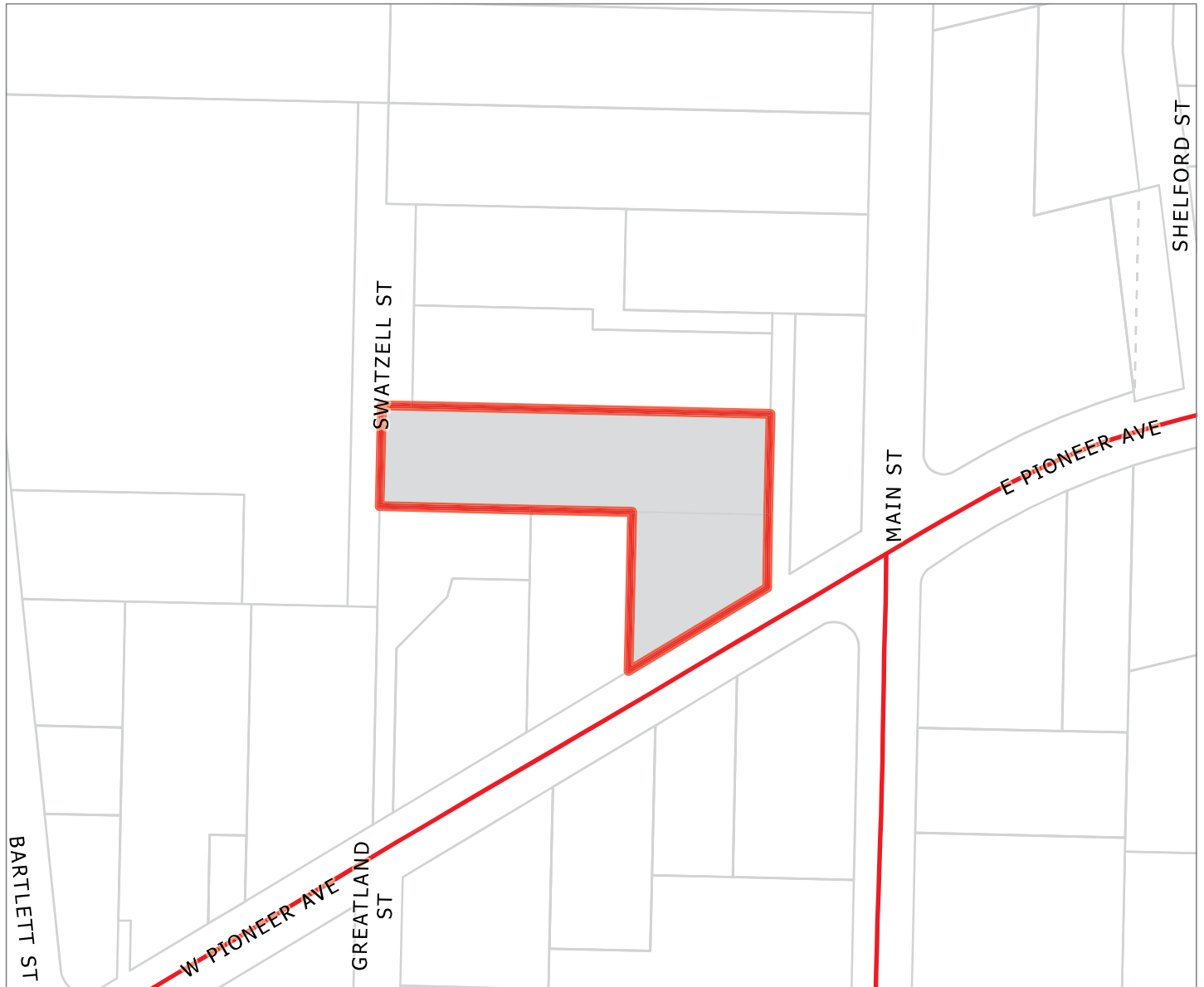


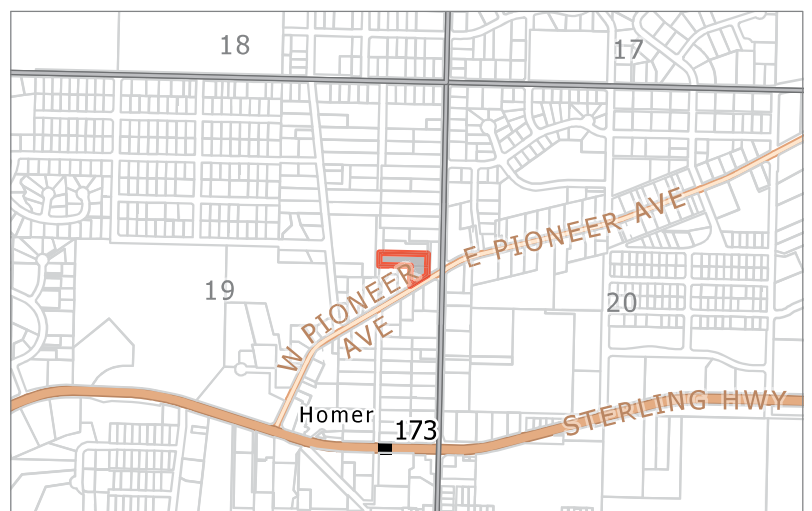
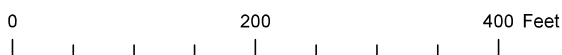
## **E. NEW BUSINESS**

- 1. Bunnell's Subdivision 2023 Replat; KPB File 2023-047**  
**Ability Surveys / Malone, Hendrix**  
**Location: Swatzell Street & West Pioneer Avenue**  
**City of Homer**



