



SUPPLEMENTAL PACKET

City Council Work Session & Regular Meeting

Monday, August 28, 2023

City Hall Cowles Council Chambers In-Person & Via Zoom Webinar

Homer City Hall

491 E. Pioneer Avenue
Homer, Alaska 99603
www.cityofhomer-ak.gov

<https://cityofhomer.zoom.us>

Dial: 346-248-7799 or 669-900-6833;
(Toll Free) 888-788-0099 or 877-853-5247

WORKSESSION

Proposed new project for the Capital Improvement Plan from Council Member Lord Page 2

CONSENT AGENDA

Resolution 23-083, A Resolution of the City Council of Homer, Alaska Providing Comments on the Alaska Department of Transportation and Public Facilities 2024-2027 Statewide Transportation Improvement Program. Aderhold.

Resolution 23-083(S), A Resolution of the City Council of Homer, Alaska Providing Comments on the Alaska Department of Transportation and Public Facilities 2024-2027 Statewide Transportation Improvement Program. Aderhold/Davis/Erickson. Page 3

Memorandum from Economic Development Advisory Commission and written public comments. Page 11

PUBLIC HEARING

Ordinance 23-21(S)(A), An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Section 22.10.050 to Specify that Preliminary Plats Approved by the City Shall Include all Development Commitments Made to the City. Davis/Erickson.

Planning Commission minutes excerpt as backup. Page 18

Ordinance 23-40, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Sections 21.12 Rural Residential District; 21.14 Urban Residential District; 21.18 Central Business District; 21.24 General Commercial 1 District; 21.26 General Commercial 2 District Regarding Conditional Uses in each District. Lord/Mayor.

Planning Commission minutes excerpt as backup. Page 24

From: [Rachel Lord](#)
To: [Melissa Jacobsen](#)
Cc: [Robert Dumouchel](#)
Subject: CIP addition proposal, please forward to Council/Mayor
Date: Monday, August 28, 2023 9:24:53 AM

Hi Melissa,

I sent the following to Jenny, and would like to propose this during our worksession today. Would you please forward to the Council & Mayor so they have a copy prior to the worksession? And might you also have a copy of that letter that we approved a few years ago regarding the Sterling Hwy/Soundview intersection?

Thank you!

Rachel

I'm interested in proposing a small addition to the CIP within the State Projects section. I know we have a letter that the Council supported from a few years' back that speaks to this same issue (brought forward by Erica Marley with the West Homer Site Council):

Sterling Highway Turn Lane at Soundview: West Homer Elementary School is located near the intersection of the Sterling Highway with Soundview Avenue in Homer. In the afternoons when school is in session, traffic can back up on the highway for up to a mile. Without a turning lane, drivers will pass the waiting traffic to continue driving north creating a hazardous situation for both oncoming and turning cars. This project will create a turning lane and explore other options for improving safety at the intersection of the Sterling Highway and Soundview Avenue.

1 **CITY OF HOMER**
2 **HOMER, ALASKA**

3 Aderhold/Davis/Erickson

4 **RESOLUTION 23-083(S)**
5

6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
7 PROVIDING COMMENTS ON THE ALASKA DEPARTMENT OF
8 TRANSPORTATION AND PUBLIC FACILITIES 2024-2027
9 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM
10

11 WHEREAS, The Alaska Department of Transportation and Public Facilities (DOT&PF)
12 issued its 2024-2027 Statewide Transportation Improvement Program (STIP) in summer 2023
13 for public review and requests comments by September 3, 2023; and
14

15 WHEREAS, The City of Homer has held numerous meetings with DOT&PF
16 representatives about transportation projects in the Homer area; and
17

18 WHEREAS, The State of Alaska has contributed funding towards the City of Homer's
19 harbor expansion general investigation study with the US Army Corps of Engineers (USACE)
20 that was initiated in spring 2023; and
21

22 WHEREAS, The City of Homer includes critical state transportation infrastructure,
23 including an Alaska Marine Highway System (AMHS) ferry terminal and dock, the Sterling
24 Highway (which ends at the ferry terminal), Kachemak Drive, Pioneer Avenue and East End
25 Road, Main Street, and East Hill and West Hill roads; and
26

27 WHEREAS, The City of Homer's Capital Improvement Plan (CIP) contains
28 recommendations for several state transportation projects; and
29

30 WHEREAS, The City of Homer has embarked on several projects to make the city more
31 accessible to non-motorized transportation and has applied for state and federal grant funds
32 for these important local transportation projects; and
33

34 WHEREAS, The City of Homer has provided comments on numerous projects listed in
35 the 2024-2027 STIP and has requested the addition of numerous projects into the STIP.
36

37 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, requests
38 DOT&PF add the following projects to the 2024-2027 STIP:
39

- 40 • Homer Harbor Expansion
 - 41 ○ This project is the City of Homer's top CIP priority.

- 42 ○ Homer’s harbor is filled beyond capacity, with a long waiting list for mooring
43 and many vessels that moor in the harbor do not have adequate space for their
44 size.
- 45 ○ As a hub for many types of marine transportation vessels, including a fishing
46 fleet, pilot and escort vessels, and vessels that deliver goods to western Alaska,
47 the harbor is critical infrastructure of regional and statewide importance.
- 48 ○ The State of Alaska and the City of Homer each contributed \$750,000 to match
49 Federal funding for the \$3,000,000 General Investigation study now underway
50 by USACE, which is subsequently expected to move into the project engineering
51 and design phase. With local, state and funding secured, the project should be
52 added to the STIP, not the "Illustrative Projects and Discretionary Grants"
53 section.
- 54 ● Homer Spit Coastal Erosion Mitigation
 - 55 ○ The Sterling Highway, a state-maintained road that is part of the federal
56 highway system, extends through Homer and to the end of the Homer Spit,
57 providing a critical road surface freight and public traveler connection to
58 Homer’s harbor, to the AMHS ferry terminal, and to recreational and tourist
59 amenities.
 - 60 ○ The Homer Spit is a 4.5-mile-long glacial feature composed of sands and gravel
61 and is subject to erosion.
 - 62 ○ The City of Homer is working cooperatively with DOT&PF and USACE to design,
63 permit, and implement a long-term erosion mitigation and maintenance plan to
64 mitigate and stabilize erosion conditions.
 - 65 ○ Current work includes beach renourishment using harbor dredge materials, but
66 this is not a long-term solution.
 - 67 ○ DOT&PF partnered with the City of Homer to submit a FY23-24 Federal PROTECT
68 grant for \$1.8M in planning funds to develop a long-term erosion mitigation and
69 climate resilient design solution.
 - 70 ○ This project is of critical surface transportation importance and should be
71 added to the STIP, not to the "Illustrative Projects and Discretionary Grants"
72 section where it is currently listed.
- 73 ● MP 172 Drainage Improvements.
 - 74 ○ The Baycrest Subdivision neighborhood, downslope of a beehive collector
75 installed at milepost 172 of the Sterling Highway by DOT&PF, is built on sloping
76 terrain of unconsolidated soils containing blue clay with a high water table and
77 incidental springs. Properties in this subdivision experience unusually high
78 levels of flooding, runoff, and erosion. Water flow volume measurements from
79 the beehive collector over time indicate that the outfall is directing a
80 concentrated discharge of water onto the Baycrest neighborhood slope, adding
81 to an already precarious water saturated soil condition.
 - 82 ○ The city requests that DOT&PF divert the beehive collector outfall off the slope
83 and into a natural drainage similar to the one that exists below the Sterling

