

E. NEW BUSINESS

2. Lloyd race Lot 4 Replat; KPB File 2022-157



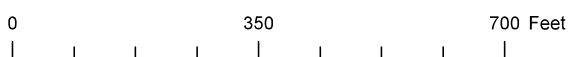
Kenai Peninsula Borough Planning Department

Vicinity Map



KPB File 2022-157
T 06S R 13W SEC 9
Homer

10/21/2022

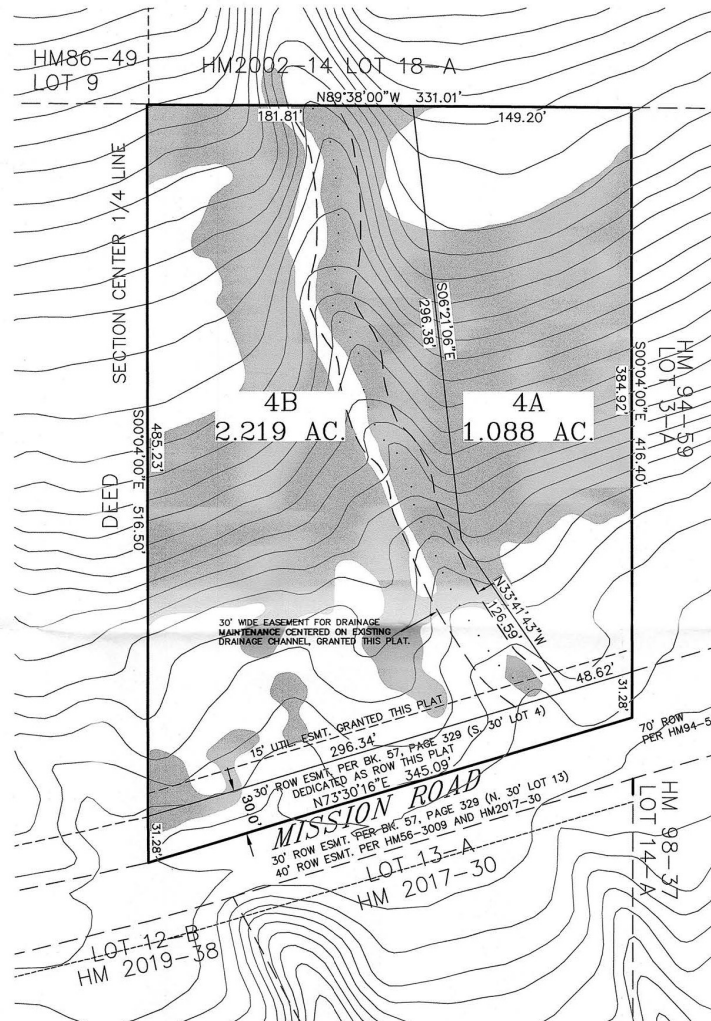




NOTES

1. DEVELOPMENT ON THESE LOTS IS SUBJECT TO HOMER CITY CODE.
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. PROPERTY OWNER SHOULD CONTACT 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.
4. THERE IS AN EASEMENT RECORDED AT BOOK 49, PAGE 187 H.R.D. IN FAVOR OF HOMER ELECTRIC ASSOCIATION FOR ELECTRIC LINES OR SYSTEM AND/OR TELEPHONE LINES TOGETHER WITH THE RIGHT TO ENTER, MAINTAIN, REPAIR AND CLEAR SHRUBBERY ON THESE LANDS, NO DEFINITE LOCATION DISCLOSED.
5. OWNER SHOULD CONTACT THE ARMY CORP 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.
6. CONTOUR INTERVAL IS 4 FEET. CONTOURS ARE FROM KENAI PENINSULA BOROUGH TERRAIN VIEWER. GRAY SHADING SHOWS APPROXIMATE SLOPES OVER 20% DETERMINED USING KPB 4' CONTOURS.

WASTEWATER NOTES



CERTIFICATE OF ACCEPTANCE

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF HOMER FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEES AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS: MISSION ROAD. THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSES DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY: _____ DATE: _____
NAME AND TITLE OF AUTHORIZED OFFICIAL
CITY OF HOMER.

