

AGENDA ITEM E. NEW BUSINESS

ITEM 4 – JAMES WADDELL HOMESTEAD 2021 REPLAT

KPB File No.	2021-136
Plat Committee Meeting:	October 11, 2021
Applicant / Owner:	Jeanne and William Wertanen of Homer, Alaska
Surveyor:	Stephen Smith / Geovera, LLC
General Location:	City of Homer

Parent Parcel No.:	179-031-09, 179-031-10
Legal Description:	Lots 10 and 11, James Waddell Homestead Petska 2018 Addition, HM 2020-6
Assessing Use:	Residential
Zoning:	Rural Residential District
Water / Wastewater	City

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STAFF REPORT

**Specific Request / Scope of Subdivision:** The proposed plat will combine two lots into one lot that will be 0.8 acres in size.

**Location and Legal Access (existing and proposed):** The subdivision is located on Nelson Avenue, a 60 foot wide right of way. Nelson Avenue is accessed via Ronda Street, a 60 foot wide right of way located along East End Road. Per KPB GIS Imagery dated 2021, Nelson Avenue, Ronda Street and South Slope Drive are constructed. The subdivision is located to the west of East Hill Road.

East End Road, Ronda Street, Nelson Avenue, South Slope Drive, and East Hill Road define the block. The right of ways appear to be constructed and provide a closed block. The block exceeds allowable length limits. To the north of the subdivision are some steep slopes and constructed homes that would make a through dedication difficult to obtain. **Staff recommends the plat committee concur an exception is not required as any required dedication would not be feasible or improve the block length.**

KPB Roads Dept. comments	
SOA DOT comments	No comment

**Site Investigation:** The land slopes to the southeast. No slopes greater than 20 percent appear to be present on the property. The property does contain areas affected by wetlands, which are indicated on the preliminary plat. The appropriate plat note to contact the U.S. Army Corps of Engineers is present on the plat.

KPB River Center review	<p>A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Within City of Homer Comments: No comments</p> <p>B. Habitat Protection Reviewer: Carver, Nancy Habitat Protection District Status: Is NOT within HPD Comments: No comments</p> <p>C. State Parks Reviewer: Russell, Pam Comments: No Comments</p>
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**Staff Analysis** The proposed plat will be combining two lots that were created by James Waddell Homestead Petska 2018 Addition, Plat HM 2020-6. The full width of Nelson Avenue and Ronda Street were granted in 2006 by Nelson Avenue and Ronda Street Right of Way Dedication plat, HM 2006-84. That plat created a tract that was further subdivided by James Waddell Homestead Petska 2014 Addition, HM 2018-3. The most recent and current configuration was then approved and finalized. All easements and required plat notes from parent plats have been carried over or noted.

The proposed subdivision is within the City of Homer. The Homer Planning Commission heard the replat at their August 4, 2021 meeting. The Homer Planning Commission determined that the plat met their city code and recommended approval of the proposed plat. The staff report notes that city water and sewer are available.

A soils report will not be required. An installation agreement has been recorded per HM 2018-002823-0.

**Utility Easements** The parent plat granted 15 foot utility easements adjoining Nelson Avenue with 20 foot easements within 5 feet of the side lot lines where adjoining Nelson Avenue. The easement is correctly depicted and is referenced in plat note 3. **Staff recommends** that the plat note include that the easements were granted by HM 2020-6.

There are several easements granted by document and are referenced correctly in plat notes 5 and 7.

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

**Utility provider review:**

HEA	No comment
ENSTAR	No comments or recommendations
ACS	No objection
GCI	

**KPB department / agency review:**

Addressing	<p>Reviewer: Haws, Derek  Affected Addresses:  1150 NELSON AVE</p> <p>Existing Street Names are Correct: Yes  List of Correct Street Names:  NELSON AVE  RONDA ST</p> <p>Existing Street Name Corrections Needed:  All New Street Names are Approved: No  List of Approved Street Names:  List of Street Names Denied:</p> <p>Comments:  City of Homer will advise on affected addresses.</p>
Code Compliance	<p>Reviewer: Ogren, Eric  Comments: No comments</p>
Planner	<p>Reviewer: Taylor, Bryan  There are not any Local Option Zoning District issues with this proposed plat.</p>

	Material Site Comments: There are not any material site issues with this proposed plat. Review Not Required
Assessing	Reviewer: Bruns, Matthew Comments: No concerns from Assessing Dept.

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

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

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**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.*

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**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: An installation agreement has been recorded per HM 2018-002823-0.*

**Staff recommendation:** *comply with 20.40.*

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**KPB 20.60 – Final Plat**

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

20.60.080. 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:** *An installation agreement has been recorded per HM 2018-002823-0.*

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:** *Update plat note 7 by removing "That" and replacing with "A".*

*Add "WASTEWATER DISPOSAL: "Plans for wastewater disposal that meet regulatory requirements are on file at the Department of Environmental Conservation."*

20.60.190. Certificates, statements, and signatures required.

**Staff recommendation:** *Mr. Wertanen took title as William P. Wertanen and William P. Wertanen, Sr. Add, "aka William P. Wertanen" or "also took title as William P. Wertanen". Comply with 20.60.190.*

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**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