City of Homer
www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
Homer, Alaska 99603
Planning@ci.homer.ak.us
(p) 907-235-3106
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STAFF REPORT PL 25-018

TO: Homer Planning Commission
FROM: Ryan Foster, City Planner
MEETING: April 16, 2025
SUBJECT: Application amending Zoning Map via Ordinance

Requested Action: Conduct a public hearing and recommend approval of the zoning map amendment to the Homer City Council

GENERAL INFORMATION
The subject property, 3145 Lampert Lane is split zoned, the northern half of the lot is zoned General Commercial 1 and the southern half of the lot is zoned Rural Residential. The applicant requests a change in zoning from Rural Residential to General Commercial 1 for the southern half of the lot.

Applicant:	Seabright Survey + Design 1044 East End Road Suite A Homer, AK 99603
Location:	3145 Lampert Lane
Legal Description:	T 6S R 13W SEC 21 SEWARD MERIDIAN HM BEGINNING AT THE SOUTHWEST CORNER OF SEC 21 TH NORTH 450 FT TO THE POB TH NORTH 356.5 FT TH EAST 125 FT TH SOUTH 356.5 FT TH WEST 125 FT TO THE POB
Parcel ID:	17923019
Size of Existing Lot:	1.02 acres
Zoning Designation:	Rural Residential District/General Commercial 1
Existing Land Use:	Commercial
Surrounding Land Use:	North: Commercial South: Residential East: Commercial and Vacant West: Commercial, Accessory Building, and Vacant
Comprehensive Plan:	Economic Vitality Goals 1, 2, & 3, and Land Use Goal 4
Wetland Status:	Yes, KWF Wetlands Assessment of Discharge Slope at the very southern edge of the lot.
Flood Plain Status:	None
Utilities:	Public utilities service the site.

Public Notice: Notice was sent to 24 property owners of 29 parcels as shown on the KPB tax assessor rolls.

GENERAL INFORMATION

This application proposes a zoning map amendment to move the General Commercial 1 boundary, on the split zoned lot, south to encompass the entirety of the subject lot. The applicant states that the parcel is currently being used commercially. This rezone application seeks to unify the property as GC 1. The rezone will allow for cleanup and redevelopment of the property. The rezone is justified to correctly change the Rural Residential portion to match the existing General Commercial 1 use. The applicant has also provided additional detailed information in their application.

HCC 21.95.060 Review by Planning Commission

a. The Planning Commission shall review each proposal to amend this title or to amend the official zoning map before it is submitted to the City Council.

b. Within 30 days after determining that an amendment proposal is complete and complies with the requirements of this chapter, the Planning Department shall present the amendment to the Planning Commission with the Planning Department's comments and recommendations, accompanied by proposed findings consistent with those comments and recommendations.

c. The Planning Department shall schedule one or more public hearings before the Planning Commission on an amendment proposal, and provide public notice of each hearing in accordance with Chapter 21.94 HCC.

d. After receiving public testimony on an amendment proposal and completing its review, the Planning Commission shall submit to the City Council its written recommendations regarding the amendment proposal along with the Planning Department's report on the proposal, all written comments on the proposal, and an excerpt from its minutes showing its consideration of the proposal and all public testimony on the proposal.

<u>21.95.050 Planning Department review of zoning map amendment</u>.

The Planning Department shall evaluate each amendment to the official zoning map that is initiated in accordance with HCC 21.95.020 and qualified under HCC 21.95.030, and may recommend approval of the amendment only if it finds that the amendment:

a. Is consistent with the comprehensive plan and will further specific goals and objectives of the plan.

Applicant: See attached application.

Analysis: There are specific goals and objectives from the 2018 Comprehensive Plan that support this rezoning:

Economic Vitality Chapter

GOAL 1: Define and encourage economic development that meets the desires and interests of Homer residents and supports the unique character of the community.

The Ocean Drive corridor is a key area of Homer dedicated to general commercial businesses and development.

GOAL 2: Encourage the retention and creation of more year-round and higher wage employment.

Objective A: Increase year-round employment that will enable local people to work, live, and raise their families in Homer. While almost all city actions will ultimately affect the course of economic change and job growth, city actions to promote year-round jobs include those listed below:
Implementation Strategies:

- *Consider zoning regulations that support new business opportunities while minimizing negative impacts.*

This rezoning considers zoning regulations that support new business opportunities in a commercial industry while minimizing negative impacts to neighboring properties.