KPB File 2023-047  
T 06S R 13W SEC 19  
Homer

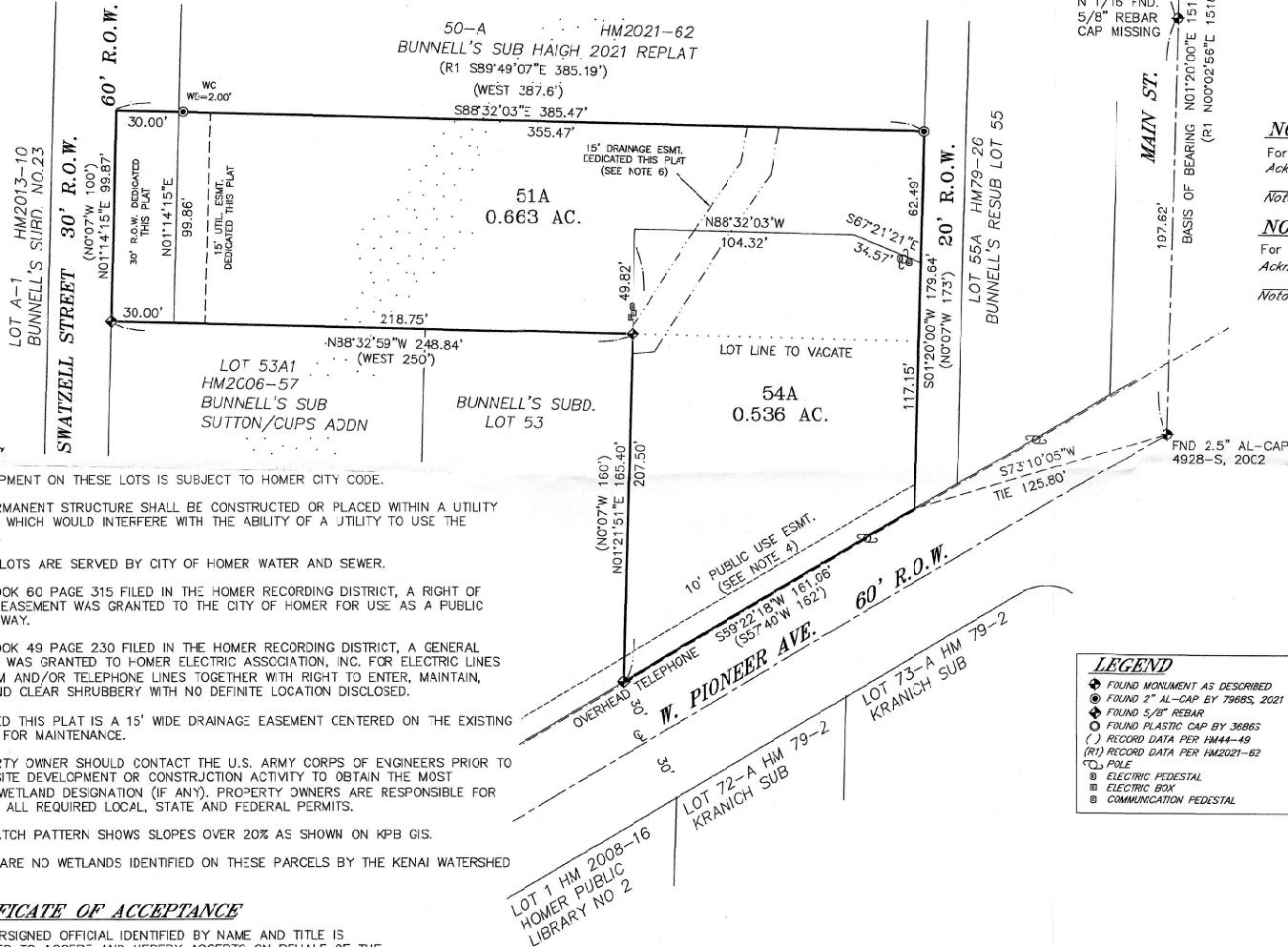
4/28/2023







# KPB 2023-047



## NOTES

1. DEVELOPMENT ON THESE LOTS IS SUBJECT TO HOMER CITY CODE.
2. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
3. THESE LOTS ARE SERVED BY CITY OF HOMER WATER AND SEWER.
4. PER BOOK 60 PAGE 315 FILED IN THE HOMER RECORDING DISTRICT, A RIGHT OF WAY AND EASEMENT WAS GRANTED TO THE CITY OF HOMER FOR USE AS A PUBLIC RIGHT OF WAY.
5. PER BOOK 49 PAGE 230 FILED IN THE HOMER RECORDING DISTRICT, A GENERAL EASEMENT WAS GRANTED TO HOMER ELECTRIC ASSOCIATION, INC. FOR ELECTRIC LINES OF SYSTEM AND/OR TELEPHONE LINES TOGETHER WITH RIGHT TO ENTER, MAINTAIN, REPAIR AND CLEAR SHRUBBERY WITH NO DEFINITE LOCATION DISCLOSED.
6. GRANTED THIS PLAT IS A 15' WIDE DRAINAGE EASEMENT CENTERED ON THE EXISTING DRAINAGE FOR MAINTENANCE.
7. PROPERTY OWNER SHOULD CONTACT THE U.S. 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.
8. DOT HATCH PATTERN SHOWS SLOPES OVER 20% AS SHOWN ON KPB GIS.
9. THERE ARE NO WETLANDS IDENTIFIED ON THESE PARCELS BY THE KENAI WATERSHED FORUM.

## CERTIFICATE OF ACCEPTANCE

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF HOMER FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLIES AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS: SWATZELL ST.

THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSES DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

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

## WASTEWATER NOTES

PLANS FOR WASTEWATER DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE

## PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of MM/DD/YYYY.  
KENAI PENINSULA BOROUGH

