



Agenda

Planning Commission Regular Meeting

Wednesday, February 04, 2026 at 6:30 PM

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

Homer City Hall

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

Zoom Webinar ID: 205 093 973 Password: 610853

<https://cityofhomer.zoom.us>
Dial: 346-248-7799 or 669-900-6833;
(Toll Free) 888-788-0099 or 877-853-5247

CALL TO ORDER, 6:30 P.M.

AGENDA APPROVAL

PUBLIC COMMENTS 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).

RECONSIDERATION

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 or someone from the public, in which case the item will be moved to the regular agenda.

- [A.](#) Unapproved Regular Meeting Minutes of December 3, 2025
- [B.](#) Decisions and Findings CUP 25-04, 3145 Lampert Lane

PRESENTATIONS / VISITORS

REPORTS

- [A.](#) City Planner's Report, Staff Report 26-001

PUBLIC HEARINGS

- [A.](#) A request for Conditional Use Permit (CUP) CUP 26-01 per HCC 21.16.030 (b), Public or private schools; and per HCC 21.16.30 (g), More than one building containing a permitted principal use on a lot. The applicant proposes a private school on the same property as the Glacierview Baptist Church at 960 East End Road, Staff Report 26-002

PLAT CONSIDERATION(S)

- [A.](#) Bayview Gardens 2025 Preliminary Plat, Staff Report 26-003

PENDING BUSINESS

NEW BUSINESS

INFORMATIONAL MATERIALS

- [A.](#) 2026 Planning Commission Meeting Calendar
- [B.](#) Public Comments

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

COMMENTS OF THE COMMISSION

ADJOURNMENT

Next Regular Meeting is **Wednesday, February 18, 2026 at 6:30 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

CALL TO ORDER

Session 25-19, a Regular Meeting of the Planning Commission was called to order by Chair Scott Smith at 6:30 p.m. on December 3rd, 2025 in the Cowles Council Chambers in City Hall, located at 491 E. Pioneer Avenue, Homer, Alaska, and via Zoom Webinar.

PRESENT: COMMISSIONERS BARNWELL HARNESS, S. SMITH, VENUTI, WALKER

ABSENT: COMMISSIONERS SCHNEIDER, H. SMITH

STAFF: CITY PLANNER FOSTER, PUBLIC WORKS DIRECTOR KORT & DEPUTY CITY CLERK LYNN, CITY MANAGER MELLISA JACOBSON

AGENDA APPROVAL

Chair S. Smith requested a motion and second to approve the agenda.

HARNESS/VENUTI MOVED TO APPROVE THE AGENDA.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

RECONSIDERATION

CONSENT AGENDA

- A. Unapproved Regular Meeting Minutes of November 5, 2025
- B. Decisions and Findings CUP 25-03, 3145 Lampert Lane

HARNESS/BARNWELL MOVED TO ADOPT THE CONSENT AGENDA.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PRESENTATIONS/VISITORS

REPORTS

- A. City Planner's Report, Staff Report 25-52
 - o Title 21 Zoning Code Rewrite Worksessions coming up in December and January

- Council approved the Comprehensive Plan and recommended it for adoption; next step is sending it to the Kenai Peninsula Borough Assembly for Approval. Once approved by the Borough the Comprehensive Plan will be in effect.

PUBLIC HEARINGS

- A. A request for Conditional Use Permit (CUP) CUP 25-04 per HCC 21.24.040 (d), No lot shall contain more than 8,000 square feet of building area (all buildings combined), nor shall any lot contain building area in excess of 30 percent of the lot area without an approved conditional use permit. The applicant proposes an 13,560 square foot building at 3145 Lampert Lane, Staff Report 25-53

Chair S. Smith introduced the item by reading of the title and deferred to City Planner Foster, who provided a summary review of his staff report included in the packet.

Chair S. Smith opened the floor for the Applicant.

Kenton Bloom, the applicant with Seabright Survey + Design, said that the CUP Application had been thoroughly revised and he had high confidence that the project would be approved.

Chair S. Smith then opened the public comment period.

Tim Carr, an adjoining property owner, spoke to concerns about runoff due to the proposed increase in square footage of building area. He thanked the Commission for including the requirement that the stormwater plan and Development Activity demonstrate how stormwater will be managed and not adversely impact neighboring properties. With regards to the conditioned snow storage, he commented that the proposed snow storage is inadequate for the area that would be plowed.

With no other members of the public wishing to comment, Chair S. Smith closed the public comment period. He then opened the floor for rebuttal from City Planner Foster.

City Planner Foster had no comments.

Chair S. Smith opened the floor to questions from the Commission.

Commissioner Harness noted concerns with the drainage and snow storage. The footprint for snow storage seems small, and is on one end instead of midway. An additional retention area may be needed midway on the lot. The development would be largely impervious and could create a lot of runoff. The light fixture could be considered unshielded.

Commissioner Barnwell noted that he was present for the last meeting with this applicant and that many questions raised at that previous meeting were addressed, commenting that the applicant has substantially met a lot of his concerns. He asked City Planner Foster whether the Site Development Activity Plan will address the concerns raised by Commissioner Harness.

City Planner Foster stated that those items are included in the review for a Conditional Use Permit because it is an important topic to be addressed. If this were a zoning permit, both plans would be required at that time. Stormwater plan will be drafted by a civil engineer and reviewed and approved by the City engineer. No zoning permit will be issued until that is done correctly and stormwater is being properly managed.

Commissioner Walker noted that he was present for the last meeting with this applicant, and his concerns have been met. He acknowledged that he will have to trust that the people developing the stormwater plan know more than him and they will figure it out.

Commissioner Schneider expressed concern that approving a CUP for a building much larger than 8,000 square feet could set a precedent for future developers to expect approval.

Commissioner Walker noted that the new design met the 30% threshold identified by some commissioners at the previous meeting. He shared concerns for setting a precedent.

Commissioner Schnieder noted that it was the opinion of some of the commissioners that the 30% threshold would make the project acceptable to them, but it was not the opinion of the whole Commission.

Commissioner Barnwell concurred with Commissioner Schneider, noting that a motion related to the 30% threshold was voted down. He expressed similar concern about setting a precedent, and said that at this point it is up to the Development Activity Plan and the engineering that is behind that.

Planning Director Foster noted that there isn't anything inherently wrong with lot coverage that exceeds 30% or a project that has greater than 8,000 square feet. Those are simply the thresholds set by community through the zoning code after which the City would like to review the project and the criteria for fit and to identify potential negative impacts and create conditions to mitigate them. A decision on any given CUP required by those criteria would not set a precedent. Each application is considered individually with respect to whether it meets the review criteria, and whether it's a good fit for what's being proposed.

Chair S. Smith noted that the issue of precedent can be an emotional one, and said that he didn't find the request size to be unreasonable.

HARNESS / VENUTI MOVED TO ADOPT STAFF REPORT 25-53 AND RECOMMEND APPROVAL OF CONDITIONAL USE PERMIT 25-04 AS READ BY PLANNING DIRECTOR RYAN FOSTER PER HCC 21.24.040 WITH CONDITIONS 1 THROUGH 4.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PLAT CONSIDERATION

A. Pioneer Vistas Unit #6 - Young replat, Staff report 25-54

Chair S. Smith introduced the item by reading of the title and deferred to City Planner Foster, who provided a summary review of his staff report included in the packet.

Chair S. Smith opened the floor for the Applicant. No one came forward to speak.

Chair S. Smith then opened the public comment period. With no one wishing to speak, Chair S. Smith closed the public comment period and opened the floor to questions from the Commission.

Commissioner Venuti requested clarification on whether the 30-foot right-of-way was originally part of the layout of Tract 4a, or how it came to be.

Planning Director Foster noted that this portion of right-of-way was not part of the plat, and that he is not certain why it was not included but that this change cleans up that omission.

HARNESS/BARNWELL MOVED TO ADOPT STAFF REPORT 25-054 AND RECOMMEND APPROVAL OF THE PRELIMINARY PLAT.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PENDING BUSINESS

NEW BUSINESS

INFORMATIONAL MATERIALS

COMMENTS OF THE AUDIENCE

COMMENTS OF THE STAFF

Planning Director Foster thanked the commission for a great meeting and a fantastic worksession.

Deputy Clerk Lynn thanked the commission for a solid meeting.

COMMENTS OF THE MAYOR/COUNCILMEMBER (If Present)

COMMENTS OF THE COMMISSION

Commissioner Harness said she's happy to know that the Comprehensive Plan is headed to the borough, and she feels relief that the guidance of the Comprehensive Plan will support the Title 21 rewrite. She identified several questions for the team working on the rewrite—the "town center" language is ambiguous, does that refer to the old Town Center plan for the city, or the geographic center of the city? Are mobile homes permitted?

Commissioner Walker said it's good to finally work on Title 21 and he looks forward to discussing short term rentals.

Commissioner Venuti pointed out that December 7th is not only the anniversary of Pearl Harbor, but also his birthday, Scott's birthday, and Jan Keiser's birthday. He reminisced about learning that fact at a past commission meeting that went past midnight and into December 7th.

Commissioner Schneider said he enjoyed the worksession and looks forward to the next one. He's getting his bearings with the Title 21 updates.

Commissioner Barnwell also remembered the birthday meeting fondly. He expressed pleasant surprise at the quality of the graphics at the worksession, and apologized for missing the worksession.

Chair S. Smith asked when he can get a printed copy of the Comprehensive Plan. Planning Director Foster said they'll be happy to provide printed copies to the commission once it's adopted. Chair S. Smith introduced Deputy City Clerk Scott Lyn who is staffing the meeting.

ADJOURN

There being no further business to come before the Commission, Chair S. Smith adjourned the meeting at 7:25 p.m. The next Regular Meeting is scheduled for **Wednesday, January 7th, 2026 at 6:30 p.m.** A Worksession is scheduled for 4:00 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.



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HOMER PLANNING COMMISSION

Approved CUP 2025-04 at the Meeting of December 3, 2025

RE: Conditional Use Permit (CUP) 2025-04
Address: 3145 Lampert Lane

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

DECISION

Introduction

Seabright Survey + Design (the “Applicant”) applied to the Homer Planning Commission (the “Commission”) for a Conditional Use Permit (CUP) under Homer City Code 21.24.040 (d), No lot shall contain more than 8,000 square feet of building area (all buildings combined), nor shall any lot contain building area in excess of 30 percent of the lot area without an approved conditional use permit. The applicant proposes an 13,560-square building at 3145 Lampert Lane.

A public hearing was held for the application before the Commission on December 3, 2025, as required by Homer City Code 21.94. Notice of the public hearing was published in the local newspaper and sent to 21 property owners of 24 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 December 3, 2025 meeting of the Commission, five Commissioners were present. The Commission unanimously approved CUP 2025-04 with five conditions.

Evidence Presented

City Planner, Ryan Foster, provided a detailed review of Staff Report PC 25-053 for the Commission. The Applicant was available and provided responses to Commissioners questions. One member of the public provided public testimony during the public hearing portion of the meeting.

Findings of Fact

37 After careful review of the record and consideration of testimony presented at the hearing, the
38 Commission determines CUP 2025-04, to allow a total footprint area of 13,560 square feet of
39 buildings at 3145 Lampert Lane satisfies the review criteria set out in HCC 21.71.030 and is
40 hereby approved.

41

42 **The criteria for granting a Conditional Use Permit is set forth in HCC 21.71.030, Review**
43 **criteria, and establishes the following conditions:**

44

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

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

48

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

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

52

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

55 **Finding 3:** The proposed project is not expected to negatively impact the adjoining properties
56 greater than other permitted or conditional uses.

57

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

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

60

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

63 **Finding 5:** Public services and facilities are adequate to serve the existing / proposed use.

64

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

68 **Finding 6:** The proposal will not cause undue harmful effect upon desirable neighborhood
69 character.

70

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

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

76

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

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

81

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

84 **Finding 9:** The proposal is not contrary to the applicable land use goals and objectives of the
85 Comprehensive Plan. The proposal aligns with Chapter 4, Goal 1, Objective A and D, and Goal
86 3, Objective B and no evidence has been found that it is contrary to the applicable land use
87 goals and objectives of the Comprehensive Plan.

88

89 **j. The proposal will comply with the applicable provisions of the Community Design**
90 **Manual (CDM).**

91 **Condition 1:** Outdoor lighting must be down lit per HCC 21.59.030 and the CDM.

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

93

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

98

99 **1. Special yards and spaces:** No specific conditions deemed necessary.

100 **2. Fences and walls: Condition 2:** Per HCC 21.24.040 f. Screening. When one or more side or
101 rear lot lines abut land within an RO, RR, or UR district or when a side or rear yard area is to be
102 used for parking, loading, unloading or servicing, then those side and rear yard areas shall be
103 effectively screened by a wall, fence, or other sight-obscuring screening. Such screening shall
104 be of a height adequate to screen activity on the lot from outside view by a person of average
105 height standing at street level.

106 **3. Surfacing of parking areas:** No specific conditions deemed necessary.

107 **4. Street and road dedications and improvements:** No specific conditions deemed
108 necessary.

109 **5. Control of points of vehicular ingress and egress:** Yes, see Condition 5.

110 **6. Special provisions on signs:** No specific conditions deemed necessary.

111 **7. Landscaping:** No specific conditions deemed necessary.

112 **8. Maintenance of the grounds, building, or structures:** No specific conditions deemed
113 necessary.

114 **9. Control of noise, vibration, odors or other similar nuisances:** No specific conditions
115 deemed necessary.

116 **10. Limitation of time for certain activities:** No specific conditions deemed necessary.

117 **11. A time period within which the proposed use shall be developed:** No specific conditions
118 deemed necessary.

119 **12. A limit on total duration of use:** No specific conditions deemed necessary.

120 **13. More stringent dimensional requirements,** such as lot area or dimensions, setbacks, and
121 building height limitations. Dimensional requirements may be made more lenient by
122 conditional use permit only when such relaxation is authorized by other provisions of the
123 zoning code. Dimensional requirements may not be altered by conditional use permit when
124 and to the extent other provisions of the zoning code expressly prohibit such alterations by
125 conditional use permit.

126 **14. Other conditions necessary** to protect the interests of the community and surrounding
127 area, or to protect the health, safety, or welfare of persons residing or working in the vicinity of
128 the subject lot.

129

130 **PUBLIC WORKS COMMENTS:**

131 • **Condition 3:** The development will require a Stormwater Plan and Development
132 Activity Plan that demonstrates how stormwater will be managed and will not
133 adversely impact neighboring properties.

134 • **Condition 4:** Snow storage is shown for the northern property, however, is not shown
135 for the southern property. This should be addressed during the zoning permit process.

136 • **Condition 5:** The property will need to execute a driveway access agreement to cross
137 the northern property at 1103 Ocean Drive.

138

139 **Conclusion:** Based on the foregoing findings of fact and law, Conditional Use Permit 2025-04
140 is hereby approved, with Findings 1-10 and the following conditions.

141

- 142 1. Outdoor lighting must be down lit per HCC 21.59.030 and the CDM.
- 143 2. Per HCC 21.24.040 f. Screening. When one or more side or rear lot lines abut land within
- 144 an RO, RR, or UR district or when a side or rear yard area is to be used for parking,
- 145 loading, unloading or servicing, then those side and rear yard areas shall be effectively
- 146 screened by a wall, fence, or other sight-obscuring screening. Such screening shall be
- 147 of a height adequate to screen activity on the lot from outside view by a person of
- 148 average height standing at street level.
- 149 3. The development will require a Stormwater Plan and Development Activity Plan that
- 150 demonstrates how stormwater will be managed and will not adversely impact
- 151 neighboring properties.
- 152 4. Snow storage is shown for the northern property, however, is not shown for the
- 153 southern property. This should be addressed during the zoning permit process.
- 154 5. The property will need to execute a driveway access agreement to cross the northern
- 155 property at 1103 Ocean Drive.

