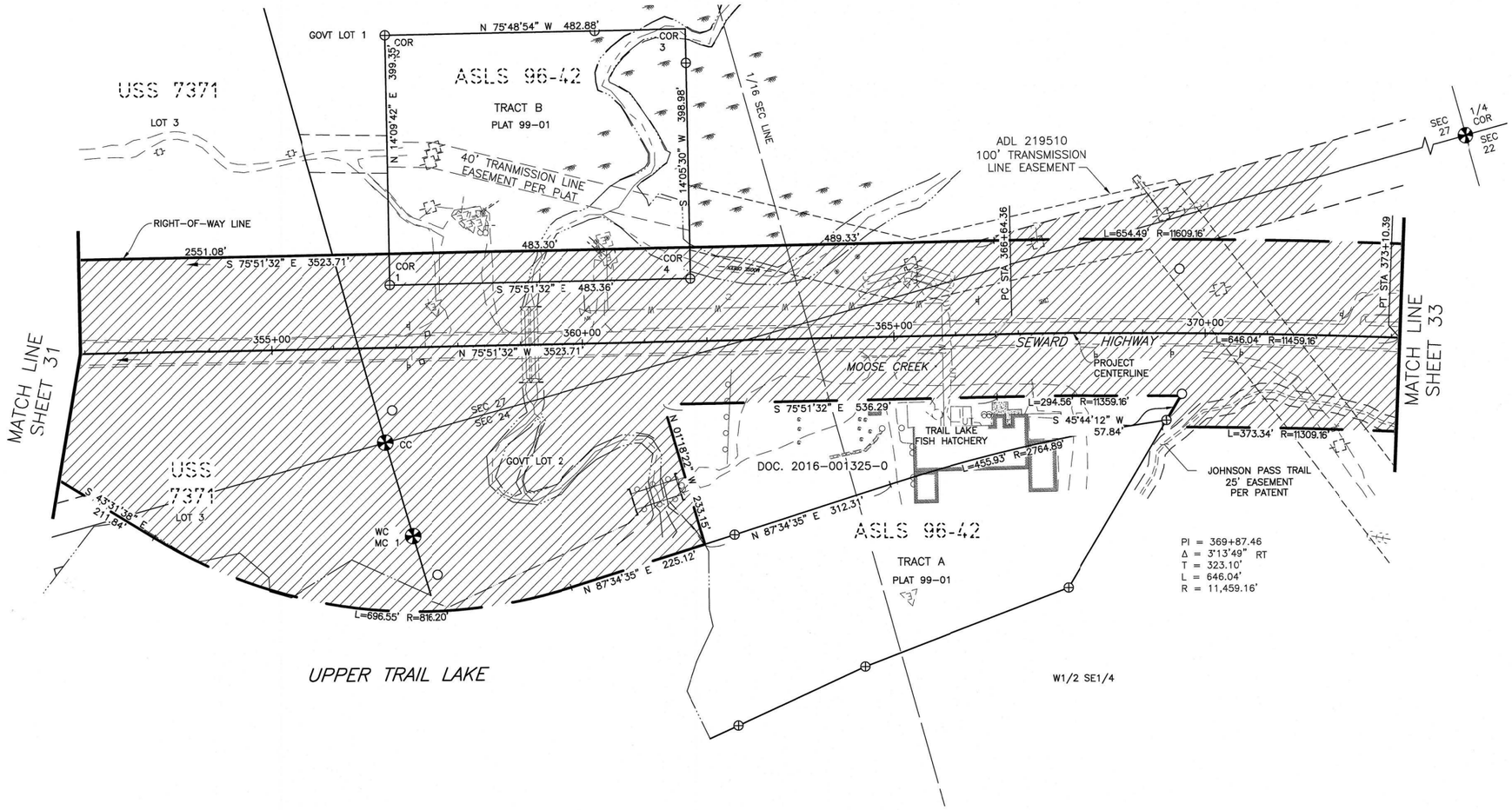
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	DATE	SCALE
EPF/AFF	5/04/2022	1" = 100'
CHECKED	DATE	SHEET 31 OF 46

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS Sewhwy 25.5-36 R10-43 5/4/2022 12:59:40 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R32	R46



PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER

PARCEL INFORMATION

KPB 2022-063

PRELIMINARY

DATE	REVISIONS	BY

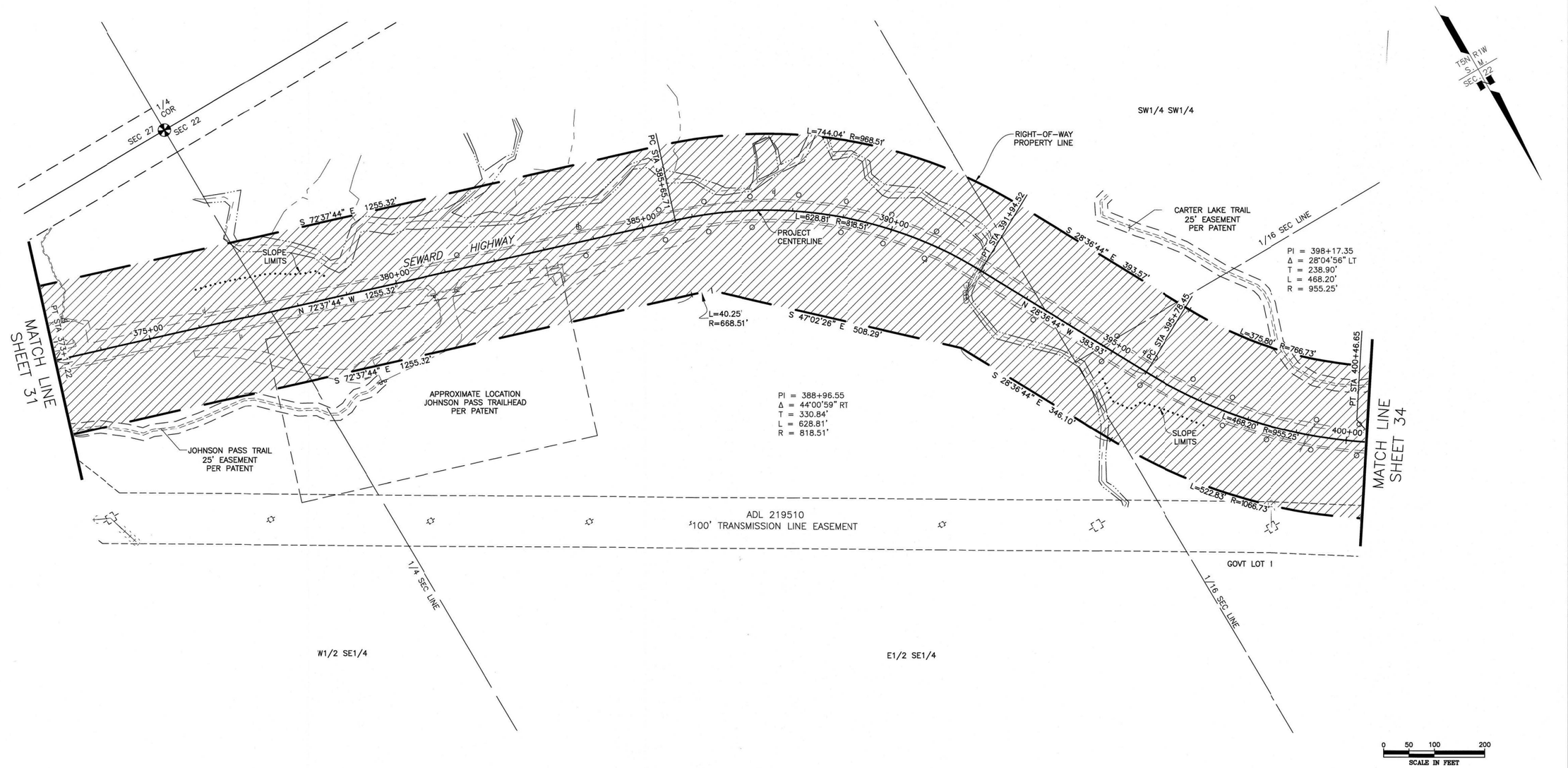
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	32 OF 46

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS SewHwy 25.5-36 R10-43 5/4/2022 12:59:45 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R33	R46



PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
PARCEL INFORMATION							

KPB 2022-063

PRELIMINARY

DATE	REVISIONS	BY

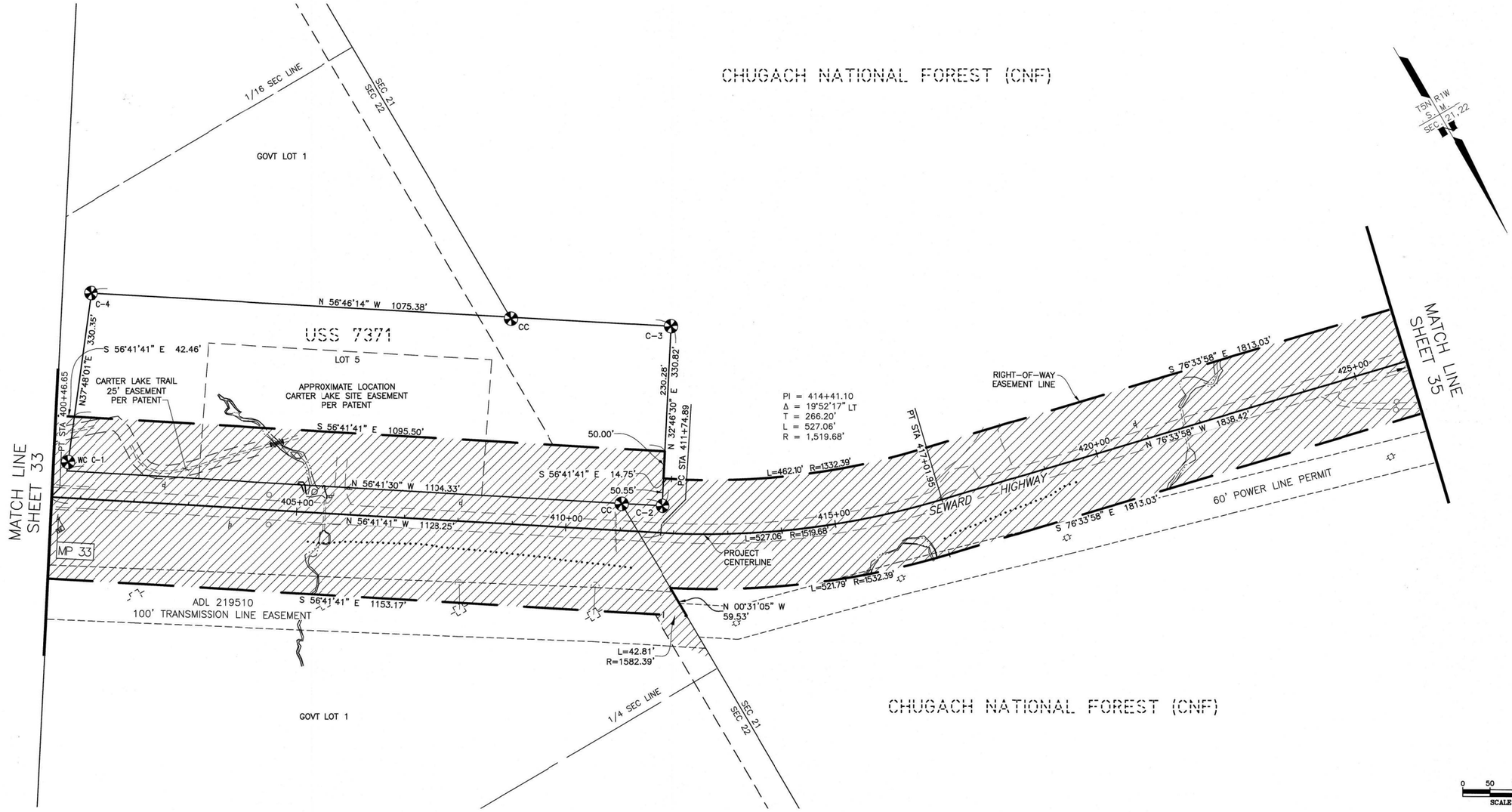
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	33 OF 46

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS Sewhwy 25.5-36 R10-43 5/4/2022 12:59:50 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R34	R46



PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER

PARCEL INFORMATION

KPB 2022-063

PRELIMINARY

DATE	REVISIONS	BY

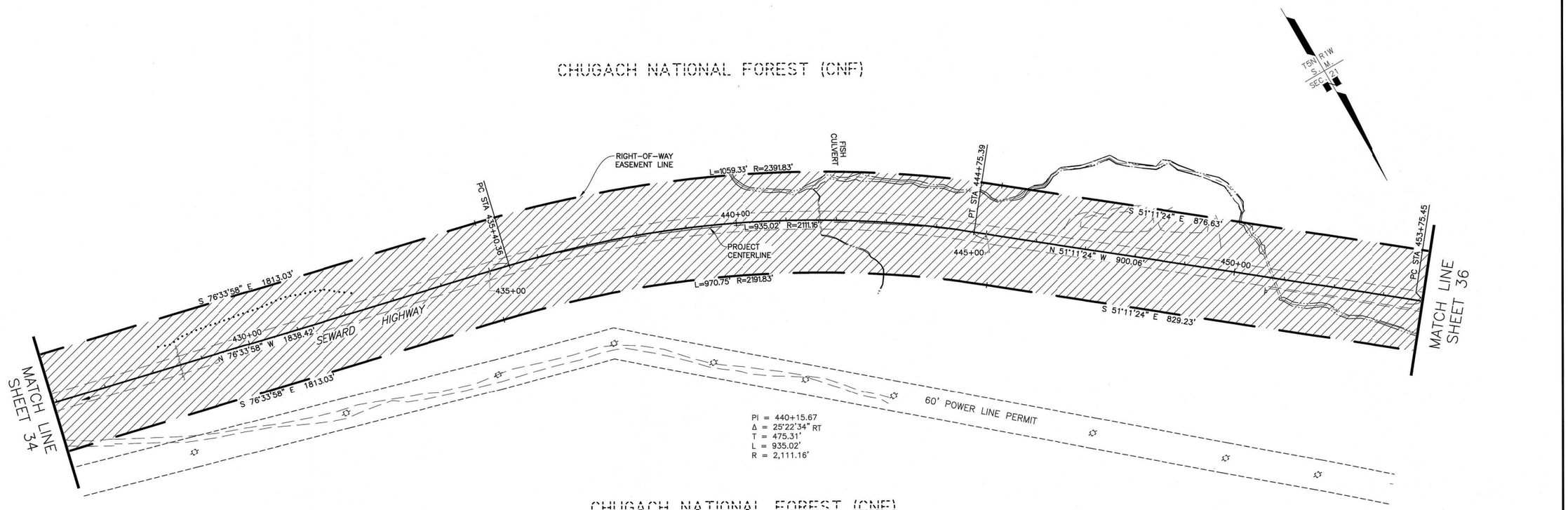
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	34 OF 46

W:\Projects\Highways\SEWARD_HIGHWAY\64659 Sew Hwy 25.5-36\acad\Plans and Parcels\64659 PLANS Sewhwy 25.5-36 R10-43 5/4/2022 12:59:55 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R35	R46



0 50 100 200
SCALE IN FEET

PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER

PARCEL INFORMATION

KPB 2022-063

PRELIMINARY

DATE	REVISIONS	BY

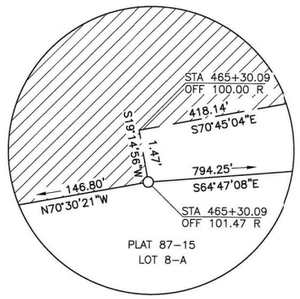
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	35 OF 46

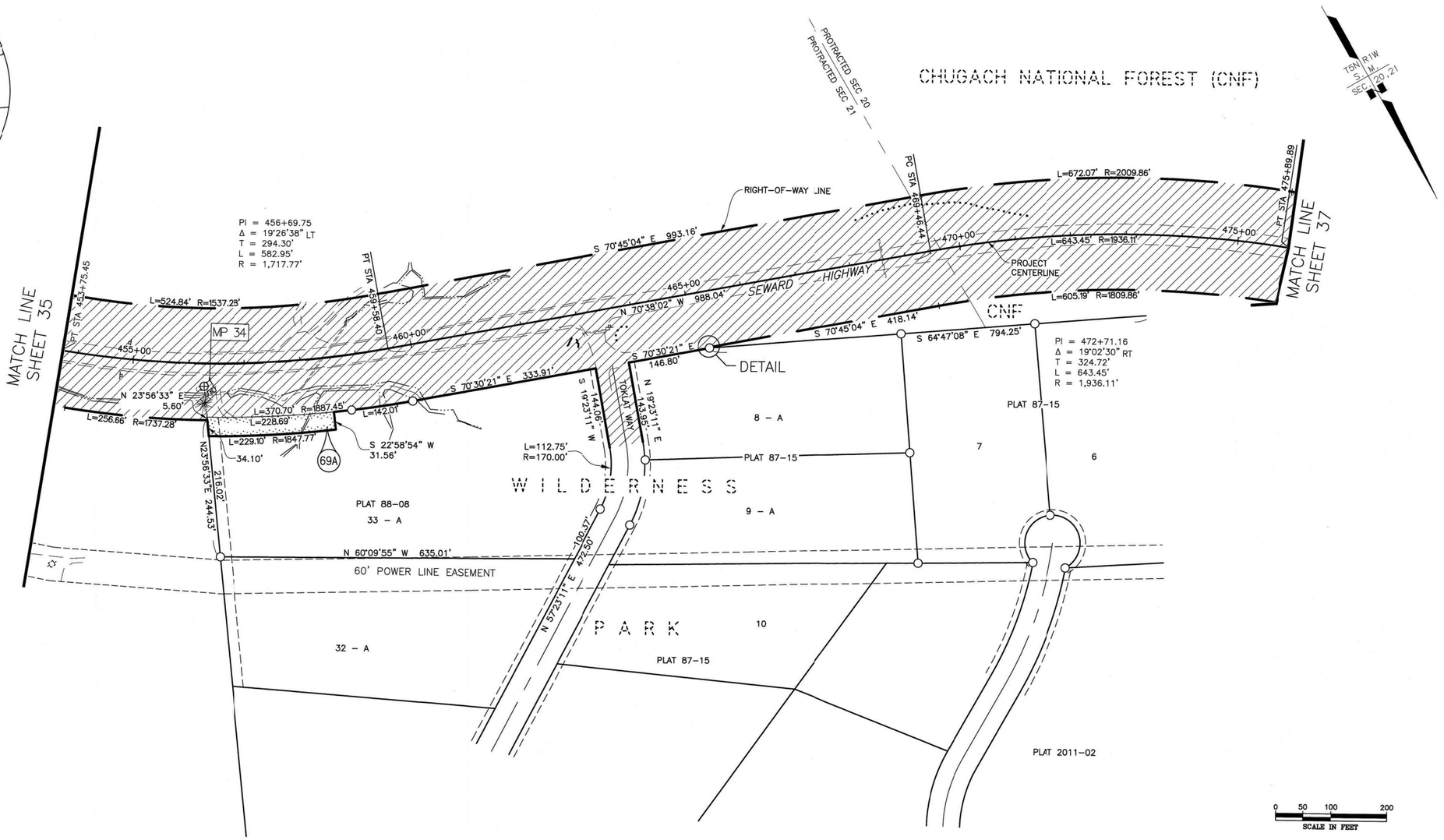
W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS Sewhwy 25.5-36 R10-43 5/4/2022 1:00:00 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R36	R46



DETAIL (NTS)



PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
69A	FEE	MICHAEL GOLTRA	197,120 SF	7,511 SF	7,511 SF	189,609 SF	

PARCEL INFORMATION

KPB 2022-063

PRELIMINARY

DATE	REVISIONS	BY

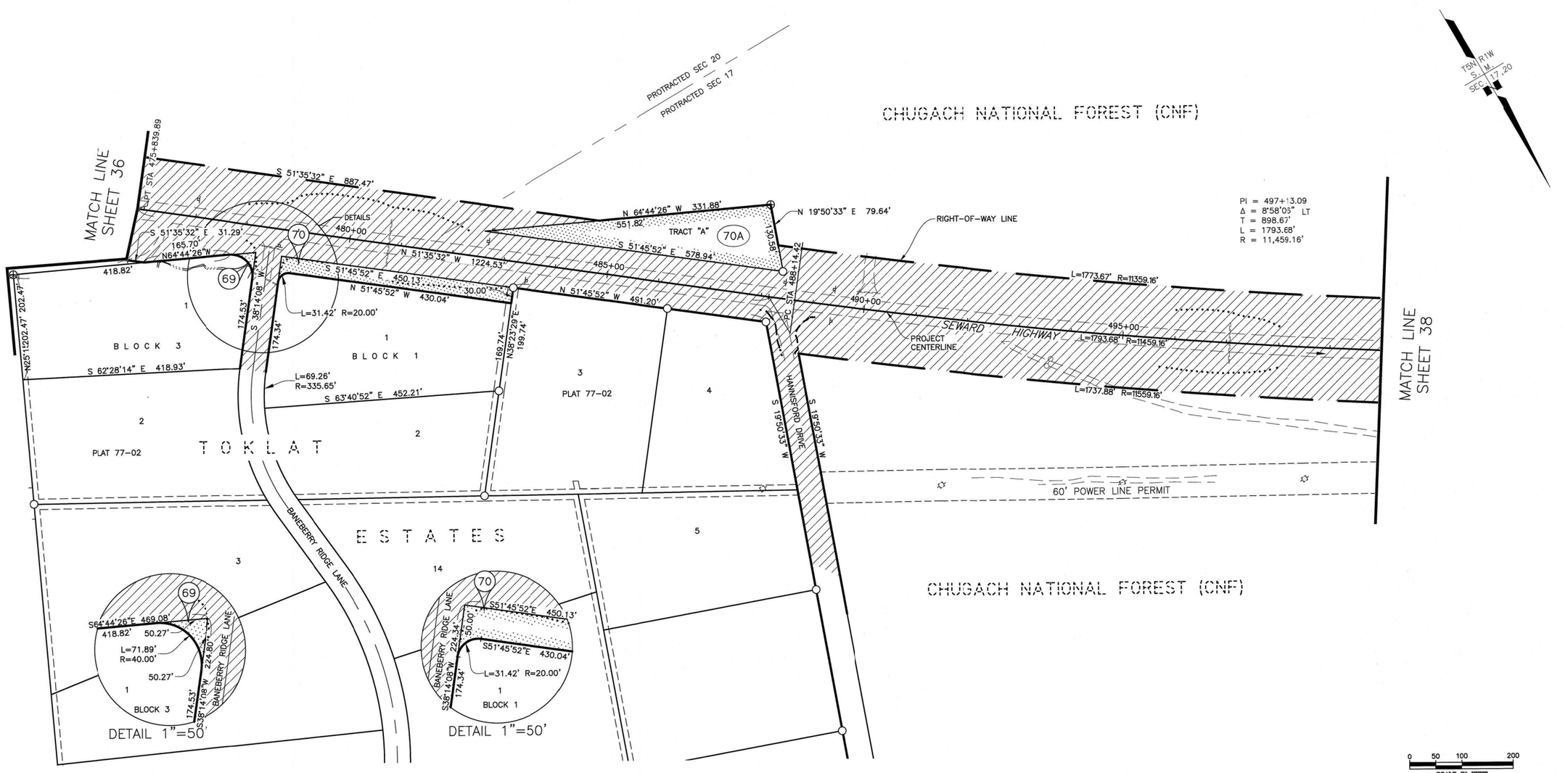
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 - 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	35 OF 46

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS Sewhwy 25.5-36 R10-43 5/4/2022 1:00:05 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R37	R48



PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
70A	FEE	WALTER G AND SUSAN HANNI COMMUNITY PROPERTY TRUST	35,807 SF	35,807 SF	35,807 SF	0 SF	
70	FEE	JAN L & JUDY A ODHNER	111,013 SF	13,589 SF	13,589 SF	97,424 SF	
69	FEE	SARAH LYNN SCHUH & DANIEL WILLIAM KRUEGER	93,754 SF	573 SF	573 SF	93,181 SF	

PARCEL INFORMATION

KPB 2022-063

PRELIMINARY

0 50 100 200
SCALE IN FEET

DATE	REVISIONS	BY

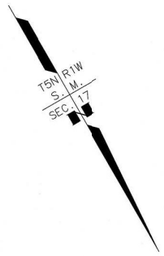
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	37 OF 48

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS SewHwy 25.5-36 R10-43 5/4/2022 1:23:01 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R38	R46



CHUGACH NATIONAL FOREST (CNF)

MATCH LINE SHEET 37

MATCH LINE SHEET 39

RIGHT-OF-WAY EASEMENT LINE

L=1773.67' R=11359.16'

PT STA 506+08.09

S 60°33'38" E 1433.38'

N 24°16'24" E 50.27'

500+00

505+00

510+00

515+00

520+00

SEWARD HIGHWAY

N 60°33'38" W 6754.57'

PROJECT CENTERLINE

N 24°16'24" E 50.13'

L=1737.88' R=11559.16'

MP 35

S 60°33'38" E 1451.47'

60' POWER LINE PERMIT

CHUGACH NATIONAL FOREST (CNF)

0 50 100 200
SCALE IN FEET

PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
PARCEL INFORMATION							

KPB 2022-063

PRELIMINARY

DATE	REVISIONS	BY

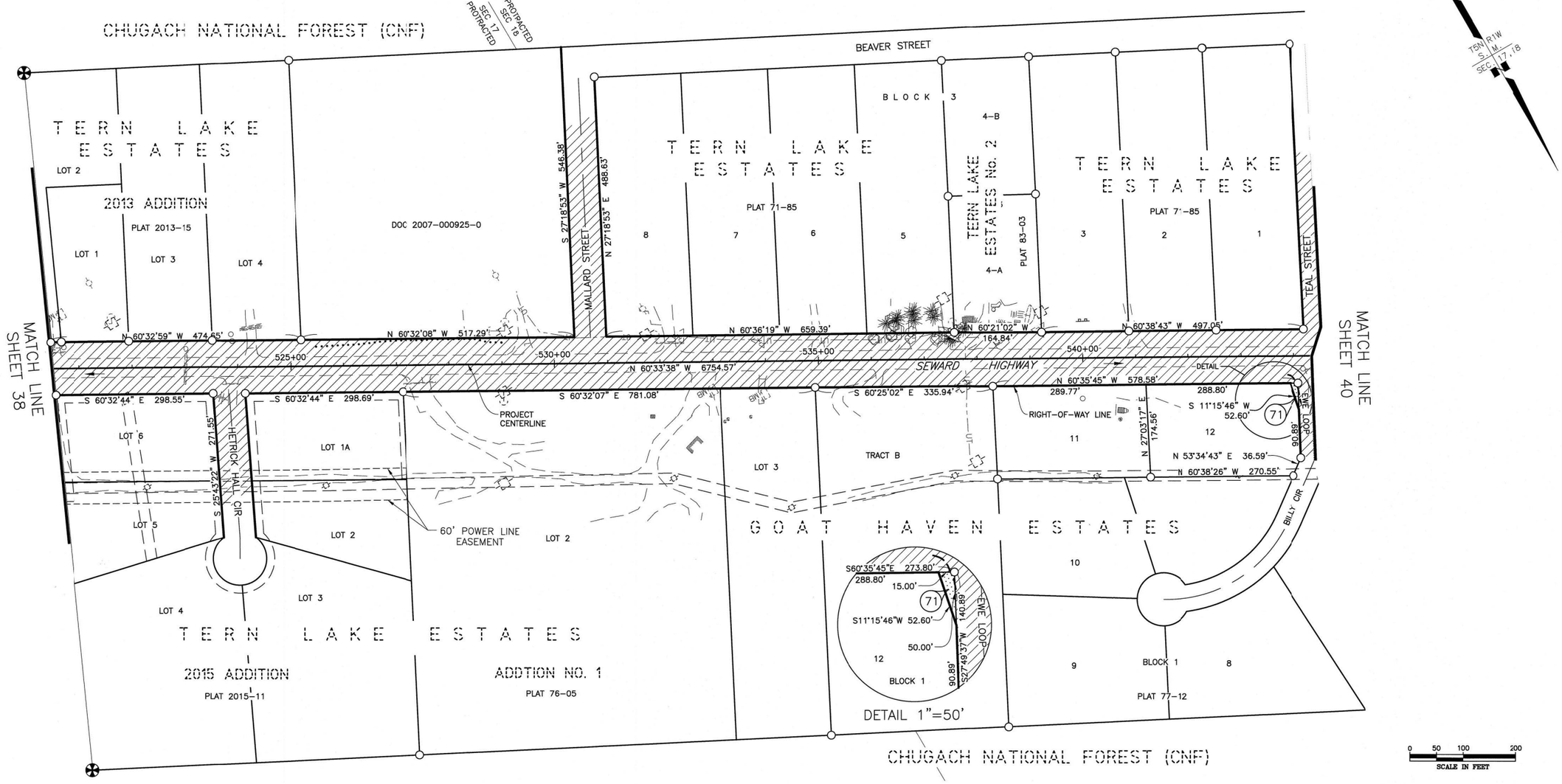
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	38 OF 46

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS SewHwy 25.5-36 R10-43 5/4/2022 1:00:15 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R39	R46



PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
71	FEE	CHRISTOPHER L & ELIZABETH M SMITH	49,868 SF	375 SF	375 SF	49,493 SF	

PARCEL INFORMATION

KPB 2022-063

PRELIMINARY

DATE	REVISIONS	BY

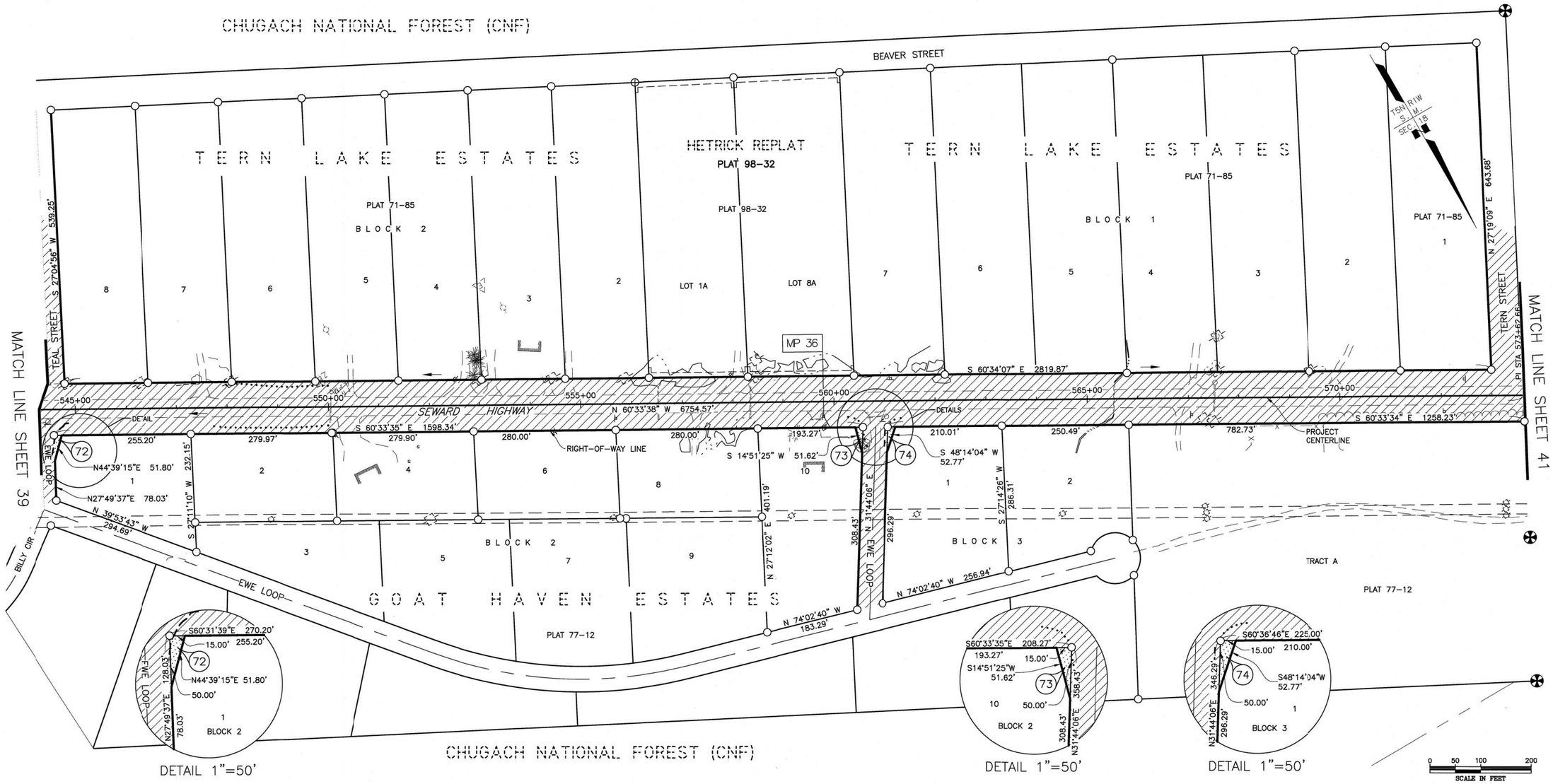
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	39 OF 46

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS SewHwy 25.5-36 R10-43 5/4/2022 1:00:20 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R40	R46



DETAIL 1"=50'

DETAIL 1"=50'

DETAIL 1"=50'

PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
74	FEE	GENE C JORGENSEN REVOCABLE LIVING TRUST	74,999 SF	375 SF	375 SF	74,624 SF	
73	FEE	MOOSE PASS VOLUNTEER FIRE COMPANY	73,297 SF	375 SF	375 SF	72,922 SF	
72	FEE	BRUCE E & CAROLE A JAFFA	48,795 SF	375 SF	375 SF	48,420 SF	

PARCEL INFORMATION

KPB 2022-063

PRELIMINARY

DATE	REVISIONS	BY

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000

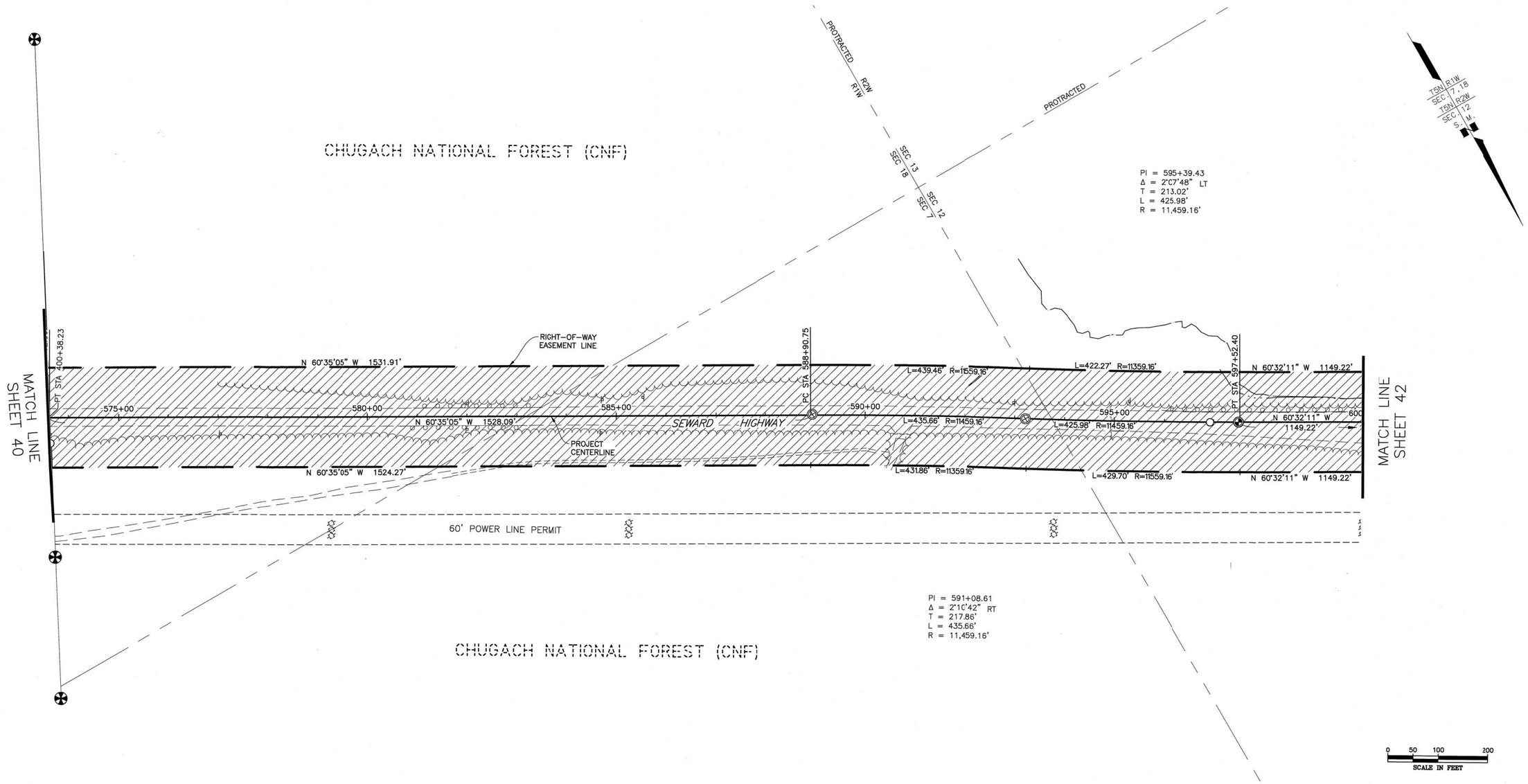
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	40 OF 46

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS SewHwy 25.5-36 R10-43 5/4/2022 1:00:25 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R41	R46



