April 7, 2010
5:30 P.M.

Cowles Council Chambers
491 East Pioneer Avenue
Homer, Alaska

WORK SESSION
Advisory Planning Commission
AGENDA

1. Call To Order, 5:30 P.M.

2. Discussion of Items on the Regular Meeting Agenda

3. Staff Report PL 10-33, Homer Spit Comprehensive Plan ***(Please refer to page 49 of the regular meeting packet.)***

4. Staff Report PL 10-34, Work list ***(Please refer to page 51 of the regular meeting packet.)***

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

6. Commission Comments

7. Adjournment

HOMER ADVISORY PLANNING COMMISSION
491 E. PIONEER AVENUE
HOMER, ALASKA

APRIL 7, 2010
WEDNESDAY AT 7:00 P.M.
COWLES COUNCIL CHAMBERS

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. Draft Decisions and Findings, Alaska Marine Highway System CUP 10-03 *Page 1*
B. Approval of the March 17, 2010 meeting minutes *Page 7*

6. Presentations

7. Reports

A. Staff Report PL 10- 32, City Planner's Report *Page 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.

A. Staff Report PL 10-24, Conditional Use Permit (CUP) 10-04, University of Alaska, Kachemak Bay Campus College Expansion *Page 15*
B. Staff Report PL 10-30, CUP 10-05 Fish Factory to allow two caretakers' Residences *Page 29*
C. Staff Report PL 10-29, Draft Ordinance 10-XX, Amending HCC 21.75, Storm Water Plans *Page 43*

9. Plat Consideration

10. Pending Business

A. Staff Report PL 10-33, Homer Spit Comprehensive Plan *Page 49*
B. Staff Report PL 10-34, HAPC Work list *Page 51*

11. New Business

A. Staff Report PL 10-28, State of Alaska Right of Way Acquisition for East End Road *Page 61*
B. Staff Report PL 10-31, Draft Ordinance 10-xx Amending HCC 21.93 Appeals *Page 89*

12. Informational Materials

A. Fall 2009 Planning Commissioners Journal article, "The Role for Planning in Sustainable Communities." *Page 97*

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 10 p.m. An extension is allowed by a vote of the Commission. The next Regular Meeting is scheduled for April 21, 2010 at 7:00 p.m. in the Cowles Council Chambers. There will be a work session at 5:30p.m. prior to the meeting.

City of Homer
Planning & Zoning
491 East Pioneer Avenue
Homer, Alaska 99603-7645
Telephone (907) 235-3106
Fax (907) 235-3118

HOMER ADVISORY PLANNING COMMISSION
April 7, 2010

RE: Homer Spit Subdivision Amended Lot 48
Application for Conditional Use Permit
Permit Number CUP 10-03

DECISION

Introduction

Charles Van Kirk, Operations Manager of the Alaska Marine Highway, and Walt Wrede, City of Homer City Manager, applied to the Homer Advisory Planning Commission (the "Commission") to amend Conditional use Permit 2004-13, located at 4667 Homer Spit Road, Homer Spit Subdivision Amended, lot 48. The Alaska Marine Highway System planned to build a warehouse to support ferry operations, on property leased from the City of Homer.

The application sought approval for the use under Homer City Code 21.30.030(j), which allows as a conditional use "More than one building containing a permitted principle use on a lot," in the Marine Industrial District. In addition, HCC 21.30.040(d) states: "No lot shall contain more than 8,000 square feet of building area (all buildings combined), nor shall any lot contain building area in excess of 30 percent of the lot area without an approved conditional use permit." The total building area on the lot with the new warehouse will be approximately 14,300 square feet.

In 2004, the Commission granted CUP 04-13, for more than one building containing a permitted principle use on a lot. At that time, an existing warehouse of about 1250 square feet was torn down, and a new 945 square foot building was planned. Over

the past six years, the plans for the warehouse changed, and is now planned to be 2,100 square feet. The change in size of the warehouse has triggered the amendment to CUP 04-13. The approximate total square footage of all structures on the lot will be 14,300 square feet of building area.

The warehouse will be constructed in summer 2010, and will be used to store materials for the Alaska Marine Highway System (AMHS) ferry MV Tustumena. The Tustumena is home ported in Homer, and requires storage space convenient to the ferry for operations, as well as parking for crews.

The application was scheduled for a public hearing as required by Homer City Code 21.94 before the Commission on March 17, 2010. Notice of the public hearing was published in the local newspaper and sent to 51 property owners of 32 parcels.

At the March 17, 2010 meeting of the Commission, the Commission found Commissioner Minsch had the appearance of a conflict of interest, and she was excused from participating in the matter. The Commission voted to approve the request with five Commissioners present, and five Commissioners voted in favor of the conditional use permit.

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

EVIDENCE PRESENTED

Reuben Yost, DOT Southeast Region Design Project Manager, and Cindi Parsons Alaska Marine Highway System Terminal Manager, made brief presentations on the warehouse. They described the use of the warehouse and answered the Commission's questions.

Mike Dye, Land's End Acquisition Corporation, submitted a letter requesting the development include landscaping.

FINDINGS OF FACT

Homer City Code §21.71.030 provides:

Review Criteria. The applicant must produce evidence sufficient to enable meaningful review of the application. Unless exceptions or other criteria are stated elsewhere in this code, the application will be reviewed under these criteria:

A. The applicable code authorizes each proposed use and structure by conditional use permit in that zoning district.

Finding 1: HCC 21.30.020 (e) and (h) permit the use of ferry terminal and warehouse. HCC21.30.030(j) conditionally allows more than one building containing a permitted principle use on a lot. The proposed use and structure is authorized by the Marine Industrial zoning distinct code.

B. The proposed use(s) and structure(s) are compatible with the purpose of the zoning district in which the lot is located.

Finding 2: The purpose of the district includes providing areas for water dependant uses and marine transportation. The ferry is water dependant and provides marine transportation. The warehouse to support the Alaska Marine Highway System is compatible with the purpose of the district.

C. The value of the adjoining property will not be negatively affected greater than that anticipated from other permitted or conditionally permitted uses in this district.

Finding 3: The value of the adjoining property will not be negatively affected great than that anticipated from other permitted or conditionally permitted uses in this district. The Marine Industrial district permits or conditionally permits seafood processing activities, dry docks, heliports and recreational facilities which could negatively impact adjoining property values.

D. The proposal is compatible with existing uses of surrounding land.

Finding 4: Surrounding land uses include a planned unit development with condominiums and a hotel, the municipal port maintenance shop, ferry ticket office, bulk petroleum storage, water tank, and an RV park. The warehouse is compatible with existing uses of surrounding land. It will not add significant traffic, noise or other on or offsite impacts to the area.

E. Public services and facilities are or will be, prior to occupancy, adequate to serve the proposed use and structure.

Finding 5: The warehouse requires minimal public facilities. Public services such as police and fire response are available and adequate to serve the proposed use and structure.

F. Considering harmony in scale, bulk, coverage and density, generation of traffic, the nature and intensity of the proposed use, and other relevant effects, the proposal will not cause undue harmful effect upon desirable neighborhood character.

Finding 6: The warehouse will generate minimal traffic to and from the site, with occasional deliveries, and more frequent transfers when the ferry is in port. The warehouse by nature and intensity of use is of low intensity. The warehouse is fairly

small, will not have numerous regular deliveries, and will not be utilized for a high volume of goods. The coverage, bulk and scale of the warehouse does not substantially change the amount of coverage, the scale or the density of the lot. The proposed warehouse will not cause a harmful effect on neighborhood character; it will not negatively effect natural resources, nor fishing, tourism and other open space or recreational uses.

G. The proposal will not be unduly detrimental to the health, safety or welfare of the surrounding area or the city as a whole.

Finding 7: The building will be reviewed for compliance with state adopted health welfare and safety regulations which will adequately protect the health, safety and welfare of the surrounding area. The proposal will not affect health safety or welfare of the city as a whole.

H. The proposal does or will comply with the applicable regulations and conditions specified in this title for such use.

Finding 8: The proposal does or will apply with applicable City of Homer zoning regulations. Fire Marshal Review, and city permits such as a storm water plan and a zoning permit are required prior to any site development. No portion of city code is waived for this development.

I. The proposal is not contrary to the applicable land use goals and objectives of the Comprehensive Plan.

Finding 9: The warehouse is a support structure for the Alaska Marine Highway System, for the Ferry Tustumena. The building provides the storage space the ferry needs to continue to use Homer as its homeport, providing good transportation options to area residents, and utilizing harbor facilities. The warehouse supports ferry operations which allow Homer to remain competitive as a homeport, which in turn supports year round employment for residents through continued ferry operations.

J. The proposal will comply with all applicable provisions of the Community Design Manual. (Ord. 08-60 §2008; Ord. 08-29, 2008).

Finding 10: There are no applicable provisions of the Community Design Manual for this project.

CONCLUSION

Based on the foregoing findings of fact and law, Conditional Use Permit 09- is hereby approved, subject to the following conditions:

Condition 1: Pave the area in front of the warehouse as shown on sheet 3 of 6 of the application.

Condition 2: Screen the dumpster on three sides, preferably with a fence.
Condition 3: In areas where beach grass, gravel and sand will be used for landscaping, seed with a beach grass blend within one year of completion of the building.

Date:_____ _____
Chair, Sharon Minsch

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 , 2010. A copy was also delivered to the City of Homer Planning Department and Homer City Clerk on the same date.

Date:_____ _____
Shelly Rosencrans, 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

Charles van Kirk, Operations Manager
Alaska Marine Highway System
7559 N Tongass Highway
Ketchikan, AK 99901

Session 10-05, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Minsch at 7:07 p.m. on March 17, 2010 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONER BOS, DRUHOT, HIGHLAND, KRANICH, MINSCH, SINN

STAFF: CITY PLANNER ABBOUD
DEPUTY CITY CLERK JACOBSEN
PLANNING TECHNICIAN ENGEBRETSEN

APPROVAL OF AGENDA

The agenda was approved by consensus of the Commission.

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).

There were no public comments.

RECONSIDERATION

No reconsiderations were scheduled.

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 March 3, 2010

The consent agenda was approved by consensus of the Commission.

PRESENTATIONS

No presentations were scheduled.

REPORTS

A. Staff Report PL 10-27, City Planner's Report

City Planner Abboud reviewed the staff report.

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 10-23 Conditional Use Permit (CUP) 10-03, Amending CUP 04-13, Alaska Marine Highway System at 4667 Homer Spit Road

City Planner Abboud reviewed the staff report.

Chair Minsch passed the gavel to Vice Chair Kranich and declared a conflict of interest.

SIN/BOS MOVED THAT CHAIR MINSCH HAS A CONFLICT OF INTEREST.

Chair Minsch advised that she has a real estate sale pending on one of the Condominiums that neighbor this property.

There was brief discussion.

VOTE: YES: BOS, DRUHOT, KRANICH, HIGHLAND, SINN

Motion carried.

Chair Minsch left the table.

City Planner Abboud reviewed the staff report. He noted a letter that was presented as a laydown from Land's End regarding a specific budget for landscaping for this project.

Cindi Parsons Alaska Marine Highway System Terminal Manager and Reuben Yost, DOT Southeast Region Design Project Manager commented. It was explained that the building will store the ships supplies. They had wanted to have the building on the terminal property but it did not work out with the City, and they agreed on this proposed location. The size is necessary to accommodates supplies received on a daily basis. It is oriented to provide the shortest route possible from the ship to the warehouse. The size needs to allow for adequate room for a forklift to maneuver and to have a 12x10 area where deliveries can be made to a secure space, and the rest of the building will be secure. The apron will be paved and they hope to have sufficient funds to work with the City to pave the access road. The dumpster will be chain link fence with colored slats. They are not specifying a specific building color but intend to select a neutral color. Mr. Yost said he was unprepared to comment to the cost of the proposed landscaping and is unaware of anything in City ordinance requiring them to commit to a dollar amount. He explained there is already landscaping on the east side in the right-of-way, which won't be affected, which includes beach grass there is about 7 small spruce trees. They can either increase the density of spruce trees on that side or if an agreement can be made with the condo owners they could do some landscaping along the south side. Along the south side the property the landscape buffer also needs to function as a drainage swale due to the lot drains that way and the drainage easement is off to the west. They need to be able to convey drainage along that south line, which wouldn't work well with planting spruce trees there. However there is intent to contact the condo association to see if they can do something with the mound that is on both properties. Mr. Yost corrected that there is an 8 foot buffer for half of the length of the back 200 foot line and then a 4 foot buffer for the remainder. In the environmental document and the application they committed that they would not pave the lot, other than the approach for the forklift so they would not change the drainage on the lot. The roof of the building will be sloped so the high side is on the north and low side is on the south.

There was brief discussion with the applicants regarding the forklift accessibility and confirming they are attempting to maintain the current drainage pattern.

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

SINN/BOS MOVED TO ADOPT STAFF REPORT PL 10-23, CUP 10-03 WITH CONDITION 1-3 AND FINDINGS 1-10.

There was brief discussion clarifying that there is no provision in code that requires a dollar amount specific to landscaping requirements. City Planner confirmed that there is no such requirement and the landscaping proposed is appropriate.

VOTE: DRUHOT, HIGHLAND, KRANICH, SINN, BOS

Motion carried.

Chair Minsch returned to the table and resumed the Chair.

PLAT CONSIDERATION

No plats were scheduled for consideration.

PENDING BUSINESS

A. Staff Report PL 10-26, Homer Spit Comprehensive Plan

KRANICH/BOS MOVED TO DEFER DISCUSSION ON THE SPIT COMPREHENSIVE PLAN UNTIL RETURNED FROM STAFF AT A FUTURE WORKSESSION.

There was brief discussion about the process of the plan that has brought the Commission to this point.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

B. Staff Report PL 10-20, Appointment to the Transportation Advisory Committee (TAC)

Commissioner Highland volunteered to participate on the TAC. Roberta will volunteer for TAC.

KRANICH/SINN MOVED TO RECOMMEND COMMISSIONER HIGHLAND FOR THE SEAT ON THE TRANSPORTATION ADVISORY COMMITTEE.

It was noted that she would be reporting information back to the Commission from the TAC meetings.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

C. Staff Report PL 10-17, Land Allocation Plan

KRANICH/BOS MOVED TO DISCUSS THE DRAFT LAND ALLOCATION PLAN.

There was no objection and discussion ensued.

Chair Minsch noted that the Commission talked about the Land Allocation Plan at tonight's worksession.

The Commission agreed that they would not forward a recommendation because they do not appear to have a unified position. Other comments included:

- Council does not give the Commission information to make decisions on; they are presented with a hundred pages of properties and their designations. They could spend hours on the plan, but the Commission has seen that Council doesn't do much if anything with the Commissions input.
- The current structure of the review isn't effective and is not a valuable use of the Commission's time.

Commissioner Kranich said he plans to attend the meeting. It was noted that any of the other Commissioners could attend if they are interested in the process.

NEW BUSINESS

A. Staff Report PL 10-22, State of Alaska Right-of-way Acquisition for East End Road

Planning Technician Engebretsen reviewed the staff report and discussed the process of the acquisition with the Commission.

The Commission had no recommendations and no action was taken.

B. Staff Report PL 10-25, Dirt Work Ordinance

City Planner Abboud reviewed the staff report.

KRANICH/BOS MOVED TO BRING THIS TO THE FLOOR FOR DISCUSSION AND POSSIBLE REVISION.

There was no objection and discussion ensued. Points discussed included:

- Homer has no building regulations, why regulate the fill.
- Line 17, how do you define a large rock.
- Most excavators aren't going to be filling with large rocks, stumps, or garbage.
- The ordinance needs to be enforceable.
- Line 29/30 "retention ditches, silt fencing, and storm water settling ponds" change "and" to "or" so it does not seem all inclusive.
- When developing in mapped wetland area the proper documentation is required by the City.
- Clarify garbage on lines 17 and 44.
- If the City Engineer is going to be responsible for reviewing, a fiscal note should be included so Council will be aware of the impact.

KRANICH/BOS MOVED TO REQUEST STAFF SEND THE DRAFT DIRT WORK ORDINANCE TO LEGAL FOR REVIEW AND THEN RETURN TO THE COMMISSION FOR REVIEW.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

INFORMATIONAL MATERIALS

A. Letter Dated March 10, 2010 to Darren Williams, Refuge Room from Rick Abboud, Cit Planner regarding Use of Refuge Room/Enforcement Order

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

No audience was present to comment.

COMMENTS OF STAFF

Staff had no comments.

COMMENTS OF THE COMMISSION

Commissioners Sinn and Druhot had no comment.

Commissioner Bos wished everyone Happy St. Patrick's Day. He said it was a good meeting.

Commissioner Kranich said it was a good meeting and they covered a lot.

Commissioner Highland said she would like to see about getting the storm water management plan on the agenda for ordinance work to begin. There was discussion of the process for the worklist. She will make a list to bring for the worklist discussion. It was requested that she be provided with a copy of the worklist. She thanked everyone.

Chair Minch commended the group on their work tonight.

ADJOURN
Meetings adjourn promptly at 10 p.m. An extension is allowed by a vote of the Commission. Notice of the next regular or special meeting or work session will appear on the agenda following "adjournment".

There being no further business to come before the Commission, the meeting adjourned at 9:07 p.m. The next Regular Meeting is scheduled for April 7, 2010 at 7:00 p.m. in the City Hall Cowles Council Chambers. There is a worksession at 5:30 p.m. prior to the meeting.

_____
MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

Approved:_____

City of Homer
Planning & Zoning
491 East Pioneer Avenue
Homer, Alaska 99603-7645

Telephone *(907) 235-8121*
Fax *(907) 235-3118*
E-mail *Planning@ci.homer.ak.us*
Web Site *www.ci.homer.ak.us*

STAFF REPORT PL 10-32

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
MEETING: April 7, 2010
SUBJECT: Planning Director's Report

March 22nd City Council Meeting

Worksession

Land Allocation Plan – Joint Worksession with Advisory Bodies

Memorandum 10-45 from Port and Harbor Advisory Commission as backup.

Memorandum 10-46 from Lease Committee as backup.

REGULAR MEETING AGENDA

Ray Kranich, HAPC, reported the commission spent untold hours working on the Comprehensive Plan chapter by chapter. The commission looked at the Comp Plan as to how it would benefit the entire city, with no special interest groups. Transitional residential was defined; when the population grows the number of zoning districts increase. Uses and lot sizes are not defined in transitional residential, however, it would be an in between zone to encourage smaller lot sizes that might help the water/sewer system operate in the black. Otherwise we will continue to live an urban lifestyle as in the previous Comp Plan with no water/sewer customers for miles. The Planning Commission recommended against adoption of Ordinance 10-10. GC1 is intended for light industrial use and they would not want to intermix schools. A building supply could go right next door to Head Start. Based on space, health and safety concerns, even as a conditional use, GC1 would need revisions with more restrictions. The commission amended finding #6 to add that allowing schools would necessitate increased regulation of surrounding properties and could reduce property values.

PUBLIC HEARING(S)

Ordinance 10-10, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.24.060 to Add Public, Private, Trade, Skilled, Or Industrial Schools as a Conditional Use in the General Commercial One Zoning District. Zak. Introduction February 8, 2010, Referred to Planning Commission, Public Hearing and Second Reading March 22, 2010.

Memorandum 10-48 from City Planner as backup. There was one who testified. FAILED with discussion.

Ordinance 09-40(S), An Ordinance of the Homer City Council Adopting the 2008 Homer Comprehensive Plan and Recommending Adoption by the Kenai Peninsula Borough. City Manager. Introduction September 14, 2009, Public Hearings October 12 & 26, November 23, 2009, January 25, February 8 & 22, March 8, 2010, Worksession November 9, 2009 and Second Reading March 22, 2010.

Motion on the floor from January 11, 2010: MOTION TO ADOPT ORDINANCE 09-40(S) BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

Comprehensive Plan was amended.

POSTPONED for a PUBLIC HEARING ON APRIL 12 and SECOND READING ON APRIL 26.

April 12th City Council Meeting

RESOLUTION 10-____ A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA ADOPTING THE CITY ALL HAZARDS MITIGATION PLAN 2010 UPDATE AND REVISIONS AND AUTHORIZING THE CITY MANAGER TO FORWARD THE PLAN TO THE KENAI PENINSULA BOROUGH, THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THE ALASKA DIVISION OF HOMELAND SECURITY, AND OTHER ORGANIZATIONS AS APPROPRIATE. Howard

Activities:

Dotti is nearly done working on the hazard mitigation project with representatives of the other City Departments. A final draft is ready for review and public comment. A resolution of support will be on the April 12th City Council agenda. Three businesses have to the RFP advertised for fluid removal and disposal of junk cars. Sign workshops will be held at the Chamber of Commerce 4/22/10@12:10 and 4/27/10@5:10.

I have prepared briefs for the appeal of the Planning Commission's decision to uphold the enforcement order at 844 Ocean Drive Loop. A hearing in front of the BOA is scheduled for 5/13/10. The Refuge Chapel is in the process of appealing their recent enforcement order.

The KPB Planning Commission meeting will be in Homer, April 12th at Lands End Resort in the Quarterdeck Room. The Plat Committee meeting begins at 5:30pm? (depends on the numbers of plats. KPB will know by end of March) and the Planning Commission meeting begins at 7:30 p.m. I will be out of town attending the American Planning Association National Conference this week.

City of Homer
Planning & Zoning
491 East Pioneer Avenue
Homer, Alaska 99603-7645

Telephone (907) 235-8121
Fax (907) 235-3118
E-mail Planning@ci.homer.ak.us
Web Site www.ci.homer.ak.us

STAFF REPORT PL 10-24

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Planning Technician
MEETING: April 7, 2010
SUBJECT: Conditional Use Permit (CUP) 10-04, University of Alaska, Kachemak Bay Campus College Expansion

SYNOPSIS: This is a quasi judicial decision, and requires five votes in favor of the proposal for approval.

Applicants:	RIM Architects Steve Kushner 645 G St Ste 400 Anchorage, AK 99501	University of Alaska Anchorage Kachemak Bay Campus 533 E Pioneer Ave Homer, AK 99603

Requested Action:	Approval of a conditional use permit for more than one building containing a permitted principle use on a lot, and more than 8,000 square feet of building area.
Location:	533 E. Pioneer Ave Glacier View Subdivision Campus Addition Lot 3-A-2
Parcel ID:	17720409
Lot Size:	3.13 acres
Zoning Designation:	Central Business District
Existing Land Use:	College campus
Surrounding Land Use:	North: Commercial/City Hall South: Residential East: Homer Electric Association yard, restaurant, commercial (Kachemak Center) West: Residential/Commercial/City Hall
Comprehensive Plan:	Encourage and enhance the cultural and educational amenities of Homer. Institutes of higher education will be encouraged to locate in the City of Homer (99 comp plan, p. 9).
Wetland Status:	Homer Wetland Map indicates no wetlands are present.
Flood Plain Status:	Not within a mapped flood hazard area.
BCWPD:	Not within the Bridge Creek Watershed Protection District.
Utilities:	City water and sewer are available.
Public Notice:	Notice was sent to 40 property owners of 57 parcels as shown on the KPB tax assessor rolls.

Introduction

In 2004, the Homer Advisory Planning Commission (HAPC) granted Conditional Use Permit 2004-02 to the college. CUP 2004-02 was triggered because the expansion plans for the initial building would create a structure with more than 8,000 square feet of building area. With that expansion, the college building grew to 17,434 square feet, in a one and two story structure.

CUP 2010-04 proposes to build a new, single story campus building up to 8,600 square feet. Currently, KBC is divided into two campus locations. The main campus at 533 E Pioneer Ave, and a satellite campus, called West Campus, off of Woodside Avenue (at Western end of Pioneer Ave). West Campus is the collection of classrooms and office space the university leases from the City at the old Homer Middle School. The new building will allow the university to relocate all classes and offices, and a resource learning center, to one main campus. The new building has complementary architecture and color palate to the existing building (see color renderings, attached).

The project budget will ultimately limit how large the new building is, so staff has written this report based on the construction of all the plan alternatives. The total square footage of the main campus buildings with the new structure will be about 26,000 square feet. There is also an accessory garage planned, of approximately 600 square feet. As part of this project, the overhead power lines (running north-south across the middle of the property) will be relocated underground, along the south lot line, within the 15 foot utility easement. The college will also stop using City Hall's driveway onto Kachemak Way. The college will create a new driveway onto Kachemak Way.

Characteristics of Kachemak Bay Campus operations

Staff has included the following information to familiarize the HAPC with the operations on campus. KBC is not a traditional school, when comparing parking and traffic impacts with lower 48 standards. It functions more like a community college than a standard four year university found in the lower 48. This is relevant to the CUP when analyzing traffic and parking.

KBC has a total student body of about 350 students. This includes students who participate via distance learning, who attend part or full time days evenings or weekends, or attend classes that are less than a semester long (such as weekend courses, master gardener classes, etc). Mondays and Wednesdays are typically busier days on campus with more courses being taught. The college employs about 20 full and part time staff, and 25-30 part time and full time faculty, some of whom work from home. When the new building is complete, it is anticipated there may be 2-4 classes at one time for 2.5 hours; it will vary semester-to-semester, day-to-day. Average 10-20 students per class, plus another 10-20 using computer lab/library, etc.

The KPC campus offers a many distance learning classes, which may be delivered by video or satellite stream, or students may participate on line, from campus or off site (home, coffee shops, etc). A college education at KPC does not necessarily mean sitting in a classroom five days a week for four years. Staff finds this relevant when thinking about traffic and parking; it is becoming more common to pursue higher education outside of a traditional brick and mortar campus. If the student body grows substantially, it is very possible that regular attendance (and thus traffic and parking demands) will not equally increase.

Snow storage

The college plows most snow from the existing parking lot, down to the drainage basin. The new parking lot will probably be plowed to the area marked on the site plan. It is very likely that after heavy snowfall, the college will need to hire dump trucks to remove snow from the site, as City Hall and other commercial buildings do. There are limits to how far a snowplow can push snow around a parking lot, and a limit on the amount of storage space the college has.

Review for compliance with Homer City Code Title 21 requirements

Applicable code requirements

The following summary is provided for the planning commission to show what requirements the applicant must meet. These items are required for all development in the Central Business District.

Required under HCC: compliance with 21.50.030 Site development standards – level two, which includes items such as a Development Activity Plan, Storm Water Plan, drainage and landscaping requirements. In addition State Fire Marshal Review is required, as is a zoning permit. Exterior lighting must be in compliance with 21.59.030, level one lighting standards, and 21.28.080 Nuisance Standards also apply. **The applicant's proposal does or will meet all of these code requirements. (See finding 9). The following section provides an analysis of some parts of 21.50.030 as well as other requirements such as parking and traffic. This analysis provides the bases for the finding further in the staff report that the proposal meets or will meet all applicable city code requirements.**

Landscaping

21.50.030(f)(1) Requires three feet of landscaping along lot lines. The applicant has revised the site plan to include three feet along all lot lines.

b. Parking Lots:

i. A minimum of ten percent of the area of parking lots with 24 spaces or more shall be landscaped in islands, dividers, or a combination of the two;

Staff response: Staff calculated the existing parking lot is approximately 17,550 square feet, and the new parking lot (full build out) at 15,600 square feet, for a total parking lot area of a little over 33,000 square feet. Ten percent, or 3,300 square feet of landscaping is required. According to the site plan, staff calculates the parking lot landscaping at over 5,000 square feet. This landscaping is provided in bump out areas within the parking lot, and between the parking area and property lines along rights of way.

ii. Parking lots with 24 spaces or more must have a minimum ten foot landscaped buffer adjacent to road rights-of-way;

Staff response: There is at minimum 10 feet that will be landscaped with grass adjacent to Heath Street and Kachemak Way. Further landscape buffering such as fencing and trees is dependent on clear sight triangles and vehicle and pedestrian safety. Community Design Manual requirements are discussed later in this staff report.

Parking

Homer city code has parking requirement for K-12 schools, but not higher education. Using HCC, with maximum student occupancy of 438 and one per employee (20) plus one per faculty (15), staff arrived at 79 spaces. The college will have 95 spaces when the new building opens.

Because the college prefers to have more parking (and 79 seems a little low to staff), staff also calculated the parking based on City of Seattle standards, and arrived at 108 spaces. This supports the college's plan of 95 spaces at occupancy, with a potential for a total of 114 if warranted in the future. Also, some of the phase two parking will probably be used for snow storage and may not be truly usable year round.

There are currently about 69 parking spaces. The college plans to add 26 spaces, for a total of 95 spaces when the new building opens. At a later date (within a few years), the college plans to build an additional 21 spaces. Staff recommends that two spaces not be constructed (see site plan); it would be better to retain area as green space than to put two parking spaces in that location. (At total build out, parking would total 114 spaces.)

Condition 1: Do not construct the two parking spaces on the north side of the driveway labeled on the recommended Parking and Pedestrian Connection Changes sheet.

If the college does not construct "phase two parking" (19 spaces), staff recommends a review by P&Z staff after 5 years of building occupancy, to see if parking is adequate without the completion of the phase two spaces. If not constructed within 5 years, at the 5 year mark Planning and Zoning may require construction or provision for these 19 spaces if needed.

Condition 2: Review parking plan and the need for phase two parking after 5 years of building occupancy, if phase two parking of 19 spaces is not constructed.

Site Drainage

The applicant constructed a storm water swale when the college was expanded under CUP 2004-02. The footing drain of the existing building empties into this swale, and the new buildings footing drains will as well. The applicant has been working with Public Works on the connection of this system to the city storm drain system on Heath Street. The connection already exists and will be slightly modified. The applicant will also construct a french drain system along the north side of the new building. This system will be moving water from the college, and from the City Hall property. This drainage system will empty into the city ditch on Kachemak Way.

The applicant will be required to complete a new storm water plan prior to receiving a zoning permit. The applicant is aware of this requirement and is working on an updated plan.

Traffic generation

Staff reviewed the traffic impacts for the whole campus as proposed, and finds a Traffic Impact Analysis under 21.18.060 is not required.

21.18.060 Traffic Requirements. A conditional use permit is required for every use that:

a. Is estimated to generate more than 100 vehicle trips during any hour of the day based on the proposed land use and density, or calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers (current edition), Staff response: Low estimate was 42 trips, mid estimate was 80, and high estimate was 102. Staff finds the moderate estimate to be reasonable.

b. Is estimated to generate more than 500 vehicle trips per day based on the proposed land use and density, or calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers (current edition); Staff response: Low estimate is 325 trips per day, moderate is 420 per day, high estimate: 756 trips per day. Staff does not find the median value to be realistic: over 700 trips on an average day would require every enrolled student and staff member to be on campus at some point on the same day, which is an unlikely scenario given the campus operations. Staff finds the moderate estimate of 420 trips to be more realistic, although possibly still high. The project and the campus as a whole are not estimated to generate more than 500 vehicles trips per day.

c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; Staff response: The addition of the new building will not increase traffic by more than 100 vehicle trips per hour. The whole development is not calculated to generate that much traffic.

d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection. Staff Response: The college expansion is not expected to create any safety issues. The new building is replacing the classrooms already used at the West Campus. Students and faculty currently commute between the two campuses. Presumably, there will be a reduction in trips per day since students and staff can come to one central location and not have to drive between campuses between classes and offices.

Community Design Manual

The Community Design Manual is divided into three sections: Architecture, Site Design, and Connections. The applicant provided CDM review information, which is attached. Since that document was submitted, the roofing material has changed from white, to dark grey, black or tan, all of which meet the design manual requirements. The applicant also does not plan to install parking lot islands.

There are two specific areas the college plans do not meet the design manual. The first is screening parking lots from public rights of way, and the second is providing trees throughout a larger parking lot. Staff has made some recommendations, and also looks for Commission direction.

Architecture: Staff finds the proposed new building and the existing building meet the intent of the community design manual architecture section. See the applicant's response to the CDM guidelines.
Connections: This section is incomplete and there are no adopted guidelines.

Site Design: Staff finds the site design generally meets the intent of the CDM, with a few exceptions.

1. There is one pocket of significant vegetation, directly south of the new building. The CDM requires the avoidance of removing significant vegetation. It is the university's intent to preserve the large clump of mature spruce trees as much as possible. If during construction or at some later date those trees are removed, become diseased, or die, the area shall be replanted with trees, a majority being spruce trees.

Condition 3: Maintain to the extent possible the mature spruce trees south of the new building. Should the trees be removed during construction, become diseased or die, the area shall be replanted, mainly with native spruce trees.

2. Parking lots. On page 33 of the design manual, the parking section states: "*Parking lots and parking structures may not visually dominate Homer's urban setting. Parking facilities shall be designed with increased emphasis on pedestrian ways and human enclosure. The following requirements are intended to mitigate the visual impacts of parking by screening parking lots from public rights-of-way and by making parking garages a secondary element in building designs.*"

Staff has worked with the applicant on pedestrian access, and the applicant added a walkway that connects the new building's western entrance with Kachemak Way. There will be more discussion of pedestrian access later in the staff report.

There are three parts of the Parking Lot section that need to be met.

(#2). Use landscaping to screen parking lots and service areas. Parking lots and other expansive pavement areas shall include a wall, solid hedge or landscape berm at least 3 feet high (conforming to clear vision requirements at driveway entrance) parallel to the right-of-way to soften the visual impact of the lot from the street.

(#5) . Screen or enhance parking lots visible from the Sterling Highway, Lake Street, Heath Street, Main Street, or Pioneer Avenue. Parking lots designed for more than 16 cars and which are visible from these Rights-of-way shall either be partially screened or meet the following landscape standards:

a. Provide tree areas throughout parking lot. Parking lots must include areas for trees.

b. Provide color and texture to distant parking stalls. Parking surfaces which are more than 200 feet from the building they apply to and which are visible from arterials must be surfaced with colored and textured paving or other devices such as grass pavers. (This project parking lot is not large enough to warrant colored paving).

Staff analysis: Both #2 and #5 above require the parking lot be screened from the road, particularly along Heath Street. Staff has visited the site and recognizes that adequate visibility for drivers looking for the college on Heath Street is important to the college. In particular, due to the terrain, one cannot see the college building until fairly close to the driveway. The college has planted some small trees and shrubs near the sign, to soften the visual impact but retain visibility. Staff recommends a condition that the college constructs some combination of split rail or other fencing and plant spruce trees, from the dumpster enclosure to the south lot line. These plantings should look intentional and be in keeping with the other landscaping on the campus

grounds. Maintained lawn and tree plantings or groupings would soften the effect of the parking lot. The college may continue the fence and plantings north toward the entrance, at the college's discretion. Staff has included photographs of a similar design used at the Homer courthouse. These photos are only included as an example of a simple solution; the college may come up with its own fence and landscaping design.

Condition 4: Construct a fence and plant spruce trees (other trees ok) from the dumpster enclosure south to the lot line along Heath Street. Complete by August 31, 2012.

8. Provide trees within larger parking lots. Parking lots designed for 24 or more vehicles must include tree areas, which shall be spaced a maximum of 100 feet apart, among parking rows.

Staff analysis: This section of the design manual is intended to break up a long row of parked cars. Thus, every 100 feet, or about 11 spaces, the design manual recommends trees. There are two sections of parking where the parking row is longer than 100 feet.

1. The first section is the phase two parking, along the southern lot line. There are 16 spaces between landscaped areas, or about 144 feet. Staff recommends not requiring an additional landscaping bump out in this area because of snow storage issues. Instead, staff recommends landscaping (outside of the clear site triangle) at the entrances of the Kachemak Way Driveway (see site plan). Landscaping should be complementary to other landscaping found on the campus grounds. Staff recommends an enhanced landscaping on each side of the Kachemak Way entrance in the form of large rocks, fencing, plantings, sculpture or other attractive methods.

Condition 5: Use landscaping at the Kachemak Way entrance to create an attractive gateway to the campus. Complete by August 31, 2012.

2. The second area is the parking row along the bioswale. The site plan shows 14 spaces (or 126 feet). The Commission could require the applicant to either create a space for trees among the 14 spaces.

Options:

1. The applicant could eliminate a parking space somewhere in the row, so that no stretch of parking is longer than 100 feet.
2. The applicant could eliminate three of the new spaces on the western end.
3. The Commission could decide that breaking up those parking spaces creates more of a problem for snow removal than it creates visual interest in the parking lot.

The Commission must make a condition (1 or 2 above) or a finding (#3) is required.

Condition 6 or Finding 13:

Other issues with the existing parking lot

The original CUP showed two islands in the existing parking lot, and in some diagrams showed them as being landscaped. (See attachment) There was also a condition from CUP 2004-02 on landscaping: (#2) "A detailed Landscaping Plan identifying plant species and location be submitted prior to final landscaping or within three years….." There is a note on the zoning permit that a landscaping plan was submitted but staff was unable to identify which document that was in the numerous campus drawings

on file. The end result is that staff has worked with the University to plant trees along Heath Street, but there remains question about the requirement for landscaped islands – are they or are they not required? No islands were constructed. Staff would like to address this issue now so it may be resolved.

Analysis: The Community Design Manual was not adopted at the time of the last CUP, although it was adopted shortly thereafter and the University sought to meet the requirements at the time. The Community Design Manual requires trees throughout parking lots (as previously discussed) when a row of parked cars is longer than 100 feet, or 11 spaces. There is double row of 11 spaces in the existing parking lot. Staff finds an island is not required because the row is less than 100 feet long. If the Commission disagrees, please make a condition specifying the location and size of an island(s) the Commission requires.

A second issue is the existing parking lot looks like a large expanse of pavement, which is what the design manual is trying to avoid (also discussed above under CDM requirement 5(a) above). However, staff thinks the parking lot meets the requirements of the CDM. The grounds have a maintained lawn and some evergreen plantings, and staff has recommended additional conditions for fencing and more screening plantings, to further screen the parking lot from Heath Street. Staff finds no additional landscaping is required in the parking lot or to screen the parking lot from Heath Street other than what is being required by the conditions in this staff report. If the Commission disagrees, please state specific conditions for the university to meet.

Driveway width

The CDM also calls for limiting the width of driveways. The college driveway exceeds this limit due to the grade of the existing street and the steepness of the terrain. A wider driveway approach is needed to safely serve the parking lot. Staff has already recommended substantial landscaping for this entrance, which will partially mitigate the visual impact of the width of the driveway.

Pedestrian Connections

The college is providing direct pedestrian access directly from Kachemak Way, to the new western building entrance. The site plan the university submitted with their CUP application showed a future pathway, between Kachemak Way and Heath Street, along the southern lot line. The applicant has since revised the site plan to remove the pathway. Staff recommends against this pathway, and recommends that the area be used instead for screening landscaping. Staff also recommends the elimination of a parking space to allow for a walkway between parking spots, near the western entrance, (see recommended parking and pedestrian connection changes plan, attached). Creating a handicap parking stall with a loading area can also double as a walkway.

Justification: There are residential properties to the south. There is about 24 feet from the southern property line, to the parking spaces. This space consists of 15 feet of utility easement (with underground power lines planned for at least part of it) a 6 foot gravel pathway, and a three foot ditch. HEA discourages planting in the utility easement, as they do maintain their easements – i.e. take out trees etc, periodically. This means if the college planted spruce trees in that easement, it is very probable that HEA will clear that easement at some point. It might be in 20 years after the trees are well established, but it will probably happen. Instead, staff recommends not building the pedestrian pathway, for two reasons.

1. That would be an ideal locate for planting spruce trees, to create a visual and sound buffer between the college parking lot, and the residential properties.

2. The path as planned to Heath Street would be very steep, and not a useful pedestrian connection. There is a fair change in elevation between the southeast corner of the property, and the actual street level. Further, there is no destination mid block on Heath Street. Pedestrians generally travel the shortest line possible. If they are bound for Pioneer Ave, they will go through the parking lot or between City Hall and the main campus building.

Condition 7: Do not construct the future pathway shown on the site plan. Instead, use that area to plant spruce trees to create a visual and sound buffer between the university grounds, and the residences to the south. Complete by August 31, 2012.

Condition 8: Eliminate one parking space as shown from the eleven in front of the western entrance. Reserve the space as a walkway between parking spaces to improve pedestrian flow through the parking lot. OR, create a handicap parking stall with a loading area that may be used as the pedestrian walkway.

The criteria for granting a Conditional Use Permit is set forth in HCC 21.61.020.

a. The applicable code authorizes each proposed use and structure by conditional use permit in that zoning district.

Applicant: HCC 21.18.030(k), More than one building containing a permitted principle use on a lot and HCC 21.18.040(d) Building area (all buildings combine) is more than 8,000 square feet.

Finding 1: The University of Alaska Kachemak Bay Campus is a public school as defined by HCC 21.03.040. HCC 21.18.020(s) lists public schools as a permitted use in the Central Business District. The use of the new building is permitted outright. The applicable code authorizes the proposed educational use of the building.

Finding 2: The new structure is over 8,000 square feet, and creates a second principle building on the lot. HCC 21.18.040(d) requires a conditional use permit for buildings over 8,000 square feet. HCC 21.18.030(k) lists "More than one building containing a permitted principle use on a lot" as a conditional use. The applicable code authorizes the proposed structure of over 8,000 square feet, and more than on building containing a permitted principle use on the lot.

b. The proposed use(s) and structure(s) are compatible with the purpose of the zoning district in which the lot is located.

Applicant: The project will consolidate the Kachemak Bay Campus, with all structures within walking distance of key destinations and residential districts. In developing a campus master plan, the infrastructure will encourage links to the library and adjacent Town Center, connecting education with the community.

Purpose of the district: 21.18.010 Purpose. The purpose of the Central Business District is primarily to provide a centrally located area within the City for general retail shopping, personal and professional services, educational institutions, entertainment establishments, restaurants and other business uses listed in this chapter. The district is meant to accommodate a mixture of residential and non-residential uses with conflicts being resolved in favor of non-residential uses. Pedestrian-friendly designs and amenities are encouraged.

Finding 3: One purpose of the Central Business District is to provide a centrally located area within the city for educational institutions. The proposed expansion to include a new building for the Kachemak Bay Campus, and to consolidate the campus, is compatible with the purpose of the district.

c. The value of the adjoining property will not be negatively affected greater than that anticipated from other permitted or conditionally permitted uses in this district.

Applicant: The proposed project should increase values to properties along the south as we will regrade to prevent surface water run-off. Campus development should be a betterment to the community.

Staff Analysis: HCC 21.18.020 and 21.08.030 include hotels and motels, multifamily housing, churches, schools, libraries, museums, bars, public utility facility structures such as the HEA operations, and mobile home parks, which all have the potential to generate traffic and noise. The new campus building will be attractive, and the grounds will be landscaped and maintained. The land uses adjoining the college include restaurants, City Hall, and several dwellings. Campus students and staff will generate customers for the local commercial activities and will create a positive impact on those businesses. The orientation of the campus and the buildings is toward heath Street, away from the residences. The campus is a compatible use in this neighborhood and will not have a negative effect on property values.

Finding 4: The new campus building will not have a negative impact on adjoining property values greater than other permitted or conditionally permitted uses in the district.

d. The proposal is compatible with existing uses of surrounding land.

Applicant: Combining the campus buildings into one location will encourage more pedestrians to commute using methods of transportation other than motor vehicles – walking, biking, etc. that will help interaction with surrounding sites. More students at this location will promote local businesses along Pioneer Ave and in the Central Business District, and will encourage more businesses to populate the area. Additionally, the campus is within close proximity to like uses, such as the library.

Staff Analysis: Campus students and staff will be customers for neighboring commercial activities and will create a positive impact on those businesses. The orientation of the campus and the buildings is toward Heath Street, away from the residences. The campus is a compatible use in this neighborhood and will help create a hub if activity in the Central Business District.

Finding 5: The existing uses of surrounding land include City Hall, HEA maintenance facilities, a radio station, restaurants, other mixed commercial use, and medium density residential development. The residential development is to the south of the campus and oriented away from the campus. The main entrance to the campus will remain Heath Street, and the buildings a majority of the parking are more than 20 feet from the residential lot lines. The proposal is compatible with existing uses of surrounding land.

e. Public services and facilities are or will be, prior to occupancy, adequate to serve the proposed use and structure.

Applicant: Yes. A new water line will be installed connecting to service in Kachemak Way, and the existing overhead power lines will be relocated to underground by Homer Electric Association, to remove unsightly lines that block views to the bay.

Finding 6: City water, sewer and fire services are available to the campus. Homer Electric Association will reroute an above ground power line to an underground location prior to occupancy. Public services and facilities will be adequate to serve the proposed use and structure.

f. Considering harmony in scale, bulk, coverage and density, generation of traffic, the nature and intensity of the proposed use, and other relevant effects, the proposal will not cause undue harmful effect upon desirable neighborhood character.

Applicant: The new 1-story campus building will be a transition from the businesses along Pioneer Ave to the residential district just south of the property, and will be of the character of the existing adjacent buildings. The new site development will provide more pedestrian access through the site.

Finding 7: The proposed one story building is in harmony with the bulk, scale, coverage and density of the neighborhood. The proposed building will not cause undue harmful effect on the neighborhood. The commercial character of Pioneer Avenue will be complemented by the presence of more college students and potential customers, and the residential character of Klondike Ave and the residential neighborhood to the south will be minimally impacted.

g. The proposal will not be unduly detrimental to the health, safety or welfare of the surrounding area or the city as a whole.

Applicant: No, it will improve the community and surroundings.

Finding 8: The new building and site plan are subject to State Fire Marshal review and approval. The proposal will not be unduly detrimental to the health, safety or welfare of the surrounding area, or of the city as a whole.

h. The proposal does or will comply with the applicable regulations and conditions specified in this title for such use.

Finding 9: The proposal will comply with the applicable regulations and conditions.

i. The proposal is not contrary to the applicable land use goals and objectives of the Comprehensive Plan.

Applicant: The campus master plan was created using the Comprehensive Plan as a guideline for development. The goals of both the plans are similar: to create Place that supports the economy and town accessibility, to provide identity and comfort, and foster meaningful contact,

providing a place for community interaction, not just among students. The site is intended to connect the pocket parks of the Central Business District and expand upon the standards that have been established through the existing development.

