



Agenda

Planning Commission Special Meeting

Wednesday, January 03, 2024 at 5:30 PM

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

Homer City Hall

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

Zoom Webinar ID: 979 8816 0903 Password: 976062

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

CALL TO ORDER, 5:30 P.M.

AGENDA APPROVAL

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

RECONSIDERATION

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

- [A.](#) Unapproved Regular Meeting Minutes for December 6, 2023
- [B.](#) Decisions & Findings for Conditional Use Permit (CUP) 23-09 More than One Building Containing a Permitted Principal Use on a Lot at 1149 Virginia Way.
- [C.](#) Decisions & Findings for Conditional Use Permit (CUP) 23-10 More than One Building Containing a Permitted Principal Use on a Lot at 1161 Virginia Way.
- [D.](#) Decisions & Findings for Conditional Use Permit (CUP) 23-11 More than One Building Containing a Permitted Principal Use on a Lot at 1177 Virginia Way.

PRESENTATIONS / VISITORS

REPORTS

PUBLIC HEARINGS

- [A.](#) Staff Report 23-060, Conditional Use Permit (CUP) 23-08 Planned Unit Development Lighthouse Village Development at 1563 & 1663 Homer Spit Road and 1491 Bay Avenue

[B.](#) Staff Report 23-061, Application amending Zoning Map via Ordinance Rural Residential to General Commercial 1

[C.](#) Staff Report 23-062, Request to Vacate B Street Right of Way South of Bay Avenue

PLAT CONSIDERATION

[A.](#) Staff Report 23-066, Bayview Subdivision Lighthouse Village Replat Preliminary Plat

PENDING BUSINESS

NEW BUSINESS

INFORMATIONAL MATERIALS

[A.](#) 2024 Annual Commission Calendar

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

COMMENTS OF THE STAFF

COMMENTS OF THE COMMISSION

COMMENTS OF THE COMMISSION

ADJOURNMENT

Next Regular Meeting is **Wednesday, January 17, 2024, at 6:30 p.m.** A worksession is scheduled for 5:30 p.m. All meetings are scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska and via Zoom Webinar. Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission

CALL TO ORDER

Session 23-18, a Regular Meeting of the Planning Commission was called to order by Chair Scott Smith at 6:30 p.m. on December 6, 2023 at the Cowles Council Chambers in City Hall, located at 491 E. Pioneer Avenue, Homer, Alaska, and via Zoom Webinar. The worksession at 5:30 p.m. was canceled.

PRESENT: COMMISSIONERS HIGHLAND, BARNWELL, SMITH, SCHNEIDER, VENUTI, CONLEY, STARK

STAFF: CITY PLANNER FOSTER, DEPUTY CITY CLERK KRAUSE, PUBLIC WORKS DIRECTOR KEISER

AGENDA APPROVAL

Chair Smith read the supplemental items into the agenda: **Under Consent Agenda** Item A Unapproved Regular Meeting Minutes, Corrected Unapproved Regular Meeting Minutes Under **Public Hearings: Item A – C, CUP 23-08, Amending the Zoning Map & Vacation of B Street Right of Way South of Bay Avenue** Public Comments Received; and **Item D – F CUP 23-09, CUP 23-10 & CUP 23-11** Public Comment Received. He requested a motion and second to approve the agenda amended.

SCHNEIDER/BARNWELL MOVED TO APPROVE THE AGENDA AS AMENDED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

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

Marcia Kuszmaul, city resident and president of the Homer Bed and Breakfast Association, commented on the proposed Short Term Rental Ordinance introduced by Council that was to come before the Commission. She expressed that there should be a push for public education on Short Term Rentals and that the Association would be willing to assist with that action, noting the members of the Association hope that the ordinance will address current State regulations which does differentiate between owner occupied private residences with five rooms or less and those with more, or are not occupied by the owner and are considered public accommodations. The Homer Bed & Breakfast Association supports considerations for those properties that are owner occupied because they tend to have less nuisance issues that are called out in the proposed ordinance. The Association is interested in the ordinance and are happy to be a resource to the Planning Commission as they consider the proposed ordinance.

The Clerk noted that Susan Cushing, attending via Zoom had her hand raise, after several attempts to have Ms. Cushing speak and receiving no response the Chair closed Public Comments.

RECONSIDERATION

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

A. Unapproved Corrected Regular Meeting Minutes of November 1, 2023

SCHNEIDER/BARNWELL MOVED TO ADOPT THE CONSENT AGENDA AS AMENDED.

There was no further discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

PRESENTATIONS / VISITORS

REPORTS

- A. Special Public Meetings Reports by Attending Commissioners
1. Comprehensive Plan
 2. Transportation Plan

Chair Smith introduced the item noting that Commissioners Venuti, Stark and himself have attended public meetings on the Comprehensive Plan, Transportation Plan and Harbor Expansion Project over the last few months and determined that it would be beneficial to report on those meetings. He then requested Commissioner Venuti to report on his attendance at those meetings.

Commissioner Venuti responded that he was not prepared to comment on the subject.

Commissioner Stark provided a very detailed report on his attendance expressing his opinion that it may be an overreach to perform a full comprehensive plan rewrite and encouraged a prioritized section by section review and rewrite. He relayed personal experiences in redoing comprehensive plans all at once. Mr. Stark then provided a brief overview of the Harbor Expansion Project public meeting that the Chair also attended, noting that there were a lot of people that attended and were engaged in the process providing comment on things such as the cranes and maintenance of those and instead of the city doing it they could build in the infrastructure and a copy could then provide the equipment and service for a fee. Thereby the city benefits from the revenue and the community benefits by having the services.

Chair Smith reported participating in the Spit development visioning which was also attended by Mayor Castner, Karin Marks, Chair of the Economic Development Advisory Commission and Chair of the Port & Harbor Advisory Commission. It was a very interesting meeting with very passionate comments offered on the topic of housing for all the workers and the incredible difficulty it is to employ seasonal workers. This item needs to be addressed in the Comprehensive Plan, to allow similar options such as the Aspen Hotel offering onsite housing for employees.

B. Staff Report 23-059, City Planner's Report

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

City Planner Foster reviewed Staff Report 23-059 noting actions made by Council at the November 13, 2023 City Council meeting regarding the following:

- Ordinance on Short Term Rentals
- Approved formation of a Steering Committee for the Comprehensive Plan & Title 21 Re-write

City Planner Foster responded to questions regarding the following:

- Timeframe for review of the draft Transportation Plan
 - o January meeting

PUBLIC HEARINGS

A. Staff Report 23-060, Request for Conditional Use Permit CUP 23-08 for a Planned Unit Development at 1563 Homer Spit Road, 1663 Homer Spit Road, and 1491 Bay Avenue

Chair Smith introduced the item by reading of the title and then requested Commissioners to declare any ex parte communication and or conflict of interest. He turned the gavel over to Vice Chair Barnwell noting he had a conflict.

Commissioner Smith declared that his wife is employed by Beachy Construction and he had received a phone call from Kathy Beachy regarding CUP 23-09, CUP 23-10, and CUP 23-11. He related the extent of the conversation as soon as the topic was broached, directing Ms. Beachy to submit her comments in writing or attend the meeting. Ms. Beachy agreed to that and is in attendance. He declared that he has no monetary reward from the CUP action before the Commission. Mr. Smith stated that he is acquainted with Mr. Hueper but that was the extent of the relationship.

Vice Chair Barnwell requested a motion and second.

Commissioner Smith clarified that this declaration would address Public Hearing items CUP 23-09, CUP 23-10, and CUP23-11 and that he did not have ex parte communication or possible conflict of interest with Public Hearing Item CUP 23-08 for Doyon in response to a question from the Commission.

VENUTI/HIGHLAND MOVED THAT COMMISSIONER SMITH HAD A CONFLICT OF INTEREST REGARDING CUP 23-09, CUP 23-10, AND CUP 23-11.

There was no further discussion.

VOTE. NO. CONLEY, STARK, BARNWELL, VENUTI, SCHNEIDER, HIGHLAND

Motion failed.

Vice Chair Barnwell returned the gavel to Chair Smith.

Chair Smith requested declarations of ex parte communication or conflict of interest on any of the Public Hearing items.

Commissioner Conley declared a potential conflict of interest regarding CUP 23-08 citing his association with firms and persons working with and for the applicant. He stated that he did not receive any financial gain but he has known about the project for a long time through the associations he has with the people that are working for companies being hired by the Applicant.

Chair Smith requested a motion and second.

HIGHLAND/VENUTI MOVED THAT COMMISSIONER CONLEY HAD A CONFLICT OF INTEREST ON CUP 23-08.

Commissioner Conley explained that he has a few acquaintances that are directly involved with the project. He further stated that it was more of an awareness of the project for a longer period but no details other than what has been provided in their packet. Commissioner Conley stated that he has not discussed the project with those acquaintances.

VOTE. NO. STARK, BARNWELL, VENUTI, SMITH, HIGHLAND, SCHNEIDER

Motion failed.

Chair Smith requested if any additional laydowns were received by the Clerk and there were none. He then deferred to the City Planner to review Staff Report 23-060.

City Planner Foster reviewed Staff Report 23-060 in detail. He noted that the applicant, Doyon Limited proposed a Planned Unit Development consisting of a hotel, employee housing and triplex residential units at 1563 Homer Spit Road, 1663 Homer Spit Road and 1491 Bay Avenue. This projects consisted of three components and they would address the Conditional Use Permit (CUP) first, then amending the Zoning then the vacation of the right of way and later on the agenda was a preliminary plat. City Planner Foster stated for the record that the Commission was the decision makers for the CUP but the City Council and Kenai Peninsula Borough would be the bodies making the final decisions on the other items.

Public Works Director Keiser commented the following as concerns of Public Works after further review:

- Thoroughness of the applicants project plans and drawings provided for city review
- Responsiveness of the Applicant to questions and suggestions from city
- The right of way vacation and the public having a reasonable expectation to appropriate accommodation to giving up that right of way.
 - o The importance of drainage for B Street to be maintained and preserved. The applicant has addressed drainage but there is no mention of who is responsible for maintenance for the infrastructure that will be installed.
 - Drainage improvements should comply with city requirements and appropriate provision be made for maintenance of same.
 - o Over half of the city right of way is a Tidal Marsh and should be preserved through a conservation easement in perpetuity. The City would like to maintain the existing integrity of that tidal marsh as a nesting area for Sandhill Cranes through the conservation easement.

- The Right of Way allows for potential access for the public at least for viewing the tidal marsh areas which are a rich resource for the city.
 - o The City is requesting a viewing platform with public access be provided.
- Adjustment to the TORAs with the State Department of Transportation and City about maintenance responsibility along Homer Spit Road in regard to pedestrian safety such as installation and maintenance of flashing beacons at pedestrian crosswalks.
 - o The City does not want to be the one responsible for maintaining such as device but will be recommending installation of such devices at certain intersections and on certain city roads in the future.

Chair Smith invited the Applicant forward to make their presentation and speak to their application.

Patrick Duke, Senior Vice President & Chief Financial Officer, Doyon Limited
Zach Dunlap, Operations Manager, Doyon Limited
Lauren Egbert, Lead Architect & Project Manager, Wormer & Associates

Each introduced themselves and provided a brief background on their personal involvement in Alaska, with the project and Homer. They then took turns presenting information through a PowerPoint presentation regarding Doyon Limited and the project. Specifically pointing out various aspects of the project design and features noting onsite employee housing, condominiums that would be available for purchase adding to the limited housing supply available in Homer and the amenities of the hotel.

Chair Smith thanked the applicants and commended them for their remarkable application. He then opened the Public Hearing portion noting that he would be calling persons forward that have previously signed in alternating to those who were attending via Zoom that raise their hands. He would then invite all others present in chambers to come forward sign in and provide their testimony. He reminded everyone to please state their name clearly and that they will have three minutes to speak.

Commissioner Schneider requested a short recess before hearing public testimony.

Chair Smith called for recess at 8:15 p.m. He called the meeting back to order at 8:26 p.m. and called the first person signed up

Lian McMillan, non-resident, responded that she did not want to provide testimony, she thought she was required to sign in since she was attending the meeting in person.

Don McNamara, resident of Ocean Drive Loop, provided his concerns on the existing difficulties to exit onto Ocean Drive, and the potential for increased traffic. He provided suggestions of a roundabout at Kachemak Drive; lights for pedestrian crossing, and expressed dislike for a traffic light, vacating the B Street right of way and the height of the project.

Amy Springer, resident of Bay Avenue, commented on the additional traffic and the need to slow it down on Ocean Drive.

Jack Cushing, resident of Bay Avenue, expressed concerns on the little time that there has been to review the materials, having a realistic number for the cars that travel on Ocean Drive especially in summer; the value of

the property if the city was going to give right of ways away, scale of the project was too large, using B Street for a viewing platform, assuming that the Planning Commission rezones that parcel. He noted that the area was rezoned GC1 across from Bay Avenue years ago, and opined that rezoning that parcel will wipe out the rural residential.

Susan Cushing, resident of Bay Avenue, noted that written comments were submitted and it is included in the packet and echoed the concerns on the timing of the traffic impact analysis.

Bette Seaman, resident of Bay Avenue, expressed frustration and dismay over the size of the packet and that it was very difficult for people who were not professional engineers to understand. Ms. Seaman expressed concerns on the following: that the project will make a huge difference in the area affecting the rural residential neighborhood; lack of mitigation for a 20 foot fall, as there will be a cliff from Lot 161 down to where the hotel will actually be; the existing beauty, old growth trees as well as new growth which presents a real barrier to their neighborhood noting that the proposal states a 6 foot fence, on a 20 foot parcel that will include a bike path and trail, noting the TIA stated the bike trail is 10-12 feet so that leaves 8 feet for the trees. It will be like Safeway.

Ryan Van Zoe, resident, commented on moving the right of way instead of vacating it completely to provide a buffer to the residential neighborhood but allowing access to the beach citing the limited opportunities for that in Homer.

Lori Mikols, resident of Bay Avenue, commented on the trail that residents have used for years and agreed with the testimony expressed by Ms. Seaman and Mr. McNamara citing the traffic is ridiculous now and questioned how the city water and sewer will handle hundreds of more people, noting she wasn't an engineer and is not as trusting. She agreed with what has been stated so far.

Martin Renner, city resident, expressed his appreciation for the detailed presentation and the opportunity to provide comment. He expressed his concerns over the loss of the viewing platform citing the past use during the Shorebird Festival; noted that a pedestrian bypass from B Street would be very convenient; concerns with the additional traffic, the size of the project is somewhat frightening, however a roundabout at Kachemak Drive and the Homer Spit Road may alleviate some of those concerns.

Richard Rosenbloom, Bay Avenue resident, stated that he and wife submitted their concerns via email and they are in the supplemental packet. In the beginning he was happy and excited to learn that Doyon Limited had purchased the subject properties as described by the City Planner noting that there were far worse things that could happen on that site. Mr. Rosenbloom stated that after reviewing the proposal he believed that it was too dense of a multi-use planned unit development, rammed into an established residential neighborhood. He believed that it would block the only remaining public access to views of the northeast Mariner Park Lagoon and its wildlife by rezoning the vacant lot. He did not agree that the proposals being presented are what Doyon promised and urged the Commission to deny or defer all applications from Doyon Limited until they present plans that fulfill the promises made to Homer.

Lane Chesley, city resident, expressed his appreciation for the quality development, recommended the Commission to listen to the feedback the community offered tonight regarding the proposed development, he believed that Doyon was interested in what the public has to say and will hopefully reflect some of those opinions in their plan changes. Mr. Chesley offered his experience as a local business owner using the intersection at Kachemak Drive and Homer Spit Road; understanding the trip generation or the traffic impact

analysis from his time spent on the planning commission; believed there was inherent bias within the trip generation manuals used to create the traffic impact analysis as it did not consider local conditions; praised the quality of work by the contracted engineering firm expressing that since their offices are located within the impacted area that they are personally aware of the traffic realities. Mr. Chesley acknowledged the timeframe but the Commission could ask the applicant to waive that requirement to allow them the time to schedule an additional public hearing or have a worksession with City Council to discuss traffic or other impacts expressed by the public.

Alan Parks, city resident, stated that he was familiar with planned unit development process during his time as a Councilmember the Land's End condos were passed. He stated that it was a long process and there were many designs that went through at Council level. He expressed his appreciation for Mr. Chelsey's comments and stated that he too has concerns regarding the traffic study as well. Mr. Parks stated that during his review of the study there were items that caused him to question how the data was presented and used referring to the use of 2022 information because 2023 is not completed. He opined how in July he believed that the vehicle count came close to 1000 cars per hour, advocating for a peer review audit of the traffic study. Mr. Parks then addressed the scale of the project, encouraging the Commission to take their time and not to let Doyon pressure them to make a decision.

Michael Armstrong, Borough resident, stated that he submitted written comments and clarified that he was wearing his Shorebird sweatshirt but he was not speaking on behalf of the Shorebird Festival Committee, noting they will be meeting later in December and he was not speaking on their behalf. Mr. Armstrong expressed concerns regarding the status of a Corp of Engineers permit referring to page 32 of the packet, previous actions of fill being placed in the slough area referring to maps that he provided and were included in the supplemental packet, and then addressed the viewing platform and an alleged agreement between the former owners and US Fish & Wildlife who provided the interpretive signage for its placement on the property and if that would still be in effect with new owners. He recommended that the Commission place the Corps of Engineers permit as a condition of the CUP permit before they proceed. Mr. Armstrong thanked Public Works Director Keiser again for her suggestion of Doyon providing the viewing platform as part of the right of way vacation.

Jeff Middleton, Fritz Creek resident, stated he has lived here all his life and recounted an experience when there was work being done at the airport and on the property in question there were a lot of stumps and nasty stuff but he walks the Spit and came across around that corner from Kachemak Drive pretty much every day in the summertime and sometimes there are as many as ten vehicles backed up at that intersection. He then question having a restaurant and where are the people expected to come from to eat at the restaurant, stating that he won't be eating there, he has friends who have restaurants. Mr. Middleton then expressed concerns on the impact of cruise ships on a community; questioned how much money will actually stay in the community, if, referring to the applicant, they are going to bring in cruise ship passengers.

Dr. William J Marley, Sr., retired, city resident, welcomed Doyon Limited and thanked them for making the presentation. He stated that he has had an interest in a winter time economy for a number of years and supported Homer having a convention and community center. He then raised the issue of the proposed project being in a tsunami zone and believed that would be terribly vulnerable and also in the path of the airport. He then recalled the experience of an airplane falling short of the runway and the terrible impacts of that accident in 1987. Mr. Marley commented that Homer was growing and will continue to grow and that will mean more air traffic and bigger planes and he would hate to see something similar to 9/11, an airplane crashing into a hotel full of people.

Rika Mouw, city resident on Kachemak Drive, expressed her disappointment regarding the availability of materials prior to the meeting, astonishment that the Planning Department has been working with Doyon for well into a year with no public engagement whatsoever; the use of the vacant lot for employee housing, excavating an entire slope right to the coastline which would require fill and a retaining wall. She urged the Commission to give public the civic courtesy and attentive study necessary for the best possible outcome for this project, move at the pace of trust as anything less will be met with resistance, hard feelings and division and that is just a source of bad planning.

Tammy Schrader, non-resident, Homer area resident, stated that she attempted to review over 550 pages today and commented that it was impressive. She noted the following points as concerns: Employees will be seasonal and from out of state, use of local construction companies or Doyon companies to perform the work; impacts of the added traffic to Ocean Drive and that the TIA did not reflect actual summer traffic since it was done in September not July, concerns on the chemicals that were reported in the soil samples and proposed mitigation to deal with those highly toxic chemicals; how will that affect neighboring property owners when those chemicals are exposed; Stormwater and swales construction, Doyon proposes underground diversion but she questioned what would be in the water, then questioned how that usage will impact the water and sewer rates, how the additional consumption will affect the supply. Ms. Schrader then noted that in providing short term rentals they will be impacting existing businesses from locals who augment their income.

Chair Smith then interrupted the Public Hearing testimony to ask Public Works Director Keiser her response to the water usage and rate question.

Public Works Director Keiser responded that she had no concerns of meeting the increased demand and stated that the city infrastructure had the ability to handle the additional load and it would actually decrease costs to existing customers. She did express concerns over the reported alleged chemicals and acknowledged that she did not review those chemical characteristics thoroughly and will go back over those reports.

Chair Smith proceeded with the Public Hearing.

Glenn Seaman, resident of Bay Avenue, focused his comments on the CUP application noting they were told they could comment on the other items later in the agenda. He expressed concerns for the extensive construction and the proximity to the water at high tide and the nesting areas and that the proposal lacked consideration for the habitat.

Chair Smith noted that the Commission will hear the next testimonial and then will be required to address extension of the meeting time.

Scott Adams, city resident, expressed his dissatisfaction over how little the public has been involved in the development of this project, allowing a building of the proposed height in the location; the traffic analysis being done in September, a shoulder season, noting the incorrect times for high traffic periods in Homer and that it should have been done in June, July and August, when you can't turn left from Kachemak Drive onto Homer Spit Road because of the line of traffic. He then posed the question of adding a left turn into the hotel by vehicles leaving the spit; vacating the right of way was not beneficial but if this is approved there should be a natural buffer and he advocated for a 50-75 feet to leave the trees since a 6 foot fence doesn't offer a buffer.

Chair Smith noted that the options available to the Commission as recommended by the City Attorney: Continue the Public Hearing to the next meeting or they can move to continue the meeting to a specific time tonight.

VENUTI/HIGHLAND MOVED TO CONTINUE THE PUBLIC HEARING TO THE NEXT REGULAR MEETING.

HIGHLAND MOVED TO CONTINUE THE PUBLIC HEARING TONIGHT TO ALLOW THE PUBLIC PRESENT TO PROVIDE THEIR TESTIMONY ON THE DOYON CONDITIONAL USE PERMIT.

The Clerk advised the Commission that there are three additional items scheduled for Public Hearing and that they would need to be addressed tonight due to time requirements.

The Clerk responded to the Chair that they could schedule a special meeting in December if they desired.

Chair Smith confirmed that there were at least 12 more people who wished to testify on CUP 23-08 which would take an additional 40 minutes.

The Clerk clarified that the Commission can take a few different actions such as recommended by the City Attorney, suspending the rules to address items on the agenda such as postponing them to the next regular or special meeting.

Chair Smith noted that there was no second to Commissioner Highland's amendment and requested the Commissioner to restate her motion.

HIGHLAND/SCHNEIDER MOVED TO AMEND THE MOTION TO CONTINUE THE DOYON CUP PUBLIC HEARING TO 11:00 P.M. TO ALLOW THE PUBLIC PRESENT TO PROVIDE TESTIMONY.

Commissioner Venuti expressed concerns regarding making good decisions after 10:00 p.m. at night.

Commissioner Conley expressed that due to the limited timeframe to acquaint themselves with the project that the next meeting will have more public comment and believed it would be in everyone's best interest to continue the meeting allowing more time. He expressed his apologies to the public that has been sitting in Chambers waiting to testify.

Commissioner Barnwell agreed with Commissioner Conley believing that the complicated process and the length of time he himself spent reviewing everything it would be best to give the public a better opportunity to be heard.

Commissioner Schneider agreed with Commissioner Conley, noting while he seconded the amendment to have this discussion and come to some sort of consensus, he believed that they should continue this public hearing and open and process the other CUP's and get the meeting over with.

The Clerk stated that they should use the word continue not postpone as the City Attorney was very specific that the word continue be used when making the motion.

Chair Smith clarified that there was a motion and an amendment and they would be voting on the amendment made by Commissioner Highland.

Commissioner Venuti requested the amendment to be restated.

The Clerk restated the motion: MOVED TO AMEND THE MOTION TO CONTINUE THE MEETING TO 11:00 P.M. TO ADDRESS THE PUBLIC HEARING THEN CONTINUE THE PUBLIC HEARING TO THE NEXT REGULAR MEETING.

Commissioner Stark called for a point of order asking to vote on the amendment then the amended motion.

Chair Smith noted that is what the Commission is required to do and confirmed this was the amendment that was provided by Commissioner Highland and noted that it contained the extended meeting time to 11:00 p.m. He then requested the Clerk to perform a roll call vote.

VOTE. (Amendment) NO. BARNWELL, VENUTI, SCHNEIDER, CONLEY, STARK, SMITH.

VOTE. YES. HIGHLAND.

Motion failed.

VENUTI/HIGHLAND MOVED TO CONTINUE THE PUBLIC HEARING TO THE NEXT REGULAR MEETING.

There was a brief discussion on holding a special meeting to continue the Public Hearing. The Clerk clarified that it was possible.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Commissioner Stark questioned if it would be appropriate to have Doyon respond to the public comments made tonight.

Chair Smith deferred to the Clerk.

Deputy City Clerk Krause clarified that motions to continue rebuttal for the applicant and staff were required.

BARNWELL/VENUTI MOVED TO CONTINUE REBUTTAL OF STAFF TO THE NEXT REGULAR MEETING

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

BARNWELL/CONLEY MOVED TO CONTINUE REBUTTAL OF THE APPLICANT TO THE NEXT REGULAR MEETING.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

HIGHLAND/BARNWELL MOVED TO CONTINUE THE MEETING TO 10:30 P.M.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Deputy City Clerk Krause confirmed for the Chair that they are done with the item and moving to the next item.

B. Staff Report 23-061, Application Amending Zoning Map via Ordinance

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

City Planner Foster reviewed Staff Report 23-061.

Chair Smith noted the applicant was present.

Commissioner Venuti called for a point of order noting that he was under the impression that the motion previously made to continue the Doyon included all aspects of Doyon and he believed that many people in the audience that that too since they departed the meeting and here they are talking about Doyon.

Chair Smith deferred to the Clerk.

Deputy City Clerk Krause reminded Commissioners that each item before the Commission scheduled for public hearing will need to be addressed by a motion to continue or they will need to hold the public hearing on that issue.

Commissioner Venuti expressed that it was unfortunate since it was not clear to him and the many people who left the meeting.

Chair Smith stated that those people who left the meeting will be able to speak at the next meeting.

Commissioner Highland requested clarification on the timing of the motion to continue and when they would make that motion.

Chair Smith stated that they are required to address the process with the report, applicant presentation, etc.

Commissioner Stark questioned if it would be appropriate to continue to applicant's presentation.

Deputy City Clerk Krause confirmed that it would be appropriate to make a motion to continue the presentation from the applicant to the next meeting.

STARK/HIGHLAND MOVED TO CONTINUE THE APPLICANTS PRESENTATION TO THE NEXT REGULAR MEETING.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

STARK/HIGHLAND MOVED TO CONTINUE THE PUBLIC HEARING TO THE NEXT REGULAR MEETING.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Chair Smith called for a motion to continue rebuttal of testimony by staff.

BARNWELL/SCHNEIDER MOVED TO CONTINUE THE REBUTTAL OF TESTIMONY BY STAFF TO THE NEXT REGULAR MEETING.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Chair Smith called for a motion to continue rebuttal of testimony by the applicant.

BARNWELL/SCHNEIDER MOVED TO CONTINUE THE REBUTTAL OF TESTIMONY BY APPLICANT TO THE NEXT REGULAR MEETING.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

C. Staff Report 23-062, Vacation of B Street Right of Way South of Bay Avenue

Chair Smith introduced the item and deferred to City Planner Foster

City Planner Foster reviewed Staff Report 23-062 for the record.

Public Works Director Keiser stated that upon hearing new information, she will be doing some research, referring to a possible existing agreement about the viewing platform and believed it to be an important consideration, the possible fill on the south side if the larger lot being in violation of the Corps of Engineer's permit and the existing pedestrian path possibly in the right of way or on the adjacent property. Public Works Department is generally the keeper of city rights of way wither for motorized, non-motorized or utility use. If there is an existing non-motorized use in that right of way then the City will want to keep that non-motorized use and she urged the Commission not to take any action until Public Works provides a report of additional facts related to those issues.

Chair Smith requested a motion to continue the applicant's presentation to the next meeting.

STARK/SCHNEIDER MOVED TO CONTINUE THE APPLICANT'S PRESENTATION TO THE NEXT REGULAR MEETING.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Chair Smith requested a motion to continue the Public Hearing.

STARK/SCHNEIDER MOVED TO CONTINUE THE PUBLIC HEARING TO THE NEXT REGULAR HEARING.

There was a brief discussion on the process at the next meeting with staff providing additional information and the time was winding down on the extension and they still haven't addressed the other CUP's.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Chair Smith requested motion to continue rebuttal of testimony from staff and the applicant.

BARNWELL/SCHNEIDER MOVED TO CONTINUE REBUTTAL OF TESTIMONY BY STAFF TO THE NEXT REGULAR MEETING.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

BARNWELL/SCHNEIDER MOVED TO CONTINUE REBUTTAL OF TESTIMONY BY THE APPLICANT TO THE NEXT REGULAR MEETING.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

D. Staff Report 23-063, Request for Conditional Use Permit CUP 23-09, More than One Building at 1149 Virginia Lynn Way

Chair Smith introduced the item by reading of the title and deferred to City Planner Foster.

City Planner Foster inquired if it was the Commission's intent to continue the next three Conditional Use Permits or address them tonight.

Chair Smith confirmed for the City Planner, after a brief discussion and with the consensus of the Commission that since the Doyon items were continued to the next regular meeting, the Commission would be in the same situation if they continued these items to the next meeting as well. He further noted that the applicant has expressed a preference to address the items tonight.

Chair Smith called for a motion to extend the meeting to 11:00 p.m.

SCHNEIDER/HIGHLAND MOVED TO EXTEND THE MEETING TO 11:00 P.M.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

City Planner Foster provided a summary review of Staff Report 23-063 for the Commission. He noted that this action was started in May of 2023, then Council amended the zoning code in August, that made the action a conditional use. He noted the aerial views provided in the packet stating that it appears there has been recent construction; the similar layout for all three projects.

Public Works Director Keiser provided information on water and sewer connections and that with the required setbacks the property was tightly constrained and recommended a preconstruction survey requirement to ensure the buildings were being constructed outside the setbacks.

Paul Heuper, applicant and property owner, commented that the City Planner did an excellent job representing the project and he was available for any questions. He expressed his appreciation for the willingness of the Commission to address this item at this meeting.

Chair Smith opened the Public Hearing.

Kathy Beachy, city resident and property owner, related her involvement in the development of the neighborhood, she expressed concerns for density, and the lack of available parking.

Scott Adams, city resident, expressed concerns on the density, and commented that there is already construction being conducted without a permit, and questioned if there are there covenants for that subdivision.

Chair Smith closed the Public Hearing seeing no further members of the public wishing to testify and opened the floor to questions from the Commission.

City Planner Foster and Public Works Director Keiser facilitated discussion and provided responses on the following:

- Survey requirement before construction to assure that the project is built where it should be and then a survey submitted with the Asbuilt to ensure that it was built where it should be
 - o Clarification that if the Commission intends on approving this action they would need to add it as a condition.
 - o It was noted that there is nothing in Homer City Code to require this condition
- City has an inspector for driveway and water and sewer permits and could add that to the review since they would be out there on site
- The drawings are conceptual for the Conditional Use Permit
 - o Permits for the driveway are already in place
 - o percentage of the lot coverage with the number of proposed buildings
 - Title 21 UR Dimensional requirements is 7500 sq. ft. this lot is 14,000 sq. ft.
 - Single Family and Duplex are proposed
 - Maximum percentage only applied to Multi-family

There were no additional questions.

Chair Smith offered the applicant the rebuttal.

