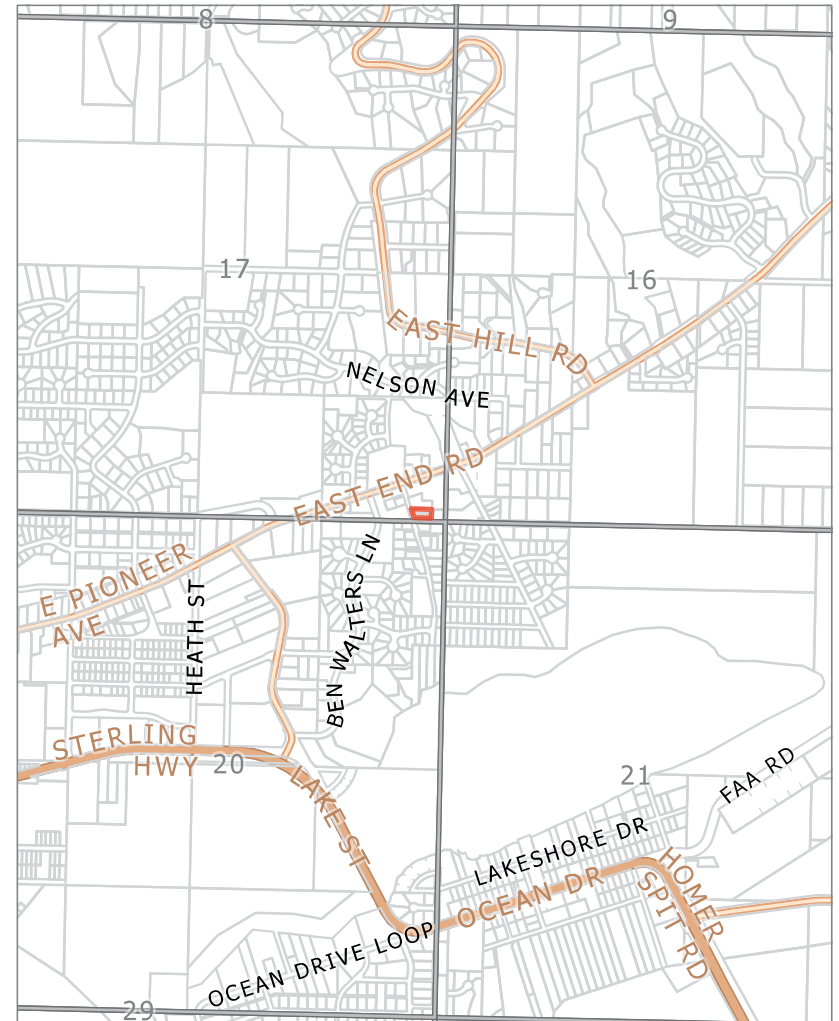
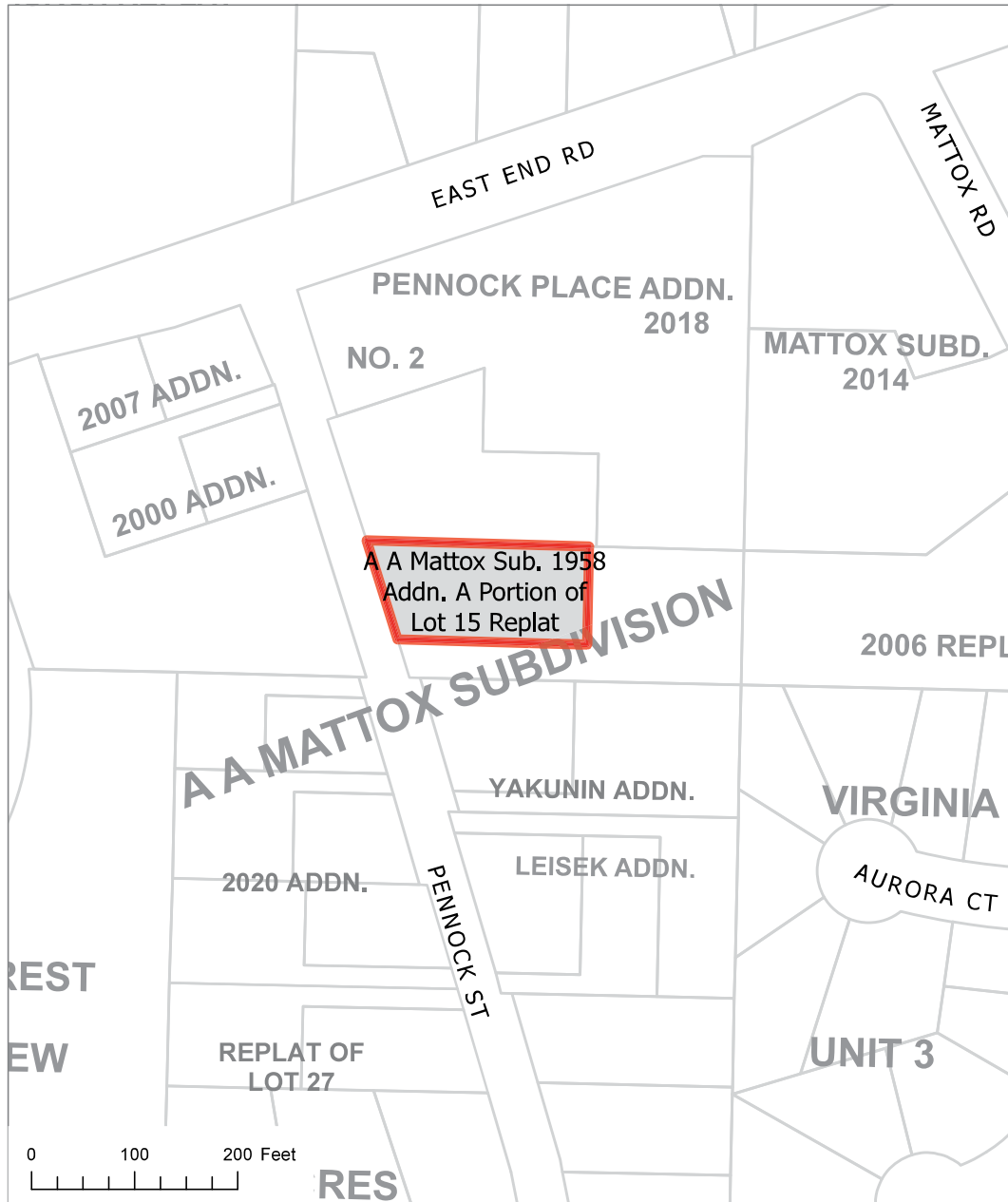