GOAL 3: Identify and promote industries that show a capacity for growth.

Objective A: Recognize Emerging Industries
Homer is a place of big ideas and entrepreneurial spirit. Examples include the fervor with which local agriculture has developed, particularly high tunnel cultivation and commercial peony growing. These are growing local and regional business opportunities. Over time, there will be new economic opportunities that arise; the city should be open to these new ideas and support those that show reasonable opportunities for growth.

This rezoning application supports new economic opportunities for a local business to change and grow.

Land Use Chapter

Goal 4: Support the development of a variety of well-defined commercial/business districts for a range of commercial purposes.

The Ocean Drive corridor is a well-defined, and most prominent, general commercial business district in Homer. The rezone of this property would support this district, which is rather small, with limited opportunity for infill development.

Staff Finding: The proposed zoning change is consistent with the Comprehensive Plan and will support land use and economic vitality goals.

b. Applies a zoning district or districts that are better suited to the area that is the subject of the amendment than the district or districts that the amendment would replace, because either conditions have changed since the adoption of the current district or districts, or the current district or districts were not appropriate to the area initially.

Applicant: See attached application.

Analysis: Split zoned lots are a less than ideal anomaly in Homer, likely created when the zoning districts were originally created, with some zoning districts not adhering/aligning to lot boundaries. This lot consists of a northern half zoned General Commercial 1, and a southern half zoned rural residential, and should not have been split zoned since the adoption of the current districts. There are several other known split zoned lots in the Ocean Drive corridor in Homer. This proposal to rezone the entirety of the lot to General Commercial 1 would be essentially a "clean up" of the zoning for this property and is the best fit for the current commercial use in the City's key general commercial corridor.

Staff Finding: The amendment would apply a zoning district that is better suited to the area because the split zoned lot is not appropriate and is likely from the adoption of the current districts.

c. Is in the best interest of the public, considering the effect of development permitted under the amendment, and the cumulative effect of similar development, on property within and in the vicinity of the area subject to the amendment and on the community, including without limitation effects on the environment, transportation, public services and facilities, and land use patterns.

Applicant: See attached application.

Analysis:

Public Services and Transportation
City water and sewer are available and access to the subject property is currently via 1103 Ocean Drive, an Alaska Department of Transportation maintained road. Additional future access could be developed at Lampert Lane. Full police and fire services are available. Public services and facilities are adequate to serve the property. The GC1 district and the Ocean Drive corridor is the hub of the general commercial uses in Homer.

Environmental Conditions: Wetlands Analysis

The KWF wetlands assessment identifies a small area of discharge slope at the very southern edge of the property. Any future development, via zoning permit, would require a determination by the US Army Corps of Engineers.

Land Use Patterns

This property is split zoned, where General Commercial 1 and Rural Residential districts meet. To the north, east, and west are commercial uses reflective of this commercial corridor. To the south is a residence, though there is a buffer of trees and Sea Breeze Court between the residence and the subject property. The majority of the GC1 properties in the Ocean Drive corridor have already been developed, leaving a dearth of zoned commercial space available for future development.

> *Staff Finding:* The rezoning of this 1.02-acre lot to General Commercial 1 is in the best interests of the public as it resolves the issue of a split zoned lot, supports the current commercial use, and has the infrastructure necessary to support this use and development.

STAFF COMMENTS/RECOMMENDATIONS:

Planning staff has reviewed the ordinance per 21.95.050 and recommends the Planning Commission conduct a public hearing, and recommend approval to the City Council.

