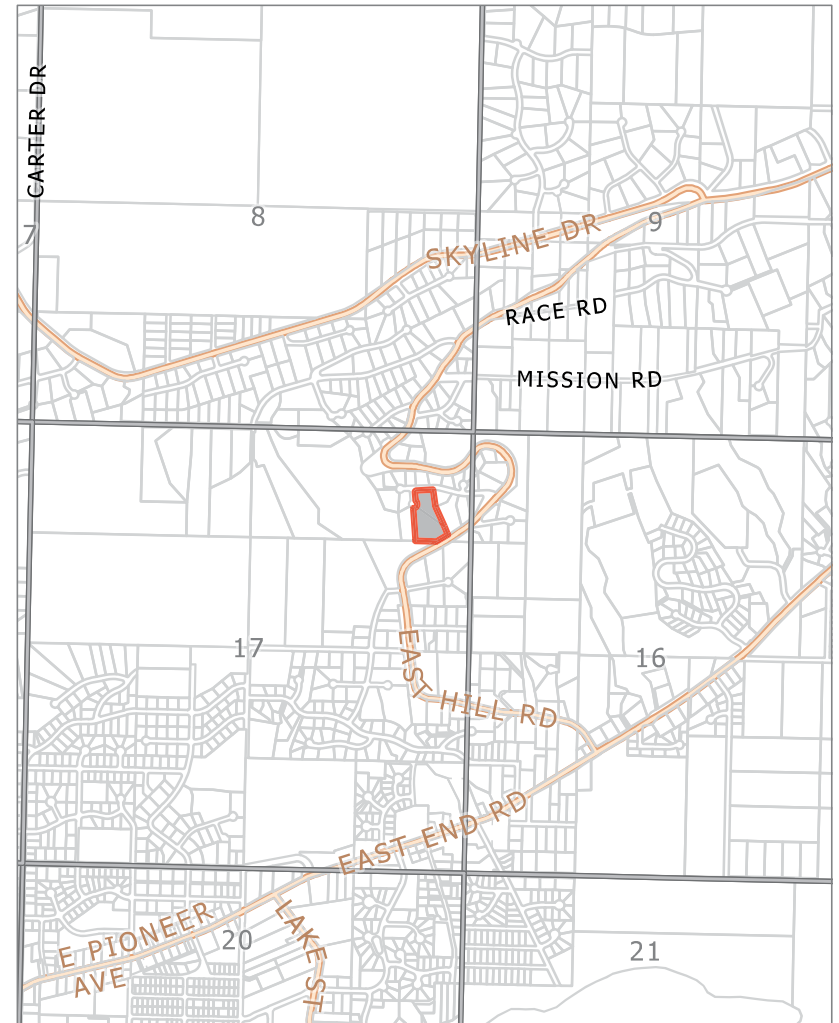


E. NEW BUSINESS

- 5. Bayview Gardens Subdivision Addition 1 Jennings 2024 Replat
KPB File 2024-109
Seabright Surveying / Jennings Community Property Trust
Location: East Hill Road, Larkspur Court & South Larkspur Circle
City of Homer**



KPB File 2024-109
T 06S R 13W SEC 17
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.

NOTES

1. THE FRONT 15' ALONG THE RIGHT-OF-WAY AND THE 5' ADJACENT TO SIDE LOT LINES IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN AN EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
2. DEVELOPMENT OF THESE LOTS IS SUBJECT TO THE 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. LOTS ARE SERVED BY CITY OF HOMER WATER AND SEWER.
4. NO ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION
5. THERE IS A WATER UTILITIES AND APPURTENANCES EASEMENT GRANTED TO CITY OF HOMER THAT AFFECTS THIS SUBDIVISION RECORDED BK 78 PG 990 (HRD).
6. THERE IS A RIGHT OF WAY EASEMENT GRANTED TO HOMER ELECTRIC ASSOCIATION, INC. THAT AFFECTS THIS SUBDIVISION RECORDED BK 83 PG 776 (HRD).
7. THERE ARE COVENANTS, CONDITIONS, RESTRICTIONS AND/OR EASEMENTS THAT AFFECT THIS SUBDIVISION PER BK 91 PG 856 (HRD). AMENDMENTS ARE AS FOLLOWS:
BK 93 PG 51A, BK 104 PG 481, BK 185 PG 287, BK 200 PG 673, BK 241 PG 158, BK 264 PG 797, #2002-003936-0, #2007-005421-0 (HRD).
8. THERE IS A SEWER LINE EASEMENT GRANTED TO THE CITY OF HOMER THAT AFFECTS THIS SUBDIVISION RECORDED BK 167 PG 989 (HRD).

NOTARY'S ACKNOWLEDGMENT

FOR: _____
 ACKNOWLEDGED BEFORE ME THIS _____
 DAY OF _____, 2024.

 NOTARY PUBLIC FOR ALASKA
 MY COMMISSION EXPIRES _____

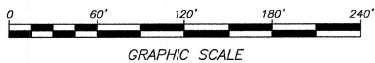
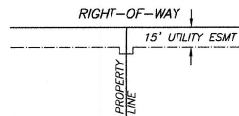
WASTEWATER DISPOSAL