0 50 100 200
SCALE IN FEET

PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
PARCEL INFORMATION							

KPB 2022063

PRELIMINARY

DATE	REVISIONS	BY

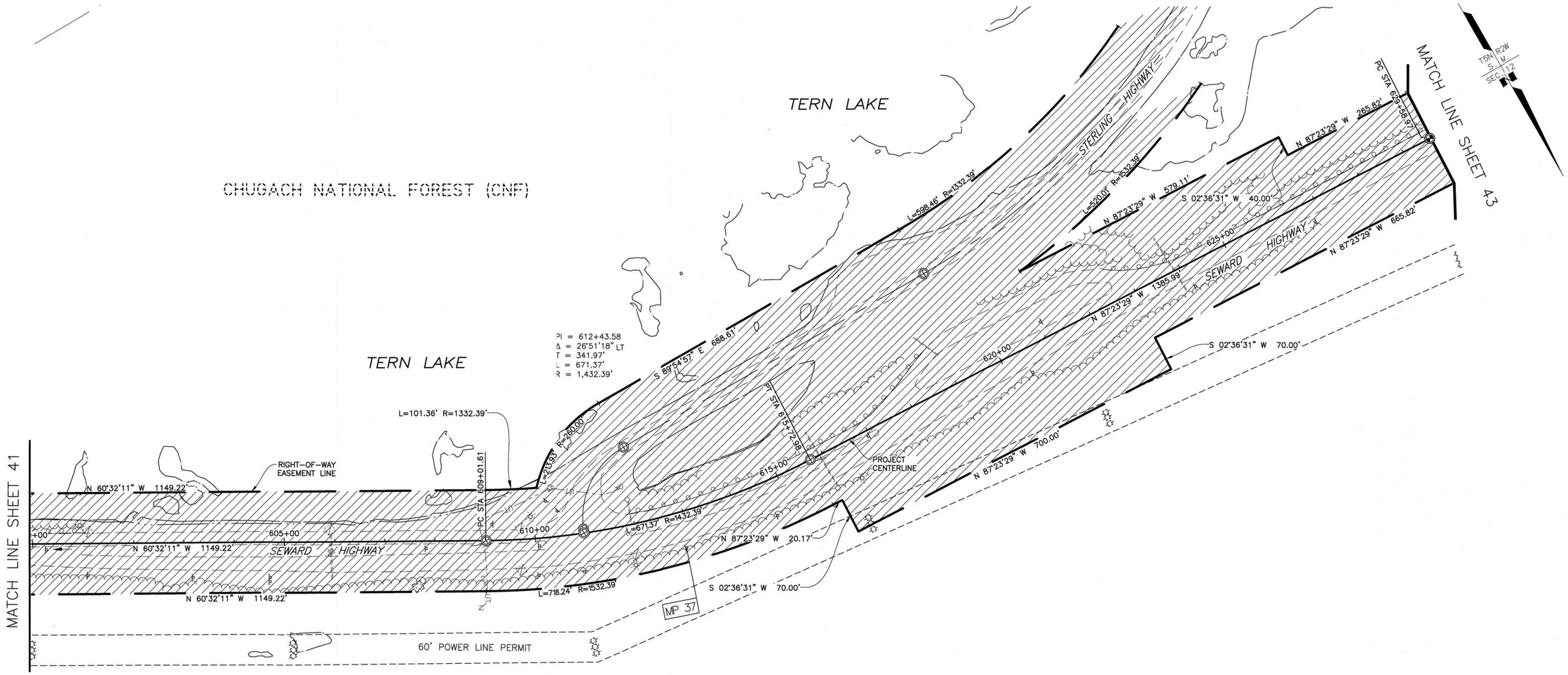
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	41 OF 46

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS SewHwy 25.5-36 R10-43 5/4/2022 1:00:30 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R42	R46



0 50 100 200
SCALE IN FEET

DATE	REVISIONS	BY

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	42 OF 46

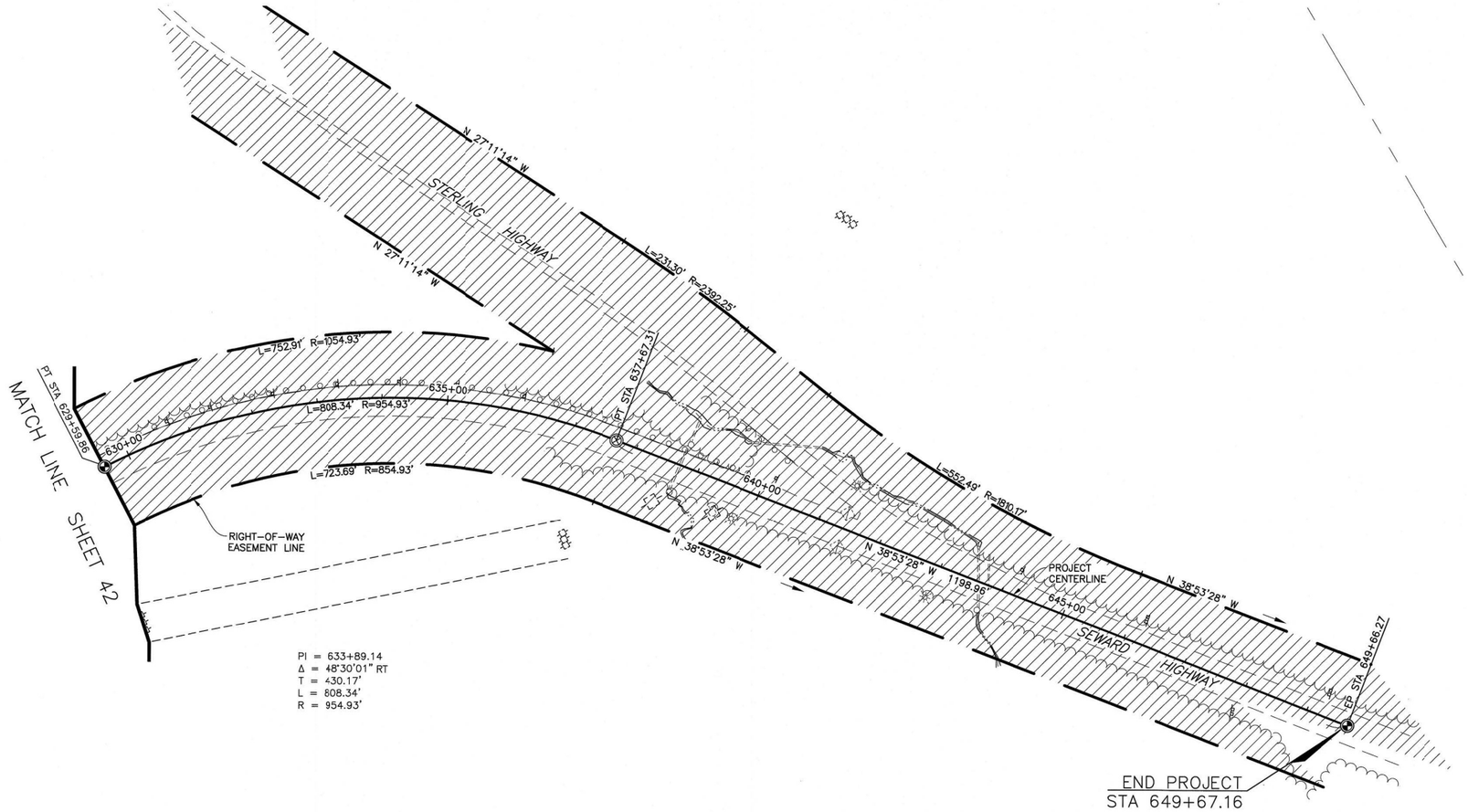
KPB 2022-063

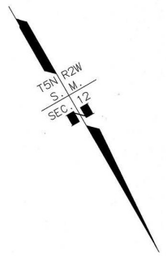
PRELIMINARY

W:\Projects\Highways\SEWARD_HIGHWAY\64659 Sew Hwy 25.5-36\acad\Plans and Parcels\64659 PLANS Sewhwy 25.5-36 R10-43 5/4/2022 1:00:35 PM

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R43	R46





0 50 100 200
SCALE IN FEET

DATE	REVISIONS	BY

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	43 OF 46

KPB 2022-063

PRELIMINARY

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS Sewhwy 25.5-36 R10-43 5/4/2022 1:00:40 PM

MONUMENT SUMMARY

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R44	R46

RECOVERED CORNERS - SHEET 10

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
Fd BC[BLM]: WCMC C5 USS 1778	382945.5038	113456.9294	11+23.35	142.82' RT
Fd AC[DOT]: Seward Hwy PT	383773.5694	113396.6813	19+41.23	0.00' RT
Fd AM[BLM]: WCMC S13|S18 *T4N R1	384380.2036	115710.2857	22+50.97	2336.52' RT
Fd AC[DOT]: Seward Hwy PC	384147.7171	113387.2974	23+16.18	3.97' RT
Fd AC[DOT]: Seward Hwy PT	384453.9660	113340.9257	26+25.92	3.92' RT
Fd AM[BLM]: N1/16 S14|S13 *T4N R	384926.8257	110428.5119	30+65.21	2864.76' LT
Fd AM[BLM]: NW1/16 S13 *T4N R1W	384939.2460	111746.5548	30+80.36	1547.13' LT
Fd BC[BLM]: CC L1 USS 7391 / S13	381498.8309	115736.4173	302+00.51	25986.00' LT
Fd AC[DOT]: Seward Hwy PC	382836.5288	113302.4288	302+78.42	24195.51' LT
Fd AM[BLM]: 4A TR 33 *T4N R1W SM	382573.6563	113265.9971	302+81.31	24449.60' LT
Fd AM[BLM]: S14|S13/S23|S24 *T4N	380966.6012	110467.6058	319+13.41	25638.58' LT

RECOVERED CORNERS - SHEET 11

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
Fd AM[BLM]: S13|TR 37 *T4N R1W S	385818.3946	113374.9191	39+97.36	15.59' LT
Fd AM[BLM]: 2A TR37 *T4N R1W SM	387134.7784	113893.8294	53+62.58	353.33' RT

RECOVERED CORNERS - SHEET 12

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
Fd BC[GLO]: C5 USS 2535	388790.6755	113883.3444	69+87.80	172.02' RT
Fd AM[BLM]: 3B TR37 *T4N R1W SM	389413.0523	114204.3608	76+07.09	559.15' RT
Fd BC[GLO]: C1 USS 2535	389447.0995	114007.1795	76+54.68	361.97' RT
Fd AM[GLO]: C3 USS 2535	389626.1565	113521.0046	78+14.15	135.02' LT
Fd BC[GLO]: USLM USS 2535	389615.5237	113896.4187	78+50.55	238.91' RT

RECOVERED CORNERS - SHEET 13

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
Fd AM[BLM]: W1/16 S1/S12 *T4N R1	391538.2427	111682.4324	92+56.02	2340.72' LT
Fd AM[BLM] WCMC S|S6 *T4N R1W|R	391968.6301	115638.4184	101+03.35	1549.53' RT

RECOVERED CORNERS - SHEET 14

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
Fd AM[BLM]: 4A TR37 *T4N R1W SM	392295.0870	113980.5802	105+61.65	13.34' LT
Fd AM[BLM]: 4B TR37 *T4N R1W SM	392352.5378	114172.0025	105+62.88	186.51' RT
Fd BC[GLO]: C2 L11 USS 2528	394865.6213	113293.9949	130+98.33	537.62' LT
Fd AM[BLM]: 5B TR37 *T4N R1W SM	394800.6778	114615.1972	131+57.29	783.86' RT
Fd BC[GLO]: C2 L12 USS 2528	394870.9679	113875.6556	131+58.08	40.98' RT
Fd BC[GLO]: C1 L12 USS 2528	394876.2014	114422.6138	132+14.46	585.05' RT

RECOVERED CORNERS - SHEET 15

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
Fd AC[DOT]: C2 L13 USS 2528	395199.2440	113907.1258	134+87.55	41.64' RT
Fd BC[GLO]: C1 L13 USS 2528	395203.0114	114275.0039	135+13.66	408.23' RT
Fd BC[GLO]: C4 L12 USS 2528	395206.1107	114621.9439	135+28.77	754.44' RT
Fd ROD: C4 L10 USS 2528	395531.8508	113814.9530	138+24.79	30.88' LT
Fd BC[GLO]: C4 L13 USS 2528	395687.0072	114270.5405	138+66.26	447.98' RT
Fd BC[GLO]: C3 L10 USS 2528	395524.7828	113287.5583	139+55.16	543.85' LT
Fd BC[GLO]: C1 L9 USS 2528	395658.3403	113775.6255	139+58.77	37.86' LT
Fd IP: C2 L9 USS 2528	395652.9928	113180.7035	141+06.53	614.17' LT

RECOVERED CORNERS - SHEET 16

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
Fd BC[GLO]: C1 L14 USS 2528	395753.0559	114269.4683	139+23.35	463.73' RT
Fd BC[GLO]: C2 L14 USS 2528	395749.0775	113816.3636	140+35.98	24.83' RT
Fd BC[GLO]: C1 L8 USS 2528	395973.7111	113685.3124	142+85.28	45.83' LT
Fd Rbr: C2 L15 USS 2528	396143.6723	113718.5028	144+44.46	21.00' RT
Fd BC[GLO]: C4 L8 USS 2528	396337.3718	113630.5909	146+48.51	37.48' LT
Fd AC[5152-S]: SW L1A Ralph Moor	396331.5882	113174.2619	146+89.65	491.68' LT
Fd BC[GLO]: C4 L15 USS 2528	396479.4851	114263.5948	147+31.43	606.90' RT
Fd BC[GLO]: C3 L15 USS 2528	396473.7986	113680.4399	147+79.26	25.31' RT
Fd AC[333-S]: SE L3B Ralph Moore	396536.6949	113597.8336	148+47.20	52.96' LT

RECOVERED CORNERS - SHEET 17

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
Fd BC[GLO]: C1 L16 USS 2528	396544.8737	114202.9266	148+16.39	551.52' RT
Fd AC[5152-S]: NW L3B Ralph Moor	396726.8741	113169.8634	150+33.96	475.74' LT
Fd AC[5152-S]: NE L3B Ralph Moor	396731.6266	113585.1863	150+39.11	60.43' LT
Fd AM[BLM]: W1/16 S36/S1 *T5N/T4	396818.2623	111630.6551	150+89.40	2015.82' LT
Fd AM[BLM]: C2 L6 USS 2528	396833.1218	113169.2574	151+26.68	477.98' LT
Fd BC[GLO]: C1 L6 USS 2528	396836.7912	113572.9621	151+41.91	74.60' LT
Fd AM[BLM]: AP2 TR37 *T4N R1W S	396848.6104	114829.6779	152+07.52	1180.57' RT
Fd AM[BLM]: AP3 TR37 *T4N R1W S	396850.5306	115029.3610	152+18.09	1379.98' RT
Fd AM[BLM]: S36|S31/S1|S6 *T5N/	396856.0711	115591.5447	152+48.00	1941.39' RT
Fd BC[GLO]: C4 L17 USS 2528	397203.0301	114196.4230	155+27.48	532.77' RT
Fd Rbr: C1 L5 USS 2528	397231.5910	113564.2382	155+36.94	99.98' LT
Fd BC[GLO]: C1 L18 USS 2528	397269.2058	114195.6979	155+81.18	530.77' RT

RECOVERED CORNERS - SHEET 18

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
Fd BC[GLO]: C2 L19 USS 2528	397595.1207	113711.2780	158+95.44	66.08' RT
Fd Rbr: C3 L5 USS 2528	397683.1701	113160.8165	161+00.26	460.42' LT
Fd BC[GLO]: C4 L19 USS 2528	397923.8194	114188.5502	161+09.43	595.07' RT
Fd BC[GLO]: C2 L4 USS 2528	397688.8742	113029.6403	161+31.98	588.20' LT
Fd BC[GLO]: C1 L20 USS 2528	397993.8739	114122.2195	161+87.39	544.80' RT
fnd 1" ypc 7569	397989.8296	113615.8827	162+95.60	50.15' RT
Fd BC[GLO]: C4 L4 USS 2528	398021.5787	113477.8295	163+56.85	77.46' LT
Fd BC[GLO]: C3 L4 USS 2528	398017.0893	113027.7101	164+33.58	519.28' LT

RECOVERED CORNERS - SHEET 19

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
Fd Rbr/AC[7569]: C1 L3 USS 2528	398147.2166	113439.9473	164+82.93	90.58' LT
Fd BC[GLO]: C2 L3 USS 2528	398142.6699	113026.4770	165+35.58	499.84' LT
Fd Rbr/AC[7569]: C1 L21 | C4 L20 USS 2528	398324.2542	114119.0973	165+67.04	607.37' RT
Fd Rbr/PC[7569]: SE Angle Pt L3 USS 2528	398275.1150	113423.2706	166+07.17	89.30' LT
Fd 1" Rbr/PC [7569]	398319.0915	113558.2067	166+36.24	49.56' RT
Fd BC[GLO]: C3 L3|C2 L2 USS 2528	398598.0541	113021.8942	169+12.72	475.42' LT
Fd Rbr/PC[7569]: NE PC L3 USS 2528	398594.1175	113412.0484	169+15.16	85.26' LT
Fd BC[GLO]: C4 L3 USS 2528	39860[illegible].2602	113412.5909	169+22.06	84.85' LT
Fd BC[GLO]: C4 L21 USS 2528	398647.6899	114115.6798	170+04.50	616.07' RT
Fd IP: SE L22B USS 2528	398712.3094	113975.3977	170+75.45	471.56' RT
Fd BC[GLO]: C1 L22 USS 2528	398713.0265	114075.1357	170+87.65	570.85' RT

0 50 100 200
SCALE IN FEET

DATE	REVISIONS	BY

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 - 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	44 OF 46

KPB 2022-063

PRELIMINARY

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS Sewhwy 25.5-36 R10-43 5/4/2022 1:00:43 PM

MONUMENT SUMMARY

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R45	R46

PRESCRIPTIVE EASEMENTS

PRESCRIPTIVE EASEMENT
PCL 3, WAIVER NO. 79-88W
SHEET#

BEARING	DISTANCE	
S 11-38-13 W	418.00	EX ROW CL
N 89-36-59 E	30.67	SEC LINE
N 11-38-13 E	418.03	
S 89-33-41 W	30.67	P/L

Area: 12,538 sq.ft. 0.29 acres

PRESCRIPTIVE EASEMENT
POR SE 1/4 NE 1/4 SEC 25
SHEET #

BEARING	DISTANCE	
S 19-35-04 W	578.30	EX ROW CL
ROW CURVE DEFINITION:		EX ROW CL
Length: 198.37	Radius: 515.00	
Delta: 22-04-09	Tangent: 100.43	
BEARING	DISTANCE	
41-39-13 W	523.54	EX ROW CL
ROW CURVE DEFINITION:		EX ROW CL
Length: 259.91	Radius: 721.68	
Delta: 20-38-05	Tangent: 131.38	
BEARING	DISTANCE	
S 89-33-38 W	20.71	1/4 LINE
N 18-01-57 E	49.12	
N 26-06-29 E	41.50	
N 29-17-59 E	45.63	
N 33-43-12 E	52.50	
N 37-37-29 E	91.41	
N 39-48-25 E	85.71	
N 41-52-35 E	424.92	
N 37-06-38 E	86.38	
N 28-00-58 E	78.44	
N 20-04-41 E	602.89	
N 89-32-24 E	22.16	1/16 LINE

Area: 37,403 sq.ft. 0.86 acres

PRESCRIPTIVE EASEMENT POR
NE 1/4 SE 1/4 SEC 25
SHEET #

ROW CURVE DEFINITION:		EX ROW C_
Length: 78.52	Radius: 721.68	Delta: 6-14-01 Tangent: 39.30
BEARING	DISTANCE	
S 14-47-07 W	306.47	EX ROW CL
S 14-13-01 W	288.91	EX ROW CL
ROW CURVE DEFINITION:		EX ROW CL
Length: 270.16	Radius: 3200.00	
Delta: 4-50-14	Tangent: 135.16	
BEARING	DISTANCE	
S 19-03-15 W	189.05	EX ROW CL
ROW CURVE DEFINITION:		EX ROW CL
Length: 190.11	Radius: 757.00	
Delta: 14-23-19	Tangent: 95.56	
BEARING	DISTANCE	
N 00-23-52 W	107.12	1/16 LINE
N 14-59-21 E	82.95	
N 18-56-09 E	300.83	
N 15-51-33 E	206.55	
N 12-07-58 E	125.28	
S 02-58-32 E	20.93	
N 21-28-38 E	40.26	
N 14-29-23 E	238.55	
N 05-45-54 E	27.50	
N 23-58-33 E	20.54	
N 16-26-05 E	80.06	
N 18-01-57 E	72.30	
N 89-33-38 E	20.71	1/4 LINE

Area: 23,570 sq.ft. 0.54 acres

EXISTING RIGHT OF WAY – SOURCE DOCUMENTS

THE EXISTING PALMER-WASILLA HIGHWAY CORRIDOR DEPICTED HEREIN WAS DETERMINED FROM THE FOLLOWING PLANS AND DOCUMENTS

ROW PLAN SHEET NO.	PLAN OR DOCUMENT
SHEET 10	DOC. NUMBER 2007-356
SHEET 11	
SHEET 12	

NOTE:

1. REFERENCE IN THE TABLE TO A DISTANCE AND A PLAT NUMBER INDICATES THE DISTANCE FROM THE SECTION LINE/CENTERLINE IS EITHER DEDICATED BY THE PLAT OR SHOWS AS EXISTING.

PRESCRIPTIVE EASEMENT NOTES:

A. PRESCRIPTIVE ROW EASEMENT AREAS NOTED ON THIS PLAN SET REPRESENT A CLAIM OF PRESCRIPTIVE EASEMENT BY ADOT&PF ON BEHALF OF THE PUBLIC. THE ROAD HAS LONG BEEN USED BY THE PUBLIC AND MAINTAINED BY PUBLIC AGENCIES SUCH AS THE ALASKA ROAD COMMISSION, THE TERRITORIAL BOARD OF ROAD COMMISSIONERS AND THE STATE DOT&PF. IN ADDITION, A PRESCRIPTIVE EASEMENT IS CLAIMED FOR EXISTING CULVERTS, SIGNS AND OTHER APPURTENANCES REQUIRED TO MAINTAIN AND SAFELY OPERATE IN AND NEAR THE ROAD CORRIDOR.

B. THE DIMENSIONS SHOWN ARE BASED ON FIELD SURVEY DATA LOCATING THE EXISTING TOE OR TOP OF SLOPE OF FAIRVIEW LOOP ROAD AND ARE PROVIDED TO QUANTIFY THE LIMITS AND COMPUTE THE AREA OF EXISTING RIGHT OF WAY.

MONUMENT SUMMARY TABLE SEQUENCE
GENERAL NOTES
EXISTING RIGHT-OF-WAY SOURCE DOCUMENTS
RECOVERED CORNERS – SHEET X (TABLE BY PLAN SHEET)
RIGHT-OF-WAY CORNERS SET THIS SURVEY
PROJECT CENTERLINE MONUMENTS SET THIS SURVEY
RANDOM CONTROL MONUMENTS SET THIS SURVEY

KPB 2022-063

0 50 100 200
SCALE IN FEET

DATE	REVISIONS	BY

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 – 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	45 OF 46

PRELIMINARY

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS Sewhwy 25.5-36 R10-43 5/4/2022 1:00:46 PM

MONUMENT SUMMARY

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R46	R46

MONUMENT SUMMARY TABLE SEQUENCE
GENERAL NOTES
EXISTING RIGHT-OF-WAY SOURCE DOCUMENTS
RECOVERED CORNERS - SHEET X (TABLE BY PLAN SHEET)
RIGHT-OF-WAY CORNERS SET THIS SURVEY
PROJECT CENTERLINE MONUMENTS SET THIS SURVEY
RANDOM CONTROL MONUMENTS SET THIS SURVEY

KPB 2022-063

PRELIMINARY

0 50 100 200
SCALE IN FEET

DATE	REVISIONS	BY

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 - 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	46 OF 46

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS Sewhwy 25.5-36 R10-43 5/4/2022 1:00:51 PM

MONUMENT SUMMARY

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R47	R46

RECOVERED CORNERS - SHEET 32

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
Fd BC[BLM]: C2 L3 USS 7371	405860.8265	104325.5102	353+14.81	1253.49' LT
Fd AM[BLM]: CC N1/16 S27 / L3 US	405992.9999	104325.2372	353+47.37	1125.39' LT
Fd AM[BLM]: CC S22/S27 / L3 USS	407312.5280	104314.9781	356+79.69	151.65' RT
Fd Rbr: ROW Seward Hwy / Trail L	407265.7473	104290.8267	356+91.68	100.38' RT
AM[7328-S]: C1 TRB ASLS 96-42	407071.3840	104241.8310	356+91.71	100.06' LT
AM[7328-S]: C2 TRB ASLS 96-42	406684.2286	104144.1419	356+91.85	499.35' LT
Fd BC[BLM]: WCMC C1 L3 USS 7371	407468.2987	104311.4268	357+21.19	301.83' RT
Fd Alrod[BLM]: 1/4 S22|S23 *T5N	409957.4428	104902.6664	357+55.99	2859.99' RT
Fd Rbr: WC Trail Lcke Hatchery S	407538.6438	104288.7775	357+60.34	364.51' RT
AM[7328-S]: WC C3 TRB ASLS 96	406767.0300	103816.5510	360+29.74	499.09' LT
AM[7328-S]: WC C3 TRB ASLS 96	406855.2570	103689.2180	361+74.77	444.65' LT
AM[7328-S]: C4 TRB ASLS 96-42	407189.5860	103773.1440	361+75.07	99.95' LT
AM[7328-S]: WCMC C5 TRA ASLS	407602.9703	103812.3364	362+38.06	310.49' RT
Fd Post[7328-S]: WCMC C4 TRA ASL	407899.1262	103886.7289	362+38.27	615.84' RT
AM[7328-S]: C3 TRA ASLS 96-42	407862.1374	103665.3926	364+43.87	525.90' RT
AM[7328-S]: C2 TRA ASLS 96-42	407827.2339	103317.9065	367+76.27	406.63' RT
AM[7328-S]: C1 TRA ASLS 96-42	407610.1830	103095.2021	369+38.58	139.04' RT
Fd Rbr: ROW Seward Hwy	407382.5000	103011.3460	369+58.31	102.80' LT
Fd Rbr: ROW Seward Hwy / Trail L	407576.2730	103060.1560	369+63.49	96.96' RT

RECOVERED CORNERS - SHEET 33

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
Fd AM[BLM]: 1/4 S22/S27 *T5N R1W	407296.3544	102290.2929	376+17.65	394.84' LT
Fd AM[BLM]: C1/4 S22 *T5N R1W SM	409930.8371	102262.7971	397+19.83	1873.11' RT

RECOVERED CORNERS - SHEET 34

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
Fd BC[BLM]: C1 L5 USS 7371	408982.6650	100473.1190	400+72.87	65.96' LT
Fd BC[BLM]: C4 L5 USS 7371	408734.6810	100280.7610	400+97.46	378.84' LT
Fd AM[BLM]: CC USS 7371 / S21|S2	409163.4380	99631.2940	408+75.69	377.13' LT
Fd AM[BLM]: CC USS 7371 / S21|S2	409560.9320	99623.9640	411+00.08	48.95' LT
Fd BC[BLM]: C3 L5 USS 7371	409323.9830	99381.2250	411+72.84	380.27' LT
Fd BC[BLM]: C2 L5 USS 7371	409602.1410	99560.3130	411+75.94	49.46' LT
Fd AM[BLM]: N1/16 S21|S22 *T5N R	411231.4603	99608.8554	416+16.61	1464.07' RT

RECOVERED CORNERS - SHEET 36

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
AM[2263-S]: WC C1 USS 1090	411429.1262	95598.1940	456+27.69	41.20' RT
Fd Rbr: NE L33A Wilderness Park	411708.2844	95721.9753	456+56.41	344.91' RT
AM[2263-S]: C6 USS 1090	412434.1590	96044.4560	457+02.10	1136.56' RT
Fd AC[5152-S]: SE L33 Wilderness	411596.6540	95387.7750	458+80.37	98.85' RT
Fd AC[5152-S]: PC ROW Seward Hwy	411636.1397	95285.2414	459+85.74	100.23' RT
Fd AC[5152-S]: L33A / PC ROW Tok	411970.0300	95086.7190	462+83.74	349.40' RT
Fd AC[5152-S]: L9A / PC Toklat W	412020.7678	95054.6900	463+30.79	386.64' RT
Fd AC[5152-S]: SE L9A Wilderness	411933.6542	94973.8056	463+78.21	277.64' RT
Fd AC[5152-S]: Angpt L8A Wildern	411816.5797	94775.5297	465+26.44	101.44' RT
Fd AC[5152-S]: NE L7 Wilderness	412334.2266	94638.5780	468+27.30	544.38' RT
Fd AC[5152-S]: SW L9A Wilderness	412155.6326	94554.6515	468+47.25	348.06' RT
Fd AC[5152-S]: SE L7 Wilderness	411963.1604	94464.1716	468+68.79	136.48' RT
Fd Rbr: SW L11 Wilderness Park	412434.3967	94459.0498	470+65.37	576.79' RT
Fd AC[5152-S]: ROW Twin Falls Co	412376.6261	94389.4956	471+21.32	495.92' RT
Fd AC[5152-S]: SW L7 Wilderness	412065.4309	94246.8528	471+21.86	153.59' RT
Fd AC[5152-S]: NE L6 Wilderness	412471.7895	94412.0701	471+48.67	591.72' RT

RECOVERED CORNERS - SHEET 37

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
AM[2263-S]: SE L1 B3 Toklat E	412154.9347	94056.9557	473+49.14	143.74' RT
Fd Rbr: NE L2 B3 Toklat Estates	412554.5140	94245.4350	474+15.53	582.30' RT
AM[2203-S]: NE L7 B2 Toklat E	414196.9420	95020.3150	478+81.29	2356.20' RT
Fd Rbr: SW L1 B1 Toklat Estates	412665.0357	93240.2106	483+24.50	49.89' RT
Fd Rbr: NW L1 B1 Toklat Estates	412821.5394	93364.2152	483+24.55	249.56' RT
Fd Rbr: NW L2 B1 Toklat Estates	412980.6908	93489.7151	483+25.08	452.24' RT
Fd Rbr: SW L3 B1 Toklat Estates	412850.2600	93004.7720	486+24.06	48.76' RT
AM[2263-S]: C2 USS 1090	412779.7445	92732.7397	487+93.42	175.49' LT
Fd Rbr: SW L4 B1 Toklat Estates	412969.0165	92854.4684	488+15.61	48.45' RT
Fd Rbr: NW TRA Toklat Estates	412902.5280	92777.4690	488+34.74	51.47' LT
Fd Rbr: NW L5 Toklat Estates	413459.4760	93031.0200	489+74.39	543.63' RT
Fd POST: NW L6 B1 Toklat Estates	413718.0510	93124.8640	490+52.35	806.02' RT

RECOVERED CORNERS - SHEET 38

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
Fd BC[DOA]: C1 USS 1365	414128.7500	89852.0700	520+00.09	557.76' LT
Fd BPC[11795-S]: NE TRA Tern Lak	414593.9300	90061.8000	520+46.08	49.56' LT
Fd Rbr: SE L1 Tern Lake Estates	414685.1700	90102.8400	520+55.19	50.07' RT
Fd BC[DOA]: C4 USS 1365	415332.5600	90394.9400	521+19.00	757.43' RT

RECOVERED CORNERS - SHEET 39

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
fnd bpc 11795	414603.2811	90044.2044	520+66.00	50.07' LT
fnd bpc 11795	414666.1659	89932.5166	521+94.18	50.20' LT
fnd bpc 11795	414744.1943	89794.7496	523+52.50	49.96' LT
Fd Rbr/PC[11795]: SW L6 Tern Lake Estates	414831.8821	89842.9562	523+53.62	50.10' RT
Fd Rbr/PC[11795]: SE L1A Tern Lake Estates	414861.3135	89790.5849	524+13.70	49.99' RT
Fd YPC[MCLANE]: SW TRA Tern Lake	414358.6678	89406.5241	525+01.11	576.52' LT
Fd YPC[MCLANE]: NW TRA Tern Lake	414826.9400	89648.3700	525+20.65	49.84' LT
Fd Rbr: SE L2 Tern Lake Estates	415008.3500	89530.5600	527+12.41	50.24' RT
Fd Rbr: NE L2 Tern Lake Estates	415616.9618	89843.9903	527+38.59	734.32' RT
Fd IP: SE L8 B3 Tern Lake Estate	414675.8300	88921.0000	530+79.83	538.94' LT
Fd Rbr: SE TRB Goat Haven Estate	415392.5529	88850.5070	534+93.49	50.59' RT
Fd Rbr: NE TRB Goat Haven Estate	415974.8800	89151.0100	535+18.01	705.42' RT
Fd Rbr: SE L4B B3 Tern Lake Esta	414979.1424	88336.8152	537+37.66	561.92' LT
Fd Rbr: SE L4A B3 Tern Lake Esta	415206.7784	88453.4680	537+47.96	306.35' LT
Fd Rbr: NW L5 B3 Tern Lake Estat	415434.5624	88571.2112	537+57.37	50.10' LT
Fd Rbr: SE L11 B1 Goat Haven Est	415558.4010	88558.3558	538+29.44	51.43' RT
Fd YPC[5733-S]: NE L11 B1 Goat H	415714.0700	88637.8600	538+36.71	226.07' RT
Fd Rbr: NE L9 B1 Goat Haven Esta	416128.9104	88852.5063	538+53.67	692.84' RT
Fd Rbr: SW L4B B3 Tern Lake Esta	415054.7260	88189.9614	539+02.70	568.28' LT
Fd Rbr: SW L4A B3 Tern Lake Esta	415285.2313	88307.9223	539+13.27	309.56' LT
Fd Rbr: NW L4A B3 Tern Lake Esta	415516.1100	88427.9500	539+22.22	49.50' LT
Fd IP: SW L3 B3 Tern Lake Estate	415129.5116	88043.6557	540+66.87	575.06' LT
Fd AC[11795-S]: SW L3 B3 Tern La	415129.6396	88043.4576	540+67.11	575.05' LT
Fd AC[11795-S]: NW L3 B3 Tern La	415597.2400	88283.5100	540+87.88	49.84' LT
Fd YPC[5733-S]: NE L12 B1 Goat H	415856.1089	88385.2971	541+26.47	225.63' RT
Fd IP: SW L2 B3 Tern Lake Estate	415205.7143	87896.9709	542+32.07	580.79' LT
Fd AC[11797-S]: SW L2 B3 Tern La	415205.7803	87896.5288	542+32.49	580.95' LT
Fd AC[11795-S]: NW L2 B3 Tern La	415678.5528	88139.0721	542+53.63	50.02' LT
Fd Rbr: NW L12 B1 Goat Haven Est	415988.7800	88149.5200	543+97.01	225.29' RT
Fd AC[11795-S]: SW L1 B3 Tern La	415281.5100	87749.8300	543+97.47	587.11' LT
Fd YPC[5733-S]: SW L12 B1 Goat H	415842.4659	88054.3056	544+08.02	51.07' RT
Fd Rbr: Angpt L12 B1 Goat Haven	415966.9400	88119.9200	544+12.06	191.72' RT
Fd AC[11795-S]: NW L1 B3 Tern La	415759.4455	87994.5578	544+19.25	50.60' LT

0 50 100 200
SCALE IN FEET

DATE	REVISIONS	BY

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 - 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	47 OF 46

KPB 2022-063

PRELIMINARY

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS SewHwy 25.5-36 R10-43 5/4/2022 1:00:59 PM

MONUMENT SUMMARY

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R48	R46

RECOVERED CORNERS - SHEET 40

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
Fd Rbr: S L7 B1 Goat Haven Estat	416017.5200	88104.3800	544+50.45	228.13' RT
Fd YPC[7569-S]: SE L8 B2 Tern La	415308.9700	87696.5100	544+57.40	589.40' LT
Fd Rbr: SE L1 B2 Goat Haven Esta	415866.9510	88010.7104	544+58.02	50.96' RT
Fd Rbr: NE L1 B2 Goat Haven Esta	415980.3400	88070.6500	544+61.55	179.17' RT
Fd YPC[7569-S]: NE L8 B2 Tern La	415789.1610	87942.0494	544+79.58	50.53' LT
Fd AC: SW L8 B2 Tern Lake Estate	415384.8103	87549.7288	546+22.50	595.49' LT
Fd YPC[7569-S]: NW L8 B2 Tern La	415870.4178	87798.3374	546+44.67	50.40' LT
Fd Rbr: SE L2 B2 Goat Haven Esta	416000.0060	87775.5206	547+28.24	51.24' RT
Fd Rbr: NE L2 B2 Goat Haven Esta	416154.7900	87854.8600	547+35.22	225.04' RT
Fd Rbr: NW L1 B2 Goat Haven Esta	416206.4122	87881.6563	547+37.26	283.16' RT
Fd Rbr: SW L7 B2 Tern Lake Estat	415461.0530	87403.1901	547+87.59	601.12' LT
Fd Rbr: NW L7 B2 Tern Lake Estat	415951.4429	87654.7846	548+09.52	50.39' LT
Fd Rbr: SW L6 B2 Tern Lake Estat	415536.4026	87256.3622	549+52.50	607.67' LT
Fd Rbr: NW L6 B2 Tern Lake Estat	416032.5764	87511.0059	549+74.61	50.40' LT
Fd Rbr: SE L4 B2 Goat Haven Esta	416136.6054	87533.7114	550+05.96	51.35' RT
Fd Rbr: SE L4 B2 Goat Haven Esta	416137.5423	87531.6686	550+08.20	51.16' RT
Fd Rbr: NE L4 B2 Goat Haven Esta	416291.5358	87610.6740	550+15.09	224.11' RT
Fd Rbr: SW L5 B2 Tern Lake Estat	415611.9232	87109.9035	551+17.16	613.88' LT
Fd Rbr: NW L5 B2 Tern Lake Estat	416113.5813	87367.3833	551+39.50	50.45' LT
Fd Rbr: SW L4 B2 Tern Lake Estat	415687.7949	86963.2397	552+82.18	619.89' LT
Fd Rbr: SE L6 B2 Goat Haven Esta	416275.2600	87287.9900	552+88.10	51.33' RT
Fd Rbr: NE L6 B2 Goat Haven Esta	416429.7417	87366.5304	552+95.63	224.47' RT
Fd Rbr: NW L4 B2 Tern Lake Estat	416194.7728	87223.7132	553+04.52	50.36' LT
Fd Rbr: SW L3 B2 Tern Lake Estat	415763.4665	86816.6219	554+47.06	626.06' LT
Fd Rbr: NW L3 B2 Tern Lake Estat	416275.9278	87079.6698	554+69.85	50.48' LT
Fd Rbr: SE L8 B2 Goat Haven Esta	416412.7911	87044.0949	555+68.10	51.23' RT
Fd Rbr: NE L8 B2 Goat Haven Esta	416567.3176	87123.4588	555+74.94	224.81' RT
Fd Rbr: SE L9 B2 Goat Haven Esta	416573.2812	87113.1308	555+86.86	224.93' RT
AM[7328-S]: SW L2 B2 Tern Lak	415839.1672	86670.0211	556+11.94	632.19' LT
Fd YPC[7328-S]: NW L2 B2 Tern La	416356.8188	86936.1749	556+34.58	50.56' LT
Fd Rbr: SW L1A B2 Tern Lake Esta	415928.6800	86496.9000	558+06.70	639.32' LT
Fd YPC[7328-S]: NW L1A B2 Tern L	416452.7908	86766.3175	558+29.67	50.47' LT
Fd Rbr: SW L8 B2 Goat Haven Esta	416550.6100	86800.3500	558+48.11	51.45' RT
Fd Rbr: NW L8 B2 Goat Haven Esta	416705.2000	86879.4700	558+55.19	224.97' RT
Fd Rbr: NE L10 B2 Goat Haven Est	416907.1869	86983.6107	558+63.78	452.06' RT
Fd Rbr: SW L8A B1 Tern Lake Esta	416024.9169	86310.1758	560+16.61	647.29' LT
Fd YPC[7328-S]: NW L8A B1 Tern L	416556.0700	86583.3500	560+39.78	50.45' LT
Fd Rbr: NW L10 B2 Goat Haven Est	416957.6600	86807.4300	560+42.01	409.42' RT
Fd Rbr: SW L10 B2 Goat Haven Est	416652.5300	86618.8000	560+56.32	50.98' RT
Fd Rbr: NE L1 B3 Goat Haven Esta	416971.9900	86757.5000	560+92.54	397.36' RT
Fd Rbr: SE L1 B3 Goat Haven Esta	416677.5741	86575.3361	561+06.48	51.42' RT
Fd YPC[7328-S]: SW L7 B1 Tern La	416107.8523	86150.2797	561+96.63	653.55' LT
Fd Rbr: NW L7 B1 Tern Lake Estat	416644.5885	86426.5160	562+19.87	50.45' LT
Fd Rbr: SE L2 B3 Goat Haven Esta	416787.9988	86379.3609	563+31.42	51.27' RT
Fd IP: NW L1 B3 Goat Haven Estat	417041.7345	86509.9910	563+42.37	336.45' RT
Fd Rbr: Kid Court ROW / L2 B3 Go	417088.3302	86350.1638	565+04.46	298.47' RT
Fd IP: SW L5 B1 Tern Lake Estate	416272.8339	85830.8054	565+55.94	666.99' LT
Fd IP: NW L5 B1 Tern Lake Estate	416821.0900	86113.2300	565+79.45	50.72' LT
Fd Rbr: SW L2 B3 Goat Haven Esta	416911.1216	86161.2141	565+81.91	51.27' RT
Fd IP: NW L2 B3 Goat Haven Estat	417111.1400	86267.0900	565+88.02	277.50' RT

