



Meeting Agenda Plat Committee

Monday, July 18, 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-4417](#) June 27, 2022 Plat Committee Meeting Minutes

Attachments: [C3. 062722 Plat Committee Minutes](#)

D. OLD BUSINESS

E. NEW BUSINESS

1. [KPB-4418](#) R Subdivision; KPB File 2022-091
Attachments: [E.1 R Subdivision](#)
2. [KPB-4419](#) Brown's Acres Estates; KPB File 2022-088
Attachments: [E2. Brown's Acres Estates](#)
3. [KPB-4420](#) Moose Acre; KPB File 2022-087
Attachments: [E3. Moose Acres](#)
4. [KPB-4421](#) Diamond Cap No. 6: KPB File 2022-094
Attachments: [E4. Diamond Cape No. 6](#)
5. [KPB-4422](#) Fritz Creek Drive Subdivision 2022 Addition; KPB File 2022-093
Attachments: [E5. Fritz Creek Drive Sub 2022 Addn.](#)
6. [KPB-4423](#) Bear Lahai Roi Subdivision 2022 Addition; KPB File 2022-089
Attachments: [E6. Bear Lahai Roi Sub 2022 Addn.](#)
7. [KPB-4424](#) Bear Lahai Roi Sub Sockeye Run View Addition; KPB File 2022-074
Attachments: [E7. Bear Lahai Roi Sub Sockeye Run View](#)
8. [KPB-4425](#) Wahl Subdivision; KPB File 2022-092
Attachments: [E8. Wahl Subdivision](#)
9. [KPB-4426](#) Lillian Walli Estates 2022 Replat; KPB File 2022-083
Attachments: [E9. Lillian Walli Estates 2022 Replat](#)

10. [KPB-4427](#) Patsy's Creek 2022 Replat; KPB File 2022-073
Attachments: [E10. Patsy's Creek 2022 Replat](#)
11. [KPB-4428](#) Smurfy Acres 2022 Replat; KPB File 2022-080
Attachments: [E11. Smurfy Acres 2022 Replat](#)
12. [KPB-4429](#) Yah Sure Subdivision 2022l KPB File 2022-082
Attachments: [E12. Yah Sure Subdivision 2022](#)
13. [KPB-4430](#) ROW Acquisition Seward Hwy. MP 25.5 to 36; KPB File 2022-063
Attachments: [E13. ROW Acquisition Seward Hwy. MP 25.5-36](#)
[E13 Request for Postponement](#)
[E13 Comments](#)

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, August 8, 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

- a. June 27, 2022 Plat Committee Meeting Minutes

Kenai Peninsula Borough

Plat Committee

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

June 27, 2022
6:30 PM
UNAPPROVED MINUTES

A. CALL TO ORDER

Chair Brantley called the meeting to order at 6:30 p.m.

B. ROLL CALL

Plat Committee Members/Alternates

Jeremy Brantley, District 5 – Sterling
Diane Fikes, City of Kenai
Michael Horton, District 4 - Soldotna
Blair Martin, District 2 – Kenai
Virginia Morgan, District 6 – East Peninsula

Staff Present

Robert Ruffner, Planning Director
Vince Piagentini, Platting Manager
Julie Hindman, Platting Specialist
Ann Shirnberg, Planning Administrative Assistant

C. APPROVAL OF AGENDA, EXCUSED ABSENCES, AND MINUTES

- *3 Minutes
a. June 13, 2022 Plat Committee Meeting Minutes

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

MOTION: Commissioner Martin moved, seconded by Commissioner Morgan, to approve the agenda and the June 13, 2022 Plat Committee meeting minutes.

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

MOTION PASSED BY UNANIMOUS VOTE

Yes	5	Brantley, Fikes, Horton, Martin, Morgan
No	0	

E. NEW BUSINESS

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

ITEM E1 – HAPPY CREEK REPLAT

KPB File No.	2022-077
Plat Committee Meeting:	June 27, 2022
Applicant / Owner:	Clifford and Jana Johnson Investments, LLC of Mesa, Arizona and Rosemary Johnson of Anchor Point, Alaska
Surveyor:	Jason Young, Mark Aimonetti / Edge Survey and Design LLC
General Location:	Hanks Mill Road, Sterling Highway / Happy Valley / Anchor Point APC

Parent Parcel No.:	159-112-01, 159-112-02, and 159-112-03
Legal Description:	Government Lots 1 and 2 lying west of the Old Sterling Highway, Portion of Government Lot 1 lying east of the Old Sterling Highway and Portion of NW1/4 NW1/4 in Section 8, portions of Government Lots 1 and 2 in section 7 and NW1/4 NW1/4 in Section 8.
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

Staff report was 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, seconded by Commissioner Fikes to grant preliminary approval to Happy Creek 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, Fikes, Horton, Martin, Morgan
No	0	

ITEM E2 – SCENIC RIDGE LEE ADDITION

KPB File No.	2022-075
Plat Committee Meeting:	June 27, 2022
Applicant / Owner:	Bureau of Indian Affairs, Alaska and Traci Lee of Kenai, Alaska
Surveyor:	James Hall / McLane Consulting Inc.
General Location:	Margaret Drive / Nikiski

Parent Parcel No.:	013-145-02
Legal Description:	E1/2 NW1/4 of Section 32 Township 8 North Range 11 West
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

Staff report was given by Platting Specialist Julie Hindman.

Chair Brantley opened the item for public comment.

Karen McGahan; 54025 Kenai Spur Hwy., Kenai, AK 99611: Mrs. McGahan requested that a note be placed on the plat that Ken Street is a private road and should not be considered a legal access for the property.

Richard McGahan; 54025 Kenai Spur Hwy., Kenai, AK 99611: Mr. McGahan requested that a note be placed on the plat that Ken Street is a private road and should not be considered a legal access for the property.

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

MOTION: Commissioner Martin moved, seconded by Commissioner Fikes to grant preliminary approval to Scenic Ridge Lee Addition, based on staff recommendations and compliance to borough code.

AMENDMENT MOTION A: Commissioner Martin moved, seconded by Commissioner Fikes, to grant exception request to KPB 20.30.030(A) – Proposed Street Layout Requirements, continuation or projection of right-of-way, and KPB 20.30.170 – Block Length Requirements, citing findings 1-7 in support of standards one, two and three.

Commissioner Horton asked staff if this exception request was directly related to the issue of legal access to the property. Ms. Hindman replied this exception was requested so that the landowners would not be required to continue dedication of Ken Street & Margaret Drive, beyond what they are proposing. They would also not be required to have an east/west dedication to make the block compliant.

Chair Brantley asked staff to confirm that this platting action has nothing to do with Margaret Drive or Ken Street access issues. Ms. Hindman replied that is correct. She then noted that she had found the deed that refers to the Ken Street access and she would recommend anyone wishing to use Ken Street for access have legal counsel review the deed to verify that it is a legitimate access.

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

AMENDMENT MOTION A PASSED BY UNANIMOUS VOTE

Yes	5	Brantley, Fikes, Horton, Martin, Morgan
No	0	

AMENDMENT MOTION B: Commissioner Martin moved, seconded by Commissioner Fikes to grant exception request to KPB 20.30.200 – Lots, Minimum Size and KPB 20.30.210 – Lots, Access to Street and KPB 20.40 – Wastewater Disposal, requirement for soils analysis report for Lot 1, citing findings 2-5 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 B PASSED BY UNANIMOUS VOTE

Yes	5	Brantley, Fikes, Horton, Martin, Morgan
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, Fikes, Horton, Martin, Morgan
No	0	

F. PUBLIC COMMENT - None

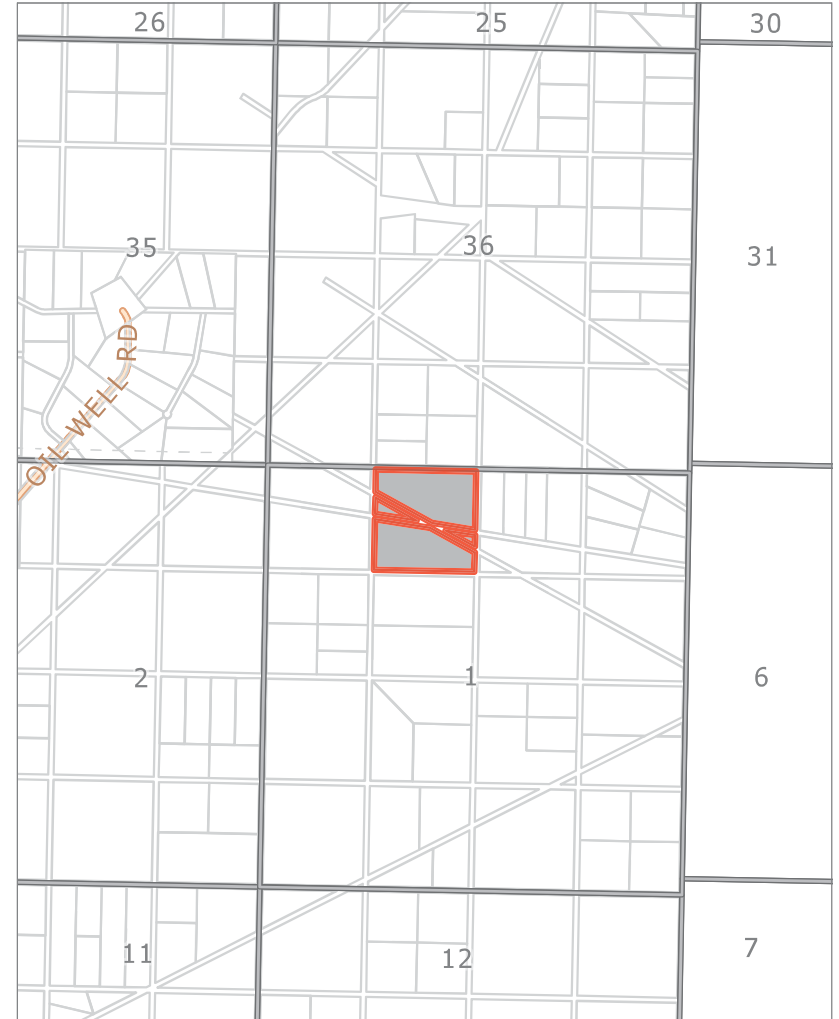
G. ADJOURNMENT

Commissioner Martin moved to adjourn the meeting 6:58 P.M.

Ann E. Shirnberg
Administrative Assistant

E. NEW BUSINESS

- 1. R Subdivision; KPB File 2022-091
Edge Survey & Design, LLC / Ranhuette
Ninilchik Area**



KPB File # 2022-091
S01 T02S R12W
Ninilchik

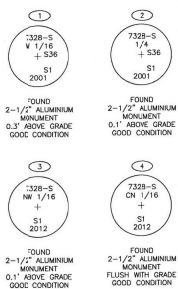


Aerial View

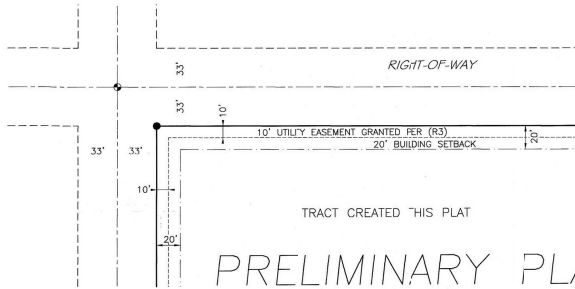




MONUMENT SUMMARY



BUILDING SETBACK AND UTILITY EASEMENT TYPICAL - SCALE 1" = 50'



NOTES

1. THERE MAY BE FEDERAL, STATE, OR LOCAL REQUIREMENTS GOVERNING LAND USE. ANY PERSONS DEVELOPING THIS PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED FEDERAL, STATE, OR LOCAL PERMITS, INCLUDING THE U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.
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. THE FRONT 10 FEET OF THE BUILDING SETBACK ADJACENT TO THE RIGHTS-OF-WAY IS ALSO A UTILITY EASEMENT, PER (R3), 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. THIS SUBDIVISION IS SUBJECT TO TERMS, COVENANTS, CONDITIONS AND PROVISIONS, INCLUDING RIGHT OF WAYS AND EASEMENTS AS CONTAINED IN THE ALASKA NATIVE CLAIMS SETTLEMENT ACT, DATED DECEMBER 18, 1971, U.S. PUBLIC LAW 92-203, 85 STAT. 688, U.S.C. 1601 ET SEQ.
5. THIS SUBDIVISION SUBJECT TO RESERVATIONS OF THE SUBSURFACE ESTATE IN SAID LAND INCLUDING, BUT NOT LIMITED TO, RIGHTS OF ENTRY TO EXPLORE, DEVELOP OR REMOVE MINERALS FROM SAID SUBSURFACE ESTATE, AS SET FORTH IN SECTION 14(F) AND 14(G) OF THE ALASKA NATIVE CLAIMS SETTLEMENT ACT.
6. THIS SUBDIVISION SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS RECORDED JUNE 7, 1985, VOLUME 153 PAGE 252.
7. THIS SUBDIVISION IS SUBJECT TO RESERVATIONS, RESTRICTIONS, CONDITIONS AND EASEMENTS AS CONTAINED IN INTERIM CONVEYANCE, RECORDED JUNE 19, 1978, VOLUME 100 PAGE 226, AND AS CONTAINED IN DEED RECORDED APRIL 12, 1983 AND OCTOBER 4, 1983, VOLUME 134 PAGE 950 HOMER RECORDING DISTRICT.
8. THE KENAI PENINSULA BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS, OR DEED RESTRICTIONS PER KPB 20.60.170.
9. THIS SUBDIVISION IS SUBJECT TO EASEMENT OVER EXISTING RIGHT-OF-WAY, RECORDED MAY 31, 1991, VOLUME 206 PAGE 609. HOMER RECORDING DISTRICT
10. EXCEPTION TO KPB CODE 20.40 WAS GRANTED BY THE KPB PLAT COMMITTEE AT THE MEETING OF JULY 18, 2022.
11. THE KENAI PENINSULA BOROUGH PLANNING COMMISSION APPROVED THE VACATION OF A PORTION OF SEISMOGRAPH TRAIL AND THE ASSOCIATED UTILITY EASEMENTS AT THE MEETING OF JULY 18, 2022.
12. WASTEWATER DISPOSAL: ANY WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

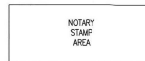
NOTARY ACKNOWLEDGEMENT

FOR: JESSICA RANGUETTE

ACKNOWLEDGED BEFORE ME

THIS _____ DAY OF _____, 2022

PUBLIC NOTARY SIGNATURE



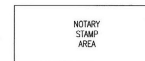
NOTARY ACKNOWLEDGEMENT

FOR: BRIAN RANGUETTE

ACKNOWLEDGED BEFORE ME

THIS _____ DAY OF _____, 2022

PUBLIC NOTARY SIGNATURE

JESSICA RANGUETTE
PO BOX 7181
NIKISKI, ALASKA 99635BRIAN RANGUETTE
PO BOX 7181
NIKISKI, ALASKA 99635

LEGEND

- FOUND PRIMARY MONUMENT AS REFERENCED
- SET PROPERTY CORNER
5/8" X 30" REBAR
WITH 2" ALUMINUM CAP
STAMPED EDGE SURVEY LS-13022 2022
- MONUMENT REFERENCE NUMBER
- (R1) RECORD DATA, SEE REFERENCE

- SUBDIVISION BOUNDARY
- INTERIOR LOT LINE
- ADJACENT PROPERTY LINE
- CENTERLINE
- 20 FOOT BUILDING SETBACK
- 10 FOOT UTILITY EASEMENT
- RIGHT-OF-WAY VACATED

KPB FILE No. 2022-XXX

R
SUBDIVISIONA SUBDIVISION OF
TRACT 110
RIGHT OF WAY MAP
PLAT 84-115
HOMER RECORDING DISTRICT

OWNERS:

JESSICA RANGUETTE
AND
BRIAN RANGUETTE
PO BOX 7181
NIKISKI, ALASKA 99635LOCATED WITHIN NW 1/4 SECTION 1,
T.25N., R.12W. S.M.
STATE OF ALASKA
KENAI PENINSULA BOROUGH
HOMER RECORDING DISTRICT

CONTAINING 34.187 ACRES

12501 OLD SEWARD, D ANCHORAGE, AK 99515
Phone (907) 344-5990 Fax (907) 344-7794
REC# 1392DRAWN BY: JY
CHECKED BY: MADATE: 6/22/2022
SCALE: 1" = 100'PROJECT: 22-542
SHEET: 1 OF 1

CERTIFICATE OF SURVEYOR

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



AGENDA ITEM E. NEW BUSINESS

ITEM 1 – R SUBDIVISION

KPB File No.	2022-091
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	Jessica and Brian Ranguette of Nikiski, AK
Surveyor:	Jason Young, Mark Aimonetti / Edge Survey and Design, LLC
General Location:	Gravel Pit Trail, Caribou Hills, Ninilchik

Parent Parcel No.:	185-509-24, 185-509-25, 185-509-26, 185-509-49
Legal Description:	NE1/4 NW1/4 of Section 1, Township 2 South, Range 12 West, also known as Tract 110 of the Right of Way Map, HM 84-115
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide / finalize a right-of-way vacation and reconfigure four parcels into six tracts that will range from 3.907 to 9.278 acres.

Location and Legal Access (existing and proposed): The proposed plat is in the Caribou Hills area. The Ninilchik Right of Way Map, HM 84-115, dedicated 66 foot wide rights-of-way on section lines, 1/4 and 1/16 aliquot lines as well as along some existing seismograph trails. The proposed plat is located near mile 18 of Oil Well Road. The property within this subdivision has dedicated 66 foot wide rights-of-way on all sides, being Reno Street, Steik Avenue, Reid Street and Throop Avenue. Additionally, a seismograph trail was dedicated that is known as Gravel Pit Trail. An additional seismograph trail was also dedicated that is proposed for vacation. Gravel Pit Trail is a trail that is in use for access. The trail proposed for vacation has a portion in use and the owner is proposing to develop a new portion of trail within Reno Street that will connect Gravel Pit Trail to an existing continuation of the trail. No new dedications are indicated with this proposed plat.

Due to the multiple dedications, portions of the existing blocks are short of the minimum distances outlined in code. The vacation and proposed configuration of the proposed plat will provide closed blocks that will all comply with length requirements.

An application for the vacation of the seismograph trail has been received and is scheduled for hearing at the July 18, 2022 Planning Commission meeting. If approved the vacation will require the consent of the Kenai Peninsula Borough Assembly. The portion south of Gravel Pit Trail is currently in use and the owner is proposing to construct a portion of Reno Street to connect Gravel Pit Trail to the seismograph trail located to the east of the subdivision.

The block is closed. Some portions are currently smaller than allowed by code but the proposed vacation will bring the block into compliance. The new lots meet KPB Code compliance.

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

Site Investigation: The parcels within the proposed subdivision do not contain any low wet areas per KPB GIS data. The terrain is relatively flat. There are some steep slopes present within the northern corners of the subdivision but the majority of the steeper terrain is outside the bounds of the subdivision within the right-of-way dedications

and neighboring properties.

There are currently no structures or improvements onsite.

The proposed subdivision is in an area with a high recreational use. The Right of Way Map, HM 84-115, dedicated rights-of-way without considering terrain. The dedications that impact the property have resulted in two smaller lots, one of which does not comply with current KPB Code.

KPB River Center review	<p>A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: No comments</p> <p>B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p> <p>C. State Parks Reviewer: Russell, Pam Comments: No Comments</p>
State of Alaska Fish and Game	No objections

Staff Analysis The proposed plat will reconfigure four parcels into six tracts. If the vacation of the seismograph trail is approved it will allow for the new lot configurations that will bring all the lots into code compliance. The Right of Way Map, HM 84-115, dedicated the rights-of-way surrounding the property and defining the block. The additional dedications on the Gravel Pit Trail and the other seismograph trail created two triangle lots with limited use.

An exception has been requested to not be required to submit a soils analysis report.

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 Right of Way Map, HM 84-115, granted 10-foot-wide utility easements along the dedicated rights-of-way. The vacation petition includes vacating the associated utility easements with the portion being vacated. Ten foot utility easements will remain along all of the dedicated rights-of-way. The correct plat note is present and a typical drawing is being included 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	No comments
ENSTAR	No comments or recommendations
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek Affected Addresses: None</p> <p>Existing Street Names are Correct: No</p> <p>List of Correct Street Names: THROOP AVE REID ST STEIK AVE RENO ST SEISMOGRAPH TRAIL</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments: No addresses affected by this subdivision.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat.</p>
Assessing	<p>Reviewer: Windsor, Heather Comments: No comment</p>

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

STAFF RECOMMENDATIONS **CORRECTIONS / EDITS**

*Remove "ROW to be improved" from the final plat.
Check REFERENCES for corrections and additional for the final plat.*

KPB 20.25.070 – Form and contents required

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

A. Within the Title Block

1. Name of the subdivision which shall not be the same as an existing city, town, tract, or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion. The parent plat's name shall be the primary name of the preliminary plat.
2. Legal description, location, date, and total area in acres of the proposed subdivision;

3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor.

Staff recommendation: *As the property is actually an aliquot description revise to "A subdivision of the NE1/4 NW1/4 of Section 1, Excluding Rights-of-Way, also shown as Tract 110 of Right of Way Map Plat 84-115 Homer Recording District." Also, if approved include in the title block that the plat is finalizing the vacation of a dedicated right-of-way and associated utility easements.*

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: *Verify the alignment of the section lines for the sections within Range 11 West. KPB GIS data indicates a small shift in section line alignment between the ranges.*

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: Exception for soils analysis report has been requested.

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:

Correct plat note 6 by changing "June" to "January" as stated in the Certificate to Plat.

If the vacation is approved and the Assembly consents, add "The Kenai Peninsula Borough Assembly consented to the vacation at the meeting of August 9, 2022."

KPB 20.70 – Vacation Requirements

Staff recommendation. *If approved the plat will need to be recorded within one year of consent.*

EXCEPTIONS REQUESTED:

KPB 20.40 – Wastewater Disposal - Review

Staff Discussion: An exception is being requested to not be required to submit a soils analysis report for review and approval. These are lots that are within an area with a high recreational use. The proposed plat will be removing or adding acreage to the smaller parent lots, there are additional lots being created from a larger acreage parcel that have not previously had a waste water review done.

Surveyor's Findings:

1. Parcels are recreational properties in a remote area near the end of Oil Well Road.
2. A soils analysis was not prepared for plat 84-115 which created the small portions of Tract 110.
3. Parcels are 3.9 acres in size, near the minimum size for no review, with sufficient area for wastewater disposal.
4. All new parcels will have well above the 20,000 square feet of continuous area available for wastewater installation.
5. Parcels are on high ground with good draining soils.
6. Parcels have a variety of waste disposal alternatives including privy, incinerations, composting, and transporting away.

Staff's Findings:

7. Two of the proposed tracts will be over 9 acre each and do not require soils analysis.
8. Four of the proposed tracts will be 3.9 acres each.
9. KPB Code 20.40.020 outlines the circumstance and criteria to not require a wastewater system review and these lots do not fall under that portion of code.
10. The required note that states systems must meet DEC requirements is present on the plat.

If the exception is denied, a soils analysis report will be required for Tracts 3-6 and an engineer will need to sign the plat.

Staff reviewed the exception request and recommends granting approval.

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

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

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

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

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

RECOMMENDATION:

SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:

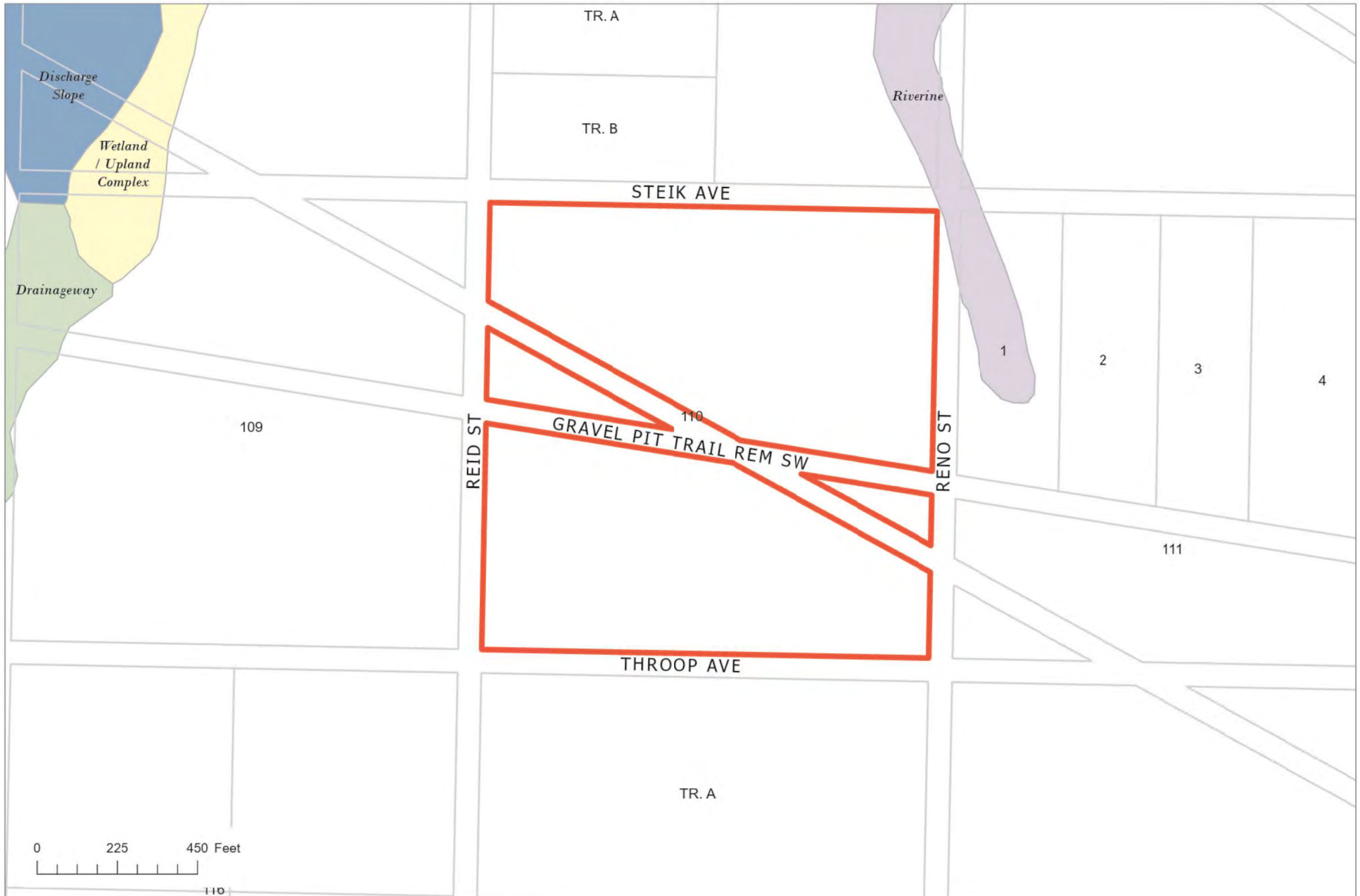
- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL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

NOTE: 20.25.120. - REVIEW AND APPEAL.

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

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

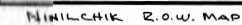
END OF STAFF REPORT

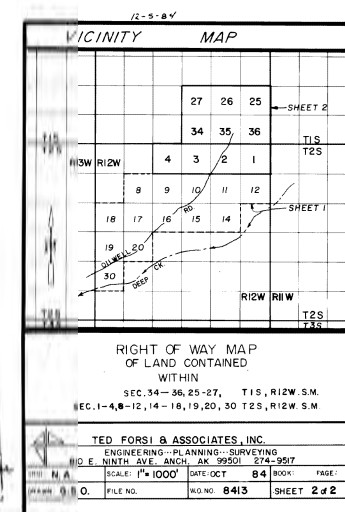
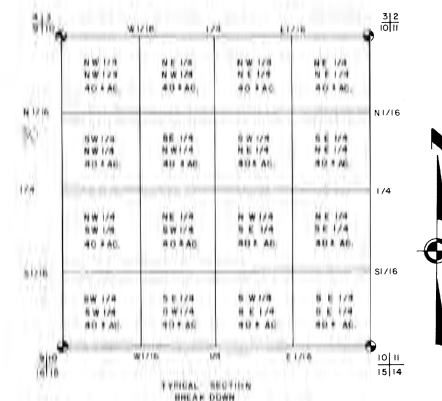
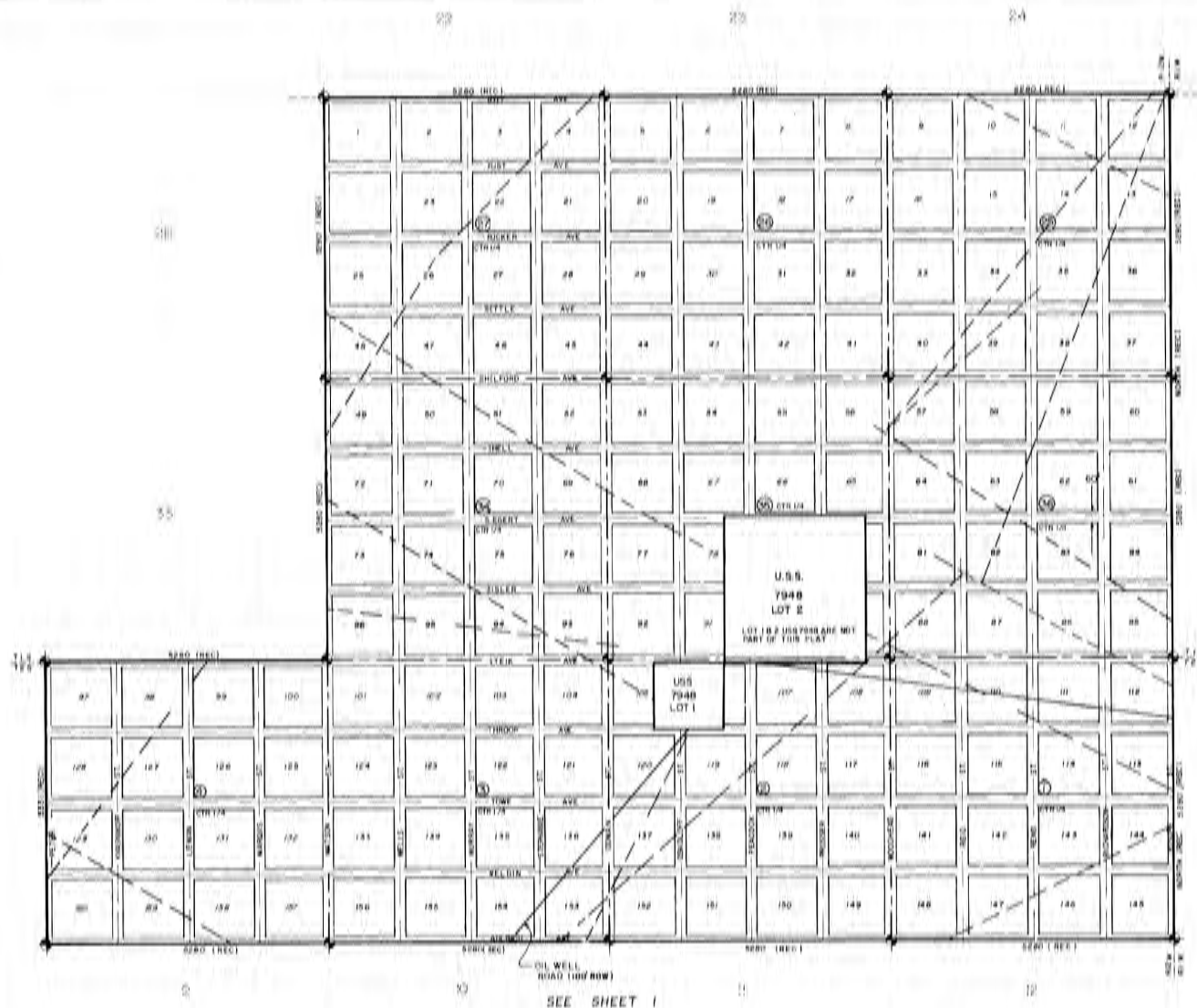


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



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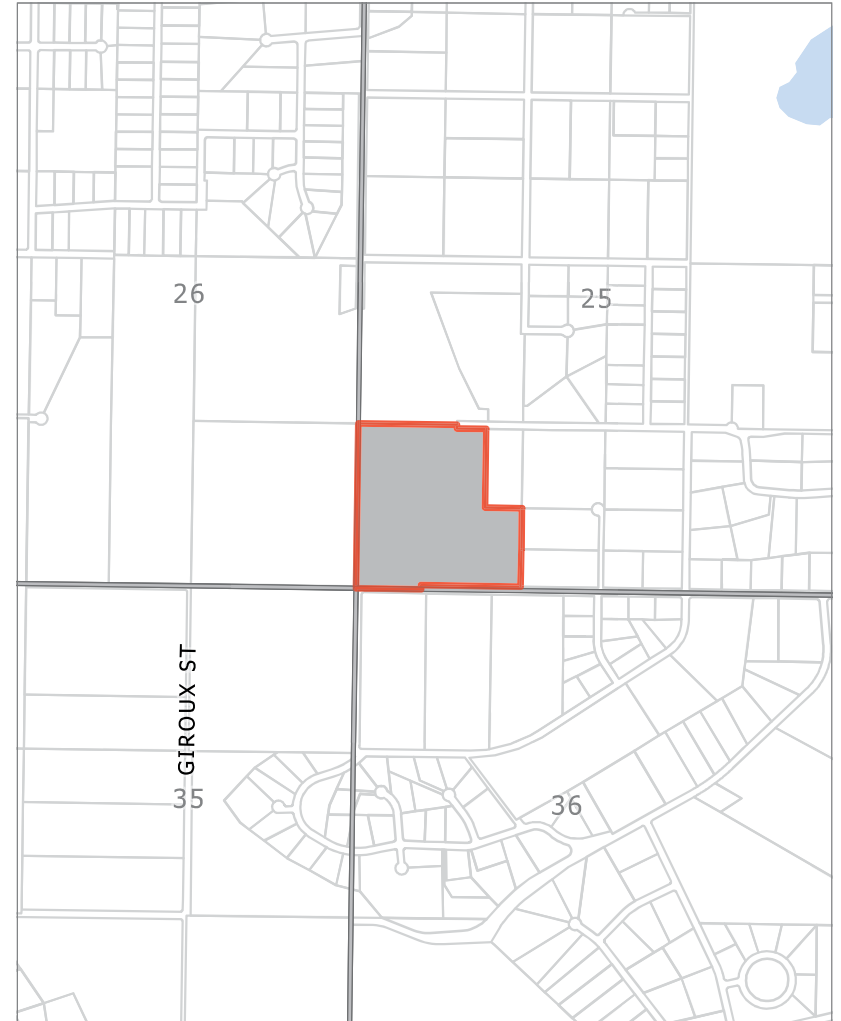
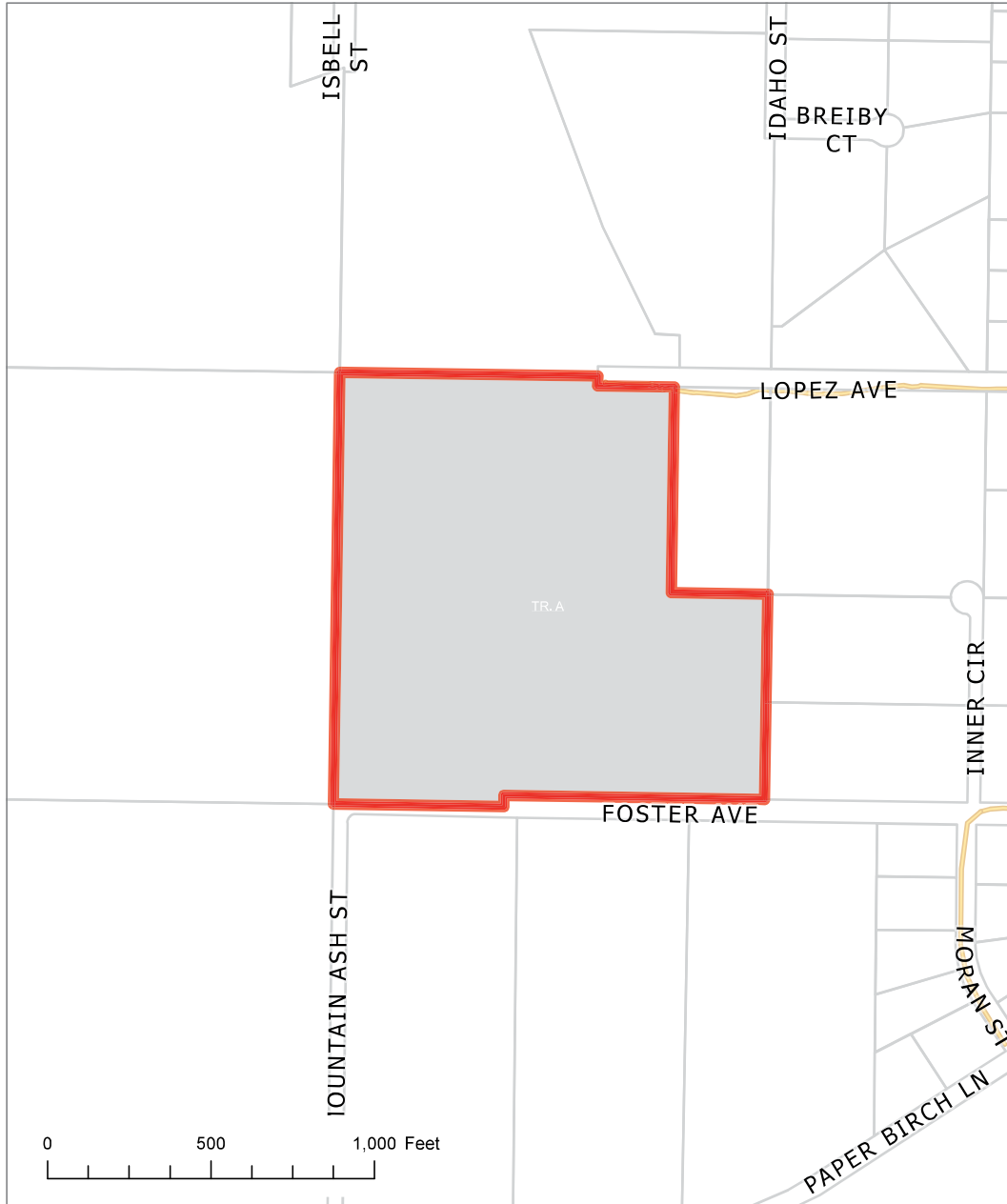
84-115
HOMER
14.75 AC.
S. 1/4 Sec. 34
Sold to S. 1/4 Sec. 34

WM 84-115

HINILCHIK R.O.W. MAP

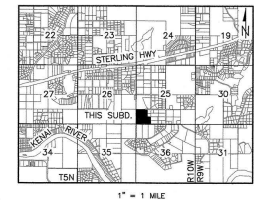
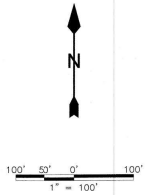
E. NEW BUSINESS

- 2. Brown's Acres Estates; KPB File 2022-088**
Peninsula Surveying, LLC
Anchorage Development & Construction, LLC
Sterling Area



KPB File # 2022-088
S25 T05N R10W
Sterling





UNSUBDIVIDED

KN 2009-55
TRACT B

KN 2019-22
TRACT A1

KN 2019-22
BLOCK 2
LOT 15A

UNSUBDIVIDED

UNSUBDIVIDED

PLAT APPROVAL

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

BY: _____
AUTHORIZED OFFICIAL

LINE TABLE			
LINE	BEARING	LENGTH	
L1	N89°57'56"E	31.00'	
L2	N00°02'04"W	66.00'	

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA ANGLE	TANGENT	CHORD	CHORD BEARING
C1	15.50	20.00	44°24'55"	8.16	15.12	N22°13'06"W
C2	38.81	50.00	44°28'22"	20.44	37.84	S22°11'22"E
C3	157.08	50.00	180°00'00"	INFINITE	100.00	N89°57'11"W
C4	38.71	50.00	44°21'28"	20.38	37.75	N22°13'33"E
C5	15.50	20.00	44°24'55"	8.16	15.12	S22°11'50"W

NOTES

- 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.
- NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
- ROADS MUST MEET THE DESIGN AND CONSTRUCTION STANDARDS ESTABLISHED BY THE BOROUGH IN ORDER TO BE CONSIDERED FOR CERTIFICATION AND INCLUSION IN THE ROAD MAINTENANCE PROGRAM (KPB 14.06).
- RIGHT-OF-WAY EASEMENT FOR HOMER ELECTRIC ASSOCIATION, INC. AS FOUND IN BOOK 79, PAGE 557 KENAI RECORDING DISTRICT. RECORDED ON SEPTEMBER 4, 1974.

LOPEZ AVE

KN 2021-76
TRACT B

KN 2021-76
TRACT C

KN 2005-118
TRACT 7A

KN 2005-118
TRACT 8A

FOSTER AVE

KN 86-204
LOT 1

KN 86-204
LOT 2

KN 86-204
LOT 3

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:

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: _____

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT ANCHORAGE DEVELOPMENT AND CONSTRUCTION LLC IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT ON BEHALF OF ANCHORAGE DEVELOPMENT AND CONSTRUCTION LLC, 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.

EARL W. FORD, AS MEMBER OF ANCHORAGE DEVELOPMENT AND CONSTRUCTION LLC
9441 ELMORE ROAD, ANCHORAGE, AK 99507

NOTARY ACKNOWLEDGMENT

FOR: EARL W. FORD
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2022

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: _____

WASTEWATER DISPOSAL

LOT 1: 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.

WASTEWATER DISPOSAL

LOTS 2-9: 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 QUALIFIED ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

ENGINEER _____ LICENSE # _____ DATE _____

KPB FILE NUMBER:

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

PLAT OF
BROWN'S ACRE ESTATES

A SUBDIVISION OF
TRACT A, BROWN'S ACRES SUBDIVISION 2021, KN 2021-76

LOCATED WITHIN
SW 1/4 SW 1/4 SEC. 25, T.5N., R.10W., S.M.
KENAI RECORDING DISTRICT, KENAI PENINSULA BOROUGH
CONTAINING 34.750 ACRES

OWNERS: ANCHORAGE DEVELOPMENT AND CONSTRUCTION LLC
9441 ELMORE ROAD, ANCHORAGE, AK 99507

SCALE: 1" = 100' DATE: JUNE 15, 2022
DRAWN: JLS SHEET: 1 OF 1



KPB 2022-088

AGENDA ITEM E. NEW BUSINESS

ITEM 2 – BROWN’S ACRE ESTATES

KPB File No.	2022-088
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	Anchorage Development and Construction LLC of Anchorage, Alaska
Surveyor:	Jason Schollenberg / Peninsula Surveying, LLC
General Location:	Foster Avenue, Sterling

Parent Parcel No.:	058-350-22
Legal Description:	Tract A, Brown’s Acres Subdivision 2021, Plat KN 2021-76
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

STAFF REPORT

After notifications were sent out a request was received by the surveyor to postpone the approval of the proposed design. The owners are wanting to make some changes to the design as submitted. As notification of a public hearing was sent out, ***staff recommends the plat committee allow the opportunity for public testimony to be given and then postpone the item until brought back by staff.***

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 34.75 acre tract into nine lots and dedicate a cul-de-sac. The lots will range in size from 1.615 to 15.252 acres.

Location and Legal Access (existing and proposed): The subdivision is located between Lopez Avenue and Foster Avenue off of Forest Lane in the Sterling area. The dedicated portions of Lopez Avenue is shown as constructed and maintained by the Kenai Peninsula Borough. Foster Avenue construction and maintenance end about 650 feet east of the subdivision.

The general area has numerous locations with steep terrain present. There is a request for exceptions to KPB Code to not provide a continuation of Lopez Avenue coming from the East at this time. Foster Avenue is dedicated on the South, but contains steep terrain within the dedication on the south and further to the west. The exception to KPB Code includes not providing the matching dedication for the western portion of Foster Avenue. Section line easements are present along the south, within and adjacent to Foster Avenue dedication, and along the west.

To the south of the subdivision is approved preliminary plat, Forest Hills Lookout Subdivision Boulder Heights Addition KPB File 2019-117. Forest Hills Lookout Subdivision Boulder Heights Addition KPB File 2019-117 is located adjacent to the south of Lot 4 and west. Once finalized, said plat will vacate a portion of Mountain Ash Street and create a realignment of the right-of-way by moving it further west. Authentic Road will continue through to connect to Foster Avenue and will provide another access route once completed. The Authentic Road intersection appears to be in line with the proposed cul-de-sac dedication.

The plat will be dedicating a cul-de-sac that will provide access to six of the lots. Lopez Avenue and Foster Avenue will provided the other frontage along dedicated rights-of-way to lots.

The portion of Foster Avenue to the east of the dedication is dedicated as a 66 foot wide right-of-way. Per KPB GIS data, additional width is available to the to south due to a 50 foot wide section line easement that provides a total 83 feet of right-of-way. Foster Avenue is currently the main access to the lots and to the proposed cul-de-sac. Steep terrain that exceeds the slopes allowed per code appear to be present within the dedication. ***Staff recommends centerline profiles be submitted for Foster Avenue, west of the cul-de-sac dedication, to determine if***

the right-of-way can be built to borough standards and to dedicate additional right-of-way width or slope easements if required.

An exception is being requested to not provide a continuation to the west for Foster Avenue. If that request is denied **staff recommends** the centerline profiles also be submitted for the western portion of Foster Avenue to determine appropriate widths and possible easements.

The block is not closed with allowable lengths. An exception has been requested.

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

Site Investigation: There are some small low wet areas present in the southwest corner and along the eastern portion of the subdivision. **Staff recommends** the low wet areas be depicted on the final plat and a Corps. of Engineers plat note be added.

There are steep slopes present throughout the property. The toe and top of slopes are depicted on the plat. **Staff recommends** the depictions of slopes remain on the final plat.

Per KPB GIS imagery and KPB Assessing information, the subject property is currently vacant. There does not appear to be any encroachments present. The property to the west does have improvements that may be close to the property line and possibly within the section line easements. **Staff recommends** if any encroachments are discovered during the field survey the method for resolution be presented to staff for review.

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 the subdivision of a large acreage tract created by Brown's Acres Subdivision 2021, Plat KN 2021-76. That plat was a replat of previously unsubdivided land and reconfiguration of previously subdivided lands.

A soils report will be required for Lots 2-9 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 Multiple utility easements have been granted through the various platting process. A 10 foot utility easement was granted along the Foster Avenue dedication on Plat KN 2021-76. An easement was not granted along the western portion of Foster Avenue as this is a section line easement and may be used for easements with the proper permitting. While not depicted, Plat KN 2021-76 did include a plat note to grant utility easements along the dedications and this would include along the dedication of Lopez Avenue. This plat contains the proper utility easement note and the easements from the parent plat as well as new ones are depicted on the face of the plat.

Along the north is the depiction of a 50 foot wide utility easement and a reference to plat note 4. The document noted in note 4 is vague on the description and does state that it is for down guy and anchor. Homer Electric Association is requesting that the depiction be removed and plat note 4 be updated to state the location is not defined.

The parent plat contained a depiction of a utility easement along the eastern boundary and cited Plat KN 85-49. Staff reviewed the easement and did not locate an easement in that location. While the depiction cited another plat, the fact that it was shown as an available easement created the easement and allowed it to be used by providers.

Staff recommends the surveyor verify if the easement was created by a former plat and cite the recording number, if it is not located on any other plats besides KN 2021-76, depict and reference that plat and add a plat note that the depiction and citation of Plat KN 85-49 was done in error and the easement was created by KN 2021-76.

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	Remove the 50 foot offset line depicting a utility easement. The easement of record is for a down guy and anchor that extends 50 feet from the north property line. HEA is not able to determine the location of the down guy and anchor. Revise plat note 4 to state that the location is not defined. Depict and label the 10 foot utility easement as granted per KN 85-49
ENSTAR	No comments or recommendations
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek</p> <p>Affected Addresses: None</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: FOSTER AVE LOPEZ AVE</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p>
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	Comments: Street name needed for newly dedicated ROW.
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: Windsor, Heather 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.

- 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: KPB information indicates that the section line easement adjacent to the western boundary is 50 feet in width. Please verify the width and if the easement is 33 feet in width please provide documentation to the KPB.
- 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 the Soldotna City Limits.
- 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: An approved name will be required, please contact the KPB Addressing Officer
- 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: A final plat has been submitted for Forest Hills Lookout Bolder Heights Addition, KPB File 2019-117. Please verify prior to submitting the mylar the status of the plat as the depictions and labels south of Foster Avenue may need updated.

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.

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

Staff recommendation: *The new dedication appears to be within an area with suitable slopes. However, the applicant is requesting exceptions to not dedicate additional rights-of-way due to terrain. Staff will recommend center line profiles for Foster Avenue to show that the right-of-way to connect to the new dedication can be built to borough standards and additional slope easements or dedications of width may be required along Foster Avenue to the newly proposed dedication.*

20.30.120. Streets-Width requirements.

- A. The minimum right-of-way width of streets shall be 60 feet.
1. Half streets shall generally not be allowed except to provide the logical extension of a right-of-way where the remaining half street can reasonably be expected to be dedicated in the future.
 2. When a design change required as a condition of preliminary approval results in a half right-of-way that was not shown on the original preliminary plat, adjoiners to the new half right-of-way will be sent a copy of the plat committee minutes and a sketch showing the new half right-of-way and per KPB 2.40.080 can request a review of the plat committee decision by the full Planning Commission.

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

Staff recommendation: *If the exception to not dedicate Foster Avenue continuation is granted this portion of code cannot be met and shall be noted.*

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

Staff recommendation: *An approved name from the Addressing Officer is required.*

KPB 20.40 – Wastewater Disposal

Staff recommendation: *final plat submittals must comply with 20.40. Additional information, revisions, and/or corrections are required as noted below.*

20.40.010 Wastewater disposal.

Platting Staff Comments: Soils report will be required for Lots 2-9 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: *Once the street name is approved it should be added to the Certificate of Acceptance. Any other dedications that are determined to be required shall be added to the statement.*

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.*
- *Add a note for any exceptions granted.*
- *Additional plat note may be required in regards to a utility easement depicted on the parent plat.*

Plat note 4 should include "No definite location"

EXCEPTIONS REQUESTED:

KPB 20.30.030(A) – Proposed street layout – Requirements and KPB 20.30.170 – Block length Extension of Foster Avenue, Lopez Avenue, connection between Foster Avenue and Lopez Avenue and the dedication of the west section line easement.

Surveyor's Discussion: This plat is located outside of Soldotna City Limits in a fairly undeveloped area. There are multiple, large parcels in the vicinity that have not been subdivided. The terrain is very steep, with multiple gullies and hills on the property. The extension of Foster Avenue, Lopez Avenue, and the west section line easement are all affected by steep terrain. Road construction will be extremely difficult. A new right-of-way will be dedicated with this plat that will extend north from Foster Avenue. The owner is planning to build this road as soon as the plat receives preliminary approval. It will provide a legal and constructed access to all of the lots. Due to the steep terrain between Foster Avenue and Lopez Avenue it would require an impractical amount of cuts and fills to build a road connecting the two that met KPB standards. Lot 1 will be over 15 acres. Due to the terrain it seems unlikely that it will be subdivided in the future, but if it is, then additional right-of-way can occur at that time.

Staff Discussion: Staff grouped the exceptions together. If the Planning Commission wishes to address the exceptions or the portions of the right-of-way exceptions separately this may be done by making separate motions.

The granting of the requested exceptions will not require a western dedication for Lopez Avenue or the matching half dedication for the western portion of Foster Avenue. The western portion of Foster Avenue does contain section line easements as does the western boundary of the subdivision. Not requiring the dedication of those easements will not impact the use of the section line easements. They may still be used for access and can help improve the block lengths. With no further dedication of Lopez Avenue to the west, the block would exceed allowable lengths. Using the section line easements the next intersection to bring the block into compliance is McSmith Avenue, which is 1,320 feet north of the Lopez Avenue. The block also exceeds the length requirements along the east-west portions. Without the ability to connect the section line easement to Lopez Avenue a right-of-way dedication from Foster Avenue to the end of the Lopez Avenue dedication would improve the block length but will still result in either incomplete blocks or blocks that exceed allowable lengths.

If the exception to not dedicate Foster Avenue is granted, KPB 20.30.120, Streets-Width requirements, cannot be met. **Staff recommends** *if the exception is approved the plat note include KPB 20.30.120 as being granted.*

Findings:

1. KPB Code requires dedications for the appropriate projection of streets in surrounding area.
2. KPB Code requires right-of-way width to be 60 feet wide with half dedications allowed if the other half can reasonably be expected to be dedicated in the future.
3. KPB code requires block lengths be no less than 330 feet or no more than 1,320 feet in length.
4. A 30 foot wide dedication of Lopez Avenue is required to comply with KPB Code.
5. A 33 foot wide dedication along the section line easement will provide a fee simple right-of-way dedication along the western boundary.

6. A 30 foot wide dedication of Foster Avenue is required by KPB Code to bring the width of the right-of-way into compliance.
7. If Lopez Avenue is not required to be dedicated, a connection between Foster Avenue and Lopez Avenue would improve the block length.
8. A new dedication is proposed that ends with a cul-de-sac that does not help improve the block requirements.
9. The current block is defined by section line easements, Foster Avenue, Walker Street, and McSmith Avenue and exceeds allowable length requirements.
10. Steep slopes are present within Lot 1 but areas are present that would support a through right-of-way dedication if designed around the terrain.
11. A new dedication is proposed that ends with a cul-de-sac that provides adequate access.
12. Terrain within proposed Lot 1 varies but slopes of 47 percent are within areas making a through dedication difficult.
13. Slopes of approximately 32 percent are present within the possible extension area of Lopez Avenue.
14. Slopes of approximately 31 percent are present with the western section line easements.
15. Slopes of approximately 38 percent are present within the portion of Foster Avenue to the west of the cul-de-sac dedication.

Denial of the exceptions will require additional dedications. If required, **staff recommends centerline profiles be required for the dedications to determine if additional right-of-way widths or slope easements will be required.**

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 11-15 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 11-15 appear to support this standard.
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
Findings 11-15 appear to support this standard.

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

RECOMMENDATION:

SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:

- **GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND**

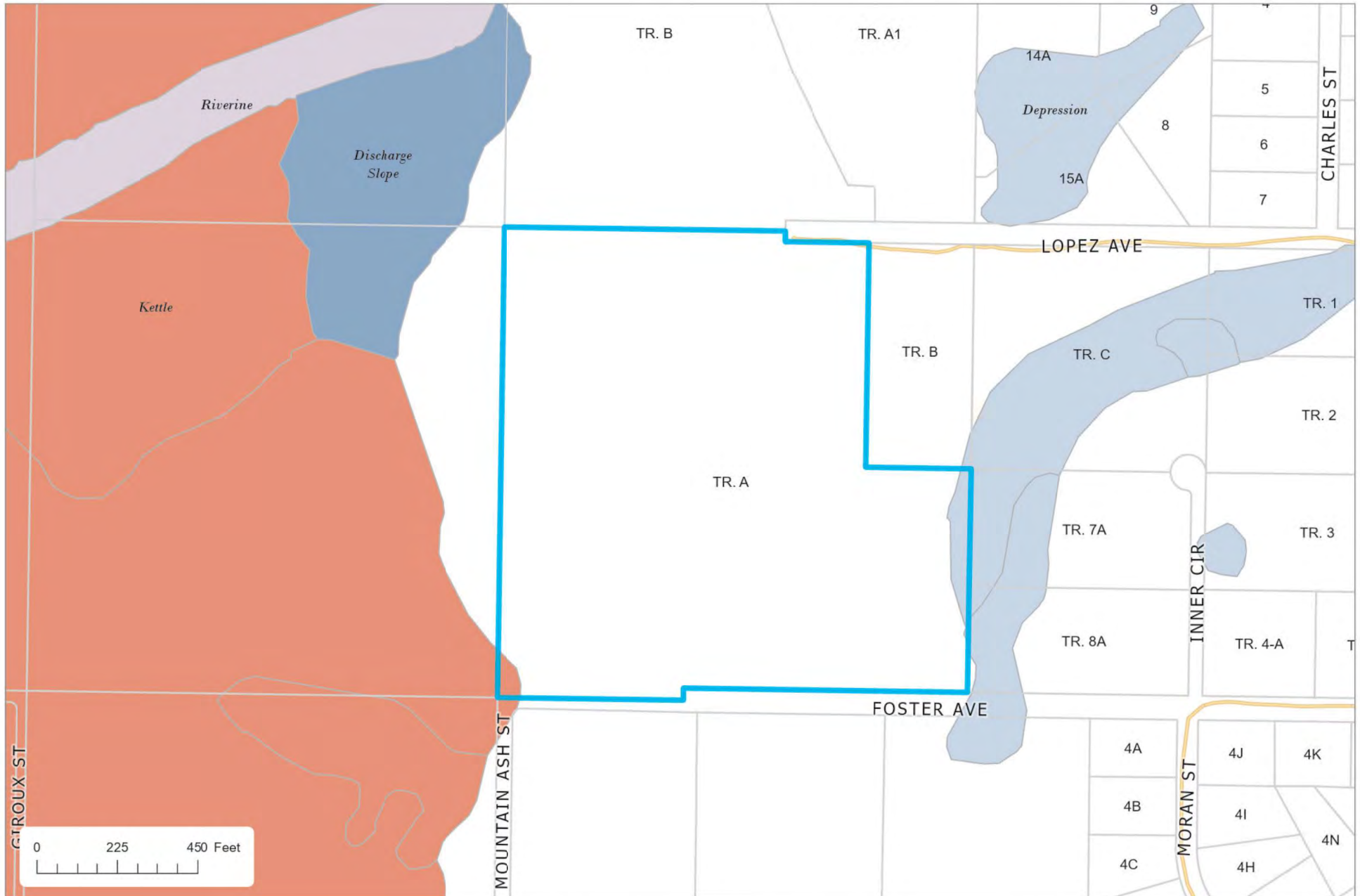
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

NOTE: 20.25.120. - REVIEW AND APPEAL.

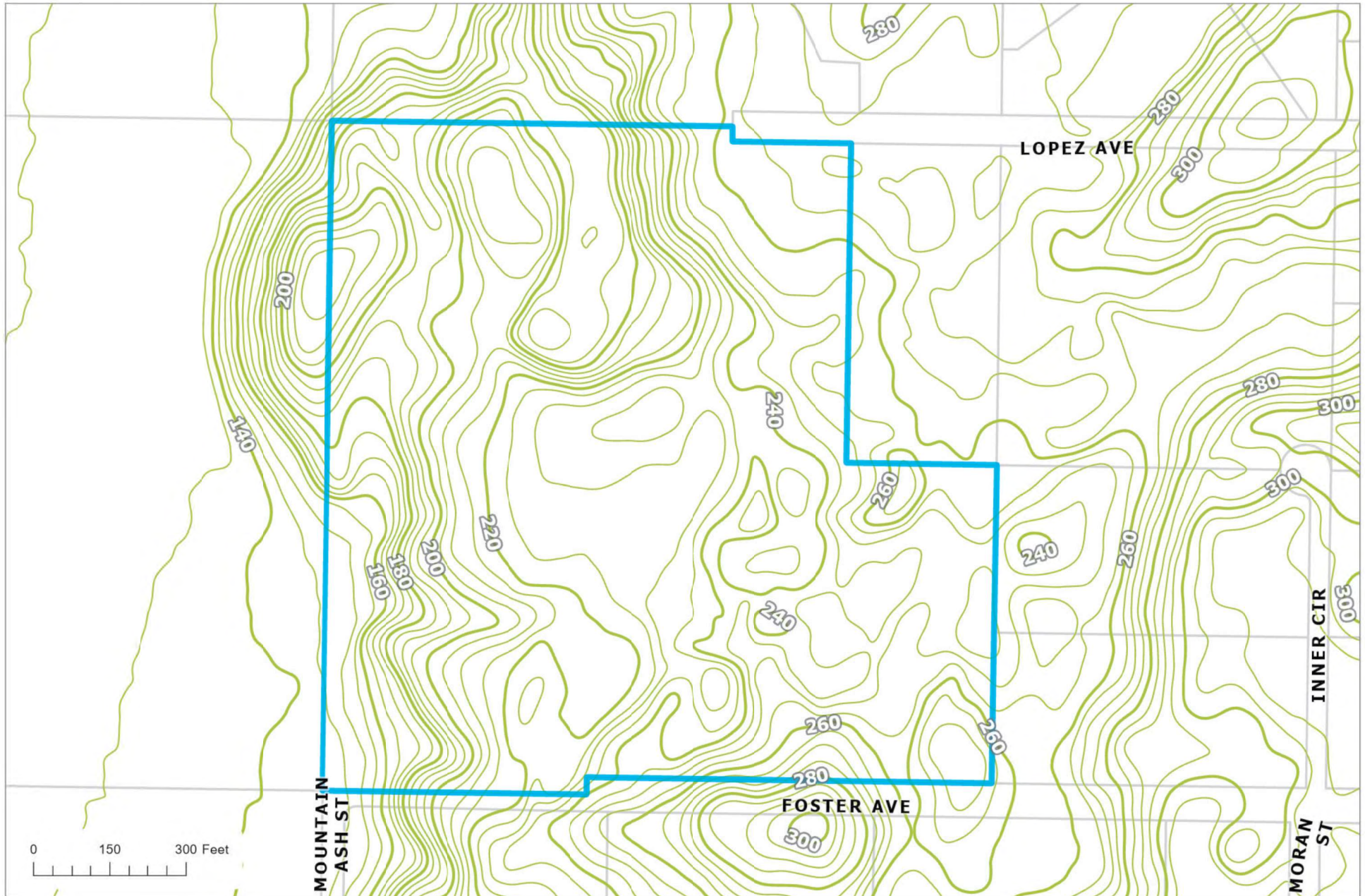
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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








END OF STAFF REPORT



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



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.

	2 1/2" BRASS. CAP MON. GLO 1937	7/9/80
	2 1/2" ALUM. CAP MONUMENT 237-S	1983 7/9/80
	3 1/4" ALUM. CAP MONUMENT 3932-S	1977 7/9/80
	3 1/4" ALUM. CAP MONUMENT LS720	7/9/80 7/9/80
	5/8" REBAR FOUND	
	1/2" REBAR FOUND	
	5/8" REBAR w/PLASTIC CAP LS8859	7/9/80
()	RECORD DATUM PLAT 85-49 KRD	

LINE TABLE		
LINE	BEARING	DISTANCE
1-1	N00°02'09"E	30.00'
1-2	S00°00'43"W	30.00'
1-3	S00°01'43"E	34.00'
1-4	N00°01'51"W	33.00'

CURVE TABLE						
CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
A1	15.4670°	50.00	106.81	704.75 4.3°	100.00	100.00 0.0°

- 1) Plans of building located from Honser's Aerial Substation, Honser, Tex. Plot #26-04-06, Rural Reseading District.
- 2) Building located A network of 20 feet is required from all street Right-of-Way if utility is lines attached to the network by a connection by the appropriate Planning Commission.
- 3) House must meet the design and construction standards established by the International Building Code for the location, foundation and inclusion in the through road maintenance program.
- 4) An easement for electric lines or system and/or telephone lines granted to Honser Electric Association, Inc. is recorded as Book 78 Page 257, Rural Planning District. The utility lines shall be installed in accordance with the following:
- 5) Easements in APN #26-03-030, Protection of right-of-way, and RPS 26-03-070, Rural Planning District, are granted by the joint committee at the meeting of June 14, 2003.
- 6) Front 10 feet of the building network adjacent to right-of-way with and adjacent 10 feet within 5 feet of the site lot line in a utility easement, but not exceeding 10 feet, shall be attached to the network by a utility easement which must interfere with the utility of a utility in the easement.

WASTEWATER DISPOSAL: Tract B Five percent subdivision for lots resulting from this platting action was approved by the Alameda Department of Environmental Conservation on March 21, 1997. Wastewater treatment and disposal easements must meet the regulatory requirements of the Alameda Department of Environmental Conservation.

WASTEWATER DISPOSAL: Tracts A and C Five lots are at least 20,000 square feet and therefore may not be suitable for onsite wastewater treatment. On the other hand, lots 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 75

THE UNDERSIGNED OFFICIAL, DESIGNATED BY NAME AND TITLE, IS AUTHORIZED TO ACCEPT AND VOUCHER ACCEPTS ON BEHALF OF THE BENTON POND AREA BOARDSTOP FOR PUBLIC USE AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DESIGNATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT DESCRIBED AS FOLLOWS: FOURER AREAS, TO UTILITY EASEMENT.

THE PURPOSE OF THIS PLAT OF LANDS FOR PUBLIC USE OF PUBLIC PURPOSES DOES NOT CONFER THE PUBLIC OR ANY OTHER GOVERNING BODY TO CONTROL, OPERATE, OR MAINTAIN IMPROVEMENTS.

John A. Goodfellow 11/17/21
JOHN A. GOODFELLOW
BENTON POND AREA BOARDSTOP
DATE


THIS PLAY WAS APPROVED BY THE KONA PENINSULA HERITAGE PLANNING COMMISSION AT THE MEETING OF JUNE 18, 2021.


RENAI PENINSULA BORNEO
M. Amin Abdullah
AUTHORIZED OFFICIAL


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


NOTARY PUBLIC FOR _____
MY COMMISSION EXPIRES _____

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.


 RANDALL D. JENSEN
 TRAILS BLVD, NW, RA LOT 1A BLOCK 2, REM. SW1/4 SW1/4


 KAREN E. JENSEN
 TRAILS BLVD, NW, RA LOT 1A BLOCK 2, REM. SW1/4 SW1/4


 SHADRON TAYLOR
 LOT 1A BLOCK 2, REM. SW1/4 SW1/4


 TOMKA TAYLOR
 LOT 1A BLOCK 2, REM. SW1/4 SW1/4

340 60TH STREET N
 DUMFRIES, MINN. 55834
 (763) 836-8888

FOR Tanaka and Larry Tanaka
ACKNOWLEDGED BEFORE ME THIS 2 DAY OF September, 2021
Tanaka & Sons
NOTARY PUBLIC FOR
MY COMMISSION EXPIRES 06/01/2023

FOR 408 TOWN CENTER
ACKNOWLEDGED BEFORE ME THIS 13 DAY OF SEPTEMBER 2002
James S. Lee
NOTARY PUBLIC FOR
MY COMMISSION EXPIRES 01/31/2005

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

 NOTARY PUBLIC FOR _____
 MY COMMISSION EXPIRES _____

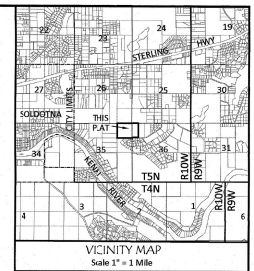
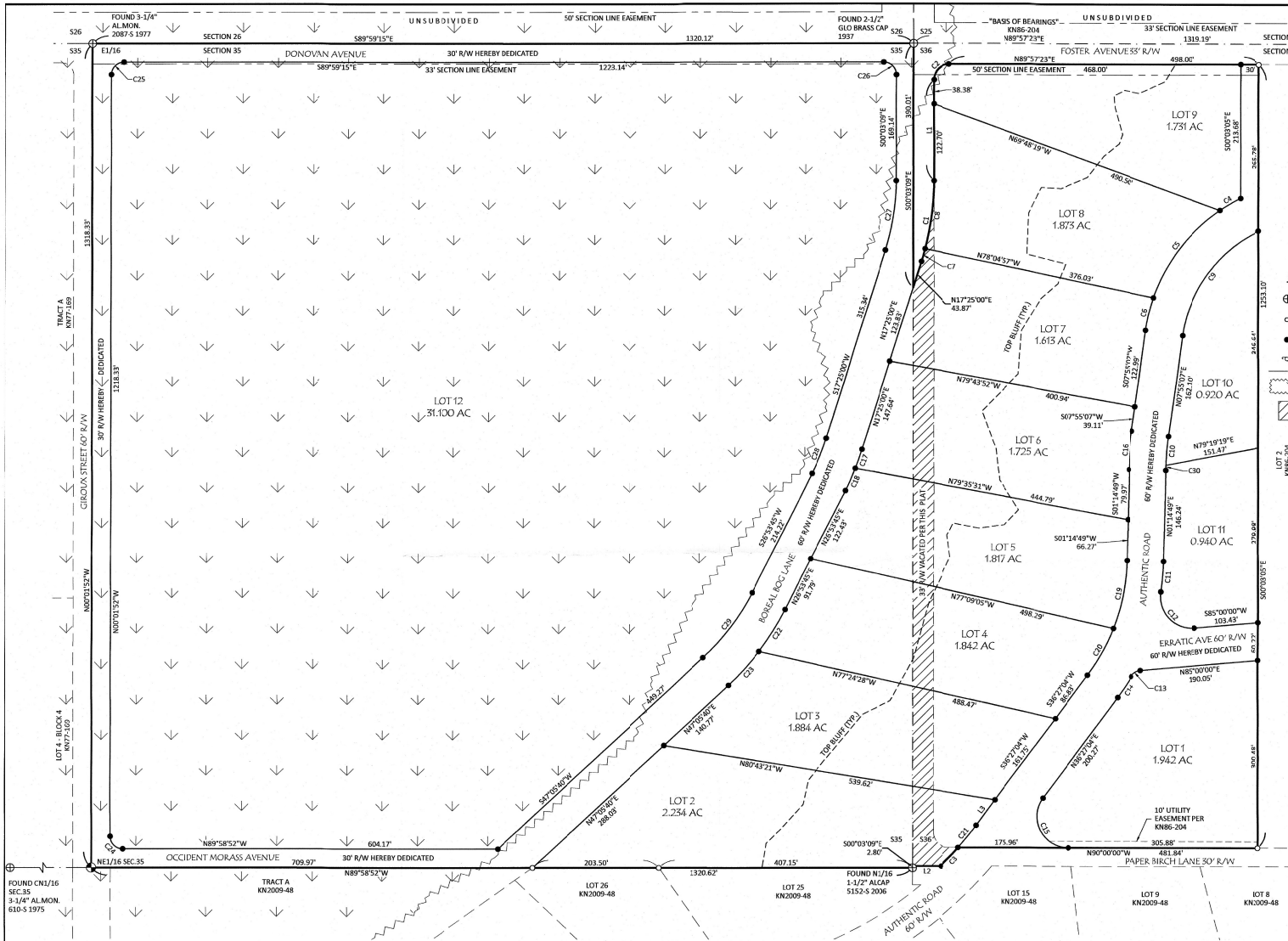
KPB FILE No. 2021-072

Brown's Acres Subdivision 2021

A resubdivision of Tract 58 Brown's Acres Subdivision No. 2, Plot 85-89, Tract 58A1, Tract 85 and Lot 1A Block Two, Brown's Acres Subdivision, Jensen-Jensen, Reginald, Plot 2005-118, and the SW1/4 SW1/4 Section 26, T19S, R10W, S.M., excepting therefrom plot RN 83-258, Keweenaw Recording District.

located within the SE1/4 SW1/4 and SW1/4 SW1/4 Section 26, T19 R10W, S.M., Keweenaw Peninsula Borough, Alaska.

Saginaw 42-07046		Owner	
Negenses Surveys 30400 Hurley St Baldwin, AK 99809 (907) 842-3909		Randall D & Karen E Jensen Shannon & Paula Sailer 840 65th Street N Turner, ND 58770	
JOB NO.	11084	DRAWN:	R-23-21
SURVEYED:	May, 2021	SCALE:	1"=100'
FIELD BOOK:	21-1	SHEET:	1 of 1



LEGEND

- FOUND PRIMARY MONUMENT AS DESCRIBED
- FOUND 5/8" REBAR UNLESS NOTED
- SET 5/8"x30" REBAR w/ 1" STAINLESS STEEL CAP 85032-S
- POWER POLE
- OVERHEAD ELECTRIC
- AREA SUBJECT TO MINUNDATION
- 33' ROAD R/W HEREBY VACATED SEE NOTE # 6

LINE #	BEARING	DISTANCE
L1	N 89°00'00" W	561.58
L2	N 90°00'00" W	48.08
L3	S 30°27'04" W	50.78



CURVE #	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD LENGTH
C1	177°00'00"	430.00	133.30	46.06	N 0° 40' 59" E	130.60
C2	80°00'00"	15.00	18.77	5.50	N 44° 01' 07" E	36.30
C3	47°00'00"	370.00	41.30	30.56	S 47° 00' 46" W	41.30
C4	74°00'00"	280.00	38.33	18.09	S 59° 23' 10" W	38.33
C5	30°34'37"	280.00	178.75	12.54	S 37° 11' 47" W	175.73
C6	10°58'21"	280.00	53.70	16.93	S 18° 24' 48" W	53.62
C7	2°47'35"	480.00	20.96	0.48	S 16° 01' 12" W	20.96
C8	14°40'33"	430.00	110.54	5.37	S 07° 17' 08" W	109.84
C9	56°15'48"	220.00	216.09	17.62	N 36° 02' 59" E	207.46
C10	54°10'02"	470.00	40.62	13.83	N 05° 04' 37" E	46.61
C11	72°27'00"	300.00	46.46	16.76	N 08° 38' 22" E	46.42
C12	100°42'34"	50.00	60.50	48.66	N 45° 08' 58" W	76.64
C13	54°34'21"	30.00	19.65	0.32	N 57° 42' 50" E	19.34
C14	6°01'24"	380.00	39.95	3.99	N 33° 26' 22" E	39.93
C15	126°27'04"	50.00	110.35	10.09	N 26° 40' 28" W	89.28
C16	6°40'13"	500.00	61.72	0.89	S 04° 34' 58" W	61.68
C17	4°18'00"	430.00	82.29	6.15	N 19° 34' 04" E	10.28
C18	5°10'36"	480.00	38.85	3.41	N 24° 18' 27" E	38.84
C19	39°57'28"	320.00	111.47	16.30	S 11° 13' 33" W	110.90
C20	35°14'47"	320.00	161.35	12.83	S 28° 49' 40" W	84.90
C21	4°35'45"	570.00	46.72	3.87	S 87° 44' 56" W	46.71
C22	10°30'32"	480.00	78.87	18.55	N 53° 09' 02" E	76.76
C23	9°41'22"	430.00	72.72	16.45	N 43° 14' 59" E	72.67
C24	89°57'00"	20.00	31.40	3.98	N 45° 00' 22" W	28.27
C25	90°02'37"	20.00	31.43	3.02	N 44° 59' 27" E	28.92
C26	89°56'00"	20.00	31.39	3.98	S 45° 01' 12" E	28.27
C27	17°28'09"	170.00	112.81	18.85	S 08° 40' 55" W	112.57
C28	9°24'46"	370.00	46.21	0.68	S 22° 09' 22" W	61.15
C29	20°11'51"	170.00	138.44	6.40	S 38° 59' 49" W	129.70
C30	0°59'11"	470.00	8.10	4.05	S 02° 44' 27" W	8.10

NOTES:

- WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS SHALL BE PERMITTED ONLY IN CONFORMANCE WITH APPLICABLE REQUIREMENTS OF 18 AAC 72 AND 18 AAC 80.
- 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.
- THE FRONT 10 FEET ADDING DEDICATED 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.
- 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.
- THE KENAI PENINSULA BOROUGH PLANNING COMMISSION APPROVED THE VACATION OF THE 33' ROAD R/W AND ASSOCIATED UTILITY EASEMENTS OF MOUNTAIN ASH STREET AND PORTION OF PAPER BIRCH LANE CREATED BY KN86-204 AT THE MEETING OF OCTOBER 28, 2019.
- 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.
- EXCEPTION GRANTED TO BLOCK LENGTH (KPB 20.30.170) AND PROPOSED STREET LAYOUT (KPB 20.30.030) BY PLANNING COMMISSION MEETING NOVEMBER 12, 2019.

Plat # _____

Rec. Date _____

Date _____

Time _____

WASTEWATER DISPOSAL: LOTS 1-11
 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 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.

WASTEWATER DISPOSAL: LOT 12
 THIS TRACT IS AT LEAST 20,000 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.

CERTIFICATE OF OWNERSHIP

I 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.

CODY R. McLANE
 PO BOX 468
 SOLDOTNA, AK 99669

NOTARY'S ACKNOWLEDGEMENT

FOR: CODY R. McLANE
 ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2022
 MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE STATE OF ALASKA

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF NOVEMBER 12, 2019.

AUTHORIZED OFFICIAL

FOREST HILLS LOCKOUT SUBDIVISION

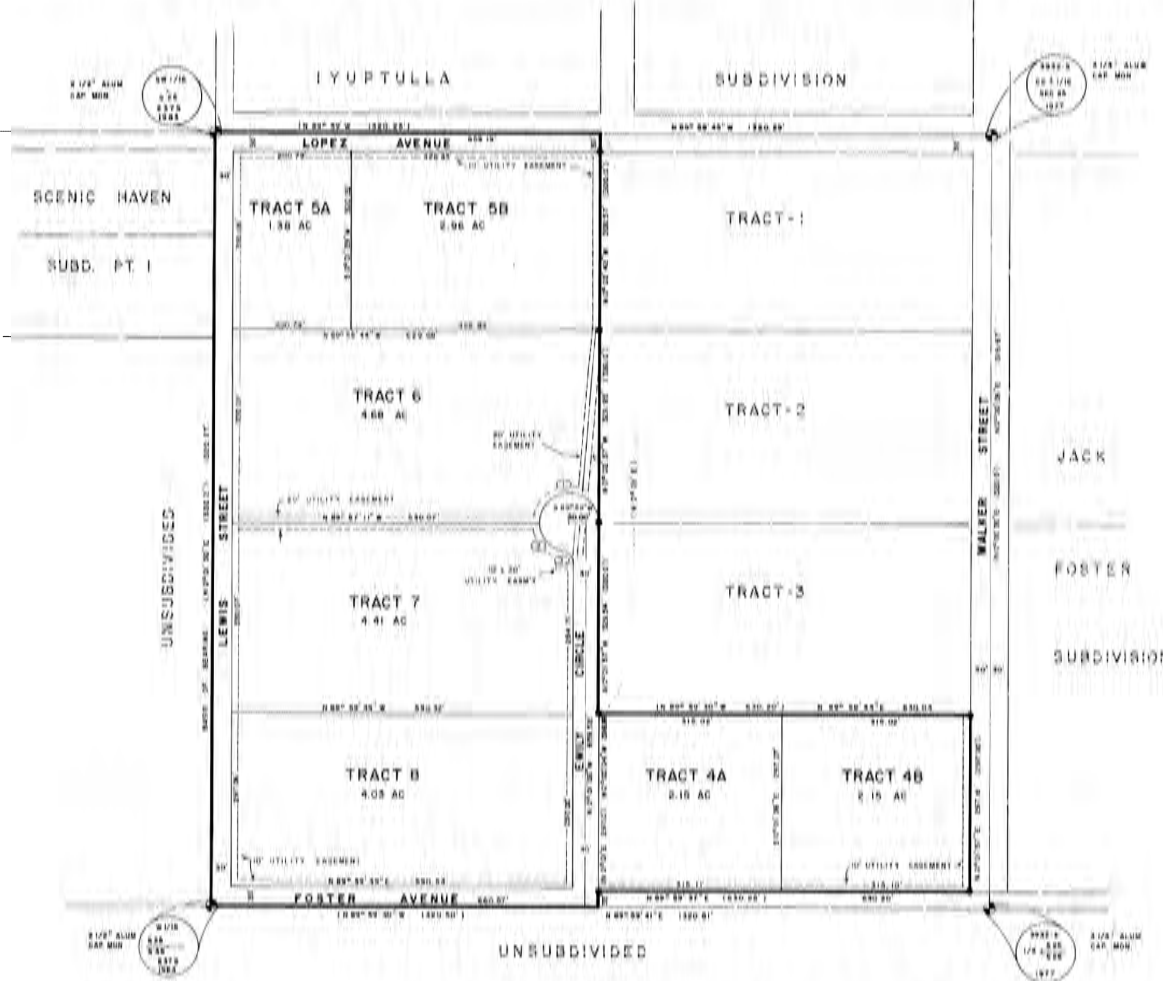
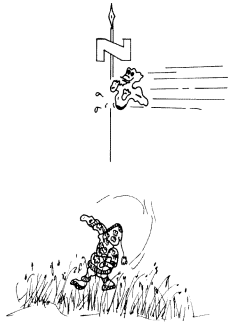
ROULDER HEIGHTS ADDITION
 A REBUDIVISION OF LOT 1 FOREST HILLS LOCKOUT SUBDIVISION AMENDED KN86-204 AND UNREBUDIVISION NE1/4 OF NE1/4 OF SECTION 35, T3N, R10W, S4N, AK AND COMPLETES THE R/W VACATION OF MOUNTAIN ASH STREET, A PORTION OF PAPER BIRCH LANE AND THE ASSOCIATED UTILITY EASEMENTS AS SHOWN.

CODY R. McLANE
 PO BOX 468
 SOLDOTNA, AK 99669

55,767 AC. M/L SITUATED IN THE NE1/4 OF NE1/4 OF SECTION 35 & W1/2 OF NW1/4 OF NW1/4 OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 10 WEST, SEWARD MERIDIAN, ALASKA AND THE KENAI PENINSULA BOROUGH, IN THE KENAI RECORDING DISTRICT.

ENGINEERING - TESTING SUPERVISOR: JEFFREY P.O. BOX 468 SOLDOTNA, AK 99669 PHONE: (907) 263-4218 FAX: (907) 263-4219 WWW.MCLANECO.COM	KPB FILE NO. 2019-117 PROJECT NO. 1920110
--	--

SCALE: 1" = 80' DATE: SEP. 2019 BOOK NO.: 19-10 DRAWN BY: JAH



CURVE DATA

NO.	PC	PT	DELTA	TAN	LEN	END	END BEG
1	50.00'	175° 30' 00"	100.00'	100.00'	100.00'	100.00'	100.00'
2	50.00'	175° 30' 00"	100.00'	100.00'	100.00'	100.00'	100.00'
3	50.00'	175° 30' 00"	100.00'	100.00'	100.00'	100.00'	100.00'

- LEGEND**
- ⊙ MONUMENT (Found this survey)
 - ⊕ MONUMENT (Set this survey)
 - 1/2" REBAR (Found this survey)
 - ⊥ 5/8" x 30" REBAR (Set this survey)
 - () RECORD DATUM KRD 83-156



CERTIFICATE OF OWNERSHIP and DEDICATION

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

Donald H. Brown *Carolyn A. Brown*
 DONALD H. BROWN CAROLYN A. BROWN
 SULLY, AK 99665 SULLY, AK 99665

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 24th DAY of August, 1985 FOR *Donald H. Brown and Carolyn A. Brown*

Notary Public for Alaska
 MY COMMISSION EXPIRES *1987*

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF *Sept. 24, 1985*

KENAI PENINSULA BOROUGH
Authorized Official
 AUTHORIZED OFFICIAL

CERTIFICATE OF APPROVAL BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION

THIS SUBDIVISION HAS BEEN REVIEWED IN ACCORDANCE WITH ISAAK 72.005 AND IS APPROVED, SUBJECT TO ANY RESTRICTIONS.

Signature *Title* *Date*



CLIFFORD E. BAKER, B.L.S.
 REGISTRATION NO. LB-5192

9549
Kenai
8/29/85
Douglas E. Lee

NOTES:

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

BROWNS ACRES SUBD. NUMBER TWO

A SUBD. OF THE UNSUBD. REMAINDER AND A RESUBD. OF TRACT 4, BROWNS ACRES SUBD. LOCATED WITHIN THE SE 1/4, SW 1/4, SEC. 15, T5N, R9W, 12E, 14E AND THE KENAI PENINSULA BOROUGH.

BOWLING-RICE and ASSOCIATES
 P.O. BOX 974 SULLY, ALASKA 99665

ENGINEERS	DATE	SCALE	SHEET NO.
<i>P.R.C.</i>	<i>8/27/85</i>	<i>1"=400'</i>	<i>1</i>
<i>P.R.C.</i>	<i>8/27/85</i>	<i>1"=400'</i>	<i>1</i>

NOTARY'S ACKNOWLEDGMENT

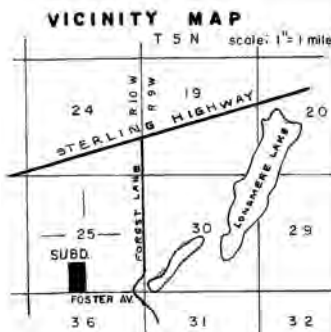
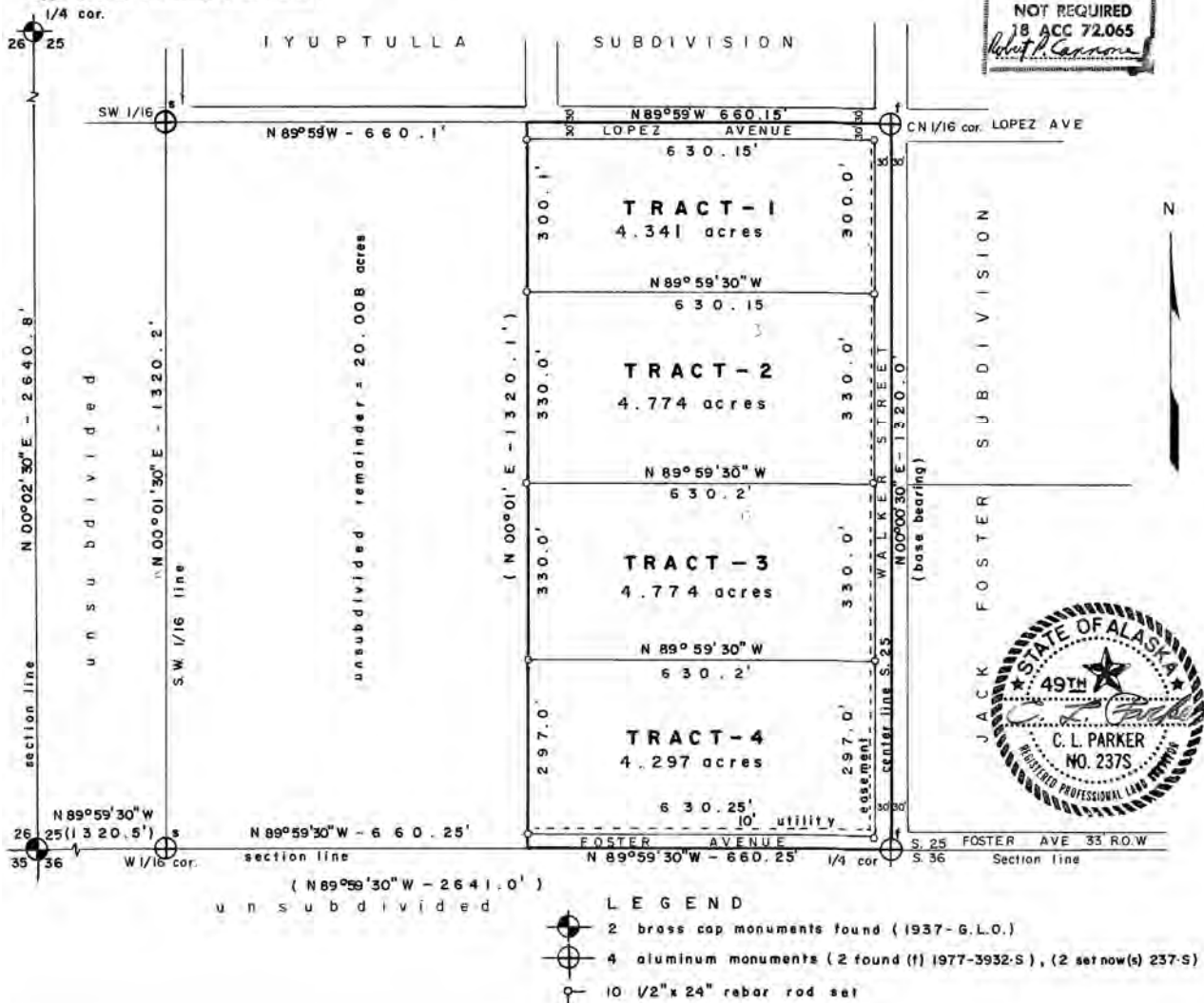
Subscribed and sworn before me
this 1st day of July 1983
for:
Donald H. Brown
Carolyn J. Brown

RECORDED - FILED 10
 DATE 8-3 19
 TIME 10:11
 Requested by Person
 Address

PLAT APPROVAL: This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of April 16, 1983.
KENAI PENINSULA BOROUGH by: [Signature]
Authorized Official

My Commission expires 8/18/85

**ISOLATED
SUBDIVISION
ADEC APPROVAL
NOT REQUIRED
18 ACC 72.065**
Robert P. Cannone



Scale : 1" = 200'

Hindman, Julie

From: JASON SCHOLLENBERG <jason@peninsulasurveying.com>
Sent: Friday, July 8, 2022 12:23 PM
To: Hindman, Julie; Quainton, Madeleine
Subject: <EXTERNAL-SENDER> Brown's Acre Estates

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.

Julie,

If possible, can we hold off on the review for Brown's Acre Estates? The owners have decided they want to make some extensive changes to the design before moving forward.