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161 Date _____ Chair, Scott Smith

162
163
164

165 Date _____ City Planner, Ryan Foster

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169 NOTICE OF APPEAL RIGHTS
 170 Pursuant to Homer City Code 21.93.020 any person with standing in this decision may appeal this
 171 decision to a hearing officer within fifteen (15) days of the date of distribution indicated below. A
 172 hearing officer will be appointed in accordance with Homer City Code 21.91.100. Any decision not
 173 appealed within that time shall be final. A notice of appeal shall be in writing and contain all the
 174 information required by Homer City Code Section 21.93.080 and shall be filed with the Homer City Clerk,
 175 491 E. Pioneer Avenue, Homer, Alaska 99603.

176
177 CERTIFICATION OF DISTRIBUTION

178 I certify that a copy of this Decision was mailed to the below listed recipients on _____, 2026.
179 A copy was also delivered to the City of Homer Planning Department and Homer City Clerk on the same
180 date.

181

182

183

184

Date

Associate Planner

Seabright Survey + Design
1044 East Road, Suite A
Homer, AK 99603

Michael Gatti
JDO Law
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DRAFT



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Staff Report Pl 26-001

TO: Homer Planning Commission
FROM: Ryan Foster, City Planner
DATE: February 4, 2026
SUBJECT: City Planner's Report

Title 21 Zoning Code Re-write

An additional work session to discuss the Title 21 re-write is scheduled for February 4, 2026. These series of work sessions over the last few months will provide opportunities for comments from the Commission to inform a Public Review Draft version of the code anticipated for a late February release to the public for a 45-day review and comment period.

Planning Commission Work Session

Chair Smith, Amy Woodruff, and I met to discuss a reset for the Planning Commission in preparing for the February 4, 2026 meetings to ensure we have a quorum. From that conversation, we thought it would be a good idea to schedule a work session with the Planning Commission in late February/early March to review the Commission's by-laws and discuss duties of the Commission, attendance, meeting schedules, etc.

Meeting Schedule

The next regular meeting date is Wednesday, February 18, 2026.

Commissioner Report to Council

2/9/26 _____



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Staff Report 26-002

TO: Homer Planning Commission
FROM: Ryan Foster, City Planner
DATE: February 4, 2026
SUBJECT: Conditional Use Permit (CUP) 26-01

Synopsis The applicant requests a Conditional Use Permit (CUP) CUP 26-01 per HCC 21.16.030 (b), Public or private schools; and per HCC 21.16.30 (g), More than one building containing a permitted principal use on a lot. The applicant proposes a private school on the same property as the Glacierview Baptist Church at 960 East End Road. T 6S R 13W SEC 17 SEWARD MERIDIAN HM 2007089 A A MATTOX SUB GLACIERVIEW BAPTIST CHURCH REPLAT LOT 12A.

Applicant: Todd Martin, Glacierview Baptist Church
960 East Road
Homer, AK 99603

Location: 960 East End Rd.

Legal Description: T 6S R 13W SEC 17 SEWARD MERIDIAN HM 2007089 A A MATTOX SUB
GLACIERVIEW BAPTIST CHURCH REPLAT LOT 12A.

Parcel ID: 17705155

Size of Existing Lot: 3.58 acres

Zoning Designation: Residential Office District

Existing Land Use: Institutional

Surrounding Land Use: North: Residential, Vacant
South: Institutional, Residential, Vacant
East: Commercial
West: Commercial, Residential

Comprehensive Plan: Chapter 4, Goal 1, Objective A and D and Goal 3, Objective B

Wetland Status: KWF Wetland Assessment, no presence of wetlands.

Flood Plain Status: Not in a floodplain.

BCWPD: Not in the Bridge Creek Watershed Protection District

Utilities: Public utilities, water and sewer, do service the site.

Public Notice: Notice was sent to 42 property owners of 39 parcels as shown on the KPB tax assessor rolls.

ANALYSIS: The property is being used as a place of worship and community development. Per HM 2007-89, AA Mattox Subdivision Glacierview Baptist Church Replat consolidated 4 lots into one and vacated Kallman Road right-of-way. At 3.58 acres, the proposal seeks approval of an additional sixth structure, a 1,280 sf structure for a total building area of 12,936 sf and 8.3% lot area coverage. The five existing buildings include: (1) Glacierview Baptist Church at 7981 sf, (2) a 2-story structure at 1215 sf, (3) a general purpose building at 640 sf, (4) a shed at 320 sf, and (5) a 1500 sf pole barn, totaling 11,656 sf in building area. The 2-story structure is proposed to be redeveloped from a meeting and music practice venue into administrative offices. Additionally, the 640 sf storage shed is proposed to be redeveloped into classroom spaces. Per the application, the intention is to utilize two existing structures and build an additional structure of 1,280 sf to provide a facility totaling 6 classrooms, administration offices, ADA compliant restrooms, and kitchen for a K-8 school for up to 65 students and 7 staff members. The proposed school hybrid schedule will be in person Monday, Wednesday, and Friday from 9AM – 3PM and is anticipated to mirror the KPB School schedules for holidays and breaks.

PARKING: 10 parking spaces are required for this project and greater than 75 existing parking spots are shown on the proposed site plan. Per HCC 21.50.030(f)(1)(b) Parking Lots, i-iii apply.

DENSITY: The minimum lot size is 7,500 square feet. The current lot size is approximately 155,945 square feet—20.8 times the minimum required. The total proposed building footprint for the property is 12,936 sq. ft. for a total of 8.3% lot coverage.



Existing buildings located at 960 East End Rd.



Location of proposed private school at 960 East End Rd.

The criteria for granting a Conditional Use Permit is set forth in HCC 21.71.030, Review criteria, and establishes the following conditions:

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

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

HCC 21.16.030 (b), Public or private schools;

HCC 21.16.030 (g), More than one building containing a permitted principal use on a lot.

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.

HCC 21.16.010 Purpose. The Residential Office District is primarily intended for a mixture of low-density to medium-density residential uses and certain specified businesses and offices, which may include professional services, administrative services and personal services, but generally not including direct retail or wholesale transactions except for sales that are incidental to the provision of authorized services. A primary purpose of the district is to preserve and enhance the residential quality of the area while allowing certain services that typically have low traffic generation, similar scale and similar density. The district provides a transition zone between commercial and residential neighborhoods.

Applicant: Current zoning district is RO and there are two school facilities currently operating in the same RO district (Flex School and Fireweed Academy). The proposed school schedule will be in person Mon, Wed, and Fri from 9AM-3PM and usage will be far less than that of Sunday worship.

Analysis: The applicant proposes providing structures and uses compatible with the purpose of the district.

Finding 2: The proposed structures and uses 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.

Applicant: Increase property values by creating another local education opportunity for the community.

Analysis: Many uses in the Residential Office district have greater negative impacts than would be realized from a private school. Assisted living, group care, religious, cultural, and fraternal assembly would generate a good deal of traffic.

Finding 3: The proposed project 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.

Applicant: The proposed project is not anticipated to have a direct impact on surrounding land as the proposed operations will operate in the existing developed areas and usage will be far less than that of Sunday worship.

Analysis: Existing uses of the surrounding land are currently institutional, commercial, residential, and vacant. A private school is in character with the surrounding mix of land uses. Outdoor play areas will require to be fenced.

Finding 4: The proposal is compatible with 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.

Applicant: Yes. There is currently power and natural gas to the existing structures and the two story structure is connected to city water and sewer. There will continue to be adequate access for public safety (police, fire, ems). Impact to East End Road traffic is anticipated to be minimal.

Analysis: Public services are already provided to the property.

Finding 5: Public services and facilities are adequate to serve the existing / proposed use.

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.

Applicant: The proposed project will increase on-site activity during school hours on Mondays, Wednesdays, and Fridays throughout the school year. While there may be slight increase in traffic entering and exiting the existing parking lot, the impact is expected to be minimal due to the relatively small school size (65 students). The proposed drop-off and pick-up locations and traffic flow are designed to ensure that any vehicle queuing occurs entirely on the property and does not negatively affect traffic on East End Rd.

Analysis: The proposed project consists of six buildings covering a total of 12,936 square foot building area on a 155,945 square foot lot and are not of an excessive size to create harmful effects on neighborhood character. The lot coverage, as proposed, is approximately 8.3%, building sizes are not excessive in nature, and all other dimensional requirements such as setbacks and building height will be maintained. Traffic generated by the school and the church occur on different days of the week and the school is not anticipated to generate a greater amount of traffic than the existing uses.

Finding 6: 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.

Applicant: Yes

Analysis: The proposal does not introduce a use or a scale that is not reasonably anticipated by the rules, regulations, and infrastructure developed to service such a proposal.

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.

Analysis: The applicant is not requesting any exception to code. The project is able to comply with the applicable regulations and conditions when gaining a CUP and subsequent zoning permit for construction.

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.

Applicant: The project will provide additional and more diverse educational options to the community which will ultimately attract more families to the community which increases the City's tax base and helps stimulate the local economy.

Analysis: Chapter 4, Goal 1, Objective A and D, and Goal 3, Objective B of the Homer Comprehensive Plan are supported by this project. See the attached Compliance Review of Homer Comprehensive Plan for further details.

Finding 9: The proposal is not contrary to the applicable land use goals and objectives of the Comprehensive Plan. The proposal aligns with Chapter 4, Goal 1, Objective A and D, and Goal 3, Objective B 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 the applicable provisions of the Community Design Manual (CDM).

Analysis: Chapter 3, Outdoor Lighting is applicable to the Residential Office District.

Condition 1: 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: Condition 2:** Outdoor play areas will require fencing as depicted on the application site plan.
- 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.

PUBLIC WORKS COMMENTS:

- Public Works reviewed the application and have no comments.

PUBLIC COMMENTS: Several public comments have been received and are attached below.

STAFF COMMENTS/RECOMMENDATIONS:

Planning Commission approve CUP 26-01, **Staff Report 26-002** with findings 1-10 and the following conditions.

1. Outdoor lighting must be down lit per HCC 21.59.030 and the CDM.
2. Outdoor play areas will require fencing as depicted on the application site plan.

Attachments

Application and noted revisions

Site Plan and Elevation

Compliance Review of Homer Comprehensive Plan

Public Notice

Aerial Map

Public Comments



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

Applicant
 Name: TODD MARTIN Phone No.: _____
 Address: 960 EAST END ROAD Email: _____

Property Owner (if different than the applicant):
 Name: GLACIERVIEW BAPTIST CHURCH Phone No.: _____
 Address: 960 EAST END ROAD Email: _____

PROPERTY INFORMATION:
 Address: 960 EAST END ROAD Lot Size: 3.58 acres KPB Tax ID # 17705155
 Legal Description of Property: T 6S R 13W SEC 17 SEWARD MERIDIAN HM 2007089 A A
MATTOX SUB GLACIERVIEW BAPTIST CHRUCH REPLAT LOT 12A

For staff use:
 Date: _____ Fee submittal: Amount _____
 Received by: _____ Date application accepted as complete _____
 Planning Commission Public Hearing Date: _____

Conditional Use Permit Application Requirements:

1. Site Plan - drawn to a scale of not less than 1" = 20' which shows existing and proposed structures, clearing, fill, vegetation and drainage
2. Right of Way Access Plan
3. Parking Plan
4. A map showing neighboring lots and a narrative description of the existing uses of all neighboring lots. (Planning staff can provide a blank map.)
5. This completed application form
6. Payment of application fee (nonrefundable)
7. Any other information required by Code or staff to review your project

Circle Your Zoning District

	RR	UR	RO	CBD	TCD	GBD	GC1	GC2	MC	MI	EEMU	BCWPD
Level 1 Site Plan	x	x	x			x			x			x
Level 1 ROW Access Plan	x	x							x			
Level 1 Site Development Standards	x	x										
Level 1 Lighting			x	x	x	x	x	x	x	x	x	
Level 2 Site Plan			x	x	x		x	x		x	x	
Level 2 ROW Access Plan			x	x	x		x	x		x	x	
Level 2 Site Development Standards			x*	x	x	x	x	x			x	
Level 3 Site Development Standards									x	x		
Level 3 ROW Access Plan						x						
DAP/SWP questionnaire					23	x	x	x	x		x	

Circle applicable additional permits. Planning staff can assist with these questions.

- Y N Are you building or remodeling a commercial structure, or multifamily building with more than three (3) apartments? If yes, Fire Marshal Certification is required.
Status: WILL BE COMPLETED AFTER CUP IS GRANTED.
- Y N Will development trigger a Development Activity Plan?
Application Status: _____
- Y N Will development trigger a Storm Water Plan?
Application Status: _____
- Y N Does the site contain wetlands? If yes, Army Corps of Engineers Wetlands Permit is required. Application Status: _____
- Y N Is development in a floodplain? If yes, a Flood Development Permit is required.
- Y N Does the project trigger a Community Design Manual review?
If yes, complete the design review application form. The Community Design Manual is online at: <https://www.cityofhomer-ak.gov/planning/community-design-manual>
- Y N Do the project require a traffic impact analysis?
- Y N Are there any nonconforming uses or structures on the property?
- Y N Have nonconforming uses or structures on the property been formally accepted by the Homer Advisory Planning Commission?
- Y N Does the site have a State or City driveway permit? Status: EXISTING
- Y N Does the site have active City water and sewer permits? Status: EXISTING

Conditional Use Permit Application Questions. Use additional sheets if necessary.

1. Currently, how is the property used? Are there buildings on the property? How many square feet? Uses within the building(s)?

PROPERTY IS CURRENTLY USED AS A PLACE OF WORSHIP AND COMMUNITY DEVELOPMENT. THE 2-STORY STRUCTURE (2,050 FT²) THAT IS PROPOSED TO REMODELED IS CURRENTLY USED AS A MEETING AND MUSIC PRACTICE VENUE. THE ONE STORY STRUCTURE (640 FT²) THAT IS PROPOSED TO BE REMODELED IS CURRENTLY USED AS STORAGE.

2. What is the proposed use of the property? How do you intend to develop the property? Attach additional sheet if needed. Provide as much information as possible.

THE INTENTION IS TO UTILIZE TWO EXISTING STRUCTURES AND BUILD ONE NEW STRUCTURE (1,280 FT²) TO PROVIDE A SPACE FOR 6 CLASSROOMS, ADMIN OFFICE, AND ADA COMPLIANT RESTROOM FACILITIES FOR A K-8 SCHOOL TO BE OPERATED BY THE REVIVE ACADEMY FOR UP TO 65 STUDENTS AND 7 STAFF MEMBERS. THE PROPOSED SCHOOL HYBRID SCHEDULE WILL BE IN PERSON MONDAY, WEDNESDAY, AND FRIDAY FROM 9 AM - 3 PM AND IS ANTICIPATED TO MIRROR KPB SCHOOL SCHEDULES FOR HOLIDAYS AND BREAKS.

Conditional Use Permit Review Criteria Information. Use additional sheets if necessary. Per HCC 21.71.030 Review Criteria, the applicant must produce evidence sufficient to enable meaningful review of the application. Unless exceptions or other criteria are stated elsewhere in the Code, the application will be reviewed under these criteria:

- a. What code citation authorizes each proposed use and structure by conditional use permit?
PER 21.16.030.B AND 21.16.030.G, EXISTING CODE ALLOWS THIS PROPOSED USE WITH AN APPROVE CUP.

- b. Describe how the proposed uses(s) and structures(s) are compatible with the purpose of the zoning district.
CURRENT ZONING DISTRICT IS RO AND THERE ARE TWO SCHOOL FACILITIES CURRENTLY OPERATING IN THE SAME RO DISTRICT (FLEX SCHOOL AND FIREWEED ACADEMY). THE PROPOSED SCHOOL SCHEDULE WILL BE IN PERSON MON, WED, AND FRI FROM 9AM-3PM AND USAGE WILL BE FAR LESS THAN THAT OF SUNDAY WORSHIP.

- c. How will your proposed project affect adjoining property values?
INCREASE PROPERTY VALUES BY CREATING ANOTHER LOCAL EDUCATIONAL OPPURTUNITY FOR THE COMMUNITY.