84 Highway concrete encased cross drain east of the Mt. Augustine Drive
85 intersection with the Sterling Highway.

86 • Sterling Highway Milepost 169-175 Pavement Preservation Project and Pedestrian
87 Safety Upgrades:

- 88 ○ The City of Homer was asked to provide comments on this project in 2022 during
89 early planning. This is a much-needed project and the City requests that the
90 project be included in the STIP. Below are comments the City provided on the
91 project.
- 92 ○ Extend the Sterling Highway sidewalk on the north side of the Sterling Highway
93 to and around Rogers Loop to the Diamond Creek Recreation Site. This would
94 connect the sidewalk to the extensive existing trail system bounded by the
95 Sterling Highway on the south and Diamond Ridge Road on the north of Rogers
96 Loop. Hundreds of hikers and cross-country skiers use these trails year-round.
- 97 ○ Extend the school safety zone on the Sterling Highway at Homer Middle School.
98 The school parking lot and entrance will be upgraded by the Kenai Peninsula
99 Borough. The DOT&PF-installed flashing lights and school zone no longer
100 extend the length of the school property or include the exit of the parking lot.
- 101 ○ Install Highly Visible Crosswalks. Due to traffic levels and speed, improving sight
102 lines and crosswalk delineation with safety flashing lights at the following
103 Sterling Highway intersections would benefit pedestrian safety: Pioneer
104 Avenue, Heath Street, Poopdeck Street, and Kachemak Drive.
- 105 ○ Repair the Beluga Slough Bike Path. The asphalt surface has developed
106 longitudinal cracks as well as raveling. This deteriorated condition poses a
107 danger to bicyclists and pedestrians experiencing disabilities.
- 108 ○ Install Ocean Drive Bicycle Lanes and/or a pedestrian pathway with clearly
109 defined business access points on Ocean Drive that connects to the pathway on
110 Lake Street and the Homer Spit Path. During the last paving project, DOT&PF
111 moved the centerline of Ocean Drive so that instead of a bike lane on one side
112 of the road, there was a wide shoulder on both sides. This has helped quite a bit,
113 but is insufficient given the growth of traffic and non-motorized use during the
114 summer months. Further, many business driveways intersect the shoulders
115 making pedestrian and bicycle travel very hazardous.
- 116 ○ Design and Install Ocean Drive Turn Lane. Turning left on Ocean Drive during the
117 summer is challenging and dangerous because of the traffic volumes. This is
118 exacerbated by the fact that ingress and egress to the private properties
119 adjacent to Ocean Drive are uncontrolled. Ocean Drive is basically one big
120 driveway onto private parking lots. A left-hand turn lane will greatly improve
121 road and pedestrian safety.
- 122 ○ Partner with the City in the Green Infrastructure Storm Water Management
123 project for creative solutions to remove sediment and pollutants from
124 stormwater discharge into Beluga Slough and Kachemak Bay and mitigate
125 erosion.

- 126 • Kachemak Drive Restoration and Non-Motorized Pathway
- 127 ○ Kachemak Drive is a state road that connects East End Road to the base of the
- 128 Homer Spit. The Homer Boatyard is accessed from the east end of Kachemak
- 129 Drive and general aviation businesses associated with the state-owned airport
- 130 are located at the west end of the Kachemak Drive.
- 131 ○ DOT&PF began scoping a “1R” project to resurface Kachemak Drive in 2021 and
- 132 the city is surprised that this project is not included in the STIP, as the road
- 133 surface is highly deteriorated.
- 134 ○ As part of the project, the city requests constructing a separated non-motorized
- 135 pathway along the length of Kachemak Drive because of the safety issues that
- 136 exist along this narrow, winding roadway. The city proposes to partner with
- 137 DOT&PF to accomplish this goal.
- 138 • Main Street Rehabilitation and Sidewalk
- 139 ○ Main Street from Pioneer Avenue south to its end near Ohlson Lane is a state
- 140 road. The road is a primary north-south collector in Homer. The road condition
- 141 has deteriorated in recent years. The pavement is raveling and the drainage
- 142 system is inadequate, allowing water to infiltrate the road bed.
- 143 ○ The road is narrow and has no shoulders, making it unsafe for pedestrians and
- 144 bicyclists, though it is frequently used by pedestrians and cyclists because of its
- 145 importance as a collector.
- 146 ○ The City of Homer submitted a funding request for DOT&PF fiscal year 2022-2025
- 147 Community Transportation Program grant funding to make these much-needed
- 148 improvements to Main Street.
- 149 • East Hill Road and West Hill Road Bike Lanes
- 150 ○ East Hill and West Hill roads are state-maintained arterial roads that connect
- 151 Diamond Ridge and Skyline Drive areas of Homer to the main parts of town. Both
- 152 roads are steep and winding with no shoulders, leaving no safe alternative for
- 153 non-motorized traffic.
- 154 ○ The Homer City Council requests DOT&PF to include non-motorized amenities
- 155 during future upgrades to East and West Hill roads.
- 156 • **Pedestrian Crossing at Sterling Highway to Connect State- and City-maintained**
- 157 **portions of Diamond Creek Recreation areas.**
- 158 **o This project is listed first not because it is the City of Homer’s top priority,**
- 159 **but because of timing: the ideal time to carry out this important safety and**
- 160 **life-quality project will be during the already-scheduled replacement of the**
- 161 **existing culvert that brings Diamond Creek under the Sterling Highway.**
- 162 **o Both the Alaska State Park’s Diamond Creek Recreation site west of the**
- 163 **Sterling Highway, and the City of Homer’s Diamond Creek Recreation Area**
- 164 **east of the highway, are heavily used by visitors and residents alike.**
- 165 **o With work scheduled to commence soon on a project to widen the**
- 166 **highway to accommodate a northbound left-turn lane, the construction of**
- 167 **a safe pedestrian crossing between the two areas is more critical and timely**

