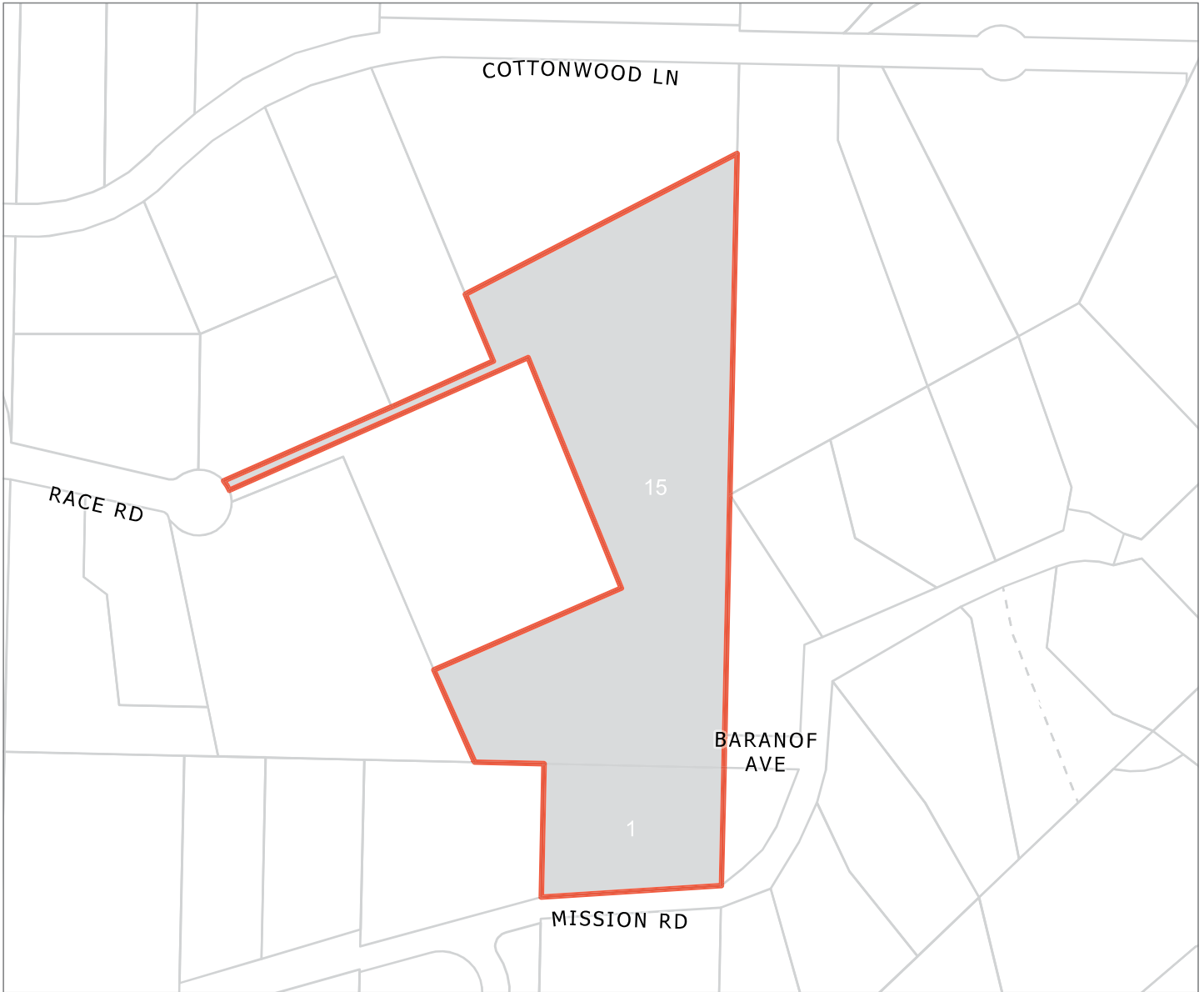


E. NEW BUSINESS

- 7. Lloyd Race & Eker Estates Lufan 2022 Replat
KPB File 2022-045
Seabright Surveying / Lujan
Location: Mission Road, Baranof Avenue & Race Road
City of Homer**



Vicinity Map

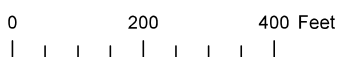


KPB File # 2022-045

S09-T06S-R13W

Homer

4/6/2022





1. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE SAID EASEMENT.

2. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.

3. THESE LOTS ARE SUBJECT TO CITY OF HOMER ZONING REGULATIONS. REFER TO HOMER CITY CODE FOR ALL CURRENT SETBACK AND SITE DEVELOPMENT RESTRICTIONS. OWNERS SHOULD CHECK WITH THE CITY OF HOMER PRIOR TO DEVELOPMENT ACTIVITIES.

4. PROPERTY OWNER/S 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.

5. NO STRUCTURES ARE PERMITTED WITHIN THE PANHANDLE PORTION OF THE FLAG LOT(S).

6. THERE ARE POSSIBLE LIMITATIONS ON FURTHER SUBDIVISION BASED ON ACCESS ISSUES, DEVELOPMENT TRENDS IN THE AREA, OR TOPOGRAPHY.

7. THERE IS A 20' WIDE RIGHT OF WAY ACCESS EASEMENT FOR INGRESS AND EGRESS TO LOT 20 (HM 99-43) THAT

8. THERE IS AN EASEMENT GRANTED TO ENSTAR NATURAL GAS COMPANY THAT AFFECTS THIS SUBDIVISION, RECORDED BY DOCUMENT SERIAL NO. 2014-000505-0 HRD.

