

## REGULAR MEETING AGENDA

**1. Call to Order**

**2. Approval of Agenda**

**3. Public Comment**

The public may speak to the Planning Commission regarding matters on the agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).

**4. Reconsideration**

**5. Adoption of Consent Agenda**

All items on the consent agenda are considered routine and non-controversial by the Planning Commission and are approved in one motion. There will be no separate discussion of these items unless requested by a Planning Commissioner or someone from the public, in which case the item will be moved to the regular agenda and considered in normal sequence.

- A. Approval of Minutes of July 17, 2013 meeting **pg. 1**
- B. Decisions and Findings for Conditional Fence Permit 744 Ocean Drive Loop **pg. 9**

**6. Presentations**

**7. Reports**

- A. Staff Report PL 13-59, City Planner's Report **pg. 13**

**8. Public Hearings**

Testimony limited to 3 minutes per speaker. The Commission conducts Public Hearings by hearing a staff report, presentation by the applicant, hearing public testimony and then acting on the Public Hearing items. The Commission may question the public. Once the public hearing is closed the Commission cannot hear additional comments on the topic. The applicant is not held to the 3 minute time limit.

**9. Plat Consideration**

- A. Staff Report PL 13-60 Rumley-Collie Subdivision Eight Preliminary Plat **pg. 15**
- B. Staff Report PL 13-61 Nils O. Svedlund Subdivision 2013 Replat Preliminary Plat **pg. 22**

**10. Pending Business**

**11. New Business**

**12. Informational Materials**

- A. KPB Planning Commission Notices of Decision **pg. 31**
- B. City Manager's Report from July 22, 2013 City Council Meeting **pg. 49**

**13. Comments of the Audience**

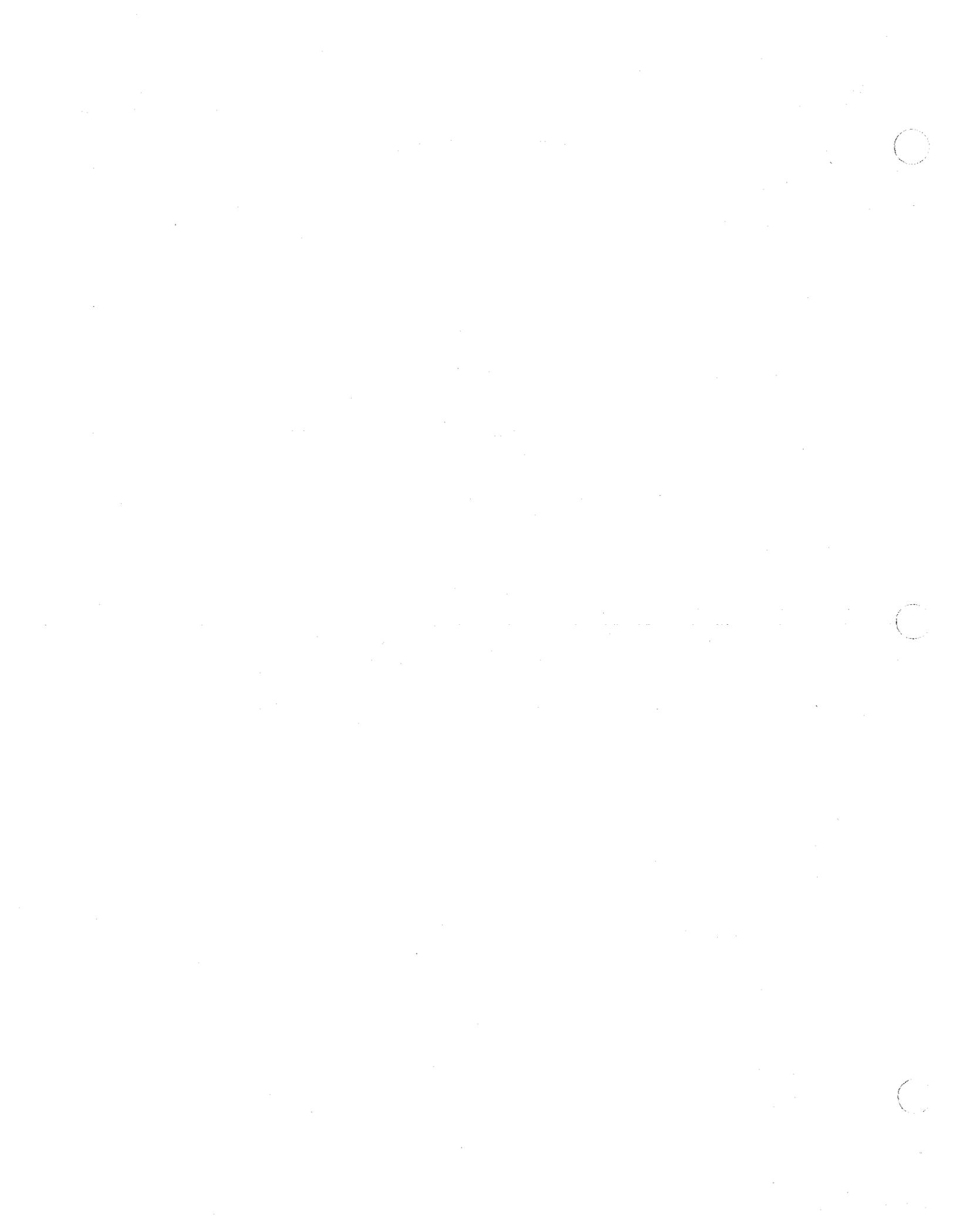
Members of the audience may address the Commission on any subject. (3 minute time limit)

**14. Comments of Staff**

**15. Comments of the Commission**

**16. Adjournment**

Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission. Next regular meeting is scheduled for August 21, 2013. A work session will be held at 5:30 pm.



Session 13-09, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Venuti at 6:30 p.m. on July 17, 2013 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS HIGHLAND, SONNEBORN, SLONE, STEAD, VENUTI

ABSENT: BOS

STAFF: CITY PLANNER ABOUD  
DEPUTY CITY CLERK JACOBSEN

### **Approval of Agenda**

HIGHLAND/SLONE MOVED TO APPROVE THE AGENDA

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

### **Public Comment**

The public may speak to the Planning Commission regarding matters on the agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).

None

### **Reconsideration**

None

### **Adoption of Consent Agenda**

All items on the consent agenda are considered routine and non-controversial by the Planning Commission and are approved in one motion. There will be no separate discussion of these items unless requested by a Planning Commissioner or someone from the public, in which case the item will be moved to the regular agenda and considered in normal sequence.

A. Approval of Minutes of June 19, 2013 meeting

HIGHLAND/SLONE MOVED TO ADOPT THE CONSENT AGENDA.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

### **Presentations**

## Reports

### A. Staff Report PL 13-52, City Planner's Report

City Planner Abboud reviewed his staff report.

There was brief discussion about the road construction plans for the remainder of this year and next year.

## Public Hearings

Testimony limited to 3 minutes per speaker. The Commission conducts Public Hearings by hearing a staff report, presentation by the applicant, hearing public testimony and then acting on the Public Hearing items. The Commission may question the public. Once the public hearing is closed the Commission cannot hear additional comments on the topic. The applicant is not held to the 3 minute time limit.

### A. Staff Report PL 13-54, Conditional Fence Permit 744 Ocean Drive Loop

City Planner Abboud reviewed the staff report. He commented that he was unable to get clarification from Public Works as to what the site triangle is for this property.

Donna Rae Faulkner, property owner, explained they built a house on the property and are making an edible garden to sell organic produce from. Because it is organic produce, they need to ensure that no animals get involved in the property. They purchased a 6 foot chain link fence from Sears, and then were advised by Public Works they need a conditional fence permit. The plants are in low tunnels, ready to be uncovered so she hopes they will approve the permit tonight. They sell the veggies locally and attended a DEC workshop on food safety where they learned that you have to keep animals away, and they are part of the organic initiative "Growing Wise". They removed spruce trees for the garden space and if they have to move the garden back, it would take more than half the garden space away. She thought Public Works comments seemed a little hostile, she noted it is two feet below the road, and when coming around the corner or coming out of the driveway it is a super quiet neighborhood with only 5 properties and then it dead ends. The spruce trees they removed were a bigger hindrance than this fence will ever be. With the road two feet above the garden, it doesn't obscure the driveway or the corner for visibility.

Don McNamara, property owner, reviewed the photos in the packet reiterating the garden is two feet below the road and noting a 36 foot house built right on the property line and spruce trees that completely blocks a site triangle on the other side. He noted the very low traffic pattern in the neighborhood. He said they can really use the space and a moose free zone. At their other garden they took the low tunnels down and a rabbit and a porcupine came through and ate all the leaves off their strawberries. He thanked the Commission for their consideration tonight.

Chair Venuti opened the public hearing.

Karin Marks, city resident, commented in support of the conditional fence permit. She buys veggies from the applicants and people constantly want more organic vegetables. To lose any of the land they could be growing vegetables means there are people who won't be able to get them. It would be nice

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for them to have the higher fence to keep animals out and also to put it where they need it to allow as much growth of food as they can.

There were no further comments and the hearing was closed.

The applicant and staff had no rebuttal comments.

Commissioner Sonneborn questioned the language in code regarding fence height and noted if you can see through the fence, it isn't blocking visibility. City Planner Abboud commented that there is some ambiguity in the code relating to fences and visibility clearance, so the Commission needs to decide and express their logic clearly for the record. Ms. Sonneborn commented that there are fences that could block the triangle and others that don't. A cedar fence could conceivably block the site triangle, but a see through fence doesn't.

Commissioner Highland questioned if they allow the fence could Public Works say it's illegal. City Planner Abboud said if they find a condition exists that it presents a hazard they can order it to be removed, as they could for anything blocking a site triangle.

Commissioner Stead that he doesn't necessarily find finding 4 credible. The fence may be in the site triangle, but the fence they are proposing is not going to limit the view. His other comment is an issue with Cranberry to Ocean Drive Loop site triangle not being defined leaves us open to a lot of complications and questions. He noted that an RV parked in the driveway could affect site distance, and questions why the other lot isn't cleared to improve the site triangle on Cranberry. He doesn't see where this goes, in any good place, for the City.

Commissioner Slone asked for clarification of the number of properties and if there is any intent to further development Ocean Drive Loop. City Planner Abboud said there are three or four developed properties and he is not aware of any intentions to finish constructing Ocean Drive Loop. He asked for clarification that the HCC 21.73.200 is most relevant here. City Planner Abboud said it is the part he wanted to bring attention to the group, depending what they consider an impediment to visibility.

SONNEBORN/HIGHLAND MOVED TO ADOPT STAFF REPORT PL 13-54 AND APPROVE THE CONDITIONAL USE PERMIT REQUEST FOR 744 OCEAN DRIVE LOOP WITH FINDINGS 3,5,6,8,9,10,11, AND 13, AND CONDITION 3.

Commissioner Sonneborn expressed the need to establish a clear reason for this and change recommendation 3 to state why this particular fence is necessary.

SONNEBORN/STEAD MOVED TO AMEND FINDING THREE TO "IT IS REASONABLY NECESSARY TO TO CONSTRUCT 6 FOOT FENCE FOR FULL USE AND ENJOYMENT TO KEEP MOOSE AND OTHER ANIMALS FROM THE PROPERTY BECAUSE THE PROPERTY IS USED AS AN URBAN FARM."

There was comment in opposition that being used as an urban farm isn't a significant public interest to modify the finding.

Point was raised that the findings are an explanation of why we made our decision. Someone may argue they want a fence to keep dogs from pooping on their lawn, which they may not think is a

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reasonable request, but to keep dogs from peeing on vegetables they are going sell to people seems reasonable.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

SONNEBORN/HIGHLAND MOVED TO AMEND FINDING SIX TO ADD "BECAUSE IT IS A CHAIN LINK FENCE" AT THE END.

This speaks to her earlier comment that using different materials for fences blocks or does not block the visibility and this does not. No matter where the visibility triangle is, since it is chain link it isn't going block it. She is trying to help clarify the reasons for supporting the conditional fence permit.

There were comments that this is an unnecessary amendment and there could be more appropriate to address this through another finding.

VOTE: YES: SONNEBORN  
NO: STEAD, HIGHLAND, VENUTI, SLONE

Motion failed.

SLONE/HIGHLAND MOVED TO ADD A FINDING THAT A CHAIN LINK FENCE IN ITS NORMAL CONFIGURATION DOES NOT MATERIALLY IMPEDE OR SIGNIFICANTLY COMPROMISE VISIBILITY.

Commissioner Slone commented further that it not be adorned or otherwise restricted by growth or vegetation. Point was raised that this concern is addressed in condition three.

Commissioner Stead commented that he doesn't think this is the right time to start defining fences that would pass with these code statements. He believes the discussion on record is sufficient to support this permit. He suggested they could defer this type of discussion to another time and clarify at that time what fences would be allowed.

VOTE: YES: HIGHLAND, SONNEBORN, SLONE  
NO: STEAD, VENUTI

Motion failed.

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

VOTE: YES: SONNEBORN, STEAD, SLONE, HIGHLAND, VENUTI

Motion carried.

B. Staff Report PL 13-56, ROW Vacation 202 W. Pioneer Ave.

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City Planner Abboud reviewed the staff report.

Commissioner Stead and Venuti stated they each have a friendly relationship with the applicant but neither felt it would impede their judgment on the action before them tonight. The Commission didn't feel there was an issue of personal interest and continued on.

Karin Marks, applicant, commented that she agrees with the information in the staff report with exception of the of staff recommendation 1. As noted in the Public Works comments that a twenty foot easement would be the minimum, she requests that it be changed from 30 to 20 feet. She believes 20 feet is more than satisfactory because they have 30 feet on the other side of the property line, giving them 50 feet total. She agrees the City should have the ability to take care of their utilities, they said 20 is the minimum and she is willing to accept that.

Chair Venuti opened the public hearing. There were no comments and the hearing was closed.

There was discussion of the location of the 20 foot easement granted to HEA in relation to the utility easement being requested by Public Works because if they overlap it could affect the size of the city's easement. Mrs. Marks expressed her understanding that the HEA easement is next to the proposed City utility easement, and they don't overlap.

SONNEBORN/STEAD MOVED TO ADOPT STAFF REPORT PL 13-56 AND APPROVE A RIGHT OF WAY VACATION AT 202 E. PIONEER AVENUE WITH STAFF RECOMMENDATION AND FINDINGS.

SONNEBORN/STEAD MOVED TO AMEND FINDING THREE TO A 20 FOOT UTILITY EASEMENT SHALL BE RETAINED.

Chair Venuti asked if Public Works gave an explanation for wanting the 30 foot easement. City Planner Abboud said no.

There was discussion that the recommendation will be changed as well.

HIGHLAND/SONNEBORN MOVED TO ADD TO THE MOTION, AND AMEND CONDITION ONE TO 20 FOOT UTILITY EASEMENT.

There was brief discussion to clarify the earlier concern about the HEA amendment.

VOTE: (Secondary Amendment): YES: SLONE, STEAD, VENUTI, HIGHLAND, SONNEBORN

Motion carried.

There was no further discussion on the primary amendment as amended.

VOTE: (Primary Amendment): VOTE: VENUTI, SLONE, SONNEBORN, STEAD, HIGHLAND

Motion carried.

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

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VOTE: (Main motion): YES: SONNEBORN, VENUTI, HIGHLAND, SLONE, STEAD

Motion carried.

Chair Venuti called for a break at 8:07 p.m. The meeting resumed at 8:10 p.m.

C. Staff Report PL 13-55, Spit Flood Insurance Rate Maps (FIRM) and amend Floodplain Code

City Planner Abboud reviewed the staff report.