1999 Comprehensive Plan land use goals and objectives include: Improve the attractiveness and usability of the business core to encourage use of the area; Guide growth and development in areas planned or zoned Central Business District (CBD) to provide a centrally located business/commercial area and focal point for the community; Assess the efforts that could be undertaken by the City to keep major business activities in the CBD.

Finding 10: The College currently has two campus locations on opposite ends of the Central Business District. Unification of all university activities on one campus and construction of a new building will make the area more attractive, and encourage more pedestrian activity for local businesses, encouraging those businesses to remain and expand. The expansion and centralization of the Kachemak Bay Campus is not contrary to the land use goals and objectives of the Comprehensive Plan, which encourages a centralized business district that creates a focal point for the Community of Homer.

j. The proposal will comply with all applicable provisions of the Community Design Manual.

Applicant: Roofing will be one of three colors, depending on cost: tan, gray (darker gray), or black.

Staff response: The project generally complies with the intent of the CDM. The new building completes the campus and creates a unified architectural treatment to the site and includes adequate landscaping.

Finding 11: The proposal will comply with all applicable provisions of the Community Design Manual.

In approving a conditional use, the Commission may impose such conditions on the use as may be deemed necessary to ensure the proposal does and will continue to satisfy the applicable review criteria. Such conditions may include, but are not limited to, one or more of the following:

1. **Special yards and spaces.**
2. **Fences, walls and screening.**
3. **Surfacing of vehicular ways and parking areas.**
4. **Street and road dedications and improvements (or bonds).**
5. **Control of points of vehicular ingress and egress.**
6. **Special restrictions on signs.**
7. **Landscaping.**
8. **Maintenance of the grounds, buildings, or structures.**
9. **Control of noise, vibration, odors, lighting or other similar nuisances.**
10. **Limitation of time for certain activities.**
11. **A time period within which the proposed use shall be developed and commence operation.**
12. **A limit on total duration of use or on the term of the permit, or both.**

13. More stringent dimensional requirements, such as lot area or dimensions, setbacks, and building height limitations. Dimensional requirements may be made more lenient by conditional use permit only when such relaxation is authorized by other provisions of the zoning code. Dimensional requirements may not be altered by conditional use permit when and to the extent other provisions of the zoning code expressly prohibit such alterations by conditional use permit.
14. Other conditions necessary to protect the interests of the community and surrounding area, or to protect the health, safety, or welfare of persons residing or working in the vicinity of the subject lot.

Applicant response: New parking is planned to be gravel only. A new curb cut with site access is planned along Kachemak Way on the West side of the property. The site will be landscaped and the new parking area will have internal landscape islands per City of Homer requirements, to be completed by 2013. The University provides maintenance of all their facilities, but is not planning on more than normal grounds maintenance. The University has a schedule for completion of the project, and is willing to work with the City of Homer on any additional scheduling, or for other conditions that need to be met.

Condition 9: Pave the parking lot by August 31, 2012.

Condition 10: Must have 3 feet of landscaping along all lot lines.

Condition 11: Comply with all requirements of HCC 21.70, Zoning Permit.

Finding 12: The Commission finds conditions nine through eleven are necessary to satisfy the applicable review criteria.

PUBLIC WORKS COMMENTS: No comments.
FIRE DEPARTMENT COMMENTS: State Fire Marshal Review is required.

STAFF COMMENTS/RECOMMENDATIONS: Approval of a Conditional Use Permit requires five yes votes. The Commission may choose go in to deliberations. Staff recommends the Planning Commission approve the Conditional Use Permit with:

A: Conditions 1-11 and Findings 1-12: **OR**

B: Conditions 1-5 and 7-11 and Findings 1-13.

AND any additional conditions and findings made by the Commission

Recap of Conditions

Condition 1: Do not construct the two parking spaces on the north side of the driveway labeled on the recommended Parking and Pedestrian Connection Changes sheet.

Condition 2: Review parking plan and the need for phase two parking after 5 years of building occupancy, if phase two parking of 19 spaces is not constructed.

Condition 3: Maintain to the extent possible the mature spruce trees south of the new building. Should the trees be removed during construction, become diseased or die, the area shall be replanted, mainly with native spruce trees.

Condition 4: Construct a fence and plant spruce trees (other trees ok) from the dumpster enclosure south to the lot line along Heath Street. Complete by August 31, 2012.

Condition 5: Use landscaping at the Kachemak Way entrance to create an attractive gateway to the campus. Complete by August 31, 2012.

Condition 6: (if made by Commission; may be a finding instead)

Condition 7: Do not construct the future pathway shown on the site plan. Instead, use that area to plant spruce trees to create a visual and sound buffer between the university grounds, and the residences to the south. Complete by August 31, 2012.

Condition 8: Eliminate one parking space as shown from the eleven in front of the western entrance. Reserve the space as a walkway between parking spaces to improve pedestrian flow through the parking lot. OR, create a handicap parking stall with a loading area that may be used as the pedestrian walkway.

Condition 9: Pave the parking lot by August 31, 2012.

Condition 10: Must have 3 feet of landscaping along all lot lines.

Condition 11: Comply with all requirements of HCC 21.70, Zoning Permit.

ATTACHMENTS

1. Application
2. Recommended Parking and Pedestrian Connection Changes
3. Sample landscape photos
4. CUP 2004-02 site plan
5. CDM review submittal

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
Web Site www.ci.homer.ak.us

Conditional Use Permit Application Requirements:

1. A Site Plan
2. Right of Way Access Plan
3. Parking Plan
4. A map showing neighboring lots and a narrative description of the existing uses of all neighboring lots. (Planning can provide a blank map for you to fill in).
5. Completed Application Form
6. Payment of application fee (nonrefundable)
7. Any other information required by code or staff, to review your project

Circle Your Zoning District

	RR	UR	RO	CBD	TCD	GBD	GC1	GC2	MC	MI	OSR	BCWPD
Level 1 Site Plan	x	x	x			x			x		x	x
Level 1 ROW Access Plan	x	x							x		x	
Level 1 Site Development Requirements	x	x	x									
Level 1 Lighting				x	x	x	x	x	x	x		
Level 2 Site Plan				x	x		x	x		x		
Level 2 ROW Access Plan			x	x	x		x	x		x		
Level 2 Site Development Requirements				x	x	x	x	x	x	x		
Level 3 ROW Access Plan						x						
DAP/SWP questionnaire				x	x	x	x	x	x	x		

Circle applicable permits. Planning staff will be glad to assist with these questions.

Y/N Are you building or remodeling a commercial structure, or multifamily building with more than 3 apartments? If yes, Fire Marshal Certification is required. Status: The documents will be submitted for permit in mid-March 2010.

Y/N Will your development trigger a Development Activity Plan?
Application Status: This will be submitted with the permit documents.

Y/N Will your development trigger a Storm water Plan?
Application Status: This will be submitted with the permit documents.

Y/N Does your site contain wetlands? If yes, Army Corps of Engineers Wetlands Permit is required. Application Status: N/A

Y/N Is your development in a floodplain? If yes, a Flood Development Permit is required.

Y/N Does your project trigger a Community Design Manual review?
If yes, complete the design review application form.

Y/N Do you need a traffic impact analysis?

Y/N Are there any nonconforming uses or structures on the property?

Y/N Have they been formally accepted by the Homer Advisory Planning Commission?

Y/N Do you have a state or city driveway permit? Status: N/A

Y/N Do you have active City water and sewer permits? Status: To be obtained by the contractor

Applicant

Name: RIM Architects (James Dougherty, Principal: Steve Kushner, Project Manager)

Telephone No.: (907) 258.7777

Address: 645 G St., Suite 400 Anchorage, AK 99501 Email: skushner@rimarchitects.com

Property Owner (if different than the applicant):

Name: University of Alaska Anchorage (Kachemak Bay Campus) Telephone No.:(907)235-7743

Address: 533 East Pioneer Ave. Homer, AK 99603 Email: incis@uaa.alaska.edu

PROPERTY INFORMATION:

Address: 533 East Pioneer Ave. Homer, AK 99603 Lot Size: ___acres KPB Tax ID # _____

Legal Description of Property: Lot A2 Glacier View Subdivision, Campus Addition

1. Currently, how is the property used? Are there buildings on the property? How many square feet? Uses within the building(s)? The property currently has one primary structure of 16,800 sf that houses classrooms, computer labs, faculty offices, and library for educational purposes beyond the 12th grade. The site has 78 paved parking stalls and two storage sheds, one of which will be demolished and one will be relocated.
2. What is the proposed use of the property? How do you intend to develop the property? (Attach additional sheet if needed. Provide as much information as possible) The use of the property will not change, as the planned development will expand upon the current program, adding one new structure with more classrooms, offices, and post-secondary educational resources, as well as an additional 26 gravel parking stalls. The project will also expand upon the existing bioswale, as well as re-grading along the south property line to prevent surface run-off into the adjacent properties.

CONDITIONAL USE INFORMATION: (Please use additional sheet(s), if necessary)

a. What code citation authorizes each proposed use and structure by conditional use permit?
HCC 21.18.030(k) More than one building containing a permitted principal use on a lot.
HCC 21.18.040(d) Building area (all buildings combine) is more than 8,000 sf.

b. Describe how the proposed uses(s) and structures(s) are compatible with the purpose of the zoning district. This project will consolidate the Kachemak Bay Campus, with all structures within walking distance of key destinations and residential districts. In developing a campus master plan, the infrastructure will encourage links to the library rand adjacent Town Center, connecting education with the community.

28-2

c. How will your proposed project affect adjoining property values? The proposed project should increase values to properties along the south as we will re-grade to prevent surface water run-off. Campus development should be a betterment to the community.

d. How is your proposal compatible with existing uses of the surrounding land?
Combining the campus buildings into one location will encourage more pedestrians to commute using methods of transportation other than motor vehicles – walking, biking, etc. that will help interaction with surrounding sites. More students at this location will promote local businesses along Pioneer Ave and in the Central Business District, and will encourage more businesses to populate the area. Additionally, the campus is within close proximity to like uses, such as the library.

e. Are/will public services adequate to serve the proposed uses and structures?
Yes. A new water line will be installed connecting to service in Kachemak Way, and the existing overhead power lines will be relocated to undergroundd by Homer Electric Association, removing unsightly lines that block the views to the bay.

f. How will the development affect the harmony in scale, bulk, coverage and density upon the desirable neighborhood character, and will the generation of traffic and the capacity of surrounding streets and roads be negatively affected? The new 1-story campus building will be a transition from the businesses along Pioneer Ave. to the residential district just south of the property, and will be of the character of the existing adjacent buildings. The new site development will provide more pedestrian access through the site.

g. Will your proposal be detrimental to the health, safety or welfare of the surrounding area or the city as a whole?
No, it will improve the community and surroundings.

h. How does your project relate to the goals of the Comprehensive Plan?
The 2006 Town Center Plan: _http://clerk.ci.homer.ak.us/tcdplan.pdf
The 1999 Comprehensive Plan:
http://planning.ci.homer.ak.us/PLANNINGWEBPAGES/DefaultLinks/Complan99.pdf
The campus master plan was created using the Comprehensive Plan as a guideline for development. The goals of both plans are similar: to create Place that supports the economy and town accessibility, to provide identity and comfort, and foster meaningful contact, providing a place for community interaction, not just among students. The site is intended to connect the pocket parks of the Central Business District and expand upon the standards that have been established through the existing development.

i. The Planning Commission may require you to make some special improvements. Are you planning on doing any of the following, or do you have suggestions on special improvements you would be willing to make? (**circle each answer**)

1. Y/N Special yards and spaces.
2. Y/N Fences, walls and screening.
3. Y/N Surfacing of parking areas.
4. Y/N Street and road dedications and improvements (or bonds).
5. Y/N Control of points of vehicular ingress & egress.
6. Y/N Special provisions on signs.

7. Y/N Landscaping.
8. Y/N Maintenance of the grounds, buildings, or structures.
9. Y/N Control of smoke, odors, gases, particulate matters, noise, vibration, heat, glare, water and solid waste pollution, dangerous materials, material and equipment storage, or other similar nuisances.
10. Y/N Time for certain activities.
11. Y/N A time period within which the proposed use shall be developed.
12. Y/N A limit on total duration of use.
13. Y/N Special dimensional requirements such as lot area, setbacks, building height.
14. Y/N Other conditions deemed necessary to protect the interest of the community.

If yes on any of the above, please provide more information

New parking is planned to be gravel only. A new curb cut with site access is planned along Kachemak Way on the West side of the property. The site will be landscaped, and the new parking area will have internal landscape islands per City of Homer requirements, to be completed by 2013. The University provides maintenance of all of their facilities, but is not planning on more than normal grounds maintenance. The University has a schedule for completion of the project, and is willing to work with the City of Homer on any additional scheduling, or for other conditions that need to be met.

PARKING

1. How many parking spaces are required for your development? 26

   See the Community Design Manual. Parking pg 33-34.

   How many spaces are shown on your parking plan? 78 original stalls plus 26 new stalls.

2. Are you requesting any reductions in the number of spaces required, or proposing any joint use or off site parking? At present, the University will be providing more spaces than required by the City of Homer, and intends to expand the parking as a future project.

Include a site plan, drawn to a scale of not less than 1" = 20' which shows allow existing and proposed structures, clearing, fill, vegetation and drainage.

I hereby certify that the above statements and other information submitted are true and accurate to the best of my knowledge, and that I, as applicant, have the following legal interest in the property:

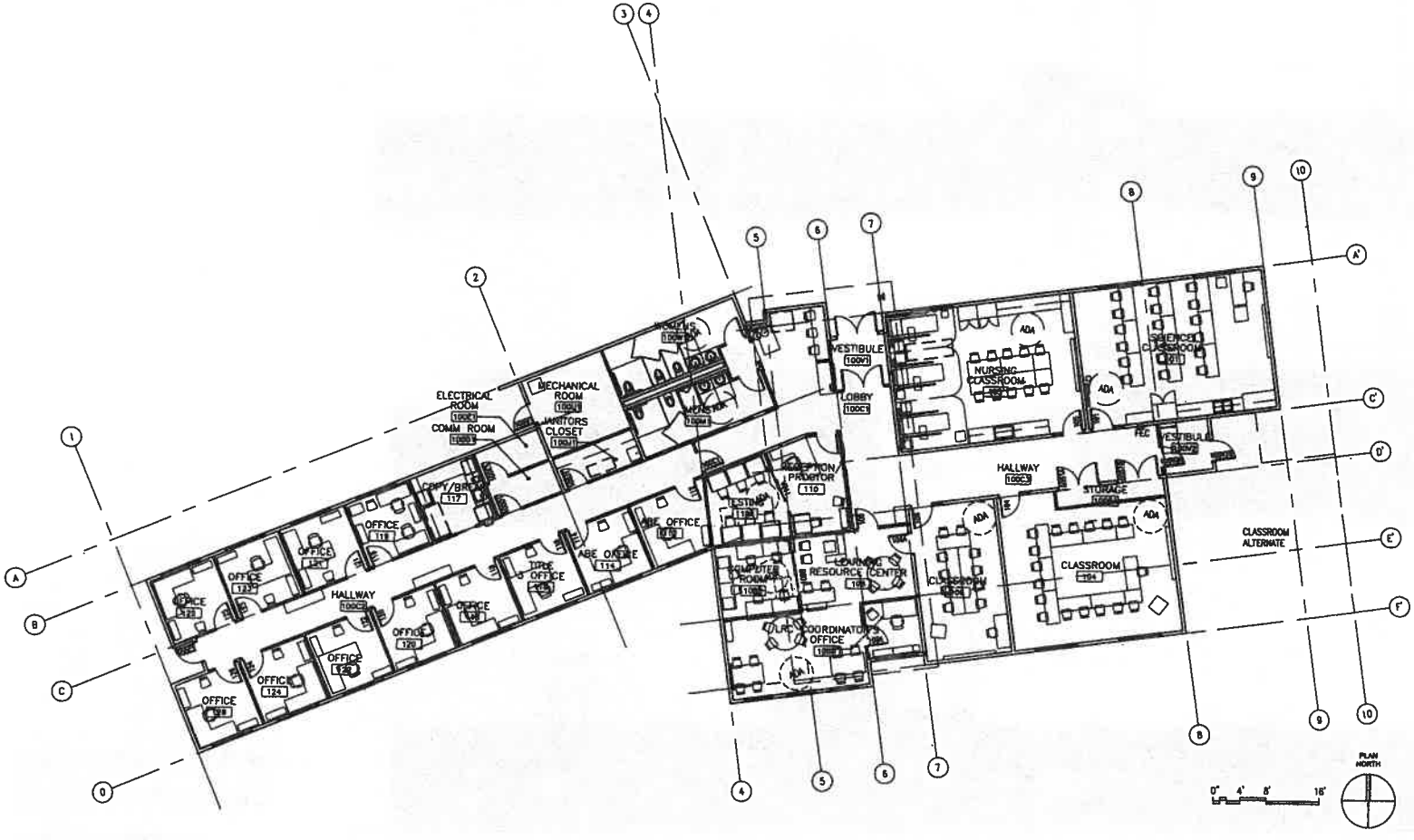
CIRCLE ONE: Owner of record Lessee Contract purchaser Owner's Representative

Applicant signature: Edwin J. Koch Date: 2.22.10

Property Owner's signature: John Fauna Date: 2/26/10

For staff use:
Date:_____ Fee submittal: Amount_____
Received by:_____ Date application accepted as complete_____
Planning Commission Public Hearing Date:_____

28-4



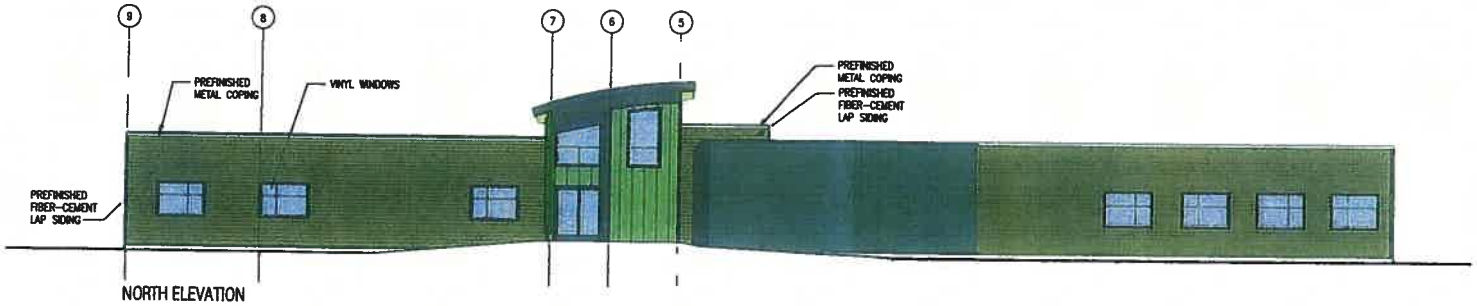
UAA Kachemak Bay Classroom Building

UAA - Kachemak Bay Campus

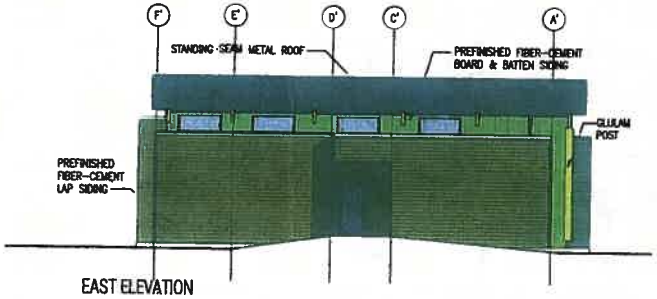
RIM Architects Cushing Engineers Reid Middleton RSA Engineering RIM Design Corvus Design

2.24.2010

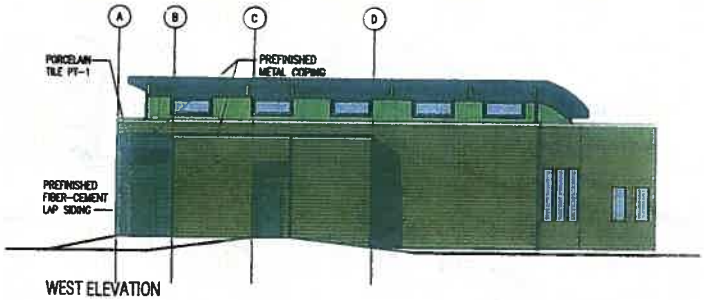
28.5



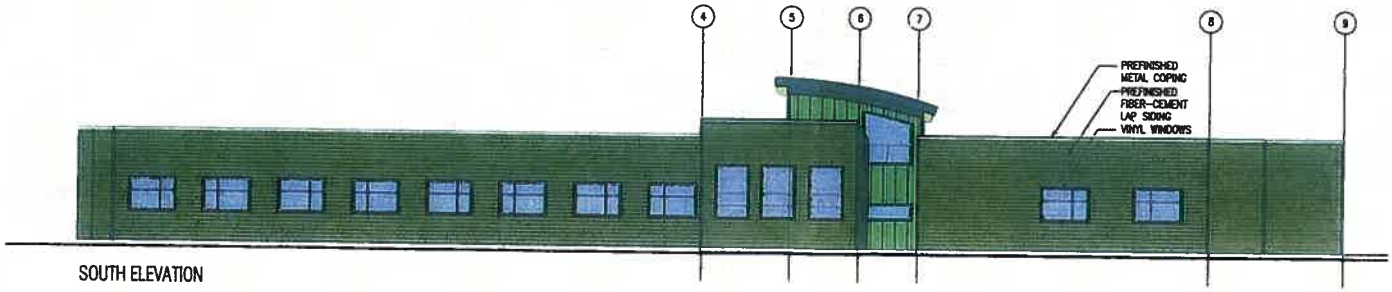
NORTH ELEVATION



EAST ELEVATION



WEST ELEVATION



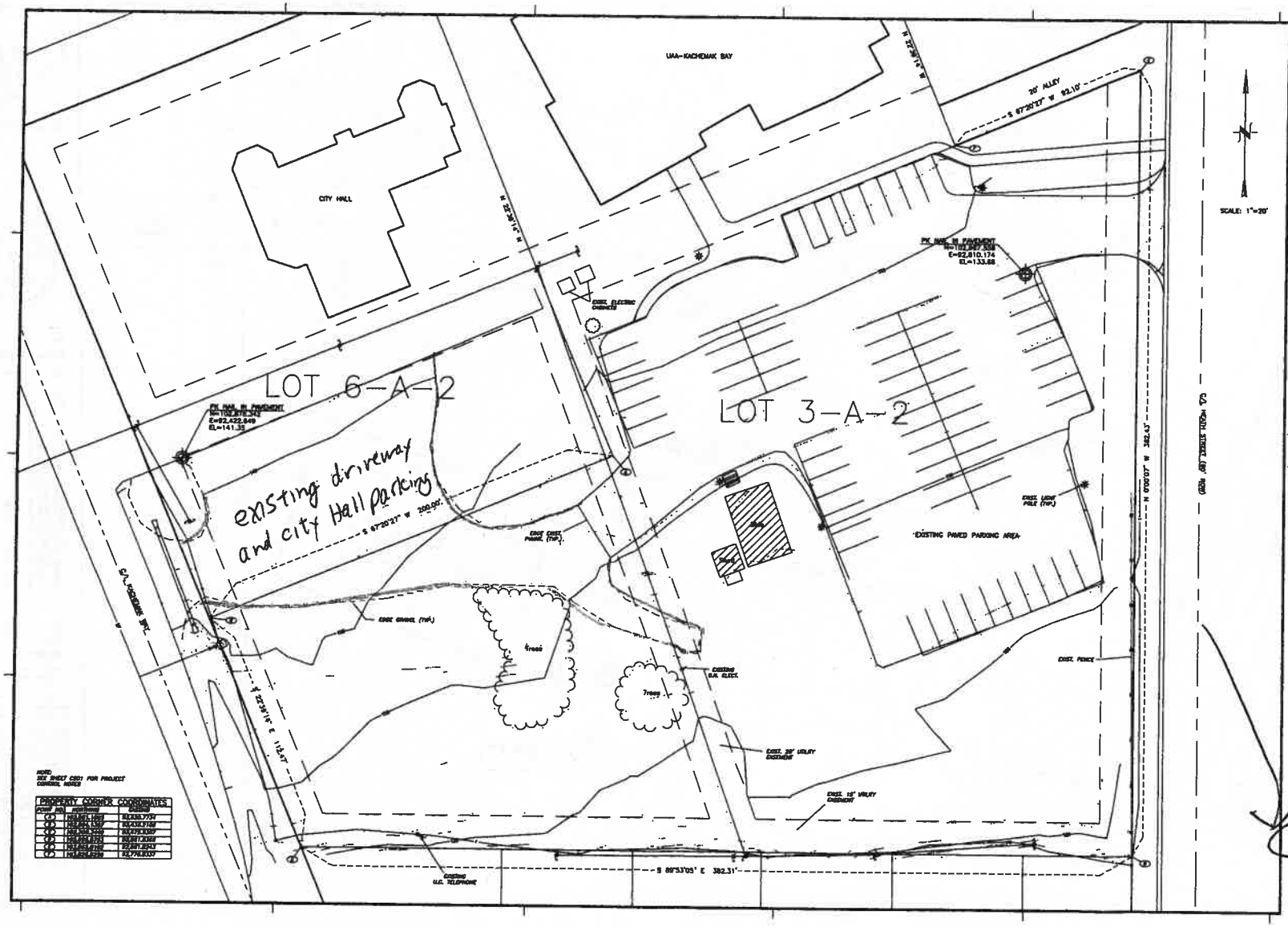
SOUTH ELEVATION

UAA Kachemak Bay Classroom Building

UAA - Kachemak Bay Campus

RIM Architects | Cushing Engineers | Reid Middleton | RSA Engineering | RIM Design | Corvus Design

2.24.2010



PROPERTY CORNER COORDINATES		
POINT NO.	NORTHING	EASTING
CO	N[illegible]	E[illegible]
CO	N[illegible]	E[illegible]
CO	N[illegible]	E[illegible]
CO	N[illegible]	E[illegible]
CO	N[illegible]	E[illegible]
CO	N[illegible]	E[illegible]

NOTE:
SEE SHEET C001 FOR PROJECT GENERAL NOTES

RIM ARCHITECTS
ALASKA

STATE OF ALASKA
CE-5696

CD
FINAL REVIEW

UAA • KACHEMAK BAY CAMPUS
CLASSROOM BUILDING
533 EAST PIONEER AVE. HOMER, AK 99603

UNIVERSITY OF ALASKA

PROJECT TITLE:
OWNER:
SHEET TITLE:

MARK	DATE	DESCRIPTION

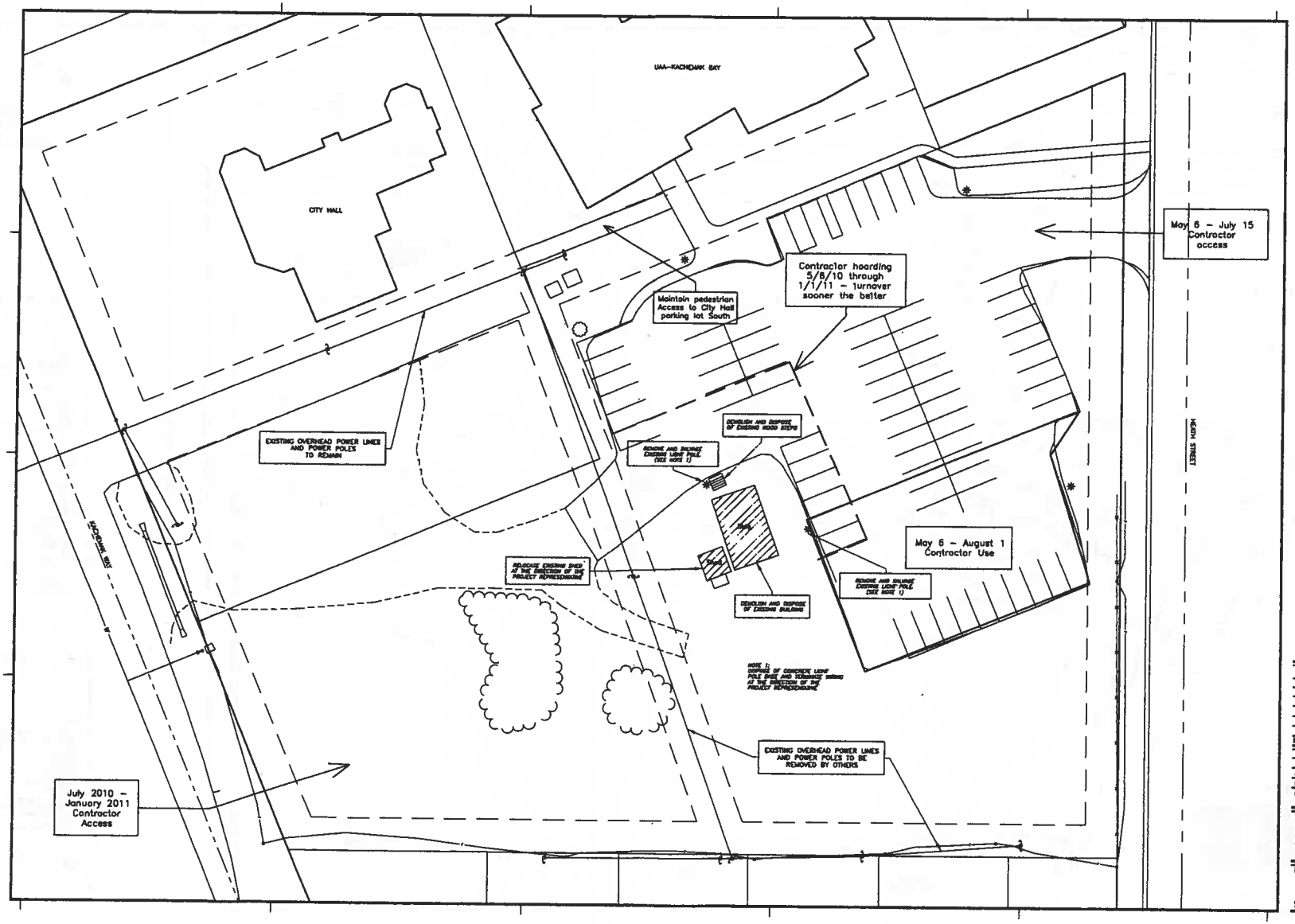
DATE : 7/07/2016
PROJECT NO.: 564275.100
DRAWN BY :
CHECKED BY:
COPYRIGHT
2016 RIM Architects [illegible]

EXISTING SITE & SURVEY CONTROL

DWG NO:
C101

SHEET 1 OF 70

28-7



RIM ARCHITECTS
ALASKA | NORTH SOUTH CALIFORNIA

STATE OF ALASKA 4932

CD FINAL REVIEW

UAA - KACHEMAK BAY CAMPUS CLASSROOM BUILDING
533 EAST PIONEER AVE. HOMER, AK 99603

PROJECT TITLE:
OWNER: UNIVERSITY OF ALASKA
SHEET TITLE:

MARK	DATE	DESCRIPTION

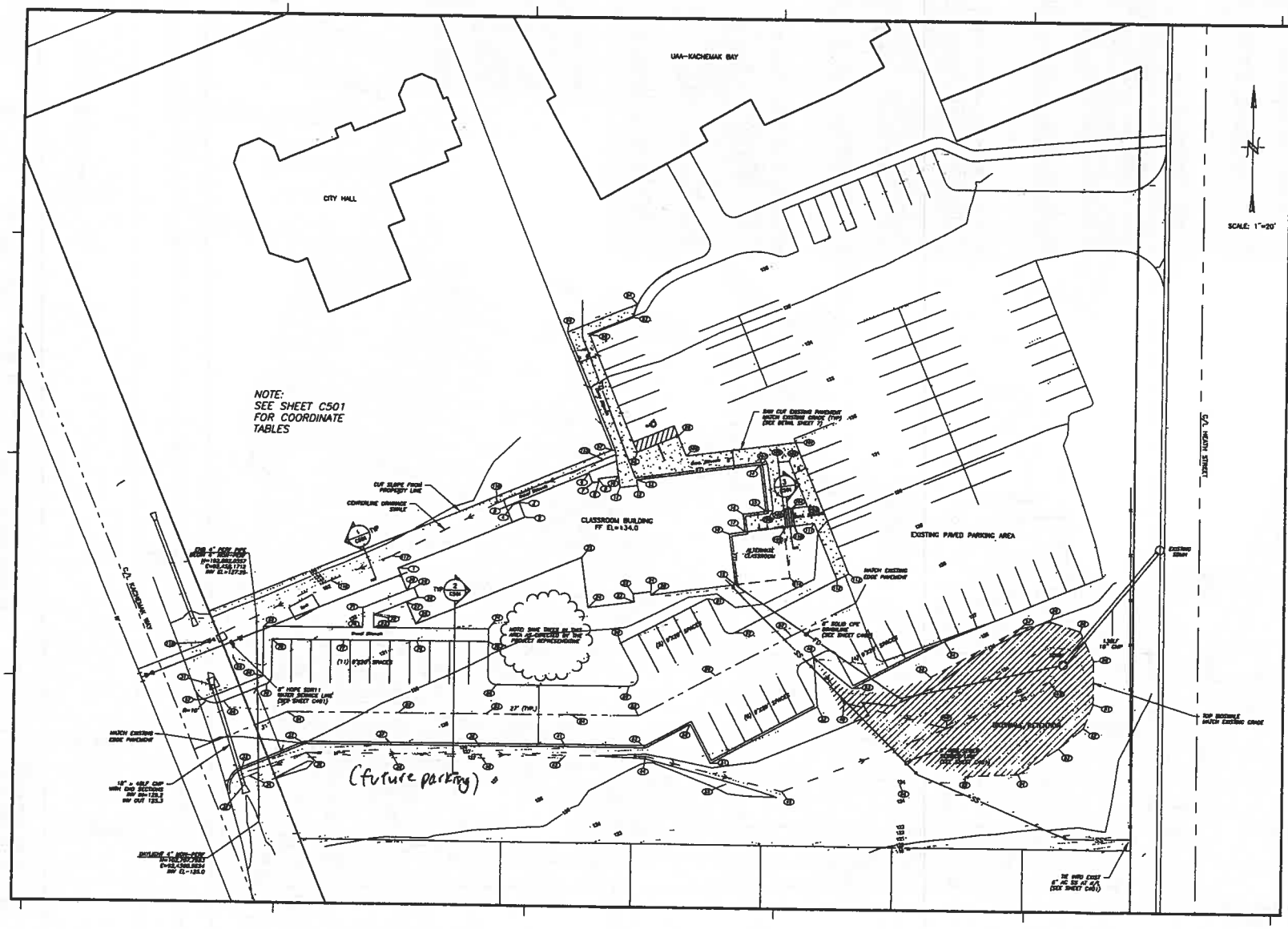
DATE : 3/02/2010
PROJECT NO : 564275 (08)
DRAWN BY :
CHECKED BY :
COPYRIGHT :

SHEET DESCRIPTION:
CONTRACTOR ACCESS AND DEMO PLAN

DWG NO:
C102

SHEET 2 OF 70

78-8



RIM ARCHITECTS
ALASKA | WASILLA | SOUTH CALIFORNIA
540 W FIREWEED, SUITE 200
ANCHORAGE, AK 99503
Phone: 907.561.1777
Fax: 907.276.2282
www.rimarchitects.com

STATE OF ALASKA
49th
CE-5896

CD
FINAL REVIEW

UAA - KACHEMAK BAY CAMPUS
CLASSROOM BUILDING
533 EAST PIONEER AVE. HOMER, AK 99603

UNIVERSITY OF ALASKA

PROJECT TITLE:
OWNER:
SHEET TITLE:

MARK	DATE	DESCRIPTION

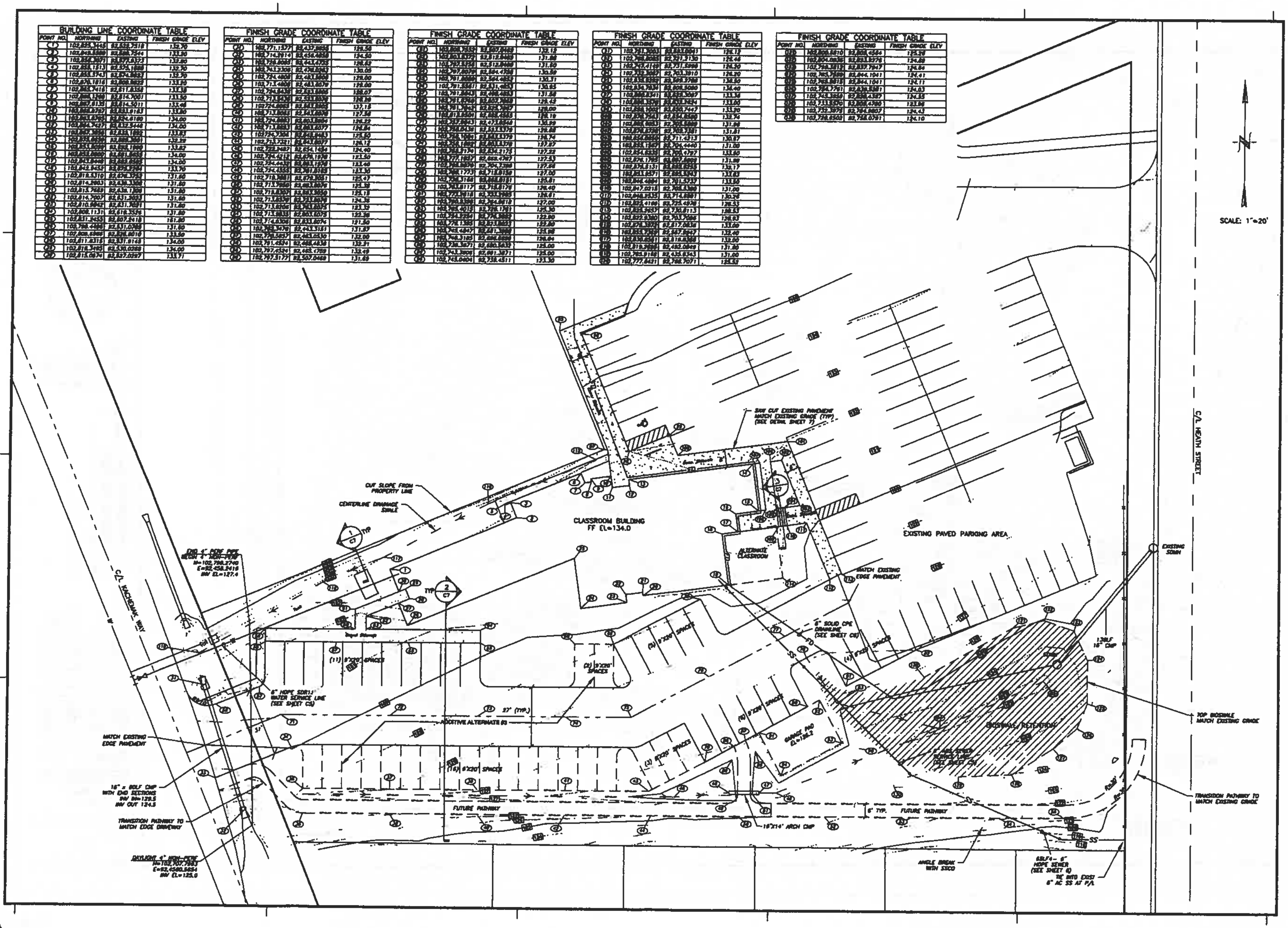
DATE : 3/02/2010
PROJECT NO : 564275 (08)
DRAWN BY :
CHECKED BY :
COPYRIGHT
2009 RIM Architects (AK), LLC

SHEET DESCRIPTION:
FINISH GRADE
SITE LAYOUT

DWG NO:
C201

SHEET 3 OF 70

28.9



BUILDING LINE COORDINATE TABLE

POINT NO.	NORTHING	EASTING	FINISH GRADE ELEV
1	102,825.3445	82,532.7318	132.70
2	102,843.[illegible]	82,5[illegible].7544	133.30
3	102,8[illegible]	82,5[illegible]	132.80
4	102,8[illegible].1513	82,575.1[illegible]	132.70
5	102,8[illegible].1743	82,574.[illegible]	133.70
6	102,870.1816	82,608.[illegible]	133.70
7	102,8[illegible].7416	82,611.8[illegible]	133.30
8	102,8[illegible]	82,614.7001	133.50
9	102,8[illegible].6135	82,614.5011	133.40
10	[illegible]	82,6[illegible].9163	133.80
11	[illegible]	82,624.6180	134.00
12	102,864.7427	82,632.5446	134.00
13	[illegible]	[illegible]	133.83
14	[illegible]	[illegible]	132.2[illegible]
15	[illegible]	[illegible]	133.82
16	[illegible]	[illegible]	134.00
17	[illegible]	[illegible]	134.00
18	102,842.9[illegible]	[illegible]	133.70
19	102,818.5310	82,6[illegible]	131.60
20	102,814.2903	82,6[illegible]	131.60
21	102,815.7[illegible]	82,6[illegible]	131.60
22	102,814.7007	82,631.3023	131.60
23	102,810.9[illegible]	82,631.7[illegible]	131.60
24	102,808.1131	82,618.3396	131.60
25	102,831.2[illegible]	82,607.2418	131.60
26	102,798.4[illegible]	82,531.0[illegible]	131.60
27	102,808.6[illegible]	82,526.8016	133.50
28	102,811.8318	82,531.9148	134.00
29	102,816.3[illegible]	82,530.0[illegible]	134.00
30	102,815.0874	82,527.0[illegible]	133.71

FINISH GRADE COORDINATE TABLE

POINT NO.	NORTHING	EASTING	FINISH GRADE ELEV
31	102,771.1577	82,437.[illegible]	129.50
32	102,714.3914	82,456.4[illegible]	124.50
33	102,72[illegible]	82,441.[illegible]	126.62
34	102,7[illegible].7306	82,47[illegible]	130.05
35	102,724.4[illegible]	82,481.[illegible]	129.00
36	102,713.4[illegible]	82,481.8079	129.00
37	102,724.[illegible]	82,5[illegible]	128.07
38	102,713.[illegible]	82,5[illegible]	128.[illegible]
39	102,724.[illegible]	82,5[illegible]	127.15
40	102,713.[illegible]	82,5[illegible]	127.34
41	102,724.[illegible]	82,6[illegible]	126.22
42	102,713.[illegible]	82,6[illegible]	126.84
43	102,724.7304	[illegible]	125.50
44	102,713.7321	82,64[illegible]	126.12
45	102,722.2487	82,654.1[illegible]	124.40
46	102,724.4212	82,67[illegible]	123.50
47	102,724.44[illegible]	82,69[illegible]	123.40
48	102,724.4[illegible]	82,7[illegible]	123.30
49	102,718.3[illegible]	82,679.3[illegible]	125.47
50	102,713.7[illegible]	[illegible]	12[illegible]
51	102,718.8[illegible]	[illegible]	125.1[illegible]
52	102,713.8[illegible]	82,7[illegible]	124.34
53	102,713.[illegible]	82,7[illegible]	123.32
54	102,713.[illegible]	82,8[illegible]	122.30
55	102,714.6[illegible]	82,8[illegible]	121.50
56	102,7[illegible]	82,443.3[illegible]	131.87
57	102,779.5[illegible]	82,463.0530	132.00
58	102,791.4534	82,468.4[illegible]	132.21
59	102,797.4534	82,463.[illegible]	132.49
60	102,797.3177	82,507.0460	131.69

FINISH GRADE COORDINATE TABLE

POINT NO.	NORTHING	EASTING	FINISH GRADE ELEV
61	102,8[illegible]	82,5[illegible]	132.12
62	102,8[illegible]	82,512.[illegible]	131.[illegible]
63	102,7[illegible].3725	82,512.[illegible]	131.60
64	102,797.8075	82,504.4[illegible]	130.59
65	102,791.[illegible]	82,504.4[illegible]	130.31
66	102,791.5561	82,511.4[illegible]	130.95
67	102,791.[illegible]	82,4[illegible]	131.58
68	102,7[illegible]	82,5[illegible]	129.42
69	102,791.7[illegible]	82,5[illegible].7007	129.00
70	102,81[illegible]	82,6[illegible]	128.10
71	102,7[illegible]	82,47[illegible]	130.99
72	102,7[illegible]	82,5[illegible]	129.88
73	102,7[illegible]	82,5[illegible]	128.74
74	102,7[illegible]	82,6[illegible]	127.87
75	102,7[illegible].7730	82,634.2175	127.22
76	102,777.1[illegible]	82,6[illegible].4767	127.53
77	102,7[illegible]	82,704.7[illegible]	127.56
78	102,7[illegible].1773	82,718.8[illegible]	127.00
79	102,7[illegible]	82,6[illegible]	125.81
80	102,7[illegible]	82,713.8176	126.40
81	102,77[illegible]	82,7[illegible]	126.61
82	102,7[illegible]	82,764.9[illegible]	127.00
83	102,7[illegible].4015	82,7[illegible]	125.30
84	102,7[illegible]	82,7[illegible]	122.80
85	102,7[illegible]	82,8[illegible]	122.80
86	102,7[illegible].4607	82,6[illegible]	124.88
87	102,746.3165	82,6[illegible]	126.84
88	102,73[illegible].3671	82,690.5[illegible]	125.00
89	102,743.3[illegible]	82,691.3671	125.00
90	102,745.0404	82,738.4511	123.30