RECOVERED CORNERS - SHEET 40

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
Fd Rbr: SW L1 B1 Goat Haven Esta	417172.0796	86299.5577	565+89.70	346.53' RT
Fd Rbr: NW L1 B1 Goat Haven Esta	417387.3634	86413.8393	565+95.98	590.19' RT
Fd Rbr: SW L3 B1 Tern Lake Estat	416437.6455	85510.7081	569+15.71	680.79' LT
Fd Rbr: NW L3 B1 Tern Lake Estat	416998.0746	85799.6086	569+39.57	50.73' LT
Fd Rbr: SW L2 B1 Tern Lake Estat	416520.2249	85350.8190	570+95.54	687.46' LT
Fd Rbr: NW L2 B1 Tern Lake Estat	417086.7541	85642.9652	571+19.57	50.49' LT
Fd Rbr: SW L1 B1 Tern Lake Estat	416603.0700	85190.7700	572+75.64	693.98' LT
Fd Rbr: NW L1 B1 Tern Lake Estat	417174.9593	85486.1868	572+99.46	50.74' LT
Fd BC[DOA]: C2 USS 1365	416577.3500	85109.8600	573+33.46	756.14' LT
Fd Rbr: SW TRA Goat Haven Estate	417295.6700	85479.9400	573+64.20	51.32' RT
Fd BC[DOA]: USS 1365 ROW	417498.4000	85583.8300	573+73.28	278.94' RT
Fd BC[DOA]: C3 USS 1365	417749.3000	85712.8900	573+84.08	560.88' RT

RECOVERED CORNERS - SHEET 41

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
Fd BC/Bx[DOH]: Seward Hwy CL	418000.8925	84121.4427	588+93.93	1.58' LT
Fd BC/Bx[DOH]: Seward Hwy CL	418219.6323	83753.9299	593+21.61	0.36' RT
Fd Rbr: Seward Hwy CL	418409.1054	83434.7497	596+92.80	0.40' RT
Fd BC/Bx[DOH]: Seward Hwy CL	418436.8772	83385.0957	597+49.69	0.00' RT

RECOVERED CORNERS - SHEET 42

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
Fd BC/Bx[DOH]: Seward Hwy CL	419003.8200	82381.5400	609+02.31	0.00' RT
Fd AM/Bx[DOT]: EOP 2384+08.50	419088.3898	82204.2276	610+98.92	0.02' LT
Fd AM/Bx[DOT]: Seward Hwy PT 238	419081.1206	82201.3485	610+98.92	7.83' LT
Fd AM/Bx[DOT]: Seward Hwy PC 238	418979.9869	82052.2764	612+12.59	152.66' LT
Fd BC/Bx[DOT]: Seward Hwy CL	419187.2659	81742.3358	615+73.44	0.00' LT
Fd AM/Bx[DOT]: Seward Hwy PT 237	418981.0000	81363.7300	619+42.27	223.28' LT
Fd AC[DOT]: Seward Hwy PC	419250.3490	80357.7776	629+59.44	0.00' LT

RECOVERED CORNERS - SHEET 43

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
Fd AC: Seward Hwy CL	419604.9307	79658.2772	637+67.57	0.00' RT
Fd AC[DOT]: Seward Hwy PC	420537.9256	78905.6843	649+66.27	0.00' RT

0 50 100 200
SCALE IN FEET

DATE	REVISIONS	BY

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
RIGHT-OF-WAY MAP
ALASKA PROJECT
0311(031) / Z546590000
SEWARD HIGHWAP MP 25.5 - 36
TRAIL RIVER TO STERLING WYE, REHABILITATION

DRAWN	EPF/AFF	DATE	5/04/2022	SCALE	1" = 100'
CHECKED		DATE		SHEET	48 OF 46

KPB 2022-063

PRELIMINARY

W:\Projects\Highways\SEWARD_HIGHWAY\54659 Sew Hwy 25.5-36\acad\Plans and Parcels\54659 PLANS Sewhwy 25.5-36 R10-43 5/4/2022 1:01:04 PM

AGENDA ITEM E. NEW BUSINESS

ITEM 10 – RIGHT-OF-WAY PROJECT SEWARD HIGHWAY MP 25.5-36 TRAIL RIVER TO STERLING WYE, REHABILITATION 0311(031) / Z546590000

KPB File No.	2022-063
Plat Committee Meeting:	June 13, 2022
Applicant / Owner:	State of Alaska Department of Transportation and Public Facilities
Surveyor:	Travis Test and Robert Keiner / State of Alaska DOT&PF
General Location:	Seward Highway, Moose Pass / Moose Pass APC

Parent Parcel No.:	Multiple
Legal Description:	Highway Rehabilitation from MP 25.5 to 36

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed right-of-way project plat is for the Seward Highway MP 25.5 to 36 rehabilitation. This is from Trail River to the Sterling Wye.

Location and Legal Access (existing and proposed): The project is along the Seward Highway and included miles 25.5 to 36. This is within the Moose Pass area and starts near Lower Trail Lake and continues to the Sterling Highway Wye near Tern Lake.

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

Site Investigation: This is a state project that will require compliance with all Federal, State, and Borough requirements regarding road construction, anadromous streams, and wetlands.

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 item falls under KPB 20.10.070 – Right-of-way acquisition plat. The approval of this item is only subject to the requirements of 20.10.070 and not subject to other portions of Chapter 20 except for those outlined within 20.10.070.

- If dedications are being granted for rights-of-way an ownership and dedications certificate shall be provided in accordance with KPB 20.60.190.

- Minimum survey monumentation is required. Reinforced bars with appropriate identification caps are required on the margin of the right-of-way at all points marking the beginning and end of each curve and on tangents so that no distance between monumented points exceed 1,320 feet or by an alternate method using centerline points.
- The plat must be surveyed and monumented in conformance to applicable provisions of KPB 20.60.200.
- There shall be no remainder parcels that do not conform to KPB code unless a note is added that damages have been paid to the owner and that the remainder cannot be developed without being replatted to comply.
- The remainder lots must meet the requirements for an exception under KPB 20.30.200(C) or KPB 20.50.010.

Information about the project may be found at https://dot.alaska.gov/creg/sewardhwy25-36/ . Per the DOT information, "The Seward Highway MP 25.5 to 36 Rehabilitation project is considered a "3R" project; it will resurface, restore, and rehabilitate the corridor, and by doing so improve the driving surface, and extend the service life of the roadway. The roadway will be rehabilitated along the existing alignment, the existing pathway will be resurfaced, guardrail will be upgraded, site distance will be improved by clearing vegetation, and drainage conditions will be improved. The project may also include shoulder widening where possible, and additional pedestrian amenities and traffic calming through Moose Pass."

The approval of the proposed project by the platting authority is required prior to discussions with impacted property owners. Once the state has received approval from the Kenai Peninsula Borough and secure their necessary funding they will begin to contact the impacted property owners. As construction moves forward and discussions are had with the property owners, slight changes to the design can be expected.

Notices were sent to fifty-four land owners regarding the project. Some of the land owners own more than one lot within the project area.

Moose Pass 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.

If approval is granted, the preliminary approval is valid for 24 months. Additional time extensions may be granted by the planning director for specified time periods upon finding that it is in the public interest to do so.

A public comment was received requesting the acquisition to not go through as proposed. The comment is within the packet.

Utility Easements Existing utility easements shall be carried over. Any new utility easements required by providers should be granted.

The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Staff recommends** to grant utility easements requested by the utility providers or work with the utility providers to obtain approval.

Utility provider review:

HEA	
ENSTAR	
ACS	Not in ACS service area.
GCI	
SEWARD ELECTRIC	
CHUGACH ELECTRIC	
TELALASKA	

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 32598 SEWARD HWY 33795 SEWARD HWY 33817 SEWARD HWY 33865 SEWARD HWY Existing Street Names are Correct: No List of Correct Street Names: STERLING HWY SEWARD HWY FREEDOM WAY DEPOT RD ROYCROFT ST WARBURTON CT TOKLAT WAY BANEBERRY RIDGE LN HANNISFORD DR EWE LOOP BILLY CIR TEAL ST MALLARD ST Existing Street Name Corrections Needed: POST OFFICE DR or C ST should be POST OFFICE DR (R22 & R23) LEORA AVE or A ST should be LEORA AVE (R23) ALYESTES AVE or B ST should be ALYESTES AVE (R23) unlabeled right-of way on sheet R36 should be TWIN FALLS CT BEAVER ST should be BEAVER WAY (R39 & R40) unlabeled right-of way on sheet R40 (north of block 3 lots 1 and 2) should be KID CT All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: All affected addresses will be retained on their current parcels.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat.
Assessing	Reviewer: Wilcox, Adeena Comments: No Comment

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

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

Make the following corrections:

MULTI SHEETS
- The total sheets should be updated in the top right box.
- The sheet of "46" should be revised within the title blocks.
- Within the title block, correct the spelling of "Highway".
- Review for overstrikes on labels.
- Update ownership information as needed.
- Any section line easements that are present should be labeled as easements with width labels provided.
- Any dedicated rights-of-way, include a dedication width label.

SHEET 1
- Update the KPB File number located within the Platting Authority Approval statement to KPB 2022-063.
- The Seward Highway label is causing an overstrike on the section label. Adjust the label for Section 36 so it can be seen.

SHEET 3
- It appears that some of the Lower Trail Lake labels can be removed.
- Verify the USS number shown near parcel 2.

SHEET 7
- Remove overstrikes on labels.
- Provide a label for the Hetrick Subdivision

SHEET 8
- Remove overstrikes on labels.
- Update ASLS 96-42 Tract A as this has been replatted.

SHEET 9
- Remove overstrikes on labels.

SHEET 14
- Verify the government lot number on the eastern side of the highway. It appears to be a portion of Government Lot 3.

SHEET 22
- Remove "C Street", the correct name is Post Office Drive.

SHEET 23
- Remove "C Street", the correct name is Post Office Drive.
- Remove "A Street", the correct name is Leora Avenue.
- Remove "B Street, the correct name is Alyestes Avenue.

SHEET 25
- Add a label for Government Lot 11 located next to Lot 4 of Wesley Subdivision.
- "Borough Right-of-Way" label should be removed.

SHEET 27
- Label the 20 foot access easement present between F-1 and F-3 as shown on SW 77.
- Provide a label for Lot I that indicates it is part of USS 2529.

SHEET 30

- Line 45 appears to be absent from the line table.

SHEET 32
- Tract A of ASLS 96-34 has been replatted. Update the depictions and labels for the area.

SHEET 36
- Correct page number in the title block.
- The lots within the Wilderness Park are from two different subdivision plats. Lots 8-A and 9-A need the plat number updated to 88-8. Plat 88-8 is Rasmussen Replat while 87-15 is Phase One. Try to adjust labels to demonstrate the separate subdivisions.
- Provide a street name label for Twin Falls Court.

SHEET 39
- The label for Goat Haven Estates should be adjusted as Lot 3 is part of Tern Lake Estates.
- Beaver Street should be Beaver Way.

SHEET 40
- Remove one of the "Plat 98-32" labels.
- Beaver Street should be Beaver way
- The right-of-way north of Ewe Loop should be Kid Court.

SHEET 45
- Update the table which states "Palmer-Wasilla Highway".
- The document number shown in the table is an incomplete recording number.

RECOMMENDATION:

STAFF RECOMMENDS:

- **GRANT APPROVAL SUBJECT TO STAFF RECOMMENDATIONS, AND**

- **COMPLIANCE WITH KPB 20.10.**

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

B L O C K 2

B L O C K 1

plat P 38

RECORDED - FILED
Seward REC. DIST.
DATE March 9, 1965
TIME 10:45 A.M.
Requested by Richard Stafford
Address Seward, Alaska

SEWARD
Serial No. 45-146

STAFFORD SUBDIVISION

A SUBDIVISION OF A PORTION OF HES NO. 135

DATE : OCT. 24, 1952 SCALE : 1" = 100'

RUTLEDGE, JOHNSTON & ASSOCIATES

Engineers - Surveyors

ANCHORAGE ALASKA

CHUGACH NATIONAL FOREST

CHUGACH NATIONAL FOREST

CHUGACH NATIONAL FOREST

HES 69 COR 2 2625 1976

HES 69 COR 3 2625 1976

ALDS 80 HES 69 COR 4 2625 1976

HES 69 COR 1 2625 1976

ALDS 80 LOT 1 2625 1976

ALDS 80 HES 69 COR 5 2625 1976

HES 69 COR 6 2625 1976

N 19°58'28" E 2005.53'

N 19°58'28"E 1,169.79'

HANNISFORD DRIVE

N 90°00'00"E 599.34'

(BASIS OF BEARING)

HES 69

N 64°34'58" W 1464.11'

SEWARD - ANCHORAGE HIGHWAY

S 25°25'10" W 2258.15'

S 64°48'39"E 1113.10'

S 64°48'39"E 1123.79'

N 64°34'58" W 1703.73'

TRACT "A" 35.834 S.F.

BANEBERRY RIDGE LANE

TORKLAT CIRCLE

BLOCK 1

BLOCK 2

BLOCK 3

1 — 111,415 S.F.
2 — 77,923 S.F.
3 — 113,816 S.F.
4 — 82,306 S.F.
5 — 95,579 S.F.
6 — 114,519 S.F.
7 — 129,526 S.F.
8 — 110,643 S.F.
9 — 104,243 S.F.
10 — 88,536 S.F.
11 — 91,786 S.F.
12 — 111,993 S.F.
13 — 97,451 S.F.
14 — 118,286 S.F.

1 — 91,404 S.F.
2 — 105,373 S.F.
3 — 112,594 S.F.
4 — 109,725 S.F.
5 — 111,876 S.F.
6 — 111,834 S.F.
7 — 103,724 S.F.

1 — 93,508 S.F.
2 — 103,064 S.F.
3 — 135,149 S.F.
4 — 131,820 S.F.
5 — 129,786 S.F.
6 — 121,329 S.F.
7 — 109,580 S.F.
8 — 94,952 S.F.

Utility Easement

10'x20' Anchor Easement

30'x30' Anchor Easement

DETAIL (N.T.S.)

CURVE SCHEDULE

NO.	DELTA	RADIUS	LENGTH	TANGENT
1	44°04'44"	360.65	277.45	146.00
2	59°46'37"	608.80	635.16	349.91
3	35°99'33"	466.32	290.22	149.98
4	84°20'07"	20.00	29.44	18.11
5	46°08'37"	410.89	330.91	175.02
6	30°01'46"	284.96	149.35	76.43
7	92°03'50"	250.80	402.99	260.00
8	56°12'01"	280.92	275.55	150.00
9	75°41'44"	20.00	26.42	15.54

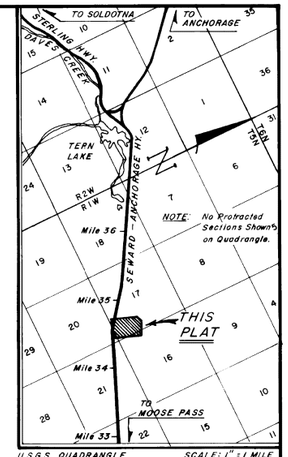
TR 2 H.E.S. 69 U.S.S. 1090

NOTES:

1) Set 5/8"x 30" Iron Rod at all corners unless otherwise noted.
2) 20' set-back on all lots. Additional 35' set-back on lots adjacent to Highway.
3) Restricted highway access on Lot 1-BL 3 and Lots 1 & 4 - BL. 1.
4) All wastewater disposal systems shall comply with existing law at time of construction.

~LEGEND~

- Found 3" Magnetic alum. cap Monument on 2½" pipe.
- Found 3" Brass cap Monument in rock.
- Set Alum. cap Monument on exist. 5/8" re-bar. (Replaces fd. 5/8" re-bar).



USGS QUADRANGLE SEWARD (C-7) SCALE: 1" = 1 MILE

—VICINITY MAP—

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 STREETS, ALLEYS, WALKS, PARKS, UTILITY EASEMENTS AND OTHER OPEN SPACES TO PUBLIC USES.

WALTER G. HANNI
5841 ARCTIC BLVD.
ANCHORAGE, AK 99502

GLENN C. HANNI
4220 MT. OLYMPUS WAY
BY WALTER G. HANNI
POWER OF ATTORNEY
SEWARD RECORDING DISTRICT
BOOK 12 PAGE 400

BRUHNEILD HANNI
SALT LAKE CITY, UTAH
BY WALTER G. HANNI
POWER OF ATTORNEY
SEWARD RECORDING DISTRICT
BOOK 12 PAGE 400

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS 20th DAY OF January, 1977

Kendall R. Mitchell
NOTARY FOR ALASKA — MY COMMISSION EXPIRES

BENEFICIARY TO DEED OF TRUST:

WILLIAM H. ESTES
MOOSE PASS, ALASKA

ROBERT C. MUELLER, PARTNER
INTER ISLAND SYNDICATIONS, A HAWAII PARTNERSHIP
204 E. 5th AVE., SUITE 104
ANCHORAGE, ALASKA

SURVEYOR'S CERTIFICATE

I, THE UNDERSIGNED LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF LANDS ACTUALLY SURVEYED AND THAT ALL THE DISTANCES AND BEARINGS ARE SHOWN CORRECTLY AND THAT ALL THE PERMANENT EXTERIOR CONTROL MONUMENTS, ALL OTHER MONUMENTS AND LOT CORNERS HAVE BEEN SET AND STAKED, OR IF FINAL COMPLETION IS ASSURED BY SUBDIVISION AGREEMENT, THEY WILL BE SET AS SPECIFIED IN SAID AGREEMENT.

WILLIAM R. TUCKER, R.L.S.

STATE OF ALASKA — 49TH — William R. Tucker NO. 2263-S — REGISTERED PROFESSIONAL LAND SURVEYOR

77-2
SEWARD
2/16 12:57 P.M. 77
AK Land Devel. Services
4546 Business Park Blvd
Anch. AK 99503

PLAT APPROVAL

PLAT APPROVED BY THE COMMISSION THIS 24th DAY OF January, 1977

MAYOR — PLANNING DIRECTOR

PLAT OF

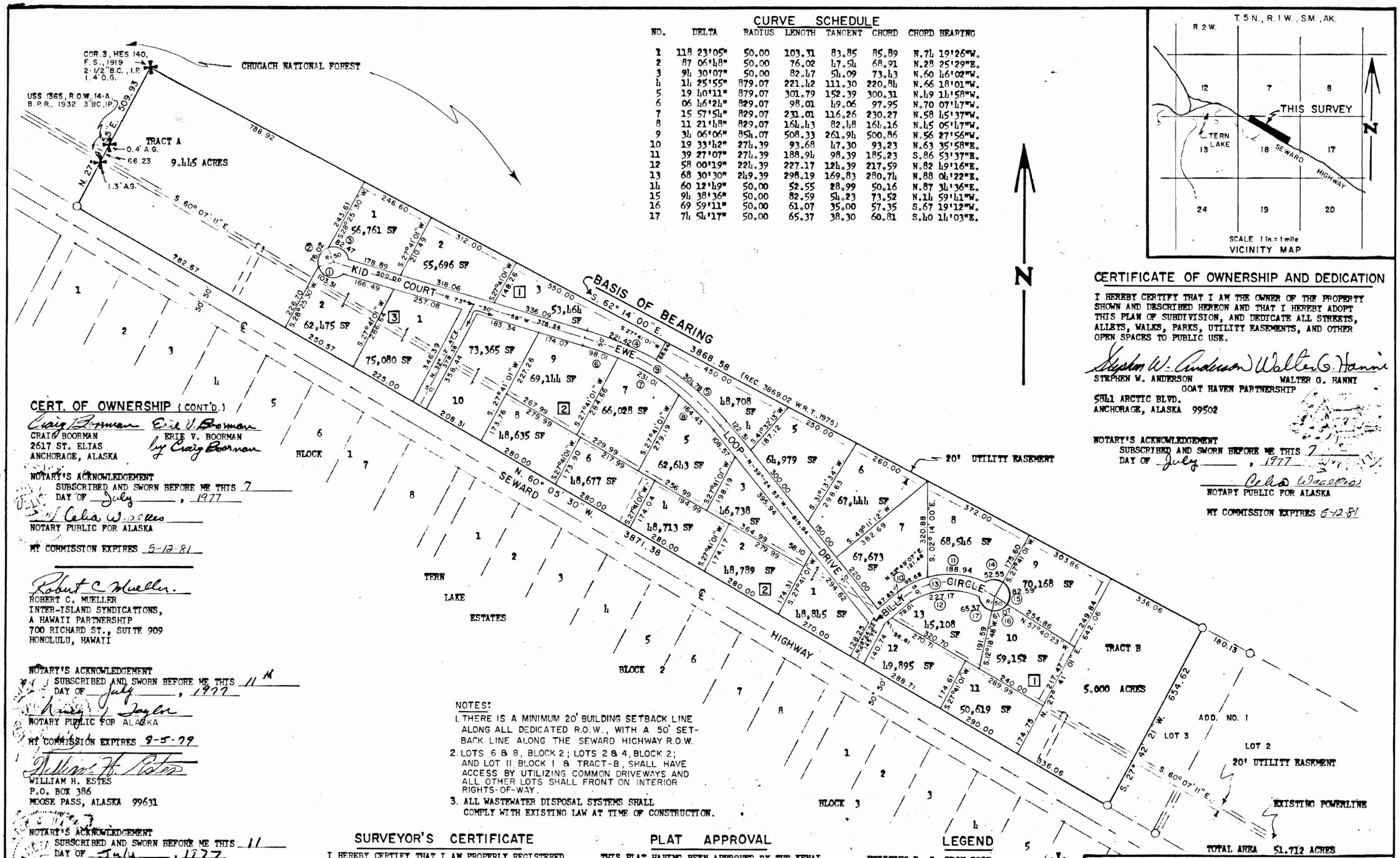
TOKLAT ESTATES

A SUBDIVISION OF
TRACT I H.E.S. 69-U.S.S. 1090 Located within Protracted Sec. 16, 17, 20 & 21, T 5 N, R 1 W, S.M., AK.

CONTAINING 79.69 ACRES MORE OR LESS

ALASKA LAND DEVELOPMENT SERVICES
ENGINEERS - SURVEYORS
4546 BUSINESS PARK BOULEVARD, ANCH., AK. 99503

DRAWN: r-r-b	DATE: 8-17-76	GRID: MOOSE-PASS	BOOK: W/O 427		
CHECKED: r-r-m	SCALE: 1" = 100'		HES 69 USS 1090	FILE NO. 1-14	



CURVE SCHEDULE

NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING
1	118 23'05"	50.00	103.31	83.85	85.89	N.74 19'26"W.
2	87 06'48"	50.00	76.02	47.54	68.91	N.28 25'29"E.
3	94 30'07"	50.00	82.47	54.09	73.43	N.60 46'02"W.
4	14 25'55"	879.07	221.42	111.30	220.84	N.66 18'01"W.
5	19 40'11"	879.07	301.79	152.39	300.31	N.49 14'58"W.
6	06 46'24"	829.07	98.01	49.06	97.95	N.70 07'47"W.
7	15 57'54"	829.07	231.01	116.26	230.27	N.58 45'37"W.
8	11 21'48"	829.07	164.43	82.48	164.16	N.45 05'47"W.
9	34 06'06"	854.07	508.33	261.94	500.86	N.56 27'56"W.
10	19 33'42"	274.39	93.68	47.30	93.23	N.63 35'58"E.
11	39 27'07"	274.39	188.94	98.39	185.23	S.86 53'37"E.
12	58 00'19"	224.39	227.17	124.39	217.59	N.82 49'16"E.
13	68 30'30"	249.39	298.19	169.83	280.74	N.88 04'22"E.
14	60 12'49"	50.00	52.55	28.99	50.16	N.87 34'36"E.
15	94 38'36"	50.00	82.59	54.23	73.52	N.14 59'41"W.
16	69 59'11"	50.00	61.07	35.00	57.35	S.67 19'12"W.
17	74 54'17"	50.00	65.37	38.30	60.81	S.40 14'03"E.

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, UTILITY EASEMENTS, AND OTHER OPEN SPACES TO PUBLIC USE.

Stephen W. Anderson — Walter G. Hanni

STEPHEN W. ANDERSON — WALTER G. HANNI

GOAT HAVEN PARTNERSHIP

5841 ARCTIC BLVD.
ANCHORAGE, ALASKA 99502

NOTARY'S ACKNOWLEDGEMENT
SUBSCRIBED AND SWORN BEFORE ME THIS 7 DAY OF July, 1977

Celia Wassmuth
NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES 5-12-81

CERT. OF OWNERSHIP (CONT'D.)

Craig Boorman — Erle V. Boorman by Craig Boorman

CRAIG BOORMAN
2617 ST. ELIAS
ANCHORAGE, ALASKA

ERLE V. BOORMAN

NOTARY'S ACKNOWLEDGEMENT
SUBSCRIBED AND SWORN BEFORE ME THIS 7 DAY OF July, 1977

Celia Wassmuth
NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES 5-12-81

Robert C. Mueller

ROBERT C. MUELLER
INTER-ISLAND SYNDICATIONS,
A HAWAII PARTNERSHIP
700 RICHARD ST., SUITE 909
HONOLULU, HAWAII

NOTARY'S ACKNOWLEDGEMENT
SUBSCRIBED AND SWORN BEFORE ME THIS 11 DAY OF July, 1977

Nancy Taylor
NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES 8-5-79

William H. Estes

WILLIAM H. ESTES
P.O. BOX 386
MOOSE PASS, ALASKA 99631

NOTARY'S ACKNOWLEDGEMENT
SUBSCRIBED AND SWORN BEFORE ME THIS 11 DAY OF July, 1977

Walter G. Hanni
NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES 9-26-79

NOTES:
1. THERE IS A MINIMUM 20' BUILDING SETBACK LINE ALONG ALL DEDICATED R.O.W., WITH A 50' SETBACK LINE ALONG THE SEWARD HIGHWAY R.O.W.
2. LOTS 6 & 8, BLOCK 2; LOTS 2 & 4, BLOCK 2; AND LOT 11, BLOCK 1 & TRACT B, SHALL HAVE ACCESS BY UTILIZING COMMON DRIVEWAYS AND ALL OTHER LOTS SHALL FRONT ON INTERIOR RIGHTS-OF-WAY.
3. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING LAW AT TIME OF CONSTRUCTION.

SURVEYOR'S CERTIFICATE

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

DATE July 18, 1977

James R. Spangler

JAMES R. SPANGLER
L S 1822-S
REGISTERED LAND SURVEYOR

STATE OF ALASKA — 49TH — James R. Spangler — NO. 1822-S — REGISTERED PROFESSIONAL LAND SURVEYOR

PLAT APPROVAL

THIS PLAT HAVING BEEN APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AS RECORDED IN THE OFFICIAL MINUTES OF THE MEETING OF July 11, 1977, IS HEREBY ACKNOWLEDGED AND ACCEPTED AS THE OFFICIAL PLAT, SUBJECT TO ANY AND ALL CONDITIONS AND REQUIREMENTS OF ORDINANCES AND LAW APPERTAINING THERETO.

KENAI PENINSULA BOROUGH

BY: Phyllys Wrenn

LEGEND

EXISTING B. C. IRON POST MONUMENT (RECOVERED THIS SURVEY)

EXISTING 5/8" REBAR (RECOVERED) W.R.T. 1975 (0.5 A.G.)

SET 5/8" x 30" REBAR ON ALL LOT CORNERS 77-12

RECORDED - FILED
Seward REC. DIST.
DATE July 20, 1977
TIME 3:29 PM
Recorded by KPB
Address Box 850 Coldfoot AK 99569

66290
3rd

97-0859

PLAT OF GOAT HAVEN ESTATES

CONSISTING OF LOTS 1-13, BLOCK 1; LOTS 1-10, BLOCK 2; LOTS 1-2, BLOCK 3, & TRACTS A & B; A SUBDIVISION OF TRACT A, TERN LAKE ESTATES, ADD. NO. 1.

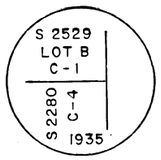
LOCATED WITHIN PROTRACTED SECTIONS 7 & 18
T. 5 N., R. 1 W., S.M., ALASKA

SURVEYED AND DRAWN BY
SPANGLER SURVEYING SERVICES, P.O. BOX 33, CHUGIAK, AK.

DATE: May 18, 1977 — SCALE: 1 in. = 200 ft.

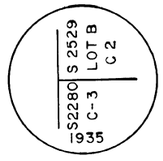
CHECKED: — GRID NO. MOOSE PASS

BC-1



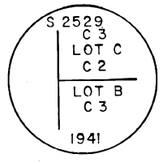
FOUND 2 1/2" BRASS CAP ON 1" PIPE, 0.6' A.G.

BC-2



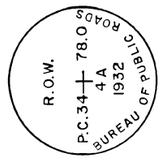
FOUND 2 1/2" BRASS CAP ON 1" PIPE, 0.8' A.G.

BC-3

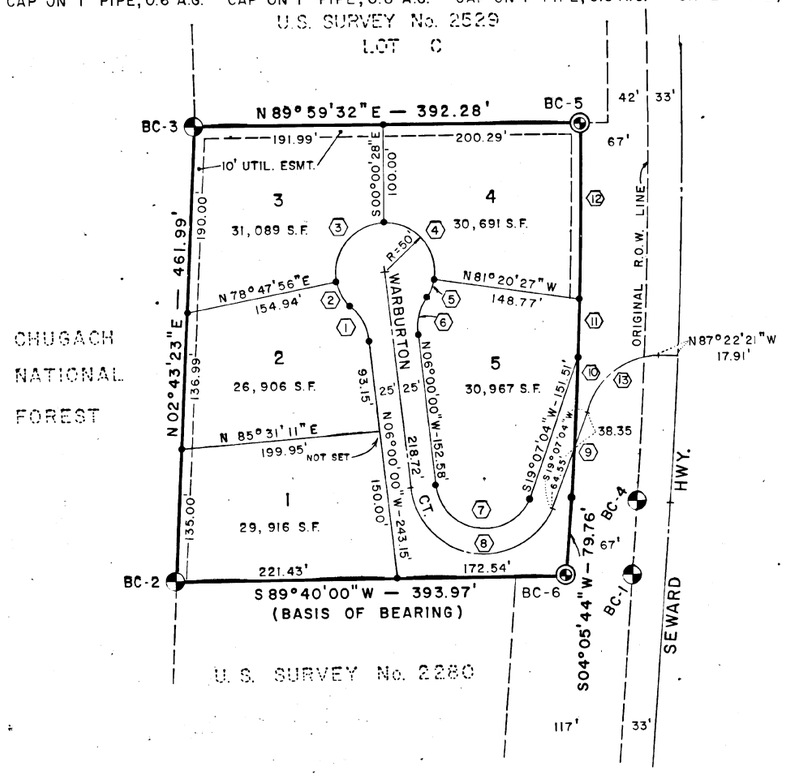


FOUND 2 1/2" BRASS CAP ON 1" PIPE, 0.3 A.G.

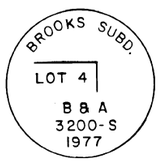
BC-4



FOUND 3" BRASS CAP ON 2" PIPE, 0.6' A.G.

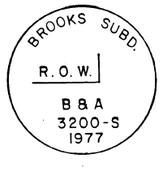


BC-5



SET 2-1/2" BRASS CAP ON 2" IRON PIPE,

BC-6



SET 2-1/2" BRASS CAP ON 2" IRON PIPE,

Mortgagee:
Alaska Housing Finance Corporation
by Robert W Sullivan
EXECUTIVE DIRECTOR 8/20/79

CURVE DATA

(1) Δ = 41°24'35"
R = 50.00'
T = 18.90'
L = 36.14'

(2) Δ = 36°12'30"
R = 50.00'
T = 16.35'
L = 31.60'

(3) Δ = 101°11'36"
R = 50.00'
T = 60.86'
L = 88.31'

(4) Δ = 98°40'01"
R = 50.00'
T = 58.20'
L = 86.10'

(5) Δ = 26°45'01"
R = 50.00'
T = 11.89'
L = 23.34'

(6) Δ = 41°24'35"
R = 50.00'
T = 18.90'
L = 36.14'

(7) Δ = 154°52'58"
R = 50.00'
T = 224.45'
L = 135.16'

(8) Δ = 154°52'58"
R = 75.00'
T = 336.67'
L = 202.74'

(9) Δ = 00°33'51"
R = 5738.91'
T = 28.26'
L = 56.51'

(10) Δ = 00°54'12"
R = 5738.91'
T = 45.25'
L = 53.02'

(11) Δ = 00°31'46"
R = 5738.91'
T = 26.51'
L = 53.02'

(12) Δ = 01°47'50"
R = 5738.91'
T = 90.01'
L = 180.00'

(13) Δ = 73°30'36"
R = 75.00'
T = 56.02'
L = 96.22'

NOTES

MINIMUM 20' BUILDING SETBACK ALONG ALL R.O.W.'s

LOTS 4 & 5 FRONT ON WARBURTON COURT ONLY.

ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING LAW AT TIME OF CONSTRUCTION.

PLAT APPROVAL

THIS PLAT HAVING BEEN APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AS RECORDED IN THE OFFICIAL MINUTES OF THE MEETING OF June 06, 1977, IS HEREBY ACKNOWLEDGED AND ACCEPTED AS THE OFFICIAL PLAT, SUBJECT TO ANY AND ALL CONDITIONS AND REQUIREMENTS OF ORDINANCES AND LAW APPERTAINING THERETO.

KENAI PENINSULA BOROUGH

BY: Philip Waring

Plat #78-16

Filed
Seward Rec. Dist.
Date Oct. 5, 1978
Time 10:17 A.M.
Requested by KPB
Address Box 850 Soldotna, Ak

SURVEYOR'S CERTIFICATE

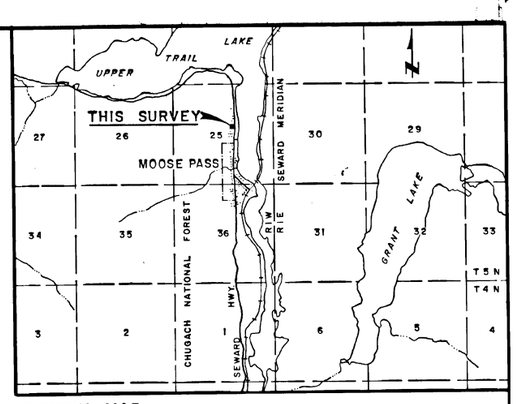
I, THE UNDERSIGNED REGISTERED SURVEYOR, HEREBY CERTIFY THAT A LAND SURVEY HAS BEEN COMPLETED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT CORNERS AND MONUMENTS HAVE BEEN LOCATED AND ESTABLISHED AND THAT DIMENSIONS SHOWN ARE TRUE AND CORRECT.

12-19-77
DATE

E. K. McWilliams
SURVEYOR

LEGEND

- FOUND BRASS CAP MONUMENTS
- SET BRASS CAP MONUMENTS
- SET 5/8" x 30" REBAR



VICINITY MAP

SCALE: 1" = 1 MILE

CERTIFICATE OF OWNERSHIP & DEDICATION

I(WE), HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I(WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, UTILITY EASEMENTS, AND OTHER OPEN SPACES TO PUBLIC USE.