Mr. Hueper provided the total square footage of the lot was 14,280 and it was professionally surveyed and they will do their very best to honor the placement of those stakes.

Commissioner Highland noted that they needed to extend the meeting time.

HIGHLAND/SCHNEIDER MOVED TO CONTINUE THE MEETING TO 11:30 PM

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

HIGHLAND/SCHNEIDER MOVED TO ADOPT STAFF REPORT 23-063 AND APPROVE CONDITIONAL USE PERMIT 23-09 WITH FINDINGS 1-10 AND CONDITIONS ONE AND TWO.

1. SUBMIT A US ARMY CORPS OF ENGINEERS PERMIT WITH THE ZONING PERMIT APPLICATION.
2. OUTDOOR LIGHTING MUST BE DOWNLIT PERHCC 21.59.030 AND THE COMMUNITY DESIGN MANUAL.

Discussion ensued on the staking, wetlands and clarification provided on the changes in the density of the district; intended use is long term not short term rentals, clarification that urban residential is moderately dense residential development as opposed to low density.

Commissioners expressed concerns with Safety and emergency services access to the structures, especially those in the rear of the property.

Public Works Director Keiser assured the Commission that there were no issues with water and sewer as both services were available.

Chair Smith called for a motion.

HIGHLAND/SCHNEIDER MOVED TO ADOPT STAFF REPORT 23-063 WITH FINDINGS 1-10 AND CONDITIONS 1 & 2.
1. SUBMIT ARMY CORPS OF ENGINEERS PERMIT WITH ZONING PERMIT APPLICATION
2. OUTDOOR LIGHTING MUST BE DOWN LIT PER HCC 21.59.030 AND THE COMMUNITY DESIGN MANUAL

Discussion ensued with Commissioners expressing concerns regarding the following:

- Wetlands
- Construction of more structures than expected
- Code amendments that were approved by the Commission regarding density in the seven districts, and Council bringing about the revision to once again requiring a CUP for more than one.
- Intended purpose if for long term rentals
- Potential for increased traffic in a neighborhood adding all these units
- Affecting the value of neighboring property is subjective since it is zoned urban residential, so it is for more moderate density compared to rural residential
- Parking allowed in the setback
- Fire safety/access to the rear structures from the roadway since there are no driveways to those structures
- Applicant expressed he would consider reducing the number of structures on each parcel
- Pathways and driveways are allowed with setbacks
- Property has existing driveway permits

SCHNEIDER/HIGHLAND MOVED TO EXTEND THE MEETING TIME TO MIDNIGHT.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

CONLEY/SCHNEIDER MOVED TO SUSPEND THE RULES TO SUSPEND THE RULES TO ALLOW THE APPLICANT TO SPEAK.

Mr. Heuper clarified for the record that he had no verbal or written agreement with his neighbors on the usage of his lots, they did not ask him what he planned. He further stated that the testimony provided by his neighbor was at best hearsay and did not reflect what transpired. He did propose two scenarios and neither were acceptable to his neighbors and as far as views are concerned there are no guaranteed rights to viewshed in city code. He then noted that the street was built to city code and was done by Arno Construction.

Mr. Hueper responded to Commissioner Highland that there is a plan that was submitted with the Zoning Permit. He did note that it is probably 150 feet to pull hoses.

City Planner Foster noted that they do not have Building Code and for residential the Fire Department can look at projects for this type of access and reiterated that they can add a condition that at Zoning Permit Review they have the Fire Department Review the plans to see if their equipment would have any access issues to the planned development.

Chair Smith noted that they have two other items on the agenda and those can be done by summary review since they are the same. He then asked if there was any additional discussion on the motion.

Deputy City Clerk Krause restated the motion for the record: MOVE TO ADO0PT STAFF REPORT 23-063 AND APPROVE CUP 23-09 WITH FINDINGS AND CONDITIONS.

HIGHLAND/SCHNEIDER MOVED TO AMEND THE MOTION TO STATE FINDINGS 1-10 AND CONDITIONS 1 & 2.

There was a brief discussion on additional amendments.

VOTE (Amendment). NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

HIGHLAND/VENUTI MOVED TO ADD CONDITION THREE TO REQUIRE FIRE DEPARTMENT COMMENTS AND CONDITION FOUR ENSURE THAT PARKING LOT IS ALLOWED IN THE SETBACK.

There was no discussion.

VOTE (Amendment). NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Chair Smith stated that brings the main motion Adopting Staff Report 23-063 and Approving CUP 23-09 as amended before the Commission.

Commissioner Highland expressed concerns with the number of structures.

Chair Smith stated that a roll call vote will be performed and requested the Clerk to call the roll. He confirmed with the Clerk that if the Commissioners vote no they should list their findings for their denial.

City Planner Foster interjected that it would be a best practice to through discussion and deliberation to provide them with the decision as opposed to referencing back in the discussion.

Chair Smith noted that the criteria being part of the evaluation within the Staff Report to evaluate the financial impact of neighboring lots is completely subjective, but still a part of the report, is it required by law to have it in the report then why is that not something that the Commission can evaluate outside of code. This is another example of public comment versus public hearing.

City Planner Foster agreed stating that it was tough and maybe when they are updating the zoning code the Commission can review these types of items. But as stated previously rule of thumb is if it was a use such as heavy industrial, which would be an incompatible use in urban residential then there would be an economic impact to the value and that is the scale and kind of analysis that is typical. They do not use property values and or assessments. He then noted that in the conditional use process there is a lot of criteria and it is not necessarily a punch list, it is not necessary for every project to be 100% but it is up to the Commission and each Commissioner to determine if there is one or more criteria to make your decision. Whether it is multiple small issues or one larger issue. Mr. Foster stated that it was good form to include the reason to back the vote whether for or against the permit.

Commissioner Conley noted that there is some subjective opinion on this and requested the City Planners thoughts on citing the comprehensive plan versus city code.

City Planner Foster stated that it is considered when going through the review criteria and this does have consideration and it is included as an attachment, he noted that city code and the comprehensive plan are the go to criteria that the commission has when considering conditional use permits.

Commissioner Conley noted that if they are spending so much time talking about this action obviously the amount of structures on a small lot is front and center and there is nothing in city code that clearly disallows it, he did note that there were a few items on page 559 of the packet that reference the Comp Plan that they can reference. He continued expressing that this may bring about a mixed vote and as a Commission they are supposed to operate as a whole so recommended everybody to consider items listed when making their votes.

Further discussion ensued on the commissions concerns regarding adjoining property being affected negatively greater than that anticipated from other permitted or conditionally permitted uses in the district.

VOTE. NO. CONLEY, BARNWELL, VENUTI, HIGHLAND, SCHNEIDER, STARK, SMITH

CITING THE PROJECT DID NOT MEET:

- a. OBJECTIVE C - MAINTAIN HIGH QUALITY RESIDENTIAL NEIGHBORHOODS; PROMOTE HOUSING CHOICE BY SUPPORTING A VARIETY OF DWELLING OPTIONS.
- b. CRITERIA C, FINDING 3, THAT THE PROPOSAL WILL CAUSE UNDO HARMFUL EFFECT UPON DESIREABLE NEIGHBORHOOD CHARACTER.
- c. INCONSISTENT WITH GOAL 2, MAINTAIN THE QUALITY IF HOMER'S NATURAL ENVIRONMENT AND SCENIC BEAUTY. OBJECTIVE C PROVIDE EXTRA PROTECTION FOR AREAS WITH HIGHEST ENVIRONMENTAL VALUE OF DEVELOPMENT CONSTRAINTS.
- d. GOAL 1 GUIDING HOMER'S GROTH WITH A FOCUS ON INCREASING THE SUPPLY AND DIVERSITY OF HOSUING, PROTECT COMMUNITY CHARACTER, ENCOURUAGING INFILL AND HELPING MINIMIZE GLOBAL IMPACTS OF PUBLIC FACILITIES INCLUDING LIMITING GREENHOUSE GAS EMISSIONS
- e. GOAL 3 ENCOURAGE HIGH QUALITY BUILDINGS AND SITE DEVELOPMENT THAT COMPLEMENT HOMER'S BEAUTIFUL NATURAL SETTING.

Motion failed.

A brief discussion was facilitated by the City Planner regarding the Commission providing the findings for the decisions and findings document. He confirmed that the document will be drafted by staff and presented at the next meeting for the Commission to adopt. Any amendments can be made at that time by the Commission.

Commissioner Highland inquired if the Commission was intending to address the other two applications or continue them to the next meeting.

Chair Smith deferred to the Clerk.

Deputy City Clerk Krause explained that the Commission can make a motion to continue the next two Conditional Use Permit Applications in the same manner that they handled the previous CUP. The Chair can introduce the items by reading the title and then request a motion to continue the Public Hearing then request a motion to continue rebuttal of the testimony by staff and the applicant. These items will then be on the agenda for the next meeting following the Doyon items.

Further discussion by the Commission questioning if they can request the applicant to bring back a project that is less than the proposed. It was determined that the best course of action would be to continue and follow the City Planner's recommendations.

Commissioner Highland noted that the meeting time needed to be extended.

Chair Smith requested a motion to extend the meeting to 12:30 a.m.

CONLEY/HIGHLAND MOVED TO EXTEND THE MEETING TO 12:30 A.M.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Commissioner Schneider requested a five minute recess.

Chair Smith called for a brief recess at 12:00 a.m. The meeting was called back to order at 12:08 a.m.

E. Staff Report 23-064, Request for Conditional Use Permit CUP 23-10, More than one building at 1161 Virginia Lynn Way

Chair Smith introduced the item by reading of the title and deferred to City Planner Foster.

City Planner Foster acknowledged the late hour and stated that there were some differences in the report for this application from the previous action and as it was a separate action should have the Staff Report provided in its entirety for the record. He reviewed Staff Report 23-064 for the Commission. He noted the public comments received were provided in the supplemental packet.

Paul Hueper, applicant agreed with the report provided by the City Planner and was available for questions.

Chair Smith opened the public hearing.

Scott Adams, city resident, expressed concerns on the narrowness of the property, the size of the parking lot and the typical size of a fire truck and the possibility of dragging fire hoses more than 100 feet. He then commented on the placement of the structures and if that would be too close allowing fire to spread. He commented that in review of city code 21.55.030 parking in the setback is permitted and stated that it is a parking lot and not a driveway and questioned if it is still permitted.

Chair Smith closed the public hearing seeing no further members of the public wanting to provide testimony. He opened the floor to questions from the Commission.

Commissioner Highland asked the applicant if he would be willing to go back and redesign his project with less dwellings if it were denied.

Mr. Hueper responded that he would be willing to work with the City Planner to figure it out.

Chair Smith requested a motion and second hearing no further questions from the Commission.

HIGHLAND/SCHNEIDER MOVED TO ADOPT STAFF REPORT 23-064 AND APPROVE CONDITIONAL USE PERMIT 23-10 WITH FINDINGS ONE THROUGH 10 AND CONDITIONS ONE AND TWO.

Commissioner Highland stated that she will be voting this action down for the same reason as the prior one.

VOTE. NO. HIGHLAND, VENUTI, BARNWELL, SCHNEIDER, CONLEY, STARK, SMITH

CITING THE PROJECT DID NOT MEET:

- a. FINDING 6 - THE PROPOSAL WILL CAUSE UNDUE HARMFUL EFFECT UPON NEIGHBORHOOD CHARACTER.
- b. INCONSISTENT WITH GOAL 1, OBJECTIVE C, OF THE COMPREHENSIVE PLAN – MAINTAIN HIGH QUALITY RESIDENTIAL NEIGHBORHOODS; PROMOTE HOUSING CHOICE BY SUPPORTING A VARIETY OF DWELLINGS.
- c. INCONSISTENT WITH GOAL 2, OF THE COMPREHENSIVE PLAN - MAINTAIN THE QUALITY IF HOMER'S NATURAL ENVIRONMENT AND SCENIC BEAUTY. OBJECTIVE C PROVIDE EXTRA PROTECTION FOR AREAS WITH HIGHEST ENVIRONMENTAL VALUE OF DEVELOPMENT CONSTRAINTS.
- d. INCONSISTENT WITH GOAL 1 OF THE COMPREHENSIVE PLAN - GUIDING HOMER'S GROWTH WITH A FOCUS ON INCREASING THE SUPPLY AND DIVERSITY OF HOUSING, PROTECT COMMUNITY CHARACTER, ENCOURAGING INFILL AND HELPING MINIMIZE GLOBAL IMPACTS OF PUBLIC FACILITIES INCLUDING LIMITING GREENHOUSE GAS EMISSIONS
- e. INCONSISTENT WITH GOAL 3 OF THE COMPREHENSIVE PLAN - ENCOURAGE HIGH QUALITY BUILDINGS AND SITE DEVELOPMENT THAT COMPLEMENT HOMER'S BEAUTIFUL NATURAL SETTING.
- f. THE PROPOSAL DOES NOT COMPLY WITH CRITERIA C OF THE ANALYSIS AND DOES NEGATIVELY AFFECT NEIGHBORING PROPERTIES GREATER THAN ANTICIPATED FROM PERMITTED OR CONDITIONALLY PERMITTED USES.

Motion failed.

- F. Staff Report 23-065, Request for Conditional Use Permit CUP 23-11, More than one building at 1177 Virginia Lynn Way

Chair Smith introduced the item by reading of the title and deferred to City Planner Foster.

City Planner Foster reviewed Staff Report 23-065 in its entirety for the Commission.

Chair Smith requested a motion to extend the meeting.

HIGHLAND/SCHNEIDER MOVED TO EXTEND THE MEETING TO 1:00 AM

There was no discussion.

VOTE: NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Mr. Hueper, applicant, stated for the record that he was in agreement with the City Planner's report and available for questions.

Chair Smith opened the public hearing. Seeing no members of the public coming forward to provide testimony he closed the public hearing and opened the floor to questions from the Commission for staff and the applicant.

There were no questions from the Commission.

Chair Smith requested a motion and second.

SCHNEIDER/HIGHLAND MOVED TO ADOPT STAFF REPORT 23-065 AND RECOMMEND APPROVAL OF CUP 23-11 WITH FINDINGS 1-10 AND CONDITIONS 1 AND 2.

There was no discussion.

VOTE. NO. VENUTI, BARNWELL, SCHNEIDER, STARK, CONLEY, HIGHLAND

CITING THE PROJECT DID NOT MEET:

- a. FINDING 6 - THE PROPOSAL WILL CAUSE UNDUE HARMFUL EFFECT UPON DESIREABLE NEIGHBORHOOD CHARACTER.
- b. INCONSISTENT WITH GOAL 1, OBJECTIVE C, OF THE COMPREHENSIVE PLAN - MAINTAIN HIGH QUALITY RESIDENTIAL NEIGHBORHOODS; PROMOTE HOUSING CHOICE BY SUPPORTING A VARIETY OF DWELLINGS.
- c. INCONSISTENT WITH GOAL 2, OF THE COMPREHENSIVE PLAN - MAINTAIN THE QUALITY IF HOMER'S NATURAL ENVIRONMENT AND SCENIC BEAUTY. OBJECTIVE C PROVIDE EXTRA PROTECTION FOR AREAS WITH HIGHEST ENVIRONMENTAL VALUE OF DEVELOPMENT CONSTRAINTS.

- d. INCONSISTENT WITH GOAL 1 OF THE COMPREHENSIVE PLAN - GUIDING HOMER'S GROWTH WITH A FOCUS ON INCREASING THE SUPPLY AND DIVERSITY OF HOUSING, PROTECT COMMUNITY CHARACTER, ENCOURAGING INFILL AND HELPING MINIMIZE GLOBAL IMPACTS OF PUBLIC FACILITIES INCLUDING LIMITING GREENHOUSE GAS EMISSIONS
- e. INCONSISTENT WITH GOAL 3 OF THE COMPREHENSIVE PLAN - ENCOURAGE HIGH QUALITY BUILDINGS AND SITE DEVELOPMENT THAT COMPLEMENT HOMER'S BEAUTIFUL NATURAL SETTING.
- f. THE PROPOSAL DOES NOT COMPLY WITH CRITERIA C OF THE ANALYSIS AND DOES NEGATIVELY AFFECT NEIGHBORING PROPERTIES GREATER THAN ANTICIPATED FROM PERMITTED OR CONDITIONALLY PERMITTED USES.

Motion failed.

PLAT CONSIDERATION

- A. Staff Report 23-066, Bayview Subdivision Lighthouse Village Replat Preliminary Plat

Chair Smith Introduced the item by reading of the title and deferred to City Planner Foster.

City Planner Foster stated that this item can be postponed to the next regular meeting and still be within the required deadlines. He inquired the intent of the Commission.

Chair Smith requested a motion and second to continue to the next meeting.

HIGHLAND/SCHNEIDER MOVED TO CONTINUE THE BAYVIEW SUBDIVISION LIGHTHOUSE VILLAGE REPLAT PRELIMINARY PLAT TO THE NEXT REGULAR MEETING ON JANUARY 3, 2024.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PENDING BUSINESS

NEW BUSINESS

INFORMATIONAL MATERIALS

- A. 2024 Commission Annual Calendar
- B. City Manager's Reports
CM Report for City Council Meeting on November 13, 2023
CM Report for City Council Meeting on November 27, 2023
- C. Article from Planning Magazine Fall 2023 Issue:
To plan for the Future Imagine the Future

D. City of Homer Monthly Newsletter
December 2023 Issue

COMMENTS OF THE AUDIENCE

Scott Adams, city resident, expressed concerns on the lack of comments from the Fire Department and opined that the timeline was pushed through with only a paper copy available at City Hall prior to the Friday before the meeting online for a project this size being unacceptable and does not offer the public time to review in its entirety. The size of this project a new grocery store should have been allowed. The people who moved to Homer didn't envision what Homer is being developed into. Mr. Adams then commented on the years he has advocated for paved roads and sidewalks and there are subdivisions with neither. He reiterated his belief that the traffic analysis was biased referring to specific times that traffic increases and decreases, trying to imagine how it will look when someone is trying to turn left into the new hotel when leaving the Spit if there is no turn lane provided. He then wished the Commission a Happy New Year.

Paul Hueper, city resident, commented on the Doyon proposal and the applicants and believed it was a great project and believed that they are a great organization but felt that in their presentation and the quality of their work it shows. He agreed that there were a few things to be looked at traffic related and living off of Ocean Drive he knows how difficult it can be but believed it has gotten better since the installation of another traffic light. Homer's growth is going to happen and the easement will get worked out and he opined that this was a project that was well funded and should be supported.

COMMENTS OF THE STAFF

City Planner Foster stated that the Planning Department follows the notification requirements and these are taken seriously. He acknowledged the size of the project and empathized with the abundance of the documents and information to review and look at but there are deadlines that applications, whether it is a preliminary plat or vacation the Commission must review them within specific timeframes.

Deputy City Clerk Krause commented that this was a first and wished all Merry Christmas and Happy New Year.

Public Works Director Keiser stated that it was not her last meeting with the Commission and she will be at the January 3rd meeting in response to Commissioner's questions. She noted that it was her birthday as well in response to Chair Smith and Commissioner Venuti.

COMMENTS OF THE MAYOR/COUNCIL MEMBERS

COMMENTS OF THE COMMISSION

Commissioner Highland commented that this was first for her to attend a meeting this late. She cautioned Ms. Krause and Mr. Foster to drive safe home and wished everyone a Merry Christmas and Happy New Year.

Commissioner Venuti commented that it was a very long meeting and thanked everyone for serving. He questioned if it really was Chair Smith's birthday as he was the second person who has the same birthday in all his years. He wished everyone a wonderful holiday and he will see everyone in January.

Commissioner Stark commented that they had a lot of substantive input and feedback from Commissioners, the Clerk, Staff and the public which was really appreciated. It is all part of the process to come to the best result. He expressed his appreciation for their patience and perseverance. He wished everyone a very Merry Christmas and Happy New Year.

Commissioner Conley took his hat off to City Planner Foster noting the packet of materials that were provided and thanked him for the guidance provided to the Commission. He thanked Doyon for the information and the work that they have done with this proposal and he appreciated their patience as this was a lot to get through. He expressed his appreciation for Mr. Hueper attending the entire meeting and willingness to hang in there. He wished everyone a Merry Christmas and Happy New Year and wished a Happy Birthday to Commissioners Smith and Venuti and Public Works Director Keiser and he will see everyone on January 3rd.

Commissioner Schneider wished everyone a Merry Christmas and Happy New Year and thanked everyone for hanging out for a very long meeting including those in the gallery. He wished those compatriots a very Happy Birthday and noted it was not his birthday.

Commissioner Barnwell wished Commissioner Smith, Venuti and Public Works Director Keiser a happy birthday. He then provided comment on the packet materials and especially the reports provided by Doyon and then noted that it would be better to address the impact on habitat and the wetlands should be addressed; also the right of way issues on B Street.

Chair Smith warned the Commissioners regarding ex parte communication as the public will be coming at them and they need to be very guarded. He then complimented the Clerk and City Planner on the production and distribution of the packet and materials that were provided for this meeting. He wished them safe travels home tonight.

ADJOURNMENT

There being no further business Chair Smith adjourned the meeting at 1:00 a.m. The next Special Meeting is on Wednesday, January 3, 2023 at 5:30 p.m. All meetings are scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska and via Zoom Webinar. Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission.

RENEE KRAUSE, MMC, DEPUTY CITY CLERK II

Approved: _____



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HOMER PLANNING COMMISSION

Denied CUP 2023-09 at the Meeting of December 6, 2023

RE: Conditional Use Permit (CUP) 2023-09
Address: 1149 Virginia Lynn Way
Legal Description: T 6S R 13W SEC 21 SEWARD MERIDIAN HM 0610256 VIRGINIA LYN SUB LOT 55

DECISION

Introduction

Paul Hueper (the “Applicant”) applied to the Homer Planning Commission (the “Commission”) for a Conditional Use Permit (CUP) under Homer City Code HCC 21.14.030 (i), More than one building containing a permitted principal use on a lot. The applicant proposes a duplex and two single dwelling units at 1149 Virginia Lynn Way.

A public hearing was held for the application before the Commission on December 6, 2023, as required by Homer City Code 21.94. Notice of the public hearing was published in the local newspaper and sent to 27 property owners of 32 parcels as shown on the Kenai Peninsula Borough tax assessor rolls. Public notices contained information on how to submit written testimony, participate telephonically, or participate on the Zoom meeting platform.

At the December 6, 2023 meeting of the Commission, seven Commissioners were present. The Commission unanimously denied CUP 2023-09 citing several criteria that were not met by the application.

Chair Smith requested Commissioners to declare any ex parte communication and or conflict of interest at the beginning of the Public Hearings for the evening. He turned the gavel over to Vice Chair Barnwell noting he had a conflict.

Commissioner Smith declared that his wife is employed by Beachy Construction and he had received a phone call from Kathy Beachy regarding CUP 23-09, CUP 23-10, and CUP 23-11. He related the extent of the conversation as soon as the topic was broached, directing Ms. Beachy to submit her comments in writing or attend the meeting. Ms. Beachy agreed to that and is in attendance. He declared that he has no monetary reward from the CUP action before the

37 Commission. Mr. Smith stated that he is acquainted with Mr. Hueper but that was the extent of
38 the relationship.

39 Commissioner Smith clarified that this declaration would address Public Hearing items CUP
40 23-09, CUP 23-10, and CUP23-11. The Commission unanimously voted 6-0 that Chair Smith did
41 not have a conflict of interest.

42

43 **Evidence Presented**

44 City Planner, Ryan Foster, provided a detailed review of Staff Report PC 23-063 for the
45 Commission. The Applicant was available and provided responses to Commissioners
46 questions. Kathy Beachy, city resident and property owner within 300 feet of the proposed
47 project, related her involvement in the development of the neighborhood, she expressed
48 concerns for density, and the lack of available parking. Scott Adams, city resident, expressed
49 concerns on the density, and commented that there is already construction being conducted
50 without a permit, and questioned if there are covenants for that subdivision.

51 Commissioners expressed concerns regarding the following topics:

- 52 - Wetlands
- 53 - Construction of more structures than expected. The commission felt the density and
54 number of dwelling units was high for the size of the lot.
- 55 - *Code amendments that were approved by the Commission regarding density in the seven*
56 *districts, and Council bringing about the revision to once again requiring a CUP for more*
57 *than one.*
- 58 - Intended purpose of the structures, if they are for long term rentals
- 59 - Potential for increased traffic in a neighborhood by adding all these units
- 60 - Effecting the value of neighboring property is subjective since it is zoned urban
61 residential, so it is for more moderate density compared to rural residential
- 62 - Parking in the setback
- 63 - Fire safety/access to the rear structures from the roadway since there are no driveways
64 to those structures
- 65 - Pathways and driveways are allowed with setbacks

66

67 **Conclusion:** Based on the foregoing findings of fact and law, Conditional Use Permit 2023-09
68 is hereby denied, citing the application did not meet the following criteria:

- 69 1. OBJECTIVE C - MAINTAIN HIGH QUALITY RESIDENTIAL NEIGHBORHOODS; PROMOTE HOUSING
70 CHOICE BY SUPPORTING A VARIETY OF DWELLING OPTIONS.
- 71 2. CRITERIA C, FINDING 3, THAT THE PROPOSAL WILL CAUSE UNDO HARMFUL EFFECT UPON
72 DESIREABLE NEIGHBORHOOD CHARACTER.

|

73 3. INCONSISTENT WITH GOAL 2, MAINTAIN THE QUALITY IF HOMER’S NATURAL ENVIRONMENT
74 AND SCENIC BEAUTY. OBJECTIVE C PROVIDE EXTRA PROTECTION FOR AREAS WITH HIGHEST
75 ENVIRONMENTAL VALUE OF DEVELOPMENT CONSTRAINTS.

76 4. GOAL 1 GUIDING HOMER’S GROWTH WITH A FOCUS ON INCREASING THE SUPPLY AND
77 DIVERSITY OF HOUSING, PROTECT COMMUNITY CHARACTER, ENCOURAGING INFILL AND
78 HELPING MINIMIZE GLOBAL IMPACTS OF PUBLIC FACILITIES INCLUDING LIMITING
79 GREENHOUSE GAS EMISSIONS

80 5. GOAL 3 ENCOURAGE HIGH QUALITY BUILDINGS AND SITE DEVELOPMENT THAT COMPLEMENT
81 HOMER’S BEAUTIFUL NATURAL SETTING

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DRAFT

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105 Date _____ Chair, Scott Smith

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108 _____
109 Date _____ City Planner, Ryan Foster

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117 NOTICE OF APPEAL RIGHTS
118 Pursuant to Homer City Code, Chapter 21.93.060, any person with standing that is affected by this
119 decision may appeal this decision to the Homer Board of Adjustment within thirty (30) days of the date
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121 appeal shall be in writing, shall contain all the information required by Homer City Code, Section
122 21.93.080, and shall be filed with the Homer City Clerk, 491 East Pioneer Avenue, Homer, Alaska 99603-
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129

130
131 _____
132 Date _____ Associate Planner
133

Paul Hueper
3901 Pennock Street
Homer, AK 99603

Rob Dumouchel, City Manager
City of Homer
491 E Pioneer Avenue
Homer, AK 99603

Michael Gatti
JDO Law
3000 A Street, Suite 300
Anchorage, AK 99503



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HOMER PLANNING COMMISSION

Denied CUP 2023-10 at the Meeting of December 6, 2023

RE: Conditional Use Permit (CUP) 2023-10
Address: 1161 Virginia Lynn Way
Legal Description: T 6S R 13W SEC 21 SEWARD MERIDIAN HM 0610256 VIRGINIA LYN SUB LOT 54

DECISION

Introduction

Paul Hueper (the “Applicant”) applied to the Homer Planning Commission (the “Commission”) for a Conditional Use Permit (CUP) under Homer City Code HCC 21.14.030 (i), More than one building containing a permitted principal use on a lot. The applicant proposes a duplex and two single dwelling units at 1161 Virginia Lynn Way.

A public hearing was held for the application before the Commission on December 6, 2023, as required by Homer City Code 21.94. Notice of the public hearing was published in the local newspaper and sent to 27 property owners of 32 parcels as shown on the Kenai Peninsula Borough tax assessor rolls. Public notices contained information on how to submit written testimony, participate telephonically, or participate on the Zoom meeting platform.

At the December 6, 2023 meeting of the Commission, seven Commissioners were present. The Commission unanimously denied CUP 2023-10 citing several criteria that were not met by the application.

Chair Smith requested Commissioners to declare any ex parte communication and or conflict of interest at the beginning of the Public Hearings for the evening. He turned the gavel over to Vice Chair Barnwell noting he had a conflict.

Commissioner Smith declared that his wife is employed by Beachy Construction and he had received a phone call from Kathy Beachy regarding CUP 23-09, CUP 23-10, and CUP 23-11. He related the extent of the conversation as soon as the topic was broached, directing Ms. Beachy to submit her comments in writing or attend the meeting. Ms. Beachy agreed to that and is in attendance. He declared that he has no monetary reward from the CUP action before the

37 Commission. Mr. Smith stated that he is acquainted with Mr. Hueper but that was the extent of
38 the relationship.

39 Commissioner Smith clarified that this declaration would address Public Hearing items CUP
40 23-09, CUP 23-10, and CUP23-11. The Commission unanimously voted 6-0 that Chair Smith did
41 not have a conflict of interest.

42

43 **Evidence Presented**

44 City Planner, Ryan Foster, provided a detailed review of Staff Report PC 23-064 for the
45 Commission. The Applicant was available and provided responses to Commissioners
46 questions. Scott Adams, city resident, expressed concerns on the narrowness of the property,
47 the size of the parking lot and the typical size of a fire truck and the possibility of dragging fire
48 hoses more than 100 feet. He then commented on the placement of the structures and if that
49 would be too close allowing fire to spread. He commented that in review of city code 21.55.030
50 parking in the setback is permitted and stated that it is a parking lot and not a driveway and
51 questioned if it is still permitted.

52 **Conclusion:** Based on the foregoing findings of fact and law, Conditional Use Permit 2023-10
53 is hereby denied, citing the application did not meet the following criteria:

- 54
- 55 1. FINDING 6 - THE PROPOSAL WILL CAUSE UNDUE HARMFUL EFFECT UPON NEIGHBORHOOD
56 CHARACTER.
 - 57 2. INCONSISTENT WITH GOAL 1, OBJECTIVE C, OF THE COMPREHENSIVE PLAN – MAINTAIN HIGH
58 QUALITY RESIDENTIAL NEIGHBORHOODS; PROMOTE HOUSING CHOICE BY SUPPORTING A
59 VARIETY OF DWELLINGS.
 - 60 3. INCONSISTENT WITH GOAL 2, OF THE COMPREHENSIVE PLAN - MAINTAIN THE QUALITY IF
61 HOMER’S NATURAL ENVIRONMENT AND SCENIC BEAUTY. OBJECTIVE C PROVIDE EXTRA
62 PROTECTION FOR AREAS WITH HIGHEST ENVIRONMENTAL VALUE OF DEVELOPMENT
63 CONSTRAINTS.
 - 64 4. INCONSISTENT WITH GOAL 1 OF THE COMPREHENSIVE PLAN - GUIDING HOMER’S GROWTH
65 WITH A FOCUS ON INCREASING THE SUPPLY AND DIVERSITY OF HOUSING, PROTECT
66 COMMUNITY CHARACTER, ENCOURAGING INFILL AND HELPING MINIMIZE GLOBAL IMPACTS OF
67 PUBLIC FACILITIES INCLUDING LIMITING GREENHOUSE GAS EMISSIONS
 - 68 5. INCONSISTENT WITH GOAL 3 OF THE COMPREHENSIVE PLAN - ENCOURAGE HIGH QUALITY
69 BUILDINGS AND SITE DEVELOPMENT THAT COMPLEMENT HOMER’S BEAUTIFUL NATURAL
70 SETTING.
 - 71 6. THE PROPOSAL DOES NOT COMPLY WITH CRITERIA C OF THE ANALYSIS AND DOES NEGATIVELY
72 AFFECT NEIGHBORING PROPERTIES GREATER THAN ANTICIPATED FROM PERMITTED OR
73 CONDITIONALLY PERMITTED USES.