CERTIFICATE OF OWNERSHIP

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

ERIC MICHAEL BENTSON
1723 BEULAH CHURCH RD
CALHOUN, LA 71225

TASSE YVETTE HIBBARD-BENTSON
1723 BEULAH CHURCH RD
CALHOUN, LA 71225

NOTARY'S ACKNOWLEDGEMENT

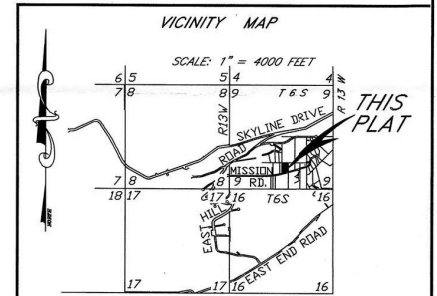
For ERIC MICHAEL BENTSON and TASSE YVETTE HIBBARD-BENTSON
Acknowledged before me this _____ day of _____, 2022.

Notary public for Alaska _____ My Commission Expires _____

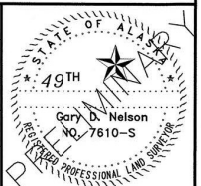
PLAT APPROVAL

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

BY _____
Authorized Official



DATE	9-26-22
SCALE	1" = 60'
GRID No.	AR-73
JOB No.	5371
DRAWING:	5371_5310_5132



LLOYD RACE LOT 4 REPLAT

A SUBDIVISION OF LOT 4, LLOYD RACE ADDITION (HM56-3009), IN THE SE1/4 SEC. 9, T6S, R13W, S.M., KENAI PENINSULA BOROUGH, HOMER RECORDING DISTRICT, STATE OF ALASKA CONTAINING 3.54 ACRES

OWNERS: ERIC MICHAEL BENTSON
TASSE YVETTE HIBBARD-BENTSON
1723 BEULAH CHURCH RD
CALHOUN, LA 71225

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

PLAT #
Rec Dist
Date
Time

KPB 2022-157

KPB FILE No. 2022-_____

AGENDA ITEM E. NEW BUSINESS

ITEM 2 – LLOYD RACE LOT 4 REPLAT

KPB File No.	2022-157
Plat Committee Meeting:	November 14, 2022
Applicant / Owner:	Eric Bentson and Tasse Hibbard-Bentson of Calhoun, LA
Surveyor:	Gary Nelson / Ability Surveys
General Location:	Mission Road, City of Homer

Parent Parcel No.:	174-030-04
Legal Description:	Lot 4, Lloyd Race Addition, Plat HM 56-3009
Assessing Use:	Residential
Zoning:	Rural Residential District
Water / Wastewater	On Site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 3.5 acre parcel into two lots that will be 2.219 and 1.088 acres. A 30 foot dedication is proposed to increase the width along Mission Road.

Location and Legal Access (existing and proposed): The proposed plat is located within the City of Homer along Mission Road. Mission Road is a varying width right-of-way that was originally shown as a 40 foot wide road easement on the plat for the area. The City of Homer has been acquiring additional dedications as replats occur along the right-of-way. Mission Road is located off state maintained East Hill Road which is located near mile 1 of state maintained East End Road.

The plat is proposing to grant a 30 foot width dedication to increase the width of Mission Road. The dedication will be atop a right-of-way easement that is noted on the plat. **Staff recommends** add a width label be to the west for Mission Road abutting the subdivision as the right-of-way appears to widen.

The block is not compliant. There is steep terrain found throughout the area with drainage areas. Terrain dictated the location of many of the rights-of-way in the area with some being granted as cul-de-sacs due to limitations to provide continuations. Many of the lots in the area have also been improved making through dedications difficult. **Staff recommends** the plat committee concur that an exception to block length is not required as dedications will be difficult to improve the block.

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

Site Investigation: There are no low wet areas present on the plat. There is an existing drainage channel present that the City of Homer has requested an easement over.

Steep terrain appears throughout the majority of the proposed plat. Due to the amount of steep terrain present, **staff recommends** the areas with over 20 percent grade should be shown on the final plat.

Imagery shows multiple items in place on the property but KPB Assessing data does show the property vacant. Many of the items do appear to be not permanent in nature. **Staff recommends** the surveyor verify that there are no permanent structures that will be encroaching over the new property line or within the new dedication and utility easement.

KPB River Center review	Floodplain: Not within a flood hazard area. Located in a Non-Regulatory D - Zone, undetermined flood risk. Habitat Protection: Is NOT within HPD. No comments
State of Alaska Fish and Game	No Comments

Staff Analysis This is a replat of property originally created by Lloyd Race Addition, Plat HM 56-3009. The plat was only subject to the 40 foot easement for Mission Road.

