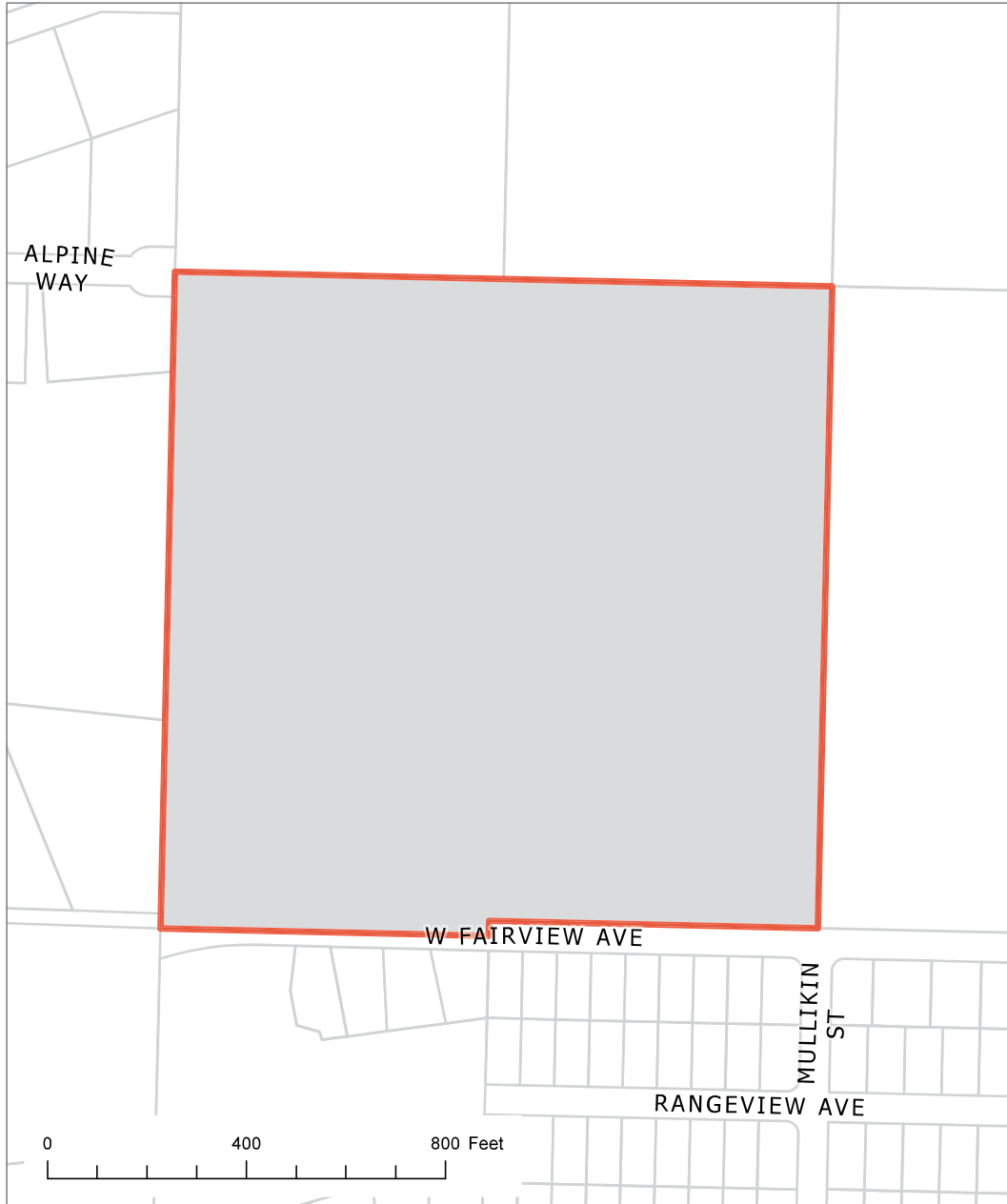


E. NEW BUISNESS

ITEM E4 – TERRA BELLA SUBDIVISION



KPB File # 2022-024

Township 06S-Range 13W-Section 18

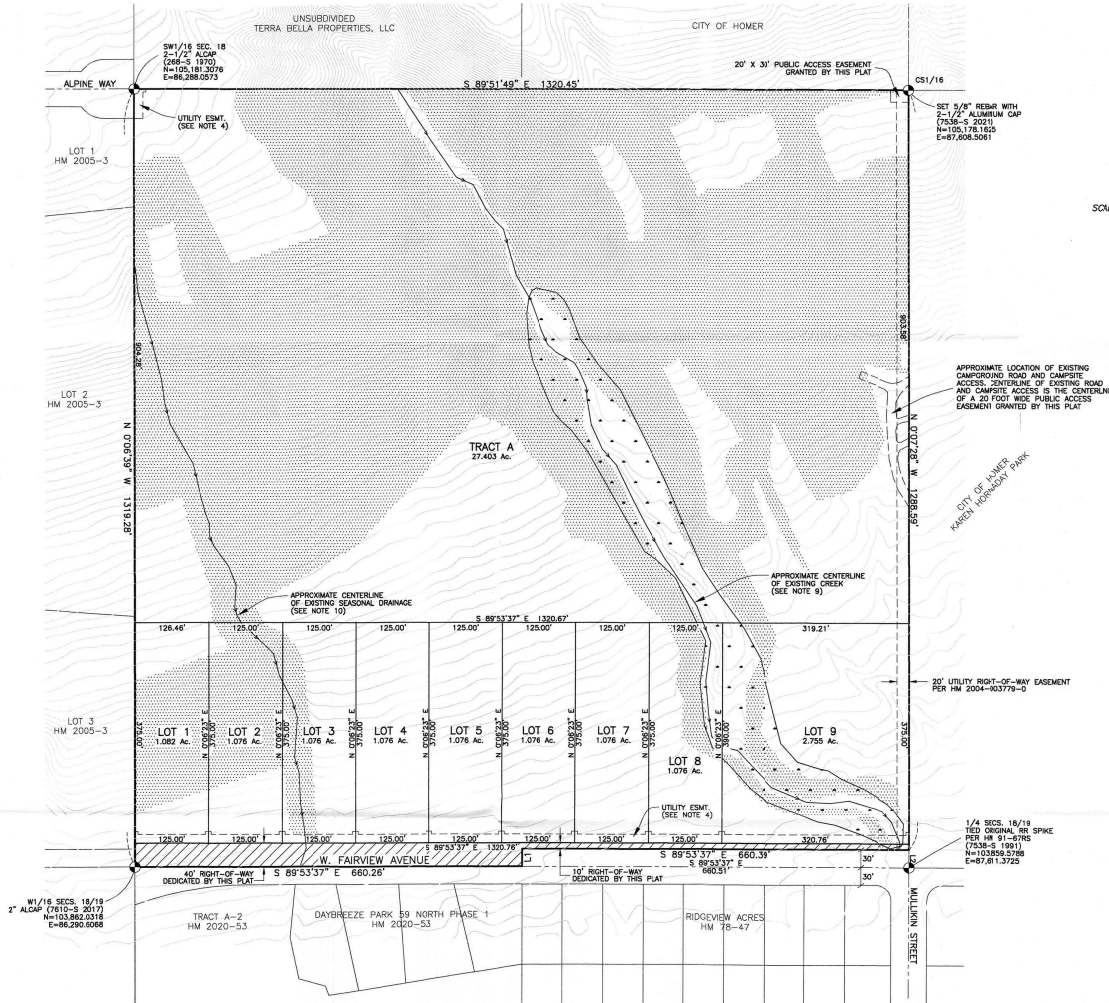
Homer



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.

NOTES

1. BASIS OF BEARING FOR THIS SURVEY WAS DETERMINED BY A HIGH PRECISION GPS SURVEY USING TOPCON DUAL-FREQUENCY HIPER V RECEIVERS, DIFFERENTIALLY CORRECTED AND PROCESSED WITH MAGNET OFFICE VERSION 3.1 SOFTWARE. NAD83 ALASKA STATE PLANE GRID COORDINATES (U.S. SURVEY FEET) OBTAINED FROM THE GPS OBSERVATIONS WERE BASED ON THE NGS PUBLISHED VALUES FOR FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" (PID T70155).
2. TRUE BEARINGS AND DISTANCES WERE DETERMINED BY ROTATING AND SCALING FROM GRID USING FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY ROTATING GRID INVERSE AZIMUTHS $-117^{\circ}13.4'$. TRUE DISTANCES WERE OBTAINED BY DIVIDING GRID INVERSE DISTANCES BY 0.999986696.
3. THE RESULTING SCALED COORDINATES WERE TRANSLATED TO A LOCAL COORDINATE SYSTEM BASED ON FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" N=100,000 E=100,000. ALL COORDINATE VALUES REPRESENT GROUND DISTANCES IN U.S. SURVEY FEET ORIENTED TO TRUE NORTH.
4. THE 15 FEET FRONTING THE STREET RIGHT-OF-WAYS AND THE FRONT 20 FEET WITHIN 5 FEET OF THE SIDE LOT LINES IS A UTILITY EASEMENT. 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.
5. PROPERTY OWNER SHOULD CONTACT THE ARMY CORPS OF ENGINEERS PRIOR TO ANY ON-SITE DEVELOPMENT OR CONSTRUCTION ACTIVITY TO OBTAIN THE MOST CURRENT WETLAND DESIGNATION (IF ANY). PROPERTY OWNERS ARE RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS.
6. LOTS 1 THROUGH 9 WILL BE SERVED BY CITY OF HOMER SEWER AND WATER.
7. ALL LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO CITY OF HOMER ZONING REGULATIONS. REFER TO THE HOMER CITY CODE FOR ALL CURRENT SETBACK AND SITE DEVELOPMENT RESTRICTIONS. OWNERS SHOULD CHECK WITH THE CITY OF HOMER PLANNING DEPARTMENT PRIOR TO DEVELOPMENT ACTIVITIES.
8. SET A 5/8" X 30" REBAR WITH 2" ALCAP (7538-S 2022) AT ALL LOT CORNERS UNLESS INDICATED OTHERWISE.
9. DRAINAGE EASEMENT 30 FEET ON BOTH SIDES OF THE EXISTING CREEK GRANTED BY THIS PLAT. APPROXIMATE LOCATION OF CREEK IS SHOWN.
10. DRAINAGE EASEMENT 20 FEET ON BOTH SIDES OF THE EXISTING SEASONAL DRAINAGE GRANTED BY THIS PLAT. APPROXIMATE LOCATION OF DRAINAGE PATTERN IS SHOWN.
11. THESE LOTS ARE AFFECTED BY AN EASEMENT OF RECORD WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION (BK17, PG 327 HRD).



LEGEND

- INDICATES PRIMARY MONUMENT RECOVERED OR SET AS DESCRIBED
- INDICATES POTENTIAL LOW WET AREAS PER KENAI WATERSHED FORUM 2013 COOK INLET WETLANDS MAPPING
- INDICATES AREAS WITH SLOPES GREATER THAN 20%
- INDICATES CENTERLINE OF DRAINAGE

PLAT APPROVAL

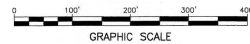
THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____

BY: _____ AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

DATE _____

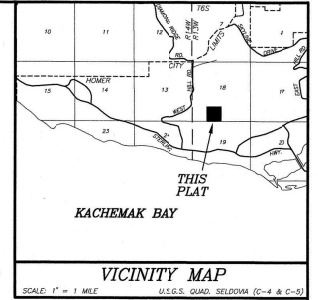
LINE TABLE

LINE	BEARING	DISTANCE
L1	N 0°00'23" E	30.00'
L2	N 0°07'28" W	30.00'



WASTEWATER DISPOSAL

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



CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT TERRA BELLA PROPERTIES, LLC IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT ON BEHALF OF TERRA BELLA PROPERTIES, LLC I 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.