DATE 12-29, 1977

Monroe Robinson
MONROE ROBINSON
BOX 29
MOOSE PASS, ALASKA 99631

Mary Melissa Robinson
MARY MELISSA ROBINSON
BOX 29
MOOSE PASS, ALASKA 99631

Kathy Franz by Melissa Robinson power of attorney
KATHY FRANZ
BOX 29
MOOSE PASS, ALASKA 99631

NOTARY'S ACKNOWLEDGEMENT

STATE OF ALASKA)
)SS.
THIRD JUDICIAL DISTRICT)

ON THIS 29 DAY OF Dec, 1977, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF ALASKA PERSONALLY APPEARED Monroe Robinson TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE OF OWNERSHIP AND DEDICATION, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY, MONTH AND YEAR HEREINABOVE WRITTEN

SUBSCRIBED AND SWORN BEFORE ME THIS 29 DAY OF Dec., 77

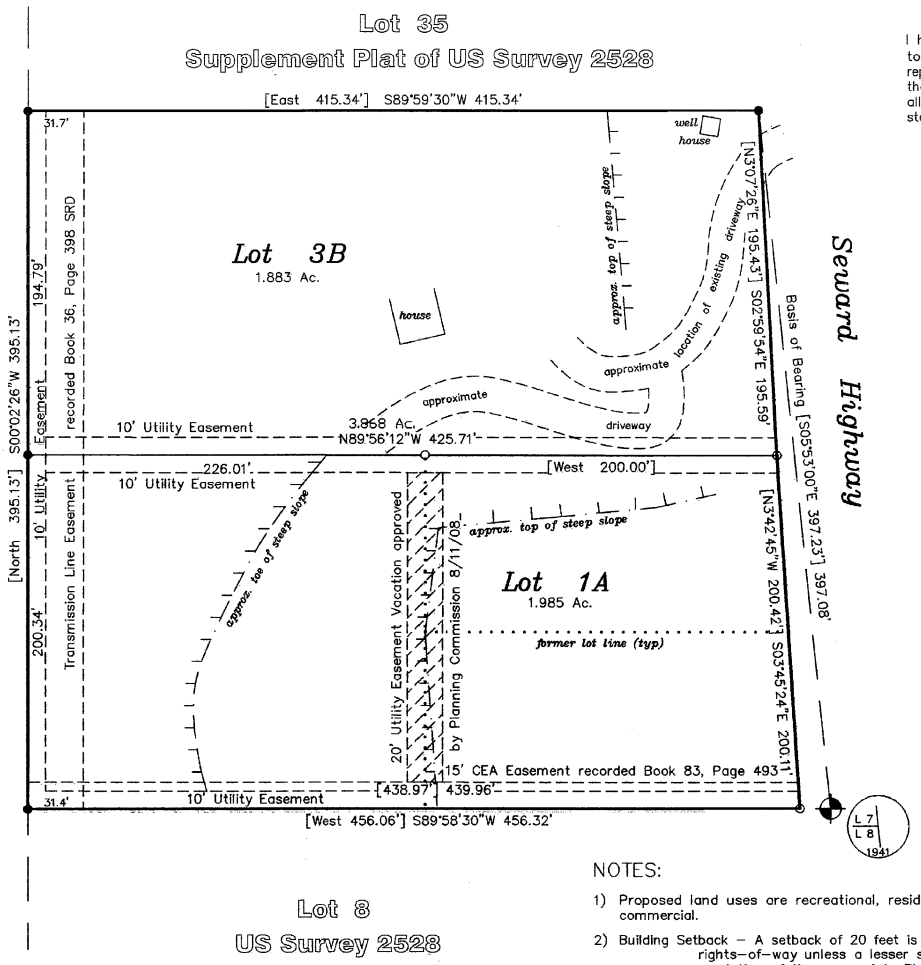
Joan L. Ehrens
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 1/16/79

CONTAINING 4.098 ACRES

PLAT OF
BROOKS SUBDIVISION
A RESUBDIVISION OF
LOT B, U.S. SURVEY No. 2529
LOCATED WITHIN
PROTRACTED SECTION 25, T5N, R1W, SEWARD MERIDIAN

BOMHOFF & ASSOCIATES, INC.
Engineering · Planning · Surveying
1020 WEST INTERNATIONAL AIRPORT ROAD
ANCHORAGE ALASKA

DESIGNED BY	C.L.F.
DRAWN BY	C.L.F.
CHECKED BY	E.K.M.
SCALE	1" = 100'
DATE MAY 1977	JOB NO. 1355
SHEET 1 OF 1	



LEGEND:

- ⌖ 2-1/2" BLM Brass Cap Monument (found)
- o 1/2" Rebar w/ 1-1/2" Alum Cap (found)
- ● 5/8" Rebar (set)
- [ ] Record Datum – Ralph Moore Subd. Plat # 86-19 SRD

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF June 9, 2008

KENAI PENINSULA BOROUGH

Mary Toll
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 to the normal standards of practice of land surveyors in the State of Alaska.

STATE OF ALASKA
CLIFFORD E. BAKER
No. LS-5152
REGISTERED PROFESSIONAL LAND SURVEYOR
2 Sept 08
Date

NORTH

NOTES:

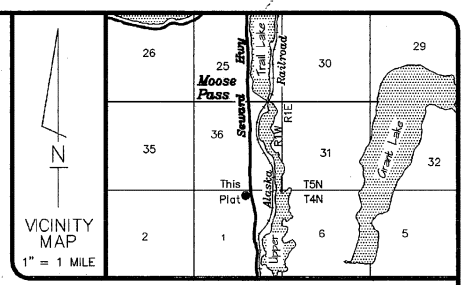
1) Proposed land uses are recreational, residential, agricultural, and commercial.
2) Building Setback – A setback of 20 feet is required from all street rights-of-way unless a lesser standard is approved by resolution of the appropriate Planning Commission.
3) Borough acceptance of this plat does not indicate the acceptance of any encroachments.
4) Front 10 ft. of the building setback to be used as utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
5) CEA General Easement recorded in Book 32R Page 258 SRD.
6) No private access to State maintained ROW's permitted unless approved by the State of Alaska Department of Transportation.
7) WASTEWATER DISPOSAL: Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single-family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Dept. of Environmental Conservation.

M J Laurmann — Engineer
3380-E — License #
2 Sep 08 — Date

2008-16

RECORDED
SEWARD REC. DIST.
DATE: Sept. 9 2008
TIME: 9:54 A.M.

REQUESTED BY:
INTEGRITY SURVEYS
8195 KENAI SPUR HWY
KENAI, ALASKA 99611



CERTIFICATE of OWNERSHIP and DEDICATION

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

Benton L. Groom — Sandra J. Groom

P. O. Box 953
Seward, Alaska 99664-0953
(Lot 3)

Onie Ray Wilkes

P. O. Box 871
Cooper Landing, Alaska 99572
(Lots 1 & 2)

VICKI LOOMIS NOTARY PUBLIC STATE OF ALASKA My Commission Expires 02-14-2011

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 22nd DAY OF August 2008 FOR BENTON L. GROOM & SANDRA J. GROOM

Vicki Loomis
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 02-14-2011

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 22nd DAY OF AUGUST 2008 FOR ONIE RAY WILKES

Vicki Loomis
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 02-14-2011

VICKI LOOMIS NOTARY PUBLIC STATE OF ALASKA My Commission Expires 02-14-2011

KPB FILE No. 2000-045

Ralph Moore Subdivision No. 2

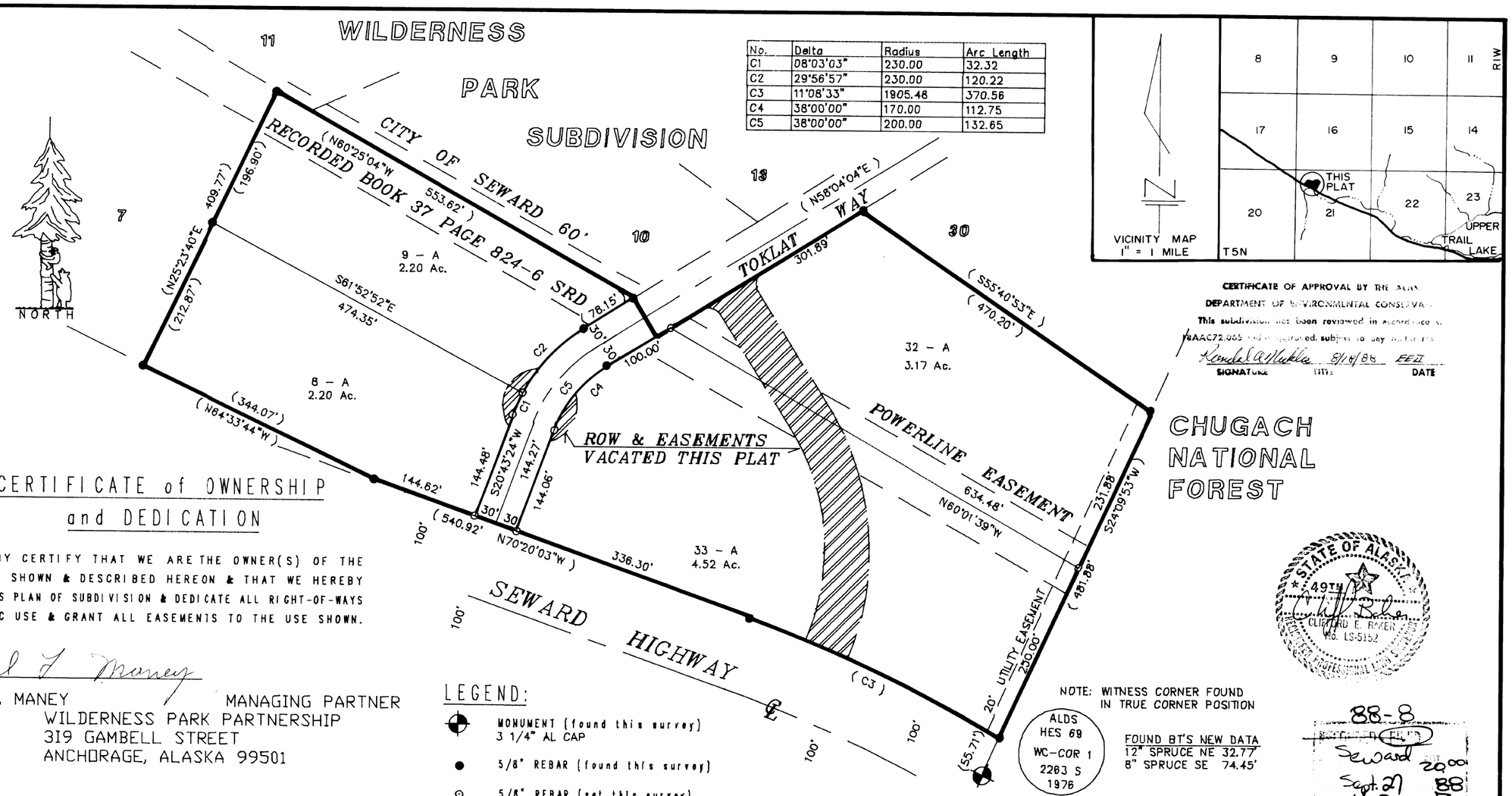
A replat of Lots 1-3 Ralph Moore Subd., Plat No. 86-19 SRD.

Located within protracted Section 1, T4N, R1W, S.M. Moose Pass, Seward Recording District, Kenai Peninsula Borough, AK.

Containing 3.868 Acres

Integrity Surveys
8195 Kenai Spur Highway Kenai, Alaska 99611-8902
SURVEYORS PHONE – (907) 283-9047 FAX --- (907) 283-9071 PLANNERS

JOB NO:	26022	DRAWN:	12 May, 2000
SURVEYED:	April – May, 2000	SCALE:	1" = 50'
FIELD BK:	2000-2, Pg. 34-39	DISK:	Ralph Moore



No.	Delta	Radius	Arc Length
C1	08°03'03"	230.00	32.32
C2	29°56'57"	230.00	120.22
C3	11°08'33"	1905.48	370.56
C4	38°00'00"	170.00	112.75
C5	38°00'00"	200.00	132.65

CERTIFICATE of OWNERSHIP and DEDICATION

I HEREBY CERTIFY THAT WE ARE THE OWNER(S) OF THE PROPERTY SHOWN & DESCRIBED HEREON & THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION & DEDICATE ALL RIGHT-OF-WAYS TO PUBLIC USE & GRANT ALL EASEMENTS TO THE USE SHOWN.

Paul L Maney

PAUL L. MANEY MANAGING PARTNER
WILDERNESS PARK PARTNERSHIP
319 GAMBELL STREET
ANCHORAGE, ALASKA 99501

NOTARY'S ACKNOWLEDGEMENT

SUSCRIBED AND SWORN BEFORE ME THIS 5th DAY OF July, 1988 FOR Paul L Maney Wilderness Park Partnership

Martha Jean Burn
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 5-15-1989

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF 12-14-87

KENAI PENINSULA BOROUGH
Richard B. Troyer
AUTHORIZED OFFICIAL

LEGEND:

- MONUMENT (found this survey) 3 1/4" AL CAP
- 5/8" REBAR (found this survey)
- ⊙ 5/8" REBAR (set this survey)
- ( ) RECORD DATUM PLAT # SRD 87 - 15

NOTES:

1) PROPOSED LAND USES ARE RECREATIONAL, RESIDENTIAL, AGRICULTURAL, AND COMMERCIAL.
2) A SETBACK OF 20 FEET IS REQUIRED FROM ALL STREET RIGHT-OF-WAYS UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
3) ALL WASTE DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING LAWS AT THE TIME OF CONSTRUCTION.
4) SOILS ON THESE LOTS MAY OR MAY NOT BE SUITABLE FOR CONVENTIONAL ON-SITE WASTE DISPOSAL SYSTEMS. NO PERSON MAY CONSTRUCT, INSTALL, MAINTAIN, OR OPERATE A PRESSURIZED WATER SYSTEM OR A WATER-BORNE WASTE DISPOSAL SYSTEM UNLESS APPROVAL OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION IS OBTAINED
5) NO DIRECT ACCESS TO STATE MAINTAINED R.O.W.s PERMITTED UNLESS APPROVED BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
6) FRONT 10' OF BUILDING SETBACK TO BE USED AS UTILITY EASEMENT.
7) RIGHT-OF-WAY VACATION SHOWN INCLUDES THE ASSOCIATED EASEMENTS.

CERTIFICATE OF APPROVAL BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION
This subdivision has been reviewed in accordance with 18AAC72.965 and is approved, subject to any notations.
Kendall A Wakelin 8/16/88 REII
SIGNATURE TITLE DATE

CHUGACH NATIONAL FOREST

STATE OF ALASKA 49TH
CLIFFORD E. BAKER
NO. LS-5152

NOTE: WITNESS CORNER FOUND IN TRUE CORNER POSITION

ALDS HES 69 WC-COR 1 2263 S 1976

FOUND BT'S NEW DATA
12" SPRUCE NE 32.77'
8" SPRUCE SE 74.45'

88-8
FILE
Seward 20.00
Sept. 27 88
1:08 P
Integrity Surveys

K.P.B. FILE # 87 - 168

WILDERNESS PARK
RASMUSSEN REPLAT

R.O.W. VACATION OF MOOSE CREEK DR. & PORTION OF TOKLAT WAY AND REPLAT OF LOTS 8, 9, 31, 32 AND 33, WILDERNESS PARK SUBDIVISION PLAT # 87-15 SRD. LOCATED WITHIN PROTRACTED SEC. 21, T5N, R1W, SM., MOOSE PASS, SEWARD RECORDING DISTRICT, KENAI PENINSULA BOROUGH, ALASKA CONTAINING 12.60 ACRES INTO 4 PARCELS

INTEGRITY SURVEYS
SR2 BOX 385 SOLDOTNA, ALASKA 99669
SURVEYORS 2629461 PLANNERS

JOB NO. 87 - 37	PLATTED: DEC. 87
SURVEYED: NOV. 87	SCALE: 1" = 100'
FIELD BK: 87 - 2	DISK: 3 - 16

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 ROW's permitted unless approved by the State of Alaska Department of Transportation.

3) Front 10 ft. of the building setback adjacent to rights–of–way is also a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a Utility to use the easement.

4) An exception was granted to KPB 20.20.030 by the Plat Committee on October 22, 2007.

5) ~~WASTEWATER DISPOSAL: Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single–family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Dept. of Environmental Conservation.~~

_____ _____ _____
Engineer License # Date

5) WASTEWATER DISPOSAL: Soil conditions in these subdivision have been found unsuitable for conventional wastewater treatment and disposal system. Plans for a typical alternate wastewater disposal system for use on lots in the 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 by a professional engineer registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation prior to construction.

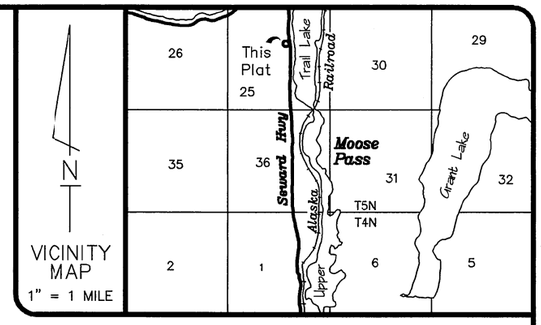
M. Tallmadge 3380-E 7 Nov 07
Engineer License # Date

SURVEYOR'S CERTIFICATE

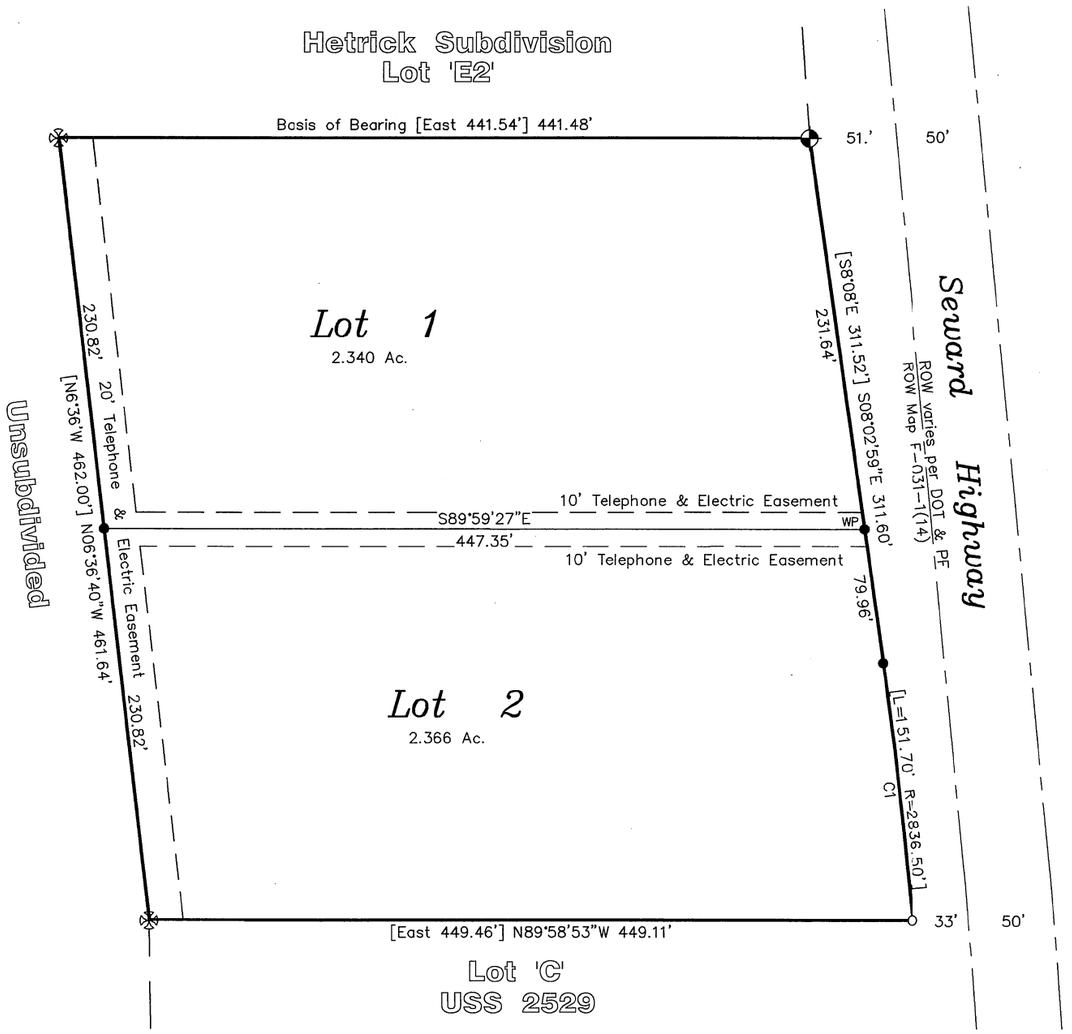
I hereby certify that; I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct to the normal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

STATE OF ALASKA
49TH
CLIFFORD E. BAKER
No. LS-5152
5 Nov 07
Date
REGISTERED PROFESSIONAL LAND SURVEYOR





CURVE TABLE					
Curve	Delta	Radius	Length	Chord	Chord Bearing
C1	3°03'14"	2836.50'	151.19'	151.16'	N06°30'38"W



LEGEND:

- ⊗ 2–1/2" Brass Cap GLO Monument (found) 1941
- ⊕ 1–1/2" Alum. Cap, 3753–S, 1977 (found)
- ○ 5/8" Rebar (found)
- ● 5/8" Rebar (set)
- WP● Witness Point, 5/8" Rebar (set) 2.2' into ROW on extended Property Line
- [ ] Record Datum – U.S.Survey 2529

CERTIFICATE of OWNERSHIP and DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNER(S) OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS–OF–WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

Jeffrey Scott Mitchell
P. O. Box 31
Moose Pass, AK 99631

Kathy Kay Mitchell

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 2 DAY OF Nov,
2007 FOR Jeffrey Scott Mitchell & Kathy Kay Mitchell

Norine A Hinkle
NOTARY PUBLIC FOR ~~ALASKA~~ OREGON, County of Hood River
MY COMMISSION EXPIRES 1-27-2011

OFFICIAL SEAL
NORINE A. HINKLE
NOTARY PUBLIC - OREGON
COMMISSION NO. 412650
MY COMMISSION EXPIRES JANUARY 27, 2011

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF October 22, 2007

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

2007-17
RECORDED
SEWARD REC. DIST.
DATE: November 15 2007
TIME: 10:30 A M
REQUESTED BY:
INTEGRITY SURVEYS
8195 KENAI SPUR HWY
KENAI, ALASKA 99611

KPB FILE No. 2007–262

Emily Rose Subdivision

A subdivision of Lot D, US Survey 2529

Located within the NE1/4 of protracted Section 25, T5N, R1W, S.M., Moose Pass, Seward Recording District, Kenai Peninsula Borough, Alaska.

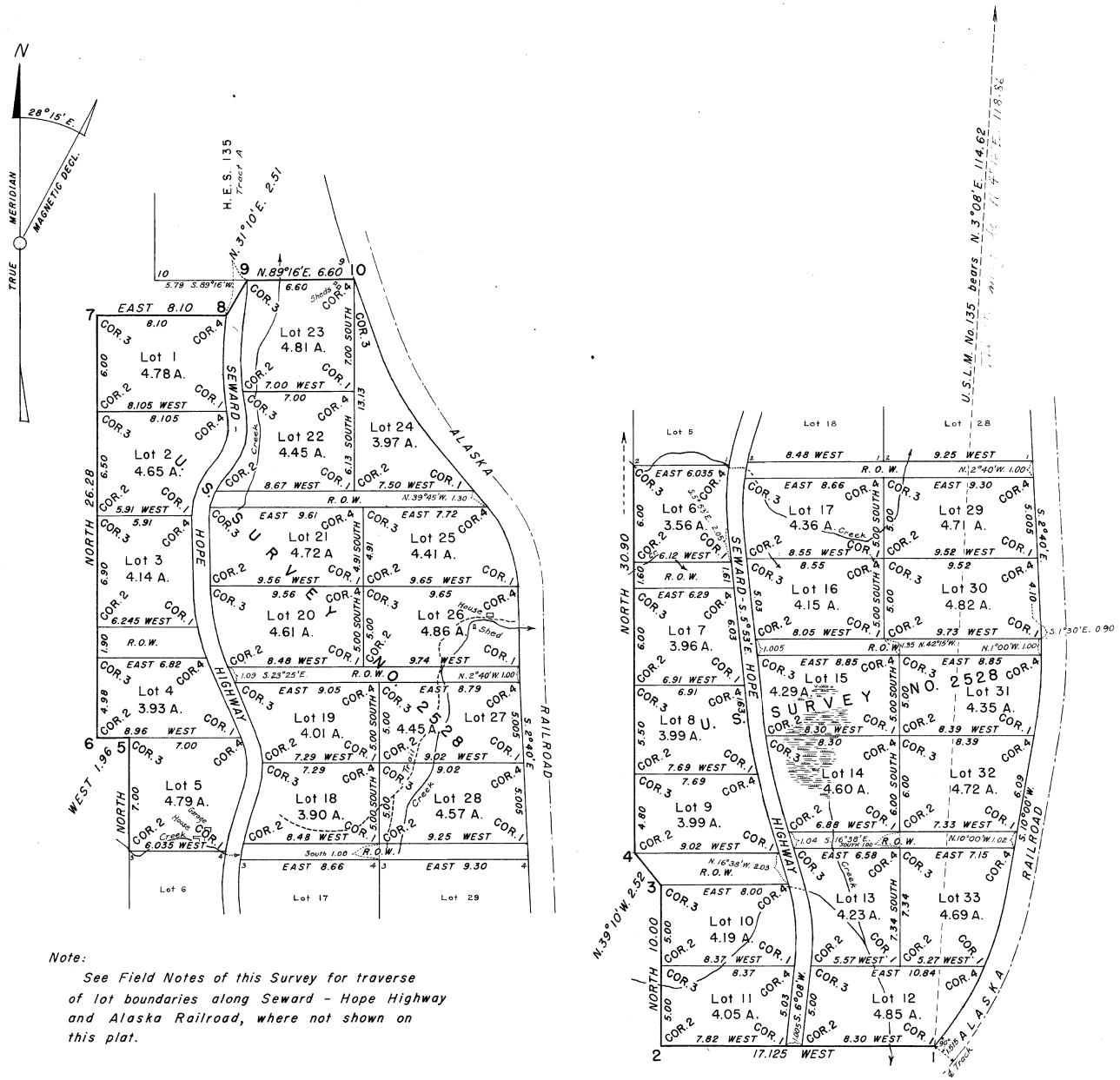
Containing 4.705 Acres

Integrity Surveys, Inc.
3195 Kenai Spur Hwy Kenai, Alaska 99611–8902
SURVEYORS PHONE – (907) 283–9047 FAX --- (907) 283–9071 PLANNERS

JOB NO:	27150	DRAWN:	31 October, 2007 CB
SURVEYED:	27 October, 2007	SCALE:	1" = 60'
FIELD BK:	2007–6, Pg. 68	DISK:	USS 2529

(4-653)

ORIGINAL



Note:

See Field Notes of this Survey for traverse of lot boundaries along Seward - Hope Highway and Alaska Railroad, where not shown on this plat.

PLAT

of

U.S. SURVEY NO. 2528

of the

Trail Lake Group of Homesites

embracing

Lots 1 to 33 inclusive

Executed under the Act of Congress,
Approved May 14, 1898
Amended May 26, 1934
situated

at mile 29, Seward – Hope Highway between highway and Alaska Railroad, and on west side of highway

TERRITORY OF ALASKA

Net Area of Lots: 144.56 acres
Area: 164.16 acres
Declination: 28°15' E.
Scale: 5 chains to the inch

Latitude 60°28'23"N. Longitude 149°21' W.

Survey executed by

F. W. Williamson, Associate Cadastral Engineer

August 29 to October 2, 1941

CERTIFICATE OF APPROVAL
PUBLIC SURVEY OFFICE
Juneau, Alaska, **NOV. 27, 1943.**

The original field notes of Survey No. 2528, of the Trail Lake Group of Homesites embracing Lots 1 to 33 inclusive from which this plat has been made, have been examined and approved, and are on file in this office, and I hereby certify that they furnish such an accurate description of said claim as will, if incorporated into a patent, serve fully to identify the premises, and that such reference is made therein to natural objects and permanent monuments, as will perpetuate and fix the Locus thereof.

And I further certify that this is a correct plat of said claim, made in conformity with said original field notes of the survey thereof, and the same is hereby approved.

Geo. A. Parks
District Cadastral Engineer

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
Washington, D.C., *APRIL 23, 1945*

The survey represented by this plat having been correctly executed in accordance with the requirements of law and the regulations of this office, is hereby accepted.

Joel Baird Wolfsohn
Assistant Commissioner.

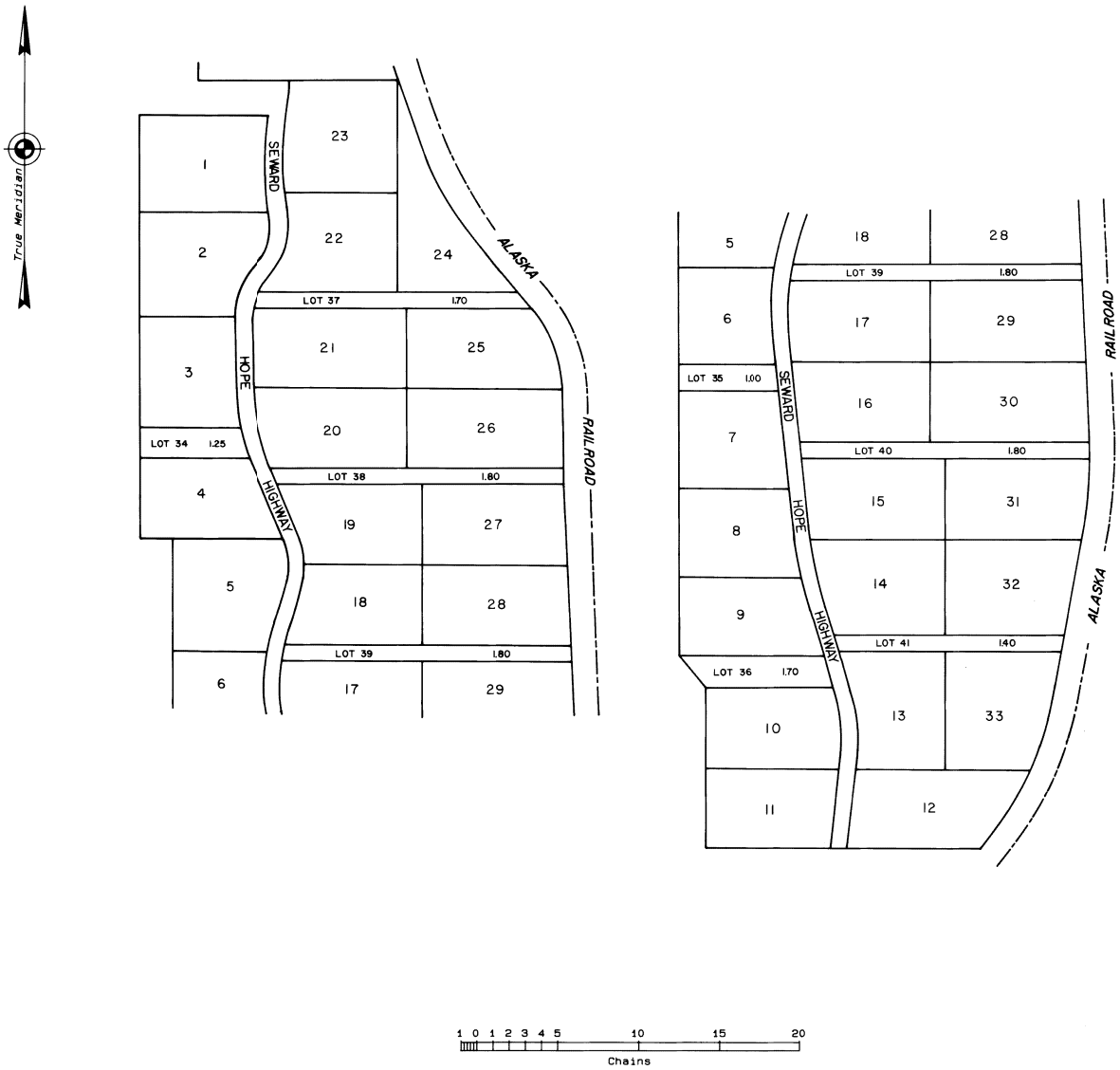
246

680

E10-63

Vol. U67p44

Officially Filed ORIGINAL
DATE DECEMBER 11, 1984



TF

SUPPLEMENTAL PLAT OF

U.S. SURVEY No. 2528, ALASKA

This supplemental plat showing the lotting and area of former rights-of-way for identification purposes is based upon the plat of U.S. Survey No. 2528, accepted April 23, 1945.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

This plat, showing lotting and area of former rights-of-way, is based upon the official records and, having been correctly prepared in accordance with the regulations of this Bureau, is hereby accepted.

For the Director

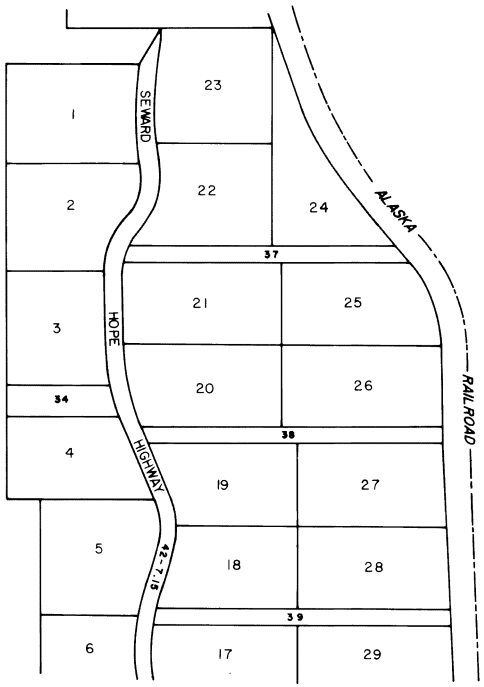
Nov. 13, 1984
Date

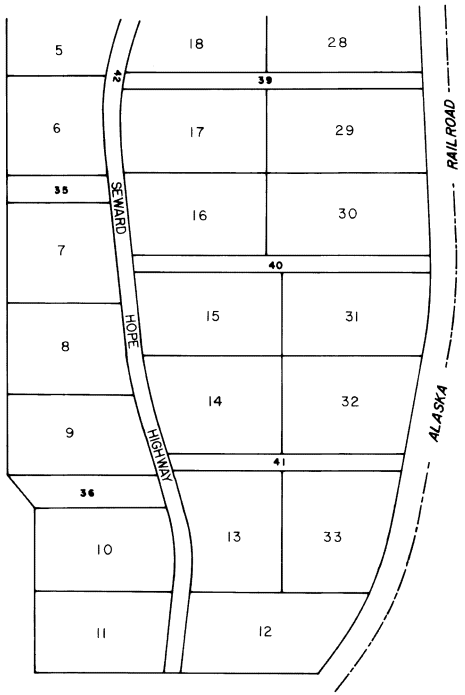
Deputy State Director for Cadastral Survey, Alaska

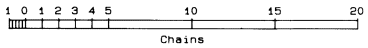
Officially Filed
DATE SEPTEMBER 8, 1986

ORIGINAL









J.E.F.

SUPPLEMENTAL PLAT OF
U.S. SURVEY
No. 2528, ALASKA

This supplemental plat, showing lotting and area of the Seward-Hope Highway, is based upon the plat of U.S. Survey No. 2528, Alaska, accepted April 23, 1945, and the supplemental plat of U.S. Survey No. 2528, Alaska, accepted November 13, 1984.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

This supplemental plat is based upon the official records and, having been correctly prepared in accordance with the regulations of this Bureau, is hereby accepted.

For the Director

Jerry L. Pinkerton August 7, 1986
Date

Acting Deputy State Director for Cadastral Survey, Alaska

Prot sheet S 16-3
S 16-6
Seward B-7
T 4N, R 1W, SM
T 5N, R 1W, SM

E10-65

12676 OR SW 14

BOUNDARIES AND SUBDIVISION
of

MOOSE PASS TOWNSITE
ALASKA

U. S. SURVEY No. 2676

LATITUDE 60°29'33" N., LONGITUDE 149°21' W. (approximate)
at meander corner No. 1.
MAGNETIC DECLINATION 28°15' EAST.

SCALE IN FEET

SURVEYED BY F. W. WILLIAMSON, CADASTRAL ENGINEER
JUNE 11 TO JUNE 25, 1946

X Not for sale

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Denver, Colorado, November 13, 1947.

This plat of the boundaries and subdivision of MOOSE PASS TOWNSITE, ALASKA, is strictly conformable to the field notes of the survey thereof which have been examined and approved.

Earl J. Harrington
Acting Assistant Chief Cadastral Engineer

WASHINGTON, D. C., MAR 4 - 1948

The survey represented by this plat having been correctly executed in accordance with the requirements of law and the regulations of this office, is hereby accepted.

Thos. C. Farrell
ASSISTANT Director

MOOSE PASS TOWNSITE
U.S. SURVEY NO. 2676
PLAT NO. 14

#5

Plat #14

3000
11-63

E10-66

-----Original Message-----
From: Jan Odhner <jjodhner@arctic.net>
Sent: Friday, June 3, 2022 1:31 PM
To: Planning Dept, <planning@kpb.us>
Subject: <EXTERNAL-SENDER>KPB file No. 2022-063

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.

To Whom it may concern- This letter is in regard to the State of Alaska wanting to acquire a swath of our property along the Seward Highway for right of way. My wife and I are strongly opposed to this acquisition.Our property is zoned commercial and we have a nightly rental on it. If the State were to acquire the property and remove the trees it would expose our business to the road and greatly reduce the appeal of nightly rental. The opposite side of the road is National Forest and would be the logical direction to expand if need be.Further more out of the four lots in Toklat subdivision ours was singled out and we are in the middle and on a straight stretch. Please do not let this acquisition go through. Sincerely Jan& Judy Odhner

DESK PACKET ITEMS

(Items received after the publishing of the meeting packet on 6/7/22)

E. NEW BUSINESS

10. ROW Acquisition Seward Hwy. MP 25.5 to 36 Trial River to Sterling WYE Rehabilitation; KPB File 2022-063
State of AK DOT&PF / State of Alaska
Location: MP 25.5 to 36 Sterling Highway
Moose Pass Area / Moose Pass APC

Moose Pass Advisory Planning Commission June 9th, 2022 Regular Meeting, Resolution:

The following resolution was passed with unanimous approval for inclusion into the package to inform the Kenai Peninsula Platting Commission and the Kenai Peninsula Planning Commission regarding the decision to approve the ROW "takes" for a DOT project in the Moose Pass Area, KPB 2022-063:

Resolution to Request Postponement of Vote on Right of Way "Takes" KPB 2022-063

Whereas the Kenai Peninsula Borough has not provided adequate time to completely review the provided information.