Chair Venuti opened the public hearing.

Donna Rae Faulkner commented that she thinks this is good news as it helps to lower insurance rates. She asked if it helps for disaster assistance. City Planner Abboud explained that this is an important step in being eligible to receive funds should a disaster occur.

There were no further comments and the hearing was closed.

SLONE/HIGHLAND MOVED FOR THE APPROVAL OF STAFF REPORT 13-55 WITH STAFF FINDINGS.

There was brief discussion about moving this to Council.

VOTE: YES: HIGHLAND, SONNEBORN, STEAD, VENUTI, SLONE

Motion carried.

HIGHLAND/SLONE VOTE: MOVED TO RECOMMEND THIS BE FORWARDED TO CITY COUNCIL FOR ADOPTION.

There was no further discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

D. Staff Report PL 13-53, Technical Revisions to Title 21

City Planner Abboud reviewed the staff report.

Chair Venuti opened the public hearing. There were no comments and the hearing was closed.

HIGHLAND/SLONE MOVED TO ADOPT STAFF REPORT PL 13-53, APPROVED THE DRAFT ORDINANCE OF TECHNICAL REVISIONS TO TITLE 21, AND RECOMMEND ADOPTION BY CITY COUNCIL.

There was discussion clarifying that the information in the memos from staff and the attorney is back up information and is incorporated in the draft ordinance.

The Commission also briefly discussed the change to 21.20.040(e)(3) and it being stricken because it is irrelevant as addressed by the City Attorney. There is already code to address it and this portion can be removed.

VOTE: YES: SONNEBORN, STEAD, SLONE, HIGHLAND, VENUTI

Motion carried.

### **Plat Consideration**

### **Pending Business**

A. Staff Report PL 13-57, Transitional Residential Zone R-2 July 17, 2013

City Planner Abboud commented that at they agreed to put Transitional Residential Zone R-2 on their work list for future review, and continue to explore options for the siting of multifamily housing.

B. Staff Report PL 13-58, Capital Improvement Plan Recommendations

City Planner Abboud read the Commission's list they discussed at the worksession.

1. Water Storage/Distribution Improvements
2. Homer Intersection Improvements
3. Barge Moorage Project
4. Main Street Reconstruction/Intersection
5. Karen Hornaday Park Improvements

SLONE/STEAD MOVED TO APPROVE THE LIST AS DESCRIBED BY THE CITY PLANNER.

Commissioner Slone wanted to clarify that with Main Street their focus is on the portion north of Pioneer Avenue. City Planner Abboud said he would include their comments that the area needs pedestrian improvements.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

### **New Business**

#### **Informational Materials**

- A. Shanks, Alyssa. "Homer, More Than a Fishing Town" *Alaska Economic Trends*. 33.6 (June 2013): 12-15. Print
- B. City Manager's Report from June 24, 2013 City Council Meeting
- C. Letter and Memorandum for Reappointment of Jennifer Sonneborn
- D. KPB Planning Commission Notices

**Comments of the Audience**

Members of the audience may address the Commission on any subject. (3 minute time limit)

**Comments of Staff**

City Planner Abboud thanked the Commission for their work tonight. He said that he is getting married, and won't be back until the second meeting in August.

**Comments of the Commission**

Commissioner Stead appreciated meeting, but he thinks they need to be a little more focused. He isn't sure if there is interest in talking about fences at a future meeting, but it might be helpful for the future.

Commissioner Sonneborn thanked everyone for their support; she is excited to be on for another round.

Commissioner Slone said it was productive and that he will probably miss the next meeting, but he expects to be here for all other meetings. He said he would hold off on his helicopter CUP comments until the 30 day appeal period is over. He explained that he has some professional knowledge and was disappointed that he was excluded because he thought would bring some valuable information to the table. He thought a group site visit would have said a lot in this instance and in the future this would be something to be more attuned to and get ahead of it earlier to arrange noticed site visits.

City Planner Abboud noted that the Decision and Findings have been distributed regarding the CUP.

Commissioner Highland shad she is glad to have Commissioner Sonneborn back.

Chair Venuti said he is glad Commissioner Sonneborn re-upped and he thanked everyone.

**Adjourn**

There being no further business to come before the Commission, the meeting adjourned at p.m. The next regular meeting is scheduled for August 7, 2013 at 6:30 p.m. in the City Hall Cowles Council Chambers.

\_\_\_\_\_  
MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

Approved: \_\_\_\_\_



## City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

### Planning

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### HOMER ADVISORY PLANNING COMMISSION Meeting of July 17, 2013

RE: Application for Conditional Fence Permit  
Address: 744 Ocean Drive Loop  
Legal: Lot 78 Oscar Munson Sub

#### DECISION

##### Introduction

Don McNamara ("Applicant") and Donna Rae Faulkner ("Applicant") applied to the Homer Advisory Planning Commission (the "Commission") under Homer City Code 21.50.020) for approval of a 6 foot high fence within the 20ft. of the front lot line located at 744 Ocean Drive Loop on the corner of Ocean Drive Loop and Cranberry Place.

The application was scheduled for a public hearing as required by Homer City Code 21.94 before the Commission on July 17, 2013. Notice of the public hearing was published in the local newspaper and sent to 18 property owners of 21 parcels.

At the July 17, 2013 meeting of the Commission, the Commission voted to approve the request with 6 Commissioners present, 6 Commissioners voted in favor of the conditional fence permit.

#### EVIDENCE PRESENTED

##### Testimony

The Applicants made the following comments regarding the application.

- The property supports an organic garden and they need to insure that no animals get involved in the property.
- They purchased a 6 foot chain link fence from Sears.
- They sell veggies locally and are part of an organic initiative that is required to keep animals away.

- They have removed spruce trees that were a bigger hindrance to the sight triangle than a chain link fence.
- The property is two feet below the road and (the fence) doesn't obscure the driveway or corner for visibility.
- There was a very low traffic pattern in the neighborhood.

Karen Marks, city resident, commented in support of the conditional fence permit citing the need for them to keep animals out and the value of the produce to people.

### **Findings of Fact**

In review of the application, the Commission found that the sight triangle is maintained when visibility of traffic is maintained. Consideration was given to the type of material used and maintenance of the fence to preserve the intent of the sight triangle.

After due consideration of the evidence presented, the Homer Advisory Planning Commission, hereby makes the following findings of fact and conclusions of law.

**Homer City Code §21.71.030 provides:**

**Review Criteria. Prior to granting such a permit, the applicant must demonstrate and the Planning Commission must find that:**

- 1. The issuance of such a permit is reasonably necessary, by reason of unusual or special circumstances or conditions relating to the property, for the preservation of valuable property rights for full use and enjoyment of the property;**

**Finding 1:** It is reasonably necessary to construct a 6 foot fence for the full use and enjoyment to keep moose and other animals from the property because the property is used for an urban farm.

- 2. The fence will not create a safety hazard for pedestrians or vehicular traffic;**

**Finding 2:** The fence does not pose a hazard to pedestrians or vehicular traffic when properly maintained.

**Finding 3:** The fence does not block the site triangle or significantly compromise visibility.

**3. The appearance of the fence is compatible with the design and appearance of other existing buildings and structures within the neighborhood;**

**Finding 4:** A 6 foot chain link fence is compatible to the neighborhood and does not detract from the design or appearance of other buildings or structures in the neighborhood.

**4. The fence is a planned architectural feature designed to avoid dominating the site or overwhelming adjacent properties and structures;**

**Finding 5:** The fence itself will not dominate the site or overwhelm the adjacent properties when chain links are not obstructed.

**5. The orientation and location of the fence is in proper relation to the physical characteristics of the site and the surrounding neighborhood;**

**Finding 6:** The orientation and location of the fence is in proper relation to the physical characteristics of the site and the surrounding neighborhood.

**6. The fence will be of sound construction.**

**Finding 7:** The fence will be of sound construction.

**c. Exception. Under no circumstances will a conditional fence permit be considered for a fence that exceeds the limits of a required sight distance triangle.**

**Finding 8:** The fence will be constructed of a material that does not interfere with the visibility found in the site triangle.

### **Conclusion**

Based on the foregoing findings of fact and law, Conditional Fence Permit is hereby approved, subject to the following condition:

**Condition 1:** No slats, vegetation or other sight obscuring condition shall be allowed to exist on the fence itself. The applicant shall have any view obstructing material that is noticed to be accumulating on the fence removed within three days. Failure may result in revocation of this Conditional Fence Permit and any rights gained thereof.

Date: \_\_\_\_\_

\_\_\_\_\_  
Chair, Franco Venuti

Date: \_\_\_\_\_

\_\_\_\_\_  
City Planner, Rick Abboud

***NOTICE OF APPEAL RIGHTS***

Pursuant to Homer City Code, Chapter 21.93, any person with interests in land that is affected by this decision may appeal this decision to the Homer Board of Adjustment within thirty (30) days of the date of distribution indicated below. Any decision not appealed within that time shall be final. A notice of appeal shall be in writing, shall contain all the information required by Homer City Code, Section 21.93.080, and shall be filed with the Homer City Clerk, 491 East Pioneer Avenue, Homer, Alaska 99603-7645.

***CERTIFICATION OF DISTRIBUTION***

I certify that a copy of this Decision was mailed to the below listed recipients on \_\_\_\_\_, 2013. A copy was also delivered to the City of Homer Planning Department and Homer City Clerk on the same date.

Date: \_\_\_\_\_

\_\_\_\_\_  
Travis Brown, Planning Assistant

Walt Wrede, City Manager  
491 E Pioneer Avenue  
Homer, AK 99603

Thomas Klinkner  
Birch, Horton, Bittner & Cherot  
1127 West 7th Ave  
Anchorage, AK 99501

Don & Donna Rae Faulkner  
811 Ocean Drive Loop  
Homer, AK 99603



# City of Homer

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## Planning

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### STAFF REPORT PL 13-59

TO: Homer Advisory Planning Commission  
FROM: Rick Abboud, City Planner  
MEETING: August 7, 2013  
SUBJECT: City Planner's Report

City Council Meeting 7.22.13

Ordinance 13-27, An Ordinance of the City Council of Homer, Alaska, Making Technical Corrections to Title 21 of the Homer City Code for its Republication by Code Publishing, Inc. Planning. Recommended dates: Introduction July 22, 2013, Public Hearing and Second Reading August 12, 2013.

Memorandum 13-106 from City Attorney as backup.

Memorandum 13-107 from City Planner as backup.

Ordinance 13-28, An Ordinance of the City of Homer, Amending Homer City Code Chapter 11.12, Street and House Numbering, to Establish Standards and Procedures for the Naming and Renaming of Streets. Burgess. Recommended dates: Introduction July 22, 2013, Public Hearing and Second Reading August 12, 2013. AMENDED to add Whereas clauses: WHEREAS, Homer is a First Class city and has a plan for adopting street addresses; WHEREAS, The Planning Department coordinates the addressing of properties in the City of Homer; WHEREAS, Street names and addresses shall comply with the National Emergency Number Association; WHEREAS, There is a need and benefit to improving the process of naming streets; and NOW, THEREFORE, THE CITY OF HOMER HEREBY ORDAINS:

**ADOPTED as AMENDED with discussion.**

Ordinance 13-24, An Ordinance of the City Council of Homer, Alaska Amending the FY 2013 Capital Budget by Appropriating \$98,500 From the Homer Accelerated Roads and Trails Program Fund (HART) for Road Improvements, Trail Construction, and Pedestrian Safety and Walkability Enhancements in Old Town. Lewis/Roberts. Introduction June 24, 2013, Public Hearing and Second Reading July 22, 2013.

Memorandum 13-097 from City Clerk as backup.

There were seven who testified.

**ADOPTED with discussion.**

City Council Meeting 8.12.13

Agenda not posted as of the day of this report. However, the Floodplain Ordinance will be on the agenda.

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# City of Homer Planning & Zoning

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## STAFF REPORT PL 13-60

**TO:** Homer Advisory Planning Commission  
**THROUGH:** Rick Abboud, City Planner  
**FROM:** Julie Engebretsen, Planning Technician  
**MEETING:** August 7, 2013  
**SUBJECT:** Rumley Collie Subdivision Eight Preliminary Plat

**Requested Action:** Preliminary Plat approval for the vacation of a common lot line. This will combine two smaller lots into one larger lot.

### GENERAL INFORMATION

Applicants:	East End Mini Storage, LLC Douglas Fraiman PO Box 2622 Homer, AK 99603	Johnson Surveying Gerard Johnson, RLS PO Box 27 Clam Gulch, AK 99568
Location:	Corner of East End Road, Collie and Davis Streets	
Parcel ID:	174203 13, 14	
Size of Existing Lot(s):	4.22 and 0.98 acres	
Size of Proposed Lots(s):	5.189 acres	
Zoning Designation:	East End Mixed Use District	
Existing Land Use:	Ministorage, bulk water hauling, retail, restaurant	
Surrounding Land Use:	North: Vacant/residential South: Vacant/boat yard related uses East: Commercial (Gear Shed) West: Commercial/residential/storage	
Comprehensive Plan:	Land Use Goal 4: Support the development of a variety of well-defined commercial/business districts for a range of commercial purposes.	
Wetland Status:	The 2005 wetland mapping shows no wetland areas.	
Flood Plain Status:	Zone D, flood hazards undetermined.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer serve the property.	
Public Notice:	Notice was sent to 27 property owners of 29 parcels as shown on the KPB tax assessor rolls.	

### ANALYSIS:

This plat vacates the common lot line between two properties. A utility easement along the former lot line will also be vacated. The buildings shown on the plat are for reference only; this is not an as-built survey. Staff recommends adding a plat note that acceptance of the plat does not constitute acceptance of any nonconforming structures. Vacating the common lot line will resolve building encroachments across the current shared lot line.

**Preliminary Approval, per KPB code 20.12.0060 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.

1. Within the title block:
  - a. 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 map or plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;
  - b. Legal description, location, date, and total area in acres of the proposed subdivision;
  - c. Name and address of owner and registered land surveyor;
  - d. Scale.

*Staff Response: The plat meets these requirements.*

2. North point;

*Staff Response: The plat meets these requirements.*

3. 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, political subdivision or municipal corporation boundaries abutting the subdivision.

*Staff Response: The plat meets these requirements.*

4. 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. The vicinity map should be amended to show the current City of Homer city limits.*

5. 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 such reservations.

*Staff Response: Private parcels are shown. No public use areas other than Rights of Way are noted.*

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

*Staff Response: The plat meets these requirements.*

7. The names of adjacent subdivisions or an indication that the adjacent land is not subdivided.

*Staff Response: The plat meets these requirements.*

8. Approximate location of areas subject to inundation, flooding or storm water overflow. Indicate if a recognized flood plain is present. Identify and locate the major drainage systems.

*Staff Response: The plat meets these requirements.*

9. Approximate locations of areas subject to tidal inundation including the mean high water line.

*Staff Response: The plat meets these requirements (not applicable to this area).*

10. Block and lot numbering per Section 20.16.110 of the borough subdivision code.

*Staff Response: The plat meets these requirements.*

11. The general location of existing water and sewer utilities, and the intent and methods of the subdivision to utilize and access such utilities.

*Staff Response: The plat meets these requirements. Lot is served by city water and sewer.*

12. Provide a contour map of the subdivision and road profiles if road grades exceed 6% on arterial and 10% on other streets.

*Staff Response: The plat meets these requirements. No Rights of Way are to be dedicated by this action.*

13. Identify and locate on the plat all areas in excess of 20% grade.

*Staff Response: The plat meets these requirements.*

#### **PUBLIC WORKS COMMENTS:**

- Dedicate the standard 15' utility easement along the right of ways.
- Dedicate the radius at the Collie Street intersection
- Call out the existing radius for Davis Street. Have not checked, but assume it is on the previous plat.