TERRA BELLA PROPERTIES, LLC
JOSEPH COLUMBUS, MANAGER
1430 K STREET
ANCHORAGE, ALASKA 99501

NOTARY'S ACKNOWLEDGMENT

FOR JOSEPH COLUMBUS
ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2022.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES: _____

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, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS:

40 FOOT AND 10 FOOT ADDITIONAL WEST FAIRVIEW AVENUE RIGHT-OF-WAY DEDICATION.

DRAINAGE EASEMENTS AS SHOWN

PUBLIC ACCESS EASEMENTS AS SHOWN

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

BY: _____ DATE: _____
ROB DUMOUCHE, CITY MANAGER
CITY OF HOMER, ALASKA

HOMER RECORDING DISTRICT KPB FILE No. 2021-???

TERRA BELLA SUBDIVISION

THE SUBDIVISION OF A PORTION OF THE SE1/4 SW1/4 SECTION 18, T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA CONTAINING 39.531 ACRES

OWNER:
TERRA BELLA PROPERTIES, LLC
1430 K STREET ANCHORAGE, AK 99501

GEOVERA, LLC

PO BOX 3235

HOMER ALASKA 99603

(907) 399-4345

EMAIL: scsmith@gci.net

DRAWN BY: SCS
CHK BY: SCS
DATE: FEBRUARY 2022
JOB #2021-10
SCALE: 1" = 100'
SHEET 1 OF 1

KPB 2022-024

AGENDA ITEM E. NEW BUSINESS

ITEM 4 – TERRA BELLA SUBDIVISION

KPB File No.	2022-024
Plat Committee Meeting:	April 11, 2022
Applicant / Owner:	Terra Bella Properties, LLC of Anchorage, Alaska
Surveyor:	Stephen Smith / Geovera, LLC
General Location:	West Fairview Avenue, City of Homer

Parent Parcel No.:	175-040-05
Legal Description:	SE1/4 SW1/4 of Section 18, Township 6 South, Range 13 West, excluding W Fairview Avenue dedication on Plat HM 88-52
Assessing Use:	Residential
Zoning:	Rural Residential District
Water / Wastewater	Lots will have City / Tract will be on site.

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 40 acre parcel into nine lots, one tract, and dedicate some right of way. One lot will be 1.082 acres, seven lots will be 1.076 acres, one lot will be 2.755 acres, and the tract will be 27.403 acres. The plat will dedicate additional width for W Fairview Avenue to bring it into compliance for width. Additional public access easements have been requested by the City of Homer and are being granted by the plat.

Location and Legal Access (existing and proposed): The lots will all have access from W Fairview Avenue. W Fairview Avenue is a City of Homer managed right of way that is currently constructed from Bartlett Street, another City of Homer right of way, to the western corner of this subdivision. Bartlett Street is located off W Pioneer Avenue, a state maintained right of way. The tract will have access via Alpine Way. A 100 foot wide turn around area abuts the tract providing a 50 foot wide access point. The right of way is a City of Homer managed road. It does appear that Alpine Way is developed but the turnaround area is not fully developed and appears to be more of a driveway to an improvement. Alpine Way is located off state maintained West Hill Road.

The width of W Fairview Avenue varies. The portion from Bartlett Street to the eastern corner of the subdivision is 60 feet wide. Fairview & Soundview Avenues, Plat HM 88-52, dedicated an additional 30 feet for W Fairview Avenue along the southeastern portion of the subdivision. The western portion is only 30 feet wide. The subdivision will be providing the additional width for the western portion of the right of way. An additional 10 foot dedication will be granted along the entire length of the subdivision to allow room for potential sidewalks. West of the subdivision, W Fairview Avenue is currently only 30 feet wide but there is a section line easement and an approved preliminary plat that will dedicate additional right of way. Preliminary Plat Foothills Subdivision Sunset View Estates 2020 Addition, KPB File 2020-113, will dedicate the other 30 feet of W Fairview Avenue as well as provide a southern right of way, Eric Lane that will connect at the western portion of W Fairview Avenue.

To the east is City of Homer's Karen Hornaday Park. Portions of the campground road cross into what will be Tract A. The plat, at the City of Homer's request, will be granting 20 foot access easements centered on the existing roads. North of the subdivision is another parcel owned by the City of Homer. The ability to develop roads to the City standards within Tract A is not currently possible. The City of Homer requested some access from the lot containing the Karen Hornaday Park to the lot to the north. This plat will be granting a 20 x 30 public access easement to allow a connection and access between the two lots.

The City of Homer have also requested drainage easements along a creek and seasonal drainage area. The plat will be granting those and are depicted and noted.

The block is not closed nor compliant in length. An exception has been requested.

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

Site Investigation: The low wet area present within the subdivision is depicted. It surrounds an existing creek and a drainage easement is being granted of the creek. The creek runs through proposed Lots 8, 9 and Tract A. The correct note to contact the Army Corps of Engineers is present.

Steep slopes are present through the majority of Tract A and are depicted. There are access concerns and the ability to connect to other lots and construct right of ways. Per the neighbors to the south there were concerns regarding drainage. The seasonal drainage area located within proposed Lots 2, 3, and Tract A will have a drainage easement granted by this plat. Per information provided to the City of Homer, the additional 10 feet of right of way will help accommodate backslopes and future sidewalks.

KPB River Center review	A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: Located in a non-regulatory D Zone B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments C. State Parks Reviewer: Russell, Pam Comments: No Comments
State of Alaska Fish and Game	No objection

Staff Analysis This is a subdivision of an aliquot piece of land. A portion of right of way was already granted from a portion of the lot for W Fairview Avenue, Plat HM 88-52.

This subdivision will be creating nine lots and one tract. All the parcels being created will have access to dedicated right of way. Additional width for W Fairview Avenue will be granted in addition to drainage easements and public access easements requested by the City of Homer.

The City of Homer had a different design submitted for review in September 2021. Due to comments from the public, the surveyor withdrew that design. On December 1, 2021, the City of Homer Planning Commission heard the design now submitted to the Kenai Peninsula Borough. The drainage issues were discussed and the current design with the requested easements was acceptable and would not create any additional drainage issues. There was also discussion about the development of Tract A. It was stated in the minutes that Tract A does not seem feasible for development. There were discussions regarding the zoning and the possibility of a nature conservancy but there is also a portion in the northwest corner that could be developed from Alpine Way.

The City of Homer Planning Commission, at their December 1, 2021 meeting, by majority vote, recommended approval of Terra Bella Preliminary Plat with the following comments:

1. Dedicate a public access easement over the existing campground road where it encroaches on Tract A.

2. Grant a public access or trail easement from the northwest corner of Karen Hornaday Park to the City Parcel.
3. Correct plat note 6 to specify which lots have access to city water and sewer.
4. Dedicate a 60 foot drainage easement centered on the eastern creek.
5. Accept a 40 foot drainage easement on the western creek as shown on the plat.

A soils report will not be required. Tract A is larger than 200,000 square feet. City water and wastewater is not available for Tract A. The area in the northwest corner does appear to have over 20,000 contiguous area for possible systems to be installed. The lots are to be connected to City water and sewer. An installation agreement will be required. The City of Homer's comment 3 has already been updated on the preliminary plat being reviewed.

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

The encroachment of the campground road will be resolved by granting of a public access easement that was agreed to by the City of Homer Planning Commission. In regards to the City of Homer lot to the north, the Homer staff report stated, "There is no legal access to the city owned lot north of this plat. Full physical access to the City parcel would need to be from the north and west, outside of this platting area. Granting an access easement would at least provide minimal legal access to the tract from the City's adjoining land." An exception for dedications has been requested.

Utility Easements This is a subdivision of an aliquot property. No platted utility easements have been granted. The plat is proposing to grant 15 feet along dedicated right of ways and increasing to 20 feet within 5 feet of the side lot lines. These easements are depicted along W Fairview Avenue and Alpine Way. **Staff recommends the plat note 4 include "granted this plat".**

There are several easements granted by document per the Certificate to Plat. The surveyor stated in his letter that some should not be considered valid. **Staff recommends the owner work with the title company to remove items from the Certificate to Plat or add the appropriate plat notes.**

A 20 foot wide utility easement was granted along the eastern boundary by recorded document. The easement is depicted and labeled with the recording information. The Certificate to Plat mentions another easement by document HM 2004-003777-0. The location may be similar to the one being shown. **Staff recommends the location be determined and if differs from document HM 2004-003779-0 add to the plat, if the depiction is the same, add the recording number to the label.**

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

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: None Existing Street Names are Correct: Yes
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	List of Correct Street Names: MULLIKIN ST W FAIRVIEW AVE ALPINE WAY Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: No addresses affected by this subdivision.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat. Review Not Required
Assessing	Reviewer: Wilcox, Adeena Comments: No Comment

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

STAFF RECOMMENDATIONS **CORRECTIONS / EDITS**

KPB 20.25.070 – Form and contents required

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

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: *Revise the title block by removing "A Portion" and add "excepting therefrom, Fairview Avenue according to Plat HM 88-52".*

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:

- *We generally do not want ownership of neighboring lots as those may change. Remove "Terra Bella Properties, LLC" and "City of Homer" from lot designations and just provide "Unsubdivided".*

In this case, staff would recommend keeping “Karen Hornaday Park” label in addition to an “unsubdivided” label.

- *Staff would like for labeling to be consistent. The lots to the west only contain the recording number while those to the south have the subdivision name. Please either had the names to those to the west or remove on the southern lots.*
- *Provide Lot labels for the lots located south of W. Fairview Avenue.*
- *Located to the southwest is a preliminary plat that is being finalized in phases. Phase 1 has recorded and the lot should be labeled “Tract B1 HM 2022-07” and note the section line easement present for the southern portion of W Fairview Avenue. This will need to be reviewed prior to final. If Phase 2 records, it will change the Tract’s designation and W Fairview Avenue in addition to Eric Lane may be dedicated.*
- *Provide a width label for the portion of W Fairview Avenue located to the west of the subdivision and for the portion to the east.*
- *Provide width labels for Mullikin Street and Alpine Way.*

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.*

20.30.270. Different standards in cities. Where cities have enacted by ordinance different subdivision design standards than those set forth in this chapter, the planning commission shall apply the city standards in lieu of those set forth in this chapter. Any appeal of a city design standard is subject to KPB 21.01.020(E).

Staff recommendation: *The City of Homer does not meet the specified requirements for the application and consideration of different standards.*

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: This is within the City. A soils analysis report will not be required as city water and sewer are available. Tract A is large enough to not require a soils analysis report at this time.

Staff recommendation: *comply with 20.40.*

KPB 20.60 – Final Plat

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

20.60.080. Improvements-Installation agreement required. A final plat of a subdivision located within city limits shall not be recorded with the district recorder prior to compliance with any city ordinances concerning the installation of improvements. Evidence of compliance shall be provided by the subdivider in the form of a written statement from the appropriate city official that improvements required by city ordinance are or will be installed. Evidence of compliance shall be a part of the final plat submission and the time for action required by KPB 20.60.210 shall not commence until evidence of compliance is submitted.