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

LEGEND

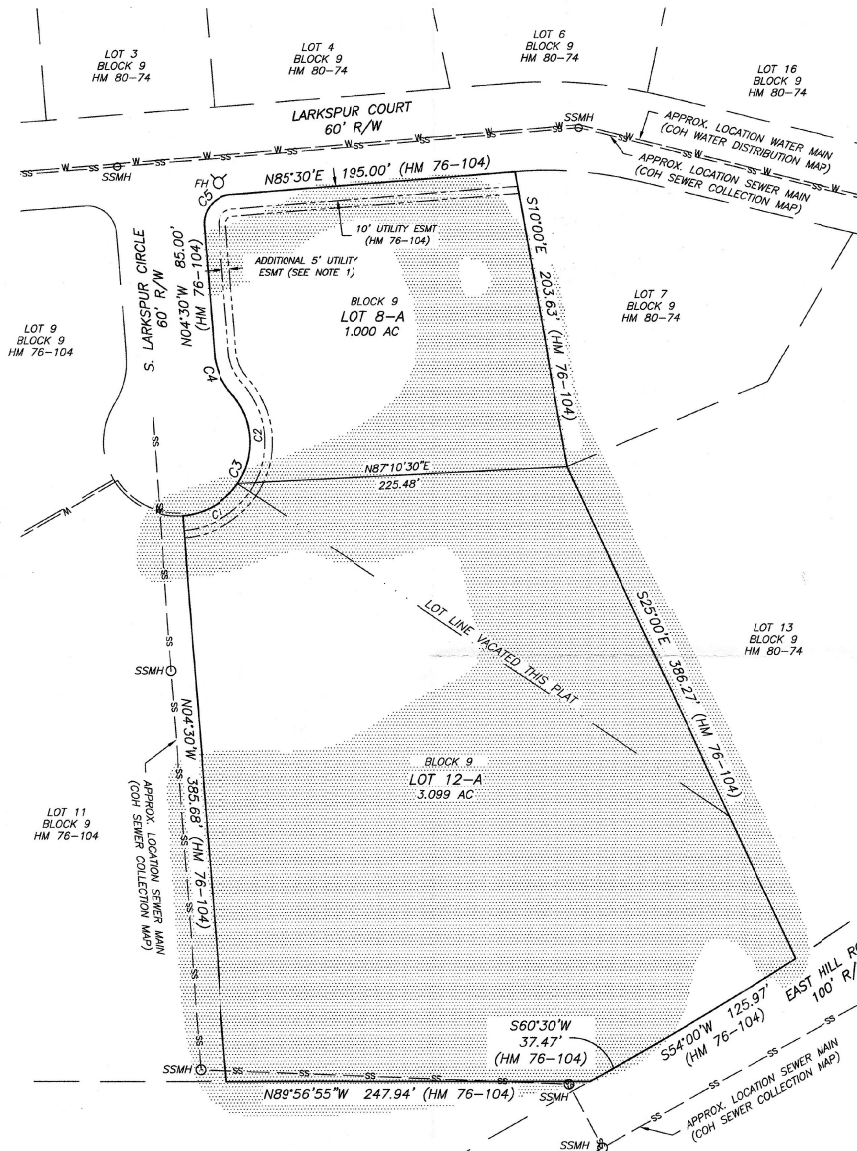
APPROX. AREAS OF 20% SLOPE OR GREATER (KFB GIS)

R/W TYPICAL DETAIL



CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CH. BEARING	CH. LENGTH
C1	44.94'	50.00'	51°30'00"	N59°45'23"E	43.44'
C2	65.77'	50.00'	75°22'12"	N3°40'43"W	61.13'
C3	110.71'	50.00'	126°52'12"	N22°04'17"E	89.44'
C4	32.18'	50.00'	36°52'12"	N22°55'43"W	31.62'
C5	31.42'	20.00'	90°00'00"	N40°30'23"E	28.28'

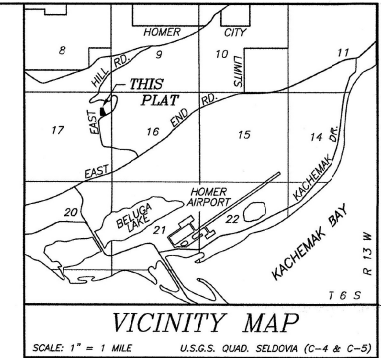
KPB 2024-109



PLAT APPROVAL

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

BY: _____ AUTHORIZED OFFICIAL
 KENAI PENINSULA BOROUGH
 DATE _____



CERTIFICATE OF OWNERSHIP

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

 RICHARD DALE JENNINGS, TRUSTEE
 JENNINGS COMMUNITY PROPERTY TRUST
 969 S. LARKSPUR CIRCLE
 HOMER, 99603

 ROSEMARY ANN JENNINGS, TRUSTEE
 JENNINGS COMMUNITY PROPERTY TRUST
 969 S. LARKSPUR CIRCLE
 HOMER, 99603

NOTARY'S ACKNOWLEDGMENT

FOR: _____
 ACKNOWLEDGED BEFORE ME THIS _____
 DAY OF _____, 2024.

 NOTARY PUBLIC FOR ALASKA
 MY COMMISSION EXPIRES _____

HOMER RECORDING DISTRICT KPB FILE NO. 2024-XXX

BAYVIEW GARDENS SUBDIVISION ADDN. 1 JENNINGS 2024 REPLAT

A SUBDIVISION OF LOTS 8 & 12, BLOCK 9, BAYVIEW GARDENS SUBDIVISION ADDITION 1 (HM 76-104), LOCATED IN THE N1/2 NE1/4 SEC. 17, T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, ALASKA

CONTAINING 4.099 ACRES

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

1044 EAST END ROAD, SUITE A
 HOMER, ALASKA 99603
 (907) 299-1580

CLIENTS: JENNINGS COMMUNITY PROPERTY TRUST
 969 S. LARKSPUR CIRCLE, HOMER, AK 99603

DRAWN BY: KK	CHKD BY: KK	JOB #2024-71
DATE: 10/2024	SCALE: 1"=60'	SHEET #1 OF 1

AGENDA ITEM E. NEW BUSINESS

**ITEM #5 - PRELIMINARY PLAT
BAYVIEW GARDENS SUBDIVISION ADDN 1 JENNINGS 2024 REPLAT**

KPB File No.	2024-109
Plat Committee Meeting:	October 28, 2024
Applicant / Owner:	Jennings Community Property Trust
Surveyor:	Katherine Kirsis / Seabright Survey & Design
General Location:	East Hill Rd Area, City of Homer

Parent Parcel No.:	177-010-29 & 177-010-30
Legal Description:	T 6S R 13W SEC 17 SEWARD MERIDIAN HM 0760104 BAYVIEW GARDENS SUB ADDN NO 1 LOTS 8 & 12 BLK 9
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	City / City
Exception Request	None

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will combine two lots to realign the lot line to form two new lots of size 1.000 acres and 3.099 acres.

