Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda

Plat Committee

Monday, September 26, 2022 **6:00 PM** **Betty J. Glick Assembly Chambers**

Zoom Meeting ID: 907 714 2200

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

1) Staff will present a report on the item.

2) The Chair will ask for petitioner's presentation given by Petitioner(s) / Applicant (s) or their representative – 10 minutes

3) Public testimony on the issue. – 5 minutes per person

4) After testimony is completed, the Planning Commission may follow with questions. A person may only testify once on an issue unless questioned by the Planning Commission.

5) Staff may respond to any testimony given and the Commission may ask staff questions.

6) Rebuttal by the Petitioner(s) / Applicant(s) to rebut evidence or provide clarification but should not present new testimony or evidence.

7) The Chair closes the hearing and no further public comment will be heard.

8) The Chair entertains a motion and the Commission deliberates and makes a decision.

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

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA, EXCUSED ABSENCES, AND MINUTES

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

1. Agenda

2. Member / Alternate Excused Absences

3. Minutes

KPB-4601 September 12, 2022 Plat Committee Minutes

Attachments: C3. 091222 Plat Minutes

D. OLD BUSINESS

E. NEW BUSINESS

1. KPB-4602 Corea Bend Subdivision 2022 Addition; KPB File 2022-131

Attachments: E1. Corea Bend Sub 2022 Addn_Packet

2. KPB-4603 Trout View Subdivision; KPB 2022-127

Attachments: E2. Trout View Sub_Packet

3. KPB-4604 Granross Grove 2022 Replat; KPB File 2022-134

Attachments: E3. Granross Grove 2022 Replat_Packet

4. KPB-4605 Hesketh Southwest; KPB File 2022-135

Attachments: E4. Hesketh Southwest_Packet

5. KPB-4606 Baltic Woods Lot 2 Replat; KPB File 2022-128

Attachments: E5. Baltic Woods Lot 2 Replat_Packet

6. KPB-4607 Baywood 2022; KPB File 2022-129

Attachments: E6. Baywood 2022_Packet

7. KPB-4608 Spruce Woods Lot 1 Replat; KPB File 2022-132

Attachments: E7. Spruce Woods Lot 1 Replat_Packet

8. KPB-4609 Whal Subdivision; KPB File 2022-092R1

Attachments: E8. Wahl Subdivision_Packet

F. PUBLIC COMMENT

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

G. ADJOURNMENT

MISCELLANEOUS INFORMATIONAL ITEMS

NEXT REGULARLY SCHEDULED PLAT COMMITTEE MEETING

The next regularly scheduled Plat Committee meeting will be held Monday, October 10, 2022 in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at 7:30 p.m.

KENAI PENINSULA BOROUGH PLANNING DEPARTMENT

Phone: 907-714-2215
Phone: toll free within the Borough 1-800-478-4441, extension 2215
Fax: 907-714-2378
e-mail address: planning@kpb.us
website: http://www.kpb.us/planning-dept/planning-home

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

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

C. CONSENT AGENDA

***3. Minutes**

a. September 12, 2022 Plat Committee Meeting Minutes

Kenai Peninsula Borough
Plat Committee

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

September 12, 2022
6:30 PM
UNAPPROVED MINUTES

A. CALL TO ORDER

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

B. ROLL CALL

Plat Committee Members/Alternates
Pamela Gillham, District 1 – Kalifornsky
Jeremy Brantley, District 5 – Sterling/Funny river
Dawson Slaughter, District 9 – South Peninsula
Troy Staggs, City of Seward

Staff Present
Vince Piagentini, Platting Manager
Julie Hindman, Platting Specialist
Walker Steinhage, Deputy Borough Attorney
Ann Shirnberg, Planning Administrative Assistant
Rhonda Foster-Deskins, LMD Administrative Assistant

C. APPROVAL OF AGENDA, EXCUSED ABSENCES, AND MINUTES

*3 Minutes
a. August 22, 2022 Plat Committee Meeting Minutes

Chair Gillham asked Platting Manager Vince Piagentini to give the staff report for the grouped plats.

Platting Manager Vince Piagentini gave the staff report for the grouped plats and noted the following plats were containing in the report.

E2. Kasilof Alaska Subdivision 2022 Replat; KPB File 2022-119
Johnson Surveying / Renner & Oldham
Location: Old Setnetter Drive
Kalifornsky Area

E4. O'Rourke Subdivision Matranga Addition; KPB File 2022-124
Segesser Surveys / Matranga
Location: Lodgepole Street, Highliner Street & Irish Hills Avenue
Kalifornsky Area

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

MOTION: Commissioner Brantley moved, seconded by Commissioner Staggs to approve the agenda, the August 22, 2022 Plat Committee meeting minutes and grouped plats based on staff recommendations and compliance to borough code.

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

Yes	4	Brantley, Gillham, Slaughter, Staggs
No	0	

E. NEW BUSINESS

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

ITEM E1 - HAMM SUBDIVISION

KPB File No.	2022-120
Plat Committee Meeting:	September 12, 2022
Applicant / Owner:	George and Karen Hamm
Surveyor:	Stephen Smith, Geovera, LLC
General Location:	East End Road, Homer

Parent Parcel No.:	174-192-05
Legal Description:	Prt of E1/2 SW1/4 Sec 11-T6S-R13W SM, South of East End Rd, Exc Puffin Acres Subd, Puffin Acres No 2 and Northern Enterprises No 2 and Exc portion conveyed to SOA DOT in Bk 316 Pg 19
Assessing Use:	Residential / Commercial
Zoning:	East End Mixed Use District
Water / Wastewater	City Water and Sewer

Staff report was given by Platting Manager Vince Piagentini.

Chair Gillham opened the item for public comment.

George Hamm; 3505 East End Road, Homer, AK 99603: Mr. Hamm is the applicant and asked staff about the final design of the plat as he was unclear about the approval process and has several questions regarding the plat design. Staff answered his questions and encouraged Mr. Hamm to contact his surveyor with any additional questions. Chair Gillham asked him if he was comfortable moving forward with the plat being granted preliminary approval and Mr. Hamm stated that he was.

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

MOTION: Commissioner Brantley moved, seconded by Commissioner Staggs, to grant preliminary approval to Hamm Subdivision, based on staff recommendations and compliance to borough code.

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

Yes	4	Brantley, Gillham, Slaughter, Staggs
No	0	

ITEM E2 - KASILOF, ALASKA SUBDIVISION 2022 REPLAT

KPB File No.	2022-119
Plat Committee Meeting:	September 12, 2022
Applicant / Owner:	Rosemary M Renner and Darrel Oldham of Kasilof, Alaska
Surveyor:	Jerry Johnson, Johnson Surveying
General Location:	Old Setnetter Drive, Kalifornsky

Parent Parcel No.:	131-120-40 & 131-120-41

Legal Description:	Lots 5 & 6 Block 1 Kasilof Alaska Subdivision Amended, KN 83-166
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

Passed Under The Consent Agenda

ITEM E3 - LEVAN–STERLING SUBDIVISION

KPB File No.	2022-125
Plat Committee Meeting:	September 12, 2022
Applicant / Owner:	Mel Levan of Kodiak AK
Surveyor:	Jason Young, Mark Aimonetti / Edge Survey and Design, LLC
General Location:	Misty Morning Avenue, Sterling area

Parent Parcel No.:	063-330-47
Legal Description:	NE1/4 NW1/4 Section 12, Township 5 North, Range 9 West
Assessing Use:	Residential
Zoning:	Rural Residential
Water / Wastewater	Onsite

Staff report was given by Platting Manager Vince Piagentini.

Chair Gillham opened the item for public comment.

Mary Gordon; 34395 Thorpe Court, P.O. Box 281, Sterling, AK 99672: Ms. Gordon is a neighboring landowner and she wanted to know what the applicant's development plans were for this lot. Planning Director Robert Ruffner replied that borough code does not require that the applicant submitted development plans with a subdivision petition. The plat committee is only tasked with approving the subdivision plat.

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

MOTION: Commissioner Brantley moved, seconded by Commissioner Staggs, to grant preliminary approval to Levan-Sterling Subdivision, based on staff recommendations and compliance to borough code.

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

Yes	4	Brantley, Gillham, Slaughter, Staggs
No	0	

ITEM E4 - O'ROURKE SUBDIVISION MATRANGA ADDITION

KPB File No.	2022-124
Plat Committee Meeting:	September 12, 2022
Applicant / Owner:	Gregory & Teresa Matranga / Soldotna, Alaska
Surveyor:	John Segesser / Segesser Surveys
General Location:	Irish Hills Avenue / Kalifornsky Area

Parent Parcel No.:	133-032-34
Legal Description:	Tract A in O'Rourke Subdivision KRD 76-44
Assessing Use:	Residential
Zoning:	Rural Residential
Water / Wastewater	Onsite

Passed Under The Consent Agenda

ITEM E5 - THE LADY L RANCH

KPB File No.	2022-123
Plat Committee Meeting:	September 12, 2022
Applicant / Owner:	David and Rebecca Short of Soldotna, Alaska
Surveyor:	John Segesser / Segesser Surveys
General Location:	Jackson Avenue, Kalifornsky

Parent Parcel No.:	131-591-34
Legal Description:	SE1/4 NW1/4 Section 28 Township 4 North Range 11 West
Assessing Use:	Residential
Zoning:	Rural Residential
Water / Wastewater	Onsite

Staff report was given by Platting Manager Vince Piagentini.

Chair Gillham opened the item for public comment.

Tim Staebell; 29655 Kowakan Street, Soldotna, AK 99669: Mr. Staebell is a landowner in the neighborhood and wanted to know if the new street dedications on this plat were public or private roads. Mr. Piagentini replied that they were public dedications.

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

MOTION: Commissioner Staggs moved, seconded by Commissioner Brantley, to grant preliminary approval to The Lady L Ranch, based on staff recommendations and compliance to borough code.

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

Yes	4	Brantley, Gillham, Slaughter, Staggs
No	0	

F. PUBLIC COMMENT

Chair Gillham asked if there was anyone from the public who would like to comment on anything not appearing on the agenda. No one wished to comment.

G. ADJOURNMENT

Commissioner Brantley moved to adjourn the meeting 7:11 P.M.

Ann E. Shirnberg
Administrative Assistant

E. NEW BUSINESS

1. **Corea Bend Subdivision 2022 Addition**
   KPB File 2022-131
   Johnson Surveying / Blossom & Duncan
   Location: Haybale Ln., Corea Bend Rd. & Janny's Ave.
   Ninilchik Area

Kenai Peninsula Borough Planning Department

Vicinity Map

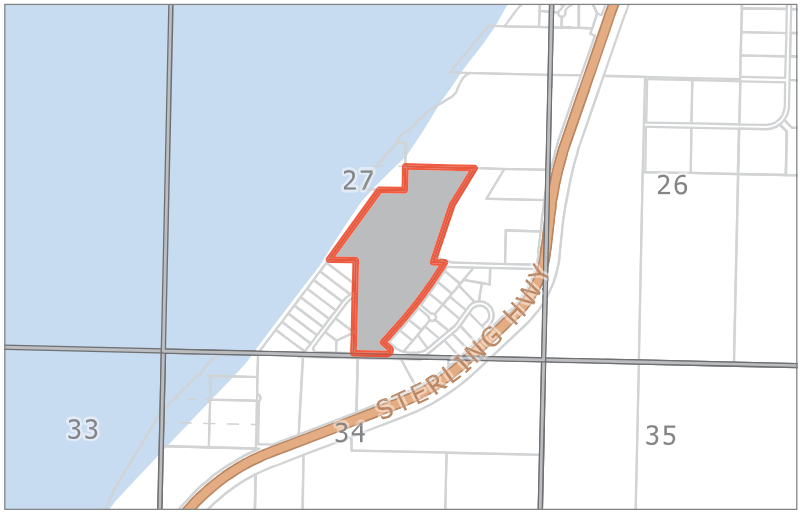
KPB File 2022-131

T 01N R 13W SEC 27

Ninilchik

9/1/2022

0 1,000 2,000 Feet



Kenai Peninsula Borough Planning Department

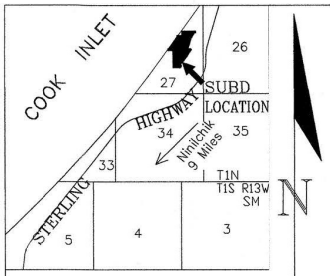
Aerial View

KPB 2022-131
9/1/2022

Corea Bend Subdivision 2022 Addition

PRELIMINARY PLAT

A subdivision of Tract D Corea Bend Subd. #2, (HRD 99-41).
Located in Gov Lot 10 and the SE 1/4 of Section 27, T1N R13W, SM, Alaska
Homer Recording District Kenai Peninsula Borough



VICINITY 1" = 1 mile MAP

Prepared for

David Markley Blossom
Katie Suzanne Blossom
P.O. Box 313
Kasilof, AK 99610

Heath Richard Duncan
Diane K Blossom Duncan
P.O. Box 533
Kasilof, AK 99610

Prepared by

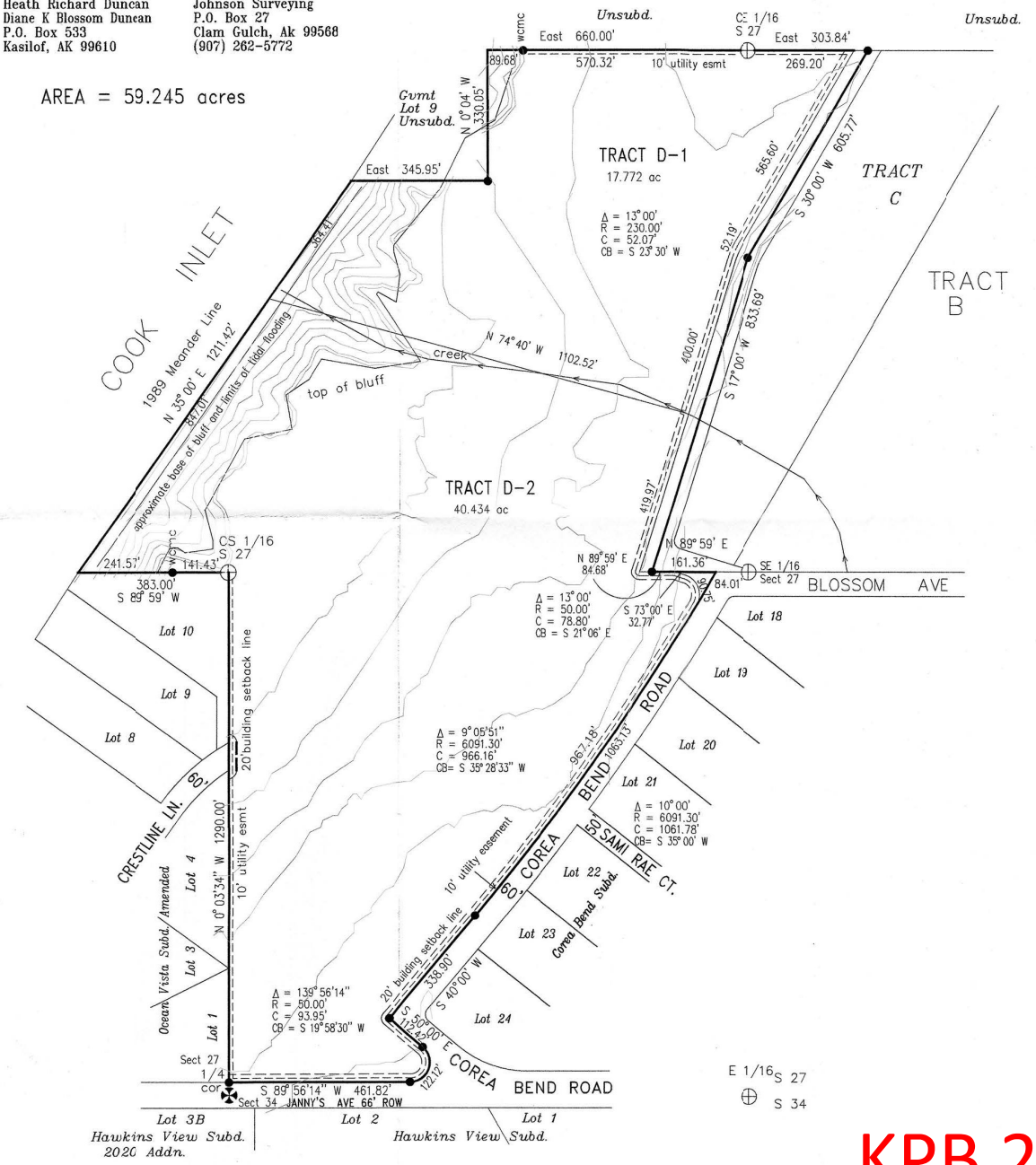
Johnson Surveying
P.O. Box 27
Clam Gulch, Ak 99568
(907) 262-5772

SCALE 1" = 200'
3 August, 2022

AREA = 59.245 acres

NOTES

1. A building setback of 20' from all street ROW's is required unless a lesser standard is approved by a resolution of the appropriate planning commission. Front 10' adjacent to ROWs is also a utility easement, extending to 20' within 5' of side lot lines.
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. Contour interval 4'. Area over top of bluff shown exceed 25% grade. No other grades exceed 5%.



WASTEWATER DISPOSAL

These lots are at least 200,000 square feet or nominal 5 acres in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal systems must meet the regulatory requirements of the Alaska Dept. of Environmental Conservation.

KPB 2022-131

AGENDA ITEM E. NEW BUSINESS

ITEM 1 - COREA BEND SUBDIVISION 2022 ADDITION

KPB File No.	2022-131
Plat Committee Meeting:	September 26, 2022
Applicant / Owner:	David & Katie Blossom and Heath & Diane Duncan all of Kasilof, AK
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Corea Bend Road & Floyd Blossom Ave, Ninilchik area

Parent Parcel No.:	139-101-29
Legal Description:	Tract D of Corea Bend Subdivision #2
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	onsite

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 59.245 acre tract into 2 tracts ranging in size from 17.772 acres to 40.434 acres. Dedications of rights-of-way for Haybale Land and the intersection of Floyd Blossom Avenue and Corea Bend Road are proposed.

Location and Legal Access (existing and proposed): The proposed plat is located along Corea Bend Road and Haybale Lane. The south end of Corea Bend Road connects to the Sterling Highway near mile marker 125. Corea Bend Road is borough maintained and has varying widths. The north end of Corea Bend Road and the south end of Haybale Lane can be accessed from the Sterling Highway by Floyd Blossom Avenue. Haybale Lane is not maintained and this plat will provide the additional width to make it a 60 foot wide right-of-way. Floyd Blossom Avenue is 60 feet wide but not maintained. Crestline Lane is a 60 foot wide borough maintained right-of-way that ends abutting the southwest portion of the proposed subdivision. Crestline Lane is accessed from the southern portion of Corea Bend Road and Jannys Avenue, a 60 foot borough maintained right-of-way.

There is a 33-foot section line easement to the south of the plat that coincides with Janny's Avenue, which is 33 feet wide for the right-of-way on the north side of the section line.

Two dedications are proposed with this plat. One is at the intersection of Corea Bend Road, Haybale Lane and Floyd Blossom Avenue, being a triangular piece to bring the intersection into compliance and include the road as it proceeds north to Haybale Lane. The second is a 30-foot dedication for Haybale Lane on the northeast side of the plat.

Proposed Tract D-1 will have access from Haybale Lane that will run along the eastern boundary of the lot. Proposed Tract D-2 will have access from Haybale Lane and Corea Bend Road along the eastern boundary of the lot. The lot will also have access along the south from Jannys Avenue and the section line easement and from Crestline Lane from the west.

Block length is not compliant. An exception has been requested for block length and to not provide a dedication for the end of Crestline Lane.

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

Site Investigation: There are steep areas shown on the west side of the plat as the land drops to Cook Inlet. The

top of the bluff and approximate base is shown on the plat. ***Staff recommends*** *the top and base of the bluff remain on the final plat.*

The base of the bluff as shown is also being labeled as the limits of tidal flooding. Other than some of the steep terrain, the majority of the property is considered to be wetlands per KPB GIS data. There is a creek running along the proposed new lot line that is not within the anadromous streams catalog. ***Staff recommends*** *the creek remain on the final plat, due to the majority being wetlands do not depict on the final plat but add a note that wetlands may be present and the wetland determination note.*

There are no improvements on the land and according to the surveyor, the land is used as a hay field.

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 was originally part of a government lot and aliquot lands that were subdivided by Corea Bend Subdivision #2, Plat HM 99-41. That plat created Tract D that is now proposed to be split into two tracts and provide two road dedications. The north dedication will widen Haybale Lane being the access for Tract D-1.

To the north of the subdivision a Conditional Lane Use Permit was issued for a material site in 2016. This should not affect the proposed subdivision. A Prior Existing Use (PEU) material site was recognized in 1999 on the parent lot of this subdivision. Portions of the original lot have been subdivided several times. Records are indicating that the parcel to the east of Haybale Lane are still under the PEU. KPB GIS imagery does indicate that there has been some gravel extraction on this property. There are a few areas of steep terrain located near Haybale Lane along the pit area. A portion of Haybale Lane is constructed that leads to the material site and does cross the existing creek and will provide access to the northern lot. Any requirements regarding the PEU must be discussed with a KPB Planner at the River Center. Platting staff has no concerns regarding the existing site and this proposed plat.

Due to the size of the tracts a soils report will not be required.

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

The property is not within an advisory planning commission.

Utility Easements The parent plat Corea Bend Subdivision #2 HM99-41 granted 10 foot utility easements along the west side near Ocean Vista Subdivision Amended HM2010-7 and the north side, both of which are being carried over to this plat. The front 10 feet of the 20 foot building setback and the entire setback within 5 feet of side lot lines is a utility easement as noted on the parent plat and shown and noted on this plat. ***Staff recommends*** *the easements granted previously have added to the label "granted per HM 99-41" and the new ones being granted include "granted this plat".*

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

Utility provider review:

HEA	No Comment
ENSTAR	No Comment
ACS	No Objections
GCI	Approved as shown

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: None Existing Street Names are Correct: No List of Correct Street Names: SAMI RAE CT CRESTLINE LN COREA BEND RD JANNYS AVE Existing Street Name Corrections Needed: BLOSSOM AVE should be FLOYD BLOSSOM AVE per SN 2005-06 ROW between TRACT D-1 and TRACT C should be HAYBALE LN per HM2005-34 All New Street Names are Approved: No List of Approved Street Names: List of Names Denied: Comments: BLOSSOM AVE should be FLOYD BLOSSOM AVE per SN 2005-06 ROW between TRACT D-1 and TRACT C should be HAYBALE LN per HM2005-34 No affected addresses.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Prior Existing Use PEU Recognized Date: 2/24/1999 Conditional Land Use Permit CLUP Resolution Number: 2016-13 CLUP Approval Date: 4/25/2016 Material Site Comments: PEU was recognized on 02/24/1999 as PID: 139-101-25 CLUP PID: 139-100-07
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

Move text from the line on the west to read better.

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:** In the located portion remove "Gov Lot 10 and the".*

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:** Adjacent street names not shown, of those shown some are incorrect labeled.*

D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries, and prominent natural and manmade features, such as shorelines or streams;

***Staff recommendation:** Remove the line and arrow with "Ninilchik 9 miles" label. Not required but if wanting to give a better idea of location could add milepost of the Sterling Highway.*

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:** Labels that indicate the dedications occurring should be added as wells as street name labels*

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

***Staff recommendation:** Lands within 100 feet not labeled correctly to the northeast. Block numbers need to be added to the lands to the southwest. Government Lot 9 can have the unsubdivided label removed as Government Lot 9 is the designation. To the north of the subdivision replace the unsubdivided label with Government Lot 7. For abutting southern lots on both sides of the subdivision, adjust the subdivision name labels to indicate that lots on both sides of their rights-of-way are part of the same subdivision or add a second label for each.*

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

***Staff recommendation**: On Wastewater Disposal certification revise statement to match 20.40.030. 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 all dedicated rights-of-way will be required to be signed by the Kenai Peninsula Borough.*

20.60.110. Dimensional data required.

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

B. The natural meanders of ordinary high water (or mean high water line as applicable) is for area computations only, the true corners being on the extension of the sidelines and the intersection with the natural meanders.

C. Any discrepancy between the survey and the record description, and the source of all information used in making the survey shall be indicated. When an inconsistency is found including a gap or overlap, excess or deficiency, erroneously located boundary lines or monuments, or when any doubt as to the location on the ground of the true boundary or property rights exists, the nature of the inconsistency shall be clearly shown on the drawing.

***Staff recommendation**: comply with 20.60.110. Show measured and recorded dimensions. Some data missing. Provide a line and curve table to clean up the drawing. Provide source of meander line.*

20.60.180. Plat notes.

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

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

***Staff recommendation:** Place the following notes on the plat.*

- *Roads must meet the design and construction standards established by the borough in order to be considered for certification and inclusion in the road maintenance program (KPB 14.06).*

- *Add a note for any exceptions granted.*
- *The subdivision may contain low wet areas.*
- *Any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetland determination if applicable.*
- *The natural meanders of mean high water line is for area computations only, the true corners being on the extension of the sidelines and the intersection with the natural meanders.*
- *Subject to an easement issued to Homer Electric Association, Inc. for electric lines or system together with right to enter, maintain, repair and clear shrubbery as recorded in Book 4 Page 60, HRD. No definite location disclosed.*

20.60.190. Certificates, statements, and signatures required.

***Staff recommendation**: comply with 20.60.190. Add certifications and statements necessary.*

20.60.200. Survey and monumentation.

***Staff recommendation**: Bearings and distances are missing on GLO line on south and tie to plat. Comply with 20.60.200*

EXCEPTIONS REQUESTED:

A. KPB 20.30.030 – Proposed street layout-Requirements and KPB 20.30.100 – Cul-de-sac

Surveyor's Discussion: 20.30.100 - Cul-de-sacs, dedicating a turn-around at the end of Crestline Ln, existing turn-around in ROW is adequate for amount of traffic.

Staff Discussion: The surveyor requested an exception to 20.30.100 to not be required to dedicate a turnaround at the end of Crestline Lane. Staff included the exception to 20.30.030 as the desire is to not grant a dedication at this time and per 20.30.030 a continuation or projection would be expected. Tract D-2 is a large acreage tract that could be further subdivided in the future. Requiring a cul-de-sac would make the right-of-way permanently closed when a future replat may require a continuation.

Findings:

1. Large tracts can be divided in the future.
2. There are 11 driveway entrances along Crestline Lane.
3. There are 13 lots with access available via Crestline Lane.
4. Roads department provided no comment.
5. Emergency services did not provide a comment.
6. A cul-de-sac dedication is the intention of not allowing a through dedication.
7. Tract D-2 is proposed to be 40 acres.
8. There are some wetlands present within the uplands and the majority of the proposed tract is classified as disturb.

Staff reviewed the exception request and recommends granting approval.

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

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

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

exception:

1. That special circumstances or conditions affecting the property have been shown by application;
   Findings 1-8 appear to support this standard.

2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
   Findings 1-8 appear to support this standard.

3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
   Findings 1-8 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 20.30.170 – Blocks-length requirement

Surveyor's Discussion:20.30.170 Block length, current use is for hayfield, additional ROW dedication would serve no purpose.

Staff Discussion: Code requires block lengths to be between 330 feet and 1,320 feet in length from intersection to intersection. The block is considered incomplete due to a lack of dedications to complete the block. There is some property located to the northwest of this subdivision that has no dedicated access. The lots are owned by the Ninilchik Native Association and were notified of this proposal. A dedication along the north will improve the block and provide those lots access. However, looking at terrain there is minimal upland area available for development and the lots do have access from Cook Inlet.

Findings:

1. KPB Code says blocks shall not be more than 1,320 feet.
2. The length along Haybale Lane will be 1,440 feet.
3. Crestline Lane is not a through dedication leaving the block incomplete.
4. Cook Inlet borders along the western boundary.
5. A creek divides the two tracts.
6. Wetlands are present per KPB GIS and are designated at disturb.
7. Large tracts can be divided in the future.
8. No development is proposed along Haybale Lane.
9. There is a material site with approved Conditional Land Use Permit to the north of Haybale Lane.
10. Steep terrain is present in the western portion.

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 4-10 appear to support this standard.

2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
   Findings 4-10 appear to support this standard.

3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
   Findings 4-10 appear to support this standard.

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

RECOMMENDATION:

SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:

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

NOTE: 20.25.120. - REVIEW AND APPEAL.

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

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

END OF STAFF REPORT

Kenai Peninsula Borough Planning Department

Aerial View

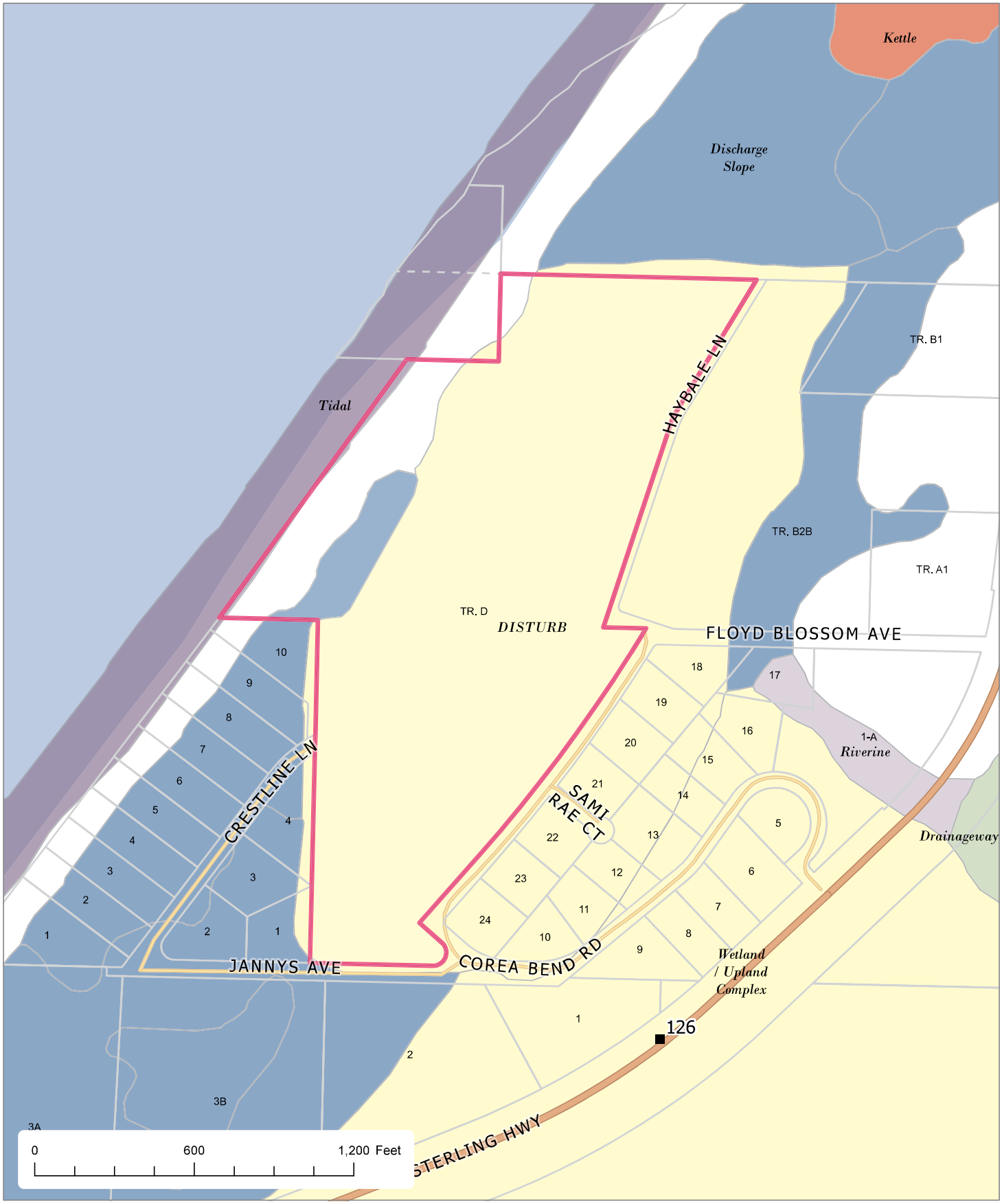
KPB 2022-131
9/1/2022

Kenai Peninsula Borough Planning Department

Wetlands

KPB File 2022-131

9/1/2022



Kenai Peninsula Borough Planning Department

Aerial with 5-foot Contours

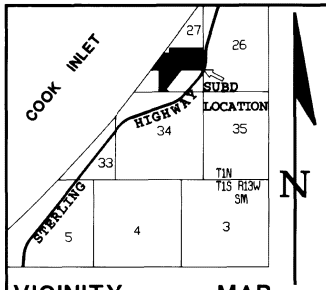
KPB File 2022-131

9/1/2022

KPB NOTE: SEE PC RESOLUTION 2015-20

COREA BEND SUBDIVISION #2

Located in Gvmt Lot 10 & SE1/4 Section 27, T1N R13W, SM, Alaska.
Homer Recording District KPB File 99-076



VICINITY 1" = 1 mile MAP

99-41 2000

RECORDED-~~FILED~~
HOMER RECORDING DIST.
DATE 8/31 1999
TIME 11:02 A M
Requested by:
Johnson Surveying
Box 27
Clam GulchAk 99568

Prepared for
Marion Blossom
72590 Sterling Highway
Clam Gulch, Ak 99568

Prepared by
Johnson Surveying
Box 27
Clam Gulch, Ak 99568

SCALE 1" = 200' **AREA = 98.395 acres**
30 April, 1999

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of 24 May, 1999.

KENAI PENINSULA BOROUGH

BY: Mary J Best 8-27-99
Authorized Official Date

LEGEND

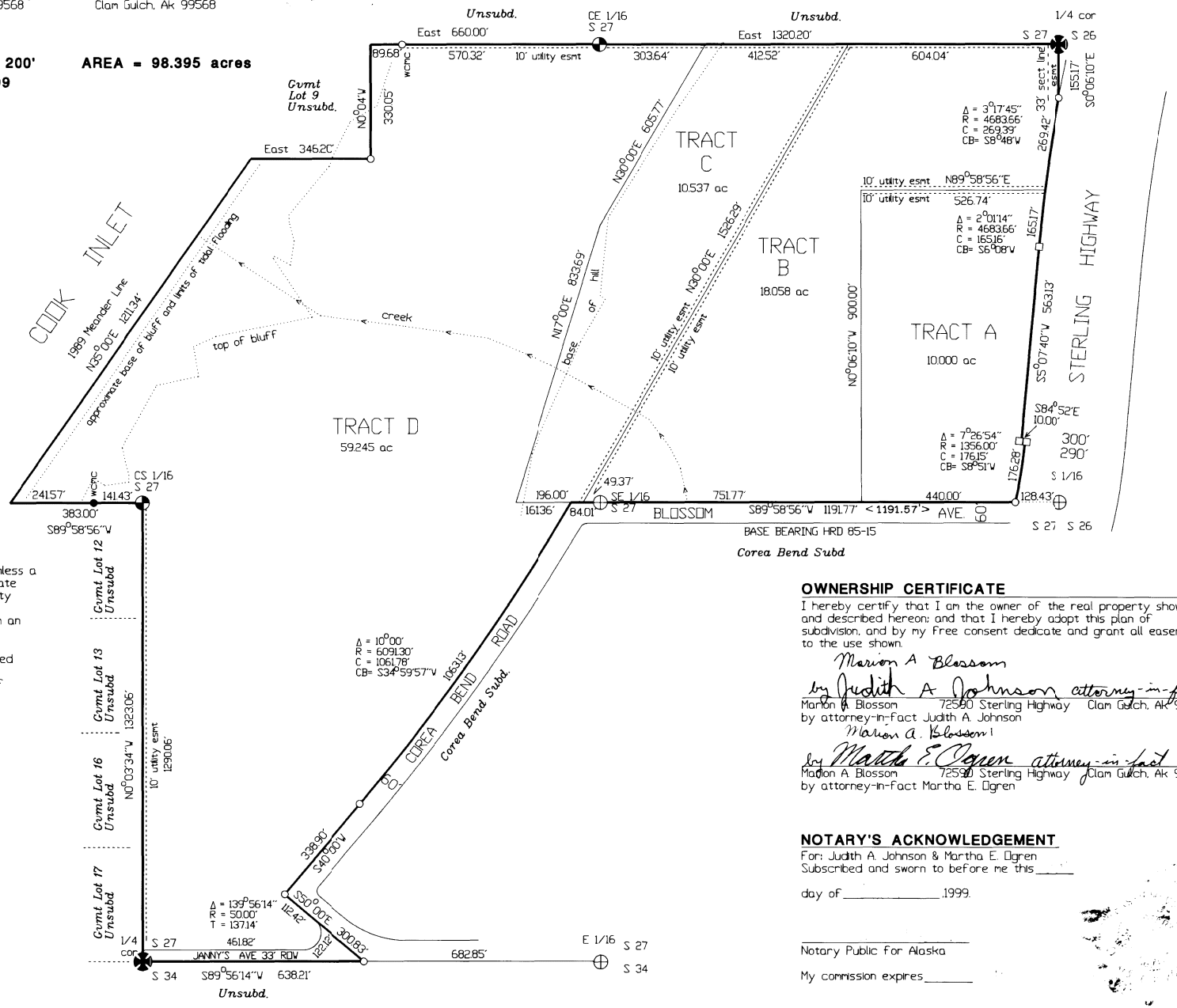
- -1919 USGLO Brass cap monument, found.
- -
- -2½" alcap monument, 268-S, 1984, found.
- -3¼" alcap monument, 4928-S, 1993, found.
- -2" alcap monument, 7328-S, 1994, found.
- -2" alcap monument, 'McLane', 1993, found.
- -Concrete State ROW monument, found.
- -1" plastic cap on 1/2" rebar, 7328-S, 1994, found.
- -1/2"x 4' rebar with 1" plastic cap, set.
- ( ) -Record information, USGLO, 1921.
- <>-Record information, HRD 85-15.

NOTES

1. A building setback of 20' from all street ROW's is required unless a lesser standard is approved by a resolution of the appropriate planning commission. Front 10' of building setback is also a utility easement, as is the entire setback within 5' of side lot lines.
2. No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
3. No access to State maintained ROW's permitted unless approved by the State of Alaska Dept. of Transportation.
4. Sterling Highway ROW is as shown on State of Alaska Dept. of Transportation ROW Plan F-021-1(3).

WASTEWATER DISPOSAL

These lots are at least 200,000 square feet or nominal 5 acres in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal systems must meet the regulatory requirements of the Alaska Dept. of Environmental Conservation.



OWNERSHIP CERTIFICATE

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 and grant all easements to the use shown.

Marion A Blossom
by Judith A Johnson attorney-in-fact
Marion A. Blossom 72590 Sterling Highway Clam Gulch, Ak 99568
by attorney-in-fact Judith A. Johnson

Marion A. Blossom
by Martha E. Ogren attorney-in-fact
Marion A. Blossom 72590 Sterling Highway Clam Gulch, Ak 99568
by attorney-in-fact Martha E. Ogren

NOTARY'S ACKNOWLEDGEMENT

For: Judith A. Johnson & Martha E. Ogren
Subscribed and sworn to before me this _____
day of _____, 1999.

_____
Notary Public for Alaska

My commission expires _____

24

E1-15

E. NEW BUSINESS

2. Trout View Subdivision; KPB File 2022-127
Kuna Engineering / AK Mental Health Trust Authority
Location: Lakefront Drive
Funny River Area / Funny River APC

Kenai Peninsula Borough Planning Department

Vicinity Map

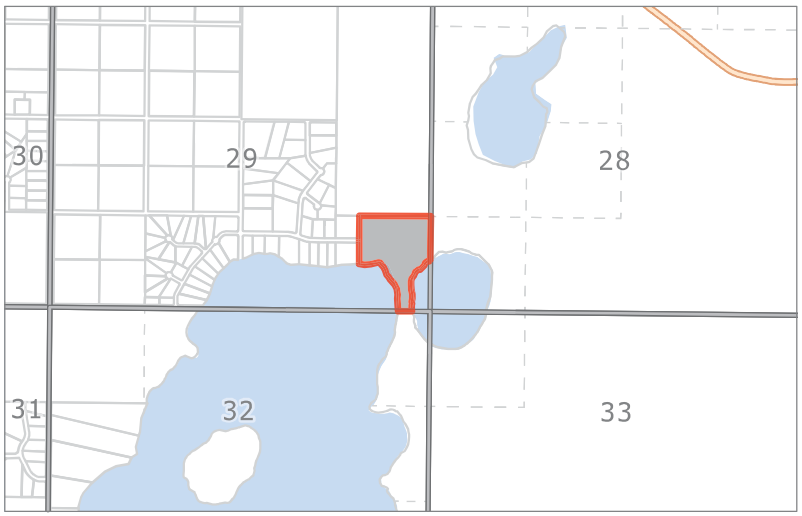
KPB File 2022-127

T 05N R 08W SEC 29

Funny River

8/26/2022

0 500 1,000 Feet



Kenai Peninsula Borough Planning Department

Aerial View

KPB 2022-127
8/26/2022

N

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

OWNER

ALASKA MENTAL HEALTH TRUST LAND OFFICE
2600 CORDOVA ST., SUITE 201
ANCHORAGE, AK 99503

AUTHORIZED OFFICAL SIGNATURE _____ DATE _____

TITLE _____ PRINTED NAME _____

NOTARY'S ACKNOWLEDGEMENT

FOR: _____

ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 2021.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES: _____

CERTIFICATE OF ACCEPTANCE

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

AUTHORIZED OFFICAL SIGNATURE _____ DATE _____

TITLE _____ PRINTED NAME _____

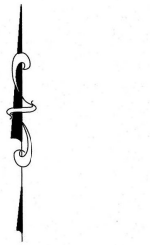
PLAT APPROVAL

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

KENAI PENINSULA BOROUGH

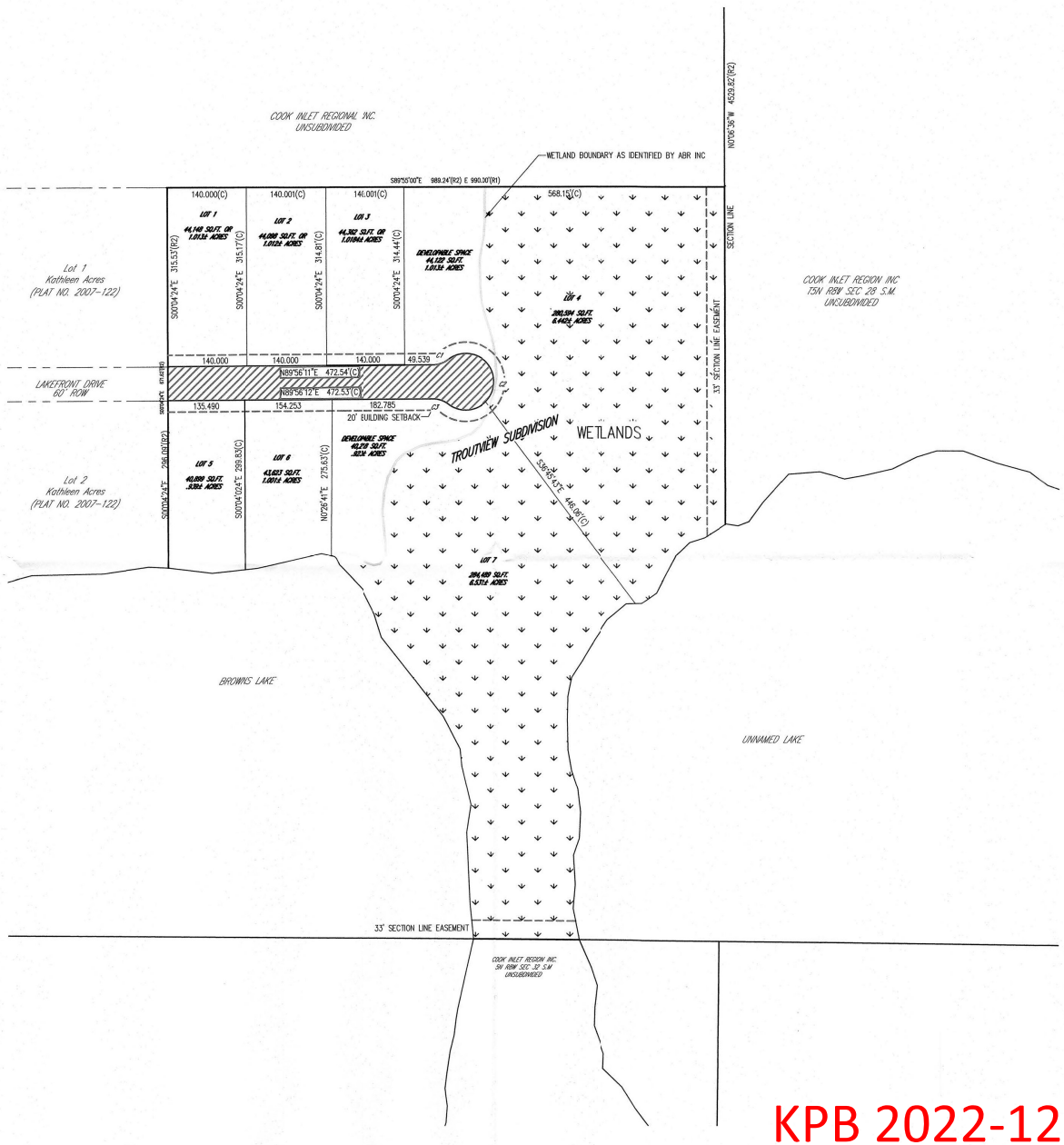
AUTHORIZED OFFICAL SIGNATURE _____

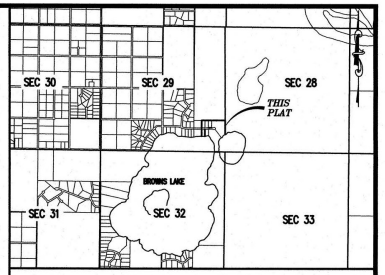
CURVE TABLE					
	RADIUS	LENGTH	CHORD	DELTA	CHORD BEARING
C1	45.00'	28.23'	27.77'	35°56'20"	N 67°41'06"E
C2	50.00'	219.70'	81.03'	251°45'09"	S 0°34'46"E
C3	45.00'	28.23'	27.77'	35°56'20"	N 67°48'42"W



0 50 100 200 300

SCALE 1"=100'





VICINITY MAP SCALE: 1" = 1/2 MILE

NOTES:

1. THIS IS A PRELIMINARY PLAT, PARCEL DIMENSIONS ARE PER RECORD PLATS. NO FIELD SURVEY HAS BEEN COMPLETED.
2. STREET RIGHT-OF-WAY WIDTHS SHOWN TO THE NEAREST FOOT REPRESENT ACTUAL DIMENSIONS TO THE NEAREST HUNDREDTH OF A FOOT (E.G. 30'=30.00').
3. RIGHT-OF-WAY DEDICATED THIS PLAT:
   A. AN EXTENSION OF THE EXISTING ROW OF WAY FOR LAKEFRONT DRIVE INTO THE EXISTING GOVERNMENT LOT 5

LEGEND

(R1) RECORD INFORMATION PER BLM PLAT T5N, R8W, S.M. AK

(R2) RECORD INFORMATION PER PLAT 2007-122

LOT LINED

EASEMENT

ADJACENT PROPERTY BOUNDARY

PROPOSED PARCEL BOUNDARY

ROW DEDICATED

WETLANDS

SURVEYOR'S CERTIFICATE

I, TAYLOR MAXWELL MOORE, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PLAT OF TROUT VIEW SUBDIVISION, LOTS 1 THROUGH 7, IS A TRUE AND CORRECT REPRESENTATION OF LANDS ACTUALLY SURVEYED AND THAT THE DISTANCES AND BEARINGS ARE SHOWN CORRECTLY AND THAT ALL PERMANENT EXTERIOR CONTROL MONUMENTS, ALL OTHER MONUMENTS, AND LOT CORNERS HAVE BEEN SET AND STAKED, OR IF FINAL COMPLETION IS ASSURED BY SUBDIVISION AGREEMENT, THEY WILL BE SET AS SPECIFIED IN SAID SUBDIVISION AGREEMENT. LOT CORNERS TO BE SET BY N/A. MONUMENTS TO BE SET BY N/A.

STATE OF ALASKA
49TH
Taylor Maxwell Moore
LS-14444
REGISTERED PROFESSIONAL LAND SURVEYOR

PRELIMINARY

Plat of:

TROUT VIEW SUBDIVISION

A SUBDIVISION OF:
GOVERNMENT LOT 5 IN SECTION 29, TOWNSHIP 5 NORTH, RANGE 8 WEST, SEWARD MERIDIAN, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

CONTAINING 19.13 ACRES MORE OR LESS

LOCATED WITHIN: SECTION 29, TOWNSHIP 5 NORTH, RANGE 8 WEST, S.M., ALASKA,

KUNA ENGINEERING

4300 B STREET, Suite 605, Anchorage, Alaska 99503
Tele: (907) 339.6566 WWW.KUNAENG.COM

Certificate of Authorization No.