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Date

Chair, Scott Smith

Date

City Planner, Ryan Foster

NOTICE OF APPEAL RIGHTS

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CERTIFICATION OF DISTRIBUTION

I certify that a copy of this Decision was mailed to the below listed recipients on _____, 2024. A copy was also delivered to the City of Homer Planning Department and Homer City Clerk on the same date.

Date

Associate Planner

Paul Hueper
3901 Pennock Street
Homer, AK 99603

Michael Gatti
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3000 A Street, Suite 300

Anchorage, AK 99503

Rob Dumouchel, City Manager
City of Homer
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HOMER PLANNING COMMISSION

Denied CUP 2023-11 at the Meeting of December 6, 2023

RE: Conditional Use Permit (CUP) 2023-11
Address: 1177 Virginia Lynn Way
Legal Description: T 6S R 13W SEC 21 SEWARD MERIDIAN HM 0610256 VIRGINIA LYN SUB LOT 53

DECISION

Introduction

Paul Hueper (the “Applicant”) applied to the Homer Planning Commission (the “Commission”) for a Conditional Use Permit (CUP) under Homer City Code HCC 21.14.030 (i), More than one building containing a permitted principal use on a lot. The applicant proposes a duplex and two single dwelling units at 1177 Virginia Lynn Way.

A public hearing was held for the application before the Commission on December 6, 2023, as required by Homer City Code 21.94. Notice of the public hearing was published in the local newspaper and sent to 27 property owners of 32 parcels as shown on the Kenai Peninsula Borough tax assessor rolls. Public notices contained information on how to submit written testimony, participate telephonically, or participate on the Zoom meeting platform.

At the December 6, 2023 meeting of the Commission, seven Commissioners were present. The Commission unanimously denied CUP 2023-11 citing several criteria that were not met by the application.

Chair Smith requested Commissioners to declare any ex parte communication and or conflict of interest at the beginning of the Public Hearings for the evening. He turned the gavel over to Vice Chair Barnwell noting he had a conflict.

Commissioner Smith declared that his wife is employed by Beachy Construction and he had received a phone call from Kathy Beachy regarding CUP 23-09, CUP 23-10, and CUP 23-11. He related the extent of the conversation as soon as the topic was broached, directing Ms. Beachy to submit her comments in writing or attend the meeting. Ms. Beachy agreed to that and is in attendance. He declared that he has no monetary reward from the CUP action before the

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38 the relationship.

39 Commissioner Smith clarified that this declaration would address Public Hearing items CUP
40 23-09, CUP 23-10, and CUP23-11. The Commission unanimously voted 6-0 that Chair Smith did
41 not have a conflict of interest.

42

43 **Evidence Presented**

44 City Planner, Ryan Foster, provided a detailed review of Staff Report PC 23-065 for the
45 Commission. The Applicant was available and provided responses to Commissioners
46 questions. No members of the public came forward to provide testimony.

47 **Conclusion:** Based on the foregoing findings of fact and law, Conditional Use Permit 2023-11
48 is hereby denied, citing the application did not meet the following criteria:

- 49 1. THE PROPOSAL WILL CAUSE UNDUE HARMFUL EFFECT UPON DESIREABLE NEIGHBORHOOD
50 CHARACTER.
- 51 2. INCONSISTENT WITH GOAL 1, OBJECTIVE C, OF THE COMPREHENSIVE PLAN – MAINTAIN HIGH
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67 CONDITIONALLY PERMITTED USES.

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75 Date _____ Chair, Scott Smith

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Staff Report 23-060

TO: Homer Planning Commission
FROM: Ryan Foster, AICP, City Planner
DATE: December 6, 2023
SUBJECT: Conditional Use Permit (CUP) 23-08

Synopsis The applicant requests a Conditional Use Permit (CUP) 23-08, per HCC 21.24.030 (f), Planned Unit Developments. The applicant proposes a planned unit development consisting of a hotel, employee housing, and triplex residential units at 1563 Homer Spit Road, 1663 Homer Spit Road, and 1491 Bay Avenue.

Applicant: Doyon, Limited
1 Doyon Place,
Fairbanks, AK 99701

Location: 1563 Homer Spit Road, 1663 Homer Spit Road, 1491 Bay Avenue

Legal Description: T 6S R 13W SEC 21 SEWARD MERIDIAN HM 0940051 BAYVIEW SUB NO 6 LOT 164-A

T 6S R 13W SEC 21 SEWARD MERIDIAN HM 0940051 BAYVIEW SUB NO 6 LOT 164-B

T 6S R 13W SEC 21 SEWARD MERIDIAN HM 0000839 BAY VIEW SUB LOT 163

Parcel ID: 18101034, 18101035, 17921015

Size of Existing Lot: 1.87 acres, 2.7 acres, 1.35 acres

Zoning Designation: General Commercial 1 & Rural Residential

Existing Land Use: Commercial & Vacant

Surrounding Land Use: North: Peninsula Solid Waste shop, ministorage, rooming house
South: Mariner Lagoon
East: Homer Spit Road and airport properties
West: Residential

Comprehensive Plan: Chapter 4, Goal 1, Objective A: Promote a pattern of growth characterized by a concentrated mixed-use center, and a surrounding ring of moderate-to-high density residential and mixed-use areas with lower densities in outlying areas.

Wetland Status: The area south of the existing retaining wall is tidal marsh

Flood Plain Status: Zone AE 20, Beluga Slough Flood Hazard Map.

BCWPD: Not within the Bridge Creek Watershed Protection District

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

Public Notice: Notice was sent to 28 property owners of 26 parcels as shown on the KPB tax assessor rolls.

ANALYSIS: The applicant proposes a planned unit development consisting of a hotel, employee housing, and triplex residential units at 1563 Homer Spit Road, 1663 Homer Spit Road, and 1491 Bay Avenue. The conditional use permit for a planned unit development is only one component of this project to be considered by the Planning Commission. The December 6, 2023 Planning Commission Regular Meeting Agenda also has an application to rezone 1491 Bay Avenue and a Preliminary Plat with a ROW vacation have also been submitted and are integral components for the entire proposed project and are summarized below.

Rezone Application: This ordinance proposes a zoning map amendment to move the General Commercial 1 District Boundary west to encompass the subject lot at 1491 Bay Avenue. The applicant proposes a planned unit development consisting of a hotel, employee housing, and triplex residential units at 1563 Homer Spit Road, 1663 Homer Spit Road, and 1491 Bay Avenue. The rezoning is necessary to allow for a mixed use planned unit development (residential and commercial); the Rural Residential District only allows planned unit development with residential uses only.

Bayview Subdivision Lighthouse Village Replat: This plat accompanies the action of vacating the B Street Right of Way south of Bay Avenue, and reconfigures three smaller lots into two larger lots. This preliminary plat would be the mechanism by which the property boundaries would legally change.

Right-of-Way Vacation: This action would vacate B Street, south of Bay Avenue. Unlike other platting processes, the final approval of this vacation is decided by the Homer City Council.

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

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

Analysis: The properties at 1563 Homer Spit Road and 1663 Homer Spit Road are zoned General Commercial 1. The following uses may be permitted in the General Commercial 1 District when authorized by conditional use permit issued in accordance with Chapter 21.71 HCC:

HCC 21.24.030 (f.) Planned Unit Developments.

The property at 1491 Bay Avenue is zoned Rural Residential. The following uses may be permitted in the General Commercial 1 District when authorized by conditional use permit issued in accordance with Chapter 21.71 HCC:

HCC 21.12.030 (a.) Planned Unit Development, limited to residential uses only

The proposed planned unit development uses consist of a hotel, employee housing, and triplex residential units. The proposed commercial structures (a portion of the hotel footprint is located

on 1491 Bay Avenue) and uses are not authorized for the Rural Residential District. An application has been submitted in conjunction with this Conditional Use Permit application, to rezone proposed 1491 Bay Avenue from Rural Residential (RR) Zoning District to General Commercial 1 (GC1).

Finding 1: The structures and uses are authorized by the applicable code for the General Commercial 1 District.

Finding 2: The residential structures and uses are authorized by the applicable code for the Rural Residential District. The commercial structures and uses are not authorized by the applicable code for the Rural Residential District, therefore, a rezone to General Commercial 1 is required.

Condition 1: The property at 1491 Bay Avenue must be rezoned to an authorized zoning district, General Commercial 1, to align with the proposed commercial uses.

Condition 2: The B Street Right-of-Way, south of Bay Avenue must be vacated. The final approval of this vacation is decided by the Homer City Council.

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

HCC 21.24.010 Purpose. The General Commercial 1 (GC1) District is primarily intended to provide sites for businesses that require direct motor vehicle access and may require larger land area, and to provide business locations in proximity to arterials and transportation centers. It is also intended to minimize congestion and adverse effects on adjacent residential districts and on the appearance of the community.

Applicant: Our proposed development for our Homer, Alaska, property encompasses two distinct sections. The first section is envisioned as a year-round hotel featuring dining facilities, convention space, and on-site employee housing, contributing to the city's tourism infrastructure and aligning with the comprehensive plan's goals. The second section is designated for a multi-building residential condo development, catering to the diverse housing needs of the community.

The plan is intricately designed to adhere to the principles outlined in the comprehensive plan, emphasizing the importance of increasing the housing supply, maintaining the quality of the natural environment, and supporting a mix of commercial and residential developments. Detailed site plans drawn on Architectural Site Plan sheet AS0.01 offer specific insights into the layout and design, ensuring that our final product aligns.

Analysis: Planned unit developments are permitted uses with a conditional use permit per HCC 21.24.030 Conditional uses and structures.

Finding 3: The proposed structures and uses are compatible with the purpose of the district.

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

Applicant: The proposed development by Doyon, Limited in Homer, Alaska, holds great promise for enhancing property values in the area and contributing significantly to the local economy.

By offering sustainable development practices, including on-site employee housing, the project addresses the housing needs of its workforce and ensures a minimal environmental footprint. Incorporating on-site accommodation fosters a sense of community among employees, reducing commuting pressures and enhancing the overall quality of life. Moreover, the development's strategic location and thoughtful planning are poised to attract increased visitor traffic, bringing economic benefits to local businesses. As more visitors explore the area, the demand for local services and amenities is likely to rise, boosting the economy and elevating the overall property values in Homer. Doyon, Limited's commitment to sustainable practices and community engagement positions this development as a positive force for the region's economic growth and environmental responsibility. The highly visible location of the plot is expected to enhance the area's aesthetics, contributing to a visually appealing and harmonious neighborhood character.

Analysis: Many uses in the General Commercial 1 district have greater negative impacts than would be realized from a planned unit development consisting of a hotel, employee housing, and triplex residential units. Other permitted uses such as General business offices and professional offices; Heavy equipment and truck sales, rentals, service and repair; Lumberyards; or Retail businesses, would have a similar or greater negative impact on nearby property values.

Finding 4: A planned unit development consisting of a hotel, employee housing, and triplex residential units are not expected to negatively impact the adjoining properties greater than other permitted or conditional uses.

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

Applicant: The proposed development by Doyon, Limited in Homer, Alaska, is carefully designed to be compatible with existing uses of the surrounding land. Through adherence to the planned unit development (PUD) regulations, the project aligns with the zoning district's provisions, ensuring that the mix of residential, commercial, and industrial elements integrates seamlessly into the existing landscape. The development plan considers the neighborhood's character, harmonizing scale, bulk, coverage, and density to preserve the desirable features of the surrounding area. By incorporating sustainable practices, on-site employee housing, and thoughtful design, the proposal aims to complement rather than disrupt the existing land uses, promoting a well-integrated and cohesive community. The proposal's compatibility with the surrounding land uses is a testament to Doyon, Limited's commitment to responsible development and respect for the existing local environment.

Analysis: Existing uses of the surrounding land are currently the Peninsula Solid Waste shop, ministorage, rooming house to the north, residential lots zoned Rural Residential to the west,

Homer Spit Road and airport properties to the east, and the Mariner Lagoon to the south. A planned unit development consisting of a hotel, employee housing, and triplex residential units are in character with the surrounding land uses.

Finding 5: 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: (reference Overall Utility Plan Sheet U0.00)

An existing 6" waterline is currently stubbed into the southern portion of the property. The development will connect to this existing line and serve the condominiums for domestic water and the hotel for domestic and fire service. The employee housing facility will connect to the waterline located at B Street.

For sanitary sewer, the employee housing, hotel, and condominiums will propose a gravity pipe to a proposed lift station, which will be located on the southern lot. The lift station will pump to the northwest and connect to B Street's existing sanitary sewer line to the North.

Analysis: City sewer and water services are already provided to the property.

Finding 6: Water, sewer, and fire services are adequate to serve the proposed planned unit 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: (Reference Overall Site 3D Massing Views Sheet AS0.03)

The proposed development by Doyon, Limited in Homer, Alaska, is meticulously designed to integrate harmoniously with the existing neighborhood character, ensuring that scale, bulk, coverage, and density align with the area's desirable aesthetics. The development seeks to maintain the neighborhood's overall harmony and architectural coherence by adhering to the city's zoning regulations. Additionally, careful attention has been given to the potential impact on traffic generation. The project's strategic location and comprehensive planning consider the capacity of surrounding streets and roads, with measures in place to mitigate adverse effects. By implementing thoughtfully designed

traffic flow patterns and evaluating the needs of the local infrastructure, the development aims to minimize disruptions and contribute positively to the community's overall wellbeing. Doyon, Limited's commitment to balancing growth with neighborhood character preservation underscores its dedication to creating a development that seamlessly integrates into the fabric of Homer, ensuring a positive impact on aesthetics and traffic dynamics.

Analysis: The project corresponds to the purpose statement, as it provides residential and commercial development at a density allowable in code.

Finding 7: The Commission finds the proposal will not cause undue harmful effect upon desirable neighborhood character.

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

Applicant: The proposed development by Doyon, Limited in Homer, Alaska, is conscientiously crafted to prioritize the health, safety, and welfare of the surrounding area and the city. The project adheres strictly to the established zoning regulations and city ordinances, ensuring that all aspects align with the community's well-being. Robust safety measures, both during construction and in the final built environment, have been incorporated to mitigate any potential risks. Additionally, the project emphasizes sustainable practices and environmental considerations to safeguard the local ecosystem's health. By engaging in comprehensive planning, Doyon, Limited aims to contribute positively to the community's welfare, creating a development that enhances the quality of life in the surrounding area without compromising safety or the city's overall health.

Analysis: The proposal does not introduce a use or a scale that is not reasonably anticipated by the rules, regulations, and infrastructure developed to service such a proposal. The applicant has provided a letter from the Federal Aviation Administration (FAA) with a determination that the proposed planned unit development will not be a hazard to air navigation to the Homer Airport.

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.

Condition 3: Contact the FAA before construction begins and confirm if they require a permit for construction cranes on the project.

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

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

Finding 9: The proposal will comply with applicable regulations and conditions specified in Title 21 when gaining the required permits.

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

Applicant: Doyon, Limited's proposal for a year-round hotel and condos in Homer, Alaska, is intricately woven into the city's comprehensive plan, a strategic roadmap designed to guide Homer's growth while safeguarding its distinct character. Anchored within the Land Use chapter of the project, the development seamlessly aligns with the overarching vision of the city, particularly the outlined goals of increasing housing supply and diversity (Goal 1) and maintaining the pristine quality of Homer's natural environment (Goal 2).

The plan envisions Homer as a city that respects its environment, boasting a unique and vibrant atmosphere that is both wonderful to live in and inspiring to visit. The proposed project contributes to this vision by adhering to the plan's emphasis on encouraging high-quality buildings and fostering a mix of well-defined commercial districts (Goal 3 and Goal 4). By promoting compact, walkable community development and integrating green infrastructure elements, the story goes beyond a mere real estate venture; it becomes a harmonious addition to the cityscape, echoing the plan's call for a balanced blend of development and open space.

The Land Use chapter specifically advocates for zoning concepts that encourage a variety of housing options, reflecting income and lifestyle diversity in Homer. Doyon, Limited's proposal aligns with this objective by presenting a mixed-use development that caters to diverse needs while respecting the natural landscape. The plan's proposed land use recommendations map, designed to clarify intended types of uses, resonates with the project's commitment to striking a balance between development density and preserving environmentally crucial areas.

Furthermore, the proposal dovetails with the plan's vision for an integrated system of green spaces, providing aesthetic and functional benefits to the community. By protecting corridors for trails, managing stormwater, preserving wildlife habitat, and maintaining viewsheds, the development becomes a housing solution and a contributor to the city's ecological well-being.

In essence, Doyon, Limited's development proposal mirrors the forward-thinking approach embedded in Homer's comprehensive plan, contributing to the city's economic vitality while ensuring that growth occurs in a manner that is both sustainable and in harmony with the community's values.

Incorporating a meticulously planned sidewalk within the proposed development is crucial in promoting secure pedestrian access to the Homer Spit trail. This thoughtful addition aligns seamlessly with the broader objectives of Homer's Non-Motorized Transportation and Trail Plan (2004), underscoring our commitment to community-driven initiatives prioritizing safety and accessibility. By facilitating a well-designed pedestrian crossing, our development contributes to the local infrastructure and aligns with the overarching vision of creating a more connected and walkable community. This intentional integration reflects our dedication to enhancing the overall living experience in Homer while promoting sustainable and pedestrian-friendly urban planning.

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 planned unit development

complies with the general land use pattern set out in the Comprehensive Plan and allows for greater mixed use opportunities.

Goals of the Land Use Chapter of the Homer Comprehensive Plan include increasing the diversity of housing, encouraging infill, and supporting housing choice by supporting a variety of dwelling options (Chapter 4, Objectives A & C). This proposal promotes housing choice at a density that is appropriate for its proposed use.

Finding 10: The proposal is not contrary to the applicable land use goals and objects of the Comprehensive Plan. The proposal aligns with Chapter 4, Goal 1, Objectives A and C, and D 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: Chapter 3, Outdoor Lighting is applicable to the General Commercial 1 and Rural Residential Districts.

Condition 4: Outdoor lighting must be down lit per HCC 21.59.030 and the CDM.

Finding 11: Project will comply with the applicable provisions of the CDM.

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

- 1. Special yards and spaces:** No specific conditions deemed necessary.
- 2. Fences and walls:** No specific conditions deemed necessary.
- 3. Surfacing of parking areas:** No specific conditions deemed necessary.
- 4. Street and road dedications and improvements:** See Traffic Impact Analysis.
- 5. Control of points of vehicular ingress and egress:** See Traffic Impact Analysis.
- 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: Condition 6:** Per HCC 21.52.070 Time Limit: After a PUD conditional use permit and development plan are approved by the Commission, construction of the planned unit development must begin within two years of the approval of the conditional use permit.
- 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: No specific conditions deemed necessary.

Planned Unit Development (PUD)

Statement of Purpose:

Doyon, Limited is excited about constructing a hotel and condominiums in Homer, viewing it as a distinctive opportunity to elevate the city's hospitality sector. Our vision extends beyond mere construction; we aim to create a landmark that meets the highest standards of luxury and comfort and seamlessly integrates with the breathtaking natural beauty that defines the surrounding environment. This undertaking is more than a development project; it is a commitment to enhancing the overall allure of Homer, attracting tourism, and fostering economic vitality. By envisioning a facility that resonates with the city's unique charm and complements its scenic landscapes, we aspire to contribute to the hospitality sector and the holistic growth and prosperity of the community.

Objective:

Our primary objective is collaborating closely with the City of Homer and all relevant stakeholders to ensure a smooth and successful development process. We are committed to adhering to all local regulations, building codes, and community guidelines throughout the planning and execution phases of this project. Additionally, we aim to incorporate sustainable practices and innovative technologies to minimize the environmental impact of development and contribute positively to the community.

Doyon, Limited recognizes the importance of fostering strong relationships with the local community. We are eager to engage in open and transparent communication to address any concerns and ensure that the development aligns with the values and aspirations of the people of Homer.

We are confident that our expertise in the Alaskan tourism market will enable us to deliver a project that meets and exceeds the City of Homer's and its residents' expectations.

Thank you for considering our proposal. We look forward to collaborating closely with the City of Homer and contributing to this remarkable community's continued growth and prosperity.

A specific plan of development, including a designation of land uses by the relative intensity and the land area intended for each land use:

Please refer to the more detailed site-specific plans (Lighthouse Village Development Drawing Set G0.00-A3.02) submitted for the specific development plan, including the designation of land uses by the relative intensity and the land area intended for each service. These comprehensive documents provide an in-depth analysis and allocation of space for each project component. The submitted plans offer a clear and transparent overview of the proposed development, ensuring that all stakeholders and interested parties

have access to detailed information about the relative intensity and intended land use for each aspect of this innovative project.

A program of development outlining the stages of future development and the phase for current approval:

The development program for the project outlines a phased approach to ensure a systematic and well-coordinated construction process. The project is scheduled to commence during the 2024 construction season, signaling the initiation of site preparations, foundation work, and initial infrastructure development. This initial phase aims to set the groundwork for subsequent construction activities.

Throughout the following construction seasons, the development will progress through defined stages. These stages include constructing the multi-building residential condos on one section of the property and then a year-round hotel with dining and convention on the other and a supporting employee housing facility. These stages will be meticulously executed, considering environmental impact, community integration, and sustainable building practices.

The completion of the entire project is anticipated by 2026. This timeline allows for a comprehensive and quality-driven development process, ensuring each stage receives the necessary attention and adherence to approved plans. The phased approach aligns with the community's needs, allowing for a gradual integration of the new structures while minimizing disruptions to the existing neighborhood. The proposed timeline also provides a clear roadmap for regulatory authorities and the community to monitor and evaluate the development progress at each stage.

The time schedule for construction and completion of all stages and all phases:

The proposed construction schedule for the project entails a strategic and phased approach. The initial stage, slated for the 2024 construction season, primarily focuses on comprehensive site work for the entire project. This includes groundwork, infrastructure development, and the establishment of the foundational elements necessary for both the residential condo section and the year-round hotel with dining and convention space and a supporting employee housing facility.

Following the site preparations, the subsequent phase, scheduled for 2024, concentrates on constructing the residential condo development. This involves erecting multi-building structures, interior finishes, and landscaping to create a vibrant, integrated living space.

In the subsequent construction season of 2025, the project seamlessly transitions to developing the year-round hotel and convention space and a supporting employee housing facility. This phase encompasses the construction of the hotel building, dining facilities, convention spaces, employee housing facility, and the final touches to ensure a high-quality and inviting atmosphere.

The project's culmination is targeted for 2026, aligning with completing the residential condo, hotel, and employee housing sections. This scheduling allows for a systematic and efficient construction process, ensuring each phase receives attention to detail and adheres to the approved plans. Regular progress

updates will be provided to stakeholders, maintaining transparency and accountability throughout the construction and completion stages.

A narrative description demonstrating the independence of each stage:

The phased development emphasizes each stage's independence, ensuring a systematic and well-coordinated construction process.

The initial stage, set in the 2024 construction season, focuses on comprehensive site work. This includes groundwork, infrastructure development, and foundational establishment across the project area. The independence of this stage is crucial as it forms the basis for subsequent development, providing a solid platform for the residential condo, hotel, and employee housing sections.

Moving into 2024, the second stage of development unfolds independently with the construction of the residential condo development. This phase involves erecting multi-building structures, interior finishes, and landscaping. By separating this stage, we ensure dedicated attention to detail and the unique requirements of creating a cohesive and appealing residential living space.

In 2025, the third stage commences, concentrating on constructing the year-round hotel and convention space with supporting employee housing. This phase stands independently, allowing for the specific considerations and nuances associated with hotel infrastructure, dining facilities, and convention spaces to be meticulously addressed.

The independence of each stage is a deliberate strategy to streamline the construction process, enabling specialized focus and expertise at each juncture. This approach ensures that the residential and commercial components of the project are developed with precision and following the approved plans, contributing to the overall success and integrity of the development.

The general location and size of the area involved and the nature of the land owner's interest in the land to be developed:

The proposed development encompasses a specific area in Homer, Alaska, spanning several lots identified as Bay View 163, 164A, and 164B. The total size of the development area is detailed in Architectural Site Plan AS0.01. The landowner's interest in these lots is fee simple ownership, providing the necessary authority to pursue and implement the planned development. This interest ensures the commitment to responsible and sustainable development practices, aligning with the community's broader goals and adhering to relevant regulatory guidelines. Our dedication to transparent communication and community engagement underscores our commitment to fostering a development that aligns with the character and needs of Homer.

The density of land use to be allocated to parts of the area to be developed:

The density of land use allocated to different parts of the area to be developed is outlined

in Architectural Site Plan AS0.01, providing a comprehensive overview of how the development will be distributed across the various lots and sections. This information includes specifics on the intensity and nature of land use in each designated part of the development area, ensuring clarity and adherence to established land use guidelines and regulations. Our commitment to responsible and transparent development extends to providing detailed insights into the density considerations, fostering a well-informed understanding of the project within the community and relevant authorities.

The location, function, ownership and manner of maintenance of common open space for the management during construction; and management during each phase of development, the final management of the completed development:

The development prioritizes the thoughtful management of shared open spaces throughout its construction and subsequent phases of development. Shared open spaces will be carefully designated during construction to facilitate efficient site work and infrastructure development while minimizing environmental impact. The location and function of these spaces are outlined in detail in Architectural Site Plan AS0.01, submitted for approval.

The development team will oversee ownership and maintenance responsibilities during construction. Temporary measures will be implemented to preserve the ecological integrity of shared open spaces during this phase, ensuring that construction activities do not compromise the natural surroundings.

As the development progresses through each phase, the management of shared open spaces will evolve to suit the project's changing needs. This includes landscaping and green infrastructure elements, contributing to the development's aesthetic appeal and ecological sustainability. These spaces will be accessible and well-maintained, fostering a sense of community and enhancing the quality of life for residents.

Upon completing the entire development by 2026, the final management of shared open spaces will transition to a designated entity or homeowner's association, as specified in the approved plans. This ensures the perpetual care and maintenance of these areas, promoting sustainable practices and contributing to the long-term well-being of the Homer community.

The use, height, bulk and location of buildings and other structures:

Architectural Site Plan AS0.01 provides detailed information regarding the use, height, bulk, and location of buildings and other structures. These plans offer a thorough analysis of the proposed development, outlining the specific characteristics of each building, including its designated use, height specifications, bulk considerations, and precise location within the development area. By presenting this information in detail, we aim to ensure transparency and alignment with established guidelines, facilitating a clear understanding of the project's architectural and structural aspects for the community and relevant regulatory bodies.

The substance of covenants, grants of easements or other restrictions to be imposed upon the use of the land, buildings and structures, including proposed easements for public utilities and public access:

The specific substance of covenants, grants of easements, or other restrictions to be imposed upon the use of the land, buildings, and structures has yet to be finalized.

Proposed easements for public utilities and public access are under consideration, and the team is exploring options that align with community needs and adhere to regulatory requirements. Detailed plans outlining these restrictions and easements will be presented in subsequent submissions as the project progresses through the approval process. This collaborative approach ensures that the final covenants and easements balance responsible development, public benefit, and the long-term sustainability of the development.

In the case of plans that call for development over a period of years, a schedule showing the time within which application for final approval of all parts of the planned development is intended to be filed:

We are developing a comprehensive schedule outlining the anticipated timeframe for filing applications at various planned development stages, including subsequent filings following the initial approval process. As the development progresses, we commit to providing a detailed and accurate schedule for each phase, specifying the timeline for final approval. This schedule will be collaboratively prepared with relevant authorities and adhere to regulatory processes, ensuring a transparent and well-coordinated approach to achieving development milestones. Your understanding and cooperation are highly valued as we work diligently to present a comprehensive plan that aligns seamlessly with community goals and regulatory requirements.

A description of methods to be employed to assure maintenance of any common areas and facilities shall be submitted:

We will implement a comprehensive strategy to ensure the proper maintenance of common areas and facilities within the planned development. This strategy includes establishing a dedicated maintenance team or contracting with reputable local service providers for routine upkeep. Regular inspections and assessments will be conducted to identify maintenance needs promptly. A sustainable landscaping plan will also be implemented to preserve common areas' aesthetic and ecological value. We will develop clear guidelines and protocols for maintenance, addressing landscaping, infrastructure, and shared amenities. Through in-house efforts and partnerships with local maintenance experts, we are committed to ensuring the long-term quality and functionality of common spaces within the development.

A list of all permits required from local, State, and Federal agencies for the uses proposed in the PUD:

- Site Plan
- As-built survey
- Building Elevation
- Lighting standards

- Wetlands Permit
- Grading/Fill Plan
- Storm Water Plan (SWP)
- Conditional Use Permit (CUP)
- Landscaping requirements
- Development Activity Plan (DAP)
- Building Permit from the State of Alaska Department of Public Safety
- State Fire Marshal Plan Review

Analysis: A planned unit development (PUD) is a device that allows a development to be planned and built as a unit, or as phased units, and permits flexibility and variation in many of the traditional controls related to density, land use, setback, open space and other design elements, and the timing and sequencing of the construction. A PUD may be applicable to either residential, commercial, noncommercial or industrial uses or a combination thereof. A benefit of the planned unit development is the provision of site plans, elevations, drawings, and illustrations to demonstrate the feasibility and functionality of a project far above what is required for a conventional conditional use permit.

21.52.020 Uses allowed in PUDs.

a. PUDs are allowed in a zoning district only when allowed by the code provisions specifically applicable to that district. A PUD may consist of residential, noncommercial, commercial or industrial uses or a combination thereof, subject to any limitations or exceptions provided in this title.

b. In every PUD and during every stage of development of the PUD, at least 60 percent of the uses in the PUD must be uses that are listed as permitted outright or conditionally within the zoning district in which it is located. To satisfy this standard, the PUD must satisfy all of the following tests:

1. The total of floor area plus exterior lot area occupied by uses listed as permitted outright or conditionally in the zoning district must be not less than 60 percent of the total of floor area plus exterior lot area occupied by all uses in the PUD; and
2. The tax assessed valuation of that portion of the structures in the PUD used for uses listed as permitted outright and conditionally in the zoning district must total not less than 60 percent of the total assessed valuation of all structures in the PUD.

Finding 12: These requirements are met. Hotels are a permitted use in GC1 and multiple family dwellings are a conditional use.

c. If topographical or other barriers do not provide adequate privacy for uses adjacent to the PUD, the Commission may impose conditions to provide adequate privacy, including without limitation one or both of following requirements:

1. Structures located on the perimeter of the planned development must be set back a distance sufficient to protect the privacy of adjacent uses;

2. Structures on the perimeter must be permanently screened by a fence, wall or planting or other measures sufficient to protect the privacy of adjacent uses.

Finding 13: Sight obscuring fencing and a landscaping buffer are illustrated on the site plan to ensure privacy and provide a buffer between a commercial use (hotel) and the neighboring residence.

d. Dimensional Requirements. Setbacks and distances between buildings within the development shall be at least equivalent to that required by the zoning district in which the PUD is located unless the applicant demonstrates that:

1. A better or more appropriate design can be achieved by not applying the provisions of the zoning district; and

2. Adherence to the dimensional requirements of the zoning district is not required in order to protect health, safety and welfare of the occupants of the development and the surrounding area.