BY \_\_\_\_\_  
Authorized Official

| LEGEND |                                |
|--------|--------------------------------|
| ◆      | FOUND MONUMENT AS DESCRIBED    |
| ⊙      | FOUND 2" AL-CAP BY 7968S, 2021 |
| ⊙      | FOUND 5/8" REBAR               |
| ⊙      | FOUND PLASTIC CAP BY 3686S     |
| ( )    | RECORD DATA PER HM44-49        |
| (R1)   | RECORD DATA PER HM2021-62      |
| ⊙      | POLE                           |
| ⊙      | ELECTRIC PEDESTAL              |
| ⊙      | ELECTRIC BOX                   |
| ⊙      | COMMUNICATION PEDESTAL         |

| PLAT #          |
|-----------------|
| Rec Dist _____  |
| Date _____ 20__ |
| Time _____ M    |

KPB FILE No. 2023-000

## CERTIFICATE OF OWNERSHIP

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

SUSAN MALONE  
P.O. BOX 2415  
HOMER, AK 99603

JOHN L HENDRIX  
2000 ATWOOD DR  
ANCHORAGE, AK 99517

CANDACE L HENDRIX  
2000 ATWOOD DR  
ANCHORAGE, AK 99517

## NOTARY'S ACKNOWLEDGEMENT

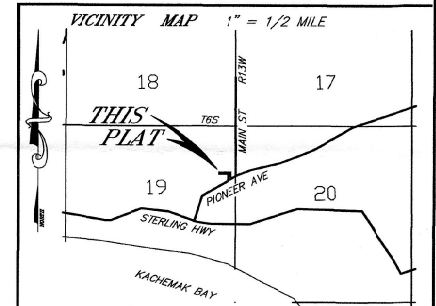
For SUSAN MALONE  
Acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Notary public for Alaska My Commission Expires \_\_\_\_\_

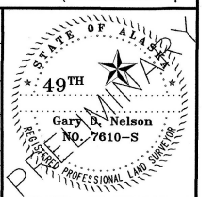
## NOTARY'S ACKNOWLEDGEMENT

For JOHN L & CANDACE L HENDRIX  
Acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Notary public for Alaska My Commission Expires \_\_\_\_\_



|                        |           |
|------------------------|-----------|
| DATE                   | 4-21-2023 |
| SCALE                  | 1" = 40'  |
| JOB No.                | 5468      |
| DRAWING: 5468_5467_SP2 |           |



