



## **Homer City Hall**

491 E. Pioneer Avenue

Homer, Alaska 99603

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

# **City of Homer Agenda**

## **Planning Commission Regular Meeting**

**Wednesday, July 15, 2020 at 6:30 PM**

**City Hall Cowles Council Chambers via Zoom**

**Webinar ID: 955 9138 2352 Password: 976062**

**Dial 1 669 900 6833 or +1 253 215 8782 or Toll Free 877 853 5247 or 888 788 0099**

### **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**

- A. Memorandum PL 20-07, Reconsideration of motion to forward a draft ordinance creating the Medical Zoning District to City Council. IF VOTED TO RECONSIDER, DISCUSSION WILL TAKE PLACE UNDER "NEW BUSINESS" ON THIS AGENDA. **p. 3**

**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. Minutes of the June 17, 2020 Planning Commission Regular Meeting **p. 5**

### **PRESENTATIONS / VISITORS**

### **REPORTS**

- A. Staff Report 20-42, City Planner's Report **p. 15**

### **PUBLIC HEARINGS**

- A. Staff Report 20-43, An Ordinance amending the Homer City Zoning Map to rezone 4061 Pennock Street from Urban Residential Zoning District to Residential Office Zoning District **p. 19**
- B. Staff Report, 20-44, Conditional Use Permit 20-09 to use an existing building for the production of wines and meads at 3657 & 3637 Main Street **p. 37**

- C. Staff Report 20-45, Conditional Use Permit 20-10 to build four single family dwellings at 750 Nedosik Road **p. 57**

## **PLAT CONSIDERATION**

- A. Staff Report 20-46, Newton Subdivision 2020 Replat Preliminary Plat **p. 81**
- B. Staff Report 20-47, REVISED Jack Gist Subdivision No. 3 Preliminary Plat **p. 93**
- C. Staff Report 20-48, Foothills Subdivision Sunset View Estates 2020 Addition Preliminary Plat **p. 113**

## **PENDING BUSINESS**

## **NEW BUSINESS**

- A. (if reconsidered) Memorandum PL 20-07, Reconsideration of motion to forward a draft ordinance creating the Medical Zoning District to City Council.

## **INFORMATIONAL MATERIALS**

- A. Appointments to the Planning Commission **p. 133**
- B. City Manager's Reports for the June 22 & July 1 City Council Meetings **p. 139**
- C. Kenai Peninsula Borough Notice of Decision - Nedosik 1998 Tract C Jack Hamilton Replat No. 2 Preliminary Plat **p. 235**
- D. U.S. Army Corps of Engineers Public Notice for City Seawall Project **p. 237**

**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**

## **ADJOURNMENT**

Next Regular Meeting is Wednesday, August 5, 2020 at 6:30 p.m. All meetings scheduled to be held virtually by Zoom from the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska. Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission



**City of Homer**

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**Planning**

491 East Pioneer Avenue  
Homer, Alaska 99603

[Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)

(p) 907-235-3106

(f) 907-235-3118

## **Memorandum PL 20-07**

TO: Homer Planning Commission

FROM: Julie Engebretsen, Acting City Planner

DATE: 7/15/20

SUBJECT: Reconsideration of motion to forward a draft ordinance creating the Medical Zoning District to City Council.

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On June 18<sup>th</sup>, Commissioner Highland notified the City Clerk's Office of her reconsideration of a motion to forward a draft ordinance creating the Medical Zoning District to City Council.

Process: A commissioner will move to reconsider, followed by a second. The maker of the motion and then the second, will list their reasons as to why the Commission should revisit the ordinance. Then the Commission will briefly discuss if they should revisit their previous action. (Recall under Robert's Rules, a commissioner typically may speak twice on the issue, and then the item is voted on. This is not a casual work session discussion). A vote will be held. If the motion fails, the action stands and there is no further discussion of the ordinance at the Commission.

If the Commission votes to reconsider the motion, the ordinance will be placed on the agenda under New Business. This allows the Commission to restart working on the ordinance.





Session 20-08, a Regular Meeting of the Planning Commission was called to order by Chair Venuti at 6:33 p.m. on June 17, 2020 at Cowles Council Chambers in City Hall located at 491 E. Pioneer Avenue, Homer, Alaska via Zoom Webinar.

PRESENT: COMMISSIONERS HIGHLAND, PETSKA-RUBALCAVA BOS, SMITH, DAVIS AND VENUTI AND BENTZ

STAFF: DEPUTY CITY PLANNER ENGBRETSSEN  
DEPUTY CITY CLERK KRAUSE

### **APPROVAL OF THE AGENDA**

Chair Venuti requested a motion to approve the agenda.

HIGHLAND/BOS – SO MOVED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

### **PUBLIC COMMENT ON ITEMS ALREADY ON THE AGENDA**

### **RECONSIDERATION**

### **ADOPTION OF CONSENT AGENDA**

A. Minutes of the June 3, 2020 Planning Commission Regular Meeting

Chair Venuti requested a motion to approve the Consent Agenda.

HIGHLAND/BOS – SO MOVED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

### **VISITORS/PRESENTATIONS**

### **REPORTS**

A. Staff Report 20-37, City Planner's Report

Deputy City Planner Engebretsen provided brief updates on the status of the planning staff work schedules including City Planner Abboud taking on the role of Acting City Manager until one is hired; COVID 19 department brief update.

**PUBLIC HEARING(S)**

- A. Staff Report 20-38, Proposed Ordinance to create the Medical Zoning District by rezoning a portion of the Residential Office Zoning District and adding the Medical Zoning District to HCC 21.58.030 permission for communications towers and HCC 21.60.060 signs on private property

Chair Venuti introduced the item by reading of the title into the record.

Deputy City Planner Engebretsen provided a summary review of Staff Report 20-38 for the Commission.

Deputy City Clerk Krause clarified the process for the public testimony submitted in the Supplemental Packet.

Chair Venuti opened the Public Hearing. He inquired if there were any members of the Public who signed up to testify.

Deputy City Clerk Krause noted that there were no requests to provide testimony. She provided some clarification for the Commission on the public presence at the meeting.

Chair Venuti closed the Public Hearing and opened the floor to questions of the Commission.

Commissioner Highland requested clarification on the single letter “m” on line 38.

Deputy City Planner Engebretsen responded that it is but will double check and if not the City Clerk will be able to make that typographical error correction.

There was a brief inquiry on discussing the public comments received regarding helipads in a Medical District and transition in building height.

BENTZ/BOS MOVED TO ADOPT STAFF REPORT 20-38 AND FORWARD A RECOMMENDATION TO CITY COUNCIL TO ADOPT THE PROPOSED ORDINANCE TO CREATE A MEDICAL ZONING DISTRICT BY REZONING A PORTION OF THE RESIDENTIAL OFFICE DISTRICT AND FURTHER AMENDING HOMER CITY CODE 21.58.030 PERMISSION FOR COMMUNICATION TOWERS AND HOMER CITY CODE 21.60.060 SIGNS ON PRIVATE PROPERTY BY ADDING MEDICAL ZONING DISTRICT

A discussion ensued on the public comments received on building height, transition, view shed impediments and display of the flag, non-residential uses preferred over residential, setbacks

increased for taller buildings would cover the concerns for transitions, clarification on non-residential being preferred over residential or vice versa.

Deputy City Planner Engebretsen provided clarification outlined in Homer City Code conditional use process with provisions of one property not negatively impacting another and provided examples from Anchorage where a 4 story newer building is next to a 1950's residence. She further noted that it is quite common to have this scenario in transitional districts.

Continued discussion on the number of feet for setback for a 65 foot tall building and why it was not included specifically in the Ordinance; noting that there is no zoning requirement currently and it would be site specific, this could possibly come up in the conditional use permit process. It was determined that if the Commission wants to implement increased setbacks for taller buildings that is something that needs to be addressed.

Commissioner Davis encountered technical difficulties and could not participate in the discussion. A brief recess was called at 7:05 p.m. while staff determined what the problem was and offered assistance to Commissioner Davis. The issue was resolved at 7:18 p.m. and the meeting called back to order.

Commissioner Davis commented that while missing the meeting when the discussion was held by the Commission, he opined that a resident should be able to have the option to stop a project if it blocks their view shed of an existing residence.

Commissioners Highland, Smith, Bentz provided some background on the previous discussion on building height.

Chair Venuti inquired if the Commission would like to make an amendment.

Deputy City Planner Engebretsen reminded the Commission on the minutes reflecting the actions of the commission and that motions should be made to reflect changes.

Chair Venuti requested the Clerk to read the motion on the floor.

Deputy City Clerk Krause read the motion on the floor.

Commissioner Bentz reiterated where they stand and then queried staff on the location within the ordinance on placement to add an additional setback requirement for taller buildings and what would be the distance would be appropriate.

A discussion ensued on addressing that specifically in the city code at a separate meeting. Points of discussion included the existing setbacks, increasing the setbacks should specifically focus on taller buildings; this is outside the code for Homer and really applies towards building

codes; this would apply to high rise buildings; a 65 foot building could be considered a high rise dependent on an individual viewpoint compared to a establish standard or policy.

Deputy City Planner Engebretsen recommended that the Commission make a motion on amending the setback.

Chair Venuti requested the Clerk to call the vote hearing no motion for amending the setback from the Commission after several separate requests.

VOTE. YES. BENTZ, SMITH, BOS, PETSKA-RUBALCAVA, HIGHLAND

VOTE. NO. DAVIS

Motion carried.

- B. Staff Report 20-40, Proposed Ordinance amending HCC 21.05.030 to exclude elevator shafts when measuring the height of a building

Chair Venuti introduced the item by reading of the title into the record.

Deputy City Planner Engebretsen provided a summary of Staff Report 20-40 for the Commission.

Chair Venuti opened the Public Hearing and confirming with the Clerk that there were no members of the public attending to provide testimony, he closed the public hearing and opened the floor to questions or comments of the Commission.

BENTZ/SMITH MOVED TO ADOPT STAFF REPORT 20-40 AND RECOMMEND CITY COUNCIL ADOPT THE ORDINANCE TO AMEND CITY CODE 21.05.030 TO EXCLUDE ELEVATOR SHAFTS WHEN MEASURING THE HEIGHT OF A BUILDING.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

### **PLAT CONSIDERATION**

- A. Staff Report 20-41, Jack Gist Subdivision No. 3 Preliminary Plat

Chair Venuti introduced the item by reading of the title into the record. He then requested if there were any Commissioners who would like to declare a conflict.

Commissioner Petska-Rubalcava declared a conflict stating she has performed work for the owner and contractor and has an ongoing business concern.

SMITH/HIGHLAND MOVED THAT COMISSIONER PETSKA-RUBALCAVA HAS A CONFLICT OF INTEREST.

There was a brief discussion.

VOTE. YES. BENTZ, DAVIS, BOS, SMITH, VENUTI, HIGHLAND.

Motion carried.

Commissioner Petska-Rubalcava muted her mic and left the room.

Commissioner Highland announced that as President of the Kachemak Bay Equestrian Association which was noticed in the 300 foot surrounding area.

SMITH/BOS – MOVED THAT COMMISSIONER HIGHLAND HAD A CONFLICT OF INTEREST.

Commissioner Highland provided additional information that typically when a person is a Boardmember and has decision making authority that is a conflict.

VOTE. YES. BENTZ, BOS, SMITH, VENUTI, DAVIS

Motion carried.

Chair Venuti declared that he may have a conflict as he does business with parties involved on a regular basis.

SMITH/BOS MOVED THAT COMMISSIONER VENUTI HAS A CONFLICT.

Chair Venuti explained that he frequently does work for the property owner and confirmed that it is inspection related only.

VOTE. NO. BENTZ, DAVIS, BOS, SMITH.

Motion failed.

Deputy City Planner Engebretsen provided a summary of Staff Report 20-41 for the Commission.

There was no applicant present.

Chair Venuti opened public comment and confirmed with the Clerk that there was no public signed up or wanting to comment and closed the Public Comment period. He then opened the floor to questions or comments from the Commission.

Discussion points covered the following:

- routing of proposed streets
- ingress and egress from the proposed subdivision
- input from the Public Works department
- changing North Court to a thru street to Jack Gist Lane to relieve traffic pressure on Early Spring Street and Shannon Lane

BENTZ/SMITH - MOVED TO ADOPT STAFF REPORT 20-41 AND RECOMMEND APPROVAL OF THE PRELIMINARY PLAT WITH COMMENTS 1-6

BENTZ/SMITH - MOVED TO AMEND THE MOTION TO ADD A COMMENT THAT NORTH COURT IS A THROUGH STREET TO JACK GIST LANE

Discussion ensued on making North Court a through street would provide a pedestrian access to the park; increased traffic on North Court by offering exit from the park; the proposed 30 foot pedestrian trail easement; change direction of North Court for the cul de sac to end at Early Spring Street.

VOTE. (Amendment) YES. VENUTI. DAVIS. BENTZ.  
NO. BOS. SMITH.

Motion failed.

Further discussion on the proposed change to the design in reconfiguring North Court, the effect of the change on the parcels.

Chair Venuti requested the Clerk to read the motion on the floor.

Commissioner Bentz inquired if the Commission passes the plat as amended what recourse does the Developer have.

Deputy City Planner Engebretsen provided clarification on the action before the Commission is to approve a subdivision of up to 40 lots, and that a road will not be a through street. Currently it has been expressed by the surveyor that this is the best option. However, there is some flexibility with the developer. If this is approved by the Commission tonight then the road will not be able to go through but if you postpone the action then Staff can go back to the developer/surveyor.

The Commission acknowledged the written comments received and appreciated the input from Staff and wanted to get feedback from the developer on the flipping of North Court.

Further points on the lack of the applicant not being present in order to answer the questions was important.

Chair Venuti requested a motion to postpone.

BENTZ/BOS MOVED TO POSTPONE ACTION ON PRELIMINARY PLAT TO THE NEXT MEETING TO RECEIVE INPUT FROM THE APPLICANT AND PUBLIC WORKS.

There was a brief recap of the request for redesign of North Court and input from Public Works.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Commissioner Highland and Petska-Rubalcava returned to the meeting.

## **PENDING BUSINESS**

## **NEW BUSINESS**

## **INFORMATIONAL MATERIALS**

A. City Manager Reports for the June 8, 2020 City Council Meeting

## **COMMENTS OF THE AUDIENCE**

Lane Chesley, city resident, commented struggling to learn to attend and comment via Zoom. This was a first for him. He requested the Commission consider working more on the Medical District as it would appear that Council will be extending the moratorium providing them that allowance. He noted that there were some very good points brought forward tonight and suggested one of the Commissioners who voted in favor of sending it to City Council to ask for a reconsideration. He provided comment on the “conflicts being resolved in favor of the commercial over residential” and noted the appeal brought forward by Rob Lund, impacts of traffic moving eastward along Bayview, Cityview and Danview. Mr. Chesley commented that the discussion of the building height was informative and wondering if they could not limit the height of a building but establish a variable height that could be considered during the Conditional Use Permit process. He provided an example that was provided at a previous meeting of a 3 story parking garage with three floors of medical offices on top that would be in excess of 65 feet limit, which he opined to be arbitrary since there are no developments before the Commission. He further commented that he could not see the basis for the inclusion of Multi-family projects since the district will be mostly commercial. He recommended that the

Commission have staff bring back additional analysis on building height and keep it on their plate. He added further comments on the taller buildings be restricted to the area immediately surrounding the hospital as Viewshed is an important asset in Homer.

### **COMMENTS OF THE STAFF**

Deputy City Clerk Krause commented that it was good meeting appreciate the patience of the Commissioners through all the technical issues.

Deputy City Planner Engebretsen thanked Commissioner Bos for over 10 years of service, it has been a pleasure.

### **COMMENTS OF THE COMMISSION**

Commissioner Bentz echoed the sentiments expressed on Commissioner Bos' tenure and that it will be hard to imagine a meeting without him present. She appreciated his efforts to following procedures even in a virtual world. She informed the Commission that the Kenai Peninsula Borough Assembly passed an ordinance establish resilience and Security Commission and will be recruiting representatives.

Commissioner Davis stated that it was a good meeting and just recently found that he is Commissioner Bos' neighbor on Main Street. He stated it was good working with Commissioner Bos while it lasted.

Commissioner Petska-Rubalcava commented that it was nice meeting and working with Commissioner Bos and will miss his chocolate stealing. She questioned if they knew when they would stop meeting virtually, if there was an end date that was being worked towards.

Deputy City Clerk Krause responded that currently the meetings are slated to be held virtually through August.

Commissioner Highland commented that Mr. Chesley provided some interesting comments. She thanked Commissioner Bos for his valuable input and wished him well, noting that she was now the oldest Commissioner seated. Wished everyone a Happy 4<sup>th</sup> of July.

Commissioner Smith wished Commissioner Bos well and that he appreciated his words of wisdom and it was great working with him on the Commission. He wanted to thank him for postponing the decision tonight and that it was a prudent decision.

Commissioner Bos thanked everyone for the sentiments, he reminded the Commission that they have discussed the Medical District in 7 or 8 meeting, several worksessions and public hearings allowing the public many opportunities to provide comment. He opined that the Public should have some responsibility to pay attention to matters of importance to them. He



encouraged the other Commissioners that they are doing a fine job and to remember to consider the community as a whole when making their decisions. He looks forward to seeing them out in the town and expressed his desire for Commissioner Davis to hurry and open his new business.

Chair Venuti expressed his gratitude for Commissioner Bos' service on the Commission, he appreciated his opinion and stated now he should go into politics. He noted that now they needed to find a replacement and charged each of the Commissioners to search out some smart people. He thanked the Planner and the Clerk for their assistance.

**ADJOURN**

There being no further business to come before the Commission, the meeting adjourned at 8:35 p.m. The next Regular Meeting is scheduled for Wednesday, July 15, 2020 at 6:30 p.m. All meetings are scheduled to be held virtually by Zoom Webinar from the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska

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RENEE KRAUSE, MMC, DEPUTY CITY CLERK

Approved: \_\_\_\_\_





## City of Homer

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### Planning

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(p) 907-235-3106

(f) 907-235-3118

TO: Homer Planning Commission  
FROM: Julie Engebretsen, Acting City Planner  
DATE: July 15, 2020  
SUBJECT: Staff Report 20-42 City Planner's Report

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#### Landslide hazard update:

Rick and I had a meeting with the landslide hazard and bluff stability project managers. The landslide hazard project is still in progress but hopefully by early fall we will have some deliverables. For the beach bluff project, they will be able to provide us with some technical assistance to make our zoning code better in relation to coastal bluff steep slope regulations. The beach bluff project is probably a year from completion.

#### City Council

6.22.20

Live on the City website: Small Business Economic Relief Grant (SBERG) Program. This is CARES Act funding for COVID impact relief.

Woodard Creek – funding is in the works to ‘daylight’ Woodard creek where it passes under Fairview Ave. The exiting culvert is greatly damaged. Council looked at slip-lining the culvert, or installing a more bridge like structure such as the crossing at Spruceview. Public Works is still making a cost estimate, but it looks like a bridge will happen. Also, within Karen Hornaday Park, there was a small landslide or slope failure at the eastern side of the parking lot. You might take a look. See photos below.

PC appointments - welcome back Kalie and welcome Charles!

Council has numerous planning related activities on their agenda:

1. Ordinance 20-28, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.60.060(c) Signs on Private Property, Tables 1, 2, and 3. Planning Commission. Recommended dates: Introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020.
2. Ordinance 20-29 An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 21.46 Small Boat Harbor Overlay Zoning District, Section 21.46.060 Architectural Standards, to Remove the Requirement for Gabled Roofs. Planning

Commission. Recommended dates: introduction June 22, 2020. Public Hearing and Second reading July 27, 2020

3. Ordinance 20-31, An Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating Budget and Authorizing Expenditure of \$90,000 from the HARTRoads Fund to update the City's 1979 Drainage Management Plan. City Manager/Public Works Director. Recommended dates: Introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020.
4. Ordinance 20-32, An Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating Budget and Authorizing Expenditure of \$98,000 from the HARTRoads Fund for the Planning, Design and Permitting of the Main Street Storm Drain and Sidewalk Project. City Manager/Public Works Director. Recommended dates: introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020
5. Ordinance 20-33, An Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating Budget and Authorizing of \$175,000 from the HART-Roads Fund for the Small Works Road Repair Program and calling for the development of a Roads Financial Plan. City Manager/Public Works Director. Recommended dates: Introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020.
6. Ordinance 20-34, An Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating Budget and Authorizing Expenditure of \$110,000 from the HARTRoads Fund for Small Works Drainage Improvement Program. City Manager/Public Works Director. Recommended dates: Introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020.
7. Ordinance 20-36, an Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating Budget and Authorizing Expenditure of \$36,000 from the HART Trails Fund for the Small Works Trails Maintenance Program and calling for the development of a Trails Program, to include a Trails Financial Plan. City Manager/Public Works Director. Recommended dates: Introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020.
8. Resolution 20-059, A Resolution of the City Council of Homer, Alaska, Approving and Accepting a Donation of Real Property Described as T6S R13W SEC 19 Seward Meridian HM2007031 Foothills Sub, Sunset View Estates S Addn, No 2 Phase 1 Lot 2, Block 2 from Sunset View Estates, LLC for Continued Use as a Storm Water Retention Area. City Manager.

9. Ordinance 20-37, an Ordinance of the City Council of Homer, Alaska Extending the Moratorium on Applications for Professional Offices and Medical Clinics in the Residential Office District and Directing the Planning Commission to Make a Recommendation to the City Council for the Creation of a Medical District in the Vicinity of the South Peninsula Hospital that was established in Ordinance 19-49(S)(A) to September 15, 2020. Smith. Recommended dates: Introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020.

### Litigation

No new information

### Planning Office

- Rick continues in his role as Acting City Manager. The CM job has been offered to Rob Dumouchel, who currently works in Eureka, CA. Negotiations are underway.
- It's unusually busy for this time of year. April and May are typically our busiest months, but development projects were slowed during the COVID shut down. June and early July have been gangbusters this year as people are back to buying land, planning new homes, and several large subdivisions are underway.
- There is some sign code enforcement work to do, which we are balancing with office duties.
- PIONEER HAS NEW PAVEMENT

### Work list

- Green Infrastructure – City Engineer Meyer at a fall work session for update on city GI project. There is also an ordinance to fund an update to the existing drainage plan.
- Medical district –possible reconsideration, otherwise forwarded to Council for introduction at July 27th meeting
- Transportation plan – Memo to council
- Signs – to City Council, action at July 27<sup>th</sup> meeting
- Tree preservation – researching for a future worksession
- Community Design Manual – This is another subject that we may start preparing for a future meeting.

### City Council report sign up

7.27.20 \_\_\_\_\_

8.10.20 \_\_\_\_\_



Hornaday Park slope failure





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## Planning

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(f) 907-235-3118

### STAFF REPORT PL 20-43

**TO:** Homer Planning Commission  
**FROM:** Julie Engebretsen, Acting City Planner  
**MEETING:** July 15, 2020  
**SUBJECT:** Draft Ordinance amending Zoning Map

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

### GENERAL INFORMATION

The applicant requests a change in zoning from Urban Residential, to Residential Office.

Applicant: Jason Weisser  
PO Box 2913  
Homer, AK 99603  
Location: 4061 Pennock St  
Legal Description: AA Mattox Sub 1985 Addn Lot 2 Lot 28  
Parcel ID: 177030281  
Size of Existing Lot: 1 acre  
Zoning Designation: Urban Residential District  
Existing Land Use: Vacant  
Surrounding Land Use: North: Flex high school, vacant land, Law office  
South: Residential  
East: Residential  
West: Multifamily/Conifer Woods

Comprehensive Plan: Goal 1 Objective D Implementation Item 3: "Support planning and zoning regulations that promote land use strategies that include compact, mixed-use development, higher density development, and infill."

Wetland Status: Very small area of wetlands possibly on the southeast corner of the lot.  
Flood Plain Status: Zone D, Flood Hazards Undetermined  
Utilities: Public utilities service the site.  
Public Notice: Notice was sent to 30 property owners of 30 parcels as shown on the KPB tax assessor rolls.

## **GENERAL INFORMATION**

This ordinance proposes a zoning map amendment to move the Residential Office District Boundary south to encompass the subject lot. The applicant has plans to subdivide the property and develop homes with commercial space that does not meet the definition of the home occupation code. HCC 21.51.010(d) states “A home occupation shall be carried on only by the full-time occupants of the dwelling unit.” This limitation does not allow for employees who are not also residents of the home. The applicant has found there is demand for live/work housing that would allow for employees, or the potential to hire additional help with the successful growth of the business.

### **HCC 21.95.060 Review by Planning Commission**

- a. The Planning Commission shall review each proposal to amend this title or to amend the official zoning map before it is submitted to the City Council.
- b. Within 30 days after determining that an amendment proposal is complete and complies with the requirements of this chapter, the Planning Department shall present the amendment to the Planning Commission with the Planning Department’s comments and recommendations, accompanied by proposed findings consistent with those comments and recommendations.
- c. The Planning Department shall schedule one or more public hearings before the Planning Commission on an amendment proposal, and provide public notice of each hearing in accordance with Chapter 21.94 HCC.
- d. After receiving public testimony on an amendment proposal and completing its review, the Planning Commission shall submit to the City Council its written recommendations regarding the amendment proposal along with the Planning Department’s report on the proposal, all written comments on the proposal, and an excerpt from its minutes showing its consideration of the proposal and all public testimony on the proposal.

### 21.95.050 Planning Department review of zoning map amendment.

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

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

Analysis: The Comprehensive Plan states (Goal 1 Objective D Implementation Item 3): “Support planning and zoning regulations that promote land use strategies that include compact, mixed-use development, higher density development, and infill.” The proposed rezone is contiguous to the



Residential Office District along East End Road, and complies with the general land use pattern set out in the Comprehensive Plan Land Use Recommendations Map. The applicant has stated there is a need for more small lots that allows for a small office/clerical building and/or in-home business. The Residential Office district allows for greater mixed use opportunities.

**Staff Finding:** The zoning change is consistent with the Comprehensive Plan and will support higher density mixed use infill development.

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

**Analysis:** Conditions have changed since the original adoption of the zoning district boundaries. Since the creation of the Residential Office District along East End Road in 1986, there has been at least one amendment enlarging the district boundaries as the demand for residential office property has grown. Small businesses that do not need a prominent location within the Central Business District can find it a challenge to buy developable land within the RO district.

**Staff Finding:** The amendment would apply a zoning district that is better suited to the area because conditions have changed since the creation of the Residential Office Zoning District boundaries.

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

**Analysis:** City water and sewer are available and Pennock Street is a city maintained road. Full police and fire services are available. Public services and facilities are adequate to serve increased intensity land use. Very little of the land is wetlands. Development of this property would increase infill within the community, and create more opportunities for buildings that could include live/work arrangements that are not allowed in the Urban Residential District. Homer is currently seeing several large residential housing subdivisions under development, but has less opportunity for small scale mixed use Residential Office development.

**Staff Finding:** The rezoning of this one acre lot that is contiguous to the Residential Office District is in the best interests of the public as it supports higher density mixed use infill development.

### **STAFF COMMENTS/RECOMMENDATIONS:**

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

### **ATTACHMENTS**

1. Application
2. Public Notice
3. Draft ordinance



# 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

## Rezoning Application

For Staff Use Only

<b>Fee Amount:</b> \$500	<b>Received by:</b> TB 6/4/20	<b>Planning Commission Public Hearing Date:</b>
<b>Date application accepted as complete:</b>		<b>HAPC approval or denial date:</b>

### APPLICANT INFORMATION

Name: Jason Weisser Phone Number: 907-399-8081

Address: PO Box 2913, Homer, AK 99603

Property Owner (if different than applicant)

Name: Weisser Homes, LLC Phone Number: 907-399-8081

Address: PO Box 2913, Homer, AK 99603

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

Street Address: 4061 Pennock St. Lot size: 1 acre Tax parcel number: 17730281

Legal Description: AA Mattox Sub 1958 ADDN 2 Lot 28

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

What is the existing use of the property? Vacant Land

What is the proposed use of the property? Residential

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

Structures/land use	Zoning
North: School	Residential Office
South: Residential	Urban Residential
East: Residential	Urban Residential
West: Apartments	Residential Office

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

There is a need for more small lots that allow for small office/clerical building and/or in-home businesses.

2. Describe the benefits and detriments of this proposed rezoning to:

(a) the community.

(b) the neighboring landowners.

(c) you, the property owner.

(a) available residential office lots

(b) increase in property values

(c) will have available lots for future clients

(d) no detriments to this proposed rezoning

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

No adverse effects on neighboring properties

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

Water, sewer, and power are already in place, and there will be no changes to Pennock Street.

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

RO is adjacent to the North and West, UR on the South and East. The proposed rezoning is in alignment with permitted use.

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

It will allow for small business growth without negatively affecting the surrounding properties.

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

I feel the overall impact will be to enhance the development and property values of Pennock Street.

OTHER REQUIREMENTS

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

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

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


Applicant Signature: \_\_\_\_\_

Property Owner Signature: \_\_\_\_\_



# Petition

Proposed amendment:	<b>The property at 4061 Pennock St is 1 acre. Currently the parcel is a part of the Urban Residential District. This request is to change the zoning of the entire property, LEGAL T 6S R 13W SEC 20 SEWARD MERIDIAN HM 0003995 A A MATTOX SUB 1958 ADDN 2 LOT 28 to the Residential Office District.</b>	
HCC 21.95.020 (e) (3) (a)	"Each person signing this petition represents that the signer is a record owner of the lot whose description accompanies the signature; that the signer is familiar with the proposed zoning map amendment and the current zoning district of the lot; and that the signer supports the City Council's approval of the amendment."	
Statement of Justification	<b>I have clients looking for Residential Office lots for clerical type office property and they are having a hard time finding available lots. This rezoning will help fill that need.</b>	

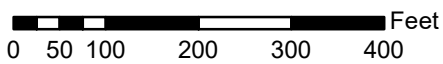
Printed Name	Signature of Property Owner or Designated Representative	Legal Description	Tax parcel number
Jason Weisser		LEGAL T 6S R 13W SEC 20 SEWARD MERIDIAN HM 0003995 A A MATTOX SUB 1958 ADDN 2 LOT 28	17730281

**MY SIGNATURE MEANS I AM IN FAVOR OF THIS AMENDMENT**





# Area Map







## **PUBLIC HEARING NOTICE**

Public notice is hereby given that the City of Homer will hold a public hearing by the Homer Planning Commission on Wednesday, July 15, 2020 at 6:30 p.m. via virtual meeting, on the following matter:

**AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING THE OFFICIAL ZONING MAP BY EXPANDING THE RESIDENTIAL OFFICE DISTRICT TO INCLUDE THE ONE-ACRE LOT AT 4061 PENNOCK STREET, LOT 28 A.A. MATTOX 1958 ADDITION NO. 2 NE ¼, NE ¼, SEC. 20, T. 6 S., R. 13 W., S.M., HM 0003995. THE LOT IS CURRENTLY ZONED URBAN RESIDENTIAL DISTRICT.**

Anyone wishing to view the complete proposal, attend the virtual meeting, or participate in the virtual meeting may do so by visiting the Planning Commission Regular Meeting page on the City's online calendar at <https://www.cityofhomer-ak.gov/calendar>.

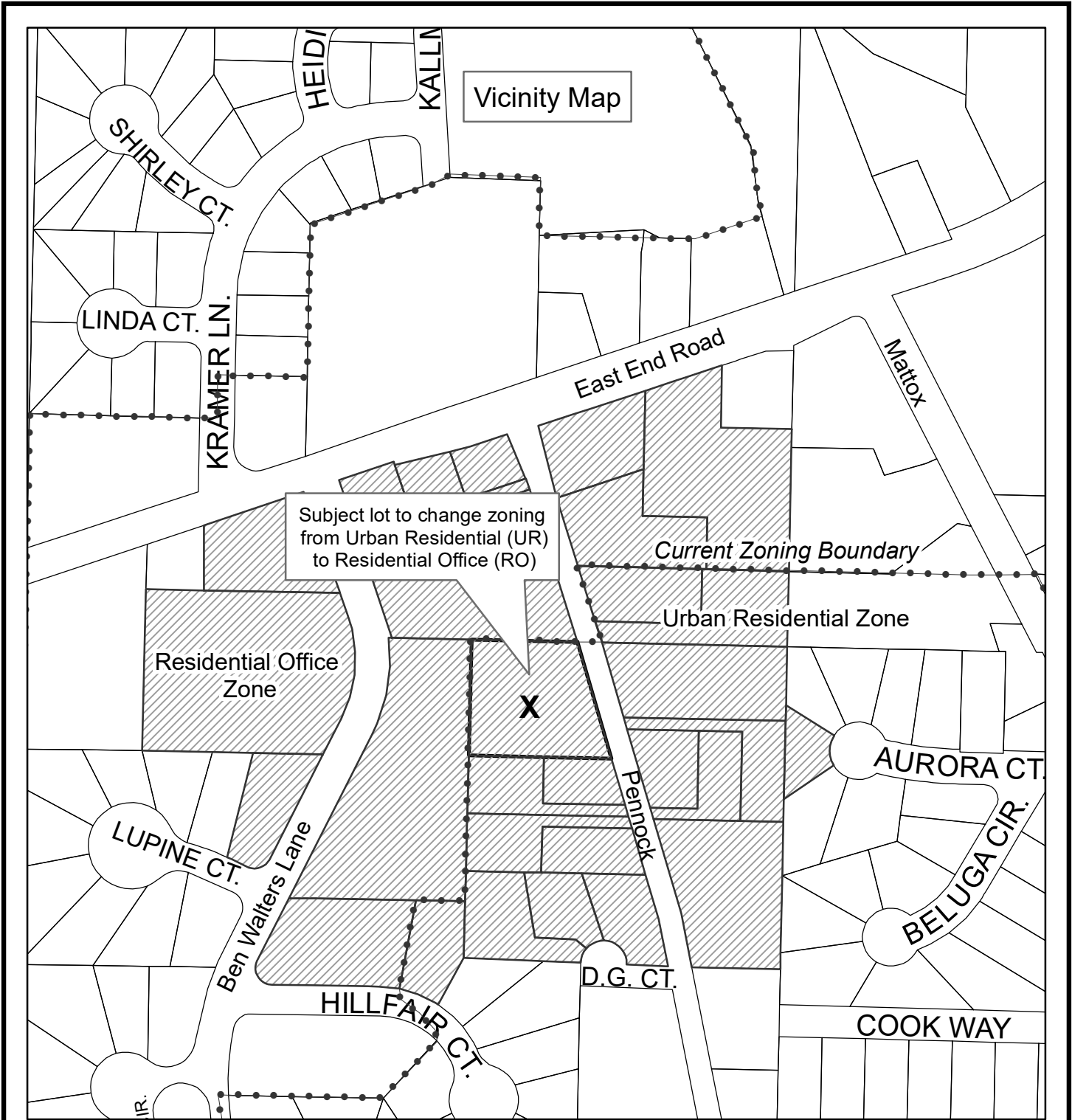
Visit the link above or call the City Clerk's Office to learn how to provide verbal testimony during the meeting via telephone or the Zoom online platform. Written comments can be emailed to [planning@ci.homer.ak.us](mailto:planning@ci.homer.ak.us) or mailed to Homer City Hall, 491 E. Pioneer Ave., Homer, AK, 99603. They may also be placed in the drop box at the Pioneer Ave. entrance to Homer City Hall at any time. Comments must be received by 4pm on the day of the meeting.

If you have questions or would like additional information about the proposal, please contact Travis Brown at the Planning and Zoning Office at 235-3106. If you have questions about how to participate in the virtual meeting, please contact the City Clerk's Office at 235-3130.

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

.....

**VICINITY MAP ON REVERSE**



City of Homer  
Planning and Zoning Department

6/24/2020

## Request to Rezone

Marked lots are within 300 feet  
and property owners notified.


0 150 300 600 Feet



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

# Petition

Proposed amendment:	<b>The property at 4061 Pennock St is 1 acre. Currently the parcel is a part of the Urban Residential District. This request is to change the zoning of the entire property, LEGAL T 6S R 13W SEC 20 SEWARD MERIDIAN HM 0003995 A A MATTOX SUB 1958 ADDN 2 LOT 28 to the Residential Office District.</b>	
HCC 21.95.020 (e) (3) (a)	"Each person signing this petition represents that the signer is a record owner of the lot whose description accompanies the signature; that the signer is familiar with the proposed zoning map amendment and the current zoning district of the lot; and that the signer supports the City Council's approval of the amendment."	
Statement of Justification	<b>I have clients looking for Residential Office lots for clerical type office property and they are having a hard time finding available lots. This rezoning will help fill that need.</b>	

Printed Name	Signature of Property Owner or Designated Representative	Legal Description	Tax parcel number
Jason Weisser		LEGAL T 6S R 13W SEC 20 SEWARD MERIDIAN HM 0003995 A A MATTOX SUB 1958 ADDN 2 LOT 28	17730281

**MY SIGNATURE MEANS I AM IN FAVOR OF THIS AMENDMENT**



**CITY OF HOMER  
HOMER, ALASKA**

Planning

**ORDINANCE 20-**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA,  
AMENDING THE HOMER CITY ZONING MAP TO REZONE A PORTION OF THE  
URBAN RESIDENTIAL (UR) ZONING DISTRICT TO RESIDENTIAL OFFICE (RO)  
ZONING DISTRICT

WHEREAS, Jason Weisser, land owner, filed a petition application seeking to amend the zoning map to rezone 4061 Pennock Street in Homer, Alaska, Legal Description T 6S R 13W SEC 20 SEWARD MERIDIAN HM 0003995 A A MATTOX SUB 1958 ADDN 2 LOT 28 from UR to RO; and

WHEREAS, the Homer Planning Department reviewed the petition, found that the petition application was complete and the criteria for amending the zoning map had been met; and

WHEREAS, the Homer Planning Commission held a public hearing on the amendment to the zoning map described herein on \_\_\_\_\_, 2020 as required by Homer City Code 21.95.060(c); and

WHEREAS, The Homer Planning Commission found that (i) the proposed amendment to the zoning map is consistent with the Homer Comprehensive Plan and will further specific goals and objectives of the Plan; (ii) the proposed amendment to the zoning map applies a zoning district that is better suited to the property that is the subject of the amendment than the districts that the amendment will replace; and (iii) the amendment to the zoning map is in the best interest of the public, considering the effect of development resulting from the amendment, and the cumulative effect of similar development, on property within and in the vicinity of the area subject to the amendment and on the community, including without limitation effects on the environment, transportation, public services and facilities, and land use patterns; and

WHEREAS, the City Council adopts the findings by the Homer Planning Commission and has determined that these findings are sound;

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer Zoning Map is amended to transfer the parcel listed on the attached Exhibit A from UR zoning district to the RO zoning district as shown on the attached Exhibit B.

Section 2. The City Planner is authorized to note on the Homer Zoning Map the amendments enacted by this ordinance as required by Homer City Code 21.10.030(b).

Section 3. This is a non-Code ordinance of a permanent nature and shall be noted in the ordinance history of Homer City Code 21.10.030.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this \_\_\_\_ day of \_\_\_\_\_  
2020.

CITY OF HOMER

\_\_\_\_\_  
Ken Castner, MAYOR

ATTEST:

\_\_\_\_\_  
Melissa Jacobsen, CMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

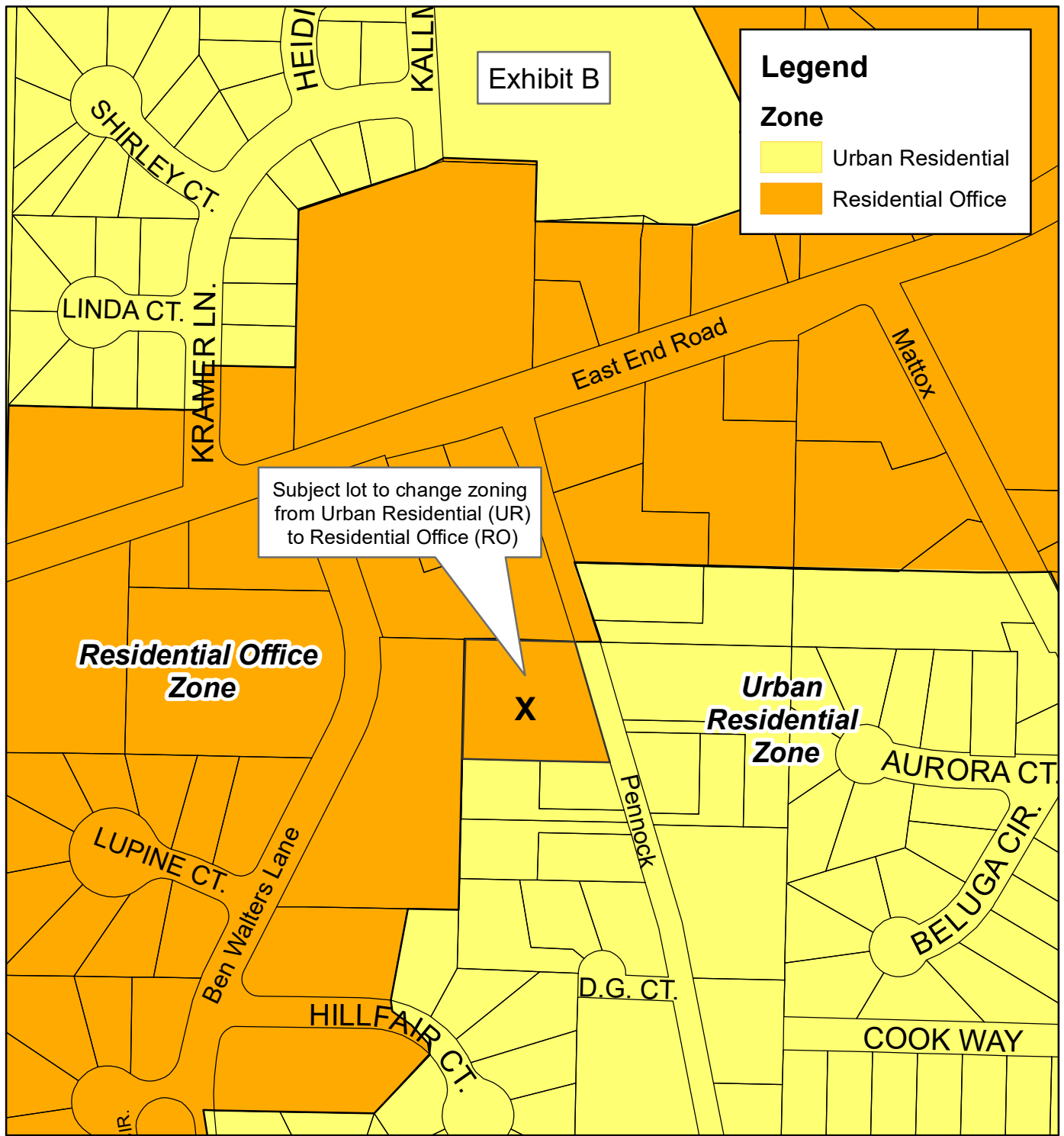
Second Reading:

Effective Date:

## **Exhibit A**

Tax Parcel 17730281. Rezone from Urban Residential District to Residential Office District.

Legal Description: T 6S R 13W SEC 20 SEWARD MERIDIAN HM 0003995 A A MATTOX  
SUB 1958 ADDN 2 LOT 28



City of Homer  
Planning and Zoning Department

7/7/2020

Rezone of T 6S R 13W SEC 20  
SEWARD MERIDIAN HM 0003995  
A A MATTOX SUB  
1958 ADDN 2 LOT 28

0 150 300 600 Feet



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





# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

[Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)

(p) 907-235-3106

(f) 907-235-3118

### Staff Report 20-44

TO: Homer Planning Commission  
FROM: Julie Engebretsen, Acting City Planner  
DATE: July 15, 2020  
SUBJECT: Conditional Use Permit (CUP) 20-09

**Synopsis** The applicant proposes to make wine and mead within the smaller of two buildings on the site. A Conditional Use Permit (CUP) is required per HCC 21.18.030(h) Light or custom manufacturing, repair, fabricating, and assembly, provided such use, including storage of materials, is wholly within an enclosed building, and HCC21.18.030 (j) More than one building containing a permitted principal use on a lot.

Applicant: Jason Davis  
693 Rangeview Ave  
Homer, AK 99603

Location: 3657 and 3637 Main Street

Legal Description: Bunnells Subdivision, Lots 59, 60

Parcel ID: 17515314, 17515313

Size of Existing Lot: Both lots are 0.46 acres

Zoning Designation: Central Business District

Existing Land Use: Commercial, currently vacant buildings

Surrounding Land Use: North: Commercial/retail  
South: Commercial/lodging  
East: Vacant commercial  
West: Vacant commercial

Comprehensive Plan: Goal 3 Objective B: Encourage high quality site design and buildings

Wetland Status: Lot has been developed since at least the early 1960's. Upland/Wetland areas may be present on the northwest corner of the lot.

Flood Plain Status: Not in a floodplain.

BCWPD: Not within the Bridge Creek Watershed Protection District

Utilities: Public utilities service the site.

Public Notice: Notice was sent to 15 property owners of 32 parcels as shown on the KPB tax assessor rolls.

**ANALYSIS:** The applicant is proposing to acquire a conditional use permit to make wines and meads in the smaller of the two structures. The business will also include a tasting room and retail sales in the smaller building. The larger building that was the former Timeless Toys store is currently vacant. The structures are non-conforming as they were constructed prior to 1982, and do not have a conditional use permit for more than one building containing a permitted principle use on a lot. The applicant is seeking a CUP for light and custom manufacturing for the wine and mead products, and a conditional use permit for more than one building containing a permitted principle use on a lot.

**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:** HCC 21.18.030(h) Light or custom manufacturing, repair, fabricating, and assembly, provided such use, including storage of materials, is wholly within an enclosed building, and HCC21.18.030 (j) More than one building containing a permitted principal use on a lot;

**Finding 1:** HCC 21.18.030(h) authorizes light or custom manufacturing, repair, fabricating, and assembly, provided such use, including storage of materials, is wholly within an enclosed building, and HCC21.18.030 (j) authorizes more than one building containing a permitted principal use on a lot if approved by a Conditional Use Permit.

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

**21.18.010 Purpose**

The purpose of the Central Business District is primarily to provide a centrally located area within the City for general retail shopping, personal and professional services, educational institutions, entertainment establishments, restaurants and other business uses listed in this chapter. The district is meant to accommodate a mixture of residential and nonresidential uses with conflicts being resolved in favor of nonresidential uses. Pedestrian-friendly designs and amenities are encouraged.

**Analysis:** The smaller building will have a porch constructed and outside seating area, so patrons may enjoy the south facing exposure and views of Kachemak Bay.

**Finding 2:** The purpose of the Central Business District includes providing for general retail shopping, entertainment establishments, and encourages pedestrian-friendly design and amenities.

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:** I believe it is unlikely to affect adjoining property values either negatively or positively.

**Analysis:** Many uses in the CBD district have greater negative impacts than would be realized from making mead. Pipelines, railroads, heliports and storage of heavy equipment would have a greater impact on nearby property values. Assisted living, group care, religious, cultural and fraternal assembly would generate a good deal of traffic.

**Finding 3:** The wine production and continuation of the existing structures 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 surrounding land is also in the CBD, and includes an appliance shop and rental cabins, as well as several undeveloped lots.

**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. It is already connected to city water and sewer and HEA electricity. Enstar gas connection is pending a state permit.

**Analysis:** The site is served by Main Street, which is a state maintained paved road, and full city services.

**Finding 5:** Existing public, water, sewer, and fire services are adequate to serve the proposed beverage production operation.

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 project does not include any exterior additions or other visible changes (apart from paint color and roofing) to the existing buildings. The traffic on Main Street is unlikely to be negatively affected.

**Analysis:** Desirable neighborhood character could be described by a portion of the Purpose statement for the district, which primarily to provide a centrally located area within the City for general retail shopping, personal and professional services, educational institutions, entertainment establishments, restaurants and other business uses listed in the chapter.

**Finding 6:** The Commission finds the proposal will not cause undue harmful effect upon desirable neighborhood character as described in the purpose statement of the district.

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

**Analysis:** Use of the smaller building for light manufacturing within an enclosed building, and continuation of two buildings containing permitted principle uses on a lot will not be unduly detrimental to the health, safety or welfare of the surrounding area or the city as a whole.

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

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

**Finding 8:** The proposal shall comply with applicable regulations and conditions specified in Title 21.

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

**Applicant:** The project encourages economic development that meets the desires and interests of Homer residents; promotes an industry what shows a capacity of growth, strengthens Homer as a tourist destination.

**Analysis:** Goals of the Land Use Chapter of the Homer Comprehensive Plan include Goal 3 Objective B: Encourage high quality site design and buildings. Continued use and reuse of

these structures built in the 1950's with period details is compliance with the Comprehensive Plan.

**Finding 9:** The proposal is not contrary to the applicable land use goals and objects of the Comprehensive Plan. The proposal aligns with Goal 3 Objective B and no evidence has been found that it is not contrary to the applicable land use goals and objects of the Comprehensive Plan.

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

**Analysis:** The applicant is not significantly modifying the exterior of the buildings. Both the buildings have been recently painted, and a porch will be constructed in from the smaller building. No building additions or site changes are proposed that trigger review under the Community Design Manual. Only the outdoor lighting section of the CDM applies.

**Finding 10:** Project complies with the applicable provisions of the CDM.

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

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

- 1. Special yards and spaces:** No specific conditions deemed necessary
- 2. Fences and walls:** No specific conditions deemed necessary
- 3. Surfacing of parking areas:** No specific conditions deemed necessary.
- 4. Street and road dedications and improvements:** No specific conditions deemed necessary.
- 5. Control of points of vehicular ingress and egress:** No specific conditions deemed necessary.
- 6. Special provisions on signs:** No specific conditions deemed necessary.
- 7. Landscaping:** No specific conditions deemed necessary.
- 8. Maintenance of the grounds, building, or structures:** No specific conditions deemed necessary.
- 9. Control of noise, vibration, odors or other similar nuisances:** No specific conditions deemed necessary.
- 10. Limitation of time for certain activities:** No specific conditions deemed necessary.

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

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

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

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

**PUBLIC WORKS COMMENTS:** No comments as of packet printing.

**PUBLIC COMMENTS:** None

**STAFF COMMENTS/RECOMMENDATIONS:**

Planning Commission approve CUP Staff Report 20-44 with findings 1-10 and the following conditions.

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

**Attachments**

Application

Site Photos

Public Notice

Aerial Photograph



# 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: Jason Davis Telephone No.: 907 690 1786

Address: 693 Rangeview Ave Email: jasondavis63@gmail.com

### Property Owner (if different than the applicant):

Name: same as above Telephone No.: \_\_\_\_\_

Address: \_\_\_\_\_ Email: \_\_\_\_\_

### PROPERTY INFORMATION:

Address: 3657 Main Street Lot Size: .44 acres KPB Tax ID # 17515314

Legal Description of Property: T 6S 13W SEC 19 Seward Meridian HM 0000049 BUNNELLS SUB LOT 59

*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. A Site Plan
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 can provide a blank map for you to fill in).
5. 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	<b>EBD</b>	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				43	x	x	x	x			x	

**Circle applicable permits. Planning staff will be glad to assist with these questions.**

- ☒ Y Are you building or remodeling a commercial structure, or multifamily building with more than 3 apartments? If yes, Fire Marshal Certification is required. Status: Fire marshal certification is required for AMCO winery license; it is pending. I am drywalling, painting, insulating and installing a tasting bar.
- Y/N Will your development trigger a Development Activity Plan?  
Application Status: \_\_\_\_\_
- Y/N Will your development trigger a Storm water Plan?  
Application Status: \_\_\_\_\_
- Y/N Does your site contain wetlands? If yes, Army Corps of Engineers Wetlands Permit is required. Application Status: \_\_\_\_\_
- ☒ Y Is your development in a floodplain? If yes, a Flood Development Permit is required.
- Y/N Does your project trigger a Community Design Manual review?  
If yes, complete the design review application form. The Community Design Manual is online at: <http://www.ci.homer.ak.us/documentsandforms>
- Y/N Do you need a traffic impact analysis?
- Y/N Are there any nonconforming uses or structures on the property?
- Y/N Have they been formally accepted by the Homer Advisory Planning Commission?
- Y/N Do you have a state or city driveway permit? Status: \_\_\_\_\_
- Y/N Do you have active City water and sewer permits? Status: \_\_\_\_\_

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

There are two vacant buildings on the property, a 1600 sq ft SFR built in 1952 previously used as a fabric store (1980's), a toy store (2000's) and an alternative healing center and juice bar (2017-1019); and an adjacent 800 sq ft outbuilding. The outbuilding includes a commercial kitchen that has been licensed by DEC for production of bottled beverages for the past three years (since April 2017). A copy of the DEC license is included with this application.

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).

I plan to use the existing DEC-licensed kitchen to produce berry wines and meads (AMCO license pending), which I will offer for tasting and purchase in the 220 sq ft outbuilding room adjacent to (west of) the kitchen. The kitchen has been licensed by DEC to produce bottled beverages for the past three years, but the previous owners did not apply for a CUP for the "light manufacturing" of beverages they conducted there, so I am applying for one now.

The winery premises will include a fenced-in outdoor seating area in front (south) of the outbuilding, per the attached premises sketch approved in principle by AMCO (formal AMCO board approval expected August 18). The third and final outbuilding room will be used for storing/aging of the wines.

I do not currently have plans for the larger building (former toy store), but once the winery is up and running I hope to renovate the interior and find a tenant. I have fenced in and planted a garden with berry plants and cider apple trees on the southwest end of the lot. I also own the .45 acre lot immediately to the south of the subject property, in future years may expand the berry plantings onto that lot. In the meantime I will be using the northeast end of it for overflow parking, as previous owners did.

In addition to a CUP for light manufacturing of bottled beverages, I am also seeking a CUP authorizing the presence of both of the two buildings (the SFR and the adjacent barn/outbuilding that will house the winery) that have been there since before statehood (1952).



- a. What code citation authorizes each proposed use and structure by conditional use permit?

HCC 21.18.030.h -- "Light or custom manufacturing"

HCC 21.18.030.j -- "More than one building containing a permitted use on a lot"

- b. Describe how the proposed uses(s) and structures(s) are compatible with the purpose of the zoning district.

The purpose of the Central Business District is primarily to provide a centrally located area within the city for general retail shopping, personal and professional services, educational institutions, entertainment establishments, restaurants, and other business uses.

- c. How will your proposed project affect adjoining property values?

I believe it is unlikely to affect adjoining property values either negatively or positively.

- d. How is your proposal compatible with existing uses of the surrounding land?

The surrounding land is also in the CBD, and includes an appliance shop and rental cabins, as well as several undeveloped lots.

- e. Are/will public services adequate to serve the proposed uses and structures?

Yes. It is already connected to city water and sewer and HEA electric. Enstar gas connection is pending a state permit (requires laying a new line under Main Street).

- 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?

This project does not include any exterior additions or other visible changes (apart from paint color and roofing) to the existing buildings. The traffic on Main Street is unlikely to be negatively affected.

- 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?

The Comprehensive Plan are online,

Encourages economic development that meets the desires and interests of Homer residents;  
Promotes an industry that shows a capacity for growth, Strengthens Homer as a tourist destination.

- i. The Planning Commission may require you to make some special improvements. Are you planning on doing any of the following, or do you have suggestions on special improvements you would be willing to make? (**circle each answer**)

1. ☒ Y ☐ N Special yards and spaces.
2. ☒ Y ☐ N Fences, walls and screening.
3. ☐ Y ☒ N Surfacing of parking areas.
4. ☐ Y ☒ N Street and road dedications and improvements (or bonds).
5. ☐ Y ☐ N Control of points of vehicular ingress & egress.
6. ☒ Y ☐ N Special provisions on signs.
7. ☒ Y ☐ N Landscaping.
8. ☒ Y ☐ N Maintenance of the grounds, buildings, or structures.

9. ☒ 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. ☒ N Time for certain activities.
11. ☒ N A time period within which the proposed use shall be developed.
12. ☒ N A limit on total duration of use.
13. ☒ N Special dimensional requirements such as lot area, setbacks, building height.
14. ☒ N Other conditions deemed necessary to protect the interest of the community.

## PARKING

1. How many parking spaces are required for your development? 5  
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? 14
3. Are you requesting any reductions? No

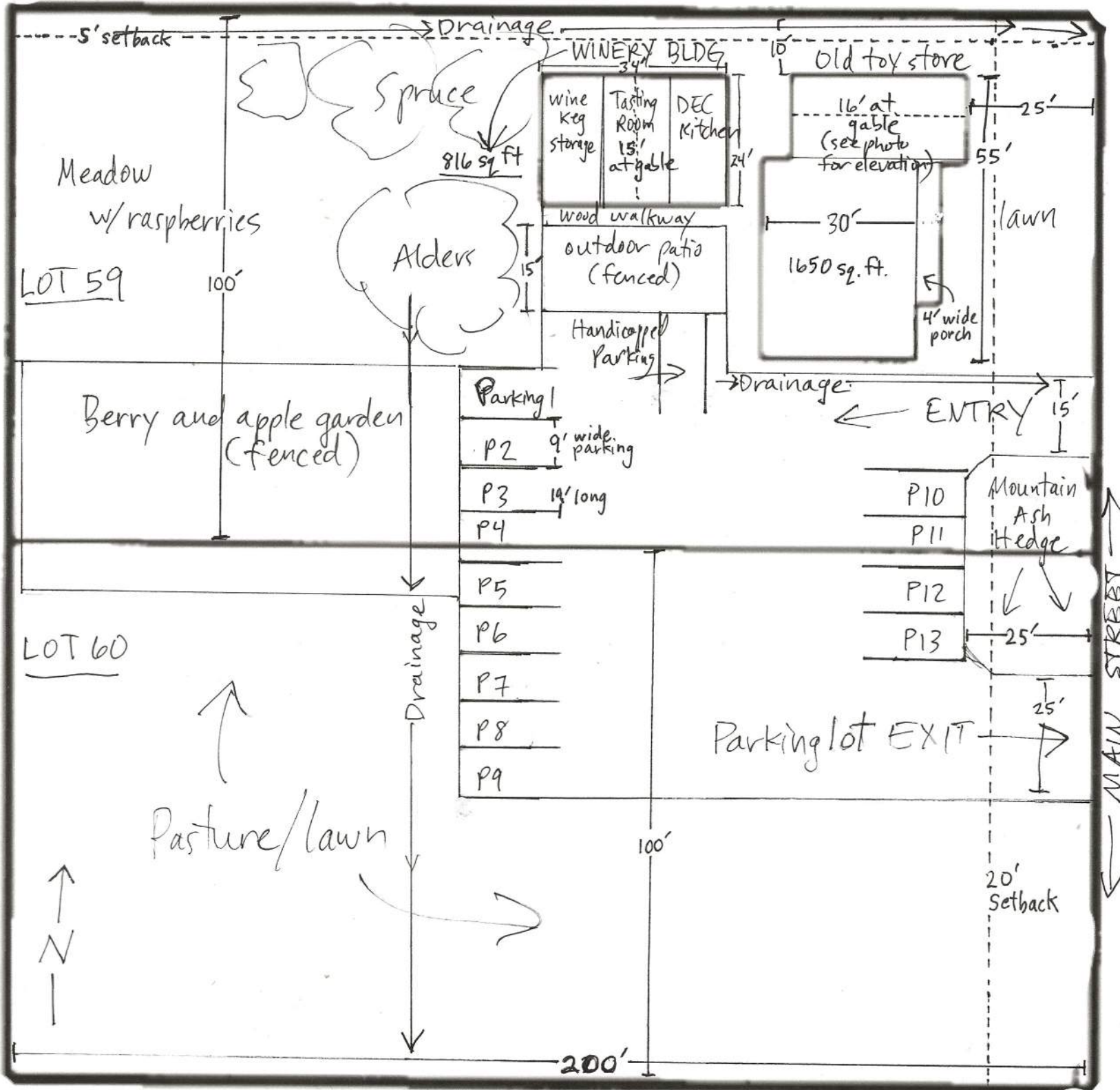
Include a site plan, drawn to a scale of not less than 1" = 20' which shows existing and proposed structures, clearing, fill, vegetation and drainage.