Finding 14: The setback and distances between buildings are equivalent to that required by the GC1 district. The only flexibility above the dimensional requirements of 21.24.040 is the building height for GC1 where the maximum building height is 35 feet. A better and more appropriate building height is for a three story hotel, which, by their nature, is higher than 35 feet. The building height proposed in the planned unit development for the hotel is 45 feet, with smaller sections of the hotel at 54 feet and 66.5 feet for the rooftop bar. There are no health, safety, or welfare concerns with the proposed hotel building height. As noted earlier in the staff report, the applicant has provided a letter from the Federal Aviation Administration (FAA) with a determination that the proposed planned unit development will not be a hazard to air navigation to the Homer Airport.

Condition 5: The maximum building heights for the hotel are those depicted in the planned unit development plans submitted for the conditional use permit.

TRAFFIC IMPACT ANALYSIS

The DOT&PF threshold requirement for a Traffic Impact Analysis (TIA) is 100 trips per hour. This requirement is defined in 17 AAC 10.060. Driveways not part of highway construction:

“(c) If a development is projected to generate more than 100 vehicle trips on a highway during any hour of the day, or the traffic generated is expected to detract from the safety of the highway, an applicant must perform a traffic impact analysis that meets the requirements of 17 AAC 10.070.”

On a traffic volume basis, the Alaska Administrative Code 17 AAC 10.060 does not require a TIA for this Lighthouse Village Development because the development peak hour trips are less than 100 trips. The City of Homer has no threshold peak hour volumes that trigger requirements for TIAs. The Homer City

Planner determined a TIA is required per Homer City Code 21.71.020 Application for Conditional Use Permit by this paragraph:

8. Any additional information the City Planner may require to determine whether the application satisfies the criteria for issuance of a permit.

Doyon, Limited is proposing the Lighthouse Village Development project in Homer, Alaska. The development includes a 100-guestroom hotel with on-site employee housing, and five triplex condominium buildings (15 residential units). The development is expected to generate site traffic volumes of 88 trips per hour in 2026, the full-buildout year.

An analysis shows that the westbound FAA Road-Ocean Drive-Homer Spit Road intersection (one of two intersections in the study area) is impacted by the site traffic to the extent that level of service for the westbound approach will decline to D, thus subject to mitigation. Pedestrian crossing at the intersection without site traffic are subject to long delays and poor levels of service. Site traffic does not impact, or worsen, these crossing performance measures.

The other intersection in the study area, Kachemak Drive-Homer Spit Road intersection doesn't have impacts that require mitigation. There is an uncontrolled pedestrian crosswalk, of which crossing pedestrians were not impacted by additional site traffic. However, the crosswalk was evaluated to determine if additional electronic warning devices would be warranted, and it was found that it is not eligible.

Finding 15: A Traffic Impact Analysis was completed with recommendations resulting from the TIA analysis.

Condition 6: The following recommendations from the TIA analysis must be implemented before occupancy and operations can occur:

- No intersection control, channelization, or geometric capacity improvements are recommended. Instead, implement improvements to enhance active transportation modes and potentially reduce vehicle demand at intersections and roadways.
- Instead of the frontage road between the North and South Accesses driveways shown in Figure 4 on page 17, construct a pathway fronting the Lighthouse Village Development to connect the site to the crossing at Kachemak Drive-Homer Spit Road crosswalk. The pathway should meet DOT&PF standards and located for compatibility with future pedestrian improvement projects along Homer Spit Road.
- Construct a connection between the Lighthouse Village Development to Bay Avenue using the B Street right-of-way to allow walking and biking trips to use the lower volume, low speed Bay Avenue, for non-motorist trip segments.
- Install a marked median refuge, and a potential marked crosswalk on the Homer Spit Road approach to the Ocean Drive-Homer Spit Road-FAA Road intersection. The crosswalk would only

be installed if the crossing demand could be established as 20 vehicles per hour or more at this location. However, the median refuge could be implemented without the crosswalk. This is presented in the following Figure 23 on page 75.

- Consider implementing a rapid rectangular flashing beacon at the marked crosswalk at Kachemak Drive for the Homer Spit Road crossing.
- The North Access Driveway and South Access Driveway may be constructed with two lanes, one lane outbound and one lane inbound. Driveways must comply with the recommendations in the DOT&PF Highway Preconstruction Manual (Section 1190).
- In addition to the above, the following recommendations were explicitly requested by DOT&PF after review of the draft report.
 - Construct internal pedestrian connectivity between the hotel and the condominiums.
 - Revise the site plan to realign the South Access Driveway directly across from the Kachemak Drive approach to function as a four-leg intersection. Moreover, it is essential to align the South Access Driveway with Kachemak Drive to assure that required 35 mph driveway spacing distance between the North and South Access Driveways, cited as 260 feet in the DOT&PF Highway Preconstruction Manual Table 1190-3, is achieved (see addition discussion on separation below). Install stop sign control for the South Access Driveway.
 - Construct a rapid rectangular flashing beacon at the existing crosswalk across Homer Spit Road just south of Kachemak Drive.
 - Following the draft report, we evaluated driveway spacing. The DOT&PF Highway Preconstruction Manual Table 1190-3 requires driveway spacing to be 260 feet for roadway speeds of 35 mph. The distance in Table 1190-3 is measured between the edge of driveways as depicted in Figure 1190-2. With this requirement, it is essential to align the South Access Driveway with Kachemak Drive as well as realign/reposition the North Access Driveway to the north to achieve the full 260 feet of separation required in Table 1190-3. The North Access Driveway could be relocated about 20 to 25 feet to the north and still meet minimum driveway sight distance standards.
- The May 2012 Transfer of Responsibilities Agreement (TORA) between the City of Homer and DOT&PF for parking and pedestrian facilities near the project area apply to the improvements recommended in this TIA. Ownership and maintenance of the proposed pathway and pedestrians crossings will be finalized between the City of Homer, DOT&PF, and the developer prior to final permits being issued.

PUBLIC WORKS COMMENTS:

1. **Drainage.** The storm water management plan is acceptable. Their strategy is to direct storm water to on-site swales and rain gardens as well as an underground vault, before water is

discharged to the wetlands. This makes effective use of green infrastructure and protects water quality. They will need to maintain the catch basins and vault.

Recommendation: Property owner should be required to submit a storm water facility maintenance and operations plan for review.

2. **Plans.**

- a. Sheet C1.00 shows the eastern boundary of the 15' public utility easement, but not the western boundary.
 - Recommendations:
 1. Show the western boundary of this easement.
 2. Include a copy of the public utility easement with the CUP package.
- b. Sheet C1.00 does not show the existing wooden viewing platform that provides access for public viewing of wildlife in the adjacent wetland.
 - Recommendation:
 1. Show this existing structure on the plan sheets.
- c. Sheet C1.10 does not show that the existing wooden viewing platform exists or will be demolished/replaced.
 - Recommendations:
 1. Show the existing wooden viewing platform and indicate that it will be demolished.
- d. Sheets C2.00, U2.00 and AS0.01 do not show details of the culverts, swales, rain gardens or other green infrastructure features.
 - Recommendation: Require Property Owner to provide design, construction & maintenance details for any drainage, especially green infrastructure, features for review and approval.
- e. Sheet C4.00 does not show cross walks across the "Spit Road".
 - Recommendation: Show cross walks, with Rapid Flashing Beacons, across the "Spit Road".
- f. Sheet C4.00 does not show traffic signs or other permanent traffic control devices.
 - Recommendation: Provide a permanent traffic control plan
- g. Sheet G0.00 refers the "infamous Homer Spit".
 - Recommendation: delete the word "infamous" as it has no pertinent context here and serves no useful purpose.
- h. Sheet G0.00 refers to "adopted codes", which the City of Homer does not have.
 - Recommendation: Architect should identify with specificity which codes apply.
- i. Sheet G0.00 does not address adjacent wetlands or a buffer between developed areas and preserved areas.
 - Recommendations:
 1. Require a buffer that separates land, on existing fill, which will be developed and land within the proposed ROW vacation and Lot 163 that will not be developed. Specify that this buffer shall remain undeveloped and preserved for conservation.

2. Specify that trees not directly within the development footprint should be preserved.
- j. Sheet U0.00 shows minimum depths of bury that seem too shallow.
 - Recommendation: Verify minimum depths of bury with Jean Arno.
 - k. Sheet U0.00 has a grease trap interceptor, for the commercial kitchen, which is a good thing.
 - Recommendation: Property owner should provide details of construction & maintenance for this device.

Condition 7: Incorporate the recommendations provided in the Public Works Director comments in this staff report.

Condition 8: The applicant will need to submit their engineered water, sewer and storm drain design to Public Works for comment. After PW comments have been made and implemented, they will need to submit their engineered design to ADEC for approval.

FIRE DEPARTMENT COMMENTS: None

PUBLIC COMMENTS: Attached are five letters/emails regarding the Conditional Use Permit Application.

STAFF COMMENTS/RECOMMENDATIONS:

Planning Commission approve CUP 23-08, **Staff Report 23-060** with findings 1-15 and the following conditions.

Condition 1: The property at 1491 Bay Avenue must be rezoned to an authorized zoning district, General Commercial 1, to align with the proposed commercial uses.

Condition 2: The B Street Right-of-Way, south of Bay Avenue must be vacated. The final approval of this vacation is decided by the Homer City Council.

Condition 3: Contact the FAA before construction begins and confirm if they require a permit for construction cranes on the project.

Condition 4: Outdoor lighting must be down lit per HCC 21.59.030 and the CDM.

Condition 5: The maximum building heights for the hotel are those depicted in the planned unit development plans submitted for the conditional use permit.

Condition 6: The following recommendations from the TIA analysis must be implemented before occupancy and operations can occur:

- No intersection control, channelization, or geometric capacity improvements are recommended. Instead, implement improvements to enhance active transportation modes and potentially reduce vehicle demand at intersections and roadways.

- Instead of the frontage road between the North and South Accesses driveways shown in Figure 4 on page 17, construct a pathway fronting the Lighthouse Village Development to connect the site to the crossing at Kachemak Drive-Homer Spit Road crosswalk. The pathway should meet DOT&PF standards and located for compatibility with future pedestrian improvement projects along Homer Spit Road.
- Construct a connection between the Lighthouse Village Development to Bay Avenue using the B Street right-of-way to allow walking and biking trips to use the lower volume, low speed Bay Avenue, for non-motorist trip segments.
- Install a marked median refuge, and a potential marked crosswalk on the Homer Spit Road approach to the Ocean Drive-Homer Spit Road-FAA Road intersection. The crosswalk would only be installed if the crossing demand could be established as 20 vehicles per hour or more at this location. However, the median refuge could be implemented without the crosswalk. This is presented in the following Figure 23 on page 75.
- Consider implementing a rapid rectangular flashing beacon at the marked crosswalk at Kachemak Drive for the Homer Spit Road crossing.
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- In addition to the above, the following recommendations were explicitly requested by DOT&PF after review of the draft report.
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 - Revise the site plan to realign the South Access Driveway directly across from the Kachemak Drive approach to function as a four-leg intersection. Moreover, it is essential to align the South Access Driveway with Kachemak Drive to assure that required 35 mph driveway spacing distance between the North and South Access Driveways, cited as 260 feet in the DOT&PF Highway Preconstruction Manual Table 1190-3, is achieved (see addition discussion on separation below). Install stop sign control for the South Access Driveway.
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Condition 7: Incorporate the recommendations provided in the Public Works Director comments in this staff report.

Condition 8: The applicant will need to submit their engineered water, sewer and storm drain design to Public Works for comment. After PW comments have been made and implemented, they will need to submit their engineered design to ADEC for approval.

Condition 9: Per HCC 21.52.070 Time Limit: After a PUD conditional use permit and development plan are approved by the Commission, construction of the planned unit development must begin within two years of the approval of the conditional use permit.

Condition 10: Any changes of use from those in the submitted planned unit development would require a new or revised conditional use permit.

Attachments

Application with FAA Letter of Determination Issued April 7, 2023
Development Plans
Traffic Impact Analysis
Preliminary Stormwater Plan
Compliance Review of Homer Comprehensive Plan
Public Notice
Aerial Map
Doyon Presentation Slides for 12.6.2023 Meeting
Public Comments received by 12.1.2023



December 6, 2023

City of Homer, Planning Commission
491 East Pioneer Ave
Homer, Alaska 99603

Dear Commissioners:

Doyon, Limited is honored to present a visionary planned unit development in your picturesque corner of the Last Frontier.

With a rich heritage rooted in the Alaska Native culture, Doyon, Limited has a portfolio that includes tourism, showcasing Alaska's unique beauty and cultural richness. Leveraging our deep understanding of Alaska and its Athabascan people, Doyon, Limited has curated immersive and authentic experiences that allow visitors to connect with Alaska's natural wonders and indigenous traditions in the Denali area. Through strategic investments and partnerships, Doyon, Limited has contributed to the state's economic growth and has also played a pivotal role in promoting sustainable tourism practices, ensuring that the allure of Alaska remains pristine for generations to come. With a legacy of stewardship and a commitment to sharing Alaska's treasures, Doyon, Limited is a driving force in shaping the tourism landscape of Alaska.

Doyon, Limited's commitment to sustainable development aligns with the ethos of Homer, a community dedicated to preserving its natural beauty while embracing progress. Our planned unit development reflects a thoughtful approach to design, ensuring a harmonious coexistence between the built environment and the pristine wilderness that defines this region.

With an emphasis on environmental stewardship and cultural respect, our development seeks to enhance the fabric of the community. From residential spaces designed for modern living to recreational areas celebrating the great outdoors to employee housing to alleviate more housing pressure on the community, Doyon Limited is dedicated to a vision for Homer to create vibrant, inclusive, and sustainable experiences.

Doyon, Limited presents this extraordinary venture, where the spirit of the wilderness harmonizes with the comforts of contemporary living in a planned unit development that reflects the unique character of Homer.

Sincerely,

Aaron M. Schutt, President & CEO



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: **Doyon, Limited** Phone No.: **907-375-4216** Address:

1 Doyon Place, Fairbanks AK 99701 Email: dunlapz@doyon.com **Property Owner**

(if different than the applicant):

Name: _____ Phone No.: _____

Address: _____ Email: _____

PROPERTY INFORMATION:

Address: **See below** Lot Size: **See below** acres

KPB Tax ID **See below** Legal Description of Property: **See below**

For staff use:

Date: _____ Fee submittal: Amount _____

Received by: _____ Date application accepted as complete _____

Planning Commission Public Hearing Date: _____

Conditional Use Permit Application Requirements:

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

Circle Your Zoning District

	RR	UR	RO	CBD	TCD	GBD	GC1	GC2	MC	MI	EEMU	BCWPD
Level 1 Site Plan	x	x	x			x			x			x
Level 1 ROW Access Plan	x	x							x			
Level 1 Site Development Standards	x	x										
Level 1 Lighting			x	x	x	x	x	x	x	x	x	
Level 2 Site Plan			x	x	x		x	x		x	x	
Level 2 ROW Access Plan			x	x	x		x	x		x	x	
Level 2 Site Development Standards			x*	x	x	x	x	x			x	
Level 3 Site Development Standards									x	x		
Level 3 ROW Access Plan						x						
DAP/SWP questionnaire					59	x	x	x	x		x	

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

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

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

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

See attached documentation

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.

See attached documentation

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

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

See attached documentation.

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

See attached documentation.

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

See attached documentation.

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

See attached documentation.

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

See attached documentation.

- 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?

See attached documentation.

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

See attached documentation.

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

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

See attached documentation.

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

1. Y/N Special yards and spaces
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 and 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 Questions.

1. How many parking spaces are required for your development? 132
2. If more than 24 spaces are required see HCC 21.50.030(f)(1)(b)
3. How many spaces are shown on your parking plan? 132
4. Are you requesting any reductions? No (*reference AS0.01*)

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

CIRCLE ONE: **Owner of record** Lessee Contract purchaser

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

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

Applicant signature:  _____ Date: 11/15/23

Property Owner signature:  _____ Date: 11/15/23

Property Information:

Bay View 164-A

PARCEL ID: 18101034

Legal:

T 6S R 13W SEC 21 SEWARD MERIDIAN HM 0940051 BAYVIEW SUB NO 6 LOT 164-A

Acreage

1.87

Physical Addresses:

1563 HOMER SPIT RD

Bay View 164-B

PARCEL ID: 18101035

Legal:

T 6S R 13W SEC 21 SEWARD MERIDIAN HM 0940051 BAYVIEW SUB NO 6 LOT 164-B

Physical Addresses:

1663 HOMER SPIT RD

Acreage

2.7

Bay View 163

PARCEL ID: 17921015

Legal:

T 6S R 13W SEC 21 SEWARD MERIDIAN HM 0000839 BAY VIEW SUB LOT 163

Physical Addresses:

1491 BAY AVE

Acreage

1.35

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

The Bay View development encompasses two currently vacant lots, specifically 164 A and B. As part of our commitment to sustainable practices and community engagement, existing structures on these lots are undergoing a meticulous relocation process and repurposing within the Homer community. Collin Excavation, a reputable local contractor, is entrusted with responsibly removing any structures that may not be suitable for repurposing, ensuring an environmentally conscious approach to development.

Simultaneously, the third lot contributing to the proposed development, Bay View 163, remains undeveloped, presenting a pristine canvas for our innovative project. This untouched parcel of land holds significant potential for thoughtful and sustainable development. By integrating green building practices, adhering to comprehensive land use guidelines, and promoting a harmonious coexistence with the natural surroundings, we aspire to create a development that meets the community's needs and elevates the local living experience. Our detailed site plans provide comprehensive insights into the strategic positioning of structures, landscaping, and amenities, ensuring a meticulous and site-specific approach to the development. Exact square footage specifications can be found on the *Architectural Site Plan sheet AS0.01*, offering transparency and clarity regarding the scale of our development. Through these initiatives, we aim to contribute positively to the character of Homer while fostering responsible growth and environmental stewardship.

What is the proposed use of the property? How do you intend to develop the property?

Our proposed development for our Homer, Alaska, property encompasses two distinct sections. The first section is envisioned as a year-round hotel featuring dining facilities, convention space, and on-site employee housing, contributing to the city's tourism infrastructure and aligning with the comprehensive plan's goals. The second section is designated for a multi-building residential condo development, catering to the diverse housing needs of the community.

The plan is intricately designed to adhere to the principles outlined in the comprehensive plan, emphasizing the importance of increasing the housing supply, maintaining the quality of the natural environment, and supporting a mix of commercial and residential developments. Detailed site plans drawn on *Architectural Site Plan sheet AS0.01* offer specific insights into the layout and design, ensuring that our final product aligns

seamlessly with the city's vision for a vibrant, sustainable, and aesthetically pleasing community.

Conditional Use Permit Review Criteria Information:

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

Chapter 21.52 Planned Unit Developments.

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

The proposed development aligns with the purpose of the zoning district for planned unit developments (PUDs), which is to provide a framework for flexible and varied development while adhering to specific controls related to density, land use, setback, open space, and construction sequencing.

Here's how the proposed development aligns with specific sections of the regulations:

1. **Uses Allowed in PUDs (21.52.020):**
 - The proposed hotel and condo development is allowed in the zoning district per the code provisions.
 - The development includes a combination of residential and commercial uses, meeting the criteria for PUDs.
2. **Development Plan (21.52.030):**
 - The conditional use permit application and development plan will be submitted to the Commission for administrative review and recommendation.
 - The plan includes a comprehensive statement of purpose, a specific development plan, and a program of development outlining stages, time schedules, and various other details.
3. **Commission Review (21.52.040):**
 - The proposed development will undergo a thorough review by the Commission, ensuring compliance with conditional use permit standards, PUD provisions, and zoning district regulations.
 - The Commission's decision will be based on substantial evidence and considerations related to good design, efficient site use, and community standards.
4. **Residential PUDs (21.52.050) - if applicable:**
 - If the development includes residential components, it will comply with specific water and sewer utilities requirements, density limits, common open space, and privacy considerations.

5. Commercial, Noncommercial, and Industrial PUDs (21.52.060) - if applicable:

- If the development contains commercial, noncommercial, or industrial uses, it will adhere to requirements such as direct access to arterial streets, unified architectural treatment, and compliance with dimensional requirements.

6. Time Limit (21.52.070):

- The development plan will ensure that construction begins within the specified timeframe after the conditional use permit approval by the Commission.

In summary, the proposed hotel and condo development is designed to align with the purpose and regulations outlined in the city's zoning district for PUDs. We are confident that the detailed development plan will demonstrate how the project meets the requirements for a well-designed, community-friendly development.

How will your proposed project affect adjoining property values?

The proposed development by Doyon, Limited in Homer, Alaska, holds great promise for enhancing property values in the area and contributing significantly to the local economy.

By offering sustainable development practices, including on-site employee housing, the project addresses the housing needs of its workforce and ensures a minimal environmental footprint. Incorporating on-site accommodation fosters a sense of community among employees, reducing commuting pressures and enhancing the overall quality of life. Moreover, the development's strategic location and thoughtful planning are poised to attract increased visitor traffic, bringing economic benefits to local businesses. As more visitors explore the area, the demand for local services and amenities is likely to rise, boosting the economy and elevating the overall property values in Homer. Doyon, Limited's commitment to sustainable practices and community engagement positions this development as a positive force for the region's economic growth and environmental responsibility. The highly visible location of the plot is expected to enhance the area's aesthetics, contributing to a visually appealing and harmonious neighborhood character.

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

The proposed development by Doyon, Limited in Homer, Alaska, is carefully designed to be compatible with existing uses of the surrounding land. Through adherence to the planned unit development (PUD) regulations, the project aligns with the zoning district's provisions, ensuring that the mix of residential, commercial, and industrial elements integrates seamlessly into the existing landscape. The development plan considers the neighborhood's character, harmonizing scale, bulk, coverage, and density to preserve the desirable features of the surrounding area. By incorporating sustainable practices, on-site

employee housing, and thoughtful design, the proposal aims to complement rather than disrupt the existing land uses, promoting a well-integrated and cohesive community. The proposal's compatibility with the surrounding land uses is a testament to Doyon, Limited's commitment to responsible development and respect for the existing local environment.

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

Lots / Site Summary

The existing proximity of the proposed development contains three lots and a ROW for B Street to the North. The lots will be platted to show the vacation of the B Street ROW and propose a reduction of the three (3) total lots to two (2). The northern lot will contain the hotel, employee housing, and associated parking and utilities. The southern lot will include the proposed condominiums with an access route and utilities.

Stormwater Summary *(reference Stormwater Plan Sheet U2.00)*

At the existing B Street ROW, it has been identified that an existing natural drainage ditch currently collects stormwater runoff from both B Street and Bay Avenue to the north. The proposed development includes the vacation of B Street ROW and eliminates the existing natural drainage ditch. However, to maintain compliance with the City of Homer's land use process, the development will manage the stormwater to avoid adverse impacts on the surrounding slopes, neighborhoods, and roads. The development's solution includes capturing the existing stormwater runoff into an on-site swale, then piping the water below grade around the west side of the hotel and daylight into the southern wetlands. This system will integrate sediment control measures to prevent potential adverse effects of sediment gathering in the wetlands.

On the northern lot, the stormwater will be routed via sheet flow to proposed catch basins, then routed through below-grade piping to a detention structure with treatment filters for treatment. The detention structure will be on the proposed hotel's south side. After the stormwater passes through this structure, the stormwater will be released into the southern wetlands at the pre-development runoff rate through a flow control system. On the southern lot, the stormwater will sheet flow into a centrally located swale, providing treatment and storage for stormwater runoff.

Utilities *(reference Overall Utility Plan Sheet U0.00)*

An existing 6" waterline is currently stubbed into the southern portion of the property. The development will connect to this existing line and serve the condominiums for domestic water and the hotel for domestic and fire service. The employee housing facility will connect to the waterline located at B Street.

For sanitary sewer, the employee housing, hotel, and condominiums will propose a gravity pipe to a proposed lift station, which will be located on the southern lot. The lift

station will pump to the northwest and connect to B Street's existing sanitary sewer line to the North.

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?

(Reference Overall Site 3D Massing Views Sheet AS0.03)

The proposed development by Doyon, Limited in Homer, Alaska, is meticulously designed to integrate harmoniously with the existing neighborhood character, ensuring that scale, bulk, coverage, and density align with the area's desirable aesthetics. The development seeks to maintain the neighborhood's overall harmony and architectural coherence by adhering to the city's zoning regulations. Additionally, careful attention has been given to the potential impact on traffic generation. The project's strategic location and comprehensive planning consider the capacity of surrounding streets and roads, with measures in place to mitigate adverse effects. By implementing thoughtfully designed traffic flow patterns and evaluating the needs of the local infrastructure, the development aims to minimize disruptions and contribute positively to the community's overall well-being. Doyon, Limited's commitment to balancing growth with neighborhood character preservation underscores its dedication to creating a development that seamlessly integrates into the fabric of Homer, ensuring a positive impact on aesthetics and traffic dynamics.

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

The proposed development by Doyon, Limited in Homer, Alaska, is conscientiously crafted to prioritize the health, safety, and welfare of the surrounding area and the city. The project adheres strictly to the established zoning regulations and city ordinances, ensuring that all aspects align with the community's well-being. Robust safety measures, both during construction and in the final built environment, have been incorporated to mitigate any potential risks. Additionally, the project emphasizes sustainable practices and environmental considerations to safeguard the local ecosystem's health. By engaging in comprehensive planning, Doyon, Limited aims to contribute positively to the community's welfare, creating a development that enhances the quality of life in the surrounding area without compromising safety or the city's overall health.

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

www.cityofhomerak.gov/planning/comprehensive-plan

Doyon, Limited's proposal for a year-round hotel and condos in Homer, Alaska, is intricately woven into the city's comprehensive plan, a strategic roadmap designed to guide Homer's growth while safeguarding its distinct character. Anchored within the Land Use chapter of the project, the development seamlessly aligns with the overarching

vision of the city, particularly the outlined goals of increasing housing supply and diversity (Goal 1) and maintaining the pristine quality of Homer's natural environment (Goal 2).

The plan envisions Homer as a city that respects its environment, boasting a unique and vibrant atmosphere that is both wonderful to live in and inspiring to visit. The proposed project contributes to this vision by adhering to the plan's emphasis on encouraging high-quality buildings and fostering a mix of well-defined commercial districts (Goal 3 and Goal 4). By promoting compact, walkable community development and integrating green infrastructure elements, the story goes beyond a mere real estate venture; it becomes a harmonious addition to the cityscape, echoing the plan's call for a balanced blend of development and open space.

The Land Use chapter specifically advocates for zoning concepts that encourage a variety of housing options, reflecting income and lifestyle diversity in Homer. Doyon, Limited's proposal aligns with this objective by presenting a mixed-use development that caters to diverse needs while respecting the natural landscape. The plan's proposed land use recommendations map, designed to clarify intended types of uses, resonates with the project's commitment to striking a balance between development density and preserving environmentally crucial areas.

Furthermore, the proposal dovetails with the plan's vision for an integrated system of green spaces, providing aesthetic and functional benefits to the community. By protecting corridors for trails, managing stormwater, preserving wildlife habitat, and maintaining viewsheds, the development becomes a housing solution and a contributor to the city's ecological well-being.

In essence, Doyon, Limited's development proposal mirrors the forward-thinking approach embedded in Homer's comprehensive plan, contributing to the city's economic vitality while ensuring that growth occurs in a manner that is both sustainable and in harmony with the community's values.

Incorporating a meticulously planned sidewalk within the proposed development is crucial in promoting secure pedestrian access to the Homer Spit trail. This thoughtful addition aligns seamlessly with the broader objectives of Homer's Non-Motorized Transportation and Trail Plan (2004), underscoring our commitment to community-driven initiatives prioritizing safety and accessibility. By facilitating a well-designed pedestrian crossing, our development contributes to the local infrastructure and aligns with the overarching vision of creating a more connected and walkable community. This intentional integration reflects our dedication to enhancing the overall living experience in Homer while promoting sustainable and pedestrian-friendly urban planning.



Planned Unit Development (PUD)

Statement of Purpose:

Doyon, Limited is excited about constructing a hotel and condominiums in Homer, viewing it as a distinctive opportunity to elevate the city's hospitality sector. Our vision extends beyond mere construction; we aim to create a landmark that meets the highest standards of luxury and comfort and seamlessly integrates with the breathtaking natural beauty that defines the surrounding environment. This undertaking is more than a development project; it is a commitment to enhancing the overall allure of Homer, attracting tourism, and fostering economic vitality. By envisioning a facility that resonates with the city's unique charm and complements its scenic landscapes, we aspire to contribute to the hospitality sector and the holistic growth and prosperity of the community.

Objective:

Our primary objective is collaborating closely with the City of Homer and all relevant stakeholders to ensure a smooth and successful development process. We are committed to adhering to all local regulations, building codes, and community guidelines throughout the planning and execution phases of this project. Additionally, we aim to incorporate sustainable practices and innovative technologies to minimize the environmental impact of development and contribute positively to the community.

Doyon, Limited recognizes the importance of fostering strong relationships with the local community. We are eager to engage in open and transparent communication to address any concerns and ensure that the development aligns with the values and aspirations of the people of Homer.

We are confident that our expertise in the Alaskan tourism market will enable us to deliver a project that meets and exceeds the City of Homer's and its residents' expectations.

Thank you for considering our proposal. We look forward to collaborating closely with the City of Homer and contributing to this remarkable community's continued growth and prosperity.

A specific plan of development, including a designation of land uses by the relative intensity and the land area intended for each land use:

Please refer to the more detailed site-specific plans (*Lighthouse Village Development Drawing Set G0.00-A3.02*) submitted for the specific development plan, including the designation of land uses by the relative intensity and the land area intended for each service. These comprehensive documents provide an in-depth analysis and allocation of space for each project component. The submitted plans offer a clear and transparent overview of the proposed development, ensuring that all stakeholders and interested parties have access to detailed information about the relative intensity and intended land use for each aspect of this innovative project.

A program of development outlining the stages of future development and the phase for current approval:

The development program for the project outlines a phased approach to ensure a systematic and well-coordinated construction process. The project is scheduled to commence during the 2024 construction season, signaling the initiation of site preparations, foundation work, and initial infrastructure development. This initial phase aims to set the groundwork for subsequent construction activities.

Throughout the following construction seasons, the development will progress through defined stages. These stages include constructing the multi-building residential condos on one section of the property and then a year-round hotel with dining and convention on the other and a supporting employee housing facility. These stages will be meticulously executed, considering environmental impact, community integration, and sustainable building practices.

The completion of the entire project is anticipated by 2026. This timeline allows for a comprehensive and quality-driven development process, ensuring each stage receives the necessary attention and adherence to approved plans. The phased approach aligns with the community's needs, allowing for a gradual integration of the new structures while minimizing disruptions to the existing neighborhood. The proposed timeline also provides a clear roadmap for regulatory authorities and the community to monitor and evaluate the development progress at each stage.

The time schedule for construction and completion of all stages and all phases:

The proposed construction schedule for the project entails a strategic and phased approach. The initial stage, slated for the 2024 construction season, primarily focuses on comprehensive site work for the entire project. This includes groundwork, infrastructure development, and the establishment of the foundational elements necessary for both the residential condo section and the year-round hotel with dining and convention space and a supporting employee housing facility.