Staff recommendation: *One is required per the City of Homer Planning Staff Report. Documentation from the city will be required prior to recording that all requirements have been satisfied.*

20.60.180. Plat notes.

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

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

Staff recommendation:

- *Per the Certificate to Plat, there is an easement for an overhead powerline through the property. The surveyor noted that the document stated it would be abandoned if not used. He states there is no powerline in that location. Staff will require a plat note as the easement is present on the certificate to plat. The owners may wish to work on getting the easement removed by working with the title company and utility providers.*
- *Per the Certificate to Plat, there is an easement for the existing water main along Fairview Avenue. The exhibit was not recorded with the easement but it appears to be within the area of Fairview Avenue. A plat note should be added, as this is on the Certificate to Plat. If the City of Homer agrees that the location will now be fully within the dedicated right of way, add to the plat note "the easement is no longer required with the dedication of W. Fairview Avenue." The other option is to work with the city to get the easement removed from the Certificate to Plat.*

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: *The documentation provided shows the signer has the title "Member Manager". Please update on the signature line. Comply with 20.60.190.*

EXCEPTIONS REQUESTED:

KPB 20.30.030(A) - Proposed Street Layout-Requirements and KPB 20.30.170 – Blocks-Length requirements

Surveyor's Discussion: The majority of Tract A is extremely steep and undevelopable and a number of deep gullies run through the property. It is not possible to construct a road to city standards to access the 10 acre city owned parcel adjoining the north boundary. The city plans to use the 10 acre landlocked parcel for hiking trails and walk in camping in the future. The city has asked for a pedestrian (public access) easement to connect the northwest corner of Karen Hornaday Park to the city parcel. An exception to KPB 20.30.030(A) Proposed Street Layout-Requirements is requested for the above described issues. A 20 by 30 foot public access easement is granted by this plat to connect the park to the landlocked parcel.

I would like to request an exception for block length. The topography uphill of Fairview Avenue within the limits of the subdivision would definitely not allow for construction of a road to borough or city standards.

Staff Discussion: Staff has combined the two exceptions. The plat committee may determine they wish to review the exceptions separately. If so desired, two motions will be required.

Per KPB Code, a dedication either along the western, eastern, or both would be expected. This would create a compliant block. It would also provide access to large acreage parcels located to the north.

The block is not compliant. In order to find a closed block will required going well beyond the required distances. Many roads end at improved lots, are cul-de-sacs, or cannot continue due to terrain. The center of the section contains multiple large acreage lots with limited or no dedicated access. The lot to the east is owned by the City of Homer and contains the Karen Hornaday Park. Northwest of that lot is another City of Homer lot that is currently landlocked. The City of Homer has requested a pedestrian or access easement. The lot to the north of that City of Homer parcel is owned by someone that has access through their own property at the end of Tundra Rose Road. Terra Bella Properties, the owners of this subdivision, own the lot located to the northwest of this property that has access from Alpine Way, Miller Lane, and Bell Avenue. Terra Belle Properties also owns the two lots north of the Karen Hornaday Park, each are 20 acres in size. A state parcel is north of those parcels. The Terra Belle Properties north of the Park can be access via the Park and the public access easement being granted by this plat. The two parcels and the state parcel contain deep gullies and rough terrain that will make access options difficult.

If the exception is denied, right of way dedications will be required to improve the block and provide access to lots located to the north.

Findings:

1. The block is not closed within allowable length requirements of 330 feet to 1,320 feet.
2. Steep slopes are present throughout the preliminary plat.
3. Steep slopes are present within the areas that would provide dedications to create compliant blocks and meet street layout requirements.
4. There is a creek within the eastern portion with needed drainage easements.
5. A seasonal drainage way is present in the western portion with needed drainage easements.
6. Roads for the park and campground encroach on the property.
7. Roads will be difficult to build to City of Homer standards.
8. The owner, City of Homer, of the landlocked parcel, has only requested an access easement to provide a connection between their lots.
9. The same owner of this subdivision owns the other landlocked parcels.
10. The City of Homer did not request any additional dedications.

Staff reviewed the exception request and recommends granting approval.

Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;
Findings 2-10 appear to support this standard.
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
Findings 2-10 appear to support this standard.
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
Findings 2-10 appear to support this standard.

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

RECOMMENDATION:

SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:

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

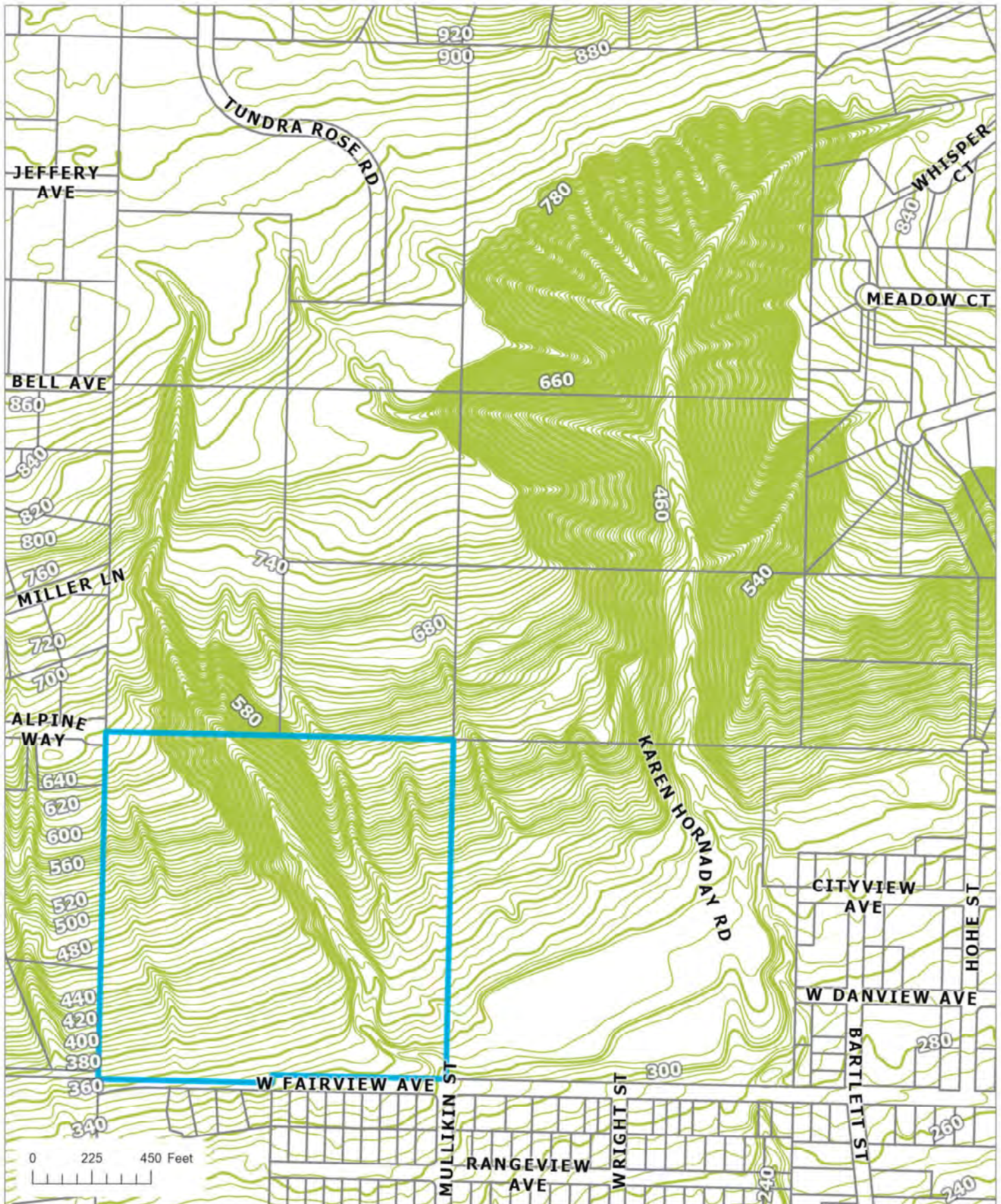
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

NOTE: 20.25.120. - REVIEW AND APPEAL.

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

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

END OF STAFF REPORT





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

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3. THE RESULTING SCALED COORDINATES WERE TRANSLATED TO A LOCAL COORDINATE SYSTEM BASED ON FEDERAL BASE NETWORK CONTROL STATION "HOMER" N=100,000 E=100,000. ALL COORDINATE VALUES REPRESENT GRID DISTANCES IN U.S. SURVEY FEET ORIENTED TO TRUE NORTH.
4. THE 15 FEET FRONTING THE STREET RIGHT-OF-WAYS AND THE FRONT 20 FEET WITHIN 5 FEET OF THE SIDE LOT LINES IS A UTILITY EASEMENT. 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.
5. PROPERTY OWNER SHOULD CONTACT THE ARMY CORPS OF ENGINEERS PRIOR TO ANY ON-SITE DEVELOPMENT OR CONSTRUCTION ACTIVITY TO OBTAIN THE MOST CURRENT WETLAND DESIGNATION (IF ANY). PROPERTY OWNERS ARE RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS.
6. THESE LOTS WILL BE SERVED BY CITY OF HOMER SEWER AND WATER.
7. ALL LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO CITY OF HOMER ZONING REGULATIONS. REFER TO THE HOMER CITY CODE FOR ALL CURRENT SETBACK AND SITE DEVELOPMENT RESTRICTIONS. OWNERS SHOULD CHECK WITH THE CITY OF HOMER PLANNING DEPARTMENT PRIOR TO DEVELOPMENT ACTIVITIES.
8. SET A 5/8" X 30" REBAR WITH 2" ALCAP (7538-S 2020) AT ALL LOT CORNERS AND RIGHT-OF-WAY POINTS OF CURVATURE UNLESS INDICATED OTHERWISE.
9. THE LOT IS AFFECTED BY AN EASEMENT OF RECORD WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION (BK17, PG 328 HRD).
10. EXISTING DRAINS ARE SUBJECT TO DRAINAGE EASEMENT(S) PER HOMER CITY CODE. APPROXIMATE LOCATIONS OF DRAINAGES ARE SHOWN.

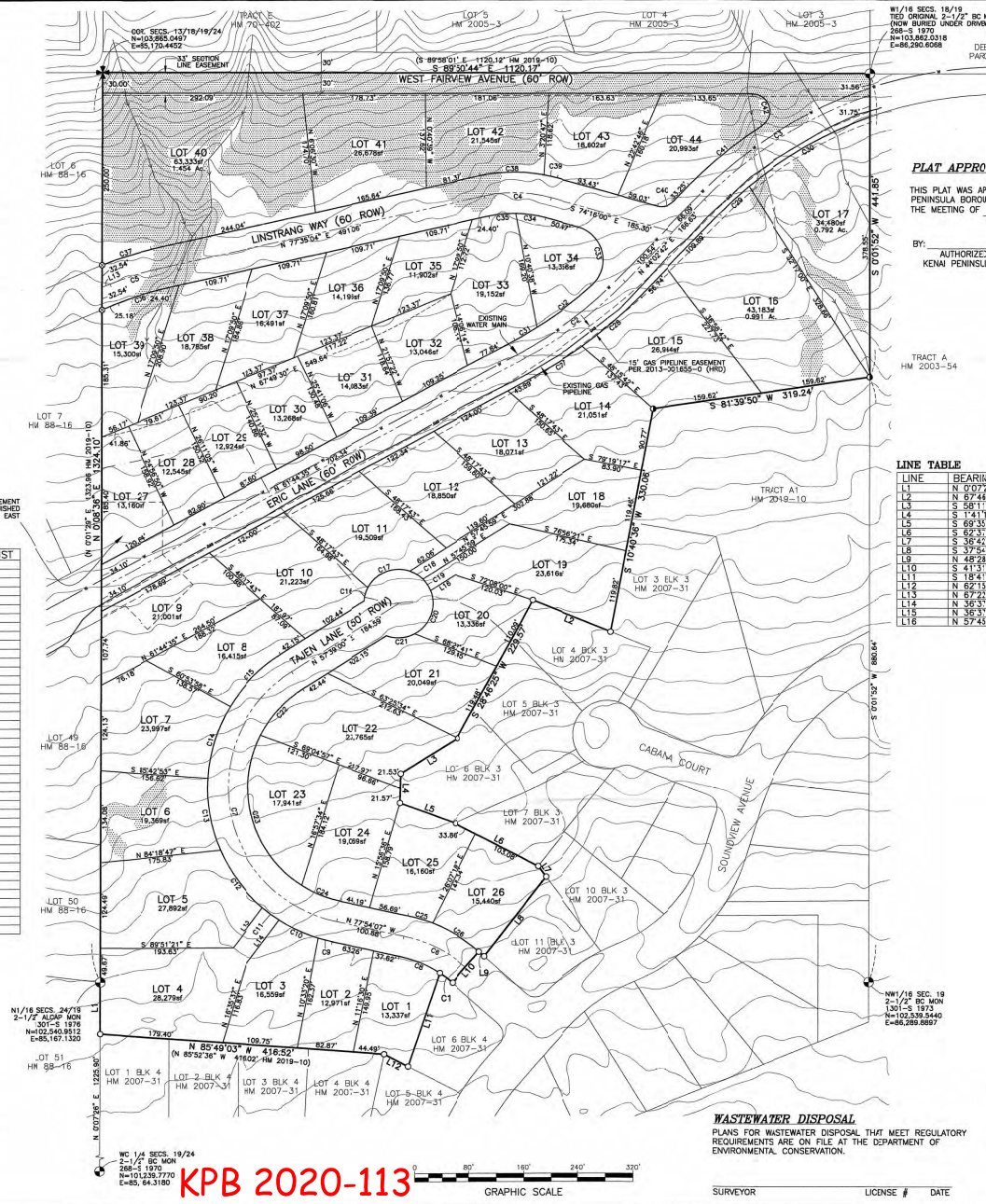
TEMPORARY CURVE-TO-TOE EASEMENT PER 2016-00280-0 TO BE RELINQUISHED UPON EXTENSION OF ERIC LANE TO THE EAST

