



City of Homer

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Office of the City Clerk

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Memorandum Supplemental Packet

TO: MAYOR CASTNER AND HOMER CITY COUNCIL
FROM: MELISSA JACOBSEN, MMC, CITY CLERK
DATE: JANUARY 23, 2023
SUBJECT: SUPPLEMENTAL PACKET

CONSENT AGENDA

Kenai Peninsula Borough non objection letter for Retail Store Marijuana License Renewal for Uncle Herb's.

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ANNOUNCEMENTS/REPORTS/PRESENTATIONS

Planning Commission written report.

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CITY MANAGER'S REPORT

Memorandum from Council Members Lord and Aderhold re: HERC Priority and Plan to Address

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Office of the Borough Clerk

144 North Binkley Street, Soldotna, Alaska 99669 • (907) 714-2160 • (907) 714-2388 Fax

Michele Turner, CMC
Acting Borough Clerk

January 23, 2023

Sent via email: clerk@ci.homer.ak.us

City of Homer Clerk
Homer City Hall

RE: Renewal Application for Retail Marijuana Store

Business Name : Uncle Herb's
License Location : Homer/1213 Ocean Drive, Unit 2, Homer, AK 99603
License No. : 12866

Dear Ms. Jacobsen,

This serves to advise that the Kenai Peninsula Borough (KPB) has reviewed the above referenced application and has no objection to the issuance of the license.

Should you have any questions, or need additional information, please don't hesitate to let us know.

Sincerely,

Michele Turner, CMC
Acting Borough Clerk

cc: lloyd@edenalaska.com

amco.localgovernmentonly@alaska.gov

MT/jr

To: Mayor Castner and Homer City Council
From: Scott Smith, Chair, Homer Planning Commission
Date: January 18, 2023
Subject: Planning Commission Report for City Council

Attending: Commissioners Highland, Venuti, Smith, Conley and Barnwell via Zoom, and Commissioner Chiappone, City Planner Abboud, Associate Planner Bella Vaz and Deputy City Clerk Krause in Chambers. Commissioner Stark was excused.

Work Session:

Jen Martin of the US Army Corps of Engineers presented about half of her planned presentation. At the request of several commissioners, Ms. Martin will complete her presentation at the February 1, 2023 Work Session. Ms. Martin introduced the jurisdictional overview of the Corp of Engineers. Essentially, they want to have complete documentation of anything above, within and below navigable waters, and also a complete record, backed by real empirical evidence of all waters, fresh and salt, within the US. They monitor use and purpose by land owners to ensure best practices and water quality.

Ms. Martin fronted several questions from Commissioners including the process of application and what happens when and if applications are denied; could there be a way to have the City of Homer have more authority with this application process; and how waters are classified as wetlands.

Planning Commission Regular Meeting

AGENDA: Approved.

PUBLIC COMMENTS: None.

RECONSIDERATIONS: None.

CONSENT AGENDA: Approved.

PRESENTATIONS: None.

REPORTS: Agenda Item Report 23-03, City Planners Report – City Planner Rick Abboud highlighted the HDR work session; gave an update on the new Permitting Software; encouraged Commissioners to get involved with the Transportation Plan; reviewed the Housing Forum noting that this is truly a demographic challenge; and the EDC has prioritized housing. He encouraged Commissioner APA membership.

Commissioner Venuti brought forward a recent Plat that was denied by the Commission was approved at the Borough and stated that applications which are denied by the Commission must have verified Code statements to legitimize a denial. Mr. Abboud provided input and guidance stating that the Commission could change Code to accommodate desires. Commissioner Smith reflected on the purpose of Public Hearings and why the Commission did not have legal authority to influence decisions when they are legally required. He suggested training for the Commission on this aspect would be beneficial. Being that this topic was off-point, the Commission concluded discussion and requested it be addressed at a later date as a separate topic.

Mr. Abboud provided additional information about the scope of the proposed Housing Forum at the request of Chair Smith: does it include homeless, tourists, seasonal workers. Mr. Abboud acknowledged he is still sorting through what might be the complete scope of this work.