Prepared by:

KUNA Engineering
4300 B street,
Anchorage AK, 99503

Checked: TMM	GRID: XXXX
PN:165.030321	Field Book: N/A
Date: July 11, 2022	Case No. XXXX

KPB 2022-127

AGENDA ITEM E. NEW BUSINESS

ITEM 2 – TROUT VIEW SUBDIVISION

KPB File No.	2022-127
Plat Committee Meeting:	September 26, 2022
Applicant / Owner:	Alaska Mental Health Trust Authority of Anchorage, AK
Surveyor:	Taylor Moore / Kuna Engineering
General Location:	Browns Lake Road, Funny River, Funny River APC

Parent Parcel No.:	066-321-34
Legal Description:	Government Lot 5 in Section 29, Township 5 North, Range 8 West
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 19 acre parcel into seven lots. The lots will range in size from .939 acres to 6.531 acres. A 60 foot wide right-of-way is proposed for dedication.

Location and Legal Access (existing and proposed): The preliminary plat is located at the end of Lakefront Drive, a 60 foot wide borough maintained right-of-way that is located at the end of state maintained Browns Lake Road. There are various routes, some constructed and some not, to get the Browns Lake Road. All routes are from state maintained Funny River Road near miles 14-17. There are section line easements running along the south and eastern boundary.

All proposed lots will have access from the proposed continuation of Lakefront Drive. The road is proposed to be a cul-de-sac due to the wetlands within the eastern and southern portions of the subdivision. The southern section line easement only provides an access from lake to lake or from lake to US Fish and Wildlife property located to the south. Additional rights-of-way dedication and section line easements are present around the western, southern, and eastern sides of Browns Lake to provide access to the federal owned lands. South of those section line easements and dedications is the Kenai National Wildlife Refuge.

Exceptions to cul-de-sac length and block length have been requested.

A trail appears to be in use from the section line easement to the north and between the two lakes to the federal lands. Staff could not find any documentation for easements in that area. If any are known they must be noted on the final plat.

Staff is not recommending a dedication atop the section line easements due to the locations and wetlands. The easements still exist and can be used for public access.

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

Site Investigation: The preliminary plat borders Browns Lake and an unnamed lake. The eastern portion of the subdivision contains low wet areas. The owners had a wetland delineation and proposed jurisdictional determination done for the property. ***Staff recommends*** *the wetlands remain on the final plat and a Corp of Engineer plat note be added.*

The area proposed for right-of-way dedication seems relatively flat with slight slopes. There does appear to be some steeper slopes present within proposed Lot 1 and Lot 2. ***Staff recommends*** *the steep slopes do not need to appear on the final plat unless it is proven to hinder development or limit wastewater disposal.*

The land appears to be vacant with no encroachment issues present with neighboring properties.

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 proposed plat of a Government Lot into seven lots. All lots are proposed to have about the same useable area but two. The two east lots will contain more acreage due to the wetlands.

A soils report will be required and an engineer will sign the final plat. Due to the upland area of proposed Lot 4 and Lot 7, ***staff recommends*** *the uplands areas be included in the soils analysis.*

Per the State of Alaska Department of Environmental Conservation Onsite Wastewater System Installation Manuel dated January 27, 2016, a waste water collection system must be 100 feet from mean annual high water level of any lake. The soils report should take this into consideration and if requirements cannot be met, the lots within this preliminary plat may need to be reconfigured so that there is adequate spacing for wells, wastewater disposal systems and replacement systems.

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 meet on September 6, 2022. The following was provided to staff. "We would like to table the motion until we receive more information. We reject the exception request to plat number KPB 2022-127. Granting the request is detrimental to future public welfare and is not in support of KPB Code 20.50.010 section A3. The letter from Kuna dated July 11, 2022 does not provide sufficient justification for the exception." Minutes are provided in the packet.

Utility Easements There are no previously platted utility easements and the certificate to plat did not note any recorded by document.

There are no utility easements noted on the plat. Per KPB 20.30.060(D), 10 foot utility easements are required along the dedicated rights-of-way. Homer Electric Association has requested the granted width of the easements be increased to provide a 15 foot wide utility easement. Staff will request the 15 foot as requested by a utility provider unless the owner/surveyor works with the utility provider and we are notified they are in agreement to a lesser width. ***Staff recommends*** *a depiction of the 15 foot utility easement and required plat notes be added.*

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

Utility provider review:

HEA	Provide a 15 foot utility easement adjoining the dedicated ROW.
ENSTAR	No comments or recommendations.
ACS	No objection
GCI	

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: None Existing Street Names are Correct: Yes List of Correct Street Names: LAKEFRONT DR Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: No addresses affected by this subdivision.
Code Compliance	Reviewer: Ogren, Eric Comments: Code Compliance has received complaints that private lands and access to this lot be confined to the easement boundary
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

It needs to be determined if the subdivision name has a space in the name. It appears to be shown on the plat as Trout View and Troutview. Please update and make it consistent.

The legend will need to be reviewed to make sure the correct labels are present for what is being depicted.
Make the legend stand out more.
Additional line styles may be required to meet all staff recommendations and requirements.

The final plat will only be required to contain the acreage for each lot. The square footage labels may be removed. The two lots with wetlands should have their overall acreage listed and the upland acreage listed instead of listing it as developable space.

Need to tie the subdivision to GLO monuments.

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 owner's information is required within the title block, this includes their mailing address.*
- *Update the spelling of "Kenai" in the recording district information.*
- *Provide within the title block or near it the KPB File number of 2022-127.*
- *Provide an aliquot location with the located within information, "SE1/4 SE1/4".*

C. The location, width, and name of existing or platted streets and public ways, railroad rights-of-way, and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;

***Staff recommendation:** Verify the section line easements within and abutting the subdivision. KPB data indicates that they may be subject to 50 foot wide easements. Provide documentation to show if not 50 feet. Label all section lines as such if they are depicted even if outside the bounds of the subdivision and adjust the line style as the ones to the south appear to be proposed parcel boundary.*

D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries, and prominent natural and manmade features, such as shorelines or streams;

***Staff recommendation:** Shade the plat in fully so that it stands out better. Provide a few labels for the major roads in the area such as Browns Lake Road and Lake Road.*

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

***Staff recommendation:** The borough usually uses hatching to depict right-of-way vacations. The right-of-way dedication does not require hatching, it must be located within the drawn subdivision boundary, labeled, and include "60 foot wide right-of-way dedicated by this plat".*

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:** Ownership is not recommended for the final as ownership changes. On the final remove reference to CIRI. The lots north of the unnamed lake and east of the subdivision should be labeled as Government Lot 9 and Government Lot 8 north of it. The lot south of proposed Lot 7 should be labeled as Government Lot 1.*

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

Staff recommendation: *It would be recommended to adjust the lot numbering to try to avoid having Lot 1 bordering Lot 1 to the west. We try to avoid having same lot number designations next to each other even if from different subdivisions.*

M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;
Staff recommendation: *Stated was included but did not see with submittal. Some areas may be near the 20 percent grade in the northwest corner. Top and toe of bank need to be shown on the drawing.*

KPB 20.30 – Subdivision Design Requirements

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

20.30.030. Proposed street layout-Requirements.

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

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

C. Preliminary plats fronting state maintained roads will be submitted by the planning department to the State of Alaska Department of Transportation and Public Facilities (DOT) for its review and comments.
Staff recommendation: *They are providing a dedication that provides for continuation but ends with a cul-de-sac due to the wetlands. Due to lakes and wetlands, section line easements provide additional access.*

20.30.060. Easements-Requirements.

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

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

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

D. Unless a utility company requests additional easements, the front ten feet adjoining rights-of-way shall be designated as a utility easement, graphically or by note. Within the boundaries of an incorporated city, the width and location of utility easements will be determined by the city and affected utility providers.
Staff recommendation*: The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process.* ***Grant utility easements requested by the utility providers.***

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 reports will be required for all lots 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:** The acceptance is in place and should include that it will be signed by the Kenai Peninsula Borough and include street names within the acceptance.*

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**: Verify that fonts are compliant and adjust a few to make sure all are clearly legible and no overstrikes. Comply with 20.60.070.*

20.60.110. Dimensional data required.

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

B. The natural meanders of ordinary high water (or mean high water line as applicable) is for area computations only, the true corners being on the extension of the sidelines and the intersection with the natural meanders.

C. Any discrepancy between the survey and the record description, and the source of all information used in making the survey shall be indicated. When an inconsistency is found including a gap or overlap, excess or deficiency, erroneously located boundary lines or monuments, or when any doubt as to the location on the ground of the true boundary or property rights exists, the nature of the inconsistency shall be clearly shown on the drawing.
***Staff recommendation**: The lake meanders will be required and how they were measured or source provided. Some additional curve information will be required for the cul-de-sac bulb. Comply with 20.60.110.*

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

Staff recommendation: *The meanders define the boundary of two of the lots and are the boundary of this subdivision and should be indicated as such with the appropriate boundary line that stands out from other lot lines.*

20.60.180. Plat notes.

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

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

Staff recommendation: *Place the following notes on the plat.*

- *Roads must meet the design and construction standards established by the borough in order to be considered for certification and inclusion in the road maintenance program (KPB 14.06).*
- *The natural meanders of ordinary high water is for area computations only, the true corners being on the extension of the sidelines and the intersection with the natural meanders.*
- *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.*
- *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.*
- *The front 10 feet adjoining rights-of-way is designated as a utility easement and is granted by this plat.*
- *No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.*

Plat note 1 will be removed and note 3 is not required as the dedication should be easily depicted and labeled on the plat.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation*:*

- *Update the certificate of ownership to be in the singular and on behalf of Alaska Mental Health Trust Authority. "I hereby certify that Alaska Mental Health Trust Authority is the owner of the real property shown and described hereon and that I hereby adopt this plan of subdivision on behalf of Alaska Mental Health Trust Authority..."*
- *Update the owner on the certificate of ownership information from Health Trust Land Office to Health Trust Authority.*
- *Update the year on the Notary's Acknowledgment.*
- *Update the surveyor's certificate as some information states N/A.*
- *Comply with 20.60.190.*

EXCEPTIONS REQUESTED:

KPB 20.30.100 – Cul-de-sacs and KPB 20.30.170 – Blocks-Length Requirements

Surveyor's Discussion: 20.30.100 - According to code a street with no outlet cannot extend more than 1000 feet. In the case of this platting action, the area to the east of the proposed cul-de-sac is wetland terrain that will be unsuitable for development, and the area to the east is already served by a road. We do not believe it will ultimately

serve the public interest add further dedication for a roadway to meet the specifications of code 20.30.100.

20.30.170 – No blocks are being created by this subdivision action. The boundaries of the parcel will not be altered.

Staff Discussion: Staff grouped the two exceptions as denial of approval of one will affect the other. The Plat Committee may discuss and take action on these separately by making two motions if desired.

KPB Code 20.30.100(A), states streets designed to permanently close shall be no more than 1,000 feet long. Staff measured the existing portion of Lakefront Drive to the last intersection, which is Trapline Lane. That distance is approximately 860 feet. The proposed plat will add an additional length of 575 feet to the end of the cul-de-sac.

KPB Code 20.30.0170, state that block shall be no less than 330 feet or more than 1,320 feet in length. The block is not fully closed due to lakes and the dedication of a cul-de-sac.

Surveyor's Findings:

1. East of the proposed cul-de-sac is wetland terrain unsuitable for development.
2. The area to the east is already served by a road.

Staff's Findings:

3. Code requires the length of permanently closed rights-of-way to be no longer than 1,000 feet.
4. The proposed dedication will create a permanently closed right-of-way that will be approximately 1,435 feet in length.
5. The entire eastern portion contains wetlands.
6. The owner provided a wetland delineation report to support their claim that it is unsuitable terrain.
7. There are section line easements along the eastern side that can still be used to access the small unnamed lake.
8. The property to the south and southeast of the subdivision is owned by US Fish and Wildlife.
9. The US Fish and Wildlife property is about 689 acres that has dedications and section line easements for access.
10. The property to the north, east, and northeast is owned by Cook Inlet Regional Inc.
11. The bordering Cook Inlet Regional Inc. lands are about 690 acres with abutting road dedications, section line easements, and borough maintained Salmon Run Drive providing access.
12. Browns Lake limits the ability to get dedicated roads to provide a closed block.
13. If the dedication is required to be a through dedication to the section line easements to the east, the block would still not comply with length requirements.

If the exceptions are denied, the cul-de-sac will need to be a through dedication that will bring the block closer to compliance or a northern dedication be granted that will be extended by neighboring lots with future subdivisions and will shorten the length of the cul-de-sac to bring it into compliance.

Staff reviewed the exception request and recommends granting approval.

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

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

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

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

Findings 1, 2, 5-7, 9, and 11-13 appear to support this standard.

2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
Findings 1, 2, 5-7, 9, and 11-13 appear to support this standard.

3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
Findings 1, 2, 5-7, 9, and 11-13 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.

RECOMMENDATION:

SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:

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

NOTE: 20.25.120. - REVIEW AND APPEAL.

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

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

END OF STAFF REPORT

Kenai Peninsula Borough Planning Department

Aerial View

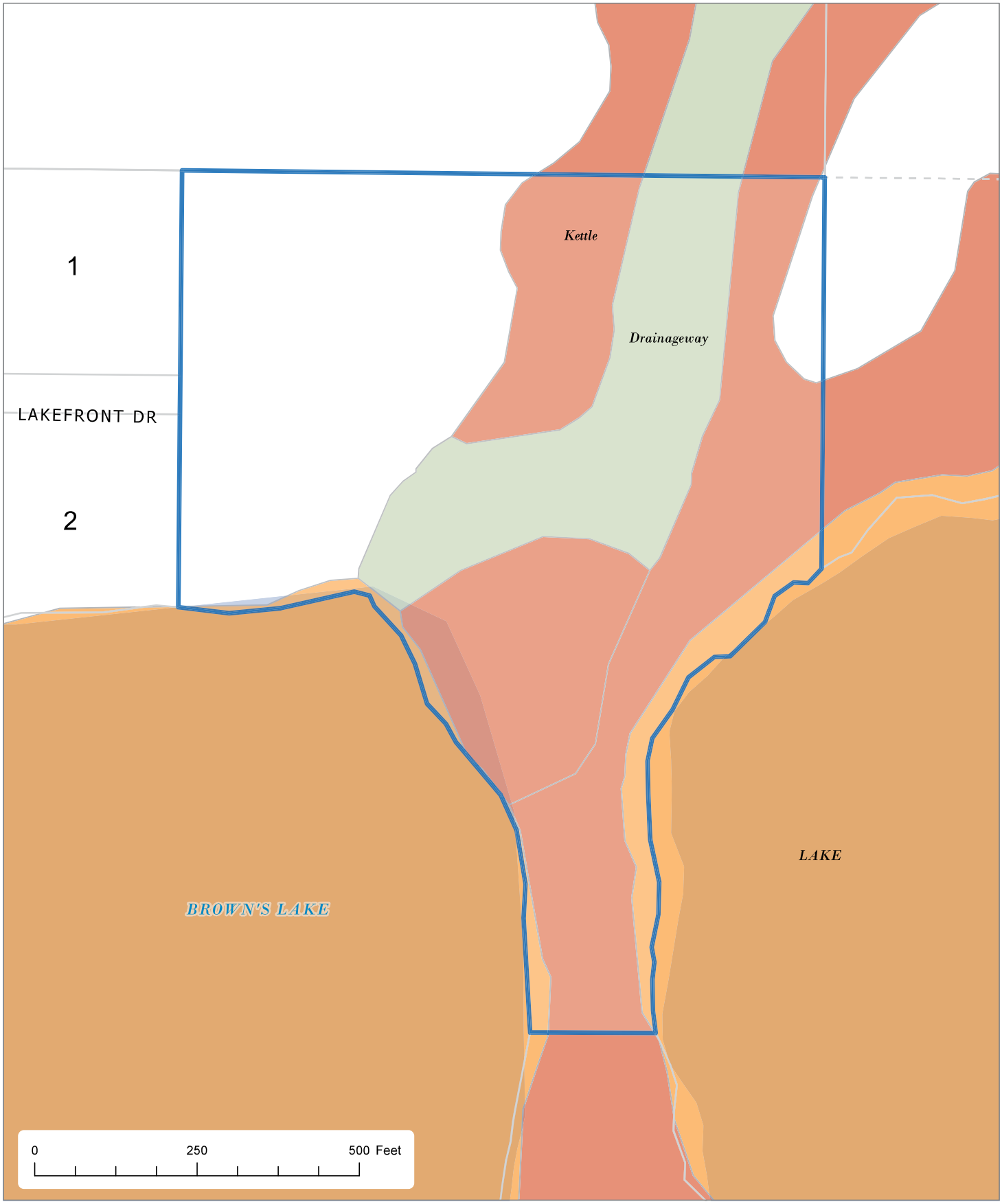
KPB 2022-127
8/26/2022

Kenai Peninsula Borough Planning Department

Wetlands

KPB File 2022-127

8/26/2022



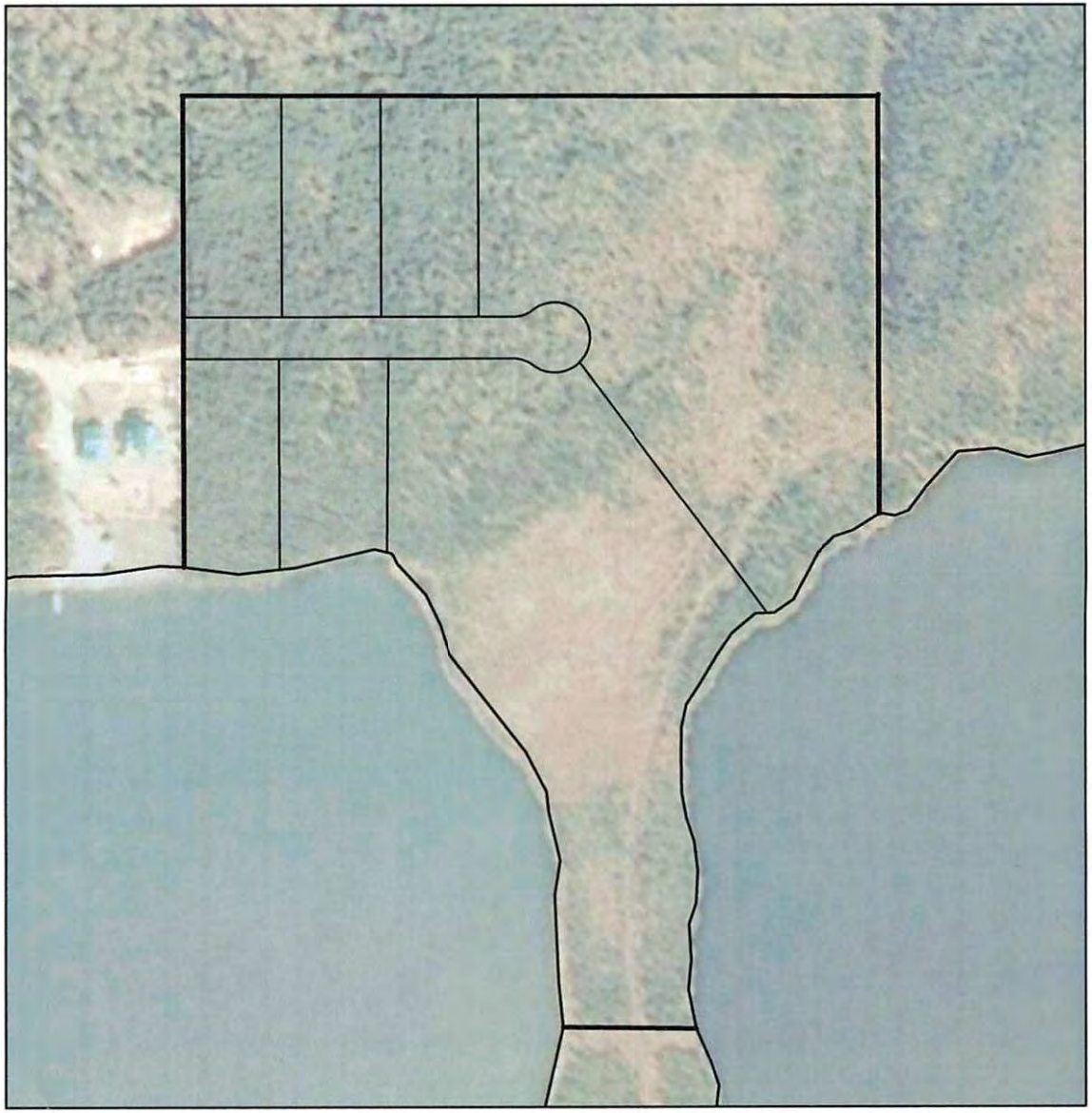
Kenai Peninsula Borough Planning Department

Aerial with 5-foot Contours

KPB File 2022-127

8/26/2022

N



NTS

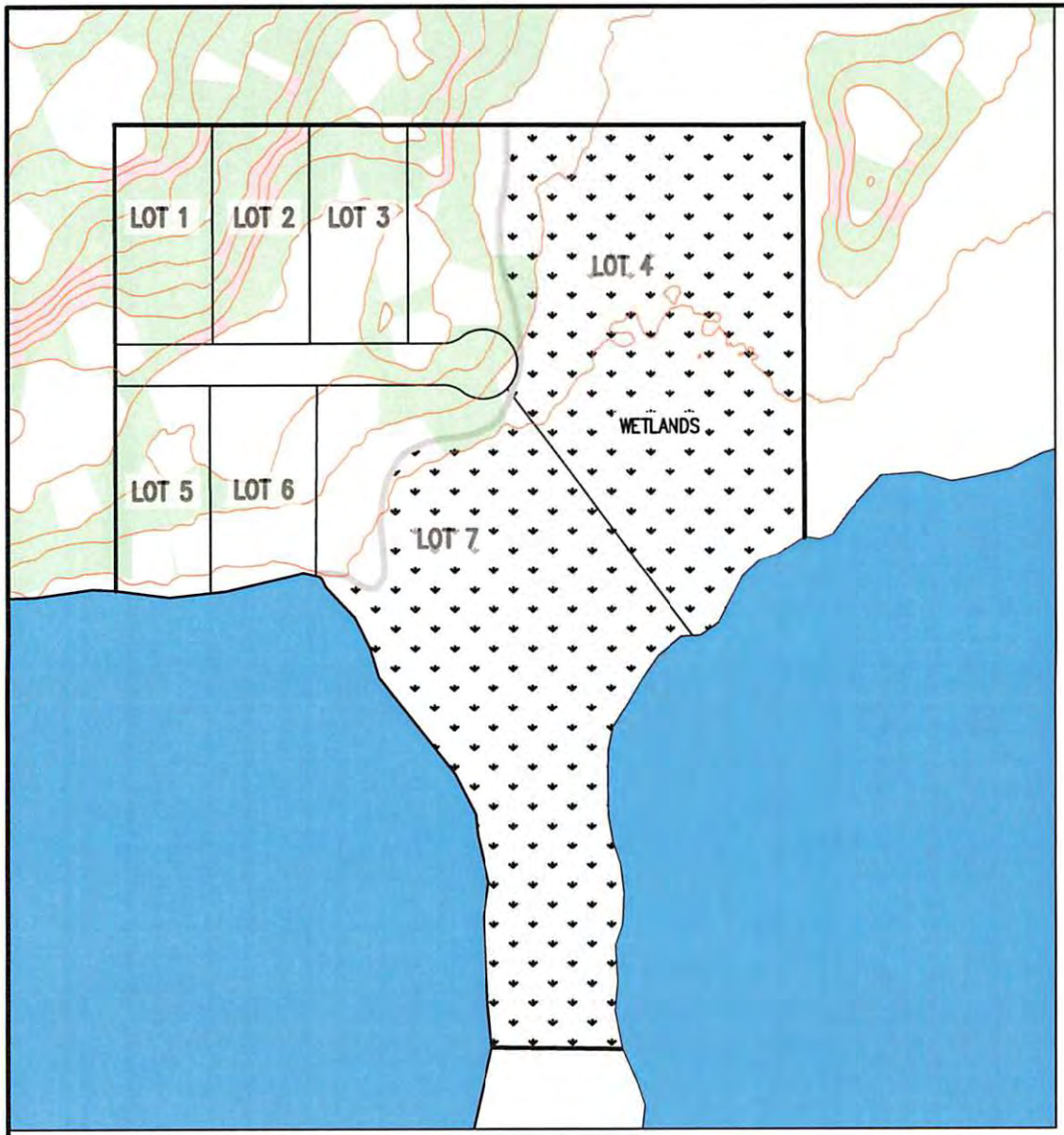
Note:
1. Imagery is from Kenai Peninsula Borough GIS Information Systems

Prepared by:

Kuna Engineering, LLC
3111 C St Ste 300
Anchorage, AK 99503

PROJECT/ TITLE	AERIAL MAP TROUTVIEW SUBDIVISION LOTS 1-7		
PROJ. NO.	DRAWING NO.	REV.	
165.030321	N/A	N/A	
DRN	CHK	DATE	SHT.
SLI	TMM	July/15/2022	2

KUNA ENGINEERING
4300 B STREET, Suite 605, Anchorage, Alaska 99503
Tele: (907) 339.6566 WWW.KUNAENG.COM



NTS

Note:

1. Contour Data is from Kenai Peninsula Borough GIS Information Systems
2. Wetland Delineation performed by ABR Inc June 2021

LEGEND

LOT LINE TO BE ADDED

PROPOSED PARCEL BOUNDARY

WATER

GRADE 6-20%

GRADE 20% AND ABOVE

WETLANDS

Prepared by:

Kuna Engineering, LLC
3111 C St Ste 300
Anchorage, AK 99503

PROJECT/ TITLE: TOPOGRAPHY MAP
TROUTVIEW SUBDIVISION
LOTS 1-7

PROJ. NO.	DRAWING NO.	REV.	
165.030321	N/A	N/A	
DRN	CHK	DATE	SHT.
BWS	TMM	July/15/2022	3

KUNA ENGINEERING
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WETLAND DELINEATION AND PROPOSED JURISDICTIONAL DETERMINATION FOR PROPOSED LAKEFRONT DRIVE EXTENSION AND SUBDIVISION, KENAI PENINSULA BOROUGH, ALASKA

Draft Report

Prepared for

Kuna Engineering
4300 B Street, Suite 605
Anchorage, AK 99503

Prepared by

ABR, Inc.—Environmental Research & Services
P.O. Box 240268
Anchorage, AK 99524

July 2021

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APPENDICES

INTRODUCTION

Kuna Engineering (Kuna), on behalf of the Alaska Mental Health Trust Authority (AMHTA) requested that ABR, Inc.—Environmental Research & Services (ABR) perform a fine-scale wetland delineation on a portion of parcel number 06632134 in the Kenai Peninsula Borough near Sterling, Alaska. The goal of the project is to design the extension of Lakefront Drive and the housing subdivision so that all construction takes place on non-jurisdictional uplands within the parcel. The project is in the design phase and seeks to completely avoid impacts to wetlands on the property by planning around a fine-scale wetland boundary, to be delineated in this study based on field survey data and satellite photo-interpretation.

Existing, but coarse-scale, wetlands mapping for the parcel (Gracz 2017) indicates that the higher elevation western portion of the parcel is uplands and the lower elevation eastern portion of the parcel is wetlands. In this study, field efforts were focused on documenting the boundary between wetlands and uplands wthin the study area using paired plots. This delineation is suitable for supporting wetland permitting under Section 404 of the Clean Water Act (CWA) and includes an assessment of the proposed jurisdictional status of wetlands and waters identified at the site.

STUDY AREA

The study area comprises the northwestern portion of parcel number 06632134 (Figure 1), located near Sterling, Alaska within the Kenai Peninsula Borough (KPB). The area mapped for wetlands (10.5 acres) is bounded by Browns Lake to the south, privately owned parcels to the west, a Cook Inlet Native Corporation, Inc. (CIRI) owned parcel to the north, and the remainder of parcel number 06632134 to the east (KPB 2020). The study area is centered at latitude 60.4905 and longitude -150.7102 (NAD83 projection), within Section 29 of Range 8W, in Township 5N, Seward Meridian.

The parcel is undeveloped and dominated by mature spruce forest. The western and central portions of the study area are mapped as non-wetlands by Gracz (2017); soils in this area are mapped as Naptowne silt loam, 4 to 8 percent slopes, by the USDA NRCS (2021). Naptown silt loam is described as a non-hydric soil with small inclusions of hydric soils in depressions and till plains. Throughtout the eastern portion of the study area, Gracz (2017) maps a combination of kettle and drainage wetlands, and the USDA NRCS (2021) maps a combination of the hydric soils Kalifonsky silt loam, 0 to 4 percent slopes and Starichkof peat, 0 to 4 percent slopes.

METHODS

DATA SOURCES

The following data sources were used to facilitate the wetland field survey and mapping efforts:

- High-resolution satellite imagery (WorldView02, 0.5-meter resolution, acquired 25 June 2019).
- Interferometric Synthetic Aperture Radar (IFSAR) digital elevation model (DEM) (USGS 2019a), 5-meter resolution
- Gracz (2017) wetland ecosystems map
- U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) mapping (USFWS 2021); mapping for the Kenai B-2 quadrangle was conducted at a scale of 1:120,000 using imagery from July 1977.
- National Hydrography Dataset (NHD) lines and polygons (USGS 2019b).
- Web Soil Survey database (USDA NRCS 2021).

FIELD SURVEY

During the field survey, we sampled a set of wetland determination plots representative of the wetland and upland photo-signatures visible on the satellite imagery for the study area. Wetland determination plots were sampled following the U.S. Army Corps of Engineers (USACE) 3-parameter approach for defining wetlands (Environmental Laboratory 1987) and the methodology described in the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Alaska Region (USACE 2007). At each wetland determination plot, we recorded the USACE-required data to determine the presence of hydrophytic vegetation, hydric soils, and wetland hydrology. The absolute cover of each vascular plant species within a 10-m radius at each plot was visually estimated and the presence of hydrophytic vegetation was determined using the Dominance Test (ratio of wetland versus upland dominant plants) and/or the Prevalence Index (weighted average of all species present) using the wetland indicator status per the 2018 National Wetland Plant List v.3.4: Alaska (USACE 2018). Plot dimensions were modified to linear oblong areas when sampling along small drainages so as to properly characterize the plant communities in those areas. Photographs of the sample plot area, the ground surface and vegetation present, and the soil profile from the soil pit were taken at each plot, and GPS location coordinates were also recorded. In addition to wetland determination plots, we also sampled map verification plots, at which a subset of wetland data were collected to verify the wetland or upland status for photo-signatures that had been previously sampled with full wetland determination plots. All field data were recorded on customized, ABR-prepared apps, running on Android tablet computers. Navigation at the site was done using ArcGIS

Collector (accessed through ArcGIS online), which allowed real-time depictions of plot locations in the field over the same satellite imagery used in the wetland mapping. Upon completion of field work, the data were uploaded to a wetland-specific relational database maintained on ABR servers, and were subjected to a set of sequential data QA/QC procedures to ensure their accuracy before being used to prepare the wetland map for the project. The ABR wetland database facilitates preparation of the required wetland data forms for each wetland determination plot following USACE guidelines (USACE 2007). Wetland data forms and representative photos are included in Appendices A and B.

WETLAND CLASSIFICATION AND MAPPING

Wetland boundaries were identified in the field and were then delineated on-screen using ArcGIS software overlaid on the imagery for the parcel study area. As noted above, the primary imagery used for mapping was high-resolution (0.5-meter pixel resolution) satellite imagery obtained 25 June 2019 and available as part of ESRI's World Imagery basemap.

Wetland boundaries were identified using the field ground-reference data collected for this project in combination with the interpretation of satellite photo-signatures and the assessment of ancillary GIS data layers (see Data Sources above). Wetland types were mapped at a scale of 1:1,000 and each mapped polygon was assigned a wetland type using NWI notation (FGDC 2013), which is the approach typically used by the U.S. Fish and Wildlife Service's NWI program (Dahl et al. 2015). Each mapped polygon was also assigned a hydrogeomorphic class (USDA NRCS 2008).

ESTABLISHING JURISDICTIONAL STATUS

Wetlands and waters within the study area were assessed to determine if they met the definition of a water of the U.S., subject to jurisdiction under Section 404 of the CWA, and/or a navigable water of the U.S., subject to jurisdiction under Section 10 of the Rivers and Harbors Act. The Navigable Waters Protection Rule (NWPR, Clean Water Act 33 CFR Part 328), which recently came into effect, clarifies the scope of jurisdictional waters of the U.S. in light of 3 U.S. Supreme Court cases: *U.S. v. Riverside Bayview Homes* (Bayview), *Solid Waste Agency of Northern Cook County v. U.S.* (SWANCC), and *Rapanos v. U.S.* (Rapanos).

Under the new NWPR, jurisdiction is applied to 4 categories of waters of the U.S.: (a)(1) the territorial seas and traditional navigable waters (TNW)s; (a)(2) perennial and intermittent tributaries to those waters; (a)(3) certain lakes, ponds, and impoundments; and (a)(4) adjacent wetlands as defined by 33 CFR Parts 328 and 120—Definition of Waters of the United States. The new NWPR also defines 12 categories non-jurisdictional waters, (b)(1) through (b)(12), which are exempt from regulation under Section 404 of the Clean Water Act.

To classify wetlands and waters within the study area into jurisdictional or non-jurisdictional categories and to establish connectivity to TNWs, the EPA Training and Implementation Materials were also consulted (EPA 2020). TNWs are defined as "all waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide" [33 C.F.R. Section 328 3(a)]. In this study, the USACE navigable waters list (USACE 2021) was used to determine navigability.

RESULTS AND DISCUSSION

FIELD SURVEYS AND HYDROLOGICAL CONDITIONS

Field surveys were conducted 11 June 2021 by Wendy Davis and Sue Ives of ABR. Standard USACE 3-parameter wetland determinations were completed at 10 field plots; 5 were classified as uplands and 5 were classified as wetlands (Figure 2, Appendix A). In addition, a map verification plot was completed at 1 location (Figure 2, Appendix B). GPS accuracy ranged from 1 to 4 meters, with a median accuracy of 1 meter. Characteristics of each mapped wetland and water are listed in Appendix C, including the NWI code, HGM class, jurisdictional status, size (acres), and centroid latitude and longitude of each map polygon.

The meteorological station nearest to the study area with both long-term averages and daily precipitation values for the current season is the Kenai Airport station located approximately 19 miles from the study area (see Arguez et al. [2012] and Menne et al. [2012]). Compared to long-term averages for the Kenai Airport, April 2021 was cooler and drier than normal (Table 1). While May and June had temperatures closer to normal, precipitation remained well below normal.

To place the hydrological conditions in the study area at the time of sampling in early June 2021 in context, we performed a precipitation analysis similar to the USACE's Antecedent Precipitation Tool (APT), which involves summarizing precipitation data from the nearest meteorological stations and filling any missing records with data from the next nearest station. Current-year 30-day rolling precipitation sums were compared with 30 years of 30-day rolling precipitation sums at the 30th and 70th percentiles, which are interpreted as normal conditions by the Navigable Waters Protection Rule (Figure 3). As noted above, the nearest station to the study area with both long-term and current-year precipitation data is the Kenai Airport, and this station provides 99% of the data for the APT with the remaining data coming from the meteorological station Soldotna 5SSW. Figure 3 suggests that conditions were drier than normal during the field visit on 11 June 2021. Because all wetland plots had both hydric soil indicators and multiple primary indicators of wetland hydrology, and all upland plots consistently lacked both hydric soil

indicators and wetland hydrology indicators, drier than normal conditions are not believed to have influenced the results of the field survey.

WETLAND CLASSIFICATION AND MAPPING

WATERS

Lacustrine Littoral Semipermanently Flooded Nonpersistent Emergent (L2EM2F) waters were documented along the southern edge of the study area, in the littoral zone of Browns Lake (Figure 2). Encompassing 0.1 acres (1.1% of the study area, Table 2), L2EM2F waters are characterized by the wetland determination plot lf_09 (see Appendix A); these waters are dominated by the herb *Menyanthes trifoliata* (buck-bean, OBL) on a floating mat of *Sphagnum* mosses. At the time of sampling, the top of the floating *Sphagnum* mat was level with the surface of the water, and the plot met the primary wetland hydrology indicators High Water Table (A2) and Saturation (A3), and the secondary wetland hydrology indicators Geomorphic Position (D2) and FAC-Neutral Test (D5). Soils were assumed to be hydric based on the lacustrine fringe landscape position and the floating mat of *Sphagnum* mosses.

WETLANDS

Palustrine Seasonally Saturated Broad-leaved/Needle-leaved Evergreen Scrub-Shrub (PSS3/4B) wetlands were documented throughout the eastern half of the study area (Figure 2). Encompassing 2.6 acres (24.4% of the study area, Table 2), PSS3/4B wetlands are characterized by the wetland determination plots lf_02, lf_04, lf_07, and lf_10 (Appendix A), and the map verification plot lf_05 (Appendix B). The PSS3/4B wetlands in the study area are dominated by *Picea mariana* (black spruce, FACW) trees and saplings; the shrubs *Rhododendron groenlandicum* (rusty Labrador tea, FAC), *Empetrum nigrum* (black crowberry, FAC), *Vaccinium uliginosum* (alpine blueberry, FAC), and *V. vitis-idaea* (northern mountain cranberry, FAC); and the herbs *Equisetum arvense* (field horsetail, FAC) and *Rubus chamaemorus* (cloudberry, FACW). The PSS3/4B wetlands typically had thick surface organic layers, meeting hydric soil indicators Histosol or Histel (A1) and/or Histic Epipedon (A2). Soils were saturated at or near the surface, with all plots in PSS3/4B wetlands meeting the wetland hydrology indicators High Water Table (A2) and Saturation (A3).

UPLANDS

The remaining 7.8 acres (74.5%) of the study area were mapped as Uplands (non-wetland, U; Figure 2). Uplands in the study area are undeveloped black spruce woodlands and open to closed-canopy black spruce forests on level to gently sloping terrain. As characterized by plots lf_01, lf_03, lf_06, lf_08, and lf_11 (Appendx A), vegetation in these Uplands is dominated by

P. mariana trees and saplings; and *Linnaea borealis* (American twinflower, FACU), *R. groenlandicum* (FAC), and *V. vitis-idaea* (FAC) shrubs. A sparse herbaceous component is present at all upland plots, never exceeding a total of 5% cover. Because of this, no herbaceous species were considered dominant per USACE (2007) guidelines. Upland soils generally matched the typical profile for a Naptowne silt loam, with shallow surface organics and thin, leached (E) and deposition (B) horizons above silt loam, and very gravelly, fine sandy loams beginning around 20 inches below the ground surface. No hydric soil indicators were observed, and only the secondary wetland hydrology indicator FAC-Neutral Test (D5) was observed.

JURISDICTIONAL STATUS

The study area is in the Outlet Funny River subwatershed (HUC 190203021704, USGS 2019b). The nearest TNW to the study area is the Kenai River (Figure 1), which is navigable for its entire length (USACE 2021) and is located 2.1 straight-line miles from the study area. Study area wetlands abut Browns Lake (Figure 1). Both USGS topographic maps and NHD data (USGS 2019b) identify an unnamed perennial stream beginning at an outlet on the southern shore of Browns Lake, leading through an extensive peatland complex to the south and eventually draining into Funny River. This unnamed stream is not visible in the satellite imagery until about 0.8 river mile upstream of its confluence with Funny River, but where the channel is not visible, extensive wetlands are mapped both by Gracz (2017) and NWI (2021). Thus, the study area wetlands connect to Funny River, a tributary to the Kenai River, through a combination of surface water connections (Browns Lake and the unnamed tributary to Funny River) and wetlands abutting these waters. Because of these connections, all study area wetlands and waters are proposed to be jurisdictional category (a)(4) wetlands adjacent to Traditional Navigable Waters.

SUMMARY OF FINDINGS

The findings of this study confirm the presence of wetlands in the eastern portion of the study area as previously mapped by Gracz (2017), but refine the boundary location through a series of paired plots. Wetlands within the study area connect to the Kenai River, a TNW, through a combination of surface water connections (Browns Lake, unnamed tributary to Funny River, and Funny River) and wetlands abutting these waters. Because of these connections, we believe that wetlands in the study area are jurisdictional as category (a)(4) wetlands adjacent to Traditional Navigable Waters. This report and wetlands mapping is sufficient to obtain an Approved Jurisdictional Determination from the USACE, which will formally establish the jurisdictional wetland boundaries on the property.

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Table 1. Monthly mean (April 1–May 26, 2021) and long-term normal (1991–2020) values for air temperature (°C) and total monthly precipitation (mm) for the Anchorage Forecast Office weather station, Anchorage, AK (station id USC00500275).

	Temperature (°C)			Precipitation (mm)			
Month	1991–2020	2021	Difference from Normal	1991–2020	2021	% of Normal	n
April	2.1	0.1	-2.0	13.2	2.5	18.7	28
May	7.5	7.2	-0.3	20.1	13.8	68.7	31
June	10.3	10.3	-0.1	15.0	4.8	32.2	16

Table 2. Areal extent (acres and percent of study area) of waters, wetlands, and uplands in the Lakefront Drive, Wasilla, Alaska, 2021.

NWI_Code	NWI Descriptions	Area (Acres)	% of Study Area
Waters			
L2EM2F	Lacustrine Littoral Semipermanently Flooded Nonpersistent Emergent	0.1	1.1
	Total Waters:	0.1	1.1
Wetlands			
PSS3/4B	Palustrine Seasonally Saturated Broad-leaved/Needle-leaved Evergreen Scrub-Shrub	2.6	24.4
	Total Wetlands	2.6	24.4
Uplands			
U	Upland	7.8	74.5
	Total Uplands	7.8	74.5
Grand Total		10.5	100.0

Study Area
Parcels[1]
NHD Streams[2]

Background image accessed from ESRI Online: World-View02, June 25, 2019 with a 0.5 m spatial resolution ; Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
Copyright © 2013 National Geographic Society, i-cubed mxd, 24 Jun 2021

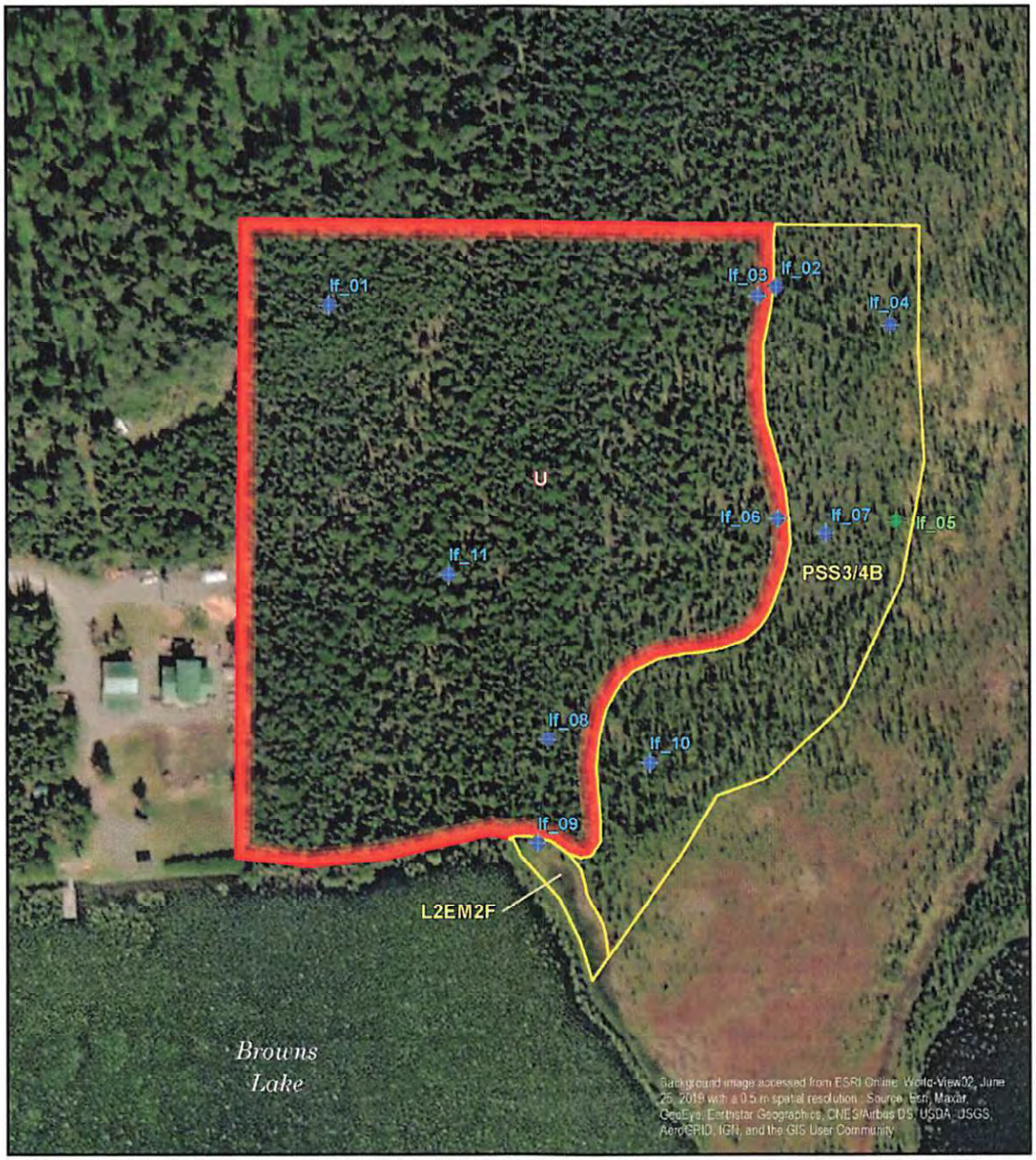
[1] Parcel boundaries from the Kenai Peninsula Borough Accessed Sept 8, 2020 at: https://www.kpb.us/gis-dept/kpb-data-downloads/cadastre
[2] U.S. Geological Survey, 2019, National Hydrography Dataset (ver. USGS National Hydrography Dataset High Resolution (NHD) for Hydrologic Unit (HU) 10 – City of Anchorage-Frontal Cook Inlet (1902040108), accessed August 14, 2019 at URL https://www.usgs.gov/core-science-systems/ngp/national-hydrography/access-national-hydrography-products

0 100 200 300 400 Meters
0 500 1,000 1,500 Feet

Figure 1.
Lakefront Drive Wetlands
Study Area, Alaska, 2021.
(Centroid: -150.7102, 60.4905)

map prepared by:
ABR, Inc. — Environmental Research & Services

project proponent:
Kuna Engineering



NWI Code[1]	NWI Description
Waters	
L2EM2F	Lacustrine Littoral Semipermanently Flooded Nonpersistent Emergent
Wetlands	
PSS3/4B	Palustrine Seasonally Saturated Broad-leaved/Needle-leaved Evergreen Scrub-Shrub
Uplands	
U	Upland

[1] National Wetland Inventory (NWI) nomenclature based on FGDC 2013.

Wetland
Upland
Map Verification Plot
Wetland Determination Plot

0 10 20 30 40 Meters
0 50 100 150 Feet

Figure 2.
Wetlands and Waters of the Lakefront Drive Wetlands Study Area, Alaska, 2021.

map prepared by:
ABR, Inc. — Environmental Research & Services

23 June 2021 | Fig2_Lakefront_Wetlands_21-254.mxd

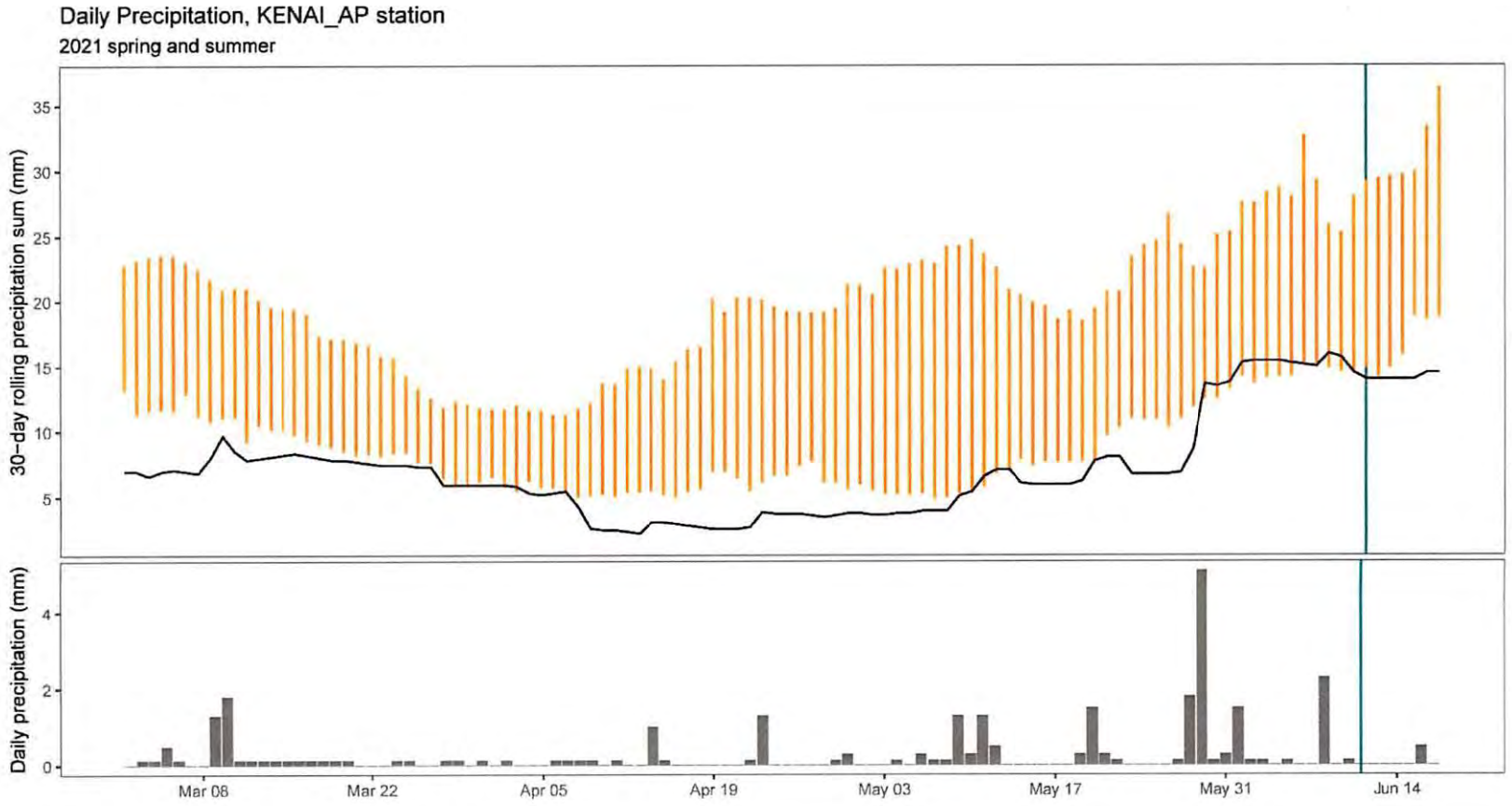


Figure 3. Antecedent Precipitation for the Lakefront Drive wetlands study area, Alaska, 2021.