- d. How is your proposal compatible with existing uses of the surrounding land?
THE PROPOSED PROJECT IS NOT ANTICIPATED TO HAVE A DIRECT IMPACT ON SURROUNDING LAND AS THE PROPOSED OPERATIONS WILL OPERATE IN THE EXISTING DEVELOPED AREAS AND USAGE WILL BE FAR LESS THAN THAT OF SUNDAY WORSHIP.

- e. Are/will public services adequate to serve the proposed uses and structures?
YES. THERE IS CURRENTLY POWER AND NATURAL GAS TO THE EXISTING STRUCTURES AND THE TWO STORY STRUCTURE IS CONNECTED TO CITY WATER AND SEWER. THERE WILL CONTINUE TO BE ADEQUATE ACCESS FOR PUBLIC SAFETY (POLICE, FIRE, EMS). IMPACT TO EAST END ROAD TRAFFIC IS ANTICIPATED TO BE MINIMAL.

- f. How will the development affect the harmony in scale, bulk, coverage and density upon the desirable neighborhood character, and will the generation of traffic and the capacity of surrounding streets and roads be negatively affected?
THE PROPOSED PROJECT WILL INCREASE ON-SITE ACTIVITY DURING SCHOOL HOURS ON MONDAYS, WEDNESDAYS, AND FRIDAYS THROUGHOUT THE SCHOOL YEAR. WHILE THERE MAY BE A SLIGHT INCREASE IN TRAFFIC ENTERING AND EXITING THE EXISTING PARKING LOT, THE IMPACT IS EXPECTED TO BE MINIMAL DUE TO THE RELATIVELY SMALL SCHOOL SIZE (65 STUDENTS). THE PROPOSED DROP-OFF AND PICK-UP LOCATIONS AND TRAFFIC FLOW ARE DESIGNED TO ENSURE THAT ANY VEHICLE QUEUING OCCURS ENTIRELY ON THE PROPERTY AND DOES NOT NEGATIVELY AFFECT TRAFFIC ON EAST END ROAD.

g. Will your proposal be detrimental to the health, safety or welfare of the surrounding area or the city as a whole?

NO.

h. How does your project relate to the goals of the Comprehensive Plan? Find the Comprehensive Plan on the City’s website:

www.cityofhomer-ak.gov/planning/comprehensive-plan

THE PROJECT WILL PROVIDE ADDITIONAL AND MORE DIVERSE EDUCATIONAL OPTIONS TO THE COMMUNITY WHICH WILL ULTIMATELY ATTRACT MORE FAMILIES TO THE COMMUNITY WHICH INCREASES THE CITY'S TAX BASE AND HELPS STIMULATE THE LOCAL ECONOMY.

i. The Planning Commission may require special improvements. Are any of the following a component of the development plan, or are there suggestions on special improvements you would be willing to make? **Circle each answer and provide clarification on additional pages if Yes is selected.**

- 1. Y N Special yards and spaces REFER TO FENCED IN PLAY AREA TO OVERALL SITE PLAN
- 2. Y N Fences, walls and screening REFER TO FENCED IN PLAY AREA TO OVERALL SITE PLAN
- 3. Y N Surfacing of parking areas EXISTING PARKING TO BE UTILIZED
- 4. Y N Street and road dedications and improvements (or bonds)
- 5. Y N Control of points of vehicular ingress and egress CONTROLLED ONSITE TRAFFIC FOR DROP-OFF AND PICK-UP.
- 6. Y N Special provisions on signs
- 7. Y N Landscaping
- 8. Y N Maintenance of the grounds, buildings, or structures MINOR ADDITION TO EXISTING
- 9. Y N Control of noise, vibration, odors, lighting, heat, glare, water and solid waste pollution, dangerous materials, material and equipment storage, or other similar nuisances
- 10. Y N Time for certain activities PRELIMINARY SCHOOL SCHEDULE M, W, AND F 9AM - 4PM
- 11. Y N A time period within which the proposed use shall be developed
- 12. Y N A limit on total duration of use
- 13. Y N Special dimensional requirements such as lot area, setbacks, building height
- 14. Y N Other conditions deemed necessary to protect the interest of the community

Parking Questions.

- 1. How many parking spaces are required for your development? 10 SPOTS (1 SPOTS PER STAFF = 7 SPOTS AND 3 FOR VISITORS)
If more than 24 spaces are required see HCC 21.50.030(f)(1)(b)
- 2. How many spaces are shown on your parking plan? GREATER THAN 75 PARKING SPOTS EXISTING
- 3. Are you requesting any reductions? NO

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

CIRCLE ONE:

Owner of record

Lessee

Contract purchaser

Per HCC 21.71.020(a)(9), if the applicant is not the owner of the subject lot, the owner's signed authorization grants the applicant authority to:

- (a) apply for the conditional use permit, and
- (b) bind the owner to the terms of the conditional use permit, if granted.

Applicant signature:

[Handwritten Signature]

Date:

12/16/25

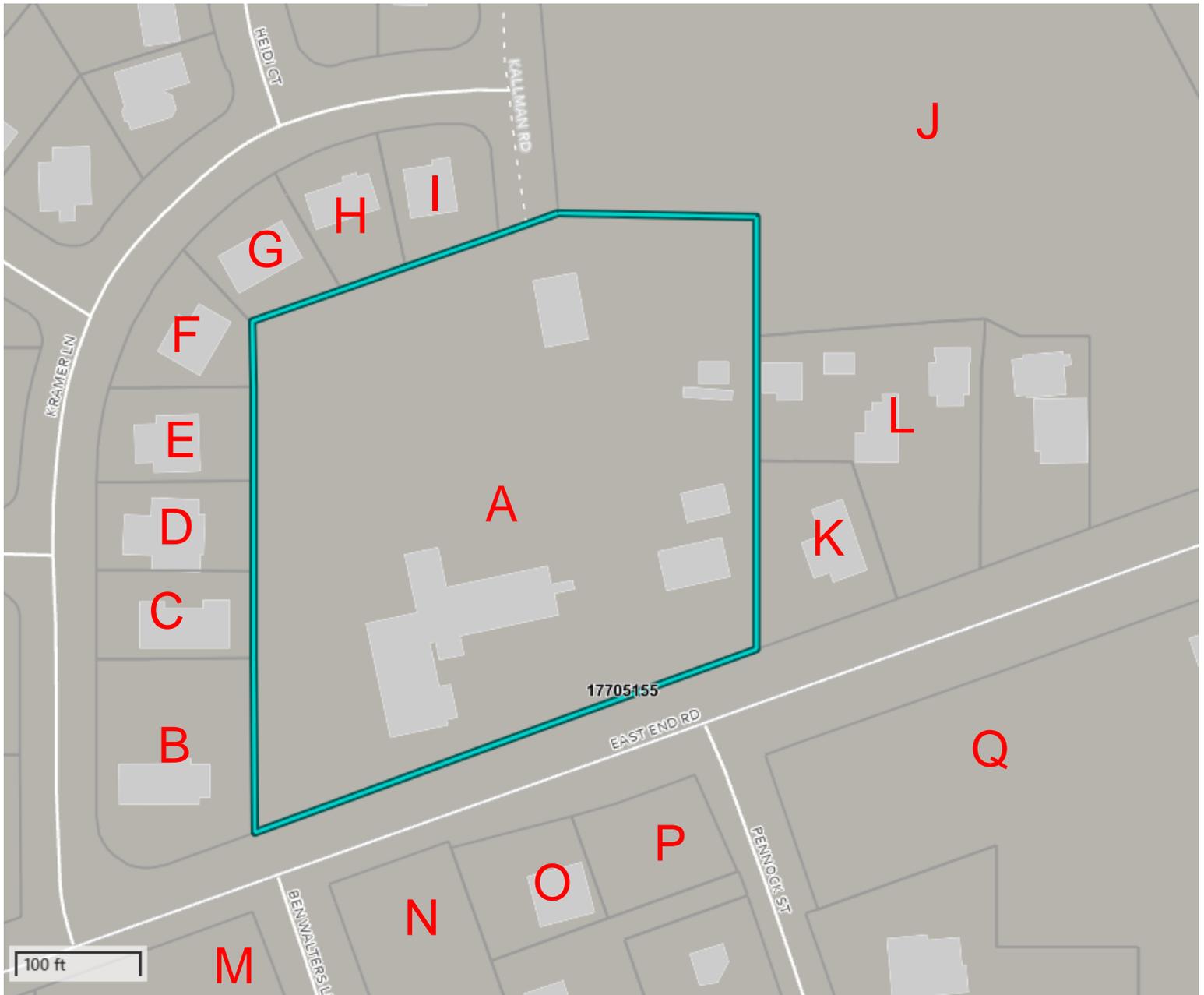
Property Owner signature:

[Handwritten Signature]

Date:

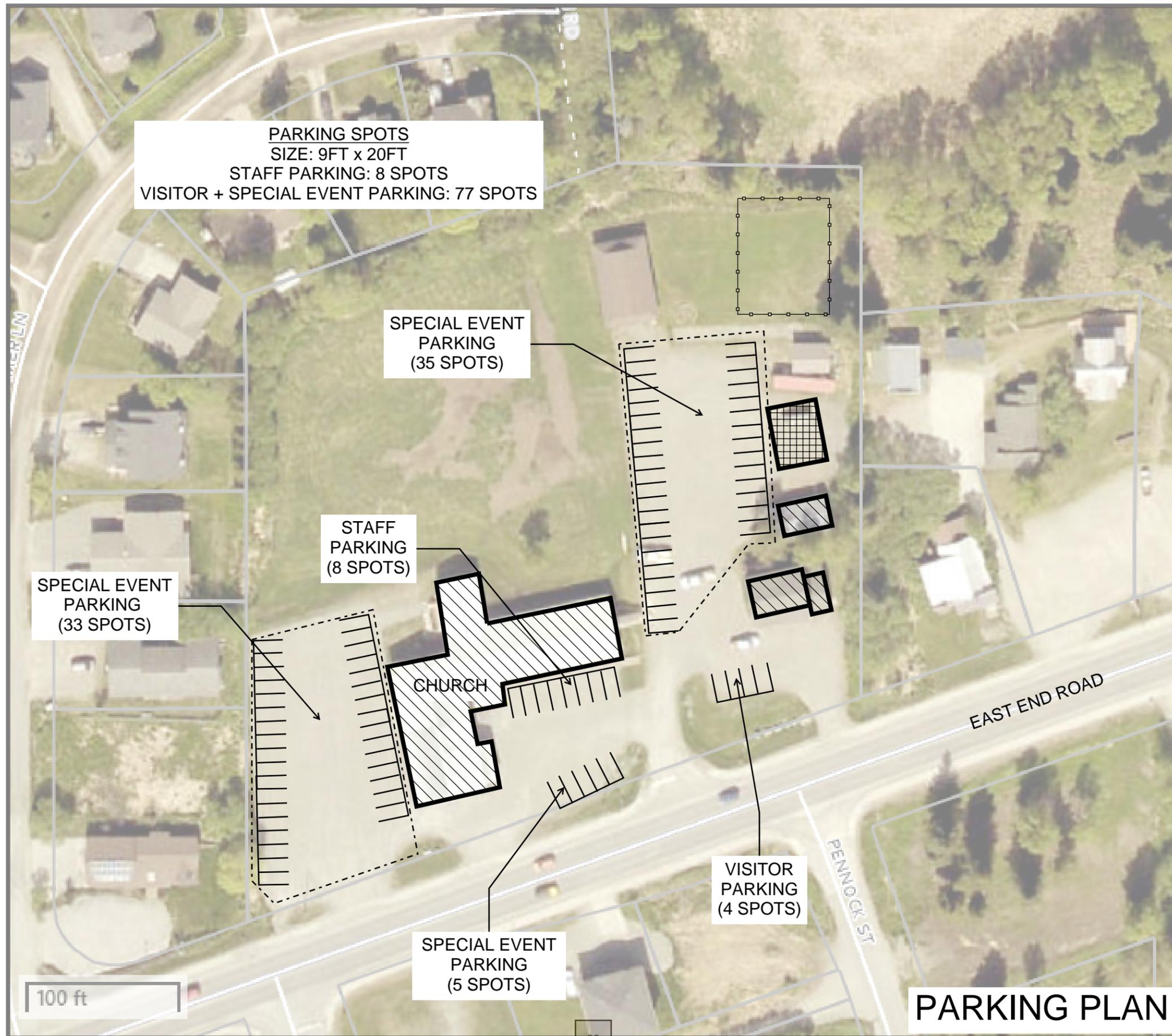
12/16/25

Glacievuiew Baptist Church - Deacon Chairman



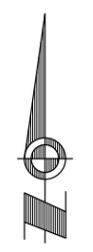
	OWNER	OWN TYPE	USE TYPE
A	GLACIER VIEW BAPTIST CHURCH	PRIVATE	INSTITUTIONAL
B	COBLE GEOFF	PRIVATE	COMMERCIAL
C	MORIN CHRISTOPHER S	PRIVATE	RESIDENTIAL
D	LEEK JAMES T	PRIVATE	RESIDENTIAL
E	MITCHELL COMMUNITY PROPERTY TRUST	PRIVATE	RESIDENTIAL
F	FRY COMMUNITY PROPERTY TRUST	PRIVATE	RESIDENTIAL
G	THONING LUCAS D	PRIVATE	RESIDENTIAL
H	REESE NATHAN ANDREW	PRIVATE	RESIDENTIAL
I	PATTY LAURA LYNN	PRIVATE	RESIDENTIAL
J	UMINSKI PROPERTIES LLC	PRIVATE	VACANT
K	HERBDOC LLC	PRIVATE	COMMERCIAL
L	MOUNTAIN SPIRIT WORKS LLC	PRIVATE	COMMERCIAL
M	JACKINSKY SARA L LIVING TRUST	PRIVATE	VACANT
N	KENAI PENINSULA BOROUGH	BOROUGH	INSTITUTIONAL
O	STORY CHRISTOPHER L	PRIVATE	RESIDENTIAL
P	WALKER LOUISE ANN LIVING TRUST	PRIVATE	VACANT
Q	CHURCH ON THE ROCK HOMER	PRIVATE	INSTITUTIONAL