E. NEW BUSINESS

- 7. AA Mattox Sub 1958 Addn A Portion of Lot 15 Replat; KPB
File 2025-092
Seabright Survey & Design / Arnold
Location: Pennock Street of East End Road
City of Homer**



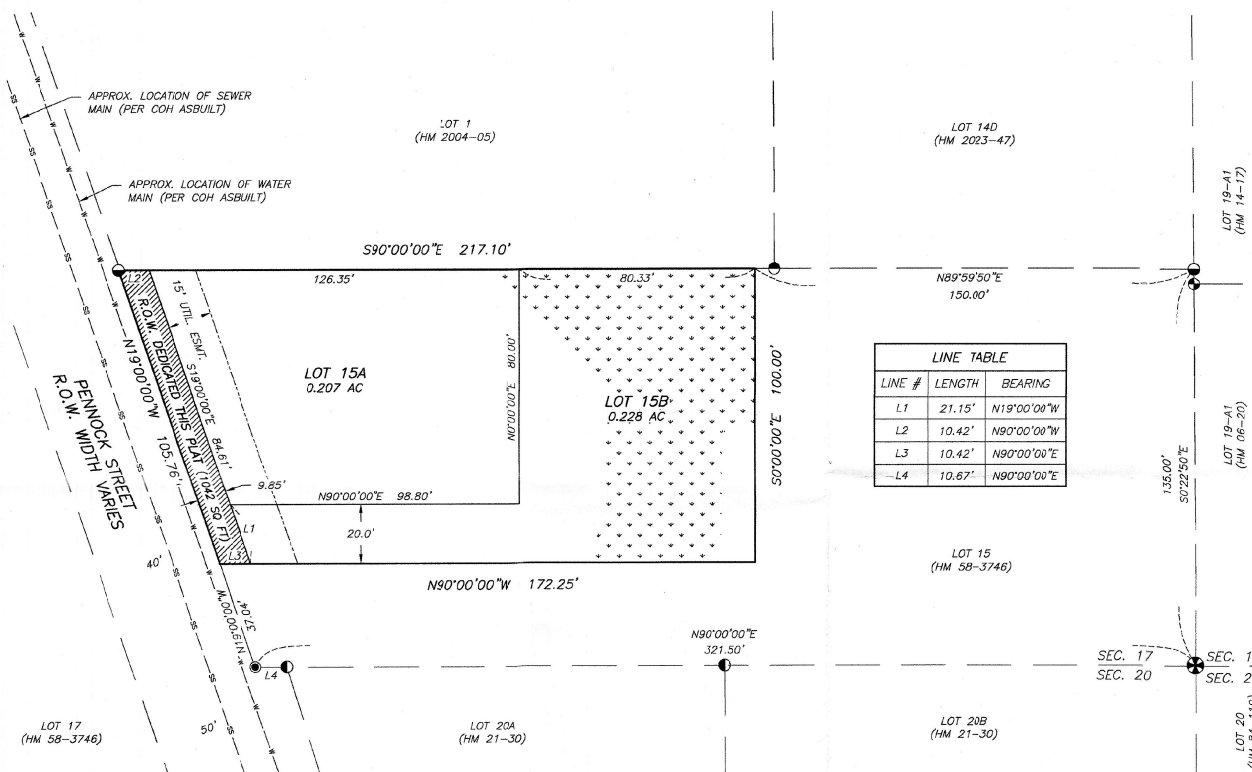
KPB File 2025-092
T 6S R 13W Sec 17
Homer



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.

FOR: _____
ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2025

MY COMMISSION EXPIRES



LINE TABLE		
LINE #	LENGTH	BEARING
L1	21.15'	N19°00'00"W
L2	10.42'	N90°00'00"W
L3	10.42'	N90°00'00"E
L4	10.67'	N90°00'00"E

1. THE FRONT 15' ALONG THE RIGHTS-OF-WAY IS A UTILITY EASEMENT GRANTED THIS PLAT. 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.