Appendix A. Wetland Determination Data Forms

WETLAND DETERMINATION DATA FORM - ALASKA REGION

Project/Site: Lakefront Drive Wetlands Borough/City: Sterling Sampling Date: 2021-06-11
Applicant/Owner: Kuna Engineering Sampling Point: lf_01
Investigator(s): SLI, WAD Landform (hillside, terrace, hummocks, etc.): Undifferentiated Slope
Local relief (concave, convex, none): ____ Slope: 8.7 % / 5.0 ° Elevation: 351
Subregion: Cook Inlet Lowlands Lat.: 60.4912 Long.: -150.7115 Datum: WGS84
Soil Map Unit Name: ____ NWI classification: U
Are climatic/hydrologic conditions on the site typical for this time of year? Yes ✓ No ____ (If no, explain in Remarks)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓	No ____	**Is the Sampled Area within a Wetland?** Yes ____ No ✓
Hydric Soil Present?	Yes ____	No ✓	
Wetland Hydrology Present?	Yes ____	No ✓	

Remarks: Upper corner of property, closed black spruce.

VEGETATION - Use scientific names of plants. List all species in the plot.

	Tree Stratum	Absolute % Cover	Dominant Species?	Indicator Status
1.	Picea mariana	75.0	✓	FACW
	Total Cover:	75.0		
	50% of total cover: 37.5		20% of total cover: 15.0	
	Sapling/Shrub Stratum			
1.	Vaccinium vitis-idaea	10.0	✓	FAC
2.	Linnaea borealis	5.0	✓	FACU
3.	Betula kenaica	2.0		FACU
	Total Cover:	17.0		
	50% of total cover: 8.5		20% of total cover: 3.4	
	Herb Stratum			
1.	Cornus suecica	1.0		FAC
	Total Cover:	1.0		
	50% of total cover: 0.5		20% of total cover: 0.2	

Dominance Test worksheet:
Number of Dominant Species That are OBL, FACW, or FAC: 2 (A)
Total Number of Dominant Species Across all Strata: 3 (B)
Percent of Dominant Species That are OBL, FACW, or FAC: 66.7% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL Species	0.0	× 1 =	0.0
FACW Species	75.0	× 2 =	150.0
FAC Species	11.0	× 3 =	33.0
FACU Species	7.0	× 4 =	28.0
UPL Species	0.0	× 5 =	0.0
Column Totals:	93.0	(A)	211.0 (B)

Prevalence Index = B/A = 2.269

Hydrophytic Vegetation Indicators:
✓ Dominance Test is > 50%
✓ Prevalence Index is ≤ 3.0
____ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
____ Problematic Hydrophytic Vegetation[1] (Explain)
[1] Indicators or hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Plot size (radius, or length × width)	10m radius
% Cover of Wetland Bryophytes (Where applicable)	0.0
% Bare Ground	0.0
Total Cover of Bryophytes	85.0

Hydrophytic Vegetation Present? Yes ✓ No ____

Remarks: Closed black spruce forest

SOIL

Sampling Point: lf_01

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Mod	Remarks
0-5	/	100	/		A		hemic		
5-8	2.5y 5/2	100	/		A		silt loam		
8-9	10yr 3/6	100	/		A		silt loam		
9-20	2.5y 4/4	100	/		A		silt loam		

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, A=Absent [2]Location: PL=Pore Lining, RC=Root Channel, M=Matrix

Hydric Soil Indicators:

- ___ Histosol or Histel (A1)
- ___ Histic Epipedon (A2)
- ___ Hydrogen Sulfide (A4)
- ___ Thick Dark Surface (A12)
- ___ Alaska Gleyed (A13)
- ___ Alaska Redox (A14)
- ___ Alaska Gleyed Pores (A15)

Indicators for Problematic Hydric Soils[3]:

- ___ Alaska Color Change (TA4)[4]
- ___ Alaska Alpine Swales (TA5)
- ___ Alaska Redox With 2.5Y Hue
- ___ Alaska Gleyed Without Hue 5Y or Redder Underlying Layer
- ___ Other (Explain in Remarks)

[3]One indicator or hydrophytic vegetation, one primary indicator of wetland hydrology, and an appropriate landscape position must be present unless disturbed or problematic.

[4]Give details of color change in Remarks.

Restrictive Layer (if present):

Type: None

Depth (inches):

Hydric Soil Present? Yes ___ No ✓

Remarks: Incipient spodosol, no hydric soil indicators

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (any one is sufficient)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Marl Deposits (B15)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Stained Leaves (B9)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Salt Deposits (C5)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- ___ FAC-neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No ✓ Depth (inches):

Water Table Present? Yes ___ No ✓ Depth (inches):

Saturation Present? (includes capillary fringe) Yes ___ No ✓ Depth (inches):

Wetland Hydrology Present? Yes ___ No ✓

Recorded Data (stream gauge, monitor well, aerial photo, previous inspection) if available:

Remarks: No hydrology indicators

Sampling Point: lf_01
NWI classification: U

Hydric Soil Indicators: None
Wetland Hydrology Indicators: None

WETLAND DETERMINATION DATA FORM - ALASKA REGION

Project/Site: Lakefront Drive Wetlands Borough/City: Sterling Sampling Date: 2021-06-11
Applicant/Owner: Kuna Engineering Sampling Point: lf_02
Investigator(s): WAD, SLI Landform (hillside, terrace, hummocks, etc.): Toeslope
Local relief (concave, convex, none): none Slope: 1.7 % / 1.0 ° Elevation: 333
Subregion: Cook Inlet Lowlands Lat.: 60.4912 Long.: -150.7089 Datum: WGS84
Soil Map Unit Name: NWI classification: PSS3/4B
Are climatic/hydrologic conditions on the site typical for this time of year? Yes ✓ No ___ (If no, explain in Remarks)
Are Vegetation ___, Soil ___, or Hydrology ___ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No ___
Are Vegetation ___, Soil ___, or Hydrology ___ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓	No ___	**Is the Sampled Area within a Wetland?** Yes ✓ No ___
Hydric Soil Present?	Yes ✓	No ___	
Wetland Hydrology Present?	Yes ✓	No ___	

Remarks: Close to wetland/upland boundary, toeslope landscape position

VEGETATION - Use scientific names of plants. List all species in the plot.

	Tree Stratum	Absolute % Cover	Dominant Species?	Indicator Status
1.	Picea mariana	20.0	✓	FACW
	Total Cover:	20.0		
	50% of total cover: 10.0		20% of total cover: 4.0	
	Sapling/Shrub Stratum			
1.	Rhododendron groenlandicum	55.0	✓	FAC
2.	Vaccinium vitis-idaea	45.0	✓	FAC
3.	Picea mariana	10.0	___	FACW
4.	Salix pulchra	10.0	___	FACW
5.	Vaccinium uliginosum	2.0	___	FAC
	Total Cover:	122.0		
	50% of total cover: 61.0		20% of total cover: 24.4	
	Herb Stratum			
1.	Rubus chamaemorus	2.0	___	FACW
2.	Equisetum arvense	1.0	___	FAC
	Total Cover:	3.0		
	50% of total cover: 1.5		20% of total cover: 0.6	

Dominance Test worksheet:
Number of Dominant Species That are OBL, FACW, or FAC: 3 (A)
Total Number of Dominant Species Across all Strata: 3 (B)
Percent of Dominant Species That are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL Species	0.0	× 1 =	0.0
FACW Species	42.0	× 2 =	84.0
FAC Species	103.0	× 3 =	309.0
FACU Species	0.0	× 4 =	0.0
UPL Species	0.0	× 5 =	0.0
Column Totals:	145.0 (A)		393.0 (B)

Prevalence Index = B/A = 2.710

Hydrophytic Vegetation Indicators:
✓ Dominance Test is > 50%
✓ Prevalence Index is ≤ 3.0
___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)
[1] Indicators or hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Plot size (radius, or length × width)	10m radius
% Cover of Wetland Bryophytes (Where applicable)	35.0
% Bare Ground	___
Total Cover of Bryophytes	75.0

Hydrophytic Vegetation Present? Yes ✓ No ___

Remarks: Sphagnum appearing

SOIL

Sampling Point: lf_02

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Mod	Remarks
0-2	/	100	/		A		peat		
2-10	/	100	/		A		mucky peat		
10-16	/	100	/		A		sapric	ext. cobbly	Subrounded coarse gravels to cobbles

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, A=Absent [2]Location: PL=Pore Lining, RC=Root Channel, M=Matrix

Hydric Soil Indicators:

- ✓ Histosol or Histel (A1)
- ✓ Histic Epipedon (A2)
- ___ Hydrogen Sulfide (A4)
- ___ Thick Dark Surface (A12)
- ___ Alaska Gleyed (A13)
- ___ Alaska Redox (A14)
- ___ Alaska Gleyed Pores (A15)

Indicators for Problematic Hydric Soils[3]:

- ___ Alaska Color Change (TA4)[4]
- ___ Alaska Alpine Swales (TA5)
- ___ Alaska Redox With 2.5Y Hue
- ___ Alaska Gleyed Without Hue 5Y or Redder Underlying Layer
- ___ Other (Explain in Remarks)

[3]One indicator or hydrophytic vegetation, one primary indicator of wetland hydrology, and an appropriate landscape position must be present unless disturbed or problematic.

[4]Give details of color change in Remarks.

Restrictive Layer (if present):

Type: None

Depth (inches):

Hydric Soil Present? Yes ✓ No ___

Remarks: Dug soil pit in micro low

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (any one is sufficient)

- ___ Surface Water (A1)
- ✓ High Water Table (A2)
- ✓ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Marl Deposits (B15)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Stained Leaves (B9)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Salt Deposits (C5)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- ✓ FAC-neutral Test (D5)

Field Observations:

Surface Water Present?	Yes	___	No	✓	Depth (inches):
Water Table Present?	Yes	✓	No	___	Depth (inches): 2
Saturation Present? (includes capillary fringe)	Yes	✓	No	___	Depth (inches): 0

Wetland Hydrology Present? Yes ✓ No ___

Recorded Data (stream gauge, monitor well, aerial photo, previous inspection) if available:

Remarks:

Sampling Point: lf_02
NWI classification: PSS3/4B

Hydric Soil Indicators: Histic Epipedon (A2), Histosol or Histel (A1)
Wetland Hydrology Indicators: Saturation (A3), High Water Table (A2), FAC-Neutral Test (D5)

WETLAND DETERMINATION DATA FORM - ALASKA REGION

Project/Site: Lakefront Drive Wetlands Borough/City: Sterling Sampling Date: 2021-06-11
Applicant/Owner: Kuna Engineering Sampling Point: lf_03
Investigator(s): SLI, WAD Landform (hillside, terrace, hummocks, etc.): Toeslope
Local relief (concave, convex, none): none Slope: 1.7 % / 1.0 ° Elevation: 325
Subregion: Cook Inlet Lowlands Lat.: 60.4912 Long.: -150.7090 Datum: WGS84
Soil Map Unit Name: NWI classification: U
Are climatic/hydrologic conditions on the site typical for this time of year? Yes ✓ No ___ (If no, explain in Remarks)
Are Vegetation ___, Soil ___, or Hydrology ___ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No ___
Are Vegetation ___, Soil ___, or Hydrology ___ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓	No ___	**Is the Sampled Area within a Wetland?** Yes ___ No ✓
Hydric Soil Present?	Yes ___	No ✓	
Wetland Hydrology Present?	Yes ___	No ✓	

Remarks: Transitional site slightly upslope of wetland at lf_02. Salpul no longer present

VEGETATION - Use scientific names of plants. List all species in the plot.

	Tree Stratum	Absolute % Cover	Dominant Species?	Indicator Status
1.	Picea mariana	5.0	___	FACW
	Total Cover:	5.0		
	50% of total cover: 2.5		20% of total cover: 1.0	
	Sapling/Shrub Stratum			
1.	Rhododendron groenlandicum	75.0	✓	FAC
2.	Vaccinium vitis-idaea	30.0	✓	FAC
3.	Picea mariana	20.0	___	FACW
4.	Vaccinium uliginosum	5.0	___	FAC
5.	Empetrum nigrum	3.0	___	FAC
6.	Salix pulchra	1.0	___	FACW
	Total Cover:	134.0		
	50% of total cover: 67.0		20% of total cover: 26.8	
	Herb Stratum			
1.	Orthilia secunda	1.0	___	FACU
2.	Equisetum arvense	1.0	___	FAC
	Total Cover:	2.0		
	50% of total cover: 1.0		20% of total cover: 0.4	

Dominance Test worksheet:
Number of Dominant Species That are OBL, FACW, or FAC: 2 (A)
Total Number of Dominant Species Across all Strata: 2 (B)
Percent of Dominant Species That are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL Species	0.0	× 1 =	0.0
FACW Species	26.0	× 2 =	52.0
FAC Species	114.0	× 3 =	342.0
FACU Species	1.0	× 4 =	4.0
UPL Species	0.0	× 5 =	0.0
Column Totals:	141.0 (A)		398.0 (B)

Prevalence Index = B/A = 2.823

Hydrophytic Vegetation Indicators:
✓ Dominance Test is > 50%
✓ Prevalence Index is ≤ 3.0
___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)
[1] Indicators or hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Plot size (radius, or length × width)
% Cover of Wetland Bryophytes (Where applicable) 0.0
% Bare Ground 0.0
Total Cover of Bryophytes 40.0

Hydrophytic Vegetation Present? Yes ✓ No ___

Remarks: Mix of shrub and tree sized picmar, salpul mostly drops out of species list, no sphagnum

SOIL

Sampling Point: lf_03

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Mod	Remarks
0-4	/	100	/		A		fibric		
4-10	10yr 3/3	100	/		A		loam	v. cobbly	Subangular coarse gravels to cobbles
10-19	2.5y 4/2	100	/		A		fine sandy loam	ext. cobbly	Subangular coarse gravels to cobbles

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, A=Absent [2]Location: PL=Pore Lining, RC=Root Channel, M=Matrix

Hydric Soil Indicators:

- ___ Histosol or Histel (A1)
- ___ Histic Epipedon (A2)
- ___ Hydrogen Sulfide (A4)
- ___ Thick Dark Surface (A12)
- ___ Alaska Gleyed (A13)
- ___ Alaska Redox (A14)
- ___ Alaska Gleyed Pores (A15)

Indicators for Problematic Hydric Soils[3]:

- ___ Alaska Color Change (TA4)[4]
- ___ Alaska Alpine Swales (TA5)
- ___ Alaska Redox With 2.5Y Hue
- ___ Alaska Gleyed Without Hue 5Y or Redder Underlying Layer
- ___ Other (Explain in Remarks)

[3]One indicator or hydrophytic vegetation, one primary indicator of wetland hydrology, and an appropriate landscape position must be present unless disturbed or problematic.

[4]Give details of color change in Remarks.

Restrictive Layer (if present):

Type: None

Depth (inches):

Hydric Soil Present? Yes ___ No ✓

Remarks: Soil pit dug in a micro low, no hydric soil indicators

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (any one is sufficient)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Marl Deposits (B15)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Stained Leaves (B9)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Salt Deposits (C5)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- ___ FAC-neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No ✓ Depth (inches):

Water Table Present? Yes ___ No ✓ Depth (inches):

Saturation Present? (includes capillary fringe) Yes ___ No ✓ Depth (inches):

Wetland Hydrology Present? Yes ___ No ✓

Recorded Data (stream gauge, monitor well, aerial photo, previous inspection) if available:

Remarks: Saturated layer at 14 to 16 inches underlain by a drier layer suggestive of percolating water from precip, no restrictive layer observed.

Sampling Point: lf_03
NWI classification: U

Hydric Soil Indicators: None
Wetland Hydrology Indicators: None

WETLAND DETERMINATION DATA FORM - ALASKA REGION

Project/Site: Lakefront Drive Wetlands | Borough/City: Sterling | Sampling Date: 2021-06-11
Applicant/Owner: Kuna Engineering | Sampling Point: lf_04
Investigator(s): SLI, WAD | Landform (hillside, terrace, hummocks, etc.):
Local relief (concave, convex, none): convex | Slope: 0.0 % / 0.0 ° | Elevation: 313
Subregion: Cook Inlet Lowlands | Lat.: 60.4911 | Long.: -150.7083 | Datum: WGS84
Soil Map Unit Name: | NWI classification: PSS3/4B
Are climatic/hydrologic conditions on the site typical for this time of year? Yes ✓ No ___ (If no, explain in Remarks)
Are Vegetation ___, Soil ___, or Hydrology ___ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No ___
Are Vegetation ___, Soil ___, or Hydrology ___ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓	No ___	**Is the Sampled Area within a Wetland?** Yes ✓ No ___
Hydric Soil Present?	Yes ✓	No ___	
Wetland Hydrology Present?	Yes ✓	No ___	

Remarks: Plot located on outer boundary of mapping area, slightly raised convex feature

VEGETATION - Use scientific names of plants. List all species in the plot.

	Tree Stratum	Absolute % Cover	Dominant Species?	Indicator Status
1.	Picea mariana	5.0	___	FACW
	Total Cover:	5.0		
	50% of total cover: 2.5		20% of total cover: 1.0	
	Sapling/Shrub Stratum			
1.	Rhododendron groenlandicum	40.0	✓	FAC
2.	Vaccinium uliginosum	30.0	✓	FAC
3.	Picea mariana	20.0	___	FACW
4.	Vaccinium vitis-idaea	15.0	___	FAC
5.	Empetrum nigrum	5.0	___	FAC
6.	Betula glandulosa	2.0	___	FAC
	Total Cover:	112.0		
	50% of total cover: 56.0		20% of total cover: 22.4	
	Herb Stratum			
1.	Rubus chamaemorus	5.0	___	FACW
	Total Cover:	5.0		
	50% of total cover: 2.5		20% of total cover: 1.0	

Dominance Test worksheet:
Number of Dominant Species That are OBL, FACW, or FAC: 2 (A)
Total Number of Dominant Species Across all Strata: 2 (B)
Percent of Dominant Species That are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL Species	0.0	× 1 =	0.0
FACW Species	30.0	× 2 =	60.0
FAC Species	92.0	× 3 =	276.0
FACU Species	0.0	× 4 =	0.0
UPL Species	0.0	× 5 =	0.0
Column Totals:	122.0 (A)		336.0 (B)

Prevalence Index = B/A = 2.754

Hydrophytic Vegetation Indicators:
✓ Dominance Test is > 50%
✓ Prevalence Index is ≤ 3.0
___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)
[1] Indicators or hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Plot size (radius, or length × width)	10m radius
% Cover of Wetland Bryophytes (Where applicable)	35.0
% Bare Ground	0.0
Total Cover of Bryophytes	45.0

Hydrophytic Vegetation Present? Yes ✓ No ___

Remarks: Fewer willows but significant sphagnum cover

SOIL

Sampling Point: lf_04

Depth (Inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Mod	Remarks
0-3	/	100	/		A		peat		
3-10	/	100	/		A		mucky peat		
10-16	/	100	/		A		muck	ext. cobbly	Subangular cobbles

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, A=Absent [2]Location: PL=Pore Lining, RC=Root Channel, M=Matrix

Hydric Soil Indicators:

- ✓ Histosol or Histel (A1)
- ✓ Histic Epipedon (A2)
- ___ Hydrogen Sulfide (A4)
- ___ Thick Dark Surface (A12)
- ___ Alaska Gleyed (A13)
- ___ Alaska Redox (A14)
- ___ Alaska Gleyed Pores (A15)

Indicators for Problematic Hydric Soils[3]:

- ___ Alaska Color Change (TA4)[4]
- ___ Alaska Alpine Swales (TA5)
- ___ Alaska Redox With 2.5Y Hue
- ___ Alaska Gleyed Without Hue 5Y or Redder Underlying Layer
- ___ Other (Explain in Remarks)

[3]One indicator or hydrophytic vegetation, one primary indicator of wetland hydrology, and an appropriate landscape position must be present unless disturbed or problematic.

[4]Give details of color change in Remarks.

Restrictive Layer (if present):

Type:

Depth (inches):

Hydric Soil Present? Yes ✓ No ___

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (any one is sufficient)

- ___ Surface Water (A1)
- ✓ High Water Table (A2)
- ✓ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Marl Deposits (B15)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Stained Leaves (B9)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Salt Deposits (C5)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- ___ FAC-neutral Test (D5)

Field Observations:

Surface Water Present?	Yes	___	No	✓	Depth (inches):
Water Table Present?	Yes	✓	No	___	Depth (inches): 6
Saturation Present? (includes capillary fringe)	Yes	✓	No	___	Depth (inches): 3

Wetland Hydrology Present? Yes ✓ No ___

Recorded Data (stream gauge, monitor well, aerial photo, previous inspection) if available:

Remarks:

Sampling Point: lf_04
NWI classification: PSS3/4B

Hydric Soil Indicators: Histosol or Histel (A1), Histic Epipedon (A2)
Wetland Hydrology Indicators: Saturation (A3), High Water Table (A2)

WETLAND DETERMINATION DATA FORM - ALASKA REGION

Project/Site: Lakefront Drive Wetlands | Borough/City: Sterling | Sampling Date: 2021-06-11
Applicant/Owner: Kuna Engineering | Sampling Point: lf_06
Investigator(s): SLI, WAD | Landform (hillside, terrace, hummocks, etc.): Undifferentiated Slope
Local relief (concave, convex, none): none | Slope: 3.5 % / 2.0 ° | Elevation: 319
Subregion: Cook Inlet Lowlands | Lat.: 60.4906 | Long.: -150.7089 | Datum: WGS84
Soil Map Unit Name: | NWI classification: U
Are climatic/hydrologic conditions on the site typical for this time of year? Yes ✓ No ___ (If no, explain in Remarks)
Are Vegetation ___, Soil ___, or Hydrology ___ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No ___
Are Vegetation ___, Soil ___, or Hydrology ___ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓	No ___	**Is the Sampled Area within a Wetland?** Yes ___ No ✓
Hydric Soil Present?	Yes ___	No ✓	
Wetland Hydrology Present?	Yes ___	No ✓	

Remarks: Transitional plot at base of slope, some upland species recruitment, no sphagnum

VEGETATION - Use scientific names of plants. List all species in the plot.

	Tree Stratum	Absolute % Cover	Dominant Species?	Indicator Status
1.	Picea mariana	5.0		FACW
	Total Cover:	5.0		
	50% of total cover: 2.5		20% of total cover: 1.0	
	Sapling/Shrub Stratum			
1.	Rhododendron groenlandicum	45.0	✓	FAC
2.	Vaccinium vitis-idaea	25.0	✓	FAC
3.	Picea mariana	15.0		FACW
4.	Vaccinium uliginosum	5.0		FAC
5.	Salix scouleriana	2.0		FAC
6.	Betula kenaica	1.0		FACU
7.	Populus tremuloides	1.0		FACU
	Total Cover:	94.0		
	50% of total cover: 47.0		20% of total cover: 18.8	
	Herb Stratum			
	Total Cover:	0.0		
	50% of total cover: 0.0		20% of total cover: 0.0	

Dominance Test worksheet:
Number of Dominant Species That are OBL, FACW, or FAC: 2 (A)
Total Number of Dominant Species Across all Strata: 2 (B)
Percent of Dominant Species That are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL Species	0.0	× 1 =	0.0
FACW Species	20.0	× 2 =	40.0
FAC Species	77.0	× 3 =	231.0
FACU Species	2.0	× 4 =	8.0
UPL Species	0.0	× 5 =	0.0
Column Totals:	99.0 (A)		279.0 (B)

Prevalence Index = B/A = 2.818

Hydrophytic Vegetation Indicators:
✓ Dominance Test is > 50%
✓ Prevalence Index is ≤ 3.0
___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)
[1] Indicators or hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Plot size (radius, or length × width)	10m radius
% Cover of Wetland Bryophytes (Where applicable)	0.0
% Bare Ground	0.0
Total Cover of Bryophytes	45.0

Hydrophytic Vegetation Present? Yes ✓ No ___

Remarks: Poptre sapling recruit

SOIL

Sampling Point: lf_06

Depth (inches)	Matrix Color (moist)		%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Mod	Remarks
0-5		/	100	/		A		hemic		
5-7	10yr	3/4	100	/		A		loam		
7-8	Variegated	/	100	/		A		sand		
8-15	5y	5/2	100	/		A		sandy clay loam	v. gravelly	Nodules, subangular gravels to cobbles

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, A=Absent [2]Location: PL=Pore Lining, RC=Root Channel, M=Matrix

Hydric Soil Indicators:

- ___ Histosol or Histel (A1)
- ___ Histic Epipedon (A2)
- ___ Hydrogen Sulfide (A4)
- ___ Thick Dark Surface (A12)
- ___ Alaska Gleyed (A13)
- ___ Alaska Redox (A14)
- ___ Alaska Gleyed Pores (A15)

Indicators for Problematic Hydric Soils[3]:

- ___ Alaska Color Change (TA4)[4]
- ___ Alaska Alpine Swales (TA5)
- ___ Alaska Redox With 2.5Y Hue
- ___ Alaska Gleyed Without Hue 5Y or Redder Underlying Layer
- ___ Other (Explain in Remarks)

[3]One indicator or hydrophytic vegetation, one primary indicator of wetland hydrology, and an appropriate landscape position must be present unless disturbed or problematic.

[4]Give details of color change in Remarks.

Restrictive Layer (if present):

Type: None

Depth (inches):

Hydric Soil Present? Yes ___ No ✓

Remarks: No hydric soil indicators

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (any one is sufficient)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Marl Deposits (B15)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Stained Leaves (B9)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Salt Deposits (C5)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- ___ FAC-neutral Test (D5)

Field Observations:

Surface Water Present?	Yes	___	No	✓	Depth (inches):
Water Table Present?	Yes	___	No	✓	Depth (inches):
Saturation Present? (includes capillary fringe)	Yes	___	No	✓	Depth (inches):

Wetland Hydrology Present? Yes ___ No ✓

Recorded Data (stream gauge, monitor well, aerial photo, previous inspection) if available:

Remarks: Saturated layer at the top of the mineral layer (5 inches) weeping water into pit but underlaying layers are dry with no restrictive layer suggesting precip driven feature

Sampling Point: lf_06
NWI classification: U

Hydric Soil Indicators: None
Wetland Hydrology Indicators: None

WETLAND DETERMINATION DATA FORM - ALASKA REGION

Project/Site: Lakefront Drive Wetlands Borough/City: Sterling Sampling Date: 2021-06-11
Applicant/Owner: Kuna Engineering Sampling Point: lf_07
Investigator(s): WAD, SLI Landform (hillside, terrace, hummocks, etc.): Toeslope
Local relief (concave, convex, none): none Slope: 1.7 % / 1.0 ° Elevation: 323
Subregion: Cook Inlet Lowlands Lat.: 60.4905 Long.: -150.7086 Datum: WGS84
Soil Map Unit Name: NWI classification: PSS3/4B
Are climatic/hydrologic conditions on the site typical for this time of year? Yes ✓ No ___ (If no, explain in Remarks)
Are Vegetation ___, Soil ___, or Hydrology ___ significantly disturbed? Are "Normal Circumstances" present? Yes ___ No ✓
Are Vegetation ___, Soil ✓, or Hydrology ___ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓	No ___	**Is the Sampled Area within a Wetland?** Yes ✓ No ___
Hydric Soil Present?	Yes ✓	No ___	
Wetland Hydrology Present?	Yes ✓	No ___	

Remarks: Paired plot with 06 exactly on boundary based on problematic soils.

VEGETATION - Use scientific names of plants. List all species in the plot.

	Tree Stratum	Absolute % Cover	Dominant Species?	Indicator Status
1.	Picea mariana	5.0	___	FACW
	Total Cover:	5.0		
	50% of total cover: 2.5		20% of total cover: 1.0	
	Sapling/Shrub Stratum			
1.	Rhododendron groenlandicum	55.0	✓	FAC
2.	Empetrum nigrum	45.0	✓	FAC
3.	Picea mariana	20.0	___	FACW
4.	Vaccinium vitis-idaea	10.0	___	FAC
5.	Vaccinium uliginosum	5.0	___	FAC
	Total Cover:	135.0		
	50% of total cover: 67.5		20% of total cover: 27.0	
	Herb Stratum			
	Total Cover:	0.0		
	50% of total cover: 0.0		20% of total cover: 0.0	

Dominance Test worksheet:
Number of Dominant Species That are OBL, FACW, or FAC: 2 (A)
Total Number of Dominant Species Across all Strata: 2 (B)
Percent of Dominant Species That are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL Species	0.0	× 1 =	0.0
FACW Species	25.0	× 2 =	50.0
FAC Species	115.0	× 3 =	345.0
FACU Species	0.0	× 4 =	0.0
UPL Species	0.0	× 5 =	0.0
Column Totals:	140.0 (A)		395.0 (B)

Prevalence Index = B/A = 2.821

Hydrophytic Vegetation Indicators:
✓ Dominance Test is > 50%
✓ Prevalence Index is ≤ 3.0
___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)
[1] Indicators or hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Plot size (radius, or length × width)	10m radius
% Cover of Wetland Bryophytes (Where applicable)	25.0
% Bare Ground	0.0
Total Cover of Bryophytes	50.0

Hydrophytic Vegetation Present? Yes ✓ No ___

Remarks: Significant sphagnum cover

SOIL

Sampling Point: lf_07

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Mod	Remarks
0-3		100			A		peat		
3-6		100			A		mucky peat		
6-9		100			A		muck		Frozen
9-16	2.5y 3/3	100			A		silt loam	gravelly	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, A=Absent [2]Location: PL=Pore Lining, RC=Root Channel, M=Matrix

Hydric Soil Indicators:

- ___ Histosol or Histel (A1)
- ___ Histic Epipedon (A2)
- ___ Hydrogen Sulfide (A4)
- ___ Thick Dark Surface (A12)
- ___ Alaska Gleyed (A13)
- ___ Alaska Redox (A14)
- ___ Alaska Gleyed Pores (A15)

Indicators for Problematic Hydric Soils[3]:

- ___ Alaska Color Change (TA4)[4]
- ___ Alaska Alpine Swales (TA5)
- ___ Alaska Redox With 2.5Y Hue
- ___ Alaska Gleyed Without Hue 5Y or Redder Underlying Layer
- ✓ Other (Explain in Remarks)

[3]One indicator or hydrophytic vegetation, one primary indicator of wetland hydrology, and an appropriate landscape position must be present unless disturbed or problematic.

[4]Give details of color change in Remarks.

Restrictive Layer (if present):

Type: Seasonal Frost

Depth (inches): 6

Hydric Soil Present? Yes ✓ No ___

Remarks: Ice rich frost layer at organic mineral interface. Frozen from 6 to 9. Soils do not meet low chroma criteria for histic epipedon or any other hydric soil indicator, negative rxn to alpha, alpha-dipyridol. Site has very strong hydro and veg indictors. Assume that pit was dug exactly on the wetland boundary.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (any one is sufficient)

- ___ Surface Water (A1)
- ✓ High Water Table (A2)
- ✓ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Marl Deposits (B15)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Stained Leaves (B9)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Salt Deposits (C5)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- ___ FAC-neutral Test (D5)

Field Observations:

Surface Water Present?	Yes	___	No	✓	Depth (inches):
Water Table Present?	Yes	✓	No	___	Depth (inches): 9
Saturation Present? (includes capillary fringe)	Yes	✓	No	___	Depth (inches): 9

Wetland Hydrology Present? Yes ✓ No ___

Recorded Data (stream gauge, monitor well, aerial photo, previous inspection) if available:

Remarks: seasonal frost from 6-9, but don't believe it's persistent enough or widespread enough to meet the intent of D3.

Sampling Point: lf_07
NWI classification: PSS3/4B

Hydric Soil Indicators: Other (explain in remarks)
Wetland Hydrology Indicators: High Water Table (A2), Saturation (A3)

WETLAND DETERMINATION DATA FORM - ALASKA REGION

Project/Site: Lakefront Drive Wetlands Borough/City: Sterling Sampling Date: 2021-06-11
Applicant/Owner: Kuna Engineering Sampling Point: lf_08
Investigator(s): SLI, WAD Landform (hillside, terrace, hummocks, etc.): Toeslope
Local relief (concave, convex, none): none Slope: 0.0 % / 0.0 ° Elevation: 328
Subregion: Cook Inlet Lowlands Lat.: 60.4899 Long.: -150.7102 Datum: WGS84
Soil Map Unit Name: NWI classification: U
Are climatic/hydrologic conditions on the site typical for this time of year? Yes ✓ No ___ (If no, explain in Remarks)
Are Vegetation ___, Soil ___, or Hydrology ___ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No ___
Are Vegetation ___, Soil ___, or Hydrology ___ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓	No ___	**Is the Sampled Area within a Wetland?** Yes ___ No ✓
Hydric Soil Present?	Yes ___	No ✓	
Wetland Hydrology Present?	Yes ___	No ✓	

Remarks: Black spruce forest at border of the lake, lack of clear vegetation boundary, ambiguous photo signature

VEGETATION - Use scientific names of plants. List all species in the plot.

	Tree Stratum	Absolute % Cover	Dominant Species?	Indicator Status
1.	Picea mariana	10.0	✓	FACW
	Total Cover:	10.0		
	50% of total cover: 5.0		20% of total cover: 2.0	
	Sapling/Shrub Stratum			
1.	Rhododendron groenlandicum	30.0	✓	FAC
2.	Vaccinium vitis-idaea	25.0	✓	FAC
3.	Picea mariana	15.0	___	FACW
4.	Empetrum nigrum	5.0	___	FAC
5.	Salix bebbiana	2.0	___	FAC
	Total Cover:	77.0		
	50% of total cover: 38.5		20% of total cover: 15.4	
	Herb Stratum			
	Total Cover:	0.0		
	50% of total cover: 0.0		20% of total cover: 0.0	

Dominance Test worksheet:
Number of Dominant Species That are OBL, FACW, or FAC: 3 (A)
Total Number of Dominant Species Across all Strata: 3 (B)
Percent of Dominant Species That are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL Species	0.0	× 1 =	0.0
FACW Species	25.0	× 2 =	50.0
FAC Species	62.0	× 3 =	186.0
FACU Species	0.0	× 4 =	0.0
UPL Species	0.0	× 5 =	0.0
Column Totals:	87.0	(A)	236.0 (B)

Prevalence Index = B/A = 2.713

Hydrophytic Vegetation Indicators:
✓ Dominance Test is > 50%
✓ Prevalence Index is ≤ 3.0
___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)
[1] Indicators or hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Plot size (radius, or length × width)
% Cover of Wetland Bryophytes (Where applicable) 35.0
% Bare Ground 0.0
Total Cover of Bryophytes 65.0
Hydrophytic Vegetation Present? Yes ✓ No ___

Remarks: Dense picmar forest, small sphagnum patches

SOIL

Sampling Point: lf_08

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Mod	Remarks
0-3	/	100	/		A		fibric		
3-7	/	100	/		A		hemic		
7-16	2.5y 4/3	70	10yr 3/6	30	C	PL	loam		
16-20	5y 4/2	25	2.5y 4/4	5	C	PL	fine sandy loam	gravelly	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, A=Absent [2]Location: PL=Pore Lining, RC=Root Channel, M=Matrix

Hydric Soil Indicators:

- ___ Histosol or Histel (A1)
- ___ Histic Epipedon (A2)
- ___ Hydrogen Sulfide (A4)
- ___ Thick Dark Surface (A12)
- ___ Alaska Gleyed (A13)
- ___ Alaska Redox (A14)
- ___ Alaska Gleyed Pores (A15)

Indicators for Problematic Hydric Soils[3]:

- ___ Alaska Color Change (TA4)[4]
- ___ Alaska Alpine Swales (TA5)
- ___ Alaska Redox With 2.5Y Hue
- ___ Alaska Gleyed Without Hue 5Y or Redder Underlying Layer
- ___ Other (Explain in Remarks)

[3]One indicator or hydrophytic vegetation, one primary indicator of wetland hydrology, and an appropriate landscape position must be present unless disturbed or problematic.

[4]Give details of color change in Remarks.

Restrictive Layer (if present):

Type: None

Depth (inches):

Hydric Soil Present? Yes ___ No ✓

Remarks: No hydric soil indicators

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (any one is sufficient)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Marl Deposits (B15)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Stained Leaves (B9)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Salt Deposits (C5)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- ✓ FAC-neutral Test (D5)

Field Observations:

Surface Water Present?	Yes	___	No	✓	Depth (inches):
Water Table Present?	Yes	___	No	✓	Depth (inches):
Saturation Present? (includes capillary fringe)	Yes	✓	No	___	Depth (inches): 19

Wetland Hydrology Present? Yes ___ No ✓

Recorded Data (stream gauge, monitor well, aerial photo, previous inspection) if available:

Remarks: No primary indacators saturated below 12

Sampling Point: lf_08
NWI classification: U

Hydric Soil Indicators: None
Wetland Hydrology Indicators: FAC-Neutral Test (D5)

WETLAND DETERMINATION DATA FORM - ALASKA REGION

Project/Site: Lakefront Drive Wetlands | Borough/City: Sterling | Sampling Date: 2021-06-11
Applicant/Owner: Kuna Engineering | Sampling Point: lf_09
Investigator(s): WAD | Landform (hillside, terrace, hummocks, etc.): Lake Margins
Local relief (concave, convex, none): none | Slope: 0.0 % / 0.0 ° | Elevation: 305
Subregion: Cook Inlet Lowlands | Lat.: 60.4896 | Long.: -150.7103 | Datum: WGS84
Soil Map Unit Name: | NWI classification: L2EM2F
Are climatic/hydrologic conditions on the site typical for this time of year? Yes ✓ No ___ (If no, explain in Remarks)
Are Vegetation ___, Soil ___, or Hydrology ___ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No ___
Are Vegetation ___, Soil ___, or Hydrology ___ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓	No ___	**Is the Sampled Area within a Wetland?** Yes ✓ No ___
Hydric Soil Present?	Yes ✓	No ___	
Wetland Hydrology Present?	Yes ✓	No ___	

Remarks: Lacustrine fringe buckbean-sphagnum floating mat.

VEGETATION - Use scientific names of plants. List all species in the plot.

	Tree Stratum	Absolute % Cover	Dominant Species?	Indicator Status
	Total Cover:	0.0		
	50% of total cover: 0.0		20% of total cover: 0.0	
	Sapling/Shrub Stratum			
	Total Cover:	0.0		
	50% of total cover: 0.0		20% of total cover: 0.0	
	Herb Stratum			
1.	Menyanthes trifoliata	55.0	✓	OBL
2.	Carex aquatilis	10.0		OBL
3.	Eriophorum scheuchzeri	5.0		OBL
4.	Carex magellanica	5.0		OBL
	Total Cover:	75.0		
	50% of total cover: 37.5		20% of total cover: 15.0	

Dominance Test worksheet:
Number of Dominant Species That are OBL, FACW, or FAC: 1 (A)
Total Number of Dominant Species Across all Strata: 1 (B)
Percent of Dominant Species That are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL Species	75.0	× 1 =	75.0
FACW Species	0.0	× 2 =	0.0
FAC Species	0.0	× 3 =	0.0
FACU Species	0.0	× 4 =	0.0
UPL Species	0.0	× 5 =	0.0
Column Totals:	75.0 (A)		75.0 (B)

Prevalence Index = B/A = 1.000

Hydrophytic Vegetation Indicators:
✓ Dominance Test is > 50%
✓ Prevalence Index is ≤ 3.0
___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)
[1] Indicators or hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Plot size (radius, or length × width)	4x8m
% Cover of Wetland Bryophytes (Where applicable)	95.0
% Bare Ground	10.0
Total Cover of Bryophytes	95.0

Hydrophytic Vegetation Present? Yes ✓ No ___

Remarks: Floating sphagnum mat

SOIL

Sampling Point: lf_09

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Mod	Remarks

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, A=Absent [2]Location: PL=Pore Lining, RC=Root Channel, M=Matrix

Hydric Soil Indicators:

- ___ Histosol or Histel (A1)
- ___ Histic Epipedon (A2)
- ___ Hydrogen Sulfide (A4)
- ___ Thick Dark Surface (A12)
- ___ Alaska Gleyed (A13)
- ___ Alaska Redox (A14)
- ___ Alaska Gleyed Pores (A15)

Indicators for Problematic Hydric Soils[3]:

- ___ Alaska Color Change (TA4)[4]
- ___ Alaska Alpine Swales (TA5)
- ___ Alaska Redox With 2.5Y Hue
- ___ Alaska Gleyed Without Hue 5Y or Redder Underlying Layer
- ✓ Other (Explain in Remarks)

[3]One indicator or hydrophytic vegetation, one primary indicator of wetland hydrology, and an appropriate landscape position must be present unless disturbed or problematic.

[4]Give details of color change in Remarks.

Restrictive Layer (if present):

Type: No Data

Depth (inches):

Hydric Soil Present? Yes ✓ No ___

Remarks: Assume histosol based on sphagnum cover and lacustrine fringe landscape position.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (any one is sufficient)

- ___ Surface Water (A1)
- ✓ High Water Table (A2)
- ✓ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Marl Deposits (B15)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Stained Leaves (B9)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Salt Deposits (C5)
- ___ Stunted or Stressed Plants (D1)
- ✓ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- ✓ FAC-neutral Test (D5)

Field Observations:

Surface Water Present?	Yes	___	No	✓	Depth (inches): 0
Water Table Present?	Yes	✓	No	___	Depth (inches): 0
Saturation Present? (includes capillary fringe)	Yes	✓	No	___	Depth (inches): 0

Wetland Hydrology Present? Yes ✓ No ___

Recorded Data (stream gauge, monitor well, aerial photo, previous inspection) if available:

Remarks: Lacustrine fringe, water at surface.

Sampling Point: lf_09
NWI classification: L2EM2F

Hydric Soil Indicators: Other (explain in remarks)
Wetland Hydrology Indicators: FAC-Neutral Test (D5), Geomorphic Position (D2), Saturation (A3), High Water Table (A2)

NO LANDSCAPE PHOTO TAKEN

WETLAND DETERMINATION DATA FORM - ALASKA REGION

Project/Site: Lakefront Drive Wetlands Borough/City: Sterling Sampling Date: 2021-06-11
Applicant/Owner: Kuna Engineering Sampling Point: lf_10
Investigator(s): SLI, WAD Landform (hillside, terrace, hummocks, etc.): Toeslope
Local relief (concave, convex, none): Slope: 1.7 % / 1.0 ° Elevation: 326
Subregion: Cook Inlet Lowlands Lat.: 60.4898 Long.: -150.7096 Datum: WGS84
Soil Map Unit Name: NWI classification: PSS3/4B
Are climatic/hydrologic conditions on the site typical for this time of year? Yes ✓ No ___ (If no, explain in Remarks)
Are Vegetation ___, Soil ___, or Hydrology ___ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No ___
Are Vegetation ___, Soil ___, or Hydrology ___ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓	No ___	**Is the Sampled Area within a Wetland?** Yes ✓ No ___
Hydric Soil Present?	Yes ✓	No ___	
Wetland Hydrology Present?	Yes ✓	No ___	

Remarks: Paired plot with 08.

VEGETATION - Use scientific names of plants. List all species in the plot.

	Tree Stratum	Absolute % Cover	Dominant Species?	Indicator Status
1.	Picea mariana	10.0	✓	FACW
	Total Cover:	10.0		
	50% of total cover: 5.0		20% of total cover: 2.0	
	Sapling/Shrub Stratum			
1.	Rhododendron groenlandicum	25.0	✓	FAC
2.	Picea mariana	20.0	✓	FACW
3.	Vaccinium vitis-idaea	8.0		FAC
4.	Empetrum nigrum	5.0		FAC
5.	Salix pulchra	1.0		FACW
	Total Cover:	59.0		
	50% of total cover: 29.5		20% of total cover: 11.8	
	Herb Stratum			
1.	Rubus chamaemorus	5.0	✓	FACW
2.	Equisetum arvense	2.0	✓	FAC
	Total Cover:	7.0		
	50% of total cover: 3.5		20% of total cover: 1.4	

Dominance Test worksheet:
Number of Dominant Species That are OBL, FACW, or FAC: 5 (A)
Total Number of Dominant Species Across all Strata: 5 (B)
Percent of Dominant Species That are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL Species	0.0	× 1 =	0.0
FACW Species	36.0	× 2 =	72.0
FAC Species	40.0	× 3 =	120.0
FACU Species	0.0	× 4 =	0.0
UPL Species	0.0	× 5 =	0.0
Column Totals:	76.0	(A)	192.0 (B)

Prevalence Index = B/A = 2.526

Hydrophytic Vegetation Indicators:
✓ Dominance Test is > 50%
✓ Prevalence Index is ≤ 3.0
___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)
[1] Indicators or hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Plot size (radius, or length × width)
% Cover of Wetland Bryophytes (Where applicable) 75.0
% Bare Ground 0.0
Total Cover of Bryophytes 80.0

Hydrophytic Vegetation Present? Yes ✓ No ___

Remarks: Paired plot with of 08. Significant sphag cover

SOIL

Sampling Point: lf_10

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Mod	Remarks
0-4	/	100	/		A		peat		
4-11	/	100	/		A		mucky peat		
11-17	/	100	/		A		muck		Cobbles at 17in

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, A=Absent [2]Location: PL=Pore Lining, RC=Root Channel, M=Matrix

Hydric Soil Indicators:

- ✓ Histosol or Histel (A1)
- ✓ Histic Epipedon (A2)
- ___ Hydrogen Sulfide (A4)
- ___ Thick Dark Surface (A12)
- ___ Alaska Gleyed (A13)
- ___ Alaska Redox (A14)
- ___ Alaska Gleyed Pores (A15)

Indicators for Problematic Hydric Soils[3]:

- ___ Alaska Color Change (TA4)[4]
- ___ Alaska Alpine Swales (TA5)
- ___ Alaska Redox With 2.5Y Hue
- ___ Alaska Gleyed Without Hue 5Y or Redder Underlying Layer
- ___ Other (Explain in Remarks)

[3]One indicator or hydrophytic vegetation, one primary indicator of wetland hydrology, and an appropriate landscape position must be present unless disturbed or problematic.

[4]Give details of color change in Remarks.

Restrictive Layer (if present):

Type: None

Depth (inches): 0.0

Hydric Soil Present? Yes ✓ No ___

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (any one is sufficient)

- ___ Surface Water (A1)
- ✓ High Water Table (A2)
- ✓ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Marl Deposits (B15)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Stained Leaves (B9)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Salt Deposits (C5)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- ✓ FAC-neutral Test (D5)

Field Observations:

Surface Water Present?	Yes	___	No	✓	Depth (inches):
Water Table Present?	Yes	✓	No	___	Depth (inches): 7
Saturation Present? (includes capillary fringe)	Yes	✓	No	___	Depth (inches): 4

Wetland Hydrology Present? Yes ✓ No ___

Recorded Data (stream gauge, monitor well, aerial photo, previous inspection) if available:

Remarks:

Sampling Point: lf_10
NWI classification: PSS3/4B

Hydric Soil Indicators: Histosol or Histel (A1), Histic Epipedon (A2)
Wetland Hydrology Indicators: FAC-Neutral Test (D5), Saturation (A3), High Water Table (A2)

WETLAND DETERMINATION DATA FORM - ALASKA REGION

Project/Site: Lakefront Drive Wetlands Borough/City: Sterling Sampling Date: 2021-06-11
Applicant/Owner: Kuna Engineering Sampling Point: lf_11
Investigator(s): SLI, WAD Landform (hillside, terrace, hummocks, etc.): Undifferentiated Slope
Local relief (concave, convex, none): convex Slope: 3.5 % / 2.0 ° Elevation: 353
Subregion: Cook Inlet Lowlands Lat.: 60.4904 Long.: -150.7108 Datum: WGS84
Soil Map Unit Name: NWI classification: U
Are climatic/hydrologic conditions on the site typical for this time of year? Yes ✓ No ___ (If no, explain in Remarks)
Are Vegetation ___, Soil ___, or Hydrology ___ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No ___
Are Vegetation ___, Soil ___, or Hydrology ___ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓	No ___	**Is the Sampled Area within a Wetland?** Yes ___ No ✓
Hydric Soil Present?	Yes ___	No ✓	
Wetland Hydrology Present?	Yes ___	No ✓	

Remarks: Confirmation of previously mapped uplands

VEGETATION - Use scientific names of plants. List all species in the plot.