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD BRNG	CHORD DIST
C1	75.51°	170.00'	23.34'	N 52.24.00" E	23.32'
C2	17.61°	800.00'	18.33'	N 63.53.58" E	184.60'
C3	27.23°	800.00'	28.89'	N 57.44.35" E	284.16'
C4	28.08°	200.00'	98.26'	N 86.20.70" E	97.15'
C5	10.12°	200.00'	35.00'	N 86.20.70" E	350.28'
C6	29.26°	200.00'	102.75'	N 63.11.04" W	101.62'
C7	138.33°	200.00'	473.17'	N 107.07.4" W	310.28'
C8	21.34°	170.00'	64.00'	N 67.07.03" W	63.62'
C9	51.43°	230.00'	101.81'	N 64.50.20" W	106.06'
C10	15.32°	230.00'	62.74'	N 64.50.20" W	62.55'
C11	78.43°	230.00'	30.02'	N 53.17.05" W	30.00'
C12	36.21°	230.00'	107.92'	N 56.21.43" W	104.19'
C13	28.47°	230.00'	107.94'	N 55.58.10" W	106.58'
C14	28.47°	230.00'	107.94'	N 55.58.10" W	106.58'
C15	28.47°	230.00'	107.94'	N 55.58.10" W	106.58'
C16	21.31°	230.00'	101.23'	N 44.17.40" E	106.29'
C17	21.31°	230.00'	101.23'	N 44.17.40" E	106.29'
C18	21.31°	230.00'	101.23'	N 44.17.40" E	106.29'
C19	21.31°	230.00'	101.23'	N 44.17.40" E	106.29'
C20	21.31°	230.00'	101.23'	N 44.17.40" E	106.29'
C21	48.07°	50.00'	42.00'	N 86.22.30" E	40.78'
C22	30.52°	170.00'	61.92'	N 67.37.03" W	61.19'
C23	83.58°	170.00'	248.06'	N 15.11.46" W	227.37'
C24	26.44°	230.00'	61.92'	N 67.37.03" W	61.19'
C25	26.44°	230.00'	61.92'	N 67.37.03" W	61.19'
C26	20.09°	230.00'	80.93'	N 56.32.49" W	80.51'
C27	73.42°	230.00'	83.57'	N 57.07.24" W	83.20'
C28	10.07°	630.00'	111.33'	N 45.06.28" E	111.19'
C29	55.54°	570.00'	58.80'	N 72.00.01" E	58.77'
C30	20.28°	570.00'	203.63'	N 60.11.22" E	202.54'
C31	3.44°	570.00'	37.19'	N 55.52.26" E	37.18'
C32	10.12°	570.00'	101.55'	N 54.12.43" E	101.42'
C33	12.03°	490.00'	106.52'	N 13.14.06" W	87.49'
C34	12.03°	490.00'	106.52'	N 13.14.06" W	87.49'
C35	13.07°	170.00'	38.92'	N 84.09.35" E	38.84'
C36	10.12°	370.00'	65.83'	N 72.28.46" E	65.80'
C37	10.12°	370.00'	65.83'	N 72.28.46" E	65.80'
C38	23.20°	230.00'	93.89'	N 69.15.13" E	93.04'
C39	23.20°	230.00'	93.89'	N 69.15.13" E	93.04'
C40	61.41°	230.00'	26.92'	N 74.53.21" E	25.84'
C41	12.23°	530.00'	136.29'	N 50.14.33" E	136.02'
C42	146.17°	25.00'	63.63'	N 16.24.10" W	47.85'

LEGEND

- INDICATES 1917 2-1/2" BC GLO MONUMENT RECOVERED THIS SURVEY
- INDICATES PRIMARY MONUMENT RECOVERED THIS SURVEY AS DESCRIBED
- INDICATES 5/8" REBAR WITH 2" ALCAP (5760-S, 2007) RECOVERED THIS SURVEY
- INDICATES 5/8" REBAR WITH 2" ALCAP (7810-S, 2017) RECOVERED THIS SURVEY
- INDICATES 5/8" REBAR WITH 1-1/2" ALCAP (NO LSF OR DARTEN) RECOVERED THIS SURVEY
- INDICATES NORTHERN LIMIT OF DISCHARGE SLOPE DESIGNATION PER KENAI WATERSHED FORUM WETLANDS ASSESSMENT
- INDICATES APPROXIMATE CENTERLINE OF DRAINAGE
- INDICATES AREAS WITH SLOPES GREATER THAN 20%

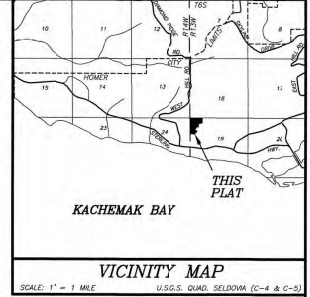


PLAT APPROVAL

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

BY: AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

DATE



LINE TABLE

LINE	BEARING	DISTANCE
L1	N 07.23.8" E	75.28'
L2	N 67.44.49" W	124.27'
L3	S 58.11.43" W	97.19'
L4	N 41.11" E	52.00'
L5	S 69.35.27" E	86.32'
L6	N 62.21.08" E	136.93'
L7	N 62.21.08" E	136.93'
L8	S 37.51.50" W	146.67'
L9	N 42.02.19" E	10.22'
L10	S 41.31.58" W	60.00'
L11	S 19.41.10" W	143.33'
L12	N 66.13.52" W	38.88'
L13	N 67.21.28" E	12.59'
L14	N 36.33.07" E	82.53'
L15	N 36.33.07" E	73.01'
L16	N 57.45.59" E	42.63'

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT 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.

TL INVESTMENTS, LLC
REAL ESTATE MANAGER
PO BOX 3403
HOMER, ALASKA 99603

NOTARY'S ACKNOWLEDGMENT

FOR TOM STAFFORD

ACKNOWLEDGED BEFORE ME THIS
DAY OF _____, 2020.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES: _____

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 PLAN INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS:

THE UTILITY EASEMENTS WITHIN THE 10' FEET ADJACENT TO ALL STREET ROW'S AND THE FRONT 20 FEET WITHIN 5 FEET OF SIDE LOT LINES.

ERIC LANE (60' ROW), TAINE LANE (60' ROW), LINSTRANG WAY (60' ROW), MATCHING 30' ROW WEST FAIRVIEW AVENUE.

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

BY: ROB DIMOUCHEL, CITY MANAGER
CITY OF HOMER, ALASKA

HOMER RECORDING DISTRICT KPB FILE No. 2020-???

FOOTHILLS SUBDIVISION SUNSET VIEW ESTATES 2020 ADDITION

THE SUBDIVISION OF TRACT B
FOOTHILLS SUBDIVISION SUNSET VIEW ESTATES ADDITION NO. 3
(HM 2019-10)
LOCATED WITHIN THE NW 1/4 SEC 19,
T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI
PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA
CONTAINING 25.561 ACRES
OWNER:
TL INVESTMENTS, LLC PO BOX 3403 HOMER, AK 99603

GEOVERA, LLC
PO BOX 3235
HOMER ALASKA 99603
(907) 399-4345
EMAIL: scsmith@gci.net

DRAWN BY: SCs DATE: SEPTEMBER 2020 SCALE: 1" = 80'
CHK BY: SCs JOB #2020-23 SHEET 1 OF 1

WASTEWATER DISPOSAL

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



- the project has not been submitted to the Fire Marshall, engineers have signed off on the project before they submitted it to the Planning department

City Planner Abboud stated that if the Commission has concerns on Fire Safety then they can make that a condition of granting the permit. Currently, that is a requirement regardless, it is in code for zoning. The commission can make a motion to add it as a condition.

Additional responses and comments on these topics followed:

- Water usage and drainage
 - o City Water will be used and there is no current plan for address drainage at this time
 - o It is assumed that they will meet any necessary requirements for utilities
- The property was surveyed and an asbuilt will be provided as required when the project is completed.
- the positive nature of the project within a very fractious society, those that believe higher education is only for the elite yet this represents practical education that is arguably very useful
- Currently there are no plans for informational signage to assist in letting the neighboring property owners and general public passing by know what is happening on or in the property but appreciation was expressed for the idea
 - o Community outreach will be conducted in a number of ways through seminars, media print and social media
- Ventilation will be installed in the green house that consists of vents with wax seals that will automatically open when the wax melts

BENTZ/BARNWELL MOVE TO ADOPT STAFF REPORT 21-68 AND APPROVE CUP 21-08 TO ALLOW A GREEN HOUSE AT 3860 KACHEMAK WAY WITH FINDINGS 1.10 AND CONDITION 1

1. OUTDOOR LIGHTING MUST BE DOWNLIT PER HOMER CITY CODE 21.59.030 AND THE COMMUNITY DESIGN MANUAL (CDM)

A brief discussion on adding a second condition and if the Fire Marshall was a code requirement ensued.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PLAT CONSIDERATION

- A. Staff Report 21-69 REVISED Terra Bella Subdivision Preliminary Plat

Chair Smith introduced the item by reading of the title and request City Planner Abboud to present his report.

City Planner Abboud provided a summary of Staff Report 21-69 for the commission.

There was no applicant present.

Chair Smith opened the Public Comment period.

Bob Shavelson, neighboring property owner commented that he appreciated the revised plat and admitted that he has not seen the item in the supplemental packet but reported the eastern drainage is an actual year round creek and periodically glaciates over the road and would like to see a culvert installed. He reported on the parking for Reber Trail issues and solutions should be considered for the future to designate parking. He further expressed appreciation for the installation of a sidewalk for connectivity to Karen Hornaday Park and other trails in the community which is super important. Mr. Shavelson expressed his appreciation for the Commissioners and how the Chair conducted these meetings.

There were technical issues on a second member of the public attending and the attendee could not be heard to provide testimony. They were offered the choice of calling in on the conference phone line, check the volume on their device, were promoted to panelist, staff suggested emailing the planning department or to use another device.

Chair Smith called for a five minute recess at 7:41 p.m. The meeting was called back to order at 7:46 p.m. with the Chair noting for the record that the member of the public did not call in or contact Planning or the Clerk during that time.

Deputy City Clerk Krause stated that she had the phone number and will try to locate the owner and get in contact with them.¹

Chair Smith opened the floor to questions from the Commission.