1. BASIS OF COORDINATES FOR THIS SURVEY IS FROM GPS OBSERVATIONS TAKEN ON THE MONUMENT POSITIONS AS SHOWN ON THIS PLAT. NAD83 ALASKA STATE PLANE GRID (ZONE 4) COORDINATES OBTAINED FROM THE GPS OBSERVATIONS WERE BASED ON THE NGS PUBLISHED VALUES FOR USCG'S TRISATION "HOMAIR".

2. TRUE BEARINGS AND DISTANCES WERE DETERMINED BY ROTATING AND SCALING FROM GRID USING USCGS TRISTATION "HOMAIR" AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY ROTATING GRID INVERSE AZIMUTHS -1°17'13.4". TRUE DISTANCES WERE OBTAINED BY DIVIDING GRID INVERSE DISTANCES BY 0.99998669%.

3. THE RESULTING SCALED COORDINATES WERE TRANSLATED TO A LOCAL COORDINATE SYSTEM BASED ON USC&GS TRISTATION "HOMAIR" N=100,000 E=100,000. ALL COORDINATE VALUES REPRESENT GROUND DISTANCES ORIENTED TO TRUE NORTH.

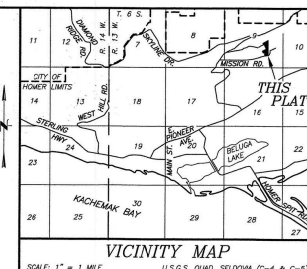
LOTS WHICH ARE AT LEAST 200,000 SQUARE FEET OR NOMINAL FIVE ACRES IN SIZE MAY NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL. ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

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

BY: AUTHORIZED OFFICIAL DATE _____
KENAI PENINSULA BOROUGH



- 2.5" AC 1301-S 1990
- 2.5" AC 1301-S 1974
- 3/4" IRON PIPE



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 MY FREE CONSENT DEDICATE ALL RIGHTS OF WAY AND PUBLIC AREAS TO PUBLIC USE, AND GRANT ALL EASEMENTS TO THE USE SHOWN HEREON.

RUBEN H LUJAN JR.
8228 E CANDELARIA DR
SCOTTSDALE, AZ 85255

JENNIFER M LUJAN
8228 E CANDELARIA DR
SCOTTSDALE AZ 85266

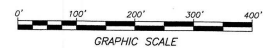
FOR: _____
 ACKNOWLEDGED BEFORE ME THIS _____
 DAY OF _____, 2022

 NOTARY PUBLIC FOR ALASKA
 MY COMMISSION EXPIRES _____

FOR: _____
ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2022

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES _____



HOMER RECORDING DISTRICT KPB FILE NO. 2022-XXXX

LUJAN 2022 REPLAT
A REPLAT OF LOT 15 EXER ESTATES (HM 99-43) &
LOT 1 LLOYD RACE ADDITION (HM 000-3009)
LOCATED WITHIN THE W 1/2 SEC 1/4, SEC 9,
T. 6 S., R. 13 W. SEWARD MERIDIAN,
CITY OF HOMER, KENAI PENINSULA BOROUGH,
THIRD JUDICIAL DISTRICT, ALASKA

CONTAINING 10.202 ACRES

SEABRIGHT SURVEY + DESIGN
KENTON T. BLOOM, P.L.S.
1044 EAST ROAD, SUITE A
HOMER, ALASKA 99603
(907) 299-1091

CLIENTS: RUBEN H LUJAN JR.
JENNIFER M LUJAN
8228 E CANDELARIA DR
SCOTTSDALE, AZ 85255

DRAWN BY: KK	CHKD BY: KB	JOB #2022-05
DATE: 3/2022	SCALE: 1"=100'	SHEET #1 OF 1

AGENDA ITEM E. NEW BUSINESS

ITEM 7 - LLOYD RACE AND EKER ESTATES LUJAN 2022 REPLAT

KPB File No.	2022-045
Plat Committee Meeting:	May 9, 2022
Applicant / Owner:	Ruben and Jennifer Lujan of Scottsdale, AZ
Surveyor:	Kenton Bloom / Seabright Surveying
General Location:	Mission Road and Race Road, City of Homer

Parent Parcel No.:	174-030-01 and 174-051-15
Legal Description:	Lot 15 Eker Estates Plat No HM 90-43 Lot 1 Lloyd Race Addition Plat No. HM 56-3009
Assessing Use:	Residential
Zoning:	Rural Residential District
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will reconfigure two parcels. One lot will be reduced from 8.58 acres to 5.05 acres and the other will increase from 1.64 acres to 5 acres. A 20 foot width will be dedicated to bring the adjacent portion of Mission Road into compliance for right-of-way width.

Location and Legal Access (existing and proposed): The subdivision is located within the City of Homer. The southern access is located off Mission Road, a varying width right-of-way within the City of Homer's jurisdiction that is constructed. An unconstructed access from Mission Road is available for access to the east. It is a 60 foot wide right-of-way that is approximately 136 feet in length. It is named Baranof Avenue and is within the City of Homer's jurisdiction. Race Road provides access from the west. This is a right-of-way with varying widths that is constructed and ends with a cul-de-sac. This is also under the City of Homer's jurisdiction.

Proposed Lot 15-A has a 539 foot panhandle that has access from Race Road. The panhandle is only 20 feet wide. This is not acceptable by current code but the restraints of the area and the varying ownership makes it difficult to improve the panhandle situation. An access easement has been granted along the panhandle for the benefit of Lot 20 that is south of the panhandle.

Proposed Lot 1-A will be having the lot increase in size by moving the northern boundary further north. This will provide a new access to this lot via Baranof Avenue. Along the southern boundary a 20 foot wide portion will be dedicated as right-of-way to increase the width of Mission Road. Lot 1-A will continue to have access from Mission Road.

