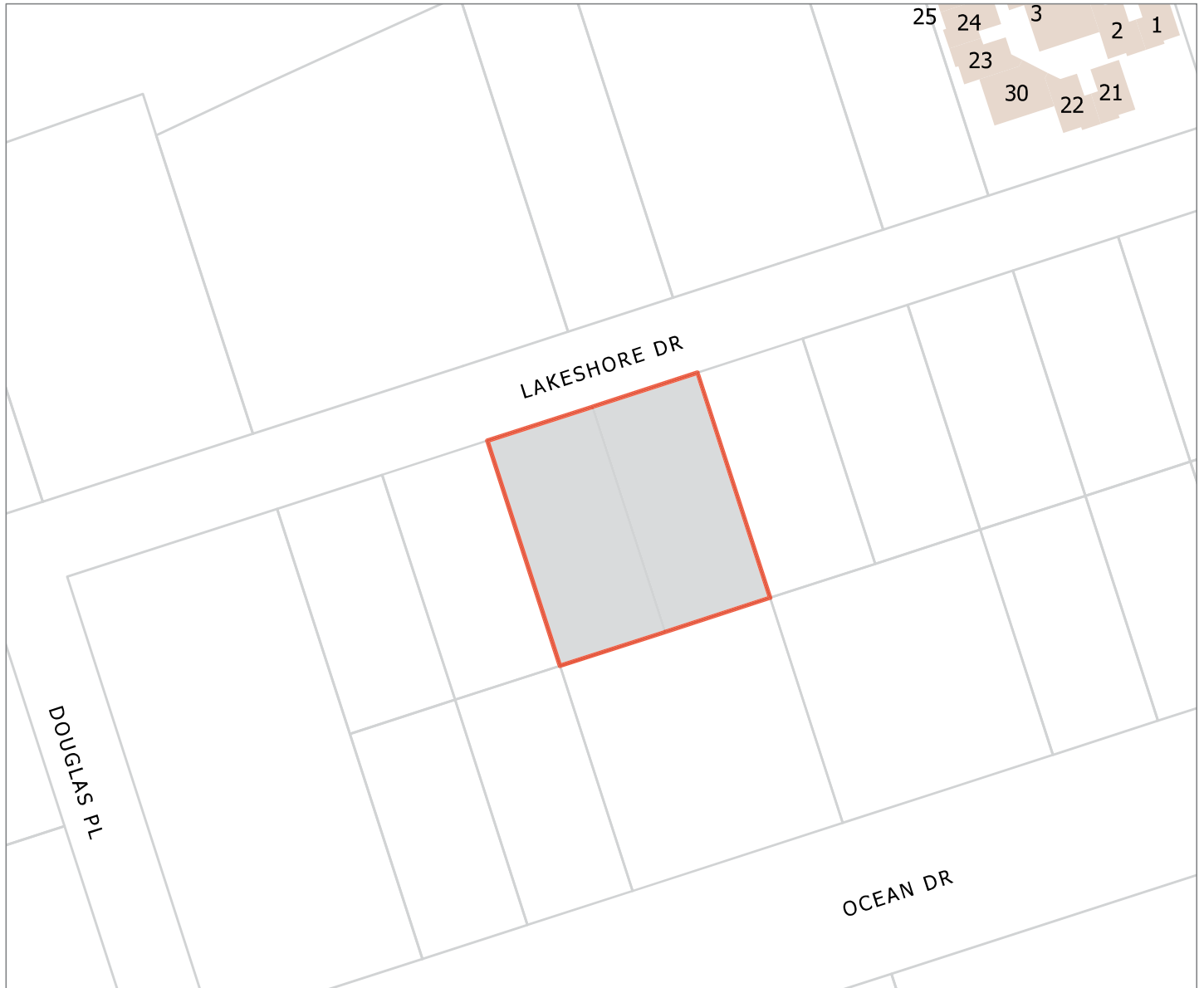


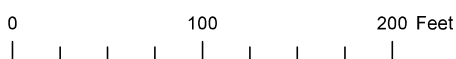
# **E. NEW BUSINESS**

- 6. Bay View Subdivision Chow 2024 Replat  
KPB File 2024-072  
Seabright Surveying  
Chow Community Property Trust  
Location: Lakeshore Drive  
City of Homer**



KPB File 2024-072  
T 06S R 13W SEC 21  
Homer

7/18/2024





Aerial View



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

**NOTES**

1. THE FRONT 15' ALONG THE ROW IS A UTILITY EASEMENT GRANTED THIS PLAT.

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

2. THIS LOT IS SERVED BY CITY OF HOMER WATER AND SEWER.

3. THE DEVELOPMENT WITHIN THIS SUBDIVISION IS SUBJECT TO THE CITY OF HOMER ZONING REGULATIONS.

4. THIS PLAT WAS PREPARED FOR THE VACATION OF A LOT LINE ONLY. NO SURVEY WAS PERFORMED FOR THE PREPARATION OF THIS PLAT. ALL LOT DIMENSIONS SHOWN ON THIS PLAT ARE FROM RECORD DATA AS SHOWN ON PLAT HM 00-839.

5. THE 20 FOOT WIDE ALLEY EASEMENT CENTERED ON THE BACK LOT LINE WAS VACATED BY ACTION OF THE KENAI PENINSULA BOROUGH PLAT COMMITTEE AT ITS MEETING AUGUST 6, 1979. SAID VACATION IS REFERENCED AS KP8 RESOLUTION 79-1, SECTION 1, RECORDED BOOK 108, PAGE 649 H.R.D.

6. AN EASEMENT SHALL REMAIN IN VACATED 20 FOOT ALLEY FOR ANY UTILITIES LOCATED WITHIN THE FORMER 20 FOOT ALLEY EASEMENT AT THE TIME THAT THE ALLEY EASEMENT VACATION BECAME EFFECTIVE, PER KP8 RESOLUTION 79-1, SECTION 2, BOOK 108, PAGE 649 H.R.D.