**FIRE DEPARTMENT COMMENTS:** Fire Chief Painter did not have any concerns.

#### **STAFF COMMENTS/RECOMMENDATIONS:**

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

1. HCC 22.10.050(a) 15 ft. utility easement is required along all rights of way. Where an existing building would encroach on the easement, the width of the easement may be reduced.
2. Add a plat note stating acceptance of the plat does not constitute acceptance of any nonconforming structures.
3. Amend plat note 1. The existing buildings shown may or may not predate the existing setback requirements and utility easements. The third sentence of plate note one should be struck. A plat is not the action to determine the conformance of the structures with the zoning code.

4. Dedicate the radius at the Collie Street intersection.
5. Call out the existing radius for Davis Street.
6. Correct the vicinity map to show the correct City of Homer city limits.

**ATTACHMENTS**

1. Preliminary Plat
2. Public Notice

## **NOTICE OF SUBDIVISION**

Public notice is hereby given that a preliminary plat has been received proposing to subdivide or replat property. You are being sent this because you are an affected property owner within 500 feet of a proposed subdivision and are invited to comment.

The proposed subdivision under consideration is described as follows:

### **Rumley Collie Subdivision Eight Preliminary Plat**

The location of the proposed subdivision(s) affecting you is provided on the attached map(s). A preliminary plat showing the proposed subdivision may be viewed at the Planning Department. Subdivision reviews are conducted in accordance with the City of Homer Subdivision Ordinance and the KPB Subdivision Ordinance. A copy of the Ordinance is available from the Planning Department. **Comments should be guided by the requirements of those Ordinances.**

A public meeting will be held by the Homer Advisory Planning Commission on Wednesday, August 7, 2013 at 6:30 p.m. at Homer City Hall, 491 East Pioneer Avenue, Homer, Alaska.

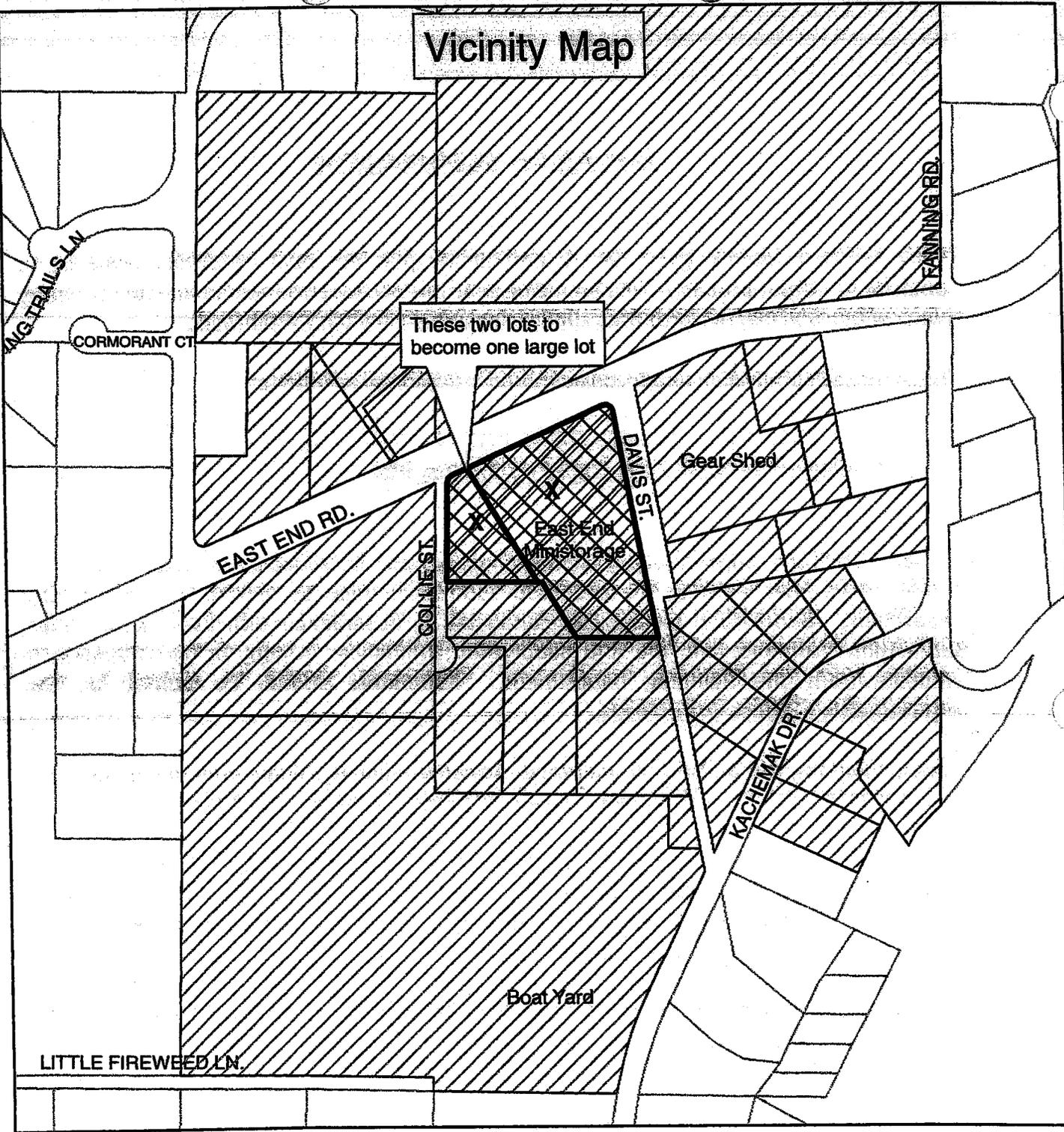
Anyone wishing to present testimony concerning this matter may do so at the meeting or by submitting a written statement to the Homer Advisory Planning Commission, 491 East Pioneer Avenue, Homer, Alaska 99603, by 4:00 p.m. on the day of the meeting. Written comments can be faxed to 907-235-3118.

For additional information, please contact Julie Engebretsen in the City of Homer Planning and Zoning Office at 435-3119.

**NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 500 FEET OF PROPOSED SUBDIVISION.**

## **VICINITY MAP ON REVERSE**

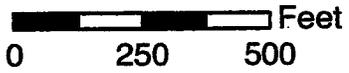
Vicinity Map



City of Homer  
 Planning and Zoning Department  
 July 26, 2013

Rumley Collie Subdivision Eight  
 Preliminary Plat

Marked lots are within 500 feet  
 and property owners notified.



*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.

# RUMLEY - COLLIE SUBD. EIGHT PRELIMINARY PLAT

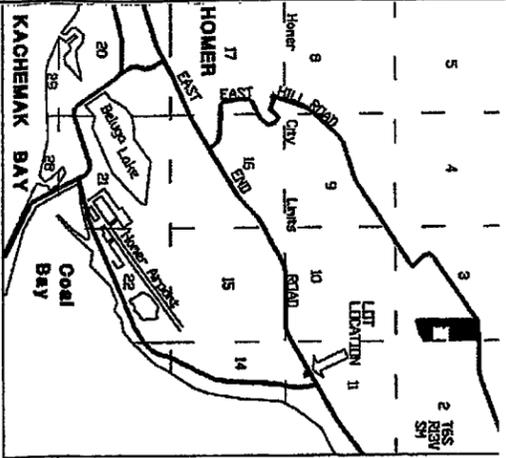
A replat conforming Tracts B & C Rumley-Collie Subd Six HRD 2000-28, including a vacation of a 20' wide utility easement. Located in the SE 1/4 Section II, T6S R3W, S4 City of Homer, Alaska.

**Prepared for** Douglas Frapton  
P.O. Box 2622  
Homer, AK 99503

**Prepared by** Johnson Surveying  
Box 27  
Clon Gulch, AK 99568

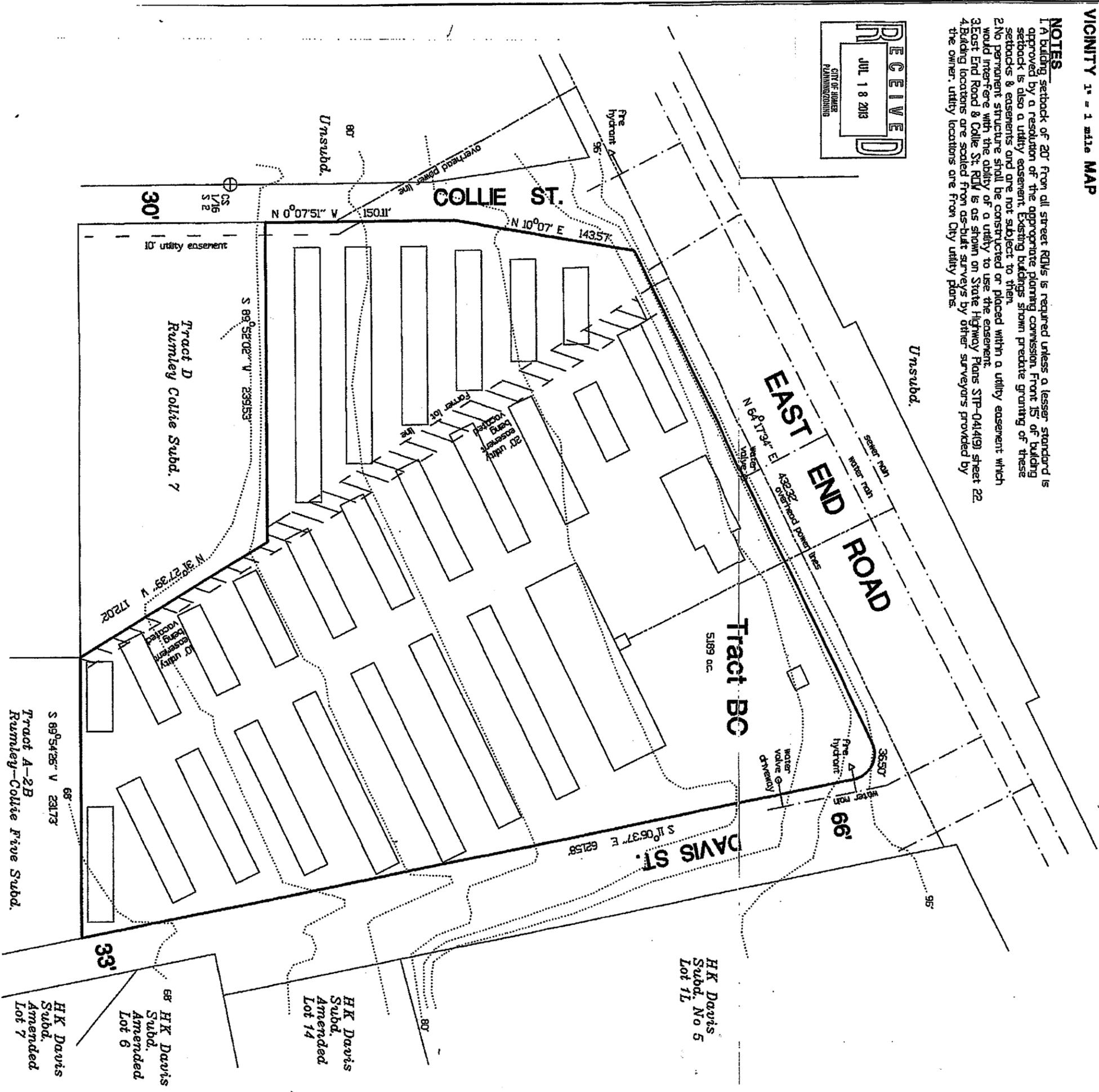
**SCALE** 1" = 50'      **AREA** = 5.189 acres  
**11 July, 2013**

Contour interval 4'  
- indicates utility easement being vacated



VICINITY 1" = 1 mile MAP

- NOTES**
1. A building setback of 20' from all street RDUs is required unless a lesser standard is approved by a resolution of the appropriate planning commission. Front 15' of building setback is also a utility easement. Existing buildings shown predete granting of these setbacks & easements and are not subject to them.
  2. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
  3. East End Road & Collie St. RDUs is as shown on State Highway Plans STP-0414(9) sheet 22.
  4. Building locations are scaled from as-built surveys by other surveyors provided by the owner. Utility locations are from City utility plans.



Tract A-2B  
Runley-Collie Five Subd.

HK Davis Subd. Amended Lot 6  
HK Davis Subd. Amended Lot 7

HK Davis Subd. No 5 Lot 11





# City of Homer Planning & Zoning

491 East Pioneer Avenue  
Homer, Alaska 99603-7645

Telephone (907) 235-3106  
 Fax (907) 235-3118  
 E-mail [Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)  
 Web Site [www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## STAFF REPORT PL 13-61

**TO:** Homer Advisory Planning Commission  
**THROUGH:** Rick Abboud, City Planner  
**FROM:** Julie Engebretsen, Planning Technician  
**MEETING:** August 7, 2013  
**SUBJECT:** Nils O. Svedlund Subdivision Preliminary Plat

**Requested Action:** This preliminary plat is a revision of a plat the Commission reviewed in April. The original plat was simply vacating lot lines, creating one large lot from three smaller lots. This revised plat now includes city owned land to the west. The city is selling a small portion of land to Dragonfly LLC, to solve an encroachment issue for a building.

Applicants:	Dragonfly, LLC Harmon & Pauli Hall 64362 Bridger Rd Homer, AK 99603	Seabright Survey+ Design Kenton Bloom, PLS 1044 East End Road, Suite A Homer, AK 99603
	City of Homer 491 E Pioneer Ave Homer, AK 99603	
Location:	Pioneer Avenue	
Parcel ID:	17719209, 17719226, 17719211, 17719227	
Size of Existing Lot(s):	Lot 6-A is 0.44 acres. Lot 16-B is 0.15 acres. Lot 5 Tract B is 0.09 acres. Amended Lot 7 Tr B is 4.71 acres.	
Size of Proposed Lots(s):	4.687 and 0.695 acres	
Zoning Designation:	Central Business District	
Existing Land Use:	Two and half story office and residential building and vacant land	
Surrounding Land Use:	North: Church South: Land trust office/vacant East: Business and residential uses West: Business and residential uses	
Comprehensive Plan:	Goal 1 Objective B: Promote a pattern of growth characterized by a concentrated mixed use center, and a surrounding ring of moderate-to-high density residential and mixed use areas with lower densities in outlying areas.	
Wetland Status:	A wetland delineation was conducted on the City land several years ago, and low wet areas are shown on the plat.	

Flood Plain Status:	Zone D, flood hazards undetermined.
BCWPD:	Not within the Bridge Creek Watershed Protection District.
Utilities:	City water and sewer are available.
Public Notice:	Notice was sent to 61 property owners of 81 parcels as shown on the KPB tax assessor rolls.

**ANALYSIS:** There are four lots involved in this plat. The common lot lines will be vacated between the eastern three lots, creating one larger lot (6-A-1). The eastern lot line of the fourth lot will be shifted about 14 feet west, to increase the size of lot 6-A-1. This lot line shift will solve an encroachment issue for an existing building.

**Preliminary Approval, per KPB code 20.12.0060 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.

1. Within the title block:
  - a. 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 map or plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;
  - b. Legal description, location, date, and total area in acres of the proposed subdivision;
  - c. Name and address of owner and registered land surveyor;
  - d. Scale.

*Staff Response: The plat meets these requirements.*

2. North point;

*Staff Response: The plat meets these requirements.*

3. 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, political subdivision or municipal corporation boundaries abutting the subdivision.