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

APPROX. AREA DISCHARGE SLOPE
(KWF WETLANDS ASSESSMENT, KPB GIS)

BLM 3" BC SECTION CORNER

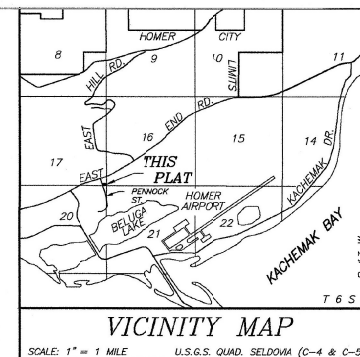
1 1/2" AC 3815-S 1985

2" AC 5780-S 12004

2" AC 1301-S 1996

5/8" RBR

2" AC 7610-S 2020



I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT 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.

JUSTIN T. ARNOLD
P.O. BOX 577
HOMER, AK. 99603

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

BY: _____
 AUTHORIZED OFFICIAL
 KENAI PENINSULA BOROUGH

DATE _____

HOMER RECORDING DISTRICT KPB FILE NO. 2025-XXX

A REPLAT OF PORTION OF LOT 15, A A MATTOX SUB. 1958 ADDN.
A (HM 58-3746), LOCATED IN SEC. 17, T. 6 S., R. 13 W.,
SEWARD MERIDIAN, KENAI PENINSULA COROUGH,
THIRD JUDICIAL DISTRICT, ALASKA

CONTAINING 4.591 ACRES

1044 EAST END ROAD, SUITE A
HOMER, ALASKA 99603
(907) 295-1580
seabrightsurvey@gmail.com

CLIENTS: JUSTIN T. ARNOLD
P.O. BOX 577, HOMER, AK 99603

DRAWN BY: FC	CHKD BY: KK	JOB #2025-19
DATE: 6/2025	SCALE: 1"=30'	SHEET #1 OF 1

AGENDA ITEM E. NEW BUSINESS

ITEM #7 - PRELIMINARY PLAT
A A Mattox Sub. 1958 Addn. A Portion of Lot 15 Replat

KPB File No.	2025-092
Plat Committee Meeting:	July 14, 2025
Applicant / Owner:	Justin T. Arnold / Homer
Surveyor:	Katherine Kirsis / Seabright Survey & Design
General Location:	Pennock St off East End Road

Parent Parcel No.:	177-054-03
Legal Description:	T 6S R 13W SEC 17 SEWARD MERIDIAN HM 0003746 A A MATTOX SUB 1958 ADDN A PORTION OF LOT 15 WHICH IS DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF SEC 17 TH NORTH 135 FT TH WEST ALONG THE NORTH BOUNDARY OF SAID LOT 15 150 FT TO THE POB OF THIS PARCEL TH SOUTH 100 FT TH WEST 180 FT TO THE EAST BOUNDARY OF THE ROADWAY TH NOR THWEST ALONG THE EAST BOUNDARY OF SAID ROADWAY APPROXIMATELY 105.1 FT TO THE INTERSECTION OF THE EAST BOUNDARY OF SAID ROADWAY WITH THE NORTH BOUNDARY OF LOT 15 TH EAST APPROXIMATELY 217.1 FT TO THE POB
Assessing Use:	Vacant
Zoning:	City of Homer
Water / Wastewater	City / City
Exception Request	None Requested

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide one .459 acre parcel into two lots of size 0.207 acres and 0.228 acres.

Location and Legal Access (existing and proposed):

Legal access to the plat is on Pennock St on the west side of the plat, currently a 40' right-of-way maintained by the City of Homer. Pennock St come south off of East End Road.

The plat is proposing to dedicate a 10' portion on the west side to Pennock St to make the right-of-way 50'.

Block length is not compliant from a road stand point. From East End Rd to Virginia Lynn Way to the south is over 1500 feet. There is not a direct connection to Mattox Rd though to make the block compliant. Staff recommends the Plat Committee concur an exception to KPB 20.30.170 Block – Length requirements is not needed at this time due to restrictions to connect through this plat.

KPB Roads Dept RSA review	Out of Jurisdiction: Yes Roads Director: Uhlin, Dil Comments: City of homer's jurisdiction
SOA DOT comments	No response

Site Investigation:

Currently the property is vacant according to the KPB GIS data.

There are no steep slopes on the plat either. The terrain is flat, sloping at a grade of about 3% south across the property.

Wetlands do affect the property according the KWF Wetlands Assessment and are shown on the drawing as the hatched area identified as discharge slope.

The property is not in a floodplain nor in the Bridge Creek Watershed Protection District.

Staff recommendation: place a note on the final plat indicating any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetland determination if applicable.

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

Staff Analysis

A.A. Mattox 1958 Addition was platted to conform to deeds at the time of a majority of the lots.

A soils report will not be required as the new lots have city water and sewer available. Per the city resolution, the property will need to supply water and sewer service to both lots.

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 plat is located in the City of Homer and went before the City of Homer Planning Commission at the regular meeting of May 21, 2025. The Commission voted unanimously to give consent to approve the plat.

Utility Easements

No easement were available to be carried forward from the parent plat.

As part of our routine notification process, the subdivision plat was emailed to the affected utility providers for review. None of the responding utility companies had any comments. **Staff recommends:** the surveyor work with the utility providers to accommodate their request if any, ensuring optimal use of the owner's land and maximum benefit for both the provider and the public.

Per City of Homer Code, the plat is dedicating a 15' utility easement adjacent to the entire length of the boundary and each existing or proposed street right-of-way.