Currently there does not appear to be any development on either lot. A driveway is constructed within the panhandle to provide access to the improvements within adjacent Lot 20.

Staff reviewed the requirements for KPB 20.30.030(A), providing the continuation or appropriate projection of all streets. There has been no discussion regarding the extension of Baranof Avenue which is currently not constructed. All the lots in the area have access via dedicated rights-of-way or access easements. Steep slopes are present in the western portion of Lot 1-A that could hinder the continuation of Baranof Avenue. Due to terrain and existing structures future continuation will be restricted. The intent of this plat is to increase the acreage of Lot 1. To require a dedication will not allow this to happen and the lot will have to remain as is. The City of Homer did not request any additional right-of-way. For these reasons, ***staff recommends the plat committee concur that a dedication for Baranof Avenue is not required at this time.***

The block is not compliant. Mission Road dead ends at a residence east of the proposed plat. Race Road is a right of way that ends with a cul-de-sac. To find a closed block will be well beyond the compliant lengths. **Staff recommends the plat committee concur that an exception is not required as any dedication will not improve the block requirements.**

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

Site Investigation: There are no low wet areas present except for the creek located on the property. The steep slopes are depicted. The creek is found within some of the steep areas. The City of Homer requested drainage easements centered on the creek and the plat is depicting the granting of the easement. **Staff recommends the steep slopes be depicted on the final plat but the depiction will need to stand out more to be visible on black and white copies. The pattern may be changed or the boundary of the steep slopes darkened and labeled.**

The property is currently vacant except for the driveway within the panhandle that is used by Lot 20.

KPB River Center review	A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Within City of Homer Comments: Located in Zone D non-regulatory 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 comment

Staff Analysis Lloyd Race Addition, Plat HM 3009, was done in 1950. It surveyed Lot 1 and shows the lots within that subdivision split by Mission Road. There were no easements or setbacks put into place. This replat includes Lot 1 but only the portion north of Mission Road.

Eker Estates, Plat HM 90-43, created Lot 15 that is within this replat. The plat shows steep areas that are consistent to what is being shown. The plat created the panhandle for Lot 15. The western portion of the panhandle abuts a 20 foot panhandle for Lot 20. The easement document should be reviewed to determine the actual location and length of the easement. There appears to be some contradiction in some of the wording for the length of the easement. **Staff recommends the easement as granted be depicted and if additional access is needed, a new document be recorded or the plat depict public access easements to be granted by the plat.**

Baranof Avenue was dedicated by High Cliff Subdivision 1974 Addition, Plat HM 75-50. When Eker Estates was approved there was not any discussion about possible extension of Baranof Avenue.

This replat will shift the shared lot line to the north to make Lot 15 slightly smaller and allow Lot 1 to increase in acreage. This plat will also improve the width of Mission Road.

A soils report will be required and an engineer will sign the final plat.

Notice of the proposed plat was mailed to the beneficial interest holder on April 6, 2022. The beneficial interest holder will be given 30 days from the date of the mailing of the notification to respond. They are given the opportunity to notify staff if their beneficial interest prohibits or restricts subdivision or requires their signature on the final plat. If no response is received within 30 days, staff will assume they have no requirements regarding the subdivision and it may be finalized.

The City of Homer Planning Commission heard the proposed plat at their March 16, 2022 meeting. They adopted staff report 22-21 to recommend approval with the following recommendations.

1. Dedicate a 15 foot utility easement fronting Race Road.
2. Dedicate a 30 foot drainage easement centered on the creek.
3. Dedicate a 15 foot utility easement along Mission Road and Baranof Avenue.
4. Mission Road appears to be 40 feet wide along Lot 1A. Verify the width of Mission Road along Lot1-a and dedicate any additional right-of-way needed to create forty feet of right-of-way from current center of the right-of-way as shown on the map, not as constructed.

Utility Easements There were no platted easements granted within Lot 1. An easement was granted to ENSTAR by recorded document. The easement is noted within plat note 8. The location of the easement will now be within the new Mission Road dedication. Easements are allowed to be within the right-of-way but the provider may need to consult with the City of Homer to determine if any permits are required. **Staff recommends** since a defined location was stated in the easement, revise the note "...affects this subdivision as described in document record serial no. 2014-00505-0 HRD."

Lot 15 had platted easements along the panhandle and along the shared lot line with Lot 13 and also connecting to Lot 20. These are depicted on the plat. An additional 10 foot easement was granted along the eastern boundary. This easement only went to the shared corner with Lot 4 from High Cliff Subdivision. **Staff recommends** update the plat number reference in the labels to HM 90-43 and update the depiction of the eastern 10 foot easement.

The City of Homer requested additional easements. These include 15 foot along the bulb of Race Road, along the new right-of-way dedication for Mission Road, and along the end of Baranof Avenue. A 10 foot already existed at the end of Baranof Avenue but will be increasing. The plat correctly depicts this.

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	Within the depicted easements or record, correct the reference to the parent plat, HM 90-43. Locate the existing overhead electric line and provide a note stating the existing overhead power line is the centerline of a 30 foot wide electrical easement including guys and anchors, granted this plat. This section (northern) of the 10 foot easement does not appear to be granted per HM 90-43, verify and correct. HEA is not requesting this easement be granted with this platting action.
ENSTAR	No comments or recommendations
ACS	No objections
GCI	Approved as shown.