Following the site preparations, the subsequent phase, scheduled for 2024, concentrates on constructing the residential condo development. This involves erecting multi-building structures, interior finishes, and landscaping to create a vibrant, integrated living space.

In the subsequent construction season of 2025, the project seamlessly transitions to developing the year-round hotel and convention space and a supporting employee housing facility. This phase encompasses the construction of the hotel building, dining facilities, convention spaces, employee housing facility, and the final touches to ensure a high-quality and inviting atmosphere.

The project's culmination is targeted for 2026, aligning with completing the residential condo, hotel, and employee housing sections. This scheduling allows for a systematic and efficient construction process, ensuring each phase receives attention to detail and adheres to the approved plans. Regular progress updates will be provided to stakeholders, maintaining transparency and accountability throughout the construction and completion stages.

A narrative description demonstrating the independence of each stage:

The phased development emphasizes each stage's independence, ensuring a systematic and well-coordinated construction process.

The initial stage, set in the 2024 construction season, focuses on comprehensive site work. This includes groundwork, infrastructure development, and foundational establishment across the project area. The independence of this stage is crucial as it forms the basis for subsequent development, providing a solid platform for the residential condo, hotel, and employee housing sections.

Moving into 2024, the second stage of development unfolds independently with the construction of the residential condo development. This phase involves erecting multi-building structures, interior finishes, and landscaping. By separating this stage, we ensure dedicated attention to detail and the unique requirements of creating a cohesive and appealing residential living space.

In 2025, the third stage commences, concentrating on constructing the year-round hotel and convention space with supporting employee housing. This phase stands independently, allowing for the specific considerations and nuances associated with hotel infrastructure, dining facilities, and convention spaces to be meticulously addressed.

The independence of each stage is a deliberate strategy to streamline the construction process, enabling specialized focus and expertise at each juncture. This approach ensures that the residential and commercial components of the project are developed with precision and following the approved plans, contributing to the overall success and integrity of the development.

The general location and size of the area involved and the nature of the land owner's interest in the land to be developed:

The proposed development encompasses a specific area in Homer, Alaska, spanning several lots identified as Bay View 163, 164A, and 164B. The total size of the

development area is detailed in *Architectural Site Plan AS0.01*. The landowner's interest in these lots is fee simple ownership, providing the necessary authority to pursue and implement the planned development. This interest ensures the commitment to responsible and sustainable development practices, aligning with the community's broader goals and adhering to relevant regulatory guidelines. Our dedication to transparent communication and community engagement underscores our commitment to fostering a development that aligns with the character and needs of Homer.

The density of land use to be allocated to parts of the area to be developed:

The density of land use allocated to different parts of the area to be developed is outlined in *Architectural Site Plan AS0.01*, providing a comprehensive overview of how the development will be distributed across the various lots and sections. This information includes specifics on the intensity and nature of land use in each designated part of the development area, ensuring clarity and adherence to established land use guidelines and regulations. Our commitment to responsible and transparent development extends to providing detailed insights into the density considerations, fostering a well-informed understanding of the project within the community and relevant authorities.

The location, function, ownership and manner of maintenance of common open space for the management during construction; and management during each phase of development, the final management of the completed development:

The development prioritizes the thoughtful management of shared open spaces throughout its construction and subsequent phases of development. Shared open spaces will be carefully designated during construction to facilitate efficient site work and infrastructure development while minimizing environmental impact. The location and function of these spaces are outlined in detail in *Architectural Site Plan AS0.01*, submitted for approval.

The development team will oversee ownership and maintenance responsibilities during construction. Temporary measures will be implemented to preserve the ecological integrity of shared open spaces during this phase, ensuring that construction activities do not compromise the natural surroundings.

As the development progresses through each phase, the management of shared open spaces will evolve to suit the project's changing needs. This includes landscaping and green infrastructure elements, contributing to the development's aesthetic appeal and ecological sustainability. These spaces will be accessible and well-maintained, fostering a sense of community and enhancing the quality of life for residents.

Upon completing the entire development by 2026, the final management of shared open spaces will transition to a designated entity or homeowner's association, as specified in the approved plans. This ensures the perpetual care and maintenance of these areas, promoting sustainable practices and contributing to the long-term well-being of the Homer community.

The use, height, bulk and location of buildings and other structures:

Architectural Site Plan AS0.01 provides detailed information regarding the use, height, bulk, and location of buildings and other structures. These plans offer a thorough analysis of the proposed development, outlining the specific characteristics of each building, including its designated use, height specifications, bulk considerations, and precise location within the development area. By presenting this information in detail, we aim to ensure transparency and alignment with established guidelines, facilitating a clear understanding of the project's architectural and structural aspects for the community and relevant regulatory bodies.

The substance of covenants, grants of easements or other restrictions to be imposed upon the use of the land, buildings and structures, including proposed easements for public utilities and public access:

The specific substance of covenants, grants of easements, or other restrictions to be imposed upon the use of the land, buildings, and structures has yet to be finalized.

Proposed easements for public utilities and public access are under consideration, and the team is exploring options that align with community needs and adhere to regulatory requirements. Detailed plans outlining these restrictions and easements will be presented in subsequent submissions as the project progresses through the approval process. This collaborative approach ensures that the final covenants and easements balance responsible development, public benefit, and the long-term sustainability of the development.

In the case of plans that call for development over a period of years, a schedule showing the time within which application for final approval of all parts of the planned development is intended to be filed:

We are developing a comprehensive schedule outlining the anticipated timeframe for filing applications at various planned development stages, including subsequent filings following the initial approval process. As the development progresses, we commit to providing a detailed and accurate schedule for each phase, specifying the timeline for final approval. This schedule will be collaboratively prepared with relevant authorities and adhere to regulatory processes, ensuring a transparent and well-coordinated approach to achieving development milestones. Your understanding and cooperation are highly valued as we work diligently to present a comprehensive plan that aligns seamlessly with community goals and regulatory requirements.

A description of methods to be employed to assure maintenance of any common areas and facilities shall be submitted:

We will implement a comprehensive strategy to ensure the proper maintenance of common areas and facilities within the planned development. This strategy includes establishing a dedicated maintenance team or contracting with reputable local service

providers for routine upkeep. Regular inspections and assessments will be conducted to identify maintenance needs promptly. A sustainable landscaping plan will also be implemented to preserve common areas' aesthetic and ecological value. We will develop clear guidelines and protocols for maintenance, addressing landscaping, infrastructure, and shared amenities. Through in-house efforts and partnerships with local maintenance experts, we are committed to ensuring the long-term quality and functionality of common spaces within the development.

A list of all permits required from local, State, and Federal agencies for the uses proposed in the PUD:

- Site Plan
- As-built survey
- Building Elevation
- Lighting standards
- Wetlands Permit
- Grading/Fill Plan
- Storm Water Plan (SWP)
- Conditional Use Permit (CUP)
- Landscaping requirements
- Development Activity Plan (DAP)
- Building Permit from the State of Alaska Department of Public Safety
- State Fire Marshal Plan Review



Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2023-AAL-45-OE

Issued Date: 04/07/2023

Patrick Duke
 Doyon, Limited
 11500 Sukdu Way
 Ste. 250
 Anchorage, AK 99515

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Commercial Use Building Midsite East
 Location: Homer, AK
 Latitude: 59-38-17.26N NAD 83
 Longitude: 151-30-06.17W
 Heights: 52 feet site elevation (SE)
 65 feet above ground level (AGL)
 117 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

This determination expires on 10/07/2024 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within

6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (816) 329-2526, or bill.kieffer@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-AAL-45-OE.

Signature Control No: 574673413-580005698

(DNE)

Bill Kieffer
Specialist

Attachment(s)
Map(s)



Review of comprehensive plan Land Use Chapter for CUP 23—08 RF 12.6.23

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

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

Staff: Goals of the Land Use Chapter of the Homer Comprehensive Plan include increasing the diversity of housing, encouraging infill, and supporting housing choice by supporting a variety of dwelling options (Chapter 4, Objectives A & C). This proposal promotes housing choice at a density that is appropriate for its proposed use.

Objective B: Develop clear and well-defined land use regulations and update the zoning map in support of the desired pattern of growth.

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

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

Staff: Goals of the Land Use Chapter of the Homer Comprehensive Plan include increasing the diversity of housing, encouraging infill, and supporting housing choice by supporting a variety of dwelling options (Chapter 4, Objectives A & C). This proposal promotes housing choice at a density that is appropriate for its proposed use.

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

Staff: 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 planned unit development complies with the general land use pattern set out in the Comprehensive Plan and allows for greater mixed use opportunities.

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

Objective A: Complete and maintain a detailed “green infrastructure” map for the City of Homer and environs that presents an integrated functional system of environmental features

on lands in both public and private ownership and use green infrastructure concepts in the review and approval of development projects.

N/A – not associated with mapping.

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

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

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

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

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

Staff: The City of Homer collaborated with the Alaska Department of Transportation on the review and approval of the Traffic Impact Analysis. Homer Spit Road is a Alaska DOT maintained road.

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

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

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

Objective B: Encourage high quality site design and buildings.

Staff: The proposal supports high quality design via the submitted plans for the planned unit development, which are required to submit a Zoning Permit and meet City requirements for site development.

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

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

Staff: The proposal is not found in the CBD.

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

Staff: The site plan for the planned unit development demonstrates that the proposal avoids traditional strip development with quality of design.

Finding:

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

**CITY OF HOMER
PUBLIC HEARING NOTICE
PLANNING COMMISSION MEETING**

A **public hearing** is scheduled for **Wednesday, January 3, 2024** during the Special Planning Commission Meeting. The **meeting begins at 5:30 p.m.** in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, AK; and by Zoom webinar at zoom.us or Telephone Dial 1-669-900- 6833 or 1-253-215 8782; (Toll Free) 888-788-0099 or 877- 853-5247; use Webinar ID: 979 8816 0903 and Passcode: 976062

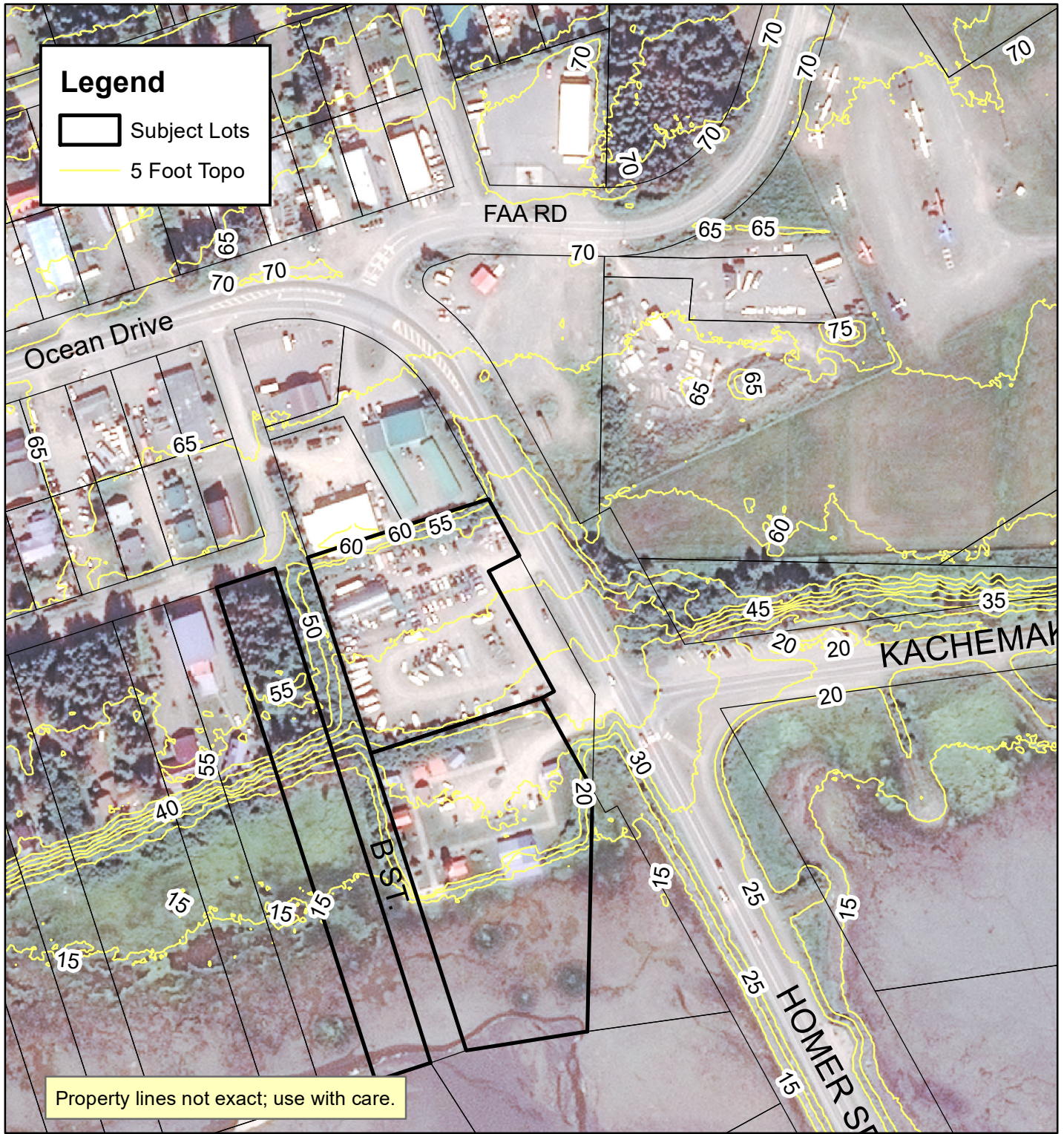
AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA AMENDING HOMER CITY CODE 21.10.030 AMENDING THE HOMER CITY ZONING MAP TO REZONE A PORTION OF THE RURAL RESIDENTIAL (RR) ZONING DISTRICT TO GENERAL COMMERCIAL 1 (GC1) ZONING DISTRICT. The rezone from Rural Residential (RR) Zoning District to General Commercial 1 (GC1) is proposed for the following address: 1491 Bay Avenue T 6S R 13W SEC 21 SEWARD MERIDIAN HM 0000839 BAY VIEW SUB LOT 163

A Request for Conditional Use Permit (CUP) 23-08, per HCC 21.24.030 (f), Planned Unit Developments. The applicant proposes a planned unit development consisting of a hotel, employee housing, and triplex residential units at the following addresses: 1563 Homer Spit Road, T 6S R 13W SEC 21 SEWARD MERIDIAN HM 0940051 BAYVIEW SUB NO 6 LOT 164-A; 1663 Homer Spit Road, T 6S R 13W SEC 21 SEWARD MERIDIAN HM 0940051 BAYVIEW SUB NO 6 LOT 164-B; and 1491 Bay Avenue T 6S R 13W SEC 21 SEWARD MERIDIAN HM 0000839 BAY VIEW SUB LOT 163

A proposal to vacate the B Street right-of-way within the Bayview Subdivision NO. 6 (HM 94-51), located in the SW1/4 SEC. 21, T. 6 S., R. 13 W., S.M.

A copy of the complete proposal is available for review at the at City Hall, City Clerk's Office, Lower Lobby located at 491 E. Pioneer Avenue and in the Planning Commission Meeting Agenda Packet that will be posted on the City website, at the Homer Public Library, and the City Clerk's office by 5pm on the Friday before the meeting. If you have questions, contact Ryan Foster at the Planning Office. Phone: (907) 435-3120, email: planning@ci.homer.ak.us or in-person at Homer City Hall.

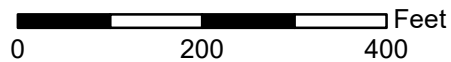
Ad #23-100 Publish 122823



City of Homer
 Planning and Zoning Department

11/20/23

Aerial Map



*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

Volunteer Fire Department

604 East Pioneer Ave
Homer, Alaska 99603

fire@cityofhomer-ak.gov

(p) 907-235-3155

(f) 907-235-3157

MEMORANDUM

TO: HOMER PLANNING COMMISSION
FROM: MARK KIRKO, FIRE CHIEF
THROUGH: RYAN FOSTER, CITY PLANNER
DATE: DECEMBER 22, 2023
SUBJECT: REVIEW OF PROPOSED LIGHTHOUSE VILLAGE DEVELOPMENT

I have reviewed the submitted Information and preliminary plans for the Lighthouse Village Development project. As submitted, I don't see any concerns for fire & life safety response to the property or structures.

As the project moves forward I anticipate more fire department involvement with engineers or contractors in the following areas.

- Fire alarm systems, enunciates locations and operations.
- Fire suppression systems.
- Elevator mechanical rooms and operations.
- Knox box use and locations.
- FDC location.
- Fire hydrant placement.

Please don't hesitate to reach out to my office should you have any questions or require clarification with regards to our ability to respond to fire and medical emergencies at the proposed property and structures.



Memorandum

TO: Planning Commission
FROM: Janette Keiser, PE, Public Works Director and City Engineer
DATE: December 27, 2023
SUBJECT: Lighthouse Village Development

I. **Background and Purpose:** At the public hearing held December 6, 2023, various members of the public made comments and asked questions regarding the proposed Lighthouse Village Development. Some of the questions related to public infrastructure, public safety and public access. I have researched these comments and questions. In some cases, I learned new information. The purpose of this memorandum is to explain that information and provide some specific recommendations.

II. Responses to Comments/Questions:

Comment/Question No. 1: *“Are we ready for additional sewage [that would be generated by this development]?”*

Response: Yes. The Waste Water Treatment Plant typically runs at 50% capacity. In periods of high rainfall, that flow can increase, because of Infiltration and Inflow into the system. Still, the incremental increase in sewage flow from the proposed development will not adversely affect system capacity.

That being said, the development will include a restaurant, which will generate Fats, Oils & Grease (“FOG”), which can clog sewer lines.

Recommendation: That the Planning Commission, as authorized by HCC 21.52.040(c), require, as condition for the Planned Unit Development, that the development be required to install, and properly maintain, a Grease Separator device to reduce the risk of sewage clogs and the amount of FOG that enters into the City’s sewer system.

Comment/Question No. 2: *“Will our sewer and water [system] handle the extra flow?”*

Response: The answer to the question about sewage capacity is addressed above. The City’s water system has sufficient capacity to handle the incremental flows the proposed development will require. That being said, a complex of this size will use a lot of water, which is a valuable and limited resource.

Recommendation: That the Planning Commission, as authorized by HCC 21.52.040(c), require, as condition for the Planned Unit Development, the developer to employ low-flow fixtures in the bathrooms and water-conservation protocols.

Comment/Question No. 3: *“How will our water/sewer rates be affected by this development?”*

Response: Increased demand would increase costs because we would be using more chemicals and other commodities during the water/sewer treatment processes. However, the water/sewer fee schedule is directly related to the budgeted costs of operation. This means the development would be paying water/sewer fees, which are directly related to how much flow they generate. These fees should offset extra costs of operations.

Further, when it comes to funding capital projects, having more customers is a good thing, because it spreads the costs around. For example, over the next five years, we will be buying five water filter membrane units for the Water Treatment Plant, at the cost of about \$90,000 for each unit. If we have more customers, the incremental cost increase, which each customer will be required to pay for these purchases, should go down.

Comments/Question No. 4:

Multiple comments were made about the viewing platform that was demolished, including these representative comments:

“The demolition of the viewing platform was a huge loss for the community and it should be replaced”.

“Was the viewing platform installed as mitigation for illegal filling of the wetlands?”

Response: I was not able to confirm or deny with certainty whether the viewing platform was installed as mitigation for a permit violation. The Corps of Engineers was not able to locate a copy of the fill permit or other documentation related to the original development of the property. However, I had several conversations with employees of the Alaska Maritime National Wildlife Refuge, who worked for that agency during the time the viewing platform was built.

They told me the viewing platform was built with public grant funds and installed as part of a cooperative agreement by the then-property owner and the Alaska Maritime National Wildlife Refuge. Originally, this agreement was verbal, but in 2020 the parties entered into a written agreement, a copy of which is attached.

According to this agreement, the Refuge’s primary interest was to provide for public access for regular shorebird monitoring, particularly, but not exclusively, during the Shorebird Festival. The agreement provided for a 5-year term, with an automatic renewal of an additional 5 years. The agreement allows for termination, upon giving 60 days of notice. The Refuge personnel I talked to were given no notice that the structure was being demolished.

Recommendation: That the Planning Commission, as authorized by HCC 21.52.040(c), require, as condition for the Planned Unit Development, that the developer reestablish a viewing platform (a) for public use during the same periods of time specified in the Land Use

Agreement and (b) that is substantially similar to the viewing platform that was demolished, without notice to the Alaska Maritime National Wildlife Refuge in violation of the Land Use Agreement.

Comment/Question No. 5: *“There were chemicals in the soils analysis.”*

Response: The Geotechnical Data Report, prepared by Shannon & Wilson, says various volatile organics were detected in the soils samples, at *“concentrations less than the most stringent ADEC Method Two cleanup levels.”* While the levels do not trigger requirements for cleanup, mass excavation to prepare for a poured-in-place foundation of footings and slabs, will expose the volatile organics. The substances could then be disbursed by rain or ground water into the tidal flats where birds habitually feed and nest. Pile foundations would cause less disturbance and reduce the risk of spreading contamination.

Recommendation: That the Planning Commission, as authorized by HCC 21.52.040(c), require, as a condition of the Planned Unit Development, that the developer (a) avoid mass excavation in areas where volatile organics were found and (b) guard against dispersal of such materials into the tidal flats through Best Practice SWPPP measures.

Comment/Question No. 6: *“The developer had no biologist on the team so they have no evidence that their development will not impact wildlife.”*

Response: Portions of the property proposed for development and the area immediately adjacent to the subject development, are zoned Open Space Recreational. Other areas just beyond this Open Space are zoned for Conservation. Both areas are established nesting/feeding areas for sand hill cranes and other birds. Pursuant to Homer’s Comprehensive Plan, these areas are intended to protect natural resources, particularly wildlife habitat. To ensure that the proposed development will not obviate this protective intent, it is appropriate that some biological analysis be conducted to ascertain the impact of the proposed development on wildlife so that adverse impacts can be avoided or mitigated by good design.

Recommendation: That the Planning Commission, as authorized by HCC 21.52.040(c), require, as a condition of the Planned Unit Development, that the developer commission a qualified wildlife biologist to (a) review the probable impacts of the proposed development on wildlife and (b) identify steps for mitigating adverse impacts.

As minimum, the portions of the subject parcels that are part of the tidal marsh should be designated for conservation to ensure they will not be subject to future development.

Comment/Question No. 7: Multiple comments were made about the buffer from the adjacent residential lot, including this representative comment, *“There should be a buffer between the hotel and the adjacent lot with trees.”*

Response: Homer City Code allows the Planning Commission to *“impose conditions to provide adequate privacy.”* HCC 21.52.050(e). The developer proposes to leave a 10-foot buffer of natural vegetation and install a 6-foot fence. This will not provide for adequate privacy. It would be better to leave a larger vegetative buffer.

Recommendation: That the Planning Commission, as authorized by HCC 21.52.040(c) and 21.52.050(e), require, as a condition of the Planned Unit Development, that the developer leave at least a 20-foot buffer of existing trees at the west property line to provide the residential neighbor adequate privacy.

Comment/Question No. 8: There were multiple comments made about the existing trail in the B Street ROW, including this representative comment, *“There is an existing trail in the B Street ROW, we’ve been using for years.”*

Response: The attached as-built survey shows there is indeed an existing trail in the B Street ROW from Bay Avenue to the toe of the bluff. The developer is requesting that the City vacate this ROW so it can be used as part of the development. This will decimate the existing trail.

Public ROW has tangible value. When the City needs an easement for drainage or utilities, it compensates the property owner for the value of the land that is subject to the easement. For example, two years ago, we needed to acquire a drainage easement and offered to compensate the property owner \$3.78 per square foot for the easement, which was the estimated value of the real estate in question. Using that value as a baseline, and understanding that the actual value would be higher in the Lighthouse Village location and two years later, the value of the vacated ROW would be over \$90,000. I’m not suggesting that the developer pay this to the City. It would be sufficient if the developer would preserve the public access trail in return for taking the public ROW for private use.

Recommendation: That the Planning Commission, as authorized by HCC 21.52.040(c), require, as a condition of the Planned Unit Development, that the developer provide for public access from Bay Avenue to the toe of the slope or to a new viewing platform, as the site design allows.

Comment/Question No. 9: There were numerous comments/questions about the Traffic Impact Analysis (“TIA”).

Response: Randy Kinney, Kinney Engineering LLC, will be addressing the comments and questions related to the TIA separately.

Comment/Question No. 10: *Where is the open space that is required?*

Response: Homer City Code requires that the “total open area shall be at least 1.1 times the total floor area” and this does not include parking areas. HCC 21.52.050(c). It is not clear from the site plan how much open space is being provided. It’s possible the developer is counting, as open space, the portions of its parcels that are tidal marsh. If this is the case, then it is another reason this area should be formally designated for conservation.

FWS Agreement #:

Land Use Agreement

between

**Alaska Maritime National Wildlife Refuge
95 Sterling Hwy #1
Homer, AK 99603**

and

**Hooks Hole LLC
1633 Homer Spit Road
Homer, Alaska 99603**

This Land Use Agreement (LUA) between the U.S. Department of Interior, Fish and Wildlife Service – Alaska Maritime National Wildlife Refuge (“Service”) acting through the Refuge Manager (“Manager”), or designee and Hooks Hole LLC, acting through the property owner or his/her designee.

PURPOSE:

The purpose of this LUA is to allow the Service and Hooks Hole LLC to jointly provide wildlife viewing access at the Viewing Platform (1633 Homer Spit Rd, Homer AK 99603) in Homer, Alaska. Access to the wildlife viewing platform will provide Kachemak Bay Shorebird Festival participants opportunities to learn about and experience migratory birds and the habitats in which they rely, and provide citizen scientists opportunities to collect seasonal data that benefits habitat managers..

WITNESSETH:

WHEREAS, it is the intention of the Service to help provide opportunities for wildlife dependent recreation, and

WHEREAS, interpretive and educational material and programs enhance the appreciation of our nation's fish and wildlife resources and thereby encourage utilization of recreational opportunities provided on Service administrative units, and

WHEREAS, the USFWS desires to promote interpretation, education, and wildlife-dependent recreation information and is headquartered in Homer, Alaska, gateway to multiple state and federal public lands;

WHEREAS Hooks Hole LLC, has an opportunity to offer the community service of access to wildlife viewing;

NOW THEREFORE. Pursuant to the authority contained in the Act of October 15, 1966 (16 U.S.C. 460K-2,4); and other laws supplementary thereto and amendatory thereof, and in consideration of the mutual benefits which will accrue to the Service and Hooks Hole LLC, the parties agree as follows:

I. AUTHORIZATION: the Service and Hooks Hole LLC agree to continue their partnership offering public access to Hooks Hole LLC facility hereinafter described for a period of 5 years commencing on the day following the ratification of this agreement by the Service.

II. HOOKS HOLE LLC AND SERVICE RESPONSIBILITIES: For the periods set forth above, the Service will provide the necessary services and otherwise perform all things necessary for, or incidental to, the performance of this agreement. Hooks Hole LLC will provide the necessary access to the facility. It is mutually agreed as follows: the Service and Hooks Hole LLC will jointly promote wildlife-dependent interpretive and educational activities for the participants of the Kachemak Bay Shorebird Festival.

III. SCOPE OF WORK:

A. The Service shall:

1. Plan, manage, and provide coordination of wildlife-dependent interpretive and education activities for the participants of the Kachemak Bay Shorebird Festival.
2. Notify Hooks Hole LLC representative of requested access dates 30 days prior to access.
3. Coordinate with Hooks Hole LLC representative public access needs to the viewing platform for date identified
4. Notify Hooks Hole LLC of any maintenance or repairs needed to the viewing platform
5. Seek funds to support the maintenance of the viewing platform and signage.

B. Hooks Hole LLC Shall:

1. Provide access to Viewing Platform annually for Shorebird Monitoring, 10 times, between months April - May, to shorebird monitors with the Kachemak Bay Birders, via vehicle and pedestrian access, and provide on-site parking.
2. Provide access to Viewing Platform annually, for the 5 day Kachemak Bay Shorebird Festival, to festival participants, via vehicle and pedestrian access, and provide on-site parking.
3. Shall assume operation and maintenance and other management costs and responsibilities to Viewing Platform

IV. PERIOD OF PERFORMANCE

The period of performance for this agreement shall be five years. This agreement will automatically renew for one additional 5-year period on October 1 of the last year, unless 60 days notice of cancellation is given by either party before the date of renewal. If no changes have been made in the agreement during the life of the agreement, the agreement may be renewed by agreement. While the Service and Hooks Hole LLC reserve the right to terminate the agreement, or any part thereof, at any time upon 60 days notice without the necessity of any legal process, the Service and Hooks Hole LLC agree to hold a meeting prior to termination discussing the reasons for termination.

V. PROJECT OFFICERS

- A. For the Service: Steve Delehanty, Refuge Manager, Alaska Maritime National Wildlife Refuge, 95 Sterling Highway, Suite 1, Homer, AK 99603; 907-235-6546; Steve_Delehanty@fws.gov**

For Hooks Hole LLC: Britni Siekaniec or Casey Siekaniec, Hooks Hole Manager, Hooks Hole LLC, 1633 Homer Spit Rd, Homer AK 99603; 907-299-5106 / 907-435-7485; britni@alaskasaltco.com / casey@alaskasaltco.com

VI. SPECIAL PROVISIONS

- A. This LUA may be modified or amended as necessary upon written consent of all parties or may be terminated by either party with a 60 day written notice to all other parties. No change to this agreement shall be binding upon the Service or Hooks Hole LLC unless and until reduced to writing and signed by both/all parties.**
- B. The parties to this agreement agree to be responsible for damages to their own property and injuries to their own employees/volunteers, except for damages/injuries resulting from the fault or negligence of the other party. Any claim for damage to property or persons made against the Government will be pursued in accordance with the provision of the Federal Tort Claims Act.**
- C. No member of, or Delegate to, Congress shall be admitted to any share or part of this agreement, or any benefits that may arise there from; but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.**
- D. Hooks Hole LLC shall obtain the prior review and approval of the Service for all printed and other informational materials distributed to the public by Hooks Hole LLC in connection with this agreement/project.**
- E. This LUA does not affect any final transfer of funds, property, or services on behalf of the U.S. Fish and Wildlife Service. Any discussion of such transfers by the U.S. Fish and Wildlife Service is for planning purposes only, and the actual transfers will be accomplished in accordance with applicable laws, regulations, and procedures.**
- F. The principle contacts for this LUA are:**
- a. For the Service: Steve Delehanty, Refuge Manager, Alaska Maritime National Wildlife Refuge, 95 Sterling Highway, Suite 1, Homer, AK 99603; 907-235-6546; Steve_Delehanty@fws.gov.**
- b. For Hooks Hole LLC: Britni Siekaniec or Casey Siekaniec, Hooks Hole Manager, Hooks Hole LLC, 1633 Homer Spit Rd, Homer AK 99603; 907-299-5106 / 907-435-7485; britni@alaskasaltco.com / casey@alaskasaltco.com.**

VII. TERMINATION

The Service or its agents or contractor may also enter Hooks Hole LLC property and remove any equipment and uninstall materials or structures.

IN WITNESS WHEREOF, the parties hereto have caused this Land Use Agreement to be executed as of the date of last signature below.