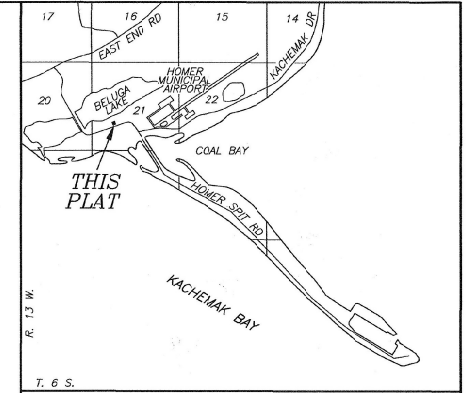
**PLAT APPROVAL**

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

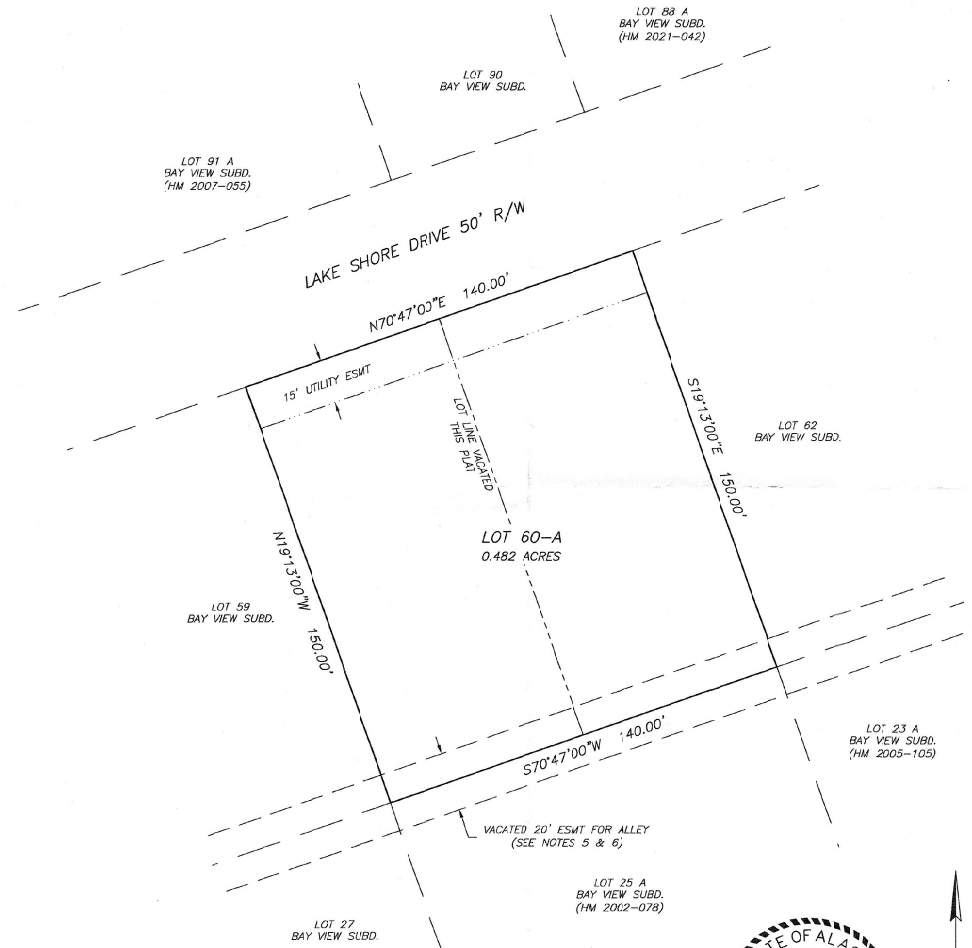
BY: \_\_\_\_\_ AUTHORIZED OFFICIAL  
KENAI PENINSULA BOROUGH  
DATE \_\_\_\_\_

**WASTEWATER DISPOSAL**

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



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



**CERTIFICATE OF OWNERSHIP**

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

\_\_\_\_\_  
BARTON POLI CHOW, TRUSTEE  
CHOW COMMUNITY PROPERTY TRUST  
P.O. BOX 569  
ANCHOR POINT, 99556

\_\_\_\_\_  
STARLET NOELANI CHOW, TRUSTEE  
CHOW COMMUNITY PROPERTY TRUST  
P.O. BOX 569  
ANCHOR POINT, 99556

**NOTARY'S ACKNOWLEDGMENT**

FOR: BARTON POLI CHOW  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_  
NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES \_\_\_\_\_

**NOTARY'S ACKNOWLEDGMENT**

FOR: STARLET NOELANI CHOW  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_  
NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES \_\_\_\_\_



HOMER RECORDING DISTRICT			KPB FILE NO. 2024-XXX
<b>BAY VIEW SUBDIVISION CHOW 2024 REPLAT</b>			
A SUBDIVISION OF LOTS 60 & 61, BAY VIEW SUBDIVISION (HM 00-839), LOCATED WITHIN THE SW1/4 SECTION 21, T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA			
CONTAINING 0.482 AC			
<b>SEABRIGHT SURVEY + DESIGN</b> KATHERINE A. KIRSIS, P.L.S. 1044 EAST END ROAD, SUITE A HOMER, ALASKA 99603 (907) 299-1580			
CLIENTS: CHOW COMMUNITY PROPERTY TRUST P.O. BOX 2044 HOMER, AK 99603			
DRAWN BY: KK	CHKD BY: KK	JOB #2024-14	
DATE: 06/2024	SCALE: 1"=30'	SHEET #1 OF 1	

**KPB 2024-072**

AGENDA ITEM E. NEW BUSINESS

**ITEM #6 - PRELIMINARY PLAT  
BAY VIEW SUBDIVISION CHOW 2024 REPLAT**

<b>KPB File No.</b>	2024-072
<b>Plat Committee Meeting:</b>	August 12, 2024
<b>Applicant / Owner:</b>	Chow Community Property Trust / Homer, AK
<b>Surveyor:</b>	Katherine Kirsis / Seabright Survey + Design
<b>General Location:</b>	Lakeshore Dr / City of Homer

<b>Parent Parcel No.:</b>	179-183-05 & 179-183-06
<b>Legal Description:</b>	T6S R13W SEC 21 SEWARD MERIDIAN HM 00839 BAY VIEW SUB LOT 60 & 61
<b>Assessing Use:</b>	Vacant & Accessory Building
<b>Zoning:</b>	Unrestricted
<b>Water / Wastewater</b>	City / City
<b>Exception Request</b>	none

**STAFF REPORT**

**Specific Request / Scope of Subdivision:** The proposed plat will combine two lots into one lot of size 0.482 acres.

**Location and Legal Access (existing and proposed):**

Legal access to the plat is on Lakeshore Dr a 50' dedicated right-of-way maintained by the City of Homer. Lakeshore Dr is gotten to from Douglas Pl off of Ocean Dr. **Staff recommends** the Plat Committee concur an exception for KPB 20.30.120 Street – Width requirement of 60' is not needed as this is an existing dedication

Block length is not compliant along Lakeshore Dr. **Staff recommends** the Plat Committee concur an exception is not needed as this plat cannot give relief to the block due to the terrain of the lot and limited space.