FINISH GRADE COORDINATE TABLE

POINT NO.	NORTHING	EASTING	FINISH GRADE ELEV
91	102,7[illegible].7003	82,6[illegible]	126.12
92	102,7[illegible]	82,721.3130	124.46
93	102,7[illegible].4149	82,731.5[illegible]	126.30
94	102,752.[illegible]	82,703.3910	126.20
95	102,83[illegible]	82,6[illegible].3768	134.60
96	102,836.7[illegible]	82,60[illegible].5080	134.40
97	102,8[illegible]	82,6[illegible]	133.3[illegible]
98	[illegible]	[illegible]	133.00
99	102,8[illegible].1002	82,6[illegible].7447	133.20
100	102,8[illegible]	82,6[illegible]	132.74
101	102,8[illegible]	82,70[illegible]	131.96
102	102,8[illegible]	82,70[illegible]	131.81
103	102,8[illegible]	82,711.4313	130.87
104	102,8[illegible]	82,706.4440	131.00
105	102,854.6[illegible]	82,706.4797	131.60
106	102,876.1[illegible]	82,6[illegible]	131.[illegible]
107	102,876.5131	82,6[illegible]	133.17
108	102,8[illegible]	82,6[illegible]	133.83
109	102,846.4664	82,701.5727	133.50
110	102,847.0[illegible]	82,70[illegible]	131.00
111	102,8[illegible]	82,714.8[illegible]	130.76
112	102,8[illegible].4160	82,725.4[illegible]	128.53
113	102,8[illegible]	82,730.8[illegible]	128.53
114	102,822.9[illegible]	82,703.7066	128.93
115	102,87[illegible]	82,617.0[illegible]	133.00
116	102,8[illegible]	82,587.[illegible]	132.40
117	102,8[illegible]	82,61[illegible]	132.00
118	102,81[illegible]	82,492.0[illegible]	131.60
119	102,7[illegible]	82,435.8343	131.00
120	102,777.8431	82,788.7071	125.53

FINISH GRADE COORDINATE TABLE

POINT NO.	NORTHING	EASTING	FINISH GRADE ELEV
121	102,8[illegible].5870	82,8[illegible].4[illegible]	125.3[illegible]
122	102,804.0[illegible]	82,8[illegible].8276	124.[illegible]
123	102,7[illegible]	82,837.7947	124.84
124	102,763.7[illegible]	82,844.1041	124.41
125	102,763.[illegible]	82,844.1041	124.11
126	102,754.7761	82,8[illegible]	124.03
127	102,745.3[illegible]	82,8[illegible]	124.55
128	102,733.[illegible]	82,8[illegible].4780	123.96
129	102,732.3[illegible]	82,784.8[illegible]	124.43
130	102,728.6[illegible]	82,758.0[illegible]	124.10

RIM
ARCHITECTS
ALASKA | HAWAII GUAM CALIFORNIA
645 'G' STREET, SUITE 400
ANCHORAGE, AK 99501
Phone: 907.258.7777
Fax: 907.279.8195
www.rimarchitects.com

STATE OF ALASKA
49th
John P. Gaming Jr.
CE-6696
Registered Professional Engineer

CD
FINAL REVIEW

PROJECT TITLE: **UAA - KACHEMAK BAY CAMPUS CLASSROOM BUILDING**
533 EAST PIONEER AVE. HOMER, AK 99603

OWNER: UNIVERSITY OF ALASKA

SHEET TITLE:

MARK	DATE	DESCRIPTION

DATE : 3/02/2010
PROJECT NO. : 564275 (08)
DRAWN BY :
CHECKED BY :
COPYRIGHT
2010 Rim Architects (AK), Inc

SHEET DESCRIPTION:
FINISH GRADE
SITE LAYOUT

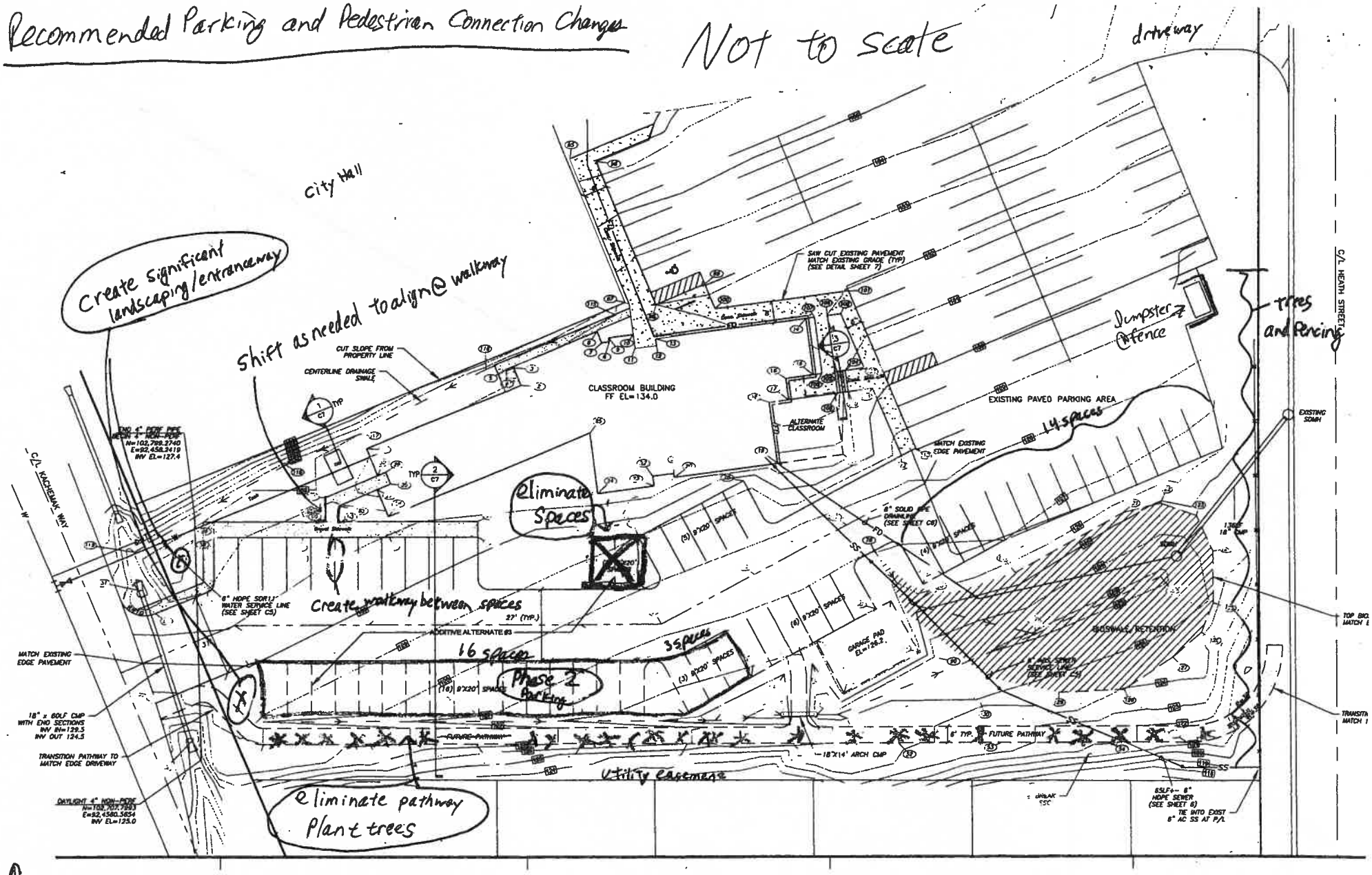
DWG NO:
C201

SHEET 5 OF 70

28-A

Recommended Parking and Pedestrian Connection Changes

Not to scale



2.8-11

2Y-12


spruce trees
lawn
facing

RIM
ARCHITECTS

ALASKA · CALIFORNIA · GUAM · HAWAI'I
645 G Street, Suite 400
Anchorage, Alaska 99501
Phone: 907.258.7777
Fax: 907.279.8195
www.rimarchitects.com

February 22, 2010

Homer Advisory Planning Commission
Attn: Dotti Harness-Foster
City of Homer Planning & Zoning
491 East Pioneer Avenue
Homer, Alaska 99603-7645

RE: UAA – Kachemak Bay Campus Classroom Building
533 East Pioneer Ave. Homer, AK 99669
RIM Architects Project No. 09075
REVIEW APPLICATIONS

Dear Ms. Harness-Foster:

Please find the attached Community Design Manual (CDM) Review Application and Conditional Use Permit (CUP) Application. The proposed new project will allow UAA to consolidate classroom space on their downtown campus in accordance with the previously-developed master plan. Although the project does not meet every listed CDM standard for commercial buildings, our design team worked hard to assure compatibility with both the adjacent education facility and the neighboring residential neighborhood while respecting the limited project budget. We have also preserved the spectacular view of the bay and mountains as viewed from the commercial district, by keeping our massing low, but also by budgeting for the removal of existing overhead power lines. As an educational / institutional project residing as a secondary structure in the rear of the classroom and administration building, this project is unique when compared with street-fronting commercial new construction in the downtown district, which seems the focus of the CDM.

We feel the consolidation of the Kachemak Bay Campus (elimination of the West Campus) will promote more pedestrian movement in the downtown district and discourage the need for vehicular travel between facilities, to further the objective of a walking campus in the downtown core.

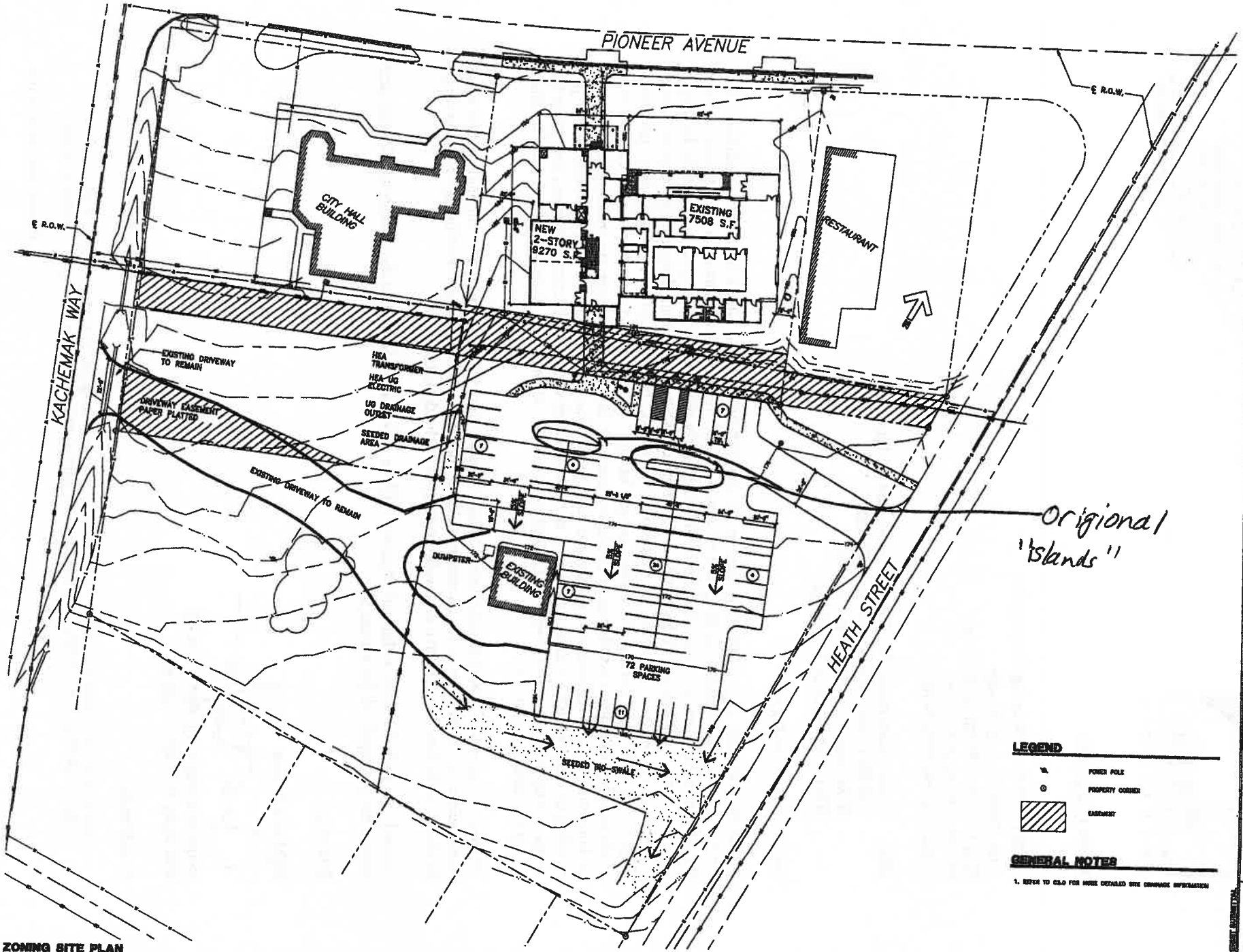
Overall, we feel this new additional structure will be a positive addition to the downtown district, and further the principals of the master plan.

Sincerely,

RIM Architects

James E. Dougherty, AIA NCARB
Managing Principal - Alaska

Attachments


PIONEER AVENUE
KACHEMAK WAY
HEATH STREET
CITY HALL BUILDING
NEW 2-STORY 9270 S.F.
EXISTING 7508 S.F.
RESTAURANT
℄ R.O.W.
EXISTING DRIVEWAY TO REMAIN
DRIVEWAY EASEMENT (PAPER PLATTED)
HEA TRANSFORMER
HEA-UG ELECTRIC
UG DRAINAGE OUTLET
SEEDED DRAINAGE AREA
EXISTING DRIVEWAY TO REMAIN
DUMPSTER
EXISTING BUILDING
72 PARKING SPACES
SEEDED BIO-SWALE
Original "Islands"
LEGEND
POWER POLE
PROPERTY CORNER
EASEMENT
GENERAL NOTES
1. REFER TO C3.0 FOR MORE DETAILED SITE DRAINAGE INFORMATION
ZONING SITE PLAN
SCALE 1" = 20'
McCOOL CARLSON GREEN
UAA KACHEMAK BAY BRANCH EXPANSION
ZONING SITE PLAN
Z1.0

Community Design Manual (CDM) Review Application Requirements

Project Name and Location: UAA – Kachemak Bay Campus Classroom Building 533 East Pioneer Ave. Homer, AK 99669

Many Conditional Use Permits (CUP) required compliance with the Community Design Manual (CDM). By providing the following information, your project can be reviewed more quickly and thoroughly.

- ☐ Landscaping, Vegetation and Screening Plan. See pg 28-31 of the CDM.
- ☐ Utilities Plan. Provide a utilities plan showing location of utilities in relation to landscape and buffer areas (utility plan must be consistent with proposed areas of non-disturbance).
- ☐ Parking and Paving Plan. See pg 33-35 of the CDM.
- ☐ Grading and Drainage Plan. Include all cuts, fills, slopes, disturbed areas, retaining walls and structures.
- ☐ Elevation Drawings. Provide complete elevation drawings of all buildings showing dimensions, trim details, color(s) and proposed materials including roofing, siding, and windows.
- ☐ Sign Plan. A master sign plan showing the location of all signage consistent with HCC 21.60.
- ☐ Lighting Plan. See pg 7,8 and pg 35-37 of the CDM and HCC 21.59.020-030.

Site Design. *This should align with the Grading and Drainage Plan. Pg 6 of the CDM.*

Describe the how building design transitions into the parking lot and landscaped areas. Describe your efforts to minimize cut/fill and to respect the natural topography.

The building was placed on the site to minimize impact to the existing site contours and existing parking while leaving as much of the only remaining vegetation. The building was also oriented towards the existing UAA building.

Prominent Facades-Building Scale and Mass. *This should align with the elevation drawings. Pg 9,10, 27 of the CDM.*

Describe how the building's design reflects the mass and scale of adjacent properties:

The building was designed to be 1 story and not impede the view from existing structures up the hill.

(Width of wall plane _82_ ft) ÷ (Height of wall plane _15_ ft) ≤ (less than 2.5) on the longest façade. See site/landscape plan for existing vegetation that screens this wall.

➢ _N_ Does the building avoid a wall plane wider than 2.5 times the height of the wall plane?

What is the length of the prominent façade? _21'-10"___ ft. (façade facing Heath St.)
Front of the building, facing existing UAA building = _56'

- __N__ Is 50% or more of the prominent façade near the front setback, or street?

Roof pitch. _*curved center portion, see elevation*_____. (Minimum pitch 4/12. Maximum pitch 12/12.)

Roof eave extension __1.67__ ft.

Total roof area in a single plane? _2600_ sf. (Shall not exceed 5,000 sf)

- __Y__ Does the building design avoid false pitch roofs? If no, see pg. 11-13.

- __N__ Does the building design avoid A-frame, modified A-Frame, domes, curvilinear roof or other unusual roof forms? If no, see page 10.

Window and Door Fenestration. *Should align with the elevation drawings. Pg 14 of the CDM.*

Windows and doors shall constitute a minimum of 25-30% of the prominent façade.

(Windows & doors 404 sf) ÷ (Wall frontage of prominent façade 2225 sf.) = 18.2% shall be greater than 25-30%.

- __Y__ Are the windows regularly spaced and aligned with other doors and windows in the same plane?

- __N__ Does the building design include reflective glass? If so, Commission approval is required.

Siding and Trim*: Page 15*

Describe the materials used for siding, the trim and the colors.

Fiber cement lap siding (factory prefinished to simulate wood), Fiber cement board and batten siding (painted color see elevations), ceramic tile (see elevations for color)

Does the siding include:
- __N__ Metal panels
- __N__ Sheet siding like T1-11
- __N__ Concrete panels
- __Y__ Tile
- __N__ Smooth Concrete Blocks
- __Y__ Vertically ribbed or vertically grooved material

28-18

Miscellaneous Architectural Devices: *This should align with the elevation drawings. Pg 15-17 of the CDM,*

Describe the use of awnings, awning fabric (opaque only), the lighting of the awnings and their function. Provide the linear feet of awning. Tenant franchise themes are not allowed in the TCD and GBD per HCC 21.20.050 and HCC 21.22.060. Describe how the building integrates artwork into the design.

No awnings or artwork included in the construction of the building.

- _Y_ Does the building design avoid the use of color to promote a theme or tenant specific identity? For example a typical Pizza Hut, McDonalds, Taco Bell building promotes a theme.

- _Y_ Does the building design avoid use of neon, tube shaped lighting?
- _Y_ Does the building avoid back-lit awnings?
- Yes, protection is provided at all exterior doors, without awnings. Does the use of awning provide weather protection over walkways and entrances?
- _Y_ Are the awnings consistent in design? Multiple awning design is not permitted. Pg 16.
- _Y_ Is the awning design secondary and complimentary of the building design?

Roofing materials. *Pg 17-18 of the CDM.*

Describe the roofing material: Main roof surface is EPDM, with curved roof section a standing seam metal roof.

What color is the roofing material? EPDM is white and the metal roof is to be a dark gray.

Color. *Pg 18-20 of the CDM.*

What is the main color on the exterior walls? Dominant color of the exterior walls is the prefinished fiber cement lap siding, painted to resemble wood.

What color is the trim as in the fascia, cornice, window and door trim? ___This will be in a variety of colors. In the dark lap siding area, corners will be slightly darker, but the coping will be taupe to match the existing structure. The trim around the windows will be red to match the existing structure. In the light board-and-batten siding area, the corner trim will be similarly colored to the siding so as only to provide a shadow line, with the trim around the windows and at the coping dark gray.

Describe the use and color of accents such as molding, shadow lines, door frames:

In many instances, we are using the trim and feature materials to provide visual interest, breaking the long façade into smaller sections and provide relief to the building. This will be most noticeable on the board-and-batten section, with the trim pieces creating vertical shadow lines, accentuating the height of the middle space.

Hierarchy in building design. *This should align with the elevation drawings. Pg 18 of the CDM.*

- N . Does the project include secondary building structures as support buildings?
- N . Does the project include multiple tenant spaces?

Describe the common architectural treatment of the buildings within the development. Include:

- Secondary structures as support buildings
- The façade (the exterior wall exposed to public view) the 'streetscape'.
- Building height variation that reflects the location of individual tenants.
- Roof design
- Window proportions
- Fencing

There are no secondary structures or support buildings and the façade facing the streets has the appearance of wood lap siding, similar to the existing UAA building. The classroom and office wings have a flat roof and the main entry is emphasized by the curved roof section and exposed heavy timber structure. Windows in the classroom and office wings are sized to resemble the proportions of the windows on the existing UAA building. The only fencing used in the construction is to screen utility items, such as the dumpster enclosure and heating fuel storage tank.

Walkways. *This should align with the landscaping, parking and lighting plans. Pg 21,22 of the CDM.*

Describe how the walkways are linked between the main entrance to the parking area and the public right-of-way. Include the location, width, length, texture, lighting, seating, vegetation, integrated art work, color and the visual contrast to the other surfaces.

Walkways are planned to be concrete with driving surfaces in asphalt (existing) or gravel (new). They will connect the existing UAA building to the new construction and parking to each of the 3 entries. Site lighting will be limited to the amount required for safety, visibility and code required emphasis at entries and exits. See Civil and Landscape plans for locations and more information.

- Y . Are the walkways 5 ft wide or greater?
- Y . Are the walkways visually distinct from the surrounding surfaces?
- Y . Are vegetative strips 3 ft wide or greater?
- N . Are walkways 100 ft long or greater? If so, include lighting and seating.
- N/A . Are historic events and structures identified?
- Y . Does you plan avoid walkways which cross parking stalls?

Outdoor Common Areas. *This should align with the landscaping plan. Pg 23-26 of the CDM.*

Describe any building focal points that create a "visual draw," and/or the buildings' prominent entrance.

The building's entrance is emphasized by a change in roof from flat to curved, the entrance has a higher roof, as well as a change in siding texture and color.

Describe the building's outdoor leisure area. Include walkway location and widths for covered and uncovered walkways, plaza surfaces (brick, stone, aggregate concrete, colored, textured) landscaping, shrubbery, flowers, viewing platforms, seating and signage. Describe areas for outdoor sales/carts, art displays and outdoor dining.

The new classroom building is the first step in a campus master plan, with all buildings to be connected by pedestrian walkways and open spaces. Currently, the existing building has outdoor study spaces on both the north and south sides, and the two buildings will be connected by a dedicated sidewalk. The south of the new building will be seeded and landscaped for outdoor leisure use, and bicycle racks will be provided for students. The University plans to add a plaza between the buildings as a public meeting space featuring outdoor seating and landscaping.

IF the project's floor area (total sf of all floors) is less than 5,000 sf., move to ***Loading and delivery area.***

- Primary structures shall incorporate either a prominent portico or plaza which is visible to the public and useable to customers or clients. Its size shall be at least 10% of the main level interior floor area. (CDM page 20)

Plaza area 1050 sf

(First floor 6725 sf) X (0.10) ___673____sq ft

- If the floor area (total sf of all floors) is greater than 5,000 sf., then 5% of the floor area must be devoted to an outdoor leisure area.

Outdoor leisure area_1500_sf.

(Total floor area 6725 sf) X (0.05) must be greater than the outdoor leisure area. (CDM pg 24)

The 10% calculated above can count towards the 5% outdoor leisure area requirement

- Y/N Does the leisure area have trash receptacles, seating and/or tables.
- Y/N Does the outdoor leisure area include walkways? If so, the walkways must be 8 ft wide or greater (p. 24).

Loading and delivery area. *Should align with the Parking Plan. Pg 27 of the CDM.*

Not applicable for this building.

- __N/A__ Are the loading and delivery areas oriented away from the street front?

Landscaping and screening. *Should align with the landscaping plan. Pg 28-31 of the CDM.*

Describe the site's proposed landscaping, and any planned retention of the existing vegetation. Provide a landscaping plan that includes:

- clearing limits
- trees that will be thinned or topped
- areas which will be completely cleared
- the distance between buildings and trees
- how existing vegetation will be protected during construction
- how and where existing native vegetation will be retained.
- how and when the cleared areas will be replanted

See Civil and Landscape plans for information on the subjects listed above.

- __Y__ Is clearing limited to no more the 50% of the significant vegetation?
- __Y__ Does the plan include shrub planting on blank walls?
- __Y__ Does the plan include a minimum 3 ft landscaped buffer along all lot lines? - though some of this work was previously existing.
- __Y__ Does the plan include a minimum 15-ft buffer from the top of a bank or drainage?

Fences. *Pg 31 of the CDM.*

Describe the site's fencing, its purpose, its material, height and visibility to the public.

Site has minimal fencing, which is used only to screen utility items such as the dumpster and heating fuel oil storage. See Civil and Landscape plans for location and extent of fencing installations.

- __Y__ Does your plan avoid chain-link fencing?

Parking. *Should align with the parking plan. Pg 33*39 of the CDM.*

Number of curb cuts? __1 existing curb cut, 1 new curb cut Width of curb cuts? Existing cut on Heath St. is about 26 feet, new curb cut on Kachemak Way is 31 feet. Distance between the curb cuts? About 480 feet.

Number of parking spaces? 79 existing parking spaces, 44 proposed new parking spaces Number parking spaces in front of the building? 7 parking spaces directly in front of the main entry.

- __N__ Does your plan avoid parking in front of the building entrances?
- __Y__ Are the curb cuts at least 200 ft. apart?
- __Y__ Is traffic directed to side streets where possible?
- __Y__ Is the parking lot visible from Sterling Hwy, Lake St., Health St., Main St. or Pioneer Ave.?
- N/A. Is parking lot screened with a 3 ft high solid hedge.
- __N__ . Do the driveway widths meet the requirements below?

  Maximum widths of one-lane driveways are 15 ft.

  Maximum widths of two-lane driveways are 24 ft. New driveway is 2 way, 27' for fire

lane access.
Maximum widths of three-lane driveways are 34 ft.

IF your project has less than 24 parking spaces, move to ***Lighting.***

If more than 24 spaces are required, 10% of the parking area must be landscaped with islands and/or dividers, plus a 10ft buffer along rights-of-way. HCC 21.50.030(f)(1)(b).

An additional 26 spaces are required, but the existing parking lot has enough stalls to accommodate this. We are providing an additional 26 parking stalls, which are described below.

If over 24 spaces, the parking lot is 12,888 sf. The landscaped portion within the parking lot is _1,894_ sf.

- _N_ The parking lot will be paved. Required in the GBD per HCC 21.22.080(b).
- _Y_ Is less than 50% of the parking located in the front of the building?
- _N_ If more than 24 spaces, are treed landscaped pockets provided every 100 ft or less?
- _Y_ If more than 24 spaces, is the minimum 10 ft landscaped buffer provided? HCC 21.50.030(f)

Parking garages. *Pg 35 of the CDM.*

- _N_ Does your project include a parking garage over one-story or which encloses 20 or more vehicles? If so, Planning Commission approval is required.

Lighting. *Should align with the Lighting Plan. Pg 7,8 &35-37 of the CDM and HCC 21.59.020.*

Describe the light fixtures, height, their purpose, lighting direction and visual appearance.

Outdoor lighting will be provided parking lot pole lights to provide adequate light for safety at ground level throughout the parking lot, and with soffit-mounted lighting at each entry door. All lights will have adequate cut-off, so as not to shine beyond the property lines. Pole lights will be 25 feet tall.

- _N_ Is light source hidden from public view?
- _Y_ Does your lighting avoid excess light throw beyond the pedestrians and/or vehicles area?
- _Y_ Does your project avoid mounting outside light fixtures above 15 feet?
- _Y_ Does you project avoid parking lot luminaires that are above 28 feet?
- _Y_ Does your plan avoid bright lighting on outdoor surfaces of buildings?
- _Y_ Does your plan avoid colored lighting on buildings?
- _Y_ Does your plan avoid utility lighting?
- _Y_ Does your plan avoid lit accents, canopies, color bars, stripes?

Outdoor furnishings. *Pg 37-38 of the CDM.*

Describe the outdoor furnishings, their location, type, style, manufacturer, series, and color. If in the right-of-way, approval by Public Works and the Planning Commission is required.

There will be a bike rack for student and pedestrian use.

- **NA Are the outdoor furnishings a commercial grade designed for heavy public use?**

City of Homer
Planning & Zoning
491 East Pioneer Avenue
Homer, Alaska 99603-7645

Telephone (907) 235-8121
Fax (907) 235-3118
E-mail Planning@ci.homer.ak.us
Web Site www.ci.homer.ak.us

STAFF REPORT PL 10-30

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Dotti Harness-Foster, Planning Technician
MEETING: April 7, 2010
SUBJECT: Fish Factory CUP 10-05 at 800 Fish Dock Road includes:

1) Caretakers residences per HCC 21.30.030(g)
2) "More than one building containing a permitted principal use on a lot" per HCC 21.30.030(j)
3) "Building area containing more than 8,000 square feet and an excess of 30 % of the lot area" per HCC 21.30.040(c)

SYNOPSIS: The Fish Factory intends to construct two, 10 foot by 20 foot caretaker's units. The wood-frame units will replace two on-site RV's. Approving a CUP requires five yes votes.

Applicants:	Lease holder: Mike McCune/P. Knutsen Fish Factory, LLC 800 Fish Dock Road Homer, AK 99603	Property Owner: City of Homer 491 E. Pioneer Avenue Homer, AK 99603

Parcel ID:	18103421
Legal:	Lot 12-A1 Homer Port Industrial #3
Lot Size	27,470 sf or 0.63 acres
Zoning Designation:	Marine Industrial
Existing Land Use:	Fish processing
Surrounding Land Use:	North: Commercial fish dock South: Warehouse, fuel storage East: Fish processing and storage West: Fish processing, RV Park and public parking
Comprehensive Plan:	"Manage the land and other resources of the Spit to accommodate its natural processes, while allowing fishing, tourism, other marine related development, and open space/recreational uses."
Wetland Status:	No wetlands indicated on the Homer Wetland Map.
Flood Plain Status:	500 year flood zone
BCWPD:	Not within the Bridge Creek Watershed Protection District
Utilities:	Public water and sewer.
Public Notice:	Notice was sent to 8 property owners of 14 parcels as shown on the KPB tax assessor rolls.

Abstract: The Fish Factory is located on Fish Dock Road across from the commercial fish dock. The existing 10,360 square feet steel building was built in 1999 and is and used for fish processing and product storage. The Fish Factory intends to construct two on-site caretaker's units. These 10 ft x 20 ft wood-frame units will replace two on-site RV's that are in violation of HCC 21.54.200. These caretaker's units are for employee sleeping only. The kitchen, bathroom and laundry facilities are provided in the main building.

A CUP is required for:

1) Caretaker's residents.
2) More than one building containing a permitted principal use on a lot.
3) More than 8,000 square feet of building area.
4) The building covers more than 30% of the lot area.

Discussed below are site development standards for the Marine Industrial District:

Lot coverage: Lot 12-A1 is 27,470 square feet. The applicant also leases a 17 foot by 225 foot *strip* along the east lot line. The existing fish processing building is 10,360 square feet which includes roof coverage of the van staging area. Connex units, totes, garden and the storage of fish processing equipment cover approximately 9,000 square feet. The remaining area is used for maneuvering forklifts, van staging area and two RV's which will be replaced with two wood framed structures. The fish plant was constructed before HCC 21.30.040(c) was adopted requiring a CUP for buildings with more than 8,000 square feet and a building that covers more than 30% of the lot area.

Stormwater Plan (SWP) Analysis: Per HCC 21.50.030(e)(1) a SWP is required because the lot has "An impervious surface coverage that is greater than 60% of the lot area (existing and proposed development combined)." This proposal is replacing two RV's with two wood frame structures (combined 400 sf) on a flat lot. No fill is required and the impervious coverage remains the same. It's likely that a SWP would conclude that no mitigation is needed because:

> **HCC 21.75.020(d). "Structural methods used for new development shall be designed to remove 80 percent of the average annual post development total suspended solids load (TSS)."** *The pre and post development has the same impact.*
>
> **HCC 21.75.020(i). "The post development stormwater discharge rate shall not exceed the pre-development peak discharge rate (PDR) for the ten-year frequency storm event."** *The pre and post discharge is the same.*

Parking: HCC 21.55.100(d) Homer Spit Parking requires five (5) parking spaces and five (5) are provided. Condition #3.

The criteria for granting a Conditional Use Permit is set forth in HCC 21.71.030.

a. The applicable code authorizes each proposed use and structure by conditional use permit in that zoning district.

Finding 1: HCC 21.30.030(g) authorizes a "Caretaker's residence as an accessory to a permitted or conditionally permitted use." Fish processing is a permitted use per HCC 21.30.020(b). Caretaker's residents is a reasonable accessory use for 24/7/365 fish processing operation.

Finding 2: HCC 21.30.0330(j) authorizes "More than one building containing a permitted principal use on a lot."

Finding 3: HCC 21.30.040(c) states that "No lot shall contain more than 8,000 square feet of building area (all buildings combined), nor shall any lot contain building area in excess of 30% of the lot area without an approved conditional use permit."

b. The proposed use(s) and structure(s) are compatible with the purpose of the zoning district in which the lot is located.

Applicant: Operating a fish processing plant is a 24/7/365 business which needs 2-3 on-site employees for a safe and secure operation.

Analysis: HCC 21.30.010 states that the purpose of the Marine Industrial District is "to provide adequate space for those water-dependent industrial uses that require direct marine access for their operation…" Staff recommends a condition requiring that the caretaker's units be occupied by current employees of the on-site fish processing operation. Condition # 5.

Finding 4: The primary purpose of the MI district is to provide an area for water-dependant industrial uses. On-site caretaker's structures ensure that employees will be available 24/7/365. This need is typical of the fish processing business and compatible with the Marine Industrial district.

c. The value of the adjoining property will not be negatively affected greater than that anticipated from other permitted or conditionally permitted uses in this district.

Applicant: No effect on the adjoining properties.

Analysis: In the past, school buses and RV's provided the caretaker's units, which violates HCC 21.54.200 Standards for RV's. Two RV's remain on-site on a temporary basis until the proposed wood frame caretaker's units are complete. Caretaker's housing resolves these violations while accommodating the business needs.

Finding 5: It is not expected that caretaker's units would decrease the value of adjoining property, over permitted or conditionally permitted uses such as bulk petroleum storage, pipelines and railroads.

d. The proposal is compatible with existing uses of surrounding land.

Finding 6: Caretaker's units are compatible with the existing uses of the surrounding land. Both fish processing and cold-storage benefit from the added security and employee safety that are provided with 24/7/365 caretaker coverage.

e. Public services and facilities are or will be, prior to occupancy, adequate to serve the proposed use and structure.

Finding 7: Public services and facilities are adequate to serve the project. Public water and sewer serve the property. Homer Spit Road is State maintained.

f. Considering harmony in scale, bulk, coverage and density, generation of traffic, the nature and intensity of the proposed use, and other relevant effects, the proposal will not cause undue harmful effect upon desirable neighborhood character.

Analysis: The coverage and density on the property is intense. Though not a CUP issue, several fish processing businesses in the neighborhood are storing totes in the rights-of-way. The Port & Harbor Office is working with businesses along Fish Dock Road and Ice Dock Road to ensure that no equipment is stored in the rights-of-way.

Finding 8: Two, 10 ft x 20 ft units are small in scale, bulk and coverage in comparison to nearby warehouse and storage facilities.

Finding 9: Providing on-site employee units reduces traffic.

Finding 10: The bulk, coverage and density at a fish processing plant is intense due to tote storage, heavy equipment and loading vans. This is typical of an industrial area and does not cause undue harmful effects on the neighborhood.

g. The proposal will not be unduly detrimental to the health, safety or welfare of the surrounding area or the city as a whole.

Finding 11: On-site caretaker's units is not unduly detrimental to the health, safety or welfare of the surrounding area.

Analysis: Anchoring Fuel Tanks. Flood waters can sweep exterior unanchored fuel tanks into walls, damaging properties and threatens public safety and the environment. The purpose of Homer's Flood Prone Areas HCC 21.41 is to protect the public from these harmful effects. FEMA recommends the anchoring of fuels tanks in flood prone areas therefore Condition #3 requires the anchoring of the exterior fuel tanks per FEMA's publication titled: *Anchor Fuel Tanks*.

Finding 12: Anchoring of exterior fuel tanks improves safety in the surrounding area.

h. The proposal does or will comply with the applicable regulations and conditions specified in this title for such use.

Landscaping-Buffer Analysis: The fish plant was built prior to the adopted of HCC 21.50.030(f)(1)(a)(i) which requires a minimum three (3) foot buffers along all lot lines. This proposal does not have a three(3) foot buffers on all lot line. Fish processing equipment and totes are stacked close to the east and west lot lines. Fork lift maneuvering is the focus along Fish Dock Road. Assuming the intent of a landscape-buffer is to screen from public view, staff recommends a minimum three (3) foot vegetative buffer along Homer Spit Road to be planted by September 1, 2010. Condition #6.

Finding 13: A minimum three (3) foot vegetative buffer along Homer Spit Road to be planted by September 1, 2010, Condition #6.

i. The proposal is not contrary to the applicable land use goals and objectives of the Comprehensive Plan.

Finding 14: This proposal meets the goal as stated in the 1999 Homer Comprehensive Plan Update, page 4, Homer Spit Plan, to "manage the land and other resources of the spit to accommodate its natural processes, while allowing fish, tourism, other marine related development and open space/recreational uses."

In approving a conditional use, the Commission may impose such conditions on the use as may be deemed necessary to ensure the proposal does and will continue to satisfy the applicable review criteria. Such conditions may include, but are not limited to, one or more of the following:

1. **Special yards and spaces.** No specific conditions deemed necessary.
2. **Fences, walls and screening.** No specific conditions deemed necessary.
3. **Surfacing of vehicular ways and parking areas.** No specific conditions deemed necessary.
4. **Street and road dedications and improvements (or bonds).** NA
5. **Control of vehicular ingress and egress.** No specific conditions deemed necessary.
6. **Special restrictions on signs.** No specific conditions deemed necessary.
7. **Landscaping.** A minimum three (3) foot vegetative buffer along Homer Spit Road to be planted by September 1, 2010. Condition #6
8. **Maintenance of the grounds, buildings, or structures.** Equipment in the rights-of-way violates city code.
9. **Control of noise, vibration, odors, lighting or other similar nuisances.** No specific conditions deemed necessary.
10. **Limitation of time for certain activities.** No specific conditions deemed necessary.
11. **A time period within which the proposed use shall be developed and commence operation.** If the two caretaker's units are not completed by Dec. 31, 2012 the caretaker portion of this CUP expires. Condition #6.
12. **A limit on total duration of use or on the term of the permit, or both.** The caretaker's units to be occupied by current employees of the on-site fish processing operation. Condition #5.
13. **More stringent dimensional requirements, such as lot area or dimensions, setbacks, and building height limitations. Dimensional requirements may be made more lenient by conditional use permit only when such relaxation is authorized by other provisions of the zoning code. Dimensional requirements may not be altered by conditional use permit when and to the extent other provisions of the zoning code expressly prohibit such alterations by conditional use permit.** No specific conditions deemed necessary.

14. **Other conditions necessary to protect the interests of the community and surrounding area, or to protect the health, safety, or welfare of persons residing or working in the vicinity of the subject lot.**

The Public Works Department had the following comments: No Comment

The Fire Department had the following comments: Fire Marshal not required.

The Port and Harbor Department had the following comments: City should do some mitigation work on Lot 12B to resolve drainage issues in the area. These improvements could include a paved area for truck loading and forklift maneuvering, maintenance and snow storage. The improvements would aid in handling hundreds of truck loads per year.

The City Manager has agreed to meet with the Fish Factory and Port and Harbor to address the described drainage issues.

STAFF COMMENTS/RECOMMENDATIONS: *Approving a CUP requires five yes votes.*

Approve CUP 10-05 located at 800 Fish Dock Road, Lot 12-A1 Homer Port Industrial #3 to allow:

- Two caretaker's residences, and
- More than one building containing a permitted principal use on a lot, and
- More than 8,000 square feet of building area and an excess of 30% of the lot area by adopting findings with the following:

Conditions:

1. On-site RV's to be removed by October 31, 2010.
2. Applicant to provide 5 parking spaces.
3. All exterior fuel tanks to be properly anchored prior to June 15, 2010 or the issuance of a Zoning Permit. Reference FEMA's publication titled: *Anchor Fuel Tanks*.
4. If the caretaker's units are not completed by Dec. 31, 2012 the caretaker portion of this CUP expires.
5. The caretaker's units to be occupied by current employees of the on-site fish processing operation.
6. A minimum three (3) foot vegetative buffer along Homer Spit Road to be planted by September 1, 2010.

ATTACHMENTS

1. Application
2. Location map
3. Site Plan
4. Building elevations
5. Survey

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
Web Site www.ci.homer.ak.us

Conditional Use Permit Application Requirements:

1. A Site Plan
2. Right of Way Access Plan
3. Parking Plan
4. A map showing neighboring lots and a narrative description of the existing uses of all neighboring lots. (Planning can provide a blank map for you to fill in).
5. Completed Application Form
6. Payment of application fee (nonrefundable)
7. Any other information required by code or staff, to review your project

Circle Your Zoning District

	RR	UR	RO	CBD	TCD	GBD	GC1	GC2	MC	MI	OSR	BCWPD
Level 1 Site Plan	x	x	x			x			x		x	x
Level 1 ROW Access Plan	x	x							x		x	
Level 1 Site Development Requirements	x	x	x									
Level 1 Lighting				x	x	x	x	x	x	x		
Level 2 Site Plan				x	x					x		
Level 2 ROW Access Plan			x	x	x		x	x		x		
Level 2 Site Development Requirements				x	x	x	x	x	x	x		
Level 3 ROW Access Plan						x						
DAP/SWP questionnaire				x	x	x	x	x	x	x		

Circle applicable permits. Planning staff will be glad to assist with these questions.

Y/N Are you building or remodeling a commercial structure, or multifamily building with more than 3 apartments? If yes, Fire Marshal Certification is required. Status: _____

Y/N Will your development trigger a Development Activity Plan?
Application Status: _____

Y/N Will your development trigger a Storm water Plan?
Application Status: _____

Y/N Does your site contain wetlands? If yes, Army Corps of Engineers Wetlands Permit is required. Application Status: _____

Y/N Is your development in a floodplain? If yes, a Flood Development Permit is required.

Y/N Does your project trigger a Community Design Manual review?
If yes, complete the design review application form.

Y/N Do you need a traffic impact analysis?

Y/N Are there any nonconforming uses or structures on the property?

Y/N Have they been formally accepted by the Homer Advisory Planning Commission? NA

Y/N Do you have a state or city driveway permit? Status: _____

Y/N Do you have active City water and sewer permits? Status: _____

Applicant

Name: The Fish Factory, LLC Telephone No.: 235-1300

Address: 800 Fish Dock Road Email: mikemcfish@hotmail.com

Property Owner (if different than the applicant):

Name: City of Homer Telephone No.:

Address: 491 E. Pioneer Ave. Email:

PROPERTY INFORMATION:

Address: 800 Fish Dock Rd Lot Size: 0.63 acres KPB Tax ID # 18103421

Legal Description of Property: Lot 12-A1 Homer Port Industrial #3

1. Currently, how is the property used? Are there buildings on the property? How many square feet? Uses within the building(s)? The main building, 10,360 square feet of which 7,400 square feet is enclosed and used for fish processing and product storage. Various out buildings (connex), approximately 900 square feet, hold processing material and equipment. Additional fish processing equipment and supplies are stored outdoors. An ice house, 380+- square feet, is used for winter operation and fronts Fish Dock Road. The main building also has 4 offices, an employee kitchen, bathrooms, break room and laundry facilities.
2. What is the proposed use of the property? How do you intend to develop the property? (Attach additional sheet if needed. Provide as much information as possible) Caretaker's units are needed for employee sleeping accommodations. All kitchen and bathroom facilities are in the main building. The Fish Factory is open 24/7/365 and needs 2-3 employees to safely operate the machinery, production and shipment of product at any hour of the day.

CONDITIONAL USE INFORMATION: (Please use additional sheet(s), if necessary)

a. What code citation authorizes each proposed use and structure by conditional use permit? HCC21.30.030(g) Caretaker's residence as an accessory to a permitted or conditionally permitted use.

b. Describe how the proposed uses(s) and structures(s) are compatible with the purpose of the zoning district. Operating fish processing plant; need to have 2-3 onsite employees due to operating, security and safety.

c. How will your proposed project affect adjoining property values? No effect on adjoining properties.

d. How is your proposal compatible with existing uses of the surrounding land? The proposal is compatible.

e. Are/will public services adequate to serve the proposed uses and structures? YES

f. How will the development affect the harmony in scale, bulk, coverage and density upon the desirable neighborhood character, and will the generation of traffic and the capacity of surrounding streets and roads be negatively affected? Improve the neighborhood character.

g. Will your proposal be detrimental to the health, safety or welfare of the surrounding area or the city as a whole? NO.

h. How does your project relate to the goals of the Comprehensive Plan?
The 2006 Town Center Plan: _http://clerk.ci.homer.ak.us/tcdplan.pdf
The 1999 Comprehensive Plan:
http://planning.ci.homer.ak.us/PLANNINGWEBPAGES/DefaultLinks/Complan99.pdf

i. The Planning Commission may require you to make some special improvements. Are you planning on doing any of the following, or do you have suggestions on special improvements you would be willing to make? **(circle each answer)**

1. Y/N Special yards and spaces.
2. Y/N Fences, walls and screening.
3. Y/N Surfacing of parking areas.
4. Y/N Street and road dedications and improvements (or bonds).
5. Y/N Control of points of vehicular ingress & egress.
6. Y/N Special provisions on signs.
7. Y/N Landscaping.
8. Y/N Maintenance of the grounds, buildings, or structures.
9. Y/N Control of smoke, odors, gases, particulate matters, noise, vibration, heat, glare, water and solid waste pollution, dangerous materials, material and equipment storage, or other similar nuisances.
10. Y/N Time for certain activities.
11. Y/N A time period within which the proposed use shall be developed.
12. Y/N A limit on total duration of use.
13. Y/N Special dimensional requirements such as lot area, setbacks, building height.
14. Y/N Other conditions deemed necessary to protect the interest of the community.
15. Y/N Control of smoke, odors, gases, particulate matters, noise, vibration, heat, glare, water and solid waste pollution, dangerous materials, material and equipment storage, or other similar nuisances.
16. Y/N Time for certain activities.
17. Y/N A time period within which the proposed use shall be developed.
18. Y/N A limit on total duration of use.
19. Y/N Special dimensional requirements such as lot area, setbacks, building height.
20. Y/N Other conditions deemed necessary to protect the interest of the community.

PARKING

1. How many parking spaces are required for your development? Five
   If more than 24 spaces are required see HCC 21.50.030(f)(1)(b).
2. How many spaces are shown on your parking plan? Two on-site and three on the 'strip"
3. Are you requesting any reductions in the number of spaces required, or proposing any joint use or off site parking? Lease agreement on strip allows for employee parking.