ATTACHMENTS

1. Application
2. Petition
3. Map of Rezone
4. As-built
5. Public Notice
6. Aerial Map
7. Zoning Districts Map

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RECEIVED
MAR 19 2025
CITY OF HOMER
PLANNING/ZONING

Rezoning Application

For Staff Use Only Code: 13-1306

Fee Amount: $500.00 ***Received by:*** EDG	***Planning Commission Public Hearing Date:*** 4.16.25
Date application accepted as complete: 3.19.25	***HAPC approval or denial date:***

APPLICANT INFORMATION

Name: Seabright Survey + Design Phone Number: 907-299-1580

Address: 1044 East End Road Suite A Homer Alaska 99603

Property Owner (if different than applicant)

Name: Jose Ramos (HEATH ST INVESTMENTS, LLC) Phone Number: 907-229-7196

Address: 127 W Pioneer Ave. Homer Alaska 99603

PROPERTY INFORMATION (if more than one lot, list on separate page)

Street Address: 3145 Lampert Ln Lot size: 1.02 Acres +/- Tax parcel number: 17923019

Legal Description: Deed Parcel (see attached parcel plot)

Circle one: Is City water available? YES/NO City Sewer? YES/NO Electrical Service? YES/NO

What is the existing use of the property? Commercial

What is the proposed use of the property? Commercial

What structures or land uses exist on the neighboring properties? (Examples: residential, commercial, vacant) List the zoning of these adjacent lots.

	Structures/land use	Zoning
North:	Commercial Building	General Commercial 1
South:	Residential	Rural Residential
East:	Commercial Farmer's Market	GC1 & RR
West:	Commercial Building	GC1 & RR

1. What is the public need and why is this rezone justified?

This property is partially zoned General Commercial 1 and partially Rural Residential. The parcel is currently being used commercially. This rezone application seeks to unify the property as GC1. The rezone will allow for cleanup and redevelopment of the property. The rezone is justified to correctly change the Rural Residential portion to match the existing General Commercial 1 use.

Describe the benefits and detriments of this proposed rezoning to:

(a) the community.

(b) the neighboring landowners.

(c) you, the property owner.

a) The community will benefit from the increase in tax base and employment opportunities resulting from future proposed redevelopment of the property into a well planned heated garage complex.
b) The neighboring landowners will benefit from the removal of the outdated building and associated junk. Redevelopment may result in increased activities that are compatible with the proposed rezone to GC 1.
c) The demand for large garage space for uses including heated storage, manufacturing, etc., requires flat areas located in the GC 1 ZONING DISTRICT. This rezone will rectify the existing and somewhat arbitrary division of the parcel into two zoning districts. The two zoning district classification makes redevelopment of this parcel impracticable.

2. Can the proposed land use be developed in a manner that is compatible with development in adjacent zoning districts? If so, how? What effect will this change have on the surrounding properties?

The redevelopment of the property is designed to contain the possible uses compatible with GC 1. The existing adjacent RR property to the South, East and West are vacant and also potentially contain wetlands. Considering the closest residence is over 120' SE from the southerly boundary, few negative effects are expected to the existing residences.

3. Can the existing public facilities, services, and utilities accommodate the proposed use without any detrimental affect on adjacent zoning districts? If so, how?

Yes. We have concurrence with the Public Works Dept. to upgrade the existing water and sewer services to this property and to enter into an agreement that encumbers 1103 Ocean Dr (owned by the same LLC) to provide easements that center on these services. Electric and Natural Gas services will be upgraded to serve the needs of the proposed future redevelopment.

4. Would rezoning to a district allowing the proposed use permit other uses, which would not be compatible with adjacent land use?

We feel clear that the redevelopment will be compatible with the existing adjacent land use.

5. How does this proposal relate to the Comprehensive Plan and purposes of the zoning regulations?

In Chapter 4 Land Use Goal 3 seeks to" Encourage high-quality buildings and site development that complement Homer's beautiful natural setting". Goal 4 states, "Support the development of a variety of well-defined commercial/business districts for a range of commercial purposes". We feel this rezoning application is apropos.

6. How would the proposed change affect the public health safety and welfare of the surrounding area?

We believe this rezone will enable the proposed future redevelopment to become a reality. It is our opinion that a well designed and constructed development actually is a significant improvement over the existing use. The public health, safety and welfare of the surrounding area will benefit from the upgrade.

OTHER REQUIREMENTS

1. The applicant shall provide a map showing the area to be rezoned.
2. The applicant shall provide a petition, signed by a majority of the landowners within the proposed zoning area saying that they support the proposed change.