Whereas the maps provide were inaccurate, illegible, and lacking a complete legend.

Whereas the Moose Pass Advisory Commission and community members were not provided technical assistance to interpret maps designed to be understood by professionals.

Therefore, The Moose Pass Advisory Planning Commission request that this vote be postponed until the July 11th Kenai Peninsula Borough Planning Commission Meeting, and that the necessary technical assistance is provided, to allow the Advisory Planning Commission and the public time to review information and provide meaningful comment.

Quainton, Madeleine

From: Planning Dept,
Sent: Friday, June 10, 2022 8:57 AM
To: Quainton, Madeleine; Hindman, Julie
Subject: FW: <EXTERNAL-SENDER>Moose Pass right-of-way acquisitions MP 25.5 to MP 36 Comments

Thank You,

Ann Shirnberg
Administrative Assistant
Planning Department
(907) 714-2215
KENAI PENINSULA BOROUGH
144 North Binkley Street
Soldotna, Alaska 99669

PUBLIC RECORDS LAW DISCLOSURE: This email and responses to this email may be subject to provisions of Alaska Statutes and may be made available to public upon request.

From: Nathan Bawtinhimer <nathanbawtinhimer@gmail.com>
Sent: Friday, June 10, 2022 8:36 AM
To: Planning Dept, <planning@kpb.us>
Subject: <EXTERNAL-SENDER>Moose Pass right-of-way acquisitions MP 25.5 to MP 36 Comments

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.

Greetings KPB planning committee,

My family and myself are very concerned about the proposed right-of-way acquisitions in Moose Pass. My property sits at my 28 on the West side of the highway. The proposed right-of-way acquisition would remove all privacy I have at my cabin and significantly increase road noise. This would potentially reduce my property value and increase erosion potential. My cabin sits at the top of a steep hill just above where tree cutting would occur. It would also increase sedimentation of the two streams that border my property with potential impacts on fish and bird populations in Trail Lake. It will also affect the drinking water quality of residents downstream from me. This project will also make parking access to my property non-existent.

If the goal of this project is truely to improve drainage, fixing the existing ditches and culverts would probably be effective. The ditches and culverts have not been maintained in decades. The pavement on this stretch of road does need to be fixed. I believe the existing roadway could be repaired with far less impact on the citizens of Moose Pass and the environment.

Sincerely,
Nathan and Claire Bawtinhimer

34169 Seward Hwy
Moose Pass, AK 99631
(907) 491-1015

Quainton, Madeleine

From: Planning Dept,
Sent: Friday, June 10, 2022 8:58 AM
To: Quainton, Madeleine; Hindman, Julie
Subject: FW: <EXTERNAL-SENDER>Notice of Subdivision/Replat Moose Pass

Thank You,

Ann Shirnberg
Administrative Assistant
Planning Department
(907) 714-2215
KENAI PENINSULA BOROUGH
144 North Binkley Street
Soldotna, Alaska 99669

PUBLIC RECORDS LAW DISCLOSURE: This email and responses to this email may be subject to provisions of Alaska Statutes and may be made available to public upon request.

From: jane burrill <burrilljane@gmail.com>
Sent: Thursday, June 9, 2022 3:01 PM
To: Planning Dept, <planning@kpb.us>
Subject: <EXTERNAL-SENDER>Notice of Subdivision/Replat Moose Pass

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.

To Whom It May Concern:

We live at 35105 Seward Highway in Moose Pass and recently received the Notice of Subdivision/Replat (KPB File No.2022-063). Besides this property being our home, it's also the site of our business, the Moose Drop-In Trading Post, more commonly known as The Fudge Shop in Moose Pass.

We are not happy with the proposed plan, mainly because our water well is within the area you're planning to take. It's 40 feet from the center line of the road, but it appears to be in danger. If you continue with your plan, we will expect you to provide a new source of potable water acceptable to us prior to taking our well.

Our second concern is our parking lot--your plan takes away the bulk of our parking lot. This will negatively affect our business. Campers and small tour buses will not fit in what will remain of our parking lot if you take it. That will cut into our income. Customers will have to back out into the main road, creating a huge safety hazard and putting lots of lives at risk. The entire width of the parking lot and road access are used by our customers. If you take the bulk of our parking lot as your plan suggests, our own vehicle will not fit where we usually park it.

We're also worried your proposed plan will take out our little workshop where we create hand-crafted items to sell. We can't afford to lose this workshop or to move it. We're not sure it would survive a move. We had thought about adding

onto that workshop--we're appalled to imagine the time and money we would have wasted if we had done so and if you go through with your plan.

These are our concerns with the proposed plan. We're quite disappointed that government wants to take our property instead of working within your boundaries. We didn't buy this small piece of heaven so it could be made smaller. We bought this property so we could be self-employed as shopkeepers, but your proposed plan puts our livelihood in jeopardy. Your plan takes our water, our customers' parking lot, and possibly a workshop where we create some of our goods to sell. That makes this place far from heaven.

Sincerely,

--
Jane and Rodney Burrill
Moose Drop-In Trading Post
PO Box 164
Moose Pass, AK 99631
907 288 2453

Quainton, Madeleine

From: Deborah Green <dgkiw@outlook.com>
Sent: Friday, June 10, 2022 11:04 AM
To: Planning Dept,; jendboyle@gmail.com
Subject: <EXTERNAL-SENDER>Moose Pass improvements

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.

I am writing to express my concern about the State of Alaska Department of Transportation's request for a re-plat in the Moose Pass area. I believe this request will be voted on by the Board on June 13th.
The plan includes modifications to the current ditches which would require the State's acquisition of significant portions of residents' property to extend the current easement.
I am concerned about the impact of this plan which would involve the wells and septic systems on some properties, affect access to some already difficult driveway entrances, and remove noise and dust buffering trees. In addition, I have doubts that the plan will adequately address the drainage issues in light of the fact that there has been little to no effort by the State to maintain the current ditch system. In five years, after spending tens of millions of dollars I fear we will be facing the same issues.
In addition, according to DOT's own documents, community input has not been solicited since 2021. Current residents, with acute awareness of current conditions, deserve to be involved in this planning process.
The proposal as written does contain some useful and desirable improvements, including re-paving the highway, traffic slowing measures and replacement of poorly functioning culverts.
I ask that for the above reasons you deny the State's re-platting request and encourage DOT to seek community input from Moose Pass residents about necessary and desirable improvements and maintenance along the roadway.
Deborah Green
35123 Seward Highway
PO Box 114
Moose Pass AK
907 444 1412

Get Outlook for Android

Quainton, Madeleine

From: Planning Dept,
Sent: Friday, June 10, 2022 11:17 AM
To: Quainton, Madeleine; Hindman, Julie
Subject: FW: <EXTERNAL-SENDER>KPB File 2022-063 letter-deadline June 10
Attachments: My letter.docx; my front yard.jpg; culvert.jpg; ditch in front of house.jpg

Thank You,

Ann Shirnberg
Administrative Assistant
Planning Department
(907) 714-2215
KENAI PENINSULA BOROUGH
144 North Binkley Street
Soldotna, Alaska 99669

PUBLIC RECORDS LAW DISCLOSURE: This email and responses to this email may be subject to provisions of Alaska Statutes and may be made available to public upon request.

From: Nancy Erickson <nancyericksonak@gmail.com>
Sent: Friday, June 10, 2022 11:16 AM
To: Planning Dept, <planning@kpb.us>; chris.bentz@alaska.gov; Kirsten Valentine <kirsten.Valentine@alaska.gov>; Cindy Ecklund <ecklundc@gmail.com>
Subject: <EXTERNAL-SENDER>KPB File 2022-063 letter-deadline June 10

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.

Attached is my letter and three photos in response to the "taking" of 10 feet more of my property for utilization for a ditch. Please read carefully.
Thank you
Nancy Erickson
491-1639

Virus-free. www.avg.com

June 10, 2022

RE: KPB File 2022-063, plat finalizing a series of right-of-way acquisitions along the Seward Highway right-of-way from Moose Pass MP 25.5 to 36.

Email: planning@kpb.us
Cc: chris.bentz@alaska.gov
Cc: Kirsten.valentine@alaska.gov
Cc: ecklundc@gmail.com

In reference to an undated letter I received May 28
re: "NOTICE OF SUBDIVISION/REPLAT" with a public hearing June 13 in Soldotna.

From: Nancy E. Erickson, 35083 Seward Highway, Moose Pass
Lot 3 Block 4 Moose Pass Townsite
907-491-1639
3 photos attached

Overview:
This project encompasses MP 25.5 to 36, but I am focusing my comments on the core of Moose Pass

Moose Pass townsite is an historic, quaint area composed of a handful of residents, many of us hugging the west side of the Seward Highway. Many of our homes have been here long before there was a highway or ditches. Residents take pride in the upkeep of their homes and grounds. We covet the old trees and shrubs that buffer the noise of cars, trucks and buses that fail to abide by the 35 mph speed limit through our little town.

Issue:
Upon receiving the letter that stated my property was involved, I contacted Kirsten Valentine, a DOT employee working on the Seward Highway MP 25.5 to 36 project to find out why DOT wants 10 feet of my front yard I was told that drainage through this corridor is a problem and ditching is inconsistent. In addition to DOT's current ROW of 21.4 ft, (determined by subtracting 10ft from the 31.4ft I was told to measure-see below) they want 10 additional feet to enlarge the ditch that is already in front of my house. That would leave approximately 10 Ft of yard in front of my house. I'm not alone. Almost every property owner within these 10 miles is affected in some way.

Why this is unreasonable and excessive:
A ditch already exists but has not been maintained, which DOT admitted at our local planning meeting in Moose Pass June 9. I have a hand-painted sign at the end of my driveway that says "Keep us alive. Drive 35," and a few years back-two years in a row- DOT maintenance said I had to remove my sign so they could dredge the ditch. Never happened. I've had this property for 20+ years and can't remember the last time it was dredged. (see photos) Use the existing ditch and put in bigger culverts under our driveways at a much cheaper cost than taking our wells, septics and dwellings, which would cost thousands to replace. You don't need 31.4 feet for a ditch. (That's what DOT told me to measure from the edge of the pavement to "eyeball" where the easement would fall. See photos.)

This “take” as it’s called, would involve my well, waterline and septic leach field. Ben Ikerd a few houses down would lose his arctic entry and his whole front yard. The fudge store next door to my house would lose half their parking lot and could not accommodate motorhomes. DOT wants 10 feet of Estes Bros. actual store.

It would also involve my three trees and shrubs that help immensely buffer the traffic noise. Much of the vegetation along the highway would be removed, according to engineer drawings. In addition to esthetics, removing any obstacles along any highway causes traffic to drive even faster! Speeding is a huge problem through the Moose Pass 35mph zone. There are many instances of drivers losing control through town and running into yards and taking out porches. In one instance, I witnessed a speeding motorist hit the ditch, flying past three houses and leaping over three driveways before coming to a stop. Take away the buffer that trees serve and that driver would have been in our yards.

And down goes my property value. What once was a manicured front yard with trees, shrubs and raspberry bushes would be a huge ditch full of weeds that DOT would again, not maintain.

Closing
I first experienced the drive from the wye to Seward in 1977 and was awestruck by its beauty. I had just arrived in Alaska, so hadn’t experienced much of the state. But 45 years later, I still feel it’s the most beautiful drive in Alaska. DOT’s request is excessive. Please don’t destroy our scenic landscape, our identity, our history and the quality of life we enjoy in our homes for a ditch.

There has been no communication from DOT or KPB on this issue until a few days ago, giving us little time to have our letters to KPB by 1 pm June 10. I request the vote for June 13 be postponed until next month’s KPB APC meeting to give property owners affected by this more time to assess the situation.

Photos:
Culvert
This is what is visible of the 12” culvert under my driveway. There would be no problem if 24” culverts were installed and existing ditches cleaned periodically.

Ditch:
This currently is the ditch in front of my house.

My front yard:
Note the two markers. The marker on the right indicates DOT’s current ROW. The left marker is 31.4 ft (the distance DOT told me to measure to determine where the edge of the new easement would fall) from the edge of the pavement that includes the additional 10ft DOT wants from me. DOT has plenty of room to improve the ditch within that first 21.4 ft.







Quainton, Madeleine

From: milligans north <milligansnorth@gmail.com>
Sent: Friday, June 10, 2022 11:57 AM
To: Planning Dept,
Subject: <EXTERNAL-SENDER>Subdivision/Replat Comment

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.

Please reply to confirm that this was received prior to 1 p.m. on June 10th. Thank you.

To the Kenai Peninsula Borough Planning Commission:

As the owners of parcel #12522013, located at approximately mile 29 of the Seward Highway, we are writing to urge that the proposed plat for the Milepost 25.5 to 36 Project be rejected.
The proposed plat should be rejected because the design plan is an egregious use of public funds, it is unnecessarily intrusive to property owners, and because it causes irreparable damage to the community of Moose Pass.

The proposed plat is an egregious use of public funds. The goals of this project to "extend the surface life of the highway" and "improve drainage" are directly connected, as explained by Chris Bentz at the Moose Pass Planning Commission meeting on Thursday, June 9, approximately 7 p.m. via Zoom. Apparently the the poor drainage is causing runoff which then negatively impacts the surface life of the highway. The scope of this project to improve drainage is the egregious use of funds: a $67.2 million project which could be reduced significantly if only DOT would maintain the drainage ditches. The ditches along the corridor within the 35 mph zone have not been dredged in at least the last five years, probably longer, according to the ditch crew member I spoke with on June 10th. Residents along the highway have no recollection of the ditches being dredged even beyond that, so naturally years and years of gravel build up will cause poor drainage! Good stewards of public funds should utilize the least expensive alternatives first.

The proposed plat is also unnecessarily intrusive to property owners along the highway. The goals of this project could and should be met without wrecking havoc on our homes and businesses. The proposed plat will require significant relocation of water wells and septic systems. Water wells are a difficult issue here in the mountains. The assumption that a well can just be drilled somewhere else on a particular piece of property is at best naive. Additionally, given the small lot size of many property owners, it will not be a simple solution to move septic systems…our plot, for example, has it's septic system in literally the only place legally possible based on the location of our well. So what is the option; buy us out and force us to move? To move where? Seward is facing the same housing shortage it has been dealing with for the last 20 years. We are the public, too! A project such as this "for the good of the public" cannot ignore us! Additionally, removing entire tree lines which provide a shield from the already intrusive traffic noise and requiring entire restructuring of driveways and landscaping will reduce both the quality of life and the attraction of tourists for those of us who offer lodging as a business.

The proposed plat for this project will do irreparable damage to the community of Moose Pass. Our attraction as a quaint mountain town with services for tourists will be negatively impacted far beyond the scope of this project. Homeowners will be forced out, which will also force the closure of small business and tourist offerings.

Some will say that this project is necessary to improve the road surface and safety measures for traffic. This reasoning is insufficient, as the road surface can be repaired and traffic calming safety measures can be implemented without the drastic takeover of private property. While we understand and are appreciative of the efforts to improve the road quality and safety of this corridor, we are also understandably concerned that the scope and footprint of this project is far beyond what is necessary.

As a resident and private property owner negatively impacted by this project, we respectfully urge that this proposed plat be rejected.

Thank you.

Mark & Wendy Milligan
35675 Seward Hwy, Moose Pass

907-491-1411

Quainton, Madeleine

From: Jeff Estes <parnellije@gmail.com>
Sent: Friday, June 10, 2022 12:43 PM
To: Shirnberg, Ann; Planning Dept,
Subject: <EXTERNAL-SENDER>Subdivision replat for right-of-way acquisitions for DOTPF project Seward Highway mile 25.5 to mile 36

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.

The impact to the core of the community will change the look, feel, and character of the community as a whole which is on a declared "Scenic Byway"!

- Specifically Estes Brothers Store began as a homestead in 1921 and has become a popular tourist attraction with the commemorative water wheel and the historically quaint store.
- Estes Brothers gave the Bureau of Public Roads an easement for a road through the middle of the homestead(HES 220) in 1951. Following that the Borough declared that the land was two lots. (contested but unresolved)
- Apparently the wheel will no longer have a parallel pull off for occasional tourists and busses. The entire property frontages will be ditched with no regard to current nor prior use.
- Store visitors will be required to access through a standard driveway on the north which also serves a residence north of the store to an already small parking area. In addition there will be no access to the garage east of the Highway for alternate parking or large vehicle "pull off parking". DOT has proposed that people may come to the store via Leora Avenue and circle the store through a cargo delivery area. This will severely limit our business capacity and make it difficult if not impossible to receive deliveries and customers and not at the same time as we currently have been.
- The septic tank which is east of the current right-of-way will now be in the right-of-way and some of the details and other underground facilities are incorrect.

- Channeling water in front of the store via ditch is problematic with an adjacent full below grade basement is problematic. Adding a culvert to lead the water across the street to a pit collecting water three other areas feeding a culvert to the lake invites disaster for the basement furnace which heats the store. DOTPF apparently doesn't have the funding for manpower nor equipment to maintain ditches nor thaw these culverts. Neither does Estes Brothers have what it takes although we have put countless hours into the small surface drainage issues to protect our facilities even beyond our property frontage since DOT has not been able to maintain today's infrastructure.
- In spite of previous talks with and presented designs the current design received a few days ago is completely different, which begs the question whether it's changed for negotiation purposes.
- I must agree with the community in saying more time would be fair play for review of the new plans and design. The latest plans are inaccurate, Illegible, and without a complete legend they are challenging even for a retired engineer to read.
- We believe this design will not conform to the standards for a property of this type and does not respect our rights with respect to the easement given in 1951.

Generally speaking the project appears to be:

- Taking property away from Alaskan’s.
- There’s been a lack of maintenance of our current ditches and culverts, drainage in general for a number of years. It has been left to residents to do this work and there is a lack of faith that some new project will improve the state's ability or interest in general after this project has come through and impacted our area.
- This project is slated to impact a large number of Alaskan’s basic human needs, such as drinking water wells and septic systems.
- Impact of property access which may cause steep, potentially inaccessible entrances, especially in winter.
- Many homes will lose their privacy due to cutting of trees. This will also increase already intrusive highway noise.
- Impacts to the scenescape on some local property owners will have potentially large financial implications for vacation / lodging guests
- The costs of the project if an extension of the safety path is included should be reconsidered in light of the potential costs to local residents here in our community

The community feels this project is needed with respect to:

Pavement of the roadway is very much needed and would be appreciated.
Culverts do need to be replaced
Traffic slowing measures to the posted limit will help prevent future accidents.

Jeff Estes
Brooke Estes

Quainton, Madeleine

From: JD Boyle <jdanielboyle@gmail.com>
Sent: Friday, June 10, 2022 12:52 PM
To: Planning Dept,
Subject: <EXTERNAL-SENDER>Fwd: Moose Pass Highway Project Proposal

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.

To whom it may concern;

I am sending this email to request that for the reasons stated herein that you postpone, rather than approve the State's re-platting request at this time and encourage DOT to seek community input from Moose Pass residents about necessary and desirable improvements and maintenance along the roadway in regard to the State of Alaska Department of Transportation's request for a re-plat in the Moose Pass area. I believe this request will be voted on by the Board on June 13th.

The plan includes modifications to the current ditches which would require the State's acquisition of significant portions of residents' property to extend the current easement.

I am concerned about the impact of this plan which would involve the wells and septic systems on some properties, affect access to some already difficult driveway entrances, and remove noise and dust buffering trees. In addition, I have doubts that the plan will adequately address the drainage issues in light of the fact that there has been little to no effort by the State to maintain the current ditch system. In five years, after spending tens of millions of dollars I fear we will be facing the same issues.

In addition, according to DOT's own documents, community input has not been solicited since 2021. Current residents, with acute awareness of current conditions, deserve to be involved in this planning process.

The proposal as written does contain some useful and desirable improvements, including re-paving the highway, traffic slowing measures and replacement of poorly functioning culverts.

Sincerely,

Joseph D. Boyle
34815 Seward Highway
PO Box 121
Moose Pass AK. 99631
907-382-0466

--
--



JD Boyle

907-382-0466

jdanielboyle@gmail.com

P.O. Box 121, Moose Pass, AK 99631

Quainton, Madeleine

From: Jennifer Boyle <jendboyle@gmail.com>
Sent: Friday, June 10, 2022 12:57 PM
To: Planning Dept,
Subject: <EXTERNAL-SENDER>KPB File No. 2022-063 Moose Pass Subdivision/Replat

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.

Dear Kenai Peninsula Borough Planning Committee,

My name is Jennifer Boyle, and I live at 34815 Seward Highway in Moose Pass.

I am writing to express my concern about the State of Alaska Department of Transportation's request for a re-plat in the Moose Pass area, KPB File No. 2022-063. I believe this request will be voted on by the Board on June 13th. I stand with the Moose Pass Advisory Planning Commission in requesting a postponement so that our community can have sufficient time to review all document regarding these changes.

According to DOT's own documents, community input has not been solicited since 2021. Current residents, with acute awareness of current conditions, deserve to be involved in this planning process. Many residents did not even receive information regarding this proposal by mail and only found out because of word of mouth on Thursday, June 9. There has not been sufficient time to review this current proposal by the residents that will be impacted.

As written, the plan includes modifications to the current ditches which would require the State's acquisition of significant portions of residents' property to extend the current easement.
I am concerned about the impact of this plan which would involve the wells and septic systems on some properties, affect access to some already difficult driveway entrances, and remove noise and dust buffering trees. In addition, I have doubts that the plan will adequately address the drainage issues in light of the fact that there has been little to no effort by the State to maintain the current ditch system. In five years, after spending tens of millions of dollars I fear we will be facing the same issues.

The proposal as written does contain some useful and desirable improvements, including re-paving the highway, traffic slowing measures and replacement of poorly functioning culverts.

I ask that for the above reasons you postpone the State's re-platting request and encourage DOT to seek community input from Moose Pass residents about necessary and desirable improvements and maintenance along the roadway.

Thank you for your consideration,
Jennifer Boyle

Sent from my iPhone

Quainton, Madeleine

From: Smarts <smarts@gci.net>
Sent: Friday, June 10, 2022 1:03 PM
To: Planning Dept,
Cc: Bruce@Jaffaconstruction.com; John Smart; chris.bentz@alaska.gov; kirsten.valentine@alaska.gov; Cindy Ecklund; konrad.jackson@akleg.gov Jackson; Senator.Peter.Micciche@akleg.gov; Pierce, Charlie; Rhoades, Aaron; Chaffee, Rachel; dot.commissioner@alaska.gov; Hibbert, Brent; jjh@seward.net
Subject: <EXTERNAL-SENDER>Public Comments Ref: Right of Way (ROW) Acquisition's Seward Highway DOT Project MP 25.5 - MP 36

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.

Dear All,

My wife Kathy and I (John) respectfully submit our comments regarding the ROW Personal Property (Community Residents) Acquisition's Plot map. These Plot maps are associated with AK DOT Seward Highway Project MP 25.5 - MP 36

We live off Seward Highway MP 34.5…
29998 Toklat Way, Moose Pass
Parcel# 12526014

Kathy and I do not support the current acquisition plots or the newly DRAFT road design as drawn. We do not agree with the scope of this project as planned and is currently being designed either.

We (and all affected in our Community of Moose Pass) respectfully request that the Monday 13 June 2022 Vote to adopt said Plots as drawn be POSTPONED till July when KPB APC next meets.

We request this POSTPONEMENT based on the below comments;
1) The late request for public comment and deadline of today.

2) The inconsistent communication with the affected residents (some residents received a letter many others did not. All letters delivered (late) placed the residents on a short fuse for reply)

3) The Plot maps are missing legends for reference.

4) The Plot maps are difficult to read almost illegible honestly and for we the layman user of the plots (were not all Civil Engineers) are VERY difficult to understand.

5) The entire premise of the project is to replace the road surface, install larger culverts and increase the size/depth of existing ditches and or add ditches as required for better drainage. This is all in the hope to lower maintenance costs.
A) In our humble opinion the entire proposed project has been planned and now being designed based on a falsehood of lower maintenance costs via better drainage.

B) This opinion is based on FACT though because were are currently not getting the required maintenance the road needs and haven't been for many, many, years.
C) How do we know that fact? Because the residents on the main Moose Pass roadway haven't had their drains cleaned out in at least (5) years, and its been admitted to in as recent as last evenings APC meeting!
It's no wonder our road surface from Tern Lake "Y" to the Trail River Bridge is in such terrible shape and has been for many years prior to the 5 years of Zero to little maintenance. It's almost literally held together by crack & seal operations.
D) Now the DOT wants to finish the design work to receive approval of funding to then start acquisitions of our Community Members yards, septic systems, store fronts, nightly rental income, their mature tree's and shrubbery and move this flawed plan into the EXECUTE stage!!!
E) EXECUTE is the operative word here. This flawed plan built on the illusion of lower road maintenance costs will be completely placed upon our residents shoulders who will BEAR the entire brunt of the damage to their lives, loss of personal property, our income, and the health and beauty of our community.

YOU WILL BE BY PROXY "EXECUTING" our community as you "EXECUTE" this flawed plan in your words to 'save road maintenance costs". Is it worth it, we/I do not think so.
All that will happen is our community will lose all mentioned in "E" above and guess what future road maintenance still won't take place as planned and all the BLOOD dollars you will have spent (which by the way come from us The People who fund all Federal, State, and Local Governments) will be in vain. A vicious terrible cycle and all at the cost of our Moose Pass Community!!

PLEASE do not approve this design, PLEASE POSTPONE the vote, PLEASE DO NOT uproot and DISRUPT our quaint Alaskan roadside village (which by the way has been here in place before a road was placed thru it!!!)

We're asking for our Local, State, and Federal Representative's to act upon this FLAWED Plan and offer assistance to our Moose Pass Community to STOP this Project NOW.

We're going to work with all of you as nicely as we can…..but I can assure WE WILL NOT JUST STAND BY and be ran over…WE WILL NOT GIVE UP VOICING OUR CONCERNS.

We're NOT GOING AWAY.

Respectfully,

John & Kathy Smart

RECEIVED
JUN 09 2022
KPB PLANNING DEPT.

June 4, 2022

Kenai Peninsula Borough Planning Department
144 N. Brinkley Street
Soldotna, Alaska 99669

To whom it may concern,

I have recently been given Notice of a Subdivision/Replat which was received May 6th 2022, proposing to replat my property in Moose Pass, AK.

T 5N R 1W SEC 17 Seward Meridian SW 0770002 TOKLAT ESTATES SUB TRACT A

This preliminary proposal is not a simple utility easement and would completely eliminate my ability to use the lot. This also does not appear to be a re-plating for a new subdivision and is a widening of Seward Highway, a State Highway, which will reduce Tract A by approximately 70%.

This appears to be a Right of Way Acquisition as described in the Municipal Code of Ordinances, which would require either my approval and/or require the administration compensate me for the use of my property as an easement.

I am the sole individual owner of this lot. If this plat is approved, it essentially is condemnation without compensation. It has always been my intention to gift the property to my daughter who has expressed interest in building in Moose Pass.

I strenuously oppose this proposal for the reasons stated and have my legal counsel awaiting your response.

Sincerely yours,

Walter G Hanni

WALTER HANNI

8630 BLUFFWOOD CIR.
ANCHORAGE, AK 99502

CELL - 907.250.5433

EMAIL - WALTHANNI@YAHOO.COM

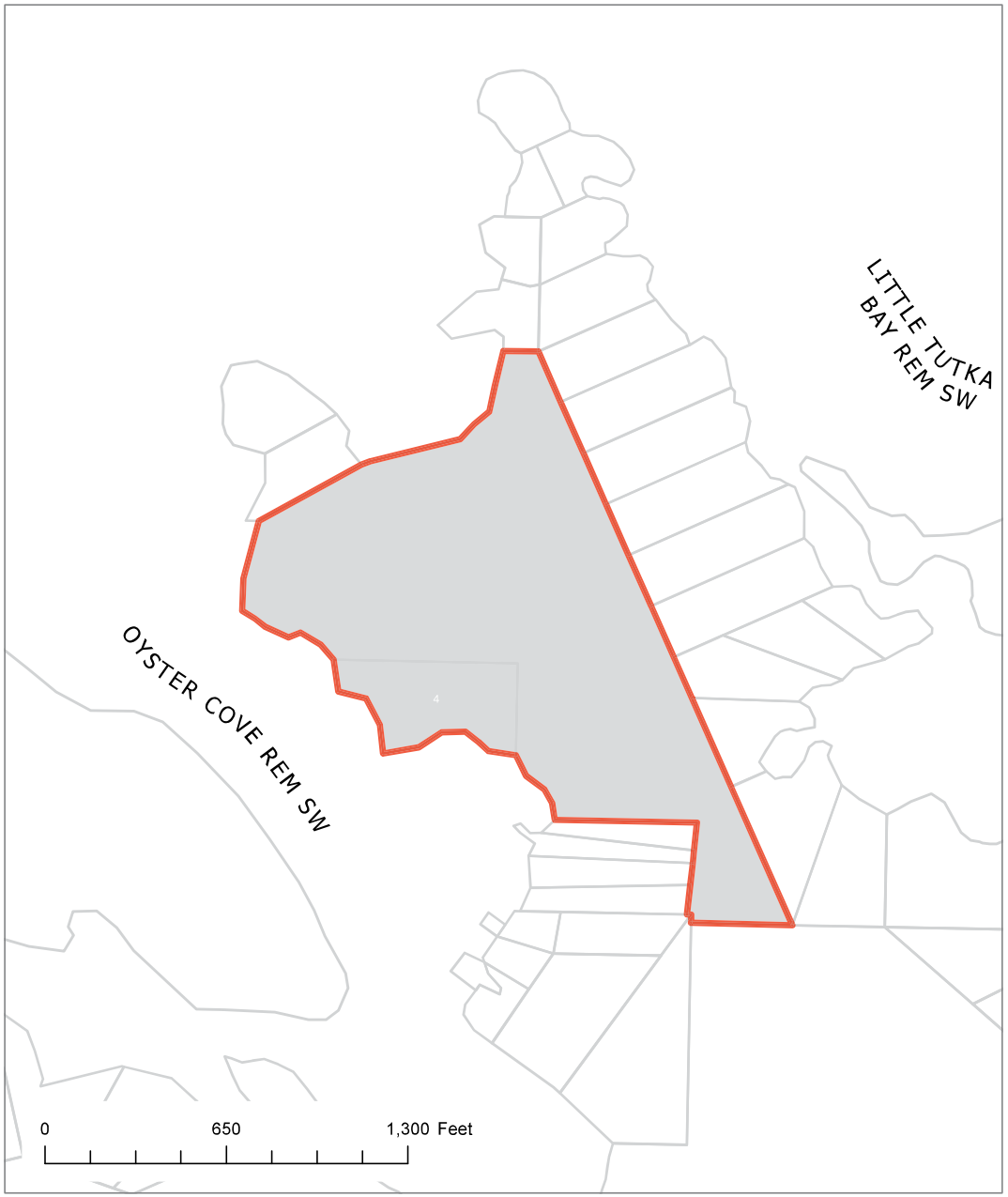
E. NEW BUSINESS

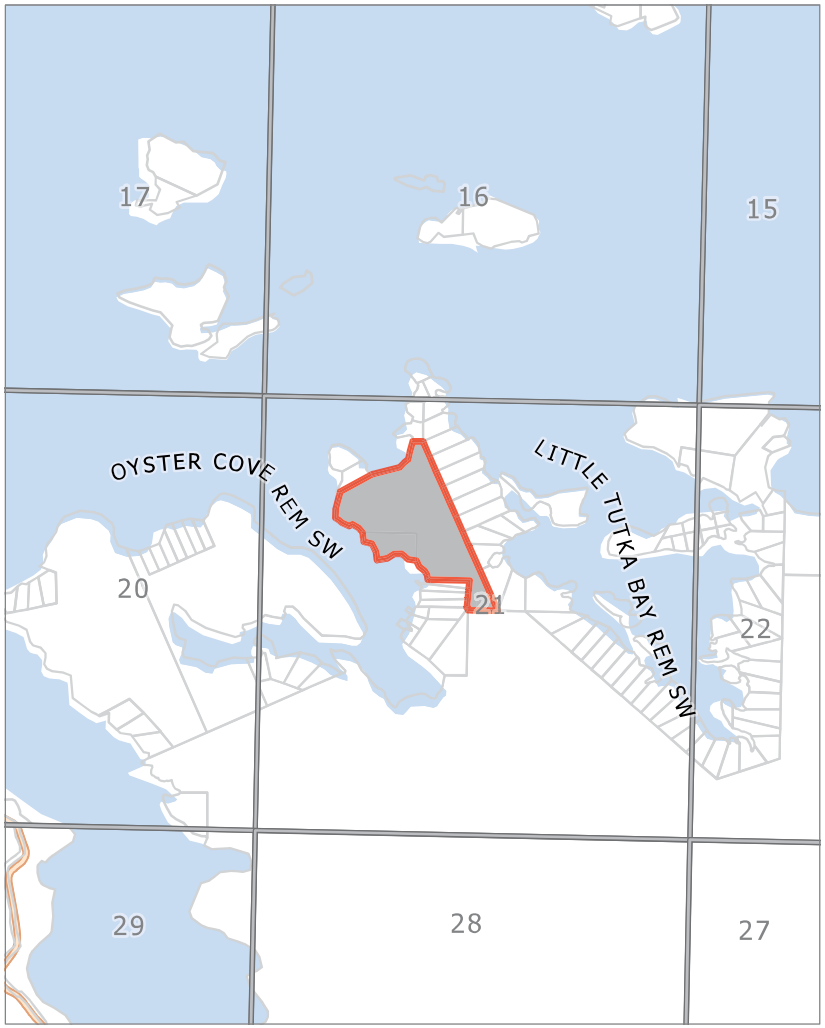
11. East Oyster Cove Subdivision; KPB File 2022-047R1
Fixed Height LLC / Alaska Mental Health Trust Authority
Location: Oyster Cove REM SW
Remote Area

Kenai Peninsula Borough Planning Department

Vicinity Map

5/23/2022





KPB File # 2022-047R1
S21 T08S R13W
Remote

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.