City Planner Abboud facilitated a lengthy discussion and provided responses to the following concerns and questions expressed by the commission:

- Storm water plans for this property have satisfied Public Works requirements
 - o drainage easements applied are in Public Works domain and they follow what is outlined in their rules
- concerns expressed by multiple members of the commission on the development of the steeper parcels and how those developments will impact the drainage downslope
- parking for the Reber Trail should be directed to Karen Hornaday Park which is a short walk from the trail head
 - o Signage
- concerns that drainage boundaries are artificial and should follow natural drainage boundaries
 - o maintenance of the drainage has been requested

¹ Clerk located the owner of the phone number and had their email from previous contact. No response was received from that member of the community to her inquiry.

- it is not expected that nine additional residences will impact the natural drainage any more than what is actually going on currently
- what development is proposed for Lot A since the majority of the parcel is over 20% slope
 - Parcel A does not really lend itself for development and be feasible
 - Make that parcel a nature conservancy if possible
 - There is a spot in the NW corner that could be developed and possibly could be accessed from Alpine Way

HIGHLAND/MOVE TO ADOPT STAFF REPORT 21-69 AND RECOMMEND APPROVAL OF THE REVISED TERRA BELLA PRELIMINARY PLAT TO CREATE NINE RESIDENTIAL LOTS ALONG FAIRVIEW AVENUE AND ONE LARGE TRACT ACCESSED FROM ALPINE WAY WITH THE FOLLOWING COMMENTS:

1. DEDICATE A PUBLIC ACCESS EASEMENT OVER THE EXISTING CAMPGROUND ROAD WHERE IT ENCROACHES ON TRACT A
2. GRANT A PUBLIC ACCESS OR TRAIL EASEMENT FROM THE NORTHWEST CORNER OF KAREN HORNADAY PARK TO THE CITY PARCEL
3. CORRECT PLAT NOTE 6 TO SPECIFY WHICH LOTS HAVE ACCESS TO CITY WATER AND SEWER
4. DEDICATE A 60 FOOT DRAINAGE EASEMENT CENTERED ON THE EASTERN CREEK.
5. ACCEPT A 40 FOOT DRAINAGE EASEMENT ON THE WESTERN CREEK AS SHOWN ON THE PLAT (TO BE PROVIDED AS A LAYDOWN AT THE MEETING.)

A lengthy discussion ensued on approving the plat with development of the steeper parcels that will create drainage issues for the downslope properties. City Planner Abboud counseled the Commission on denial of the plat without the basis of standing regulations. Further discussion on postponement to have the applicant present or respond to their concerns ensued as well as points made on supporting their recommendation by the Borough and if the issue went to Court, and development versus subdivision is where these issues can be addressed.

VOTE. YES. BENTZ, CONLEY, BARNWELL, VENUTI, SMITH, CHIAPPONE
VOTE. NO. HIGHLAND.

Motion carried.

PENDING BUSINESS

A. Staff Report 21-70 Coastal Bluff Analysis

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

City Planner Abboud stated that this is a follow-up to the presentation and believed that Ms. Overbeck did a great job on what is in existing code. He facilitated discussions and responses to questions on the following:



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 21-69

TO: Homer Planning Commission
FROM: Julie Engebretsen, Deputy City Planner
THROUGH: Rick Abboud, City Planner
DATE: December 1, 2021
SUBJECT: REVISED Terra Bella Preliminary Plat

Requested Action: Approval of a preliminary plat to create nine residential lots along Fairview Ave, and a large tract accessed from Alpine Way.

NOTE: This is a revised plat. The original submission included two additional lots. Several public comments were received prior to the meeting, and the surveyor withdrew the plat from the September agenda. The applicant subsequently met with Planning and Public Works staff to address the public comments and sidewalk design issues. This revised plat is provided for Commission consideration and mailed out for public notice. The original plat and comments are provided as attachments.

General Information:

Applicants:	Terra Bella Properties, LLC Joseph Columbus, Manager 1430 K Street Anchorage AK 99501	Geovera LLC Stephen Smith, surveyor PO Box 3235 Homer, AK 99603
Location:	West Fairview Ave, directly west of Hornaday Park	
Parcel ID:	17504005	
Size of Existing Lot(s):	39.5 acres	
Size of Proposed Lots(s):	Lots 1-8 are a little over an acre, Lot 9 is 2.755 acres, and Tract A is 27.4 acres	
Zoning Designation:	Rural Residential District	
Existing Land Use:	Vacant	
Surrounding Land Use:	North: Vacant South: Residential/vacant East: Karen Hornaday Park West: Residential	
Comprehensive Plan:	Chapter 4 Implementation 1-B-1: Consider additional methods for preserving natural areas and areas where ongoing natural processes may present hazards to existing or proposed	

	development. 1-C-1 Promote infill development in all housing districts.
Wetland Status:	Riverine/Riparian wetlands within the ravine.
Flood Plain Status:	Zone D, flood hazards undetermined.
BCWPD:	Not within the Bridge Creek Watershed Protection District.
Utilities:	City services are available to lots on Fairview Ave. Water is already available and sewer will be installed as part of the subdivision. Tract A does not have access to city water and sewer.
Public Notice:	Notice was sent to 75 property owners of 70 parcels as shown on the KPB tax assessor rolls.

Analysis: This subdivision is within the Rural Residential District. This plat creates nine residential lots along Fairview Ave, and one lot on Alpine Way (Tract A). Staff researched topics including steep slopes, legal access to adjoining tracts, drainages, and the campground road encroachment. The resulting recommendations are included in this staff report.

Tract A

1. A portion of the campground road encroaches on this property.

Recommendation 1: Staff requests a public access easement over the existing road where it encroaches on Tract A.

2. There is no legal access to the city owned lot north of this plat. Full physical access to the City parcel would need to be from the north and west, outside of this platting area. Granting an access easement would at least provide minimal legal access to the tract from the City's adjoining land.

Recommendation 2: Grant a public access or trail easement from the northwest corner of Karen Hornaday Park, to the City Parcel.

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 these requirements.

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

Staff Response: The plat meets these requirements.

- C. The subdivider shall dedicate easements or rights-of-way for sidewalks, bicycle paths or other non-motorized transportation facilities in areas identified as public access

corridors in the Homer Non-Motorized Transportation and Trail Plan, other plans adopted by the City Council, or as required by the Kenai Peninsula Borough Code.

Staff Response: The plat meets these requirements. The surveyor has stated preliminary engineering has been completed which demonstrates a sidewalk will be possible within the right of way as shown on the preliminary plat.

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. All lots are intended for private ownership at this time.

- 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: A 60 foot drainage easement is requested, 30 feet each side of the centerline of the eastern creek, extending north to the lot line.

- 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 available at 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.

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

Staff Response: The plat does not meet these requirements. Recommend dedication of a public access easement over the existing campground road where it encroaches on Tract A.

- 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. Drainage Easement: Request a 60 foot Drainage Easement for the eastern creek. A majority of the stream's riparian wetlands are in the flood plain east of the stream, so a wider easement will protect more of these wetlands.
2. Publics Works requested and received a 40' foot drainage easement for the western drainage. A revised plat with the new easement shown will be provided in the meeting laydown packet.
3. An installation agreement or subdivision development agreement is required.

Staff Recommendation:

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

1. Dedicate a public access easement over the existing campground road where it encroaches on Tract A.
2. Grant a public access or trail easement from the northwest corner of Karen Hornaday Park, to the City Parcel.
3. Correct Plat note 6 to specify which lots have access to city water and sewer.
4. Dedicate a 60 foot drainage easement centered on the eastern creek.
5. Accept the 40 foot drainage easement on the western creek, as shown on the plat - **TO BE PROVIDED AS A MEETING LAYDOWN.**

Attachments:

1. Preliminary Plat
2. Surveyor cover letter (email dated 10/29/21)
3. Public Notice
4. Wetlands and Aerial Map
5. Terrain Map 12 1 2021
6. Original plat submission
7. Public comments from first property owner mailing (Pulled from September meeting)

From: "Stephen C. Smith" <scsmith@gci.net>
Date: October 29, 2021 at 11:29:48 AM AKDT
To: Julie Engebretsen <JEngebretsen@ci.homer.ak.us>
Subject: Terra Bella Subdivision Revised Plat

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Julie,

Here is the revised Terra Bella Subdivision preliminary plat. The road has been redesigned to address the concerns of the downhill property owners. The revised road design actually improves the access to the two lots with existing driveways on the south side of the road. In order to accommodate lowering the road, the right-of-way on the north side has been revised to dedicate 40 feet instead of 30 due to the backslopes catching farther out. This will also help fit a sidewalk in at some point in the future.

The upper lot was eliminated so that legal access to Tract A can be by way of Alpine Way. The lot configurations were pared down from 130 feet by 390 feet to 125 feet by 375 feet. This was so that a little more room was available for a building site in the southwest corner of what is now Lot 9. Original Lot 10 was eliminated as well because access to a building site would have been across the deep drainage. We felt that it would be best to stay out of that drainage altogether in the development plan.

I'll give you a call to follow up.

Steve

Stephen C. Smith, P.L.S.
Geovera, LLC
PO Box 3235
Homer, AK 99603
(907) 399-4345

1. BASIS OF BEARING FOR THIS SURVEY WAS DETERMINED BY A HIGH PRECISION GPS SURVEY USING TOPCON DUAL-FREQUENCY HiPer V RECEIVERS, DIFFERENTIALLY CORRECTED AND PROCESSED WITH MAGNET OFFICE VERSION 3.1 SOFTWARE. NAD83 ALASKA STATE PLANE GRID COORDINATES (U.S. SURVEY FEET) OBTAINED FROM THE GPS OBSERVATIONS WERE BASED ON THE NGS PUBLISHED VALUES FOR FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" (PID TT0155).

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5. PROPERTY OWNER SHOULD CONTACT THE ARMY CORPS OF ENGINEERS PRIOR TO ANY ON-SITE DEVELOPMENT OR CONSTRUCTION ACTIVITY TO OBTAIN THE MOST CURRENT WETLAND DESIGNATION (IF ANY). PROPERTY OWNERS ARE RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS.

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8. SET A 5/8" X 30" REBAR WITH 2" ALCAP (7538-S 2021) AT ALL LOT CORNERS UNLESS INDICATED OTHERWISE.

9. THERE IS A DRAINAGE EASEMENT 20 FEET ON BOTH SIDES OF THE EXISTING CREEK. APPROXIMATE LOCATION OF CREEK IS SHOWN.

SW1/16 SEC. 18
2-1/2" ALCAP
(268-S 1970)
N=105,181.3076

UNSUBDIVIDED
TERRA BELLA PROPERTIES, LLC

CITY OF HOMER

TRACT A
27.403 Ac.

LOT 1
HM 2005-3

LOT 2
HM 2005-3

LOT 3

6 SECS. 18/19
-1/2" BC MON
(UNDER DRIVEWAY)
268-S 1970
I=103,862.0318
F=86,290.6068

INDICATES PRIMARY MONUMENT RECOVERED
OR SET AS DESCRIBED

INDICATES POTENTIAL LOW WET AREAS
PER KENAI WATERSHED FORUM 2013
COOK INLET WETLANDS MAPPING

INDICATES AREAS WITH SLOPES GREATER THAN 20%

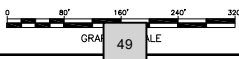
→ INDICATES CENTERLINE OF DRAINAGE

W1/16 SECS. 18/19
TIED ORIGINAL 2-1/2" BC MON
(NOW BURIED UNDER DRIVEWAY)
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N=103,862.0318
E=86,290.6068

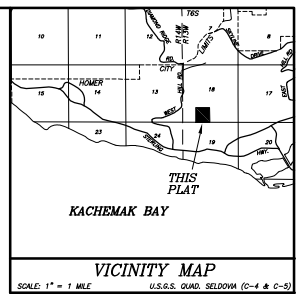
THIS PLAT WAS APPROVED BY THE KENAI
PENINSULA BOROUGH PLANNING COMMISSION AT
THE MEETING OF

BY: _____ DATE _____
 AUTHORIZED OFFICIAL
 KENAI PENINSULA BOROUGH

LINE	BEARING	DISTANCE
L1	N 0°06'23" E	30.00'
L2	N 0°07'28" W	30.00'



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



I HEREBY CERTIFY THAT TERRA BELLA PROPERTIES, LLC IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT ON BEHALF OF TERRA BELLA PROPERTIES, LLC I 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.

