



MEMORANDUM

Resolution 26-023, A Resolution of the City Council of Homer, Alaska Approving a Third Amendment to the Copper River Seafoods Lease for a Portion of Lot 13B, City of Homer Port Industrial Subdivision No. 2 According the Plat No. 80-92, KPB Parcel 18103425.

Item Type: Back-Up Memorandum
Prepared For: Mayor Lord and Homer City Council
Date: March 10, 2026
From: Mark Bowman, Port Property Associate
Through: Melissa Jacobsen, City Manager

Background:

Copper River Seafoods assumed a lease with the City from Snug Harbor Seafoods on May 16, 2019, which required the construction of a 42' by 47' building. Due to economic challenges, the City Council passed Resolution 23-117 in 2023, approving a second Amendment. This amendment extended the construction completion deadline to December 31, 2026, and changed the approved building design to a 40' by 47' Pre-Engineered Metal Building.

Current Situation:

The tenant now wishes to abandon the metal building concept and return to the original 2019 structural design. The proposed Third Amendment formally revokes the modifications made to the Site and Floor Plans (Exhibits E and F) during the second Amendment, reverting the property development requirements back to the original specifications. The extended completion deadline of December 31, 2026, remains unchanged and in full effect.

Permitting Progress:

In accordance with the lease's pre-construction requirements, the tenant has proactively contacted City Planning and the Fire Marshal. The mandatory zoning permits, agency inspections, and life safety approvals will be secured prior to construction.

RECOMMENDATION:

Approve Resolution 26-023

3rd AMENDMENT TO LEASE AGREEMENT

This amendment is made and entered into effect as of _____ between the City of Homer, an Alaska municipal corporation ("Landlord") whose address is 491 East Pioneer Avenue, Homer, Alaska 99603, and Copper River Seafoods Inc., an Alaskan business corporation ("Tenant"), whose address is 1400 E. 1st Ave. Anchorage, Alaska 99501.

RECITALS

WHEREAS, Landlord and Tenant entered into a Ground Lease Agreement ("Lease") dated March 1, 2019, and recorded by the Kenai Peninsula Borough's recorder's office on May 20, 2019, Number 2019-001382-0, Homer Recording District 309, Alaska; and

WHEREAS, Landlord and Tenant entered into a 2nd Amendment to Lease Agreement effective November 1, 2023, which amended the Lease to establish a new completion date of 12/31/2026 and replace "Exhibit E – Site Plans" and "Exhibit F – Floor Plans" with new plans; and

WHEREAS, the Landlord and Tenant now agree to amend the 2nd Amendment to Lease Agreement to revert to the original site and floor plans provided in the original 2019 Lease.

AGREEMENT

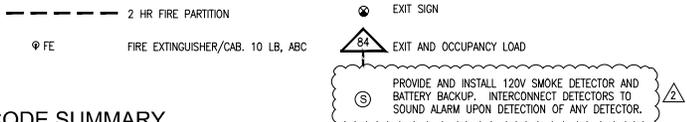
Landlord and Tenant agree as follows:

1. The modifications replacing "Exhibit E – Site Plans" and "Exhibit F – Floor Plans" established in the 2nd Amendment to Lease Agreement are hereby revoked.
2. The Site Plans and Floor Plans for the property shall return to the original plans provided in the original Ground Lease Agreement dated March 1, 2019.
3. The original plans are attached to this amendment as **Exhibit A** and are hereby incorporated by reference.
4. All other terms and conditions of the original Lease and the 2nd Amendment to Lease Agreement (including the amended completion date of 12/31/2026) shall remain in full force and effect.

EXHIBIT A

(Original March 1, 2019 Site Plans and Floor Plans to be attached here)

LEGEND:



CODE SUMMARY

BUILDING INFORMATION

OCCUPANCY: SEPARATED R-2/B & S-1
 CONSTRUCTION TYPE: VB - NON-SPRINKLERED
 TOTAL BUILDING AREA: 3,320 S.F. GROSS
 HEIGHT: 2 STORIES - 27'-0"
 MAXIMUM ALLOWABLE HEIGHT: 40'-0"