168 **than ever, and the City of Homer joins many other individuals and**
169 **organizations in urging DOT&PF to update its plans to incorporate this**
170 **improvement.**
171

172 BE IT FURTHER RESOLVED that the City Council of Homer, Alaska, requests DOT&PF add
173 the following projects to the "Illustrative Projects and Discretionary Grants" section of the
174 2024-2027 STIP. These are projects for which the City has applied or intends to apply for
175 Federal discretionary grant funds:
176

- 177 • Homer Harbor Critical Float System Replacement – FREIGHT Project
 - 178 ○ The Homer City Council is pleased to see this project listed in the "Illustrative
 - 179 Projects and Discretionary Grants" section of the STIP.
 - 180 ○ The Homer Harbor contains floats that were constructed in 1964 for the original
 - 181 harbor and are 30 years beyond their engineered life expectancy. Other floats
 - 182 date to 1986 and in critical to serious need of replacement.
 - 183 ○ As a regional transportation hub serving the marine transportation needs for
 - 184 over 47 non-road connected communities in Southcentral and Western Alaska,
 - 185 as well as the commercial fishing, sport fishing, mariculture and ecotourism
 - 186 industries, the harbor is critical infrastructure of regional and statewide
 - 187 importance.
 - 188 ○ The City of Homer submitted a federal grant application in 2023 for \$47 million
 - 189 in Port Infrastructure Development Program funds to assist with design,
 - 190 engineering, and construction.
- 191 • Realizing Equitable, Accessible Connectivity in Homer (REACH)
 - 192 ○ REACH plans and designs a comprehensive network of sidewalks, trails,
 - 193 bikeways, and mobility hubs to enable residents and visitors to make non-
 - 194 motorized trips within Homer. The proposed network will connect existing trails
 - 195 and sidewalks in Homer's downtown core and waterfront, complete previous
 - 196 nonmotorized transportation planning efforts, and design new facilities. The
 - 197 non-motorized system will provide significant safety benefits as well as an
 - 198 economic boost by better integrating local businesses, health care facilities, and
 - 199 tourist destinations.
 - 200 ○ The City has submitted a federal grant application for \$1.4M in RAISE Planning
 - 201 funds.
- 202 • Homer All Ages and Abilities Pedestrian Path
 - 203 ○ The City of Homer submitted this project to DOT&PF for consideration as part of
 - 204 its fiscal years 2022-2025 Transportation Alternatives Program grant funding
 - 205 estimated at \$3.9M.
 - 206 ○ The project would construct sidewalks on Svedlund, Herndon, and Lee streets
 - 207 to connect to Pioneer Avenue (a state road); construct a sidewalk on the state-
 - 208 owned portion of Main Street from Pioneer Avenue south to Ohlson Lane; and
 - 209 improve crosswalks at intersections.

210 The project would greatly improve walkability in Homer, connecting the Senior Center, Coast
211 Guard Housing, and residential areas to Homer’s downtown and Old Town areas.

212
213 BE IT FURTHER RESOLVED that the City Council of Homer, Alaska, provides the following
214 comments on specific projects currently listed in the STIP:

- 215
- 216 • Project 2670, Sterling Highway Milepost 157-169 Reconstruction Anchor Point to
217 Baycrest Hill
 - 218 ○ The Homer City Council fully supports the completion of this project.
 - 219 ○ The Homer City Council requests the addition of several features associated
220 with this project, as follows:
 - 221 ▪ We request improvements to the Baycrest Overlook to enhance visitor
222 and resident experiences: paving the parking lot near the “Welcome to
223 Homer” sign, demarcating the Van Accessible parking space in
224 compliance with the Americans with Disabilities Act (ADA), and
225 upgrading the restroom facility for ADA compliance.
 - 226 ▪ We request the inclusion of an enlarged culvert at the Diamond Creek
227 crossing to allow for a future grade-separated non-motorized path
228 adjacent to the creek connecting local trail systems north of the highway
229 to a state recreation area trail system south of the highway.
 - 230 • Project 30189, M/V Tustumena Replacement Vessel, and Project 24211, M/V Kennicott
231 Emissions and Exhaust
 - 232 ○ The Homer City Council fully supports replacing the M/V Tustumena and
233 upgrading the M/V Kennicott’s emissions and exhaust systems. Both vessels
234 dock in Homer.
 - 235 ○ Homer is the launch point for the AMHS from the state road system to Seldovia,
236 Kodiak and surrounding villages, and the Alaska Peninsula and Aleutian Islands.
 - 237 ○ Homer City Council sees the AMHS as critical infrastructure for coastal Alaska.
 - 238 ○ Modernizing and reducing emissions from the AMHS fleet is important to
239 address operating costs and climate change.
 - 240 • Project 34223, Community Transportation Program (CTP): Alaska-wide
 - 241 ○ Homer has recently submitted grant applications under this program and
242 considers State CTP funding critical for road surface safety and efficiency
243 improvements statewide.
 - 244 ○ The Homer City Council fully supports continuing this program into the future.
 - 245 • Project 33864, Transportation Alternatives Program: non-AMATS MPOs
 - 246 ○ Homer has recently submitted grant applications under this program and hopes
247 to use the funds to enhance non-motorized transportation within the city.
 - 248 ○ The Homer City Council fully supports continuing this program into the future.
 - 249 • Project 33865, National Electric Vehicle Infrastructure Program

- 250 ○ More and more Homer residents and visitors use electric vehicles every day.
- 251 Installing electric vehicle charging infrastructure between Homer and
- 252 Anchorage is important to establish an interconnected network.
- 253 ● Project 32478, ADA implementation and Compliance
- 254 ○ The Homer City Council applauds DOT&PF's efforts to implement and improve
- 255 compliance with the Americans with Disabilities Act (ADA).
- 256 ○ The City of Homer has created an ADA Advisory Board which has prepared a
- 257 transition plan for its buildings, is in the process of finalizing a transition plan for
- 258 parks and campgrounds, and is initiating a transition plan for trails and
- 259 pathways.
- 260 ○ The City is actively working to improve ADA access throughout the city, including
- 261 adding and upgrading sidewalks.
- 262 ○ The City submitted several grant proposals related to adding sidewalks for
- 263 improved ADA access, including the Homer All Ages and Abilities Pedestrian
- 264 Path and Main Street Rehabilitation and Sidewalk projects listed above.
- 265