	Tree Stratum	Absolute % Cover	Dominant Species?	Indicator Status
1.	Picea mariana	65.0	✓	FACW
2.	Betula neoalaskana	10.0		FACU
	Total Cover:	75.0		
	50% of total cover: 37.5		20% of total cover: 15.0	
	Sapling/Shrub Stratum			
1.	Rhododendron groenlandicum	30.0	✓	FAC
2.	Vaccinium vitis-idaea	10.0	✓	FAC
	Total Cover:	40.0		
	50% of total cover: 20.0		20% of total cover: 8.0	
	Herb Stratum			
	Total Cover:	0.0		
	50% of total cover: 0.0		20% of total cover: 0.0	

Dominance Test worksheet:
Number of Dominant Species That are OBL, FACW, or FAC: 3 (A)
Total Number of Dominant Species Across all Strata: 3 (B)
Percent of Dominant Species That are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL Species	0.0	× 1 =	0.0
FACW Species	65.0	× 2 =	130.0
FAC Species	40.0	× 3 =	120.0
FACU Species	10.0	× 4 =	40.0
UPL Species	0.0	× 5 =	0.0
Column Totals:	115.0 (A)		290.0 (B)

Prevalence Index = B/A = 2.522

Hydrophytic Vegetation Indicators:
✓ Dominance Test is > 50%
✓ Prevalence Index is ≤ 3.0
___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)
[1] Indicators or hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Plot size (radius, or length × width)	10m radius
% Cover of Wetland Bryophytes (Where applicable)	0.0
% Bare Ground	10.0
Total Cover of Bryophytes	35.0

Hydrophytic Vegetation Present? Yes ✓ No ___

Remarks: Other cover = leaf litter. Mature black spruce forest with birch

SOIL

Sampling Point: If_11

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Mod	Remarks
0-5	/	100	/		A		hemic		
5-15	10yr 3/2	100	/		A		fine sandy loam		
15-20	5y 3/2	100	/		A		fine sandy loam		

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, A=Absent [2]Location: PL=Pore Lining, RC=Root Channel, M=Matrix

Hydric Soil Indicators:

- ___ Histosol or Histel (A1)
- ___ Histic Epipedon (A2)
- ___ Hydrogen Sulfide (A4)
- ___ Thick Dark Surface (A12)
- ___ Alaska Gleyed (A13)
- ___ Alaska Redox (A14)
- ___ Alaska Gleyed Pores (A15)

Indicators for Problematic Hydric Soils[3]:

- ___ Alaska Color Change (TA4)[4]
- ___ Alaska Alpine Swales (TA5)
- ___ Alaska Redox With 2.5Y Hue
- ___ Alaska Gleyed Without Hue 5Y or Redder Underlying Layer
- ___ Other (Explain in Remarks)

[3]One indicator or hydrophytic vegetation, one primary indicator of wetland hydrology, and an appropriate landscape position must be present unless disturbed or problematic.

[4]Give details of color change in Remarks.

Restrictive Layer (if present):

Type: None

Depth (inches):

Hydric Soil Present? Yes ___ No ✓

Remarks: No hydric soil indicators

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (any one is sufficient)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Marl Deposits (B15)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Stained Leaves (B9)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Salt Deposits (C5)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- ✓ FAC-neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No ✓ Depth (inches):

Water Table Present? Yes ___ No ✓ Depth (inches):

Saturation Present? (includes capillary fringe) Yes ___ No ✓ Depth (inches):

Wetland Hydrology Present? Yes ___ No ✓

Recorded Data (stream gauge, monitor well, aerial photo, previous inspection) if available:

Remarks: No hydrology indicators observed

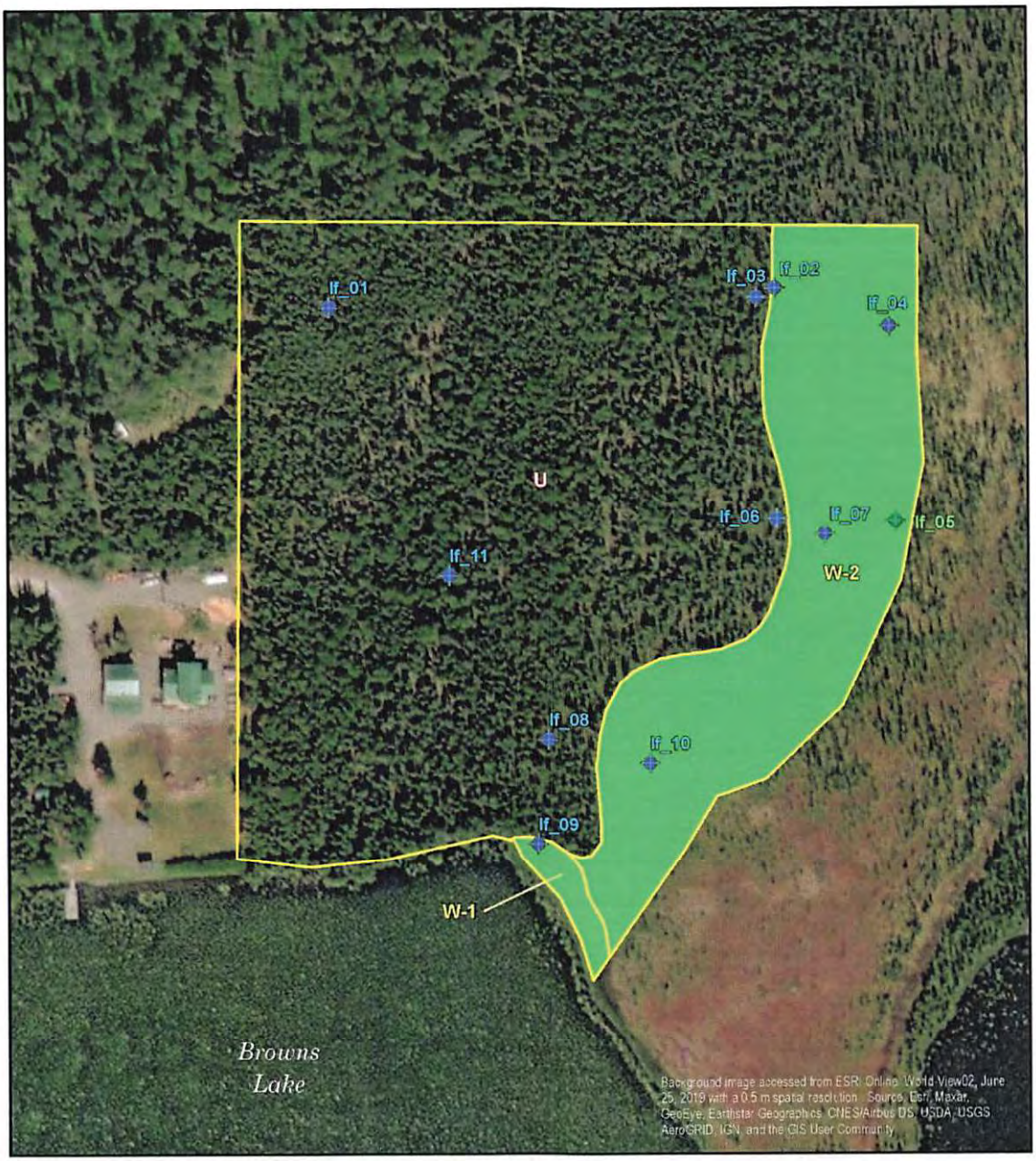
Sampling Point: lf_11
NWI classification: U

Hydric Soil Indicators: None
Wetland Hydrology Indicators: FAC-Neutral Test (D5)

Appendix B. Map Verification Plots

Sampling Point: lf_05
Site: Lakefront Drive Wetlands
Date: 2021-06-11
NWI classification: PSS4B
Viereck code: Black Spruce Woodland
Species: *Picea mariana, Vaccinium uliginosum, Vaccinium vitis-idaea, Salix pulchra, Rhododendron groenlandicum*
Notes: Located on outer boundary of mapping area within previously mapped wetlands. Significant sphagnum cover and saturation at surface.

Appendix C. Characteristics of wetlands and waters mapped in the Lakefront Drive wetlands study area, Alaska, 2021



Proposed Jurisdictional Category[1]

- (a)(4) wetlands adjacent to jurisdictional waters
- Non-jurisdictional (uplands)
- W-2 Mapped Wetlands and Waters[2]

- Map Verification Plot
- Wetland Determination Plot

0 10 20 30 40 Meters

0 50 100 150 Feet

[1] Jurisdiction under the Navigable Waters Protection Rule is applied to four categories of waters of the U.S.: (a)(1) the territorial seas and traditional navigable waters; (a)(2) perennial and intermittent tributaries to those waters; (a)(3) certain lakes, ponds, and impoundments; and (a)(4) adjacent wetlands, as defined by 33 CFR Parts 328 and 120—Definition of Waters of the United States. The USACE is responsible for the final jurisdictional determinations.

[2] The mapped wetlands and waters are displayed with an identification number per mapped polygon, which can be used to view each polygon's associated attributes in Table C-1.

Appendix C. Figure C-1. Characteristics of Wetlands and Waters Mapped in the Lakefront Drive Wetlands Study Area, Alaska, 2021.

map prepared by:
ABR, Inc. — Environmental Research & Services

23 June 2021 | AppC_Lakefront_Wetlands_21-254.mxd

Table C1. Characteristics of wetlands and waters mapped in the Lakefront Drive wetlands study area, Alaska, 2021.

Wetland Number	NWI Code[a]	HGM Class[b]	Vegetation Class[c]	Proposed Jurisdictional Category	Area (acres)	Longitude (WGS84)	Latitude (WGS84)	Longitude (NAD83)	Latitude (NAD83)
W-1	L2EM2F	Lacustrine Fringe	Fresh Herb Marsh	(a)(4) Wetlands adjacent to jurisdictional waters	0.1	-150.7101	60.4895	-150.7101	60.4895
W-2	PSS3/4B	Slope	Black Spruce Woodland	(a)(4) Wetlands adjacent to jurisdictional waters	2.6	-150.7089	60.4904	-150.7089	60.4904

[a] National Wetland Inventory (NWI) code derived from FGDC (2013)

[b] Hydrogeomorphic (HGM) class derived from Brinson (1993)

[c] Vegetation class from Viereck et al. (1992)

Funny River Advisory Planning Commission

September 6, 2022 Agenda

A. **Call to Order (Invocation, Pledge)**
Don Fritz 7:07pm

B. Roll Call
Don F. Jerry, Jim, kevin, Julie and Glenda (Mike masters not present)

C. Approval of Unapproved minutes August 4, 2022
Don 1st, Julie 2nd, all approve

D. Approval of Agenda
Don 1st, Julie 2nd, all approve

E. Public Comment(5 minute limit)
None

F. Welcome our new commissioner
Glenda Radzinsky

G. Report

a. Fire station update *Sept 8th Roy Browning will attend the FRCA meeting and give an update on the FR fire station. October 1st the FR fire station will be staffed and fully operational.*

b. Post officeFR
Jim called 13 times to Tim Bruno Post Office Operations USPS, with no return calls. Still attempting to setup a follow up meeting on more specifics.

c. FR Survey results
Online survey is officially closed and the data was compiled as an excel document. The document was sent to all the commissioners to review the data and work on how to present the metrics from it. Julie said there are still 36 to 40 paper surveys that have yet to be added to the excel data table. It was also determined that the data needs to be closely examined for duplicates before proceeding further.

d. Transfer stastation
Jerry is sending out a rough draft of an ordinace that would penalize individuals or companies that don't follow the rules of the transfer

station. Tabled until next meeting once all members can review and make edits.

H. New Business

a. Plat review

We would like to table the motion until we receive more information. We reject the exception request to platt number KPB 2022-127. Granting the request is detrimental to future public welfare and is not in support of KPB code 20.50.010 section A3. The letter from Kuna dated July 11, 2022 does not provide sufficient justification for the exception.

I. Adjournment

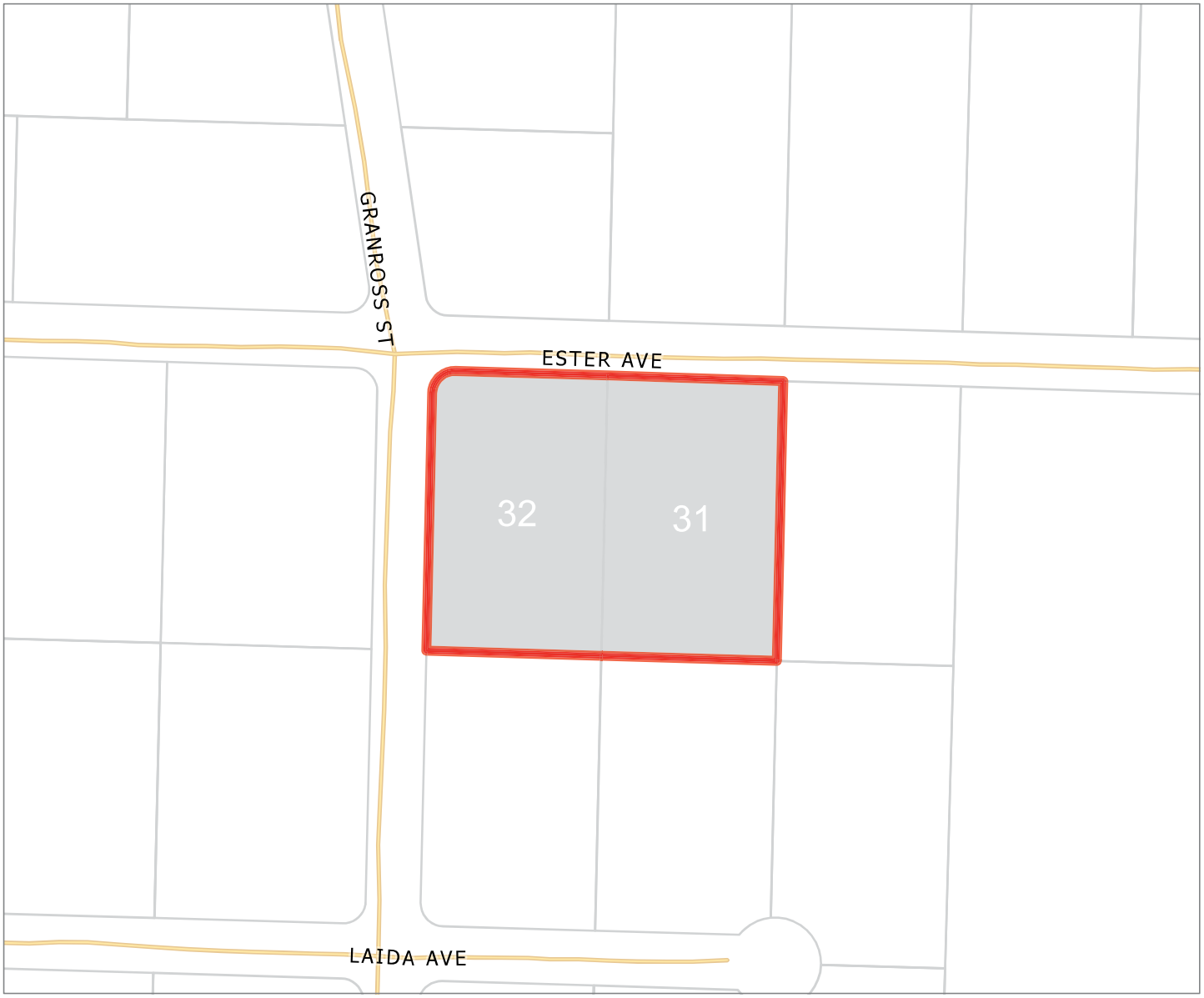
Julie 1st, Jerry 2nd All approve 8:28pm

E. NEW BUSINESS

3. Granross Grove 2022 Replat; KPB File 2022-134
Mullikin Surveys / Baumgardner
Location: Ester Avenue & Granross Street
Anchor Area / Anchor Point APC

Kenai Peninsula Borough Planning Department

Vicinity Map



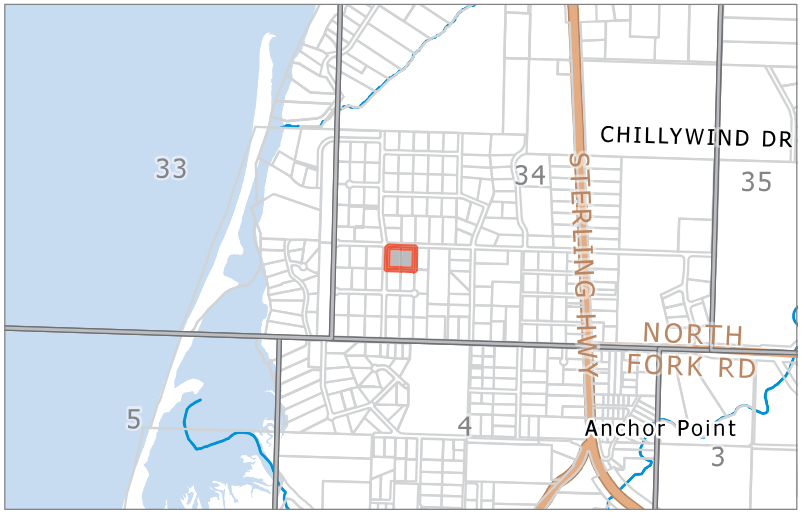
KPB File 2022-134

T 04S R 15W SEC 34

Anchor Point

9/2/2022

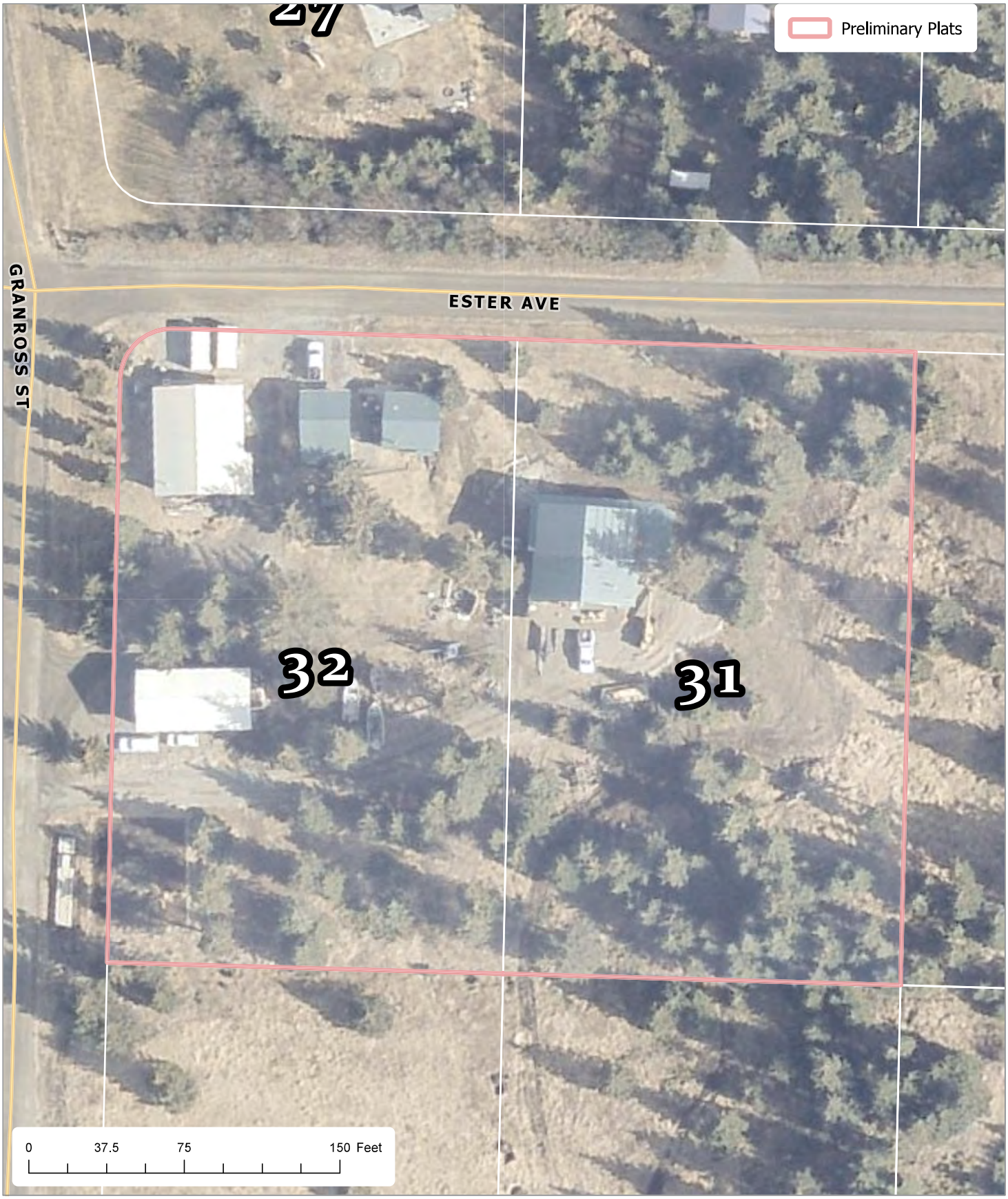
0 250 500 Feet



Kenai Peninsula Borough Planning Department

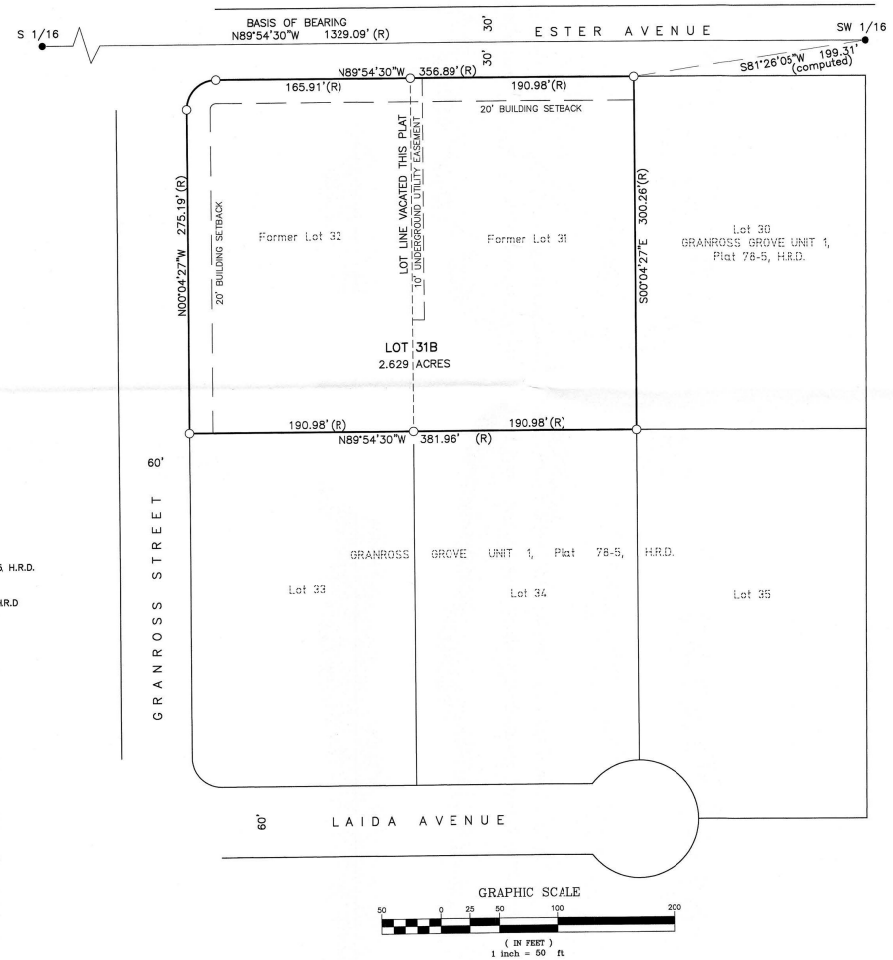
Aerial View

KPB 2022-134
9/2/2022



NOTES

1. The purpose of this plat is to create Lot 32B by vacating the lot line between Lots 31 & 32 of Granross Grove Unit 1.
2. No field survey was conducted. All dimensions shown are record as shown on Granross Grove Unit 1 (HM 78-5).
3. No permanent structures shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
4. Building Setback - A setback of 20 feet is required from all street right-of-ways unless a lesser standard is approved by resolution of the appropriate planning commission.
5. WASTEWATER DISPOSAL: The parent subdivision for lots resulting from this platting action was approved by the Kenai Peninsula Borough on December 12, 1977. Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.
6. Some or all of the property shown on this plat has been designated by FEMA or the Kenai Peninsula Borough Seward Mapped Flood Data Area as a flood hazard area district as of the date this plat is recorded with the district recorder's office. Prior to development, the Kenai Peninsula Borough floodplain administrator should be contacted for current information and regulations. Development must comply with Chapter 21.06 of the Kenai Peninsula Borough Code. The panel is 02122C1890E; the effective date is 10/20/2016.



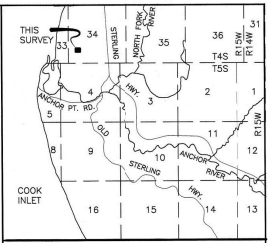
LEGEND

○	RECORD 1/2"X24" REBAR W/PLASTIC CAP, PLAT No. 78-5 H.R.D.
----------	EASEMENT LINES NOT SURVEYED
(R)	RECORD PER GRANROSS GROVE UNIT 1, PLAT No. 78-5, H.R.D
●	BRASS CAP MONUMENT OF RECORD.

SURVEYORS CERTIFICATE

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

Date: _____
Registration No.: 14449-S
Christopher L. Mullikin,
Professional Land Surveyor



VICINITY MAP 1" = 1 MILE
USGS SELDOVIA (D-5), AK 1961 (MINOR REVISIONS 1966)

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 right-of-way acquisition and by my free consent dedicate all rights-of-way to public use and grant all easements to the use shown.

Kent Baumgardner
P.O. Box 464
Anchor Point, AK 99556

NOTARY'S ACKNOWLEDGMENT

For: _____
Acknowledged before me
this____ day of _____ 2018.

Notary Public for the State of Alaska
My commission expires _____

PLAT APPROVAL
This plat was approved by the Kenai Peninsula Borough Planning Commission in accordance with KPB 20.10.070 at the meeting of _____.

KENAI PENINSULA BOROUGH

By: _____
Authorized Official

PRELIMINARY PLAT

MULLIKIN SURVEYS
P.O. BOX 1023
HOMER, ALASKA 99603
(907) 299-2289

Granross Grove 2022 Replat
A Lot line vacation Plat
CREATING LOT 31B

A REPLAT OF LOTS 31 & 32, GRANROSS GROVE UNIT 1 (PLAT No. 78-5, H.R.D.),
BOTH LOCATED WITHIN
THE SW 1/4 SW 1/4 OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 15 WEST,
SEWARD MERIDIAN, THIRD JUDICIAL DISTRICT,
KENAI PENINSULA BOROUGH,
HOMER RECORDING DISTRICT, ALASKA.

CONTAINING 2.629 ACRES, MORE OR LESS

SURVEYOR	CLIENT
MULLIKIN SURVEYS CHRISTOPHER MULLIKIN, PLS P.O. BOX 1023 Homer, AK 99603 907-299-2289	KENT BAUMGARDNER PO BOX 464 ANCHOR POINT, AK 99556
SURVEY DATE: NO FIELD SURVEY	SCALE: 1" = 50'
PLAT DATE: 7/15/2022	BOOK No.: NA
CHECKED BY: CLM	FILE: GRANROSS GROVE LOTS 31 32.dwg
DRAWN BY: CLM	KPB FILE No.: 2022-XXX

KPB 2022-134

AGENDA ITEM E. NEW BUSINESS

ITEM 3 - GRANROSS GROVE 2022 REPLAT

KPB File No.	2022-134
Plat Committee Meeting:	September 26, 2022
Applicant / Owner:	Kent Baumgardner of Anchor Point AK
Surveyor:	Christopher Mullikin / Mullikin Surveys
General Location:	Ester Avenue, Anchor Point / Anchor Point APC

Parent Parcel No.:	165-510-44, 165-510-45
Legal Description:	Lots 31 & 32 Granross Grove Unit 1
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	Onsite / City

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will combine two 1.313 acre lots into one lot of 2.629 acres. No right-of-way dedications are proposed with this plat.

Location and Legal Access (existing and proposed): The proposed plat is located on the corner of Ester Avenue and Granross Street, both being 60 feet wide Borough maintained rights-of-way. Ester Avenue is located at mile 156.5 of the Sterling Highway in the Anchor Point Area.

Ester Avenue, Granross Street, Laida Avenue and Birch Street define the compliant block.

Access appears to be in existence to the structures on parent Lot 32 from Ester Avenue. A driveway from Granross Street appears to cross Lot 32 to access the structure on Lot 31. Existing access will not be affected by the replat.

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 wetlands or steep areas present. The terrain slopes to the southwest corner from the north at a 6 percent grade overall. The plat is not in a flood hazard area. Plat note 6 references a map panel for flooding. The property is within the bounds of that panel but the property itself is not within a flood hazard zone. This was confirmed by the staff review at the River Center. ***Staff recommends*** *plat note 6 be removed per the response from the River Center.*

There are several existing structures located on the property. KPB GIS parcel line data and KPB GIS imagery are not exact. Structures found in Lot 32 appear to be very close to the property lines. While a field survey is not required staff would recommend the surveyor verify the locations of the buildings in regards to the property lines, utility easements, and building setbacks. The structure on Lot 31 should be verified that it is not within the 10 foot utility easements. This platting action is not creating lines to create encroachments but encroachments may exist. If there are structures within the dedicated rights-of-way, a resolution should be put into place prior to finalizing the plat. If the structures are within the existing utility easement or existing building setbacks, it is recommended that the issues be resolved as they may create issues for the owners in the future. Any encroachments into the right-of-way or setback will be provided to the Roads Department and KPB Code Compliance Officer. This plat will be required to grant new 10 foot utility easements along the rights-of-way. If any of the structures are within the new easement they may be exempt if the structures are shown and appropriate plat notes are added. This will still not

resolve any setback encroachments. ***Staff recommends*** *the location of buildings be located and the status of any encroachments be staff with possible methods of resolution. If no encroachments are found this should be submitted in writing to Platting Staff.*

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

Staff Analysis This is a replat of Lots 31 and 32 created in Granross Grove Unit 1 HM 78-5. This plat is a paper plat with no field survey as provided in KPB 20.60.200(A). The plat is carrying over a 20-foot building setback from the parent plat to the current plat located along the rights-of-way. A new 10-foot utility easement adjacent to the rights-of-way is being granted with this plat.

Per the submittal the lots will be/are connected to city water. Anchor Point has a community water system. ***Staff recommends*** *if the lot is connected documentation will be required that demonstrates it is connected. If the lots are not yet connected or if any requirements must be meet, documentation from the public water system must be submitted that states the system will support their connection or if any requirements, such as an installation agreement, will be required prior to finalization.*

A soils report will not be required as per KPB 20.40.020(A), as the parent plat received borough approval and this action will only be removing a lot line.

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

The property is within the Anchor Point advisory planning commission. Minutes were not available when the staff report was prepared and will be provided if available in the desk packet.

Utility Easements The parent plat was a subdivision of aliquot lands. The plat, Granross Grove Unit 1 HM 78-5, granted a 10 foot utility easement on parent Lot 31 along the shared lot line with Lot 32. The easement is being carried over. The parent plat did not grant utility easements along all rights-of-way. This plat will be required to grant 10 foot utility easements along the dedicated rights-of-way. ***Staff recommends*** *the label for the existing utility easement include "Granted by HM 78-5", the new easements be depicted and labeled, and a plat note be added that states they are being granted by this plat.*

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

Utility provider review:

HEA	Provide 10 foot wide utility easement adjoining the dedicated ROW.

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

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 72843 ESTER AVE Existing Street Names are Correct: Yes List of Correct Street Names: ESTER AVE GRANROSS ST LAIDA AVE Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: 72843 ESTER AVE will remain with lot 31B.
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

- *The Mullikin Surveys label above the title block is not required as the information is in the title block. If trying to include company logo, it can be incorporated into the title block or may remain.*
- *The line symbol for neighboring lot lines should be added to the legend.*
- *The legend states the one line symbol is for easement lines not surveyed but appears to be the former lot line.*
- *Add curve data to the curve in the northwest corner of Lot 31B.*

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: Remove the second line in the title: "A Lot line vacation Plat". Add KPB file number to title block 2022-134.

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: *Add labels for land to the west across Granross Street and north of Ester Avenue. Change the font of the labels as reproduction could lose text. The depiction of neighboring properties only is required to 100 feet. The depiction of Laida Avenue is not required but may remain.*

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

Staff recommendation: *Surveyor should check the structures on parent Lot 32 for location to property lines and setbacks. If found to be an issue, show on drawing and add the following statement: "Acceptance of this plat by the Kenai Peninsula Borough does not indicate acceptance of any encroachments." Issues may be dealt with prior to final approval.*

KPB 20.30 – Subdivision Design Requirements

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

20.30.060. Easements-Requirements.

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

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

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: This action will increase the usable area for parent lots that received previous approval from the Kenai Peninsula Borough. Soils analysis report will not be required and the 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.*

20.60.030. Certificate of borough finance department required.

Platting Staff Comments: All taxes levied on the property within the subdivision shall be paid prior to recordation of the final plat. If approval is sought between January 1 and the tax due date, there shall be

on deposit with the borough finance department an amount sufficient to pay the entire estimated real property tax for the current year. Prior to filing of the final plat, a certificate to this effect shall be provided by the borough finance director or his designee upon request by the planning director. Estimated tax payments shall be applied to the actual bill as of July 1 or such earlier date as the taxes due have been determined.

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

***Staff recommendation:** This property is subject to a Utility special assessment. Any unpaid balances will be required to be paid in addition to current year and any past due property taxes. Comply with 20.60.030.*

20.60.180. Plat notes.

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

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

***Staff recommendation:** Place the following notes on the plat.*

- *Subject to covenants, conditions, and restrictions as recorded on May 28, 1981 in Book 120 Page 677, Homer Recording District.*
- *The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.*
- *Add plat notes required to resolve any existing encroachments or resolution of encroachments.*
- *Acceptance of this plat by the Kenai Peninsula Borough does not indicate acceptance of any encroachments.*
- *The front 10 feet adjoining rights-of-way shall be granted as a utility easement per this plat.*
- *If these lots are connecting to the Anchor Point Community Water System add, "This lot is served by the Anchor Point Safe Water Corporation Public Water System (PWS #247490)."*

Plat note 6 may be removed.
Plat note 1 needs a correction to the lot number being created.
Plat note 2, please add the reference to KPB Code that allows for no field survey. "No field survey was conducted as provided in KPB Code 20.60.200(A)."

20.60.190. Certificates, statements, and signatures required.

***Staff recommendation**: The certificate of ownership needs to be revised as it currently states right-of-way acquisition instead of subdivision. Update the year in the Notary's Acknowledgment. The plat approval note should comply with 20.60.190(C). Comply with 20.60.190.*

RECOMMENDATION:

STAFF RECOMMENDS:

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

NOTE: 20.25.120. - REVIEW AND APPEAL.

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

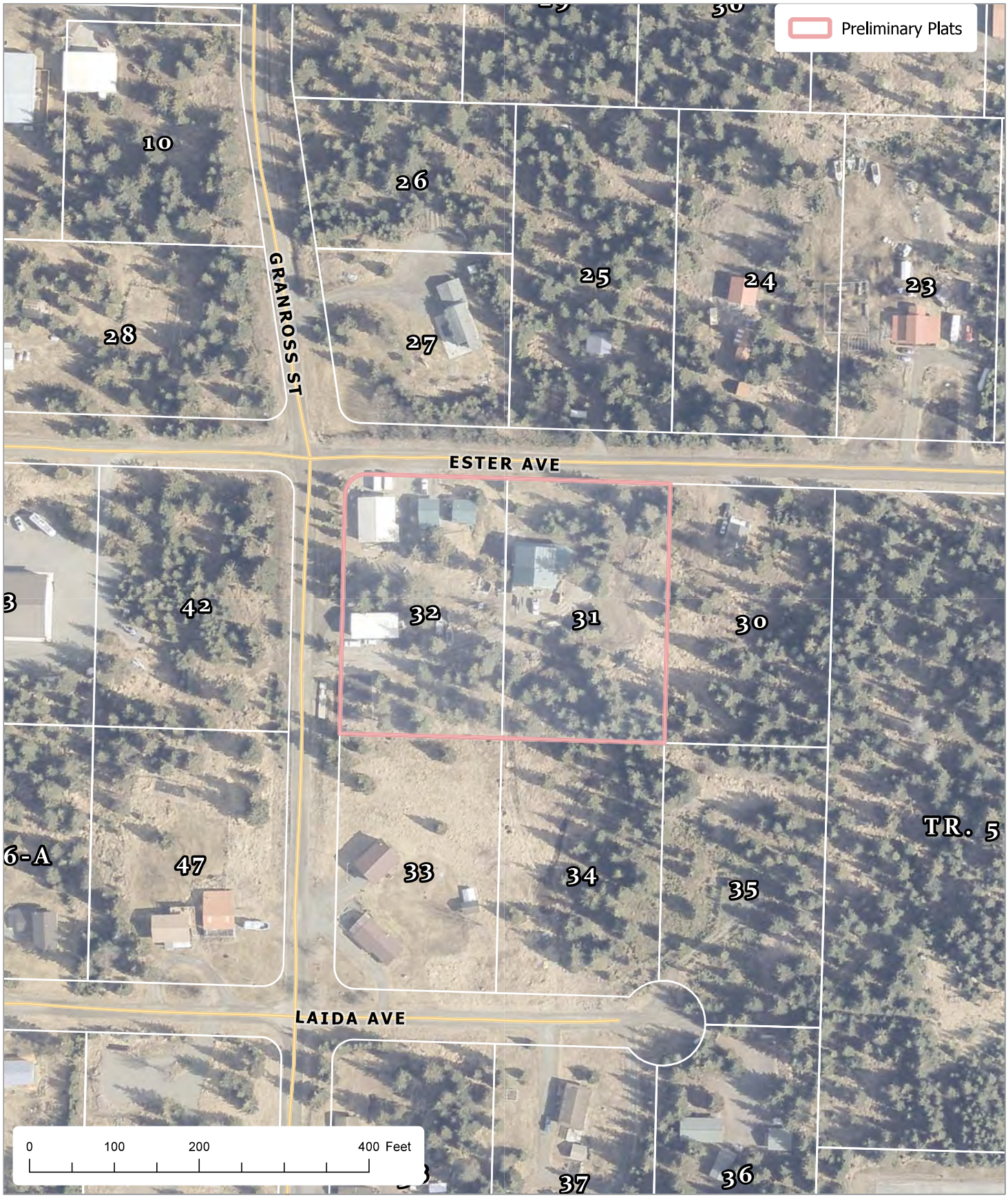
A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

END OF STAFF REPORT

Kenai Peninsula Borough Planning Department

Aerial View

KPB 2022-134
9/2/2022

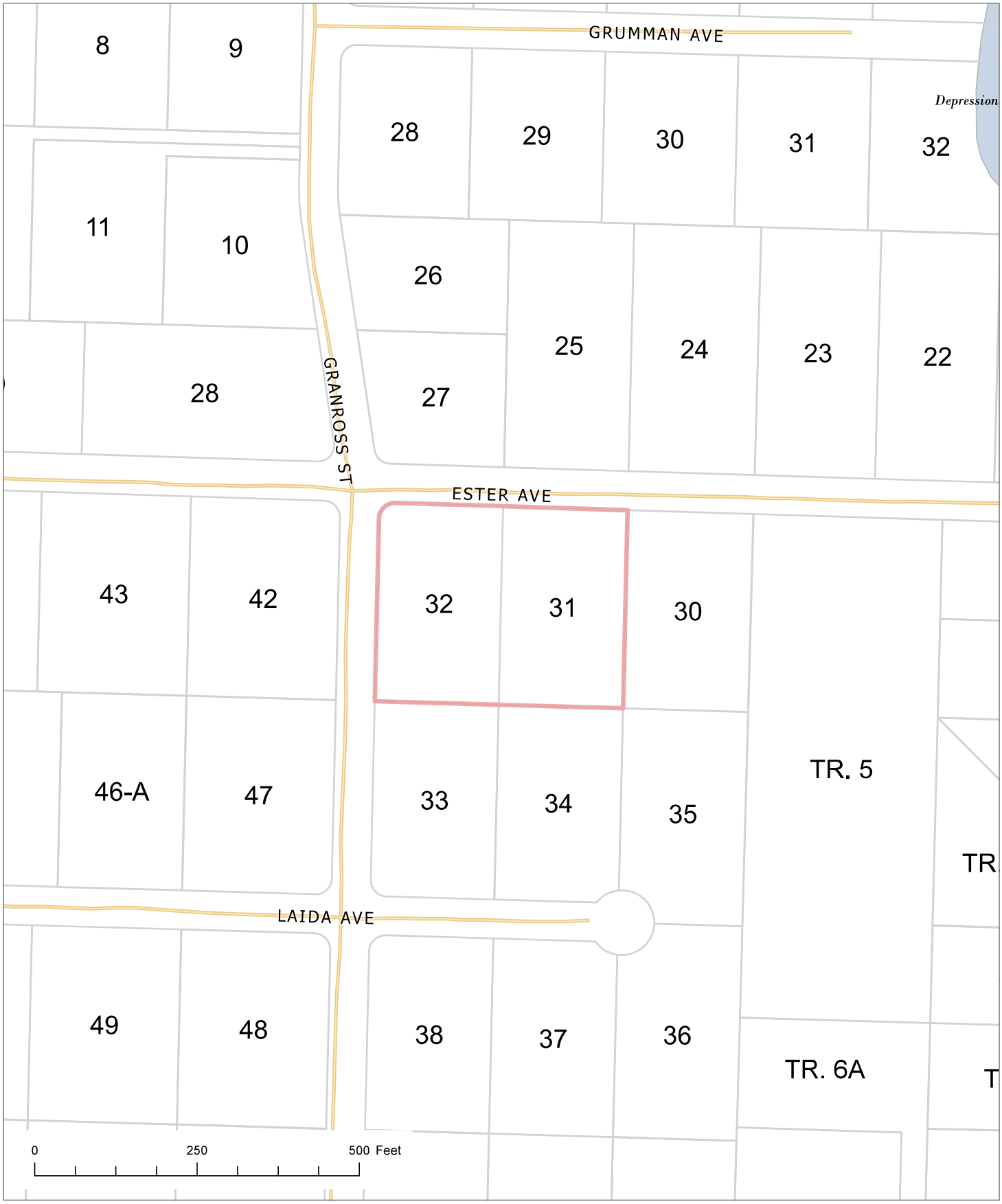


Kenai Peninsula Borough Planning Department

Wetlands

KPB File 2022-134

9/2/2022

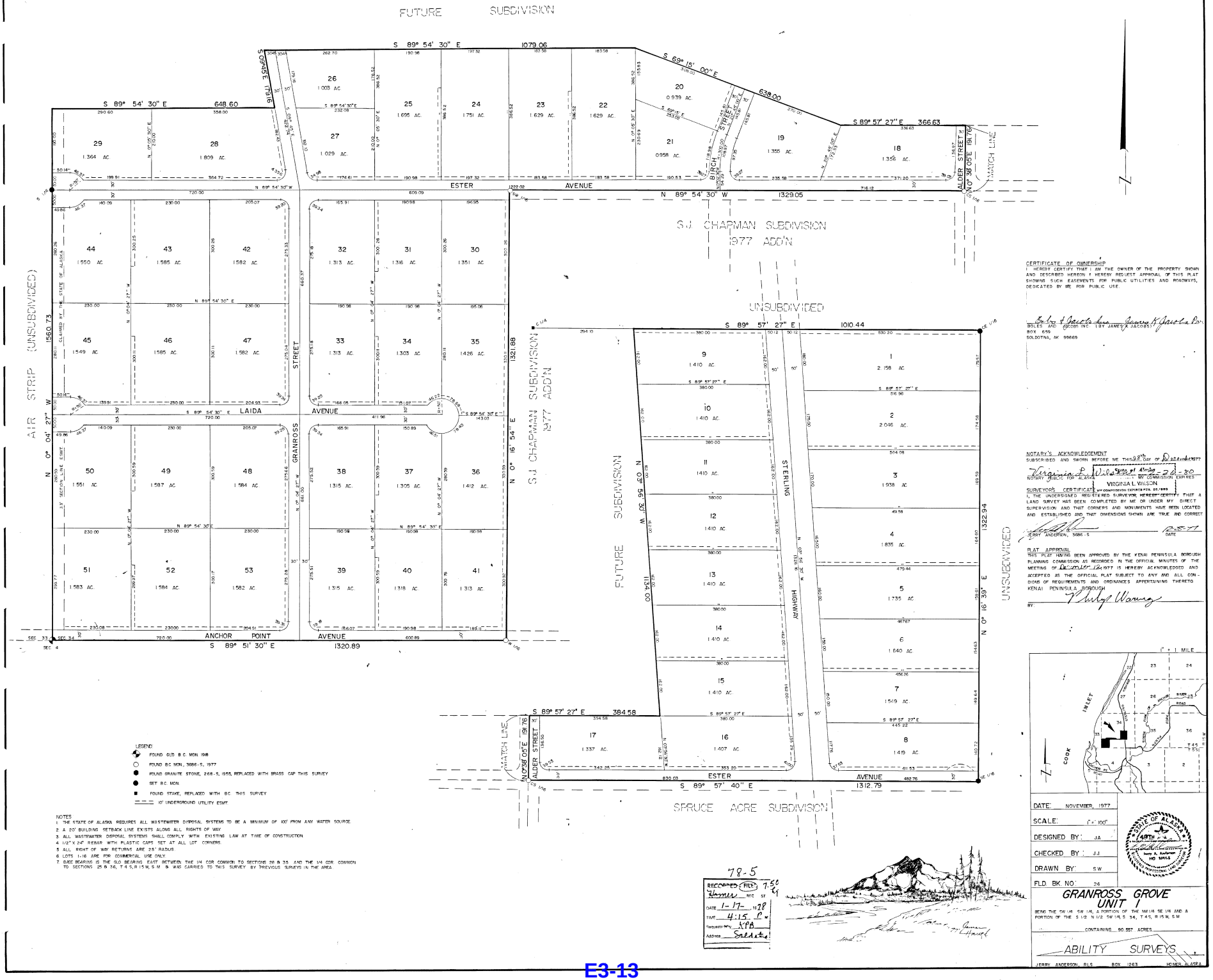


Kenai Peninsula Borough Planning Department

Aerial with 5-foot Contours

KPB File 2022-134

9/2/2022


FUTURE SUBDIVISION
S 89° 54' 30" E 1079.06
S 69° 15' 00" E 638.00
S 89° 57' 27" E 366.63
S 89° 54' 30" E 648.60
N 0° 38' 05" E 191.76
ALDER STREET
BIRCH STREET
MATCH LINE
ESTER AVENUE
N 89° 54' 30" W 1329.05
S.J. CHAPMAN SUBDIVISION 1977 ADD'N
UNSUBDIVIDED
S 89° 57' 27" E 1010.44
AIR STRIP (UNSUBDIVIDED)
N 0° 04' 27" W 1560.73
STREET
LAIDA AVENUE
GRANROSS
N 0° 16' 54" E 1321.88
S.J. CHAPMAN SUBDIVISION 1977 ADD'N
FUTURE SUBDIVISION
N 0° 30' 56" W 1134.00
STERLING HIGHWAY
N 0° 16' 39" E 1322.94
UNSUBDIVIDED
ANCHOR POINT AVENUE
S 89° 51' 30" E 1320.89
S 89° 57' 27" E 384.58
S 89° 57' 40" E 1312.79
SPRUCE ACRE SUBDIVISION
29 1.364 AC.
28 1.809 AC.
26 1.003 AC.
27 1.029 AC.
25 1.695 AC.
24 1.751 AC.
23 1.629 AC.
22 1.629 AC.
20 0.939 AC.
21 0.958 AC.
19 1.355 AC.
18 1.356 AC.
44 1.550 AC.
43 1.585 AC.
42 1.582 AC.
32 1.313 AC.
31 1.316 AC.
30 1.351 AC.
45 1.549 AC.
46 1.585 AC.
47 1.582 AC.
33 1.313 AC.
34 1.303 AC.
35 1.426 AC.
50 1.551 AC.
49 1.587 AC.
48 1.584 AC.
38 1.315 AC.
37 1.305 AC.
36 1.412 AC.
51 1.583 AC.
52 1.584 AC.
53 1.582 AC.
39 1.315 AC.
40 1.318 AC.
41 1.313 AC.
9 1.410 AC.
10 1.410 AC.
11 1.410 AC.
12 1.410 AC.
13 1.410 AC.
14 1.410 AC.
15 1.410 AC.
16 1.407 AC.
17 1.337 AC.
1 2.158 AC.
2 2.046 AC.
3 1.938 AC.
4 1.835 AC.
5 1.735 AC.
6 1.640 AC.
7 1.549 AC.
8 1.419 AC.
SEC. 33
SEC. 34
SEC. 4
LEGEND:
FOUND GLO B.C. MON. 1918
FOUND B.C. MON., 3686-S, 1977
FOUND GRANITE STONE, 268-S, 1955, REPLACED WITH BRASS CAP THIS SURVEY
SET B.C. MON.
FOUND STAKE, REPLACED WITH B.C. THIS SURVEY
10' UNDERGROUND UTILITY ESMT
NOTES
1. THE STATE OF ALASKA REQUIRES ALL WASTEWATER DISPOSAL SYSTEMS TO BE A MINIMUM OF 100' FROM ANY WATER SOURCE.
2. A 20' BUILDING SETBACK LINE EXISTS ALONG ALL RIGHTS OF WAY.
3. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING LAW AT TIME OF CONSTRUCTION.
4. 1/2" X 24" REBAR WITH PLASTIC CAPS SET AT ALL LOT CORNERS.
5. ALL RIGHT OF WAY RETURNS ARE 25' RADIUS.
6. LOTS 1-18 ARE FOR COMMERCIAL USE ONLY.
7. BASE BEARING IS THE GLO BEARING EAST BETWEEN THE 1/4 COR COMMON TO SECTIONS 26 & 35 AND THE 1/4 COR COMMON TO SECTIONS 25 & 36, T 4 S, R 15 W, S.M. & WAS CARRIED TO THIS SURVEY BY PREVIOUS SURVEYS IN THE AREA.
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.
BOLES AND JACOBS INC. BY JAMES K. JACOBS
BOX 699
SOLDOTNA, AK 99669
NOTARY'S ACKNOWLEDGEMENT
SUBSCRIBED AND SWORN BEFORE ME THIS 28th DAY OF November 1977
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 12-21-80
VIRGINIA L. WILSON
SURVEYOR'S CERTIFICATE
I, THE UNDERSIGNED REGISTERED SURVEYOR, HEREBY CERTIFY THAT A LAND SURVEY HAS BEEN COMPLETED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT CORNERS AND MONUMENTS HAVE BEEN LOCATED AND ESTABLISHED AND THAT DIMENSIONS SHOWN ARE TRUE AND CORRECT
JERRY ANDERSON, 3686-S
DATE
PLAT APPROVAL
THIS PLAT HAVING BEEN APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AS RECORDED IN THE OFFICIAL MINUTES OF THE MEETING OF December 12, 1977 IS HEREBY ACKNOWLEDGED AND ACCEPTED AS THE OFFICIAL PLAT SUBJECT TO ANY AND ALL CONDITIONS OF REQUIREMENTS AND ORDINANCES APPERTAINING THERETO
KENAI PENINSULA BOROUGH
BY:
1" = 1 MILE
INLET
COOK
78-5
RECORDED FILE
REC
ST
DATE 1-17-1978
TIME 4:15 P.M.
Address Soldotna
DATE: NOVEMBER, 1977
SCALE: 1" = 100'
DESIGNED BY: JA
CHECKED BY: JJ
DRAWN BY: SW
FLD. BK. NO.: 26
GRANROSS GROVE UNIT 1
BEING THE SW 1/4 SW 1/4, A PORTION OF THE NW1/4 SE 1/4 AND A PORTION OF THE S 1/2 N 1/2 SW 1/4 S. 34, T 4 S, R 15 W, S.M.
CONTAINING 60.557 ACRES.
ABILITY SURVEYS
JERRY ANDERSON, RLS BOX 1263 HOMER, ALASKA