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

Applicant signature:                       Date: 6/15/2020

Property Owner's signature: \_\_\_\_\_ Date: \_\_\_\_\_



Sweetgale Wines - Site Plan w/ Parking  
 3657 MAIN ST  
 HOMER AK

Scale 47 inch = 25 Feet





Existing "Winery BLDG" (see site plan)  
View from parking lot looking North



Existing "Old Toy Store" (see site plan)  
View from Main Street looking West





View from winery building looking Southwest



## PUBLIC HEARING NOTICE

Public notice is hereby given that the City of Homer will hold a public hearing by the Homer Planning Commission on Wednesday, July 15, 2020 at 6:30 p.m. via a virtual meeting, on the following matter:

**A request for Conditional Use Permit (CUP) 20-09 to use an existing building for the production of wines and meads at 3657 & 3637 Main Street, lots 59 & 60 Bunnell's Subdivision, Sec. 19, T. 6 S., R. 13W., S.M., HM 0000049. A CUP is required according to HCC 21.18.030(h) light or custom manufacturing and HCC 21.18.030(j) more than one building containing a permitted principal use on a lot.**

Anyone wishing to view the complete proposal, attend the virtual meeting, or participate in the virtual meeting may do so by visiting the Planning Commission Regular Meeting page on the City's online calendar at <https://www.cityofhomer-ak.gov/calendar>.

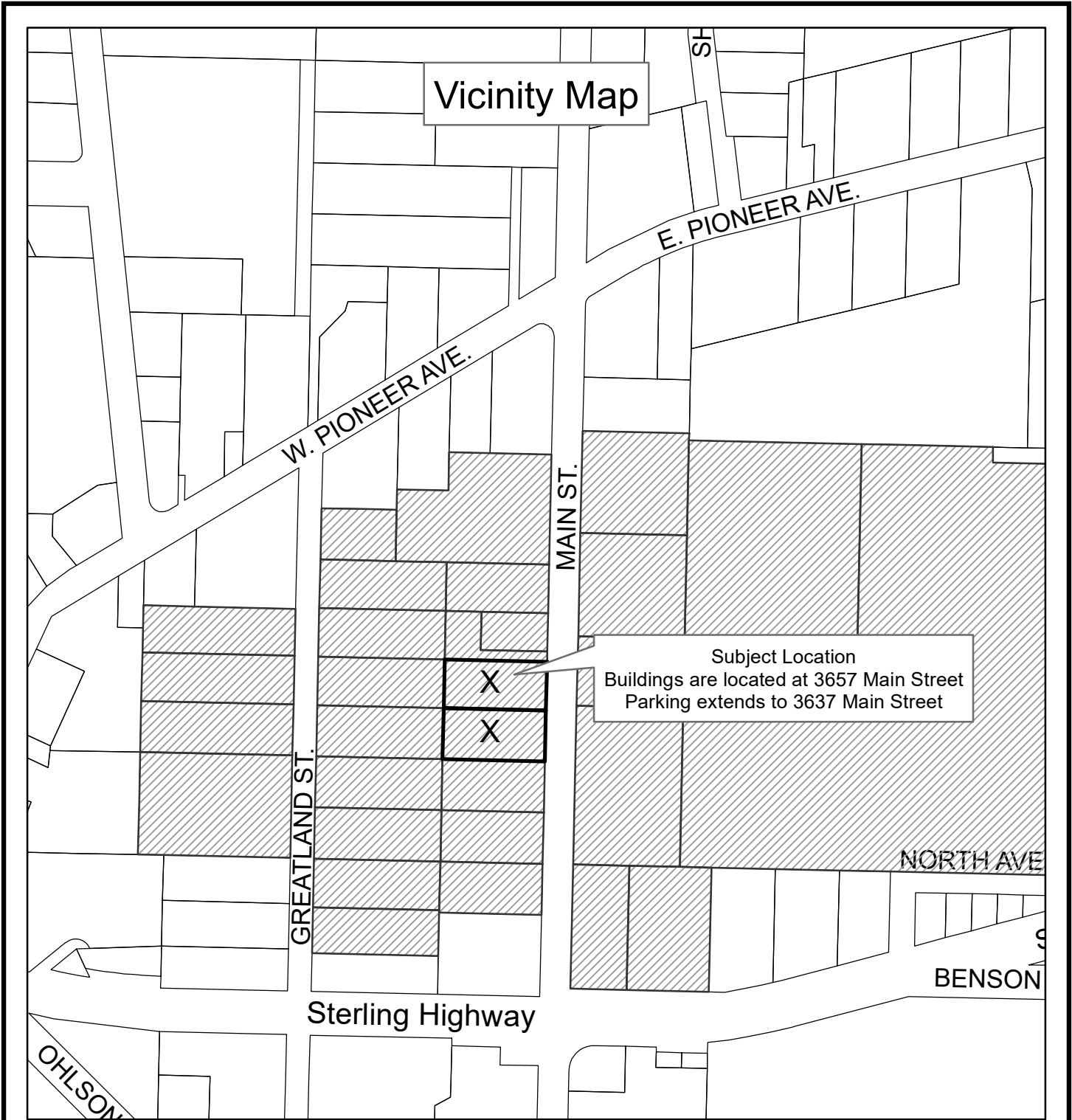
Visit the link above or call the City Clerk's Office to learn how to provide verbal testimony during the meeting via telephone or the Zoom online platform. Written comments can be emailed to [planning@ci.homer.ak.us](mailto:planning@ci.homer.ak.us) or mailed to Homer City Hall, 491 E. Pioneer Ave., Homer, AK, 99603. They may also be placed in the drop box at the Pioneer Ave. entrance to Homer City Hall at any time. Comments must be received by 4pm on the day of the meeting.

If you have questions or would like additional information about the proposal, please contact Travis Brown at the Planning and Zoning Office at 235-3106. If you have questions about how to participate in the virtual meeting, please contact the City Clerk's Office at 235-3130.

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

.....

**VICINITY MAP ON REVERSE**



City of Homer  
Planning and Zoning Department

6/24/2020

## Request for Conditional Use Permit 2020-09

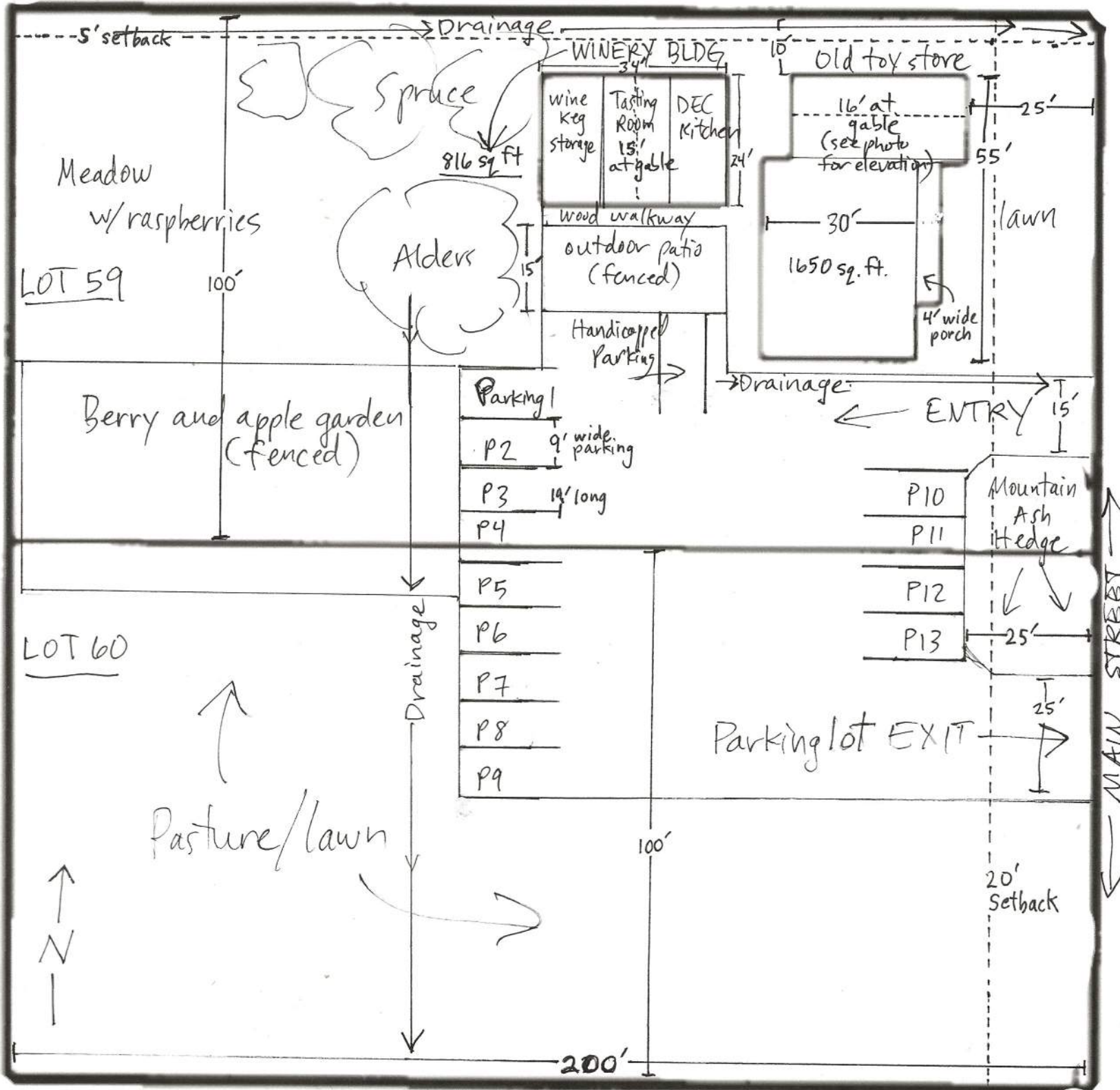
Properties w/in 300 feet  
are marked and property owners notified.

0 150 300 600 Feet



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



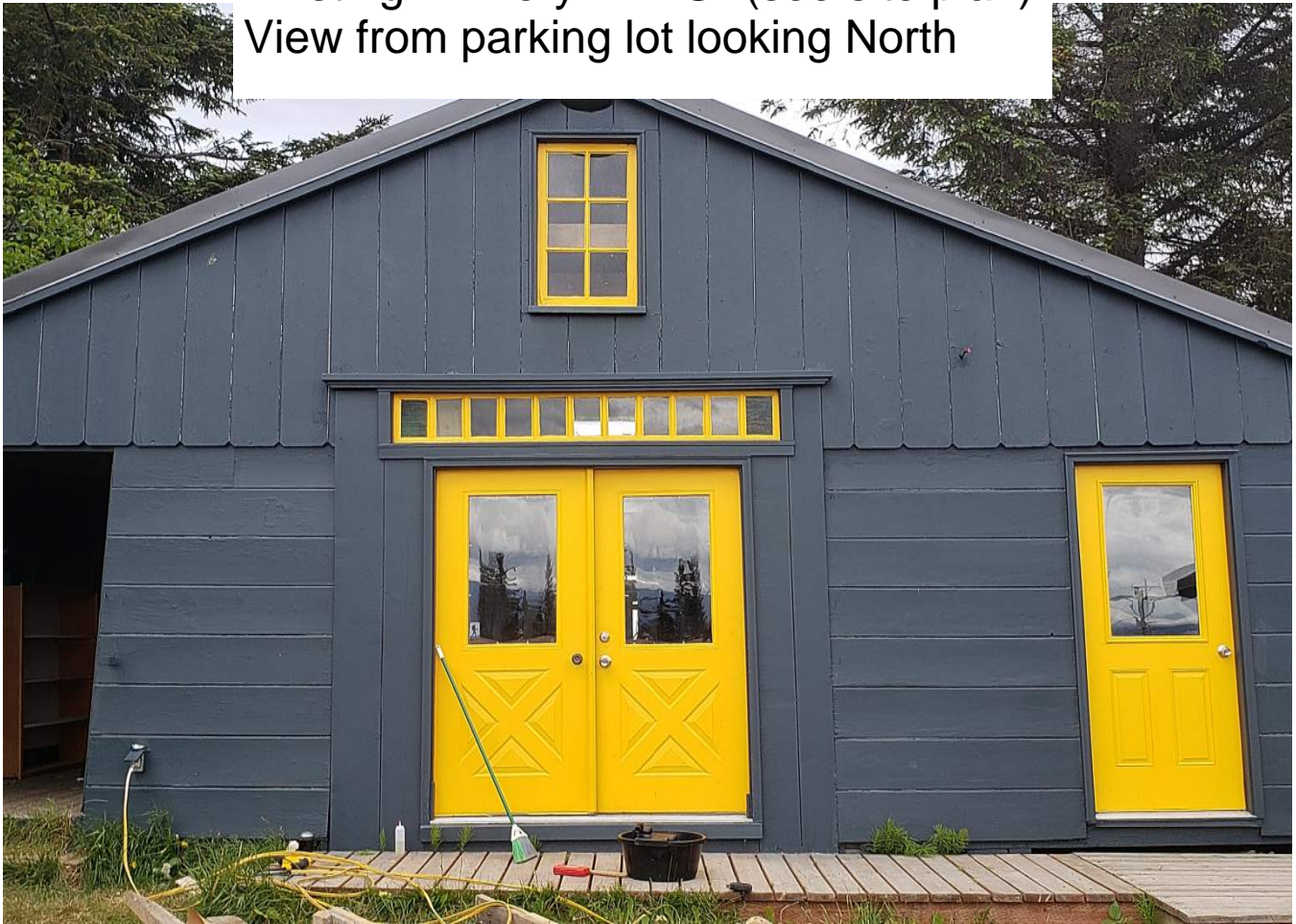


Sweetgale Wines - Site Plan w/ Parking  
 3657 MAIN ST  
 HOMER AK

Scale 53 inch = 25 Feet



Existing "Winery BLDG" (see site plan)  
View from parking lot looking North



Existing "Old Toy Store" (see site plan)  
View from Main Street looking West







Aerial Map

Main Street

Subject Location  
2008 photo



City of Homer  
Planning and Zoning Department

6/24/2020

## Request for Conditional Use Permit 2020-09

0 145 290 Feet



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





# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

[Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)

(p) 907-235-3106

(f) 907-235-3118

### Staff Report 20-45

TO: Homer Advisory Planning Commission  
FROM: Julie Engebretsen, Acting City Planner  
DATE: July 15, 2020  
SUBJECT: CUP 2020-10, 750 Nedosik Rd

**Synopsis** The applicant proposes to build four single-family rental dwelling units (cabins). A Conditional Use Permit (CUP) is required per HCC 21.12.030(m), More than one building containing a permitted principal use on a lot. The property is currently one large lot with a single family home. The applicant is in the preliminary plat process to subdivide the property into two lots. The home will be on one lot, and the four cabins on a separate lot.

Applicants: Robert Crow, 750 Nedosik Rd, Homer AK 99603

Location: 750 Nedosik Rd,  
T 6S R 13W SEC 7 Seward Meridian HM 2009023 NEDOSIK 1998  
TRACT C JACK HAMILTON REPLAT LOT C1-C

Parcel ID: 17307091

Size of Existing Lot: 4.84 acres. After the subdivision is recorded, each lot will contain approximately 2.4 acres.

Zoning Designation: Rural Residential

Existing Land Use: Vacant

Surrounding Land Use: North: Residential/vacant

South: Residential

East: Residential/Cottonwood Horse Park

West: Single-family residences

Comprehensive Plan: Chapter 4 Land Use, Goal 5 Objective C: Maintain high quality residential neighborhoods; promote housing choice by supporting a variety of dwelling options.

Chapter 4 Land Use, 1-C-1: Promote infill development in all housing districts.

Wetland Status: Wetlands are present on the property but not within the area to be developed.

Flood Plain Status: Not in a floodplain.

**Utilities:** City water and sewer are not available. The applicant will have an engineered waste water system, and water cistern.

**Public Notice:** Notice was sent to 9 property owners of 7 parcels as shown on the KPB tax assessor rolls.

**ANALYSIS:** The applicant proposes to build four one-story dwellings with a loft. The property currently includes an existing single family home. The applicant is subdividing the property, and the cabins will be on a separate, 2.4 acre lot. The dwellings will be between 700 and 840 square feet including the loft, with an additional covered porch. A (CUP) is required for “more than one building containing a permitted principal use on a lot” per HCC 21.12.030(m).

**The criteria for granting a Conditional Use Permit is set forth in HCC 21.71.030, General conditions, 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 Rural Residential zoning district allows for more than one single family dwelling on a lot as a conditional use, per HCC 21.12.030(m). Lots served a community sewer approved by the State Department of Conservation may have increased density up to one dwelling unit for every 20,000 square feet of lot area, per HCC 21.12.040(a)(2)(b).

**Finding 1:** More than one single family dwelling on a lot is authorized by conditional use permit.

**Finding 2:** The proposed 2.4 acre lot served by community sewer per HCC 21.12.040(a)(2)(b), may have up to five dwelling units based on dimensional requirements of the 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 21.12.010 Purpose:** The purpose of the rural residential district is primarily to provide an area in the City for low-density, primarily residential, development; allow for limited agricultural pursuits; and allow for other uses as provided in this chapter.

**Finding 3:** The proposal is compatible with the purpose of the district by meeting density requirements and providing residential development in the City.

**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:** There should be no impact on adjoining properties.

**Analysis:** Other allowed uses in this district, such as a kennel or a commercial greenhouse could dominate the site in terms of bulk, height, noise and intensity more so than this proposal. The proposed one-story cabins could have a positive effect on adjoining property values by retaining a rural nature when compared to the previously mentioned uses by limiting both the size of structures and the disturbance of natural vegetation.

**Finding 4:** The value of adjoining property will not be negatively affected greater than a conditionally permitted kennel or a commercial greenhouse.

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

**Applicant:** The plan is to keep as much nature preserved as possible.

**Analysis:** The surrounding land includes a mixture of undeveloped land, and larger single family homes. The proposed cabins are residential, which is compatible with surrounding land uses.

**Finding 5:** The proposed cabins are a similar use to the other dwellings found in the adjacent and surrounding area.

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

**Analysis:** Property is served by a state maintained paved road, and city police and emergency services, and has access to electricity and natural gas.

**Finding 6:** Existing public services are adequate to serve the proposed development.

**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:** There are no neighbors. I will keep as much as I can the trees and natural landscape to keep the rural feel. No negative affect due to increased traffic.

**Analysis:** The addition of four small dwellings on this lot will be in line with the neighborhood character in terms of scale, bulk and coverage. The increased traffic will be easily handled by the site's access to the existing state road (Skyline Drive). While



more density will increase the intensity of this lot's current use, the increase is not expected to cause any undue harmful effects.

**Finding 7:** 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.

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

**Analysis:** The permitting process will require the applicant to meet Federal, State and local standards including, but not limited to DEC approval of the sewer system, and a State driveway permit.

**Finding 8:** 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:** No relief from code is sought from the applicant. All known applicable regulations will be addressed through the permitting process. The proposed parking plan meets the standards of HCC 21.55 "Off-Street Parking." There are two adequately sized parking spaces per dwelling unit. HCC 21.55.080 prohibits the use of required parking for storage of boats, inoperable vehicles, dumpsters, or other objects. The proposal will be held to HCC 21.50 Level 1 Site Development Standards during permitting including revegetation of disturbed soils.

**Finding 9:** The proposal will comply with all applicable regulations and conditions when the permitting process is successfully navigated as provided in the CUP and permitting process.

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

**Applicant:** My goal is to build cabins and maintain the rural feel while maintaining as much natural vegetation and landscape as possible.

**Analysis:** This proposal promotes Goal 1: Objectives C by providing infill of affordable housing in a location. Chapter 4 Land Use, 1-C-1: Promote infill development in all housing districts.

**Finding 10:** The proposal does not appear to contradict any applicable land use goals and objectives of the Comprehensive Plan. The proposal aligns Goal 1 Objective C and no evidence has been found that it is contrary to the applicable land use goals and objects of the Comprehensive Plan.

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

**Analysis:** The Outdoor Lighting section of the Community Design Manual is applicable. This section encourages outdoor lighting sources to be hidden from public view, to avoid excessive light throw, and to be downward directional lighting.

**Condition 1:** Outdoor lighting must be downward directional and must not produce light trespass or glare per the CDM and HCC 21.59.030.

**Finding 11:** Condition 1 will assure that the proposal complies with level one lighting standards and the Community Design Manual

**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:** Dumpster to be screened on 3 sides.
- 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:** Maximum of four (4) square feet per HCC 21.60.060.
- 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.** No specific conditions deemed necessary.

**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.** No specific conditions deemed necessary.

#### **PUBLIC WORKS COMMENTS:**

#### **STAFF COMMENTS/RECOMMENDATIONS:**

Planning Commission approve CUP 2020-10 with findings 1-11 and the following conditions.

**Condition 1:** Outdoor lighting must be downward directional and must not produce light trespass or glare per the CDM and HCC 21.59.030.

**Condition 2:** Dumpster must be screened on 3 sides.

#### **Attachments**

Application

Public Notice

Aerial Photograph



# 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: ROBERT CROW Telephone No.: (907) 435-7108

Address: 750 NEDOSIK RD Email: RB-CROW@YAHOO.COM

## Property Owner (if different than the applicant):

Name: SAME Telephone No.: \_\_\_\_\_

Address: \_\_\_\_\_ Email: \_\_\_\_\_

## PROPERTY INFORMATION:

Address: NO ADDRESS YET Lot Size: 2.433 acres KPB Tax ID # UNSURE

Legal Description of Property: LOT C-1-C-2 NEDOSIK 1998 TRACT C JACK HAMILTON REPLAT

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. A Site Plan
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 can provide a blank map for you to fill in).
5. 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				63		x						
DAP/SWP questionnaire				x	x	x	x	x			x	

**Circle applicable permits. Planning staff will be glad to assist with these questions.**

Y/N ☒ Are you building or remodeling a commercial structure, or multifamily building with more than 3 apartments? If yes, Fire Marshal Certification is required. Status: \_\_\_\_\_

Y/N ☒ Will your development trigger a Development Activity Plan?

Application Status: \_\_\_\_\_

Y/N ☒ Will your development trigger a Storm water Plan?

Application Status: \_\_\_\_\_

Y/N ☒ Does your site contain wetlands? If yes, Army Corps of Engineers Wetlands Permit is required. Application Status: \_\_\_\_\_

Y/N ☒ Is your development in a floodplain? If yes, a Flood Development Permit is required.

Y/N ☒ Does your project trigger a Community Design Manual review?

If yes, complete the design review application form. The Community Design Manual is online at: <http://www.ci.homer.ak.us/documentsandforms>

Y/N ☒ Do you need a traffic impact analysis?

Y/N ☒ Are there any nonconforming uses or structures on the property?

Y/N ☒ Have they been formally accepted by the Homer Advisory Planning Commission?

Y/N ☒ Do you have a state or city driveway permit? Status: APPLYING FOR PERMIT

Y/N ☒ Do you have active City water and sewer permits? Status: \_\_\_\_\_

1. Currently, how is the property used? Are there buildings on the property? How many square feet? Uses within the building(s)? CURRENTLY IT IS RAW LAND WHICH IS 105,981.48 SQ. FT.

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).

I INTEND TO BUILD 4 RENTAL CABINS  
(SEE SITE PLAN DRAWING)

- a. What code citation authorizes each proposed use and structure by conditional use permit?

21.12.030(M)

- b. Describe how the proposed uses(s) and structures(s) are compatible with the purpose of the zoning district.

THEY ARE RESIDENTIAL BUILDINGS USED AS RENTALS RURAL RESIDENTIAL

- c. How will your proposed project affect adjoining property values?

THERE SHOULD BE NO IMPACT TO ADJOINING PROPERTIES

- d. How is your proposal compatible with existing uses of the surrounding land?

THE PLAN IS TO KEEP AS MUCH NATURAL PRESERVED AS POSSIBLE

- e. Are/will public services adequate to serve the proposed uses and structures?

PUBLIC SERVICES ARE ADEQUATE

- 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?

THERE IS NO "NEIGHBORHOOD". I WILL KEEP AS MUCH AS I CAN THE TREES AND NATURAL LANDSCAPE TO KEEP THE RURAL FEEL NO NEGATIVE AFFECT DUE TO INCREASE IN TRAFFIC.

- 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?

The Comprehensive Plan are online, MY GOAL IS TO BUILD CABINS AND MAINTAIN THE RURAL FEEL WHILE MAINTAINING AS MUCH NATURAL VEGETATION AND LANDSCAPE AS POSSIBLE

- i. The Planning Commission may require you to make some special improvements. Are you planning on doing any of the following, or do you have suggestions on special improvements you would be willing to make? (circle each answer)

1. ☒ Y ☐ N Special yards and spaces.
2. ☒ Y ☐ N Fences, walls and screening.
3. ☒ Y ☐ N Surfacing of parking areas.
4. ☒ Y ☐ N Street and road dedications and improvements (or bonds).
5. ☒ Y ☐ N Control of points of vehicular ingress & egress.
6. ☒ Y ☐ N Special provisions on signs.
7. ☒ Y ☐ N Landscaping.
8. ☒ Y ☐ N Maintenance of the grounds, buildings, or structures.

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.
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

1. How many parking spaces are required for your development? 8
- 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? 8
3. Are you requesting any reductions? NO

Include a site plan, drawn to a scale of not less than 1" = 20' which shows existing and proposed structures, clearing, fill, vegetation and drainage.

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

Applicant signature: [Signature] Date: 6/23/2020

Property Owner's signature: [Signature] Date: 6/23/2020



SKYLINE

NORTH PROPERTY LINE



- UP TO 1000 YARDS OF FILL FOR DRIVEWAY & PARKING
- NO FILL FOR CABINS

DUMPSTER

PARKING CABIN #1

35' SETBACK WEST P/L

FILL & DRIVEWAY CONSTRUCTION GRAVEL

CABIN #1  
20'x26'

PARKING CABIN #2

PARKING CABIN #3 & 4

CABIN #4  
20'x26'

28' SETBACK FROM SOUTH P/L

CABIN #3  
20'x26'

CABIN #2  
20'x26'

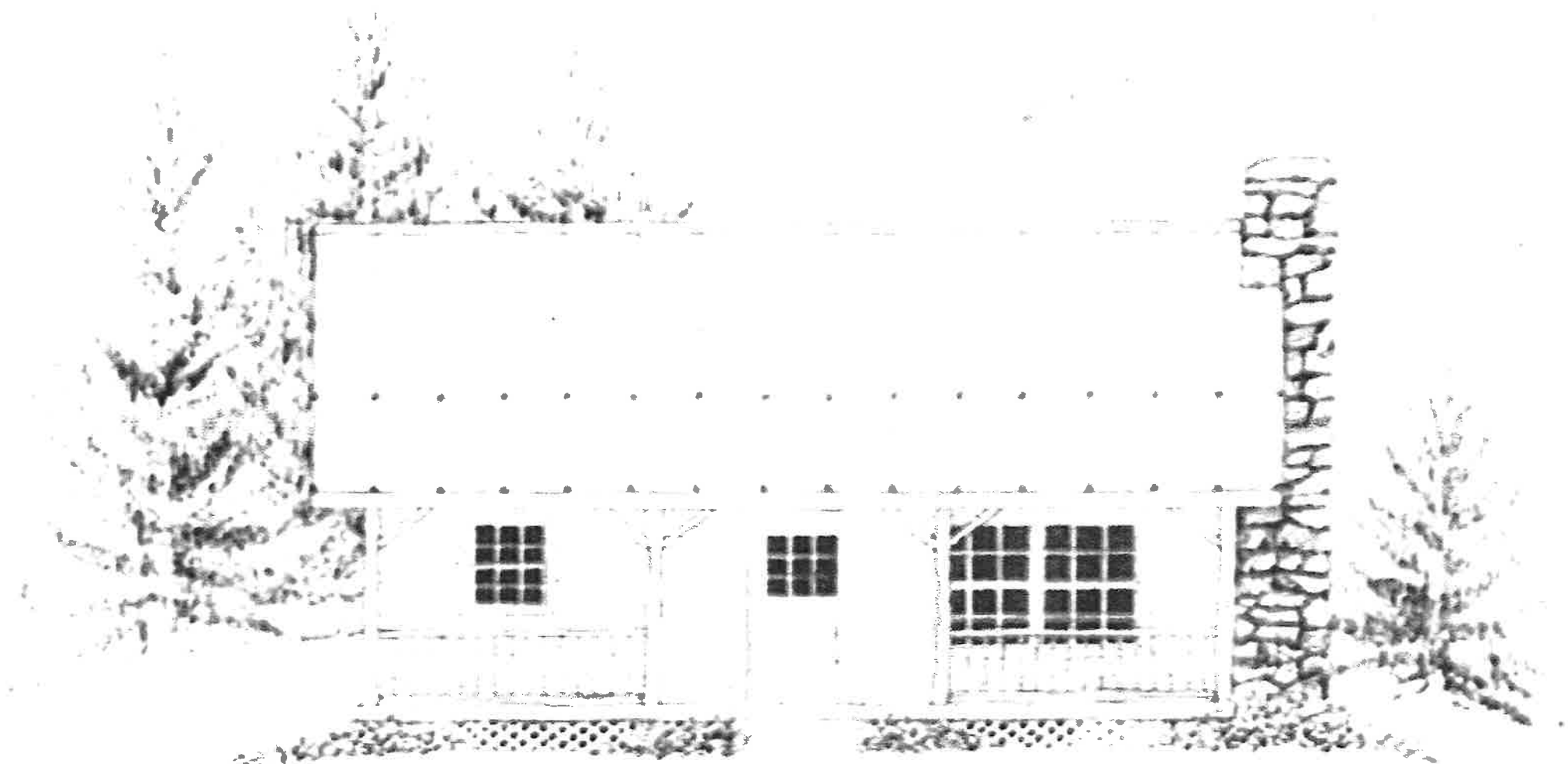
- SEWER
- POWER
- NATURAL GAS

98' SETBACK FROM EAST P/L

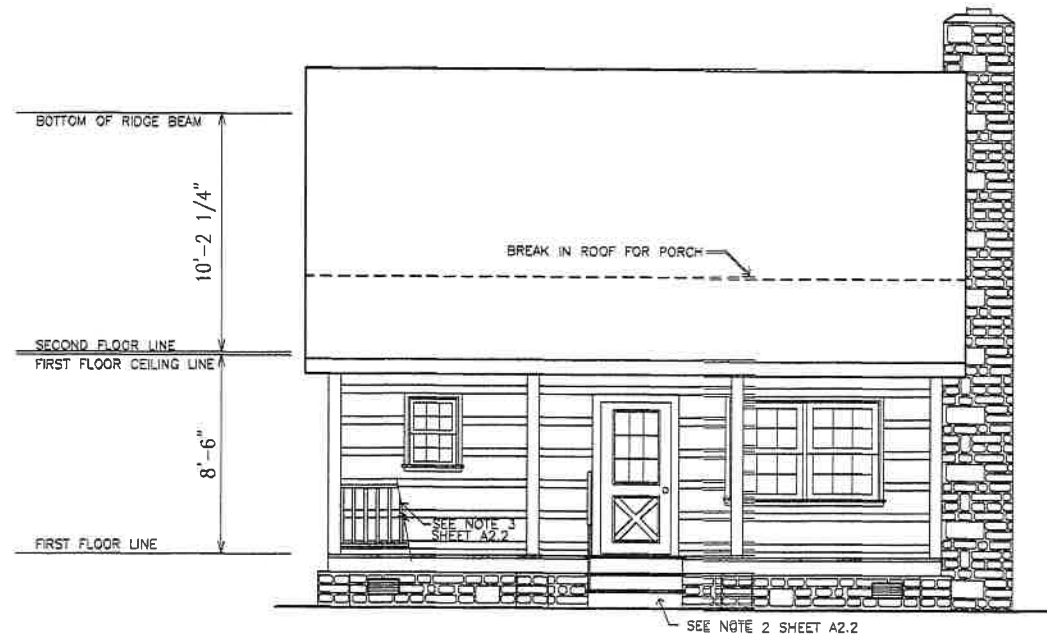
SEPTIC & DRAIN FIELD AREA

1" = 20'

SITE PLAN  
LOT C1-C-2



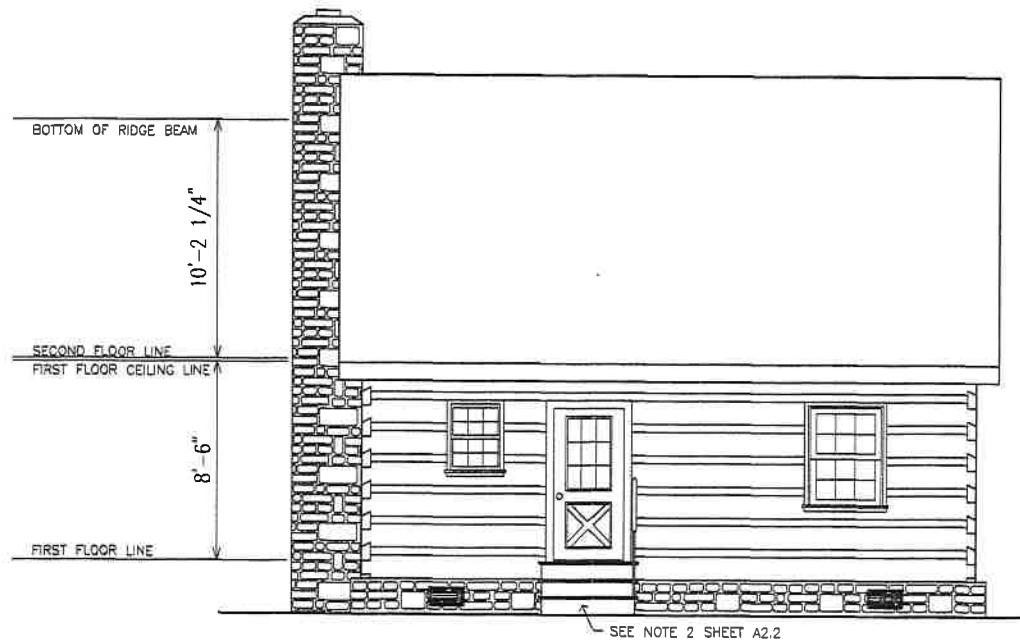
SILVER MOUNTAIN 707 1/1



## SILVER MOUNTAIN

A1	FRONT ELEVATION
	1/8" = 1'-0"

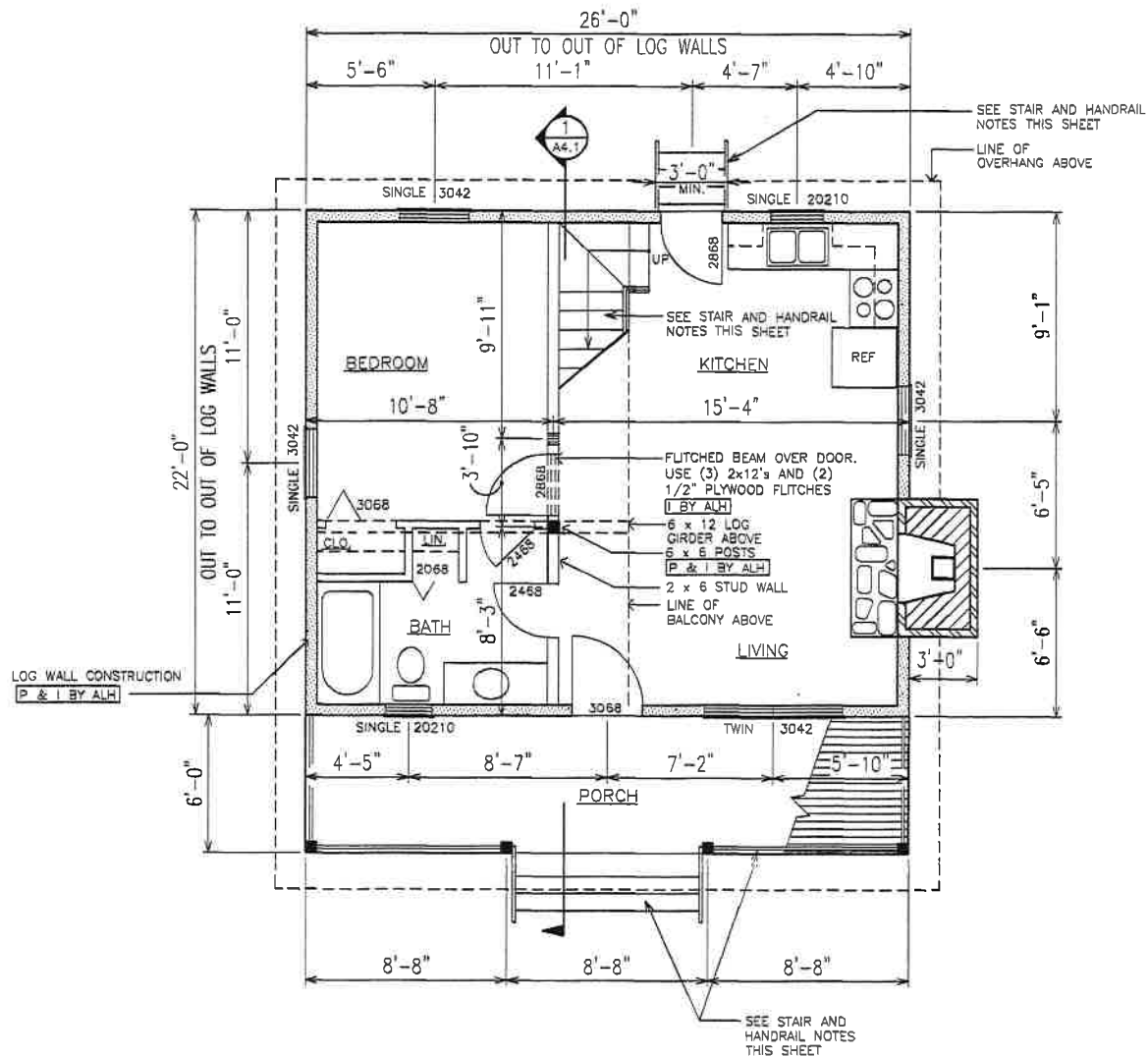
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### SILVER MOUNTAIN

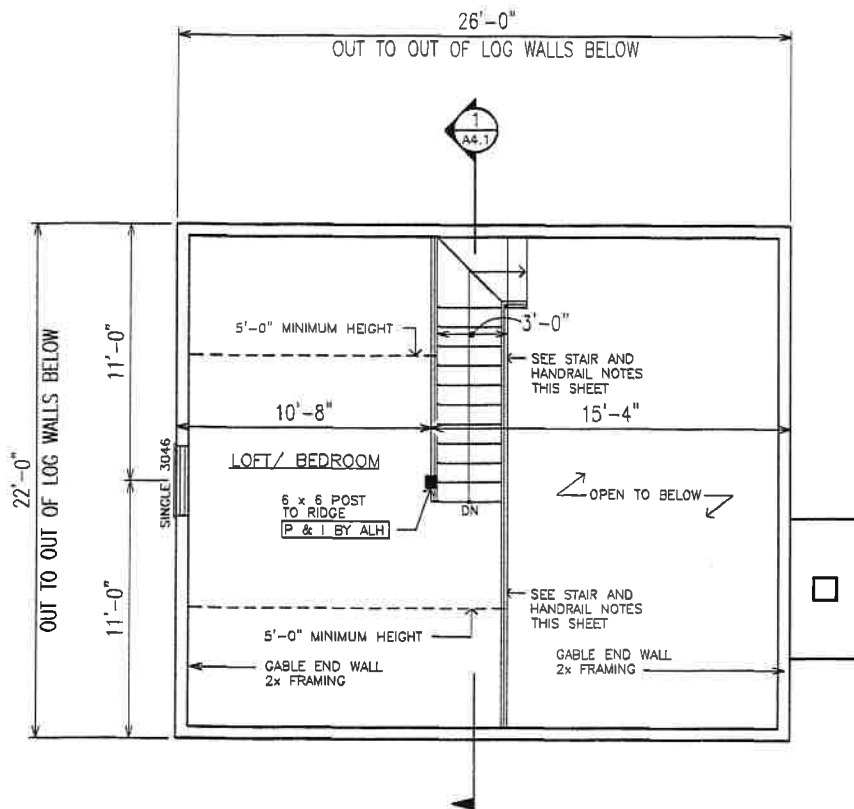
A1	REAR ELEVATION
	1/8" = 1'-0"

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## SILVER MOUNTAIN

A1	1st FLOOR PLAN	
	1/8" = 1'-0"	572 S.F.



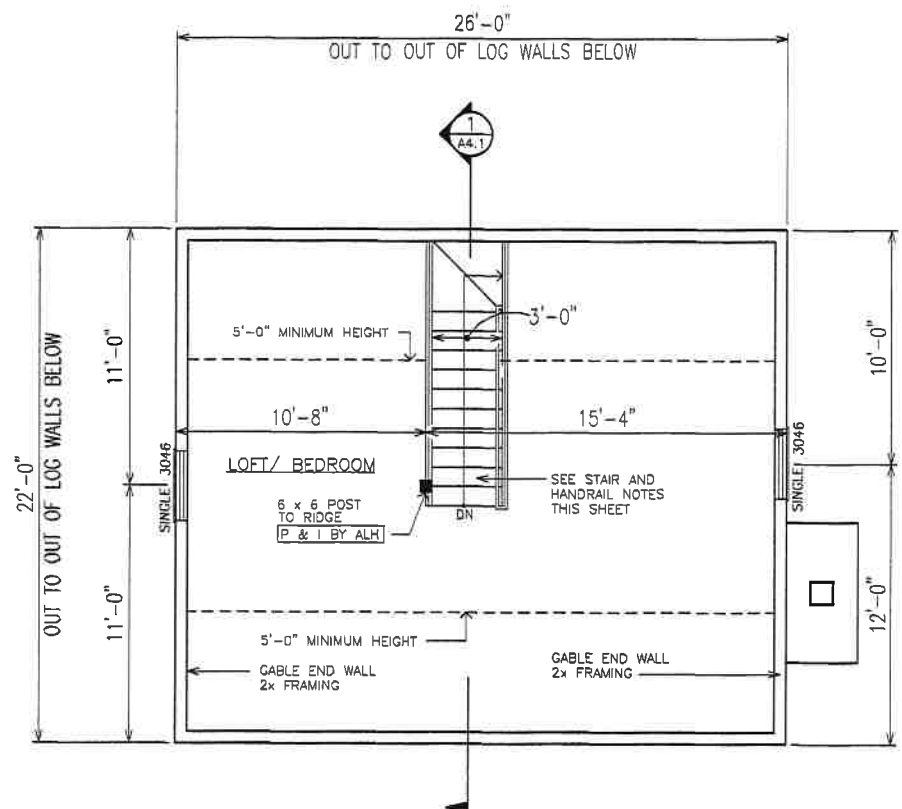
### SILVER MOUNTAIN

A1

LOFT PLAN

1/8" = 1'-0"

135 S.F.



### SILVER MOUNTAIN

A2

2nd FLOOR PLAN (OPTIONAL)

1/8" = 1'-0"

266 S.F.

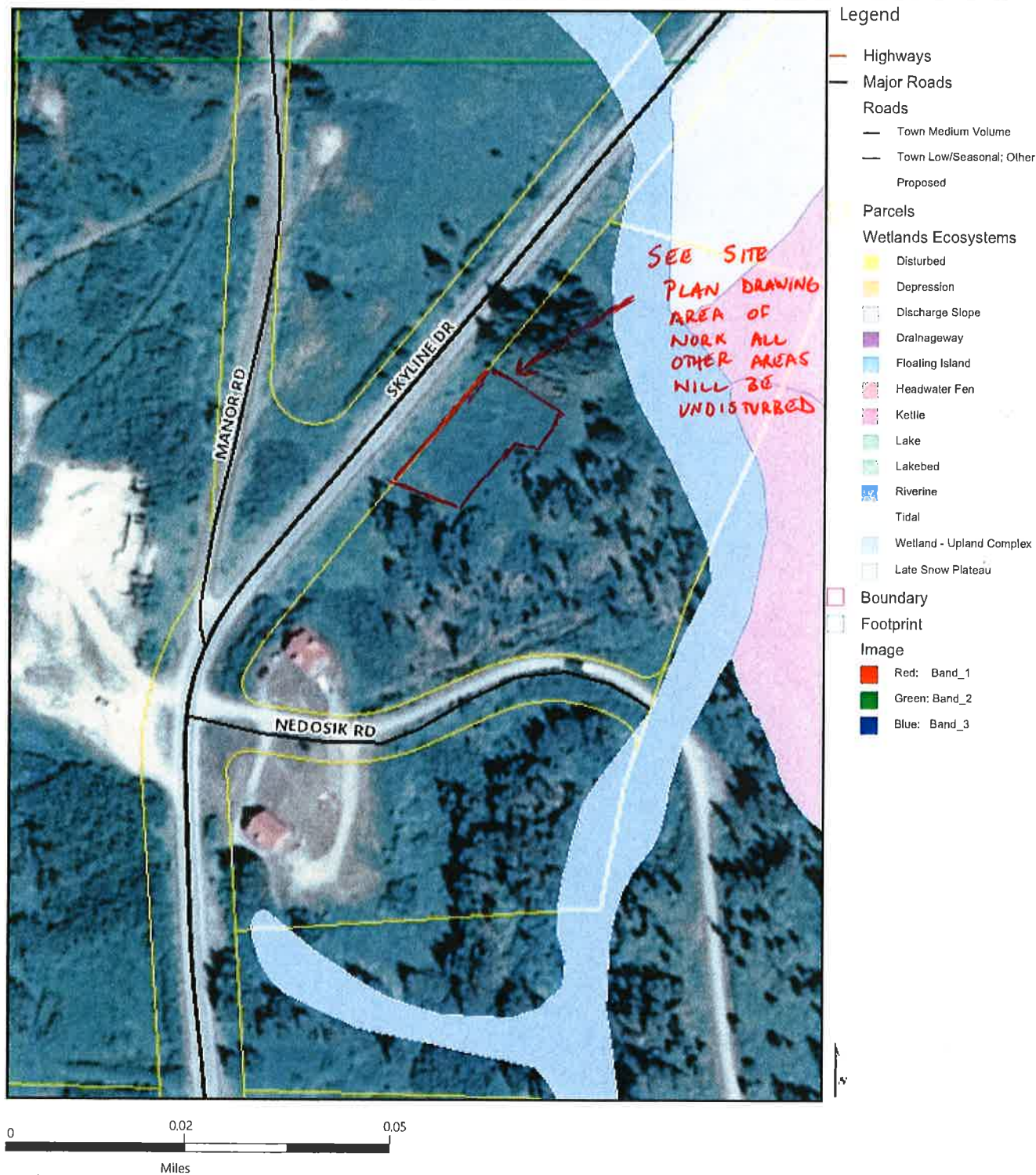
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# Kenai Peninsula Borough GIS Division

## Land Cover



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This application was designed to provide information about landcover types on the Kenai Peninsula. It is intended for general informational purposes only and should not be used in place of any official information from an authoritative agency. All the datasets herein were mapped at a scale describing a much larger area than most parcels and therefore land cover boundaries may not match exactly with your property lines. Furthermore, land cover can change over time and the characteristics of a type may vary seasonally. The data displayed herein is neither a legally recorded map nor survey and should only be used for general reference purposes. It is not intended to be used for measurement. Kenai Peninsula Borough assumes no liability as to the accuracy of any data displayed herein. Original source documents should be consulted for accuracy verification.

ANCES WERE DETERMINED BY ROTATING  
 NG FEDERAL BASE NETWORK CONTROL  
 NG POINT. TRUE BEARINGS WERE  
 D INVERSE AZIMUTHS  $-1^{\circ}17'13.4''$ .  
 IED BY DIVIDING GRID INVERSE

ORDINATES WERE TRANSLATED TO A  
 SED ON FEDERAL BASE NETWORK  
 =100,000 E=100,000. ALL  
 IT GROUND DISTANCES IN U.S. SURVEY  
 H.

RIGHT-OF-WAYS AND THE FRONT 20  
 OE LOT LINES IS A UTILITY EASEMENT.  
 ALL BE CONSTRUCTED OR PLACED  
 CH WOULD INTERFERE WITH THE  
 HE EASEMENT.

VISION ARE SUBJECT TO CITY OF  
 REFER TO THE HOMER CITY CODE FOR  
 E DEVELOPMENT RESTRICTIONS.  
 HE CITY OF HOMER PLANNING  
 MENT ACTIVITIES.

PROPERTY IS RESPONSIBLE FOR  
 STATE, AND FEDERAL PERMITS,  
 OF ENGINEERS WETLAND

SKYLINE DRIVE IS PROHIBITED  
 AL FROM THE ALASKA STATE DOT.

EMENTS OF RECORD WITH NO  
 HOMER ELECTRIC ASSOCIATION (BK  
 'G 119 HRD).

BY ONSITE WATER AND SEWER.

EASEMENT: CONSTRUCTION OF  
 TED TO THE OUTER 20 FT. ONE  
 TH SIDES OF THE EASEMENT.  
 ASSING THE EASEMENT SHALL BE  
 AR TO THE TRANSMISSION LINE AS  
 TION OF THE ROAD OR DRIVEWAY  
 J A TRANSMISSION LINE  
 OR FILL WITHIN THE EASEMENT IS  
 RITTEN PERMISSION OF HEA.

RY MONUMENT RECOVERED  
 SHOWN

CAP (7968-S 2009)  
 SURVEY

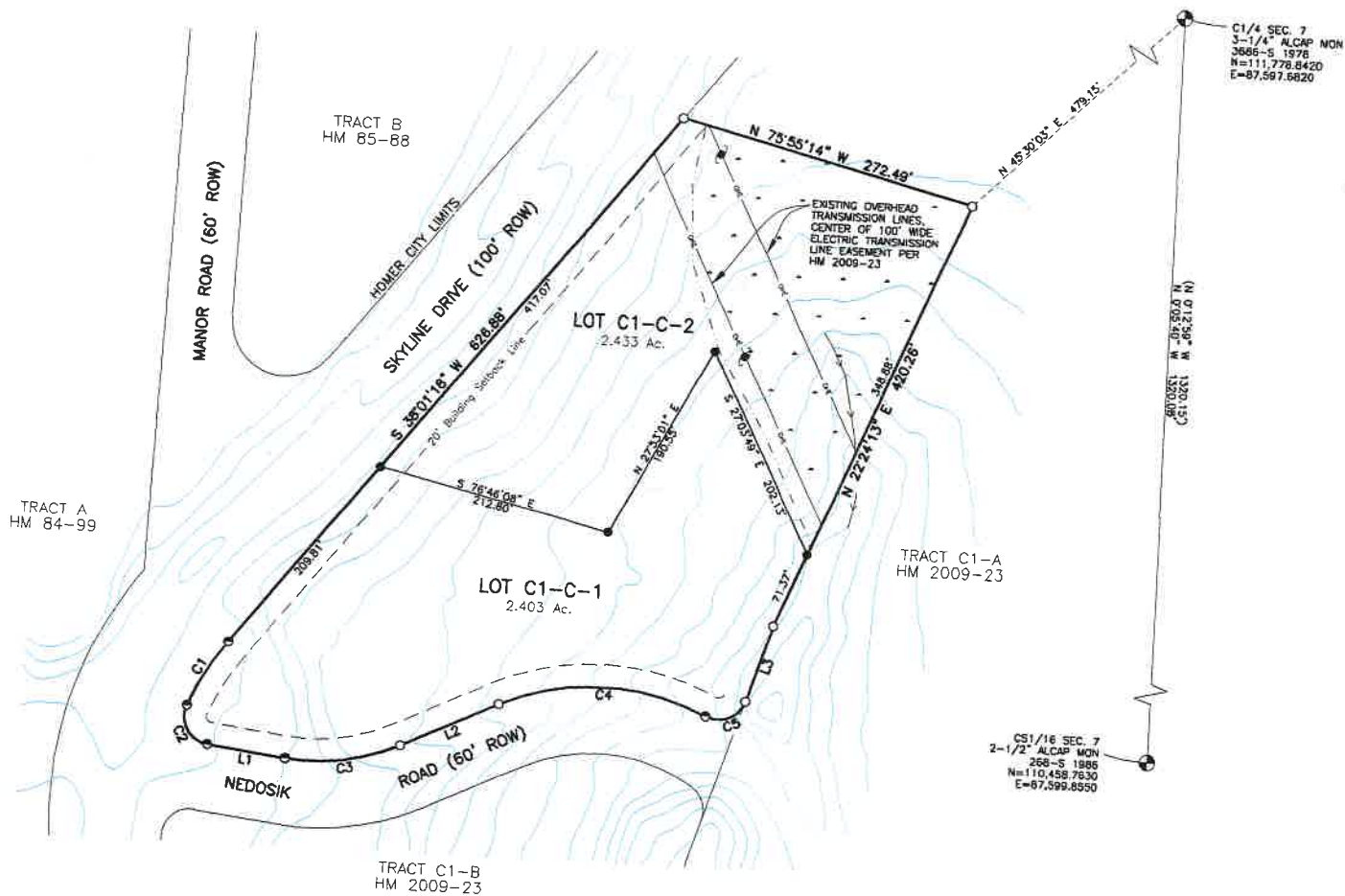
AL CORNER OF RECORD FOUND  
 REPLACED WITH NEW CORNER

X 30" REBAR WITH 2" ALCAP  
 SET THIS SURVEY

IN PER PLAT HM 2009-23

BY: \_\_\_\_\_  
 AUTHORIZED OFFICIAL  
 KENAI PENINSULA BOROUGH

DATE \_\_\_\_\_



LINE TABLE

LINE	BEARING	DISTANCE
L1	S 82°44'12" E	71.54'
L2	N 64°31'44" E	96.25'
L3	N 17°17'28" E	73.00'

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD BRNG	CHORD DIST
C1	15°43'04"	250.00'	68.58'	S 30°09'46" W	68.37'
C2	105°02'26"	25.00'	45.83'	S 30°12'59" E	39.68'
C3	32°44'04"	185.00'	105.89'	N 80°53'46" E	104.26'
C4	51°37'57"	215.00'	193.75'	S 89°39'18" E	187.26'
C5	98°52'13"	25.00'	43.14'	N 66°43'34" E	37.98'

### WASTEWATER DISPOSAL

SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES ON THE  
 LOTS WITHIN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR  
 CONVENTIONAL ONSITE WASTEWATER TREATMENT AND DISPOSAL  
 SYSTEMS SERVING SINGLE-FAMILY OR DUPLEX RESIDENCES AND  
 MEETING THE REGULATORY REQUIREMENTS FOR THE



## PUBLIC HEARING NOTICE

Public notice is hereby given that the City of Homer will hold a public hearing by the Homer Planning Commission on Wednesday, July 15, 2020 at 6:30 p.m. via a virtual meeting, on the following matter:

**A request for Conditional Use Permit (CUP) 20-10 to build four single family dwellings at 750 Nedosik Road, Tract C1-C Nedosik 1998 Tract C Jack Hamilton Replat, S1/2 Sec. 7, T. 6 S., R. 13W., S.M., HM 2009023. A CUP is required according to HCC 21.12.030(m) more than one building containing a permitted principal use on a lot.**

Anyone wishing to view the complete proposal, attend the virtual meeting, or participate in the virtual meeting may do so by visiting the Planning Commission Regular Meeting page on the City's online calendar at <https://www.cityofhomer-ak.gov/calendar>.

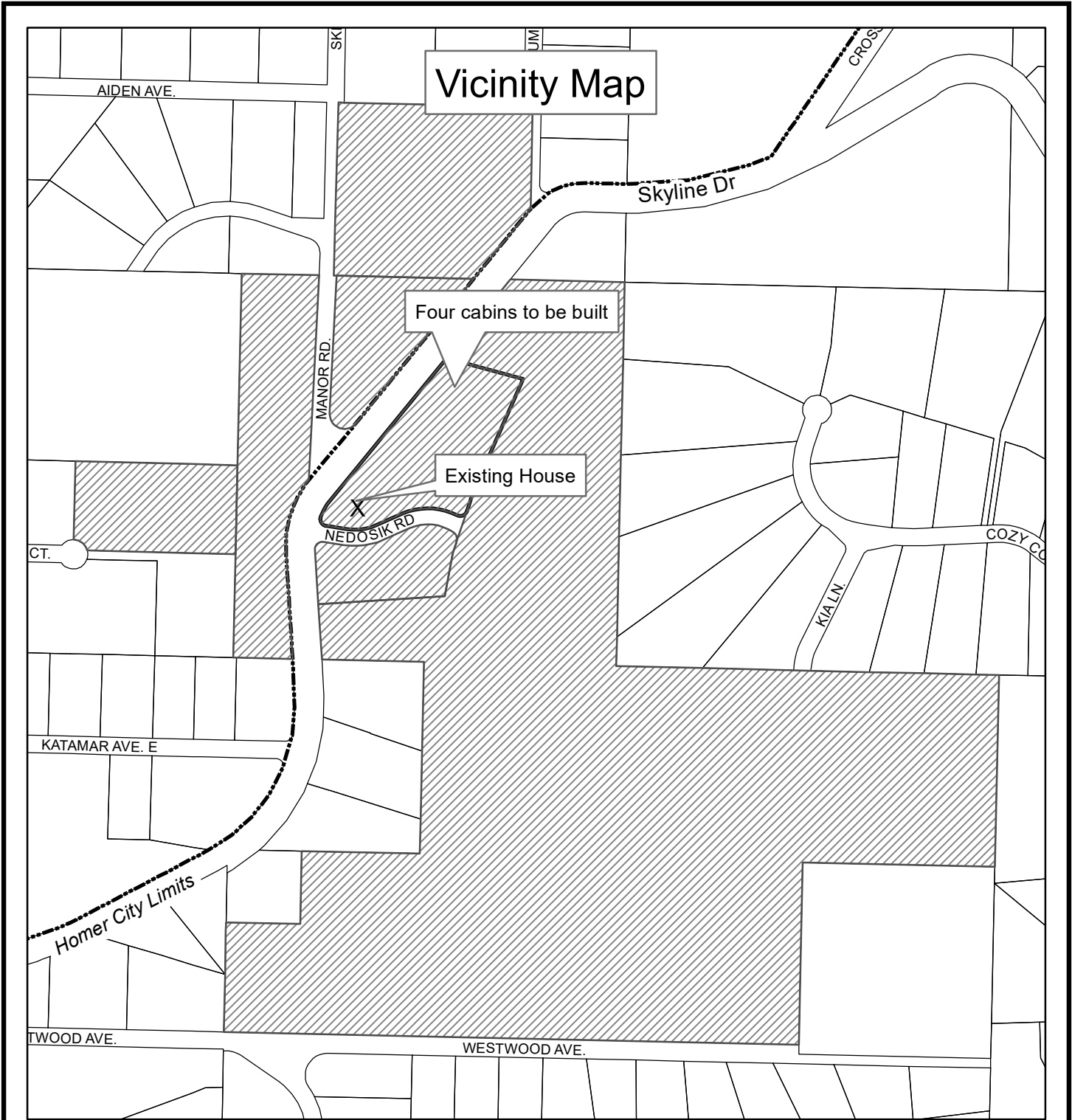
Visit the link above or call the City Clerk's Office to learn how to provide verbal testimony during the meeting via telephone or the Zoom online platform. Written comments can be emailed to [planning@ci.homer.ak.us](mailto:planning@ci.homer.ak.us) or mailed to Homer City Hall, 491 E. Pioneer Ave., Homer, AK, 99603. They may also be placed in the drop box at the Pioneer Avenue entrance to Homer City Hall at any time. Comments must be received by 4pm on the day of the meeting.

If you have questions or would like additional information about the proposal, please contact Travis Brown at the Planning and Zoning Office at 235-3106. If you have questions about how to participate in the virtual meeting, please contact the City Clerk's Office at 235-3130.

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

.....

**VICINITY MAP ON REVERSE**



**City of Homer**  
**Planning and Zoning Department**  
 6/24/20

### Request for Conditional Use Permit 20-10

Marked lots are within 300 feet and  
property owners notified.