Utility provider review:

HEA	No comments
ENSTAR	No comments or recommendations
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing Review	<p>Reviewer: Pace, Rhealyn Affected Addresses: 4140 PENNOCK ST</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: PENNOCK ST</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments: CITY OF HOMER WILL ADVISE ON ADDRESSING.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
LOZMS Review Planner	<p>Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat. Review Not Required</p>
Assessing Review	<p>Reviewer: Windsor, Heather Comments: No comment</p>

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

Add a Certificate of Acceptance for the right-of-way being dedicated.

Add to the Plat Approval the date of July 14, 2025

Give full dimension on south line of plat.

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 2025-092

In the legal description revise Corough to Borough

May consider changing name for second part

- 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:

Lots the south need to have the plat label to have the full year listed

To the east Lo 19-a1 needs to be changed to 20.A1 and the full year needs shown.

Any plat filed in 2000 and after needs the full year shown.

Lot 1 to the north needs the plat data corrected to 2004-67 and Lot 14D to 2023-37

KPB 20.30 – Subdivision Design Requirements

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

KPB 20.40 – Wastewater Disposal

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

20.40.010 Wastewater disposal.

Platting Staff Comments:

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: KPB 20.25.120. - REVIEW AND APPEAL.

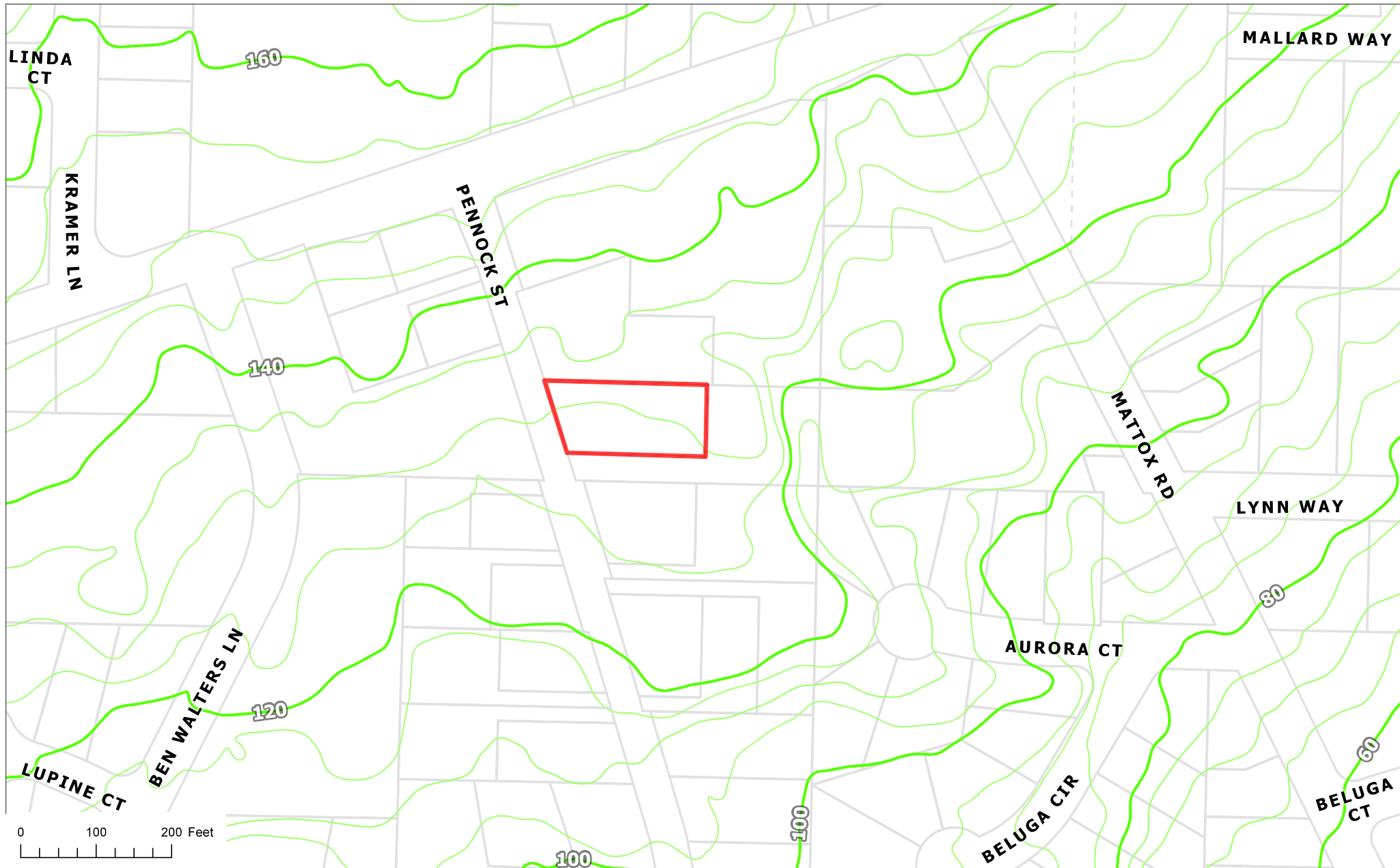
IN ACCORDANCE WITH KPB 2.40.080, ANY PERSON, AGENCY, OR CITY THAT PARTICIPATED AT THE PLAT COMMITTEE HEARING, EITHER BY WRITTEN OR ORAL PRESENTATION, MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF DATE OF DISTRIBUTION OF THE DECISION.