KPB Roads Dept. comments	Out of Jurisdiction: Yes  Roads Director: Griebel, Scott Comments: Within the City of Homer. No RSA comment or objections.
SOA DOT comments	No comment

**Site Investigation:**

There are no structures on the property. There are two pavement breaks to enter the property from Lakeshore Dr. there are improvements to the plat as city water and sewer are available.

The City of Homer has not identified any wetlands on the plat and not to be within a flood plain. The plat is not located in the Bridge Creek Watershed Protection District either.

KPB River Center review	A. Floodplain  Reviewer: Hindman, Julie Floodplain Status: Within City of Homer Comments: No comments  B. Habitat Protection
-------------------------	--

	Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments
State of Alaska Fish and Game	

**Staff Analysis**

This plat is a replat of two lots in Bay View Subdivision HM 00-839. Prior to HM 00-839 the land was an aliquot part of Section 21, Township 6 South, Range 13 West SM, Third Judicial District Alaska.

The plat is supplied by the City of Homer for water and sanitary sewer service. See below for condition from the City for approval.

The plat is located in the City of Homer and was reviewed at the May 20, 2024 Homer Planning Commission meeting. The Commission unanimously approved Staff Report 2024-026, Bay View Subdivision Chow 2024 Replat and recommends approval to the Kenai Peninsula Borough. There were some conditions of removal of water and sewer service removal to one of the two lots being combined and locating the existing services on the plat. Services are shown on the drawing. **Staff recommends** condition 1 of the City of Homer approval prior to final recording be met and notification of completion or a copy of installation agreement be sent to Kenai Peninsula Borough staff.

There is an encroachment shown on the Original Ground Topography exhibit coming from the property to the south. There is shown a vacuum with the note (to be removed)

**Utility Easements**

There is a 15' utility easement located along the right-of-way of Lakeshore Dr as shown being granted by this plat. In the back of the lots here remains a 10' utility easement on both sides of the line. **Staff recommends** the statement "20' Utility Easement Remains per HM 00-839" be added as a third line to the note in the back.

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 or recommendation
ACS	No objections
GCI	Approved as shown

**KPB department / agency review:**

Addressing	Reviewer: Leavitt, Rhealyn Affected Addresses: 1323 LAKESHORE DR, 1335 LAKESHORE DR  Existing Street Names are Correct: No  List of Correct Street Names: LAKESHORE DR  Existing Street Name Corrections Needed:  All New Street Names are Approved: No  List of Approved Street Names:
------------	--

	List of Street Names Denied:  Comments: CITY OF HOMER WILL ADVISE ON ADDRESSING
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat.  Material Site Comments: There are not any material site issues with this proposed plat. Review Not Required
Assessing	Reviewer: Windsor, Heather Comments: No comment

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**STAFF RECOMMENDATIONS**  
**CORRECTIONS / EDITS**

Tie to nearest BLM / GLO monuments  
Add date of August 12, 2024 to the Plat Approval  
Add to the KPB File # 2024-072  
Correct signors names & addresses on Certificate of Ownership to match the Letter of Authorization document names and address dated April 9, 2024.

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**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:**  
Lakeshore is one word, please correct.
  
- 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:**  
Reduce scale of vicinity map for better visibility  
Add road names to map
  
- G. The status of adjacent lands within 100 feet of the proposed subdivision boundary or the land status across from any dedicated rights-of-way that adjoin the propose subdivision boundary, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;  
**Staff recommendation:**  
Several lots around the plat perimeter need corrected for plat name and to have the recording information added.

---

**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.*

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**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:*

**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.

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**RECOMMENDATION:**

**STAFF RECOMMENDS:**

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

**NOTE:** 20.25.120. - REVIEW AND APPEAL.

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

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

**END OF STAFF REPORT**

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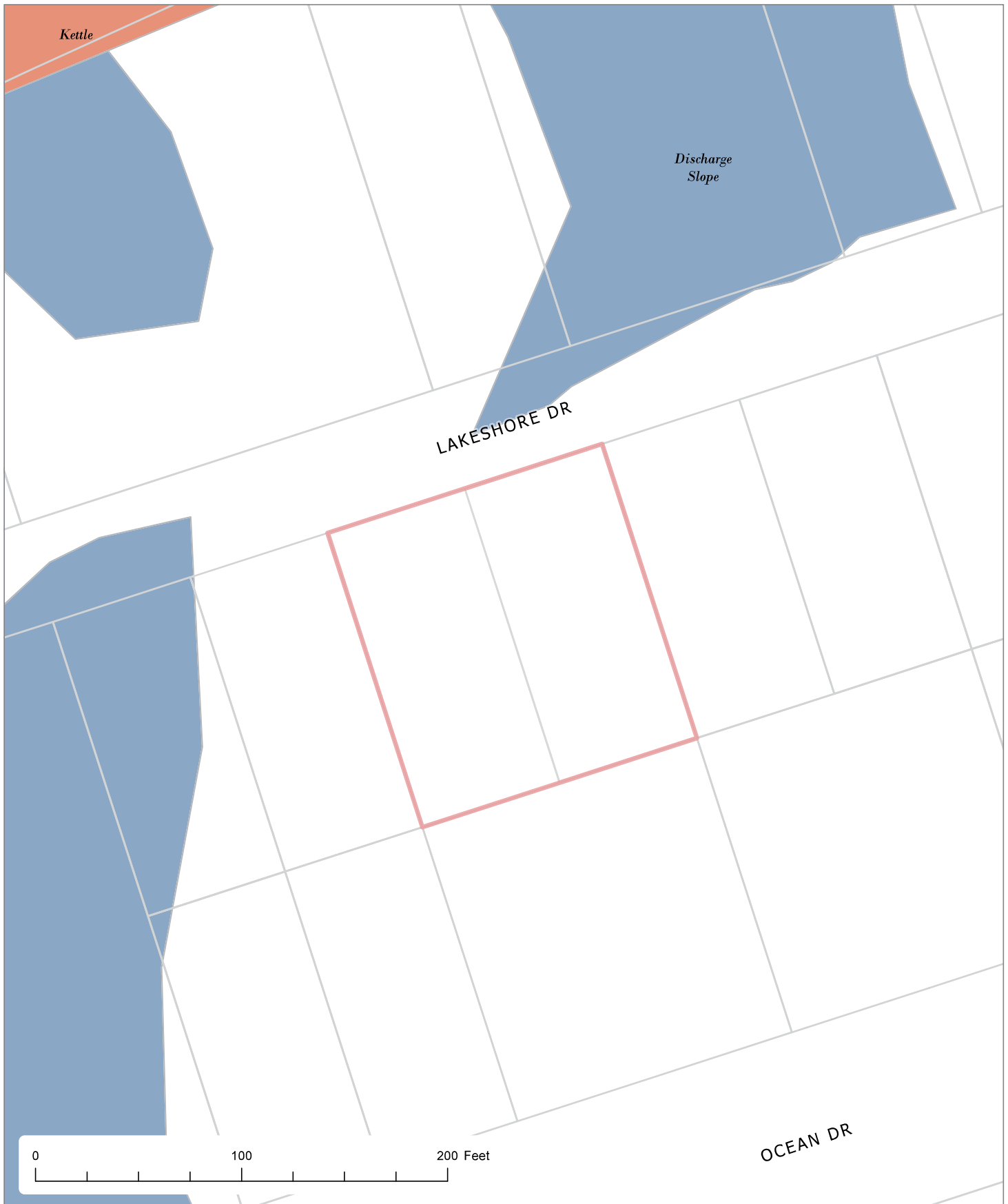