0 150 300 600 Feet

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



- Parcels**
- Wetlands Ecosystems**
- Disturbed
  - Depression
  - Discharge Slope
  - Drainageway
  - Floating Island
  - Headwater Fen
  - Kettle
  - Lake
  - Lakebed
  - Riverine
  - Tidal
  - Wetland - Upland Complex
  - Late Snow Plateau
- Boundary**
- Footprint**
- Image**
- Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3



## SILVER MOUNTAIN

A1

FRONT ELEVATION

1/8" = 1'-0"

COPYRIGHT 2004: This document has been prepared exclusively for Appalachian Log Homes, Inc. Any reproduction and or reuse of this document without the express written consent of Appalachian Log Homes is prohibited and unlawful.



SKYLINE

NORTH PROPERTY LINE



- UP TO 1000 YARDS OF FILL FOR DRIVEWAY & PARKING

- NO FILL FOR CASINS

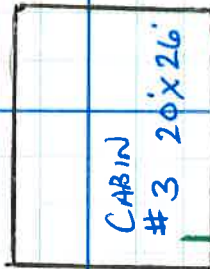
DUMPSTER

FILL &  
DRIVEWAY  
CONSTRUCTION GRAVEL



28' SETBACK FROM SOUTH P/L

PARKING #3 & 4  
CABIN #3 & 4



SEWER

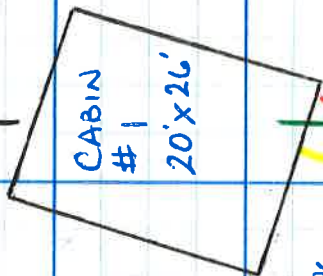
POWER

NATURAL GAS

98'

SETBACK FROM

EAST P/L



PARKING CABIN #1

35' SETBACK WEST P/L

PARKING CABIN #2

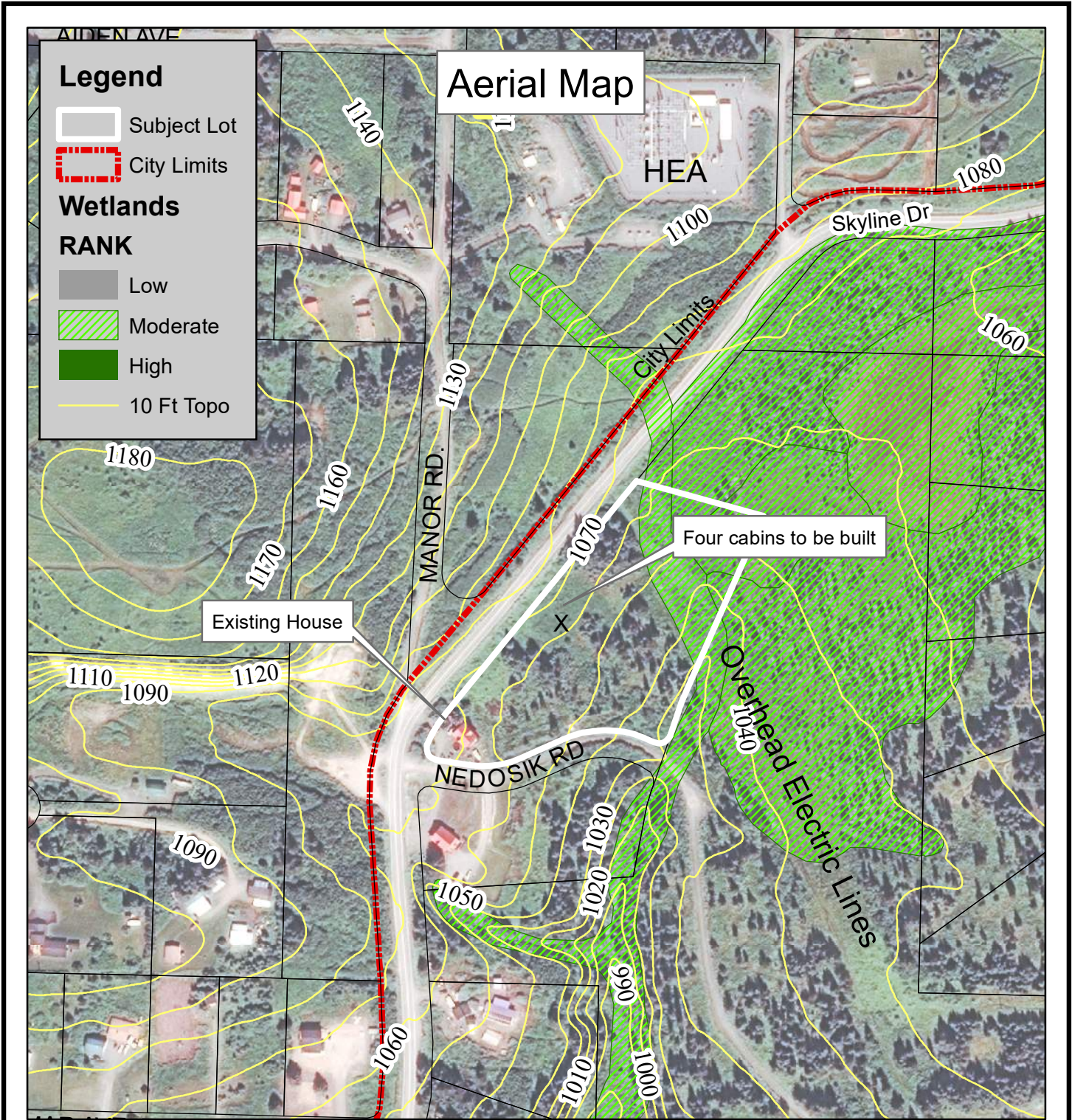



SEPTIC &  
DRAIN FIELD AREA

1" = 20'

SITE PLAN  
LOT C1-C-2



**City of Homer**  
Planning and Zoning Department  
7/7/2020

**Request for  
Conditional Use Permit 20-10**

2016 Photo.  
Property lines not exact; use with care.

0 150 300 Feet

**Disclaimer:**  
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# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

[Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)

(p) 907-235-3106

(f) 907-235-3118

### Staff Report 20-46

TO: Homer Planning Commission **20-46**  
FROM: Julie Engebretsen, Acting City Planner  
DATE: 7/15/2020  
SUBJECT: Newton Subdivision 2020 Replat Preliminary Plat

**Requested Action:** Approval of a preliminary plat to reconfigure three smaller lots into two larger lots.

#### General Information:

Applicants:	James Thacker 4529 Thunder Ridge Road Wildwood, MO 63025	Geovera LLC PO Box 3235 Homer AK 99603
Location:	Skyline Drive, East of Easy Street	
Parcel ID:	17404023, 17404024, 17404022	
Size of Existing Lot(s):	1.48, 1.54 and 1.82 acres	
Size of Proposed Lots(s):	2.400 and 2.434 acres	
Zoning Designation:	Rural Residential and Bridge Creek Watershed Protection District	
Existing Land Use:	Vacant	
Surrounding Land Use:	North: Vacant South: Vacant/Residential East: Vacant West: Vacant/Residential	
Comprehensive Plan:	Goal 1 Objective A: Promote 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.	
Wetland Status:	The 2005 wetland mapping shows no wetland areas.	
Flood Plain Status:	Zone D, flood hazards undetermined.	
BCWPD:	Located within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are not available at this time.	
Public Notice:	Notice was sent to 15 property owners of 22 parcels as shown on the KPB tax assessor rolls.	

**Analysis:** This subdivision is within the Rural Residential District and the Bridge Creek Watershed Protection District (BCWPD). This plat reconfigures lot lines from three smaller lots, into two larger lots. In the BCWPD, the minimum lot size of new lots is 4.5 acres. The three original lots are non-conforming. Changing the configuration into two larger lots increases conformance with the requirements of the district.

**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 does not meet these requirements. Dedicate a 15 ft utility easement along Skyline Drive.

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

**Staff Response:** The plat meets these requirements.

- C. The subdivider shall dedicate easements or rights-of-way for sidewalks, bicycle paths or other non-motorized transportation facilities in areas identified as public access corridors in the Homer Non-Motorized Transportation and Trail Plan, other plans adopted by the City Council, or as required by the Kenai Peninsula Borough Code.

**Staff Response:** The plat meets these requirements.

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

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

**Staff Response:** The plat meets these requirements.

- B. North point;

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements.

- 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.

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

**Staff Response:** The plat meets these requirements.

**Public Works Comments:** No comments.

**Staff Recommendation:**

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

1. Include a plat note stating “Property owner should contact the Army Corps of Engineers prior to any on-site development or construction activity to obtain the most current wetland designation (if any). Property owners are responsible for obtaining all required local, state and federal permits.”
2. Per HCC 22.10.051 Easements and rights-of-way, dedicate a 15 foot utility easement along Skyline Dr. Plat note 4 states the existing easement is only ten feet.

**Attachments:**

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

*Geovera, LLC*

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

June 4, 2020

City of Homer  
Planning Department  
Julie Engebretsen, Deputy City Planner  
491 E. Pioneer Ave.  
Homer, Alaska 99603

RE: Newton Subdivision 2020 Replat Preliminary Plat Submittal

Julie,

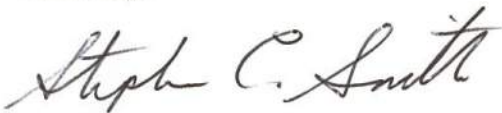
Please find enclosed (1) full size copy and (2) 11X17 copies of the preliminary plat of Newton Subdivision 2020 Replat, and a \$300.00 check for the submittal fee.

This plat reconfigures Lots 2, 3 and 4 into two lots, approximately the same size. Both lots front Skyline Drive. We are working with ADOT to permit the relocation of the shared driveway access per HM 96-39 to the southeast corner of Lot 2-A. This location will provide shared access to both Lots 2-A and 3-A.

No rights-of-way or easements are being dedicated by this plat. These lots will be served by onsite water and sewer. Soils engineering to determine suitability for onsite wastewater disposal is not required per KPB 20.40.020(a). No subdivision or construction agreement is required for this plat.

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

Sincerely,



Stephen C. Smith P.L.S.

**RECEIVED**

**JUN 04 2020**

**CITY OF HOMER  
PLANNING/ZONING**





## NOTICE OF SUBDIVISION

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

Proposed subdivision under consideration is described as follows:

### **Newton Subdivision 2020 Replat 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, July 15, 2020 at 6:30 p.m. The meeting will be held virtually.

Anyone wishing to view the complete proposal, attend the virtual meeting, or participate in the virtual meeting may do so by visiting the Planning Commission Regular Meeting page on the City's online calendar at <https://www.cityofhomer-ak.gov/calendar>.

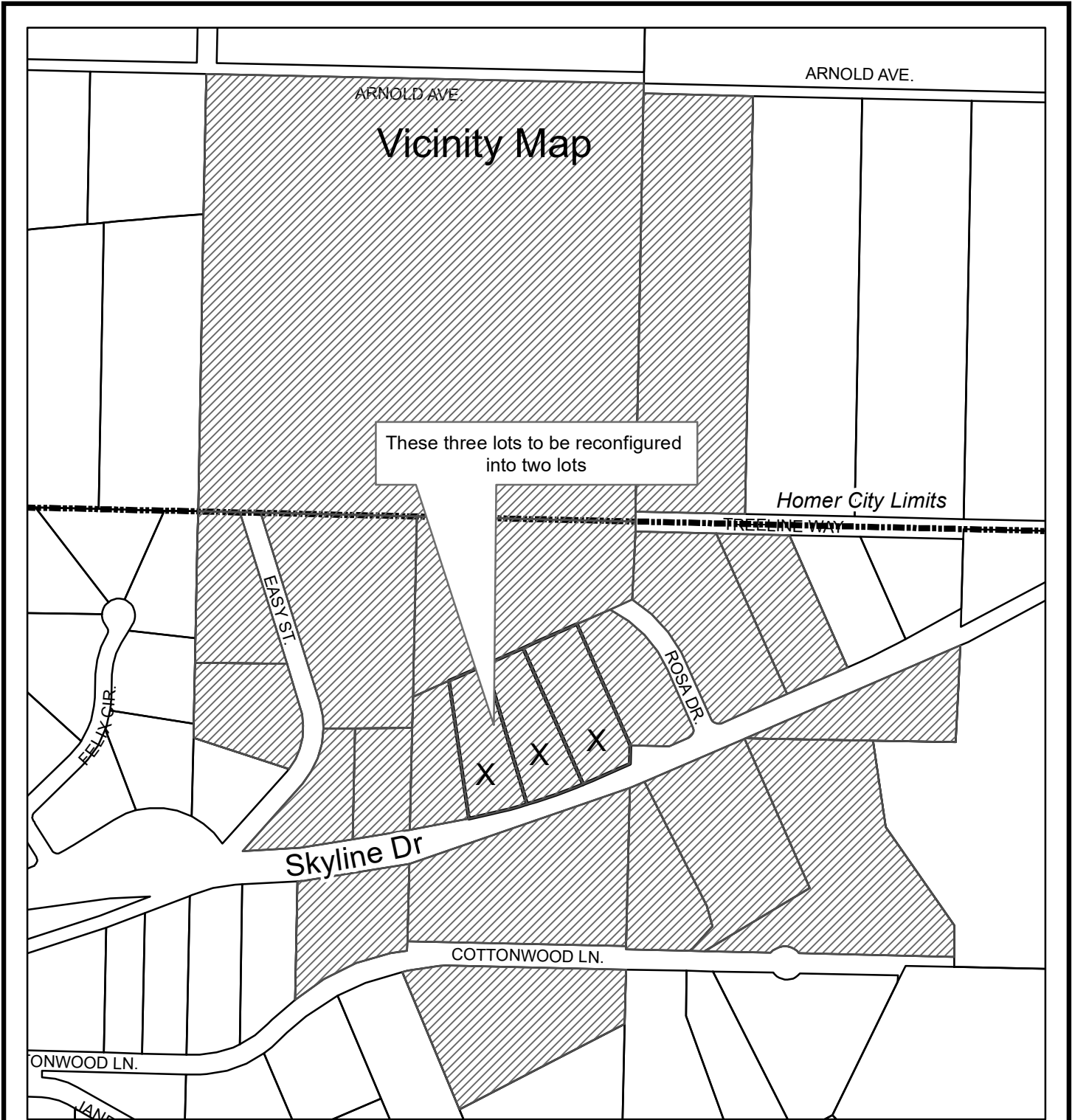
Visit the link above or call the City Clerk's Office to learn how to provide verbal testimony during the meeting via telephone or the Zoom online platform. Written comments can be emailed to [planning@ci.homer.ak.us](mailto:planning@ci.homer.ak.us) or mailed to Homer City Hall, 491 E. Pioneer Ave., Homer, AK, 99603. They may also be placed in the drop box at the Pioneer Ave. entrance to Homer City Hall at any time. Comments must be received by 4pm on the day of the meeting.

If you have questions or would like additional information about the proposal, please contact Travis Brown at the Planning and Zoning Office at 235-3106. If you have questions about how to participate in the virtual meeting, please contact the City Clerk's Office at 235-3130.

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

.....

**VICINITY MAP ON REVERSE**



City of Homer  
Planning and Zoning Department

6/24/2020

## Newton Subdivision 2020 Replat Preliminary Plat

Marked lots are within 500 feet  
and property owners notified

0 250 500 1,000  
Feet



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

NOTES

1. BASIS OF BEARING FOR THIS SURVEY WAS DETERMINED BY A HIGH PRECISION GPS SURVEY USING TOPCON DUAL-FREQUENCY HiPer V RECEIVERS, DIFFERENTIALLY CORRECTED AND PROCESSED WITH MAGNET OFFICE VERSION 3.1 SOFTWARE. NAD83 ALASKA STATE PLANE GRID COORDINATES (U.S. SURVEY FEET) OBTAINED FROM THE GPS OBSERVATIONS WERE BASED ON THE NGS PUBLISHED VALUES FOR FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" (PID T10155).
2. TRUE BEARINGS AND DISTANCES WERE DETERMINED BY ROTATING AND SCALING FROM GRID USING FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY ROTATING GRID INVERSE AZIMUTHS  $-1^{\circ}17'13.4''$ . TRUE DISTANCES WERE OBTAINED BY DIVIDING GRID INVERSE DISTANCES BY 0.999986696.
3. THE RESULTING SCALED COORDINATES WERE TRANSLATED TO A LOCAL COORDINATE SYSTEM BASED ON FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" N=100,000 E=100,000. ALL COORDINATE VALUES REPRESENT GROUND DISTANCES IN U.S. SURVEY FEET ORIENTED TO TRUE NORTH.
4. THE 10 FEET FRONTING THE SKYLINE DRIVE RIGHT-OF-WAY IS A UTILITY EASEMENT PER THE PARENT PLAT (HM 96-39). NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
5. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.
6. WASTEWATER DISPOSAL: WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.
7. NO ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY THE ALASKA DEPARTMENT OF TRANSPORTATION.
8. ALL LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO 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.
9. THE EXISTING OVERHEAD POWER LINE IS THE CENTERLINE OF A 20 FOOT WIDE ELECTRICAL DISTRIBUTION LINE EASEMENT.

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD BRNG	CHORD DIST
C1	12°50'00"	1820.00'	407.65'	N 71°36'51" E	406.80'

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 65°11'51" E	106.69'
L2	N 0°06'34" W	55.56'

LEGEND

- INDICATES 2-1/2" ALCAP MONUMENT (1301-S 1990) RECOVERED THIS SURVEY
- INDICATES 5/8" REBAR WITH 2" ALCAP (1301-S, 1996) RECOVERED THIS SURVEY
- INDICATES 5/8" REBAR WITH 2" ALCAP (1301-S, 1990) RECOVERED THIS SURVEY
- INDICATES 5/8" X 30" REBAR WITH 2" ALCAP (7538-S 2020) SET THIS SURVEY
- INDICATES EXISTING POWER POLE
- INDICATES CENTERLINE EXISTING POWER LINES

PLAT APPROVAL

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

BY: \_\_\_\_\_ AUTHORIZED OFFICIAL  
KENAI PENINSULA BOROUGH

DATE \_\_\_\_\_

SCALE 1"=50'



CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT THE JAMES AND KATE THACKER REVOCABLE LIVING TRUST IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT ON BEHALF OF THE JAMES AND KATE THACKER REVOCABLE LIVING TRUST I HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND BY MY FREE CONSENT DEDICATE ALL RIGHTS OF WAY AND PUBLIC AREAS TO PUBLIC USE, AND GRANT ALL EASEMENTS TO THE USE SHOWN HEREON.

JAMES R. THACKER, GRANTOR  
JAMES AND KATE THACKER REVOCABLE LIVING TRUST  
4529 THUNDER RIDGE ROAD  
WILDWOOD, MO 63025

NOTARY'S ACKNOWLEDGMENT

FOR JAMES R. THACKER

ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_

DAY OF \_\_\_\_\_, 2020.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES: \_\_\_\_\_

RECEIVED

JUN 04 2020

CITY OF HOMER  
PLANNING/ZONING

HOMER RECORDING DISTRICT KPB FILE No. 2020-???

NEWTON SUBDIVISION 2020 REPLAT

THE RECONFIGURATION OF LOTS 2, 3 AND 4  
NEWTON SUBDIVISION (HM 96-39)  
INTO LOTS 2-A AND 3-A

LOCATED WITHIN THE SW1/4 NE 1/4 SEC 9,  
T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI  
PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA  
CONTAINING 4.834 ACRES

OWNER:  
JAMES AND KATE THACKER REVOCABLE LIVING TRUST  
4529 THUNDER RIDGE ROAD, WILDWOOD MO. 63025

GEOVERA, LLC

PO BOX 3235

HOMER ALASKA 99603

(907) 399-4345

EMAIL: scsmith@gci.net

DRAWN BY: SCS

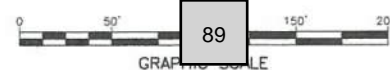
DATE: MAY 2020

SCALE: 1" = 50'

CHK BY: SCS

JOB #2020-29

SHEET 1 OF 1







# Aerial Map

Homer City Limits

TREELIN

These three lots to be reconfigured  
into two lots

Bridge Creek Watershed  
Protection District Boudnary

EASY ST.

ROSA DR.

Skyline Dr

COTTONWOOD LN.



City of Homer  
Planning and Zoning Department

7/1/2020

## Newton Subdivision 2020 Replat Preliminary Plat

Property lines are not exact; use with care

0 250 500  
Feet



*Disclaimer:  
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# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

[Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)

(p) 907-235-3106

(f) 907-235-3118

### Staff Report 20-47

TO: Homer Planning Commission  
FROM: Julie Engebretsen, Acting City Planner  
DATE: 7/15/2020  
SUBJECT: Jack Gist Subdivision No.3 Preliminary Plat REVISED

**Requested Action:** Request approval of a forty lot subdivision and road layout

This staff report is supplemental to SR 20-41, presented at the June 17<sup>th</sup> meeting. Action was postponed at that meeting. The developer has chosen to address neighborhood concerns with the street layout by platting and constructing Jack Gist Lane as a through street between Early Spring Street and East End Road. The revised plat and public notice was mailed to the same property owners as the June 17<sup>th</sup> notice. Public Works has provided new comments.

### Staff Recommendation:

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

1. Include a plat note stating "Property owner should contact the Army Corps of Engineers prior to any on-site development or construction activity to obtain the most current wetland designation (if any). Property owners are responsible for obtaining all required local, state and federal permits."
2. Provide street names that comply with E911 standards.
3. Adhere to Public Works recommendations. A subdivision development agreement is required.
4. Provide a trail easement between lots 31 and 32 (concurrent with the sewer easement) to provide non-motorized access to the park.

### Attachments:

1. Public Works Comments
2. REVISED Preliminary Plat
3. REVISED Surveyor's Letter
4. Public Notice
5. Aerial Map
6. Public comments from the last meeting

### Revised Public Works Comments

PW comments for Jack Gist Sub Unit 3 are as follows:

-Provide the 20' (r) curve returns to the newly dedicated rights-of-way (North Way and South Court), at the intersection of Early Spring Street and at the intersection of North Way and Jack Gist Lane.  
-Adjust the sewer easements to 30' wide.

- A Subdivision Agreement will be required. Developer shall contact Public Works to submit application and execute construction agreement.
- Developer provided improvements include the following. All construction per Homer Standard Construction Specifications.

Roads:

- Jack Gist Lane – Currently meets gravel road standards.
- North Way – Provide gravel road/drainage improvements (26' wide top). Street name and stop signs.
- South Court - Provide gravel road/drainage improvements (26' wide top) and 40' diameter cul-de-sac. Street name and stop signs.
- Bottom Circle - Provide gravel road/drainage improvements (26' wide top) and 40' diameter cul-de-sac. Street name and stop signs.
- Per Standard Detail 200.01

Water/Sewer:

- 8" dia. water mains fronting all lots; 1" dia. water services to each lot; fire hydrants (spaced @ min 500').
- 8" dia. sewer mains fronting all lots; 4" dia. sewer services to each lot. (provide sewer easements for these facilities on the plat, per concept layout approved by Public Works).

Private Utilities:

- Natural gas, electricity (provide required easements for these facilities on the plat).

**From:** Jean Hughes  
**Sent:** Wednesday, July 1, 2020 2:45 PM  
**To:** Julie Engebretsen  
**Cc:** Travis Brown  
**Subject:** Jack Gist Subdivision No. 3 REVISED LAYOUT

Julie/Travis

PW comments for Jack Gist Sub Unit 3 are as follows:

- Provide the 20' (r) curve returns to the newly dedicated rights-of-way (North Way and South Court), at the intersection of Early Spring Street and at the intersection of North Way and Jack Gist Lane.
- Adjust the sewer easements to 30' wide.

A Subdivision Agreement will be required. Developer shall contact Public Works to submit application and execute construction agreement.

Developer provided improvements include the following. All construction per Homer Standard Construction Specifications.

Roads:

Jack Gist Lane – Currently meets gravel road standards.

North Way – Provide gravel road/drainage improvements (26' wide top). Street name and stop signs.

South Court - Provide gravel road/drainage improvements (26' wide top) and 40' diameter cul-de-sac. Street name and stop signs.

Bottom Circle - Provide gravel road/drainage improvements (26' wide top) and 40' diameter cul-de-sac. Street name and stop signs.

Per Standard Detail 200.01

Water/Sewer:

8" dia. water mains fronting all lots; 1" dia. water services to each lot; fire hydrants (spaced @ min 500').

8" dia. sewer mains fronting all lots; 4" dia. sewer services to each lot.

(provide sewer easements for these facilities on the plat, per concept layout approved by Public Works).

Private Utilities:

Natural gas, electricity (provide required easements for these facilities on the plat).

Thanks,

**Jean Hughes, Inspector**

City of Homer

Public Works

907-435-3129 Direct

907-399-1951 Cell





NOTES

1. BASIS OF BEARING FOR THIS SURVEY WAS DETERMINED BY A HIGH PRECISION GPS SURVEY USING TOPCON DUAL-FREQUENCY HIPER V RECEIVERS, DIFFERENTIALLY CORRECTED AND PROCESSED WITH MAGNET OFFICE VERSION 3.1 SOFTWARE. NAD83 ALASKA STATE PLANE GRID COORDINATES (U.S. SURVEY FEET) OBTAINED FROM THE GPS OBSERVATIONS WERE BASED ON THE NGS PUBLISHED VALUES FOR FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" (PID TT0155).
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3. THE RESULTING SCALED COORDINATES WERE TRANSLATED TO A LOCAL COORDINATE SYSTEM BASED ON FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" N=100,000 E=100,000. ALL COORDINATE VALUES REPRESENT GROUND DISTANCES IN U.S. SURVEY FEET ORIENTED TO TRUE NORTH.
4. THE 15 FEET FRONTING THE SPRUCE LANE, JACK GIST LANE, NORTH COURT, SOUTH COURT AND BOTTOM CIRCLE RIGHT-OF-WAYS, AND THE FRONT 20 FEET WITHIN 5 FEET OF THE SIDE LOT LINES IS A UTILITY EASEMENT. THE ENTIRE 20 FEET FRONTING THE EARLY SPRING STREET RIGHT-OF-WAY IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
5. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.
6. THESE LOTS ARE SERVED BY CITY OF HOMER SEWER AND WATER.
7. ALL LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO 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.
8. SET A 5/8" X 30" REBAR WITH 2" ALCAP (7538-S 2020) AT ALL LOT CORNERS AND RIGHT-OF-WAY POINTS OF CURVATURE UNLESS INDICATED OTHERWISE.
9. EXISTING DRAINAGES ARE SUBJECT TO 20 FOOT WIDE DRAINAGE EASEMENTS CENTERED ON THE CENTERLINE OF THE EXISTING DRAINAGES. APPROXIMATE LOCATIONS OF DRAINAGES ARE SHOWN.
10. THE LOT IS AFFECTED BY AN EASEMENT OF RECORD WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION (BK18, PG 97 HRD).
11. SEWER, WATER AND PEDESTRIAN TRAIL EASEMENTS ARE CENTERED ON THE LOT LINES UNLESS INDICATED OTHERWISE.

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD BRNG	CHORD DIST
C1	81°25'17"	25.00'	35.53'	S 49°15'29" E	32.61'
C2	10°56'45"	170.00'	115.68'	S 10°56'45" W	113.46'
C3	30°29'28"	230.00'	122.40'	S 15°11'37" W	120.96'
C4	62°10'55"	25.00'	27.13'	S 31°02'21" E	25.82'
C5	152°1'07"	50.00'	132.81'	S 37°57'45" E	97.07'
C6	33°24'49"	200.00'	116.64'	S 73°15'44" E	114.99'
C7	33°29'53"	200.00'	116.93'	S 73°18'16" E	115.27'
C8	33°24'49"	170.00'	99.14'	S 73°15'44" E	97.74'
C9	28°04'55"	230.00'	112.73'	S 70°35'47" E	111.60'
C10	79°51'17"	50.00'	69.69'	N 76°49'42" E	64.18'
C11	53°53'00"	50.00'	47.02'	S 36°18'09" E	45.51'
C12	53°20'28"	50.00'	46.55'	N 17°18'35" E	44.89'
C13	51°28'15"	50.00'	44.92'	N 69°42'57" E	43.42'
C14	47°42'36"	50.00'	41.63'	N 60°41'38" W	40.44'
C15	90°00'00"	25.00'	39.27'	N 45°01'52" E	35.36'
C16	59°22'13"	50.00'	51.81'	N 23°24'50" W	49.52'
C17	65°12'51"	50.00'	56.91'	S 38°52'42" W	53.89'
C18	62°54'34"	50.00'	54.90'	N 77°03'36" W	52.18'
C19	98°45'59"	50.00'	86.19'	N 3°46'41" E	75.91'
C20	90°00'00"	25.00'	39.27'	N 44°58'08" W	35.36'
C21	25°42'48"	170.00'	76.29'	S 4°18'34" W	75.65'
C22	13°16'23"	170.00'	39.38'	S 23°48'10" W	39.29'
C23	14°09'02"	230.00'	56.80'	S 23°21'50" W	56.66'
C24	5°03'01"	230.00'	20.27'	S 13°45'49" W	20.27'
C25	5°08'45"	230.00'	20.66'	S 8°39'56" W	20.65'
C26	6°08'40"	230.00'	24.67'	S 3°01'13" W	24.65'
C27	62°10'55"	25.00'	27.13'	N 31°02'21" E	25.82'
C28	50°38'48"	50.00'	44.20'	N 36°48'24" E	42.77'
C29	35°06'54"	50.00'	30.64'	N 6°04'27" W	30.17'
C30	66°25'25"	50.00'	57.97'	N 56°50'37" W	54.77'
C31	22°19'49"	170.00'	66.25'	S 78°53'19" E	65.84'
C32	11°10'05"	170.00'	33.14'	S 62°08'22" E	33.08'
C33	14°15'19"	230.00'	57.22'	S 63°40'59" E	57.08'
C34	19°09'30"	230.00'	76.91'	S 80°23'23" E	76.55'

LEGEND

- INDICATES 3-1/4" ALCAP MONUMENT (1301-S 1974) RECOVERED THIS SURVEY
- INDICATES 2-1/2" BRASS CAP MONUMENT (3686-S DATE ?) RECOVERED THIS SURVEY
- INDICATES 5/8" REBAR WITH 2" ALCAP (7968-S, 1990) RECOVERED THIS SURVEY
- INDICATES 5/8" REBAR (CAP MISSING) (5780-S PER HM 2002-27) RECOVERED THIS SURVEY
- INDICATES RECORD DATA PER HM 99-63
- INDICATES LIMIT OF DISCHARGE SLOPE DESIGNATION PER KENAI WATERSHED FORUM WETLANDS ASSESSMENT
- INDICATES APPROXIMATE CENTERLINE OF DRAINAGE

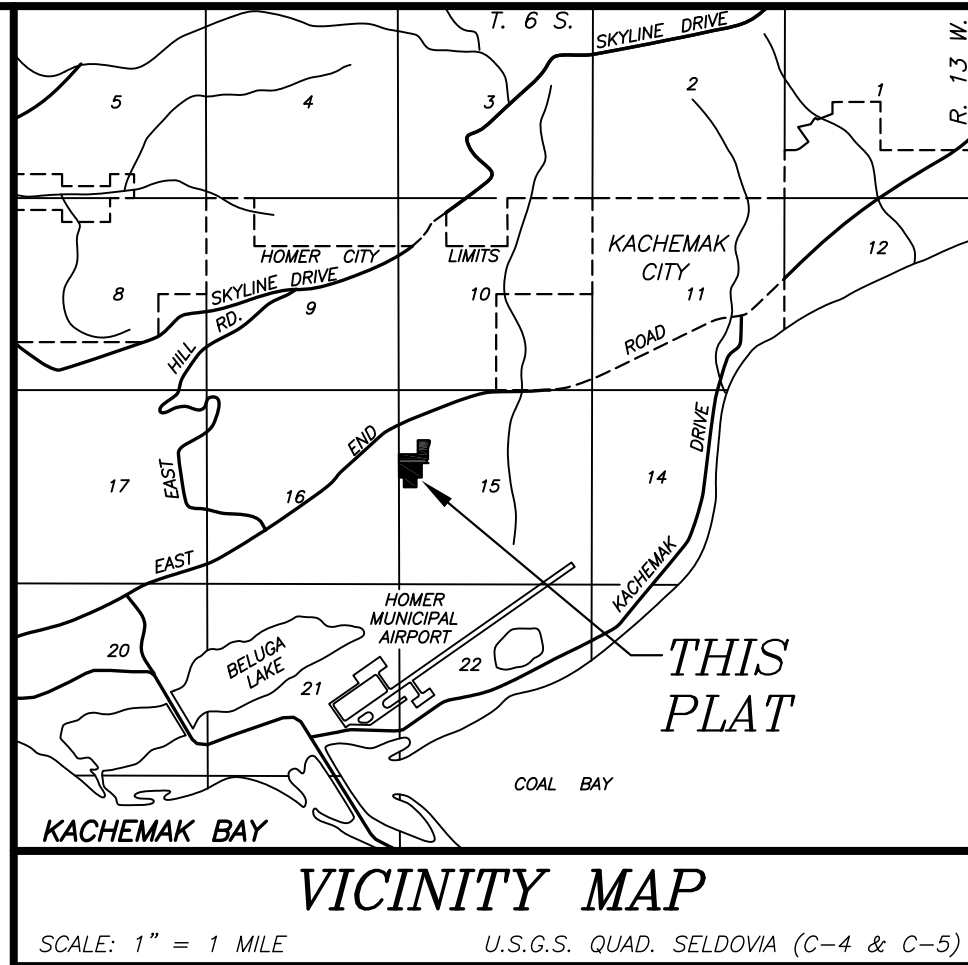
PLAT APPROVAL

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

BY: AUTHORIZED OFFICIAL  
KENAI PENINSULA BOROUGH

DATE

SCALE 1"=80'



CERTIFICATE OF OWNERSHIP AND DEDICATION

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

MIKE ARNO  
PO BOX 1772  
HOMER, ALASKA 99603

WEISSER PROPERTIES, LLC  
JASON WEISSER, MANAGER  
125 N. WILLOW STREET, SUITE B  
KENAI, ALASKA 99611

NOTARY'S ACKNOWLEDGMENT

FOR MIKE ARNO  
ACKNOWLEDGED BEFORE ME THIS  
DAY OF \_\_\_\_\_, 2020.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY'S ACKNOWLEDGMENT

FOR JASON WEISSER  
ACKNOWLEDGED BEFORE ME THIS  
DAY OF \_\_\_\_\_, 2020.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES: \_\_\_\_\_

CERTIFICATE OF ACCEPTANCE

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF HOMER FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS:

UTILITY EASEMENTS WITHIN THE 15 FEET FRONTING THE SPRUCE LANE, JACK GIST LANE, NORTH COURT, SOUTH COURT AND BOTTOM CIRCLE RIGHT-OF-WAYS AND THE 20 FEET WITHIN 5 FEET OF SIDE LOT LINES, AND THE 20 FEET FRONTING THE EARLY SPRING STREET RIGHT-OF-WAY.

SEWER AND DRAINAGE EASEMENTS AS SHOWN.

NORTH WAY (60' ROW), SOUTH COURT (60' ROW) AND BOTTOM CIRCLE (60' ROW).

THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY: MARVIN YODER, ACTING CITY MANAGER  
CITY OF HOMER, ALASKA

DATE:

HOMER RECORDING DISTRICT KPB FILE No. 2020-???

JACK GIST SUBDIVISION NO. 3

THE SUBDIVISION OF LOT 1-B  
JACK GIST SUBDIVISION NO. 2 (HM 2002-27)  
LOCATED WITHIN THE SW1/4 NW 1/4 SEC 15,  
T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI  
PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA  
CONTAINING 14.846 ACRES

OWNER:  
TRILOGY DEVELOPMENT, LLC PO BOX 1772 HOMER, AK 99603

GEOVERA, LLC

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

DRAWN BY: SCS

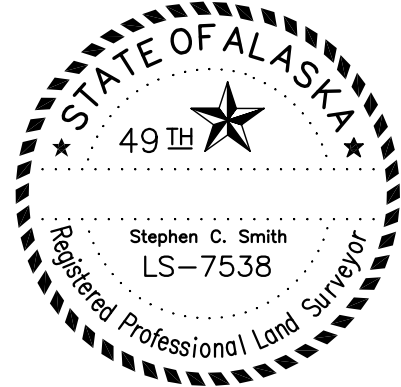
DATE: JUNE 2020

SCALE: 1" = 80'

CHK BY: SCS

JOB #2020-22

SHEET 1 OF 1



WASTEWATER DISPOSAL

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

0 80' 160' 240' 320'

GRAPHIC SCALE

SURVEYOR

LICENSE #

DATE





*Geovera, LLC*

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

June 18, 2020

City of Homer  
Planning Department  
Julie Engebretsen, Deputy City Planner  
491 E. Pioneer Ave.  
Homer, Alaska 99603

RE: Jack Gist Subdivision No. 3 Preliminary Plat Submittal Revisions

Julie,

We have reconfigured the originally submitted Jack Gist Subdivision No. 3 plat to extend the North Way (previously North Court) right-of-way over to intersect with the Jack Gist Lane right-of-way. There are a few issues that the planning commission will need to address.

The connection to Jack Gist Lane required two curves over a short distance in order to tie in at the cul-de-sac. In order to maintain the minimum 200 foot radius on centerline, we had to use a reverse curve (no tangent between the curves). KPB will have to grant an exception to KPB 20.30.130 (B) Curve Requirements. KPB 20.30.130 (B) requires a minimum 100 foot tangent between curves. KPB 20.30.140 states that reverse curves will be considered on a case by case basis. I think it would be important to have the planning commission state their approval of allowing a reverse curve due to the constraints of tying into Jack Gist Lane over such a short distance.

There is no longer a pedestrian easement granted by this plat because the extension of the right-of-way provides access. Also, there is no need for an easement for the water main. It will be constructed within the right-of-way with this configuration.

The layout of the lots had to change to accommodate the right-of-way dedication. This caused the sewer connection from Jack Gist Lane to Bottom Circle to have to take a different route from the one that public works showed on their sketch. I have provided the necessary easements to accommodate the revised sewer connection. The portion of the sewer line that goes south from North Way along the east property line of Lots 18 and 31 is only 10 feet wide. That would put the sewer line centered on the property line. The city would not need to dedicate a matching 10 foot easement since the city owns the park property.

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

Sincerely,

Stephen C. Smith P.L.S.



## 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:

### **REVISED Jack Gist Subdivision No. 3 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, July 15, 2020 at 6:30 p.m. The meeting will be held virtually.

Anyone wishing to view the complete proposal, attend the virtual meeting, or participate in the virtual meeting may do so by visiting the Planning Commission Regular Meeting page on the City's online calendar at <https://www.cityofhomer-ak.gov/calendar>.

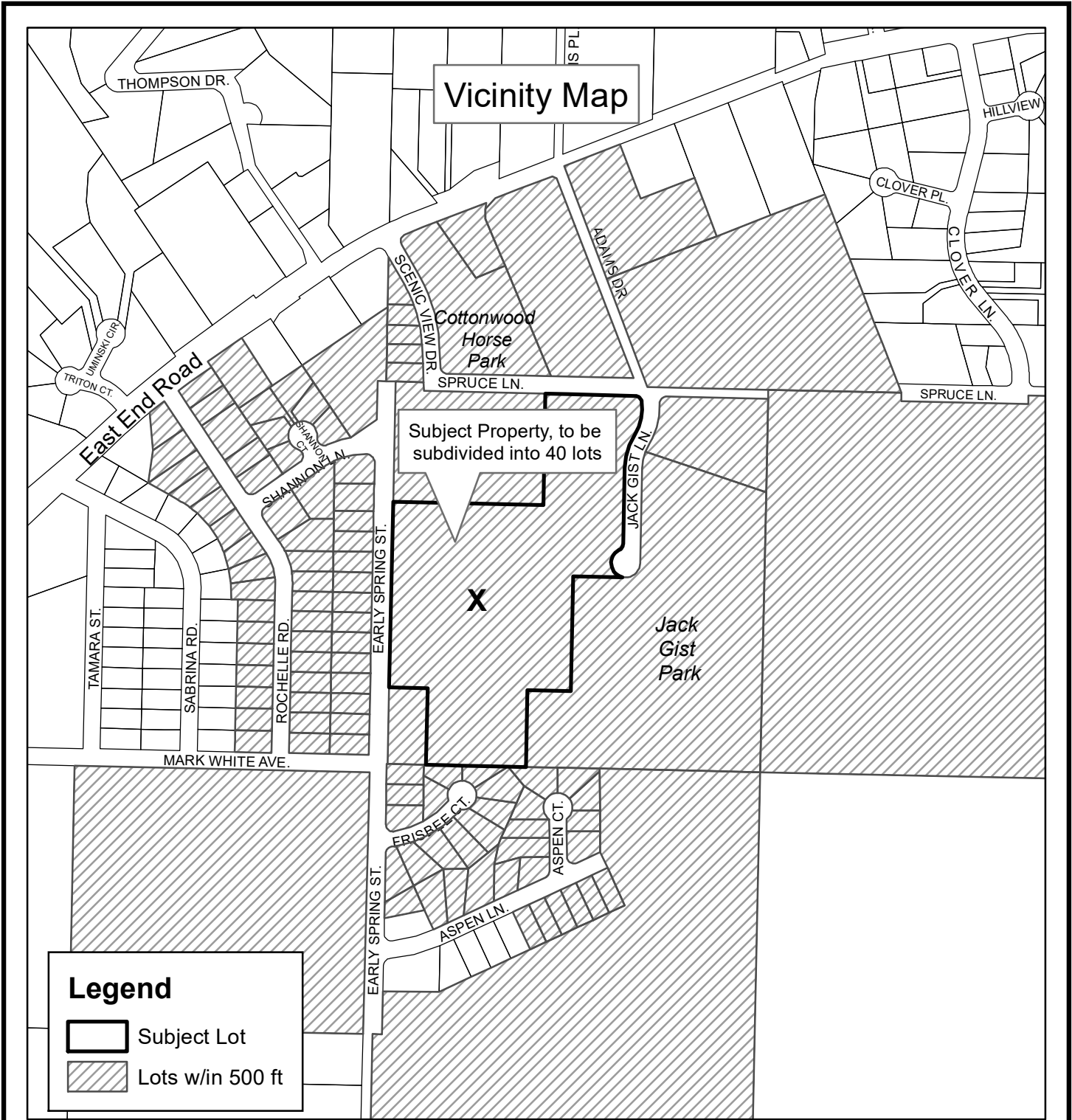

Visit the link above or call the City Clerk's Office to learn how to provide verbal testimony during the meeting via telephone or the Zoom online platform. Written comments can be emailed to [planning@ci.homer.ak.us](mailto:planning@ci.homer.ak.us) or mailed to Homer City Hall, 491 E. Pioneer Ave., Homer, AK, 99603. They may also be placed in the drop box at the Pioneer Ave. entrance to Homer City Hall at any time. Comments must be received by 4pm on the day of the meeting.

If you have questions or would like additional information about the proposal, please contact Travis Brown at the Planning and Zoning Office at 235-3106. If you have questions about how to participate in the virtual meeting, please contact the City Clerk's Office at 235-3130.

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

.....

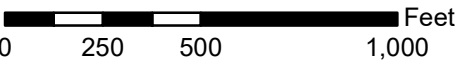
## VICINITY MAP ON REVERSE


**City of Homer**  
**Planning and Zoning Department**  
 6/2/2020

**Jack Gist Subdivision No. 3**  
**Preliminary Plat**

Marked lots are within 500 feet  
 and property owners notified.



0      250      500      1,000 Feet

  
 N

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

Note: Mailout included 11" x 17" copy

#### NOTES

1. BASIS OF BEARING FOR THIS SURVEY WAS DETERMINED BY A HIGH PRECISION GPS SURVEY USING TOPCON DUAL-FREQUENCY HIPER V RECEIVERS, DIFFERENTIALLY CORRECTED AND PROCESSED WITH MAGNET OFFICE VERSION 3.1 SOFTWARE. NAD83 ALASKA STATE PLANE GRID COORDINATES (U.S. SURVEY FEET) OBTAINED FROM THE GPS OBSERVATIONS WERE BASED ON THE NAD83 PUBLISHED VALUES FOR FEDERAL BASE NETWORK CONTROL STATION "HOMER" (PID 110155).
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CURVE	DELTA	RADIUS	LENGTH	CHORD BRNG	CHORD DIST
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C2	105°42'51"	215.00'	115.88'	S 105°42'51" W	113.42'
C3	30°29'28"	230.00'	129.40'	S 191°11'37" W	120.36'
C4	67°14'16"	215.00'	115.88'	S 110°21'37" W	113.42'
C5	159°11'07"	50.00'	132.81'	S 135°45'44" E	97.07'
C6	159°11'07"	50.00'	132.81'	S 135°45'44" E	97.07'
C7	33°29'25"	200.00'	116.93'	S 78°18'12" E	115.27'
C8	33°29'25"	200.00'	116.93'	S 78°18'12" E	115.27'
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C13	28°02'45"	230.00'	127.73'	S 73°43'47" E	111.60'
C14	47°42'58"	200.00'	41.63'	N 62°41'58" W	40.44'
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C22	15°16'23"	170.00'	28.36'	S 224°10' W	28.28'
C23	14°09'04"	230.00'	127.73'	S 224°10' W	28.28'
C24	53°01'01"	230.00'	20.27'	S 194°49' W	20.27'
C25	6°08'40"	230.00'	24.67'	S 301°13' W	24.65'
C26	57°18'48"	200.00'	44.20'	N 16°28'24" E	43.99'
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C30	14°18'19"	230.00'	57.27'	S 194°49' W	57.08'
C31	14°18'19"	230.00'	57.27'	S 194°49' W	57.08'
C32	10°09'30"	230.00'	76.91'	S 202°23' E	76.55'

#### LEGEND

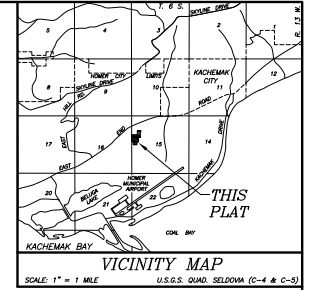
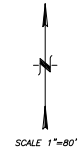
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- INDICATES APPROXIMATE CENTERLINE OF DRAINAGE

#### PLAT APPROVAL

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

BY: AUTHORIZED OFFICIAL  
KENAI PENINSULA BOROUGH

DATE



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MIKE ARNO  
PO BOX 1772  
HOMER, ALASKA 99603

WEISSER PROPERTIES, LLC  
JASON WEISSER, MANAGER  
125 N. WILLOW STREET, SUITE B  
KENAI, ALASKA 99611

#### NOTARY'S ACKNOWLEDGMENT

FOR MIKE ARNO  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2020.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES: \_\_\_\_\_

#### NOTARY'S ACKNOWLEDGMENT

FOR JASON WEISSER  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2020.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES: \_\_\_\_\_

#### CERTIFICATE OF ACCEPTANCE

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF HOMER FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS:

UTILITY EASEMENTS WITHIN THE 15 FEET FRONTING THE SPRUCE LANE, JACK GIST LANE, NORTH COURT, SOUTH COURT AND BOTTOM CIRCLE RIGHT-OF-WAYS AND THE 20 FEET WITHIN 5 FEET OF SIDE LOT LINES, AND THE 20 FEET FRONTING THE EARLY SPRING STREET RIGHT-OF-WAY.

SEWER AND DRAINAGE EASEMENTS AS SHOWN.

NORTH WAY (60' ROW), SOUTH COURT (60' ROW) AND BOTTOM CIRCLE (60' ROW).

THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY: MARVIN YODER, ACTING CITY MANAGER  
CITY OF HOMER, ALASKA

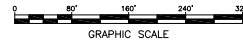
HOMER RECORDING DISTRICT KPB FILE No. 2020-???

#### JACK GIST SUBDIVISION NO. 3

THE SUBDIVISION OF LOT 1-B  
JACK GIST SUBDIVISION NO. 2 (HM 2002-27)  
LOCATED WITHIN THE SW1/4 NW 1/4 SEC 15,  
T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI  
PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA  
CONTAINING 14.846 ACRES  
OWNER:  
TRILOGY DEVELOPMENT, LLC PO BOX 1772 HOMER, AK 99603

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

DRAWN BY: SCS DATE: JUNE 2020 SCALE: 1" = 80'  
CHK BY: SCS JOB #2020-22 SHEET 1 OF 1



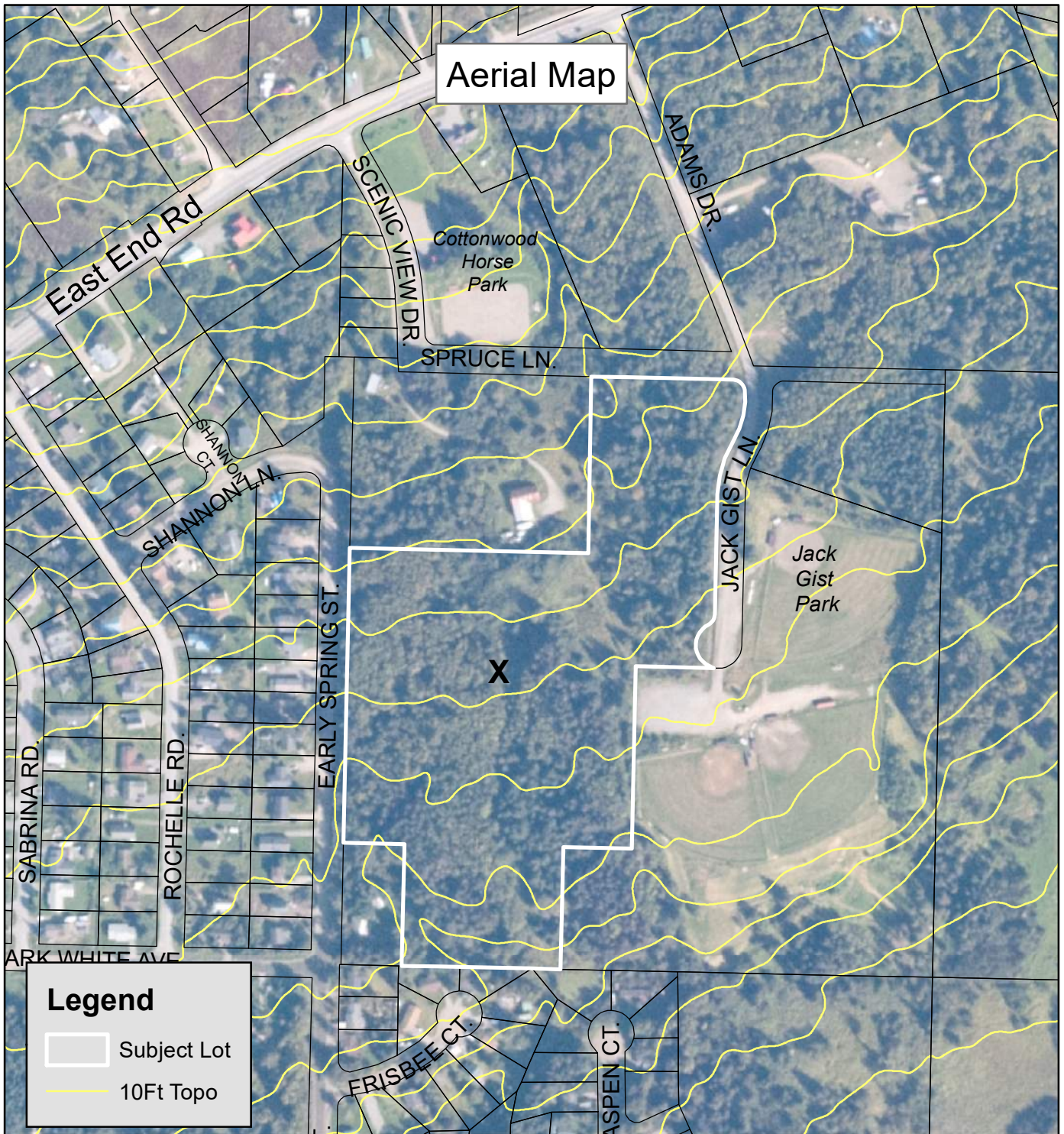
#### WASTEWATER DISPOSAL

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









City of Homer  
Planning and Zoning Department

6/2/2020

## Jack Gist Subdivision No. 3 Preliminary Plat

2016 photo; property lines not exact;  
use with care. Wetlands information  
may not be current.

0 250 500 Feet



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



**From:** Alder Snow <aldertree11@gmail.com>  
**Sent:** Tuesday, June 16, 2020 4:55 PM  
**To:** Department Planning  
**Subject:** Regarding Jack Gist proposed subdivision

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

Hi Julie,

I hope you are well!

I'm writing as a homeowner on Rochelle Road. We received the city's proposed subdivision plans for the new subdivision, and I have a question. Would it not be better to consider having two street outlets for this subdivision go off of Adam street to the East, and one off of Early Spring, instead of two on Early Spring and one on Adam?

I can attest to the large level of traffic already coming up from the rest of the neighborhood below- Frisbee, Aspen etc. I can only imagine how much busier Early Spring, Shannon and Rochelle will become with those extra 40 homes' worth of vehicle use. And because Early Spring is unpaved, many cars come speeding up Rochelle instead. This is a busy neighborhood with lots of kids playing near and in the road- mine will be one of them soon.

Please consider this suggestion/question in your planning process- I very much appreciate your time!

All my best,  
Alder K Snow  
4618 Rochelle Road

**From:** David Dvorak <daviddkd@hotmail.com>  
**Sent:** Tuesday, June 16, 2020 7:41 AM  
**To:** Department Planning  
**Subject:** Jack Gist Subdivision No. 3

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

I have six main concerns about the above-mentioned subdivision. First, you may remember that I tried a year or two ago to get Shannon Lane and Early Spring St. paved because of the extreme number of potholes on Shannon Lane - regularly and often numbering over 200 on that short street. My concern at that time was with the development of the lot above Early Spring with the large number of cabins each likely to have at least one car traveling on Shannon Lane daily. Now we are about to dump 30 more cars onto Shannon lane daily. Surely this will not be good!

Second, Early Spring St. is already a very dusty street and many cars travel over the speed limit on our street. Again, paving this street would seem to me to be a necessity.

Third, we often have to wait for several minutes at the top of Rochelle for the traffic to die down enough to get access to East End Road. A smart stop light would seem to me to be a necessity for this kind of added traffic needing access to East End Road.

Fourth, I don't see any pedestrian access to the Ball park and recreation area to the East of this subdivision. This is very likely to cause hard feelings to those lot owners who will, no doubt, be having heavy foot traffic across their lots to access that recreation area.

Fifth, for most of the daytime and evening hours we have minimal traffic on the long block to the West of this subdivision that includes Early Spring, Shannon Lane and Rochelle. This is used often by many people during the day as a safe walking place. With increased traffic on Early Spring and Shannon, maybe people would traverse the subdivision to get to the recreation area which would add foot traffic across the subdivision to the mix.

Sixth, somehow, we will need to warn people on Early Spring St. that they shouldn't allow small kids to freely ride bikes and walk on the road. Or, maybe a safe foot path would be in order.

I do see some advantages to the subdivision. I am convinced that the city of Homer and businesses here will profit from this subdivision along with those of us who live in this area who are likely to see the value of our property rise - so long as this is done correctly.

Sincerely,

Dave & Marilyn Dvorak  
4697 Early Spring Street  
Homer, AK 99603

**From:** Anne Wieland <agpacsu@yahoo.com>  
**Sent:** Tuesday, June 16, 2020 1:36 PM  
**To:** Department Planning  
**Subject:** Comments on proposed Jack Gist Subdivision No. 3 Preliminary Plat

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

I am a resident of Meadow-wood Place Subdivision and am writing to comment on the proposed Jack Gist Subdivision No. 3. I have several concerns.

1. If the plat is accepted as is presented now, the traffic from 30 lots would exit onto Early Spring Street. To balance the traffic impact, North Court Street should instead open into Jack Gist Lane to Adams Drive thus adding 14 lots to the ten there for a total of 24 lots. That would leave 16 lots exiting onto Early Spring thus closer to balancing the traffic generated by 40 lots. This is essential.
2. The effects to vehicular and pedestrian traffic of the new subdivision as proposed will be significant. Rochelle Road in addition to its substantial traffic already supports it from Shannon Lane and Shannon Court, as well as the seven cabins that are in a northerly extension of Early Spring Street, the entire southerly Early Spring Street, a portion of Mark White Avenue, Frisbee Court, Aspen Lane and Aspen Court. The traffic from 30 new lots would overwhelm Rachelle Road, Shannon Lane and Early Spring and create a significant deterioration in the current circumstances for the many residents who like to walk around the subdivision as well for children who venture out on the street.
3. Early Spring Street and Shannon Lane are unpaved. The surface needs grading several times a year. They are often dusty if no moisture absorbing chemicals are spread on them. Shannon Lane has a chronic tendency to develop large deep pot holes in its western half which when addressed, return soon after treatment. The grading process has caused gravel to be left on some people's properties. As Sabrina and Rochelle are paved, it is high time that Early Spring also be paved.
4. Making left turns from Rachelle Street onto East End Road is difficult. There is a slight curve on East End Road about 500 feet east of the Rochelle St intersection making it difficult to see oncoming traffic at that point. Vehicles generally approach from the east going at least 45 mph and often speeding. Thus to make a safe left turn, one must wait sometimes for a couple of minutes or more. If all 30 lots are allowed to turn left onto Early Spring Street there will be longer waits and potentially more accidents at the East Road turn. The situation is worse in the winter as snow is plowed into piles blocking views in either direction.
5. There are occasional speeding vehicles roaring up Early Spring Street and Rochelle Street from the south. A study should be made and a speed limit posted for safety reasons. Perhaps even a speed bump should be created south of the intersection of Early Spring Street and Shannon Lane.

6. More Spruce and Birch trees should be left in large subdivisions such as this one as there are large gaps in the proposed subdivision where there are no trees at all or only Alders. As is, many lots will have no trees at all. Buyers will need to purchase trees and shrubs for aesthetic, wind breaking and privacy reasons rather than having remaining natural vegetation especially trees.

Thank you for the opportunity to comment on this proposed Subdivision

Anne Wieland  
Homer




I am writing about my concerns for the Jack Gist Subdivision #3 Proposal.

I feel there has not been enough time or notice given due to the Covid-19 Pandemic to really get more information on this proposed subdivision. I know, I for one am social distancing from people and businesses, thus not allowing to obtain more information about this plan, also receiving information in the mail did not give enough time to thoroughly look through all the information. More time to look over the proposal would be most beneficial.

I live on Shannon Lane and have been a property owner for over 20 years, and I admit progress is great, however serious thought needs to be put into the entrance and exits on Shannon Lane and Early Spring Rd. With 7 cabins that were built a few years ago, and all the other residents that use these roads, we have seen these two roads become unsafe, dusty, muddy and pot-hole filled and mostly unacceptable. Add 30+ homes, with 30+ vehicles, and all this added traffic will be too much for these roads to withstand. Paving may help, but all of this should be considered and reviewed BEFORE submitting this proposal. Please find an alternate and safe route to consider, possibly using Scenic View Dr and/or Adams Rd.

I am truly hoping that more time and effort go into this proposed housing project.

Sincerely,



Leslie Lord-Coffing

2041 Shannon Lane

Homer, AK 99603

June 16, 2020

City of Homer

Planning Commission

Subject: Jack Gist Subdivision No. 3

I have lived on Shannon Lane, which connects to the top of Early Spring, for 17 years. I routinely walk and drive Early Spring and am familiar with the area. An overriding concern that I have regarding this proposed subdivision is the potential significant increase in vehicular and pedestrian traffic on both Early Spring and Shannon Lane that will result from the proposed street layout.

Both Early Spring and Shannon Lane are gravel roads. During autumn and spring these streets become muddy and rutted. During summer they are very dusty. Traffic, and associated noise, on these two streets has increased significantly in the past several years. Providing access via Early Spring from both North Court and South Court will result on a greater negative impact to the health, welfare and safety of the residents living east of this proposed subdivision.

The proposed subdivision is not simply "west of Jack Gist Park on Early Spring" as indicated on the first page of the Staff Report (packet page 47). It is "on Jack Gist Lane" as much as it is "on Early Spring" - east of Early Spring and west of Jack Gist Lane.