## BUNNELL'S SUBDIVISION 2023 REPLAT

A REPLAT OF LOTS 51 & 54, BUNNELL'S SUBDIVISION (HM44-49), IN THE NE1/4 SEC. 19, T6S, R13W, S.M., KENAI PENINSULA BOROUGH, HOMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA CONTAINING 1.25 ACRES

OWNERS: SUSAN MALONE JOHN L HENDRIX  
P.O. BOX 2415 CANDACE L HENDRIX  
HOMER, AK 99603 2000 ATWOOD DR  
ANCHORAGE, AK 99517

## ABILITY SURVEYS

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

DRAWN BY: BT CHECKED: GN

AGENDA ITEM E. NEW BUSINESS

ITEM #1 - Bunnell's Subdivision 2023 Replat

|                         |   |
|-------------------------|---|
| KPB File No.            | 2023-047  |
| Plat Committee Meeting: | May 22, 2023  |
| Applicant / Owner:      | Susan Malone of Homer, AK and John and Candace Hendrix of Anchorage, AK |
| Surveyor:               | Gary Nelson / Ability Surveys   |
| General Location:       | LOCATION / APC  |

|                    |  |
|--------------------|--|
| Parent Parcel No.: | 175-142-18 and 175-142-23                      |
| Legal Description: | PARENT PARCEL DESCRIPTION                      |
| Assessing Use:     | Residential and Commercial                     |
| Zoning:            | Central Business District and Medical District |
| Water / Wastewater | City   |

---

STAFF REPORT

**Specific Request / Scope of Subdivision:** The proposed plat will reconfigure two lots ranging in size from .536 acres and .663 acres.

**Location and Legal Access (existing and proposed):** The subdivision is located off of two streets in the city of Homer. Lot 54 is currently accessed from W Pioneer Ave which is a constructed state maintained road. Lot 51 is currently accessed off Swatzel Street and unconstructed road maintained by Homer. There is a 20 foot alley on the east side of the subdivision both lots currently access. This subdivision will be dedicating a 30 foot half dedication to Swatzel Street completing the right of way to 60 feet at this portion of Swatzel Street. Lot 51A will continue to access Swatzel Street and the alley and Lot 54A will continue to access W Pioneer Ave and the alley.

The block length is not compliant. The block is defined by W Pioneer Ave, Main Street, W Fairview Ave and Bartlett Street. A dedication from this subdivision will not improve the block length. **Staff recommends:** the Plat Committee concur that an exception to block length is not required as a dedication will not improve the block.

**PER DOT:** The platting action voids any previous issued permits. Owners will need to work with DOT to reapply for driveway access permits to State ROW.

|                          |  |
|--------------------------|--|
| KPB Roads Dept. comments | Out of Jurisdiction: Yes<br><br>Roads Director: Griebel, Scott<br>Comments:<br>No comments |
| SOA DOT comments         | No comment   |

**Site Investigation:** The terrain is flat near Swatzel Street and then drops along a slope to the east towards the natural drain way in the back of proposed Lots 51A and 54A. Then the terrain is relatively flat draining towards W Pioneer Ave. The City of Homer has requested a 15 foot drainage easement be added along the drain way. **Staff recommends:** adding the drainage easement to the *Certificate of Acceptance*.

There is no low wet area on the proposed subdivision.

There are improvements on Lot 54 which is also using a parking lot that is spread over into Lot 51. The encroachment of the parking lot will be corrected with this subdivision, the north line of Lot 54 is being moved to encompass the parking lot, with the creation of Lot 54A.

|                               |  |
|-------------------------------|--|
| KPB River Center review       | <p>A. Floodplain</p> <p>Reviewer: Hindman, Julie<br/> Floodplain Status:<br/> Comments: Flood Zone:<br/> Map Panel:<br/> In Floodway: False<br/> Floodway Panel:</p> <p>Within the City of Homer</p> <p>B. Habitat Protection</p> <p>Reviewer: Aldridge, Morgan<br/> Habitat Protection District Status: Is NOT within HPD<br/> Comments: No comments</p> <p>C. State Parks</p> <p>Reviewer: VACANT<br/> Comments:</p> |
| State of Alaska Fish and Game | No objections  |

**Staff Analysis** Bunnell's Subdivision HM44-49 Homer Alaska, was subdivided out of the East ½ of the Northeast ¼ and the Northeast ¼ of the Southeast ¼ of Section 19, Township 6 South, Range 13 West of the Seward Meridian in 1944 in the Seldovia Recording Precinct 3<sup>rd</sup> Division, Territory of Alaska. The subdivision created 78 lots, including Lots 51 and 54. The subdivision dedicated 4 roads and one alley and reserved a half dedication for a road at the location of Main Street.