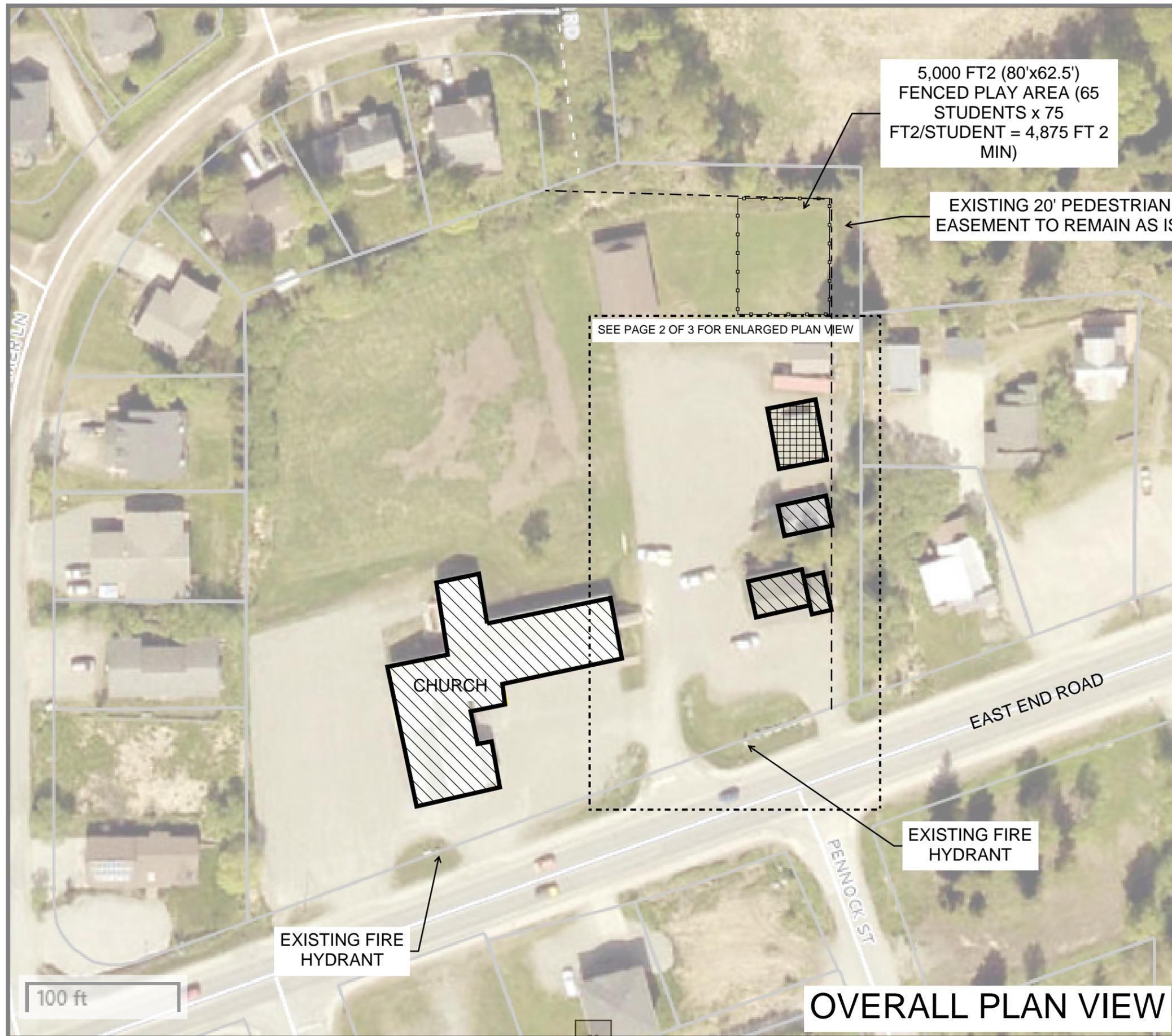


PROPOSED CONSTRUCTION

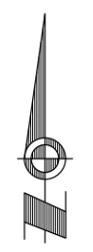
EXISTING STRUCTURES



100 ft

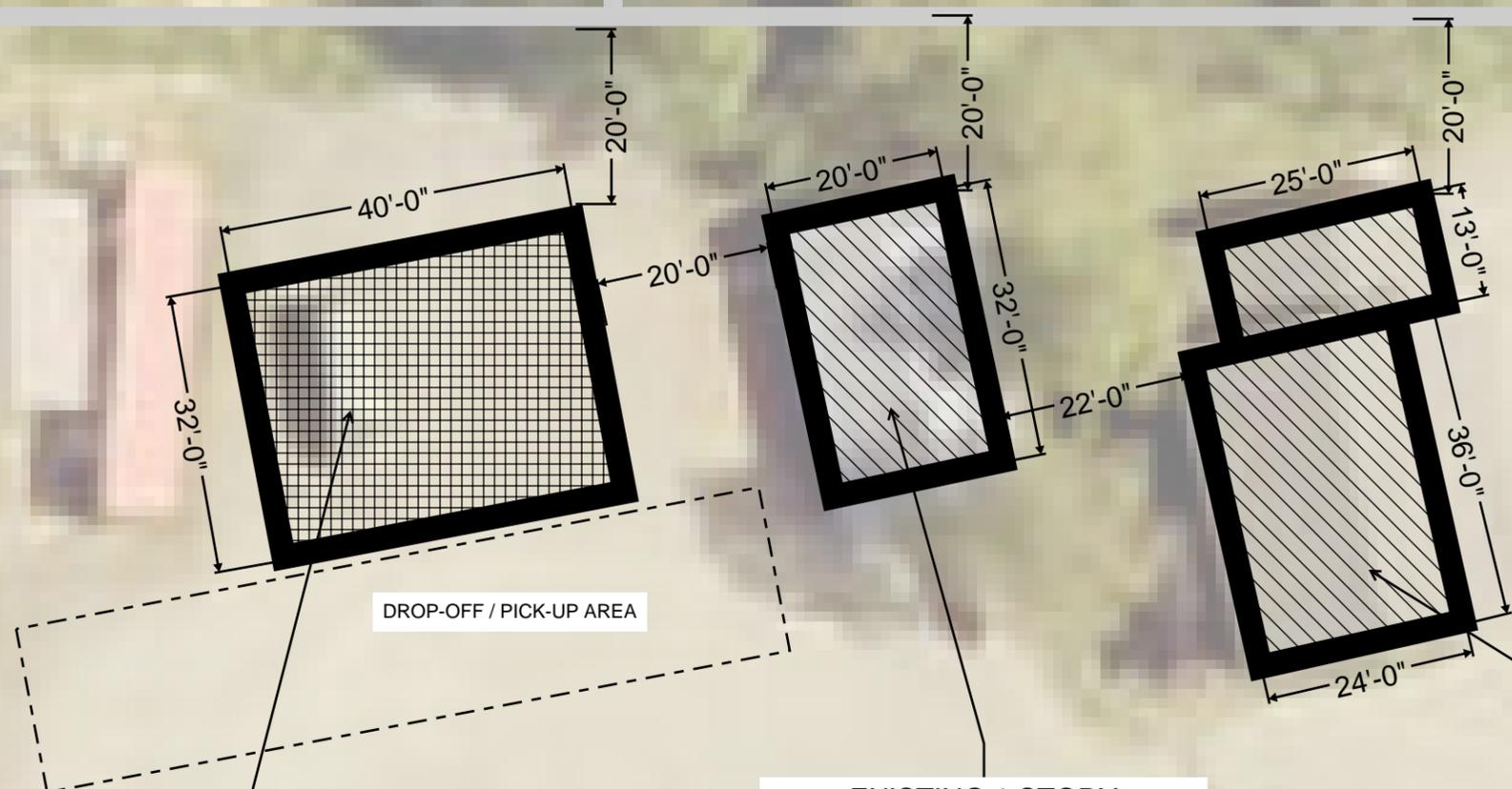


	PROPOSED CONSTRUCTION
	EXISTING STRUCTURES





REVIVE ACADEMY
K-8 STUDENTS: 40 - 65
STAFF (TEACHERS + ADMIN): 7



DROP-OFF / PICK-UP AREA

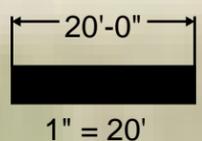
PROPOSED 1 STORY STRUCTURE (1,280 FT²) TO BE CONSTRUCTED ON PILINGS AND SERVE AS FOUR CLASSROOMS. NO ADDITIONAL CLEARING OR FILL ANTICIPATED AND DRAINAGE WILL CONTINUE TO SURFACE FLOW TO THE EAST END ROAD DRAINAGE. POWER AND NATURAL GAS ONLY

EXISTING 1 STORY STRUCTURE (640 FT²) TO BE REMODELED AND SERVE AS TWO CLASSROOMS. POWER AND NATURAL GAS ONLY.

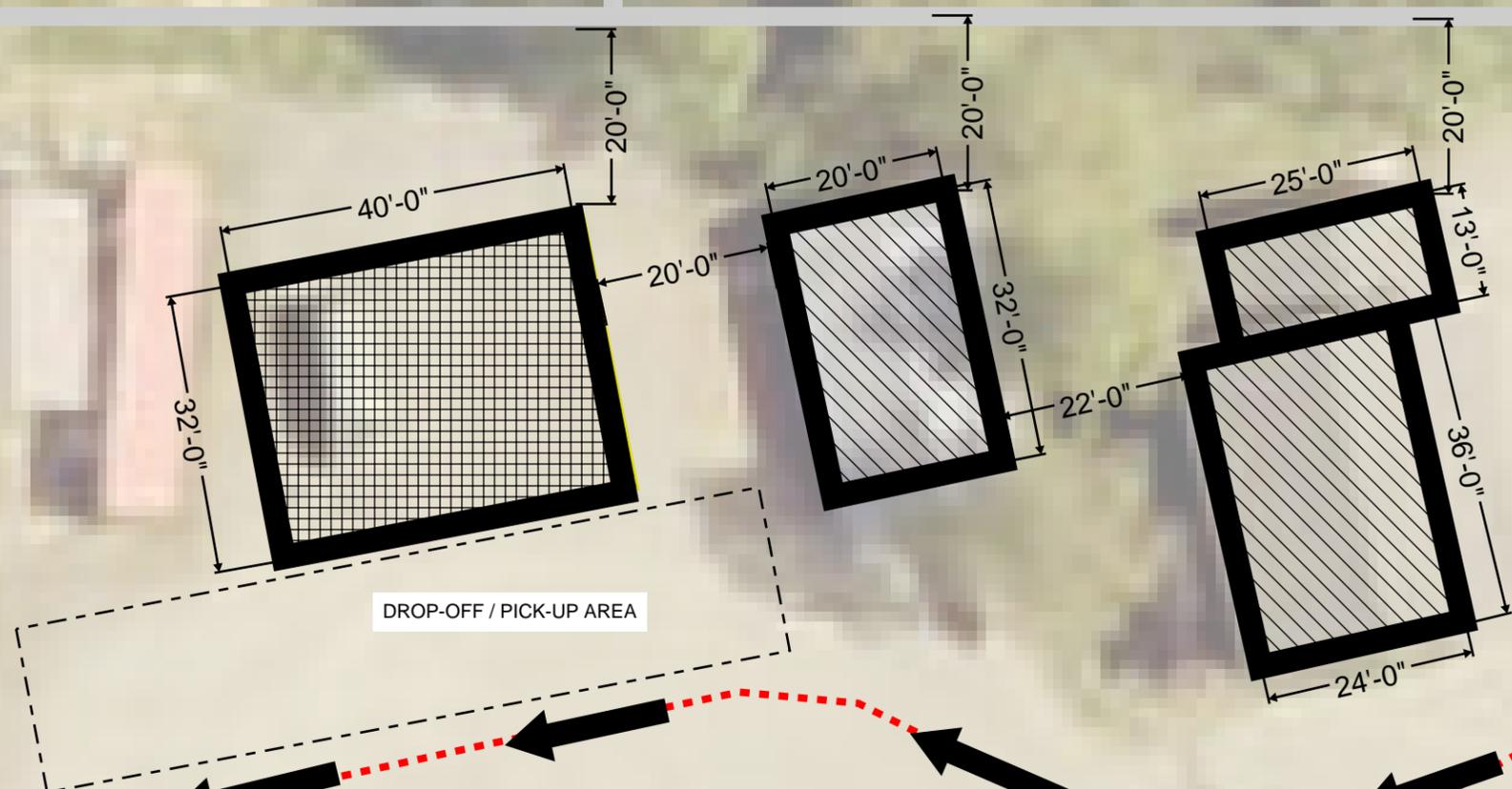
EXISTING 2 STORY STRUCTURE (2,050 FT²) TO BE REMODELED AND SERVE AS ADMINISISTRATIVE OFFICES, ADA COMPLIANT RESTROOMS, AND KITCHEN. POWER, NATURAL GAS, WATER AND SEWER.

PROPOSED CONSTRUCTION

EXISTING STRUCTURES

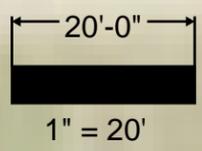
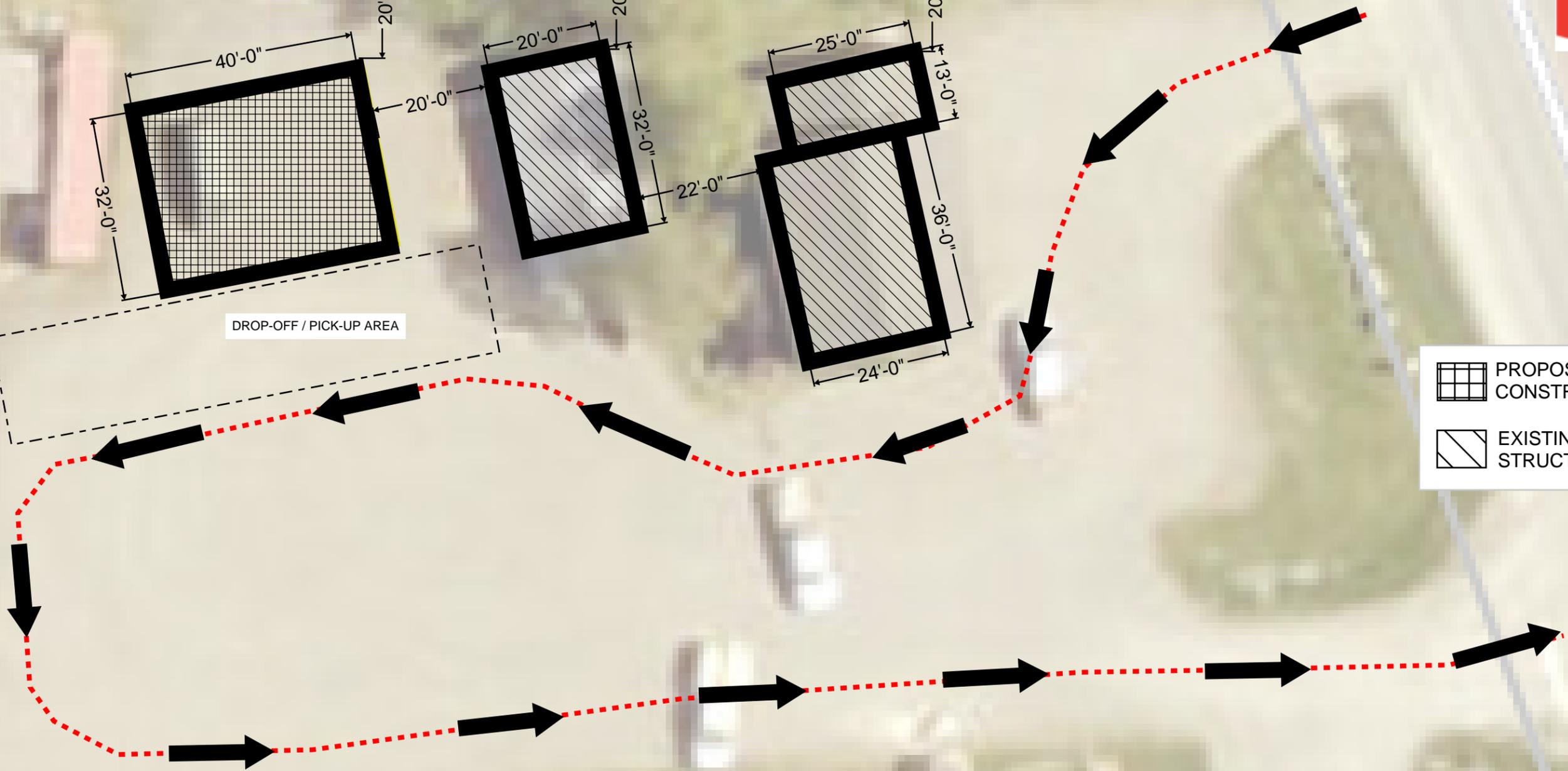