Aerial View



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



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

# BAY VIEW SUBDIVISION

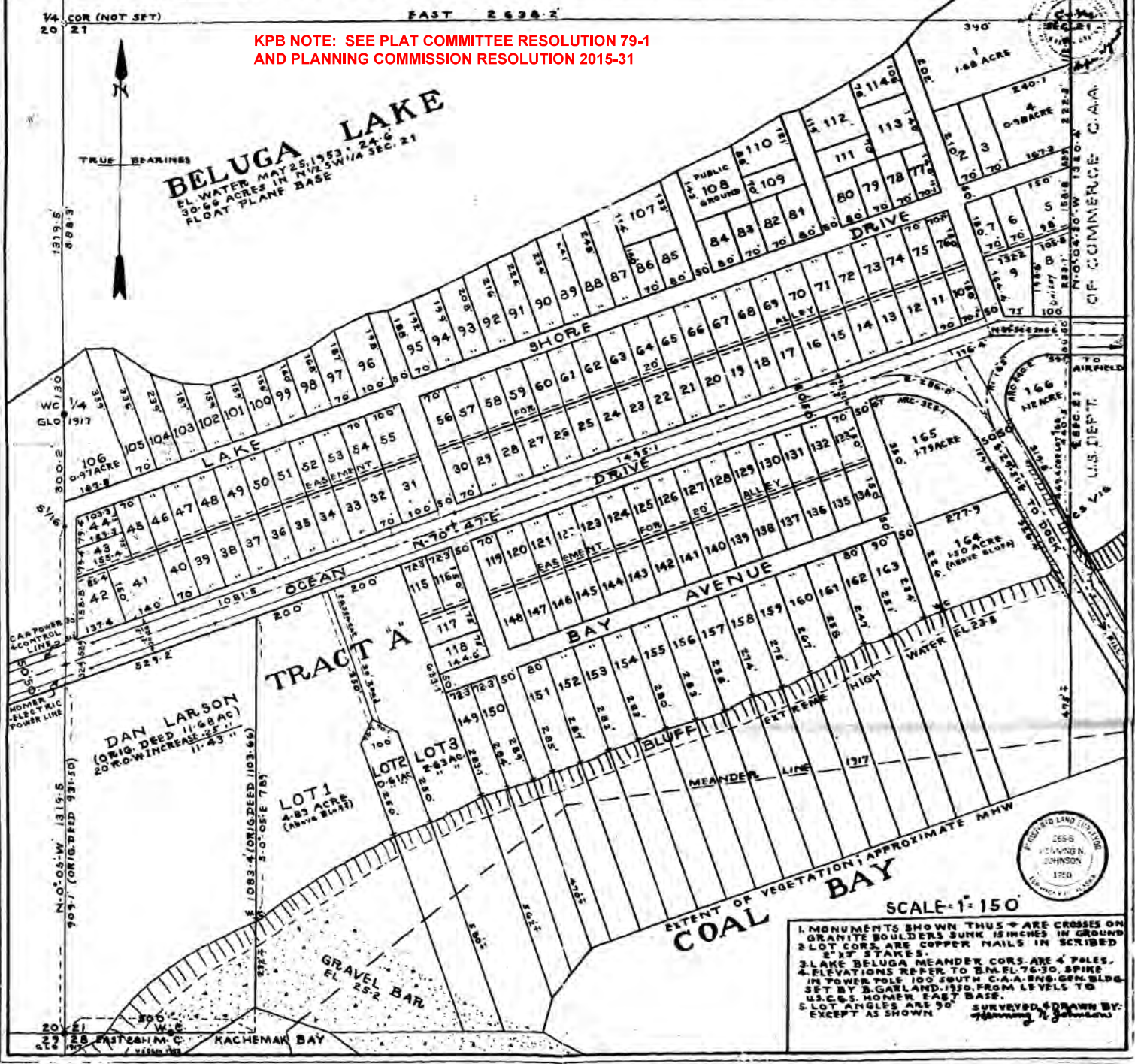
DEVELOPED BY GOTTFRIED KOHLER, IN SW 1/4 SEC. 21  
T-6S-R13S-M ALASKA UNITED STATES OF AMERICA

WITNESSETH: I, GOTTFRIED KOHLER, DO HEREBY DEDICATE THE STREETS, ALLEYS, PUBLIC GROUND, AND THAT PORTION OF THE NE 1/4 SEC. 21 COVERED BY BELUGA LAKE, AS SHOWN ON THIS PLAT, TO USE OF THE GENERAL PUBLIC FOREVER, FOR FORESS, INGRESS AND UTILITIES. ON THIS 25th OF JUNE 1953, BEFORE ME A NOTARY, IN AND FOR THE TERRITORY OF ALASKA, CAME GOTTFRIED KOHLER, KNOWN TO ME TO BE THE PERSON WHO SIGNED THIS DEDICATION, THAT HE ACKNOWLEDGED HE SIGNED SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES STATED HEREIN.