A soils report will not be required as this will be connected to City utilities. Before signing the plat KPB will require either an Installation Agreement or documentation one is not needed.

Notice of the proposed plat was mailed to the beneficial interest holder on May 1, 2023. The beneficial interest holder will be given 30 days from the date of the mailing of the notification to respond. They are given the opportunity to notify staff if their beneficial interest prohibits or restricts subdivision or requires their signature on the final plat. If no response is received within 30 days, staff will assume they have no requirements regarding the subdivision and it may be finalized.

The property is not within an advisory planning commission.

#### **Utility Easements**

There are no platted easements from the previous subdivision to be carried forward.

Staff received a comment from HEA concerning an underground powerline and a 15-foot-wide electrical distribution line easement asking for a label or plat note be added to the subdivision.

Utility easements are noted in the certificate to plat and are noted in the plat notes.

There is a proposed 15 foot utility easement proposed along the dedication for Swatzel Street as shown on the subdivision drawing. **Staff recommends** adding the 15 foot easement to W Pioneer Ave side of Lot 54A.

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    | See comments for recommendations |
| ENSTAR | No comments or recommendations   |
| ACS    | No objections                    |
| GCI    | Approved as shown                |

**KPB department / agency review:**

|                 |  |
|-----------------|--|
| Addressing      |  |
| Code Compliance | Reviewer: Ogren, Eric<br>Comments: No comments   |
| Planner         | Reviewer: Raidmae, Ryan<br>There are not any Local Option Zoning District issues with this proposed plat.<br><br>Material Site Comments:<br>There are not any material site issues with this proposed plat.<br>Review Not Required |
| Assessing       | Reviewer: Windsor, Heather<br>Comments: No comment   |

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

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

PLAT NOTES?

**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:** Add "City of Homer" to the title block.

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

**Staff recommendation:** Label adjacent alley "Alley"

- 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:** Label where Pioneer Avenue end and East End Road begins.

---

#### KPB 20.30 – Subdivision Design Requirements

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

##### 20.30.190. Lots-Dimensions.

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

**Staff recommendation:** place the standard note on the plat for the flag lot(s): No structures are permitted within the panhandle portion of the flag lot(s).

---

#### KPB 20.40 – Wastewater Disposal

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

##### 20.40.010 Wastewater disposal.

*Platting Staff Comments:*

**Staff recommendation:** comply with 20.40.

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#### KPB 20.60 – Final Plat

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

##### 20.60.110. Dimensional data required.

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

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

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

**Staff recommendation:** comply with 20.60.110. there is a difference in the north south distances originating near W. Pioneer Ave, verification is needed of the distances and pins along the right-of-way.



20.60.180. Plat notes.

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

Staff recommendation: Place the following notes on the plat.

- *"No access to state maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation."*