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 1700 RACE RD 1690 MISSION RD Existing Street Names are Correct: Yes
------------	---

	List of Correct Street Names: BARANOF AVE RACE RD MISSION RD COTTONWOOD LN Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: City of Homer will advise on affected addresses.
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**

Staff recommends the right-of-way access depiction be shown differently. Generally we request hatching to be used for right-of-way vacations. The hatching may be used but it does make some of the underlying easements harder to depict.

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:

- *The name of the subdivision may be shortened if desired by only including the name of one of the parent subdivisions.*
- *Correct the recording number for Eker Estates to HM 90-43.*
- *Update the description for Lot 1 to "Lot 1 lying north of Mission Road Lloyd..."*

- 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 proposed 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: *The lots with recording number 99-43 should be updated to 90-43. The lot south of Mission Road should be labeled as "Lot 1 South of Mission Road"*

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.*

- 20.30.250. Building setbacks-Within cities. The building setback requirements for subdivisions located within cities shall be governed by the provisions of municipal zoning districts. Building setbacks as depicted, or noted, on recorded plats shall not be carried forward on a new subdivision plat located within a municipal zoning district. Provide a plat note stating, "Per KPB 20.30.250 the building setback of record has been removed. All development must comply with the municipal zoning requirements."

Staff recommendation: *The parent plat of Eker Estates, HM 90-43, contained a 20 foot building setback. Provide the required plat note to remove the setback requirement.*

- 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: The lots are larger than 200,000 square feet. DEC signed the plat for Eker Estates, HM 90-43, and Lot 1 is increasing in size. A soils report is not required.

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.*

- 20.60.040. Dedication of public use lands. Any land shown on a plat as a street, public park or other public area must be dedicated on the final plat to a tax exempt governmental entity. If the governmental entity is not the Kenai Peninsula Borough, the governmental entity shall be required to execute an acceptance of the dedication on the plat.

Staff recommendation: *An acceptance for the Mission Road dedication will need to be added and signed by the City of Homer.*

- 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: City water and sewer is not available per the city staff report. An installation agreement or documentation from the City is required stating one is not required.

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: Place the following notes on the plat.

- Subject to covenants, conditions, restrictions and/or easements recorded on September 24, 1990 within Book 201 Page 374, Homer Recording District.
- The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.
- Per KPB 20.30.250 the building setback of record has been removed. All development must comply with the municipal zoning requirements.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: Update the signature lines to show Mr. Lujan is signing as owner of former Lot 1 and 15 while Ms. Lujan is signing only on behalf of Lot 1. Verify which state they will be signing in and update the notary's acknowledgment or leave the state blank. Comply with 20.60.190.

RECOMMENDATION:

STAFF RECOMMENDS:

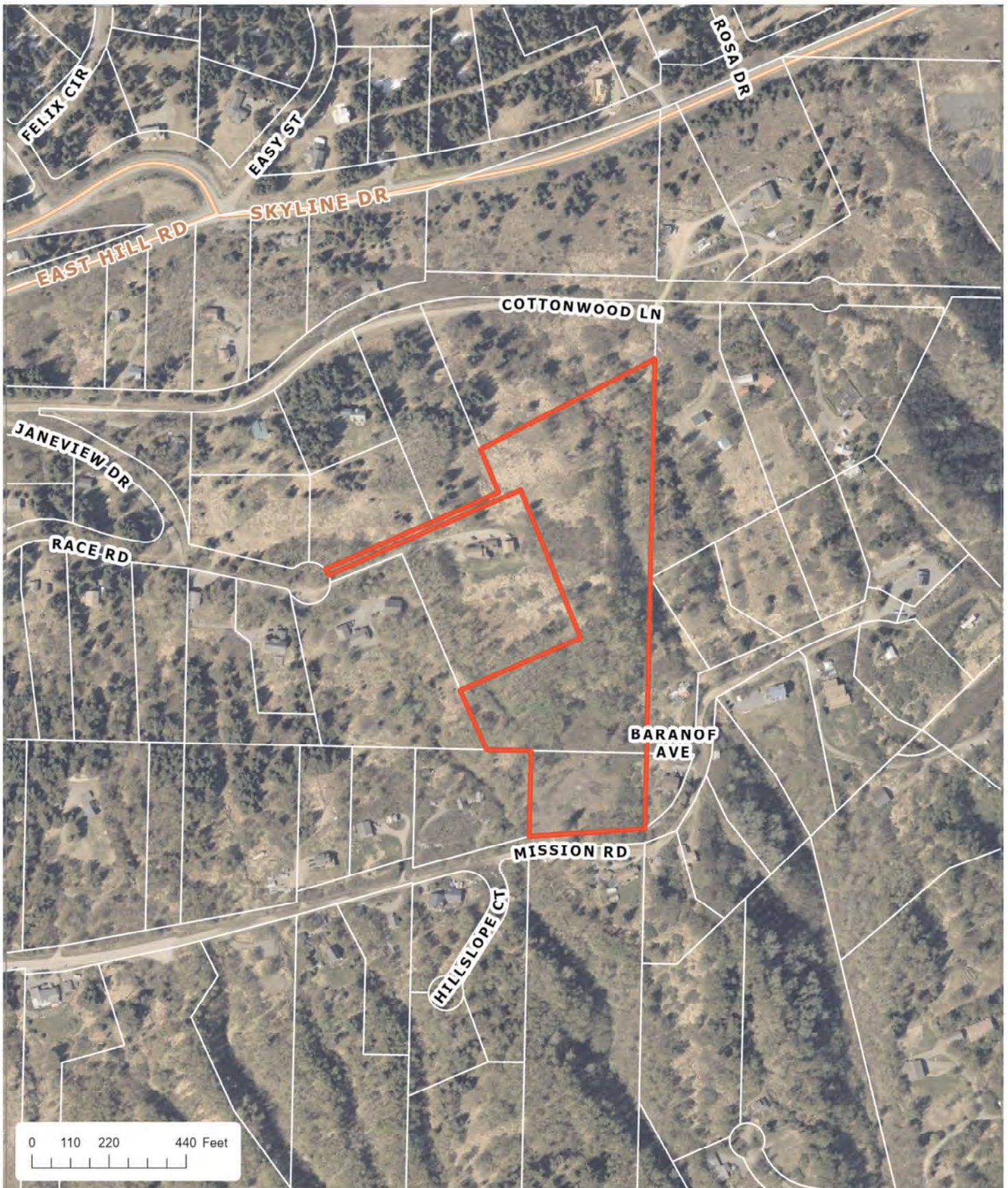
- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL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