*Notary Public*  
*Hopewell Grant*  
*Special Agent*  
*Notary Public*



KPB NOTE: SEE PLAT COMMITTEE RESOLUTION 79-1  
AND PLANNING COMMISSION RESOLUTION 2015-31



#839

**FILED** *for Recording*  
*June 9, 1953 at 3:30 p.m.*  
*Vol. IV p. 8*  
Office Of  
U. S. COMMISSIONER  
Homer, Alaska

KENAI PENINSULA BOROUGH  
PLANNING COMMISSION

RESOLUTION 79-1

A RESOLUTION DELEGATING POWERS OF THE KENAI PENINSULA BOROUGH  
PLANNING COMMISSION UNDER CERTAIN CONDITIONS TO THE KENAI  
ADVISORY PLANNING AND ZONING COMMISSION.

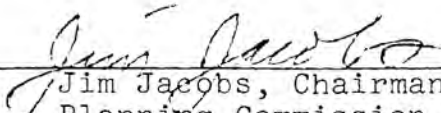
WHEREAS, Section 21.76.210 of the Borough Code provides that the  
Commission may delegate powers to hear and decide cases  
within the Kenai Municipal Zoning District involving  
conditional uses, variances, exceptions and changes in  
nonconforming uses to the Kenai Advisory Planning and Zoning  
Commission; and

WHEREAS, such a procedure is consistent with the policy of the  
Borough and Planning Commission in delegating reasonable  
amounts of administrative authority for planning and zoning  
to cities;

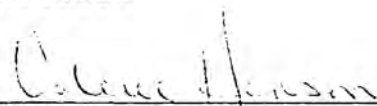
NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING  
COMMISSION OF THE KENAI PENINSULA BOROUGH:

That the Kenai Peninsula Borough does hereby delegate powers to  
hear and decide cases within the City of Kenai municipal zoning  
district involving zoning conditional uses, variances, exceptions  
and changes in nonconforming uses as delineated in Chapter 21.76  
of the Borough Code to the Kenai Advisory Planning and Zoning  
Commission.

ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH  
THIS 8th DAY OF JANUARY, 1979; TO BECOME EFFECTIVE AS OF THE  
8th DAY OF JANUARY, 1979.

  
\_\_\_\_\_  
Jim Jacobs, Chairman  
Planning Commission

ATTEST:

  
\_\_\_\_\_  
Valerie Henson  
Planning Secretary

KENAI PENINSULA BOROUGH  
PLAT COMMITTEE

RESOLUTION 79-1

A RESOLUTION VACATING THE 20 FOOT ALLEY EASEMENT LOCATED AT THE BACK OF LOTS 5 THROUGH 43 AND 45 THROUGH 76 IN THE BAYVIEW SUBDIVISION FILED AS PLAT NUMBER 839 ON JUNE 9, 1953 WITH THE OFFICE OF U. S. COMMISSIONER IN HOMER, ALASKA.

WHEREAS, the Homer City Council adopted Resolution 79-24 on June 12, 1979 requesting the vacation of the alley easement from Lambert Lane to the east boundary of the Bayview Subdivision, located between Ocean Drive and Lakeshore Drive; and

WHEREAS, the above alley easement is not necessary nor used for vehicular access; and

WHEREAS, it would be in the best interest of the property owners to have said alley vacated; and

WHEREAS, certain utilities presently exist within a portion of the alley and it is necessary that they be protected; and

WHEREAS, adjacent property owners were notified by certified mail and no objections to the vacation of the alley easement were expressed in writing or at the public hearing before the Plat Committee; and

WHEREAS, the Plat Committee of the Kenai Peninsula Borough Planning Commission is the platting board; and

WHEREAS, the Plat Committee approved the vacation and requested the preparation of this resolution at the August 6, 1979 Plat Committee meeting.

NOW THEREFORE, BE IT RESOLVED BY THE KENAI PENINSULA BOROUGH PLAT COMMITTEE:

Section 1. That the 20 foot alley easement is hereby vacated at the back of lots 5 through 43 and 45 through 76 in the Bayview Subdivision filed as plat #839 on June 9, 1953 with the Office of U. S. Commissioner in Homer, Alaska.

Section 2. That an easement shall remain for any utilities located within the alley easement at the time of this vacation becomes effective.

Section 3. That this vacation shall become effective thirty days from August 6, 1979 if such vacation is not vetoed by the Homer City Council during this time period pursuant to Alaska Statutes Section 29.33.220.

ADOPTED BY THE PLAT COMMITTEE OF THE KENAI PENINSULA BOROUGH THIS 6TH DAY OF AUGUST, 1979.

Jim Jacobs  
Jim Jacobs  
Plat Committee Chairman


ATTEST:

Glenda Pritchard  
Glenda Pritchard  
Plat Committee Secretary

NOTARY'S ACKNOWLEDGEMENT

This is to certify that on this 7th day of August, 1979, before me the undersigned, a Notary Public in and for the State of Alaska, Duly commissioned and sworn, personally appeared Jim Jacobs Glenda Pritchard to me known to be the persons described in and who executed the above and foregoing instrument, freely and voluntarily for the uses and purposes therein mentioned.

Witness my hand and official seal the day and year in this certificate first written above.

Shirley A. Nelson  
Notary Public for Alaska  
Aug 7, 1980  
My Commission Expires  


79-002988  
7-

AUG 10 11 43 AM '79  
Ability Surveys  
Box 1263  
Homer, Ak



# City of Homer

www.cityofhomer-ak.gov

**Planning**  
491 East Pioneer Avenue  
Homer, Alaska 99603

Planning@ci.homer.ak.us  
(p) 907-235-3106  
(f) 907-235-3118

## Staff Report 24-026

TO: Homer Planning Commission **24-026**  
 FROM: Ryan Foster, AICP, City Planner  
 DATE: 5/20/24  
 SUBJECT: Bay View Subdivision Chow 2024 Replat

**Requested Action:** Approval of a preliminary plat for a lot line vacation. The lot line between Lot 60 & 61 would be vacated, creating a proposed Lot 60-A.