Proposed North Court should not connect with Early Spring but should be extended easterly to connect with Jack Gist Lane. This would provide a more balanced distribution of vehicular and pedestrian traffic from this subdivision to both Early Spring and Jack Gist Lane.

The surveyor has requested the City to support an exemption to Kenai Peninsula Borough Code 20.30.030 (Proposed Street Layout Requirements) due to the fact that North Court does not provide access to Jack Gist Lane, as it should. This proposed exemption to the Kenai Peninsula Borough code should not be granted. North Court should connect to Jack Gist Lane.

While I appreciate and support responsible urban development, I do so with an understanding that responsible development includes both short term and long term benefits for families and our community, perhaps at the expense of a few redesigned property lots during the design and approval process. Now is the time to "get this right."

Sincerely,

Michael Coffing



2041 Shannon Lane

Homer, AK 99603



# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

[Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)

(p) 907-235-3106

(f) 907-235-3118

### Staff Report 20-48

TO: Homer Planning Commission  
FROM: Julie Engebretsen, Acting City Planner  
DATE: 7/15/2020  
SUBJECT: Foothills Subdivision Sunset View Estates 2020 Addition

**Requested Action:** Request approval of a preliminary plat for 40 residential lots and proposed street alignment.

### General Information:

Applicants:	TL Investments Tom Stafford PO Box 3403 Homer, AK 99603	Geovera LLC PO Box 3235 Homer, AK 99603
Location:	North of West Homer Elementary and Soundview Ave to W Fairview Ave	
Parcel ID:	17510253	
Size of Existing Lot(s):	25.56	
Size of Proposed Lots(s):	12,500 square feet up to 1.454 acres. Generally a quarter to more than half an acre in size.	
Zoning Designation:	Rural Residential District	
Existing Land Use:	Vacant	
Surrounding Land Use:	North: Vacant/park/large lot residential South: Vacant/Gateway Business District East: Residential/vacant West: Vacant residential	
Comprehensive Plan:	Goal 1 Objective A: Promote 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. The Comprehensive Plan Land Use Recommendations Map shows this area as future Urban Residential Zoning.	
Wetland Status:	Wetlands are present. Developer will work with ACOE on permits.	
Flood Plain Status:	Zone D, flood hazards undetermined.	

BCWPD:	Not within the Bridge Creek Watershed Protection District.
Utilities:	City water and sewer are available
Public Notice:	Notice was sent to 112 property owners of 122 parcels as shown on the KPB tax assessor rolls.

**Analysis:** This subdivision is within the Rural Residential District. This plat creates forty lots, and dedicates three right of way. This plat was previously approved in 2006, with a largely similar road and lot layout. The first phase of the original subdivision was recorded in 2007, and included the extension of Soundview Ave and Shelly Lane. An ACOE permit was acquired, and a storm water detention was constructed. The original developers chose not to develop later phases of the subdivision, and the Army Corps of Engineer wetland permits, and the preliminary plat lapsed.

A new developer has purchased the remaining 25 acres. A new ACOE permit is required, as is a new subdivision development agreement with the City.

### **Road Layout/Block length**

In the original preliminary plat, Tajen Lane connected Soundview Ave and Eric Lane. However, little engineering was done, and when the new developer went to plan the next phase of construction, it was found that the Tajen Lane/Eric Lane intersection was too steep and would not meet City or Borough codes. While the City would prefer to have a mid-block north/south road connection, the terrain does not reasonably allow it.

**Staff Recommends** an exception to KPB 20.30.170 Block length.

**Staff Recommends**, if possible, a pedestrian easement between lots 10 and 11, connecting Eric Lane and Tajen Lane. The terrain is fairly steep for a trail (think kids on bikes) but when more engineering work has been completed, it will be clear whether a good trail connection is possible or not.

### **Phases**

KPB Code 20.25.110: Preliminary plats that will be finalized in *phases* must comply with current code at the time each *phase* is finalized. All dedications for streets that are required pursuant to KPB [20.30.030](#) must be provided in the first *phase*. The approval of a final plat for a portion of the *phased* preliminary shall extend the preliminary approval for two years for the remaining land within the *phased* subdivision, except that the commission may require a new preliminary plat if the abutting road system changes. *Phases* must be filed in sequential order.

### **Discussion**

The developer would like to construct the subdivision in phases. Phases would include Tajen Lane, Eric Lane, and Linstrang Way. Typically, the Kenai Peninsula Borough requires through streets to be platted first, and all phases to be developed in a fairly short timeframe. In Homer, we typically see slower phased development because of the costs and the more gradual demand for new home properties.

**Staff recommends** an exception to KPB 20.25.110 in regard to through street dedication, and preliminary plat expiration after two years. Staff recommends a three or four year time extension process for plat recording, as well as an allowance for the developer to choose which street to construct as phase 1.

Justification: Eric Lane has a water line and a gas line already installed, and is show as an arterial in the 1986 Master Streets and Roads Plan, and in the City of Homer 2005 Transportation Plan, part of the adopted Comprehensive Plan. Eric Lane is developed at both ends and is the logical road extension. Additionally, the road is eligible for cost sharing through the City HART program. This cost sharing means the City contributes funding to the difference between the required road construction (a gravel road) and a higher level road to include pavement, storm drains, a sidewalk and widened shoulders (not quite a bike lane) as was constructed on the portion of Eric Lane on West Hill Road. This cost sharing may increase the amount of time needed for the city and developer to coordinate on the project. Therefore, staff recommends a three or four year time extension process for plat recording, as well as an allowance for the developer to choose which street to construct as phase 1.

#### **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 does not meet these requirements. Update plat note four to a 15 ft utility easement along rights of way.

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

**Staff Response:** The plat meets these requirements.

- C. The subdivider shall dedicate easements or rights-of-way for sidewalks, bicycle paths or other non-motorized transportation facilities in areas identified as public access corridors in the Homer Non-Motorized Transportation and Trail Plan, other plans adopted by the City Council, or as required by the Kenai Peninsula Borough Code.

**Staff Response:** The plat meets these requirements.

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

- A. Within the Title Block:
  - 1. Names of the subdivision which shall not be the same as an existing city, town, tract or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;



2. Legal description, location, date, and total area in acres of the proposed subdivision; and
3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor;

**Staff Response:** The plat meets these requirements.

- B. North point;

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements.



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

**Staff Response:** The plat meets these requirements.

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

**Staff Response:** The plat meets these requirements. Information is on file in the Public Works Department.

- 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. A plat with contours was provided.

- 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.

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

**Staff Response:** The plat meets these requirements.

**Public Works Comments:** A Subdivision Agreement will be required. Developer shall contact Public Works to submit application and execute construction agreement prior to initiating design effort. A performance guaranty is required if Developer wants to record the final plat before all required subdivision improvements have been constructed and accepted by the City.

**Plat comments:**

- 1) Provide 80' wide Eric Lane right-way (or add a 10' wide slope maintenance easement on both sides). Consider the same for Linstrang Way.
- 2) Note 4 should reflect a 15' wide utility easement fronting street right-of-way.
- 3) The proposed centerline radius of Tajen Lane (125' radius) is less than the normally required 150' (in local residential situations). Public Works Engineer supports reduction in centerline radius to 125' as provided for in the Design Criteria Manual (DCM).
- 4) Linstrang Way/Eric Lane intersection – Suggest centerline of Linstrang be adjusted to reflect as close to a 90 degree intersection as possible. This could increase size of Lot 44. Can intersection vertical grade requirements of the DCM be met here?
- 5) Note 6 – suggest “will be served”.

- 6) Provide 20' radius returns where Tajen cul-de-sac bulbs transitions into 60' wide right-of-way. See Cabana Ct.
- 7) The plat shows several drainages. A 20' wide drainage easement shall be provided along each. All or most of the runoff from this subdivision shall be directed to the storm water detention basin at the bottom of Tajen Lane. Infrastructure will be required (and easements dedicated) to accomplish this. The extent of this infrastructure should be identified now to assure easements are in place all lots are buildable. Expect that between Linstrang and Eric Lane, easements for drainage will be required down lot lines. Same between Eric Lane and Tajen. The location and extent of proposed drainage improvements shall be consistent with Army Corps wetland permit conditions.

**Required Subdivision Improvements:** (Note: this subdivision is zoned rural residential. Developer provided subdivision improvements include the following. All construction per Homer Standard Construction Specifications).

#### Roads

- Eric Lane – If developer provides a similar improvement to Eric Lane to the west (30' wide pavement, ditch on north side, curb/gutter and 5' wide asphalt sidewalk on south side); City will pay 1/3 of the overall road cost. Developer responsible for documenting costs and requesting reimbursement. See note 7 above.
- Linstrang Way – Provide gravel road/drainage improvements (28' wide top). Street name and stop signs. If paved, asphalt width shall be 24'.
- Tajen Lane - Provide gravel road/drainage improvements (26' wide top) and 44' diameter cul-de-sac. Street name and stop signs. If paved, asphalt width shall be 22', cul-de-sac diameter 40'.

#### Water/Sewer

- 8" dia. water mains fronting all lots; 1" dia. water services to each lot; fire hydrants (spaced @ min 500').
- 8" dia. sewer mains fronting all lots; 4" dia. sewer services to each lot.
- Provide 30' wide water or sewer easements for those facilities not located in street right-of-way.

#### Private Utilities

- Natural gas, electricity (provide required easements for these facilities on the plat).

**Fire Department Comments:** *No comments provided.*

#### **Staff Recommendation:**

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

1. Include a plat note stating “Property owner should contact the Army Corps of Engineers prior to any on-site development or construction activity to obtain the most current wetland designation (if any). Property owners are responsible for obtaining all required local, state and federal permits.”
2. Grant an exception to KPB 20.25.110 in regard to through street dedication, and preliminary plat expiration after two years. Staff recommends a three or four year time extension process for plat recording, as well as an allowance for the developer to choose which street to construct as phase 1.
3. Grant an exception to 20.30.170 block length. The Tajen Lane/Eric Lane intersection would not meet code requirements for construction.
4. If possible, dedicate a 15 foot pedestrian easement between lots 10 and 11, connecting Eric Lane and Tajen Lane.
5. Provide 80’ wide Eric Lane right-way (or add a 10’ wide slope maintenance easement on both sides). Consider the same for Linstrang Way.
6. Note 4 should reflect a 15’ wide utility easement fronting street right-of-way.
7. The proposed centerline radius of Tajen Lane (125’ radius) is less than the normally required 150’ (in local residential situations). Public Works Engineer supports reduction in centerline radius to 125’ as provided for in the Design Criteria Manual (DCM).
8. Linstrang Way/Eric Lane intersection – Suggest centerline of Linstrang be adjusted to reflect as close to a 90 degree intersection as possible. This could increase size of Lot 44. Can intersection vertical grade requirements of the DCM be met here?
9. Note 6 – suggest “will be served”.
10. Provide 20’ radius returns where Tajen cul-de-sac bulbs transitions into 60’ wide right-of-way. See Cabana Ct.
11. The plat shows several drainages. A 20’ wide drainage easement shall be provided along each. All or most of the runoff from this subdivision shall be directed to the storm water detention basin at the bottom of Tajen Lane. Infrastructure will be required (and easements dedicated) to accomplish this. The extent of this infrastructure should be identified now to assure easements are in place all lots are buildable. Expect that between Linstrang and Eric Lane, easements for drainage will be required down lot lines. Same between Eric Lane and Tajen. The location and extent of proposed drainage improvements shall be consistent with Army Corps wetland permit conditions.

**Attachments:**

1. Preliminary Plat
2. Plat with Contours
3. Surveyor’s Letter
4. Foothills Hypothetical Tajen Lane/Eric Lane Tie-in 3/19/2020
5. Aerial Map
6. Public Works Comments
7. Previous plat Foothills Subdivision Sunset View Estates Addition No 2 Phase 1
8. Public Notice



NOTES

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

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

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

4. THE 10 FEET FRONTING THE STREET RIGHT-OF-WAYS AND THE FRONT 20 FEET WITHIN 5 FEET OF THE SIDE LOT LINES IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.

5. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.

6. THESE LOTS ARE SERVED BY CITY OF HOMER SEWER.

7. ALL LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO 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.

8. SET A 5/8" X 30" REBAR WITH 2" ALCAP (7538-S 2020) AT ALL LOT CORNERS AND RIGHT-OF-WAY POINTS OF CURVATURE UNLESS INDICATED OTHERWISE.

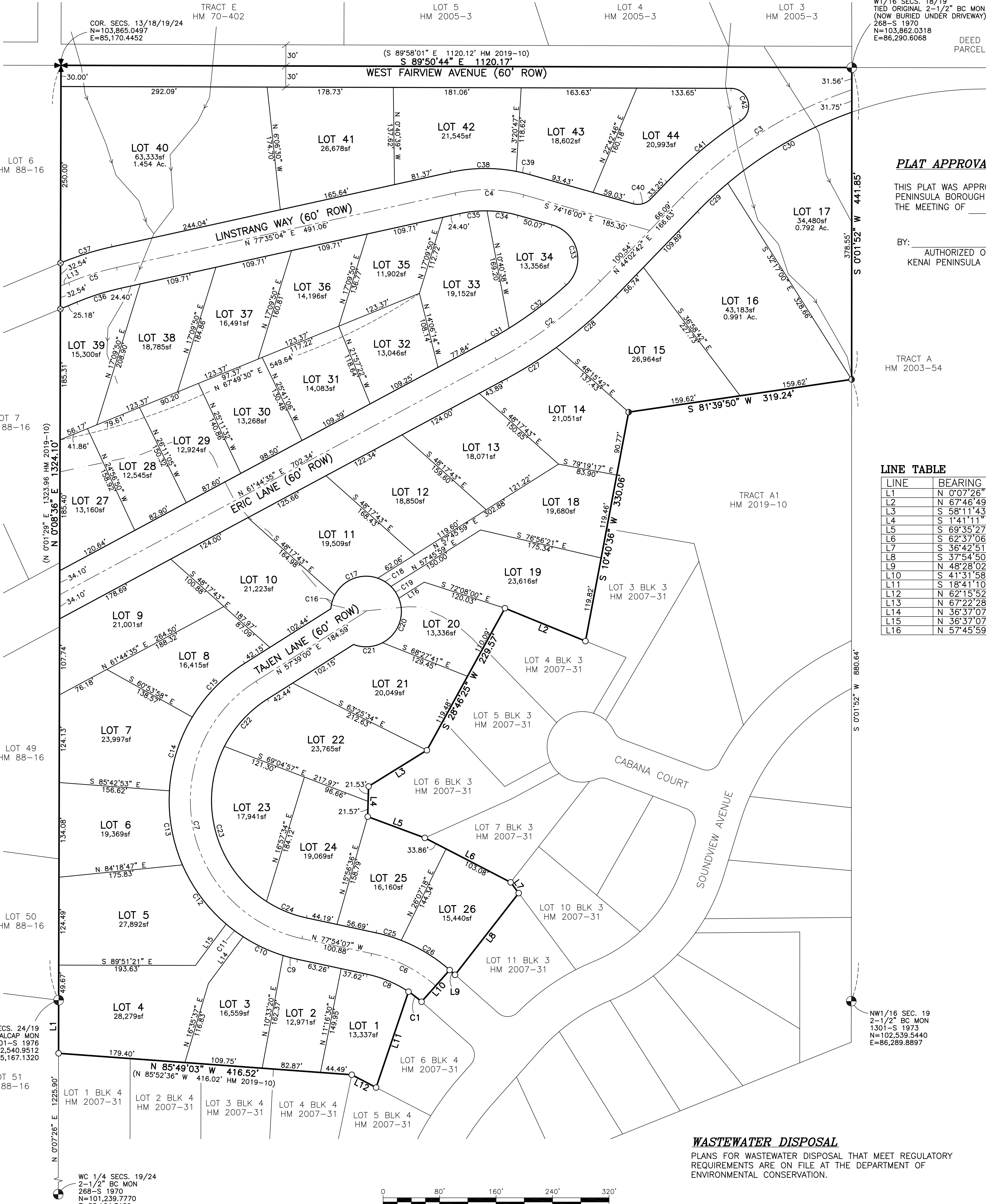
9. THE LOT IS AFFECTED BY AN EASEMENT OF RECORD WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION (BK17, PG 328 HRD).

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD BRNG	CHORD DIST
C1	7°51'57"	170.00'	23.34'	N 52°24'00" W	23.32'
C2	17°01'32"	800.00'	185.33'	N 52°33'39" E	184.60'
C3	27°23'45"	200.00'	286.89'	N 57°44'35" E	284.16'
C4	28°08'56"	200.00'	98.26'	S 88°20'28" E	97.27'
C5	10°12'35"	400.00'	71.28'	N 72°28'46" E	71.18'
C6	29°26'05"	200.00'	102.75'	N 63°11'04" W	101.62'
C7	135°33'07"	200.00'	473.17'	N 10°07'34" W	370.28'
C8	21°34'08"	170.00'	64.00'	N 67°07'03" W	63.62'
C9	5°14'55"	230.00'	21.07'	N 75°16'40" W	21.06'
C10	15°37'45"	230.00'	62.74'	N 64°50'20" W	62.55'
C11	7°28'43"	230.00'	30.02'	N 53°17'05" W	30.00'
C12	26°10'52"	230.00'	105.10'	N 36°27'17" W	104.19'
C13	26°47'23"	230.00'	107.54'	N 9°58'10" W	106.56'
C14	27°30'27"	230.00'	110.44'	N 17°10'56" E	109.39'
C15	26°42'41"	230.00'	107.23'	N 44°17'40" E	106.26'
C16	23°21'51"	50.00'	20.39'	N 15°52'07" E	20.25'
C17	81°38'35"	50.00'	71.25'	N 68°22'20" E	65.37'
C18	25°39'27"	50.00'	22.39'	S 57°58'39" E	22.20'
C19	23°04'50"	50.00'	20.14'	S 33°36'30" E	20.01'
C20	84°22'56"	50.00'	73.64'	N 20°07'23" E	67.16'
C21	48°07'57"	50.00'	42.00'	N 86°22'50" E	40.78'
C22	30°52'33"	170.00'	91.61'	N 42°12'43" E	90.51'
C23	83°56'26"	170.00'	249.06'	N 15°11'46" W	227.37'
C24	20°44'08"	170.00'	61.52'	N 67°32'03" W	61.19'
C25	9°16'31"	230.00'	37.13'	N 73°15'52" W	37.19'
C26	20°09'34"	230.00'	80.93'	N 58°32'49" W	80.51'
C27	7°34'21"	630.00'	83.27'	N 57°57'24" E	83.20'
C28	10°07'31"	630.00'	111.33'	N 49°06'28" E	111.19'
C29	5°54'36"	570.00'	58.80'	N 47°00'01" E	58.77'
C30	20°28'06"	570.00'	203.63'	N 60°11'22" E	202.55'
C31	3°44'18"	570.00'	37.19'	N 59°54'03" E	37.18'
C32	10°12'28"	570.00'	101.55'	N 52°54'03" E	101.42'
C33	122°03'49"	50.00'	106.52'	N 13°14'06" W	87.49'
C34	15°01'53"	170.00'	44.60'	S 81°46'57" E	44.47'
C35	13°07'03"	170.00'	38.92'	N 84°08'35" E	38.84'
C36	10°12'35"	370.00'	65.93'	N 72°28'46" E	65.85'
C37	10°12'35"	430.00'	76.62'	N 72°28'46" E	76.52'
C38	23°20'19"	230.00'	93.69'	N 89°15'13" E	93.04'
C39	4°48'37"	230.00'	19.31'	S 76°40'19" E	19.30'
C40	61°41'17"	25.00'	26.92'	N 74°53'21" E	25.64'
C41	12°23'42"	630.00'	136.29'	N 50°14'33" E	136.02'
C42	146°17'08"	25.00'	63.83'	N 16°42'10" W	47.85'

LEGEND

- INDICATES 1917 2-1/2" BC GLO MONUMENT RECOVERED THIS SURVEY
- INDICATES PRIMARY MONUMENT RECOVERED THIS SURVEY AS DESCRIBED
- INDICATES 5/8" REBAR WITH 2" ALCAP (5780-S, 2007) RECOVERED THIS SURVEY
- INDICATES 5/8" REBAR WITH 2" ALCAP (7610-S 2017) RECOVERED THIS SURVEY
- INDICATES 5/8" REBAR WITH 1-1/2" ALCAP (NO LSF OR DATE) RECOVERED THIS SURVEY
- INDICATES LIMIT OF DISCHARGE SLOPE DESIGNATION PER KENAI WATERSHED FORUM WETLANDS ASSESSMENT
- INDICATES APPROXIMATE CENTERLINE OF DRAINAGE



W1/16 SECS. 18/19  
TIED ORIGINAL 2-1/2" BC MON  
(NOW BURIED UNDER DRIVEWAY)  
268-S 1970  
N=103,862.0318  
E=86,290.6068

PLAT APPROVAL

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

BY: \_\_\_\_\_  
AUTHORIZED OFFICIAL  
KENAI PENINSULA BOROUGH

DATE \_\_\_\_\_

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 0°07'26" E	75.28'
L2	N 67°46'49" W	123.27'
L3	S 58°11'43" W	97.19'
L4	S 1°41'11" W	42.80'
L5	S 69°35'27" E	86.34'
L6	S 62°37'06" E	136.93'
L7	S 36°42'51" E	19.03'
L8	S 37°54'50" W	146.67'
L9	N 48°25'02" W	10.22'
L10	S 41°31'58" W	60.00'
L11	S 18°41'10" W	143.33'
L12	N 62°15'52" W	38.88'
L13	N 67°22'28" E	12.59'
L14	N 36°37'07" E	82.53'
L15	N 36°37'07" E	73.01'
L16	N 57°45'59" E	42.63'

WASTEWATER DISPOSAL

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

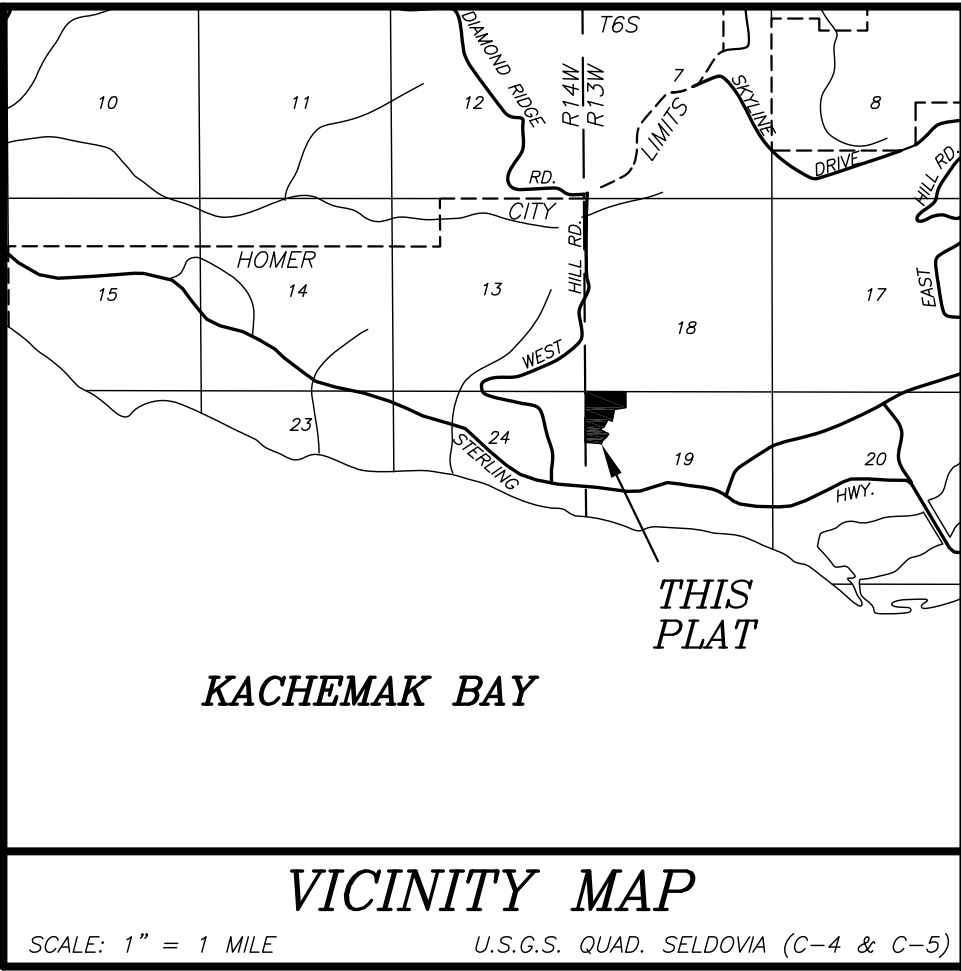


GRAPHIC SCALE

SURVEYOR

LICENSE #

DATE



CERTIFICATE OF OWNERSHIP AND DEDICATION

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

TL INVESTMENTS, LLC  
TOM STAFFORD, MANAGER  
PO BOX 3403  
HOMER, ALASKA 99603

NOTARY'S ACKNOWLEDGMENT

FOR TOM STAFFORD

ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_

DAY OF \_\_\_\_\_, 2020.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES: \_\_\_\_\_

CERTIFICATE OF ACCEPTANCE

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS  
AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE  
CITY OF HOMER FOR PUBLIC USES AND FOR PUBLIC PURPOSES  
THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING  
EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS  
SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS:

THE UTILITY EASEMENTS WITHIN THE 10' FEET ADJACENT TO ALL  
STREET ROW'S AND THE FRONT 20 FEET WITHIN 5 FEET OF SIDE  
LOT LINES.

ERIC LANE (60' ROW), TAJEN LANE (60' ROW), LINSTRANG WAY  
(60' ROW), MATCHING 30' ROW WEST FAIRVIEW AVENUE.

THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE  
DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO  
CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
KATIE KOESTER, CITY MANAGER  
CITY OF HOMER, ALASKA

HOMER RECORDING DISTRICT KPB FILE No. 2020-???

FOOTHILLS SUBDIVISION  
SUNSET VIEW ESTATES 2020 ADDITION

THE SUBDIVISION OF TRACT B  
FOOTHILLS SUBDIVISION SUNSET VIEW ESTATES ADDITION NO. 3  
(HM 2019-10)

LOCATED WITHIN THE NW 1/4 SEC 19,  
T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI  
PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA  
CONTAINING 25.569 ACRES

OWNER:  
TL INVESTMENTS, LLC PO BOX 3403 HOMER, AK 99603

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

DRAWN BY: SCS	DATE: APRIL 2020	SCALE: 1" = 80'
CHK BY: SCS	JOB #2020-23	SHEET 1 OF 1



NOTES

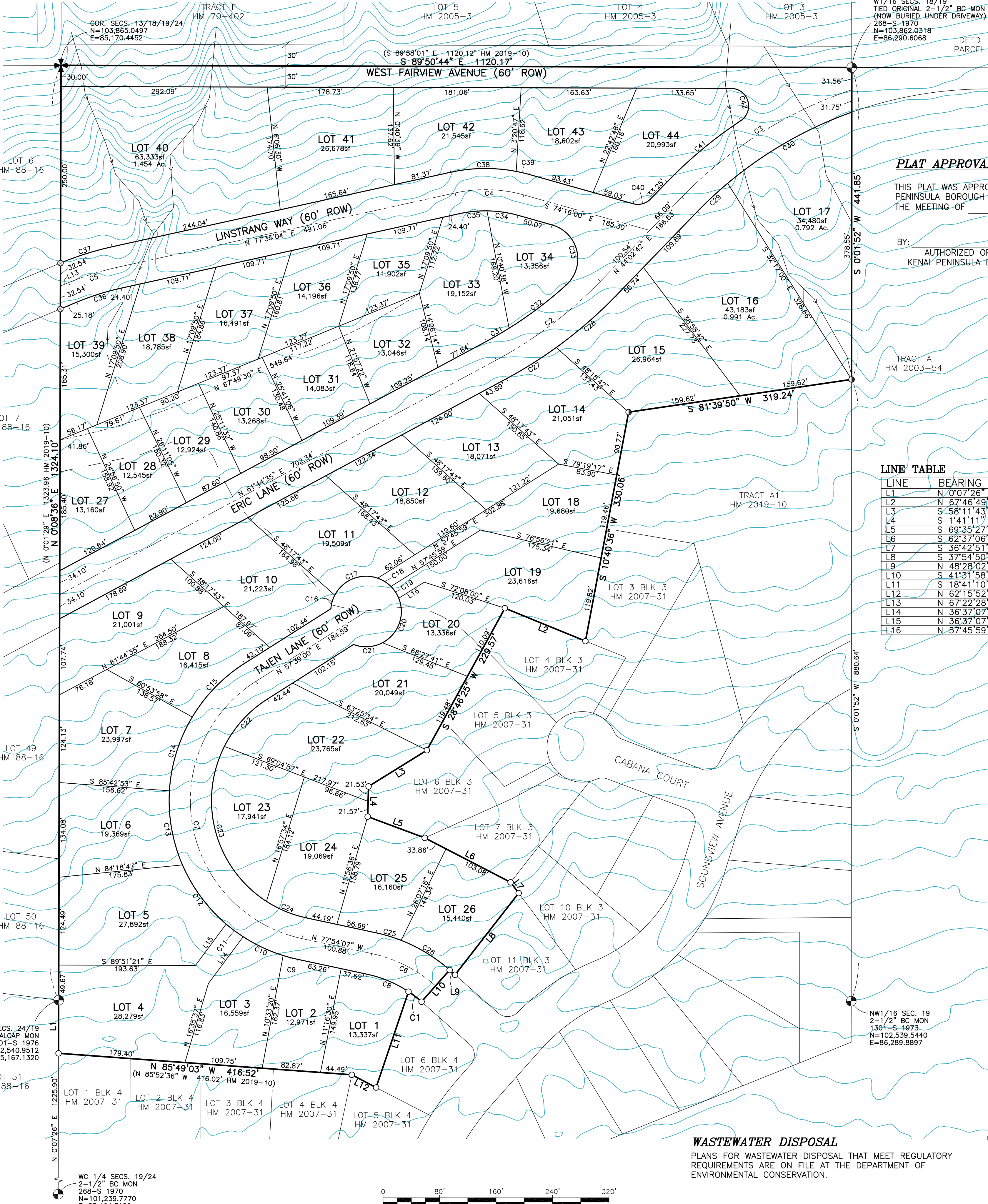
1. BASIS OF BEARING FOR THIS SURVEY WAS DETERMINED BY A HIGH PRECISION GPS SURVEY USING TOPCON DUAL-FREQUENCY HiPer V RECEIVERS, DIFFERENTIALLY CORRECTED AND PROCESSED WITH MAGNET OFFICE VERSION 3.1 SOFTWARE. NAD83 ALASKA STATE PLANE GRID COORDINATES (U.S. SURVEY FEET) OBTAINED FROM THE GPS OBSERVATIONS WERE BASED ON THE NOS PUBLISHED VALUES FOR FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" (PID TT0155).
2. TRUE BEARINGS AND DISTANCES WERE DETERMINED BY ROTATING AND SCALING FROM GRID USING FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY ROTATING GRID INVERSE AZIMUTHS  $-117^{\circ}13.4''$ . TRUE DISTANCES WERE OBTAINED BY DIVIDING GRID INVERSE DISTANCES BY 0.999986696.
3. THE RESULTING SCALED COORDINATES WERE TRANSLATED TO A LOCAL COORDINATE SYSTEM BASED ON FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" N=100,000 E=100,000. ALL COORDINATE VALUES REPRESENT GROUND DISTANCES IN U.S. SURVEY FEET ORIENTED TO TRUE NORTH.
4. THE 10 FEET FRONTING THE STREET RIGHT-OF-WAYS AND THE FRONT 20 FEET WITHIN 5 FEET OF THE SIDE LOT LINES IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
5. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.
6. THESE LOTS ARE SERVED BY CITY OF HOMER SEWER.
7. ALL LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO 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.
8. SET A 5/8" X 30" REBAR WITH 2" ALCAP (7538-S 2020) AT ALL LOT CORNERS AND RIGHT-OF-WAY POINTS OF CURVATURE UNLESS INDICATED OTHERWISE.
9. THE LOT IS AFFECTED BY AN EASEMENT OF RECORD WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION (BK17, PG 328 HRD).

CURVE TABLE

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C7	135°33'07"	200.00'	473.17'	N 10°07'34" W	370.28'
C8	21°34'08"	170.00'	64.00'	N 67°07'03" W	63.62'
C9	5°14'55"	230.00'	21.07'	N 75°16'40" W	21.06'
C10	15°37'45"	230.00'	62.74'	N 64°50'20" W	62.55'
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C16	23°21'51"	50.00'	20.39'	N 15°52'07" E	20.25'
C17	81°38'35"	50.00'	71.25'	N 68°22'20" E	65.37'
C18	25°39'27"	50.00'	22.39'	S 57°58'39" E	22.20'
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C20	84°22'56"	50.00'	73.64'	N 20°07'23" E	67.16'
C21	48°07'57"	50.00'	42.00'	N 86°22'50" E	40.78'
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C30	20°28'06"	570.00'	203.63'	N 60°11'22" E	202.55'
C31	3°44'18"	570.00'	37.19'	N 59°54'03" E	37.18'
C32	10°12'28"	570.00'	101.55'	N 52°54'03" E	101.42'
C33	122°03'49"	50.00'	106.52'	N 13°14'06" W	87.49'
C34	15°01'53"	170.00'	44.60'	S 81°46'57" E	44.47'
C35	13°07'03"	170.00'	38.92'	N 84°08'35" E	38.84'
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C37	10°12'35"	430.00'	76.62'	N 72°28'46" E	76.52'
C38	23°20'19"	230.00'	93.69'	N 89°15'13" E	93.04'
C39	4°48'37"	230.00'	19.31'	S 76°40'19" E	19.30'
C40	61°41'17"	25.00'	26.92'	N 74°53'21" E	25.64'
C41	12°23'42"	630.00'	136.29'	N 50°14'33" E	136.02'
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LEGEND

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- INDICATES PRIMARY MONUMENT RECOVERED THIS SURVEY AS DESCRIBED
- INDICATES 5/8" REBAR WITH 2" ALCAP (5780-S, 2007) RECOVERED THIS SURVEY
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- INDICATES 5/8" REBAR WITH 1-1/2" ALCAP (NO LSH OR DATE) RECOVERED THIS SURVEY
- INDICATES LIMIT OF DISCHARGE SLOPE DESIGNATION PER KENAI WATERSHED FORUM WETLANDS ASSESSMENT
- INDICATES APPROXIMATE CENTERLINE OF DRAINAGE



PLAT APPROVAL

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

BY: AUTHORIZED OFFICIAL  
KENAI PENINSULA BOROUGH

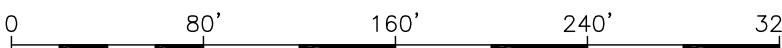
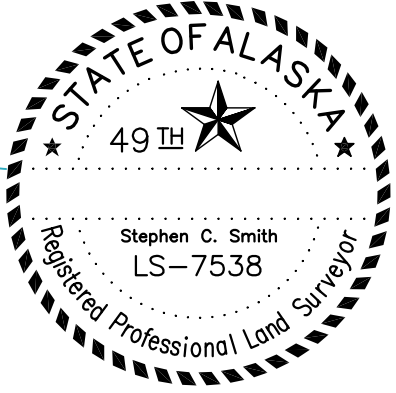
DATE

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 0°07'26" E	75.28'
L2	N 67°46'49" W	123.27'
L3	S 58°11'43" W	97.19'
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L10	S 41°31'58" W	60.00'
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L12	N 62°15'52" W	38.88'
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L15	N 36°37'07" E	73.01'
L16	N 57°45'59" E	42.63'

WASTEWATER DISPOSAL

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



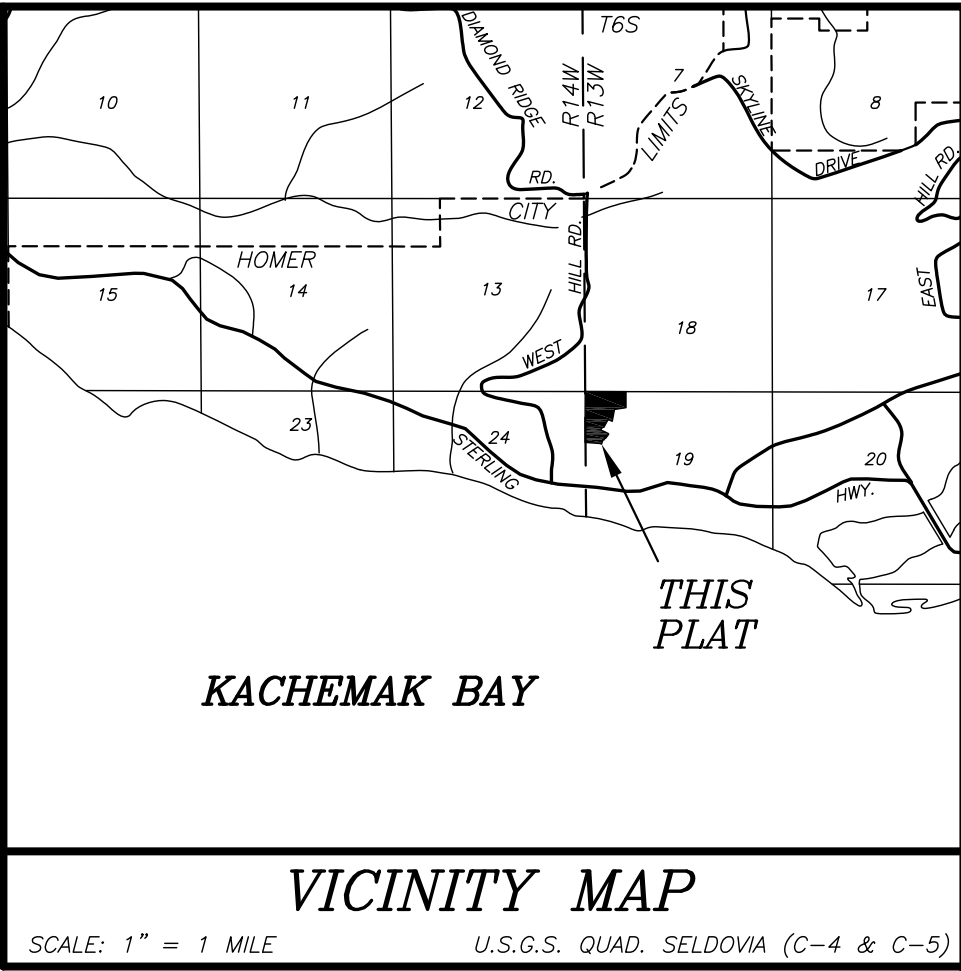
GRAPHIC SCALE

SURVEYOR

LICENSE #

DATE

SCALE 1"=80'



CERTIFICATE OF OWNERSHIP AND DEDICATION

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

TL INVESTMENTS, LLC  
TOM STAFFORD, MANAGER  
PO BOX 3403  
HOMER, ALASKA 99603

NOTARY'S ACKNOWLEDGMENT

FOR TOM STAFFORD

ACKNOWLEDGED BEFORE ME THIS

DAY OF , 2020.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES:

CERTIFICATE OF ACCEPTANCE

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF HOMER FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS:

THE UTILITY EASEMENTS WITHIN THE 10' FEET ADJACENT TO ALL STREET ROW'S AND THE FRONT 20 FEET WITHIN 5 FEET OF SIDE LOT LINES.

ERIC LANE (60' ROW), TAJEN LANE (60' ROW), LINSTRANG WAY (60' ROW), MATCHING 30' ROW WEST FAIRVIEW AVENUE.

THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY: KATIE KOESTER, CITY MANAGER  
CITY OF HOMER, ALASKA

DATE:

HOMER RECORDING DISTRICT KPB FILE No. 2020-???

FOOTHILLS SUBDIVISION  
SUNSET VIEW ESTATES 2020 ADDITION

THE SUBDIVISION OF TRACT B  
FOOTHILLS SUBDIVISION SUNSET VIEW ESTATES ADDITION NO. 3  
(HM 2019-10)  
LOCATED WITHIN THE NW 1/4 SEC 19,  
T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI  
PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA  
CONTAINING 25.569 ACRES  
OWNER:  
TL INVESTMENTS, LLC PO BOX 3403 HOMER, AK 99603

GEOVERA, LLC

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

DRAWN BY: SCS

DATE: APRIL 2020

SCALE: 1" = 80'

CHK BY: SCS

JOB #2020-23

SHEET 1 OF 1



*Geovera, LLC*

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

June 22, 2020

City of Homer  
Planning Department  
Julie Engebretsen, Deputy City Planner  
491 E. Pioneer Ave.  
Homer, Alaska 99603

**RECEIVED**

**JUN 22 2020**

**CITY OF HOMER  
PLANNING/ZONING**

RE: Foothills Subdivision Sunset View Estates 2020 Addition Preliminary Plat Submittal

Julie,

Please find enclosed (1) full size copy and (2) 11X17 copies of the preliminary plat of Foothills Subdivision Sunset View Estates 2020 Addition, and a \$4,400.00 check for the submittal fee.

This plat subdivides an existing 25.569 acre parcel into 44 lots. This plat extends the existing Eric Lane and Linstrang Way right-of-ways through to a connection to West Fairview Avenue at the northeast corner of the subdivision. The Tajen Lane right-of-way is being extended into this subdivision but will end in a cul-de-sac. It is not possible to connect the Tajen Lane right-of-way to Eric Lane due to the fact that the existing ground slopes away from Eric Lane at greater than 10%. Not connecting Tajen Lane to Eric Lane will require an exception to KPB 20.30.030 (A) Street Layout Requirements.

This plat connects the Linstrang Way right-of-way to Eric Lane but requires the centerline to approach at an approximately 28 degree angle to the centerline of Eric Lane in order to achieve the required minimum grade of 4% for 130 feet from the centerline intersection. Borough code allows intersection angles up to 30 degrees from perpendicular where necessary to achieve the required intersection grades..

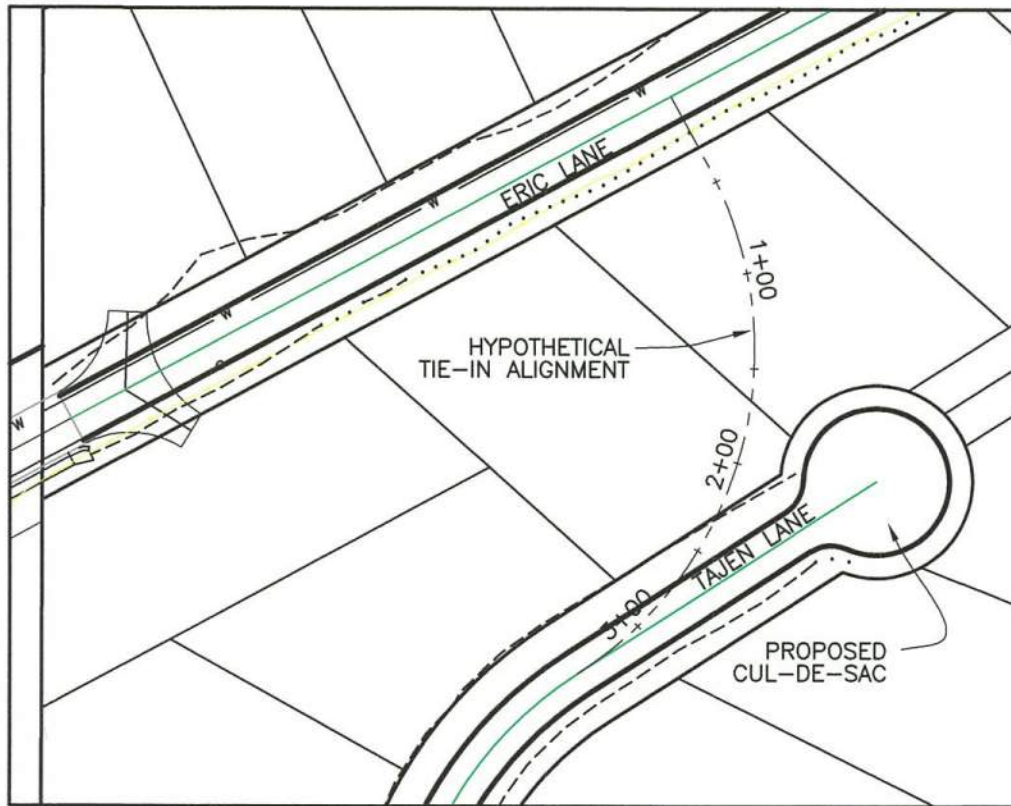
West Fairview Avenue will have a matching 33 foot right-of-way dedication but will not be developed due to the steepness of the side hill that portion of the existing right-of-way is located on.

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

Sincerely,



Stephen C. Smith P.L.S.

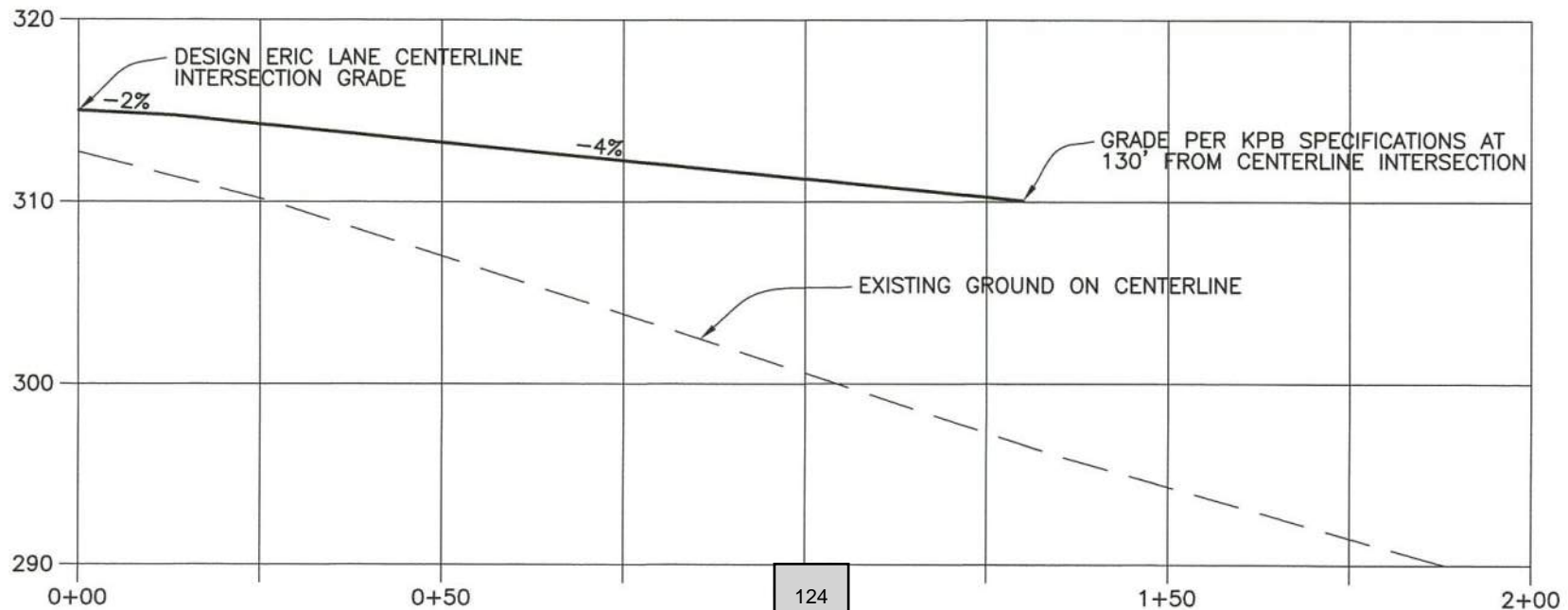


FOOTHILLS SUBDIVISION HYPOTHETICAL  
TAJEN LANE/ERIC LANE TIE-IN  
PLAN AND PROFILE  
MARCH 19, 2020

**RECEIVED**

JUN 22 2020

CITY OF HOMER  
PLANNING/ZONING







# Aerial Map

## Foothills Subdivision Sunset View Estates 2020 Addition Preliminary Plat



City of Homer  
Planning and Zoning Department

7/2/20

0 250 500 1,000 Feet



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



A Subdivision Agreement will be required. Developer shall contact Public Works to submit application and execute construction agreement prior to initiating design effort. A performance guaranty is required if Developer wants to record the final plat before all required subdivision improvements have been constructed and accepted by the City.

**Plat comments:**

- 1) Provide 80' wide Eric Lane right-way (or add a 10' wide slope maintenance easement on both sides). Consider the same for Linstrang Way.
- 2) Note 4 should reflect a 15' wide utility easement fronting street right-of-way.
- 3) The proposed centerline radius of Tajen Lane (125' radius) is less than the normally required 150' (in local residential situations). Public Works Engineer supports reduction in centerline radius to 125' as provided for in the Design Criteria Manual (DCM).
- 4) Linstrang Way/Eric Lane intersection – Suggest centerline of Linstrang be adjusted to reflect as close to a 90 degree intersection as possible. This could increase size of Lot 44. Can intersection vertical grade requirements of the DCM be met here?
- 5) Note 6 – suggest “will be served”.
- 6) Provide 20' radius returns where Tajen cul-de-sac bulbs transitions into 60' wide right-of-way. See Cabana Ct.
- 7) The plat shows several drainages. A 20' wide drainage easement shall be provided along each. All or most of the runoff from this subdivision shall be directed to the storm water detention basin at the bottom of Tajen Lane. Infrastructure will be required (and easements dedicated) to accomplish this. The extent of this infrastructure should be identified now to assure easements are in place all lots are buildable. Expect that between Linstrang and Eric Lane, easements for drainage will be required down lot lines. Same between Eric Lane and Tajen. The location and extent of proposed drainage improvements shall be consistent with Army Corps wetland permit conditions.

**Required Subdivision Improvements:** (Note: this subdivision is zoned rural residential. Developer provided subdivision improvements include the following. All construction per Homer Standard Construction Specifications).

**Roads**

Eric Lane – If developer provides a similar improvement to Eric Lane to the west (30' wide pavement, ditch on north side, curb/gutter and 5' wide asphalt sidewalk on south side); City will pay 1/3 of the overall road cost. Developer responsible for documenting costs and requesting reimbursement. See note 7 above.

Linstrang Way – Provide gravel road/drainage improvements (28' wide top). Street name and stop signs. If paved, asphalt width shall be 24'.

Tajen Lane - Provide gravel road/drainage improvements (26' wide top) and 44' diameter cul-de-sac. Street name and stop signs. If paved, asphalt width shall be 22', cul-de-sac diameter 40'.

**Water/Sewer**

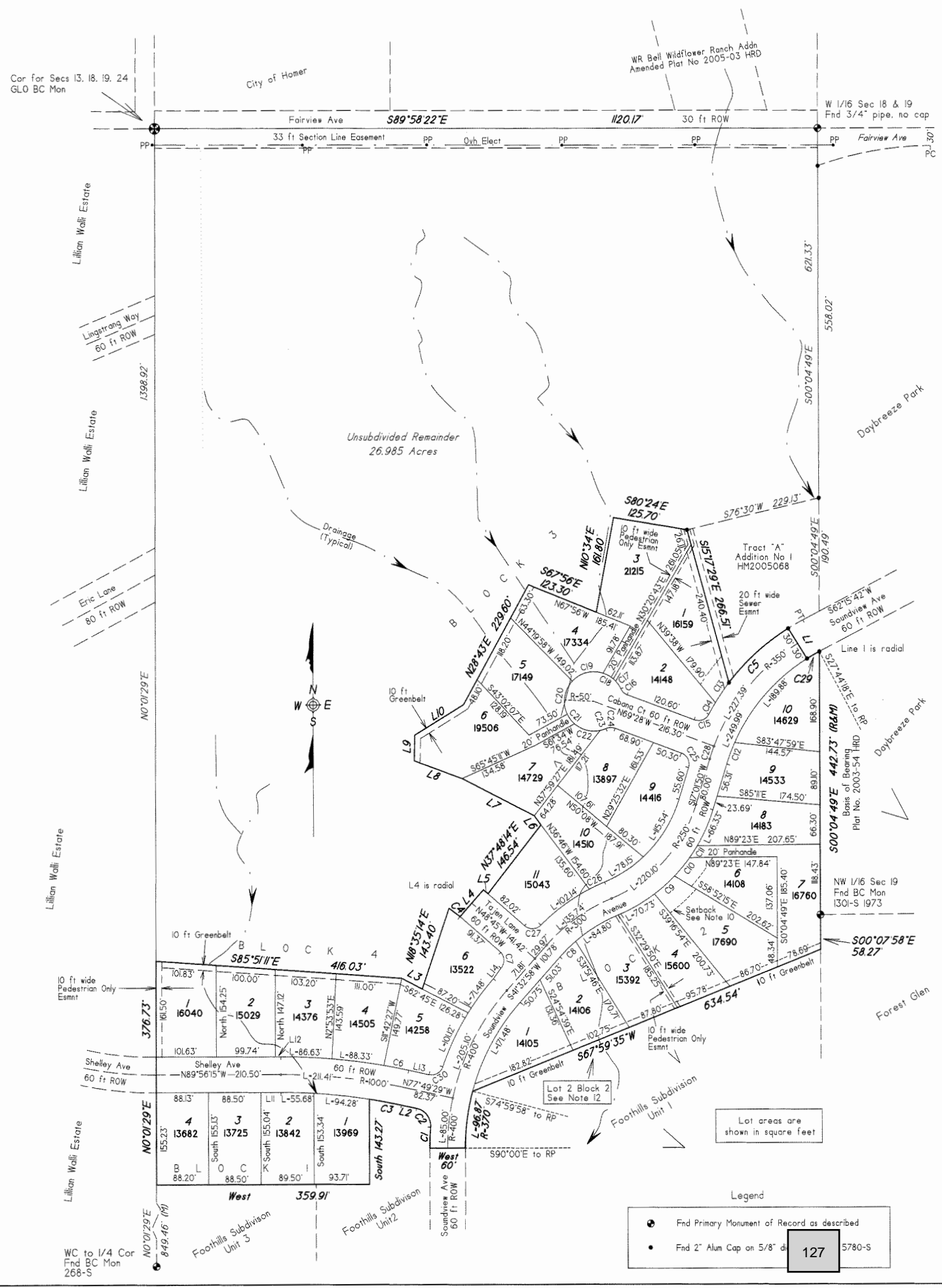
8" dia. water mains fronting all lots; 1" dia. water services to each lot; fire hydrants (spaced @ min 500').

8" dia. sewer mains fronting all lots; 4" dia. sewer services to each lot.

Provide 30' wide water or sewer easements for those facilities not located in street right-of-way.

**Private Utilities**

Natural gas, electricity (provide required easements for these facilities on the plat).



By our free consent we accept the Pedestrian  
Only Easement and Sewer Easement as shown hereon.

*Larry W. Cabana*  
Owners of Tract "A" Foot Hills Subdivision Sunset  
View Addition No. 1 Plat No. 2005-08 HRD  
Larry W. Cabana Date 4.16.07 Dawn D. Cabana Date 4.16.07  
PO Box 3388  
Homer AK 99603

Notary's Acknowledgement  
Subscribed and sworn to me before me this 16th day  
of April 2007  
for Larry W. Cabana and Dawn D. Cabana

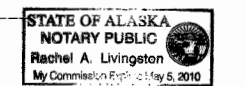
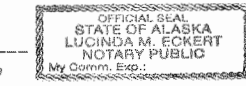
*Steve Neuf*  
Notary Public for Alaska  
My Commission Expires 3-27-10

By our free consent the City of Homer accepts the Pedestrian  
Only Easements as shown hereon.

*Steve Dean*  
City of Homer by **Active City Manager, Steve Dean**  
City Manager  
491 East Pioneer Ave  
Homer AK 99603

Notary's Acknowledgement  
Subscribed and sworn to me before me this 16th day  
of April 2007  
for *Steve Dean*

*Rachel A. Livingston*  
Notary Public for Alaska  
My Commission Expires 5-5-10



### Ownership Certificate

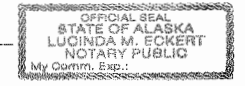
We hereby certify that we are the owners of the real property  
shown and described hereon and that we hereby adopt this plan  
of subdivision and by our free consent dedicate all rights-of-way  
to public use and grant all easements to the use shown.

We further certify that the Deed of Trust affecting this property  
does not contain restrictions which would prohibit this subdivision  
or require signature and approval of the beneficiary.

*Larry W. Cabana*  
Sunset View Estates LLC Date 4/16/07  
by Leroy Cabana Member  
Box 49  
Homer AK 99603

Notary's Acknowledgement  
Subscribed and sworn to me before me this 16th day  
of April 2007  
for Leroy Cabana

*Lucinda M. Eckerdt*  
Notary Public for Alaska  
My Commission Expires 3-27-10



### Surveyors Certificate

I hereby certify that I am a Registered Land Surveyor  
and that this plat represents a survey made by me or  
under my direct supervision and the monuments shown  
hereon actually exist as described and that the dimensions  
and other details are correct to the best of my knowledge.

APRIL 12, 2007 *R. W. Imhoff*  
Date Roger W. Imhoff LS 5780



### Plat Approval

This plat was approved by the Kenai Peninsula  
Borough Planning Commission at the meeting of  
January 9, 2006 & December 11, 2006

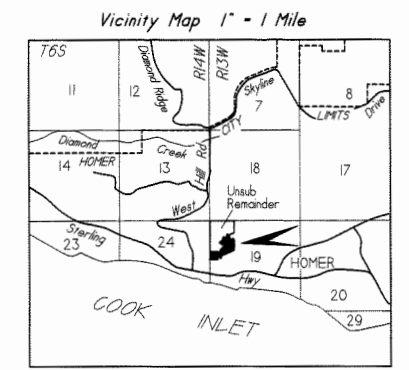
KENAI PENINSULA BOROUGH  
By: *Max J. Best*  
Authorized Official

L1 S32°02'40"E 60.00'	C1 L-35.13' R-430'	C16 L-15.15' R-20'
L2 S77°50'E 26.30'	C2 L-43.20' R-30'	C17 L-20.90' R-50'
L3 S62°45'E 39.08'	C3 L-55.10' R-970'	C18 L-20.14' R-50'
L4 N41°15'E 60.00'	C4 L-23.34' R-170'	C19 L-56.34' R-50'
L5 S48°45'E 10.22'	C5 L-136.22' R-380'	C20 L-60.00' R-50'
L6 N36°46'W 19.00'	C6 L-42.80' R-1030'	C21 L-20.37' R-50'
L7 N62°45'29"W 136.85'	C7 L-29.01' R-20'	C22 L-46.48' R-50'
L8 N69°41'17"W 86.15'	C8 L-37.36' R-270'	C23 L-10.37' R-50'
L9 N°24'00"E 43.00'	C9 L-45.50' R-280'	C24 L-15.85' R-20'
L10 N57°59'00"E 97.10'	C10 L-39.91' R-280'	C25 L-30.19' R-20'
L11 S89°56'15"E 33.85'	C11 L-24.04' R-280'	C26 L-28.52' R-330'
L12 N89°56'15"W 9.15'	C12 L-38.69' R-320'	C27 L-30.18' R-20'
L13 N77°49'29"W 35.16'	C13 L-40.80' R-380'	C28 -22.60' R-350'
L14 S35°31'11"W 21.81'	C14 L-22.39' R-380'	C29 L-24.05' R-320'
	C15 L-29.20' R-20'	C30 L-29.19' R-20'

### Notes

- All wastewater disposal systems shall comply with existing applicable laws at the time of construction.
- No permanent structures shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
- WASTEWATER DISPOSAL: Plans for wastewater that meet regulatory requirements are on file at the State of Alaska Department of Environmental Conservation.
- All lots within this subdivision are subject to 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 Dept. prior to development activities.
- The 15 ft fronting rights-of-way is an underground utility easement unless shown or noted otherwise.
- The northerly 33 ft of the parent parcel is subject to a 33 ft wide section line easement.
- Terms and conditions of the greenbelt(s) per Serial Number 2007-1831 Homer Recording District.
- Pedestrian easements granted to the City of Homer by this plat may overlay portions of utility easements.
- No permanent structures are allowed within the panhandle portion of Lot 7 Block 2, or Lots 3 and 6 Block 3.
- Additional Building Setback restrictions from the edge of the ROW apply to these lots: Lot 5 Block 2 - 42 ft, Lot 6 Block 2 - 33 ft, Lot 1 Block 3 - 38 ft, and Lot 7 Block 3 - 42 ft (graphically shown).
- Development within this subdivision is subject to the conditions contained within US Army Corps of Engineer Permit No. POA 2006-153-4. Designated wetlands are contained within portions of all lots within Phase One EXCEPT Lots 1-4 Block 3. Locations of natural drainages as shown may be altered under this permit as part of the subdivision drainage plan.
- Lot 2 Block 2 is designated under US Army Corps of Engineer Permit No. POA 2006-153-4 for storm water retention and is not to be used for residential purposes.