The City of Homer heard and recommended approval of the plat at their August 3, 2022 Planning and Zoning Commission meeting. Their three requests have been accommodated on the plat being reviewed. The wetland determination plat note has been added, they are granting 15 foot utility easements adjacent to the new dedication of Mission Road, and they are granting a 30 foot drainage easement centered on the existing drainage way.

The City of Homer staff report did note that city sewer and water are not currently available. While there are no sewer or water connections to install, an installation agreement or documentation that one is not required will be required from the City of Homer.

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

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

Utility Easements There are no platted easements to carry over. The plat will be granting 15 foot utility easements along Mission Road per the City of Homer's request.

Plat note 4 notes a recorded easement is present. It was not included with the certificate to plat. If the property is subject to the easement, work with the title company to get added to the report. If the easement is not for this property, please remove the plat note.

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 objections or recommendations
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 1500 MISSION RD Existing Street Names are Correct: Yes List of Correct Street Names: MISSION RD Existing Street Name Corrections Needed:
------------	--

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

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

STAFF RECOMMENDATIONS **CORRECTIONS / EDITS**

KPB 20.25.070 – Form and contents required

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

- B. North point;
Staff recommendation: Add north arrow for drawing. Only north arrow given is inside vicinity map box. Add scale.
- G. The status of adjacent lands within 100 feet of the proposed subdivision boundary or the land status across from any dedicated rights-of-way that adjoin the propose subdivision boundary, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;
Staff recommendation: Correct some overstrikes on southern lots. Mission Road width varies but provide an overall width label for the portion adjoining the subdivision.
- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;
Staff recommendation: Provide a tract or lot label for each new division number. They have been noted as Lots elsewhere in this report, specifically the exception request.

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: City water and sewer are not available per the City staff report. A soils report will be required.

Staff recommendation: comply with 20.40.

KPB 20.60 – Final Plat

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

20.60.040. Dedication of public use lands. Any land shown on a plat as a street, public park or other public area must be dedicated on the final plat to a tax exempt governmental entity. If the governmental entity is not the Kenai Peninsula Borough, the governmental entity shall be required to execute an acceptance of the dedication on the plat.

Staff recommendation: Include the drainage easement within the acceptance for the City of Homer.

20.60.180. Plat notes.

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

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

Staff recommendation: Place the following notes on the plat.

- Add a note for any exceptions granted.

It appears that plat notes 3 and 5 are duplicate and one may be removed.

Plat note 4 did not appear on the certificate to plat. If the lots are subject to the easement please have the title company update the CTP.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: Verify which state the owners will be signing in and update or leave blank. Comply with 20.60.190.

EXCEPTIONS REQUESTED:

KPB 20.30.190 – Lots-Dimensions (3:1 depth to width ratio for Lot 4A)

Surveyor's Discussion: I hereby ask for an exception to the 3:1 depth to width ratio. KPB says the ratio of the Lot 4A is 3.1:1. The request is based on topographic constraints and for terms of a divorce. A drainage seems to be the limiting criteria.

Staff Discussion: KPB Code states a lots depth should not be more than three times the width. Staff found proposed Lot 4A had a ratio of 3.1:1.

Findings:

1. Code requires the depth to width to be 3:1.
2. The depth to width is 3.1:1 for Lot 4A.
3. The property is being divided as part of a divorce agreement.

4. Steep terrain is present within the lot.
5. A drainage way exists that is close to the proposed lot line.
6. Adjusting the lot line will not provide more usable area due to the terrain and drainage.
7. Shifting the lot line to the other side of the drainage way could result in that lot being non-compliant depending on location.

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 3-7 appear to support this standard.
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
Findings 3-7 appear to support this standard.
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
Findings 3-7 appear to support this standard.

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

RECOMMENDATION:

SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:

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

NOTE: 20.25.120. - REVIEW AND APPEAL.

