



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

AGENDA

Planning Commission Regular Meeting

Wednesday, June 21, 2023 at 6:30 PM

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

Zoom Webinar ID: 979 8816 0903 Password: 976062

<https://cityofhomer.zoom.us>

Dial: 346-248-7799 or 669-900-6833;

(Toll Free) 888-788-0099 or 877-853-5247

1. CALL TO ORDER, 6:30 P.M.

2. AGENDA APPROVAL

3. PUBLIC COMMENTS ON ITEMS ALREADY ON THE AGENDA The public may speak to the Commission regarding matters on the agenda that are not scheduled for public hearing or plat consideration. (3-minute time limit).

4. RECONSIDERATION

5. CONSENT AGENDA All items on the consent agenda are considered routine and non-controversial by the Planning Commission and are approved in one motion. There will be no separate discussion of these items unless requested by a Planning Commissioner in which case the item will be moved to the regular agenda.

5. A. Planning Commission Regular Meeting Minutes for June 7, 2023 **pg 3**

5. B. Decisions and Findings CUP 23-06 for more than one building with a permitted principle use on a lot at 3153 Sterling Highway **pg 9**

6. PRESENTATIONS / VISITORS

7. REPORTS

7. A. Staff Report 23-36, City Planner's Report **pg 15**

8. PUBLIC HEARING(S)

9. PLAT CONSIDERATION(S)

9. A. Staff Report 23-37, Cooper Subdivision 2023 Replat **pg 17**

9. B. Staff Report 23-38, W.R. Bell Subdivision 2023 Addition **pg 27**

10. PENDING BUSINESS

11. NEW BUSINESS

11. A. Ordinance 23-40, 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

Memorandum PC 23-39 from Acting City Planner as backup **pg 41**

11. B. Resolution 23-51, A Resolution of the City Council of Homer, Alaska, Amending the Regular Meeting Scheduled for the Planning Commission.

Memorandum PC 23-40 from Acting City Planner as backup **pg 47**

12. INFORMATIONAL MATERIALS

12. A. City Manager's Report for June 12, 2023 **pg 53**

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

14. COMMENTS OF THE STAFF

15. COMMENTS OF THE COMMISSION

16. ADJOURNMENT

Next Regular Meeting is **Wednesday, July 19, 2023 at 6:30 p.m.** A Worksession is scheduled for 5:30 p.m. All meetings are scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska and via Zoom Webinar. Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission.

Session 23-11, a Regular Meeting of the Planning Commission was called to order by Chair Scott Smith at 6:30 p.m. on June 7, 2023 at the Cowles Council Chambers in City Hall, located at 491 E. Pioneer Avenue, Homer, Alaska, and via Zoom Webinar. A worksession was held at 5:30 p.m. On the agenda was a presentation on the Flood Insurance Program by Harmony Curtis, Alaska NFIP Coordinator.

1. CALL TO ORDER

PRESENT: COMMISSIONERS CHIAPPONE, HIGHLAND, SMITH, STARK, VENUTI

ABSENT: COMMISSIONER CONLEY, BARNWELL (EXCUSED)

STAFF: ACTING CITY PLANNER FOSTER, DEPUTY CITY CLERK KRAUSE

2. AGENDA APPROVAL

HIGHLAND/VENUTI MOVED TO APPROVE THE AGENDA AS PRESENTED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

3. PUBLIC COMMENTS ON ITEMS ALREADY ON THE AGENDA The public may speak to the Commission regarding matters on the agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).

4. RECONSIDERATION

5. CONSENT AGENDA All items on the consent agenda are considered routine and non- controversial by the Planning Commission and are approved in one motion. If a separate discussion is desired on an item, a Commissioner may request that item be removed from the Consent Agenda and placed on the Regular Agenda under New Business. No Motion is necessary

5.A. PC Meeting Minutes
Unapproved Regular Meeting Minutes of May 17, 2023

HIGHLAND/VENUTI MOVED TO ADOPT THE CONSENT AGENDA AS PRESENTED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

6. PRESENTATIONS / VISITORS

7. REPORTS

7. A. Staff Report 23-34, City Planner's Report

Acting City Planner Foster provided a report on the following items:

- Approval of the Biennial Operating Budget FY23-FY25
- Capital Budget is on the June 12th Council agenda for approval
- Resolution 23-051 was postponed until the August 14th Council meeting this was remanded back to the Commission for more consideration.
 - o This item will be on the next meeting agenda and the Planning Department will provide examples of the various permitting processes to show how it will work with a once per month meeting schedule.
 - o There were public comments that brought forward some concerns and Council wanted the Commission to address those concerns.
- Transportation Plan Status Update
- Housing Report at the next Commission worksession meeting.
 - o 10 minute presentation will be provided at the upcoming Council meeting
- There will be two plat considerations on the next meeting agenda

There were no volunteers to report to Council and the Chair will submit a written report.

Commissioner Highland commented in a recent visit to the Eric Lane area of Homer and expressed concerns regarding drainage. She also noted previous and current staffing levels for the Planning Department.

8. PUBLIC HEARINGS

8. A. Staff Report 23-035, Conditional Use Permit (CUP) 23-06 per HCC 21.12.030(m) more than one building containing a permitted principle use on a lot.

Chair Smith introduced the item and deferred to Acting City Planner Foster.

Acting City Planner Foster reviewed Staff Report 23-035 for the Commission. He noted the following:

- Location of project and surrounding area
 - o Existing land uses
- Size of property and number of proposed buildings
- parking requirements
- regulations regarding the proposed project in the rural residential district
- Applicant will be required to work with Public Works and Alaska DEC to design and install a community sewer system
 - o Public Works requires the applicant to dig a test pit to investigate the soils and design leach field
 - o Applicant will be required to have a State of Alaska DEC engineered design for community sewer and submit with Zoning Permit application
 - o Public Works Director will review the design as part of the Zoning Permit Approval process.

- Outdoor lighting is to be downlit per HCC 21.59.030 and the Community Design Manual
Chair Smith invited the applicant if present to speak to the Commission.

John Garvey, applicant, commented on the proposed project stating that he has been working with Planning Department personnel and plans to follow all rules. He explained that they do not plan on removing any trees unless necessary, have hired an engineer for the septic systems already and dug test holes, noting that they had pretty good ground, driveway approach is existing with a culvert and is larger than initially thought so as far as traffic onto the Sterling Highway, it will not be affected much if at all. Mr. Garvey noted that he had with him his nephew, Mr. Josh Garvey and his neighbor, owner of the Alaska Suites, Mr. Thatcher. He has spoken with multiple people with the city regarding his project, including Mr. Foster and Ms. Keiser at Public Works.

Chair Smith opened the public hearing. He confirmed with the Clerk if there were members of the public on Zoom wishing to provide testimony. There were none. Chair Smith invited members of the audience present in Chambers to provide testimony.

Josh Garvey, city resident, testified on behalf of his uncle noting his professionalism, sincerity, and integrity as well as his experience working for native corporations on construction projects of high scale development. He stated that he held his Uncle in the highest regard and trust that he would develop this project as he has done throughout his career in rural Alaska. As a bonus this project will provide additional residential properties for the community.

Chair Smith seeing no further public testimony closed the public hearing and opened the floor to questions from the Commission.

Acting City Planner Foster facilitated questions and responses on the following topics:

- Pages 23-24 in the packet depicted the western dwelling 42 feet 4 inches feet from the top of bluff and he believed that a few years ago that was amended to 60 feet and wanted to know how that would be corrected. It was also noted that the septic system would also be required to be 60 feet from the top of the coastal bluff.
 - o The code requirement was cited and could be addressed during the Zoning Permit application or as a Condition of the CUP.
- The septic appears to look as if it is uphill from the buildings
 - o The septic system is approximately 4-6 feet lower than the area where the proposed buildings are to be placed.

Chair Smith asked if Commissioner Venuti would like to make an amendment to address his concerns regarding the bluff.

Commissioner Highland clarified that they typically make a motion then make an amendment and as a matter of process they normally include the findings one through 10 and the listed conditions which was missing.

Deputy City Clerk Krause explained that was correct and apologized for the oversight but she experienced many interruptions when she was drafting the document.

Mr. Foster provided the city code related to the setback requirements, HCC 21.44.030 slope development standards and reiterated that this was a requirement that would be reviewed during the zoning permit application process. He further noted that a conditional use permit focus is on the review of the proposed use and ensuring that it is a good fit for the property in this particular zoning district.

Mayor Castner commented on the access for a fire truck and if there would be enough space to turn the fire truck around.

Mr. Garvey, responded that there would be enough room to turn a fire truck around which includes the driveway area and leach field both of which are level plane areas. In fact there will be room for several fire trucks if needed.

HIGHLAND/STARK MOVED TO ADOPT STAFF REPORT 23-035 AND RECOMMEND APPROVAL OF CUP 23-06 TO CONSTRUCT MORE THAN ONE BUILDING CONTAINING A PERMITTED PRINCIPLE USE ON A LOT WITH FINDINGS ONE THROUGH TEN AND CONDITIONS ONE AND TWO AS FOLLOWS:

CONDITION 1: INSTALL APPROVED COMMUNITY WATER AND SEWER SERVICE TO THE STRUCTURES

CONDITION 2: OUTDOOR LIGHTING MUST BE DOWNLIT OER HCC 21.59.030 AND THE CDM

Commissioner Venuti questioned why the change that the Commission made three years prior was not on the books. He noted that they went over this issue at two prior meetings. The Commission established that anything west of West Hill Road up to top was a 60 foot setback. He could not support the approval of the CUP without confirmation on the setback requirement.

Mr. Foster assured the Commission that Planning would review the section of code and ensure that it reflects the correct information. He then further stated for the record, reading from code: that no structure may be closer to the top of ravine, street, slope or bluff than the lesser of: a. 40 feet; or b. one third of the height of the bluff or steep slope but not less than 15 feet. He stated that it would be confirmed in the Zoning Permit process.

Commissioner Highland recalled the Commission amending that section but did not recall the specifics or time period but did note that the Commission had an extensive discussion on the topic. She expressed some concerns that things did not get updated as they should.

Commissioner Stark expressed his satisfaction on the processes that both the Planning Department and Public Works conducted with the Zoning Permit application.

Chair Smith agreed with Commissioner Stark.

Acting City Planner Foster explained that the Planning Department will review code and he only saw the setback of 60 feet from the coastal edge and this did not qualify, he reiterated the process for the Zoning Permit Application included details of the Site plan which was not included in the CUP process.

Chair Smith requested the Clerk to perform a roll call vote.

VOTE: YES. CHIAPPONE, HIGHLAND, STARK, SMITH

VOTE. NO. VENUTI

Motion carried.

PLAT CONSIDERATION

PENDING BUSINESS

NEW BUSINESS

INFORMATIONAL MATERIALS

12. A. City Manager's Report for May 22, 2023

Chair Smith express his congratulations to Todd Cook.

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

COMMENTS OF THE STAFF

COMMENTS OF THE COMMISSION/MAYOR

Mayor Castner repeated his comment from the worksession for the benefit of the members in the audience that Council is bringing forward an ordinance to amend the number of units that would be allowed on any particular lot without a conditional use permit attached to it and it will be remanded to this Commission and then up for second hearing at the end of July.

Commissioner Highland commented that it was a nice short meeting and then expressed some confusion on the CUP process and is more comfortable when everything is according to our zoning so will look forward to some feedback on further investigation of the top of the bluff.

Commissioner Stark commented that if something was missing regarding the 60 foot versus the 40 foot that would be a separate matter and the Commission would have to fix the CUP. It is a valid concern and should be clarified for the Commission. He expressed that the CUP process was pretty typical as long as he has been on the Commission and usually how it goes, and who knows when Jan at Public Works gets involved she may think otherwise and state that the leach field is not going to work based on the topography, there are a lot of details and steps before everything is finalized. Thank you and have a great week.

Commissioner Venuti had no additional comments.

Commissioner Chiappone thanked Mr. Garvey for doing a good job in meeting the requirements for his project, he then announced that this meeting would be his last as he has decided not to reapply for another term on the Commission and he will be absent from the June 21st meeting. He expressed his appreciation for the being allowed the opportunity to serve for the past year, noting that everyone was very helpful.

Chair Smith thanked Commissioner Chiappone for serving the community as well as he has and for his time. Chair Smith thanked Mr. Foster for his thorough evaluation of the application and that it was nice to have members of the public present to listen and view the process. He thanked everyone for coming to the meeting tonight.

ADJOURNMENT

There being no further business to come before the Commission Chair Smith adjourned the meeting at 7:12 p.m. The next Regular Meeting is Wednesday, June 21, 2023 at 6:30 p.m. A Worksession is scheduled for 5:30 p.m. All meetings are scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska and via Zoom Webinar. Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission.

RENEE KRAUSE, MMC, DEPUTY CITY CLERK II

Approved:_____



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HOMER PLANNING COMMISSION

Approved CUP 2023-06 at the Meeting of June 7, 2023

RE: Conditional Use Permit (CUP) 2023-06

Address: 3153 Sterling Highway

Legal Description: T 6S R 14W SEC 15 S.M. HM PTN OF SE1/4 NE1/4 Begin @ 1/4 Corner of Sec 14 & 15; TH N89 DEG 57'W 638.6 FT TO W ROW of Sterling Hwy & POB; TH N42 DEG 07'W 268.4 FT To Corner 2; TH N47 DEG 53'E 32 FT To Corner 3 @ Beginning of a Curve, CTR of which bears S47 DEG 53'W 1078.3 FT from corner 3; TH NW along arc of said curve 410 FT to corner 4; TH S 465.3 FT to corner 5; TH S89 DEG 57'E 481.6 FT to POB.

DECISION

Introduction

John Garvey (the “Applicant”) applied to the Homer Planning Commission (the “Commission”) for a Conditional Use Permit (CUP) under Homer City Code HCC 21.12.030(m), which allows more than one building containing a permitted principle use on a lot in the Rural Residential District.

The applicant proposes to construct two new cabin dwellings as additions to a property that has an existing single-family principal residence.