Kenai Peninsula Borough Planning Department

Aerial View

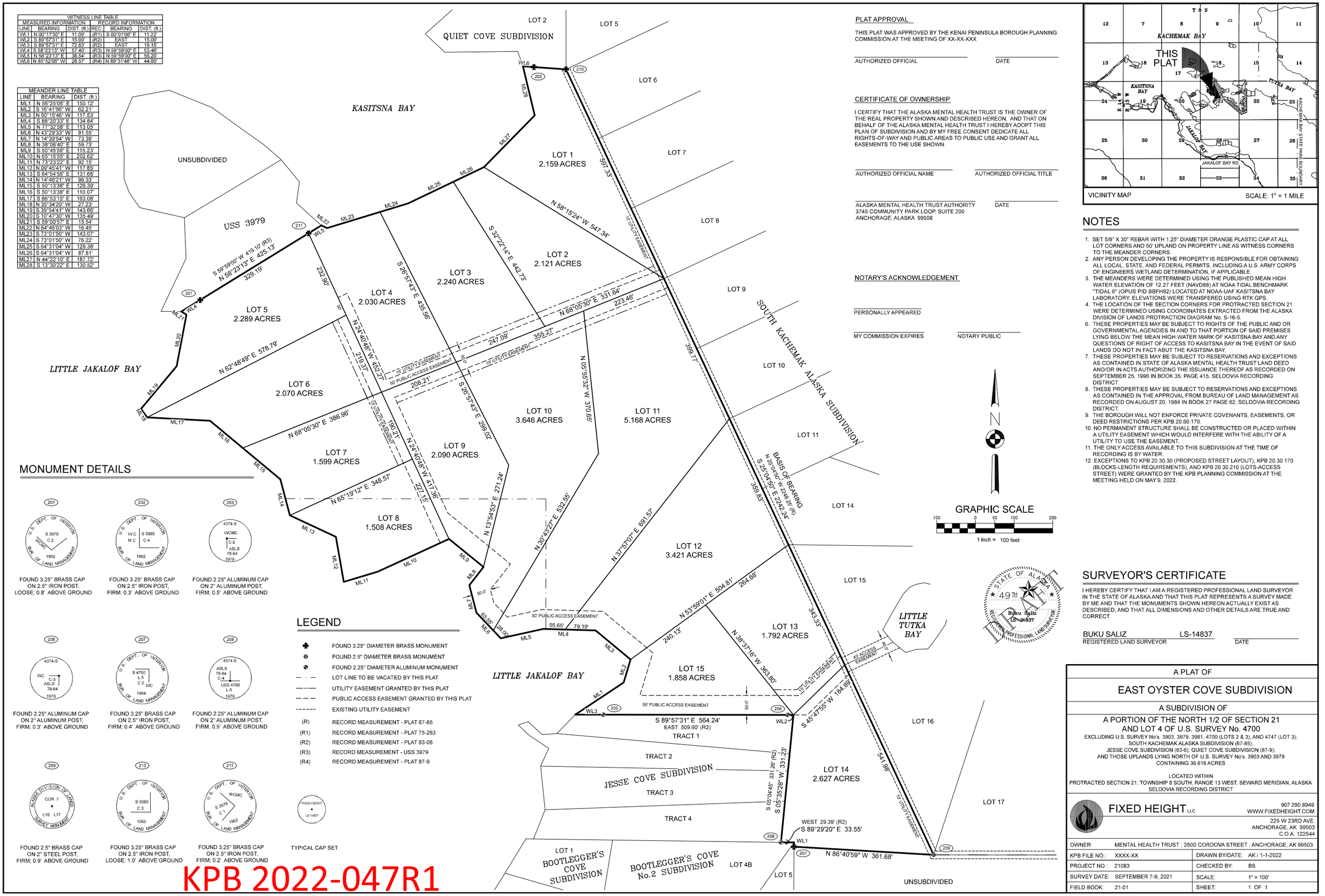
KPB 2022-047R1
5/23/2022



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 n

WITNESS LINE TABLE					
MEASURED INFORMATION			RECORD INFORMATION		
LINE	BEARING	DIST. (ft.)	REC.	BEARING	DIST. (ft.)
WL1	N 00°17'30" E	11.09'	(R1)	S 00°01'06" E	11.22'
WL2	S 89°57'31" E	15.00'	(R2)	EAST	15.00'
WL3	S 89°57'31" E	72.63'	(R2)	EAST	19.15'
WL4	S 58°23'13" W	57.40'	(R3)	N 59°59'00" E	53.46'
WL5	N 58°23'13" E	38.54'	(R3)	N 59°59'00" E	56.20'
WL6	N 85°52'06" W	28.57'	(R4)	N 89°31'48" W	44.60'

MEANDER LINE TABLE		
LINE	BEARING	DIST. (ft.)
ML1	N 56°25'06" E	150.12'
ML2	S 16°41'56" W	62.21'
ML3	N 50°15'46" W	117.53'
ML4	S 88°20'33" E	134.64'
ML5	N 77°32'58" E	113.05'
ML6	N 43°29'33" W	91.55'
ML7	N 14°39'54" W	73.39'
ML8	N 38°08'40" E	59.73'
ML9	S 50°45'56" E	115.23'
ML10	N 65°15'55" E	202.62'
ML11	N 73°23'22" E	92.15'
ML12	N 09°45'41" W	117.85'
ML13	S 64°54'56" E	131.68'
ML14	N 14°46'21" W	96.33'
ML15	S 50°13'38" E	126.39'
ML16	S 50°13'38" E	110.07'
ML17	S 86°53'15" E	163.08'
ML18	N 35°34'20" W	27.23'
ML19	S 39°54'41" W	143.66'
ML20	S 10°47'30" W	135.49'
ML21	S 59°00'57" E	15.54'
ML22	N 64°46'03" W	16.45'
ML23	S 73°01'50" W	143.07'
ML24	S 73°01'50" W	76.22'
ML25	S 64°31'04" W	129.38'
ML26	S 64°31'04" W	87.81'
ML27	N 44°22'10" E	187.72'
ML28	S 13°30'22" E	130.52'



MONUMENT DETAILS

FOUND 3.25" BRASS CAP ON 2.5" IRON POST, LOOSE; 0.8' ABOVE GROUND

FOUND 3.25" BRASS CAP ON 2.5" IRON POST, FIRM; 0.3' ABOVE GROUND

FOUND 2.25" ALUMINUM CAP ON 2" ALUMINUM POST, FIRM; 0.5' ABOVE GROUND

FOUND 2.25" ALUMINUM CAP ON 2" ALUMINUM POST, FIRM; 0.3' ABOVE GROUND

FOUND 3.25" BRASS CAP ON 2.5" IRON POST, FIRM; 0.4' ABOVE GROUND

FOUND 2.25" ALUMINUM CAP ON 2" ALUMINUM POST, FIRM; 0.5' ABOVE GROUND

FOUND 2.5" BRASS CAP ON 2" STEEL POST, FIRM; 0.9' ABOVE GROUND

FOUND 3.25" BRASS CAP ON 2.5" IRON POST, LOOSE; 1.0' ABOVE GROUND

FOUND 3.25" BRASS CAP ON 2.5" IRON POST, FIRM; 0.2' ABOVE GROUND

TYPICAL CAP SET

LEGEND

- ♣ FOUND 3.25" DIAMETER BRASS MONUMENT
- ⊕ FOUND 2.5" DIAMETER BRASS MONUMENT
- ◔ FOUND 2.25" DIAMETER ALUMINUM MONUMENT
- LOT LINE TO BE VACATED BY THIS PLAT
- UTILITY EASEMENT GRANTED BY THIS PLAT
- PUBLIC ACCESS EASEMENT GRANTED BY THIS PLAT
- EXISTING UTILITY EASEMENT
- (R) RECORD MEASUREMENT - PLAT 67-85
- (R1) RECORD MEASUREMENT - PLAT 75-263
- (R2) RECORD MEASUREMENT - PLAT 83-06
- (R3) RECORD MEASUREMENT - USS 3979
- (R4) RECORD MEASUREMENT - PLAT 87-9

KPB 2022-047R1

PLAT APPROVAL

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

AUTHORIZED OFFICIAL _____ DATE _____

CERTIFICATE OF OWNERSHIP

I CERTIFY THAT THE ALASKA MENTAL HEALTH TRUST IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, AND THAT ON BEHALF OF THE ALASKA MENTAL HEALTH TRUST I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

AUTHORIZED OFFICIAL NAME _____ AUTHORIZED OFFICIAL TITLE _____

ALASKA MENTAL HEALTH TRUST AUTHORITY
3745 COMMUNITY PARK LOOP, SUITE 200
ANCHORAGE, ALASKA 99508 DATE _____

NOTARY'S ACKNOWLEDGEMENT

PERSONALLY APPEARED _____

MY COMMISSION EXPIRES _____ NOTARY PUBLIC _____

GRAPHIC SCALE
100 0 50 100 200
1 inch = 100 feet

VICINITY MAP SCALE: 1" = 1 MILE

NOTES

1. SET 5/8" X 30" REBAR WITH 1.25" DIAMETER ORANGE PLASTIC CAP AT ALL LOT CORNERS AND 50' UPLAND ON PROPERTY LINE AS WITNESS CORNERS TO THE MEANDER CORNERS.
2. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION, IF APPLICABLE.
3. THE MEANDERS WERE DETERMINED USING THE PUBLISHED MEAN HIGH WATER ELEVATION OF 12.27 FEET (NAVD88) AT NOAA TIDAL BENCHMARK "TIDAL 6" (OPUS PID BBFH92) LOCATED AT NOAA-UAF KASITSNA BAY LABORATORY. ELEVATIONS WERE TRANSFERED USING RTK GPS.
4. THE LOCATION OF THE SECTION CORNERS FOR PROTRACTED SECTION 21 WERE DETERMINED USING COORDINATES EXTRACTED FROM THE ALASKA DIVISION OF LANDS PROTRACTION DIAGRAM No. S-16-5.
6. THESE PROPERTIES MAY BE SUBJECT TO RIGHTS OF THE PUBLIC AND OR GOVERNMENTAL AGENCIES IN AND TO THAT PORTION OF SAID PREMISES LYING BELOW THE MEAN HIGH WATER MARK OF KASITSNA BAY AND ANY QUESTIONS OF RIGHT OF ACCESS TO KASITSNA BAY IN THE EVENT OF SAID LANDS DO NOT IN FACT ABUT THE KASITSNA BAY.
7. THESE PROPERTIES MAY BE SUBJECT TO RESERVATIONS AND EXCEPTIONS AS CONTAINED IN STATE OF ALASKA MENTAL HEALTH TRUST LAND DEED AND/OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF AS RECORDED ON SEPTEMBER 25, 1996 IN BOOK 35, PAGE 415, SELDOVIA RECORDING DISTRICT.
8. THESE PROPERTIES MAY BE SUBJECT TO RESERVATIONS AND EXCEPTIONS AS CONTAINED IN THE APPROVAL FROM BUREAU OF LAND MANAGEMENT AS RECORDED ON AUGUST 20, 1984 IN BOOK 27 PAGE 62, SELDOVIA RECORDING DISTRICT.
9. THE BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS, OR DEED RESTRICTIONS PER KPB 20.60.170.
10. 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.
11. THE ONLY ACCESS AVAILABLE TO THIS SUBDIVISION AT THE TIME OF RECORDING IS BY WATER.
12. EXCEPTIONS TO KPB 20.30.30 (PROPOSED STREET LAYOUT), KPB 20.30.170 (BLOCKS-LENGTH REQUIREMENTS), AND KPB 20.30.210 (LOTS-ACCESS STREET) WERE GRANTED BY THE KPB PLANNING COMMISSION AT THE MEETING HELD ON MAY 9, 2022.

SURVEYOR'S CERTIFICATE

I 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 AND THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE TRUE AND CORRECT.

BUKU SALIZ LS-14837
REGISTERED LAND SURVEYOR DATE _____

STATE OF ALASKA 49TH
Buku Saliz
LS-14837
REGISTERED PROFESSIONAL LAND SURVEYOR

A PLAT OF

EAST OYSTER COVE SUBDIVISION

A SUBDIVISION OF

A PORTION OF THE NORTH 1/2 OF SECTION 21
AND LOT 4 OF U.S. SURVEY No. 4700
EXCLUDING U.S. SURVEY No's. 3903, 3979, 3981, 4700 (LOTS 2 & 3), AND 4747 (LOT 3);
SOUTH KACHEMAK ALASKA SUBDIVISION (67-85);
JESSE COVE SUBDIVISION (83-6); QUIET COVE SUBDIVISION (87-9);
AND THOSE UPLANDS LYING NORTH OF U.S. SURVEY No's. 3903 AND 3979
CONTAINING 36.616 ACRES

LOCATED WITHIN
PROTRACTED SECTION 21, TOWNSHIP 8 SOUTH, RANGE 13 WEST, SEWARD MERIDIAN, ALASKA
SELDOVIA RECORDING DISTRICT

FIXED HEIGHT LLC
907.290.8949
WWW.FIXEDHEIGHT.COM
225 W 23RD AVE.
ANCHORAGE, AK 99503
C.O.A. 122544

OWNER:	MENTAL HEALTH TRUST ; 2600 CORDOVA STREET ; ANCHORAGE, AK 99503		
KPB FILE NO.:	XXXX-XX	DRAWN BY/DATE:	AK / 1-1-2022
PROJECT NO.:	21083	CHECKED BY:	BS
SURVEY DATE:	SEPTEMBER 7-9, 2021	SCALE:	1" = 100'
FIELD BOOK:	21-01	SHEET:	1 OF 1

AGENDA ITEM E. NEW BUSINESS

ITEM 11 - EAST OYSTER COVE SUBDIVISION

KPB File No.	2022-047R1
Plat Committee Meeting:	June 13, 2022
Applicant / Owner:	Alaska Mental Health Trust of Anchorage, AK
Surveyor:	Andre Kaeppele, Buku Saliz / Fixed Height LLC
General Location:	Remote, Oyster Cove, Kasitsna Bay

Parent Parcel No.:	191-170-70 and 191-170-87
Legal Description:	A Portion of the North ½ of Section 21 and Lot 4 of US Survey No 4700
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide two parcels that are approximately 38 acres into sixteen lots. The lots will range in size from 1.508 acres to 4.631 acres. 50 foot wide public access easements are proposed to provide alternate access to lots.

Location and Legal Access (existing and proposed): This is considered a remote location. It is located along Oyster Cove in the Kasitsna Bay. This is along the eastern side of Oster Cove. On the western side of the cove is the Oyster Cove Airport. These lots will be water access only.

A large acreage parcel is present to the south. Adjacent to the south, east, and southeast of that parcel is more large acreage parcels. They are all owned by Alaska Mental Health Trust. The closest right-of-way is Jakolof Bay Road, about 2 miles south of the subdivision. If the large acreage parcels are ever subdivided they may be able to provide dedicated access to the various lots located along the coast of the bays in the area. KPB information has found that the status of section line easements through the large acreage tracts is not clear. Any attempt to use section lines for access will require a determination by the State of Alaska.

South Kachemak Alaska Subdivision, Plat SL 67-85, indicated a 40 foot wide access easement, centered on the share lot line of Lot 15 and Lot 16 that would provide future access to lands to the west from Little Tutka Bay. This plat is proposing to provide a 50 foot wide access easement at the end of that access easement to provide a continuation to Little Jakalof Bay. Additional 50 foot public access easements are proposed along the shore of Lots 9-13 and Lot 16. That access easement continues to the north centered on shared lot lines to provide additional access to Lots 5-8. The easements then run east-west to provide additional access to Lots 1-4 and 9-11.

Due to the location, large acreage tracts, and no dedications within the area, the block length is not compliant.

KPB Code 20.30.050, Legal Access, requires that legal access exists to the boundary of the subdivision. It is currently only accessed by water. Staff believes the requirements of 20.30.050(B) have been met as there is permanent public access by water. A plat note is present that states the current access limitations. ***Staff recommends*** *the plat committee concur to waive the legal access requirements of KPB 20.30.050(A).*

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: Per RSA standards, a 60' ROW is required for maintenance.
SOA DOT comments	No comment

Site Investigation: KPB GIS does not have any wetland or contour information for the area. Per older imagery the land appears to not contain any low wet areas except around the cove and bay. Within proposed Lot 14 and Lot 15 there appears some low wet areas may be present within the access easement area from Little Tutka Bay. The appropriate note regarding wetland determinations is present. ***Staff recommends*** *any low wet areas or steep terrain discovered during the field survey be depicted and labeled on the final plat.*

This appears to be property with lots of vegetation. No improvements appear on the older imagery that is available. KPB Assessing notes that the property is vacant.

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 comments

Staff Analysis The proposed plat being reviewed was originally heard by the Plat Committee on May 9, 2022. The Plat Committee did not take action on that plat due to lack of a second on the motion. Per KPB Code 20.25.100, once a completed application has been received the Planning Commission shall approve, conditionally approve, or disapprove the plat by determining if the plat complies with KPB Code requirements. This decision must be granted within 60 days of a completed application. Per Alaska Statutes, the platting authority must approve or disapprove a plat within 60 days and unless the applicant consents to an extension of time, the plat would be considered approved and the certificate of approval may be issued on demand if action was not taken within the required timeframe. Staff contacted the surveyor to discuss scheduling for the May 23, 2022 meeting. The turnaround time would allow for staff to provide the required notifications and for the Plat Committee to make a decision within 60 days. The surveyor requested the June 13, 2022 meeting to allow time to address some of the concerns brought up during the original meeting and to update their design. What is being reviewed at this time is a revision of the original submittal.

The revision has incorporated some of the recommended changes and corrections made by staff within the original staff report. The lot numbers have had some of their numbers changed at staff's request. Concerns were addressed regarding some of the steep terrain along the water for some of the lots. Additionally, the prior existing access easement from the east contained some low wet areas that could cause access issues. In order to address both of those issues additional public access easements are proposed in addition to the previously proposed easements along Little Jakalof Bay. All lots will now have access to a 50 foot public access easement in addition to their water access. Lots 14 and 15 will now have another route if the already existing access easement is not sufficient.

Homer Electric Association had requested some additional utility easements, the surveyor has included some easements within the revision and this was forwarded to the providers for new comments.

Additional concerns discussed during the previous meeting such as eagle's next, archelogy sites, etc. are not within the purview of KPB Code. Multiple comments have been received for this review that state many of the same concerns as discussed during the previous meeting. Staff would like to note that KPB Code does not have the provision to require environmental impact studies. Additional agencies have guidelines and restrictions that any owner or developer will need to adhere to.

The surveyor has noted in conversations with staff, that the soils will not support a conventional wastewater system. They were advised that the submittal of the report will require compliance for an alternate onsite wastewater treatment and disposal system. A DEC approved alternate system should be presented with the soils report for review.

This is a 38 acre subdivision to create sixteen lots that will be accessed by water only. The two lots that do not front on any waterbody have access via a 40 foot wide access easement from Little Tutka Bay that was created by Plat SL 67-85. All lots will have additional access via 50 foot wide access easements from Little Jakalof Bay.

The land within this survey is from U.S. Survey 4700 that was done in 1965. The remainder of the property is the remaining portion of the north half of Section 21 excluding numerous U.S. Surveys and several subdivision plats.

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 property within this subdivision has not been part of a subdivision that would have granted platted utility easements. Per South Kachemak Alaska Subdivision, Plat SL 67-85, 20 foot utility easements were granted centered on the lot lines shared with the large remainder parcel of this subdivision. That plat was a state plat but we generally do not allow easements to be granted on property not included within the boundary of the subdivision plat. This plat is depicting the easement along the eastern boundary. ***Staff recommends*** *the label include "granted by this plat".*

The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Staff recommends** to grant utility easements requested by the utility providers or work with the utility providers to obtain approval.

Utility provider review:

HEA	
ENSTAR	
ACS	No objections
GCI	

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: None Existing Street Names are Correct: No List of Correct Street Names: Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: No addresses affected by this subdivision.
Code Compliance	Reviewer: Ogren, Eric

	Comments: No comments
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat.
Assessing	Reviewer: Wilcox, Adeena Comments: No Comment

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:

- Owner name should include Alaska Mental Health Trust.
- The KPB Assessing information has a different address for Alaska Mental Health. Verify the address they wish to have present on the plat.

KPB 20.30 – Subdivision Design Requirements

***Staff recommendation**: final plat submittals must comply with 20.30. Additional information, revisions, and/or corrections are required as noted below.*

20.30.030. Proposed street layout-Requirements.

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

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

C. Preliminary plats fronting state maintained roads will be submitted by the planning department to the State of Alaska Department of Transportation and Public Facilities (DOT) for its review and comments.
***Staff recommendation:** An exception has been requested.*

20.30.050. Legal access.

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

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

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

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

Staff recommendation: *Staff is asking the plat committee to concur that the legal access requirements should be waived, plat note 11 states only water access.*

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

Staff recommendation: *The plat does not comply. Grouped and discussed with the exception to KPB 20.30.030.*

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

Staff recommendation: *Grouped and discussed with the exception to KPB 20.30.030.*

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. KPB Code 20.40.050, is specific to alternate onsite wastewater treatment and disposal.

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.*

- *The natural meanders of mean high water line is for area computations only, the true corners being on the extension of the sidelines and the intersection with the natural meanders.*

Plat notes need renumbered and note 12 needs date updated.

20.60.190. Certificates, statements, and signatures required.

***Staff recommendation**:*

- *On the certificate of ownership, a signature line is not required above Alaska Mental Health Trust Authority as the signature above is on their behalf. Move the typed information to be below "Authorized Official Name".*
- *Correct the Notary's Acknowledgement should contain "Acknowledged before me, this ___ day of _____, 20__." Comply with 20.60.190.*

EXCEPTIONS REQUESTED:

KPB 20.30.030 – Proposed Street Layout

Surveyor's Discussion: Based on the ocean frontage contained by all but two of the lots within the proposed subdivision, we expect the primary access for development of these lots to be by watercraft. Additionally, none of the adjoining subdivisions have dedicated ROWs due to the similar ocean front layout of the lots. Dedicating a ROW would encourage development along the landward boundaries of the proposed lots and detract from the rural nature that makes them desirable. If an exception is granted to KPB 20.30.030, 20.30.170 and 20.30.210 would no longer be applicable due to the absence of streets within the proposed subdivision.

Staff Discussion: Per KPB Code 20.30.030, dedications must be provided for continuation or appropriate projections and provide reasonable means of ingress to surrounding acreage tracts. While the exception request is for KPB Code 20.30.030, staff finds that the approval of this acceptance should also take into consideration KPB 20.30.170, Block Length Requirements, and 20.30.210, Lots-Access to streets. If this exception is granted it will not be possible to meet those requirements.

This subdivision is to be remote recreational property. There are other lots in the area that are similar. The Oyster Cove airport is across the bay to provide additional access but watercraft will still be required to get to the lots. The owner of the large acreage parcels in the area are the same of this subdivision. If they needed right-of-way access for their property they could require it at this time.

If the exception is granted, staff recommends the plat note for the exception granted include all three portions of code.

Findings:

1. KPB Code requires right-of-way dedications to provide adequate access to all lots within the subdivision

and neighboring.
2. KPB Code requires right-of-way dedications to create compliant block lengths.
3. KPB Code requires lots to abut a fee simple dedicated street.
4. This is a remote area.
5. Only access at this time is by water.
6. Large acreage lots are in the area that are all owned by Alaska Mental Health Trust.
7. The owner of this subdivision is Alaska Mental Health Trust.
8. Utility easements are being requested and will need to be granted.
9. Public access easements are proposed from Little Jakalof Bay to all lots within the subdivision.

Denial of the exception will require rights-of-way dedications that will create compliant blocks and that all lots will abut.

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 4-9 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 4-9 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 4-9 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

May 31, 2022

From: Joy Ballard
Lamar Ballard

To: The Kenai Borough Assembly

Re: Mental Health Trust Subdivision Proposal in Little Jakolof Bay

Dear Assembly Members:

We have recently become aware of the proposal by the Alaska Mental Health Trust Authority to subdivide two pieces of land between Little Tutka Bay and Little Jakolof Bay into 16 parcels.

We have had our property in Little Tutka Bay since the Mid-Sixties. Since that time, we have observed private and commercial parties undertake developments that were not necessarily in the best interest of the local community. There needs to be a more thorough review of this proposal as it will dramatically increase the number of available lots for development which comes with potential issues around water/beach access, vessel anchorages or congested moorings. It appears that some of the lots in the proposed subdivision are essentially land locked with the exception of a small easement. While the future owners of the proposed lots may be well intentioned, in some instances they may be tempted to access their property through a neighboring lot which has closer beach access. It seems that some of these lots are not very suitable for development as platted.

We respectfully request that you delay any decisions regarding subdividing the area until some of these issues can be addressed by the local community. For my family, a trip to Little Tutka Bay is for leisure activity, but there are those who live in the area year-round. We are grateful to be part of this community and hope that the Kenai Peninsula Borough Planning Commission thoughtfully reviews all input from affected parties.

Thank you for the consideration in this matter.

Sincerely,

Joy and Lamar Ballard
6221 Petersburg Street
Anchorage, Alaska 99507
Email: akjoyski@gmail.com

Hindman, Julie

From: Leavitt, Rhealyn
Sent: Tuesday, May 31, 2022 9:28 AM
To: Shirnberg, Ann; Quainton, Madeleine; Hindman, Julie
Subject: FW: <EXTERNAL-SENDER>written testimony regarding KPB File 2022-047R1 proposed Little Jakolof Bay subdivision

From: Daniel Coyle <djcoyle1@gmail.com>
Sent: Monday, May 30, 2022 8:44 AM
To: Planning Dept, <planning@kpb.us>
Cc: Doug Kossler <anchoragerunner@yahoo.com>; tanomoshii@yahoo.com; Maurice Coyle <mauricecoyle3@gmail.com>; jonathan coyle <jpcoyleak@gmail.com>; keetnasimon@yahoo.com; walanier@gmail.com; jenny coyle <jen79coyle@gmail.com>; John Giuggio <giovanpietro3@gmail.com>
Subject: <EXTERNAL-SENDER>written testimony regarding KPB File 2022-047R1 proposed Little Jakolof Bay subdivision

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.

To: Kenai Peninsula Borough Planning Department
144 N Binkley Street
Soldotna, AK 99669

(submitted via email)
MAY 30, 2022

To: Kenai Peninsula Borough Planning Department

As a unified group of seven local residents and landowners, we'd like to express our urgent concerns about the proposed subdivision in Little Jakolof Bay and Little Tutka Bay, KPB File 2022-047R1, for the following reasons:

1) The proposed subdivision will destroy an existing archaeological site of significant cultural and historical value. The site is located near proposed lots 8, 9, and 10. Further investigation could uncover additional sites, which would be protected by state and federal law.

In addition, the development of new lots may destroy wildlife habitat, including eagle-nesting areas

2) The proposed subdivision does not provide adequate water access or supply. Many of the proposed lots are located on bedrock, with no water source.

3) The proposed subdivision — 16 lots, many of them extremely narrow, located in a relatively small, confined area — creates multiple and overlapping problems of density and access, and will generate navigational hazards. The entrance and the western (weather-exposed) side of the bay is narrow for running lines, and not suitable for moorings.

4) A significant number of the lots are unusable because of steepness or access problems. Some lots have steep rocks on the shore and are unaccessible from the beach. In addition, two lots have access only through Little Tutka Bay, creating additional congestion for residents of Tutka Bay.

5) The alterations made to this latest version (subsequent to 2022-047) do not significantly lessen any of the concerns voiced above. Adding public-use corridors does not lessen the multiple and lasting negative impacts to the area that this subdivision will create.

We hope that these comments will provide the planning commission with guidance and clarity as it makes its decisions. We are ready and willing to answer any questions or provide any additional information the planning commission requires. We hope that the commission will delay any imminent decisions in order to give appropriate time, research, and attention to these sincere and valid concerns.

SIGNED,

Daniel Coyle
Maurice Coyle
Jonathan Coyle
Co-owners of Bootleggers Cove Lots 1, 3 4, and 5

Doug Kossler
Margaret Kossler
Kimberly Lanier
William A. Lanier
Co-owners of Jesse Cove Tract 3 and 4

June 3, 2022

Ms. Madelaine Quainton
Kenai Peninsula Borough Planning Department
144 N. Binkley Street
Soldotna, Alaska 99669

Dear Ms. Quainton,

Subject: KPB File No. 2022-047R1 Oyster Cover Subdivision

As a follow up to our letter outlining our concerns (see below in bold italics) sent to the KPBPD on May 6th, 2022 (and on May 9th 2022) we continue to express our opposition to the Kenai Peninsula Borough file No. 2022-047R1, East Oyster Cove Subdivision.

Our local community is perplexed at the brazen approach by the Alaska Mental Health Trust Authority's latest attempt to expedite this through the KPB Planning Commission without detailed discussion or inputs from the local community.

Again, we collectively urge the KPB Planning Commission to disapprove the proposed subdivision/replat of East Oyster Cove, or at a minimum, delay consideration of the application until such time as the concerns herein have been adequately addressed.

Very Respectfully,

Donald Fell, Trustee
Donald Fell & Mary Ann Fell Joint Revocable Trust
55301 Oyster Cove Rem SW

Mary Ann Fell, Trustee
Donald Fell & Mary Ann Fell Joint Revocable Trust
55301 Oyster Cove Rem SW

CC-Oyster Cove Neighbors-

Dan & Jenny Coyle
George & Marilyn Rhyneer
Phil Brudie
Doug & Margaret Kossler
Mark Pfeffer
Kimberly Lanier
Willy & Janelle Lanier
Tom & Tammy Hopkins

"Thank you for the opportunity to provide written testimony as residents/property owners of the Oyster Cove community. We write to respectfully express our opposition to Kenai Peninsula Borough (KPB) file No. 2022-047, East Oyster Cove Subdivision. The proposed subdivision/replat would create sixteen (16) lots from two (2) parcels owned by the Alaska Mental Health Trust Authority of Anchorage, Alaska.

As residents/property owners in Oyster Cove, the public notice of subdivision/replat came as quite a surprise to our family and neighbors. The proposed subdivision/replat would be within 600 feet of our property. Nearly all residents and property owners in the Oyster Cove area are in opposition to the subdivision/replat which we believe will adversely impact water rights, public walking trails, public access points, the environment and local wildlife and wildlife habitats.

A primary concern of KPB File No. 2022-047 is how the Alaska Mental Health Trust Authority plans on obtaining water rights in Oyster Cove for future landowners. Under the Alaska Water Use Act (AS 46.15) water is appurtenant to the land where the water is being used. Given the size of the proposed development, we are concerned that the subdivision may adversely impact current landowners' water rights. We also question how existing water rights will be transferred with the subdivision and resale of land within the subdivision?

Another concern is the potential for significant adverse environmental impact associated with the subdivision/replat. With the subdivision of the land into 16 new parcels, development potential and associated impacts increase exponentially. As lots are sold off, construction of new structures, utilities and related infrastructure is inevitable. There are significant concerns that such development will result in adverse environmental impacts related to the soil and groundwater, as well as visual impacts, noise impacts and wastewater impacts. In addition, with development there is the potential adverse impacts to the shoreline. Finally, there is significant likelihood that wetlands exist within the subdivision area, which will certainly be impacted by any development. However, it does not appear that any studies have been performed to consider these kinds of impacts or any other potential impacts (or at least none have been made available to the public to our knowledge), and what can/will be done to mitigate those impacts.

Given the significant size and scope of development contemplated by the subdivision/replat (which will transform the land from a pristine natural state into sixteen 16 buildable lots), a full environmental impact study should be prepared before preliminary plat approval is considered, which should be made available to the public for review. If any information or studies are available and/or have been performed, then the community should have a right to review the results of such studies, and to comment on the same before the current application is considered (at this point, we are aware of no such studies).

Considering Kachemak Bay State Park borders the proposed subdivision/replat, we are concerned this subdivision may adversely impact public walking trails which currently exist on the property. Please identify all public or existing walking trails in the proposed subdivision/replat area. We question whether the existing Little Tutka/Jakolof trail will be considered an easement encumbering the subdivided/replated properties, and whether the right of the public to use those trail(s) will remain intact following the subdivision.

Another concern is access to the proposed subdivision. With little to no existing public infrastructure (i.e. docks, airstrips, etc.), the applicant's plan for future access to the lots within the subdivision is unclear. Will there be, or are there, proposed access points to the subdivided/replated properties, or will each lot have its own access point? Are there existing covenants in place for property access, or will such covenants be put in place as a condition for approval? To the extent that each site will have its own point of access, we are concerned that adverse impacts will result from such access (and the development needed to facilitate access to the new lots).

Another concern is the impacts of the subdivision on flora and fauna which have been observed in the East Oyster Cove area. Any future development of the subdivision/replat could destroy, disrupt or have an adverse impact on wildlife and wildlife habitats. Oyster Cove is an existing aquatic farmsite for the purpose of harvesting Pacific oysters and blue mussels. As owners and operators of Oyster Cove Seafarms since 1992, we see several environmental conservation issues associated with the subdivision/replat of surrounding property including but not limited to the construction of new docks, waterflow, septic runoff, etc. The KPB Planning Commission should take into consideration, and study, how development of the subdivision/replat may impact the local wildlife and wildlife habitat and should require that surveys or studies be conducted for the subdivision/replat and adjacent areas. Again, it is unclear whether any such surveys or studies have been performed, and if they have been performed, the community should be allowed to review, consider, and comment on the same (and I request copies of the same) prior to considering approval of the application.

Finally, it is noted that it appears that one or more exceptions have been requested as a part of this application process relating to layouts, access, etc. However, we see no evidence to support, let alone substantial evidence necessary, to justify the waiver and/or exceptions being requested.

From recent meetings and discussions with our neighbors , the opinions and concerns identified above are shared by several others in the Oyster Cove community. Consideration of the same is necessary to protect and improve the health, safety and general welfare of the residents in close proximity to the proposed subdivision/replat. We collectively urge the KPB Planning Commission to disapprove the proposed subdivision/replat of East Oyster Cove, or at a minimum, delay consideration of the application until such time as the concerns addressed herein have been adequately addressed."

ITEM E5 - EAST OYSTER COVE SUBDIVISION

KPB File No.	2022-047
Plat Committee Meeting:	May 9, 2022
Applicant / Owner:	Alaska Mental Health Trust of Anchorage, AK
Surveyor:	Andre Kaeppele, Buku Saliz / Fixed Height LLC
General Location:	Remote, Oyster Cove, Kasitsna Bay

Parent Parcel No.:	191-170-70 and 191-170-87
Legal Description:	A Portion of the North ½ of Section 21 and Lot 4 of US Survey No 4700
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

Staff report given by Platting Specialist Julie Hindman.

Chair Brantley opened the meeting for public comment.

Donald & Mary Ann Fell; P.O. Box 615 Homer, AK 99603: The Fells are landowners in the near vicinity of this plat and spoke in opposition to this development. They expressed concerns related to water rights, adverse environmental impacts & access to the proposed lots.

Tom Hopkins; 60112 Nordby Ave., Homer, AK 99603: Mr. Hopkins is a landowner in the near vicinity of this proposed plat. He spoke in opposition to this development and shared many of the same concerns as other landowners in the area

Philip Brudie, P.O. Box 111, Homer, AK 99603: Mr. Brudie is an adjacent landowner and spoke in opposition to this development. He expressed concerns related to water rights, identification of trails used by the public and possible septic issues.

Tamera Hopkins; 60112 Nordby Ave. Homer, AK 99603: Ms. Hopkins is a landowner in the near vicinity of this proposed plat. She spoke in opposition to this development and shared many of the same concerns as other landowners in the area.

Sharon Whytal; P.O. Box 1529, Homer, AK 99603: Ms. Whytal is a landowner in the near vicinity of this proposed plat. She spoke in opposition to this development and shared many of the same concerns as other landowners in the area.

Dennis Poirier; 11819 Rockridge Dr., Anchorage, AK 99516: Mr. Poirier is a landowner in the near vicinity of this proposed plat. He spoke in opposition to this development and shared many of the same concerns as other landowners in the area. He also has concerns with an easement on the plat used to access Lots 15 & 16. This easement crosses his property and he would like more information on this easement.

Chair Brantley confirmed with staff that the easement Mr. Poirier is referring to, between Lots 15 & 16 of Little Tuka Bay, was in existence before it was depicted on the preliminary plat. Ms. Hindman responded that this easement was depicted on South Kachemak Alaska Subdivision which was done in 1969, which is centered on the common lot line between Lots 15 & 16.

Dave Messer & Ricki Lebman; 15740 Windsong Dr., Anchorage, AK 99516: Mr. Messer & Ms. Lebman are landowners in the near vicinity of this plat and spoke in opposition to this development. Mr. Messer believes that numerous lots on this proposed plat have inadequate access and that the plat at the very least needs to be redesigned. They also share many of the same concerns expressed by the other landowners in the area.

William Lanier; 89 S 750 E, Bountiful, UT 84010: Mr. Lanier is a landowner in the near vicinity of this proposed plat. He spoke in opposition to this development and shared many of the same concerns as other landowners in the area.

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

MOTION: Commissioner Gillham moved to grant preliminary approval to East Oyster Cove Subdivision, based on staff recommendations and compliance to borough code.

Chair Brantley asked for a second on the motion.

Commissioner Venuti asked if there was not a second, would it mean the plat failed to receive preliminary approval? Chair Brantley responded that is correct.

Ms. Hindman was then asked what the next step would be for the applicants. Ms. Hindman replied she was not sure and suggested Borough Attorney Steinhage be asked to weigh in. She believed at the very least the applicants would need to resubmit the plat, possibly with new information, and the plat would go through another public hearing process. Chair Brantley asked if the applicants could appeal the decision. Ms. Hindman replied she wasn't sure, since the committee hasn't made a decision. Again, she suggested that Borough Attorney Steinhage be asked to weigh in.

Mr. Steinhage noted that KPB 2.40.080 states that a review of the plat committee's decision may be heard by the planning commission acting as a platting board. He is not sure that this applies in this case as it implies that the plat committee has made a decision. Mr. Steinhage then asked for time to research this question.

Chair Brantley then asked if someone would like to make a motion to table the item until the end of new business.

MOTION: Commissioner Gillham moved, seconded by Commissioner Morgan to table the item until the end of new business.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:
MOTION PASSED BY UNANIMOUS VOTE

Yes	5	Brantley, Gillham, Hooper, Morgan, Venuti
No	0	

ITEM E6 - SOLDOTNA AIRPORT LEASE LOT 2021 REPLAT

KPB File No.	2022-048
Plat Committee Meeting:	May 9, 2022
Applicant / Owner:	City of Soldotna of Soldotna, AK
Surveyor:	Max Best / Wince-Corthell-Bryson
General Location:	Soldotna Airport Property, Funny River Road, City of Soldotna

Parent Parcel No.:	060-341-44 & 060-341-45
Legal Description:	Lots H-15 and H-21 Soldotna Airport Lease Lot Subdivision Plat No. KN 87-88
Assessing Use:	Leased Vacant Land
Zoning:	Industrial District
Water / Wastewater	City

Staff report given by Platting Specialist Julie Hindman.

Chair Brantley opened the meeting for public comment.

Max Best, Surveyor; Wince-Corthel-Bryson, P.O. Box 1041, Kenai, AK 99611: Mr. Best was the surveyor on this project and made himself available for questions.
Hearing no one else wishing to comment, public comment was closed and discussion was opened among the commission.

General Location:	East End Road, Little Fireweed Lane, City of Homer

Parent Parcel No.:	174-191-05 and 174-192-87
Legal Description:	Lot 4-A Block 1 Puffin Acres SVH 2021 Replat Plat No HM 2021-33 Lot 5 Commerce Park Plat No HM 1985-14
Assessing Use:	General Commercial
Zoning:	East End Mixed Use
Water / Wastewater	City

Staff report given by Platting Specialist Julie Hindman.

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

Commissioner Venuti informed the commission that he heard this item as planning commissioner for the City of Homer and abstain from deliberations and voting.

MOTION: Commissioner Gillham moved, seconded by Commissioner Morgan, to grant preliminary approval to Puffin Acres Bayweld 2022 Replat, 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		Brantley, Gillham, Hooper, Morgan
Abstained	1	Venuti

Chair Brantley asked Borough Attorney Steinhage for the answer to the committee's earlier question regarding East Oyster Cove Subdivision. Mr. Steinhage clarified for the committee that having a second to the motion does not mean that the individual making the second agrees with the motion. It just allows the motion to be brought to the floor for debate and decision. If there is not a second then there is no discussion or decision. In this instance it would mean that the applicant would have to resubmit the plat for reconsideration by the committee. Chair Brantley asked if the applicant could request that the planning commission hear the plat. Mr. Steinhage replied only if there is an actual decision made by the plat committee. The planning commission would need a decision in place to review. An appeal only works if there are findings by the plat committee for the planning commission to review.

MOTION: Commissioner Gillham moved to remove the plat from the table, and to grant preliminary approval to East Oyster Cove Subdivision, based on staff recommendations and compliance to borough code.

MOTION FAILED DUE TO A LACK OF A SECOND

F. PUBLIC COMMENT - None

G. ADJOURNMENT

Commissioner Venuti moved to adjourn the meeting 7:48 P.M.