Location and Legal Access (existing and proposed):

Legal access to the lots is by Larkspur Ct on the north and Larkspur Cir on the west, both 60' dedications maintained by the City of Homer. Larkspur Ct runs east out to Est Hill Rd which also gives access to Lot 12 on the south.

The plat is not proposing any new dedications or finalizing a vacation of right-of-way.

Block length is not compliant being that the plat is on a cul-de-sac. There is no option for the plat to give a dedication to become compliant due to terrain in the area and multiple cul-de-sacs creating irregular shaped lots also. Staff recommends the Plat Committee concur an exception is not required due to these circumstances being unable to comply with KPB 20.30.170 Block - Length requirements.

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	No comment

Site Investigation:

There are structures currently located on Lot 12 which when the plat is complete will remain on Lot 12-A.

There is city water available to the plat located in Larkspur Ct as shown.

There are steep areas located on the property as indicated by the shading on the drawing. The slope is towards East Hill Rd and a ditch area on the east side of the plat. The shading an remain on the final submittal.

The plat is inside the City of Homer so flood review is from the city review. The City noted there are no wetlands present and the plat is not in a floodplain either. The plat is also not located in the Bridge Creek Watershed Protection District.

The River Center review indicated it is not in a habitat protection district either.

KPB River Center review	<p>A. Floodplain Reviewer: Hindman, Julie Floodplain Status: Within City of Homer Comments: No comments</p> <p>B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p>
State of Alaska Fish & Game	

Staff Analysis

The land was originally aliquot parts of the N1/2 NE1/4 Section 17 and SE1/4 SW1/4 and SE1/4 Section 8 all in Township 6 South, Range 13 West, S.M., Alaska. Bayview Gardens subdivision Addition 1 HM 76-104 was the first division of the land. The current platting action is the first resubdivision of these two lots.

A soils report will not be required as city water and sanitary sewer are available to the lot from the City of Homer. The proper wastewater disposal note is on the plat and should remain for the final submittal.

Per the preliminary Certificate to Plat, beneficial interest holders do not affect the proposed plat. Notification per KPB 20.10.100 will not be required unless the final Certificate to Plat states the property is affected by beneficial interest holders.

The property is located in the City of Homer and was reviewed by the Homer Planning Commission at their regular meeting of September 4, 2024. The plat was presented and reviewed by the committee, meeting all city codes. Staff noted that the 15’ utility easement needed to be modified on the drawing in reference to note #1. Item was voted on with non-objection and a unanimous consent. Motion was carried and approved.

The property is located in a Homer Special Assessment District as noted in the CTP at #17 and recorded in Serial No. 2015-001337-0. Any taxes or assessments due will need to be paid and receipt received by staff, prior to finalizing the plat and recording.

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

Utility Easements

The parent plat identifies a 10’ underground utility on the front line that this plat labels as a10’ utility. **Staff recommends** this easement be relabeled to match the parent plat. The plat labels the 5’ of the 15’ utility as “additional 5’ utility easement”. **Staff recommends** the 15’ utility easement be labeled as such and noted as granted this plat and referenced to plat note 1, also mentioned by City of Homer.

The sewer easement noted in plat note #8 should be marked out on the south end off Lot 12-A as it affects that portion of the lot.

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

Utility provider review:

HEA	No comment
ENSTAR	No comment

ACS	
GCI	Approved as shown
SEWARD ELECTRIC	
CHUGACH ELECTRIC	
TELALASKA	

KPB department / agency review:

Addressing	<p>Reviewer: Leavitt, Rhealyn Affected Addresses: 969 S LARKSPUR CIR, 971 LARKSPUR CT Existing Street Names are Correct: Yes List of Correct Street Names: S LARKSPUR CIR, LARKSPUR CT Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: CITY OF HOMER WILL ADVISE ON ADDRESSING</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat. Review not required.</p>
Assessing	<p>Reviewer: Windsor, Heather Comments: No comment</p>

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

Add the date of October 28, 2024 to the Plat Approval

PLAT NOTES TO ADD

- The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170(B).

KPB 20.25.070 – Form and contents required

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

A. Within the Title Block

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

Staff recommendation:

Modify the KPB File no. to 2024-109

- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries, and prominent natural and manmade features, such as shorelines or streams;
Staff recommendation:
 Add Larkspur Ct to the vicinity map if possible
- G. The status of adjacent lands within 100 feet of the proposed subdivision boundary or the land status across from any dedicated rights-of-way that adjoin the propose subdivision boundary, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;
Staff recommendation:
 Add a label for the parcel to the south of the plat
 Lots to the northeast need the lots corrected
- K. Within the limits of incorporated cities, the approximate location of known existing municipal wastewater and water mains, and other utilities within the subdivision and immediately abutting thereto or a statement from the city indicating which services are currently in place and available to each lot in the subdivision;
Staff recommendation:
 Add the easement for the sewer on the south end of lot 12

KPB 20.30 – Subdivision Design Requirements

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

20.30.060. Easements-Requirements.

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

The parent plat dedicated a 10' underground utility at the front of the lot, correct label.
 Correct label on new utility easement, city of Homer requested new 15' utility easement be labeled as such and change the label of addition 5' utility to 15' utility easement dedicated this plat.

KPB 20.40 – Wastewater Disposal

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

20.40.010 Wastewater disposal.

Platting Staff Comments:

Staff recommendation: *comply with 20.40.*

KPB 20.60 – Final Plat

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

RECOMMENDATION:

STAFF RECOMMENDS:

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

NOTE: 20.25.120. - REVIEW AND APPEAL.