Thank You

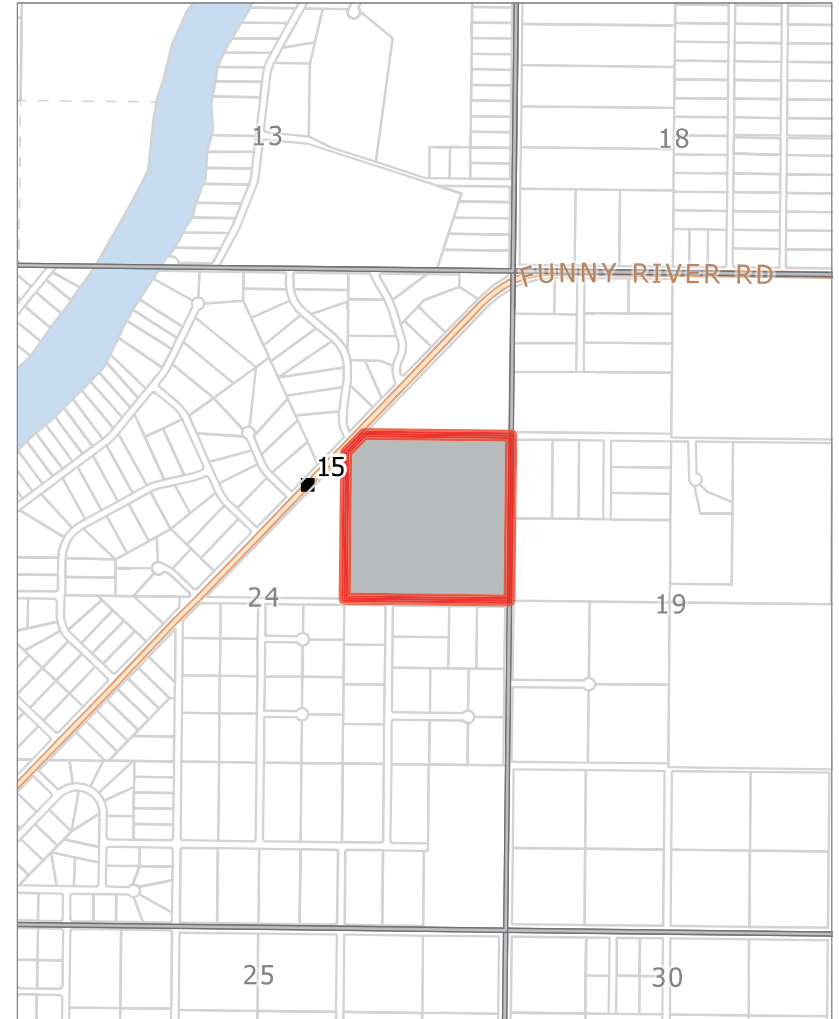
Jason Schollenberg, PLS

Peninsula Surveying, LLC
10535 Katrina Blvd
Ninilchik, AK 99639

Phone: (907)306-7065
Fax: (907) 567-1017

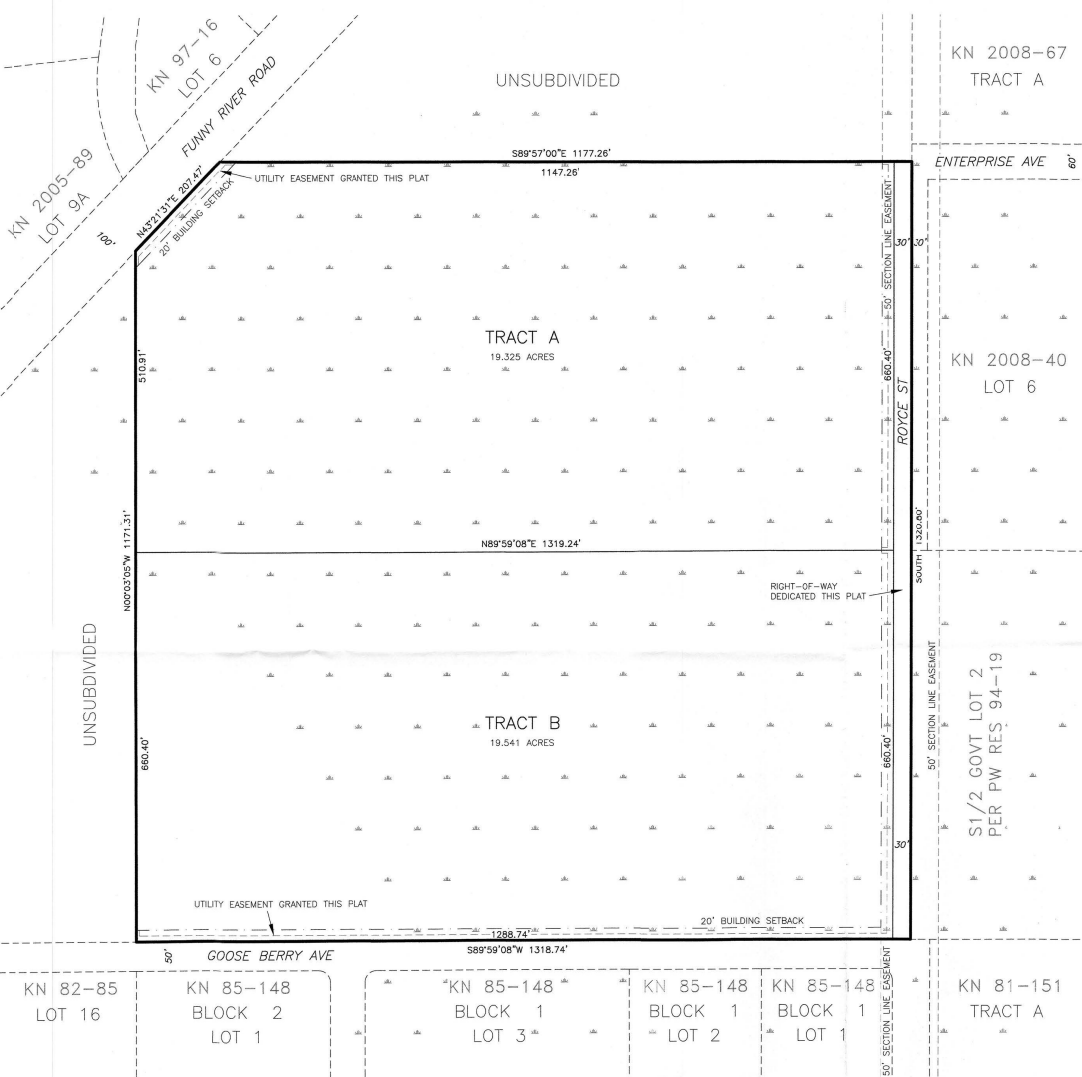
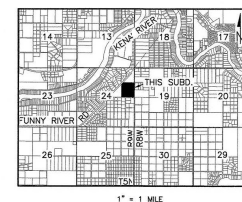
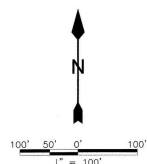
E. NEW BUSINESS

- 3. Moose Acres; KPB File 2022-087
Peninsula Surveying, LLC / A & J, LLC
Funny River Area / Funny River APC**



KPB File # 2022-087
S24 T05N R09W
Funny River





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 LOTS LINES IS ALSO 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).
5. NO ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.

LEGEND

- WETLANDS PER THE KENAI WATERSHED FORUM COOK INLET
WETLANDS MAPPING

PLAT APPROVAL

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

BY: _____

AUTHORIZED OFFICIAL

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 GRANT ALL EASEMENTS TO THE USE SHOWN.

JAMES DAVIS
OWNER, A & J LLC
37615 STATE PARK RD, SOLDOTNA, AK 99669

ALFRED LONSER
OWNER, A & J LLC
37615 STATE PARK RD, SOLDOTNA, AK 99669

NOTARY ACKNOWLEDGMENT

FOR: JAMES DAVIS AND ALFRED LONSER

ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2022

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES: _____

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 AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

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:

ROYCE 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.

AUTHORIZED OFFICIAL: _____ DATE: _____

KPB FILE NUMBER:

PENINSULA SURVEYING, LLC

10535 KATRINA BOULEVARD, NUILECH, AK 99639
(907)306-7045

PLAT OF

MOOSE ACRES

A SUBDIVISION OF
SE 1/4 NE 1/4 SEC. 24, T.5N., R.9W., S.M.
KENAI RECORDING DISTRICT, KENAI PENINSULA BOROUGH
CONTAINING 39.776 ACRES

OWNER: A & J LLC
37615 STATE PARK RD, SOLDOTNA, AK 99669

SCALE: 1" = 100'

DATE: JUNE 13, 2022

DRAWN: JLS

SHEET: 1 OF 1



KPB 2022-087

AGENDA ITEM E. NEW BUSINESS

ITEM 3 - MOOSE ACRES

KPB File No.	2022-087
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	A & J LLC of Soldotna, AK
Surveyor:	Jason Schollenberg / Peninsula Surveying LLC
General Location:	Goose Berry Avenue, Funny River / Funny River APC

Parent Parcel No.:	066-060-19
Legal Description:	SE1/4 NE1/4 S24 T05N R09W
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 39.78 acre parcel into two tracts that will be 19.325 acres and 19.541 acres. A 30 foot width dedication for Royce Street is proposed.

Location and Legal Access (existing and proposed): The proposed plat is located near mile 15 of state maintained Funny River Road. Borough maintained Goose Berry Avenue is located along the southern boundary. A partial dedication of Royce Street is located to the east and coincides with 50 foot wide section line easements.

The proposal includes a 30 foot wide dedication for Royce Street, which is located along the eastern boundary. There is a 30 foot dedication for the northern eastern portion of Royce Street for a distance of 660 feet. This will bring that portion into compliance as a 60 foot wide right-of-way. The southern portion proposed for dedication will be a 30 foot width with the other 30 foot expected from the adjacent lot if it is ever subdivided. The right-of-way dedications are atop existing section line easements that provide a 100 foot width the entire distance along the subdivision's eastern boundary.

Goose Berry Avenue was dedicated as a 50 foot width right-of-way by Salmon Berry Acres, Plat KN 82-85, and Happy Man Subdivision, Plat KN 85-148. Per KPB 20.30.120, the minimum right-of-way width of streets shall be 60 feet. Narrower rights-of-way are allowed if the other portion can be reasonably expected to be dedicated from adjacent properties in the future. The entire 50 foot portion of Goose Berry Avenue was dedicated from the property to the south. A 10 foot dedication will bring the street width for Goose Berry Avenue into compliance for approximately 1,290 foot portion. ***Staff recommends a 10 foot width dedication for Goose Berry Avenue be required.***

Tract A will have frontage to Funny River Road and along Royce Street and section line easements. Tract B will have access from Goose Berry Avenue and also along Royce Street and the section line easements.

An exception to KPB Code 20.30.030 has been requested. The owners wish to not dedicate a continuation of Enterprise Avenue along the northern boundary at this time.

Block lengths exceed allowable lengths per KPB Code 20.30.170. An exception has been requested. In order to comply dedications along the western and northern boundary would be required.

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

SOA DOT comments	The ROW for Funny River Road appears to be shown correctly
------------------	--

Site Investigation: The terrain is relatively flat with no steep slopes detected within the lots or proposed dedications. The majority of the property contains low wet areas. A stretch of Riverine is present that goes through the property and then Kettle is present through the majority of the property. The correct wetlands designation note is present. **Staff recommends the wetland depiction remain on the final plat.**

KPB River Center review	<p>A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: No comments</p> <p>B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p> <p>C. State Parks Reviewer: Russell, Pam Comments: No Comments</p>
State of Alaska Fish and Game	No objections

Staff Analysis The proposed plat is a subdivision of an aliquot parcel in the Funny River area. It will create two lots that will both be around 19 acres. The majority of the property contains low wet areas. A driveway appears to be present off Goose Berry Avenue into proposed Tract B. There does not appear to be any other improvements or encroachment issues present.

A soils report will not be required and the correct plat note is present.

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.

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

Utility Easements The property has no platted easements nor recorded utility easements listed within the Certificate to Plat. The plat is proposing to grant 10 foot utility easements that increase to 20 within 5 feet of the side lot lines adjacent to dedicated rights-of-way.

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

Utility provider review:

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

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek</p> <p>Affected Addresses:</p>
------------	---

	<p>34214 GOOSE BERRY AVE</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: GOOSE BERRY AVE FUNNY RIVER RD ENTERPRISE AVE ROYCE ST</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments: 34214 GOOSE BERRY AVE will remain with TRACT B.</p>
Code Compliance	<p>Reviewer: Ogren, Eric</p> <p>Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan</p> <p>There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat.</p>
Assessing	<p>Reviewer: Windsor, Heather</p> <p>Comments: No comment</p>
Advisory Planning Commission	<p>Comments not received when the staff report was prepared</p>

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

STAFF RECOMMENDATIONS **CORRECTIONS / EDITS**

Update the plat note numbers.

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 a block label for Lot 9A located to the northwest of Funny River Road. Provide street name and width labels for Rousing Road and Chandalar Street.*

KPB 20.30 – Subdivision Design Requirements

Staff recommendation: final plat submittals must comply with 20.30. Additional information, revisions, and/or corrections are required as noted below.

20.30.120. Streets-Width requirements.

- A. The minimum right-of-way width of streets shall be 60 feet.
 - 1. Half streets shall generally not be allowed except to provide the logical extension of a right-of-way where the remaining half street can reasonably be expected to be dedicated in the future.
 - 2. When a design change required as a condition of preliminary approval results in a half right-of-way that was not shown on the original preliminary plat, adjoiners to the new half right-of-way will be sent a copy of the plat committee minutes and a sketch showing the new half right-of-way and per KPB 2.40.080 can request a review of the plat committee decision by the full Planning Commission.

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

Staff recommendation: An additional 10 foot width dedication for Goose Berry Avenue needs to be provided.

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 size of lots, soils analysis report will not be required.

Staff recommendation: comply with 20.40.

KPB 20.60 – Final Plat

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

20.60.180. Plat notes.

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

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

Staff recommendation: Place the following notes on the plat.

- Add a note for any exceptions granted.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: The Certificate of Ownership should be revised so that it shows A & J LLC is the owner and they are signing on behalf of the LLC. Comply with 20.60.190.

EXCEPTIONS REQUESTED:

KPB 20.30.030(A) – Proposed street layout-Requirements (Extension of Enterprise Avenue) and KPB 20.30.170 – Blocks-Length requirements

Surveyor's Discussion: KPB 20.30.030(A) - This platting action will result in 2 large tracts that will be approximately

Page 4 of 6

19 acres each. Legal access to Tract A will still be provided along the east side by Royce Street, and to the northwest corner by Funny River Road. Tract A is large enough to be subdivided in the future, and have additional right-of-way dedications added at that time. The extension of Enterprise Avenue would also go across a swampy area that would be difficult to construct a road on.

KPB 20.30.170 - The property is located near mile marker 15 on Funny River Road. There are multiple large parcels of land in the vicinity. There is a dedicated right-of-way along the south boundary and the east boundary.

Staff Discussion: KPB Code states that there should be extensions or projected extensions of rights-of-way. KPB Code also has block length requirements. A dedication of Enterprise Avenue along the northern boundary as well as a dedication along the western boundary will bring the block into compliance and meet the street layout requirements. Staff grouped the exceptions but the Planning Commission may vote on the exceptions separately by making separate motions.

Denial of KPB 20.30.030(A) will require a 30 foot wide dedication of Enterprise Avenue along the northern boundary. Denial of KPB 20.30.170 will required the extension of Enterprise Avenue as well as a 30 foot wide dedication along the western boundary.

Findings:

1. KPB 20.30.030(A) would require a continuation of Enterprise Avenue along the northern boundary by dedicating a minimum 30 foot width.
2. KPB 20.30.170 requires blocks to be between 300 feet and 1,320 feet in length.
3. Funny River Road, Goose Berry Avenue, Royce Street, and section line easements provide a closed block.
4. The block length from Funny River Road to Royce Street along Goose Berry Avenue is approximately 2,480 feet in length.
5. The block length from Goose Berry Avenue to Funny River Road along Royce Street and section line easements is approximately 2,560 feet.
6. A dedication along the northern boundary to provide a continuation of Enterprise Avenue would provide a compliant block by reducing the length to approximately 1,320 feet.
7. A dedication along the western boundary would provide a compliant block length along Goose Berry Avenue of approximately 1,320 feet.
8. A dedication along the northern and western boundary will create a distance of 100 feet between their intersections with Funny River Road.
9. The dedication areas would be within wetland areas.
10. The tracts being created are large acreage tracts that can be further subdivided.
11. No lots are being denied access or utilities.
12. Goose Berry Avenue is constructed with direct access from Funny River Road and is constructed and maintained the entire length of the dedication to the southeast corner of this subdivision.
13. Enterprise Avenue is constructed and is accessed from the east by borough maintained Ansel Street N or Lake Road.
14. The eastern 2,620 feet of Enterprise Avenue is maintained by the borough.
15. Enterprise Avenue is constructed another 2,280 feet from the end of the maintained portion.
16. The last 350 feet of the Enterprise Avenue dedication appears cleared to provide limited access.
17. Royce Street is partially cleared but does not appear to be used as regular access and is not maintained.

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 8-13, 16, and 17 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 8-13, 16, and 17 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 8-13, 16, and 17 appear to support this standard.

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

RECOMMENDATION:

SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:

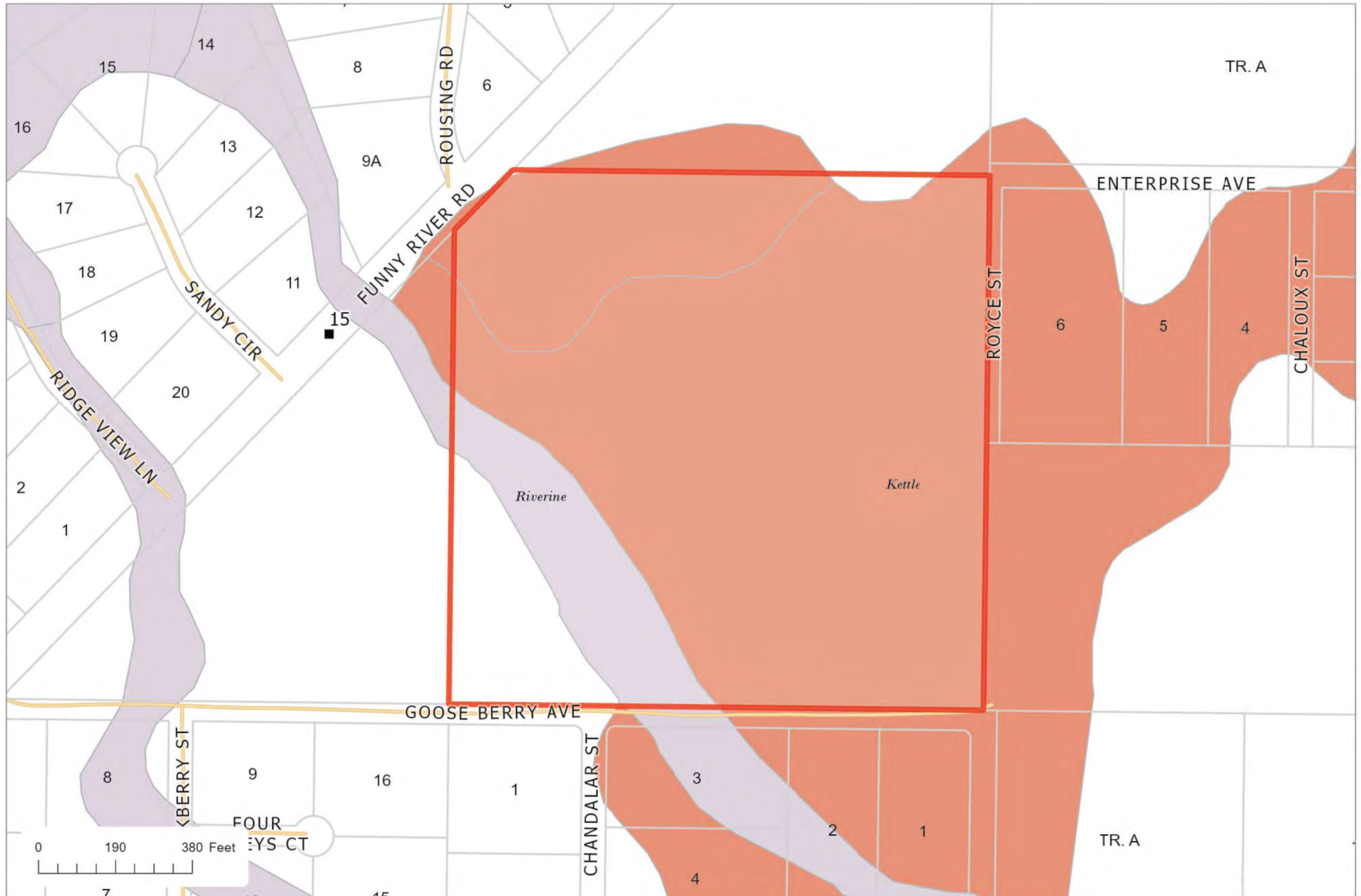
- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL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

NOTE: 20.25.120. - REVIEW AND APPEAL.

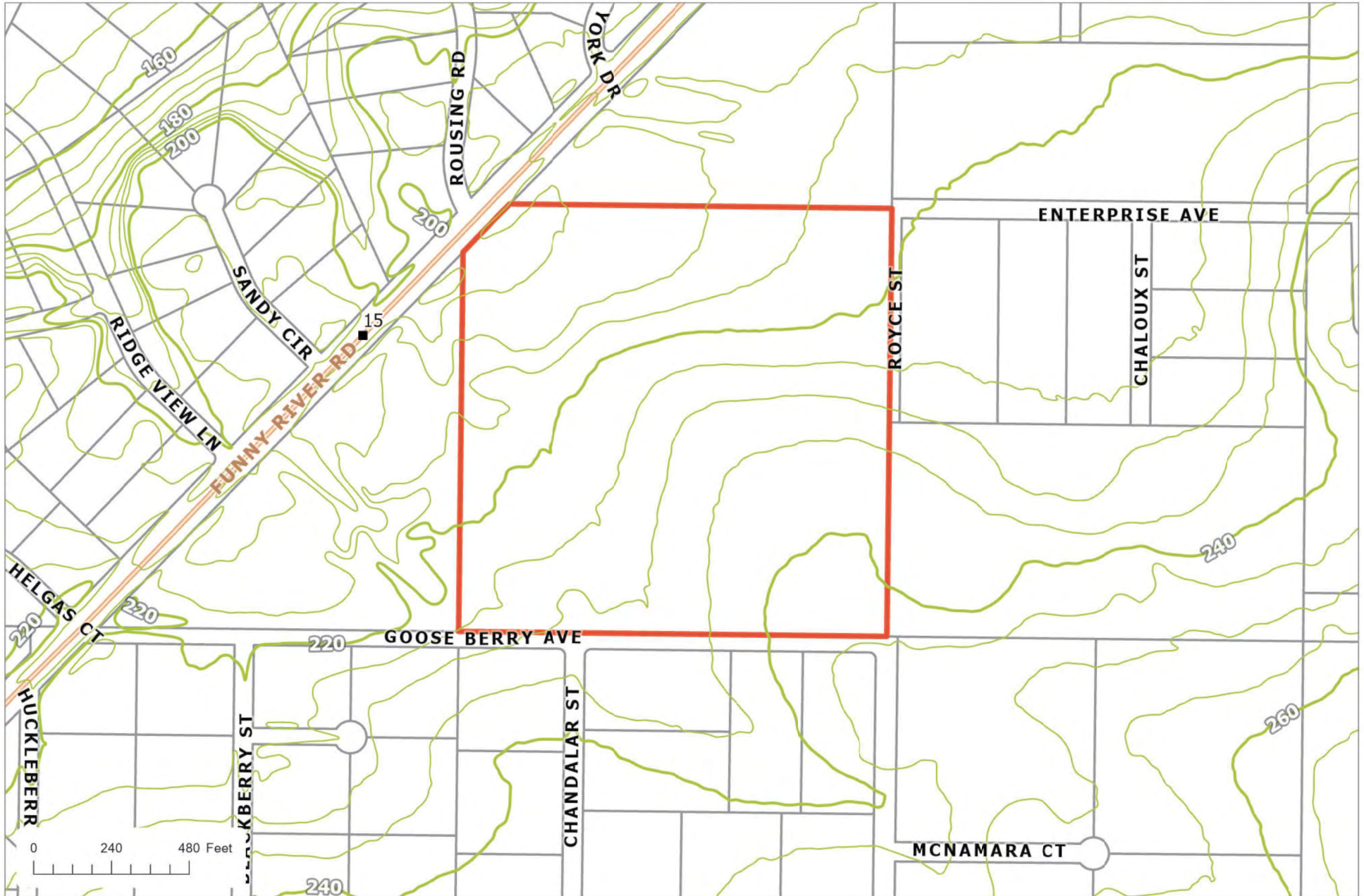
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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

END OF STAFF REPORT



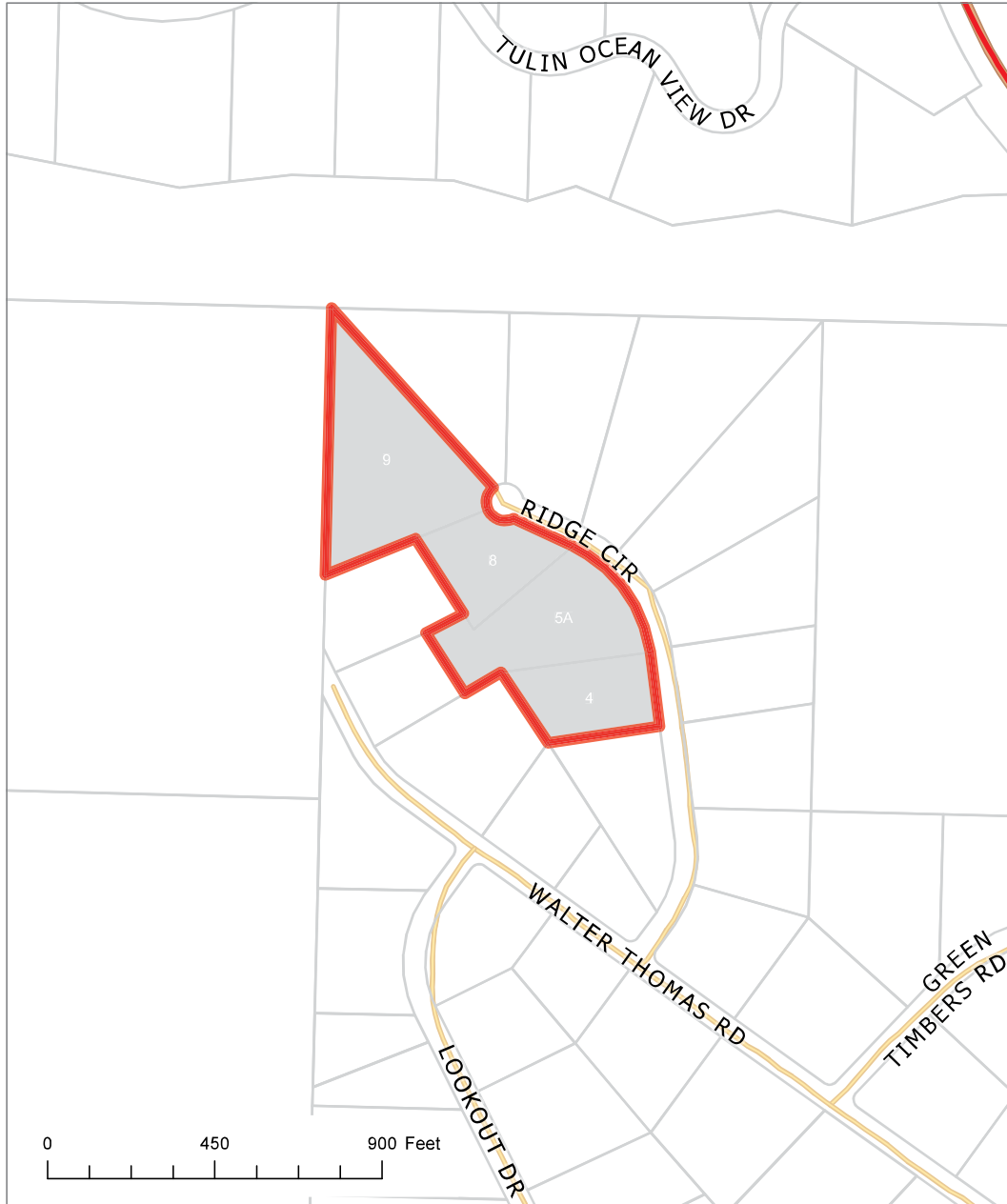
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



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

- 4. Diamond Cape No. 6; KPB File 2022-094**
Orion Surveys
Storyknife Writer's Retreat & Dana H. Stabenow Living Trust
Diamond Ridge Area / Kachemak Bay APC



KPB File # 2022-094
S09 T06S R14W
Diamond Ridge



Aerial View



Notes:

1. A building setback of 20' is required from all street rights of way unless a lesser standard is approved by the appropriate Planning Commission.
2. The front 15' of the building setback and the entire setback within 5' of side lot lines is a utility easement. No permanent structures shall be constructed or placed within a utility easement which would interfere with the ability of the utility to use the easement.
3. Covenants, conditions and restrictions affecting this subdivision are recorded at Bk. 99 Pg. 12 H.R.D.
4. Covenants, conditions and restrictions affecting this subdivision are recorded as Serial No. 2017-003593-0 and 2021-002648-0, H.R.D.
5. The borough will not enforce private covenants, easements, or deed restrictions per KP.B 20.60.170.
6. An easement that affecting Lot 4-A is recorded at Bk. 102 Pg. 861, H.R.D.
7. An easement for electric and/or telephone utility facilities that may affect this subdivision is recorded at Bk. 25, Pg. 115 H.R.D. No definite location.
8. An easement for driveway purposes affecting Lot 4-A is recorded at Bk. 102, Pg. 861 H.R.D.
9. Acceptance of this plat does not indicate acceptance of any encroachments by the borough.
10. Roads must meet the design and construction standards established by the Borough in order to be certified for inclusion in the Borough Road Maintenance program.
11. No field survey was performed. This plat was prepared from record information on Plats HM2006-62 and HM77-78.

LEGEND

- Primary Monument as noted
- 1/2" Rebar, 3686-S, 1977
- 5/8" Rebar with Surv-Kap, 3686-S, 2006
- Surv-Kap, 7610-S
- Utility Pole at corner position per HM2006-62

All monumentation is of record per HM77-78 and HM2006-62

Plat Approval

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of _____

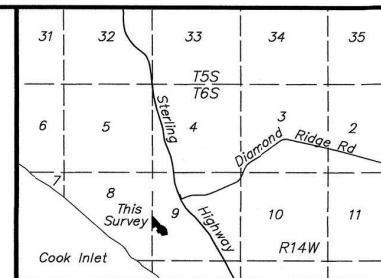
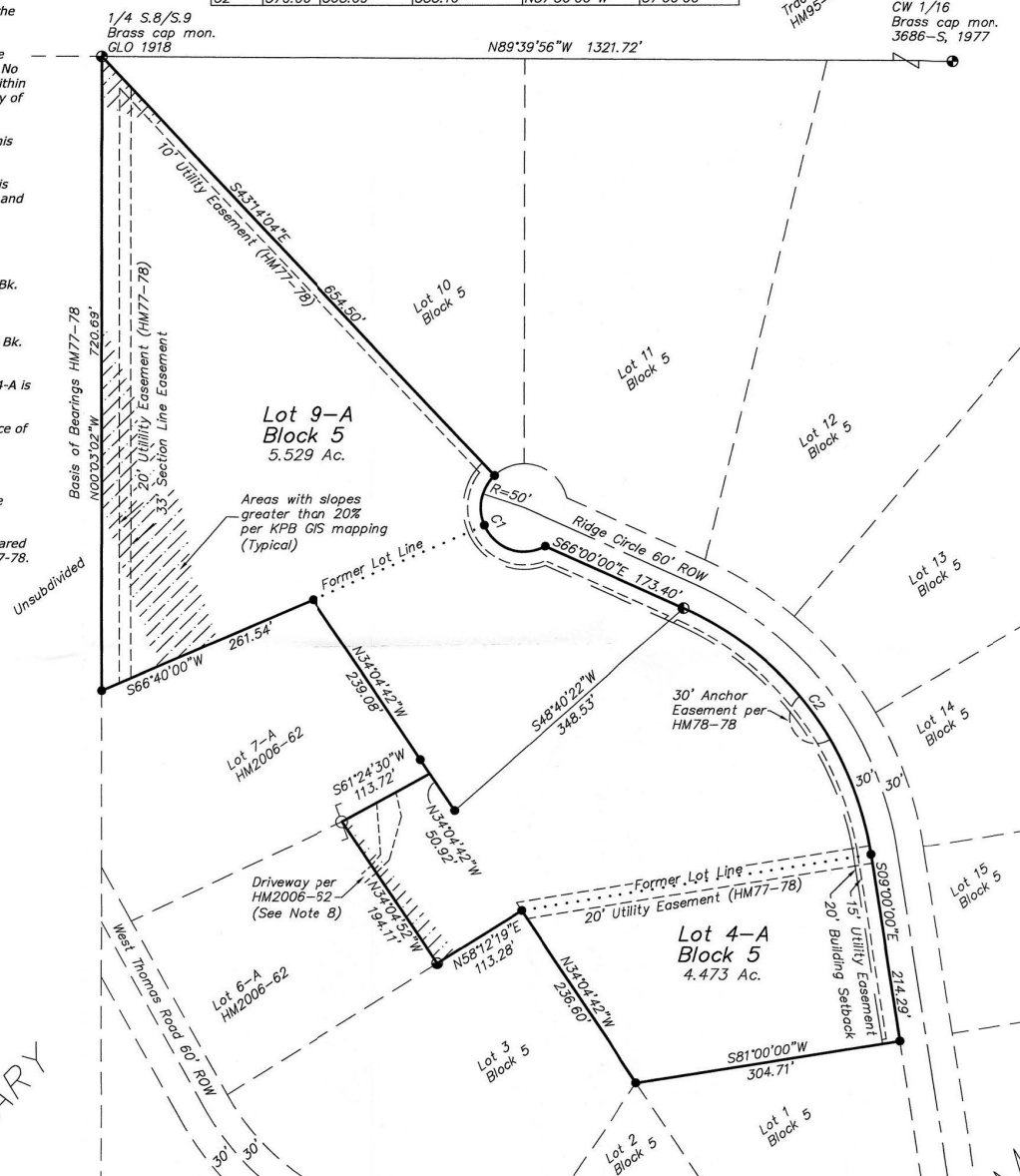
By: _____ Date: _____
Authorized Official
Kenai Peninsula Borough



WASTEWATER CERTIFICATE:

The parent subdivision for lots resulting from this platting action were approved by the Kenai Peninsula Borough on August 29, 1977 and September 25, 2006. Wastewater treatment and disposal systems must meet the regulatory requirements of the Department of Environmental Conservation.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	50.00'	144.77'	99.24'	S36°11'02"E	165°53'33"
C2	370.00'	368.09'	353.10'	N37°30'00"W	57°00'00"



VICINITY MAP 1" = 1 Mile

Ownership Certificate:

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 to public use and grant all easements to the use shown.

By Dana H. Stabenow, Trustee
Dana H. Stabenow Living Trust
PO Box 233
Homer, AK 99603

Notary's Acknowledgement:

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

Notary Public for Alaska
My commission expires: _____

By Erin Hollowell
For The Storyknife Writer's Retreat
PO Box 233
Homer, AK 99603

Notary's Acknowledgement:

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

Notary Public for Alaska
My commission expires: _____



Diamond Cape No. 6

A replat of Lots 4, 8, and 9, Block 5
Diamond Cape Unit 1, HM77-78 and
Lot 5-A Diamond Cape No. 5, HM2006-62
Within NW1/4 SW1/4 Section 9, T6S., R14W., SM,
Kenai Peninsula Borough,
Homer Recording District,
Third Judicial District, Alaska
Containing 10.002 Acres more or less.

Prepared for:
The Storyknife Writer's Retreat
PO Box 233
Homer, AK 99603
Dana H. Stabenow Living Trust
PO Box 233
Homer, AK 99603

Scale: 1"=100'

FB: NA Job# 947

Prepared by:
Orion Surveys
PO Box 15025
36570 Maria Road
Fritz Creek, AK 99603
(907) 399-7028
tom@orionsurveys.com

Date: 2/15/2022

KPB File No. 2022-

KPB 2022-094

AGENDA ITEM E. NEW BUSINESS

ITEM 4 - DIAMOND CAPE NO 6

KPB File No.	2022-094
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	Storyknife Writer's Retreat and Dana H. Stabenow Living Trust all of Homer, AK
Surveyor:	Tom Latimer / Orion Surveys
General Location:	Ridge Circle, Diamond Ridge / Kachemak Bay APC

Parent Parcel No.:	173-630-19, 173-630-20, 173-630-22, and 173-630-60
Legal Description:	Lot 4, 8, and 9 Block 5 Diamond Cape Unit 1 HM 77-78 and Lot 5-A Diamond Cape No 5 HM 2006-62
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will combine four lots into two lots by removing two common lot lines. The new lots will be 4.473 and 5.529 acres.

Location and Legal Access (existing and proposed): The proposed plat is near mile 168 of the Sterling Highway in the Diamond Ridge area. It is located along and at the end of Ridge Circle, a borough maintained right-of-way that ends with a cul-de-sac. Ridge Circle is accessed from the Sterling Highway by either Green Timbers Road or Walter Thomas Road, both are borough maintained rights-of-way.

Access for the new lots will not change from the existing access from Ridge Circle. A 33 foot section line easement is located on the western boundary of the subdivision and is depicted and labeled. **Staff recommends the leader for the Section Line Easement be revised or the label adjusted as it is difficult to see due to the slope depiction.**

There is a driveway easement noted in the plat notes. This is for a driveway that is located in the western portion of proposed Lot 4-A. It is depicted with a reference to the appropriate plat note.

Ridge Circle is a cul-de-sac that exceeds the 1,000 foot length requirement as set out in KPB Code. The cul-de-sac is approximately 1,500 feet in length. The right-of-way was dedicated by Diamond Cape Unit 2, Plat HM 77-78. **Staff recommends the plat committee concur that there is nothing this plat can do to bring the cul-de-sac length into compliance with current KPB Code.**

The block is not compliant and an exception has been requested.

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 within the proposed plat's area. Steep slopes are present and are shaded on the plat. Some of the steep slopes are present within the section line easement and may affect the ability to use the easement. **Staff recommends the steep slopes 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 The property within this proposed plat was originally subdivided by Diamond Cape Unit 1, HM 77-78. The subdivision created Lots 4, 5, 8, and 9 Block 5 and dedicated Ridge Circle. Diamond Cape No Five, HM 2006-62, replated Lot 5 with lots to the west and created Lot 5A. This plat will be combining Lot 5-A, HM 2006-62, and Lot 4, HM 77-78, into Lot 4-A that will be 4.473 acres. Lots 8 and 9, HM 77-78, will be combined into Lot 9-A that will be 5.529 acres.

The lots will be increasing in size and were previously approved by the Kenai Peninsula Borough. A soils report will not be required as outlined in KPB Code 20.40.

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

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

Utility Easements Diamond Cape Unit 1, HM 77-78, granted a 10 foot utility easement along the eastern lot line and a 20 foot utility easement along the western property line of Lot 9. Both of those easements are depicted within the new Lot 9-A and the plat is referenced. That plat also granted a 30 foot anchor easement along Ridge Circle within Lot 5 and a 20 foot utility easement centered on the shared lot line between Lots 4 and 5. Those easements were carried over onto Diamond Cape No. Five, HM 2006-62. They are being shown on the plat with reference to the granting plat. **Staff recommends** correct the recording number for the plat for the anchor easement label.

Diamond Cape No. Five, HM 2006-62, also granted 10 foot utility easements along the right-of-way. This plat is going to be granting 15 feet along the right-of-way that increase to 20 feet within 5 feet of the side lot lines. This will be increasing the existing portions from 10 to 15 and provide a utility easement in those portions along Ridge Circle that did not previously have an easement 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	No comments
ENSTAR	No comments or recommendations
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek Affected Addresses: 41595 RIDGE CIR 41625 RIDGE CIR</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: RIDGE CIR</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments: 41595 RIDGE CIR will remain with lot 5-A. 41625 RIDGE CIR will remain with lot 4-A.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat.</p>
Assessing	<p>Reviewer: Windsor, Heather Comments: No comment</p>
Advisory Planning Commission	<p>Comments not received when the staff report was prepared.</p>

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

STAFF RECOMMENDATIONS **CORRECTIONS / EDITS**

KPB 20.25.070 – Form and contents required

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

A. Within the Title Block

1. Name of the subdivision which shall not be the same as an existing city, town, tract, or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion. The parent plat's name shall be the primary name of the preliminary plat.
2. Legal description, location, date, and total area in acres of the proposed subdivision;
3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor.

Staff recommendation: *Verify the PO Box for Storyknife Writer's Retreat, KPB Assessing records differ from what is shown on the plat. Add "Block 5" to Lot 5-A information.*

- 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: *Correct Lot 2 Block 5 located to the south to Lot 2-A Block 5 and plat HM99-69 and West Thomas Road should be labeled as Walter Thomas Road. Label and depict the section line easements adjacent and providing a connection to Walter Thomas Road.*

KPB 20.30 – Subdivision Design Requirements

Staff recommendation: *final plat submittals must comply with 20.30. Additional information, revisions, and/or corrections are required as noted below.*

KPB 20.40 – Wastewater Disposal

Staff recommendation: *final plat submittals must comply with 20.40. Additional information, revisions, and/or corrections are required as noted below.*

20.40.010 Wastewater disposal.

Platting Staff Comments: The lots are increasing in size and a soils analysis 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.*

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

Plat note 10 may be removed as no new right-of-way dedications are proposed.

It appears that plat note 6 and 8 are for the same easement. Please remove one of the notes.

Plat note 7 should include a reference to Book 49 Page 319 as this was an additional HEA easement.

Add reference to Plat Note 11 to KPB Code 20.60.200(A), which allows no field survey for this plat.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: *Add to the signature lines to which former lots they are signing on behalf of. Verify the PO Box for the Storyknife Writer's Retreat. Include Erin Hollowell's title for the Storyknife Writer's Retreat. Comply with 20.60.190.*

20.60.200. Survey and monumentation.

Staff recommendation: *This plat is removing lot lines and a field survey will not be required. Comply with 20.60.200*

EXCEPTIONS REQUESTED:

KPB 20.30.170 – Blocks-Length requirements

Surveyor's Discussion: We request an exception to KPB 20.30.170 Block Length, as Ridge Circle is just over the code minimum at ~1,420'. All lots on the west side of Ridge Circle, where these lots are located, are well served by the existing ROW and West Thomas Road also provides access to lots west of here. The block appears well served and no additional ROW is needed.

Staff Discussion: A cul-de-sac, by KPB Code definitions, is to be permanently closed. Walter Thomas Road, that is located to the south, continues to the northwest and ends at a 40 acre parcel. If that property is ever subdivided it can provide a continuation of the right-of-way. To the west of that 40 acre property our lots with steep terrain that go down to the coast of Cook Inlet. There are some section line easements in the area to improve the block lengths but due to unusual road designs, cul-de-sacs, and roads that are not dedicated through at this time, the block lengths are not compliant.

Findings:

1. The proposed subdivision is located at the end of a cul-de-sac.
2. Cul-de-sacs are to be permanently closed.
3. A section line easement is present along the western boundary.
4. Steep terrain with slopes greater than 20 percent are located in the section line easement area.
5. Roads within the subdivision and leading to the subdivision are constructed and borough maintained.
6. There are some larger acreage lots in the area that will need to provide right-of-way continuations when subdivided.
7. There are areas of steep terrain that make connections to other rights-of-way difficult.

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

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

RECOMMENDATION:

SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:

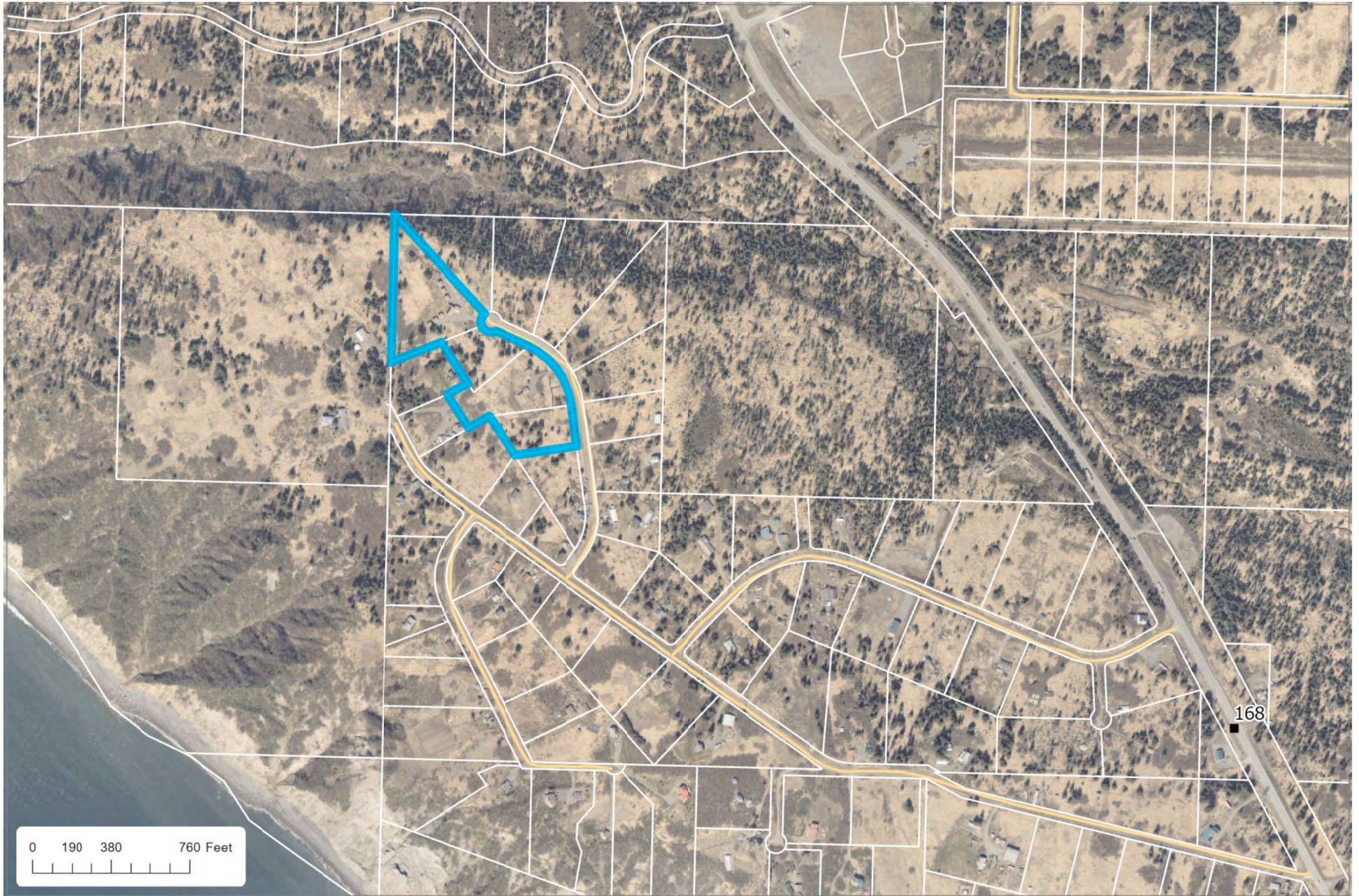
- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL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

NOTE: 20.25.120. - REVIEW AND APPEAL.

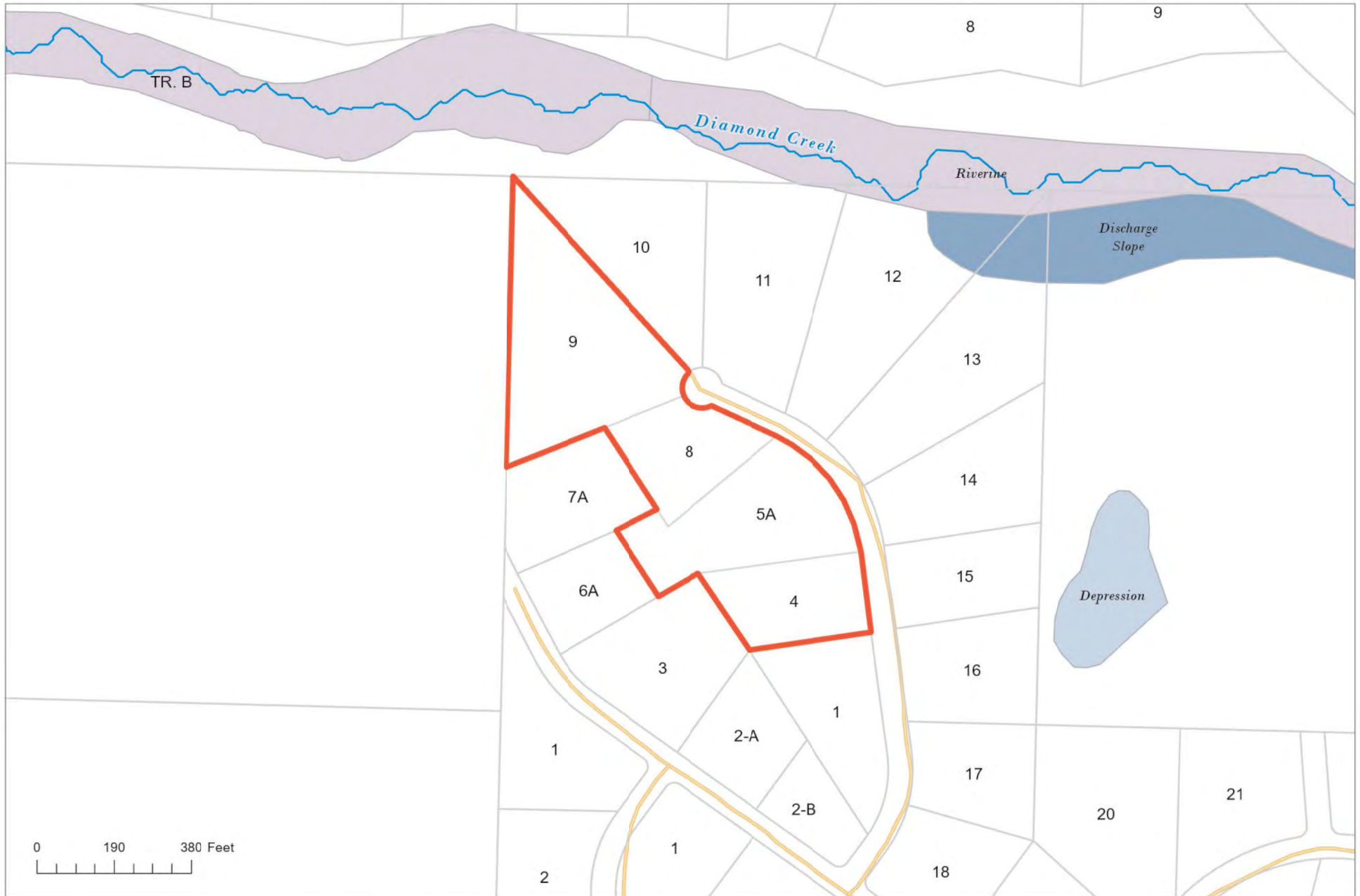
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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

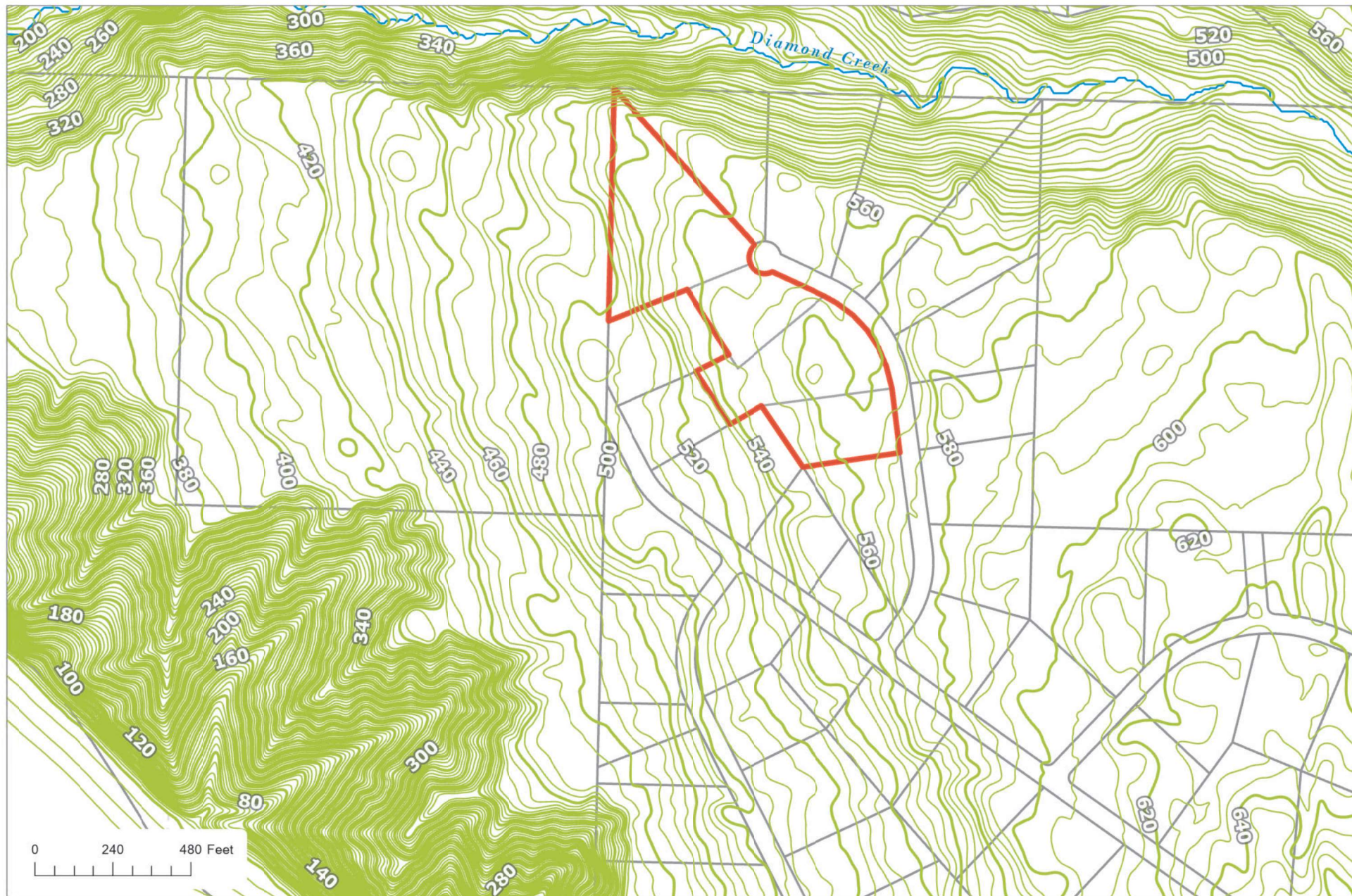
END OF STAFF REPORT



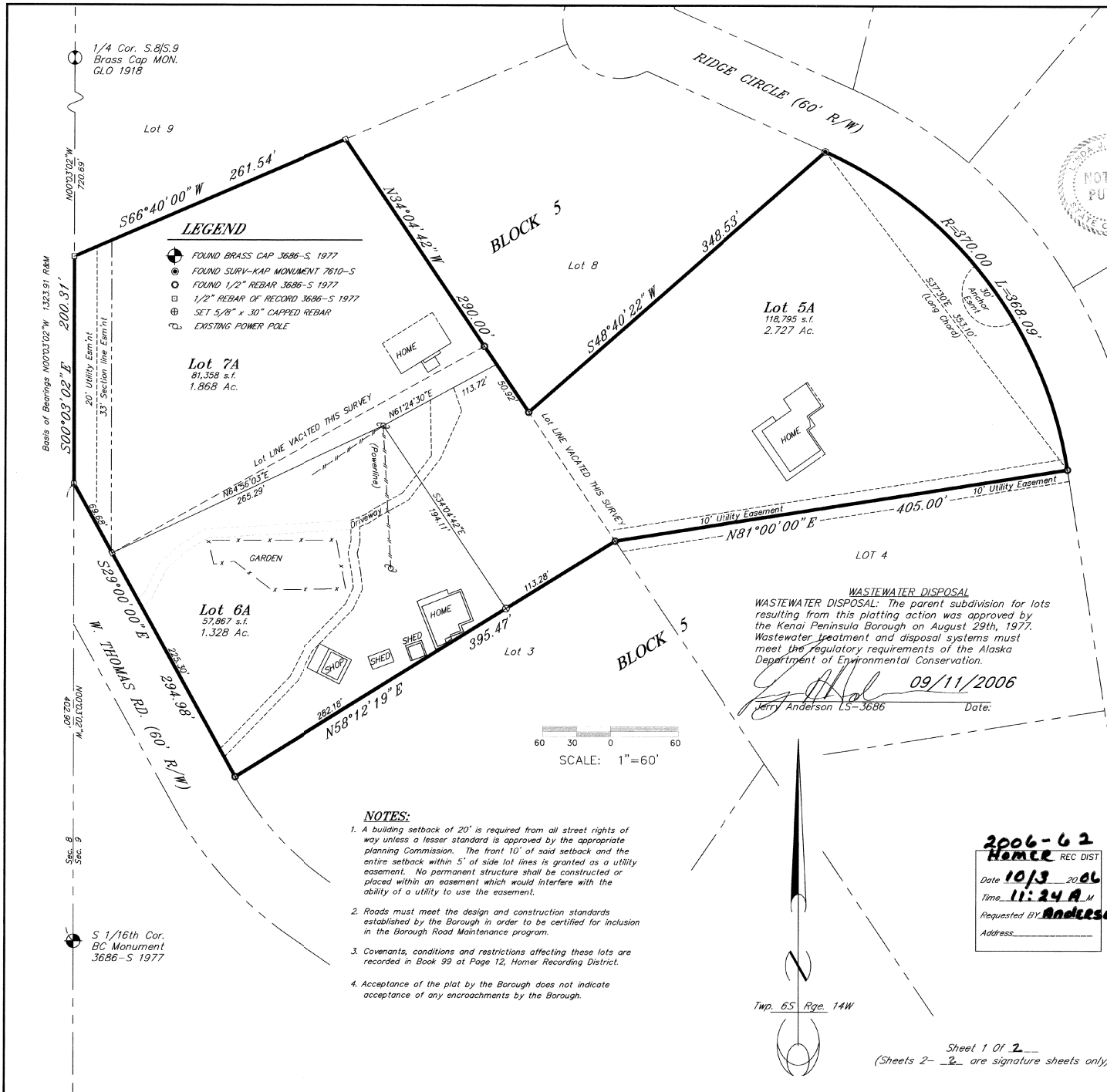
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



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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

I hereby certify that I am the owner of the real property shown and described hereon, and that I hereby adopt this plan of subdivision, and by my free consent dedicate all rights of way and public areas to public use, and grant all easements to the use shown. (Lots 5 & 6)

Dana Stabenow
P.O. Box 483
Homer Alaska 99603

NOTARY'S ACKNOWLEDGMENT

For Dana Stabenow
Subscribed and sworn to before me this 20th day of September 2006

[Signature]
Notary Public for Alaska
My Commission Expires:

SURVEYORS' CERTIFICATE

I hereby certify that this survey was performed by me or under my direct supervision. I declare that the information shown hereon is true and correct to the best of my knowledge and belief.

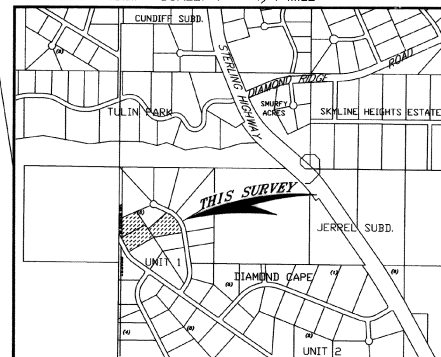
[Signature] 09/11/2006
Date

PLAT APPROVAL

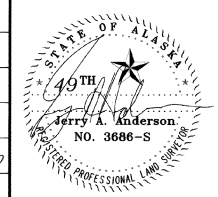
This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of September 25th 2006

KENAI PENINSULA BOROUGH
BY *[Signature]*
Authorized Official

VICINITY MAP SCALE: 1" = 1/4 MILE



DATE JULY 2006
SCALE 1" = 60'
GRID No. AR-68
FLD. BK. No. 310/79
KPB FILE No. 2006-180
JOB No. 2068/1



"DIAMOND CAPE No. FIVE"

A REPLAT OF LOTS 5, 6, & 7, BLOCK 5, ACCORDING TO PLAT HM77-78 WITHIN THE NW1/4 OF THE SW1/4 OF Sec. 9, Twp. 6S, Rge. 14W S.M. ALASKA CONTAINING 5.929 ACRES AND THREE LOTS

ANDERSON DEVELOPMENT CONSULTANTS

SURVEYORS-PLANNERS-DESIGNERS
JERRY ANDERSON PLS
1-800-961-6231
P.O. BOX 18
DORA MO 65637

Sheet 1 of 2
(Sheets 2- are signature sheets only)

ANDERSON DEVELOPMENT CONSULTANTS

JERRY A. ANDERSON PLS

P.O. BOX 18

DORA MO 65637

(417) 261-2734

DIAMOND CAPE No. FIVE

CERTIFICATE OF OWNERSHIP

I hereby certify that I am the owner of the real property shown and described hereon. 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 uses shown. (Lot 7)

Lucy C. McKinney

Lucy Carolyn McKinney

P.O. Box 1048

Homer, Alaska 99603

9-21-06

Date

THIS IS TO CERTIFY that on this 21st day of Sept., 2006, before me the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn as such, personally appeared Lucy Carolyn McKinney, known to be the individual described in and who executed the foregoing instrument, and she acknowledged to me that s/he signed and sealed the same freely and voluntarily for the purposes therein described.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first hereinabove written.

Carol R. Barrett

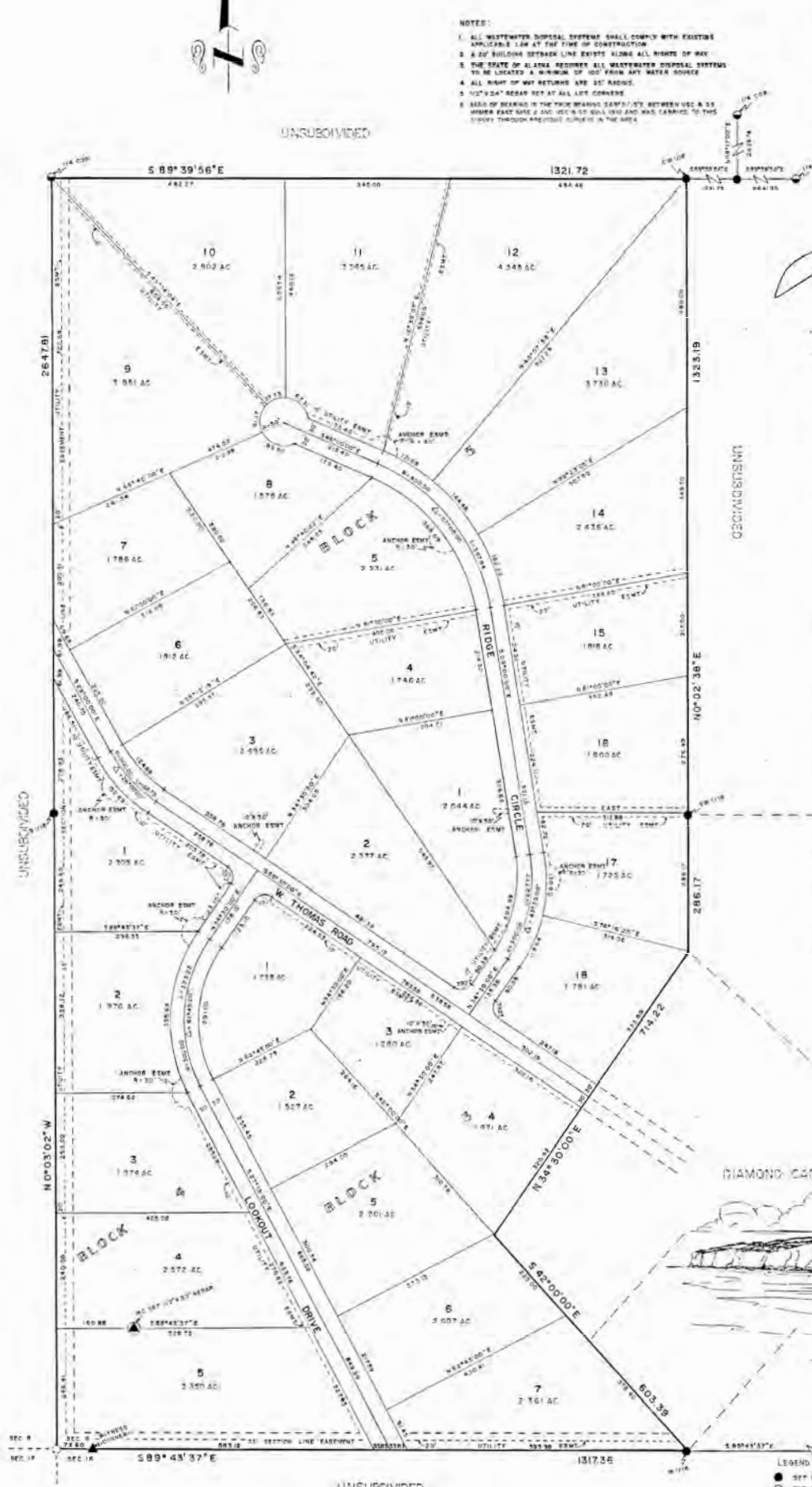
Notary Public for Alaska

My Commission Expires: May 27, 2009

Sheet 2 of 2



Anderson 2006-62



- NOTES:
1. ALL WATERWAY DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAW AT THE TIME OF CONSTRUCTION.
 2. A 20' BUILDING SETBACK LINE EXISTS ALONG ALL RIGHTS OF WAY.
 3. THE STATE OF ALASKA REQUIRES ALL WATERWAY DISPOSAL SYSTEMS TO BE LOCATED A MINIMUM OF 100' FROM ANY WATER SOURCE.
 4. ALL RIGHTS OF WAY RETURNS ARE 30' RADIUS.
 5. 102' WIDE REAR SET AT ALL LOT CORNERS.
 6. BESS OF BEARING IS THE TRUE BEARING 345° 15' 15" BETWEEN USC & 55 UNDER EAST DATE 2 500' 00' 00" SHALL BE USED AND WAS TRANSFERRED TO THIS SURVEY THROUGH ANGLE/CLUMP IN THE AREA.

CERTIFICATE OF OWNERSHIP

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

Joseph E. Frost
Joseph E. Frost
1294 NE 140
SEATTLE, WASHINGTON 98105

Chris Liska *Joseph E. Frost*
Chris Liska Joseph E. Frost
1294 NE 140 1294 NE 140
SEATTLE, WA 98105 SEATTLE, WA 98105

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 22 DAY OF JULY, 1977

Joseph E. Frost *Chris Liska*
Joseph E. Frost Chris Liska
NOTARY PUBLIC FOR WASHINGTON MY COMMISSION EXPIRES

SURVEYOR'S CERTIFICATE

I, THE UNDERSIGNED REGISTERED SURVEYOR, HEREBY CERTIFY THAT A LAND SURVEY HAS BEEN COMPLETED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT OWNERS AND WITNESSES HAVE BEEN LOCATED AND ESTABLISHED AND THAT DIMENSIONS SHOWN ARE TRUE AND CORRECT.

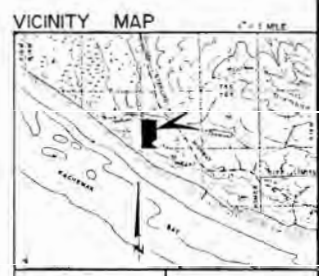
Joseph E. Frost *Chris Liska*
Joseph E. Frost Chris Liska
JERRY ANDERSON, 3486-5 DATE

PLAT APPROVAL

TWO PLAT HAVING BEEN APPROVED BY THE KENAI PENINSULA THROUGH PLANNING COMMISSION AS RECORDED IN THE OFFICIAL MINUTES OF THE MEETING OF JULY 22, 1977, I HEREBY ACKNOWLEDGE AND ACCEPT AS THE OFFICIAL PLAT SUBJECT TO ANY AND ALL CONDITIONS AND REQUIREMENTS OF ORDINANCES APPLICABLE THEREIN.

KENAI PENINSULA, ALASKA

Philip Waring



DATE:	JULY, 1977
SCALE:	1" = 100'
DESIGNED BY:	SW
CHECKED BY:	J.A.
DRAWN BY:	J.H.
FLD. BK. NO.:	32828
DIAMOND CAPE UNIT 1	
BEING THAT NEW 1/2 SECTION 24 AND A PORTION OF SECTION 25 IN T10N 37E, R14E, S14W	
CONTAINS 75 3/4 ACRES	
ABILITY SURVEYS	
JERRY ANDERSON, RLS	BOX 1265 JOMON, AK

177-78
Waring
11-16-1977
4-23-78
NFB
JAL

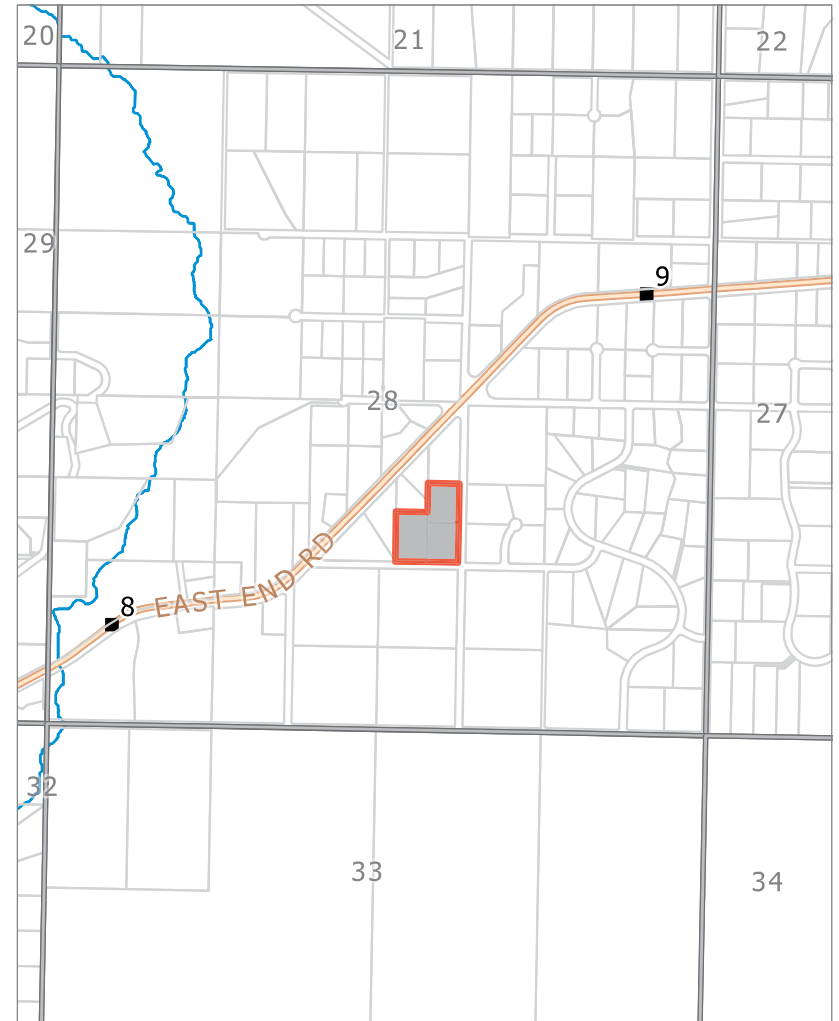
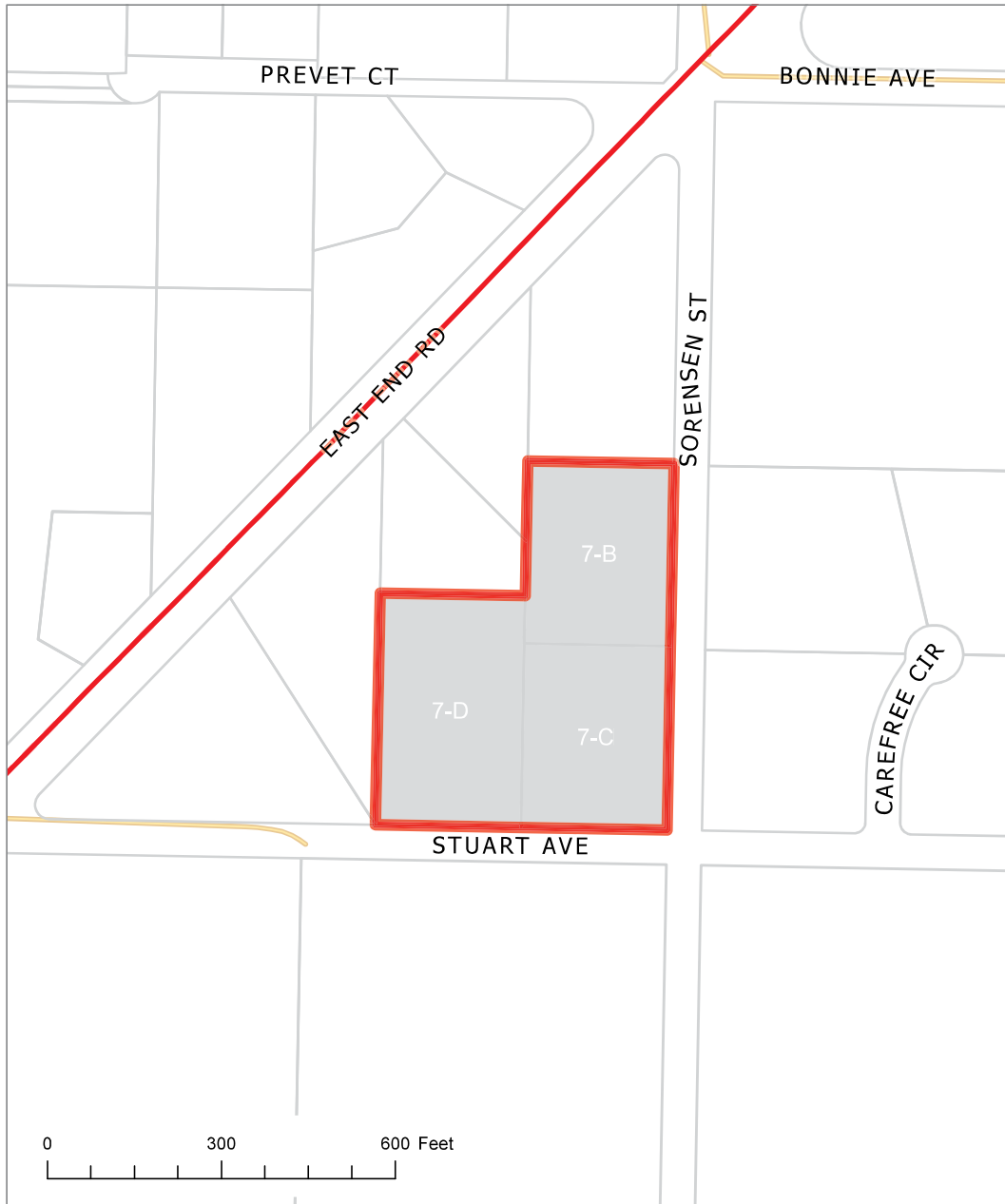


DIAMOND CAPE UNIT 2

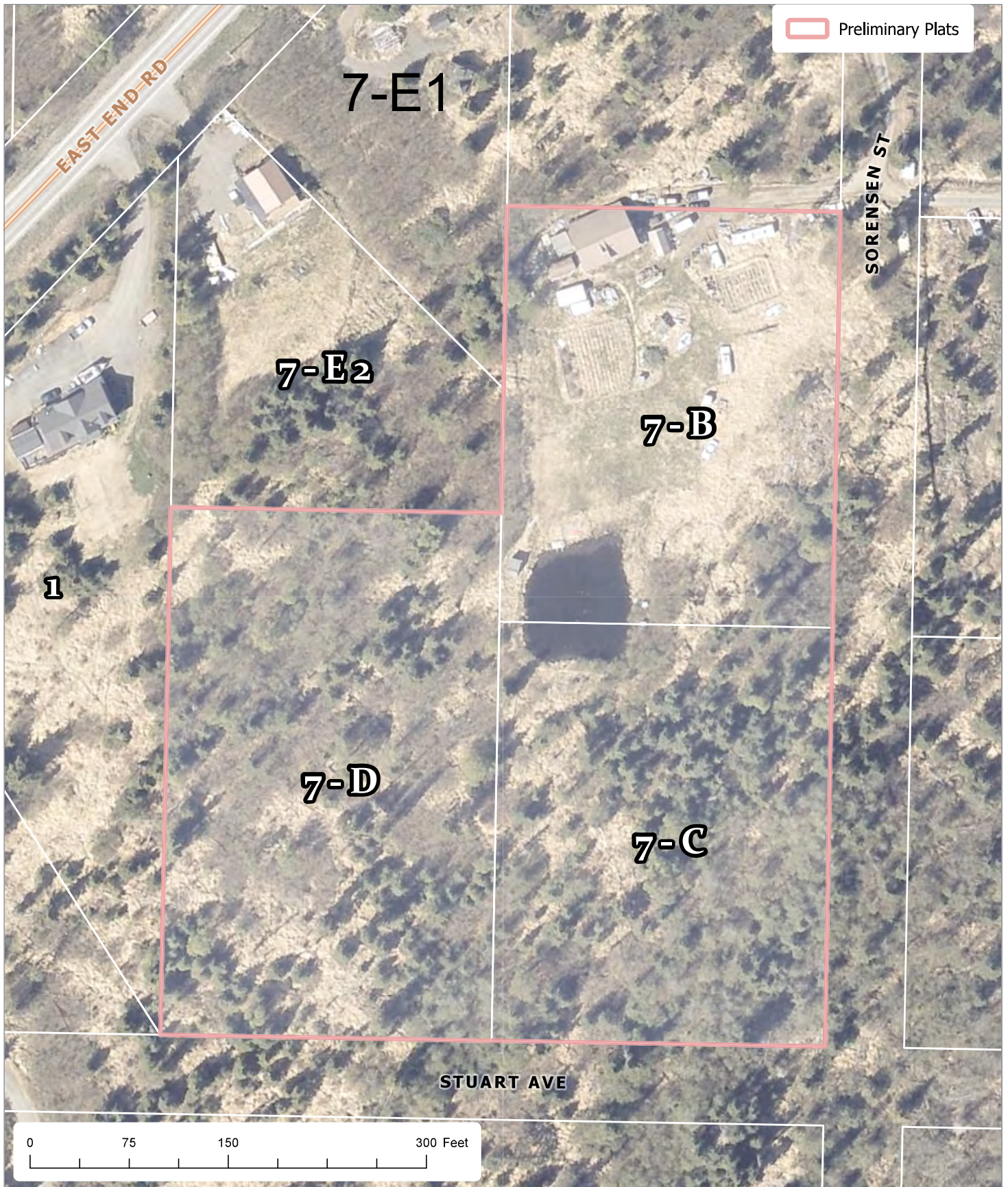
- LEGEND
- 50' R.C. W.M.
 - 50' R.C. W.M. 1818
 - ▲ 200' R.C. W.M. W.C.

E. NEW BUSINESS

- 5. Fritz Creek Drive Subdivision 2022 Addition**
KPB File 2022-093
Orion Surveys / Sorensen
Fitz Creek Area / Kachemak Bay APC



KPB File # 2022-093
S28 T05S R12W
Fritz Creek



NOTES:

1. A building setback of 20' is required from all street rights-of-way unless a lesser standard is approved by the appropriate Planning Commission.

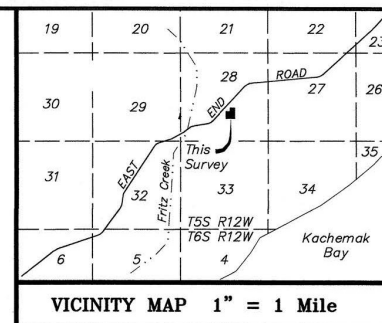
2. The front 10' and the entire setback within 5 feet of side lot lines is a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.

3. Acceptance of this plat does not indicate acceptance of any encroachments by the borough.

4. Roads must meet the design and construction standards established by the Borough in order to be certified for inclusion in the Borough Road Maintenance program.

5. There is a general easement to Homer Electric Assn. recorded at Book 30/51, Homer Recording District.

6. No field survey was performed. This plat was prepared from record information on plats HM80-101 and HM2007-50.

**Ownership Certificate:**

I 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 to public use and grant all easements to the use shown.

Albert E. Sorensen III
38627 Sorensen St.
Homer, AK 99603

Notary's Acknowledgement:

For
Acknowledged before me this ____ day of _____,
2020.

Notary Public for Alaska
My commission expires: _____

Plat Approval:

This plat was approved by the Kenai Peninsula Borough in accordance with KPB 20.10.080.

By: _____ Date _____
Authorized Official
Kenai Peninsula Borough

**FRITZ CREEK DRIVE SUBD. 2022 Addition**

A replat of Lots 7-B, 7-C, and 7-D
Fritz Creek Drive Subdivision No. 2, HM80-101 into a single lot,
within NW1/4 SE1/4 Section 28, T5S., R12W, SM
Kenai Peninsula Borough, Homer Recording District,
Third Judicial District, Alaska
Containing 5.986 Acres more or less

Prepared for:
Albert E. Sorensen III
38627 Sorensen St.
Homer, AK 99603

Prepared by:
Orion Surveys
PO Box 15025,
36570 Maria Road,
Fritz Creek, AK 99603
(907) 399-7028
tom@orionsurveys.com

Scale: 1"=80'

Date: 6/21/2022

FB: 24

Job# 932

KPB File No. 2022-

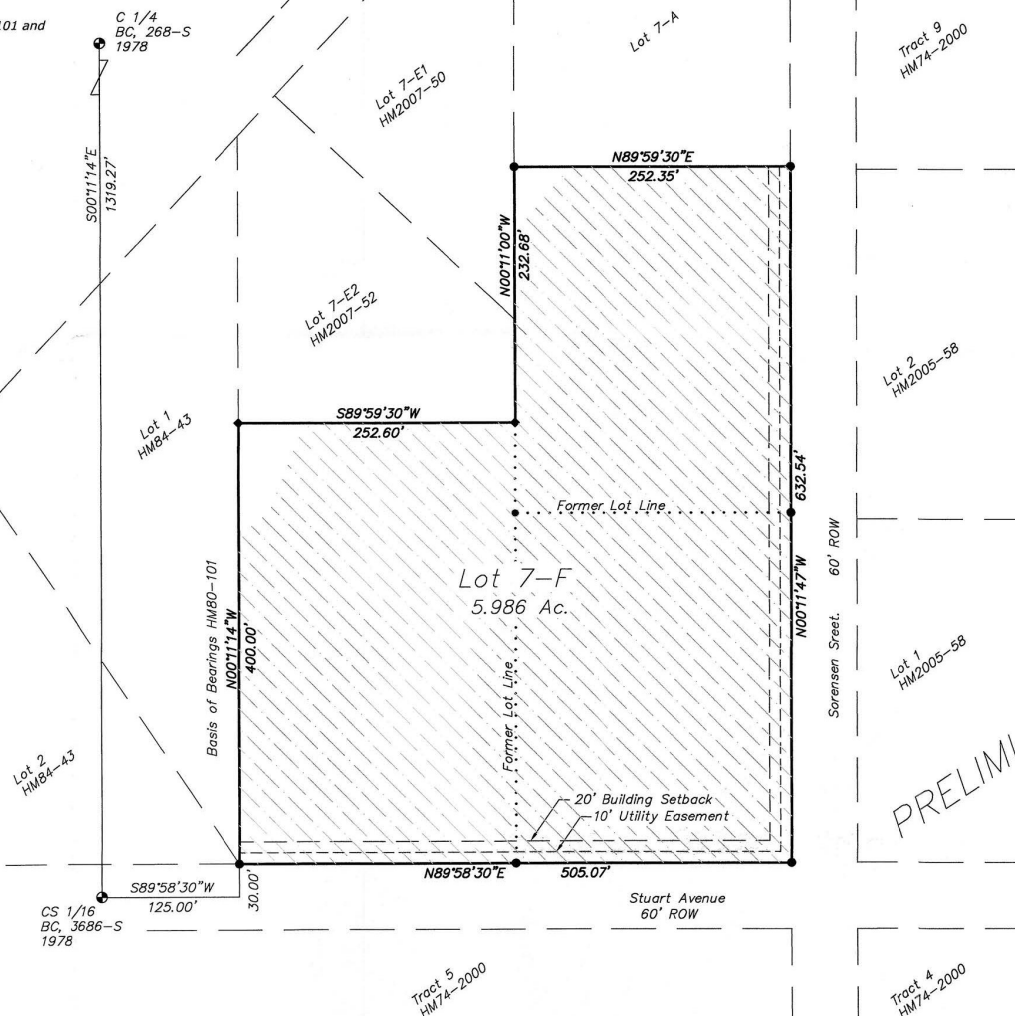
Wastewater Certificate:

This lot is at least 200,000 square feet or a nominal 5 acres in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Conservation.

LEGEND

- Primary monument as described
- 1/2" rebar
- ◆ 1/2" Rebar with Plastic cap per HM84
- ▨ Wetlands discharge slope per Kenai Watershed Forum Wetlands Assessment

All monumentation is of record per HM80-101 and 84-43



AGENDA ITEM E. NEW BUSINESS

ITEM 5 - FRITZ CREEK DRIVE SUBDIVISION 2022 ADDITION

KPB File No.	2022-093
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	NAME AND ADDRESS
Surveyor:	Tom Latimer / Orion Surveys
General Location:	Sorensen Street, Stuart Avenue, Fritz Creek / Kachemak Bay APC

Parent Parcel No.:	172-390-02, 172-390-03, and 172-390-04
Legal Description:	Lots 7-B, 7-C, and 7-D Fritz Creek Drive Sub No 2, HM 80-101
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will combine three lots into one lot that will be 5.986 acres.

Location and Legal Access (existing and proposed): The proposed plat is located near mile 8.5 of state maintained East End Road. It will be located on the corner of Stuart Avenue and Sorensen Street. Both are dedicated 60 foot wide rights-of-way. The western portion of Stuart Avenue is constructed and maintained by the borough but is not constructed to the proposed subdivision. Sorensen Street is constructed but not maintained. It is used by a couple of lots for access including the lot within this replat.

East End Road, Stuart Avenue, and Sorensen Street define the closed block. The length along Stuart Avenue and Sorensen Street are compliant. The length along East End Road is slightly longer due to the design of the block. ***Staff recommends the plat committee concur an exception to block length is not required as this plat cannot provide a dedication to improve the block length along East End Road.***

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

Site Investigation: The terrain contains some gentle slopes with no steep terrain present. The wetlands are depicted on the plat. The majority of the subdivision is subject to discharge slopes. A wetland designation note is required.

There are improvements present on parent Lot 7-B. The KPB GIS information indicates the possibility of encroachments. While a field survey is not required the surveyor did go out to verify the location of the structure and determined that there are no permanent structures encroaching on the lines. A small portion of the driveway does appear to cross the property line near the connection to Sorensen Street. An encroachment note is present.

KPB River Center review	A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: No comments
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	B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments C. State Parks Reviewer: Russell, Pam Comments: No Comments
State of Alaska Fish and Game	No objections

Staff Analysis The proposed plat is a replat of land originally subdivided by Fritz Creek Drive Subdivision, HM 74-2000. The tract was subdivided further into the current configuration by Fritz Creek Drive Subdivision No. 2, HM 80-101.

A soils report was not performed for the parent plats associated with this land. Soils reports were prepared for the subdivision to the east of Sorensen Street and for the lots located to the northwest of the proposed subdivision. Both soils reports determined that the soils were not sufficient for a conditional system. They were both approved with the plat note that alternative wastewater systems would be required. This platting action is to remove lot lines that are adding more than 1,000 square feet to the lot and the lot will now be over 200,000 square feet. A soils analysis report will not be required and the correct plat note, with noted corrections, is present.

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

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

Utility Easements Fritz Creek Drive Subdivision, HM 74-2000, granted 5 foot clearing easements adjacent to the dedications of Sorensen Street and Stuart Avenue. Those easements were carried over and noted as 5 foot utility easements on the replat of Fritz Creek Drive Subdivision No. 2, HM 80-101. Plat HM 80-101 also granted a 10 foot utility easement along the western property line of Lot 7-D. **Staff recommends the 10 foot utility easement be depicted and a note added that it was granted by HM 80-101.**

This plat notes that there are 10 foot utility easement adjacent to the rights-of-way that increase to 20 feet within 5 feet of the side lot lines. As there were previously granted 5 foot utility easements, staff is requesting plat note 2 be reworded to indicate the previously granted easements and the additional widths being granted by this plat. **Staff recommends the depiction of the utility easement will need to be updated to include the 20 foot within 5 feet of the side lot line.**

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

Utility provider review:

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

KPB department / agency review:

Addressing	Reviewer: Haws, Derek
------------	-----------------------

	<p>Affected Addresses: 38627 SORENSEN ST</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: SORENSEN ST STUART AVE EAST END RD</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments: 38627 SORENSEN ST will remain on lot 7-F.</p>
Code Compliance	<p>Reviewer: Ogren, Eric</p> <p>Comments: Possible encroachments on neighboring property</p>
Planner	<p>Reviewer: Raidmae, Ryan</p> <p>There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat.</p>
Assessing	<p>Reviewer: Windsor, Heather</p> <p>Comments: No comment</p>
Advisory Planning Commission	<p>Comments not received when the staff report was prepared.</p>

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

STAFF RECOMMENDATIONS **CORRECTIONS / EDITS**

KPB 20.25.070 – Form and contents required

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

- 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: Correct the spelling of “Street” in the Sorensen Street label.

- G. The status of adjacent lands within 100 feet of the proposed subdivision boundary or the land status across from any dedicated rights-of-way that adjoin the propose subdivision boundary, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;
Staff recommendation: The East End Road depiction is outside the 100 foot requirement but if shown include a width label for that portion or a width varies label. Update the recording number for Lot 7-E2.

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 not be required as the lot is increasing in size and will be over 200,000 square feet.

Staff recommendation: comply with 20.40.

KPB 20.60 – Final Plat

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

20.60.070. Plat specifications. The final subdivision plat shall be clearly and legibly drawn to a scale of 1 inch equal to 10, 20, 30, 40, 50, 60, 150 feet or a multiple of 100 feet. The drawing shall be plotted on good quality polyester film at least 3 mm in thickness. All lines, letters, figures, certifications, acknowledgements and signatures shall be clear, legible, and in black ink. The minimum text size should be 10 point (0.1") font or the equivalent. Where necessary, 8 point (0.08") capitalized font or the equivalent can be used to label features. The plat shall be so made, and shall be in such condition when filed, that legible prints and negatives can be made therefrom. Colors, grayscale or shading is not acceptable as it does not show when the drawing is reproduced. Sheets shall be one of these sizes: 11" x 17"; 18" x 24"; and 24" or 30" x 36". When more than one sheet is required, an index map shall be provided on the first sheet showing the entire subdivision and indicating the portion contained on each sheet. Each sheet shall show the total number (e.g. sheet 1 of 3). When more than one sheet is submitted, all sheets shall be the same size. Indelible ink or sealant shall be used to insure permanency.

Staff recommendation: The preliminary was submitted in a scale of 1 inch is equal to 80 feet. A scale as outlined in code must be used. Comply with 20.60.070.

20.60.180. Plat notes.

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

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

Staff recommendation: Make the following changes or corrections to plat notes.

- Plat note 4 is not required as no dedications are occurring.
- Plat note 5 has a return that splits the note.
- Plat note 5 should include "Page" in the Book and Page description and include "No definite location disclosed" at the end of the note.
- Plat note 6, include a reference to KPB Code that allows no field survey to be performed, KPB 20.60.200(A).
- The wastewater note should remove "or a nominal 5 acres".
- Revise plat note 2. "A 5 foot clearing easement was granted by HM 74-2000 adjacent to Sorensen Street and Stuart Avenue. The 5 foot easement was carried over as a utility easement on HM 80-

101. This plat will be granting additional utility easements to be 10 feet adjacent to the dedicated rights-of-way that increases to 20 feet within 5 feet of the side lot lines.”

- Add the following plat note “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.”

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: The plat approval note needs to be updated to what is shown in KPB Code 20.60.190(C). Comply with 20.60.190.

20.60.200. Survey and monumentation.

Staff recommendation: Per KPB 20.60.200(A), a field survey is not required and is noted as such within plat note 6. The plat notes that all monumentation and information is from HM 80-101 and HM 2007-50. Staff requests that the information be noted from which plat the information is coming from. This can usually be accomplished by noting in the legend that information in parenthesis or brackets indicate which record source. Some surveyors prefer to assign a (R1) and (R2) that is noted which record each are from and then all information contains the notation of R1 or R2. Comply with 20.60.200

RECOMMENDATION:

STAFF RECOMMENDS:

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

NOTE: 20.25.120. - REVIEW AND APPEAL.