A public hearing was held for the application before the Commission on June 7, 2023, as required by Homer City Code 21.94. Notice of the public hearing was published in the local newspaper and sent to 4 property owners of 6 parcels as shown on the Kenai Peninsula Borough tax assessor rolls. Public notices contained information on how to submit written testimony, participate telephonically, or participate on the Zoom meeting platform.

At the June 7, 2023 meeting of the Commission, five Commissioners were present. Commissioners Conley and Barnwell were not present and had excused absences. The Commission approved CUP 2023-06 with a 4-1 vote with two conditions.

Evidence Presented

Acting City Planner, Ryan Foster, reviewed the staff report. He explained how the proposal meets density requirements and is supported by the purpose of the Rural Residential Zoning District. The Applicant was available and provided responses to Commissioners questions. Josh Garvey voiced his support for the proposed development. Mr. Thatcher, neighbor and owner of the Alaska Suites, voiced his non-objection to the proposed development. The Commission approved the CUP with a 4-1 vote.

Findings of Fact

After careful review of the record and consideration of testimony presented at the hearing, the Commission determines CUP 2023-06, to allow two new cabin dwellings as additions to an existing principal residence at 3153 Sterling Highway, satisfies the review criteria set out in HCC 21.71.030 and is hereby approved.

The criteria for granting a Conditional Use Permit is set forth in HCC 21.71.030 and 21.71.040.

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

Finding 1: The structures and uses are authorized by the applicable code.

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

Finding 2: The proposed uses and structures are compatible with the purpose of the district.

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

Finding 3: Residential development is not expected to negatively impact the adjoining properties greater than other permitted or conditional uses.

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

Finding 4: The proposal is compatible with the existing uses of surrounding land.

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

Condition 1: Install approved community sewer service to the structures.

Finding 5: Water, sewer, and fire services will be, prior to occupancy, adequate to serve the existing and proposed dwellings.

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

Finding 6: The Commission finds the proposal will not cause undue harmful effect upon desirable neighborhood character.

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

Finding 7: The proposal will not be unduly detrimental to the health, safety or welfare of the surrounding area and the city as a whole when all applicable standards are met as required by city code.

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

Finding 8: The proposal will comply with applicable regulations and conditions specified in Title 21 when gaining the required permits.

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

Finding 9: The proposal is not contrary to the applicable land use goals and objects of the Comprehensive Plan. The proposal aligns with Chapter 4, Goal 1, Objectives A and C and no evidence has been found that it is contrary to the applicable land use goals and objectives of the Comprehensive Plan.

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

Condition 2: Outdoor lighting must be down lit per HCC 21.59.030 and the CDM.

Finding 10: Project will comply with the applicable provisions of the CDM.

HCC 21.71.040(b). b. In approving a conditional use, the Commission may impose such conditions on the use as may be deemed necessary to ensure the proposal does and will continue to satisfy the applicable review criteria. Such conditions may include, but are not limited to, one or more of the following:

- 1. Special yards and spaces:** No specific conditions deemed necessary
- 2. Fences and walls:** No specific conditions deemed necessary
- 3. Surfacing of parking areas:** No specific conditions deemed necessary.
- 4. Street and road dedications and improvements:** No specific conditions deemed necessary.
- 5. Control of points of vehicular ingress and egress:** No specific conditions deemed necessary.
- 6. Special provisions on signs:** No specific conditions deemed necessary.
- 7. Landscaping:** No specific conditions deemed necessary.
- 8. Maintenance of the grounds, building, or structures:** No specific conditions deemed necessary.
- 9. Control of noise, vibration, odors or other similar nuisances:** No specific conditions deemed necessary.
- 10. Limitation of time for certain activities:** No specific conditions deemed necessary.
- 11. A time period within which the proposed use shall be developed:** No specific conditions deemed necessary.
- 12. A limit on total duration of use:** No specific conditions deemed necessary.
- 13. More stringent dimensional requirements,** such as lot area or dimensions, setbacks, and building height limitations. Dimensional requirements may be made more lenient by conditional use permit only when such relaxation is authorized by other provisions of the zoning code. Dimensional requirements may not be altered by conditional use permit when and to the extent other provisions of the zoning code expressly prohibit such alterations by conditional use permit.
- 14. Other conditions necessary** to protect the interests of the community and surrounding area, or to protect the health, safety, or welfare of persons residing or working in the vicinity of the subject lot.

Conclusion: Based on the foregoing findings of fact and law, Conditional Use Permit 2023-06 is hereby approved, with Findings 1-10 and the following conditions.

Condition 1: Install approved community water and sewer service to the structures.

Condition 2: Outdoor lighting must be down lit per HCC 21.59.030 and the CDM.

Date

Chair, Scott Smith

Date

Acting City Planner, Ryan Foster

NOTICE OF APPEAL RIGHTS

Pursuant to Homer City Code, Chapter 21.93.060, any person with standing that is affected by this decision may appeal this decision to the Homer Board of Adjustment within thirty (30) days of the date of distribution indicated below. Any decision not appealed within that time shall be final. A notice of appeal shall be in writing, shall contain all the information required by Homer City Code, Section 21.93.080, and shall be filed with the Homer City Clerk, 491 East Pioneer Avenue, Homer, Alaska 99603-7645.

CERTIFICATION OF DISTRIBUTION

I certify that a copy of this Decision was mailed to the below listed recipients on _____, 2023. A copy was also delivered to the City of Homer Planning Department and Homer City Clerk on the same date.

Date

Courtney Dodge, Associate Planner

John Garvey
3153 Sterling Hwy.
Homer, AK 99603

Michael Gatti
JDO Law
3000 A Street, Suite 300

Anchorage, AK 99503

Rob Dumouchel, City Manager
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Staff Report PI 23-036

TO: Homer Planning Commission
FROM: Ryan Foster, AICP, Acting City Planner
DATE: June 14, 2023
SUBJECT: City Planner's Report

6.12.23 City Council

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. Recommend Introduction June 12, 2023, Referred to the Planning Commission and Economic Development Commission, Public Hearing and Second Reading August 28, 2023.

Resolution 23-060, A Resolution of the City Council of Homer, Alaska Awarding a Task Order to Kinney Engineering in the Not to Exceed Amount of \$35,000 for Delivery of a Traffic Impact Analysis and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Acting City Planner. Adopted.

Ordinance 23-23(A-2), An Ordinance of the City Council of Homer, Alaska Appropriating the Funds for the Fiscal Years 2024 and 2025 Capital Budget. City Manager. Introduction April 24, 2023, Public Hearing May 8 and May 22, 2023, Second Reading May 22, 2023 Postponed to June 12, 2023, Public Hearing June 12, 2023 Postponed Worksession June 18, 2023 Public Hearing June 26, 2023.

Commission Calendar Items

Reappointment applications submitted to Commissioner's in June.

No new updates on the Transportation Plan project timetable.

Bluff and Coastal Edge Setbacks

During the review of CUP 23-06 3153 Sterling Highway at the June 7 Planning Commission Regular Meeting there was a question regarding the setback requirements from the bluff for the two new dwellings. Per HCC 21.44.030 *Slope development standards*.

c. Setbacks. Subject to the exceptions to setback requirements in HCC [21.44.040](#), all development activity is subject to the following setback requirements:

1. No structure may be closer to the top of a **ravine, steep slope or bluff** than the lesser of:

a. **Forty feet**; or

b. One-third of the height of the bluff or steep slope, but not less than 15 feet.

3. Structures shall be set back 40 feet from the coastal edge starting at the eastern extent of the City of Homer, adjacent to Kachemak Bay extending to the north-south section line dividing Sections 19 and 24 Township 6 South Range 14 West Seward Meridian, and excluding all property South of Mile Post 175 of the Sterling Highway. **All structures west of the section line shall be set back 60 feet from the coastal edge.** No structure may be placed closer than 15 feet from the toe of a coastal edge.

A “bluff” is defined as the following per HCC 21.03.040 Definitions used in zoning code.

“Bluff” means an abrupt elevation change in topography of at least 15 feet, with an average slope of not less than 200 percent (two feet difference in elevation per one foot of horizontal distance).

A “coastal edge” is defined as the following per HCC 21.03.040 Definitions used in zoning code.

“Coastal edge” means the seaward extent of a relatively flat land where a slope break or scarp occurs that is adjacent and **within 300 feet of the mean high water line of Kachemak Bay**. The chosen coastal edge must represent the seaward extent of land that is neither part of a previous landslide nor a bench on a slope.

The subject property at 3153 Sterling Highway is approximately 3,500 feet from Kachemak Bay, and therefore, does not meet the Homer City Code definition of a “coastal edge”.

Harbor Expansion Project

This website is now updated and will host all the info about the Port Expansion project <https://homerharborexansion.com/> You can subscribe to project updates and find relevant documents.

Commissioner Report to Council

6/26/23 _____



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Staff Report 23-37

TO: Homer Planning Commission
FROM: Ryan Foster, AICP, Acting City Planner
DATE: 6/14/2023
SUBJECT: Cooper Subdivision 2023 Replat

Requested Action: Approval of a preliminary plat to divide one larger lot into two smaller lots.

General Information:

Applicants:	Alex & Lindsay Trieweler 4937 Alder Ln Homer, AK 99603	Geovera, LLC PO Box 3235 Homer, AK 99603
Location:	Alder Lane, South of East End Road between Clover Lane and Meadow Drive	
Parcel ID:	17930010	
Size of Existing Lot(s):	1.1 acres	
Size of Proposed Lots(s):	0.588 and 0.514 acres	
Zoning Designation:	Rural Residential District	
Existing Land Use:	Residential	
Surrounding Land Use:	North: Residential South: Residential East: Residential West: Residential	
Comprehensive Plan:	1-C-1 Promote infill development in all housing districts.	
Wetland Status:	No wetlands present.	
Flood Plain Status:	Not located in a flood plain.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are present on Alder Lane.	
Public Notice:	Notice was sent to 45 property owners of 42 parcels as shown on the KPB tax assessor rolls.	

Analysis: This subdivision is within the Rural Residential District. This plat subdivides one larger lot into two smaller lots. The surveyor notes that the plat grants a 15-foot public utility easement adjoining the Alder Lane right-of-way and that the owner will install a new water and sewer service to service Lot 5B.

Homer City Code 22.10.051 Easements and rights-of-way

- A. The subdivider shall dedicate in each lot of a new subdivision a 15-foot-wide utility easement immediately adjacent to the entire length of the boundary between the lot and each existing or proposed street right-of-way.

Staff Response: The plat meets these requirements.

- B. The subdivider shall dedicate in each lot of a new subdivision any water and/or sewer easements that are needed for future water and sewer mains shown on the official Water/Sewer Master Plan approved by the Council.

Staff Response: The plat meets these requirements. City sewer and water are already provided. *No additional easements are needed.*

- C. The subdivider shall dedicate easements or rights-of-way for sidewalks, bicycle paths or other non-motorized transportation facilities required by HCC 11.04.120.

Staff Response: The plat meets these requirements.

Preliminary Approval, per KPB code 20.25.070 Form and contents required. The commission will consider a plat for preliminary approval if it contains the following information at the time it is presented and is drawn to a scale of sufficient size to be clearly legible.

- A. Within the Title Block:
 - 1. Names of the subdivision which shall not be the same as an existing city, town, tract or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;
 - 2. Legal description, location, date, and total area in acres of the proposed subdivision; and
 - 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor;

Staff Response: The plat meets these requirements.

- B. North point;

Staff Response: The plat meets these requirements.

- C. The location, width and name of existing or platted streets and public ways, railroad rights-of-way and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;

Staff Response: The plat meets these requirements.

- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries and prominent natural and manmade features, such as shorelines or streams;

Staff Response: The plat meets these requirements.

- E. All parcels of land including those intended for private ownership and those to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purposes, conditions or limitation of reservations that could affect the subdivision;

Staff Response: The plat meets these requirements. *No such areas are proposed.*

- F. The names and widths of public streets and alleys and easements, existing and proposed, within the subdivision; [Additional City of Homer HAPC policy: Drainage easements are normally thirty feet in width centered on the drainage. Final width of the easement will depend on the ability to access the drainage with heavy equipment. An alphabetical list of street names is available from City Hall.]

Staff Response: The plat meets these requirements.

- G. Status of adjacent lands, including names of subdivisions, lot lines, lock numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;

Staff Response: The plat meets these requirements.

- H. Approximate location of areas subject to inundation, flooding or storm water overflow, the line of ordinary high water, wetlands when adjacent to lakes or non-tidal streams, and the appropriate study which identifies a floodplain, if applicable;

Staff Response: The plat meets these requirements.

- I. Approximate locations of areas subject to tidal inundation and the mean high water line;

Staff Response: The plat meets these requirements.

- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;

Staff Response: The plat meets these requirements.

- K. Within the limits of incorporated cities, the approximate location of known existing municipal wastewater and water mains, and other utilities within the subdivision and immediately abutting thereto or a statement from the city indicating which services are currently in place and available to each lot in the subdivision;

Staff Response: The plat meets these requirements. Water and sewer are available and will be installed as part of the subdivision process.

- L. Contours at suitable intervals when any roads are to be dedicated unless the planning director or commission finds evidence that road grades will not exceed 6 percent on arterial streets, and 10 percent on other streets;

Staff Response: The plat meets these requirements. No roads are dedicated.

- M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;

Staff Response: The plat meets these requirements. No slopes are identified, the lot is flat.

- N. Apparent encroachments, with statement indicating how the encroachments will be resolved prior to final plat approval; and

Staff Response: The plat meets these requirements. No known encroachments.

- O. If the subdivision will be finalized in phases, all dedications for through streets as required by KPB 20.30.030 must be included in the first phase.

Staff Response: The plat meets these requirements.

Public Works Comments: A development agreement is not required. The property owner will need to provide water and sewer services to the newly subdivided lot.

Staff Recommendation:

Planning Commission recommends approval of the preliminary plat with no additional comments.