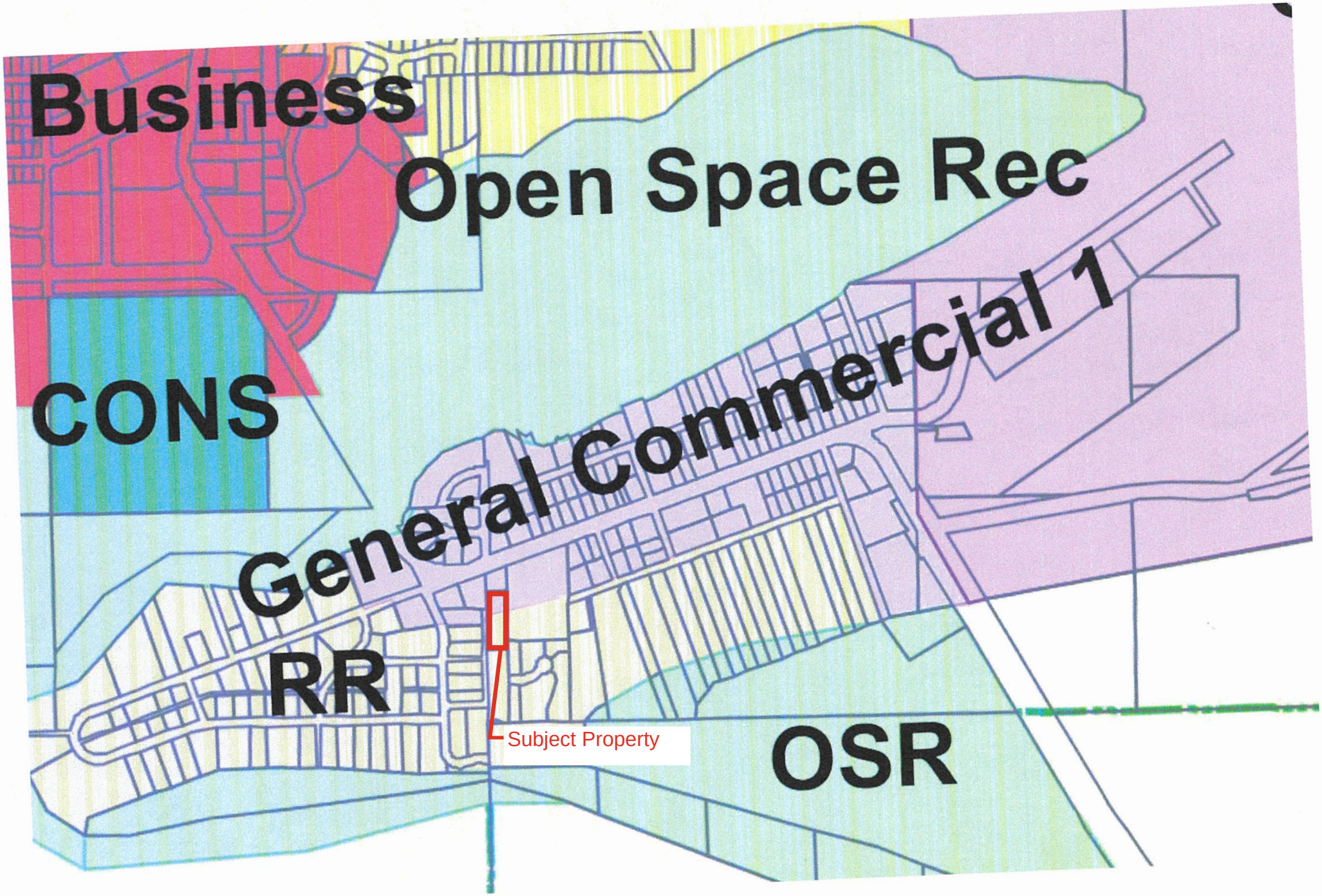
I hereby certify that the above statements and other information submitted are true and accurate to the best of my knowledge, and that I, as applicant, have the following legal interest in the property:

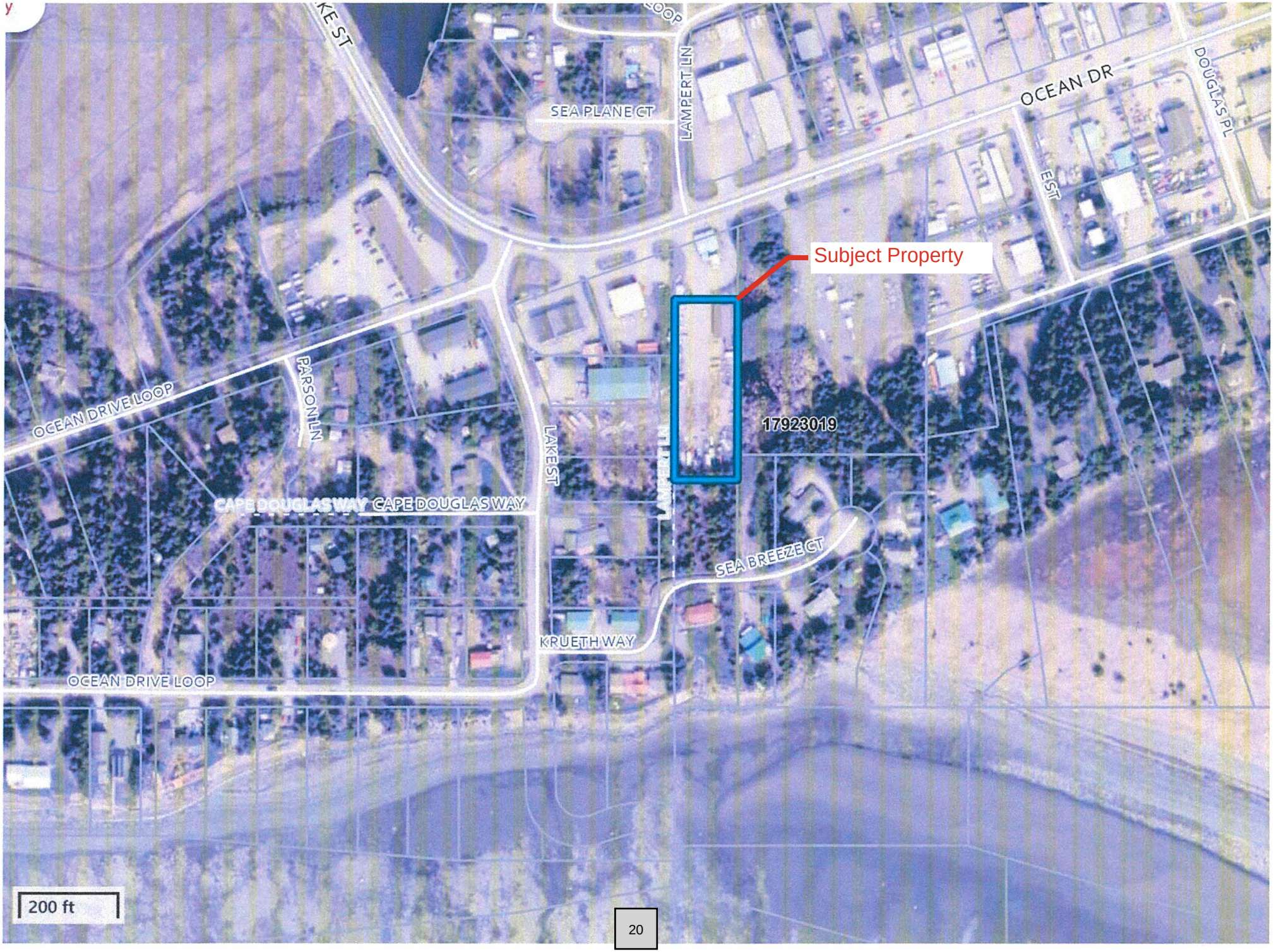
Owner of record Lessee Contract purchase duly authorized to act for a person who has the following legal interest, and that the owner of record is knowledgeable of this application if I am not the owner. I also understand that this item will be scheduled for the Planning Commission Agenda only if all application materials are submitted.

Applicant Signature:

Property Owner Signature: 03/05/2025

JOSE RAMOS


Business
Open Space Rec
CONS
General Commercial 1
RR
Subject Property
OSR


Subject Property
17923019
OCEAN DR
DOUGLAS PL
EST
SEA PLANE CT
LAMPERT LN
LAKE ST
PARSON LN
OCEAN DRIVE LOOP
CAPE DOUGLAS WAY
SEA BREEZE CT
KRUETH WAY
200 ft

