

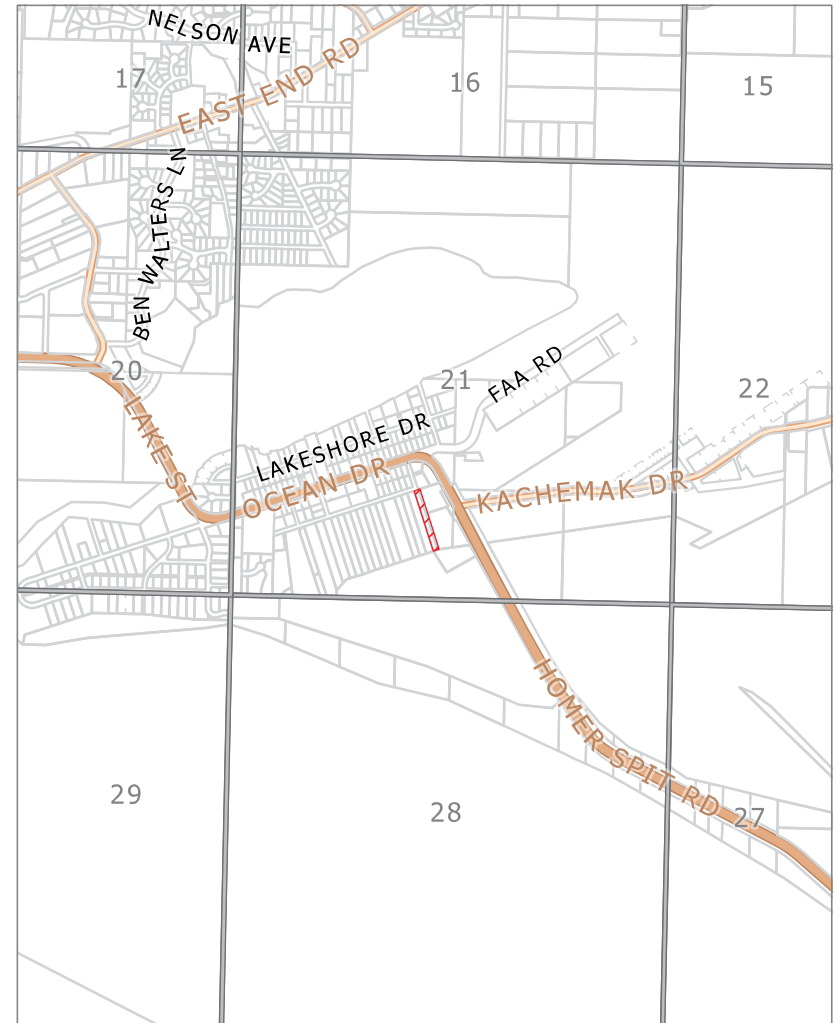
## **E. NEW BUSINESS**

**3. Right-Of-Way Vacation; KPB File 2024-131V**

**Seabright Surveying / Doyon Tourism & Doyon Limited**

**Request: Vacates a portion of B Street & associated utility easements south of Bay Avenue, granted by Bay View Subdivision, Plat HM 839**

**City of Homer**



KPB File 2024-131V  
T 06S R 13W SEC 21  
Homer

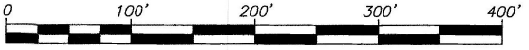
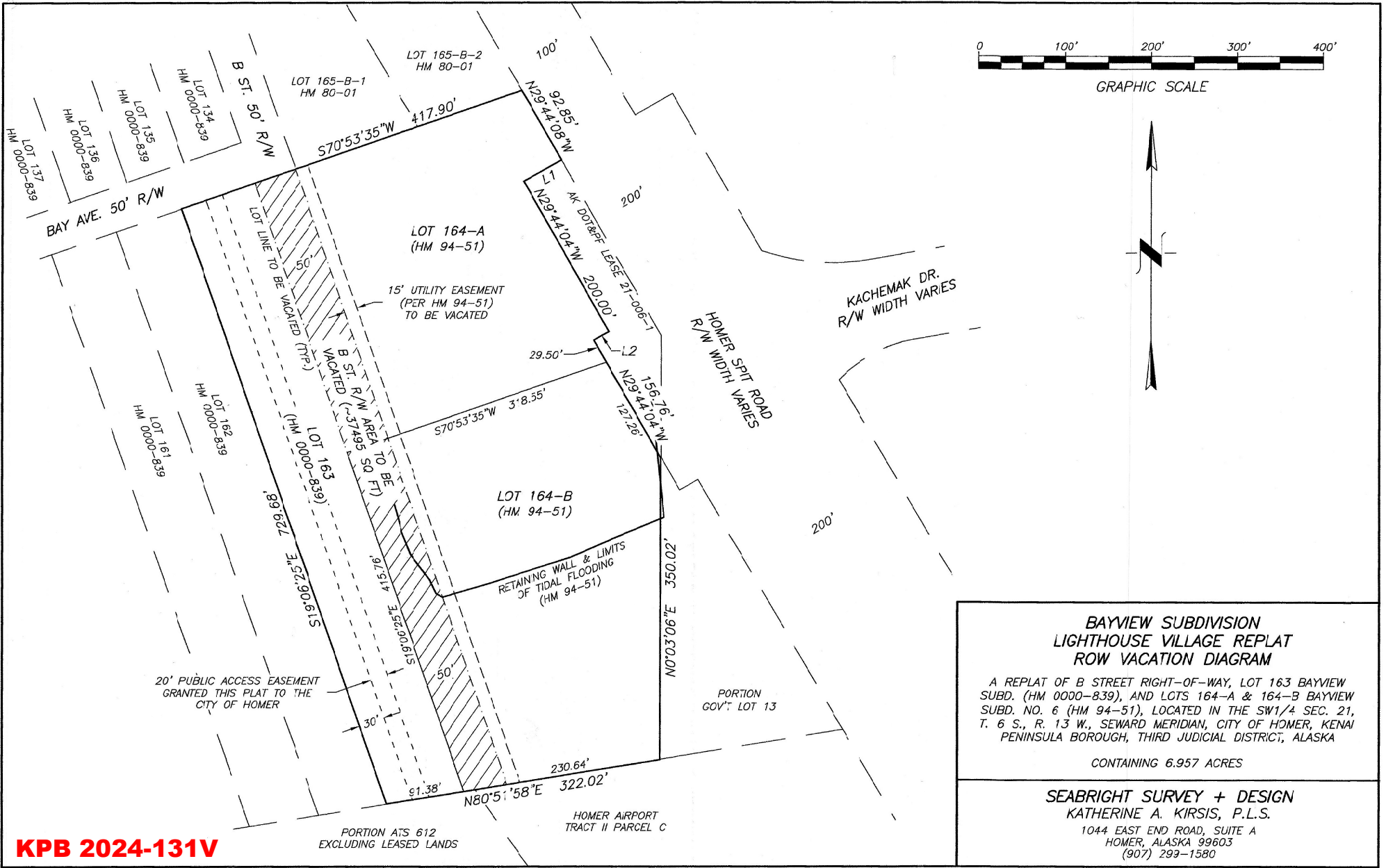
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



Aerial 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.



GRAPHIC SCALE



**BAYVIEW SUBDIVISION  
LIGHTHOUSE VILLAGE REPLAT  
ROW VACATION DIAGRAM**

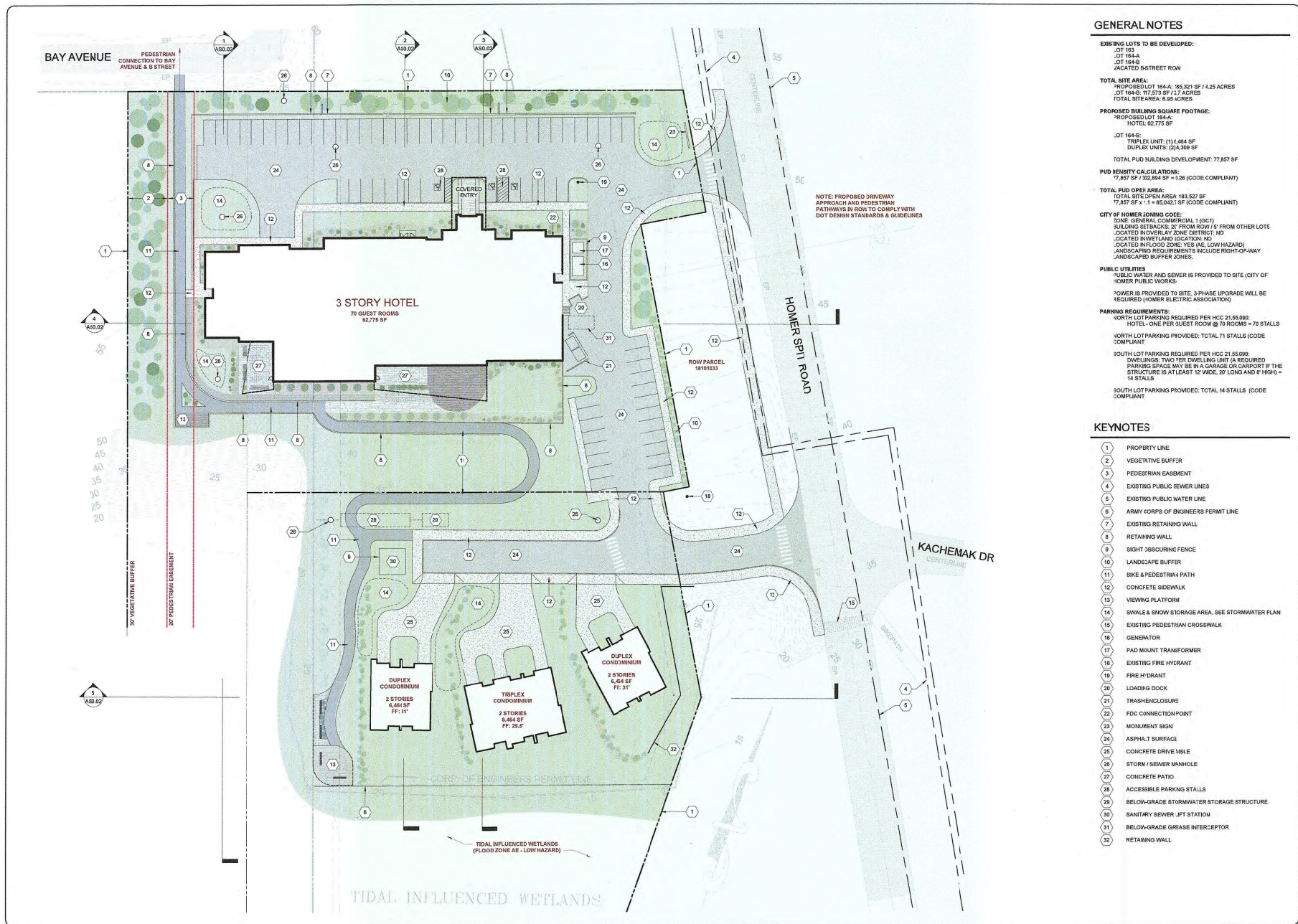
A REPLAT OF B STREET RIGHT-OF-WAY, LOT 163 BAYVIEW SUBD. (HM 0000-839), AND LOTS 164-A & 164-B BAYVIEW SUBD. NO. 6 (HM 94-51), LOCATED IN THE SW1/4 SEC. 21, T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA

CONTAINING 6.957 ACRES

**SEABRIGHT SURVEY + DESIGN  
KATHERINE A. KIRSIS, P.L.S.**

1044 EAST END ROAD, SUITE A  
HOMER, ALASKA 99603  
(907) 293-1580

**KPB 2024-131V**



**GENERAL NOTES**

**EXISTING LOTS TO BE DEVELOPED:**  
 .OT 163  
 .OT 164A  
 .OT 164-B  
 .ACATED B&B STREET ROW

**TOTAL SITE AREA:**  
 .PROPOSED LOT 164A: 16,321 SF / 4.25 ACRES  
 .OT 164-B: 17,573 SF / 4.25 ACRES  
 TOTAL SITE AREA: 6.65 ACRES

**PROPOSED BUILDING SQUARE FOOTAGE:**  
 .PROPOSED LOT 164A:  
 HOTEL 62,775 SF

.OT 164-B:  
 TRIPLEX UNIT: (1) 4,484 SF  
 DUPLEX UNITS: (2) 4,209 SF  
 TOTAL PUD BUILDING DEVELOPMENT: 77,857 SF

**PUD DENSITY CALCULATION:**  
 77,857 SF / 230,894 SF = 0.338 (CODE COMPLIANT)

**TOTAL PUD OPEN AREA:**  
 TOTAL SITE OPEN AREA 183,527 SF  
 77,857 SF x .1 = 85,042.7 SF (CODE COMPLIANT)

**CITY OF HOMER ZONING CODE:**  
 ZONE: GENERAL COMMERCIAL 1 (GC1)  
 BUILDING SETBACKS: 2' FROM ROW / 5' FROM OTHER LOTS  
 LOCATED IN OVERLAY ZONE DISTRICT: NO  
 LOCATED IN WETLAND LOCATION: NO  
 LOCATED IN FLOOD ZONE: YES (AE - LOW HAZARD)  
 LANDSCAPING REQUIREMENTS INCLUDE RIGHT-OF-WAY  
 LANDSCAPED BUFFER ZONES.

**PUBLIC UTILITIES:**  
 PUBLIC WATER AND SEWER IS PROVIDED TO SITE (CITY OF  
 HOMER PUBLIC WORKS)  
 POWER IS PROVIDED TO SITE. 3-PHASE UPGRADE WILL BE  
 REQUIRED (HOMER ELECTRIC ASSOCIATION)

**PARKING REQUIREMENTS:**  
 NORTH LOT PARKING REQUIRED PER HCC 21.55.000:  
 HOTEL: ONE PER SUITE ROOM @ 70 ROOMS = 70 STALLS  
 SOUTH LOT PARKING PROVIDED: TOTAL 71 STALLS (CODE  
 COMPLIANT)

SOUTH LOT PARKING REQUIRED PER HCC 21.55.000:  
 DWELLINGS: TWO PER DWELLING UNIT (A REQUIRED  
 PARKING SPACE MAY BE IN A GARAGE OR CARPORT IF THE  
 STRUCTURE IS AT LEAST 12' WIDE, 20' LONG AND 8' HIGH) =  
 14 STALLS

SOUTH LOT PARKING PROVIDED: TOTAL 14 STALLS (CODE  
 COMPLIANT)

**KEYNOTES**

- 1 PROPERTY LINE
- 2 VEGETATIVE BUFFER
- 3 PEDESTRIAN EASEMENT
- 4 EXISTING PUBLIC SEWER LINE
- 5 EXISTING PUBLIC WATER LINE
- 6 ARMY CORPS OF ENGINEERS PERMIT LINE
- 7 EXISTING RETAINING WALL
- 8 RETAINING WALL
- 9 SIGHT OBSCURING FENCE
- 10 LANDSCAPE BUFFER
- 11 BIKE & PEDESTRIAN PATH
- 12 CONCRETE SIDEWALK
- 13 VIEWING PLATFORM
- 14 SWALE & SNOW STORAGE AREA, SEE STORMWATER PLAN
- 15 EXISTING PEDESTRIAN CROSSWALK
- 16 GENERATOR
- 17 PAD MOUNT TRANSFORMER
- 18 EXISTING FIRE HYDRANT
- 19 FIRE H'DRANT
- 20 LOADING DOCK
- 21 TRASH ENCLOSURE
- 22 FDC CONNECTION POINT
- 23 MONUMENT SIGN
- 24 ASPHALT SURFACE
- 25 CONCRETE DRIVE W/BL
- 26 STORM / SEWER MANHOLE
- 27 CONCRETE PATIO
- 28 ACCESSIBLE PARKING STALLS
- 29 BELOW-GRADE STORMWATER STORAGE STRUCTURE
- 30 SANITARY SEWER JFT STATION
- 31 BELOW-GRADE GREASE INTERCEPTOR
- 32 RETAINING WALL