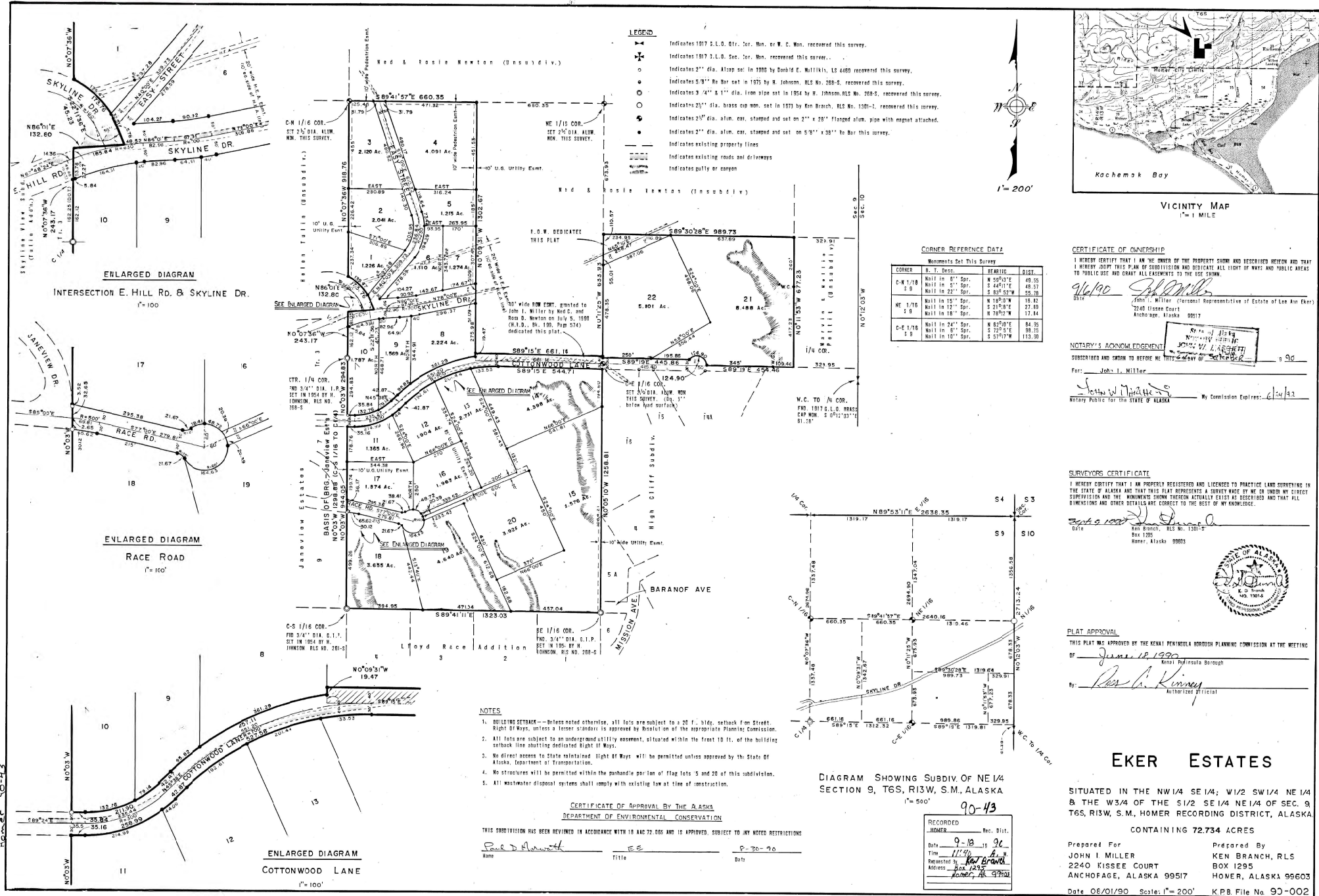
NOTE: 20.25.120. - REVIEW AND APPEAL.