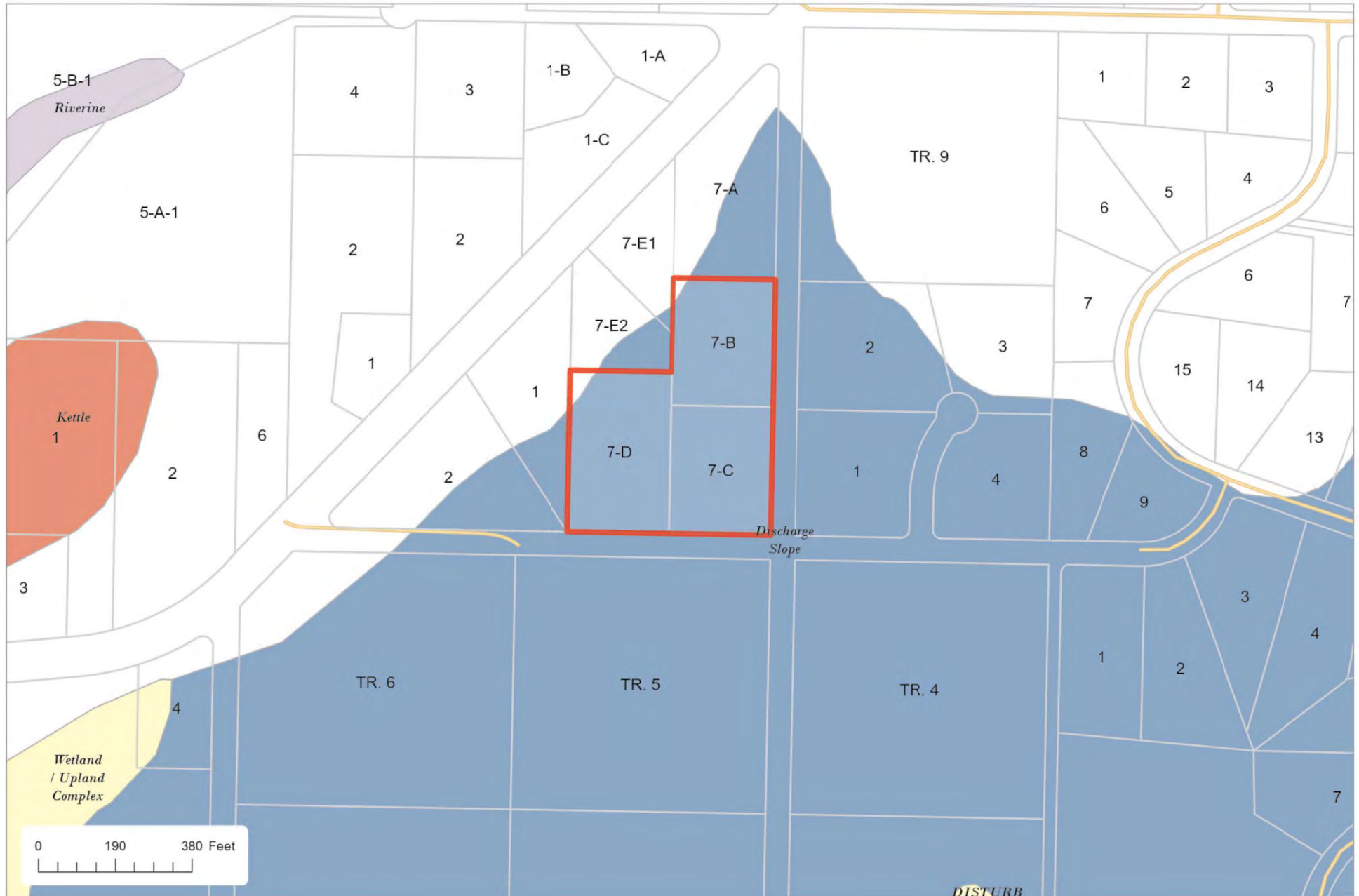
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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

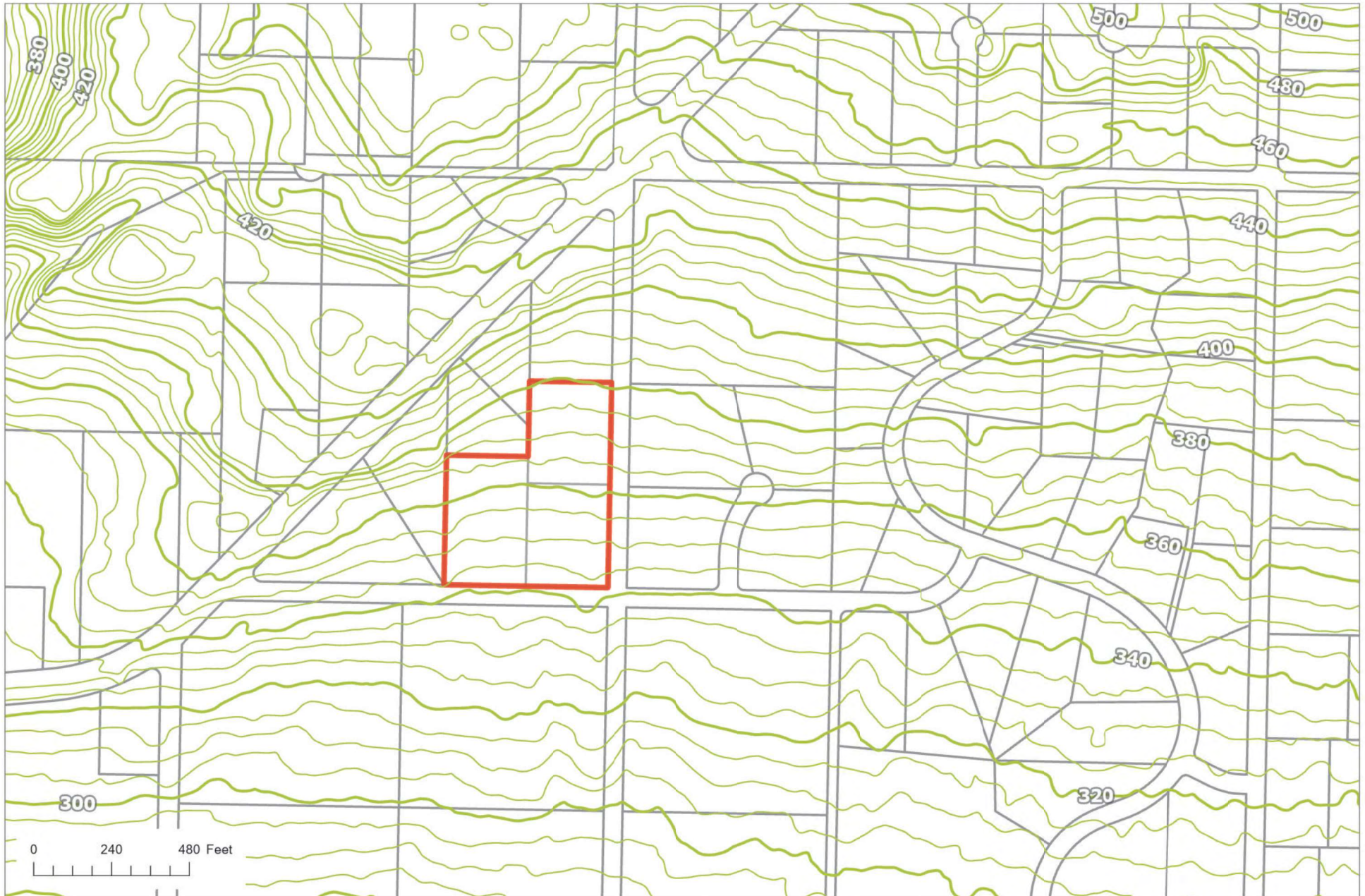
END OF STAFF REPORT



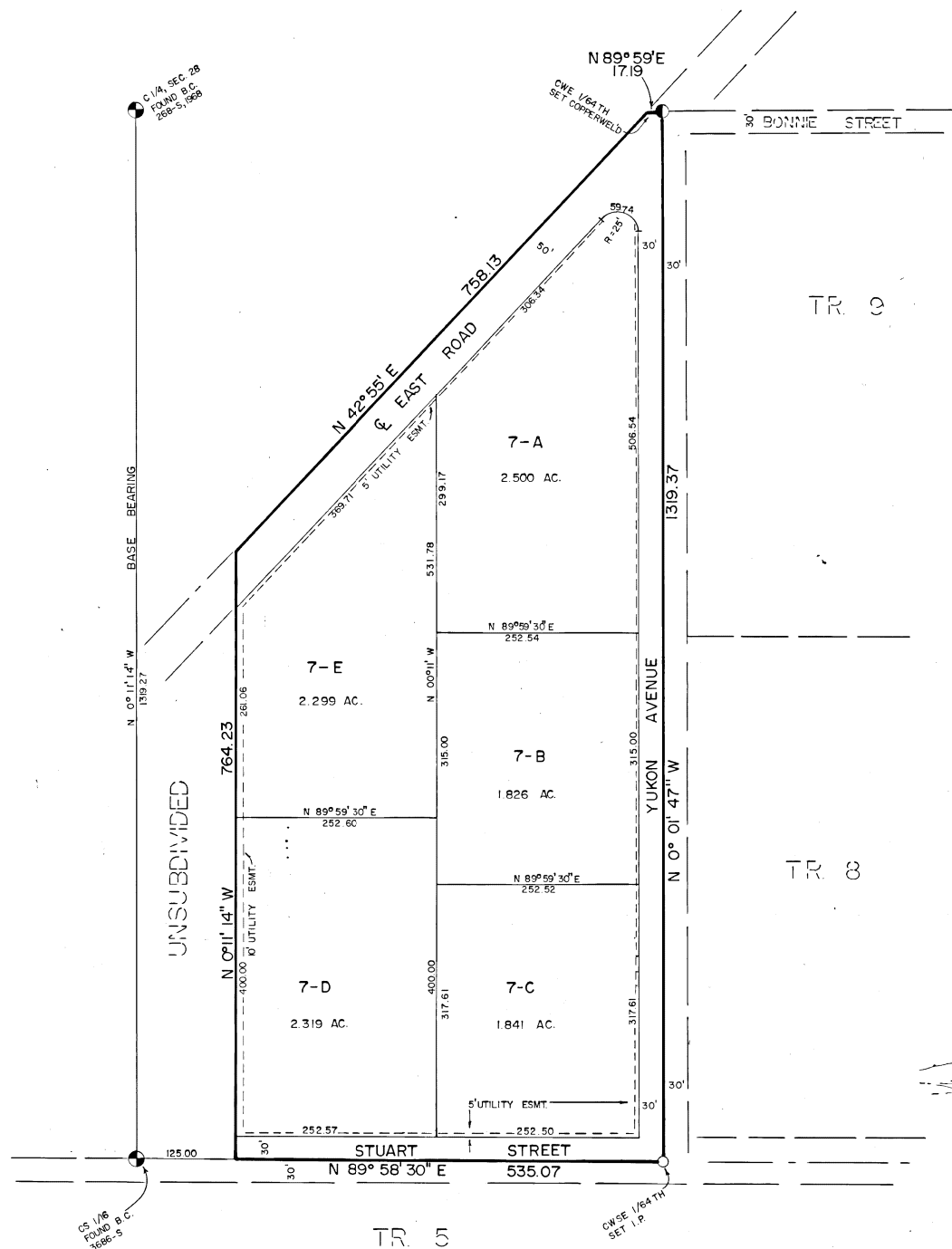
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



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



The 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.



80-101

RECORDED FILED 10
Homer REC. DIST.

DATE 11-25-1980
TIME 8:30 A.M.

Submitted by R.P.
Address Seldovia

NOTE:

A SETBACK OF 20' IS REQUIRED FROM ALL STREET RIGHTS OF WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.

1/2" X 24 REBAR SET AT ALL LOT CORNERS EXCEPT AS SHOWN.

LOT 7-A SHALL SHARE A COMMON ACCESS TO EAST ROAD WITH LOT 7-E OR SHALL BE RESTRICTED TO ACCESS FROM YUKON AVENUE.



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

Gene E. Sneed
GENE E. SNEED SRA BOX 489-W ANCHORAGE, AK

Sarah Ann Sneed
SARAH ANN SNEED

NOTARY'S ACKNOWLEDGEMENT
SUBSCRIBED AND SWORN TO BEFORE ME THIS 10 DAY OF OCTOBER 1980

Jeresa Chelson
NOTARY PUBLIC FOR ALASKA
SURVEYOR'S CERTIFICATE
MY COMMISSION EXPIRES 12-6-82

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

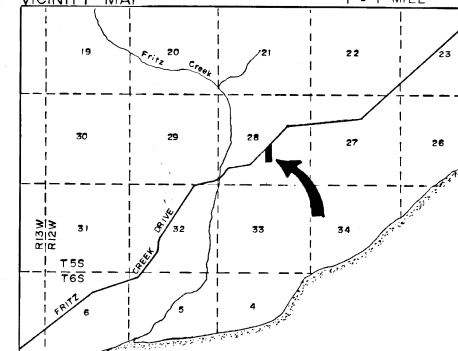
Jerry Anderson
JERRY ANDERSON, 3686-S
DATE 10/21/80

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF SEPTEMBER 29, 1980

Philips Waring
AUTHORIZED OFFICIAL

VICINITY MAP



DATE: SEPT, 1980

SCALE: 1" = 100'

DRAWN BY: S.W.

FLD. BK. NO.: 92, 91

JOB NO.: 1233



FRITZ CREEK DRIVE SUBD. NO. 2

BEING A RESUBDIVISION OF TR 7, FRITZ CREEK DRIVE SUBDIVISION, PLAT NO. 74-2000, WITHIN THE NW 1/4 SE 1/4, SEC. 28, T 5S, R 12W, S.M.

CONTAINING 12.908 ACRES

ABILITY — SURVEYS

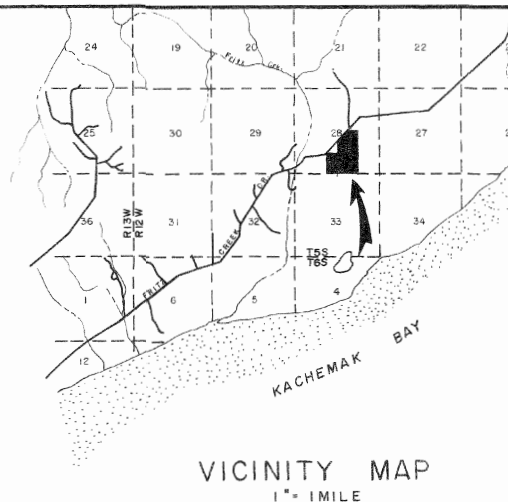
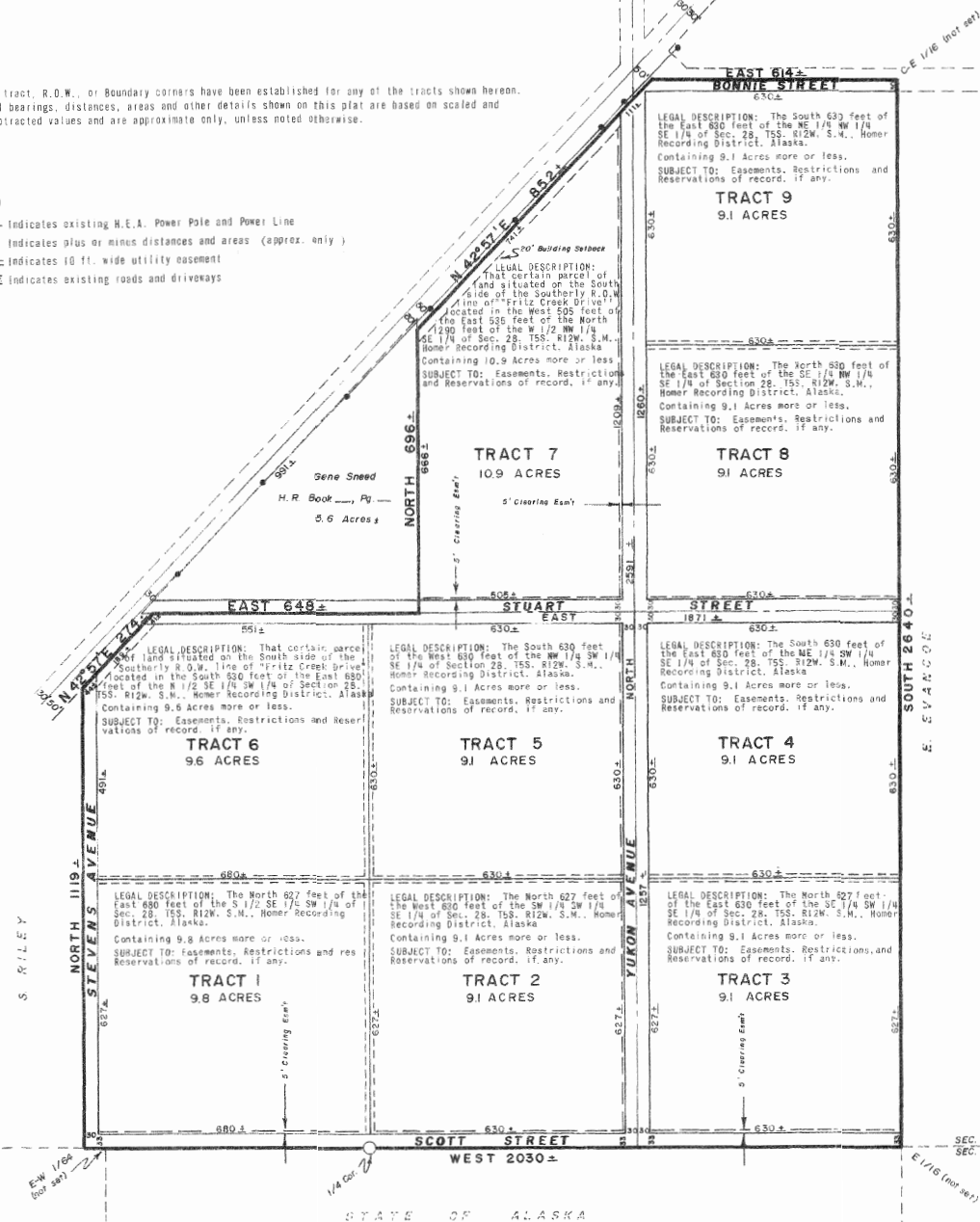
JERRY ANDERSON, RLS BOX 1263 HOMER, ALASKA

NOTES

1. No tract, R.O.W., or Boundary corners have been established for any of the tracts shown herein.
2. All bearings, distances, areas and other details shown on this plat are based on scaled and protracted values and are approximate only, unless noted otherwise.

LEGEND

- Indicates existing H.T.A. Power Pole and Power Line
- ± Indicates plus or minus distances and areas (approx. only)
- Indicates 10 ft. wide utility easement
- Indicates existing roads and driveways



CERTIFICATE OF OWNERSHIP

We hereby certify that we are the owners of the property shown and described herein and that we hereby adopt this plan of subdivision with our free consent and dedicate all streets, easements and other open space to public use.

DATE 8-26-74

OWNER
Gene E. Sneed
Frank Ann Sneed
OWNER

NOTARY'S ACKNOWLEDGEMENT

Certificate of ownership subscribed and sworn to before me this 26th day of August, 1974.
NOTARY IN AND FOR THE STATE OF ALASKA
James H. Chisholm
MY COMMISSION EXPIRES 01-05-75



SURVEYOR'S CERTIFICATE

I hereby certify that I am a Registered Land Surveyor and that this plat was prepared by me and is based on a subdivision by protraction of a portion of the S 1/2 of Section 28, T5S, R12W, S.M., as shown herein. No corners have been established for any of the tracts within this subdivision.

DATE 8/21/74
James H. Chisholm
NEW BRANCH, R.L.S. 1301-S

KENAI PENINSULA BOROUGH

I hereby certify that this subdivision plat has been found to comply with the regulations of the Kenai Peninsula Borough and that said plat has been approved by the Kenai Peninsula Borough Planning Commission.

DATE August 19, 1974
Stanley F. Thompson
BOROUGH MAYOR

74-2000
RECEIVED FILED 32
HOMER REC. DIST.
DATE 10-9-74
TIME 11:55 A.M.
Requested by KPB
Address Salsatna
599320

FRITZ CREEK DRIVE SUBDIVISION

AN ALIQUOT PARTS SUBDIVISION OF A PORTION OF THE S 1/2 OF SECTION 28, T5S, R12W, S.M., HOMER RECORDING DISTRICT, ALASKA

CONTAINING 93.1 ACRES ±

PREPARED FOR
Gene Sneed
3888 East 40th St.
Anchorage, Alaska

PREPARED BY
Ken Branch, R.L.S.
P.O. Box 1255
Homer, Alaska

DRAWN BY
Susan Latta

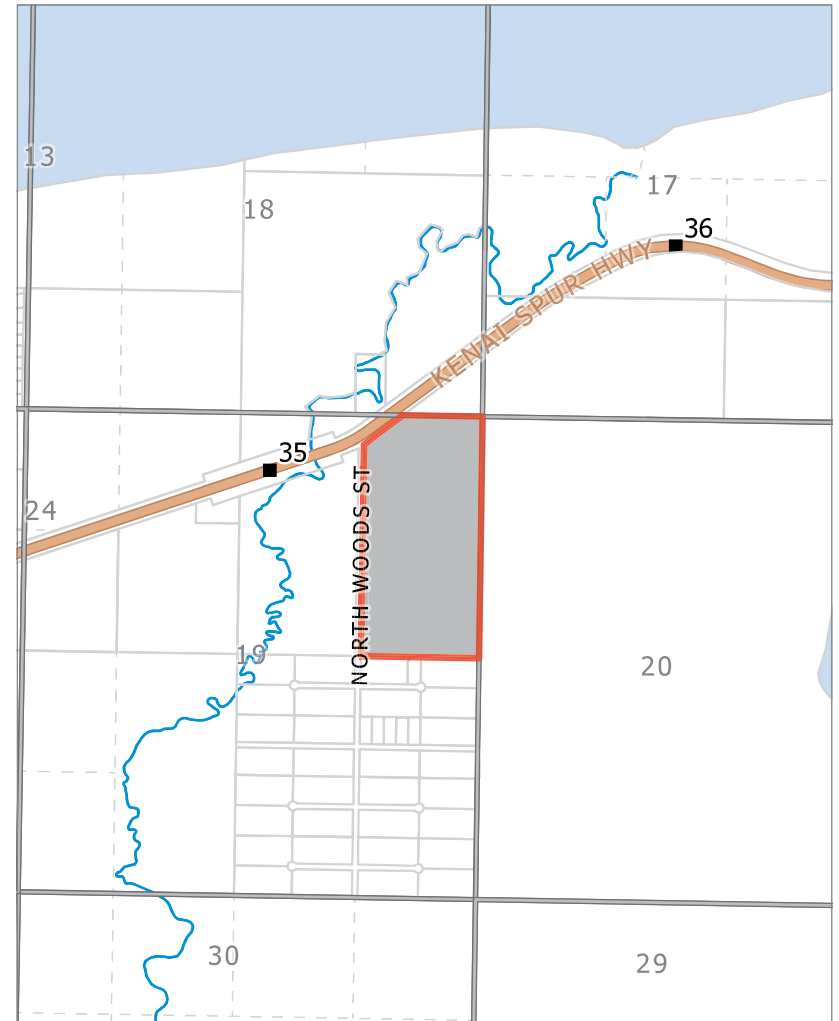
DATE August 7, 1974 SCALE 1" = 200'

E. NEW BUSINESS

- 6. Bear Lahai Roi Subdivision 2022 Addition**
KPB File 2022-089
Segesser Surveys / Smardo
Nikiski Area



6/23/2022



KPB File # 2022-089
S19 T08N R10W
Nikiski



LEGEND:

- 1" CONCRETE FILLED PIPE
- 5/8" REBAR FOUND
- 5/8" REBAR w/PLASTIC CAP LS8859 SET
- RECORD DATUM PLAT 2011-5 KRD

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
CI	42°57'	1532.50	119.42	59.75	119.42	N54°41'28"E

NOTES:

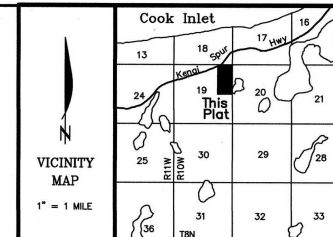
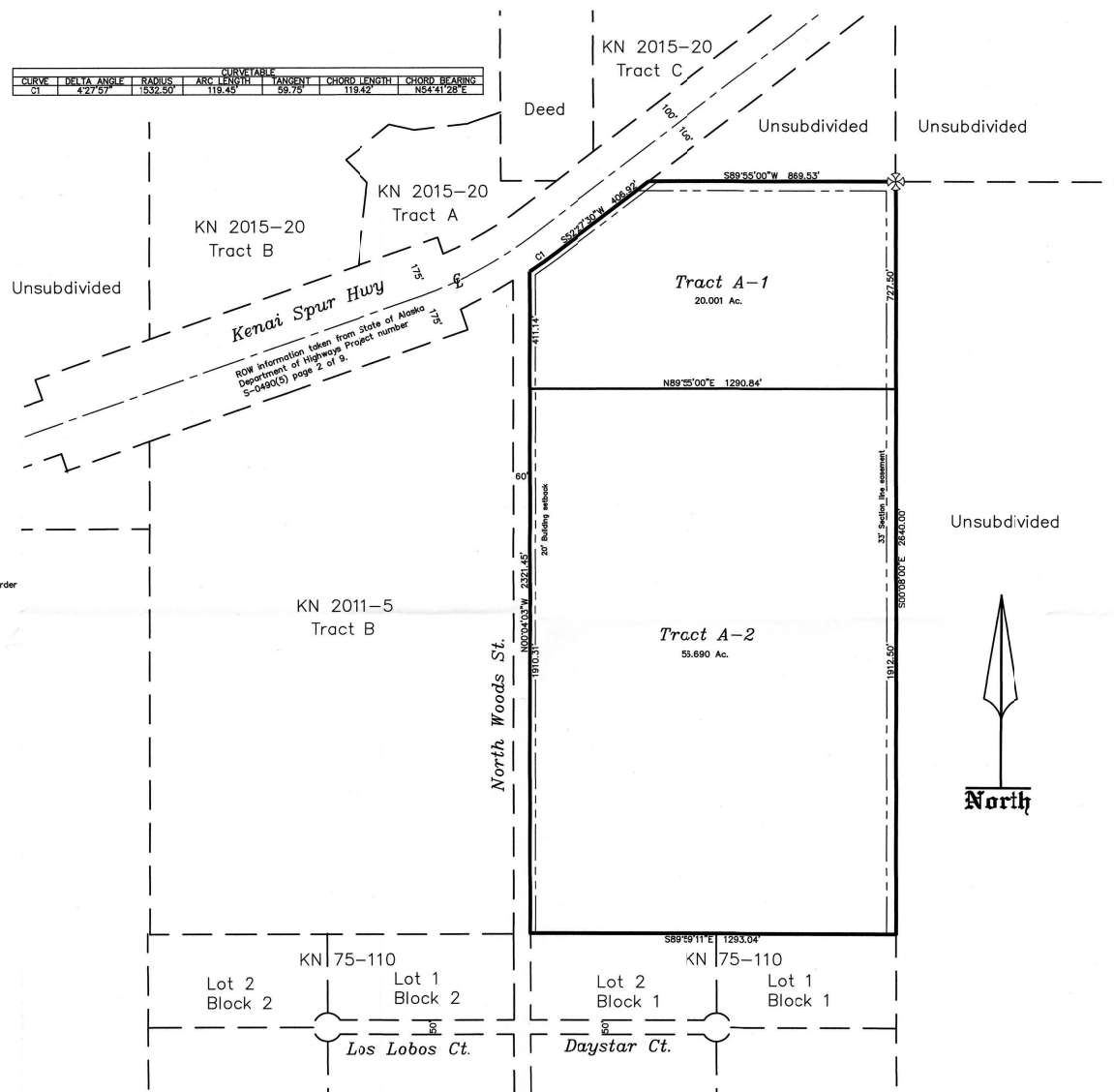
- 1) Basis of bearing taken from Bear Lahai Roi Subdivision, Plat 2011-5, Kenai Recording District.
- 2) Building Setback-A setback of 20 feet is required from all street Rights-of-Way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
- 3) Roads must meet the 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) 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, 1955, filed in the Federal Register.
- 6) An easement for electric lines or system and/or telephone lines granted to Homer Electric Association is recorded in Book 10 Page 17, Kenai Recording District. No definite location disclosed.
- 7) A right of way grant for pipeline and related purposes in favor of Phillips Petroleum Company is recorded in Book 30 Page 179, Kenai Recording District.
- 8) An easement for pipeline and related purposes granted to Niliaki Alaska Pipeline Company is recorded in Book 92 Page 767, Kenai Recording District.
- 9) A right of way lease for Niliaki Alaska Pipeline affecting a portion of this subdivision is recorded in Book 54 Page 652, Kenai Recording District. No definite location disclosed.
- 10) A right of way permit in favor of Phillips Petroleum Company which affects this subdivision is recorded in Book 563 Page 972, Kenai Recording District. No definite location disclosed.
- 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.



SURVEYOR'S CERTIFICATE

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

Date _____



CERTIFICATE of OWNERSHIP and DEDICATION

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

JEFFERY A. SMARDO CAROLINE E. SMARDO
45112 DAYSTAR CT.
KENAI, ALASKA 99611

NOTARY'S ACKNOWLEDGEMENT

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

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGEMENT

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

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

PLAT APPROVAL

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

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL _____

KPB FILE No. _____

Bear Lahai Roi Subdivision
2022 Addition

A resubdivision of Tract A Bear Lahai Roi Subdivision Amended Plat 2011-5, Kenai Recording District.

Located within the NE1/4 and the NW1/4 Section 19, T8N, R10W, S.M., Kenai Peninsula Borough Alaska.

Containing 102.653 Ac.

Surveyor	Owners
Segesser Surveys 30485 Rosland St. Soldotna, AK 99669 (907) 262-3909	Jeffery A. & Caroline E. Smardo 45112 Daystar Ct. Kenai, Alaska 99611
JOB NO. 22071	DRAWN: 5-31-22
SURVEYED: May, 2022	SCALE: 1"=200'
FIELD BOOK: 22-2	SHEET: 1 of 1

KPB 2022-089

AGENDA ITEM E. NEW BUSINESS

ITEM 6 - BEAR LAHAI ROI SUBDIVISION 2022 ADDITION

KPB File No.	2022-089
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	Jeffrey and Caroline Smardo of Kenai, AK
Surveyor:	John Segesser / Segesser Surveys
General Location:	Kenai Spur Highway, North Woods Street, Nikiski

Parent Parcel No.:	025-190-27
Legal Description:	Tract A Bear Lahai Roi Sub Amended KN 2011-5
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 76.69 acre parcel into two tracts that will be 20 acres and 56.69 acres.

Location and Legal Access (existing and proposed): The proposed plat is located near mile 35 of the Kenai Spur Highway in the Nikiski area. The property abuts the Kenai National Wildlife Refuge boundary along the eastern side. North Woods Street is a 60 foot wide borough maintained right-of-way that is along the western boundary of the subdivision. A 33 foot wide section line easement is present along the northern and eastern boundary of the subdivision.

Both of the new tracts will have access from North Woods Street. Section line easements may also be utilized to access portions of the tracts. The northern tract will also have frontage to the Kenai Spur Highway but access must be approved by Alaska DOT.

The block exceeds allowable limits. Exceptions to block length and right-of-way dedications have been requested.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	The ROW for Kenai Spur Highway appears to be shown correctly.

Site Investigation: Some low wet areas are present within the subdivision. **Staff recommends the low wet areas be depicted and a wetland determination note be added to the final plat.**

Per KPB GIS data, there appears to be a few areas with steep terrain present. **Staff recommends terrain exceeding 20 percent slopes be shown on the final plat and if right-of-way dedications are required in areas with terrain steeper than allowed by code, centerline profiles be submitted for review.**

Staff would like to note the depiction of slopes and wetlands are a requirement under KPB 20.25.070 and the failure to present the information on the preliminary submittal may cause a delay in scheduling items for a meeting.

KPB River Center review	A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area
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	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 The proposed plat is a replat of a large acreage tract that was created by Bear Lahai Roi Subdivision Amended, KN 2011-5. The recording of the plat prior to amendments was done in 2010. The amendment was to add a plat note for an easement.

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

Notice of the proposed plat was mailed to the beneficial interest holder on June 27, 2022. A response of non-objection has been received.

The property is not within an advisory planning commission.

It appears that lots to the south may be using a utility easement along the southern boundary of the property for access. All lots do have additional access and it appears that multiple access points may be in use. Staff would like to note that easements for utilities are for the providers and not to be used as rights-of-way for the public. It does appear that the property may be the same owners of the proposed subdivision and they have the right to cross their own property for access but if ownership changes on the properties involved access may be denied if there are no access or driveway easements in place.

Utility Easements The parent plat granted 10 foot utility easements adjacent to the dedicated rights-of-way. The proposed plat will be carrying over the 10 foot utility easements and granting 20 foot utility easement within 5 feet of the side lot lines. Due to the scale of the plat, **staff recommends a typical setback/utility easement depiction be added to the plat that include the side lot line easements.**

Several recorded easements are present and noted on the plat. Several of the easements contain information regarding the location and several of them were depicted on the parent plat. **Staff recommends any easement granted by document be shown on the plat with a label referring to a plat note or state the document creating the easement.**

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

Utility provider review:

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

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek Affected Addresses: NONE</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: NORTH WOODS ST KENAI SPUR HWY LOS LOBOS CT DAYSTAR CT</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments: No addresses affected by this subdivision.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat.</p>
Assessing	<p>Reviewer: Windsor, Heather Comments: No comment</p>

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

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

KPB 20.25.070 – Form and contents required

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

A. Within the Title Block

1. Name of the subdivision which shall not be the same as an existing city, town, tract, or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion. The parent plat's name shall be the primary name of the preliminary plat.
2. Legal description, location, date, and total area in acres of the proposed subdivision;
3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor.
4. Show found and set pins on drawing.

Staff recommendation: The location needs revised as this is within the E1/2 NE1/4 or just NE1/4 is sufficient. The owner's first name is misspelled according to the Certificate to Plat and the deed within the Certificate to Plat. Update the acreage.

- C. The location, width, and name of existing or platted streets and public ways, railroad rights-of-way, and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;
Staff recommendation: The Kenai National Wildlife Refuge is located to the east of the property. This should be noted and depicted on the neighboring property.
- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries, and prominent natural and manmade features, such as shorelines or streams;
Staff recommendation: The Kenai National Wildlife Refuge boundary should be depicted and a label added.
- 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: Lot 2 Block 1 located south of the subdivision has been replatted and should be revised for a corrected depiction and labeling. A plat has been submitted for the property to the west of North Woods Street. Prior to creating the mylar the status of the property should be verified to determine if a new depictions and labels will be required.

KPB 20.30 – Subdivision Design Requirements

Staff recommendation: final plat submittals must comply with 20.30. Additional information, revisions, and/or corrections are required as noted below.

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 the proposed lots, 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.

20.60.180. 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.
- Add a plat note for any exceptions granted.

The plat note numbers need to be revised.

Plat note 4 is not required unless right-of-way dedications are required.

Plat note 11 should include the Assignment recorded as document 2017-000-133-0, KRD.

EXCEPTIONS REQUESTED:

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

Surveyor's Discussion: We are asking for exceptions to block length and road dedications for this plat. The property to the east is owned by US Fish and Wildlife and the section line easements provide access. The owners want to sell Tract A-1 and retain Tract A-2. Both tracts are large enough to be subdivided in the future and rights-of-way could be dedicated at that time.

Staff Discussion: KPB Code state streets should be provided for the continuation or appropriate projection of all streets and to provide reasonable means of ingress for surrounding acreage tracts. The dedications should be done in a way that the block is not less than 330 feet and no more than 1,320 feet.

Section line easements, North Woods Street, and the Kenai Spur Highway define the incomplete block. There is no east-west right-of-way until Silvertip Avenue to help improve the block lengths. The distance along North Woods Street is 2,321 feet and exceeds the distance for the block.

Findings:

1. KPB Code requires right-of-way projection for future needs and to provide adequate access.
2. Block lengths should not exceed 1,320 feet.
3. The Kenai National Wildlife Refuge is located to the east.
4. A 33 foot section line easement is present along the northern and eastern boundary of the subdivision.
5. Per the parent plat, underground gas lines are along the southern and eastern boundary of the subdivision.
6. Wetlands are present in several locations of the subdivision.
7. Some areas of steep terrain are present with the steepest area within the southeastern corner of the subdivision.
8. The proposed plat is creating large acreage tracts.

If the exception is denied dedications will be required to bring the blocks into compliance. This may be done by a mixture or using section line easements or right-of-way dedications. This would include a dedication within the bounds of the subdivision and along the southern boundary. If a dedication is required along the eastern boundary a full 60 foot dedication should be considered as the property to the east is not subject to a section line easement and is part of the Kenai National Wildlife Refuge and no matching dedication would be expected.

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

Page 5 of 6

exception:

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

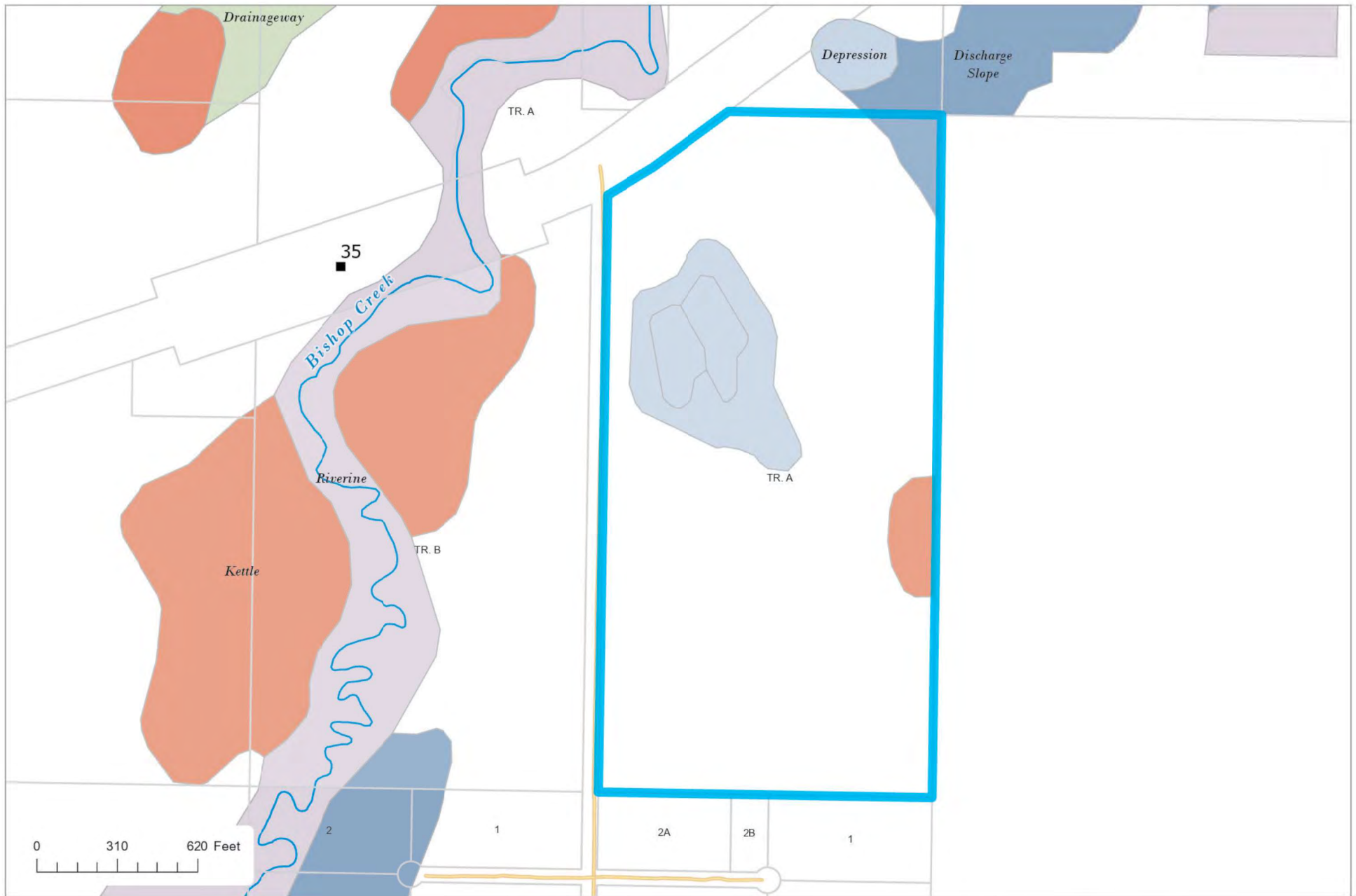
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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.

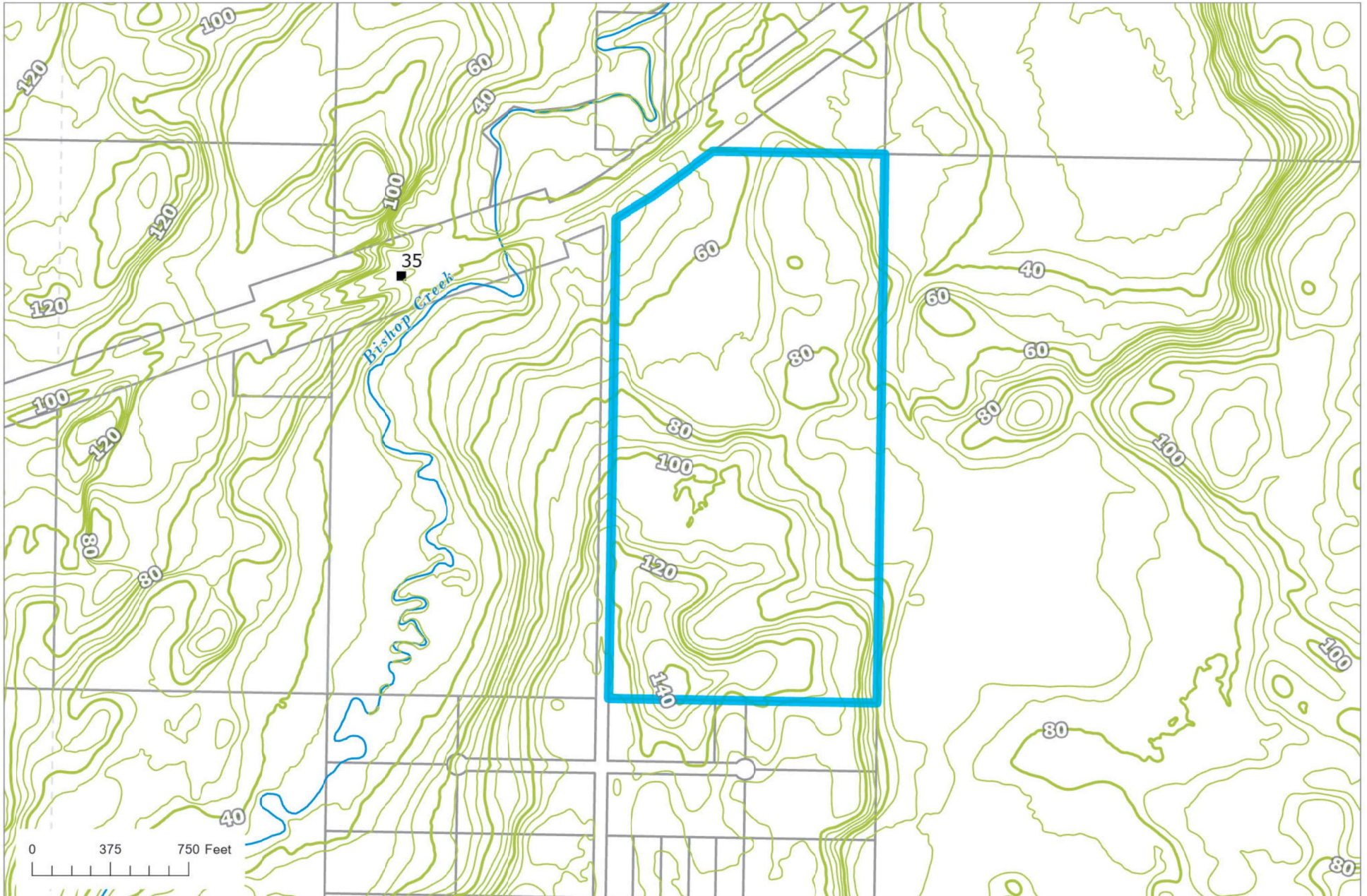
END OF STAFF REPORT



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



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



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CURVE	DELTA	RADIUS	LENGTH	(1/4) R/W	(1/4) R/W AREA
C1	14°54'50"	1532.50'	398.91'	397.70'	150,545.55'
C2	7°48'42"	1532.50'	208.94'	208.70'	103,222.98'
C3	2°38'12"	1532.50'	70.52'	70.51'	150,181.31'
C4	4°27'57"	1532.50'	119.42'	119.42'	104,431.28'



NOTES:

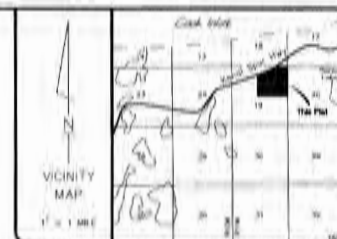
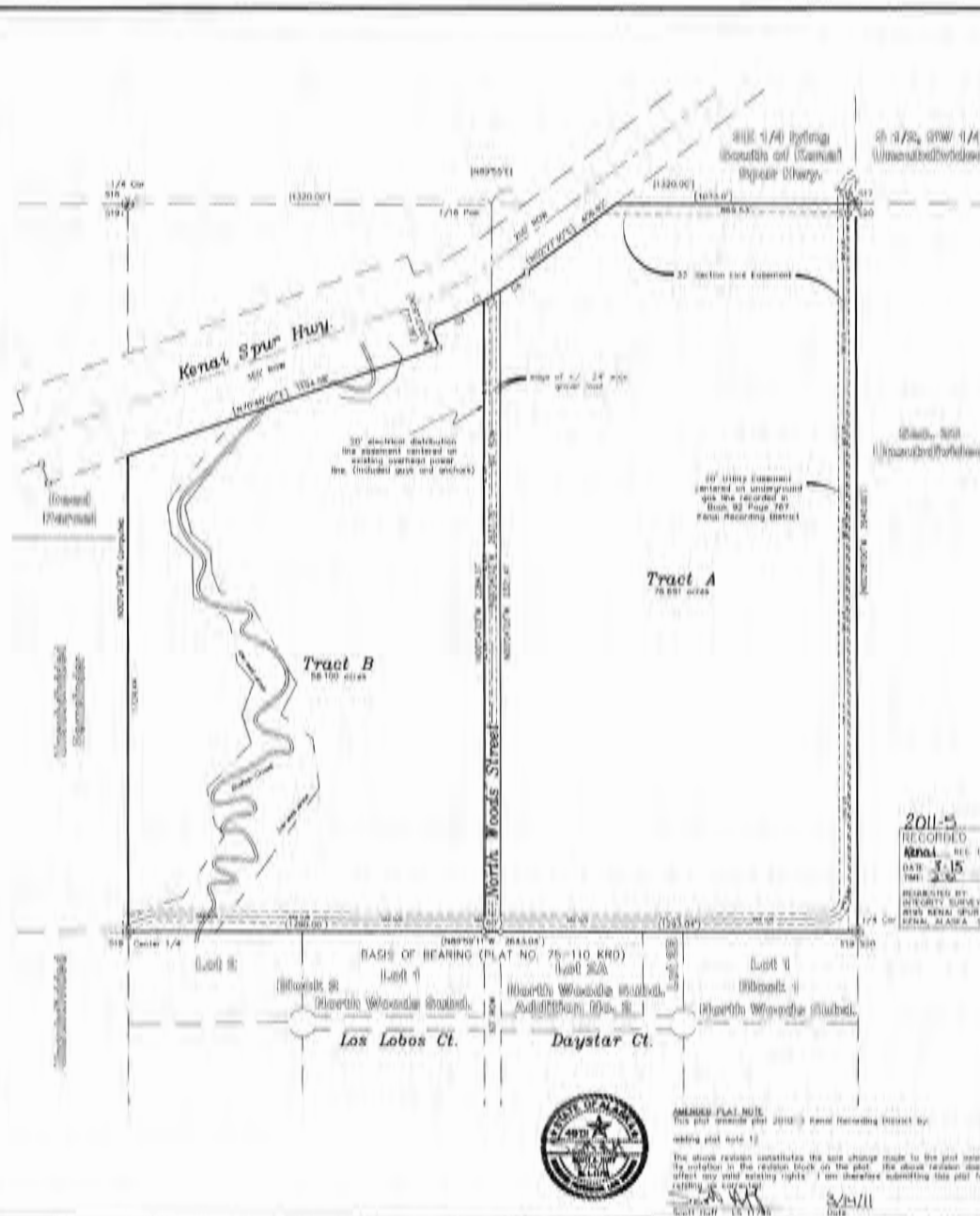
- Proposed land uses are recreational, residential, agriculture, and commercial.
- Building Setback - With the acceptance of the Survey and Monumentation waiver a 50 foot setback is required from all street right-of-ways, which will result in the standard 20 foot setback from all street right-of-ways when the property lines are surveyed and monumented.
- No private access to State maintained ROW's permitted unless approved by the State of Alaska Department of Transportation.
- Front 10 ft. of the building setback adjacent to rights-of-way is also on utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
- Roads must meet the design and construction standards established by the Borough in order to be considered for certification and inclusion in the road maintenance program.
- This is a paper plat. Keno Peninsula Borough Plat committee approved a survey and monumentation waiver. At the plat committee meeting on January 4, 2010, for this plat to be exempt from the survey and monumentation requirements of Section 20.16.01. The boundary and lot lines were not surveyed for this plat. An on-site survey was performed on the existing grant road and the overhead utility line within North Woods Street ROW to verify true location within the ROW.
- WASTEWATER DISPOSAL** - Grass lots are at least 20,000 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.
- Portions of this subdivision are within the Keno Peninsula Borough 50-Foot Anadromous Stream Habitat Protection Area. See Chapter 21.18 Borough Code of Ordinances for restrictions that affect development in this subdivision.
- Stream and low wet areas were digitized from a certified aerial photograph. Actual field work was not performed to show the location of these areas.
- Blanket utility easement which affects this property is recorded in Book Misc.10 Page 17, Keno Recording District.
- Existing overhead power line is the centerline of a 30 foot wide electrical distribution line easement including guys and anchors.
- A right-of-way easement for a 50 foot easement centered on a buried pipeline affects the property. Recorded in Map Book 30, pages 179 and 180, Keno Recording District.

LEGEND:

- 2-1/2" Brass Cap BLM Monument (record)
- ROW monument (record)
- 5/8" Rebar (record)
- overhead electric transmission line
- underground gas line
- [] Record Datum - State of Alaska ROW Map Project No. 3-0480 (3) & 3-0480 (5)
- () Record Datum - North Woods Subdivision Plat # 75-110
- [] Record Datum - 700 R/W & U.M. BLM Survey accepted April 27, 1985

CERTIFICATE OF SURVEYOR

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 depicted, and all dimensions and other details are correct in the normal standards of practice of land surveyors in the 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 THAT WE HEREBY ADJUT THIS PLAN OF SUBDIVISION AND BY THIS DEED, CONVEY, DEDICATE, A.S. RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

Paul J. Hulse, Notary Public for Alaska, My Commission Expires 12-31-13

PG Misc 2003
Keno, AK 99505

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SHOWN BEFORE ME THIS 20th DAY OF FEBRUARY, 2010 FOR PAUL J. HULSE, A S. SUBJECT, S. HULSE

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 12-31-13

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF JANUARY 11, 2010.

KENAI PENINSULA BOROUGH
KATHLEEN J. HULSE, Mayor

RECORDED
DATE: 2/15/10
BY: 2010-3

AMENDED

KPD FILE No. 2010-005

Bear Lahai Roi Subdivision

A subdivision of the portion of the NE 1/4, Section 16, Township 6 North, Range 10 West, Seward Meridian, 1900 South of the Rural Four Highway.

Located within the NE 1/4 S16 T6N R10W S4 Keno Recording District, Keno Peninsula Borough, Alaska.

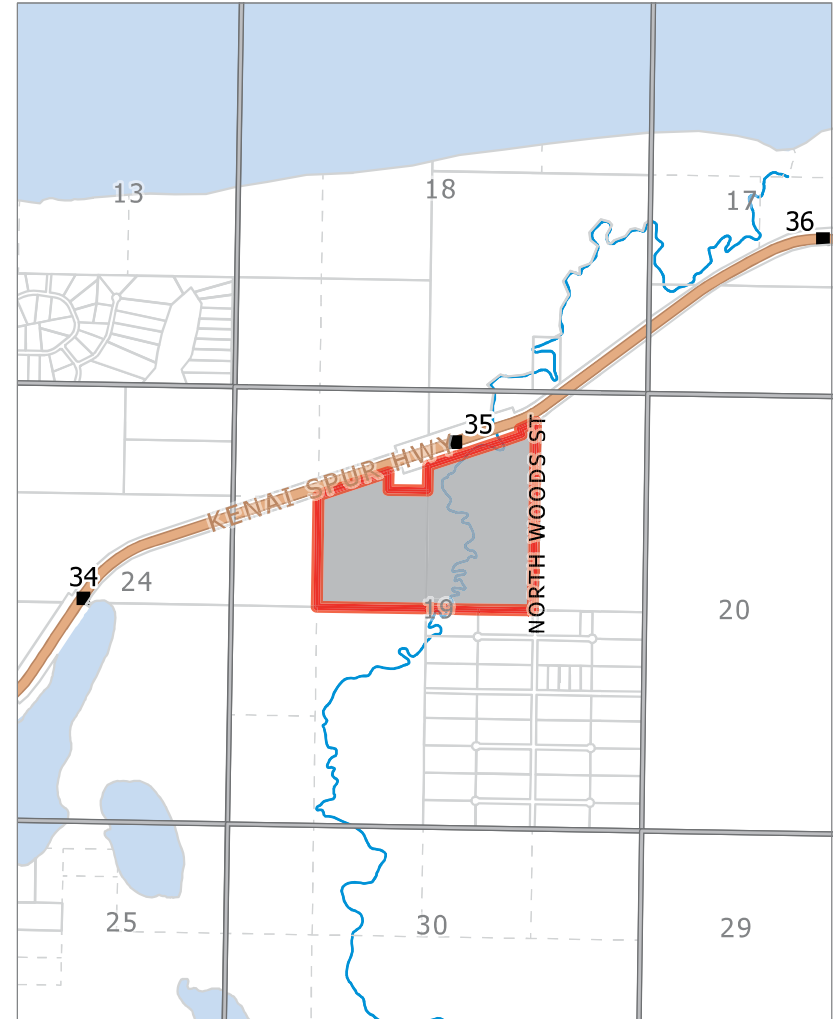
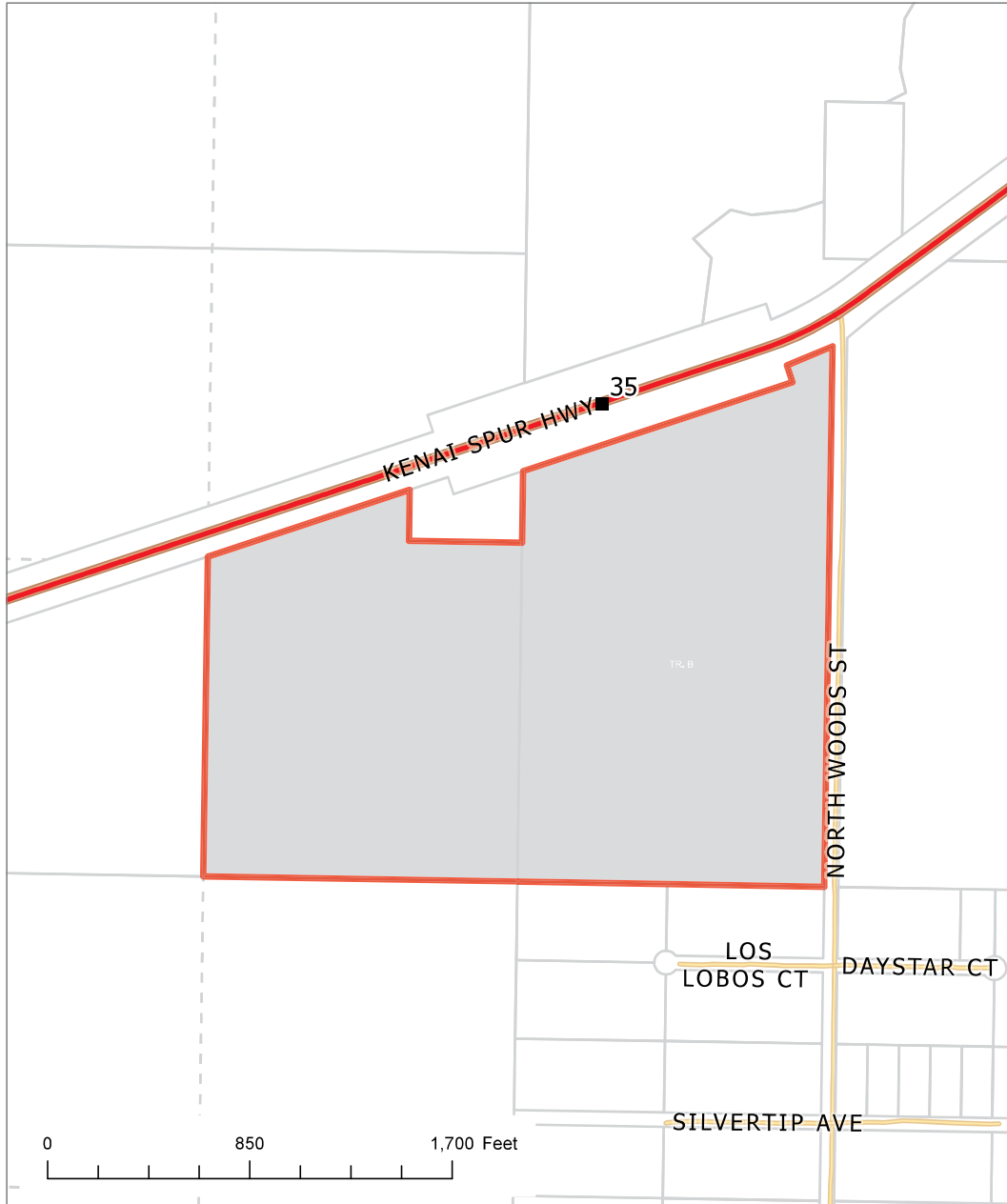
Containing 137.902 Acres (Computed)

INTEGRITY SURVEYS, INC.

43550 Kaitiaki Road, Suite 10, Seward, Alaska 99589
SANDY HULSE Phone: (907) 383-0047
FAX: (907) 383-0071
JANUARY 15, 2010
SCALE: 1" = 200'
FIELD NO: 2010-1 PLOT 1
FILE: 20106 prelin plat.dwg

E. NEW BUSINESS

- 7. Bear Lahai Roi Subdivision Sockeye Run View Addition
KPB File 2022-074
Segesser Surveys / Huber
Nikiski Area**



KPB File # 2022-074
S19 T08N R10W
Nikiski



LEGEND:

- * 1" CONCRETE FILLED PIPE
 ● 5/8" REBAR FOUND
 ○ 5/8" REBAR w/PLASTIC CAP L58859 SET
 () RECORD DATUM PLAT 2011-5 KRD

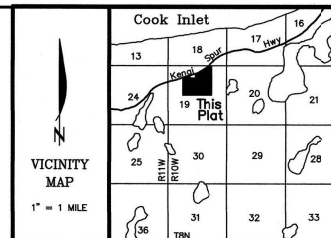
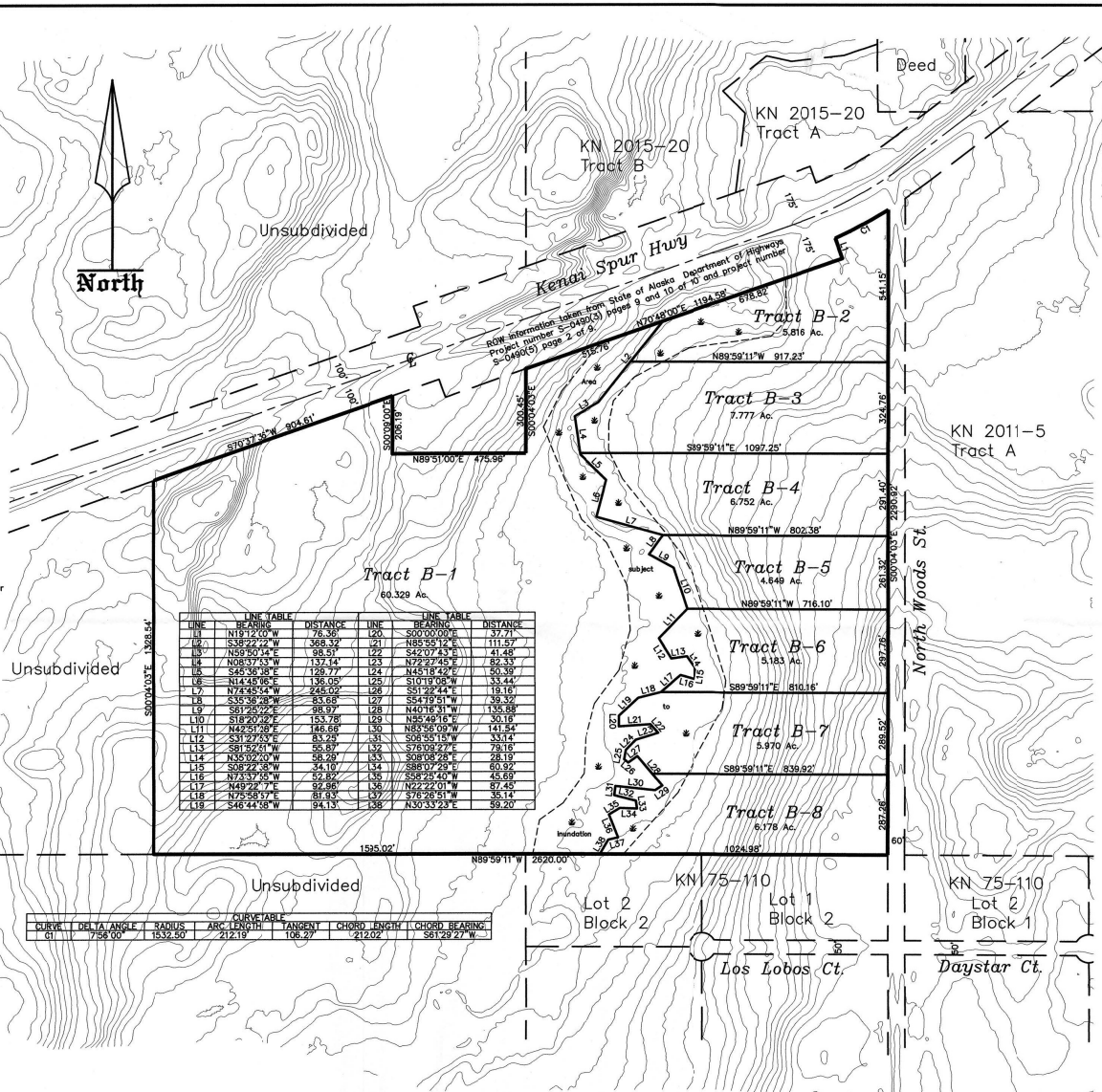
NOTES:

- 1) Basis of bearing taken from Bear Lahol Rd Subdivision, Plat 2011-5, 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) 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.
- 4) The thread of Bishop Creek is the true bounds between Tract B-1 and Tract B-2 and the location of the river may change over time. The approximate thread (centerline), as shown, is for computational purposes only. The true property corners being on the extension of the side lines and their intersection with the thread of Bishop Creek.
- 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) No private access to State maintained ROWs permitted unless approved by the State of Alaska Department of Transportation.
- 7) 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, 1948; 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 2685, dated October 18, 1951; Amendment Number 1 thereto, dated July 17, 1952 and Amendment Number 2 thereto, dated September 15, 1956, filed in the Federal Register.
- 8) An easement for electric lines or system and/or telephone lines granted to Homer Electric Association is recorded in Book 10 Page 17, Kenai Recording District. No definite location disclosed.
- 9) A right of way grant for pipeline and related purposes in favor of Phillips Petroleum Company is recorded in Book 30 Page 179, Kenai Recording District.
- 10) An easement for pipeline and related purposes granted to Nikiski Alaska Pipeline Company is recorded in Book 92 Page 767, Kenai Recording District.
- 11) A right of way lease for Nikiski Alaska Pipeline affecting a portion of this subdivision is recorded in Book 94 Page 652, Kenai Recording District. No definite location disclosed.
- 12) A right of way permit in favor of Phillips Petroleum Company which affects this subdivision is recorded in Book 563 Page 972, Kenai Recording District. No definite location disclosed.
- 13) 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.
- 14) WASTEWATER DISPOSAL: These lots are at least 200,000 square feet and conditions may not be suitable for on-site wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

**SURVEYOR'S CERTIFICATE**

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

Date _____

**CERTIFICATE of OWNERSHIP and DEDICATION**

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

PAUL J. HUBER SUZETTE J. HUBER
59368 KENAI SPUR HIGHWAY
KENAI, ALASKA 99611

NOTARY'S ACKNOWLEDGEMENT

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

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGEMENT

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

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

PLAT APPROVAL

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

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL _____

KPB FILE NO.

Bear Lahol Rd Subdivision

Sockeye Run View Addition

A resubdivision of Tract B Bear Lahol Rd Subdivision Amended Plat 2011-5, Kenai Recording District, and the SW 1/4 NW 1/4 and that portion of the NE 1/4 NW 1/4 lying south of the Kenai Spur Highway, Section 19, T8N, R10W, S.M., excepting therefrom that portion deeded to Michael J. Crothy and Dorothy J. Crothy, recorded March 24, 1989 in Book 55 Page 157, Kenai Recording District.

Located within the NE 1/4 and the NW 1/4 Section 19, T8N, R10W, S.M., Kenai Peninsula Borough Alaska.

Containing 102.653 Ac.

Surveyor	Owners
Segesser Surveys 30485 Rosland St. Soldotna, AK 99669 (907) 262-3908	Paul J. & Suzette J. Huber 59368 Kenai Spur Highway Kenai, Alaska 99611
JOB NO. 22048	DRAWN: 6-13-22
SURVEYED: May, 2022	SCALE: 1"=200'
FIELD BOOK: 22-2	SHEET: 1 of 1

KPB 2022-074

AGENDA ITEM E. NEW BUSINESS

ITEM 7 - BEAR LAHAI ROI SUBDIVISION SOCKEYE RUN VIEW ADDITION

KPB File No.	2022-074
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	Paul and Suzette Huber of Kenai, AK
Surveyor:	John Segesser / Segesser Surveys
General Location:	Kenai Spur Highway, North Woods Street, Nikiski

Parent Parcel No.:	025-190-26 & 025-190-28
Legal Description:	Tract B Bear Lahai Roi Sub Amended Plat No 2011-5 and the SE1/4 NW1/4 and portion of the NE1/4 SW1/4 lying south of the Kenai Spur Highway T08N R10W S19
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will take two parcels and create eight tracts. The largest tract will be 60.329 acres. The remaining seven tracts will range in size from 4.649 to 7.777 acres.

Location and Legal Access (existing and proposed): The proposed plat is located near mile 35 of state maintained Kenai Spur Highway. The eastern tracts being created will have access from North Woods Street, a 60 foot wide dedication that is maintained by the Kenai Peninsula Borough.

The block length exceeds allowable limits. Exceptions for right-of-way dedications and block length have been requested.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	The ROW for the Kenai Spur Highway appears to be shown correctly.

Site Investigation: Contours are present on the preliminary plat. There are areas within Tract B-1 that appear to exceed the 20 percent slope. Some steeper slopes appear to also be present within the eastern tracts as they slope towards Bishop Creek and the associated wetlands. **Staff recommends slopes greater than 20 percent be shown on the final plat as they may impact development.**

Bishop Creek is being used as the boundary between Tract B-1 and the other tracts being created. This is an anadromous stream. There are wetlands depicted within the dotted line that are adjacent to the creek. Those low wet areas are classified as Riverine. Additional areas of low wet areas of kettle and discharge slopes are present. **Staff recommends the creek name be indicated on the face of the plat as it is mentioned in notes and all low wet areas be depicted and a wetlands determination note be added.**

There are some improvements located off the Kenai Spur Highway and will remain on Tract B-1. There does not appear to be any encroachment issues.

KPB River Center review	<p>A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: No comments</p> <p>B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: IS totally or partially within HPD Comments: KPB\maldrige</p> <p>C. State Parks Reviewer: Russell, Pam Comments: No Comments</p>
State of Alaska Fish and Game	No objections

Staff Analysis The proposed replat is a subdivision of an aliquot piece of land and a replat of a previously created tract.

The tracts being created are all over 200,000 square feet and a soils report will not be required.

Notice of the proposed plat was mailed to the beneficial interest holder on June 7, 2022. The beneficial interest holder will be given 30 days from the date of the mailing of the notification to respond. They are given the opportunity to notify staff if their beneficial interest prohibits or restricts subdivision or requires their signature on the final plat. If no response is received within 30 days, staff will assume they have no requirements regarding the subdivision and it may be finalized.

The property is not within an advisory planning commission.

Utility Easements The parent plat of the eastern portion of property granted 10 foot wide utility easements along the dedicated rights-of-way, Kenai Spur Highway and North Woods Street. Per plat note 13, this plat will be granting 10 foot utility easements along the rights-of-way in addition will be granting 20 foot wide utility easements within 5 feet of the side lot lines. **Staff recommends** due to the scale a typical detail be added to the plat to show the setbacks and utility easements along the rights-of-way and within the side lot lines.

Several recorded easements have been granted and are noted within the plat notes. Several of the easements have location descriptions present within the documents. **Staff recommends** any known locations of easements be shown on the plat with a reference to the plat note or the document granting the easement be added.

The parent plat, Bear Lahai Roi Subdivision Amended, KN 2011-5, granted and depicted numerous utility easements. **Staff recommends** all easements from the parent plat be carried over unless it can be demonstrated that the easements no longer exist.

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

Utility provider review:

HEA	Depict and label the existing overhead primary electric line and provide a 30 foot wide easement centered on the existing overhead line.
ENSTAR	No comments or recommendations
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek Affected Addresses: 59368 KENAI SPUR HWY</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: KENAI SPUR HWY NORTH WOODS ST LOS LOBOS CT DAYSTAR CT</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments: 59368 KENAI SPUR HWY will remain on tract B-2.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: Caution is needed when developing along a water way and may need permits from KPB River Center.</p>
Planner	<p>Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat.</p>
Assessing	<p>Reviewer: Wilcox, Adeena Comments: No comment</p>

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

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

KPB 20.25.070 – Form and contents required

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

A. Within the Title Block

1. Name of the subdivision which shall not be the same as an existing city, town, tract, or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion. The parent plat's name shall be the primary name of the preliminary plat.
2. Legal description, location, date, and total area in acres of the proposed subdivision;
3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor.

Staff recommendation: Update the description of the aliquot description to "SE1/4 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: Include a depiction and label for the Kenai National Wildlife Refuge.

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

Staff recommendation: The excluded lot should be labeled. The lot to the southeast, along Daystar Court, has been replatted and the depiction and label should be updated. A plat has been submitted to the east of North Woods Street. Prior to printing the mylar the status should be reviewed to determine if the depiction and labels need to be updated.

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: Tracts are all proposed to be over 200,000 square feet. Soils analysis report will not be required.

Staff recommendation: comply with 20.40.

KPB 20.60 – Final Plat

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

20.60.180. Plat notes.

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

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

Staff recommendation: Place the following notes on the plat.

- 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.
- Add a note for any exceptions granted.

Plat note 4 should be revised as there are additional tracts than what is listed in the note. Label Bear Creek as such and add note to (see note #4)

Plat note 5 may be removed unless rights-of-way are dedicated.

Plat note 12 had an additional assignment that should be added, serial number 2017-00133-0, KRD.

Line labels L2 and L28 should be divided for the two lots being crossed.

EXCEPTIONS REQUESTED:

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

Surveyor's Discussion:

Staff Discussion: KPB Code requires rights-of-way be provided for the continuation and appropriate projection of streets in the surrounding area to provide access for surrounding tracts. The dedications should be done so that the block is within 330 feet to 1,320 feet in length.

Findings:

1. The block is not complete and exceeds allowable limits.
2. A 142 acre CIRI parcel is located to the southwest.
3. The CIRI parcel only has access via section line easements.
4. Bishop Creek is located in a location that will make it difficult to create two compliant blocks if a north-south dedication is required.
5. A north-south dedication along the western boundary would improve the block and still be compliant with the section line easement located further west.
6. An east-west dedication along the southern boundary would improve the block length.
7. An east-west dedication anywhere within the subdivision will require crossing an anadromous stream.
8. Some steep terrain is located within the subdivision and will make east-west dedication more difficult.
9. Wetlands are present that any east-west dedication would have to cross.
10. Tract B-1 will be large enough to be further subdivided.
11. Improvements are located in the lots south of the subdivision off of Los Lobos Court.
12. A dedication along the south of Tract B-8 will make Lot 2 Block 2 to the south non-compliant as it will have double frontage.
13. A dedication along the south of Tract B-8 will improve the block as Los Lobos Court is a cul-de-sac that does not help close the block but will result in two rights-of-way with only about 300 feet between the intersections.

If the exception request is denied additional rights-of-way will be required to improve the block and the Plat Committee can state where they would like to see the required dedications.

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 and 7-13 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 4 and 7-13 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 4 and 7-13 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.

B. KPB 20.30.190 – Lots-Dimensions (3:1 depth to width ratio for Tract B-3, Tract B-4, and Tract B-8.

Surveyor's Discussion:

Staff Discussion: KPB Code states that the average depth shall be no greater than three times the average width.

Findings:

1. Tract B-3 depth to width ratio is 3.2:1.
2. Tract B-4 depth to width ratio is 3.13:1.
3. Tract B-8 depth to width ratio is 3.8:1.
4. The western portions of the tracts contain wetlands and an anadromous stream.
5. The three tracts that fail to meet the 3:1 requirement are 6.178 acres or larger.

If the exception request is denied the plat will require a redesign to make all the tracts compliant.

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 and 5 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 and 5 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 and 5 appear to support this standard.

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

RECOMMENDATION:

SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:

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

NOTE: 20.25.120. - REVIEW AND APPEAL.

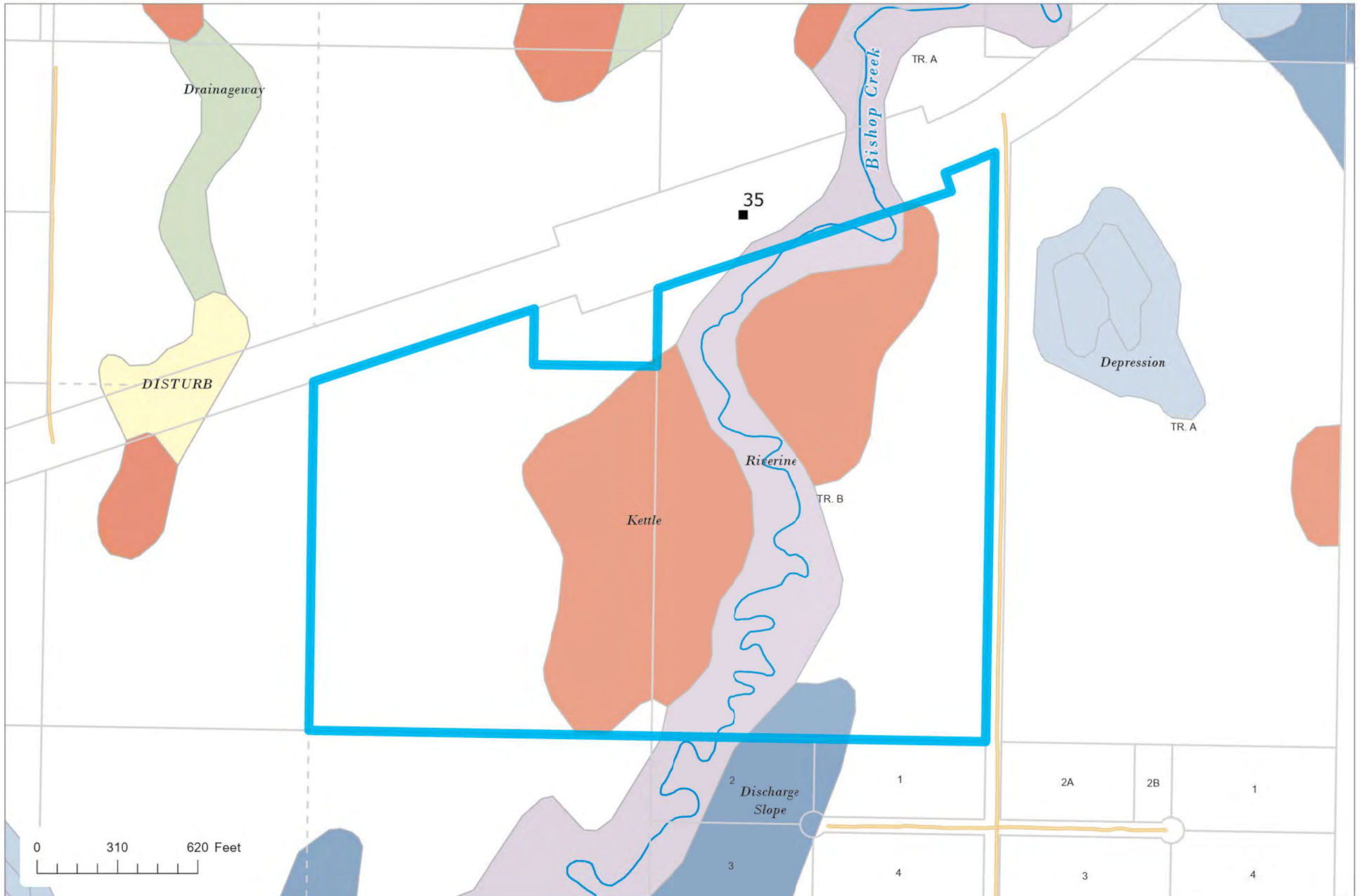
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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

END OF STAFF REPORT



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



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					
CHORD	DELTA	TRACED	TRACED	CHORD	TRACED
10.11	142.42	152.50	208.94	208.94	152.50
11.1	240.42	152.50	208.94	208.94	152.50
12.1	238.12	152.50	208.94	208.94	152.50
13.1	237.57	152.50	208.94	208.94	152.50



NOTES

- 1) Proposed road uses are recreational, residential, agricultural, and commercial.
- 2) Building setback - With the acceptance of the survey and Monumentation under a 50 foot setback is required from all street right-of-ways which will result in the standard 20 foot setback from all street right-of-ways when the property lines are surveyed and monumented.
- 3) No private access to State maintained ROWs permitted unless approved by the State of Alaska Department of Transportation.
- 4) Front 10 ft. of the building setback adjacent to right-of-way is also an 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) Roads must meet the design and construction standards established by the Borough in order to be considered for certification and inclusion in the road maintenance program.
- 6) This is a paper plat. Kenai Peninsula Borough Planning Committee approved a survey and monumentation order, of the plat boundaries existing on January 4, 2010, for this plat to be exempt from the survey and monumentation requirements of Section 20.16. The boundary and lot lines were not surveyed for this plat. An as-built survey was performed on the existing gravel road and the overhead utility line within North Woods Street ROW to verify their location within the ROW.
- 7) WASTEWATER DISPOSAL. These lots are at least 100,000 square feet or more and contain a sewer and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements for the Alaska Department of Environmental Conservation.
- 8) Portions of this subdivision are within the Kenai Peninsula Borough 50-Foot Anonymous Stream Habitat Protection Area. See Chapter 20.16 through Code of Ordinances for restrictions that apply dependent on the subdivision.
- 9) Stream and low wet place were digitized from a certified aerial photograph. Actual field work was not performed to show the location of these areas.
- 10) Boundary utility easement which affects this property is recorded in Book 18 Page 17, Kenai Recording District.
- 11) Existing overhead power line is the centerline of a 30 foot wide electrical distribution line easement including guys and anchors.
- 12) A right-of-way easement for a 50 foot easement centered on a utility easement affects this property. Recorded in Book 36, pages 149 and 150, Kenai Recording District.

LEGEND

- 2-1/2" Brass Cap B.M. Monument (round)
- ROW monument (round)
- 5/8" Rebar (round)
- overhead electric transmission line
- underground gas line
- Record Datum = State of Alaska ROW Hwy. Project No. 1-1440 (L) & Subdiv (S)
- Record Datum = North Woods Subdivision Plat # 75-110
- Record Datum = TBN 410 W. 5th, B.M. Survey Survey accepted April 27, 1975

CERTIFICATE OF SURVEYOR

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

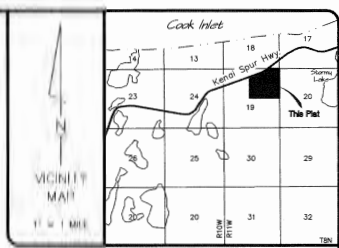


AMENDED PLAT NOTE
This plat amends plat 010-3 Kenai Recording District by

amending plat note 18

The above revision constitutes the site change made to the plat note from its notation in the revision block on this plat. The above revision does not affect any other existing rights. I am therefore submitting this plat for

Surveyor's Signature: [Signature]
Date: 2/14/11



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.

Paul J. Huber
Suzette J. Huber

PO Box 8003
Kenai, AK 99635

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 22nd DAY OF FEBRUARY, 2010 FOR PAUL J. HUBER & SUZETTE J. HUBER

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 3-28-13

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF January 4, 2010

KENAI PENINSULA BOROUGH
[Signature]
2010-3

AMENDED

KPD FILE No. 010-005

Bear Lahai Roi Subdivision

A subdivision of the portion of the NE 1/4, Section 19, Township 8 North, Range 10 West, Seaward Meridian, lying South of the Kenai Spur Highway.

Located within the NE 1/4, 519 TBN ROW S.M. Kenai Recording District, Kenai Peninsula Borough, Alaska

Containing 137.663 Acres (Computed)

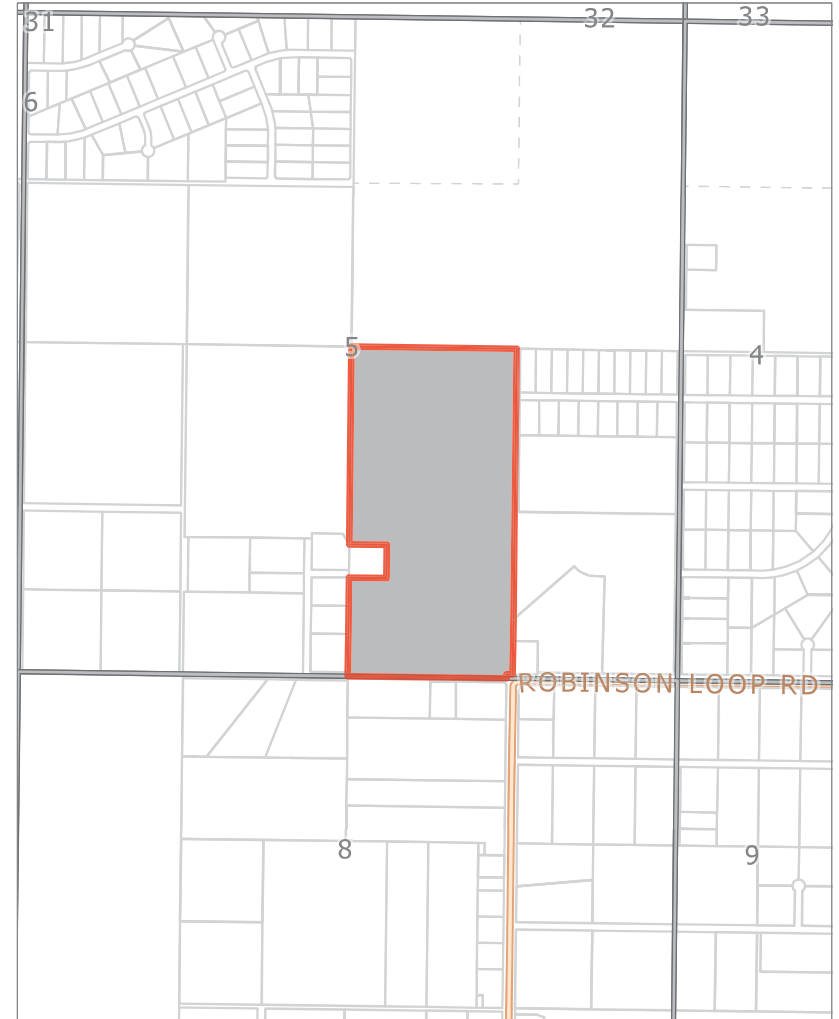
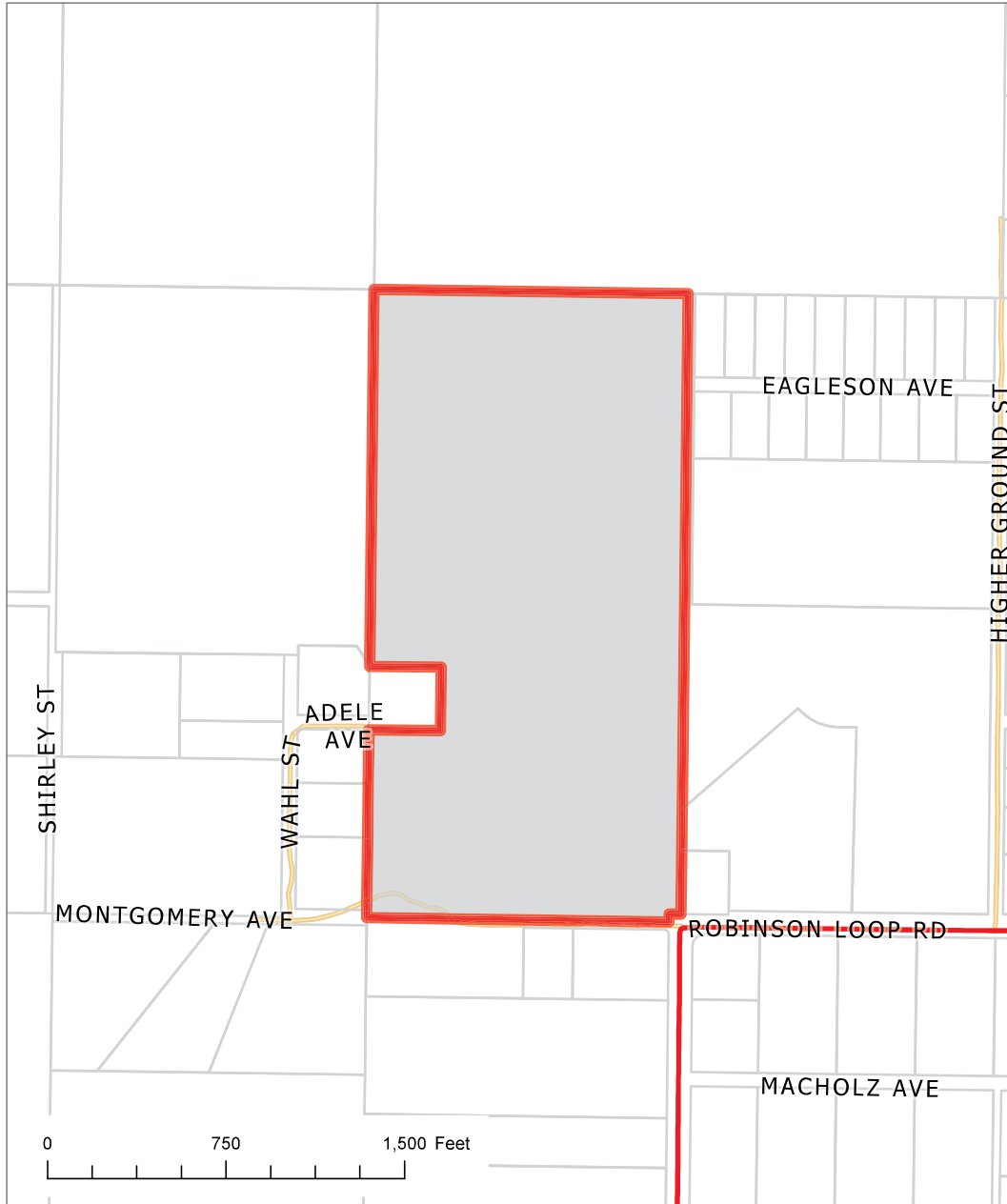
INTEGRITY SURVEYS, INC.

43335 Equilibrium Beach Rd. Suite 10 Soldotna, Alaska 99669
SURVEYORS PHONE: (907) 283-9047 FAX: (907) 283-9047 PLANNERS

JOB NO: 29156 DRAWN: 18 February, 2010 SH
SURVEYED: January 15, 2010 SCALE: 1" = 200'
FIELD NO: 0010-1 PL: 1 FILE: 29156 prelin plat.dwg

E. NEW BUSINESS

- 8. Wahl Subdivision; KPB File 2022-092
Segesser Surveys / Wahl
Ninilchik Area**



KPB File # 2022-092
S05 T05N R09W
Sterling



LEGEND:

- 2 1/2" BRASS CAP MONUMENT GLO 1939 FOUND
- 3 1/4" ALUM. CAP MONUMENT LS6101 1986 FOUND
- 3 1/4" ALUM. CAP MONUMENT LS5152 2001FOUND
- 5/8" REBAR w/PLASTIC CAP FOUND
- 2 1/2" ALUM. CAP MONUMENT LS8859 SET
- 5/8" REBAR w/PLASTIC CAP LS8859 SET
- () RECORD DATUM PLAT 2001-62 KRD



NOTES:

- 1) Basis of bearing taken from Record of Survey of Tract 3 Bikkens Subdivision, Plat 2001-62, Kenai Recording District.
 - 2) Building Setback-A setback of 20 feet is required from all street Rights-of-Way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
 - 3) Covenants, conditions, and restrictions which affect this subdivision are recorded in Book 74 Page 142 Kenai Recording District. The Borough will not enforce private covenants, easements, or deed restrictions per KPB 20.80.080.
 - 4) An access agreement which affects this property is recorded in Book 273 Page 486, Kenai Recording District.
 - 5) 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.
 - 6) 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.
 - 7) An easement for electric lines or system and/or telephone lines granted to Homer Electric Association is recorded as serial number 2912-000791-0, 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:** Tract B This lot is at least 200,000 square feet and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.
- WASTEWATER DISPOSAL:** Tract C 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.

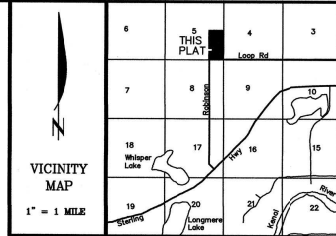
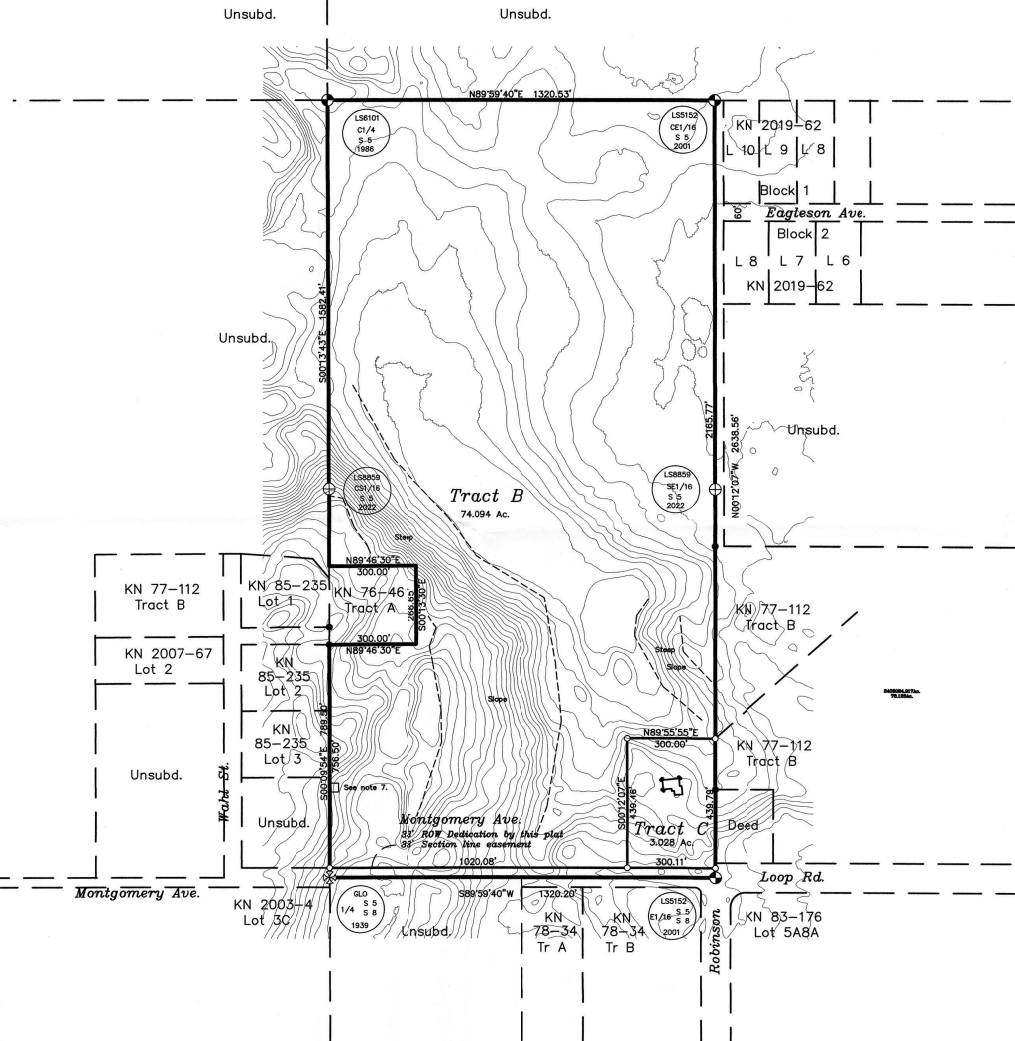
Engineer License No. 4916



SURVEYOR'S CERTIFICATE

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

Date _____



CERTIFICATE of OWNERSHIP and DEDICATION

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

BEVERLY A. WAHL
36480 ADELE AVENUE
STERLING, ALASKA 99672

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. _____

Wahl Subdivision

A subdivision of the W1/2 SE1/4 Section 5, T5N, R9W, S.M., Excepting therefrom Tract A, Montgomery Homestead, Plat 76-46, Kenai Recording District.