2007-31  
Homer, Alaska  
Date 5/8  
Time 11:33 A.M.  
Requested by Imhoff  
Address



### Foot Hills Subdivision Sunset View Estates Addition No. 2 Phase One

Being a Subdivision of a portion of Government Lots 1 and 2  
Section 19, T6S, R13W, S1M  
located in the City of Homer  
Homer Recording District, Third Judicial District, Alaska  
Containing 13.518 Acres, more or less

Client Cabana PO Box 49 Homer AK 99603	Surveyor: Roger W. Imhoff, RLS PO Box 2588 Homer AK 99603	Filecabana.vcd Drawn RWI SCALE 1" = 100 ft.
Date 7-26-06	KPB File No 2006-201 / KPB File No. 2006-004	

Legend  
• End Primary Monument of Record as described  
• End 2" Alum Cap on 5/8" d 127 5780-S





## 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:

### **Foothills Subdivision Sunset View Estates 2020 Addition 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, July 15, 2020 at 6:30 p.m. The meeting will be held virtually.

Anyone wishing to view the complete proposal, attend the virtual meeting, or participate in the virtual meeting may do so by visiting the Planning Commission Regular Meeting page on the City's online calendar at <https://www.cityofhomer-ak.gov/calendar>.

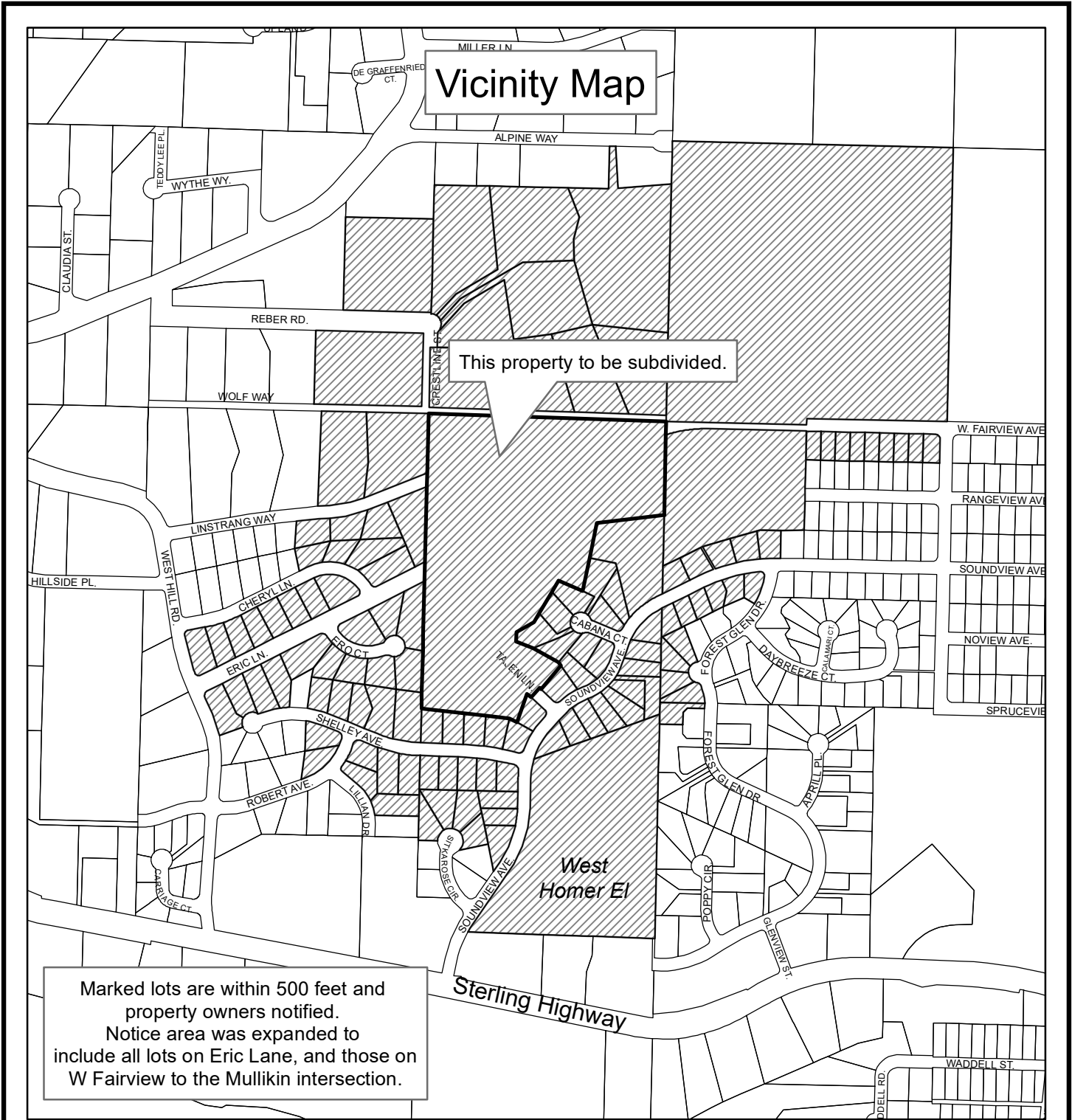
Visit the link above or call the City Clerk's Office to learn how to provide verbal testimony during the meeting via telephone or the Zoom online platform. Written comments can be emailed to [planning@ci.homer.ak.us](mailto:planning@ci.homer.ak.us) or mailed to Homer City Hall, 491 E. Pioneer Ave., Homer, AK, 99603. They may also be placed in the drop box at the Pioneer Ave. entrance to Homer City Hall at any time. Comments must be received by 4pm on the day of the meeting.

If you have questions or would like additional information about the proposal, please contact Travis Brown at the Planning and Zoning Office at 235-3106. If you have questions about how to participate in the virtual meeting, please contact the City Clerk's Office at 235-3130.

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

.....

**VICINITY MAP ON REVERSE**



City of Homer  
Planning and Zoning Department

6/24/20

## Foothills Subdivision Sunset View Estates 2020 Addition Preliminary Plat

0 250 500 1,000 Feet



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

Note: Mailout included 11" x 17" copy

#### NOTES

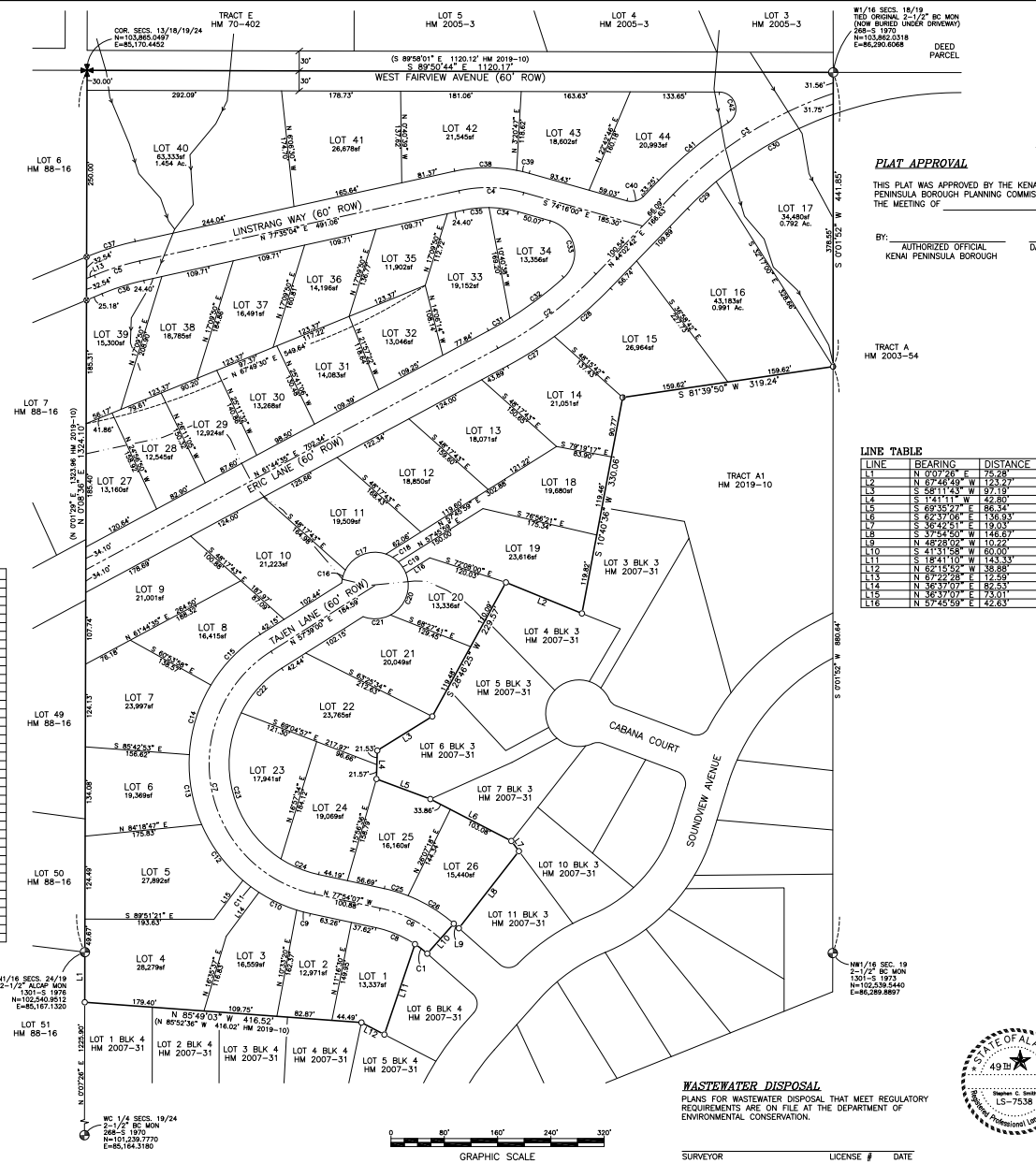
1. BASIS OF BEARING FOR THIS SURVEY WAS DETERMINED BY A HIGH PRECISION GPS SURVEY USING TOPCON DUAL-FREQUENCY HIPAP V RECEIVERS, DIFFERENTIALLY CORRECTED AND PROCESSED WITH MAGNET OFFICE VERSION 3.1 SOFTWARE. NAD83 ALASKA STATE PLANE GRID COORDINATES (U.S. SURVEY FEET) OBTAINED FROM THE GPS OBSERVATIONS WERE BASED ON THE NGS PUBLISHED VALUES FOR FEDERAL BASE NETWORK CONTROL STATION "HOMER" (PID T10155).
2. TRUE BEARINGS AND DISTANCES WERE DETERMINED BY ROTATING AND SCALING FROM GRID USING FEDERAL BASE NETWORK CONTROL STATION "HOMER" AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY ROTATING GRID INVERSE AZIMUTHS  $-11^{\circ}13.4'$ . TRUE DISTANCES WERE OBTAINED BY DIVIDING GRID INVERSE DISTANCES BY 0.999986666.
3. THE RESULTING SCALED COORDINATES WERE TRANSLATED TO A LOCAL COORDINATE SYSTEM BASED ON FEDERAL BASE NETWORK CONTROL STATION "HOMER"  $N=100,000$   $E=100,000$ . ALL COORDINATE VALUES REPRESENT GROUND DISTANCES IN U.S. SURVEY FEET ORIENTED TO TRUE NORTH.
4. THE 10 FEET FRONTING THE STREET RIGHT-OF-WAYS AND THE FRONT 20 FEET WITHIN 5 FEET OF THE SIDE LOT LINES IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
5. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.
6. THESE LOTS ARE SERVED BY CITY OF HOMER SEWER.
7. ALL LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO 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.
8. SET A  $5/8"$  X  $30"$  REBAR WITH  $2"$  ALCAP (7538-S-2020) AT ALL LOT CORNERS AND RIGHT-OF-WAY POINTS OF CURVATURE UNLESS INDICATED OTHERWISE.
9. THE LOT IS AFFECTED BY AN EASEMENT OF RECORD WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION (BK17, PG 328 HRD).

#### CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD BRG	CHORD DIST
C1	75.13°	170.00	183.34	N 56°24'00" W	23.32
C2	174.42°	600.00	184.34	N 56°24'00" W	184.34
C3	273.42°	600.00	286.89	N 57°44'30" W	284.16
C4	273.42°	600.00	286.89	N 57°44'30" W	284.16
C5	107.12°	400.00	71.28	N 72°28'46" E	71.18
C6	253.33°	200.00	475.17	N 100°14'00" W	370.28
C7	213.33°	100.00	34.00	N 67°07'00" W	33.62
C8	213.33°	100.00	34.00	N 67°07'00" W	33.62
C9	107.12°	200.00	62.74	N 64°30'00" W	62.50
C10	107.12°	200.00	62.74	N 64°30'00" W	62.50
C11	267.10°	200.00	105.10	N 30°21'17" W	104.19
C12	267.10°	200.00	105.10	N 30°21'17" W	104.19
C13	267.10°	200.00	105.10	N 30°21'17" W	104.19
C14	267.10°	200.00	105.10	N 30°21'17" W	104.19
C15	267.10°	200.00	105.10	N 30°21'17" W	104.19
C16	267.10°	200.00	105.10	N 30°21'17" W	104.19
C17	81.18°	50.00	71.28	N 68°22'00" W	62.57
C18	267.10°	200.00	105.10	N 30°21'17" W	104.19
C19	253.33°	50.00	20.14	N 33°35'30" W	20.01
C20	253.33°	50.00	20.14	N 33°35'30" W	20.01
C21	45.07°	50.00	42.00	N 86°22'00" W	40.78
C22	309.22°	170.00	91.61	N 42°12'33" E	90.51
C23	83.56°	170.00	245.05	N 15°12'46" W	227.37
C24	209.44°	170.00	61.52	N 67°32'03" W	61.19
C25	97.18°	50.00	37.78	N 57°15'00" W	37.19
C26	209.44°	50.00	80.93	N 56°32'49" W	80.51
C27	70.01°	50.00	83.24	N 57°02'26" W	83.20
C28	54.56°	50.00	58.80	N 47°00'01" E	58.77
C29	172.28°	50.00	116.13	N 1°15'00" E	115.19
C30	344.18°	50.00	37.19	N 59°25'00" W	37.18
C31	107.12°	200.00	62.74	N 64°30'00" W	62.50
C32	107.12°	200.00	62.74	N 64°30'00" W	62.50
C33	107.12°	200.00	62.74	N 64°30'00" W	62.50
C34	107.12°	200.00	62.74	N 64°30'00" W	62.50
C35	107.12°	200.00	62.74	N 64°30'00" W	62.50
C36	253.33°	200.00	475.17	N 100°14'00" W	370.28
C37	61.11°	170.00	26.92	N 74°52'00" E	26.82
C38	123.42°	630.00	136.29	N 50°14'24" E	136.02
C39	146.17°	25.00	63.83	N 16°52'10" W	47.85

#### LEGEND

- INDICATES 1917 2-1/2" BC GLO MONUMENT RECOVERED THIS SURVEY
- INDICATES PRIMARY MONUMENT RECOVERED THIS SURVEY AS DESCRIBED
- INDICATES 5/8" REBAR WITH 2" ALCAP (5780-S, 2007) RECOVERED THIS SURVEY
- INDICATES 5/8" REBAR WITH 2" ALCAP (7610-S 2017) RECOVERED THIS SURVEY
- INDICATES 5/8" REBAR WITH 1-1/2" ALCAP (NO LSH OR DATE) RECOVERED THIS SURVEY
- INDICATES LIMIT OF DISCHARGE SLOPE DESIGNATION PER KENAI WATERSHED FORUM WETLANDS ASSESSMENT
- INDICATES APPROXIMATE CENTERLINE OF DRAINAGE



#### PLAT APPROVAL

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

BY: AUTHORIZED OFFICIAL DATE  
KENAI PENINSULA BOROUGH

SCALE 1"=80'

KACHEMAK BAY

#### VICINITY MAP

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

#### CERTIFICATE OF OWNERSHIP AND DEDICATION

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

TL INVESTMENTS, LLC  
TOM STAFFORD, MANAGER  
PO BOX 3403  
HOMER, ALASKA 99603

#### NOTARY'S ACKNOWLEDGMENT

FOR TOM STAFFORD  
ACKNOWLEDGED BEFORE ME THIS  
DAY OF \_\_\_\_\_, 2020.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES:

#### CERTIFICATE OF ACCEPTANCE

THE UNDERSIGNED OFFICIAL, IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF HOMER FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS:

THE UTILITY EASEMENTS WITHIN THE 10' FEET ADJACENT TO ALL STREET ROW'S AND THE FRONT 20 FEET WITHIN 5 FEET OF SIDE LOT LINES.

ERIC LANE (60' ROW), TAJEN LANE (60' ROW), LINSTRANG WAY (60' ROW), MATCHING 30' ROW WEST FAIRVIEW AVENUE.

THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY: KATIE KOESTER, CITY MANAGER  
CITY OF HOMER, ALASKA

HOMER RECORDING DISTRICT KPB FILE No. 2020-???

#### FOOTHILLS SUBDIVISION SUNSET VIEW ESTATES 2020 ADDITION

THE SUBDIVISION OF TRACT B  
FOOTHILLS SUBDIVISION SUNSET VIEW ESTATES ADDITION NO. 3  
(HM 2019-10)

LOCATED WITHIN THE NW 1/4 SEC 19,  
T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI  
PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA  
CONTAINING 25.549 ACRES

OWNER:  
TL INVESTMENTS, LLC PO BOX 3403 HOMER, AK 99603

GEOVERA, LLC

PO BOX 3235

HOMER, ALASKA 99603

(907) 399-4345

EMAIL: scsmith@gci.net

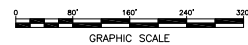
DRAWN BY: SCS DATE: APRIL 2020 SCALE: 1" = 80'

CHK BY: SCS JOB #2020-23 SHEET 1 OF 1

#### WASTEWATER DISPOSAL

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

SURVEYOR LICENSE # DATE









## City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Office of the Mayor

491 East Pioneer Avenue  
Homer, Alaska 99603

[mayor@ci.homer.ak.us](mailto:mayor@ci.homer.ak.us)

(p) 907-235-3130

(f) 907-235-3143

July 2, 2020

Kalie Petska-Rubalcava  
567 Hidden Way  
Homer, AK 99603

Dear Kalie,

Congratulations! City Council confirmed and approved your re-appointment to the Planning Commission during their July 1, 2020 special meeting via Memorandum 20-095.

Your 2019 - 2020 Public Official Conflict of Interest Disclosure Statement is currently on file in the City Clerk's Office. In October you will be notified to complete the 2020-2021 disclosure statement. Public officials are required to comply with this reporting requirement pursuant to HCC 1.18.043.

Thank you for your willingness to serve the City of Homer on the Planning Commission. There certainly are exciting times ahead!

Your term will expire July 1, 2023.

Cordially,

Ken Castner, Mayor

Enclosed: Memorandum 20-095  
Certificate of Re-appointment

Cc: Planning Commission

# City of Homer

Homer, Alaska

## Mayor's Certificate of Appointment

Greetings

Be It Known That

*Kalie Petska-Rubalcava*

Has been re-appointed to

serve as

**"Commissioner"**

on the

**"Homer Planning Commission"**

*This appointment is made because of your dedication to the cause of good government, your contributions to your community and your willingness to serve your fellow man.*

*In Witness whereof I hereunto set my hand  
this 6<sup>th</sup> day of July, 2020*



Ken Castner, Mayor

Attest:

Melissa Jacobsen, MMC, City Clerk



## City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

Office of the Mayor

491 East Pioneer Avenue  
Homer, Alaska 99603

[mayor@ci.homer.ak.us](mailto:mayor@ci.homer.ak.us)

(p) 907-235-3130

(f) 907-235-3143

### Memorandum 20-095

TO: HOMER CITY COUNCIL  
FROM: MAYOR CASTNER  
DATE: JUNE 24, 2020  
SUBJECT: APPOINTMENTS TO THE HOMER PLANNING COMMISSION

---

Kalie Petska-Rubalcava is reappointed to the Planning Commission, and Charles Barnwell is appointed to the Planning Commission. The terms expire July 1, 2023.

**Recommendation:** Confirm the reappointment of Kalie Petska-Rubalcava, and the appointment of Charles Barnwell to the Planning Commission.



## City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Office of the Mayor

491 East Pioneer Avenue  
Homer, Alaska 99603

[mayor@ci.homer.ak.us](mailto:mayor@ci.homer.ak.us)

(p) 907-235-3130

(f) 907-235-3143

July 6, 2020

Charles Barnwell  
410 Crestwood Circle  
Homer, Alaska 99603

Dear Charles,

Congratulations! Council confirmed/approved your appointment to the Planning Commission during their Special Meeting of July 1, 2020, via Memorandum 20-095.

Your 2019 Public Official Conflict of Interest Disclosure Statement is currently on file in the Clerk's office. It is a public document and may be requested by any member of the public. In the event the Public Official Conflict of Interest Disclosure Statement is requested by a member of the public, you will be notified of the requestor's name. In October you will be sent the 2020-2021 Disclosure forms to be completed.

The Planning Department will be preparing a notebook containing Title 21 and other additional documents to aid in your service on the Planning Commission.

Thank you for your willingness to serve the City of Homer on the Planning Commission. There certainly are exciting times ahead.

Your term will expire July 1, 2023.

Cordially,

Ken Castner, Mayor

Enc: Memorandum 20-095  
Certificate of Appointment

Cc: Planning Commission

# City of Homer

Homer, Alaska

## Mayor's Certificate of Appointment

Greetings

Be It Known That

*Charles Barnzwell*

Has been appointed to

serve as

**"Commissioner"**

on the

**"Homer Planning Commission"**

*This appointment is made because of your dedication to the cause of good government, your contributions to your community and your willingness to serve your fellow man.*

*In Witness whereof I hereunto set my hand  
this 6<sup>th</sup> day of July, 2020.*



A handwritten signature in blue ink, reading "Ken Castner", is written over a horizontal line.

Ken Castner, Mayor

Attest:

A handwritten signature in blue ink, reading "Melissa Jacobsen", is written over a horizontal line.  
Melissa Jacobsen, MMC, City Clerk





## City of Homer

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Office of the Mayor

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(p) 907-235-3130

(f) 907-235-3143

### Memorandum 20-095

TO: HOMER CITY COUNCIL  
FROM: MAYOR CASTNER  
DATE: JUNE 24, 2020  
SUBJECT: APPOINTMENTS TO THE HOMER PLANNING COMMISSION

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Kalie Petska-Rubalcava is reappointed to the Planning Commission, and Charles Barnwell is appointed to the Planning Commission. The terms expire July 1, 2023.

**Recommendation:** Confirm the reappointment of Kalie Petska-Rubalcava, and the appointment of Charles Barnwell to the Planning Commission.



## City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Office of the City Manager

491 East Pioneer Avenue

Homer, Alaska 99603

[citymanager@cityofhomer-ak.gov](mailto:citymanager@cityofhomer-ak.gov)

(p) 907-235-8121 x2222

(f) 907-235-3148

## Memorandum

TO: Mayor Castner and Homer City Council  
FROM: Rick Abboud, Acting City Manager  
DATE: June 18, 2020  
SUBJECT: City Manager's Report for June 22 City Council Meeting

### **CARES Act Dollars Received, CARES Act Local Implementation Manager Contract Signed**

The City of Homer received the first distribution of CARES Act dollars (\$3,867,758.79) from the State on June 11<sup>th</sup>. At the recommendation of the Mayor, the HR and Finance Departments worked together with Administration to finalize the hiring Jody Mastey of Fiddlehead Creative to serve as the CARES Act Local Implementation Manager for outreach, application development, management, and the reviewer of applications for the City of Homer Small Business Economic Relief Grant (SBERG) program. Authorization was given by Council through Ordinance 20-25(S) to pay for the initial administration costs including additional personnel and direct expenses of SBERG, up to \$90,000.

### **Borough Input on Third Party Involvement in Distributing CARES Act Funds**

Staff requested input from the Borough concerning the use of third parties (ie. foundations or organizations) to help the City distribute CARES Act dollars as other municipalities have discouraged this practice. Per Community and Fiscal Projects Manager Ahlberg, "The borough will not be entering into third party agreements for the purpose of distributing the funds to other programs, i.e. businesses or nonprofits. We are not authorized by statute to issue a program for individual assistance. Entering into an agreement with a third party is an unnecessary risk for the borough; for example, the more sub-subrecipient agreement relationships the more exposure may incur that later the KPB would still be accountable for in the event of misuse of funds by the third party. My driving mantra is that a federal dollar is a federal dollar from federal government to beneficiary. The adherence to federal regulations, internal policies and program justifications that we function under must be based upon accountability of funds that we may ultimately be asked to explain to the state auditors – or worse – be expected to pay back with penalties and interest. Not worth the risk."

### **State of Alaska COVID-19 Assistance to City of Homer**

At the June 8<sup>th</sup> City Council meeting, Dr. Anne Zink discussed how boroughs and cities have different legal authorities when it comes to the ability to locally mandate COVID-19 prevention

protocols such as wearing masks indoors. Staff contacted Alaska Department of Health and Social Services Commissioner Crum's office with an initial scoping call to see what local options are available to the City in addressing the pandemic. The state's Incident Commander Bryan Fisher and Director of Public Health Heidi Hedberg requested more clarity from Council on what initiatives they would be interested in implementing. It was confirmed that it is unlikely that the state will issue any more mandates. If the City felt that additional local measures are necessary, they could be crafted into an emergency ordinance. This would leave all responsibility for any enforcement of additional measures to the City of Homer.

Incident Commander Fisher has provided Council with examples from the Lake and Peninsula Borough, Whittier, and Valdez on how these communities localized their responses to the pandemic with state input. The Lake and Peninsula Borough passed an ordinance that provided further guidance on the operation of lodges. Whittier developed "Code Orange Community Outbreak Rules" regarding business entry limitations, reversion to state strict social distancing and travel mandates, and medical quarantine. Valdez issued a proclamation to implore its residents and visitors to follow best practices to protect the health and safety of its community. Commissioner Crum pointed to the temporary suspension of the M/V Tustumena's schedule and suspending fish processor facility operations as examples of how the State may address outbreaks. Commissioner Crum and his team encouraged Homer to take a localized, creative, nuanced approach in addressing the needs of our community, keeping in mind that enforcement is the challenging part of passing stricter mandates.

Homer is currently a community transmission hotspot, with active community transmission and positive cases elsewhere in the state being traced back to when those individuals visited Homer and the Southern Kenai Peninsula. Local Public Health Nurses are following 200+ community tracing and index cases in the Southern Kenai Peninsula and have other nurses from across the state helping manage the SKP caseload. During the call, Dr. Zink said it would be of great benefit to the State of Alaska to address Homer's increasing rate of community transmission and said what Homer is experiencing now is similar to what occurred in Fairbanks during the onset of the pandemic. Fairbanks, however, benefited from the State's implementation of more stringent protocols and mandates – Homer is responding to the pandemic during a time when the state has reopened, which makes flattening the curve for our area more difficult. Dr. Zink and the State are willing to help the City of Homer in our response, especially those dealing with particular messaging. Being from this area and a Homer High graduate, Commissioner Crum is open to providing a public statement for our area to address the importance of observing COVID-19 best practices. The City's PIO team will be working with his office to get additional public messaging/educational support.

### **Conservative Approach to City Operating Expenses**

In addition to presenting capital projects information to Council in the upcoming supplemental packet, I have asked departments to provide input/data on how they are

approaching operations conservatively for the long-term given the direction provided through Resolution 20-050. Below details the input I have received thus far for City operations.

Library: The library imposed a freeze on ordering new materials in March. In the last couple of weeks we've resumed ordering, but slowly, in order to keep up with the highest-demand items while still keeping spending down. We are also looking ahead to a two-month pause in ordering AV materials during July and August, as our main orderer will be out of the office. We have dropped subscriptions to the *Wall Street Journal* (our second-most expensive periodical) and Adobe software. Looking ahead, we will likely not renew *The New York Times* (our most expensive periodical) when the subscription runs out. As of today the library has spent exactly 1/3 of its annual budget, so we are well below normal levels for this point in the year.

HPD: It is difficult for HPD to come up with any significant savings. The police department's budget is almost 90% personnel costs. The O and M part of HPD's budget is close to 75% fixed costs, utilities, leases, insurance and such. The only spending we do that may be considered discretionary is for operating and training supplies however those are still much needed expenses to occur.

Community Recreation: In FY20 we can expect to see a budget cut savings of approximately \$15,000 (9.2% of the entire budget) that includes part time wages/benefits, operating supplies, Professional Services, transportation, subsistence and employee training. There may be additional savings of printing and binding around \$1,800 but that is to be determined.

HVFD: With respect to operational budget sending, Chief Kirko has implemented new in house guidance to all staff that all non-essential equipment or items must first be approved by a Chief Officer prior to purchasing. All staff was instructed back in March to be more fiscally responsible with HVFD's budget with the anticipation of needed reductions.

Economic Development: No travel or professional development. No purchases of anything except essential items such as software tool subscriptions. Flex time (per City Manager permission) or take comp time to erase any overtime costs associated with evening EDC meetings. Hand over City First Net phone to another PIO-entity and not utilize a City-issued phone for this position, as it will not need to be contacted during non-working (8-5 pm) hours.

### **Campground Revenue, Limited Staff & Serving the Public**

The visitor and revenue numbers for 2020 are so far very close to the numbers for 2019:

<b>2019</b>	<b>Revenue</b>	<b>Camping</b>	<b>People</b>
<b>April</b>	\$890	46	77
<b>May</b>	\$19,380	967	1,729
<b>June*</b>	\$10,387	583	1,136
<b>YTD:</b>	<b>\$30,657</b>	<b>1,596</b>	<b>2,942</b>

<b>2020</b>	<b>Revenue</b>	<b>Camping</b>	<b>People</b>
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<b>April</b>	\$1,086	54	138
<b>May</b>	\$18,547	928	1,822
<b>June*</b>	\$9,795	485	1,022
<b>YTD:</b>	<b>\$29,428</b>	<b>1,467</b>	<b>2,982</b>

According to Parks Maintenance Coordinator Steffy, “from the start of the lockdown, our parks have been under a VERY heavy level of usage. On a busy day in early April, I counted over 50 cars at Mariner and 168 people on the beach. Bishops has also been extremely busy, often with no parking spaces available and the beach full.” PW staff have been working hard to address the significant impact to public places like restrooms with limited staffing. Typically PW has 10 season employees this time of year – currently they have 5 staff who are working on other duties besides restroom cleaning. Solutions to make up for the limited personnel time include hiring a temporary Parks COVID-19 compliance custodian (details below); recruiting for casual labor with the assistance of HR; and contracting with a 3<sup>rd</sup> party janitorial firm for twice-daily deep cleaning of the Fishing Hole restroom as that is probably the busiest restroom on the Spit.

#### **Temporary Parks COVID-19 Compliance Custodian**

Former Interim City Manager Yoder had tasked HR Director Browning to work with Parks to hire a temporary COVID-compliance type staff member. Originally the thought was that this would be charged to the CARES funding. Once mandates and other circumstances changed, the position was scaled back a bit to a Parks COVID-19 Compliance Janitor with a job description that has these additional COVID-19 related duties spelled out. This means that Parks will have one temporary hire that is dedicated to maintaining COVID-19 compliance practices and standards as directed by the Center for Disease Control, the Department of Health and Social Services, and the Parks Maintenance Coordinator. They clean the restrooms like other seasonal Parks Temporary Laborers, but also are the one working with Parks Maintenance Coordinator Steffy about compliance and providing updates as well as being available for other duties. The Parks staff is short of personnel this season, and under budget so they can absorb this position within their regular budget however a file and notes will be kept if there is an opportunity to submit these personnel costs for reimbursement later through CARES or FEMA.

#### **Emergency Ordinance 20-22 allocation of \$80K, Library during COVID-19**

To date, \$98,974 has been coded to Homer's COVID cost center. This does not factor in any credit card spending for the month of June or any outstanding invoices yet to be submitted to Finance. So, there is roughly \$31,026 left on the \$80k appropriation through Emergency Ordinance 20-22. This figure does not include any non-budgeted personnel costs, as these were approved in a different emergency ordinance. Emergency Ordinance 20-22 expires July 11<sup>th</sup> however Council gave authorization through Ordinance 20-25(S) under Section 1. C to reimburse the City's advance of emergency funding that was used to meet the demands of the first few weeks of Covid-19 response and altered municipal operations. Therefore, staff will not seek authority under an additional emergency ordinance and will utilize the remaining \$31,026



balance to cover any June and July costs and will come before Council on July 27<sup>th</sup> with requests for additional budgetary authority to respond to the pandemic if needed. \$20k of the \$80k appropriation was intended to cover an online reservation system for the campgrounds however the City will not be pursuing that project. An expense that could use these funds would be boosting internet signal at the Homer Public Library (estimated cost of \$4,600) so that the public could use internet from the parking lot as noted in the "Summary of Borough-Wide Communication Regarding CARES Act Funds" memo. Additionally, Library Director Berry cannot currently identify a safe way to expand physical access to the Library. The Library will continue with the services currently in place and have filed a grant application to expand HPL's long-distance offerings to patrons.

### **Development of Other Programs for Distribution of CARES Act Funds**

Per State Local Government Specialist Lynn Kenealy, there is no penalty for not spending CARES Act monies more quickly. The only deadline the City needs to worry about is the December 30, 2020 deadline for expending all funds. However, the City must spend at least 80% of the first disbursement in order to receive the second. Specialist Kenealy was recently informed that she will be given more specifics about this funding disbursement process soon, and will have more information she can share with Administration in the next week. Staff will report this information to Council once received. Council may need to revisit within the next month whether it needs to reappropriate how the funds were allocated under Ord. 20-25(S) if disbursement is not occurring fast enough since we need to spend 80% in order to receive second disbursement. I have been working with Councilmembers Lord and Aderhold on a list of priorities for the City to consider as ways to distribute funds, and will provide a list of other needs of the City to be considered by the body in the supplemental packet. Council's prompt development of other programs (such as for non-profit or individual disbursement) will only mean the City is ready to rapidly respond to any changes we need to make after considering the progress of the SBERG program. I appreciate Council's patience as the needs of the City and community are ever-evolving given the reality that the pandemic is not over and will continue to impact our daily lives into the future for a duration unknown.

### **SPH's request for Financial Assistance**

South Peninsula Hospital has provided additional clarification regarding their request to the City for CARES Act dollars. Please see the attached enclosure dated June 15, 2020.

### **Municipal Arts & Culture Matching Grant Program**

AML has made the City aware of an opportunity to maximize CARES Act dollars for arts and cultures-oriented organizations. "The Municipal Arts and Culture Matching Grant Program is a partnership between Rasmuson Foundation and Alaska municipalities in cooperation with AML. The matching grant program is designed to fund arts and culture organizations whose local revenue sources are disrupted due to COVID-19. Rasmuson Foundation will match a municipality's allocation of CARES Act funds to arts and culture organizations, the match ratio is 1:1 up to \$20,000 to any entity and 1:2 for allocated municipal funds in excess of \$20,000 to

that entity. In order to receive this grant, beneficiaries should be able to demonstrate real and projected revenue decline due to COVID-19, it is the responsibility of the municipality to ensure compliance with US Treasury guidelines for use of CARES Act funds.” An enclosure detailing more specifics concerning this opportunity is attached for Council consideration. Debra Schnabel had also contacted the City, sharing that the Rasmuson Foundation “has set aside \$250,000 as matching funds to incentivize municipal allocation of CARES Act funds to local arts and culture programs.” Among other questions, Schnabel asked if the City maintained funding to an arts & culture organization in Homer’s budget. Staff shared that Homer’s budget includes an annual amount of \$69,000 budgeted for the Pratt Museum for FY20 and FY21 and that for disbursing funds into the community, Homer City Council allocates funding to the Homer Foundation, which then awards funds to nonprofit organizations that apply for assistance.

### **RAVN Bankruptcy Update**

Prior to Ravn Alaska-Corvus Airlines’ declared bankruptcy, the company was in arrears with the City for \$19,975.92. This balance is the result of lease payments charged in 2018-2019 that the company had not caught up on. The Proof of Claim 410 form JDO Attorney Gary Sleeper has completed for the City as a “pre-filing” covers this roughly \$20k total as an unsecured claim. There is no guarantee the City could recoup costs associated with unsecured claims. The lease the City had with Ravn was in effect until March 30, 2023. Currently, Ravn still has a presence at the Homer Airport Terminal with vehicles, equipment, and most of Ravn’s office supplies on site. The automatic stay which arose upon Ravn’s filing of a bankruptcy petition prohibits a creditor (the City) from taking any action against a debtor without court approval so Ravn’s materials at the airport terminal should remain status quo. Building Maintenance Supervisor Zelinski visited the terminal and confirmed Ravn’s materials are just as they were when the company was operating and took photos for reference. Please see the enclosed June 17<sup>th</sup> notice received by Ravn, confirming their award of CARES Act dollars. This proceeding is a work in progress that has many moving parts, updates to come.

### **Getting to ‘Yes’ on New Large Vessel Moorage Facility: Secure Funding for GIS**

Through Resolution 20-023, Council authorized a request for proposals to hire a lobbyist to advocate for capital projects and legislation on behalf of the City. One of their main objectives during the first regular Session of the 32<sup>nd</sup> Legislature (January – May 2021) will be to secure \$750k in state funds to match the City’s \$750k appropriation made by Council through Ordinance 20-06 for the New Large Vessel Moorage Facility’s General Investigation Study (GIS). The GIS is required by the US Army Corps of Engineers in order to proceed with the future construction of the facility. The GIS total cost is \$3M, 50% of which will be paid by the Corps and the other \$1.5M split between the State and City. Since this project’s inception, the State has been both a contributing and benefitting partner and we want to reinstate that relationship. Both Alaska Department of Transportation (AKDOT) and Corps personnel were impressed by the City’s commitment to the project when we set aside our share of the funding. The Corps placed the New Large Vessel Moorage Facility project on their 2020 work plan and within their regular budget however their funding request was not approved.

Fortunately the Corps also put the project on their 2021 workplan list/within their FY22 budget just in case the project could not occur in 2020. This is all the more reason why it is important the City be represented at the table in Juneau to reinstate our partnership with Alaska DOT through a financial commitment, while also contracting with a third party expert familiar with project management at the federal level to ensure the Corps can commit both time and budget so we can get to work in 2021. Prior to her departure, former City Manager Koester and Harbormaster Hawkins met with the engineering firm HDR, Inc. at the start of the year to gauge what services they could provide to push the New Large Vessel Moorage Facility project forward. It would be in the best interest of the City to utilize our term contract with HDR, Inc. to secure them as an owner's representative on this project. Attached please find the proposal Coastal Engineer McPherson provided the City in February of 2020. HDR, Inc. is well positioned to assist the City in navigating relationships and workflow within the State and the Corps, with the State recently closing down their Coastal Engineering department and outsourcing those projects to HDR and the Corps similarly consulting with HDR Inc. to assist in their projects. Harbormaster Hawkins believes that the city would greatly benefit from securing a contract with HDR because the Corps is feeling tremendous pressure to address the lacking infrastructure needs of the Arctic as well as numerous other environmental driven emergencies around our state and HDR has a contractual agreement in place with the Corps that is essentially a master contract allowing them to perform any tasks that the Corps would need to outsource. In HDR's proposal, Phases 1-3 mirror working with the Corps to produce the GIS. Depending on the project management style, Phase 1 work alone can cost up to \$300k. The City does not have to contract with HDR Inc. as an owner's representative yet, as their work and services will be needed once funding from AKDOT and the Corps has been secured, however staff wanted to present this information to Council so that we could hit the ground running Once all funding is in place and the Corps have indicated that they are prepared to launch the study. To date the City has not signed an MOU with the State for the port expansion project. Staff can work on an MOU to be shared with both AKDOT staff and our future lobbyist so they can use the document when speaking with the decision makers in Juneau this upcoming session. Currently, the City has many irons in the fire to fund the GIS. We submitted a Funding Assistance Request to Denali Commission for \$750,000 (the City's contribution). The Borough passed legislation supporting that the EDA fully fund (\$3M) the GIS through one of their Economic Adjustment grants. We have been actively petitioning the Corps and working with their staff to ensure this project remains on their workplan list. As an aside we have also kept our delegation in the loop, with Sen. Murkowski, Sen. Sullivan, and Congressman Young's offices expressing their support of the project while also sharing materials with Sen. Stevens and Rep. Vance's offices. Homer's Port and Harbor is a regional port used to support many industries, so much so that we have to annually turn away between 40-60 large size class vessels requesting to use us as their home port due to the increasing congestion and limitations of our current port. This will be the case, even more so, when the AKLNG project comes on line -or any other south central, western or arctic maritime support industry vessels comes through seeking safe harbor that is both road and air connected and has a fantastic network of marine trades support critical to keeping their vessels competitive and safe for

operations - and starts placing demands on our port. The AKLNG project very recently received the Federal Energy Regulatory Commission's approval to construct the estimated \$43 billion pipeline LNG project. We need to get ahead of AKLNG, while simultaneously relieving large vessel congestion, navigational safety hazards in the small boat harbor, turning away large vessels, and providing secure moorage compatible with the USCG's assets. Construction of the New Large Vessel Moorage Facility will do this, and we need firm commitments from the State and Corps to get started.

### **Seawall Special Assessment District (SAD) Petition**

The City received a Special Assessment Petition Application on June 9, 2020. Per the applicant, the "special assessment district would be for seawall improvements." Council received notice from the City Clerk on June 11<sup>th</sup> that Resolution 20-056 initiating the SAD by Council failed given it did not have a three-fourths Council vote. Since Resolution 20-056 requested additional action from City Council a memorandum will be on the agenda that will provide recommendations on the action that Council can take to remedy the resulting issue. The Clerk's Office has prepared the petition initiated by the applicant and it will be ready for distribution after the decision on June 22, 2020. Properties included in the proposed SAD district will have 60 days to respond to the petition.

### **Update on Overslope Development: Oyster Bar**

The City now has its first complete overslope development project proposal. Homer Spit Oyster Bar has proposed a project to build an overslope platform and oyster bar containing both indoor and outdoor deck seating areas overlooking the harbor. Nested above the oyster bar are two short term room rental accommodations. The applicant has been working closely with the City to acquire approval from the Planning and Port and Harbor Advisory commissions, and after having received its Fire Marshal permit, as of June 16<sup>th</sup> 2020, now has a completed proposal with all needed permitting to move forward for Council consideration. The proposal and lease application are expected to be presented at the next City Council meeting on July 27 for review.

### **2019 Total Sales Tax Revenue**

Finance staff discovered there was an error within the internal formula used to distribute the lump sum of sales tax dollars received from the Borough on a monthly basis. Finance Director Walton has corrected this error in the general ledger and has made the necessary entries to correct the misallocation. Below are the corrected distributions of 2019 sales tax dollars:

- General Fund: \$5,848,056
- HAWSP: \$1,462,014
- HART-Roads: \$1,315,813
- HART-Trails: \$146,201
- Police Station Debt Service: \$584,806
- Police Station Maintenance (to GF): \$97,468

Finance Director Walton has updated the reports provided to Council as of June 16, 2020, specifically the: General Fund Reconciliation; HAWSP Reconciliation; HART-Roads Reconciliation; and HART-Trails Reconciliation. These reports are being re-communicated with Council to ensure members of the public have the correct information. Accompanying these updated reports is Finance Director Walton's June 17, 2020 "Fund Balance Update" memo and the "2020/21 Budget Modeling" sheet for the general fund provided as follow up to the feedback received during the June 8 worksession addressing Resolution 20-050. Enclosed please also find the Police Station Debt Service Fund Reconciliation updated as of June 15, 2020. As an aside, the 4Q Sales Tax report; May comparables; and the 1Q report will be provided in the upcoming supplemental packet.

### **University of Alaska, Kenai Peninsula College**

In Council's 2019 City of Homer Municipal Impact Statement, Council shared concern for the impact cuts to the University system would have on our local economy. Recent news coverage has pointed to yet another financial crisis before the University of Alaska system. Campus Director Reid Brewer shared the Kenai Peninsula College is still open and taking registration for fall courses at both Homer and Kenai campuses; there are many scholarships and monies available to help students. Though most of the courses will be delivered via alternate means/distance delivery, a few will have face to face students. Faculty, staff and students on campuses will practice safety measures consistent with the University of Alaska and the State of Alaska and faculty and staff have been working diligently to make sure that the student learning experience is as engaging and safe as possible. Thank you Councilmember Venuti for helping provide this update.

### **Request for extra-territorial water service**

Kachemak City had contacted the Mayor and former Interim City Manager Yoder about the possibility of getting Homer City water to the Kachemak Community Center, specifically what would be the process for applying for Homer City water and what the cost would be if allowed to hook up. After consulting with the Mayor, I summarized what I feel is an honest assessment of where we stand in consideration of previous actions and inactions. I shared with City Clerk Fitzpatrick that at this time we do not have a clear path in code for their request nor any cost estimates to provide. That correspondence has been provided as an enclosure.

### **Parking along the Homer Spit Road**

There are serious safety issues involved with people parking along the Homer Spit Road. A few examples from this past weekend: a small child was nearly hit when he wandered out into traffic and in another instance a door was opened in front of an oncoming vehicle and nearly caused a serious accident. In order to address these safety concerns as quickly as possible, Port and Harbor ordered 'candlestick' pylons to clearly mark areas along the road as no parking zones. This parking concern is not a new one for Homer Spit and Port and Harbor, HPD, and Public Works staff are working closely together to address this issue immediately with both signage and enforcement.



### **Census Update**

Homer's percentage of returns for the census is 44.3% with Soldotna (52+%), Kenai (49+%) and Seward (44+%) ahead of us. Seldovia is at 27+% but moving up fast. Per KPEDD staff member Caitlin Coreson, the real-time tracking of Census submissions and community participation rates can be viewed at <https://2020census.gov/en/response-rates.html> . The value per participant to the state in Alaska in 2010 was roughly \$3,000, but the current value per participant in federal funding for State programs is not yet know. Census Enumerators are currently traveling to local communities and the deadline to participate/complete the census is October 31<sup>st</sup>. The enclosed utility insert will target areas of need including the City of Homer. Library Director Berry is happy to work with census organizers to promote HPL's online reservation system and curb side pickup as methods to respectively complete the census and distribute informational materials. Council's championship of raising Homer's percentage of return through encouraging our residents to participate will be of great benefit to Alaska. I would like to thank EDC Chair Karin Marks for helping provide this update.

### **Enclosures:**

1. Examples from Lake and Peninsula Borough, Whittier, Valdez, and Seward (provided by City of Seward) on how these communities localized their responses to the pandemic with state input
2. June 16, 2020 "Summary of Borough-Wide Communication Regarding CARES Act Funds" memo
3. June 15, 2020 correspondence from SPH
4. Municipal Arts & Culture Matching Grant Program
5. June 17, 2020 Notice: Ravn Air Group Approved To Receive \$31.6 million in CARES Act Payroll Support Program (PSP) Grants
6. February 12, 2020 HDR, Inc. Homer Large Vessel Harbor Expansion Owner's Representative memo
7. June 16, 2020 General Fund Reconciliation; HAWSP Reconciliation; HART-Roads Reconciliation; and HART-Trails Reconciliation reports
8. June 17, 2020 "Fund Balance Update" memo
9. 2020/21 Budget Modeling" sheet
10. June 15, 2020 City of Homer Police Station Debt Service Fund
11. June 10, 2020 Kachemak City Email
12. Census Flier
13. June 17, 2020 Updated Active Projects Spreadsheet
14. Homer Foundation Summer 2020 Newsletter – Update on COVID activities
15. April 2020 Kenai Peninsula Unemployment Benefit Claims, provided by AML
16. HERC Demo memo from City Engineer Meyer

## **LAKE AND PENINSULA BOROUGH**

### **ORDINANCE NO. 20-07**

#### **AN ORDINANCE PRESCRIBING CONDUCT FOR LODGE OWNERS AND GUESTS TO LAKE AND PENINSULA BOROUGH DURING THE COVID-19 ("CORONAVIRUS") PANDEMIC**

##### **Section 1. Classification:**

This ordinance is of a temporary nature and is a non-code ordinance

##### **Section 2. Assembly Findings:**

The Borough Assembly of the Lake and Peninsula Borough finds and determines that:

##### **Findings**

- A. The Lake and Peninsula Borough has approximately seventy lodges, inns, bed & breakfast facilities, and hotels.
- B. COVID 19 is a respiratory disease that can result in serious illness or death and is caused by the SARS-Cov-2 virus, a new strain of the coronavirus that has not been previously identified in humans and is easily transmittable person to person.
- C. The World Health Organization designated the outbreak of COVID-19 as a pandemic on March 11, 2020; and the United States Center for Disease Control and Prevention (CDC) has identified COVID-19 as a significant public health risk; and on March 11, 2020, Governor Dunleavy issued a declaration of public health disaster emergency in response to the COVID-19 anticipated outbreak in the State of Alaska; and on March 13 President Trump declared a National Emergency in response to the coronavirus pandemic
- D. ..Governor Dunleavy has issued eighteen (18) mandates to regulate schools, health care providers, intrastate travel, protective measures for independent commercial fishing vessels, and more.
- E. As of today, in Alaska there is a cumulative total of 381 positive COVID-19 cases, 328 recovered and 10 deaths. In the USA, as of today, there is a cumulative total of 1,324,488 positive COVID-19 cases, and 79,756 deaths.
- F. As a home rule municipality, Lake and Peninsula Borough has all the powers not prohibited by law or by the Borough's charter. The Borough's

charter, in turn, authorizes the Borough to exercise all powers permitted by law.

- G. The Borough does not intend to duplicate the efforts of the federal or state regulatory or permitting processes, although the Borough intends to rely in part upon materials and evidence generated by those processes. Rather, the Borough intends to address the unique impacts of the remote logistics of Lake and Peninsula Borough.
- H. By this ordinance, to the greatest extent permitted by law and under its charter, the Borough intends to exercise its authority as a home rule municipality to mitigate the impacts of any health risks to our residents.
- I. By this ordinance, the Borough seeks to allow businesses an opportunity to operate and add to the economy of the Lake and Peninsula Borough, without limited risks to their guests, our residents, and our limited health care system.

### **Section 3. General Provisions:**

NOW, THEREFORE, the Borough Assembly of Lake and Peninsula Borough enacts the following ordinance:

#### **PROTOCOLS FOR ALL GUESTS AND VISITORS TO THE LAKE AND PENINSULA BOROUGH:**

1. Guests shall follow current State of Alaska mandates and guidelines for social distancing, hygiene, and group size limits, including during dining and recreating.
2. Guests should avoid interaction within Lake and Peninsula communities. Visitors are to go straight to their destination.
3. If a guest cannot avoid contact with residents, personal protective equipment, such as breathing masks, are encouraged.
4. Any person feeling ill or experiencing any symptoms of COVID-19, are not to enter Lake and Peninsula Borough. Persons are encouraged to seek medical attention in an urban environment such as Anchorage.
5. All persons visit Lake and Peninsula Borough are assumed to understand that medical options are limited within the Borough and it is advised that medical services should be sought in Anchorage or other larger cities. The clinics in Lake and Peninsula Borough are not equipped or prepared to provide lifesaving COVID-19 services to non-residents.

**PROTOCOLS FOR BUSINESSES OPERATING IN LAKE AND PENINSULA BOROUGH WHICH HOST GUESTS OR VISITORS:**

1. All guests are to be prescreened. Prescreened means each guest entering the state of Alaska must fill out a form and pass a medical screening in Anchorage or other Alaska entry site, before being allowed to proceed to their destination. The guest must also sign a declaration that they are experiencing no symptoms of COVID-19. They must not have a temperature of 100.3 degrees or higher.
2. All employees not residents of Alaska, must observe the 14-day quarantine before being allowed to interact and work with guests.
3. All employees must have their temperature taken and recorded before and after each shift and a log of this shall be kept available on site.
4. Employers must conduct employee training to teach best practices for mitigating any viral infections such as sanitizing, personal protection, personal hygiene, etc.
5. All persons are to follow current state mandates and guidelines for social distancing, hygiene, and group size limits.
6. Employers are to conduct regular touch-point sanitization of any shared facilities.
7. Employers are to ensure employees use best practices and provide every employee with protective equipment, gear and knowledge as appropriate to fulfil their job in the safest manner possible.
8. Employers are to provide an isolation area for any employee or guest who exhibits any symptoms of COVID-19 until they can be transported to Anchorage.

**Section 4. Effective Date:**

This ordinance shall become effective upon its adoption.

**ADOPTED** by a duly constituted quorum of the Lake and Peninsula Borough Assembly on this 26<sup>th</sup> day of May 2020.

**IN WITNESS THERETO:**



Glen Alsworth, Sr., Mayor

**ATTEST:**



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Kate Conley, Borough Clerk

Introduced: May 12, 2020

Public Hearing: May 26. 2020

Adopted:

Ayes: Alvarez, Anderson, Olsen, Ravenmoon, Salmon

Nays: none

Not voting: Alsworth

Absent: Pedersen



## CITY OF WHITTIER “CODE ORANGE” COMMUNITY OUTBREAK RULES

These “Community Outbreak Rules” were adopted by Whittier City Council via Emergency Ordinance 2020-2 on May 5, 2020. These rules **only** go into effect when the City Manager declares a “Code Orange” in Whittier in compliance with the City COVID-19 Recovery Plan. During all other recovery phases, the City’s Emergency COVID-19 Rules and the State of Alaska Health Mandates apply. To the extent State of Alaska health mandates are in effect that impose stricter restrictions or requirements, all those mandates shall apply.

**Rule O-1. Business entry limitations.** All businesses open to the public shall limit the individuals within its establishment to no more than five individuals at any one time, including employees. This rule applies to grocery stores but does not apply to employers where essential operations of the business will be substantially disrupted as a result of the limitation. Employers seeking an exception to this rule due to substantial disruption shall seek an exception from this rule from the City Manager. A written request for exception must state the reasons for the exception. Any employer excepted from this rule shall enter into a mutual aid agreement with the City to ensure protective measures are taken to prevent the spread of COVID-19 within the City.

**Rule O-2. Reversion to State Strict Social Distancing and Travel Mandates.** All individuals entering the City and all private facilities operating within the City must comply with State of Alaska Public Health Mandate 11 as it was issued March 27, 2020 (“Original State Health Mandate 11”) and attached to these rules. Except as otherwise required in these Community Outbreak Rules, facilities and individuals shall continue to comply with all other State of Alaska Public Health Mandates that are not in direct conflict with Original State Health Mandate 11.

**Rule O-3. Medical Quarantine.** Individuals under a healthcare quarantine order or an individual testing positive for COVID-19 must:

1. Stay in his or her place of residence or lodging for the specified period of time in the quarantine order or for a minimum of 14 days from the date of a positive COVID-19 test if no quarantine order has been issued; and
2. Notify a healthcare provider that the individual is under medical quarantine or has tested positive for COVID-19 before making any physical contact with that healthcare provider or entering the provider’s premises.

An individual subject to this rule may NOT leave his or her residence to attend work, obtain supplies, engage in physical exercise or any activity except as permitted by State of Alaska health mandate or permitted within the medical quarantine order issued to that individual. The City shall not physically force individuals into quarantine under this rule but the City shall fine individuals to the maximum extent permitted by law for violations of this rule and may obtain a court order enforcing the quarantine order against the individual. Each individual exit from quarantine constitutes a separate and distinct violation of this rule.



## WHITTIER'S COVID-19 RECOVERY PLAN

The City of Whittier has been carefully monitoring the state of the COVID-19 outbreak in the State of Alaska and in the City as well as Alaska's statewide response to this outbreak. Over the last two weeks, Governor Dunleavy has announced the State's Reopen Alaska Responsibly Plan and has repeatedly stated that the State Plan works best when applied uniformly. Governor Dunleavy also recognized that local jurisdictions may need to implement more restrictive rules based upon the risks and resources available within those jurisdictions. The City Manager and its emergency operations team is tasked, first and foremost, with protecting the health and safety of the community from the devastating impacts of the COVID-19 pandemic. However, the Team recognizes that any and all protective measures come at a cost and the Team must ensure that this cost is a necessary one. This Plan ensures that the City's response to COVID-19, both in the short and long term, is medically-based, fluid, and narrowly tailored. Additionally, the Plan is designed to be easily understood by and communicated to Whittier community members and visitors. The Plan ensures that local mandates mirror State mandates to the greatest extent responsible in light of the City's unique needs and risks. It also aims to adopt easy to follow rules that are: 1) based upon medical and epidemiological data regarding COVID-19 and 2) the City's resources to prepare and respond to a COVID-19 outbreak.

### **THE STATE APPROACH: A 5-STEP SYSTEM TO RECOVERY**

The State Plan anticipates a 5-phase climb to recovery for Alaska. In order to climb from one phase to the next, the State's emergency management team, led by Governor Dunleavy, will employ a color-coded status – red, yellow or green - to indicate whether it's safe to move forward to a less restrictive phase or if a "roll-back" to red is needed. While the State has not yet identified each phase of its Plan, The State Plan establishes four basic metrics that will be tracked by Alaska Department of Health and Social Services (DHSS) in determining when to move forward or "roll back." The Four Basic Metrics are as follows:

#### 1. *Epidemiology*

Tracking disease trends and trend forecasting.

#### 2. *Testing*

Monitoring overall testing volume and changes in the percentage of positive tests at the community, regional, and statewide levels. Ensuring fast turnaround of tests and reporting of results. The goal is to maintain COVID-19 positive tests at less than one per one-thousand.

#### 3. *Public health capacity*

Monitoring cases and conducting necessary contact investigations for positive cases.

#### 4. *Health care capacity*



Ensuring hospitals have adequate capacity and supplies (such as PPE and ventilators) to care for COVID-19 patients and other patients needing urgent care.

### **TAILORING THE STATE'S APPROACH TO THE CITY: CLIMBING TO RECOVERY**

In this Plan, the City adopts the State's four metrics and five phase approach to recovery. To this end, the City's COVID-19 Rules have been revised to impose lock-step social distancing restrictions with the State while also maintaining local requirements regarding the submission of plans and protocols to local authorities, local business postings, and mutual aid agreements. These postings and submissions ensure that the City, its residents, and its visitors have the information needed to ensure the public's awareness and compliance with State mandates.

Although the City embraces the State Plan, it also recognizes the need to provide the Emergency Operations Team the flexibility to respond when the local situation worsens but State COVID-19 metrics remain unchanged. To this end, the City Plan adopts the State's red, yellow, and green alerts but adds a local "orange alert." The local "orange alert" ensures the City can "roll back" reopening efforts in the event the City's metrics fall out of line with the State. In an effort to ensure that every citizen and visitor knows exactly what local rules apply in each recovery phase, the City has revised its rules to eliminate any provisions more restrictive than those adopted by the State in the City's COVID-19 Recovery Rules<sup>1</sup> and to adopt COVID-19 "Community Outbreak Rules." The City's COVID-19 Community Outbreak Rules will only become effective when the City Manager, in collaboration with the Emergency Operations Team, declares an "orange alert," triggering the need for the implementation of stricter restrictions on the local level. These rules "rollback" to social distancing and business operation restrictions previously imposed by the State of Alaska and/or the City.

#### **Whittier's Orange Alert: When and How is Whittier's Orange Alert Triggered?**

The City's Orange Alert Rules will be triggered when the following occurs:

##### **1.) *Epidemiology***

A review of COVID-19 trends and trend forecasting suggests that there is an increase in the transmission of COVID-19 in Whittier or a substantial increase in neighboring communities within Whittier's industry markets, fisheries or transportation lines that has not triggered a change in the State's alert level.