*Staff Response: This plat meets these requirements.*

4. 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.*

5. 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 such reservations.

*Staff Response: Private parcels are shown. No public use areas other than Rights-of-Way are noted.*

6. The names and widths of public streets and alleys and easements including drainage easements existing and proposed, within the subdivision. [Additional City of Homer HAPC

policy: Drainage easements are normally thirty feet in width centered on the drainage. Final width of the easement will depend on the ability to access the drainage with heavy equipment. An alphabetical list of street names is available from City Hall.]

*Staff Response: The plat meets these requirements.*

7. The names of adjacent subdivisions or an indication that the adjacent land is not subdivided.

*Staff Response: Indicate adjacent subdivision names.*

8. Approximate location of areas subject to inundation, flooding or storm water overflow. Indicate if a recognized flood plain is present. Identify and locate the major drainage systems.

*Staff Response: The plat meets these requirements.*

9. Approximate locations of areas subject to tidal inundation including the mean high water line.

*Staff Response: The plat meets these requirements (not applicable to this area).*

10. Block and lot numbering per Section 20.16.110 of the borough subdivision code.

*Staff Response: The plat meets these requirements.*

11. The general location of existing water and sewer utilities, and the intent and methods of the subdivision to utilize and access such utilities.

*Staff Response: The plat meets these requirements. Lots are served by city water and sewer.*

12. Provide a contour map of the subdivision and road profiles if road grades exceed 6% on arterial and 10% on other streets.

*Staff Response: The plat meets these requirements.*

13. Identify and locate on the plat all areas in excess of 20% grade.

*Staff Response: The plat meets these requirements.*

**PUBLIC WORKS COMMENTS:** No comments.

**FIRE DEPARTMENT COMMENTS:** Fire Chief Painter did not have any concerns.

**STAFF COMMENTS/RECOMMENDATIONS:**

Planning Commission recommend approval of the preliminary plat.

**ATTACHMENTS**

1. Preliminary Plat
2. Surveyors letter
3. Vicinity Map



**NOTARY'S ACKNOWLEDGMENT**

SUBSCRIBED AND SWORN TO BEFORE ME THIS  
 DAY OF \_\_\_\_\_, 2013.  
 FOR: \_\_\_\_\_

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES \_\_\_\_\_

**NOTARY'S ACKNOWLEDGMENT**

SUBSCRIBED AND SWORN TO BEFORE ME THIS  
 DAY OF \_\_\_\_\_, 2013.  
 FOR: \_\_\_\_\_

NOTARY PUBLIC FOR ALASKA

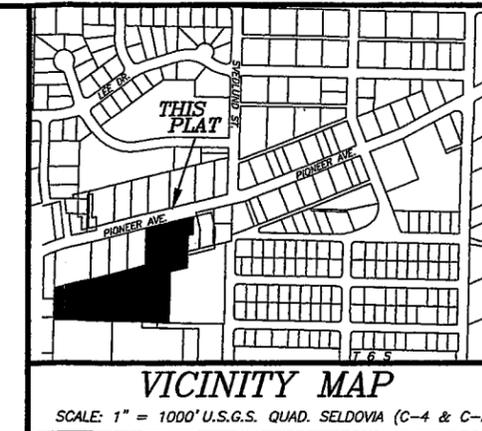
MY COMMISSION EXPIRES \_\_\_\_\_

**WASTEWATER DISPOSAL**

LOT 7-A IS AT LEAST 200,000 SQUARE FEET OR NOMINAL 5 ACRES IN SIZE AND CONDITIONS MAY NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL. AND WASTEWATER TREATMENTS OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

FOR LOT 6-A-1, PLANS FOR WASTEWATER DISPOSAL, THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

KENTON T. BLOOM, PLS 7968-S DATE \_\_\_\_\_

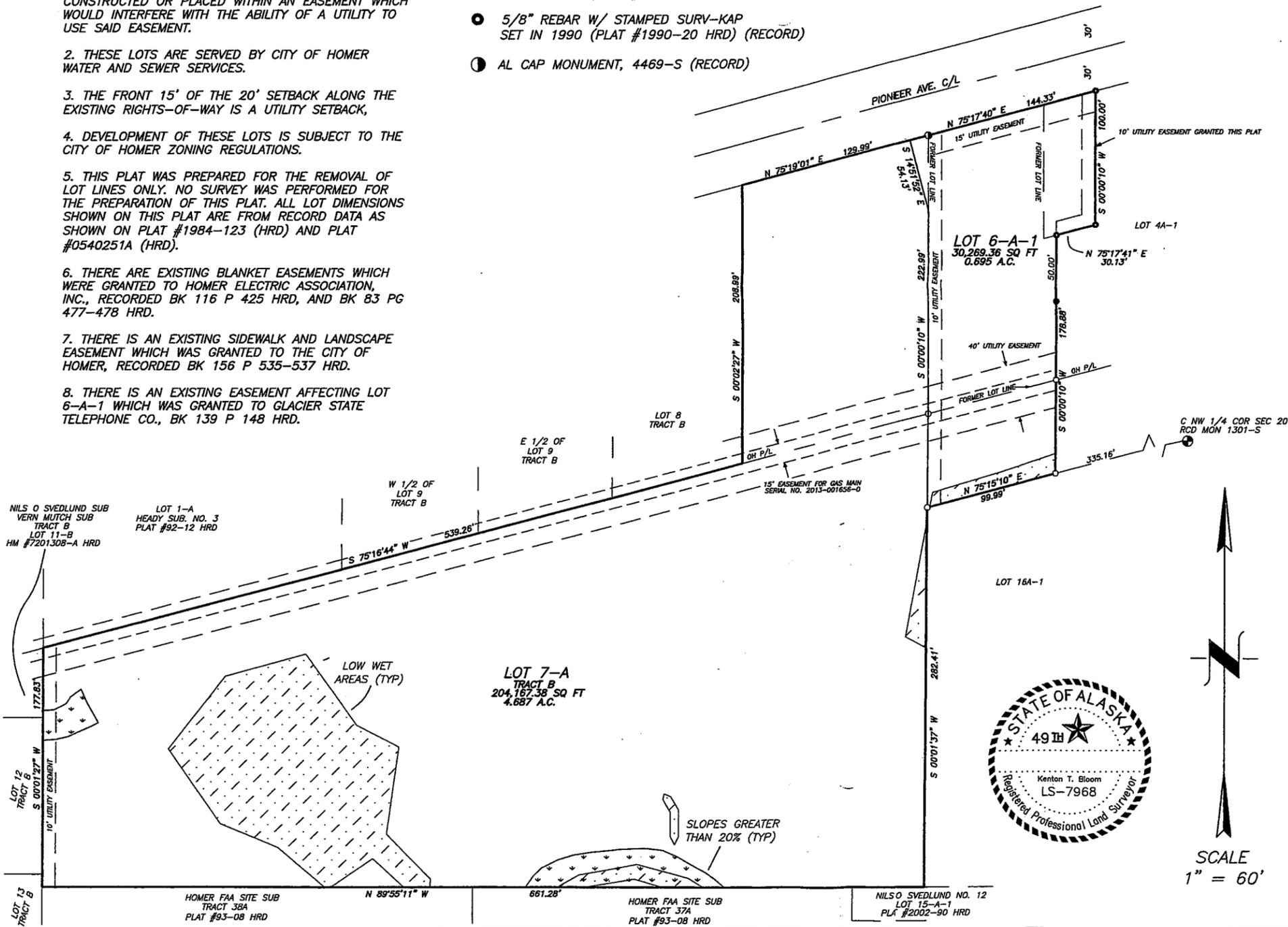


**NOTES**

1. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED OR PLACED WITHIN AN EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE SAID EASEMENT.
2. THESE LOTS ARE SERVED BY CITY OF HOMER WATER AND SEWER SERVICES.
3. THE FRONT 15' OF THE 20' SETBACK ALONG THE EXISTING RIGHTS-OF-WAY IS A UTILITY SETBACK.
4. DEVELOPMENT OF THESE LOTS IS SUBJECT TO THE CITY OF HOMER ZONING REGULATIONS.
5. THIS PLAT WAS PREPARED FOR THE REMOVAL OF LOT LINES ONLY. NO SURVEY WAS PERFORMED FOR THE PREPARATION OF THIS PLAT. ALL LOT DIMENSIONS SHOWN ON THIS PLAT ARE FROM RECORD DATA AS SHOWN ON PLAT #1984-123 (HRD) AND PLAT #0540251A (HRD).
6. THERE ARE EXISTING BLANKET EASEMENTS WHICH WERE GRANTED TO HOMER ELECTRIC ASSOCIATION, INC., RECORDED BK 116 P 425 HRD, AND BK 83 PG 477-478 HRD.
7. THERE IS AN EXISTING SIDEWALK AND LANDSCAPE EASEMENT WHICH WAS GRANTED TO THE CITY OF HOMER, RECORDED BK 156 P 535-537 HRD.
8. THERE IS AN EXISTING EASEMENT AFFECTING LOT 6-A-1 WHICH WAS GRANTED TO GLACIER STATE TELEPHONE CO., BK 139 P 148 HRD.

**LEGEND**

- 2" ALUMINUM CAP ON 30" X 5/8" REBAR SET IN 1984 (PLAT #1984-123 HRD) (RECORD)
- 5/8" REBAR W/ STAMPED SURV-KAP SET IN 1990 (PLAT #1990-20 HRD) (RECORD)
- ① AL CAP MONUMENT, 4469-S (RECORD)



**CERTIFICATE OF OWNERSHIP**

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

HARMON HALL  
 FOR: DRAGONFLY LLC  
 64362 BRIDGER RD  
 HOMER, ALASKA 99603

WALT WREDE, CITY MANAGER  
 FOR: THE CITY OF HOMER  
 491 E. PIONEER AVE.  
 HOMER, ALASKA 99603

**PLAT APPROVAL**

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

BY: \_\_\_\_\_ AUTHORIZED OFFICIAL DATE \_\_\_\_\_  
 KENAI PENINSULA BOROUGH



HOMER RECORDING DISTRICT KPB FILE No. 2013-

**NILS O. SVEDLUND SUBDIVISION 2013 REPLAT**

A REPLAT OF LOT 6-A AND LOT 16-B, (PLAT #84-123 HRD), AND LOT 5 AND LOT 7 TRACT B, (PLAT #0540251A HRD), NILS O. SVEDLUND SUBDIVISION, SITUATED IN THE NW 1/4, SEC 20, T6S, R13W, S.M., LOCATED WITHIN THE CITY OF HOMER THIRD JUDICIAL DISTRICT, STATE OF ALASKA CONTAINING 5.382 ACRES MORE OR LESS

**SEABRIGHT SURVEY + DESIGN KENTON T. BLOOM, P.L.S.**

1044 EAST ROAD, SUITE A  
 HOMER, ALASKA 99603  
 (907) 235-4247

DRAWN BY: KK	CHKD BY: KB	JOB #13-03
DATE: 2/2013	SCALE: 1"=60'	SHEET #1 OF 1





**SEABRIGHT SURVEY + DESIGN**

**Kenton Bloom, PLS**

1044 East Road Suite A

Homer, Alaska 99603

(907) 235-4247 (& fax)

seabrightz@yahoo.com

July 17th, 2013

City of Homer  
Planning Dept.  
491 E. Pioneer  
Homer, Alaska 99603

**RE: Nils O Svedlund 2013 Replat (revised)**

To Whom It May Concern:

Seabright Survey + Design is pleased to submit the revised preliminary plat for the **Nils O Svedlund 2013 Replat**

In order to meet building setback requirements, the acreage of Lot 6-A-1 has been increased. An agreement was met between the City of Homer and Harmon and Pauli Hall, which was approved by the City Council of Homer, Resolution 13-069 of the meeting of June 24<sup>th</sup>. See attached.

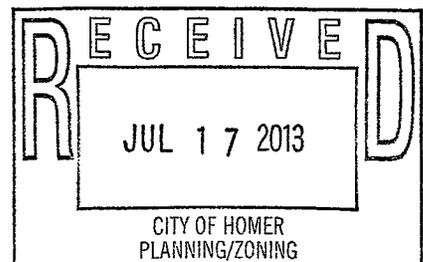
We are providing you with a check for \$300.00 for platting review fees and two full size copies. Please find the PDF 11"x17" in an email for your review.

We look forward to working with the City of Homer on this project within city limits. Thank you for your consideration. Please call with any questions or concerns.

Cordially,



Kenton Bloom, P.L.S.  
Seabright Survey + Design





## **NOTICE OF SUBDIVISION**

Public notice is hereby given that a preliminary plat has been received proposing to subdivide or replat property. You are being sent this because you are an affected property owner within 500 feet of a proposed subdivision and are invited to comment.

The proposed subdivision under consideration is described as follows:

### **Nils O. Svedlund Sub 2013 Replat Preliminary Plat**

The location of the proposed subdivision(s) affecting you is provided on the attached map(s). A preliminary plat showing the proposed subdivision may be viewed at the Planning Department. Subdivision reviews are conducted in accordance with the City of Homer Subdivision Ordinance and the KPB Subdivision Ordinance. A copy of the Ordinance is available from the Planning Department. **Comments should be guided by the requirements of those Ordinances.**

A public meeting will be held by the Homer Advisory Planning Commission on Wednesday, August 7, 2013 at 6:30 p.m. at Homer City Hall, 491 East Pioneer Avenue, Homer, Alaska.

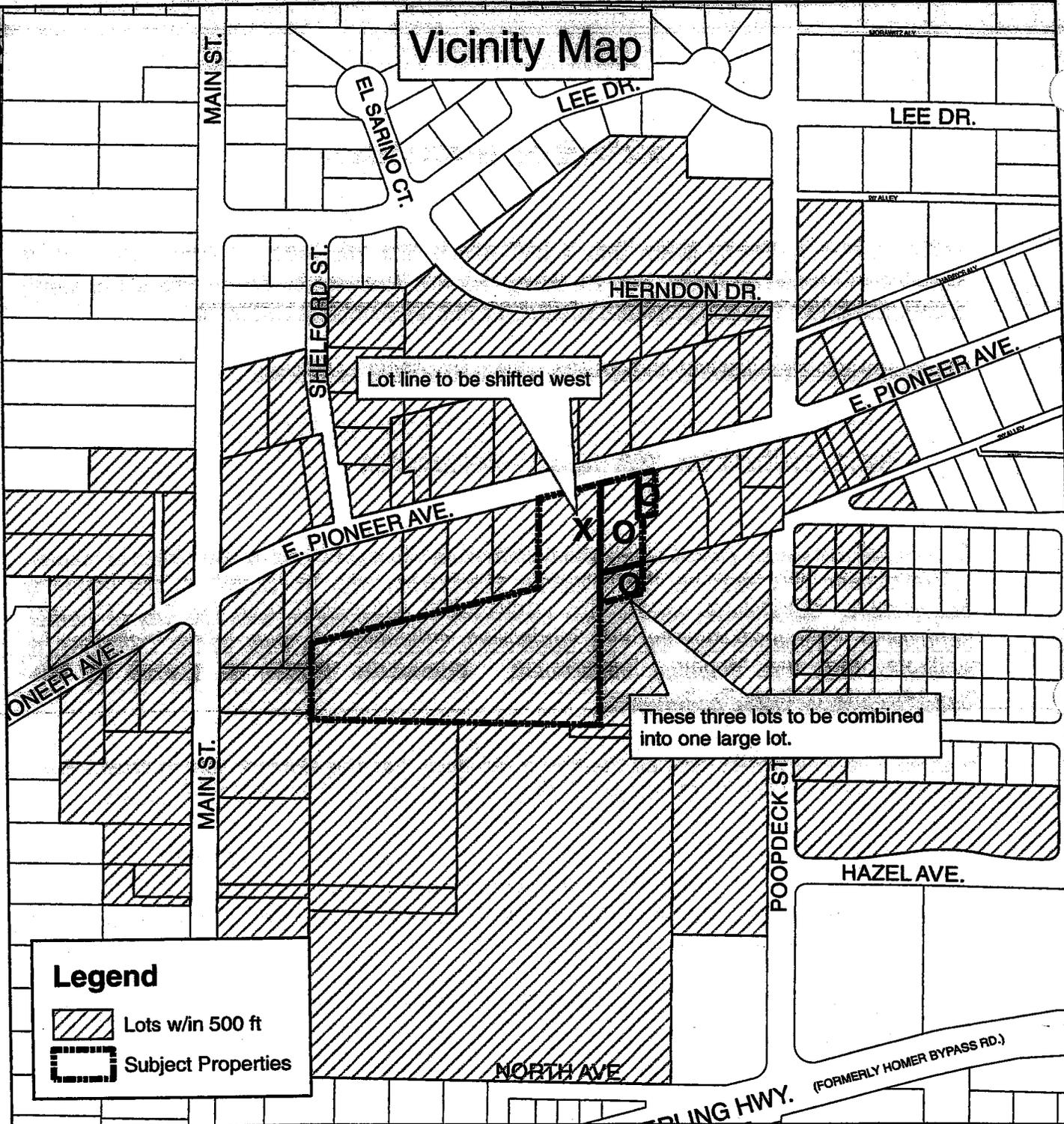
Anyone wishing to present testimony concerning this matter may do so at the meeting or by submitting a written statement to the Homer Advisory Planning Commission, 491 East Pioneer Avenue, Homer, Alaska 99603, by 4:00 p.m. on the day of the meeting. Written comments can be faxed to 907-235-3118.