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

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

END OF STAFF REPORT





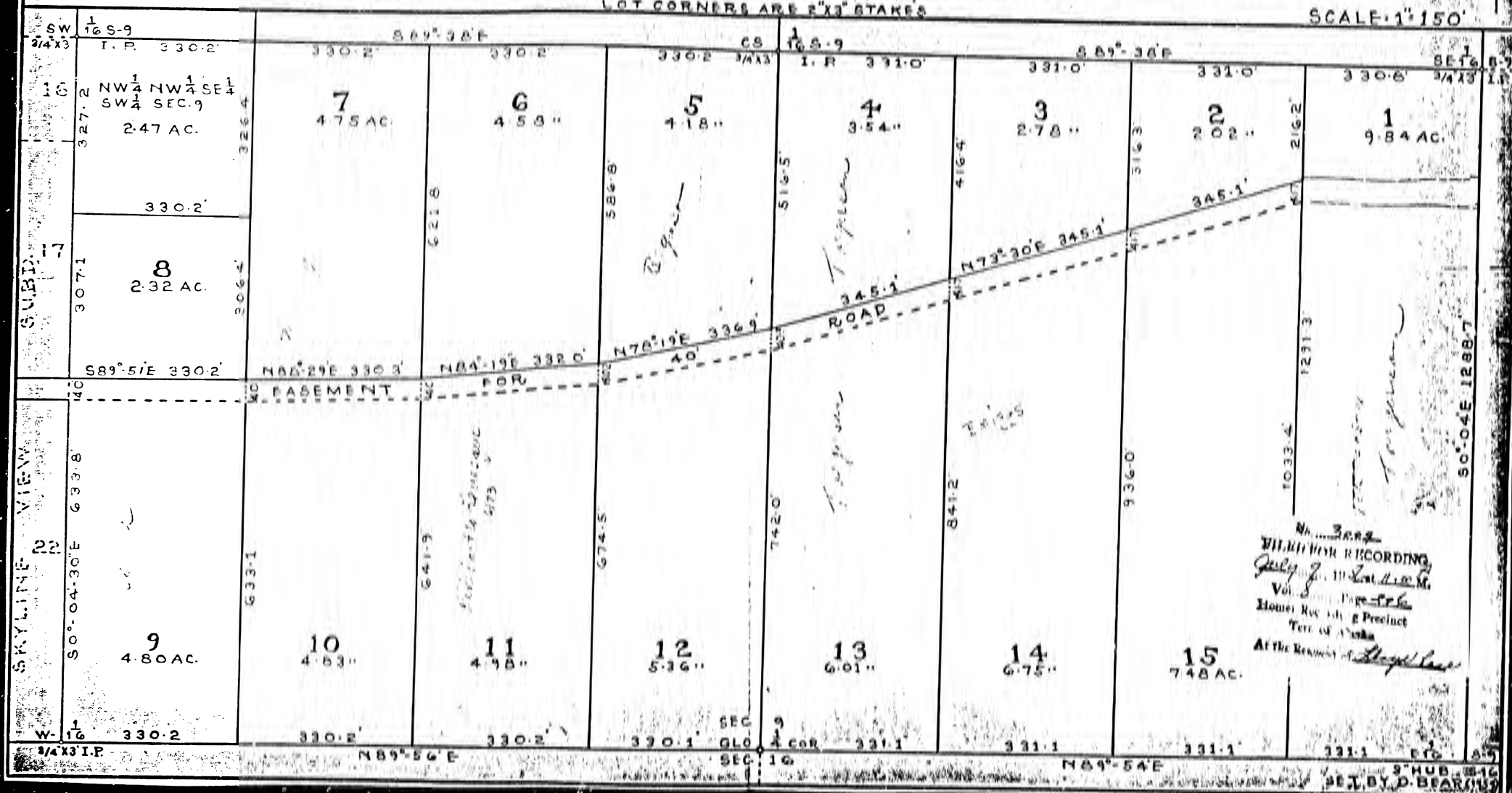
LOCATED IN SE $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$ SECTION 9, TOWNSHIP 6 S. RANGE 13 W.
SEWARD MERIDIAN, ALASKA. JUNE 30, 1956

THE UNDERSIGNED, A REGISTERED LAND SURVEYOR IN THE TERRITORY OF ALASKA, DOES HEREBY CERTIFY THE MONUMENTS SHOWN ON THIS PLAT HAVE BEEN SET IN ACCORDANCE WITH A TRUE SUBDIVISIONAL SURVEY OF SEC. 9; THAT BEARINGS, DISTANCES AND AREAS SHOWN ARE SUBSTANTIALLY CORRECT. *Henning R. Johnson* 268-8



LOT CORNERS ARE 2"X3" STAKES

SCALE: 1" = 150'



REPORTS

A. Staff Report 22-20, City Planner's Report

City Planner Abboud provided a summary of Staff Report 22-20 and highlighted the following:

- City Council on Monday passing the Charles Way Special Assessment District
- moving ahead with green infrastructure items
- discussion during the City Council Committee of the Whole regarding the large retail parking with Council being very receptive to changes
- Final stages of working out the permitting software
- Received a few inquiries on the rural residential rezone update
- City project to replace a water transmission line that comes down from the hill
- City Council visioning event – biggest item do far is the restructuring of city departments
 - Julie Engebretsen has been promoted to Economic Development Manager
 - Creating a Building Department
- Bringing forth item at the next meeting regarding tiny homes on chassis as he has received some inquiries and current code does not address them.
- Encouraged a Commissioner to report at the next Council meeting
 - Commissioner Bentz volunteered after brief clarification was provided on the next Council meeting date and time

PUBLIC HEARINGS

PLAT CONSIDERATION

A. Staff Report 22-21, Lloyd Race & Eker Estates Lujan 2022 Replat Preliminary Plat

Vice Chair Highland introduced the item by reading of the title.

City Planner Abboud provided a summary of Staff Report 22-21 for the Commission. He commented on the following points:

- Lot 15 A has a long narrow panhandle configuration and can be accessed from Mission Road and Baranof
- City requests for easements for drainage and utilities
- Additional right of way dedication to effect a 40 foot right of way to correct something that was not built to code prior to annexation.

After a brief delay it was determined that there was no applicant present and Vice Chair Highland opened the public comment period.

Mr. Jack Ginnever, neighboring property owner, expressed concerns on the easements referenced for Mission Road and asked about additional ordinances or limitations that may affect his property or others in this area.

City Planner Abboud responded to the concerns of Mr. Ginnever stating that the right of way would not affect any properties outside the proposed actions. He then clarified that the easements would not affect any private lands outside the subject area.