U.S. FISH AND WILDLIFE SERVICE



Steve Delehanty, Refuge Manager

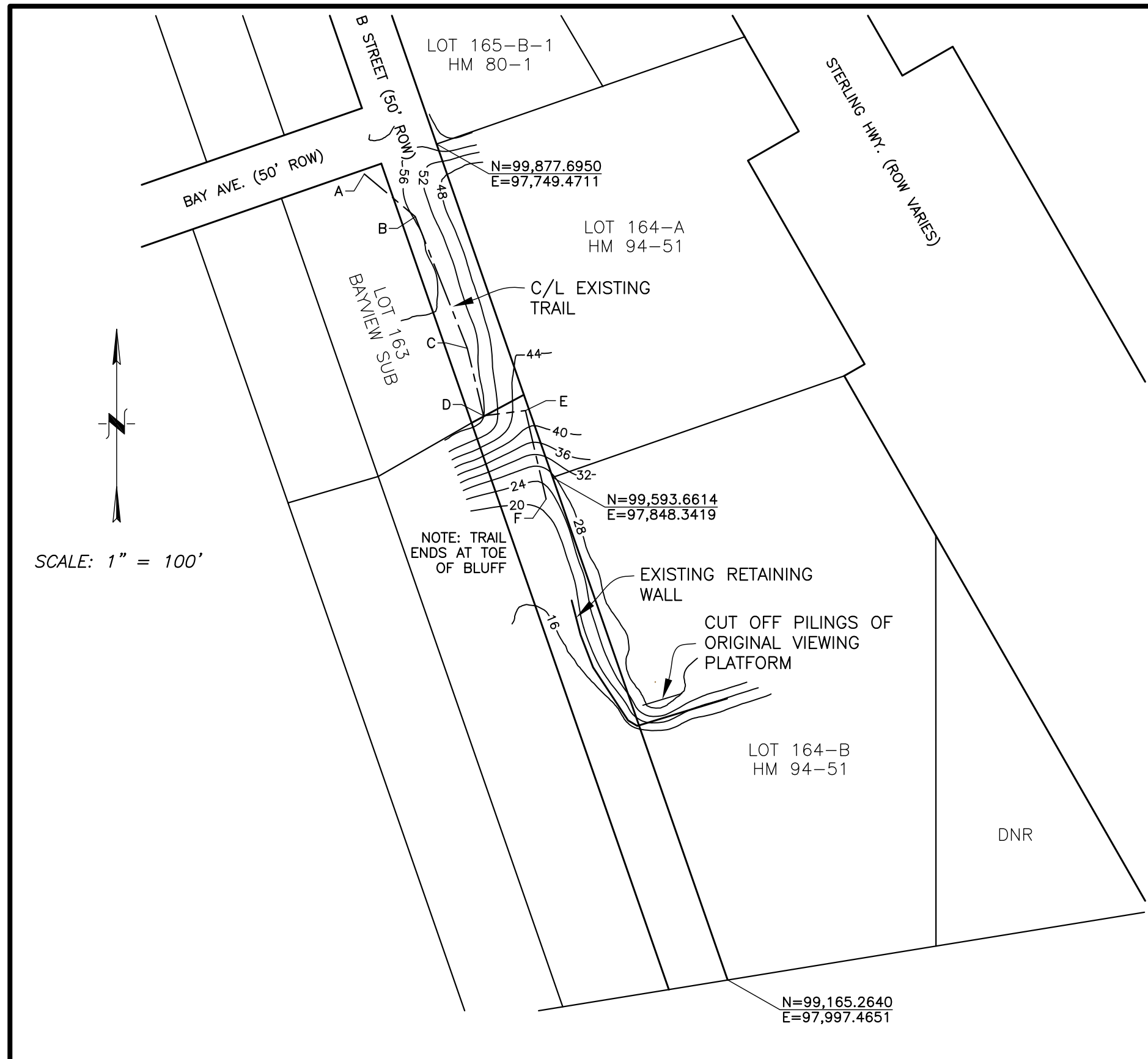
11 March 2020
(Date)

HOOKS HOLE LLC



Stan Flowers, Hooks Hole LLC

3/6/2020
(Date)



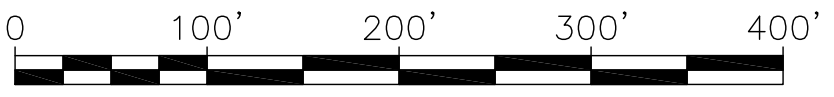
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C	99,703.6510	97,775.6149
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E	99,650.5547	97,825.1924
F	99,575.1165	97,842.8005

SURVEY CONTROL

BASIS OF BEARING: HOMER COORDINATE SYSTEM

1. BASIS OF BEARING FOR THIS SURVEY WAS DETERMINED BY A HIGH PRECISION GPS SURVEY USING TOPCON DUAL-FREQUENCY HiPer V RECEIVERS, DIFFERENTIALLY CORRECTED AND PROCESSED WITH MAGNET OFFICE VERSION 3.1 SOFTWARE. NAD83 ALASKA STATE PLANE GRID COORDINATES (U.S. SURVEY FEET) OBTAINED FROM THE GPS OBSERVATIONS WERE BASED ON THE NGS PUBLISHED VALUES FOR FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" (PID TT0155).
2. TRUE BEARINGS AND DISTANCES WERE DETERMINED BY ROTATING AND SCALING FROM GRID USING FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY ROTATING GRID INVERSE AZIMUTHS -1°17'13.4". TRUE DISTANCES WERE OBTAINED BY DIVIDING GRID INVERSE DISTANCES BY 0.999986696.
3. THE RESULTING SCALED COORDINATES WERE TRANSLATED TO A LOCAL COORDINATE SYSTEM BASED ON FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" N=100,000 E=100,000. ALL COORDINATE VALUES REPRESENT GROUND DISTANCES IN U.S. SURVEY FEET ORIENTED TO TRUE NORTH.
4. CONTOURS ARE KBP LIDAR CONTOURS ROTATED AND TRANSLATED INTO THE HOMER COORDINATE SYSTEM.

SCALE: 1" = 100'



GRAPHIC SCALE

DECEMBER 2023

REVISION NO.	DATE	REVISION DESCRIPTION

GEOVERA, LLC
 PO BOX 3235
 HOMER, ALASKA 99603
 (907) 399-4345

B STREET TRAIL
 EXISTING ACCESS TRAIL TO VIEWING PLATFORM
 ASBUILT DRAWING
 CITY OF HOMER, ALASKA

SHEET NO.
 1 OF 1

To: Homer Planning Department and Planning Commission
From: Pamela Brodie (369 Bonanza Avenue, PO Box 1139, Homer) *Pamela Brodie*
Subject: CUP 23-08: Proposed Conditional Use Permit for Lighthouse Village Development by Doyon Corporation, including request for zoning change and vacation of right-of-way.
Date: December 10, 2023

Thank you for the opportunity to comment on this proposal.
I live in downtown Homer, a few blocks from City Hall and the College.

I oppose the rezoning and vacation of the right-of-way, and the development at the proposed scale, for several reasons:

1) This is a tsunami evacuation zone. Already the City faces the potential for a catastrophic loss of life of residents and tourists trying to evacuate the Spit and the low-lying areas if a tsunami occurred in the summer. Because of the Land's End hotel and the large condominium development at the end of the Spit, the danger of too many vehicles evacuating at once is a 24-hour problem, not just a day-time issue. This proposed development adds more than 130 parking spaces at the base of the Spit, leading to up to this many vehicles attempting to exit onto the highway at the same time, blocking the traffic from the Spit and forcing some onto Kachemak Drive, which does not get people to higher ground for several more miles. The potential for people panicking and abandoning their vehicles, which would then block the road, seems very high.

Although I do not live in the evacuation zone, I do own property in it, and my husband's son resides on this property. It is just south of Beluga Lake. My husband's son would have to get onto the same highway as the rest of the traffic from the Spit and the proposed hotel, before passing over the causeway to reach our home on higher ground, so he and all the other current residents are endangered by this greatly over-sized proposed development.

The fact that the traffic study was conducted in September, rather than during the summer tourist season makes it totally irrelevant.

2) This area is in an earthquake subduction zone. In the 1964 earthquake, the Spit permanently sank as much as six feet, according to the US Geological Survey report, and there was a twenty foot high wave, probably generated by an undersea landslide in the Bay. Land's End (then a much smaller hotel), had to be jacked up 8 feet, and a great deal of fill had to be added to the Spit to make it usable again. It is my (to be sure limited) understanding of plate tectonics that land which sinks in one earthquake will sink again in subsequent quakes. This means that the triplexes in particular in this proposed development are in considerable danger of going underwater after the next big quake. It is my experience in living one third of a century in South-central Alaska that this area is extremely seismically active, with frequent earthquakes and volcanic eruptions. It is my understanding that the chances of another very major quake in the next 50 years are pretty high. Residents of Kachemak Bay were very lucky that the 1964 earthquake occurred during a low tide, rather than a high tide. I don't think it is safe to allow any development for overnight occupation on the lower level lot, where the triplex condos are proposed.

3) All coastal areas are subject to dramatic erosion, as I have witnessed nearly my whole long life. Even without an earthquake or a tsunami, strong storms at high tides put this area as well as all the bluffs, at risk of wave damage. This area is currently protected by a low-lying

berm, but this is no kind of long term protection. Again, the proposed triplexes are the most vulnerable.

4) All three of the above issues put the City and all its taxpayers at risk of crushing liability, especially in the case of catastrophic loss of life due to a traffic jam during an evacuation, but also for property loss. I grew up in Los Angeles and saw the City successfully sued for tens of millions of dollars per property for allowing building permits for houses that were later destroyed by landslides. In California, I have also seen private insurance companies abandon vast areas that they decide are too risky to insure (in that case for wildfires). What happens when private companies pull out is that residents insist that government provide insurance – and it always does. So taxpayers have to pay for cleanup and rebuilding of destroyed properties that later get destroyed again, because they are permitted in areas that are not safe to build. Homer is already at great risk. It should never have allowed houses to be built as close to the bluff as they are. The whole top of the bluffs should have been public trails, with houses built further back. It's too late to change that now, but we should not keep making the same mistake.

5) I am opposed to any vacation of public access to the coastline. Already Homer has lost much of its original beach access. Vacation of public access is way, way to easy. No City Council should have the right to vote to give away public property. This should always be up to a vote of the people.

6) I believe that the local neighborhood residents should have the say over re-zoning. I have no personal opposition to the rezoning of one rural residential lot, but if the neighbors oppose it (as they apparently do), it should not be allowed. They bought their lots with a certain zoning decision in place, and they should not be subjected to damage to the value of their properties and their daily lives by a decision out of their control.

Thank you.

Pamela Brodie

From: [Department Planning](#)
To: [Renee Krause](#)
Subject: FW: Bayview Subdivision Lighthouse Village Replat
Date: Tuesday, December 26, 2023 1:07:56 PM

From: Steven Veldstra [mailto:stevenv@akwagonwheel.com]
Sent: Saturday, December 23, 2023 9:10 AM
To: Department Planning <Planning@ci.homer.ak.us>
Subject: Bayview Subdivision Lighthouse Village Replat

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

City of Homer Planning Department,
We are in favor of the proposal to vacate the B Street right-of-way within the Bayview Subdivision NO. 6.

Steven Veldstra



1506 Ocean Drive
Homer, AK 99603
[907-235-8777](tel:907-235-8777)
www.akwagonwheel.com

From: [Department Planning](#)
To: [Renee Krause](#)
Subject: FW: Doyon CUP
Date: Thursday, December 28, 2023 4:15:59 PM

Renee,

Below as a public comment received for the 1/3 PC packet.

Thanks!

Ryan Foster
City of Homer, City Planner
rfoster@ci.homer.ak.us
(907) 299-8529

From: David Hillstrand <alaskahillstrand@gmail.com>
Sent: Thursday, December 28, 2023 3:15 PM
To: Department Planning <Planning@ci.homer.ak.us>
Subject: Doyon CUP

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

David Hillstrand
4110 main St, Homer, AK 99603
907 399-4444

I am writing in regards to the Development of a hotel at the base of the Homer Spit and Kachemak drive.

I am for quality Development and jobs in Homer, so I would like to see the Conditional Use Permit approved.

This corner of ocean drive and Kachemak drive and the base of the spit is State roads I heard. So it will be a slow process. The 4 way stops and stop lights off of main street have made Homer a safer place with the increased population over the years. Thank you for that.

I bike to the spit in the spring time and love the trails from our house to the last of the trail by the UPS store.

I feel safe on a bike while traveling to this point.

From there; the UPS store and Wagon wheel and the airport turn off. to the base of the spit and the start of the bike and pedestrian trail it is a tense crossing.

The speed limit sign I think was moved in to far from where it was and 45 mph to 35 mph intensified the traffic area. I think the 45 mile sign should go out a little more.

Please consider a 3 way stop sign or a traffic light in this area.

Also a trail around the corner, currently it would be on the inside where the hotel would go than a cross walk to get across.

a white hash mark to get across Kachemak drive I know is in place back from the stop sign.

In the spring and fall even after the large amount of traffic we are watching for pedestrians and bikers.

I'm getting a little older and slowing down and enjoying life is something I wish I learned earlier.

Slowing the traffic down in this area would be good. Some may not think so.

I think it would even give the farmers market back on Ocean drive a breaks as well.

Thank you

David Hillstrand

From: [Adams](#)
To: [Renee Krause](#)
Subject: Written Testimony for Commission/Board Meetings
Date: Friday, December 29, 2023 8:52:37 AM

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

Written Testimony for the Planning Commission

Name: Scott Adams Email:

showmethefish@yahoo.com Phone: Residency: City

Resident Meeting to Participate In: Planning

Commission Special Meeting (if scheduled) Tue, 01/03

Public Hearings - Citizens may comment on items

scheduled for public hearing when the Presiding

Officer opens the Public Hearing. CUP's For the

Lighthouse Village development by Doyon Written

Testimony:

Planning commissioners please move thur this

process of these CUP's one at a time, this applicant

has bundled the CUP's together, to push it thur. The

amount of pages in this application warrants, a long

look at it. Please listen to the citizens of Homer, this

development will change the view of Developing in

Homer and the view heading onto the Spit.

It will change the amount of traffic in an already

congested area, a location that is not set up for this

development without major changes.

Traffic Impact Analysis

Let's be honest, the traffic impact analysis is flawed, using information from Sept vs July,. On one of the pages of this massive application, there is an hour with numbers over 550 and another with over 650 vs the small number being used. The only item being proposed is for pedestrian traffic, nothing of motorized traffic. A concern of the entrance/exits being so close together, could mean lots of traffic congestion, this is in the report, entrance distance. Another concern would be, the entrance/exit area to the north, it is located close to a blind curve., on Ocean Dr leading onto the Spit. Which could amount to an increase of accidents. Also the analysis underestimate's the traffic increase by employees, thinking their employees will walk or bike everywhere, to the grocery store or the Spit. I feel that a turn lane is needed in this area, if nothing else. So traffic can turn left into the parking lot, coming off the Spit, without stopping traffic and traffic can continue onto the Spit, while also allowing traffic to wait to turn left onto Kachemak Dr. Speaking of the parking lot, it seems to be undersized for a 100 room hotel, bar and restaurant users, condos and Short Stay and employee housing.

Height code

This application goes way above the city's height code, of 35" A code that was written to allow Homer residents the Quality of Life, a unique setting, surrounded by the Beauty of the Bay and the Mountains of Kachemak Bay. There had be request for a height CUP for two businesses that build or work on large vessels. If I am correct, they are located in more commercial area. If approved, this would set a precedent, for any other developer, wanting to develop a large development , wanting to raise the height of structures in Homer. The codes were put in place to preserve our Quality of Life. I understand that the city will be getting its own ladder truck, in the very near future. But we've already had access to a ladder truck, thur KPFS. So why allow going so high with buildings? Because we have our own ladder truck?

Size of Structure of Lighthouse Hotel

Once again, this applicant is pushing Homer City Code, asking for one structure to be 70-80K sq ft. The City of Homer refused to allow a large grocery store development, due to the size. Now they are setting up, to allow an 80K sq ft Hotel. The Aspen Hotel was developed in 2019, its total est building size is right around 44K sq ft. They had to stay close to the height of 35', in their design. Once again, where is the so called Quality of Life, for the residents of Homer. Is money going to be the leading factor, for the way our

Town is developed. It seems, that has been, for the last 3 plus years, but it has left residents behind. Without paved roads or sidewalks, just looking out for the developers.

Vacating B Street

The hotel part of this development and employee housing, NEEDS B Street to be vacated in order to develop the hotel building and housing. This must be approved by the City Council, and maybe the KPB. This is a City owned property, used by many to walk to the bluffs edge and view the Bay, the birds, the wildlife. The beauty of Mother Nature. The applicant assumes that the City of Homer will vacate this parcel. They think so much as to the city will vacate B street, that a large part of development sits in that area. It takes a lot, to develop a plan like this, unless the developers, think the city is already willing to give up a valuable piece of land.

This development will most certainly change Homer, I am requesting that the developers comeback with a smaller footprint of 45K sq ft for the hotel building, height maximum at 42". And present one that actually looks like it belongs in Homer, not one, that sits on hotel alley, on C street, in Anchorage. There needs to be some real looking at the Traffic, a turn lane for turning into the develop area and for turning left onto Kachemak Dr. To do nothing, is unacceptable. The

residents of Homer deserve traffic to flow, not at a standstill. And this development will most certainly add traffic issues, and to only address pedestrian is not looking at the big picture.

In my view, the Planning Dept has not been Transparent with this application, I understand the code of Agendas and time to present, but when the information of this magnitude, was not available to the public, until the Friday night, 5 days before the Planning Commission Meeting on these CUP's. The true allowance of having all the information, was not present for the public. As the only copy, up until then, was a hard copy, at City Hall and it didn't have all the information until that Friday, if not the following Monday, or the day of the meeting. In the future, I hope that the information is available to the public the day the item is put on the Agenda, not the day of the meeting, regardless of what Board or City Council.

Electronic Signature: Scott Adams Submitted on Friday, December 29, 2023 - 8:52am The results of this submission may be viewed at:

<https://www.cityofhomer-ak.gov/node/60481/submission/51517>



City of Homer

www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
Homer, Alaska 99603

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

Staff Report PL 23-061

TO: Homer Planning Commission
FROM: Ryan Foster, City Planner
MEETING: December 6, 2023
SUBJECT: Application amending Zoning Map via Ordinance

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

GENERAL INFORMATION

The applicant requests a change in zoning from Rural Residential, to General Commercial 1.

Applicant: Doyon, Limited
1 Doyon Place
Fairbanks, AK 99701

Location: 1491 Bay Avenue

Legal Description: T 6S R 13W SEC 21 SEWARD MERIDIAN HM 0000839 BAY VIEW SUB LOT 163

Parcel ID: 17921015

Size of Existing Lot: 1.35 acres

Zoning Designation: Rural Residential District

Existing Land Use: Vacant

Surrounding Land Use: North: Residential
South: Vacant
East: B Street ROW & Commercial
West: Residential

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: KWF Wetlands Assessment Tidal on southern half of the lot.

Flood Plain Status: Zone AE 20

Utilities: Public utilities service the site.

Public Notice: Notice was sent to 28 property owners of 26 parcels as shown on the KPB tax assessor rolls.

GENERAL INFORMATION

This application proposes a zoning map amendment to move the General Commercial 1 District Boundary west to encompass the subject lot. The applicant proposes a planned unit development consisting of a hotel, employee housing, and triplex residential units at 1563 Homer Spit Road, 1663 Homer Spit Road, and 1491 Bay Avenue. The rezoning is necessary to allow for a mixed-use planned unit development (residential and commercial); the Rural Residential District only allows planned unit development with residential uses only.

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.

Applicant: Doyon, Limited's proposal for a year-round hotel and condos in Homer, Alaska, is intricately woven into the city's comprehensive plan, a strategic roadmap designed to guide Homer's growth while safeguarding its distinct character. Anchored within the Land Use chapter of the project, the development seamlessly aligns with the overarching vision of the city, particularly the outlined goals of increasing housing supply and diversity (Goal 1) and maintaining the pristine quality of Homer's natural environment (Goal 2).

The plan envisions Homer as a city that respects its environment, boasting a unique and vibrant atmosphere that is both wonderful to live in and inspiring to visit. The proposed project contributes to this vision by adhering to the plan's emphasis on encouraging high-quality buildings and fostering a mix of well-defined commercial districts (Goal 3 and Goal 4). By promoting compact, walkable community development and integrating green infrastructure elements, the story goes beyond a mere real estate venture; it becomes a harmonious addition to the cityscape, echoing the plan's call for a balanced blend of development and open space.

The Land Use chapter specifically advocates for zoning concepts that encourage a variety of housing options, reflecting income and lifestyle diversity in Homer. Doyon, Limited's proposal aligns with this objective by presenting a mixed-use development that caters to diverse needs while respecting the natural landscape. The plan's proposed land use recommendations map, designed to clarify intended types of uses, resonates with the project's commitment to striking a balance between development density and preserving environmentally crucial areas.

Furthermore, the proposal dovetails with the plan's vision for an integrated system of green spaces, providing aesthetic and functional benefits to the community. By protecting corridors for trails, managing stormwater, preserving wildlife habitat, and maintaining viewsheds, the development becomes a housing solution and a contributor to the city's ecological well-being.

In essence, Doyon, Limited's development proposal mirrors the forward-thinking approach embedded in Homer's comprehensive plan, contributing to the city's economic vitality while ensuring that growth occurs in a manner that is both sustainable and in harmony with the community's values.

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 General Commercial 1 zoned properties at 1563 & 1663 Homer Spit Road, and complies with the general land use pattern set out in the Comprehensive Plan Land Use Recommendations Map. The General Commercial 1 district, with a proposed Conditional Use Permit Application for a Planned Use Development at this property, allows for greater mixed use opportunities. A currently vacant property will be consolidated with the existing General Commercial 1 properties.

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.

Applicant: Adjacent zoning districts are GC1 and RR. The proposed re-zone will facilitate land use that is compatible with adjacent GC1 development. Every effort is being made to segregate this development from the residential area to the west.

Analysis: Conditions have changed since the original adoption of the zoning district boundaries. The Ocean Drive/Homer Spit corridor consists of the majority of land zoned for General Commercial 1 in Homer, and much of it has already been developed. There is a strong demand for General Commercial 1 zoned properties, with limited availability of undeveloped commercial properties, especially larger parcels, in the City. This proposed rezone would provide much needed acreage for a commercial project.

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 General Commercial 1 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.

Applicant: Consolidation of the properties allows a significant commercial investment to take place at the landmark location at the base of the Homer Spit. Benefit: complete renovation of a derelict site into a multi-million-dollar facility, increased employment opportunities with included employee housing option. The proposed development by Doyon, Limited holds great promise for enhancing property values in the area and contributing significantly to the local economy.

The development is separated from the adjacent property to the north by a retaining wall and difference in elevation. The development is separated from the adjacent property to the west by a 6' sight obscuring fence and 10' wide landscape buffer. The proposed development is carefully designed to be compatible with existing uses of the surrounding land. Through adherence to the planned unit development (PUD) regulations, the project aligns with the zoning district's provisions, ensuring that the mix of residential, commercial, and industrial elements integrates seamlessly into the existing landscape. The development plan considers the neighborhood's character, harmonizing scale, bulk, coverage, and density to preserve the desirable features of the surrounding area. By incorporating sustainable practices, on-site employee housing, and thoughtful design, the proposal aims to complement rather than disrupt the existing land uses, promoting a well-integrated and cohesive community.

Analysis: City water and sewer are available and access to 1491 Bay Ave would be via Homer Spit Road, an Alaska Department of Transportation maintained road. Full police and fire services are available. Public services and facilities are adequate to serve increased intensity land use. Development of this property via a Planned Unit Development with a hotel, workforce housing, and

tri-plex residences would increase infill within the community, and create more opportunities for mixed-use development that is difficult to come by since Homer has limited opportunity for larger scale mixed-use General Commercial 1 development.

Staff Finding: The rezoning of this 1.35-acre lot that is contiguous to the General Commercial 1 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. Petition
3. Map of Rezone
4. Public Notice
5. Public Comments



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Rezoning Application

For Staff Use Only

Fee Amount:	Received by:	Planning Commission Public Hearing Date:
Date application accepted as complete:		HAPC approval or denial date:

APPLICANT INFORMATION

Name: Doyon, Limited Phone Number: 907-375-4216

Address: 1 Doyon Place, Fairbanks AK, 99701

Property Owner (if different than applicant)

Name: Doyon Tourism, Inc. Phone Number: 907-375-4216

Address: 11500 Sukdu Way Anchorage, AK 99515

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

Street Address: 1491 Bay Ave Lot size: 1.35 acres Tax parcel number: 17921015

Legal Description: Lot 163 Bay View Subdivision (HM 0000839)

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

What is the proposed use of the property? Change the zoning for Lot 163 from Rural Residential to GC1. This rezone, along with the B St. right-of-way vacation will create 2 contiguous parcels with the existing commonly owned properties to the east. To be a hotel/condominium development with employee housing and parking in the northerly portion of the properties. There will be a 3-story hotel and 3 condominiums with 2 short-stay structures located on the southerly portion of the properties. No direct motorized access will be provided from the project to Bay Avenue or B Street.

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: Professional office building, Storage units,
Waste management company, UPS Distribution Center

GC1

South: Tidelands, DOT, DNR

Open Space Rec

East: DNR, Homer Airport

GC2

West: Private residences, storage units,
short term rentals

Rural Residential

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

Consolidation of the properties allows a significant commercial investment to take place at the landmark location at the base of the Homer Spit.

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

- (a) the community.
- (b) the neighboring landowners.
- (c) you, the property owner.

Community

Benefit: complete renovation of a derelict site into a multi-million dollar facility, increased employment opportunities with included employee housing option. The proposed development by Doyon, Limited holds great promise for enhancing property values in the area and contributing significantly to the local economy.

Detriment: N/A

Neighboring landowners

The development is separated from the adjacent property to the north by a retaining wall and difference in elevation. The development is separated from the adjacent property to the west by a 6' sight obscuring fence and 10' wide landscape buffer. The proposed development is carefully designed to be compatible with existing uses of the surrounding land. Through adherence to the planned unit development (PUD) regulations, the project aligns with the zoning district's provisions, ensuring that the mix of residential, commercial, and industrial elements integrates seamlessly into the existing landscape. The development plan considers the neighborhood's character, harmonizing scale, bulk, coverage, and density to preserve the desirable features of the surrounding area. By incorporating sustainable practices, on-site employee housing, and thoughtful design, the proposal aims to complement rather than disrupt the existing land uses, promoting a well-integrated and cohesive community.

Property owner/developer

Benefit: facilitates completion of step 1 in the proposed project timeline.

Detriment: N/A

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?

Adjacent zoning districts are GC1 and RR. The proposed re-zone will facilitate land use that is compatible with adjacent GC1 development. Every effort is being made to segregate this development from the residential area to the west.

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

Existing city services and other utilities are sufficient to provide for the needs of this development.

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

No

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

Doyon, Limited's proposal for a year-round hotel and condos in Homer, Alaska, is intricately woven into the city's comprehensive plan, a strategic roadmap designed to guide Homer's growth while safeguarding its distinct character. Anchored within the Land Use chapter of the project, the development seamlessly aligns with the overarching vision of the city, particularly the outlined goals of increasing housing supply and diversity (Goal 1) and maintaining the pristine quality of Homer's natural environment (Goal 2).

The plan envisions Homer as a city that respects its environment, boasting a unique and vibrant atmosphere that is both wonderful to live in and inspiring to visit. The proposed project contributes to this vision by adhering to the plan's emphasis on encouraging high-quality buildings and fostering a mix of well-defined commercial districts (Goal 3 and Goal 4). By promoting compact, walkable community development and integrating green infrastructure elements, the story goes beyond a mere real estate venture; it becomes a harmonious addition to the cityscape, echoing the plan's call for a balanced blend of development and open space.

The Land Use chapter specifically advocates for zoning concepts that encourage a variety of housing options, reflecting income and lifestyle diversity in Homer. Doyon, Limited's proposal aligns with this objective by presenting a mixed-use development that caters to diverse needs while respecting the natural landscape. The plan's proposed land use recommendations map, designed to clarify intended types of uses, resonates with the project's commitment to striking a balance between development density and preserving environmentally crucial areas.

Furthermore, the proposal dovetails with the plan's vision for an integrated system of green spaces, providing aesthetic and functional benefits to the community. By protecting corridors for trails, managing stormwater, preserving wildlife habitat, and maintaining viewsheds, the development becomes a housing solution and a contributor to the city's ecological well-being.

In essence, Doyon, Limited's development proposal mirrors the forward-thinking approach embedded in Homer's comprehensive plan, contributing to the city's economic vitality while ensuring that growth occurs in a manner that is both sustainable and in harmony with the community's values.

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

The proposed development by Doyon, Limited in Homer, Alaska, is conscientiously crafted to prioritize the health, safety, and welfare of the surrounding area and the city. The project adheres strictly to the established zoning regulations and city ordinances, ensuring that all aspects align with the community's well-being. Robust safety measures, both during construction and in the final built environment, have been incorporated to mitigate any potential risks. Additionally, the project emphasizes sustainable practices and environmental considerations to safeguard the local ecosystem's health. By engaging in comprehensive planning, Doyon, Limited aims to contribute positively to the community's welfare, creating a development that enhances the quality of life in the surrounding area without compromising safety or the city's overall health.

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, Doyon Tourism Inc, duly authorizes Patrick Duke, Senior Vice President & CFO to act for Doyon Tourism Inc, who has the following legal interest, Lot 163 Bay View Subdivision, 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:	The property at 1491 Bay Avenue consists of one 1.35 acre parcel. Currently the parcel is a part of the Rural Residential Zoning District. This request is to change the zoning of the entire property, T 6S R 13W SEC 21 SEWARD MERIDIAN HM 0000839 BAY VIEW SUB LOT 163 to the General Commercial 1 District.
HCC 21.95.020 (e) (3) (a)	"Each person signing this petition represents that the signer is a record owner of the lot whose description accompanies the signature; that the signer is familiar with the proposed zoning map amendment and the current zoning district of the lot; and that the signer supports the City Council's approval of the amendment."
Statement of Justification	This rezone along with the B St. right-of-way vacation will create 2 contiguous parcels with the existing commonly owned properties to the east. The amendment will facilitate development and land use that is compatible with the adjacent GC1 zoning district.

Printed Name	Signature of Property Owner or Designated Representative	Legal Description	Tax parcel number
Patrick Duke, SVP CFO		T 6S R 13W SEC 21 SEWARD MERIDIAN HM 0000839 BAY VIEW SUB LOT 163	17921015

MY SIGNATURE MEANS I AM IN FAVOR OF THIS AMENDMENT



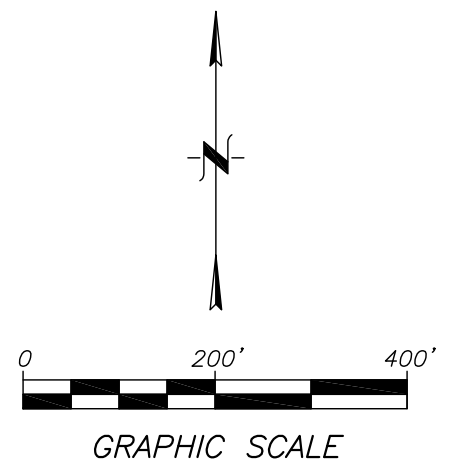
GENERAL COMMERCIAL 1

GENERAL COMMERCIAL 2

RURAL RESIDENTIAL

LOT 163 BAYVIEW SUBD.
PROPOSED RE-ZONE RR TO GC1

OPEN SPACE REC



**PROPOSED RE-ZONE
LOT 163 BAYVIEW SUBD.
RR TO GC1**

**SEABRIGHT SURVEY + DESIGN
KENTON T. BLOOM, P.L.S.**
1044 EAST ROAD, SUITE A
HOMER, ALASKA 99603
(907) 299-1091



LOT 163 BAYVIEW SUBD.
 PROPOSED RE-ZONE RR TO GC1

**PROPOSED RE-ZONE
 LOT 163 BAYVIEW SUBD.
 RR TO GC1**

SEABRIGHT SURVEY + DESIGN
KENTON T. BLOOM, P.L.S.
 1044 EAST ROAD, SUITE A
 HOMER, ALASKA 99603
 (907) 299-1091

**CITY OF HOMER
PUBLIC HEARING NOTICE
PLANNING COMMISSION MEETING**

A public hearing on the matters below are scheduled for Wednesday, December 6, 2023 at 6:30 p.m. during the Regular Planning Commission Meeting. Participation is available virtually via Zoom webinar or in-person at Homer City Hall.