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

END OF STAFF REPORT



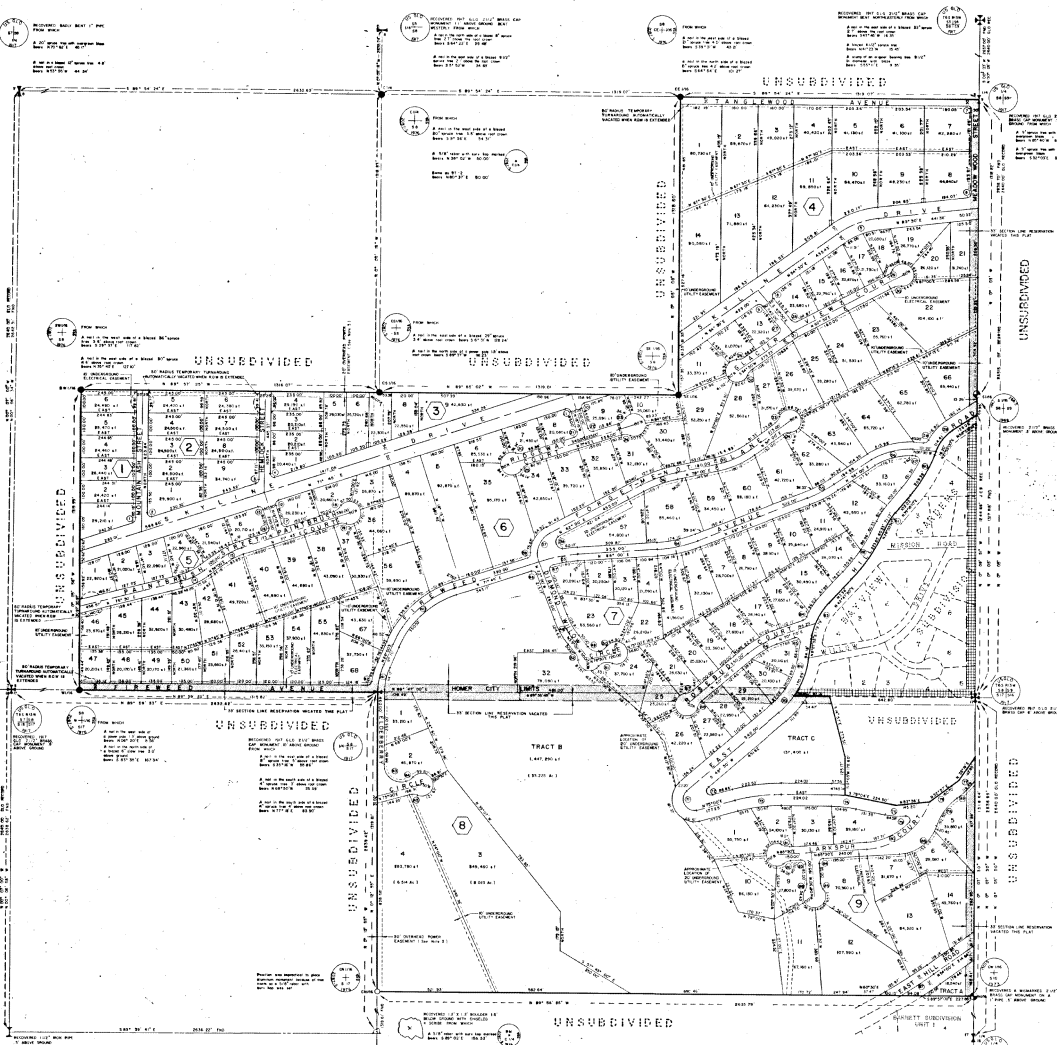
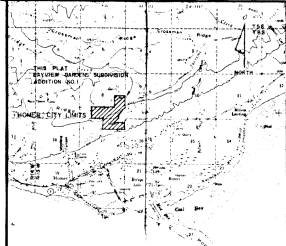
Aerial Map