For additional information, please contact Julie Engebretsen in the City of Homer Planning and Zoning Office at 435-3119.

**NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 500 FEET OF PROPOSED SUBDIVISION.**

## **VICINITY MAP ON REVERSE**

# Vicinity Map

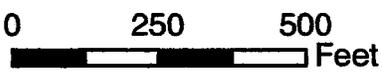


## Legend

-  Lots w/in 500 ft
-  Subject Properties

## Nils O. Svedlund Sub 2013 Replat Preliminary Plat

Marked lots are w/in 500 feet and property owners are notified.



**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**  
July 26, 2013



# **KENAI PENINSULA BOROUGH**

PLANNING DEPARTMENT  
144 North Binkley Street • Soldotna, Alaska 99669-7520  
**PHONE:** (907) 714-2200 • **FAX:** (907) 714-2378  
Toll-free within the Borough: 1-800-478-4441, Ext. 2200  
[www.borough.kenai.ak.us](http://www.borough.kenai.ak.us)

**MIKE NAVARRE**  
**BOROUGH MAYOR**

July 17, 2013

## **NOTICE OF DECISION KENAI PENINSULA BOROUGH PLAT COMMITTEE**

### **MEETING OF JULY 15, 2013**

**RE:** West Hill Subdivision Cason 2013 Addn Preliminary Plat

The Plat Committee reviewed and granted conditional approval of the subject preliminary plat during their regularly scheduled meeting of July 15, 2013 based on the findings that the preliminary plat meets the requirements of the Kenai Peninsula Borough Code 20.12; 20.14 and 20.20.

Please contact the Planning Department if you need additional information.

This notice and unapproved minutes of the subject portion of the meeting were sent July 17, 2013 to:

**City of:** City of Homer  
491 E. Pioneer Avenue  
Homer, AK 99603-7645

**Advisory Planning Commission/Community Council:** Homer Advisory Planning Commission  
491 E. Pioneer Avenue  
Homer, AK 99603-7645

**Survey Firm:** Jerry Anderson, PLS  
Surveying & Boundary Solutions  
PO Box 797  
Springfield, MO 65801

**Subdivider/Petitioner:** Velton Cason  
3932 Balchen Drive  
Anchorage, AK 99517-2474

Jonathan Cason  
4000 Merrill Dr.  
Anchorage, AK 99517-2471

Samuel Cason  
4107 Balchen Dr.  
Anchorage, AK 99517-2450

**KPB File Number:** 2013-114

MEMORANDUM FOR THE DIRECTOR

Subject: [Illegible]



[Illegible text]



[Illegible text]



**AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS**

Staff Report given by Patti Hartley

Plat Committee Meeting: 7/15/13

Staff has grouped the plats located under **AGENDA ITEM E (AGENDA ITEM F - FINAL PLATS WILL NEED SEPARATE REVIEW)**. They are grouped as:

- A. **Simple** (lot splits, small number of lots, replats, no exceptions required) or non-controversial (may require redesigns, create larger number of lots, no public comments received, no exceptions required) – 11 Plats
  - 1. Bay View Sub 2013 Replat; KPB File 2013-103 [Seabright / Hall]
  - 2. Olson Hills Phase One 2013 Replat; KPB 2013-111 [Seabright / Waldorf]
  - 3. Birch Meadows Sub Wilson Replat; KPB File 2013-105 [Johnson / Wilson]
  - 4. Robinette Sub Laurel-Ryan Addn. No. 1; KPB File 2013-107 [Johnson / Harris]
  - 5. Jackson Sub No. 2; KPB File 2013-109 [Segesser / Jackson, Burril]
  - 6. Mariner's Watch Sub Standefer Replat; KPB File 2013-115 [Segesser / Standefer]
  - 7. Loomis Sub Johnson Replat; KPB File 2013-116 [Segesser / Johnson]
  - 10. Bettyann's Acres 2013 Addn; KPB File 2013-110 [Integrity / Ellis, Moore]
  - 11. Walker Homestead 2013 Addn; KPB File 2013-112 [Integrity / Wilsack, Walker]
  - 14. West Hill Sub Cason 2013 Addn; KPB File 2013-114 [Anderson / Cason]
  - 15. Anchor Bluff Acres Barron 2013 Addn; KPB File 2013-118 [Anderson / Barron]

**Staff recommends** the committee determine whether any members of the public, surveyors or committee members wish to speak to any of the plats in this group and remove the specific plats from the group, voting on the remainder of plats in the group in a single action to grant preliminary approval to the plats subject to staff recommendations and the conditions noted in the individual staff reports.

**END OF STAFF REPORT**

Chairman Carluccio opened the meeting for public comment. Seeing and hearing no one wishing to comment, Chairman Carluccio closed the public hearing and opened discussion among the Committee.

**MOTION:** Commissioner Gross moved, seconded by Commissioner Holsten to grant approval of the following preliminary plats as presented by staff.

- 1. Bay View Sub 2013 Replat; KPB File 2013-103 [Seabright / Hall]
- 2. Olson Hills Phase One 2013 Replat; KPB 2013-111 [Seabright / Waldorf]
- 3. Birch Meadows Sub Wilson Replat; KPB File 2013-105 [Johnson / Wilson]
- 4. Robinette Sub Laurel-Ryan Addn. No. 1; KPB File 2013-107 [Johnson / Harris]
- 5. Jackson Sub No. 2; KPB File 2013-109 [Segesser / Jackson, Burril]
- 6. Mariner's Watch Sub Standefer Replat; KPB File 2013-115 [Segesser / Standefer]
- 7. Loomis Sub Johnson Replat; KPB File 2013-116 [Segesser / Johnson]
- 10. Bettyann's Acres 2013 Addn; KPB File 2013-110 [Integrity / Ellis, Moore]
- 11. Walker Homestead 2013 Addn; KPB File 2013-112 [Integrity / Wilsack, Walker]
- 14. West Hill Sub Cason 2013 Addn; KPB File 2013-114 [Anderson / Cason]**
- 15. Anchor Bluff Acres Barron 2013 Addn; KPB File 2013-118 [Anderson / Barron]

**VOTE:** The motion passed by unanimous consent

CARLUCCIO YES	ECKLUND YES	GROSS YES	HOLSTEN YES	TAURIAINEN YES	WHITNEY ABSENT	5 YES 1 ABSENT
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**AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS**

14. West Hill Subdivision Cason 2013 Addn.  
KPB File 2013-114; Anderson/Cason

STAFF REPORT

Plat Committee Meeting: 7/15/13

Location: City of Homer  
Proposed Use: Residential, Recreational  
Water/Sewer: On-site  
Zoning: Rural Residential  
Assessing Use: Accessory Building, Vacant  
Parent Parcel Number(s): 173-480-11, 175-020-23, 175-020-37, 175-020-83

Supporting Information:

The proposed subdivision is a simple replat of four lots into one lot containing approximately 8 acres. A soils report is not required. The subdivision fronts State maintained West Hill Road and Highlander Drive.

Homer Advisory Planning Commission voted to approve the proposed plat without Homer City staff report recommendations on June 5, 2013.

Per Planning Commission Resolution 2000-25, if the Certificate to Plat indicates any beneficial interests affect this property, they will be notified and 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.

Physical addresses may be affected by the replat. Homer Planning and Zoning Department can answer questions about the effect of the replat on addresses.

**STAFF RECOMMENDATION:** Grant approval of the preliminary plat subject to any above recommendations, and the following conditions and findings:

REVISE OR ADD TO THE PRELIMINARY PLAT IN ACCORDANCE WITH THE PROVISIONS CONTAINED IN KPB 20.12 (FORM AND CONTENTS), KPB 20.14 (WASTEWATER DISPOSAL), AND KPB 20.20 (DESIGN REQUIREMENTS) AS FOLLOWS:

1. **20.12.060. - Form and contents required. The preliminary plat shall be drawn to scale of sufficient size to be clearly legible and shall show the following:**

Platting staff comments: The plat complies with the following portions of 20.12.060: B, C, E, G, H, and J.

Platting staff comments: The following portions of 20.12.060 are not applicable to the subject plat: F, I, and L.

Platting staff comments: Additional information is provided for the following portions of 20.12.060 or additional information, revision or corrections are required

- 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 map or 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,
  3. Name and address of owner, and registered land surveyor;

*Platting Staff Comments: Staff recommends the aliquot description be confirmed. It appears the plat is within the NE1/4SE1/4 and SE1/4NE1/4.*

- 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;

*Platting Staff Comments:* **Staff recommends:**

- 1) The section lines, Township and Range be included in the vicinity map.
- 2) The information below the vicinity map be corrected: E1/2E1/2, Township 06S.

*Not all subdivision roads, such as the cul-de-sacs, need to be shown and labeled on the vicinity map. Major through roads, like West Hill Road, Diamond Ridge Road, and Skyline Drive, are sufficient reference points.*

- 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 limitations of such reservations;

*Platting Staff Comments:*

- K. Within the limits of first class cities, the approximate location of known existing municipal sewers, water mains, and other utilities within the subdivision and immediately abutting thereto;

*Platting Staff Comments: City utility lines are not adjacent to the subject plat.*

- M. Approximate locations of slopes over 20 percent in grade. (Ord. No. 78-37, § 2(part), 1979)

*Platting Staff Comments: KPB GIS mapping indicates the area adjacent to the drainage along the western boundary may have slopes greater than 20 percent. Additional information was requested from the surveyor.*

**20.12.070. - Statement required when—Contents. Information which is not shown on the plat shall be presented in written or mapped form and shall include:**

*Platting staff comments: The submittal complies with 20.12.070 (A-D).*

**2. KPB 20.14 -- Wastewater Disposal**

*Platting Staff Comments: The appropriate wastewater disposal note is on the plat.*

**3. KPB 20.20 Design Requirements -- 20.20.010. - Standards applicable.**

Platting staff comments: The plat complies with the following portions of 20.20: 20.20.035, 20.20.060, 20.20.110, 20.20.140, 20.20.160, 20.20.180, 20.20.190, 20.20.200, 20.20.210, and 20.20.220.

Platting staff comments: The following portions of 20.20 are not applicable to the subject plat: 20.20.020, 20.20.030, 20.20.080, 20.20.090, 20.20.100, 20.20.120, 20.20.130, 20.20.150, 20.20.230, 20.20.240, and 20.28.

Platting staff comments: Additional information is provided for the following portions of 20.20 or additional information, revision or corrections are required

20.20.040. - Easements—Requirements.

*Platting Staff Comments: Staff recommends compliance with the recommendations submitted by the utility providers.*

20.20.050. - Lots on major streets—Access requirements.

*Platting Staff Comments: Satellite imagery dated 2003 shows an existing approach off West Hill Road. Any approaches off a State right-of-way require approval and permitting from the State Department of Transportation.*

20.20.070. - Alleys.

*Platting Staff Comments: Homer Advisory Planning Commission did not recommend alleys.*

20.20.170. - Pedestrian ways required when.

*Platting Staff Comments: Homer Advisory Planning Commission did not recommend pedestrian ways.*

20.20.235. – Building setbacks - Within cities.

*Platting Staff Comments: Satellite imagery shows structures near the subdivision boundary. **Staff recommends** a note be placed on the plat to indicate that acceptance of the plat by the Borough does not indicate acceptance of any encroachments.*

20.20.250. - Different standards in cities.

*Platting Staff Comments: Homer Advisory Planning Commission did not request different standards.*

20.20.260. - Flood plain requirements.

*Platting Staff Comments: Per the Homer City staff report, the subdivision is within Flood Zone D, flood hazards undetermined. A plat note was not recommended.*

*Per the River Center review, the subdivision is not affected by the Anadromous Stream Habitat Protection District.*

#### **4. Additional requirements for administrative approval of the final plat (KPB 20.16) -- 20.16.010. - Preparation requirements generally.**

Platting staff comments: The plat complies with the following portions of 20.16: 20.16.080, 20.16.100, and 20.16.110.

Platting staff comments: The following portions of 20.16 are not applicable to the subject plat: 20.16.035, 20.16.040, 20.16.045, 20.16.046, and 20.16.070.

Platting staff comments: Additional information is provided for the following portions of 20.16 or additional information, revision or corrections are required

20.16.020. - Filing—Form and number of copies required.

*Platting Staff Comments: **Staff recommends** two full size copies of the plat be provided for final review. Electronic submission is not acceptable.*

20.16.030. - Certificate of borough finance department required.

*Platting Staff Comments: **Staff recommends** compliance with 20.16.030.*

20.16.050. - Plat specifications.

*Platting Staff Comments: **Staff recommends** compliance with 20.16.050.*

20.16.060. - Improvements—Installation agreement required.

*Platting Staff Comments: Per Homer City staff report PL 13-45, an installation agreement is not required.*

20.16.090. - Accuracy of measurements.

*Platting Staff Comments: The GIS Division will confirm closure meets 20.16.090 when the final plat is submitted. **Staff recommends** compliance with 20.16.090.*

20.16.120. - Utility easements.

*Platting Staff Comments: **Staff recommends** compliance with the recommendations submitted by the utility providers.*

20.16.130. - Easements.

*Platting Staff Comments: **Staff recommends** compliance with 20.16.130.*

KPB records show a 33-foot section line easement underlies the 50-foot right-of-way dedication for West Hill Road adjoining the subject plat.

20.16.140. - Other data required by law.

Platting Staff Comments: **Staff recommends** compliance with 20.16.140.

20.16.145. - Plat notes.

Platting Staff Comments: *Additional plat notes may be required based on easements/covenants in the final Certificate to Plat.*

Place a note on the plat: "No access to state maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation."

Work with Louise Hooyer at DOT (907-269-0713) to verify the ROW and monumentation shown for the State road is correct [louise.hooyer@alaska.gov].

20.16.155. - Certificates, statements and signatures required.