A DECISION OF THE PLAT 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.

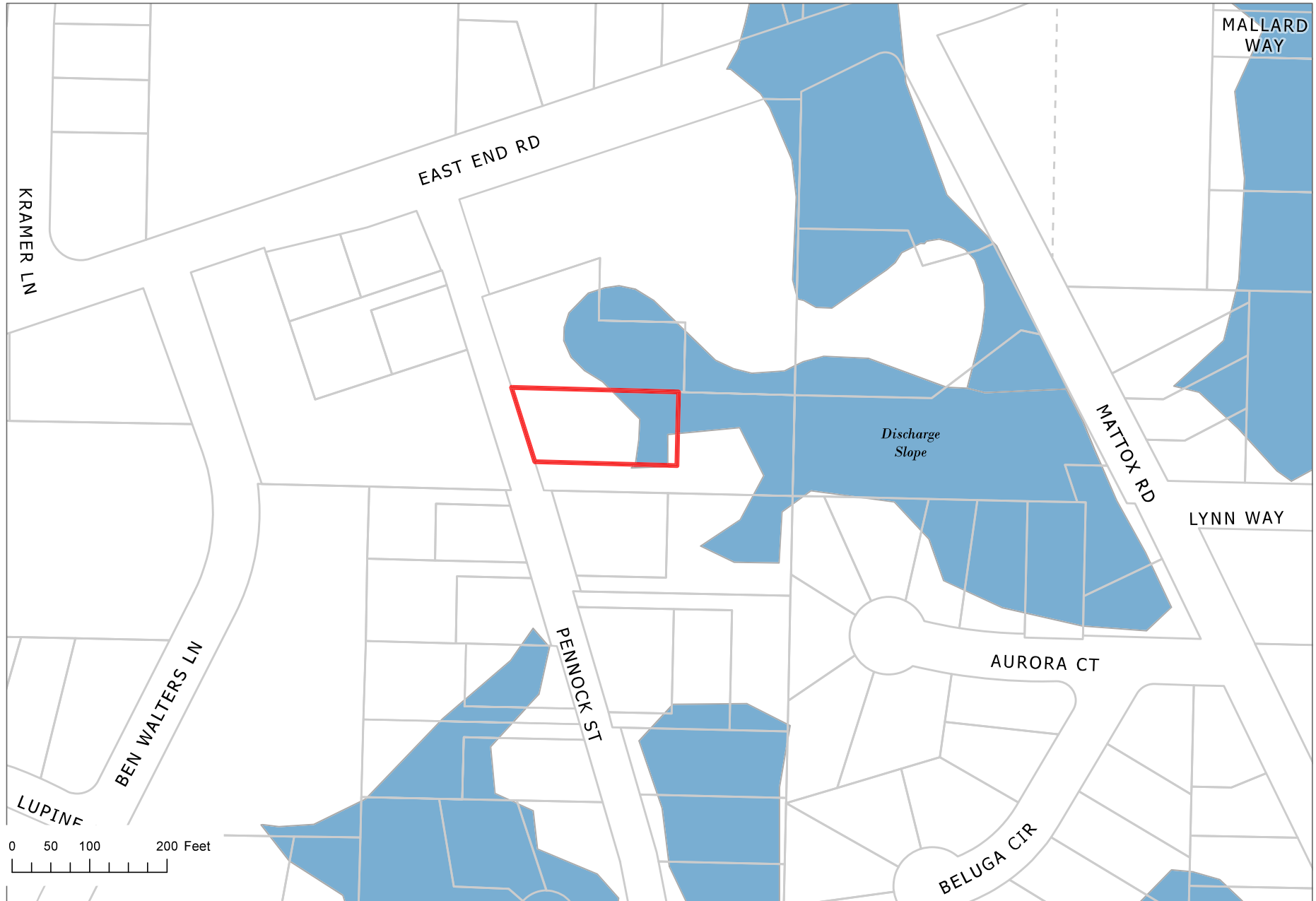
END OF STAFF REPORT



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.