Vice Chair Highland closed the public comment period and opened the floor to questions from the Commission, hearing none, she requested a motion and second.

VENUTI/BENTZ MOVE TO ADOPT STAFF REPORT 22-21 AND RECOMMEND APPROVAL OF THE LLOYD RACE & EKER ESTATES LUJAN 2022 PRELIMINARY PLAT TO SHIFT A COMMON LOT LINE BETWEEN TWO PARCELS RESULTING IN TWO PARCELS OF ROUGHLY FIVE ACRES EACH.

City Planner Abboud provided clarification that staff recommendations should be included in the motion for the record in response to questions from Vice Chair Highland.

VENUTI/BENTZ MOVED TO AMEND THE MOTION TO INCLUDE STAFF RECOMMENDATIONS:

- 1.DEDICATE A 15 FOOT UTILITY EASEMENT FRONTING RACE ROAD.**
- 2. DEDICATE A 30 FOOT DRAINAGE EASEMENT CENTERED ON THE CREEK.**
- 3.DEDICATE A 15 FOOT UTILITY EASEMENT ALONG MISSION ROAD AND BARANOF AVENUE**
- 4. MISSION ROAD APPEARS TO BE 40 FEET WIDE ALONG LOT 1 A. VERIFY THE WIDTH OF MISSION ROAD ALONG LOT 1-A AND DEDICATE ANY ADDITIONAL RIGHT OF WAY NEEDED TO CREATE FORTY FEET OF RIGHT OF WAY FROM CURRENT CENTER OF THE RIGHT OF WAY AS SHOWN ON THE MAP, NOT AS CONSTRUCTED.)**

There was no discussion.

VOTE (Amendment) NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

There was no further discussion on the main motion as amended.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PENDING BUSINESS

NEW BUSINESS

- A. Staff Report 22-22, 2022 Local Hazard Mitigation Plan**

Vice Chair Highland introduced the item and invited City Planner Abboud to provide his report for the Commission.

City Planner Abboud provided a summary of Staff Report 22-22 for the Commission noting the processes to date and next steps.

NOTES

1. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE SAID EASEMENT.
2. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.
3. THESE LOTS ARE SUBJECT TO CITY OF HOMER ZONING REGULATIONS. REFER TO HOMER CITY CODE FOR ALL CURRENT SETBACK AND SITE DEVELOPMENT RESTRICTIONS. OWNERS SHOULD CHECK WITH THE CITY OF HOMER PRIOR TO DEVELOPMENT ACTIVITIES.
4. PROPERTY OWNER/S 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.
5. NO STRUCTURES ARE PERMITTED WITHIN THE PANHANDLE PORTION OF THE FLAG LOT(S).
6. THERE ARE POSSIBLE LIMITATIONS ON FURTHER SUBDIVISION BASED ON ACCESS ISSUES, DEVELOPMENT TRENDS IN THE AREA, OR TOPOGRAPHY.
7. THERE IS A 20' WIDE RIGHT OF WAY ACCESS EASEMENT FOR INGRESS AND EGRESS TO LOT 20 (HM 99-43) THAT AFFECTS THIS SUBDIVISION, RECORDED BK 226 PG 672 HRD.
8. THERE IS AN EASEMENT GRANTED TO ENSTAR NATURAL GAS COMPANY THAT AFFECTS THIS SUBDIVISION, RECORDED BY DOCUMENT SERIAL NO. 2014-00305-0 HRD.

GPS CONTROL DATA

1. BASIS OF COORDINATES FOR THIS SURVEY IS FROM GPS OBSERVATIONS TAKEN ON THE MONUMENT POSITIONS AS SHOWN ON THIS PLAT. NAD83 ALASKA STATE PLANE GRID (ZONE 4) COORDINATES OBTAINED FROM THE GPS OBSERVATIONS WERE BASED ON THE NWS PUBLISHED VALUES FOR USCGS TRISTAR "HOMER".
2. TRUE BEARINGS AND DISTANCES WERE DETERMINED BY ROTATING AND SCALING FROM GRID USING USCGS TRISTAR "HOMER" AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY ROTATING GRID INVERSE AZIMUTHS -117°13.4'. TRUE DISTANCES WERE OBTAINED BY DIVIDING GRID INVERSE DISTANCES BY 0.9999886636.
3. THE RESULTING SCALED COORDINATES WERE TRANSLATED TO A LOCAL COORDINATE SYSTEM BASED ON USCGS TRISTAR "HOMER" N=102,000 E=106,000. ALL COORDINATE VALUES REPRESENT GROUND DISTANCES ORIENTED TO TRUE NORTH.

WASTEWATER DISPOSAL

LOTS WHICH ARE AT LEAST 200,000 SQUARE FEET OR NOMINAL FIVE ACRES IN SIZE MAY NOT BE SUITABLE FOR ON-SITE WASTEWATER TREATMENT AND DISPOSAL. ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