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

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

END OF STAFF REPORT





Wetlands





LLOYD RACE ADDITION

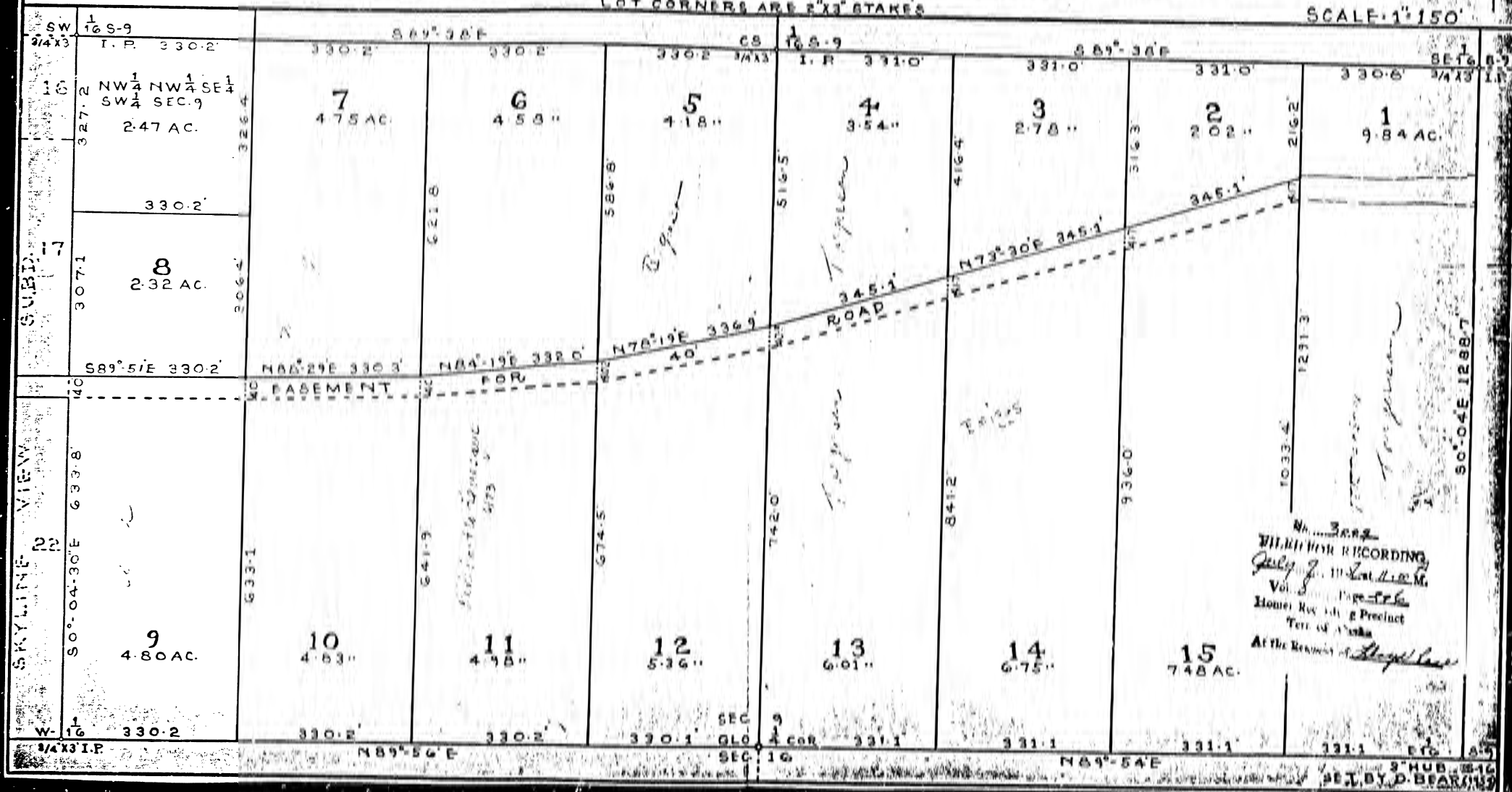
LOCATED IN SE $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$ SECTION 9, TOWNSHIP 6 S. RANGE 13 W.
SEWARD MERIDIAN, ALASKA JUNE 30, 1956

THE UNDERSIGNED, A REGISTERED LAND SURVEYOR IN THE TERRITORY OF ALASKA, DOES HEREBY CERTIFY THE MONUMENTS SHOWN ON THIS PLAT HAVE BEEN SET IN ACCORDANCE WITH A TRUE SUBDIVISIONAL SURVEY OF SEC. 9; THAT BEARINGS, DISTANCES AND AREAS SHOWN ARE SUBSTANTIALLY CORRECT. *Henning N. Johnson* 268-8



LOT CORNERS ARE 2"x3" STAKES

SCALE 1"=150'



Hindman, Julie

From: Gary Nelson <gary@abilitysurveys.com>
Sent: Saturday, October 29, 2022 6:20 PM
To: Hindman, Julie
Subject: <EXTERNAL-SENDER>RE: Lloyd Race Lot 4 Replat

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

Julie;

Thank you for the notification. Either we are using different methods to make that determination, or more probably I believe it was due to a last minute move of Lot division line to suite the Divorcing owners. Yes a marriage divorce is mandating this division.