E. NEW BUSINESS

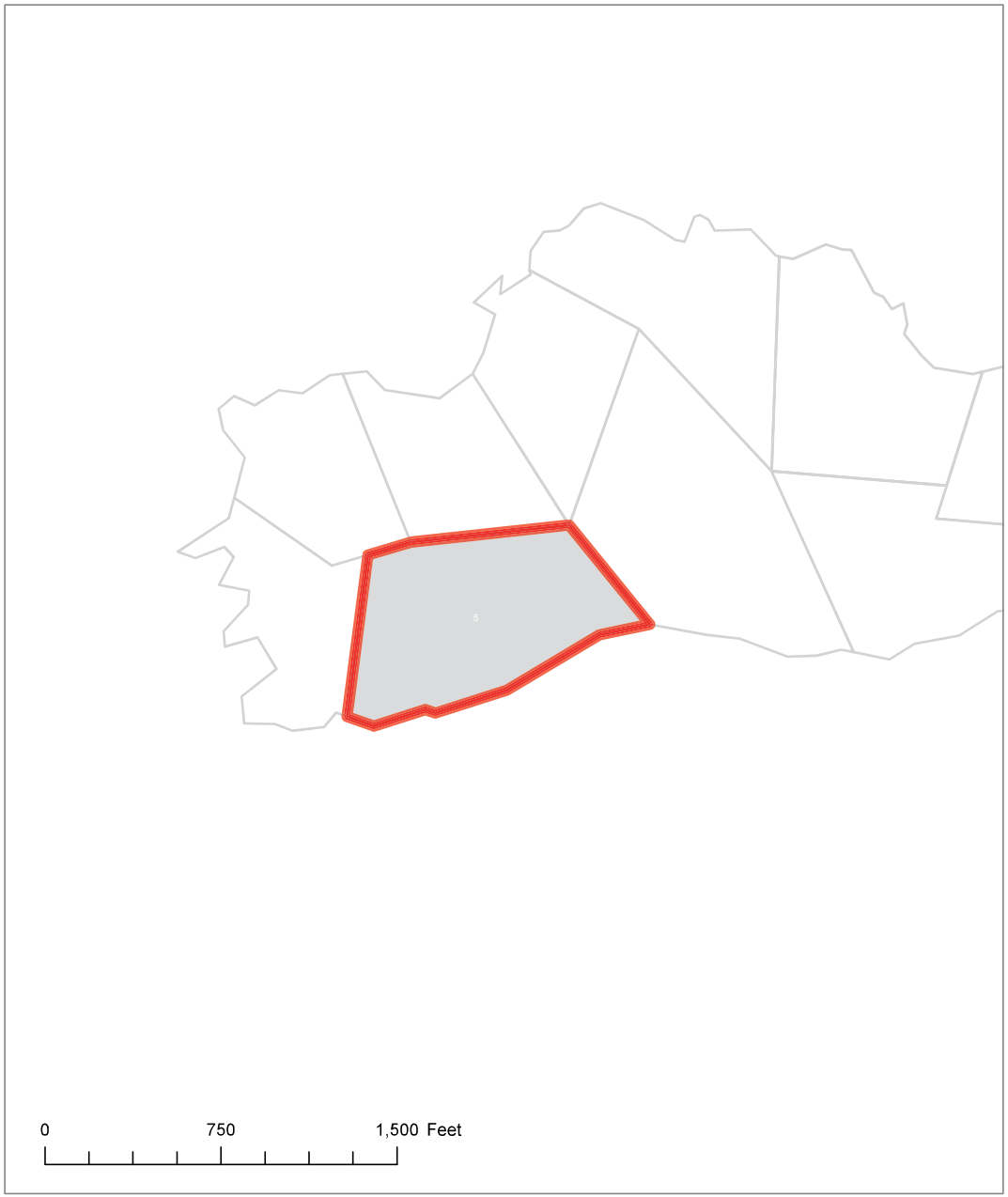
4. Hesketh Southwest; KPB File 2022-135
Mullikin Surveys / Kloeckl
Location: Hesketh Island
Remote Area

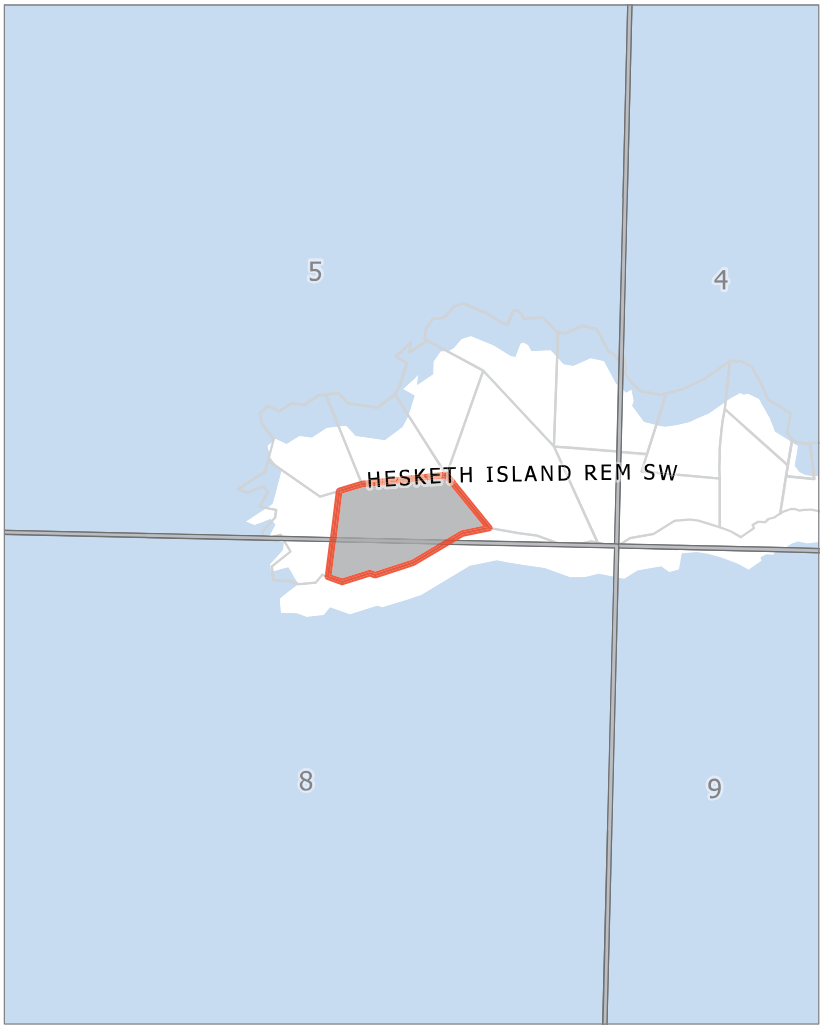
Kenai Peninsula Borough Planning Department

Vicinity Map

9/6/2022

N





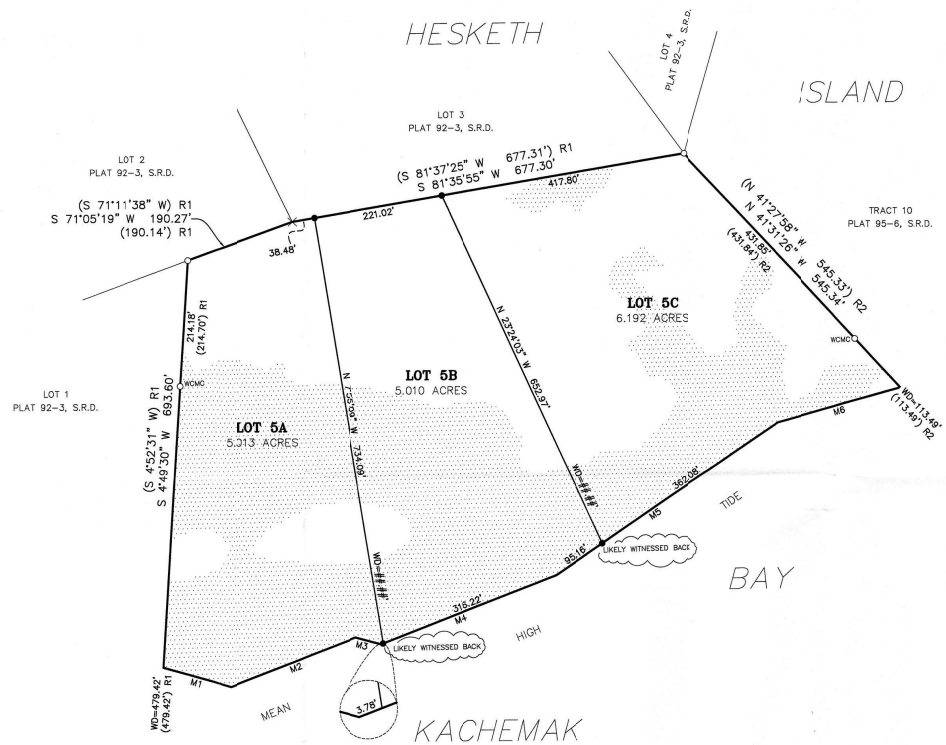
KPB File # 2022-135
S05 & 08 T08S R13W
Remote

Kenai Peninsula Borough Planning Department

Aerial

KPB File Number 2022-135

9/19/2022



Areas over 20% grade
DERIVED FROM USGS CONTOUR DATA VIA
https://apps.nationalmap.gov/downloader/

LEGEND

○	FOUND 2" AL. CAP, 4469-S, 1990
●	SET 2" AL. CAP 5/8"X24", 14449-S, 2022
———	SURVEYED LINE
- - - - - - - -	UNSURVEYED LINE (EASEMENTS)
( ) R1	RECORD DATA PER PLAT 92-3, S.R.D., HESKETH ISLAND ADVENTURE
( ) R2	RECORD DATA PER PLAT 95-6, S.R.D., HESKETH ISLAND ADVENTURE No. 6
MHT	MEAN HIGH TIDE

GRAPHIC SCALE
100 0 50 100 200 400
(IN FEET)
1 inch = 100 ft.

NOTES

1. BASIS OF BEARING: THE BASIS OF BEARING FOR THIS PLAT WAS DETERMINED BY HIGH PRECISION GPS SURVEY USING TOPCON LEGACY E SURVEY GRADE RECEIVERS, DIFFERENTIALLY CORRECTED AND PROCESSED USING SPECTRA PRECISION SURVEY PRO GPS VERSION 5.4.2 SOFTWARE.
2. ALL BEARINGS SHOWN ARE TRUE BEARINGS AS ORIENTED TO THE BASIS OF BEARING AND THE DISTANCES SHOWN ARE REDUCED TO HORIZONTAL FIELD DISTANCES.
3. ALL CORNERS ESTABLISHED THIS SURVEY ARE 2" ALUMINUM CAPS MARKED 14449-S, 2022, WITH APPROPRIATE TRACT DESIGNATION AND DATE, ON 5/8" X 24" REBAR.
4. AN AREA 50 FT. UPLAND FROM THE MEAN HIGH TIDE LINE MAY BE SUBJECT TO EXTREME HIGH TIDE AND INUNDATION.
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. THE 2022 MEAN HIGH TIDE IS IDENTICAL TO THE MEAN HIGH TIDE OF PLAT 92-3, S.R.D., HESKETH ISLAND ADVENTURE.
7. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.
8. WAIVERS WERE GRANTED BY THE PLANNING COMMISSION ON XXX XX, 2022 FOR KPB 20.40, WASTEWATER REVIEW; KPB 20.30.050, LEGAL ACCESS; AND KPB 20.30.210, LOTS – ACCESS TO STREET. ACCESS TO THE LOTS WILL BE BY WATER OR AIR.
9. WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

MEANDERS
MHT KACHEMAK BAY

Line #	Length	Direction
M1	119.81'	N72° 42' 08"W
M2	229.85'	S70° 03' 33"W
M3	45.35'	N73° 42' 40"W
M4	320.00'	S70° 00' 53"W
M5	457.24'	S56° 50' 35"W
M6	219.14'	S75° 44' 21"W

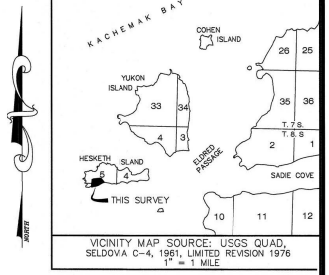
SURVEYORS CERTIFICATE

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

Date:
Registration No.: 14449-S
Christopher L. Mullikin,
Professional Land Surveyor

STATE OF ALASKA 49TH CHRISTOPHER L. MULLIKIN 14449-S REGISTERED PROFESSIONAL LAND SURVEYOR

PRELIMINARY PLAT



VICINITY MAP SOURCE: USGS QUAD,
SELDOVA C-4, 1961, LIMITED REVISION 1976
1" = 1 MILE

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.

Brad Kloeckl Date
448 Bonanza Ave
Homer, AK 99603

NOTARY'S ACKNOWLEDGMENT

For: _____
Acknowledged before me
this____ day of _____, 2022.

Notary Public for the State of Alaska
My commission expires _____

PLAT APPROVAL
This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of XXXX XX, 2023
_____.

KENAI PENINSULA BOROUGH

By: _____
Authorized Official

MULLIKIN SURVEYS
P.O. BOX 1023
HOMER, ALASKA 99603
(907) 299-2289

A PLAT OF
HESKETH SOUTHWEST

A SUBDIVISION OF LOT 5, HESKETH ISLAND ADVENTURE
(PLAT 92-3, S.R.D.)
LOCATED WITHIN THE S1/2 SE1/4 OF PROTRACTED SECTION 5
AND THE NW1/4 NE1/4 OF PROTRACTED SECTION 8,
T. 8 S., R. 13 W., S.M., THIRD JUDICIAL DISTRICT,
KENAI PENINSULA BOROUGH, ALASKA
SELDOVIA RECORDING DISTRICT

CONTAINING 16.215 ACRES, MORE OR LESS

SURVEYOR	CLIENT
MULLIKIN SURVEYS P.O. BOX 1023 HOMER, AK 99603 907-299-2289	BRAD KLOECKL 448 BONANZA AVE HOMER, AK 99603
SURVEY DATE: 8/XX/2022	SCALE: 1" = 100'
PLAT DATE: 8/28/2022	BOOK No. ###
CHECKED BY: MRS	FILE: HESKETH LOT 5
DRAWN BY: CLM	KPB FILE No. 2023-XX

KPB 2022-135

AGENDA ITEM E. NEW BUSINESS

ITEM 4 - HESKETH SOUTHWEST

KPB File No.	2022-135
Plat Committee Meeting:	September 26, 2022
Applicant / Owner:	Bradley Kloeckl of Homer, AK
Surveyor:	Christopher Mullikin / Mullikin Surveys
General Location:	Remote, Hesketh Island

Parent Parcel No.:	191-010-54
Legal Description:	Lot 5 of Hesketh Island Adventure
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 16.215-acre parcel into 3 lots ranging in size from 5.010 acres to 6.192 acres.

Location and Legal Access (existing and proposed): This plat is considered a remote location. It is located in Kachemak Bay north of Oyster Cove northeast of Seldovia. These lots will be water access only.

The proposed subdivision is surrounded by larger acreage parcels. The parent lots and proposed lots will be adjacent to Kachemak Bay along the south. There are section line easements running across the property. KPB data indicates there may not be any section line easements present and the use of the section lines for access will required a determination by the State of Alaska.

A request for exception to KPB Code 20.30.050 Legal Access has been submitted along with KPB 20.30.210 Access to Street.

KPB Code 20.30.050, Legal Access, requires that legal access exists to the boundary of the subdivision. It is currently only accessed by water. Staff believes the requirements of 20.30.050(B) have been met as there is permanent public access by water. ***Staff recommends*** *the plat committee concur to waive the legal access requirements of KPB 20.30.050(A), the exception is not required, and a plat note that states the mode of access is must be added.*

If the Plat Committee concurs with the requirements of KPB 20.30.050 and that no exception is required, ***staff recommends*** *the plat committee concur that an exception to KPB 20.30.210 is not required as all lots will have water access.*

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

Site Investigation: KPB does not have any wetland or contour information for the area. A contour map was obtained from USGS National Website to get a better idea of the terrain of the plat. The plat does identify areas of steep terrain over 20% grade. ***Staff recommends*** *the steep terrain remain in the final plat and the wetland determination remain.*

The only improvement apparent is a building that per KPB GIS imagery, is within the southeast portion of proposed Lot 5C. The imagery available for the area is older. ***Staff recommends*** *the surveyor must verify that the subdivision plat will not create any encroachment issues, if found they must be disclosed to staff with statement of resolution.*

The subdivision is within a non-regulatory floodplain. Plat note 4 does indicate the possibility of inundation. ***Staff recommends*** *the area be depicted within a reference to the plat note.*

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 a16.215 acres subdivision to create 3 lots that will be aces by water only. The three lots will all have access to Kachemak Bay along their southern boundaries. The property was originally part of US Survey No 3029, which was a survey of the entire island and created two lots. Several subdivisions have occurred on the island with Hesketh Island Adventure, Plat SL 92-3, creating the parent lot. Most of the lots on the island are larger in size with two that are a little over 1 acre.

An exception was requested to KPB 20.40, wastewater review. Per the preliminary plat presented, all lots are proposed at over 200,000 square feet and a soils report is not required. If the final plat shows lots under 200,000 square feet, a soils report will be required or the exception can be brought back to the plat committee. ***Staff recommends*** *the plat committee concur that the exception requested is not required due to the proposed lot sizes.*

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

The property is not within an advisory planning commission.

Utility Easements There are no platted easements to carry forward. The certificate to plat did not indicate any easements granted by recorded document. There are no easements shown on this plat. As the lots do no front on any dedicated rights-of-way, utility easements are not required by code but any requested by providers should be discussed with the providers and granted per 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 comment
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 62303 HESKETH ISLAND REM SW Existing Street Names are Correct: No List of Correct Street Names: Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: No other comments
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

- *The Mullikin Surveys label above the title block is not required as the information is in the title block. If trying to include company logo, it can be incorporated into the title block or may remain.*
- *If no easements are being granted or of record, the line should be removed from the legend.*
- *The line symbol for neighboring lot lines should be added to the legend.*
- *Add to the legend the definition of "WD".*

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 name of the subdivision should include the parent name. Suggested would be Hesketh Island Adventure Southwest or Hesketh Island Adventure 2022 Replat or Kloeckl Replat. The location of the subdivision can be listed as SW1/4 SE1/4. Add the KPB File number 2022-125 to the drawing. Correct the owners name to as shown on the KPB website and per Certificate to Plat.*

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: *Section lines should be shown and labeled.*

I. Approximate locations of areas subject to tidal inundation and the mean high water line;
Staff recommendation: *Add a line across the lots, for the tidal inundation with label or reference to plat note.*

KPB 20.30 – Subdivision Design Requirements

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

20.30.050. Legal access.

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

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

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

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

Staff recommendation: *Staff is asking the plat committee to concur that the legal access requirements should be waived and a plat note should be added to note the mode of access.*

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

Staff recommendation: *Exception request made. Grouped and discussed with the exception to KPB 20.30.050.*

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 lots, a soils report will not be required. An exception was requested.

Staff recommendation*: Staff is asking the Plat Committee to concur that the exception is not required.*

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 there are covenants on file for the subdivision. Provide the following plat note, "Subject to covenants, conditions, and restrictions as found within instrument recorded on May 12, 1992 in Book 32 Page 519, Seldovia Recording District.*
- *The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.*
- *The natural meanders of mean high water line is for area computations only, the true corners being on the extension of the sidelines and the intersection with the natural meanders.*
- *The parent plat contained the note that should be carried over. "The State of Alaska requires that all wastewater disposal systems be a minimum of 100 feet from any water source."*
- *WASTEWATER DISPOSAL: Lots which are at least 200,000 square feet in size may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.*
- *Per KPB 20.30.050 Legal Access, the mode of access for this subdivision is by watercraft.*

Plat note 5 may be removed unless utility easements are granted.

Plat note 8, reword as they are considered exceptions to code. This note may be removed if the plat committee concurs with staff's recommendations.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation*: The owner's name must match the deed as shown in the Certificate to Plat. Comply with 20.60.190.*

20.60.200. Survey and monumentation.

Staff recommendation*: It appears witness markers will be used and the plat will be updated. There is an X being shown along the northern boundary. Per the parent plat this should be a found monument that is for the northern lot line along this subdivision's boundary where the bearing changes. Verify location and if the X remains add to the legend. 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

Kenai Peninsula Borough Planning Department

Aerial

KPB File Number 2022-135

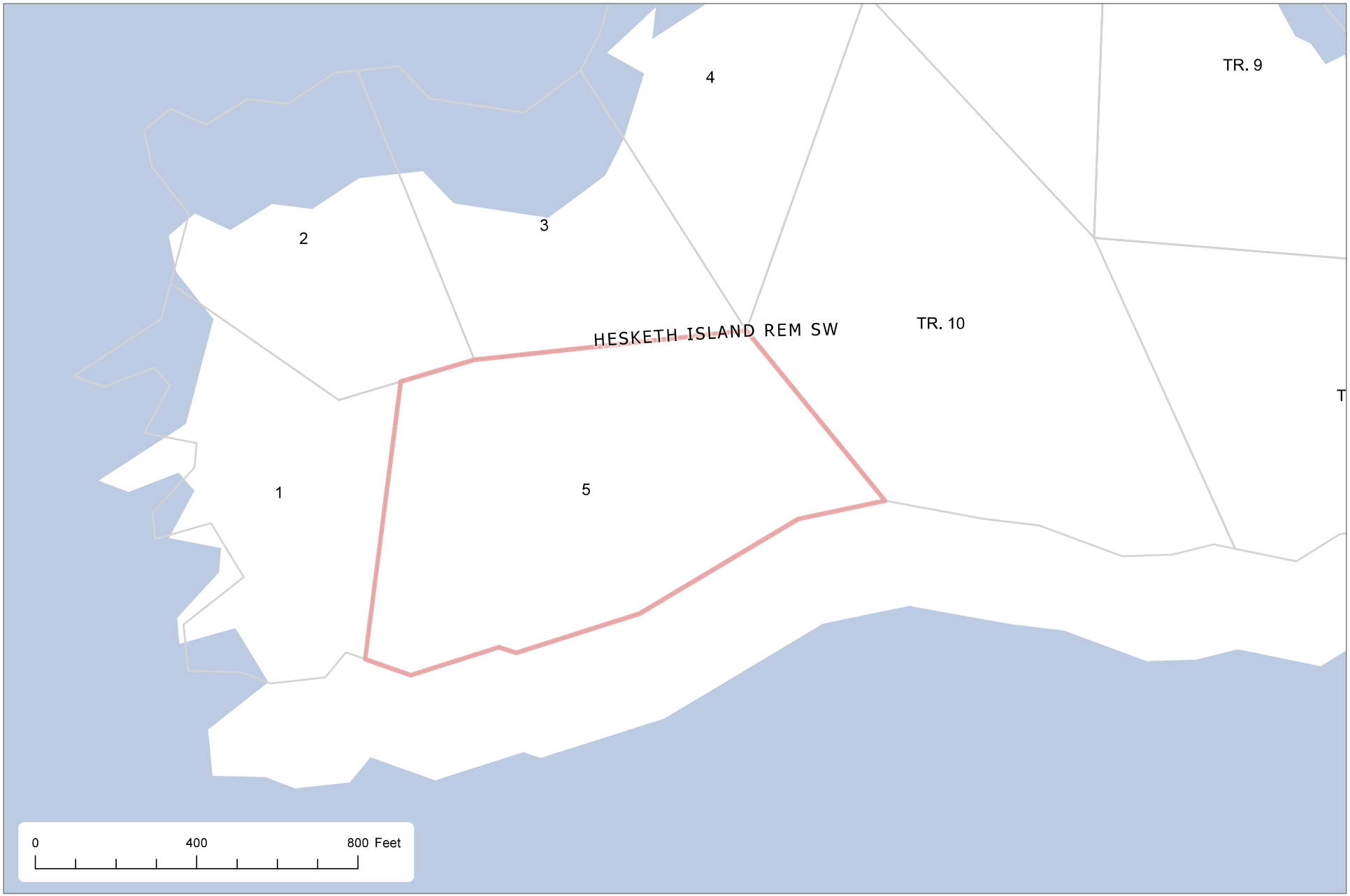
9/19/2022

Kenai Peninsula Borough Planning Department

Wetlands

KPB File Number 2022-135

9/6/2022

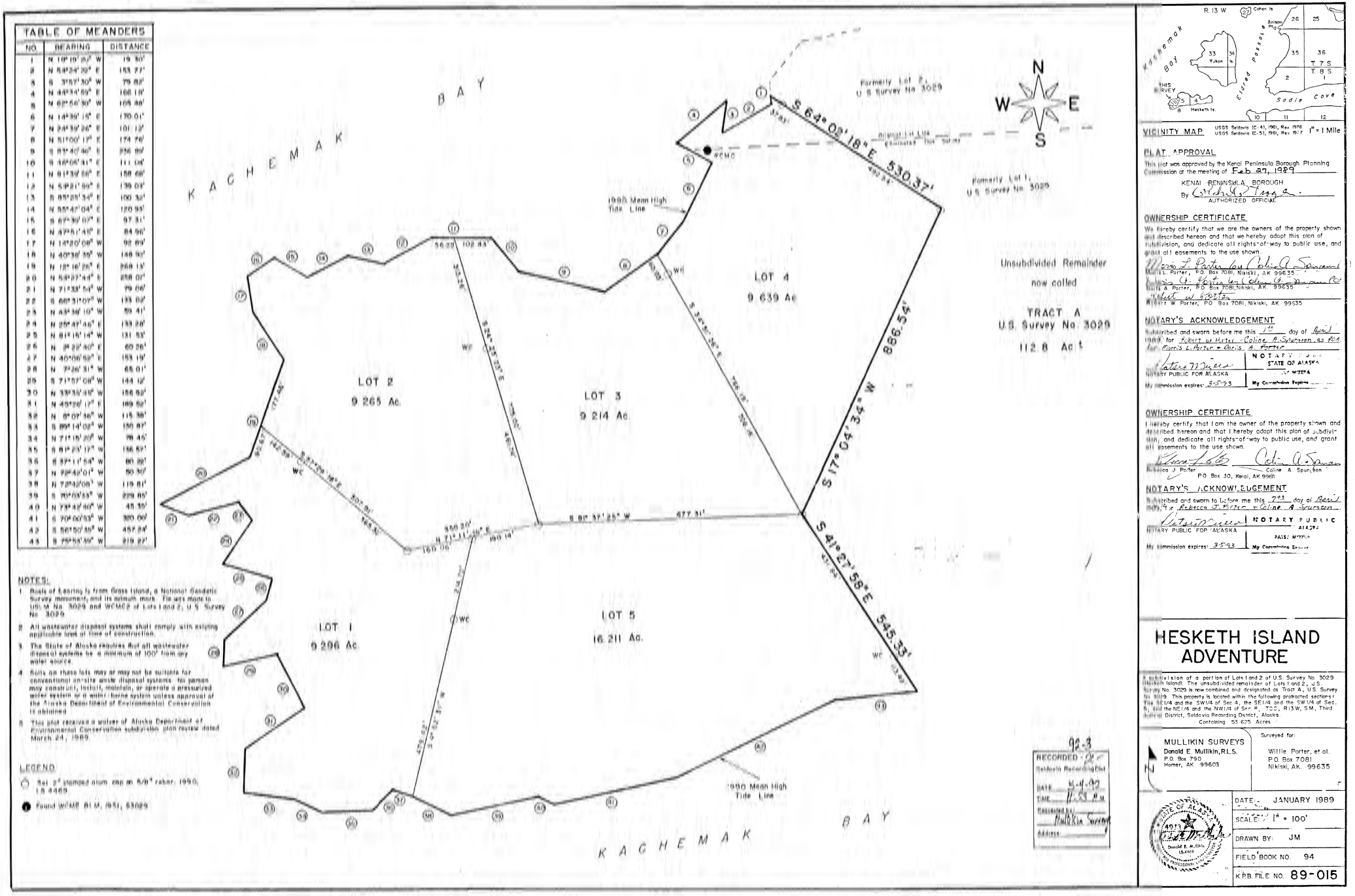


Kenai Peninsula Borough Planning Department

Aerial with 5-foot Contours

KPB File 2022-135

9/6/2022



VICINITY MAP USGS Seldovia (C-4), 1951, Rev 1976 USGS Seldovia (C-5), 1951, Rev 81-7 1" = 1 Mile

PLAT APPROVAL
This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of Feb 27, 1989
KENAI PENINSULA BOROUGH
By [signature] AUTHORIZED OFFICIAL

OWNERSHIP CERTIFICATE
We hereby certify that we are the owners of the property shown and described hereon and that we hereby adopt this plan of subdivision, and dedicate all rights-of-way to public use, and grant all easements to the use shown.
[signature] Morris L. Porter, P.O. Box 7081, Nikiski, AK 99635
[signature] Doris A. Porter, P.O. Box 7081, Nikiski, AK 99635
[signature] Robert W. Porter, P.O. Box 7081, Nikiski, AK 99635

NOTARY'S ACKNOWLEDGEMENT
Subscribed and sworn before me this 1st day of April 1989 for Robert W Porter, Coline A Spurgeon as POA for Morris L Porter & Doris A Porter
[signature] NOTARY PUBLIC STATE OF ALASKA
NOTARY PUBLIC FOR ALASKA
My commission expires: 3-5-93 My Commission Expires

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 rights-of-way to public use, and grant all easements to the use shown.
[signature] Rebecca J. Porter
[signature] Coline A. Spurgeon
P.O. Box 30, Kenai, AK 99611

NOTARY'S ACKNOWLEDGEMENT
Subscribed and sworn to before me this 7th day of April 1989 for Rebecca J. Porter & Coline A. Spurgeon
[signature] NOTARY PUBLIC ALASKA
NOTARY PUBLIC FOR ALASKA
My commission expires: 3-5-93 My Commission Expires

HESKETH ISLAND ADVENTURE

A subdivision of a portion of Lots 1 and 2 of U.S. Survey No. 3029 (Hesketh Island). The unsubdivided remainder of Lots 1 and 2, U.S. Survey No. 3029 is now combined and designated as Tract A, U.S. Survey No. 3029. This property is located within the following protracted sections: The SE1/4 and the SW1/4 of Sec. 4, the SE1/4 and the SW1/4 of Sec. 5, and the NE1/4 and the NW1/4 of Sec. 8, T2S, R13W, S.M., Third Judicial District, Seldovia Recording District, Alaska.
Containing 53.625 Acres

MULLIKIN SURVEYS
Donald E. Mullikin, R.L.S.
P.O. Box 790
Homer, AK 99603

Surveyed for:
Willie Porter, et al.
P.O. Box 7081
Nikiski, AK. 99635

RECORDED - FILED
Seldovia Recording Dist
DATE 5-4-89
TIME 11:53 A.M.
Requested By: Mullikin Surveys
Address:
92-3

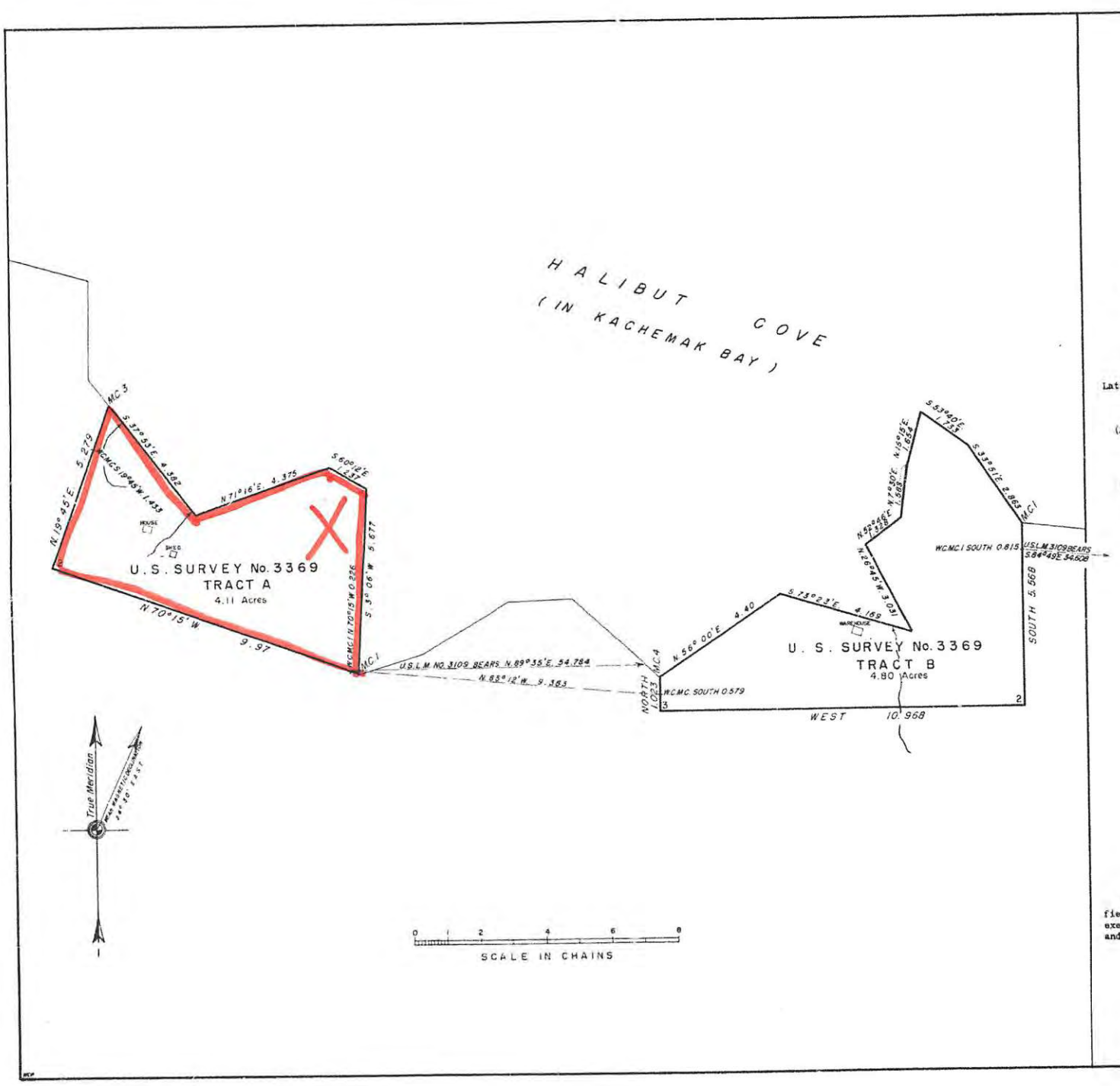
DATE: JANUARY 1989
SCALE: 1" = 100'
DRAWN BY: JM
FIELD BOOK NO. 94
KPB FILE NO. 89-015

The National Map Web Map

A Map View containing The National Map overlay services and layers

USGS, USDA | USGS National Map 3D Elevation Program (3DEP). June 13, 2022. | USGS TNM - 3D Elevation Program (3DEP). Data refreshed weekly. Service date 8/27/2021 | USGS The National Map: 3D Elevation Program. Data Refreshed July, 2022. | U.S. Fish and Wildlife Service | USGS WBD - Watershed Boundary Dataset. Data refreshed July, 2022. | USGS TNM – National Hydrography Dataset. Data Refreshed July, 2022. | USGS The National Map: National Hydrography Dataset. Data refreshed July, 2022. | U. S. Geological Survey - National Geospatial Program. Data Refreshed July, 2022. | USGS The National Map: National Boundaries Dataset. Data Refreshed July, 2022. | USGS The National Map: National Transportation Dataset; U.S. Census Bureau – TIGER/Line; U.S. Forest Service. Data Refreshed July, 2022. | USGS TNM – National Structures Dataset. Data Refreshed July, 2022. | USGS The National Map: Geographic Names Information System. Data Refreshed July, 2022. | USGS TNM – US Topo. Data Refreshed Nightly. | USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed June, 2022.

E4-15



U. S. SURVEY
No. 3369, ALASKA

EMBRACING
TRACT A AND TRACT B

SITUATED
ON THE SOUTHEASTERLY SHORE OF A SMALL COVE
SOUTH OF ISMAILOF ISLAND
IN HALIBUT COVE, KACHEMAK BAY

TOTAL AREA: 8.91 ACRES

Latitude 59°35'36" N. Longitude 151°14'52" W.

AT WITNESS MEANDER CORNER NO. 1, TRACT A

(As based upon the plat of U. S. Survey No. 3109)

Surveyed By
EDWARD T. HUTCHISON, CARTOGRAPHER (CADASTRAL)
September 26 to 28, 1954

Under Special Instructions
Dated July 22, 1954
and Approved July 26, 1954

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington, D. C. January 27, 1955

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

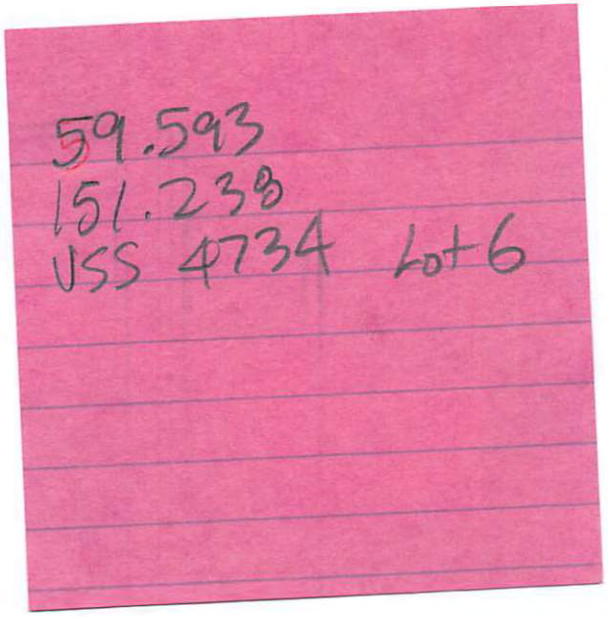
For the Director

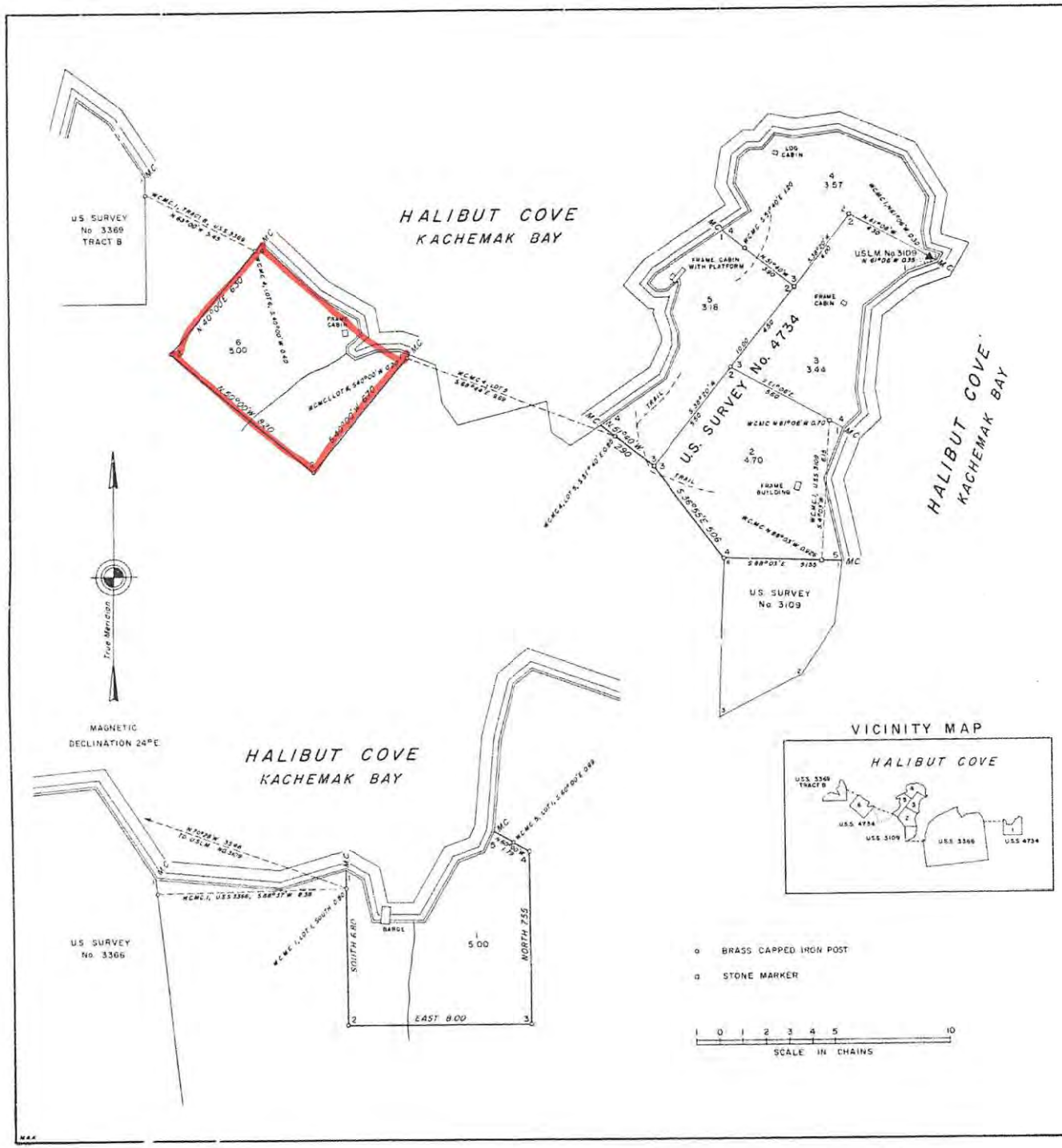
Earl G. Harrington

Cadastral Engineering Staff Officer

D.S. 790
A.S. 1474

E4-17


59.593
151.238
USS 4734 Lot 6



U.S. SURVEY NO. 4734, ALASKA

EMBRACING
LOTS 1 THROUGH 6

SITUATED
SOUTH OF ISMAILOF ISLAND
IN HALIBUT COVE
KACHEMAK BAY

APPROXIMATE GEOGRAPHIC POSITION
AT U. S. LOCATION MONUMENT NO. 3109
LATITUDE 59° 35' 39" N., LONGITUDE 151° 13' 42" W.

AREA: 24.89 ACRES

SURVEYED BY:
HOBART B. HYATT, SUPERVISORY CADASTRAL SURVEYOR
MAY 23, 1964 TO JUNE 4, 1964

Under Special Instructions
Dated March 23, 1964
Approved March 26, 1964

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington, D. C. August 23, 1966

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

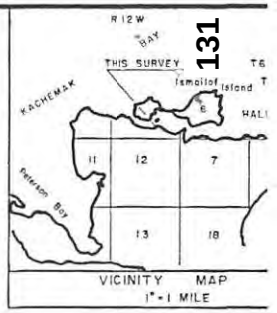
For the Director

R. E. Brown

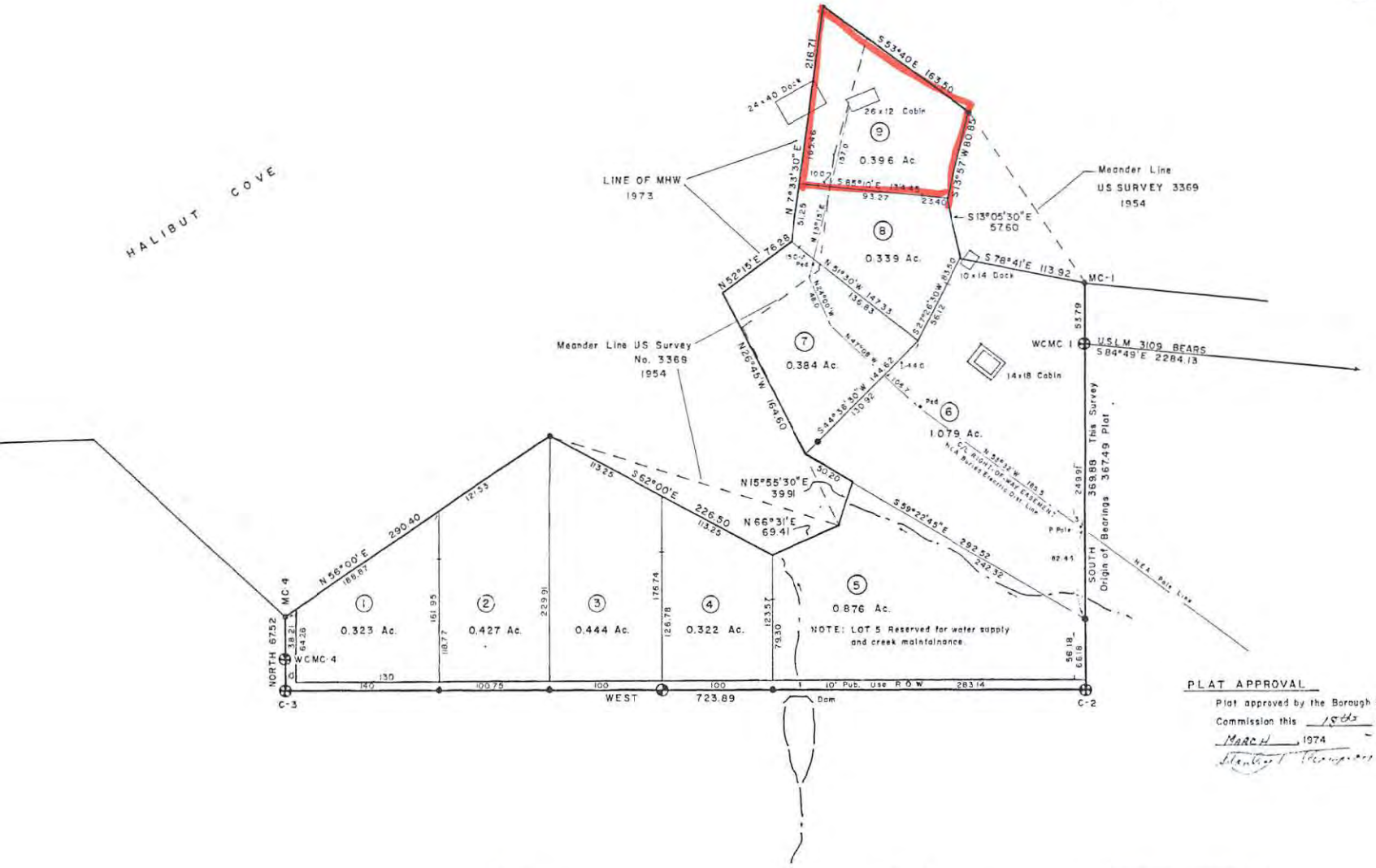
Acting Chief, Division of Engineering

E4-20

74-2116
RECORDED FILED 3:24
HOMER REC. DIST.
DATE 10-30- 74
TIME 4:08 P M
Recorded by RAB
Return to Subdiv.