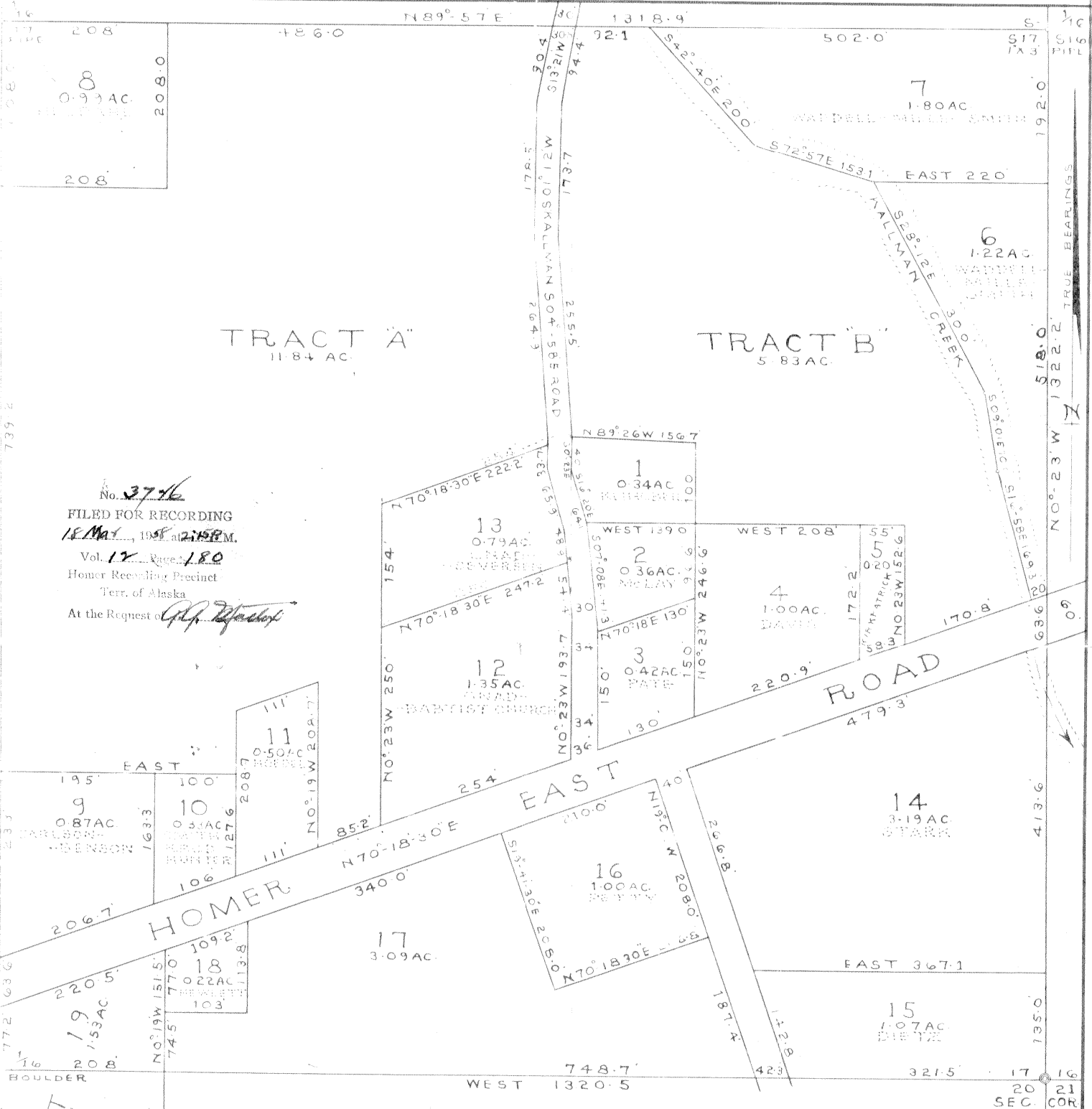
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The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

A. A. MATTOX 1958 ADDITION

LOCATED IN SE $\frac{1}{4}$ SE $\frac{1}{4}$ SEC. 17, T6S-R13W S.M. ALASKA



No. 3746
 FILED FOR RECORDING
 18 May 1958 at 2:58 P.M.
 Vol. 12 Page 180
 Homer Recording Precinct
 Terr. of Alaska
 At the Request of *[Signature]*

- ① THIS PLAT PURPORTS TO SHOW A CLOSED SURVEY OF LAND PREVIOUSLY CONVEYED BY A. A. MATTOX OF HOMER, ALASKA, BASED ON A THOROUGH SEARCH OF THE RECORDS AND OF PHYSICAL EVIDENCE OF EXISTENT CORNERS.
- ② LOTS HAVE BEEN DESIGNATED BY NUMBERS FOR CONVENIENCE OF REFERENCE
- ③ LOTS 12 AND 13 AND LOTS 14 AND 16 ARE STRICTLY CONFORMABLE TO PREVIOUS DEEDS
- ④ LOTS 12 AND 13 ARE CONFORMABLE TO PREVIOUS DEEDS EXCEPT WHERE ENCRONCHED ON BY KALLMAN ROAD
- ⑤ NEW DEEDS SHOULD BE EFFECTED FOR LOTS 3, 4, 10, 11, 15, 18 AND 19 DUE TO ORIGINAL VAGUE AND INDEFINITE DESCRIPTIONS

SCALE 1"=100

SURVEYED & DRAWN BY: *Henry W. Johnson* 2/10/58



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 25-030

TO: Homer Planning Commission **25-030**
FROM: Ryan Foster, City Planner
DATE: May 21, 2025
SUBJECT: A A Mattox Sub. 1958 Addn. a Portion of Lot 15 Replat

Requested Action: Approval of a preliminary plat subdivide a portion of Lot 15 into two lots, a proposed Lot 15A and Lot 15B.

General Information:

Applicants:	Justin Arnold P.O. Box 577 Homer, AK 99603	Seabright Survey & Design 1044 East End Rd, Suite A Homer, AK 99603
Location:	South of East End Rd, East of Pennock Street	
Parcel ID:	17705403	
Size of Existing Lot(s):	0.46 acres	
Size of Proposed Lots(s):	0.188 acres and 0.247 acres	
Zoning Designation:	Urban Residential District	
Existing Land Use:	Vacant	
Surrounding Land Use:	North: Commercial South: Residential East: Residential West: Institutional	
Comprehensive Plan:	1-C-1 Promote infill development in all housing districts.	
Wetland Status:	Discharge slope on the eastern 1/3 of the lot	
Flood Plain Status:	Not in a floodplain.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are available.	
Public Notice:	Notice was sent to 55 property owners of 52 parcels as shown on the KPB tax assessor rolls.	