IBC 2012 CODE SUMMARY

CHAPTER 3 - USE AND OCCUPANCY

SECTION 304.1 OCCUPANCY: B BUSINESS
 SECTION 310.3 R-1 RESIDENTIAL
 SECTION 311.2 S-1 MODERATE HAZARD STORAGE

CHAPTER 5 - GENERAL BUILDING HEIGHTS AND AREAS

SECTION 503.1 THE BUILDING HEIGHT AND AREA SHALL NOT EXCEED THE LIMITS SPECIFIED IN TABLE 503:
 OCCUPANCY: B CONSTRUCTION TYPE VB - 2 STORIES, 9,000 SF
 R-1 CONSTRUCTION TYPE VB - 2 STORIES, 7,000 SF
 S-1 CONSTRUCTION TYPE VB - 1 STORY, 9,000 SF

CHAPTER 6 - TYPES OF CONSTRUCTION

SECTION 602 CONSTRUCTION CLASSIFICATION
 TYPE VB: STRUCTURAL ELEMENTS, EXTERIOR WALLS AND INTERIOR WALLS ARE OF ANY MATERIAL PERMITTED BY CODE.

CHAPTER 9 - FIRE PROTECTIVE SYSTEMS

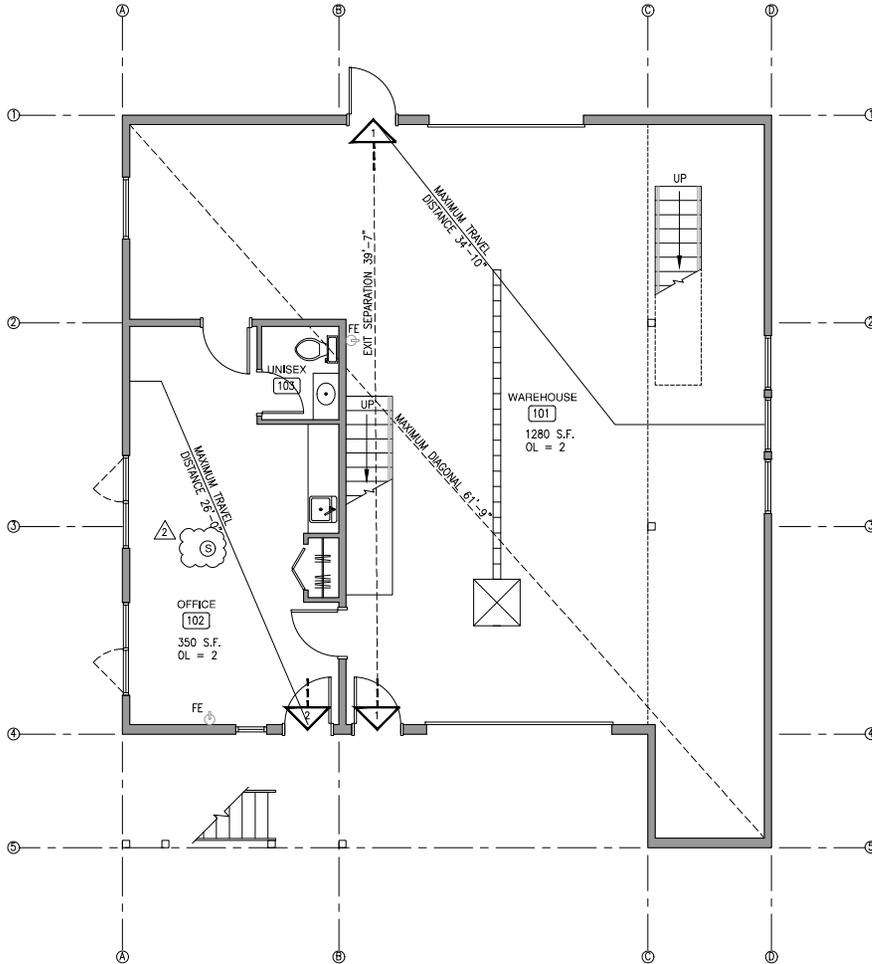
SECTION 906 PORTABLE FIRE EXTINGUISHERS
 SECTION 906.1 - WHERE REQUIRED BY CODE. 2. WITHIN 30 FEET OF COMMERCIAL EQUIPMENT.
 NFPA 10 - 75' MAXIMUM TRAVEL DISTANCE TO A FIRE EXTINGUISHER.
 IN COMPLIANCE