VICINITY MAP
1"=1 MILE



CERTIFICATE OF OWNERSHIP & DEDI

We hereby certify that we are the owners 3,4,5,7,8,9, shown and described hereon. here request approval of this plat, showing such easements for public utilities, road and alleys dedicated by us for public use

Date:_____

Clem Tillion — CLEM TILLION, HALIBUT COVE, C/O BOX 375, HOMER, ALASKA

Diana R. — DIANA R TILLIO, HALIBUT COVE, C/O BOX 375, HOMER, ALASKA

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn to before me this 30th day of August

NOTARY FOR A

My commission expires June 3

CERTIFICATE OF OWNERSHIP & DEDIC

We hereby certify that we are the owners of property shown and described as Lot 6 hi We hereby request approval of this plat, sh such easements for public utilities, roadw and alleys dedicated by us for public use.

Date: May 7, 1974

Theodore A. Richards — THEODORE A RICHARDS, 3004 BROOKSIDE DRIVE, ANCHORAGE, ALASKA

Grete V. — GRETE V. 3004 BROO ANCHORAGE

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn to before me this 7th day of May , 19

NOTARY FOR

My comission expires: 21 May

PLAT APPROVAL

Plat approved by the Borough Planning Commission this 15th day of MARCH, 1974

Stanley J. Thompson

NOTE:

There is no on-site water supply system or sewerage disposal facility proposed for this subdivision. The individual property owner should note that Title 18, Environmental Conservation, Chapter 72, Wastewater Disposal, of the Alaska Administrative Code, requires the approval of on-site water supply or waste water discharge by the Alaska Department of Environmental Conservation.

LEGEND

- BLM Monument recovered
- BC Monument set this survey
- Iron pin, set
- Meander Corner, MHW, not set
- WC to MHW, Hub & Tack, set
- (3) Lot Number

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 the dimensions shown hereon are true and correct.

Date: April 7, 1974

J.C. Fuglestad
888 L.S.

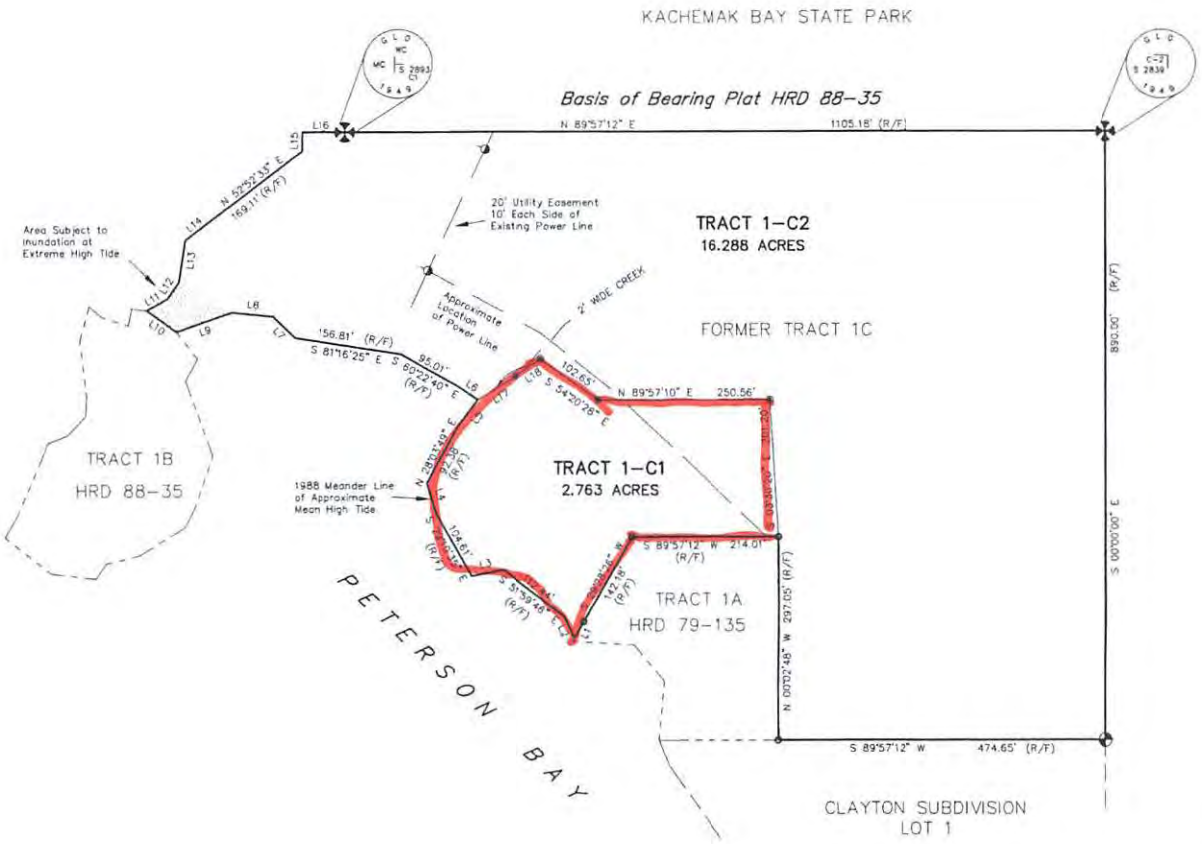
STATE OF ALASKA — 4971 L.S. — J.C. Fuglestad — NO. — REGISTERED

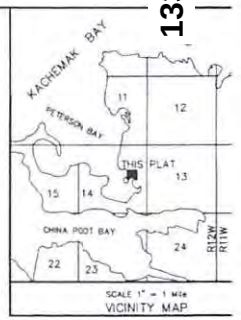
DATE OF SURVEY Aug. 2, 1972	BY: T.C. Fugl	
PLAT CANNERY SUBDIVISI		
OF US SURVEY NO. 3369 TRACT B, HA		
Located Within Prot. Sec. 1, T7S, R12W, Seward, M		
DRAWN BY: EPF		
SCALE: 1"=50'	CHECKED:	FILE NO.:

E4-22

E

DIRECTION	DISTANCE
29°28'26" W	27.65'
25°34'17" W	34.51'
79°00'07" W	47.62'
N 16°51'14" W	46.15'
N 38°44'01" E	50.67'
55°31'05" W	34.74'
46°02'57" W	45.15'
84°23'22" W	60.22'
70°46'45" W	66.42'
54°16'40" W	53.58'
N 60°18'19" E	35.01'
N 34°36'25" E	30.20'
N 08°50'39" E	61.49'
N 52°42'28" E	46.75'
N 00°59'12" E	27.72'
N 89°57'12" E	62.57'
S 58°18'30" W	65.76'
N 55°26'47" E	44.20'





LEGEND

- GLO monument of record recovered
- Found 1/2" diam. rebar at Property and/or Witness Corn
- Found 2 1/2" diam. alu. cap 4015-S 1980.
- Set 1/2" X 24" rebar with McLane & Assoc. cap attach
- (R/F) Record and Found data agree

NOTES

1) Water supply and sewage disposal systems shall be permitte only in conformance with applicable requirements of 18 AAC 70 18 AAC 72, and 18 AAC 80.

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

3) The meander line of the Mean High Tide of Kachemak Bay forms the bounds of lots adjoining the Bay. The approximate M.H.T.L. is shown for survey computations only.

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

92-13

RECORDED 20'
HOMER REC. DIST
DATE 3-16 19 92
TIME 11:00 A M
REQUESTED BY McLANE & ASSOC.
ADDRESS P.O. BOX 468
SOLDOTNA, AK. 99669

ACKNOWLEDGEMENT

F. Clausen

worn before me this

February, 1992.

commission expires 11/09/95

ary Public for the State of Alaska

STATE OF ALASKA
NOTARY PUBLIC
STAN A. McLANE
My Commission Expires 11/09/95

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 grant all easements to the use shown.

Daniel F. Clausen

Daniel F. Clausen

WASTEWATER DISPOSAL

Soil conditions in this subdivision have been found unsuitable for conventional onsite wastewater treatment and disposal systems. Plans for an approved alternative wastewater disposal system for use on lots within this subdivision are available from the Alaska Department of Environmental Conservation. 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.

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

Scott Ingue EEA. 03/04/92
Signature Title Date

PLAT APPROVAL

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

December 16th, 1991.

KENAI PENINSULA BOROUGH by

Authorized Official

CLAUSEN SUBDIVISION NO.

(A Resubdivision of Clausen Subdivisi No. 2, Tract 1C)

DANIEL CLAUSEN, OWNER
10819 KENAI SPUR HIGHWAY
KENAI, AK. 99611

LOCATION

19.051 AC. M/L SITUATED IN THE E 1/2 OF PROTRA SECTION 14, T. 7 S., R. 12 W., S.M., AK. AND THE PENINSULA BOROUGH IN THE HOMER RECORDING DIS

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

Date : 11/15/91	Book No. : 79-16 88-14	Project N
Drawn by : MJP Checked by : MSM	Scale 1" = 100'	91-158 KPB File


134
E4-24

135

RE: KPB File No. 2022-135

Submission to the Kenia Peninsula Borough Planning Commission (KPBPC):

Thank you for the opportunity to comment on the proposed subdivision of Lot 5 owned by Mr. Bradley Kloeckl. Brad and I share the beach that provides water access to our properties. He has been an excellent neighbor for many years and I agree that he has the right and authority to subdivide his property under the Hesketh Island Ownership Agreements.

The proposed sub-divided lots 5A and 5B will increase the number of people using our shared beach and likely require additional mooring buoys and/or running lines to anchor boats used by the new lot owners to access the island. Depending on the location and number of these moorings they could negatively impact my access to my property. The additional lots will also require access from the beach, across current owner's properties, to reach the new lots. Access directly from the water to those lots is not practical because of the geography of the steep cliffs that go straight down to the water with no direct beach access. The easements to access the proposed new lots are not clearly defined in the information provided as part of the Public Notice I received in the mail. Following the lot boundary lines to access the lots would require the new property owners to create trails through marshy areas on my lot or go through current owner's properties.

Based on concerns of how the new lots will be accessed, I request that all easements to access the proposed lots be clearly defined and provided to property owners that could be impacted prior to the KPBPC making a final decision. This information would help alleviate concerns regarding how adjacent landowners may be impacted and provide the opportunity for landowners to make more informed comments regarding potential impacts to their properties.

Sincerely,
Darrell R. Brannan
Lot 10, Hesketh Island

Planning@kpb.us

RE: KPB File No. 2022-135

To whom it may concern:

I am an abutter to the land on Hesketh Island owned by the petitioner (Mr. Bradley Kloeckl), who is seeking to subdivide his existing lot to create three lots from one. I strongly support Mr. Kloeckl's legal right to subdivide his lot, and greatly appreciate that he has agreed to abide by the original CCRs for this property and implement a minimum lot size of 5 acres. However, I wish to raise a concern regarding access to the lots as drawn.

There is simply no water access to the lots labeled as Lot 5A and Lot 5B, due to the steep cliffs that go straight up from the high water mark. Unless the owners of these two new lots plan on entering and exiting from these properties by helicopter, the only access to and from these lots is through my property (labeled Lot 3 on the plat), or through Lot 5C using the beach access located in the lowland area to the east of the far east corner of lot 5C and on the west end of Tract 10, which is owned by Mr. Darrell Brannon.

A dedicated right of way going through Lots 5C and 5B may resolve this access problem, but I didn't see any right of way listed in the proposal, or any assurance from the petitioner that there would be a verbal agreement about access through Lot 5C to these otherwise inaccessible lots. Perhaps such agreements will be made at the time of sale, however that information is not provided.

Thank you for the opportunity to offer my comments.

David Witherell, owner
Lot 3, Hesketh Island

E. NEW BUSINESS

5. Baltic Woods Lot 2 Replat; KPB File 2022-128
Ability Surveys / Murray & Murray-Elmer
Mansfield Avenue off East End Road
Fritz Creek Area / Kachemak Bay APC

Kenai Peninsula Borough Planning Department

Vicinity Map

8/30/2022

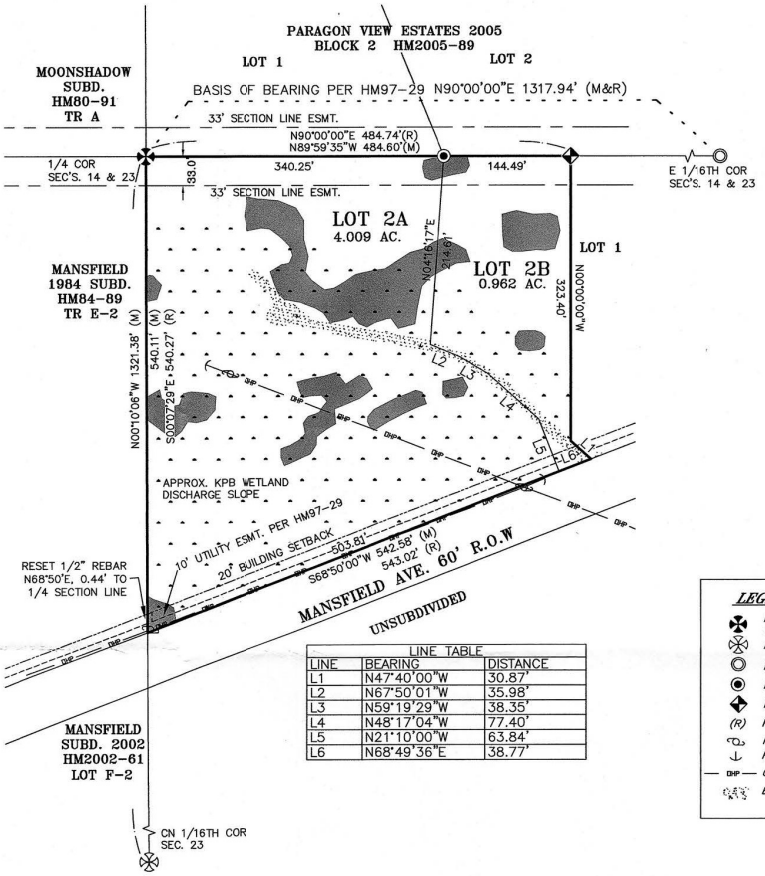
KPB File # 2022-128
S23 T05S R12W
Fritz Creek

Kenai Peninsula Borough Planning Department

Aerial Map

KPB File Number 2022-128
8/30/2022

N



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N47°40'00"W	30.87'
L2	N67°50'01"W	35.98'
L3	N59°19'29"W	38.35'
L4	N48°17'04"W	77.40'
L5	N21°10'00"W	63.84'
L6	N68°49'36"E	38.77'

LEGEND

- FOUND GLO 1" CONCRETE FILLED IP WITH CAP BROKEN OFF, 1917
- FOUND 3" BRASS CAP BY 2865, 1976
- FOUND 3/4" GALV. IRON PIPE
- FOUND 2" AL-CAP, BY 4469S, 2005
- FOUND 2" AL-CAP, BY 5780S, 1997
- (R) RECORD DATA PER HM97-29
- POWER POLE
- POWER POLE ANCHOR
- OHP — OVERHEAD POWER LINE
- EXISTING GRAVEL DRIVEWAY

WASTEWATER NOTE

TBD

NOTES

1. A BUILDING SETBACK OF 20 FEET IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
2. PER HM 97-29, THE FRONT 10 FEET OF THE 20 FOOT BUILDING SETBACK AND THE ENTIRE SETBACK WITHIN 5 FEET OF THE WEST LINE OF LOT 2A AND THE EAST LINE OF LOT 2B IS A UTILITY EASEMENT.
3. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
4. THE EXISTING OVERHEAD POWER LINES ARE CENTERLINE OF A 20FT. WIDE ELECTRICAL DISTRIBUTION EASEMENT PER HM97-29.
5. WETLAND HATCHING REPRESENTS POTENTIAL WETLANDS AS CLASSIFIED BY KENAI WATERSHED FORUM SHOWN ON KENAI PENINSULA BOROUGH GIS MAPPING.
6. GREY SHADING REPRESENTS SLOPES STEEPER THAN 20% AS SHOWN ON KPB GIS MAPPING.

KPB 2022-128

CERTIFICATE OF OWNERSHIP

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

PATRICIA E MURRAY
AKA, PATRICIA E MURRAY-ELMER
PO BOX 3044
Homer, AK 99603

NOTARY'S ACKNOWLEDGEMENT

For PATRICIA E MURRAY, AKA, PATRICIA E MURRAY-ELMER
Acknowledged before me this ____ day of _____ 2022.

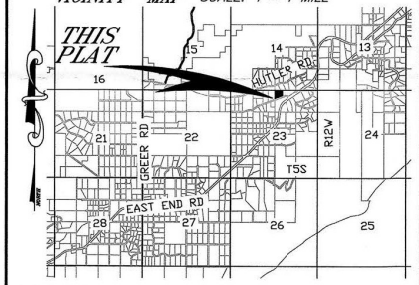
Notary public for Alaska — My Commission Expires

PLAT APPROVAL

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

BY _____
Authorized Official

VICINITY MAP SCALE: 1"= 1 MILE



DATE	8-8-22
SCALE	1"= 100'
GRID No.	AR-58
JOB No.	5408
DRAWING:	5408_3711

STATE OF ALASKA — 49TH — Gary D. Nelson NO. 7610-S — REGISTERED PROFESSIONAL LAND SURVEYOR

BALTIC WOODS LOT 2 REPLAT

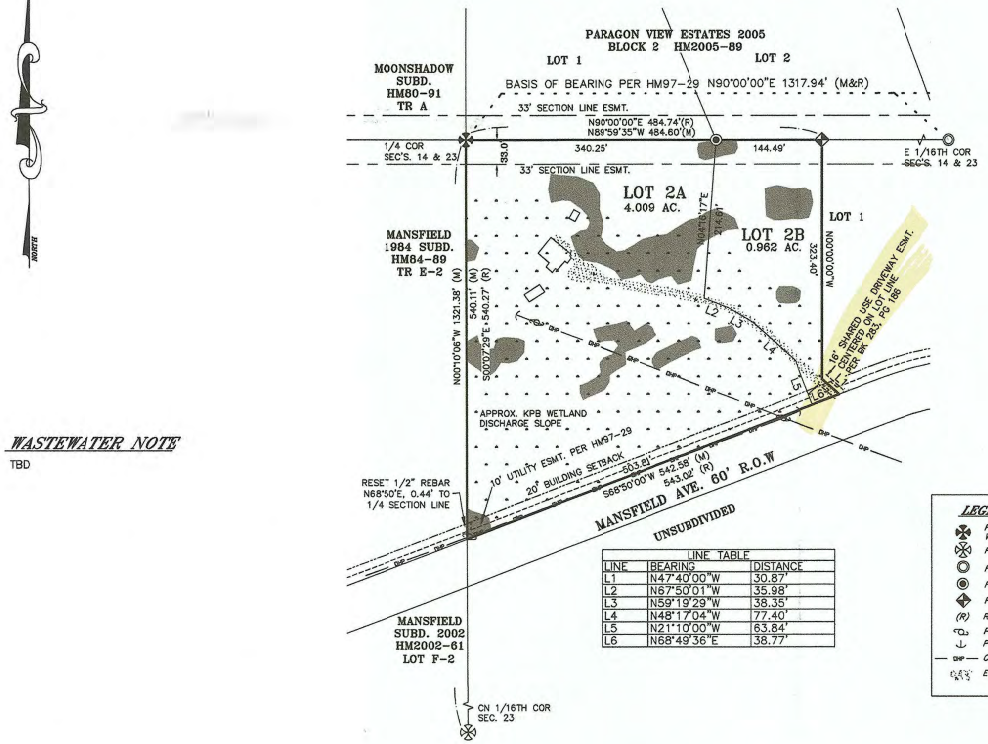
A SUBDIVISION OF LOT 2, "BALTIC WOODS SUBDIVISION" (HM97-29), WITHIN THE NE1/4 SEC. 23, T5S, R12W, S.M., KENAI PENINSULA BOROUGH, HOMER RECORDING DISTRICT, STATE OF ALASKA
CONTAINING 4.971 ACRES

OWNERS: PATRICIA E MURRAY
PATRICIA E MURRAY-ELMER
PO BOX 3044
HOMER, AK 99603

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

PLAT #
Rec Dist
20____
Date
Time _____ __M

KPB FILE No. 2022- _____



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- FOUND 3" BRASS CAP BY 2865, 1976
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- FOUND 2" AL-CAP, BY 5780S, 1997
- (R) RECORD DATA PER HM97-29
- POWER POLE
- POWER POLE ANCHOR
- OVERHEAD POWER LINE
- EXISTING GRAVEL DRIVEWAY

CERTIFICATE OF OWNERSHIP

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

PATRICIA E MURRAY
AKA, PATRICIA E MURRAY-ELMER
PO BOX 3044
Homer, AK 99603

NOTARY'S ACKNOWLEDGEMENT

For PATRICIA E MURRAY, AKA, PATRICIA E MURRAY-ELMER

Acknowledged before me this ____ day of _____ 2022

Notary public for Alaska — My Commission Expires

PLAT APPROVAL

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

KENAI PENINSULA BOROUGH

BY _____
Authorized Official

WASTEWATER NOTE

TBD

NOTES

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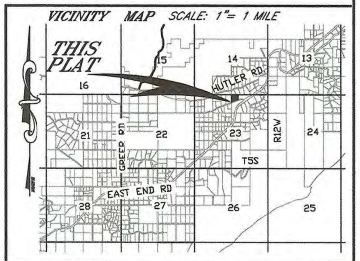
6. GREY SHADING REPRESENTS SLOPES STEEPER THAN 20% AS SHOWN ON KPB GIS MAPPING.



DATE	8-8-22
SCALE	1"= 100'
GRID No.	AR-58
JOB No.	5408
DRAWING:	5408_3711

STATE OF ALASKA 49TH
Gary D. Nelson No. 7610-S
REGISTERED PROFESSIONAL LAND SURVEYOR

PLAT #
Rec'd
_____ 20____
Date
Time _____ M

KPB FILE No. 2022-____

BALTIC WOODS LOT 2 REPLAT

A SUBDIVISION OF LOT 2, "BALTIC WOODS SUBDIVISION" (HM97-29), WITHIN THE NE1/4 SEC. 23, T5S, R12W, S.M., KENAI PENINSULA BOROUGH, HOMER RECORDING DISTRICT, STATE OF ALASKA
CONTAINING 4.971 ACRES

OWNERS: PATRICIA E MURRAY
PATRICIA E MURRAY-ELMER
PO BOX 3044
HOMER, AK 99603

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

AGENDA ITEM E. NEW BUSINESS

ITEM 5 – BALTIC WOODS LOT 2 REPLAT

KPB File No.	2022-128
Plat Committee Meeting:	September 26, 2022
Applicant / Owner:	Patricia Murray-Elmer of Homer, AK
Surveyor:	Gary Nelson / Ability Surveys
General Location:	Mansfield Avenue, Fritz Creek area, Kachemak Bay APC

Parent Parcel No.:	172-230-27
Legal Description:	Lot 2 Baltic Woods Subdivision HM 97-29
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 4.97 acre parcel into two lots that will be .962 and 4.009 acres.

Location and Legal Access (existing and proposed): The proposed subdivision is located on borough maintained Mansfield Avenue. Mansfield Avenue is a 60 foot wide dedicated right-of-way located near mile 11.25 of state maintained East End Road in the Fritz Creek area.

The two new lots will continue to have access via Mansfield Avenue. A shared driveway easement is in place between parent Lot 2 and the neighboring Lot 1 located to the east. This is a 16 foot wide driveway agreement that is centered on the shared lot line for a distance of about 30 feet. Looking at the preliminary design, the driveway is centered on the line noted as "L1". The depiction may be difficult to see but the label provides the required information and is found to be sufficient.

The plat indicates an existing driveway that starts with the shared driveway and follows along the proposed new lot line to the structures that will be located on Lot 2A. As it appears the driveway crosses both lots, staff recommends the owner have another driveway easement created when ownership changes unless new access will be created for Lot 2A. The depiction of a private driveway is not required on the final plat but if included a plat note should be added explaining it is private.

The lot is subject to a 33 foot section line easement along the north, which is depicted and labeled as well as the adjacent easement to the north.

The block is not compliant in length. The proposed subdivision is found between two east-west dedications with the section line easement between those dedications. The north-south dedications in this area are lacking due to the steep terrain. The roads in the area tend to meander with the terrain. Hutler Road, East End Road, Mansfield Avenue and section line easements define the block. ***Staff recommends*** *the plat committee concur that an exception is not required nor any dedications as this plat cannot improve the block with feasible dedications.*

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

Site Investigation: The majority of the property has low wet areas that are designated as discharge slopes and

are depicted. There are some areas of steep terrain throughout areas of the proposed plat and are shaded. ***Staff recommends*** *the low wet areas and the steep terrain remain on the final plat and the wetland determination note be added.*

There are structures present within the northwest corner of proposed Lot 2A. There does not appear to be any encroachment issues with the proposed design nor with neighboring lots. The driveway, as discussed under access, may require additional easements when the ownership changes if there is no intention to create new access.

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 a previously platted lot. The parent plat was created by Baltic Woods Subdivision, Plat HM 97-29, which was a plat of lands that were not subdivided previously. The subdivision will create the parent lot into two lots.

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

Notice of the proposed plat was mailed to the beneficial interest holder on August 31, 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.

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

Utility Easements The utility easements created by the parent lot are being carried over. This is for easements along the dedication and over existing overhead power lines outside those easements. There are two easements granted by recorded document that will require a plat note. No new easements are proposed.

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	Add a plat note that states this subdivision may be affected by a general electric easement as recorded in Book 36 Page 213 HM with no defined location.
ENSTAR	No comments or recommendations
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 53440 MANSFIELD AVE Existing Street Names are Correct: Yes List of Correct Street Names: MANSFIELD AVE Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: 53440 MANSFIELD AVE will remain with lot 2A.
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.*

D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries, and prominent natural and manmade features, such as shorelines or streams;
***Staff recommendation:** Add a label for Kachemak Bay*

KPB 20.30 – Subdivision Design Requirements

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

20.30.190. Lots-Dimensions.

A. The size and shape of lots shall provide usable sites appropriate for the locality in which the subdivision is located and in conformance with the requirements of any zoning ordinance effective for the

area in which the proposed subdivision is located. Generally, lots shall be square or rectangular. Lots shall be at least 60 feet wide on the building setback line. The minimum depth shall be no less than 100 feet, and the average depth shall be no greater than three times the average width.

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

***Staff recommendation**: While Lot 2B is not a typical flag lot, the access portion is limited to only about 30 feet and does reduce slightly before widening. Place the standard note on the plat for the flag lot(s): No structures are permitted within the panhandle portion of the flag lot(s).*

KPB 20.40 – Wastewater Disposal

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

20.40.010 Wastewater disposal.

Platting Staff Comments: Soils report will be required. Plat notes will be added per findings of the analysis.

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

KPB 20.60 – Final Plat

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

20.60.180. Plat notes.

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

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

***Staff recommendation:** Place the following notes on the plat.*

- *No structures are permitted within the panhandle portion of the flag lot(s).*
- *Subject to easements for electric lines or system and/or telephone lines together with right to enter, maintain, repair and clear shrubbery as granted to Homer Electric Association, Inc. within Book 36 Page 213, HRD and Book 94 Page 973, HRD. No definite location disclosed.*
- *Any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetland determination if applicable.*

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

RECOMMENDATION:

STAFF RECOMMENDS:

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

- **COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND**

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

NOTE: 20.25.120. - REVIEW AND APPEAL.

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

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

END OF STAFF REPORT

Kenai Peninsula Borough Planning Department

Aerial Map

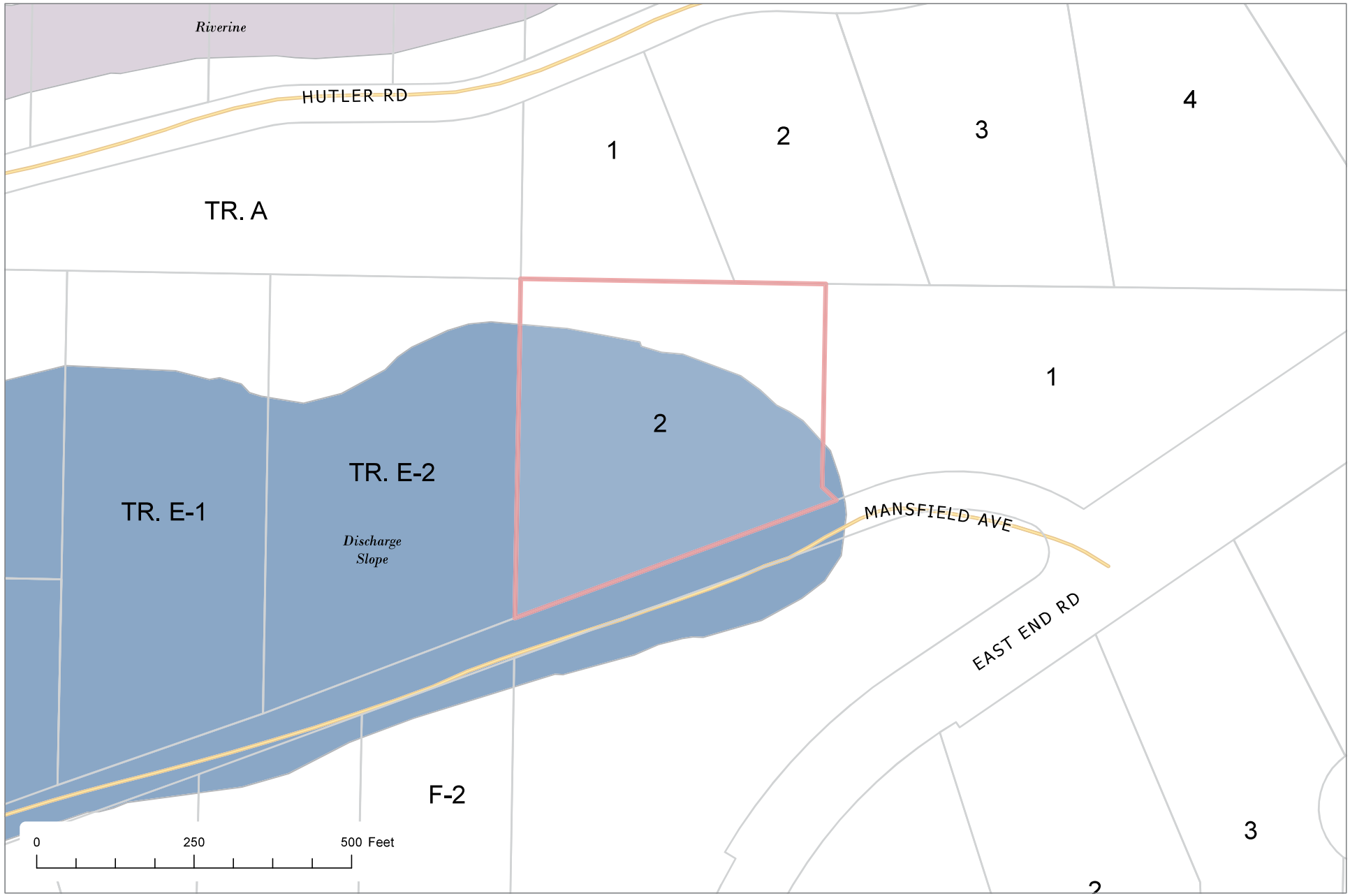
KPB File Number 2022-128
8/30/2022

Kenai Peninsula Borough Planning Department

Wetlands

KPB File Number 2022-128

8/30/2022



Kenai Peninsula Borough Planning Department

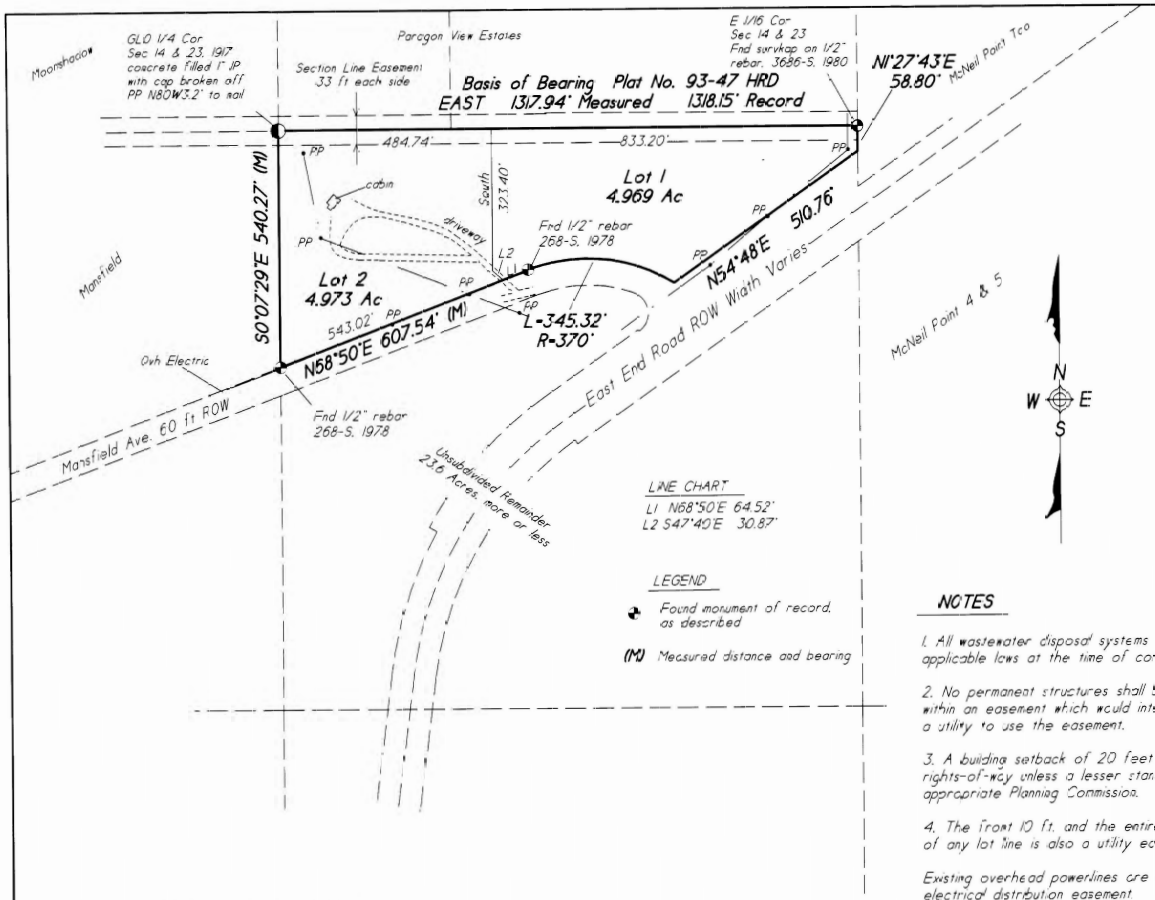
Aerial with 5-foot Contours

KPB File 2022-128

8/30/2022

KPB NOTE: See PC Resolution 97-27

HM 97-29



LINE CHART

L1 N68°50'E 64.52'
L2 S47°40'E 30.87'

LEGEND

- Found monument of record, as described
- (M) Measured distance and bearing

OWNERSHIP CERTIFICATE

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

Valda I. Ziemelis 5/3/97

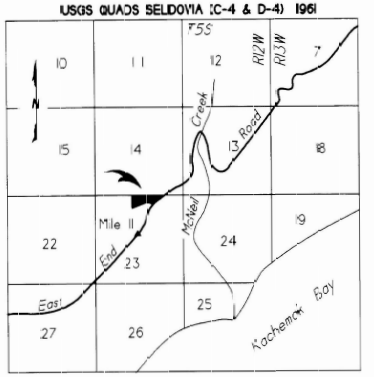
Valda I. Ziemelis Date
PO Box 15373
Fritz Creek AK 99603

Notary's Acknowledgement
Subscribed and sworn to me before me this 18th day of May, 1997

for Valda I. Ziemelis
Vicki Lyn Sweeney
Notary Public for Alaska
My Commission Expires Oct 1, 2000

Vicinity Map 1" = 1 Mile

USGS QUADS SELDOVIA (C-4 & D-4) 1961



0 200 400 600 800

Graphic Scale

NOTES

1. All wastewater disposal systems shall comply with existing applicable laws at the time of construction.
2. No permanent structures shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
3. A building setback of 20 feet is required from all street rights-of-way unless a lesser standard is approved by the appropriate Planning Commission.
4. The front 10 ft. and the entire building setback within 5 ft of any lot line is also a utility ecsement.

   Existing overhead powerlines are centerline of a 20 ft. wide electrical distribution easement
5. No access to State maintained rights-of-way permitted unless approved by State of Alaska Department of Transportation.
6. Set 2" Alumnum cap on 5/8" x 36" long steel rebar at all lot corners unless noted otherwise.
7. The Parent Parcel is described in Book 2M Page 398, HRD.
8. The dimensional data for East End Road was derived from KPB Public Works Project ROW Map "Alaska Project No. MA 21042 Sheet 5 of 7", recorded as Plat 84-47 HRD.

SURVEYORS CERTIFICATE

I hereby certify that I am a Registered Land Surveyor and that this plat represents a survey made by me or under my direct supervision and the monuments shown hereon actually exist as described and that the dimensions and other details are correct to the best of my knowledge.

5-16-97 Roger W. Imhoff
Date Roger W. Imhoff LS 5780

STATE OF ALASKA 49TH
Roger W. Imhoff
Roger Wm Imhoff
LS-5780
5-16-97
Professional Land Surveyor

PLAT APPROVAL

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

APRIL 14, 1997
KENAI PENINSULA BOROUGH
By Mary Toot
Authorized Official

WASTEWATER DISPOSAL

These lots are at least 200,000 square feet or nominal 5 acres in size and conditions may not be suitable for onsite waste water treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

97-29

RECORDED - FILED
Kenai REC DIST
Date 6/10 19 97
Time 11:30 A M
Requested by
Roger Imhoff, RLS
PO Box 2588
Homer AK 99503

BALTIC WOODS SUBDIVISION

Being a Subdivision of a portion of the NW 1/4 of the NE 1/4 Section 23, T5S, R12W, SM

Homer Recording District, Third Judicial District, Alaska

Contains 9.942 Acres, more or less.

Clients: Valda I. Ziemelis, PO Box 15373, Fritz Creek AK	Surveyor: Roger W. Imhoff, RLS, PO Box 2588, Homer Ak 99603	FB 97-1
		Drawn RWI
		SCALE 1" = 200 ft.
Date 3-24-97	File baltcwds.vcd	KPB File No. 97-068

154

E5-13

E. NEW BUSINESS

6. Baywood 2022; KPB File 2022-129
Ability Surveys / Barlow
Location: East End Road & Old East End Road
Fritz Creek Area / Kachemak Bay APC

Kenai Peninsula Borough Planning Department

Vicinity Map

KPB File 2022-129

T 05S R 12W SEC 13

Fritz Creek

8/30/2022

0 300 600 Feet

Kenai Peninsula Borough Planning Department

Aerial View

KPB 2022-129
8/30/2022

NOTES

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

2. THE FRONT 10 FEET OF THE 20 FOOT BUILDING SETBACK IS A UTILITY EASEMENT.

3. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.

4. NO DIRECT ACCESS TO STATE MAINTAINED R.O.W. PERMITTED UNLESS APPROVED BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.

5. BOOK 161 PAGE 569 H.R.D. GRANTED LAND FOR EAST END ROAD RIGHT-OF-WAY TO STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES.

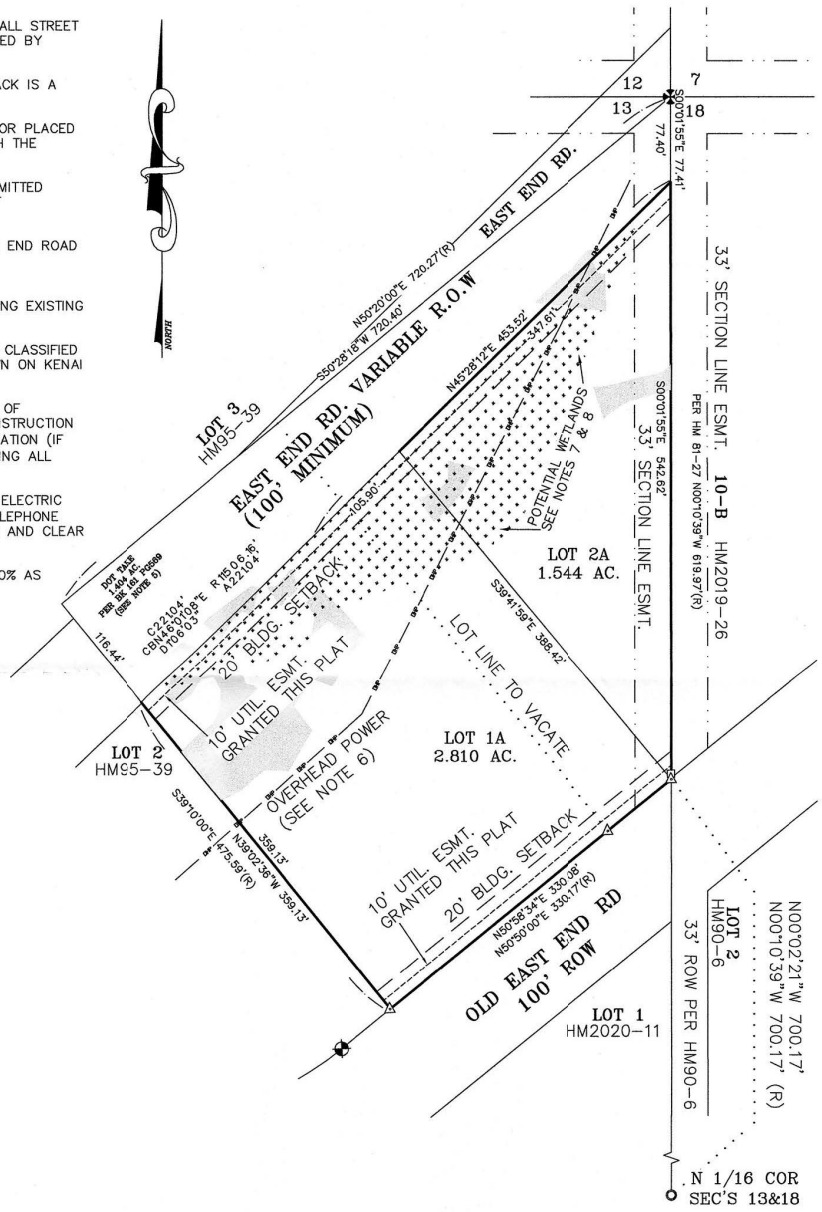
6. PER HM81-27 THERE IS A 20' UTILITY EASEMENT ALONG EXISTING POWERLINE.

7. WETLAND HATCHING REPRESENTS POTENTIAL WETLANDS CLASSIFIED AS DISCHARGE SLOPE BY KENAI WATERSHED FORUM SHOWN ON KENAI PENINSULA BOROUGH GIS MAPPING.

8. 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.

9. PER BOOK 25, PAGE 224 H.R.D. EASEMENT TO HOMER ELECTRIC ASSOCIATION FOR ELECTRIC LINES OR SYSTEM AND/OR TELEPHONE LINES TOGETHER WITH RIGHT TO ENTER, MAINTAIN, REPAIR AND CLEAR SHRUBBERY. NO DEFINITE LOCATION DISCLOSED.

10. GREY SHADING REPRESENTS SLOPES STEEPER THAN 20% AS SHOWN ON KPB GIS MAPPING.



LEGEND

- FND. 2.5"ADOT BC IN MON WELL, 7610-S, 2000
- FND 1/2" REBAR W/ YELLOW PLACTIC CAP, 3686-S, 1981
- FND 2"AL-CAP ON 5/8" REBAR, 5780-S, 1995 PER HM95-39
- FND 2"AL-CAP ON 5/8" REBAR, 10603S, 2018
- FND 1/2" REBAR
- FND 2"AL-CAP ON 5/8" REBAR, 7610-S, 2020

(R)RECORD DATA PER HM81-27

CERTIFICATE OF OWNERSHIP

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

JAMES W BARLOW
52024 OLD EAST END RD
HOMER, AK 99603

NOTARY'S ACKNOWLEDGEMENT

For JAMES W BARLOW

Acknowledged before me this ____ day of _____ 2022.

Notary public for Alaska — My Commission Expires

PLAT APPROVAL

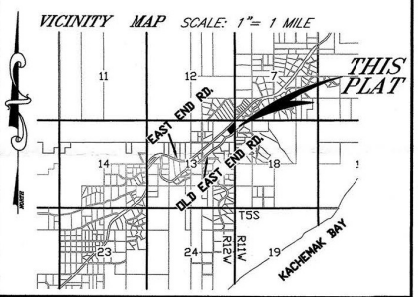
This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of _____

KENAI PENINSULA BOROUGH

BY _____

Authorized Official

VICINITY MAP SCALE: 1"= 1 MILE



DATE	08-15-2022
SCALE	1"= 80'
GRID No.	AP-38
JOB No.	5412
DRAWING:	5412_5396

STATE OF ALASKA 49TH
Gary D. Nelson
NO. 7610-S
REGISTERED PROFESSIONAL LAND SURVEYOR

BAYWOOD 2022

A REPLAT OF LOTS 1 & 2, OF THE "BAYWOOD SUBDIVISION" (HM81-27), EXCEPTING THEREFROM THAT PORTION DEEDED TO THE STATE OF ALASKA IN WARRANTY DEED RECORDED SEPTEMBER 19, 1985 IN BOOK 161, PAGE 569, WITHIN THE NE1/4 SEC. 13, T5S, R12W, S.M., KENAI PENINSULA BOROUGH, HOMER RECORDING DISTRICT, STATE OF ALASKA CONTAINING 5.758 ACRES

OWNERS: JAMES W BARLOW
52024 OLD EAST END RD
HOMER, AK 99603

PLAT #
Rec Dist
20___
Date
Time ____ M

KPB FILE No. 2022- ____

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

KPB 2022-129

AGENDA ITEM E. NEW BUSINESS

ITEM 6 - BAYWOOD 2022

KPB File No.	2022-129
Plat Committee Meeting:	September 26, 2022
Applicant / Owner:	James Barlow of Homer, AK
Surveyor:	Gary Nelson / Ability Surveys
General Location:	East End Road, Old East End Road, Fritz Creek area / Kachemak APC

Parent Parcel No.:	172-420-06 & 172-420-07
Legal Description:	Lots 1 & 2 Baywood
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	Onsite

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will reconfigure two lots and will adjust them from 2.34 acres to 2.81 acres and from 2.08 acres to 1.544 acres.

Location and Legal Access (existing and proposed): The proposed plat is situated near mile 13.5 of East End Road and is between East End Road to the north and Old East End Road to the south. Both rights-of-way are state maintained. East End Road has varying width but both rights-of-way are 100 feet in width along the proposed subdivision. The abutting portion of Old East End Road was dedicated by Baywood, Plat HM 81-27, as Homer East Road. The portion of East End Road abutting the subdivision was deeded to Alaska DOT from the parent lots in a recorded document in 1985. The property is being shown on the plat with a note that it was part of the DOT take. This would reflect the difference in acreage from the parent plat to now.