Include a site plan, drawn to a scale of not less than 1" = 20' which shows allow existing and proposed structures, clearing, fill, vegetation and drainage.

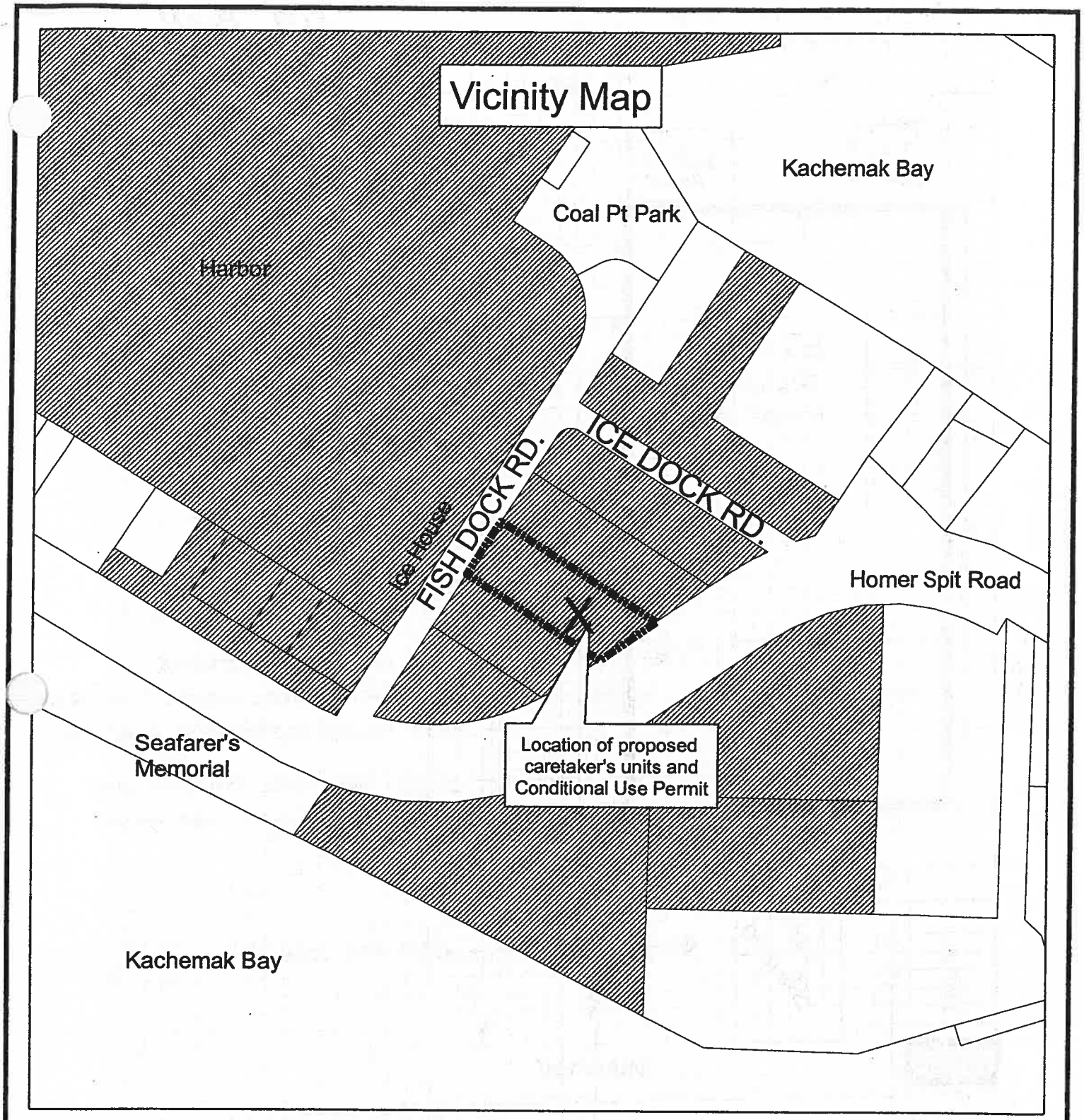
I hereby certify that the above statements and other information submitted are true and accurate to the best of my knowledge, and that I, as applicant, have the following legal interest in the property:

CIRCLE ONE: Owner of record Lessee Contract purchaser

Applicant signature: _____ Date: 3-8-2010

Property Owner's signature: Walt Wheele Date: 3/11/10

For staff use:
Date: 3/8/2010 Fee submittal: Amount $500
Received by: dhf Date application accepted as complete 3/11/10
Planning Commission Public Hearing Date: April 7, 2010



City of Homer
Planning and Zoning Department
March 24, 2010

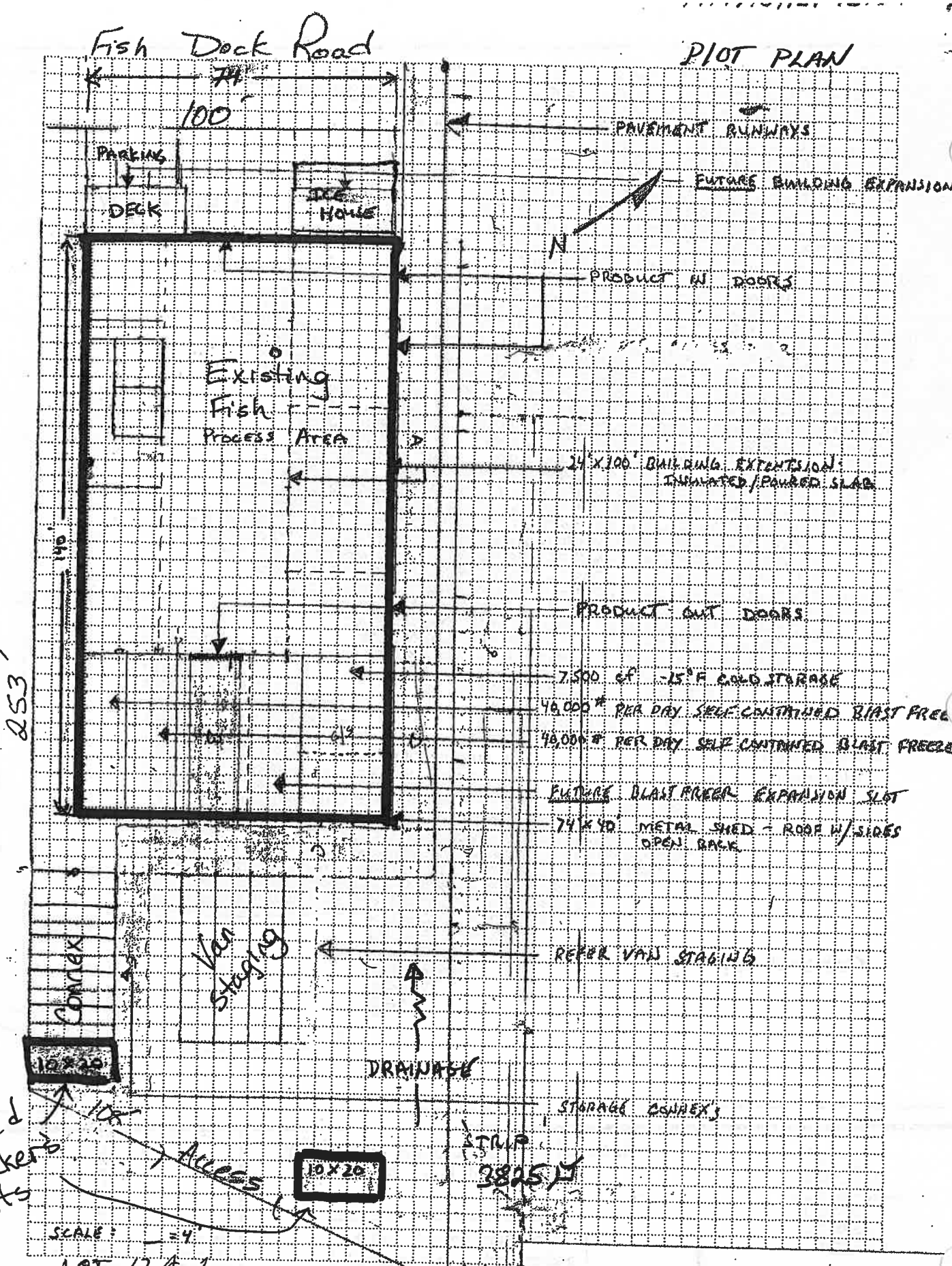
Request for a Conditional Use Permit at 800 Fish Dock Road

Marked lots are w/in 300 ft and property owners notified.

0 150 300 600 Feet

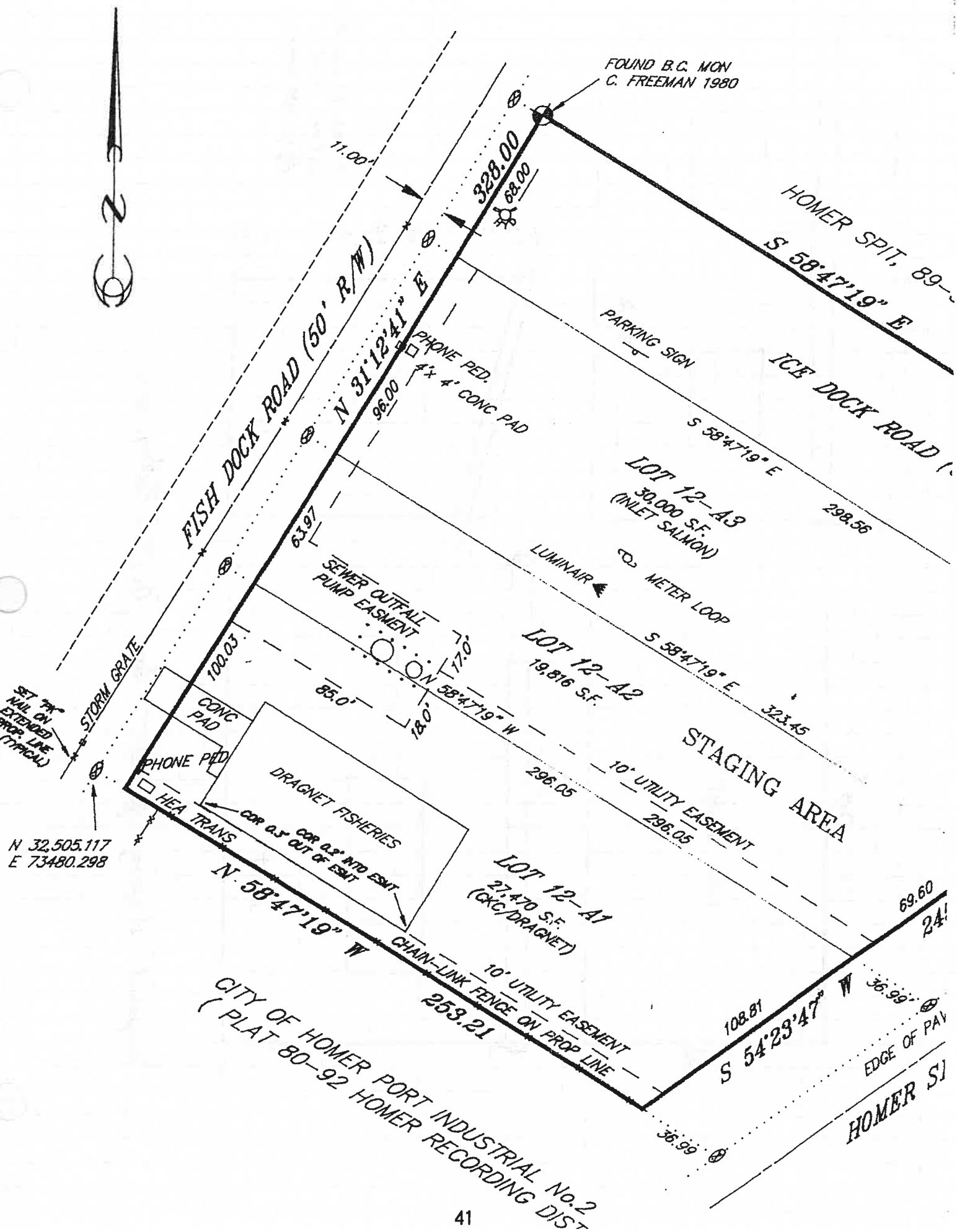
N

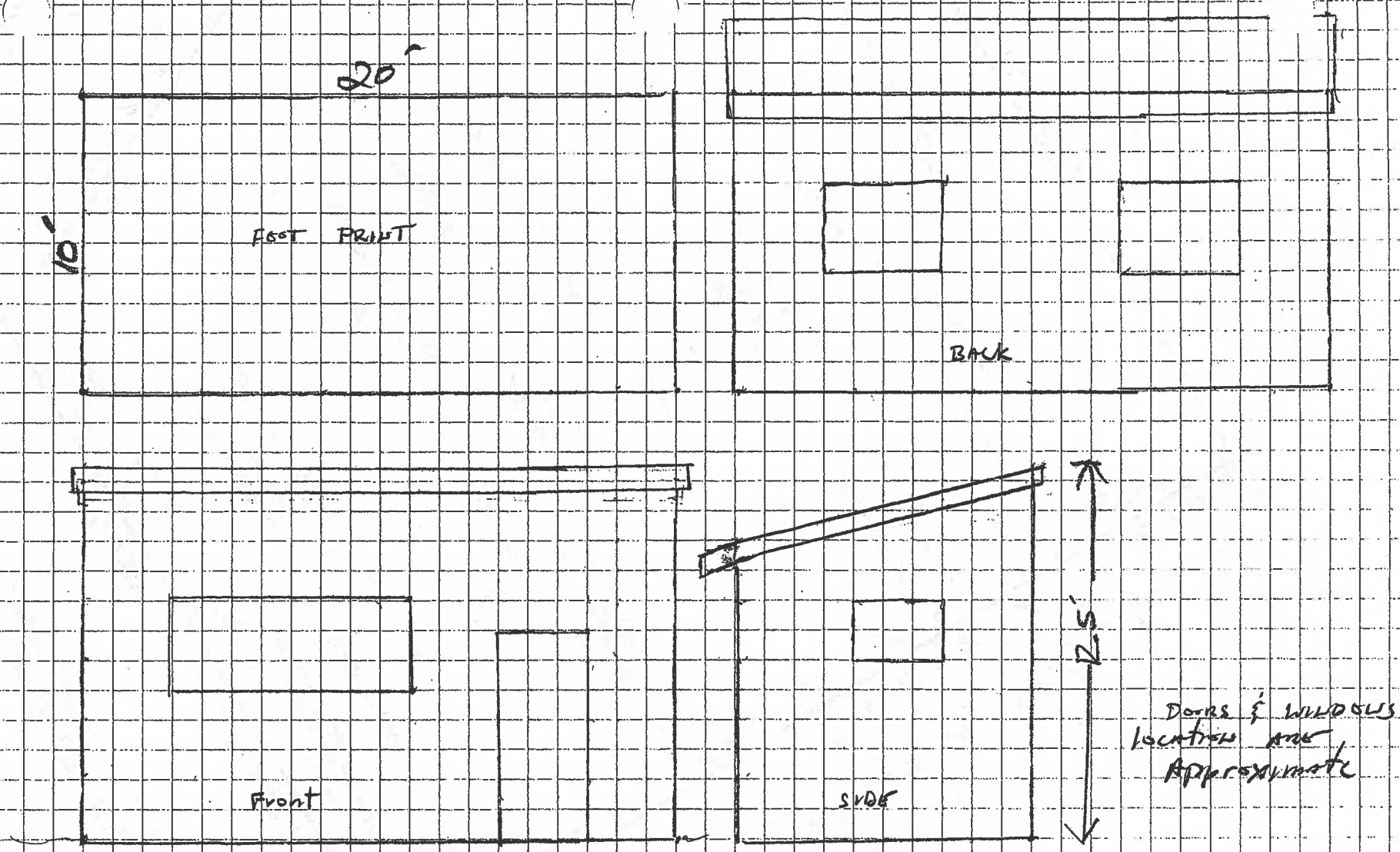
Disclaimer:
It is expressly understood the City of Homer, its council, board, departments, employees and agents are not responsible for any errors or omissions contained herein, or deductions, interpretations or conclusions drawn therefrom.



LOT 12A 1
CITY OF HOMER PORT INDUSTRIAL
SUBDIVISION NO. 2.
HOMER RECORDING DISTRICT
HOMER, ALASKA.

the fish factory
HOMER · ALASKA


FOUND B.C. MON
C. FREEMAN 1980
HOMER SPIT, 89-
S 58°47'19" E
ICE DOCK ROAD (
PARKING SIGN
S 58°47'19" E
298.56
LOT 12-A3
30,000 S.F.
(INLET SALMON)
LUMINAIR
METER LOOP
S 58°47'19" E
323.45
STAGING AREA
10' UTILITY EASEMENT
296.05
LOT 12-A1
27,470 S.F.
(CXC/DRAGNET)
10' UTILITY EASEMENT
CHAIN-LINK FENCE ON PROP LINE
253.21
N 58°47'19" W
S 54°23'47" W
108.81
69.60
36.99
EDGE OF PAV
HOMER SI
CITY OF HOMER PORT INDUSTRIAL No.2
(PLAT 80-92 HOMER RECORDING DIST
FISH DOCK ROAD (50' R/W)
11.00'
N 31°12'41" E
328.00
68.00
PHONE PED.
4' x 4' CONC PAD
96.00
63.97
SEWER OUTFALL
PUMP EASEMENT
LOT 12-A2
19,816 S.F.
17.0'
N 58°47'19" W
18.0'
85.0'
100.03
CONC PAD
PHONE PED
DRAGNET FISHERIES
COR 0.3' INTO ESMT
COR 0.3' OUT OF ESMT
HEA TRANS
STORM GRATE
SET 7/8" NAIL ON EXTENDED PROP. LINE (TYPICAL)
N 32,505.117
E 73480.298



Proposed sleeping quarters for The Fish Factory, Inc

City of Homer
Planning & Zoning
491 East Pioneer Avenue
Homer, Alaska 99603-7645

Telephone *(907) 235-8121*
Fax *(907) 235-3118*
E-mail *Planning@ci.homer.ak.us*
Web Site *www.ci.homer.ak.us*

STAFF REPORT PL 10-29

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Planning Technician
MEETING: April 7, 2010
SUBJECT: Draft Ordinance 10-XX, Amending HCC 21.75, Storm Water Plans

Requested: Conduct a Public Hearing, and make a recommendation to the Homer City Council.

GENERAL INFORMATION
This ordinance is a housekeeping measure to update HCC 21.75, Storm Water Plans.

This ordinance makes the following changes to current code:
1. It requires all (rather than only part) of the storm water plan to be prepared by a civil engineer.
2. It specifies the storm water event that must be designed for (how much rainwater over what period of time).
3. Rewrites the financial responsibility section:
   A. Requires a civil engineer to submit an estimate of how much it will cost to install the storm water plan improvements.
   B. Allows the use of escrow funds rather than requiring a bond.
   C. Increases the bonding or escrow amount from 100% of the installation cost, to 150%.
   D. Clearly states the engineer must provide written documentation that the storm water plan was installed in a way that meets the mitigation methods.

Last discussion point:
When the Commission last discussed the ordinance, one of the questions posed by staff was, is there a point at which a project is small enough that the developer does not need to bond or use escrow funds? At the time, the Commission used a project cost of $7,500. If the engineers cost estimate for the storm water mitigation installation was under $7,500, no bonding or escrow funds would be required. But the Commission wanted to discuss the issue further.
Requested Action: Discuss the concept of allowing smaller projects to avoid bonding/escrow and the dollar cost of the allowance. Please amend the ordinance by motion if desired.

STAFF COMMENTS/RECOMMENDATIONS: Conduct a public hearing. Make any amendments. Forward a recommendation to the City Council.

ATTACHMENTS
1. Draft Ordinance

P:\PACKETS\PCPacket 2010\Ordinance\Storm Water\SR010-29.docx

CITY OF HOMER
HOMER, ALASKA

Planning Commission

ORDINANCE 10-

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE 21.75.010 STORM WATER PLAN – WHEN REQUIRED, AMENDING HOMER CITY CODE 21.75.020 STANDARDS FOR STORM WATER PLAN, AND REPEALING AND REENACTING HOMER CITY CODE 21.75.030 FINANCIAL RESPONSIBILITY, REGARDING STORM WATER PLAN REQUIREMENTS.

WHEREAS, the 1999 Comprehensive Plan Update supports improving performance standards in the industrial land use area, and implementing and enforcing the performance standards of the zoning code; and

WHEREAS, Ordinance 04-11 adopted stormwater regulations, and over the past five years it has become apparent some changes are needed for the regulations to work as intended; and

WHEREAS, over time construction costs generally rise, making the required amount of the performance guaranty for stormwater plans insufficient to cure a default in compliance with the stormwater plan requirements.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. HCC 21.75.010, Storm water plan – when required, is amended by adding a subsection (c) to read as follows:

(c) A SWP shall be prepared and stamped by a person who is registered as a professional civil engineer in the State of Alaska. The engineer who prepares a SWP also shall submit to the department written post construction documentation that the installed mitigation methods meet the standards in HCC 21.75.020 and the requirements of the approved SWP.

Section 2. Subsection (i) of HCC 21.75.020, Standards for storm water plan, is amended to read as follows:

i. The post-development stormwater discharge rate shall not exceed the pre-development peak discharge rate (PDR) for the ten-year frequency storm event**, consisting of rainfall for a period of three consecutive hours at a rate of 0.5 inches per hour**.

Section 3. Subsection (m) of HCC 21.75.020, Standards for storm water plan, is amended

[**Bold and underlined added.** ~~Deleted language stricken through.~~]

to read as follows:

m. A schedule of monitoring and maintenance practices necessary to maintain the SWP control methods ~~**will be supplied by the developer to the City**~~.

Section 4. Homer City Code 21.75.030, Financial responsibility, is repealed and reenacted to read as follows:

21.75.030 Financial responsibility. a. A SWP submitted to the department shall be accompanied by the following:

1. An estimate prepared by person who is registered as a professional civil engineer in the State of Alaska of the cost of constructing and installing the mitigation methods and structures that are required to comply with the SWP; and

2. If the estimated cost exceeds $7,500, a performance guaranty meeting the requirements of subsection (b) of this section.

(b) A performance guaranty shall be in the form of either a surety bond from a company authorized to do such business in the state, or a cash deposit with the city. The terms of the performance guaranty shall provide that if the developer defaults in constructing and installing the mitigation methods and structures that are required to comply with the SWP, the city may draw upon the performance guaranty to cure the default, but that such a drawing does not relieve the developer of its obligation to comply with the SWP. The amount of the performance guaranty shall be equal to 150% of the engineer's estimate of the cost of constructing and installing the mitigation methods and structures that are required to comply with the SWP.

(c) When the engineer who prepared an SWP submits to the department written post construction documentation that the installed mitigation methods and structures meet the standards in HCC 21.75.020 and the requirements of the approved SWP, the city shall release the performance guaranty for the SWP.

Section 5. This Ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of _____ 2010.

CITY OF HOMER

_____
JAMES C. HORNADAY, MAYOR

[**Bold and underlined added.** ~~Deleted language stricken through.~~]

ATTEST:

_____
JO JOHNSON, CMC, CITY CLERK

YES:
NO:
ABSTAIN:
ABSENT:

First Reading:
Public Hearing:
Second Reading:
Effective Date:

Reviewed and approved as to form:

_____
Walt E. Wrede, City Manager
Date: _____

_____
Thomas F. Klinkner, City Attorney
Date: _____

[**Bold and underlined added.** ~~Deleted language stricken through.~~]

P:\PACKETS\PCPacket 2010\Ordinance\Storm Water\JE3152010.DOC

City of Homer
Planning & Zoning
491 East Pioneer Avenue
Homer, Alaska 99603-7645

Telephone *(907) 235-8121*
Fax *(907) 235-3118*
E-mail *Planning@ci.homer.ak.us*
Web Site *www.ci.homer.ak.us*

STAFF REPORT PL 10-33

TO: Homer Advisory Planning Commission

FROM: Rick Abboud, City Planner

MEETING: April 7, 2010

SUBJECT: Draft Homer Spit Comprehensive Plan Revised

Introduction
Pat Coleman of USKH has electronically participated in a Port Commission meeting and the joint work session of the Planning and Port Commission meeting March 3rd. He was to revise the plan according to comments received for your review and adoption. At the March 17th meeting the Commission discussed bringing the plan to a workshop for additional thought.

Action
The commission should adopt the appropriate changes and then we will make any changes and advertise for a public open house meeting to present the draft plan.

City of Homer
Planning & Zoning
491 East Pioneer Avenue
Homer, Alaska 99603-7645

Telephone *(907) 235-8121*
Fax *(907) 235-3118*
E-mail *Planning@ci.homer.ak.us*
Web Site *www.ci.homer.ak.us*

STAFF REPORT PL 10-34

TO: Homer Advisory Planning Commission

FROM: Rick Abboud, City Planner

MEETING: April 7, 2010

SUBJECT: HAPC work list

Introduction
The Commission has created a long standing work list of various concerns of Commissioners throughout the years. The work list titled with "revised JUNE 2008" represents the complete list carried forward since I have been City Planner. I would say substantial progress has been made on most all issues. Some issues may or may not be the will of the current Commission and may only be explained by a few individuals who may have been part of past conversations.

This is an opportunity to review the old list and carry forward any concerns, and then the list can be left for the archives. Since we are in a state of transition regarding the impending adoption of the comprehensive plans, I have made tentative short-term and longer-term lists. Right now I believe that our focus can be on the short-term list and perhaps making some priorities on the long-term. This is a rather daunting list and, at this point, it may be best for Commissioners to just become a bit more familiar and consider the possibilities for the future.

Action
The commission should review old work list and make recommendations to delete or carry forth concerns to short- or long-term lists. Highest priorities for long-term list can be proposed.

HOMER ADVISORY PLANNING COMMISSION
WORK LIST 2008–revised JUNE 2008

1. Comprehensive Plan update (*review scheduled*)
2
3. Homer Spit Comprehensive Plan *(Approved by CC by memorandum; funding ordinance in process)*
4. Review/amend nonconforming uses code section *(presented to HAPC May 21, 2008, postpone until new planner is hired)*
5. Develop subsections to Sensitive Areas Ordinance
   a. steep slope *(draft ordinance presented to PC –more work to come-date to be determined)*
   b. wetlands/shorelines/bluff erosion *(draft wetlands ordinance presented to HAPC – more work to come –date to be determined)*
   c. discussion/development of waterbody setbacks
   d. development standards
      i. Limit clearing w/out building
      ii. Tree protection
      iii. Regulations and incentives

6. Subdivision process
   a. subdivision agreement fitting in order of pre plat process
   b. code rewrite
   c. platting powers – partial or full from KPB
7 Title 21 rewrite
   - phase 2 –policy changes (post comp plan update)
   - 9.
8. Clarification of the issues of uses and building sizes in the residential office district

9. Review standards for rezone requests

10. Grading and filling permit/code language (*on hold pending technical rewrite of zoning code*)
    a. DAP to apply to all other zoning districts (note may be addressed thru grading and filling)

Note – unnumbered list is not prioritized

sub-zones in CBD (old town)

Lot sizes – review of minimum lot size requirements in all districts (*hold pending adoption of comp plan*)

Rezone of Ben Walters Area (recognizing changing uses)

Review Residential Office District Regulations
   a. review purpose and allowed activities –focus on East End Road
   b. The commission asked the staff to put in motion to add to the RO district.

21.48.030(n) Other similar uses….
21.48.040(d) buildings greater the 8,000 sf or 30% required CUP

HOMER ADVISORY PLANNING COMMISSION
WORK LIST 2008–revised JUNE 2008

Discussed:
21.48.040(b)(2) Commercial building setbacks. They had concerns that a commercial building with a firewall could reduce the building setback to 2 feet. Not appropriate in a residential district. They suggested a 20' setback from all lot lines.
21.48.060(h) Landscaping requirements needed to protect the neighborhood.
21.48.070 Nuisance standards
21.48.080 Lighting standards
21.48.090 Traffic standards

Review GC1 and GC2 District (review allowed uses, consider subordinate residential uses or residential outright)

Review Residential Districts (cottage industries, bed&breakfasts/roominghouse)

Review/Amendment of Planned Unit Development code

Review/amend parking code
-Spit Parking regulations *(post Spit Comp Plan)*

Town Center
a. parking requirements – on-street parking, shared/joint use parking pockets (public)
b. Homer Boulevards Document

Community Design Manual
Complete connection section
Scenic Spit
Old Town

Bridge Creek Watershed Protection District Enhancements
- amend legal boundaries of District to reflect physical watershed boundaries (*information to do this is NOT available consider removing from list*)
- propose to CC tax breaks for properties w/low impervious surface coverage and conservation lands
- annexation of City owned lands w/the district
- explore annexation of lands w/in the district w/interested parties
- low impact trail and recreation system plan w/in district (coordinate w/PR)
- propose assistance program for failing septic systems w/in the district

Definitions
- Use
- Tree thinning
- Development
- Bed & Breakfast (done in title 21 rewrite)

HOMER ADVISORY PLANNING COMMISSION
WORK LIST 2008–revised JUNE 2008

Address Drive-thru – code amendments

Review – CUP language – "other uses, similar to and not more objectionable than permitted uses listed for this district, as determined by the Commission, provided such uses are not permitted or conditionally permitted in other districts."

Storm Water Plan (SWP) and already developed properties

HCC 21.42.010 –when is a zoning permit required – land use permit? Small additions (decks)?
Itinerant Merchants/Mobile Food Vendors

Permitting for higher density development (*hold pending adoption of comp plan*)

Enforcement

Staff Note: Draft parking ordinance ready for Commission review

<u>Complete</u>

- ✓ Trails Plan
- ✓ Conservation Zoning for City Properties (EVOS)
- ✓ Policy and Procedures Manual (Update) –phase 1
- ✓ HCC 21.42 –Zoning permit –code amendments
- ✓ Bridge Creek Watershed – code amendments
    a. Driveways and impervious coverage calculations
    b. Mitigation options throughout the watershed
- ✓ Transportation Plan
- ✓ Landscaping Ordinance amendment
- ✓ Residential Office Sign Code amendment
- ✓ Town Center Development Plan
- ✓ Dimensional requirements from ROWs that access K-Bay in RR & UR
- ✓ Gateway Business District and sign code amendment
- ✓ Mitigation handbook BCWPD
- ✓ Sensitive areas ordinance and Flood Hazard from title 12 to 21
- ✓ Open Air Business definition
- ✓ Open Air Business as a Conditional Use Permit
- ✓ Sign Code amendments –sign area and cluster business language
- ✓ Rezone city owned water treatment site, from CO to RR
- ✓ Gateway overlay and Community Design Manual
- ✓ Develop guidelines/policies for mitigation plans and driveway impervious coverage calculations
- ✓ Policies and Procedures Manual and Bylaws –rewrite
- ✓ Town Center Zoning District Ordinance
    - setback review (to bring buildings closer to street)
    - building heights review
    - Community Design Manual
- ✓ Title 21 rewrite- phase 1 –technical rewrite

HAPC short term work list, through January 2010

1. Steep Slope ordinance (working on a contract with the consultant for a final review of the draft ordinance, complete by end of year)
2. RO district rewrite (Scheduled for October 15th meeting)
3. Grading/filling ordinance (next draft October/November)
4. Mobile Home/nonconforming regulations, from City Council (on agenda)
5. Clean up/update ordinances – Storm water plan code, Bridge Creek, mobile homes (starting October 15th meeting)
6. Ordinance to allow more than one home per lot without a CUP (started in RO code #2)
7. Review standards for rezones ("on deck" research and concepts reviewed, outline made – would like for the attorney to weigh in prior to introduction)
8. Storm Water Plan (SWP) and already developed properties
9. Review/Amendment of Planned Unit Development code
10. Subdivision process
11.

- Commissioner training TBA, and platting

HAPC work list 2010 March-December

- Subdivision code, visioning w HAPC, KPB plat issues, fire access issues
- Continue storm water conversation and DAP, BMP... have spent a lot of time with commission, should think about what can be achieved now w current resources
- Rezone ordinance
- Review PUD requirements (not sure for what)
- Community design manual (not a real high priority)

After comp plan adoptions:

- Spit comp plan stuff, parking, zoning, 2011

- Main comp plan stuff:
    1. Allow residential in commercial districts (small code change)
    2. Create Transition zoning district. Need to be ready for density when it comes...
    3. Fix E end mixed use district to allow for mixture of uses we have.

Building and site Design

- Adopt building codes and incentives to increase energy efficiency in all new residential and commercial development. Adopt building codes and create an inspection program.
- Consider adopting LEED standards for neighborhood development and building remodeling, and incorporate in the permit process.
- Improve zoning standards to ensure that new moderate and higher density development is attractive and a good fit with Homer's character.
- Set standards that regulate the form of development to encourage attractive, diverse housing styles. Specific design objectives are presented under Goal 5. Page 4.17.
- Develop specific policies regarding site development including standards for landscaping, grading, lighting, view protection etc., in coordination with current national efforts that promote better site development (LEED Certification standards, Sustainable Sites Initiative, Low Impact Development, etc.).
- Consider impact fees, and stormwater regulation

Subdivision Work

- Work with KPB on plat issues and write a new subdivision code to address city concerns.
- Encourage developers and provide incentives to consider including affordable housing as a percentage of new development (as is done, for example, in a number of Lower 48 resort communities, where 5-10 percent of new housing must be affordable.) Mixture of lot sizes in subdivisions!!!
- Consider impact fees, and stormwater regulation

Open Space Preservation/Natural Area Planning

- Encourage alternative methods for preserving natural areas by creating improved cluster housing/open space/Planned Unit Development zoning standards and subdivision ordinance.
- Develop and apply in all districts new standards addressing environmental issues including management of storm water, slope standards and on-site septic systems.
- Review the existing Planned Unit Development ordinance which provides the chance to offer somewhat higher density housing, in exchange for protecting natural areas, trails and environmental functions.

Natural Hazard Planning

- Develop standards for coastal bluff stabilization projects
- Create building setbacks from coastal bluffs.
- Create standards for setbacks on streams and wetlands.

- Create standards for development on steep slopes, in wetland areas and other sensitive sites, including standards for grading and drainage, vegetation clearing, building setbacks and building footprints. Include flexibility in road dimensions to avoid excessive grading.
- Create an option for a specialized review processes for hillsides and other sensitive settings (e.g., allowance for development on steeper slopes subject to submission of more extensive site analysis and engineering reports)

Permitting

- Require developers to include details about environmental features and processes, along with plans for open space, when submitting subdivisions or other developments for approval.
- Require developers to demonstrate how features that cross multiple parcels will be protected in individual projects. Use this process to create links between open space areas and integrate new development into the network of open space.
- Synthesize existing rules and regulations for both public and private development in a comprehensive design manual. For instance, it is important that the Master Roads and Streets Plan is supplemented by the Community Design Manual, Transportation Plan and a Streetscape Design Manual to balance functionality and aesthetics.
- Provide a clear and predictable approval process for every development including organizing project review and permitting and providing appropriate staff review.

Zoning District Work

- Revise the City's existing zoning code, to reflect the general land use designations presented in Objective B and Appendix B.
  - Transitional residential areas – establish a new R-2 residential district to support moderate density residential development in areas previously designated rural residential.
  - Commercial districts – encourage residential uses, while recognizing the primacy of commercial and/or industrial uses.
  - Implement new zoning districts and refine existing districts.
  - Develop standards and policies such as buffers and transitional densities to ensure high-quality higher density residential and/or mixed use development, particularly where this adjoins existing lower density residential areas. Create regulations that promote mixed use and high quality, attractive medium- to high-density development
  - Develop standards and policies for new mixed use districts, including the recently established Gateway Business district. Use "form-based" zoning strategies, encouraging a modest scale of development, while allowing for a wide range of uses. Tailor current residential office and central business district zoning to accommodate more mixed use, medium- to high-density housing, for example, through allowing for more shared parking.
  - Develop consistent design standards for new development, to complement the character of the land use. Include architectural and site development standards and standards for associated infrastructure (particularly roads and trails),
  - Allow for housing in more zones, allow for greater housing density, and support infrastructure expansion so more land is readily developable for housing.
  - More than one house on a lot without CUP

Probably some other stuff in other chapters beyond chapter 4, but this is a start….

City of Homer
Planning & Zoning
491 East Pioneer Avenue
Homer, Alaska 99603-7645

Telephone *(907) 235-8121*
Fax *(907) 235-3118*
E-mail *Planning@ci.homer.ak.us*
Web Site *www.ci.homer.ak.us*

STAFF REPORT PL 10-35

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Planning Technician
MEETING: April 7, 2010
SUBJECT: East End Road Right of way acquisition plat MP 0 to 3.75

Synopsis: the Kenai Peninsula Borough is requesting comments on the proposed right of way acquisition for the East End Road reconstruction, for the portion that has already been constructed, Mile 0 to 3.75 (Kachemak Drive).

GENERAL INFORMATION
The State of Alaska DOT has reconstructed a portion of East End Road. This plat has not been recorded. Under Kenai Peninsula Borough Code, a right of way acquisition plat is different that a regular preliminary plat. There is no notification of property owners (during this part of the process), nor is it required that cities be given the opportunity to comment. Borough code 20.04.080 (page 20-9) addresses right of way acquisition plats. The requested action from the Homer Advisory Planning Commission and city departments is to provide any comments on the easement acquisition.

PUBLIC WORKS COMMENTS: The Public Works Department had no comments.
FIRE DEPARTMENT COMMENTS: Fire Chief Painter had no comments.

STAFF COMMENTS/RECOMMENDATIONS: HAPC provide any comments on the new right of way to the Borough for consideration.

ATTACHMENTS

1. DOT plan sheets

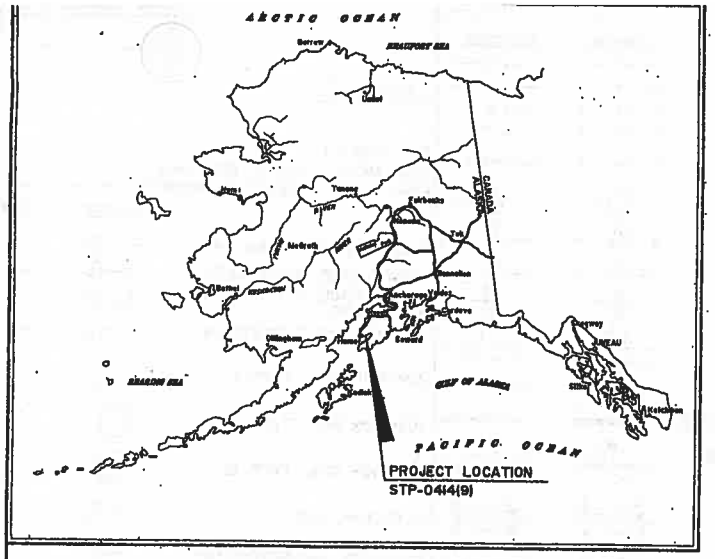
REVISIONS			
NO.	DATE	DESCRIPTION	
1	2/2/10	MISC. REVISIONS	RLD

PROJECT DESIGNATION: STP-0414(9)

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
&
PUBLIC FACILITIES

RIGHT OF WAY MAP

ALASKA PROJECT
HOMER EAST ROAD
MILEPOST 0-3.75
LAKE STREET TO
KACHEMAK BAY DRIVE
STP-0414(9)/51609

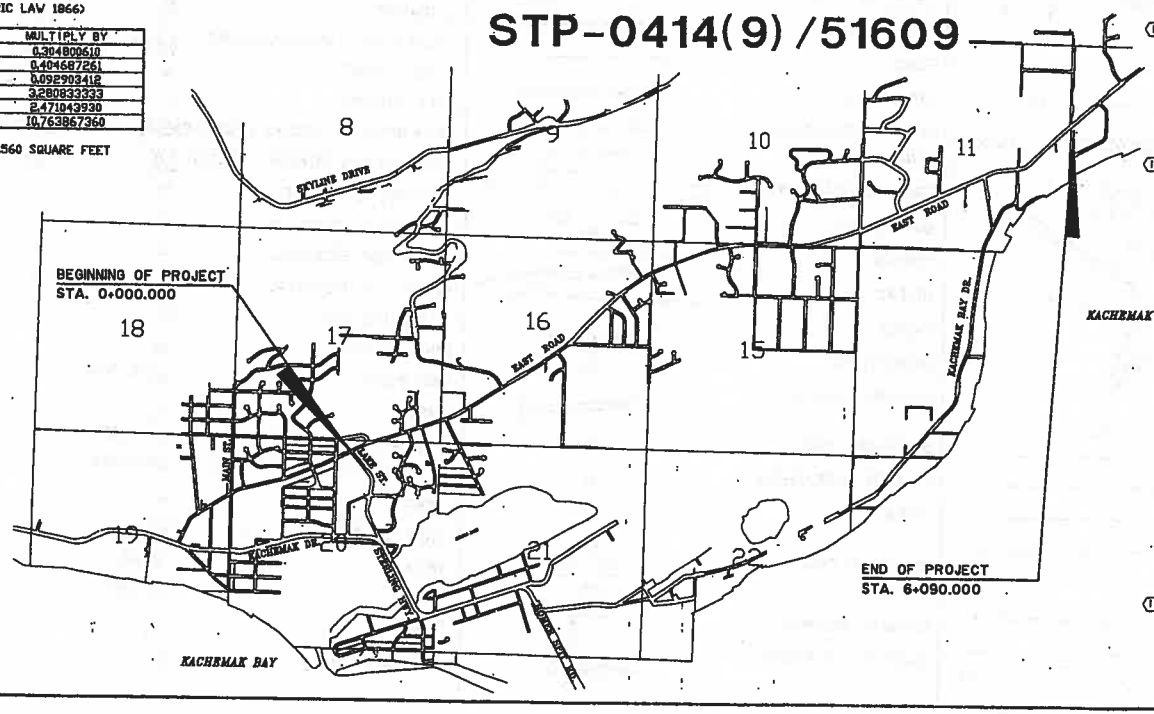


METRIC CONVERSION FACTORS

BASED ON METER - U.S. SURVEY FOOT RELATIONSHIP
1 METER = 39.37 INCHES EXACTLY. (METRIC LAW 1866)

FROM	TO	MULTIPLY BY
FOOT (U.S. SURVEY)	METER (m)	0.304800610
ACRE	HECTARE (ha)	0.404687261
SQUARE FOOT	METER^2 (m^2)	0.092903412
METER (m)	FOOT (U.S. SURVEY)	3.280833333
HECTARE (ha)	ACRE	2.471043930
METER^2 (m^2)	SQUARE FEET	10.763867360

NOTE: 1 HECTARE = 10 000 m^2; 1 ACRE = 43,560 SQUARE FEET



PROJECT LENGTH 6.950 KM.

SCALE

0 1/2 1 2 KM

PLAT APPROVAL
THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION IN ACCORDANCE WITH KPB 20.04.080 AT THE MEETING OF _____

_____
BOROUGH OFFICIAL

CONSULTANT LOCATIONS SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF ALASKA AND THAT ALL RIGHT-OF-WAY CENTERLINE MONUMENT LOCATIONS HAVE BEEN ESTABLISHED AS INDICATED ON THE RIGHT-OF-WAY PLANS, ALL EXISTING FOUND SUBDIVISION MONUMENTS, PROPERTY CORNERS AND SECTION LINE MONUMENTATION AS INDICATED ON THE RIGHT-OF-WAY PLANS HAVE BEEN REFERENCED TO PROJECT SURVEY CONTROLS BY ME OR UNDER MY SUPERVISION.

12-15-02 — 4015-S
DATE — REGISTRATION NUMBER

REGISTERED PROFESSIONAL LAND SURVEYOR

DEPARTMENT RIGHT-OF-WAY SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF ALASKA AND THAT THIS PLAT WAS MADE BY ME OR UNDER MY SUPERVISION. THIS PLAT WAS BASED UPON THE MONUMENTS RECOVERED DURING THE DEPARTMENT'S LOCATIONS SURVEY FOR THIS PROJECT.

12-15-02 — 4015-S
DATE — REGISTRATION NUMBER

REGISTERED PROFESSIONAL LAND SURVEYOR

(1) MONUMENT OF RECORD CERTIFICATION
THE CONTRACTOR REFERENCED AND REESTABLISHED MONUMENTATION AS PER THE MONUMENT SUMMARY TABLE. TO OBTAIN THE MONUMENT OF RECORD INFORMATION SEE DOCUMENT NUMBERS 2006-002542-0.

(1) DEPARTMENT RIGHT OF WAY CLOSEOUT CERTIFICATE
I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF ALASKA AND THAT THE 2010 REVISIONS WERE MADE BY ME OR UNDER MY DIRECT SUPERVISION.

DATE — REGISTRATION NUMBER

P. LOUISE HOOVER

DEPARTMENT OF
TRANSPORTATION & PUBLIC FACILITIES

APPROVED December 6, 2002
Date

REGIONAL CHIEF R/W AGENT

(1) WITHIN SEC 10, 11, 15, 16, 20
T6S R13W S.M.