ENLARGED PLAN VIEW



PROPOSED CONSTRUCTION

EXISTING STRUCTURES



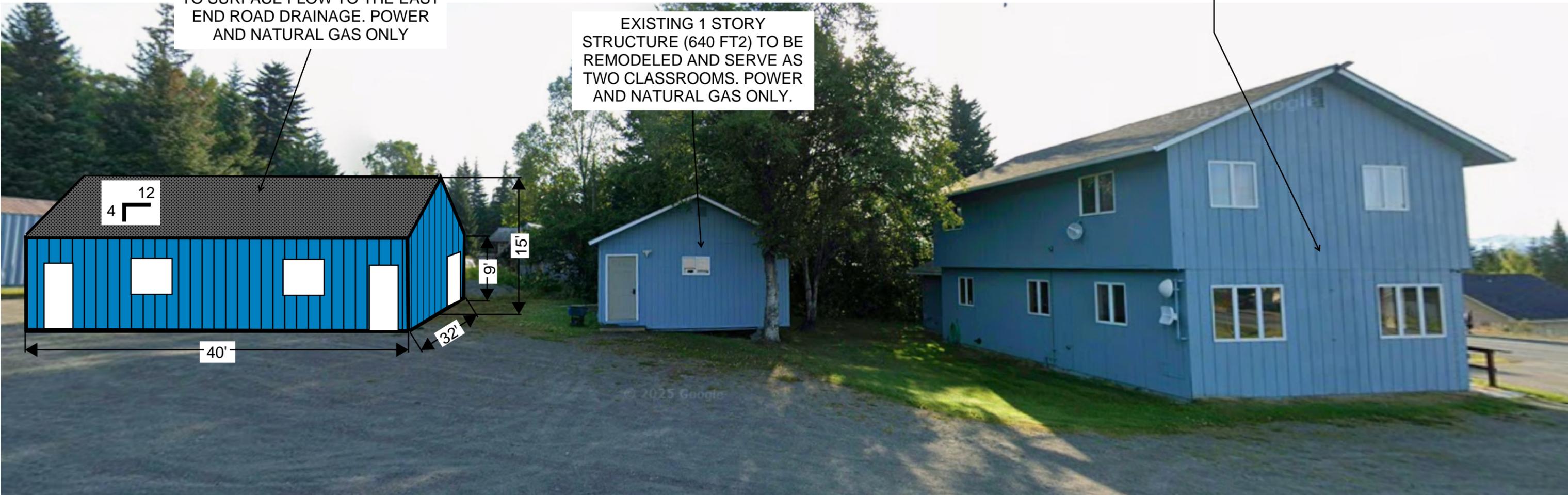
CIRCULATION PLAN



PROPOSED 1 STORY STRUCTURE (1,280 FT²) TO BE CONSTRUCTED ON PILINGS AND SERVE AS FOUR CLASSROOMS. NO ADDITIONAL CLEARING OR FILL ANTICIPATED AND DRAINAGE WILL CONTINUE TO SURFACE FLOW TO THE EAST END ROAD DRAINAGE. POWER AND NATURAL GAS ONLY

EXISTING 2 STORY STRUCTURE (2,050 FT²) TO BE REMODELED AND SERVE AS ADMINISTRATIVE OFFICES, ADA COMPLIANT RESTROOMS, AND KITCHEN. POWER, NATURAL GAS, WATER AND SEWER.

EXISTING 1 STORY STRUCTURE (640 FT²) TO BE REMODELED AND SERVE AS TWO CLASSROOMS. POWER AND NATURAL GAS ONLY.



ELEVATIONS

Review of comprehensive plan Land Use Chapter for CUP 26—01 RF 1.21.26

GOAL 1: Guiding Homer’s growth with a focus on increasing the supply and diversity of housing, protect community character, encouraging infill, and helping minimize global impacts of public facilities including limiting greenhouse gas emissions.

Objective A: Promote a pattern of growth characterized by a concentrated mixed-use center, and a surrounding ring of moderate-to-high density residential and mixed-use areas with lower densities in outlying areas.

Staff: This project supports Objective A pattern of growth and density, by providing additional education facilities for community growth and neighborhood density in a surrounding ring of Homer’s core.

Objective B: Develop clear and well-defined land use regulations and update the zoning map in support of the desired pattern of growth. The availability of RO for future development is limited, and this property is an appropriate location for infill development of an institutional use property.

N/A – not associated with update of zoning map.

Objective C: Maintain high quality residential neighborhoods; promote housing choice by supporting a variety of dwelling options.

N/A – not associated with residential development or housing choice.

Objective D: Consider the regional and global impacts of development in Homer.

Staff: This project discourages sprawl with redevelopment of a lot with an existing institutional use at the scale and density of the Residential Office zoning district. The location of this project is on the outside of the City of Homer core and fits the moderate-density character planned adjacent to the city’s core.

GOAL 2: Maintain the quality of Homer’s natural environment and scenic beauty.

Objective A: Complete and maintain a detailed “green infrastructure” map for the City of Homer and environs that presents an integrated functional system of environmental features on lands in both public and private ownership and use green infrastructure concepts in the review and approval of development projects.

N/A – not associated with mapping.

Objective B: Continue to review and refine development standards and require development practices that protect environmental functions.

N/A – not associated with creation of development standards.

Objective C: Provide extra protection for areas with highest environmental value or development constraints.

N/A – Already developed area, no change in impact is proposed.

Objective D: Collaborate with jurisdictions outside the City of Homer, as well as state and federal agencies, to ensure that environmental quality is maintained.

N/A – not associated with other jurisdictions.

GOAL 3: Encourage high-quality buildings and site development that complement Homer’s beautiful natural setting.

Objective A: Create a clear, coordinated regulatory framework that guides development.

Staff: Goal 3, objective A implementation items are all directives to review and consider new policies and are not directly applicable to CUP’s.

Objective B: Encourage high quality site design and buildings.

Staff: The proposal is a private school, that will further develop and infill an existing institutional lot, which is required to submit a Zoning Permit and meet City requirements for site development.

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

Objective A: Encourage a concentrated, pedestrian oriented, attractive business/commerce district in the Central Business District (CBD) following the guidelines found in the Town Center Development Plan.

Staff: The proposal is not found in the CBD.

Objective B: Discourage strip development along the Sterling Highway and major collectors/thoroughfares.

Staff: This project is not a strip development, nor is it on the Sterling Highway.

Finding:

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

CITY OF HOMER
PUBLIC HEARING NOTICE - PLANNING COMMISSION MEETING

Public hearings on the matters below are scheduled for Wednesday, February 4, 2026 at 6:30 p.m. during the Regular Planning Commission Meeting. Participation is available virtually via Zoom webinar or in-person at Homer City Hall.

A request for Conditional Use Permit (CUP) CUP 26-01 per HCC 21.16.030 (b), Public or private schools; and per HCC 21.16.30 (g), More than one building containing a permitted principal use on a lot. The applicant proposes a private school on the same property as the Glacierview Baptist Church at 960 East End Road. T 6S R 13W SEC 17 SEWARD MERIDIAN HM 2007089 A A MATTOX SUB GLACIERVIEW BAPTIST CHURCH REPLAT LOT 12A

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

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

Meeting ID: 979 8816 0903
Passcode: 976062

Additional information regarding this matter will be available by 5pm on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for January 30, 2026 at <https://www.cityofhomer-ak.gov/calendar>. It will also be available at the Planning and Zoning Office at Homer City Hall and at the Homer Public Library.

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

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

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

.....



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

Legend

Transportation

Mileposts



Parcels and PLSS

Tax Parcels



From: [Department Planning](#)
To: [Amy Woodruff](#)
Subject: FW: Glacier view zoning
Date: Tuesday, January 20, 2026 5:27:08 PM

Hi Amy,

Please include the comment below in the supplemental packet for tomorrow night's CUP.

Thanks!

Ryan Foster
City of Homer, City Planner
rfoster@ci.homer.ak.us
(907) 435-3120

-----Original Message-----

From: John Clouse <joysjohn1511@yahoo.com>
Sent: Tuesday, January 20, 2026 4:47 PM
To: Department Planning <Planning@ci.homer.ak.us>
Subject: Glacier view zoning

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I support the zoning of Glacierview Baptist church for a day school in the present 2026, as I understand it was used in time past.

Sent from my iPhone

From: [William Anderson](#)
To: [Amy Woodruff](#)
Cc: [Marya Pillifant](#); [Ryan Foster](#)
Subject: FW: Supporting Glacierview's conditional use permit
Date: Tuesday, January 20, 2026 4:39:37 PM

Hello Amy,

Please see the comment received regarding CUP 26-01 960 East End Rd. Please include it in the supplemental packet for tomorrow night's meeting.

Thank you,

Will Anderson
Associate Planner
City of Homer Planning Department
491 Pioneer Ave, Homer AK. 99603
(907) 435-3178



From: Emily Dunivant <emily.dunivant@gmail.com>
Sent: Tuesday, January 20, 2026 4:12 PM
To: Department Planning <Planning@ci.homer.ak.us>
Subject: Supporting Glacierview's conditional use permit

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello

Writing just a quick note of support for Glacierview Baptist church to have a Conditional Use Permit to host a Christian school in the future. The community clearly supports and is asking for a Christian school here in Homer. Having the school be based at Glacierview would be a perfect location given the support from the church, their large parking lot for pickups, proximity to town and other schools like Fireweed, and the Homer high school.

Thank you!

Emily Dunivant

From: [Eileen Becker](#)
To: [Department Planning](#)
Subject: Conditional use of property
Date: Monday, January 26, 2026 12:25:36 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To Homer City Council. We believe the conditional use of the Glacierview Church property to the newly formed Revive Academy would be an asset to the City. Hope the permit is forth coming. Thank you. Dave & Eileen Becker. Homer residents since 1973 907-399-1534
Sent from my iPad



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 26-003

TO: Homer Planning Commission **26-003**
 FROM: William Anderson, Associate Planner
 DATE: 2/4/2026
 SUBJECT: Bayview Gardens 2025

Requested Action: Approve a preliminary plat that vacates two internal lot lines and consolidates three existing lots into a single unified parcel.

General Information:

Applicants:	BORGMAN DIANE MARIE TRUST/LIVING TRUST Diane M. Borgman PO BOX 2992 Homer, AK 99603	Mullikin Surveys LLC Christopher Mullikin P.L.S PO BOX 1023 Homer AK, 99603
Location:	Spruce Circle, halfway up East Hill Road, accessed via Willow Drive, south of Mission Road.	
Parcel ID:	17401004, 17401005, and 17401006	
Size of Existing Lot(s):	0.39 acres, 0.40 acres and 0.56 acres	
Size of Proposed Lots(s):	1.353 acres	
Zoning Designation:	Rural Residential District	
Existing Land Use:	Residential and Vacant	
Surrounding Land Use:	North: Residential South: Residential East: Residential, Vacant West: Residential	
Wetland Status:	No wetlands present.	
Flood Plain Status:	Not located in a flood plain.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	No City water and sewer are available.	
Public Notice:	Notice was sent to 39 property owners of 36 parcels as shown on the KPB tax assessor rolls.	

Analysis: Per surveyor's note 1, the purpose of this plat is to create Lot 5-A, Block 1, by vacating the lot lines between former Lots 4, 5, and 6, Block 1, Bayview Gardens Subdivision, HM 73-748. The

resulting lot is 1.353 acres, located at the end of Spruce Circle off East Hill Road via Willow Drive, within the Rural Residential Zoning District.

The plat creates one lot for residential use and retains existing easements for underground utilities and construction. Much of the property has slopes of less than 10%, with notable steep slopes along the northern, eastern, and southern boundaries, as illustrated by the surveyor's hatch. Adjacent land use is residential.

The parent plat, Bayview Gardens, was approved by the Borough in 1973 (HM 73-748), prior to the adoption of local subdivision code and annexation into City Limits in 2002. Access will remain via Spruce Circle. At 50 feet wide, the existing right-of-way is narrower than the minimum 60-foot right-of-way standard; however, there appears to be no conflict regarding expansion for future water and sewer services.

City Utilities are currently unavailable but are planned for extension in accordance with the Approved City Sewer Master Plan. The Sewer Master Plan indicates a sewer main to be centered along the common lot line of former Lots 4 and 5. Due to the existing dwelling, constructed in 1974, the sewer main and easement must be shifted westward, as depicted in the attached supplemental diagram. Additionally, a proposed sewer main will extend along the southern boundary of former Lots 4 and 5, coordinating with the existing 10' utility and 10' construction easements indicated on the plat.

Exemptions may be granted with preliminary plat approval as the replat of Bayview Gardens Subdivision involves no new right-of-way dedication and consolidates fewer than three lots. However, per the surveyor's letter, no exceptions are requested at this time.

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 this requirement.

- 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 does not meet these requirements. The surveyor must dedicate sewer easements necessary for future mains as shown in the City-approved Sewer Master Plan prior to recording the final plat.

- 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. No new streets are proposed.

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. Name 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. The parent plat's name shall be the primary name of the preliminary plat;
 - 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. However, the owner's mailing address provided is incorrect. Staff recommends the plat title block and certificate of ownership and dedication be corrected to accurately reflect the mailing address, "P.O. Box 2992," as indicated in the KPB records.

- 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 does not meet these requirements. Per HCC 22.10.051 (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. The surveyor shall update the preliminary plat to include all required sewer easements prior to recording the final plat, as depicted in the attached supplemental diagram.

- G. The status of adjacent lands within 100 feet of the proposed subdivision boundary or the land status across from any dedicated rights-of-way that adjoin the proposed subdivision boundary, including names of subdivisions, lot lines, block 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. No municipal water or sewer mains exist within or adjacent to the subdivision; city services are not available to the proposed lots.

- 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.

- 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 encroachments are indicated.

- 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. Not applicable.

Public Works Comments:

City water and sewer are not available. Remove Note No. 10: Lots are served by City of Homer water and Sewer.

Public Works will need easements for our future sewer main per the sewer master plan, as depicted in the supplemental diagram. The master plan proposes a sewer main along the common lot line of lots 4 and 5. It appears there is a house on that lot line so we shifted the 30' easement to the west.

There is also a proposed sewer main running along the southern boundary of lots 4 and 5. There are existing utility and construction easements which will serve to be utilized for the future sewer main. The surveyor should change the language of these easements to include "sewer easement". Prior to recording the final plat, the surveyor must provide the requested sewer easements necessary for future mains as shown in the City-approved Sewer Master Plan.

Staff Recommendation:

Planning Commission recommends approval of the preliminary plat with additional comments below.

1. The surveyor to remove the tenth plat note stating: "Lots are served by the City of Homer water and sewer."
2. Correct the owner's mailing address to reflect the official KPB record, "P.O. Box 2992."
3. Prior to final plat approval, the surveyor shall provide all required sewer easements necessary for future mains as shown in the City-approved Sewer Master Plan.