PLAT APPROVAL

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

BY: _____ AUTHORIZED OFFICIAL _____ DATE _____
KENAI PENINSULA BOROUGH



LEGEND

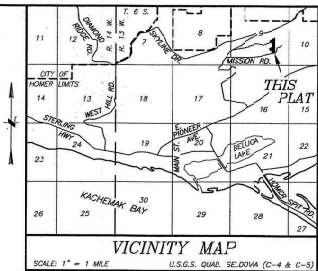
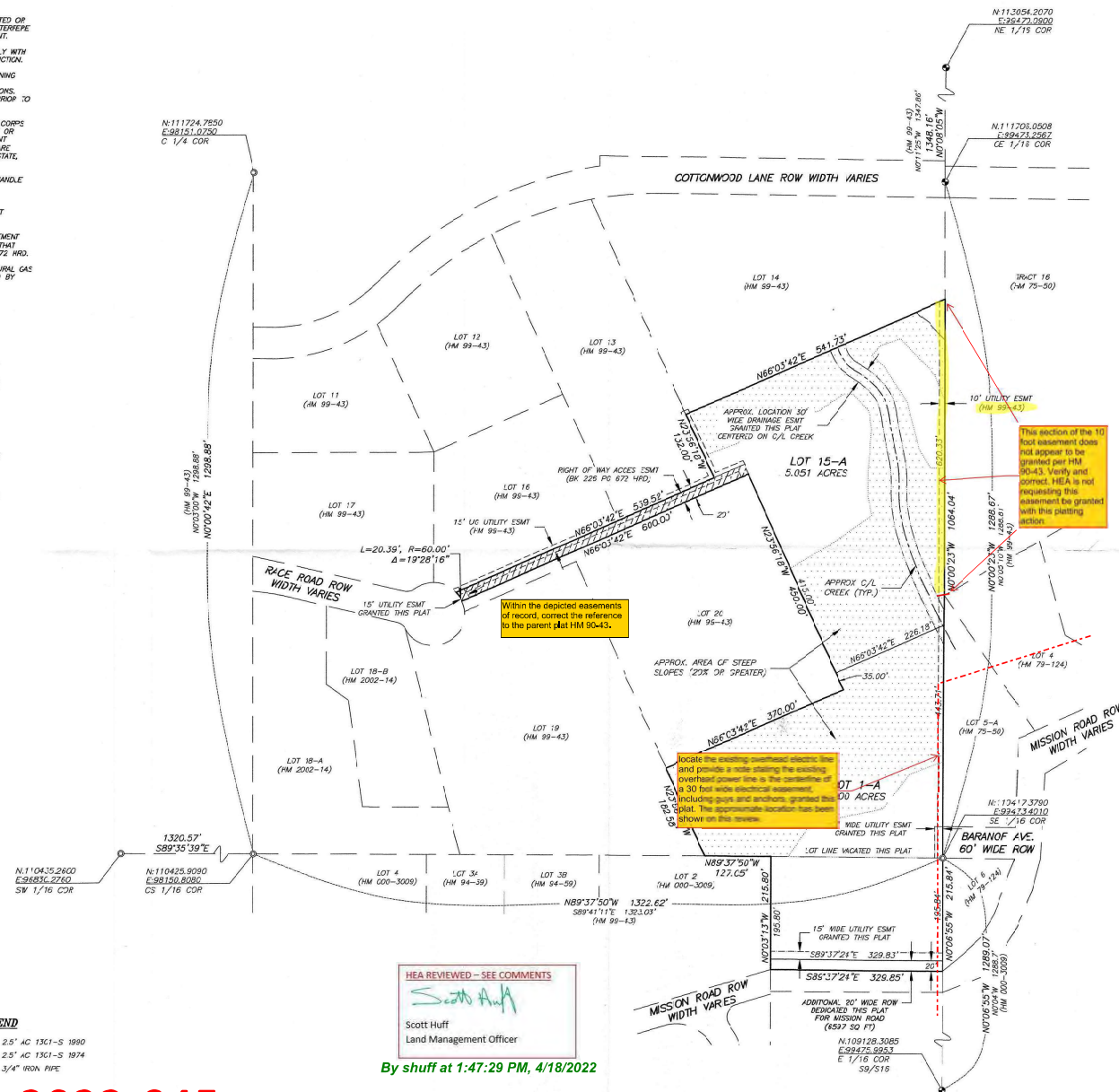
- 2.5" AC 13C1-S 1990
- 2.5" AC 13C1-S 1974
- 3/4" IRON PIPE

HEA REVIEWED - SEE COMMENTS

Scott Huff
Land Management Officer

By shuff at 1:47:29 PM, 4/18/2022

KPB 2022-045



CERTIFICATE OF OWNERSHIP

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 MY FREE CONSENT, DEDICATE ALL RIGHTS OF WAY AND PUBLIC AREAS TO PUBLIC USE, AND GRANT ALL EASEMENTS TO THE USE SHOWN HEREON.

RUBEN H LUJAN JR.
8028 E CANDELARIA DR
SCOTTSDALE, AZ 85255

JENNIFER M LUJAN
8028 E CANDELARIA DR
SCOTTSDALE, AZ 85255

NOTARY'S ACKNOWLEDGMENT

FOR: _____
ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2022
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGMENT

FOR: _____
ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2022
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____



HOMER RECORDING DISTRICT KPB FILE NO. 2022-045

LLOYD RACE & EKER ESTATES
LUJAN 2022 REPLAT
A REPLAT OF LOT 15 EKER ESTATES (HM 99-43) &
LOT 1 LLOYD RACE ADDITION (HM 000-3098)
LOCATED WITHIN THE W 1/2 SE 1/4, SEC 9
T. 6 S., R. 12 W., Seward Meridian
CITY OF HOMER, KENAI PENINSULA BOROUGH
THIRD JUDICIAL DISTRICT, ALASKA
CONTAINING 10.202 ACRES

SEABRIGHT SURVEY + DESIGN
KENTON T. BLOOM, P.L.S.
1044 EAST ROAD, SUITE A
HOMER, ALASKA 99623
(907) 299-1081

CLIENTS: RUBEN H LUJAN JR.
JENNIFER M LUJAN
8028 E CANDELARIA DR
SCOTTSDALE, AZ 85255

DRAWN BY: KK CHKD BY: KB JOB #2022-05
DATE: 3/20/22 SCALE: 1"=100' SHEET #1 OF 1