20.60.190. Certificates, statements, and signatures required.

**Staff recommendation:** Add the 15-foot drainage easement to the certificate of acceptance and comply with 20.60.190.

---

**RECOMMENDATION:**

**STAFF RECOMMENDS:**

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

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

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

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

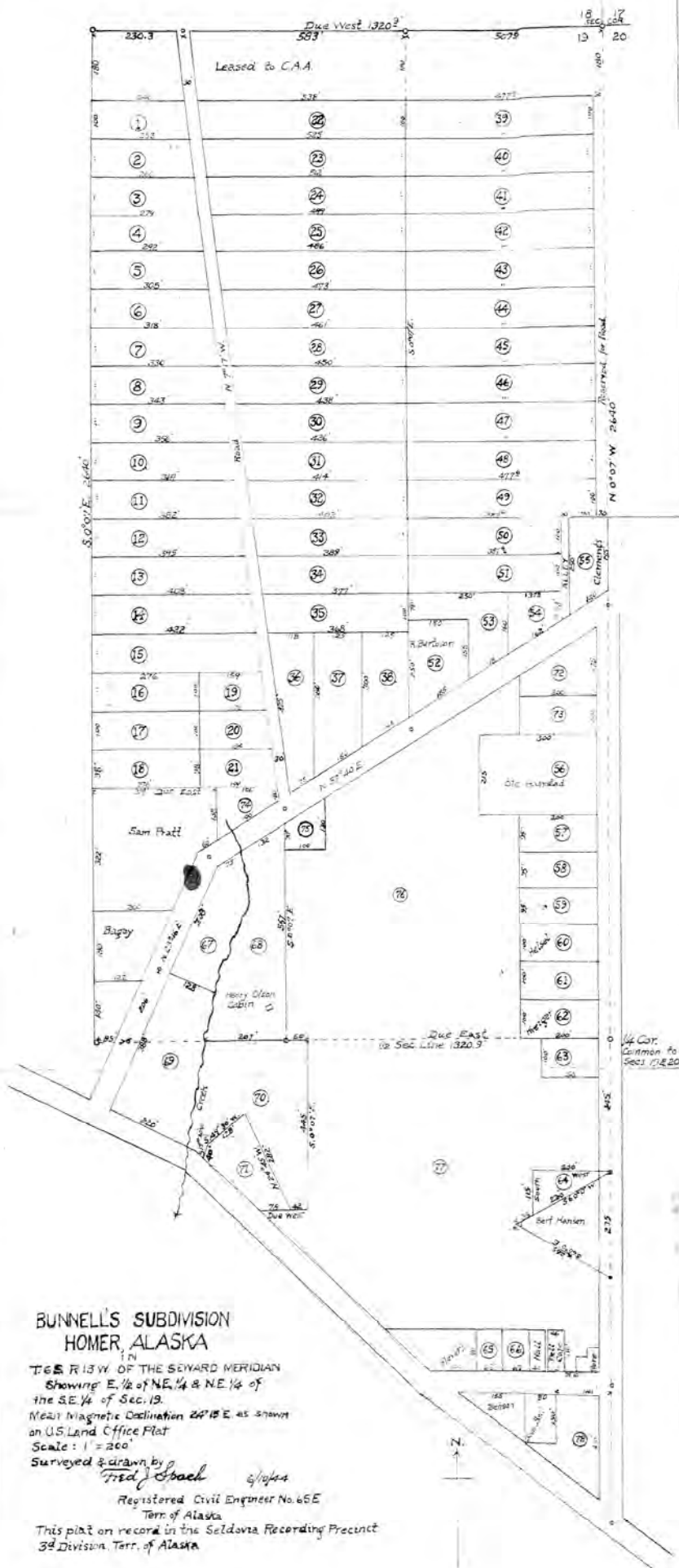
**END OF STAFF REPORT**













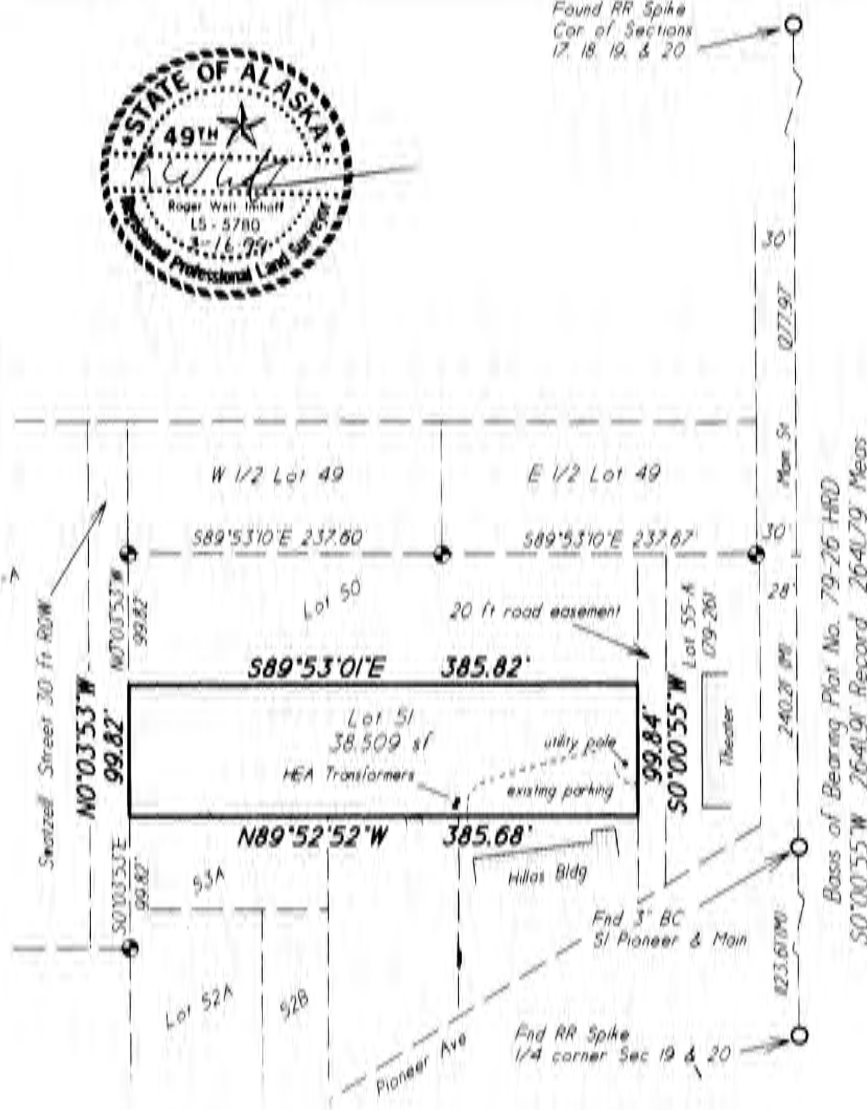
No 49.