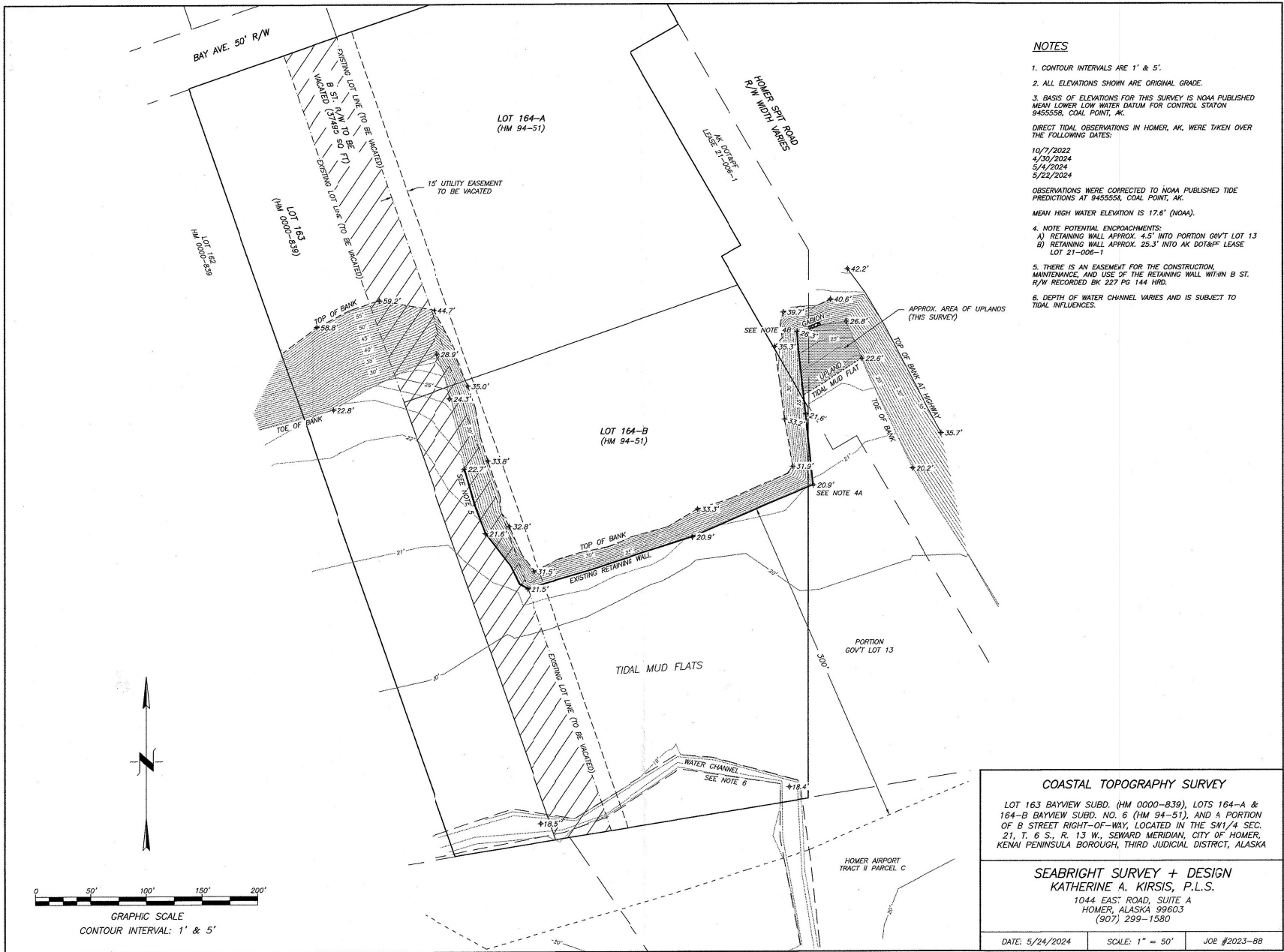
No.	Rev.	Date	Description

**WOMER & ASSOCIATES**  
 ARCHITECTURE ENGINEERING PLANNING  
 Suite 800 - 221 N. Wade St., Stearns, Washington 98071  
 TEL: (360) 534-4464 FAX: (360) 534-4464 www.womer.com

**LIGHTHOUSE VILLAGE DEVELOPMENT**  
 DOTYON, LIMITED  
 1563 & 1663 HOMER SPIT ROAD, HOMER, AK  
 ARCHITECTURAL SITE PLAN

Job No. 001891
Date: 08/23/2014
Designed LRE
Drawn LRE
Checked LRE

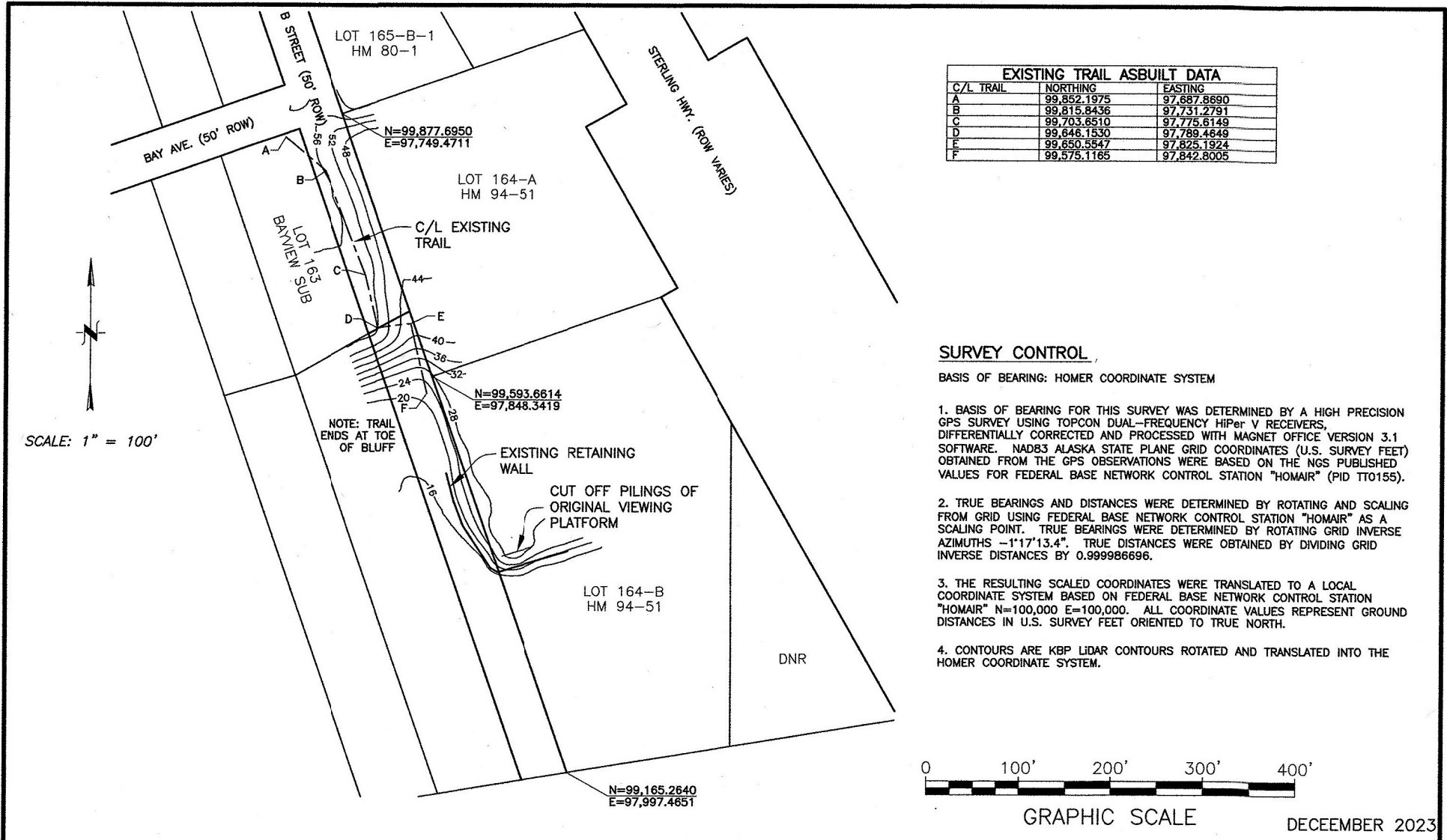
**AS0.01**



**NOTES**

1. CONTOUR INTERVALS ARE 1' & 5'.
2. ALL ELEVATIONS SHOWN ARE ORIGINAL GRADE.
3. BASIS OF ELEVATIONS FOR THIS SURVEY IS NOAA PUBLISHED MEAN LOWER LOW WATER DATUM FOR CONTROL STATION 9455558, COAL POINT, AK.  
DIRECT TIDAL OBSERVATIONS IN HOMER, AK, WERE TAKEN OVER THE FOLLOWING DATES:  
10/7/2022  
4/30/2024  
5/4/2024  
5/22/2024  
OBSERVATIONS WERE CORRECTED TO NOAA PUBLISHED TIDE PREDICTIONS AT 9455558, COAL POINT, AK.  
MEAN HIGH WATER ELEVATION IS 17.6' (NGMA).
4. NOTE POTENTIAL ENCROACHMENTS:  
A) RETAINING WALL APPROX. 4.5' INTO PORTION GOV'T LOT 13  
B) RETAINING WALL APPROX. 25.3' INTO AK DOT&P LEASE LOT 21-006-1
5. THERE IS AN EASEMENT FOR THE CONSTRUCTION, MAINTENANCE, AND USE OF THE RETAINING WALL WITHIN B ST. R/W RECORDED BK 227 PG 144 180.
6. DEPTH OF WATER CHANNEL VARIES AND IS SUBJECT TO TIDAL INFLUENCES.

<b>COASTAL TOPOGRAPHY SURVEY</b>		
LOT 163 BAYVIEW SUBD. (HM 0000-839), LOTS 164-A & 164-B BAYVIEW SUBD. NO. 6 (HM 94-51), AND A PORTION OF B STREET RIGHT-OF-WAY, LOCATED IN THE SW1/4 SEC. 21, T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA		
<b>SEABRIGHT SURVEY + DESIGN</b> KATHERINE A. KIRSIS, P.L.S.		
1044 EAST ROAD, SUITE A HOMER, ALASKA 99603 (907) 299-1580		
DATE: 5/24/2024	SCALE: 1" = 50'	JOB #2023-88

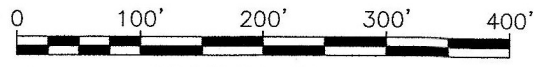


EXISTING TRAIL ASBUILT DATA		
C/L TRAIL	NORTHING	EASTING
A	99,852.1975	97,687.8690
B	99,815.8436	97,731.2791
C	99,703.6510	97,775.6149
D	99,648.1530	97,789.4649
E	99,650.5547	97,825.1924
F	99,575.1165	97,842.8005

**SURVEY CONTROL**

BASIS OF BEARING: HOMER COORDINATE SYSTEM

1. BASIS OF BEARING FOR THIS SURVEY WAS DETERMINED BY A HIGH PRECISION GPS SURVEY USING TOPCON DUAL-FREQUENCY HiPer V RECEIVERS, DIFFERENTIALLY CORRECTED AND PROCESSED WITH MAGNET OFFICE VERSION 3.1 SOFTWARE. NAD83 ALASKA STATE PLANE GRID COORDINATES (U.S. SURVEY FEET) OBTAINED FROM THE GPS OBSERVATIONS WERE BASED ON THE NGS PUBLISHED VALUES FOR FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" (PID TT0155).
2. TRUE BEARINGS AND DISTANCES WERE DETERMINED BY ROTATING AND SCALING FROM GRID USING FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY ROTATING GRID INVERSE AZIMUTHS -1°17'13.4". TRUE DISTANCES WERE OBTAINED BY DIVIDING GRID INVERSE DISTANCES BY 0.999986696.
3. THE RESULTING SCALED COORDINATES WERE TRANSLATED TO A LOCAL COORDINATE SYSTEM BASED ON FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" N=100,000 E=100,000. ALL COORDINATE VALUES REPRESENT GROUND DISTANCES IN U.S. SURVEY FEET ORIENTED TO TRUE NORTH.
4. CONTOURS ARE KBP LIDAR CONTOURS ROTATED AND TRANSLATED INTO THE HOMER COORDINATE SYSTEM.



GRAPHIC SCALE

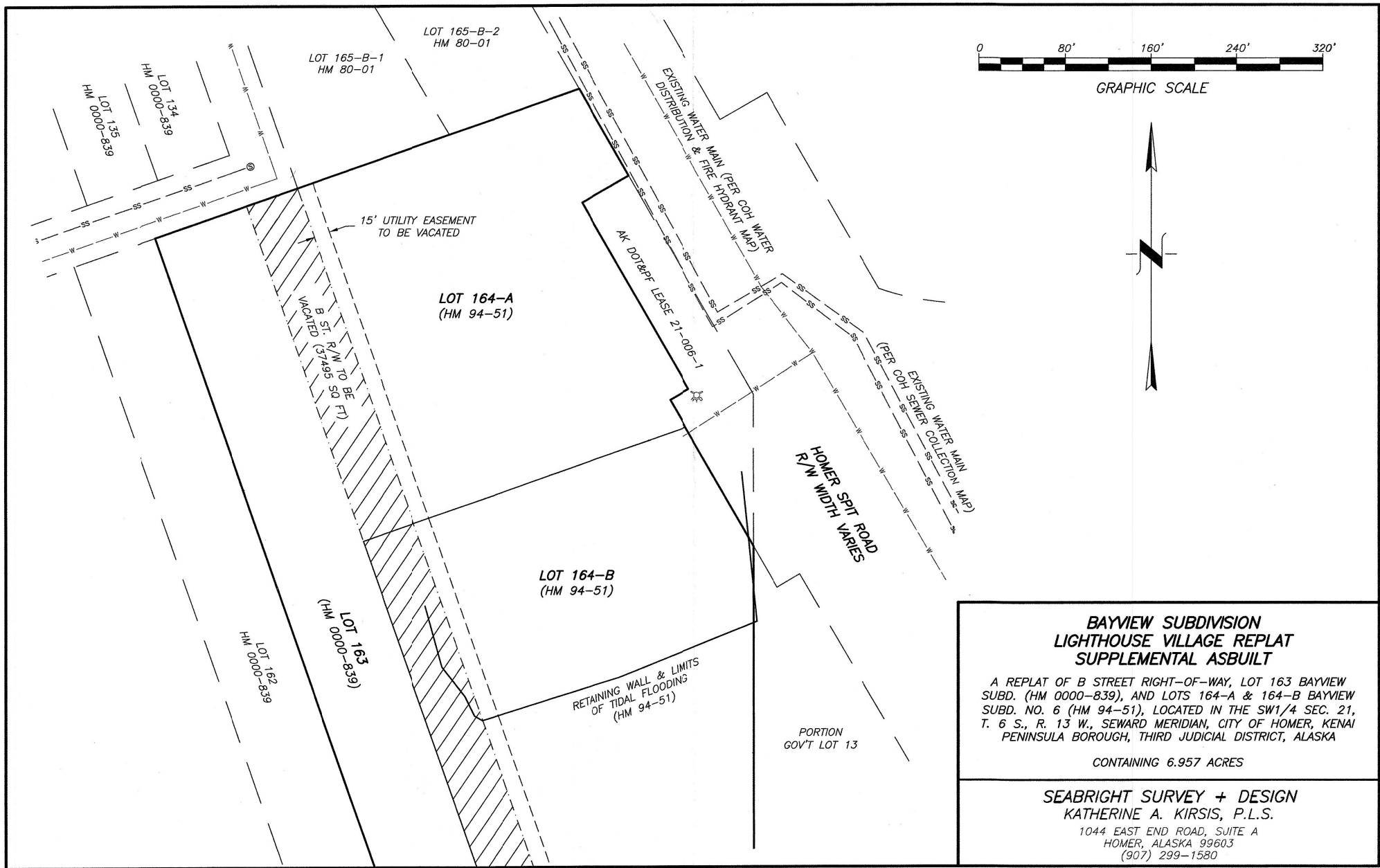
DECEMBER 2023

REVISION NO.	DATE	REVISION DESCRIPTION

**GEOVERA, LLC**  
 PO BOX 3235  
 HOMER, ALASKA 99603  
 (907) 399-4345

**B STREET TRAIL**  
 EXISTING ACCESS TRAIL TO VIEWING PLATFORM  
 ASBUILT DRAWING  
 CITY OF HOMER, ALASKA

SHEET NO.  
 1 OF 1





AGENDA ITEM E. NEW BUSINESS

ITEM #3 - RIGHT OF WAY VACATION  
Bayview Subdivision Lighthouse Village Replat

<b>KPB File No.</b>	2024-131V
<b>Planning Commission Meeting:</b>	January 13, 2025
<b>Applicant / Owner:</b>	Doyon Limited and Doyon Tourism, Inc. of Fairbanks, Alaska
<b>Surveyor:</b>	Katie Kirsis – Seabright Surveying LLC
<b>General Location:</b>	City of Homer
<b>Legal Description:</b>	B Street, South of Bay Avenue, Bayview Subdivision No 6, HM 839, Section 21, Township 6 South, Range 13 West, Seward Meridian

STAFF REPORT

**Specific Request / Purpose as stated in the petition:**

Vacate a portion of B Street right-of-way and associated utility easements, lying south of Bay Avenue, as granted by Bay View Subdivision HM 839.

**Notification:** The public hearing notice was published in the January 10<sup>th</sup>, 2025 issue of the Peninsula Clarion and the January 9<sup>th</sup>, 2025 issue of the Homer News as part of the Commission’s tentative agenda.

The public notice was posted on the Planning Commission bulletin board at the Kenai Peninsula Borough George A. Navarre Administration building. Additional notices were mailed to the following with the request to be posted for public viewing.

Library of Homer

Post Office of Homer

17 certified mailings were sent to owners of property within 300 feet of the proposed vacation. \_\_\_ receipts had been returned when the staff report was prepared.