Analysis: This subdivision is within the Urban Residential District. This plat subdivides a portion of Lot 15 into a proposed Lot 15-A at 0.188 acres and Lot 15-B at 0.247 acres.

Homer City Code 22.10.051 Easements and rights-of-way

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

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

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

Staff Response: The plat meets this requirement.

- 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.

- 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. No areas over 20 percent grade are present.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

Public Works Comments: The property owner will need to provide water and sewer to both lots.

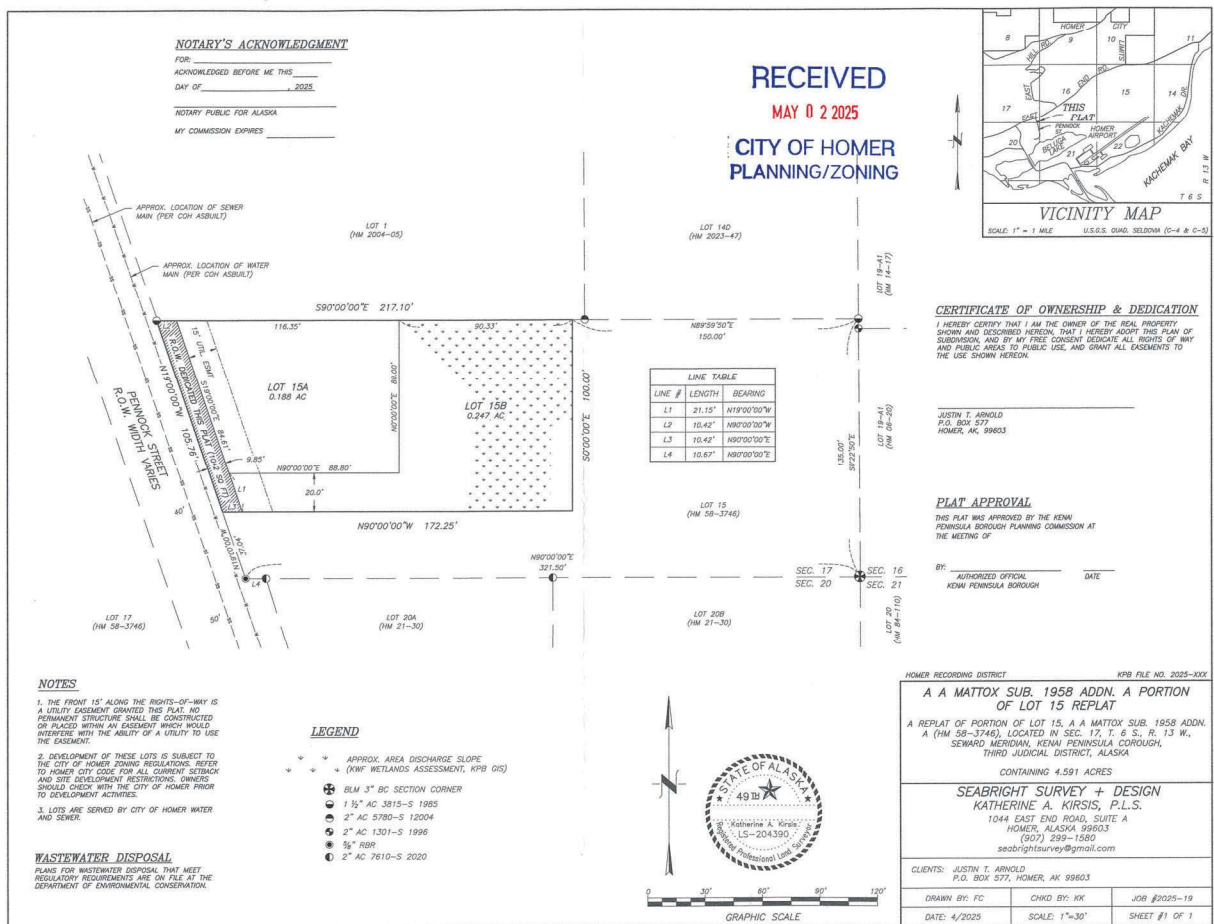
Staff Recommendation:

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

1. The property owner will need to provide water and sewer to both lots.

Attachments:

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



SEABRIGHT SURVEY + DESIGN

Katherine A. Kirsis, P.L.S.

1044 East End Road Suite A

Homer, Alaska 99603

907.299.1580

seabrightsurvey@gmail.com

5/2/25

City of Homer
491 East Pioneer Ave
Homer, AK 99603

RE: Preliminary Submittal for "A A MATTOX SUB. 1958 ADD. PORTION LOT 15
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 have emailed 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

RECEIVED

MAY 02 2025

CITY OF HOMER
PLANNING/ZONING

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:

A A Mattox Sub. 1958 Addn. a Portion of Lot 15 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, May 21, 2025 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

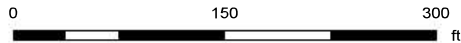
Additional information regarding this matter will be available by 5 p.m. on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for May 16, 2025 at <https://www.cityofhomer-ak.gov/calendar>. It will also be available at the Planning and Zoning Office 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.

.....



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 indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or correction of the data, or use of the data.