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CURVE DATA

NO.	RADIUS	DELTA	TANGENT	CHORD	LENGTH
1	20.00	71.45-00	14.46	23.44	25.04
2	20.00	100.15-00	14.46	23.44	25.04
3	20.00	71.45-00	14.46	23.44	25.05
4	20.00	100.15-00	14.46	23.44	25.05
5	385.00	28-00-00	95.57	192.79	194.67
6	20.00	82-33-00	17.88	31.66	29.18
7	20.00	89-49-24	19.94	28.24	31.35
8	20.00	84-33-00	17.88	31.66	29.18
9	20.00	85-30-00	18.49	27.15	29.85
10	20.00	90-00-00	20.00	20.00	28.28
11	20.00	90-00-00	20.00	20.00	28.28
12	20.00	90-00-00	20.00	20.00	28.28
13	20.00	90-00-00	20.00	20.00	28.28
14	20.00	90-00-00	20.00	20.00	28.28
15	20.00	90-00-00	20.00	20.00	28.28
16	20.00	90-00-00	20.00	20.00	28.28
17	20.00	90-00-00	20.00	20.00	28.28
18	20.00	90-00-00	20.00	20.00	28.28
19	20.00	90-00-00	20.00	20.00	28.28
20	20.00	90-00-00	20.00	20.00	28.28
21	20.00	90-00-00	20.00	20.00	28.28
22	20.00	90-00-00	20.00	20.00	28.28
23	20.00	90-00-00	20.00	20.00	28.28
24	80.00	41-24-35	18.90	35.26	36.14
25	80.00	41-24-35	18.90	35.26	36.14
26	80.00	26-52-12	16.47	21.67	22.18
27	20.00	90-00-00	20.00	20.00	28.28
28	20.00	77-30-00	16.65	25.04	27.05
29	20.00	36-52-12	16.47	21.62	22.18
30	20.00	36-52-12	16.47	21.62	22.18
31	300.00	28-32-12	16.47	21.62	22.18
32	300.00	28-32-12	16.47	21.62	22.18
33	300.00	28-32-12	16.47	21.62	22.18
34	300.00	28-32-12	16.47	21.62	22.18
35	400.00	24-00-00	85.02	164.31	147.55
36	400.00	16-00-00	64.32	161.23	147.55
37	97.71	84-00-00	89.77	131.41	146.18
38	30.00	16-00-00	64.32	161.23	147.55
39	400.00	23-49-44	114.25	217.74	204.42
40	400.00	42-45-00	199.18	246.27	237.03
41	200.00	24-12-55	64.36	126.85	126.79
42	200.00	81-38-00	17.26	29.21	29.41
43	75.00	108-47-05	97.26	116.63	131.16
44	75.00	26-52-12	16.47	21.62	22.18
45	80.00	26-52-12	16.47	21.62	22.18
46	20.00	86-30-00	19.73	31.29	30.11
47	20.00	99-28-26	22.20	30.30	34.27
48	20.00	17-00-00	89.29	115.29	119.72
49	20.00	84-30-00	17.88	31.66	29.18
50	20.00	26-52-12	16.47	21.62	22.29
51	20.00	26-52-12	16.47	21.62	22.29
52	20.00	26-52-12	16.47	21.62	22.29
53	20.00	26-52-12	16.47	21.62	22.29
54	20.00	17-30-00	89.26	116.55	120.26
55	600.00	10-30-00	67.71	133.65	130.76
56	200.00	37-30-00	101.84	194.84	194.35
57	150.00	118-02-40	127.57	215.64	209.41
58	70.00	64-57-54	12.73	21.48	22.48
59	150.00	24-00-00	64.32	126.85	114.41
60	498.00	17-23-30	105.52	208.58	200.28
61	200.00	32-44-20	58.29	111.00	111.71
62	790.00	16-14-00	112.47	223.08	221.81
63	200.00	32-44-20	58.29	111.00	111.71
64	20.00	47-01-17	6.71	15.98	16.44
65	20.00	110-27-35	33.64	25.23	41.95
66	400.00	20-00-00	20.53	136.92	130.63
67	20.00	30-52-12	16.47	21.62	22.18
68	60.00	26-47-40	14.44	21.14	22.69
69	365.00	26-47-40	14.44	21.14	22.69
70	40.00	16-14-00	61.56	95.20	94.45
71	80.00	16-14-00	22.51	95.20	94.45
72	40.00	10-00-00	55.41	110.25	111.49
73	800.00	10-00-00	105.39	208.84	204.44
74	200.00	10-00-00	63.61	161.10	157.50
75	300.00	17-20-00	45.71	90.41	90.76
76	200.00	34-00-00	63.61	161.10	157.50
77	350.00	17-05-00	52.72	104.27	104.66
78	250.00	16-41-24	205.00	343.05	261.02
79	70.00	139-20-47	54.23	31.53	40.70
80	370.63	44-41-24	205.00	343.05	261.02
81	80.00	36-52-12	16.47	21.62	22.18
82	80.00	36-52-12	16.47	21.62	22.18
83	20.00	90-00-00	20.00	20.00	28.28
84	20.00	90-00-00	20.00	20.00	28.28
85	80.00	36-52-12	16.47	21.62	22.18
86	250.00	16-41-24	116.47	316.62	315.18
87	200.00	40-30-00	113.57	226.77	220.89
88	163.33	48-00-00	127.64	225.02	221.58
89	400.00	17-04-57	60.19	119.05	119.49

VICINITY MAP
BASE - SELDOWIA (S-S) QUADRANGLE
1" = 1 MILE

CERTIFICATE OF OWNERSHIP AND DEDICATION
I, [we] hereby certify that I am [we are] the owner[s] of the property shown and described herein and that I [we] hereby accept this plan of subdivision and dedicate all streets, alleys, walks, parks, utility easements and other open spaces to public use.
Stanley E. Sears *Michael E. Sears*
GENE EFFLER, III MICHAEL EFFLER
4300 New Drive
Anchorage, Alaska
99505

NOTARY'S ACKNOWLEDGEMENT
STATE OF ALASKA
THIRD JUDICIAL DISTRICT
On this 10 day of October, 1976, before me, the undersigned a Notary Public for the State of Alaska, personally appeared Stanley E. Sears and Michael E. Sears who are known to me to be the persons described in and who executed the foregoing certificate of ownership and dedication, and acknowledged to me that he [they] executed the same as his [their] free and voluntary act.
Witness my hand and official seal this 10 day, month and year hereabove written.
Stanley E. Sears
Notary Public for Alaska
My Commission Expires: June 25, 1980

PLAT APPROVAL
Plat approved by the commission this 10 day of October, 1976.
Michael E. Sears
MAYOR

CERTIFICATE OF SURVEY
I, the undersigned registered land surveyor, hereby certify that this survey has been completed by me or under my direct supervision and that the corners and monuments have been located and established and that dimensions shown hereon are true and correct.
Date 10/10/1976
Stanley E. Sears
Stanley E. Sears
Registered Land Surveyor



THIS PLAT CONTAINS 220.224 ACRES MORE OR LESS

PLAT OF
BAYVIEW GARDENS SUBDIVISION
ADDITION I
LOCATED IN THE N1/2 NE1/4 SEC. 165, T6S, R15W S.W. 1/4.
THIS PORTION BEING WITHIN THE CITY OF HOMER, AND
STAN SW1/4 AND SE1/4 SEC. 165, R15W S.W. 1/4.

STAN SEARS & ASSOCIATES
REGISTERED LAND SURVEYORS
POST OFFICE BOX 208
EAGLE RIVER, ALASKA 99577

DATE - OCTOBER 1976 SCALE 1" = 200' DRAWN BY B. THOMAS WORK ORDER # 76-1
SHEET 1 OF 1 GRID - HOMER CHECKED BY S. SEARS FIELD BOOK # 26-32-34-35

- LEGEND
- Recovered original 1917 GLO Section Corner brass cap monument
 - Recovered original 1917 GLO Quarter Section Corner brass cap monument
 - Recovered 2 1/2" brass cap monument (969 - HNU)
 - Recovered "x" scribed rock (975 - RD)
 - Recovered "x" scribed rock
 - Set A-1 Benchmark aluminum Federal monument
 - Set 5/8" rebar with Surv Map on subdivision boundary
 - Curve number (See curve data chart)
 - Set 5/8" X 30" rebar with Surv Map at all lot corners (Unless otherwise noted)
 - Typical Identifiable Monument Cap
 - Aluminum Cap
 - Survey Cap
 - Section line reservation vacated this plat
 - Section line reservation vacated by previous plat of Bayview Gardens Subdivision

- NOTES
- All bearings are based on the 1917 datum of the General Land Office for the section line common to sections 8 and 9, T6S, R15W, S.W. 1/4, Alaska.
 - There shall be a twenty-foot building set back from all front lot lines.
 - There is a 40-foot easement along the center line through Sections 8 and 17 for a high voltage transmission line which runs through the following lots: Lot 7, Block 5; Lots 3, 20, 25, 36, and 65, Block 6; Lot 4, Block 7. Buildings within this easement must conform to the National Electrical Code.
 - The section lines vacated this plat are shown on plat 76-97 recorded in the Homer Recording District on November 17, 1976.