An existing driveway from Old East End Road is present and will be on Lot 1A to provide access to improvements. Both lots have access to East End Road with permission from the State of Alaska. Due to the proposed design shape of Lot 2A, it appears the access would have to be from East End Road but the use of section line easements will allow for access to Old East End Road. There is a 33 foot section line easement on the east side of the plat crossing Lot 2A and a tip of Lot 1A, providing a connection between the two state maintained rights-of-way. A 33 foot section line easement is adjacent to the subdivision providing a 66 foot wide access.

Block length exceeds allowable limits. Old East End Road, Dixie Street, East End Road, and section line easements define the block. Further north is a road access easement that is constructed that provides an additional connection but does not improve the block length for this subdivision. The roads are situated in areas that fit the terrain. Old East End Road contains a lot of curves and meanders with the terrain. East End Road provides a straighter roadway and replaced the Old East End Road as the main access route. In order to bring the block into compliance dedications would be required to provide a north-south connection. ***Staff recommends*** *the plat committee concur that no exception is required as there is already an access present within this subdivision.*

Staff generally requests dedications atop existing section line easements. As the section line easements still provide access, the dedication in this location would provide a connection between two state rights-of-way, DOT did not request additional dedication, it is known DOT tries to limit the connections, and the location is not compliant and would require additional dedications instead of just the 33 foot, ***staff recommends*** *to not require the dedication atop the section line easements at this time.*

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

SOA DOT comments	The ROW for East End Road appears to be shown correctly

Site Investigation: There are some areas of steep slope as shown on the plat. Per KPB GIS data, contours in the southeast portion are an even grade towards Old East End Road. The northern portion contains low wet areas and are depicted. Plat note 8 states to contact the Corps of Engineers for wetland determination. ***Staff recommends*** *the wetlands remain on the final plat and add to Note 8 "U.S." to the Army Corps.*

A residential structure is on parent Lot 1 and will remain on proposed Lot 1A. There does not appear to be any encroachment issues within the subdivision or with any neighboring properties.

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 proposed plat will realign the shared lot line between. The original Lots 1 and 2 were created in Baywood HM 81-27 and then reduced by the deeding of a portion East End Road as shown in Record of Survey HM 2000-30.

A soils report will be required for Lot 2A and an engineer will sign the final plat. Lot 1A is acquiring more than 1,000 square feet and per KPB 20.40.020(A)(2), a soils report will not be required but may be performed if the owner wishes. The appropriate plat notes in accordance with 20.40 will need to be added.

Notice of the proposed plat was mailed to the beneficial interest holder on August 31, 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.

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

Utility Easements The parent plat granted a 10 foot utility easement along the western lot line of parent Lot 1 to connect with a 20 foot wide utility easement centered on an existing overhead powerline. The plat is carrying over the 20 foot utility easement but will need to carry over the 10 foot along the western boundary. ***Staff recommends*** *the 10 foot utility easement be carried over and it be noted that it was granted per HM 81-27.*

The parent plat did not grant any utility easements along the dedicated right-of-way, Old East End Road. When property is deeded for the use of rights-of-way utility easements are not created adjacent to the right-of-way unless done so later by document. This plat is proposing to grant the required 10 foot utility easements along both rights-of-way, East End Road and Old East End Road.

An additional easement with no definite location was granted by recorded document and is noted within the plat notes.

The plat was sent to utility providers for comment. Homer Electric Association has requested the easement over the existing overhead powerline be increased to 40 feet and will exclude any existing structures. The surveyor should verify the structures, if any, that will be within the additional easement and not such structures on the final. The plat note in place should be updated and should include reference to any existing structures, if any. ***Staff recommends*** *the easement be extended and plat note 6 be revised, "Per HM 81-27 there is a 20' utility easement along existing powerline. This plat will be granting additional width to the easement that will be 40 feet wide centered on the existing overhead powerline. The existing structures of _____ within Lot 1A predates the additional granting of the utility easement. The structure is only subject to the 20 foot utility easement as created on plat HM 81-27."*

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 40 foot wide electric easement centered on the existing overhead electric line, excluding any existing structure.
ENSTAR	No comments or recommendations
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 52024 OLD EAST END RD Existing Street Names are Correct: Yes List of Correct Street Names: OLD EAST END RD EAST END RD Existing Street Name Corrections Needed: All New Street Names are Approved: Yes List of Approved Street Names: List of Street Names Denied: Comments: 52024 OLD EAST END RD will remain with lot 1A.
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

Per KPB 20.60.070, the scale will need to be changed to be compliant.

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 acreage and update.*

D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries, and prominent natural and manmade features, such as shorelines or streams;

***Staff recommendation:** Update the section label for section 17.*

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:** Add street name for dedication south of Old East End Road of Langhus St. N.*

KPB 20.30 – Subdivision Design Requirements

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

KPB 20.40 – Wastewater Disposal

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

20.40.010 Wastewater disposal.

Platting Staff Comments: A soils report will be required for Lot 2A.

***Staff recommendation**: Provide plat notes that comply with 20.40.*

KPB 20.60 – Final Plat

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

20.60.130. Boundary of subdivision. The boundary of the subdivision shall be designated by a wider border and shall not interfere with the legibility of figures or other data. The boundary of the subdivided area shall

clearly show what survey markers, or other evidence, was found or established on the ground to determine the boundary of the subdivision. Bearing and distance ties to all survey markers used to locate the subdivision boundary shall be shown.
Staff recommendation: *Use heavier line weight on the northwest line of Lot 1A along East End Road.*

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.*

- *Wastewater notes will be required.*
- *Revise plat note 6 as needed per the utility easement request.*

20.60.190. Certificates, statements, and signatures required.

Staff recommendation*: The owner took title with middle initial and without. The certificate of ownership should include both by using "aka" or "also took title as". Comply with 20.60.190.*

RECOMMENDATION:

STAFF RECOMMENDS:

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

NOTE: 20.25.120. - REVIEW AND APPEAL.

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

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

END OF STAFF REPORT

Kenai Peninsula Borough Planning Department

Aerial View

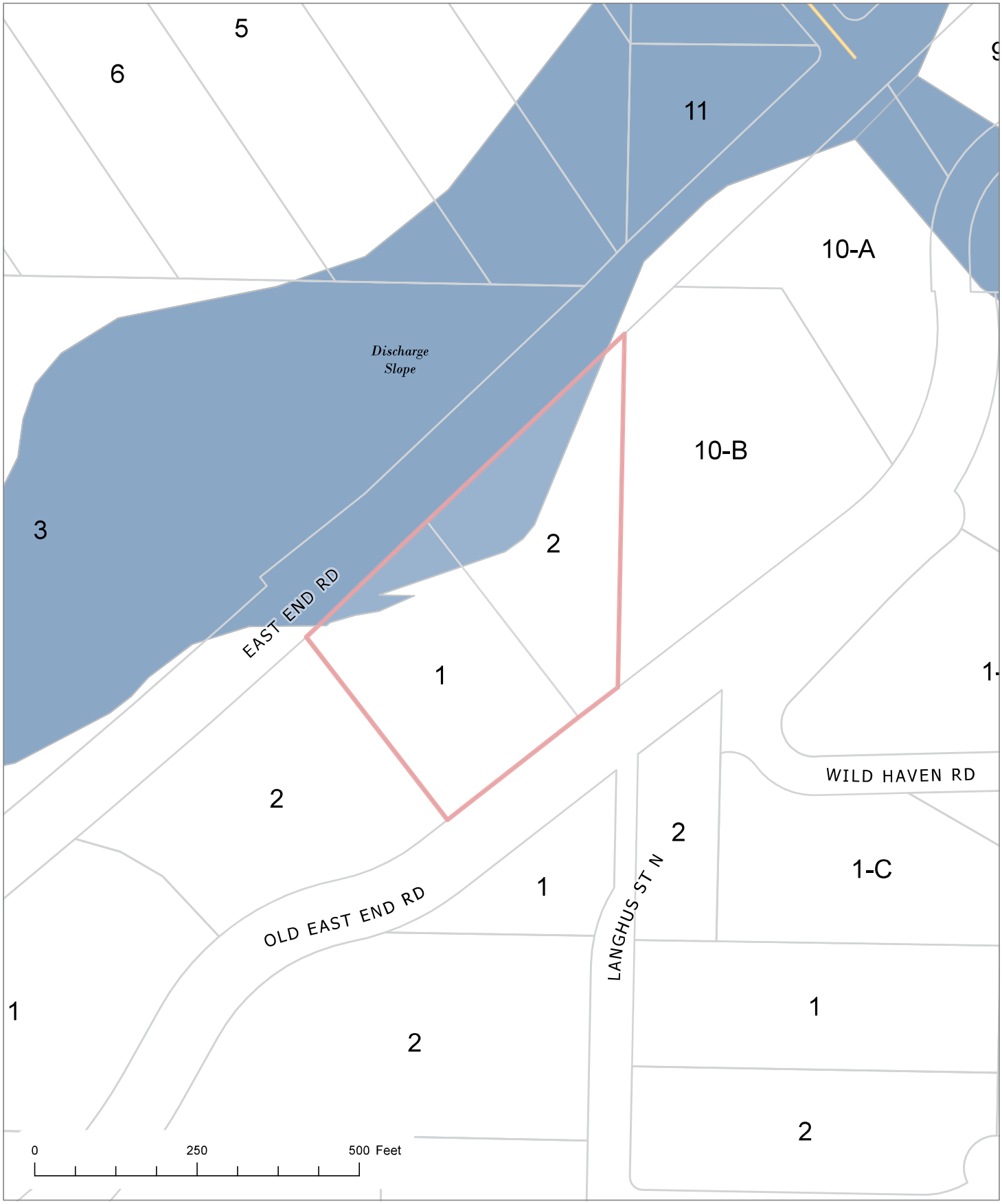
KPB 2022-129
8/30/2022

Kenai Peninsula Borough Planning Department

Wetlands

KPB File 2022-129

8/30/2022



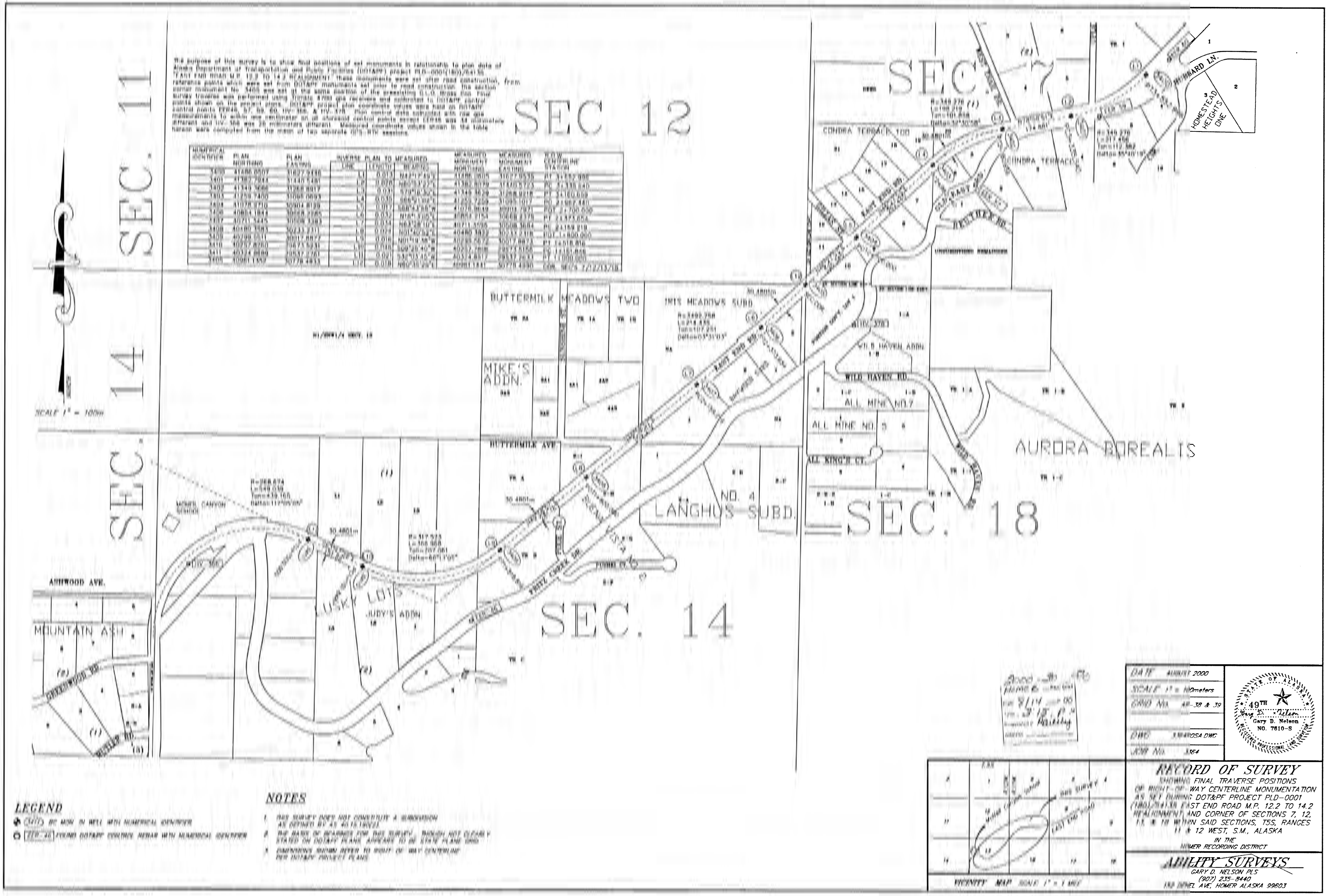
Kenai Peninsula Borough Planning Department

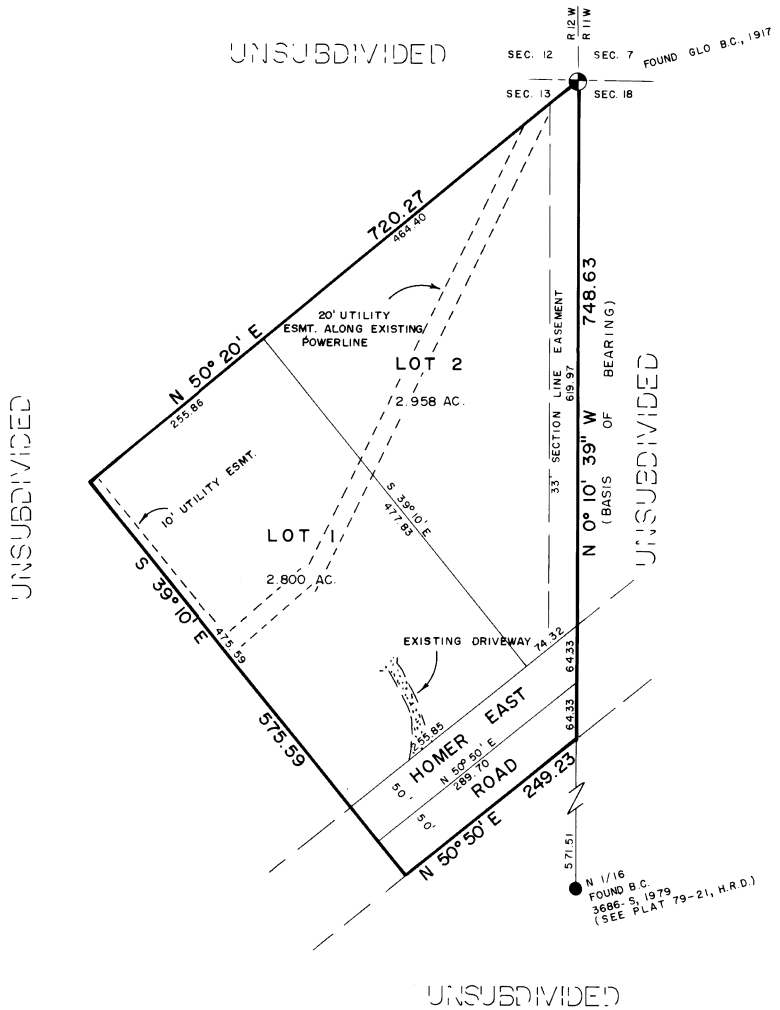
Aerial with 5-foot Contours

KPB File 2022-129

8/30/2022

HM 2000 — 30


SEC. 11
SEC. 12
SEC. 7
SEC. 14
SEC. 14
SEC. 18
SEC. 14
SCALE 1" = 100m
BUTTERMILK MEADOWS TWO
IRIS MEADOWS SUBD.
MIKE'S ADDN.
BUTTERMILK AVE.
CONDRA TERRACE TOO
CONDRA TERRACE
HOMESTEAD HEIGHTS ONE
HUBBARD LN.
WILD HAVEN ADDN.
WILD HAVEN RD.
ALL MINE NO. 7
ALL MINE NO. 5
ALL KING'S CT.
AURORA BOREALIS
NO. 4
LANGHUS SUBD.
ASHWOOD AVE.
MOUNTAIN ASH
LUSK LOTS
JUDY'S ADDN.
McNEIL CANYON SCHOOL
30.4801m
LEGEND
NOTES
1. THIS SURVEY DOES NOT CONSTITUTE A SUBDIVISION AS DEFINED BY AS 40.15.190(2).
DATE AUGUST 2000
JOB No. 3364
RECORD OF SURVEY
SHOWING FINAL TRAVERSE POSITIONS OF RIGHT-OF-WAY CENTERLINE MONUMENTATION AS SET DURING DOT&PF PROJECT PLD-0001 (180)/54135 EAST END ROAD M.P. 12.2 TO 14.2 REALIGNMENT AND CORNER OF SECTIONS 7, 12, 13, & 18 WITHIN SAID SECTIONS, T5S, RANGES 11 & 12 WEST, S.M., ALASKA
IN THE HOMER RECORDING DISTRICT
ABILITY SURVEYS
GARY D. NELSON PLS
(907) 235-8440
152 DEHEL AVE. HOMER ALASKA 99603
Gary D. Nelson
NO. 7610-S
49TH
VICINITY MAP SCALE 1" = 1 MILE
EAST END ROAD
THIS SURVEY



NOTES

1. 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.
2. SET 1/2" X 24" REBAR AT ALL LOT CORNERS.
3. ALL ADJACENT PROPERTY IS UNSUBDIVIDED.

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

Philomena Vanden Eynde

PHILOMENA VANDEN EYNDE
BOX 2398
HOMER, AK. 99603

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS 7 DAY OF April 1981

Shirley Ann Wilson

NOTARY PUBLIC FOR ALASKA

STATE OF ALASKA
MY COMMISSION EXPIRES
NOTARY PUBLIC
SHIRLEY ANN WILSON

SURVEYOR'S CERTIFICATE

I, THE UNDERSIGNED REGISTERED SURVEYOR, HEREBY CERTIFY THAT THIS 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

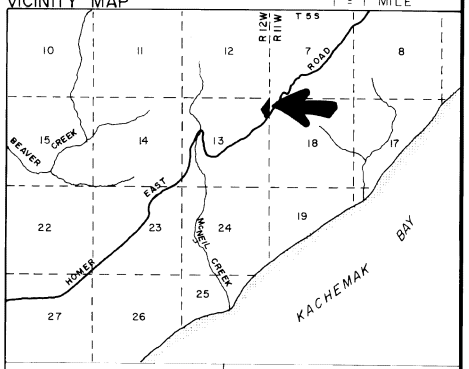
JERRY ANDERSON, 3686-S — DATE 4/7/81

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF April 6, 1981

BY Jeffrey B. Tokoshe
AUTHORIZED OFFICIAL

VICINITY MAP 1" = 1 MILE



DATE:	MARCH, 1981
SCALE:	1" = 100'
DRAWN BY:	S.W.
FLD. BK. NO.:	94
JOB NO.:	1266

STATE OF ALASKA 49TH
Jerry A. Anderson NO. 3686-S REGISTERED PROFESSIONAL LAND SURVEYOR

81-27

RECORDED - FILED 10-
Homer REC. DIST.
DATE 4-22- 1981
TIME 3:00 P M
Requested by K P Borough
Address via Alaska Surveys

BAYWOOD

SITUATED IN THE NE 1/4 NE 1/4, S 13, T5S, R12W, S.M.

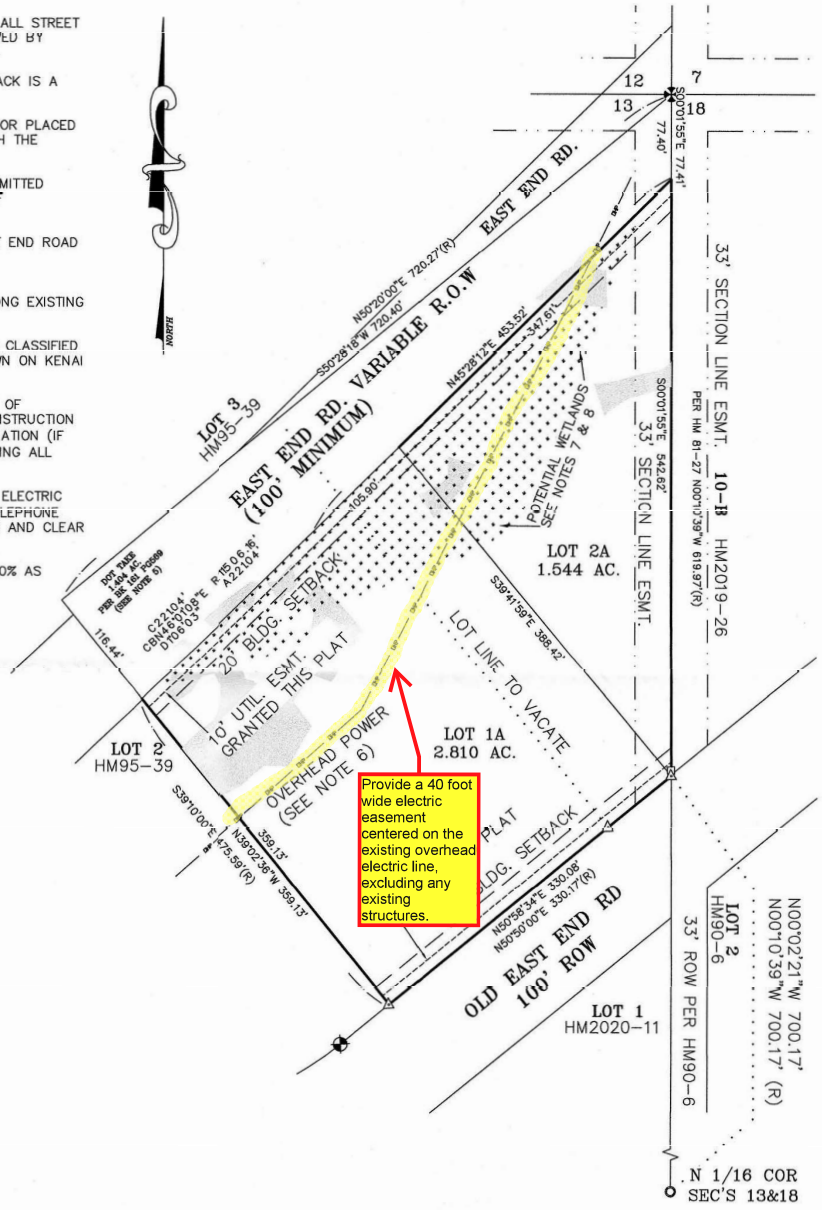
CONTAINING 6.423 ACRES

ABILITY SURVEYS

JERRY ANDERSON, RLS — BOX 1263 — HOMER, ALASKA

NOTES

1. A BUILDING SETBACK OF 20 FEET IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
2. THE FRONT 10 FEET OF THE 20 FOOT BUILDING SETBACK IS A UTILITY EASEMENT.
3. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
4. NO DIRECT ACCESS TO STATE MAINTAINED R.O.W. PERMITTED UNLESS APPROVED BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
5. BOOK 161 PAGE 569 H.R.D. GRANTED LAND FOR EAST END ROAD RIGHT-OF-WAY TO STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES.
6. PER HM81-27 THERE IS A 20' UTILITY EASEMENT ALONG EXISTING POWERLINE.
7. WETLAND HATCHING REPRESENTS POTENTIAL WETLANDS CLASSIFIED AS DISCHARGE SLOPE BY KENAI WATERSHED FORUM SHOWN ON KENAI PENINSULA BOROUGH GIS MAPPING.
8. 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.
9. PER BOOK 25, PAGE 224 H.R.D. EASEMENT TO HOMER ELECTRIC ASSOCIATION FOR ELECTRIC LINES OR SYSTEM AND/OR TELEPHONE LINES TOGETHER WITH RIGHT TO ENTER, MAINTAIN, REPAIR AND CLEAR SHRUBBERY. NO DEFINITE LOCATION DISCLOSED.
10. GREY SHADING REPRESENTS SLOPES STEEPER THAN 20% AS SHOWN ON KPB GIS MAPPING.



LEGEND

- FND. 2.5"ADOT BC IN MON WELL, 7610-S, 2000
- FND 1/2" REBAR W/ YELLOW PLACTIC CAP, 3686-S, 1981
- FND 2"AL-CAP ON 5/8" REBAR, 5780-S, 1995 PER HM95-39
- FND 2"AL-CAP ON 5/8" REBAR, 10603S, 2018
- FND 1/2" REBAR
- FND 2"AL-CAP ON 5/8" REBAR, 7610-S, 2020

(R)RECORD DATA PER HM81-27

CERTIFICATE OF OWNERSHIP

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

JAMES W BARLOW
52024 OLD EAST END RD
HOMER, AK 99603

NOTARY'S ACKNOWLEDGEMENT

For JAMES W BARLOW

Acknowledged before me this ____ day of _____ 2022.

Notary public for Alaska — My Commission Expires

PLAT APPROVAL

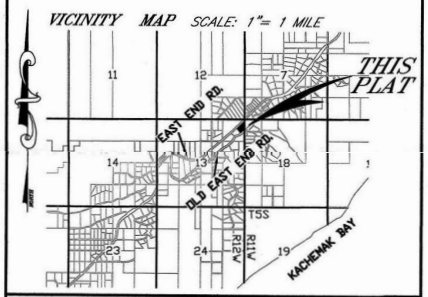
This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of _____

KENAI PENINSULA BOROUGH

BY _____

Authorized Official

VICINITY MAP SCALE: 1"= 1 MILE



DATE	08-15-2022
SCALE	1"= 80'
GRID No.	AR-38
JOB No.	5412
DRAWING:	5412_5396

STATE OF ALASKA 49TH Gary D. Nelson NO. 7610-S REGISTERED PROFESSIONAL LAND SURVEYOR

HEA REVIEWED, AND REQUESTS UTILITY EASEMENTS AS NOTED.

Scott Huff
Land Management Officer

PLAT #
Rec Dist
20
Date
Time M

KPB FILE No. 2022- _____

BAYWOOD 2022

A REPLAT OF LOTS 1 & 2, OF THE "BAYWOOD SUBDIVISION" (HM81-27), EXCEPTING THEREFROM THAT PORTION DEEDED TO THE STATE OF ALASKA IN WARRANTY DEED RECORDED SEPTEMBER 19, 1985 IN BOOK 161, PAGE 569, WITHIN THE NE1/4 SEC. 13, T5S, R12W, S.M., KENAI PENINSULA BOROUGH, HOMER RECORDING DISTRICT, STATE OF ALASKA CONTAINING 5.758 ACRES

OWNERS: JAMES W BARLOW
52024 OLD EAST END RD
HOMER, AK 99603

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

KPB 2022-129

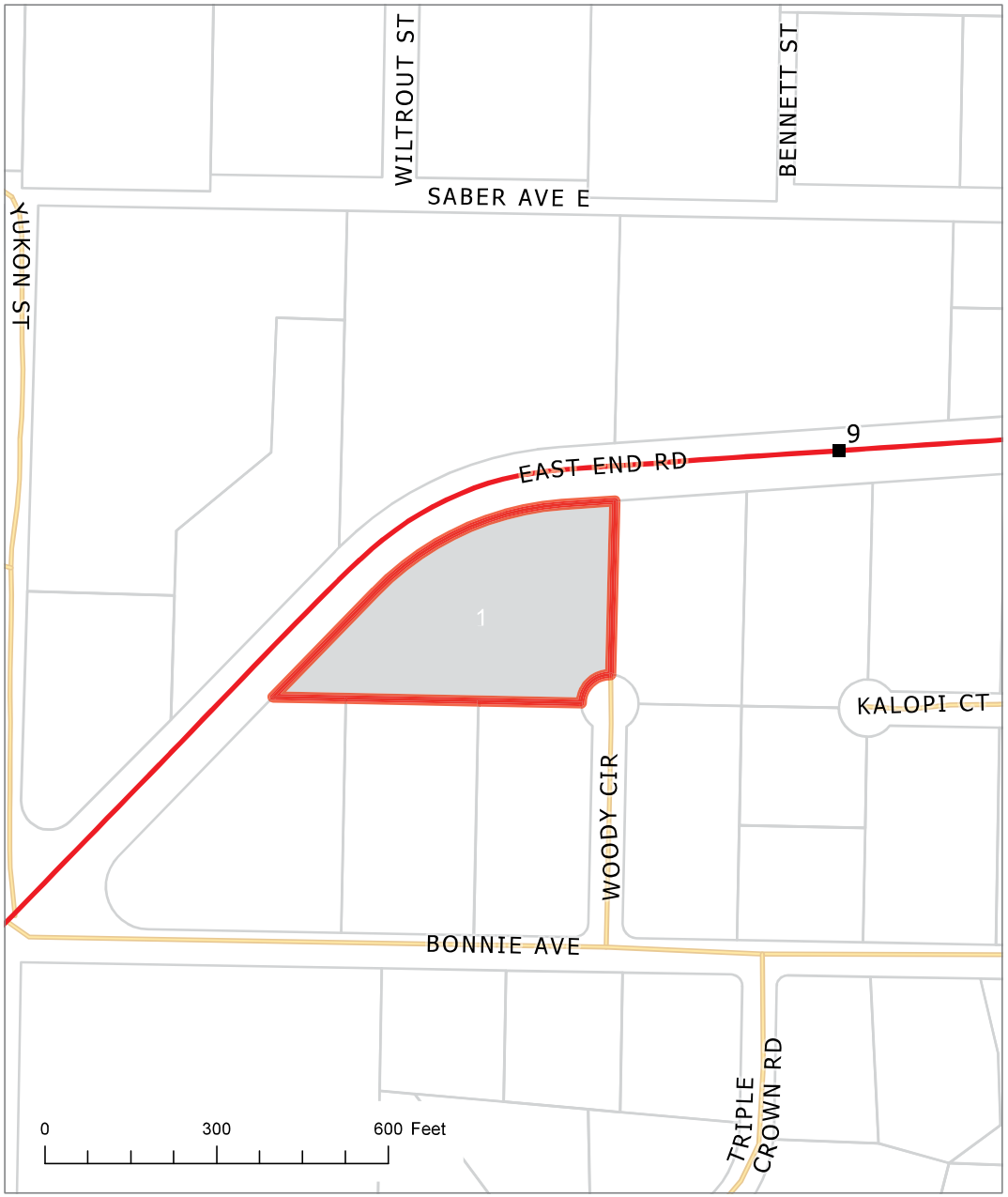
E. NEW BUSINESS

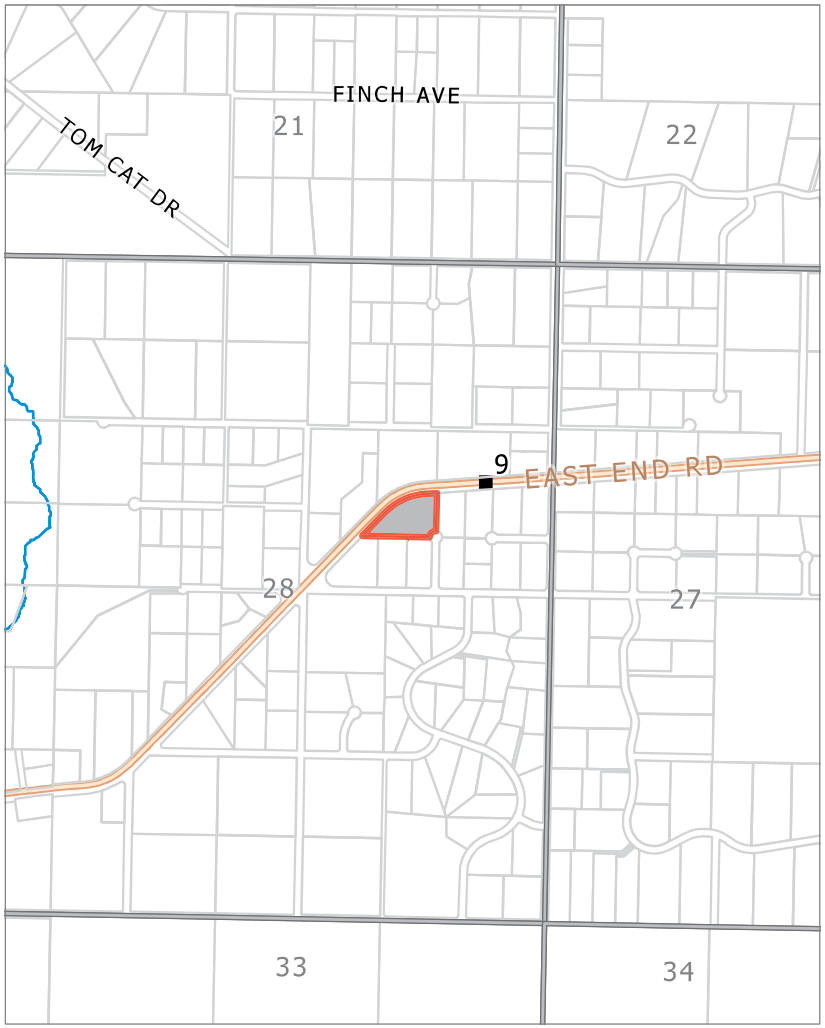
7. Spruce Woods Lot 1 Replat; KPB File 2022-132
Ability Surveys / Ivanov
Location: Woody Circle & East End Road
Fritz Creek Area / Kachemak Bay APC

Kenai Peninsula Borough Planning Department

Vicinity Map

9/1/2022





KPB File # 2022-132
S28 T05S R12W
Fritz Creek

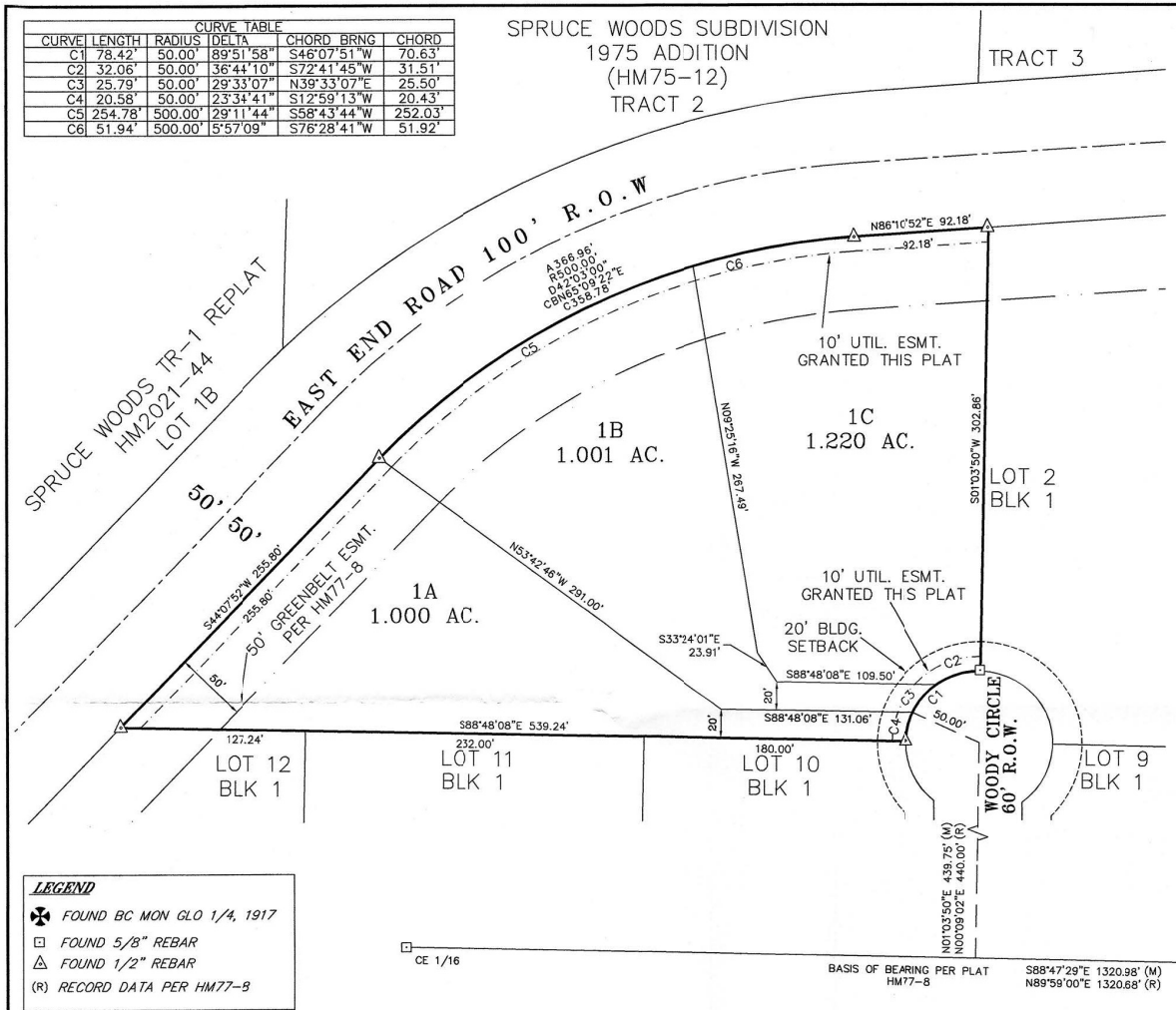
Kenai Peninsula Borough Planning Department

Aerial Map

KPB File Number 2022-132
9/1/2022

N

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BRNG	CHORD
C1	78.42'	50.00'	89°51'58"	S46°07'51"W	70.63'
C2	32.06'	50.00'	36°44'10"	S72°41'45"W	31.51'
C3	25.79'	50.00'	29°33'07"	N39°33'07"E	25.50'
C4	20.58'	50.00'	23°34'41"	S12°59'13"W	20.43'
C5	254.78'	500.00'	29°11'44"	S58°43'44"W	252.03'
C6	51.94'	500.00'	5°57'09"	S76°28'41"W	51.92'



LEGEND

- FOUND BC MON GLO 1/4, 1917
- FOUND 5/8" REBAR
- FOUND 1/2" REBAR
- (R) RECORD DATA PER HM77-8

NOTES

1. A BUILDING SETBACK OF 20 FEET IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
2. THE FRONT 10 FEET OF THE 20 FOOT BUILDING SETBACK IS HEREBY GRANTED AS A UTILITY EASEMENT.
3. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
4. PER HM77-8, NO BUILDING IMPROVEMENTS, INSTALLATION OF SEPTIC TANKS OR ROADWAYS OR TREE CLEARING WILL BE PERMITTED WITHIN THE GREENBELT AREAS INDICATED HERON.
5. NO DIRECT ACCESS TO STATE MAINTAINED R.O.W. PERMITTED UNLESS APPROVED BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
6. NO STRUCTURES ARE PERMITTED WITHIN THE PANHANDLE PORTION OF THE FLAG LOT(S).
7. THE BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS, OR DEED RESTRICTIONS PER KPB 20.60.170.
8. GREY SHADING REPRESENTS SLOPES STEEPER THAN 20% AS SHOWN ON KPB GIS MAPPING.
9. THERE ARE NO WETLANDS IDENTIFIED ON KPB GIS MAPPING.

CERTIFICATE OF OWNERSHIP

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

ANATOLY IVANOV
46547 E END RD
HOMER, AK 99603

NOTARY'S ACKNOWLEDGEMENT

For ANATOLY IVANOV

Acknowledged before me this ____ day of _____ 2022.

Notary public for Alaska — My Commission Expires

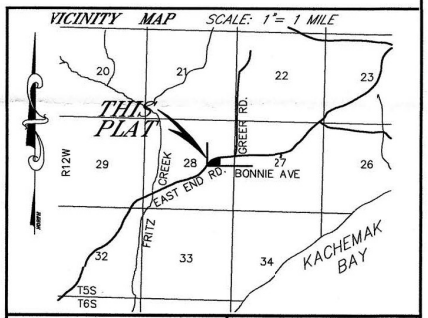
PLAT APPROVAL

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

KENAI PENINSULA BOROUGH

BY _____

Authorized Official



DATE	8-10-2022
SCALE	1"= 60'
JOB No.	5419
DRAWING:	5419_5365

STATE OF ALASKA
49TH
Gary D. Nelson
NO. 7610-S
REGISTERED PROFESSIONAL LAND SURVEYOR

SPRUCE WOODS LOT 1 REPLAT

A SUBDIVISION OF LOT 1, BLOCK 1, OF THE SPRUCE WOODS SUBDIVISION (HM77-8), WITHIN THE NE1/4 SEC. 28, T5S, R12W, S.M., KENAI PENINSULA BOROUGH, HOMER RECORDING DISTRICT, STATE OF ALASKA CONTAINING 3.221 ACRES

OWNERS: ANATOLY IVANOV
46547 E END RD
HOMER, AK 99603

PLAT #
Rec Dist
20
Date
Time M

KPB FILE No. 2022- ____

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

173

KPB 2022-132

E7-3

AGENDA ITEM E. NEW BUSINESS

ITEM 7 - SPRUCE WOODS LOT REPLAT

KPB File No.	2022-134
Plat Committee Meeting:	September 26, 2022
Applicant / Owner:	Anatoly Ivanov of Homer, AK
Surveyor:	Gary Nelson / Ability Surveys
General Location:	Woody Circle, Fritz Creek Area, Kachemak Bay APC

Parent Parcel No.:	172-133-13
Legal Description:	Lot 1 Block 1 Spruce Woods Subdivision 1976 Addition
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	Onsite

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 3.221 acre lot into 3 lots ranging in size from 1.00 acres to 1.220 acres. Two of the lots are proposed to be flag lots.

Location and Legal Access (existing and proposed): The proposed plat is located on Woody Circle, a 60 foot wide right-of-way that ends with a 50 foot radius cul-de-sac that is maintained by the borough. All three lots will have access to Woody Circle. Lot 1 and Woody Circle were created and dedicated by the subdivision Spruce Woods Subdivision 1976 addition (HM 77-8). Woody Circle is accessed from borough maintained Bonnie Avenue that is located near mile 8.5 of state maintained East End Road.

The lots front along East End Road. Access from a state maintained road must obtain permission from Alaska DOT. The parent plat contained a plat note that specifically limited access from East End Road, then known as Homer East Road. The ability to have access from East End Road is also limited due to the additional restrictions outlined by the parent plat for the uses within the greenbelt easement. ***Staff recommends*** *an additional plat note be added or added to plat note 5 that carries over the parent plat note limiting access from East End Road.*

East End Road, Bonnie Avenue, and Greer Road define the block. The block is closed but the distance along Bonnie Avenue exceeds allowable code lengths being approximately 2,000 feet in length. Due to the design of the block and the two cul-de-sacs within the block, the ability to get a compliant block length is not possible. ***Staff recommends*** *the plat committee concur that an exception is not required nor any dedications as this plat cannot improve the block lengths.*

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Painter, Jed Comments: No comments
SOA DOT comments	The ROW for East End Road is as shown on Homer: East End Road, M.P.3.75-12.2, Kachemak Drive to McNeil Canyon (0414(10)/Z524770000) sheets 30 of 53, and appears to be shown correctly.

Site Investigation: The area is located on the south side of East End Road. The terrain falls at a rate of 7 percent from the northeast corner to the southwest corner across the plat. No steep terrain is present. No wetlands or FEMA Flood Zone are present on the property.

There does not appear to be any improvements on the property.

KPB River Center review	A. Floodplain

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

Staff Analysis This is a replat of Lot 1 Block 1 Spruce Woods Subdivision 1976 Addition, Plat HM 77-8, which was a subdivision of aliquot lands. The three lots being created comply with lot dimension requirements for depth to width and panhandle lots.

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

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

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

Utility Easements The parent plat did not grant any utility easements that pertain to the parent lot. The plat is proposing to grant the required 10 foot utility easements along East End Road and Woody Circle. A 50 foot Greenbelt Easement on the north side of the lots is being carried over from the parent plat. Per the parent plat this easement will not allow improvements, installation of septic tanks, roadways or tree clearing. This easement will be required to be carried over and is depicted and noted on the plat. Due to the restrictions within this greenbelt easement the ability for the front 10 feet to be used as a utility easement will be limited or in violation of the greenbelt easement. Staff has provided the utility providers the notification of this change. Any objections will be provided to the surveyor. ***Staff recommends*** *the plat committee concur that requirement per KPB 20.30.060(D) is not required within the greenbelt easement along East End Road unless objections by utility providers is received.*

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

Utility provider review:

HEA	No comment
ENSTAR	No comment
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 38405 WOODY CIR Existing Street Names are Correct: Yes

	List of Correct Street Names: WOODY CIR EAST END RD Existing Street Name Corrections Needed: All New Street Names are Approved: Yes List of Approved Street Names: List of Street Names Denied: Comments: 38405 WOODY CIR will remain with Lot 1B
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

- *Check the monuments found for verification of them.*
- *Check data totals, individual curve data is not adding up to total curve data*

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:** In the legal description add 1976 Addition to the parent plat name.*

C. The location, width, and name of existing or platted streets and public ways, railroad rights-of-way, and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;

***Staff recommendation:** Extend Woody Cir south a little and move the name and 60' R.O.W. south also.*

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: *Adjust the plat depiction as currently it appears the subdivision is abutting Bonnie Avenue.*

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: *Add the plat name and filing on the lots to the south and east.*

J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;
Staff recommendation: *Add Block 1 label to the lots.*

KPB 20.30 – Subdivision Design Requirements

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

KPB 20.40 – Wastewater Disposal

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

20.40.010 Wastewater disposal.
Platting Staff Comments: Soils report will be required and an engineer will need to sign the plat.
Staff recommendation*: Add the correct plat notes based on the soils report. 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.*

20.60.110. Dimensional data required.

C. Any discrepancy between the survey and the record description, and the source of all information used in making the survey shall be indicated. When an inconsistency is found including a gap or overlap, excess or deficiency, erroneously located boundary lines or monuments, or when any doubt as to the location on the ground of the true boundary or property rights exists, the nature of the inconsistency shall be clearly shown on the drawing.
Staff recommendation*: comply with 20.60.110. Give measured and recorded distances and bearings. If recorded data is being used, check for accuracy.*

20.60.180. Plat notes.

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

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

- *Add appropriate wastewater notes.*

- *Parent plat contained a plat note that should be carried over but reworded and may be part of note 5. "Per HM 77-8, no lot in this subdivision shall front on East End Road."*
- *If the plat committee concurs with the removal of the utility easement along East End Road, add "Due to the 50 foot greenbelt easement, the 10 foot utility easement per KPB 20.30.060(D) along East End Road was determined by the Plat Committee at the September 26, 2022 meeting to not be required."*
- *Reword plat note 2, "The front 10 feet adjacent to Woody Circle (or to "rights-of-way" if the plat committee does not concur) is hereby granted as a utility easement."*
- *Plat note 7 may be removed as the certificate to plat did not indicate any covenants or record.*
- *As there is no steep terrain, plat note 8 may be removed or updated to state none are present.*
- *Add a plat note with the East End Road highway map information unless provided in a label in the highway depiction.*
- *Add a reference to a code to plat note 6. "…lot(s), per KPB 20.30.190(B)."*

RECOMMENDATION:

STAFF RECOMMENDS:

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

NOTE: 20.25.120. - REVIEW AND APPEAL.