CHAPTER 10 MEANS OF EGRESS

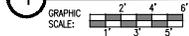
SECTION 1004 OCCUPANT LOAD
 FIRST FLOOR - 4 OCCUPANTS TOTAL - BASED ON CALCULATIONS, SEE PLANS
 SECOND FLOOR - 5 OCCUPANTS TOTAL - BASED ON CALCULATIONS, SEE PLANS
 TOTAL - 9 OCCUPANTS
 SECTION 1015 EXIT AND ACCESS DOORWAYS
 1015.1 EXCEPTION 2 REFERENCING 1014.3 - TWO EXITS SHALL BE PROVIDED WHEN COMMON PATH OF EGRESS TRAVEL EXCEEDS 75'
 IN COMPLIANCE
 SECTION 1015.2 EXIT OR EXIT DOORWAY ARRANGEMENT
 WHERE TWO EXITS ARE REQUIRED THEY SHALL BE PLACED A DISTANCE EQUAL TO NOT LESS THAN ONE THIRD OF THE MAX DIAGONAL.
 IN COMPLIANCE
 SECTION 1021 NUMBER OF EXITS AND CONFIGURATION
 FIRST FLOOR: ONE EXIT REQUIRED, THREE EXITS PROVIDED
 SECOND FLOOR - ONE EXIT REQUIRED, ONE EXIT PROVIDED

CHAPTER 11 - ACCESSIBILITY

SECTION 1104.4 MULTILEVEL BUILDINGS AND FACILITIES
 EXCEPTION 1: AN ACCESSIBLE ROUTE IS NOT REQUIRED TO MEZZANINES & STORIES W/ AGGREGATE AREA NOT MORE THAN 3,000 S.F.
 IN COMPLIANCE



1 FIRST FLOOR LIFE SAFETY PLAN



FIRST FLOOR AREA: 1,740 S.F.
 SECOND FLOOR AREA: 1,580 S.F.
 TOTAL AREA: 3,320 S.F.



| NO. | REVISION | DATE |
|-----|-------------|--------|
| 1 | REVISION #1 | 7/1/22 |
| 2 | REVISION #2 | 8/1/22 |

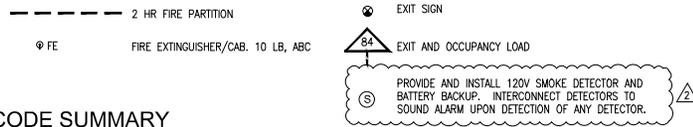
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 REGISTERED PROFESSIONAL ENGINEER
 LICENSE NO. 10000

COPPER RIVER SEAFOODS
 WAREHOUSE AT THE HOMER SPIT
 HOMER, ALASKA
 LIFE SAFETY PLAN

| | |
|-------------|--------------|
| PROJECT NO. | 2142 |
| DRAWN BY: | MCM |
| CHECKED BY: | CMP |
| DATE: | 6/3/2022 |
| SCALES: | NOTED |
| HORIZ.: | NOTED |
| VERT.: | NOTED |
| SHEET | LS1.1 |
| | 1 OF 8A |

LEGEND:



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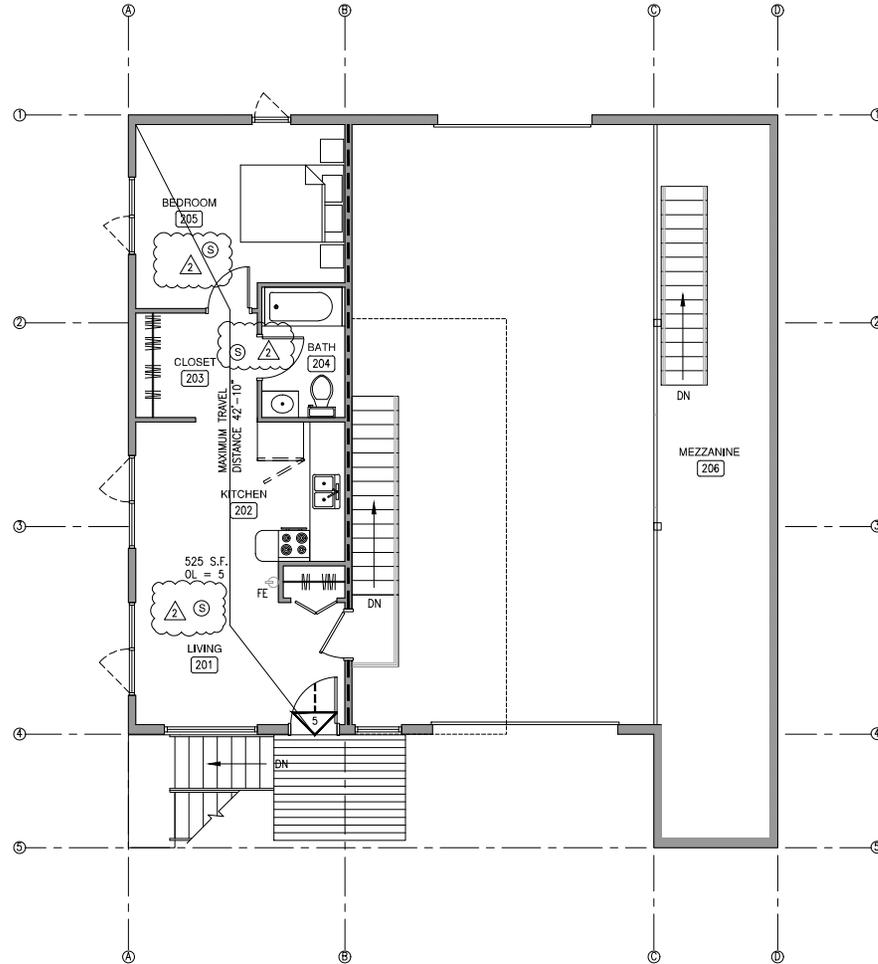
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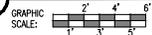
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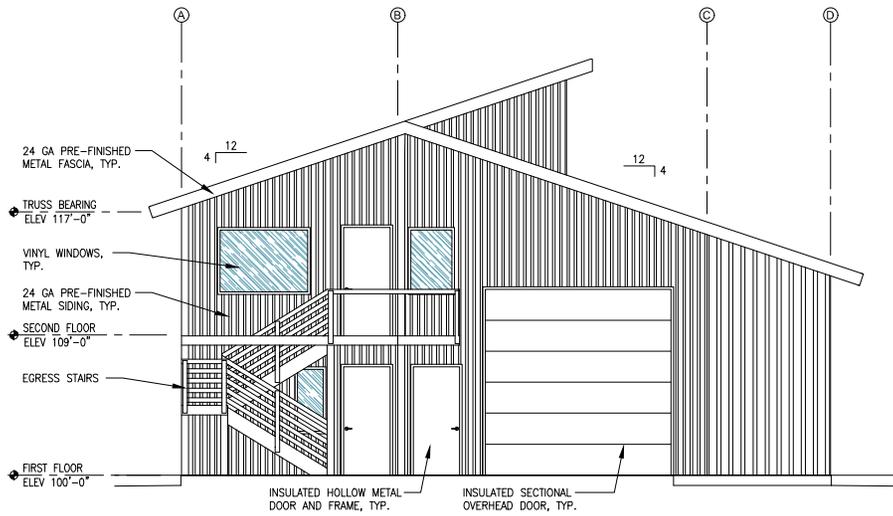