|   |           |                                 |
|---|-----------|---------------------------------|
| FILED FOR RECORD AT REQUEST OF              |           |                                 |
| <i>M. B. Bunnell</i>                        |           |                                 |
| <i>Homer, Alaska</i>                        |           |                                 |
| (on   | <i>23</i> | day of <i>June</i> 19 <i>44</i> |
| at  |           |                                 |
| and recorded in Volume <i>1</i>             |           |                                 |
| of Records <i>Deeds</i> Page No. <i>329</i> |           |                                 |
| Seldovia, Alaska (1900-1905)                |           |                                 |
| ALASKA DEPARTMENT OF ALASKA                 |           |                                 |
| <i>J. M. Chambers</i>                       |           | Recorder.                       |

HM 99-9 RS



Found RR Spike  
Cor. of Sections  
17, 18, 19, & 20



### SURVEYORS CERTIFICATE

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

3-16-99

Date

Roger W. Imhoff LS 5780

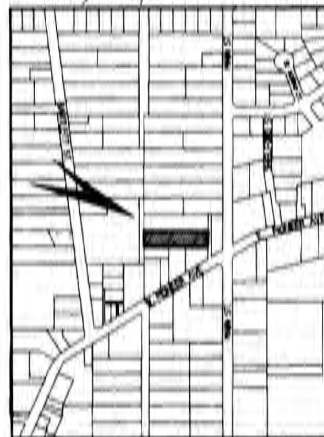
### NOTES

1. Set 2" Aluminum Cap on 5/8" rebar at NW and SW corners of the subject lot. The remaining corners are to be monumented after spring breakup.
2. This survey does not constitute a subdivision as defined by A.S. 40.15.190.2

### LEGEND

- Found 2" Al Cap on 5/8" rebar 5780.S. 1997

Vicinity Map 1" = 1000 ft



### SCALE



### Record of Survey

Lot 51 Bunnell Subdivision  
as shown on Plat No. 44-49  
Homer Recording District

Located in the  
NE 1/4 Section 19, T6S. R13W. SM

Third Judicial District, Alaska  
containing 0.884 acres, more or less

|   |   |
|---|---|
| Clients:<br>Alice Hartig<br>First Metro Ltd<br>311 'C' St Ste 100<br>Anchorage Ak 99503 | Surveyed By:<br>Roger W. Imhoff, RLS<br>PO Box 2588<br>Homer Ak 99603 |
| Date of Survey 2-19-99  | File L51Bunnl.vcd   |
| Drawn RWI   | Scale 1" = 100 ft   |

99-9  
RECORDED - FILED  
HOMER REC DIST  
Date 3/19/99  
Time 2:31 PM  
Requested by  
Roger Imhoff  
PO Box 2588  
Homer Ak 99603



## 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

## Memorandum Agenda Changes/Supplemental Packet

TO: PLANNING COMMISSION  
FROM: RENEE KRAUSE, DEPUTY CITY CLERK II  
DATE: APRIL 19, 2023  
SUBJECT: SUPPLEMENTAL

---

### 10. PENDING BUSINESS

10. A. Bunnell's Subdivision 2023 Replat Preliminary Plat  
Memorandum PL 23-025

**Page 2**

### 12. INFORMATIONAL MATERIALS

12. C. Homer: Guiding Growth  
Community Meeting Announcement

**Page 14**



# 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  
(p) 907-235-3106  
(f) 907-235-3118

### Staff Report 23-025

TO: Homer Planning Commission  
FROM: Julie Engebretsen, Economic Development Manager  
THROUGH: Rick Abboud, AICP, City Planner  
DATE: 4/5/2023  
SUBJECT: Bunnell Subdivision 2023 Replat Preliminary Plat

**Requested Action:** Approval of a preliminary plat to shift a common lot line and dedicate a portion of Swatzell Street.