12 public hearing notices were emailed to agencies and interested parties as shown below;

State of Alaska Dept. of Fish and Game  
State of Alaska DNR  
State of Alaska DOT  
State of Alaska DNR Forestry  
City of Homer  
Emergency Services of Homer

Kenai Peninsula Borough Office  
Ninilchik Traditional Council  
Alaska Communication Systems (ACS)  
ENSTAR Natural Gas  
General Communications Inc, (GCI)  
Homer Electric Association (HEA)

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

Legal access to the proposed vacated right-of-way is along Bay Ave at the intersection with B St from the north. B Street comes from Ocean Dr and leads south to the intersection. This vacation is to be part of a proposed subdivision as shown on the drawing of the adjacent lots 163 HM 839 and 164A 7 164B of HM 94-51. On the east side of the subdivision is Homer Spit Road giving access to those two lots.

The vacation and subdivision are not affected by a section easement or a patent easement.

Block length is compliant due to the location of the parcel to the Kachemak Bay and the slopes to the bay. A dedication is not possible or practical.

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

**Site Investigation:**

Steep areas and tidal wetlands affect the proposed vacated right-of-way as shown on the included Topography Survey. The City of Homer Planning Commission in their review and recommendations from the regular meeting of December 6, 2023 and special meeting of January 3, 2024 requested a drainage easement for drainage from Bay Ave to Kachemak Bay as part of the comment for Vacation of B Street Right-of-Way. **Staff recommends** the drainage easement be added as a requirement for approval of the vacation of B Street and to be added to the subdivision to complete the vacation of B Street for a finalizing.

There are steep areas that are shown on the Exhibit Coastal Topography Survey the surveyor supplied with the submittal that are included in the packet. The map shows the top and toe of the bank with elevations and an existing retaining wall extending across the property.

The Topography Survey also labels a “Tidal Mud Flats” on it that when checked against the KPB Wetlands Assessment the limits are the top of Bank for tidal wetlands.

The City of Homer staff report noted the property was in a FEMA designated Flood Zone of AE 20 on the south side of the property, but no panel number was given. **Staff recommends** for the subdivision, if the vacation is approved and proceeds to final version, the surveyor contact the City of Homer Planning for further information to be added concerning the FEMA Flood Zone data.

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
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**Staff Analysis:**

The property was originally platted from the SW1/4 of Section 21, Township 6 South, Range 13 SM Alaska. Bay View Subdivision HM 0839 was the first subdivision of this area creating 169 lots, one tract, a portion of Beluga Lake and several road right-of-ways, including B Street which was unnamed at the time. Several replats have been done through-out the Bay View Subdivision HM 0839, Bayview Subdivision No. 6 HM 94-57 replatted Lot 164 into the current configuration.

To the east of B Street is Lot 164-A and 164-B and to the west is Lot 163 which are owned by the applicant and are proposed to be combined with the vacation by a subdivision which will be heard at the February 10<sup>th</sup>, 2025 Plat Commission meeting. Further to the west are residential houses.to the south is Mariner Lagoon accessing out to Kachemak Bay.

B Street south of Bay Avenue was determined to be unsuitable for road construction with City of Homer Resolution 06-50 by the Homer City Council on 24<sup>th</sup> of April, 2006. The area was still suitable for pedestrian use within the right-of-way though. A copy of the resolution is included in the packet.

City water and sewer are available to the site and are shown on the surveyor supplied exhibit As-built Supplemental.

Utilities are accessible and running onto the site. HEA sent a comment in concerning the adjacent utility easement to the proposed B Street right-of-way vacation in opposition to the utility easement vacation. GCI sent in a comment requesting a 25' portion of the north end of the adjacent utility easement not be vacated. Both their comments are included in the packet.

Future use of the site is indicated to be as a hotel on the north and condominium units on the south. The applicant has supplied an exhibit Architectural Site Plan that is included in the packet. It is noted that the Architectural site plan does show a sidewalk starting at Bay Ave within a proposed 20' Pedestrian Easement, crossing through the development that does have access to Homer Spit Rd. The sidewalk does not have a dedicated easement the entire way to Homer Spit Rd, but still has access. The 20' Pedestrian Easement is straight from Bay St to Mariner Lagoon, the same as B Street was. There is also to the west of the pedestrian easement a 30' area, not being developed that could be considered a buffer strip. This plan has been revised since being submitted originally to the City of Homer for the meeting in December of 2023 and has incorporated many changes and recommendations provided by the City of Homer and the public input including the sidewalk across the property to Homer Spit Rd and a bird viewing platform accessible by the public.

#### **20.65.050 – Action on vacation application**

D. The planning commission shall consider the merits of each vacation request and in all cases the planning commission shall deem the area being vacated to be of value to the public. It shall be incumbent upon the applicant to show that the area proposed for vacation is no longer practical for the uses or purposes authorized, or that other provisions have been made which are more beneficial to the public. In evaluating the merits of the proposed vacation, the planning commission shall consider whether:

1. The right-of-way or public easement to be vacated is being used;

#### **Applicant comment:**

**There is an existing, unmaintained footpath connecting Bay Avenue to tidal wetlands to the south. This footpath formerly provided access to a bird viewing platform that was partially within the right of way and partially on private property. Per COH Staff Report 23-062: "It is unclear if this [platform] was a permitted encroachment into the right of way; no city documentation or permits were found in City records. Regardless, the bird viewing platform has been demolished".**

**We are providing an exhibit that depicts the surveyed location of "B Street Trail" per the City of Homer HAPC 1/3/2024 Special Meeting Agenda Packet page 94. Per the minutes for the 1/3/2024 meeting: "Public Works reviewed the possibility of improving the existing public access and it was determined that the City could not make the improvements required for access and drainage due to cost impediment so it was removed from the project".**

2. A road is impossible or impractical to construct, and alternative access has been provided;  
**Applicant comments:**  
**Per City of Homer Staff Report 23-062: "The City of Homer determined this portion of B Street was 'unsuitable for road construction' in Resolution 2006-50. Vehicle access directly from B Street to Homer Spit Road is unlikely due to slope".**
3. The surrounding area is fully developed and all planned or needed rights-of-way and utilities are constructed;

**Applicant comments:**

**The surrounding area is fully developed and the subject properties involved in this replat have existing access to all utilities.**

4. The vacation of a public right-of-way provides access to a lake, river, or other area with public interest or value, and if so, whether equal or superior access is provided;

**Applicant comments:**

**The unmaintained footpath located on B St. Right-of-way provides access to tidal wetlands (per KWF wetlands assessment) via KPB #18101027, "That parcel known as parcel C on the Homer Airport Plan", the footpath also provided access to a bird viewing platform that was partially within the right-of-way and partially located on private property. The applicants propose to grant a 20' wide pedestrian access easement along the western boundary of the subdivision to provide public access to the tidal wetlands as well as a newly constructed viewing platform. The City of Homer determined they could not make the necessary improvements required for this public access. The developers are proposing to construct and maintain a boardwalk and viewing platform for the benefit of the public. Details will be finalized through the construction agreement between the city and the developer.**

5. The proposed vacation would limit opportunities for interconnectivity with adjacent parcels, whether developed or undeveloped;

**Applicant comments:**

**The proposed pedestrian access easement allows for the same level of interconnectivity between adjacent parcels as is currently existing.**

6. Other public access, other than general road use, exist or are feasible for the right-of-way;

**Applicant comments:**

**Road construction within this right-of-way is not feasible due to steep slopes. The best use of this land is pedestrian access. The applicants propose to replace an unmaintained footpath with a maintained boardwalk.**

7. All existing and future utility requirements are met. Rights-of-way which are utilized by a utility, or which logically would be required by a utility, shall not be vacated, unless it can be demonstrated that equal or superior access is or will be available. Where an easement would satisfactorily serve the utility interests, and no other public need for the right-of-way exists, the commission may approve the vacation and require that a utility easement be granted in place of the right-of-way.

**Applicant comments:**

**All utilities other than stormwater drainage have been constructed in this area and all adjacent properties have full utility access. Per COH Staff Report 23-066 Public Works Comments: "A drainage easement should be retained or accommodated for drainage from the Bay Avenue area". The applicants will grant a drainage easement to the City of Homer pursuant to final constructed location and the construction agreement between the developer and the city.**

8. Any other factors that are relevant to the vacation application or the area proposed to be vacated.

**Staff comments:**

A KPB Planning Commission decision denying a vacation application is final. A KPB Planning Commission decision to approve the vacation application is subject to consent or veto by the Homer City Council. Homer City Council must hear the vacation within thirty days of the Planning Commission decision.

The Homer City Council will hear the vacation at their scheduled January 27, 2025 meeting, pending the outcome of this meeting.

If approved, Bayview Subdivision Lighthouse Village Replat will finalize the proposed right of way vacations. The Plat Committee is scheduled to review Bayview Subdivision Lighthouse Village Replat at the February 10, 2025 meeting.

**KPB department / agency review:**

Addressing	Reviewer: Leavitt, Rhealyn Affected Addresses: 1563 HOMER SPIT RD, 1663 HOMER SPIT RD, 1491 BAY AVE  Existing Street Names are Correct: Yes  List of Correct Street Names: BAY AVE, HOMER SPIT RD, B ST  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. Review Not Required	
Assessing	Reviewer: Windsor, Heather Comments: No comment	

**Utility provider review:**

HEA	HEA has sent comment in opposition to the vacation of the adjacent utility easement and will only agree to the vacation once the utility has been re-routed and new easement are in place. The comment has been include din the packet.
ENSTAR	No comment or recommendation
ACS	
GCI	GCI has sent a comment
SEWARD ELECTRIC	
CHUGACH ELECTRIC	
TELALASKA	

**RECOMMENDATION:**

Based on consideration of the merits as per KPB 20.65.050(D) as outlined by Staff comments, Staff makes no recommend of APPROVAL OR DENIAL as petitioned, but is subject to:

1. Consent by Homer City Council

2. Compliance with the requirements for preliminary plats per Chapter 20 of the KPB Code including a submittal to and approval by the Plat Committee.
3. Grant utility easements requested by the Homer City Council and utility providers.
4. Submittal of a final plat within a timeframe such that the plat can be recorded within one year of vacation consent (KPB 20.65.050(I)).

**KPB 20.65.050 – Action on vacation application**

- H. A planning commission decision to approve a vacation is not effective without the consent of the city council, if the vacated area to be vacated is within a city, or by the assembly in all other cases. The council or assembly shall have 30 days from the date of the planning commission approval to either consent to or veto the vacation. Notice of veto of the vacation shall be immediately given to the planning commission. Failure to act on the vacation within 30 days shall be considered to be consent to the vacation. This provision does not apply to alterations of utility easements under KPB 20.65.070 which do not require the consent of the assembly or city council unless city code specifically provides otherwise.**
- I. Upon approval of the vacation request by the planning commission and no veto by the city council or assembly, where applicable, the applicant shall have a surveyor prepare and submit a plat including the entire area approved for vacation in conformance with KPB 20.10.080. Only the area approved for vacation by the assembly or council may be included on the plat. The final plat must be recorded within one year of the vacation consent.**
- J. A planning commission decision denying a vacation application is final. No reapplication or petition concerning the same vacation may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed.**
- K. An appeal of the planning commission, city council or assembly vacation action under this chapter must be filed in the superior court in accordance with the Alaska Rules of Appellate Procedure.**

The 2019 Kenai Peninsula Borough Comprehensive Plan adopted November, 2019 by Ordinance No. 2019-25. The relevant objectives are listed.

*Goal 3. Preserve and improve quality of life on the Kenai Peninsula Borough through increased access to local and regional facilities, activities, programs and services.*

- *Focus Area: Energy and Utilities*
  - o *Objective A - Encourage coordination or residential, commercial, and industrial development with extension of utilities and other infrastructure.*
    - *Strategy 1. Near – Term: Maintain existing easements (especially section line easements) in addition to establishing adequate utility rights of way or easements to serve existing and future utility needs.*
    - *Strategy 2. Near – Term: Maintain regular contact with utility operators to coordinate and review utility easement requests that are part of subdivision plat approval.*
    - *Strategy 3. Near – Term: Identify potential utility routes on Borough lands.*
- *Housing*
  - o *Objective D. Encourage efficient use of land, infrastructure and services outside incorporated cities by prioritizing future growth in the most suitable areas.*
    - *Strategy 1. Near – Term: Collaborate with the AK Department of Transportation, incorporated cities within the borough, utility providers, other agencies overseeing local services, and existing communities located adjacent to the undeveloped areas that are appropriate for future growth, to align plans for future expansion of services to serve future residential development and manage growth.*

*Goal 4. Improve access to, from and connectivity within the Kenai Peninsula Borough*

*- Focus Area: Transportation*

- o Objective B. Ensure new roads are developed in alignment with existing and planned growth and development.*
  - Strategy 2. Near – Term: Establish subdivision codes that dictate road construction standards to accommodate future interconnectivity and/or public safety.*
  - Strategy 3. Near – Term: Identify areas of anticipated growth to determine future access needs.*

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**END OF STAFF REPORT**



Aerial Map

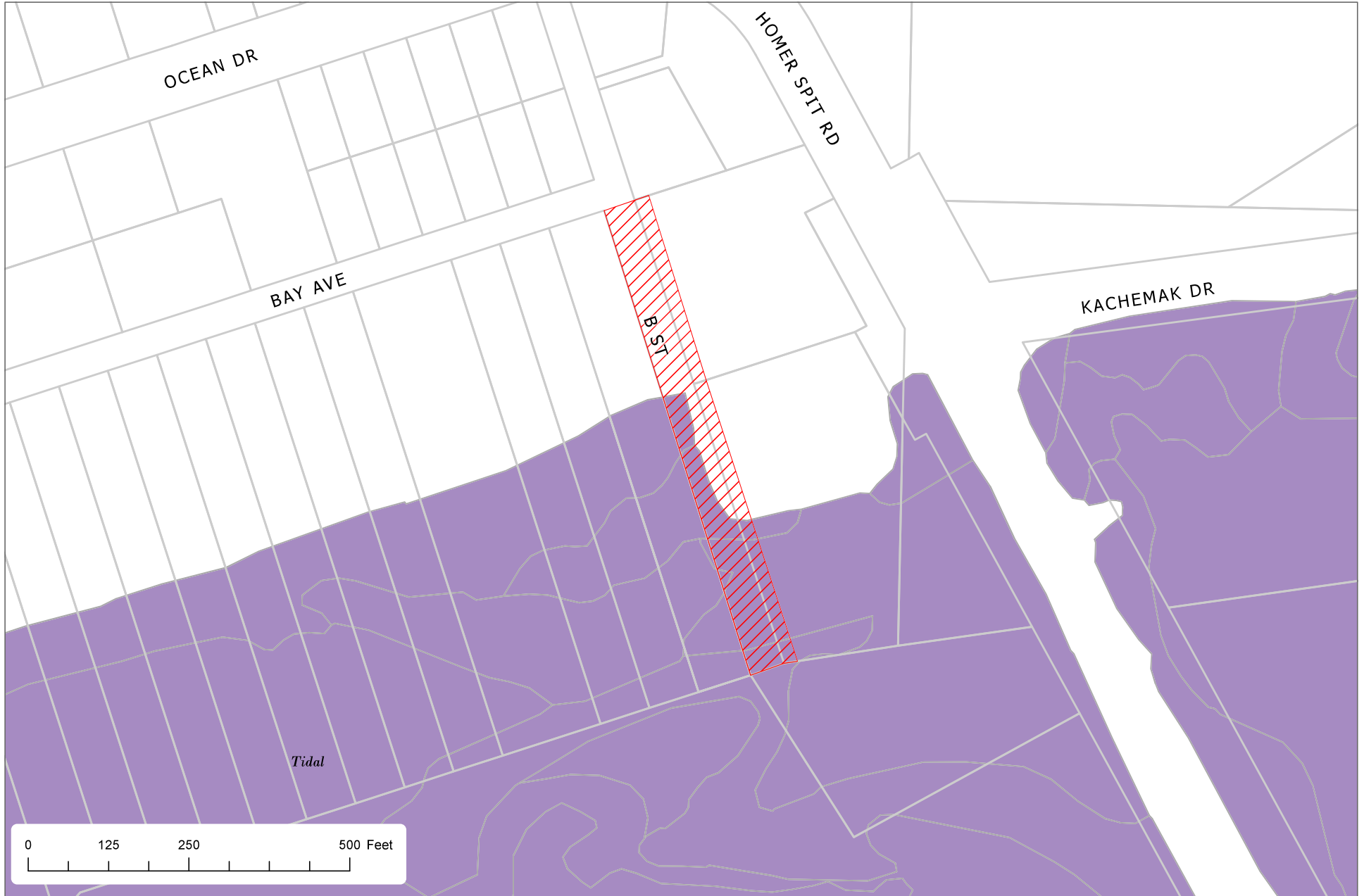


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.





Wetlands



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.