38



Legend

- Physical Addresses
- Transportation
- Mileposts
- Parcels and PLSS
- Tax Parcels

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

Chair S. Smith opened the floor for the Applicant. Christopher Mullikin noted that he was the surveyor who prepared the plat. He stated that the utility easement will be changed on the final plat, and acknowledged the errors in the spelling of "Virginalyn Way." He added that the primary purpose of this plat is to resolve all of the encroachment issues and made himself available for questions. Chair S. Smith then opened the public comment period.

Jan Keiser, city resident, noted that she was still working for the City when this came forward the first time for the conditional use permit. She stated that the developer needs tight survey control to ensure there are not encroachments.

With no other members of the public wishing to speak, Chair S. Smith closed the public comment period. He then opened the floor to questions and comments from the Commission. There were none.

H. SMITH/BARNWELL MOVED TO ADOPT STAFF REPORT 25-029 AND RECOMMEND APPROVAL OF THE VIRGINIA LYNN 2025 REPLAT PRELIMINARY PLAT, WITH THE FOLLOWING COMMENTS:

1. DEPICT THE UTILITY EASEMENT ALONG VIRGINIALYN WAY AS 15'.
2. CORRECT THE SPELLING FOR THE STREET VIRGINIALYN WAY.
3. ADD APPARENT ENCROACHMENTS TO EXISTING BUILDING SETBACKS AND UTILITY EASEMENTS AND A STATEMENT OF HOW ENCROACHMENTS WILL BE RESOLVED.
4. DEPICT THE WATER SERVICE VALVE FOR LOT 53-A IN RELATIONSHIP TO THE NEWLY ADJUSTED PROPERTY LINE, TO VERIFY THAT SERVICE IS NOT ON LOT 54.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

C. A A Mattox Sub. 1958 Addn. a Portion of Lot 15 Replat Preliminary Plat, Staff Report 25-30

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

Chair S. Smith opened the floor for the Applicant. Katie Kirsis noted that she was the surveyor who prepared the plat. She made herself available for questions. Chair S. Smith then opened the public comment period.

Without any members of the public coming forward to speak, Chair S. Smith closed the public comment period. He then opened the floor to questions and comments from the Commission. There were none.

H. SMITH/SCHNEIDER MOVED TO ADOPT STAFF REPORT 25-030 AND RECOMMEND APPROVAL OF THE PRELIMINARY PLAT, WITH THE FOLLOWING COMMENTS:

1. THE PROPERTY OWNER WILL NEED TO PROVIDE WATER AND SEWER TO BOTH LOTS.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PENDING BUSINESS

A. Foss Acres 2025 Addition Preliminary Plat, Staff Report 25-25

Chair S. Smith introduced the item by reading of the title and noted the following main motion that was back on the floor per the Reconsideration:

BARNWELL/STARK MOVED TO ADOPT STAFF REPORT 25-25 AND RECOMMEND APPROVAL OF THE FOSS ACRES 2025 ADDITION PRELIMINARY PLAT, WITH THE FOLLOWING COMMENTS:

1. THE DEVELOPER WILL NEED TO ENTER INTO A SUBDIVISION AGREEMENT WITH THE CITY:
 - a. CONSTRUCT TUNDRA ROSE ROAD AND THE DEDICATED CUL-DE-SAC OFF JEFFREY AVENUE TO A CITY STANDARD ROAD.
 - b. PROVIDE POWER AND GAS TO ALL LOTS.
 - c. DEDICATE A 40' WIDE ROAD ACCESS AND UTILITY EASEMENT TO PROVIDE LEGAL ACCESS TO THE UN-SUBDIVIDED REMAINDER TO THE EAST.
 - d. CONSTRUCT A HAMMER HEAD AT THE END OF TUNDRA ROSE ROAD WITHIN THE RIGHT-OF-WAY TO PROVIDE EMERGENCY AND MAINTENANCE TORNAROUND.
 - e. THERE IS A 10' UTILITY EASEMENT ALONG THE PROPERTY BOUNDARIES OF TRACTS B2, B3, A PORTION OF B4, AND B5. CHANGE THE LANGUAGE OF THE UTILITY EASEMENT TO INCLUDE PEDESTRIAN ACCESS FOR A FUTURE TRAIL AND RECREATIONAL CONNECTIVITY.
2. HOMER PLANNING COMMISSION RECOMMENDS APPLICANT PROVIDES DETAILED SURVEY WITH TOPOGRAPHY, CURRENT WETLANDS STATUS, DRAINAGES, AND CONTOUR LINES:
 - a. DOWNSTREAM WATER IMPACT.
 - b. EVALUATE ROAD ACCESS FROM JEFFREY AVENUE.

Commissioner Barnwell declared potential ex-parte communication between himself and some members of the public. He briefly described conversations he had regarding the Foss Acres Preliminary Plat the morning before he issued the notice for reconsideration.

Commissioner Stark questioned Mr. Barnwell if he had discussed any additional information not originally provided during the original hearing. Mr. Barnwell stated that he did not.

Commissioner H. Smith asked Mr. Barnwell if either of the conversations he had regarding the plat influenced him to issue the notice for reconsideration. Mr. Barnwell claimed that one of the conversations ultimately contributed to his decision to issue a notice of reconsideration, though no new information was provided.

H. SMITH/STARK MOVED THAT COMMISSIONER BARNWELL HAD EX-PARTE COMMUNICATION AND SHOULD BE EXCLUDED FROM THE CONVERSATION.

There were brief discussions regarding what classifies as ex-parte communication.

Chair S. Smith requested the Clerk to perform a roll-call vote.