266 PASSED AND ADOPTED BY THE CITY COUNCIL OF HOMER, ALASKA, THIS 28th day of
267 August, 2023.

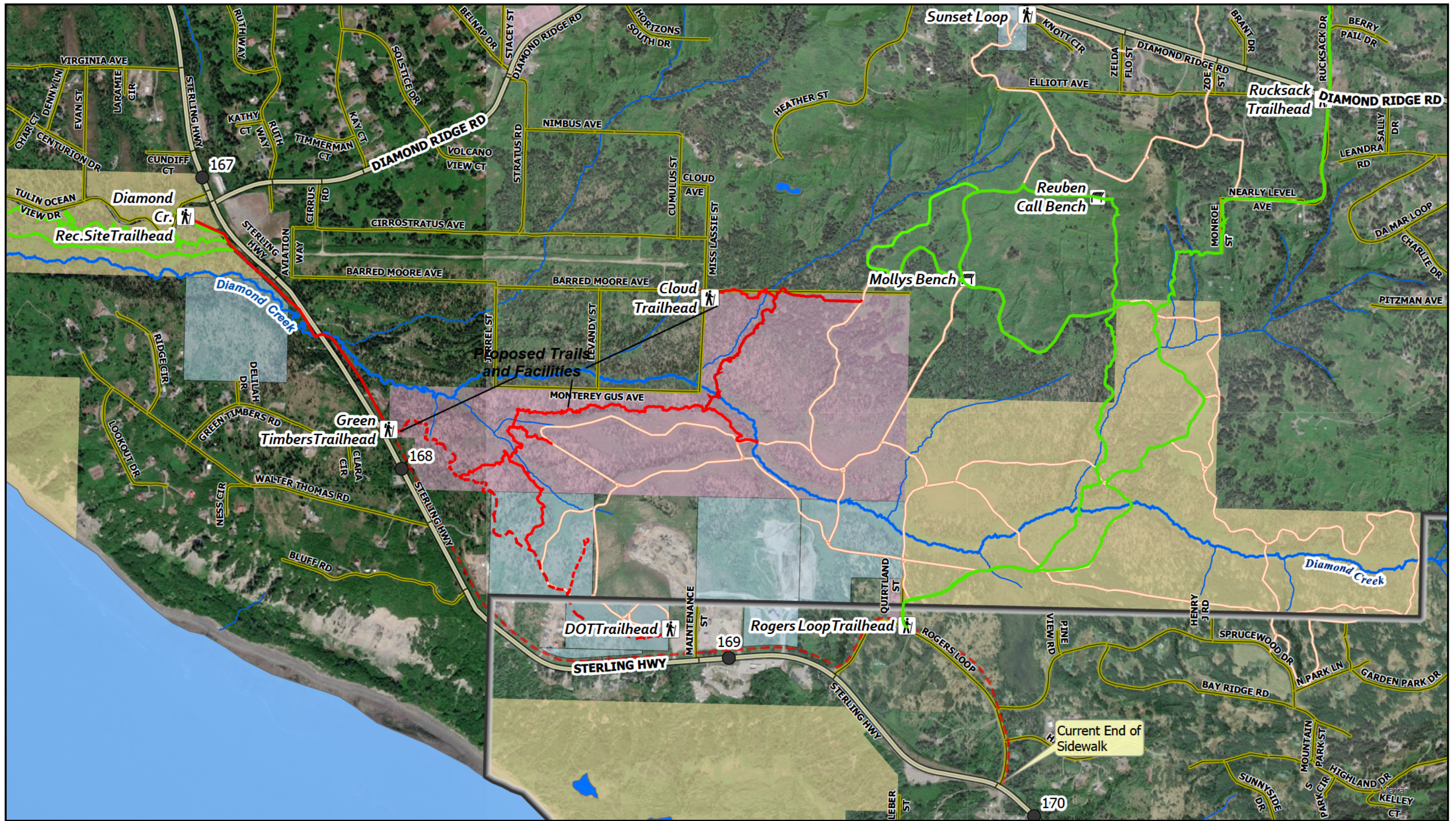
268
269 CITY OF HOMER

270
271
272 _____
273 KEN CASTNER, MAYOR

274 ATTEST:

275
276
277 _____
278 MELISSA JACOBSEN, MMC, CITY CLERK

279
280 Fiscal note: N/A



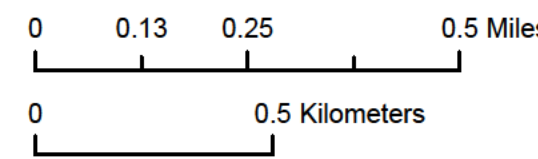
Data Sources: KPB (parcels, roads, LIDAR 2008)
 KNCS: HBC-bike trails
 ADNR: Parks, State trails
 DGGS: 2019 LIDAR; ADOT&PF: roads;
 USGS: Streams, Lakes
 Esri: World (aerial) imagery
 HTA: Trails; HBC, bike trails
 Projection: Alaska State Plane Zone 4, NAD83
 Date: 02/28/23
 Map Author: C.Barnwell, HTA



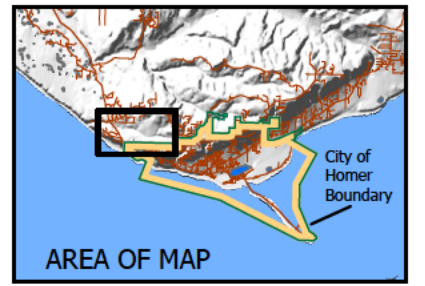
Legend

	Proposed All Abilities Trails		Streets		ADNR Owned Parcels
	Proposed Connector Trails		Major Roads		KPB Owned Parcels
	Hiking and Biking Trails		Highway Milepost		City of Homer Parcels
	Winter (ski) Trails		Bench		City Homer Boundary
	Trailhead		USGS Section Lines		

10



WEST HOMER RECREATION PLANNING





MEMORANDUM

Recommendation to City Council on a Sterling Highway Underpass at Diamond Creek

Item Type: Backup Memorandum
Prepared For: Mayor Castner and Homer City Council
Date: August 23, 2023
From: Economic Development Advisory Commission
Through: Julie Engebretsen, Economic Development Manager

The Economic Development Advisory Commission received a request from the Homer Trails Alliance (HTA) for support of a pedestrian underpass on the Sterling Highway at Diamond Creek. HTA would like the upcoming highway project to include a pedestrian underpass, to allow people to safely travel from the Diamond Creek Recreation Area (City owned) to state lands without having to cross the highway amid high speed traffic. The Commission read the request, briefly discussed it, and passed a motion of support.