I hereby ask for an exception to the 3:1 Depth to width ratio. KPB says the ratio of the Lot 4A is 3.1:1. The request is based on topographic constraints and assertion of spouse that she needs the line drawn that way for her terms of divorce. A drainage seems to be the limiting criteria.

Thank You,

Gary Nelson, PLS
907-299-1184

From: Hindman, Julie <jhindman@kpb.us>
Sent: Saturday, October 29, 2022 5:53 PM
To: Gary Nelson (gary@abilitysurveys.com) <gary@abilitysurveys.com>
Subject: Lloyd Race Lot 4 Replat

Gary,

I've checked Lot 4A a couple of times and keep finding the depth to width is 3.1:1. Please request an exception.

Julie Hindman
Platting Specialist
Ph: (907) 714-2210
Fx: (907) 714-2378

KENAI PENINSULA BOROUGH
144 North Binkley Street
Soldotna, Alaska 99669





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

November 2, 2022

Homer Advisory Planning Commission

Notice of Action

Request: Approval of Lloyd Race Lot 4 Replat Preliminary Plat

Applicants:

Eric Bentson and Tasse Hibbard-Bentson

1723 Beulah Church Rd

Calhoun, LA 71225

Gary Nelson

Ability Surveys

152 Dehel Ave.

Homer AK 99603

At the regular meeting of August 3, 2022 the Homer Advisory Planning Commission forwarded a **recommendation for approval** of the preliminary plat with staff recommendations and the attached minutes to the Kenai Peninsula Borough Planning Commission.

Should you have any questions, please contact the planning office at 235-3106.

Cc: Madeleine Quanton, Platting Technician, Kenai Peninsula Borough

PRESENTATIONS / VISITORS

- A. Memorandum from Jenny Carroll, Special Projects & Communications Coordinator

Deputy City Clerk Krause provided guidance on this item at the request of the Chair. She noted that when the agenda was prepared by the Planning Department this topic was inadvertently listed under Presentations/Visitors and not New Business. It is the reason that this topic will be on the next meeting agenda for the Commission to take action.

STAFF & COUNCIL REPORT/COMMITTEE REPORTS

- A. Staff Report 22-45, City Planner's Report

City Planner Abboud provided a summary of Staff Report 22-45. He noted the following:

- Ordinances approved by City Council at the July 25th regular meeting
- New permitting software status update

City Planner Abboud facilitated questions and answered the following:

- status of asbuilts for completed projects

City Planner Abboud requested volunteers to make the report to City Council.

Chair Smith volunteered for the August 8th meeting. He then spoke at length explaining for Commissioner Stark what was involved in reporting at the Council meetings, noting that he always writes a summary report to submit and would be more than happy to provide a copy for him to assist in making the report.

PUBLIC HEARINGS

PLAT CONSIDERATION

- A. Staff Report 22-46, Lloyd Race Lot 4 Replat Preliminary Plat

Chair Smith introduced the item by reading of the title and invited City Planner Abboud to provide his report to the Commission.

City Planner Abboud provided a summary of Staff Report 22-46. he clarified that there would be no impact to the Public Works Department regarding the utility easement.

The Clerk confirmed for the Chair that there was no applicant present.

Chair Smith opened the public comment period. He confirmed with the Clerk that there was no public in attendance via Zoom wanting to comment and noted for the record that there was no public present in Council Chambers. He then closed the public comment period.

There were no questions or comments from the Commission for the City Planner in response to a request by the Chair, who then requested a motion from the Commission.

HIGHLAND/VENUTI - MOVED TO ADOPT STAFF REPORT 22-46 AND RECOMMEND APPROVAL OF THE PRELIMINARY PLAT WITH THE FOLLOWING COMMENTS:

1. INCLUDE A PLAT NOTE STATING PROPERTY OWNER SHOULD CONTACT THE ARMY CORP OF ENGINEERS PRIOR TO ANY ONSITE 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.