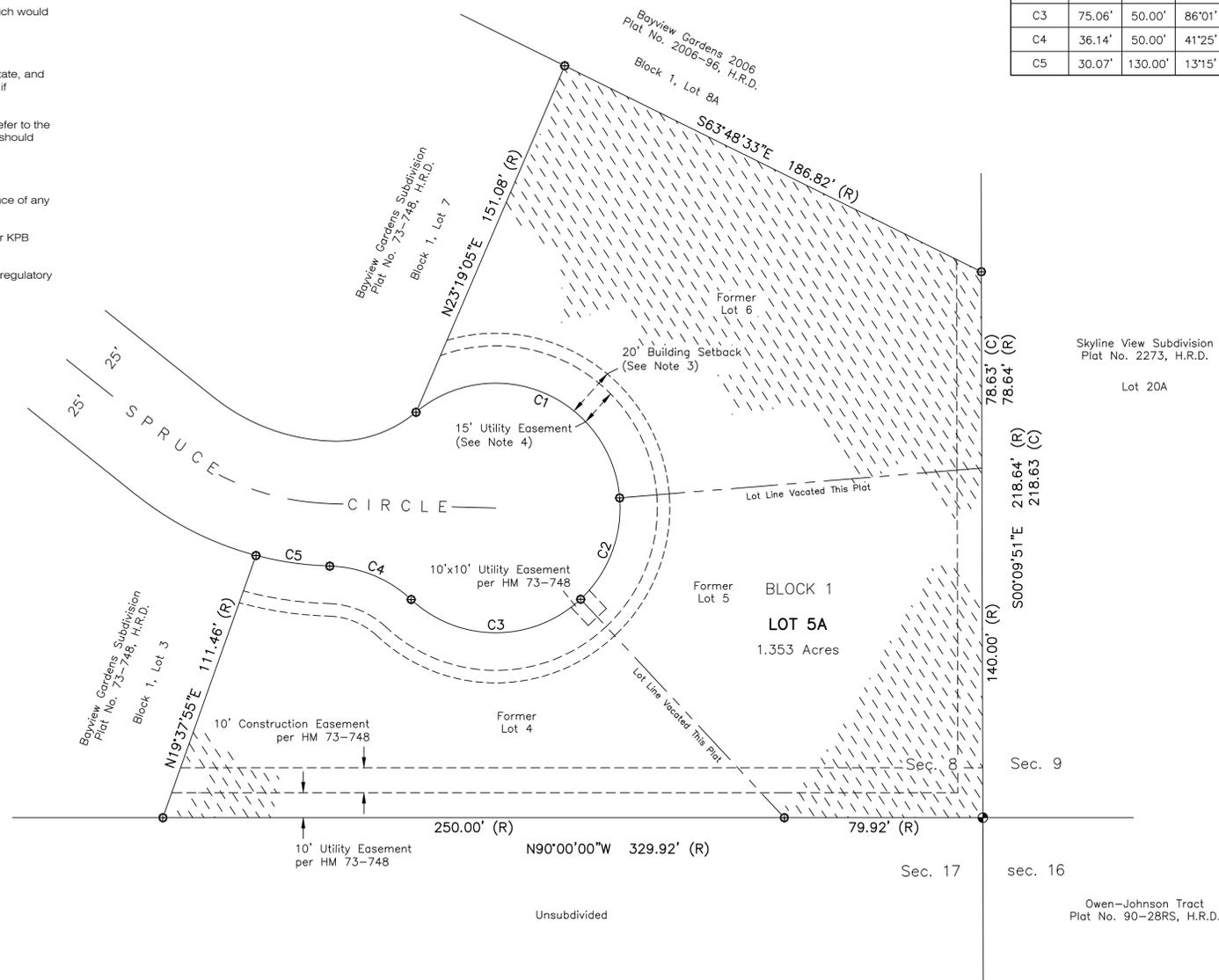
Attachments:

1. Preliminary Plat
2. Supplemental Diagram - 30' Sewer Main Easement
3. Surveyor's Letter
4. Utility Letter of Non-objection
5. Public Notice
6. Aerial Map

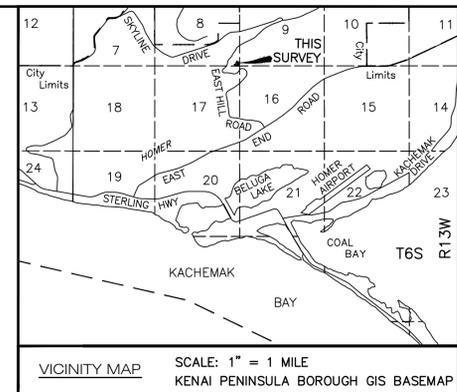
NOTES:

- The purpose of this plat is to create Lot 5A, Block 1, by vacating the lot lines between former Lots 4, 5, and 6, Block 1, Bayview Gardens Subdivision, HM 73-748.
- No field survey was conducted as provided in KP.B Code 20.60.200(A). All dimensions shown are record per Bayview Gardens Subdivision, HM 73-748.
- Building Setback - A setback of 20 feet is required from all street rights-of-way unless a lesser standard is approved by resolution of the appropriate planning commission.
- The front 15 feet of the 20 feet building setback is a utility easement.
- Utility easements per HM 73-748 are underground utility easements, unless otherwise noted.
- 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.
- Section line easements were vacated per HM 73-748.
- Any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetlands determination, if applicable.
- All lots within this subdivision are subject to the City of Homer zoning regulations. Refer to the Homer City Code for all current setback and site development restrictions. Owners should check with the City of Homer Planning Department Prior to development activities.
- Lots are served by the City of Homer water and sewer.
- Acceptance of this plat by the Kenai Peninsula Borough does not indicate acceptance of any encroachments.
- The borough will not enforce private covenants, easements, or deed restrictions per KP.B 20.60.170.
- Wastewater Disposal: Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

PRELIMINARY PLAT



Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	109.29'	50.00'	125°14'	N67° 17' 16"W	88.80'
C2	45.00'	50.00'	51°34'	N21° 06' 58"E	43.50'
C3	75.06'	50.00'	86°01'	N89° 54' 33"E	68.21'
C4	36.14'	50.00'	41°25'	N67° 47' 26"W	35.36'
C5	30.07'	130.00'	13°15'	S81° 52' 20"E	30.00'



CERTIFICATE OF OWNERSHIP AND DEDICATION

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

Diane M. Borgman, Trustee of the Diane Marie Borgman Living Trust
P.O. Box 2922
Homer, AK 99603

NOTARY'S ACKNOWLEDGMENT

For: _____

Acknowledged before me this _____ day of _____, 2025.

Notary Public for Alaska
My Commission expires: _____

VACATION PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough in accordance with KP.B 20.10.040.

Kenai Peninsula Borough Authorized Official _____ Date _____



LEGEND

- ⊕ Record Rebar per HM 73-748
- ⊙ Record GLO Brass Cap on Iron Post, T6S R13W S8 S9 S16 S17 1917
- (R) Record Measurements Per HM 73-748, Bayview Gardens Subdivision
- (C) Calculated

- Easement Line
- Setback Line
- //// Areas over 20% grade per Kenai Peninsula Borough Terrain Viewer (Five Foot Contours)

Note: Survey does not contain defined wetlands per the Kenai Watershed Forum (KWF)

WASTEWATER DISPOSAL

The parent subdivision for lots resulting from this platting action was approved by the Kenai Peninsula Borough on June 18, 1973. Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

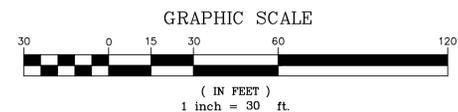
(signature of) Engineer _____ License # _____ Date _____

SURVEYORS CERTIFICATE

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, that this plat represents a survey made by me or under my supervision, that the monuments shown hereon actually exist as described, and that all dimensions and other details are correct.

Date: _____

Registration No.: 14449-S
Christopher L. Mullikin,
Professional Land Surveyor



BAYVIEW GARDENS 2025

A LOT LINE VACATION OF LOTS 4, 5, AND 6, Block 1, BAYVIEW GARDENS SUBDIVISION, PLAT No. 73-748, HOMER RECORDING DISTRICT

LOCATED WITHIN THE SE1/4 SE1/4 OF SECTION 8, TOWNSHIP 6 SOUTH, RANGE 13 WEST, SEWARD MERIDIAN, THIRD JUDICIAL DISTRICT, KENAI PENINSULA BOROUGH, CITY OF HOMER, HOMER RECORDING DISTRICT, ALASKA.

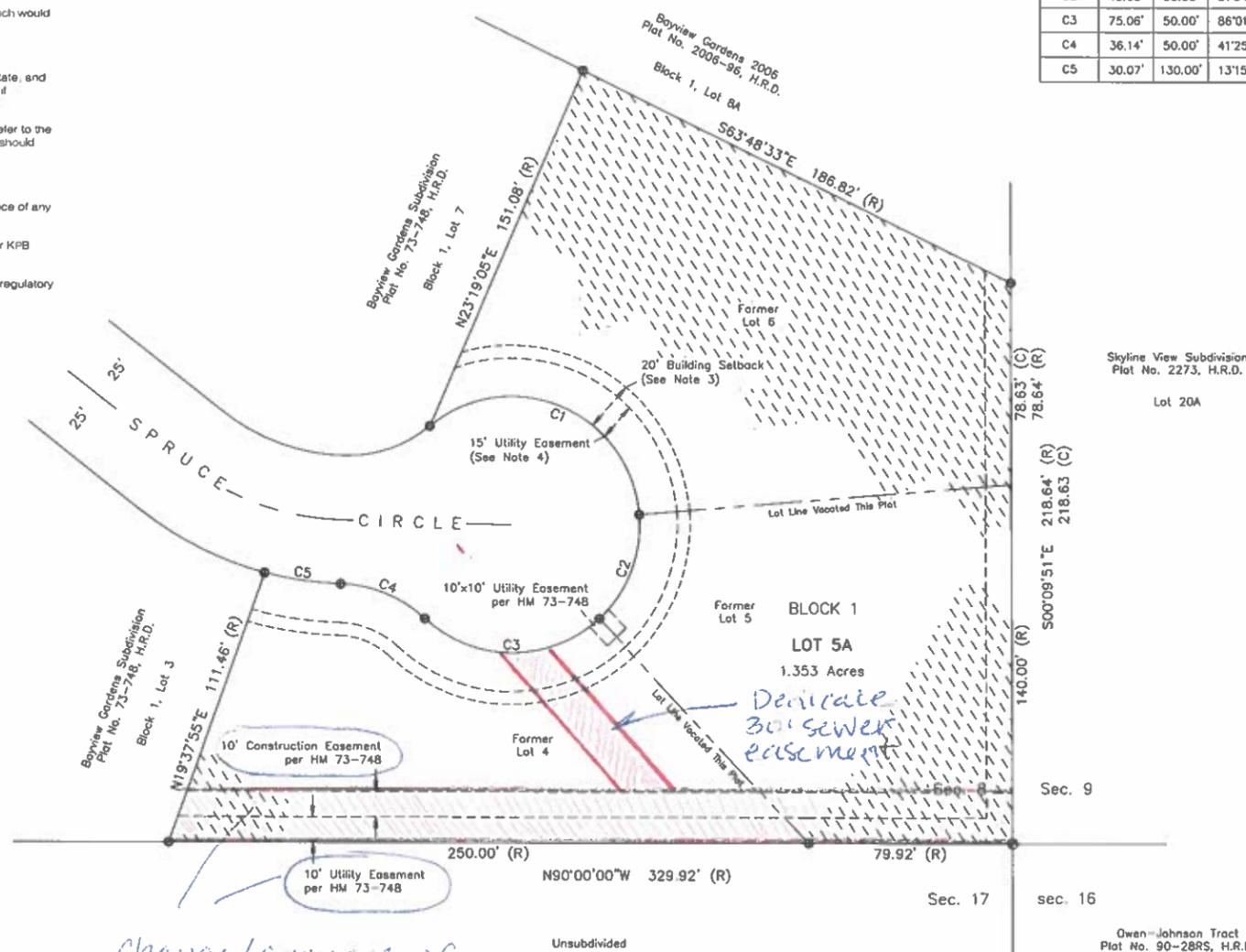
CONTAINING 1.353 ACRES

SURVEYOR	OWNER
MULLIKIN SURVEYS LLC CHRISTOPHER MULLIKIN, PLS P.O. BOX 1023 Homer, AK 99603	DIANE M. BORGMAN P.O. BOX 2922 HOMER, AK 99603
SURVEY DATE:	SCALE: 1" = 30'
PLAT DATE: 12/4/2025	BOOK No.: NA
CHECKED BY: CLM	FILE: Bayview Gardens Vacation.dwg
DRAWN BY: MRS	KPB FILE No.: 2025-###

NOTES

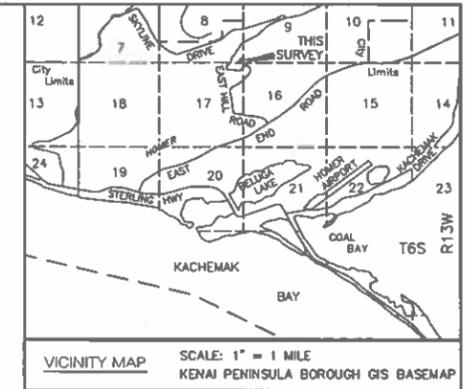
- The purpose of this plat is to create Lot 5A, Block 1, by vacating the lot lines between former Lots 4, 5, and 6, Block 1, Bayview Gardens Subdivision, HM 73-748
- No field survey was conducted as provided in KPB Code 20.60.200(A). All dimensions shown are record per Bayview Gardens Subdivision, HM 73-748
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- Wastewater Disposal: Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

PRELIMINARY PLAT



Change language of easements to include "sewer Easement"

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C1	109.29'	50.00'	125°14'	N67°17'16"W	88.80'
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Diane M. Borgman, Trustee of the Diane Marie Borgman Living Trust
 P.O. Box 2922
 Homer, AK 99603

NOTARY'S ACKNOWLEDGMENT
 For _____
 Acknowledged before me this _____ day of _____, 2025
 Notary Public for Alaska
 My Commission expires _____

VACATION PLAT APPROVAL
 This plat was approved by the Kenai Peninsula Borough in accordance with KPB 20.10.040.
 Kenai Peninsula Borough Authorized Official _____ Date _____



LEGEND

- Record Rebar per HM 73-748
- Record GLO Brass Cap on Iron Post, T6S R13W S8 S9 S16 S17 1917
- (R) Record Measurements Per HM 73-748, Bayview Gardens Subdivision
- (C) Calculated
- Easement Line
- Setback Line
- //// Areas over 20% grade per Kenai Peninsula Borough Terrain Viewer (Five Foot Contours)

Note: Survey does not contain defined wetlands per the Kenai Watershed Forum (KWF)

WASTEWATER DISPOSAL

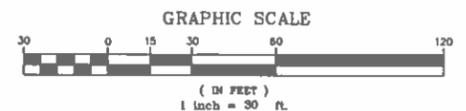
The parent subdivision for lots resulting from this platting action was approved by the Kenai Peninsula Borough on June 18, 1973. Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation

(signature of Engineer) License # _____ Date _____

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Date: _____
 Registration No. 14449-S
 Christopher L. Mullikin,
 Professional Land Surveyor



BAYVIEW GARDENS 2025

A LOT LINE VACATION OF LOTS 4, 5, AND 6, Block 1, BAYVIEW GARDENS SUBDIVISION, PLAT No. 73-748, HOMER RECORDING DISTRICT

LOCATED WITHIN THE SE1/4 SE1/4 OF SECTION 8, TOWNSHIP 6 SOUTH, RANGE 13 WEST, SEWARD MERIDIAN, THIRD JUDICIAL DISTRICT, KENAI PENINSULA BOROUGH, CITY OF HOMER, HOMER RECORDING DISTRICT, ALASKA.

CONTAINING 1.353 ACRES

SURVEYOR	OWNER
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SURVEY DATE:	SCALE: 1" = 30'
PLAT DATE: 12/4/2025	BOOK No.: NA
CHECKED BY: CLM	FILE: Bayview Gardens Vacation.dwg
DRAWN BY: MRS	KPB FILE No.: 2025-###



MULLIKIN SURVEYS LLC

MullikinSurveys.com 907-299-2289

Christopher Mullikin, PLS
P.O. Box 1023, Homer, AK 99603

ABBREVIATED PLAT SUBMITTAL

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

Re: Bayview Gardens 2025

To Whom it May Concern,

This is an abbreviated plat submittal for Diane Borgman, owner of Lots 4, 5, 6, Block 1, Bayview Gardens Subdivision.

Please find included in this packet the items requested by KPB:

- One full sized paper plat
- Abbreviated Plat Submittal Form
- Utility company reviews
- KPB RSA review
- Certificate to Plat
- Lot closures report
- Submittal fee (\$300, check #298)

No exceptions are requested at this time.

Sincerely,

Christopher Mullikin, PLS

RECEIVED
DEC 11 2025
CITY OF HOMER
PLANNING/ZONING

Bayview Gardens Subd, Lots 4, 5, 6, Block 1

4 messages

Christopher Mullikin <mullikinsurveys@gmail.com>

Wed, Nov 12, 2025 at 6:38 PM

To: OSP Engineering <OSPEngineering@acsalaska.com>, "Russell, Andrew" <Andrew.Russell@acsalaska.com>, row@enstarnaturalgas.com, OSPDesign@gci.com, "Huff, Scott" <shuff@homerelectric.com>, bzubeck@homerelectric.com, roads@kpb.us

To Whom it May Concern,

I am submitting an Abbreviated Plat Preliminary Submittal for a lot line vacation plat of Lots 4, 5, 6, Block 1 of Bayview Gardens Subdivision (HM73-748) and request your review per KPB 20.10.040. Please find attached the parent plat, my proposed plat and the Abbreviated Plat Submittal Form.