AREVALO/GAMBLE MOVED THAT THE EDC IS IN AGREEMENT WITH THE HOMER TRAILS ALLIANCE AS WRITTEN IN THEIR LETTER TO THE EDC, AND THAT THE COMMISSION WOULD PUT ITS FULL SUPPORT BEHIND THIS UNDERPASS WALKWAY AND MAKE THESE RECOMMENDATIONS TO CITY COUNCIL.

RECOMMENDATION:

Informational Only.

Attachments:
Letter from HTA
Unapproved minutes excerpt from 8/8/23 EDC meeting

Chair Marks provided an overview of the recent work session with the Planning Commission regarding Ordinance 23-40 and this Commission's role in considering the economic impact of the changes in the ordinance. Economic Development Manager Engebretsen reviewed her memorandum in the packet and explained the purpose of Conditional Use Permits and how the rules apply to different zoning districts.

After in-depth discussion regarding 4 dwelling units on a lot for residential districts and 4 buildings on a lot in commercial districts, Economic Development Manager Engebretsen concluded by saying that the Commission had reached a consensus that it doesn't want to treat all zoning districts the same. The Commissioners were in agreement that they had differing opinions on the subject, and the Commission felt that it needs to have a broader discussion at a future time. Ms. Engebretsen added that she would write a memo to share with all of the Commissioners, in addition to sending it to the City Council.

B. City of Homer Draft 2024-29 Capital Improvement Plan (CIP)
Memorandum from Special Projects and Communications Coordinator

Economic Development Manager Engebretsen welcomed discussion about which projects the commission felt should be of highest priority. The Commission was in general consensus from the start of debate that the Slope Stability & Erosion Mitigation Program was the project of highest priority. Ms. Arevalo then went on to say that she felt the A-Frame Water Transmission Line Replacement was the project of next highest priority, followed by the Steel Grid. The Commission agreed with both of these opinions, and Ms. Engebretsen added that they could submit more than just their top three priority projects to City Council. The Commission then determined that they also wanted to add the Pioneer Avenue Gateway Redevelopment project to the list in addition to the Homer Harbor Critical Float System Replacement project.

GAMBLE/BROWN MOVED TO SUBMIT TO THE CITY COUNCIL THEIR TOP FIVE PRIORITY PROJECTS IN THE FOLLOWING ORDER:

1. Slope Stability
2. A-Frame Water
3. Steel Gird
4. Pioneer Ave/Gateway
5. Floats

There was no discussion.

VOTE: NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

C. Recommendation to City Council on a Sterling Highway Underpass at Diamond Creek

Chair Marks introduced the item by reading the title. Ms. Arevalo then gave a little more insight on the proposal, saying that the DOT is already planning on redoing the stretch of road from Anchor Point to Homer in addition to widening the culver that exists at Diamond Creek to accommodate wildlife. She

then explained that the Homer Trails Alliance is simply proposing to add a pedestrian underpass walkway to the intersection given that the intersection is already going to be torn up due to road reconstruction anyway. It would make sense to implement that now while construction is going on rather than waiting until later if ever to have the work constructed.

AREVALO/GAMBLE MOVED THAT THE EDC IS IN AGREEMENT WITH THE HOMER TRAILS ALLIANCE AS WRITTEN IN THEIR LETTER TO THE EDC, AND THAT THE COMMISSION WOULD PUT ITS FULL SUPPORT BEHIND THIS UNDERPASS WALKWAY AND MAKE THESE RECOMMENDATIONS TO CITY COUNCIL.

There was no discussion.

VOTE: NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

INFORMATIONAL MATERIALS

- A. City Manager's Report for July
- B. City of Homer Newsletter – July and August 2023
- C. 2022-23 EDC Strategic Plan – Final
- D. EDC 2023 Calendar
- E. Commissioner Attendance at 2023 City Council Meetings

Chair Marks noted the informational materials and volunteered herself to take Commissioner Pitzman's spot at the City Council Meeting for Report on August 14th, 2023 at 6:00 p.m. in hopes of relieving Mr. Pitzman of some of the pressure.

COMMENTS OF THE AUDIENCE

There were no comments of the audience.

COMMENTS OF THE CITY STAFF

City Clerk Jacobsen reminded everyone that it's not necessarily the goal of the board to obtain consensus on any matter, but rather to make motions that can then be voted on and recorded in the minutes as to what the result of that vote was. She added that motions are very valuable in keeping discussions more concise and focused, in addition to giving everyone the opportunity to vote their conscience and what they feel is the most appropriate way that they want to see things move forward. Ms. Jacobsen then thanked the Commission for a good meeting.

COMMENTS OF THE COMMISSION

Commissioner Arevalo stated that she was very excited about both the Kachemak Sponge Project and that the City's working with the Kachemak Heritage Land Trust to secure lands up in the Bridge Creek Watershed.

ADJOURNMENT

8/3/2023 (addressed to Chair Marks)

Alaska Department of Transportation & Public Facilities' (DOT&PF) Sterling Highway Project MP 157-169 has been in the works for several years. The design phase is complete though funding for the project has been tabled until at least fiscal year 2024. Homer Trails Alliance (HTA) has, since its inception, lobbied DOT &PF to incorporate a pedestrian underpass at the Diamond Creek crossing at MP 167.5, as proposed in the Diamond Creek Recreation Area (DCRA) Multi Resource Management Plan prepared by Homer Soil and Water Conservation District and adopted by the City of Homer in May of 2013. The underpass would provide pedestrian connectivity between the 270 acre DCRA, the 360 acre Homer Demonstration Forest, and the 300 acre Alaska State Parks (ASP) Diamond Creek State Recreation Site (DCSRS). These parcels total nearly 1000 acres of public recreation land and are surrounded by rapidly expanding residential neighborhoods.

Recently installed trail counters at the Roger's Loop Trailhead recorded 700 users per week accessing the trail system during the summer months of 2022. Data compiled during winter months of 2023 indicate 1000 visitors per week using this trailhead to access the area's ski and snowshoe trails.

The delay in funding allows for the opportunity for the underpass to be designed and added to the upcoming project. The new project engineer is Aaron Hunting who was raised on Green Timbers Road. Aaron is well aware of the growth of this area and is very supportive of the plan. City of Homer (COH) support is essential for him to move forward with his efforts to incorporate the plan into the highway project.