##### **2.) *Testing***

The City's testing capacity diminishes or testing becomes unavailable at the community level. Currently, the City has not yet had a positive COVID-19 test. The State's goal for testing is to maintain COVID-19 positive tests at less than one per one-thousand. While

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<sup>1</sup> The COVID-19 Revised Rules retains posting and filing requirements as well as mutual aid agreement requirements to ensure that the City and the public has the tools and information necessary to monitor compliance with State mandates.



Whittier's size does not lend itself to analysis under the State goal, the City's goal to maintain COVID-19 positive tests to less than two cases in a 14 day period is designed to ensure the City has appropriate testing capabilities to detect COVID-19 in the City and take steps to curb its spread before the pandemic overwhelms the City's limited medical resources. This metric may be adjusted based upon recommendations from the State or a medical advisor retained by the City.

3.) *Public health capacity*

The City's public health capacity is significantly impacted by the commercial fishing industry and the influx of intrastate and interstate workers and visitors at certain periods. During these periods, any COVID-19 positive test may warrant temporary imposition of greater social distancing restrictions.

4.) *Health care capacity*

The City's limited ability to care for COVID-19 patients alongside other patients reaches its limited capacity or the City exhausts or is at risk of exhausting its minimal PPE supplies.

**Orange Alert: How Does it Work?**

In the event the City Manager declares an "Orange Alert," he will work with the emergency operations team to:

- 1) Post Notice on the City website and in at least three other City locations that the COVID-19 Alert Status is "LOCAL ORANGE."
- 2) The Notice will be sent electronically or hand delivered to Council members within 24 hours of issuing the declaration. Council may schedule an emergency meeting to repeal the City Manager's declaration of the orange alert via resolution. Any Council member may request the emergency meeting and resolution. Failure of Council to adopt a resolution repealing the orange alert within five business days from the issuance of the alert shall constitute Council approval of the alert and implementation of the "Community Outbreak Rules."
- 3) Orange Alert Status Notices will be provided for distribution to tunnel employees and distributed if tunnel officials agree to such distribution.
- 4) Notice of the "orange alert" status and the reasons for the deviation from the State's code level will be sent to the State of Alaska.
- 5) If practicable, the City will notify all businesses registered with the City of the "orange alert" status and provide a copy of the "Community Outbreak Rules."

"The Community Outbreak Rules" or "Orange Alert Rules" shall be submitted to Council for review and approved by Council before the adoption of this Recovery Plan. Unlike promulgated City COVID-19 Rules, Council may amend, revise or supplement the Community Outbreak Rules. Any Council revisions or amendments to the Community

Outbreak Rules must be reviewed by the City Attorney for legality before becoming effective.

### **APPENDICES**

The City has attached the following documents and incorporates these documents into this Plan:

- 1) Appendix A: Whittier's Color-Coded System
- 2) Appendix B: Emergency Order 2020-03-Revised COVID-19 Emergency Rules
- 3) Appendix C: Whittier's Community Outbreak Rules
- 4) Appendix D: Local Resources Regarding Alaska's COVID-19 Recovery
- 5) Appendix E: State Resources Regarding Alaska's COVID-19 Recovery





# *PROCLAMATION*

WHEREAS, as the State of Alaska begins to reopen, it is even more imperative for every individual to take responsibility for protecting the health and safety of ourselves, our families, our neighbors, and our community; and

WHEREAS, the City of Valdez has been tirelessly working to respond to the COVID-19 outbreak; and

WHEREAS, the COVID-19 pandemic has generated a public health emergency that threatens to overwhelm the Valdez health system and economy of our community, endangering the lives and wellbeing of our citizens.

NOW THEREFORE, to prevent or slow the spread of Coronavirus Disease 2019 (COVID-19) in our community, the City of Valdez hereby issues this Proclamation imploring all residents and visitors to act as follows:

1. Read and follow all state health mandates, state health alerts, local health proclamations, and the instructions of public health officials.
2. Practice good hygiene. Wash your hands regularly with soap and water for at least 20 seconds. If you do not have access to soap and water, use hand sanitizer instead. Avoid touching your face. Regularly sanitize high touch surfaces. Cover your coughs and sneezes. Stay home if you feel even mild symptoms of illness.
3. Practice social (physical) distancing. Maintain a minimum of six feet of separation from anyone outside your immediate household. If singing, projecting your voice, or participating in exercise, maintain a minimum of ten feet of separation from anyone outside your immediate household. If you are responsible for the care of children, please help them remember social (physical) distancing applies, regardless of age.
4. Whenever possible, wear a cloth face covering while in public to protect others as suggested in State Health Alert 010.
  - a. Face coverings should cover your nose and mouth; fit snugly but comfortably against your nose and the side of your face; be secured with ties, ear loops, fasteners or some other method so it does not slide down your face; consist of several layers of fabric or other material to prevent respiratory droplets from passing through; allow for breathing without restriction; and be sturdy in construction.

- b. Understand how to properly wear your face covering. Practice hand hygiene prior to putting it on and taking it off. Avoid touching the front of your cloth face covering, as it may be contaminated. After removing it, immediately discard or place in a designated container for laundering. Wash in hot, soapy water between uses.
  - c. Cloth face coverings need not be worn at home, in your personal vehicle, or outdoors while alone or with members of your household.
  - d. Children under the age of two and those with certain health conditions should not wear cloth face coverings. Accommodations should also be made for those who suffer from claustrophobia or traumatic experiences related to face coverings.
  - e. Social (physical) distancing must still be maintained by those wearing cloth face coverings.
  - f. Do not wear N-95 or surgical masks, as those are needed by healthcare workers and first responders.
5. Stay near your home, boat, RV, hotel, campground, or other lodging as much as possible. Limit your interactions with others to only that which is necessary. Avoid gatherings of more than 20 people.
6. Following the guidance of Dr. Anne Zink, Chief Medical Officer for the State of Alaska, somehow notate where you have been and who you have been in contact with for the past two weeks. If you are unable to list the people you have been around for more than 10 minutes during that time period, you are interacting with too many people.
7. When you do venture out, please do so only for essential activities. The following are considered essential activities in Valdez:
- a. Obtaining food, groceries, supplies, or services.
  - b. Going to work or participating in official duties for your employer.
  - c. Visiting your medical provider or the pharmacy.
  - d. Getting fresh air and exercise through outdoor recreation including walking, bicycling, hiking, camping, fishing, hunting, etc.
  - e. Practicing your faith or spiritual path.
  - f. Caring for loved ones or assisting others with essential activities.
  - g. Participating in or staffing childcare or day camps for children.
8. Attempt to send only one person into the store, post office, or service provider and take advantage of call ahead, curbside, or delivery options whenever possible.

9. Make restaurant reservations in advance and only eat out with those in your household.
10. Follow all public health procedures and instructions of the establishments you visit, including the Valdez harbor and other public facilities.
11. If you start to feel symptoms such as cough, breathing problems, fever or other COVID-19 symptoms, STAY HOME AND CALL AHEAD to the hospital, your medical provider, or public health clinic for screening. If your symptoms are life-threatening, please dial 911 for emergency assistance and answer all of the dispatcher's questions honestly. Your answers will not stop first responders from coming to help. Your answers will simply adjust the personal protective equipment which must be worn when they do.

**A few additional guidelines for those arriving from communities with confirmed COVID-19 cases:**

1. To keep yourself and others safe, avoid entering local establishments or interacting with others outside your household during your first two weeks in Valdez.
2. If you must obtain supplies locally during your first two weeks in Valdez, attempt to first use delivery or curbside pick-up options. If delivery or curbside pick-up options are not available and the item is absolutely necessary, please reach out to the business or vendor by telephone for guidance. Several local organizations exist who can help you obtain needed supplies if you have no other options. Boaters staying overnight at the harbor may also reach out to the Harbormaster for assistance.
3. Interstate and international travelers remain subject to State Health Mandate 010, which requires filing a traveler declaration form with the state and a mandatory 14-day quarantine upon arriving or returning to Alaska.

DATED this 30<sup>th</sup> day of April, 2020.

CITY OF VALDEZ, ALASKA



Jeremy O'Neil, Mayor

ATTEST:



Sheri L. Pierce, MMC, City Clerk



**Sponsored by:** Meszaros  
**Introduction Date:** June 12, 2020  
**Public Hearing Date:** June 12, 2020  
**Enactment Date:** June 12, 2020

**CITY OF SEWARD, ALASKA  
EMERGENCY ORDINANCE 2020-006**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEWARD, ALASKA, ADOPTING THE CITY'S COVID-19 RECOVERY PLAN AND THE "COMMUNITY OUTBREAK RULES" THAT WILL BE EFFECTIVE ONLY DURING A LOCAL ORANGE ALERT UNDER THAT PLAN, AND RATIFYING REVISIONS TO THE CITY'S EMERGENCY COVID-19 RULES**

**WHEREAS**, the United States Center for Disease Control and Prevention (CDC) has identified COVID-19 as a significant public risk; and

**WHEREAS**, on March 11, 2020, Governor Dunleavy issued a declaration of public health disaster emergency in response to the anticipated outbreak of COVID-19 within Alaska's communities; and

**WHEREAS**, on March 11, 2020, The World Health Organization designated the COVID-19 outbreak a pandemic; and

**WHEREAS**, the State of Alaska and the City continue to operate under a state of emergency created by COVID-19 but the State of Alaska has introduced a five-phase plan to reopen Alaska responsibly; and

**WHEREAS**, the City Council and the Emergency Operations Team support the State's reopening efforts; and

**WHEREAS**, City Council and the Emergency Operations Team also acknowledge the need to have specific local policies and rules that permit the City to protect public health and safety from a local outbreak or the threat of a local outbreak; and

**WHEREAS**, the City Manager determined that direct Council involvement in the City's Recovery Plan and the rules adopted in furtherance of that plan was in the City's best interest and the best interest of its residents and visitors.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEWARD, ALASKA HEREBY ORDAINS that:**

**Section 1.** The Seward City Council hereby adopts the City COVID-19 Recovery Plan as attached to this Ordinance as Exhibit A.



**CITY OF SEWARD, ALASKA  
ORDINANCE 2020-006**

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**Section 2.** The Seward City Council hereby adopts the City “Community Outbreak Rules” as attached to this Ordinance as Exhibit B and included in the COVID-19 Recovery Plan.

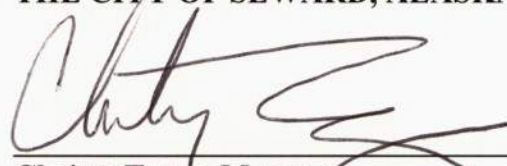
**Section 3.** The Seward City Council hereby ratifies the revisions to the City COVID-19 Emergency Rules as proposed in Emergency Order 2020-04.

**Section 4.** This ordinance is an emergency ordinance, is not permanent in nature, and shall not be codified.

**Section 5.** This ordinance shall take effect on the day it is enacted and shall expire upon the expiration or repeal of the declared State of Emergency arising from COVID-19.


**ENACTED BY THE CITY COUNCIL OF THE CITY OF SEWARD, ALASKA**  
this 12<sup>th</sup> day of June, 2020.

**THE CITY OF SEWARD, ALASKA**

  
**Christy Terry, Mayor**

AYES: Seese, Butts, Crites, Osenga, Baclaan, McClure, Terry  
NOES: None  
ABSENT: None  
ABSTAIN: None

**ATTEST:**

  
Brenda J. Ballou, MMC  
City Clerk

(City Seal)





# **CITY OF SEWARD**

## **DRAFT COVID-19 RECOVERY PLAN**

*Presented to Council June 8, 2020*

*Amended and approved by Council June 12, 2020  
via Emergency Ordinance 2020-006*

**This document is a working draft. The Seward City Council and Seward City Administration are working together to create a plan that protects City residents and visitors from COVID-19 to the greatest extent possible while preserving the economic well-being of City businesses and residents. This Plan includes proposed rules and metrics adapted from other communities, the State of Alaska, and other Alaska government agencies as well as procedures and rules unique to Seward. The purpose of this Draft Plan is to provide Council, the Administration, and members of the public a starting place in developing a COVID-19 recovery plan that incorporates commentary, insight, and guidance from the Seward community as a whole.**

## SEWARD'S COVID-19 RECOVERY PLAN

The City of Seward has been carefully monitoring the state of the COVID-19 outbreak in the State of Alaska and in the City, as well as Alaska's statewide response to this outbreak. Governor Dunleavy recently announced the State's Reopen Alaska Responsibly Plan and has repeatedly stated that the State Plan works best when applied uniformly. Governor Dunleavy also recognized that local jurisdictions may need to implement more restrictive rules based upon the risks and resources available within those jurisdictions. The City Manager and the City Emergency Operations Team is tasked, first and foremost, with protecting the health and safety of the community from the devastating impacts of the COVID-19 pandemic. This Plan ensures that the City's response to COVID-19, both in the short and long term, is medically-based, fluid, and narrowly tailored. Additionally, the Plan is designed to be easily understood by and communicated to Seward community members and visitors. The Plan ensures that local mandates mirror State mandates to the greatest extent responsible in light of the City's unique needs and risks. It also aims to adopt easy-to-follow rules that are: (1) based upon medical and epidemiological data regarding COVID-19; and (2) the City's resources to prepare and respond to a COVID-19 outbreak.

### **THE STATE APPROACH: A 5-STEP SYSTEM TO RECOVERY**

The State Plan anticipates a 5-phase climb to recovery for Alaska. In order to climb from one phase to the next, the State's emergency management team, led by Governor Dunleavy, will employ a color-coded status – red, yellow or green - to indicate whether it is safe to move forward to a less restrictive phase or if a "roll-back" to red is needed. While the State has not yet identified each phase of its Plan, The State Plan establishes four basic metrics that will be tracked by Alaska Department of Health and Social Services (DHSS) in determining when to move forward or "roll back." The four basic metrics are as follows:

1. *Epidemiology*

Tracking disease trends and trend forecasting.

2. *Testing*

Monitoring overall testing volume and changes in the percentage of positive tests at the community, regional, and statewide levels. Ensuring fast turnaround of tests and reporting of results. The goal is to maintain COVID-19 positive tests at less than one per 1,000.

3. *Public health capacity*

Monitoring cases and conducting necessary contact investigations for positive cases.

4. *Health care capacity*

Ensuring hospitals have adequate capacity and supplies (such as PPE and ventilators) to care for COVID-19 patients and other patients needing urgent care.



## **TAILORING THE STATE'S APPROACH TO THE CITY: CLIMBING TO RECOVERY**

In this Plan, the City adopts the State's four metrics and five-phase approach to recovery. To this end, the City's COVID-19 Rules have been revised to impose lock-step social distancing restrictions with the State while also maintaining local requirements regarding the submission of plans and protocols to local authorities, local business postings, and mutual aid agreements. These postings and submissions ensure that the City, its residents, and its visitors have the information needed to ensure the public's awareness and compliance with both local rules and State mandates.

Although the City embraces the State Plan, it also recognizes the need to provide the Emergency Operations Team flexibility to respond when the local situation worsens but State COVID-19 metrics remain unchanged. To this end, the City Plan adopts the State's red, yellow, and green alerts but adds a local "orange alert." The local "orange alert" ensures the City can "roll back" reopening efforts in the event the City's metrics fall out of line with the State. In an effort to ensure that every citizen and visitor knows exactly what local rules apply in each recovery phase, the City has revised its rules to eliminate any provisions more restrictive than those adopted by the State in the City's COVID-19 Recovery Rules<sup>1</sup> and to adopt COVID-19 "Community Outbreak Rules." The City's COVID-19 Community Outbreak Rules will only become effective when the City Manager, in collaboration with the Emergency Operations Team, declares an "orange alert," triggering the need for the implementation of stricter restrictions on the local level. These rules "rollback" to social distancing and business operation restrictions previously imposed by the State of Alaska and/or the City.

### **Seward's Orange Alert: When and How is Seward's Orange Alert Triggered?**

The City's Orange Alert Rules will be triggered when the following occurs:

#### **1. *Epidemiology***

A review of COVID-19 trends and trend forecasting suggests that there is an increase in the transmission of COVID-19 in Seward or a substantial increase in neighboring communities within Seward's industry markets, fisheries or transportation lines that has not triggered a change in the State's alert level.

#### **2. *Testing***

The City's testing capacity diminishes or testing becomes unavailable at the community level. At the time this Plan was adopted, there were three positive COVID-19 cases reported in Seward. The State's goal for testing is to maintain COVID-19 positive tests at less than one per 1,000. While Seward's size does not lend itself to analysis under the

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<sup>1</sup> The COVID-19 Revised Rules retains posting and filing requirements as well as mutual aid agreement requirements to ensure that the City and the public has the tools and information necessary to monitor compliance with State mandates.



State goal, this metric may warrant increasing the local alert level when the City Emergency Operations Team and its medical advisors determine that there has been a substantial increase of COVID-19 positive cases and the evidence suggests that these cases are highly likely to result in substantial exposure to COVID-19 within the City and protective measures are necessary to curb the spread of COVID-19 before the pandemic overwhelms the City's limited medical resources.

3. *Public health capacity*

The City's public health capacity is significantly impacted by the commercial fishing industry, tourism, and the influx of intrastate and interstate workers and visitors at certain periods. During these periods, any COVID-19 positive test may warrant temporary imposition of greater social distancing restrictions.

4. *Health care capacity*

The City's limited ability to care for COVID-19 patients alongside other patients reaches its limited capacity or the City exhausts or is at risk of exhausting its minimal PPE supplies.

Each of these metrics will be weighed and balanced collectively in determining the need to deviate from State of Alaska's state of alert. For example, a rapid increase in COVID-19 positive cases within the City may not warrant raising the alert if those cases are unlikely to impact the City's public health and health care capacities. The City Manager shall take into consideration recommendations by the State of Alaska and the City's medical advisors when weighing the City's metrics.

### **Orange Alert: How Does it Work?**

In the event the City Manager declares an "Orange Alert," he will:

1. Submit a Declaration of "Orange Alert" to the City Clerk for distribution to City Council. The Declaration will provide the reasons for the declaration under the metric analysis and confirm that the Declaration is necessary to preserve public health, safety, and welfare within the City.
2. The Declaration shall be posted on the City website with notice of the date and time City Council will consider the Declaration.
3. City Council shall either approve or deny the Declaration via resolution within 48 hours of receiving it. Failure by Council to take action on the Declaration within 48 hours after it is posted shall constitute Council approval of the Declaration.
4. A copy of the Declaration, the resolution approving it, the "Community Outbreak Rules," and the effective date and time of the Declaration shall be posted on the City website no less than 24 hours before the rules take effect;

5. Notice of the "Orange Alert" status and the reasons for the deviation from the State's code level will be sent to the State of Alaska; and

6. If practicable, the City will notify all businesses registered with the City of the "Orange Alert" status and provide a copy of the "Community Outbreak Rules."

"The Community Outbreak Rules" or "Orange Alert Rules" may be amended at any time by an emergency order approved by Council. Unlike promulgated City COVID-19 Rules, Council may amend, revise or supplement Community Outbreak Rules during its consideration. Any Council revisions or amendments to the Community Outbreak Rules must be reviewed by the City Attorney for legality before becoming effective.

### **APPENDICES**

The City has attached the following documents and incorporates these documents into this Plan:

Appendix A: Seward's Color-Coded System

Appendix B: Emergency Order 2020-04 Revising Temporary COVID-19 Emergency Rules

Appendix C: Seward's Community Outbreak Rules

Appendix D: Municipal Resources Regarding Alaska's COVID-19 Recovery

Appendix E: State Resources Regarding Alaska's COVID-19 Recovery



## **APPENDICES TABLE OF CONTENTS**

The City has attached the following documents referenced or relied upon in the City COVID-19 Recovery Plan:

- Appendix A: Seward's Color-Coded System
- Appendix B: Emergency Order 04 Revising City of Seward Temporary COVID-19 Emergency Rules
- Appendix C: City of Seward "Code Orange" Community Outbreak Rules
- Appendix D: Local Resources Regarding Alaska's COVID-19 Recovery
- Appendix E: State Resources Regarding Alaska's COVID-19 Recovery

## **APPENDIX A**

### **City of Seward Color-Coded Alert System**

## UNDERSTANDING SEWARD'S COVID-19 ALERTS



**GO:** If we are seeing downward trends and all is going well, we will methodically move to **lift restrictions**. Seward follows the State's lead.

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**PROCEED WITH CAUTION:** If the situation is stable or we are seeing a slow increase in cases, we may ask for **voluntary measures to flatten the curve**. Seward follows the State's lead.

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### LOCAL OUTBREAK ALERT

#### *Local Community Outbreak Rules Triggered*

- 1) Consistent or rapid increase in cases within the City
  - 2) Consistent or rapid increase in cases in a community in the City market or a community with direct lines of transportation with the City
  - 3) The City is running out of capacity to care for COVID-19 patients
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**STOP:** If we are seeing a consistent or rapid increase in cases or if we think we are running out of capacity to care for people with COVID-19 (regardless of the trend in cases), then we will need to **reinstate some restrictions**. Seward follows the State's lead.

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**APPENDIX B**

**Emergency Order 04 Revising City of Seward Temporary  
COVID-19 Emergency Rules**



**EMERGENCY ORDER 04 REVISING THE CITY OF SEWARD TEMPORARY COVID-19 EMERGENCY RULES AND ADOPTING THE CITY OF SEWARD RECOVERY PLAN**

City Manager Scott Meszaros, in his capacity as the Director of Civil Defense and Disaster, hereby institutes the following revisions to City of Seward, Alaska's Temporary Emergency Rules and Procedures Regarding the COVID-19 Public Health Emergency ("Seward Emergency COVID-19 Rules") and adopts the City of Seward Recovery Plan approved by Council on **[Insert Date]**. These revisions become effective upon implementation by the City Manager and are necessary to protect the public health, welfare, and safety within the boundaries of the City of Seward. These rules and procedures may be identified as the "Emergency COVID-19 Rules" for ease of reference. These revised rules shall be posted on the City website and the City Clerk shall provide City Council members notice of these rules within five days of their adoption. City Council may repeal these rules in whole or in part via resolution. Except as otherwise provided in this revision, the Emergency COVID-19 Rules previously implemented by the City Manager remain in full force and effect. The revised dates contained in this Emergency Order are bolded and underlined.

**Rule 1. Electronic City Council Meetings.** Any regular or special meetings of the City Council ~~may~~should be conducted via electronic means, including audio or video conference, unless the Mayor determines that a meeting must be conducted at City Hall and that doing so does not pose a risk to the public health, safety, and welfare. The City Clerk shall post telephone number(s) to call into telephonic or video conference meetings on the City of Seward website and on the written agenda for all regularly scheduled and special meetings. Council shall ensure that reasonable accommodations are made to afford the public a right to be heard telephonically. Telephonic participation by the public is not ideal but is reasonable when weighed against the substantial risk to public health, welfare, and safety posed by group gatherings during the COVID-19 outbreak. In the event the Mayor determines an in-person meeting is necessary and does not pose a risk to public health, welfare, and safety, no more than five members of the public shall enter the same space to make comments at one time. The public may also submit written public comments for all telephonic or video conference Council meetings. The public written comments shall be read into the record during the public comment period at all Council meetings held electronically, except Council work sessions. If written public comments exceed three minutes, the first three minutes of the written comment shall be read during the meeting. Written comments must include the name of the contributor in order to be read publicly during telephonic or video conference meetings. Current time limits placed on public comments and testimony shall apply to telephonic and written public comments submitted under this rule. The City must continue to comply with meeting attendance and scheduling requirements under the Seward City Charter Section 3.2.

Temp. COVID-19 Rules and Procedures-5/21/20



**Rule 2. Council Meeting Notice and packet materials.** The City Clerk shall provide the public and media notice that is reasonable under the circumstances for all emergency special meetings held by Council. All special meetings and agenda items shall be posted on the City website no less than six hours before a special meeting. Failure to post the meeting materials shall not invalidate the actions taken by Council during an emergency meeting if Council states the reason for the failure to post adequate notice or provide materials and clearly finds that the notice and material access provided during the meeting was sufficient and reasonable in light of the emergency circumstances underlying the meeting.

**Rule 3. Meetings of Boards and Commissions.** The City Manager may cancel meetings of any board or commission if he finds that cancellation is necessary to protect public health, safety, and welfare. Any such cancellation shall automatically extend such deadlines for required actions by such board or commission as is specified in the cancellation notice. All board and commission meetings may be held electronically in the same manner ~~prescribed~~ authorized for Council meetings in Rule 1.

**Rule 4. ~~Reserved. Suspension of all Non-essential meetings and agenda items.~~** ~~All non-essential government meetings shall be postponed until no earlier than May 3, 2020. Non-essential action items shall also be postponed until no earlier than May 3, 2020 unless doing so would pose substantial financial harm on the City or another party. Any person objecting to the postponement of an action item may notify the City Manager in writing regarding his or her objection. The City Manager shall review any written objections received and shall determine if the objection warrants consideration of an action item by Council or the appropriate commission or board before May 3, 2020. The City Manager shall notify the Mayor of all written objections received and his determination. Upon receipt of a written objection, the Mayor may override the City Manager's decision to postpone an action item.~~

**Rule 5. Licensed or Permitted Activities.** The City Manager may suspend licenses or permits for special events or any other licenses or permits issued by the City which in the judgment of the City Manager could impact the public health or well-being of residents or visitors to the community.

**Rule 6. Purchases.** The City Manager may authorize any purchase for which funds are available reasonably related to the emergency. Such purchases may be made without following each formal requirement of Title 6 of the Seward City Code.

**Rule 7. Personnel Policies.** The City Manager may adjust any personnel policies related to leave time, other benefits or terms and conditions of employment as are reasonably related to providing sufficient staffing during the term of the emergency while protecting City employees and the community from COVID-19.

**Rule 8. Bargaining Units.** The City Manager is hereby authorized to enter into such temporary agreements, including memoranda of understanding with the City's



bargaining units in order to promote the provision of City services and the health and safety of the public and employees during the emergency.

**Rule 9. City Facilities.** The City Manager may close City facilities or limit hours of operation as is reasonably required to protect the health of the public and employees of the City.

**Rule 10. Public Access to City Facilities.** City offices and facilities shall be open to the public so long as doing so does not pose a substantial risk to public health and safety as determined by the Emergency Operations Team. City offices and facilities may limit access to administrative departments by "appointment only" or restrict the number of individuals permitted in City offices at one time. The City shall post its hours of operation and terms of access on the City website and on all entrances to City facilities. ~~are closed to the public until May 3, 2020 except as specified in this rule. The Harbormaster office and the Police Department dispatch window remain open to the public for service. City services and departments shall remain accessible to the public via telephone and email during regularly scheduled business hours.~~ Individuals may request appointments for in-person meetings with City staff, which will be accommodated if doing so will not jeopardize the health or safety of the community of Seward or its members.

**Rule 11. Private Facilities.** The City Manager may only require businesses and commercial enterprises operating within the City to close or limit operations ~~if necessary to protect public health, welfare, and safety when the City Manager has triggered "orange alert" status under the City COVID-19 Recovery Plan and the Community Outbreak Rules are in effect. The City Manager may only order such closures or impose limitations on private businesses and commercial enterprises when the State of Alaska formally recommends that such action be taken. Any action by the City Manager under this rule must be narrowly tailored to meet State of Alaska recommendations.~~

**Rule 11.1 Business COVID-19 Protection Measures and Protocols.** All businesses operating within the City shall comply with all relevant State of Alaska Health Mandates. All businesses serving members of the public at a physical location within the City shall post "COVID-19 Protection Measures and Procedures" on all entrances to and exits from the business. The "COVID-19 Protection Measures and Procedures" shall include, at minimum:

~~A. A brief statement identifying the essential service or critical infrastructure operation permitting the business to continue operations under the "State of Alaska Essential Business and Critical Infrastructure Workforce Order"~~

AB. The sanitation measures taken by the business to prevent the spread of COVID-19

BC. The social distancing measures taken by the business to prevent the spread of COVID-19



~~D. The description of a process for obtaining goods or services from the business without entering the business, if such a process is at all feasible.~~

~~E.C.~~ A contact number for individuals to report any violations of these measures to the business owner or his or her designee.

An example of COVID-19 Protection Measures and Procedures will be posted on the City website. A "business" for purposes of this rule does not include state, federal or municipal government operations or facilities.

**Rule 11.2 ~~Essential Large Business Protocol/Mitigation Plan Submission and Acknowledgement/Critical Infrastructure State Protocols.~~** ~~All businesses continuing to operate at a physical location within the City or on its waters with more than 25 employees. Businesses shall identified as "essential" or as "critical infrastructure workforce" under the State of Alaska Essential Business and Critical Workforce Infrastructure Order (State Health Mandate 12 Attachment A) shall submit all protocols, COVID-19 Mitigation Plans or other State-mandated COVID-19 plans required by State of Alaska Health Mandate to the City as soon as possible after filing these protocols or plans with the State of Alaska. Businesses shall also provide the City confirmation of the State's approval of its plan or protocol no more than five days after receiving such approval. In the event a business plan or protocol requires amendment or is rejected by the State, the business submitting that plan or protocol must notify the City no more than 48 hours after receiving the State's notification of deficiency. Businesses required to submit a State plan or protocol under this rule shall complete a "State Protocol Acknowledgement" form and submit that form to the City with its protocol or plan. Submissions under this rule should be submitted electronically to [manager@cityofseward.net](mailto:manager@cityofseward.net). Businesses submitting a State plan and State Protocol Acknowledgement form under this rule are exempt from filing a mutual aid agreement under Rule 11.3.~~

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**Rule 11.3 Mutual Aid Agreements.** All businesses continuing to operate at a physical location within the City or on its waters with more than 25 employees must complete and file a Large Operator Mutual Aid Agreement with the City. This agreement will be available on the City's website. Submissions required under this rule shall be electronically submitted to [manager@cityofseward.net](mailto:manager@cityofseward.net). Businesses filing a State protocol or plan and State Protocol Acknowledgement form under Rule 11.2 are not required to file a mutual aid agreement under this rule. "Businesses" under this rule do not include state, federal or municipal government operations or facilities.

**Rule 12. Social Distancing.** All individuals shall comply with all State of Alaska Health Mandates while located within the City and no person shall enter City boundaries for an activity or in a manner that violates any State of Alaska Health Mandate. The City reserves the right to enforce these rules and State health mandates to the maximum extent permitted under law. In the event the City Manager issues an "orange alert," all individuals entering the City must also comply with the City's "Community Outbreak Rules" while the "orange alert" remains in effect. In the event that the City's Community

Outbreak Rules are in effect, these rules shall preempt any other less-restrictive local or state rules regarding social distancing or business operations.

**Rule 13. Amounts Due and Owing.** The City Manager, upon the recommendation of the Finance Director, is hereby authorized to extend deadlines for payment related to any amounts due and owing to the City.

**Duration.** These rules, as revised, are effective for 90 days from their date of implementation. Council may repeal any or all of these rules by resolution. No rule shall remain in effect for longer than is necessary to protect the public health, safety, and welfare from the emergency public health crisis caused by COVID-19. These rules shall expire immediately upon the repeal or expiration of the City of Seward declaration of emergency arising from COVID-19.



## **CITY OF SEWARD TEMPORARY COVID-19 EMERGENCY RULES**

*The following are the City of Seward Emergency COVID-19 Rules as revised in Emergency Order \_\_\_\_\_. While these rules are updated regularly, we strongly encourage the public to refer directly to the Emergency Orders posted on the City website to ensure that you are referring to the most recent version of the rules. COVID-19 and its impact on our community is rapidly changing. If you have any questions regarding the rules or how these rules apply to you or your business, please call the City at \_\_\_\_\_ or email the Emergency Operations Team at \_\_\_\_\_. Additionally, the City works hard to post up to date "Frequently Asked Questions" regarding both the State Public Health Mandates and City Rules.*

**Rule 1. Electronic City Council Meetings.** Any regular or special meetings of the City Council maybe conducted via electronic means, including audio or video conference, unless the Mayor determines that a meeting must be conducted at City Hall and that doing so does not pose a risk to the public health, safety, and welfare. The City Clerk shall post telephone number(s) to call into telephonic or video conference meetings on the City of Seward website and on the written agenda for all regularly scheduled and special meetings. Council shall ensure that reasonable accommodations are made to afford the public a right to be heard telephonically. Telephonic participation by the public is not ideal but is reasonable when weighed against the substantial risk to public health, welfare, and safety posed by group gatherings during the COVID-19 outbreak. In the event the Mayor determines an in-person meeting is necessary and does not pose a risk to public health, welfare, and safety, no more than five members of the public shall enter the same space to make comments at one time. The public may also submit written public comments for all telephonic or video conference Council meetings. The public written comments shall be read into the record during the public comment period at all Council meetings held electronically, except Council work sessions. If written public comments exceed three minutes, the first three minutes of the written comment shall be read during the meeting. Written comments must include the name of the contributor in order to be read publicly during telephonic or video conference meetings. Current time limits placed on public comments and testimony shall apply to telephonic and written public comments submitted under this rule. The City must continue to comply with meeting attendance and scheduling requirements under the Seward City Charter Section 3.2.

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**Rule 4. Reserved.**

**Rule 5. Licensed or Permitted Activities.** The City Manager may suspend licenses or permits for special events or any other licenses or permits issued by the City which in the judgment of the City Manager could impact the public health or well-being of residents or visitors to the community.

**Rule 6. Purchases.** The City Manager may authorize any purchase for which funds are available reasonably related to the emergency. Such purchases may be made without following each formal requirement of Title 6 of the Seward City Code.

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A. The sanitation measures taken by the business to prevent the spread of COVID-19

B. The social distancing measures taken by the business to prevent the spread of COVID-19

C. A contact number for individuals to report any violations of these measures to the business owner or his or her designee.

An example of COVID-19 Protection Measures and Procedures will be posted on the City website. A "business" for purposes of this rule does not include state, federal or municipal government operations or facilities.

**Rule 11.2 Large Business Protocol/Mitigation Plan Submission and Acknowledgement.** All businesses continuing to operate at a physical location within the City or on its waters with more than 25 employees shall submit all protocols, COVID-19 Mitigation Plans or other State-mandated COVID-19 plans to the City as soon as possible after filing these protocols or plans with the State of Alaska. Businesses shall also provide the City confirmation of the State's approval of its plan or protocol no more than five days after receiving such approval. In the event a business plan or protocol requires amendment or is rejected by the State, the business submitting that plan or protocol must notify the City no more than 48 hours after receiving the State's notification of deficiency. Businesses required to submit a State plan or protocol under this rule shall complete a "State Protocol Acknowledgement" form and submit that form to the City with its protocol or plan. Submissions under this rule should be submitted electronically to [manager@cityofseward.net](mailto:manager@cityofseward.net). Businesses submitting a State plan and State Protocol Acknowledgement form under this rule are exempt from filing a mutual aid agreement under Rule 11.3.

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file a mutual aid agreement under this rule. "Businesses" under this rule do not include state, federal or municipal government operations or facilities.

**Rule 12. Social Distancing.** All individuals shall comply with all State of Alaska Health Mandates while located within the City and no person shall enter City boundaries for an activity or in a manner that violates any State of Alaska Health Mandate. The City reserves the right to enforce these rules and State health mandates to the maximum extent permitted under law. In the event the City Manager issues an "orange alert," all individuals entering the City must also comply with the City's "Community Outbreak Rules" while the "orange alert" remains in effect. In the event that the City's Community Outbreak Rules are in effect, these rules shall preempt any other less-restrictive local or state rules regarding social distancing or business operations.

**Rule 13. Amounts Due and Owing.** The City Manager, upon the recommendation of the Finance Director, is hereby authorized to extend deadlines for payment related to any amounts due and owing to the City.

**Duration.** These rules, as revised, are effective for 90 days from their date of implementation. Council may repeal any or all of these rules by resolution. No rule shall remain in effect for longer than is necessary to protect the public health, safety, and welfare from the emergency public health crisis caused by COVID-19. These rules shall expire immediately upon the repeal or expiration of the City of Seward declaration of emergency arising from COVID-19.

## **APPENDIX C**

### **City of Seward “Code Orange” Community Outbreak Rules**

## CITY OF SEWARD "CODE ORANGE" COMMUNITY OUTBREAK RULES

These "Community Outbreak Rules" were adopted by Seward City Council via Emergency Ordinance 2020-006 on June 12, 2020. These rules **only** go into effect when the City Manager declares a "Code Orange" in Seward in compliance with the City COVID-19 Recovery Plan. During all other recovery phases, the City's Emergency COVID-19 Rules and the State of Alaska Health Mandates apply. To the extent State of Alaska health mandates are in effect that impose stricter restrictions or requirements, all those mandates shall apply.

**Rule O-1. Reversion to State Strict Social Distancing and Travel Mandates.** All individuals entering the City and all private facilities operating within the City must comply with State of Alaska Public Health Mandate 11 as it was issued March 27, 2020 ("Original State Health Mandate 11") and attached to these rules. Except as otherwise required in these Community Outbreak Rules, facilities and individuals shall continue to comply with all other State of Alaska Public Health Mandates that are not in direct conflict with Original State Health Mandate 11.

**Rule O-2. Medical Quarantine.** Individuals under a healthcare quarantine order or an individual testing positive for COVID-19 must:

1. Stay in his or her place of residence or lodging for the specified period of time in the quarantine order or for a minimum of 14 days from the date of a positive COVID-19 test if no quarantine order has been issued; and
2. Notify a healthcare provider that the individual is under medical quarantine or has tested positive for COVID-19 before making any physical contact with that healthcare provider or entering the provider's premises.

An individual subject to this rule may NOT leave his or her residence to attend work, obtain supplies, engage in physical exercise or any activity except as permitted by State of Alaska health mandate or permitted within the medical quarantine order issued to that individual. The City shall not physically force individuals into quarantine under this rule but the City shall fine individuals to the maximum extent permitted by law for violations of this rule and may obtain a court order enforcing the quarantine order against the individual. Each individual exit from quarantine constitutes a separate and distinct violation of this rule.





## City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Administration

491 East Pioneer Avenue  
Homer, Alaska 99603

(p) 907-235-8121 x2222

(f) 907-235-3148

### Memorandum

TO: Mayor Castner and Homer City Council  
FROM: Rick Abboud, Acting City Manager  
DATE: June 16, 2020  
SUBJECT: Summary of Borough-Wide Communication Regarding CARES Act Funds

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On June 9, 2020, staff participated in a call hosted by Soldotna City Manager Stephanie Queen to discuss and coordinate Kenai Peninsula cities' approaches to CARES Act funds, focusing on those that would be passed through as grants to small businesses, non-profits, and individuals in the community. A follow-up call was later held with Kenai Peninsula Borough Community and Fiscal Projects Manager Brenda Ahlberg for clarification on how the borough is using CARES Act funds. The below summary details some of the points raised during these calls:

#### **Borough and Pass-Through Funds to Cities**

A question was raised concerning the KPB's ability to pass on CARES Act Funds to cities if unable to expend the three allotments received from the State (totaling ~\$37.4M). The Borough does not have the authority to do this. Instead, the funds received by the KPB will be used for response, recovery, mitigation to assist businesses and non-profits impacted by COVID-19, whether it be direct or secondary impacts. KPB is aiming to open their grant program application period for two weeks beginning July 13<sup>th</sup> until July 24<sup>th</sup>. Checks to eligible entities will be awarded the second week of August. The amounts businesses/non-profits receive will be based on the entity's 2019 gross sales history. The borough can provide assistance to cities outside of Homer city limits (ie. Fritz Creek, Kachemak Selo). The borough does have some area-wide powers/responsibilities allowable under the CARES Act that can indirectly contribute to the Homer community, such as providing financial assistance to local schools.

#### **Delinquency in SBERG Program**

The City of Homer was encouraged to revisit its stance on sales tax delinquency in the SBERG program. The SBERG program currently states that in order for an entity to be eligible, they "must not be delinquent on payments and filed returns with the Kenai Peninsula Borough Tax Department with no missed filings or balance due on record." There could be a substantial number of entities that are delinquent, quite possibly due to COVID-19. The City of Homer may want to consider changing this eligibility clause to 'must not be delinquent as a result of a lien or violation of payment plan' rather than simply being delinquent. Alternatively, the SBERG program can advertise that anyone delinquent can get current and then apply. The Borough is waiving consideration of an entity's second and third sales tax quarterly reports and will have that waiver provided as a laydown at their June 16<sup>th</sup> meeting. Information concerning this waiver has been provided in the upcoming worksession packet.

#### **Accountability**

The KPB will be randomly auditing entities that receive Borough-distributed CARES Act Funds. This is because the borough is assuming they will be audited by the Feds if not next year, then possibly 3 to 5 years down the line. The borough believes they will have to prove to auditors that they assisted grantees in being accountable in how they used the funds. The borough will be providing staff support in order to help build, cultivate, and close all relationships formed with entities who receives CARES Act Funds. Per Ms. Ahlberg, a thorough demobilization of any established grant program is just as important as its creation and distribution of funds since the sub-recipients of CARES Act dollars (the cities) may be on the hook for any incorrectly used grants. The City of Homer needs to ensure all paperwork and applications received as part of the SBERG program assist the City in providing clear documentation that will be easily understandable to future staff and any auditors years from now. As an aside, the borough will be requiring all entities to state what funds they have already received and what those funds will be used for, along with listing out how they will be spending funds from the borough to ensure no duplication of spending will occur. This is how the borough is justifying giving CARES Act dollars to entities that have already received financial support through other programs. When an entity submits an application successfully and is awarded funds, their application will be considered (through a disclaimer) a binding contract between the KPB and the grantee, confirming everything listed in the application is true and correct. This step also ensures accountability and reduces the need for additional paperwork, and should be something included in the City's program. Currently, the State of Alaska's small business grant program will provide funds to businesses that have already received federal aid however any expenses covered by a federal program can't also be covered by the state program.

#### **Ways KBP Cities are Structuring Distributions to Businesses**

The City of Soldotna is considering an eligibility requirement for businesses that have spent a certain amount of money in services within City limits. Further follow up from City Manager Stephanie Queen has been requested and shared with Council once received. Kenai is setting up their distribution to businesses with a tiered system of payments of \$2,500/\$5,000/\$7,500/\$10,000 based on gross sales, with the lowest tier set at \$50,000 gross sales. In their research, they determined that most businesses with less than \$50,000 gross sales are small, hobby-type businesses. Opening their program up to businesses with less than \$50,000 gross sales would diminish their ability to make more meaningful (impactful) contributions to other, larger businesses operating in the city. Homer City Council has decided to implement an equal distribution across the board rather than have a system based on tiers, or excluding anyone (tax delinquency excepted).

#### **Nonprofit distribution discussion**

Kenai has developed its program for nonprofits as well. Eligible nonprofits do not have to be located within Kenai city limits, but they do have to show that they provide services within the City of Kenai. The top end of the distribution tier to Nonprofits is \$50,000, higher than the top business tier for the following reasons: Many fewer non-profits eligible under this program and non-profits in general rely on businesses donations to support operations. Businesses have less money to contribute to non-profits in this climate and CARES Act money distributed to businesses would not likely go to nonprofits through the business donations channel. Homer City Council can also use the distribution of CARES Act dollars to non-profits to encourage them to provide services to the community. For example, there could be an incentive (i.e. additional dollars awarded) if the nonprofit provides COVID-19 education materials/programs.

#### **Internet Access**

Borough Administration may be proposing a wifi project to the Borough Assembly, either for this current wave of funding or the second wave to help improve poor internet connection is in many parts of the Borough now that residents are needing to telecommute more and may need to attend school online in the fall. While still in conceptual phase, the project may utilize towers currently operating in the borough (not installing towers)

and CARES Act funding would reimburse costs needed to provide wifi from that tower. We will follow this potential program to see if Homer towers may qualify.

The City of Soldotna boosted the internet signal at their library so that patrons could access internet from personal laptops/phones in their cars. The most recent emergency ordinance passed by Council for \$80,000 had \$20k earmarked for an online reservation system at the campgrounds. This project is no longer feasible, leaving funds available for a different use. In order to boost internet signal at Homer's library parking lot, the project is estimated at \$4,600. This could be a good expense to incur so that patrons can still access internet in case the Homer Public Library cannot offer in-person online reservations to use the library computers. Additionally, the borough will be encouraging the public to visit their local libraries to complete their KPB grant applications if they do not have internet access at home. This is a service the Homer Public Library is happy to assist the community with, something boosting internet signal would only enhance.

**From:** Angela Hinnegan <ahinnegan@sphosp.org>  
**Sent:** Monday, June 15, 2020 2:56 PM  
**To:** Rachel Friedlander <rfriedlander@ci.homer.ak.us>  
**Cc:** Rick Abboud <RAbboud@ci.homer.ak.us>; Elizabeth Walton <ewalton@ci.homer.ak.us>; Ryan Smith <RSmith@sphosp.org>  
**Subject:** RE: SPH and CARES/City of Homer

Good afternoon Rachel, thank you for reaching out to us to clarify our request. We are grateful for our partnership with the City of Homer and the Kenai Peninsula Borough and hope to continue that partnership beyond this emergency health event.

Since our letter to the City of Homer, our response efforts and funding requests continue to evolve. Although we know we have a financial shortfall, it has been difficult to pinpoint until we know how this virus will affect our local community and our hospital operations. What we know now is this:

- We received a final distribution from HHS. There will be no additional assistance from HHS to help cover our COVID response efforts.
- The Kenai Peninsula Borough has generously offered to allow us to apply for a grant of \$400,000 for our Category B expenses (PPE/Overtime/Alternate care site/Alternate testing site/testing supplies/Infection Control supplies) from their CARES Act Municipal Funds.
- Due to our new funding sources, the Hospital has \$523,000 in unfunded COVID-19 expenditures as of the date of this email. Due to a spike in COVID-19 activity on the peninsula, and significantly increased testing sites and volumes, this gap continues to grow.

We realize that the City council wishes to help as many businesses and individuals in the community as possible and we support that initiative as well. Please know that the Hospital comes to the City with no set dollar amount in mind but what the Council feels is appropriate. Here are some examples of expenditures for which we do not have a funding source:

- |  |   |
|--|---|
| • Long-term Care Unit COVID-19 consulting/planning/mitigation          | \$49,000  |
| • Payroll for Planning, Mitigation and Testing (unfunded portion only) | \$393,000   |
| • Technology – Telehealth application for contactless appointments     | \$51,000 (we requested a telehealth grant from the FCC, however it was not awarded) |
| • Supplies – Other   | \$4,800   |
| • Ventilation Improvements (unfunded portion only)                     | \$5,700   |
| • Alternate Care Site (unfunded portion only)                          | \$19,000  |

As you can see, even \$100,000-\$200,000 could assist the hospital with a large portion of these costs. If the City would like to wait to assist the Hospital with funding from the second or third distribution, we are agreeable to that – although we could ask that the performance period for allowable expenditures be backdated to March 2020.

Again, thank you for your message and I welcome the opportunity to discuss this with you further. Please don't hesitate to reach out.

Kindest,

Angela

Angela Hinnegan, CPA  
 Chief Financial Officer  
 South Peninsula Hospital  
 4300 Bartlett Street  
 Homer, AK 99603  
 907-235-0395 ph  
 907-394-2081 cell  
[ahinnegan@sphosp.org](mailto:ahinnegan@sphosp.org)

## Municipal Arts & Culture Matching Grant Program

A partnership between Municipal Governments and Rasmuson Foundation

**Program Description.** The *Municipal Arts and Culture Matching Grant Program* is a partnership between Rasmuson Foundation and Alaska municipalities in cooperation with the Alaska Municipal League. It is designed to fund arts and culture organizations whose local revenue sources are disrupted by the COVID-19 pandemic. Municipal allocations of Direct Municipal Relief (a category of CARES Act funds) to local arts and culture organizations are matched by Rasmuson Foundation.

**Program Need.** Government mandates in response to the COVID-19 pandemic have caused cancellation of performances, festivals and traditional fundraising activities that local arts and culture organizations depend on for revenue. Additionally, loss of personal income has resulted in less revenue from memberships and donations. Through allocation of CARES Act funds, municipal governments can help sustain arts and culture infrastructure.

**Eligibility.** The matching grant program is intended to support arts and cultural organizations whose revenue sources have been negatively impacted by the COVID-19 pandemic. Municipalities may set their own criteria for allocation of Direct Municipal Relief funds, however, to receive *Municipal Arts & Culture Matching funds*, beneficiaries should be able to demonstrate real and projected revenue decline due to COVID-19 mandates. It is the responsibility of the municipality to ensure compliance with US Treasury guidelines for use of CARES Act funds.

Additionally, beneficiaries must:

- have been a viable nonprofit entity within the municipality on March 1, 2020; and
- have a mission to advance, support, educate or celebrate arts and culture.

Examples of qualifying entities include arts and culture camps, arts councils, dance organizations, theatre and performing arts organizations; symphonies, choral groups and other music entities; language and literary arts organizations; museums and arts-focused festivals and workshops.

**Municipal Guidelines.** Rasmuson Foundation will match a municipality's allocation of CARES Act funds to arts and culture organizations. The match ratio is 1:1 up to \$20,000 to any entity and 1:2 for allocated municipal funds in excess of \$20,000 to that entity.

Example: Municipality allocates \$40,000 of Direct Municipal Relief funds to the local theatre organization. Rasmuson Foundation will match \$20,000 @ 1:1 and remaining \$20,000 @ 1:2 (\$20,000 + \$10,000 = \$30,000). The theatre organization will receive a \$70,000 *Municipal Arts and Culture Matching Grant* (\$40,000 municipal + \$30,000 Rasmuson Foundation).

Rasmuson Foundation limits the match to \$50,000 per municipality and \$250,000 statewide.

The municipal allocation of CARES Act funds may not replace or supplant historical or budgeted municipal support.



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**How to Apply.** A municipality may administer the *Municipal Arts and Culture Matching Grant Program* directly or delegate it to a local organization tasked with administering municipal CARES Act funds. After making its allocation determinations, an authorized representative of the municipality applies to Rasmuson Foundation using the designated form. Rasmuson Foundation distributes funds to the municipality. The municipality then distributes the total grant award (CARES Act funds + Rasmuson funds) to arts and culture organizations within their community.

**Use of Funds.** *Municipal Arts and Culture Matching Grant* funds may be used for any legitimate operating or program expense incurred by the organization from March 1 through December 15, 2020 in accordance with CARES Act funding guidelines. Entities that have received funds through another CARES Act program such as PPP or EIDL are eligible for funding through the Direct Municipal Relief providing the use of funds does not duplicate or supplant those other funds.

**Reporting.** The municipality may require benefitted entities to report the use or expenditure of *Municipal Arts & Culture Matching* funds in accordance with CARES Act funding guidelines. The municipality shall verify to Rasmuson Foundation distribution program funds to organizations within 30 days of receipt of Rasmuson funds.

**From:** Ravn Air Group <[no-reply@ravnairgroup.com](mailto:no-reply@ravnairgroup.com)>

**Sent:** Wednesday, June 17, 2020 11:30 AM

**Subject:** Ravn Air Group Approved To Receive \$31.6 million in CARES Act Payroll Support Program (PSP) Grants

## Ravn Air Group Approved To Receive \$31.6 million in CARES Act Payroll Support Program (PSP) Grants

June 17, 2020—Ravn Air Group announced today that it has been approved by the U.S. Treasury to receive \$31.6 million in airline support payroll grants under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Payroll Support Program (PSP) subject to Bankruptcy Court approval, which would be available to Treasury-approved bidders seeking to buy the entire Air Group in an upcoming Chapter 11 sale process.

“Today’s announcement about CARES Act payroll grants is fantastic news for our creditors, our employees, our customers, and the 115 communities we served before we had to ground our fleet due to the COVID-19 Pandemic and subsequent travel restrictions. We are grateful to Alaska’s congressional delegation, Senator Lisa Murkowski, Congressman Don Young and especially Senator Dan Sullivan, for their incredible support and tireless work ensuring Ravn and other air carriers in Alaska were able to receive CARES Act support during this global crisis.

“Given this news, and the fact that we now have a number of interested, enterprise-wide bidders who want to buy the entire Air Group and its three airlines, we remain optimistic that we will be able to maximize creditor recoveries, exit Chapter 11 protection, and ensure that Alaska’s largest and most vital regional airline can resume operations later this summer,” said Dave Pflieger, Ravn’s President & CEO.

According to a recent Alaska Public Media report, the regularly scheduled passenger and cargo service that Ravn previously provided has been missed by many rural communities, with only limited service now offered to many Alaska villages, and caused organizations like the Yukon Kuskokwim Health Corporation (YKHC), to pay \$1,000 or more to charter flights and transport sick and ailing patients.

Alaska’s essential seafood industry has been similarly affected. “The City of Sand Point has been devastated by the loss of Ravn Air Group carrier service to the chain. We have very limited options to come and go to Anchorage for Medical, Business, grocery shopping, and some leisure activities. It sure would be nice to see Ravn back servicing our community. The cost of leaving the community has become prohibitive, leaving our residents in quite a bind,” said Glen Gardner Jr., Mayor of the City of Sand Point.

As announced on June 5th by the Honorable Brendan L. Shannon in the United States Bankruptcy Court for the District of Delaware, Ravn Air Group has also been authorized to run a

sales process for all or substantially all of its three airlines and their assets in parallel with the consideration of the plan of liquidation that was initiated when the airline filed for Chapter 11 protection on April 5th. Judge Shannon established June 24, 2020 as the deadline to receive bids for all or substantially all of its three airlines and other assets.

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Visit [FlyRavn.com](https://FlyRavn.com)

## About Ravn Air Group

Before it filed for Chapter 11 protection on April 5, 2020, following a 90% drop in bookings and revenue due to the arrival of COVID-19 in Alaska, and a resultant state-mandated travel ban to slow the spread of the Pandemic, Ravn was Alaska's largest and most vital regional air carrier. The company and its three separate airlines were supported by over 1,300 employees, and it carried passenger, mail, freight, and charter customers to more than 115 destinations throughout Alaska.

Headquartered in Anchorage, Ravn Air Group operated a safe and highly reliable fleet of 72 aircraft on more than 400 flights per day, annually carrying over 750,000 passengers per year, from hubs and communities including Anchorage, Fairbanks, Galena, Barrow, Nome, Kotzebue, Unalakleet, Bethel, Aniak, St. Mary's, McGrath, Dillingham, and King Salmon. In late 2018, Ravn acquired Peninsula Airways and its five Saab 2000s as part of a sale process that ended PenAir's two-year financial bankruptcy and added this company to the Ravn Air Group portfolio. Later, in 2019, Ravn Air Group started Essential Air Service flying to St. Paul in the Pribilof Islands with its highly reliable 29 & 37 seat DHC-8 (Dash 8) aircraft.

Ravn Air Group's two Part 121 air carriers are FAA-approved Safety Management System ("SMS") airlines. In addition, in May 2018 and again in April 2020, RavnAir Alaska became one of a few regional airlines in the U.S. to pass the challenging International Air Transportation Association's (IATA) Safety and Operational Audit (IOSA), and in 2019 RavnAir Alaska became the first and only IOSA-approved Part 121 regional airline in the State of Alaska.



February 12, 2020

Bryan Hawkins  
Port Director and Harbormaster  
City of Homer  
4311 Freight Dock Road  
Homer, AK 99603

Subject: Homer Large Vessel Harbor Expansion Owner's Representative

Thank you for this opportunity to submit information on potential ways that HDR can support the City of Homer (City) on the Homer Large Vessel Harbor Expansion Project (Expansion Project). This project will provide a new port and harbor area that alleviates the current over-stretched moorage needs and anticipated future needs of the harbor that benefit the community.

It is our understanding that the City of Homer engaged the U.S. Army Corps of Engineers (USACE) in 2004 to perform a Feasibility Study of the Expansion Project. This study was temporarily put on hold in 2008 as factors at the time resulted in an unfavorable cost benefit ratio (CBR) that would not support future federal funding. Recently, the USACE developed a Planning Assistance to States (PAS) Section 22 report that re-evaluated the potential CBR based on current information which were found to be more favorable. The City now anticipates the USACE will resume their General Investigation Study for the Expansion Project.

The Expansion Project will have both federal components, those dealing with mission of the USACE - primarily safe navigation, and non-federal components such as moorage facilities (i.e., docks, floats) and upland facilities. Both the federal and non-federal components are reliant upon each other to meet the needs of the Expansion Project as well as the CBR. Thus, it will be critical that the City is successful in developing the non-federal components in parallel to working with the USACE in developing the new basin.

At this stage in the Expansion Project, the path to successfully executing the Port Expansion is uncertain. To help guide and support the City through the federal process and plan non-federal Expansion Project components, HDR would be pleased to assist the City as an Owner's Representative. We feel confident we can provide value to the City in providing guidance working with the USACE and planning and executing large capital improvement projects.

## Strategic Phased Approach

For such a large complex project and especially due to the uncertainty in funding and funding sources, federal coordination/timeline, competing priorities, and multiple stakeholders, we recommend a strategic approach to project execution. Specifically, we recommend breaking down the project into discrete phases that are separated by "stage gates." These stage gates are a go/no-go decision that require thoughtfulness at multiple times throughout the project as to whether to advance to the next phase or re-evaluate the project approach. This process focuses efforts into appropriate tasks so that funding is responsibly and efficiently spent. A recommended phased approach includes the following:

**Table 1. Recommended Strategic Phases for Project Execution**

Front End Planning	<b>Phase 1: Appraise Opportunities</b> Identify potential opportunities, define the program, solicit initial stakeholder input, and perform desktop analyses
	<b>Phase 2: Select Alternatives</b> Evaluate project alternatives, select preferred alternatives, define and manage risks
	<b>Phase 3: Define/Develop Alternatives</b> Develop preferred alternative, determine procurement strategies, establish business plan for capital improvements
Execution	<b>Phase 4: Engineering and Procurement</b> Execute final designs and procurement of construction
	<b>Phase 5: Construction</b> Construct federal and non-federal program components
	<b>Phase 6: Commissioning and Start-up</b> Begin use of new facilities
	<b>Phase 7: Operations</b> Operate and maintain new facilities

These phases would run concurrently with the four-phased approach used by the USACE:

- Phase 1 – General Investigation Study,
- Phase 2 – Pre-Construction Engineering and Design,
- Phase 3 – Construction, and
- Phase 4 – Operations & Maintenance and Monitoring

This is shown graphically in Figure 1. Work being performed concurrently by the City of Homer is intended to be done cooperatively with the USACE supporting their mission and considering the project as a whole, both federal and non-federal components. Any in-kind work to be adopted by the USACE should only be performed if previously agreed upon and documented in a Memorandum of Understanding. Additional information on the USACE phased approach to project execution including cost sharing requirements is provided as an attachment to this document.

The first three phases of the strategic approach (Appraise Opportunities, Select Alternatives, and Define/Develop Alternatives) would be performed during the USACE General Investigation Study. Often the USACE Phase 2, Pre-Construction Engineering and Design (PED) occurs concurrently with their General Investigation Study. The PED would overlap directly with Phase 3 and Phase 4 of the strategic approach (Define/Develop Alternatives and Engineering and Procurement) as these are essentially the same tasks.