Thank you,

Christopher Mullikin, PLS



MULLIKIN
SURVEYS LLC

MullikinSurveys.com 907-299-2289

3 attachments

-  **Bayview Gardens Lot 4, 5, 6 Vacation_11-12-2025.pdf**
223K
-  **Bayview Gardens.pdf**
236K
-  **abbreviated prelim scan Borgman.pdf**
292K

Huff, Scott <shuff@homerelectric.com>

Thu, Nov 13, 2025 at 8:45 AM

To: Christopher Mullikin <mullikinsurveys@gmail.com>

Christopher,

No comments or concerns from HEA. The plat review is attached.

Thanks,

SCOTT HUFF

907-335-6209

RECEIVED

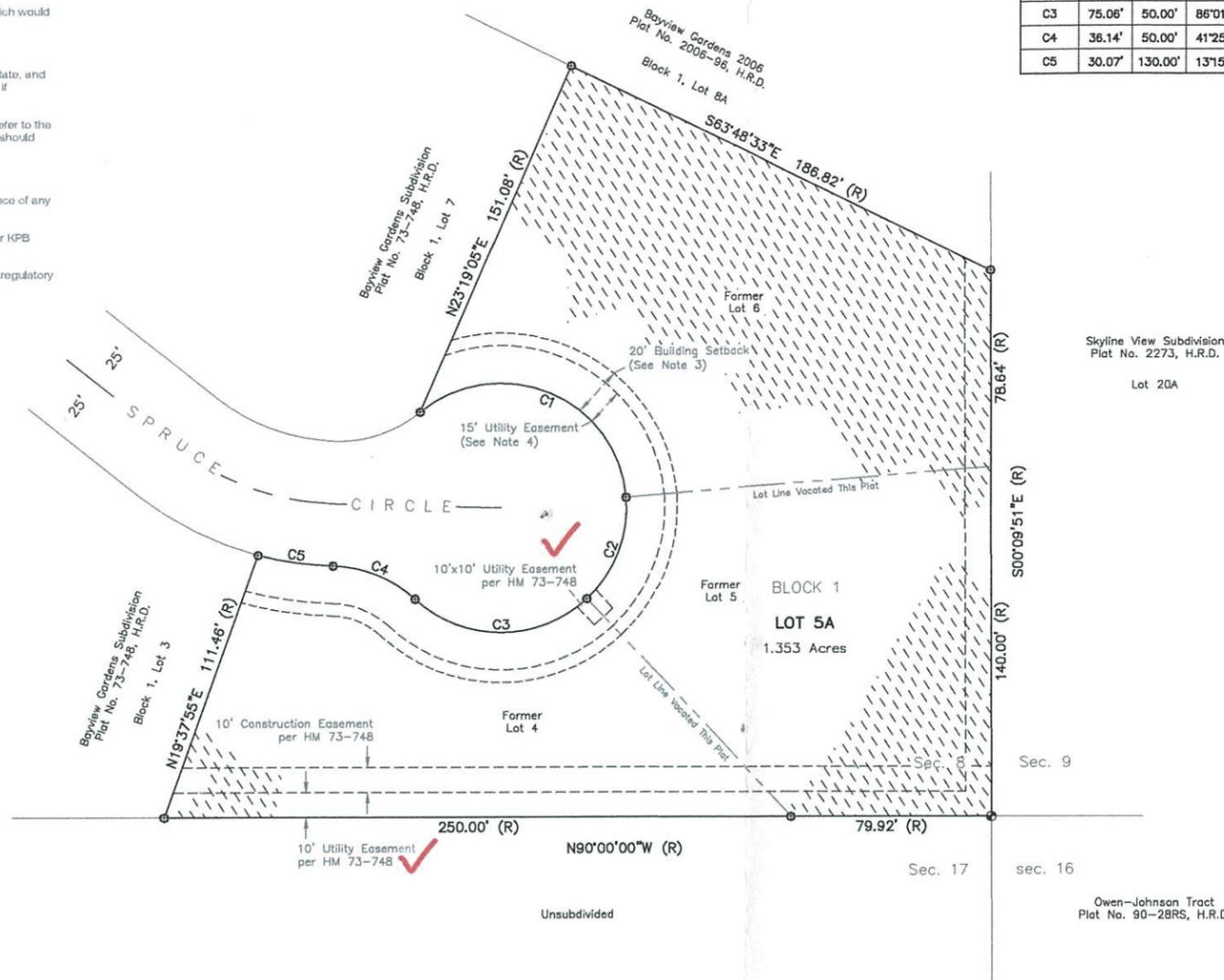
DEC 11 2025

**CITY OF HOMER
PLANNING/ZONING**

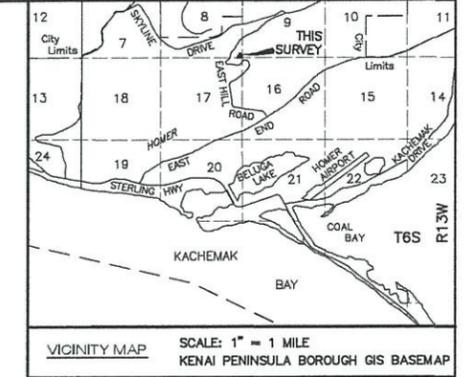
NOTES:

1. The purpose of this plat is to create Lot 5A, Block 1, by vacating the lot lines between former Lots 4, 5, and 6, Block 1, Bayview Gardens Subdivision, HM 73-748.
2. No field survey was conducted as provided in KPB Code 20.60.200(A). All dimensions shown are record per Bayview Gardens Subdivision, HM 73-748.
3. Building Setback - A setback of 20 feet is required from all street rights-of-way unless a lesser standard is approved by resolution of the appropriate planning commission.
4. The front 15 feet of the 20 foot building setback is a utility easement.
5. Utility easements per HM 73-748 are underground utility easements unless otherwise noted.
6. 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.
7. Section line easements were vacated per HM 73-748.
8. Any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetlands determination, if applicable.
9. All lots within this subdivision are subject to the City of Homer zoning regulations. Refer to the Homer City Code for all current setback and site development restrictions. Owners should check with the City of Homer Planning Department Prior to development activities.
10. Lots are served by the City of Homer water and sewer.
11. Acceptance of this plat by the Kenai Peninsula Borough does not indicate acceptance of any encroachments.
12. The Borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.
13. Wastewater Disposal: Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

PRELIMINARY PLAT



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Diane M. Borgman, Trustee of the Diane Marie Borgman Living Trust
P.O. Box 2922
Homer, AK 99603

NOTARY'S ACKNOWLEDGMENT

For: _____

Acknowledged before me this ____ day of _____, 2025.

Notary Public for Alaska
My Commission expires: _____

VACATION PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough in accordance with KPB 20.10.040.

Kenai Peninsula Borough Authorized Official _____ Date _____

HEA REVIEWED, NO COMMENTS

Scott Huff
Scott Huff 11/13/2025
Land Management Officer



BAYVIEW GARDENS 2025

A LOT LINE VACATION OF LOTS 4, 5, AND 6, Block 1, BAYVIEW GARDENS SUBDIVISION, PLAT No. 73-748, HOMER RECORDING DISTRICT

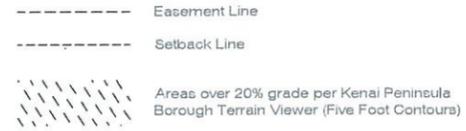
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SURVEYOR	CLIENTS
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SURVEY DATE:	SCALE: 1" = 30'
PLAT DATE: 10/30/2025	BOOK No.: NA
CHECKED BY: CLM	FILE: Bayview Gardens Vacation.dwg
DRAWN BY: MRS	KPB FILE No.: 2025-###

LEGEND

- Record Rebar per HM 73-748
- Record GLO Brass Cap on Iron Post, T6S R13W S8 S9 S16 S17 1917
- (R) Record Measurements Per HM 73-748, Bayview Gardens Subdivision



Note: Survey does not contain defined wetlands per the Kenai Watershed Forum (KWF)

WASTEWATER DISPOSAL

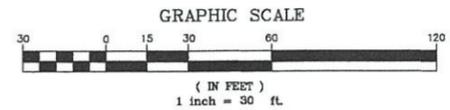
The parent subdivision for lots resulting from this platting action was approved by the Kenai Peninsula Borough on June 18, 1973. Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

(signature of) Engineer _____ License # _____ Date _____

SURVEYORS CERTIFICATE

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, that this plat represents a survey made by me or under my supervision, that the monuments shown hereon actually exist as described, and that all dimensions and other details are correct.

Date: _____
Registration No.: 14449-S
Christopher L. Mullikin,
Professional Land Surveyor



From: Christopher Mullikin <mullikinsurveys@gmail.com>

Sent: Wednesday, November 12, 2025 6:39 PM

To: OSP Engineering <OSPEngineering@acsalaska.com>; Russell, Andrew <Andrew.Russell@acsalaska.com>; row@enstarnaturalgas.com; OSPDesign@gci.com; Huff, Scott <shuff@homerelectric.com>; Zubeck, Brad <bzubeck@homerelectric.com>; roads@kpb.us

Subject: Bayview Gardens Subd, Lots 4, 5, 6, Block 1

Caution: This Email originated from outside HEA. DELETE IT NOW if it's from anyone @ HEA! Only click on links if you expected this message.

[Quoted text hidden]

 **Bayview Gardens Lot 4 5 6 Vacation_11-12-2025 HEA reviewed.pdf**
344K

Russell, Andrew <Andrew.Russell@acsalaska.com>
To: Christopher Mullikin <mullikinsurveys@gmail.com>
Cc: OSP Engineering <OSPEngineering@acsalaska.com>

Fri, Nov 14, 2025 at 3:26 PM

Hi Cristopher,

Alaska Communications has no objections. Please see attached.

Thank you,

Andy Russell

Network Engineer I – OSP

Email: andrew.russell@acsalaska.com

Cell: (907) 217-7477



alaskacommunications.com
Customer Service and Technical
Support: 800-808-8083

From: Christopher Mullikin <mullikinsurveys@gmail.com>

Sent: Wednesday, November 12, 2025 6:39 PM

To: OSP Engineering <OSPEngineering@acsalaska.com>; Russell, Andrew <Andrew.Russell@acsalaska.com>; row@enstarnaturalgas.com; OSPDesign@gci.com; Huff, Scott <shuff@homerelectric.com>;



November 14, 2025

Christopher Mullikin, PLS
Mullikin Surveys LLC
P.O. Box 1023
Homer, AK 99603

SUBJECT: Bayview Gardens Subd, Lots 4, 5, 6, Block 1

Alaska Communications has reviewed the plat listed below and recommends the following:

Bayview Gardens Lot 4, 5, 6 Vacation_11-12-2025
Alaska Communications has no objections.

Sincerely,

Andy Russell

Network Engineer I - OSP
Email: andrew.russell@acsalaska.com
Mobile: (907) 217-7477



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Skylar Furlong <Skylar.Furlong@enstarnaturalgas.com>
to me

This message was sent se

Good morning,

Please see the attached ENSTAR plat signoff.

Regards,

Skylar Furlong
Environmental Permitting & Compliance Specialist
ENSTAR Natural Gas Company, LLC
C (907) 252-1294
O (907) 714-7521
Skylar.Furlong@enstarnaturalgas.com



From: Christopher Mullikin <mullikinsurveys@gmail.com>
Sent: Wednesday, November 12, 2025 6:39 PM
To: OSP Engineering <OSPEngineering@acsalaska.com>; Russell, Andrew <Andrew.Russell@acsalaska.com>; ENSTAR ROW Shared M <bzubeck@homerelectric.com>; roads@kpb.us
Subject: Bayview Gardens Subd, Lots 4, 5, 6, Block 1

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1. This plat is a preliminary plat for a subdivision of land in the Borough of Kenai, Alaska, and is subject to the provisions of the Alaska Uniform Subdivision Act, AS 43.05, and the rules and regulations of the Alaska Department of Natural Resources, Title 17, Chapter 115, and the rules and regulations of the Alaska Department of Environmental Conservation, Title 17, Chapter 115.

2. The subdivision is shown on a map of the Borough of Kenai, Alaska, and is subject to the provisions of the Alaska Uniform Subdivision Act, AS 43.05, and the rules and regulations of the Alaska Department of Natural Resources, Title 17, Chapter 115, and the rules and regulations of the Alaska Department of Environmental Conservation, Title 17, Chapter 115.

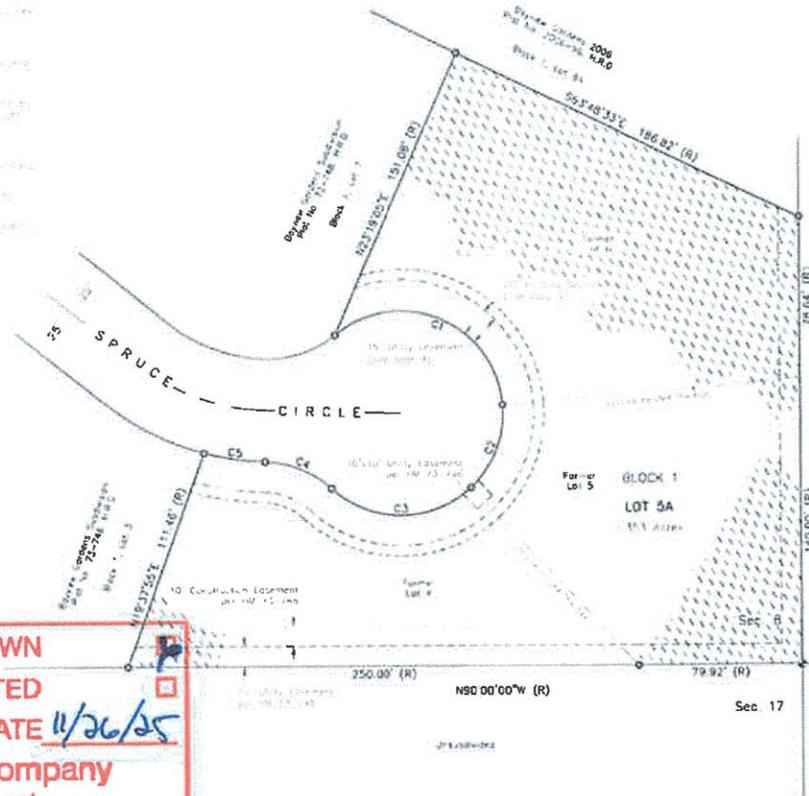
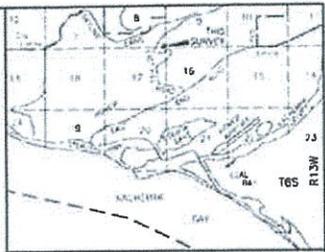
3. The subdivision is shown on a map of the Borough of Kenai, Alaska, and is subject to the provisions of the Alaska Uniform Subdivision Act, AS 43.05, and the rules and regulations of the Alaska Department of Natural Resources, Title 17, Chapter 115, and the rules and regulations of the Alaska Department of Environmental Conservation, Title 17, Chapter 115.

4. The subdivision is shown on a map of the Borough of Kenai, Alaska, and is subject to the provisions of the Alaska Uniform Subdivision Act, AS 43.05, and the rules and regulations of the Alaska Department of Natural Resources, Title 17, Chapter 115, and the rules and regulations of the Alaska Department of Environmental Conservation, Title 17, Chapter 115.

5. The subdivision is shown on a map of the Borough of Kenai, Alaska, and is subject to the provisions of the Alaska Uniform Subdivision Act, AS 43.05, and the rules and regulations of the Alaska Department of Natural Resources, Title 17, Chapter 115, and the rules and regulations of the Alaska Department of Environmental Conservation, Title 17, Chapter 115.