The underpass would provide a safe pedestrian crossing of the Sterling Highway that would benefit user groups of these recreation areas and surrounding businesses. Implementation of the DCRA Management Plan would greatly enhance the area's trail system for summer use, creating a robust environment for sustainable small business growth along Homer's gateway district. It would relieve stress at the DCSRS trailhead in regards to parking, as it would connect additional trailheads to the ASP trail system.

HTA is requesting the support for the pedestrian underpass from the Economic Development Advisory Commission (EDAC). HTA believes that the EDAC's support can assist in developing a dialogue between the City of Homer and DOT P&F that will be helpful in convincing DOT engineers of the importance to the community of incorporating the underpass into the highway project.

I am available to answer any questions regarding the management plan and the impacts the highway project will have on the DCRA.

--

Billy Day
HTA Board Member
907 399-7278

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[Home](#) > [Submit Written Testimony to City Council](#) > [Webform results](#) > Submission #90

Submission information

Form: [Submit Written Testimony to City Council](#) [1]
Submitted by Visitor (not verified)
Fri, 08/25/2023 - 6:12pm
104.254.228.185

First Name Sandra

Last Name Cronland

Email [REDACTED]

Phone Number [REDACTED]

Are You A City or Non-City Resident? Non-City Resident

Which City Council Meeting do you want to participate in? Regular Meeting

Date of Meeting you want to participate in? Mon, 08/28

What type of comments will you be giving?

Public Comments Upon Matters Already on the Agenda - Citizen may comment on regular agenda items not scheduled for public hearing such as Consent Agenda items, Memorandums, Pending Business, New Business, Resolutions, and Ordinances to be introduced.

Written Testimony

I encourage the acceptance of the City's resolution supporting the addition/inclusion of a Pedestrian/Wildlife Underpass at approx. 167.5 Sterling Hwy in the vicinity of the Diamond Creek Culvert that will be upgraded when DOT works on the section of Highway from Anchor Point Baycrest. This new underpass would provide connectivity of non-motorized access from Homer Demonstration Forest and the City owned Diamond Creek Recreation Area with the DNR Diamond Creek State Recreation Site, an area of 1000 acres of recreational lands located at the Gateway of Homer. This infrastructure is the KING PIN in this plan as set out by the COH in the DCRA Multi Resource Management plan adopted in 2013 : "Develop a preliminary plan with the AK-DOT, and seek funding, for a non-motorized route across the Sterling Highway near MP 168, in order to extend the recreational corridor to the Diamond Creek State Recreation Site on the south side of the Sterling Highway. (A pedestrian underpass at this location

associated with an improved road-stream crossing should be investigated.)" This project will enhance the economic engine of Homer as a destination for outdoor recreation. Thank you.

Electronic Signature

Sandra CronInad

I understand that checking this box constitutes a legal signature confirming that I acknowledge and agree that I am the person identified above and that I acknowledge and agree to the above Terms of Acceptance.

Source URL:<https://www.cityofhomer-ak.gov/node/60081/submission/51173>

Links

[1] <https://www.cityofhomer-ak.gov/cityclerk/submit-written-testimony-city-council>

STIP project 2670
August 26, 2023

Homer City Council

I am writing in full support of the proposed pedestrian underpass of the Sterling Highway at Diamond Creek.

Existing trail systems in the Homer Demonstration Forest, The City of Homer, and the Kenai Peninsula Borough, could be connected to the State Park Diamond Creek Recreation Site west of the highway. Along with a safe underpass, summer trail improvements would need to be made. Presently some of the trails are maintained for winter use only.

When State Parks first received ownership of the land, now designated a Recreation Site, I explored the Diamond Creek drainage on skis to check the feasibility of using the existing structure as an underpass. After exploring from both ends, I determined it was too dangerous and didn't pursue it further. Since that time, many years ago, the trails have been further developed. Trail counters at the Rogers Loop Trail head show that thousands use these trails annually.

A pedestrian underpass would provide a safe and very popular connection to the existing and developing trail systems in Homer.
I encourage your support of this proposal.

Sincerely,
Dave Brann
homerbrann@gmail.com
PO Box 1901, Homer, AK 99603

Excerpt of Unapproved minutes for August 16, 2023

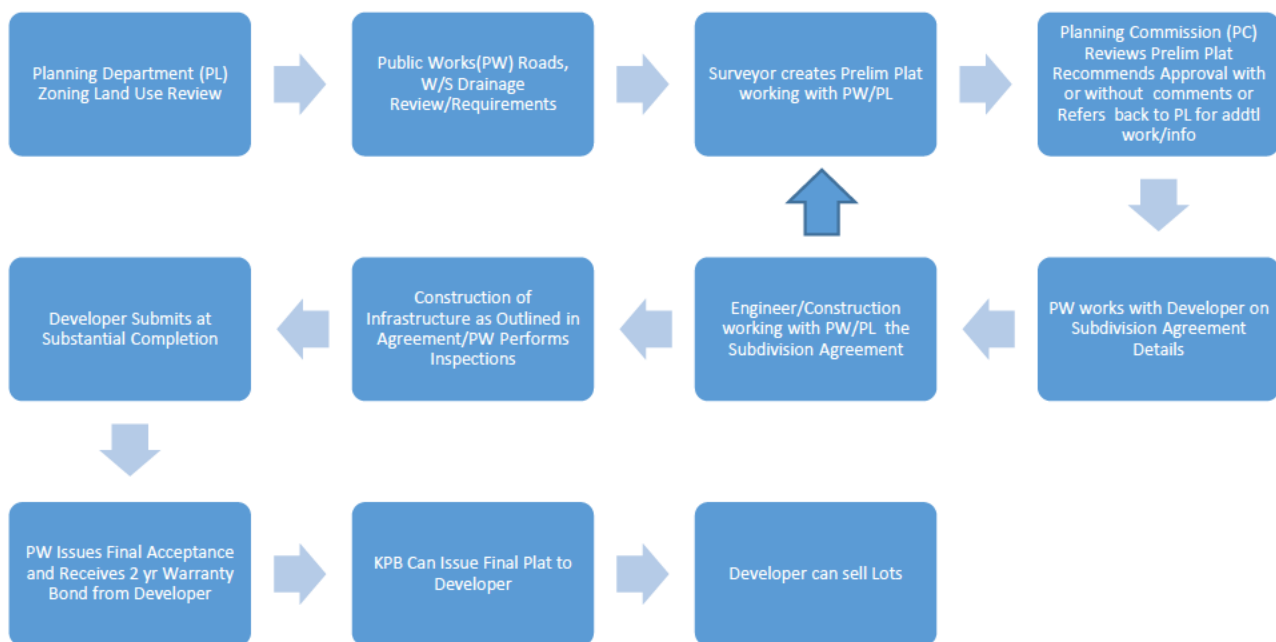
8. PUBLIC HEARINGS

B. Staff Report 23-049, Ordinance 23-21(S), Title 22 Subdivision Text Amendment

Vice Chair Barnwell introduced the item and deferred to City Planner Foster.