Ann E. Shirnberg
Administrative Assistant

E. NEW BUSINESS

5. East Oyster Cove Subdivision; KPB File 2022-047
Fixed Height LLC / Alaska Mental Health Trust Authority
Location: Northeast of Jakolof Bay Road
Remote Area

Kenai Peninsula Borough Planning Department

Vicinity Map



KPB File # 2022-047

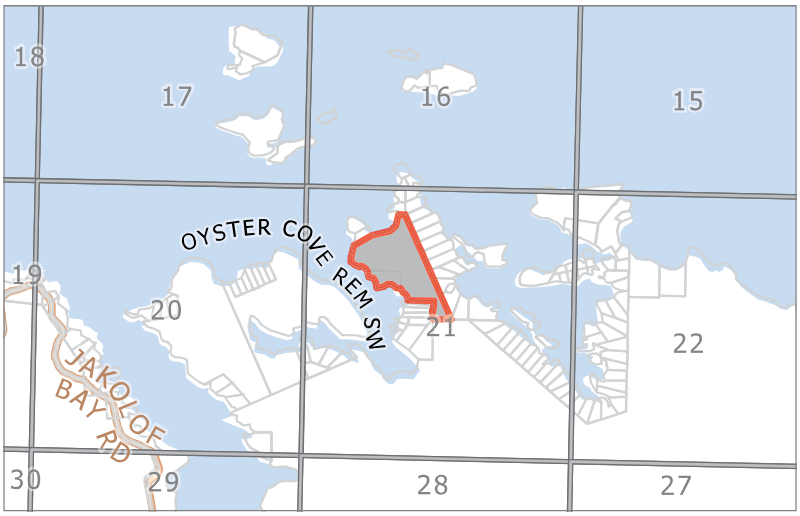
S21-T08S-R13W

Remote

4/7/2022

0 400 800 Feet

N



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 ma

Kenai Peninsula Borough Planning Department

Aerial View

KPB 2022-047
4/7/2022

N

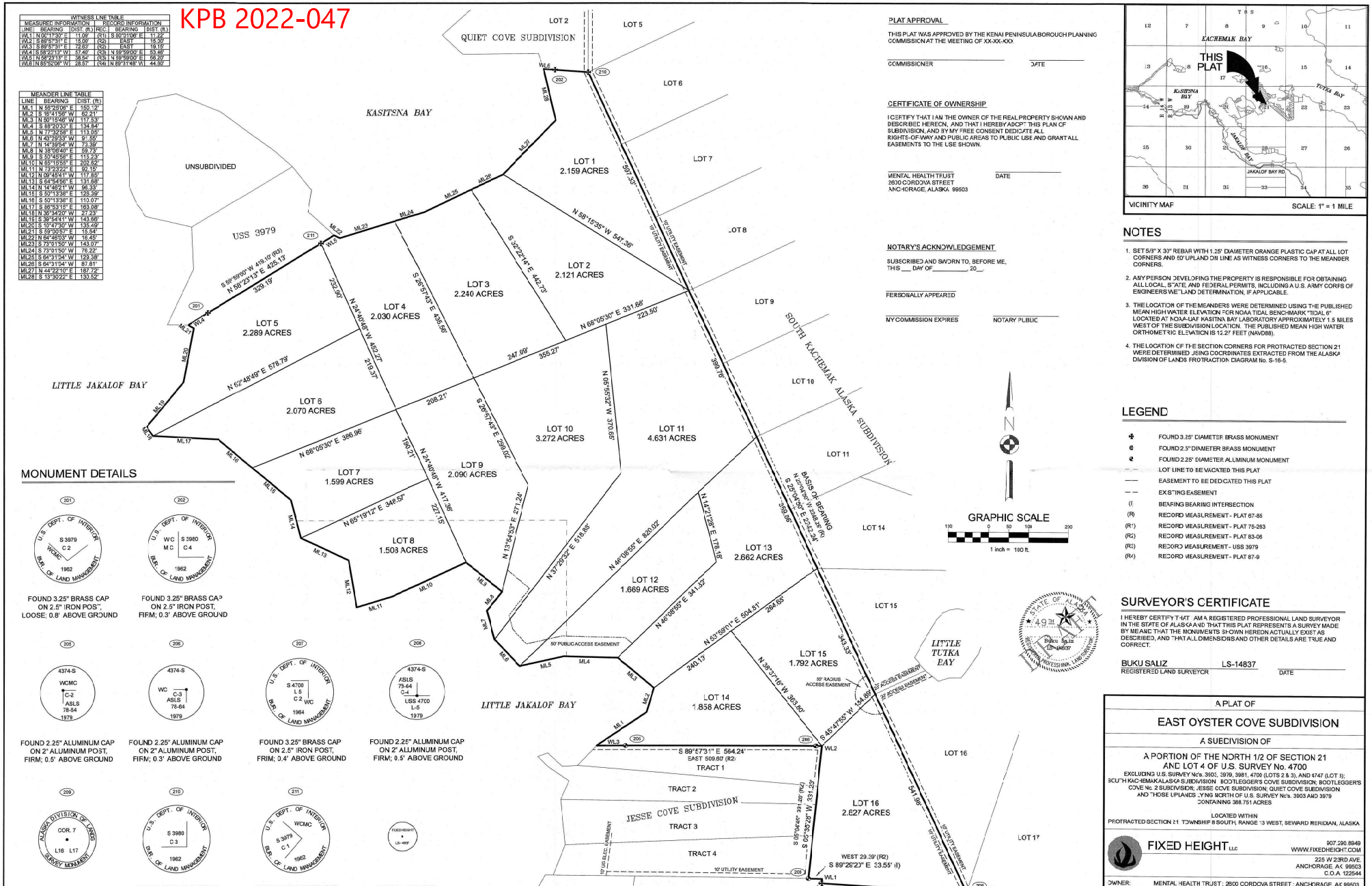


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this n

KPB 2022-047

WITNESS LINE TABLE					
MEASURED INFORMATION			RECORD INFORMATION		
LINE	BEARING	DIST. (ft.)	REC.	BEARING	DIST. (ft.)
WL1	N 00°17'30" E	13.09'	(R1)	S 80°01'06" E	11.22'
WL2	S 89°57'31" E	15.00'	(R2)	EAST	15.00'
WL3	S 89°57'31" E	72.63'	(R2)	EAST	19.15'
WL4	S 58°22'13" W	57.40'	(R3)	N 89°59'00" E	53.46'
WL5	N 59°23'13" E	38.54'	(R3)	N 89°59'00" E	66.20'
WL6	N 85°52'08" W	28.57'	(R4)	N 89°31'48" W	44.92'

MEANDER LINE TABLE		
LINE	BEARING	DIST. (ft)
ML1	N 55°22'06" E	150.12'
ML2	S 16°41'58" W	60.21'
ML3	N 56°15'46" W	117.53'
ML4	S 88°20'33" E	134.84'
ML5	N 77°32'58" E	113.05'
ML6	N 43°29'33" W	9.55'
ML7	N 14°39'54" W	73.39'
ML8	N 38°06'40" E	59.73'
ML9	S 50°46'58" E	113.23'
ML10	N 65°18'55" E	202.62'
ML11	N 73°23'22" E	92.15'
ML12	N 09°49'41" W	117.85'
ML13	S 64°54'56" E	131.68'
ML14	N 14°46'21" W	96.33'
ML15	S 50°13'38" E	128.39'
ML16	S 50°13'38" E	110.07'
ML17	S 86°53'15" E	163.08'
ML18	N 35°34'20" W	27.23'
ML19	S 39°54'41" W	143.66'
ML20	S 10°47'30" W	135.49'
ML21	S 59°00'57" E	15.54'
ML22	N 64°46'03" W	16.45'
ML23	S 73°01'50" W	143.07'
ML24	S 73°01'50" W	76.22'
ML25	S 64°31'04" W	129.38'
ML26	S 64°31'04" W	87.81'
ML27	N 44°22'10" E	187.72'
ML28	S 13°30'22" E	130.52'



MONUMENT DETAILS

FOUND 3.25" BRASS CAP ON 2.5" IRON POST, LOOSE; 0.8' ABOVE GROUND

FOUND 3.25" BRASS CAP ON 2.5" IRON POST, FIRM; 0.3' ABOVE GROUND

FOUND 2.25" ALUMINUM CAP ON 2" ALUMINUM POST, FIRM; 0.5' ABOVE GROUND

FOUND 2.25" ALUMINUM CAP ON 2" ALUMINUM POST, FIRM; 0.3' ABOVE GROUND

FOUND 3.25" BRASS CAP ON 2.5" IRON POST, FRIM; 0.4' ABOVE GROUND

FOUND 2.25" ALUMINUM CAP ON 2" ALUMINUM POST, FIRM; 0.5' ABOVE GROUND

FOUND 2.5" BRASS CAP ON 2" STEEL POST, FIRM; 0.9' ABOVE GROUND

FOUND 3.25" BRASS CAP ON 2.5" IRON POST, LOOSE; 1.0' ABOVE GROUND

FOUND 3.25" BRASS CAP ON 2.5" IRON POST, FIRM; 0.2' ABOVE GROUND

TYPICAL CAP SET

PLAT APPROVAL

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

COMMISSIONER DATE

CERTIFICATE OF OWNERSHIP

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

MENTAL HEALTH TRUST DATE
2600 CORDOVA STREET
ANCHORAGE, ALASKA 99503

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO, BEFORE ME, THIS ___ DAY OF_____, 20__.

PERSONALLY APPEARED

MY COMMISSION EXPIRES NOTARY PUBLIC

VICINITY MAP SCALE: 1" = 1 MILE

NOTES

1. SET 5/8" X 30" REBAR WITH 1.25" DIAMETER ORANGE PLASTIC CAP AT ALL LOT CORNERS AND 60' UPLAND DR LINE AS WITNESS CORNERS TO THE MEANDER CORNERS.
2. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION, IF APPLICABLE.
3. THE LOCATION OF THE MEANDERS WERE DETERMINED USING THE PUBLISHED MEAN HIGH WATER ELEVATION FOR NOAA TIDAL BENCHMARK "TIDAL 6" LOCATED AT NOAA-UAF KASITNA BAY LABORATORY APPROXIMATELY 1.5 MILES WEST OF THE SUBDIVISION LOCATION. THE PUBLISHED MEAN HIGH WATER ORTHOMETRIC ELEVATION IS 12.2' FEET (NAVD88).
4. THE LOCATION OF THE SECTION CORNERS FOR PROTRACTED SECTION 21 WERE DETERMINED USING COORDINATES EXTRACTED FROM THE ALASKA DIVISION OF LANDS PROTRACTION DIAGRAM No. S-16-5.

LEGEND

✠	FOUND 3.25" DIAMETER BRASS MONUMENT
⊕	FOUND 2.5" DIAMETER BRASS MONUMENT
⊕	FOUND 2.25" DIAMETER ALUMINUM MONUMENT
———	LOT LINE TO BE VACATED THIS PLAT
———	EASEMENT TO BE DEDICATED THIS PLAT
– – –	EXISTING EASEMENT
(I)	BEARING BEARING INTERSECTION
(R)	RECORD MEASUREMENT - PLAT 87-85
(R1)	RECORD MEASUREMENT - PLAT 75-263
(R2)	RECORD MEASUREMENT - PLAT 83-06
(R3)	RECORD MEASUREMENT - USS 3979
(R4)	RECORD MEASUREMENT - PLAT 87-9

GRAPHIC SCALE
100 0 50 100 200
1 inch = 100 ft.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME AND THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE TRUE AND CORRECT.

BUKU SALIZ LS-14837
REGISTERED LAND SURVEYOR DATE

A PLAT OF

EAST OYSTER COVE SUBDIVISION

A SUBDIVISION OF

A PORTION OF THE NORTH 1/2 OF SECTION 21 AND LOT 4 OF U.S. SURVEY No. 4700

EXCLUDING U.S. SURVEY No's. 3900, 3979, 3981, 4700 (LOTS 2 & 3), AND 4747 (LOT 1); SOUTH KACHEMAK ALASKA SUBDIVISION, BOOTLEGGER'S COVE SUBDIVISION, BOOTLEGGER'S COVE No. 2 SUBDIVISION, JESSE COVE SUBDIVISION, QUIET COVE SUBDIVISION AND THOSE UPLANDS LYING NORTH OF U.S. SURVEY No's. 3903 AND 3979 CONTAINING 388.751 ACRES

LOCATED WITHIN
PROTRACTED SECTION 21 TOWNSHIP 6 SOUTH, RANGE 13 WEST, SEWARD MERIDIAN, ALASKA

FIXED HEIGHT LLC
907.290.8849
WWW.FIXEDHEIGHT.COM
225 W 23RD AVE.
ANCHORAGE, AK 99503
C.O.A 122544

OWNER:	MENTAL HEALTH TRUST ; 2600 CORDOVA STREET ; ANCHORAGE, AK 99503		
KPB FILE NO.:	XXXX-XX	DRAWN BY/DATE:	AK / 1-1-2022
PROJECT NO.:	21083	CHECKED BY:	BS
SURVEY DATE:	SEPTEMBER 7-8, 2021	SCALE:	1" = 100'
FIELD BOOK:	21-01	SHEET:	1 OF 1

AGENDA ITEM E. NEW BUSINESS

ITEM 5 - EAST OYSTER COVE SUBDIVISION

KPB File No.	2022-047
Plat Committee Meeting:	May 9, 2022
Applicant / Owner:	Alaska Mental Health Trust of Anchorage, AK
Surveyor:	Andre Kaeppele, Buku Saliz / Fixed Height LLC
General Location:	Remote, Oyster Cove, Kasitsna Bay

Parent Parcel No.:	191-170-70 and 191-170-87
Legal Description:	A Portion of the North ½ of Section 21 and Lot 4 of US Survey No 4700
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide two parcels that are approximately 38 acres into sixteen lots. The lots will range in size from 1.508 acres to 4.631 acres.

Location and Legal Access (existing and proposed): This is considered a remote location. It is located along Oyster Cove in the Kasitsna Bay. This is along the eastern side of Oster Cove. On the western side of the cove is the Oyster Cove Airport. These lots will be water access only. Lots 15 and 16 will have their access from Little Tutka Bay and will use a public access easement located on Lots 15 and 16 of South Kachemak Alaska Subdivision, Plat SL 67-85.

A large acreage parcel is present to the south. Adjacent to the south, east, and southeast of that parcel is more large acreage parcels. They are all owned by Alaska Mental Health Trust. The closest right-of-way is Jakolof Bay Road, about 2 miles south of the subdivision. If the large acreage parcels are ever subdivided they may be able to provide dedicated access to the various lots located along the coast of the bays in the area. KPB information has found that the status of section line easements through the large acreage tracts is not clear. Any attempt to use section lines for access will require a determination by the State of Alaska.

South Kachemak Alaska Subdivision, Plat SL 67-85, indicated a 40 foot wide access easement, centered on the share lot line of Lot 15 and Lot 16 that would provide future access to lands to the west from Little Tutka Bay. This plat is proposing to grant a 50 foot radius access easement at the end of that access easement. An additional 50 foot public access easement is being granted along the shore of Oyster Cove within Lots 10, 11, and 12.

Due to the location, large acreage tracts, and no dedications within the area, the block length is not compliant.

KPB Code 20.30.050, Legal Access, requires that legal access exists to the boundary of the subdivision. It is currently only accessed by water. Staff believes the requirements of 20.30.050(B) have been met as there is permanent public access by water. ***Staff recommends*** *the plat committee concur to waive the legal access requirements of KPB 20.30.050(A) and require a plat note that states the mode of access.*

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

Site Investigation: KPB GIS does not have any wetland or contour information for the area. Per older imagery the

land appears to not contain any low wet areas except around the cove and bay. Within proposed Lot 15 and Lot 16 there appears there could be some low wet areas within the access easement area from Little Tutka Bay. The appropriate note regarding wetland determinations is present. ***Staff recommends*** *any low wet areas or steep terrain discovered during the field survey be depicted and labeled on the final plat.*

This appears to be property with lots of vegetation. No improvements appear on the older imagery that is available. KPB Assessing notes that the property is vacant.

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 comments

Staff Analysis This is a 38 acre subdivision to create sixteen lots that will be accessed by water only. The two lots that do not front on any waterbody will have access via a public access easement.

The land within this survey is from U.S. Survey 4700 that was done in 1965. The remainder of the property is the remaining portion of the north half of Section 21 excluding numerous U.S. Surveys and several subdivision plats.

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 property within this subdivision has not been part of a subdivision that would have granted platted utility easements. Per South Kachemak Alaska Subdivision, Plat SL 67-85, 20 foot utility easements were granted centered on the lot lines shared with the large remainder parcel of this subdivision. That plat was a state plat but we generally do not allow easements to be granted on property not included within the boundary of the subdivision plat. This plat is depicting the easement along the eastern boundary. ***Staff recommends*** *the label include "granted by this plat".*

Several easements are depicted on neighboring properties. ***Staff recommends*** *those depictions and labels be removed from the final plat.*

Homer Electric Association has requested some internal utility easements be granted to provide access to all lots within the subdivision. ***Staff recommends*** *the requested easements be depicted and labeled as being "granted by this plat."*

The required plat note regarding improvements within a utility easement will need to be added.

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	Multiple 30 foot wide utility easements centered on lot lines is being requested.
ENSTAR	No comment
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: None Existing Street Names are Correct: Yes List of Correct Street Names: Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: No addresses affected by this subdivision.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat.
Assessing	Reviewer: Wilcox, Adeena Comments: No Comment

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:

- Owner name should include Alaska Mental Health Trust.
- The KPB Assessing information has a different address for Alaska Mental Health. Verify the address they wish to have present on the plat.
- The recording district is required within the title block. It can be added to the location description.
- Bootlegger's Cove Subdivisions do not need to be included as they are considered within the southern half of the section. Please remove and this will match the Certificate to Plat.
- For Jesse Cove Subdivision and Quiet Cove Subdivision, include their plat recording numbers.
- Update the acreage.

D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries, and prominent natural and manmade features, such as shorelines or streams;
Staff recommendation: *Provide a depiction of the boundary and label the Kachemak State Park.*

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: *The subdivision for Lot 4B to the south is Bootleggers Cove No. 2. Update the labels to differ it from the other lots from the original Bootleggers Cove Subdivision.*

J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;
Staff recommendation: *Although from separate subdivisions, adjacent lot numbers that match should be avoided. Lot 15 abuts the entire length to another Lot 15 as does Lot 16. Review the lot numbers and adjust to avoid the same numbering if possible.*

KPB 20.30 – Subdivision Design Requirements

Staff recommendation*: final plat submittals must comply with 20.30. Additional information, revisions, and/or corrections are required as noted below.*

20.30.030. Proposed street layout-Requirements.

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

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

C. Preliminary plats fronting state maintained roads will be submitted by the planning department to the State of Alaska Department of Transportation and Public Facilities (DOT) for its review and comments.
Staff recommendation: *An exception has been requested.*

20.30.050. Legal access.

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

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

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

Staff recommendation: *Staff is asking the plat committee to concur that the legal access requirements should be waived and a plat note should be added to note the mode of access.*

20.30.170. Blocks-Length requirements. Blocks shall not be less than 330 feet or more than 1,320 feet in length. Along arterial streets and state maintained roads, block lengths shall not be less than 800 feet. Block lengths shall be measured from centerline intersections.
Staff recommendation: *The plat does not comply. Grouped and discussed with the exception to KPB 20.30.030.*

20.30.210. Lots-Access to street. Each lot shall abut on a fee simple dedicated street except as provided by KPB 20.30.030(B).
Staff recommendation: *Grouped and discussed with the exception to KPB 20.30.030.*

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.*

20.60.140. Block and lot numbering. Blocks and lots within each block· shall be numbered consecutively or all lots shall be numbered consecutively. If possible, each block should be shown entirely on one sheet. Each lot shall be shown entirely on one sheet.
Staff recommendation: *Adjust so adjacent lots from neighboring subdivisions do not share the same lot number if possible.*

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.*

- *Provide notes for any exceptions granted.*
- *The natural meanders of mean high water line is for area computations only, the true corners being on the extension of the sidelines and the intersection with the natural meanders.*
- *Rights of the public and or governmental agencies in and to that portion of said premises lying below the mean high water mark of Kasitsna Bay and any questions of right of access to Kasitsna Bay in the event said lands do not in fact abut the Kasitsna Bay.*
- *Reservations and exceptions as contained in State of Alaska Mental Health Trust Land Deed and/or in Acts authorizing the issuance thereof as recorded on September 25, 1996 in Book 35, Page 415, Seldovia Recording District.*
- *Reservations and exceptions as contained in the Approval from Bureau of Land Management as recorded on August 20, 1984 in Book 27 Page 62, Seldovia Recording District.*
- *The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.*
- *No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.*
- *The only access available to this subdivision at the time of recording is by water.*

20.60.190. Certificates, statements, and signatures required.

Staff recommendation*:*

- *The certificate of ownership should be revised to read on behalf of the Alaska Mental Health Trust. "I certify that the Alaska Mental Health Trust is the owner of the real property shown and described hereon, and that on behalf of the Alaska Mental Health Trust I hereby adopt this plan of subdivision and by my free consent dedicate all rights-of-way and public areas to public use and grant all easement to the use shown."*
- *The title of the signer on behalf of the Kenai Peninsula Borough should be changed to "Authorized Official"*
- *On the certificate of ownership signature line, we request the authorized person's name and title be added or provide an area where they can neatly print the information.*
- *Correct the Notary's Acknowledgement so it is an acknowledgement instead of a combination of an acknowledgement and a jurat.*

Comply with 20.60.190.

EXCEPTIONS REQUESTED:

KPB 20.30.030 – Proposed Street Layout

Surveyor's Discussion: Based on the ocean frontage contained by all but two of the lots within the proposed subdivision, we expect the primary access for development of these lots to be by watercraft. Additionally, none of the adjoining subdivisions have dedicated ROWs due to the similar ocean front layout of the lots. Dedicating a ROW would encourage development along the landward boundaries of the proposed lots and detract from the rural nature that makes them desirable. If an exception is granted to KPB 20.30.030, 20.30.170 and 20.30.210 would no longer be applicable due to the absence of streets within the proposed subdivision.

Staff Discussion: Per KPB Code 20.30.030, dedications must be provided for continuation or appropriate projections

and provide reasonable means of ingress to surrounding acreage tracts. While the exception request is for KPB Code 20.30.030, staff finds that the approval of this acceptance should also take into consideration KPB 20.30.170, Block Length Requirements, and 20.30.210, Lots-Access to streets. If this exception is granted it will not be possible to meet those requirements.

This subdivision is to be remote recreational property. There are other lots in the area that are similar. The Oyster Cove airport is across the bay to provide additional access but watercraft will still be required to get to the lots. The owner of the large acreage parcels in the area are the same of this subdivision. If they needed right-of-way access for their property they could require it at this time.

If the exception is granted, staff recommends the plat note for the exception granted include all three portions of code.

Findings:

1. KPB Code requires right-of-way dedications to provide adequate access to all lots within the subdivision and neighboring.
2. KPB Code requires right-of-way dedications to create compliant block lengths.
3. KPB Code requires lots to abut a fee simple dedicated street.
4. This is a remote area.
5. Only access at this time is by water.
6. Large acreage lots are in the area that are all owned by Alaska Mental Health Trust.
7. The owner of this subdivision is Alaska Mental Health Trust.
8. Utility easements are being requested and will need to be granted.

Denial of the exception will require rights-of-way dedications that will create compliant blocks and that all lots will abut.

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 4-8 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 4-8 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 4-8 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.**

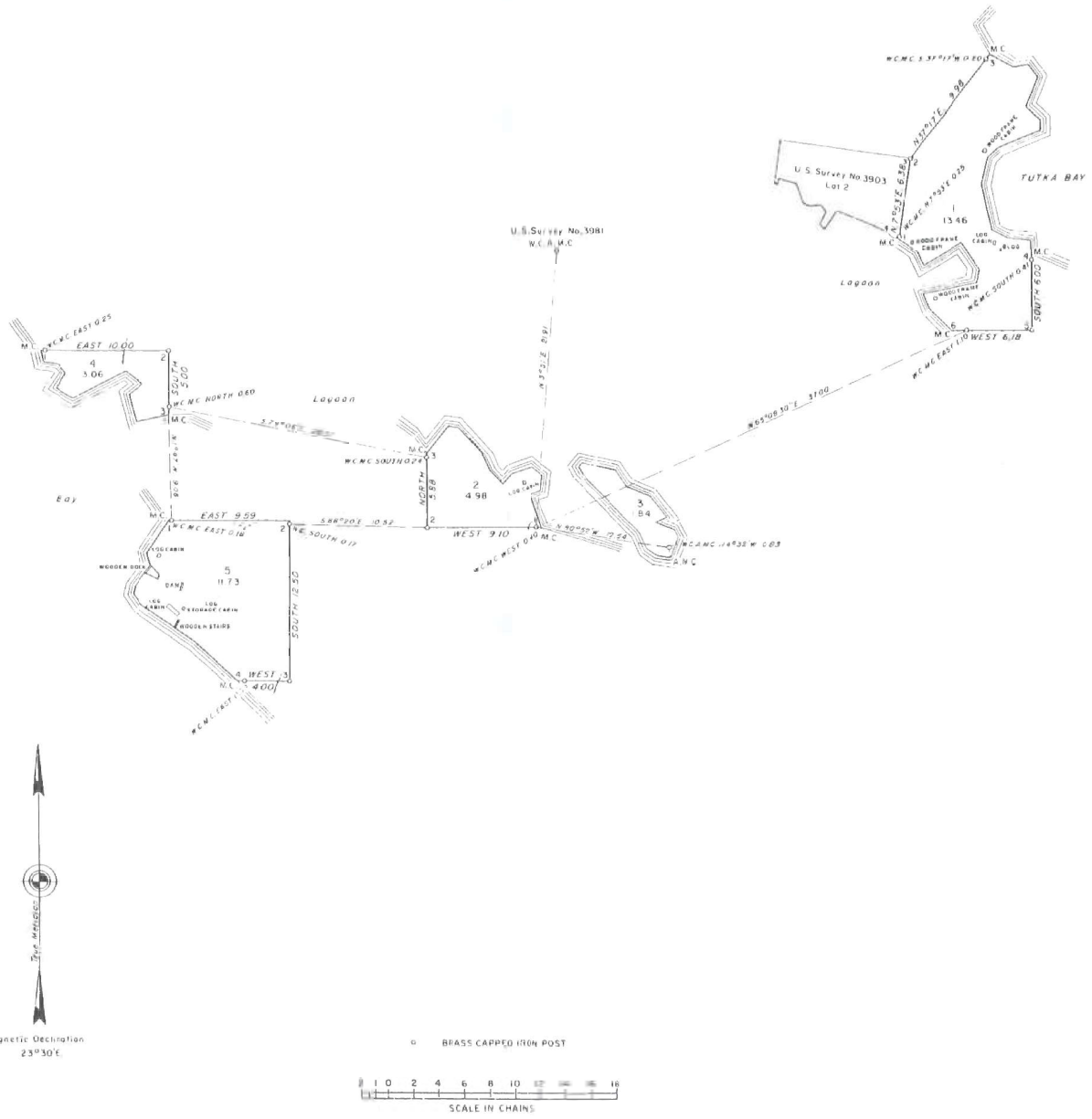
NOTE: 20.25.120. - REVIEW AND APPEAL.

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

ORIGINAL



U. S. SURVEY

No. 4700, ALASKA

EMBRACING
LOTS 1 THROUGH 5

5 NONCONTIGUOUS LOTS

SITUATED

NEAR THE MOUTH, AND

ON THE SOUTHWESTERLY SIDE

OF TUTKA BAY

ON THE SOUTHEASTERLY SIDE

OF KACHEMAK BAY

NEAR HOMER, ALASKA

GEOGRAPHIC POSITION

OF WITNESS MEANDER CORNER NO. 1, LOT 1

LATITUDE 59° 28' 25" N., LONGITUDE 151° 29' 00" W.

AREA: 35.07 ACRES

SURVEYED BY:

ROBERT Q. PICKERING, SUPERVISORY CADASTRAL SURVEYOR

JUNE 24, 1964 TO JULY 21, 1964

Under Special Instructions
Dated March 16, 1964, and
Approved March 19, 1964

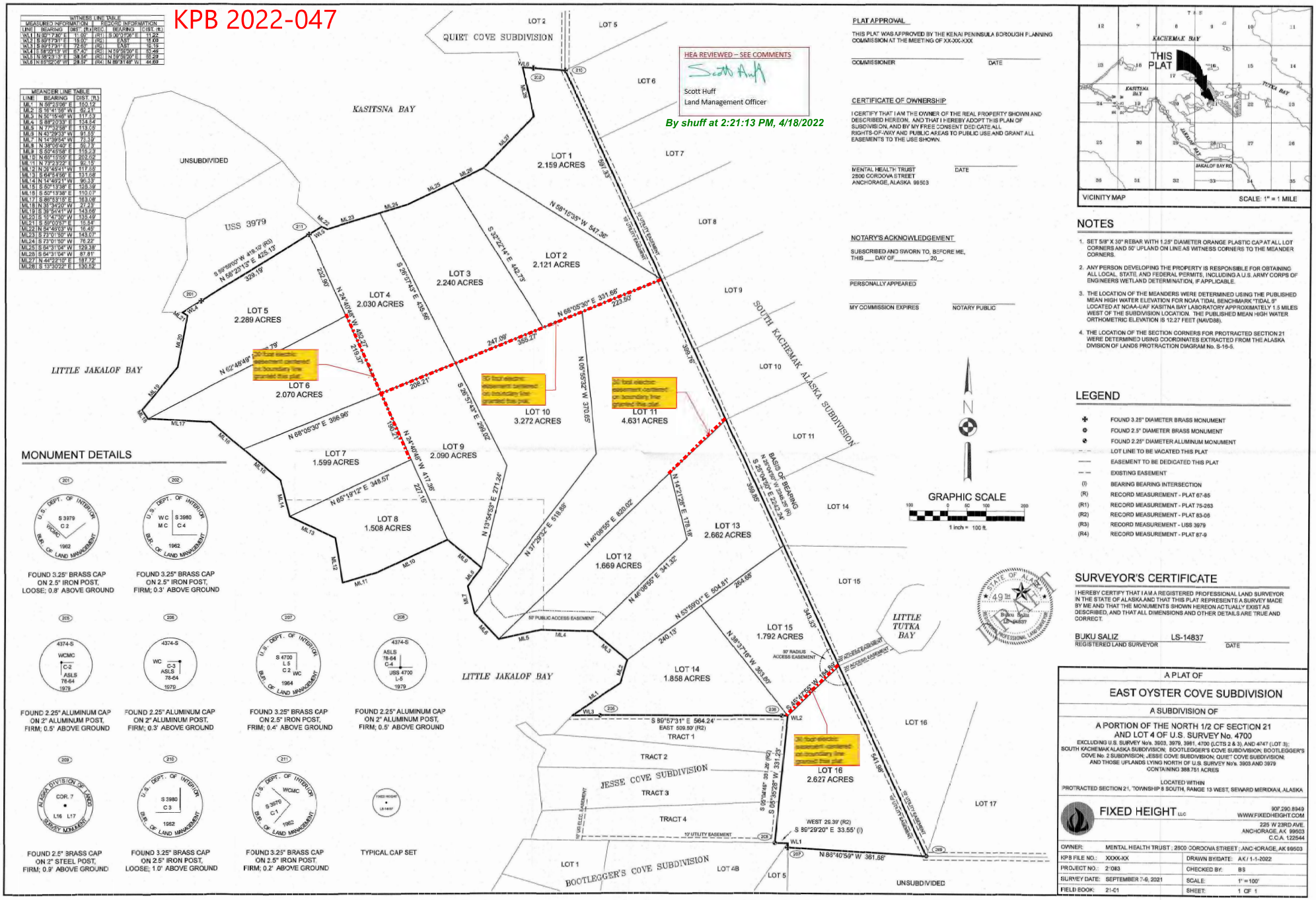
UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington, D. C. September 16, 1965

This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director

Chief, Division of Engineering

KPB 2022-047



WITNESS LINE TABLE					
MEASURED INFORMATION			RECORD INFORMATION		
LINE	BEARING	DIST. (ft.)	REC.	BEARING	DIST. (ft.)
WL1	N 89°-7'30" E	15.00'	(R3)	S 89°-29'20" E	11.22'
WL2	S 89°-7'31" E	15.00'	(R3)	PASS	9.09'
WL3	S 89°-7'31" E	72.82'	(R4)	PASS	9.15'
WL4	S 89°-29'43" W	67.40'	(R3)	N 89°-29'20" E	45.49'
WL5	S 89°-29'-3" E	38.54'	(R3)	N 89°-29'20" E	62.29'
WL6	N 89°-29'-3" W	28.97'	(R4)	N 89°-31'49" W	44.89'

MEANDER LINE TABLE		
LINE	BEARING	DIST. (ft.)
ML1	N 59°-2'06" E	150.12'
ML2	S 16°-41'59" W	62.21'
ML3	N 50°-15'48" W	117.53'
ML4	S 88°-0'33" E	134.54'
ML5	N 77°-32'59" E	113.05'
ML6	N 43°-29'13" W	91.65'
ML7	N 14°-39'54" W	73.39'
ML8	N 38°-26'49" E	109.73'
ML9	S 50°-45'58" E	115.03'
ML10	N 65°-15'59" E	202.02'
ML11	N 77°-37'29" E	96.19'
ML12	N 09°-45'41" W	117.05'
ML13	S 64°-54'56" E	131.08'
ML14	N 14°-49'21" W	96.33'
ML15	S 50°-13'38" E	128.09'
ML16	S 50°-13'38" E	110.07'
ML17	S 86°-53'15" E	163.08'
ML18	N 35°-34'20" W	27.23'
ML19	S 39°-54'41" W	143.66'
ML20	S 15°-41'-36" W	135.49'
ML21	S 59°-03'57" E	16.54'
ML22	N 54°-49'53" W	16.49'
ML23	S 73°-01'-50" W	143.07'
ML24	S 73°-01'50" W	76.22'
ML25	S 64°-31'04" W	129.38'
ML26	S 64°-31'04" W	87.81'
ML27	N 44°-22'10" E	187.72'
ML28	S 13°-30'22" E	130.62'

HEA REVIEWED – SEE COMMENTS
Scott Huff
Land Management Officer
By shuff at 2:21:13 PM, 4/18/2022

PLAT APPROVAL

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

COMMISSIONER DATE

CERTIFICATE OF OWNERSHIP

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

MENTAL HEALTH TRUST DATE
2600 CORDOVA STREET
ANCHORAGE, ALASKA 99503

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO, BEFORE ME, THIS ___ DAY OF_____, 20__.

PERSONALLY APPEARED

MY COMMISSION EXPIRES NOTARY PUBLIC

VICINITY MAP SCALE: 1" = 1 MILE

NOTES

1. SET 5/8" X 30" REBAR WITH 1.25" DIAMETER ORANGE PLASTIC CAP AT ALL LOT CORNERS AND 50' UPLAND ON LINE AS WITNESS CORNERS TO THE MEANDER CORNERS.
2. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL LOCAL, STATE AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION, IF APPLICABLE.
3. THE LOCATION OF THE MEANDERS WERE DETERMINED USING THE PUBLISHED MEAN HIGH WATER ELEVATION FOR NOAA TIDAL BENCHMARK "TIDAL 8" LOCATED AT NOAA-UAF KASITNA BAY LABORATORY APPROXIMATELY 1.5 MILES WEST OF THE SUBDIVISION LOCATION. THE PUBLISHED MEAN HIGH WATER ORTHOMETRIC ELEVATION IS 12.27 FEET (NAVD88).
4. THE LOCATION OF THE SECTION CORNERS FOR PROTRACTED SECTION 21 WERE DETERMINED USING COORDINATES EXTRACTED FROM THE ALASKA DIVISION OF LANDS PROTRACTION DIAGRAM No. S-15-5.

LEGEND

- FOUND 3.25" DIAMETER BRASS MONUMENT
- FOUND 2.5" DIAMETER BRASS MONUMENT
- FOUND 2.25" DIAMETER ALUMINUM MONUMENT
- LOT LINE TO BE VACATED THIS PLAT
- EASEMENT TO BE DEDICATED THIS PLAT
- EXISTING EASEMENT
- (I) BEARING BEARING INTERSECTION
- (R) RECORD MEASUREMENT - PLAT 67-85
- (R1) RECORD MEASUREMENT - PLAT 75-263
- (R2) RECORD MEASUREMENT - PLAT 83-05
- (R3) RECORD MEASUREMENT - USS 3979
- (R4) RECORD MEASUREMENT - PLAT 87-9

MONUMENT DETAILS

FOUND 3.25" BRASS CAP ON 2.5" IRON POST, LOOSE; 0.8' ABOVE GROUND

FOUND 3.25" BRASS CAP ON 2.5" IRON POST, FIRM; 0.3' ABOVE GROUND

FOUND 2.25" ALUMINUM CAP ON 2" ALUMINUM POST, FIRM; 0.5' ABOVE GROUND

FOUND 2.25" ALUMINUM CAP ON 2" ALUMINUM POST, FIRM; 0.3' ABOVE GROUND

FOUND 3.25" BRASS CAP ON 2.5" IRON POST, FRIM; 0.4' ABOVE GROUND

FOUND 2.25" ALUMINUM CAP ON 2" ALUMINUM POST, FIRM; 0.5' ABOVE GROUND

FOUND 2.5" BRASS CAP ON 2" STEEL POST, FIRM; 0.9' ABOVE GROUND

FOUND 3.25" BRASS CAP ON 2.5" IRON POST, LOOSE; 1.0' ABOVE GROUND

FOUND 3.25" BRASS CAP ON 2.5" IRON POST, FIRM; 0.2' ABOVE GROUND

TYPICAL CAP SET

SURVEYOR'S CERTIFICATE

I 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 AND THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE TRUE AND CORRECT.

BUKU SALIZ LS-14837 DATE
REGISTERED LAND SURVEYOR

A PLAT OF

EAST OYSTER COVE SUBDIVISION

A SUBDIVISION OF

A PORTION OF THE NORTH 1/2 OF SECTION 21 AND LOT 4 OF U.S. SURVEY No. 4700

EXCLUDING U.S. SURVEY No's. 3903, 3979, 3981, 4700 (LOTS 2 & 3), AND 4747 (LOT 3); SOUTH KACHEMAK ALASKA SUBDIVISION; BOOTLEGGER'S COVE SUBDIVISION; BOOTLEGGER'S COVE No. 2 SUBDIVISION; JESSE COVE SUBDIVISION; QUIET COVE SUBDIVISION; AND THOSE UPLANDS LYING NORTH OF U.S. SURVEY No's. 3903 AND 3979
CONTAINING 388.751 ACRES

LOCATED WITHIN
PROTRACTED SECTION 21, TOWNSHIP 8 SOUTH, RANGE 13 WEST, SEWARD MERIDIAN, ALASKA

FIXED HEIGHT LLC
907.290.8949
WWW.FIXEDHEIGHT.COM
225 W 23RD AVE.
ANCHORAGE, AK 99503
C.C.A. 122544

OWNER:	MENTAL HEALTH TRUST ; 2600 CORDOVA STREET ; ANCHORAGE, AK 99503		
KPB FILE NO.:	XXXX-XX	DRAWN BY/DATE:	AK / 1-1-2022
PROJECT NO.:	21083	CHECKED BY:	BS
SURVEY DATE:	SEPTEMBER 7-9, 2021	SCALE:	1" = 100'
FIELD BOOK:	21-01	SHEET:	1 OF 1

309

E11-35

Dear Members of the Planning Committee:

My name is Philip Brodie and I own lot 2 of Quiet Cove subdivision (OSS 3980) which is directly adjacent to lot 1 of the proposed East Oyster Cove subdivision. I request that the conditions of plat include a requirement that my DNR approved water source on the land be delineated by an easement for the reasons I outline below. Also the plat should reflect my third party rights to draw water from the water source.