Located in the W1/2 SE1/4 Section 5, T5N, R9W, S.M., Kenai Peninsula Borough, Alaska.

Containing 76.123 Ac.

Surveyor	Owner
Segesser Surveys 30485 Rosland St. Soldotna, AK 99669 (907) 262-3909	Beverly A. Wahl 36480 Adele Avenue Sterling, Alaska 99672
JOB NO. 22100	DRAWN 6-24-22
SURVEYED: May, 2022	SCALE: 1"=200'
FIELD BOOK: 22-2	SHEET: 1 of 1

KPB 2022-092

AGENDA ITEM E. NEW BUSINESS

ITEM 8 - WAHL SUBDIVISION

KPB File No.	2022-092
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	Beverly A Wahl of Sterling, AK
Surveyor:	John Segesser / Segesser Surveys
General Location:	Robinson Loop Road, Montgomery Avenue, Sterling

Parent Parcel No.:	063-016-14
Legal Description:	W1/2 SE1/4 T05N R09W S05
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 78 acre parcel into a 74 acre tract and a 3 acre tract. A 33 foot right-of-way dedication for Montgomery Avenue is proposed.

Location and Legal Access (existing and proposed): The subdivision is accessed by Robinson Loop Road near mile 87.5 of state maintained Sterling Highway. Robinson Loop Road is a state maintained right-of-way. The proposed plat is located on Montgomery Avenue that is located to the west of Robinson Loop Road at the point that Robinson Loop Road turns east. Montgomery Avenue is a varying width dedication atop section line easements and is maintained by the borough. Both of the tracts will have access from Montgomery Avenue.

To the east is a 27 acre flag lot. The flag adjacent to the eastern boundary for approximately 1,300 feet. This limits access to Eagleson Avenue located to the east. The flag does not meet current borough standards as it exceeds the length requirements for a 30 foot wide flag. The lot was created in 2006 by plat.

Adele Avenue is located to the west but the design of Tract A does not provide for a continuation or access to Tract B from Adele Avenue.

The block is not compliant and exceptions have been requested for block length and right-of-way dedications.

Upon looking at the KPB GIS imagery, there appears to be a portion of Montgomery Avenue constructed and maintained outside the section line easement and the proposed dedication. The road appears to go around a low depression area and go back into the dedication where it avoids some steeper slopes. As a dedication is proposed for the right-of-way staff would like to see the dedication include the constructed portion. Staff's recommendation would be for the edge of the right-of-way be determined during the field survey and then to dedicate 30 feet north of centerline and North of section line to centerline or 33 feet offset of section line, whichever is further, for inclusion in the constructed right-of-way. **Staff recommends the plat committee make a separate motion to discuss the Montgomery Avenue dedication.**

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	The ROW for Robinson Loop Road appears to be shown correctly

Site Investigation: Several areas of steep slopes are present throughout the proposed subdivision. Contours are present on the preliminary plat. **Staff recommends the top or toe of bluffs be shown or the areas of steep slopes remain on the final.**

A small portion of a depression area is located in the southwest corner where the right-of-way is proposed to be dedicated. No other wetlands appear to be present within the subdivision per KPB GIS data. Imagery does indicate there may be some low wet areas or standing water. **Staff recommends the wetland determination note be added and any low wet areas found during the field survey be depicted. If open water is present it should be shown and labeled as pond or seasonal pond depending on the situation.**

Improvements are located on proposed Tract C. There are improvements located on adjacent Tract A and appear to be close to the property line. It does not appear that there are any encroachment issues between lots. **Staff recommends if any encroachments are located during the field survey they should be presented to the planning department with proposed resolutions.**

The constructed portion of Montgomery Avenue appears to encroach onto what will be Tract B. It is requested that the location be determined during the field survey.

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 aliquot lands. Subdivisions have been done around the property but there are still several unsubdivided and/or large acreage tracts in the area.

A soils report will be required for Tract C and an engineer will sign the final plat. Tract B, due to the size of the lot will not require a soils analysis report.

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 As this property has not been included in any subdivision plats there are no current platted easements to carry over. There is an easement granted by document and is noted and depicted in the western portion of the plat. The HEA review includes the request for a plat note for a recorded easement that did not show up within the Certificate to Plat. **Staff recommends the surveyor/owner review the noted easement and if it is determined to affect this property they work with the title company. If it is determined to not impact this property they should work with HEA to make sure all needs are being met.**

The plat is proposing to dedicate 10 foot wide utility easements adjacent to the dedicated rights-of-way that increase to 20 feet within 5 feet of the side lot lines. Due to the scale depicting the easements and the setback will be difficult. **Staff recommends** a detailed depiction of typical setbacks and easements be shown 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	Provide a plat note for an electric easement of record as recorded in Book 4 Page 123, KRD. Location not defined. Provide a 30 foot wide electric easement centered on the existing overhead primary electric line including down guys and anchors. The approximate location has been depicted.
ENSTAR	No comments or objections
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek Affected Addresses: 38268 MONTGOMERY AVE</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: MONTGOMERY AVE ROBINSON LOOP RD EAGLESON AVE WAHL ST</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments: 38268 MONTGOMERY AVE will remain with tract C.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat.</p>
Assessing	<p>Reviewer: Windsor, Heather Comments: No comment</p>

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

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

KPB 20.25.070 – Form and contents required

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

- 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 of dedications that are existing for Montgomery Avenue and depict and label the adjacent section line easements where dedications have not been granted.
- G. The status of adjacent lands within 100 feet of the proposed subdivision boundary or the land status across from any dedicated rights-of-way that adjoin the proposed subdivision boundary, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;
Staff recommendation:
- Any rights-of-way being shown should include a width label.
 - There is an overstrike on the Wahl Street label.
 - Provide a street name label for Adele Avenue in addition to a width label.
 - The unsubdivided parcel to the northwest is Tract 2 of KN 84-328.
 - The unsubdivided parcel to the east is Lot 3A Block 1 of KN 2006-24
 - The northern Tract B to the east is Tract A-1 of KN 2006-70.
 - The southern Tract B to the east is from KN 2004-82 and miscellaneous text appears within the lot boundary.
 - Lot 3C to the southwest is Lot 3-C.
 - On the vicinity map, place the site in the correct location.
 - Correct the drawing of KN 85-235 Lot 1 as needed.

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: Correct plat notes are present. A report will not be required for Tract B due to the size of the tract. Tract C will require a soils analysis report 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 for the Montgomery Avenue dedication will be required for signature by the Kenai Peninsula Borough.

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.
- 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.

Correct plat note 3 code reference, should be 20.60.170.

Get complete copy of easement referenced in Book 273 Page 486 to correctly show location of easement.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: There is a typo within the certificate of ownership and dedication. Comply with 20.60.190.

EXCEPTIONS REQUESTED:

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

Surveyor's Discussion: We are asking for exceptions to block length and road dedications for this plat. Tract B is large enough to be subdivided in the future and rights-of-way could be dedicated at that time. Rights-of-way along the boundary of this subdivision do not look practical for development at this time.

Staff Discussion: KPB Code requires rights-of-way dedications to provide appropriate projections and to provide reasonable means of ingress for surrounding lots. The road dedications are to help provide blocks that are within 330 feet and 1,320 feet in length.

Findings:

1. Large acreage tracts are to the north, northwest, and west.
2. The neighboring large acreage tracts have access from dedications and section line easements.
3. The western portion of the subdivision contains steep terrain.
4. KPB GIS data indicates no wetlands within the proposed tracts but imagery shows possible low wet areas.
5. To improve the block length and to be compliant, a dedication should be granted along the eastern subdivision boundary.
6. An existing structure is located on proposed Tract C.
7. The proximity to a code compliant dedication would have to be reviewed to determine if there would be possible encroachments.
8. Terrain north of Tract C contains steep slopes.
9. The northern portion of the eastern boundary abuts a panhandle for a flag lot.
10. Due to the location of structures within adjacent Tract A, a continuation of Adele Avenue will be difficult.
11. The plat is proposing to dedicate atop the section line easement a right-of-way for Montgomery Avenue.
12. There are no current right-of-way dedications abutting the subdivision needing continuation.

Staff reviewed the exception request and recommends granting approval.

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

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

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

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

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

RECOMMENDATION:

SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:

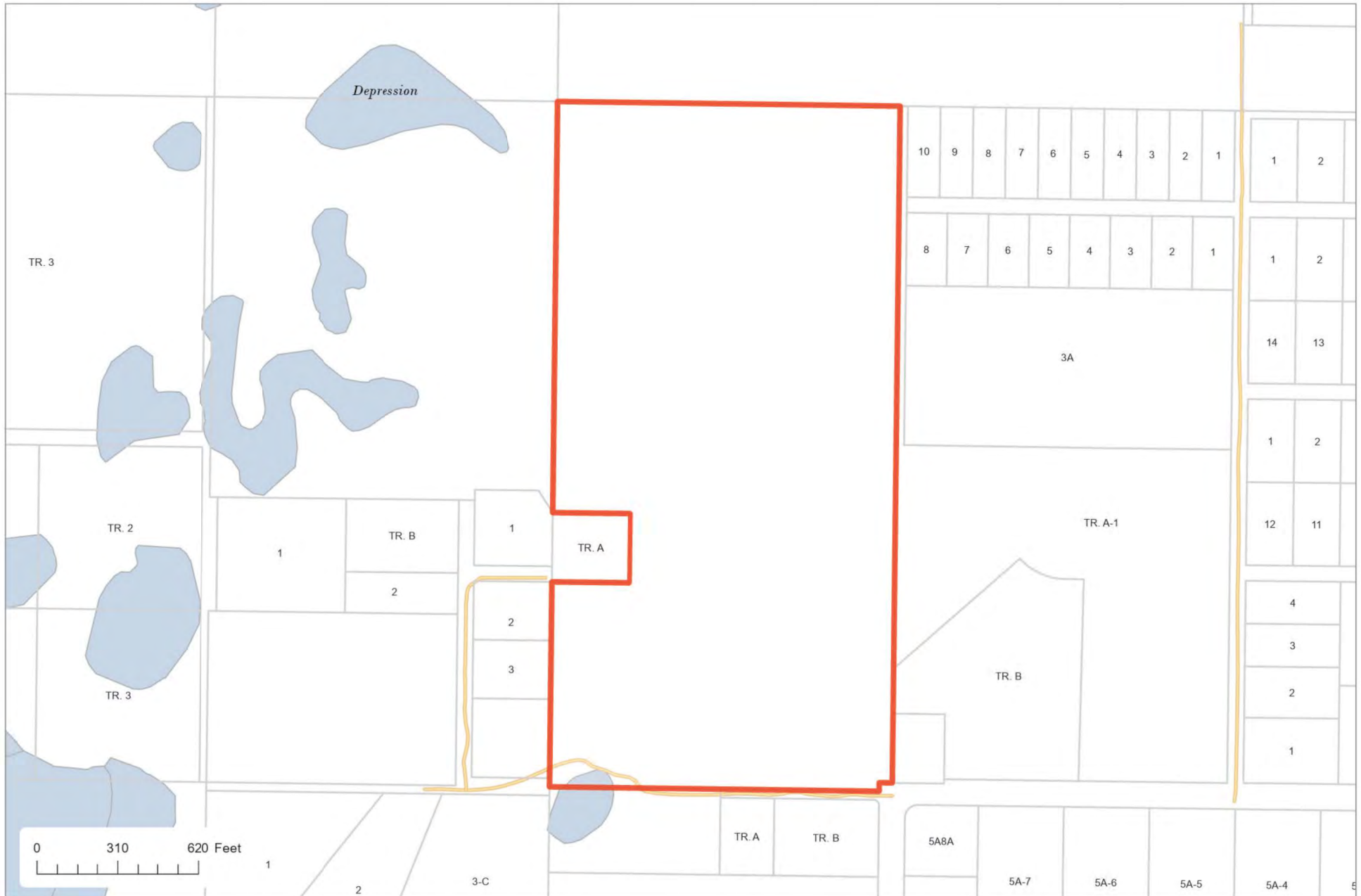
- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL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

NOTE: 20.25.120. - REVIEW AND APPEAL.

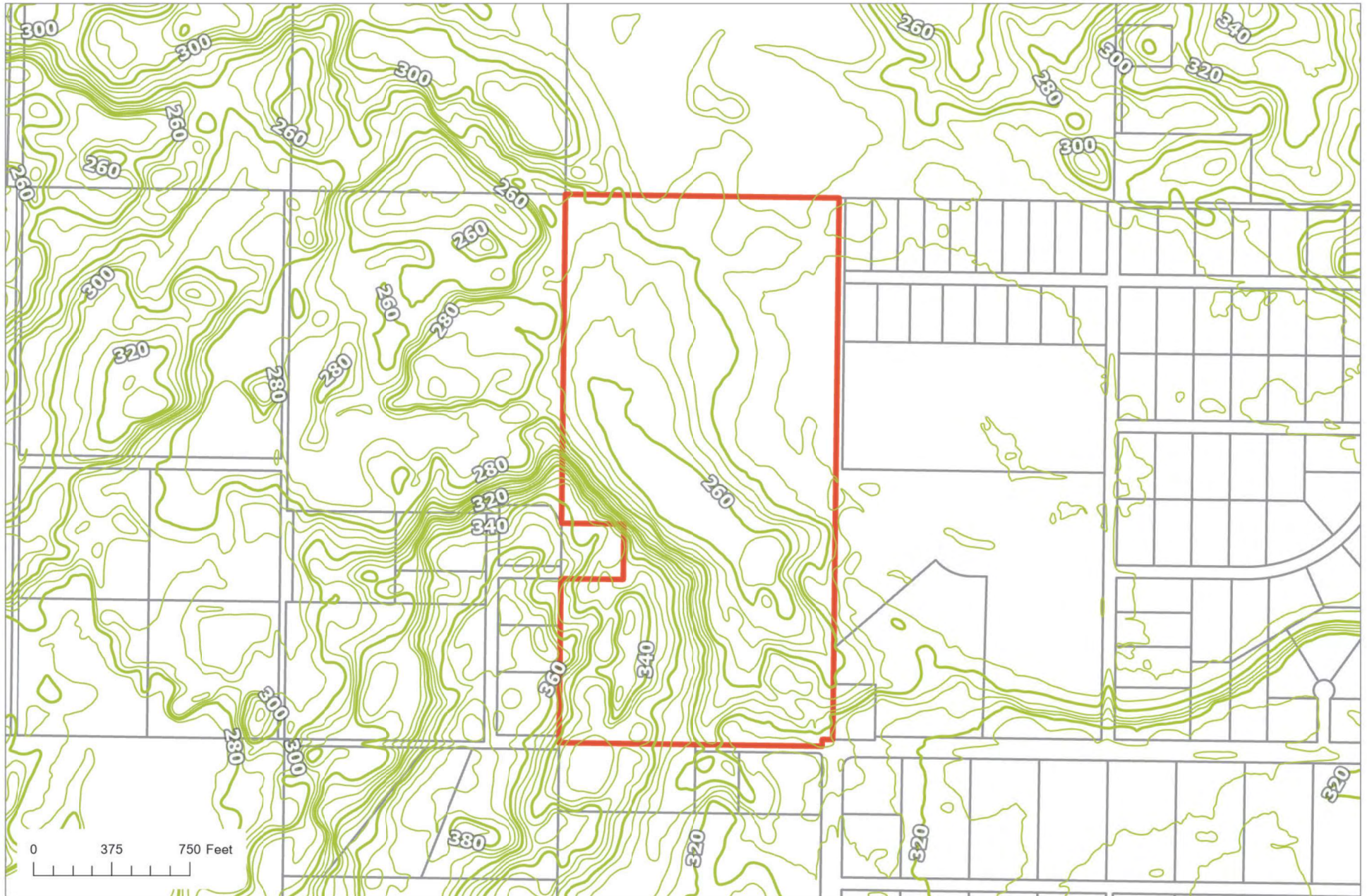
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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

END OF STAFF REPORT



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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. Lillian Walli Estates 2022 Replat; KPB File 2022-083
Geovera, LLC / Weisser Homes, LLC
City of Homer**



KPB File # 2022-083
S24 T06S R14W
Homer



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 IS PER THE PARENT PLAT (HM 2021-47).

2. 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.

3. THE 20 FEET FRONTING THE ERIC LANE RIGHT-OF-WAY IS A UTILITY EASEMENT PER HM 88-16. 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. PROPERTY OWNER SHOULD CONTACT THE ARMY CORPS OF ENGINEERS PRIOR TO ANY ON-SITE DEVELOPMENT OR CONSTRUCTION ACTIVITY TO OBTAIN THE MOST CURRENT WETLAND DESIGNATION (IF ANY). PROPERTY OWNERS ARE RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS.

5. THESE LOTS ARE AFFECTED BY AN EASEMENT OF RECORD WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION (BK17, PG 328 HRD).

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

7. CREEKS AND DRAINAGES ARE SUBJECT TO A 15 FOOT BUILDING SETBACK PER HOMER CITY CODE. APPROXIMATE LOCATIONS OF DRAINAGES ARE SHOWN.

PLAT APPROVAL

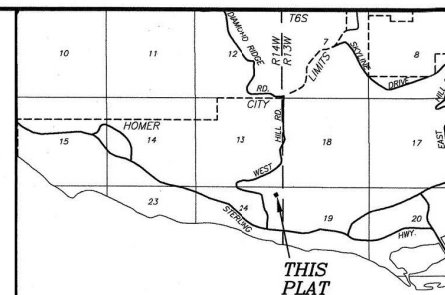
THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF ???, 2022

BY: _____
AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

DATE _____



SCALE 1"=50'



KACHEMAK BAY

VICINITY MAP

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

CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT WEISSER HOMES, LLC IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT ON BEHALF OF WEISSER HOMES, LLC 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 HEREON.

JASON WEISSER
WEISSER HOMES, LLC
JASON WEISSER, MANAGING MEMBER
PO BOX 2913
HOMER, ALASKA 99603

NOTARY'S ACKNOWLEDGMENT

FOR: JASON WEISSER

ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2022.

NOTARY PUBLIC FOR _____

MY COMMISSION EXPIRES: _____

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

**LILLIAN WALLI ESTATE
2022 REPLAT**

THE SUBDIVISION OF LOT 28-A,
LILLIAN WALLI ESTATE 2020 REPLAT (HM 2021-47)

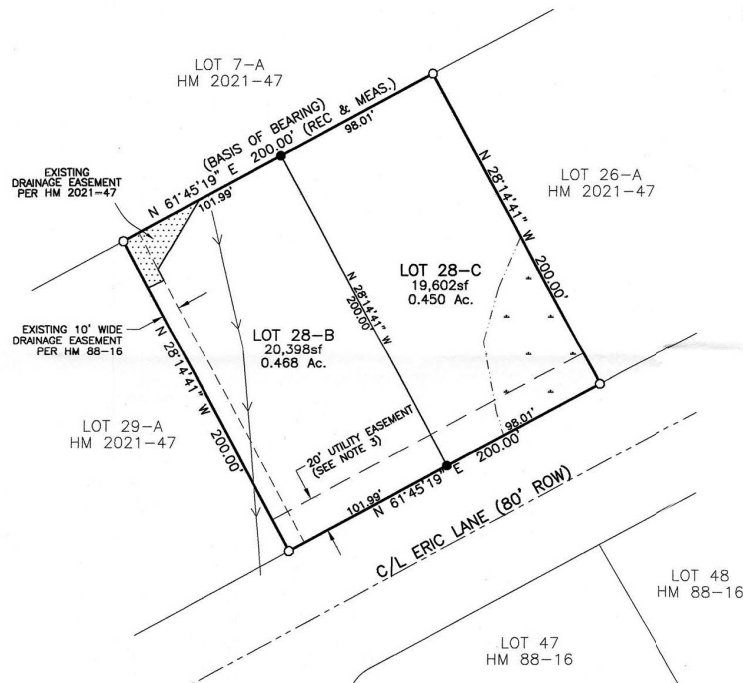
LOCATED WITHIN THE NE 1/4 NE1/4, SEC 24,
T. 6 S., R. 14 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI
PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA
CONTAINING 0.918 ACRES

OWNER:
WEISSER HOMES, LLC
PO BOX 2913 HOMER, AK 99603

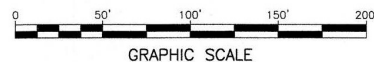
GEOVERA, LLC

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

DRAWN BY: SCS	DATE: APRIL 2022	SCALE: 1" = 50'
CHK BY: SCS	JOB #2022-17	SHEET 1 OF 1

**LEGEND**

- INDICATES 5/8" REBAR WITH 2" ALCAP (7538-S, 2021) RECOVERED THIS SURVEY
- INDICATES 5/8" X 30" REBAR WITH 2" ALCAP (7538-S, 2022) SET THIS SURVEY
- INDICATES LIMIT OF POSSIBLE LOW WET AREAS PER KENAI WATERSHED FORUM WETLANDS ASSESSMENT
- INDICATES APPROXIMATE CENTERLINE OF DRAINAGE



GRAPHIC SCALE



KPB 2022-083

AGENDA ITEM E. NEW BUSINESS

ITEM 9 - LILLIAN WALLI ESTATE 2022 REPLAT

KPB File No.	2022-083
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	Weisser Homes LLC of Homer, AK
Surveyor:	Stephen Smith / Geovera LLC
General Location:	Eric Lane, City of Homer

Parent Parcel No.:	175-240-27
Legal Description:	Lot 28-A Lillian Walli Estate 2020 Replat HM 2021-47
Assessing Use:	Residential
Zoning:	Rural Residential District (in the process of rezoning to Urban Residential)
Water / Wastewater	City

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a .918 acre parcel into two lots that will be .468 acres (20,398 square feet) and .45 acres (19,620 square feet.).

Location and Legal Access (existing and proposed): The subdivision is located on Eric Lane, an 80 foot wide City of Homer right-of-way. Eric Lane is located on state maintained West Hill Road, which is located near mile 172 of the Sterling Highway. Both lots will be fronting on Eric Lane.

Section line easements, Eric Lane, Linstrang Way, and West Hill Road define the compliant block.

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

Site Investigation: The terrain contains steady slopes but nothing steep. There are some low wet areas present within the southeast portion of the subdivision. These are depicted and a wetlands determination note is present. There is a drainage area that contains a setback per the City of Homer. The drainage way is depicted and the correct plat note is present. An additional drainage easement was granted by the parent plat and is depicted and labeled correction within the northwestern portion of the subdivision. **Staff recommends the low wet area depiction remain and the symbology be added to the legend.**

There does not appear to be any encroachments within the proposed subdivision or with neighboring properties.

KPB River Center review	<p>A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: Located within a non-regulatory D Zone</p> <p>B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p>
-------------------------	---

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

Staff Analysis The proposed plat is a subdivision of a lot created by Lillian Walli Estate 2020 Replat, HM 2021-47. That plat replated numerous lots and vacated the Cheryl Lane right-of-way that were created by Lillian Walli Estate, HM 88-16. It appears that all required easements and plat notes have been carried over.

A soils report will not be required. The lots will be connecting to the City of Homer water and sewer.

Notice of the proposed plat was mailed to the beneficial interest holder on June 15, 2022. The beneficial interest holder will be given 30 days from the date of the mailing of the notification to respond. They are given the opportunity to notify staff if their beneficial interest prohibits or restricts subdivision or requires their signature on the final plat. If no response is received within 30 days, staff will assume they have no requirements regarding the subdivision and it may be finalized.

The City of Homer heard and approved the preliminary plat at their June 1, 2022 meeting. They adopted the requirements found within their staff report 22-40. There were no additional notes or requirements stated other than the public works is requiring the utilities be connected or an installation agreement be entered into prior to finalizing the plat.

There were several agreements and resolutions listed within the Certificate to Plat between owners and the City of Homer. These were not addressed within their staff report or the minutes. **Staff recommends that in addition to providing an installation agreement or documentation that one is not required that the City state if they will require any additional plat notes or compliance to those recorded documents prior to finalizing.**

Utility Easements The original plat for the property included a 20 foot utility easement along Fairview Avenue, later changed to Eric Lane. This easement is depicted and noted correctly on the preliminary plat. There is a recorded easement that is included in the plat notes.

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

Utility provider review:

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

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 1040 ERIC LN Existing Street Names are Correct: Yes List of Correct Street Names: ERIC LN
------------	--

	<p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments: The city of Homer will advise on affected addresses.</p>
Code Compliance	<p>Reviewer: Ogren, Eric</p> <p>Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan</p> <p>There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments:</p> <p>There are not any material site issues with this proposed plat.</p> <p>Review Not Required</p>
Assessing	<p>Reviewer: Windsor, Heather</p> <p>Comments: No comment</p>

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

STAFF RECOMMENDATIONS **CORRECTIONS / EDITS**

KPB 20.25.070 – Form and contents required

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

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: Will be required to connect to city sewer and water. Soils 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.

20.60.080. 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: Per the City of Homer staff report, an installation agreement will be required. The Certificate to Plat indicates several agreements and resolutions recorded on behalf of the City of Homer. It will need to be verified that none of those documents will limit the finalization of this plat.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: The signature line needs to be revised as Mr. Weisser's name is listed twice. Comply with 20.60.190.

RECOMMENDATION:

STAFF RECOMMENDS:

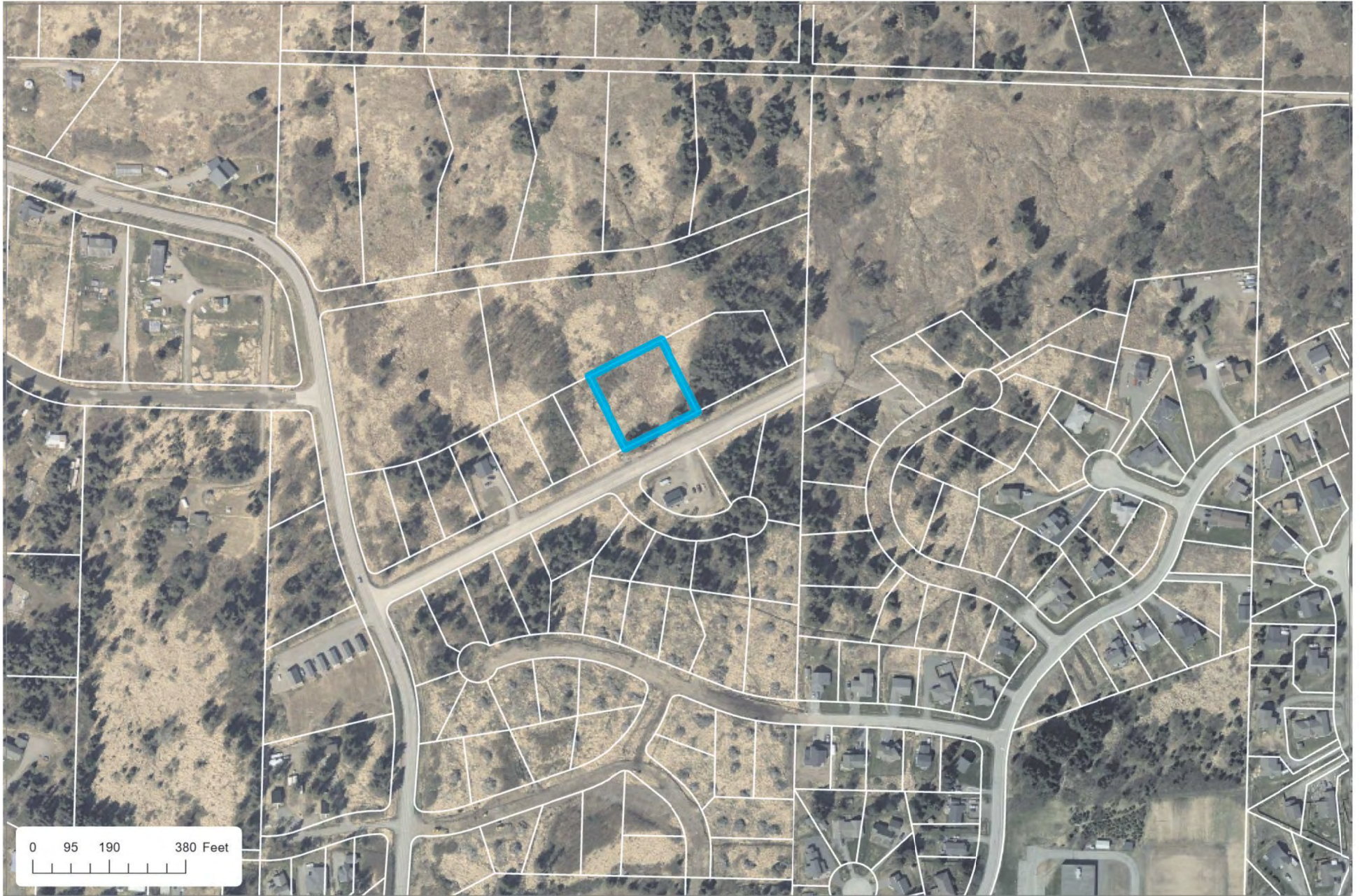
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- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

NOTE: 20.25.120. - REVIEW AND APPEAL.

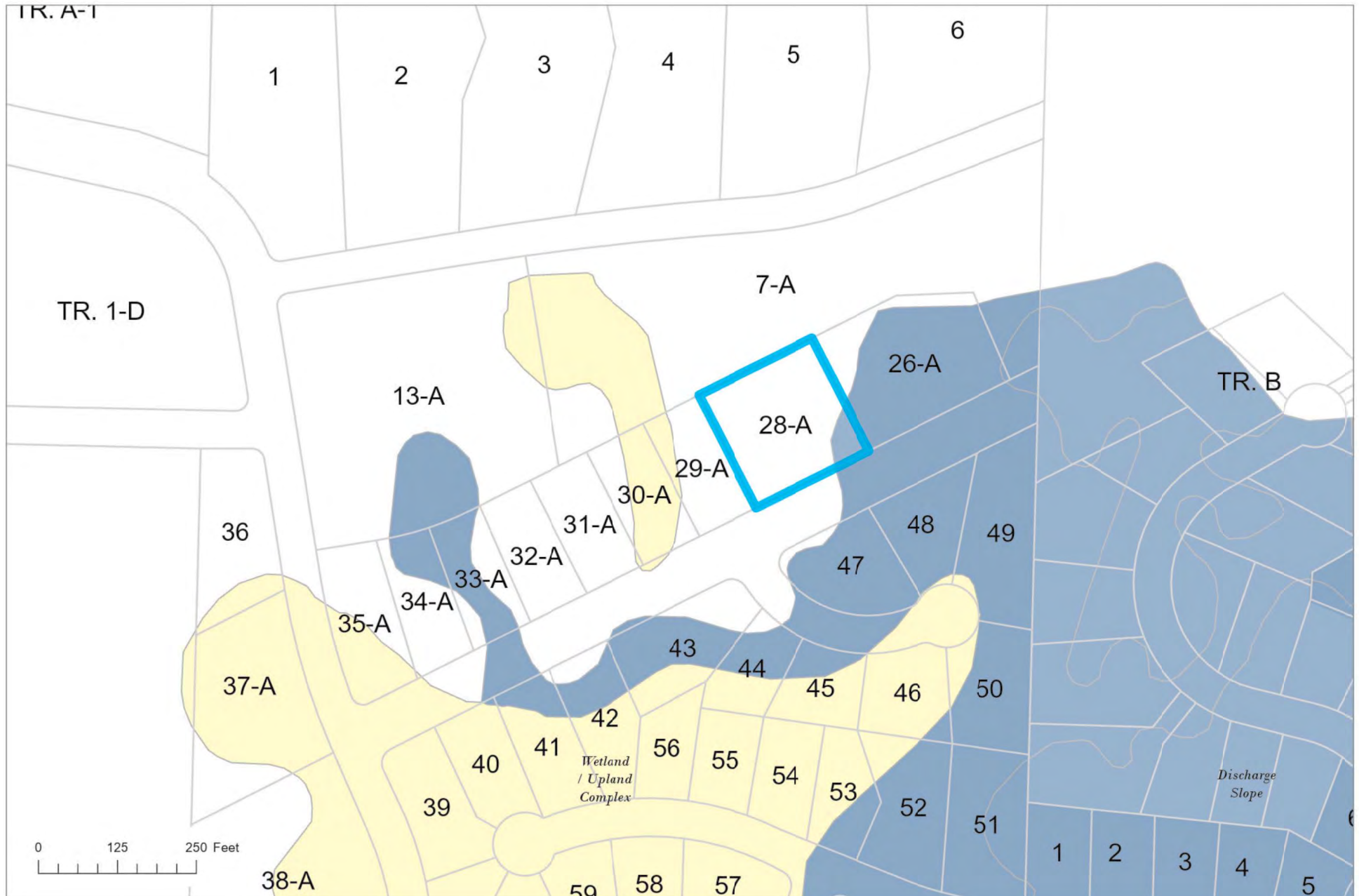
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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

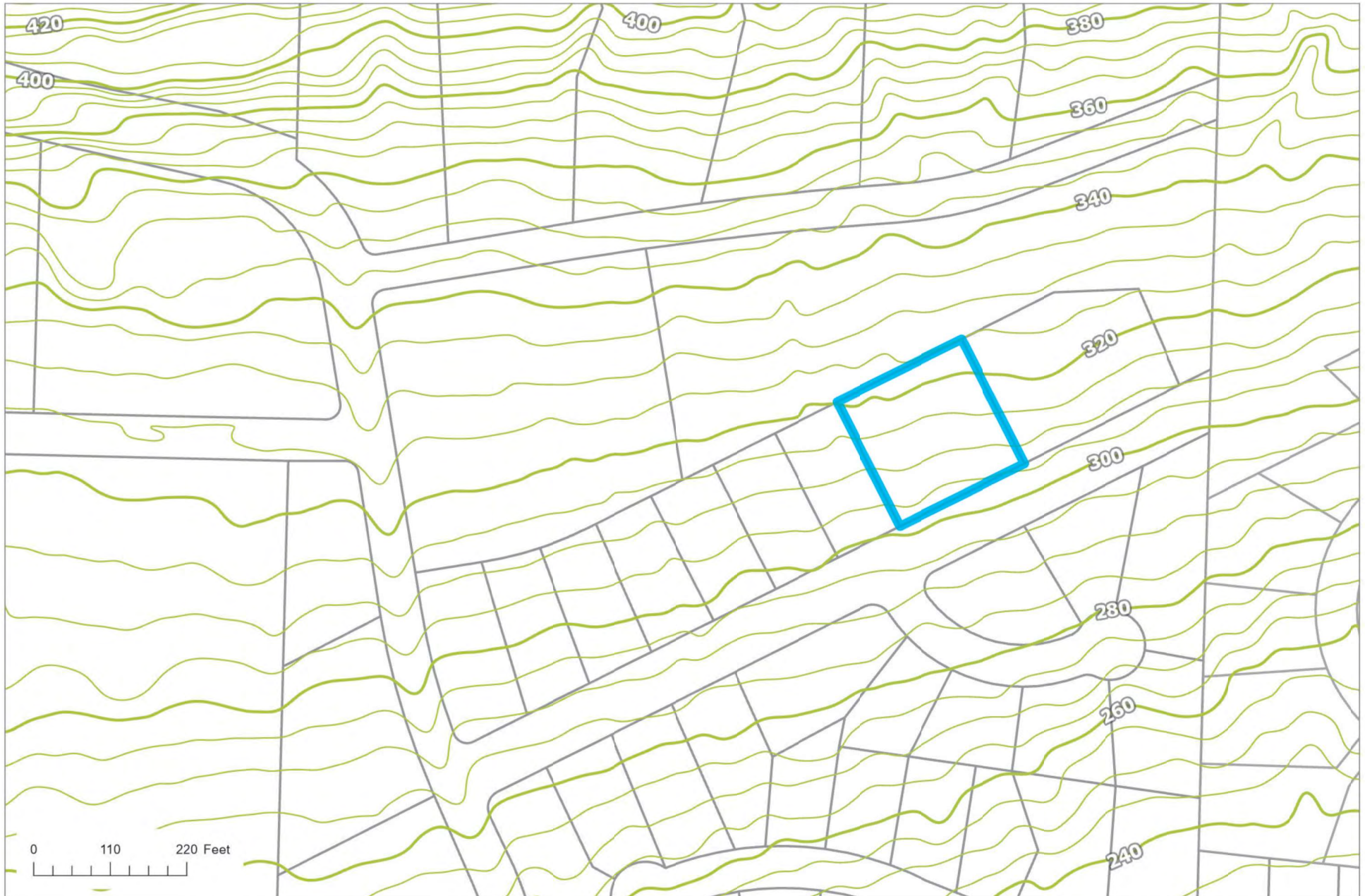
END OF STAFF REPORT



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NOTES

1. BASIS OF BEARING FOR THIS SURVEY WAS DETERMINED BY A HIGH PRECISION GPS SURVEY USING FORK ROAD, FREQUENTLY USED 2 REPERED, DIFFERENTIALLY CORRECTED AND PROCESSED WITH MAGNET OFFICE VERSION 3.1 SOFTWARE, NAD83 ALASKA STATE PLANE GRID COORDINATES (U.S. SURVEY FEET) DETERMINED FROM THE GPS. OBSERVATIONS WERE BASED ON THE NOS PUBLISHED VALUES FOR FEDERAL BASE NETWORK CONTROL, STATION TOWARD (NO TOWNS).
2. TRUE BEARINGS AND DISTANCES WERE DETERMINED BY ROTATING AND SCALING FROM THIS USING FEDERAL BASE NETWORK CONTROL, STATION TOWARD AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY ROTATING AND INVERSE ALGORITHMS (11713.4"). TRUE DISTANCES WERE OBTAINED BY OBTAINING GRID INVERSE DISTANCES BY 0.99999856.
3. THE RESULTING SCALED COORDINATES WERE TRANSLATED TO A LOCAL COORDINATE SYSTEM BASED ON FEDERAL BASE NETWORK CONTROL, STATION TOWARD AS A SCALING POINT. ALL COORDINATE VALUES REPRESENT GRID 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 LIGHTHOUSE WAY RIGHT-OF-WAY AND THE FRONT 20 FEET WITHIN 5 FEET OF THE SIDE LOT LINES IS A UTILITY EASEMENT. FOR THE PARENT PLAT (HM 88-16) THE 30 FEET FRONTING THE WEST HILL ROAD AND END LANE RIGHT-OF-WAY IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
6. PROPERTY OWNER SHOULD CONTACT THE ARMY CORPS OF ENGINEERS PRIOR TO ANY ON-SITE DEVELOPMENT OR CONSTRUCTION ACTIVITY TO OBTAIN THE MOST CURRENT WETLAND DETERMINATION (IF ANY). PROPERTY OWNERS ARE RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE AND FEDERAL PERMITS.
7. THESE LOTS ARE AFFECTED BY AN EASEMENT OF RECORD WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION (HEA), PG 328 HED.
8. THESE LOTS ARE SERVED BY CITY OF HOMER WATER AND SEWER.
9. ACCESS TO STATE MAINTAINED WEST HILL ROAD IS PROHIBITED WITHOUT PRIOR WRITTEN APPROVAL FROM THE ALASKA STATE DOT.
10. CHILDREN AND DRINKAGES ARE SUBJECT TO A 15 FOOT BUILDING SETBACK FROM HOMER CITY CODE. APPROXIMATE LOCATIONS OF DRINKAGES ARE SHOWN.
11. VACATION OF THE UTILITY EASEMENT ADJOINING THE CHERRY LANE RIGHT-OF-WAY PER THE PARENT PLAT (HM 88-16) WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF OCTOBER 26, 2020 AND BY THE HOMER CITY COUNCIL ON NOVEMBER 9, 2020.
12. THE VACATION OF THE CHERRY LANE RIGHT-OF-WAY WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF OCTOBER 26, 2020 AND BY THE HOMER CITY COUNCIL ON NOVEMBER 9, 2020 WITH THE VACATED PORTIONS ATTACHED TO THE ADJACENT PARCELS IN COMPLIANCE WITH HED 20.73.10 AND 41.28.40.10 UNDER HED 20.10.10, AND IS ASSUMED WITH AGREEMENTS BETWEEN OWNERS FOR DISTRIBUTION OF ACREAGE.
13. VACATION OF THE 20' WIDE DRAINAGE EASEMENTS (AS SHOWN HEREON) PER THE PARENT PLAT (HM 88-16) WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF JANUARY 11, 2021 AND BY THE HOMER CITY COUNCIL ON JANUARY 26, 2021.

CERTIFICATE OF ACCEPTANCE

THE UNDERSIGNED OFFICIAL, IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND VERIFY ALIQUOTS ON BEHALF OF THE CITY OF HOMER FOR PUBLIC USE AND FOR PUBLIC PURPOSES. THE AREA, SUBJECT TO BE DESIGNATED BY THIS PLAT INCLUDING EASEMENTS, RIGHT-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS:

THE 30' DRAINAGE EASEMENTS WITHIN THE VACATED CHERRY LANE RIGHT-OF-WAY.

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

BY: JON BOURGHOIS, CITY MANAGER
CITY OF HOMER, ALASKA
DATE: MAY 21, 2021

NOTARY'S ACKNOWLEDGMENT

FOR JASON D. WEISSER AND JENNY D. WEISSER
ACKNOWLEDGED BEFORE ME THIS 20th DAY OF MAY, 2021.
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: 10-22-2023

NOTARY'S ACKNOWLEDGMENT

FOR JASON WEISSER
ACKNOWLEDGED BEFORE ME THIS 18th DAY OF MAY, 2021.
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: 10-22-2023

NOTARY'S ACKNOWLEDGMENT

FOR PAT W. MILLER
ACKNOWLEDGED BEFORE ME THIS 22nd DAY OF MAY, 2021.
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: MARCH 6th 2024

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF NOVEMBER 9, 2020.
KERRI PERINUS BOROUGH

NOTARY'S ACKNOWLEDGMENT

FOR ERO STEVE WALLI
ACKNOWLEDGED BEFORE ME THIS 22nd DAY OF MAY, 2021.
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: MARCH 6th 2024

LINE TABLE

LINE	BEARING	DISTANCE
1	N 89° 15' 00" E	100.00
2	S 89° 15' 00" E	100.00
3	N 89° 15' 00" E	100.00
4	S 89° 15' 00" E	100.00
5	N 89° 15' 00" E	100.00
6	S 89° 15' 00" E	100.00
7	N 89° 15' 00" E	100.00
8	S 89° 15' 00" E	100.00
9	N 89° 15' 00" E	100.00
10	S 89° 15' 00" E	100.00

NOTARY'S ACKNOWLEDGMENT

FOR BRENT GUSTAVE JOHNSON AND JUDITH ARLENE JOHNSON
ACKNOWLEDGED BEFORE ME THIS 22nd DAY OF MAY, 2021.
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: 10-14-24

OFFICIAL SEAL

NOTARY PUBLIC
STATE OF ALASKA

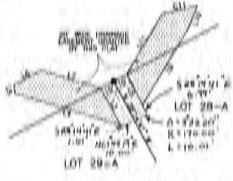


LEGEND

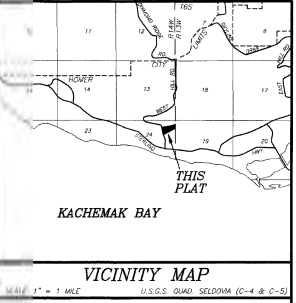
- INDICATES 1017 2-1/2" RC 6.0 MONUMENT RECOVERED THIS SURVEY
- INDICATES PRIMARY MONUMENT RECOVERED THIS SURVEY IS DESCRIBED
- INDICATES 5/8" REBAR WITH 1-1/2" ALCAP (NO LSA OR LATE) RECOVERED THIS SURVEY
- INDICATES 5/8" X 30" REBAR WITH 2" ALCAP (7/28-5, 2021) SET THIS SURVEY
- INDICATES LINE OF POSSIBLE LOW WET AREAS PER KENAI WATERSHED FURROW WETLAND ASSESSMENT
- INDICATES APPROXIMATE CENTERLINE OF DRAINAGE

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD	CHORD BRNG	CHORD DIST
1	90° 00' 00"	100.00	100.00	100.00	90° 00' 00"	100.00
2	90° 00' 00"	100.00	100.00	100.00	90° 00' 00"	100.00
3	90° 00' 00"	100.00	100.00	100.00	90° 00' 00"	100.00
4	90° 00' 00"	100.00	100.00	100.00	90° 00' 00"	100.00
5	90° 00' 00"	100.00	100.00	100.00	90° 00' 00"	100.00
6	90° 00' 00"	100.00	100.00	100.00	90° 00' 00"	100.00
7	90° 00' 00"	100.00	100.00	100.00	90° 00' 00"	100.00
8	90° 00' 00"	100.00	100.00	100.00	90° 00' 00"	100.00
9	90° 00' 00"	100.00	100.00	100.00	90° 00' 00"	100.00
10	90° 00' 00"	100.00	100.00	100.00	90° 00' 00"	100.00



DETAIL 'A'



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 SHOWN HEREON.

- PAT W. MILLER c.k.a. PAT WAYNE MILLER
ORIGINAL LOTS 7-12 AND 22-25
2301 NORTH STAR, APT.
ANCHORAGE, ALASKA 99503
- ERO STEVE WALLI
ORIGINAL LOTS 13-16 AND 18-21
20110 NORTH FORK ROAD
ANCHORAGE, AK 99556
- Brent Gustave Johnson
ORIGINAL LOTS 26-30
10773 PORCUPINE LANE
CLAM GULCH, AK 99568
- Judith Arlene Johnson
ORIGINAL LOTS 26-30
10773 PORCUPINE LANE
CLAM GULCH, AK 99568
- JARON R. WEISSER
ORIGINAL LOT 32
1877 FOREST GLEN DRIVE
HOMER, ALASKA 99603
- JENNY D. WEISSER
ORIGINAL LOT 32
1877 FOREST GLEN DRIVE
HOMER, ALASKA 99603
- JARON WEISSER
ORIGINAL LOTS 33-35
WEISSER HOMES, LLC
JARON WEISSER MANAGING MEMBER
PO BOX 2013
HOMER, ALASKA 99603

HOMER RECORDING DISTRICT KPB FILE NO. 2020-119

LILLIAN WALLI ESTATE 2020 REPLAT

THE VACATION OF THE CHERRY LANE RIGHT-OF-WAY INCLUDING ASSOCIATED UTILITY EASEMENTS AND DRAINAGE EASEMENTS, AND THE RECONFIGURATION OF LOTS 7-16 AND 18-35, LILLIAN WALLI ESTATE (HM 88-16)

LOCATED WITHIN THE NE 1/4 NE 1/4, SEC 24, T. 8 S., R. 14 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA CONTAINING 13.269 ACRES

OWNER:
ERO STEVE WALLI
2301 NORTH STAR, APT. 1 ANCHORAGE, AK 99503
BRENT G. AND JUDITH A. JOHNSON
10773 PORCUPINE LANE CLAM GULCH, AK 99568
JARON R. WEISSER AND JENNY D. WEISSER
1877 FOREST GLEN DRIVE HOMER, AK 99603
PO BOX 2013 HOMER, AK 99603

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

DRWN BY: JWS	DATE: MAY 2021	SCALE: 1" = 80'
CHK BY: BWR	JOB #2020-23	SHEET 1 OF 1

PLAT CONSIDERATION

A. Staff Report 22-40, Lillian Walli Estate 2022 Replat Preliminary Plat

Chair Smith introduced the item by reading of the title and deferred to the City Planner.

Commissioner Venuti declared he had a conflict.

HIGHLAND/BENTZ MOVED THAT COMMISSIONER VENUTI HAD A CONFLICT OF INTEREST.

Commissioner Venuti stated that he is expecting remuneration for services on this particular property, has a business relationship with the applicant that will exceed allowable limits.

VOTE. YES. CHIAPPONE, HIGHLAND, BENTZ, BARNWELL, SMITH

Motion carried.

Commissioner Venuti muted his connection and departed the meeting (room).

City Planner provided a summary of Staff Report 22-40.

There was no applicant present.

Chair Smith opened the floor for public comment seeing no public present wishing to comment he closed the public comment period and opened the floor to questions from the Commission.

Chair Smith requested a motion and second.

BENTZ/HIGHLAND MOVE TO ADOPT STAFF REPORT 22-40 AND RECOMMEND APPROVAL OF THE LILLIAN WALLI ESTATE 2022 REPLAT PRELIMINARY PLAT

There was a brief discussion on the small amount of wetland, noted a drainage easement which will require development in accordance with regulations.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Commissioner Venuti returned to the meeting.

B. Staff Report 22-41, Yah Sure Preliminary Plat

Chair Smith introduced the item by reading of the title and deferred to the City Planner.

City Planner Abboud provided a summary of Staff Report 22-41.

There was no applicant present.



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report 22-40

TO: Homer Planning Commission **22-40**
FROM: Julie Engebretsen, Economic Development Manager
THROUGH: Rick Abboud, AICP, City Planner
DATE: 6/7/2022
SUBJECT: Lillian Walli Estate 2022 Replat Preliminary Plat

Requested Action: Recommend approval of the preliminary plat

General Information:

Applicants:	Geovera, LLC PO Box 3235 Homer, AK 99603	Jason Weisser Weisser Homes, LLC PO Box 2913 Homer, AK 99603
Location:	Eric Lane, east of West Hill Road	
Parcel ID:	17524027	
Size of Existing Lot(s):	0.918 acres	
Size of Proposed Lots(s):	0.468 acres (20,398 square feet) and 0.450 acres (19,602 square feet)	
Zoning Designation:	Rural Residential District (in process for a rezone to Urban Residential)	
Existing Land Use:	Vacant, Residential	
Surrounding Land Use:	North: Vacant South: Residential East: Vacant West: Residential/vacant	
Comprehensive Plan:	Goal 1-C-1 Promote infill development in all housing districts.	
Wetland Status:	A drainage way and low wet area are present.	
Flood Plain Status:	Zone D, flood hazards undetermined.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are available	
Public Notice:	Notice was sent to 19 property owners of 37 parcels as shown on the KPB tax assessor rolls.	

Analysis: This subdivision is within the Rural Residential District. This plat subdivides one larger lot into two smaller lots. Both new lots are approximately half an acre.

Homer City Code 22.10.051 Easements and rights-of-way

- A. The subdivider shall dedicate in each lot of a new subdivision a 15-foot-wide utility easement immediately adjacent to the entire length of the boundary between the lot and each existing or proposed street right-of-way.

Staff Response: The plat meets these requirements.

- B. The subdivider shall dedicate in each lot of a new subdivision any water and/or sewer easements that are needed for future water and sewer mains shown on the official Water/Sewer Master Plan approved by the Council.

Staff Response: The plat meets these requirements.

- C. The subdivider shall dedicate easements or rights-of-way for sidewalks, bicycle paths or other non-motorized transportation facilities in areas identified as public access corridors in the Homer Non-Motorized Transportation and Trail Plan, other plans adopted by the City Council, or as required by the Kenai Peninsula Borough Code.

Staff Response: The plat meets these requirements.

Preliminary Approval, per KPB code 20.25.070 Form and contents required. The commission will consider a plat for preliminary approval if it contains the following information at the time it is presented and is drawn to a scale of sufficient size to be clearly legible.

- A. Within the Title Block:
 - 1. Names of the subdivision which shall not be the same as an existing city, town, tract or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;
 - 2. Legal description, location, date, and total area in acres of the proposed subdivision; and
 - 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor;

Staff Response: The plat meets these requirements.

- B. North point;

Staff Response: The plat meets these requirements.

- 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 Response: The plat meets these requirements.

- 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 Response: The plat meets these requirements.

- E. All parcels of land including those intended for private ownership and those to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purposes, conditions or limitation of reservations that could affect the subdivision;

Staff Response: The plat meets these requirements.

- F. The names and widths of public streets and alleys and easements, existing and proposed, within the subdivision; [Additional City of Homer HAPC policy: Drainage easements are normally thirty feet in width centered on the drainage. Final width of the easement will depend on the ability to access the drainage with heavy equipment. An alphabetical list of street names is available from City Hall.]

Staff Response: The plat meets these requirements.

- G. Status of adjacent lands, including names of subdivisions, lot lines, lock numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;

Staff Response: The plat meets these requirements.

- H. Approximate location of areas subject to inundation, flooding or storm water overflow, the line of ordinary high water, wetlands when adjacent to lakes or non-tidal streams, and the appropriate study which identifies a floodplain, if applicable;

Staff Response: The plat meets these requirements.

- I. Approximate locations of areas subject to tidal inundation and the mean high water line;

Staff Response: The plat meets these requirements.

- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;

Staff Response: The plat meets these requirements.

- K. Within the limits of incorporated cities, the approximate location of known existing municipal wastewater and water mains, and other utilities within the subdivision and immediately abutting thereto or a statement from the city indicating which services are currently in place and available to each lot in the subdivision;

Staff Response: The plat meets these requirements.

- L. Contours at suitable intervals when any roads are to be dedicated unless the planning director or commission finds evidence that road grades will not exceed 6 percent on arterial streets, and 10 percent on other streets;

Staff Response: The plat meets these requirements. No right of way is dedicated by this plat.

- M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

- O. If the subdivision will be finalized in phases, all dedications for through streets as required by KPB 20.30.030 must be included in the first phase.

Staff Response: The plat meets these requirements.

Public Works Comments: Water and Sewer service must be constructed to the new lot prior to recording the plat, or enter into an installation agreement with the City. No additional drainage easements are required.

Staff Recommendation:

Planning Commission recommend approval of the preliminary plat.

Attachments:

1. Preliminary Plat
2. Surveyor's Letter
3. Public Notice
4. Aerial Map

Geovera, LLC

PO Box 3235 • Homer, Alaska 99603 • (907) 399-4345 • scsmith@gci.net

April 27, 2022

City of Homer
Planning Department
Julie Engebretsen, Deputy City Planner
491 E. Pioneer Ave.
Homer, Alaska 99603

RE: Lillian Walli Estate 2022 Replat Preliminary Plat Submittal

Julie,

Please find enclosed (1) full size copy and (2) 11X17 copies of the preliminary plat of Lillian Walli Estate 2022 Replat, and a \$300.00 check for the submittal fee.

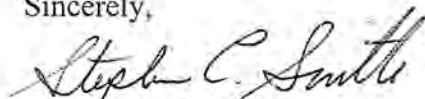
This plat splits existing Lot 28-A (HM 2021-47) into two parcels. Resulting Lot 28-B has the water and sewer stub-outs that were to the original lot. Lot 28-C will need to have water and sewer services installed.

No rights-of-way are being dedicated by this plat. The 20 feet fronting Eric Lane is a utility easement per HM 88-16 so no new easements are needed within 5 feet of the new lot line.

Lot 28-C contains a small area of possible discharge slope per the KWF Wetlands Assessment.

Please let me know if you have any questions. You can reach me at any time at (907) 399-4345. Thanks!

Sincerely,


Stephen C. Smith P.L.S.

RECEIVED

APR 27 2022

CITY OF HOMER
PLANNING/ZONING



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

Plat Submittal Form

Abbreviated Plat - Use the Abbreviated Plat Submittal Form.

Survey Firm Name & Address:

Geovera, LLC

Phone: (907) 399-4345

PO Box 3235

Homer, Alaska 99603

Email: scsmith@gci.net

- ☒ Preliminary Plat ☐ Revised Preliminary Plat
☐ Minor Revisions ☐ Major Revisions }

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

[Preliminary Design Name: _____]

- ☒ Submittal of 1 full size plat and 7 - 11x17 size plats.

- ☒ Plat Submittal Fee in the Amount of \$300.00.

- ☐ Final Plat - Preliminary Approval Granted _____ (date)

- ☐ Plat Recording Fee in the Amount of _____

Plat Name: Lillian Walli Estate 2022 Replat

General Location: _____

USE: ☒ Residential ☐ Recreational ☐ Commercial ☐ Agricultural

☐ Other: _____

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

CURRENT ZONING WHERE APPLICABLE: _____

SEWER: ☐ On site ☒ City ☐ Community

WATER: ☐ On site ☒ City ☐ Community

EXCEPTIONS REQUIRED AND REQUESTED:

1. See attached Submittal Letter

2. _____

3. _____

4. _____

Comments: (Attach an additional sheet if needed.)

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

Jason Weisser

Print Name

Signature

Print Name

Signature

Print Name

Signature

Print Name

Signature

NOTES

1. BASIS OF BEARING FOR THIS SURVEY IS PER THE PARENT PLAT (HM 2021-47).
2. 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.
3. THE 20 FEET FRONTING THE ERIC LAKE RIGHT-OF-WAY IS A UTILITY EASEMENT PER HM 88-16. 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. PROPERTY OWNER SHOULD CONTACT THE ARMY CORPS OF ENGINEERS PRIOR TO ANY ON-SITE DEVELOPMENT OR CONSTRUCTION ACTIVITY TO OBTAIN THE MOST CURRENT WETLAND DESIGNATION (IF ANY). PROPERTY OWNERS ARE RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS.
5. THESE LOTS ARE AFFECTED BY AN EASEMENT OF RECORD WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION (BK17, PG 32B-HRD).
6. THESE LOTS ARE SERVED BY CITY OF HOMER WATER AND SEWER.
7. CREEKS AND DRAINAGES ARE SUBJECT TO A 15 FOOT BUILDING SETBACK PER HOMER CITY CODE. APPROXIMATE LOCATIONS OF DRAINAGES ARE SHOWN.

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF 7/7, 2022

BY: _____
AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

DATE _____



VICINITY MAP

SCALE: 1" = 1 MILE

CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT WEISSER HOMES, LLC IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT ON BEHALF OF WEISSER HOMES, LLC I HEREBY ADAPT 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 HEREON.

JASON WEISSER
WEISSER HOMES, LLC
JASON WEISSER, MANAGING MEMBER
PO BOX 2913
HOMER, ALASKA 99603

NOTARY'S ACKNOWLEDGMENT

FOR: JASON WEISSER
ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2022.

NOTARY PUBLIC FOR: _____
MY COMMISSION EXPIRES: _____

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

LILLIAN WALLI ESTATE 2022 REPLAT

THE SUBDIVISION OF LOT 28-A,
LILLIAN WALLI ESTATE 2020 REPLAT (HM 2021-47)

LOCATED WITHIN THE NE 1/4 NE1/4, SEC 24,
T. 6 S., R. 14 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI
PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA
CONTAINING 0.918 ACRES

OWNER:
WEISSER HOMES, LLC
PO BOX 2913 HOMER, AK 99603

GEOVERA, LLC

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

DRAWN BY: SCS DATE: APRIL 2022 SCALE: 1" = 50'
CHK BY: SCS JOB #2022-17 SHEET 1 OF 1



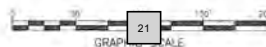
LEGEND

- INDICATES 3/8" REBAR WITH 2" ALCAP (7538-S, 2021) RECOVERED THIS SURVEY
- INDICATES 3/8" X 30" REBAR WITH 2" ALCAP (7538-S, 2022) SET THIS SURVEY
- INDICATES LIMIT OF POSSIBLE LOW WET AREAS PER KENAI WATERFED FORUM WETLANDS ASSESSMENT
- INDICATES APPROXIMATE CENTERLINE OF DRAINAGE

RECEIVED

APR 27 2022

CITY OF HOMER
PLANNING/ZONING



GRAPHIC SCALE

NOTICE OF SUBDIVISION

Public notice is hereby given that a preliminary plat has been received proposing to subdivide or replat property. You are being sent this notice because you are an affected property owner within 500 feet of a proposed subdivision and are invited to comment.

Proposed subdivision under consideration is described as follows:

Lillian Walli Estate 2022 Replat Preliminary Plat

The location of the proposed subdivision affecting you is provided on the attached map. A preliminary plat showing the proposed subdivision may be viewed at the City of Homer Planning and Zoning Office. Subdivision reviews are conducted in accordance with the City of Homer Subdivision Ordinance and the Kenai Peninsula Borough Subdivision Ordinance. A copy of the Ordinance is available from the Planning and Zoning Office. **Comments should be guided by the requirements of those Ordinances.**

A public meeting will be held by the Homer Planning Commission on Wednesday, June 1, 2022 at 6:30 p.m. In-person meeting participation is available in Cowles Council Chambers located downstairs at Homer City Hall, 491 E. Pioneer Ave., Homer, AK 99603. To attend the meeting virtually, visit zoom.us and enter the Meeting ID & Passcode listed below. To attend the meeting by phone, dial any one of the following phone numbers and enter the Webinar ID & Passcode below, when prompted: 1-253-215-8782, 1-669-900-6833, (toll free) 888-788-0099 or 877-853-5247.

Meeting ID: 979 8816 0903

Passcode: 976062

Additional information regarding this matter will be available by 5pm on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for June 1, 2022 at <https://www.cityofhomer-ak.gov/calendar>. It will also be available at the Planning and Zoning Office at Homer City Hall and at the Homer Public Library.

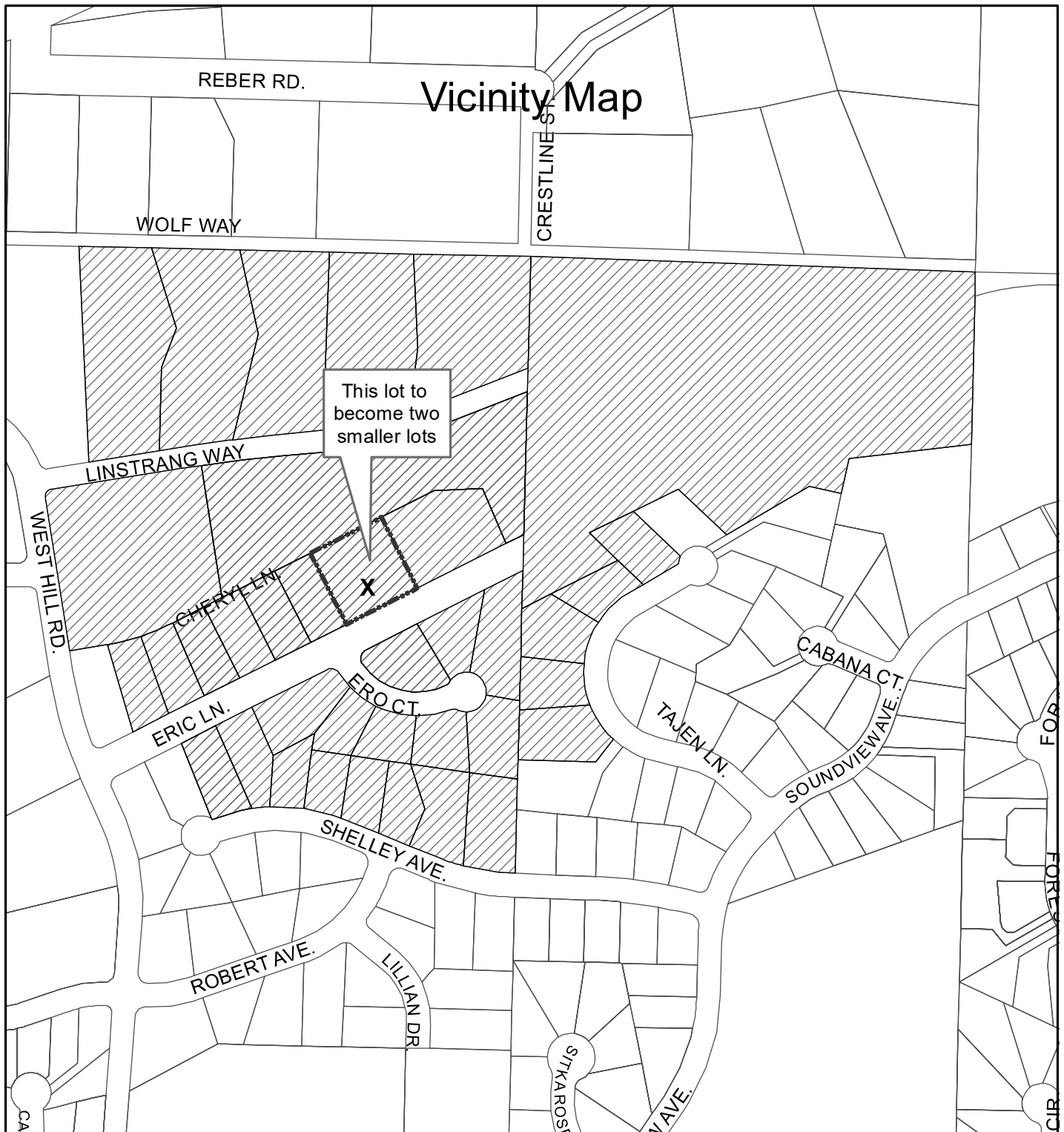
Written comments can be emailed to the Planning and Zoning Office at the address below, mailed to Homer City Hall at the address above, or placed in the Homer City Hall drop box at any time. Written comments must be received by 4pm on the day of the meeting.

If you have questions or would like additional information, contact Rick Abboud at the Planning and Zoning Office. Phone: (907) 235-3106, email: clerk@cityofhomer-ak.gov, or in-person at Homer City Hall.

NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 500 FEET OF PROPERTY.

.....

VICINITY MAP ON REVERSE



City of Homer
Planning and Zoning Department

May 13, 2022

Lillian Walli Estate 2022 Replat Preliminary Plat

Selected parcels are within 500 feet
and property owners notified.

0 250 500
Feet



*Disclaimer:
It is expressly understood the City of
Homer, its council, board,
departments, employees and agents are
not responsible for any errors or omissions
contained herein, or deductions, interpretations
or conclusions drawn therefrom.*

NOTES

1. BASIS OF BEARING FOR THIS SURVEY IS PER THE PARENT PLAT (HM 2021-47).
2. 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.
3. THE 20 FEET FRONTING THE ERIC LAKE RIGHT-OF-WAY IS A UTILITY EASEMENT PER HM 88-16. 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. PROPERTY OWNER SHOULD CONTACT THE ARMY CORPS OF ENGINEERS PRIOR TO ANY ON-SITE DEVELOPMENT OR CONSTRUCTION ACTIVITY TO OBTAIN THE MOST CURRENT WETLAND DESIGNATION (IF ANY). PROPERTY OWNERS ARE RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS.
5. THESE LOTS ARE AFFECTED BY AN EASEMENT OF RECORD WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION (BK17, PG 32B-HRD).
6. THESE LOTS ARE SERVED BY CITY OF HOMER WATER AND SEWER.
7. CREEKS AND DRAINAGES ARE SUBJECT TO A 15 FOOT BUILDING SETBACK PER HOMER CITY CODE. APPROXIMATE LOCATIONS OF DRAINAGES ARE SHOWN.

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF 7/7, 2022

BY: _____
AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

DATE _____



VICINITY MAP

SCALE: 1" = 1 MILE

CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT WEISSER HOMES, LLC IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT ON BEHALF OF WEISSER HOMES, LLC I HEREBY ADAPT 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 HEREON.

JASON WEISSER
WEISSER HOMES, LLC
JASON WEISSER, MANAGING MEMBER
PO BOX 2913
HOMER, ALASKA 99603

NOTARY'S ACKNOWLEDGMENT

FOR: JASON WEISSER
ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2022.

NOTARY PUBLIC FOR: _____
MY COMMISSION EXPIRES: _____

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

LILLIAN WALLI ESTATE 2022 REPLAT

THE SUBDIVISION OF LOT 28-A,
LILLIAN WALLI ESTATE 2020 REPLAT (HM 2021-47)

LOCATED WITHIN THE NE 1/4 NE1/4, SEC 24,
T. 6 S., R. 14 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI
PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA
CONTAINING 0.918 ACRES

OWNER:
WEISSER HOMES, LLC
PO BOX 2913 HOMER, AK 99603

GEOVERA, LLC

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

DRAWN BY: SCS DATE: APRIL 2022 SCALE: 1" = 50'
CHK BY: SCS JOB #2022-17 SHEET 1 OF 1



LEGEND

- INDICATES 3/8" REBAR WITH 2" ALCAP (7538-S, 2021) RECOVERED THIS SURVEY
- INDICATES 3/8" X 30" REBAR WITH 2" ALCAP (7538-S, 2022) SET THIS SURVEY
- INDICATES LIMIT OF POSSIBLE LOW WET AREAS PER KENAI WATERSHED FORUM WETLANDS ASSESSMENT
- INDICATES APPROXIMATE CENTERLINE OF DRAINAGE

RECEIVED

APR 27 2022

CITY OF HOMER
PLANNING/ZONING



GRAPHIC SCALE



City of Homer
Planning and Zoning Department

May 26, 2022

Lillian Walli Estate 2022 Replat Preliminary Plat

Selected parcels are within 500 feet
and property owners notified.

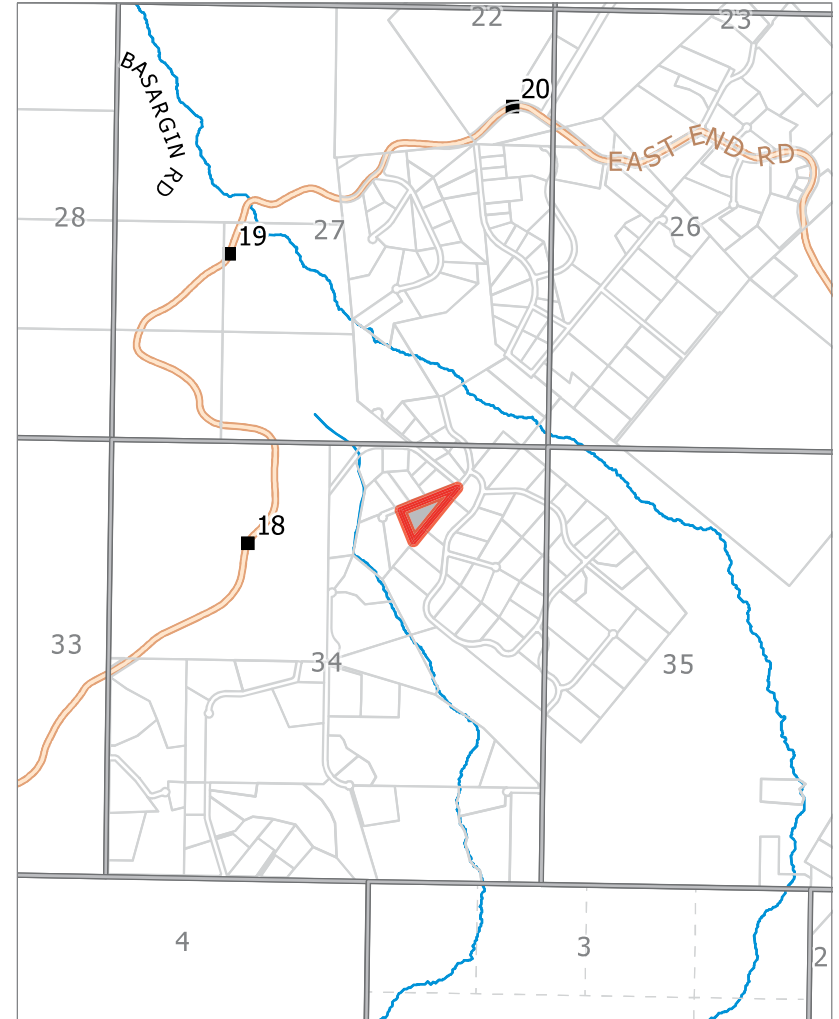
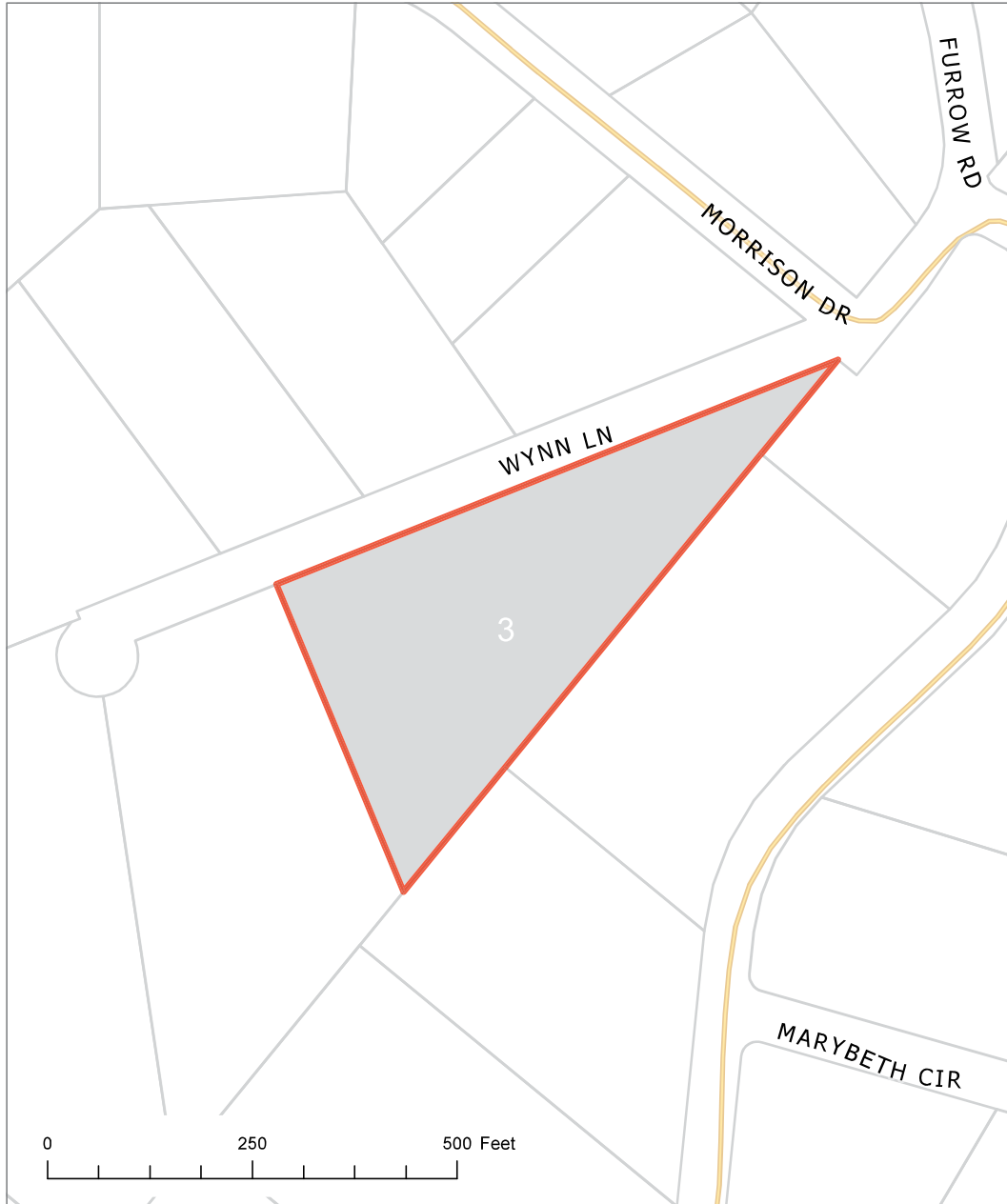
0 250 500
Feet



*Disclaimer:
It is expressly understood the City of
Homer, its council, board,
departments, employees and agents are
not responsible for any errors or omissions
contained herein, or deductions, interpretations
or conclusions drawn therefrom.*

E. NEW BUSINESS

- 10. Patsy's Creek 2022 Replat; KPB File 2022-073
Geovera, LLC / Kusnetsov
Fitz Creek Area / Kachemak Bay APC**



KPB File # 2022-073
S34 T04S R11W
Fritz Creek



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

NOTES

1. BASIS OF BEARING FOR THIS SURVEY IS PER THE PARENT PLAT PATSY'S CREEK NO. 3 (HM 82-72).
2. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.
3. A BUILDING SETBACK OF 20 FEET IS REQUIRED FROM ALL STREET RIGHT-OF-WAYS UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
4. THE FRONT 10 FEET ADJOINING THE WYNN LANE RIGHT-OF-WAY IS A UTILITY EASEMENT PER HM 82-72.
5. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
6. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.
7. THIS LOT IS AFFECTED BY AN EASEMENT OF RECORD WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION (BK 90, PG 167 HRD).

WASTEWATER DISPOSAL

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

ENGINEER _____ LICENSE # _____ DATE _____

LEGEND

- INDICATES RECORD MONUMENT POSITION COMPUTED FROM PATSY'S CREEK (HM 80-59)
- INDICATES 1/2" REBAR PER PARENT PLAT (HM 82-72) RECOVERED THIS SURVEY
- INDICATES 5/8" X 30" REBAR WITH 2" ALCAP (7538-S, 2022) SET THIS SURVEY

KPB 2022-073

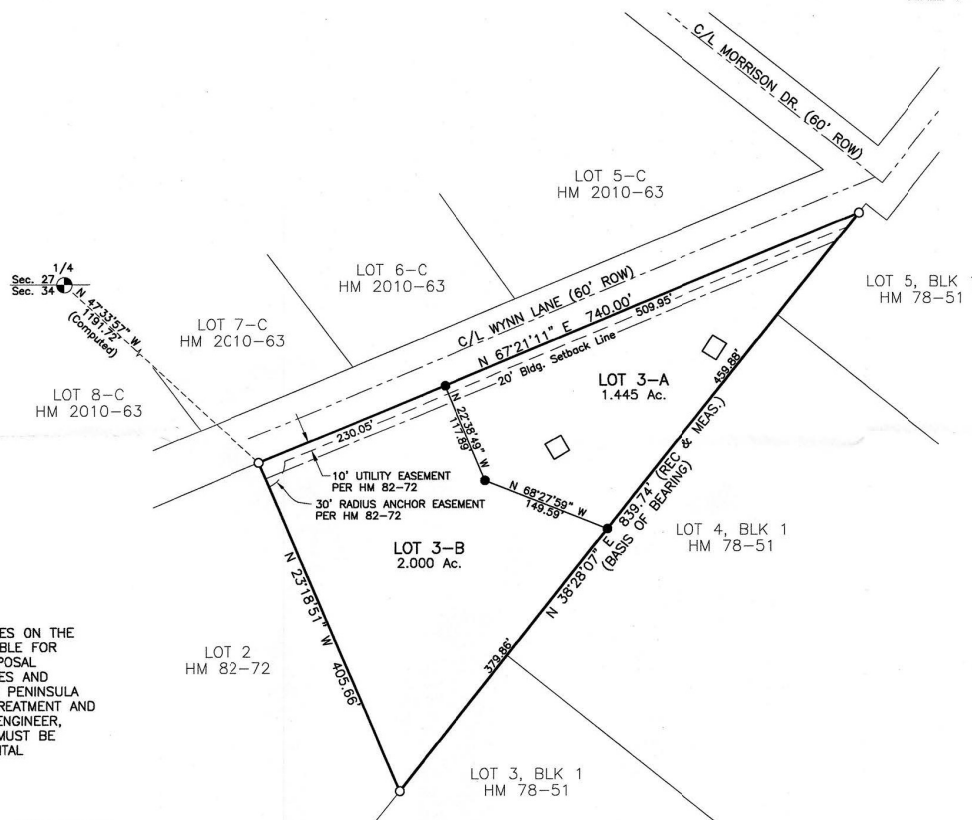
PLAT APPROVAL

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

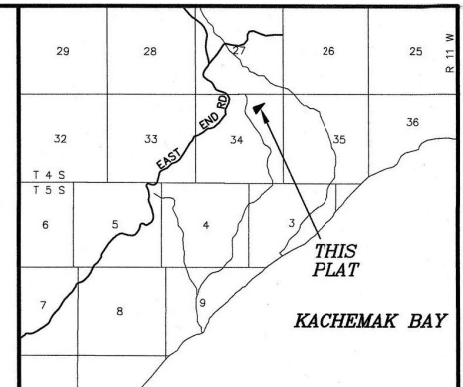
BY: _____
AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

DATE _____

SCALE 1"=100'



0 100' 200' 300' 400'
GRAPHIC SCALE



VICINITY MAP
SCALE: 1" = 1 MILE U.S.G.S. QUAD, SELDOVIA (D-3)

CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, 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 HEREON.

ALEXANDRE KUSNETSOV
PO BOX 1719
HOMER, ALASKA 99603

NOTARY'S ACKNOWLEDGMENT

FOR: ALEXANDRE KUSNETSOV
ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2022.

NOTARY PUBLIC FOR _____
MY COMMISSION EXPIRES: _____

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

PATSY'S CREEK 2022 REPLAT

THE SUBDIVISION OF LOT 3,
PATSY'S CREEK NO. 3 (HM 82-72)

LOCATED WITHIN THE NE 1/4 SEC 34,
T. 4 S., R. 11 W., SEWARD MERIDIAN, KENAI PENINSULA
BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA
CONTAINING 3.445 ACRES

OWNER:
ALEXANDRE KUSNETSOV
PO BOX 1719 HOMER, AK 99603

GEOVERA, LLC

PO BOX 3235
HOMER ALASKA 99603
(907) 399-4345

EMAIL: scsmith@gci.net

DRAWN BY: SCS	DATE: MAY 2022	SCALE: 1" = 100'
CHK BY: SCS	JOB #2022-17	SHEET 1 OF 1

AGENDA ITEM E. NEW BUSINESS

ITEM 10 - PATSY'S CREEK 2022 REPLAT

KPB File No.	2022-073
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	Alexandre and Marfa Kusnetsov of Homer, AK
Surveyor:	Stephen Smith / Geovera LLC
General Location:	Wynn Lane, Morrison Drive, Fritz Creek / Kachemak APC

Parent Parcel No.:	185-360-14
Legal Description:	Lot 3 Pasty's Creek No 3 HM 82-72
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 3.45 acre parcel into two lots that will be 2 acres and 1.445 acres.

Location and Legal Access (existing and proposed): The proposed plat is located on Wynn Lane, a 60 foot wide cul-de-sac that is not constructed. Wynn Lane is located along Morrison Drive, a borough maintain right-of-way located near mile 18 of state maintained East End Road.

The proposed lots will have dedicated access from Wynn Lane. There are structures present on proposed Lot 3-A. They appear to be accessed through Lot 5 and Lot 4 Block 1 of HM 78-51 which are located to the east, southeast of the lot. The ownership for those two lots is the same for the property within the proposed subdivision. ***Staff recommends if the ownership changes for any of the lots access or driveway easements be recorded if shared access remains desired.***

The terrain within the dedication of Wynn Lane do not appear to contain steep slopes but per KPB Code grades shall not exceed 6 percent on arterial streets and 10 percent on other streets. Per KPB GIS data, it appears there may be portions of the right-of-way with slopes around 18 percent. ***Staff recommends documentation be presented that the slopes comply or provide centerline profiles to determine if any additional right-of-way width will be required or additional easements for maintenance and slopes.***

The block is not compliant in this area. Wynn Lane is a cul-de-sac that does not provide for a closed block. There are several cul-de-sacs within the area. There are very steep areas within the area and many of the through roads are in locations that are best suited with the terrain. There are improvements within this subdivision and within the lots to the south that make an additional dedication difficult and would not be able to improve the block due to terrain. ***Staff recommends the plat committee concur that an exception or dedications for block length improvements are not required with this preliminary plat.***

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

Site Investigation: The property does have some slopes but the property is relatively flat and no steep grades are present. Per KPB GIS data, there are no low wet areas present.

There are two structures being shown on the preliminary plat. There does not appear to be any encroachment issues. **Staff recommends the structures may be removed from the final plat.**

KPB River Center review	<p>A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: No comments</p> <p>B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p> <p>C. State Parks Reviewer: Russell, Pam Comments: No Comments</p>
State of Alaska Fish and Game	No objections

Staff Analysis The property within the proposed replat was originally subdivided by Patsy's Creek, Plat HM 80-59. The lot was then further subdivided by Patsy's Creek No. 3, Plat HM 82-72, and Wynn Lane was dedicated as a 50 foot wide right-of-way. Patsy's Creek No. 5, HM 2010-63, dedicated an additional 10 feet on the northern side of Wynn Lane to bring the right-of-way into compliance.

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

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

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

Utility Easements Patsy's Creek, Plat HM 80-59, granted a 10 foot x 30 foot anchor easement in the northeast portion of the original tract. Patsy's Creek No. 3, Plat HM 82-72, dedicated a 50 foot width of Wynn Lane atop the easement. **Staff recommends the surveyor verify that there are no portions of the easement remaining.**

Patsy's Creek No. 3, Plat HM 82-42, granted a 10 foot utility easement along Wynn Lane and a 30 foot radius anchor easement on the shared lot line with the lot to the west. The easements from the parent plat are depicted and noted correctly.

There is one easement granted by recorded document which is noted correctly 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	No comments
ENSTAR	No comments or recommendations
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek Affected Addresses: 48285 WYNN LN</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: MORRISON DR WYNN LN</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments: 48285 WYNN LN will remain with lot 3-A.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat.</p>
Assessing	<p>Reviewer: Windsor, Heather Comments: No comment</p>
Advisory Planning Commission	Comments not received when the staff report was prepared.

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

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

KPB 20.25.070 – Form and contents required

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

A. Within the Title Block

1. Name of the subdivision which shall not be the same as an existing city, town, tract, or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion. The parent plat's name shall be the primary name of the preliminary plat.
2. Legal description, location, date, and total area in acres of the proposed subdivision;
3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor.

Staff recommendation: *The Certificate to Plat and deed indicate title was taken by Mr. and Mrs. Kusnetsov. She will be required to be added to the title block and signature lines unless documentation is presented that she is unable to sign.*

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.*

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

Staff recommendation: *Wynn Lane appears to have some portions that with approximate 18 percent slopes. The right-of-way is not currently constructed and will the dedicated access to Lot 3-B. Staff recommends cross sections be provided to determine if additional width will be require or possible slope easements.*

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 the plat must be signed by licensed engineer.

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:

Plat note 6 may be removed as there are no wetlands within the proposed subdivision.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: The Certificate to Plat and Deed indicate the ownership was taken by husband and wife. Unless documentation is provided, Mrs. Kusnetsov will need to have a signature line added and the Certificate of Ownership will need to be revised to plural pronouns. 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.

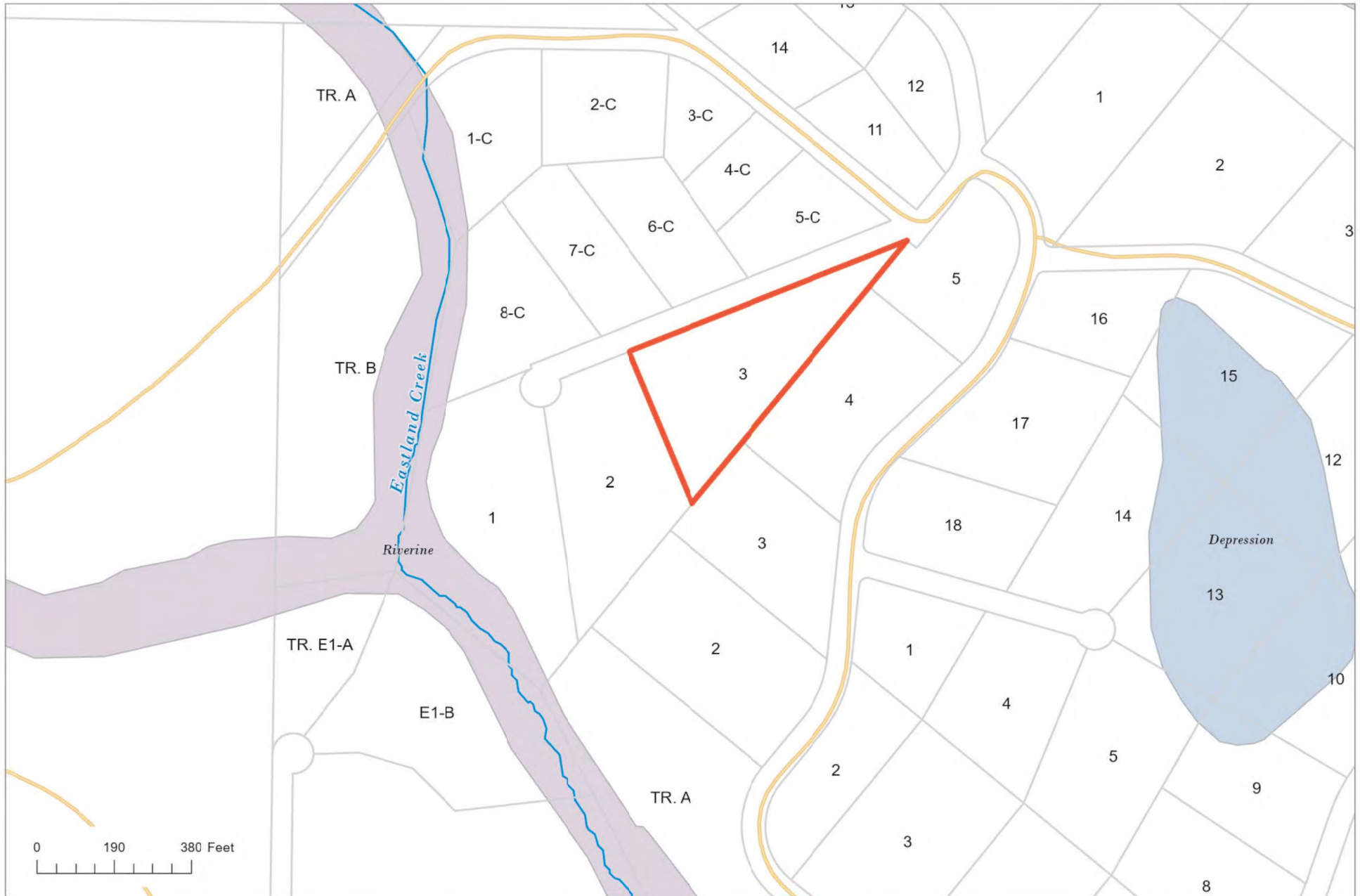
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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.