E5-11

RECORDED 10/19/76
BY [Signature]
DATE 10-10-76
TIME 1:35 PM
Address: [Signature]

HM 76-104



City of Homer

www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
Homer, Alaska 99603

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

Staff Report 24-044

TO: Homer Planning Commission **24-044**
 FROM: Ryan Foster, AICP, Acting City Planner
 DATE: September 4, 2024
 SUBJECT: Bayview Gardens Subdivision Addn. 1 Jennings 2024 Replat

Requested Action: Approval of a preliminary plat to adjust the lot line between Lot 8 and Lot 12.

General Information:

Applicants:	Jennings Community Property Trust 969 S Larkspur Circle Homer, AK 99603	Seabright Survey & Design 1044 East End Rd, Suite A Homer, AK 99603
Location:	South of S Larkspur Circle and Larkspur Court	
Parcel ID:	17701030 and 17701029	
Size of Existing Lot(s):	1.63 acres and 2.47 acres	
Size of Proposed Lots(s):	1 acre and 3.099 acres	
Zoning Designation:	Rural Residential District	
Existing Land Use:	Vacant and Residential	
Surrounding Land Use:	North: Residential South: Residential East: Residential West: Residential	
Comprehensive Plan:	1-C-1 Promote infill development in all housing districts.	
Wetland Status:	No wetlands present.	
Flood Plain Status:	Not in a floodplain.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are present on Larkspur Court.	
Public Notice:	Notice was sent to 37 property owners of 32 parcels as shown on the KPB tax assessor rolls.	

Analysis: This subdivision is within the Rural Residential District. This plat adjusts the lot line between Lot 8 and Lot 12 resulting in Lot 8-A of 1 acre and a lot 12-A of 3.099 acres.

Homer City Code 22.10.051 Easements and rights-of-way

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

Staff Response: The utility easement is depicted as a 10' utility easement per (HM 76-104), however it spells it out as a 15' utility easement in note #1. A 15' utility easement should be depicted on the plat too.

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

Staff Response: City sewer and water mains are located on Larkspur Court.

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

Staff Response: The plat meets these requirements.

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

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

Staff Response: The plat meets these requirements.

- B. North point;

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements. *No such areas are proposed.*

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

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

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

Staff Response: The plat meets this requirement. Areas over 20 percent grade are indicated on the plat.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

Public Works Comments: I noticed the utility easement is depicted as a 10' utility easement per (HM 76-104), however it spells it out as a 15' utility easement in note #1. We want 15' and it should be depicted that way on the plat.

Staff Recommendation:

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

- 1. The utility easement is depicted as a 10' utility easement per (HM 76-104), however it spells it out as a 15' utility easement in note #1. A 15' utility easement should be depicted on the plat too.

Attachments:

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

NOTES

1. THE FRONT 15' ALONG THE RIGHT-OF-WAY AND THE 5' ADJACENT TO SIDE LOT LINES IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN AN EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
2. DEVELOPMENT OF THESE LOTS IS SUBJECT TO THE CITY OF HOMER ZONING REGULATIONS. REFER TO HOMER CITY CODE, TOP ALL CURRENT ZONING AND USE DEVELOPMENT RESTRICTIONS OWNERS SHOULD CHECK WITH THE CITY OF HOMER PRIOR TO DEVELOPMENT ACTIVITIES.
3. LOTS ARE SERVED BY CITY OF HOMER WATER AND SEWER.
4. NO ACCESS TO STATE MAINTAINED HIGHWAY OR STATE-MAINTAINED AIRPORT APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.

NOTARY'S ACKNOWLEDGMENT

FOR
ACKNOWLEDGED BEFORE ME THIS
DAY OF _____, 2024.
NOTARY PUBLIC FOR ALASKA
BY COMMISSION EXPIRES _____

PLAT APPROVAL

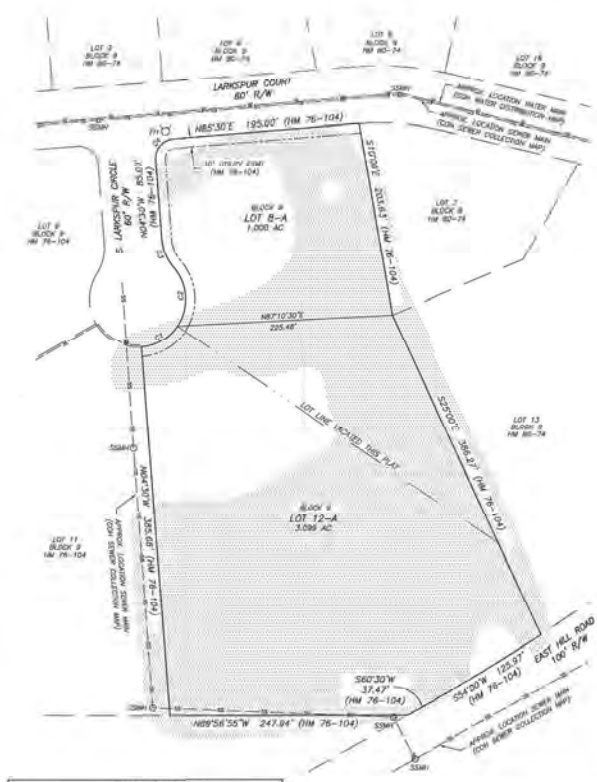
THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____