Attachments:

1. Preliminary Plat
2. Surveyor's Letter
3. Public Notice
4. Aerial Map

NOTES

1. BASIS OF BEARING FOR THIS SURVEY WAS DETERMINED BY A HIGH PRECISION GPS SURVEY USING TOPCON DUAL-FREQUENCY HiPer V RECEIVERS, DIFFERENTIALLY CORRECTED AND PROCESSED WITH MAGNET OFFICE VERSION 3.1 SOFTWARE. NAD83 ALASKA STATE PLANE GRID COORDINATES (U.S. SURVEY FEET) OBTAINED FROM THE GPS OBSERVATIONS WERE BASED ON THE NGS PUBLISHED VALUES FOR FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" (PID TT0155).

2. TRUE BEARINGS AND DISTANCES WERE DETERMINED BY ROTATING AND SCALING FROM GRID USING FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY ROTATING GRID INVERSE AZIMUTHS -1°17'13.4". TRUE DISTANCES WERE OBTAINED BY DIVIDING GRID INVERSE DISTANCES BY 0.999986696.

3. THE RESULTING SCALED COORDINATES WERE TRANSLATED TO A LOCAL COORDINATE SYSTEM BASED ON FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" N=100,000 E=100,000. ALL COORDINATE VALUES REPRESENT GROUND DISTANCES IN U.S. SURVEY FEET ORIENTED TO TRUE NORTH.

4. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.

5. PROPERTY IS SUBJECT TO CITY OF HOMER REGULATIONS. CHECK WITH HOMER PLANNING PRIOR TO ANY DEVELOPMENT ACTIVITIES.

6. PROPERTY OWNER SHOULD CONTACT THE ARMY CORPS OF ENGINEERS PRIOR TO ANY ON-SITE DEVELOPMENT OR CONSTRUCTION ACTIVITY TO OBTAIN THE MOST CURRENT WETLAND DESIGNATION (IF ANY). PROPERTY OWNERS ARE RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE AND FEDERAL PERMITS.

7. THESE LOTS ARE AFFECTED BY AN EASEMENT OF RECORD WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION (BK19, PG 100 HRD).

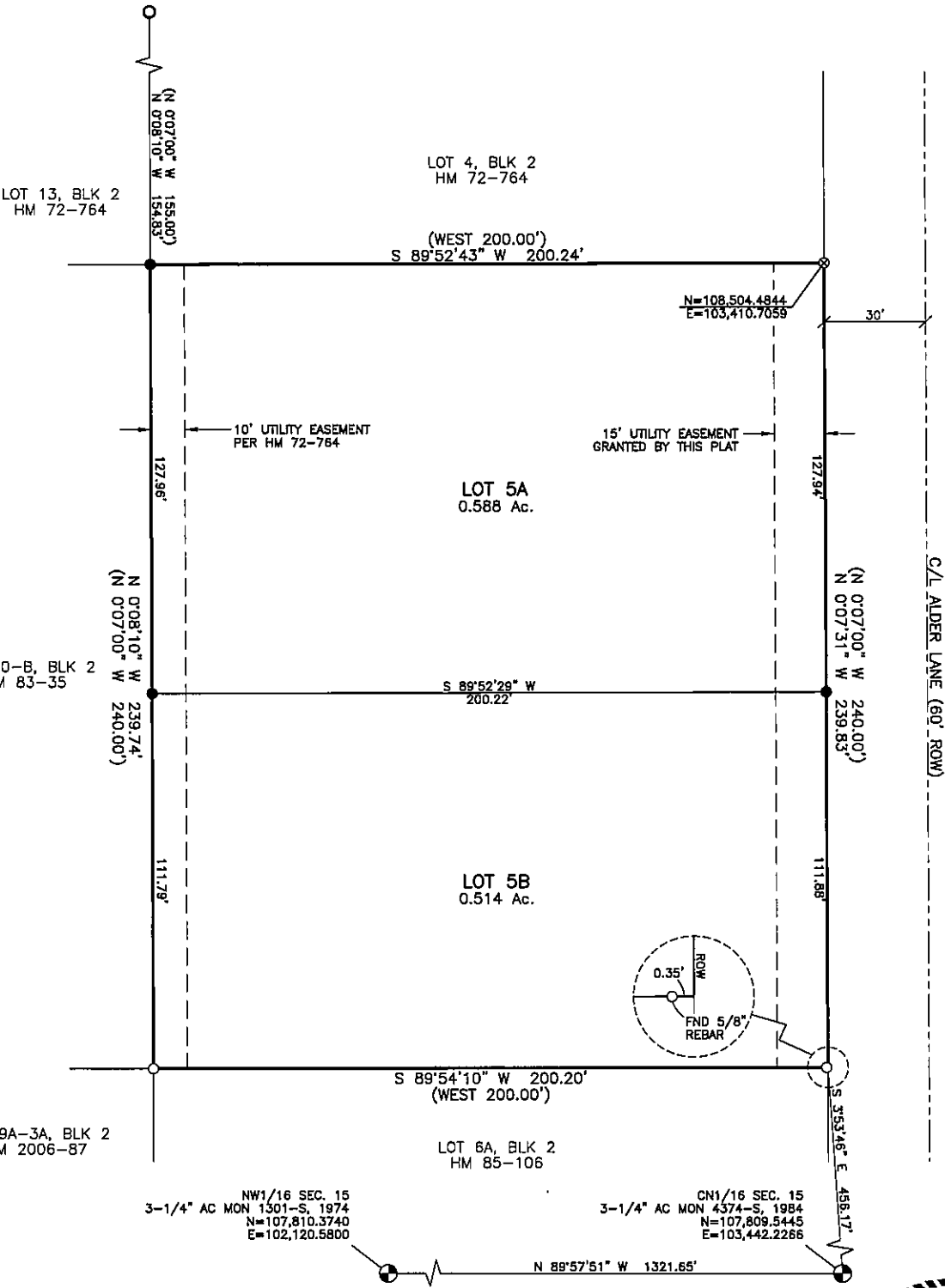
PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF ???

BY: _____ DATE _____
AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

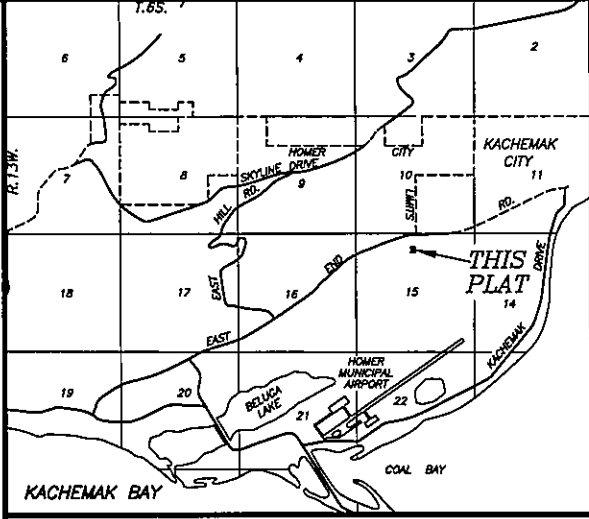
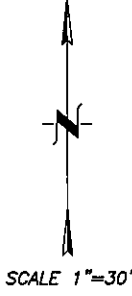
LEGEND

- INDICATES 5/8" REBAR RECOVERED THIS SURVEY
- INDICATES 1-1/2" ALCAP 4374-S 1984 RECOVERED THIS SURVEY
- ⊗ INDICATES 3/4" REBAR RECOVERED THIS SURVEY
- ⊙ INDICATES PRIMARY MONUMENT RECOVERED THIS SURVEY AS SHOWN
- INDICATES 2" ALCAP ON 5/8" REBAR (7538-S 2023) SET THIS SURVEY
- () INDICATES RECORD DATA PER PARENT PLAT HM 72-764



WASTEWATER DISPOSAL

PLANS FOR WASTEWATER DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.



VICINITY MAP

SCALE: 1" = 1 MILE U.S.G.S. QUAD. SELDOVIA (C-4 & C-5)

CERTIFICATE OF OWNERSHIP

WE, THE UNDERSIGNED, HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS OF WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

ALEX G. TRIEWELER
4937 ALDER LANE
HOMER, ALASKA 99603

LINDSAY TRIEWELER
4937 ALDER LANE
HOMER, ALASKA 99603

NOTARY'S ACKNOWLEDGMENT

FOR ALEX G. TRIEWELER AND LINDSAY TRIEWELER

ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2023.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES: _____

HOMER RECORDING DISTRICT KPB FILE No. 2023-???

COOPER SUBDIVISION 2023 REPLAT

THE SUBDIVISION OF
LOT 5, BLOCK 2
COOPER SUBDIVISION (HM 72-764)

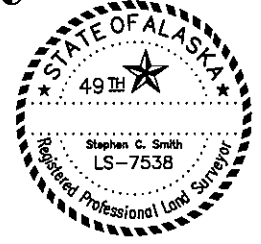
LOCATED WITHIN THE NE1/4 NW1/4, SEC 15,
T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI
PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA
CONTAINING 1.102 ACRES

OWNERS:
ALEX G. AND LINDSAY TRIEWELER
4937 ALDER LANE HOMER, ALASKA 99603

GEOVERA, LLC

PO BOX 3235
HOMER ALASKA 99603
(907) 399-4345
EMAIL: scsmith@gci.net

DRAWN BY: SCS	DATE: MAY 2023	SCALE: 1" = 30'
CHK BY: SCS	JOB #2022-65	SHEET 1 OF 1



Geovera, LLC

PO Box 3235 • Homer, Alaska 99603 • (907) 399-4345 • scsmith@gci.net

May 24, 2023

City of Homer
Planning Department
Courtney Dodge, Assistant Planner
491 E. Pioneer Ave.
Homer, Alaska 99603

RE: Cooper Subdivision 2023 Replat

Courtney,


Please find enclosed (1) full size copy and (2) 11X17 copies of the preliminary plat of Cooper Subdivision 2023 Replat, and a \$300.00 check for the submittal fee.

This plat divides Lot 5, Block 2 Cooper Subdivision (HM 72-764) into two lots. The plat grants a 15 foot public utility easement adjoining the Alder Lane right-of-way.

The owner will install a new water and sewer service to service Lot 5B.

Please let me know if you have any questions. You can reach me at any time at (907) 399-4345.
Thanks!

Sincerely,


Stephen C. Smith P.L.S.

RECEIVED
MAY 25 2023
CITY OF HOMER
PLANNING/ZONING

NOTICE OF SUBDIVISION

Public notice is hereby given that a preliminary plat has been received proposing to subdivide or replat property. You are being sent this notice because you are an affected property owner within 500 feet of a proposed subdivision and are invited to comment.

Proposed subdivision under consideration is described as follows:

Cooper Subdivision 2023 Replat

The location of the proposed subdivision affecting you is provided on the attached map. A preliminary plat showing the proposed subdivision may be viewed at the City of Homer Planning and Zoning Office. Subdivision reviews are conducted in accordance with the City of Homer Subdivision Ordinance and the Kenai Peninsula Borough Subdivision Ordinance. A copy of the Ordinance is available from the Planning and Zoning Office. **Comments should be guided by the requirements of those Ordinances.**

A public meeting will be held by the Homer Planning Commission on Wednesday, June 21, 2023 at 6:30 p.m. 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 5 p.m. on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for June 16, 2023 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 4 p.m. on the day of the meeting.

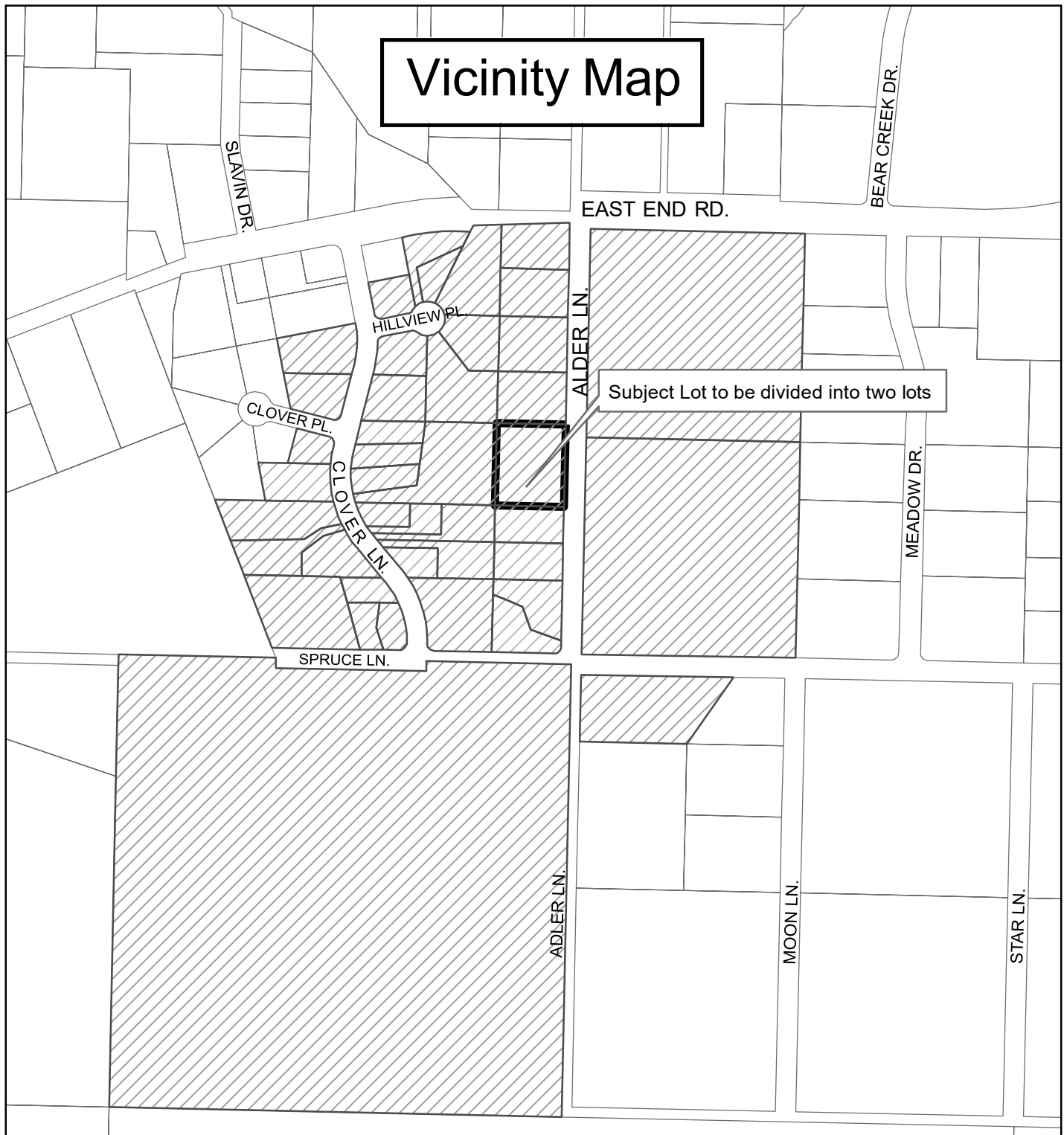
If you have questions or would like additional information, contact Ryan Foster at the Planning and Zoning Office. Phone: (907) 235-3106, email: clerk@cityofhomer-ak.gov, or in-person at Homer City Hall.

NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 500 FEET OF PROPERTY.

.....

VICINITY MAP ON REVERSE

Vicinity Map



City of Homer
Planning and Zoning Department

June 7th, 2023

Cooper Subdivision 2023 Replat Preliminary Plat

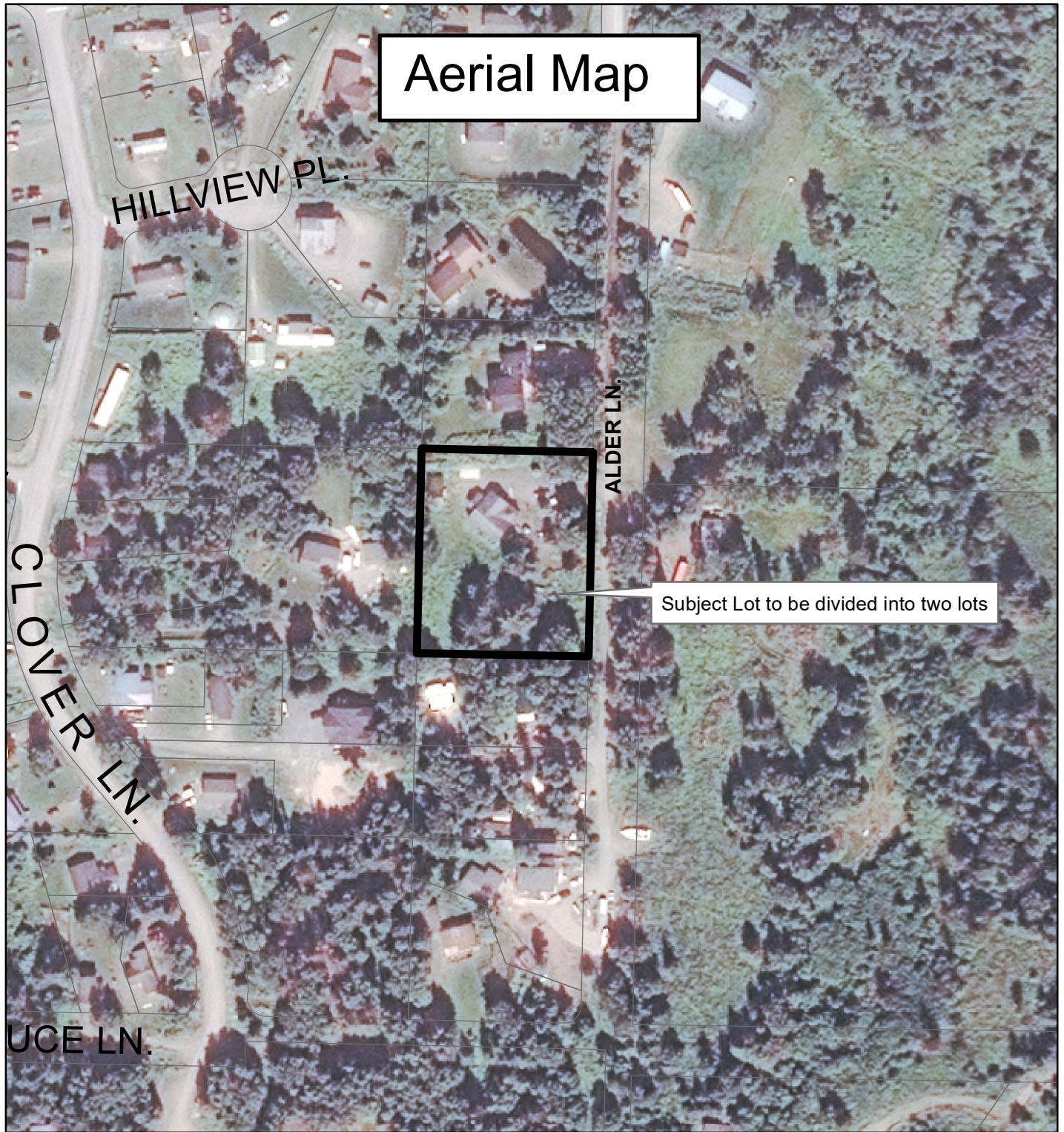
Marked lots are within 500 feet and
property owners notified.

0 250 500 Feet



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

Aerial Map



City of Homer
Planning and Zoning Department

June 7th, 2023

Cooper Subdivision 2023 Replat Preliminary Plat

0 110 220 Feet



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Homer, its council, board,
departments, employees and agents are
not responsible for any errors or omissions
contained herein, or deductions, interpretations
or conclusions drawn therefrom.*



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us
(p) 907-235-3106
(f) 907-235-3118

Staff Report 23-38

TO: Homer Planning Commission
FROM: Ryan Foster, AICP, Acting City Planner
DATE: 6/14/2023
SUBJECT: W.R. Bell Subdivision 2023 Addition

Requested Action: Approval of a preliminary plat to divide one larger lot into two smaller lots.

General Information:

Applicants:	Busby Enterprises PO Box 70 Chicken, AK 99732	Ability Surveys 152 Dehel Avenue Homer, AK 99603
Location:	Alpine Way, east of West Hill Road	
Parcel ID:	17524001	
Size of Existing Lot(s):	1.93 acres	
Size of Proposed Lots(s):	0.987 and 0.941 acres	
Zoning Designation:	Rural Residential District	
Existing Land Use:	Residential	
Surrounding Land Use:	North: Vacant South: Residential East: Residential West: Accessory Building	
Comprehensive Plan:	1-C-1 Promote infill development in all housing districts.	
Wetland Status:	No wetlands identified on KPB GIS Mapping.	
Flood Plain Status:	Not located in a flood plain.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are not present on Alpine Way.	
Public Notice:	Notice was sent to 45 property owners of 42 parcels as shown on the KPB tax assessor rolls.	

Analysis: This subdivision is within the Rural Residential District. This plat subdivides one larger lot into two smaller lots.

Drainage: Connect drainage from the subject subdivision to the W.R. Bell Subdivision Wildflower Ranch Addition to the south. See Attachment 5. W.R. Bell Subdivision Wildflower Ranch Addition and Attachment 6. Map of Requested Drainage.

Homer City Code 22.10.051 Easements and rights-of-way

- A. The subdivider shall dedicate in each lot of a new subdivision a 15-foot-wide utility easement immediately adjacent to the entire length of the boundary between the lot and each existing or proposed street right-of-way.

Staff Response: The plat meets these requirements.

- B. The subdivider shall dedicate in each lot of a new subdivision any water and/or sewer easements that are needed for future water and sewer mains shown on the official Water/Sewer Master Plan approved by the Council.

Staff Response: The plat meets these requirements. City water and sewer are not present or planned for Alpine Way.

- C. The subdivider shall dedicate easements or rights-of-way for sidewalks, bicycle paths or other non-motorized transportation facilities required by HCC 11.04.120.

Staff Response: The plat meets these requirements.

Preliminary Approval, per KPB code 20.25.070 Form and contents required. The commission will consider a plat for preliminary approval if it contains the following information at the time it is presented and is drawn to a scale of sufficient size to be clearly legible.

- A. Within the Title Block:
 - 1. Names of the subdivision which shall not be the same as an existing city, town, tract or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;
 - 2. Legal description, location, date, and total area in acres of the proposed subdivision; and
 - 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor;

Staff Response: The plat meets these requirements.

- B. North point;

Staff Response: The plat meets these requirements.

- C. The location, width and name of existing or platted streets and public ways, railroad rights-of-way and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;

Staff Response: The plat meets these requirements.

- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries and prominent natural and manmade features, such as shorelines or streams;

Staff Response: The plat meets these requirements.

- E. All parcels of land including those intended for private ownership and those to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purposes, conditions or limitation of reservations that could affect the subdivision;

Staff Response: The plat meets these requirements.

- F. The names and widths of public streets and alleys and easements, existing and proposed, within the subdivision; [Additional City of Homer HAPC policy: Drainage easements are normally thirty feet in width centered on the drainage. Final width of the easement will depend on the ability to access the drainage with heavy equipment. An alphabetical list of street names is available from City Hall.]

Staff Response: The plat meets these requirements. The City requests a 40-foot drainage easement centered on the drainage as depicted on the plat in the center of the subdivision. The City also requests a 40-foot drainage easement centered on the drainage adjacent to the eastern lot boundary. This drainage is depicted on the attached Map of Requested Drainage Map.

- G. Status of adjacent lands, including names of subdivisions, lot lines, lock numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;

Staff Response: The plat meets these requirements.

- H. Approximate location of areas subject to inundation, flooding or storm water overflow, the line of ordinary high water, wetlands when adjacent to lakes or non-tidal streams, and the appropriate study which identifies a floodplain, if applicable;

Staff Response: The plat meets these requirements.

- I. Approximate locations of areas subject to tidal inundation and the mean high water line;

Staff Response: The plat meets these requirements.

- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;

Staff Response: The plat meets these requirements.

- K. Within the limits of incorporated cities, the approximate location of known existing municipal wastewater and water mains, and other utilities within the subdivision and immediately abutting thereto or a statement from the city indicating which services are currently in place and available to each lot in the subdivision;

Staff Response: The plat meets these requirements.

- L. Contours at suitable intervals when any roads are to be dedicated unless the planning director or commission finds evidence that road grades will not exceed 6 percent on arterial streets, and 10 percent on other streets;

Staff Response: The plat meets these requirements. No roads are dedicated.

- M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;

Staff Response: The plat meets these requirements. Slopes greater than 20% are identified.

- N. Apparent encroachments, with statement indicating how the encroachments will be resolved prior to final plat approval; and

Staff Response: The plat meets these requirements. No known encroachments.

- O. If the subdivision will be finalized in phases, all dedications for through streets as required by KPB 20.30.030 must be included in the first phase.

Staff Response: The plat meets these requirements.

Public Works Comments: A development agreement is not required. The property owner will need to provide drainage easements.

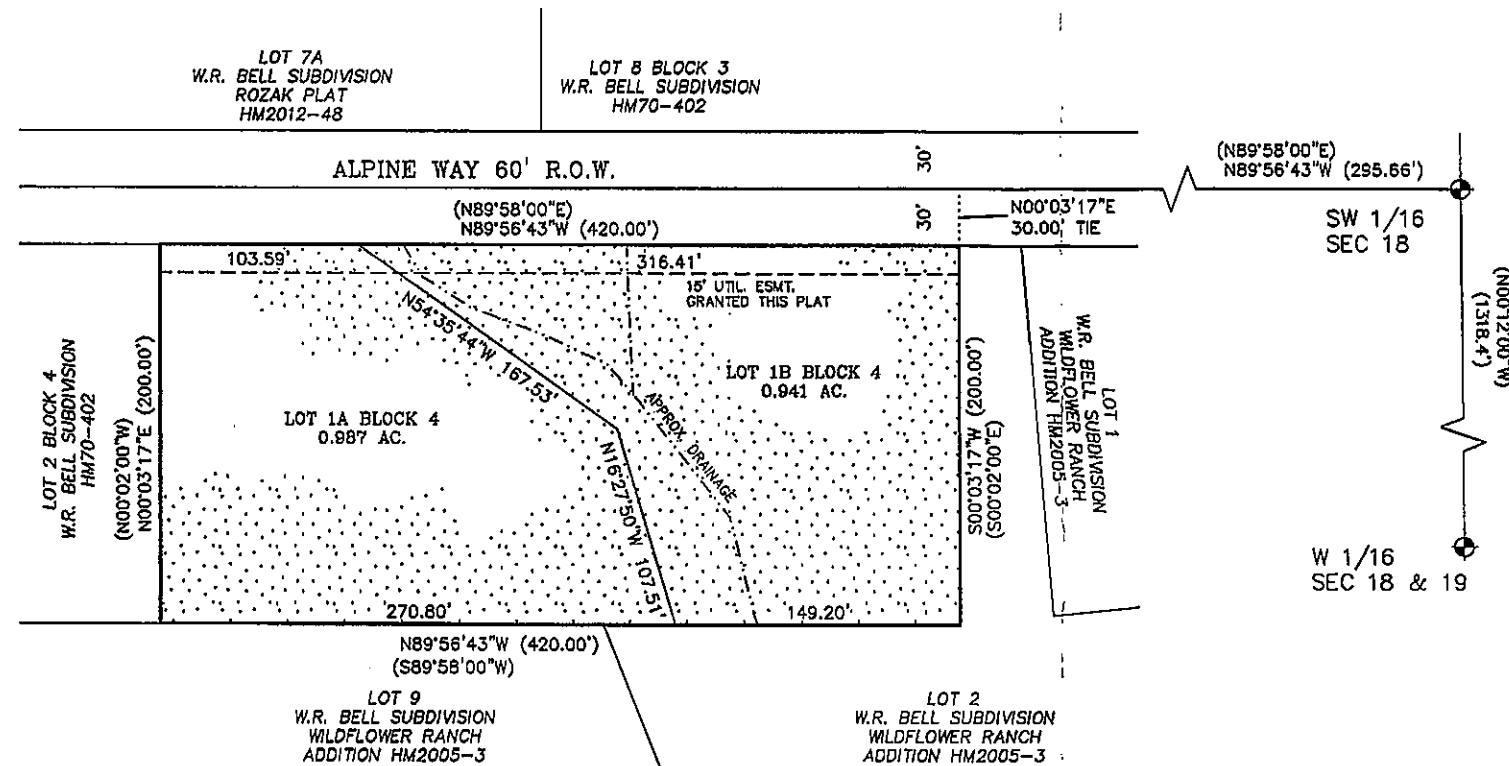
Staff Recommendation:

Planning Commission recommend approval of the preliminary plat with the following comments:

1. Add the following note to the plat: "Property is subject to City of Homer regulations. Check with Homer Planning Department prior to any development activities."
2. The City requests a 40-foot drainage easement centered on the drainage as depicted on the plat in the center of the subdivision. The City also requests a 40-foot drainage easement centered on the drainage adjacent to the eastern lot boundary. This drainage is depicted on the attached Map of Requested Drainage.