Aerial with 5-foot Contours



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

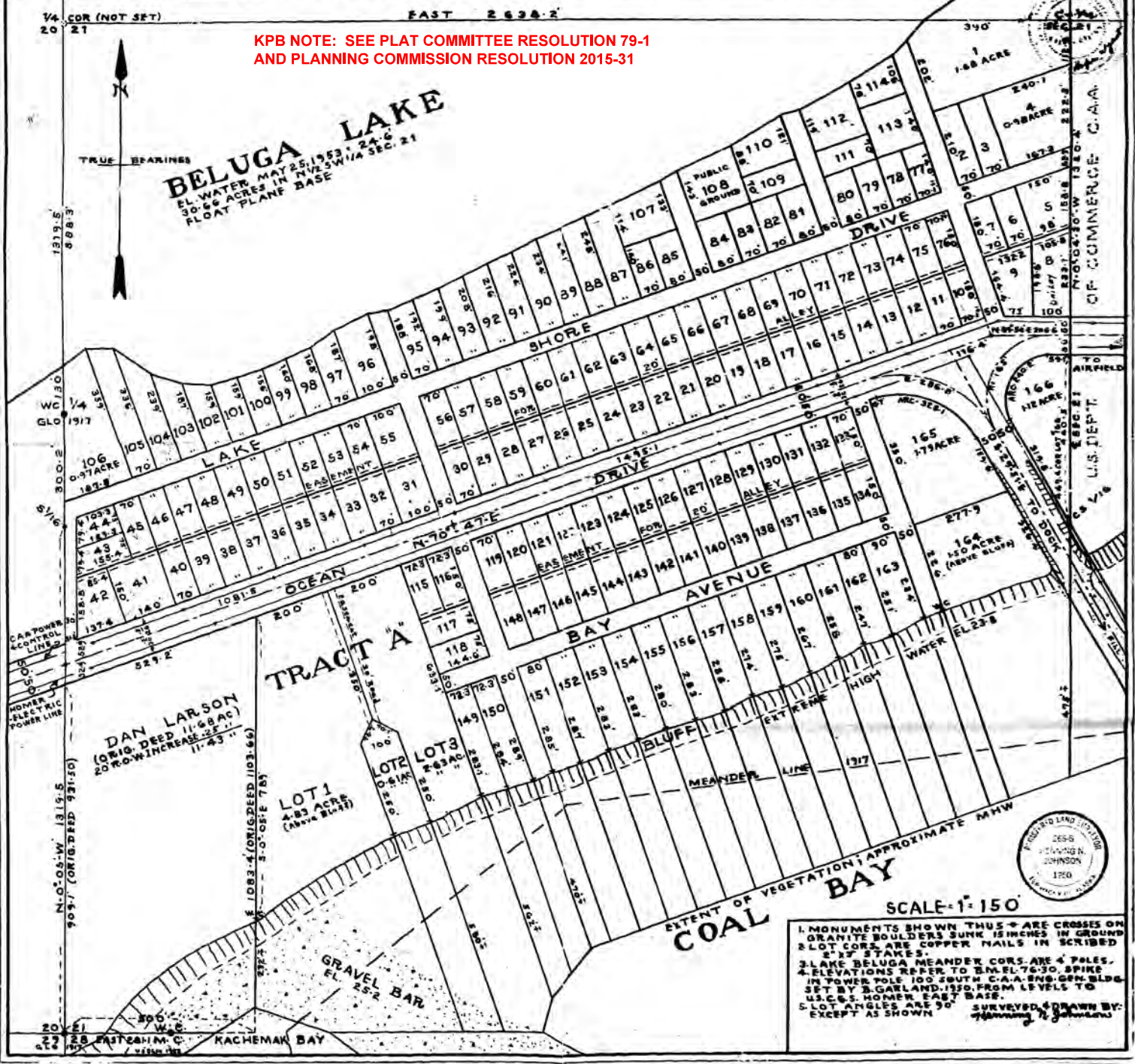
WITNESSETH: I, GOTTFRIED KOHLER, DO HEREBY DEDICATE THE STREETS, ALLEYS, PUBLIC GROUND, AND THAT PORTION OF THE NE 1/4 SEC. 21 COVERED BY BELUGA LAKE, AS SHOWN ON THIS PLAT, TO USE OF THE GENERAL PUBLIC FOREVER, FOR FORESS, INGRESS AND UTILITIES.

ON THIS 27th 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

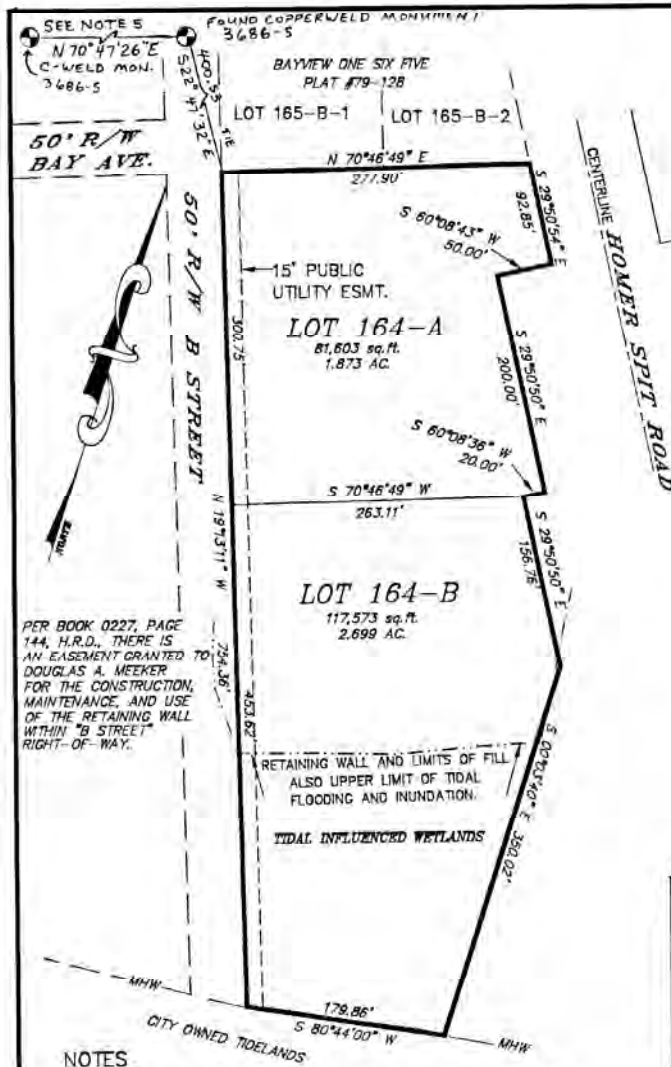


1. MONUMENTS SHOWN THUS + ARE CROSSES ON GRANITE BOULDERS SUNK 15 INCHES IN GROUND
  2. LOT CORNERS ARE COPPER NAILS IN SCRIBED 2" X 2" STAKES
  3. LAKE BELUGA MEANDER CORNERS ARE 4' POLES.
  4. ELEVATIONS REFER TO B.M. EL. 76.30 SPIKE IN TOWER POLE 100 SOUTH C.A.A. ENG. GEN. BLDG. SET BY B. GARLAND 1-15-50. FROM LEVELS TO U.S.C.S. HOMEW. EAST BASE.
  5. LOT ANGLES ARE 90° EXCEPT AS SHOWN
- SURVEYED & DRAWN BY:  
*Hopewell Grant*



#839

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



PER BOOK 0227, PAGE 144, H.R.D., THERE IS AN EASEMENT GRANTED TO DOUGLAS A. MEEKER FOR THE CONSTRUCTION, MAINTENANCE, AND USE OF THE RETAINING WALL WITHIN "B STREET" RIGHT-OF-WAY.

**NOTES**

- NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN AN EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
- DEVELOPMENT AND BUILDING CONSTRUCTION ON THESE LOTS ARE SUBJECT TO THE CITY OF HOMER'S MUNICIPAL CODE.
- WASTEWATER DISPOSAL: THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION HAS REVIEWED PLANS FOR THIS SUBDIVISION'S WASTEWATER DISPOSAL, AND APPROVES THIS SUBDIVISION FOR PLATTING.
- THE MEAN HIGH WATER (MHW) MEANDERS SHOWN HEREON ARE FOR AREA COMPUTATION PURPOSES ONLY AND THE TRUE MEANDERS OF MEAN HIGH WATER WILL FORM AND INFLUENCE THE SOUTHERLY, WESTERLY, AND EASTERLY BOUNDARIES OF LOT 2.
- THE BASIS OF BEARINGS IS FROM RECORD OF SURVEY FILED AS 91-68 RS IN THE HOMER RECORDING DISTRICT, AND IS N 70°47'26"E BETWEEN FOUND C-WELD MONUMENTS ON OCEAN DRIVE NEAR THE INTERSECTIONS OF "B STREET" AND "D STREET".
- ACCESS DRIVEWAYS TO HOMER SPIT ROAD ARE REGULATED BY ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, DRIVEWAYS MUST HAVE DEPARTMENT APPROVAL.
- SET 5/8" REBAR WITH 2" ALUMINUM CAPS AT ALL LOT CORNERS.
- PER VOLUME 233, PAGE 789 (HRD), THERE EXISTS AN EASEMENT FOR ELECTRIC TRANSMISSION LINE PURPOSES AFFECTING THE WEST 15 FEET OF THE NORTH 300 FEET OF THIS RESUBDIVISION, GRANTED TO HOMER ELECTRIC ASSOCIATION.

RECORDED 20 / HOMER REC. DIST  
 DATE 12-21-94  
 TIME 3:56 P  
 REQUESTED BY ABILITY SURVEYS  
 ADDRESS 184 CITYVIEW  
 HOMER, ALASKA 99603

THIS IS SHEET ONE OF TWO. SHEET TWO IS FOR BENEFICIARY APPROVAL AND SIGNATURE ONLY. KPB FILE No. 93-152

**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 and grant all easements to the use shown.

*Douglas A. Meeker*  
 DOUGLAS A. MEEKER  
 P.O. BOX 819, HOMER, AK 99603  
 NOTARY'S ACKNOWLEDGEMENT

FOR: DOUGLAS A. MEEKER  
 Subscribed and sworn to before me this 30<sup>th</sup> day of September 1994.  
*Nancy Martin*  
 Notary public for Alaska  
 S-21-96  
 My Commission Expires

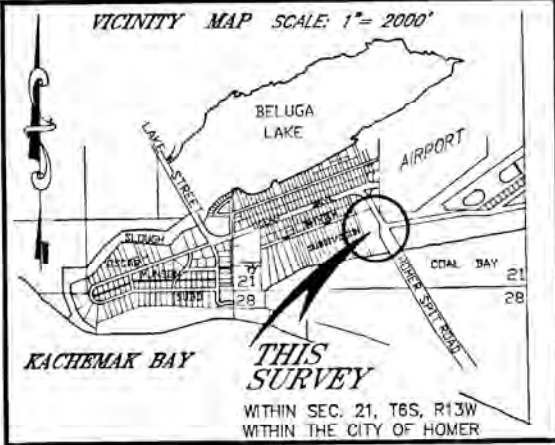
**CERTIFICATE OF APPROVAL BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

APPROVAL GRANTED (SEE NOTE 3 HEREON)

*Douglas A. Meeker* Environmental Engr 10-19-94  
 AUTHORIZED OFFICIAL NAME AND TITLE DATE

**PLAT APPROVAL**

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of OCTOBER 11, 1994.  
 KENAI PENINSULA BOROUGH  
 BY *Richard Proger*  
 Authorized Official



DATE OCTOBER, 1994  
 SCALE 1"= 100'  
 GRID No. 22  
 JOB No. 23608  
 DRAWING: 236081A.DWG



**BAYVIEW SUBDIVISION NO. 6**

REPLAT OF LOT 164 INTO LOTS 164-A AND 164-B SITUATED WITHIN A PORTION OF THE SW 1/4 SEC. 21 T.6 S., R.13 W., S.M., CITY OF HOMER, ALASKA. HOMER RECORDING DISTRICT CONTAINING 4.57 ACRES (M/L)

**ABILITY SURVEYS**  
 GARY D. NELSON, PLS  
 (907) 235-8140  
 184 CITYVIEW, HOMER, ALASKA

**CITY OF HOMER  
HOMER, ALASKA**

City Manager/Planning

**RESOLUTION 06-50**

A RESOLUTION OF THE HOMER CITY COUNCIL IDENTIFYING RIGHTS-OF-WAY WITHIN THE RURAL RESIDENTIAL AND URBAN RESIDENTIAL ZONING DISTRICTS THAT ACCESS KACHEMAK BAY DETERMINED TO BE UNSUITABLE FOR ROAD CONSTRUCTION.

WHEREAS, The Homer Advisory Planning Commission has received several requests to vacate rights-of-way that access Kachemak Bay; and

WHEREAS, The reason for seeking such vacation is to eliminate the required 20-foot building setback from a right-of-way; and

WHEREAS, The lots adjacent to the rights-of-way requested to be vacated are usually long, with building envelopes that are difficult to work within; and

WHEREAS, Preserving rights-of-way is generally considered good public policy; and

WHEREAS, Kenai Peninsula Borough Code 21.28.180, waterfront access provisions, allows for vacation of rights-of-way accessing public waters to be permitted only when the right-of-way is wholly impractical to all modes of transport including pedestrians, or when the use of the right-of-way causes severe harm and damage to adjacent properties which cannot be otherwise corrected and where such continued damage or harm would be contrary to the public interest; and

WHEREAS, The rights-of-way accessing Kachemak Bay within the Urban Residential and Rural Residential zoning districts are unlikely to be developed into streets or roads, but may be developed as pedestrian ways; and

WHEREAS, Maintaining the public's right to use and work within these rights-of-way is essential; and

WHEREAS, Maintaining the 20-foot setback is not needed to maintain sight triangles when adjacent to a right-of-way that will not be developed as road, and

WHEREAS, Platted access to Kachemak Bay are often located in sensitive areas, and

WHEREAS, Protecting these rights-of-way from road construction will help protect these sensitive areas.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of Homer, Alaska hereby identifies the following rights-of-way as unsuitable for road construction: Leber Street south of Orca Way, Crittenden Drive south of Hidden Way, Victoria Place, Parson Lane south of the southernmost Ocean Drive Loop, Lake Street south of the southernmost Ocean Drive, B Street south of Bay Avenue, Campbell Lane, Morris Avenue..

PASSED AND ADOPTED by the Homer City Council this 24th day of April, 2006.

CITY OF HOMER

\_\_\_\_\_  
JAMES C. HORNADAY, MAYOR

ATTEST:

MARY L. CALHOUN, CMC, CITY CLERK  
Fiscal information: unbudgeted.



## City Clerk's Office

[Agendas/Minutes](#)

[City Code](#)

[City Legislation](#)

[Public Hearings](#)

[Bids & RFPs](#)



# 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 23-062

TO: Homer Advisory Planning Commission  
 FROM: Ryan Foster, AICP, City Planner  
 DATE: December 6, 2023  
 SUBJECT: Vacation of B Street Right of Way South of Bay Avenue

**Requested Action:** Conduct a public hearing and make a recommendation on the vacation of B Street Right of Way south of Bay Avenue

### General Information:

Applicants:	Doyon, Limited 11500 Sukdu Way Suite 250 Anchorage, AK 99515	Doyon, Tourism 11500 Sukdu Way Suite 250 Anchorage, AK 99515
	Seabright Survey + Design, 1044 East Road Suite A, Homer AK 99603	
Location:	B Street, South of Bay Avenue	
Parcel ID:	18101034, 18101035, 17921015	
Zoning Designation:	Rural Residential and General Commercial 1	
Existing Land Use:	The rural residential lot is vacant. The GC1 lots formerly held an auto wrecking yard/repair shop, boat storage, a restaurant and small shops.	
Surrounding Land Use:	North: Peninsula Solid Waste shop, ministorage, rooming house South: Mariner Lagoon East: Homer Spit Road and airport properties West: Residential	
Comprehensive Plan:	Chapter 4 Goal 1 Objective A: Promote a pattern of growth characterized by a concentrated mixed use center, and a surrounding ring of moderate to high density residential and mixed-use areas with lower densities in outlying areas.	
Wetland Status:	The 2005 wetland mapping shows no wetland areas. The area below the retaining wall is tidally influenced and ACOE permitting is required for any development activities.	
Flood Plain Status:	Flood Zone AE 20 on southern section of the right of way	
Utilities:	City water and sewer are available	
Public Notice:	Notice was sent to 42 property owners of 47 parcels as shown on the KPB tax assessor rolls.	



**Analysis:** This vacation is within the Rural Residential District. This action would vacate B Street, south of Bay Avenue. Unlike other platting processes, the final approval of this vacation is decided by the Homer City Council. Staff recommends the Commission recommend approval of this vacation, contingent on public access being dedicated (discussion to follow).

City of Homer Code does not address right of way vacations, but the Kenai Peninsula Borough code does. The Borough holds platting authority and the Homer Planning Commission is advisory to the Borough on platting matters. Staff is using relevant portions of KPB code for an analysis of the right of way vacation.

*KPB 20.70.170. - Vehicular access. The planning commission shall not approve the vacation of a right-of-way unless an equal or superior right-of-way for vehicular access exists or will be provided in exchange. Where two or more access points are necessary for large vacant or semi-vacant areas of land, the commission shall consider density, use, projected development, and maintain sufficient rights-of-way to serve potential use.*

**Staff Response:** The City of Homer determined this portion of B Street was “unsuitable for road construction” in Resolution 2006-50. Vehicle access directly from B Street to Homer Spit Road is unlikely due to slope.