BY: AUTHORIZED OFFICIAL DATE
KENAI PENINSULA BOROUGH

LEGEND

APPROX AREAS OF JOSE SLOPE OR GREATER (90% SLOPE)

R/W TYPICAL DETAIL



CURVE #	LENGTH	RADIUS	DELTA	CH BEARING	CH LENGTH
C1	44.94'	70.00'	81°20'00"	N89°45'21"E	43.44'
C2	62.77'	20.00'	79°23'12"	N4°40'43"W	61.13'
C3	32.16'	39.00'	105°52'12"	N23°35'43"E	31.80'
C4	31.42'	20.00'	81°02'00"	N47°31'23"E	28.28'

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



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

CERTIFICATE OF OWNERSHIP

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

HOWARD JENNINGS, TRUSTEE
JENNINGS COMMUNITY PROPERTY TRUST
889 S. LARKSPUR CIRCLE
HOMER, 99603

ROSEMARY JENNINGS, TRUSTEE
JENNINGS COMMUNITY PROPERTY TRUST
889 S. LARKSPUR CIRCLE
HOMER, 99603

NOTARY'S ACKNOWLEDGMENT

FOR
ACKNOWLEDGED BEFORE ME THIS
DAY OF _____, 2024.
NOTARY PUBLIC FOR ALASKA
BY COMMISSION EXPIRES _____

HOMER RECORDING DISTRICT KPR FILE NO. 2024-004

BAYVIEW GARDENS SUBDIVISION ADDN. 1 JENNINGS 2024 REPLAT
A SUBDIVISION OF LOTS 8 & 12, BLOCK 8, BAYVIEW GARDENS SUBDIVISION ADDITION 1 (NW 76-104), LOCATED IN THE N1/2 NE1/4 SEC. 17, T. 6 S., R. 15 W., SEWARD MERIDIAN, CITY OF HOMER, ALASKA, CONTAINING 4.099 ACRES.

SEABRIGHT SURVEY + DESIGN
KATHERINE A. KRISIS, P.L.S.
1044 EAST END ROAD, SUITE 4
HOMER, ALASKA 99603
(907) 229-1500

CLIENTS: JENNINGS COMMUNITY PROPERTY TRUST
889 S. LARKSPUR CIRCLE, HOMER, AK 99603
DRAWN BY: KK DATE BY: KK JOB #2024-01
DATE: 08/20/24 SCALE: 1"=60' SHEET #1 OF 1

RECEIVED
 AUG 16 2024
 CITY OF HOMER
 PLANNING/ZONING

SEABRIGHT SURVEY + DESIGN

Katherine A. Kirsis, P.L.S.

1044 East End Road Suite A

Homer, Alaska 99603

(907) 299-1580

seabrightz@yahoo.com

RECEIVED

AUG 16 2024

**CITY OF HOMER
PLANNING/ZONING**

August 16, 2024

City of Homer
491 East Pioneer Ave
Homer, AK 99603

RE: Preliminary Submittal for "Bayview Gardens Subd. Addn. 1 Jennings 2024 Replat"

Dear Planning Department,

We are pleased to submit the above referenced preliminary plat for your review. Included in this submittal packet you will find:

- 1 full size plat copy
- 1 11x17 plat copy
- Signed KPB plat submittal form
- Check for \$300 plat review fee

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

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

Cordially,

Katherine A. Kirsis

Katherine A. Kirsis, PLS
Seabright Survey + Design

NOTICE OF SUBDIVISION

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

Proposed subdivision under consideration is described as follows:

Bayview Gardens Subdivision Addn. 1 Jennings 2024 Replat Preliminary Plat

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

A public meeting will be held by the Homer Planning Commission on Wednesday, September 4, 2024 at 6:30 p.m. In-person meeting participation is available in Cowles Council Chambers located downstairs at Homer City Hall, 491 E. Pioneer Ave., Homer, AK 99603. To attend the meeting virtually, visit zoom.us and enter the Meeting ID & Passcode listed below. To attend the meeting by phone, dial any one of the following phone numbers and enter the Webinar ID & Passcode below, when prompted: 1-253-215-8782, 1-669-900-6833, (toll free) 888-788-0099 or 877-853-5247.

Meeting ID: 979 8816 0903

Passcode: 976062

Additional information regarding this matter will be available by 5 p.m. on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for August 30, 2024 at <https://www.cityofhomer-ak.gov/calendar>. It will also be available at the Planning and Zoning Office at Homer City Hall and at the Homer Public Library.