Attachments:

1. Preliminary Plat
2. Surveyor's Letter
3. Public Notice
4. Aerial Map
5. W.R. Bell Subdivision Wildflower Ranch Addition
6. Map of Requested Drainage



NOTES

1. PER KPB 20.30.250 THE BUILDING SETBACK OF RECORD HAS BEEN REMOVED. ALL DEVELOPMENT MUST COMPLY WITH THE MUNICIPAL ZONING REQUIREMENTS.
2. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
3. PROPERTY OWNER SHOULD CONTACT ARMY CORPS OF ENGINEERS PRIOR TO ANY ON-SITE DEVELOPMENT OR CONSTRUCTION ACTIVITY TO OBTAIN THE MOST CURRENT WETLAND DESIGNATION (IF ANY). PROPERTY OWNERS ARE RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE AND FEDERAL PERMITS.
4. DOT HATCH PATTERN SHOWS SLOPES GREATER THAN 20% IDENTIFIED ON KPB GIS MAPPING.
5. THERE ARE NO WETLANDS IDENTIFIED ON KPB GIS MAPPING.

LEGEND

- ⊕ MONUMENT OF RECORD
- () RECORD DATA PER HM70-402

CERTIFICATE OF OWNERSHIP

I hereby certify that I am the owner of the real property shown and described hereon, and that I hereby adopt this plan of subdivision, and by my free consent dedicate all public rights-of-way and grant all easements to the use shown.

BUSBY ENTERPRISES
P.O. BOX 70
CHICKEN, AK 99732

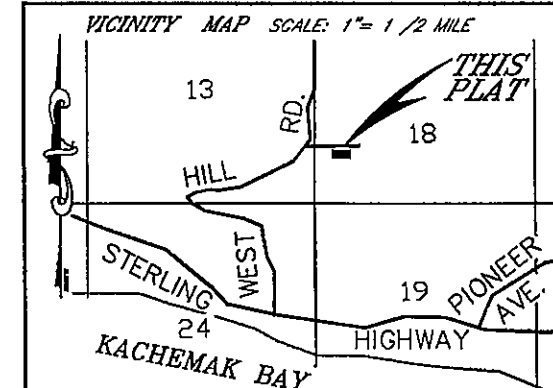
NOTARY'S ACKNOWLEDGEMENT

For BUSBY ENTERPRISES
Acknowledged before me this _____ day of _____, 2023.
Notary public for Alaska My Commission Expires _____

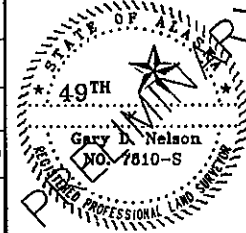
PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of _____
KENAI PENINSULA BOROUGH

BY _____
Authorized Official



DATE	5/25/2023
SCALE	1" = 60'
JOB No.	5497
DRAWING	5497_5494_5439
DRAWN BY:	BT
CHECKED:	XX



**W.R. BELL SUBDIVISION
2023 ADDITION**

A SUBDIVISION OF LOT 1 BLOCK 4, W.R. BELL SUBDIVISION (HM70-402), IN THE SW 1/4 SEC. 18, T6S, R13W, S1M., CITY OF HOMER, KENAI PENINSULA BOROUGH, HOMER RECORDING DISTRICT, STATE OF ALASKA CONTAINING 1.928 ACRES

OWNERS: BUSBY ENTERPRISES
P.O. BOX 70
CHICKEN, AK 99732

ABILITY SURVEYS
GARY NELSON, PLS
(907) 235-8440
152 DEHEL AVE., HOMER ALASKA 99603

PLAT #
Rec Dist
20
Date
Time _____ M

KPB FILE No. 2023- _____

ABILITY SURVEYS

SURVEYING HOMER SINCE 1975

LAND SURVEYING - CONSTRUCTION SURVEYING - DESIGN SURVEYING
152 DEHEL AVE. , HOMER, AK. 99603 PH. 907-235-8440 FAX. 235-8440

5/26/2023

City of Homer Planning Dept.
491 E. Pioneer Ave.
Homer, AK 99603

Re: Preliminary Plat submittal of **W.R. BELL SUBDIVISION 2023 ADDITION**

Enclosed herewith are 1 reduced 11" X 17" copy of the preliminary plat, 1 full sized 18"X 24" copy, and check # **3894** in the amount of \$300 for the City of Homer filing fee.

The proposed subdivision is located on Alpine Way off of West Hill Road. The existing parcel is not serviced by city water and sewer. The owner has consulted with an engineer who determined there is sufficient area to design an alternative wastewater treatment system on proposed Lot 1B Block 4.

The area is zoned as "Rural Residential".

I am not aware of other necessary code exemptions at this time but reserve a right to ask for it if one is found to be necessary.

Thank you for your assistance and consideration in this endeavor. Please don't hesitate to call for any reason.

Sincerely,

/s/ Gary Nelson

Gary Nelson, PLS

NOTICE OF SUBDIVISION

Public notice is hereby given that a preliminary plat has been received proposing to subdivide or replat property. You are being sent this notice because you are an affected property owner within 500 feet of a proposed subdivision and are invited to comment.

Proposed subdivision under consideration is described as follows:

W.R. Bell Subdivision 2023 Addition

The location of the proposed subdivision affecting you is provided on the attached map. A preliminary plat showing the proposed subdivision may be viewed at the City of Homer Planning and Zoning Office. Subdivision reviews are conducted in accordance with the City of Homer Subdivision Ordinance and the Kenai Peninsula Borough Subdivision Ordinance. A copy of the Ordinance is available from the Planning and Zoning Office. **Comments should be guided by the requirements of those Ordinances.**

A public meeting will be held by the Homer Planning Commission on Wednesday, June 21, 2023 at 6:30 p.m. 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 5 p.m. on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for June 16, 2023 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 4 p.m. on the day of the meeting.

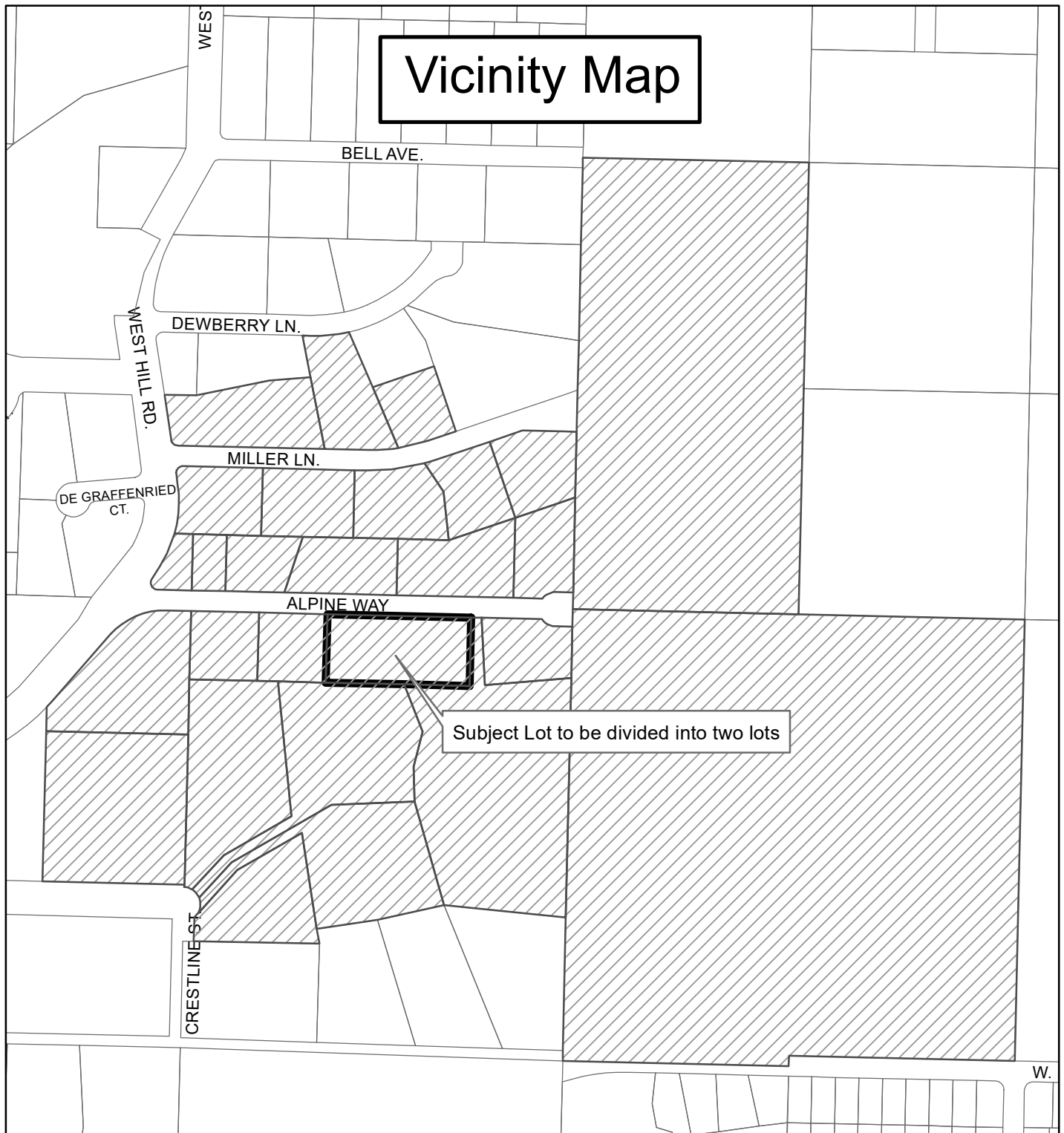
If you have questions or would like additional information, contact Ryan Foster at the Planning and Zoning Office. Phone: (907) 235-3106, email: clerk@cityofhomer-ak.gov, or in-person at Homer City Hall.

NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 500 FEET OF PROPERTY.

.....

VICINITY MAP ON REVERSE

Vicinity Map



City of Homer
Planning and Zoning Department

June 7th, 2023

WR Subdivision 2023 Subdivision Preliminary Plat

Marked lots within 500 feet and property
owners notified

0 250 500 Feet



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



City of Homer
Planning and Zoning Department

June 7th, 2023

WR Subdivision 2023 Subdivision Preliminary Plat

0 110 220 Feet



Disclaimer:
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NOTES

1. THE BASIS OF BEARINGS FOR THIS SURVEY IS S 89°59'00" W BEING THE SECTION CORNER AND THE W 1/16 AS SHOWN, W.R. BELL SUBDIVISION (PLAT #70-402) H.R.D.
2. THE FRONT TO FEET FROM THE RIGHT-OF-WAY AND THE CITY OF HOMER, THE SP. LOT LINES IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
3. THESE LOTS WILL BE SERVED BY ONGOING WATER AND SEWER.
4. ALL PERMANENT EASEMENTS ON THIS PLAT ARE DEDICATED TO THE CITY OF HOMER, THEY ARE FOR THE USE OF THE PUBLIC.
5. NO STRUCTURES MAY BE CONSTRUCTED WITHIN PARALLEL PORTIONS OF LOTS 2, 6 AND 9.

WASTEWATER DISPOSAL:

SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES IN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ON-SITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SERVING SINGLE-FAMILY OR DUPLEX RESIDENCES AND MEETING THE REGULATORY REQUIREMENTS OF THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ON-SITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE DESIGNED BY A PROFESSIONAL ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION. 566 S.W. REPORT AT KENAI PENINSULA BOROUGH.

John P. Seabright
JOHN P. SEABRIGHT

CE-6696
ENGINEER

2/25/04
DATE

SURVEYOR'S AFFIDAVIT

THE CURVE TABLE HAS BEEN CORRECTED AND MINOR LINE LENGTH CHANGES HAVE BEEN MADE.

THE ABOVE REVISION CONSTITUTES THE SOLE CHANGE MADE TO THE PLAT ASIDE FROM ITS NOTATION IN THE REVISION BLOCK IN THE PLAT. THE ABOVE REVISION DOES NOT ALTER LOT AREAS AND DOES NOT AFFECT, OR INFLUENCE ANY CHANGE OF OWNERSHIP, DRAINAGE FEATURES, RIGHT-OF-WAYS, OR ANY OTHER ITEM WHICH WOULD ADVERSELY AFFECT THIS OR ADJACENT PROPERTIES. I AM THEREFORE SUBMITTING THIS PLAT FOR REFILE AS CORRECTED.