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 TEL: 907.562.4444
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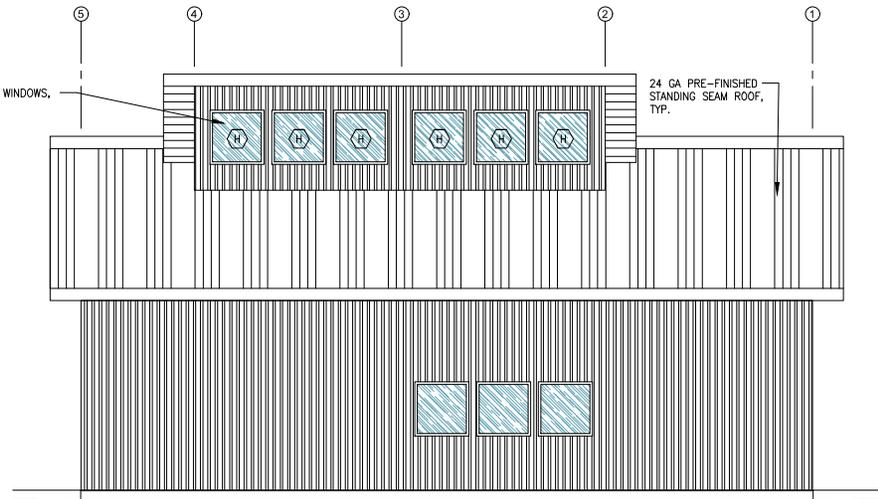
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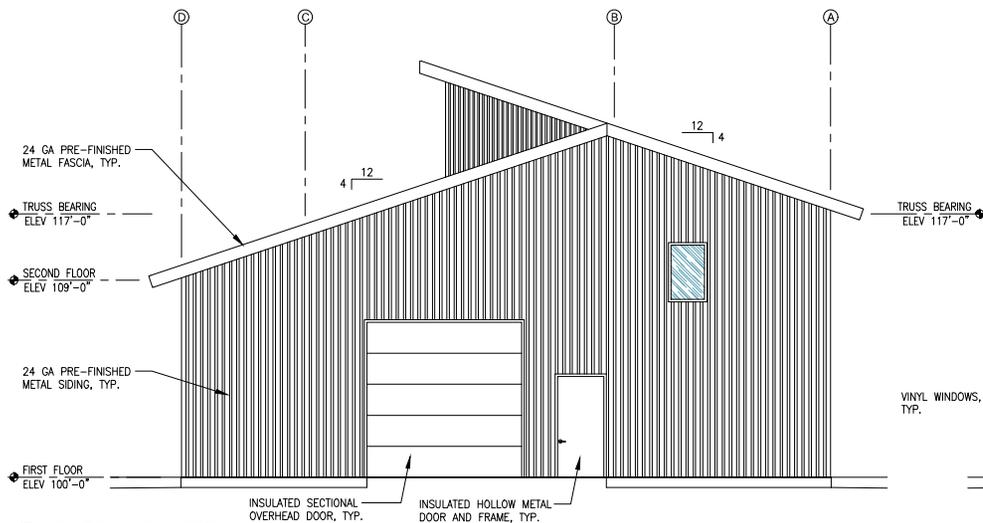
1 WEST ELEVATION

GRAPHIC SCALE: 1" = 3' 0"



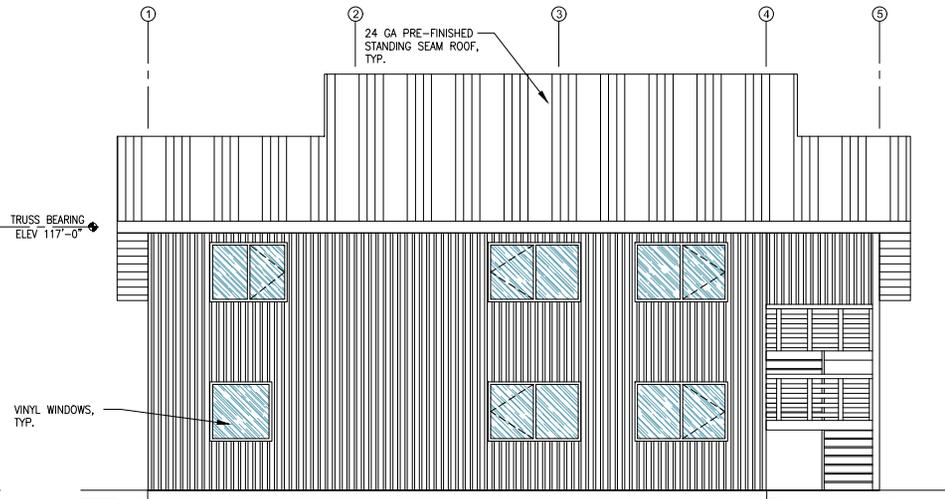
2 SOUTH ELEVATION

GRAPHIC SCALE: 1" = 3' 0"



3 EAST ELEVATION

GRAPHIC SCALE: 1" = 3' 0"



4 NORTH ELEVATION

GRAPHIC SCALE: 1" = 3' 0"



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 TEL: 907.562.9000 FAX: 907.562.9001
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