HOMER RECORDING DISTRICT

STATE BUSINESS - NO FEE

RECOVERED	TO BE SET THIS PROJECT
GOV'T SECTION CORNER	
GOV'T 1/4 SECTION CORNER	
GOV'T 1/6 SECTION CORNER	
GOV'T SURVEY MONUMENT	
GOV'T TRIANGULATION STA.	
PRIMARY MONUMENT (BRASS/AL CAP)	
MISC. CORNER	
CENTERLINE SURVEY MONUMENT	

INTERNATIONAL BOUNDARY LINE

TOWNSHIP & RANGE LINE

SECTION OR LOT LINES

1/4 SECTION LINE

1/16 SECTION LINE

CORPORATE or CITY LIMITS

SECTION LINE INTERSECTION

PROJECT CENTERLINE

PROJECT RIGHT-OF-WAY LINE

CONTROLLED ACCESS LINE

PERMIT LINE

EXISTING EASEMENT LINE

RAILROAD LINE

LIMIT OF CUT SLOPE

LIMIT OF FILL SLOPE

EXISTING RIGHT-OF-WAY

RIGHT-OF-WAY REQUIRED

STATION EQUATIONS

EXISTING

U.G. TELEPHONE (DIRECT BURY)

U.G. ELECTRIC (DIRECT BURY)

U.G. DUCT

TELEPHONE MANHOLE

ELECTRIC MANHOLE

FOUNDATION

BUILDING

INTERMITTENT DRAINAGE

INTERCEPTOR DITCH

GUARD RAIL

RETAINING WALL

NOISE BARRIER

FENCE

STONE FENCE

HEAD & WINGWALLS

TUNNEL

EXISTING ROADWAY

MARSHLAND

CREEKS

RIVERS

LAKES

RESERVOIRS

CHANNEL CHANGE

DECIDUOUS TREE

CONIFER TREE/SHRUB

SHRUB

GROUP OF SHRUBS

HIGHWAY MILEPOST

RAILROAD MILEPOST

	EXISTING	PROPOSED
PIPELINES:		
SANITARY SEWER		
OIL		
GAS		
WATER		
STORM DRAIN		
MANHOLE	M.H.	M.H.
FIRE HYDRANT		
METER		
PIPE CULVERTS		
SIDEWALK		
CONCRETE CURB		
CONCRETE CURB & GUTTER		
DRIVEWAYS, APPROACHES, & SIDEDRAINS		
BRIDGE		
RIPRAP		
UTILITY POLE		
LUMINAIRE		
UTILITY POLE WITH LUMINAIRE		
GROUND LIGHT		
POLE ANCHOR		
TRANSMISSION TOWERS (WOOD)		
TRANSMISSION TOWERS (STEEL)		
ELECTRICAL OUTLET		
ELECTRICAL PEDESTAL		
TELEPHONE PEDESTAL		
CABLE T.V. PEDESTAL		
SATELLITE DISH		
PRIVATE SIGN		
GAS PUMP	GAS PUMP	
POST		
BOULDER	BOULDER	
PLANTER	PLANTER	
VENT		
TANK VENT		
WELL	WELL	
SEWER	SEWER	
TANKS: Above Ground		
Below Ground		

PROJECT DESIGNATION	SHEET NO.	TOTAL SHEETS

TRAFFIC

PVC CONDUIT

RIGID METAL CONDUIT (EXISTING)

RIGID METAL CONDUIT (PROPOSED)

	EXISTING	PROPOSED
SIGNAL FACE, VEHICULAR		
SIGNAL FACE, BACKPLATE		
SIGNAL FACE, LEFT TURN, BACKPLATE		
SIGNAL FACE, PEDESTRIAN		
JUNCTION BOX, TYPE I		
JUNCTION BOX, TYPE II		
JUNCTION BOX, TYPE III		
DETECTOR, LOOP	4	4
DETECTOR, MAGNETOMETER		
DETECTOR, RADAR	R	R
DETECTOR, SONIC	S	S
DETECTOR, OPTICOM		
DETECTOR, PUSH BUTTON (DIRECTION)	5	5
SIGNAL CONTROLLER		
LOAD CENTER		
SIGNAL POLE	2	
SIGNAL POLE w/MASTARM	3	5

FOR STRIPING PLANS

SOLID WHITE STRIPE

SOLID YELLOW STRIPE

BROKEN WHITE or YELLOW STRIPE

DASH YELLOW STRIPE

SOLID YELLOW STRIPE with BROKEN YELLOW STRIPE

HOMER RECORDING DISTRICT

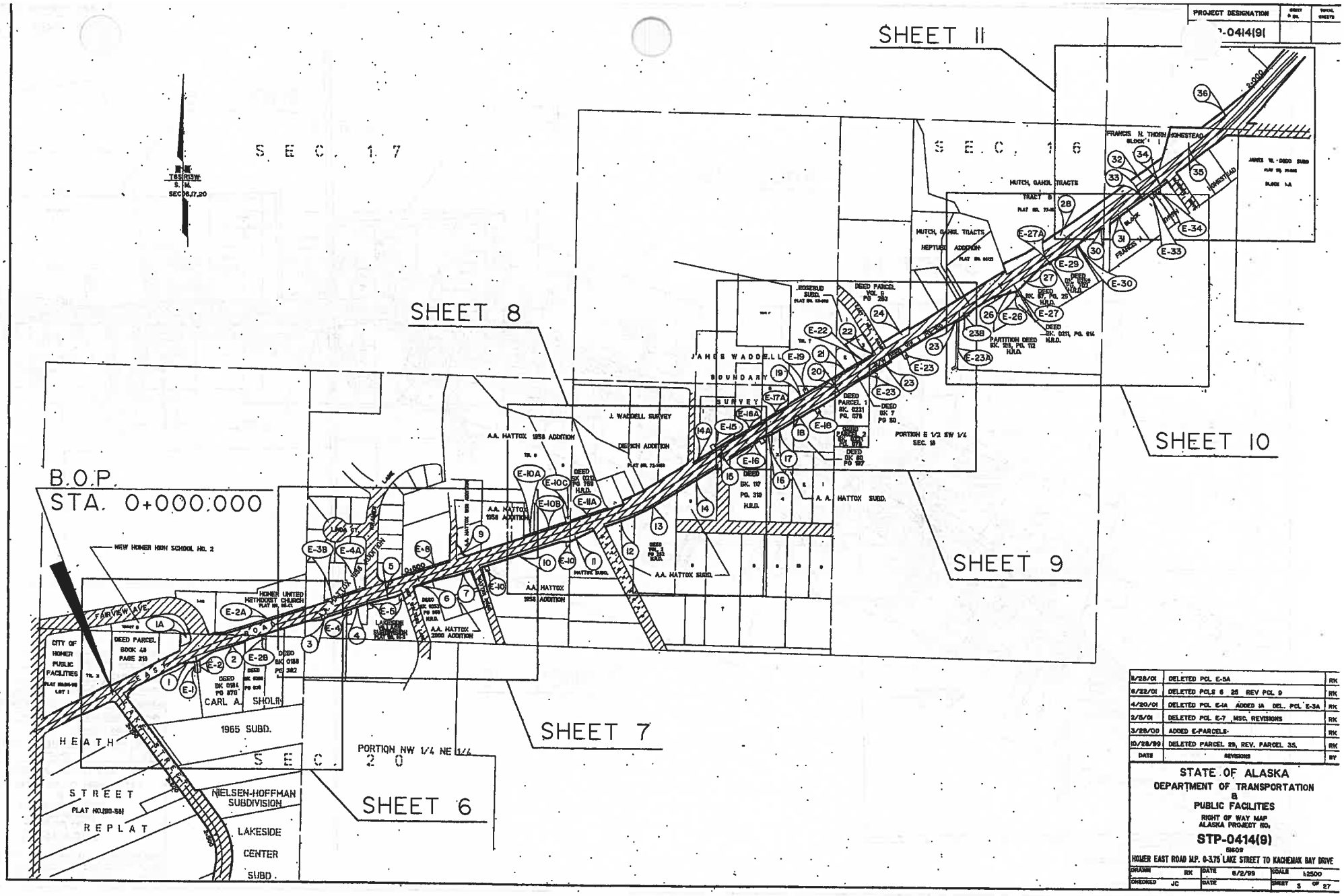
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
&
PUBLIC FACILITIES
CENTRAL REGION

STP-0414(9)

STANDARD LEGEND SHEET

HOMER EAST ROAD MP. 0-3.75 LAKE STREET TO KACHEMAK BAY DR

DRAWN RK	DATE 5/20/98	SCALE N.T.S.
CHECKED JC	DATE	SHEET 2 OF



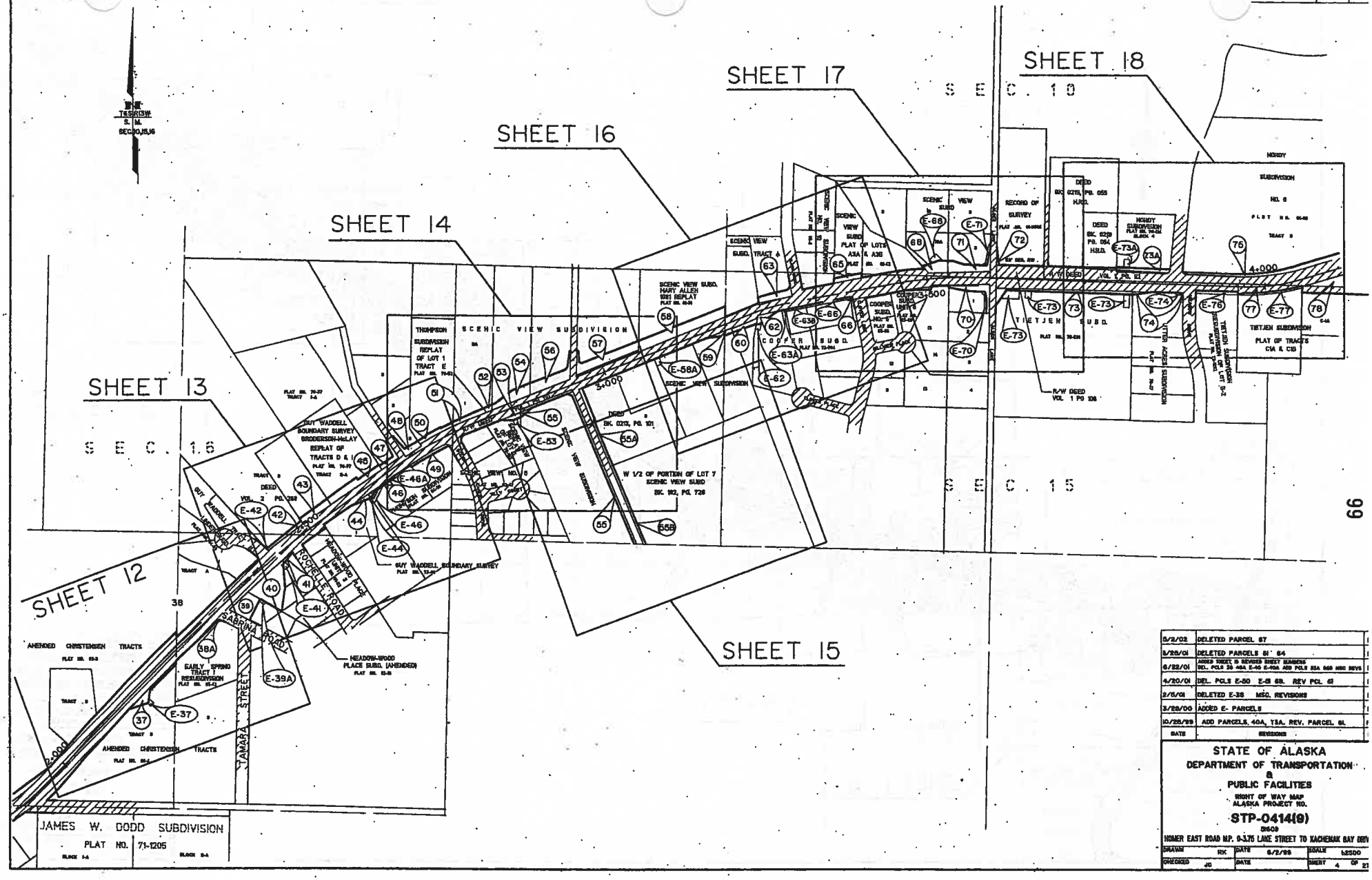
PROJECT DESIGNATION	SHEET # OF	TOTAL SHEETS
STP-0414(9)		

DATE	REVISIONS	BY
8/28/01	DELETED PCL E-5A	RK
6/22/01	DELETED PCLS 6 25 REV PCL 9	RK
4/20/01	DELETED PCL E-1A ADDED 1A DEL. PCL E-3A	RK
2/5/01	DELETED PCL E-7 MISC. REVISIONS	RK
3/28/00	ADDED E-PARCELS.	RK
10/28/99	DELETED PARCEL 29, REV. PARCEL 35.	RK

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES
RIGHT OF WAY MAP
ALASKA PROJECT NO.
STP-0414(9)
5609
HOMER EAST ROAD M.P. 0-3.75 LAKE STREET TO KACHEMAK BAY DRIVE

DRAWN	RK	DATE	6/2/99	SCALE	1:2500
CHECKED	JC	DATE		SHEET 3	OF 27

PROJECT DESIGNATION	SHEET NO.	TOTAL SHEETS
STP-0414(9)		



DATE	REVISIONS
5/2/02	DELETED PARCEL 67
5/28/01	DELETED PARCELS 61 64
6/22/01	ADDED SHEET 8 REVISED SHEET NUMBERS DEL. PCLS 38 40A E-40 E-40A ADD PCLS 52A 55B MISC REVS
4/20/01	DEL. PCLS E-50 E-61 69. REV PCL. 62
2/15/01	DELETED E-38 MISC. REVISIONS
3/28/00	ADDED E- PARCELS
10/28/99	ADD PARCELS, 40A, 73A. REV. PARCEL 61

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
&
PUBLIC FACILITIES

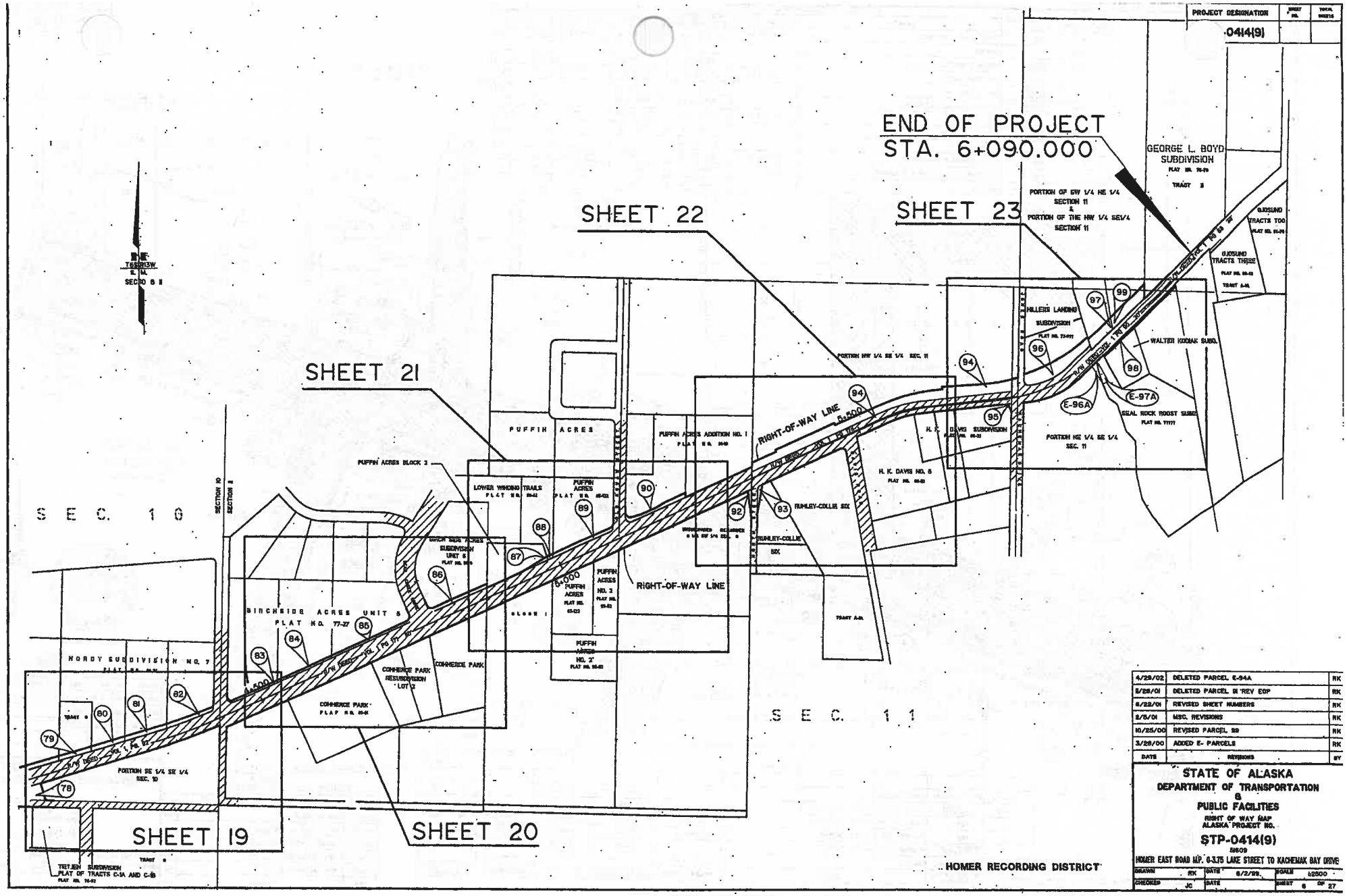
RIGHT OF WAY MAP
ALASKA PROJECT NO.

STP-0414(9)

DHOD

HOMER EAST ROAD M.P. 0.375 LAKE STREET TO KACHEMAK BAY DRIVE

DRAWN	RK	DATE	5/2/99	SCALE	1:2500
CHECKED	JD	DATE		SHEET	4 OF 21

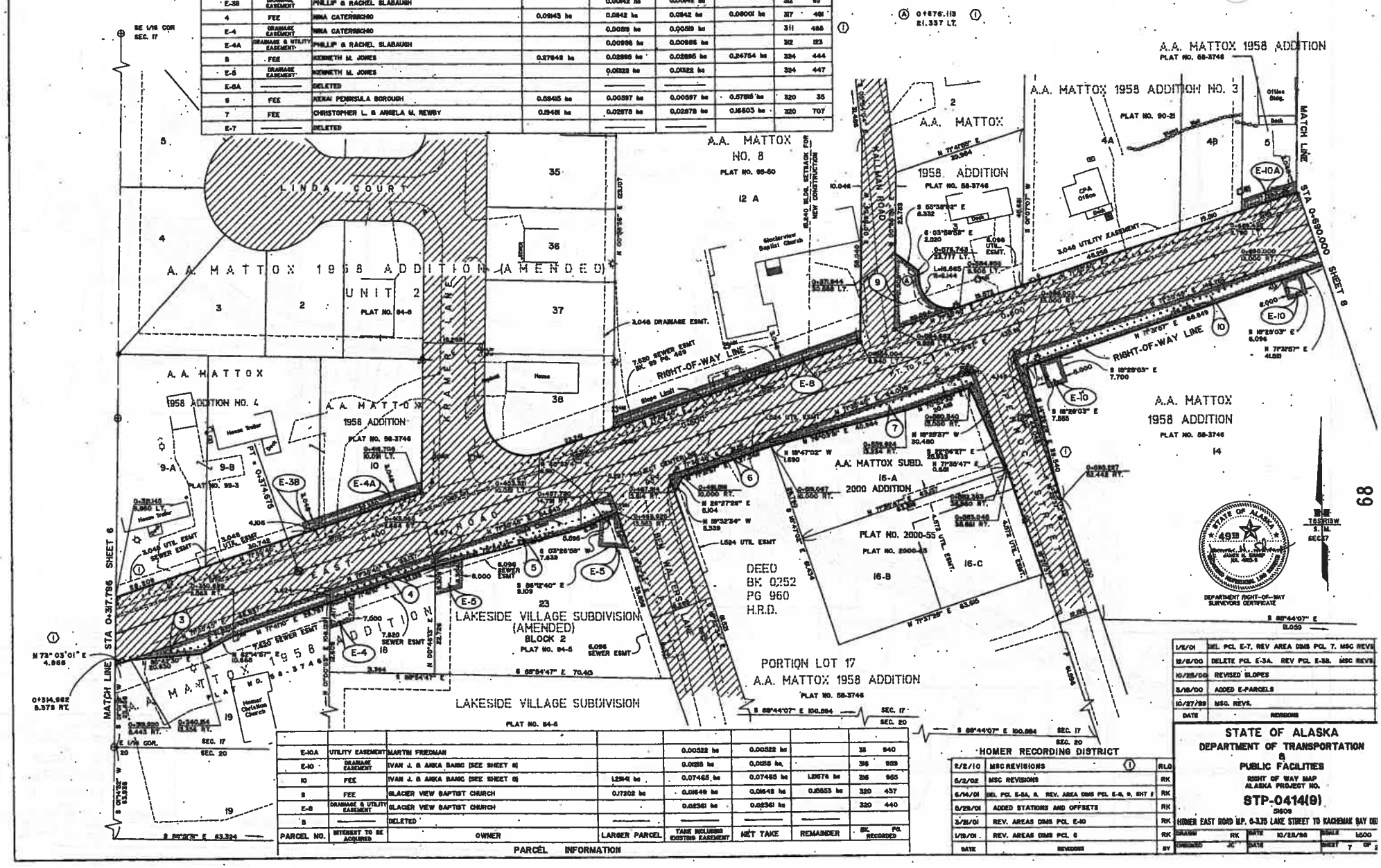


DATE	REVISIONS	BY
4/29/02	DELETED PARCEL E-94A	RK
5/28/01	DELETED PARCEL 91 REV EOP	RK
6/22/01	REVISED SHEET NUMBERS	RK
2/5/01	MISC. REVISIONS	RK
10/25/00	REVISED PARCEL 99	RK
3/28/00	ADDED E- PARCELS	RK

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
&
PUBLIC FACILITIES
RIGHT OF WAY MAP
ALASKA PROJECT NO.
STP-0414(9)
HOMER EAST ROAD MP. 0-3.75 LAKE STREET TO KACHEMAK BAY DRIVE

DRAWN RK	DATE 6/2/99	SCALE 1:2500	
CHECKED JC	DATE	SHEET 6 OF 27	

PROJECT DESIGNATION		
STP-0414(9)		



PARCEL INFORMATION

PARCEL NO.	INTEREST TO BE ACQUIRED	OWNER	LARGER PARCEL	TAKE INCLUDING EXISTING EASEMENT	NET TAKE	REMAINDER	BK.	PG. RECORDED
3	FEE	HOMER CHURCH OF CHRIST	0.62234 ha	0.01936 ha	0.01936 ha	0.60298 ha	318	270
E-3A	———	DELETED		———	———			
E-3B	DRAINAGE EASEMENT	PHILLIP & RACHEL SLABAUGH		0.00142 ha	0.00142 ha		312	85
4	FEE	NINA CATERBICHO	0.09243 ha	0.0842 ha	0.0842 ha	0.08001 ha	317	481
E-4	DRAINAGE EASEMENT	NINA CATERBICHO		0.0039 ha	0.0039 ha		311	485
E-4A	DRAINAGE & UTILITY EASEMENT	PHILLIP & RACHEL SLABAUGH		0.00996 ha	0.00996 ha		312	123
5	FEE	KENNETH M. JONES	0.27649 ha	0.02895 ha	0.02895 ha	0.24754 ha	324	444
E-5	DRAINAGE EASEMENT	KENNETH M. JONES		0.01322 ha	0.01322 ha		324	447
E-5A	———	DELETED		———	———			
6	FEE	KENAI PENINSULA BOROUGH	0.58415 ha	0.00597 ha	0.00597 ha	0.57818 ha	320	35
7	FEE	CHRISTOPHER L. & ANGELA M. NEWBY	0.15481 ha	0.02878 ha	0.02878 ha	0.12603 ha	320	707
E-7	———	DELETED		———	———			

PARCEL INFORMATION

PARCEL NO.	INTEREST TO BE ACQUIRED	OWNER	LARGER PARCEL	TAKE INCLUDING EXISTING EASEMENT	NET TAKE	REMAINDER	BK.	PG. RECORDED
E-10A	UTILITY EASEMENT	MARTIN FRIEDMAN		0.00322 ha	0.00322 ha		33	940
E-10	DRAINAGE EASEMENT	IVAN J. & ANKA BANIC (SEE SHEET 6)		0.0258 ha	0.0258 ha		36	959
10	FEE	IVAN J. & ANKA BANIC (SEE SHEET 6)	1.2941 ha	0.07465 ha	0.07465 ha	1.22076 ha	36	955
9	FEE	GLACIER VIEW BAPTIST CHURCH	0.77202 ha	0.01649 ha	0.01649 ha	0.75553 ha	320	437
E-9	DRAINAGE & UTILITY EASEMENT	GLACIER VIEW BAPTIST CHURCH		0.02361 ha	0.02361 ha		320	440
8	———	DELETED		———	———			

DATE	REVISIONS	BY
1/8/01	REV. AREAS DIMS PCL. 6	RK
3/28/01	REV. AREAS DIMS PCL. E-10	RK
5/29/01	ADDED STATIONS AND OFFSETS	RK
6/14/01	DEL. PCL. E-5A, 8. REV. AREA DIMS PCL. E-9, 9. SHT 8	RK
6/2/02	MSC REVISIONS	RK
8/2/10	MSC REVISIONS	RLO

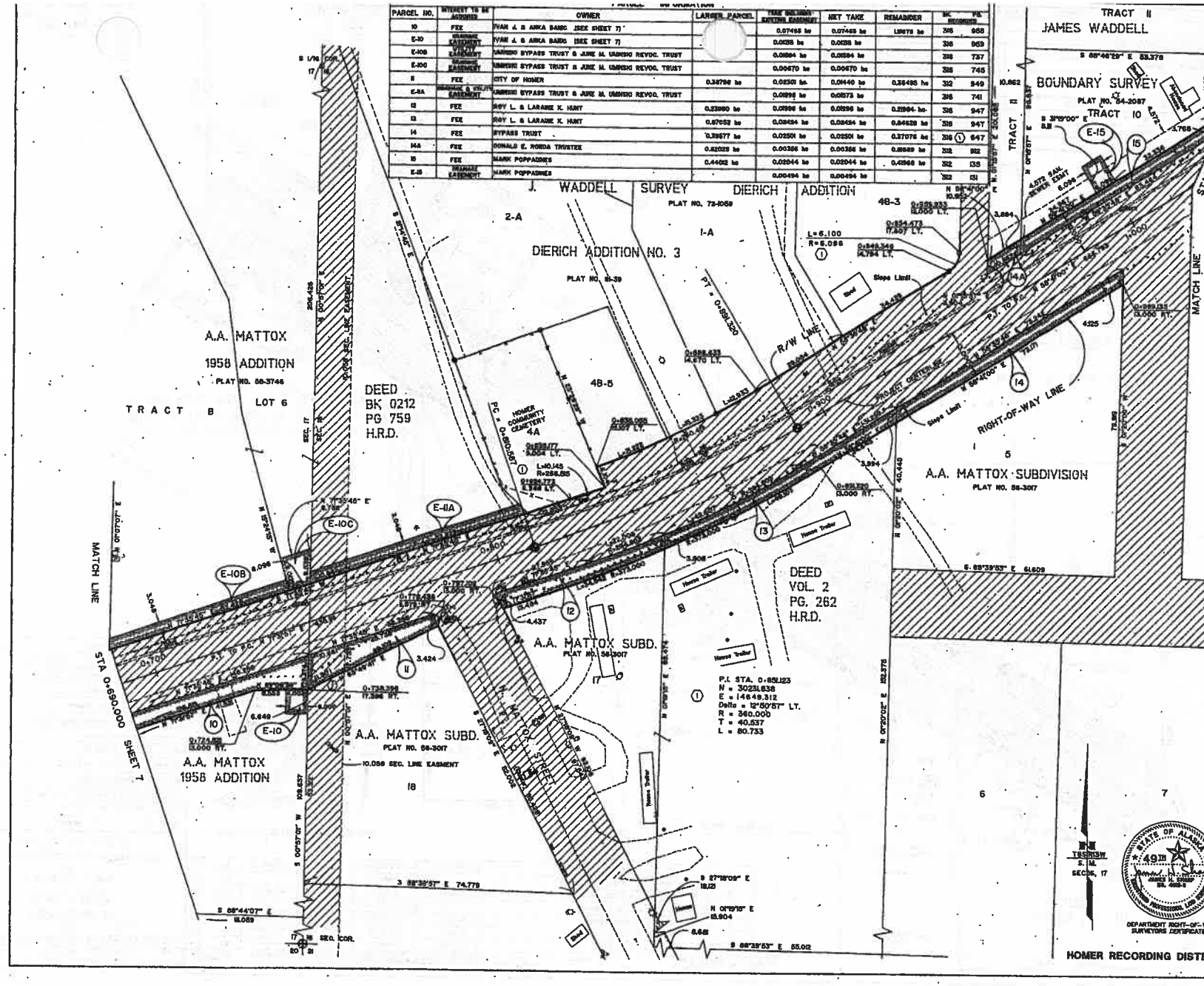
DATE	REVISIONS
1/8/01	DEL. PCL. E-7. REV AREA DIMS PCL. 7. MSC REVS.
12/6/00	DELETE PCL. E-3A. REV PCL. E-3B. MSC REVS.
10/25/00	REVISED SLOPES
5/16/00	ADDED E-PARCELS
10/27/99	MSC. REVS.

HOMER RECORDING DISTRICT

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES
RIGHT OF WAY MAP
ALASKA PROJECT NO.
STP-0414(9)
5809
HOMER EAST ROAD M.P. 0-3.75 LAKE STREET TO KACHEMAK BAY DRIVE

DRAWN	RK	DATE	10/25/99	SCALE	1:500
CHECKED	JC	DATE		SHEET	7 OF 8

PARCEL NO.	INTEREST TO BE ACQUIRED	OWNER	LARGER PARCEL	TAKE BELOW EXISTING EASEMENT	NET TAKE	REMAINDER	BK. RECORDED	PG. RECORDED
10	FEE	IVAN J. & ANKA BANIC (SEE SHEET 7)		0.07493 ha	0.07493 ha	1.9679 ha	316	955
E-10	DRAINAGE & UTILITY EASEMENT	IVAN J. & ANKA BANIC (SEE SHEET 7)		0.0028 ha	0.0028 ha		316	959
E-10B	TEMP. EASEMENT	UMINSKI BYPASS TRUST & JUNE M. UMINSKI REVOC. TRUST		0.00384 ha	0.00384 ha		316	737
E-10C	TEMP. EASEMENT	UMINSKI BYPASS TRUST & JUNE M. UMINSKI REVOC. TRUST		0.00670 ha	0.00670 ha		316	743
11	FEE	CITY OF HOMER	0.38798 ha	0.02301 ha	0.01440 ha	0.36495 ha	312	949
E-11A	DRAINAGE & UTILITY EASEMENT	UMINSKI BYPASS TRUST & JUNE M. UMINSKI REVOC. TRUST		0.00198 ha	0.00173 ha		316	741
12	FEE	ROY L. & LARAINE K. HUNT	0.23980 ha	0.01396 ha	0.01396 ha	0.22584 ha	316	947
13	FEE	ROY L. & LARAINE K. HUNT	0.87052 ha	0.02434 ha	0.02434 ha	0.84618 ha	316	947
14	FEE	BYPASS TRUST	0.39577 ha	0.02201 ha	0.02201 ha	0.37076 ha	316 (1)	947
14A	FEE	DONALD E. NORDA TRUSTEE	0.42023 ha	0.00356 ha	0.00356 ha	0.41667 ha	312	912
15	FEE	MARK POPPADIKES	0.44062 ha	0.02044 ha	0.02044 ha	0.42018 ha	312	135
E-15	DRAINAGE EASEMENT	MARK POPPADIKES		0.00494 ha	0.00494 ha		312	131



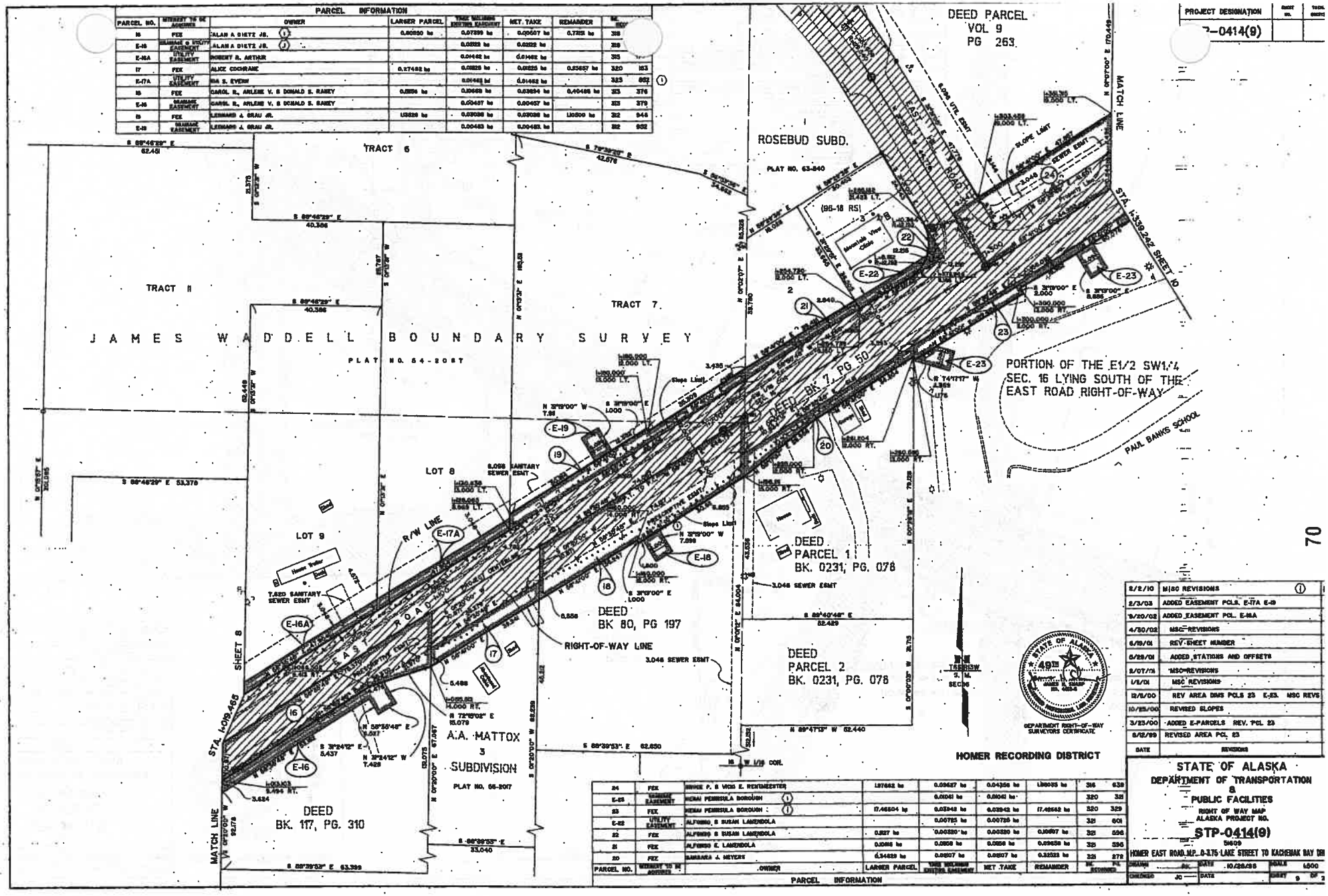
DATE	REVISIONS	BY
2/2/10	MISC REVISIONS (1)	RLG
9/20/02	ADDED EASEMENT PCL. 15	RK
5/2/02	MSC REVISIONS	RK
6/19/01	REV SHEET NUMBER	RK
5/29/01	ADDED STATIONS AND OFFSETS	RK
3/21/01	REVISED AREAS DMS PCL. E-10	RK
10/25/00	REVISED SLOPES	RK
3/23/00	ADDED E-PARCELS	RK
10/27/99	MSC. REVS.	RK

PROJECT DESIGNATION 0414(9)

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES
RIGHT OF WAY MAP
ALASKA PROJECT NO.
STP-0414(9)
55609
HOMER EAST ROAD M.P. 0-3.75 LANE STREET TO KACHEMAK BAY DRIVE

DRAWN RK | DATE 10/28/98 | SCALE 1:500
CHECKED JC | DATE | SHEET 8 OF 27

PROJECT DESIGNATION	SHEET NO.	TOTAL SHEETS
STP-0414(9)		



PARCEL INFORMATION

PARCEL NO.	INTEREST TO BE ACQUIRED	OWNER	LARGER PARCEL	TAKE MINUS EXISTING EASEMENT	NET TAKE	REMAINDER	MC RECORDER	PG RECORDER
16	FEE	ALAN A DIETZ JR. (1)	0.80850 ha	0.07399 ha	0.06507 ha	0.7251 ha	318	
E-16	DRAINAGE & UTILITY EASEMENT	ALAN A DIETZ JR. (1)		0.0222 ha	0.0222 ha		319	
E-16A	UTILITY EASEMENT	ROBERT R. ARTHUR		0.01462 ha	0.01462 ha		313	
17	FEE	ALICE COCHRANE	0.27462 ha	0.0225 ha	0.0225 ha	0.25437 ha	320	163
E-17A	UTILITY EASEMENT	IDA S. EVERN		0.01462 ha	0.01462 ha		323	867 (1)
18	FEE	CAROL R., ARLENE V. & DONALD S. RANEY	0.8836 ha	0.03629 ha	0.03694 ha	0.40466 ha	323	376
E-18	DRAINAGE EASEMENT	CAROL R., ARLENE V. & DONALD S. RANEY		0.00457 ha	0.00457 ha		323	379
19	FEE	LEONARD J. GRAU JR.	1.13628 ha	0.03088 ha	0.03088 ha	1.10539 ha	322	946
E-19	DRAINAGE EASEMENT	LEONARD J. GRAU JR.		0.00483 ha	0.00483 ha		322	922
24	FEE	MIKE P. & VICKI E. RENTMEESTER	1.97642 ha	0.09527 ha	0.04356 ha	1.93285 ha	316	639
E-24	DRAINAGE EASEMENT	KENAI PENINSULA BOROUGH (1)		0.0041 ha	0.0041 ha		320	321
23	FEE	KENAI PENINSULA BOROUGH (1)	17.46504 ha	0.03943 ha	0.03943 ha	17.42562 ha	320	329
E-22	UTILITY EASEMENT	ALFONSO & SUSAN LAMENDOLA		0.00725 ha	0.00725 ha		321	601
22	FEE	ALFONSO & SUSAN LAMENDOLA	0.527 ha	0.00330 ha	0.00330 ha	0.52697 ha	321	596
21	FEE	ALFONSO E. LAMENDOLA	0.0848 ha	0.0858 ha	0.0858 ha	0.09638 ha	321	596
20	FEE	BARBARA J. MEYERS	0.34629 ha	0.00507 ha	0.00507 ha	0.33522 ha	321	878

PARCEL INFORMATION

DATE	REVISIONS
2/2/10	MISC REVISIONS (1)
2/3/03	ADDED EASEMENT PCLS. E-17A E-19
9/20/02	ADDED EASEMENT PCL. E-16A
4/30/02	MISC REVISIONS
6/19/01	REV SHEET NUMBER
5/29/01	ADDED STATIONS AND OFFSETS
5/07/01	MISC REVISIONS
1/5/01	MISC REVISIONS
12/5/00	REV AREA DMS PCLS 23 E-23. MSC REVS
10/25/00	REVISED SLOPES
3/23/00	ADDED E-PARCELS REV. PCL 23
5/12/99	REVISED AREA PCL 23

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
&
PUBLIC FACILITIES
RIGHT OF WAY MAP
ALASKA PROJECT NO.
STP-0414(9)
5609
HOMER EAST ROAD MP. 0-3.75 LAKE STREET TO KACHEMAK BAY DR

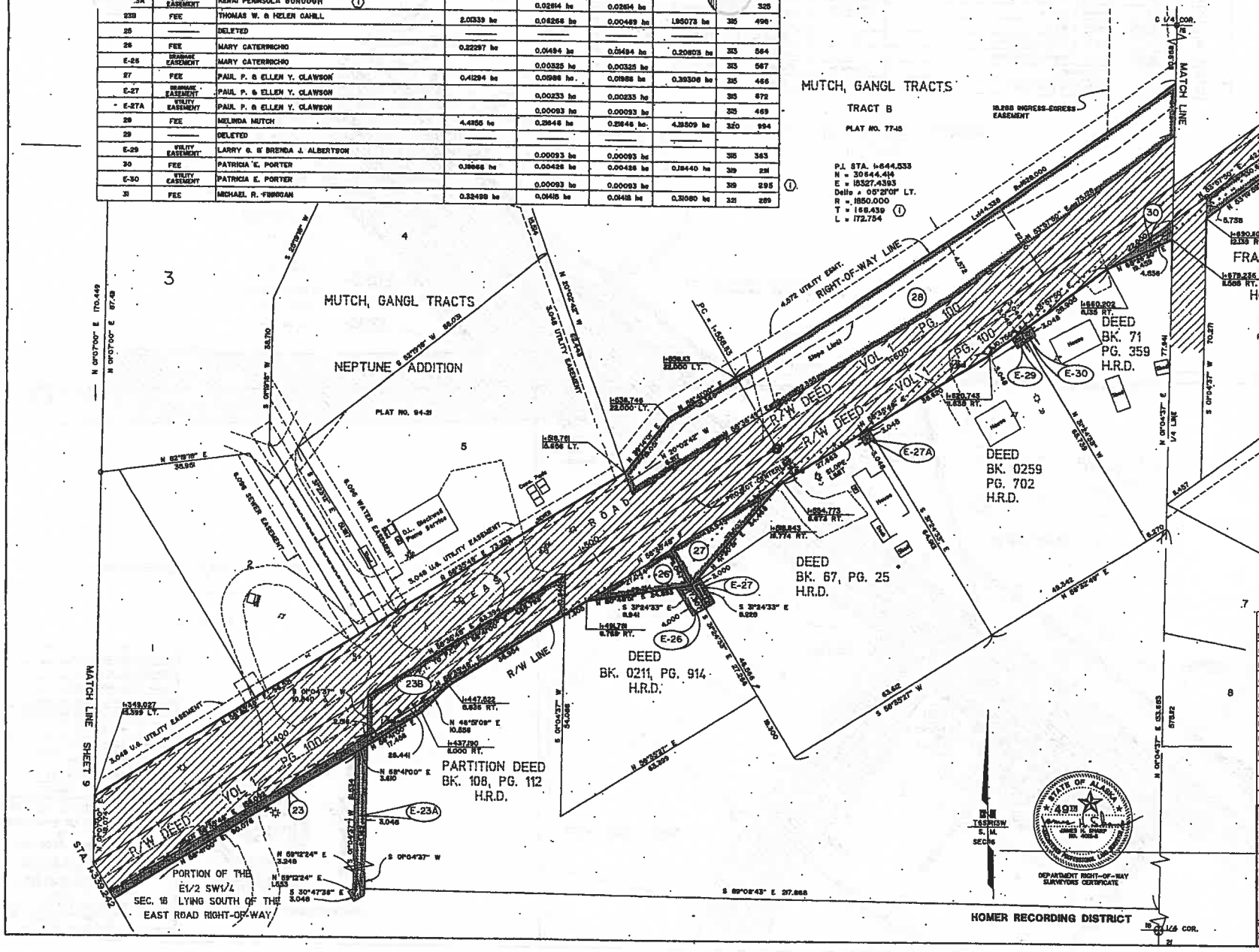
DRAWN	BK	DATE	10/28/98	SCALE	1:500
CHECKED	JC	DATE		SHEET	9 OF 2

70

PARCEL INFORMATION

PARCEL NO.	INTEREST TO BE ACQUIRED	OWNER	LARGER PARCEL	TAKE INCLUDING EXISTING EASEMENT	NET TAKE	REMAINDER	PG.	PARCEL NO.
	FEE	KENAI PENINSULA BOROUGH (1)	17.46504 ha	0.03942 ha	0.03942 ha	17.42562		329
23A	UTILITY EASEMENT	KENAI PENINSULA BOROUGH (1)		0.02614 ha	0.02614 ha			328
23B	FEE	THOMAS W. & HELEN CAHILL	2.0339 ha	0.08266 ha	0.00489 ha	1.95073 ha	315	496
25	———	DELETED	———	———	———	———		
26	FEE	MARY CATERNACHIO	0.22297 ha	0.01494 ha	0.01494 ha	0.20803 ha	313	564
E-26	DRAINAGE EASEMENT	MARY CATERNACHIO		0.00325 ha	0.00325 ha		313	567
27	FEE	PAUL P. & ELLEN Y. CLAWSON	0.41294 ha	0.01988 ha.	0.01988 ha	0.39306 ha	315	466
E-27	DRAINAGE EASEMENT	PAUL P. & ELLEN Y. CLAWSON		0.00233 ha	0.00233 ha		315	572
E-27A	UTILITY EASEMENT	PAUL P. & ELLEN Y. CLAWSON		0.00093 ha	0.00093 ha		315	469
28	FEE	MELINDA MUTCH	4.4855 ha	0.2646 ha	0.2646 ha.	4.18509 ha	320	994
29	———	DELETED	———	———	———	———		
E-29	UTILITY EASEMENT	LARRY G. & BRENDA J. ALBERTSON		0.00093 ha	0.00093 ha		315	363
30	FEE	PATRICIA E. PORTER	0.19966 ha	0.00426 ha	0.00426 ha	0.19440 ha	319	291
E-30	UTILITY EASEMENT	PATRICIA E. PORTER		0.00093 ha	0.00093 ha		319	295
31	FEE	MICHAEL R. FINNIGAN	0.32498 ha	0.0418 ha	0.0418 ha	0.31080 ha	321	289

(1)



PROJECT DESIGNATION	SHEET NO.	TOTAL SHEETS
0414(9)		

DATE	REVISIONS	BY
2/2/10	MISC REVISIONS (1)	RLG
9/20/02	ADDED EASEMENT PCL. 28	RK
5/2/02	MISC REVISIONS	RK
12/19/01	REV MISC EXIST ESMTS	RK
6/19/01	REV SHEET NUMBER	RK
5/29/01	ADDED STATIONS AND OFFSETS	RK
3/13/01	DELETE PCL. 25 REV AREA DBS PCL. 28	RK
1/8/01	MISC REVISIONS	RK
12/12/00	REV AREAS DBS POLS 23 E-23A E-23B	RK
10/23/00	REV. PCL. 23 27. REV SLOPES MISC. REVS	RK
3/23/00	ADDED E-PARCELS PARCEL 23B	RK
8/13/99	REV AREA POLS 23 26 27 28, DEL PCL. 29	JC

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
&
PUBLIC FACILITIES

RIGHT OF WAY MAP
ALASKA PROJECT NO.