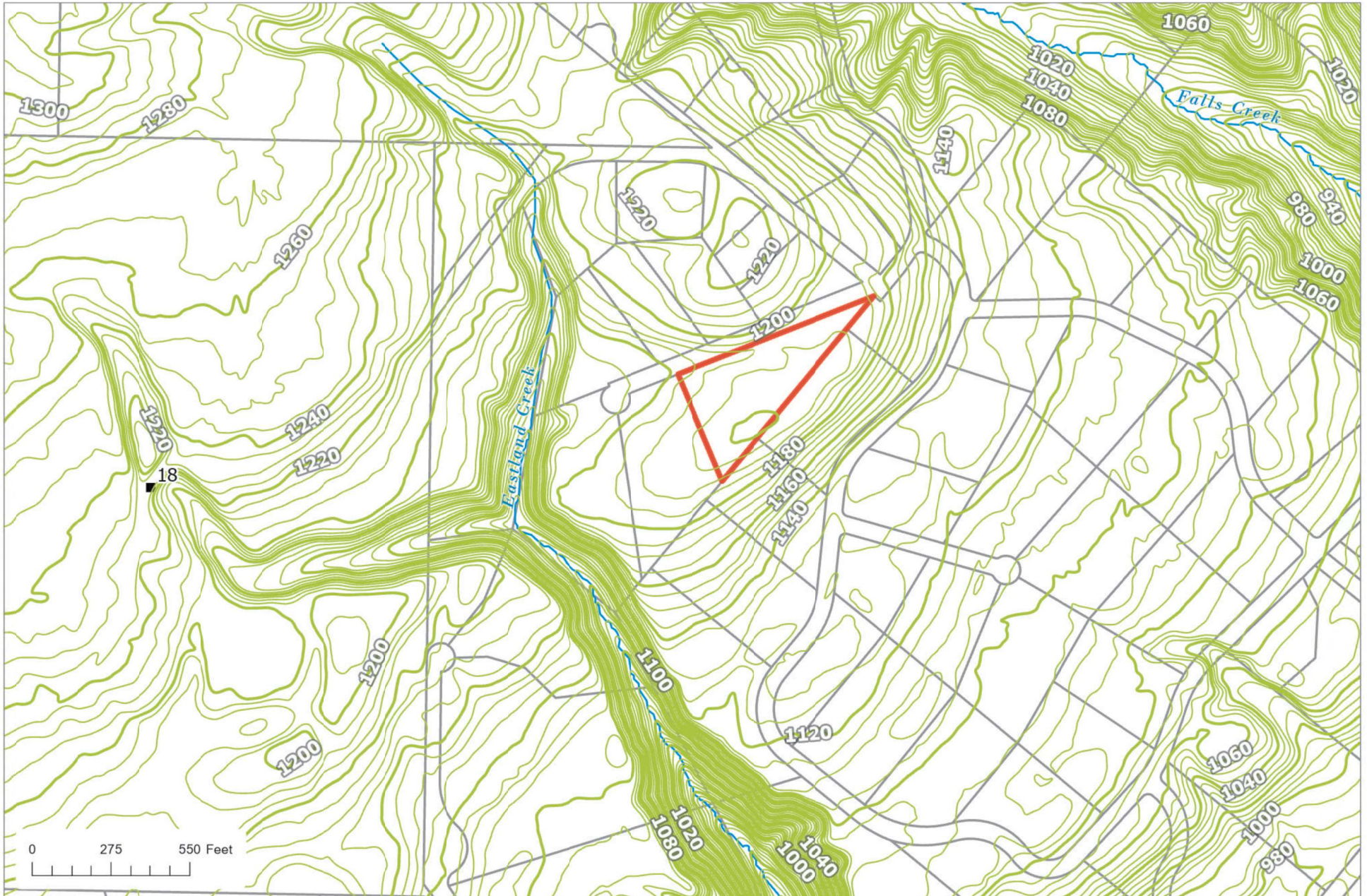
END OF STAFF REPORT



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



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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.

SURVEYOR'S CERTIFICATE

I, the undersigned registered surveyor, hereby certify that a land survey has been completed by me and that corners and monuments have been located and established and that dimensions shown hereon are true and correct.

David Filucci
DAVID FILUCCI 5276-S

Aug 21, 1982
Date

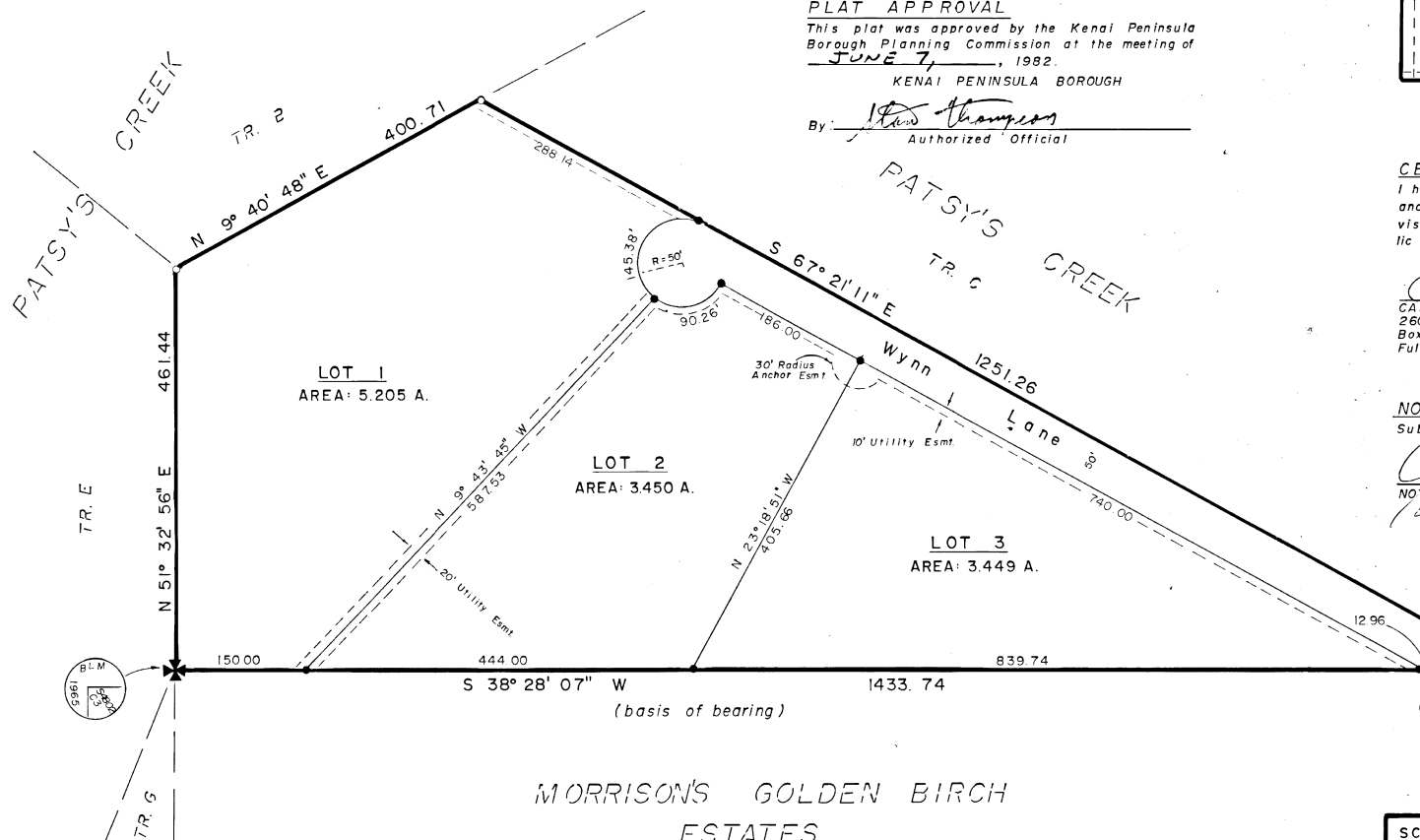
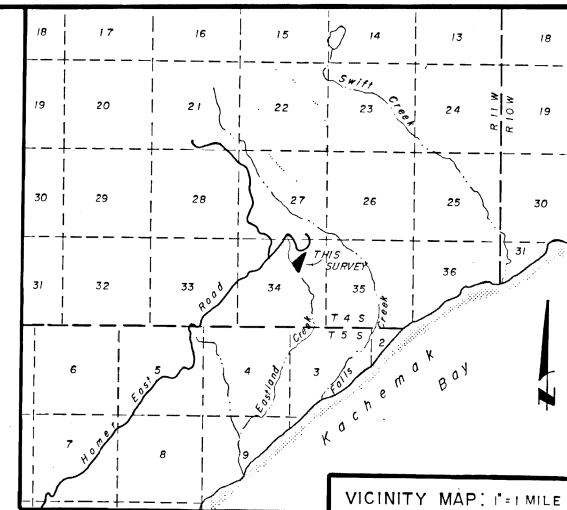


PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of JUNE 7, 1982.

KENAI PENINSULA BOROUGH

By: Steve Thompson
Authorized Official



NOTE:

A SETBACK OF 20' IS REQUIRED FROM ALL RIGHTS OF WAY UNLESS A LESSER STANDARD IS APPROVED BY THE APPROPRIATE PLANNING COMMISSION.

LEGEND:

- BLM B.C. MON. (RECORD)
- FOUND BLM MON., 1965
- SET 1/2" REBAR THIS SURVEY
- FOUND 1/2" REBAR

CERTIFICATE OF OWNERSHIP

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 right of ways and public areas to public use and grant all easements to the use shown.

Carl E. Wynn
CARL E. WYNN
2600 E. Nutwood Ave.
Box 4370
Fullerton, CA. 92634

Oct 1, 1982
Date

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn to before me this 1ST day of OCT. 1982.

Jerry Anderson
JERRY ANDERSON
NOTARY PUBLIC
NOTARY PUBLIC FOR ALASKA
My Commission Expires: 11/1/83

S 51°36'17\" E
50.00

SCALE: 1"=100' AUGUST, 1982 DES: DF DRWN: SW

PATSY'S CREEK No. 3

A RESUBDIVISION OF 'TR. D' PATSY'S CREEK SUBD.
WITHIN THE NE 1/4 OF SEC. 34, T 4 S, R 11 W, S.M.

Containing 13.356 Acres

David Filucci SRA Box 52 A Homer, AK. 99603

CERTIFICATE OF OWNERSHIP
 I hereby certify that I am the owner of the property shown and described hereon. I hereby request approval of this plat showing such easements for public utilities and roadways dedicated by me for public use.

Wilford Stanley Jones
 WILFORD STANLEY JONES
 SRA BOX 51
 HOMER, AK.

NOTARY'S ACKNOWLEDGEMENT
 Subscribed and sworn to before me this 2nd day of June, 1979

Notary Public for Alaska
 Notary Public for Alaska My commission expires

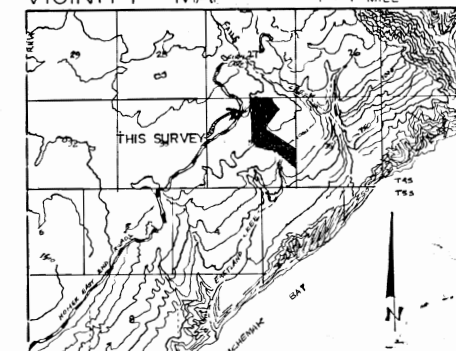
SURVEYOR'S CERTIFICATE
 I, the undersigned registered surveyor, hereby certify that a land survey has been completed by me or under my direct supervision and that corners and monuments have been located and established and that dimensions shown hereon are true and correct.

Jerry Anderson
 JERRY ANDERSON, 3686-S DATE 6/10

PLAT APPROVAL
 This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of September 24, 1979

KENAI PENINSULA BOROUGH
 BY *Philip Warming* Authorized Official

VICINITY MAP 1" = 1 MILE

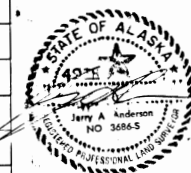


- LEGEND**
- ✱ BLM MONUMENT RECOVERED
 - ✱ ADL MONUMENT RECOVERED
 - ⊙ BC. SET THIS SURVEY

NOTE:
 A SETBACK OF 20' IS REQUIRED FROM ALL STREET RIGHTS OF WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION

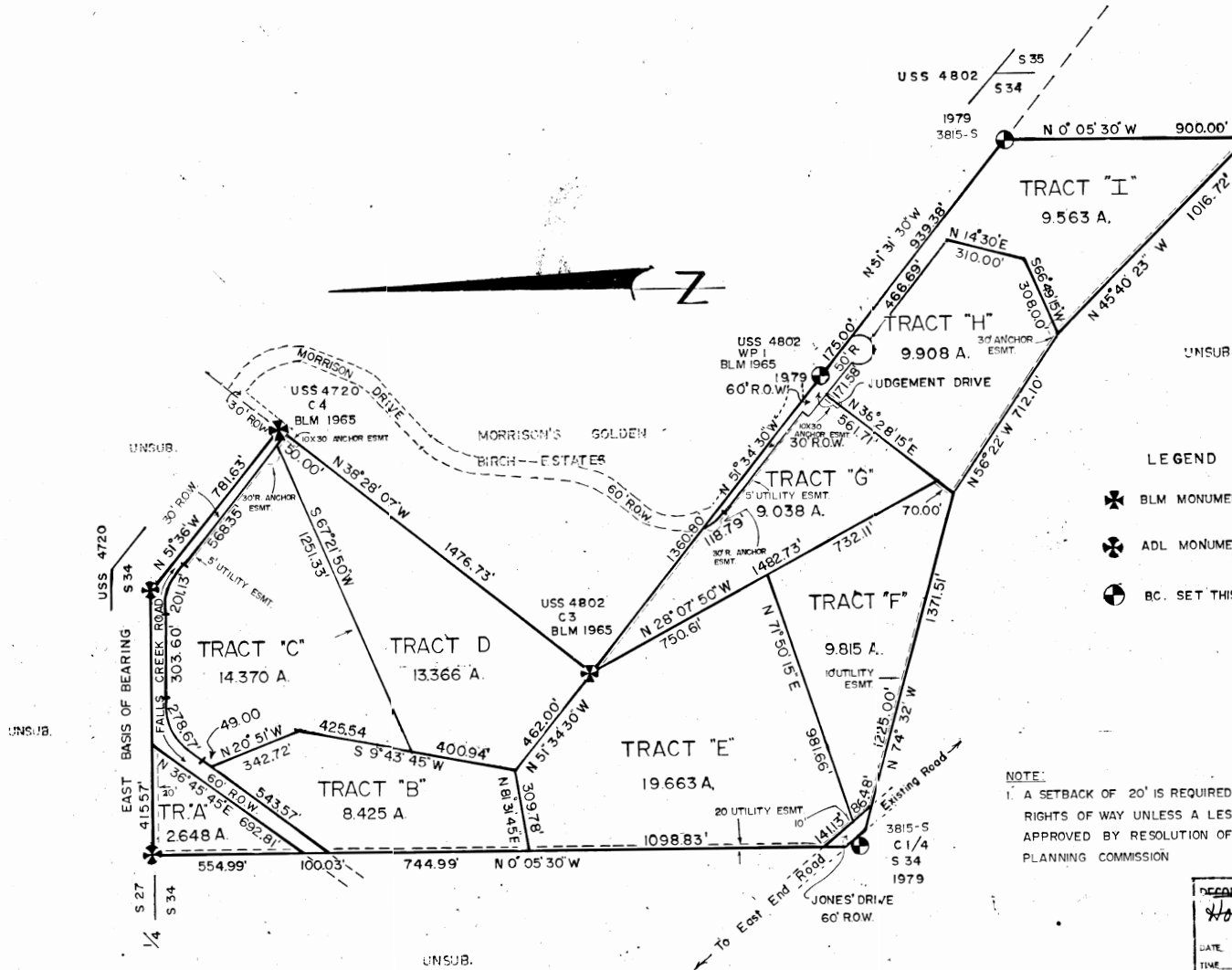
80-59
 DECEMBER 11 1979
 HOMER, AK. DIST.
 DATE 6-25-1980
 TIME 3:20 P.M.
 Prepared by JPB
 Checked by Jaldatra

DATE: AUGUST 79
 SCALE: 1" = 300'
 DRAWN BY: D F
 DESIGNED BY: D F
 JOB NO.: 1113
 FLD. BK. NO.: 75, 83



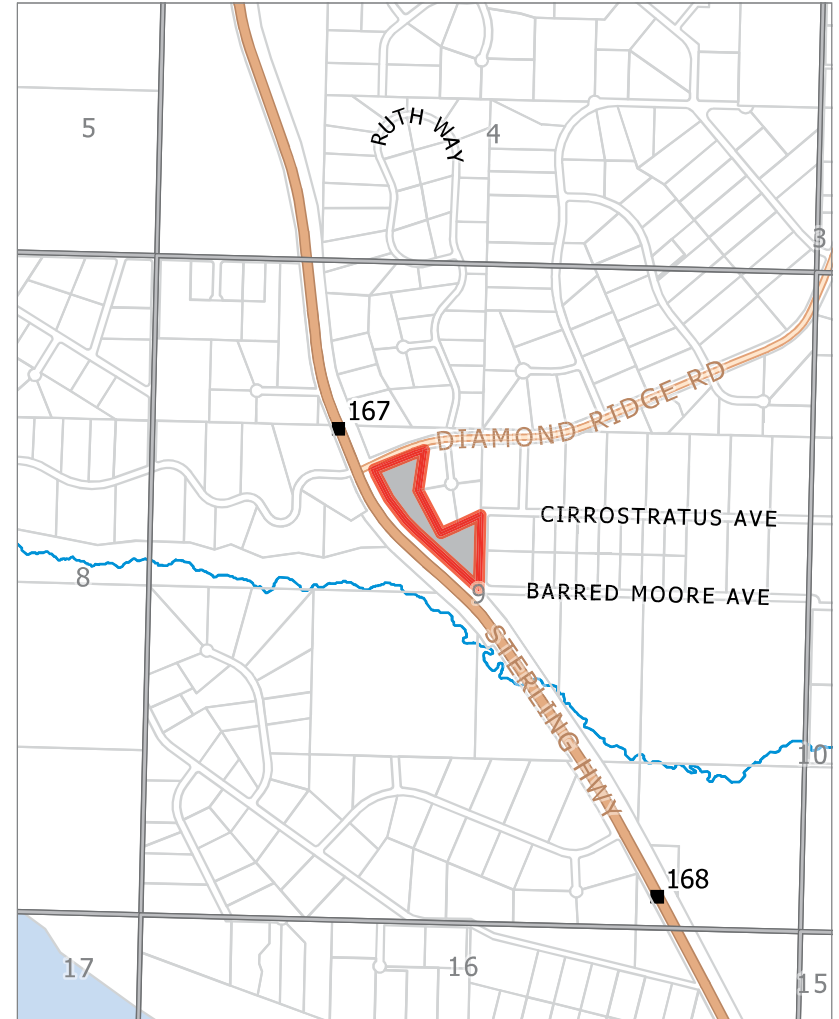
PATSY'S CREEK
 WITHIN THE EAST 1/2 SECTION 34 T4S R11W SM.
 CONTAINING 100.378 ACRES

Ability-Surveys
 REGISTERED SURVEYORS
 ENGINEERS - PLANNERS
 Jerry Anderson, Marvin Hansen
 Box 1263 - Homer, Alaska 99603 - (907) 235-8440



E. NEW BUSINESS

- 11. Smurfy Acres 2022 Replat; KPB File 2022-080
Geovera, LLC / Glanville
Diamond Ridge Area / Kachemak Bay APC**



KPB File # 2022-080
S09 T06S R14W
Diamond Ridge



NOTES

1. BASIS OF BEARING FOR THIS SURVEY WAS DETERMINED BY A HIGH PRECISION GPS SURVEY USING TOPCON DUAL-FREQUENCY HPK-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 "HOMAR" (PID T10155).
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 -11°17'13.4". TRUE DISTANCES WERE OBTAINED BY DIVIDING GRID INVERSE DISTANCES BY 0.999986666.
3. THE RESULTING SCALED COORDINATES WERE TRANSLATED TO A LOCAL COORDINATE SYSTEM BASED ON FEDERAL BASE NETWORK CONTROL STATION "HOMAR" N=100,000 E=100,000. ALL COORDINATE VALUES REPRESENT GROUND DISTANCES IN U.S. SURVEY FEET ORIENTED TO TRUE NORTH.
4. A BUILDING SETBACK OF 20 FEET IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
5. THE FRONT 10 FEET OF THE 20 FOOT BUILDING SETBACK 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. ALL WASTEWATER SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.
7. THE STERLING HIGHWAY RIGHT-OF-WAY IS PER RIGHT-OF-WAY BASEMAP RECORD OF SURVEY ALASKA PROJECT STERLING HIGHWAY, MP 157-169 REHAB - ANCHOR POINT TO BAYCREST HILL PROJECT NO. Z581050000 (HM 2018-26).
8. NO ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY IS PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
9. THESE LOTS ARE AFFECTED BY AN EASEMENT OF RECORD WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION (BK17, PG 299 HRD).
10. ORIGINAL LOT 1 IS AFFECTED BY AN EASEMENT OF RECORD FOR A 10,000 GALLON WATER TANK WITH APPURTENANCES AND ONE ACCESS SHED GRANTED TO THE KENAI PENINSULA BOROUGH (HM 2003-001927-0).

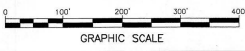
WASTEWATER DISPOSAL

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

ENGINEER _____ LICENSE # _____ DATE _____

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD BRNG	CHORD DIST
C1	0°54'13"	1564.42'	25.38'	N 48°40'59" W	25.58'
C2	25°30'11"	1300.42'	578.83'	N 36°24'00" W	574.06'
C3	5°38'31"	1000.00'	98.47'	N 69°41'11" E	38.43'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 23°38'54" W	28.72'
L2	N 24°53'20" W	17.00'
L3	N 0°03'08" E	47.04'



AGENDA ITEM E. NEW BUSINESS

ITEM 11 - SMURFY ACRES 2022 REPLAT

KPB File No.	2022-080
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	John and Laurie Glanville of Homer, AK
Surveyor:	Stephen Smith / Geovera LLC
General Location:	Sterling Highway, Diamond Ridge Road, Diamond Ridge / Kachemak APC

Parent Parcel No.:	173-310-56
Legal Description:	Lot 1 of Smurfy Acres HM 85-30
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 6.952 acre parcel into two lots that will be 2.687 and 4.265 acres.

Location and Legal Access (existing and proposed): The subdivision is located near mile 167 of the Sterling Highway and the western boundary is adjacent to the highway. The proposed northern lot will also front along state maintained Diamond Ridge Road, a 100 foot dedicated right-of-way. Along the eastern boundary of Lot 1-A is 60 foot wide dedicated Aviation Way that appears to be cleared but is not maintained by the borough. Aviation Way intersects the Sterling Highway at a shared intersection with Barred Moose Avenue.

There currently appear to be a developed access from Diamond Ridge Road to proposed Lot 1-B. An access is also located from the Sterling Highway near the proposed lot line. This access appears to contain developed access that will continue to proposed Lot 1-A and also provides access to proposed Lot 1-B. The location of the driveway is not shown on the plat so the true location is not known. Per KPB GIS data and imagery, it appears that the access may also cross into Lot 5, HM 85-30, that is adjacent to the property. Records indicate the lot is the same owner of the preliminary plat. As both lots have additional dedicated access the KPB Code requirements have been met. However, if the ownership of any of the lots change, the existing access may no longer be able to be used unless access or driveway easements are granted. **Staff recommends** if the owners wish to address the existing access, it should be depicted on the final plat and appropriate plat notes shall be added depending on the owners plans on moving forward.

Sterling Highway, Diamond Ridge Road, Cirrus Road, Cirrostratus Avenue, and Aviation Way define the unusually shaped block. The block is closed. The longest distances is slightly over the required block length of 1,320 feet by being approximately 1,398 feet. **Staff recommends** the plat committee concur that an exception is not required as the existing block lengths are acceptable.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	The ROW for Sterling Highway appears to be shown correctly.

Site Investigation: There are some low wet areas present and are depicted on the plat. **Staff recommends the wetland depiction remain on the final and a wetland determination plat note be added.**

Some slopes exceed the 20 percent slope and are depicted with a hatching. **Staff recommends the hatching remain on the final plat if it does not interfere with other required information.**

As discussed in the legal access there are several access ways developed. Proposed Lot 1-B has structures near the access to Diamond Ridge Road. A few other improvements appear to the south of those. The access from the Sterling Highway appears to access a large cleared area. Proposed Lot 1-A also contains numerous improvements.

An easement for the benefit of the Kenai Peninsula Borough is located in the northwest corner of the subdivision. This easement is for a water storage tank and access to the tank. This is depicted with reference to a plat note with the information provided.

Using KPB GIS imager, it appears that some improvements may be close to property lines along the Sterling Highway. Per Smurfy Acres, HM 85-30, a 20 foot setback was placed along all rights-of-way. This would include along the Sterling Highway and Diamond Ridge Road. A right-of-way project for the Sterling Highway was done in 2018 per plat note 7. If that project changed the right-of-way width in this area the building may be excluded from the 20 foot setback. **Staff recommends during the field survey determine if any permanent structures are within the 20 foot setback, if there are it will need to be determined if they will predate any existing setbacks or subject to new setbacks, if they are determined to be exempt, the buildings will need to be shown with the correct plat notes added.**

The dedication of Aviation Way occurred after the creation of the parent lot within this preliminary plat. A setback along Aviation Way has not been created. **Staff recommends the 20 foot building setback be put into place, if any existing permanent structures are in place they will require depiction and plat notes stating their exempt status must be added.**

KPB River Center review	<p>A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: No comments</p> <p>B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p> <p>C. State Parks Reviewer: Russell, Pam Comments: No Comments</p>
State of Alaska Fish and Game	No objection

Staff Analysis The property within this preliminary plat was originally subdivided by Smurfy Acres, HM 85-30. This will be dividing the parent Lot 1 into two lots.

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

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

Kachemak Bay Advisory Planning Commission minutes were not available when the staff report was prepared (KPB

Page 2 of 5

21.02.020). These will be provided with the desk packet if available.

Utility Easements The parent plat, Smurfy Acres HM 85-30, did not grant any platted utility easements. There is a recorded easement that is within the plat notes.

Per plat note 5, this plat will be granting utility easements within 10 feet of all rights-of-way. **Staff recommends the plat note be reworded to closer match current code and to state that the easements are being granted by this plat and that the easements be depicted if possible.**

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

Utility provider review:

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

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek Affected Addresses: 41420 STERLING HWY</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: STERLING HWY DIAMOND RIDGE RD CIRROSTRATUS AVE AVIATION WAY BARRED MOORE AVE</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments: 41420 STERLING HWY will remain with lot 1-A.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat.</p>
Assessing	<p>Reviewer: Windsor, Heather Comments: No comment</p>

Advisory Planning Commission	Comments not received when the staff report was prepared.
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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 a width label for Glanville Circle. Provide a label for Lot 32 HM 81-08, located to the northeast. The deed parcel to the north has a preliminary design approved. A final has been submitted but not recorded at time of review. Prior to printing the mylar, verify the status of the lot to the north and update depiction and status labels as needed. Show separate lot distances along the line on Sterling Highway.*

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: *A setback should be put into place along Aviation Way.*

KPB 20.40 – Wastewater Disposal

Staff recommendation: *final plat submittals must comply with 20.40. Additional information, revisions, and/or corrections are required as noted below.*

20.40.010 Wastewater disposal.

*Platting Staff Comments: A soils analysis report will be required and an engineer will need to sign the plat.
Staff recommendation: comply with 20.40.*

KPB 20.60 – Final Plat

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

20.60.180. Plat notes.

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

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

Staff recommendation: Place the following notes on the plat.

- Per the Certificate to Plat, the property is subject to reservation of easement for highway purposes. Provide a plat note that states the different PLOs and the dates.
- 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.
- Any required notes for improvements within new setbacks or utility easements.

Update plat note 5, "The front 10 feet adjoining all rights-of-way is granted by this plat as a utility easement. No permanent...."

RECOMMENDATION:

STAFF RECOMMENDS:

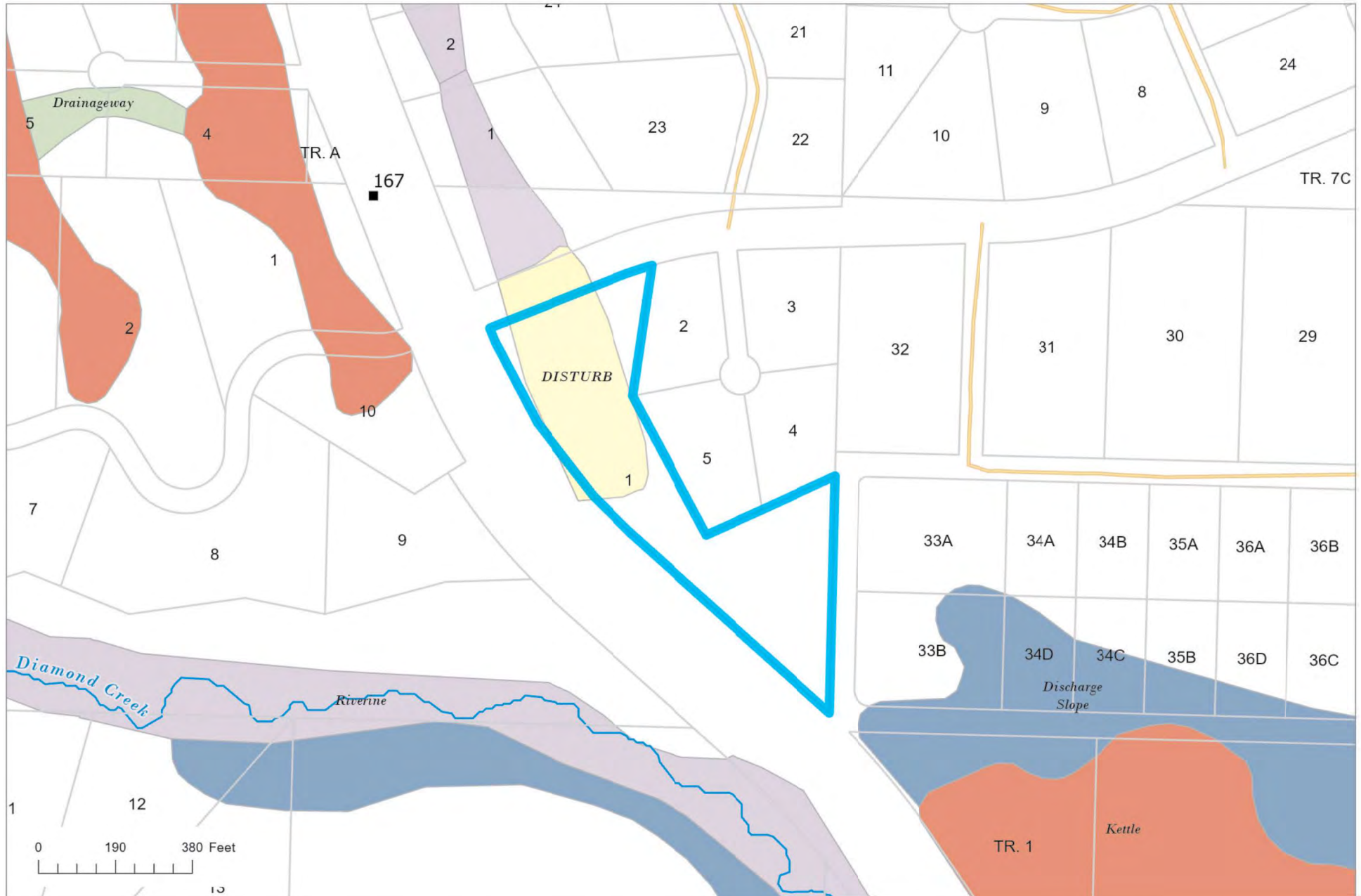
- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL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

NOTE: 20.25.120. - REVIEW AND APPEAL.

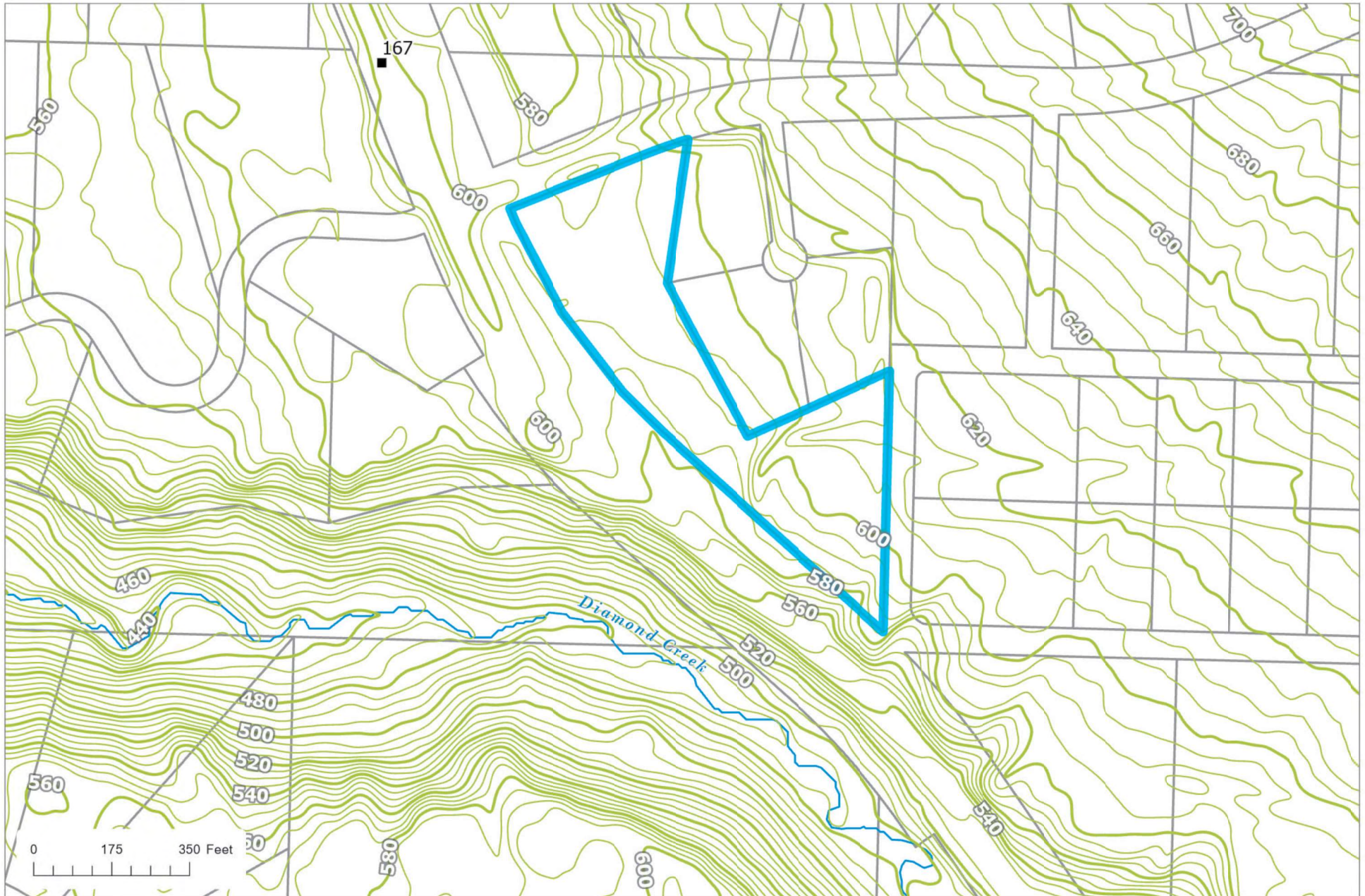
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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.

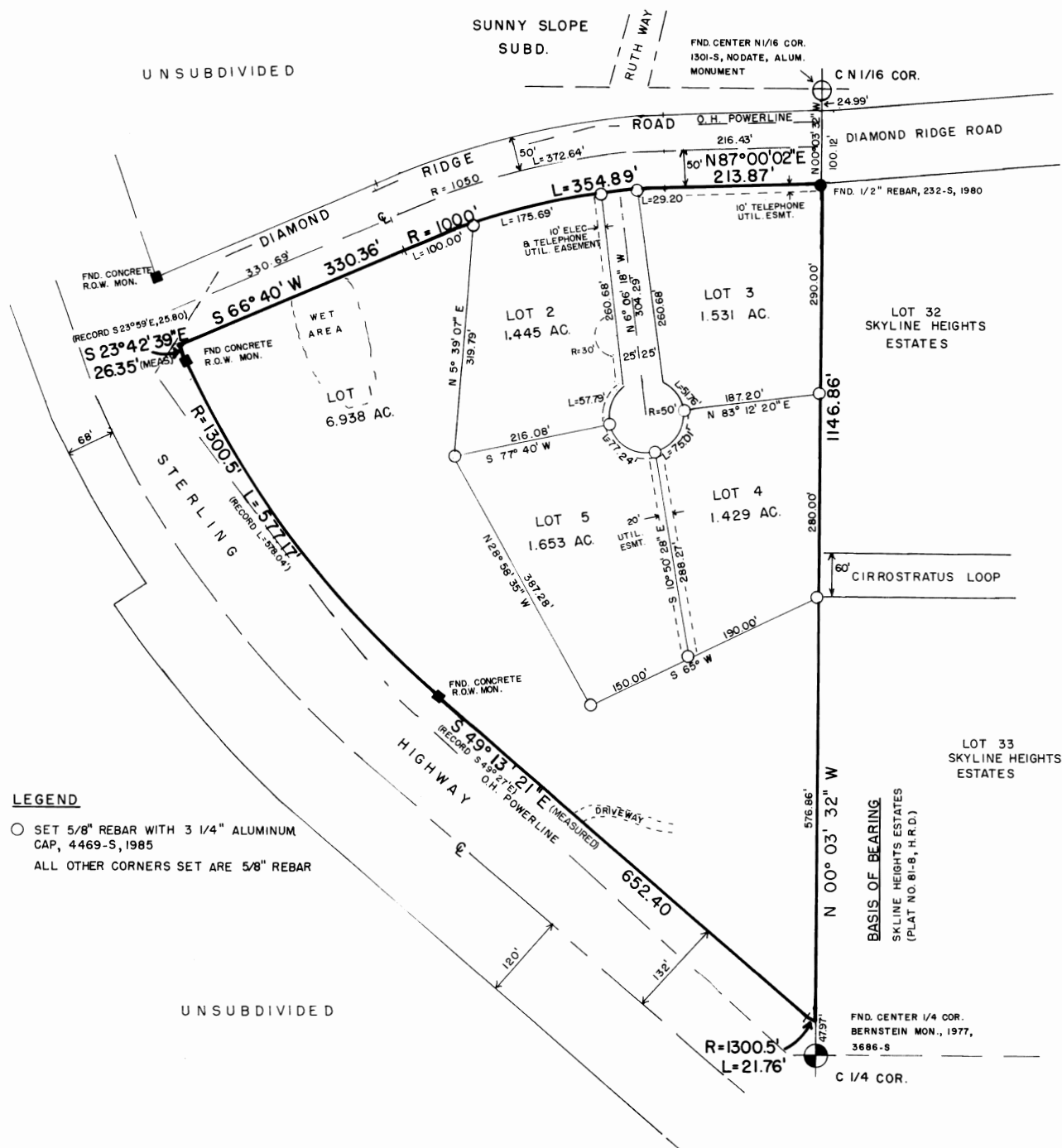
END OF STAFF REPORT



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



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PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough
Planning Commission at the meeting of Feb 11, 1985

KENAI PENINSULA BOROUGH

By: [Signature]
Authorized Official

OWNERSHIP CERTIFICATE

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 right-of-ways to public use, and grant all easements to the use shown.

JOHN GLANVILLE
P.O. BOX 58, ANCHOR POINT, ALASKA 99556

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this 1st day of March, 1985, for John Glanville and Laurie Glanville.

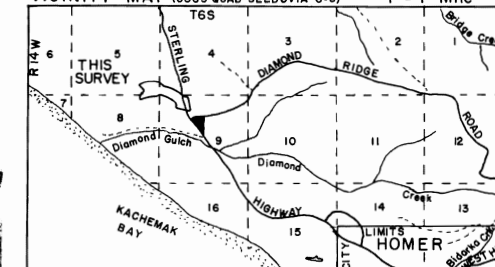
Judith Mullikin
Notary Public for Alaska
My Commission Expires: 4-18-87



NOTES:

1. All wastewater disposal systems shall comply with existing applicable laws at time of construction.
2. The State of Alaska requires that all wastewater disposal systems be a minimum of 100' from any water source.
3. A setback of 20' is required from all street right-of-ways unless a lesser standard is approved by resolution of the appropriate Planning Commission.
4. No direct access to state maintained ROWs permitted unless approved by State of Alaska Dept. of Transportation.

VICINITY MAP (USGS QUAD SELDOVIA C-5) 1" = 1 Mile



SMURFY ACRES

That portion of the SE 1/4 NW 1/4 Sec. 9, T6S, R14W, S.M., in the Homer Recording District, lying East of the road R.O.W. line of the Sterling Hwy. and South of the road R.O.W. line of Diamond Ridge Rd., containing 13.472 acres.

Surveyed by:
Donald E. Mullikin, R.L.S.
MULLIKIN SURVEYS
Box 790, Homer, Ak.

Surveyed for:
John & Laurie Glanville
P.O. Box 58
Anchor Point, Ak. 99556

Date: JANUARY 1985
Field Book No. 64

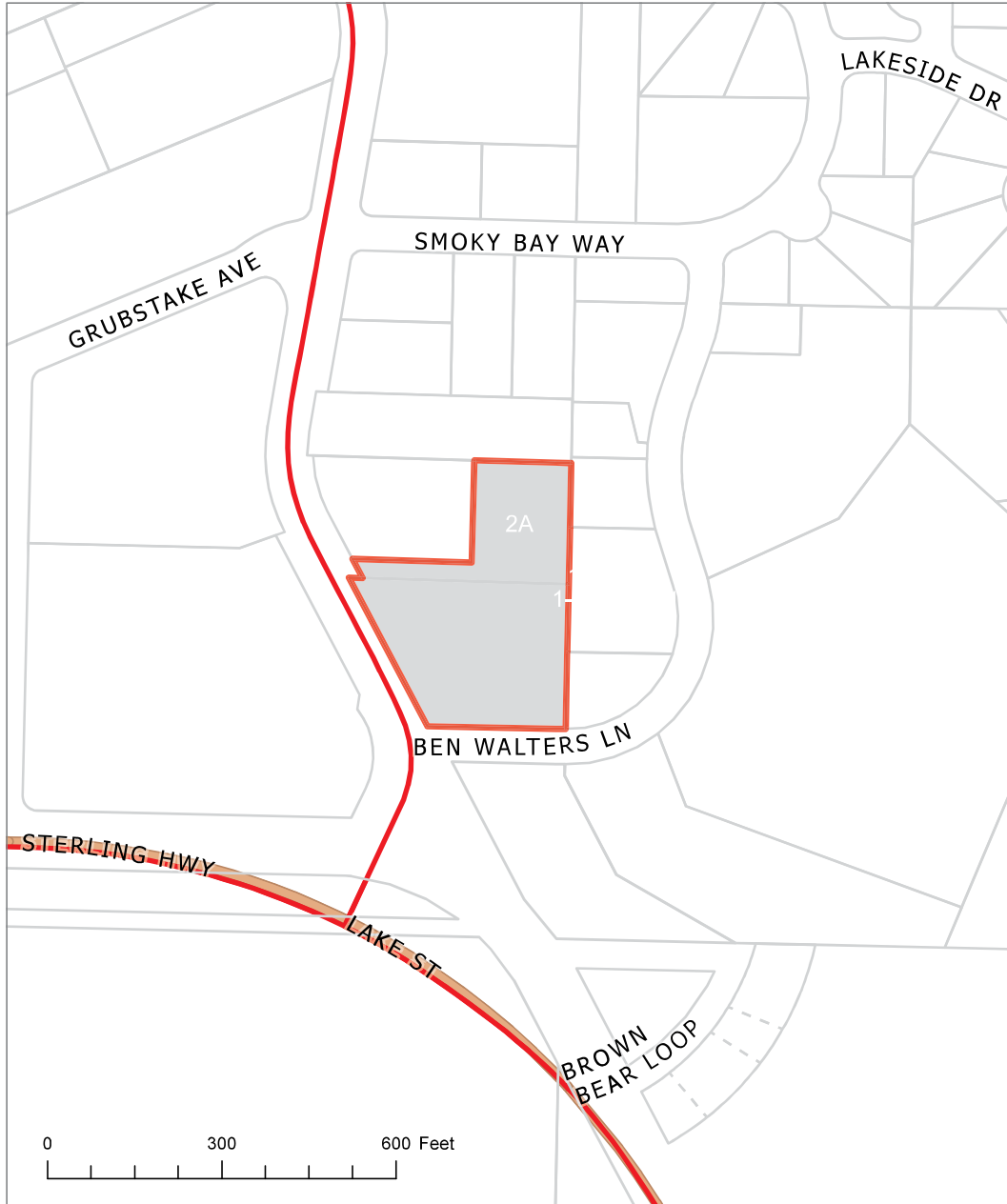
Scale: 1" = 100'

Drawn: DM/JM

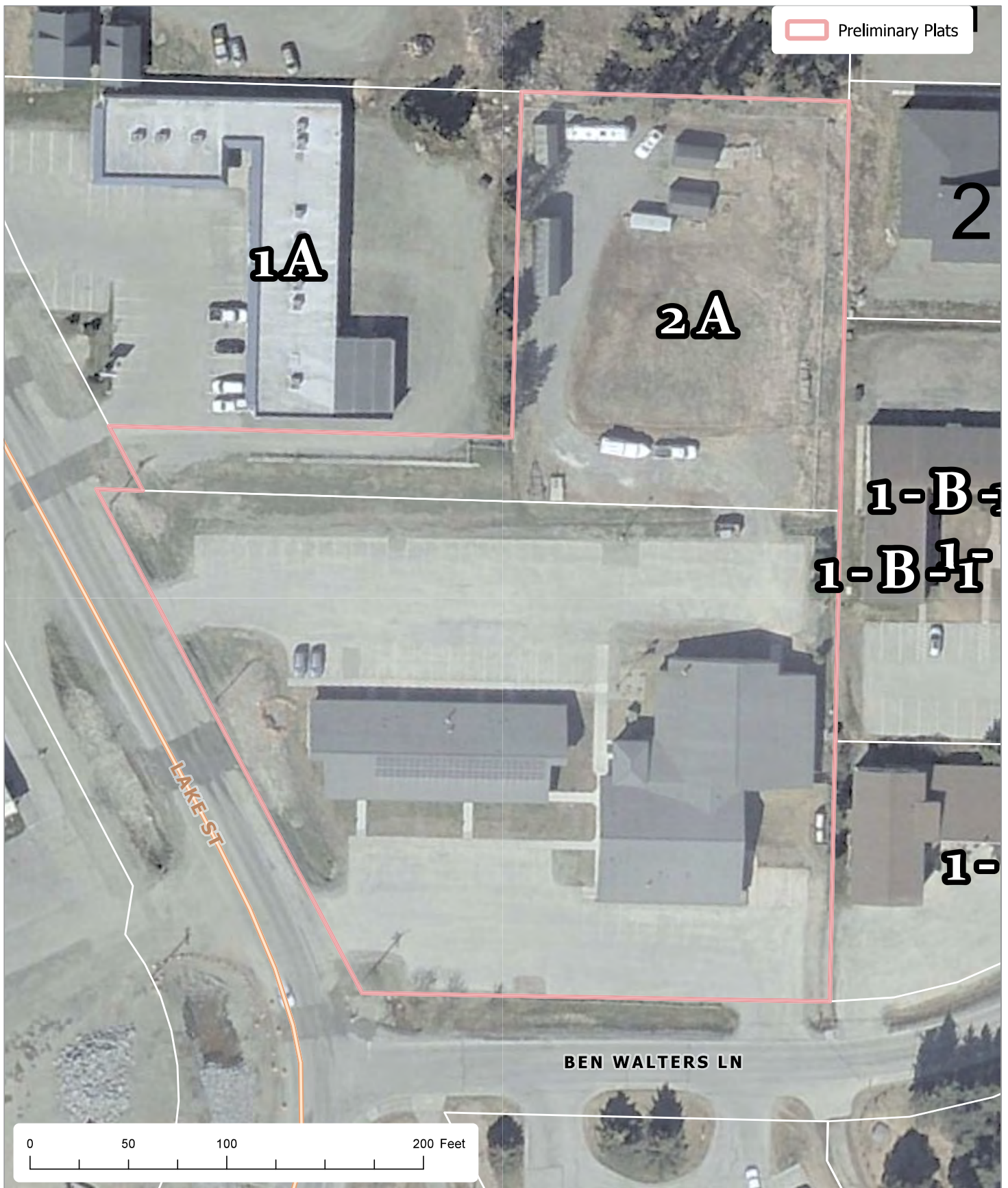


E. NEW BUSINESS

- 12. Yah Sure Subdivision 2022; KPB File 2022-082
Geovera, LLC / HCH Development Company, LLC
City of Homer**



KPB File # 2022-082
S20 T06S R13W
Homer



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 "HOMAR" (PID T0155).
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 -11°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 "HOMAR" 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 BEN WALTERS LANE RIGHT-OF-WAY IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
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 LOT IS AFFECTED BY AN EASEMENT OF RECORD WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION (BK 19, PG 8 AND BK 49 PG 221 HRD).
8. THIS LOT IS SERVED BY CITY OF HOMER WATER AND SEWER.
9. ACCESS TO STATE MAINTAINED LAKE STREET IS PROHIBITED WITHOUT PRIOR WRITTEN APPROVAL FROM THE ALASKA STATE DOT.
10. THIS LOT IS AFFECTED BY A DRAINAGE EASEMENT FOR A 4 INCH FOUNDATION DRAIN FOR THE BENEFIT OF LOT 1A, YAH SURE SUBDIVISION 2013 PER HM 2014-000109-0.
11. THE PARCEL OF LAND SOUTH OF YAH SURE SUBDIVISION 2013 (HM 2013-54) THAT IS A PART OF THIS PLAT ORIGINALLY CONSISTED OF TWO PARCELS DUE TO AN ERROR IN A DEED DESCRIPTION THAT CREATED A FIFTY FOOT WIDE ORPHAN STRIP ADJOINING THE SOUTH BOUNDARY OF YAH SURE SUBDIVISION 2013. THE ORPHAN STRIP WAS RE-COMBINED WITH THE PARCEL TO THE SOUTH BY DEFAULT JUDGEMENT IN CASE NO. 3HO-21-00102-01 ON OCTOBER 5, 2021.
12. EXISTING ELECTRICAL CABINET AND BURIED POWER LINE IS THE CENTERLINE OF A 10 FOOT WIDE ELECTRICAL DISTRIBUTION LINE EASEMENT PER HM 2013-54.

WASTEWATER DISPOSAL

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

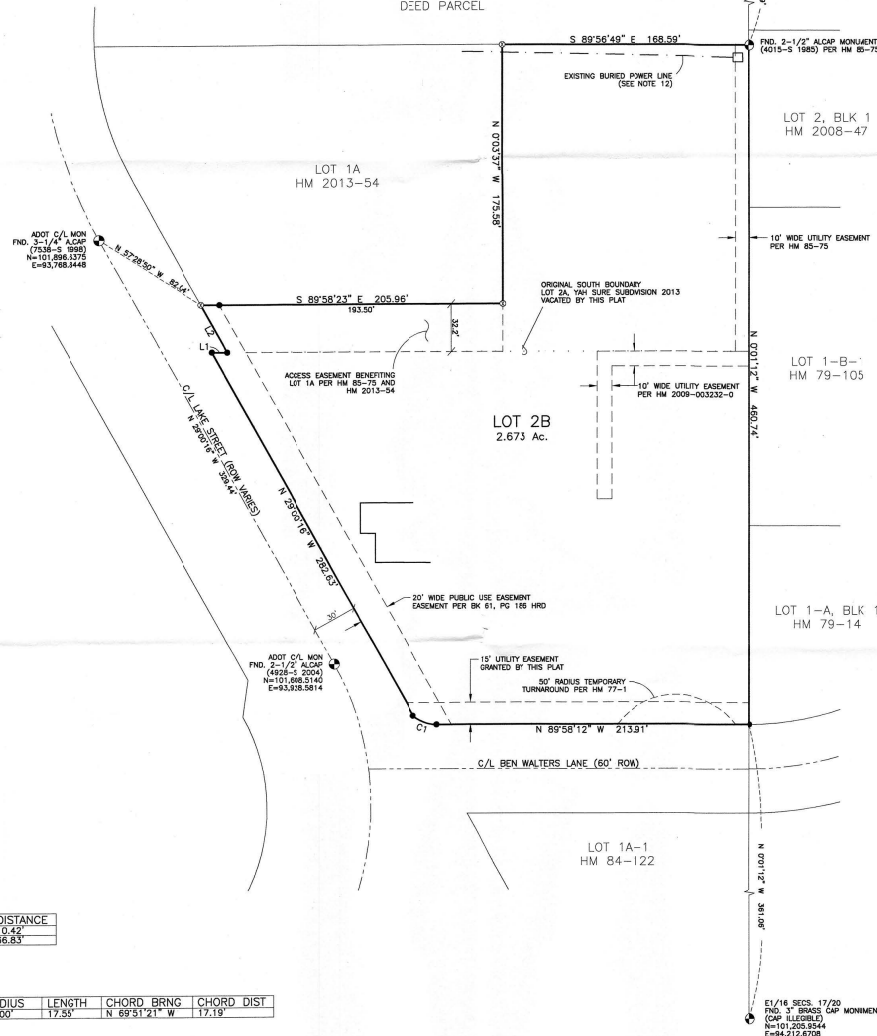
PLAT APPROVAL

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

BY: _____ AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

DATE _____

DEED PARCEL



LEGEND

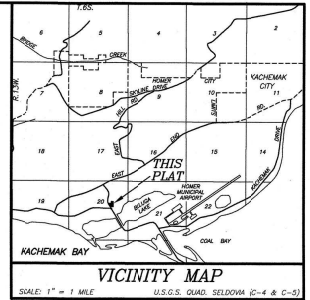
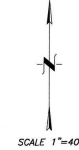
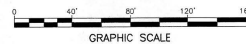
- INDICATES PRIMARY MONUMENT RECOVERED THIS SURVEY AS SHOWN
- INDICATES 5/8\" REBAR RECOVERED THIS SURVEY
- INDICATES 2\" ALCAP ON 5/8\" REBAR (7538-S, 2022) SET THIS SURVEY

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 89°58'23\" E	10.42'
L2	N 29°00'15\" W	36.83'

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD BRNG	CHORD DIST
C1	40°13'43\"	25.00'	17.33'	N 69°31'21\" W	17.19'



CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT HCH DEVELOPMENT COMPANY, LLC IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT ON BEHALF OF HCH DEVELOPMENT COMPANY, LLC 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 HEREON.

PHILIP SLABAUGH
HCH DEVELOPMENT COMPANY, LLC
1255 N. RAMS HEAD RD.
GREEN VALLEY, AZ 85614

NOTARY'S ACKNOWLEDGMENT

FOR: PHILIP SLABAUGH
ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2022.

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: _____

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

YAH SURE SUBDIVISION 2022

A REPLAT OF LOT 2A
YAH SURE SUBDIVISION 2013 (HM 2013-54)
AND A PARCEL OF LAND LYING SOUTH OF
YAH SURE SUBDIVISION 2013, LYING EAST OF THE LAKE
STREET RIGHT-OF-WAY, LYING NORTH OF THE BEN WALTERS
LANE RIGHT-OF-WAY, ALL WITHIN THE SW1/4 NE1/4 SECTION
20, T. 6 S., R. 13 W., S.M., ALASKA

LOCATED WITHIN THE SW1/4 NE1/4, SEC. 20,
T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI
PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA
CONTAINING 2.673 ACRES

HCH DEVELOPMENT COMPANY, LLC
1255 N. RAMS HEAD RD. GREEN VALLEY, AZ 85614

GEOVERA, LLC

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

DRAWN BY: SCS DATE: MAY 2022 SCALE: 1\"/>

KPB 2022-082

AGENDA ITEM E. NEW BUSINESS

ITEM 12 - YAH SURE SUBDIVISION 2022

KPB File No.	2022-082
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	HCH Development Company LLC of Green Valley, AZ
Surveyor:	Stephen Smith / Geovera LLC
General Location:	Lake Street, Ben Walters Lane, City of Homer

Parent Parcel No.:	177-120-08 and 177-120-31
Legal Description:	Lot 2A of Yah Sure Sub 2013 HM 2013-54 and metes and bounds parcels
Assessing Use:	General Commercial
Zoning:	Central Business District
Water / Wastewater	City

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will combine two lots into one lot that will be 2.673 acres. The lots being combined also include a portion of property that was excluded from deeds and created an orphan strip of property. A court decision allowed the orphaned strip to be re-combined with the original deed parcel.

Location and Legal Access (existing and proposed): The preliminary plat is located on the corner of state maintained Lake Street and City managed Ben Walters Lane. The width of Lake Street varies. It appears the width within this area is around 80 feet wide. Ben Walters Lane is 60 feet wide.

There is a 20 foot wide public use easement along Lake Street which is being depicted, it does narrow to 10 feet to the north due to a previous right-of-way dedication. The City of Homer pointed out that if the 20 foot public use easement were to be dedicated as right-of-way it would cause the existing buildings to be in violation of the 20 foot building setback and cause restrictions of future work on the building. For this reason they are not proposing to dedicate additional width to Lake Street. Lake Street meets KPB Code requirements for width. This is a state right-of-way and no request for additional dedication was received. Staff would like to note that the KPB setback would not be required as this is within the city and they would manage the setbacks per their zoning requirements. Also, if the borough puts a setback into place that would result in encroachments, the building are exempt to the setbacks.

The plat indicates a 50 foot radius temporary turnaround at the end of Ben Walters Lane. Plat HM 77-1, Dedication of Ben Walters Avenue, dedicated a 60 foot width of Ben Walters Avenue for a distance of approximately 210 feet in length. The temporary turnaround is placed at the end and the northern portion was put onto the property within this preliminary plat. The lot was shown as an unsubdivided remainder which was allowed at that time. We no longer would allow any type of easement to be placed on a neighboring property unless it is included within the subdivision. KPB Code no longer allows temporary turnarounds. Ben Walters Lane has now been dedicated through and is constructed past the temporary turnaround area. An entrance onto the property appears to be within the location of the temporary turnaround. **Staff recommends with the approval of the City of Homer, the temporary turnaround not be depicted on the plat and add a plat note, "The temporary turnaround found on HM 77-1 was not required to be carried over per the KPB Plat Committee meeting of July 18, 2022."**

KPB Roads Dept. comments	Out of Jurisdiction: Yes Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	The ROW for Lake Street appears to be shown correctly

Site Investigation: There are no low wet areas or steep terrain present within the preliminary plat. Several buildings are present. There does not appear to be any encroachment issues.

KPB River Center review	A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Within City of Homer 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 platted lot and unsubdivided remainders that are described with metes and bounds. Yah Sure Subdivision, HM 85-75, was the first plat done on portions of the property. The lot created by that plat was later replatted by Yah Sure Subdivision 2013, HM 2013-54.

The lots are served by the City of Homer water and sewer. A soils analysis report will not be required. Per the City staff report an installation agreement will be required.

Notice of the proposed plat was mailed to the beneficial interest holder on June 15, 2022. The beneficial interest holder will be given 30 days from the date of the mailing of the notification to respond. They are given the opportunity to notify staff if their beneficial interest prohibits or restricts subdivision or requires their signature on the final plat. If no response is received within 30 days, staff will assume they have no requirements regarding the subdivision and it may be finalized.

The City of Homer heard and approved the preliminary plat at their June 1, 2022 meeting. They adopted staff report 22-41. The report did not have any additional comments, requests, or conditions other than public works stating some water and sewer services will need to be abandoned and an installation agreement will be required.

Utility Easements The property is subject to multiple utility easements. Some were platted and others were by documents. The plat will be granting a 15 foot utility easement along Ben Walters Lane. The City determined the 20 foot wide public use easement could be utilized for utilities if needed. **Staff recommends any additional easements located within the Certificate to Plat be depicted and/or noted.**

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

Utility provider review:

HEA	Provide a 15 foot wide electrical easement centered on the existing underground primary electric line excluding any areas that may be affected by a building. Approximate location is shown.
ENSTAR	No comments or recommendations

ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek Affected Addresses: 3670 LAKE ST 3716 LAKE ST</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: LAKE ST BEN WALTERS LN</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments: The city of Homer will advise on affected addresses.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat. Review Not Required</p>
Assessing	<p>Reviewer: Windsor, Heather Comments: No comment</p>

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

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

KPB 20.25.070 – Form and contents required

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

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.

20.30.250. Building setbacks-Within cities. The building setback requirements for subdivisions located within cities shall be governed by the provisions of municipal zoning districts. Building setbacks as depicted, or noted,

on recorded plats shall not be carried forward on a new subdivision plat located within a municipal zoning district. Provide a plat note stating, "Per KPB 20.30.250 the building setback of record has been removed. All development must comply with the municipal zoning requirements."

Staff recommendation: *The parent plat indicated a 70 foot setback from the center of Lake Street. Add the plat note to remove any setbacks as they should be set by City Zoning.*

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. Use City of Homer 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: Soils report will not be required as the lots are increasing in size and serviced by city water and sewer.

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: *The City of Homer staff report indicates that the change will result in lines needed abandoned and thus an installation agreement will be required for the removal. Provide the installation agreement or documentation from the City that one is no longer 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.*

- *There are additional easements within the Certificate to Plat as noted. Include depictions and plat notes unless it is demonstrated that they no longer apply or the subject property is not restricted by the documents.*
- *Per KPB 20.30.250 the building setback of record has been removed. All development must comply with the municipal zoning requirements.*
- *If agreed to by the Plat Committee and the City of Homer, "The temporary turnaround found on HM 77-1 was not required to be carried over per the KPB Plat Committee meeting of July 18, 2022."*

Plat note 6 may be removed as it does not appear that there are any wetlands present within the subject property.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: *Verify which state the owner will be signing in and update the notary's acknowledgement or leave the state blank. Provide the signer's title for the LLC. Comply with 20.60.190.*

RECOMMENDATION:

STAFF RECOMMENDS:

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

NOTE: 20.25.120. - REVIEW AND APPEAL.

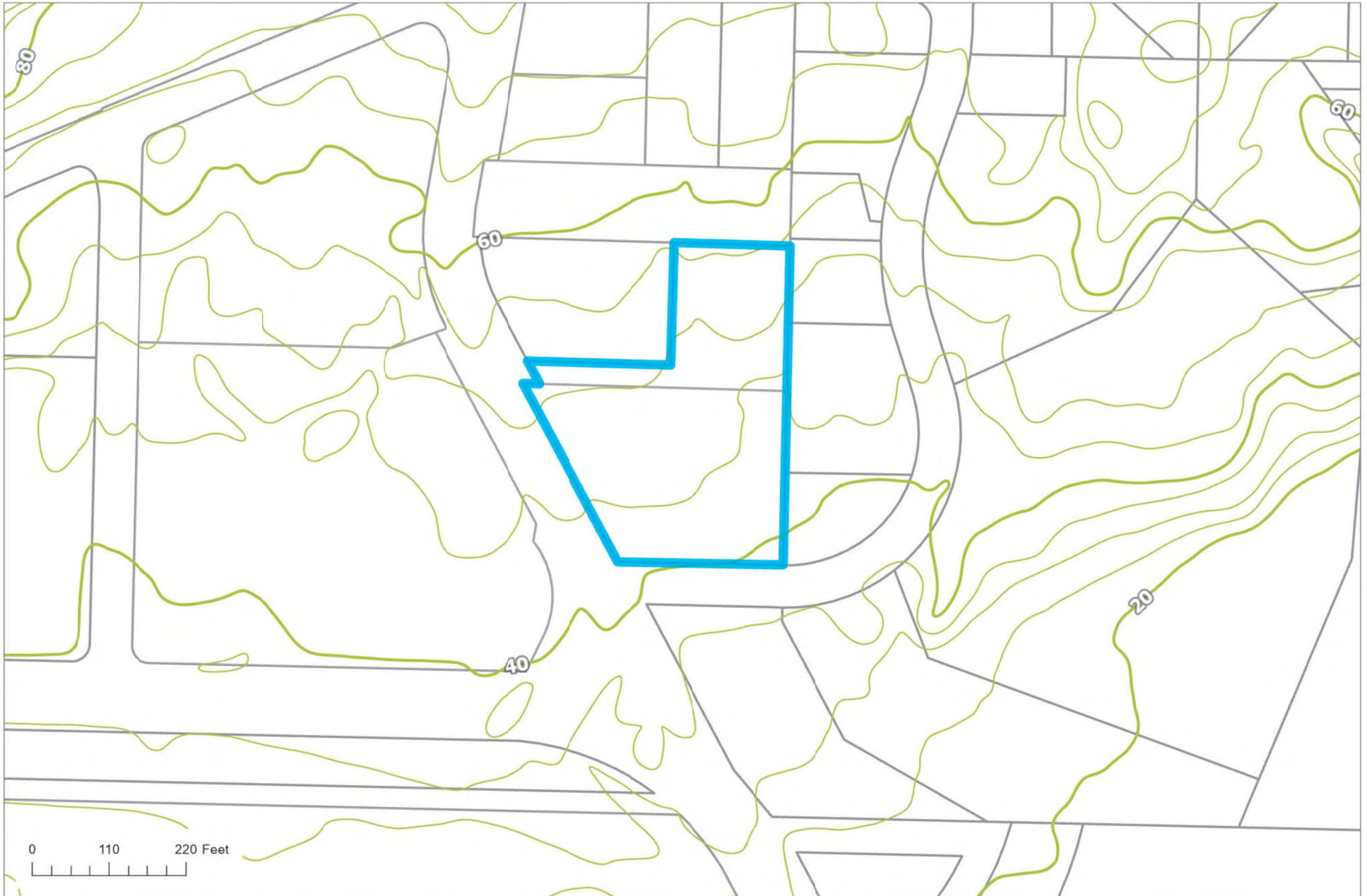
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A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

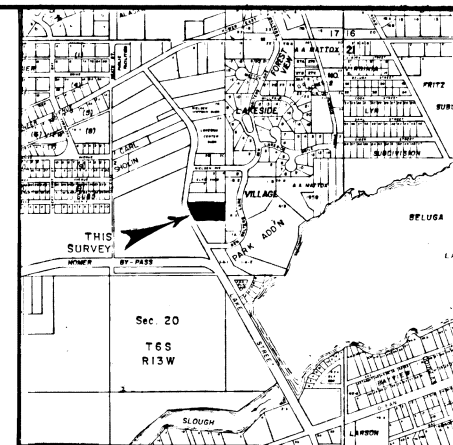
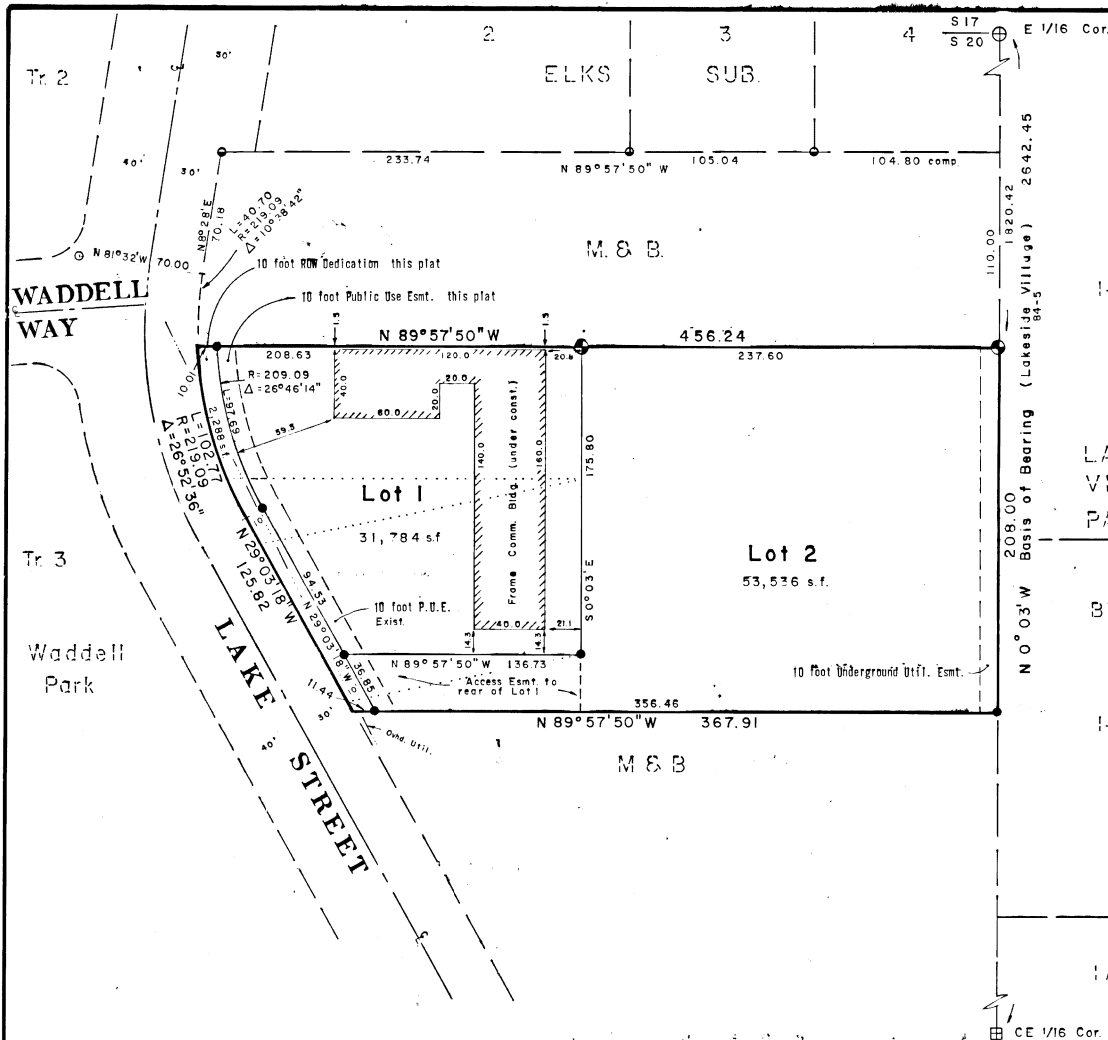
END OF STAFF REPORT



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VICINITY MAP
Scale: 1" = 1000'

CERTIFICATE OF OWNERSHIP & DEDICATION

6/26/85 Stanley P. Thorp
Date Stanley P. Thorp
Individually and as Thorp
Schnell Investment
1204 Ocean Dr.
Homer, Alaska 99603

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

6/26/85 Dorothy A. McDonald
Date Dorothy A. McDonald
1204 Ocean Dr.
Homer, Alaska 99603

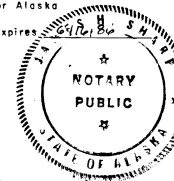
Robert E. Schnell
Individually and as Thorp Schnell Investment
1311 W. 40th Ave
Anchorage, Alaska 99503

NOTARY'S ACKNOWLEDGEMENT

Notary for S.P. Thorp & D.A. McDonald
Subscribed and Sworn Before Me
this 26th day of June, 1985
James H. Sharp
Notary Public for Alaska
My Commission Expires 6/26/88

NOTARY'S ACKNOWLEDGEMENT

Notary for Robert E. Schnell
Subscribed and Sworn Before Me
this 26th day of June, 1985
James H. Sharp
Notary Public for Alaska
My Commission Expires 6/26/88



NOTES

- All wastewater disposal and treatment systems will comply with existing law at the time of construction.
- No structures permitted within the panhandle portion of Lot 2.
- Buildings shall be set back 70 feet from centerline of Lake Street.
- No direct access to State maintained R.O.W. permitted unless approved by the State of Alaska D.O.T.

LEGEND

- Recovered Brass Cap Monument, 2 1/2" dia. on 3/4" i.p. found in good condition, MNJ 268 S, 1968.
- Recovered Granite Stone with "X", found 1' foot below the ground surface in good condition.
- Recovered 1/2" rebar with plastic cap, 3686-S
- Recovered 2" Al. Cap on 5/8" rebar, 3686-S.
- 2 1/2" Alum. Cap on 2 1/2" X 30" Alum. Post, flush with ground, 4015-S, 1985, set this survey
- 1 1/2" Al. Cap on 5/8" X 38" rebar, set this survey
- Former lot line

PLAT APPROVAL

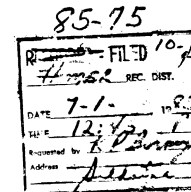
This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of

June 10, 1985
KENAI PENINSULA BOROUGH
By: [Signature]
Authorized Official

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 to the normal standards of practice of Registered Land Surveyors within the State of Alaska.

6-26-85 James H. Sharp Reg. No. 4015-S
Date



CERTIFICATE OF APPROVAL BY THE ALASKA DEPT. OF ENVIRONMENTAL CONSERVATION

This subdivision has been reviewed in accordance with 18A.072, DRS and is approved, subject to any noted restrictions.

Paul D. Howard, AED
Signature Title Date 6-22-85

YAH SURE SUBDIVISION

Within the City of Homer

A Subdivision of three parcels described in Book 142, page 620 into Lots 1 and 2, Yah Sure Subdivision, situated within a portion of the SW1/4 NE1/4 of Section 20, T6S, R13W, S.W., Homer Recording District, Alaska.

Containing 2.011 Acres

Prepared for: Stanley P. Thorp
1204 Ocean Drive
Homer, Alaska 99603
Prepared by: James H. Sharp
Registered Land Surveyor
P.O. Box 983
Homer, Alaska 99603

Date: June 1985 Field Book 85-1
Drawn by: JS Sheet 1 of 1
Scale: 1" = 50' KPB File No. 85-144

NOTES:

1. A 20' BLDG. SETBACK LINE EXISTS ALONG ALL ROAD ROW
2. 1/2" X 24" REBAR SET AT ALL LOT CORNERS.

77-1

RECORDED (FILED 34)

Homer REC. DIST

DATE 1-14-1977

TIME 1:33 P.M.

Requested by KPB

Address Seldovia

CERTIFICATE OF OWNERSHIP

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

Tony Neal
 TONY NEAL
 BOX 393
 HOMER, ALASKA

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 26 DAY OF NOV, 1976

Charles Evans SEP 15 1980
 NOTARY PUBLIC FOR ALASKA MY COMMISSION EXPIRES

SURVEYOR'S CERTIFICATE

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

Jerry Anderson 11-4-76
 JERRY ANDERSON, L.S. 3486-S

PLAT APPROVAL

PLAT APPROVED BY THE BOROUGH PLANNING COMMISSION THIS 27th DAY OF SEPTEMBER 1976.

D. O. Warts
 BOROUGH PLANNING DIRECTOR

UNSUBD REMAINDER
 1319 AC.

EAST 213.911

EAST 211.99

BEN WALTERS AVENUE

EAST 195.35

C. WURLITZER

VICINITY MAP



DATE: SEPTEMBER, 1976

SCALE: 1" = 50'

DESIGNED BY: J.A.

DRAWN BY: SW & J.I.

CHECKED BY: T.N.

FLD. BK. NO.: 19



DEDICATION OF BEN WALTERS AVENUE

LOCATED WITHIN THE SW 1/4, NE 1/4, S 20, T6S, R13W, S.M.
 AND IN THE CITY OF HOMER.

CONTAINING 0.293 ACRES

ABILITY SURVEYS

JERRY ANDERSON, L.S. BOX 1263 HOMER, ALASKA

PLAT CONSIDERATION

A. Staff Report 22-40, Lillian Walli Estate 2022 Replat Preliminary Plat

Chair Smith introduced the item by reading of the title and deferred to the City Planner.

Commissioner Venuti declared he had a conflict.

HIGHLAND/BENTZ MOVED THAT COMMISSIONER VENUTI HAD A CONFLICT OF INTEREST.

Commissioner Venuti stated that he is expecting remuneration for services on this particular property, has a business relationship with the applicant that will exceed allowable limits.

VOTE. YES. CHIAPPONE, HIGHLAND, BENTZ, BARNWELL, SMITH

Motion carried.

Commissioner Venuti muted his connection and departed the meeting (room).

City Planner provided a summary of Staff Report 22-40.

There was no applicant present.

Chair Smith opened the floor for public comment seeing no public present wishing to comment he closed the public comment period and opened the floor to questions from the Commission.

Chair Smith requested a motion and second.

BENTZ/HIGHLAND MOVE TO ADOPT STAFF REPORT 22-40 AND RECOMMEND APPROVAL OF THE LILLIAN WALLI ESTATE 2022 REPLAT PRELIMINARY PLAT

There was a brief discussion on the small amount of wetland, noted a drainage easement which will require development in accordance with regulations.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Commissioner Venuti returned to the meeting.

B. Staff Report 22-41, Yah Sure Preliminary Plat

Chair Smith introduced the item by reading of the title and deferred to the City Planner.

City Planner Abboud provided a summary of Staff Report 22-41.

There was no applicant present.

Chair Smith opened the floor for public comment seeing no public present wishing to comment he closed the public comment period and opened the floor to questions from the Commission.

Chair Smith requested a motion and second.

VENUTI/HIGHLAND MOVED TO ADOPT STAFF REPORT 22-41 AND RECOMMEND APPROVAL OF THE YAH SURE PRELIMINARY PLAT

Commissioner Highland noted a correction on page 28 of the packet, item G is missing the B for block number. She then questioned the lot line that is being removed. City Planner Abboud provided that it may not have been a good copy and that is why the vacated lot line is not being depicted.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PENDING BUSINESS

NEW BUSINESS

INFORMATIONAL MATERIALS

- A. City Manager's Report for May 23, 2022
- B. Planning Commission Calendar 2022
- C. Public Comment Received re: Installation of Sidewalk and Traffic Calming Measures Along Fairview Avenue as Construction Occurs to Connect to Eric Lane.

Chair Smith noted the informational materials provided.

City Planner Abboud provided clarification what the “fast forward” of the Comp Plan would look like for the Commission. He stating that typically they would begin review in 2025. It will be setting the stage to look at staging things for the future. Noting such items regarding the housing issues such as density, building taller, etc.

Commissioner Bentz responded that it was a good idea, since it took them at least two years, she then commented that it would be ideal to have Council and the Commissions review the different planning components to make sure they all work together.

City Planner Abboud provided additional information on working with Public Works Department regarding the permitting, NMT, drainage, etc. It has been challenging and very enlightening on how it all intersects with the overall aspect.

Commissioner Barnwell commented on spending two years on the last review of the plan and questioned if that was the expected time frame for the Fast Forward plan.

City Planner Abboud stated that it will depend, noting the last time they did it in house, it did not have the public commentary, and will be contingent on funding availability and staff time.



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report 22-41

TO: Homer Planning Commission **22-41**
FROM: Julie Engebretsen, Economic Development Manager
THROUGH: Rick Abboud, City Planner
DATE: 6/1/2022
SUBJECT: Yah Sure Preliminary Plat

Requested Action: Approval of a plat to vacate a common lot line. Two smaller lots will become one larger lot.

General Information:

Applicants:	Geovera, LLC PO Box 3235 Homer, AK 99603	Phillip Slabaugh HCH Development Co, LLC 1259 N. Rams Head Rd Green Valley, AZ 85614
Location:	Lake Street and Ben Walters Lane	
Parcel ID:	17712008, 17712031	
Size of Existing Lot(s):	1.77 and 0.95 acres	
Size of Proposed Lots(s):	2.673 acres	
Zoning Designation:	Central Business District	
Existing Land Use:	Commercial – office and court house, and vacant land	
Surrounding Land Use:	North: Retail, Vacant South: Restaurant (McDonald's) East: Professional Office West: Retail/Vacant	
Comprehensive Plan:	Chapter 4 Goal 4 Implementation 4-A-5 Concentrate commercial uses in the downtown.	
Wetland Status:	The 2005 wetland mapping shows no wetland areas.	
Flood Plain Status:	The southeast corner of the lot is within zone X, outside the 0.2% annual chance flood zone. The rest of the lot is Zone D, flood hazards undetermined.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are available	

Public Notice:	Notice was sent to 29 property owners of 31 parcels as shown on the KPB tax assessor rolls.
----------------	---

Analysis: This subdivision is within the Central Business District. This plat vacates the common lot line between two properties. The existing south lot contains the courthouse and a separate office wing. The northern lot is vacant. The land owner is requesting a vacation of the common lot line, to change these smaller two lots into one larger lot.

Homer City Code 22.10.051 Easements and rights-of-way

- A. The subdivider shall dedicate in each lot of a new subdivision a 15-foot-wide utility easement immediately adjacent to the entire length of the boundary between the lot and each existing or proposed street right-of-way.

Staff Response: The plat meets these requirements. A new easement is dedicated along Ben Walters Lane.

- B. The subdivider shall dedicate in each lot of a new subdivision any water and/or sewer easements that are needed for future water and sewer mains shown on the official Water/Sewer Master Plan approved by the Council.

Staff Response: The plat meets these requirements.

- C. The subdivider shall dedicate easements or rights-of-way for sidewalks, bicycle paths or other non-motorized transportation facilities in areas identified as public access corridors in the Homer Non-Motorized Transportation and Trail Plan, other plans adopted by the City Council, or as required by the Kenai Peninsula Borough Code.

Staff Response: The plat meets these requirements. A sidewalk is constructed along Lake Street.

Preliminary Approval, per KPB code 20.25.070 Form and contents required. The commission will consider a plat for preliminary approval if it contains the following information at the time it is presented and is drawn to a scale of sufficient size to be clearly legible.

- A. Within the Title Block:
1. Names of the subdivision which shall not be the same as an existing city, town, tract or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;
 2. Legal description, location, date, and total area in acres of the proposed subdivision; and
 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor;

Staff Response: The plat meets these requirements.

- B. North point;

Staff Response: The plat meets these requirements.

- 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 Response: The plat meets these requirements.

- 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 Response: The plat meets these requirements.

- E. All parcels of land including those intended for private ownership and those to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purposes, conditions or limitation of reservations that could affect the subdivision;

Staff Response: The plat meets these requirements.

- F. The names and widths of public streets and alleys and easements, existing and proposed, within the subdivision; [Additional City of Homer HAPC policy: Drainage easements are normally thirty feet in width centered on the drainage. Final width of the easement will depend on the ability to access the drainage with heavy equipment. An alphabetical list of street names is available from City Hall.]

Staff Response: The plat meets these requirements.

- G. Status of adjacent lands, including names of subdivisions, lot lines, lock numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;

Staff Response: The plat meets these requirements.

- H. Approximate location of areas subject to inundation, flooding or storm water overflow, the line of ordinary high water, wetlands when adjacent to lakes or non-tidal streams, and the appropriate study which identifies a floodplain, if applicable;

Staff Response: The plat meets these requirements.

- I. Approximate locations of areas subject to tidal inundation and the mean high water line;

Staff Response: The plat meets these requirements.

- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;

Staff Response: The plat meets these requirements.

- K. Within the limits of incorporated cities, the approximate location of known existing municipal wastewater and water mains, and other utilities within the subdivision and immediately abutting thereto or a statement from the city indicating which services are currently in place and available to each lot in the subdivision;

Staff Response: The plat meets these requirements.

- L. Contours at suitable intervals when any roads are to be dedicated unless the planning director or commission finds evidence that road grades will not exceed 6 percent on arterial streets, and 10 percent on other streets;

Staff Response: The plat meets these requirements.

- M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

- O. If the subdivision will be finalized in phases, all dedications for through streets as required by KPB 20.30.030 must be included in the first phase.

Staff Response: The plat meets these requirements.

Public Works Comments: The property owner will need to abandon the water and sewer services located in the panhandle portion of the lot, or enter into an installation agreement with the City prior to recording the plat. The property owner should contact Public Works on how the services will need to be abandoned.

Staff Recommendation:

Planning Commission recommend approval of the preliminary plat.

Attachments:

1. Preliminary Plat
2. Surveyor's Letter
3. Public Notice
4. Aerial 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 5.1 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" (PD 170155).
2. TRUE BEARINGS AND DISTANCES WERE DETERMINED BY ROTATING AND SCALING FROM GRID USING FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY ROTATING GRID INVERSE AZIMUTHS -117°13.4'. TRUE DISTANCES WERE OBTAINED BY DIVIDING GRID INVERSE DISTANCES BY 0.999986695.
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 BEN WALTERS LANE RIGHT-OF-WAY IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
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 LOT IS AFFECTED BY AN EASEMENT OF RECORD WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION (BK 19, PG 8 AND BK 49 PG 221 HRD).
8. THIS LOT IS SERVED BY CITY OF HOMER WATER AND SEWER.
9. ACCESS TO STATE MAINTAINED LAKE STREET IS PROHIBITED WITHOUT PRIOR WRITTEN APPROVAL FROM THE ALASKA STATE DOT.
10. THIS LOT IS AFFECTED BY A DRAINAGE EASEMENT FOR A 4 INCH FOUNDATION DRAIN FOR THE BENEFIT OF LOT 1A, YAH SURE SUBDIVISION 2013 PER HM 2014-000109-0.
11. THE PARCEL OF LAND SOUTH OF YAH SURE SUBDIVISION 2013 (HM 2013-54) THAT IS A PART OF THIS PLAT ORIGINALLY CONSISTED OF TWO PARCELS DUE TO AN ERROR IN A DEED DESCRIPTION THAT CREATED A FIFTY FOOT WIDE ORPHAN STRIP ADJOINING THE SOUTH BOUNDARY OF YAH SURE SUBDIVISION 2013. THE ORPHAN STRIP WAS RE-COMBINED WITH THE PARCEL TO THE SOUTH BY DEFAULT JUDGEMENT IN CASE NO. JHO-21-00102-CI ON OCTOBER 5, 2021.
12. EXISTING ELECTRICAL CABINET AND BURIED POWER LINE IS THE CENTERLINE OF A 10 FOOT WIDE ELECTRICAL DISTRIBUTION LINE EASEMENT PER HM 2013-54.

WASTEWATER DISPOSAL

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

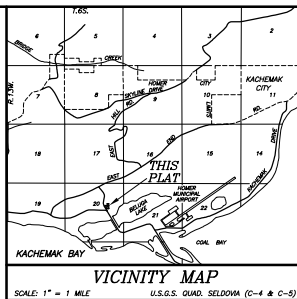
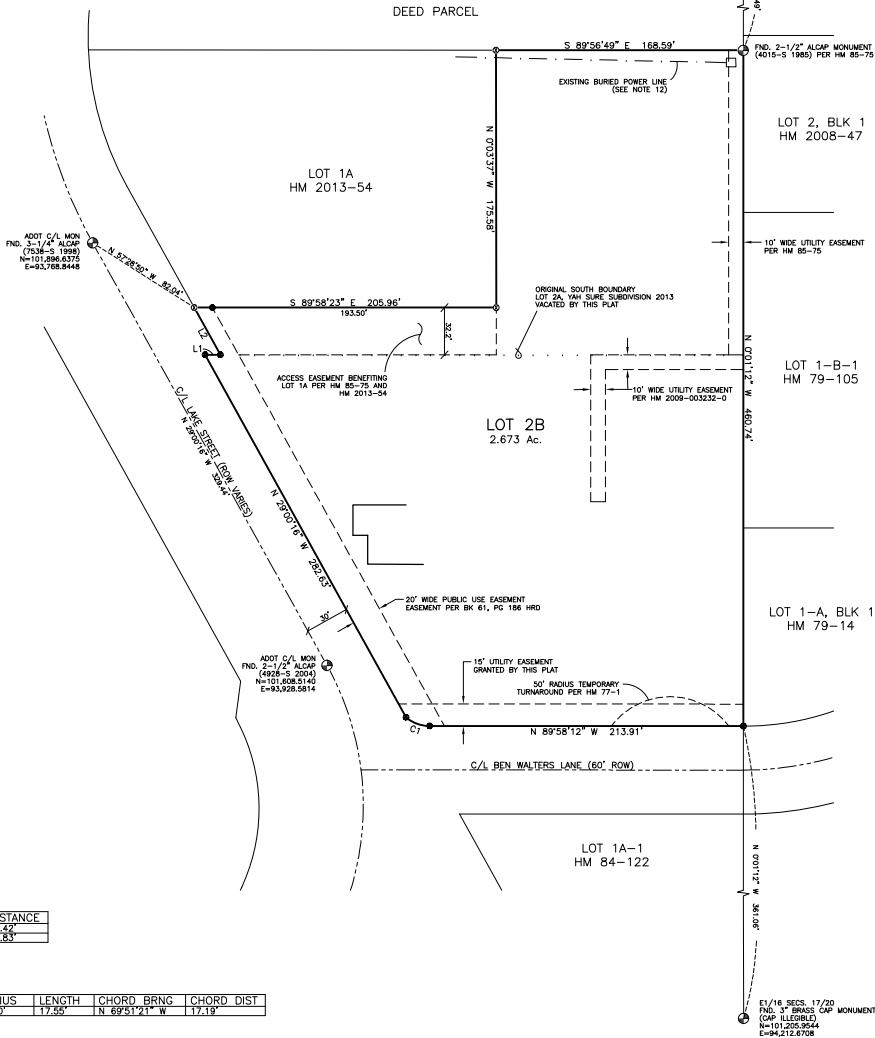
PLAT APPROVAL

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

BY: _____ AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

DATE _____

DEED PARCEL



CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT HCH DEVELOPMENT COMPANY, LLC IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT ON BEHALF OF HCH DEVELOPMENT COMPANY, LLC 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 HEREON.

PHILLIP SLABAUGH
HCH DEVELOPMENT COMPANY, LLC
1259 N. RAMS HEAD RD.
GREEN VALLEY, AZ 85614

NOTARY'S ACKNOWLEDGMENT

FOR: PHILLIP SLABAUGH
ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2022.

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: _____

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

YAH SURE SUBDIVISION 2022

A REPLAT OF LOT 2A
YAH SURE SUBDIVISION 2013 (HM 2013-54)
AND A PARCEL OF LAND LYING SOUTH OF
YAH SURE SUBDIVISION 2013, LYING EAST OF THE LAKE
STREET RIGHT-OF-WAY, LYING NORTH OF THE BEN WALTERS
LANE RIGHT-OF-WAY, ALL WITHIN THE SW1/4 NE1/4 SECTION
20, T. 6 S., R. 13 W., S.M., ALASKA
LOCATED WITHIN THE SW1/4 NE1/4, SEC 20,
T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI
PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA
CONTAINING 2.673 ACRES
OWNER:
HCH DEVELOPMENT COMPANY, LLC
1259 N. RAMS HEAD RD. GREEN VALLEY, AZ 85614

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 #22-23 SHEET 1 OF 1

Geovera, LLC

PO Box 3235 • Homer, Alaska 99603 • (907) 399-4345 • scsmith@gci.net

May 25, 2022

City of Homer
Planning Department
Julie Engebretsen, Deputy City Planner
491 E. Pioneer Ave.
Homer, Alaska 99603

RE: Yah Sure Subdivision 2022 Preliminary Plat Submittal

Julie,

Please find enclosed (1) full size copy and (2) 11X17 copies of the preliminary plat of Yah Sure Subdivision 2022, and a \$300.00 check for the submittal fee.

This plat combines existing Lot 2A, Yah Sure Subdivision 2013 (HM 2013-54) with the parcel to the south to form a single lot. The deed parcel portion of this plat originally consisted of two parcels due to an error in the deed description that created a 50 foot orphan strip adjoining the south boundary of Yah Sure Subdivision 2013. The orphan strip was re-combined with the parcel to the south by default judgement in Case No. 3HO-21-00102-CI on October 5, 2021.

There is an existing 20 foot wide public use easement (Book 61, Page 186 HRD) adjoining the west boundary of the deed parcel. This plat does not grant a 15 foot utility easement adjacent to the Lake Street right-of-way for that reason. This plat does grant a 15 foot utility easement adjacent to the Ben Walters right-of-way.

Resulting Lot 2B is served by city water and sewer. The lot does not contain any potential low wet areas per the KWF Wetlands Assessment.

Please let me know if you have any questions. You can reach me at any time at (907) 399-4345. Thanks!

Sincerely,

Stephen C. Smith P.L.S.

NOTICE OF SUBDIVISION

Public notice is hereby given that a preliminary plat has been received proposing to subdivide or replat property. You are being sent this notice because you are an affected property owner within 500 feet of a proposed subdivision and are invited to comment.

Proposed subdivision under consideration is described as follows:

Yah Sure Subdivision 2022 Preliminary Plat

The location of the proposed subdivision affecting you is provided on the attached map. A preliminary plat showing the proposed subdivision may be viewed at the City of Homer Planning and Zoning Office. Subdivision reviews are conducted in accordance with the City of Homer Subdivision Ordinance and the Kenai Peninsula Borough Subdivision Ordinance. A copy of the Ordinance is available from the Planning and Zoning Office. **Comments should be guided by the requirements of those Ordinances.**

A public meeting will be held by the Homer Planning Commission on Wednesday, June 1, 2022 at 6:30 p.m. In-person meeting participation is available in Cowles Council Chambers located downstairs at Homer City Hall, 491 E. Pioneer Ave., Homer, AK 99603. To attend the meeting virtually, visit zoom.us and enter the Meeting ID & Passcode listed below. To attend the meeting by phone, dial any one of the following phone numbers and enter the Webinar ID & Passcode below, when prompted: 1-253-215-8782, 1-669-900-6833, (toll free) 888-788-0099 or 877-853-5247.