I have owned my lot for fifty years. During that time I have drawn fresh water from a source on the platted property in the approximate location of the proposed lots 1 and 2 (and probably lot 3) through a plastic pipe feeding from a collection point in a small drainage on the east side of lots 1, 2, and three. The piping follows the small stream to tidewater on lot 1. There it splits and provides water to three of the existing owners of Quiet Cove. This is the only known source of available water for our small community. The actual location of the water source and delivery pipe should be fixed by survey.

In 1987 I applied for and eventually received my water right appropriation to draw water from the 'unnamed stream' in Water Rights Certificate LAS 11231, dated 2-22-1988 with priority effective as of 1-23-1987. This was recorded at book 30, page 223, Seldovia Recording District. This affects 2.33 acres of

the Quiet Cove Subdivision (lots 1 and 2) My legal rights to use this water have been perfected.

At a minimum, the plat needs to disclose these prior existing rights on the plat for the affected lots, which will require the location to be surveyed.

I should note that the historical use over the last thirty five plus years has exteaded into the uplands where the impoundment facility is located. The impoundment area should be memorialized by an easement allowing the users to access, maintain and draw from it. My use has been notorious and without consent all of these years.

My hope is that the petitioner will agree to this request so their entry into our neighborhood does not start off with a major war on water rights, the preservation of which is critical to those of us who reside and/or recreate here year round.

If the petitioner, despite its public status, does not agree, then you, the planning commission, should impose these requirements for health and safety questions. The location of the drinking water source needs to be delineated so that the ADEC approved septic or marine outfall designs preserve our access to safe drinking

water, which at a minimum, is legally undisputed at the mean high tide line. Plus, we do urge, for the quality of the Cove itself, as well as our drinking water, that all lots must have an approved ADEC septic design with appropriate legal setbacks from all streams and water sources.

To summarize, my request is that the following conditions to plat be required:

① Petitioner is to survey the existing stream, water impound area and drainage and locate it on the map.

② The affected lots have a plat note advising of the prior rights to appropriate water provided by LAS 11231.

③ The petitioner work with me to delineate an easement preserving my and my neighbors access to the impoundment area and the water supply pipe.

④ The plat must disclose the ADEC septic sites on all lots with sufficient distance to preserve the integrity of the surface water for drinking purposes.

Thank you,

Sincerely,

Philip J. Brudie

April 30, 2022

Philip Brudie
Po Box 111
Homer, AK 99603
907 399 6257

RECEIVED
MAY 04 2022
KPB PLANNING DEPT.

BOOK 30 PAGE 223

State of Alaska

Water Rights

RECEIVED
MAY 04 2022
KPB PLANNING DEPT.

CERTIFICATE
OF
APPROPRIATION

LAS 11231

THE STATE OF ALASKA UNDER AS 46.15, THE ALASKA WATER USE ACT, AND THE REGULATIONS ADOPTED UNDER IT, GRANTS TO:

PHILIP L BRUDIE
P.O. BOX 859
HOMER, AK. 99603

THE RIGHT TO USE WATER FROM THE FOLLOWING SOURCE:

A) UNNAMED STREAM WITH A PRIORITY DATE OF 01/23/1987

Plat 87-9 Lots 1+2

150.0 GAL/DAY
FOR SINGLE DWELLING JAN 01 THRU DEC 31
20.0 GAL/DAY
FOR POULTRY AND EGG JAN 01 THRU DEC 31

THE LOCATION TO WHICH THIS WATER RIGHT APPERTAINS IS:

THE LAND EMBRACED IN SOLDIER'S ADDITIONAL HOMESTEAD ENTRY, U.S. SURVEY 3980, SITUATED ON THE SOUTHEASTERLY SHORE OF KASITSNA BAY AREA, ALASKA CONTAINING 2.33 ACRES, ACCORDING TO THE OFFICIAL PLAT OF THE SURVEY OF THE SAID LAND, ON FILE IN THE BUREAU OF LAND MANAGEMENT, SAID PARCEL LOCATED WITHIN W1/2NE1/4NW1/4 PROTRACTED SECTION 21, TOWNSHIP 8 SOUTH, RANGE 13 WEST, SEWARD MERIDIAN, ~~HOMER~~ SELDOVIA RECORDING DISTRICT, STATE OF ALASKA.

THE LOCATION OF THE WATER SOURCE IS THAT PORTION OF AN UNNAMED STREAM LOCATED AT OR BELOW MEAN HIGH TIDE WITHIN NW1/4NE1/4NW1/4 PROTRACTED SECTION 21, TOWNSHIP 8 SOUTH, RANGE 13 WEST, SEWARD MERIDIAN, ALASKA.

THE CONDITIONS THAT APPLY TO THIS APPROPRIATION ARE FOUND IN ATTACHMENT A, ATTACHED HERETO AND MADE A PART HEREOF.

BOOK 30 PAGE 224

State of Alaska

Water Rights

CERTIFICATE OF APPROPRIATION LAS 11231

THE WATER RIGHT IS GRANTED SUBJECT TO THE PERTINENT STATUTORY PROVISIONS IN AS 46.15, AND ADMINISTRATIVE REGULATIONS IN 11 AAC 93.

THIS CERTIFICATE OF APPROPRIATION IS ISSUED BY AUTHORITY OF AS 46.15.120 AND 11 AAC 93.130 ON February 18, 1988.

APPROVED: _____

TITLE: Chief Water Section
DIVISION OF LAND AND WATER MANAGEMENT

STATE OF ALASKA)
) ss
3RD JUDICIAL DISTRICT)

THIS IS TO CERTIFY THAT ON FEBRUARY 18, 1988 BEFORE ME APPEARED EDWARD G. BARBER, JR., KNOWN BY ME TO BE THE DIRECTOR OR AUTHORIZED REPRESENTATIVE OF THE DIVISION OF LAND AND WATER MANAGEMENT, DEPARTMENT OF NATURAL RESOURCES, AND ACKNOWLEDGED TO ME THAT THIS CERTIFICATE OF APPROPRIATION WAS VOLUNTARILY EXECUTED ON BEHALF OF THE STATE OF ALASKA.

Bill Ed Wright
NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES: 12-1-89

PURSUANT TO AS 46.15.160 AND APPLICABLE REGULATIONS THE CERTIFICATE HOLDER SHALL NOTIFY THE ALASKA DIVISION OF LAND AND WATER MANAGEMENT UPON CHANGE OF ADDRESS OR TRANSFER OF ANY REAL PROPERTY RELATED THERETO.

BOOK 30 PAGE 2244

State of Alaska

Water Rights

CERTIFICATE OF APPROPRIATION LAS 11231

ATTACHMENT A - CONDITIONS:

THE HOLDER OF THIS CERTIFICATE SHALL:

FOLLOW ACCEPTABLE ENGINEERING STANDARDS IN EXERCISING THE WATER RIGHT GRANTED BY THIS CERTIFICATE.

DEFEND AND INDEMNIFY THE STATE AGAINST AND HOLD IT HARMLESS FROM ANY AND ALL CLAIMS, DEMANDS, LEGAL ACTIONS, LOSS, LIABILITY AND EXPENSE FOR INJURY TO OR DEATH OF PERSONS AND DAMAGES TO OR LOSS OF PROPERTY ARISING OUT OF OR CONNECTED WITH THE EXERCISE OF THE WATER RIGHT GRANTED BY THIS CERTIFICATE.

COMPLY WITH ALL APPLICABLE LAWS, REGULATIONS AND CONDITIONS.

150 GAL/DAY FOR SINGLE DWELLING IS FOR TWO UNPLUMBED CABINS.

88-284

RECORDED - ~~FILED~~ 16-
Seldovia REC. DIST.
DATE 11-21- 19 88
TIME 340 P. M
Requested by P. BRUDIE
Address HOMER AK

Quainton, Madeleine

From: Planning Dept,
Sent: Friday, May 6, 2022 11:56 AM
To: Quainton, Madeleine
Cc: Hindman, Julie
Subject: FW: <EXTERNAL-SENDER>proposed Jakolof subdivision

Madeleine

From: shannyn moore <shannynmoore@gmail.com>
Sent: Friday, May 6, 2022 11:36 AM
To: Planning Dept, <planning@kpb.us>
Subject: <EXTERNAL-SENDER>proposed Jakolof subdivision

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.

From Shannyn Moore
PO Box RDO
Homer, Alaska 99603-8999

To The Kenai Borough Assembly

Re: Mental Health Trust Subdivision Proposal in Little Jakolof

Dear Assembly Members,

We appreciate the opportunity to weigh in with you about the Mental Health Trust proposal to add sixteen lots to our community. There are so many different types of people who own homes in our area, but we have yet to meet one who thinks this proposal is a good idea. Thank you for taking the time to hear our different perspectives.

The Mental Health Trust has one job. Their job is to make money for the trust by selling land. They don't have to consider any factors other than making money. With $400 million in assets, we'd say they are doing their job. You, the assembly, have quite another task at hand. Your job is to make the communities on the Kenai Peninsula better places to live for our residents.

We have one home. We live in Little Tutka Bay. We live here all year. Not everyone with property here is so lucky to get to see the winters. The Mental Health Trust has missed something we want you to understand. These tiny bays and the islands close by are a community. We have a post office, a tiny library, potlucks, wood cutting parties and businesses that employ locals when they can. There are children home schooled here. We respond to local disasters like fires, boats sinking and plane crashes. We aren't just a vacation destination. Owning a home here isn't a National Guard agreement to two weeks a year and one weekend a month for dentists from Anchorage.

The recent proposal for sixteen lots between Little Tutka Bay and Jakolof Bay has zero consideration or provision for public land use. There is no future school site, land for a community cemetery, park or post office. Why is that? Where are new residents going to park their boats? There is zero planning to expand the community with the offering. The reason is simple. It's not the job of Mental Health to make us a community with amenities. It's the job of the borough to help us through this time of proposed growth to do it right.

It's hard to build a life here. At least 70% of the work to construct is just moving supplies across the bay and up to your perch. The land proposed isn't impossible to build on, but you could see impossible from your porch if you could ever get one built.

Please postpone the approval of the subdivision until the issues brought by our community can be addressed. We thank you for your consideration.
Sincerely,
Gregor Welpton and Shannyn Moore

Quainton, Madeleine

From: Planning Dept,
Sent: Friday, May 6, 2022 9:15 AM
To: Quainton, Madeleine
Subject: FW: <EXTERNAL-SENDER>written testimony regarding KPB File 2022-047 proposed Little Jakolof Bay subdivision

Madeleine

From: Daniel Coyle <djcoyle1@gmail.com>
Sent: Friday, May 6, 2022 9:06 AM
To: Planning Dept, <planning@kpb.us>
Cc: Doug Kossler <anchoragerunner@yahoo.com>; tanomoshii@yahoo.com; Maurice Coyle <mauricecoyle3@gmail.com>; jonathan coyle <jpcoyleak@gmail.com>; keetnasimon@yahoo.com; walanier@gmail.com; jenny coyle <jen79coyle@gmail.com>; John Giuggio <giovanpietro3@gmail.com>
Subject: <EXTERNAL-SENDER>written testimony regarding KPB File 2022-047 proposed Little Jakolof Bay subdivision

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.

To: Kenai Peninsula Borough Planning Department
144 N Binkley Street
Soldotna, AK 99669

(submitted via email)
MAY 6, 2022

To: Kenai Peninsula Borough Planning Department

As a unified group of seven local residents and landowners, we'd like to express our urgent concerns about the proposed subdivision in Little Jakolof Bay and Little Tutka Bay, KPB File 2022-047, for the following reasons:

1) The proposed subdivision will destroy an existing archaeological site of significant cultural and historical value. The site is located near proposed lots 8, 9, and 10. Further investigation could uncover additional sites, which would be protected by state and federal law. In addition, the development of new lots may destroy wildlife habitat, including eagle-nesting areas

2) The proposed subdivision does not provide adequate water access or supply. Many of the proposed lots are located on bedrock, with no water source.

3) The proposed subdivision — 16 lots, many of them extremely narrow, located in a relatively small, confined area — creates multiple problems of density and access, and will generate navigational hazards. The entrance and the western (weather-exposed) side of the bay is narrow for running lines, and not suitable for moorings.

4) A significant number of the lots are unusable because of steepness or access problems. Some lots have steep rocks on the shore and are unaccessible from the beach. In addition, two lots have access only through Little Tutka Bay, creating additional congestion for residents of Tutka Bay.

We hope that these comments will provide the planning commission with guidance and clarity as it makes its decisions. We are ready and willing to answer any questions or provide any additional information the planning commission requires. We hope that the commission will delay any imminent decisions in order to give appropriate time, research, and attention to these sincere and valid concerns.

SIGNED,

Daniel Coyle
Maurice Coyle
Jonathan Coyle
Co-owners of Bootleggers Cove Lots 1, 3 4, and 5

Doug Kossler
Margaret Kossler
Kimberly Lanier
William A. Lanier
Co-owners of Jesse Cove Tract 3 and 4

RE: KPB File No. 2022-047

Greetings

I am writing to express concerns about the proposed re-plat of a parcel that fronts on Little Jakolof Bay and a portion of Kasitsna Bay locally referred to as Quiet Cove.

While I respect the owners rights (Alaska Mental HealthTrust Authority, 'AMHTA') to monetize its land holdings this proposed subdivision is not, in my opinion, the way to do it. (Skip to the conclusion for a proposed methodology).

The proposed creation of these lots will add additional pressure to the local communities of Little Jakolof, Quiet Cove and Little Tutka Bay. Today these communities are self sufficient, where the land owners take care of issue themselves instead of relying partially or entirely on the services of the Borough or City of Homer, despite being taxed for services not necessarily received.

For instance, currently my property and other properties in these communities, pay borough collected taxes but receive little in return. Borough taxation for services, which include fire services are, in particular, an excellent example.

On October 19, 2019 my house burned to the ground after a 5 year construction effort. It was a heartbreaking event and an uninsured loss of over $1.2m. Fortunately no one was injured and thanks to the immediate help of my neighbors rushing in, the event did not consume more than just my improvements and a portion of old growth forest.

What I received from the borough was a "yeah we could see it happening from Homer" and "we'll inform the State of Alaska fire officials that you may have ongoing liability should any of the smoldering roots or remains cause additional damage." In other words, absolutely nothing but a notice of potential liability. No assistance with investigation, no assistance with mitigation of potential post fire issues, no coordination with the State or City of Homer.

To add insult to injury, I then paid over $100,000 in Landfill expenses associated with hauling the debris to Homer for disposal.

In other words if the Borough wishes to support subdivision and the receive the resulting tax revenue then the borough should be prepared to provide the services. However, despite that, as mentioned above we are a self sufficient community of homes and we are used to taking care of each other. For my part I forgo the services despite paying the taxes because of the tranquility of the area and the support of my neighbors.

Quiet Cove Specific Issues

Quiet cove is a very calm and small cove. So small that its name is only a locally named cove without an official body of water designation. At low tide the cove and the properties fronting on it are inaccessible, either by land or water or air. **In particular the proposed lots 1-4 will have NO ACESSS at low tide.**

The cove is home to Land Otters, Sea Otters, Starfish, Mussles, Clams and innumerable fish and bird species all supported by a diverse eco-system of marine plants that existing due to the tidal action that fills and empties the cove twice each day.

In addition the proposed Lot 2 has no accessibility at high tide due to the cliff face at the beach level. The only way to solve this would be a substantial dock system again impacting the sensitive Quiet Cove marine life and even then such a dock would not be accessible at low tide.

Development of the proposed lots 1-4 would A) seriously impact this bio-diversity and B) create serious impacts related to inaccessibility issues.

Little Jakolof Issues

Little Jakolof Bay is a larger and a more robust marine environment. There are several concerns that I assume my neighbors in Little Jakolof will address since I am less directly impacted. Non-the-less, I reached out to Janet Klein a preeminent scholar on the subject of the archeology of Kachemak Bay

https://worldcat.org/identities/lccn-n82050143/

Ms.Klein believes there could be anecdotal evidence of archeological significance (house pits)[1], on portions of the property proposed to be subdivided, on the south facing shore of the property facing little Jakolof. This evidence may or may not prove to be accurate but at a minimum it should be investigated and considered, and if true considered as part of the proposed future use of the property.

Little Tutka issues

Again these issues impact others more than myself. Two of the proposed lots 15 and 16 are only accessible by a narrow easement across others properties from Little Tutka Bay. They are in essence landlocked parcels, at the end of an easement at the end of a cove at the end of a bay. Was consideration given to potential acquisition by the owners of the properties with easements? Or extended to the other adjacent parcels adjacent to these lots?

Conclusion

As expressed in my opening paragraph I believe the AMHTA should be allowed to seek to accomplish monetization of the value of their holdings with regard to the proposed property, for the benefit of their constituents, the citizens of Alaska accessing the mental health network of the State of Alaska. However, I feel strongly that the method of that monetization could come in many ways, the least of which is a simple commercial blanket subdivision into numerous parcels, each with unique challenges.

One example would be to pursue a conservation easement on the entire parcel wherein the AMHTA would be compensated for the value of the parcel based on a fair market value appraisal. Said appraisal could be based on an as-is valuation or even an “if improved” Valuation (subdivided). That is just one

[1] Numerous examples of house pits evidenced in the Kbay area Include those found and preserved on private lands on Yukon Island by the Abbott family. Significantly examined and researched by William Workman https://www.researchgate.net/scientific-contributions/William-B-Workman-2027733563 over numerous years.

example. In other words what are the monetization goals (dollar amount) of the AMHTA. Make that clear and give the community an opportunity to step and meet the goal.

I would encourage the Kenai Peninsula Platting Board, to postpone this action until a thoughtful process has run its course with regard to the monetization effort that explores alternatives. I believe that myself and my Little Tutka Bay, Little Jakolof Bay and Quiet Cove neighbors are willing to engage in such a process. I also believe that there are some obvious first choice alternatives that would be supported by all.

I am willing to commit to such a process with a defined schedule and without prejudice to the outcome, as I believe are other members in the community. If that ends up in a renewed application to sub-divide the property so be it. But without the engagement of the community in a process, moving forward at this time will be problematic.

Thank you for your consideration, let's engage in a process to accomplish the community goals, the borough goals and the AMHTA goals.

Mark Pfeffer
(907) 317-5030

May 6th, 2022

RE: Proposed plat under consideration KPB File NO. 2022-047

We strongly oppose the plat as proposed with regards to the 20 foot easement from Little Tutka Bay to proposed lots 15 and 16 of East Oyster Bay Subdivision.

We own lot 15 of South Kachemak Alaska Subdivision. We have owned this property for 20 years. I am very familiar with the easement topography at every tide stage. It will be a poor easement. Depending on the exact survey line it may be impassable much of the time, leading to the trespass of adjoining property.

The easement is in a low wetland estuary with a narrow deep creek and a 40–60-foot pond nearer the natural shoreline bench that does not drain. At low tide the pond is thigh deep with muddy bottom. The survey line bisects this pond. To go around it users will trespass on the South Kachemak Alaska subdivision lot 15 or lot 16. Depending on the exact line users will then need to cross the creek, perhaps more than once.

The diagram provided by Mental Health Lands Trust (MHLT) does not depict this area accurately. Little Tutka Bay is not as near to the east line of the 2 lots as depicted. At most tide stages it will be a 300 foot slog through the estuary. At very high tides (23-25 feet) the water does get to the east boundary of the new subdivision. However, it is too shallow for any boat other than a kayak for approximately the last 200 feet. Due to undulating topography of the wetland estuary and the creek it is also impassible with hip boots or chest waders.

This week I went to the MHLT offices in Anchorage to attempt to get a good map with survey lines to better review and make my case. They had terrible mapping available with detail no better than your enclosed diagram.

In the past I have seen a plat map/as built map that showed the southwest corner of our lot 15 SOUTH of the southern edge of the estuary. I was surprised and pleased because it meant we own a fabulous berry patch. If that map is correct the northern 20 foot easement is in the worst possible area of the wetland estuary, directly on the creek. Please provide detailed, accurate mapping for the public to review prior to making any decisions on this.

In summary, this is a bad easement functionally and environmentally. The new East Oyster Bay Subdivision lots 15 & 16 should be changed. Lot 15 could easily be connected to the new lot 14 and sold as a single 3.6-acre parcel, like the new lots 10 and 11. Lot 16 is a bad idea all around. It is land locked and has no view of water or mountains from its north line most of the time. It will have a wet estuary view only at extreme high tides. The amount of damage to the wetlands estuary to develop this land is likely to be large. If lot 16 must be developed then it should be combined with 14 & 15 to provide ocean access.

We urge the Kenai Borough to reject the proposed plat outright until the MHLT addresses and corrects these problems.

Submitted by Dennis & Lisa Poirier

Quainton, Madeleine

From: Planning Dept,
Sent: Friday, May 6, 2022 8:32 AM
To: Hindman, Julie; Quainton, Madeleine
Subject: FW: <EXTERNAL-SENDER>KPB File No. 2022-047

FYI

From: GEORGE RHYNEER <valiant@mtaonline.net>
Sent: Friday, May 6, 2022 8:03 AM
To: Planning Dept, <planning@kpb.us>
Subject: <EXTERNAL-SENDER>KPB File No. 2022-047

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.

Planners: I am a land owner in Little Jakalof Bay (tract 1 and 2, Jesse Cove Subdivision) When you consider approval of the plat referenced above please be aware that that there may be native middens and other archeological sites along the shoreline of Little Jakalof Bay which should be identified and protected before this land is subdivided and sold. Sincerely, George Rhyneer

DESK PACKET ITEMS

(Items received after the publishing of the meeting packet on 6/7/22)

E. NEW BUSINESS

11. East Oyster Cove Subdivision; KPB File 2022-047R1
Fixed Height LLC / Alaska Mental Health Trust Authority
Location: Oyster Cove REM SW
Remote Area

Quainton, Madeleine

From: Planning Dept,
Sent: Friday, June 10, 2022 8:57 AM
To: Quainton, Madeleine; Hindman, Julie
Subject: FW: <EXTERNAL-SENDER>Oyster Cove Subdivision

Thank You,

Ann Shirnberg
Administrative Assistant
Planning Department
(907) 714-2215
KENAI PENINSULA BOROUGH
144 North Binkley Street
Soldotna, Alaska 99669

PUBLIC RECORDS LAW DISCLOSURE: This email and responses to this email may be subject to provisions of Alaska Statutes and may be made available to public upon request.

From: tamara hopkins <taxito32@gmail.com>
Sent: Thursday, June 9, 2022 10:43 PM
To: Planning Dept, <planning@kpb.us>
Subject: <EXTERNAL-SENDER>Oyster Cove Subdivision

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 2022-047R1

I am writing again to oppose this subdivision as replatted. I also would like to know how MHT will dispose of this property, auction I assume. I am fearful of what could happen to this Little Jakolof serenity if this is to happen. We have all been very protective of this quiet place. I am a newcomer to this cove, 2006 when I was introduced. It is a very special place, and that will change permanently if 15 lots are sold and developed. My concerns have been stated at the earlier hearing, and they still stand.

I walked to the back corner of our property,(Lot 4B of Bootlegger's Cove No.2 Subdivision) and looked at the proposed access for lots 13,14,15. It is right in the tidal estuary off a backwater portion of Little Tutka Bay which completely floods on any high tide greater than 15 feet or so. This platted access totally ignores the fact that this is wetlands as was pointed out to this body on the previous public hearing of May 9, 2022. It is inconceivable to me how this commission can approve this. Lots 13 and 14 are basically landlocked.

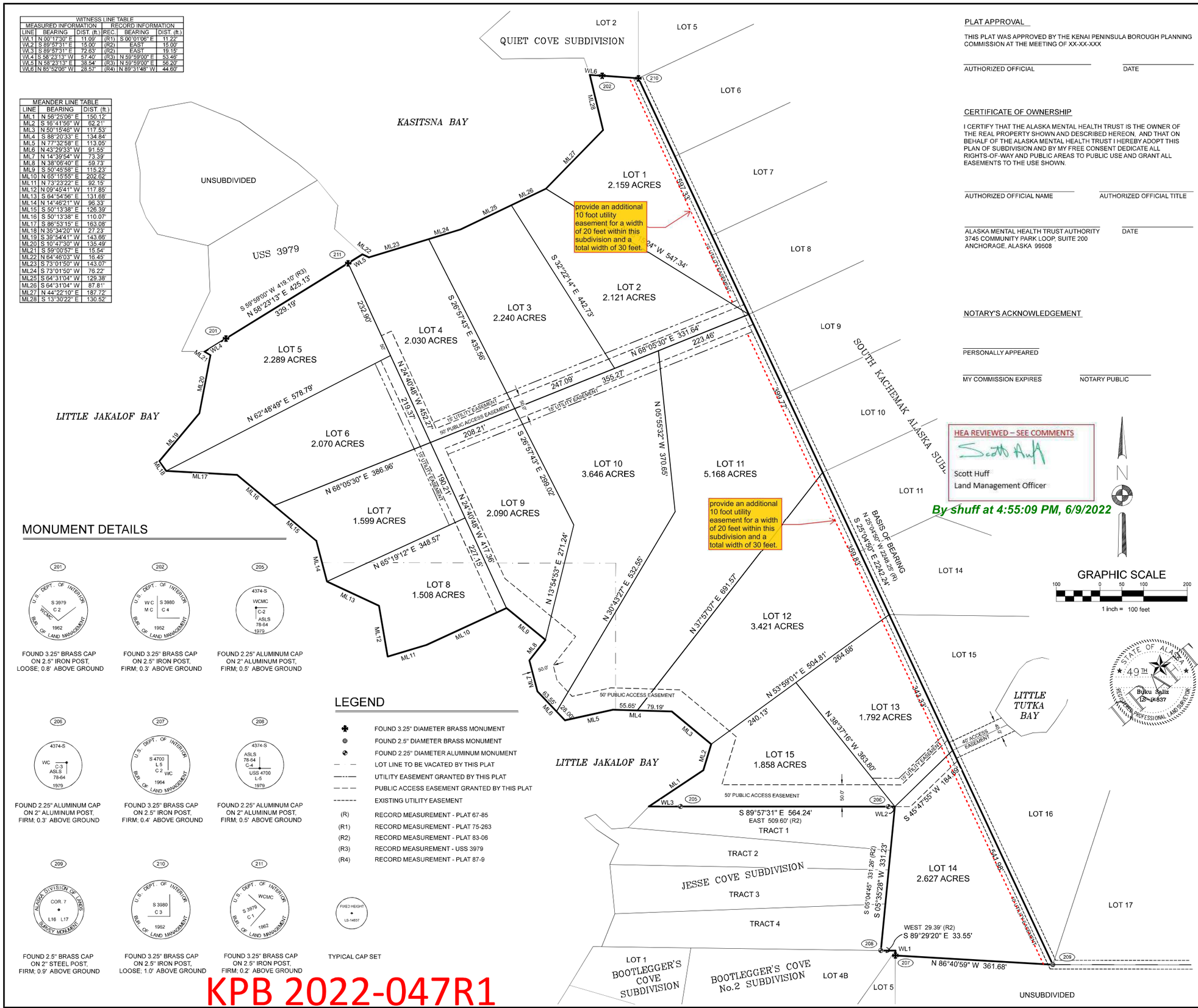
Quiet Cove like Little Jakolof Bay is just that, quiet and very small. And very tidal. I find it hard to see how it can support four lots as depicted on this plat i.e. lots 1 thru 4. Similarly lots 5 thru 12 fronting Little Jakolof Bay will ultimately create a very crowded waterfront. For these reasons , I would urge this commission to disapprove this platt.

Thank you for your consideration on this matter,

Tamara Hopkins

WITNESS LINE TABLE					
MEASURED INFORMATION			RECORD INFORMATION		
LINE	BEARING	DIST. (ft.)	REC.	BEARING	DIST. (ft.)
WL1	N 00°17'30" E	11.09'	(R1)	S 00°01'06" E	11.22'
WL2	S 89°57'31" E	15.00'	(R2)	EAST	15.00'
WL3	S 89°57'31" E	72.63'	(R2)	EAST	19.15'
WL4	S 58°23'13" W	57.40'	(R3)	N 59°59'00" E	53.46'
WL5	N 58°23'13" E	38.54'	(R3)	N 59°59'00" E	56.20'
WL6	N 85°52'06" W	28.57'	(R4)	N 89°31'48" W	44.60'

MEANDER LINE TABLE		
LINE	BEARING	DIST. (ft.)
ML1	N 56°25'06" E	150.12'
ML2	S 16°41'56" W	62.21'
ML3	N 50°15'46" W	117.53'
ML4	S 88°20'33" E	134.84'
ML5	N 77°32'58" E	113.05'
ML6	N 43°29'33" W	91.55'
ML7	N 14°39'54" W	73.39'
ML8	N 38°08'40" E	59.73'
ML9	S 50°45'58" E	115.23'
ML10	N 65°15'55" E	202.62'
ML11	N 73°23'22" E	92.15'
ML12	N 09°45'41" W	117.85'
ML13	S 64°54'56" E	131.68'
ML14	N 14°46'21" W	96.33'
ML15	S 50°13'38" E	126.39'
ML16	S 50°13'38" E	110.07'
ML17	S 86°53'15" E	163.08'
ML18	N 35°34'20" W	27.23'
ML19	S 39°54'41" W	143.66'
ML20	S 10°47'30" W	135.49'
ML21	S 59°00'57" E	15.54'
ML22	N 64°46'03" W	16.45'
ML23	S 73°01'50" W	143.07'
ML24	S 73°01'50" W	76.22'
ML25	S 64°31'04" W	129.38'
ML26	S 64°31'04" W	87.81'
ML27	N 44°22'10" E	187.72'
ML28	S 13°30'22" E	130.52'



MONUMENT DETAILS

FOUND 3.25" BRASS CAP ON 2.5" IRON POST, LOOSE; 0.8' ABOVE GROUND

FOUND 3.25" BRASS CAP ON 2.5" IRON POST, FIRM; 0.3' ABOVE GROUND

FOUND 2.25" ALUMINUM CAP ON 2" ALUMINUM POST, FIRM; 0.5' ABOVE GROUND

FOUND 2.25" ALUMINUM CAP ON 2" ALUMINUM POST, FIRM; 0.3' ABOVE GROUND

FOUND 3.25" BRASS CAP ON 2.5" IRON POST, FIRM; 0.4' ABOVE GROUND

FOUND 2.25" ALUMINUM CAP ON 2" ALUMINUM POST, FIRM; 0.5' ABOVE GROUND

FOUND 2.5" BRASS CAP ON 2" STEEL POST, FIRM; 0.9' ABOVE GROUND

FOUND 3.25" BRASS CAP ON 2.5" IRON POST, LOOSE; 1.0' ABOVE GROUND

FOUND 3.25" BRASS CAP ON 2.5" IRON POST, FIRM; 0.2' ABOVE GROUND

LEGEND

- FOUND 3.25" DIAMETER BRASS MONUMENT
- FOUND 2.5" DIAMETER BRASS MONUMENT
- FOUND 2.25" DIAMETER ALUMINUM MONUMENT
- LOT LINE TO BE VACATED BY THIS PLAT
- UTILITY EASEMENT GRANTED BY THIS PLAT
- PUBLIC ACCESS EASEMENT GRANTED BY THIS PLAT
- EXISTING UTILITY EASEMENT
- (R) RECORD MEASUREMENT - PLAT 67-85
- (R1) RECORD MEASUREMENT - PLAT 75-263
- (R2) RECORD MEASUREMENT - PLAT 83-06
- (R3) RECORD MEASUREMENT - USS 3979
- (R4) RECORD MEASUREMENT - PLAT 87-9

TYPICAL CAP SET

KPB 2022-047R1

PLAT APPROVAL

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

AUTHORIZED OFFICIAL — DATE

CERTIFICATE OF OWNERSHIP

I CERTIFY THAT THE ALASKA MENTAL HEALTH TRUST IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, AND THAT ON BEHALF OF THE ALASKA MENTAL HEALTH TRUST I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

AUTHORIZED OFFICIAL NAME — AUTHORIZED OFFICIAL TITLE

ALASKA MENTAL HEALTH TRUST AUTHORITY
3745 COMMUNITY PARK LOOP, SUITE 200
ANCHORAGE, ALASKA 99508 — DATE

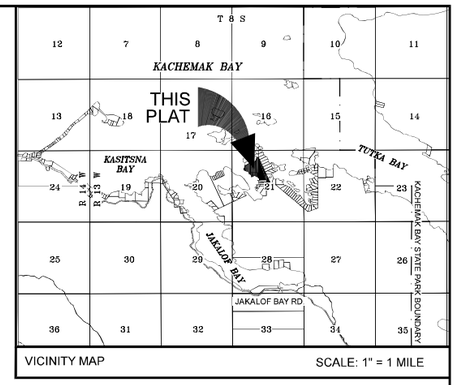
NOTARY'S ACKNOWLEDGEMENT

PERSONALLY APPEARED

MY COMMISSION EXPIRES — NOTARY PUBLIC

HEA REVIEWED – SEE COMMENTS
Scott Huff
Land Management Officer
By shuff at 4:55:09 PM, 6/9/2022

GRAPHIC SCALE
100 0 50 100 200
1 inch = 100 feet



VICINITY MAP — SCALE: 1" = 1 MILE

NOTES

1. SET 5/8" X 30" REBAR WITH 1.25" DIAMETER ORANGE PLASTIC CAP AT ALL LOT CORNERS AND 50' UPLAND ON PROPERTY LINE AS WITNESS CORNERS TO THE MEANDER CORNERS.
2. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION, IF APPLICABLE.
3. THE MEANDERS WERE DETERMINED USING THE PUBLISHED MEAN HIGH WATER ELEVATION OF 12.27 FEET (NAVD88) AT NOAA TIDAL BENCHMARK "TIDAL 6" (OPUS PID BBFH92) LOCATED AT NOAA-UAF KASITSNA BAY LABORATORY. ELEVATIONS WERE TRANSFERED USING RTK GPS.
4. THE LOCATION OF THE SECTION CORNERS FOR PROTRACTED SECTION 21 WERE DETERMINED USING COORDINATES EXTRACTED FROM THE ALASKA DIVISION OF LANDS PROTRACTION DIAGRAM No. S-16-5.
6. THESE PROPERTIES MAY BE SUBJECT TO RIGHTS OF THE PUBLIC AND OR GOVERNMENTAL AGENCIES IN AND TO THAT PORTION OF SAID PREMISES LYING BELOW THE MEAN HIGH WATER MARK OF KASITSNA BAY AND ANY QUESTIONS OF RIGHT OF ACCESS TO KASITSNA BAY IN THE EVENT OF SAID LANDS DO NOT IN FACT ABUT THE KASITSNA BAY.
7. THESE PROPERTIES MAY BE SUBJECT TO RESERVATIONS AND EXCEPTIONS AS CONTAINED IN STATE OF ALASKA MENTAL HEALTH TRUST LAND DEED AND/OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF AS RECORDED ON SEPTEMBER 25, 1996 IN BOOK 35, PAGE 415, SELDOVIA RECORDING DISTRICT.
8. THESE PROPERTIES MAY BE SUBJECT TO RESERVATIONS AND EXCEPTIONS AS CONTAINED IN THE APPROVAL FROM BUREAU OF LAND MANAGEMENT AS RECORDED ON AUGUST 20, 1984 IN BOOK 27 PAGE 62, SELDOVIA RECORDING DISTRICT.
9. THE BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS, OR DEED RESTRICTIONS PER KPB 20.60.170.
10. 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.
11. THE ONLY ACCESS AVAILABLE TO THIS SUBDIVISION AT THE TIME OF RECORDING IS BY WATER.
12. EXCEPTIONS TO KPB 20.30.30 (PROPOSED STREET LAYOUT), KPB 20.30.170 (BLOCKS-LENGTH REQUIREMENTS), AND KPB 20.30.210 (LOTS-ACCESS STREET) WERE GRANTED BY THE KPB PLANNING COMMISSION AT THE MEETING HELD ON MAY 9, 2022.

SURVEYOR'S CERTIFICATE

I 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 AND THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE TRUE AND CORRECT.

BUKU SALIZ — LS-14837 — DATE
REGISTERED LAND SURVEYOR

A PLAT OF

EAST OYSTER COVE SUBDIVISION

A SUBDIVISION OF

A PORTION OF THE NORTH 1/2 OF SECTION 21
AND LOT 4 OF U.S. SURVEY No. 4700
EXCLUDING U.S. SURVEY No's. 3903, 3979, 3981, 4700 (LOTS 2 & 3), AND 4747 (LOT 3);
SOUTH KACHEMAK ALASKA SUBDIVISION (67-85);
JESSE COVE SUBDIVISION (83-6); QUIET COVE SUBDIVISION (87-9);
AND THOSE UPLANDS LYING NORTH OF U.S. SURVEY No's. 3903 AND 3979
CONTAINING 36.616 ACRES

LOCATED WITHIN
PROTRACTED SECTION 21, TOWNSHIP 8 SOUTH, RANGE 13 WEST, SEWARD MERIDIAN, ALASKA
SELDOVIA RECORDING DISTRICT

FIXED HEIGHT LLC
907.290.8949
WWW.FIXEDHEIGHT.COM
225 W 23RD AVE.
ANCHORAGE, AK 99503
C.O.A. 122544

OWNER:	MENTAL HEALTH TRUST ; 2600 CORDOVA STREET ; ANCHORAGE, AK 99503		
KPB FILE NO.:	XXXX-XX	DRAWN BY/DATE:	AK / 1-1-2022
PROJECT NO.:	21083	CHECKED BY:	BS
SURVEY DATE:	SEPTEMBER 7-9, 2021	SCALE:	1" = 100'
FIELD BOOK:	21-01	SHEET:	1 OF 1