Platting Staff Comments: **Staff recommends** compliance with 20.16.155.

KPB records show three individuals own the subdivision. **Staff recommends** all owners per the Certificate to Plat be included in the Certificate of Ownership on the final plat per KPB 20.16.155.

If the Certificate to Plat shows more than one owner, **staff recommends** the Certificate of Ownership be revised to reflect multiple owners, e.g., I to we, owner to owners, my to our.

**Staff recommends** an apostrophe be inserted in the Surveyor's Certificate and hereby in the Surveyor's Certificate not be capitalized.

20.16.160. - Survey and monumentation.

Platting Staff Comments: **Staff recommends** compliance with 20.16.160. Per KPB 20.16.160 (A), plats of this nature do not require to be formally surveyed. This plat exhibits information that some courses are of differing lengths than those of previous record(s).

**Staff recommends:**

- a) Boundary information be clarified if measured or of record and if of record the source(s) cited;
- b) The SYMBOL LEGEND be clarified if the monumentation shown is found or of record and show the source and year of said monumentation if known; and
- c) Limit the Basis of Bearing to two monuments on a common line within or adjacent to the property not a reference over a mile away.

If no field survey was performed for the preparation of this plat and the information shown is of record the Basis of Bearing is immaterial.

20.16.170. - Approval—Authority—Certificate issued when.

Platting Staff Comments: *If the Plat Committee conditionally approves the preliminary plat, staff recommends compliance with 20.16.170.*

20.16.180. - Administrative approval.

Platting Staff Comments: *If the Plat Committee conditionally approves the preliminary plat and the final plat conforms to the conditions, staff will issue an administrative approval with notice to the Planning Commission as set forth in 20.16.180.*

20.16.190. - Disapproval. When a plat has been disapproved by the planning commission, it may be refilled once more with corrections for approval within 28 days of notification of first disapproval. If disapproved again, said plat shall be void. A new fee will be required for subdivision of the property in the voided plat.

*Platting Staff Comments: If the Plat Committee disapproves the proposed plat, staff recommends findings be cited and adopted in support of the denial.*

**NOTE: REVIEW OF A DECISION OF THE PLAT COMMITTEE MAY BE HEARD BY THE PLANNING COMMISSION ACTING AS PLATTING BOARD BY FILING WRITTEN NOTICE THEREOF WITH THE BOROUGH PLANNING DIRECTOR ON A FORM PROVIDED BY THE BOROUGH PLANNING DEPARTMENT. THE REQUEST FOR REVIEW SHALL BE FILED WITHIN 10 DAYS AFTER NOTIFICATION OF THE DECISION OF THE PLAT COMMITTEE BY PERSONAL SERVICE OR SERVICE BY MAIL.**

**A REQUEST FOR REVIEW MAY BE FILED BY ANY PERSON OR AGENCY THAT PARTICIPATED AT THE PLAT COMMITTEE HEARING EITHER BY WRITTEN OR ORAL PRESENTATION. THE REQUEST MUST HAVE AN ORIGINAL SIGNATURE; FILING ELECTRONICALLY OR BY FACSIMILE IS PROHIBITED. THE REQUEST FOR REVIEW MUST BRIEFLY STATE THE REASON FOR THE REVIEW REQUEST AND APPLICABLE PROVISIONS OF BOROUGH CODE OR OTHER LAW UPON WHICH THE REQUEST FOR REVIEW IS BASED.**

**NOTICE OF THE REVIEW HEARING WILL BE ISSUED BY STAFF TO THE ORIGINAL RECIPIENTS OF THE PLAT COMMITTEE PUBLIC HEARING NOTICE. CASES REVIEWED SHALL BE HEARD DE NOVO BY THE PLANNING COMMISSION ACTING AS THE PLATTING BOARD (KPB 2.40.080).**

END OF STAFF REPORT

AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS

15. Anchor Bluff Acres Barron 2013 Addn.  
KPB File 2013-118; Anderson/Barron

STAFF REPORT

Plat Committee Meeting: 7/15/13

Location:	On Sandbeach Road in Anchor Point within Anchor Point APC
Proposed Use:	Residential, Recreational
Water:	Not provided; on-site for Lot 5 per ADEC
Sewer:	On-site
Zoning:	Unrestricted
Assessing Use:	Residential, Vacant
Parent Parcel Number(s):	165-500-13, 165-500-14

Supporting Information:

The proposed subdivision reconfigures a common lot line, which resolves an encroachment. Sewer is provided on-site. The subdivision fronts Borough maintained Sandbeach Road.

Per Planning Commission Resolution 2000-25, if the Certificate to Plat indicates any beneficial interests affect this property, they will be notified and 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.

Anchor Point Advisory Planning Commission minutes were not available when the staff report was prepared (KPB 21.02.020). These will be provided with the desk packet if available.

A physical address may be affected by the replat. Carrie Henson, Addressing Officer, can answer questions about the effect of the replat on addresses.



# **KENAI PENINSULA BOROUGH**

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

**PHONE:** (907) 714-2200 • **FAX:** (907) 714-2378

Toll-free within the Borough: 1-800-478-4441, Ext. 2200

[www.borough.kenai.ak.us](http://www.borough.kenai.ak.us)

**MIKE NAVARRE**  
**BOROUGH MAYOR**

July 17, 2013

## **NOTICE OF DECISION KENAI PENINSULA BOROUGH PLAT COMMITTEE MEETING OF JULY 15, 2013**

**RE:** Bay View Subdivision 2013 Replat Preliminary Plat

The Plat Committee reviewed and granted conditional approval of the subject preliminary plat during their regularly scheduled meeting of July 15, 2013 based on the findings that the preliminary plat meets the requirements of the Kenai Peninsula Borough Code 20.12; 20.14 and 20.20.

Please contact the Planning Department if you need additional information.

This notice and unapproved minutes of the subject portion of the meeting were sent July 17, 2013 to:

**City of:** City of Homer  
491 E. Pioneer Avenue  
Homer, AK 99603-7645

**Advisory Planning Commission/Community Council:** Homer Advisory Planning Commission  
491 E. Pioneer Avenue  
Homer, AK 99603-7645

**Survey Firm:** Seabright Survey + Design  
1044 East Road, #A  
Homer, AK 99603

**Subdivider/Petitioner:** Harmon Hall  
64362 Bridger Rd.  
Homer, AK 99603-9213

**KPB File Number:** 2013-103

THE UNIVERSITY OF CHICAGO

DEPARTMENT OF CHEMISTRY

PH.D. THESIS

BY

ROBERT M. WAYNE

Submitted in partial fulfillment of the requirements for the degree of Doctor of Philosophy

Department of Chemistry, University of Chicago, Chicago, Illinois

1963

Approved by the Department of Chemistry

Chairman

Professor [Name]

Department of Chemistry

Department of Chemistry

University of Chicago

Chicago, Illinois

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**AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS**

Staff Report given by Patti Hartley

Plat Committee Meeting: 7/15/13

Staff has grouped the plats located under **AGENDA ITEM E (AGENDA ITEM F - FINAL PLATS WILL NEED SEPARATE REVIEW)**. They are grouped as:

- A. **Simple** (lot splits, small number of lots, replats, no exceptions required) or non-controversial (may require redesigns, create larger number of lots, no public comments received, no exceptions required) – 11 Plats
  - 1. Bay View Sub 2013 Replat; KPB File 2013-103 [Seabright / Hall]
  - 2. Olson Hills Phase One 2013 Replat; KPB 2013-111 [Seabright / Waldorf]
  - 3. Birch Meadows Sub Wilson Replat; KPB File 2013-105 [Johnson / Wilson]
  - 4. Robinette Sub Laurel-Ryan Addn. No. 1; KPB File 2013-107 [Johnson / Harris]
  - 5. Jackson Sub No. 2; KPB File 2013-109 [Segesser / Jackson, Burrell]
  - 6. Mariner’s Watch Sub Standefer Replat; KPB File 2013-115 [Segesser / Standefer]
  - 7. Loomis Sub Johnson Replat; KPB File 2013-116 [Segesser / Johnson]
  - 10. Bettyann’s Acres 2013 Addn; KPB File 2013-110 [Integrity / Ellis, Moore]
  - 11. Walker Homestead 2013 Addn; KPB File 2013-112 [Integrity / Wilsack, Walker]
  - 14. West Hill Sub Cason 2013 Addn; KPB File 2013-114 [Anderson / Cason]
  - 15. Anchor Bluff Acres Barron 2013 Addn; KPB File 2013-118 [Anderson / Barron]

**Staff recommends** the committee determine whether any members of the public, surveyors or committee members wish to speak to any of the plats in this group and remove the specific plats from the group, voting on the remainder of plats in the group in a single action to grant preliminary approval to the plats subject to staff recommendations and the conditions noted in the individual staff reports.

**END OF STAFF REPORT**

Chairman Carluccio opened the meeting for public comment. Seeing and hearing no one wishing to comment, Chairman Carluccio closed the public hearing and opened discussion among the Committee.

**MOTION:** Commissioner Gross moved, seconded by Commissioner Holsten to grant approval of the following preliminary plats as presented by staff.

- 1. **Bay View Sub 2013 Replat; KPB File 2013-103 [Seabright / Hall]**
- 2. Olson Hills Phase One 2013 Replat; KPB 2013-111 [Seabright / Waldorf]
- 3. Birch Meadows Sub Wilson Replat; KPB File 2013-105 [Johnson / Wilson]
- 4. Robinette Sub Laurel-Ryan Addn. No. 1; KPB File 2013-107 [Johnson / Harris]
- 5. Jackson Sub No. 2; KPB File 2013-109 [Segesser / Jackson, Burrell]
- 6. Mariner’s Watch Sub Standefer Replat; KPB File 2013-115 [Segesser / Standefer]
- 7. Loomis Sub Johnson Replat; KPB File 2013-116 [Segesser / Johnson]
- 10. Bettyann’s Acres 2013 Addn; KPB File 2013-110 [Integrity / Ellis, Moore]
- 11. Walker Homestead 2013 Addn; KPB File 2013-112 [Integrity / Wilsack, Walker]
- 14. West Hill Sub Cason 2013 Addn; KPB File 2013-114 [Anderson / Cason]
- 15. Anchor Bluff Acres Barron 2013 Addn; KPB File 2013-118 [Anderson / Barron]

**VOTE:** The motion passed by unanimous consent

CARLUCCIO YES	ECKLUND YES	GROSS YES	HOLSTEN YES	TAURIJAINEN YES	WHITNEY ABSENT	5 YES 1 ABSENT
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**AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS**

1. Bay View Subdivision 2013 Replat  
KPB File 2013-103; Seabright/Hall

STAFF REPORT

Plat Committee Meeting: 7/15/13

Location: City of Homer  
Proposed Use: Not Provided  
Water/Sewer: City  
Zoning: General Commercial One District  
Assessing Use: Residential Improved, Vacant  
Parent Parcel Number(s): 179-171-01, 179-171-02

Supporting Information:

The proposed subdivision replats two lots into one lot containing approximately 1.5 acres. City water and sewer serve the subdivision. The replat fronts constructed Lampert Lane and Lakeshore Drive. This platting action is providing a 30-foot dedication for Lampert Lane that intersects with the existing Lampert Loop.

Homer Advisory Planning Commission approved the plat on March 20, 2013 subject to:

1. Label Lampert Loop, Lakeshore Drive, Beluga Lake, and depict the section line if it exists.  
*Borough staff comments: The requested lake and right-of-way labels are on the plat submitted for KPB review. KPB records differ from the section line easement widths on the submittal. Staff recommends compliance with staff's recommendations per KPB 20.16.130.*
2. This property is in the floodplain and appropriate plat notes per KPB should be added. Beluga Lake is an unnumbered A Zone, according to "The Flood Insurance Study for the City of Homer, Alaska," dated September 25, 2009 with accompanying Flood Insurance Rate Maps (FIRM).  
*Borough staff comments: The floodplain program for the City of Homer is regulated and enforced by the City of Homer per HCC 21.41. Staff recommends Plat Note 6 be modified accordingly.*
3. Label adjacent subdivisions.  
*Borough staff comments: Staff recommends the property to the west be labeled unsubdivided.*
4. Dedicate the half right-of-way along the existing Lampert Loop right-of-way.  
*Borough staff comments: The submittal to KPB dedicates a 30-foot half right-of-way for Lampert Lane to the intersection with Lampert Loop.*

Per Planning Commission Resolution 2000-25, if the Certificate to Plat indicates any beneficial interests affect this property, they will be notified and 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.

A physical address may be affected by the replat. Homer Planning and Zoning Department can answer questions about the effect of the replat on addresses.

STAFF RECOMMENDATION: Grant approval of the preliminary plat subject to any above recommendations, and the following conditions and findings:

REVISE OR ADD TO THE PRELIMINARY PLAT IN ACCORDANCE WITH THE PROVISIONS CONTAINED IN KPB 20.12 (FORM AND CONTENTS), KPB 20.14 (WASTEWATER DISPOSAL), AND KPB 20.20 (DESIGN REQUIREMENTS) AS FOLLOWS:

1. **20.12.060. - Form and contents required. The preliminary plat shall be drawn to scale of sufficient size to be clearly legible and shall show the following:**

Platting staff comments: The plat complies with the following portions of 20.12.060: B, E, and J.

Platting staff comments: The following portions of 20.12.060 are not applicable to the subject plat: M.