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

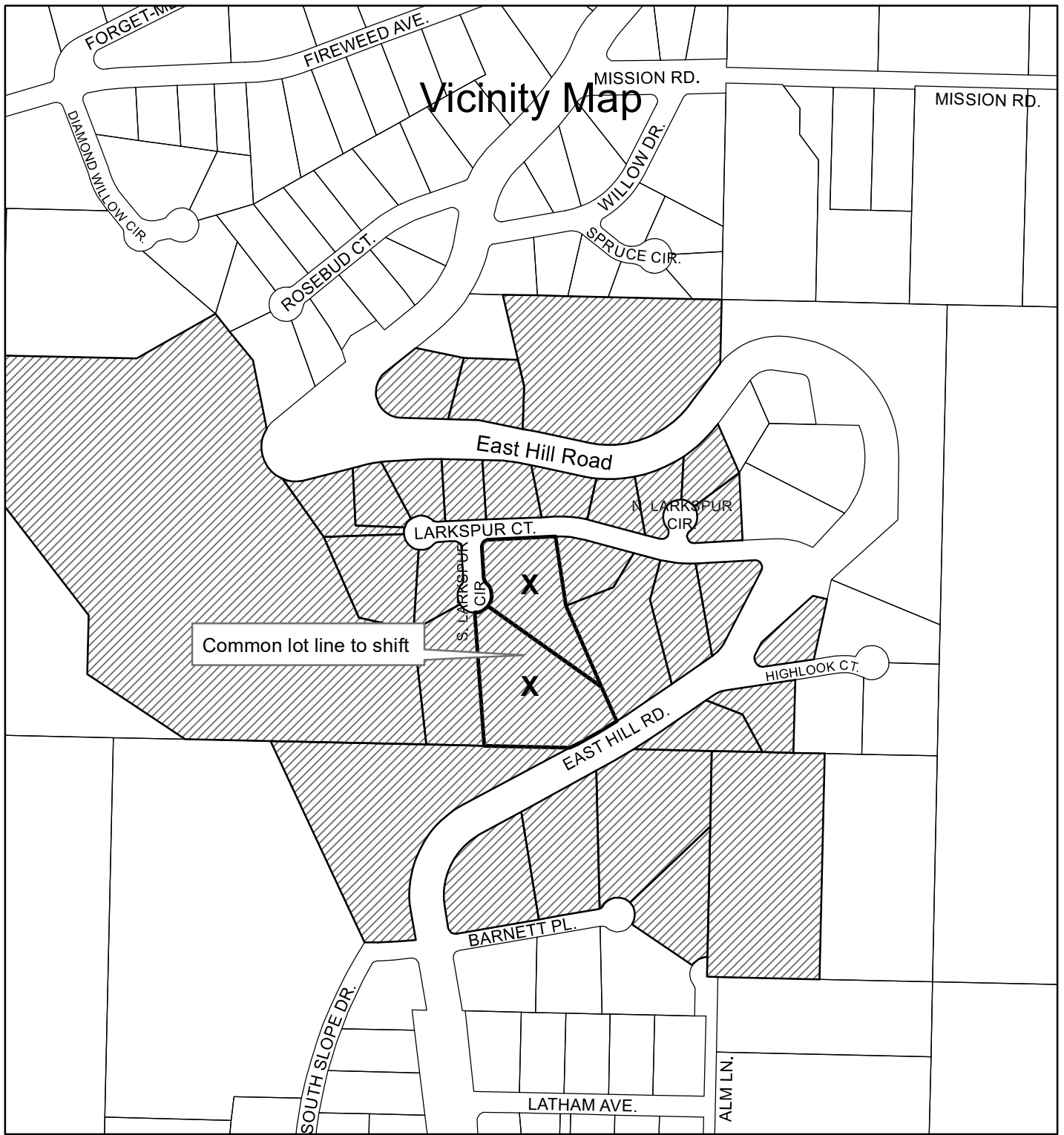
If you have questions or would like additional information, contact Ryan Foster at the Planning and Zoning Office. Phone: (907) 235-3106, email: clerk@cityofhomer-ak.gov, or in-person at Homer City Hall.

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

.....

VICINITY MAP ON REVERSE

Vicinity Map

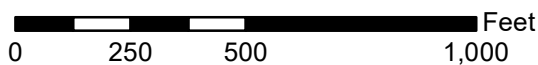


City of Homer
Planning and Zoning Department

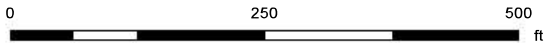
August 22, 2024

Request for Bayview Gardens Subdivision No 1 Jennings 2024 Replat Preliminary Plat

Marked lots are within 500 feet
and property owners notified.

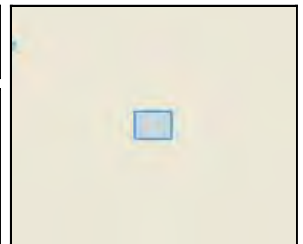


*Disclaimer:
It is expressly understood the City of
Homer, its council, board,
departments, employees and agents are
not responsible for any errors or omissions
contained herein, or deductions, interpretations
or conclusions drawn therefrom.*



NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the Kenai Peninsula Borough assumes no liability of any kind arising from the use of this data. The data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from indemnity, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or correctness of the data, or use of the data.

56



Legend

- Transportation
- Mileposts
- Roads
 - Medium Collector
 - Medium Volume - Unmaintained
 - Medium Volume - Maintained
 - Low / Seasonal
 - Legal Trail
 - Private
 - State Hwy
 - Platted / Proposed
- Parcels and PLSS
- Tax Parcels

There was no further discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

2. Staff Report 24-044, Bayview Gardens Subdivision Addn. 1 Jennings 2024 Replat, Preliminary Plat

Chair S. Smith introduced the item by reading of the title, and deferred to City Planner Foster, who provided a summary of his report included in the packet.

Chair S. Smith opened the floor for the Applicant.

Katie Kirsis stated that she is the surveyor who prepared the plats for this project. She added that it's a simple plat, claiming that they're just moving a lot line. She made herself available for questions.

Chair S. Smith opened the public comment period, but none were offered.

Chair S. Smith then opened the floor to questions and comments from the Commission, but there were none.

Chair S. Smith then requested a motion and second.

SCHNEIDER/H. SMITH MOVED TO ADOPT STAFF REPORT 24-044 AND RECOMMEND APPROVAL OF THE BAYVIEW GARDENS SUBDIVISION ADDITION 1 JENNINGS 2024 REPLAT, PRELIMINARY PLAT WITH THE FOLLOWING ADDITIONAL COMMENTS:

1. THE UTILITY EASEMENT IS DEPICTED AS A 10' UTILITY EASEMENT PER (HM 76-104), HOWEVER IT SPELLS IT OUT AS A 15' UTILITY EASEMENT IN NOTE #1. A 15' UTILITY EASEMENT SHOULD BE DEPICTED ON THE PLAT TOO.

There was no further discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PENDING BUSINESS

NEW BUSINESS

- A. Staff Report 24-045, Storm Water Works Tracts One, Preliminary Plat Reconsideration Memorandum from Deputy City Clerk as backup

Chair S. Smith introduced the item by reading of the title, and noted the motion that was on the table as a result of the reconsideration:

SCHNEIDER/VENUTI MOVED TO ADOPT STAFF REPORT 24-036 AND RECOMMEND APPROVAL OF THE STORM WATER WORKS TRACTS ONE PRELIMINARY PLAT.