Meeting ID: 979 8816 0903

Passcode: 976062

Additional information regarding this matter will be available by 5pm on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for June 1, 2022 at <https://www.cityofhomer-ak.gov/calendar>. It will also be available at the Planning and Zoning Office at Homer City Hall and at the Homer Public Library.

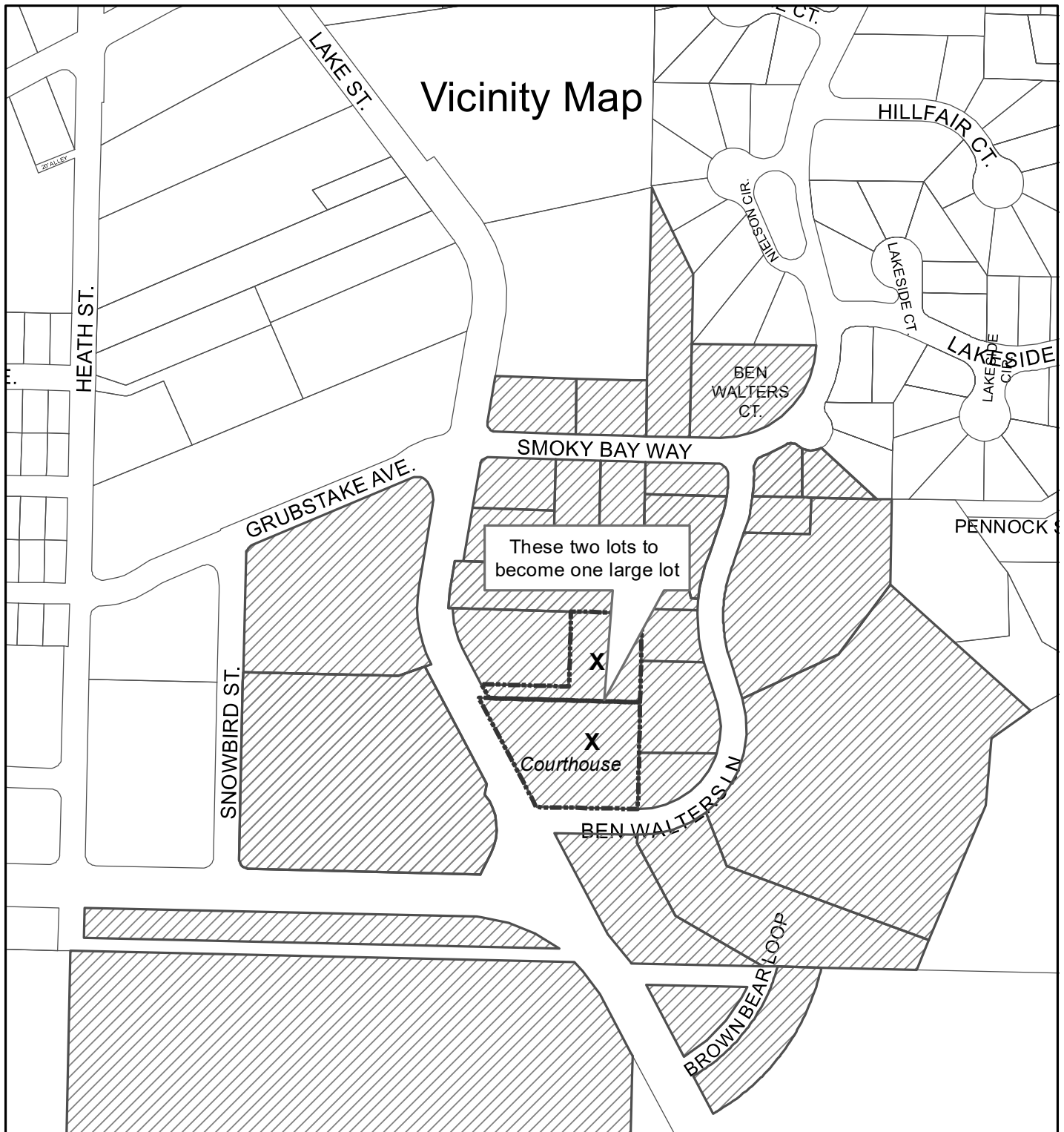
Written comments can be emailed to the Planning and Zoning Office at the address below, mailed to Homer City Hall at the address above, or placed in the Homer City Hall drop box at any time. Written comments must be received by 4pm on the day of the meeting.

If you have questions or would like additional information, contact Rick Abboud at the Planning and Zoning Office. Phone: (907) 235-3106, email: clerk@cityofhomer-ak.gov, or in-person at Homer City Hall.

NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 500 FEET OF PROPERTY.

.....

VICINITY MAP ON REVERSE



City of Homer
Planning and Zoning Department

May 13, 2022

Yah Sure Subdivision 2022 Preliminary Plat

Selected parcels are within 500 feet
and property owners notified.

0 250 500
Feet



*Disclaimer:
It is expressly understood the City of
Homer, its council, board,
departments, employees and agents are
not responsible for any errors or omissions
contained herein, or deductions, interpretations
or conclusions drawn therefrom.*

NOTES

1. BASES OF BEARING FOR THIS SURVEY WERE DETERMINED BY A HIGH PRECISION GPS SURVEY USING JAGGED DUAL-FREQUENCY GPS P. RECEIVERS, DIFFERENTIALLY CORRECTED AND PRECEDED WITH MAGNETIC OFF-SET VERSION 3.1 SOFTWARE. ALASKA STATE PLANS 2005 RECORDS (U.S. SURVEY FEET) OBTAINED FROM THE CIVIL ENGINEERING DIVISION OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION, STATE TOWN (TID 70100).
2. TRUE BEARINGS AND DISTANCES WERE DETERMINED BY ROTATING AND SCALING FROM GPS USING FEDERAL BUREAU OF SURVEY STATION TOWN (TID 70100) AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY ROTATING AND SCALING FROM GPS USING FEDERAL BUREAU OF SURVEY STATION TOWN (TID 70100) AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY ROTATING AND SCALING FROM GPS USING FEDERAL BUREAU OF SURVEY STATION TOWN (TID 70100) AS A SCALING POINT.
3. THE BEARING AND DISTANCE COORDINATES WERE TRANSLATED TO A LOCAL COORDINATE SYSTEM BASED ON FEDERAL BUREAU OF SURVEY STATION TOWN (TID 70100) AS A SCALING POINT. ALL COORDINATE VALUES REPRESENT BEARING DISTANCES IN U.S. SURVEY FEET CORRECTED TO TRUE NORTH.
4. ALL LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO CITY OF HOMER DRAINAGE REGULATIONS. REFER TO THE HOMER CITY CODE FOR ALL CURRENT DISTRICT AND CITY DEVELOPMENT RESTRICTIONS. DRAINAGE SHOULD BE SET BY THE CITY OF HOMER PLANNING DEPARTMENT PRIOR TO DEVELOPMENT ACTIVITIES.
5. THE 15 FEET FRONTING THE NORTH-OF-WAY IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT UNLESS IT DOES NOT INTERFERE WITH THE UTILITY 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 LOT IS AFFECTED BY AN EASEMENT OF RECORD (HOMER 1980) DEFINED LOCATION (GRANTED TO HOMER ELECTRIC ASSOCIATION (HOMER 1980) AND HOD BK #18 PG 221) (HOD).
8. THIS LOT IS SERVED BY CITY OF HOMER WATER AND SEWER.
9. ACCESS TO STATE HIGHWAY 124 STREET IS PROHIBITED WITHOUT PRIOR WRITTEN APPROVAL FROM THE ALASKA STATE DOT.
10. THIS LOT IS AFFECTED BY A DRAINAGE EASEMENT FOR A 4 INCH FOUNDATION DRAIN FOR THE BENEFIT OF LOT 1A, TAI SURE SUBDIVISION 2013 FOR AN 2014-000079-02.
11. THE PARCELS OF LAND SOUTH OF YAH SURE SUBDIVISION 2013 (HOMER 2013-14) THAT IS A PART OF THIS PLAT ORIGINALLY COMPOSED OF TWO PARCELS DUE TO AN EASEMENT IN A USED RESERVATION THAT COULDED A FIFTY FOOT WIDE EASEMENT ALONGING THE SOUTH BOUNDARY OF TAI SURE SUBDIVISION 2013. THE EASEMENT DRAIN WAS RE-CONVEYED WITH THE PARCELS TO THE SOUTH BY DEED ADJUDICATION IN CASE NO. 140-040-01-00102-02 ON OCTOBER 9, 2021.
12. EXISTING ELECTRICAL CARRIES AND WIRELESS POWER LINE IS THE CONTINUITY OF A 10 FOOT WIDE ELECTRICAL DISTRIBUTION LINE EASEMENT PER HOMER 2013-14.

WASTEWATER DISPOSAL

PLAN FOR WASTEWATER DISPOSAL, THE MEET REQUIREMENTS ARE ON FILE AT THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE HOMER PERMITS BOARD PLANNING DEPARTMENT AT THE MEETING ON

BY: ALPHONSO BRIDGE
HOMER PERMITS BOARD

DEED PARCEL



CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT GEOVERA, LLC IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREIN, THAT ON BEHALF OF GEOVERA, LLC I HEREBY ACCEPT THIS PLAN OF SUBDIVISION, AND BY MY FREE CONSENT, I HEREBY GRANT ALL EASEMENTS TO THE LOTS SHOWN HEREIN.

PHILIP SLABODIN
HOD DEVELOPMENT COMPANY, LLC
1275 N. ROAD 1040 RD
GREEN VALLEY, AZ 85814

NOTARY'S ACKNOWLEDGMENT

FOR: PHILIP SLABODIN
ACKNOWLEDGED BEFORE ME THIS
DAY OF

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES

RECEIVED

APR 29 2022

CITY OF HOMER
PLANNING/ZONING

CERTIFICATE OF ACCEPTANCE AND DEDICATION

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

THE 20 FOOT WIDE PUBLIC USE (DRAINAGE) PER BOOK 81, PAGE 189 (HOD) DRAWN AS PROJECT-02-BAY THIS PLAT.

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

BY: RANDY WANDERKOP, P.E.
CHIEF ENGINEER, HOD CHIEF
STATE OF ALASKA DOT # 19
4111 ANCHORAGE AVENUE
ANCHORAGE, ALASKA 99518

LEGEND

- 1. INDICATES PRIMARY MONUMENT PROTECTING THE SURVEY AS SHOWN.
- 2. INDICATES SURVEY MONUMENT PROTECTING THIS SURVEY.
- 3. INDICATES 1/4 ACOR ON 5/8" BEARING (1750-02-0002) SET THE SURVEY.

LINE TABLE

LINE	BEARING	DISTANCE
1	N 89°00'12" E	17.840
2	N 89°00'12" E	17.840

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD BEING	CHORD DIST
1	62°12'19"	12.00	17.84	8.891347	17.840



HOMER RECORDING DISTRICT - SUPER FILE NO. 2022-079

YAH SURE SUBDIVISION 2022

A REPLAT OF LOT 2A, YAH SURE SUBDIVISION 2013 (HOMER 2013-14) AND A PARCEL OF LAND LYING SOUTH OF YAH SURE SUBDIVISION 2013, LING EAST OF THE LANE STREET RIGHT-OF-WAY, LYING NORTH OF THE BEN WALKERS LANE RIGHT-OF-WAY, ALL WITHIN THE 041/4 NE1/4 SECTION 20, T. 6 S., R. 12 W., 3RD ALASKA.

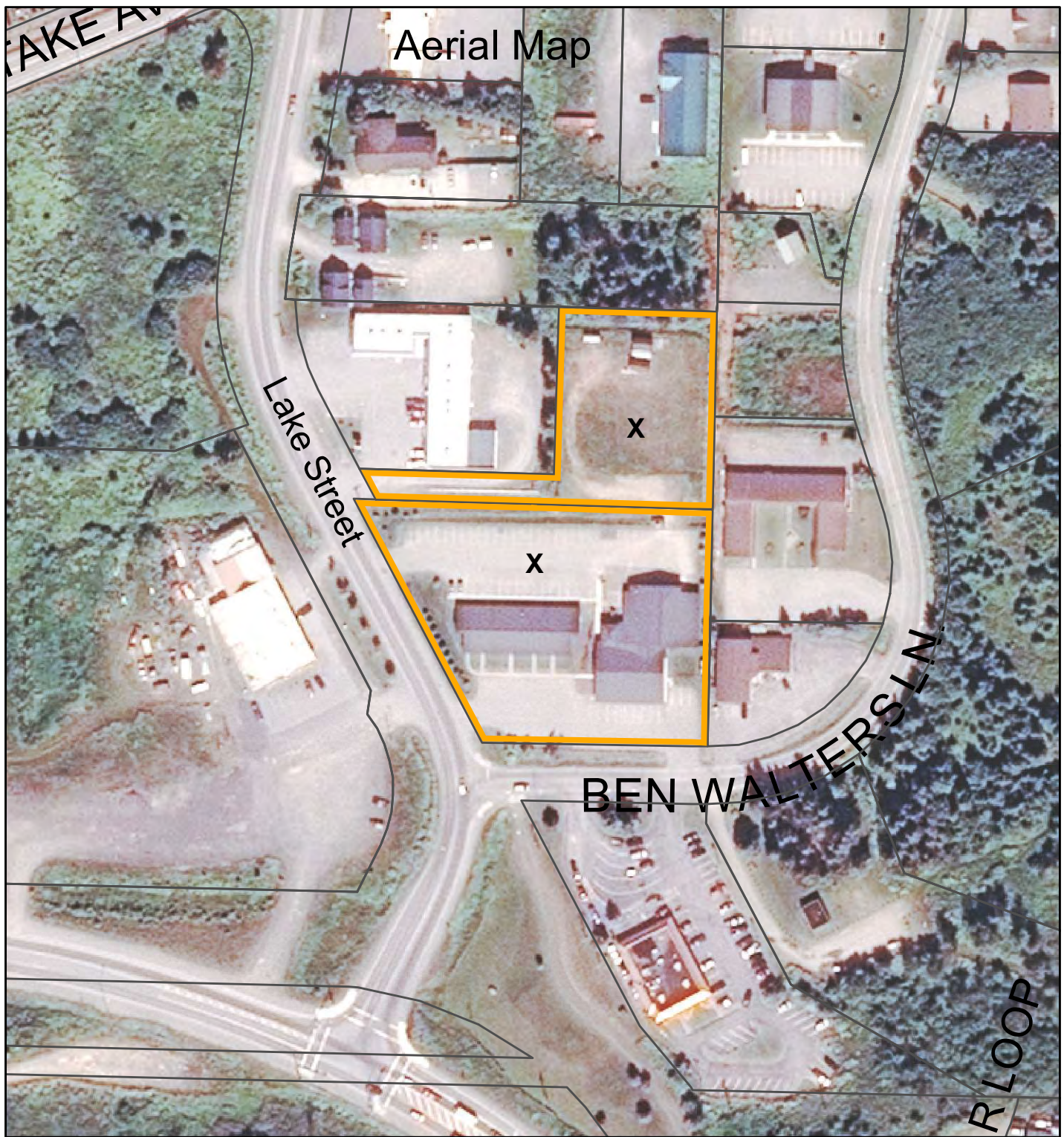
LOCATED WITHIN THE 041/4 NE1/4 SEC. 20, T. 6 S., R. 12 W., 3RD ALASKA, CITY OF HOMER, HOMER PERMITS BOARD, THIRD ALASKA DISTRICT, ALASKA, CONTAINING 2.019 ACRES.

HOD DEVELOPMENT COMPANY, LLC
1275 N. ROAD 1040 RD, GREEN VALLEY, AZ 85814

GEOVERA, LLC
PO BOX 3235
HOMER ALASKA 99603
(907) 359-4345
EMAIL: geovera@geovera.net

DRAWN BY: 302 DATE: APRIL 2022 SCALE: 1" = 40'

COR. BY: 302 COR. 22-03 SHEET 1 OF 1



City of Homer
Planning and Zoning Department

May 13, 2022

Yah Sure Subdivision 2022 Preliminary Plat

0 150 300 Feet



*Disclaimer:
It is expressly understood the City of
Homer, its council, board,
departments, employees and agents are
not responsible for any errors or omissions
contained herein, or deductions, interpretations
or conclusions drawn therefrom.*

E. NEW BUSINESS

- 13. ROW Acquisition Seward Highway MP 25.5 to 36
KPB File 2022-063
State of Alaska / Multiple Owners
Moose Pass Area / Moose Pass APC**

Quinton, Madeleine

From: Julie Bergholdt <julzbergholdt@outlook.com>
Sent: Friday, July 8, 2022 2:06 PM
To: Quinton, Madeleine
Subject: <EXTERNAL-SENDER>Moose Pass concerned resident

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.

My wife Julie and I have been residents of Moose Pass Alaska since 2004. We have grave concerns regarding the proposed DOT plans to alter the Seward Highway through our historic little town.

First of all, we were not notified of these plans in even a slightly detailed manner and were it not with the help of our neighbors we would have not have been made aware of the significant overreach found in the plans.

According to a letter sent to "Moose Pass residents" from the AK DOT dated June 1, 2022 (which we nor any of the neighbors we know received) the plans have been discussed with Moose Pass residents for over ten years. **THIS IS NEWS TO US!** No one we are aware of in our town has been part of this "discussion".

After speaking with someone in the Borough planning commission it appears the project is to be approved by the Kenai Borough (with typos corrected) prior to any possible working out of all the important/specific issues affecting local residents. It needs to be said this smacks of predatory government practices that go against the wellbeing of Alaska's citizens!

The proposed roadway improvements will have a very detrimental effect to our **property access** and **lifestyle**. The proposed construction far exceeds the right of way boundaries and **will destroy** our ability to access our property with any vehicle larger than perhaps a passenger car during three seasons. We have a large fifth wheel trailer and boat that needs to come and go from the property as we have done for over a dozen years. Additionally, our domestic **water supply**, taken from a creek/water box, will almost certainly be terminated.

Also, the removal of all the trees along the highway above our home will result in an unbearable amount of **noise**, **lack of privacy**, and **protection from errant vehicles**. The trees provide protection from vehicles leaving the highway and crashing down onto our home, which has happened once before.

The proposed plans far exceed the right of way of the existing highway and would significantly impact our property and lifestyle. Significant tree removal and filling far outside the right of way will dramatically alter our property. We are very concerned that this has **not been** discussed in a meaningful way with the residents of the town and the consequences are **not** fully understood.

The stated purpose of these "improvements" are to improve roadway drainage and to help maintain the condition of the road. This is certainly something that is needed but it doesn't take one more than a few minutes to drive along and observe that maintenance of the roadway ditches is enormously lacking and correcting/enhancing this is possibly all that's needed. Our home is just below the roadway and mother nature and gravity have done a fine job of draining the road down the embankment for many dozens of years without costly, unsightly, and intrusive destruction.

Beyond our personal situation the proposed plans will have a very adverse effect on historic Moose Pass. **Residents will lose their wells, septic systems, and end up with short, steep, and dangerous driveway access to the road, along with**

even higher vehicle speeds on the roadway. Businesses in Moose Pass will have ditches and road shoulders right up to their porches. Widening shoulders seems a good thing but will unquestionable result in greater vehicle speeds regardless of how it is striped.

Moose Pass was an existing town even before Anchorage and is a valuable historic area to be left alone as much as possible.

Instead of maintaining the drainage and highway as it should be, and making reasonable improvements, this 50 million dollar boondoggle will have a very destructive effect on our community.

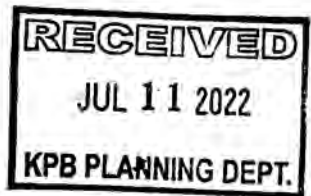
We are asking for your consideration in looking into a reasonable solution.

Thank you for your time,

Brad and Julie Bergholdt 34740 Seward Hwy.

--

Captain Brad Bergholdt
USCG Credentialed Master of Vessels



To: KPB Planning Commission

Re: KPB File No. 2022-063

Date: July 6, 2022

Please do not approve the subdivision/replat as proposed because it will negatively affect the traffic pattern here at our gift shop, it will cause a decline in our income, and we believe it will create a safety hazard. These are the negative consequences to just our property. For the town as a whole, there are more negative consequences.

Right now, our customers are able to drive their cars, trucks (including wreckers and box trucks), motorhomes, small buses, and towed vehicles into our parking lot, get turned around, and drive safely out into the roadway. Some choose to back their vehicles or towed campers/boats/utility trailers into our driveway, so they can safely re-enter the roadway. According to a map a neighbor had, we are in line for a narrow residential driveway. We feel we need the entire width of our driveway to accommodate our customers, but at the very least why aren't we in line for a commercial-size driveway? On a side note, why wasn't the narrow residential driveway noted on the map your office sent out? Why was this information withheld from us?

If our driveway is reduced to even just a narrow commercial width, we know we will lose business. Customers already complain about how small our parking lot is. Those pulling a towed rig will not try to pull in; most will continue on their way. Some of the northbound ones will pull over up the road—if those spaces will still exist—and walk back, but not everyone will. Small tour buses will not be able to navigate the proposed small driveway and parking lot, so we will lose that business. Less business for us means less sales tax we're paying you.

We know the proposed changes will cause a safety hazard. When we told one customer about them, she said some vehicles will just park on the side of the road, leaving some of their vehicle in the road. Drivers will exit their vehicles into the road; someone will get hurt. Making this section of highway through the village of Moose Pass look like a wide-open boulevard will cause more speeding. There are several Moose Pass residents already working to reduce the speeding through town. This will not help that endeavor.

We are not in favor of the extraordinary, excessive changes outlined in the proposed ROW acquisitions. There are so many negative consequences if these changes go forward as proposed: there will be more speeding through town, there will be more accidents, someone will get hurt, there will be less income for us and for the borough, we will lose our well, our neighbor will lose her well and septic system, the one general store in town will lose its entryway and part of its building. These are the things we know about; we're sure there are more.

As taxpayers, we are not happy with the huge amount of our tax dollars (doesn't matter if it's state or federal money) that will be wasted to create huge ditches and install huge culverts that DOT will not maintain (their words). As Moose Pass residents, these changes will destroy our town's character and charm. As business owners, we expect to lose income if these changes go through. We don't see how the one positive of having a smooth road—for a year or two—outweighs all of these negative consequences.

Thank you for your time.

Jane & Rodney Burrill
PO Box 164
Moose Pass, AK 99631
907. 288. 2453

E13-3



Moose Drop-In Trading Post
PO Box 164 - 35105 Seward Highway
Moose Pass, AK 99631
907.288.2453



STATE OF ALASKA DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES

RECORD OF SURVEY RIGHT OF WAY BASE MAP

SEWARD HIGHWAY: M.P. 25.5 - 36
TRAIL RIVER TO STERLING WYE, REHABILITATION
PROJECT No. 0311(031) / Z546590000

SPECIAL GENERAL NOTE:

SUBDIVISION NAMES PLAT NUMBER, AND DEPICTION OF PROPERTIES ADJACENT TO THE RIGHT OF WAY SHOWN HEREON WERE GENERATED AT THE TIME OF INITIAL PLAN DEVELOPMENT, JULY 1, 2015. THIS PLAN SET DOES NOT NECESSARILY REFLECT THE CURRENT PROPERTY STATUS AT THE TIME OF THE RECORDING OF THIS DOCUMENT.

HORIZONTAL CONTROL STATEMENT

Coordinate System:

This project is located entirely within the SEWARD-1(2011) Adjustment, a local surface plane coordinate system developed by the Alaska Department of Transportation. SEWARD-1(2011) extends from the City of Seward to Milepost 36 of the Seward Highway.

Basis of Coordinates:

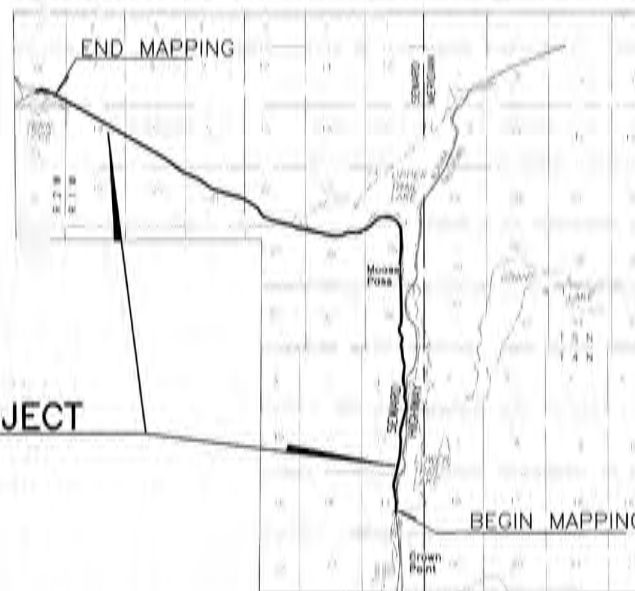
Basis of Coordinates is AK DOT&PF GPS 4, a brass disc set in the highway shoulder near the Moose Pass Fire Station. Said station has SEWARD-1(2011) coordinates of 403,144.4643 North, and 113,452.8528 East.

Basis of Bearings:

Basis of Bearings is a local plane bearing between AK DOT&PF GPS 4 and AK DOT&PF GPS 49, a brass disc set on the south side of Lower Airport. AK DOT&PF GPS 49 bears S 01° 18' 44" E a distance of 30031.0300' U.S. Survey Feet from AK DOT&PF GPS 4. AK DOT&PF GPS 49 has SEWARD-1(2011) coordinates of 373,121.3105 North, and 114,140.8005 East.

Translation Parameters:

To convert local SEWARD-1(2011) coordinates to NAD83(2011) Alaska State Plane Zone 4, U.S. Foot coordinates, translate using +1,508,731.7053 feet North, +1,640,593.7557 feet East, and scale using 0.99999991189.



THIS PROJECT

VICINITY MAP

U.S.G.S. QUAD, SEWARD (R-7) & (C-7), ALASKA, 1994
1" = 1 MILE

DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES
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 FORMER SURVEY MONUMENTS, PROPERTY BOUNDARY 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: 7-1-15
REGISTRATION NUMBER: 15454

ROBERT M. KEBER
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
& PUBLIC FACILITIES
411 NORTH 4TH
ANCHORAGE, ALASKA 99501
(907) 263-0700



DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES
SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF ALASKA AND THAT THIS PLAN WAS MADE BY ME OR UNDER MY SUPERVISION. THIS PLAN WAS BASED UPON THE MONUMENTS RECORDED DURING THE DEPARTMENT'S LOCATIONS SURVEY FOR THIS PROJECT.
DATE: 7-1-15
REGISTRATION NUMBER: 15454

ERIC P. FJELLSTAD
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
& PUBLIC FACILITIES
411 NORTH 4TH
ANCHORAGE, ALASKA 99501
(907) 263-0700



DEPARTMENT OF
TRANSPORTATION & PUBLIC FACILITIES

APPROVED: February 19, 2019
Date

REGIONAL CHIEF R/W AGENT

RECORD OF SURVEY
(THIS SURVEY DOES NOT CONSTITUTE A SUBMISSION AS DEFINED BY AS 40.15.005(B)(1A).)

LOCATED WITHIN
PARTIALLY SURVEYED SECTIONS 1, 12, & 13
TOWNSHIP 4 NORTH, RANGE 1 WEST,
AND
PROTRACTED SECTIONS 2, 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 MERIDIAN, ALASKA

APPROVED AS SHOWN ☒
CORRECTED ☐
SIGN: Mervia Armento, DATE: 02/02/2019
GCI ENGINEERING & DESIGN

STATE BUSINESS - NO FEE

Seward Recording District

Seward Recording District 4 Pg 2 of 3

Page: 1 of 3

Quainton, Madeleine

From: Planning Dept,
Sent: Friday, July 8, 2022 7:02 AM
To: Hindman, Julie; Quainton, Madeleine
Subject: FW: <EXTERNAL-SENDER>DOT Project 25.5-36
Attachments: Letter from TM.DW to Platting Commission.docx

Thank You,

Ann Shirnberg
Administrative Assistant
Planning Department
(907) 714-2215

KENAI PENINSULA BOROUGH
144 North Binkley Street
Seldotna, Alaska 99589



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: Tara Miller <dalamonsmyth@gmail.com>
Sent: Thursday, July 7, 2022 9:24 PM
To: Planning Dept, <planning@kpb.us>
Subject: <EXTERNAL-SENDER>DOT Project 25.5-36

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 Planning Committee,

I'm writing to express my concern over the DOT project *Seward Highway: MP 25.5-36 Trail River to Sterling WYE Rehabilitation Project No. 0311(031)/Z546590000*. Please see the attached letter and use it for the consideration of the platting meeting for their July 18th meeting.

I appreciate your time. Please let me know if I may help to further express the concerns of Moose Pass.

--

Tara Miller
(907)617-8298
Moose Pass, Alaska

Dear Commission Members,

My name is Tara Miller and I am a (mostly) lifelong Alaskan. I grew up in Ketchikan and migrated for a work opportunity to the Peninsula. I purchased my first home as a single women, in Seward Alaska seven years ago. My partner, Danny, and I purchased our dream home (and property) in Moose Pass Alaska in November of 2020. I'm writing today to plea you to reject the State of Alaska Department of Transportation (DOT) and Public Facility proposed highway project *Seward Highway: MP 25.5-36 Trail River to Sterling WYE Rehabilitation Project No. 0311(031)/Z546590000*. Specifically, I ask that you request they reevaluate the 1 mile of the project that routes through the City of Moose Pass be the rationale for the rejection and for the platting map to be reconsidered/redrawn before approval.

The DOT project does not offer a complete understanding of potential impacts to residential properties. The property that I reside in at 34985 Seward Highway is within the historic district of Moose Pass. The property was originally homesteaded in the 1930's as a milk farm, the residual's from that building still exist on the property. In the 1950's the home that I live in was built, along with a large barn to the south. Moose Pass top soil is very silty and over the lifetime of the home and barn, the foundations have been damaged. Painstaking efforts from several ownerships of the property have gone into the repair and maintenance of the home, the foundation of which was repaired prior to my purchase. We're also working to repair the barn, and restore the building to its former order. I mention this, because the home I grew up in in Ketchikan had the foundation damaged by a DOT project, for which my parents have had to assume the costs; because my parents had assumed DOT had done their due diligence in ensuring no damages to individual homes when they built the 3rd avenue bypass. Because my parents had not expressed concerns over this issue and because they are not the types of people to follow through with litigation, they continue to incur the expenses related to this project. Per the platting maps DOT has only mentioned the concerns with local septic and water boxes but to date I have not been approached to discuss potential issues related to my home. I am concerned that without proper mitigation specific to my property, that I risk further damage to the buildings. My property will also be affected by removing decades of tree growth, which act as a sound barrier to my home from the traffic.

The DOT project will destroy our necessary small businesses. The current DOT plan lists road access through the Estes Brother Store, a staple in the community since 1907. The DOT plan will effectively destroy this building and the business it resides in. What will this say to future business owners in the community? That DOT can come in and bulldoze an irreparably change an almost 100 year landmark location, with KPB approval, and destroy what generations of founding residents have poured their lives into? What does it say to our business owners and investors about the KPB if they are willing to allow a standing business and pillar of the Moose Pass community be destroyed without requesting all avenues be addressed to avoid it.

The DOT project looks to address spending millions of dollars where they have not done their due diligence to maintain. DOT has formally stated to the Seward journal (released on 6/23) and myself that maintenance in our area has been severally lacking. The last large maintenance in our drainage system was over two years ago and was minimal around the Moose Pass City limits, per information relayed to me from the Crown Point servicing area.

I agree that there are road conditions in our area that need serviced – but I find it unacceptable that DOT would ask for this particular plan approval when it has such a large impact to my community. I

don't understand why any committee would consider approving a plan in which we're told to take DOT's word that it won't be as bad as they've laid out.

Please respond and let us know that the Kenai Peninsula Borough is not going to allow the State of Alaska Department of Transportation to destroy our town and the community that thrives here. Please stand up for this small community that needs to have its history and people considered in State Project Planning. Please require that DOT amend its project now to take into consideration the residents of our small community and not rely on them to do the right thing when they don't have to.

Please feel free to call or email if I may clarify any of these points. My cell number is listed below.

Regards,

Tara Miller and Daniel Wolfer

Mile Post 29 – Moose Pass

907-617-8298

From: Jan Odhner janodhner@gmail.com
Subject: Highway upgrade
Date: Jul 8, 2022 at 1:03:33 PM

To whom it may concern- For the past ten years the DOT&PF in cooperation with the federal highway administration has been designing the highway rehabilitation project to improve the Seward highway between mp. 25.5 and mp.36. We have had a number of public meetings with the DOT regarding this upgrade. Unfortunately none of these meetings addressed the right of way acquisitions and changes that they recently presented to the borough planning commission for approval. These public meetings are nothing but window dressing. There is no regard for public input. This along with the recent approval of the Grant lake hydro project the the community overwhelmingly opposed are shining examples of how these community involvement meetings are a total farce. As a forty two year resident i command a little respect from our government agencies. There are significant problems with the DOT's current plan that there 2018 environmental review stated that didn't exist. It is not coincidental that they pick the busiest month of the year with a very short response window to air our feelings about the final upgrade plans. Please help represent our concerns on this matter and allow us the time to be part of the solution. Sincerely Jan & Judy Odhner. MP. 34.5 Seward Hwy

July 12, 2022

Kenai Peninsula Borough Plat Committee

144 N. Binkley Street

Soldotna, AK 99669

Via email: planning@kpb.us

cc: AK-DOT Commissioner - dot.commissioner@alaska.gov

cc: KPB Mayor Charlie Pierce - cpierce@kpb.us

cc: KPB Community and Fiscal Projects Manager Rachel Chaffee - rchaffee@kpb.us

cc: KPB Administrative Assistant Pam Wastell - pwastell@kpb.us

Dear Committee Members,

I am writing today in strong opposition to the State of Alaska Department of Transportation (Alaska DOT) and Public Facility proposed highway project *Seward Highway: MP 25.5-36 Trail River to Sterling WYE Rehabilitation Project No. 0311(031)/Z546590000* for highway improvements through Moose Pass, Alaska. I am writing on behalf of myself, Kathy Ryan, a property owner, and my father, Robert Condit, a property owner and the longest living resident of Moose Pass, Alaska.

First, let me give you a little background about myself. I am a third generation Moose Pass resident who grew up watching my dad rise at 4am in the winters to plow and maintain the roads through Moose Pass. My grandparents moved to Moose Pass in 1940 and have owned land in downtown Moose Pass since 1943. My dad has owned land adjacent to the highway since 1961. In addition, my mom's family opened the Estes Bros. Grocery store in 1934. Unlike many areas of the state and the country, many residents have lived in Moose Pass for generations. That means that the land has historical value that cannot be properly "compensated" for under the Alaska DOT proposal. My family worked to build the original roads and railroads through the town of Moose Pass. The current Alaska DOT proposal would force our family to give up approximately 2 acres of land, some of which has been in our family for over 60 years.

Alaskans have always valued their independence and their rights. It is part of the fabric of what makes Alaska unique, and I am asking you to protect property rights of individuals over a plan does not prioritize the needs of the community and area residents. I would ask you to consider whether taking property rights from someone who has owned a piece of land for the last 60 years aligns with the values of the State of Alaska and the Kenai Peninsula Borough? I believe that everyone understands the need to improve the existing road, but there are better ways to meet the needs of the road improvements and the community.

Property rights will be infringed on not only through the acquisition of right of away, but also in the form of tree removal, noise pollution and interference with drainage and water access. Steeper driveways will be required and will no doubt result in safety issues when accessing the highway. Who will be responsible for the potential for accidents and winter safety plowing driveways?

One item that has been noted by the Alaska DOT is that the proposed highway would require less maintenance. I would ask that the Alaska DOT show the current maintenance spending on this section of the highway versus the proposed maintenance costs for the replacement highway. You are probably aware that the Moose Pass Highway Maintenance Station was shut down in late 1990s. While it was replaced by a station at Crown Point, in 2019 the Silvertip Station was also closed. These closures resulted in less maintenance on the Moose Pass section of the Seward Highway. Robert Condit was employed at the Moose Pass Station for 31 years and can provide several examples of current lack of maintenance impacting the roadway, including lack of ditch maintenance and lack of general road maintenance. The proposal by the Alaska DOT does not address the need for ongoing maintenance and instead proposes that a highway be built that won't be properly maintained.

The current highway needs to be improved, but lack of maintenance over the past several years is not the fault of property owners and unless the Alaska DOT can provide a better plan they are simply putting federal dollars toward a band aid solution with lack of ongoing maintenance. The Alaska DOT claims that they have been unable to maintain the road because of lack of access, but they currently have adequate right of way to maintain the highway, just not the funds or will to complete the maintenance. There are ditches within the current right of way that have not been maintained and the Alaska DOT is claiming they need more right of way when the reality is they are simply not using the right of way that they already have, which is more than adequate. In this proposal, the Alaska DOT proposes spending federal dollars to build a highway that the state has not demonstrated that they will invest in maintaining.

In addition to the land owned by Robert Condit, I personally own a plot of vacant land next to his property. The current proposal requires me to forfeit an unbelievable 36% of my property, equal to 1.5 acres of a 4.2 acre lot. Again, this land is adjacent to land owned by my family for 60 years, so monetary compensation is not helpful to offset our plans to build a home on a sizable lot adjacent to my generational family land. The proposal to acquire that amount of land is not reasonable and negatively impacts the entire lot in terms of road noise, ability to add a well and septic, tree cover and lot size.

The proposal also creates significant drainage issues and probability of flooding. Specifically on my lot, the Alaska DOT plans to drain an entire mountainside of snow melt and rain runoff onto the middle of my land, impacting my future plans to build a home. That rain and snow melt will then flow through the back of Robert Condit's property with the potential to cause flooding and make land unusable due to creation of additional wetland area. A second drainage area to the

south of Robert Condit's lot will add even more water to the back of Robert Condit's property creating potential flooding and unsafe conditions.

I believe that this project will negatively affect land values in the town of Moose Pass, reducing the value of future Mental Health Trust sales and reducing the tax base for the Kenai Peninsula Borough. The project, if left unchanged, will negatively impact a town that was located on Trail Lake before the State of Alaska and the Alaska DOT even existed.

The plans as currently proposed are in contradiction to the KPB Comprehensive Plan and as such should be rejected by the KPB Planning Commission. We ask for your assistance and consideration to reject these plans until they can be modified to preserve Moose Pass and the property rights of residents. If the Alaska DOT needs assistance in developing a plan that would allow them to meet the needs of Moose Pass residents and provide a quality road, the Preserve and Protect Moose Pass group is available to assist, as is retired state employee Robert Condit. He knows more about the road through Moose Pass and how to maintain it than anyone alive today. Instead of seeking his input, the Alaska DOT instead seeks to take away his property rights and negatively impact the historical town of Moose Pass where he has lived since 1940. We need your help to stand against a plan that is not workable that will result in loss of property and will negatively impact residents and character of a historical Alaskan town.

Thank you for your consideration of the importance of property rights over a plan that did not take community input into account and is not a good faith effort to solve the road improvement problem.

Thank you,

Kathy Ryan

kathy@moosepass.com



AMENDMENT MOTION: Commissioner Martin moved, seconded by Commissioner Hooper, to grant exception request to KPB 20.30.030 – Proposed Street Layout Requirements, for the continuation of Lake Marie Ave., citing findings 1, 2, 4 & 7-9 in support of standards one, two and three.

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

AMENDMENT MOTION PASSED BY UNANIMOUS VOTE

Yes	4	Brantley, Hooper, Martin, 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	4	Brantley, Hooper, Martin, Venuti
No	0	

ITEM E10 – 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 given by Platting Specialist Julie Hindman.

Chair Brantley open the meeting for public comment.

Chris Bentz, Engineer; AK DOT, P.O. Box 196900, Anchorage, AK 99519: Mr. Bentz is one of the engineers on this project. He noted receiving preliminary plat approval is the first step in this process. This will allow them to submit the initial funding request. Once funding is secured, they will begin to reach out and enter into negotiations with effected landowners. He then made himself available for questions.

The following individuals spoke in opposition to granting preliminary approval to this plat. General concerns expressed was the lack of transparency, lack proper noticing, important information left off the plat & plat drawings difficult to understand. There were several requests to postpone action on this plat to allow for more time for review and discussions with AK DOT.

Members of the public who testified in-person:

1. John Smart; PO Box 243, Moose Pass, 99631
2. Edward Estes; PO Box 26, Moose Pass, AK 99631
3. Jennifer Boyle; PO Box 121, Moose Pass, AK 99631
4. Nancy Erickson; PO Box 185, Moose Pass, AK 99631
5. Bruce Jaffa; PO Box 107, Moose Pass, AK 99631
6. Joseph Boyle; PO Box 121, Moose Pass, AK 99631
7. Linda Dickerson; PO Box 146, Moose Pass, AK 99631
8. Marla Heilit; Moose Pass
9. Lynne Lawrence; PO Box 122, Moose Pass, AK 99631

Member of the public who testified via Zoom:

10. Melissa Guersey; 41658 Seward Hwy., Moose Pass, AK 99631
11. Wendy Milligan; PO Box 112, Moose Pass, AK 99631
12. Phillip Hendersol, Volunteer Fire Chief; 30305 Toklat Way, Moose Pass, AK 99631
13. Marry Melissa Robinson; 1120 Huffman Road, #24, Anchorage, AK 99515

14. Shannon Martin; Soldotna, AK
15. John Gaule; PO Box 62, Moose Pass, AK 99631

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

MOTION: Commissioner Martin moved, seconded by Commissioner Hooper to grant preliminary approval to ROW Acquisition Seward Hwy. MP 25.5 to 36 Trial River to Sterling WYE Rehabilitation, based on staff recommendations and compliance to borough code.

Commissioner Venuti noted that based on the testimony from the community there seems to be a failure of adequate communication. There is also a suggestion to postpone action on this item. He asked Mr. Bentz what would be the effect on this project. Mr. Bentz replied it would cause a delay in securing needed funding to move the project forward. It would delay the negotiations with area property owners and the ability to address their concerns.

AMENDMENT MOTION: Commissioner Martin moved, seconded by Commissioner Venuti to postpone action on this item until the July 18, 2022 Planning Commission meeting.

Commissioner Brantley stated he believes what is going on here is a misunderstanding. He understands that AK DOT is working to secure funding so that they can begin negotiations with effected landowners; which in turn would result in more details for the public. He is not sure how this situation will be resolved by postponing action on this item, but he will support the postponement request.

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

AMENDMENT MOTION PASSED BY UNANIMOUS VOTE

Yes	4	Brantley, Hooper, Martin, Venuti
No	0	

ITEM E11 - 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 given by Platting Specialist Julie Hindman.

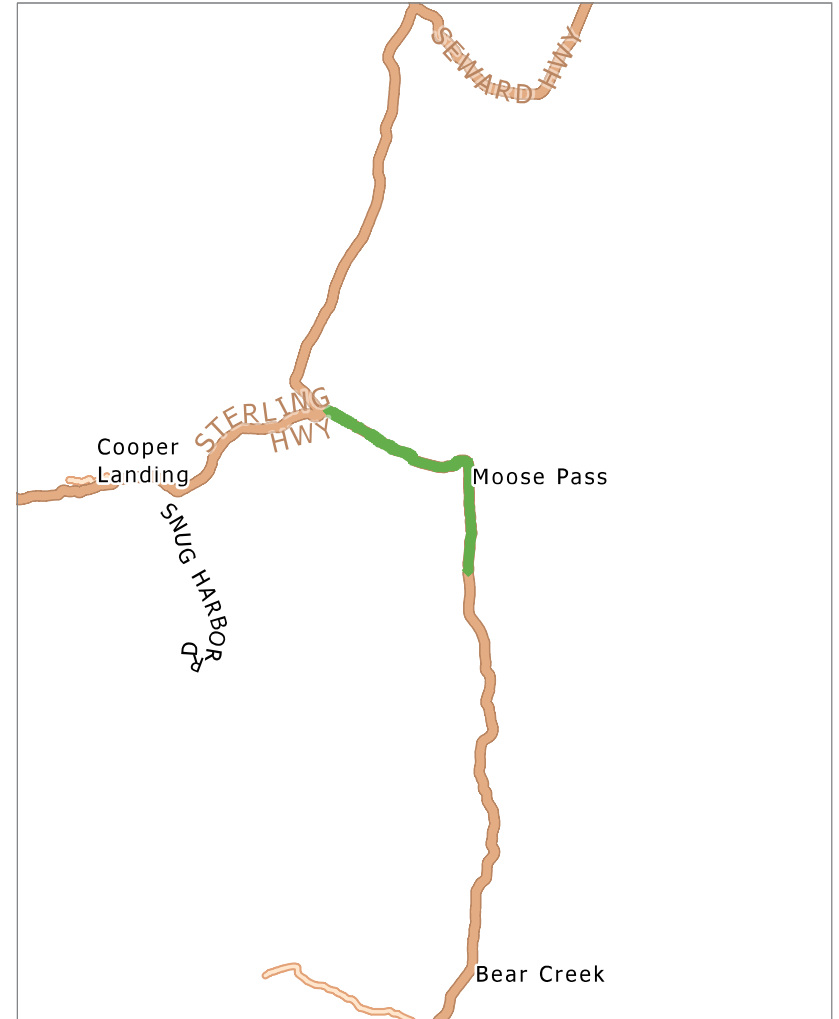
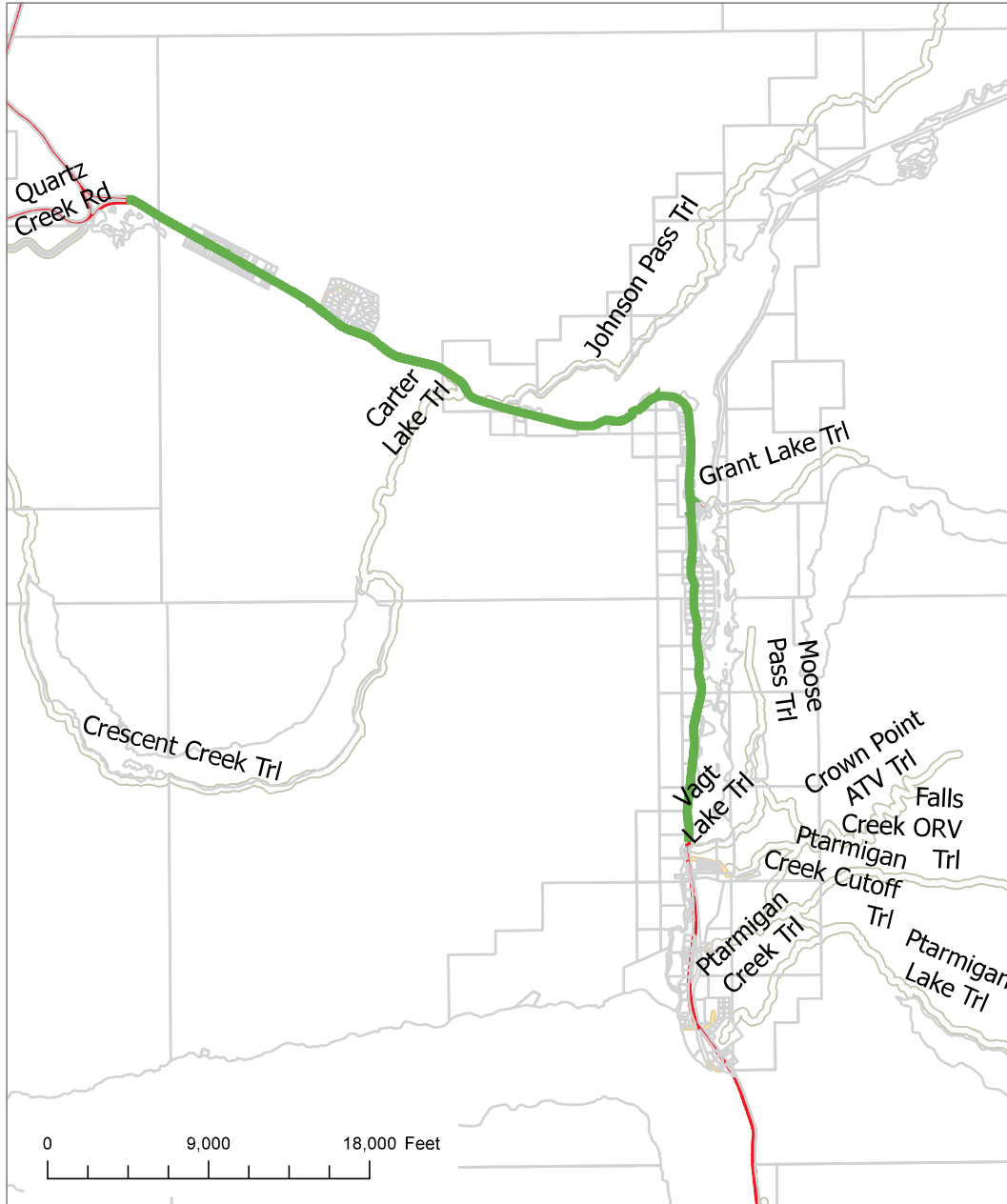
Chair Brantley open the meeting for public comment.

Andre Koeppele, Fixed Height, LLC, Surveyor: 225 W. 23rd Ave., Anchorage, AK 99503: Mr. Koeppele spoke in support of the preliminary approval of this plat. He stated there had been some revisions to the plat from the last meeting. One change was the total number of lots created by the plat was reduced by one. He noted that this is privately owned land and the landowners have a right to subdivide their land according to borough code.

Numerous individuals spoke in opposition to the preliminary approval of this plat. Their concerns have not changed from those expressed at the May 9, 2022 plat committee meeting. Some of the concerns expressed were, water right issues, the negative effect on the environment due to the significant increase of

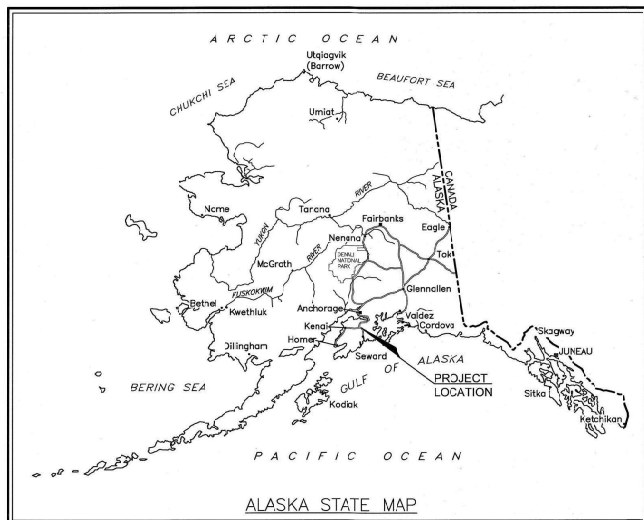
E. NEW BUSINESS

- 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**



KPB File # 2022-063
Approximate Location of Right of Way Acquisition Project
Moose Pass

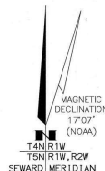
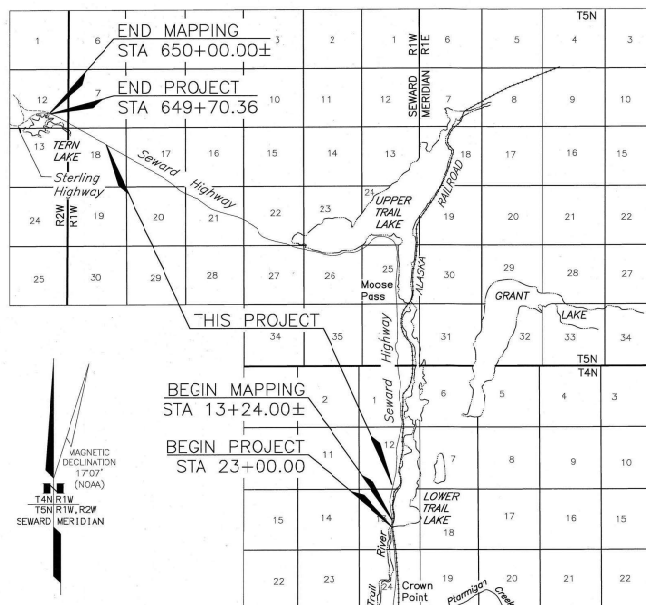




STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

RIGHT - OF - WAY MAP ALASKA PROJECT

SEWARD HIGHWAY MP 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHABILITATION 0311(031)/Z546590000



0 0.25 0.5
SCALE IN MILES

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

PLATING 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 2013-032.

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 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 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, 13, 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

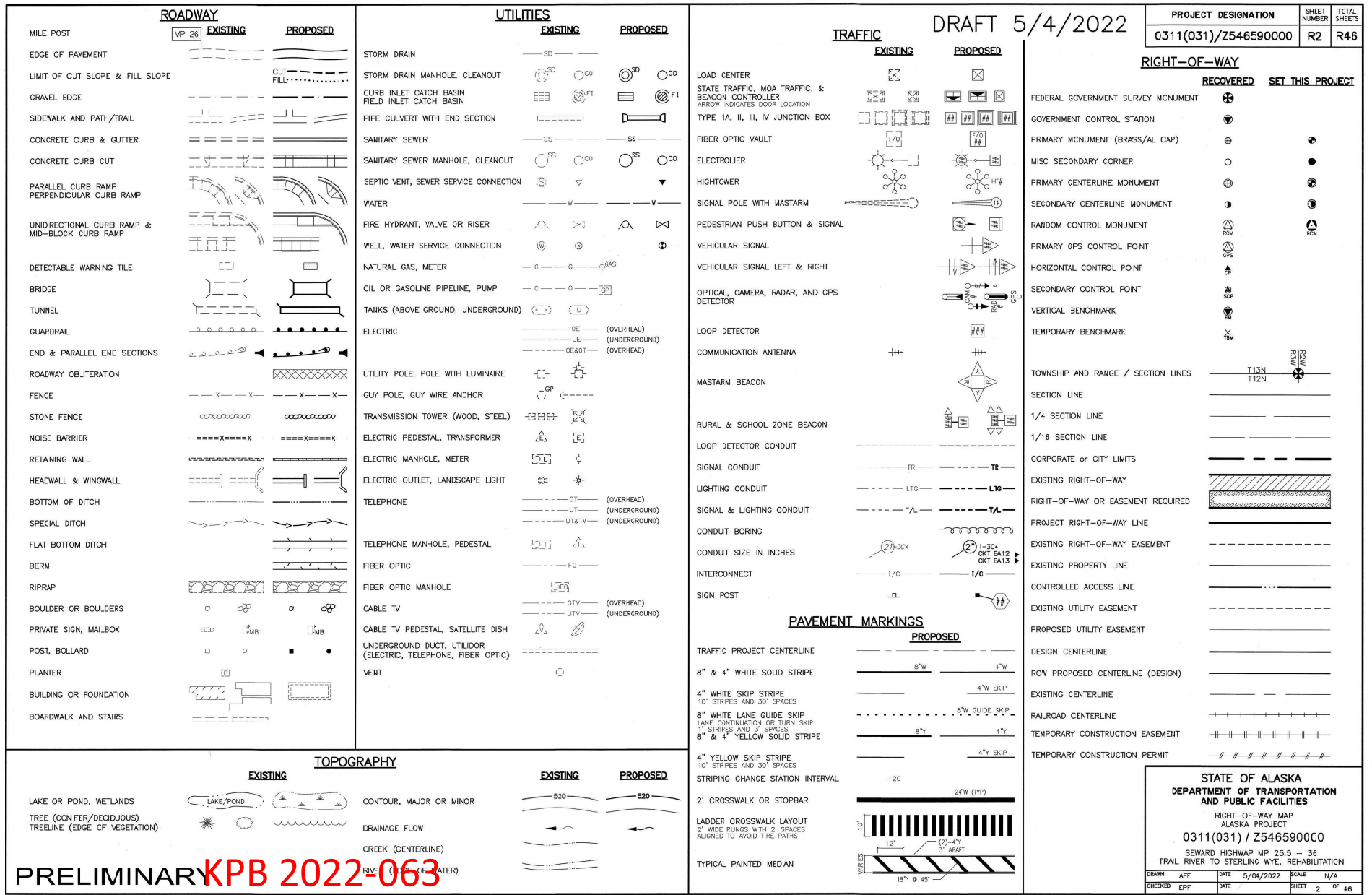
DRAFT 5/4/2022

ACQUISITION DATES: MONTH YEAR - MONTH YEAR

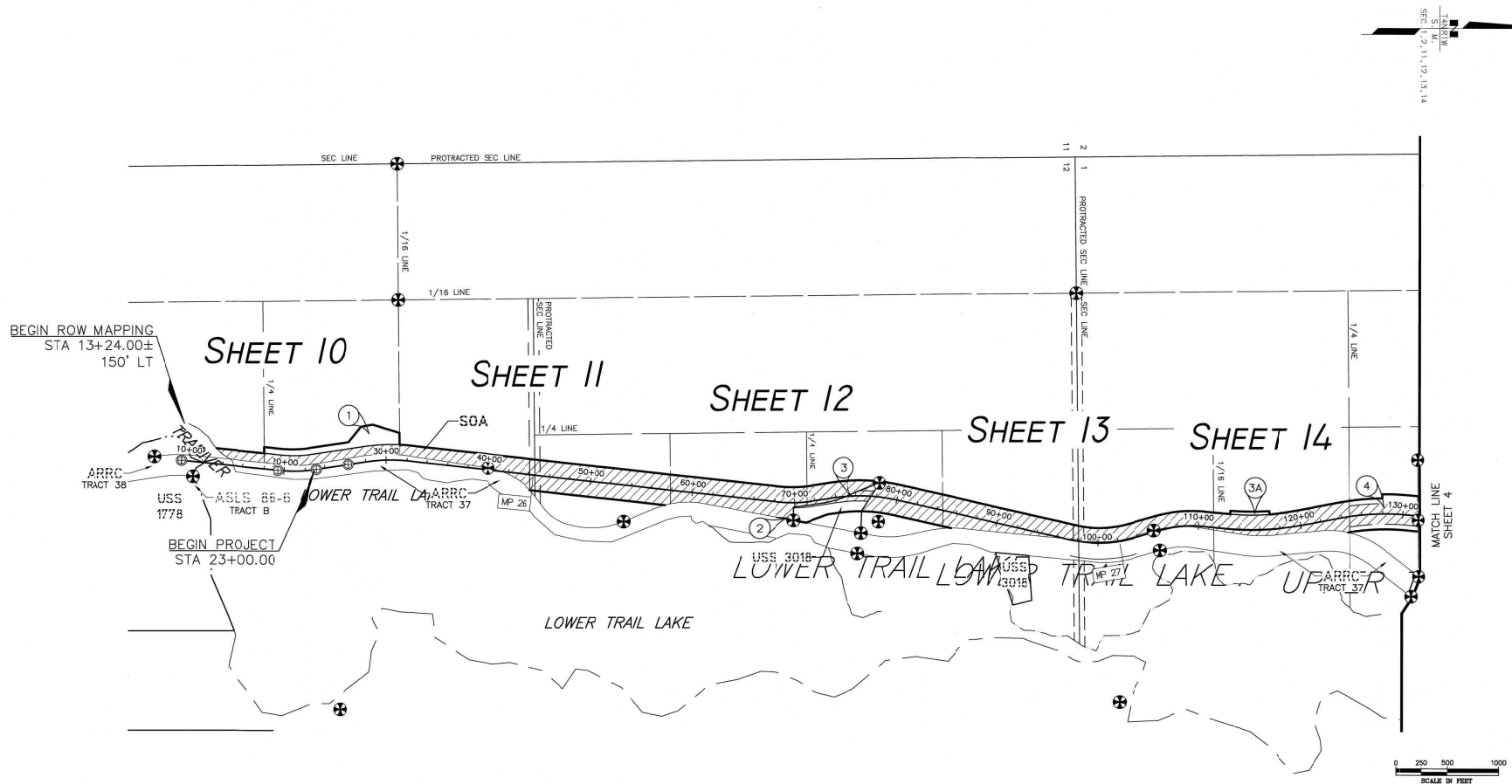
CONSTRUCTION DATES: MONTH YEAR - MONTH YEAR

PROJECT LENGTH 10.5 MILES

KPB 2022-063



PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R3	R46

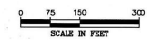
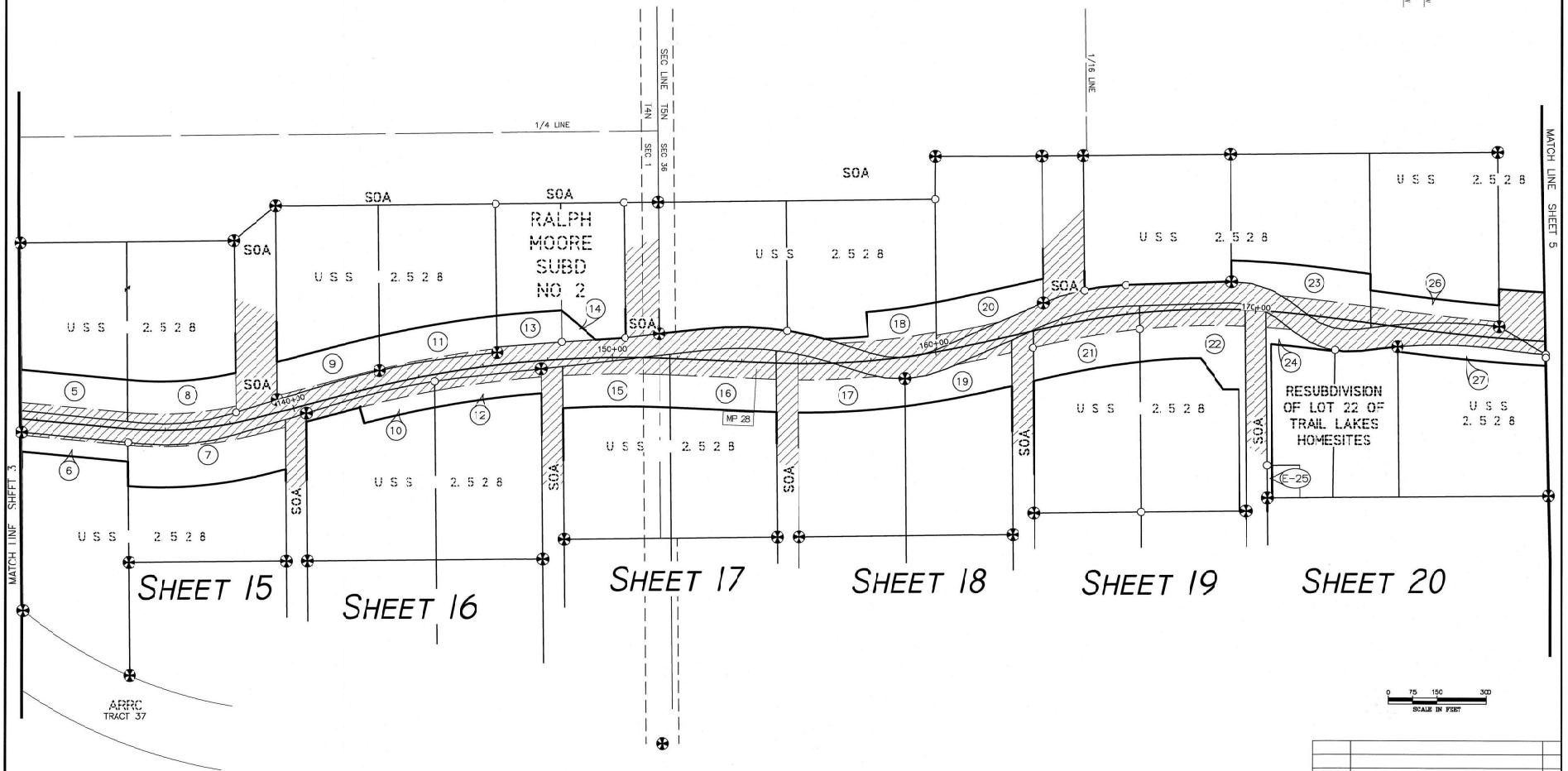


PRELIMINARY

DATE	REVISIONS		BY
<p align="center">STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC UTILITIES</p> <p align="center">RIGHT-OF-WAY MAP ALASKA PROJECT</p> <p align="center">0311(031) / Z546590000</p> <p align="center">SEWARD HIGHWAY MP 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHABILITATION</p>			
DRAWN	EPP/AFB	DATE	5/04/2022
CHECKED		DATE	3 OF 46

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R4	R46



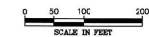
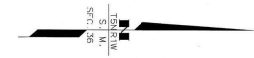
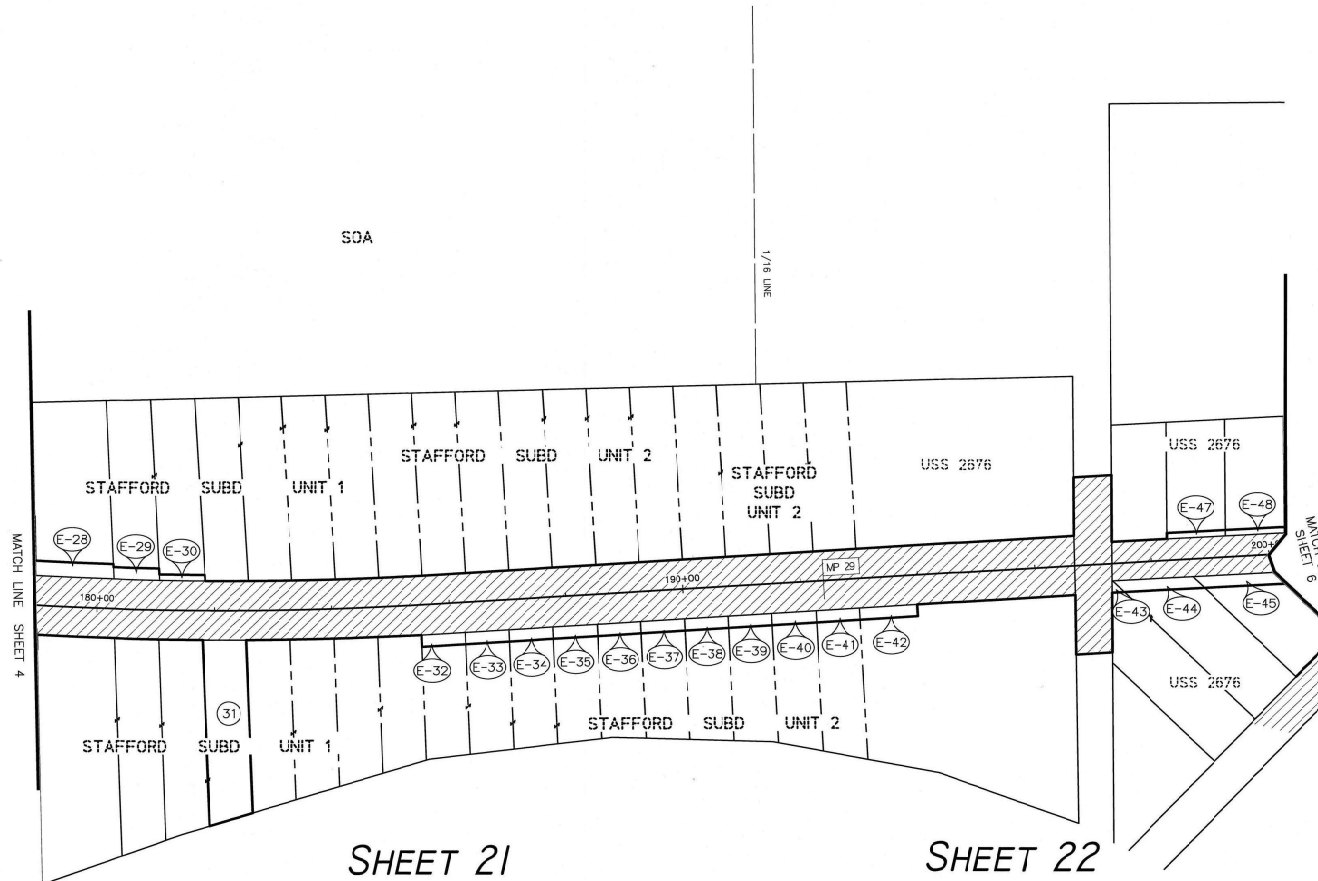
KPB 2022-063

PRELIMINARY

DATE	REVISIONS	BY
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RIGHT-OF-WAY MAP ALASKA PROJECT 0311(031) / Z546590000 SEWARD HIGHWAY MP 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHABILITATION		
DRAWN	EPF/AF	DATE 5/04/2022
CHECKED		DATE
		SHEET 4 OF 46

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R5	R46

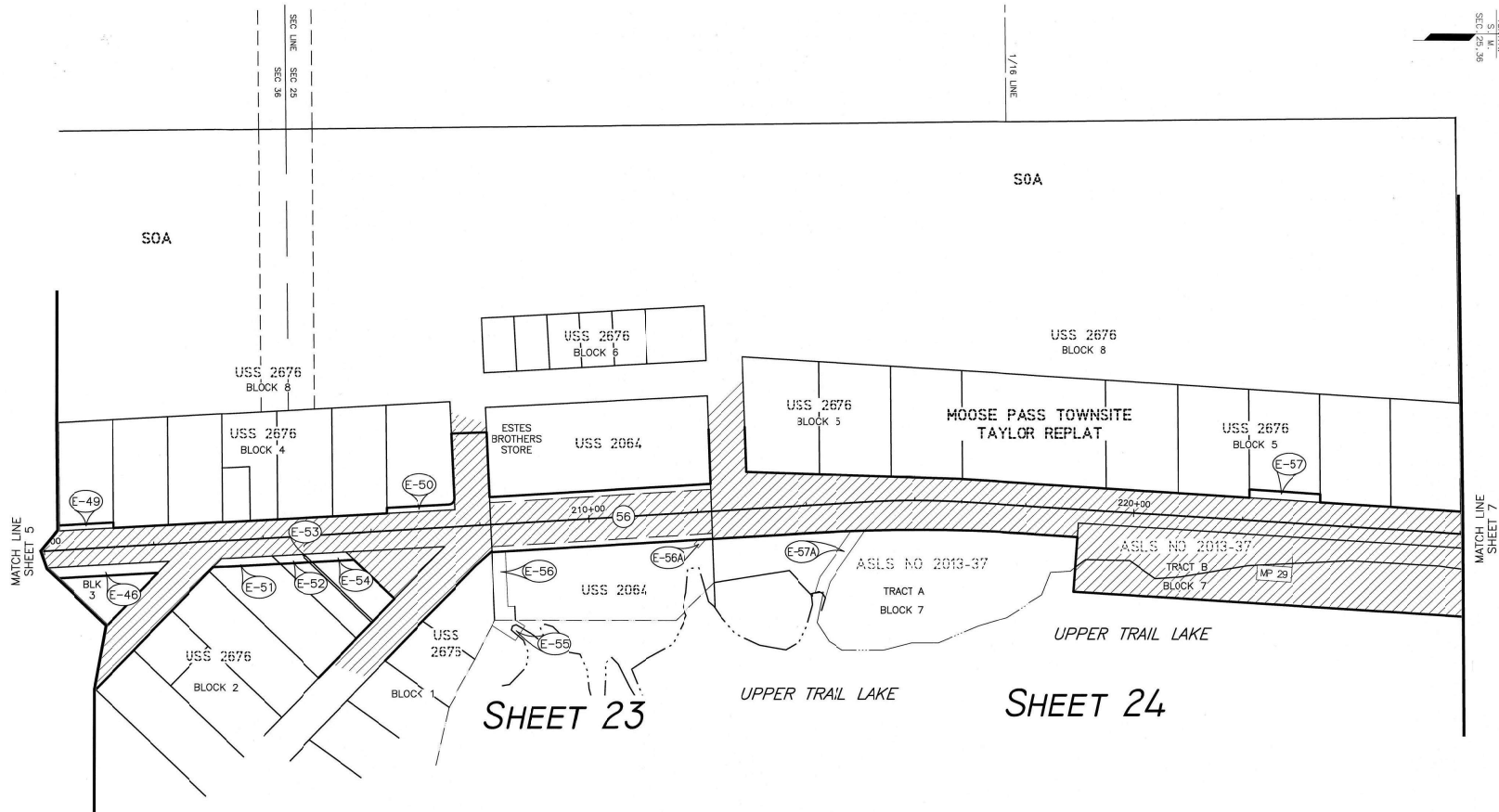
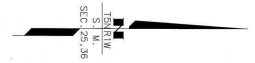


DATE	REVISIONS	BY
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RIGHT-OF-WAY MAP ALASKA PROJECT 0311(031) / Z546590000 SEWARD HIGHWAY MP 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHAERLITATION		
DRAWN	EPF/AF	DATE 5/01/2022
CHECKED		SCALE 1" = 100'
		SHEET 5 OF 46

KPB 2022-063

PRELIMINARY

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R6	R46



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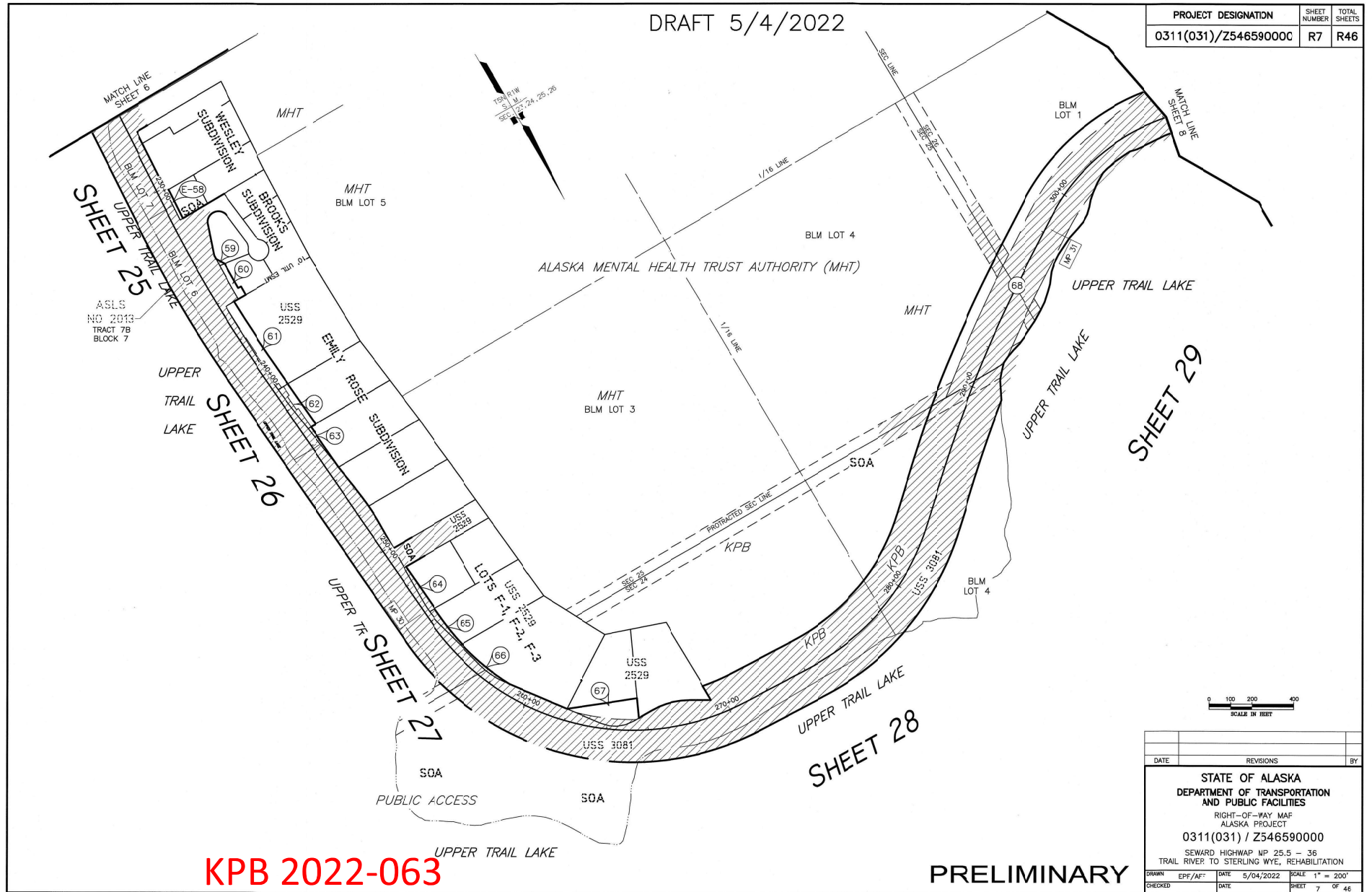
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<p style="text-align: center;">STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC UTILITIES</p> <p style="text-align: center;">RIGHT-OF-WAY MAP ALASKA PROJECT</p> <p style="text-align: center;">03'1(031) / Z546590000</p> <p style="text-align: center;">SEWARD HIGHWAY MP 25.5 - 36 TRAIL RIVE TO STERLING WYE, REHABILITATION</p>			
DRAWN	APP /AFF	DATE	SCALE
CHECKED		5/04/2022	1" = 100'
			SHEET 6 OF 46

KPB 2022-063

PRELIMINARY

DRAFT 5/4/2022

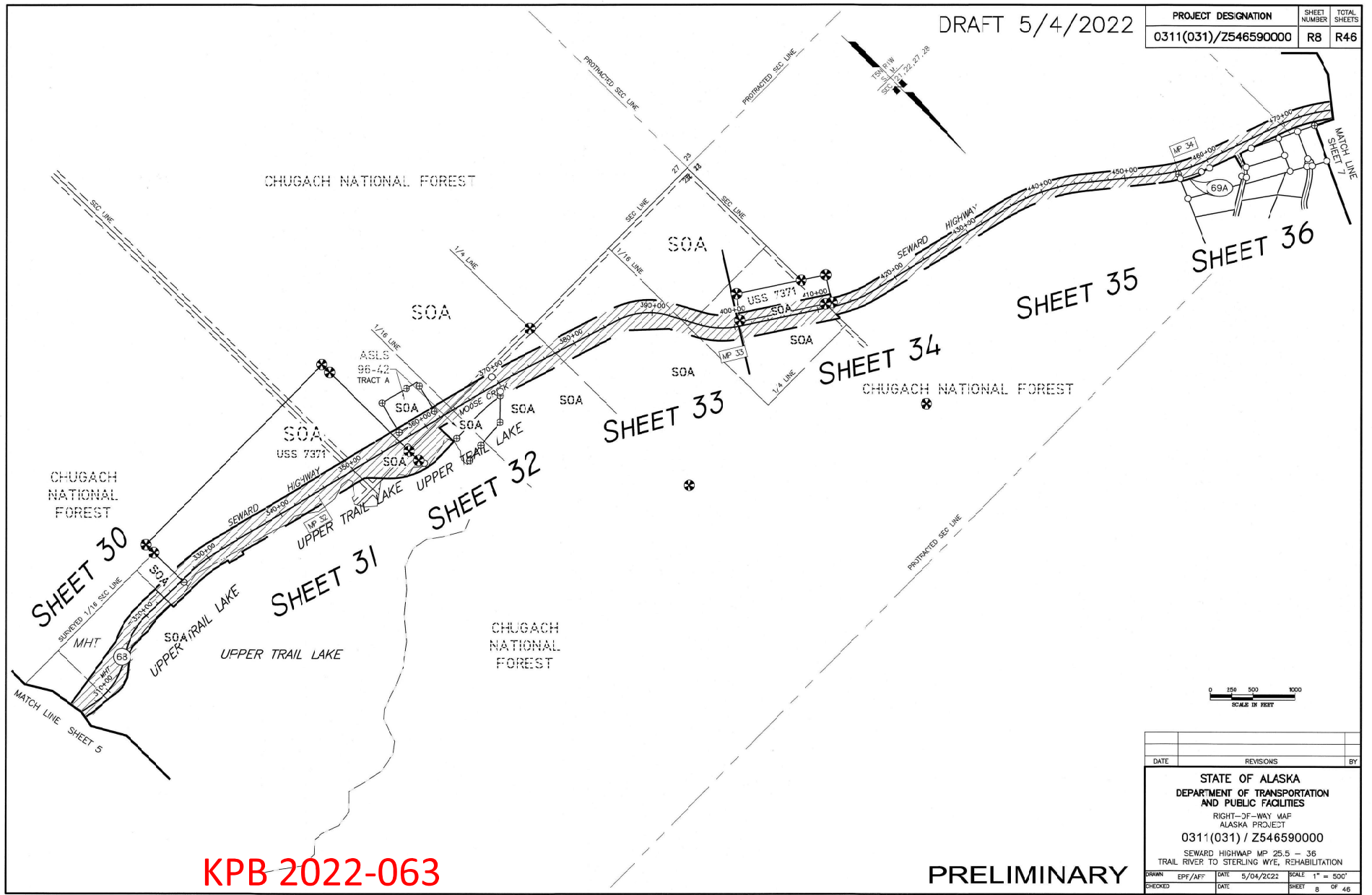
PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z54659000C	R7	R46



KPB 2022-063

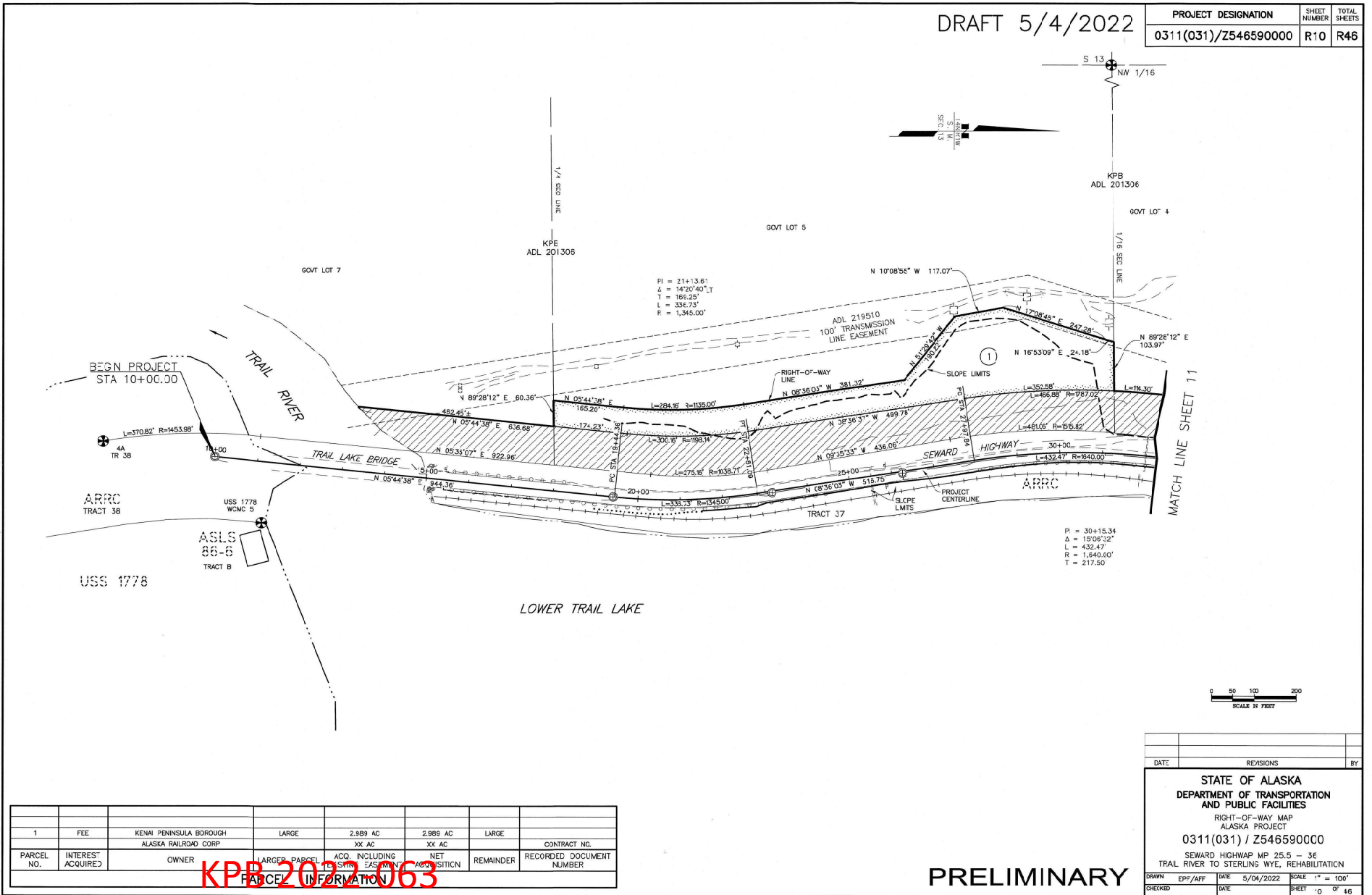
PRELIMINARY

DATE		REVISIONS		BY
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RIGHT-OF-WAY MAP ALASKA PROJECT 0311(031) / Z546590000 SEWARD HIGHWAY NP 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHABILITATION				
DRAWN	EPF/AF	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	R10	R46



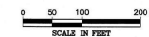
PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL INFORMATION	ACQ. INCLUDING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
1	FEE	KENAI PENINSULA BOROUGH ALASKA RAILROAD CORP	LARGE	2,989 AC XX AC	2,989 AC XX AC	LARGE	CONTRACT NO.

KPB 2022-063

PRELIMINARY

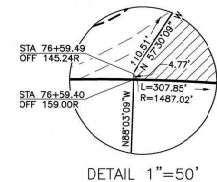
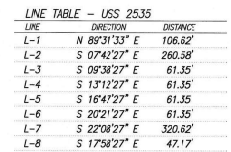
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STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RIGHT-OF-WAY MAP ALASKA PROJECT 0311(031) / Z546590000 SEWARD HIGHWAY MP 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHABILITATION				
DRAWN	EPF/AF	DATE	5/04/2022	SCALE 1" = 100'
CHECKED		DATE		SHEET 10 OF 46

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R11	R46

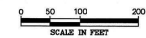
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DATE	REVISIONS		BY
<p style="text-align: center;">STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES</p> <p style="text-align: center;">RIGHT-OF-WAY MAP ALASKA PROJECT</p> <p style="text-align: center;">0311(031) / Z546590000</p> <p style="text-align: center;">SEWARD HIGHWAY MP 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHABILITATION</p>			
DRAWN	EPT/JFF	DATE	5/01/2022
CHECKED		DATE	
		SHEET	11 of 106

PRELIMINARY



DETAIL 1"=50'



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		KX AC	XX AC		CONTRACT NO.
PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING INTERESTS EXCEPTED	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER

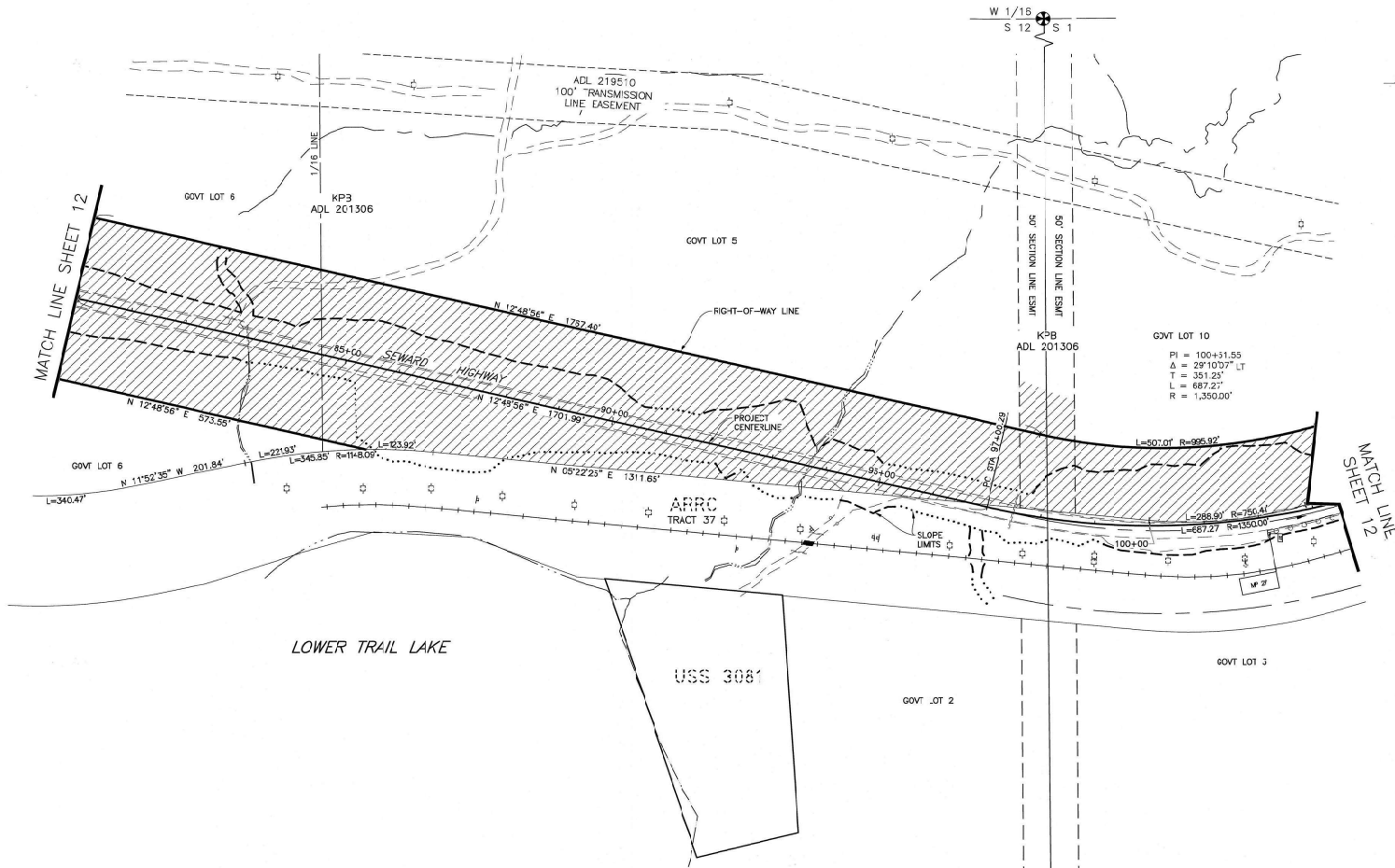
KPB 2022-063

PRELIMINARY

DATE	REVISIONS		3Y
<p style="text-align: center;">STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES</p> <p style="text-align: center;">RIGHT-OF-WAY MAP ALASKA PROJECT</p> <p style="text-align: center;">0311(031) / Z546590000</p> <p style="text-align: center;">SEWARD HIGHWAY MP 25.5 - 36 TRAIL R/W TO STERLING WYE, REHABILITATION</p>			
DRAWN	EPP/AFF	DATE	5/CA/2022
CHECKED		DATE	
		SHEET	15 " 00"
		SHEET	12 OF 46

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R13	R46



0 50 100 200
SCALE IN FEET

PARCEL NO.	INTEREST ACQUIRED	OWNER	ALASKA RAILROAD CORP	LARGER PARCEL	ACQ. INCLUDING	XX AC	XX AC	REMAINDER	RECORDED DOCUMENT NUMBER	CONTRACT NO.