TERRA BELLA PROPERTIES, LLC
JOSEPH COLUMBUS, MANAGER
1430 K STREET
ANCHORAGE, ALASKA 99501

FOR JOSEPH COLUMBUS
ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2021.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES:

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, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS:

THE UTILITY EASEMENTS WITHIN THE 15' FEET ADJACENT TO ALL STREET ROW'S AND THE FRONT 20 FEET WITHIN 5 FEET OF SIDE LOT LINES.

40 FOOT AND 10 FOOT ADDITIONAL WEST FAIRVIEW AVENUE

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

BY: _____ DATE: _____
 ROB DUMOUCHEL, CITY MANAGER
 CITY OF HOMER, ALASKA

HOMER RECORDING DISTRICT KPB FILE No. 2021-???

THE SUBDIVISION OF A PORTION OF
THE SE1/4 SW1/4 SECTION 18,
T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI
PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA
CONTAINING 39.531 ACRES

TERRA BELLA PROPERTIES, LLC
1430 K STREET ANCHORAGE, AK 99501

CEOVERA LLC

GEOVERA, LLC
PO. BOX 3236

FO BOX 3235
HOMER ALASKA 99603

(907) 399-4345

EMAIL: scsmith@gci.net

DRAWN BY: SCS	DATE: OCTOBER 2021	SCALE: 1" = 80'
CHK BY: SCS	JOB #2021-10	SHEET 1 OF 1

NOTICE OF SUBDIVISION

A preliminary plat has been received proposing to subdivide or replat property in your area. The location of the proposed subdivision is provided on the attached map and a copy of the preliminary plat is provided as an attachment. You are receiving this notice because you are an affected property owner within 500 feet of the proposed subdivision and are invited to comment.

The proposed subdivision under consideration is described as follows:

REVISED Terra Bella Subdivision Preliminary Plat

The matter is scheduled for **Wednesday, December 1, 2021 at 6:30 p.m.** during the Regular Planning Commission Meeting. The meeting will be conducted via Zoom webinar. Participation is available virtually or in-person 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 5pm on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for December 1, 2021 at <https://www.cityofhomer-ak.gov/calendar>. It will also be available at the Planning and Zoning Office at Homer City Hall and at the Homer Public Library.

Written comments can be emailed to the Planning and Zoning Office at the address below, mailed to Homer City Hall at the address above, or placed in the Homer City Hall drop box at any time. Written comments must be received by 4pm on the day of the meeting. Comments should be guided by the requirements of the City of Homer and Kenai Peninsula Borough Subdivision Ordinances, which are available at the City Planning and Zoning Office.

If you have questions or would like additional information about the proposal, please contact Rick Abboud at the Planning and Zoning Office at 235-3106. If you have questions about how to participate in the virtual meeting, please contact the City Clerk's Office at 235-3130.

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

.....

VICINITY MAP ON REVERSE

Vicinity Map

This lot to be subdivided into 9 residential lots along Fairview Ave. and an interior tract (generally very steep) See plat.

X

Hornaday Park

Hospital



W Fairview Ave

Soundview Ave

Middle School

West
Homer
EI

Legend

-  Subject Lot
-  Lots w/in 500 feet

Request for REVISED Terra Bella Subdivision Preliminary Plat

Marked lots are within 500 feet and
property owners notified.

0 250 500 1,000 Feet

E4-27

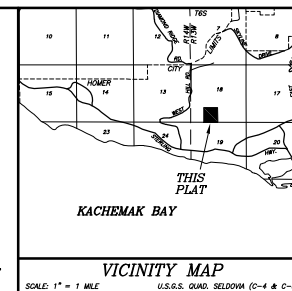
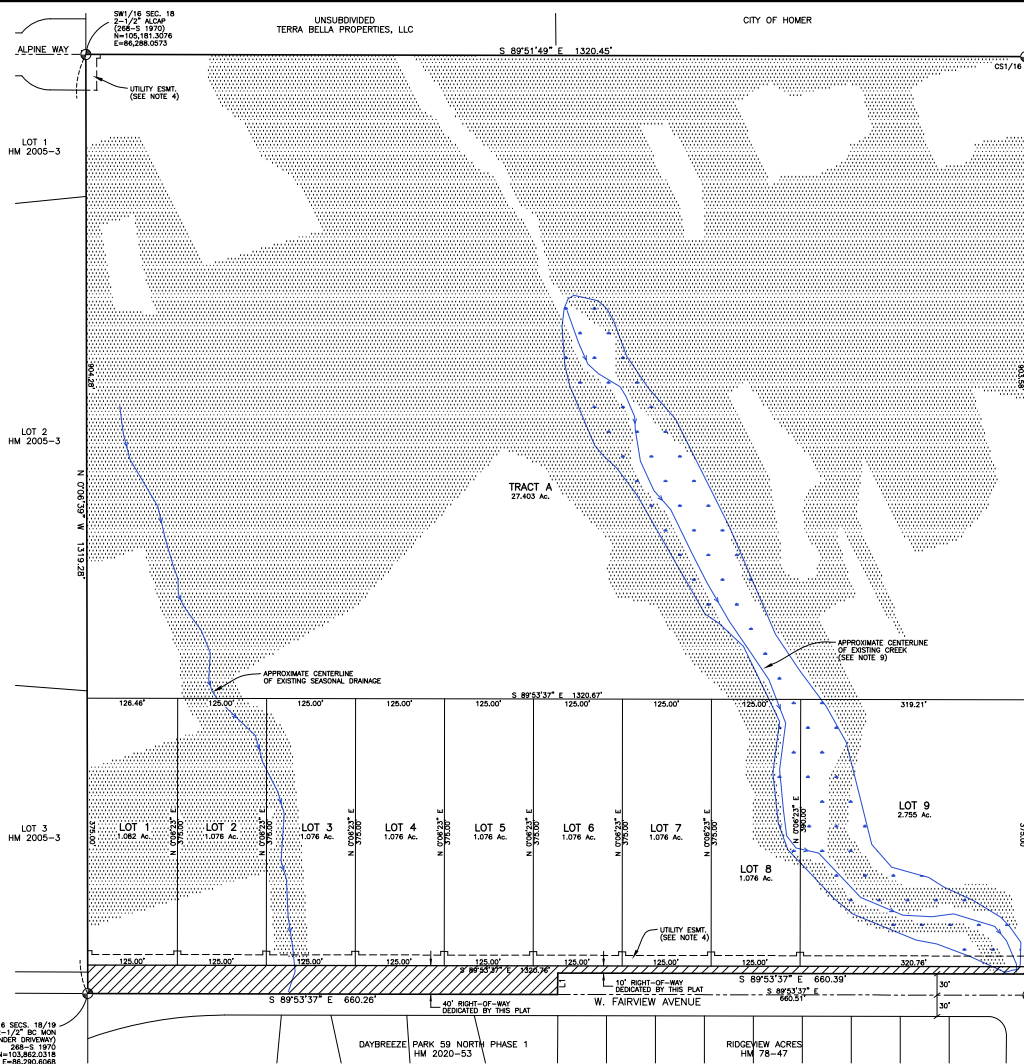


*Disclaimer:
It is expressly understood the City of
Homer, its council, board,
departments, employees and agents are
not responsible for any errors or omissions
contained herein, or deductions, interpretations
or conclusions drawn therefrom.*

*City of Homer
Planning and Zoning Department
December 1, 2021*

NOTES

1. BASIS OF BEARING FOR THIS SURVEY WAS DETERMINED BY A HIGH PRECISION GPS SURVEY USING TOPCON DUAL-FREQUENCY HP4r V RECEIVERS, DIFFERENTIALLY CORRECTED AND PROCESSED WITH MAGNET OFFICE VERSION 5.1 SOFTWARE. NAD83 ALASKA STATE PLANE GRID COORDINATES (U.S. SURVEY FEET) OBTAINED FROM THE GPS OBSERVATIONS WERE BASED ON THE NGS PUBLISHED VALUES FOR FEDERAL BASE NETWORK CONTROL STATION "HOMAR" (PID T10155).
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CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT TERRA BELLA PROPERTIES, LLC IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT ON BEHALF OF TERRA BELLA PROPERTIES, LLC I 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.

TERRA BELLA PROPERTIES, LLC
JOSEPH COLUMBUS, MANAGER
1430 K STREET
ANCHORAGE, ALASKA 99501

NOTARY'S ACKNOWLEDGMENT

FOR JOSEPH COLUMBUS
ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2021.

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: _____

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BY: _____ DATE: _____
ROB DUMOUCHELL, CITY MANAGER
CITY OF HOMER, ALASKA

LEGEND

INDICATES PRIMARY MONUMENT RECOVERED OR SET AS DESCRIBED

INDICATES POTENTIAL LOW WET AREAS PER KENAI WATERSHED FORUM 2013 COOK INLET WETLANDS MAPPING

INDICATES AREAS WITH SLOPES GREATER THAN 20%

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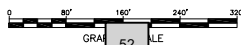
PLAT APPROVAL

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

BY: _____ AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH
DATE: _____

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 69°53'37" E	130.00'
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WASTEWATER DISPOSAL

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



HOMER RECORDING DISTRICT KPB FILE No. 2021-???

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TERRA BELLA PROPERTIES, LLC
1430 K STREET ANCHORAGE, AK 99501

OWNER:

GEOVERA, LLC

P.O. BOX 3235

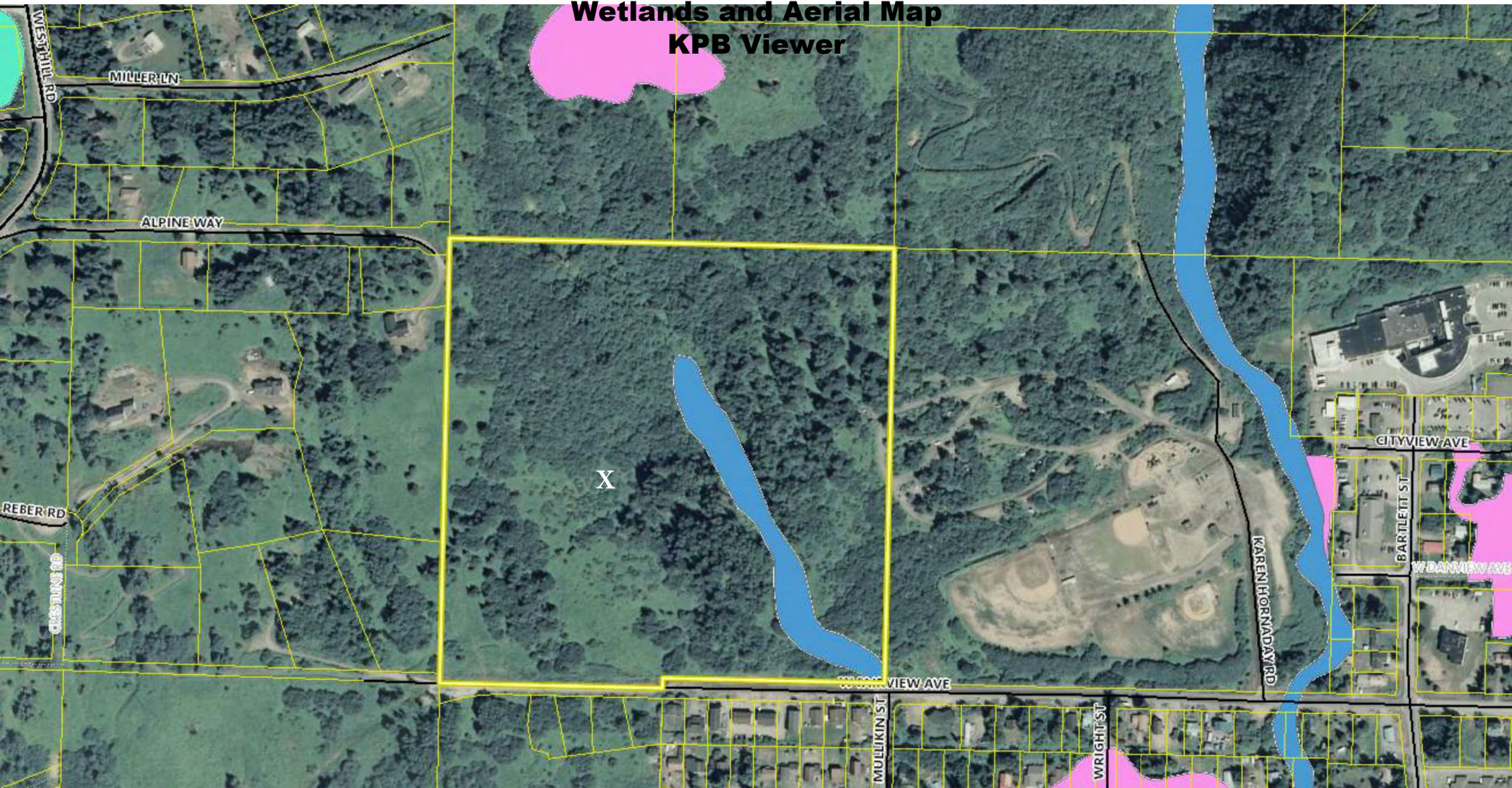
HOMER, ALASKA 99603

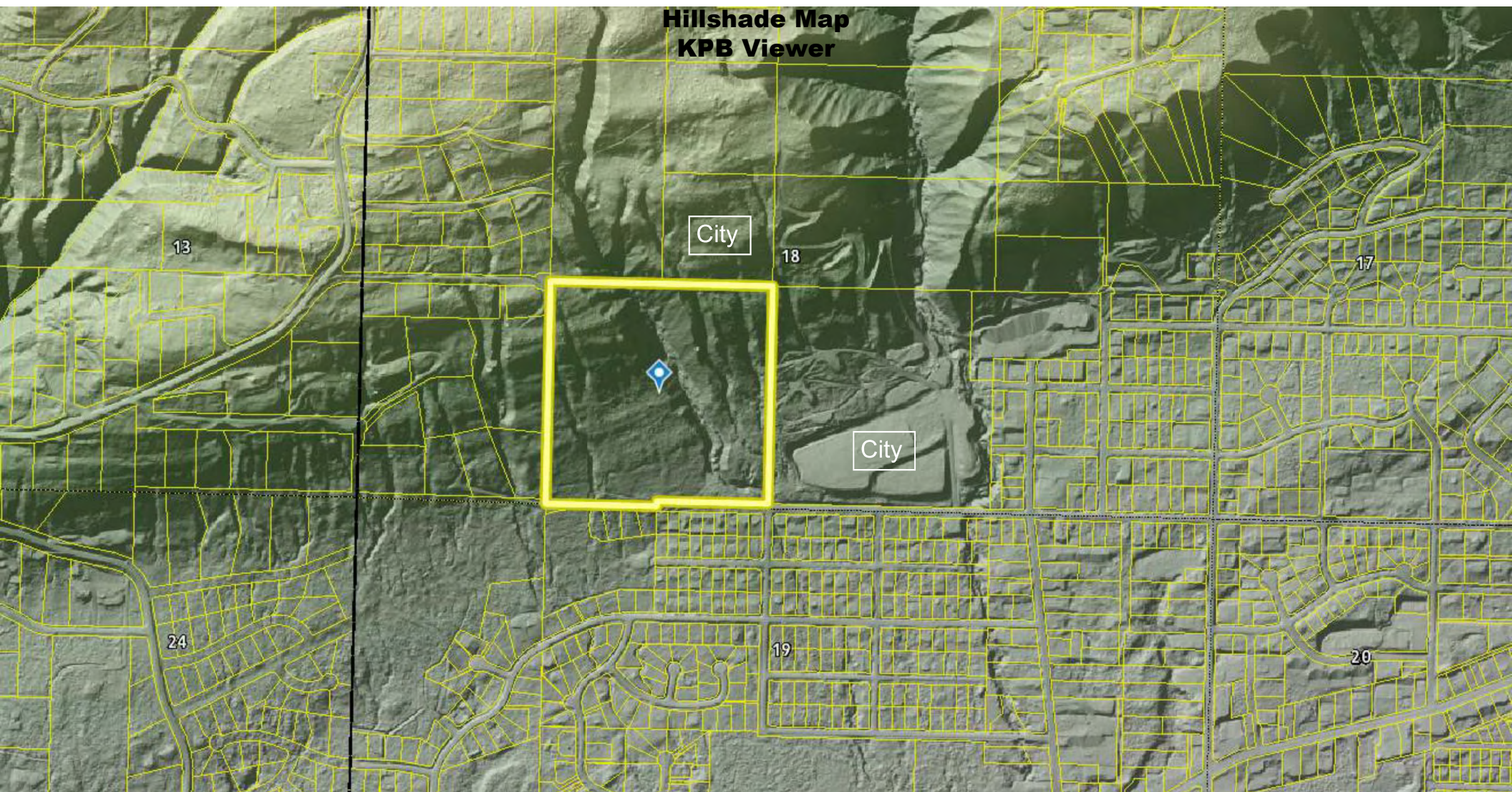
(907) 399-4345

EMAIL: scsmith@gci.net

DRAWN BY: SCS DATE: OCTOBER 2021 SCALE: 1" = 80'
CHK BY: SCS JOB #2021-10 SHEET 1 OF 1

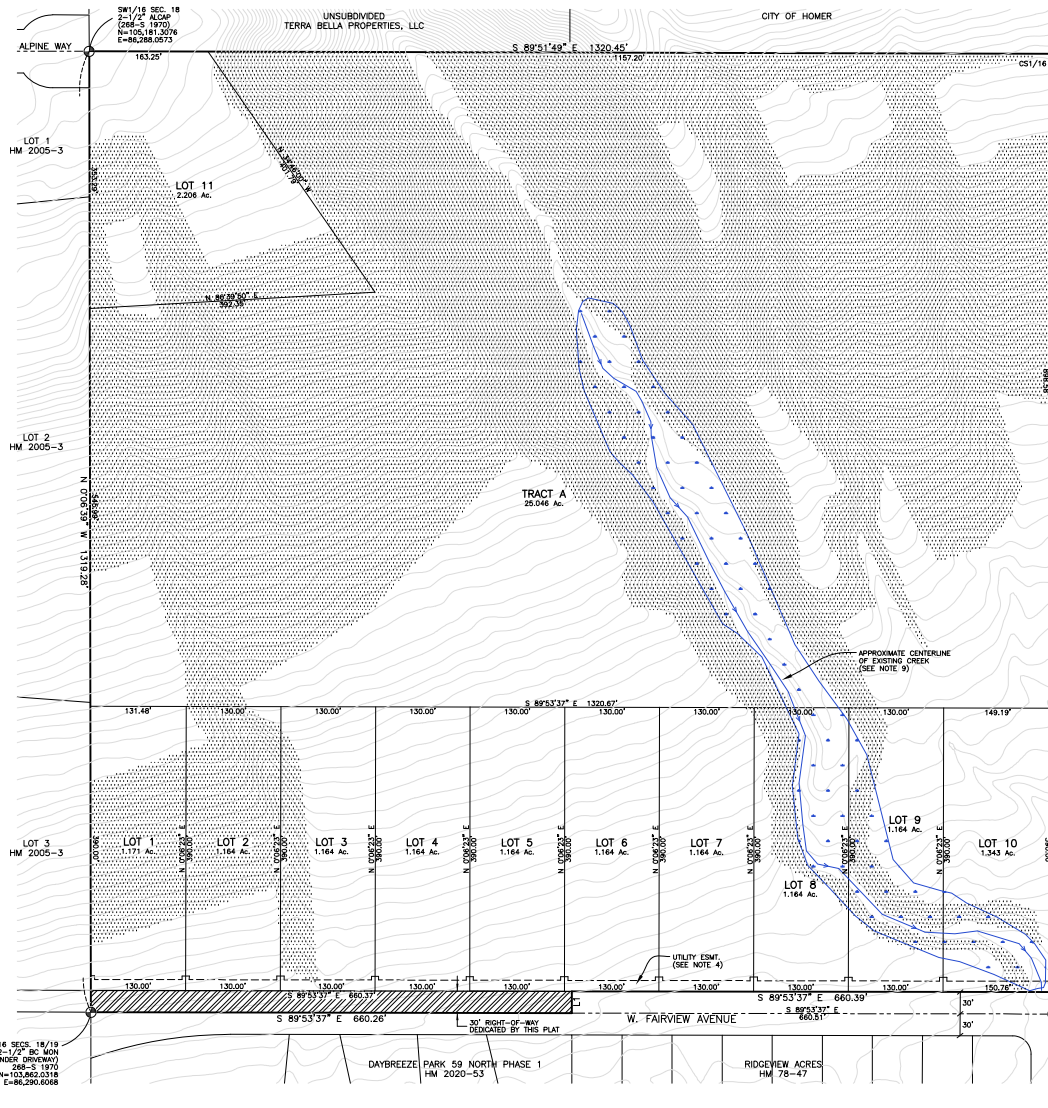
**Wetlands and Aerial Map
KPB Viewer**



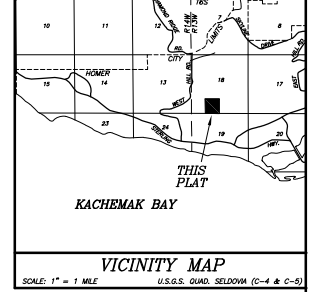


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SCALE 1"=80'



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JOSEPH COLUMBUS, MANAGER
1430 K STREET
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FOR JOSEPH COLUMBUS
ACKNOWLEDGED BEFORE ME THIS
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MY COMMISSION EXPIRES: _____

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BY: ROB DUMOUCHEL, CITY MANAGER
CITY OF HOMER, ALASKA

HOMER RECORDING DISTRICT KPFB FILE No. 2021-???