### General Information:

Applicants:	Chow Community Property Trust PO Box 2044 Homer, AK 99603	Seabright Survey + Design 1044 East Road, Suite A Homer, AK 99603
Location:	Between Lakeshore Drive and Ocean Drive	
Parcel ID:	17918305 and 17918306	
Size of Existing Lot(s):	0.24 acres and 0.24 acres	
Size of Proposed Lots(s):	0.48 acres	
Zoning Designation:	General Commercial 1 District	
Existing Land Use:	Vacant & Accessory Building	
Surrounding Land Use:	North: Residential and Accessory Building South: Commercial East: Accessory Building West: Residential	
Comprehensive Plan:	Goal 1: Objective A: Pattern of growth.	
Wetland Status:	No wetlands present.	
Flood Plain Status:	Not within a flood plain.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are present	
Public Notice:	Notice was sent to 43 property owners of 50 parcels as shown on the KPB tax assessor rolls.	

**Analysis:** This subdivision is within the General Commercial-1 District. This plat vacates the lot line between the existing Lot 60 and Lot 61 resulting in proposed lot 60-A at approximately 0.48 acres.



### **Homer City Code 22.10.051 Easements and rights-of-way**

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

**Staff Response:** The plat meets this requirement. The plat notes a 15-foot utility easement.

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

**Staff Response:** The plat does not meet this requirement. The property owner will need to abandon a set of water and sewer services prior to recording the final plat, or enter into an installation agreement with the City.

- C. The subdivider shall dedicate easements or rights-of-way for sidewalks, bicycle paths or other non-motorized transportation facilities required by HCC 11.04.120.

**Staff Response:** The plat meets these requirements. No new street is being accepted by the City for maintenance.

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

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

**Staff Response:** The plat meets these requirements.

- B. North point;

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat does not meet these requirements. Recommend the surveyor provide the approximate location of known existing municipal wastewater and water mains, and other utilities within the subdivision and immediately abutting thereto or a statement from the city indicating which services are currently in place and available to each lot in the subdivision to the preliminary plat.

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

**Staff Response:** The plat meets these requirements. No roads are dedicated.

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

**Staff Response:** The plat meets this requirement.

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

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements.

**Public Works Comments:** The property owner will need to abandon a set of water and sewer services prior to recording the final plat, or enter into an installation agreement with the City.

**Staff Recommendation:**

Planning Commission recommends approval of the preliminary plat with additional comments below.

1. The property owner will need to abandon a set of water and sewer services prior to recording the final plat, or enter into an installation agreement with the City.
2. Recommend the surveyor provide the approximate location of known existing municipal wastewater and water mains, and other utilities within the subdivision and immediately abutting thereto or a statement from the city indicating which services are currently in place and available to each lot in the subdivision to the preliminary plat.

**Attachments:**

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

**NOTES**

1. THE FRONT 15' ALONG THE ROW IS A UTILITY EASEMENT DEDICATED THIS PLAT.
- NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE SAID EASEMENT.
2. THIS LOT IS SERVED BY CITY OF HOMER WATER AND SEWER.
3. THE DEVELOPMENT WITHIN THIS SUBDIVISION IS SUBJECT TO THE CITY OF HOMER ZONING REGULATIONS.
4. THIS PLAT WAS PREPARED FOR THE VACATION OF A LOT LINE ONLY. NO SURVEY WAS PERFORMED FOR THE FRESHWATER OF THIS PLAT. ALL LOT DIMENSIONS SHOWN ON THIS PLAT ARE FROM RECORDS DATA AS SHOWN ON PLAT HM 00-033.
5. THE 20 FOOT WIDE ALLEY EASEMENT CONTAINED ON THE BAY LOT LINE WAS VACATED BY ACTION OF THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT ITS MEETING AUGUST 6, 1978. SAID VACATION IS REFERENCED AS KPB RESOLUTION 79-1, SECTION 1, RECORDED BOOK 106, PAGE 649 I.E.D.
6. AN EASEMENT SHALL REMAIN IN VACATED 20 FOOT ALLEY FOR ANY UTILITIES LOCATED WITHIN THE CORNER 20 FOOT ALLEY EASEMENT AT THE TIME THAT THE ALLEY EASEMENT VACATION BECAME EFFECTIVE. PER KPB RESOLUTION 79-1, SECTION 2, BOOK 106, PAGE 649 I.E.D.

**NOTARY'S ACKNOWLEDGMENT**

FOR: BARTON POLI CHOW  
 ACKNOWLEDGED BEFORE ME THIS  
 DAY OF \_\_\_\_\_, 2024.  
 NOTARY PUBLIC FOR ALASKA  
 MY COMMISSION EXPIRES \_\_\_\_\_

**NOTARY'S ACKNOWLEDGMENT**

FOR: STANLEY NIGELAN CHOW  
 ACKNOWLEDGED BEFORE ME THIS  
 DAY OF \_\_\_\_\_, 2024.  
 NOTARY PUBLIC FOR ALASKA  
 MY COMMISSION EXPIRES \_\_\_\_\_

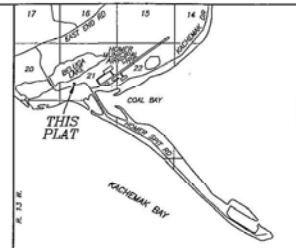
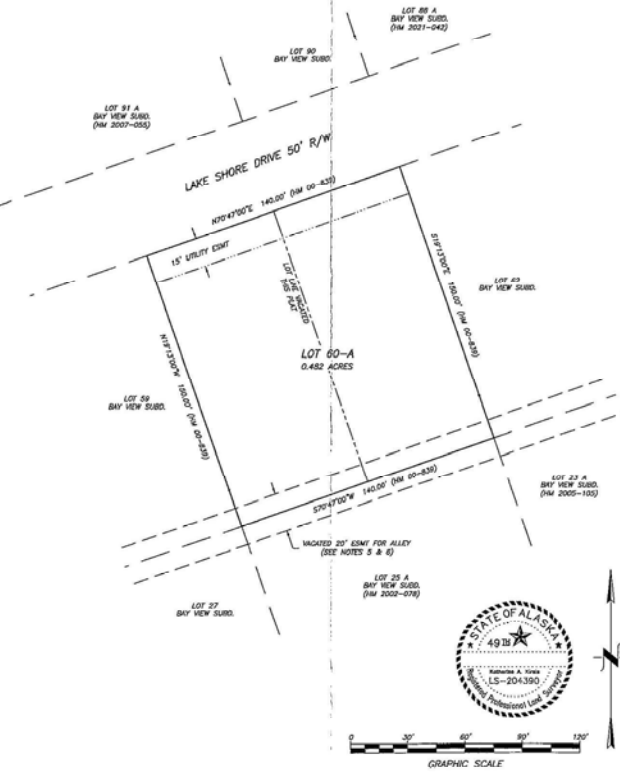
**PLAT APPROVAL**