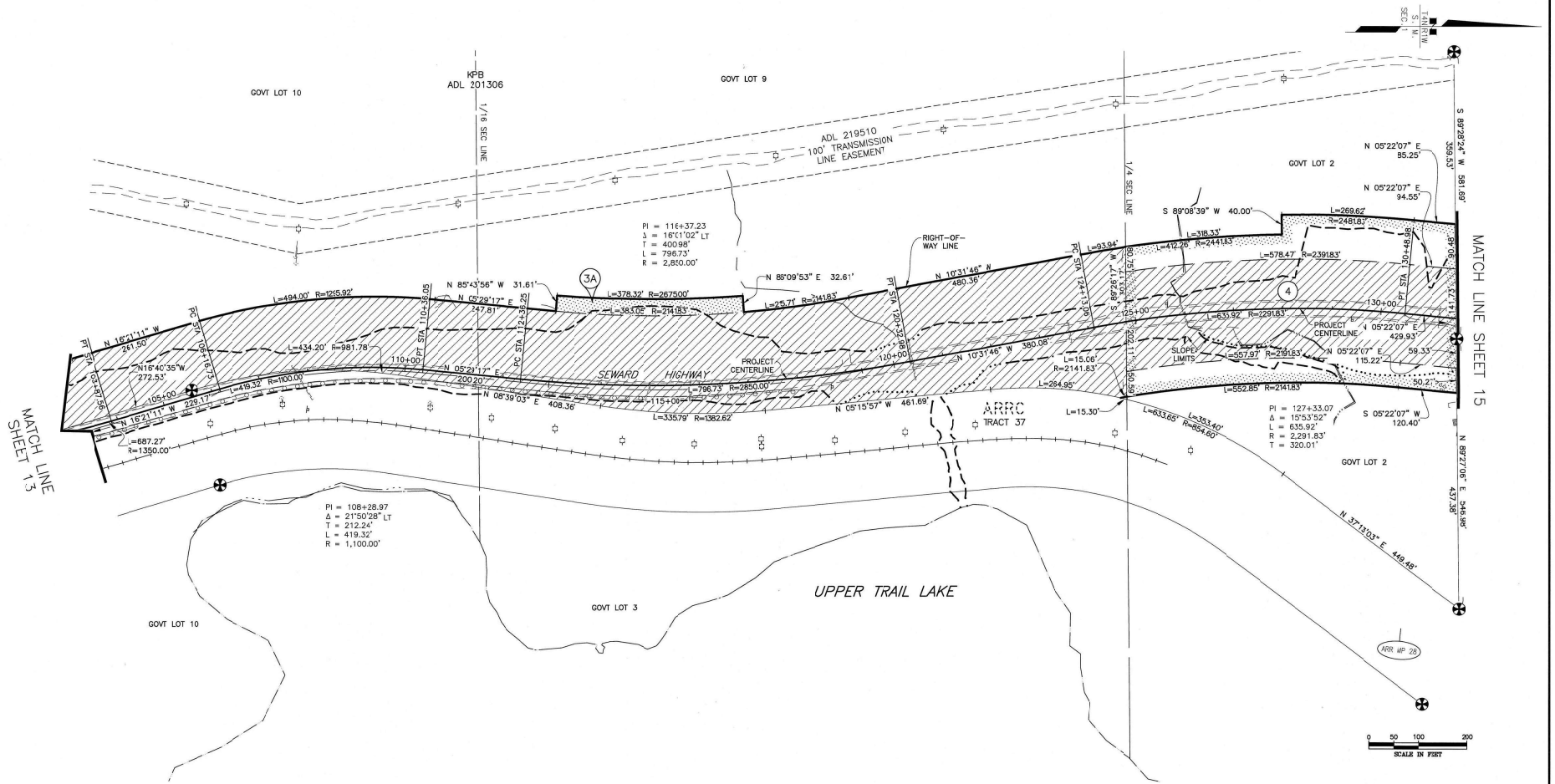
KPB 2022-063

PRELIMINARY

DATE	REVISIONS	BY
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RIGHT-OF-WAY MAP ALASKA PROJECT 0311(031) / Z546590000 SEWARD HIGHWAY MP 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHABILITATION		
DRAWN	EPF/AFF	DATE 5/04/2022
CHECKED		DATE
		SHEET 13 OF 46

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R14	R48



PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EASEMENTS	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
4	FEE	AK MENTAL HEALTH TRUST AUTHORITY	LARGE	4.961 AC	1.371 AC	LARGE	
3A	FEE	KENAI PENINSULA BOROUGH	LARGE	0.291 AC	0.291 AC	LARGE	
		ALASKA RAILROAD CORP	XX AC	XX AC	XX AC		CONTRACT NO.

KPB 2022063

PRELIMINARY

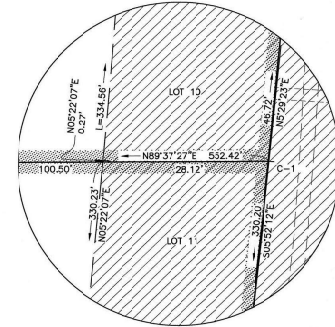
DATE	REVISIONS	BY
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RIGHT-OF-WAY MAP ALASKA PROJECT 0311(031) / Z546590000 SEWARD HIGHWAY NP 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHABILITATION		
DRAWN	EPF/AF	DATE 5/04/2022
CHECKED		DATE
		SHEET 14 OF 48

DRAFT 5/4/2022

MATCH LINE
SHEET 16

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R15	R46

LINE TABLE - LOT 10, USS 2528			LINE TABLE - LOT 13, USS 2528		
LINE	DIRECTION	DISTANCE	LINE	DIRECTION	DISTANCE
10-A	N 39°29'23" E	16.72'	13-A	N 05°39'13" E	41.93'
10-B	N 22°38'23" E	58.75'	13-B	N 02°48'13" E	74.62'
10-C	N 23°03'37" W	58.75'	13-C	N 02°53'47" W	74.62'
10-D	N 28°45'37" W	58.75'	13-D	N 08°35'47" W	74.62'
10-E	N 14°27'37" W	58.75'	13-E	N 41°17'47" W	74.62'
10-F	N 17°16'37" W	15.35'	13-F	N 70°54'47" W	53.87'



DETAIL: 1"=10'

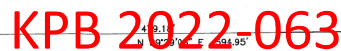
0 25 50 100
SCALE IN FEET

PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL ACQUISITION	ACQ. INCLUDING REMAINING EASEMENT ACQUISITION	NET REMAINDER	RECORDED DOCUMENT NUMBER
8	FEE	KATIE HAMILTON	183,103 SF	42,795 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. CONDOT	210,689 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

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 HIGHWAY MP 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHABILITATION		
DRAWN	EPF/AF	DATE 5/04/2022 SCALE 1" = 50'
CHECKED		DATE SHEET 15 OF 46





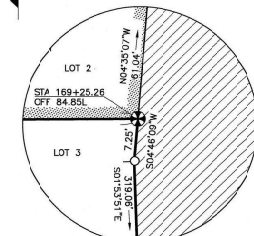
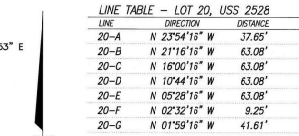
DRAFT 5/4/2022

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'

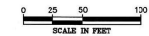
KPB 2022-063

DATE	REVISIONS		BY
<p align="center"> STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RIGHT-OF-WAY MAP ALASKA PROJECT 0311(031) / Z546590000 SEWARD HIGHWAY NP 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHABILITATION </p>			
DRAWN	APP/ EAF	DATE 5/04/2022	SCALE 1" = 50'
CHECKED		DATE	SHEET 17 OF 46

PRELIMINARY



DETAIL 1"=10'

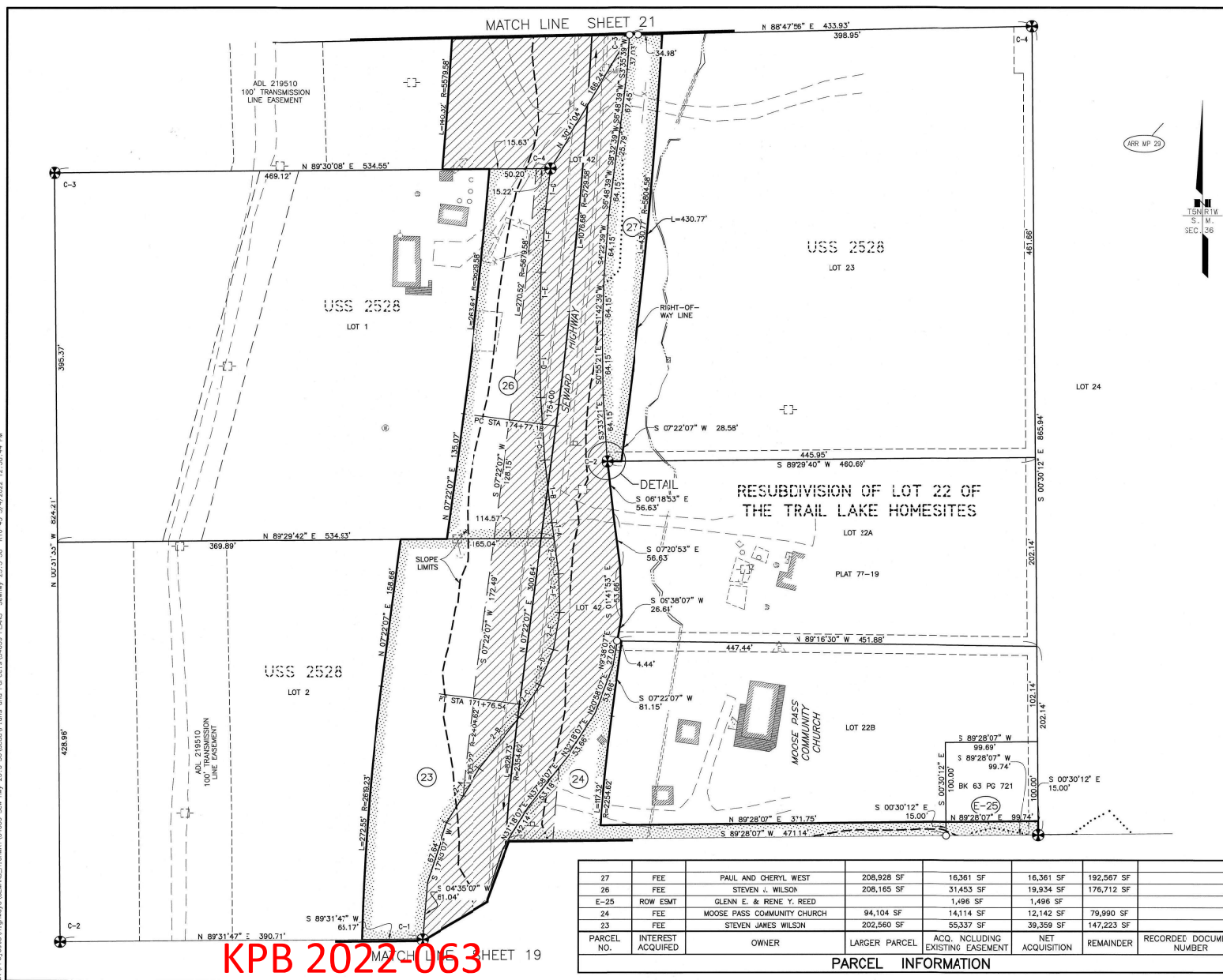


22	FEE	MHT - SALE APPROVED	205,857 SF	71,576 SF	49,493 SF	134,281 SF	
21	FEE	PETRA SATTLER-SMITH & KEVIN G. SMITH	201,138 SF	57,194 SF	33,497 SF	14,944 SF	
PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL INFORMATION	ACC. INC.UDING EXISTING EASTING	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER

KPB 2022-063

PRELIMINARY

DATE	REVISIONS		3Y
<p style="text-align: center;">STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES</p> <p style="text-align: center;">RIGHT-OF-WAY MAP ALASKA PROJECT</p> <p style="text-align: center;">0311(031) / Z5465900C0</p> <p style="text-align: center;">SEWARD HIGHWAY MP 25.5 - 36 TRAIL RAMP TO STERLING WYE, REHABILITATION</p>			
DRAWN	EPF/AFF	DATE	5/04/2022
CHECKED		DATE	
		SHEET	1" = 30'
		9	6

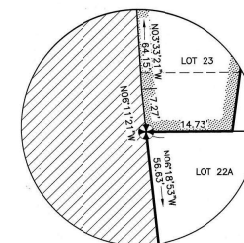


PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R20	R46

DRAFT 5/4/2022

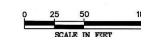
LINE	DIRECTION	DISTANCE
1-A	N 07°30'17" W	16.51'
1-B	N 06°28'17" W	67.36'
1-C	N 03°50'17" W	67.36'
1-D	N 01°12'17" W	66.70'
1-E	N 01°25'43" E	67.36'
1-F	N 04°05'43" E	67.36'
1-G	N 06°31'43" E	44.25'

LINE	DIRECTION	DISTANCE
2-A	N 31°15'07" E	34.29'
2-B	N 37°55'07" E	69.95'
2-C	N 32°15'07" E	40.58'
2-D	N 20°55'07" E	40.58'
2-E	N 09°35'07" E	40.58'
2-F	N 01°44'53" W	40.91'
2-G	N 07°23'53" W	38.93'



DETAIL 1' = 10'

PRELIMINARY



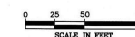
DATE	REVISIONS			BY
<p align="center">STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES</p> <p align="center">RIGHT-OF-WAY MAP ALASKA PROJECT</p> <p align="center">0311(031) / Z546590000</p> <p align="center">SEWARD HIGHWAY NP 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHABILITATION</p>				
DRAWN	EPF/AF	DATE	5/04/2022	SCALE 1" = 50'
CHECKED		DATE		SHEET 20 OF 46

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R21	R46

DRAFT 5/4/2022



PRELIMINARY



DATE	REVISIONS	BY
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RIGHT-OF-WAY MAP ALASKA PROJECT 0311(031) / Z546590000 SEWARD HIGHWAY MP 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHABILITATION		
DRAWN	EPF/AF	DATE 5/04/2022
CHECKED	DATE	SHEET 21 OF 46

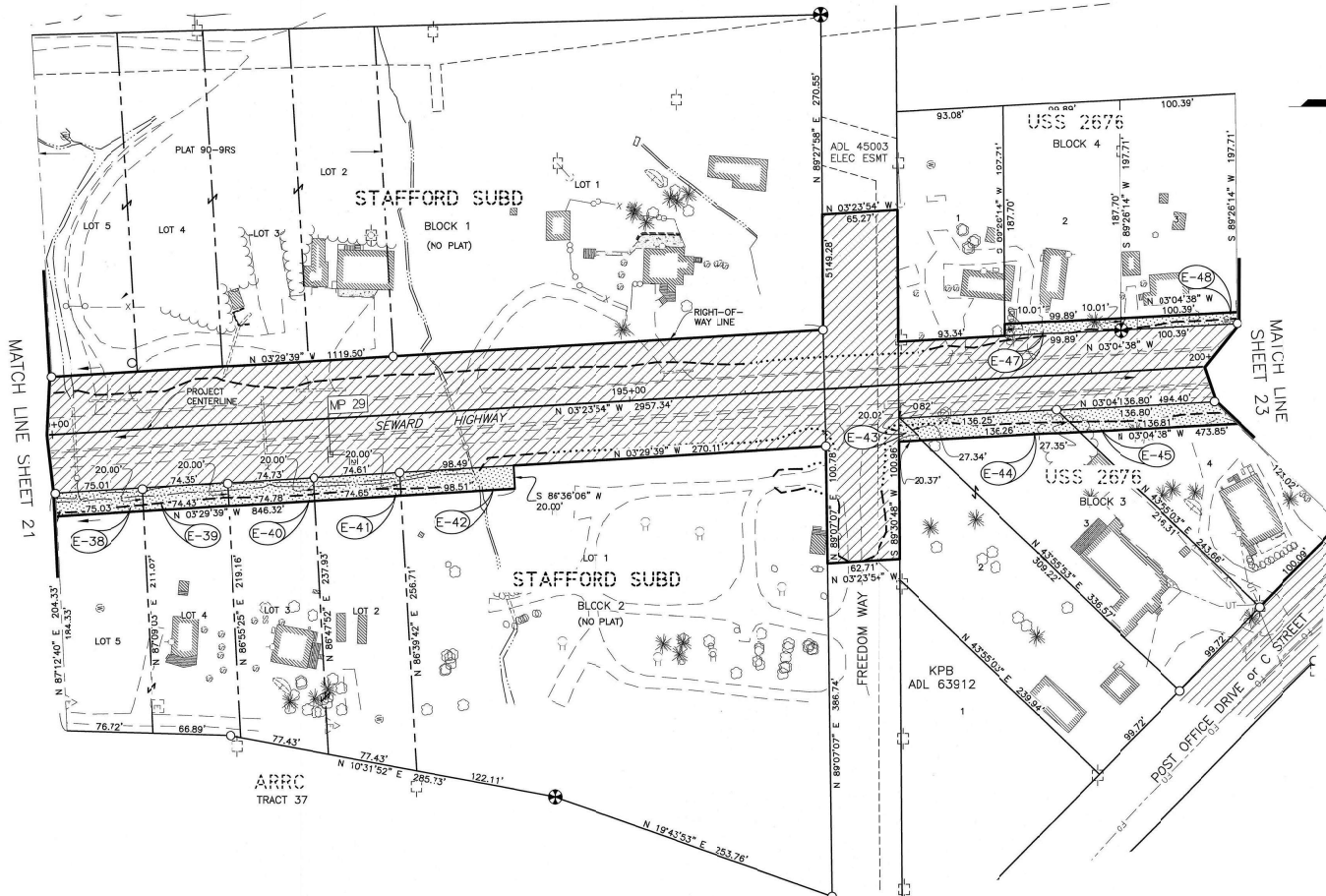
PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACC. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
E-37	ROW ESMT	CLAYTON MICHAEL & KRISTI KAY ELLSWORTH		1,496 SF	1,496 SF		
E-36	ROW ESMT	CLAYTON MICHAEL & KRISTI KAY ELLSWORTH		1,492 SF	1,492 SF		
E-35	ROW ESMT	JULIE W. OSGOOD		1,502 SF	1,502 SF		
E-34	ROW ESMT	JULIE W. OSGOOD		1,455 SF	1,495 SF		
E-33	ROW ESMT	JULIE W. OSGOOD		1,466 SF	1,496 SF		
E-32	ROW ESMT	JULIE W. OSGOOD		1,465 SF	1,495 SF		
31	FEE	BERGHOLDT TRUST	22,764 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		

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E13-39

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R22	R46

DRAFT 5/4/2022



PARCEL NO.	ROW ESMT	OWNER	LARGER PARCEL INFORMATION	ACO, INCLUDING EASEMENTS ACQUISITION	NET 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	

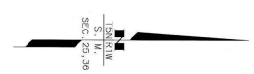
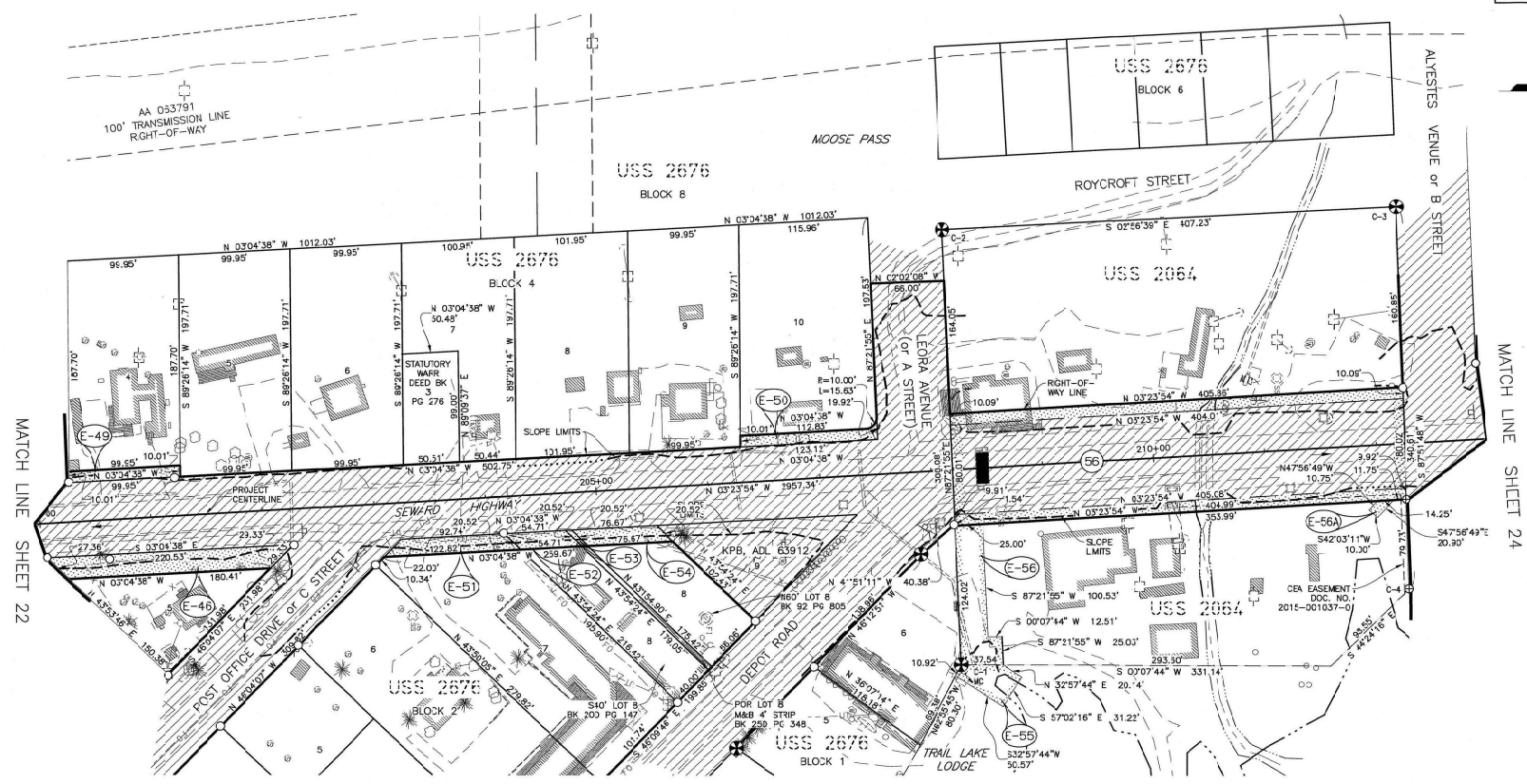
KPB 2022 063

PRELIMINARY

DATE		REVISIONS		BY
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RIGHT-OF-WAY MAP ALASKA PROJECT 0311(031) / Z546590000 SEWARD HIGHWAY 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

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R23	R46



E-56A	DRAINAGE EASEMENT			158 SF	158 SF		
E-56	DRAINAGE ESMT	EDWARD R. ESTES DECLARATION OF TRUST		3,433 SF	3,433 SF		
56	FEE		159,231 SF	40,542 SF	3,109 SF	116,689 SF	
E-55	DRAINAGE ESMT	ESTES/ROHR BROTHERS PROPERTY, LLC/DNR		1,286 SF	1,286 SF		
E-54	ROW ESMT			1,150 SF	1,150 SF		
E-53	ROW ESMT	MOOSE PASS SPORTSMENS CLUB, INC.		82 SF	82 SF		
E-52	ROW ESMT			82 SF	82 SF		
E-51	ROW ESMT	ROHR BROTHERS PROPERTY, LLC		1,317 SF	1,617 SF		
E-50	ROW ESMT	ROSELLA J & BERNARD N IKERO		1,250 SF	1,250 SF		
E-49	ROW ESMT	RODNEY & JANE BURRILL		1,300 SF	1,000 SF		
E-46	ROW ESMT	HETRICK AND SONS, LLC		4,309 SF	4,009 SF		
PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL ACQ. INCLUDING REMAINDER	ACQ. INCLUDING REMAINDER	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER

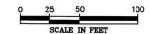
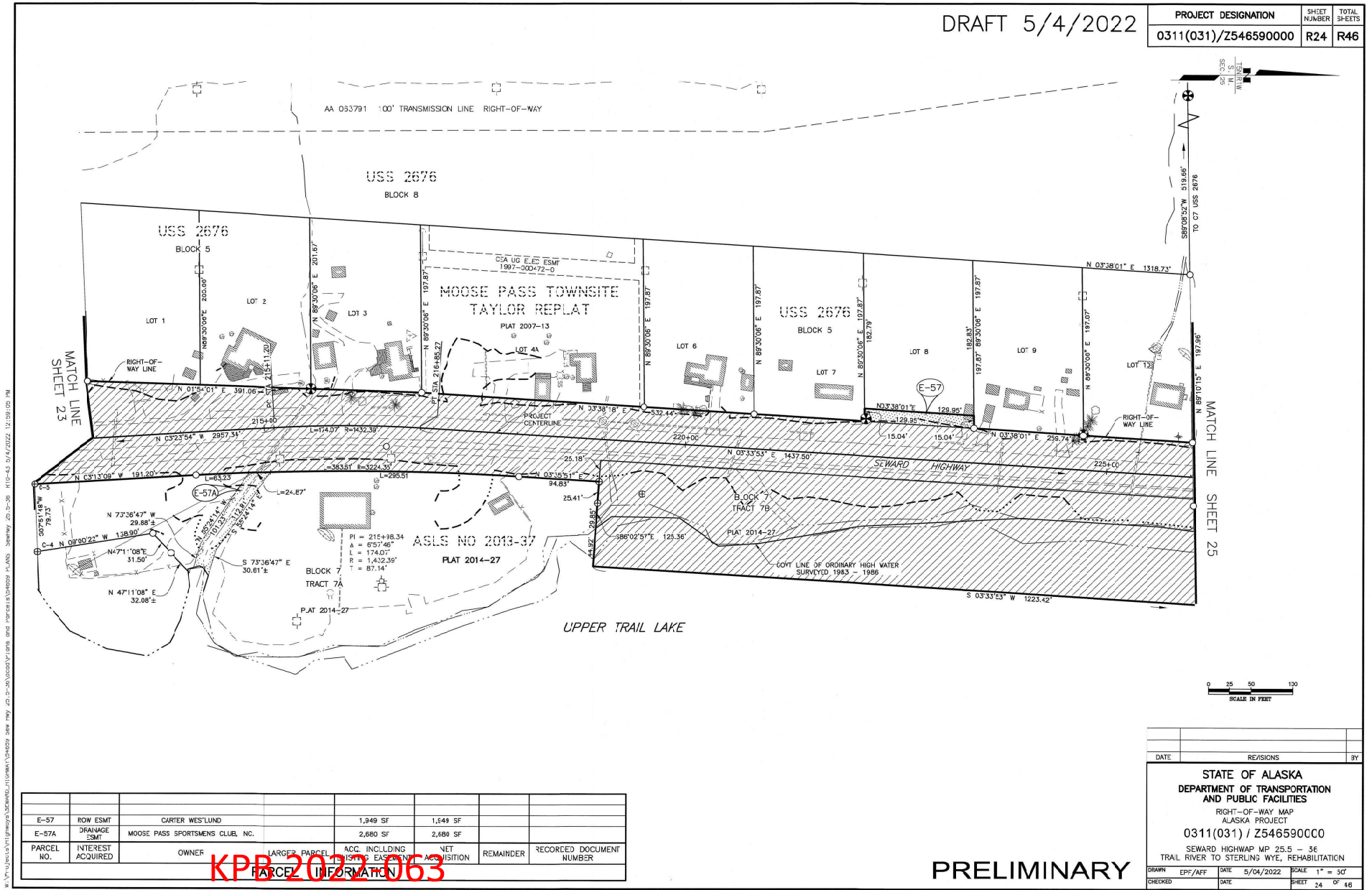
KPB 2022-063

PRELIMINARY

DATE		REVISIONS		BY
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RIGHT-OF-WAY MAP ALASKA PROJECT 0311(031) / Z546590000 SEWARD HIGHWAY MP 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHABILITATION				
DRAWN	EPF/AF	DATE	5/04/2022	SCALE 1" = 50'
CHECKED		DATE		SHEET 23 OF 46

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R24	R46



PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACC. INCLUDING	NET	REMAINDER	RECORDED DOCUMENT NUMBER
E-57	ROW ESMT	CARTER WESTLUND		1,949 SF	1,649 SF		
E-57A	DRAINAGE ESMT	MOOSE PASS SPORTSMEN'S CLUB, INC.		2,680 SF	2,680 SF		

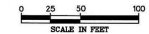
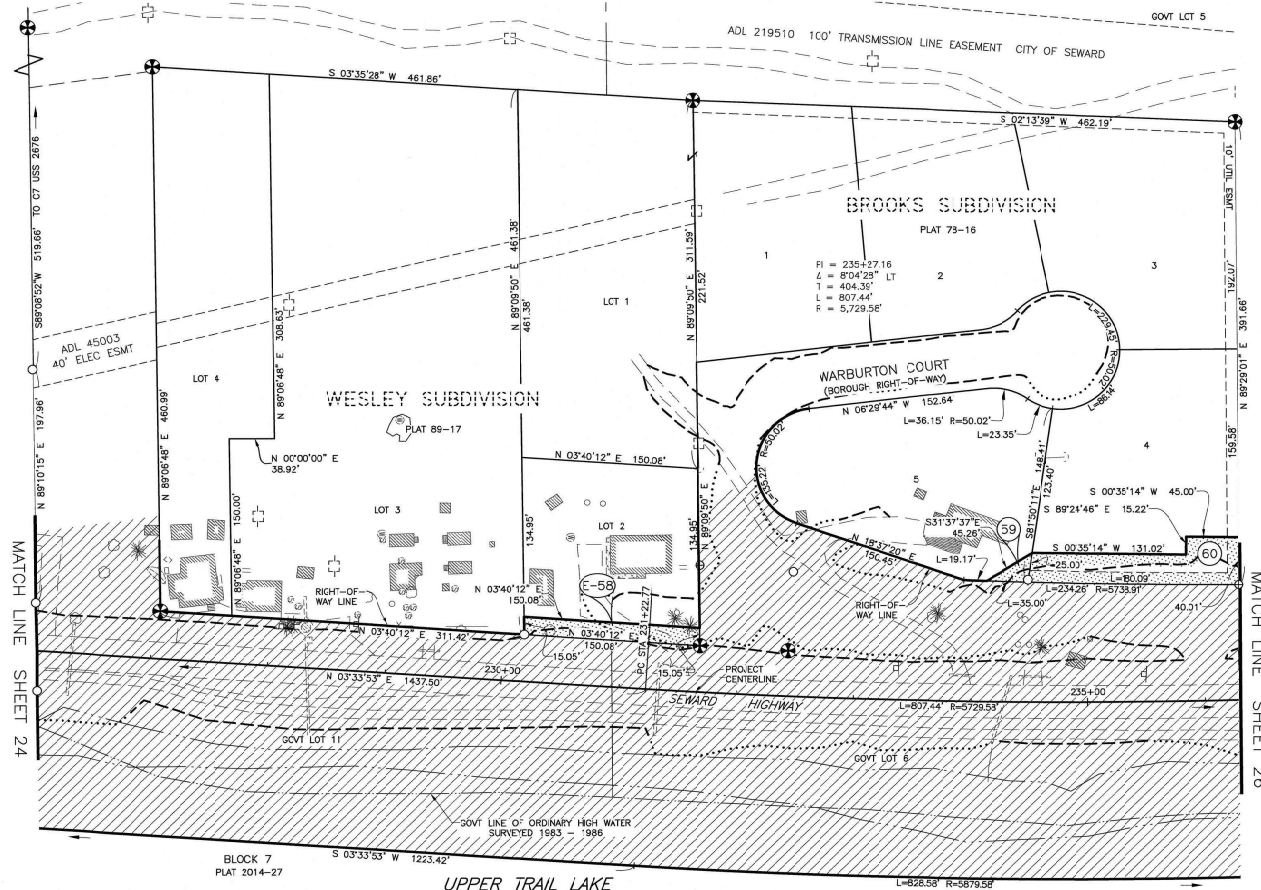
KPB 2022-063

PRELIMINARY

DATE		REVISIONS		BY
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RIGHT-OF-WAY MAP ALASKA PROJECT 0311(031) / Z546590000 SEWARD HIGHWAY 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

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R25	R46



PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACO, INCLUDING EXISTING EASEMENTS	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
60	FEE	PANDY 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-56	ROW ESMT	MARK MILLIGAN		2,251 SF	2,251 SF		

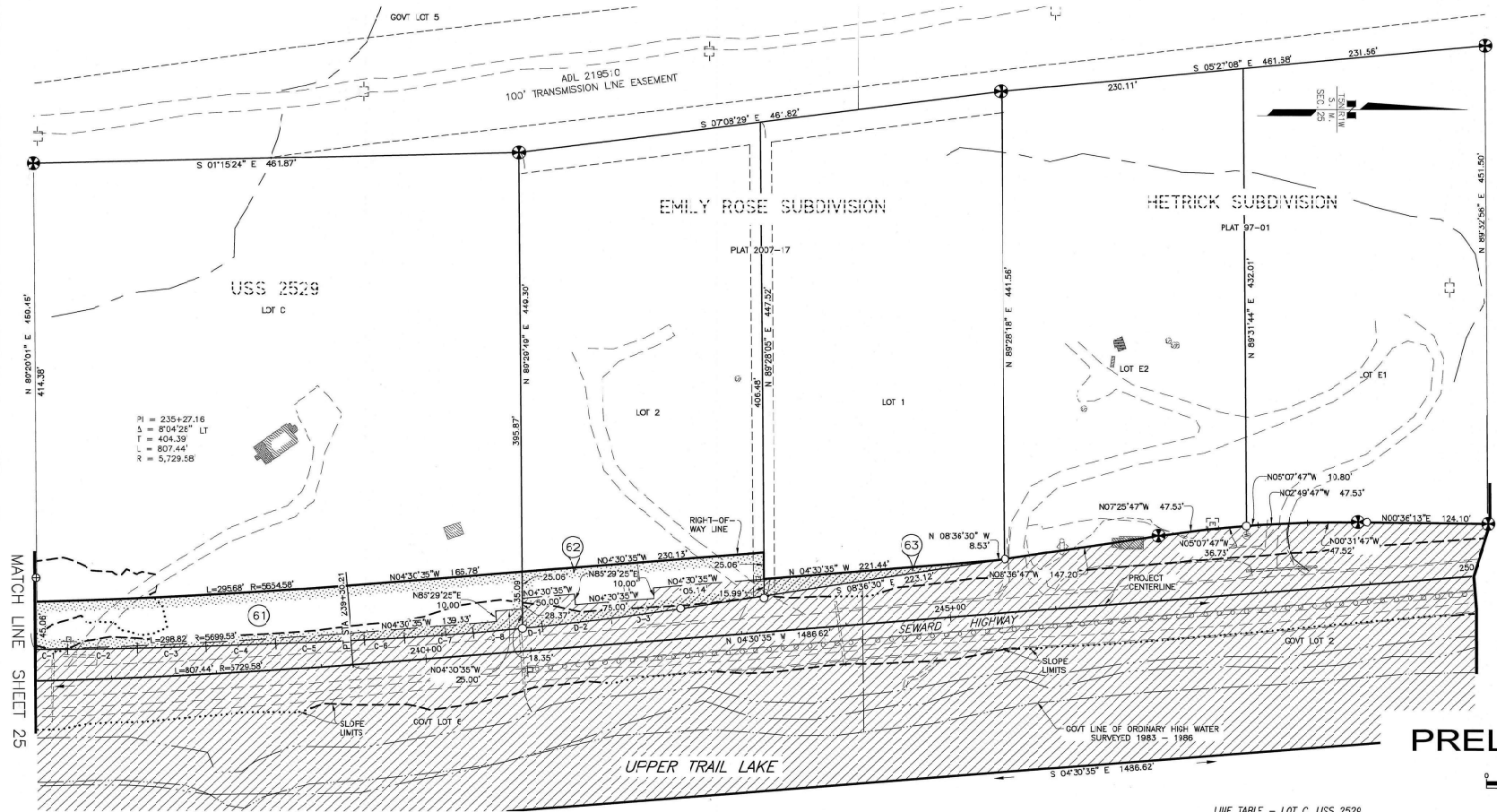
KPB 2022-063

PRELIMINARY

DATE	REVISIONS	BY
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RIGHT-OF-WAY MAP ALASKA PROJECT 0311(031) / Z546590000 SEWARD HIGHWAY MP 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHABILITATION		
DRAWN	EPF/AF	DATE 5/4/2022 SCALE 1" = 50'
CHECKED		DATE SHEET 25 OF 46

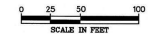
DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R26	R46



MATCH LINE
SHEET 27

PRELIMINARY



LINE TABLE - LOT C, USS 2526

LINE	DIRECTION	DISTANCE
C-1	N 001°22' W	28.98'
C-2	N 005°22' W	66.03'
C-3	N 013°22' W	66.03'
C-4	N 021°22' W	66.03'
C-5	N 023°22' W	84.52'
C-6	N 025°22' W	37.64'
C-7	N 040°22' W	66.03'
C-8	N 052°22' W	46.88'

LINE TABLE - LOT D, USS 2526

LINE	DIRECTION	DISTANCE
D-1	N 051°30' W	19.16'
D-2	N 063°30' W	66.05'
D-3	N 075°30' W	66.05'

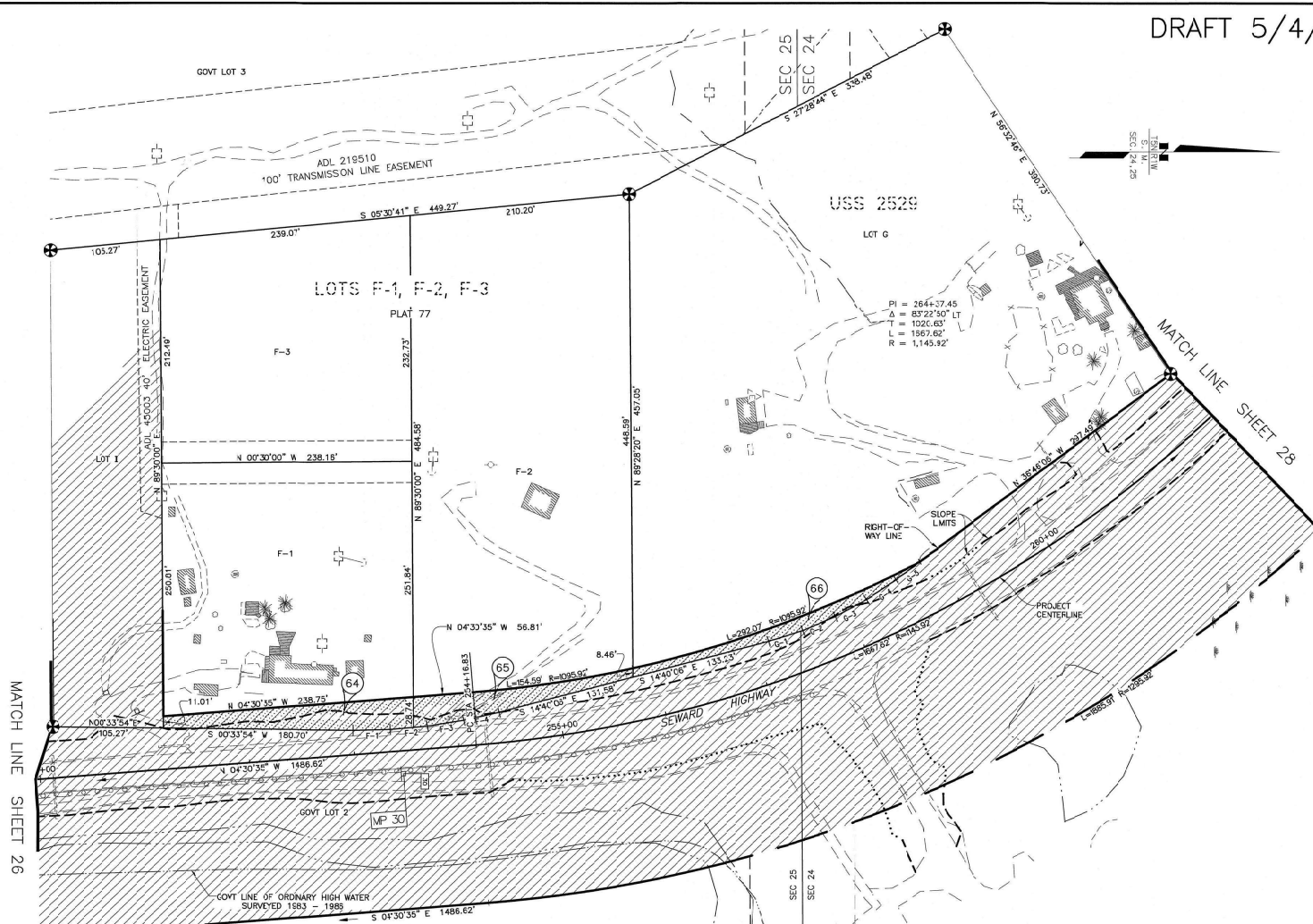
PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACC. INCLUDING EXISTING EASEMENTS	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
63	FEE	JEFFREY SCOTT & KATHY KAY MITCHELL	101,980 SF	1,766 SF	0 SF	100,194 SF	
62	FEE	WILLIAM J. & LYNN M. LAWRENCE	102,185 SF	11,108 SF	6,503 SF	92,657 SF	
61	FEE	RANDY BOYER & MARY MELISSA ROBINSON	211,290 SF	23,186 SF	20,564 SF	188,104 SF	

KPB 2022-063

DATE		REVISIONS		BY
<p>STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES</p> <p>RIGHT-OF-WAY MAP ALASKA PROJECT</p> <p>0311(031) / Z546590000</p> <p>SEWARD HIGHWAY MP 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHABILITATION</p>				
DRAWN	EPF/AFF	DATE	5/4/2022	SCALE 1" = 50'
CHECKED		DATE		SHEET 26 OF 46

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	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'



66	FEE	JOHN B. & ANN E. GAULE	19,917 SF	2,619 SF	0 SF	196,298 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 NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASTWING	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER

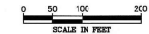
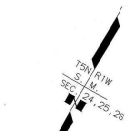
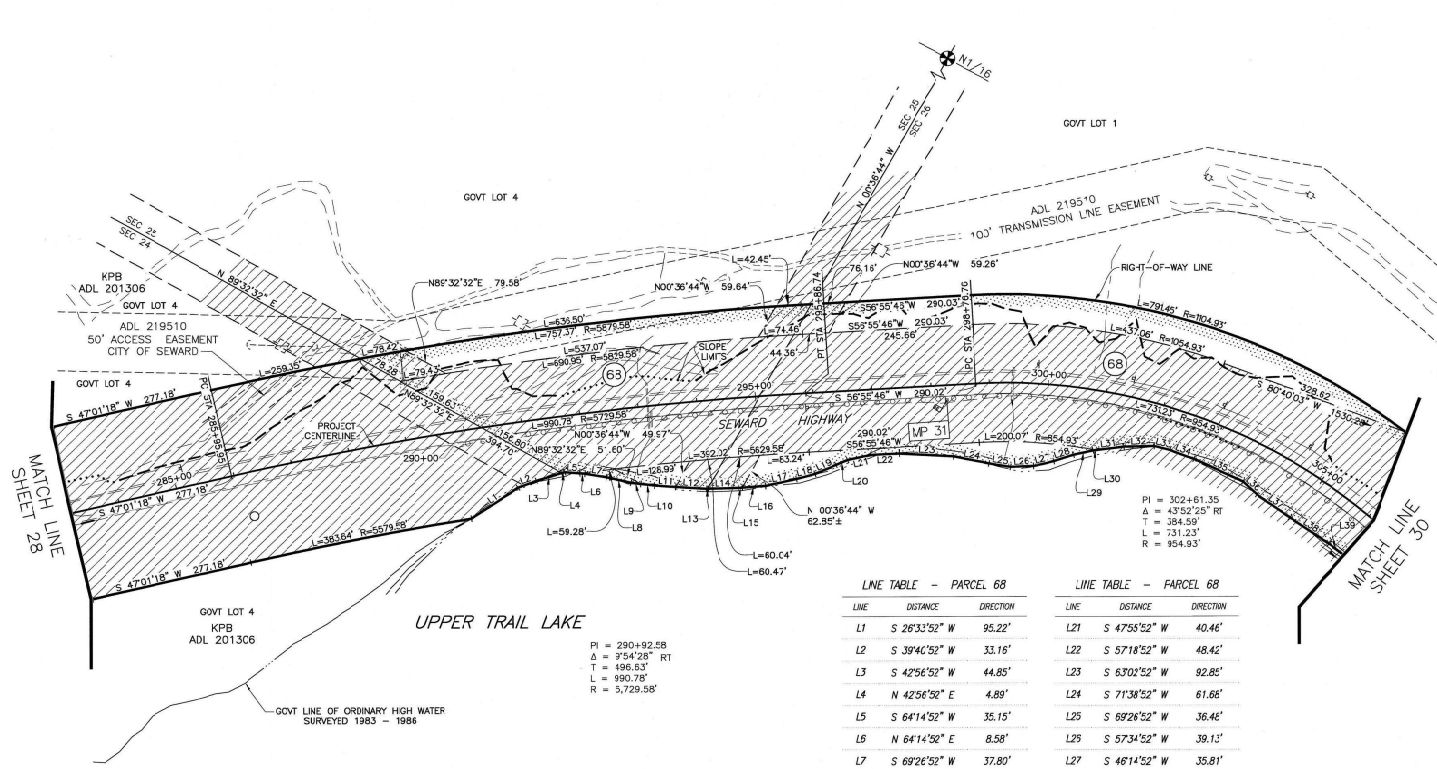
KPB 2022-063

DATE	REVISIONS		BY
<p align="center">STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC UTILITIES</p> <p align="center">RIGHT-OF-WAY MAP ALASKA PROJECT</p> <p align="center">0311(031) / Z546590000</p> <p align="center">SEWARD HIGHWAY MP 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHABILITATION</p>			
DRAWN	3PF /AFF	DATE	5/4/2022
CHECKED		DATE	
		SHEET	27 OF 46

PRELIMINARY

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°40'50" W	33.15'
L3	S 42°54'52" W	44.85'
L4	N 42°54'52" 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°31'52" W	2.73'
L14	S 58°31'52" W	51.65'
L15	N 56°02'52" E	6.76'
L16	N 56°02'52" E	39.67'
L17	S 47°36'52" W	54.38'
L18	S 44°55'52" W	33.16'
L19	S 36°46'52" 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	82.86'
L24	S 71°38'52" W	61.66'
L25	S 69°26'52" W	36.46'
L26	S 57°34'52" W	39.13'
L27	S 46°14'52" W	35.81'
L28	S 41°33'52" W	34.45'
L29	S 47°54'52" W	35.11'
L30	N 53°03'52" E	5.12'
L31	N 53°03'52" E	46.61'
L32	S 58°52'52" W	52.36'
L33	S 74°03'52" W	28.52'
L34	S 80°31'52" W	43.11'
L35	S 84°49'52" W	92.15'
L36	N 77°17'08" W	32.56'
L37	N 85°13'08" W	67.66'
L38	S 86°22'08" E	80.26'
L39	N 82°32'08" W	61.02'

PI = 290+92.58
 Δ = 75°42'28" RT
 T = 196.83'
 L = 190.78'
 R = 5,729.58'

3B	FEE	AK MENTAL HEALTH TRUST AUTHORITY	LARGE	20,528 AC±	3,171 AC±	LARGE	RECORDED DOCUMENT NUMBER
PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENTS	NET ACQUISITION	REMAINDER	

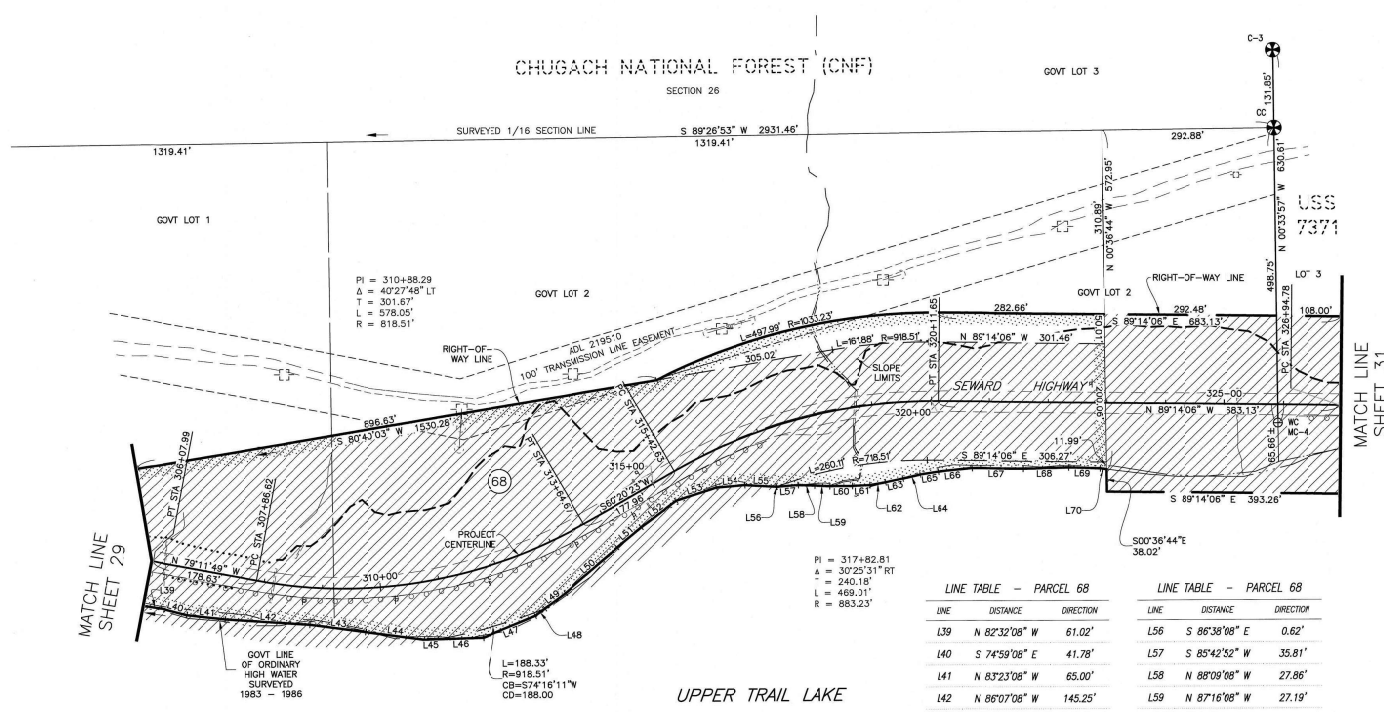
KPB 2027-063

PRELIMINARY

DATE		REVISIONS		BY
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RIGHT-OF-WAY MAP ALASKA PROJECT 0311(031) / Z546590000 SEWARD HIGHWAY 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

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°45'32" W	29.85'
L62	S 79°44'32" W	26.53'
L63	N 78°12'32" E	29.85'
L64	S 77°11'32" W	29.85'
L65	N 81°22'32" E	30.51'
L66	N 84°17'32" 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'

67	FEE	AK MENTAL HEALTH TRUST AUTHORITY	LARGE	20.528 AC±	3.171 AC±	LARGE	
PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGE PARCEL	ACQ. INCLUDING EXISTING EASEMENTS	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER

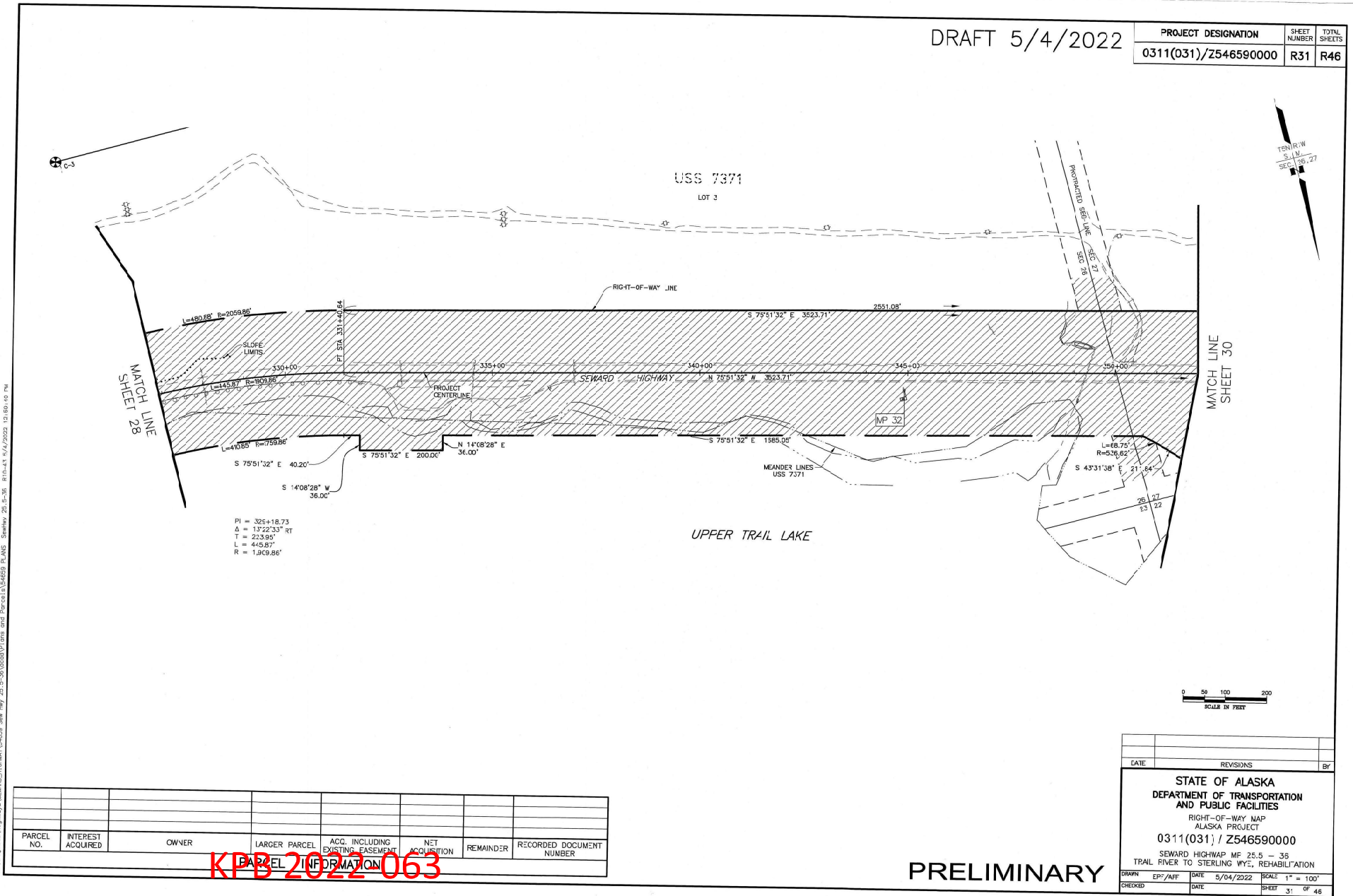
KPB 2022-063

PRELIMINARY

DATE		REVISIONS		BY
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RIGHT-OF-WAY MAP ALASKA PROJECT 0311(031) / Z546590000 SEWARD HIGHWAY 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

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R31	R46



KPB 2022-063

PRELIMINARY

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R32	R46



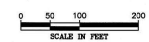
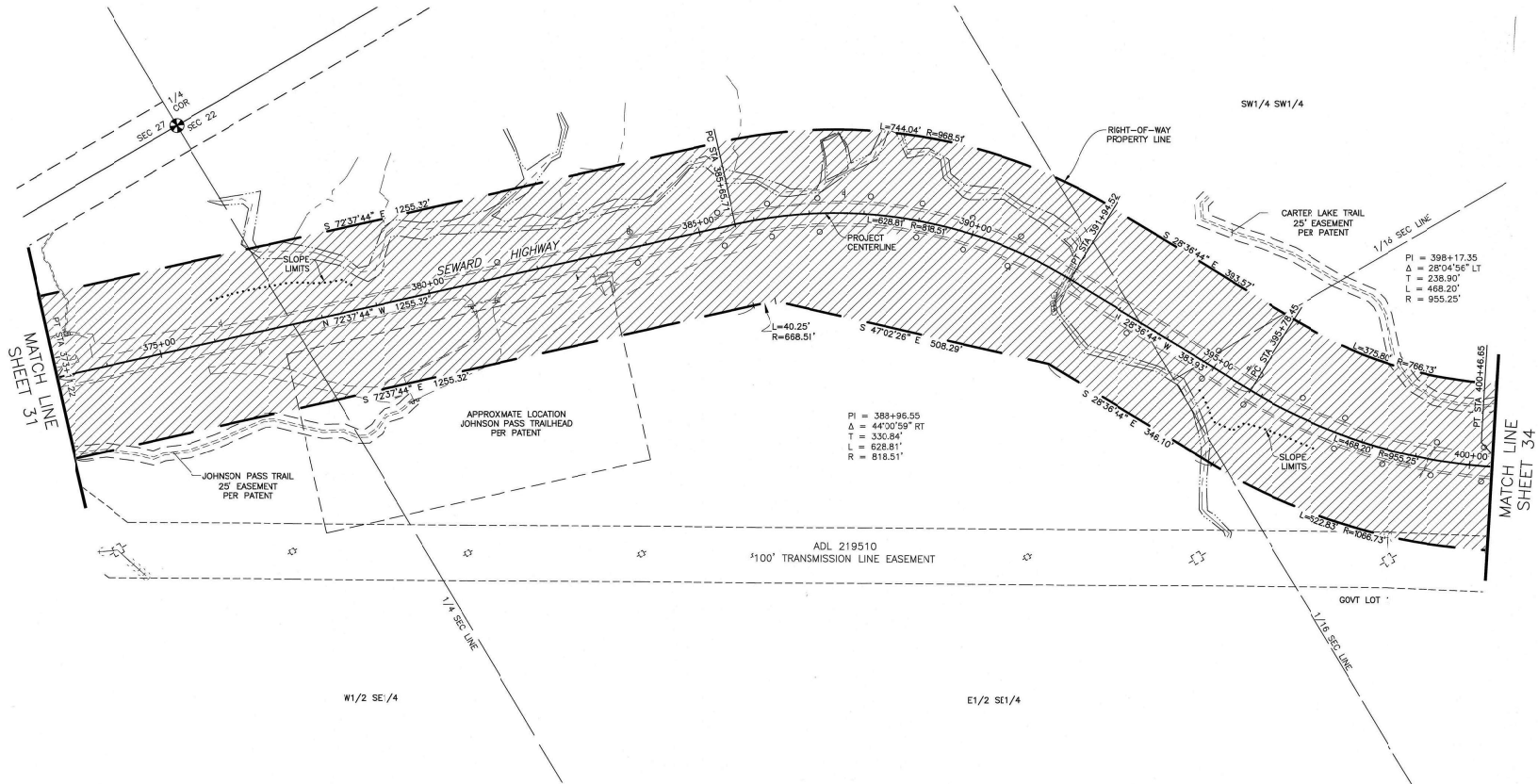
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<div style="text-align: center; color: red; font-weight: bold; font-size: 1.2em;">KPR 2022-063</div>							

DATE	REVISIONS		BY
<p style="text-align: center;"> STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES </p> <p style="text-align: center;"> RIGHT-OF-WAY MAP ALASKA PROJECT 0311(031) / Z546590000 </p> <p style="text-align: center;"> SEWARD HIGHWAY MP 25.5 - 36 TRAIL RIVER TO STERLING WYE, RE-ABILIATION </p>			
DRAWN	EPP/HFF	DATE	3/04/2022
CHECKED		DATE	
		SHEET	1 st OF 100 ⁺
		SHEET	13 OF 46

PRELIMINARY

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R33	R46



PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL INFORMATION	ACQ. INCLUDING EXISTING EASEMENTS	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER

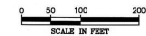
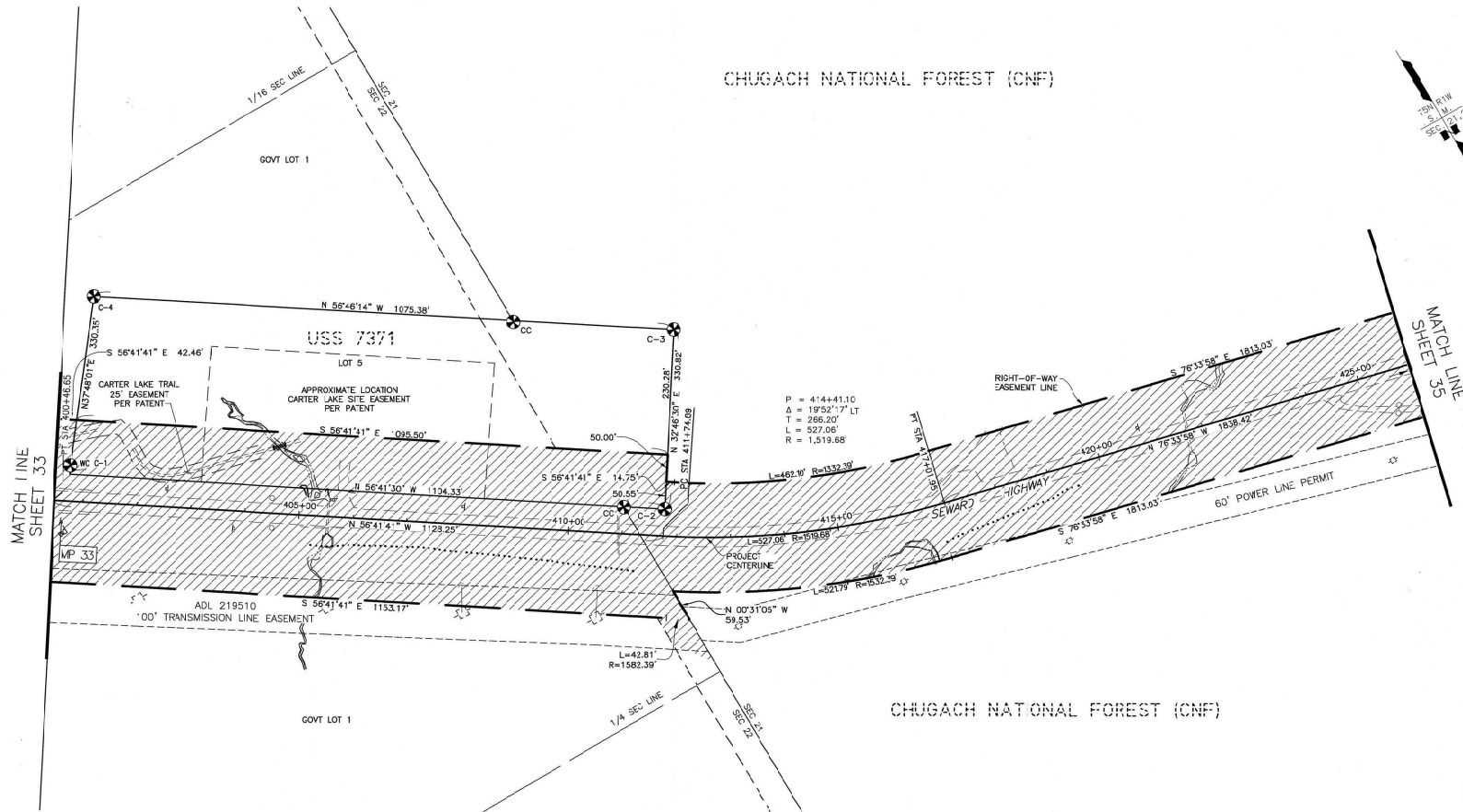
KPB 2022-063

PRELIMINARY

DATE	REVISIONS	BY
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RIGHT-OF-WAY MAP ALASKA PROJECT 0311(031) / Z546590000 SEWARD HIGHWAY MP 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHABILITATION		
DRAWN	EPF/AF	DATE 5/04/2022
CHECKED		DATE
		SHEET 33 OF 46

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R34	R46



PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL INFORMATION	ACC. INCLUDING EXISTING EASEMENTS	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER

KPB 2022-063

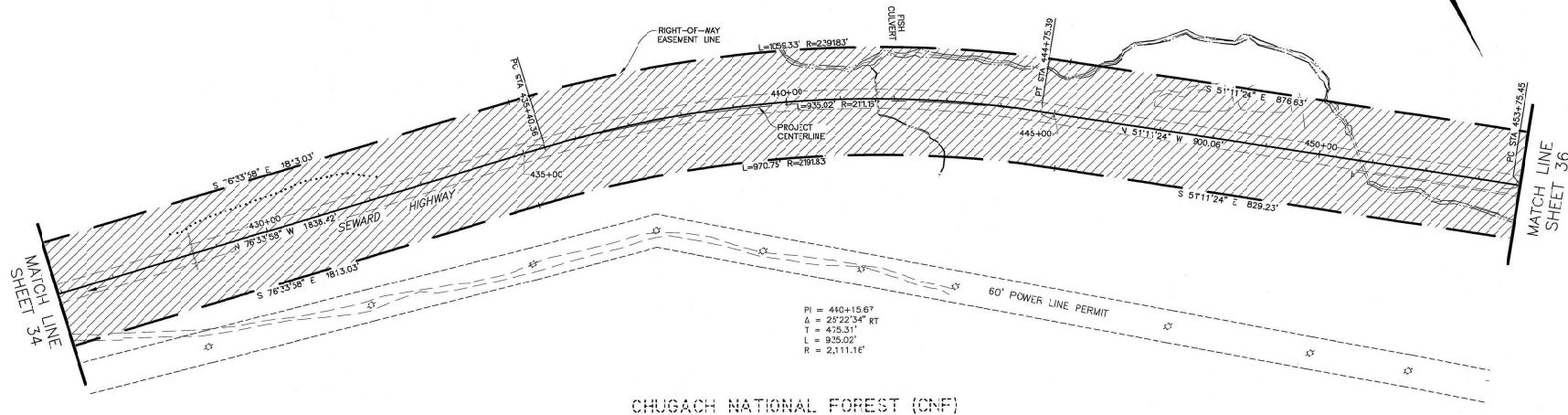
PRELIMINARY

DATE	REVISIONS	BY
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RIGHT-OF-WAY MAP ALASKA PROJECT 0311(031) / Z546590000 SEWARD HIGHWAY MP 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHABILITATION		
DRAWN	EPF/AF	DATE 5/4/2022 SCALE 1" = 100'
CHECKED		DATE SHEET 34 OF 46

DRAFT 5/4/2022

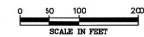
PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R35	R46

CHUGACH NATIONAL FOREST (CNF)



PI = 410+15.67
 Δ = 28°22'34" RT
 T = 475.31'
 L = 935.02'
 R = 2,111.16'

CHUGACH NATIONAL FOREST (CNF)



PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER

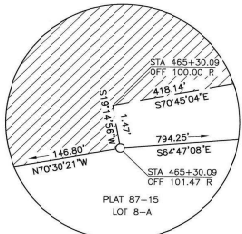
KPB 2022-063

PRELIMINARY

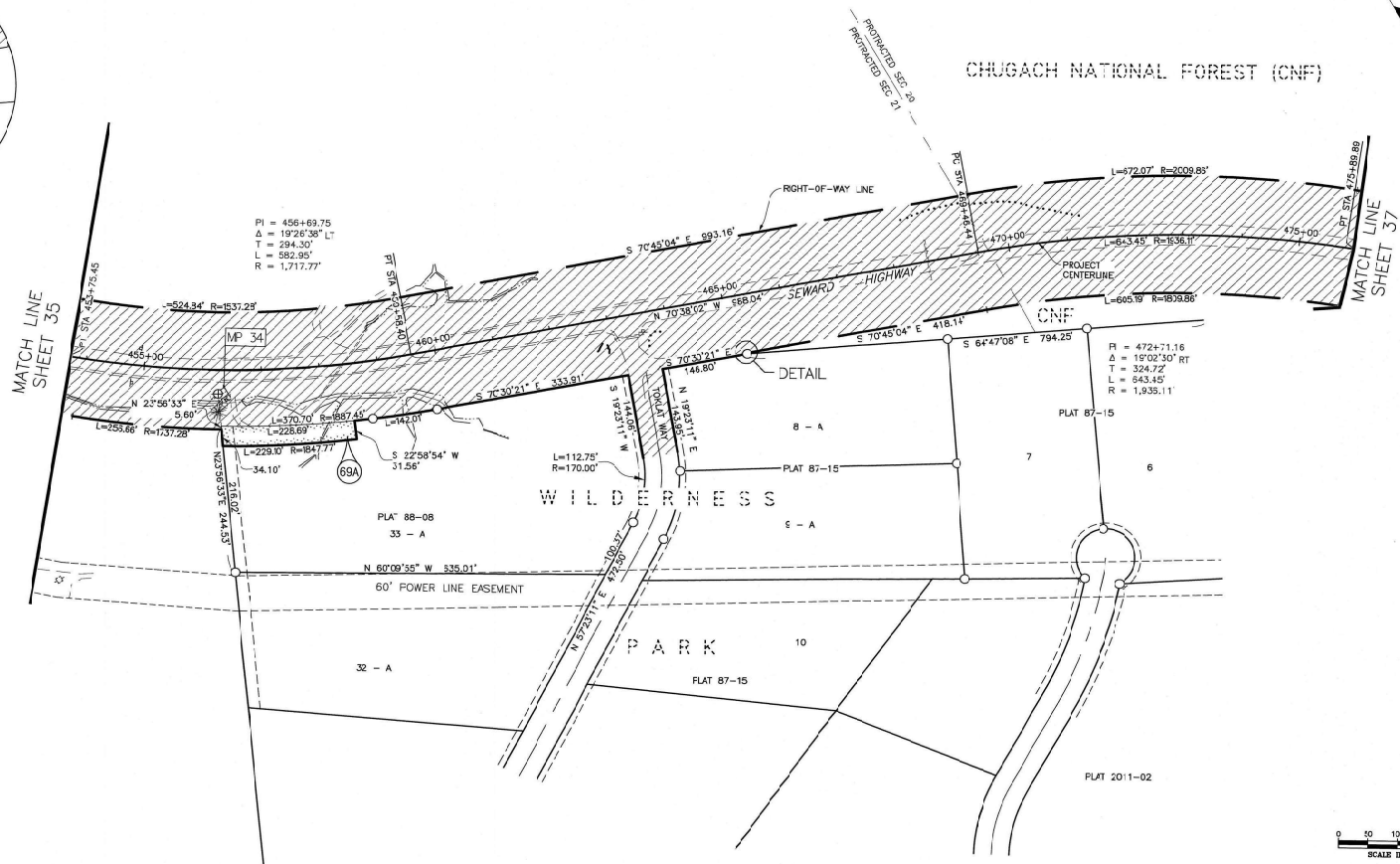
DATE	REVISIONS	BY
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RIGHT-OF-WAY MAP ALASKA PROJECT 0311(031) / Z546590000 SEWARD HIGHWAY MP 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHABILITATION		
DRAWN	SPF/AFF	DATE 5/04/2022
CHECKED		DATE
		SHEET 35 OF 46

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R36	R46



DETAIL (NTS)



PI = 456+69.75
Δ = 19°26'38" L
T = 294.30'
L = 582.95'
R = 1,717.77'

R = 472+11.16
Δ = 19°02'30" RT
T = 324.72'
L = 643.45'
R = 1,935.11'

0 100 200
SCALE IN FEET

PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
68A	FEE	MICHAEL CO. TRA	197,120 SF	7,511 SF	7,511 SF	186,609 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 HIGHWAY MP 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHAEBILITATION		
DRAWN	EPF/AFT	DATE
CHECKED	DATE	SCALE 1" = 100'
		SHEET 35 OF 46

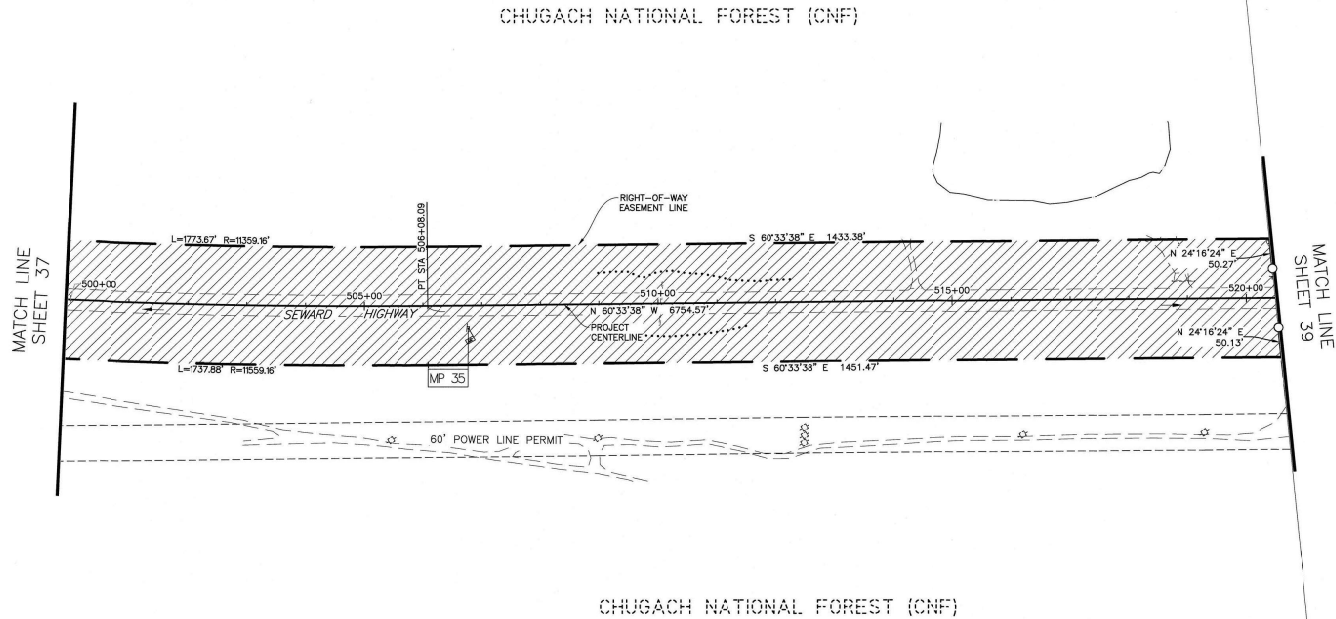


70A	FEE	WALTER G AND SUSAN HAINI COMMUNITY PROPERTY TRUST	35,807 SF	35,807 SF	35,807 SF	0 SF	
70	FEE	JAM L & JUDY A SCHNER	111,013 SF	13,589 SF	13,589 SF	97,424 SF	
69	FEE	SARAH LYNN SCHURJ & DANIEL WILLIAM KREGER	93,734 SF	573 SF	573 SF	93,161 SF	
PARCEL NO.	INTEREST ACQUIRED	OWNER	ADDED ACRES	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER

DATE	REVISIONS		BY
<p style="text-align: center;">STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RIGHT-OF-WAY MAP ALASKA PROJECT 0311(031) / Z543590000</p> <p style="text-align: center;">SEWARD HIGHWAY MP 25.5 - 36 TRAIL RIVER TO STERLING WYE, RE-ALIGNMENT</p>			
DRAWN	EPE/AF/	DATE	5/04/2022
CHECKED		DATE	
		SCALE	1" = 100'
		SHEET	37 OF 48

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R38	R46



PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER

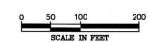
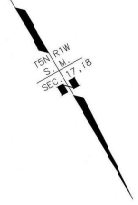
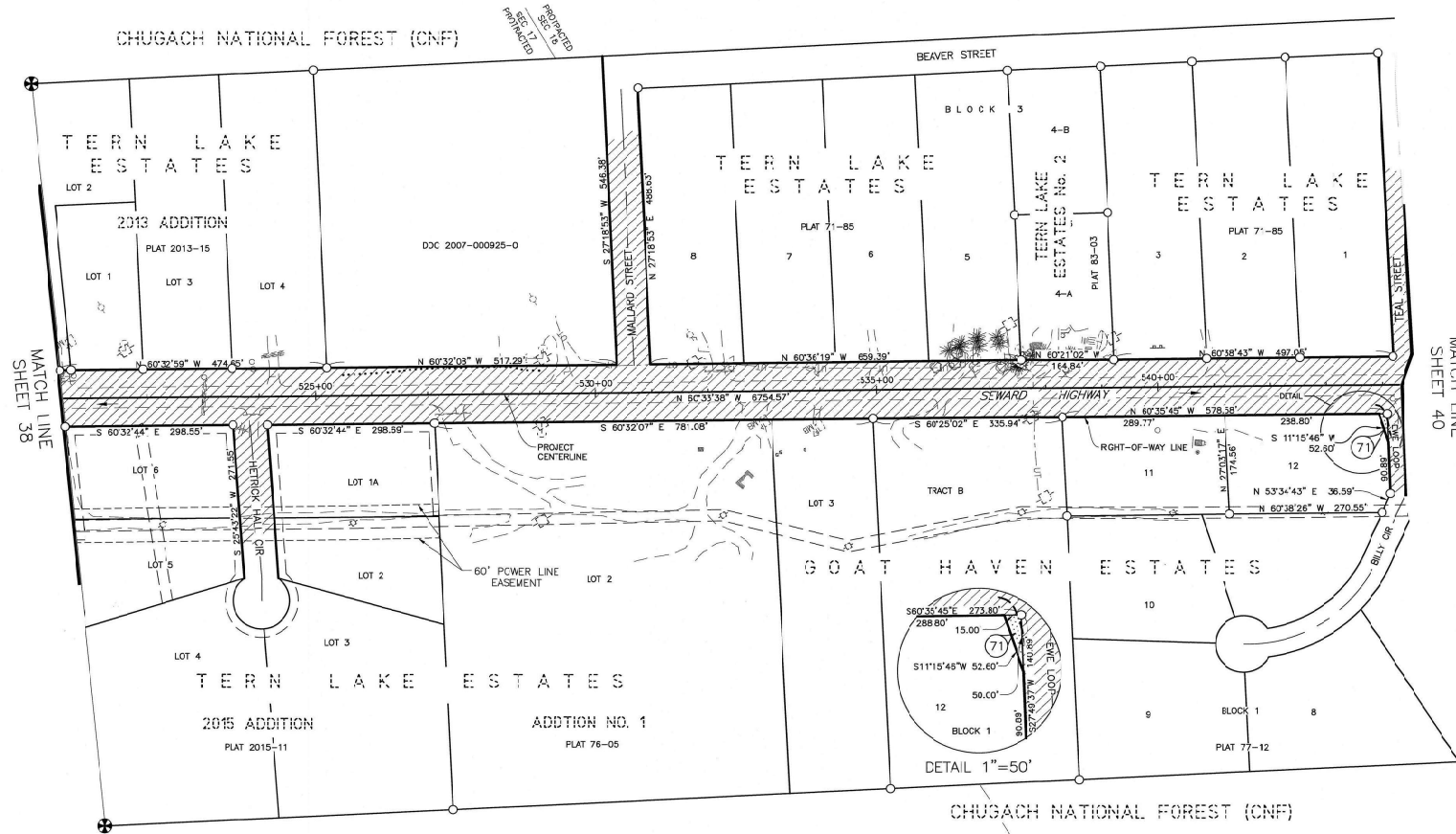
KPB 2022-063

PRELIMINARY

DATE	REVISIONS	BY
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RIGHT-OF-WAY MAP ALASKA PROJECT 0311(031) / Z546590000 SEWARD HIGHWAY MP 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHABILITATION		
DRAWN	EPF/AF	DATE 5/04/2022
CHECKED	DATE	SCALE 1" = 100'
		SHEET 38 OF 46

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R39	R46

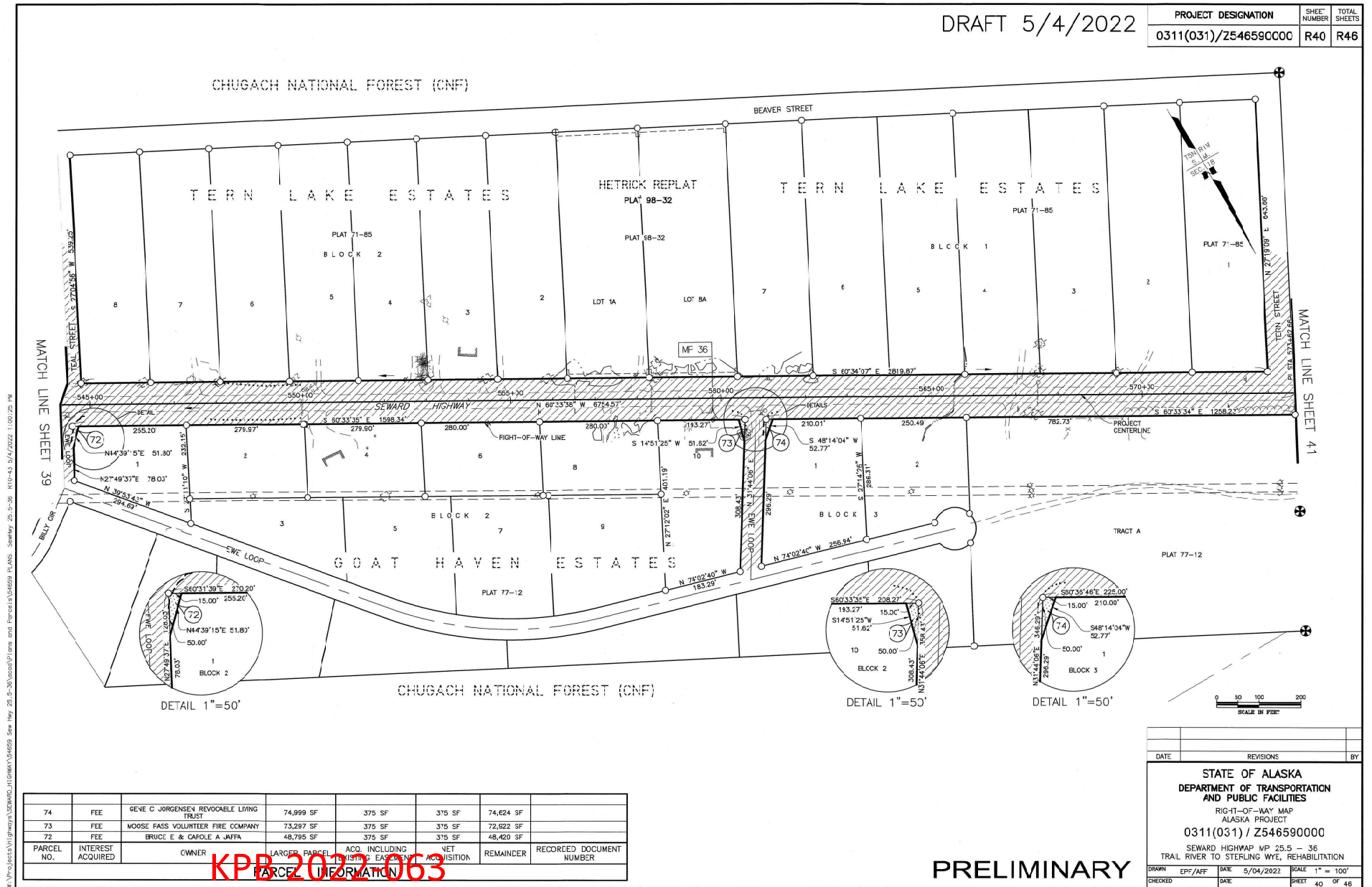


PARCEL NO.	INTEREST ACQUIRED	OWNER	ACQ. INCLUDING EXISTING EASEMENTS	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER
71	FEE	CHRISTOPHER L. & ELIZABETH M. SMITH	48,868 SF	375 SF	375 SF	48,493 SF
LARGER PARCEL INFORMATION						

KPB 2022-063

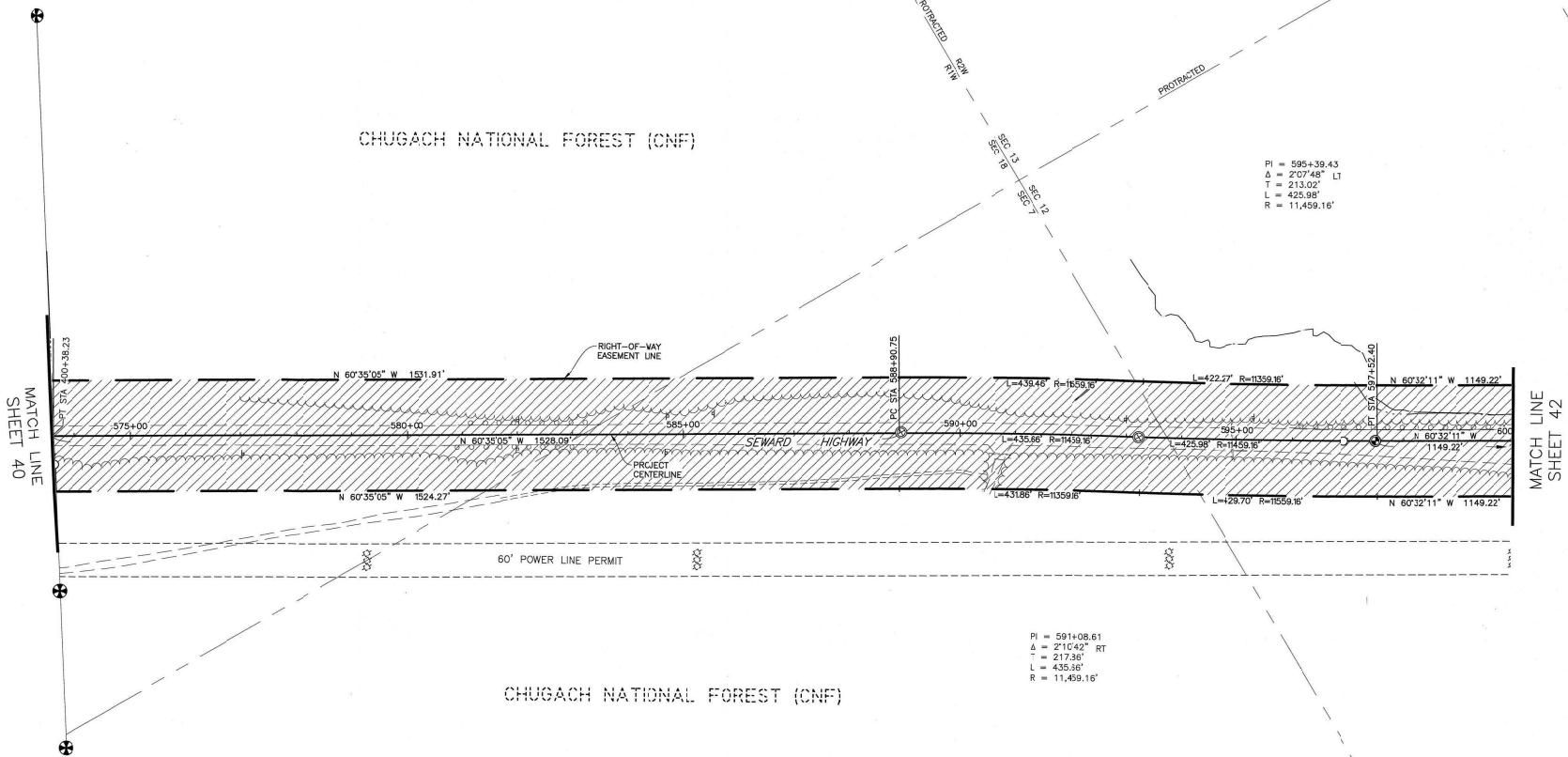
PRELIMINARY

DATE	REVISIONS	BY
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RIGHT-OF-WAY MAP ALASKA PROJECT 0311(031) / Z546590000 SEWARD HIGHWAY MP. 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHABILITATION		
DRAWN	EPF/AF	DATE 5/04/2022 SCALE 1" = 100'
CHECKED		DATE SHEET 39 OF 46



DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R41	R46



PARCEL NO.	INTEREST ACQUIRED	OWNER	LARGER PARCEL	ACQ. INCLUDING EXISTING EASEMENT	NET ACQUISITION	REMAINDER	RECORDED DOCUMENT NUMBER

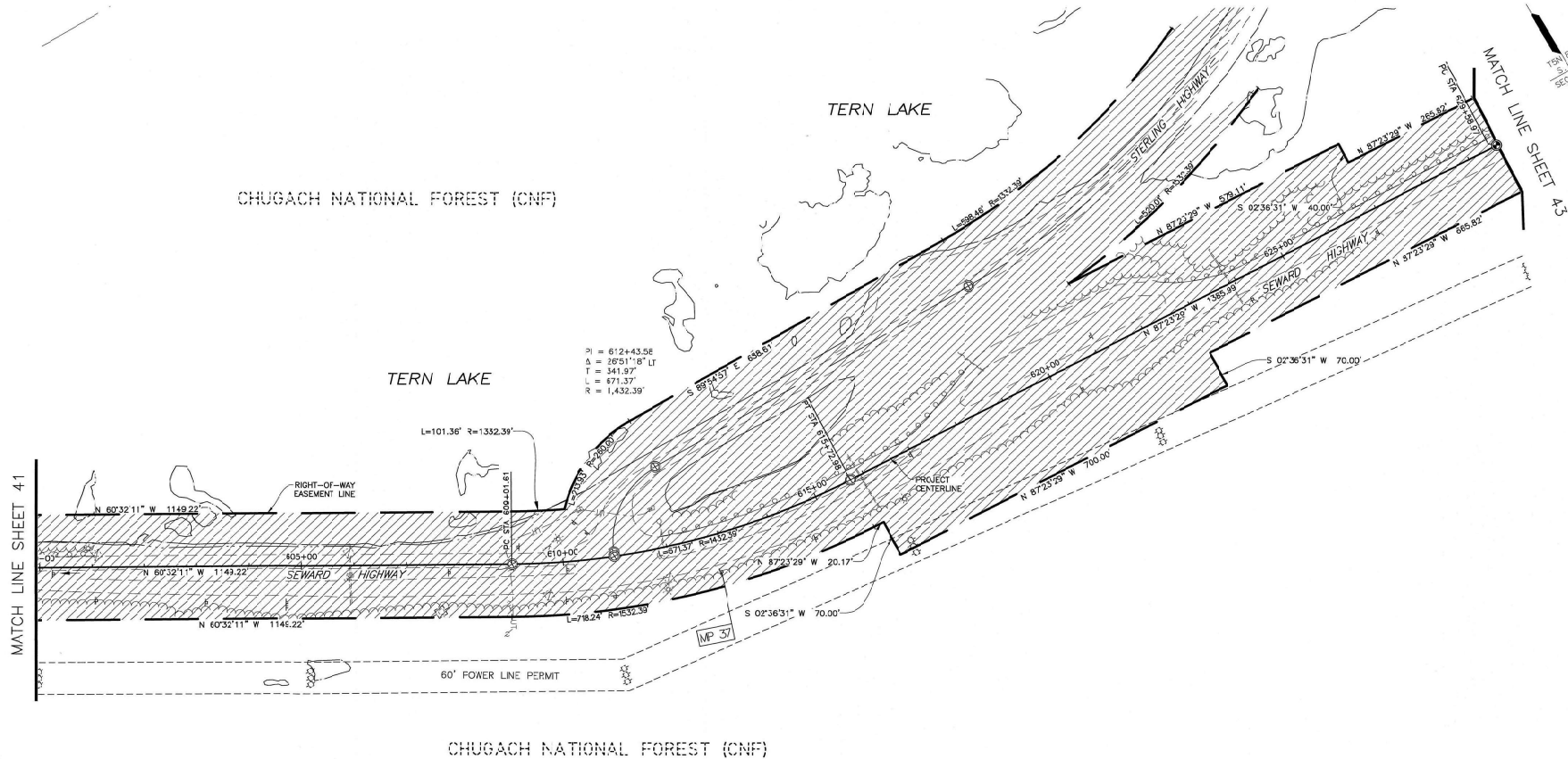
KPB 2022-063

PRELIMINARY

DATE		REVISIONS		BY
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RIGHT-OF-WAY MAP ALASKA PROJECT 0311(031) / Z546590000 SEWARD HIGHWAY MP 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHABILITATION				
DRAWN	EPF/AF	DATE	5/04/2022	SCALE 1" = 100'
CHECKED		DATE		SHEET 41 OF 45

DRAFT 5/4/2022

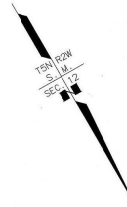
PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R42	R46



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 HIGHWAY MP 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHABILITATION		
DRAWN	EFF/AFJ	DATE 5/04/2022
CHECKED		DATE
		SHEET 42 OF 46