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

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

**1491 Bay Avenue
T 6S R 13W SEC 21 SEWARD MERIDIAN HM 0000839 BAY VIEW SUB LOT 163**

A request for Conditional Use Permit (CUP) 23-08, per HCC 21.24.030 (f), Planned Unit Developments. The applicant proposes a planned unit development consisting of a hotel, employee housing, and triplex residential units at the following addresses:

**1563 Homer Spit Road
T 6S R 13W SEC 21 SEWARD MERIDIAN HM 0940051 BAYVIEW SUB NO 6 LOT 164-A**

**1663 Homer Spit Road
T 6S R 13W SEC 21 SEWARD MERIDIAN HM 0940051 BAYVIEW SUB NO 6 LOT 164-B**

**1491 Bay Avenue
T 6S R 13W SEC 21 SEWARD MERIDIAN HM 0000839 BAY VIEW SUB LOT 163**

A copy of the proposals may be viewed at Homer City Hall, in the Clerk's Office Lobby on the lower level. In-person meeting participation is available in Cowles Council Chambers located downstairs at Homer City Hall, 491 E. Pioneer Ave., Homer, AK 99603.

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

Meeting ID: 979 8816 0903
Passcode: 976062

Additional information regarding this matter will be available by 5pm on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for December 1, 2023 at

**CITY OF HOMER
PUBLIC HEARING NOTICE
PLANNING COMMISSION MEETING**

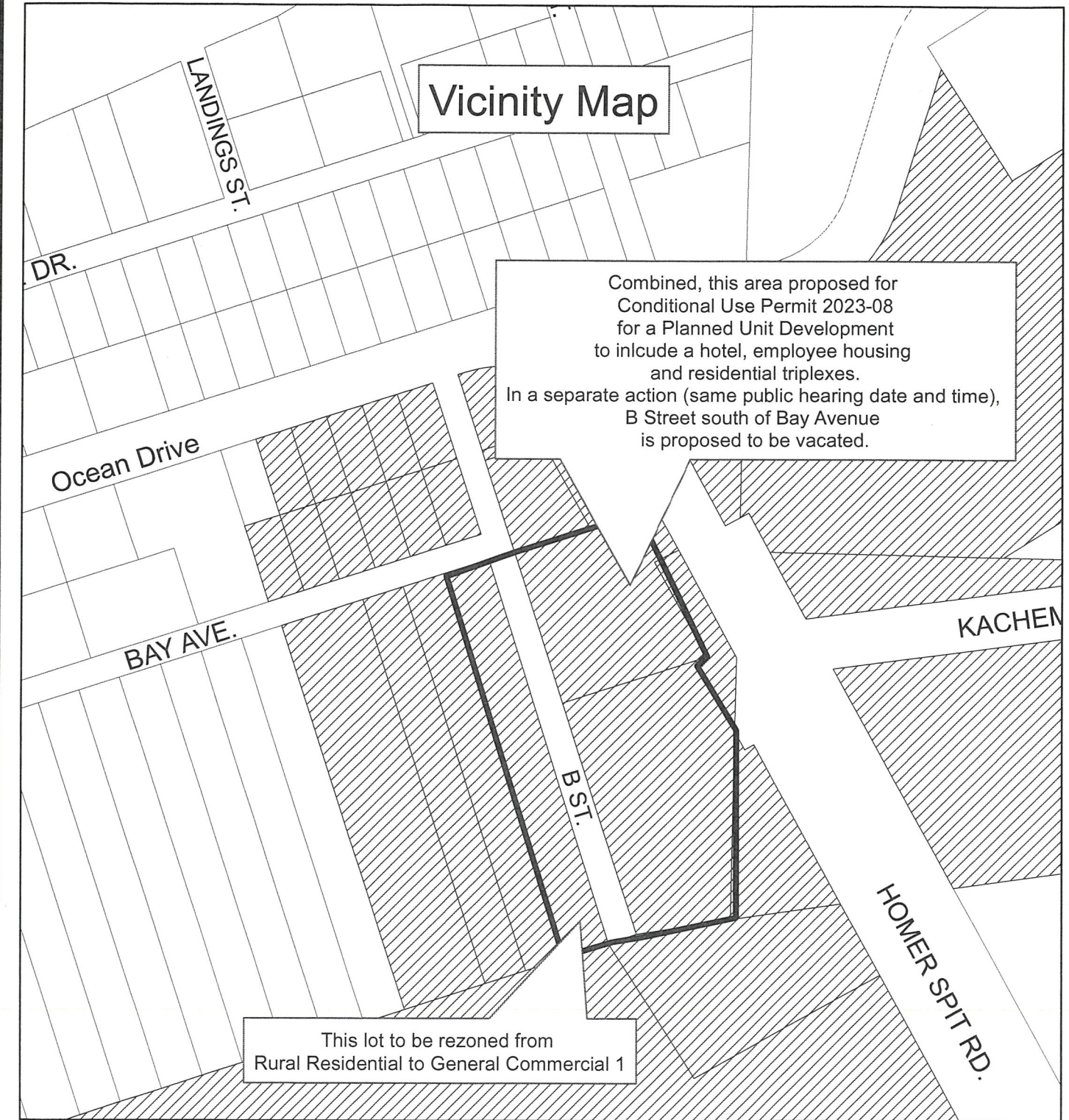
<https://www.cityofhomer-ak.gov/calendar>. It will also be available at the Planning and Zoning Office at Homer City Hall and at the Homer Public Library.

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

If you have questions, contact Ryan Foster at the Planning and Zoning Office. Phone: (907) 435-3120, email: planning@ci.homer.ak.us or in-person at Homer City Hall.

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

Vicinity Map



Combined, this area proposed for Conditional Use Permit 2023-08 for a Planned Unit Development to include a hotel, employee housing and residential triplexes. In a separate action (same public hearing date and time), B Street south of Bay Avenue is proposed to be vacated.

This lot to be rezoned from Rural Residential to General Commercial 1

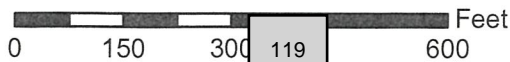


City of Homer
Planning and Zoning Department

11/20/23

Proposed Rezone and Conditional Use Permit 2023-08

Public Hearing Notification
Lots within 300 feet are marked
and property owners notified

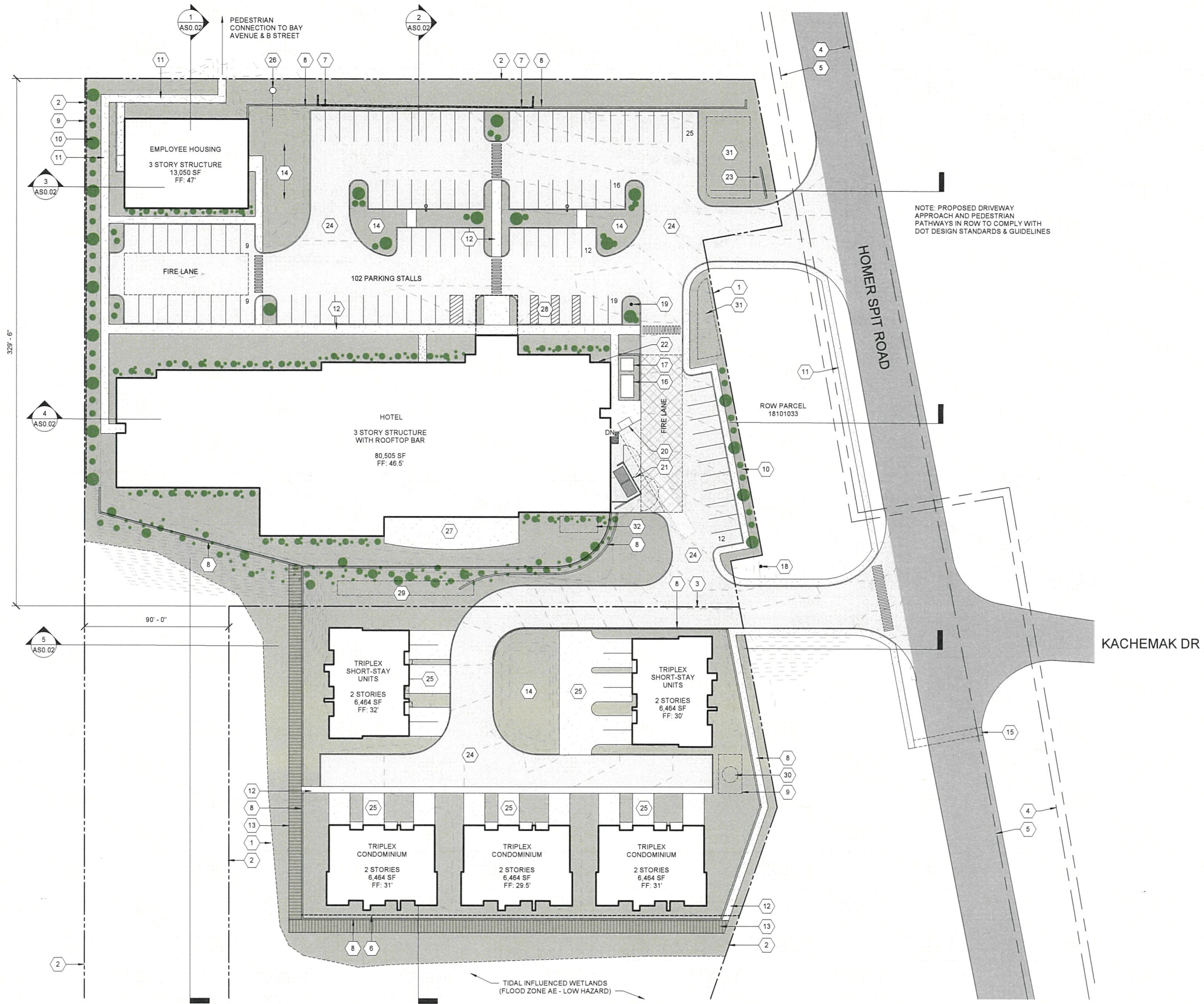


Disclaimer:
It is expressly understood the City of Homer, its council, board, departments, employees and agents are not responsible for any errors or omissions contained herein, or deductions, interpretations or conclusions drawn therefrom.



**PROPOSED RE-ZONE
LOT 163 BAYVIEW SUBD.
RR TO GC1**

SEABRIGHT SURVEY + DESIGN
 KENTON T. BLOOM, P.L.S.
 1044 EAST ROAD, SUITE A
 HOMER, ALASKA 99603
 (907) 299-1091



GENERAL NOTES

EXISTING LOTS TO BE DEVELOPED:
 LOT 163
 LOT 164-A
 LOT 164-B
 VACATED B-STREET ROW

TOTAL SITE AREA:
 6.95 ACRES

PROPOSED BUILDABLE AREA TO BE DEVELOPED:
 186,437 SF / 4.28 ACRES

PROPOSED STRUCTURE SQUARE FOOTAGE:
 EMPLOYEE HOUSING: 13,950 SF
 HOTEL: 80,505 SF
 TRIPLEX UNITS (5) 6,464 SF
 TOTAL SF OF DEVELOPMENT: 125,875 SF

CITY OF HOMER ZONING CODE:
 ZONE: GENERAL COMMERCIAL 1 (GC1)
 BUILDING SETBACKS: 20' FROM ROW / 5' FROM OTHER LOTS
 LOCATED IN OVERLAY ZONE DISTRICT: NO
 LOCATED IN WETLAND LOCATION: NO
 LOCATED IN FLOOD ZONE: YES (AE, LOW HAZARD)
 LANDSCAPING REQUIREMENTS INCLUDE RIGHT-OF-WAY
 LANDSCAPED BUFFER ZONES.

PUBLIC UTILITIES
 PUBLIC WATER AND SEWER IS PROVIDED TO SITE (CITY OF HOMER PUBLIC WORKS)

POWER IS PROVIDED TO SITE. 3-PHASE UPGRADE WILL BE REQUIRED (HOMER ELECTRIC ASSOCIATION)

PARKING REQUIREMENTS:
 NORTH LOT PARKING REQUIRED PER HCC 21.55.090:
 HOTEL - ONE PER GUEST ROOM @ 85 ROOMS = 85 STALLS
 DORMITORY - 1 PER TWO BEDS @ 40 BEDS = 20 STALLS

NORTH LOT PARKING PROVIDED: TOTAL 102 STALLS

SOUTH LOT PARKING REQUIRED PER HCC 21.55.090:
 DWELLINGS: TWO PER DWELLING UNIT (A REQUIRED)
 PARKING SPACE MAY BE IN A GARAGE OR CARPORT IF THE STRUCTURE IS AT LEAST 12' WIDE, 20' LONG AND 8' HIGH) = 30 STALLS

SOUTH LOT PARKING PROVIDED: TOTAL 30 STALLS

KEYNOTES

- 1 APPROXIMATE LIMITS OF CONSTRUCTION
- 2 PROPERTY LINE
- 3 PROPOSED PROPERTY LINE
- 4 EXISTING PUBLIC SEWER LINE
- 5 EXISTING PUBLIC WATER LINE
- 6 ARMY CORPS OF ENGINEERS PERMIT LINE
- 7 EXISTING RETAINING WALL
- 8 RETAINING WALL
- 9 SIGHT OBSCURING FENCE
- 10 LANDSCAPE BUFFER
- 11 PEDESTRIAN PATHWAY
- 12 CONCRETE SIDEWALK
- 13 PEDESTRIAN BOARDWALK
- 14 SWALE, SEE STORMWATER PLAN
- 15 EXISTING PEDESTRIAN CROSSWALK
- 16 GENERATOR
- 17 PAD MOUNT TRANSFORMER
- 18 EXISTING FIRE HYDRANT
- 19 FIRE HYDRANT
- 20 LOADING DOCK
- 21 TRASH ENCLOSURE
- 22 FDC CONNECTION POINT
- 23 MONUMENT SIGN
- 24 ASPHALT SURFACE
- 25 CONCRETE DRIVE AISLE
- 26 STORM / SEWER MANHOLE
- 27 CONCRETE PATIO
- 28 ACCESSIBLE PARKING STALLS
- 29 BELOW-GRADE STORMWATER STORAGE STRUCTURE
- 30 SANITARY SEWER LIFT STATION
- 31 SNOW REMOVAL AREA
- 32 BELOW-GRADE GREASE INTERCEPTOR

REVISIONS	
No.	Description

WOMER & ASSOCIATES
 ARCHITECTURE ENGINEERING PLANNING
 Suite 600 - 221 N. Wall St., Spokane, Washington 99201
 TEL: (509) 534-4884 FAX: (509) 534-4884 www.womer.com

LIGHTHOUSE VILLAGE DEVELOPMENT
 DOYON, LIMITED
 1563 & 1663 HOMER SPIT ROAD, HOMER, AK
 ARCHITECTURAL SITE PLAN

GENERAL NOTES

1 EXTERIOR ELEVATIONS ARE SCHEMATIC FOR PREDESIGN LEVEL PURPOSES ONLY

REVISIONS	
No.	Description



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 ARCHITECTURE ENGINEERING PLANNING
 Suite 600 - 221 N. Wall St., Spokane, Washington 99201
 TEL: (509) 534-4884 FAX: (509) 534-4943 www.womer.com

LIGHTHOUSE VILLAGE DEVELOPMENT
 DOYON, LIMITED
 1663 & 1663 HOMER SPIT ROAD, HOMER, AK
 HOTEL - EXTERIOR ELEVATIONS

Job No: 687-001
 Date: 11-15-2023
 Design Designer
 Drawn Author
 Checked Checker

A1.11



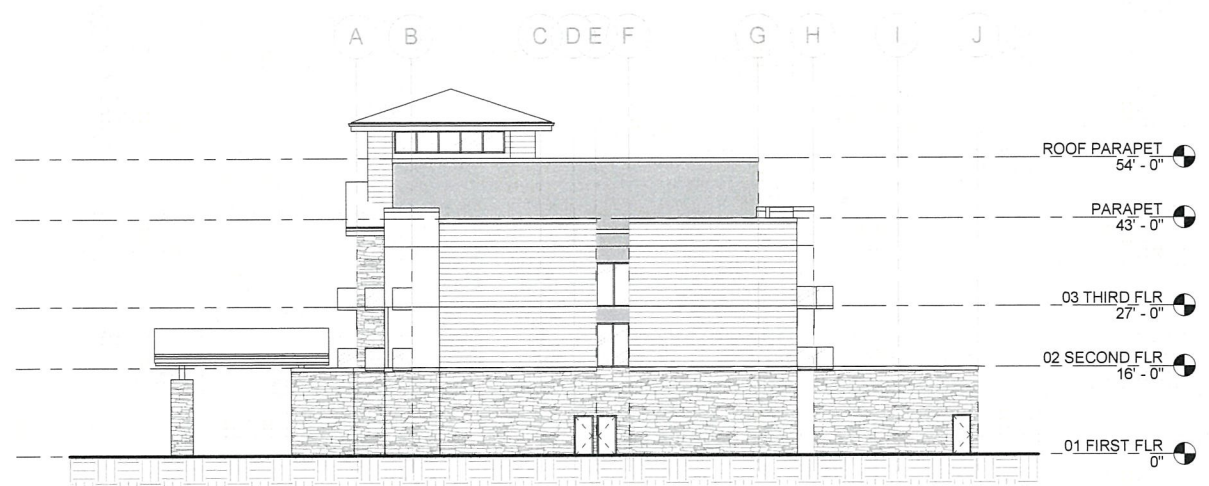
1 || NORTH ELEVATION

A1.11 SCALE: 1/16" = 1'-0"



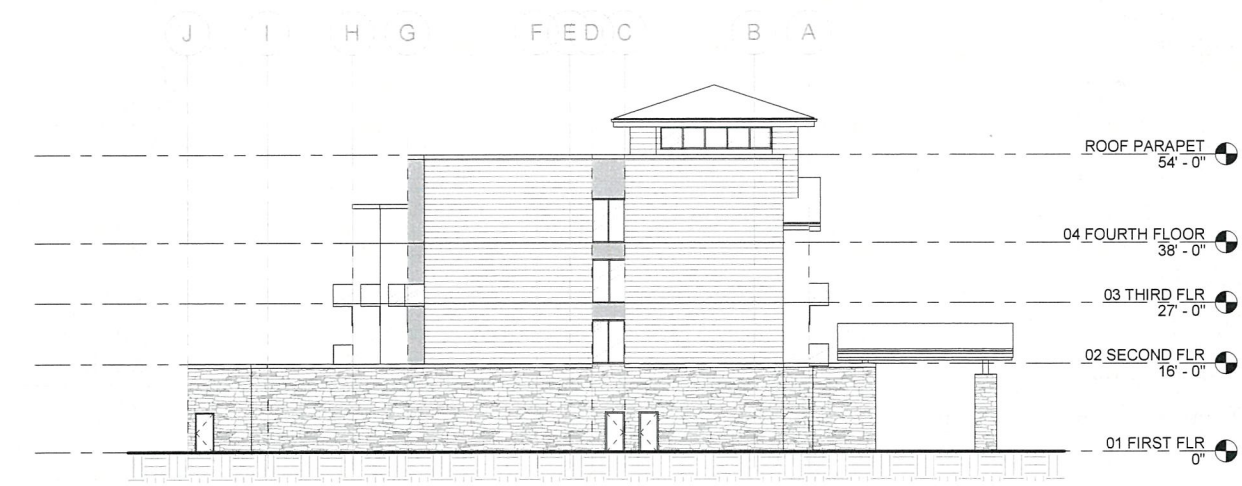
2 || SOUTH ELEVATION

A1.11 SCALE: 1/16" = 1'-0"



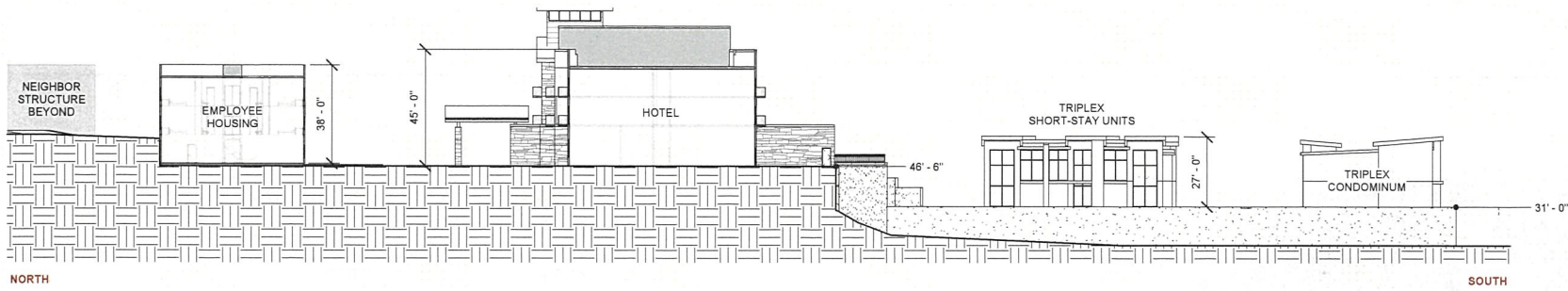
3 || WEST ELEVATION

A1.11 SCALE: 1/16" = 1'-0"

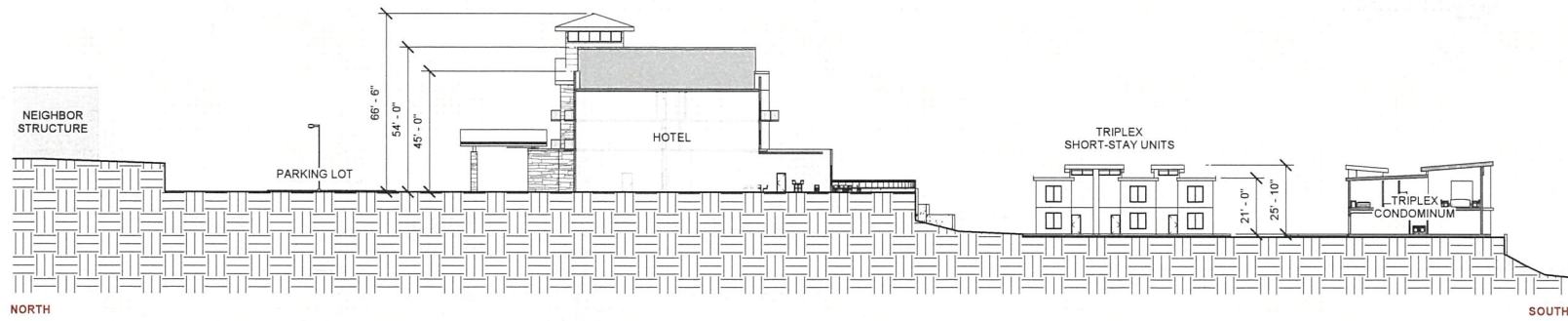


4 || EAST ELEVATION

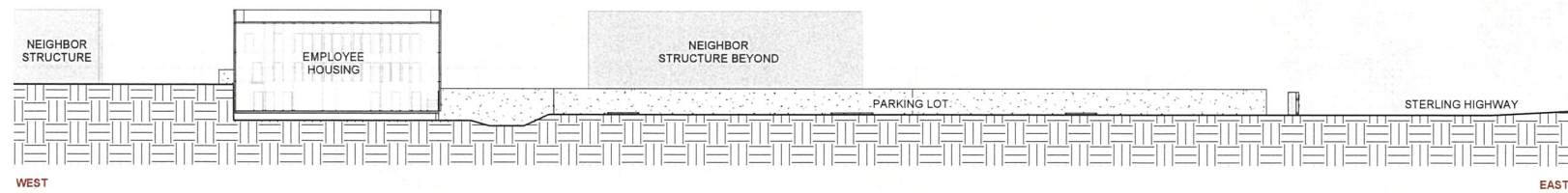
A1.11 SCALE: 1/16" = 1'-0"



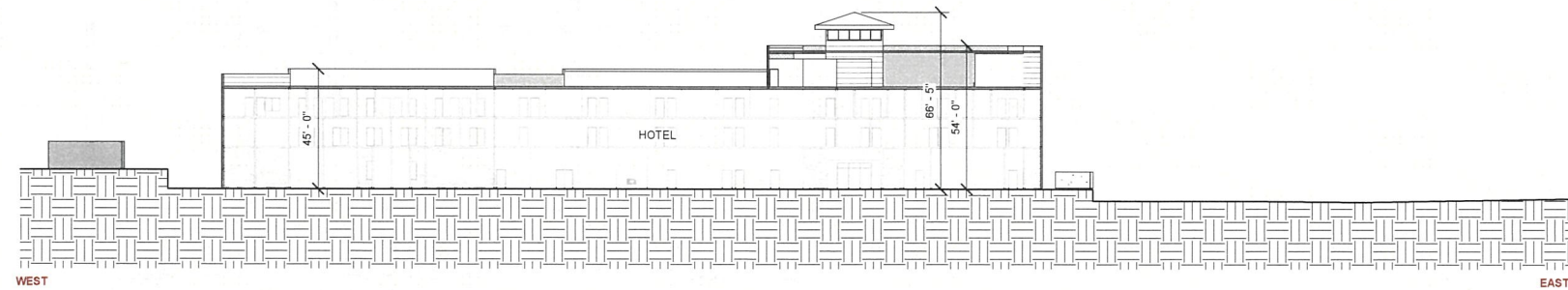
1 || SITE SECTION 1
 AS0.02 SCALE: 1/32" = 1'-0" REF:A2.01



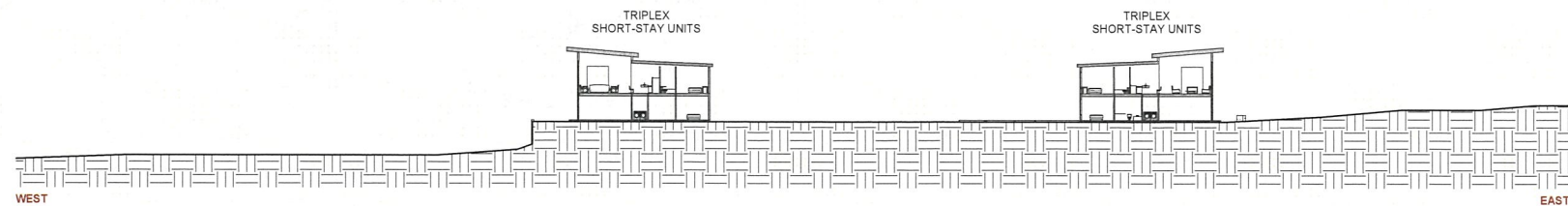
2 || SITE SECTION 2
 AS0.02 SCALE: 1/32" = 1'-0" REF:AS0.01



3 || SITE SECTION 3
 AS0.02 SCALE: 1/32" = 1'-0" REF:AS0.01



4 || SITE SECTION 4
 AS0.02 SCALE: 1/32" = 1'-0" REF:AS0.01



5 || SITE SECTION 5
 AS0.02 SCALE: 1/32" = 1'-0" REF:AS0.01

REVISIONS	
No.	Description



WOMER & ASSOCIATES
 ARCHITECTURE ENGINEERING PLANNING
 Suite 600 - 221 N. Wall St. Spokane, Washington 99201
 TEL: (509) 534-4684 FAX: (509) 534-4943 www.womer.com

LIGHTHOUSE VILLAGE DEVELOPMENT
 DOYON, LIMITED
 1563 & 1663 HOMER SPIT ROAD, HOMER, AK
 ARCHITECTURAL SITE SECTIONS

Job No. 887-001
Date: 11.15.2023
Designed LRE
Drawn LRE
Checked LRE

AS0.02

BUILDING INFORMATION

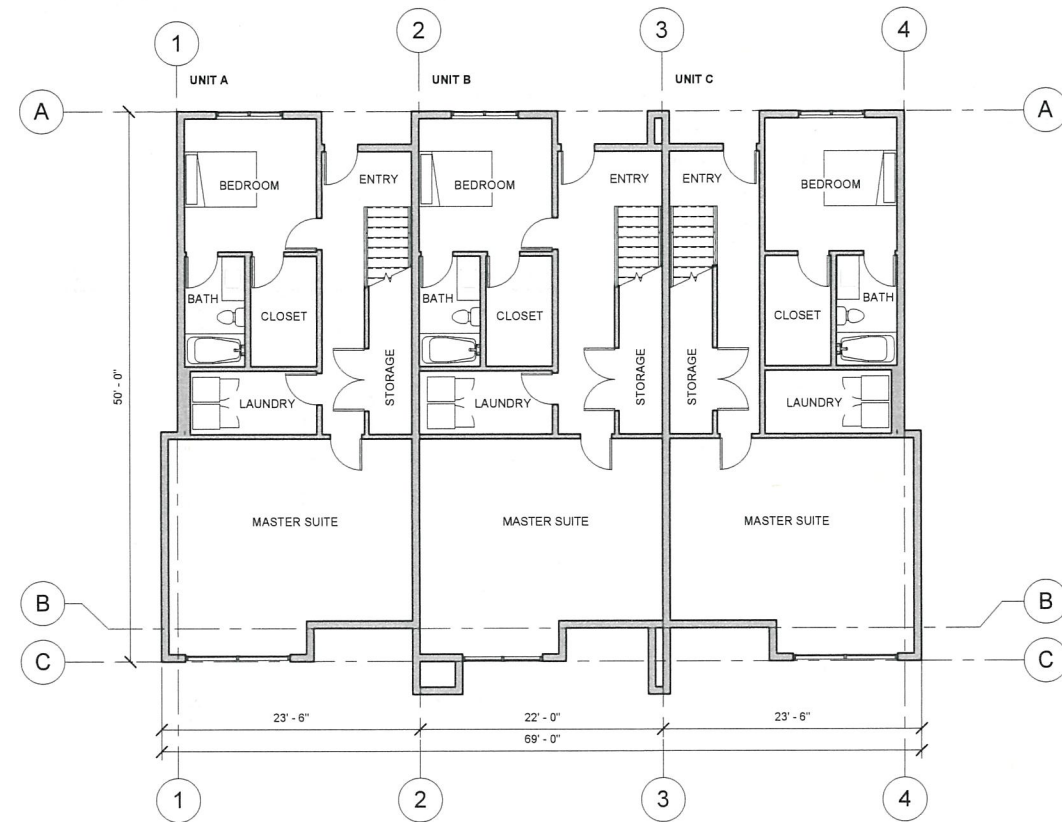
TOTAL BUILDING SF: 6,464 SF

3,232 SF	FIRST FLOOR
3,232 SF	SECOND FLOOR
UNIT A:	2 STORIES 1,212 SF
	3 BEDROOM
	3 BATHROOM
UNIT B:	2 STORIES 1,219 SF
	3 BEDROOM
	3 BATHROOM
UNIT C:	2 STORIES 1,212 SF
	3 BEDROOM
	3 BATHROOM