STP-0414(9)

SHEET

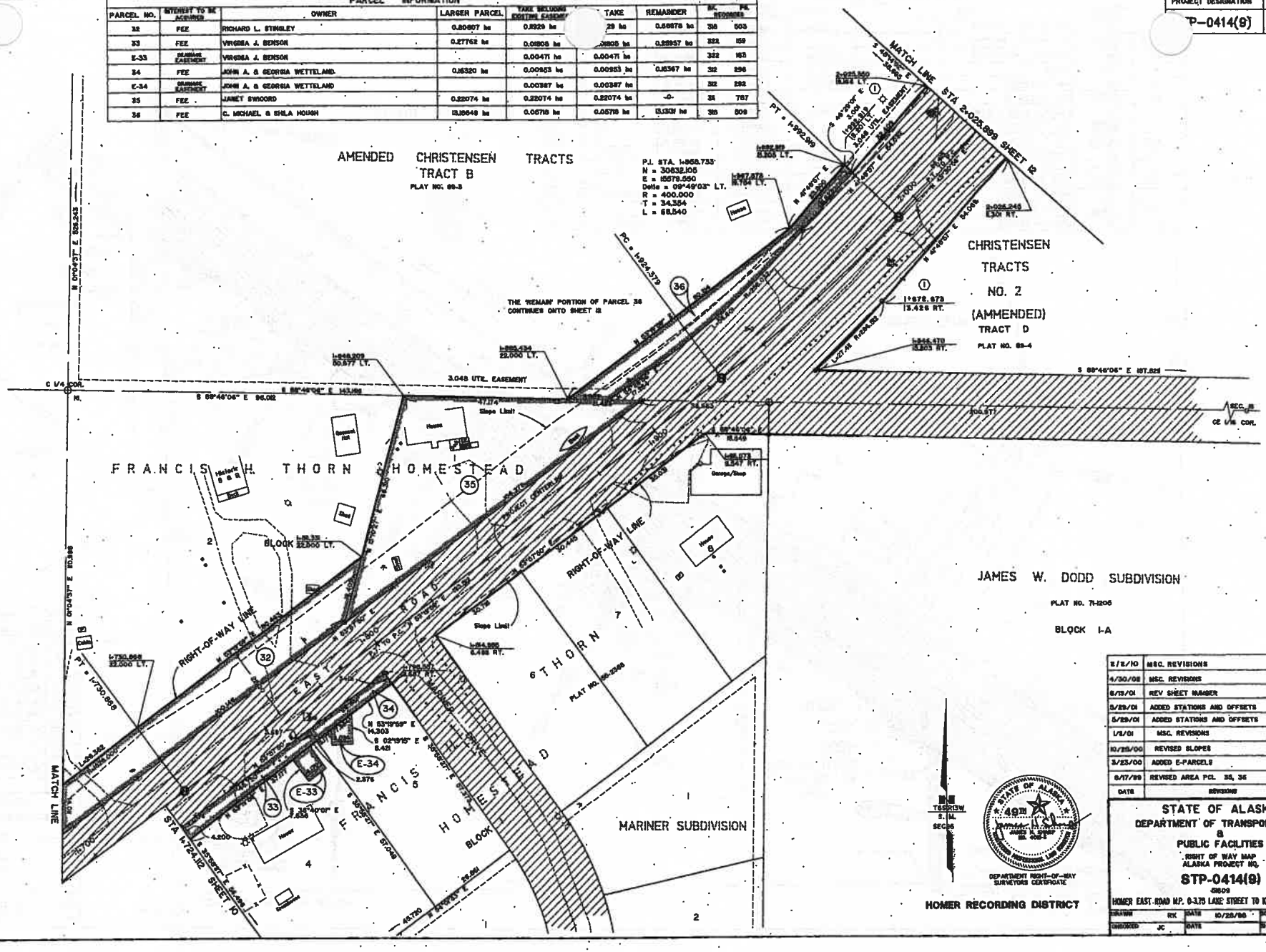
HOMER EAST ROAD M.P. 0-3.75 LAKE STREET TO KACHEMAK BAY DRIVE

DRAWN	RK	DATE	10/28/99	SCALE	1:500
CHECKED	JC	DATE		SHEET 10 OF 27	

PROJECT DESIGNATION	SHEET NO.	TOTAL SHEETS
STP-0414(9)		

PARCEL INFORMATION

PARCEL NO.	INTEREST TO BE ACQUIRED	OWNER	LARGER PARCEL	TAKE INCLUDING EXISTING EASEMENT	TAKE	REMAINDER	BK.	PG.
32	FEE	RICHARD L. STINGLEY	0.80607 ha	0.1929 ha	[illegible]29 ha	0.66678 ha	318	503
33	FEE	VIRGINIA J. BENSON	0.27762 ha	0.01805 ha	[illegible]01805 ha	0.25957 ha	322	159
E-33	DRAINAGE EASEMENT	VIRGINIA J. BENSON		0.00471 ha	0.00471 ha		322	163
34	FEE	JOHN A. & GEORGIA WETTELAND	0.16320 ha	0.00953 ha	0.00953 ha	0.15367 ha	312	296
E-34	DRAINAGE EASEMENT	JOHN A. & GEORGIA WETTELAND		0.00387 ha	0.00387 ha		312	292
35	FEE	JANET SWOORD	0.22074 ha	0.22074 ha	0.22074 ha	-0-	31	787
36	FEE	C. MICHAEL & SHILA HOUGH	13.18648 ha	0.05718 ha	0.05718 ha	13.1331 ha	313	509



DATE	REVISIONS
2/2/10	MISC. REVISIONS ①
4/30/08	MISC. REVISIONS
6/13/01	REV SHEET NUMBER
5/29/01	ADDED STATIONS AND OFFSETS
5/29/01	ADDED STATIONS AND OFFSETS
1/8/01	MISC. REVISIONS
10/25/00	REVISED SLOPES
3/23/00	ADDED E-PARCELS
8/17/99	REVISED AREA PCL. 35, 36

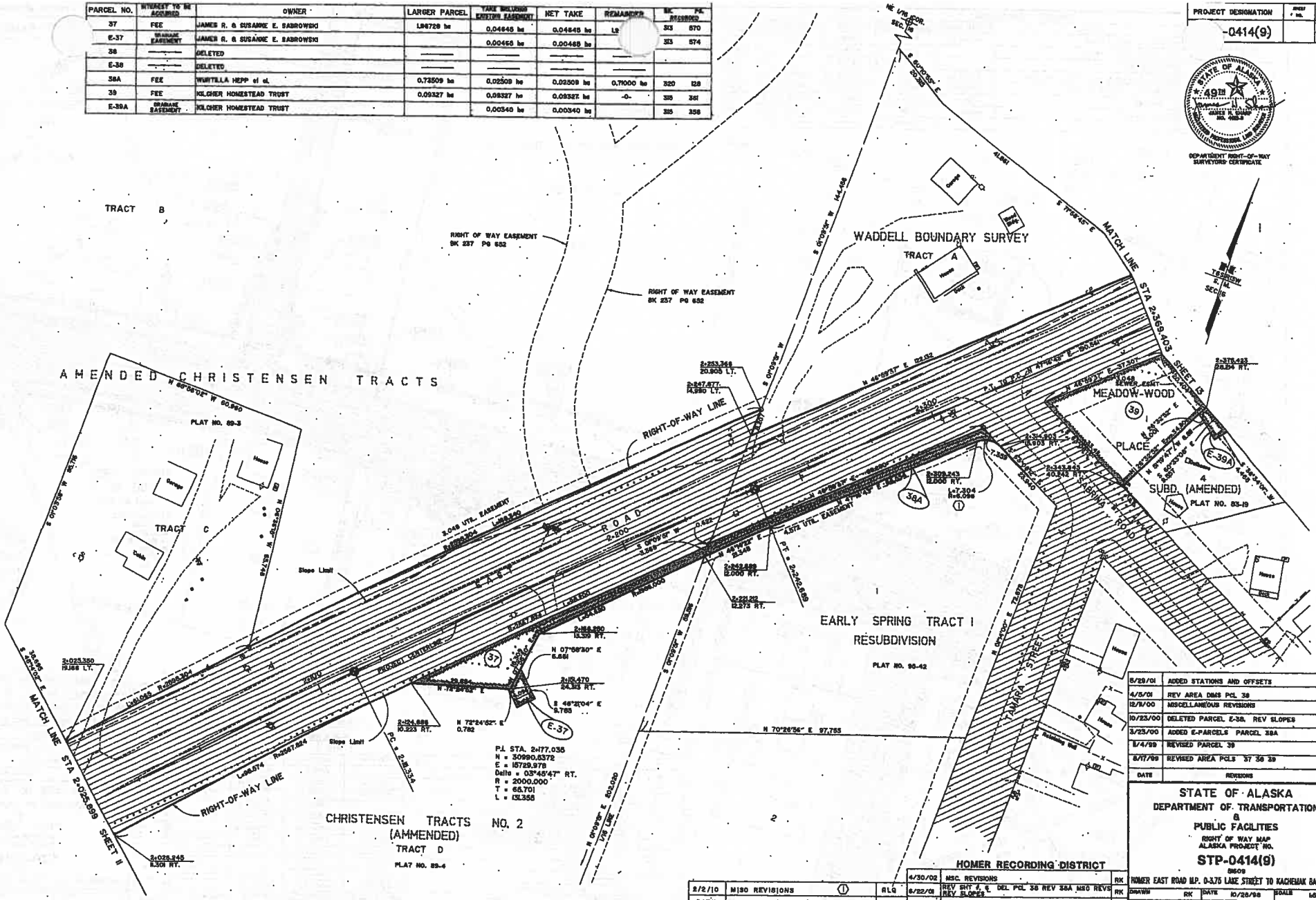
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES
RIGHT OF WAY MAP
ALASKA PROJECT NO.
STP-0414(9)
-59609
HOMER EAST ROAD M.P. 0-3.75 LAKE STREET TO KACHEMAK BAY DR

DRAWN	RK	DATE	10/25/99	SCALE	1:500
CHECKED	JC	DATE		SHEET	8 OF

PARCEL NO.	INTEREST TO BE ACQUIRED	OWNER	LARGER PARCEL	TAKE INCLUDES EXISTING EASEMENT	NET TAKE	REMAINDER	BK.	PG. RECORDED
37	FEE	JAMES R. & SUSANNE E. SABROWSKI	1.96728 ha	0.04645 ha	0.04645 ha	1.9	313	570
E-37	DRAINAGE EASEMENT	JAMES R. & SUSANNE E. SABROWSKI		0.00455 ha	0.00455 ha		313	574
38	———	DELETED	———	———	———	———		
E-38	———	DELETED	———	———	———	———		
38A	FEE	WUHTILLA HEPP et al.	0.73509 ha	0.02509 ha	0.02509 ha	0.71000 ha	320	128
39	FEE	KILCHER HOMESTEAD TRUST	0.09327 ha	0.09327 ha	0.09327 ha	-0-	315	361
E-39A	DRAINAGE EASEMENT	KILCHER HOMESTEAD TRUST		0.00340 ha	0.00340 ha		315	358

PROJECT DESIGNATION	SHEET No.	TOTAL SHEETS
-0414(9)		

STATE OF ALASKA 49TH
JAMES R. SHARP NO. 4969-S
REGISTERED PROFESSIONAL LAND SURVEYOR
DEPARTMENT RIGHT-OF-WAY SURVEYORS CERTIFICATE

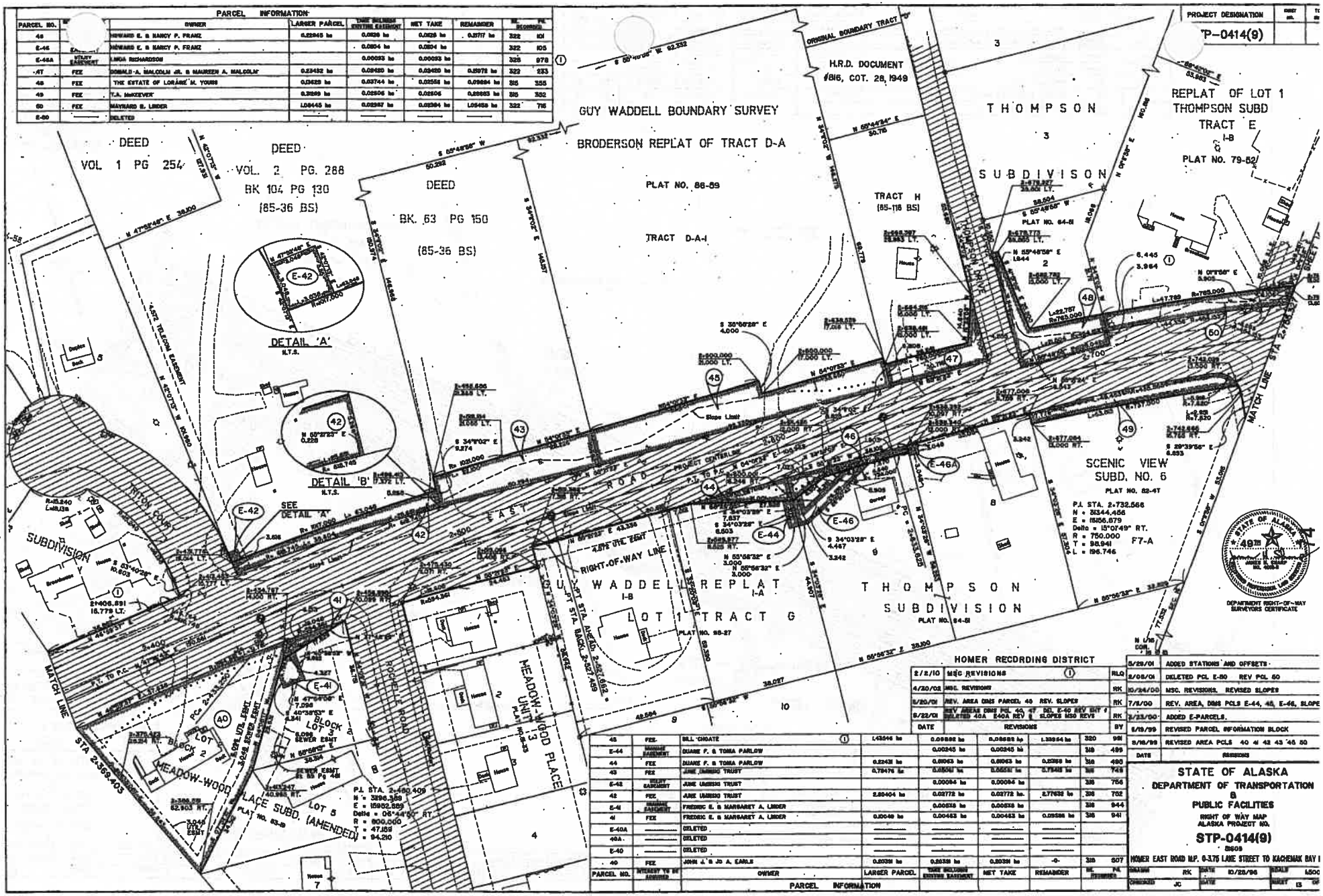


DATE	REVISIONS	BY
2/2/10	MISC REVISIONS ①	RLG
4/30/02	MISC. REVISIONS	RK
6/22/01	REV SHT 4, & DEL PCL 38 REV 38A MISC REVS REV SLOPES	RK

DATE	REVISIONS	BY
6/29/01	ADDED STATIONS AND OFFSETS	RK
4/5/01	REV AREA DIMS PCL 39	RK
12/5/00	MISCELLANEOUS REVISIONS	RK
10/23/00	DELETED PARCEL E-38, REV SLOPES	RK
3/23/00	ADDED E-PARCELS PARCEL 38A	RK
8/4/99	REVISED PARCEL 39	RK
6/17/99	REVISED AREA PCLS 37 38 39	JC

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES
RIGHT OF WAY MAP
ALASKA PROJECT NO.
STP-0414(9)
D509
HOMER EAST ROAD M.P. 0-3.75 LAKE STREET TO KACHEMAK BAY DRIVE

DRAWN	RK	DATE	10/26/98	SCALE	1:500
CHECKED	JC	DATE		SHEET	12 OF 27



PARCEL INFORMATION

PARCEL NO.	INTEREST TO BE ACQUIRED	OWNER	LARGER PARCEL	TOTAL BUILDING ENTIRE EASEMENT	NET TAKE	REMAINDER	BK.	PG. RECORDED
48		HOWARD E. & NANCY P. FRANZ	0.22945 ha	0.0026 ha	0.0026 ha	0.2777 ha	322	101
E-46	EASEMENT	HOWARD E. & NANCY P. FRANZ		0.0004 ha	0.0004 ha		322	105
E-46A	UTILITY EASEMENT	LINDA RICHARDSON		0.00093 ha	0.00093 ha		328	978
47	FEE	DONALD A. MALCOLM JR. & MAUREEN A. MALCOLM	0.23432 ha	0.02420 ha	0.02420 ha	0.21012 ha	322	133
49	FEE	THE ESTATE OF LORAINE M. YOUNG	0.03629 ha	0.03744 ha	0.02556 ha	0.00884 ha	315	355
50	FEE	T.A. McKEEVER	0.3289 ha	0.02506 ha	0.02506 ha	0.30983 ha	315	352
50	FEE	MAYNARD B. LINDER	1.06445 ha	0.02387 ha	0.02384 ha	1.04458 ha	322	715
E-50	———	DELETED	———	———	———	———		
45	FEE	BILL CHOATE	1.43546 ha	0.09882 ha	0.09882 ha	1.33664 ha	320	981
E-44	DRAINAGE EASEMENT	DUANE F. & TONIA PARLOW		0.00245 ha	0.00245 ha		318	499
44	FEE	DUANE F. & TONIA PARLOW	0.52431 ha	0.00463 ha	0.00463 ha	0.52968 ha	318	499
43	FEE	JUNE UMISKI TRUST	0.79476 ha	0.00061 ha	0.00061 ha	0.79415 ha	316	745
E-42	SLOPE EASEMENT	JUNE UMISKI TRUST		0.00084 ha	0.00084 ha		316	756
42	FEE	JUNE UMISKI TRUST	2.80404 ha	0.02772 ha	0.02772 ha.	2.77632 ha	316	752
E-41	DRAINAGE EASEMENT	FREDRIC E. & MARGARET A. LINDER		0.00535 ha	0.00535 ha		316	944
41	FEE	FREDRIC E. & MARGARET A. LINDER	0.10049 ha	0.00463 ha	0.00463 ha	0.09586 ha	316	941
E-40A	———	DELETED	———	———	———	———		
40A	———	DELETED	———	———	———	———		
E-40	———	DELETED	———	———	———	———		
40	FEE	JOHN J. & JO A. EARLS	0.50391 ha	0.50391 ha	0.50391 ha	-0-	315	507

HOMER RECORDING DISTRICT

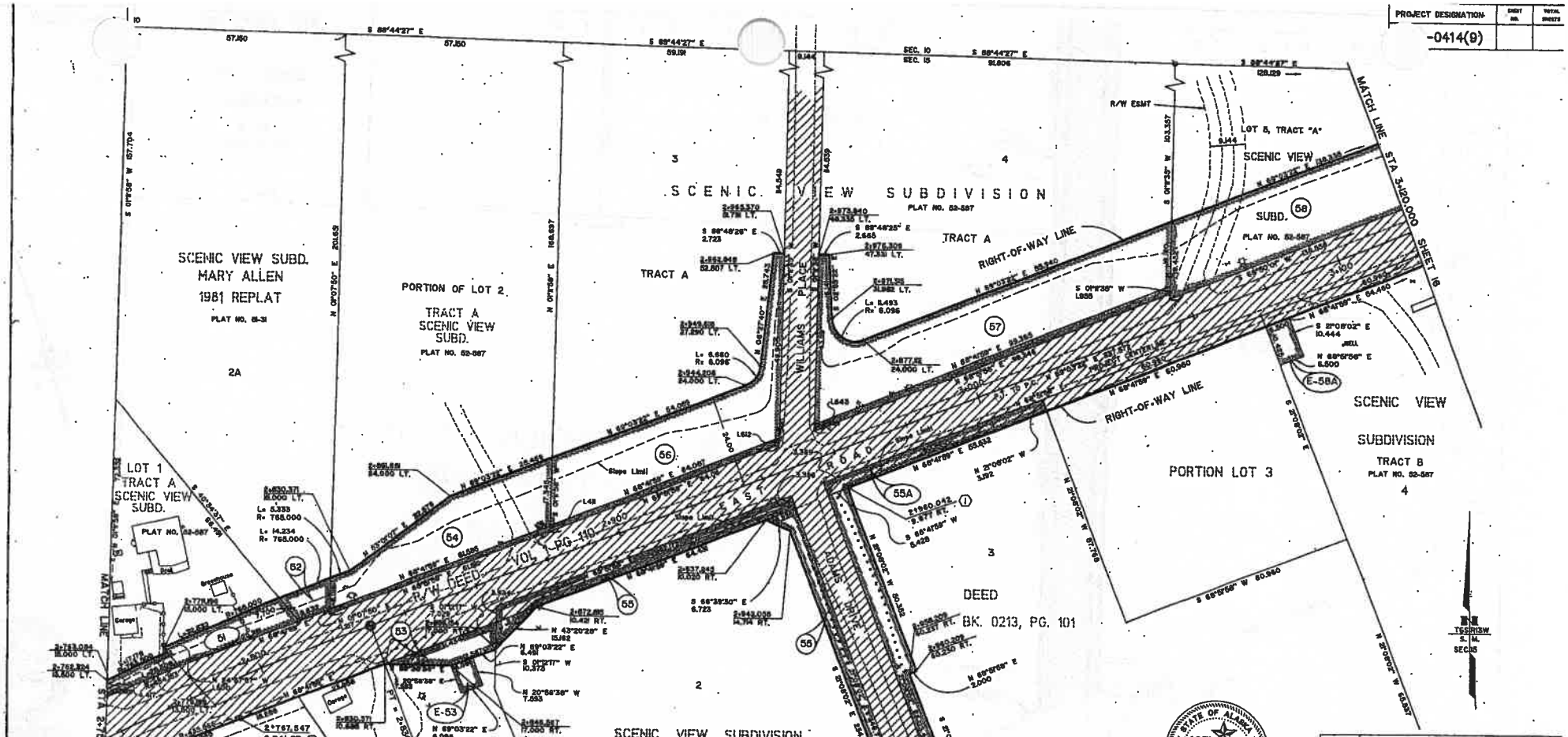
DATE	REVISIONS	BY
2/2/10	MISC REVISIONS (1)	RLQ
4/20/01	MISC. REVISIONS	RK
5/20/01	REV. AREA DIMS PARCEL 46 REV. SLOPES	RK
5/22/01	REV AREAS DIMS PCL 46 47 DEL E-40 REV EAT & DELETED 40A E40A REV & SLOPES MSC REVS	RK

DATE	REVISIONS
5/29/01	ADDED STATIONS AND OFFSETS
2/05/01	DELETED PCL E-50 REV PCL 50
10/24/00	MISC. REVISIONS. REVISED SLOPES
7/1/00	REV. AREA, DIMS PCLS E-44, 45, E-46, SLOPE
2/23/00	ADDED E-PARCELS.
5/19/99	REVISED PARCEL INFORMATION BLOCK
2/16/99	REVISED AREA PCLS 40 41 42 43 45 50

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES
RIGHT OF WAY MAP
ALASKA PROJECT NO.
STP-0414(9)
HOMER EAST ROAD M.P. 0-3.75 LAKE STREET TO KACHEMAK BAY

DRAWN RK DATE 10/25/96 SCALE 1:500
CHECKED JC DATE SHEET 13 OF

PROJECT DESIGNATION	SHEET NO.	TOTAL SHEETS
-0414(9)		



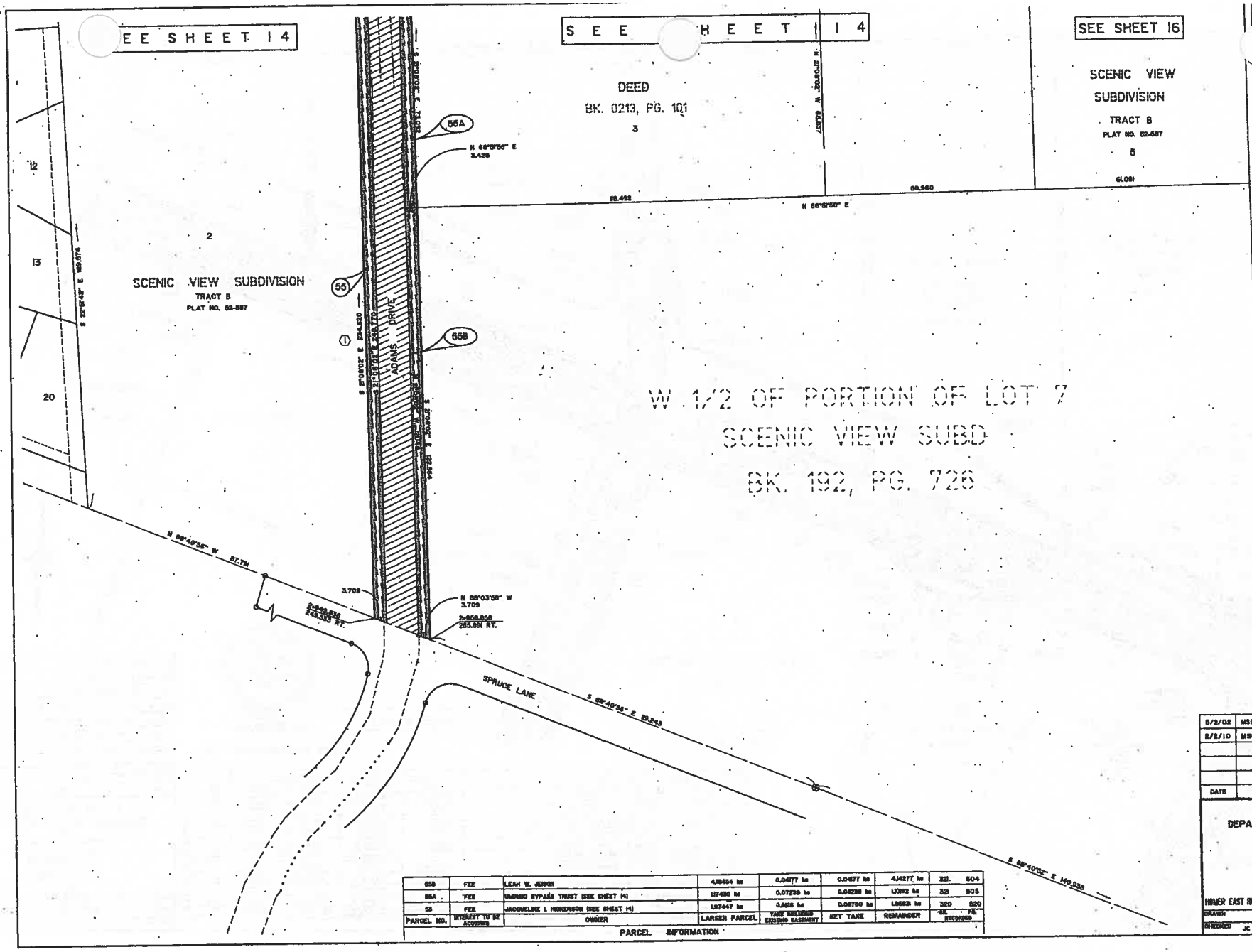
DATE	REVISIONS	BY
2/2/10	MISC. REVISIONS (1)	RLA
4/30/02	MISC. REVISIONS	RK
5/08/01	REV CENTERLINE AND SLOPES	RK
6/7/01	REV AREAS DBS PCL 51, 53, SHEET 13 ADDED 55A	RK
5/29/01	ADDED STATIONS AND OFFSETS	RK
2/7/01	MISC. REVS DELETED PCL E-51	RK
10/26/00	REVISED SLOPES	RK
3/23/00	ADDED E-PARCELS	RK
5/20/99	REVISED AREA PCLS 53 55	JK

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES
RIGHT OF WAY MAP
ALASKA PROJECT NO.
STP-0414(9)
56509
HOMER EAST ROAD M.P. 0-3.75 LAKE STREET TO KACHEMAK BAY DRIVE

DRAWN	RK	DATE	10/26/99	SCALE	1:500
CHECKED	JC	DATE		SHEET	14 OF 27

PARCEL NO.	INTEREST TO BE ACQUIRED	OWNER	LARGER PARCEL	TAKE INCLUDES EXISTING EASEMENT	NET TAKE	REMAINDER	BK.	PG. RECORDER
E-56A	EXISTING EASEMENT	LINDA P. LANDUREUX et al		0.00678 ha	0.00678 ha		315	349
56	FEE	MICHAEL J. ROSS & KERSTEN ROSS (SEE SHEET 16)	LE3499 ha	0.24554 ha	0.24554 ha	0.99945 ha	320	671
57	FEE	GENE S BARBARA WILLIAMS	LE2882 ha	0.7788 ha	0.8229 ha	LE08 ha	321	35
55	FEE	WILLIAM S. & VIRGINIA LYN SEARLE	L03755 ha	0.12259 ha	0.2460 ha	0.99400 ha	320	160
55A	FEE	LAUREU BYPASS TRUST (SEE SHEET 13)	L17430 ha	0.07238 ha	0.08226 ha	L0892 ha	321	905
53	FEE	JACQUELINE L MICKERSON (SEE SHEET 13)	L07447 ha	0.1828 ha	0.06700 ha	L6583 ha	320	520
54	FEE	JASPER J. & ARVA B. CARROLL	L13387 ha	0.09012 ha	0.06264 ha	L04578 ha	312	127
E-53	EXISTING EASEMENT	MAX L. & PATRICIA A. MITCHELL		0.00463 ha	0.00463 ha		319	704
53	FEE	MAX L. & PATRICIA A. MITCHELL	0.2941 ha	0.0468 ha	0.0468 ha	0.27723 ha	318	701
52	FEE	CRMC LTD.	L0629 ha	0.00642 ha	0.00642 ha	L07358 ha	316	952
E-51	—	DELETED	—	—	—	—		
51	FEE	THE ARNOLD TRUST	0.1887 ha	0.03042 ha	0.03042 ha	0.15778 ha	323	640

PARCEL INFORMATION



PARCEL NO.	INTEREST TO BE ACQUIRED	OWNER	LARGER PARCEL	TAKE INCLUDED EXISTING EASEMENT	NET TAKE	REMAINDER	BK.	PG. RECORDED
55B	FEE	LEAH W. JENSEN	4.18454 ha	0.04177 ha	0.04177 ha	4.14277 ha	321	604
55A	FEE	UNIRSIO BYPASS TRUST (SEE SHEET 14)	1.17430 ha	0.07239 ha	0.07239 ha	1.0992 ha	321	905
55	FEE	JACQUELINE L HICKERSON (SEE SHEET 14)	1.97447 ha	0.4855 ha	0.08700 ha	1.8563 ha	320	520

PARCEL INFORMATION

DATE	REVISIONS
5/2/02	MSC REVISIONS
2/2/10	MSC REVISIONS ①

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
&
PUBLIC FACILITIES
RIGHT OF WAY MAP
ALASKA PROJECT NO.
STP-0414(9)
5509
HOMER EAST ROAD M.P. 0-3.75 LAKE STREET TO KACHEMAK BAY

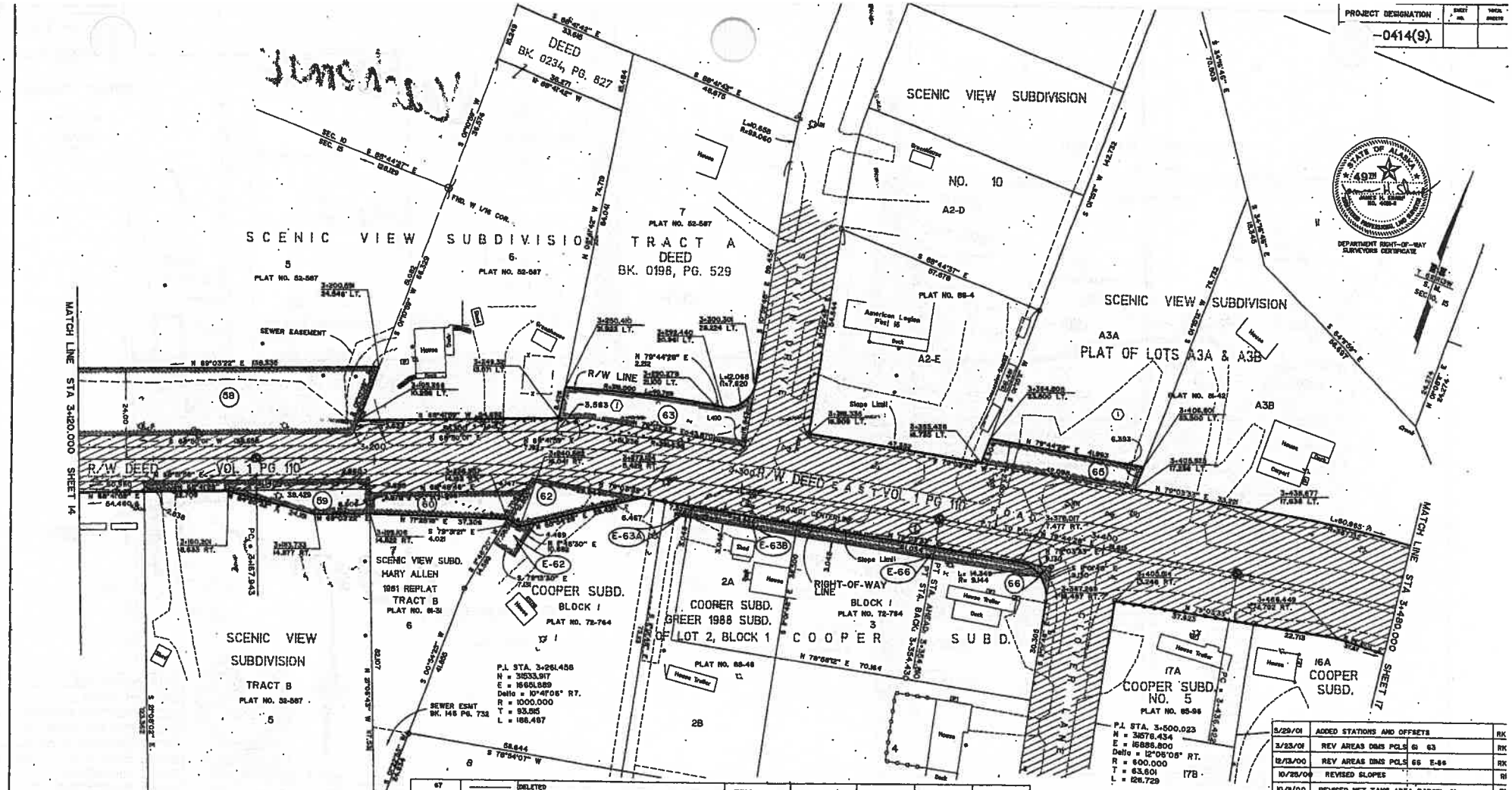
DRAWN	RK	DATE	6/7/01	SCALE	1:500
CHECKED	JC	DATE		SHEET	15 OF

STATE OF ALASKA 49TH
DEPARTMENT RIGHT-OF-WAY SURVEYOR CERTIFICATE

HOMER RECORDING DISTRIC

76

PROJECT DESIGNATION	SHEET NO.	TOTAL SHEETS
-0414(9)		



PARCEL NO.	INTEREST TO BE ACQUIRED	OWNER	LARGER PARCEL	TAKE BUILDING EXISTING EASEMENT	NET TAKE	REMAINDER	BK.	PG. RECORDED
67	———	DELETED	———	———	———	———		
E-66	UTILITY EASEMENT	WILLARD & SHIRLEY STEENHOUT		0.02004 ha	0.02004 ha		320	447
66	FEE	WILLARD & SHIRLEY STEENHOUT	0.28571 ha	0.00179 ha	0.00179 ha	0.28393 ha	320	443
65	FEE	FRED DEFRAUGH	0.47888 ha	0.02736 ha	0.02736 ha	0.45151 ha	316	40
64	———	DELETED	———	———	———	———		
E-63B	UTILITY EASEMENT	JILL SHOWMAN		0.00683 ha	0.00683 ha		322	152
E-63A	UTILITY EASEMENT	MORRIS D. WELCH & CAROLINE KINUK		0.00136 ha	0.00136 ha		320	747
63	FEE	ALBERT E. & LOURIE M. GREER	0.46532 ha	0.05864 ha	0.04602 ha	0.40668 ha	317	41
E-62	DRAINAGE EASEMENT	JOHN M. & PAMELA S. LAMBE		0.00695 ha	0.00695 ha		317	337
62	FEE	JOHN M. & PAMELA S. LAMBE	0.34560 ha	0.02254 ha	0.02254 ha	0.32306 ha	317	334
61	———	DELETED	———	———	———	———		
60	FEE	KEITH A. SMID	0.35542 ha	0.02572 ha	0.02572 ha	0.33170 ha	312	598
59	FEE	LARGE M. LEBOLE	0.77492 ha	0.03432 ha	0.01752 ha	0.74060 ha	313	652
58	FEE	MICHAEL J. ROSS & KERSTEN ROSS (SEE SHEET 14)	1.23499 ha	0.24534 ha	0.24534 ha	0.98965 ha	320	571

PARCEL INFORMATION

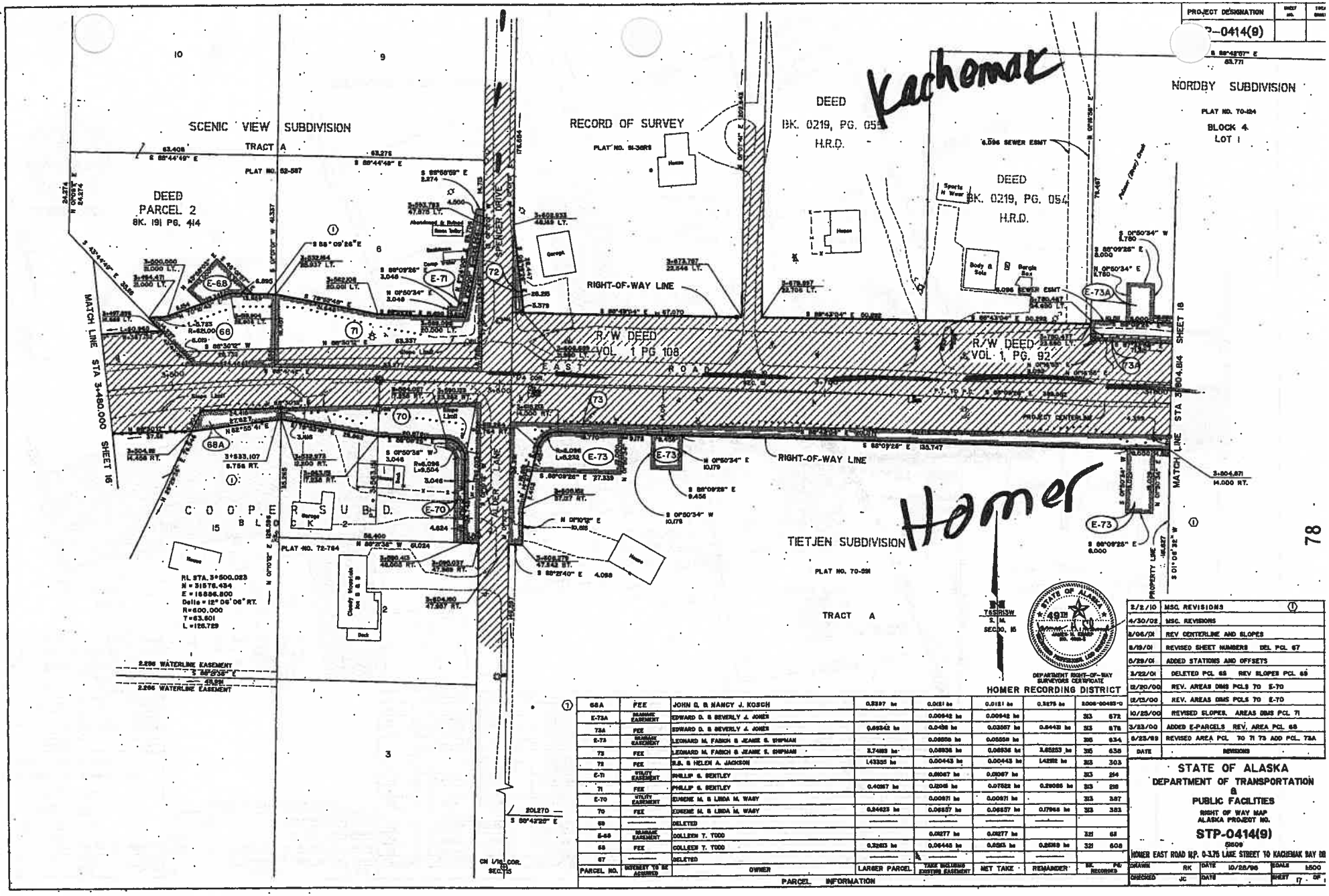
HOMER RECORDING DISTRICT

DATE	REVISIONS	BY
2/2/10	MISC. REVISIONS (1)	RLG
4/30/02	MISC. REVISIONS	RK
9/27/01	DEL. PCLS 61 64 REV CENTERLINE & SLOPES	RK
6/13/01	REVISED SHEET NUMBERS DEL. PCL. 67	RK

DATE	REVISIONS	BY
5/29/01	ADDED STATIONS AND OFFSETS	RK
2/23/01	REV AREAS DIMS PCLS 61 63	RK
12/13/00	REV AREAS DIMS PCLS 65 E-66	RK
10/25/00	REVISED SLOPES	RK
10/2/00	REVISED NET TAKE AREA PARCEL 61	RK
8/9/00	REVISED AREA PARCEL 61	RK
3/23/00	ADDED E-PARCELS	RK
8/20/99	REVISED AREA PCL 63	JK

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES
RIGHT OF WAY MAP
ALASKA PROJECT NO.
STP-0414(9)
5609.
HOMER EAST ROAD M.P. 0-3.75 LAKE STREET TO KACHEMAK BAY DRIVE

DRAWN	RK	DATE	10/25/96	SCALE	1:500
CHECKED	JC	DATE		SHEET	15 OF 27



PARCEL NO.	STATEMENT TO BE ACCORDED	OWNER	LARGER PARCEL	TAKE INCLUDING EXISTING EASEMENT	NET TAKE	REMAINDER	BK. PG RECORDED
68A	FEE	JOHN G. & NANCY J. KOSCH	0.2397 ha	0.0121 ha	0.0121 ha	0.2276 ha	2006-00453-0
E-73A	DRAINAGE EASEMENT	EDWARD D. & BEVERLY J. JONES		0.00942 ha	0.00942 ha		313 672
73A	FEE	EDWARD D. & BEVERLY J. JONES	0.69342 ha	0.0438 ha	0.03867 ha	0.64431 ha	313 678
E-73	DRAINAGE EASEMENT	LEONARD M. FABICH & JEANNE S. SHIPMAN		0.05558 ha	0.05558 ha		315 634
73	FEE	LEONARD M. FABICH & JEANNE S. SHIPMAN	3.74483 ha	0.08936 ha	0.08936 ha	3.65253 ha	315 636
72	FEE	R.S. & HELEN A. JACKSON	1.43355 ha	0.00443 ha	0.00443 ha	1.42912 ha	313 303
E-71	UTILITY EASEMENT	PHILLIP G. BENTLEY		0.03067 ha	0.03067 ha		313 214
71	FEE	PHILLIP G. BENTLEY	0.40367 ha	0.1206 ha	0.07522 ha	0.32845 ha	313 216
E-70	UTILITY EASEMENT	EUGENE M. & LINDA M. WASY		0.00971 ha	0.00971 ha		313 387
70	FEE	EUGENE M. & LINDA M. WASY	0.24423 ha	0.06657 ha	0.06657 ha	0.17766 ha	313 383
69	———	DELETED	———	———	———	———	
E-69	DRAINAGE EASEMENT	COLLEEN T. TODD		0.02277 ha	0.02277 ha		321 63
68	FEE	COLLEEN T. TODD	0.32613 ha	0.06446 ha	0.0263 ha	0.29983 ha	321 608
67	———	DELETED	———	———	———	———	