CURVE TABLE - Record per HM 73-748

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	108.28'	50.00'	125.14'	N57° 17' 18"W	88.80'
C2	45.00'	50.00'	91.34'	N21° 08' 58"E	43.50'
C3	75.08'	50.00'	88.01'	N88° 54' 35"E	68.21'
C4	38.14'	50.00'	41.25'	N87° 47' 26"W	35.38'
C5	30.07'	130.00'	131.5'	S91° 52' 20"E	30.00'



PRELIMINARY PLAT

APPROVED AS: **SHOWN**
SIGN: *[Signature]* **CORRECTED**
DATE: 11/26/25
ENSTAR Natural Gas Company
Right of Way Department
907-334-7911

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

Diane M. Borgman, Trustee of the Diane Marie Borgman Living Trust
P.O. Box 8922
Kenai, AK 99503

NOTARY'S ACKNOWLEDGMENT

For _____

Notary Public for Alaska
My Commission expires _____

VACATION PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough in accordance with KPB 22 10 0-10

Kenai Peninsula Borough Authorized Official _____ Date _____



BAYVIEW GARDENS 2025

SURVEYOR		CLIENTS	
MULLIKIN SURVEYS LLC	C-RODOLPH MULLIKIN, PLS	DIANE M. BORGMAN	P.O. BOX 8922
		JOYNER AK 99803	
SURVEY DATE	11/20/25	SCALE	1" = 30'
P AT DAT	11/30/25	BOOK No	NA
C-CHECKED BY	CM	FILE No	2025-000
UTAH BY	MRS	KPB FILE No	2025-000

WASTEWATER DISPOSAL

The parent subdivision for lots resulting from the platting action was sponsored by the Kenai Peninsula Borough on June 18, 1973. Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

SURVEYORS CERTIFICATE

I hereby certify that I am a duly registered and licensed professional surveyor in the State of Alaska and that I have personally surveyed and prepared this plat in accordance with the provisions of the Alaska Uniform Subdivision Act, AS 43.05, and the rules and regulations of the Alaska Department of Natural Resources, Title 17, Chapter 115, and the rules and regulations of the Alaska Department of Environmental Conservation, Title 17, Chapter 115.



FW: <EXTERNAL-SENDER>Bayview Gardens Subd, Lots 4, 5, 6, Block 1

1 message

Uhlin, Dil <duhlin@kpb.us>
To: "mullikinsurveys@gmail.com" <mullikinsurveys@gmail.com>

Fri, Nov 14, 2025 at 9:04 AM

The RSA has no objection at this time.

Dil Uhlin

Roads Director
Roads Service Area
Office: (907) 262-4427



Kenai Peninsula Borough, Poppy Lane
47140 East Poppy Lane, Soldotna, AK 99669
kpb.us

PUBLIC RECORDS LAW DISCLOSURE: This email and responses to this email may be considered a public record under the law.

From: Road Service Area <Roads@kpb.us>
Sent: Thursday, November 13, 2025 7:24 AM
To: Uhlin, Dil <duhlin@kpb.us>
Subject: FW: <EXTERNAL-SENDER>Bayview Gardens Subd, Lots 4, 5, 6, Block 1

From: Christopher Mullikin <mullikinsurveys@gmail.com>
Sent: Wednesday, November 12, 2025 6:39 PM
To: OSP Engineering <OSPEngineering@acsalaska.com>; Russell, Andrew <Andrew.Russell@acsalaska.com>; row@enstarnaturalgas.com; OSPDesign@gci.com; Huff, Scott <shuff@homerelectric.com>; bzubeck@homerelectric.com; Road Service Area <Roads@kpb.us>
Subject: <EXTERNAL-SENDER>Bayview Gardens Subd, Lots 4, 5, 6, Block 1

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Bayview Gardens Lots 4 5 6 Lot line vacation (abbreviated)



Christopher Mullikin <mullikinsurveys@gmail.com>

to OSPDesign

GCI,

This is my second attempt at a response from you.

I am submitting an Abbreviated Plat Preliminary Submittal for a lot line vacation plat of Lots 4, 5, 6, Block 1 of Bayview Gardens Subdivis Abbreviated Plat Submittal Form.

Thank you,

Christopher Mullikin, PLS



MULLIKIN
SURVEYS LLC

MullikinSurveys.com 907-299-2289

3 Attachments • Scanned by Gmail



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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:

Bayview Gardens 2025 Preliminary Plat

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, February 4, 2026 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 January 30, 2026 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.

.....



Legend

Transportation

Mileposts



Parcels and PLSS

Tax Parcels



0 200 400 ft

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

**PLANNING COMMISSION
2026 Calendar**

	AGENDA ITEM DEADLINES	MEETING DATE	COMMISSIONER SCHEDULED TO REPORT	CITY COUNCIL MEETING FOR REPORT*	ANNUAL TOPICS FOR AGENDA AND EVENTS PLANNED
JANUARY	12/17/25 Public Hearing Items 12/19/25 Prelim Plat Submittals 12/26/25 Regular Agenda Items	01/07/26		Monday, 01/12/26 6:00 p.m.	
	12/31/25 Public Hearing Items 01/02/26 Prelim Plat Submittals 01/09/26 Regular Agenda Items	01/21/26		Monday 01/26/26 6:00 p.m.	
FEBRUARY	01/14/26 Public Hearing Items 01/16/26 Prelim Plat Submittals 01/23/26 Regular Agenda Items	02/04/26		Monday 02/9/26 6:00 p.m.	
	01/28/26 Public Hearing Items 01/30/26 Prelim Plat Submittals 02/06/26 Regular Agenda Items	02/18/26		Monday 02/23/26 6:00 p.m.	
MARCH	02/11/26 Public Hearing Items 02/13/26 Prelim Plat Submittals 02/20/26 Regular Agenda Items	03/04/26		Monday 03/09/26 6:00 p.m.	
	02/25/26 Public Hearing Items 02/27/26 Prelim Plat Submittals 03/06/26 Regular Agenda Items	03/18/26		Monday 03/23/26 6:00 p.m.	
APRIL	03/11/26 Public Hearing Items 03/13/26 Prelim Plat Submittals 03/20/26 Regular Agenda Items	04/01/26		Monday 04/13/26 6:00 p.m.	
	03/25/26 Public Hearing Items 03/27/26 Prelim Plat Submittals 04/03/26 Regular Agenda Items	04/15/26		Monday 04/27/26 6:00 p.m.	
MAY	04/15/26 Public Hearing Items 04/17/26 Prelim Plat Submittals 04/24/26 Regular Agenda Items	05/06/26		Monday 05/11/26 6:00 p.m.	
	04/29/26 Public Hearing Items 05/01/26 Prelim Plat Submittals 05/08/26 Regular Agenda Items	05/20/26		Tuesday 05/26/26 6:00 p.m.	
JUNE	05/13/26 Public Hearing Items 05/15/26 Prelim Plat Submittals 05/22/26 Regular Agenda Items	06/03/26		Monday 06/08/26 6:00 p.m.	Reappointment Applications will be sent out by the Clerk.
	05/27/26 Public Hearing Items 05/29/26 Prelim Plat Submittals 06/05/26 Regular Agenda Items	06/17/26		Monday 06/22/26 6:00 p.m.	

JULY	06/24/26 Public Hearing Items 06/26/26 Prelim Plat Submittals 07/02/26 Regular Agenda Items	07/15/26		Monday 07/27/26 6:00 p.m.	
AUGUST	07/15/26 Public Hearing Items 07/17/26 Prelim Plat Submittals 07/24/26 Regular Agenda Items	08/05/26		Monday 08/10/26 6:00 p.m.	<ul style="list-style-type: none"> • Election of Officers • Worksession: Training with City Clerk • Capital Improvement Plan Presentation by Jenny Carroll
	07/29/26 Public Hearing Items 07/31/26 Prelim Plat Submittals 08/07/26 Regular Agenda Items	08/19/26		Monday 08/24/26 6:00 p.m.	
SEPTEMBER	08/12/26 Public Hearing Items 08/14/26 Prelim Plat Submittals 08/21/26 Regular Agenda Items	09/02/26		Monday 09/14/26 6:00 p.m.	
	08/26/26 Public Hearing Items 08/28/26 Prelim Plat Submittals 09/04/26 Regular Agenda Items	09/16/26		Monday 09/28/26 6:00 p.m.	
OCTOBER	09/16/26 Public Hearing Items 09/18/26 Prelim Plat Submittals 09/25/26 Regular Agenda Items	10/07/26		Monday 10/12/26 6:00 p.m.	
	09/30/26 Public Hearing Items 10/02/26 Prelim Plat Submittals 10/09/26 Regular Agenda Items	10/21/26		Monday 10/26/26 6:00 p.m.	Annual Meeting Schedule for 2027
NOVEMBER	10/14/26 Public Hearing Items 10/16/26 Prelim Plat Submittals 10/23/26 Regular Agenda Items	11/04/26		Monday 11/09/26 6:00 p.m.	
DECEMBER	11/10/26 Public Hearing Items 11/13/26 Prelim Plat Submittals 11/20/26 Regular Agenda Items	12/02/26		Tentative: Monday 01/04/27 6:00 p.m.	There are no Council meetings in December.

*The Commission's opportunity to give their report to City Council is scheduled for the Council's regular meeting following the Commission's regular meeting, under Agenda Item 8 – Announcements/ Presentations/ Borough Report/Commission Reports. Reports are the Commission's opportunity to give Council a brief update on their work. Attend via Zoom or in Person. A written report can be submitted if no member is able to attend.

2026 Meeting Dates & Submittal Deadlines

Homer Planning Commission

Meeting dates are bolded and submittal deadlines are underneath

January 7, 2026

December 17 for Public Hearing Items
December 19 for Preliminary Plat Submittal
December 26 for Regular Agenda Items

January 21, 2026

December 31 for Public Hearing Items
January 2 for Preliminary Plat Submittal
January 9 for Regular Agenda Items

February 4, 2026

January 14 for Public Hearing Items
January 16 for Preliminary Plat Submittal
January 23 for Regular Agenda Items

February 18, 2026

January 28 for Public Hearing Items
January 30 for Preliminary Plat Submittal
February 6 for Regular Agenda Items

March 4, 2026

February 11 for Public Hearing Items
February 13 for Preliminary Plat Submittal
February 20 for Regular Agenda Items

March 18, 2026

February 25 for Public Hearing Items
February 27 for Prelim. Plat Submittal
March 6 for Regular Agenda Items

April 1, 2026

March 11 for Public Hearing Items
March 13 for Preliminary Plat Submittal
March 20 for Regular Agenda Items

April 15, 2026

March 25 for Public Hearing Items
March 27 for Preliminary Plat Submittal
April 3 for Regular Agenda Items

May 6, 2026

April 15 for Public Hearing Items
April 17 for Preliminary Plat Submittal
April 24 for Regular Agenda Items

May 20, 2026

April 29 for Public Hearing Items
May 1 for Preliminary Plat Submittal
May 8 for Regular Agenda Items

June 3, 2026

May 13 for Public Hearing Items
May 15 for Preliminary Plat Submittal
May 22 for Regular Agenda Item

June 17, 2026

May 27 for Public Hearing Items
May 29 for Preliminary Plat Submittal
June 5 for Regular Agenda Items

2026 Meeting Dates & Submittal Deadlines

Homer Planning Commission

Meeting dates are bolded and submittal deadlines are underneath

July 15, 2026

June 24 for Public Hearing Items
June 26 for Preliminary Plat Submittal
July 2 for Regular Agenda Items

August 5, 2026

July 15 for Public Hearing Items
July 17 for Preliminary Plat Submittal
July 24 for Regular Agenda Items

August 19, 2026

July 29 for Public Hearing Items
July 31 for Preliminary Plat Submittal
August 7 for Regular Agenda Items

September 2, 2026

August 12 for Public Hearing Items
August 14 for Prelim. Plat Submittal
August 21 for Regular Agenda Items

September 16, 2026

August 26 for Public Hearing Items
August 28 for Preliminary Plat Submittal
September 4 for Regular Agenda Items

October 7, 2026

September 16 for Public Hearing Items
September 18 for Preliminary Plat Submittal
September 25 for Regular Agenda Items

October 21, 2026

September 30 for Public Hearing Items
October 2 for Preliminary Plat Submittal
October 9 for Regular Agenda Items

November 4, 2026

October 14 for Public Hearing Items
October 16 for Preliminary Plat Submittal
October 23 for Regular Agenda Item

December 2, 2026

November 10 for Public Hearing Items
November 13 for Preliminary Plat Submittal
November 20 for Regular Agenda Item

From: [Frank Griswold](#)
To: [Ryan Foster](#)
Cc: [Department Planning](#); [Department Clerk](#)
Subject: Nonconforming uses and structures.
Date: Sunday, December 21, 2025 3:08:58 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Mr. Foster,

HCC 21.61.050(a) states: "It is the responsibility of the owner to produce evidence proving the existence and continuous use of every lawful nonconforming use and structure."

HCC 21.61.050(b) states: "Proof of the following nonconforming uses and structures shall be submitted to the City Planner:

1. Uses and structures that existed lawfully before annexation to the City on or after March 20, 2002, and that are nonconforming as a result of the annexation;
2. Structures that existed lawfully before inclusion within the Bridge Creek Watershed Protection District and that are nonconforming as a result of the inclusion;
3. Structures that existed lawfully on or before September 27, 1982; and
4. Structures that existed lawfully before an amendment to this title or an amendment to the zoning map, and that are nonconforming as a result of the amendment."

HCC 21.61.050(c) states: "Proof of all other nonconforming uses and structures shall be submitted to the City Planner for presentation to the Planning Commission at a public hearing."

HCC 21.61.050(d) states: "Upon presentation of such proof, the reviewing authority finds to be a nonconforming use or structure under HCC [21.61.010](#). For each use or

structure that the reviewing authority finds to be a nonconforming use or structure under HCC [21.61.010](#), the reviewing authority shall adopt a written decision that includes a complete description of the nonconforming use or structure."

HCC 21.61.050(e) states: "No zoning permit may be issued under Chapter [21.70](#) HCC for any activity on a lot prior to a determination under this section approving of all nonconforming uses and structures existing on the lot."

HCC 21.70.010 (b) states: "The zoning permit required by this section shall be obtained prior to the commencement of any activity for which the permit is required. Failure to do so is a violation."

HCC 21.70.030(c) states: "In granting a zoning permit, no City official or employee has authority to grant a waiver, variance, or deviation from the requirements of the zoning code and other applicable laws and regulations, unless such authority is expressly contained therein. Any zoning permit that attempts to do so may be revoked by the City Manager as void. The applicant, owner, lessee, and occupant of the lot bear continuing responsibility for compliance with the zoning code and all other applicable laws and regulations."

The Application for CUP 23-01, which ultimately resulted in the authorization for an additional structure at 106 W Bunnell Avenue, expressly indicated that nonconforming structures or uses existed on the subject lot.

1. Was *proof* of nonconforming uses and/or structures at 106 W Bunnell submitted to either the City Planner or Planning Commission?
2. Was a determination made under section 21.61.050 approving all nonconforming uses and structures existing at 106 W Bunnell Avenue?
3. If so, who made this determination, when was it made, under what provision(s) of HCC 21.61.050 was it made, and did the reviewing authority adopt a written decision that includes a complete description of the nonconforming uses or

structures?

4. Was a zoning permit under Chapter 21.70 issued authorizing construction of the new structure at 106 W Bunnell and if so, what is its identification number, who issued it, when was it issued, and was it issued prior to the commencement of any activity for which the permit was required?

5. If no legitimate determination was made regarding existing nonconforming uses and/or structures at 106 W Bunnell Avenue, is any zoning permit that authorized the construction of that new structure valid?

6. Why wasn't formal acceptance of all nonconforming uses/structures required prior to the Planning Commission's consideration and approval of CUP 23-01?

7. Why does the City Manager have the discretion to *not* invalidate a zoning permit that violates the requirements of the zoning code and/or other applicable laws and regulations?

Please forward this correspondence along with your responses to the Planning Commission. The Commission should recommend that the City Council amend HCC 21.70.030(c) to make all illegally issued zoning permits and building permits invalid.

Frank Griswold