*KPB 20.70.180. - Other access. Other lawful uses that exist or are feasible for the right-of-way shall be considered when evaluating a vacation request. When such uses exist or could exist within rights-of-way which are not suited for general road use, the commission shall not approve the vacation request, unless it can be demonstrated that equal or superior access is or will be available. The planning commission shall consider whether alternate uses present public safety issues which support approval of the vacation.*

*KPB 20.70.200. - Waterfront access provisions. A right-of-way which serves to provide access to public waters shall not be vacated unless such a right-of-way is wholly impractical to all modes of transport including pedestrian or the use of such right-of-way causes damage to the right-of-way, adjacent properties, the waterbody or the watercourse, or threatens public safety which cannot otherwise be corrected and where such continued damage or threat would be contrary to the public interest.*

*KPB 20.70.210. - Other public areas. Dedications of land for use other than rights-of-way, which are considered for vacation, shall be approved only when it is in the public interest. The commission shall consider the intended purpose of the area, and any future uses of the area when making a decision. When a legitimate public purpose is or would be served by use of the area proposed for vacation, the commission shall not approve the vacation, unless the ownership of the land by the city or borough in a form other than dedicated would adequately serve the intended use.*

**Staff response:** There is an existing footpath from Bay Avenue south toward Kachemak Bay. Staff was unable to determine in the field if the trail was in the right of way or on private property. Due to removal of buildings and site work, staff was also unable to determine if the trail continues all the way to the tidal marsh, or if it turns east into the old lighthouse village site. The southern portion of

the right of way also held a bird viewing platform. The platform was partially on lot 164 and partially within the right of way. It is unclear if this was a permitted encroachment into the right of way; no city documentation or permits were found in City records. Regardless, the bird viewing platform has been demolished.

Looking South from Bay Ave



Trail looking east to Kachemak Drive



**Staff recommends:** The vacation of the right of way be conditional on the creation of a public access route to accommodate pedestrian and bicycle access from Bay Avenue to Homer Spit Road.

**Public Works Comments:** A drainage easement should be retained or accommodated for drainage from the Bay Avenue area.

**Staff Recommendation:**

Planning Commission recommends approval of the vacation with the following comments:

**Condition 1:** Creation of a public access route to accommodate pedestrian and bicycle access from Bay Avenue to Homer Spit Road.

**Condition 2:** Drainage Easement or conveyance for drainage from Bay Avenue south to Kachemak Bay.

**Attachments:**

1. Vacation petition
2. Public Notice
3. Aerial Map



# Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

## PETITION TO VACATE PLATTED RIGHT OF WAY / PLATTED PUBLIC EASEMENT / PLATTED PUBLIC AREA

### **PUBLIC HEARING REQUIRED**

Upon receipt of complete application with fees and all required attachments, a public hearing before the Planning Commission will be scheduled. The petition with all required information and attachments must be in the Planning Department at least 30 days prior to the preferred hearing date. By State Statute and Borough Code, the public hearing must be scheduled within 60 days of receipt of complete application.

Initially, a sketch may be included with the vacation petition for review by the Planning Commission. After the Planning Commission takes action on the vacation, a Subdivision Plat must be prepared by a licensed land surveyor. The plat will be processed in accordance with KPB 20.10.080. Platting authority is vested in the Planning Director.

### **SUBMITTAL REQUIREMENTS**

**A platted right of way vacation (ROWV) application will be scheduled for the next available planning commission meeting after a complete application has been received.**

- \$500 non-refundable fee to help defray costs of advertising public hearing. Plat fees will be in addition to the vacation fees.
- City Advisory Planning Commission. Copy of minutes at which this item was acted on, along with a copy of City Staff Report.
- B St. \_\_\_\_\_ platted public right of way proposed to be vacated was dedicated by the plat of Bayview \_\_\_\_\_ Subdivision, filed as Plat No. 0000-839 in the Homer \_\_\_\_\_ Recording District.
- 3 copies of the plat or map showing the platted right of way to be vacated. Must not exceed 11 x 17 inches in size. Area to be vacated must be clearly depicted. Proposed alternative public access to be shown and labeled on the sketch.
- REASON FOR VACATING The petitioner must attach a statement with reasonable justification for the vacation of the platted right of way / platted easement / platted public area.

Has the platted right of way been fully or partially constructed?	Yes	<input checked="" type="checkbox"/>	No
Is the platted right of way used by vehicles / pedestrians / other?	Yes	<input checked="" type="checkbox"/>	No
Is alternative right-of-way being provided?	Yes	<input checked="" type="checkbox"/>	No
Are there utility easements associated with the right of way to be vacated?	<input checked="" type="checkbox"/>	Yes	No
Is the platted right of way and or associated utility easement in use by any utility company?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>
If so, which utility provider?			

### **LEGAL DESCRIPTION ADJOINING LAND:**

Lot, Block, Subd. or street address Lot 163 Bayview Subd., Lots 164-A & 164-B Bayview Subd. No. 6	
Section, township, range Section 21, T6S, R13W	
City (if applicable) Homer	General area Base of Homer Spit

**The petition must be signed by owners of a majority of the land affected by the platted right of way proposed to be vacated. Each petitioner must include address and legal description of his/her property. Attach additional signature sheets if needed.**

Submitted by:

Land Owner: 

Name (printed): Doyon Tourism, Inc (Patrick Duke, SVP CFO)	Signature
e-mail: dunlapz@doyon.com	Address: 11500 Sukdu Way ANC AK 99515
Owner of: Record	

Land Owner: 

Name (printed): Doyon, Limited (Patrick Duke, SVP CFO)	Signature
e-mail: dunlapz@doyon.com	Address: 1 Doyon Place FAI AK 99701
Owner of: Record	

FOR OFFICE USE ONLY

RECEIVED BY \_\_\_\_\_

DATE SUBMITTED \_\_\_\_\_

535

KPB FILE # \_\_\_\_\_

**CITY OF HOMER PUBLIC HEARING NOTICE & NOTICE OF SUBDIVISION  
PLANNING COMMISSION MEETING**

A public hearing on the matters below are scheduled for Wednesday, December 6, 2023 at 6:30 p.m. during the Regular Planning Commission Meeting. Participation is available virtually via Zoom webinar or in-person at Homer City Hall.

**A proposal to vacate the B Street right-of-way within the Bayview Subdivision NO. 6 (HM 94-51), located in the SW1/4 SEC. 21, T. 6 S., R. 13 W., S.M.**

---

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:

**Bayview Subdivision Lighthouse Village 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 copy of the proposals may be viewed at Homer City Hall, in the Clerk's Office Lobby on the lower level. 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 5pm on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for December 1, 2023 at <https://www.cityofhomer-ak.gov/calendar>. It will also be available at the Planning and Zoning Office at Homer City Hall and at the Homer Public Library.

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

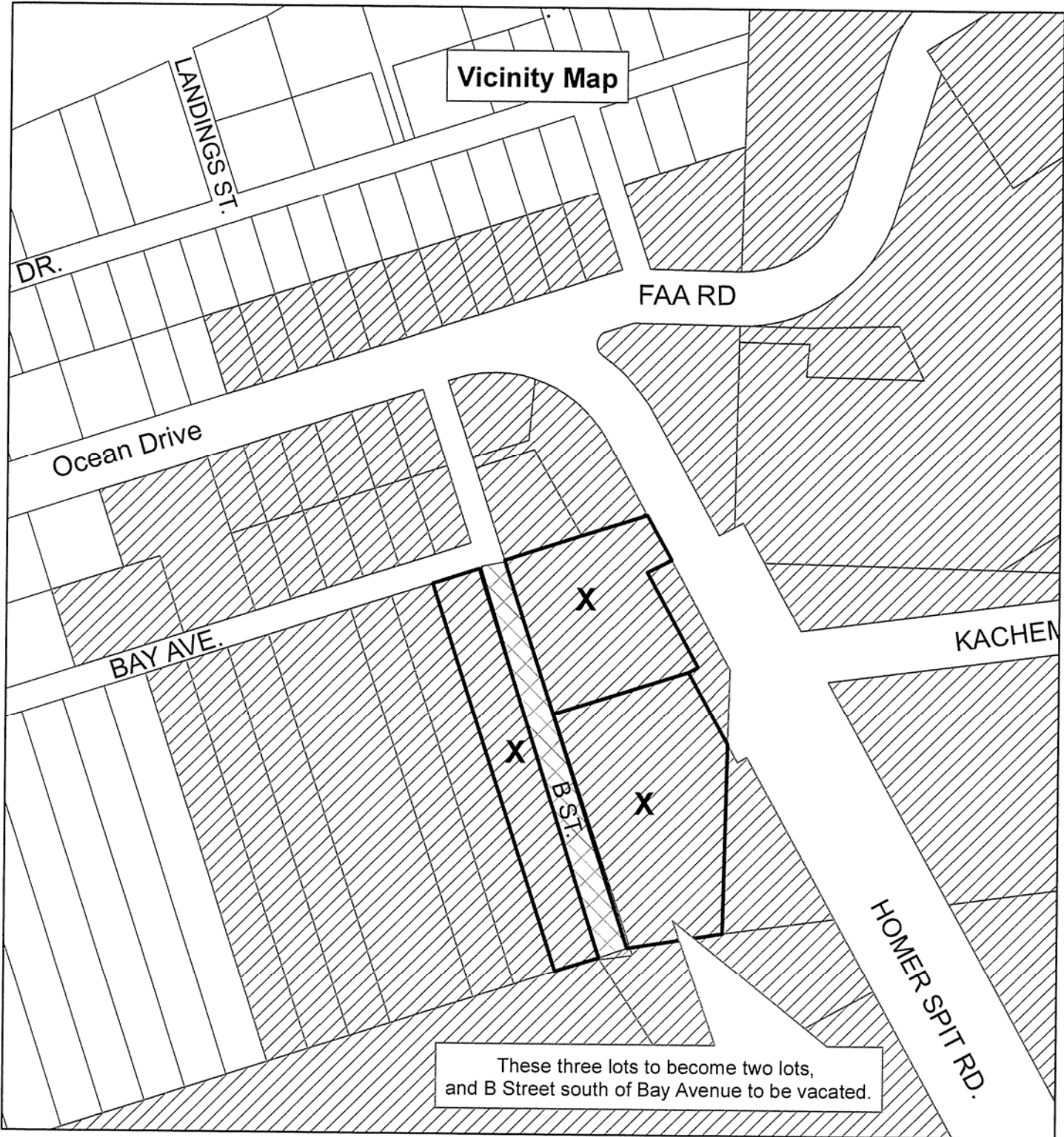
If you have questions, contact Ryan Foster at the Planning and Zoning Office. Phone: (907) 435-3120, email: [planning@ci.homer.ak.us](mailto:planning@ci.homer.ak.us) or in-person at Homer City Hall.

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

Vicinity Map 536 Reverse

**E3-27**

Vicinity Map



These three lots to become two lots, and B Street south of Bay Avenue to be vacated.

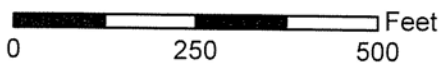


City of Homer  
Planning and Zoning Department

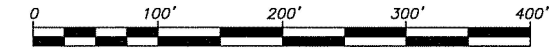
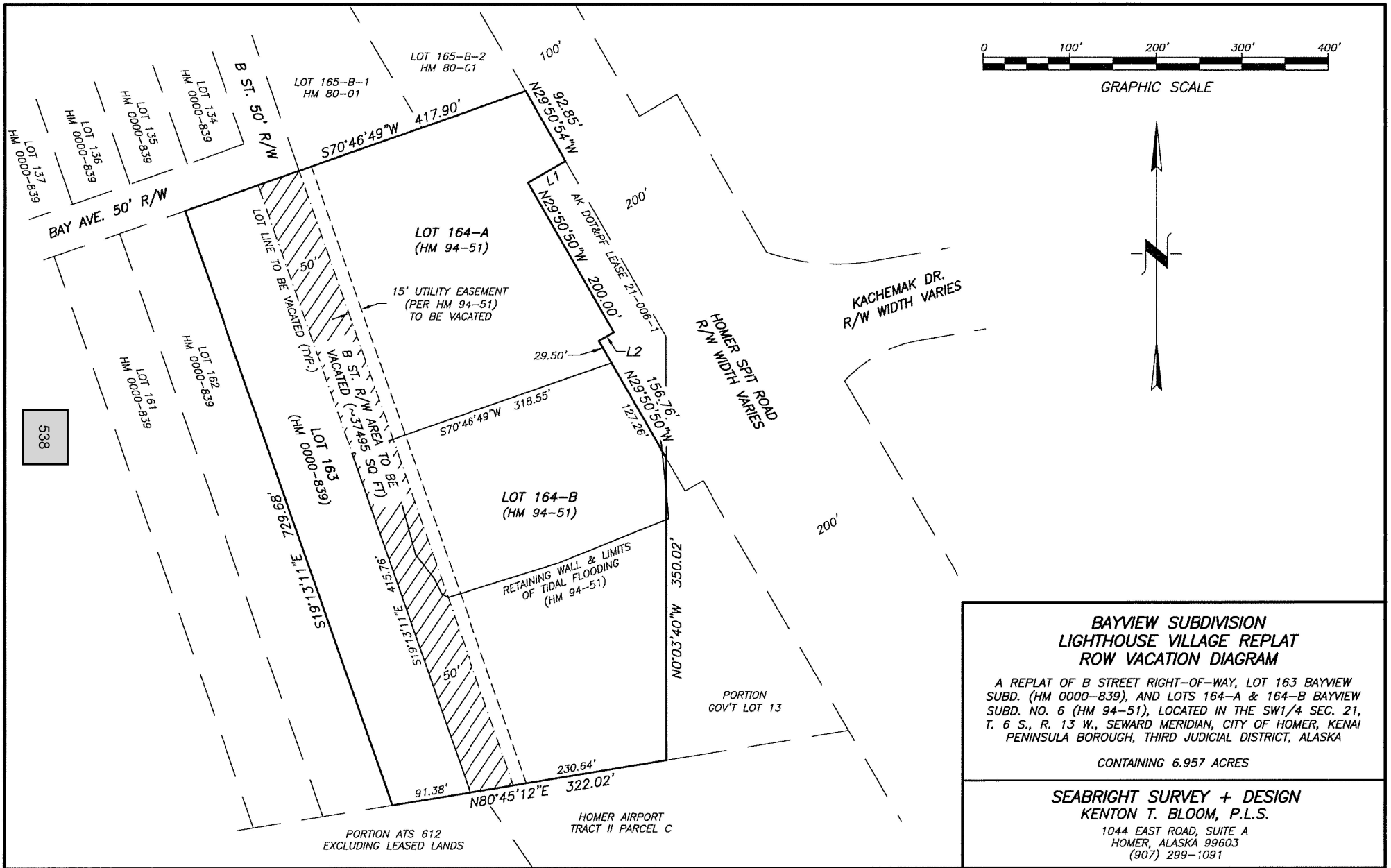
11/20/23

Vacation of a Portion of B Street and  
Bayview Sub Lighthouse Village 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.*



GRAPHIC SCALE



**BAYVIEW SUBDIVISION  
LIGHTHOUSE VILLAGE REPLAT  
ROW VACATION DIAGRAM**

A REPLAT OF B STREET RIGHT-OF-WAY, LOT 163 BAYVIEW SUBD. (HM 0000-839), AND LOTS 164-A & 164-B BAYVIEW SUBD. NO. 6 (HM 94-51), LOCATED IN THE SW1/4 SEC. 21, T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA

CONTAINING 6.957 ACRES

**SEABRIGHT SURVEY + DESIGN  
KENTON T. BLOOM, P.L.S.**

1044 EAST ROAD, SUITE A  
HOMER, ALASKA 99603  
(907) 299-1091

**NOTES**

1. THE 15' FRONTING RIGHTS-OF-WAY AND THE 20' WITHIN 5' OF SIDE LOT LINES 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. THESE LOTS ARE SUBJECT TO CITY OF HOMER ZONING REGULATIONS. REFER TO HOMER CITY CODE FOR ALL CURRENT SETBACK AND SITE DEVELOPMENT RESTRICTIONS. OWNERS SHOULD CHECK WITH THE CITY OF HOMER PRIOR TO DEVELOPMENT ACTIVITIES.
3. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.
4. NO ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
5. 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.
6. STATE RIGHT-OF-WAY IS FROM STATE OF ALASKA DOT&PF RIGHT OF WAY MAP ALASKA PROJECT F-021-1(23) "HOMER SPIT" SHEET 1 & STATE OF ALASKA DOT&PF RIGHT OF WAY MAP ALASKA PROJECT QF-021-1(25) "HOMER BY-PASS" SHEET 8.
7. THE NATURAL MEANDERS OF MEAN HIGH WATER IS FOR AREA COMPUTATIONS ONLY, THE TRUE CORNERS BEING ON THE EXTENSION OF THE SIDELINES AND THE INTERSECTION WITH THE NATURAL MEANDERS.
8. THERE IS AN EASEMENT GRANTED TO DOUGLAS A. WICKER FOR THE CONSTRUCTION, MAINTENANCE, AND USE OF THE RETAINING WALL WITHIN B ST. R/W RECORDED BK 227 PG 144 HRD.