PARCEL INFORMATION

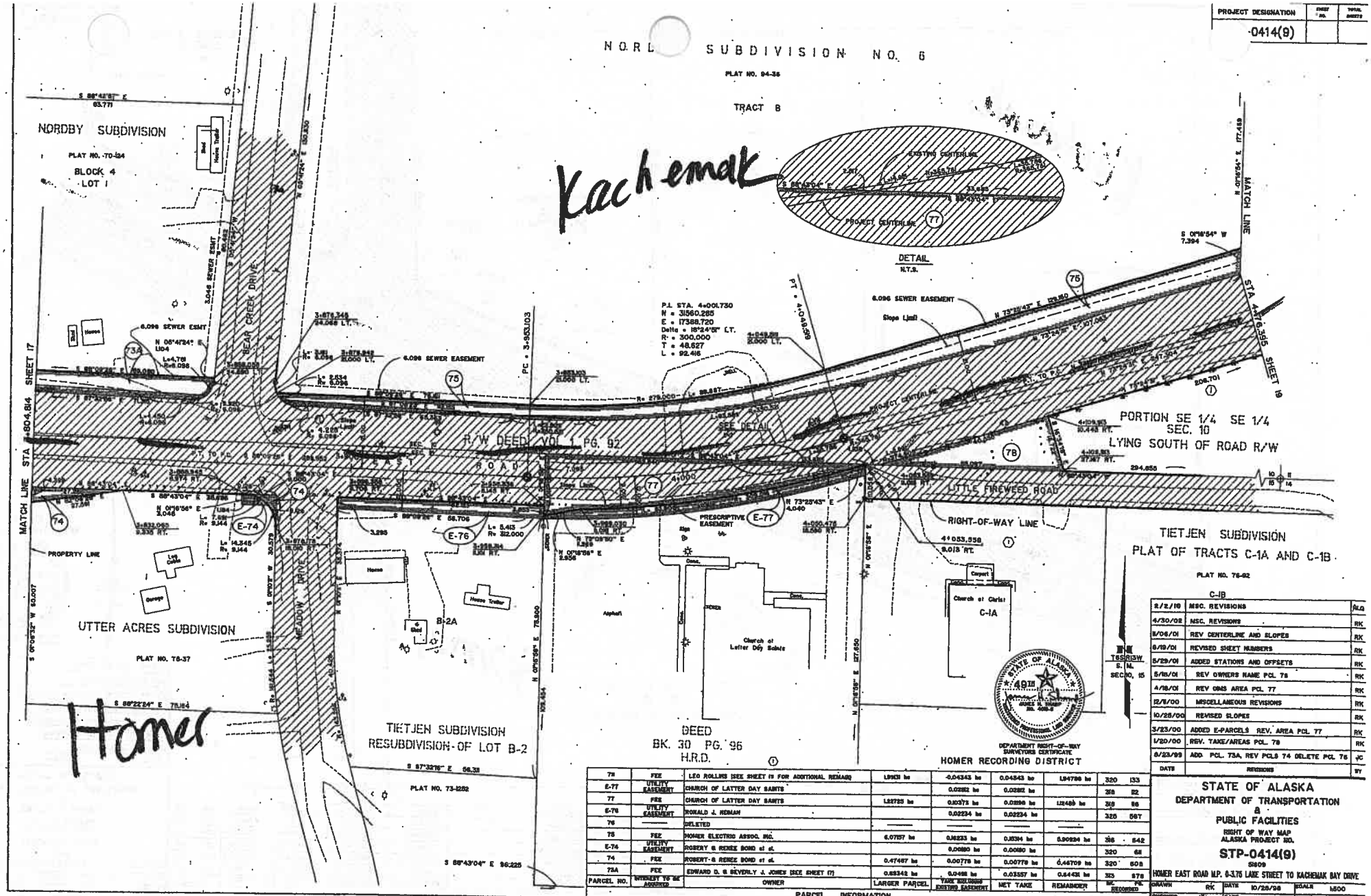
2/2/10	MISC. REVISIONS ①
4/30/02	MISC. REVISIONS
8/06/01	REV CENTERLINE AND SLOPES
8/19/01	REVISED SHEET NUMBERS DEL PCL 67
6/29/01	ADDED STATIONS AND OFFSETS
3/22/01	DELETED PCL 68 REV SLOPES PCL 69
12/20/00	REV. AREAS DMS PCLS 70 E-70
12/13/00	REV. AREAS DMS PCLS 70 E-70
10/23/00	REVISED SLOPES. AREAS DMS PCL 71
3/23/00	ADDED E-PARCELS REV. AREA PCL 68
6/23/99	REVISED AREA PCL 70 71 73 ADD PCL. 73A
DATE	REVISIONS

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
&
PUBLIC FACILITIES
RIGHT OF WAY MAP
ALASKA PROJECT NO.
STP-0414(9)
5609
HOMER EAST ROAD M.P. 0-3.76 LAKE STREET TO KACHEMAK BAY DR

DRAWN RK	DATE 10/23/98	SCALE 1:500	
CHECKED JC	DATE	SHEET 17 OF	

78

PROJECT DESIGNATION	SHEET NO.	TOTAL SHEETS
0414(9)		



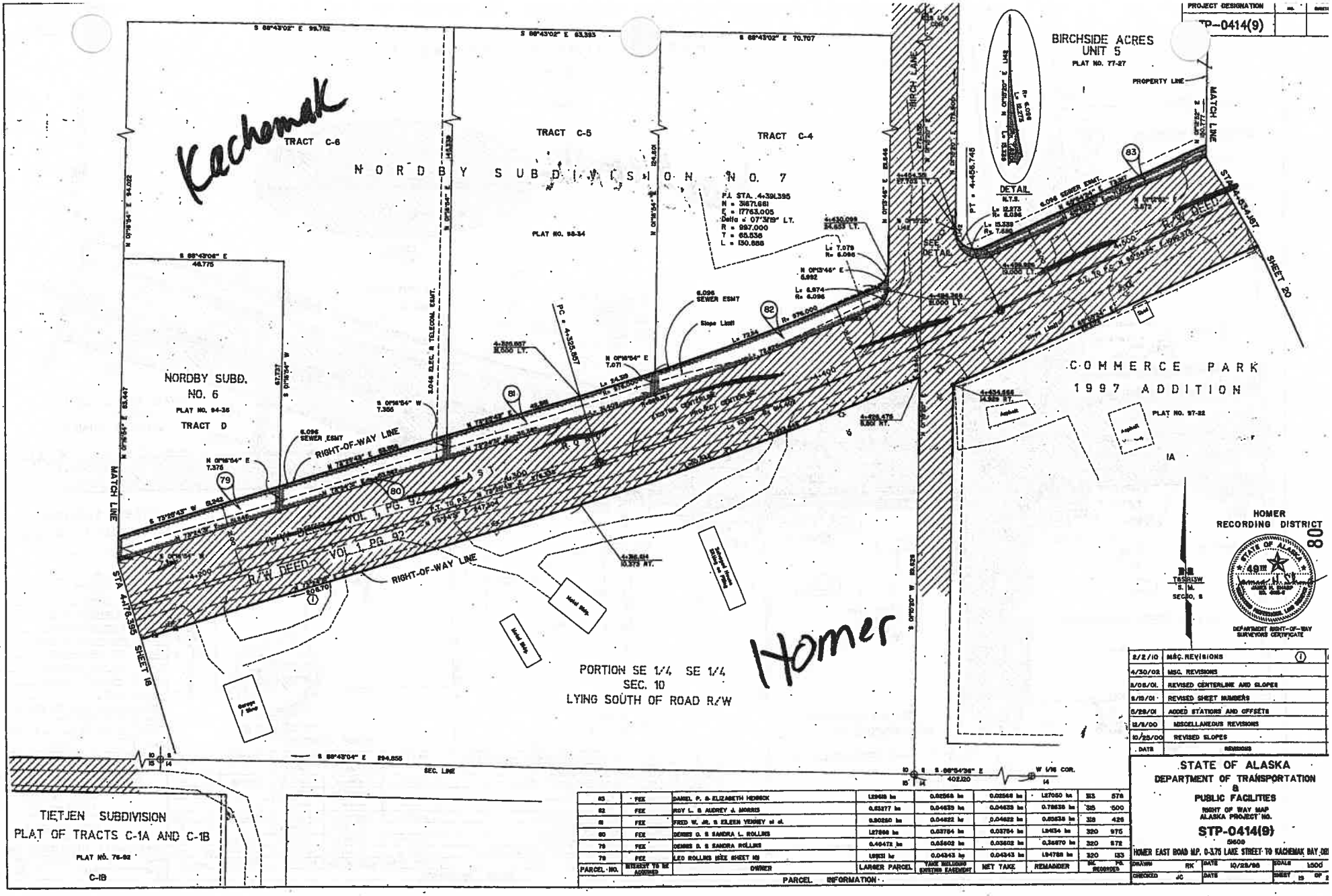
DATE	REVISIONS	BY
2/2/10	MSC. REVISIONS	ALG
4/30/02	MSC. REVISIONS	RK
8/06/01	REV CENTERLINE AND SLOPES	RK
6/19/01	REVISED SHEET NUMBERS	RK
5/29/01	ADDED STATIONS AND OFFSETS	RK
5/18/01	REV OWNERS NAME PCL 78	RK
4/18/01	REV 0845 AREA PCL 77	RK
12/6/00	MISCELLANEOUS REVISIONS	RK
10/26/00	REVISED SLOPES	RK
3/23/00	ADDED E-PARCELS REV. AREA PCL 77	RK
1/20/00	REV. TAKE/AREAS PCL. 78	RK
6/23/99	ADD PCL. 73A, REV PCLS 74 DELETE PCL 76	JC

PARCEL NO.	INTEREST TO BE ACQUIRED	OWNER	LARGER PARCEL	TAKE EXCLUDING EXISTING EASEMENT	NET TAKE	REMAINDER	SEC. RECORDED	PG. RECORDED
78	FEE	LEO ROLLINS (SEE SHEET 19 FOR ADDITIONAL REMARK)	1.9931 ha	-0.04343 ha	0.04343 ha	1.94788 ha	320	133
E-77	UTILITY EASEMENT	CHURCH OF LATTER DAY SAINTS		0.02282 ha	0.02282 ha		318	82
77	FEE	CHURCH OF LATTER DAY SAINTS	1.32723 ha	0.10372 ha	0.12298 ha	1.12425 ha	318	86
E-76	UTILITY EASEMENT	RONALD J. NEMAN		0.02234 ha	0.02234 ha		325	567
76		DELETED	——	——	——	——		
75	FEE	HOMER ELECTRIC ASSOC. INC.	6.07157 ha	0.16233 ha	0.16314 ha	5.90924 ha	316	542
E-74	UTILITY EASEMENT	ROBERT & RENEE BOND et al.		0.00680 ha	0.00680 ha		320	68
74	FEE	ROBERT & RENEE BOND et al.	0.47467 ha	0.00778 ha	0.00778 ha	0.46709 ha	320	608
73A	FEE	EDWARD D. & BEVERLY J. JONES (SEE SHEET 17)	0.82342 ha	0.0498 ha	0.03357 ha	0.84431 ha	325	578

PARCEL INFORMATION

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
&
PUBLIC FACILITIES
RIGHT OF WAY MAP
ALASKA PROJECT NO.
STP-0414(9)
5809
HOMER EAST ROAD M.P. 0-3.76 LAKE STREET TO KACHEMAK BAY DRIVE

DRAWN	RK	DATE	10/26/98	SCALE	1:500
CHECKED	JC	DATE	/	SHEET	18 OF 27



DATE	REVISIONS
2/2/10	MSC. REVISIONS (1)
4/30/02	MSC. REVISIONS
3/08/01	REVISED CENTERLINE AND SLOPES
8/19/01	REVISED SHEET NUMBERS
8/29/01	ADDED STATIONS AND OFFSETS
12/5/00	MISCELLANEOUS REVISIONS
10/25/00	REVISED SLOPES

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES
RIGHT OF WAY MAP
ALASKA PROJECT NO.
STP-0414(9)
5609
HOMER EAST ROAD MP. 0-3.76 LAKE STREET TO KACHEMAK BAY DR

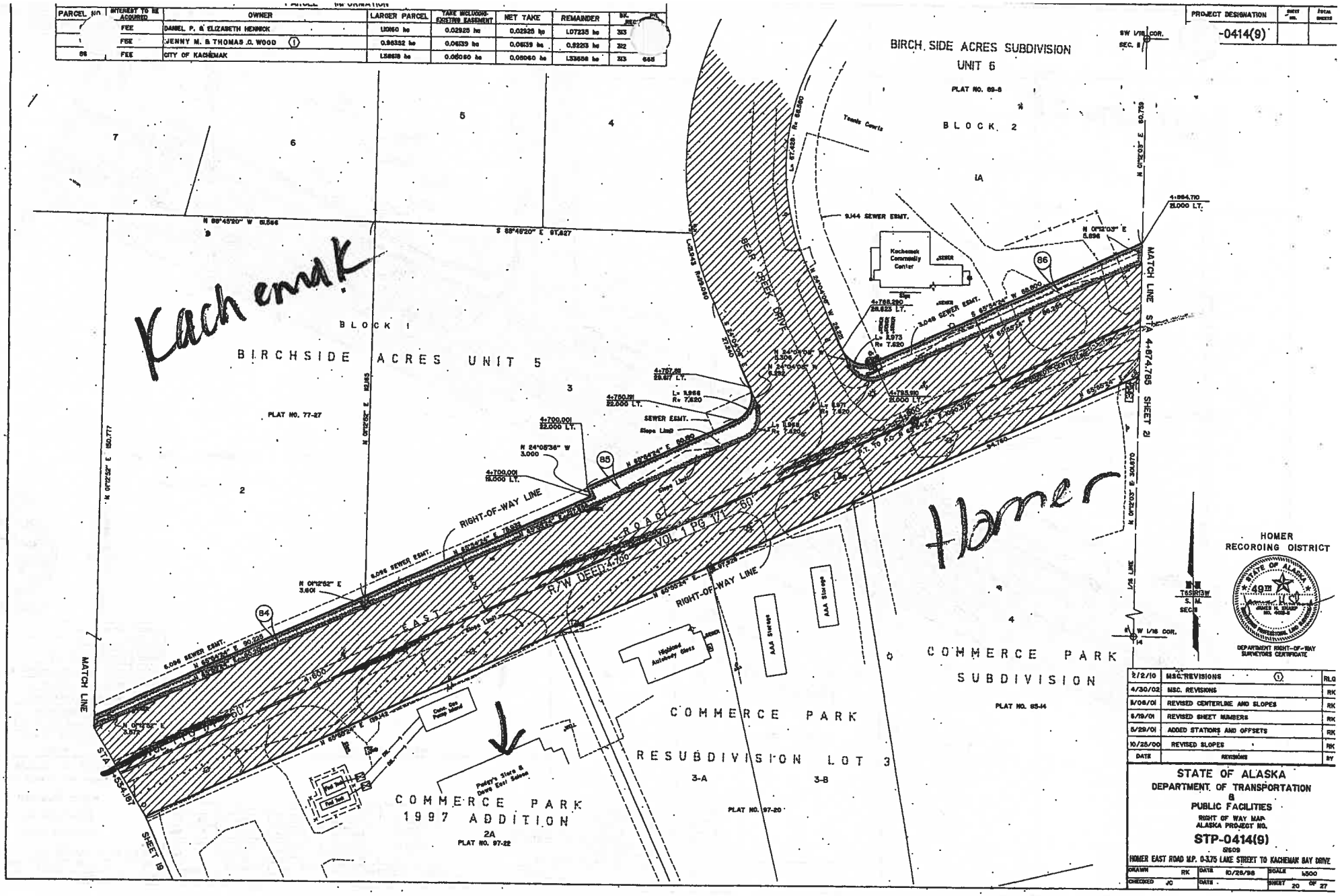
DRAWN	RK	DATE	10/29/98	SCALE	1:500
CHECKED	JC	DATE		SHEET	19 OF

PARCEL INFORMATION

PARCEL NO.	INTEREST TO BE ACQUIRED	OWNER	LARGER PARCEL	TAKE INCLUDING ENTIRE EASEMENT	NET TAKE	REMAINDER	BK	PG RECORDED
83	FEE	DANIEL P. & ELIZABETH HERRICK	L2962 ha	0.02568 ha	0.02568 ha	L27050 ha	313	578
82	FEE	ROY L. & AUDREY J. MORRIS	0.83277 ha	0.04639 ha	0.04639 ha	0.78638 ha	315	500
81	FEE	FRED W. JR. & EILEEN YENNEY et al.	0.90250 ha	0.04622 ha	0.04622 ha	0.85628 ha	318	426
80	FEE	DENNIS D. & SANDRA L. ROLLINS	L27966 ha	0.03764 ha	0.03764 ha	L2434 ha	320	975
79	FEE	DENNIS D. & SANDRA ROLLINS	0.40472 ha	0.03602 ha	0.03602 ha	0.36870 ha	320	972
78	FEE	LEO ROLLINS (SEE SHEET 16)	L5931 ha	0.04343 ha	0.04343 ha	L54788 ha	320	133

PARCEL NO.	INTEREST TO BE ACQUIRED	OWNER	LARGER PARCEL	TAKE INCLUDING EXISTING EASEMENT	NET TAKE	REMAINDER	BK.	PG.
	FEE	DANIEL P. & ELIZABETH HENNICK	1.0060 ha	0.02925 ha	0.02925 ha	1.07235 ha	313	
1	FEE	JENNY M. & THOMAS O. WOOD (1)	0.96332 ha	0.0639 ha	0.0639 ha	0.9223 ha	312	
86	FEE	CITY OF KACHEMAK	1.53658 ha	0.00060 ha	0.00060 ha	1.53658 ha	313	665

PROJECT DESIGNATION	SHEET NO.	TOTAL SHEETS
-0414(9)		

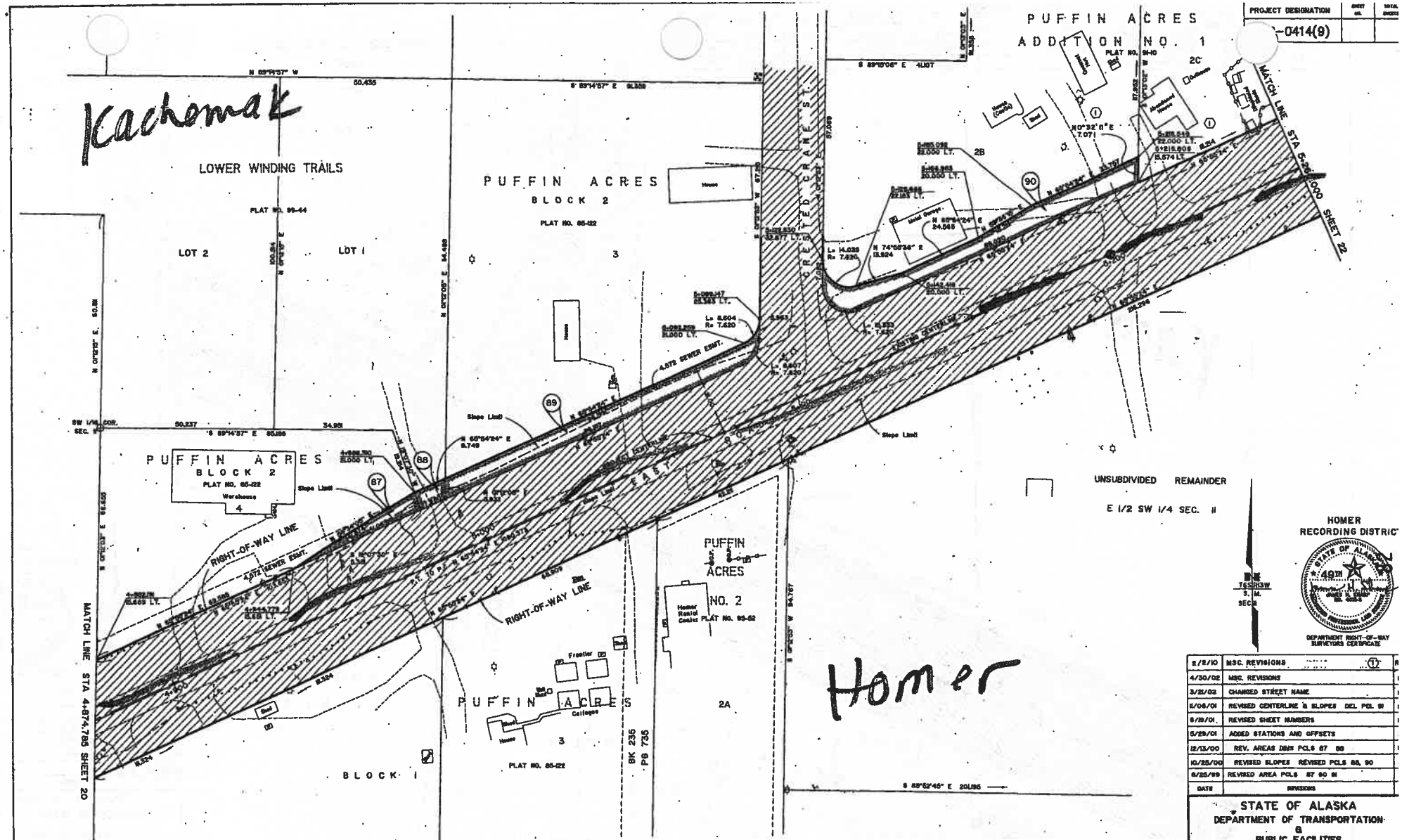


DATE	REVISIONS	BY
2/2/10	MISC. REVISIONS (1)	RLG
4/30/02	MISC. REVISIONS	RK
9/06/01	REVISED CENTERLINE AND SLOPES	RK
6/19/01	REVISED SHEET NUMBERS	RK
5/29/01	ADDED STATIONS AND OFFSETS	RK
10/25/00	REVISED SLOPES	RK

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
&
PUBLIC FACILITIES
RIGHT OF WAY MAP
ALASKA PROJECT NO.
STP-0414(9)
5609
HOMER EAST ROAD M.P. 0-3.75 LAKE STREET TO KACHEMAK BAY DRIVE

DRAWN	RK	DATE	10/25/99	SCALE	1:500
CHECKED	JC	DATE		SHEET 20 OF 27	

PROJECT DESIGNATION	SHEET NO.	TOTAL SHEETS
STP-0414(9)		



2/2/10	MSC. REVISIONS
4/30/02	MSC. REVISIONS
3/21/02	CHANGED STREET NAME
8/06/01	REVISED CENTERLINE & SLOPES DEL PCL 91
6/19/01	REVISED SHEET NUMBERS
5/29/01	ADDED STATIONS AND OFFSETS
12/13/00	REV. AREAS DEL PCLS 87 88
10/25/00	REVISED SLOPES REVISED PCLS 88, 90
6/25/99	REVISED AREA PCLS 87 90 91
DATE	REVISIONS

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES
RIGHT OF WAY MAP
ALASKA PROJECT NO.
STP-0414(9)
SHEET
HOMER EAST ROAD M.P. 0-3.75 LAKE STREET TO KACHEMAK BAY DRIVE

DRAWN	RK	DATE	10/28/98	SCALE	1:500
CHECKED	JC	DATE		SHEET	21 OF 2

PARCEL NO.	INTEREST TO BE ACQUIRED	OWNER	LARGER PARCEL	TAKE INCLUDING EXISTING EASEMENT	NET TAKE	REMAINDER	BK.	PG. RECORDED
91	———	DELETED	———	———	———	———		
90	FEE	CLIFFORD L. CALKINS	0.95787 ha	0.05693 ha	0.05693 ha	0.90094 ha	313	275
89	FEE	LEONARD BILLOTTE & GERALDINE BILLOTTE	0.90566 ha	0.05433 ha	0.05433 ha	0.85133 ha	313	649
88	FEE	G.W. SMITH	0.53977 ha	0.00467 ha	0.00467 ha	0.53510 ha	315	546
87	FEE	KENNETH J. & BEVERLY A. GUNN	0.46090 ha	0.0801 ha	0.0801 ha	0.38089 ha	325	564

PARCEL INFORMATION

PROJECT DESIGNATION	SHEET NO.	TOTAL SHEETS
0414(9)		

Kachemak

PORTION NW 1/4 SE 1/4 SEC. 11

T6SR13W S.M. SEC. 11

STATE OF ALASKA 49TH JAMES R. SHARP NO. 4652 DEPARTMENT RIGHT-OF-WAY SURVEYORS CERTIFICATE

PUFFIN ACRES ADDITION NO. 1
PLAT NO. 91-10

2C

DETAIL N.T.S.

EXISTING CENTERLINE
PROJECT CENTERLINE

RIGHT-OF-WAY LINE

HOMER EAST ROAD

PROJECT CENTERLINE

SEE DETAIL

MATCH LINE STA 5+260.000 SHEET 21

MATCH LINE STA 8+640.000 SHEET 23

UNSUBDIVIDED REMAINDER E 1/2 SW 1/4 SEC. 11

TRACT C

RUMLEY-COLLIE SIX
PLAT NO. 2000-28

TRACT B

RUMLEY-COLLIE SIX
PLAT NO. 2000-28

6.096 UTILITY EASEMENT

LOT 1-L
Kenai Supply

Gearshed

H. K. DAVIS NO. 5
PLAT NO. 86-21

Homer

P.I. STA. 5+691.476
N = 3261.639
E = 18858.709
Delta = 20°07'22" RT.
R = 250.000
T = 44.368
L = 87.801

1-C

H. K. DAVIS SUBDIVISION
PLAT NO. 82-21

1-B

1-J

14
HOMER RECORDING DISTRICT

2/2/10	MISC. REVISIONS	1	RLG
4/30/02	MISC. REVISIONS		RK

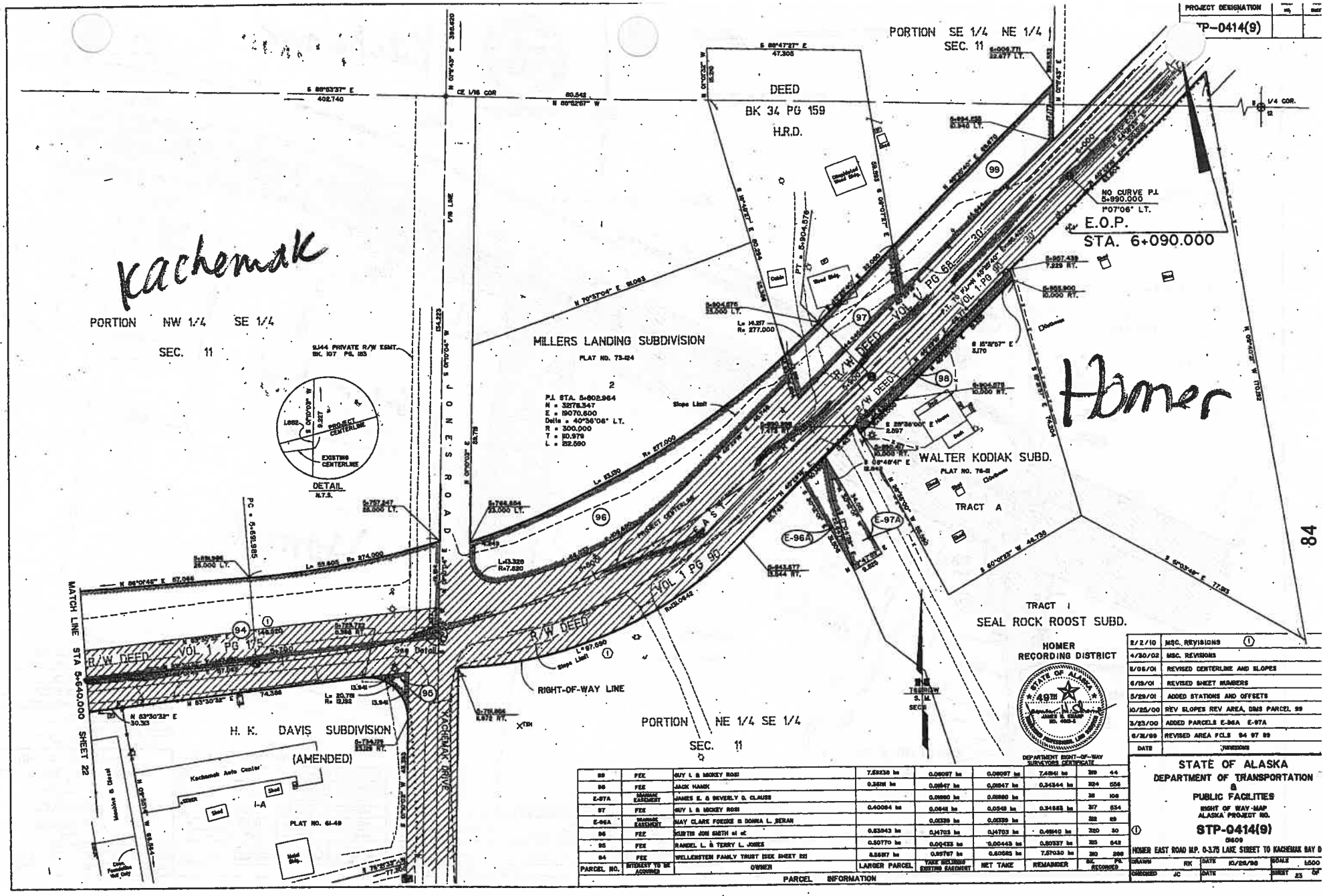
PARCEL NO.	INTEREST TO BE ACQUIRED	OWNER	LARGER PARCEL	TAKE INCLUDING EXISTING EASEMENT	NET TAKE	REMAINDER	MC.	P.C. RECORDED
E-94A	—	DELETED	—	—	—	—		
94	FEE	WELLENSTEIN FAMILY TRUST (SEE SHEET 23)	8.53867 ha	0.99787 ha	0.50363 ha	7.57030 ha	230	288
93	FEE	MARILYN MCCAULEY	0.40244 ha	0.01338 ha	0.01338 ha	0.38906 ha	313	16
92	FEE	JAMES L. & BARBARA S. CALKINS	2.83954 ha	0.0929 ha	0.0929 ha	2.84738 ha	316	19
91	—	DELETED	—	—	—	—		

PARCEL INFORMATION

DATE	REVISIONS	BY
8/06/01	REVISED CENTERLINE AND SLOPES DEL PCL. 91	RK
8/20/01	DELETED PARCEL E-94A	RM
6/19/01	REVISED SHEET NUMBERS	RK
5/29/01	ADDED STATIONS AND OFFSETS	RK
10/25/00	REVISED SLOPES, LARGER PARCEL REM PCL. 93	RK
3/23/00	ADDED PARCEL E-94A	RK
5/31/99	REVISED AREA PCLS 91	JC

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
&
PUBLIC FACILITIES
RIGHT OF WAY MAP
ALASKA PROJECT NO.
STP-0414(9)
51609
HOMER EAST ROAD M.P. 0-3.75 LAKE STREET TO KACHEMAK BAY DRIVE

DRAWN	RK	DATE	10/25/99	SCALE	1:500
CHECKED	JC	DATE		SHEET	23 OF 27



DATE	REVISIONS
2/2/10	MISC. REVISIONS ①
4/30/02	MISC. REVISIONS
8/06/01	REVISED CENTERLINE AND SLOPES
6/19/01	REVISED SHEET NUMBERS
5/29/01	ADDED STATIONS AND OFFSETS
10/25/00	REV SLOPES REV AREA, DRIS PARCEL 99
3/23/00	ADDED PARCELS E-96A E-97A
6/21/99	REVISED AREA FCLS 94 97 99

PARCEL NO.	INTEREST TO BE ACQUIRED	OWNER	LARGER PARCEL	TAKE INCLUDING EXISTING EASEMENT	NET TAKE	REMAINDER	BK.	PG. RECORDED
99	FEE	GUY L & MICKEY ROSI	7.52230 ac	0.09097 ac	0.09097 ac	7.4841 ac	289	44
98	FEE	JACK HANIK	0.3618 ac	0.0847 ac	0.0847 ac	0.3434 ac	324	556
E-97A	DRAINAGE EASEMENT	JAMES E. & BEVERLY S. CLAUSS		0.0980 ac	0.0980 ac		38	108
97	FEE	GUY L & MICKEY ROSI	0.40084 ac	0.0548 ac	0.0548 ac	0.3483 ac	317	534
E-96A	DRAINAGE EASEMENT	MAY CLARE FOEDKE & DONNA L. BERAN		0.0339 ac	0.0339 ac		322	69
96	FEE	KURTIS JON SMITH et al	0.53843 ac	0.14703 ac	0.14703 ac	0.49140 ac	320	30
95	FEE	RANDEL L. & TERRY L. JONES	0.50770 ac	0.00443 ac	0.00443 ac	0.50327 ac	325	642
94	FEE	WELLCHSTEN FAMILY TRUST SEE SHEET 22	8.35697 ac	0.93767 ac	0.80585 ac	7.57030 ac	293	299

PARCEL INFORMATION

MONUMENT SUMMARY SHEET

PROJECT DESIGNATION	SHEET NO.	TOTAL SHEETS
0414(9)		

RECOVERED CORNERS - SHEET 6

LOCATION	MONUMENT TYPE	NORTHING	EASTING	STATION	OFFSET	WORK ITEM
SE TR 3 NEW HOMER HS 2	REBAR/ALUM CAP	29958.1446	13647.3419	0+004.122	13.028 LT	
C/L PIONEER AVE/LAKE ST	BRASS CAP [3686]	29947.2425	13653.7466	0+004.697	.392 LT	8,9,12
SE PAR-102 PIONEER AVE ROS	REBAR	29992.9391	13920.2724	0+084.661	9.741 LT	9
PI S ROW NEW HOMER HS 2	ALUM MON[3665]	30009.8262	13952.6736	0+121.146	9.830 LT	9
S PC TR 2 NEW HOMER HS 2	REBAR/ALUM CAP	30020.9549	13964.5164	0+136.104	14.606 LT	
PC C/L PIONEER AVE	BRASS CAP	30011.6566	13975.6194	0+142.627	1.792 LT	8,9,12
S PC E TR 2 NEW HOMER HS 2	REBAR/ALUM CAP	30030.4575	13968.5547	0+143.262	21.907 LT	9
S PC W TR 1A NEW HOMER HS 2	REBAR	30051.3479	13990.2973	0+169.377	33.810 LT	
PI S TR 1A NEW HOMER HS 2	REBAR/ALUM CAP	30033.5614	13996.7144	0+169.513	14.621 LT	9
PI S ROW NEW HOMER HS 2	ALUM MON[3665]	30034.1139	14005.5433	0+177.773	12.273 LT	
PI E TR 1A NEW HOMER HS 2	REBAR/ALUM CAP	30036.7155	14005.5562	0+178.573	14.740 LT	
PI FAIRVW AVE NEW HOMER HS 2	REBAR/ALUM CAP	30033.9360	14012.0546	0+183.755	10.107 LT	9
E 1/16 S17S20 T6S R13W	ALUM MON[4469]	30030.6266	14142.7550	0+307.460	30.732 RT	
NW L19 MATTOX SUBD	SPIKE	30054.4501	14143.2342	0+315.029	8.363 RT	9

RECOVERED CORNERS - SHEET 7

LOCATION	MONUMENT TYPE	NORTHING	EASTING	STATION	OFFSET	WORK ITEM
SE L1 UNITED METHODIST CH	REBAR/ALUM CAP	30073.6356	14143.5249	0+321.141	9.526 LT	9
SE TR 1 NEW HOMER HS	ALUM MON[3685]	30126.3560	14144.4934	0+338.374	59.706 LT	
SW L3 MATTOX 1956 ADD-2	REBAR/ALUM CAP	30144.8337	14144.6759	0+344.553	77.161 LT	
SE L10 MATTOX 1956 ADD	REBAR/ALUM CAP	30103.7653	14234.0567	0+416.679	10.081 LT	9
NE L10 MATTOX 1956 ADD	REBAR/ALUM CAP	30142.6173	14234.7708	0+429.664	46.668 LT	
SE 1/16 S17 T6S R13W	ALUM MON[2087]	30435.4861	14149.9322	0+441.332	349.452 LT	
SE L36 MATTOX 1956 ADD-2	REBAR	30122.5227	14290.8857	0+476.537	9.954 LT	9
NE L33 MATTOX 1956 ADD-2	ALUM MON[40151]	30245.7683	14292.9059	0+517.487	125.131 LT	
SE L12 MATTOX 1956 ADD	SPIKE	30147.0910	14364.3666	0+553.994	9.883 LT	7,9,12
SW L3 MATTOX 1956 ADD	REBAR	30150.5296	14374.4611	0+564.887	9.943 LT	7,9,12
SE L3 MATTOX 1956 ADD	REBAR	30163.0400	14412.2864	0+604.506	9.626 LT	9
SE L49 MATTOX 1956 ADD 3	REBAR	30184.0099	14476.5796	0+672.133	9.352 LT	9
SEC 17/16/21 T6S R13W	GLO BRASS CAP	30021.9419	14545.2697	0+685.987	186.136 RT	

RECOVERED CORNERS - SHEET 8

LOCATION	MONUMENT TYPE	NORTHING	EASTING	STATION	OFFSET	WORK ITEM
NE L18 MATTOX SUBD	REBAR	30200.0224	14582.6384	0+777.992	9.119 RT	7,9,12
SW L2A DIERICH ADD-3	REBAR	30270.2249	14586.1657	0+805.262	55.780 LT	
NE TR 49-5 DIERICH ADD	REBAR	30276.5161	14611.9707	0+834.129	55.455 LT	
SW L1A DIERICH ADD-3	REBAR	30256.6745	14661.2595	0+873.154	14.570 LT	
PC L1A/ROW DIERICH ADD-3	REBAR	30263.1283	14672.4647	0+886.833	14.870 LT	
E PC S TR 46-3 DIERICH ADD	REBAR	30295.6797	14725.8201	0+949.325	14.776 LT	
S PC E TR 46-3 DIERICH ADD	REBAR	30300.7092	14726.7192	0+954.416	17.586 LT	
W 1/16 S16S21 T5S R13W	BRASS CAP	30012.1854	14947.0245	0+990.940	342.406 RT	

RECOVERED CORNERS - SHEET 9

LOCATION	MONUMENT TYPE	NORTHING	EASTING	STATION	OFFSET	WORK ITEM
NE DIERICH ADD	REBAR	30419.4511	14736.9900	1+024.808	113.669 LT	
SW 1/16 S16 T6S R13W	RAILROAD SPIKE	30415.4584	14954.2045	1+206.693	1.603 RT	7,9,12
SW L2 ROSEBUD SUBD	REBAR/ALUM CAP	30427.9691	14954.4319	1+213.364	6.956 LT	7,9,12
SW L3/SE L2 ROSEBUD SUBD	REBAR/ALUM CAP	30449.5709	14969.6907	1+254.739	9.095 LT	7,9,12
NE L3 ROSEBUD SUBD	REBAR/ALUM CAP	30496.6776	14998.5653	1+285.097	45.765 LT	
PC C/L EASTHILL RD	BRASS CAP /BOX	30519.3303	14993.3763	1+294.146	66.775 LT	
INX EAST END/EAST HILL	BRASS CAP /BOX	30462.4498	15028.2574	1+294.361	.052 LT	6,9,10,12
PC/ROW HUGH WATSON ESTATE	REBAR/PLASTIC CAP	30524.1265	15001.1776	1+303.304	66.616 LT	
SW HUGH WATSON ESTATE	REBAR/PLASTIC CAP	30475.0336	15031.2569	1+303.486	9.242 LT	7,9,12
1/4 S16S21 T6S R13W	GLO BRASS CAP	30003.3599	15349.3203	1+330.048	569.030 RT	

RECOVERED CORNERS - SHEET 10

LOCATION	MONUMENT TYPE	NORTHING	EASTING	STATION	OFFSET	WORK ITEM
SE HUGH WATSON ESTATE	REBAR	30495.7201	15066.5240	1+345.141	9.264 LT	7,9,12
SW L1 MUTCH, GANGL NEPT ADD	REBAR/ALUM CAP	30503.9912	15066.9524	1+349.030	15.429 LT	9
NW L1 MUTCH, GANGL NEPT ADD	REBAR	30591.2455	15066.5295	1+395.730	69.151 LT	
CW 1/16 S16 T6S R13W	IRON PIPE	30616.4467	14981.4679	1+422.376	338.669 LT	
SW L5 MUTCH, GANGL NEPT ADD	REBAR	30554.2429	15149.3234	1+445.520	15.545 LT	
NW L3 FH THORN HMSTD	REBAR/PLASTIC CAP	30587.6990	16370.9921	1+893.537	7.546 RT	7,9,12
NW L4/NE L3 FH THORN HMSTD.	REBAR/PLASTIC CAP.	30665.6736	15395.8006	1+724.046	7.580 RT	7,9,12

RECOVERED CORNERS - SHEET 11

LOCATION	MONUMENT TYPE	NORTHING	EASTING	STATION	OFFSET	WORK ITEM
C 1/4 S16 T5S R13W	BRASS CAP[2661]	30609.0579	15364.4646	1+772.446	109.955 LT	
SE L2/SW L1 FH THORN HMSTD	REBAR	30743.2063	15443.1552	1+796.242	10.144 LT	7,9,12
NE L5 FH THORN HMSTD	REBAR	30728.6318	15454.4502	1+796.598	6.293 RT	7,9,12
INX S 60Y TR-6/RW CHRSTNSN 2	REBAR	30605.7636	15519.5215	1+894.653	14.716 LT	7,9,12
NE L1 FH THORN HMSTD	REBAR	30606.5437	15528.5472	1+901.951	9.152 LT	7,9,12
S PC S TR-8 CHRSTNSN 2	REBAR	30615.7050	15533.4979	1+912.001	14.347 LT	7,9,12
NE L6 FH THORN HMSTD	REBAR	30795.5561	15565.5375	1+925.605	20.949 RT	
NW JAMES OOOO SUBD	IRON PIPE	30604.7313	15565.7485	1+931.085	13.773 RT	6,9,10,12
SW TR-D CHRSTNSN 2	REBAR	30613.5672	15579.0669	1+946.475	15.210 RT	
N PC S TR-8 CHRSTNSN TR 2	REBAR	30653.3394	15575.5567	1+970.321	18.633 LT	7,9,12
S PC W TR-D CHRSTNSN TR 2	REBAR	30633.3641	15596.2752	1+973.021	13.223 RT	
SW TR-C CHRSTNSN TR 2	REBAR	30693.5899	15611.6645	2+025.318	19.095 LT	9

HORIZONTAL CONTROL :

A LOCAL GROUND COORDINATE SYSTEM BASED ON TRAVERSES PERFORMED BY AKDOT BETWEEN STATIONS CONTROLLED WITH GPS OBSERVATIONS. AN ALUMINUM CAP LOCATED AT THE INTERSECTION OF KLONDIKE STREET AND HEATH STREET HAS COORDINATES OF N 29637.9913 E 13731.4659. A BRASS CAP AT THE INTERSECTION OF PIONEER AVENUE AND HEATH STREET BEARS N 1 15'40.7" E 247.553 METERS AND HAS COORDINATES OF N 29885.5926 E 13736.9695. SAID LINE IS THE BASIS OF BEARINGS NAD 83 STATE PLANE GRID.

METRIC CONVERSION FACTORS

BASED ON METER - U.S. SURVEY FOOT RELATIONSHIP
1 METER = 39.37 INCHES EXACTLY. [METRIC LAW 1866]

FROM	TO	MULTIPLY BY
FOOT [U.S. SURVEY]	METER (m)	0.30480061 0
ACRE	HECTARE (ha)	0.40468726
SQUARE FOOT	METER^2 (m^2)	0.09290341 2
METER (m)	FOOT (U.S. SURVEY)	3.280833333
HECTARE (ha)	ACRE	2.471043930
METER^2 (m^2)	SQUARE FEET	10.763667360

NOTE: 1 HECTARE = 10 000 m^2; 1 ACRE = 43,560 SQUARE FEET

NOTES:

1. WHETHER LISTED OR NOT, UNLESS OTHERWISE NOTED, ALL MONUMENTS OR PROPERTY MARKERS, CORNERS OR ACCESSORIES WHICH WILL BE DISTURBED OR BURIED SHALL BE REFERENCED AND RE-ESTABLISHED IN THEIR ORIGINAL POSITION [A.S. 19.10.250] AND RECORDED [A.S. 34.65.040].