Petition

Proposed amendment:	The property at 3145 Lampert Lane consists of one 1.02 acre deed parcel. Currently the parcel is partially zone General Commercial 1 and partially zoned Rural Residential. This request is to change the zoning of the entire deed parcel to the General Commercial 1 District.
HCC 21.95.020(e)(3)(a)	"Each person signing this petition represents that the signer is a record owner of the lot whose description accompanies the signature; that the signer is familiar with the proposed zoning map amendment and the current zoning district of the lot; and that the signer supports the City Council's approval of the amendment."
Statement of Justification	

Printed Name	Signature of Property Owner or Designated Representative	Legal Description	Tax parcel number
Jose Ramos		T 6S R 13W SEC 21 SEWARD MERIDIAN HM BEGINNING AT THE SOUTHWEST CORNER OF SEC 21 TH NORTH 450 FT TO THE POB TH NORTH 356.5 FT TH EAST 125 FT TH SOUTH 356.5 FT TH WEST 125 FT TO THE POB	17923019

MY SIGNATURE MEANS I AM IN FAVOR OF THIS AMENDMENT

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MAR 19 2025
CITY OF HOMER
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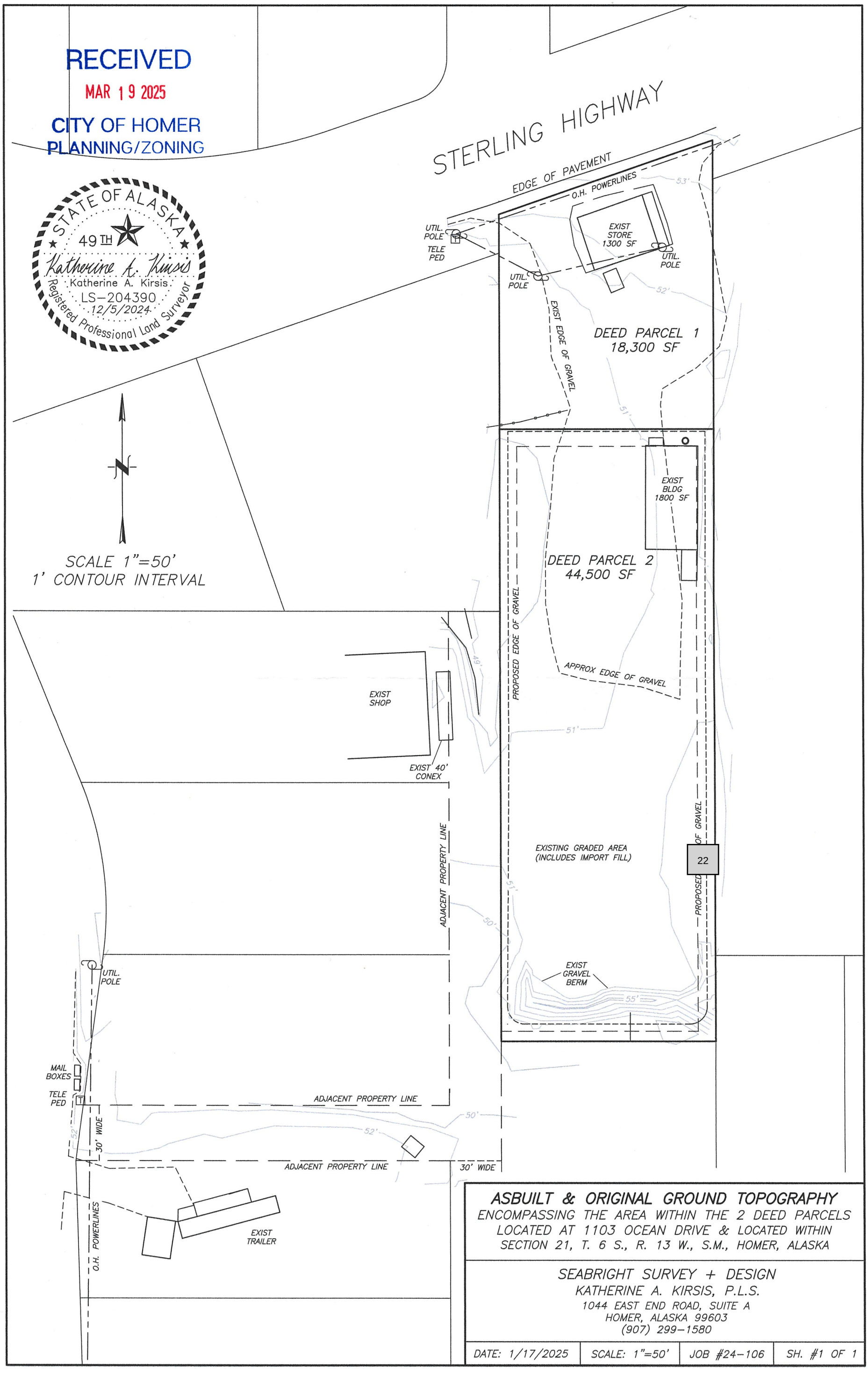
MAR 19 2025
CITY OF HOMER
PLANNING/ZONING