**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.

LINE TABLE		
LINE #	LENGTH	BEARING
L1	50.00'	N60°08'43"E
L2	20.00'	N60°08'36"E

**LEGEND**

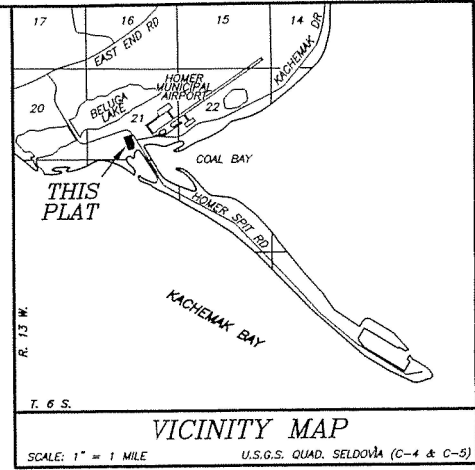
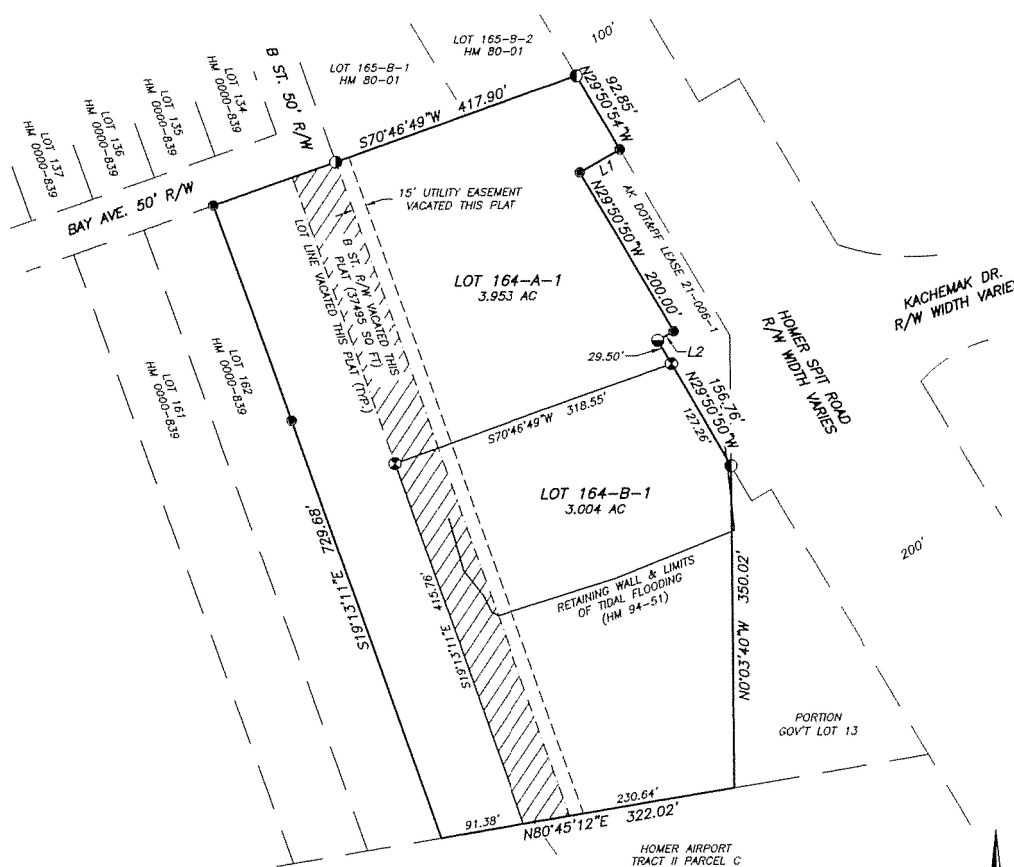
- ① SET 2" AC 7968-S 2024
- ② 2" AC 7610-S 1994
- ③ 2" AC 7610-S 1984
- ④ 2" AC 3686-S 1989
- 5/8" REBAR

**NOTARY'S ACKNOWLEDGMENT**

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

**NOTARY'S ACKNOWLEDGMENT**

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



**CERTIFICATE OF OWNERSHIP**

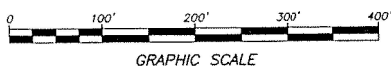
I HEREBY CERTIFY THAT DOYON, LIMITED IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT ON BEHALF OF DOYON, LIMITED, I HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND BY MY FREE CONSENT DEDICATE ALL RIGHTS OF WAY AND PUBLIC AREAS TO PUBLIC USE, AND GRANT ALL EASEMENTS TO THE USE SHOWN HEREON.

AUTHORIZED SIGNATORY FOR: FORMER LOTS 164-A & 164-B  
 DOYON, LIMITED  
 11500 SUKDU WAY, SUITE 250  
 ANCHORAGE, AK 99515

**CERTIFICATE OF OWNERSHIP**

I HEREBY CERTIFY THAT DOYON TOURISM, INC. IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT ON BEHALF OF DOYON TOURISM, INC., I HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND BY MY FREE CONSENT DEDICATE ALL RIGHTS OF WAY AND PUBLIC AREAS TO PUBLIC USE, AND GRANT ALL EASEMENTS TO THE USE SHOWN HEREON.

AUTHORIZED SIGNATORY FOR: FORMER LOT 163  
 DOYON TOURISM, INC.  
 11500 SUKDU WAY, SUITE 250  
 ANCHORAGE, AK 99515



HOMER RECORDING DISTRICT KPB FILE NO. 2023-XXX

**BAYVIEW SUBDIVISION  
 LIGHTHOUSE VILLAGE REPLAT**

A REPLAT OF B STREET RIGHT-OF-WAY, LOT 163 BAYVIEW SUBD. (HM 0000-839), AND LOTS 164-A & 164-B BAYVIEW SUBD. NO. 6 (HM 94-51), LOCATED IN THE SW1/4 SEC. 21, T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA

CONTAINING 6.957 ACRES

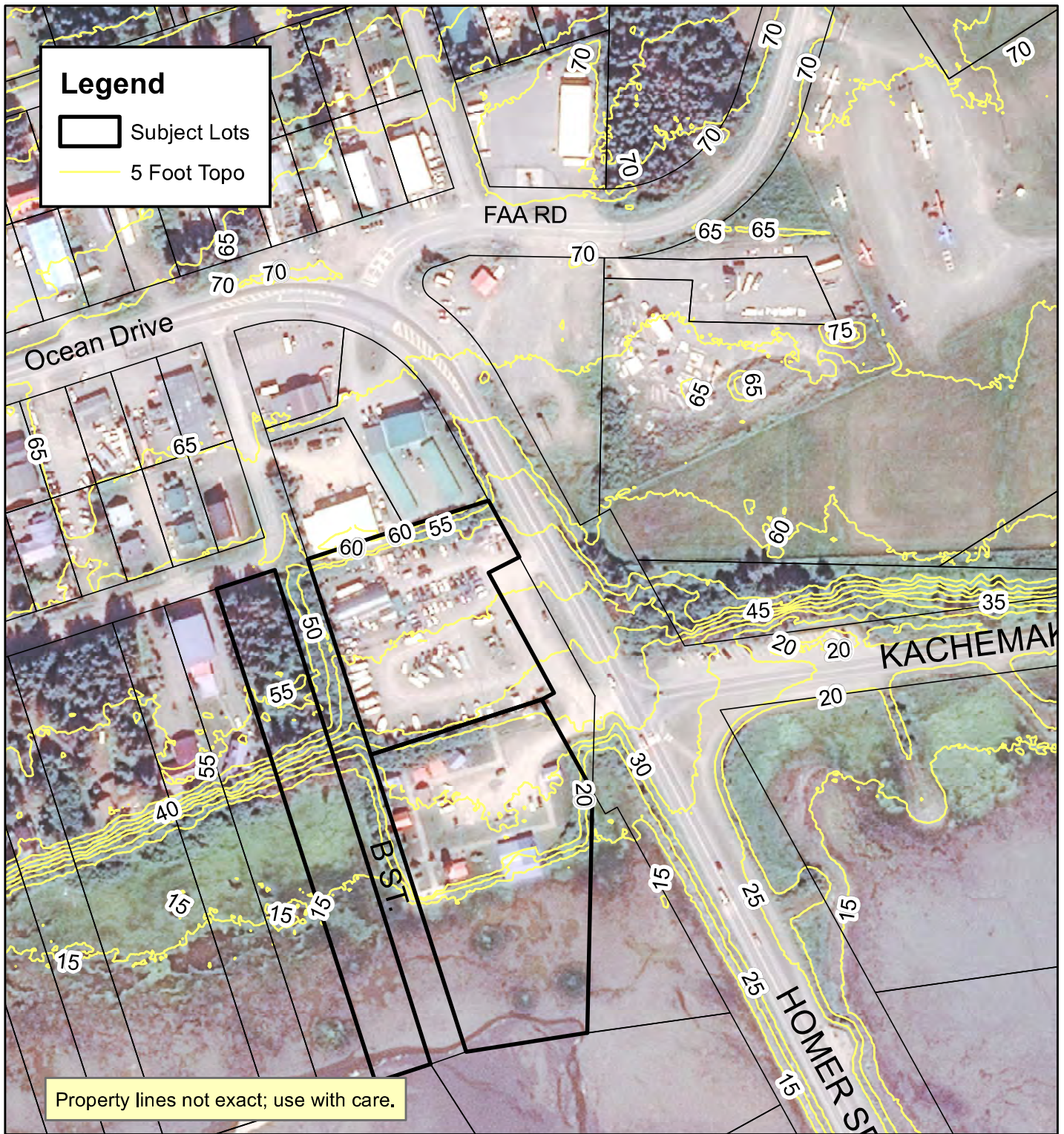
**SEABRIGHT SURVEY + DESIGN  
 KENTON T. BLOOM, P.L.S.**

1044 EAST ROAD, SUITE A  
 HOMER, ALASKA 99603  
 (907) 299-1091

CLIENTS: DOYON, LIMITED & DOYON TOURISM, INC.  
 11500 SUKDU WAY ANCHORAGE, AK 99515

DRAWN BY: KK	CHKD BY: KB	JOB #2023-88
DATE: 11/2023	SCALE: 1"=100'	SHEET #1 OF 1

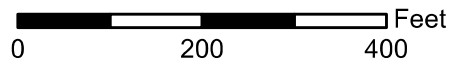
639



City of Homer  
 Planning and Zoning Department

11/20/23

**Aerial Map**



*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.*



~~STARK/HIGHLAND MOVED TO CONTINUE THE APPLICANTS PRESENTATION TO THE NEXT REGULAR MEETING.~~

~~There was no discussion.~~

~~VOTE. NON-OBJECTION. UNANIMOUS CONSENT.~~

~~Motion carried.~~

~~STARK/HIGHLAND MOVED TO CONTINUE THE PUBLIC HEARING TO THE NEXT REGULAR MEETING.~~

~~There was no discussion.~~

~~VOTE. NON-OBJECTION. UNANIMOUS CONSENT.~~

~~Motion carried.~~

~~Chair Smith called for a motion to continue rebuttal of testimony by staff.~~

~~BARNWELL/SCHNEIDER MOVED TO CONTINUE THE REBUTTAL OF TESTIMONY BY STAFF TO THE NEXT REGULAR MEETING.~~

~~There was no discussion.~~

~~VOTE. NON-OBJECTION. UNANIMOUS CONSENT.~~

~~Motion carried.~~

~~Chair Smith called for a motion to continue rebuttal of testimony by the applicant.~~

~~BARNWELL/SCHNEIDER MOVED TO CONTINUE THE REBUTTAL OF TESTIMONY BY APPLICANT TO THE NEXT REGULAR MEETING.~~

~~There was no discussion.~~

~~VOTE. NON-OBJECTION. UNANIMOUS CONSENT.~~

~~Motion carried.~~

C. Staff Report 23-062, Vacation of B Street Right of Way South of Bay Avenue

Chair Smith introduced the item and deferred to City Planner Foster

City Planner Foster reviewed Staff Report 23-062 for the record.

Public Works Director Keiser stated that upon hearing new information, she will be doing some research, referring to a possible existing agreement about the viewing platform and believed it to be an important consideration, the possible fill on the south side if the larger lot being in violation of the Corps of Engineer's permit and the existing pedestrian path possibly in the right of way or on the adjacent property. Public Works Department is generally the keeper of city rights of way whether for motorized, non-motorized or utility use. If there is an existing non-motorized use in that right of way then the City will want to keep that non-motorized use and she urged the Commission not to take any action until Public Works provides a report of additional facts related to those issues.

Chair Smith requested a motion to continue the applicant's presentation to the next meeting.

STARK/SCHNEIDER MOVED TO CONTINUE THE APPLICANT'S PRESENTATION TO THE NEXT REGULAR MEETING.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Chair Smith requested a motion to continue the Public Hearing.

STARK/SCHNEIDER MOVED TO CONTINUE THE PUBLIC HEARING TO THE NEXT REGULAR HEARING.

There was a brief discussion on the process at the next meeting with staff providing additional information and the time was winding down on the extension and they still haven't addressed the other CUP's.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Chair Smith requested motion to continue rebuttal of testimony from staff and the applicant.

BARNWELL/SCHNEIDER MOVED TO CONTINUE REBUTTAL OF TESTIMONY BY STAFF TO THE NEXT REGULAR MEETING.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

BARNWELL/SCHNEIDER MOVED TO CONTINUE REBUTTAL OF TESTIMONY BY THE APPLICANT TO THE NEXT REGULAR MEETING.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

D. Staff Report 23-063, Request for Conditional Use Permit CUP 23-09, More than One Building at 1149 Virginia Lynn Way

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

City Planner Foster inquired if it was the Commission's intent to continue the next three Conditional Use Permits or address them tonight.

Chair Smith confirmed for the City Planner, after a brief discussion and with the consensus of the Commission that since the Doyon items were continued to the next regular meeting, the Commission would be in the same situation if they continued these items to the next meeting as well. He further noted that the applicant has expressed a preference to address the items tonight.

Chair Smith called for a motion to extend the meeting to 11:00 p.m.

SCHNEIDER/HIGHLAND MOVED TO EXTEND THE MEETING TO 11:00 P.M.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

City Planner Foster provided a summary review of Staff Report 23-063 for the Commission. He noted that this action was started in May of 2023, then Council amended the zoning code in August, that made the action a conditional use. He noted the aerial views provided in the packet stating that it appears there has been recent construction; the similar layout for all three projects.

Public Works Director Keiser provided information on water and sewer connections and that with the required setbacks the property was tightly constrained and recommended a preconstruction survey requirement to ensure the buildings were being constructed outside the setbacks.

Paul Heuper, applicant and property owner, commented that the City Planner did an excellent job representing the project and he was available for any questions. He expressed his appreciation for the willingness of the Commission to address this item at this meeting.

Chair Smith opened the Public Hearing.

Kathy Beachy, city resident and property owner, related her involvement in the development of the neighborhood, she expressed concerns for density, and the lack of available parking.

Scott Adams, city resident, expressed concerns on the density, and commented that there is already construction being conducted without a permit, and questioned if there are there covenants for that subdivision.

- Buffer between the proposed project and the rural residential neighborhood
  - o Hotels are very modular in nature
  - o Loss of rooms with loss of height
- Clarification on treating this project as a PUD
  - o Directing back to addressing strictly the rezone
  - o It is referred to as a PUD due to the entire proposal which includes the housing, hotels, condos etc.
  - o Reiterated that it is contingent upon approval of the CUP
- There may be possible replacement of rooms by adding them to the 4<sup>th</sup> floor
- The subject property for rezone is private property and just because it was not done by the former owner doesn't mean it cannot or should not be done.
  - o Condos are residential, employee housing is residential
  - o Comprehensive Plan recommends the area of placement where the hustle and bustle is occurring

Chair Smith restated that the Commission was required to make a recommendation on this action tonight.

HIGHLAND/SCHNEIDER MOVED TO ADOPT STAFF REPORT 23-061 AND RECOMMEND COUNCIL APPROVAL OF THE AMENDMENT TO THE ZONING MAP FOR 1491 BAY AVENUE FROM RURAL RESIDENTIAL TO GENERAL COMMERCIAL ONE.

There was no further discussion.

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

Motion carried.

C. Staff Report 23-062, Vacation of B Street Right of Way South of Bay Avenue

Chair Smith introduced the item and noted for the record that the staff report was heard in detail at the last meeting and asked if the Commission needed a summary of that report provided.

The Commission did not indicate a summary was needed and a short recess was requested.

Chair Smith called for a recess at 11:20 p.m. The meeting was called back to order at 11:26 p.m. with a request for a motion to extend the meeting.

SCHNEIDER/BARNWELL MOVED TO CONTINUE THE MEETING TO 12:30 A.M.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Katie Kirsis, Seabright Survey & Design stated they prepared the right of way vacation and provided a summary of the action noting that it would be included in the replat as well.

Zach Dunlap, applicant, stated that this vacation will allow them to extend the walkway which was depicted in the rendering provided in the supplemental packet.

Chair Smith opened the public comments.

Mark Mikols, city resident, commented on vacating the easement allows the public to trespass on private property. He questioned if that vacation would provide a legal access to the public.

Katie Kirsis responded that in exchange for vacating the right of way a pedestrian easement would be granted and would encompass the sidewalk providing perpetual legal access.