Platting staff comments: Additional information is provided for the following portions of 20.12.060 or additional information, revision or corrections are required

- 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 map or 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,
  3. Name and address of owner, and registered land surveyor;
- Platting Staff Comments: **Staff recommends** Kenai Peninsula be inserted before Borough in the title block.*
- C. The location, width and name of existing or platted streets and public ways, railroad rights-of-way and other important features such as section lines, political subdivision or municipal corporation boundaries abutting the subdivision;
- Platting Staff Comments: **Staff recommends** Lampert Lane. **Staff recommends** the existing width for Lampert Lane be noted on the plat.*
- 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;
- Platting Staff Comments: **Staff recommends** the section lines be shown.*
- F. The names and widths of public streets and alleys and easements, existing and proposed, within the subdivision;
- Platting Staff Comments: **Staff recommends** the section line easement status be corrected per the June 26, 2013 comments from the title company.*
- G. The names of adjacent subdivisions or an indication that the adjacent land is not subdivided;
- Platting Staff Comments: **Staff recommends** the property to the west be labeled: Unsubdivided.*
- H. Approximate locations of areas subject to inundation, flooding or storm water overflow; when adjacent to lakes or non-tidal streams the line of ordinary high water, wetlands. If applicable, cite the appropriate study which identifies a flood plain;
- Platting Staff Comments: Per the surveyor, the plat is not affected by low wet areas.*
- I. Approximate locations of areas subject to tidal inundation including the mean high water line;
- Platting Staff Comments: A very large mud flat and Lake Street are between the subject plat and Kachemak Bay. It appears unlikely Beluga Lake is significantly affected by tidal influences.*
- K. Within the limits of first class cities, the approximate location of known existing municipal sewers, water mains, and other utilities within the subdivision and immediately abutting thereto;
- Platting Staff Comments: Additional information was not requested by the Homer Advisory Planning Commission. City of Homer staff acknowledged the property will be served by city water and sewer.*
- 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.
- Platting Staff Comments: Lampert Lane is constructed. KPB GIS 4-foot contours show Lampert Lane is not subject to steep terrain.*

**20.12.070. - Statement required when—Contents. Information which is not shown on the plat shall be presented in written or mapped form and shall include:**

*Platting staff comments: The submittal complies with 20.12.070 (A-D).*

**2. KPB 20.14 -- Wastewater Disposal**

*Platting Staff Comments: The appropriate wastewater disposal note is on the plat.*

**3. KPB 20.20 Design Requirements -- 20.20.010. - Standards applicable.**

*Platting staff comments: The plat complies with the following portions of 20.20: 20.20.035, 20.20.060, 20.20.140, 20.20.150, 20.20.180, 20.20.190, 20.20.200, 20.20.210, 20.20.220, and 20.20.235.*

*Platting staff comments: The following portions of 20.20 are not applicable to the subject plat: 20.20.020, 20.20.050, 20.20.090, 20.20.100, 20.20.120, 20.20.130, 20.20.240, and 20.28.*

*Platting staff comments: Additional information is provided for the following portions of 20.20 or additional information, revision or corrections are required*

**20.20.030. - Proposed street layout—Requirements.**

*Platting Staff Comments: The proposed plat is providing a 30-foot matching dedication for Lampert Lane, which ends at the intersection with Lampert Loop. Staff is not recommending the dedication for Lampert Lane extend to the northern boundary of Lot 106-A. Satellite imagery indicates a right-of-way dedication to the northern boundary of Lot 106-A would go through an existing structure. Additionally, the only surrounding acreage parcel that would be served by a dedication to the northern boundary of the subject plat is the 2-acre parcel to the west, which fronts constructed Lampert Loop. **Staff recommends** the Committee concur that the matching right-of-way for Lampert Lane provided by this platting action complies with 20.20.030.*

**20.20.040. - Easements—Requirements.**

*Platting Staff Comments: **Staff recommends** compliance with the recommendations submitted by the utility providers.*

**20.20.070. - Alleys.**

*Platting Staff Comments: Homer Advisory Planning Commission did not recommend alleys.*

**20.20.080. - Streets—Grades required.**

*Platting Staff Comments: Lampert Lane is constructed. KPB GIS 4-foot contours indicate the dedication provided by this platting action does not cross steep terrain.*

**20.20.110. - Streets—Width requirements.**

*Platting Staff Comments: The proposed plat is providing a 30-foot matching right-of-way for Lampert Lane. The existing width for Lampert Lane is not labeled, but is shown on ADOT&PF drawing as 30 feet.*

*Lakeshore Drive is 50 feet wide. Lakeshore Drive was dedicated by the parent plat (HM 839) in 1953, well before formation of KPB. Lakeshore Drive is part of a right-of-way system for the block that provides a loop access back to Ocean Drive, a paved 100-foot right-of-way that provides access to the Homer Spit and the Sterling Highway.*

*The plat is within the City of Homer. Development on the property must comply with the requirements of the zoning district. Sixty-three parcels front Lakeshore Drive. Parcel sizes range from 10,454 square feet to almost 5 acres with most parcels containing approximately one-half acre. Imagery shows several structures close to Lakeshore Drive. Development has taken place on the adjoining parcels based on the 50-foot width. Obtaining right-of-way from the 63 parcels so the result is a smooth 60-foot right-of-way is unlikely. Homer Advisory Planning Commission did not recommend additional right-of-way for Lakeshore Drive.*

**Staff recommends** the Committee concur that an exception to 20.20.110 is not required in this case.

20.20.160. - Blocks—Length requirements—Generally.

*Platting Staff Comments:* The block is less than the minimum per 20.20.160. The parent plat was recorded in 1953, well before KPB was formed. Lakeshore Drive, Lampert Lane, and Douglas Place provide dedicated public access to all parcels in the block as well as a loop access to Ocean Drive, a paved right-of-way with through access to the Homer Spit and the Sterling Highway. **Staff recommends** the Committee concur that existing conditions justify a variance from the requirement.

20.20.170. - Pedestrian ways required when.

*Platting Staff Comments:* Homer Advisory Planning Commission did not recommend pedestrian ways.

20.20.230. - Building setbacks.

*Platting Staff Comments:* The plat is within the City of Homer. **Staff recommends** references to the building setback be removed from Plat Note 3, e.g., The front 15' along the existing rights-of-way . . .

20.20.250. - Different standards in cities.

*Platting Staff Comments:* Homer Advisory Commission did not recommend different standards.

20.20.260. - Flood plain requirements.

*Platting Staff Comments:* The Kenai Peninsula Borough does not administer the floodplain program in the City of Homer. Per HCC 21.41, the City of Homer administers the floodplain program within city limits. Per the Homer City staff report, the plat is within a floodplain. **Staff recommends** the surveyor contact the City of Homer for the appropriate wording of Plat Note 6.

*Per KPB River Center review, no anadromous streams flow through the subdivision, and the plat is not affected by the Anadromous Stream Habitat Protection District.*

**4. Additional requirements for administrative approval of the final plat (KPB 20.16) -- 20.16.010. - Preparation requirements generally.**

Platting staff comments: The plat complies with the following portions of 20.16: 20.16.100 and 20.16.110.

Platting staff comments: The following portions of 20.16 are not applicable to the subject plat: 20.16.035, 20.16.040, 20.16.045, 20.16.046, and 20.16.070.

Platting staff comments: Additional information is provided for the following portions of 20.16 or additional information, revision or corrections are required

20.16.020. - Filing—Form and number of copies required.

*Platting Staff Comments:* **Staff recommends** two full size copies of the plat be provided for final review. Electronic submission is not acceptable.

20.16.030. - Certificate of borough finance department required.

*Platting Staff Comments:* **Staff recommends** compliance with 20.16.030.

20.16.050. - Plat specifications.

*Platting Staff Comments:* **Staff recommends** compliance with 20.16.050.

20.16.060. - Improvements—Installation agreement required.

*Platting Staff Comments:* **Staff recommends** compliance with 20.16.060.

20.16.080. - Dimensional data required.

*Platting Staff Comments:* **Staff recommends** all lengths be labeled.

20.16.090. - Accuracy of measurements.

*Platting Staff Comments: The GIS Division will confirm closure meets 20.16.090 when the final plat is submitted. **Staff recommends** compliance with 20.16.090.*

*The graphics do not match the scale provided. **Staff recommends** the surveyor confirm the scale of the plat.*

20.16.120. - Utility easements.

*Platting Staff Comments: **Staff recommends** compliance with the recommendations submitted by the utility providers.*

20.16.130. - Easements.

*Platting Staff Comments: **Staff recommends** compliance with 20.16.130.*

*The submittal shows a 33-foot section line easement within the proposed plat and a 33-foot section line easement to the west. Per the title company, no section line easement affects the subject plat, and a 50-foot section line easement adjoins the section line to the west. KPB records concur. **Staff recommends** the labels for the section line easements be revised per the final Certificate to Plat.*

20.16.140. - Other data required by law.

*Platting Staff Comments: **Staff recommends** compliance with 20.16.140.*

20.16.145. - Plat notes.

*Platting Staff Comments: Additional plat notes may be required based on easements/covenants in the final Certificate to Plat. **Staff recommends** Plat Notes 2 and 4 be modified to reflect the single lot to which they refer, e.g., This lot is served by city . . .*

20.16.155. - Certificates, statements and signatures required.

*Platting Staff Comments: **Staff recommends** compliance with 20.16.155.*

20.16.160. - Survey and monumentation.

*Platting Staff Comments: **Staff recommends** compliance with 20.16.160.*

**Staff recommends** a label or note verify that the meander line shown is based on a current survey. If the meander is based on record information, **staff recommends** the source and date be noted on the plat.

20.16.170. - Approval—Authority—Certificate issued when.

*Platting Staff Comments: If the Plat Committee conditionally approves the preliminary plat, staff recommends compliance with 20.16.170.*

20.16.180. - Administrative approval.

*Platting Staff Comments: If the Plat Committee conditionally approves the preliminary plat and the final plat conforms to the conditions, staff will issue an administrative approval with notice to the Planning Commission as set forth in 20.16.180.*

20.16.190. - Disapproval. When a plat has been disapproved by the planning commission, it may be refiled once more with corrections for approval within 28 days of notification of first disapproval. If disapproved again, said plat shall be void. A new fee will be required for subdivision of the property in the voided plat.

*Platting Staff Comments: If the Plat Committee disapproves the proposed plat, staff recommends findings be cited and adopted in support of the denial.*

**NOTE: REVIEW OF A DECISION OF THE PLAT COMMITTEE MAY BE HEARD BY THE PLANNING COMMISSION ACTING AS PLATTING BOARD BY FILING WRITTEN NOTICE THEREOF WITH THE BOROUGH PLANNING DIRECTOR ON A FORM PROVIDED BY THE BOROUGH PLANNING DEPARTMENT. THE REQUEST FOR REVIEW SHALL BE FILED WITHIN 10 DAYS AFTER**

**NOTIFICATION OF THE DECISION OF THE PLAT COMMITTEE BY PERSONAL SERVICE OR SERVICE BY MAIL.**

**A REQUEST FOR REVIEW MAY BE FILED BY ANY PERSON OR AGENCY THAT PARTICIPATED AT THE PLAT COMMITTEE HEARING EITHER BY WRITTEN OR ORAL PRESENTATION. THE REQUEST MUST HAVE AN ORIGINAL SIGNATURE; FILING ELECTRONICALLY OR BY FACSIMILE IS PROHIBITED. THE REQUEST FOR REVIEW MUST BRIEFLY STATE THE REASON FOR THE REVIEW REQUEST AND APPLICABLE PROVISIONS OF BOROUGH CODE OR OTHER LAW UPON WHICH THE REQUEST FOR REVIEW IS BASED.**

**NOTICE OF THE REVIEW HEARING WILL BE ISSUED BY STAFF TO THE ORIGINAL RECIPIENTS OF THE PLAT COMMITTEE PUBLIC HEARING NOTICE. CASES REVIEWED SHALL BE HEARD DE NOVO BY THE PLANNING COMMISSION ACTING AS THE PLATTING BOARD (KPB 2.40.080).**

END OF STAFF REPORT

**AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS**

2. Olson Hills Phase One 2013 Replat  
KPB 2013-111; Seabright/Waldorf

**STAFF REPORT**

Plat Committee Meeting: 7/15/13

Location:	On Harry Olson Road in Anchor Point within Anchor Point APC
Proposed Use:	Residential
Water/Sewer:	On-site
Zoning:	Unrestricted
Assessing Use:	Vacant
Parent Parcel Number(s):	169-012-07, 169-012-08

**Supporting Information:**

The proposed subdivision is a simple replat of two lots into one lot containing approximately 7 acres. A soils report was prepared for the parent plat, and an engineer signed the plat. The subdivision fronts Borough maintained Harry Olson Road and constructed Anita Circle.

The Certificate to Plat was provided in accordance with Planning Commission Resolution 2000-25. The Certificate to Plat indicates no beneficial interests affect this property. Additional notification will not be required at this time.

Anchor Point Advisory Planning Commission minutes were not available when the staff report was prepared (KPB 21.02.020). These will be provided with the desk packet if available.

A Physical address may be affected by the replat. Carrie Henson, Addressing Officer, can answer questions about the effect of the replat on addresses.

**STAFF RECOMMENDATION:** Grant approval of the preliminary plat subject to any above recommendations, and the following conditions and findings:

**REVISE OR ADD TO THE PRELIMINARY PLAT IN ACCORDANCE WITH THE PROVISIONS CONTAINED IN KPB 20.12 (FORM AND CONTENTS), KPB 20.14 (WASTEWATER DISPOSAL), AND KPB 20.20 (DESIGN REQUIREMENTS) AS FOLLOWS:**

1. **20.12.060. - Form and contents required. The preliminary plat shall be drawn to scale of sufficient size to be clearly legible and shall show the following:**





## City of Homer

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## Office of the City Manager

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### MANAGER'S REPORT

July 22, 2013

**TO:** MAYOR WYTHE / HOMER CITY COUNCIL

**FROM:** WALT WREDE

#### UPDATES / FOLLOW-UP

1. Port and Harbor Bond Sale. We are currently reviewing a detailed a legal guidance paper provided by Tom Klinkner which addresses how bond proceeds may be invested and how they may be appropriated. The reserve funds held by New York Mellon Bank will definitely be invested. The bond proceeds will all likely be spent within 18 months so that limits investing opportunities somewhat.
2. Health Insurance Plan: At the last meeting, the Council heard a presentation by the City health insurance broker. In his report, Jeff detailed the current status of the plan, provided his perspective on future trends in the industry, and offered suggestions on how the plan could be amended to reduce expenditures. Part of his recommendation included a two tiered plan which Andrea and I have discussed with him at length. My plan on addressing the health insurance issue is as follows. First, we have asked Jeff to run a number of scenarios based upon baseline levels of City contributions. That will allow us to see how the benefit package will be impacted and what the implications are for the City budget under each scenario. We should have the results of that work soon. Second, we plan to reconvene the Employee Committee to discuss proposed plan modifications and to visit each department to speak directly with the employees. The goal is to get employee input and to make sure every employee understands how important this issue is from a budget perspective. The goal is to have plan modifications in place by mid September so that the Council will have budget numbers in front of them when it received the draft FY 2014 Budget and can review the City contribution to health care as part of the normal budget approval process. Finally, I intend to bring a mid-year budget amendment ordinance to the Council at the first meeting in August. Among other things, this ordinance will contain funds to make up the deficit that occurred in Fiscal year 2012 and the projected deficit in 2013. The depleted Reserve Fund will be addressed in the 2014 budget proposal.
3. Dispatch: The Police Department continues to have serious problems recruiting and retaining dispatchers. This follows a nationwide trend however, it causes concern on many levels. We continue to review the options available to us and we may want to address this issue again with the Council in the near future.
4. HERC Building: The Boys and Girls Club has ceased operations for now and my understanding is that they are in negotiations with the School District to see about locating the program in one of the school buildings; likely the middle school. As you know, some Community Recreation programs are held in the HERC gym because of limited space and time at the High School. It is time to produce the Community Rec.

class schedule for fall and winter. Users of these programs have approached me wanting to know if the building will be available for Community Schools programs this fall and winter. My response has been that we still have the Fire Marshall questions to contend with and that it will be difficult, absent new revenues, to justify keeping the building open and heated for just a couple of programs. More on that later. Council should anticipate getting inquires about this. These programs are really popular and provide significant benefits to the community.