2. DEDICATE A 15 FOOT UTILITY EASEMENT ADJACENT TO MISSION ROAD

3. DEDICATE A 30 FOOT DRAINAGE EASEMENT CENTERED ON THE DRAINAGE.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

B. Staff report 22-47, Hamm Subdivision Preliminary Plat

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

City Planner Abboud provided a summary of Staff Report 22-47. He noted the items that were included in the laydown materials and stated that a motion should contain a third condition regarding adding a 15 foot drainage and utility easement on the western lot line.

The Clerk confirmed for the Chair that there was no applicant present.

Chair Smith opened the floor to the Commission for questions.

City Planner Abboud provided clarification on the Borough requirement for cul-de-sacs and explained the reasoning behind the exception to KPB 20.30.100

Chair Smith hearing no further questions from the Commission requested a motion.

HIGHLAND/VENUTI MOVED TO ADOPT STAFF REPORT 22-47 AND RECOMMEND APPROVAL OF THE PRELIMINARY PLAT WITH THE FOLLOWING COMMENTS:

1. INCLUDE A PLAT NOTE STATING PROPERTY OWNER SHOULD CONTACT THE ARMY CORP OF ENGINEERS PRIOR TO ANY ONSITE DEVELOPMENT OR CONSTRUCTION ACTIVITIY TO OBTAIN THE MOST CURRENT WETLAND DESIGNATION (IF ANY). PROPERTY OWNERS ARE RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE AND FEDERAL PERMITS.

2. THE CITY OF HOMER DOES NOT REQUEST THE DEDICATION OF COLLIE STREET OTHER THAN WHAT IS DEPICTED ON THE PLAT AND RECOMMENDS AN EXCEPTION TO KPB 20.30.100, CUL DE SACS.

3. ADD A 15 FOOT DRAINAGE AND UTILITY EASEMENT ON THE WESTERN LOT LINE.

There was no discussion

VOTE: NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PENDING BUSINESS

A. Staff Report 22-48, Review of Conditional Uses and Structures

Chair Smith introduced the item by reading of the title.

City Planner Abboud reviewed Staff Report 22-48 for the Commission. He noted the status of the discussion from the previous meeting and facilitated discussion on the following points:



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

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

Staff Report 22-46

TO: Homer Planning Commission **22-46**
FROM: Julie Engebretsen, Economic Development Manager
THROUGH: Rick Abboud, City Planner
DATE: 8/3/2022
SUBJECT: Lloyd Race Lot 4 Replat Preliminary Plat

Requested Action: Approval of a preliminary plat to subdivide one larger lot into two smaller lots

General Information:

Applicants:	Eric Bentson and Tasse Hibbard-Bentson 1723 Beulah Church Rd Calhoun, LA 71225	Ability Surveys Gary Nelson, PLS 152 Dehel Ave Homer AK 99603
Location:	Mission Road	
Parcel ID:	17403004	
Size of Existing Lot(s):	3.54 acres	
Size of Proposed Lots(s):	2.152 and 1.155 acres	
Zoning Designation:	Rural Residential District	
Existing Land Use:	Vacant	
Surrounding Land Use:	North: Residential South: Residential East: Residential West: Residential/Vacant	
Comprehensive Plan:	Goal 1-C-1 Promote infill development in all housing districts.	
Wetland Status:	There is a drainage through the property, running north/south.	
Flood Plain Status:	Zone D, flood hazards undetermined.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are not available at this time.	
Public Notice:	Notice was sent to 33 property owners of 24 parcels as shown on the KPB tax assessor rolls.	

Analysis: This subdivision is within the Rural Residential District. This plat creates two smaller lots from one larger lot.

Homer City Code 22.10.051 Easements and rights-of-way

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

Staff Response: The plat does not meet these requirements. Dedicate a 15 foot UE adjacent to Mission Road.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

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

Staff Response: The plat meets these requirements.

- B. North point;

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

Public Works Comments:

1. Dedicate a 15' utility easement fronting the ROW.
2. Dedicate a 30 foot drainage easement, centered on the drainage.

Staff Recommendation:

Planning Commission recommend approval of the preliminary plat with the following comments:

1. Include a plat note stating "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."
2. Dedicate a 15 foot UE adjacent to Mission Road.
3. Dedicate a 30 foot drainage easement, centered on the drainage.

Attachments:

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