STATE OF ALASKA
49TH
Katherine A. Kirsis
Katherine A. Kirsis
LS-204390
12/5/2024
Registered Professional Land Surveyor



22

ASBUILT & ORIGINAL GROUND TOPOGRAPHY
ENCOMPASSING THE AREA WITHIN THE 2 DEED PARCELS
LOCATED AT 1103 OCEAN DRIVE & LOCATED WITHIN
SECTION 21, T. 6 S., R. 13 W., S.M., HOMER, ALASKA

SEABRIGHT SURVEY + DESIGN
KATHERINE A. KIRSIS, P.L.S.
1044 EAST END ROAD, SUITE A
HOMER, ALASKA 99603
(907) 299-1580

DATE: 1/17/2025	SCALE: 1"=50'	JOB #24-106	SH. #1 OF 1

CITY OF HOMER
PUBLIC HEARING NOTICE
PLANNING COMMISSION MEETING

A public hearing on the matters below are scheduled for Wednesday, April 16, 2025 at 6:30 p.m. during the Regular Planning Commission Meeting. Participation is available virtually via Zoom webinar or in-person at Homer City Hall.

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA AMENDING HOMER CITY CODE 21.10.030 AMENDING THE HOMER CITY ZONING MAP TO REZONE A PORTION OF THE RURAL RESIDENTIAL (RR) ZONING DISTRICT TO GENERAL COMMERCIAL 1 (GC1) ZONING DISTRICT

The rezone from Rural Residential (RR) Zoning District to General Commercial 1 (GC1) Zoning District is proposed for the following address:

3145 Lampert Lane
T 6S R 13W SEC 21 SEWARD MERIDIAN HM BEGINNING AT THE SOUTHWEST CORNER OF SEC 21 TH NORTH 450 FT TO THE POB TH NORTH 356.5 FT TH EAST 125 FT TH SOUTH 356.5 FT TH WEST 125 FT TO THE POB

In-person meeting participation is available in Cowles Council Chambers located downstairs at Homer City Hall, 491 E. Pioneer Ave., Homer, AK 99603.

To attend the meeting virtually, visit zoom.us and enter the Meeting ID & Passcode listed below. To attend the meeting by phone, dial any one of the following phone numbers and enter the Webinar ID & Passcode below, when prompted: 1-253-215-8782, 1-669-900-6833, (toll free) 888-788-0099 or 877-853-5247.