KENTON T. BLOOM LS 7968

DATE

S 89°59'00" W 1115.6 (R) PLAT #70-402
S 89°52'34" W 1115.515 (I)

ACREAGES

TOTAL LOTS 19 75.57
TOTAL DEDICATED R.O.W. 1.5
TOTAL SUBDIVISION 25.715

LINE TABLE

LINE	BEARING	LENGTH
11	N 89°52'34" E	50.11
12	N 89°52'34" E	50.00
13	S 13°55'03" E	44.40
14	N 00°01'02" E	58.38
15	S 12°35'52" W	106.36
16	S 02°42'04" E	101.42
17	S 21°50'36" E	143.57
18	N 00°01'02" E	70.80

PEDESTRIAN EASEMENT LINE TABLE

LINE	BEARING	LENGTH
11	N 11°45'32" W	85.74
12	N 89°58'00" E	90.03
13	S 26°07'04" E	104.37
14	N 00°42'56" E	95.88
15	N 89°59'00" E	76.27
16	S 04°30'17" E	96.19
17	S 21°50'36" E	23.51

CURVE TABLE

CURVE	LENGTH	DELTA	RADIUS
C1	46.36	53°07'48"	50.00
C3	25.82	29°35'00"	50.00
C4	30.84	35°06'14"	50.00
C2	26.35	30°11'24"	50.00
C5	45.24	51°50'17"	50.00
C7	9.2	70°32'12"	50.00
C6	36.04	41°12'59"	50.00

LEGEND

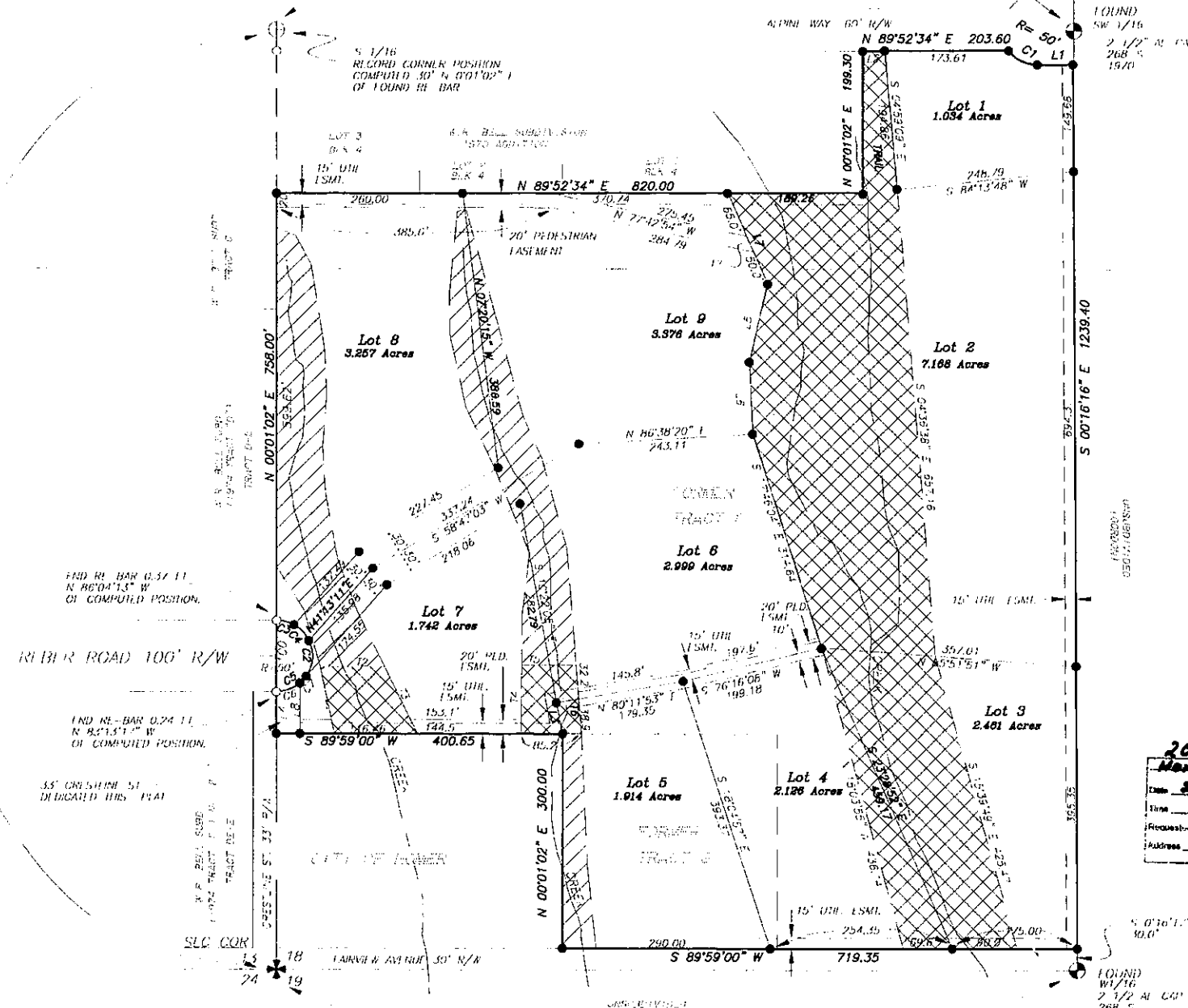
- FOUND MONUMENT (AS DESCRIBED)
- FOUND 1/2" X 3/8" RE BAR
- SET 2 1/2" AL CAP ON 1/2" X 3/8" RE BAR 1968 S. 2003
- FOUND 3 1/4" BR MONUMENT OLD 1917
- PEDESTRIAN EASEMENT
- GRILL
- (R) RECORD
- (I) FOUND
- DRAINAGE EASEMENT
- COMBINED PEDESTRIAN AND DRAINAGE EASEMENT

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.

DATE 2/25/04 REGISTRATION NO. 1968 S

REGISTERED LAND SURVEYOR



BASIS OF BEARINGS
S 89°59'00" W 1119.4' (R)
1120.00' (F)
W.R. BELL SUBDIVISION (PLAT #70-402)

SCALE 1" = 100'

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT I HEREBY ACCEPT THIS PLAT OF SUBDIVISION, AND BY MY FREE CONSENT DEDICATE ALL RIGHTS OF WAY AND PUBLIC AREAS TO PUBLIC USE, AND GRANT ALL EASEMENTS TO THE USE SHOWN HEREON. I FURTHER CERTIFY THAT THE DEED OF TRUST AFFECTING THIS PROPERTY DOES NOT PROHIBIT THIS SUBDIVISION.

WILDFLOWER RANCH LLC
RICHARD OLSON
15917 E. METROSKI
GILBERT, AZ 85296-8114

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DAY OF MAY, 2004.

FOR: [Signature]

NOTARY PUBLIC FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES [Date]

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF May 27, 2003
KENAI PENINSULA BOROUGH
BY: Mary Sue
AUTHORIZED OFFICIAL

2005-3
Name: [Signature]
Date: 2/17/05
Time: 1:14 P.M.
Recorded by: Seabright
Folio: [Blank]

HOMER RECORDING DISTRICT KPB FILE No. 2003-105

W.R. BELL SUBDIVISION
WILDFLOWER RANCH ADDITION
A SUBDIVISION OF TRACTS F AND G, W.R. BELL SUBD.
ACCORDING TO PLAT #70-402 H.R.D. LOCATED
IN T6S, R13W, SEC. 18, S.M.
WITHIN THE CITY OF HOMER,
THIRD JUDICIAL DISTRICT, STATE OF ALASKA
CONTAINING 25.715 ACRES
SEABRIGHT SURVEYING
1044 EAST ROAD, SUITE A
HOMER ALASKA 99603
(907) 235-4247 & FAX
email: seabright@alaska.net

DRAWN BY: JLP DATE: 12/14/04 SCALE: 1" = 100'
REVISION 2-7-2005 CURVE TABLE AND MINOR LINE LENGTHS JOB #03-10 SHEET 1 OF 1



W.R. Bell Subdivision 2023 Addition



Legend

Mileposts

Major Roads

Township Lines

Section Lines

Parcels

Click for LiDAR info - Seward
High : 2600

Click for LiDAR info - Seward
Low : 0

Click for LiDAR elevation info
High : 2600

Click for LiDAR elevation info
Low : 0

Hillshade
High : 254

Hillshade
Low : 0

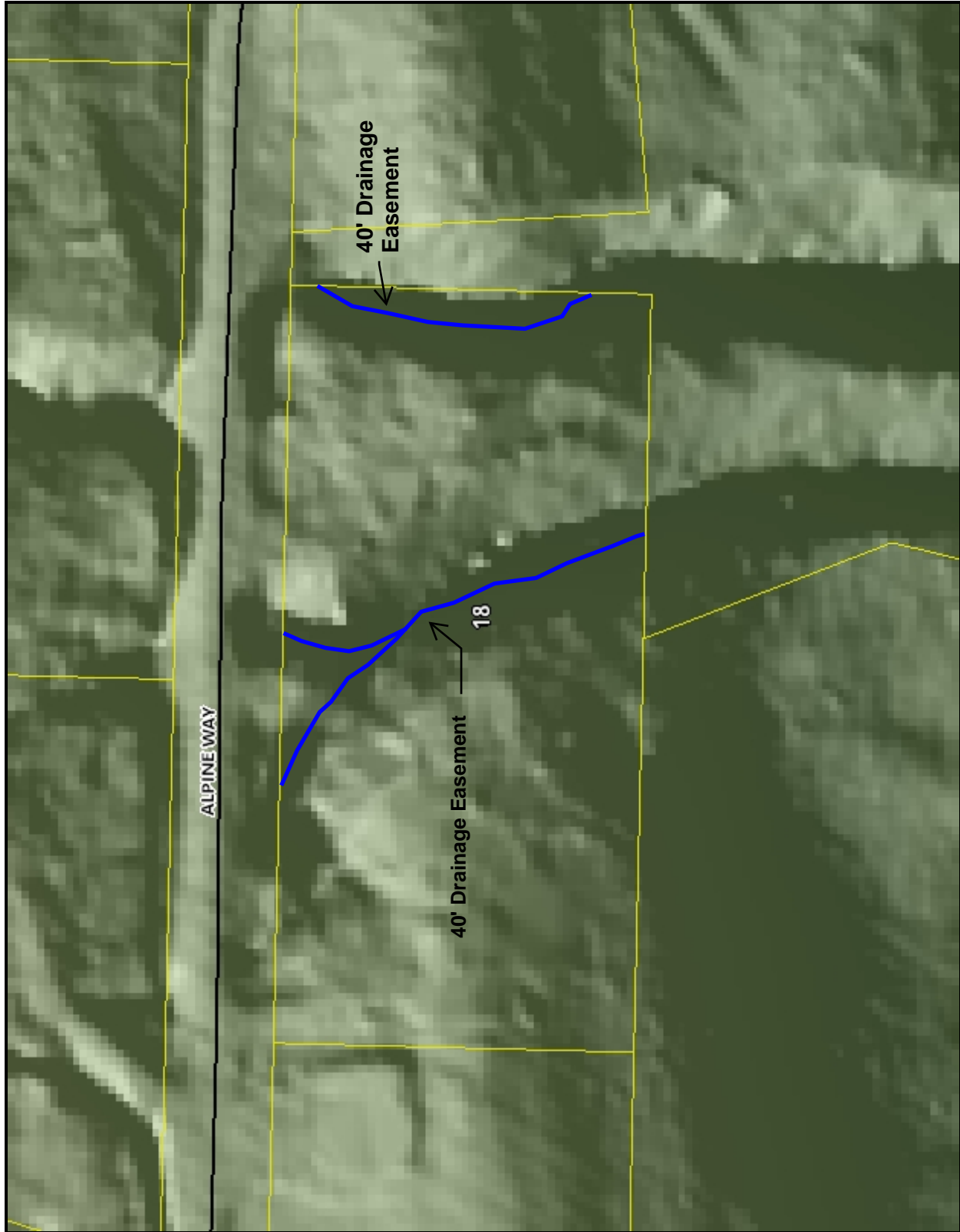
Hillshade Seward
High : 254

Hillshade Seward
Low : 0

HillshadeEast
High : 254

HillshadeEast
Low : 0

Notes



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. Do not use for navigation.

DATE PRINTED: 6/15/2023



City of Homer

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Planning@ci.homer.ak.us
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(f) 907-235-3118

MEMORANDUM PL 23-39

TO: Homer Planning Commission
FROM: Ryan Foster, AICP, Acting City Planner
DATE: June 14, 2023
SUBJECT: Ordinance 23-40 Amending Title 21 Regarding Conditional Use Permits
Referred to Planning Commission & Economic Development
Commission

The Homer City Council has referred Ordinance 23-40, Amending Title 21 Regarding Conditional Use Permits to the Planning Commission and Economic Development Commission with comments and recommendations due by the August 28, 2023, City Council regular meeting.

A joint work session will be held on Wednesday, July 19, 2023, at 5:30pm in Council Chambers to provide both Commissions the opportunity to review, discuss, and draft comments to City Council. If necessary, a second work session date is available on August 2, 2023.

The Planning Commission public hearing on Ordinance 23-40 is currently anticipated for the August 16, 2023, regular meeting date. The Economic Development Commission is currently anticipated to meet on August 8, 2023, to discuss their comments for the City Council.

Attachments

Ordinance 23-40

Lord/Mayor

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.

Bold and underlined added. Deleted language stricken through

~~and located in an area depicted for Urban Residential zoning by the Future Land Use Map in the 2018 Homer Comprehensive Plan.~~

21.12.030 Conditional Uses and Structures

~~m. More than one building containing a permitted principal use on a lot except as provided for in HCC 21.12.020(s)~~

Section 2. Homer City Code Chapter 21.14, Urban Residential District is amended as follows:

21.14.020 Permitted Uses and Structures.

The following uses are permitted outright in the Urban Residential District:

~~s. Up to 4 buildings on a lot for use as dwelling units subject to HCC 21.14.040(a)(2)(a)&(b) excluding mobile homes.~~

21.14.030 Conditional uses and structures.

The following uses may be permitted in the Urban Residential District when authorized by conditional use permit issued in accordance with HCC Chapter 21.71:

~~k. More than one building containing a permitted principal use on a lot, except as provided for in HCC 21.14.020(s);~~

Section 3. Homer City Code Chapter 21.16, Residential Office District is amended as follows:

21.16.020 Permitted Uses and Structures.

The following uses are permitted outright in the Residential Office District:

~~v. Up to 4 buildings on a lot for use as dwelling units subject to HCC 21.14.040(a)(2)(a)&(b) excluding mobile homes.~~

21.16.030 Conditional uses and structures.

The following uses may be permitted in the Residential Office District when authorized by conditional use permit issued in accordance with HCC Chapter 21.71:

h. More than one building containing a permitted principal use on a lot, ~~except as provided for in HCC 21.16.020(v);~~

Section 4. Homer City Code Chapter 21.18, Central Business District is amended as follows:

21.18.020 Permitted Uses and Structures.

The following uses are permitted outright in the Central Business District, except when such use requires a conditional use permit by reason of size, traffic volumes, or other reason set forth in this chapter:

~~mm. Up to 4 buildings on a lot excluding mobile homes, except as provided for in HCC 21.18.030.~~

Section 5. Homer City Code Chapter 21.22, Gateway Business District is amended as follows:

21.22.020 Permitted Uses and Structures.

The following uses are permitted outright in the Gateway Business District, except when such use requires a conditional use permit by reason of size, traffic volumes, or other reason set forth in this chapter:

~~r. Up to 4 buildings on a lot for use as dwelling units subject to HCC 21.14.040(a)(2)&(b) excluding mobile homes.~~

21.22.030 Conditional Uses and Structures.

a. More than one building containing a permitted principal use on a lot, ~~except as provided for in HCC 21.22.020(r).~~

Section 5. Homer City Code Chapter 21.24, General Commercial¹ District is amended as follows:

91 21.24.020 Permitted Uses and Structures.