PUBLIC HEARINGS: Report PC 23-04; Ordinance 23-xx, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Section 21.20, Town Center District, Correcting Duplicate Uses. Planning Commission.

City Planner Abboud briefly presented the report. Motion to pass and Recommend to City Council was presented and passed without objection.

PLAT CONSIDERATIONS: None.

PENDING BUSINESS: None.

NEW BUSINESS: Agenda Item Report PC 23-05, Shed Roof Design in the City of Homer: Associate Planner Bella Vaz presented a very thorough report regarding possible language which could be added to the Comp Plan. Commissioner Smith requested this topic because of several conversations he had with people in the community (some were initiated by others, and some by Chair Smith.) After reviewing Ms. Vaz's report, by consensus, Commissioners offered that any restrictions on shed roof designs was an overreach of authority and recommended no further action be taken.

COMMENTS OF THE AUDIENCE: Laura Karstens attended via Zoom and reflected on the discrepancy between the regulation differences between City of Homer and KPB with their Notification of Public Hearing mailing distance: City of Homer is 300' from an applicant's location, while KPB is 500'. She was surprised about not hearing from the City of Homer about the application which came through in September 2022, which she did not have knowledge of until she received notice from KPB.

COMMENTS OF THE STAFF/COMMISSION: Several Commissioners welcomed Ms. Vaz to the Planning Office and thanked her for the very thorough report on Shed Roofs. They welcomed Ms. Krause back from her time away. Chair Smith told Ms. Vaz that he was approached by one of her family members who expressed great exuberance about Ms. Vaz joining the Planning Office before she arrived in Homer. Ms. Vaz revealed that the person who approached Chair Smith was her grandmother.

Next Meeting: February 1, 2023 Work Session at 5:30 p.m. with Regular Session at 6:30 p.m.



Memorandum

TO: City Manager Dumouchel, Mayor Castner, and Homer City Council
FROM: Council Members Lord and Aderhold
DATE: January 23, 2023
SUBJECT: HERC Priority and Plan to Address

During our first visioning session in 2019, the City Council agreed that moving forward on the Homer Education and Recreation Complex (HERC)/multi-purpose community center was a top priority for Homer. This priority was reiterated during our March 2022 visioning session. When a potential federal funding opportunity arose, staff worked diligently with the support of Council to understand if our project could be a good fit. Staff also developed a plan, and Council funded that plan, to demolish the condemned HERC 2 building. Updates from staff on this project have focused on the lack of funding, following the last effort to secure Economic Development Administration funds.

After reviewing the City Manager's HERC update in the 1/23/2023 City Manager's report, we would like to take a much more active role in this Council-priority project.

While the challenges Rob outlined are accurate, we assert the following:

- The HERC building is used daily by many members of our community, and community recreation has long been a priority (if an underfunded one) of our Council and the community.
- City of Homer Parks and Building Maintenance staff are currently housed in the HERC 1 building, and replacing the building with a multi-use community center will require relocating staff and equipment.
- The community has diligently participated in surveys, public meetings, charrettes, task forces, worksessions, and council meetings on this site for MANY years. They have trusted us when we have said we take this project seriously and that we understand it cannot keep being kicked down the road.
- The Council has already dedicated significant funds and staff resources to understand the context of the multi-use community center project.
- The building is in a state of disrepair and it is only a matter of time before it can no longer be utilized for recreation or for city staff. However, city council does not have current understanding of the status of building condition.
- The Pioneer Gateway property was donated to the Borough, and later sold to the City for \$1, with an expectation of public use and education. We are committed to this vision, focused on community gathering and recreation, for these 4.5 City-owned acres.

Understanding how to fund this project requires an actual appropriately scaled and reasonable project plan. We contend that the community does NOT yet have this, despite the resources dedicated to date.

Utilizing all of the work that has been done, community input that has been given, and plans drafted, we propose meeting with staff over the next several months to develop a project plan that can be developed in phases and can get off the ground with funding level that will allow for a combination of savings and bonding. We will work to outline a possible timeline and funding opportunities. We will report back to Council and the community on a regular basis during Council meetings.