# Homer Large Vessel Harbor Expansion Project Development and Execution Process

Document Date:  
February 10, 2020

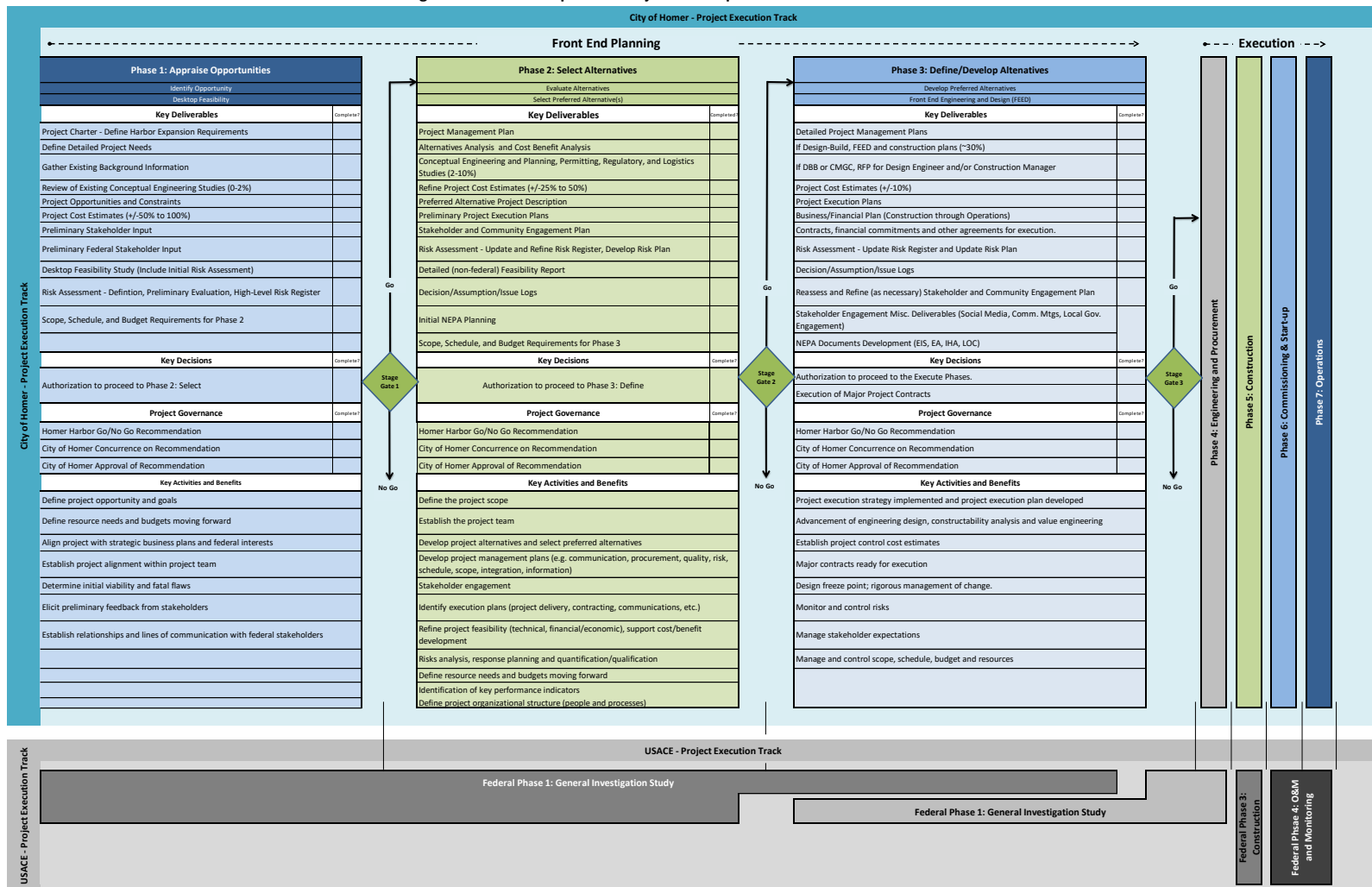


Figure 1 Strategic Phased Approach Stage Gate Concept

## Owner's Representative Tasks

The strategic phased approach outlined in Figure 1 provides the activities and tasks that need to be accomplished before moving to subsequent phases. These activities can be performed by the City, HDR, another supporting entity, or some combination of the above. At each phase, the project will become more defined, risks and risk mitigation will become clearer and as such it is recommended to develop scope, schedule, and budget for the each phase incrementally.

The following provides a potential scope for Phase 1.

### Phase 1: Appraise the Opportunity

**Task 1 – Define Project Charter and Detailed Project Needs:** HDR will facilitate a meeting with Homer Port and Harbor leadership and City leadership to establish an official charter that will be used as the basis for all decisions moving forward with the Expansion Project. Since federal funding is anticipated for a significant portion of the Expansion Project, it is recommended USACE staff attend to provide input to the charter that helps align the goals of the project to meet the USACE mission. HDR will provide examples of other large project and program charters to provide guidance in the structure and definition required for a robust and thoughtful charter. Following development of the charter, HDR will work with Homer Port and Harbor leadership to define detailed project needs used to shape alternatives for accomplishing the goals of the project.

**Task 2 – Preliminary Stakeholder Outreach:** HDR will work with Homer Port and Harbor staff to identify project stakeholders. HDR will then endeavor to meet with project stakeholders identified and solicit feedback on the project. Desired feedback includes but is not limited to goals of the project, anticipated outcome(s), concerns, anticipated challenges, impacts of the project to the stakeholders' business, and ideas for improving the CBR of the project. HDR will help to manage stakeholder expectations, communication, and provide meaningful insight for the future steps in the process.

**Task 3 – USACE Coordination:** HDR will attend the General Investigation kick-off meeting with the City of Homer assumed to be facilitated by USACE. Following the kick-off meeting, HDR will participate in status meetings between the USACE and the City of Homer (assumed to occur once per month). HDR will prepare Port Expansion materials to communicate and document the progress made by the City.

**Task 4 – Desktop Feasibility Study:** A desktop feasibility study (separate document from the USACE General Investigation or USACE Feasibility Study) will be developed to document various aspects of the developing project. Specific components of the Desktop Feasibility Study include:

- a. Gathering Existing Background Information
- b. Review Existing Conceptual Engineering Studies/Designs
- c. Preliminary Stakeholder Input
- d. Initial Risk and Fatal Flaws Assessment
- e. Conceptual Cost Estimates

HDR intends to incorporate any work already completed and avoid duplication.

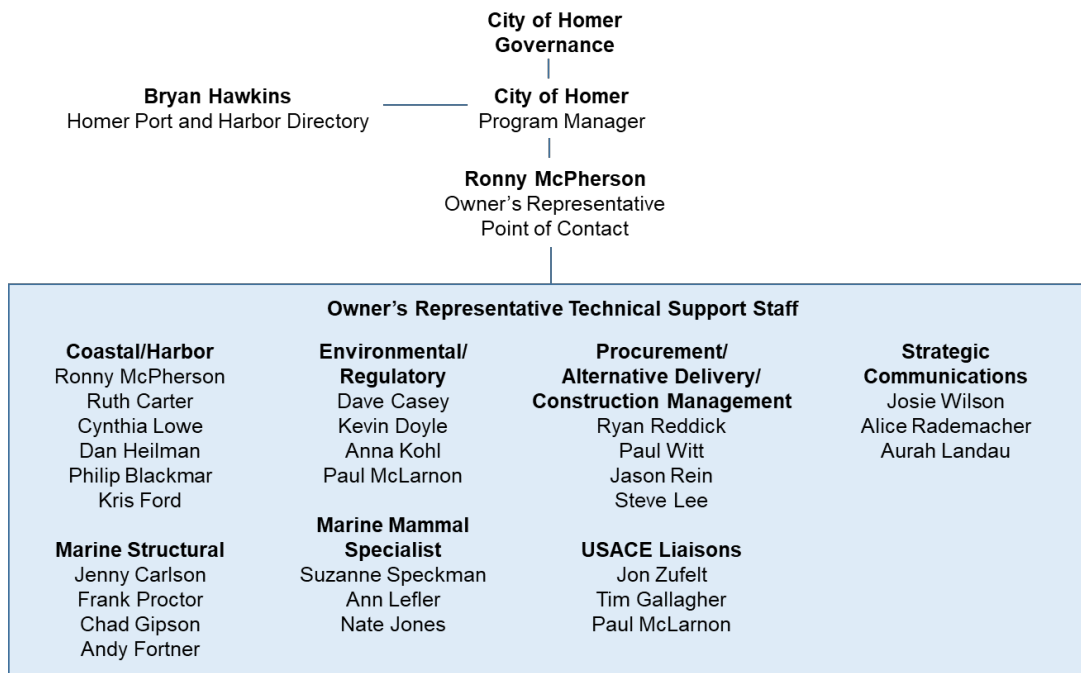
**Task 5 – Phase 2: Scope, Schedule, and Budget:** Upon a “Go” decision at the Phase 1 stage gate, HDR will develop a scope, schedule, and budget for the next phase of the project, “Phase 2: Select Alternatives.”

## Owner’s Representative Level of Effort

In many large programs, the Owner’s Representative has a significant level of effort to include dedicated full-time staff, an onsite project office, and separate document control systems. This level of effort is more conducive for projects that have full or partial funding already established. With this project requiring a significant amount of federal dollars, which are not guaranteed and with an unknown timeline, this level of effort is not recommended. Instead, a lighter level of effort is suggested allowing for periods of non-activity which often occur with the USACE. The following provides two potential owner’s representative structures.

### Structure 1 - City of Homer Program Manager

In this structure, the City of Homer, through a designated representative or representative(s), takes on the lead program manager role. This individual would lead the program through the stage gate process identified above with HDR staff ready to support on an as-needed basis. This would be a reactionary role for HDR in which we have pre-identified staff with varying expertise to support the program manager on various tasks. This structure allows the City of Homer to have access to the wide variety of expertise provided by HDR and can mobilize and tailor efforts as needed. The organization chart below provides an outline of how this approach might look. HDR can provide details of staff listed upon request.



**Figure 2. Organizational Chart for City of Homer Program Manager Approach**

## Structure 2 – HDR Program Manager

In this structure, HDR would have an assigned Program Manager to lead the City of Homer through the stage gate process identified above. The City of Homer would still be the key decision maker. The HDR Program Manager would manage the various technical resources, coordinate meetings, and guide City of Homer decision makers at key steps with recommendations moving forward. This structure allows the City of Homer to work with HDR through the development of the program relying more heavily on HDRs management and coordination while still having ultimate control on key decisions. The organization chart below provides an outline of how this approach might look. HDR can provide details of staff listed upon request.

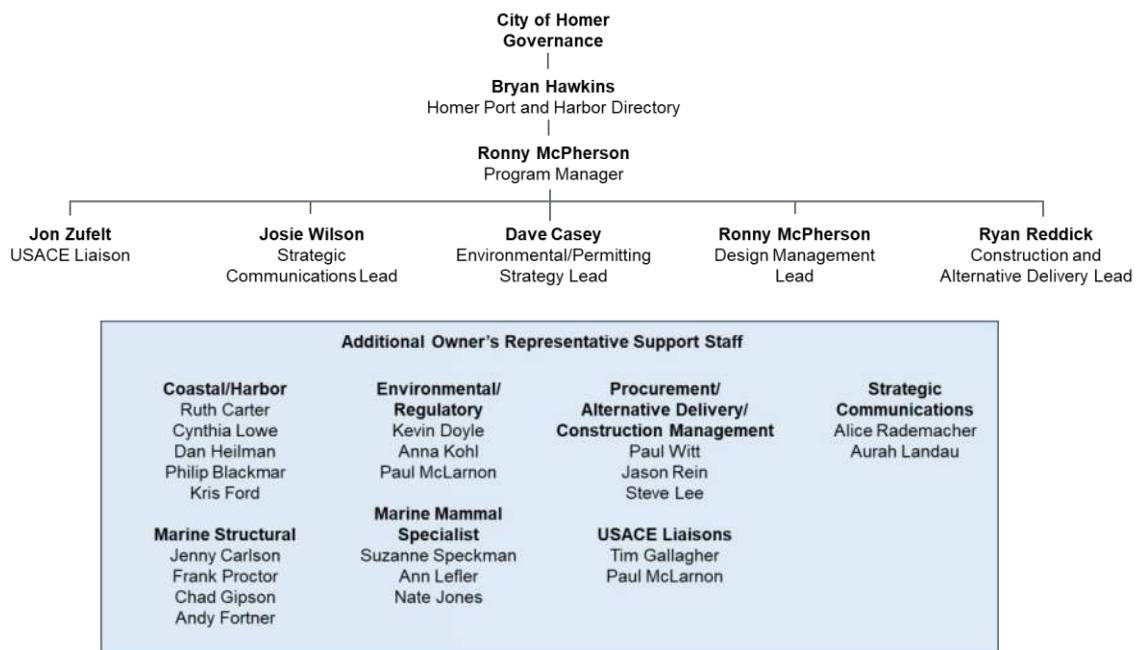


Figure 3. Organizational Chart for HDR Program Manager Approach

## Owner's Representative Costs

Table 2 provides ranges of cost for the two approaches for Owner's Representative for Phase 1, Appraise Opportunities.

Table 2. Cost Ranges for Phase 1: Appraise Opportunities

	Phase 1: Appraise Opportunities
<b>City of Homer Program Manager Approach</b>	\$0 to \$200,000
<b>HDR Program Manager Approach</b>	\$150,000 to \$300,000

The structure of the City of Homer Program Manager approach is essentially an as-needed contract. As such, the City can opt to not utilize HDR which would incur no costs or request HDR's attendance at meetings and/or assign various tasks to support the advancement of the



program. With the large range of potential level of effort desired, we highly recommend the structure of this contract be time and materials to allow the City to pay for only the services requested.

The HDR Program Manager approach assumes a duration of approximately 6 months and can still vary in cost depending on the desired level of effort. The high end value assumes a significant stakeholder outreach (both federal and non-federal) and more in-depth feasibility study while the low end represents a smaller initial stakeholder outreach and a feasibility study relying heavily on pre-existing data. We recommend this contract be setup with a mixture of fixed fee and time materials tasks or have all tasks as time and materials.

## Summary

HDR would be pleased to provide Owner's Representative services to the City of Homer to support the Homer Large Vessel Harbor Expansion Project. We recognize that the City needs to approach this project as strategically as possible especially regarding the uncertainty in federal funding and timeline. A phased stage gate approach is provided as a potential outline for approaching planning and executing of the overall program concurrently with the USACE process. We propose to provide services to execute this plan in either an as-needed capacity or in more direct management role depending on the City's desired role.

If there is interest in either of these approaches, we would like to discuss the City's vision of HDR's role in supporting the Expansion project and developing a detailed proposal for owner's representative services.

Thank you again for this opportunity to work with the City of Homer.

Sincerely,

Ronny McPherson  
HDR Coastal and Maritime Program Lead

### Attachments:

- Information on USACE Civil Works Process for Capital Improvement Projects Memorandum





# Memo

Date: Wednesday, December 11, 2019

To: Katie Koester and Bryan Hawkins (City of Homer)

From: Ronny McPherson (HDR)

Subject: Information on USACE Civil Works Process for Capital Improvement Projects

The U.S. Army Corps of Engineers (USACE) Civil Works projects include water resource development activities such as flood risk management, navigation, recreation, and infrastructure and environmental stewardship.

There are four phases in the development and execution of a Civil Works project. These include:

1. Planning/Feasibility
2. Preconstruction, Engineering and Design Phase (including development of plans and specs)
3. Construction
4. Operation and Maintenance (O&M)

## **Phase 1: Planning/Feasibility** (Cost sharing for this phase is 50% federal/50% local.)

- **Planning: Identify the Problem**

A local community and/or local government, or a non-profit organization, experiences water and related land resource problems, such as flooding, shore erosion, ecosystem restoration, or navigation restrictions. These problems are beyond the local community's/government's or organization's capabilities to alleviate or solve due to jurisdictional boundaries, financial resources, technical expertise, or other issues.

Local officials engage the USACE to find the appropriate federal program for their project.

- **Feasibility**

This stage includes a feasibility cost-sharing agreement, Feasibility Study, and Feasibility Report.

The first phase of work is a Feasibility Study, which determines if the preliminary project benefits will exceed projected project costs.

A project manager (PM) is appointed at the beginning of this phase to coordinate the project through planning, design, and construction. The PM serves as the point of contact with the local sponsor and other concerned parties.

During the Feasibility Phase, the local sponsor must execute a feasibility cost-sharing agreement (FCSA), in which they agree to share 50% of the total cost of all feasibility work,

including the Feasibility Report. Once the FCSA is signed, federal funds will be allocated, and the Feasibility Study is conducted.

After the study is complete, a Feasibility Report is prepared; it develops prospective project alternatives and conducts a detailed analysis of all relevant physical, biological, and socioeconomic impacts attributable to the alternatives. During this phase, any project-related environmental impacts must be assessed and, depending on their significance, preparation of an Environmental Assessment (EA) or Environmental Impact Statement (EIS) may be required. Most projects require an EIS.

A Real Estate Report is also prepared during this phase to determine what real property might be required to complete the project. It describes what facilities and/or private properties might need to be relocated, and includes a schedule and baseline cost estimate.

The draft Feasibility Study and draft environmental document (EIS or EA) are submitted for public review; all public comments are addressed in the final Feasibility Study. The Final Project Feasibility Report and Environmental Impact Statement (if required) are submitted to USACE in Washington, DC. The EIS is filed with the Environmental Protection Agency and made public. The Feasibility Report is endorsed in a summary document called the Chief's Report. Both documents are sent to relevant federal agencies for comment. After comments are addressed, the Chief's Report goes to Congress through the Assistant Secretary of the Army (Civil Works) and the Office of Management and Budget, both of which can comment on the report.

Congress then can issue a Project Authorization within the next Water Resources Development Act.

**Phase 2: Pre-Construction Engineering and Design** (Cost sharing for this phase is 75% federal/25% local.)

The purpose of the Pre-Construction Engineering and Design (PED) phase is to complete any additional planning studies and all of the detailed, technical studies and design needed to begin construction of the project. This phase usually overlaps with the end of the Feasibility Phase, and begins after a Design Agreement is signed; technical studies and design can begin while the Feasibility Report is being reviewed. This phase ends with the completion of the first set of detailed construction drawings and Plans & Specifications, or when Construction General funds are appropriated by Congress.

During the PED phase, the Design Documentation Report, if required, and the Plans & Specifications are prepared. The Project Cooperation Agreement (PCA) is prepared and negotiated, but is not signed until the Project Authorization is issued. The PCA is a key project document because it sets forth responsibilities and commitments regarding what will be built, cost sharing, real estate acquisitions and relocations, and other factors.

If changes to the project occur after Project Authorization, they may require additional analysis and re-evaluation.

**Phase 3: Construction** (Cost sharing for this phase is typically 65% federal/35% local.)

As a note, under the Section 107 Small Navigation Projects (less than \$10M), breakwaters, entrance channels, maneuvering areas less than 20 feet deep the cost sharing is 90% federal/10% local. For these same features for depths between 20 feet and 45 feet the cost sharing may be 75% federal/25% local.

Phase 3 begins after Construction General funds are appropriated and the PCA is negotiated and signed by the project sponsor and the Assistant Secretary of the Army for Civil Works. Once funds are available, the PCA is signed, real estate is acquired, and a Construction Contract is advertised and awarded, construction begins. If any additional design work is needed during Phase 3, it is called Engineering and Design (E&D), rather than PED.

Construction may take up to years for completion, depending on the extent of the project. During this phase, a Project Operation and Maintenance Manual is prepared, which contains instructions for the sponsor to follow after construction is completed.

Construction is considered to be complete when the project has been inspected and accepted from the contractor, and it is turned over to the sponsor for operation and maintenance.

**Phase 4: Operation and Maintenance Monitoring** (Typically O&M and Monitoring are locally funded. Navigation projects such as dredging are 100% federally funded.)

Unlike most USACE projects, Civil Works navigation projects such as this one are usually maintained by the USACE.

During Phase 4, the project is generally turned over to the sponsor for ongoing operation and maintenance, which includes repair, rehabilitation, and replacement, as required. All activities needed to make the project work are conducted; these include day-to-day work (e.g., trash removal) as well as long-term activities (e.g., dock repair, pump replacement, or even complete rehabilitation or replacement of the entire project). Final certification of all real estate necessary for operation and maintenance also takes place during this phase.

### Project Development Phases

	Feasibility	Preconstruction Engineering & Design	Construction	Operation and Maintenance
<i>Duration</i>	2-3 years	Approx. 2 years	Varies by project	As long as project remains authorized
<i>Activities</i>	Feasibility Study	<ul style="list-style-type: none"> <li>• Project authorization <sup>a</sup></li> <li>• Design documentation <sup>b</sup></li> <li>• Plans &amp; specs for first construction contract</li> </ul>	<ul style="list-style-type: none"> <li>• Engineering &amp; design <sup>b</sup></li> <li>• Plans &amp; specs <sup>b</sup></li> <li>• Construction</li> <li>• Real estate acquisitions/relocations</li> </ul>	<ul style="list-style-type: none"> <li>• Operation</li> <li>• Maintenance</li> <li>• Repair</li> <li>• Replacement</li> <li>• Rehabilitation</li> </ul>
<i>Funding</i>	50% federal 50% local	75% federal 25% local	65% federal 35% local	100% local -Or- 100% federal <i>Navigation features</i>
<i>Agreements and Contracts</i>	Feasibility Cost Sharing Agreement	<ul style="list-style-type: none"> <li>• Draft Project Cooperation Agreement</li> <li>• Design Agreement</li> </ul>	<ul style="list-style-type: none"> <li>• Final Project Cooperation Agreement</li> <li>• Construction Contract</li> </ul>	
<i>Documents and Reports</i>	<ul style="list-style-type: none"> <li>• Chief's Report</li> <li>• Feasibility Report</li> <li>• EA or EIS</li> <li>• Project Management Plan</li> <li>• Real Estate Plan</li> </ul>	<ul style="list-style-type: none"> <li>• Design Documentation Report <sup>b</sup></li> <li>• Real Estate Plan (update)</li> </ul>	<ul style="list-style-type: none"> <li>• Project Operation and Maintenance Manual</li> </ul>	

<sup>a</sup> Project authorization occurs during this phase.

<sup>b</sup> If needed.

**City of Homer  
General Fund  
Reconciliation  
Thru 3/31/20**

**Fund 100 - General Fund  
Reconciliation**

Updated 6/16/20

	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>3/31/2020 Actual</b>
<b>Beginning Balance</b>	<b>7,207,029</b>	<b>7,155,081</b>	<b>8,850,722</b>
<b>Revenue</b>			
Property Taxes	3,493,713	3,664,820	73,469
Sales and Use Taxes	6,412,983	5,949,524	1,059,824
Permits and Licenses	46,814	41,152	6,731
Intergovernmental	941,257	622,184	110,017
Charges for Services	1,971,793	2,198,067	1,657,334
Investment Income	64,372	188,592	69,023
Fines and Forfeitures	15,980	28,798	1,705
<b>Total Revenues</b>	<b>12,946,912</b>	<b>12,693,136</b>	<b>2,978,103</b>
<b>Expenditures</b>			
Current:			
General Government	3,013,262	3,038,205	609,254
Public Safety	4,148,352	4,182,027	1,055,010
Public Works	2,425,687	2,494,337	519,489
Library	852,197	853,759	193,955
Airport	189,505	193,324	73,063
Community Services	94,000	94,000	-
<b>Total Expenditures</b>	<b>10,723,003</b>	<b>10,855,652</b>	<b>2,450,771</b>
<b>Excess of Revenues Over (Under) Expenditures</b>	<b>2,223,909</b>	<b>1,837,484</b>	<b>527,332</b>
<b>Other Financing Sources (Uses)</b>			
Transfers In	14,576	721,093	746,494
Transfers Out	(2,290,433)	(922,329)	(499,211)
<b>Net Change in Fund Balance</b>	<b>(51,948)</b>	<b>1,636,248</b>	<b>774,615</b>
<b>Ending Balance</b>	<b>7,155,081</b>	<b>8,791,329</b>	<b>9,625,336</b>



**City of Homer**  
**HAWSP Reconciliation**  
**Thru 3/31/20**

**Fund 205 - HAWSP**  
**Reconciliation**  
Updated 6/16/20

	2018 Actual	2019 Actual	3/31/2020 Actual
<b>Beginning Balance</b>	<b>(3,356,086)</b>	<b>(2,748,991)</b>	<b>2,281,802</b>
<b>Revenue</b>			
Sales Tax	1,244,495	1,462,014	260,367
Reimbursements	-	-	-
Assessment Revenue	485,043	607,034	-
Interest Income	-	-	-
Penalties/Interest	-	-	-
Assessment Interest	58,557	46,309	-
Other Grants	-	-	-
Other Revenue	-	100,011	-
Transfer In	-	4,063,561	-
Operating Transfer	-	-	-
<b>Total Revenue</b>	<b>1,788,095</b>	<b>6,278,929</b>	<b>260,367</b>
<b>Expenditures</b>			
Professional Services	-	-	-
Engr/Arch/Design	-	-	-
GF Admin Fees	137,309	143,856	148,287
Construction	-	-	-
Debt Payment - Principal	892,157	881,066	67,413
Debt Payment - Interest	151,533	148,700	16,241
Deferred Loss Expense	-	-	-
Bond Issue Fees	-	-	-
Transfers to	-	74,514	-
Proceeds from LT Debt	-	-	-
De-obligation Revenues	-	-	-
<b>Total Expenditures</b>	<b>1,180,999</b>	<b>1,248,136</b>	<b>231,941</b>
<b>Change in Net Assets</b>	<b>607,095</b>	<b>5,030,793</b>	<b>28,426</b>
<b>Ending Balance</b>	<b>(2,748,991)</b>	<b>2,281,802</b>	<b>2,310,227</b>

**"Transfer In" Detail**

Project Closeout (Ord 19-57(S-2))	
215-0834: Kachemak Dr Water Main Phase III	158
215-0836: Old Cast Iron Water Main Rep De	5,693
215-0835: Water System Distr/Storage	21,078
215-0859: East End W/S Expansion	507,994
215-0865: Design Water Plant	427,557
Reclass FB - W/S Operations to HAWSP (Ord 19-58)	3,101,082
<b>Total Transfer In</b>	<b>- 4,063,561</b>

**"Transfer To" Detail**

Project Closeout (Ord 19-57(S-2))	
215-0815: Bartlett/Hohe Reconstruction	53,786
215-0829: East End Road PVC Pipe Replacement	15,276
215-0837: Shellfish Ave/South Slope Water Main	5,200
Reclass Unreimbursed Expenditure	252
<b>Total Transfer To</b>	<b>- 74,514</b>

**City of Homer**  
**HART - Roads Reconciliation**  
**Thru 3/31/20**

**Fund 160 - HART - Roads**  
Reconciliation

<b>Department</b>	<b>Dept #</b>	<b>2018</b>	<b>2019</b>	<b>3/31/2020</b>
General - Sales Tax Income	375	-	1,315,812.59	234,329.92
General - Interest Income	375	64,323.38	180,136.62	45,594.80
General - G/F Fees	375		(115,084.93)	(118,629.41)
Other Transfer	375		(799,222.70)	
Misc Expenses	375			
Sub Total (375)		64,323.38	581,641.58	161,295.31
Waddell Way	766		23,197.48	
Soundview/woodard creek	771			
Crittenden/Webber	774			
Greatland	775	(640,714.04)	(4,698.61)	
Hornaday Improvements	778		(15,427.77)	
Eric Lane	790		(839,406.48)	
Heath Street Storm	930		(65,000.00)	
Net Assets		(576,390.66)	(319,693.80)	161,295.31
Beginning Fund Balance		6,616,062.61	6,039,671.95	5,719,978.15
Adj to Fund Balance	<a href="#">Transfer from</a>			
<b>Ending Fund Balance</b>		<b>6,039,671.95</b>	<b>5,719,978.15</b>	<b>5,881,273.46</b>

**City of Homer**  
**HART - Trails Reconciliation**  
**Thru 3/31/20**

**Fund 165 - HART Trails**  
Reconciliation

<b>Department</b>	<b>Dept #</b>	<b>2018</b>	<b>2019</b>	<b>3/31/2020</b>
General - Sales Tax Income	375 4201		146,201.40	26,036.64
General - Interest Income	375 4801	5,903.79	17,859.31	4,958.50
General - Plans & Specs	375 4610			
General - Professional Svcs	375 5210		(5,102.30)	
General - G/F Fees	375 5241		(28,771.23)	(29,657.35)
Other Transfer	375	(1,560.00)	(38,004.63)	
Misc Expenses	375			
Net Assets		4,343.79	92,182.55	1,337.79
Beginning Fund Balance		564,008.23	568,352.02	660,534.57
<b>Ending Fund Balance</b>		<b>568,352.02</b>	<b>660,534.57</b>	<b>661,872.36</b>



# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Finance Department

491 East Pioneer Avenue  
Homer, Alaska 99603

[finance@cityofhomer-ak.gov](mailto:finance@cityofhomer-ak.gov)

(p) 907-235-8121

(f) 907-235-3140

## Memorandum

TO: Mayor Castner and Homer City Council

THROUGH: Rick Abboud, Acting City Manager

FROM: Elizabeth Walton, Finance Director

DATE: June 17, 2020

SUBJECT: Fund Balance Update

This memo will provide additional information in relation to the fund balance presentation for the following City funds: General Fund, Water/Sewer Fund, HART-Roads, HART-Trails, HAWSP, and Police Station Debt Service Fund.

### Modeling Criteria:

Data was extracted directly out of our accounting software. The data was verified to match the issued 2018 audited financial statements. The formulas used to generate the 2018 data was extended to fiscal year 2019 and the first quarter of 2020.

Therefore, it is important to note that this information is preliminary in nature and that there is a possibility that the data will be modified during the 2019 audit process. Finance will keep documentation that explains the variances in data presented here and the final statements issued later this year.

### Update from June 8<sup>th</sup> Worksession:

A formula error was identified in the allocation of sales tax amongst city funds for FY19 to present. The sales tax rate was increased in 2019 (voter approved increase to fund the bond payment and ongoing maintenance for the police station). This increase was not correctly incorporated into our allocation formula and, therefore, sales tax was distributed lower to the police station debt service fund and higher to the General Fund, HAWSP and HART funds.

The necessary corrections have been made and the formula has been updated going forward. Here is the updated breakdown of total sales tax received in 2019 (unaudited) for each fund:

- General Fund: \$5,949,524; HAWSP: \$1,462,014; HART-Roads: \$1,315,813; HART-Trails: \$146,201; Police Station Debt Service Fund: \$584,806

Updated FB reports for these funds are accompanying this memo, and an updated 4Q report for the General Fund will be provided in the supplemental packet.

City of Homer  
2020/21 Budget Modeling

FUND 100 GENERAL FUND COMBINED STATEMENT	Projected			Projected		
	Adopted	Lower Bound	Upper Bound	Adopted	Lower Bound	Upper Bound
	12/31/20 Budget	12/31/20 Budget	12/31/20 Budget	12/31/21 Budget	12/31/21 Budget	12/31/21 Budget
<b>REVENUE:</b>						
Property Taxes	3,475,775	3,128,197	2,780,620	3,535,212	3,181,690	2,828,169
Sales & Use Taxes	5,508,638	4,682,342	3,305,183	5,616,808	4,774,287	3,370,085
Permits & Licenses	41,526	41,526	41,526	45,342	45,342	45,342
Fines & Forfeitures	20,762	20,762	20,762	22,643	22,643	22,643
Use of Money & Property	43,662	43,662	43,662	74,720	74,720	74,720
Revenues from Other Agencies	562,800	562,800	562,800	562,800	562,800	562,800
<i>PERS and Shared Revenue</i>	-	-	-	-	-	-
Charges for Services	594,610	594,610	594,610	580,537	580,537	580,537
Other Revenue	-	-	-	-	-	-
Airport	163,455	76,168	76,168	191,240	74,858	74,858
<b>Total General Fund Revenue</b>	<b>10,411,226</b>	<b>9,150,066</b>	<b>7,425,330</b>	<b>10,629,301</b>	<b>9,316,877</b>	<b>7,559,154</b>
<b>Total Transfer from other Funds</b>	<b>2,048,282</b>	<b>2,048,282</b>	<b>2,048,282</b>	<b>2,245,049</b>	<b>2,245,049</b>	<b>2,245,049</b>
<b>Total Revenues &amp; Transfers (W/O PERS Relief)</b>	<b>12,459,508</b>	<b>11,198,348</b>	<b>9,473,611</b>	<b>12,874,350</b>	<b>11,561,926</b>	<b>9,804,202</b>
<b>EXPENDITURES:</b>						
Personnel (W/O PERS Relief)	8,217,958	8,217,958	8,217,958	8,647,865	8,647,865	8,647,865
Operations & Maintenance	3,636,760	3,636,760	3,636,760	3,642,028	3,642,028	3,642,028
Debt Service	-	-	-	-	-	-
<b>Total Operating Expenditures</b>	<b>11,854,719</b>	<b>11,854,719</b>	<b>11,854,719</b>	<b>12,289,893</b>	<b>12,289,893</b>	<b>12,289,893</b>
<b>Operating Surplus/Deficit before Transfers</b>	<b>604,789</b>	<b>(656,371)</b>	<b>(2,381,107)</b>	<b>584,457</b>	<b>(727,968)</b>	<b>(2,485,691)</b>
<b>Operating Transfers To:</b>						
<b>CARMA Funding:</b>						
Police Fleet Reserve				23,456	23,456	23,456
PW Fleet Reserve	196,500	196,500	196,500	94,500	94,500	94,500
Fire Fleet Reserve				110,000	110,000	110,000
Parks & Recreation Reserve				27,857	27,857	27,857
Fire Reserve	87,257	87,257	87,257	40,000	40,000	40,000
Airport Reserve	83,397	83,397	83,397			
<b>Total CARMA Funding:</b>	<b>367,154</b>	<b>367,154</b>	<b>367,154</b>	<b>295,813</b>	<b>295,813</b>	<b>295,813</b>
<b>Mandatory:</b>						
Seawall Maintenance Reserve	10,000	10,000	10,000	10,000	10,000	10,000
Other Transfers - Balancing Health Insurance	574	574	574	2,018	2,018	2,018
Transfer to Water Hydrants	99,629	99,629	99,629	108,433	108,433	108,433
Revolving Energy Fund Repayment	22,788	22,788	22,788	21,718	21,718	21,718
Leave Cash Out Bank	104,643	104,643	104,643	146,474	146,474	146,474
<b>Total Mandatory:</b>	<b>237,635</b>	<b>237,635</b>	<b>237,635</b>	<b>288,644</b>	<b>288,644</b>	<b>288,644</b>
<b>Total Operating Transfers:</b>	<b>604,789</b>	<b>604,789</b>	<b>604,789</b>	<b>584,457</b>	<b>584,457</b>	<b>584,457</b>
<b>Total Expenditures &amp; Operating Transfers</b>	<b>12,459,508</b>	<b>12,459,508</b>	<b>12,459,508</b>	<b>12,874,350</b>	<b>12,874,350</b>	<b>12,874,350</b>
<b>Total Deficit</b>	<b>0</b>	<b>(1,261,159)</b>	<b>(2,985,896)</b>	<b>0</b>	<b>(1,312,424)</b>	<b>(3,070,147)</b>

Lower Bound Model Parameters:

- Property Tax reduced by 10%
- Sales Tax reduced by 15%

Upper Bound Model Parameters:

- Property Tax reduced by 20%
- Sales Tax reduced by 40%

Airport revenues were reduced in FY20/21 by the amount of potential lost lease revenue by RAVN's departure.



**City of Homer**  
**Police Station Debt Service Fund**  
**Reconciliation**  
**Thru 3/31/20**

**Fund 154 - Police Station DSF**  
**Reconciliation**

Updated 6/15/20

	2018 Actual	2019 Actual	3/31/2020 Actual
<b>Beginning Balance</b>	-	-	536,988
<b>Revenue</b>			
Sales Tax	-	584,806	104,147
Interest Income	-	54,113	14,718
<b>Total Revenue</b>	-	638,918	118,865
<b>Expenditures</b>			
Debt Payment - Principal	-	-	-
Debt Payment - Interest	-	101,931	-
<b>Total Expenditures</b>	-	101,931	-
<b>Change in Net Assets</b>	-	536,988	118,865
<b>Ending Balance</b>	-	536,988	655,853

**From:** Rick Abboud <RAbboud@ci.homer.ak.us>  
**Sent:** Wednesday, June 10, 2020 4:03 PM  
**To:** kachemak@xyz.net  
**Cc:** Rachel Friedlander <rfriedlander@ci.homer.ak.us>  
**Subject:** RE: Questions about the possibility of city water for the Kachemak Community Center

Erica,

Greetings, I'm Rick Abboud the Acting City Manager as of yesterday. At this time we do not have a clear path in code for your request and we do not have any estimates on costs. I do recall several proposals that were considered to make provisions for expanding a water distribution system into Kachemak City and none of them came to fruition. Any path to this provision is likely to lead to considerable debate and may just end up back to the position that was offered and not acted upon.

Yours Truly,

Rick

.....

**From:** Kachemak City <[kachemak@xyz.net](mailto:kachemak@xyz.net)>  
**Sent:** Thursday, June 4, 2020 1:33 PM  
**To:** Mayor Email <[Mayor\\_Email@ci.homer.ak.us](mailto:Mayor_Email@ci.homer.ak.us)>; Department City Manager <[City\\_Manager@ci.homer.ak.us](mailto:City_Manager@ci.homer.ak.us)>  
**Subject:** Questions about the possibility of city water for the Kachemak Community Center

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

Dear Mayor Castner and City Manager Yoder,  
I'm writing to request information about the possibility of city water for the Kachemak Community Center. As you know, this building houses the clerk's office and the fire truck; it is used for council meetings and elections. It is also used for community gatherings (including the Kachemak Bay Quilters, Farmers Market meetings, Homer Soil and Water District Meetings, Black Friday Holiday Fair, Idea Homeschool meetings, and two church groups). The building has a roof-water catchment system that provides water for sinks and toilets, but it's not potable. Recently, Mayor Overway discovered a hole in the water tank and has temporarily patched it. Hence, the Kachemak City Council has been discussing options regarding water, and asked me to contact you with a couple questions. What is the process for applying for city water for this building? If allowed to hook up to city water, what would the cost be?  
Thank you very much,  
Erica Fitzpatrick  
Kachemak City Clerk



## 3 WAYS TO BE COUNTED ON THE PENINSULA



- 1 Online at [2020census.gov](https://2020census.gov)
- 2 Call 1-844-330-2020
- 3 Fill out the form sent to you

***Please do it today!***



“Kenai Peninsula, we need you to be counted.  
Please complete the 2020 Census today!”

— TIM DILLON, Volunteer Chair  
Complete Count Committee  
907-283-3335

[2020census.gov](https://2020census.gov)

**Council Initiated/Involved Projects**

**Updated 6/18/20**

Date Initiated	Project	Primary Impacted Departments/Divisions	Status	Category	% Complete	Next Steps/Notes	Sponsor/Champion
Feb 2017 (Reso 16-128 SA)	New Police Station	HPD, Public Works, IT	Generator disconnected from service at old police station on 6/18. Staff can provide tour of building before or after August 1 depending on Councilmembers' availability. See status update provided in June 8 Manager's Report.	Large	96	Estimated move in date is by August 1, 2020.	Mayor/Council
March 2019 (Reso 19-018)	Green Infrastructure Study	Administration, Public Works	There are four 4x6 interpretive signs that explain green infrastructure to be installed at police station (will be installed next week), Library, and City Hall. Budget for this project closes at the end of this month.	Medium	95	Final report to be completed week of June 22nd. Staff figuring out how to handle public education component under protocols of COVID-19.	Lord
Feb 2011 (Ord 11-02 SA)	Energy Conservation at City Buildings (lighting)	Public Works	The light conversion project is complete except for 7 interior lights at the harbor master office. That could be complete in a week, except for all the interruptions and extra challenges due to the COVID issues.	Medium	90	Installation will be completed once additional PW staff come online in fall/winter if not sooner.	Stroozas
Nov 2019 (Ord 19-49 SA)	Medical Zoning District	Planning	Held a public hearing last night, results will be provided most likely in next Planning Commission report.	Medium	85	Planning Commission to make recommendation to Council.	Smith
Oct 2019 (Reso 19-073 S)	Right of Way Clearing Policy	Administration, Public Works	Ord 20-26 introduced, awaiting decision at June 22 meeting. Ord creates an Annual Road Maintenance Plan.	Medium	85	Awaiting Council decision.	Lord/Aderhold
May 2019 (Ord 19-17)	Ice Plant Feasibility Study	Port and Harbor	Received engineer/consultant recommendations but project put on hold. Will be addressed at P&HAC meeting in July.	Small	75	Staff currently are implementing no cost solutions to increase efficiency using feedback from the report. Main goal will be to institute the low cost items that promise returns/savings first and set the bigger items on a longer timeline (after pandemic). Staff most likely won't implement larger recommendations until 2021 unless time and funds allow.	Stroozas
Reso 20-012 (A), Memo 20-015	Reopening HAWSP	Administration, Finance	Council discussed PC recommendations and fiscal health of fund on March 9, 2020.	Medium	65	Revise/update HAWSP Policy Manual.	Castner/Lord
Dec 2019 (Ord. 19-54 S2 A2)	Wayfinding Plan/Committee	Administration	Project on hold. Staff developing RFP for internal review.	Medium	60	Assess staff capacity to usher project through posting, selection of contractor and development of plan which requires staff availability and public engagement.	Venuti/Smith
Sept 2019 (Ord 19-38 A S)	HERC Demolition	Public Works	City Engineer to provide estimates to Council at June 22 meeting.	Medium	35		Mayor/Council
Sept 2019 (Memo 19-153)	Traffic Calming Policy	Administration, HPD, Public Works	Project on hold.	Medium	35	Research collated. Admin staff currently working on draft policy in preparation for PW, HPD review.	Lord
Aug 2019 (Ord 19-35 S)	Fund Balance Policy, City-wide	Administration, Finance	Needs Council direction.	Medium	25		Mayor



**Council Initiated/Involved Projects**

**Updated 6/18/20**

Date Initiated	Project	Primary Impacted Departments/Divisions	Status	Category	% Complete	Next Steps/Notes	Sponsor/Champion
Memo 20-015	Climate Action Plan Progress Report	Administration, Public Works	City has been accepted for membership to ICLEI. Awaiting invitation to use software to input energy data.	Medium	20	Input City energy data. Draft analysis of CO2 usage at City buildings.	Aderhold
Jan 2018 (Ord 18-03)	Large Vessel Harbor General Investigation Study	Administration, Port and Harbor (and ADOT, Army Corps, KPB/EDA)	Further detail provided in June 8 Manager's Report.	Large	5	Confirm with KPB EDA funding application status. Develop MOU to reinstate relationship with SOA on project. Work with Council on hiring of lobbyist.	Lord/Smith
Dec 2019 (Ord 19-51 A)	Spit ADA Parking Improvements	Port and Harbor, Public Works	Project could be set in motion within a couple of weeks - asphalt factory is up and running so there is adequate supply. CIP information concerning this project will be presented to Council at June 22 meeting.	Medium	0	Funded through ADA CARMA budget amendment.	Aderhold
Dec 2019 (Ord 19-51 A)	Spit Parking Study	Port and Harbor, Public Works	Project on hold until 2021 as detailed in May 11, 2020 City Manager's Report	Medium	0	Reevaluate Jan. 2021.	Lord

*Please note:*

*\*It is of great benefit for Admin Initiated projects to have the sponsorship of a Councilmember(s).*

*\*Color-coding indicates how close to completion a capital project is; Red (0-24%), Yellow (25-74%), Green (75-100%)*

*\*The proposed categories (small, medium, and large) are intended to gauge workload for city staff and the attorney to develop or implement and do not reflect level of priority.*

**From:** Homer Foundation <info@homerfoundation.org>  
**Sent:** Wednesday, June 17, 2020 11:28 AM  
**To:** Department City Manager  
**Subject:** Summer 2020 Newsletter from Homer Foundation

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



## A Summer to Remember

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### Update from the Executive Director

There are certain times and seasons which stand out in our individual and collective memories. For better or worse, the summer of 2020 will be remembered for a long time; COVID-19 daily counts, social unrest sparked by a senseless and avoidable death, depressed economy, financial market difficulties. All of these are true, and we wish none of them had happened.

As justifiably upsetting as these things are, we want to focus on what else has happened during this pandemic. The Homer area raised over \$130,000 to help our neighbors (\$66,752

from the Church on the Rock, I Love Homer fund and \$63,476 Homer Foundation, COVID-19 Response Fund). This figure doesn't include the thousands of dollars given directly to non-profits helping those in need. Given the population of our area, that was an amazing out pouring of generosity.

While this season is far from being over, our community response was and is exemplary. Homer is a special community. Despite all the angst and worry, we set aside our differences; we step up and help our neighbor when the need arises.

Thank you for being caring and generous.

Thank you for being great neighbors.

Thank you for giving close to home.

Sincerely,  
Mike

---

## Our COVID-19 Response



On March 25, 2020 the Board of Trustees created a new fund for the Homer Foundation in response to the COVID-19 pandemic. This fund is being used to support our local non-profits and the vital services they provide. Some of these organizations are already seeing huge impacts upon their programs, and these non-profits have already received at least one round of funding from us, including:

- Anchor Point Senior Center, \$4,200
- Homer Senior Center, \$4,750
- Anchor Point Community Food Pantry, \$7,000
- South Peninsula Haven House, \$2,500
- Homer Farmers Market, \$2,500
- Cook Inlet Council on Alcohol and Drug Abuse, \$2,500
- Homer Community Food Pantry, \$2,850
- Voznesenka Community Council, \$2,500
- Hospice of Homer, \$799
- Kachemak Bay Family Planning Clinic, \$2,500
- Ninilchik Senior Center, \$1,500

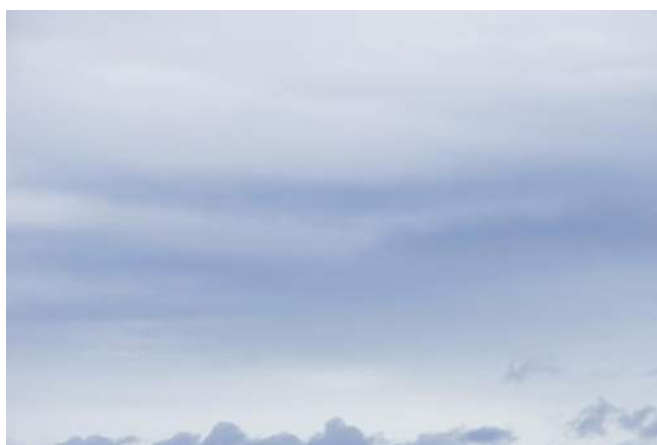
To date, we have funded all eligible requests.

As the economic slowdown continues, as enhanced unemployment benefits and debt forgiveness run out, we know there will be more requests due to the impacts from this pandemic. This fund allows for flexibility for the agencies to apply as needed and for the Foundation to meet changing community needs. Right now, the focus for non-profits applying should be addressing basic needs including human services and emergency assistance or serving vulnerable populations.

If you would like more information about the COVID-19 fund, you can go to our [webpage here.](#)

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## New Fund Options



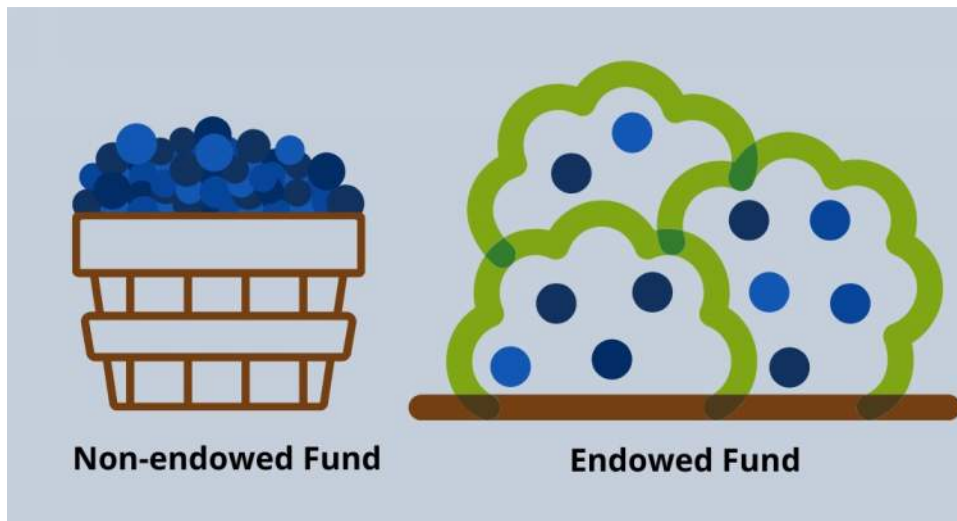
Big news from the Homer Foundation: the Board of Trustees has approved a new option for those who want to give back in the community with a timeline or project in mind. We now offer non-endowed fund options. This applies to all types of funds including donor advised, field of interest (including scholarship), and agency funds. This will allow donors and agencies a new and more flexible way to meet their philanthropic goals.

### What is the difference between an endowed and non-endowed fund?

In an endowed fund the donation is invested and never spent. The Foundation makes the income available to grant yearly awards to the charity or cause in line with or donor's intent. Because the capital is never touched, an endowment can continue making an impact indefinitely.

A non-endowed fund may use the initial donation as well as any interest and earnings, to support a charitable purpose that the donor has chosen. A non endowed fund can have a greater impact sooner, with a specific timeline or project in mind, but it is finite. When all of the capital and earnings have been disbursed through grants or scholarships, the fund ceases to exist.

### Endowed or Non-endowed: Which is right for me?



Either fund can produce an abundance of good in the community. The primary difference between an endowed fund and a non-endowed fund is the permanency. If that is one of your giving goals, then an endowed fund is the best choice. If you are more interested in a finite period of giving, or not sure if you're ready to create a permanent fund, then a non-endowed fund may be the right choice. Many non-endowed funds are later converted to endowed. Here are some thoughts on fund type:

- **Choosing an endowed fund**
  - Creating an endowment is like planting a tree that will provide fruit for every season for years to come. An endowed fund offers a way for donors to fund a cause or organization they believe in, forever. Permanent gifts provide peace of mind knowing that the community issues and organizations you care deeply about will be funded on a regular and sustainable basis, both now and long after the donor is gone.
  - Donors recognize that endowments are particularly important when lean economic times hit, as they provide a base of funding that may allow the Homer Foundation to support community issues, even when annual donations are scarce. This is a way to support an organization's work indefinitely.
- **Choosing a non-endowed fund**
  - Many donors are motivated to give during their lifetime but are not seeking perpetuity. These donors may want to see the results of their gift. A non-endowed fund enables you to be responsive to immediate community needs with the full value of the fund.

Want to know more about non-endowed funds or the Homer Foundation? Drop me an email at [mikemiller@homerfoundation.org](mailto:mikemiller@homerfoundation.org), call 907-235-0541 or just swing by the office at 3733 Ben Walters Lane in Homer.

## 2020 Summer Picnic- COVID Style

The Homer Foundation has come to the hard decision to cancel our traditional summer picnic. Our picnic is usually held in July and is an informal event held by the board to thank our donors and fund advisors. Due to the uncertainty and health risks associated with group gatherings, and following the recommendations from the CDC and DHSS, we have decided



to change the format of our gratitude. The board is still working on the details but we will be sure to let all of our donors know our appreciation in a COVID-safe manner.

---

## Zero Interest Loan Option

**Bridge Loan doubled from \$5,000 to \$10,000. More flexibility allowed.** The Foundation has always had a 0% loan program for non-profit organizations with a \$5,000 cap. This program is for non-profits experiencing a short-term cash flow issue. Due to general inflation since this was first enacted years ago, the Board of Trustees felt like a change in amount was necessary for our community and also gave itself leeway to both extend the traditional 60-day payback time frame and/or make some of or the entire loan forgivable if the situation warrants extraordinary action. Contact the staff if you have any questions about this program.

---

## Quick Response Community Grants So Far This Year...

We have had a few organizations come to us with requests for help to change their programming in these COVID-19 times. Here are three examples of ways we are supporting our community with these transitions:



Friends of the Homer Public Library requested support for their Summer Reading Program



Center For Alaskan Coastal Studies has received \$3,000 to help change their youth programs.



Pratt Museum has created a new position to help transition their summer programs into a digital format.

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## Other Grant Programs: Scholarships and YAC 2020

# Kenai Peninsula unemployment benefit claims in April

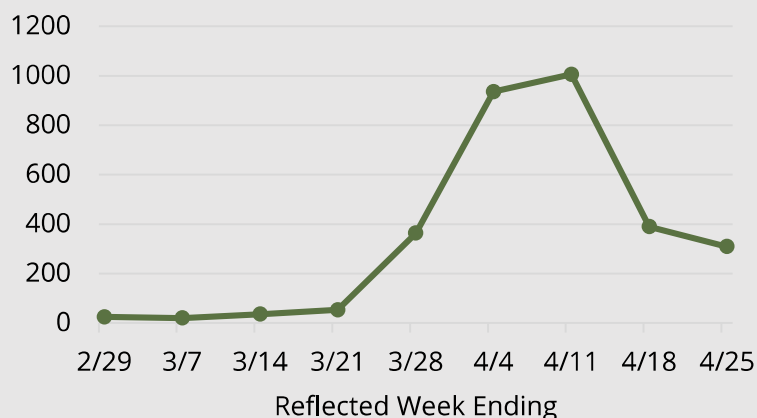
## Claims by Industry

Food Services	504
Health Care & Social Assistance	496
Construction	471
Retail & Wholesale Trade	439
Mining (oil & gas)	359
Transportation	279
Accommodation	274
Public Administration	138
Education	104
Administrative Services	93

## Kenai at a glance

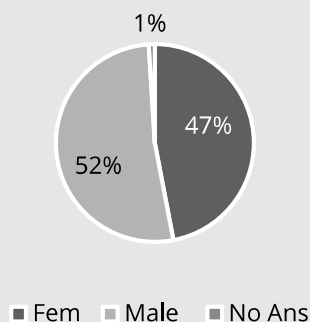
Share of state population	8.0%
Share of state claims, April	8.0%
Total April claims	3,835
Increase from April 2019	510%
Average wage replacement	80%
Average weekly payment	\$842
First-time claimants	47%
Share with Dependents	27%

## When Kenai claimants received their first payment



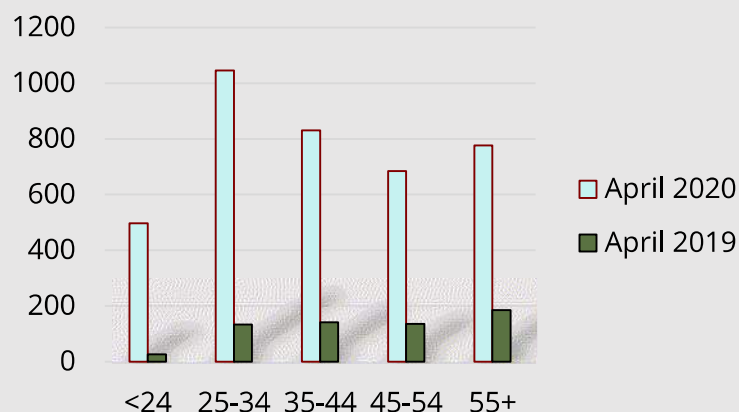
79% of Kenai claimants received their first payment on or after 3/28

## Female-male split



Source: Alaska Department of Labor and Workforce Development, Research and Analysis Section

## Kenai claimants by age group





## City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Public Works

3575 Heath Street  
Homer, AK 99603

[publicworks@cityofhomer-ak.gov](mailto:publicworks@cityofhomer-ak.gov)

(p) 907-235-3170

(f) 907-235-3145

# Memorandum

TO: Rick Abboud, Acting City Manager  
FROM: Carey Meyer, City Engineer  
DATE: June 18, 2020  
SUBJECT: **Report – HERC I and II – Demolition Costs**

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The City Council passed Ordinance 19-38(A)(S) which authorized the completion of a HERC Demolition Study. Budget was \$35,000; actual costs to complete the study will be \$13,000. Public Works has completed the following tasks to better understand the cost of demolishing the HERC buildings:

Complete a hazardous material survey – samples were taken by Environmental Management, Inc. (EMI) of building materials to identify location and quantities of hazardous materials (asbestos, lead based paint, and other regulated materials) for laboratory testing. Asbestos and lead based paint was identified.

Hazardous material removal/disposal costs determination – EMI completed cost estimates for this work, based on State/Federal regulatory, environmental health, and KPB landfill requirements. Assumption: all asbestos containing materials can be disposed of at the KPB Soldotna landfill.

Building demolition costs – Based on the experience of Public Works personnel and discussion with several building demolition contractors, per square foot costs for demolishing, removing demolition debris, and disposal in the Homer KPB landfill were determined. Assumption: all building demolition debris can be disposed of at the Homer KPB landfill\*.

- A representative sample of the building debris stream is being collected and a TCLP test to determine landfill acceptance will confirm assumption. Expect test to acknowledge landfill suitability. Hazmat survey report finalized upon receipt of test results.

Inspection/administration costs – the costs of preparing bid documents, bidding, awarding, inspecting and administering a demolition contract were determined. Assumption: all work completed by the Public Works Department.

## Demolition Cost Summary

	Units	Quantity	Unit Price	Cost
Mobilization/Demobilization	LS	1	\$36,500	\$36,500
Removal/Disposal of RACM*	LS	1	\$77,000	\$77,000
Removal Disposal of Non-RACM	LS	1	\$46,500	\$46,500
Building Demolition/Disposal	SF	25774	\$12	\$309,288
Foundation/Build Slab Removal	LS	1	\$59,000	\$59,000
Other Site Improvements Removal**	LS	1	\$24,500	\$24,500
Utility Disconnect/Abandonment	LS	1	\$19,000	\$19,000
Bonding/Insurance/Superintendent/etc.	LS	1	\$24,500	\$24,500
TOTAL DEMOLITION COST				<b>\$596,288</b>
Bid Document Preparation				\$17,889
Contract Administration/Inspection				\$23,852
Contingency (5%)				\$29,814
TOTAL PROJECT COST				<b>\$667,843</b>
* RACM = Regulated Asbestos Containing Material (friable)				
** parking areas, sidewalks, lighting, skateboard park, seeding etc.				
			HERC I Cost =	\$475,476
			HERC II Cost =	\$192,367

During bid document preparation, decisions regarding the following issues could marginally increase or decrease the cost of demolition, including:

- Salvaging of reusable materials – concrete can be processed on-site and sold for fill.
- Gluelam beams can be salvaged and sold.
- Gymnasium flooring can be salvaged and sold.
- Contracting hazardous material removal with demolition could reduce overall costs.
- Purchasing property near the site that needs fill to make it developable could reduce debris disposal costs.



## City of Homer

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## Office of the City Manager

491 East Pioneer Avenue  
Homer, Alaska 99603

[citymanager@cityofhomer-ak.gov](mailto:citymanager@cityofhomer-ak.gov)

(p) 907-235-8121 x2222

(f) 907-235-3148

## Memorandum

TO: Mayor Casnter and Homer City Council  
FROM: Rick Abboud, Acting City Manager  
DATE: June 25, 2020  
SUBJECT: July 1<sup>st</sup> City Manager's Report

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### Capital Projects and Resolution 20-050

The memo and spreadsheet detailing capital projects recommended for delay or continuation was provided last minute to Council in the June 22 supplemental packet. I want to ensure Council has had a moment to review this information and offer input if needed and have reattached the associated documents. Please see the attached memo and spreadsheet.

### Alaska Food Hub and HERC

A request for use of the HERC (specifically a portion of the upstairs classroom and hallway) on a weekly basis was received by the Alaska Food Hub this past Monday. The City passed Resolution 18-006 which limited HERC use (for the gymnasium and adjacent classroom) for community recreation programs. Since the Food Hub's request is for a regular weekly use of the facility, I am recommending a short-term lease approach. Once a lease application has been submitted and reviewed by staff, resolutions both approving of the short-term lease and modifying Resolution 18-006 to permit the HERC to be used for non-community recreation purposes may be necessary. There are other organizations that may also want to use the HERC in the future if policies concerning the building change.

### Seawall Special Assessment District (SAD) Petition Update

Resolution 20-060 is before Council at Wednesday's meeting and if passed, will be Council's authorization to initiate the SAD process for the seawall toe improvements. An application to initiate a SAD was also received by a benefitted property owner on June 9<sup>th</sup>. If the resolution before Council fails tonight, the City will send out a petition to initiate a SAD as requested by the property owner per the process outlined under HCC 17.02.040 – Initiation of a Special Assessment District.

### Enclosures:

1. Capital Projects Memo and Spreadsheet
2. HERC excerpt from 2020 Land Allocation Plan, Resolutions 13-095 and 18-006





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(f) 907-235-3148

### Memorandum

TO: Mayor Castner and Homer City Council  
FROM: Rick Abboud, Acting City Manager  
DATE: June 19, 2020  
SUBJECT: Follow-Up to Resolution 20-050 – Capital Projects

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Council directed the City Manager to work with Departments and assess approved capital projects in order to protect the fiscal health of the City and the City's ability to continue providing essential services. Through this effort, I am using staff recommendations to delay 10 capital projects listed below until FY2021 (1 project no longer requires funding) with all others detailed in the attached spreadsheet permitted to proceed. Almost all capital projects for the years 2018-2020 are included because capital projects, once approved, have a lifespan of three years. I have also presented approved projects for 2021, since any 2018-2020 delayed projects may have a trickledown effect on work slated for next year. I welcome and encourage Council's input regarding projects recommended for delay or for those recommended to proceed. Administration and Finance will then revisit this topic with Council after the first and second fiscal quarters' revenue is booked to determine if projects recommended for delay can resume or if additional delay of projects is needed.