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

BY: \_\_\_\_\_ DATE \_\_\_\_\_  
 AUTHORIZED OFFICIAL  
 KENAI PENINSULA BOROUGH

**WASTEWATER DISPOSAL**

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



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

**CERTIFICATE OF OWNERSHIP**

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

\_\_\_\_\_  
 BARTON POLI CHOW, TRUSTEE  
 CHOW COMMUNITY PROPERTY TRUST  
 P.O. BOX 2044  
 HOMER, ALASKA, 99603

\_\_\_\_\_  
 STANLEY NIGELAN CHOW, TRUSTEE  
 CHOW COMMUNITY PROPERTY TRUST  
 P.O. BOX 2044  
 HOMER, ALASKA, 99603

HOMER RECORDING DISTRICT KPB FILE NO. 2024-XXXX

**BAY VIEW SUBDIVISION CHOW 2024 REPLAT**  
 A SUBDIVISION OF LOTS 60 & 61, BAY VIEW SUBDIVISION (HM 00-033), LOCATED WITHIN THE SW1/4 SECTION 21, T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA  
 CONTAINING 0.482 AC

**SEABRIGHT SURVEY + DESIGN**  
 KATHERINE A. KIRSIS, P.L.S.  
 1044 EAST ROAD, SUITE A  
 HOMER, ALASKA 99603  
 (907) 299-1580

CLIENTS: CHOW COMMUNITY PROPERTY TRUST P.O. BOX 2044 HOMER, AK 99603		
DRAWN BY: KK	CHND BY: KK	JOB #2024-14
DATE: 04/2024	SCALE: 1"=30'	SHEET #1 OF 1

**SEABRIGHT SURVEY + DESIGN**  
**Katherine A. Kirsis, P.L.S.**

1044 East Road Suite A  
Homer, Alaska 99603  
(907) 299-1580  
[seabrightz@yahoo.com](mailto:seabrightz@yahoo.com)

May 14, 2024

City of Homer  
491 East Pioneer Ave  
Homer, AK 99603

**RE: Preliminary Submittal for "Bay View Subdivision Chow 2024 Replat"**

Dear Planning Department,

We are pleased to submit the above referenced preliminary plat for your review on behalf Chow Community Property Trust. Included in this submittal packet you will find:

- 1 full size plat copy
- 1 11x17 plat copy
- Signed KPB plat submittal form
- Supplemental asbuilt + topo diagram
- Check for \$300 plat review fee

In addition, we are emailing you a digital copy of the 11x17 plat.

Please let us know if there are any concerns or clarifications we can address.

Cordially,

*Katherine A. Kirsis*

Katherine A. Kirsis, PLS  
Seabright Survey + Design

## NOTICE OF SUBDIVISION

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

Proposed subdivision under consideration is described as follows:

### **Bay View Subdivision Chow 2024 Replat Preliminary Plat**

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

A public meeting will be held by the Homer Planning Commission on Wednesday, June 5, 2024 at 6:30 p.m. In-person meeting participation is available in Cowles Council Chambers located downstairs at Homer City Hall, 491 E. Pioneer Ave., Homer, AK 99603. To attend the meeting virtually, visit [zoom.us](https://zoom.us) and enter the Meeting ID & Passcode listed below. To attend the meeting by phone, dial any one of the following phone numbers and enter the Webinar ID & Passcode below, when prompted: 1-253-215-8782, 1-669-900-6833, (toll free) 888-788-0099 or 877-853-5247.

Meeting ID: 979 8816 0903

Passcode: 976062

Additional information regarding this matter will be available by 5 p.m. on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for May 31, 2024 at <https://www.cityofhomer-ak.gov/calendar>. It will also be available at the Planning and Zoning Office at Homer City Hall and at the Homer Public Library.