Rick Foster, city resident, Klondike Avenue, provided his experience dealing with vacation and believed that it would not be equal or superior to what is available now and believed that it would go to the Borough Planning Commission and City Council and it would be thrown out. He then added comments on Spot Zoning citing a similar location near the Research Reserve Buildings and that was determined to be spot zoning since it provided a similar buffer; then remarked on the Planned Unit Development was not widely accepted when first adopted due to the issues that may arise in the hands of weak planning director. We need to get rid of it and tighten the rules. Town Center is identified on the zoning map there is a central business district that is the focus of those districts.

Penelope Haas, non-resident, expressed comments regarding the applicant creating a little pathway, there is nothing equal to what is existing, the area is already protected, referred to building a large hotel across the land and large development that the public does not want and allowing the public to continue the use of what they already have.

Susan Cushing, city resident, expressed support for previous comments made, consideration for the future, viewing wildlife in that area to be vacated, removing one of the few remaining accesses to the beach at Mariner Park.

Rika Mouw, B Street Road Right of Way is priceless as an access to such a rare opportunity, it is a precious public asset and that privatizing this access would be similar to previous incident at Forest Trails taking out the trees, and it means so much more than a concrete sidewalk and viewing platform to many people.

Beverly Bowman, city resident, questioned if the City Planner was supposed to be impartial, it is spot zoning in her experience as a commercial real estate broker, spoke on the profit that Doyon is going to make, consideration of the existing residents and businesses on the spit if a tsunami hits

PW Director responded regarding the comment on illegally removing an easement providing clarification that this was not an easement but a right of way and the city was legally allowed to give away the land and previously done so on many occasions.

Glenn Seaman, city resident, commented that the borough has specific rules to vacate, and he feels that they will not follow the recommendations. He spoke about the platform and that it was not comparable, he reviewed the borough rules, if the commission votes to vacate that it should be similar to the previous owner.

Bette Seaman, city resident, commented on making it accessible as transportation so it needs to be wider to allow for passing people with strollers, questioned how they are going to have the platform that hangs out over the marsh. Questioned how wide the platform was and if it is only eight feet did not think that was wide enough.

Scott Adams, city resident by annexation, commented on the land being public land, value of the land, in the previous discussion according to a recent case of a property owner, who wanted to close a trail that was used by snow machines that property owner lost. He warned that if they vacate this they are giving it away for just a trail and viewing platform.

Eric Engebretsen, city resident, commented on protecting land rights and uses, noted the trail goes to the left and the right but that does not give prescriptive rights to access private land.

Karin Marks, city resident, commenting on the process and the Commission can vote and then there is a vote at Council and the Borough and if the Commission passes this, it will go to City Council and allows Doyon to continue making improvements.

Chair Smith closed the public comments and offered rebuttal to Staff and the applicant.

City Planner Foster provided information on his duties and responsibilities as the staff liaison to the Commission. He reiterated the process of right of vacations noting that the Commission is not the final authority.

Staff and the Applicant responded and facilitated discussion on the following:

- Addressing the development, if the vacation is not approved.
  - o Applicant would go back to the drawing board
  - o Hope to come to a compromise, but it will be challenging
- provided the basis for placement of the hotel due to soil testing
- Important to encourage legal public access and believed it fit into the non-motorized transportation plan
  - o A pedestrian corridor would be established to the tide lands and platform
  - o Connection to Homer Spit Road would be tentative until the Applicant could review requirements, regulations
  - o Typical width of the pedestrian walkway was 15-20 feet
- Public Access and separation between the Rural Residential and General Commercial 1
  - o Clarification on spot zoning
  - o Screening
  - o Addressed by the Preliminary Plat
    - Provide continuous and contiguous to GC1
- There is an existing use for the Right of Way
  - o Improvement in the existing use
  - o Apparent value to the improvement of non-motorized connections and access
- Concerns on drainage easement
  - o Would provide improved drainage
- Details of the design have not been determined as yet by the applicant

- The city has no building department<sup>2</sup>
  - o Zoning Permit applications do not go to the level of detail needed for this project
  - o it is hoped that with the conditions established in the various documents that will be disseminated out of this, that the details will get solidified
- Public access creates issues between people, wildlife and dogs in the sensitive areas
  - o Employ known tactics to increase education for the public regarding sensitive areas
  - o Interpretive signage
- Clarification of a right of way and easement
  - o City has the authority to determine uses for a Right of Way
  - o Easements have a more defined restriction such as utility, pedestrian and use of that easement is limited to the restriction
  - o Public Access Easement is a term in the vernacular and would allow unrestricted public access along the route.
- Support was expressed by the Commission for the objectivity of the City Planner
  - o Required to provide technical analysis and review in accordance of the existing regulations
- Spacing requirements for pathways

STARK/SCHNEIDER MOVED TO ADOPT STAFF REPORT 23-062 AND RECOMMEND APPROVAL OF THE VACATION OF THE B STREET RIGHT OF WAY SOUTH OF BAY AVENUE WITH THE FOLLOWING COMMENTS:

1. CREATION OF A PUBLIC ACCESS ROUTE TO ACCOMMODATE PEDETRIAN BICYCLE ACCESS FROM BAY AVENUE ALL THE WAY TO HOMER SPIT ROAD.
2. DRAINAGE EASEMENT OR CONVENIENCE FOR DRAINAGE FROM BAY AVENUE SOUTH TO KACHEMAK BAY
3. RECOMMENDATIONS PROVIDED IN MEMORANDUM ON PAGE 86 OF THE PACKET FROM THE PUBLIC WORKS DIRECTOR FOR VACATING THIS PARCEL.

Discussion ensued on the following:

- Absent proof of equal and superior access action will fail at council level
- If this motion is passed Commissioner Venuti will be excusing himself at the Borough level
- Is it possible to create equal access given what the Mayor has stated and currently what is proposed by the Applicant is not spatially or otherwise?
  - o Define equal and better access based on Lot 163, there are lots of moving parts
    - It is existing trail the ends into the marsh land or onto private property
    - Applicant proposed a built walkway that is pedestrian and bicycle friendly
    - There is no possibility of the roadway to be constructed
- Public Works reviewed the possibility of improving the existing public access and it was determined that the City could not make the improvements required for access and drainage due to cost impediment so it was removed from the project
  - o Receiving a ten foot paved pedestrian/bicycle path that takes one from Bay Avenue to the Homer Spit Road would be a real asset to the City
- A partial trail that ends into private land versus a trail that proceeds from Bay Avenue to the proposed boardwalk that goes to Homer Spit Road
  - o Council hire an assessor appraise the access
  - o Require Doyon to maintain the pathway
- May be more tangibles for why it is better
- Lack of consideration for the vacation of the right of way to a private enterprise

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<sup>2</sup> Public Works Director Keiser misspoke stating the city had no planning department

- o The improved value may be a consideration
- o Exchanging a right of way for an easement is not equal value

Chair Smith requested a motion to extend the meeting another hour at 12:30 a.m.

SCHNIEDER/HIGHLAND MOVED TO EXTEND THE MEETING TO 1:00 AM

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Further debate on the motion and points made were as follows:

- Council stated value of the right of way
- City has vacated similar right of way and did not require compensation to do so
- In review of the proposed non-motorized amenity Public Works would be very supportive but since the City has not building code unless there is a condition stated requiring this amenity there are no guarantees or assurance that the applicant will perform
  - o The right to review plans and specifications is also needed.

STARK/BARNWELL MOVED TO ADD A COMMENT DESIGN SUBJECT TO APPROVAL BY THE HOMER CITY ENGINEER.

Additional discussion ensued on the city has approved trails standards to guide the construction so it is not arbitrary, corrected the verbiage to the motion.

VOTE. (Amendment.) NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Chair called for additional discussion on the main motion as amended.

Further discussion on the motion ensued with the following points made:

- Moving the right of way to the west to maintain a barrier between rural residential and GC1; how that action would impact the project and the applicant could respond to that question
- Right of Ways maintained by the city versus the property owner, preference for the maintenance to be taken on by the applicant
- Significant impacts would occur if the setback was created to more than what is required and would also impact the possible pedestrian access as well as drainage.

Chair Smith requested the Clerk to restate the motion and called for the vote.

STARK/SCHNEIDER MOVED TO ADOPT STAFF REPORT 23-062 AND RECOMMEND APPROVAL OF THE VACATION OF THE B STREET RIGHT OF WAY SOUTH OF BAY AVENUE WITH THE FOLLOWING COMMENTS:



1. CREATION OF A 10 FOOT PUBLIC ACCESS ROUTE TO ACCOMMODATE PEDESTRIAN AND BICYCLE ACCESS FROM BAY AVENUE ALL THE WAY TO THE HOMER SPIT ROAD.
2. DRAINAGE EASEMENT OR CONVEYANCE FOR DRAINAGE FROM BAY AVENUE SOUTH TO KACHEMAK BAY.
3. DESIGN SUBJECT TO BE APPROVED BY THE CITY OF HOMER ENGINEER

VOTE. NO. HIGHLAND, CONLEY, BARNWELL, VENUTI, SCHNEIDER

YES. STARK, SMITH

Motion failed.

### PLAT CONSIDERATION

A. Staff Report 23-066, Bayview Subdivision Lighthouse Village Replat Preliminary Plat

Chair Smith Introduced the item by reading of the title and deferred to the Clerk regarding postponing this item to the next meeting.

Commissioner Highland requested postponement due to the hour.

Deputy City Clerk Krause deferred to the City Planner but noted that as far as process if allowed by the applicant they could do so.

City Planner Foster clarified that there are time limits and has 49 days and they are at 47 so he can send an email and the applicant can officially respond, or they can power through, the Applicant agreed to the postponement of this item to the next regular meeting.

Chair Smith requested a motion and second to continue to the next meeting.

HIGHLAND/SCHNEIDER MOVED TO POSTPONE STAFF REPORT THE BAYVIEW SUBDIVISION LIGHTHOUSE VILLAGE REPLAT PRELIMINARY PLAT TO THE NEXT REGULAR MEETING ON JANUARY 17, 2024.

Public Works Director Keiser stated that she will not be at the next meeting as tomorrow was her last day with the city and would like to provide some comments on the action.

1. Plats show the boundary of the wetlands and the applicant said that they were going to have a wetland delineation performed, she recommended having a requirement to see the wetland delineation added to plat so it is clear to all where it is

2. Referencing Note 8 refers to the Meeker easement, and for disclosure this Meeker easement is a problem that should be addressed. It was an easement between the city and Douglas Meeker in 1993 to allow encroachment into the city right of way by a retaining wall and the fill behind the retaining wall. This condition states that grantees at their expense shall restore the land within the above described easement to original condition at such time the grantee elects to remove said retaining wall. She recommended having a real estate attorney review and address the easement.



## City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

[Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)

(p) 907-235-3106

(f) 907-235-3118

January 3, 2024

## Homer Advisory Planning Commission

### Notice of Action

**Request:** Recommend denial of the vacation of B Street Right of Way south of Bay Avenue

Applicants:

Doyon, Limited  
11500 Sukdo Way Suite 250  
Anchorage, AK 99515

Kenton Bloom  
Seabright Survey + Design  
1044 East Road Suite A  
Homer, AK 99603

At the special meeting of January 3, 2024 the Homer Advisory Planning Commission forwarded a **recommendation for denial** of the vacation of B Street Right of Way south of Bay Avenue, with staff report, and the attached draft minutes to the Kenai Peninsula Borough Planning Commission.

Should you have any questions, please contact the planning office at 907-235-3106.

Cc: Beverly Carpenter, Platting Technician, Kenai Peninsula Borough

**NOTES**

1. THE 15' FRONTING RIGHTS-OF-WAY AND THE 20' WITHIN 5' OF SIDE LOT LINES 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. THESE LOTS ARE SUBJECT TO CITY OF HOMER ZONING REGULATIONS. REFER TO HOMER CITY CODE FOR ALL CURRENT SETBACK AND SITE DEVELOPMENT RESTRICTIONS. OWNERS SHOULD CHECK WITH THE CITY OF HOMER PRIOR TO DEVELOPMENT ACTIVITIES.
3. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.
4. NO ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
5. 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.
6. STATE RIGHT-OF-WAY IS FROM STATE OF ALASKA DOT&PF RIGHT OF WAY MAP ALASKA PROJECT F-021-1(23) "HOMER SPI" SHEET 1 & STATE OF ALASKA DOT&PF RIGHT OF WAY MAP ALASKA PROJECT OF-021-1(25) "HOMER BY-PASS" SHEET 8.
7. THE NATURAL MEANDERS OF MEAN HIGH WATER IS FOR AREA COMPUTATIONS ONLY, THE TRUE CORNERS BEING ON THE EXTENSION OF THE SIDELINES AND THE INTERSECTION WITH THE NATURAL MEANDERS.
8. THERE IS AN EASEMENT GRANTED TO DOUGLAS A. MEKKER FOR THE CONSTRUCTION, MAINTENANCE, AND USE OF THE RETAINING WALL WITHIN B ST. R/W RECORDED BK 227 PG 144 HRD.
9. SOME OF 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 AREA. (ZONE AE, FRM FLOODPLAIN PANEL 02122C-2022C, EFFECTIVE DATE 10/20/2016)

**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.

LINE TABLE		
LINE #	LENGTH	BEARING
L1	50.00'	N60°15'29"E
L2	20.00'	N60°15'22"E

**LEGEND**

- SET 2" AC 7968-S 2024
- 2" AC 7610-S 1994
- 2" AC 7610-S 1984
- 2" AC 3886-S 1989
- 5/8" REBAR

**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 20' PUBLIC ACCESS EASEMENT GRANTED THIS PLAT. THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE OR MAINTAIN IMPROVEMENTS.

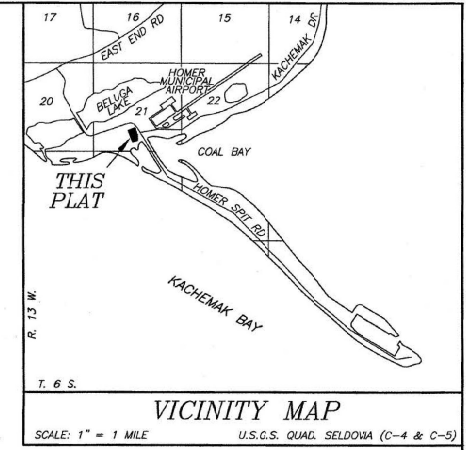
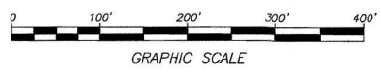
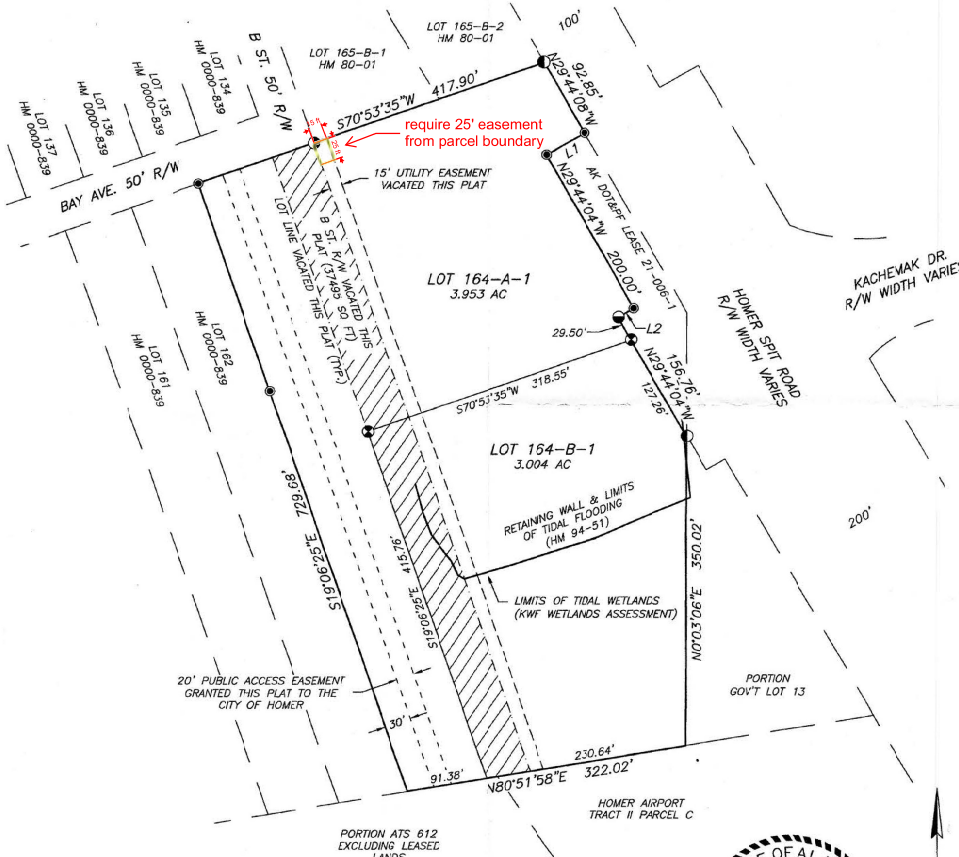
MELISSA JACOBSEN, CITY MANAGER DATE \_\_\_\_\_  
 CITY OF HOMER

**NOTARY'S ACKNOWLEDGMENT**

FOR: \_\_\_\_\_  
 ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_  
 DAY OF \_\_\_\_\_, 2025  
 NOTARY PUBLIC FOR ALASKA  
 MY COMMISSION EXPIRES \_\_\_\_\_

**NOTARY'S ACKNOWLEDGMENT**

FOR: \_\_\_\_\_  
 ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_  
 DAY OF \_\_\_\_\_, 2025  
 NOTARY PUBLIC FOR ALASKA  
 MY COMMISSION EXPIRES \_\_\_\_\_



**CERTIFICATE OF OWNERSHIP**  
 I HEREBY CERTIFY THAT DOYON, LIMITED IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT ON BEHALF OF DOYON, LIMITED, I HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND BY MY FREE CONSENT DEDICATE ALL RIGHTS OF WAY AND PUBLIC AREAS TO PUBLIC USE, AND GRANT ALL EASEMENTS TO THE USE SHOWN HEREON.