As an aside, mid-year adjustments typically have occurred in August or later (after review of the 2<sup>nd</sup> Quarter Sales Tax Report is complete and staff have a general a sense of the audit). Additionally, budget amendments can occur throughout the year. Any funding requests made will take into account the direction provided by Resolution 20-050.

I have also reported the ways in which departments are addressing a conservative fiscal approach to their operating needs in the June 22 Manager's Report and will share additional input provided by Department Heads on this topic to Council in future Manager's Reports.

### Projects Recommended for Delay Until 2021

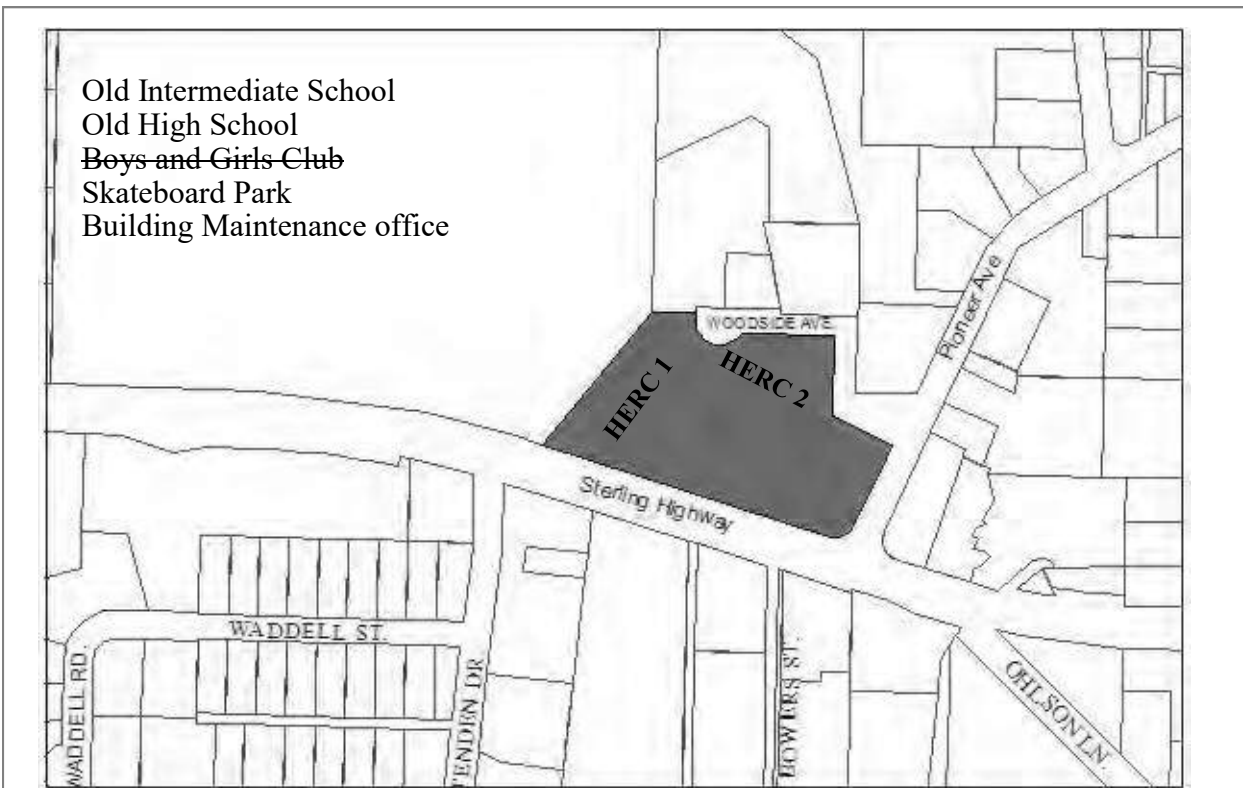
Department	Project	Cost	Funding Source	Comment
PW- Parks	Kachemak Bay points of entry signs	\$750	156-0385	Funding no longer needed.
P&H	Escape Ladders	\$40,000	456-0380	This \$40,000 was an approved budget item in our 2019 budget but not used because we received an appropriation in 2018 for \$37,299 that allowed us to buy before Tariffs on Stainless Steel took effect, saving the Enterprise a 20% increase in project costs.
P&H	Ramp 3 parking lot drainage improvement	\$24,500	456-0380	Recommend that we postpone this project until spring of 2021, not essential.
Econ. Dev./Planning	Hiring a consultant to develop a wayfinding/streetscape plan	\$50,000	160-0375; 165-0375	Given Homer's low visitor numbers this year, and the difficulty of convening groups for public input on the plan, recommend delay until 2021.
HPD	Cell phone replacement	\$12,320	156-0394	This project is important but can be delayed.
PW-GF	Hornaday Park Main Restroom Prelim Design	\$15,000	156-0395	Work has not started. This cost is for design only.
PW- Parks	Ballfield Maintenance (#1 of 6)	\$20,000	156-0385	Not started. Can be delayed.
PW-Parks	Pioneer Ave Banners	\$10,000	156-0385	Not started. Can be delayed.
PW-Parks	Fire rings	\$10,000	156-0385	Not started. Can be delayed.
P&H/Council	Spit Parking Study	\$20,000	156-0387	Recommend delaying project till 2021 as this summer's activity not representative of an average year.
P&H	1995 Grove Manlift MV11	\$30,000		Recommend that we postpone this project for a year.

City of Homer 2018-2021 Approved Capital Projects and Pending Projects												
	2018 Capital Project	Council Approved Amount	Is project currently underway? Are majority of project funds from other sources? Is project necessary for public safety and welfare? Is project self-recommended to your department? Can you delay this project? Please provide justification for your response. If project is already complete, write "completed."	2018 Capital Project	Council Approved Amount	Is project currently underway? Are majority of project funds from other sources? Is project necessary for public safety and welfare? Is project self-recommended to your department? Can you delay this project? Please provide justification for your response. If project is already complete, write "completed."	2018 Capital Project	Council Approved Amount	Is project currently underway? Are majority of project funds from other sources? Is project necessary for public safety and welfare? Is project self-recommended to your department? Can you delay this project? Please provide justification for your response. If project is already complete, write "completed."	2021 Capital Project	Council Approved Amount	Is project currently underway? Are majority of project funds from other sources? Is project necessary for public safety and welfare? Is project self-recommended to your department? Can you delay this project? Please provide justification for your response. If project is already complete, write "completed."
MPD	RAID for Police Chief	\$40,000	Completed	Police Officer Vehicle 12	\$40,000	Completed	Cell Phone Replacement	\$12,000	Not started. This project is important but can be delayed.			
	20th Design for the New Police Station	\$475,000	Completed	Officer Laptop Replacement	\$12,000	Completed	Microphone Link Replacement - Phase 1	\$11,000	Not started. Waiting to see if funding can be secured through application to ADA grant. This project is connected to "Radio Repeater system" project. This work is important for use for the communications link at the new station and can occur.			
	Traffic Speed Monitoring Device	\$5,000	Completed	Project Management, Design Support, Early Site Civil Construction and Land Purchase Management Associated with the New Homer Police Station Project	\$1,007,800	Completed	Replace 2 Dispatch Workstations	\$40,000	These workstations have been shipped. They will be arriving next week and will be going into the new building.			
	Geotechnical Investigation and site study for new police station	\$17,500	Completed	Complete the New Homer Police Station Project	\$1,285,800	Not completed						
				Shifting of Two New Police Vehicles	\$36,000	Completed						
Police	Agency management software	\$3,800	Completed				Metal Security Rolling Counter Door	\$3,000	Not started. This is a security feature for the Clerk's office. The rolling door is also new door lock, leaving the office vulnerable to access during after hour meetings and events when Clerk's office staff is not present.			
							Records Storage Space/Document Management System	\$8,000	Not started. Many city records are maintained independently in paper form in the Clerk's office, in the department, or in the city's central record storage area. Involving a document management system will allow city records to be stored electronically and allow users to access the records directly from the document management system creating a more efficient use of staff time. These programs can also be set up to include a records retention component that will aid in downsizing our current retention process city wide.			
IT	Cloud Server and storage refresh	\$20,000	Not started. Tying this purchase with the Departmental Server purchase was the strategy to get some economies of scale and make this budget target. Additional money may be needed to complete this. Current servers need to be replaced no later than Spring 2021. Not proceeding until City records, data, and over all other security posture is significant risk. With COVID-19 city is relying on technology more than ever. Paper records are really no longer an option for daily use.	Current Microphone Work	\$10,000	Not started. This was planned to be completed this summer since and the system requires the new police station to be complete. Not pursuing this severely impacts the city's internal network capacity and resilience. Delay is not advised.	Departmental Servers	\$50,000	Not started. No progress due to COVID response. Not proceeding paper form in the Clerk's office, in the department, or in the city's central record storage area. Involving a document management system will allow city records to be stored electronically and allow users to access the records directly from the document management system creating a more efficient use of staff time. These programs can also be set up to include a records retention component that will aid in downsizing our current retention process city wide.			
MPD	Trucks for Argo	\$6,000	Completed	New command vehicle	\$75,000	Command vehicle and response ability 2 as a command vehicle project is almost complete and coming in very close to budget of \$60,000 for completion of both. The remaining work can be completed until later in 2020 or 2021.	Vehicle Replacement	\$15,000	Completed and came in under budget.	Lighting Upgrade	\$24,000	Not started. This project can be postponed if necessary.
				Response ability 2 as command vehicle	\$105,000	Not done.	Self contained breathing apparatus (SCBA) replacement	\$170,000	The Axi Grant was submitted for this project in February to cover 85% of the cost. We expected to hear about the awarding of this project by September 2020 however, with the COVID-19 situation we are experiencing the award announcements are expected to be delayed. We had very optimistic that we will be approved for the grant funding and will not need full funding from City funds but if we do not get the grant we will need to purchase the SCBA as such we no longer complete and this is a needed requirement for public safety.	Thermal Imaging Cameras	\$64,000	Not started. This project is not recommended for postponement as it is personnel/safety equipment directly related to the safety.
				Emergency repairs to fire truck	\$100,000	Completed				Brush Truck Replacement	\$95,000	This project is not recommended to be postponed. HOFD has a very aged fleet that is already behind the recommended replacement schedule. HOFD is concerned that the amount allocated for this project does not accurately represent what will be needed to replace this unit. Staff will come back to Council if additional budgetary authority is required.
				Safety Equipment	\$30,000	Completed						
PPG - GH	2 1/2 ton Truck	\$115,000	Completed	Jeep maintenance equipment	\$20,000	Equipment has either been purchased or ordered.	Roof repair replacement	\$105,000	Roof replacement is 98% complete. Gutters would require a \$1000 change order. We recommended the gutters be installed at this time. Cost of roof itself was \$105,000, so we are still within budget, even with the gutters.	4 600 CAT GRADER	\$200,000	This is necessary for public safety & welfare. We use the grader for summer and winter street work.
	Brush Cutter	\$75,000	Completed. This was a cutting head, not a self-contained machine.	Airport security cameras	\$20,000	Not started. BPP for airport and library security cameras is 98% complete but has not been released. Public safety risk for this project has been contained.	Mattress Road Gas Line Relocation	\$20,000	Work is not yet complete - but must be done, per AD regulation. We dug a ditch and decreased the cover over an Enstar gas pipe. We need to get them to lower their bid.			
	City Hall Roof Design	\$25,000	Completed	City Hall Roof Replacement Project	\$225,410	Completed	Pool Island Replacement	\$85,000	This work has not yet started, but some progress needs to be made. Please don't do this, we'll need to spend \$200 on cathodic protection design and construction, every 2 years.			
	Brush Cutter	\$26,000	Completed. This is the "arm" that attaches the cutting head to the trailer.	Design terminal roof replacement	\$13,000	Completed	Bermadig Park Main Restroom Problem Solving	\$50,000	Work has not started. This is the design only.			
	Rescue Hydraulic Vehicle LIR	\$12,000	Completed	Security camera replacement	\$100,000	Represented extra costs related to the Airport Security Camera project. BPP for airport and library security cameras is 98% complete but has not been released. Public safety risk for this project has been contained.	2018 SMOKE VAC TRUCK BODIES MODIFICATION	\$50,000	Initial cost is \$250 split between 3 funds. This necessary to order to continue to use the vehicle.			
				Inventory replacement	\$6,000	Not started. Not done.	ADSD John Deere Backhoe	\$55,000	Initial cost is \$250 split between 3 funds. The machine has been ordered. Vendor is willing to finance the equipment, but Finance recommends that, unless financing is needed, to purchase the vehicle that will.			
				Inventory policy change accounting	\$12,110	This is an accounting equipment - represents PPG's inventory of assets, materials, etc.	Matchman Asphalt Mixer	\$26,600	Initial cost is \$250 split between 3 funds. Completed.			
				GIS equipment replacement	\$6,810	Completed	Plan through funds for ADSD Lake Street Project	\$10,820	Not to be reimbursed by ADSD.			
				ADSD Lake Street Project	\$99,000	City to be reimbursed for this expense through ADSD.						
Parks	Ballfield Key Points of Entry Signs (3)	\$7,000	Not started. Funding no longer needed.				Ballfield Maintenance (34 of 42)	\$10,000	Not started. Can be delayed.			
							Senior Ave Barriers	\$10,000	Not started. Can be delayed.			
							Ball Field	\$10,000	Not started. Can be delayed.			
PPG - HOFD	2 1/2 ton Truck	\$280,000	Completed	Refugee POC at DTP	Completed	Completed	Commercial Motor Replacement	\$80,000	Completed. The remaining 2 is for some commercial/industrial mechanical assistance with installation.	Video loggers for leak detection	\$18,000	Will evaluate project at end of year beginning of 2021.
	Pressure Reducing Valves	\$21,000	Completed	1 ton crew cab pickup with flat bed	\$49,000	Completed	Watch Repair Kit Station Enclosure	\$17,000	Completed. The remaining 2 is for some commercial/industrial mechanical assistance with installation.			
	Installation of water on site tanks	\$10,000	Underway	1 ton pickup with flat bed	\$49,000	Completed	STP valves and job orders	\$18,000	Required to meet regulatory requirements.			
	Bridge Creek Electrical Preservation	\$14,000	Completed. Communication equipment on Henry Highlands property	2018 Police Vehicle Purchase	\$20,000	Completed	WTP valves and job orders	\$18,000	Completed.			
	18 station electrical components	\$65,000	Underway. Installation multiple 18 stations.	Monitoring Gas Tables	\$50,000	Completed	Gas detection system	\$6,000	Completed.			
	Electrical enclosure for pump/generator	\$17,000	Completed	Muffin muffler rebuild	\$10,400	Completed	Storage for WTP	\$10,000	Required for public safety. This needs to be done every few years and we are due.			
	Shut air meter at WW	\$11,000	Completed	Flat bed with tool box and headache rack	\$6,000	Completed	Business Meeting Equipment	\$12,500	Completed.			

Department	2018 Capital Project	Council Approved Amount	Is project currently underway? Are majority of project funds from other sources? Is project necessary for public safety and welfare? Is project self-recommended to your department? Can you delay this project? Please provide justification for your response. If project is already complete, write "completed."	2018 Capital Project	Council Approved Amount	Is project currently underway? Are majority of project funds from other sources? Is project necessary for public safety and welfare? Is project self-recommended to your department? Can you delay this project? Please provide justification for your response. If project is already complete, write "completed."	2018 Capital Project	Council Approved Amount	Is project currently underway? Are majority of project funds from other sources? Is project necessary for public safety and welfare? Is project self-recommended to your department? Can you delay this project? Please provide justification for your response. If project is already complete, write "completed."	2021 Capital Project	Council Approved Amount	Is project currently underway? Are majority of project funds from other sources? Is project necessary for public safety and welfare? Is project self-recommended to your department? Can you delay this project? Please provide justification for your response. If project is already complete, write "completed."
	High-end multi computer at STP	\$40,000	Completed	Water Treatment Plant Chlorine Control Unit	\$23,000	Completed	Replacing failed heat motor at sewer plant	\$1,100	Required for workforce safety. This item is not budgeted but is needed.			
	Wastewater Treatment Plant HVAC Remediation Project	\$62,250	Completed	STP HVAC Control system upgrade	\$83,000	Completed	2018 SOWER VAC TRUCK BROWNS ADOPTED TO DO	\$10,000	Total cost is \$235k split between 3 funds. This is necessary in order to continue to use the vehicle.			
	Art Station Electrical Components	\$12,000	Underway - involves multiple RH stations	1/2 ton pick-up truck	\$33,000	Completed	MSD John Deere Backhoe	\$110,000	Total cost is \$400k split between 3 funds. The machine has been ordered. Vendor is willing to finance the equipment, but Finance recommends that, unless financing is needed, to purchase the vehicle outright.			
				OS equipment replacement	\$33,610	Completed	Packman Asphalt Mixer	\$53,130	Completed. Total cost is \$900k split between 3 funds.			
PHS	Public speaker system	\$15,000	Applied for EDA grant funding. Project is an essential maritime safety tool as it will greatly improve our VHF capabilities for our Port/Harbor employees in the field by easily extending our VHF communications range thus creating a direct public safety benefit for mariners and maritime home owners and/or adventures. I approved the majority of project funds will come from the EDA grant.	Design Ladders	\$40,000	This \$40,000 was an approved budget item in our 2019 budget but not used because we retained an operation in 2018 for \$17,299 that allowed us to buy better Turbix on Stainless Steel tool effect, saving the Enterprise a \$400 increase in project costs.	PH Grinder Outfall Line Pump	\$15,000	is very important that we have a backup-outfall line pump in stock as this equipment essential to our operations on the spit. All spent for cutters are processed through the 1st grader and then pumped through the DEC approved outfall line into the bay. Because these pumps are special order and take weeks for us to receive we must have a spare on the shelf ready to be installed in case of a breakdown. Public works/water/sewer maintain the outfall line on	Commercial Barge Ramp Improvement	\$6,000	Damage to the asphalt at the bottom of the ramp and we will evaluate during the next extensive tide survey to determine if we can get off the repair for another year.
	Truck replacement 2000	\$10,000	Completed	Fire cart re-build	\$25,000	Project is not currently underway. Maintenance staff are working to source a 40K compliant replacement engine, in a vehicle to the new 60K standards due to the fact that fire fighting equipment is mandated.	Shore Pile Replacement	\$8,000	Recommended we re-evaluate in October for a end of year purchase if possible	Spit Camp Plan	\$25,000	Will evaluate project's ability to occur in 2021 at end of year. Split between Harbor Reserves and Planning Reserves.
	Harbor log fire response upgrade	\$12,000	Completed	Truck mounted vending unit	\$10,000	Project Complete	Electrical Loadbank Testing Equipment	\$6,000	Recommended we re-evaluate in October for a end of year purchase if possible			
	Fuel system escape Ladders	\$45,000	Completed	Ramp 2 parking lot drainage	\$24,000	Recommended that we postpone this project until spring of 2021, not needed	Spit Parking Study	\$20,000	Recommended delaying project till 2021 as this summer's activity not processing of a project yet			
	Purchase of Escape Ladders for Homer Harbor Camp/Spit	\$57,700	Completed	Installation of the spit fish grinding job station	\$31,700	Completed	2019 Green Month MVL1	\$50,000	Recommended that we postpone this project for a year we can reuse the equipment along the spit again			
	Redesign of the Ramp 2 Harbor Roadline Prevention Facilities	\$15,810	Completed	Consultation Contract that evaluates Options and Land Recommendations for Optimizing and Logging the Ice Plant	\$40,000	Completed	Pack through funds for deep water dock repair	\$100,000	Project started and will be reimbursed by vessel owner's insurance			
	Section 12 Planning Assistance to State Region Study for Large Island Harbor Region Project	\$10,000	Completed	Deep water dock contingency planning	\$10,000	Completed	Marketing and conducted a Corp General Investigation Study for the Homer Large Island Park Expansion	\$750,000	Not able as a commitment, awaiting match from ADOPT (270%) and payee (24.5M)			
	Section 12 Assistance for the Ice Dock	\$62,200	Completed	Harbor Barge Mooring Facility	\$47,400	Work started and project will be closed out by June 30						
				Purchasing and installing fencing for large island project area	\$18,100	Completed						
PARCAC	Water trail pavilion to fish cleaning table	\$12,500	Completed									
Library				Library Security Cameras	\$20,000	Not started. RFP for this service will also include Airport Security Cameras. This is a public safety issue for the library, since the existing security camera system has reduced functionality.	Library Technology Upgrades		Only one in the process of applying for a CARES Act grant through the Institute of Museum and Library Services (IMLS). If approved, the grant would provide 100% of the funding for a variety of upgrades to library technology, including 1. extending wireless coverage to the library parking lot, 2. purchasing laptops for checkout, 3. purchasing hotspots for checkout, 4. purchasing self-checkout machines for use inside the building, 5. converting the library's circulation system from barcode and magnetic strip to radio frequency ID (RFID) technology, and 6. replacing the existing genre management software with a system that can accept remote printing. The grant application is due June 12. The funding decision is announced in August, and the project would be underway September 2020-August 2022. (PDSM)			
				Additional funding for security camera replacement	\$10,000	See above.						
Council	Traffic Calming and Safety Improvements on Kenai-Homer Park Road	\$48,100		2017 General Fund Surplus to Public Safety	\$100,000	Completed						
	Upgrade Recording System	\$4,100	Completed	On Campus Station	\$15,000	Completed						
	Technical assistance with HRC	\$3,000	Completed	Arch. Accessibility trail on City/PHC7	\$13,900	Completed						
	LED light Conversion at City facilities	\$4,250	Almost complete - have to finish conversion at Harbormaster's Office	HRC demo study	\$35,000	Almost complete						
ADA	Professional Design of an ADA Accessible Trail on City of Homer Property known as spit 2 (aka 2) Seaford/Edwards	\$5,000	Completed				Spit Handicap/ADA vehicle parking improvement	\$14,500	Per ADA Coordinator Jacobson, it is necessary for public safety and welfare for citizens with mobility issues, accessible parking is mandated by the ADA, and the parking on the spit is out of compliance with the ADA.			
Planning				Doing a consultant to develop a wayfinding/landscape plan	\$50,000	Not started. Spent Homer's line order surplus this year, and the difficulty of convincing groups for public input on the plan, recommended delay until 2021. Pushed through HRC.	Acoustic Hazard Analysis and a Coastal Erosion study	N/A	Not on projects that are kept by HRC without the use of any City funds (not on the capital project list).	Spit Camp Plan	\$25,000	See PHN comment on project.
							Hazard Mitigation Plan Update	N/A	Planning Director Albrecht working on getting an update from the state who is the federal government working with some FEMA funding and manager of this project they have already accepted. Again not on capital project list.			
Projects that will require City funds if grant is awarded (pending)							Homer Harbor Lateral Protection Project	N/A	Not on projects that are kept by HRC without the use of any City funds (not on the capital project list).			
							Port & Harbor Communications Upgrade Project	N/A	2020 EDA Cluster grant application out that requires 20% local match of \$15,075. The communications upgrade was originally funded in 2017 for a five-year period to \$15,000 (not yet expended) and just recently re-authorized to apply for a cluster grant which will enable the City to move our base station to Spine and replace our handsets that are no longer serviceable. If we win the grant the additional \$20,075 will come out of PHN reserves to complete the project. The EDA grant for PHN communications will go before the EDA Internal Review Committee the beginning of July. If funded, we could be hearing about that soon with grant agreements prepared to be out in November and be set to get an ordinance to Council in December.			

Department	2018 Capital Project	Council Approved Amount	Is project currently underway? Are majority of project funds from other sources? Is project necessary for public safety and welfare? Is project still recommended to meet design not meeting the above mentioned statements? Can you delay this project? Please provide justification for your response. If project is already complete, write 'completed.'	2019 Capital Project	Council Approved Amount	Is project currently underway? Are majority of project funds from other sources? Is project necessary for public safety and welfare? Is project still recommended to meet design not meeting the above mentioned statements? Can you delay this project? Please provide justification for your response. If project is already complete, write 'completed.'	2020 Capital Project	Council Approved Amount	Is project currently underway? Are majority of project funds from other sources? Is project necessary for public safety and welfare? Is project still recommended to meet design not meeting the above mentioned statements? Can you delay this project? Please provide justification for your response. If project is already complete, write 'completed.'	2021 Capital Project	Council Approved Amount	Is project currently underway? Are majority of project funds from other sources? Is project necessary for public safety and welfare? Is project still recommended to meet design not meeting the above mentioned statements? Can you delay this project? Please provide justification for your response. If project is already complete, write 'completed.'
							New Water Transmission Main Replacement Project	No match required	2020 October funding application approved in round 1, no match required, but may require further staff time, environmental or engineering design work to get to final funding approval, still waiting for FEMA to move onto next steps in the process.			





**Designated Use:** City Facility and other city lands

**Acquisition History:** Given to the City by KPB. Old Middle School and HS. Reso 98-63

**Area:** 4.3 acres

**Parcel Number:** 17510070

**2019 Assessed Value:** \$4,724,700 (Land \$724,700 Structure, built in 1956 25,000 sq ft \$4,000,000)

**Legal Description:** HM2000022 T06S R13W S19 TRACT 2 HOMER SCHOOL SURVEY 1999 CITY ADDN

**Zoning:** Central Business District

**Wetlands:** Creek on western edge

**Infrastructure:** Paved access and parking. Water and Sewer.

**Notes:**

- Skateboard Park on premises.
- Deed restrictions removed by Kenai Peninsula Borough, fall 2014
- HERC 1 is the larger building
- HERC 2 is the smaller building that contains PW Maintenance

**Finance Dept. Code:** 170.0032 175.100.05

**CITY OF HOMER  
HOMER, ALASKA**

Lewis

**RESOLUTION 13-095**

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,  
AUTHORIZING THE CITY MANAGER TO KEEP THE HOMER EDUCATION  
AND RECREATION COMPLEX (HERC) GYMNASIUM OPEN FOR  
PICKLEBALL, BASKETBALL, AND OTHER COMMUNITY RECREATION  
PROGRAMS THAT REQUIRE ONLY MINIMAL HEAT AND UTILITIES UNTIL  
SUCH TIME AS THE BUILDING IS DEMOLISHED.

WHEREAS, The City of Homer does not have the funds to refurbish the HERC Building or to  
operate and maintain it and it has been unsuccessful in identifying a suitable use for it going forward;  
and

WHEREAS, At a recent CIP Planning workshop, the City Council decided that it was in the best  
interest of the community to demolish the building and use the land as the site of a proposed new  
public safety building; and

WHEREAS, There are a number of steps which must be taken before the building can be  
demolished including identifying the funding for demolition and selecting a contractor through the  
City's procurement procedures; and

WHEREAS, Minimal heat must be maintained in the building whether it is in use or not in order  
to prevent pipes from freezing and snow from accumulating on the flat roof; and

WHEREAS, Pickleball, adult basketball, and other City of Homer Community Recreation  
Programs are very popular and make a large contribution to community health and the quality of life;  
and

WHEREAS, These programs involve vigorous physical activity and do not require heat above  
the minimal setting already used to keep the building in "warm status"; and

WHEREAS, Advocates for these programs have requested that the gymnasium remain open  
with minimal heat and utilities until such time as the building is demolished.

NOW THEREFORE BE IT RESOLVED that the Council finds that the gymnasium remains an  
asset for as long as the HERC building remains standing and that it would be in the best interest of the  
community to use it provided that maintenance and utility costs are minimal; and

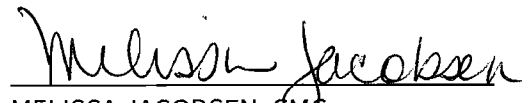
BE IT FURTHER RESOLVED that the Council hereby authorizes the City Manager to keep the  
HERC gymnasium open for pickleball, basketball, and other City of Homer Community Recreation  
Programs that require only minimal heat and utilities until such time as the building is demolished.

PASSED AND ADOPTED by the Homer City Council this 23<sup>rd</sup> day of September, 2013

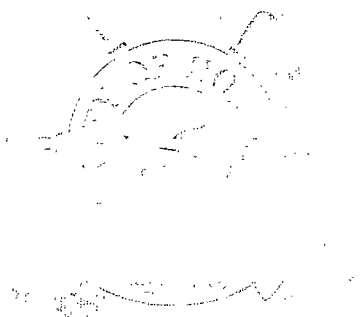
CITY OF HOMER

  
MARY E. WYTHE, MAYOR

ATTEST:

  
MELISSA JACOBSEN, CMC  
DEPUTY CITY CLERK

**Fiscal Note:** Estimated additional \$15,000 for electric and maintenance; \$7,500 in 2013 and \$7,500 in \$2014.



**CITY OF HOMER  
HOMER, ALASKA**

Lord

**RESOLUTION 18-006**

A RESOLUTION OF THE HOMER CITY COUNCIL AMENDING  
RESOLUTION 13-095 AUTHORIZING THE CITY MANAGER TO KEEP  
THE HOMER EDUCATION AND RECREATION COMPLEX (HERC)  
GYMNASIUM OPEN FOR COMMUNITY RECREATION PROGRAMS  
THAT REQUIRE ONLY MINMAL HEAT AND UTILITIES UNTIL SUCH  
TIME AS THE BUILDING IS DEMOLISHED TO INCLUDE THE  
ADJACENT CLASSROOM AS USABLE SPACE FOR COMMUNITY  
RECREATION ACTIVITIES.

WHEREAS, Resolution 13-095 limited the use of the Homer Education and Recreation  
Complex (HERC) to only Community Recreation activities and only in the gym; and

WHEREAS, It is the City's understanding from correspondence from the State of Alaska  
Fire Marshall that opening the adjacent classroom (former shop room) to a maximum of 30  
occupants would require minimal upgrades that can be absorbed within the existing budget;  
and

WHEREAS, Opening up this classroom to Community Recreation activities will allow  
expanded opportunities in Homer for recreation such as Zumba and martial arts classes,  
among other activities; and

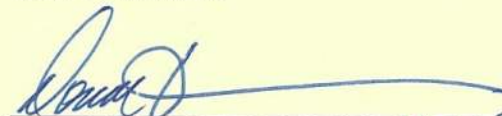
WHEREAS, Using the adjacent classroom space will not incur any additional operating  
cost beyond lighting allowing the building to remain in "warm status" with minimal heat.

NOW, THEREFORE, BE IT RESOLVED that the Resolution 13-095 is amended to include  
the adjacent classroom as usable space for Community Recreation activities.

BE IT FURTHER RESOLVED that the City Manager is authorized to contact the State of  
Alaska Fire Marshall and make necessary improvements to the space to comply with a  
maximum occupancy of 30 as long as improvements can be absorbed within existing budget.



CITY OF HOMER

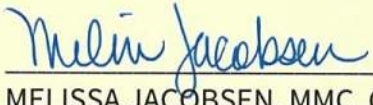
  
BRYAN ZAK, MAYOR *Mayor Pro Tem*

43 ATTEST:

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A handwritten signature in blue ink, reading "Melissa Jacobsen", is written over a horizontal line.

47

MELISSA JACOBSEN, MMC, CITY CLERK







# Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

Charlie Pierce  
Borough Mayor

June 30, 2020

## **NOTICE OF DECISION KENAI PENINSULA BOROUGH PLAT COMMITTEE MEETING OF JUNE 22, 2020**

Re: Nedosik 1998 Tract C Jack Hamilton Replat No. 2 Preliminary Plat  
KPB File Number: 2020-051

The Plat Committee reviewed and granted conditional approval of the subject preliminary plat during their regularly scheduled meeting of June 22, 2020 based on the findings that the preliminary plat meets the requirements of the Kenai Peninsula Borough Code 20.25; 20.30; 20.40 and 20.60.

### **AMENDMENT A MOTION**

An amendment motion to grant exception to KPB 20.30.240 – removal of 20 foot building setback note per HM 87-22, passed by unanimous vote based on the following findings of fact.

#### *Findings*

1. The subdivision is within the City of Homer.
2. The plat note on HM 87-22 states there is a 20-foot building setback from all street right of ways. Plat note 1 on HM 98-78 states there is a 20-foot building setback from all dedicated right of ways.
3. HM 87-22 and HM 98-78 are parent plats of the proposed subdivision.
4. KPB Ordinance 80-4, Amending the Subdivision Ordinance to Clarify Building Setback Requirements in the Area of the Borough within the Boundaries of a First-Class City, was enacted on February 19, 1980.
5. Ordinance 83-25, enacted on May 3, 1983, delegated zoning regulation to the City of Homer.
6. The parent plats were recorded after zoning regulations being delegated from KPB to the City of Homer.
7. Building setbacks within the subdivision must comply with the requirement of the zoning district per KPB 20.30.250
8. Removing the 20 foot building setback from the plat will allow the building setback to conform to current city codes as well as create the flexibility of changing if the building setback in the zoning district changes.
9. Plat note 5 state this subdivision is subject to the City of Homer zoning regulations.

A party of record may request that a decision of the Plat Committee be reviewed by the Planning Commission by filing a written request within 10 days of notification of the decision in accordance with KPB 2.40.080.

For additional information please contact the Planning Department, 907-714-2200 (1-800-478-4441 toll free within the Kenai Peninsula Borough).





US Army Corps  
of Engineers  
Alaska District

# Public Notice of Application for Permit

Regulatory Division (1145)  
CEPOA-RD  
44669 Sterling Highway, Suite B  
Soldotna, Alaska 99669-7915

<b>PUBLIC NOTICE DATE:</b>	<b>June 25, 2020</b>
<b>EXPIRATION DATE:</b>	<b>July 10, 2020</b>
<b>REFERENCE NUMBER:</b>	<b>POA-2002-00100-M2</b>
<b>WATERWAY:</b>	<b>Kachemak Bay</b>

Interested parties are hereby notified that a Department of the Army (DA) permit application has been received for work in waters of the United States (U.S.) as described below and shown on the enclosed project drawings.

All comments regarding this Public Notice (PN) should be sent to the address noted above. If you desire to submit your comments by email, you should send it to the Project Manager's email as listed below. All comments should include the PN reference number listed above.

All comments should reach this office no later than the expiration date of this PN to become part of the record and be considered in the decision. Please contact Ms. Jen Martin at (907) 753-2730, by fax at (907) 420-0813, or by email at: [jen.l.martin@usace.army.mil](mailto:jen.l.martin@usace.army.mil) if further information is desired concerning this notice.

**APPLICANT:** City of Homer, 3573 Heath Street, Homer, Alaska 99603

**LOCATION:** The project site is located within Sections 20, 21, 28, and 29, T. 6 S., R. 13 W., Seward Meridian; Latitude 59.6346° N., Longitude 151.5203° W.; Kenai Peninsula Borough; in Kachemak Bay, south of Ocean Drive Loop, in Homer, Alaska.

**SPECIAL AREA DESIGNATION:** The project is located within the Kachemak Bay National Estuarine Research Reserve.

**PURPOSE:** The applicant's stated purpose is to protect the toe of the existing seawall from erosion which would eliminate the potential for catastrophic failure, significantly reduce maintenance costs and extend wall life.



**PROPOSED WORK:** The City of Homer proposes to discharge 9,300 cubic yards of stone fill material, underlain by geotextile fabric, into 1,700 linear foot (0.98 acre) below the High Tide Line (HTL, 23.4 foot above the mean lower low water elevation of 0.0 foot) and Mean High Water Mark (MHW, 17.3 foot above the Mean Lower Low Water elevation of 0.0 foot) of Kachemak Bay, a navigable water of the U.S., to stabilize the toe of an existing sheetpile seawall. Fill would extend up to 25-foot waterward of the existing seawall. All work would occur while the site is de-watered.

All work would be performed in accordance with the enclosed plan (sheets 1-5), dated June 9, 2020.

**ADDITIONAL INFORMATION:** A DA permit (POA-2002-00100, Kachemak Bay) was issued to the City of Homer on July 5, 2002, which authorized the installation of a 2,000 linear foot sheet pile seawall, backfilled with 7,030 cubic yards of dredged material, over a 0.46-acre area below the high tide line of Kachemak Bay.

**APPLICANT PROPOSED MITIGATION:** The applicant proposes the following mitigation measures to avoid, minimize, and compensate for impacts to waters of the U.S. from activities involving discharges of dredged or fill material.

a. Avoidance: The purpose of the project is to reduce erosion of the tidal area in front of the seawall to protect the wall and the homes/properties behind it. The impact from the placement of armor rock (below the HTL) is unavoidable.

b. Minimization: The impact to tidally influenced areas has been minimized by reducing the volume of protective armor rock placement below the high tide line to the minimum practical volume.

c. Compensatory Mitigation: The project has been designed to have minimal impacts to waters of the U.S. No mitigation has been proposed.

**WATER QUALITY CERTIFICATION:** A permit for the described work will not be issued until a certification or waiver of certification, as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

**CULTURAL RESOURCES:** The latest published version of the Alaska Heritage Resources Survey (AHRs) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no cultural resources in the permit area or within the vicinity of the permit area. The permit area has been determined to be the 0.98-acre project footprint, as described above. Consultation of the AHRs constitutes the extent of cultural resource investigations by the Corps of Engineers (Corps) at this time, and we are otherwise unaware of the presence of such resources. The Corps has made a No Historic Properties Affected (No Effect) determination for the proposed project. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work. The Corps is requesting the SHPO's concurrence with this determination.



**ENDANGERED SPECIES:** The project area is within the known or historic range of the Steller sea lion Western Distinct Population Segment (*Eumetopias jubatus*), Cook Inlet Beluga whale (*Delphinapterus leucas*), Fin whale (*Balaenoptera physalus*), western North Pacific and Mexican Distinct Population Segments of Humpback whale (*Megaptera novaeangliae*), Steller's eider (*Polysticta stelleri*) and Short-Tailed albatross (*Phoebastria (=Diomedea) albatrus*). Additionally, there is designated critical habitat (Area 2) for the Cook Inlet Beluga whale below the MHW of Kachemak Bay.

We have determined the described activity would have no effect on any listed or proposed threatened or endangered species, and would not adversely modify any designated or proposed critical habitat, under the Endangered Species Act of 1973 (87 Stat. 844). Therefore, no consultation with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service (NMFS) is required. However, any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

**ESSENTIAL FISH HABITAT:** The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

The project area is within the known range of the Flathead sole (*Hippoglossoides elassodon*), Sculpins (cottidae), Pacific cod (*Gadus macrocephalus*), Skates (Rajidae), Pink salmon (*Oncorhynchus gorbuscha*), Chum salmon (*Oncorhynchus keta*), Sockeye salmon (*Oncorhynchus nerka*), Chinook salmon (*Oncorhynchus tshawytscha*) and Coho salmon (*Oncorhynchus kisutch*).

We have determined the described activity would not adversely affect EFH in the project area.

**TRIBAL CONSULTATION:** The Alaska District fully supports tribal self-governance and government-to-government relations between Federally recognized Tribes and the Federal government. Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This PN serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Commander during the public comment period.

**PUBLIC HEARING:** Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the



proposal, must be balanced against its reasonably foreseeable detriments. The outcome of the general balancing process would determine whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur. The decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Commander determines that it would be contrary to the public interest.

The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

AUTHORITY: This permit will be issued or denied under the following authorities:

(X) Perform work in or affecting navigable waters of the United States – Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(X) Discharge dredged or fill material into waters of the United States – Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

Project drawings and a Notice of Application for State Water Quality Certification are enclosed with this Public Notice.

District Commander  
U.S. Army, Corps of Engineers

Enclosures

# STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF WATER

Wastewater Discharge Authorization Program (WDAP) / 401 Certification

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

WDAP/401 CERTIFICATION

555 CORDOVA STREET

ANCHORAGE, ALASKA 99501-2617

PHONE: (907) 269-6285 | EMAIL: [dec-401cert@alaska.gov](mailto:dec-401cert@alaska.gov)

## NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice (PN) Reference Number **POA-2002-00100-M2, Kachemak Bay**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify there is reasonable assurance the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

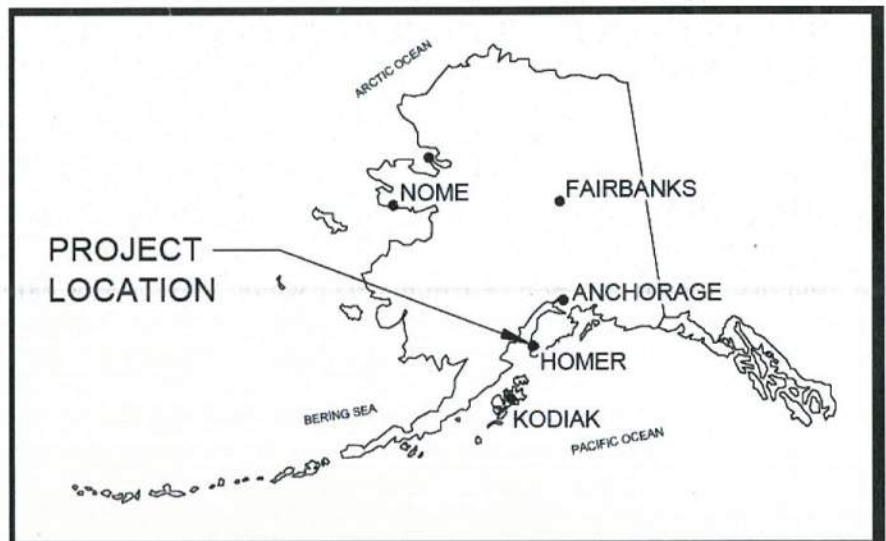
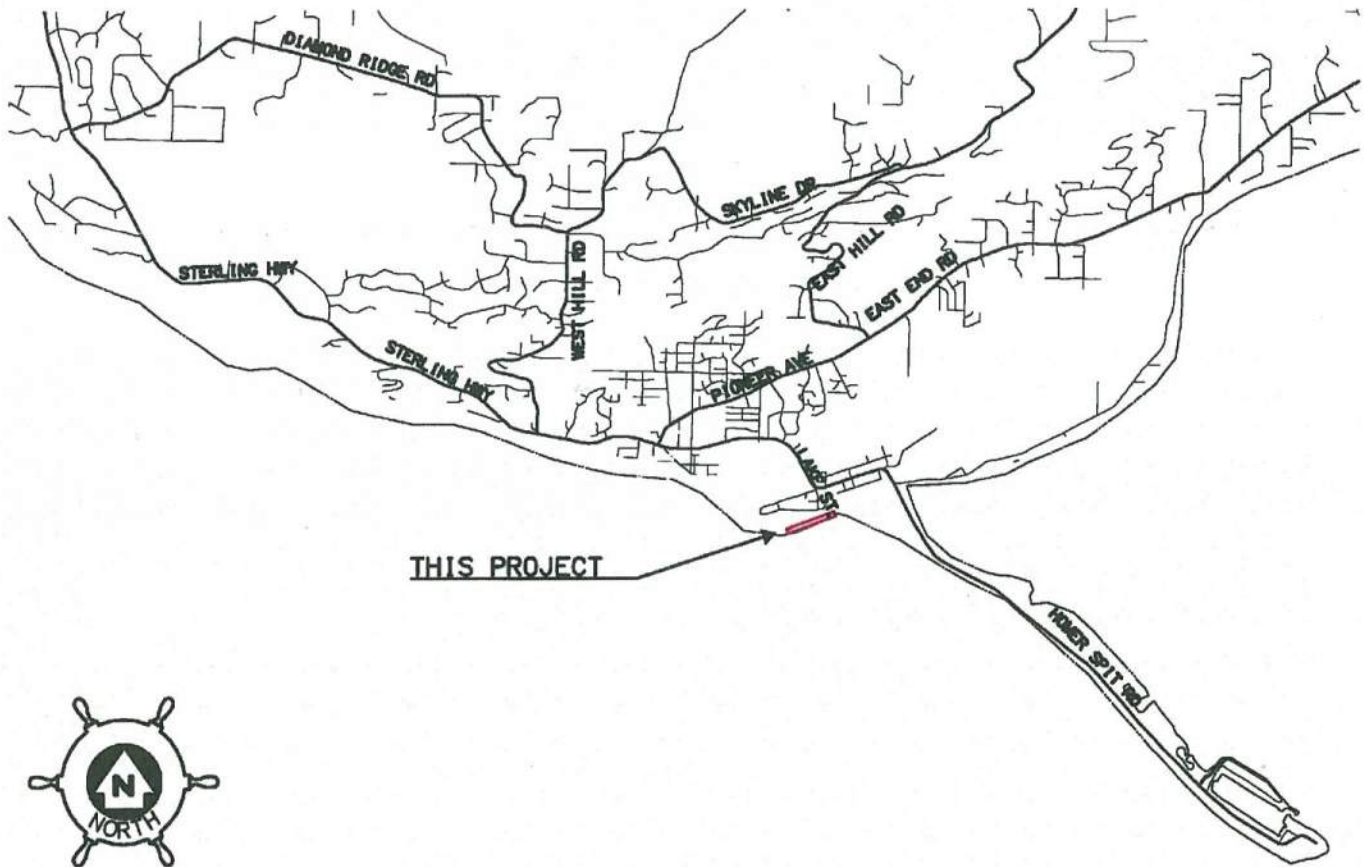
Any person desiring to comment on the project with respect to Water Quality Certification, may submit written comments to the address above or via email to [dec-401cert@alaska.gov](mailto:dec-401cert@alaska.gov) by the expiration date of the Corps of Engineer's Public Notice. All comments should include the PN reference number listed above. Mailed comments must be postmarked on or before the expiration date of the public notice.

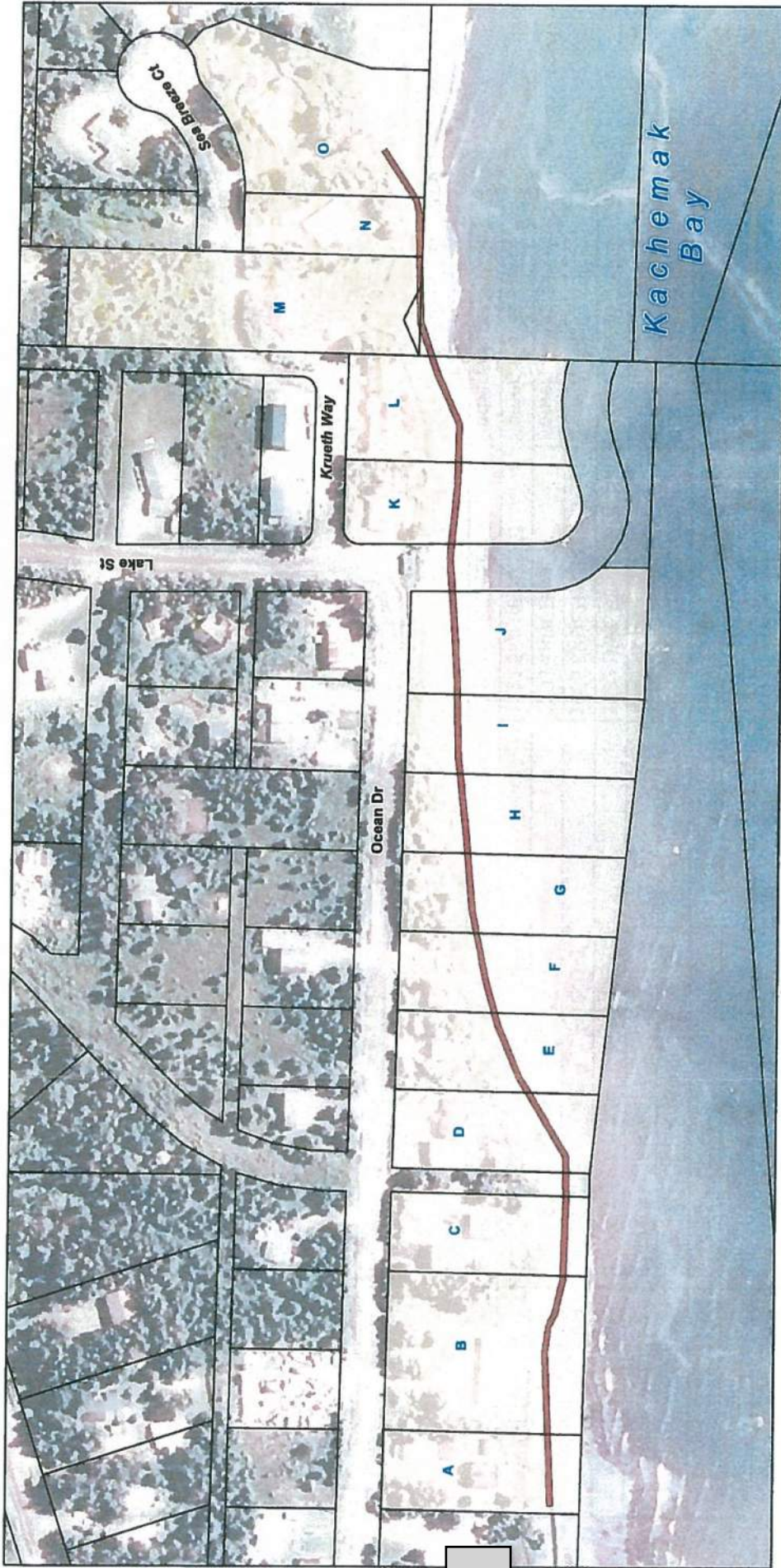
### Disability Reasonable Accommodation Notice

The State of Alaska, Department of Environmental Conservation complies with Title II of the Americans with Disabilities Act of 1990. If you are a person with a disability who may need special accommodation in order to participate in this public process, please contact Kate Orozco at 907-465-6171 or TDD Relay Service 1-800-770-8973/TTY or dial 711 within 5 days of the expiration date of this public notice to ensure that any necessary accommodations can be provided.



**VICINITY MAP**  
**HOMER SEAWALL ARMOR ROCK INSTALLATION**





  
 Disclaimer:  
 The City of Kachemak, the City of  
 Dept. of Public Works  
 Date: 6/9/2020  
 The City of Kachemak, the City of  
 Dept. of Public Works  
 Date: 6/9/2020  
 The City of Kachemak, the City of  
 Dept. of Public Works  
 Date: 6/9/2020  
 The City of Kachemak, the City of  
 Dept. of Public Works  
 Date: 6/9/2020

**MAP SHOWING ADJACENT PROPERTIES AJOINING THE WATER BODY**  
 (SEE SEPARATE LIST FOR PROPERTY OWNERS/ADDRESSES)



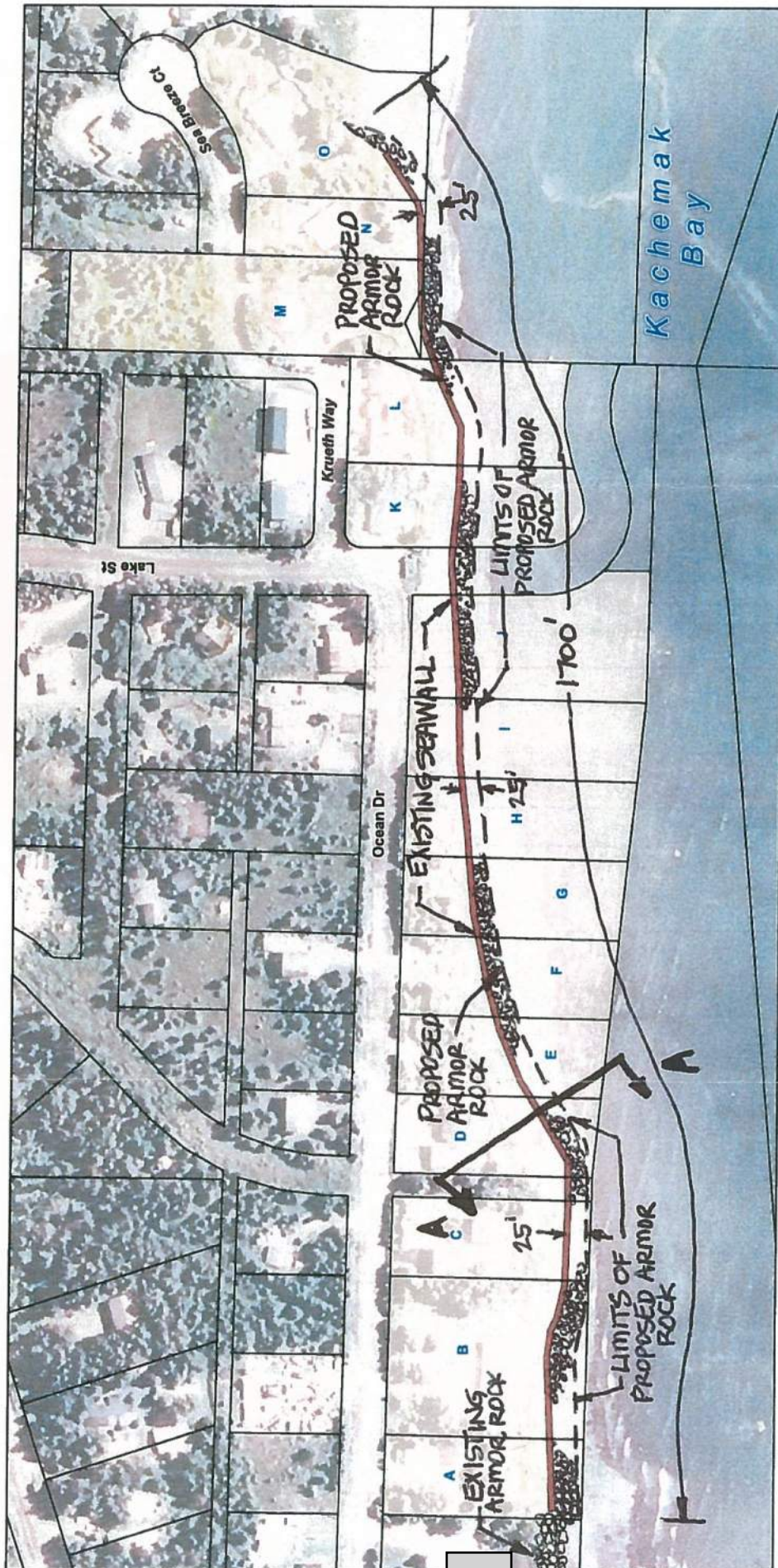
**Legend**

- Seawall - Sheet Pile
- Original Construction LID



PARCEL ID	KPB PARCEL_ID	OWNER	MAILING ADDRESS	CITY, STATE, ZIP CODE
A	17718013	MARTIN & HEATHER RENNER	811 OCEAN DRIVE LOOP	Homer, Alaska 99603
B	17718019	NEWBY REVOCABLE TRUST	829 OCEAN DRIVE LOOP	Homer, Alaska 99603
C	17718016	JOHN J & JANET L SZAJKOWSKI	869 OCEAN DRIVE LOOP	Homer, Alaska 99603
D	17717701	MARILYN AND PAUL HUEPER	895 OCEAN DRIVE LOOP	Homer, Alaska 99603
E	17717702	2016 NORMAN W SCHUMACHER REVOCABLE TRUST	917 OCEAN DRIVE LOOP	Homer, Alaska 99603
F	17717703	PATRICK & KATHLEEN IRWIN	939 OCEAN DRIVE LOOP	Homer, Alaska 99603
G	17717704	GREEN MAN TRUST	957 OCEAN DRIVE LOOP	Homer, Alaska 99603
H	17717705	FINDLAY ABBOTT	979 OCEAN DRIVE LOOP	Homer, Alaska 99603
I	17717706	CITY OF HOMER	997 OCEAN DRIVE LOOP	Homer, Alaska 99603
J	17717707	CITY OF HOMER	1017 OCEAN DRIVE LOOP	Homer, Alaska 99603
K	17717904	CHARLENE A JUMP	3102 LAKE ST	Homer, Alaska 99603
L	17717903	LARRY JACK GOODE LIVING TRUST	1065 KRUETH WAY	Homer, Alaska 99603
M	17923036	LAWRENCE A & SHARON S. KING	1103 KRUETH WAY	Homer, Alaska 99603
N	17923026	VICTORIA WILSON & CLARK WINNE	1121 SEA BREEZE CT	Homer, Alaska 99603
O	17923028	DAVID A & ROXANNA E LAWER	1137 SEA BREEZE CT	Homer, Alaska 99603

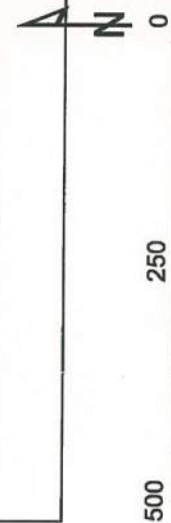




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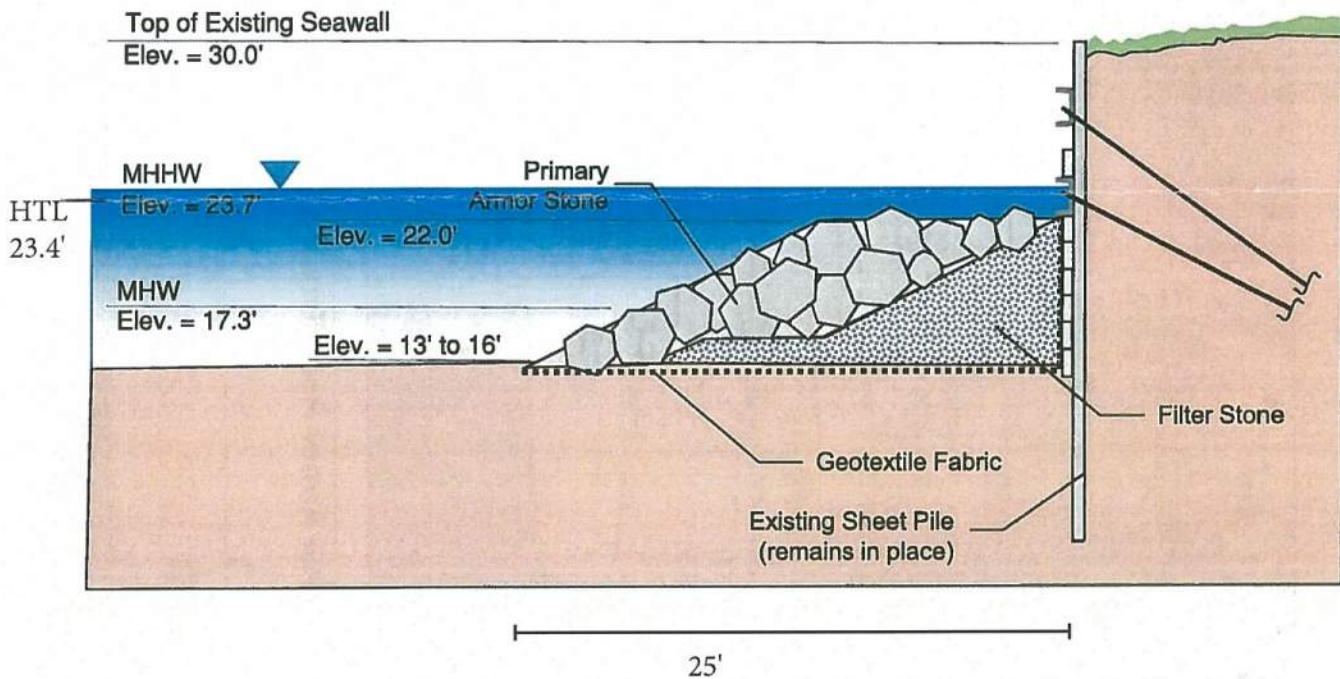


### Plan View of Proposed Seawall Armor Rock Erosion Protection



- Legend**
- Seawall - Sheet Pile
  - Original Construction LID





## Typical Section A-A Proposed Armor Rock Placement Homer Seawall

Filter stone	4,300 cubic yards
(200lb. average weight)	
Armor Stone	1,000 cubic yards
(1,500lb. average weight)	
Armor Stone	4,000 cubic yards
(2,000lb. average weight)	
<hr/> Total fill volume	<hr/> 9,300 cubic yards