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

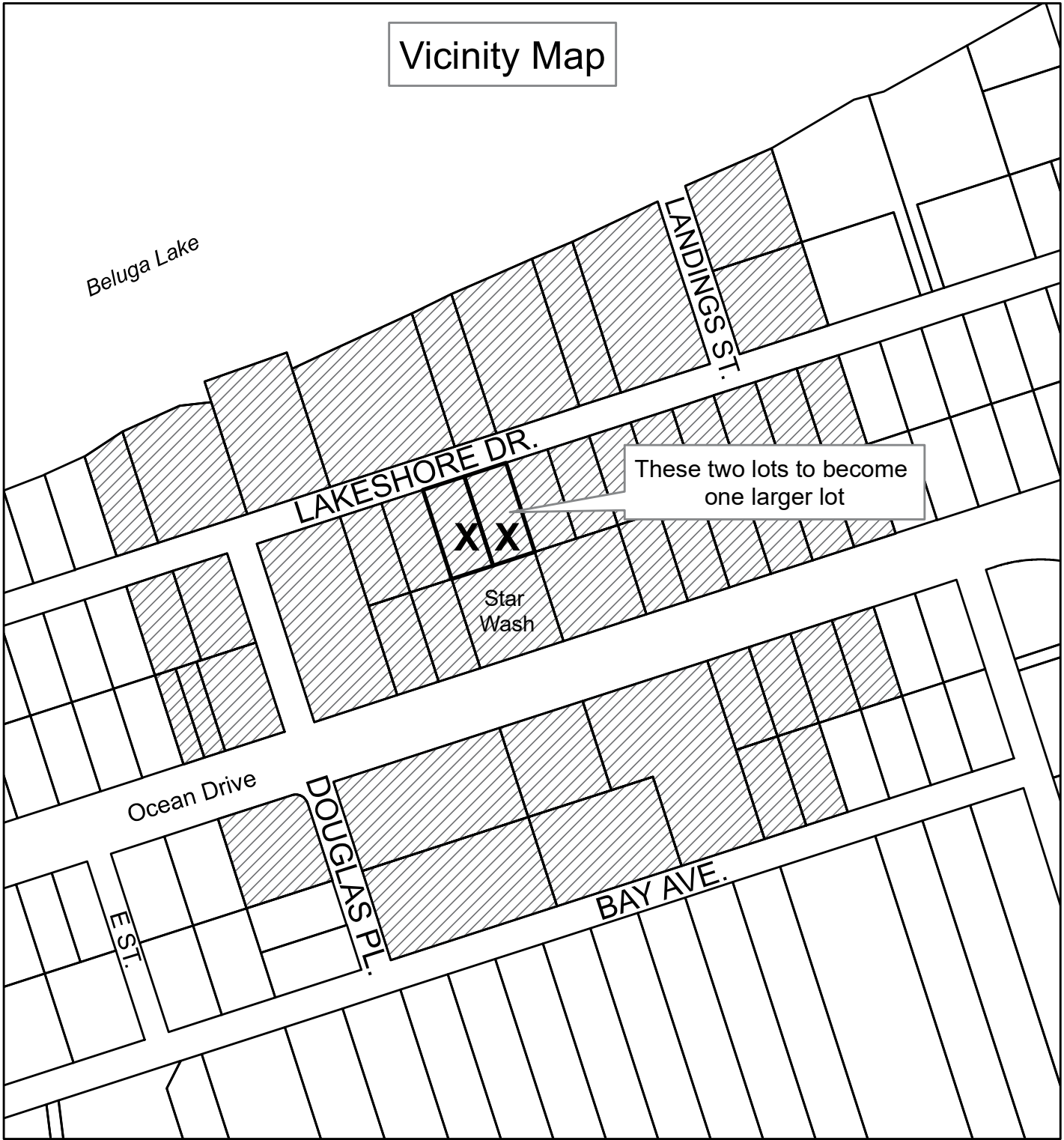
If you have questions or would like additional information, contact Ryan Foster at the Planning and Zoning Office. Phone: (907) 235-3106, email: [clerk@cityofhomer-ak.gov](mailto:clerk@cityofhomer-ak.gov), or in-person at Homer City Hall.

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

.....

## VICINITY MAP ON REVERSE

# Vicinity Map



City of Homer  
Planning and Zoning Department  
5/21/24

## Bay View Subdivision Chow 2024 Replat Preliminary Plat

Marked lots are within 500 feet  
and property owners notified



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



Legend

- Transportation
- Mileposts
- Roads
  - Medium Collector
  - Medium Volume - Unmaintained
  - Medium Volume - Maintained
  - Low / Seasonal
  - Legal Trail
  - Private
  - State Hwy
  - Platted / Proposed
- Parcels and PLSS
- Tax Parcels
- 9" Imagery
  - Red: Red
  - Green: Green
  - Blue: Blue
  - Red: Red
  - Green: Green
  - Blue: Blue
  - Red: Red
  - Green: Green

0 100 200 ft

NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from indemnity, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or cor

120

Kenai Peninsula Borough assumes no liability of any kind arising from the use of this data. The operation or modification of the data. In using these data, you further agree to the data, or use of the data.



VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Commissioner Stark noted the Commission can't approve or deny a CUP based on whether or not they think it will be enforced.

VOTE: YES: SMITH, SCHNEIDER, HIGHLAND, CONLEY, STARK, BARNWELL  
NO: VENUTI

Motion carried.

SCHNEIDER/CONLEY MOVED TO EXTEND THE MEETING 60 MINUTES.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

#### **PLAT CONSIDERATION**

A. Staff Report 24-025, Mountain Park 2024 Preliminary Plat

City Planner Foster reviewed staff report included in the packet.

No applicant was present and there were no public comments.

SCHNEIDER/CONLEY MOVED TO ADOPT STAFF REPORT 24-025 AND RECOMMEND APPROVAL OF THE MOUNTAIN PARK 2024 PRELIMINARY PLAT WITH COMMENTS 1 AND 2.

There was brief discussion on notes included on the agenda.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

B. Staff Report 24-026, Bay View Subdivision Chow 2024 Replat

City Planner Foster reviewed the staff report included in the packet.

The Chow's commented briefly this action is needed to accommodate their CUP that was approved earlier in the meeting. They're working with Public Works to abandon the water service as required.

There were no public comments.

SCHNEIDER/BARNWELL MOVED TO ADOPT STAFF REPORT 24-026 AND RECOMMEND APPROVAL OF THE BAY VIEW SUBDIVISION CHOW 2024 PRELIMINARY PLAT WITH THE FOLLOWING COMMENTS:

1. THE PROPERTY OWNER WILL NEED TO ABANDON A SET OF WATER AND SEWER SERVICES PRIOR TO RECORDING THE FINAL PLAT, OR ENTER INTO AN INSTALLATION AGREEMENT WITH THE CITY.
2. RECOMMEND THE SURVEYOR PROVIDE THE APPROXIMATE LOCATION OF KNOWN EXISTING MUNICIPAL WASTEWATER AND WATER MAINS, AND OTHER UTILITIES WITHIN THE SUBDIVISION AND IMMEDIATELY ABUTTING THERETO OR A STATEMENT FROM THE CITY INDICATING WHICH SERVICES ARE CURRENTLY IN PLACE AND AVAILABLE TO EACH LOT IN THE SUBDIVISION TO THE PRELIMINARY PLAT.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

**PENDING BUSINESS**

**NEW BUSINESS**

**INFORMATIONAL MATERIALS**

- A. PC Annual Calendar
- B. 2024 Meeting Dates & Submittal Deadlines

**COMMENTS OF THE AUDIENCE**

**COMMENTS OF THE STAFF**

City Planner Foster had no comment.

City Clerk Jacobsen thanked everyone for a good meeting and clarified some process comments from earlier in the meeting.

**COMMENTS OF THE MAYOR/COUNCILMEMBER (If Present)**

**COMMENTS OF THE COMMISSION**

Commissioner Highland thanked everyone for a good meeting.

Commissioner Venuti thanked everyone.

Commissioner Stark thanked the applicants who attended this evening and thanked the group.

Commissioner Schneider thanked everyone.

Commissioner Conley wished everyone good night.

Commissioner Barnwell thanked everyone.

Chair Smith thanked everyone.