92 The following uses are permitted outright in the General Commercial 1 District, except when
93 such use requires a conditional use permit by reason of size, traffic volumes, or other reason
94 set forth in this chapter:

95 ~~pp. More than one building containing a permitted principal use on a lot.~~

96 21.24.030 Conditional Uses and Structures.

97 **j. More than one building containing a permitted principal use on a lot**

98 Section 6. Homer City Code Chapter 21.26, General Commercial 2 District is amended
99 as follows:

100 21.24.020 Permitted Uses and Structures.

101 The following uses are permitted outright in the General Commercial 2 District, except when
102 such use requires a conditional use permit by reason of size, traffic volumes, or other reason
103 set forth in this chapter:

104 ~~y. More than one building containing a permitted principal use on a lot.~~

105 21.26.030 Conditional Uses and Structures.

106 **l. More than one building containing a permitted principal use on a lot**

107 Section 7. This ordinance is of a permanent and general character and shall be
108 included in Homer City Code.

109
110 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ____ day of _____, 2023.

111

112

113

CITY OF HOMER

114

115

116

KEN CASTNER, MAYOR

117

118

119

120 ATTEST:
121
122
123 _____
124 MELISSA JACOBSEN, MMC, CITY CLERK
125
126 Introduction:
127 Public Hearing:
128 Second Reading:
129 Effective Date:
130
131 YES:
132 NO:
133 ABSTAIN:
134 ABSENT:



City of Homer

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Planning

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MEMORANDUM PL 23-40

TO: Homer Planning Commission
FROM: Ryan Foster, AICP, Acting City Planner
DATE: June 14, 2023
SUBJECT: Resolution 23-051 Remanded to Planning Commission for Further Discussion

The Homer City Council has remanded Resolution 23-051 changing the Planning Commission meeting schedule to once a month to the Planning Commission with comments due by the August 14, 2023, Council regular meeting.

Staff proposes the following options for consideration of the Planning Commission meeting schedule:

- A. Postpone discussion of amending the meeting schedule until October of 2023 in anticipation of drafting the 2024 meeting schedule.
- B. Request staff to provide detailed analysis of the two meeting schedules, once a month and twice a month, and discuss at the August 2, 2023, Planning Commission regular meeting.
- C. Withdraw the request to change the meeting schedule.

Requested Action: Staff requests the Planning Commission choose a path forward from the options provided.

CITY OF HOMER
HOMER, ALASKA

City Clerk

RESOLUTION 23-051

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE REGULAR MEETING SCHEDULE FOR THE
PLANNING COMMISSION.

WHEREAS, Pursuant to Homer City Code Section 1.14.020, the City Council annually sets the schedule for regular meetings noting the dates, times and places; and

WHEREAS, City Council adopted the 2023 regular meeting schedules via Resolution 22-085 at their regular meeting on November 28, 2022; and

WHEREAS, The Planning Commission deliberated in depth the proposed reduction of meetings to once per month to effect efficiency in staff and commission capacity at their regular meetings on April 19, 2023 and May 3, 2023; and

WHEREAS, This Resolution does not preclude additional meetings such as emergency meetings, special meetings, worksessions, on an as needed or required basis.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Homer, Alaska that the 2023 meeting schedule for the Planning Commission is amended, as follows:

PLANNING COMMISSION (PC)

					June 7, 21
July 19*	August 2, 16	September 6, 20	October 4, 16**	November 1	December 6

*There will be no a First Regular meeting in July **on the third Wednesday of the month** or ~~Second Regular Meetings in November and December.~~

~~**Second meeting in October will be held on a Monday due to Alaska Day.~~

Planning Commission Regular Meetings are held on the first ~~and third~~ Wednesday of each month at 6:30 p.m.

PASSED AND ADOPTED by the Homer City Council this 22nd day of May, 2023.

CITY OF HOMER

KEN CASTNER, MAYOR

41 ATTEST:

42
43
44 _____
45 MELISSA JACOBSEN, MMC, CITY CLERK

46
47 Fiscal Impact: Advertising of meetings in regular weekly meeting ad and advertising of any
48 additional meetings.

11. B. Planning Commission Meeting Schedule - Memorandum 23-029

Vice Chair Highland introduced the item by reading of the title and invited City Planner Abboud to speak to the topic.

City Planner Abboud stated that he has broached this topic before and the Commission was not willing to support it at that time, but he was advocating the once a month meetings as it would allow staff the time to work on the details of items that interest the Commission or require more research to present to the Commission. Mr. Abboud addressed concerns regarding timely action from the Commission on plats or conditional use permits stating that additional meetings can be schedule if required and as the memorandum showed most of the Communities held planning commission meetings on a monthly schedule. He further noted that meeting twice a month puts a burden on the planning staff and even the Clerk to prepare for the meeting from getting information, research, draft documents, memorandums and the minutes all completed and then produce a packet, adding that it comprises a majority of his workload. If the meetings were reduced he would be able to expend time on items such as code amendments, enforcement, updates to various plans, etc. He further noted that reduction of meetings will require the Commission being efficient conducting meetings by limiting discussion and comments on agenda items. There are times that the Commission entertains discussion not germane to the agenda item and that would not be allowed.

Vice Chair Highland requested a motion and second before opening the floor to discussion by the Commission.

VENUTI/STARK MOVED TO AMEND THE PLANNING COMMISSION REGULAR MEETING SCHEDULE TO ONCE PER MONTH ON THE (DAY TO BE DETERMINED) WEDNESDAY WITH A WORKSESSION PRIOR TO THE REGULAR MEETING AND SCHEDULE SPECIAL MEETINGS AS NEEDED.

Discussion ensued on the following points:

- Planning Department needs additional staff
- Amending the meeting time to 5:30 p.m. to allow for more agenda items
- Still having worksessions which would be more valuable since there would be fewer meetings
- preference to continue discussion when all commissioners are present
- Homer is in crisis with public opinion that the city is growing too fast for the Planning Department or Commission to adequately guide the growth and maybe this is not the best time to reduce meetings

VENUTI/STARK MOVED TO POSTPONE DISCUSSION TO THE MAY 3, 2023 MEETING TO HAVE A FULL COMMISSION PRESENT.

There was no further discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

12. INFORMATIONAL MATERIALS

HIGHLAND/VENUTI MOVED TO ADOPT STAFF REPORT 23-032 AND RECOMMEND APPROVAL OF THE PRELIMINARY PLAT TO DIVIDE ONE LARGE LOT INTO THREE SMALLER LOTS WITH THE FOLLOWING COMMENTS:

1. INCLUDE A PLAT NOTE STATING PROPERTY OWNER SHOULD CONTACT THE ARMY CORPS OF ENGINEERS PRIOR TO ANY ON-SITE DEVELOPMENT OR CONSTRUCTION ACTIVITY TO OBTAIN THE MOST CURRENT WETLAND DESIGNATION IF ANY. PROPERTY OWNERS ARE RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE AND FEDERAL PERMITS.
2. THE SUBDIVIDER SHALL DEDICATE A 15 FOOT WIDE UTILITY EASEMENT IMMEDIATELY ADJACENT TO THE ENTIRE LENGTH OF THE BOUNDARY BETWEEN THE LOT AND THE EXISTING STREET RIGHT OF WAY.
3. GRANT A 40 FOOT DRAINAGE EASEMENT CENTERED ON THE CREEK. THIS LANGUAGE MAY NEED TO BE MODIFIED TO REFLECT THE APPROPRIATE EASEMENT ALONG THE WESTERN LOT LINE OR SIMILAR MAY BE AN ALTERNATIVE SOUTH OF THE EXISTING DOT EASEMENT.

A brief discussion ensued on the septic tank requirements.

VOTE: NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PENDING BUSINESS

10. A. Planning Commission Meeting Schedule - Memorandum 23-029

Chair Smith introduced the item into the record by reading of the title and deferred to City Planner Abboud.

City Planner Abboud noted the memorandum prepared by Economic Development Manager Engebretsen and a summary overview of the discussion at the last meeting. He noted that having two meetings per month leaves little time for any other projects or thorough research on items as Staff spends 80% of the time preparing for a meeting, conducting a meeting, and then preparing for the next meeting.

Deputy City Clerk Krause stated that the Clerk's office supports the one meeting per month as this would allow additional time to produce the minutes and not be in a rush to gather additional packet materials as well.

Discussion ensued on reduction in the meeting schedule and amending the meeting time, concerns expressed regarding the following:

- The Planning Department being short staffed, need to fund for a larger department
- Multiple large projects that affect the growth of Homer such as the Harbor Expansion, Comprehensive Plan update
 - o Requested input from the Interim City Planner Foster on his perspective
- Ability to schedule special meetings as needed and required dependent on workload
- Intent of Council and Administration to reduce meetings
- Amending deadlines for submittals to allow appropriate time for review of applications if required.
- Ability to notice meetings in the appropriate timeframe

- Starting meetings at 5:30 p.m. would mean that worksessions would start at 4:30 p.m. and that was not favorable to all members of the Commission.
 - o Meetings need to be at set times that the public can rely on and schedule attendance around.
 - o Scheduling separate worksessions outside of the regular meetings
- Concerns regarding the workload on the Commission creating longer meetings
 - o Points made that currently there are times that meetings extend past the 9:30 p.m. deadline even with two meetings per month.
- Meeting less often would encourage efficiency and more thorough discussion and promote public participation citing the current notice requirements and process do not effectively allow much time for someone to respond fully and succinctly.
- Steps were taken to amend requirements to reduce the number of conditional use permits
- Other communities only have one meeting per month and example provided that a community of 300,000 only has one meeting per month
- Amending the allowable absences from current amount of six, if the meetings are reduced to 12 per year would be required.
 - o A resolution would be brought forward to amend the Bylaws and an ordinance to amend City Code.
- Try canceling the second meeting for a few months to see how it works out before officially changing
- Concerns expressed regarding dramatic growth in the city and the community having meetings versus the planning commission about guiding that growth and directing the discussion.
- Submittal deadlines and last minute submissions

HIGHLAND/BARNWELL MOVED TO REDUCE COMMISSION MEETINGS TO ONCE PER MONTH WITH THE ALLOWANCE THAT THE COMMISSION CAN SCHEDULE SPECIAL MEETINGS AT THEIR DISCRETION.

There was no further discussion.

VOTE: NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

NEW BUSINESS

INFORMATIONAL MATERIALS

12.A. City Manager's Report - CM Report for April 24, 2023

COMMENTS OF THE AUDIENCE

Scott Adams commented on the reduction of meetings stating his support for two meetings per month citing the requirement to schedule a special meeting to meet the needs of processing an application and that it does not provide the adequate ability for public participation. Mr. Adams stated that he understood, the city doesn't have enough money to hire people, but if you look at the budget and see where the money is coming from, you can see why they cannot afford to hire people for Parks & Rec. Mr. Adams then expressed his concerns for the recent Preliminary Plat for the Forest Trail Subdivision, the owner went full



City of Homer

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(f) 907-235-3148

Memorandum

TO: Mayor Castner and Homer City Council
FROM: Melissa Jacobsen, Acting City Manager
DATE: June 8, 2023
SUBJECT: City Manager's Report for June 12, 2023 Council Meeting

Kenai Peninsula Regional Assistants Visit Homer

On Tuesday, June 7 Jill Shaefer, the Director of Governor Mike Dunleavy's Kenai Peninsula Regional Office, Elaina Spraker, the Kenai Peninsula/Kodiak Regional Director for U.S. Senator Dan Sullivan, and Tanya Lautaret, the Regional Special Assistant for Senator Lisa Murkowski paid a visit to Homer. Mayor Castner, Acting City Manager Jacobsen and Special Projects Coordinator Carroll welcomed them at City Hall and answered questions related to the USACE Homer Harbor Expansion study and the recent Design Charrette. The rest of their itinerary took them to locations in Homer where they learned about some of the City's Federal and State priority capital projects, including:

1. The Homer Spit to discuss Spit Road Erosion Mitigation;
2. Homer Port and Harbor for a meeting with Port Director Hawkins, Port & Harbor Advisory Commission Chair Matthews, and to see conditions and talk to large vessel owners and Port & Harbor Commissioners Pitzman and Velsko on System 5 in the Harbor;
3. Homer Airport, where the State will be initiating a project to improve safety of the runways, aprons and lighting systems;
4. Beluga Wetlands Overlook to meet with Kachemak Bay National Estuarine Research Reserve staff Syverine Bentz, Ben Peters and Lauren Sutton to discuss groundwater research supporting Bridge Creek Reservoir watershed, conservation land acquisition through the Bipartisan Infrastructure Law and providing support information on Homer Harbor water quality and science to inform the Homer Harbor Expansion study; and
5. Kachemak Drive road condition and the need for a pedestrian pathway



East Bunnell Ave/Charles Way Water and Sewer Infrastructure Improvements Underway

Southcentral Construction began construction on a sewer and water infrastructure improvement project on East Bunnell Avenue, Charles Way, and Allen Way on May 23. The primary purpose of this project is to connect properties in Old Town to water and sewer system services and extend services to Bishop's Beach Park. These improvements are part of a Special Assessment District initiated by property owners in partnership with the City. Construction is expected to be completed by mid-July and during the construction phase, Southcentral Construction will implement a traffic control plan. Drivers are urged to comply with the posted signs and directions provided by the flaggers to ensure a smooth and safe flow of traffic throughout the project area.