### General Information:

|                           |  |  |  |
|---------------------------|--|--|--|
| Applicants:               | John & Candace Hendrix<br>2000 Atwood Dr<br>Anchorage, AK 99517  | Susan Malone<br>PO Box 2415<br>Homer, AK 99603 | Ability Surveys<br>152 Dehel Ave.<br>Homer, AK 99603 |
| Location:                 | Near corner of W. Pioneer and Main St, west of the Movie Theater   |  |  |
| Parcel ID:                | 17514223, 17514218   |  |  |
| Size of Existing Lot(s):  | 0.36, 0.89   |  |  |
| Size of Proposed Lots(s): | 1.25 acres   |  |  |
| Zoning Designation:       | Central Business District and Medical District   |  |  |
| Existing Land Use:        | Mixed use office building (Hillas Building), parking lot, and vacant lot   |  |  |
| Surrounding Land Use:     | North: Vacant/Residential<br>South: Commercial restaurant, salon,<br>East: Movie Theater<br>West: Four small commercial structures, including restaurant and offices, Church |  |  |
| Comprehensive Plan:       | Chapter 4 Goal 1 Implementation item 1-D-4: Encourage a concentrated development pattern to reduce the need for vehicle trips and encourage non-motorized transportation.    |  |  |
| Wetland Status:           | No mapped wetlands but there is a drainage; see discussion.  |  |  |
| Flood Plain Status:       | Zone D, flood hazards undetermined.  |  |  |
| BCWPD:                    | Not within the Bridge Creek Watershed Protection District.   |  |  |
| Utilities:                | City water and sewer are available   |  |  |



|                |   |
|----------------|---|
| Public Notice: | Notice was sent to 32 property owners of 49 parcels as shown on the KPB tax assessor rolls. |
|----------------|---|

**Analysis:** This subdivision is within the Central Business District (southern lot) and Medical District (northern lot). This plat shifts the common lot line between the two lots. The southern lot contains the two story mixed use Hillas Building, and the land behind the building is used for parking. This plat allows the Hillas Building owner to purchase the parking area from the adjacent land owner. A half right of way will also be dedicated along Swatzell Street.

#### **Drainage**

There is a drainage that runs from the north to the east, flowing along the back side of the parking lot, then south to Pioneer Ave between the Twisted Goat Restaurant and the octagon building. (See Attachments) The City acquired a 15-foot drainage easement centered on the creek during a recent platting action to the north. The City is requesting a continuation of this easement on the lots within this subdivision.

#### **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:** Dedicate a 15-foot utility easement along the newly dedicated Swatzel Street.

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

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

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

**Staff Response:** The plat meets these requirements. No requests from Public Works.

- D. The City Council may accept the dedication of easements or rights-of-way for non-motorized transportation facilities that are not required by subsection (c) of this section, if the City Council determines that accepting the dedication would be Consistent with the adopted plans of the City.

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

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

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

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

- B. North point;

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

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

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

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

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

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

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

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



**Staff Response:** Dedicate a 15-foot utility easement centered on the drainage. This continues the drainage easement from the north.

- 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. Information is on file with the Public Works Department.

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

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

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

**Staff Response:** The plat meets these requirements. Contours are shown.

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

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

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

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

**Public Works Comments:**

1. There will need to be a drainage easement that continues from Lot 50-A.
2. Dedicate a 15' drainage easement centered on the creek of Lots 51A and possibly through the north west corner of lot 54A.
3. Dedicate a 15' utility easement fronting the newly dedicated Swatzell Street.
4. There currently exists a water and sewer stub out for lot 51A on the south east property boundary. These services will need to be relocated north as to serve the lot directly and not via an easement.
5. The property owner will need to relocate the services prior to recording the plat, or enter into an installation agreement with the City, in which they will bond the cost of relocating the services in an agreed upon time frame. This will allow the plat to be recorded prior to the work being completed.

**Staff Recommendation:**

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

1. Include a plat note stating "Property owner should contact the Army Corps of Engineers prior to any on-site development or construction activity to obtain the most current wetland designation (if any). Property owners are responsible for obtaining all required local, state and federal permits."
2. Dedicate a 15' drainage easement centered on the creek of Lots 51A and possibly through the north west corner of lot 54A.
3. There currently exists a water and sewer stub out for lot 51A on the south east property boundary. These services will need to be relocated north as to serve the lot directly and not via an easement.
4. The property owner will need to relocate the services prior to recording the plat, or enter into an installation agreement with the City, in which they will bond the cost of relocating the services in an agreed upon time frame. This will allow the plat to be recorded prior to the work being completed.

**Attachments:**

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