TERRA BELLA SUBDIVISION

THE SUBDIVISION OF A PORTION OF THE SE1/4 SW1/4 SECTION 18, T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA CONTAINING 39.531 ACRES

OWNER:
TERRA BELLA PROPERTIES, LLC
1430 K STREET ANCHORAGE, AK 99501

GEOVERA, LLC
PO BOX 3235
HOMER ALASKA 99603
(907) 399-4345
EMAIL: scsmith@gci.net

DRAWN BY: SCJ DATE: MARCH 2021 SCALE: 1" = 80'
CHK BY: SCJ JOB #2021-10 SHEET 1 OF 1

LEGEND

- INDICATES PRIMARY MONUMENT RECOVERED AS DESCRIBED
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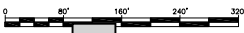
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BY: _____ DATE: _____
AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 0°08'23" E	30.00
L2	N 0°07'28" E	30.00



55

C SCALE

WASTEWATER DISPOSAL

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

SURVEYOR LICENSE # DATE





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

Memorandum

Agenda Changes/Supplemental Packet

TO: PLANNING COMMISSION
FROM: TRAVIS BROWN, PLANNING TECHNICIAN
DATE: Sept. 1, 2021
SUBJECT: SUPPLEMENTAL PACKET

PLAT CONSIDERATION

A. Staff Report 21-55, Terra Bella Subdivision Preliminary Plat

Comments from surveyor/applicant Stephen C. Smith, P.L.S.	p. 1
Comments from Karen and William Wuestenfeld	p. 2
Comments from Kenton and Kayla Bloom	p. 5
Comments from Bob Shavelson	p. 6
Comments from Vicky Gordon	p. 8
Comments from Karin Holser	p. 10

From: Julie Engebretsen
Sent: Wednesday, September 1, 2021 10:57 AM
To: Janette Keiser; Rick Abboud; Travis Brown
Subject: FW: Terra Bella Subdivision Preliminary Plat

From: Stephen C. Smith <scsmith@gci.net>
Sent: Wednesday, September 1, 2021 10:55 AM
To: Julie Engebretsen <JEngebretsen@ci.homer.ak.us>
Subject: Terra Bella Subdivision Preliminary Plat

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Julie,

Following a conversation with Public Works on the desire for inclusion of a sidewalk on the north side of the road, and concerns about the profile of the proposed road developments, I think it would be prudent to remove the preliminary plat from tonight's planning commission agenda and postpone it until at least the October 6 meeting. I would hope that between now and October 6 that we can determine whether the city and the owners can agree to combine the proposed Tract A with the park. If that is going to happen the plat will need to include the park property.

I will work on addressing the adjoining property owner's concerns about the road profile. That will involve adjusting the sewer design accordingly. I'll keep you and Public Works in the loop as changes are made. Let me know if you have any additional questions or input beyond what we discussed this afternoon. Thanks.

Steve

Geovera, LLC
Stephen C. Smith, P.L.S.
PO Box 3235
Homer, Alaska 99603
(907) 399-4345
scsmith@gci.net

Karen and William Wuestenfeld
801 Alpine Way
P.O. Box 2150
Homer, AK 99603

August 31, 2021

City of Homer Planning Commission
491 Pioneer Ave.
Homer, AK 99603
planning@ci.homer.ak.us

Subject: Terra Bella Subdivision Preliminary Plat

Planning Commission:

We are residents of 801 Alpine Way, Lot 2 Wildflower Ranch Subdivision. The proposed plat would result in creation of a new rural residential lot immediately adjacent to our eastern property line (Lot 11, Terra Bella Subd.).

We are not opposed to the proposed plat, but have concerns about the completeness and accuracy of the information provided in the Terra Bella Subdivision Preliminary Plat.

Specifically:

1. Note 6 of the preliminary plat states that all lots will be served by City of Homer water and sewer. However, these utilities do not current extend north of Fairview Avenue, nor does the plat suggest any engineering to install service up steep slopes to Lot 11. The plat either needs to state that Lot 11 will be not be served with public water and sewer, and must meet State of Alaska Department of Environmental Conservation requirements for onsite septic and/or well, or must demonstrate how public service is to be provided.
2. Alpine Way is not currently maintained by the City of Homer. In fact, we pay for all plowing, subsidizing other residents. We, along with our neighbors, pay for grading the road when needed. Residential construction on Alpine Way this spring resulted in significant damage, which that homebuilder willingly repaired. The plat must disclose that no public road maintenance is provided; and we in no way commit to continuing to provide the current *gratis* level of service. (See below for additional information regarding lack of City maintenance of Alpine Way).
3. The tract contains extensive areas of steep slopes. The plat indicates areas with slopes greater than 20%. Because City of Homer Ordinance 21.40 is applicable to slopes greater than 15%, the plat should be updated to show all slopes greater than 15%. This

will provide for more accurate disclosure to prospective property purchasers and help assure compliance with City requirements. A note should be added to the plat to reference the requirements of City of Homer Ordinance 21.40, which present significant constraints to development across much of this tract. The City might consider establishment of slope / drainage easements such as were provided for in Wildflower Ranch Subdivision.

4. The plat does not show a major drainageway near the western boundary of the tract. The steep slopes indicated on the map contain this drainageway, which flows heavily in the spring and after intense rains. The point where the ravine flattens (approximately on Lots 1 and / or 2), is very wet during the growing season. While these conditions are not shown on the current Homer Wetlands Map, they do exist and should be disclosed for prospective property buyers.

Taken together, this missing or inaccurate information is sufficient to warrant reissuance of a preliminary plat and subsequent public hearing.

City of Homer review of this preliminary plat provides an opportunity for the City to address the inequity associated with the lack of City maintenance of Alpine Way, a public road. The City and developer of Wildflower Ranch may have reached an agreement where public maintenance was not provided for, but circumstances have changed and are changing. Additional subdivision along Alpine Way has occurred, along with residential development. The proposed Terra Bella Subdivision would only exacerbate this situation. For example, load limits should be imposed as warranted during construction to avoid creating the type of quagmire created this spring. As a matter of fairness and equity, property owners along Alpine Way should receive the same level of City support as other roads along West Hill Road. (See attached table for supporting information.)

Thank you for consideration of these serious comments.

Respectfully,


Karen S. and William M. Wuestenfeld
submitted via email

Data about City Maintained Streets in West Hill Area

The following information was gathered through inspection of Kenai Peninsula Borough Basic Map Viewer imagery; the information was not field verified. ***All streets except Alpine Way receive City maintenance services.***

Street Name	Number of Lots Served	Number of Lots that Appear to be Developed
Goldberry Ct.	6	3 or 4
Jeffery Ave.	11	8
Bell Ave.	13	7
Dewberry Lane	8 or 9	5
Miller Lane	9	5
<i>Alpine Way</i>	<i>11</i>	<i>5</i>
Wythe Way	6	3
Reber Rd.	11	4 or 5
Seascape Dr.	5	5

From: [Kenton Bloom](#)
To: [Travis Brown](#)
Subject: Proposed Replat West Fairview Ave
Date: Friday, August 27, 2021 12:38:14 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Planning and Public Works Departments,

We have received notice of the proposed subdivision across the street from our property, Lot 2 59 North. Our two comments are:

- 1) This plat will require an upgrade to Fairview Ave adjacent to our properties. We want the City of Homer to ensure that the final grade of the existing travelway does not get raised higher during the construction of new roadway. The existing accesses to the south side properties are already challenging. In addition, the overhead utility wires, located on the south side, are already dangerously low and present a potential safety concern.
- 2) This plat does not depict the stream through the proposed subdivision that crosses Fairview Ave. in the area located between Lot 1 and Tract A of 59 North. This is relevant in terms of parcel development and drainage plans and warrants consideration by the City and the public.

Please ensure that these items are substantially addressed by the subdivider.

Cordially, Kenton Bloom
Kayla Bloom

Bob Shavelson
P.O. Box 1498
Homer, Alaska 99603

VIA EMAIL ONLY
(planning@ci.homer.ak.us)

August 30, 2021

City of Homer Planning Commission
491 East Pioneer Avenue
Homer, Alaska 99603

RE: PROPOSED TERRA BELLA SUBDIVISION PRELIMINARY PLAT

Dear Planning Commission:

Please accept these brief comments on the above-referenced plat.

My family lives immediately down gradient from Lot 6 on the proposed plat, and we own property where we intend to build a home immediately down gradient from Lots 1 & 2.

While we are not opposed to the proposed subdivision, we believe the plat needs considerably more work before it should be approved. Our concerns include:

1. The drainage running from the north through Lot 2 and crossing onto Lot 3 is significant and perennial, and requires an adequate easement to ensure down gradient roads, driveways and properties remain protected.
2. For all proposed lots, the 2013 wetlands map by the Kenai Watershed Forum is informative, but incomplete on this scale. This is especially true for Lots 1-3, which possess considerable slope discharge areas and other wetland features. Accordingly, the Army Corps of Engineers should make a wetlands determination, and independent assessments should be completed, to understand the on-the-ground extent of developable lands and wetlands coverage.
3. Any road improvements should maintain the current elevation of Fairview Avenue, to allow acceptable access to down gradient properties south of Fairview, and to ensure the low hanging power and other wires on the south side of Fairview do not create safety hazards.
4. Any road improvements on the west end of the proposed subdivision should include easements to accommodate parking and related needs for Reber Trail users.
5. While the Kenai Peninsula Borough code requires identification of slopes of 20 percent grade or steeper on the plat, the Homer City Code's ordinance requires a permit for

grades of 15 percent or more. This inconsistency creates confusion, and it would be helpful to see the plat reflect 15% grades to provide a more accurate picture of local rules and conditions.

Thank you for your attention to these issues, and for your service on the Planning Commission.

Very truly yours,

A handwritten signature in black ink, appearing to read "Bob Shavelson", enclosed within a thin black rectangular border.

Bob Shavelson
bobshavelson@gmail.com
907.299.3277

From: Vicky Gordon <vbirchcreek@gmail.com>
Sent: Wednesday, September 1, 2021 1:53 PM
To: Department Planning
Subject: Terra Bella proposed Subdivision

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Planning Commission:
Comments for proposed Terra Bella Subdivision

I live immediately downstream from this proposed subdivision on Mullikin St and have for 23 years. I've experienced 2 major floods and several high water events with numerous and continuing erosion issues. This is not a small creek; it is a large watershed and this proposed subdivision includes most of it. I would not have built my house here if I had known the extent of water flow that is possible with this creek. I own both lots that this creek flows through here and from what I know now neither should have been developed and subdivided. As I have gardened in the lower lot over the years, I have found it is silt from previous flood events.

These high water/flood events occurred with all the shrubs/trees/vegetation in this watershed undisturbed. I am very concerned about this vegetation being disturbed in any way and the ensuing increased water flow and/or erosion that occurs when this happens. It is my experience in dealing with erosion issues here that it takes many years for shrubs and trees which are best at holding soil to become fully established. With climate change these events are predicted to happen with more frequency. I'm glad at least there are some protections in place with slopes now addressed in the city code. Hopefully another disaster like that of the Michael Gordon development above Karen Hornaday Park on Woodard Creek will never happen again. It has had very long lasting consequences.

It has been my hope that the City would extend Karen Hornaday Park to include this beautiful watershed. I have hiked over many parts of it and it is varied, habitat to much wildlife and a corridor for moose to travel up and down to the Homer bench for winter as well as feeding grounds. This intact watershed is important; please take the time to fully look at what is best to be done here.

As I have concern about the whole subdivision, I am especially concerned about lots 8, 9, and 10 and their impacts on the creek. I can't see how Lot 10 can be developed without disturbing the creek to get to utilities and access. Since Lots 8 and 9 have the creek going straight through them, it seems hard for them to be developed without impact.

As tract A may be donated to the City, would you consider the possibility of acquiring more of this parcel? There are many established trails here as well as many more options that could be connected to the Park and Reber. It is a lovely hike from Fairview Ave up to the campground through Lot 10.

It is very important for the City to be conscientious about subdivisions in these major watersheds. I don't want anyone else to have to deal with the problems I have faced here. And the City doesn't need more flooding issues with blocked culverts, water running down roads, over driveways and overflow in ditches as all happened here in the last floods.

Thank you
Vicky Gordon
4046 Mullikin St
235-7471

From: Karin Holser <kholser1@yahoo.com>
Sent: Wednesday, September 1, 2021 10:49 AM
To: Department Planning
Subject: Comment regarding Terra Bella Sub

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To Whom It May Concern:

I would like to comment on the Terra Bella Subdivision. I am at the west end of Fairview Ave (900 West Fairview) and am wondering if you have taken into consideration the additional traffic that will now be coming through the area. Since the connection of Eric with Fairview will provide a corridor for traffic to cut through from West Hill to the hospital. This will make it hard for people to park on the street to get to the Reber trail. We need to provide parking for this trail - I have had people park in my driveway blocking it. It is a very well used trail and needs to be connected to the Hornaday Park! We need a trail so that people can park at Hornaday and start their hike from there.

Thank you for taking these comments into consideration.

Sincerely,
Karin Holser