East Bunnell Ave/Charles Way improvement area

Homer Serve the City Day

On May 21st, 2023, our community embarked on one of the largest coordinated volunteer efforts in Homer in recent time, Serve the City Day. Five area churches, and a large number of additional volunteers took on over 30 projects with 300+ volunteers providing 1,300 volunteer hours, trucks, equipment, tools, and wise cracks. An enormous amount of work was accomplished at Karen Hornaday Park, Jack Gist Park, the Library, Woodside Park, Fishing lagoon ramp, Fishing Hole Campground, and Spit clean-up, as well as many private residences and Little Fireweed. Parks Planner Matt Steffy worked closely with Serve the City organizers to outline City projects, acquire materials, assign leads, and oversee projects.

Projects at Karen Hornaday Park included: Park-wide trash pick-up, painting the playground, removing playground hazards, pulling weeds, rebuilding and painting bleachers, extensive brush removal in the Upper Park, redistribution of picnic tables and fire rings, and the construction of a temporary 9-hole Disc Golf Course.

These kinds of volunteer efforts bring our community together and instill a strong stewardship for all ages when in caring for our shared public spaces. *(Photo Credit Matt Steffy)*



Tuyanitun Tuggeht Dedication June 21st

In September 2020 Council adopted Resolution 20-079 accepting a donation from Bunnell Street Art Center of a sculpture entitled Tuyanitum by artist Argent Kvasnikoff to be placed at Bishop's Beach Park. The sculpture is composed of graduated naturalistic shapes to mimic the ch'wala (boreal spruce) and the tinitun qatnigi (stone trail markers) used to mark trails between settlements, campsites, and important spiritual places, along with their respective place names. Argent Kvasnikoff is a local artist, a member of the Lower Peninsula's Ninilchik Tribe and has ancestry that includes indigenous Dena'ina lineage of the peninsula and Kachemak Bay. The sculpture dedication is on June 21st starting at 5:30 at the Bishop's Beach Park and Pavilion.



Things I never thought I'd hear at work

"OH MY GOSH! THERE'S A BABY POSSUM AT MY WINDOW!" On a quiet Friday morning, those words rang out as the little fellow in the photo was walking along the window sill downstairs outside the Clerk's office. Clerk's office staff was directed to contact Alaska Department of Fish and Game (ADF&G) who quickly responded and captured the possum in a live trap. Reports from ADF&G are that three young possums, called joeys, have been caught and indications are that at least one, and maybe more are still at large. Anyone who sees a possum should contact ADF&G immediately at 907-235-8191 during business hours, outside of business hours contact Homer Police at 907-235-3150.

(Photo Credit Renee Krause)

Attachments:

June Employee Anniversaries

Homer Harbor Expansion Study Monthly Written Update

City Council Work Session Schedule

Tuyanitun : Tuggeht Sculpture Dedication Invitation



City of Homer

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(f) 907-235-3148

Memorandum

TO: MAYOR CASTNER AND CITY COUNCIL
FROM: Andrea Browning
DATE: June 12, 2023
SUBJECT: June Employee Anniversaries

I would like to take the time to thank the following employees for the dedication, commitment and service they have provided the City and taxpayers of Homer over the years.

Melissa Jacobsen	Clerks	19	Years
Mike Illg	Admin	17	Years
Rachel Tussey	Clerks	12	Years
Mike Szocinski	Public Works	11	Years
Jessica Poling	Police	6	Years
Bethany Christman	Public Works	4	Years
Russell Anderson	Public Works	4	Years
James Tingley	Public Works	3	Years
Winifred Shigley	Police	3	Years



City of Homer

www.cityofhomer-ak.gov

Administration

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Homer, Alaska 99603

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Memorandum

TO: Mayor and City Council
FROM: Jenny Carroll, Special Projects and Communications Coordinator
THROUGH: Rob Dumouchel, City Manager and Bryan Hawkins, Port & Harbor Director
DATE: June 6, 2023
SUBJECT: Homer Harbor Expansion Study Monthly Written Update

Purpose: This memorandum provides the second Homer Harbor Expansion Study written update to Homer City Council per Resolution 23-037.

Study Activities Update

Currently the USACE is in the first phase of the General Investigation study: Scoping. Two objectives for this phase have been completed: conducting the design charrette (described below) and developing an initial array of conceptual design alternatives based on public input from the charrette for consideration.



The next USACE steps include screening the designs to narrow the array for further consideration and modeling. The goal is to get an initial array of potential designs presented by June 30, 2023 and complete the evaluation of those selected alternative design solutions to arrive at a tentatively selected plan (TSP) by the end of the first year of the study.

Alternatives Screening: The USACE Project Development Team will meet on 6/7/2023 to screen the alternatives from the Design Charrette (listed below with the number of votes the design attracted from charrette participants in parentheses) plus any other designs the USACE may have created.

- 0 – No Action (2)
- 1 – L-shaped w/ breakwater (6)
- 2 – L-shaped w/ extended uplands and sheetpile dock face (15)
- 3 – T-shaped basin (15)
- 4 – Large clamshell basin (8)
- 5 – Combined breakwater and floating breakwater (7)
- 6 – Modify ramp 8 with piers (2)
- 7 – Remove material inside spit, inside harbor modification (2)
- 8 – Diamond Creek (1)
- 9 – Alternative harbor location, east (3)
- 10 – Seldovia (0)
- 11– Entrance relocation (4)
- 12– Detached breakwater (10)
- 13- Tranquil environment (Breakwater) (8)

During screening, the USACE will go through the process of looking at each alternative and qualitatively rank them based on six categories (see below) to evaluate which alternatives drop off and do not warrant additional consideration.

Ronald McPherson and Bryan Hawkins will be present for the screening. Staff has requested that City Council and/or the Port & Harbor get an opportunity to weigh in on any alternative that are dropped during the screening process in the event either body feels there needs to be additional USACE consideration.

The criteria USACE uses to screen alternatives is the following:

Criteria	Definition	Metric
Completeness	Will the plan work? Is it implementable, does it depend on outside action?	H/M/L
Effectiveness	Does the alternative measurably meet the planning objectives? An effective plan contributes significantly to planning objectives, and it will solve problems and achieve opportunities. A plan that fails to address the more important planning objectives is not effective. An effective plan does not violate any immutable constraints.	H/M/L
Efficiency	How cost-effective is the alternative at solving the problem and achieving the objectives? An efficient plan meets a given level of objectives in the least costly fashion	H/M/L

	or that maximizes contributions to objectives for a given level of resources expended is an efficient plan.	
Acceptability	The extent to which the alternative is feasible from a technical, financial, and legal perspectives. An acceptable plan is one that can be implemented legally, regardless of its popularity.	Y/N
Implementability	How feasible is it from a technical, financial, and legal perspective	Y/N
Satisfaction	The extent to which the plan is welcome from a political or preferential perspective.	H/M/L

Modeling: On 6/7/2023, the USACE Project Development Team will also meet with representatives from HDR to coordinate the modeling component, which will be done by HDR as part of the work-in-kind agreement. Coastal models developed will be used as tools to formulate potential alternatives to address the problems, take advantage of the opportunities, evaluate potential effects of alternatives, and support decision-making. Modeling will be done on some, but not all alternatives presented above.

Charrette Synopsis

The U.S. Army Corps of Engineers (USACE) recently concluded the first scoping milestone, a three-day, in-person design charrette May 17 through May 19, 2023. The charrette included a site visit to the harbor and brought the USACE's 13-member project delivery team together with the public, stakeholders and City of Homer representatives to:

- Identify problems to be solved by a harbor design, confirm data and obtain new data
- Reach consensus on the study's problems, opportunities, objectives and constraints
- Create an array of conceptual design alternatives to meet objectives
- Discuss proposed alternatives and the criteria and metrics by which alternative design plans are evaluated, compared, and selected for further development by the USACE.

Day 1: The opening day of the charrette focused on establishing a shared understanding of the purpose, stages and milestones of the USACE's three-year General Investigation study process.

The USACE provided an overview of the Cost-Sharing requirements for construction of the breakwater, basin and navigation channel. The Non-Federal Sponsor provides 10% of construction costs of the portion of the project with channel depths up to 20 feet and 25% for portions where channel depth is in excess of 20 feet.

The USACE also gave an overview of previous Homer Harbor expansion feasibility studies, noting that while the current GI study will benefit from those studies and from the wealth of knowledge about Kachemak Bay, the USACE had no preconceived notions about solutions. They began the charrette with a blank slate

and engaged stakeholders so that the designs respond to community needs and input as well as necessary technical, environmental, and regulatory standards.

After lunch, the USACE engaged the public in a comprehensive discussion about existing harbor conditions and compiled lists of problems and opportunities to be addressed by a design, as well as the constraints on and objectives for the designs.

The first day ended with the USACE meeting with environmental stakeholders at Cook Inletkeeper.



Day 2: Brainstorming and Collaboration

On the second day, the USACE made a harbor site visit and met with large vessel owner stakeholders to further understand harbor concerns from a user perspective and solicit ideal solutions. In the afternoon, they held a second charrette public work session where the public reviewed and discussed important features and objectives to be considered in the harbor design and then set to work developing conceptual design alternatives to meet identified project objectives, one of which was a no-build option.

Day 3: Refining the Design Alternatives and Next Steps

On the final day, charrette participants reconvened to review 13 design alternatives collected from public input. Each design was presented to the group in a collaborative, creative-thinking environment for feedback on the design's constraints and benefits and additional measures to be considered. Participants then had the opportunity to individually rate the designs by preference.

The USACE discussed the Corps' next steps during the wrap up on the third and final day, which was described earlier in this memo. A robust environmental review process is mandated by the National Environmental Policy Act of 1969 (NEPA). A NEPA document will be developed concurrently during the study to provide the analysis of each considered alternatives' impacts to the current environmental baseline during the study.



This synopsis, and the USACE May 17-19, 2023 Design Charrette PowerPoint Presentation is posted on the City's website <https://www.cityofhomer-ak.gov/port/homer-harbor-expansion>. Staff is working to provide the recorded audio of the presentations as well. A story about the Design Charrette also ran in the Homer News <https://www.homernews.com/news/army-corps-hosts-workshops-on-harbor-expansion/>.

Project Delivery Team Meetings

City staff attended four USACE project meetings in the past month. While the meetings typically occur once per week, one more was added for final coordination of logistics for the Design Charrette.

The May 11 and May 12th meetings covered logistics and technical needs for the Design Charrette, including supply lists, testing the online participation link, confirming lunch orders, etc.

The May 24 meeting shared the list of alternative designs developed to date and the USACE evaluation criteria matrix.

The May 31 meeting confirmed the date USACE would conduct the alternatives screening and work with HDR on developing modeling.

Interactive Project Website

The Homer Harbor Expansion website www.homerharborexansion.com is live, but still under construction by HDR's communications team. At a 6/2/2023 meeting with HDR, City staff reviewed the expanded website draft and provided feedback. We hope the full website will be launched within a week or two. Even though the full features have not been launched, the HHE website's *Contact Us* feature (info@homerharborexansion.com) is the formalized mechanism for City Council and Commissioners to provide significant questions to the project development team. In the meantime, utilize www.cityofhomer-ak.gov/port/homer-harbor-expansion to access study information.

WORK SESSION

AGENDA CALENDAR 2023

Council Meeting Dates	4:00 p.m. Worksession Topic
<i>Monday, May 8</i>	
<i>Tuesday, May 22</i>	<i>Coast Guard ws 2 5 COW @ 4</i>
<i>Monday, June 12</i>	2023 City of Homer Salary and Benefits Survey
<i>Monday, June 26</i>	
<i>Monday, July 24</i>	
<i>Monday, August 14</i>	HERC – Economic Development Manager & Recreation Manager
<i>Monday, August 28</i>	2024-2029 Capital Improvement Plan & FY25 Legislative Priorities - Special Projects & Communications Coordinator
<i>Monday, September 11</i>	HERC Construction Budget – Economic Development Manager & Recreation Manager
<i>Monday, September 25</i>	
<i>Monday, October 9</i>	
<i>Monday, October 23</i>	
<i>Monday, November 27</i>	<i>Recreation</i>
<i>Monday, December 11</i>	
<i>Monday, December 18 If needed</i>	

Tuyanitun : Tuggeht Sculpture Dedication and Reception at Bishop's Beach Park

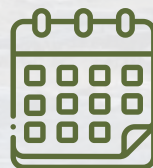
The City of Homer, in collaboration with the Bunnell Street Arts Center and the Ninilchik Traditional Council, is pleased to announce the addition of a new sculpture to the City of Homer Municipal Public Art Collection. The dedication ceremony will take place on Wednesday, June 21 at 5:30 p.m. at the Bishop's Beach Park and Pavilion.

The sculpture, titled "*Tuyanitun : Tuggeht*" (pronounced too-yan-eee-toon : to-get), was installed in October of 2022 and is a significant addition to the public art landscape. Designed by Argent Kvasnikoff, a member of the Ninilchik Village Tribe and a talented artist, the sculpture aims to honor the Indigenous stewardship of the lands, both in the past and for the future.

The name "*Tuyanitun*" references an ancient Dena'ina wayfinding system, while "*Tuggeht*" represents the Dena'ina name for the location, also known as Bishop's Beach, a place beloved by all, and evokes boreal spruce, rock cairns, and beach glass.

This noteworthy public art project has garnered support from various organizations and individuals. Funding contributions have been provided by the Alaska Community Foundation Social Justice Fund, Alaska State Council on the Arts, Cook Inlet Tribal Council, National Endowment for the Arts, National Performance Network, Rasmuson Foundation, the Ninilchik Village Tribe, as well as individual donors.

For more information please visit the [Bunnell Street Gallery website](https://www.bunnellarts.org) or contact info@bunnellarts.org.



Wednesday, June 21
Refreshments at 5:30 p.m.
Dedication at 6 p.m.



Bishop's Beach Park
and Pavilion