AUTHORIZED SIGNATORY FOR: FORMER LOTS 164-A & 164-B  
 DOYON, LIMITED  
 11500 SUKDU WAY, SUITE 250  
 ANCHORAGE, AK 99515

**CERTIFICATE OF OWNERSHIP**  
 I HEREBY CERTIFY THAT DOYON TOURISM, INC. IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT ON BEHALF OF DOYON TOURISM, INC., I HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND BY MY FREE CONSENT DEDICATE ALL RIGHTS OF WAY AND PUBLIC AREAS TO PUBLIC USE, AND GRANT ALL EASEMENTS TO THE USE SHOWN HEREON.

AUTHORIZED SIGNATORY FOR: FORMER LOT 153  
 DOYON TOURISM, INC.  
 11500 SUKDU WAY, SUITE 250  
 ANCHORAGE, AK 99515

HOMER RECORDING DISTRICT KPB FILE NO. 2024-XXXX

**BAYVIEW SUBDIVISION  
 LIGHTHOUSE VILLAGE REPLAT**

A REPLAT OF B STREET RIGHT-OF-WAY, LOT 163 BAYVIEW SUBD. (HM 0000-839), AND LOTS 164-A & 164-B BAYVIEW SUBD. NO. 6 (HM 94-51), LOCATED IN THE SW1/4 SEC. 21, T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA

CONTAINING 6.957 ACRES

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

CLIENTS: DOYON, LIMITED & DOYON TOURISM, INC.  
 11500 SUKDU WAY ANCHORAGE, AK 99515

DRAWN BY: KK	CHKD BY: KK	JOB #2023-88
DATE: 11/2024	SCALE: 1"=100'	SHEET #1 OF 1

## Anderson, Heidi

---

**From:** OSP Design Group <ospdesign@gci.com>  
**Sent:** Tuesday, December 10, 2024 8:57 AM  
**To:** Anderson, Heidi  
**Cc:** OSP Design Group  
**Subject:** RE: Question on GCI comments on KPB Bayview Sub.Lighthouse Village Replat KPB 2024-131 and KPB 2024-131V  
**Attachments:** Plat Prelim KPB 2024 131 Reduced 241210.pdf

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**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.

---

Heidi,

We require a 25' long (from parcel boundary) X 15' wide easement as shown in attached map.

Thanks,

**GCI** | OSP Design

e: OSPDesign@gci.com | w: [www.gci.com](http://www.gci.com)

---

**From:** Anderson, Heidi <handerson@kpb.us>  
**Sent:** Tuesday, December 10, 2024 8:32 AM  
**To:** OSP Design Group <ospdesign@gci.com>  
**Subject:** Question on GCI comments on KPB Bayview Sub.Lighthouse Village Replat KPB 2024-131 and KPB 2024-131V

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Good morning,

We would like to clarify if you are requesting a 25' Wide x 15' long Easement from the Property Boundary or if you need something different?

And are you wanting 25' wide for the entire easement or only the first 15'.

Thank you,

**Heidi Anderson**

**Platting Technician, Planning Department**

**Office:** 907-714-2200 **Direct:** 907-714-2207

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**Kenai Peninsula Borough**  
144 N. Binkley St. Soldotna, AK 99669  
[Handerson@kpb.us](mailto:Handerson@kpb.us)

---

**From:** OSP Design Group <[ospdesign@gci.com](mailto:ospdesign@gci.com)>  
**Sent:** Monday, December 9, 2024 4:30 PM  
**To:** Anderson, Heidi <[handerson@kpb.us](mailto:handerson@kpb.us)>  
**Cc:** OSP Design Group <[ospdesign@gci.com](mailto:ospdesign@gci.com)>  
**Subject:** RE: Question regarding GCI comments on KPB Bayview Subdivision Lighthouse Village Replat KPB 2024-131 and KPB 2024-131V

---

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Heidi,

We are objecting to a part of the 15' utility easement vacation, we require a 25' easement from the parcel boundary for pole and anchors that currently reside inside as shown in attached plat map.

Thanks,

**GCI** | OSP Design  
e: [OSPDesign@gci.com](mailto:OSPDesign@gci.com) | w: [www.gci.com](http://www.gci.com)

---

**From:** Anderson, Heidi <[handerson@kpb.us](mailto:handerson@kpb.us)>  
**Sent:** Friday, December 6, 2024 10:05 AM  
**To:** OSP Design Group <[ospdesign@gci.com](mailto:ospdesign@gci.com)>  
**Subject:** Question regarding GCI comments on KPB Bayview Subdivision Lighthouse Village Replat KPB 2024-131 and KPB 2024-131V

**[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]**

Hi,

There wasn't a Map included in your reply for Bayview Sub. Lighthouse Village Replat KPB 2024-131 and KPB 2024-131V. I have attached both prelim Plats. One is for the ROW Vacation request.

Would you be objecting to the Entire ROW Vacation or part of it? If part of it, if you would please show on the Map, that would be great.

Thank you,

**Heidi Anderson**  
**Platting Technician, Planning Department**



**Kenai Peninsula Borough**  
144 N. Binkley St. Soldotna, AK 99669  
[Handerson@kpb.us](mailto:Handerson@kpb.us)

---

**From:** OSP Design Group <[ospdesign@gci.com](mailto:ospdesign@gci.com)>  
**Sent:** Wednesday, December 4, 2024 4:45 PM  
**To:** Anderson, Heidi <[handerson@kpb.us](mailto:handerson@kpb.us)>  
**Cc:** OSP Design Group <[ospdesign@gci.com](mailto:ospdesign@gci.com)>  
**Subject:** <EXTERNAL-SENDER>RE: PLAT REVIEW FOR December 16, 2024 MEETING: Plat Review State Group; GCI; Enstar; HEA; ACS

---

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---

Heidi,

In review GCI has the following comments or objections to the plats, attached are the signed plats for your records.

**Comments:**

Stone Step Estates (2024-125) the legal description in the title block needs to show the Township to be 05S and Range 12W for SECTION 33.

**Objections:**

Bayview Subdivision Lighthouse Village Replat (2024-131) GCI has an existing pole and anchors that need to remain within the easement of the 15' Utility easement vacation request.

Thanks,

**GCI** | OSP Design  
e: [OSPDesign@gci.com](mailto:OSPDesign@gci.com) | w: [www.gci.com](http://www.gci.com)

---

**From:** Anderson, Heidi <[handerson@kpb.us](mailto:handerson@kpb.us)>  
**Sent:** Tuesday, November 26, 2024 4:39 PM  
**To:** Marsengill, Dale <[DMarsengill@HomerElectric.com](mailto:DMarsengill@HomerElectric.com)>; ENSTAR ROW <[row@enstarnaturalgas.com](mailto:row@enstarnaturalgas.com)>; 'Biloon, Joselyn (DOT)' <[joselyn.biloon@alaska.gov](mailto:joselyn.biloon@alaska.gov)>; 'Robert M. Keiner State of Alaska DOT&PF (bob.keiner@alaska.gov)' <[bob.keiner@alaska.gov](mailto:bob.keiner@alaska.gov)>; OSP Design Group <[ospdesign@gci.com](mailto:ospdesign@gci.com)>; 'Percy, Colton T (DFG)' <[colton.percy@alaska.gov](mailto:colton.percy@alaska.gov)>; 'Huff, Scott' <[shuff@HomerElectric.com](mailto:shuff@HomerElectric.com)>; 'Duilio.Guerrero@acsalaska.com' <[Duilio.Guerrero@acsalaska.com](mailto:Duilio.Guerrero@acsalaska.com)>  
**Cc:** 'Zubeck, Brad' <[BZubeck@HomerElectric.com](mailto:BZubeck@HomerElectric.com)>  
**Subject:** PLAT REVIEW FOR December 16, 2024 MEETING: Plat Review State Group; GCI; Enstar; HEA; ACS

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Hello,

Attached are the plats to be reviewed for the **December 16, 2024** meeting.

- Clan Maxwell Estates Lyon Addition ( KPB 2024-122)
- Apache Acres Part Nine (KPB 2024-123)
- Kingswood Estates 2025 Addition ( KPB 2024-124)
- Stone Step Estates (2024-125)
- Rumley Collie Subdivision Nine (2024-126)
- Hubbards View Subdivision 2024 (KPB 2024-129)
- Kyzer Subdivision Carlson Addition (KPB 2024-130)
- Bayview Subdivision Lighthouse Village Replat (2024-131)
- Dawn Estates Whittenberg Addition (2024-120R1)

Please provide comments by **December 4, 2024** to ensure the comments will be included in a preliminary plat staff report.

Preliminary plat comments will be accepted until the 1:00 p.m. Friday before the meeting date.

Thank you,

**Heidi Anderson**

**Platting Technician, Planning Department**

**Office:** 907-714-2200 **Direct:** 907-714-2207

---



**Kenai Peninsula Borough**

144 N. Binkley St. Soldotna, AK 99669

[Handerson@kpb.us](mailto:Handerson@kpb.us)





**From:** [OSP Design Group](#)  
**To:** [Anderson, Heidi](#)  
**Cc:** [OSP Design Group](#)  
**Subject:** RE: Question regarding GCI comments on KPB Bayview Subdivision Lighthouse Village Replat KPB 2024-131 and KPB 2024-131V  
**Date:** Monday, December 9, 2024 4:32:35 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[Plat Prelim KPB 2024 131 Reduced.pdf](#)

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e: [OSPDesign@gci.com](mailto:OSPDesign@gci.com) | w: [www.gci.com](http://www.gci.com)

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**Sent:** Friday, December 6, 2024 10:05 AM  
**To:** OSP Design Group <[ospdesign@gci.com](mailto:ospdesign@gci.com)>  
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**Heidi Anderson**  
Platting Technician, Planning Department  
Office: 907-714-2200 Direct: 907-714-2207



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[Handerson@kpb.us](mailto:Handerson@kpb.us)

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**Cc:** OSP Design Group <[ospdesign@gci.com](mailto:ospdesign@gci.com)>  
**Subject:** <EXTERNAL-SENDER>RE: PLAT REVIEW FOR December 16, 2024 MEETING: Plat Review State Group; GCI; Enstar; HEA; ACS

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Thanks,

**GCI** | OSP Design

e: [OSPDesign@gci.com](mailto:OSPDesign@gci.com) | w: [www.gci.com](http://www.gci.com)

---

**From:** Anderson, Heidi <[handerson@kpb.us](mailto:handerson@kpb.us)>  
**Sent:** Tuesday, November 26, 2024 4:39 PM  
**To:** Marsengill, Dale <[DMarsengill@HomerElectric.com](mailto:DMarsengill@HomerElectric.com)>; ENSTAR ROW <[row@enstarnaturalgas.com](mailto:row@enstarnaturalgas.com)>; 'Biloon, Joselyn (DOT)' <[joselyn.biloon@alaska.gov](mailto:joselyn.biloon@alaska.gov)>; 'Robert M. Keiner State of Alaska DOT&PF' <[bob.keiner@alaska.gov](mailto:bob.keiner@alaska.gov)> <[bob.keiner@alaska.gov](mailto:bob.keiner@alaska.gov)>; OSP Design Group <[ospdesign@gci.com](mailto:ospdesign@gci.com)>; 'Percy, Colton T (DFG)' <[colton.percy@alaska.gov](mailto:colton.percy@alaska.gov)>; 'Huff, Scott' <[shuff@HomerElectric.com](mailto:shuff@HomerElectric.com)>; 'Duilio.Guerrero@acsalaska.com' <[Duilio.Guerrero@acsalaska.com](mailto:Duilio.Guerrero@acsalaska.com)>

**Cc:** 'Zubeck, Brad' <[BZubeck@HomerElectric.com](mailto:BZubeck@HomerElectric.com)>

**Subject:** PLAT REVIEW FOR December 16, 2024 MEETING: Plat Review State Group; GCI; Enstar; HEA; ACS

**[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]**

Hello,

Attached are the plats to be reviewed for the **December 16, 2024** meeting.

- Clan Maxwell Estates Lyon Addition ( KPB 2024-122)
- Apache Acres Part Nine (KPB 2024-123)
- Kingswood Estates 2025 Addition ( KPB 2024-124)
- Stone Step Estates (2024-125)
- Rumley Collie Subdivision Nine (2024-126)
- Hubbards View Subdivision 2024 (KPB 2024-129)
- Kyzer Subdivision Carlson Addition (KPB 2024-130)
- Bayview Subdivision Lighthouse Village Replat (2024-131)
- Dawn Estates Whittenberg Addition (2024-120R1)

Please provide comments by **December 4, 2024** to ensure the comments will be included in a preliminary plat staff report.

Preliminary plat comments will be accepted until the 1:00 p.m. Friday before the meeting date.

Thank you,

**Heidi Anderson**

**Platting Technician, Planning Department**

**Office:** 907-714-2200 **Direct:** 907-714-2207



**Kenai Peninsula Borough**

144 N. Binkley St. Soldotna, AK 99669

[Handerson@kpb.us](mailto:Handerson@kpb.us)



**From:** [Huff, Scott](#)  
**To:** [Carpenter, Beverly](#)  
**Subject:** <EXTERNAL-SENDER>RE: ROW VACATION REVIEW FOR January 13, 2025 MEETING: ROW State Review Group, HEA, ACS, ENSTAR, GCI  
**Date:** Monday, December 23, 2024 2:54:56 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[Sketch KPB 2024-131V Reduced HEA reviewed.pdf](#)  
[Plat Prelim ROWV Diagram KPB 2024-133V Reduced HEA reviewed.pdf](#)

---

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Beverly,

Attached are the two vacation plat reviews.

In regard to KPB 2024-131V, the landowner will need to set up a new job with HEA to re-route the existing line to an area that fits with the development. The owner is waiting until 2025 to start the new job as they have two years to complete the project and if they submit the application now the last couple days of 2024 will count against one of the calendar years.

After the job is set up, and a new location is engineered, then the land owner will need to grant easements for the new line. HEA will agree to the vacation of the utility easement ONLY after the electric line has been re-routed and new easements are in place. Let me know if you have any questions for this one as it is a little confusing with the order of events that need to take place.

Thanks,

**SCOTT HUFF**  
**907-335-6209**

---

**From:** Carpenter, Beverly <BCarpenter@kpb.us>  
**Sent:** Monday, December 23, 2024 12:46 PM  
**To:** 'Biloon, Joselyn (DOT)' <joselyn.biloon@alaska.gov>; 'Donohue, Joseph M (DNR)' <joseph.donohue@alaska.gov>; 'hans.rinke@alaska.gov' <hans.rinke@alaska.gov>; 'Lorraine Kastner - CDE-CR DESIGN/ENGINEERING (lorraine.kastner@alaska.gov)' <lorraine.kastner@alaska.gov>; 'Robert M. Keiner State of Alaska DOT&PF (bob.keiner@alaska.gov)' <bob.keiner@alaska.gov>; Marsengill, Dale <DMarsengill@HomerElectric.com>; ENSTAR ROW <row@enstarnaturalgas.com>; 'OSP Design Group' <ospdesign@gci.com>; 'Percy, Colton T (DFG)' <colton.percy@alaska.gov>; Huff, Scott <shuff@HomerElectric.com>; 'Duilio.Guerrero@acsalaska.com' <Duilio.Guerrero@acsalaska.com>  
**Cc:** Zubeck, Brad <BZubeck@HomerElectric.com>  
**Subject:** ROW VACATION REVIEW FOR January 13, 2025 MEETING: ROW State Review Group, HEA, ACS, ENSTAR, GCI

**Caution:** This Email originated from outside HEA. DELETE IT NOW if it's from anyone @ HEA! Only click on links if you expected this message.

Hello,

Attached are the sketches to be reviewed for the **January 13, 2025** meeting.

- Bayview Subdivision Lighthouse Village Replat ROWV (KPB 2024-131V)
- Bridge Creek Coop Subdivision 2024 Replat ROWV (KBP 2024-133V)

Please provide comments by **12/31/2024** to ensure the comments will be included in a right-of-way vacation staff report.

Right-of-way vacation comments will be accepted until 1:00p.m. Friday before the meeting date.

Kind regards,

**Beverly Carpenter**  
Platting Specialist, Planning Department  
Office: 907-714-2200 Direct: 907-714-2210



**Kenai Peninsula Borough**  
144 N. Binkley St. Soldotna, AK 99669  
[kpb.us](http://kpb.us)