STATE OF ALASKA
4.49M
RICHARD H. BAKER
RM. 4360-S
REGISTERED PROFESSIONAL LAND SURVEYOR

DEPARTMENT RIGHT-OF-WAY SURVEYORS CERTIFICATE

DATE	REVISIONS	BY

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
&
PUBLIC FACILITIES
RIGHT OF WAY MAP
ALASKA PROJECT NO.
STP-0414(9)
51809
HOMER EAST ROAD M.P. 0-3.75 LAKE STREET TO KACHEMAK BAY DRIVE

DRAWN	RK	DATE	4/8/02	SCALE	NTS
CHECKED		DATE		SHEET 24 OF 27	

MONUMENT SUMMARY SHEET

PROJECT DESIGNATION	SHEET NO.	TOTAL SHEETS
-0414(9)		

RECOVERED CORNERS - SHEET 12

LOCATION	MONUMENT TYPE	NORTHING	EASTING	STATION	OFFSET	WORK ITEM
N PC W TR-O CHRSTNSN TR 2	REBAR	30873.3820	15634.3219	2+026.212	11.299 RT	
CE 1/16 S15 T6S R13W	BRASS CAP	30800.4099	15756.5788	2+064.428	157.627 RT	
SE TR C CHRSTNSN TR 2	REBAR	30935.5746	15552.8643	2+086.329	20.212 LT	9
N TR D CHRSTNSN TR 2	REBAR	31014.9124	15771.0383	2+223.596	9.859 RT	7,9,12
NW L1 TR I EARLY SPRING RESUB	REBAR/ALUM CAP	31015.2158	15771.0581	2+223.628	8.857 RT	7,9,12
SE TR B CHRSTNSN TR 2	REBAR	31057.7325	15771.9278	2+253.395	20.905 LT	
N L1 EARLY SPRING TR I RESUB	REBAR/ALUM CAP	31075.7847	15835.5151	2+312.433	9.042 RT	7,9,12
NW L1 B1 MEADOW-WOOD PLACE	REBAR/PLASTIC CAP	31062.5703	15851.5792	2+330.522	57.346 RT	
NE 1/16 S16 T6S R13W	ALUM MON173251	31202.1393	15774.6423	2+383.506	125.018 LT	

RECOVERED CORNERS - SHEET 13

LOCATION	MONUMENT TYPE	NORTHING	EASTING	STATION	OFFSET	WORK ITEM
S L1 TR B GUY WADDELL	REBAR/ALUM CAP	31132.7893	15861.0832	2+359.815	15.561 LT	9
W PC S L1 TR B GUY WADDELL	REBAR/ALUM CAP	31155.5810	15885.4960	2+403.213	15.742 LT	
SE L1 TR-B GUY WADDELL	REBAR/ALUM CAP	31162.4715	15893.0233	2+413.415	15.598 LT	
S PC E L1 TR B GUY WADDELL	REBAR/ALUM CAP	31156.4624	15889.4668	2+413.512	21.042 LT	
NW L3 B2 MEADOW-WOOD PLACE	REBAR	31151.0749	15928.4752	2+438.577	9.363 RT	7,9,12
SE L3 B2 MEADOW-WOOD PLACE	REBAR	31142.1987	15963.1851	2+452.323	46.584 RT	
NW L1MEADOW-WOOD PLACE 3	REBAR	31183.7573	15957.1515	2+475.576	11.068 RT	9
NW L9 MEADOW-WOOD PLACE 3	REBAR	31164.5952	16021.8955	2+515.558	56.197 RT	
NE L1 MEADOW-WOOD PLACE 3	REBAR/PLASTIC CAP	31208.2563	15992.3817	2+519.090	13.552 RT	
HV 310	NAIL	31237.0797	15993.9501	2+537.635	8.810 LT	
SE TR-D-A GUY WADDELL	REBAR	31243.3229	15999.6384	2+546.068	10.404 LT	7,9,12
NE L1 TR G GUY WADDELL	REBAR	31258.3584	16055.1316	2+600.241	9.091 RT	7,9,12
SE TR-O-A GUY WADDELL	REBAR	31295.8756	16075.7558	2+638.329	5.352 LT	7,9,12
N 1/16 S15T5T6 T6S R13W	ALUM MON173251	31193.2646	15177.3839	2+656.174	133.806 RT	
SE TR H GUY WADDELL	REBAR/ALUM CAP	31313.0483	16101.2113	2+658.699	8.112 LT	7,9,12
NW L3 TR E THOMPSON	IRON PIPE	31390.6161	16059.5956	2+675.611	95.828 LT	
NW L2 TR E THOMPSON	IRON PIPE	31352.9146	16085.2694	2+676.570	50.147 LT	
SW L18 TR E THOMPSON	REBAR/PLASTIC CAP	31333.9178	16132.0395	2+705.470	9.546 LT	7,9,12

RECOVERED CORNERS - SHEET 14 & 15

LOCATION	MONUMENT TYPE	NORTHING	EASTING	STATION	OFFSET	WORK ITEM
PC L1A SCENIC VW L1 REPLAT	REBAR/PLASTIC CAP	31348.2814	16194.1159	2+766.019	5.879 RT	7,9,12
PC L1A SCENIC VW L1 REPLAT	REBAR	31355.4137	16216.0025	2+790.016	9.529 RT	9
SW L2A TR A SCENIC VIEW	REBAR	31360.8062	16230.7052	2+813.544	7.750 LT	7,9,12
SE L2A TR A SCENIC VIEW	REBAR	31363.6722	16238.7893	2+822.101	7.579 LT	7,9,12
SEC 9110T115 T6S R13W	GLO BRASS CAP	31694.7763	16185.7900	2+847.908	223.447 LT	
SW DEED BK.192 PG.726	IRON PIPE	31186.9070	16457.2150	2+955.606	254.498 RT	
WC SW L5 TR A SCENIC VIEW	REBAR/ALUM CAP	31472.0663	16457.7347	3+058.923	11.637 LT	7,9,12
NW 1/16 S15 T6S R13W	BRASS CAP	31184.0244	16578.9625		301.065 RT	
NW L5 TR A SCENIC VIEW	REBAR/ALUM CAP	31588.7278	16460.1641	3+101.993	119.722 LT	

RECOVERED CORNERS - SHEET 16

LOCATION	MONUMENT TYPE	NORTHING	EASTING	STATION	OFFSET	WORK ITEM
WC SE L5 TR A SCENIC VIEW	REBAR/ALUM CAP	31521.9758	16586.8151	3+195.160	12.478 LT	7,9,12
NW L5 TR-B SCENIC VW 1981 RPLT	REBAR	31502.5540	16596.5848	3+196.915	8.953 RT	7,9,12
SW L1/NW L8 B1 COOPER SUBD	REBAR/PLASTIC CAP	31446.7874	16625.7659	3+211.566	73.160 RT	
SW L1/NW L8 B1 COOPER SUBD	REBAR/ALUM CAP	31445.6898	16625.8175	3+211.584	73.269 RT	
W 1/16 S10S15 T6S R13W	BRASS CAP12661	31585.9265	16588.2825	3+217.081	72.614 LT	
P1 L1 B1 COOPER SUBD	IRON PIPE	31467.5374	16629.4293	3+225.917	33.570 RT	
NW L1 B1 COOPER SUBD	REBAR	31517.5670	16635.7308	3+241.175	5.651 RT	7,9,12
NE L1 B1 COOPER SUBD	SPIKE	31525.5764	16872.3162	3+279.516	5.517 RT	7,9,12
NW L2A B1 COOPER SUBD	REBAR	31530.2096	16679.7220	3+287.165	6.358 RT	7,9,12
NE L2A B1 COOPER SUBD	REBAR	31535.7907	16708.1466	3+316.313	7.454 RT	7,9,12
SW LA2E SCENIC VIEW 10	REBAR/ALUM CAP	31559.5339	16702.9293	3+316.335	16.856 LT	7,9,12
NW LA2E SCENIC VIEW 10	REBAR/ALUM CAP	31613.2260	15692.4954	3+317.622	71.637 LT	
NE LA2E SCENIC VIEW 10	REBAR	31511.9580	16750.4052	3+372.135	59.248 LT	
NE L3 B1 COOPER SUBD	IRON PIPE	31549.3046	16777.0358	3+357.183	7.147 RT	6,9,12
NW L17A COOPER SUBD NO 5	REBAR	31546.7246	16795.0689	3+405.472	13.078 RT	
SE LA3A PAR-A3 SCENIC VIEW	REBAR	31576.3100	16790.7371	3+405.474	16.987 LT	7,9,12
NW L18A COOPER SUBD UNIT 8	REBAR/ALUM CAP	31553.9797	16833.0469	3+443.273	12.484 RT	

RECOVERED CORNERS - SHEET 17

LOCATION	MONUMENT TYPE	NORTHING	EASTING	STATION	OFFSET	WORK ITEM
SE LA3B PAR-A3 SCENIC VIEW	IRON PIPE	31559.3866	16884.0469	3+496.040	16.489 LT	7,9,12
NW L16 B2 COOPER SUBD	IRON PIPE	31565.3190	16898.1476	3+508.414	8.346 RT	9
NE L16 B2 COOPER SUBD	IRON PIPE	31565.8603	16920.4860	3+533.109	6.744 RT	7,9,12
CS 1/16 S10 T6S R13W	BRASS CAP12661	31972.7578	16998.9187	3+595.867	399.724 LT	
RP 1/4 COR HELEN JACKSON ROS	PK NAIL *SEE NOTE*	31575.7574	16990.8867	3+603.575	3.871 LT	7,9,12
RP SW HELEN JACKSON ROS	REBAR/ALUM CAP	31594.8885	16994.2635	3+606.385	21.901 LT	
CN 1/16 S15 T6S R13W	ALUM MON143741	31174.7517	16982.5753	3+608.296	398.381 RT	
RP SE HELEN JACKSON ROS	REBAR/ALUM CAP	31593.4578	17060.1205	3+872.234	22.569 LT	

*NOTE: THE ORIGINAL GLO MON & CASE MAY EXIST UNDER THIS RECOVERED PK NAIL. IF FOUND, RESET GLO MON AND CASE AT GRADE.

98

METRIC CONVERSION FACTORS

BASED ON METER - U.S. SURVEY FOOT RELATIONSHIP
1 METER = 39.37 INCHES EXACTLY. (METRIC LAW 1866)

FROM	TO	MULTIPLY BY
FOOT (U.S. SURVEY)	METER (m)	0.304800610
ACRE	HECTARE (ha)	0.404687261
SQUARE FOOT	METER^2 (m^2)	0.092903412
METER (m)	FOOT (U.S. SURVEY)	3.280833333
HECTARE (ha)	ACRE	2.471043930
METER^2 (m^2)	SQUARE FEET	10.763867360

NOTE: 1 HECTARE = 10 000 m^2; 1 ACRE = 43,560 SQUARE FEET

HORIZONTAL CONTROL :

A LOCAL GROUND COORDINATE SYSTEM BASED ON TRAVERSES PERFORMED BY AKDOT BETWEEN STATIONS CONTROLLED WITH GPS OBSERVATIONS. AN ALUMINUM CAP LOCATED AT THE INTERSECTION OF KLONDIKE STREET AND HEATH STREET HAS COORDINATES OF N 29637.9913 E 13731.4659. A BRASS CAP AT THE INTERSECTION OF PIONEEER AVENUE AND HEATH STREET BEARS N 1 15'40.7" E 247.563 METERS AND HAS COORDINATES OF N 29885.5928 E 13736.9695. SAID LINE IS THE BASIS OF BEARINGS NAD 83 STATE PLANE GRID.

NOTES:

1. WHETHER LISTED OR NOT, UNLESS OTHERWISE NOTED, ALL MONUMENTS OR PROPERTY MARKERS, CORNERS OR ACCESSORIES WHICH WILL BE DISTURBED OR BURIED SHALL BE REFERENCED AND RE-ESTABLISHED IN THEIR ORIGINAL POSITION (A.S. 19.10.260) AND RECORDED (A.S. 34.65.040).

STATE OF ALASKA 49TH
REGISTERED PROFESSIONAL LAND SURVEYOR
JAMES H. SHOAF
NO. 5466

DEPARTMENT RIGHT-OF-WAY SURVEYORS CERTIFICATE

DATE	REVISIONS

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES
RIGHT OF WAY MAP
ALASKA PROJECT NO.
STP-0414(9)
SHEET 9

HOMER EAST ROAD M.P. 0-3.75 LAKE STREET TO KACHEMAK BAY D

DRAWN	RK	DATE	4/8/02	SCALE	NTS
CHECKED		DATE		SHEET 25	OF

MONUMENT SUMMARY SHEET

PROJECT DESIGNATION	SHEET NO.	TOTAL SHEETS
0414(9)		

RECOVERED CORNERS - SHEET 18

LOCATION	MONUMENT TYPE	NORTHING	EASTING	STATION	OFFSET	WORK ITEM
NW L1 TR B1 UTTER ACRES	REBAR/ALUM CAP	31586.6137	17191.5902	3+604.820	10.009 RT	7,9,12
SW L4 TR B1 UTTER ACRES	REBAR	31371.0296	17187.9983	3+807.198	195.612 RT	
W PC BEAR CREEK DRIVE	REBAR/ALUM CAP	31562.9966	17239.5231	3+851.880	17.902 LT	
W PC BEAR CRK DR NORDBY 8	REBAR/ALUM CAP	31720.4264	17258.9567	3+886.864	155.885 LT	
S PC W TR-8 B5 NORDBY 6	REBAR/ALUM CAP	31568.4092	17264.2450	3+876.415	24.107 LT	
HV 314	2" ALUM CAP	31581.8679	17270.0371	3+862.420	17.575 LT	
M10 PC W TR 9 B5 NORDBY 6	REBAR/ALUM CAP	31718.5140	17277.1465	3+885.123	154.659 LT	
W PC S TR B B5 NORDBY 6	REBAR	31578.9032	17335.2667	3+947.726	16.890 LT	*
E LINE L82A TIETJEN SUBD	REBAR	31547.4540	17345.0824	3+956.291	14.275 RT	
NE 1/16 S15 T6S R13W	BRASS CAP(267)	31165.6377	17364.9845	3+977.918	395.947 RT	
NW TR C1A TIETJEN SUBD	IRON PIPE	31556.7201	17441.5468	4+050.609	16.484 RT	
E PC S TR B B5 NORDBY 6	REBAR/ALUM CAP	31593.1564	17450.3632	4+069.350	13.925 LT	*

* NOT TO BE REFERENCED OR REPLACED

RECOVERED CORNERS - SHEET 19

LOCATION	MONUMENT TYPE	NORTHING	EASTING	STATION	OFFSET	WORK ITEM
SE TR B B5 NORDBY SUBD 6	REBAR/ALUM CAP	31623.8049	17552.9699	4+176.436	14.035 LT	7,9,12
SE TR D B5 NORDBY SUBD 6	REBAR/ALUM CAP	31638.3955	17602.0635	4+227.871	14.013 LT	7,9,12
W PC S TR C B5 NORDBY SUBD 6	REBAR/ALUM CAP	31663.7731	17687.3703	4+316.653	14.011 LT	*
SEC 10|11|14 T6S R13W	BRASS CAP	31558.7426	17785.7423	4+383.677	119.442 RT	
E PC S TR C B5 NORDBY SUBD 6	REBAR/ALUM CAP	31698.2295	17765.0969	4+422.061	15.555 LT	*
P1 CURVE B B5 NORDBY SUBD 6	REBAR	31700.6230	17758.7333	4+428.036	15.470 LT	7,9,12
S PC E TR C B5 NORDBY SUBD 6	REBAR/ALUM CAP	31704.6865	17768.8165	4+427.692	19.198 LT	*
NW L1 COMMERCE PARK SUBD	REBAR/ALUM CAP	31675.8775	17808.2832	4+434.591	14.864 RT	
PC L1 B1 BIRCHSIDE AC UNIT 5	REBAR/PLASTIC CAP	31721.4623	17809.3043	4+453.723	26.558 LT	
PC S L1 B1 BIRCHSIDE AC UNIT 5	REBAR/ALUM CAP	31714.4617	17820.0324	4+460.739	15.792 LT	*
PC TR C B5 NORDBY SUBD 6	REBAR/ALUM CAP	31922.2515	17793.4294	4+521.276	218.339 LT	
SW L2/SE L1 B1 BIRCHSIDE AC 5	REBAR	31743.7016	17865.3833	4+532.333	15.607 LT	7,9,12

* NOT TO BE REFERENCED OR REPLACED

RECOVERED CORNERS - SHEET 20 & 21

LOCATION	MONUMENT TYPE	NORTHING	EASTING	STATION	OFFSET	WORK ITEM
S 1/16 S10|S11 T6S R13W	BRASS CAP(13011)	31980.7734	17804.5543	4+547.160	245.964 LT	
SW L3/SE L2 B1 BIRCHSIDE AC 5	REBAR/ALUM CAP	31760.4523	17967.7457	4+622.524	15.733 LT	7,9,12
W 1/16 S11|S14 T6S R13W	BRASS CAP(13011)	31551.0922	18197.7594	4+738.696	267.554 RT	
PC E L3 B1 BIRCHSIDE AC UNIT 5	REBAR	31642.5530	16086.2442	4+757.675	23.234 LT	
NW L4 COMMERCE PARK SUBD	REBAR/ALUM CAP	31613.8939	16117.6198	4+772.992	14.920 RT	
PC W L1A B2 BIRCHSIDE AC UNIT 5	REBAR	31654.9166	16116.0228	4+788.280	23.160 LT	
SE L1A B2 BIRCHSIDE AC UNIT 6	REBAR	31666.3393	16204.7963	4+862.150	15.625 LT	7,9,12
SW 1/16 S11 T6S R13W	ALUM MON(44691)	31953.0370	16206.2154	4+910.671	75.934 LT	
SW L3 B2 PUFFIN ACRES	REBAR	31932.0379	16306.4706	4+993.620	15.838 LT	7,9,12
S L3 B2 PUFFIN ACRES	REBAR/PLASTIC CAP	31950.1602	16347.4731	5+036.446	15.643 LT	*
NE L3/NW L2A B1 PUFFIN ACRES	REBAR/ALUM CAP	31926.1742	16368.6640	5+046.001	14.904 RT	
S PC S L3 B2 PUFFIN ACRES	REBAR/PLASTIC CAP	31971.0660	16394.3067	5+089.745	15.629 LT	*
E PC E L3 B2 PUFFIN ACRES	REBAR/PLASTIC CAP	31977.8884	16398.6148	5+096.636	19.997 LT	7,9,12

* NOT TO BE REFERENCED OR REPLACED

RECOVERED CORNERS - SHEET 22 & 23

LOCATION	MONUMENT TYPE	NORTHING	EASTING	STATION	OFFSET	WORK ITEM
SW TR A1B RUMLEY-COLLIE 3	REBAR/ALUM CAP	31908.4852	19616.5462	5+267.067	132.243 RT	
CS 1/16 S11 T6S R13W	BRASS CAP(13686)	31948.2803	18608.4232	5+274.677	95.326 RT	
NW TR A RUMLEY-COLLIE	REBAR	32034.1994	18610.0103	5+312.420	14.813 RT	7,9,12
N PC W TR A1A RUMLEY-COLLIE 3	REBAR	32033.8090	18619.2344	5+320.661	18.956 RT	7,9,12
NE TR A1A RUMLEY-COLLIE 3	REBAR/ALUM CAP	32047.0084	18638.0127	5+343.212	14.551 RT	
NE L2C PUFFIN ACRES ADD-1	REBAR	32148.1250	18612.3470	5+360.244	68.408 LT	
NE TR-A2B RUMLEY-COLLIE 5	REBAR/ALUM CAP	31904.8931	18787.5729	5+421.726	205.339 RT	
NW L7 HK DAVIS	REBAR/ALUM CAP	31923.9014	18794.5068	5+435.619	190.618 RT	
C 1/4 S11 T6S R13W	BRASS CAP(13011)	32347.1086	18616.7050	5+446.269	268.103 LT	
E PC N TR A2A RUMLEY-COLLIE 5	REBAR/ALUM CAP	32096.1207	18746.7141	5+452.492	14.092 RT	
N PC E TR A2A RUMLEY-COLLIE 5	REBAR/PLASTIC CAP	32091.7036	18755.2492	5+468.481	21.508 RT	
INX EAST END RD/DAVIS ST	SPIKE	32119.2511	18760.7144	5+484.715	1.306 LT	7,9,12
NE L1B/NW L1A HK DAVIS SUBD	REBAR/ALUM CAP	32155.7686	18918.9413	5+650.244	10.029 RT	
SE L1A HK DAVIS SUBD	REBAR/PLASTIC CAP	32108.4582	19005.2972	5+725.815	65.525 RT	
CE 1/16 S11 T6S R13W	IRON PIPE/PLASTIC CAP	32339.3319	19019.3699	5+838.564	148.404 LT	

METRIC CONVERSION FACTORS

BASED ON METER - U.S. SURVEY FOOT RELATIONSHIP
1 METER = 39.37 INCHES EXACTLY. (METRIC LAW 1866)

FROM	TO	MULTIPLY BY
FOOT (U.S. SURVEY)	METER (m)	0.304800610
ACRE	HECTARE (ha)	0.404687261
SQUARE FOOT	METER² (m²)	0.092903412
METER (m)	FOOT (U.S. SURVEY)	3.280833333
HECTARE (ha)	ACRE	2.471043930
METER² (m²)	SQUARE FEET	10.763867360

NOTE: 1 HECTARE = 10 000 m²; 1 ACRE = 43,560 SQUARE FEET

HORIZONTAL CONTROL :

A LOCAL GROUND COORDINATE SYSTEM BASED ON TRAVERSES PERFORMED BY AKDOT BETWEEN STATIONS CONTROLLED WITH GPS OBSERVATIONS. AN ALUMINUM CAP LOCATED AT THE INTERSECTION OF KLONDIKE STREET AND HEATH STREET HAS COORDINATES OF N 29637.9913 E 13731.4659. A BRASS CAP AT THE INTERSECTION OF PIONEEER AVENUE AND HEATH STREET BEARS N 1 16'40.7" E 247.663 METERS AND HAS COORDINATES OF N 29865.5926 E 13736.9895. SAID LINE IS THE BASIS OF BEARINGS NAD 83 STATE PLANE GRID.

NOTES:

1. WHETHER LISTED OR NOT, UNLESS OTHERWISE NOTED; ALL MONUMENTS OR PROPERTY MARKERS, CORNERS OR ACCESSORIES WHICH WILL BE DISTURBED OR BURIED SHALL BE REFERENCED AND RE-ESTABLISHED IN THEIR ORIGINAL POSITION (A.S. 19.10.2601 AND RECORDED (A.S. 34.65.040).

STATE OF ALASKA 49TH JAMES H. SEEMS NO. 4063 PROFESSIONAL LAND SURVEYOR

DEPARTMENT RIGHT-OF-WAY SURVEYORS CERTIFICATE

DATE	REVISIONS	BY

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
&
PUBLIC FACILITIES
RIGHT OF WAY MAP
ALASKA PROJECT NO.
STP-0414(9)
58609

HOMER EAST ROAD M.P. 0-3.75 LAKE STREET TO KACHEMAK BAY DRIVE

DRAWN	RK	DATE	4/8/02	SCALE	NTS
CHECKED		DATE		SHEET 26	OF 27

PROJECT DESIGNATION	SHEET NO.	TOTAL SHEETS
P-0414(9)		

MONUMENT SUMMARY SHEET

INSTALL PROJECT CENTERLINE MONUMENTS

LOCATION	MONUMENT TYPE	NORTHING	EASTING	STATION	WORK ITEM
BOP	PRIMARY IN CASE	29944.7023	13849.7782	0+000.000	4,9,10,12
PC	PRIMARY IN CASE	29995.3715	13945.7413	0+108.519	4,9,10,12
PT	PRIMARY IN CASE	30028.4766	14022.2538	0+191.249	4,9,10,12
PC	PRIMARY IN CASE	30035.2585	14052.0864	0+222.330	4,9,10,12
PT	PRIMARY IN CASE	30060.9150	14197.4028	0+374.575	4,9,10,12
PC	PRIMARY IN CASE	30218.9972	14510.8660	0+810.587	4,9,10,12
PT	PRIMARY IN CASE	30252.9076	14583.9461	0+891.320	4,9,10,12
POT	PRIMARY IN CASE	30413.3493	14947.6539	1+200.000	4,9,10,12
PC	PRIMARY IN CASE	30599.4846	15253.5929	1+558.113	4,9,10,12
PT	PRIMARY IN CASE	30696.0322	15396.7746	1+730.868	4,9,10,12
PC	PRIMARY IN CASE	30811.5902	15551.8943	1+924.379	4,9,10,12
PT	PRIMARY IN CASE	30857.0183	15603.2048	1+992.919	4,9,10,12
PC	PRIMARY IN CASE	30942.5916	15684.7396	2+111.334	4,9,10,12
PT	PRIMARY IN CASE	31035.1111	15776.2459	2+242.589	4,9,10,12
PC	PRIMARY IN CASE	31164.3943	15918.2433	2+433.250	4,9,10,12
PT	PRIMARY IN CASE	31224.0913	15991.0545	2+527.459 BK=	4,9,10,12
PT				2+527.662 AHD	
PC	PRIMARY IN CASE	31266.3360	15075.5051	2+633.525	4,9,10,12
PT	PRIMARY IN CASE	31379.5232	16249.2537	2+830.371	4,9,10,12
PC	PRIMARY IN CASE	31500.4896	16564.5523	3+157.943	4,9,10,12
PT	PRIMARY IN CASE	31550.5716	16743.9080	3+354.430 BK=	4,9,10,12
PT				3+354.610 AHD	
PC	PRIMARY IN CASE	31565.1065	16824.2151	3+436.422	4,9,10,12
PT	PRIMARY IN CASE	31574.3896	16950.3681	3+563.151	4,9,10,12
PC	PRIMARY IN CASE	31561.8490	17340.1180	3+953.103	4,9,10,12
PT	PRIMARY IN CASE	31574.1544	17435.3280	4+049.519	4,9,10,12
PC	PRIMARY IN CASE	31652.9688	17700.1885	4+325.857	4,9,10,12
PT	PRIMARY IN CASE	31698.4151	17822.8330	4+456.745	4,9,10,12
POT	PRIMARY IN CASE	31838.5398	18138.1843	4+800.000	4,9,10,12
POT	PRIMARY IN CASE	32001.5292	18501.3371	5+200.000	4,9,10,12
PC	PRIMARY IN CASE	32143.5311	18818.2152	5+547.119	4,9,10,12
PT	PRIMARY IN CASE	32164.7105	15902.9596	5+634.920	4,9,10,12
PC	PRIMARY IN CASE	32158.6620	18959.8883	5+691.985	4,9,10,12
PT	PRIMARY IN CASE	32254.2323	19149.8571	5+904.576	4,9,10,12
PI	PRIMARY IN CASE	32314.1847	19210.5111	5+990.000	4,9,10,12
EOP	SECONDARY MON	32388.7424	19280.3644	6+090.000	5,9,12

WORK ITEM	WORK REQUIRED	PAY ITEM NO.
1	CONSTRUCTION SURVEYING	642(1)
2	OFFICE ENGINEERING	642(2)
3	THREE PERSON SURVEY PARTY	642(3)
4	SET PRIMARY MONUMENT	642(4)
5	SET SECONDARY MONUMENT	642(5)
6	REPLACE EXISTING WITH PRIMARY MONUMENT	642(6)
7	REPLACE EXISTING WITH SECONDARY MONUMENT	642(7)
8	ADJUST EXISTING MONUMENT	642(8)
9	REFERENCE EXISTING MONUMENT	642(9)
10	MONUMENT CASE	642(10)
11	ADJUST EXISTING MONUMENT CASE	642(11)
12	FINAL TRAVERSE	642(12)

HORIZONTAL CONTROL :

A LOCAL GROUND COORDINATE SYSTEM BASED ON TRAVERSES PERFORMED BY AKDOT BETWEEN STATIONS CONTROLLED WITH GPS OBSERVATIONS. AN ALUMINUM CAP LOCATED AT THE INTERSECTION OF KLONDIKE STREET AND HEATH STREET HAS COORDINATES OF N 29637.9913 E 13731.4659. A BRASS CAP AT THE INTERSECTION OF PIONEEER AVENUE AND HEATH STREET BEARS N 1 16'40.7" E 247.663 METERS AND HAS COORDINATES OF N 29885.5925 E 13735.9895. SAID LINE IS THE BASIS OF BEARINGS NAD 83 STATE PLANE GRID.

NOTES:

1. WHETHER LISTED OR NOT, UNLESS OTHERWISE NOTED, ALL MONUMENTS OR PROPERTY MARKERS, CORNERS OR ACCESSORIES WHICH WILL BE DISTURBED OR BURIED SHALL BE REFERENCED AND RE-ESTABLISHED IN THEIR ORIGINAL POSITION (A.S. 19.10.260) AND RECORDED (A.S. 34.65.040).

STATE OF ALASKA 49TH LS 5035 JAMES R. SHARP NO. 5035 PROFESSIONAL LAND SURVEYOR

DEPARTMENT RIGHT-OF-WAY SURVEYORS CERTIFICATE

METRIC CONVERSION FACTORS

BASED ON METER - U.S. SURVEY FOOT RELATIONSHIP
1 METER = 39.37 INCHES EXACTLY. (METRIC LAW 1866)

FROM	TO	MULTIPLY BY
FOOT (U.S. SURVEY)	METER (m)	0.304800610
ACRE	HECTARE (ha)	0.40468726
SQUARE FOOT	METER² (m²)	0.092903412
METER (m)	FOOT (U.S. SURVEY)	3.280833333
HECTARE (ha)	ACRE	2.471043930
METER² (m²)	SQUARE FEET	10.763867360

NOTE: 1 HECTARE = 10 000 m² ; 1 ACRE = 43,560 SQUARE FEET

DATE	REVISIONS

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
&
PUBLIC FACILITIES
RIGHT OF WAY MAP
ALASKA PROJECT NO.
STP-0414(9)
0509
HOMER EAST ROAD M.P. 0-3.75 LAKE STREET TO KACHEMAK BAY DRIVE

DRAWN RK	DATE 4/8/02	SCALE NTS
CHECKED	DATE	SHEET 27 OF 27

88

City of Homer
Planning & Zoning
491 East Pioneer Avenue
Homer, Alaska 99603-7645

Telephone *(907) 235-8121*
Fax *(907) 235-3118*
E-mail *Planning@ci.homer.ak.us*
Web Site *www.ci.homer.ak.us*

STAFF REPORT PL 10-31

TO: Homer Advisory Planning Commission

FROM: Rick Abboud, City Planner

MEETING: April 7, 2010

SUBJECT: Amendment to Planning Appeal Procedure

Introduction

After gaining experience with the City's ordinances governing appeals in planning administrative matters, the City Attorney has developed a series of Code amendments that address various lessons learned. I would summarize the amendments as clearing up some areas where guidance is somewhat ambiguous or unclear and those which ease formulistic requirements that may hinder an unrepresented litigant lacking experience.

Section 1. HCC 21.93.500(b) requires parties to an appeal to the Board of Adjustment to file an entry of appearance. This requirement appears unduly formalistic and restrictive in the case of the applicant for the action or determination that is the subject of the appeal and the owner of the property that is the subject of the action or determination, particularly if they are participating pro se. Such persons clearly have standing to participate in the appeal, and allowing them to participate without the formality of an entry of appearance reduces the burden on their participation without prejudicing the Board or other participants.

Another reason for relaxing this requirement is that some provisions of the general appeal procedures in Subchapter 1 of HCC Chapter 21.93 assume an entry of appearance is required in all appeals, although there is no such requirement in appeals to the Planning Commission. Under this circumstance, confining notices in appeals to the Planning Commission to persons who have entered an appearance may conflict with parties' rights to due process.

Amendments to implement this change begin with HCC 21.93.100(b), regarding notice of an appeal hearing. Under the amendment, notice of the appeal hearing shall be sent to the applicant for the action or determination that is the subject of the appeal and the owner of the property that is the subject of the action or determination, regardless of whether those persons have entered an appearance in the appeal.

Section 2. HCC 21.93.110(a) is amended to require appeal decisions to state the vote on the decision. While this appears to be the practice, making it a requirement will assure that it is done in every case. In addition, HCC 21.93.11O(c) is amended to provide that notice of the decision shall be sent to the

applicant for the action or determination that is the subject of the appeal and the owner of the property that is the subject of the action or determination, regardless of whether those persons have entered an appearance in the appeal.

Section 3. A recent appeal presented the question of how many votes are required for the Planning Commission to reverse a decision of the City Planner. A new HCC 21.93.300(f) is added to apply the same rule on this subject to the Planning Commission as governs decisions of the Board of Adjustment under HCC 21.93.550. The amendment also applies to Planning Commission appeal decisions the form that is prescribed for Board of Adjustment decisions in HCC 21.93.550.

Section 4. HCC 21.93.500 is amended to delete the requirement of an entry of appearance for the applicant for the action or determination that is the subject of the appeal and the owner of the property that is the subject of the action or determination, for the reasons discussed under Section 1, above.

Section 5. A question has arisen in several Board of Adjustment appeals regarding the presentation of evidence related to the disqualification of a member of the Board of Adjustment for conflict of interest, ex parte contact, partiality or other cause. HCC 21.93.51O(c) is added to provide that evidence can be presented before the Board on these issues.

Section 6. The City Clerk does not have staff resources to prepare transcripts for appeals, but HCC 21.93.520 appears to allow preparation by the City Clerk's office as one option for providing a transcript. This amendment substantially rewrites HCC 21.93.520 to clarify that a party desiring a transcript must arrange and pay for its preparation by a court reporter. The amendment also eliminates a redundant provision regarding obtaining copies of transcripts, and provides for notice of the preparation of the record to the applicant for the action or determination that is the subject of the appeal and the owner of the property that is the subject of the action or determination, regardless of whether those persons have entered an appearance in the appeal.

Section 7. HCC 21.93.530(a) is amended to provide that parties to an appeal may file briefs, but are not required to do so. This accommodates the pro se party who may simply wish to present oral argument to the Board of Adjustment, without filing a brief.

Section 8. HCC 21.93.300(d) specifically provides for oral argument in appeals to the Planning Commission. HCC 21.93.540(b) is amended to make a similar specific provision for oral argument before the Board of Adjustment, and authorizes the chair of the Board to prescribe the order of presentation and time limits for oral argument.

Action

The commission should review the proposed amendments suggest any areas for further review or revision and set a date for a public hearing.

CITY OF HOMER
HOMER, ALASKA

City Attorney

ORDINANCE 10-

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING THE FOLLOWING SECTIONS OF THE HOMER CITY CODE REGARDING APPEALS OF PLANNING ADMINISTRATIVE DECISIONS: 21.93.100, GENERAL APPEAL PROCEDURE; 21.93.110, APPEAL DECISIONS; 21.93.300, APPEALS TO THE PLANNING COMMISSION; 21.93.500, PARTIES ELIGIBLE TO APPEAL TO BOARD OF ADJUSTMENT; NOTICE OF APPEARANCE; 21.93.510, NEW EVIDENCE OR CHANGED CIRCUMSTANCES; 21.93.520, PREPARATION OF RECORD; 21.93.530, WRITTEN BRIEFS; AND 21.93.540, APPEAL HEARING.

WHEREAS, HCC Chapter 21.93 provides procedures for appeals to the Homer Advisory Planning Commission and the Board of Adjustment; and

WHEREAS, experience has demonstrated the need to improve and clarify certain appeal procedures to support the fair and expeditious processing of appeals.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 21.93.100, General appeals procedure, is amended to read as follows:

21.93.100 General appeals procedure. a. All appeals must be heard within 60 days after the appeal record has been prepared. The body hearing the appeal may for good cause shown extend the time for hearing. The decision on appeal must be rendered within 60 days after the appeal hearing.

b. The appellant**, the applicant for the action or determination that is the subject of the appeal, the owner of the property that is the subject of the action or determination,** and all parties who have entered an appearance shall be provided not less than 15 days written notice of the time and place of the appeal hearing. Neighboring property owners shall be notified as set forth in HCC § 21.94.030.

c. An electronic recording shall be kept of the entire proceeding. Written minutes shall be prepared. The electronic recording shall be preserved for one year unless required for further appeals. No recording or minutes shall be kept of deliberations that are not open to the public.

[**Bold and underlined added.** ~~Deleted language stricken through.~~]

F:\506742\12\00105674.DOC

Section 2. Homer City Code 21.93.110, Appeal decisions, is amended to read as follows:

21.93.110 Appeal decisions. a. All final decisions on appeals shall be in writing**, and shall state the number of members of the body hearing the appeal who participated in the appeal, who voted in favor of the decision, and who voted against the decision**.

b. A decision shall include an official written statement of findings and reasons supporting the decision. This statement shall refer to specific evidence in the record and to the controlling sections of the zoning code. Upon express vote, the body may adopt, as its statement of findings and reasons, those findings and reasons officially adopted by the body or officer below from which the appeal was taken.

c. Copies of the written decision shall be promptly mailed to the appellant**, the applicant for the action or determination that is the subject of the appeal, the owner of the property that is the subject of the action or determination,** and all parties who entered a written notice of appearance in the appeal proceeding.

Section 3. Homer City Code 21.93.300, Appeals to the Planning Commission, is amended to read as follows:

21.93.300 Appeals to the Planning Commission. a. Within 30 days after receipt of a timely notice of appeal to the Planning Commission, the City Planner will prepare an appeal record consisting of all relevant documents submitted to or used by the Planning Department in making the decision under appeal, including any staff reports, correspondence, applications, or other documents. The appeal record shall be paginated. The appellant shall be notified by mail when the appeal record is complete. Any person may obtain a copy of the appeal record from the Planning Department upon payment of the costs of reproduction.

b. An appeal hearing shall be scheduled within the time specified in HCC § 21.93.100. The hearing will be open to the public.

c. The Commission may prescribe rules of procedure for additional public notification in cases where the Commission determines its decision would have a substantial effect on the surrounding neighborhood.

d. The Commission may accept new testimony and other evidence, including public testimony, and hear oral arguments as necessary to develop a full record upon which to decide an appeal from an act or determination of the City Planner. Any person may file a written brief or testimony in an appeal before the Commission.

e. The Commission may undertake deliberations immediately upon the conclusion of the hearing on appeal or may take the matter under advisement and meet at such other time as is convenient for deliberations until a decision is rendered. Deliberations need not be public and may be in consultation with an attorney acting as legal counsel to the Commission.

f. The Commission may affirm or reverse the decision of the City Planner in whole or in part. A majority vote of the fully constituted Commission is required to reverse or modify the action or determination appealed from. For the purpose of this

[**Bold and underlined added.** ~~Deleted language stricken through.~~]

section the fully constituted Commission shall not include those members who do not participate in the proceedings due to a conflict of interest or disqualifying ex parte contacts, disqualifying partiality, or other disqualification for cause. A decision affirming, reversing, or modifying the decision appealed from shall be in a form that finally disposes of the case on appeal, except where the case is remanded for further proceedings.

g~~f~~. The Commission may seek the assistance of legal counsel, city staff, or parties in the preparation of a decision or proposed findings of fact.

Section 4. Homer City Code 21.93.500, Parties eligible to appeal to Board of Adjustment; notice of appearance, is amended to read as follows:

21.93.500 Parties eligible to appeal to Board of Adjustment; notice of appearance. a. Only persons who actively and substantively participated in the matter before the Commission and who would be qualified to appeal under HCC § 21.93.060 may participate as parties in an appeal from the Commission to the Board of Adjustment.

b. Any person so qualified who desires to participate in the appeal as a party**, other than the appellant, the applicant for the action or determination that is the subject of the appeal and the owner of the property that is the subject of the action or determination,** must, not less than 14 days before the date set for the appeal hearing, file with the City Clerk a written and signed notice of appearance containing that party's name and address, and proof that the person would be qualified under HCC § 21.93.060 to have filed an appeal.

Section 5. Homer City Code 21.93.510, New evidence or changed circumstances, is amended to read as follows:

21.93.510 New evidence or changed circumstances. a. Except as provided in subsections (b) **and (c)** of this section, the Board of Adjustment shall not consider allegations of new evidence or changed circumstances and shall make its decision based solely on the record. If new evidence or changed circumstances are alleged, the Board may, in its discretion, either hear the appeal without considering the allegations or may remand the matter to the appropriate lower administrative body or official to rehear the matter, if necessary.

b. When the standing of a person is in issue, the Board of Adjustment may take additional evidence for the limited purpose of making findings on the question of the person's standing. No evidence received under this subsection shall be considered for purposes other than determining standing.

c. When the disqualification of a member of the Board of Adjustment for conflict of interest, ex parte contact, partiality or other cause is in issue, the Board of Adjustment may take additional evidence for the limited purpose of making findings on the question of disqualification. No evidence received under this subsection shall be considered for purposes other than determining disqualification.

[**Bold and underlined added.** ~~Deleted language stricken through.~~]

F:\506742\12\00105674.DOC

Section 6. Homer City Code 21.93.520, Preparation of record, is amended to read as follows:

21.93.520 Preparation of record. a. **The appeal record shall be completed** ~~W~~**within** 30 days after receipt of a timely and complete notice of appeal to the Board of Adjustment, **shall consist of the items, and shall be prepared in the manner, described in this subsection.**

1. **T**~~t~~he Clerk will **assemble and paginate** ~~prepare an appeal record consisting of~~ all relevant documents involved in the original decision, including any staff reports, minutes, exhibits, notices, and other documents considered in making the original decision. ~~The appeal record shall be paginated.~~

2~~b~~. A **party may elect to include a** verbatim transcript of the testimony before the Planning Commission **in the appeal record by making** ~~will be included only if a party makes~~ a written request to the City Clerk **for a recording of the testimony** within 14 days after the clerk mails copies of the notice of appeal to the parties pursuant to HCC § 23.90.080(d). The requesting party shall **arrange and** pay **for the preparation of** the ~~full cost of preparing the~~ transcript. ~~All arrangements for preparation of the transcript are the responsibility of the party desiring the transcript, subject to the prior written approval of the City Clerk.~~ Only a transcript prepared and certified as accurate by ~~the City Clerk's Office or~~ a qualified court reporter shall be accepted. The original transcript must be filed with the City Clerk to be provided to the Board of Adjustment with the record on appeal. ~~Any person may obtain a copy of the transcript upon payment of the cost of reproduction and any applicable mailing costs~~.

b~~e~~. The appellant**, the applicant for the action or determination that is the subject of the appeal, the owner of the property that is the subject of the action or determination,** and other parties who have entered an appearance shall be notified by mail when the record and transcript, if ordered, are complete. Any person may obtain a copy upon payment of the costs of reproduction and any applicable mailing costs.

Section 7. Subsection (a) of Homer City Code 21.93.530, Written briefs, is amended to read as follows:

21.93.530 Written briefs. a. Each party to the appeal (each appellant, cross-appellant, and respondent) **may** ~~shall~~ file with the City Clerk one opening brief not later than twenty days after the date of mailing the notice of the completion of the record on appeal. The brief shall be typed on 8 1/2 x 11 inch paper and shall include a statement of relevant facts contained in the record on appeal, with citations to the page numbers in the record, a clear statement of the party's position regarding the allegations of error specified in the notice of appeal, and arguments citing points and legal authorities in support of such position.

[**Bold and underlined added.** ~~Deleted language stricken through.~~]

Section 8. Homer City Code 21.93.540, Appeal hearing, is amended to read as follows:

21.93.540 Appeal hearing. a. The meeting at which the Board of Adjustment hears an appeal shall be open to the public. The City Attorney or another attorney acting as legal counsel to the Board shall be present.

b. **Each party (each appellant, cross-appellant, and respondent) may present oral argument at the appeal hearing, subject to the order of presentation and time limitations that the chair adopts at the commencement of the hearing.** The taking of testimony or other evidence is limited by HCC § 21.93.510.

c. The Board of Adjustment may undertake deliberations immediately upon the conclusion of the hearing on appeal or may take the matter under advisement and meet at such other time as is convenient for deliberations until a decision is rendered. Deliberations need not be public and may be in consultation with the legal counsel to the Board.

d. The Board of Adjustment may exercise its independent judgment on legal issues raised by the parties. "Legal issues" as used in this section are those matters that relate to the interpretation or construction of the zoning code, ordinances or other provisions of law.

e. The Board of Adjustment shall defer to the findings of the lower administrative body regarding disputed issues of fact. Findings of fact adopted expressly or by necessary implication by the lower body shall be considered as true if they are supported by substantial evidence. But findings of fact adopted by less than a majority of the lower administrative body shall not be given deference, and when reviewing such findings of fact the Board of Adjustment shall exercise independent judgment and may make its own findings of fact. If the lower administrative body fails to make a necessary finding of fact and substantial evidence exists in the record to enable the Board to make the finding of fact, the Board may do so in the exercise of its independent judgment, or, in the alternative, the Board may remand the matter for further proceedings. "Substantial evidence", as used in this section, means such relevant evidence as a reasonable mind might accept as adequate to support a conclusion.

Section 9. This Ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of _____ 2010.

CITY OF HOMER

_____
JAMES C. HORNADAY, MAYOR

[**Bold and underlined added.** ~~Deleted language stricken through.~~]

F:\506742\12\00105674.DOC

ATTEST:

_____
JO JOHNSON, CMC, CITY CLERK

YES:
NO:
ABSTAIN:
ABSENT:

First Reading:
Public Hearing:
Second Reading:
Effective Date:

Reviewed and approved as to form:

_____	_____
Walt E. Wrede, City Manager	Thomas F. Klinkner, City Attorney
Date: _____	Date: _____

[**Bold and underlined added.** ~~Deleted language stricken through.~~]

F:\506742\12\00105674.DOC

The Role for Planning in Sustainable Communities

by Elaine Cogan

Communities throughout the country are witnessing an onrush of citizen interest and support for the concept of sustainable development. People have an almost intuitive understanding that our profligate ways of using our land, water, air, and human resources need to be reconsidered.

Although there is not a single, universally accepted definition of sustainable development, a good description is that it is a way of life that provides benefits to the economy, environment, and community livability without sacrificing one for the other. Achieving energy efficiency and utilizing green technology are common goals.

Planning, and the strategies, ordinances, rules, and regulations that carry out planning initiatives, can be among the most effective ways to create a sustainable community.

Regulatory reform is a major issue in many communities as they consider being more sustainable. Planners can contribute to that effort by reviewing their building and zoning codes to ascertain any unreasonable barriers to architects and developers interested in using the latest green techniques in building design, materials, and systems. Small turbine wind systems, eco-roofs, solar panels, and rainwater retention are just some of the many ways new and remodeled buildings can be more sustainable. When reexamining your rules and regulations, ask yourselves, "Do we reward or punish designers and developers who bring these and other new ideas to the permit counter?"

I live and work in Portland, Oregon, a city that has been called by some one of the most sustainable in the U.S. As a sure sign of our aspirations, the name and function of our planning department has recently been changed to the Bureau of Planning and Sustainability.

Not coincidentally, we also are cited as the most bicycle-friendly city in the country, with many who use this non-motorized means to commute to and from work every day. Although there are conflicts between motorists and bicyclists, most would agree that the latter contribute to our sustainability by not using precious fossil resources to fuel their journeys.

> SUSTAINABILITY IS A GOAL ALL SECTORS OF THE COMMUNITY ARE EAGER TO EMBRACE.

To encourage this sustainable activity, Portland's transit system has racks for bikes, the city provides bicycle storage bins on sidewalks, and many businesses do the same in their buildings. We have special bicycle lanes on major thoroughfares, though proponents say we should have more and some motorists are annoyed we have so many. Planners are considering creating bike boulevards, providing less-traveled streets with a combination of traffic calming, intersection treatments, and signage that slow traffic while encouraging bicycling.

If your community seems to agree that encouraging alternative transportation is a worthwhile, sustainable goal, planners can aid that effort by championing public transit and considering how bicycles can be accommodated more readily on your existing street system. In addition, you can consider providing transit passes to employees to encourage them to leave their cars at home.

What types of vehicles do you have in your planning department fleet? Are they hybrids? Electric? Can the planning department be the proponent for city use of more efficient, sustainable vehicles?

When you plan for new or replacement street lights, do you require the most efficient, low energy fixtures?

These are just some of the many ways the planning commission and staff can take sustainability practices into consideration as you make decisions.

Our planning and communications consulting firm is engaged in an increasing amount of work helping communities and organizations become more sustainable. We have facilitated the work of "Green Ribbon" committees, bringing together businesses and local governments to discuss how they can collaborate to attract sustainable industries. We also have consulted with city agencies to recommend strategies to substitute local green building products for imported items and encourage energy efficient transportation alternatives. We see a growing awareness that sustainability is a goal all sectors of the community are eager to embrace.

If sustainability is of interest to you and others on your planning board, you and your staff can be the leaders in such initiatives. It is not hyperbole to note that few other governmental bodies affect the lives and livelihoods of neighborhoods, businesses, environmentalists, community leaders, and others ... the many entities important to the well-being of their communities.

All will benefit if you are willing to take the lead in creating the sustainability vision and acting on it. ◆

Elaine Cogan, partner in the Portland, Oregon, planning and communications firm of Cogan Owens Cogan LLC, has worked for more than thirty years with communities undertaking strategic planning and visioning processes.