City Planner Foster reviewed Staff Report 23-49. He provided a brief historical background on the timing of Ordinance 23-21(S) and the actions requested of the Commission. City Planner Foster reported that he conferred with Public Works Director Keiser since most of the work relevant to Title 22 is outside of the Planning Department and this Commission's responsibilities. He stated that the processes and conditions were noted on preliminary plats that come before the Commission, however the enforcement and expertise lays with the city engineer and public works department. City Planner Foster stated that he requested Ms. Keiser to review Ordinance 23-21(S) and provide a memorandum which was included in the packet and she also has a presentation for the Commission on the overall process.

Public Works Director Keiser using the whiteboard, framed the preliminary plat/subdivision application process and how Title 22, and other parts of city code influence the process, creating a flow chart for those in attendance at the meeting. She then reviewed her memorandum, provided as a laydown, of the legislative history regarding subdivision development in Homer.



A brief recess was noted at 7:25 p.m. due to the Clerk requesting the City Planner to email the laydown materials to Commissioners Highland and Venuti. Vice Chair Barnwell continued the meeting at 7:28 p.m.

Public Works Director Keiser continued her review of the process speaking on the following topics:

- belief that a developer could not sell lots within the subdivision until final plat
- Kenai Peninsula Borough in accordance with State laws can release a preliminary plat if an agreement is made between the Developer and the City and recorded even when no improvements have been constructed and the Developer can then sell the lots – this hasn't been done but currently City Code as written allows it.
- The Borough will not issue a final plat for recording until receipt of acceptance by the City of Homer stating everything has been completed as required by the subdivision agreement.
 - o Public Works strongly recommends not deviating from this current process
- City Council recently adopted an ordinance requiring a performance guarantee of 150% of the estimated costs of improvements outlined in the Subdivision Agreement.
 - o Effects on the process with this requirement
- The use of Construction Agreements in the past 10 years over Subdivision Agreements
 - o Language in the Subdivision Agreement is more defined
 - o included performance guarantee requirements and provided options for the Developer to choose from to provide that requirement
 - o Included specific remedies if the Developer defaulted
- Council is requiring commitments that are not codified or captured in the Subdivision Agreement
 - o It is believed that the City does not have the legal ability to hold developers to requirements that are not in city code or the signed agreement
- Preliminary, Construction and Asbuilts Drawings
 - o In the beginning there are Construction Drawings developed by the Engineer, included in the Subdivision Agreement, Inspections are done pursuant to those drawings, Substantial Completion is based on completion of the work contained in those drawings.
 - o Final Acceptance and the Warranty Bond is based on the work of the drawings
 - o Final Acceptance is getting the Asbuilts
 - o Asbuilts depict all the work that was done, Construction Drawings show what is planned to be built. There are always deviations of some kind. Waiting until the project is done until recording a plat is contrary to State and City Code.

City Planner Foster and Public Works Director Keiser facilitated responses and information on the following:

- Why Ordinance 23-21(S) was written the way it was, with the title requiring an asbuilt, which is opposite what Public Works Director Keiser just informed the Commission.
 - o In the Agenda Item Report CC 23-092 item (b) in the second paragraph listed the requirement (refer to page 39 in the packet) this was originally introduced at the April 10th City Council Meeting
 - o Intent of the ordinance outlined in that AIR CC 23-092, expressed concern that there was something being missed in the process and it is believed that this was the driver for the changes.
 - o It may have been perceived that requiring an asbuilt would provide the assurance that was needed.
 - o Previous experience with Quiet Creek Subdivision Phase II final inspections was shared by the Public Works Director and ensuing complaints from the community of not receiving what was promised.
 - o Forest Trails Subdivision Preliminary Plat
- Subdivision Agreements are not submitted to the Kenai Borough for review or approval

- The Borough is supportive of the City of Homer requirements of adding the comments related to requiring a subdivision agreement, drainage, improvements, etc., on the preliminary plat.
 - This presents a good relationship in as much as the Borough will tell the applicant that they will not issue a final plat until the City notifies them that all the requirements have been met.
- Preliminary Plats now have a time limit of two years to be finalized. The Borough does allow two extensions allowing up to an additional four years.
 - If not completed the entire process must begin again.
- City Attorney has reviewed the Public Works Director's analysis of the process and concurred
- Work does need to be done on City Code
 - Subdivision platting/planning takes place in Title 22, Construction of Subdivisions takes place in Title 11
 - Clean up work and reconciliation of language in city code is required but this ordinance is not tool to do that work.
- Clarification that there is a Construction Agreement for Quiet Creek which does not contain the performance requirements that a Subdivision Agreement requires or a lot of the language that is contained within the Subdivision Agreement document. Public Works does have asbuilts for the roads and utilities within Quiet Creek.
- Confirmed that asbuilts have nothing to do with the plat and provided an example of how asbuilts and construction drawings are used.
- This ordinance was referred to the Planning Commission by Council for the Commission to review and comment
 - The Council has not seen Public Works Director Keiser's analysis
 - The City Planner will put everything together in a package and submit back to City Council
- Forest Trails is still being negotiated on the Subdivision Agreement and they need to come up with the required 150% bond or performance guarantee.
 - Public Works Director Keiser was unaware of anything dealing with the property being for sale.
- Expectation of the Commission for approval of Preliminary Plats expressed by the Mayor and Public.
- Working to find better ways to communicating items and actions from the Planning Commission to Public Works.
 - Closer collaboration between Planning Department and Public Works in the future.

Vice Chair Barnwell requested and motion and second.

Commissioner Highland requested clarification from the Clerk on process regarding Public Hearing for this item.

Deputy City Clerk Krause confirmed that this was scheduled for Public Hearing so a Public Hearing must be conducted.

Vice Chair Barnwell recognized Commissioner Conley allowing him to speak.

Commissioner Conley requested clarification before they continue with the Public Hearing on reconciling this with City Council, what direction is needed from the Commission.

Public Works Director responded, noting that the Clerk may be able to relate the specific request, but her understanding is the City Council presented this idea and it was referred to the Planning Commission for advice and comment.

Commissioner Conley questioned if this was something that the Commission could revisit at a later meeting.

City Planner Foster responded that he provided some options in his staff report on page 38 of the packet.