END PROJECT
STA 549+67.16

DATE	REVISIONS		BY
<p align="center">STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES</p> <p align="center">RIGHT-OF-WAY MAP ALASKA PROJECT</p> <p align="center">0311(031) / Z546590000</p> <p align="center">SEWARD HIGHWAY MP 25.5 - 36 TRAIL RIVER TO SIERLING WYE, RICHABILITATION</p>			
ORIGIN	EPF/AF	DATE	SCALE
CHECKED		5/04/2022	1" = 100'
			SHEET 43 OF 46

PRELIMINARY

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]: WMC 05 USS 1778	382945.5038	113456.9294	11+21.35	142.82' RT
Fd AC[DOT]: Seward Hwy PT	383773.5694	113396.688	12+04.23	0.00' RT
Fd AM[BLM]: WMC S13/S18 +T4N R1W	384380.2036	115710.2857	22+50.37	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	113304.9257	26+25.32	3.92' RT
Fd AM[BLM]: N/16 S14 S13 +T4N R1W	384926.8257	110428.51	30+65.21	2864.76' LT
Fd AC[BLM]: NW1/16 S13 +T4N R1W	384939.2660	111746.5548	30+80.36	1547.13' LT
Fd AC[BLM]: CC 01 USS 7391 / S13	381498.8309	117636.4173	302+00.51	25986.00' LT
Fd AC[DOT]: Seward Hwy PC	382326.5288	113332.4288	302+78.42	24195.51' LT
Fd AM[BLM]: 4A TR 33 +T4N FIV SW	382573.6563	113295.9971	302+81.31	24449.80' LT
Fd AC[BLM]: S14 S13/S23 S24 +T4N	390965.6012	110437.6058	319+1.41	26538.58' LT

RECOVERED CORNERS - SHEET 11

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
Fd AM[ELM]: S13 TR 37 *T4N R1W S	385818.3946	113374.9181	39+97.36	15.59' LT
Fd AM[ELM]: 2A *R37 *T4N R1W SM	387134.7784	113893.8254	53+62.58	353.33' RT

RECOVERED CORNERS - SHEET 12

MCNMENT TYPE : LOCATION		NORTHING	EASTING	STATION	OFFSET
Fd	Bc[Q,0]: C5 US25 3535	388790.6755	113883.3444	69+87.80	172.92' RT
Fd	Am[L,0]: B5 TR37 +T4N RTW SW	389413.0523	120424.3608	76+07.67	559.15' RT
Fd	Bc[Q,0]: C1 US25 3535	389447.0995	114607.1795	76+54.68	351.97' RT
Fd	Am[L,0]: C3 US25 3535	389626.1665	113521.0046	78+14.15	135.02' LT
Fd	Bc[Q,0]: US2L US25 3535	389615.5237	113696.4187	78+50.55	238.91' RT

RECOVERED CORNERS - SHEET 13

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
Fd AM[B.M.] W1/16 S1/S12 +T4N R1	391538.2427	111682.4324	92+56.02	2340.72' LT
Fd AM[B.M.] WCMC S1 S5 +T4N R1/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 S1	302295.067	139860.5802	105-61.51	13.34' LT
FD AM[BLM]:	4B TR37 *T4N R1W S1	302632.5378	141172.0025	105-62.38	186.51' RT
FD BC[OL]:	C2 L1 L12 US28	304865.6213	113263.994	120-08.33	53.62' LT
FD AM[BLM]:	HB TR37 *T4N R1W S1	304800.5778	116165.1972	131-57.29	783.86' RT
FD BC[OL]:	C2 L1 L12 US28	304870.9679	113875.6555	131-58.36	40.98' RT
FD BC[OL]:	C1 L1 L12 US28	304876.214	113244.6123	132-14.46	585.05' RT

RECOVERED CORNERS - SHEET 15

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
Fd AC[007]: C2 L13 USS 2526	396199.2440	113907.1258	134+87.55	41.48' RT
Fd BC[010]: C1 L13 USS 2526	396263.0114	114275.0039	135+13.63	60.23' RT
Fd BC[010]: C4 L12 USS 2526	396266.1107	114621.9439	135+28.77	75.44' RT
Fd RD: C4 L10 USS 2523	396251.8568	113814.9530	139+24.73	30.88' LT
Fd BC[010]: C4 L13 USS 2526	396687.0072	114270.5545	138+66.23	447.99' RT
Fd BC[010]: C3 L10 USS 2526	396544.7628	113287.5983	135+18.53	543.85' LT
Fd BC[010]: C1 L9 USS 2528	396658.34C3	113775.6256	135+06.57	37.86' LT
Fd IF: C2 L6 USS 2526	396652.9928	113180.7035	119+58.53	614.17' LT

RECOVERED CORNERS - SHEET 16

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
Fd BC[GLO]: C1 L14 US2526	397673.0599	114269.6843	199+23.35	463.73' RT
Fd BC[GLO]: C2 L14 US2526	397429.1075	113816.3636	104+26.98	24.83' RT
Fd BC[GLO]: C1 L8 US2528	3970973.7111	113685.3124	124+85.28	45.83' LT
Fd Rbr: C2 L15 US2528	396143.6723	113718.5028	144+44.46	21.00' RT
Fd BC[GLO]: C4 L8 US2528	396373.3718	113630.5909	166+48.51	37.48' LT
Fd AC[S152-S]: SW L14 Ralph Moore	398331.5882	113174.2619	146+89.65	91.68' LT
Fd BC[GLO]: C4 L15 US2526	396749.8518	114263.5948	147+31.43	306.90' RT
Fd BC[GLO]: C4 L15 US2526	396743.7985	113680.4339	147+79.26	25.31' RT
Fd AC[S33-S]: SE L36 Ralph Moore	396536.6943	113597.3336	148+29.20	52.86' LT

RECOVERED CORNERS - SHEET 17

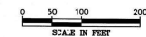
MONUMENT TYPE : LOCATION		NORTHING	EASTING	STATION	OFFSET
Fd	BC[GLQ] : C1 L16 US28	39654.8737	114202.9264	1+8+16.39	55.75' RT
Fd	AC[S152-S] : NW L38 Ralph Moor	396726.8741	113169.8636	15+30.36	94.74' LT
Fd	AC[S152-S] : NE L38 Ralph Moor	396731.6263	113585.1863	15+30.39.1	60.43' LT
Fd	AM[BLW] : W1/16 S36/S1 +T9N/14	396818.2925	111630.6551	15+09.46	125.82' LT
Fd	BC[GLQ] : C2 L6 US28	396833.1213	114199.2574	151+26.68	477.98' LT
Fd	BC[GLQ] : C1 L6 US28	396835.7912	113572.9621	151+41.91	74.60' LT
Fd	AM[BLW] : AP2 TR37 +T4N R1W S	396845.6104	114629.6779	152+07.52	1180.57' RT
Fd	AM[BLW] : AP2 TR37 +T4N R1W S	396850.5306	115029.3610	152+18.06	1379.68' RT
Fd	AM[BLW] : S3E[S31/S1]S8 +T5N/	396855.0711	115591.5447	152+18.06	1941.39' RT
Fd	BC[GLQ] : C4 L17 US28	397205.0301	114196.4280	156+27.46	532.77' RT
Fd	Rfbr : C1 L5 J58 2528	397231.5910	113564.2382	156+36.94	99.98' LT
Fd	BC[GLQ] : C1 L18 US28	397269.2058	114199.6979	158+11.30	53.77' RT

RECOVERED CORNERS - SHEET 18

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
Fd ECL[GLD]: C2 .19 USS 2528	397595.1267	113711.2780	158+95.45	66.06° RT
Fd Rbr: C3 L5 USS 2528	397688.1671	113160.8165	161+00.26	460.42° LT
Fd ECL[GLD]: C4 .19 USS 2528	397923.8194	114188.5502	161+09.43	595.07° RT
Fd ECL[GLD]: C2 .4 USS 2528	397688.8742	113029.6403	161+31.98	588.20° LT
Fd ECL[GLD]: C1 L20 USS 2528	397993.8739	114122.2195	161+87.39	544.83° RT
*nd 1" ysp 7569	397989.8266	113515.8827	162+95.63	50.15° RT
Fd ECL[GLD]: C3 L4 USS 2528	398021.5787	113477.8295	163+56.85	77.46° LT
Fd ECL[GLD]: C4 L4 USS 2528	398017.0863	113027.7101	164+33.59	519.23° LT

RECOVERED CORNERS - SHEET 19

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STAT_CN	OFFSET
Fd Rbr/AC[7569]: C1 L3 USS 2528	398147.2165	113439.9473	184+82.93	90.58' LT
Fd BC[GL0]: C2 L3 USS 2526	398142.6689	113026.4770	185+35.35	499.84' LT
Fd Rbr/AC[7569]: C1 L21 C4 L20 USS 2528	398324.2542	114119.0973	185+67.04	607.37' RT
Fd Rbr/PC[7569]: SE Angle Pt L3 USS 2528	398275.1150	113423.2706	186+66.17	89.30' LT
Fd 1" Rbr/PC [7569]	398319.0915	113558.2067	186+36.24	45.56' RT
Fd BC[GL0]: C3 L3 C2 L2 USS 2528	398598.0541	113021.8942	189+12.72	475.42' LT
Fd Rbr/PC[7569]: NE PC L3 USS 2528	398594.1171	113412.0484	189+12.06	85.26' LT
Fd BC[GL0]: C4 L3 USS 2526	398601.2502	113412.5909	189+22.06	84.85' LT
Fd BC[GL0]: C4 L21 USS 2528	398647.8899	114115.5798	170+C4.50	616.07' RT
Fd 1": SE L22E USS 2528	398712.3094	113975.3977	170+75.65	471.56' RT
Fd BC[GL0]: C1 L22 USS 2528	398713.0265	114075.1357	170+87.45	570.85' RT



DATE	REVISIONS		BY
<p style="text-align: center;">STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES</p> <p style="text-align: center;">RIGHT-OF-WAY MAP ALASKA PROJECT</p> <p style="text-align: center;">0311(031) / Z548590000</p> <p style="text-align: center;">SEWARD HIGH-WAY MP 25.5 - 36 TRAIL RIVER TO STERLING WYC, REHABILITATION</p>			
DRAWN	EPP/JAF	DATE	5/04/2322
CHECKED		DATE	
		SHEET	44 OF 46
		SCALE	1" = 100'

KPB 2022-063

PRELIMINARY

MONUMENT SUMMARY

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0311(031)/Z546590000	R45	R46

PRESCRIPTIVE EASEMENTS

PRESCRIPTIVE EASEMENT
PCL 3, WAYER NO. 79-88W
SHEET #

BEARING DISTANCE
S 11-38-13 W 418.00 EX ROW CL
N 89-26-09 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 19-33-04 W 575.30 EX ROW CL
ROW CURVE DEFINITION: EX ROW CL
Length: 198.37 Radius: 515.00
Delta: 22-04-09 Tangent: 100.43
BEARING DISTANCE
S 19-33-04 W 575.30 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 16-01-57 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 37-47-29 E 91.41
N 39-48-23 E 85.71
N 41-52-35 E 424.92
N 37-08-38 E 85.36
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 #

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: 320.00
Delta: 4-30-14 Tangent: 135.16
BEARING DISTANCE
S 18-03-15 W 189.05 EX ROW CL
ROW CURVE DEFINITION: EX ROW CL
Length: 190.11 Radius: 757.00
Delta: 14-23-19 Tangent: 95.06
BEARING DISTANCE
N 00-23-22 W 137.12 1/16 LINE
N 14-59-21 E 82.89
N 18-56-09 E 300.83
N 15-51-33 E 206.55
N 12-07-58 E 135.28
S 02-58-52 E 10.93
N 21-28-38 E 40.28
N 14-29-23 E 238.55
N 05-45-14 E 27.50
N 23-58-33 E 20.54
N 16-26-05 E 30.06
N 01-17-57 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	

NOTES:

- 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:

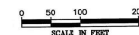
- PRESCRIPTIVE ROW EASEMENT AREAS NOTED ON THIS PLAN SET REPRESENT A CLAIM OF PRESCRIPTIVE EASEMENT BY ADOT/PTF ON BEHALF OF THE PUBLIC. THE ROAD HAS LONG BEEN USED BY THE PUBLIC AND MAINTAINED BY PUBLIC AGENCIES SUCH AS THE ALASKA ROAD COMMISSION, THE TERRITORIAL BOARD OF ROAD COMMISSIONERS AND THE STATE DOT/PTF. 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.
- THE DIMENSIONS SHOWN ARE BASED ON FIELD SURVEY DATA LOCATING THE EXISTING TOP 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



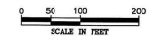
PRELIMINARY

DATE	REVISIONS	BY
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RIGHT-OF-WAY MAP ALASKA PROJECT 0311(031) / Z546590000 SEWARD HIGHWAY MP 25.5 - 36 TRAIL RIVER TO STERLING WYC, REHABILITATION		
DRAWN	EPF/AF	DATE 5/04/2022
CHECKED		DATE
		SCALE 1" = 100'
		SHEET 45 OF 46

MONUMENT SUMMARY

DRAFT 5/4/2022

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
C311(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

DATE		REVISIONS		BY
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RIGHT-OF-WAY MAP ALASKA PROJECT 0311(031) / Z546590000 SEWARD HIGHWAY WP 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHABILITATION				
DRAWN	EPF/AKF	DATE	5/04/2022	SCALE 1" = 100'
CHECKED		DATE		SHEET 46 OF 46

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	405880.8265	104326.5102	353+14.81	1253.49' LT
Fd AM[BLM]: CC N1/16 S27 / L3 US	405992.9999	104326.2372	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	407285.7473	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	489.35' LT
Fd BC[BLM]: WCMC C1 L3 USS 7371	407468.2987	104311.4268	357+21.19	31.83' RT
Fd Alrod[BLK]: 1/4 S22/S23 *T5N	409957.4428	104902.6664	357+55.99	2859.99' RT
Fd Rbr: WC Trail Lake 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+25.74	459.09' 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	95.95' 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	407882.1374	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	103065.2021	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	409630.8371	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	408982.6660	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	411231.4602	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	411429.1282	95598.1940	456+27.69	41.20' RT
Fd Rbr: NE L33A Wilderness Park	411708.2844	95211.9753	456+56.41	344.91' RT
AM[2263-S]: C6 USS 1090	42434.1590	96444.4560	457+02.10	1136.56' RT
Fd AC[5152-S]: SE L33 Wilderness	41596.6540	95387.7750	458+80.37	98.85' RT
Fd AC[5152-S]: PC ROW Seward Hwy	41636.1397	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]: L8A / PC Toklat W	42020.7678	95054.6900	463+30.79	386.64' RT
Fd AC[5152-S]: SE L8A 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	42334.2266	94638.5780	468+27.30	544.38' RT
Fd AC[5152-S]: SW L9A Wilderness	42155.6326	94554.6515	468+47.25	348.06' RT
Fd AC[5152-S]: SE L7 Wilderness	411963.1604	94464.1718	468+68.79	136.48' RT
Fd Rbr: SW L11 Wilderness Park	42434.3967	94459.0498	470+65.37	576.79' RT
Fd AC[5152-S]: ROW Twin Falls Co	42376.6261	94389.4956	471+21.32	495.92' RT
Fd AC[5152-S]: SW L7 Wilderness	42065.4309	94246.8528	471+21.86	153.59' RT
Fd AC[5152-S]: NE L6 Wilderness	42471.7895	94412.0701	471+48.67	591.72' RT

RECOVERED CORNERS - SHEET 37

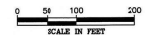
MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
AM[2263-S]: SE L1 B3 Toklat E	42154.9347	94956.9557	473+49.14	143.74' RT
Fd Rbr: NE L2 B3 Toklat Estates	42554.5140	94445.4350	474+15.53	582.30' RT
AM[2263-S]: NE L7 B2 Toklat E	42196.9420	95020.3150	478+81.29	2356.20' RT
Fd Rbr: SW L1 B1 Toklat Estates	42665.0357	93340.2106	483+24.50	49.89' RT
Fd Rbr: NW L1 B1 Toklat Estates	42821.5394	93364.2152	483+24.55	249.56' RT
Fd Rbr: NW L2 B1 Toklat Estates	42980.6908	93489.7151	483+25.08	452.24' RT
Fd Rbr: SW L3 B1 Toklat Estates	42850.2600	93004.7720	486+24.06	48.76' RT
AM[2263-S]: C2 USS 1090	42779.7445	92732.7397	487+93.42	175.49' LT
Fd Rbr: SW L4 B1 Toklat Estates	42969.0165	92354.4684	488+15.61	48.45' RT
Fd Rbr: NW TRA Toklat Estates	42902.5280	92777.4690	488+34.74	51.47' LT
Fd Rbr: NW L5 Toklat Estates	43459.4760	93331.0200	489+74.39	543.63' RT
Fd POST: NW L6 B1 Toklat Estates	43718.0510	93324.8640	490+52.35	806.02' RT

RECOVERED CORNERS - SHEET 38

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
Fd BC[00A]: C1 USS 1365	414128.7500	89952.0700	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[00A]: 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	99932.5186	521+94.18	50.20' LT
Fnd bpc 11795	414744.1943	99794.7496	523+52.59	49.96' LT
Fd Rbr/PC[11795]: SW L6 Tern Lake Estates	414831.8821	99842.9562	523+53.62	50.10' RT
Fd Rbr/PC[11795]: SE L1A Tern Lake Estates	414861.3135	99790.5849	524+13.79	49.99' RT
Fd YPC[MCCLANE]: SW TRA Tern Lake	414358.6678	99406.5241	525+01.11	576.52' LT
Fd YPC[MCCLANE]: NW TRA Tern Lake	414826.9400	99648.3700	525+20.65	49.84' LT
Fd Rbr: SE L2 Tern Lake Estates	415008.3500	99530.5600	527+12.41	50.24' RT
Fd Rbr: NE L2 Tern Lake Estates	415616.9618	99843.9903	527+38.59	734.32' RT
Fd IP: SE L8 B3 Tern Lake Estate	414675.8300	98921.0000	530+79.83	538.94' LT
Fd Rbr: SE TRB Goat Haven Estate	415392.5529	98950.5070	534+93.43	50.59' RT
Fd Rbr: NE TRB Goat Haven Estate	415974.8800	99151.0100	535+18.01	705.42' RT
Fd Rbr: SE L4B B3 Tern Lake Esta	414979.1424	98336.8152	537+37.63	561.92' LT
Fd Rbr: SE L4A B3 Tern Lake Estate	415206.7784	98453.4580	537+47.93	306.35' LT
Fd Rbr: NW L5 B3 Tern Lake Estat	415434.5624	98571.2112	537+57.37	50.10' LT
Fd Rbr: SE L11 B1 Goat Haven Est	415558.4010	98558.3558	538+29.44	51.43' RT
Fd YPC[5733-S]: NE L11 B1 Goat H	415714.0700	98637.8500	538+36.71	226.07' RT
Fd Rbr: NE L9 B1 Goat Haven Esta	416128.9104	98852.5063	538+53.67	692.84' RT
Fd Rbr: SW L4B B3 Tern Lake Esta	415054.7260	98189.9514	539+02.73	568.28' LT
Fd Rbr: SW L4A B3 Tern Lake Esta	415285.2313	98307.9223	539+13.27	309.56' LT
Fd Rbr: NW L4A B3 Tern Lake Esta	415516.1100	98427.9500	539+22.22	49.50' LT
Fd IP: SW L3 B3 Tern Lake Estate	415129.5116	98043.6557	540+66.87	575.06' LT
Fd AC[11795-S]: SW L3 B3 Tern La	415129.6396	98043.4576	540+67.11	575.05' LT
Fd AC[11795-S]: NW L3 B3 Tern La	415597.2400	98283.5100	540+87.88	49.84' RT
Fd YPC[5733-S]: NE L12 B1 Goat H	415856.1089	98385.2971	541+26.47	225.63' RT
Fd IP: SW L2 B3 Tern Lake Estate	415205.7143	97896.9709	542+32.07	580.79' LT
Fd AC[11795-S]: SW L2 B3 Tern La	415205.7803	97896.5288	542+32.49	580.95' LT
Fd AC[11795-S]: NW L2 B3 Tern La	415678.5528	98139.0721	542+53.63	50.02' LT
Fd Rbr: NW L12 B1 Goat Haven Est	415988.7800	98149.5200	543+97.01	225.29' RT
Fd AC[11795-S]: SW L1 B3 Tern La	415281.5100	97749.8300	543+97.47	587.11' LT
Fd YPC[5733-S]: SW L12 B1 Goat H	415842.4659	98054.3056	544+08.02	51.07' RT
Fd Rbr: Angpt L12 B1 Goat Haven	415966.9400	98119.9200	544+12.05	191.72' RT
Fd AC[11795-S]: NW L1 B3 Tern La	415758.4465	97994.5578	544+19.25	50.60' LT



DATE		REVISIONS		BY
<p align="center">STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RIGHT-OF-WAY MAP ALASKA PROJECT 0311(031) / Z546590000 SEWARD HIGHWAY MP 25.5 - 36 TRAIL RIVER TO STERLING WYDE, REHABILITATION</p>				
DRAWN	EPF/AF	DATE	5/04/2022	SCALE 1" = 100'
CHECKED		DATE		SHEET 47 OF 46

KPB 2022-063

PRELIMINARY

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 L 71 B2 Coast Haven Estate	116007.5200	88104.3800	544-50.48	228.33' LT
Fd YPC[7569-S]: SE L8 B2 Tern Lake	115038.9700	87699.5100	544-57.40	589.40' LT
Fd Rbr: SE L2 B2 Coast Haven Estate	115866.9501	88012.7104	544-58.02	50.98' RT
Fd Rbr: NE L1 B2 Coast Haven Estate	115880.3400	88973.6500	544-61.55	175.17' RT
Fd YPC[7569-S]: NE L8 B2 Tern Lake	115789.1610	87942.0494	544-79.58	58.53' LT
Fd AC: SW L8 B2 Tern Lake Estate	115384.8103	87598.7288	546-22.50	95.49' LT
Fd YPC[7569-S]: NW L8 B2 Tern Lake	113870.4178	87698.3374	546-44.37	50.40' LT
Fd Rbr: SE L2 B2 Coast Haven Estate	114000.0000	87775.5206	547-28.24	51.24' RT
Fd Rbr: NE L2 B2 Coast Haven Estate	116154.7900	87854.8600	547-35.22	225.04' RT
Fd Rbr: NW L1 B2 Coast Haven Estate	116206.4122	87881.8563	547-37.26	225.18' RT
Fd Rbr: SW L7 B2 Tern Lake Estate	116451.0530	87403.1901	547-87.59	63.11' LT
Fd Rbr: NW L7 B2 Tern Lake Estate	115951.4229	87654.7846	548-05.92	59.39' LT
Fd Rbr: SW L8 B2 Tern Lake Estate	115036.4200	87256.3622	549-52.50	60.67' LT
Fd Rbr: NW L6 B2 Tern Lake Estate	115023.5764	87511.3059	549-74.61	59.67' LT
Fd Rbr: SE L4 B2 Coast Haven Estate	116136.6504	87533.7114	550-08.56	91.35' RT
Fd Rbr: SE L4 B2 Coast Haven Estate	116137.5423	87531.6886	550-20.26	01.16' RT
Fd Rbr: NE L4 B2 Coast Haven Estate	116291.5358	87610.6740	550-15.09	224.11' RT
Fd Rbr: SW L5 B2 Tern Lake Estate	115611.9232	87106.3005	551-17.6	63.88' LT
Fd Rbr: NW L5 B2 Tern Lake Estate	115613.5813	87367.3833	551-19.50	54.55' LT
Fd Rbr: SW L4 B2 Tern Lake Estate	115687.7949	86952.2397	552-82.18	6.98' LT
Fd Rbr: SE L6 B2 Coast Haven Estate	115725.2600	87287.9900	552-84.80	5.33' RT
Fd Rbr: NE L6 B2 Coast Haven Estate	116249.7417	87356.5304	552-95.63	224.47' RT
Fd Rbr: NW L4 B2 Tern Lake Estate	116194.7728	87223.7132	553-94.42	50.38' LT
Fd Rbr: SW L3 B2 Tern Lake Estate	115763.4665	86816.6219	554-44.05	626.06' LT
Fd Rbr: NW L3 B2 Tern Lake Estate	115725.9278	87079.6868	554-69.85	55.48' LT
Fd Rbr: SE L8 B2 Coast Haven Estate	116412.7911	87044.0949	555-08.18	51.23' RT
Fd Rbr: NE L5 B2 Coast Haven Estate	116067.3176	87123.4588	555-04.94	224.81' RT
Fd Rbr: SE L9 B2 Coast Haven Estate	116573.2812	87113.1308	555-86.86	224.93' RT
AN[7328-S] SW L2 B2 Tern Lake	115839.1672	86670.0211	556-11.94	632.19' LT
Fc YPC[7328-S]: NW L2 B2 Tern Lake	116356.8188	86936.1749	556-14.58	50.56' LT
Fc Rbr: SW L1A B2 Tern Lake Estate	115928.6803	86496.9000	558-67.73	839.32' LT
Fc YPC[7328-S]: NW L1A B2 Tern Lake	116452.7903	86766.3175	558-29.67	50.47' LT
Fc Rbr: SW L3 B2 Coast Haven Estate	116550.6100	86800.3500	558-48.61	51.45' RT
Fd Rbr: NW L3 B2 Coast Haven Estate	116705.2000	86879.4700	558-55.19	224.97' RT
Fd Rbr: NE L10 B2 Coast Haven Estate	116907.1869	86983.6107	558-63.78	452.06' RT
Fd Rbr: SW L8A B1 Tern Lake Estate	116924.9169	86310.1758	560-16.61	647.29' LT
Fd YPC[7328-S]: NW L8A B1 Tern Lake	116555.0700	86563.3500	560-39.78	50.45' LT
Fd Rbr: NW L10 B2 Coast Haven Estate	116957.6608	86867.4300	560-42.01	409.42' LT
Fd Rbr: SW L10 B2 Coast Haven Estate	116452.5300	86618.8000	560-09.52	30.98' RT
Fd Rbr: NE L1: B3 Coast Haven Estate	116871.9508	86757.5500	560-54.92	397.36' RT
Fd Rbr: SE L1: B3 Coast Haven Estate	116677.5741	86575.3581	561-03.48	51.42' RT
Fd YPC[7328-S]: SW L7 B1 Tern Lake	116107.8523	86150.2797	561-99.63	653.85' LT
Fd Rbr: NW L7 B1 Tern Lake Estate	116544.5888	86425.5160	562-19.87	50.50' LT
Fd Rbr: SE L2 B3 Coast Haven Estate	116787.9848	86793.3609	563-31.42	51.27' RT
Fd Rbr: NW L1 B3 Coast Haven Estate	116141.7345	86509.9910	563-42.37	336.45' RT
Fd Rbr: K id Coast ROW / L2 B3 Coast	117088.3302	86350.1638	565-04.46	298.47' RT
Fd Rbr: SW L5 B1 Tern Lake Estate	115722.8332	85833.8054	565-05.34	666.99' LT
Fd Rbr: NW L5 B1 Tern Lake Estate	115821.0900	86113.2300	565-79.45	50.72' LT
Fd Rbr: SW L2 B3 Coast Haven Estate	113911.1216	86161.2141	565-81.91	51.27' RT
Fd Rbr: NW L2 B3 Coast Haven Estate	117111.1400	86267.9900	565-88.92	277.50' RT

RECOVERED CORNERS - SHEET 40

MONJMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
F3 Rbr: SW L1 B1 Goat Haven Estate	417172.0634	86289.5577	565+89.70	346.53' RT
F3 Rbr: SW L1 B1 Goat Haven Estate	417387.3636	86413.3393	564+83.396	500.19' RT
F3 Rbr: SW L3 B1 Tern Lake Estate	416437.6555	85510.7081	569+15.71	683.79' LT
F3 Rbr: SW L3 B1 Tern Lake Estate	416438.6556	85719.6386	569+39.57	75.73' LT
F3 Rbr: SW L2 B1 Tern Lake Estate	416520.2249	85330.8190	570+85.54	687.46' LT
F3 Rbr: NW L2 B1 Tern Lake Estate	417086.7441	85642.9852	571+19.57	50.49' LT
F3 Rbr: SW L1 B1 Tern Lake Estate	416603.0700	85100.7700	572+75.64	693.98' LT
F4 Rbr: NW L1 B1 Tern Lake Estate	417174.9593	85486.1868	572+99.46	50.74' LT
F4 BC[DA]: C2 USS 1365	416577.3500	85109.8600	573+33.46	756.14' LT
F4 Rbr: SW TRA Goat Haven Estate	417295.6700	85479.9400	573+64.20	51.32' RT
F4 BC[DA]: USS 1365 ROW	417498.4020	85585.8300	573+73.28	578.38' RT
F4 BC[DA]: C3 USS 1365	417749.3000	85712.8900	573+84.06	606.38' RT

RECOVERED CORNERS - SHEET 41

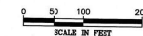
MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
Fc BC/Bx[BOH]: Seward Hwy CL	1816000.8926	84121.4427	588+93.93	1.88' LT
Fc BC/Bx[BOH]: Seward Hwy CL	181219.6323	83755.9299	593+2.61	0.26 RT
Fc Rbr: Seward Hwy CL	181409.1054	83348.957	598+92.80	0.40 RT
Fc BC/Bx[COH]: Seward Hwy CL	181436.8732	83386.0957	597+46.69	0.00 RT

RECOVERED CORNERS - SHEET 42

MONUMENT TYPE : LOCATION	NORTHING	EASTING	STATION	OFFSET
FD BC/Bx[D0H] : Seward Hwy CL	4190033.8260	82381.5400	09+02.31	0.00' LT
FD AM/Bx[D0T] : EDP 2384+08 50	4190088.3898	82204.2276	10+08.62	0.02' LT
FD AM/Bx[D0T] : Seward Hwy PT 238	419081.1266	82201.3485	10+08.62	7.85' LT
FD BC/Bx[D0T] : Seward Hwy PC 238	418979.9260	82005.2764	12+21+25.59	152.63' LT
FD BC/Bx[D0T] : Seward Hwy CL	419187.2659	81742.3358	15+73.44	0.00' LT
FD AM/Bx[D0T] : Seward Hwy PT 237	418981.0040	81362.7300	19+52.47	23.28' LT
FD AC[D0H] : Seward Hwy PC	4192050.3500	80357.7776	29+29+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[D01] Seward Hwy PC	420537.9255	78905.6843	649+66.27	0.00' RT



DATE	REVISIONS		BY
<p align="center">STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RIGHT-OF-WAY MAP ALASKA PROJECT 0311(031) / Z546650000</p> <p align="center">SEWARD HIGHWAY MP 25.5 - 36 TRAIL RIVER TO STERLING WYE, REHABILITATION</p>			
DRAWN	EPP/AF/	DATE	5/04/2022
CHECKED		DATE	5/04/2022
		SHEET	48 OF 43

KPB 2022-063

PRELIMINARY

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	<p>Reviewer: Haws, Derek Affected Addresses: 32598 SEWARD HWY 33795 SEWARD HWY 33817 SEWARD HWY 33865 SEWARD HWY</p> <p>Existing Street Names are Correct: No</p> <p>List of Correct Street Names: STERLING HWY SEWARD HWY FREEDOM WAY DEPOT RD ROYCROFT ST WARBURTON CT TOKLAT WAY BANE BERRY RIDGE LN HANNISFORD DR EWE LOOP BILLY CIR TEAL ST MALLARD ST</p> <p>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</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments: All affected addresses will be retained on their current parcels.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat.</p>
Assessing	<p>Reviewer: Wilcox, Adeena Comments: No Comment</p>

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

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

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:

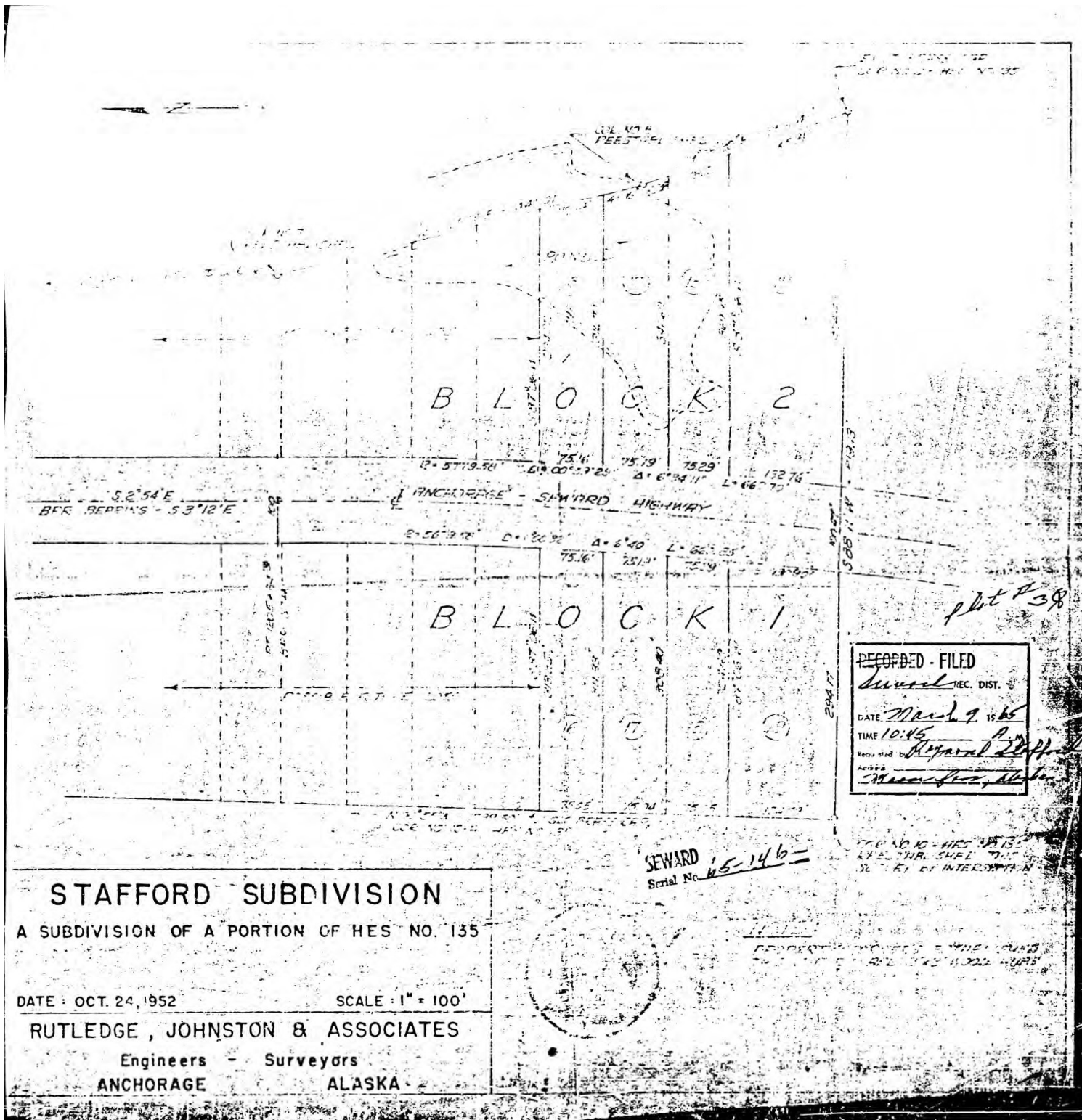
- GRANT APPROVAL SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.10.

NOTE: 20.25.120. - REVIEW AND APPEAL.

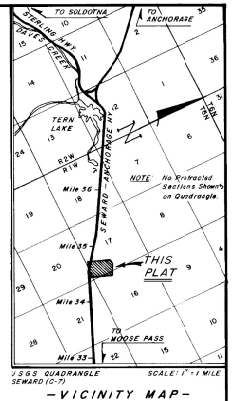
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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



CHUGACH NATIONAL FOREST



CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADJUT THIS PLAT OF SUBDIVISION AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, UTILITY EASEMENTS AND OTHER OPEN SPACES TO PUBLIC USE.

William H. Estes
 WILLIAM H. ESTES
 5841 LUTIC RD.
 ANCHORAGE, AK 99502
Robert C. Mueller
 ROBERT C. MUELLER
 4220 MT. OLYMPUS WAY
 SALT LAKE CITY, UTAH
 BY WALTER C. HANSEN
 POWER OF ATTORNEY
 SEASIDE, WISCONSIN DISTRICT
 BOOK 12 PAGE 400

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO before me, this 20th day of January, 1977, in the County of Matanuska, State of Alaska, by the above named parties, who are personally known to me, and who appear to be the owners of the property described in the foregoing instrument.

NOTARY PUBLIC

WILLIAM H. ESTES

MOOSE PASS, ALASKA

Robert C. Mueller

ROBERT C. MUELLER, PARTNER

INTER ISLAND ASSOCIATIONS, A HAWAII PARTNERSHIP

224 S. 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 MARKED, OR IF FINAL COMPLETION IS ASSURED BY SUBDIVISION AGREEMENT, THEY WILL BE SET AS SPECIFIED IN SAID AGREEMENT.

William H. Estes

WILLIAM H. ESTES, S.L.S.

PLAT APPROVAL

PLAT APPROVED BY THE COMMISSION THIS 24th day of January, 1977

William H. Estes

WILLIAM H. ESTES, S.L.S.

Robert C. Mueller

ROBERT C. MUELLER, PARTNER

INTER ISLAND ASSOCIATIONS, A HAWAII PARTNERSHIP

224 S. 5th Ave., Suite 104

ANCHORAGE, ALASKA

PLANNING DIRECTOR

PLAT OF

TOKLAT ESTATES

TRACT 1 H.E.S. 69-U.S.S. 1090 Located within Protected

Sec. 16, T. 17, S. 20, R. 17, W. 5, A. K.

CONTAINING 79.69 ACRES MORE OR LESS

ALASKA LAND

DEVELOPMENT SERVICES

ENGINEERS - SURVEYORS

4546 BUSINESS PARK BOULEVARD, ANCH., AK. 99503

DRAWN: E.H.S. DATE: 8-17-76 GRID: B.O.K. W/O 427

CHECKED: F.H.M. SCALE: 1" = 100' PASS: U.S.S. 1090 FILE NO. 1-14

CURVE SCHEDULE

NO.	DELTA	RADIUS	LENGTH	TANGENT
1	44°04'44"	360.65	872.45	146.00
2	59°46'37"	608.50	636.16	349.91
3	34°39'35"	466.38	292.92	149.99
4	84°20'07"	20.00	24.44	18.11
5	45°08'37"	410.89	336.91	175.02
6	30°01'45"	284.96	149.35	76.43
7	92°03'50"	240.80	402.99	166.00
8	56°12'01"	282.92	272.55	150.00
9	75°41'44"	20.00	26.48	15.54

TR 2 H.E.S. 69 U.S.S. 1090

NOTES:

- 1) Set 3/8"x30" 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-BL3 and Lots 14 & 8L-1.
- 4) All wastewater disposal systems shall comply with existing law at time of construction.

LEGEND

- Found 3" Magnetic alum cap Monument on 2 1/2" pipe.
- Found 3" Brass cap Monument in rock.
- Set Alum cap Monument on 2 1/2" 1/8" re-bar. (Replaces rd. 3/2" re-bar).

R 2 W. T 5 N., R 1 W., SM., AK.

12 7 8

5 13 18 7

TERN LAKE

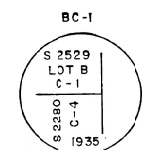
THIS SURVEY

SEWARD HIGHWAY

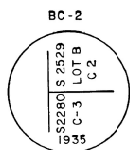
24 19 20

SCALE 1 in = 1 mile

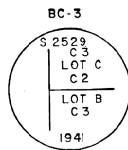
VICINITY MAP



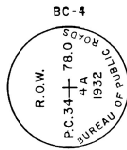
FOUND 2 1/2" BRASS
CAP ON 1" PIPE, 0.6' A.G.



FOUND 2 1/2" BRASS
CAP ON 1" PIPE, 0.8' A.G.

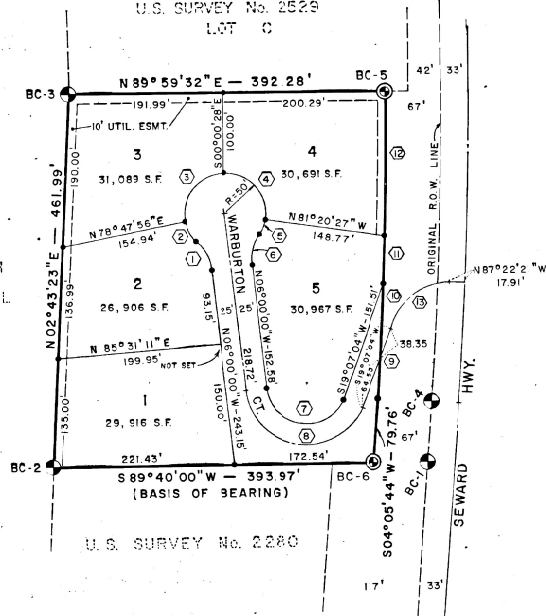


FOUND 2 1/2" BRASS
CAP ON 1" PIPE, 0.3' A.G.

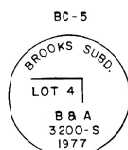


FOUND 3" BRASS CAP
ON 2" PIPE, 0.6' A.G.

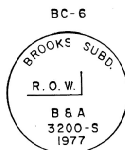
U.S. SURVEY No. 2529
LOT C



U.S. SURVEY No. 2280



SET 2-1/2" BRASS CAP ON
2" IRON PIPE,



SET 2-1/2" BRASS CAP ON
2" IRON PIPE,

Mortgagee:
Alaska Housing Finance Corporation
by *Robert W. Sullivan*
EXECUTIVE DIRECTOR 8/29/78

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 = 10° 01' 36"
R = 50.00'
T = 60.86'
L = 88.31'

④ Δ = 38° 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° 59' 58"
R = 50.00'
T = 324.45'
L = 135.16'

⑧ Δ = 154° 52' 58"
R = 75.30'
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' 48"
R = 5738.91'
T = 26.51'
L = 53.02'

⑫ Δ = 01° 47' 50"
R = 5738.91'
T = 90.01'
L = 190.00'

⑬ Δ = 73° 30' 36"
R = 75.00'
T = 16.02'
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 26, 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

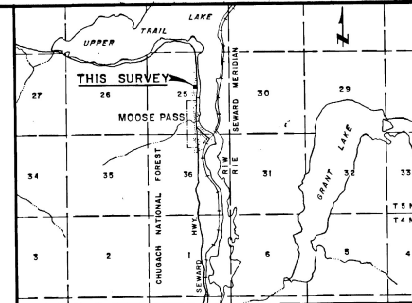
BY: *Philip Waring*

Plat # 78-16
Seward, Alaska
DATE: Oct 5, 1978
TIME: 10:17 A.M.
BY: *Bo 830*
Seward, Alaska

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.

DATE: 12-12-77
SURVEYOR: *E. G. McCall*



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: 2-29, 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
KATHY FRANZ
BOX 29
MOOSE PASS, ALASKA 99631

NOTARY'S ACKNOWLEDGEMENT

STATE OF ALASKA

THIRD JUDICIAL DISTRICT

ON THIS 29 DAY OF Nov, 1977 BEFORE ME, THE
UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF ALASKA,
PERSONALLY APPEARED *Monroe Robinson* TO BE *known*
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

Nov, 1977

James H. Smith
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 4/1/79

CONTAINING 4.098 ACRES

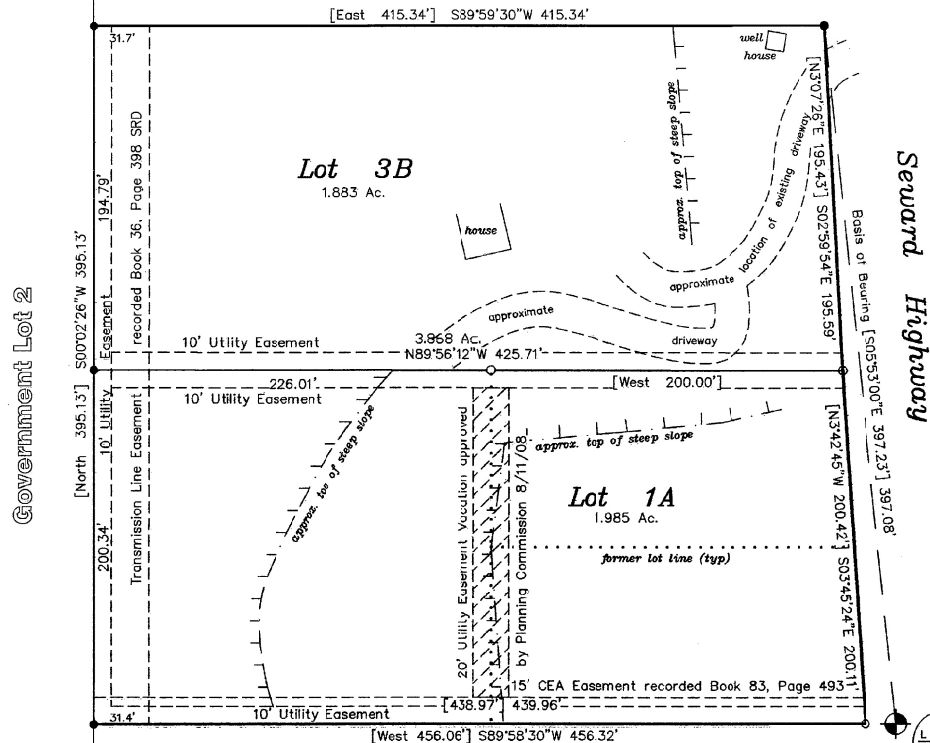
PLAT OF
BROOKS SUBDIVISION
A RESUBDIVISION OF
LOT B, U.S. SURVEY No. 2529
LOCATED WITHIN
PROTRACTED SECTION 25, T.5N, R.7W, SEWARD MERIDIAN

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.N.
SCALE 1" = 100'
DATE MAY 1977 JOB NO. 1355
SHEET 1 OF 1

Lot 35
Supplement Plat of US Survey 2528



Government Lot 2

Seward Highway

LEGEND:

- 2-1/2" BLM Brass Cap Monument (found)
- 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 Joell
AUTHORIZED OFFICIAL

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.

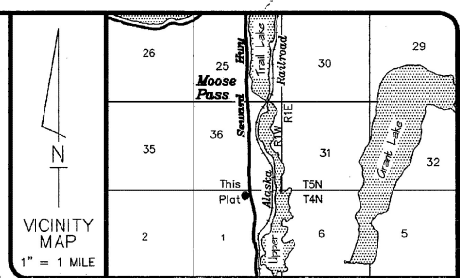
M. J. Tamm
Engineer

3380-E
License #

2 Sep 08
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.



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.

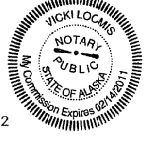
Benton L. Groom

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)



NOTARY'S ACKNOWLEDGMENT

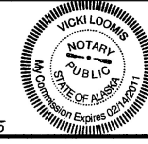
SUBSCRIBED AND SWORN BEFORE ME THIS 22nd DAY OF August
2008 FOR BENTON L. GROOM + SANDRA J. GROOM

Neil Poons
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

Neil Poons
NOTARY PUBLIC FOR 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

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

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

SUBSCRIBED AND SWORN BEFORE ME THIS 5th DAY of July, 1988 FOR Paul L. Maney & Wilderness Park Partnership

Matthew Leonard 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. Taylor
AUTHORIZED OFFICIAL

WILDERNESS PARK SUBDIVISION

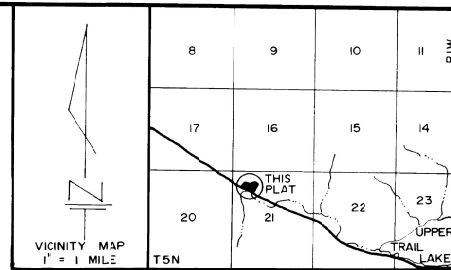
No.	Belta	Radius	Arc Length
C1	08°03'03"	230.00	32.32
C2	29°56'57"	230.00	120.22
C3	1°08'33"	1905.48	370.56
C4	38°00'00"	170.00	112.75
C5	38°00'00"	200.00	132.65

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

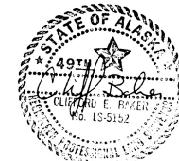
NOTES:

- 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
16AAC12.055 and approved, subject to any conditions.
Ronald A. Miller 5/14/88 FEZ
SIGNATURE DATE

CHUGACH
NATIONAL
FOREST



NOTE: WITNESS CORNER FOUND
IN TRUE CORNER POSITION

ALDS
HES 69
WC-COR 1
2283 S
1976

FOUND B.T.S. NEW DATA
12" SPRUCE NE 32.77'
8" SPRUCE SE 74.45'

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	P. ATTED: 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 RCWs 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 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.

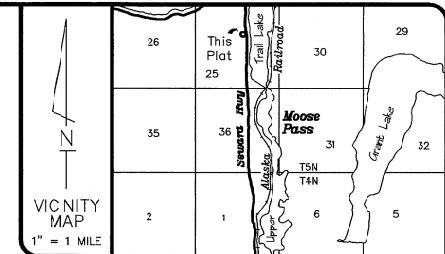
Matthew M. Munn 3380-E 7 Nov 07
Engineer License # Date

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.



CURVE TABLE					
Curve	Delta	Radius	Length	Chord	Chord Bearing
C1	370.314°	2836.50'	151.19'	151.16'	N06°33'38"W



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.

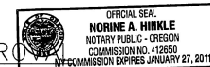
Jeffrey Scott Mitchell
Jeffrey Scott Mitchell
P. O. Box 31
Moose Pass, AK 99631

Kathy Kay Mitchell
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, COUNTY OF HOOD RIVER
MY COMMISSION EXPIRES 1-27-2011



PLAT APPROVED

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF October 22, 2007

KENAI PENINSULA BOROUGH

Max Bred
AUTHORIZED OFFICIAL

2007-17

RECORDED
<u>SEWARD</u> REC. DIST.
DATE: <u>November 15 2007</u>
TIME: <u>10:30</u> 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

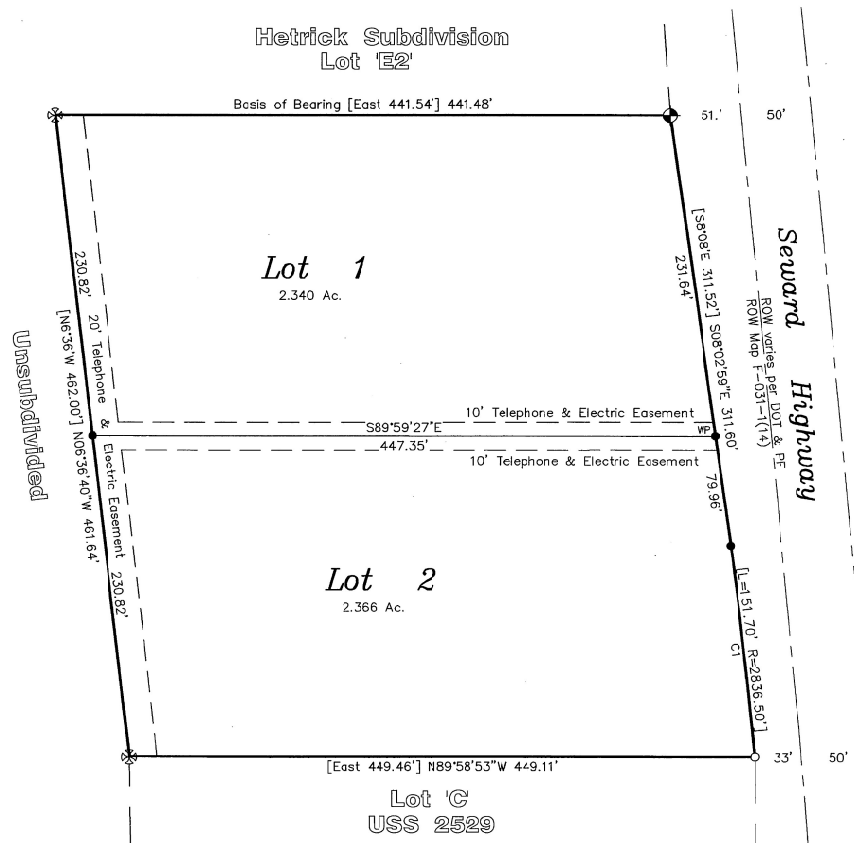
SURVEYORS PHONE - (907) 283-9047 PLANNERS

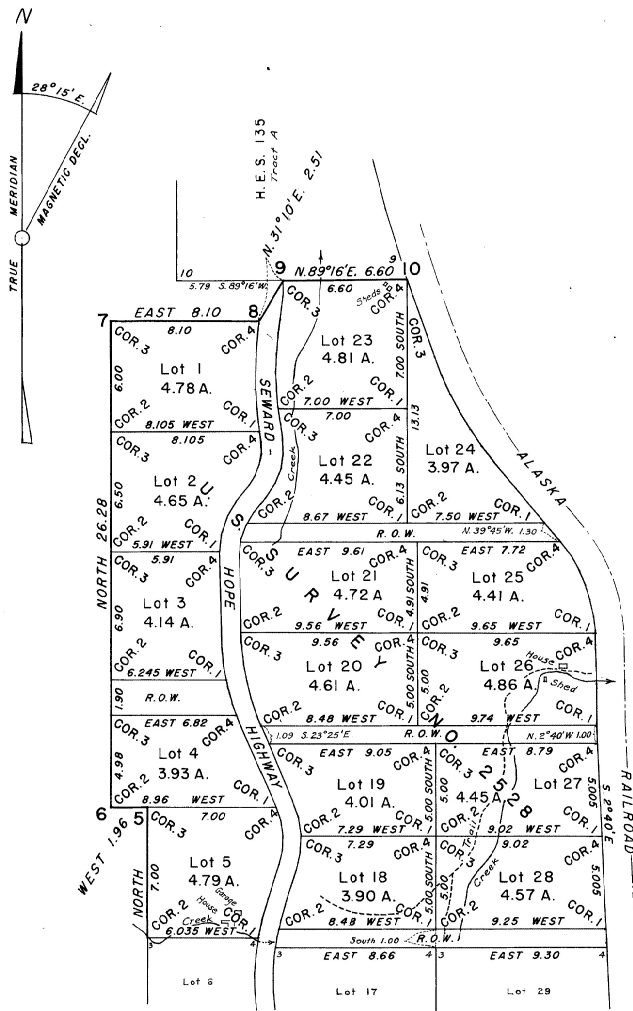
FAX - (907) 283-9071

JOB NO: 27150	DRAWN: 31 October, 2007 CB
SURVEYED: 27 October, 2007	SCALE: 1" = 60'
FIELD SK: 2007-6, Pg. 68	DISK: USS 2529

LEGEND:

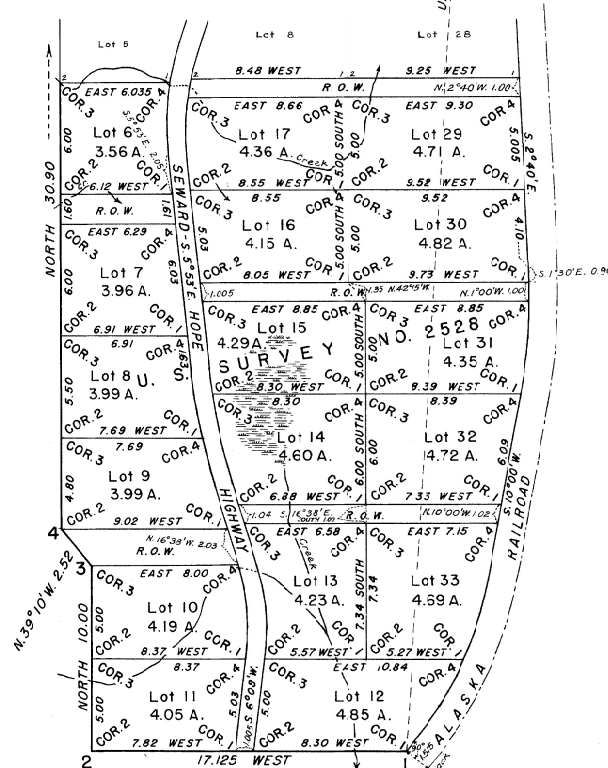
- ⊗ 2-1/2" Brass Cap GLO Monument (found) 1941
- ⊕ 1-1/2" Alum. Cap, 3753-S, 1977 (found)
- C 5/8" Rebar (found)
- 5/8" Rebar (set)
- WP Witness Point, 5/8" Rebar (set) 2.2' into ROW on extended Property Line
- [] Record Datum - U.S. Survey 2529





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 ap-
proved.

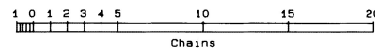
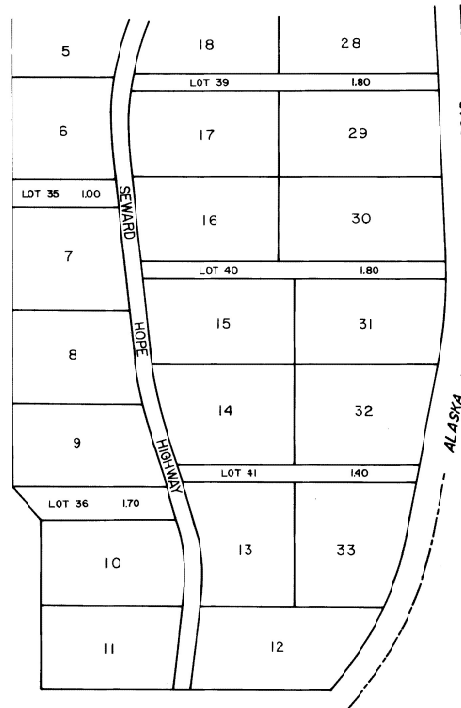
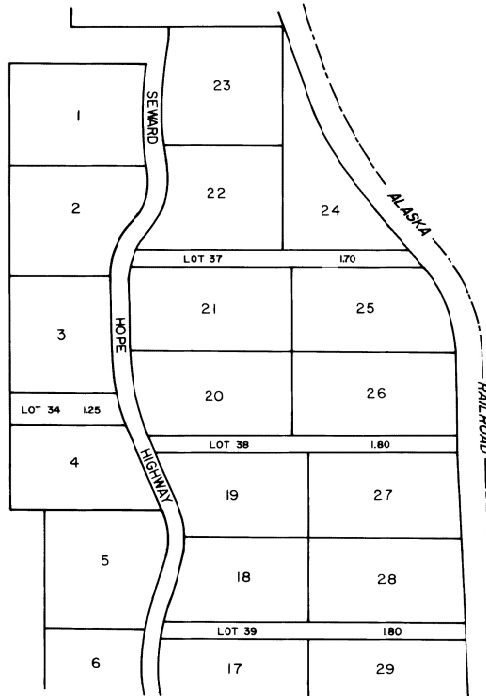
Geo. A. Parks
District Cadastral Engineer

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

Washington, D.C., APRIL 23, 1945

The survey represented by this plat having been cor-
rectly executed in accordance with the requirements of
law and the regulations of this office, is hereby accepted.

Joel Waind Wolfson
Assistant Commissioner.



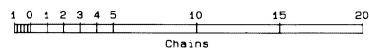
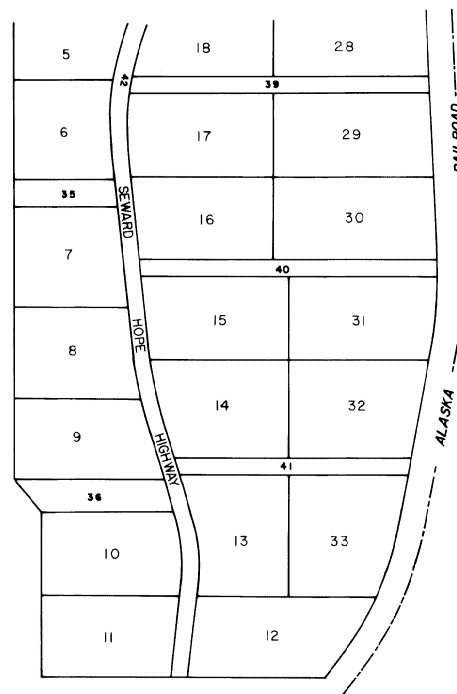
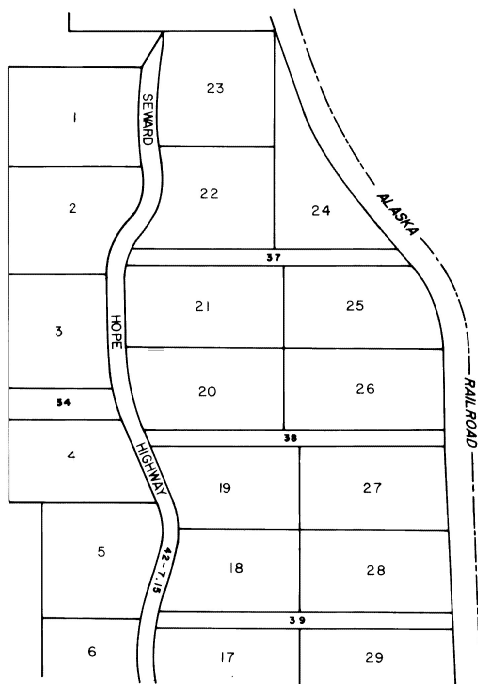
SUPPLEMENTAL PLAT OF
U.S. SURVEY
No. 2528, ALASKA

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
Joseph R. Hunt Nov. 13, 1984
Date
Deputy State Director for Cadastral Survey,
Alaska



**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, 1948, 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

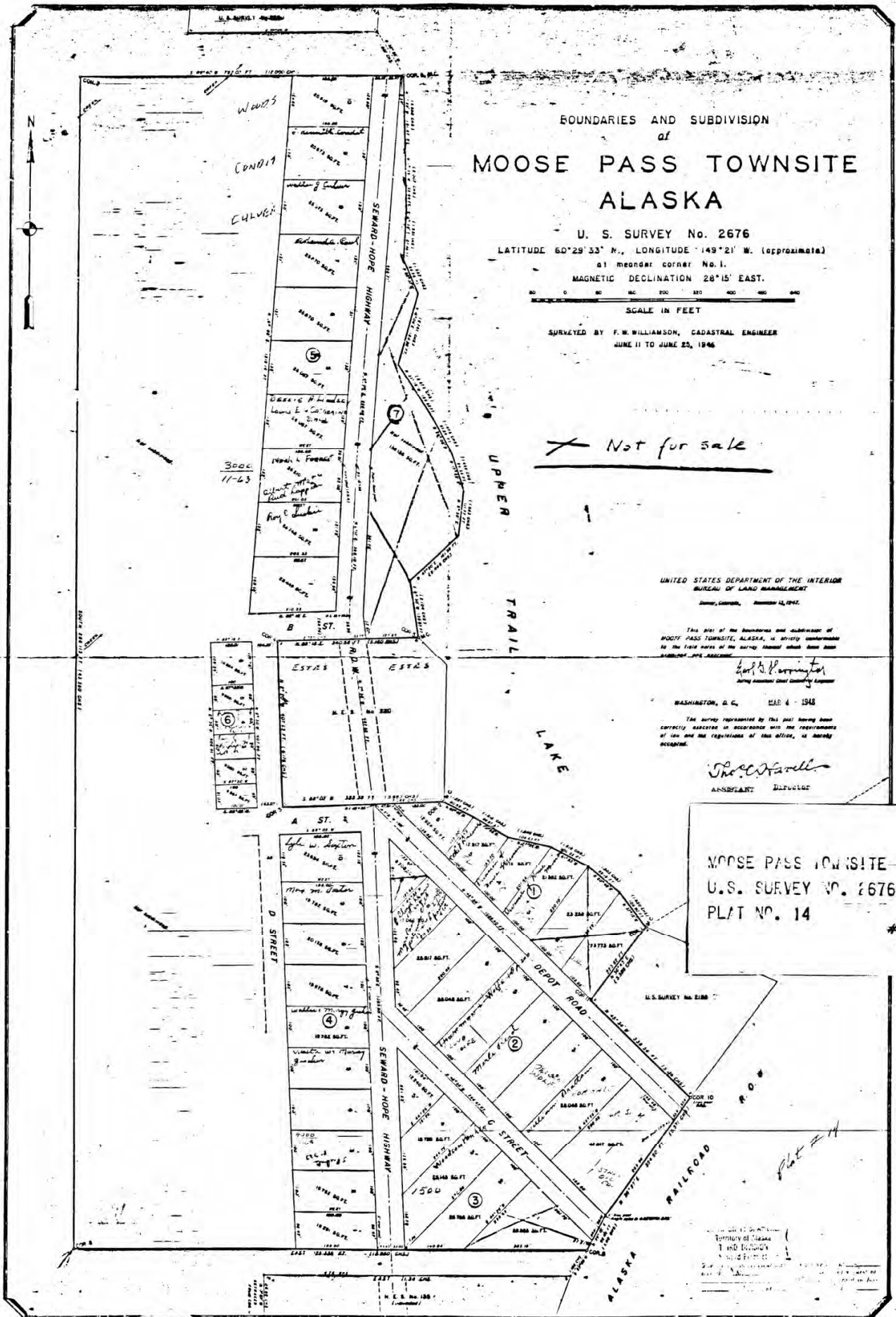
This supplemental plat is based upon the official records and, having been correctly prepared in accordance with the regulations of this Bureau, is hereby accepted.

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 40, R 1W, 5M
T 5N, R 1W, 5M



-----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.

Quinton, Madeleine

From: Planning Dept,
Sent: Friday, June 10, 2022 8:57 AM
To: Quinton, 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
Seldotna, Alaska 99589



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 Bawtinheimer <nathanbawtinheimer@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 truly 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 Bawtinheimer

34169 Seward Hwy
Moose Pass, AK 99631
(907) 491-1015

Quinton, Madeleine

From: Planning Dept,
Sent: Friday, June 10, 2022 8:58 AM
To: Quinton, 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

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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

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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
Seldotna, Alaska 99589



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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

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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.avq.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, septic 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

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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 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 its 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

Quinton, Madeleine

From: Jeff Estes <parnellje@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

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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 scenscape 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

Quinton, 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

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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 repaving 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

--
--

Quinton, 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

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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

Quinton, 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

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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 we 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 it's been admitted to in as recent as last evening's 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 trees 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

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,

A handwritten signature in blue ink that reads "Walter Hanni".

WALTER HANNI

8630 BLUFFWOOD CIR.
ANCHORAGE, AK 99502

CELL - 907.250.5433

EMAIL - WALTHANNI@YAHOO.COM

Hindman, Julie

From: Ruffner, Robert
Sent: Wednesday, July 13, 2022 3:10 PM
To: Hindman, Julie
Subject: FW: <EXTERNAL-SENDER>Seward Hwy 25-36 Rehab, News and requests

From: Bentz, Chris L (DOT) <chris.bentz@alaska.gov>
Sent: Wednesday, July 13, 2022 2:35 PM
To: Bruce@Jaffaconstruction.com; Smarts <smarts@gci.net>
Cc: Ruffner, Robert <RRuffner@kpb.us>; Valentine, Kirsten (DOT) <kirsten.valentine@alaska.gov>
Subject: <EXTERNAL-SENDER>Seward Hwy 25-36 Rehab, News and requests

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Bruce and John,

Thanks for last night's meeting. We appreciate the group's efforts to work with the Department regarding the project. In recognition of the community's concerns and to foster additional communication on the project, the Department has requested to the KPB Platting Commission that the preliminary plat review be rescinded from the July 18th KPB Platting meeting to provide for additional opportunities to engage with the community.

The project team would like to schedule a time to have a public meeting about the project in Moose Pass. We will prepare a short presentation about project details and reflect on many of the topics we have been hearing about from the community. Then we would break into smaller groups with project team members to go over individual questions and concerns. We would like to schedule this on July 28th at the community hall if possible, from 5-7:30pm.

Secondly, we would like to also request the hall space to meet with individual property owners on a scheduled basis (probably half hour to hour time slots) to discuss with them individually anything they wish to discuss. We would like to have the space for this purpose on August 3rd and 4th from 9am- 6pm. We will solicit for interested persons at the end of the proposed July 28th meeting, through mail, on the project website and through any help your group can provide in engaging persons who would be interested in that option. Our mailing list is comprised from information on ownership of parcels; we are aware there is some dated info in public records in that regard, so your assistance would help us reach the community more effectively.

Please let me know if these dates and times could be made available for the project at the Community Hall, and if anything further is needed from us to reserve that space.

Thanks again,

Chris Bentz, P.E.
Project Manager
Central Region Highway Design
Alaska Dept. of Transportation & Public Facilities

Division of Design & Engineering Services

Physical Location: 500 S Seward Meridian Pkwy, Wasilla, Alaska

Mail: P.O. Box 196900, Anchorage, Alaska 99519-6900

Phone: (907) 269-0652 | Fax: (907) 243-4409

Email: chris.bentz@alaska.gov

Quainton, Madeleine

From: Planning Dept,
Sent: Friday, July 15, 2022 6:39 AM
To: Quainton, Madeleine
Subject: FW: <EXTERNAL-SENDER>Moose pass road plans

Madeleine

From: Kari Anderson <alaskazephyr@gmail.com>
Sent: Thursday, July 14, 2022 11:09 PM
To: Planning Dept, <planning@kpb.us>
Subject: <EXTERNAL-SENDER>Moose pass road plans

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To whom it may concern-

Please, please listen to the residents of Moose Pass who do not want their property altered or removed by proposed road construction. These changes should not be forced on this community.

I have read that if DOT would alter under 10% of this proposed project, it would not significantly affect the community. Please consider changes to this project before moving it forward.

If the Borough is looking to spend funds on a road construction project, I would love to see improvements to the Lowell point road (south of Seward).

Thank you. Sincerely- Kari Anderson
KPB resident

July 8, 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: ecklundc@gmail.com
Chris.bentz@alaska.gov
Dot.commissioner@alaska.gov

In reference to an undated letter I received
re: "NOTICE OF SUBDIVISION/REPLAT" with a rescheduled public hearing July 18 in Soldotna.

From: Nancy E. Erickson, 35083 Seward Highway, Moose Pass
Lot 3 Block 4 Moose Pass Townsite
907-491-1639

Overview:

This project encompasses MP 25.5 to 36 and proposes to acquire an excessive amount of ROW from the majority of property owners along this corridor in order to remove vegetation, restructure driveways, install massive ditches and in many cases, destroy wells, septs, private property and businesses - essentially destroying the central core of the historical settlement of Moose Pass. I will be focusing my comments on property along the 35mph zone.

DOT has stated repeatedly-quote: "To minimize the impacts on individual properties and the look and feel of Moose Pass, the project design has incorporated community feedback gathered from several years of public meetings, events, and other outreach." I disagree. This project has changed dramatically since its inception as a resurfacing project for which the last public involvement was in 2020. I attended the majority of those public meetings in 2015-2017 and not once did anyone bring up acquiring my property or anyone else's. Discussions at that time focused on whether to widen the highway through Moose Pass and how to slow traffic. Then suddenly I get an undated form letter at the end of May from the borough stating my property is one of many on the ROW acquisition list, with no prior public input. Initial requests to DOT for help in understanding the new plat drawings has had little response, however we did have a very beneficial meeting with the DOT Commissioner and his staff July 12. They basically say first they want this plat revision approved, and THEN they will send in the appraisers and we can talk. That's not the way to do business.

DOT now wants an additional 10 ft. of my front yard up to about 10 ft. from my house to install a bigger ditch. This includes all my vegetation, my well and my septic leach field. I was told by DOT that it would be determined whether my well and septic would need to be relocated. My lot is 100 ft. wide, the width required between a well and septic. There is no option to relocate. Most of the homes on the west side of the highway get their water from off the mountain because wells are few and far between. I know of two of my neighbors who drilled 200ft and no water. My house was built in the 1930s as a mining cabin known as the Loucher/Tolsen cabin and eligible for the National Historic Register and thus under Section

106 Review. Removing the vegetation that holds this soil together could cause soils to erode, damaging my foundation, my water table and the historic integrity of my property.

I was told by DOT that ditches are inconsistent through this corridor. Then why does this proposed project skip over many properties, for example not including some lots to the south of mine; then taking my and my neighbors' properties, including the fudge store parking lot, skipping over five lots and taking the whole front yard of Lot 10, an historic property known as the Lyle Saxton House, including the arctic entry? That doesn't sound consistent to me.

I have heard DOT state that safety is its main priority. Removing and/or re-aligning existing driveways does not give property owners a safe avenue to enter and exist their properties. Removing vegetation along the 35/45mph corridor through Moose Pass will cause traffic to speed up, not slow down. Speeding traffic has been a safety hazard forever!

Alternative:

I already have a ditch in front of my house, as do many others. They haven't been maintained in years. In fact I can't remember the last time mine was cleaned out by DOT maintenance. The agency admits they've had limited maintenance funds. Then how will they maintain a bigger ditch? An alternative would be to use their existing ROW, maintain existing ditches, replace worn out culverts under driveways and leave my historic property in tact.

DOT gave poor soil and crumbly rock as the reason for such excessive ditches. Not removing our existing old growth trees and vegetation would help hold that soil together. Also, that's all we have to deter the traffic noise that is literally in our front yard.

Dispute points taken from Alaska Dept. of Transportation & Public Facilities Programmatic Categorical Exclusion Document dated 2017, containing a check list of project impacts:

Page 3, *Right-of-Way Impacts. Estimated number of partial parcels required – 25.* Inaccurate. That number currently stands at 74+.

Page 4: *Will the project or activity have disproportionately high and adverse human health or environmental effects on minority populations and low-income populations? Answer No.* Inaccurate. Many of us along this 35mph zone are retired (low income). Lack of vegetation buffer between us and the highway could cause health and definitely environmental issues due to traffic noise and no barriers to keep a vehicle from ending up in our front yard or worse, causing injury or death.

Page 6 4. Date "*Finding of Effect*" Letters sent October 25, 2016 Attach copies to this Form a. State "*Finding of Effect*" No Historic Properties Adversely Affected. Very inaccurate. My property is listed in the Historical Properties Survey dated Feb. 1993 – AHRS SEW-00583 the Loucher/Tolsen Cabin; as are the Hilo House SEW-00584, the Lyle Saxton House SEW-580 and the Moose Pass Inn SEW-592. These properties are eligible for the National Historic Register-thus eligible for a Section 106 review. Taking front yard, vegetation and possibly my well and septic is Adversely Affected. I have requested consulting status of DOT.

Page 16: O. Water Quality Impacts N/A YES NO

1. *Project would involve a public or private drinking water source. Answer was NO.* My water well would be located in the enlarged ROW and I was told by DOT that it would be determined whether it would be permitted or have to be re-located. Other property owners face similar situations.

Closing

Yes, our highway needs resurfacing, our ditches need to be maintained and culverts replaced. I am retired and all I have is my property. If turning my front yard into a massive ditch causes an impact to my house foundation or my water supply, I'm screwed. I am asking the KPB Plat Committee/Planning Commission to deny this plat as is and DOT return to the table with a less invasive way of accomplishing this task. If DOT would modify JUST 8% of the project design, they could avoid damaging our homes, private properties, businesses and business access...and maintain our history, culture, community, and scenic by-way.

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 and unnecessary. Don't allow DOT to destroy our scenic landscape, our identity, our history and the quality of life we enjoy in our homes for a ditch.

Quainton, Madeleine

From: Planning Dept,
Sent: Tuesday, July 12, 2022 12:29 PM
To: Quainton, Madeleine; Hindman, Julie
Subject: FW: <EXTERNAL-SENDER>ROW acquisitions/ L33A Toklat Way

Thank You,

Ann Shirnberg
Administrative Assistant
Planning Department
(907) 714-2215

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-----Original Message-----

From: Mary Carolyn Walker <imakeupme@gmail.com>
Sent: Tuesday, July 12, 2022 12:25 PM
To: Planning Dept, <planning@kpb.us>
Subject: <EXTERNAL-SENDER>ROW acquisitions/ L33A Toklat Way

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From land owner of L33A Toklat Way Moose Pass:
Michael J Goltra requests you vote NO. Please adjust current plans to not allow further ROW acquisitions of civilian land.
Thank you
Michael J Goltra Jr
907-519-8744
Sent from my iPhone

Hindman, Julie

From: Planning Dept,
Sent: Friday, July 15, 2022 10:59 AM
To: Hindman, Julie
Subject: FW: <EXTERNAL-SENDER>Vote NO on DOT Moose Pass Project

-----Original Message-----

From: Joanna Johnson <josyta@aol.com>
Sent: Friday, July 15, 2022 10:51 AM
To: Planning Dept, <planning@kpb.us>
Subject: <EXTERNAL-SENDER>Vote NO on DOT Moose Pass Project

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Good afternoon,

My family lives in Seward and we have been home owners here for the last 9 years. I am writing you in regard to the DOT project in Moose Pass that will have a negative effect our neighbors to the north. I would highly encourage you to vote NO on this project until DOT has modified the project to not impact local residents and business owners as it currently stands. Moose pass is an important part of our community and is more than just a road south to Seward. As it is currently planned, this project will rip through businesses and personal property (including but not limited to driveways, gardens, homes etc...). It is poor planning on DOT's part and it must be stopped until an appropriate modification can be agreed upon. DOT has no regard for the residents and businesses that play such an important role in our community as a whole. Furthermore, they have mentioned the need to increase drainage ditch sizes when they aren't maintaining the current ditches. How will larger unmaintained ditches help with road conditions? There was little to no community notice or input on this project and it's completely unacceptable.

Thank you for your time and consideration and again, please vote NO on this project. SAVE MOOSE PASS!

Sincerely,
Joanna and Zach Johnson
420 First Ave-2583
Seward, AK 99664

Hindman, Julie

From: Planning Dept,
Sent: Friday, July 15, 2022 9:27 AM
To: Hindman, Julie
Subject: FW: <EXTERNAL-SENDER>Moose Pass road work

From: K S <katiesela@gmail.com>
Sent: Friday, July 15, 2022 9:26 AM
To: Planning Dept, <planning@kpb.us>
Subject: <EXTERNAL-SENDER>Moose Pass road work

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Hello,

I was born and raised in Seward, Alaska and since 2004 I've lived in and out of the state but now mostly reside in Palmer.

DOT has been making some very drastic changes to Alaska roads that we all know are mostly unnecessary. Adding more lanes makes people go faster, meaning just as many crashes or collisions with wildlife. Adding a silly wire fence in the median of the Glenn hwy for crashes is only creating a barrier for wildlife and especially moose crossings in one of the densely populated moose areas for the valley.

The MAJOR cut around Crown Point is unbearable for me each time I drive home to Seward. The damage that has been done will never be reversed.

Slow speeds rather than make roads larger scale, the tourists are only around for a couple of months and then they're gone.

Long term is preservation.

Thank you,
Katie Sela

July 14, 2022
John & Kathy Smart
PO Box-243 / 29998 Toklat Way
Moose Pass, Alaska 99631
Mile Post 34.5

Dear Moose Pass Area Planning Commission & the Kenai Peninsula Borough Planning Committee,

As you are well aware of by now we feel the Alaska DOT Project Named “Seward Highway MP 25.5 to 36 Rehabilitation Project” as its currently being offered for approval will take away private property from our residents, damage the historic charm of our community and do irrevocable damage to the Moose Pass we know today and the Moose Pass of tomorrow.

We hope that you’ll listen intensely to all of our testimonies and review our letters that are sent to you.

We believe there is enough physical evidence to create more than enough doubt that this project needs to be taken back by DOT and reworked with the residents of Moose Pass.

We arrived at our conclusions by reviewing these four main categories listed below, there are others but these are the main ones.

Social and Cultural Impacts

Economic Impacts

Water Quality Impacts

Impacts to Historic Properties

The “Preserve & Protect Moose Pass” Team strongly feel the DOT missed the mark in understanding their effects upon our community.

We the residents of Moose Pass are confident that by working together with DOT we will end up with a far less intrusive and damaging project.

The revised project will keep focus on our way of life, minimal to zero loss of any private property, and maintain our historic community, and its very likely it can be done cheaper also!!!

A few facts to add to the testimony.

Lack of maintenance of our current ditches, culverts and drainage in general for a number of years is the major component for the condition of our road as it sits today. That’s been admitted to by multiple local and state government agency’s.

Ask yourselves (as we already are)...”What step changes will need to be taken that assures this new project (*however its revised and executed*) will improve the state’s ability or interest in maintaining a higher standard of maintenance after spending a proposed estimated +/- \$50 million of our tax payer dollars?

The project as currently designed **WILL** impact Moose Pass residents basic human needs and rights such as drinking water, wells and septic systems.

The project **WILL** Impact access points potentially causing steep and inaccessible entrances to affected Moose Pass residences and businesses, especially in winter

Residents **WILL** lose privacy and old growth trees and shrubbery

That loss of greenery **WILL** lead to Increased noise pollution from the Seward Highway

A decrease in safety **WILL** occur due to highway encroachment and reduction of trees that create a natural safety barrier between properties and roads

Our local economy **WILL** be damaged forever by encroachment of the new roadway “ROW” Acquisitions and loss of parking for businesses

The current DOT Plan is not in line with stated KPB Comprehensive Plan Goals;

Goal 1: *“Diversify and Grow the KPB Economy”*

Goal 2: *“Proactively manage growth to provide economic development opportunities on the KPB while preserving what residents and visitors value about the area’s natural features”*

Objective A: *“Establish policies that better guide land use to minimize land use conflicts, maintain property values, protect natural systems, and support individual land use freedoms”*

Objective B: *“Develop a stronger local voice in decisions on uses of federal and state lands”*

Strategy #4: *“Support locally-driven community plans, particularly communities embedded in surrounding public lands”*

Objective D: *“Maintain quality of the borough’s natural environment, including protecting visual quality”*

Near-Term Strategy 1.a. *“Consider developing standards that help maintain visual quality along other highway corridors, including signage and vegetation buffers...”*

Objective E: *“Actively work with interested communities outside of the incorporated cites to help develop locally-driven community plans”*

Goal 3: *“Preserve and improve quality of life in the KPB through increased access to local and regional facilities, activities, programs, and services”*

Focus Area: Historic Preservation

Objective B: “Support efforts to maintain the character of historic towns, districts, and properties while encouraging commercial, tourist, and commercial development”

Goal 4: “Improve access to, from, and connectivity within the KPB. Focus Area: Transportation”

We the residents and members of **“Preserve & Protect Moose Pass”** Team feel that the DOT **HAS NOT MET** the requirements as is written in the Kenai Peninsula Comprehensive Plan which states;

that “to develop and rank projects on the Kenai without meaningful, coordinated involvement of the KPB representing its citizens (in this case we the Moose Pass residents) is untenable.”

Thank You for taking time to read this letter.

Hopefully the evidence we’ve submitted for your review will be enough to **STOP** the vote, and place this DOT Project back into recycle mode. In the recycle mode we the residents of Moose Pass will work closely with the Alaska DOT. The revised project built together will be something we can all live with, will likely spend less of our tax dollars, be less damaging to our Historic town, and our residents private property.

Sincerely yours,

John & Kathy Smart

Public Information Officer/Incident Commander

“Preserve & Protect Moose Pass”

“A Moose Pass Community Team organized to save our historic town and its residents”

Quinton, Madeleine

From: Planning Dept,
Sent: Thursday, July 14, 2022 3:38 PM
To: Quinton, Madeleine
Subject: FW: <EXTERNAL-SENDER>Seward Highway Project/Moose Pass

Madeleine

From: Charlie Stephens <ccstephens711@gmail.com>
Sent: Thursday, July 14, 2022 11:50 AM
To: Planning Dept, <planning@kpb.us>
Subject: <EXTERNAL-SENDER>Seward Highway Project/Moose Pass

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Dear Commission Members,

The Seward Highway has been a lifeline for the community of Moose Pass, Alaska for many decades. The highway has not only provided transportation to other communities, it enabled businesses in town to bring in the supplies needed to do business.

Unfortunately, the State of Alaska Department of Transportation (DOT) and Public Facility proposed highway project *Seward Highway: MP 25.5-36 Trail River to Sterling WYE Rehabilitation Project No. 0311(031)/Z546590000* would be just the opposite of a lifeline. The project would change the face of the community to such a great extent that the historic town would be reduced to just another casualty of 'progress.'

The letters written by Moose Pass residents regarding this project document in great detail the impact it will have on them. These include significant loss of property in the form of real land and buildings. Historically significant buildings such as Estes Brother's Store will be lost. Access onto the highway will become far less safe for residents and for patrons of businesses. In addition, wells and septic systems will be impacted.

The letters written by Moose Pass residents also clearly outline a better strategy for the portion of this project that runs through town. Upgrade the culverts and maintain the ditches to accomplish the better drainage desired. This will help preserve the roadway and preserve the historic community of Moose Pass.

The safety concerns with this project hit closest to home for me. While growing up in Moose Pass I lost two close friends to a bicycle-motor vehicle accident. At the time the speed limit through town was 55. Soon after the death of my friends the speed limit through town was changed to 35. A few years later a bike path was added. These two changes would have saved the lives of my friends had they been implemented at an earlier date. Despite these safety upgrades the highway still presents a potential for great risk for pedestrians and residents. More than once speeding cars have left the roadway and caused property damage in town. The final project plan needs to take into

account ways to slow down the traffic through town. A permanent 'your speed is' sign needs to be placed at the north and south ends of town. These signs are effective and do not require a large investment.

At a time when other states are looking to resurrect communities or neighborhoods by rerouting highways that destroyed them decades before, let's not go backwards here in Alaska by disregarding the importance of a historic community for the sake of a highway project.

Sincerely,
Charlie Stephens

From: Rachel Jean Howatson
To: [Planning Dept.](#)
Subject: <EXTERNAL-SENDER>Moose pass DOT project
Date: Wednesday, July 13, 2022 1:49:20 PM

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Kenai Peninsula Borough Planning Commission,

We are relatively new to this new to this neighborhood but have fallen in love with Moose Pass. The historic buildings, water wheel, community hall and library are important gathering places at the heart of this town. We are concerned that the scope of this project could erode our small town feeling and the end result could be more highway than anything else. We have seen wider roads cause higher speeds in neighboring towns and that is also a safety issue.

We do not yet know how our personal property could be affected and finally received a vague letter last week. Our garden and barn will likely have to move but our well is of larger concern. Approving this plan before establishing how many people will lose access to water, and hearing their other property concerns isn't logical. We support a well maintained road and appreciate the efforts to update and resurface but please consider more community input before approval of this project.

Rachel Sullivan
41411 Seward Highway

July 12, 2022

Kenai Peninsula Borough Plat Committee

144 N. Binkley Street

Soldotna, AK 99669

Via email: planning@kpb.us

cc: AK-DOT Commissioner - dot.commissioner@alaska.gov

cc: KPB Mayor Charlie Pierce - cpierce@kpb.us

cc: KPB Community and Fiscal Projects Manager Rachel Chaffee - rchaffee@kpb.us

cc: KPB Administrative Assistant Pam Wastell - pwastell@kpb.us

Dear Committee Members,

I am writing today in strong opposition to the State of Alaska Department of Transportation (Alaska DOT) and Public Facility proposed highway project *Seward Highway: MP 25.5-36 Trail River to Sterling WYE Rehabilitation Project No. 0311(031)/Z546590000* for highway improvements through Moose Pass, Alaska. I am writing on behalf of myself, Kathy Ryan, a property owner, and my father, Robert Condit, a property owner and the longest living resident of Moose Pass, Alaska.

First, let me give you a little background about myself. I am a third generation Moose Pass resident who grew up watching my dad rise at 4am in the winters to plow and maintain the roads through Moose Pass. My grandparents moved to Moose Pass in 1940 and have owned land in downtown Moose Pass since 1943. My dad has owned land adjacent to the highway since 1961. In addition, my mom's family opened the Estes Bros. Grocery store in 1934. Unlike many areas of the state and the country, many residents have lived in Moose Pass for generations. That means that the land has historical value that cannot be properly "compensated" for under the Alaska DOT proposal. My family worked to build the original roads and railroads through the town of Moose Pass. The current Alaska DOT proposal would force our family to give up approximately 2 acres of land, some of which has been in our family for over 60 years.

Alaskans have always valued their independence and their rights. It is part of the fabric of what makes Alaska unique, and I am asking you to protect property rights of individuals over a plan does not prioritize the needs of the community and area residents. I would ask you to consider whether taking property rights from someone who has owned a piece of land for the last 60 years aligns with the values of the State of Alaska and the Kenai Peninsula Borough? I believe that everyone understands the need to improve the existing road, but there are better ways to meet the needs of the road improvements and the community.

Property rights will be infringed on not only through the acquisition of right of away, but also in the form of tree removal, noise pollution and interference with drainage and water access. Steeper driveways will be required and will no doubt result in safety issues when accessing the highway. Who will be responsible for the potential for accidents and winter safety plowing driveways?

One item that has been noted by the Alaska DOT is that the proposed highway would require less maintenance. I would ask that the Alaska DOT show the current maintenance spending on this section of the highway versus the proposed maintenance costs for the replacement highway. You are probably aware that the Moose Pass Highway Maintenance Station was shut down in late 1990s. While it was replaced by a station at Crown Point, in 2019 the Silvertip Station was also closed. These closures resulted in less maintenance on the Moose Pass section of the Seward Highway. Robert Condit was employed at the Moose Pass Station for 31 years and can provide several examples of current lack of maintenance impacting the roadway, including lack of ditch maintenance and lack of general road maintenance. The proposal by the Alaska DOT does not address the need for ongoing maintenance and instead proposes that a highway be built that won't be properly maintained.

The current highway needs to be improved, but lack of maintenance over the past several years is not the fault of property owners and unless the Alaska DOT can provide a better plan they are simply putting federal dollars toward a band aid solution with lack of ongoing maintenance. The Alaska DOT claims that they have been unable to maintain the road because of lack of access, but they currently have adequate right of way to maintain the highway, just not the funds or will to complete the maintenance. There are ditches within the current right of way that have not been maintained and the Alaska DOT is claiming they need more right of way when the reality is they are simply not using the right of way that they already have, which is more than adequate. In this proposal, the Alaska DOT proposes spending federal dollars to build a highway that the state has not demonstrated that they will invest in maintaining.

In addition to the land owned by Robert Condit, I personally own a plot of vacant land next to his property. The current proposal requires me to forfeit an unbelievable 36% of my property, equal to 1.5 acres of a 4.2 acre lot. Again, this land is adjacent to land owned by my family for 60 years, so monetary compensation is not helpful to offset our plans to build a home on a sizable lot adjacent to my generational family land. The proposal to acquire that amount of land is not reasonable and negatively impacts the entire lot in terms of road noise, ability to add a well and septic, tree cover and lot size.

The proposal also creates significant drainage issues and probability of flooding. Specifically on my lot, the Alaska DOT plans to drain an entire mountainside of snow melt and rain runoff onto the middle of my land, impacting my future plans to build a home. That rain and snow melt will then flow through the back of Robert Condit's property with the potential to cause flooding and make land unusable due to creation of additional wetland area. A second drainage area to the

south of Robert Condit's lot will add even more water to the back of Robert Condit's property creating potential flooding and unsafe conditions.

I believe that this project will negatively affect land values in the town of Moose Pass, reducing the value of future Mental Health Trust sales and reducing the tax base for the Kenai Peninsula Borough. The project, if left unchanged, will negatively impact a town that was located on Trail Lake before the State of Alaska and the Alaska DOT even existed.

The plans as currently proposed are in contradiction to the KPB Comprehensive Plan and as such should be rejected by the KPB Planning Commission. We ask for your assistance and consideration to reject these plans until they can be modified to preserve Moose Pass and the property rights of residents. If the Alaska DOT needs assistance in developing a plan that would allow them to meet the needs of Moose Pass residents and provide a quality road, the Preserve and Protect Moose Pass group is available to assist, as is retired state employee Robert Condit. He knows more about the road through Moose Pass and how to maintain it than anyone alive today. Instead of seeking his input, the Alaska DOT instead seeks to take away his property rights and negatively impact the historical town of Moose Pass where he has lived since 1940. We need your help to stand against a plan that is not workable that will result in loss of property and will negatively impact residents and character of a historical Alaskan town.

Thank you for your consideration of the importance of property rights over a plan that did not take community input into account and is not a good faith effort to solve the road improvement problem.

Thank you,

Kathy Ryan

kathy@moosepass.com