5. Legal Issues: In the last two weeks the City received excellent news on two pending court cases. First, the Court ruled in favor of the City in the F/V Albert case. The Albert was a derelict vessel that was "warehoused" in the harbor for many years. The owner was basically uncooperative and ran up a large tally of delinquent bills. Extensive efforts to negotiate and settle the case were ultimately unsuccessful. Court was the last and best option. The City prevailed and was awarded attorney's fees and costs that could exceed \$30,000. This week the judge ruled in favor of the City in the Tony Neal case. Council has been briefed on this case before so I won't go into the details. The bottom line is that the Court found that the City is not obligated to plow snow on Beluga Lake for ice skating. Last week the City filed a complaint in court against Grant Aviation. Grant broke its lease without prior notice. It owed the City a significant amount of back rent when it left and over a year remained on the term of the lease. Damages continue to accumulate. Efforts to contact Grant and to resolve this matter have been unsuccessful. The company has been unresponsive which has been disappointing. Finally the City continues to try and negotiate settlement agreements with Matt Shadle and Mike Kennedy regarding zoning complaints that are pending in court. The court dates on both have been extended several times while negotiations are taking place. Oral arguments regarding the City's request for summary judgment on the complaint filed by Ken Castner over the gas SAD took place several weeks ago. The judge requested additional information which has been provided by the parties.
6. Drill Rigs: The City has been approached by Buccaneer and by Furie, owner of a different drilling rig operating in the Inlet, about using the Deep Water Dock in future years if necessary. We understand that Buccaneer intends to be drilling all winter this year but wants to know if the dock is available if repairs or maintenance are necessary. It is not clear at this time exactly what Furie's plans may be. I bring this to your attention so that if Council has any concerns about rigs mooring at the dock, it can let us know. We know that this is an issue of great interest in the community. The administration has taken the position that as long as there are no environmental, health, safety or other concerns that would justify denying access, the City is open for commerce. That is our position unless we hear different from Council. Several weeks ago we received a copy of the report prepared by URS Alaska LLC entitled Endeavor-Spirit of Independence - Final Benthic Survey Report for Buccaneer Alaska Operations, LLC. The report was requested by both Fish and Game and the City to look at the impacts to the sea bottom, to other mooring vessels, and to habitat as a result of the rig "soft pinning" its legs at the dock. Both pre-departure and post-departure surveys were conducted. The report concluded that the disturbance to the seafloor should have no effect on other vessels attempting to moor, that the remaining depressions would fill in quickly, and "no long term effects to the benthic habitat or fauna would be expected from this transitory disturbance."
7. Adopt-A-Park: The Parks and Recreation Advisory Commission has designated August 17 as Parks Day. One of the things they want to do is highlight the Adopt-A-Park Program which was established by the Council several years ago. In particular, they want to thank the Kachemak Bay Rotary Club for all of the work it has done, and intends to do at Ben Walters Park. This work includes, but is not limited to, scraping and painting the bathrooms, purchase and installation of a bench near the floating docks, regular litter pick-up, donations of flowers, potting soil, flower barrels, repairing and replace the posts

along the driveway, and drainage work and rehabbing the trail to the docks. The Rotary Club deserves recognition and thanks for adopting this park and putting so many of its time and resources into making improvements there.

8. Economic Studies Underway: Northern Economics is hard at work looking at the economic impacts associated with the Drilling Rig being moored at the Deep Water Dock this past winter. They are also conducting the port and harbor rate study. We have been providing input and information to them and getting regular progress reports. Please let us know if you would like a verbal update.
9. Gas Lines: So far, things appear to be going pretty well with the gas lines. According to Enstar, they are still on schedule to have the Hospital and the High connected to gas by the end of July. I believe the contractors are doing a terrific job and so far, we have not experienced the disruption and traffic and property impacts that were anticipated.
10. Governor's Picnic: Plans and preparations for the Governor's Picnic are moving along rapidly. Fund raising for the picnic has been very successful and the overall plan sounds very good. Katie can give you a full update at the meeting if you wish. Updates can also be provided on the other associated events that day like the ribbon cutting ceremony at the hospital and the project tours and meetings with Commissioners.
11. Airport Terminal Revenues: We are experiencing a significant decline in revenues at the airport terminal which makes that facility less self supporting than we would like it to be. During the past year, the number of rental car concessions has been reduced from 3 to 1. As you know, Grant Aviation has departed and Fed Ex recently confirmed that it intends to move to a larger space at a nearby hanger when its lease expires next month. We will be working to attract new businesses where possible.
12. Strategic Plan: It looks like Saturday, August 17 has been selected as the day for strategic planning. I believe the Mayor intends for this workshop to be narrowly focused upon the CIP List. Julie from planning has agreed to facilitate the meeting so that I am free to participate directly. I expect that we will meet with the Mayor soon to discuss an agenda and develop a plan for using the time productively.
13. CIP Schedule: The Council recently approved a schedule for adopting the next CIP List. The schedule contains a work session on August 12 to review proposed projects. Subsequent to that, the Council scheduled an all day planning session on the CIP List for August 17. This might seem to make the August 12 workshop either premature or unnecessary. We gave some thought to recommending cancelling it. However, we now think it should remain. That time could be used to familiarize Council with the projects that have been completed, the ones underway, and the new ones proposed. It would be good background information to have going into the planning session on the 17<sup>th</sup>, which will be more likely focused upon the process of developing a CIP list. Lets us know if you disagree.

## ATTACHMENTS

1. July Employee Anniversaries
2. Letter to DOT/PF re: Tree Cutting and end of runway
3. Capital Project Status Report



# City of Homer

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## Office of the City Manager

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## Memorandum

TO: MAYOR WYTHE AND CITY COUNCIL  
FROM: Walt Wrede  
DATE: July 17, 2013  
SUBJECT: July Employee Anniversaries

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I would like to take the time to thank the following employees for the dedication, commitment and service they have provided the City and taxpayers of Homer over the years.

<b>Joanne Perret,</b>	<b>Finance</b>	<b>24</b>	<b>Years</b>
<b>John Wythe,</b>	<b>Public Works</b>	<b>22</b>	<b>Years</b>
<b>Lori Sorrows,</b>	<b>Finance</b>	<b>14</b>	<b>Years</b>
<b>Brian McCarthy,</b>	<b>Port &amp; Harbor</b>	<b>14</b>	<b>Years</b>
<b>Dan Olsen,</b>	<b>Public Works</b>	<b>12</b>	<b>Years</b>
<b>Julie Engebretsen,</b>	<b>Planning</b>	<b>11</b>	<b>Years</b>
<b>Ed Stading,</b>	<b>Police</b>	<b>8</b>	<b>Years</b>
<b>Julie Swisher,</b>	<b>Finance</b>	<b>5</b>	<b>Years</b>
<b>Dave Welty,</b>	<b>Public Works</b>	<b>5</b>	<b>Years</b>
<b>Rick Abboud,</b>	<b>Planning</b>	<b>5</b>	<b>Years</b>
<b>Jacob Tesch,</b>	<b>Public Works</b>	<b>2</b>	<b>Years</b>
<b>David Bernard,</b>	<b>Library</b>	<b>2</b>	<b>Years</b>
<b>Jayne Probst,</b>	<b>Police</b>	<b>1</b>	<b>Year</b>



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July 8, 2013

Mr. Kevin Jones  
Airport Manager  
2336 Kachemak Drive  
Homer, AK. 99603

**SUBJECT:** Authorization to Remove Trees on City Land Adjacent to Airport

Dear Mr. Jones:

I am writing in response to DOT/PF's request for permission to remove trees on City owned land adjacent to the airport. The City has completed its review of your request and concluded that this work, as proposed, is in the best interest of the community and the airport. Therefore, please consider this correspondence to be a permit and authorization to remove trees from City property that interfere with, or will within the next ten years interfere with, the western approach glide slope of the Homer Airport runway. The authorized cutting area is depicted on the attached map.

The City understands that without this work, the FAA has mandated that no aircraft will be allowed to use this approach after dark. Removal of these trees is a life and safety issue that potentially affects the entire community. The City understands further, that the trees will be removed under the supervision of Forest Service crews as part of a training exercise and that the cutting of trees will be conducted by hand. Underbrush will be left undisturbed, stumps will remain in place, and as little disturbance of the surface vegetative mat as possible will occur. To minimize disturbance and the potential for erosion, fallen trees will not be removed.

Permission to proceed is granted with the following conditions and stipulations:

1. The work will take place using the procedures described above.
2. Trees that fall across the existing trail located at the bottom of the slope shall be cut so that they are at least 10 feet from the trail.
3. DOT/PF is responsible for any state or federal regulatory or environmental permits that might be applicable (to protect critical habitat, wetlands, etc.)
4. The public shall be given notice of firewood cutting opportunities **if** that can be reasonably accommodated.

The City appreciates DOT/PF's concern about safety at the airport. Coincidentally, that very section of Kachemak Drive, adjacent to the hill, is probably one of the most dangerous stretches of road in Homer for pedestrians and bicyclists. A separated bike path, on either side of the road, in that location, would great enhance public safety. The City would appreciate the opportunity to discuss that further with you or the appropriate person in the Department.

Thanks for your time and consideration.

Sincerely,

**CITY OF HOMER**

Walt Wrede

City Manager



# STATUS REPORT - CAPITAL PROJECTS

City of Homer - Public Works Department - July 2013

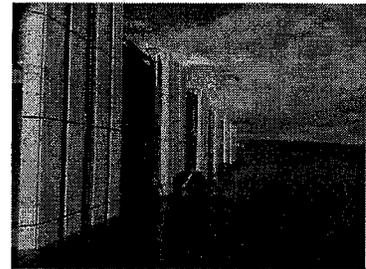
The following projects have been completed this year or are under construction:

**Homer Natural Gas Trunk Line Extension** – The gas trunk line from Anchor Point through Homer is more than 50% complete. The trunk line is expected to be complete this year.

**Homer Natural Gas Main Extensions** – The first year's construction of the gas mains in the "core" area has begun. The work is progressing generally from west to east, with service lines being install as mains are being completed. All core area gas main are expected to be complete this year.

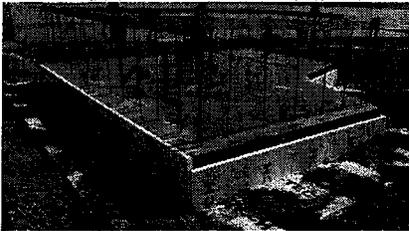
**City Building Conversions to Natural Gas** – Cost estimates and funding has been established by the City Council to convert key City facilities that will have access to natural gas this year. These facilities include the sewer treatment plant, public works, animal shelter, library, city hall, and airport terminal. Conversion should be completed this winter.

**Deep Water Dock Fender Replacement** – New heavy-duty fenders and floating camels were installed on the face of the Deep Water Dock by Jay-Brant General Contractors. This work is funded by cruise ship passenger head tax revenues.



**Downtown Restrooms** – Foundation work has begun on the restroom at the intersection of Pioneer Avenue and Bartlett Street. Construction on the restroom planned for WKFL Park will begin in the next few weeks. This work is funded by cruise ship passenger head tax revenues. The work is being completed by Steiner's North Star Construction.

**Spit Restrooms** – The restroom at the approach to the Deep Water Dock has begun with the foundation and utility services complete. This facility will also include a guard shack and a shelter for cruise ship passengers. The foundation for a second restroom at the End of the Road Park is also underway. This work is funded by cruise ship passenger head tax revenues. The work is being completed by Steiner's North Star Construction.



**DWD Trail/Cruise Ship Bus Staging Area** – The construction contract for this project has been awarded to North Star Paving and Construction. Work will start after Labor Day to minimize impacts to summer activities on the Spit. The Staging area will be paved this summer, with the trail being completed early next summer. This work is funded by cruise ship passenger head tax revenues.

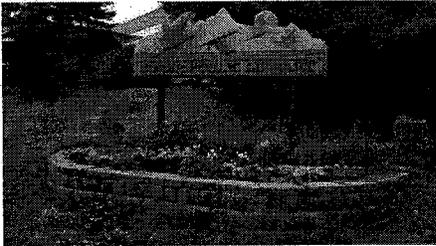
**Spit Trail Extension** – The construction contract for this project has also been awarded to North Star Paving and Construction. Work will start after Labor Day to minimize impacts to summer activities on the Spit. The paving of the End of the Road Park parking improvements will be completed this summer, with the trail being completed early next summer. This work is funded by cruise ship passenger head tax revenues provided through ADOT.

**Spit Trail Boardwalk Replacement Project** – The construction contract for this project has been awarded to Puffin Electric. Work will start after Labor Day to minimize impacts to summer activities on the Spit. The improvements will be completed this summer. This work is funded by cruise ship passenger head tax revenues provided through ADOT.

## STATUS REPORT - CAPITAL PROJECTS

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**Harbor Entrance Shore Protection Improvements** – Bids for the construction of this project will be opened this month. Work will start after Labor Day to minimize impacts to summer activities on the Spit. This shore protection will solve shore erosion problem and allow for the Coal Point Trail to be constructed (providing access from the proposed Spit Trail to Coal Point Park. This work is funded by cruise ship passenger head tax revenues provided through ADOT.



**City Beautification Project** – The Parks and Recreation Department has again provided thousands of plants for City flower beds and local business barrels and planting areas. The crews at Parks and Recreation will also be planting 200 peony bushes around town - donated by a local commercial grower. Weeding and watering of these beds will continue throughout the summer.

**2013 Street Repaving Project** – Due to very wet weather at the end of the 2012 construction season, this project was postponed until this year. Various local streets were repaved, including portions of Soundview, Fish Dock Road, Ice Dock Road, Smokey Bay Way, Klondike Avenue, W. Fairview, town Heights Lane, Greatland Street, and FAA Drive.

**Karen Hornaday Park Picnic Shelter Improvement** – The last item of Phase I of the Karen Hornaday Park Improvements is the construction of a new picnic shelter. With the Help of the Karen Hornaday Park Committee, Public Works is bidding the construction of this facility. The shelter will be constructed after Labor Day.

**Beluga Slough Trail Improvement** – This project was constructed in 2012, the only remaining work is to install interpretive signing. The U.S. Fish and Wildlife Service is assisting in the design this signage and they should be installed before the end of the summer.



**Small Boat Harbor System 5 Electrical Improvements** – This project will be constructed this Fall. The project is funded 50% by State grant; 50% by City bond proceeds. The work will provide improved water and electrical service to the large commercial vessels that moor at this facility.

**Small Boat Harbor Float Replacement** – This project will be constructed next year. Design is almost complete; bidding will be initiated in August. The project is funded 50% by State grant; 50% by City bond proceeds. The work will provide improved floats in the Small Boat Harbor, including A, J, R, and S float replacement; and utility improvements.

**Small Boat Harbor Ramp 3 Replacement** – This project will be constructed next year. Design is almost complete; bidding will be initiated in August. The project is funded 50% by State grant; 50% by City bond proceeds. The work will consist of the removal of the existing approach trestle and ramp and construction of a new shorted trestle and longer covered ramp.

**Crittenden Road/Waddell Street Paving Project** – This project was approved by a majority of benefiting property owners. The work consists of improving road and drainage to Urban road standards. The project is funded by property owner assessments and contributions from the Homer Accelerated Road and Trail Program (HART)

## STATUS REPORT - CAPITAL PROJECTS

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**Redwood Tank Demolition** – Although the identification of asbestos in the roof of this facility has complicated its removal, this 40 year old wood tank is scheduled for demolition this year.

**Sewer Treatment Plant Headworks Intake Screen Replacement** – The original treatment plant headworks (screening and solids removal at the beginning of the sewer treatment process) is being upgraded to facilitate better treatment.

**Library Vestibule Improvements** – Improvements have been made to the library vestibule to reduce noise and increase energy efficiency at the library. The improvements included sealing the partition between the hallway and the arctic entry and creating soffits over the beams that extended through the partition.



**The following projects are in the process of being designed:**

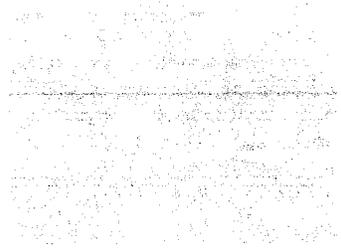
- New Water Storage Tank
- Shellfish Water Main Extension
- Kachemak Drive (Phase III) Water Main Extension
- Homer Spit Cast Iron Water Main Replacement

**The design of the following projects is anticipated to begin soon:**

- New Harbormaster's Office Building
- New Satellite Fire Station at the Water Treatment Plant
- Feasibility Study – Deep Water Dock Expansion
- Homer Spit Barge Haul Out Facility
- Chip Pad Runoff Water Quality Improvements
- Old Town Pedestrian Improvements

STATE OF CALIFORNIA - DEPARTMENT OF WATER RESOURCES

Water Resources Control Act of 1967 (Public Law 90-201) and the California Water Resources Control Act of 1967 (Public Law 90-201)



The following information is being provided to you for your information and use. It is not intended to be a substitute for professional advice. If you have any questions, please contact the appropriate agency.

This document is a public record. It is available for review and copying by anyone. It is not to be used for any purpose other than that for which it was prepared.