Deputy Clerk Krause, calling for a Point of Order, outlined the process that is supposed to be followed by the Commission on Items presented for Public Hearing, noting that the Staff is to provide their report then the Chair is to open the Public Hearing allowing members of the Public present the opportunity to provide testimony, then the Commission is allowed to ask questions from Staff stressing the need to do a Public Hearing at this point.

Vice Chair Barnwell opened the Public Hearing.

Scott Adams, city resident, expressed his appreciation for the flow chart presented by Ms. Keiser and using the subdivision agreement versus a construction agreement. He commented on the basis behind the proposed changes, reported being told by planning department that developers would refuse to develop if they were required to put in sidewalks, how the City is encouraging families to move to Homer yet there are no safe routes for the children to walk to school. This was one of the main concerns of Council and residents are expressing concern on how Homer is being developed. Mr. Adams provided comment about where will Homer be in the next 50 years since there are not many subdivisions left to be built.

Vice Chair Barnwell closed the Public Hearing seeing no further members of the public coming forward to speak. He then requested further comments from the Commission on Staff Report 23-049.

Vice Chair Barnwell requested a motion and second.

HIGHLAND/VENUTI MOVED TO AMEND ORDINANCE 23-21(S) TITLE TO STRIKE THE VERBIAGE AFTER 22.10.050 AND REPLACE WITH "IMPROVEMENT REQUIREMENTS - GENERAL" REGARDING PRELIMINARY PLAT APPROVAL AND RELEASE OF FINAL PLATS.

Discussion on the proposed ordinance being remanded back to City Council with Ms. Keiser's analysis and information, including the Commission's comments that City Code should be addressed as a whole, and as written does not make much sense, it should be reconciled for clarity so developers know what will be expected of them, they do not want to expose the City to legal liability.

City Planner Foster stated that he would like to take information presented tonight and provide it to the Commission in a report for the next meeting.

Commissioner Venuti requested this information at a worksession for discussion.

Discussion continued on the best process to deal with this ordinance by compiling all the information presented tonight to the Commission first, then submittal to City Council. Commissioners expressed

preference to have staff compile the memorandum to Council and remand the ordinance back to them with their reasons supporting that action.

Deputy City Clerk Krause called for a point of order noting that there was the motion on the table and the Commission should address that motion first before continuing with any additional recommendations.

Commissioner Highland expressed her reluctance to vote on the motion making the amendment as she was unsure what exactly the amendment to title was resolving, noting that this was very complicated and in her book it should just go back to City Council since they created it. She believed that they should postpone it but was not sure who to ask for clarification and expressed her frustration over the situation.

Deputy City Clerk Krause provided further clarification on the motion to amend shown in their working agenda was because the amendments provided in Ordinance 23-21(S) in their packet were relevant to Ms. Keiser's memorandum but the title to ordinance was not amended and still referred to requiring the asbuilts. She further noted that the change in the language or verbiage reflected the language further in the ordinance.

In response to Commissioners Highland and Venuti, Deputy City Clerk Krause explained that the Commission could vote this motion down as the simplest course of action or not vote on the motion to amend and postpone to the next meeting, this will leave it on the table to address or they can vote it down and make a separate motion to postpone to the next meeting. She further confirmed that any comments would be reflected in the minutes if the Commission voted the motion down.

Commissioner Highland commented that she believed it would best to vote this motion down and send it back to City Council recommending that they reconcile with city code and discussion with Public Works.

Vice Chair Barnwell questioned Commissioner Highland if she would like to restate that in a formal motion?

Deputy City Clerk Krause noted that they have a motion on the table now to address first.

City Planner Foster stated that this ordinance amends title 22 and was remanded to this Commission for review and comment which he believed to be highly valued and is a purview of this Commission. Council approves amendments to city code but he could not recommended telling Council to try again, noting it is not the direction to take. He suggested again to allow staff to review the comments from tonight and the information provided by Ms. Keiser and present it to the Commission at the next meeting in a memorandum. He agreed with voting the current motion down and postponing until the next meeting. They can schedule a worksession on the ordinance for the next meeting.

Commissioner Venuti called for the question.

There was a brief discussion on what exactly the Commission was doing at this time, voting the motion on the floor to amend the title down and then make a motion to postpone to the next meeting.

Vice Chair Barnwell called for a roll call vote.

VOTE. NO. VENUTI, HIGHLAND, BARNWELL, CONLEY, STARK.

Motion failed.

Commissioner Stark noted that the Commission is voting this down due to the ordinance and code being disparate and it requires reconciling to be in conformance.

HIGHLAND/VENUTI MOVED TO POSTPONE STAFF REPORT 23-48 AND ORDINANCE 23-21(S) TO THE NEXT MEETING FOR DISCUSSION.

There was no further discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Vice Chair Barnwell called for a five minute recess at 7:25 p.m. The meeting was called back to order at 7:32 p.m.

Excerpt of the Unapproved Meeting Minutes for August 16, 2023

8. PUBLIC HEARINGS

A. Staff Report 23-048, Ordinance 23-40, Conditional Use Zoning Text Amendments

Vice Chair Barnwell introduced the item by reading of the title and deferred to the City Planner.

City Planner Foster reviewed Staff Report 23-048, providing a brief synopsis of discussion held during a Joint Worksession conducted on July 19th with the Economic Development Advisory Commission, the Planning Commission worksession on August 2nd prior to their regular meeting and then reviewed the recommended amendments for each affected Zoning District.

Vice Chair Barnwell opened the public hearing, seeing and hearing that there were no members of the public present wishing to provide testimony he closed the public hearing and requested a motion and second.

HIGHLAND/CONLEY MOVED TO ADOPT STAFF REPORT 23-048 AND RECOMMEND CITY COUNCIL ADOPT ORDINANCE 23-40 AMENDING TITLE 21 REGARDING CONDITIONAL USES IN EACH DISTRICT.

Commissioner Highland requested clarification that the amendments will require a conditional use permit in each district for the construction of any additional structures.

City Planner Foster responded that in effect that is what the amendments are doing but without reviewing in detail each section in city code, he could not definitively state whether there were other sections that may allow additional structures without review of Title 21. City Planner Foster indicated the recommendations were in support of the proposed zoning text amendment, removing a “by right” of up to four buildings or dwellings, depending on the Zoning District, and making it a requirement for a conditional use permit for additional structures in those districts.

Commissioner Highland requested a few minutes to be allowed to read the ordinance in full.

Vice Chair Barnwell granted the brief time with no objections expressed by the remaining Commissioners.

Commissioner Highland expressed her appreciation for the allowance and stated she felt comfortable in voting in favor of the proposed amendments.

VOTE: NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.