Meeting ID: 979 8816 0903
Passcode: 976062

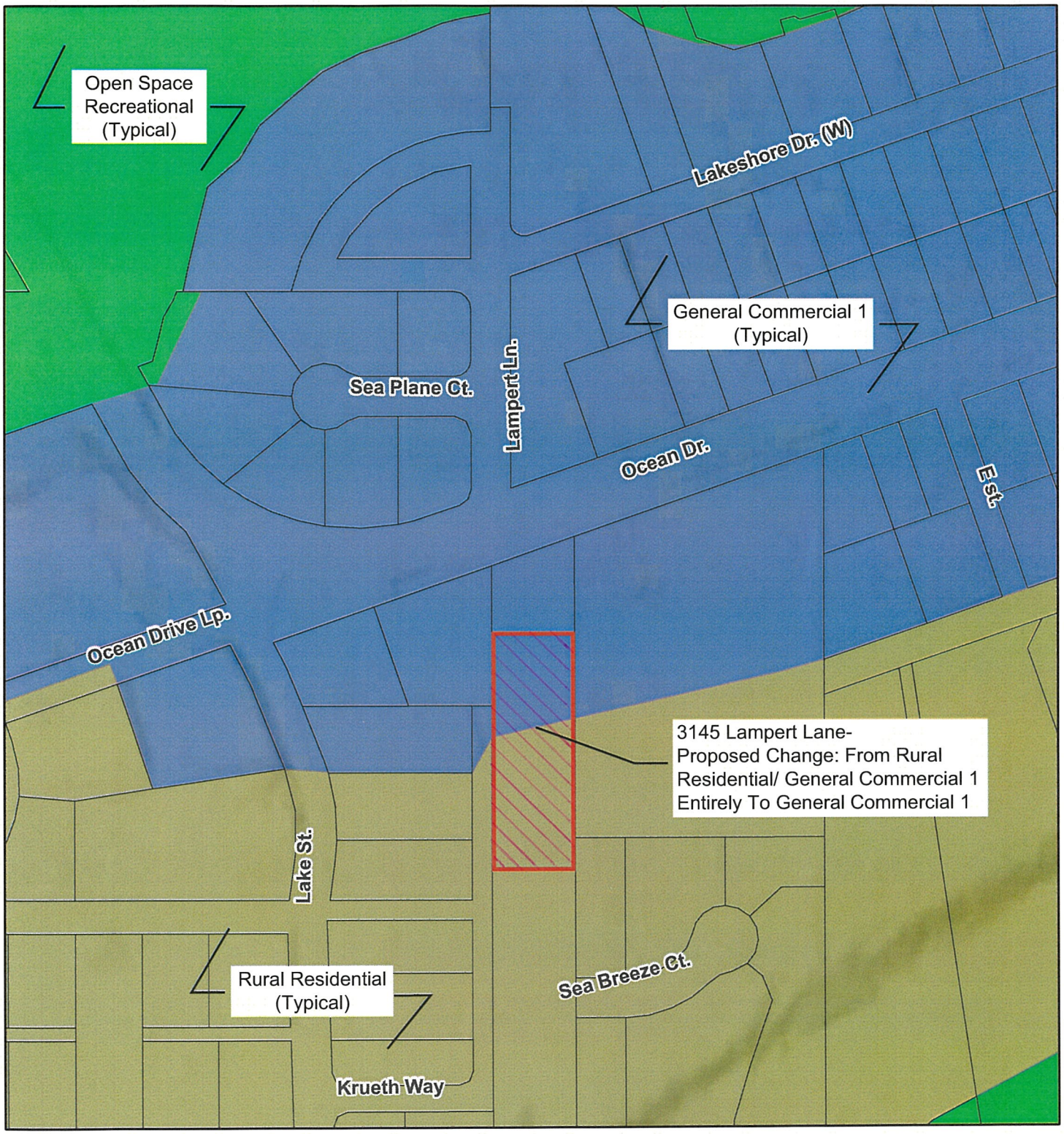
Additional information regarding this matter will be available by 5pm on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for April 11, 2025 at *https://www.cityofhomer-ak.gov/calendar*. It will also be available at the Planning and Zoning Office at Homer City Hall and at the Homer Public Library.

Written comments can be emailed to the Planning and Zoning Office at the address below, mailed to Homer City Hall at the address above, or placed in the Homer City Hall drop box at any time. Written comments must be received by 4pm on the day of the meeting.

If you have questions, contact Ryan Foster at the Planning and Zoning Office. Phone: (907) 235-3106, email: planning@ci.homer.ak.us or in-person at Homer City Hall.

NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 300 FEET OF PROPERTY

3145 Lampert Lane



3/28/2025

1:5,000

0 0.02 0.04 0.08 mi

0 0.03 0.07 0.13 km

Parcels_Working view

Road_Maintenance

Zoning Districts

General Commercial 1

Open Space Rec

Rural Residential

World_Hillshade

Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community

City of Homer Dept. P & Z

viewKPB

3145 Lampert Ln- Rezone: RR/GC1 To GC1

Legend

Physical Addresses

Transportation

Mileposts

Parcels and PLSS

Tax Parcels

0 250 500 ft

NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the K[illegible]sula Borough assumes no liability of any kind arising from the use of this data. The data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising fro[illegible] operation or modification of the data. In using these data, you further agree to indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or corre[illegible] the data, or use of the data.

4/2/2025 10:32:37 AM