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

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

END OF STAFF REPORT

Kenai Peninsula Borough Planning Department

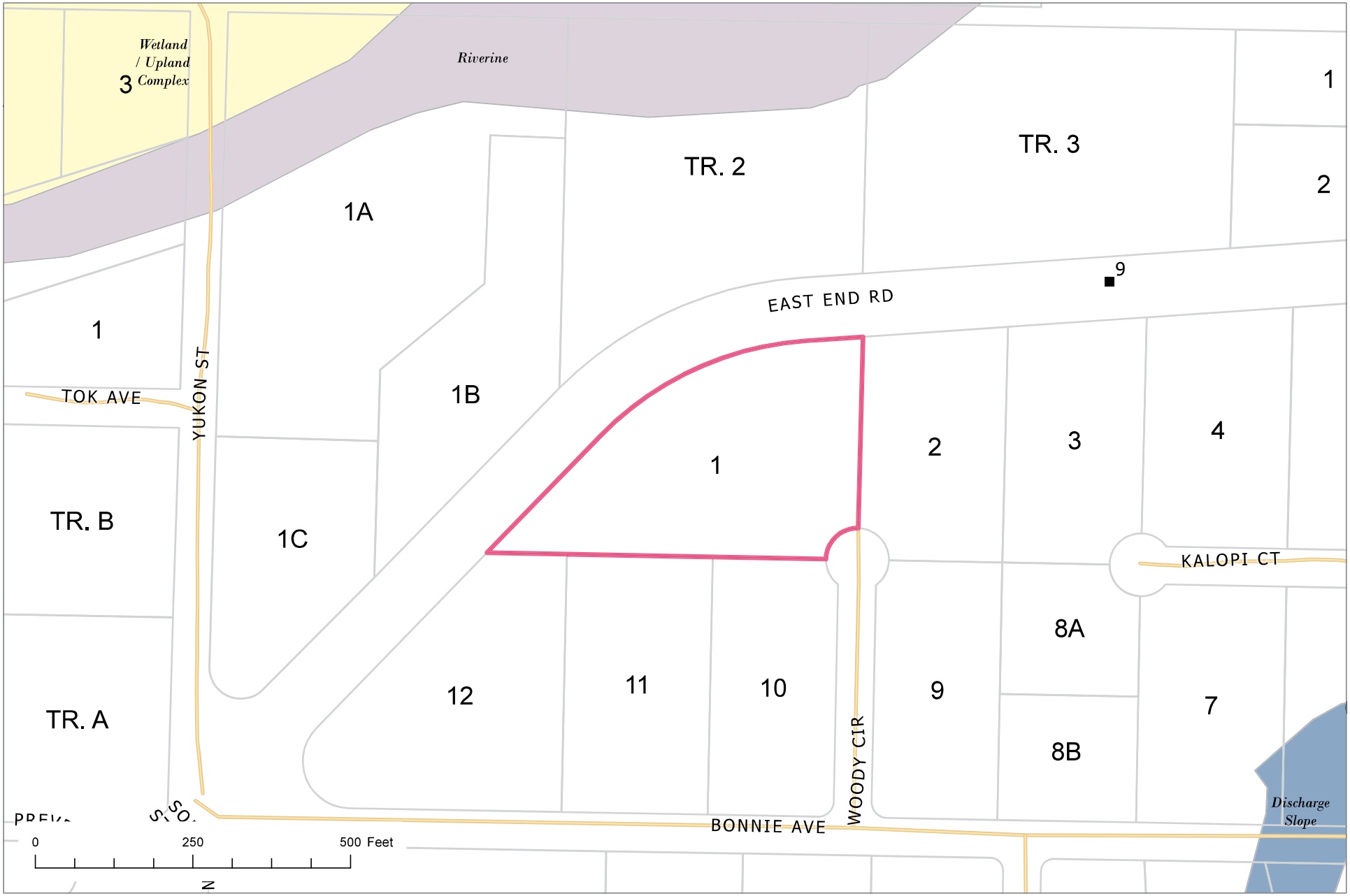
Aerial Map

KPB File Number 2022-132
9/1/2022

Kenai Peninsula Borough Planning Department

Wetlands

KPB File Number 2022-132
9/1/2022

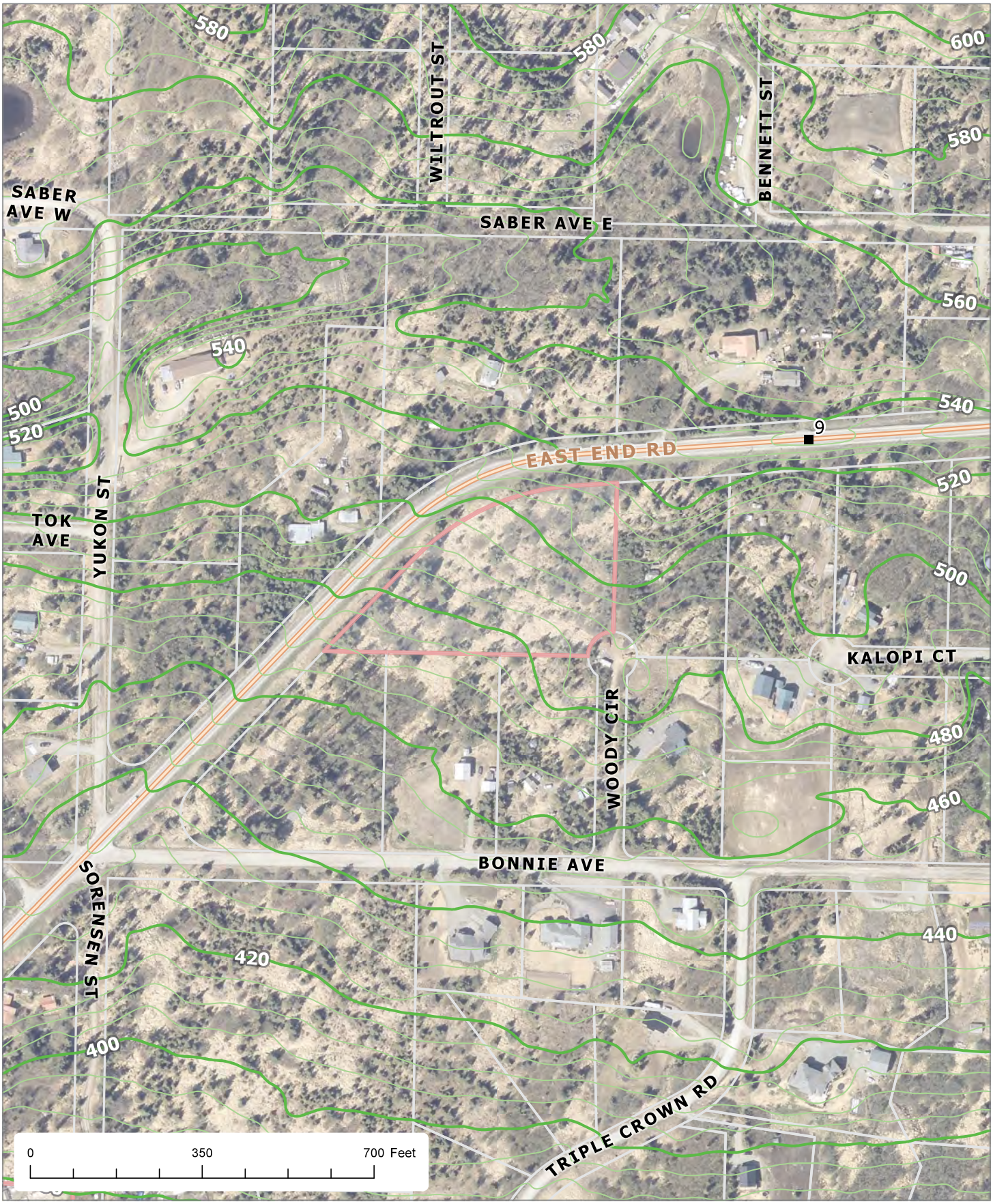


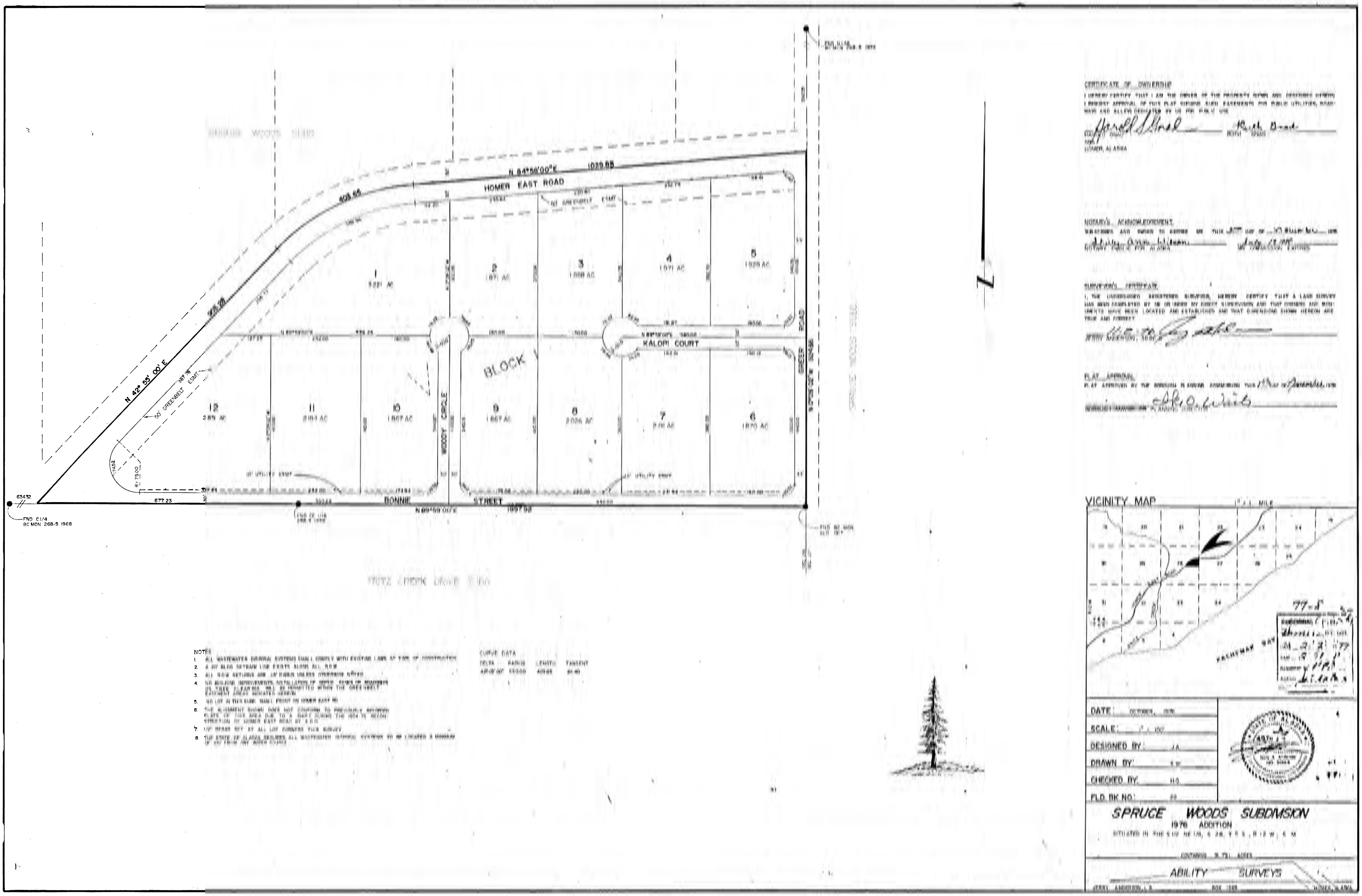
Kenai Peninsula Borough Planning Department

Aerial with 5-foot Contours

KPB File 2022-132

9/1/2022




CERTIFICATE OF OWNERSHIP
NOTARY'S ACKNOWLEDGEMENT
SURVEYOR'S CERTIFICATE
PLAT APPROVAL
HOMER EAST ROAD
N 84°56'00"E
1029.65
N 42° 55' 00" E
BLOCK 1
KALOPI COURT
WOODY CIRCLE
GREER ROAD
BONNIE STREET
N 89°59'00"E
677.23
NOTES
CURVE DATA
VICINITY MAP
KACHEMAK BAY
77-8
DATE: OCTOBER, 1976
SCALE:
DESIGNED BY:
DRAWN BY:
CHECKED BY:
FLD. BK. NO.:
SPRUCE WOODS SUBDIVISION
1976 ADDITION
ABILITY SURVEYS

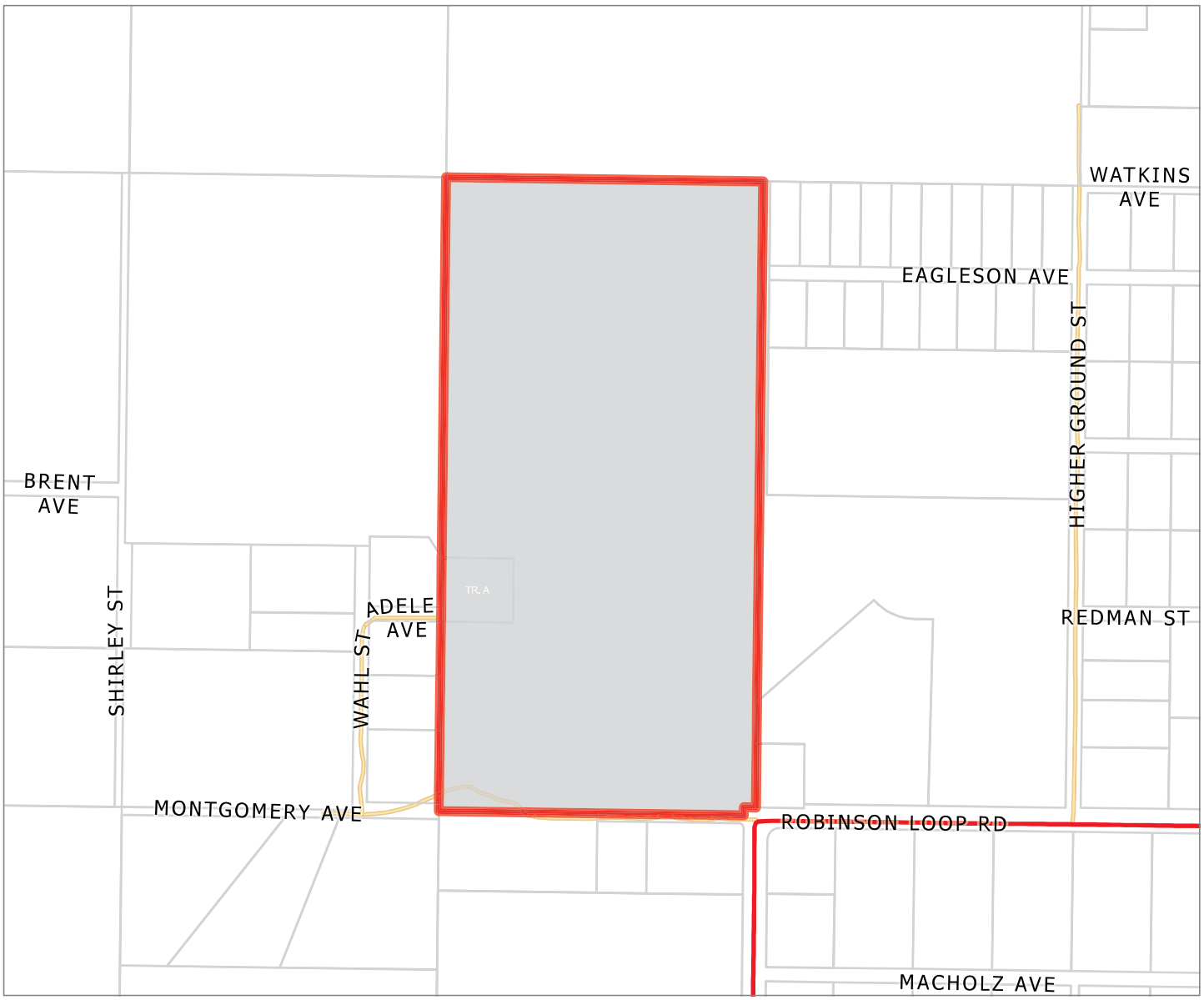
E7-12

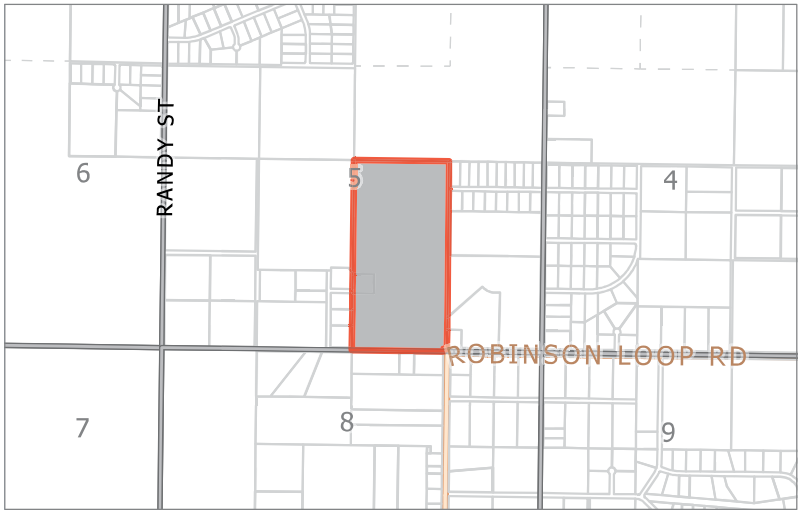
E. NEW BUSINESS

8. Wahl Subdivision; KPB File 2022-092R1
Segesser Surveys / Whal
Location: Adele Avenue & Montgomery Avenue
Sterling Area

Kenai Peninsula Borough Planning Department

Vicinity Map





KPB File 2022-092R1

T 05N R 09W SEC 05

Sterling

8/30/2022

0 700 1,400 Feet

Kenai Peninsula Borough Planning Department

Aerial View

KPB 2022-092R1
8/30/2022

N

LEGEND:

- 2 1/2" BRASS CAP MONUMENT G.O 1939 FOUND
- 3 1/4" ALUM CAP MONUMENT LS6101 1986 FOUND
- 3 1/4" ALUM. CAP MONUMENT LS5152 2001FOUND
- 5/8" REBAR FOUND
- 1/2" REBAR 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 Bibbens 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 20.60.170.
4) Any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetland determination if applicable.
5) An exception to KPB 20.30.170, Block length, was granted by the Plat Comittee at the meeting of July 18, 2022.
6) An access agreement which affects this property is recorded in Book 273 Page 486, Kenai Recording District.
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, 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.
8) 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.
9) An easement for electric lines or system and/or telephone lines granted to Homer Electric Association is recorded as serial number 2012-009170-0, Kenai Recording District.
10) 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.
11) 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.

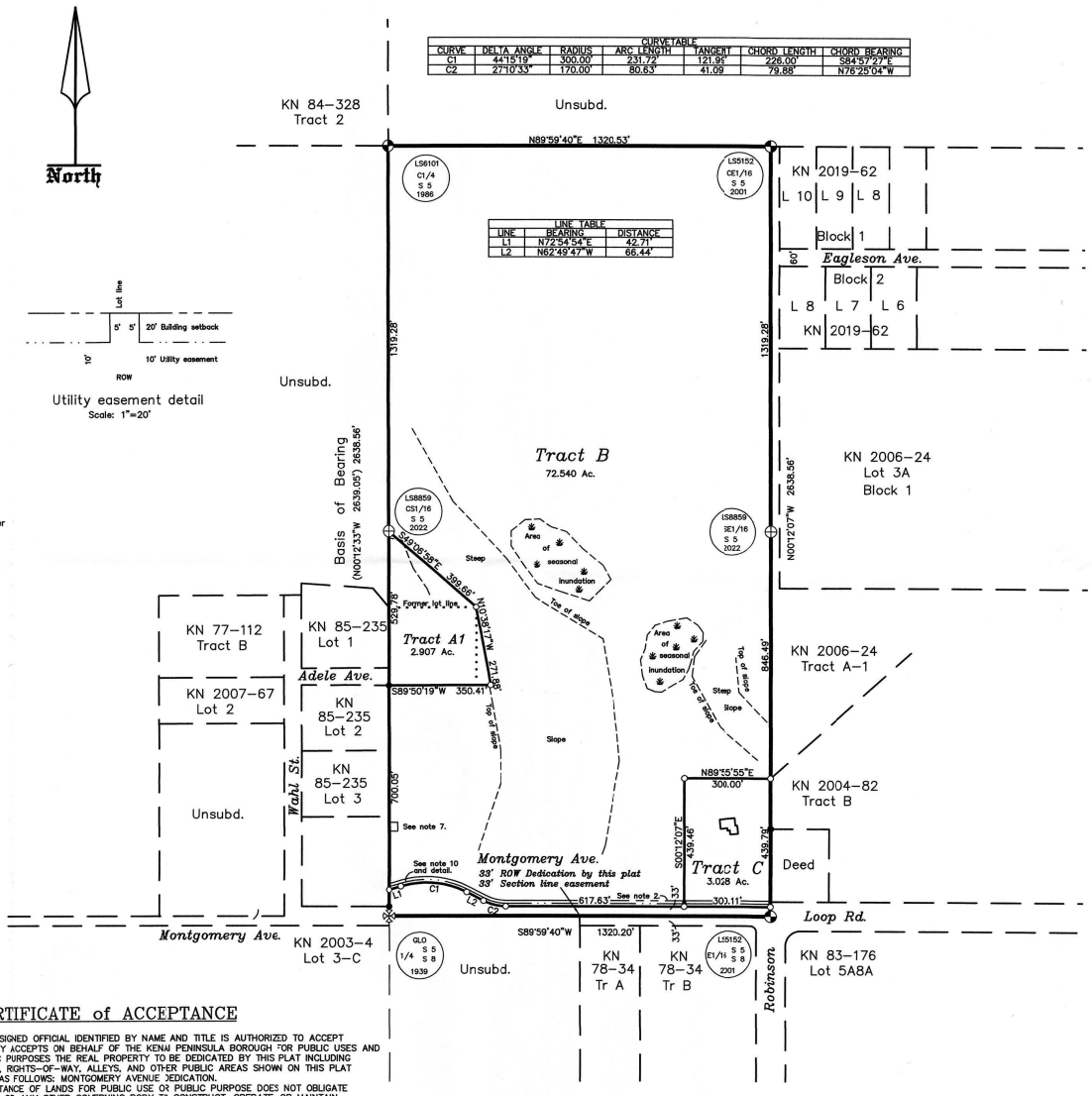
Engineer License No. date

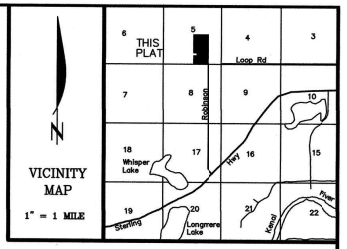
STATE OF ALASKA 49TH JOHN F. SEGESSER No. LS 8859 REGISTERED PROFESSIONAL LAND SURVEYOR

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
38480 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 PENNSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF JULY 18, 2022.

KENAI PENINSULA BOROUGH

_____
AUTHORIZED OFFICIAL

CERTIFICATE of ACCEPTANCE

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE KENAI PENINSULA BOROUGH FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS: MONTGOMERY AVENUE DEDICATION.
THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY OTHER GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

_____ _____
AUTHORIZED OFFICIAL DATE
KENAI PENINSULA BOROUGH

KPB FILE No. 2022-092

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 ~~78.123~~ 79.870 Ac.

Surveyor	Owner
Segesser Surveys 30485 Rosland St. Soldotna, AK 99669 (907) 262-3909	Beverly A. Wahl 38480 Adele Avenue Sterling, Alaska 99672

JOB NO.	22100	DRAWN	8-29-22
SURVEYED:	May, 2022	SCALE:	1"=200'
FIELD BOOK:	22-2	SHEET:	1 of 1

KPB 2022-092R1

AGENDA ITEM E. NEW BUSINESS

ITEM 8 - WAHL SUBDIVISION

KPB File No.	2022-092R1
Plat Committee Meeting:	September 26, 2022
Applicant / Owner:	Beverly A Wahl of Sterling, AK
Surveyor:	John Segesser / Segesser Surveys
General Location:	Adele Avenue, Robinson Loop Road, Montgomery Avenue, Sterling

Parent Parcel No.:	063-016-14 & 063-01-604
Legal Description:	W1/2 SE1/4 T05N R09W S05 and Tract A Montgomery Homestead KN 76-46
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide two parcels that total about 80 acres into three tracts that will be 2.907, 3.028, and 72.54 acres. A 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. Adele Avenue is 60 foot wide borough maintained right-of-way that ends at parent Tract A. Tract A1 will have access by Adele Ave from Wahl Street, and Tracts B & C 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 existing Tract A from Montgomery Homestead KN 76-46, does not provide for a continuation or access to Tract B from Adele Avenue. Tract A is subject to a temporary turnaround that was depicted on the parent plat. A request for exception to extending Adele Avenue has been requested.

There is a 33 foot section line easement on the south of the plat that is adjacent to the proposed Montgomery Avenue dedication. The Montgomery Avenue dedication will coincide with 33 foot section line easement. The original design only proposed to dedicate a 33 foot width for Montgomery Avenue. As the constructed travelway goes north to avoid a low depression area and steeper slopes. Staff requested and the plat committee agreed to require the dedication be expanded to include 30 feet north of the existing centerline. The presented revision does show additional right-of-way width to comply.

The block is not compliant and an exception was granted at the July 18, 2022 Plat Committee meeting. This revision is to include Tract A and adjust the common lot lines to make the parcel bigger. The exception was granted with the following 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 recommends *the plat committee concur that the exception should stand based on the previously stated findings and plat note 5 should remain.*

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: Area of steep slopes are present throughout the proposed subdivision. The top and toe of the bluff has been added to the drawing. Imagery indicates there may be some low wet area or standing water, areas of seasonal inundation are shown on the drawing to correspond. ***Staff recommends*** *the depicted low wet areas and steep terrain remain on the final plat.*

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

Staff Analysis This is a subdivision of aliquot lands and Tract A of Montgomery Homestead, Plat KN 76-46. Subdivisions have been done around the property but there are still several unsubdivided and/or large acreage tracts in the area. A design was conditional approved by the Plat Committee at the July 18, 2022 meeting. That design only included the large unsubdivided aliquot lands and created two tracts and provided a dedication of Montgomery Avenue. The owner has decided to include their Tract A to adjust the lot lines and increase the parcel's size.

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. Tract A1 is increasing in size by more than 1,000 square feet and will not require a soils report but an additional plat note will be required for Tract A1.

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 a majority of this property has not been included in any subdivision plats there are no current platted easements to carry over. There is a 10 utility easement from Montgomery Homestead KN 76-46 on the west side of former Tract A that needs to be shown. The HEA review includes a request for a plat note and 30 foot easement on the southwest corner of the plat, centered on the OH Electric line. ***Staff recommends*** *the utility easement from KN 76-46 be depicted with a label or plat note that it was granted by KN 76-46 and grant requested easements and notes from utility providers.*

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	Reviewer: Haws, Derek Affected Addresses: 38268 MONTGOMERY AVE Existing Street Names are Correct: Yes List of Correct Street Names: MONTGOMERY AVE ROBINSON LOOP RD EAGLESON AVE WAHL ST Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: 38268 MONTGOMERY AVE will remain with tract C.
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

- *On the drawing, reference to note 7, should be 9.*
- *The utility easement detail should be reviewed as the depiction appears to be missing information or not labeled correctly.*

KPB 20.25.070 – Form and contents required

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

A. Within the Title Block

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

***Staff recommendation:** Revise legal to include Tract A,* add R1 to end of the KPB number.

C. The location, width, and name of existing or platted streets and public ways, railroad rights-of-way, and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;
***Staff recommendation:** Add ROW width to Adele Avenue, Montgomery Avenue to the west, Robinson Loop Rd to the east. Depict and label the adjacent section line easements where dedications have not been granted.*

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 Tract A in the darkened area.*

E. All parcels of land including those intended for private ownership and those to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purposes, conditions, or limitations of reservations that could affect the subdivision;
***Staff recommendation:** It should be determined by the surveyor with further research of the document in book 273 page 486 the location of the access. Document mentions a tax map that is not included in the Certificate to Plat or attached with the document on the recorders website.*

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:** Provide an additional dedication label for the wider portion of Montgomery Avenue as that portion is not 33 feet in width.*

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: *Parcel in southwest corner from plat needs label. Parcel to the east of plat needs correct plat reference*

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: *On Montgomery Homestead KRD76-46 is shown a 20 foot building setback line going around the temp turn around.*

KPB 20.40 – Wastewater Disposal

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

20.40.010 Wastewater disposal.

Platting Staff Comments: Tract A1 will be increasing by more than 1,000 square feet. A soils report will not be required for Tract A1 or Tract B. Soils report will be required for Tract C.

Staff recommendation*: Add a wastewater disposal note for Tract A1. Comply with 20.40.*

KPB 20.60 – Final Plat

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

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

Staff recommendation: make the lines for Tracts A1 and Tract C lighter

20.60.180. Plat notes.

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

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

- *The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.*

EXCEPTIONS REQUESTED:

KPB 20.30.030 – Proposed street layout-Requirements (extending Adele Avenue)

Surveyor's Discussion: The owner is asking for an exception to extending Adele Avenue. The land to the south of Tract A can be access from Montgomery Avenue.

Staff Discussion: The original preliminary design did not include Tract A. Adele Avenue is a 60 foot wide borough maintained right-of-way that the original design did not front or abut to and thus unable to provide any dedication to Adele Avenue. The inclusion of Tract A would now require a continuation of Adele Avenue per KPB 20.30.030. Plat KN 76-46, Montgomery Homestead dedicated Wahl Street, Adele Avenue, and created Tract A. Tract A is subject to a 50 foot radius temporary turnaround and a 20 foot building setback. The plat did not indicate what requirements would need to be meet for the turnaround to be considered removed. KPB Code no longer allows the creation of temporary turnarounds.

Denial of the exception request will require a through 60 foot dedication of Adele Avenue.

Findings:

1. Tract A is subject to a 50 foot radius temporary turnaround and 20 foot building setback.
2. Adele Avenue is a constructed and borough maintained right-of-way.
3. The dedication of Adele Avenue is a 60 feet wide that ends abutting Tract A.
4. KPB 20.30.030 would require a continuation of Adele Avenue through the subdivision.
5. The location of the existing right-of-way would require a through continuation to go through steep terrain and low seasonal wet areas.
6. A through dedication would not connect to other dedications as an exception for block length and required dedications was previously granted.
7. Proposed Tract B has access from Montgomery Avenue.
8. Tract B is large enough to be further subdivided.
9. A portion of Tract B will be located west of the steep slopes and will be large enough to be further subdivided.
10. A dedication or continuation will allow the western portion of Tract B to be further subdivided with multiple access available.
11. There is room within Tract B for future dedications to avoid terrain issues through the eastern portion of the tract.
12. The dedication of a cul-de-sac will provide for a permanently closed right-of-way.

Staff reviewed the exception request and recommends granting approval subject to the following:

- Dedicate a 60 foot radius cul-de-sac to replace the temporary turnaround in place.
- The dedication should extend the 60 foot right-of-way to allow for a full cul-de-sac to be granted from Tract A1 and Tract B as the ability to get the remainder of the bulb from Lot 2 of KN 85-235 is minimal as this is a 1.56 acre lot.
- In addition to the 20 foot setback, the dedication will be subject to a 10 foot utility easement.
- If the requested design causes issues with existing permanent structures, the surveyor shall disclose to determine if a change to road design will be required or if the structures will be exempt from setbacks or utility easements.

If the plat committee grants the exception but does not agree with the request of a cul-de-sac dedication, ***staff recommends*** *the exception be granted and the temporary turnaround and setback from the parent plat be depicted and labeled with source.*

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

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

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

1. That special circumstances or conditions affecting the property have been shown by application;
   Findings 1, 2, 5-8, 11, and 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, 2, 5-8, 11, and 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, 2, 5-8, 11, and 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

Kenai Peninsula Borough Planning Department

Aerial View

KPB 2022-092R1
8/30/2022

Kenai Peninsula Borough Planning Department

Wetlands

KPB File 2022-092R1

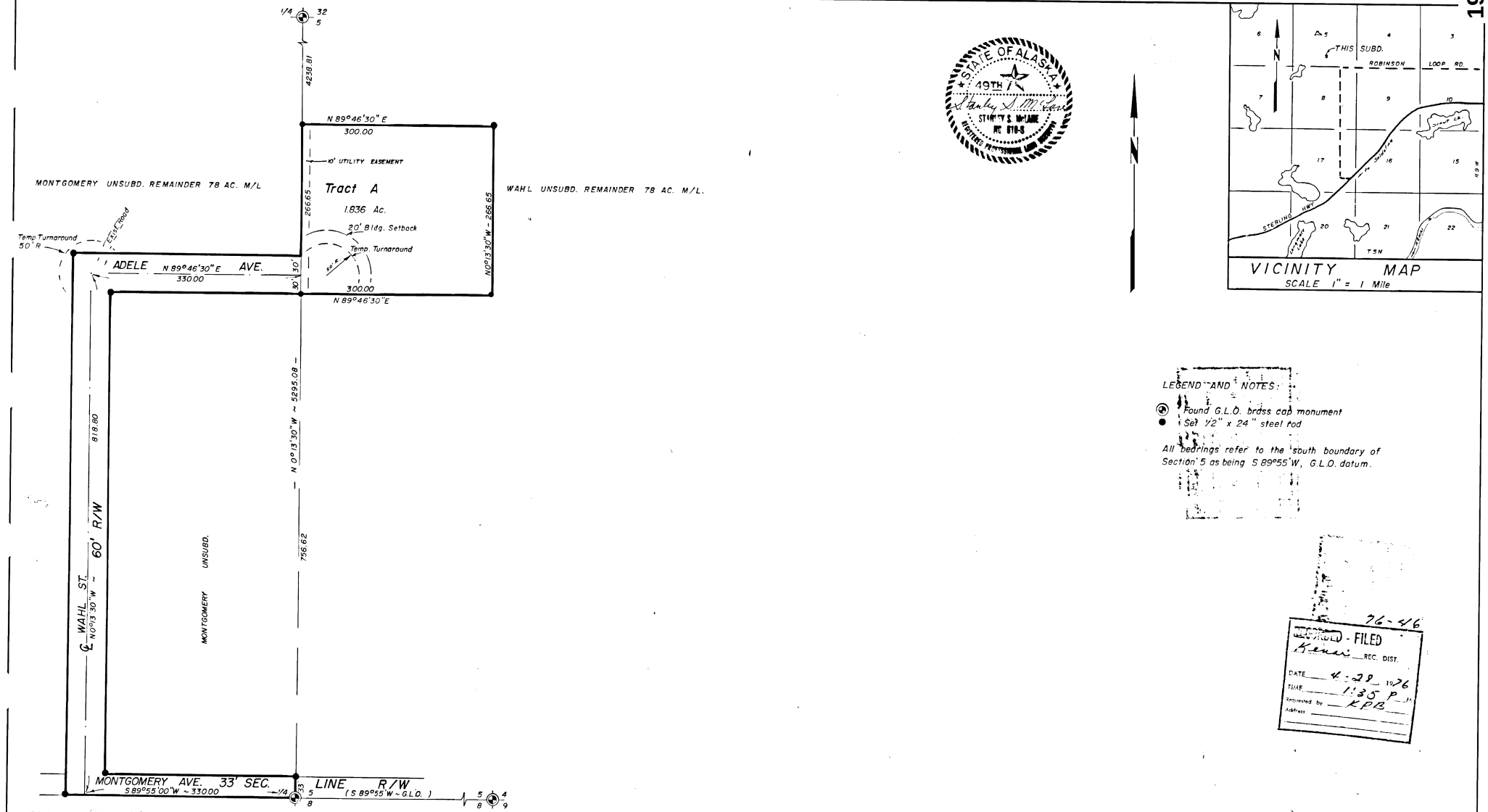
8/30/2022

Kenai Peninsula Borough Planning Department

Aerial with 5-foot Contours

KPB File 2022-092R1

8/30/2022



STATE OF ALASKA
49TH
Stanley S. McLane
STANLEY S. McLANE
RT. 678-B
REGISTERED PROFESSIONAL LAND SURVEYOR

LEGEND AND NOTES:

⊙ Found G.L.O. brass cap monument
● Set ½" x 24" steel rod

All bearings refer to the south boundary of Section 5 as being S 89°55'W, G.L.O. datum.

76-416
RECORDED - FILED
Kenai REC. DIST.
DATE 4-29-1976
TIME 1:35 P.M.
Requested by KPB
Address

CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of said property, and request the approval of this plat showing such easements for public utilities, roadways, and or streets dedicated by us for public use.

Date April 26, 1976

Frank D. Montgomery Sr.
Frank Montgomery, Box 25, Sterling, Ak. — owner

La Vern Wahl
La Vern Wahl, Box 88, Soldotna, Ak. — owner

NOTARY'S ACKNOWLEDGEMENT.

Subscribed and sworn before me this 26 day of April, 1976; the foregoing certificate as his free and voluntary act.

My commission expires 7/22/76

Francis C. Rodgers
notary public for Alaska

PLAT APPROVAL.

Plat approved by the Commission this 23rd day of March, 1976.

Dana A. Kilmer
Mayor

TRACT A
MONTGOMERY HOMESTEAD

Frank Montgomery and La Vern Wahl — owners
Box 88, Soldotna, Ak. 99669

DESCRIPTION
3.646 ACRES INC. R/W LOCATED IN THE S ½ SECTION 5, T5N, R9W, S.M., ALASKA WITHIN THE KENAI PENINSULA BOROUGH.

Surveyed by McLane & Assoc.
468; Soldotna, Ak.

DATE OF SURVEY	SCALE	BK. NO.
Feb. 23-Mar. 8, 1976	1"=100'	74-2

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

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

ITEM E8 - 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 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 Fikes moved, seconded by Commissioner Venuti to grant preliminary approval to Wahl Subdivision based on staff recommendations and compliance with borough code.

AMENDMENT MOTION: Commissioner Fikes moved, seconded by Commissioner Venuti, to grant exception request to KPB 20.30.030 – Proposed Street Layout Requirements & KPB 20.30.170 – Block Length Requirements, citing findings 1-12 in support of standards one, two & three.

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, Morgan, Venuti
No	0	

ITEM E9 - 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

PASSED BY GROUPED PLATS UNDER THE CONSENT AGENDA

E. NEW BUSINESS

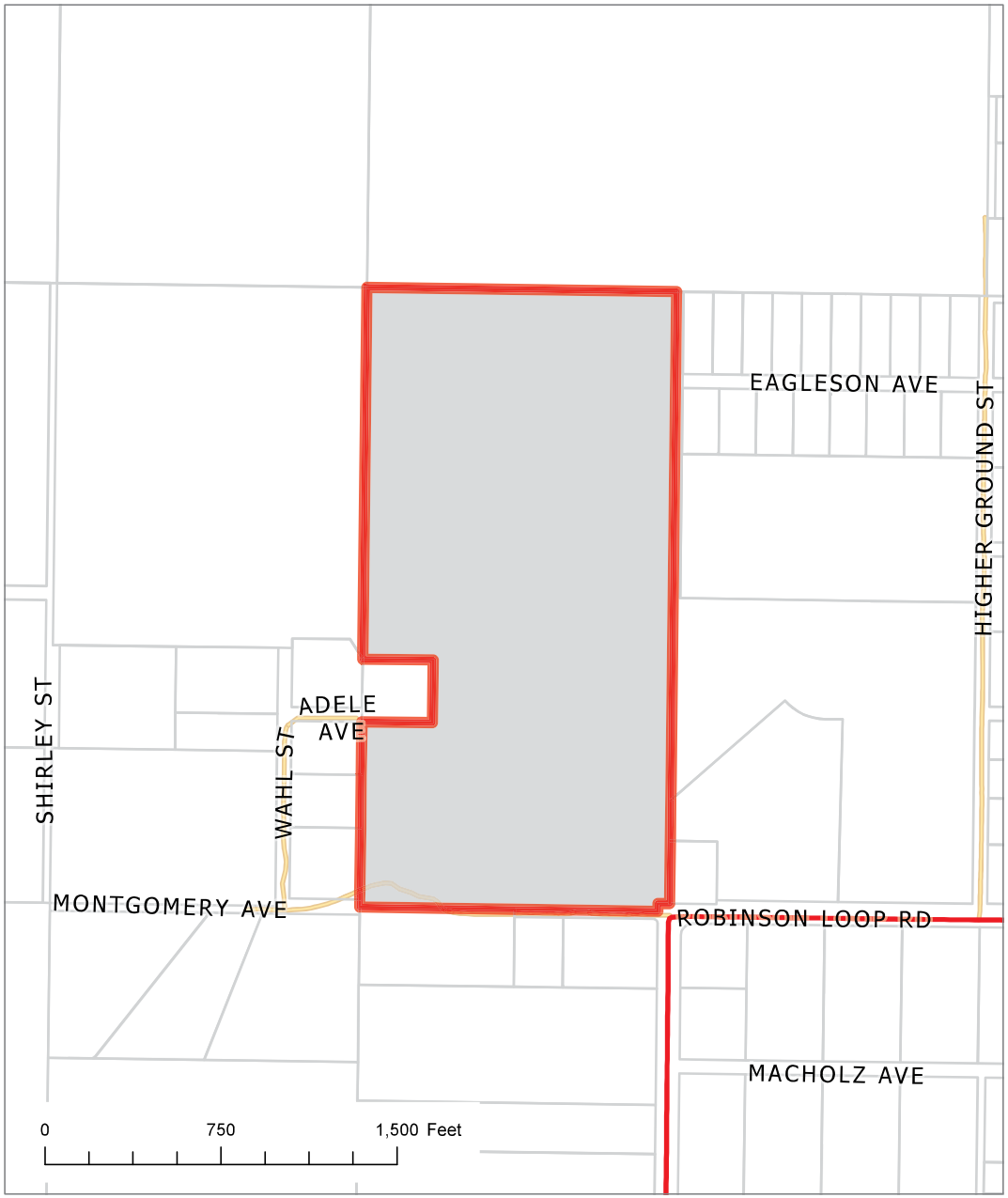
8. Wahl Subdivision; KPB File 2022-092
Segesser Surveys / Wahl
Ninilchik Area

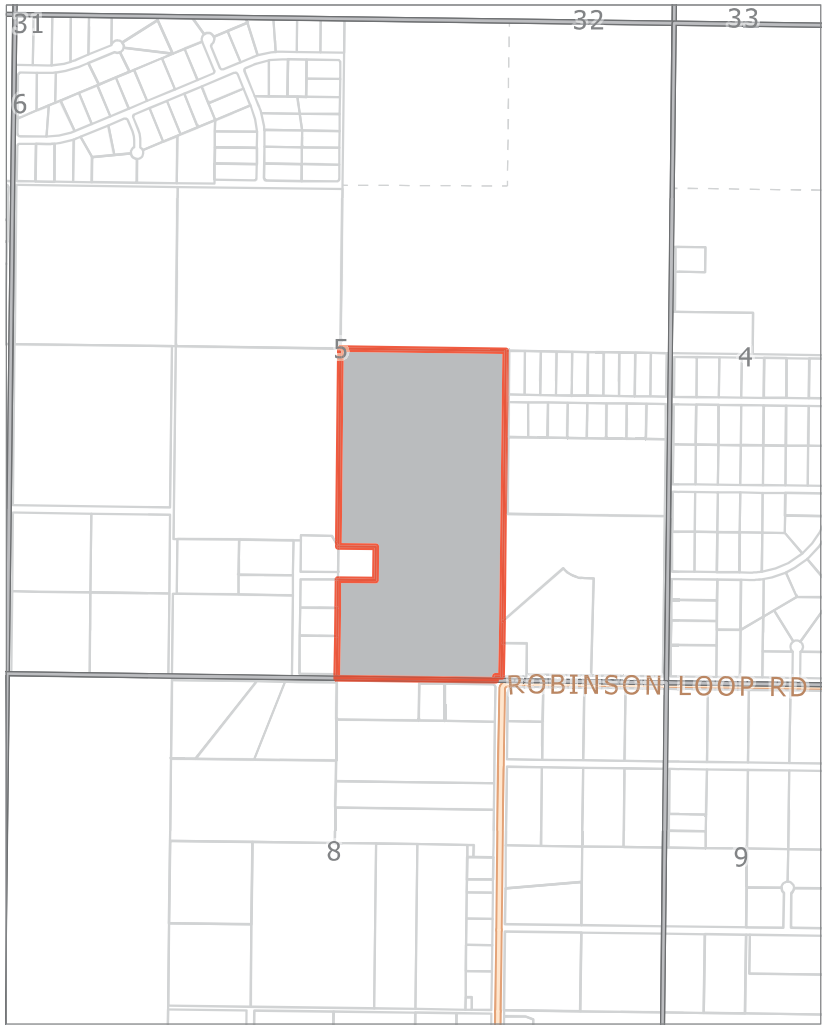
Kenai Peninsula Borough Planning Department

Vicinity Map

6/24/2022

200





KPB File # 2022-092
S05 T05N R09W
Sterling

Kenai Peninsula Borough Planning Department

Aerial View

KPB 2022-092
6/24/2022

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 2001 FOUND
- ● 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

North

NOTES:

1) Basis of bearing taken from Record of Survey of Tract 3 Gibbens 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 20.80.060.
4) An access agreement which affects this property is recorded in Book 273 Page 488, 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, 1956; 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 2012-009170-0, 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.

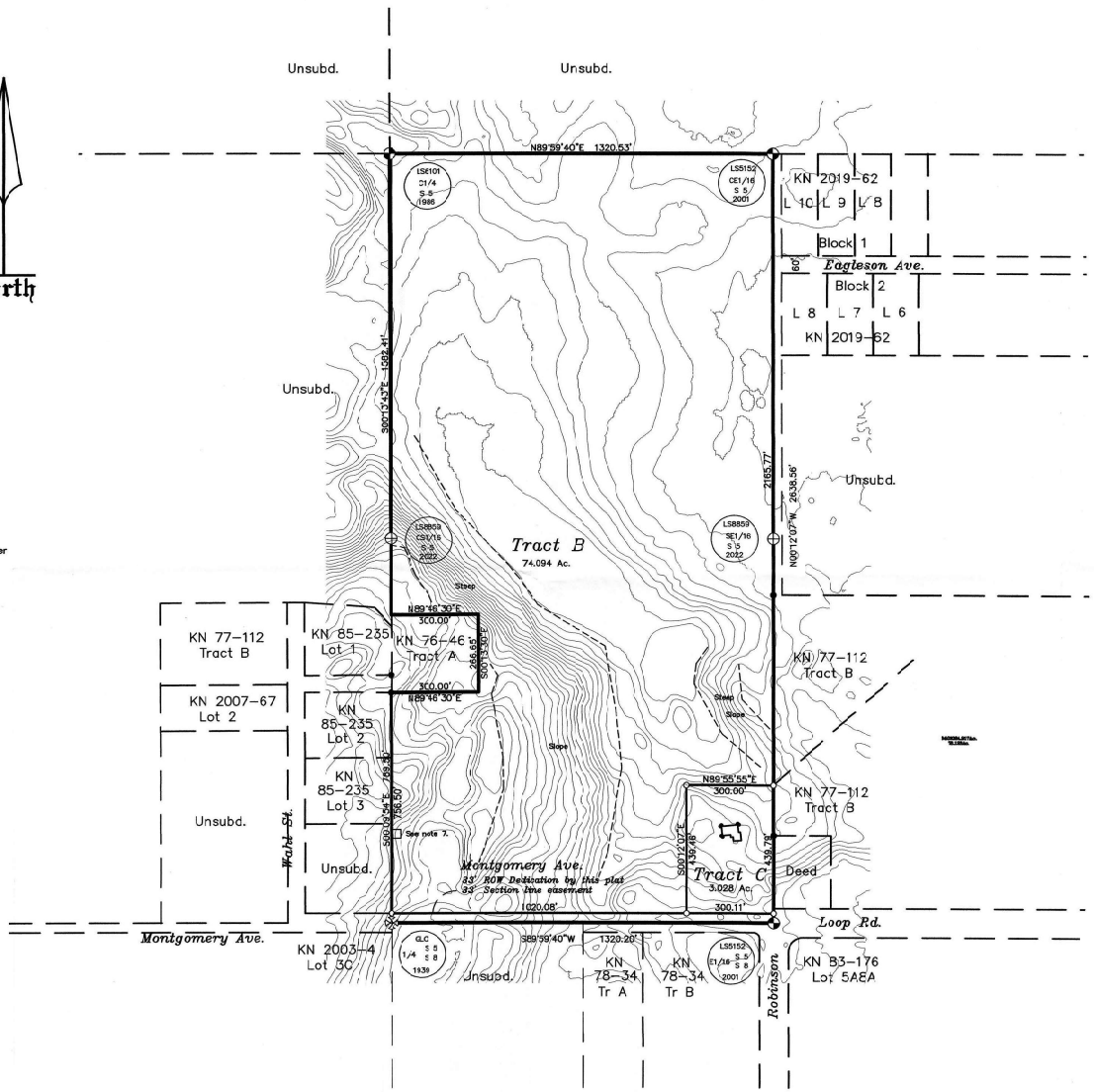
Engineer License No. date

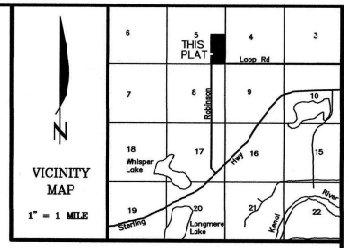
STATE OF ALASKA
JOHN F. SEGESSER JR.
No. LS 8859
PROFESSIONAL LAND SURVEYOR

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 AME 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
38480 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 78.123 Ac.

Surveyor	Owner
Segesser Surveys 30485 Rosland St. Soldotna, AK 99669 (907) 262-3909	Beverly A. Wahl 38480 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	Reviewer: Haws, Derek Affected Addresses: 38268 MONTGOMERY AVE Existing Street Names are Correct: Yes List of Correct Street Names: MONTGOMERY AVE ROBINSON LOOP RD EAGLESON AVE WAHL ST Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: 38268 MONTGOMERY AVE will remain with tract C.
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:** 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 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:

- *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

Kenai Peninsula Borough Planning Department

Wetlands

KPB File Number 2022-092

7/11/2022

Kenai Peninsula Borough Planning Department

5-foot Contours

KPB File Number 2022-092

7/11/2022