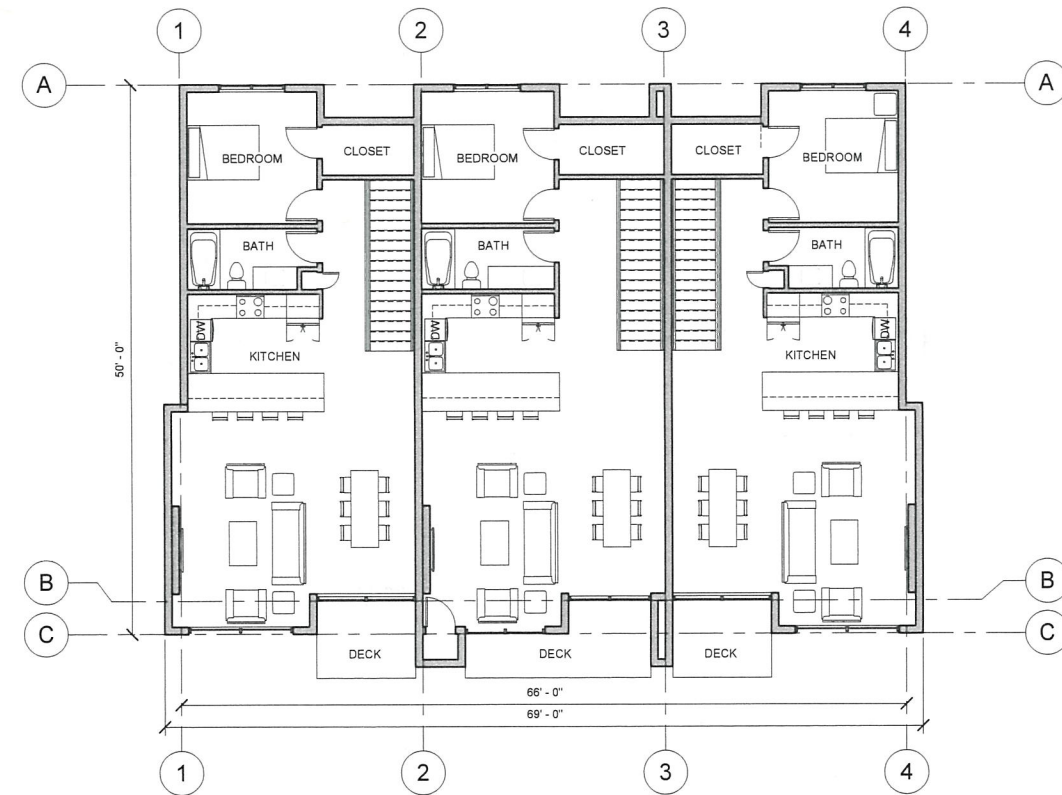
No.	Date	Description



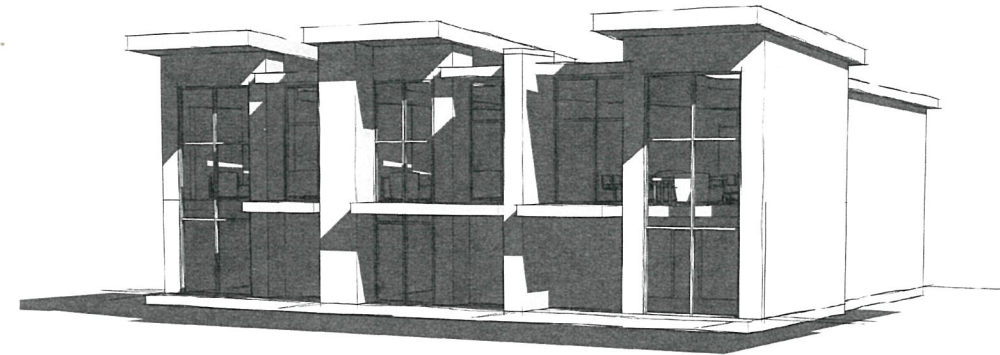
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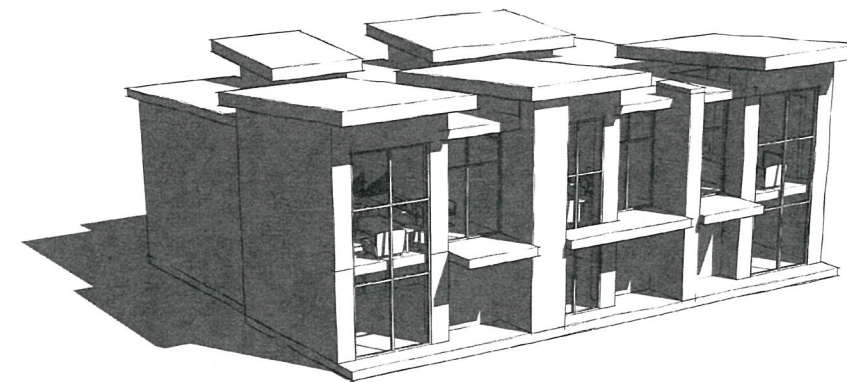
1 || FIRST FLOOR
 A3.02 SCALE: 1/8" = 1'-0"



2 || SECOND FLOOR
 A3.02 SCALE: 1/8" = 1'-0"



3 || 3D VIEW 1
 A3.02 SCALE:



4 || 3D VIEW 2
 A3.02 SCALE:

LIGHTHOUSE VILLAGE DEVELOPMENT
 DOYON, LIMITED
 1563 & 1663 HOMER SPIT ROAD, HOMER, AK
 TRIPLEX SHORT STAY UNITS - FLOOR PLANS AND 3D MASSING VIEWS

Job No:	876-001
Date:	11-10-2023
Designed:	LRE
Drawn:	LRE
Checked:	LRE

GENERAL NOTES

- 1 EXTERIOR ELEVATIONS ARE SCHEMATIC FOR PREDESIGN LEVEL PURPOSES ONLY

REVISIONS	
No.	Description



WOMER & ASSOCIATES
 ARCHITECTURE ENGINEERING PLANNING
 Suite 600 - 221 N. Wall St., Spokane, Washington 99201
 TEL: (509) 534-4884 FAX: (509) 534-4843 www.womer.com

LIGHTHOUSE VILLAGE DEVELOPMENT
 DOYON, LIMITED
 1563 & 1663 HOMER SPIT ROAD, HOMER, AK
 EMPLOYEE HOUSING - EXTERIOR ELEVATIONS & 3D MASSING VIEWS

Job No.	870-001
Date	11.15.2023
Designed	LRE
Drawn	LRE
Checked	LRE

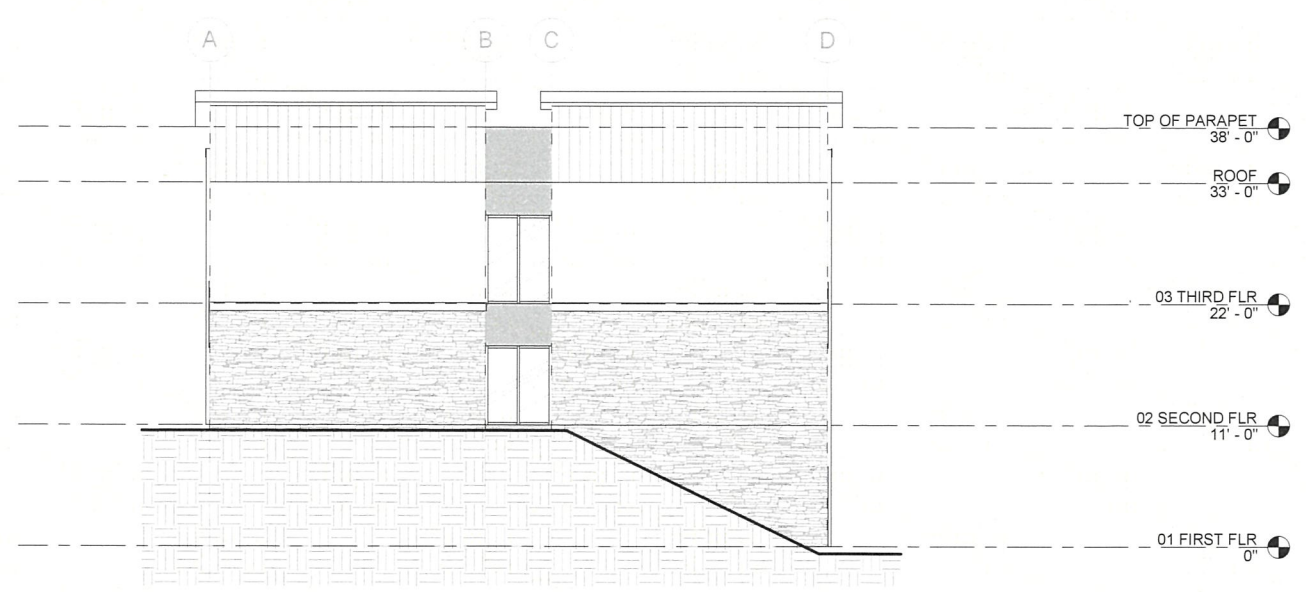
A2.11



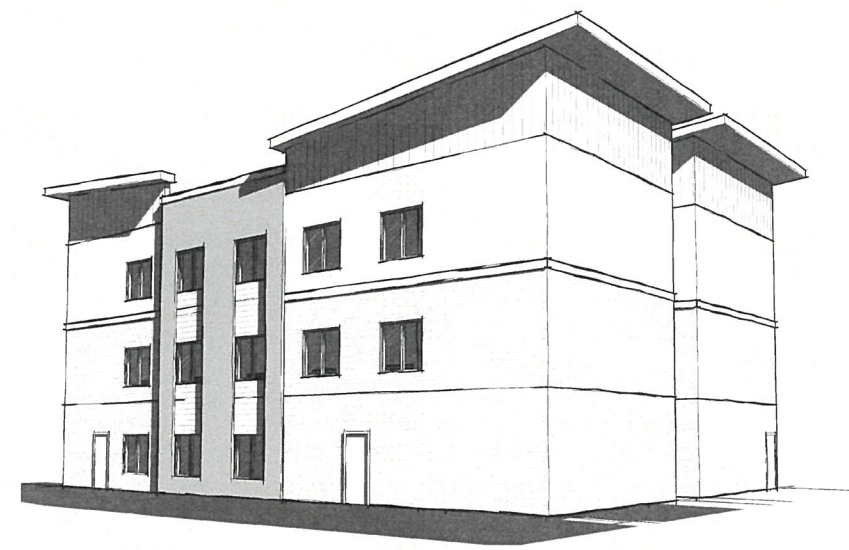
1 || NORTH ELEVATION
 A2.11 SCALE: 1/8" = 1'-0"



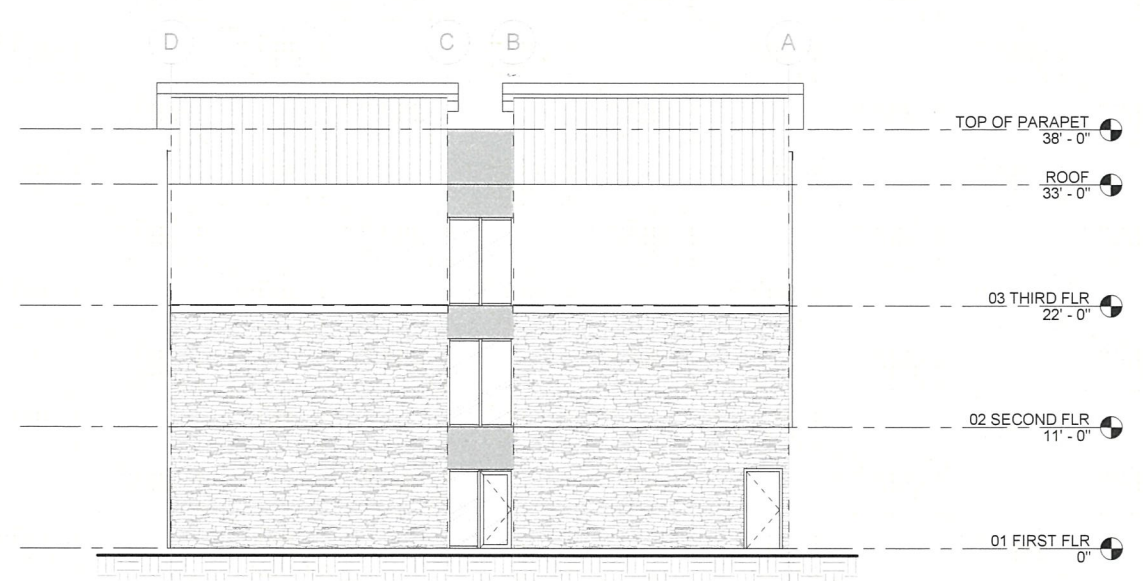
2 || SOUTH ELEVATION
 A2.11 SCALE: 1/8" = 1'-0"



3 || WEST ELEVATION
 A2.11 SCALE: 1/8" = 1'-0"



5 || 3D View 1
 A2.11 SCALE:



4 || EAST ELEVATION
 A2.11 SCALE: 1/8" = 1'-0"

November 26, 2023

TO: CITY OF HOMER PLANNING AND ZONING COMMISSION
MEETING DECEMBER 6, 6:30 pm, CITY HALL

Re: DOYON, LIMITED PRESENTATION OF LIGHTHOUSE VILLAGE DEVELOPMENT FOR
CONDITIONAL USE PERMIT (CUP)

In response to receiving Notice of Public Hearing and Notice of Subdivision including rezoning from Rural Residential to Commercial as residents within 500ft. of proposed complex, we have the following questions and comments:

- Will traffic from the proposed 200 bed hotel/conference center/restaurant/ employee housing be diverted to Bay Avenue via B Street? Where will employees park their cars? How much foot traffic will be on Bay Avenue? The residential Lot 163 proposed to be rezoned: Will it be the access to the back of Lighthouse Village property to avoid traffic access at the very congested Spit Road and Kachemak Drive? What of delivery truck traffic to service this large complex?
- Would a 4-way stop or traffic light be considered for the intersection of Spit Road and Kachemak Drive with added traffic (vehicles and coaches) from the hotel? Is there a recent Traffic Impact Study that was completed during the busy tourist season of June, July, and August of 2023? Results from a study completed in the winter are unacceptable.
- Potentially there could be 300-400 people at this complex during the summer. How will the City of Homer's utilities be impacted? What will this do to the stench we smell in the summer when we cross Beluga Lake?
- Will the Bird Viewing Platform be replaced for viewers for the WHSRN (Western Hemisphere Shorebird Reserve Network), annual Shorebird Festival, bird watchers in general, Mariner Park wetlands nesting area, etc? It must be noted that crane nesting in the wetlands has been documented since 1989. Please see Kachemak Crane Watch many YouTube videos of these cranes and other waterfowl in their habitat. How will construction of this huge complex affect the nesting? Will there be any mitigation of activity during the nesting period?
- Is there an Environmental Site Assessment Phase 1, 2, or 3 for possible soil contamination from past activities, with possible run-off into Mariner Park wetlands?
- Some 15 years ago, another hotel and/or condominium complex was proposed for this site. A Traffic Impact Study was performed then. Are the results of that study available to the public?
- The subject area of the proposed project is currently in Rural Residential zoning district. The Bay Avenue residents invested in Rural

Residential. How can an assumption that a ROW/easement can be vacated by anyone and a zoning designation be changed at will?

- Bay Avenue is a de facto pedestrian/cycle detour from the busy traffic on Ocean Drive. If traffic is diverted to Bay Avenue from the hotel/ conference center/restaurant employee housing now or in the future, how will the quality of the street be maintained with heavier travel? It is noted Bay Avenue and B Streets are on 50' wide Right of Ways that are considered insufficient width for the current residential and platting requirements by the City and other platting authorities.
- Is there sensitivity to soils being pushed into the wetlands? What stipulations might have been instituted in the original U.S. Army Corps Permit (after the fact when fill was pushed into the wetlands in the early 80's date?: Starvin Marvin's platform) to provide a bird viewing platform and walkway for public use? Is U.S. Army Corps of Engineers involved or will they be?
- What provisions does the project have to be sure the high value wetlands are not accessed by ATVs and guests' pets? The present neighborhood residents are mindful to keep animals and ATVs from disrupting ongoing waterfowl nesting And wildlife activity adjacent to this complex.
- Doyon owns a tourism coach business. Will coaches/buses bring guests to Homer on "Package/Bundle" purchases? Will the Borough and City be able to collect Sales taxes on "bundled tours"?
- Calculations indicate all of these structures in this complex will add up to 123,000 sq.ft. The Triplexes (15 units = 90 people)? Will their foundations be supported by pilings into the wetlands?
- The trail on the existing B Street Right of Way adjacent to Lot 163 has been used by residents for at least 37 years to view the wildlife activities on the high value wetlands.

Thank you for your consideration. Unfortunately, we are going stateside to a Celebration of Life for extended family. We will try our best to participate by ZOOM. Regardless, please enter this letter as our testimony to register our concern for the quality of our neighborhood and the potential damage that could be done with this very ambitious complex.

Jack and Susan Cushing
1423 Bay Avenue
Homer, AK. 99603

November 29, 2023

Dear members of the Planning Commission,

I have had a chance to take look at the Doyon project proposal and application to some degree, but not nearly enough to comb through it as it should be studied. Due to the enormity of the project and its complexity, it is extremely difficult to comment with detail in such a short time. This is a project that needs a great amount of study and attention by the affected adjacent neighborhoods and the greater Homer public because of its location and consequence to the fabric of this community.

Traffic and light pollution come to my mind immediately. Loss of precious large trees, more impermeable asphalt surface directly adjacent to Mariner Park where there is critical bird habitat that include critical feeding grounds for shorebirds during migration and nesting areas that need to be protected from light pollution, asphalt run-off, human activity, and noise.

I live on Kachemak Drive. That intersection onto Spit Road/Ocean Drive, in the summer especially, but now all year around, is clogged. Visibility is limited as there have been 2 lanes of cars on K-Drive, some coming out of the parking lot for the Spit Trail users, one waiting to turn north onto Ocean Drive and another waiting to go south onto the Spit Road. Out of frustration, some drivers rush out to beat oncoming traffic while bike riders and walkers are often not seen. There are no sidewalks on either of these intersecting very heavily trafficked entry points. Cross walks yes, but no extra width for non-motorized users. This is all where it is proposed to develop a formalized 4th entry point in that intersection. A light at that intersection is not required and not appealing, but dangerous without one. A 4-way stop, would be even less appealing. Flashing lights are visually objectionable.

Regarding the north entry/exit to the project near the curve of the Ocean Drive/FAA road, visibility is again a safety concern.

This project is incredibly consequential to the existing traffic problems, lighting, safety, habitat, views, and qualities of Homer. There are so many driveways and roads feeding in and out of Ocean Drive, creating frustrating bottlenecks at every intersection. Left hand turns especially so. Imagine Saturday Farmer's Market ingress and egress on or off Ocean Drive in the summer. With pedestrians, bikers, tourists, driveways at every business, this is a quagmire already.

While the applicant states 'benefits' to Homer and a supposed awareness of the specialness of this place, it seems this project is strictly a lucrative business in which to exploit a main access point smack dab in the middle of an already incredibly highly trafficked bottleneck.

The wording regarding the 5 triplexes is variable, i.e., 'dwellings', 'residences' and 'short term rentals'. Intention must be clear. Are these units for sale as timeshared condos? What exactly are they? And how to they help with housing in Homer as stated in the proposal introduction?

This proposal does not elaborate on the further development in the desired rural residential rezone to GC1 on Bay Ave. request. The totality of impact is not transparently presented for consideration.

*This area being along the tsunami evacuation route is further concern for safety in managing an evacuation should one truly be a danger. In fact, the 5 triplexes are within the inundation zone.

*We are grappling with short term rentals, seasonal and year-round housing.

*How many guests can Homer host? What is too much? This project will draw business from existing venues in Homer.....and then eventually add to an excessive over capacity this community can ill afford in sustaining a quality of life advertised and sought after.

Is it time to consider and lobby for a bed tax?

*We have not delved into an updated Comprehensive Plan; Homer's planning staff is reduced to one person who is still relatively new to Homer, and we are really trying to make this a more

pedestrian/bike friendly community. Much time has been spent on plat considerations and non-motorized connectivity.

*Because the proposed development is not a natural landform, having been filled back in the 80's, has there been a soils engineering study on it to assure stability for this intense usage?

*Does Homer's water supply meet the demands of a project like this in addition to full build out in this city?

*This project, as far as consideration for a Conditional Use Permit or Planned Unit Development is too large and too consequential to consider deciding on in one meeting. The public really needs more time to digest and refine this project. Surely the Planning Commission certainly needs more time.

*With discussion of a looming harbor expansion, coupled with a very high-density development application, this needs a lot more attention and consideration. Traffic has already been mentioned. Parking lot lighting, individual balcony lighting, walkways and all the standard lighting that goes into a project like this is extremely consequential in a big negative. The community is steering Homer to be a Dark Sky city. There are already big consequences to migrating birds on the Spit due to the harbor lights and large vessel lights anchored further out on the water. More and more lighting, especially at the water's edge, is extremely detrimental for birds. More and more lighting at the scale of the Doyon proposal is detrimental to our own precious dark skies. Noise and light pollution are increasing at an alarming rate.

*For CUP consideration, a project of this size and complexity requires further benefits and amenities for the community. What benefits will this CUP offer the city? Sidewalks, bike paths, bike racks, bird viewing platform. A free public shuttle system to and from the Spit. Commission of local art throughout and local input in general. Think of what was integrated into the Islands and Ocean Visitor's Center with art integrated at every level. Extensive landscaping. Visible public access to bird a viewing platform.

Loss of precious large trees, more impermeable asphalt surface directly adjacent to Mariner Park where there is critical bird habitat that include critical feeding grounds for shorebirds during migration and nesting areas that need to be protected from light pollution, asphalt run-off, human activity, and noise. Mitigations for these concerns must be addressed.

*A well thought out and coordinated development plan, considering the timing of construction, construction traffic, housing for construction people, noise of big equipment, cranes, delivery trucks. Timing and coordination are essential.

*Vacating the B Street right of way would come at a terrible cost to the city and community. This right of way is for city transportation. It has the potential of providing a beautiful non-motorized access to a public viewing platform. It is an asset far greater to the city than a development project that outsizes the private parcel the company currently owns. The community cost for private gain does not measure out. This project is obviously too big for the site and needs to be scaled down to a better fit for our community.

*Rezoning a rural residential lot to insert a GC1 development is detrimental to the neighborhood, impacting traffic, eliminating valuable tree cover and privacy. GC1 zoning on a coastline is bad planning and we already have plenty of it. Do we need to keep exacerbating what we know to be detrimental to coastline erosion by increased run off from increasing impermeable surfaces and depleting vegetation cover?

*The planning department is down to one person, a relatively new one for Homer, so any decision on this application cannot be made tonight.

*I urge you to postpone any decision on this CUP application on December 6th. This requires a deep discussion and a much slower pace than as presented.

Rika Mouw
Homer

From: [Melissa Jacobsen](#)
To: [Ryan Foster](#); [Renee Krause](#)
Subject: FW: Re. CUP 23-08, B Street ROW vacate, 1491 Bay Avenue Rezone
Date: Wednesday, November 29, 2023 4:24:03 PM

From: Michael Armstrong <wordfolk@gmail.com>
Sent: Wednesday, November 29, 2023 3:22 PM
To: Department Clerk <clerk@ci.homer.ak.us>
Subject: Re. CUP 23-08, B Street ROW vacate, 1491 Bay Avenue Rezone

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

To the Homer Planning Commission:

I am a member of the Kachemak Bay Shorebird Festival Committee and an active birder and have these comments on Doyon Corporation's proposed project at what has been called Lighthouse Village. These are my own comments and not those of the committee as a whole.

Three items related to the Lighthouse Village development project are on the agenda for the Dec. 6 meeting. The CUP has not been made available on the city website, and it is only available for inspection at the clerk's office. I do not feel the public has had sufficient time and opportunity to review the Conditional Use Permit and other documents. Given the scope and complexity of the project, I request that the public hearings be extended to the next Planning Commission meeting.

The project documents also lack information I believe the commission needs to make a decision on the project, as follows:

- 1) The CUP application notes that the project does affect wetlands and that the U.S. Army Corps of Engineers permit would be included in the rezoning application. I did not see that permit. That permit is necessary to understand if the proposed project meets the conditions set by the Corps.
- 2) The plat also notes that the original project received approval from the Alaska Department of the Environment, but the CUP does not include any of this documentation. That also should be available for review to see if the new project would adhere to state environmental regulations.
- 3) The CUP does not indicate if the project will include a viewing platform to replace the demolished platform at the southwest corner of the lower lot although there is a boardwalk shown. In an Aug. 23, 2023, email to Marilyn Sigman, President of the board of the Friends of Alaska National Wildlife Refuges, regarding continued bird viewing opportunities at Lighthouse Village, Julie Engebretsen wrote "The developer is aware of the value of the birdwatching platform to the community, and has expressed interest in continuing bird viewing from the property." Doyon Corporation has not provided information in its CUP

indicating how it will continue bird viewing from its property.

4) Apparently, prior owner Douglas Meeker built the viewing platform as part of a grant agreement with the Alaska Maritime National Wildlife Refuge. It is unclear if that grant agreement still applies to the property and the new owner. This matter merits further research.

5) The CUP application notes that stormwater will be routed from the northern lot "to a detention structure with treatment filters for filters" and that stormwater for the southern lot will "sheet flow into a centrally located swale, providing treatment and storage for stormwater runoff." The application does not specify the kind of treatment for this stormwater, including if there will be treatment for residue from vehicles parked in the lots. The former project had gravel parking lots while this project will have less-permeable asphalt parking lots. More information is needed on treatment of runoff that could include oil, gas, diesel, and other residue from parked vehicles.

6) Issues raised in the transportation study and how Doyon will respond also need to be considered.

The Kachemak Bay Shorebird Festival Committee has concerns about how the project will affect bird viewing and public access in general and during the shorebird migration at the new development. They also have concerns about the effect of the project on bird and wildlife habitat in Mariner Park Lagoon. The committee has not had sufficient time to review the project and comment on it as a committee. Extending the public hearing would allow the committee and other concerned organizations the opportunity to provide more informed comments on the project.

I respectfully ask for an extension of the public hearing and review process and that no decision on the three matters be made until at least the next Planning Commission meeting.

Best,

Michael Armstrong
65240 Diamond Ridge Road
Homer, Alaska 99603
wordfolk@gmail.com

P.O. Box 2994
Homer AK 99603

November 26, 2023

Homer Planning and Zoning Commission
City of Homer
491 E. Pioneer Avenue
Homer, AK 99603

Dear Planning and Zoning Commission Members:

I have concerns about the Lighthouse Village Development Project and the short span of time allowed for the public to study this development. I searched online for details when I heard about it on Facebook last week but was not successful. I understand it might be available on December 1st, but comments are due on November 29 to make it into the Commission's packet. Posting information at only City Hall for people to study is not adequate in our computer age. Given the short time for the public to study the proposal, it is now the holiday season, and many people are traveling Outside, I respectfully request that the public hearing be postponed until mid-January.

The Lighthouse Village Development is on land adjacent to a sensitive, important saltwater estuary that is part of the Kachemak Bay Critical Habitat Area and is a designated Western Hemisphere Shorebird Reserve Network site. The bird platform and its easy access for Shorebird Festival activities and year-round viewing is an important part of our tourism infrastructure. I do not see a viewing platform included in the hotel plans. It should be a required part of the plan. I do remember it was required years ago as mitigation when the site was illegally filled.

The Mariner Park Lagoon is a legally designated protected conservation area under the Kachemak Bay Critical Habitat Area and is managed as a conservation area for "passive" human use like bird watching and photography. This is protected wildlife habitat where shorebirds stop over, many nest, and a pair of sandhill cranes has been nesting in this estuary since 1989. It is incumbent on the City of Homer to make sure this habitat is protected from pollution, noise, excessive light, people or dogs entering the estuary from the hotel, or other problems from this new development that will degrade the adjacent wetland habitat. During construction what mitigations will be done to prevent disturbance to nesting birds in the Lagoon and prevent construction materials, soil, and trash from going beyond the construction site?

This development is large and heavy with a dense footprint on the fill. Is the fill adequate in depth? Will an earthquake with the additional weight cause fill to sluff into the Lagoon? Is a hefty retaining wall of some sort needed to prevent intrusion into the Lagoon?

With Climate Change and rising sea levels, many communities are reassessing what they allow to be built next to the ocean. This is a tsunami zone, not much above sea level. It will be vulnerable to a tsunami and as sea levels rise more, to a heavy storm surge and extreme high tide that coincide. It would make better sense for this site to be used for a project that does not put so many people onto this site all at once..

Another hazard is that this property sits in the path of take-offs and landings from the Homer Airport. Putting a hotel under the flight path is not a particularly good location because of this existing hazard. Down the road there will likely be expansions to the airport, increasing the hazards and airplane noise.

Traffic on the Spit is a confounding issue without adding this big development right at the beginning of the Spit. Summer traffic during busy weekends or holidays is so congested, finding a parking spot out on the Spit can be difficult. In a tsunami alert, trying to get vehicles off the Spit is going to be even more difficult with the traffic coming out of the Lighthouse Village development.

Turning left off Kachemak Drive onto the Spit Road is often very difficult in summer. With more traffic coming out of this new development, the misaligned intersections are problematic. This area will be a bottleneck in an emergency. What is the plan to mitigate these problems, and also make it a safe intersection for pedestrians to walk or cycle in the area, or to cross the Spit Road?

Water quality in the Lagoon is a huge concern. How will all the stormwater runoff from the paved parking and roof tops be managed so that it is collected, filtered, and not directed into the Lagoon? Oil and other vehicular substances are toxic to birds and fish. Any runoff from the development will eventually end up in the Bay, so it is vital to have a good stormwater system. The plan must include a system to collect all runoff since the surfaces outside will all likely be paved. Furthermore, will the current fill soils be tested for toxins from past developments on the site and then cleaned up if there are before construction begins?

The development will have a considerable number of rooms, 200 I believe, generating a lot of wastewater. Is Homer's sewer system in this area able to handle that much additional load all at once?

City water for the entire Lighthouse Village will be considerable. Does the City have the capacity to keep providing water to such large developments, especially if we have a drought period?

Are the five floors still at a height that the fire department can handle a fire in the building? Homer had a building height restriction, is that still in effect?

Light pollution in the surrounding area will likely be a concern. Hopefully all lighting will be directed downward and shaded so it does not extend outward to the adjoining residential area.

Being able to look seaward without nearby lights affecting the view is important to many people.

This project is better suited to a site that does not have so many transportation challenges and is not located in a tsunami zone and under an airport flight zone. The catastrophic disasters around the world from supersized storms, hurricanes, tornadoes, and floods to excessive heat and drought should be a wakeup call to us all that we cannot keep doing business as usual. Other cities around the world are heeding the wakeup call in coastal zones and moving development out of harm's way further inland. They are designing green coastlines that emphasize saving and enhancing coastal wetlands, marshes, and estuaries. This area was once a part of Mud Bay and the existing Mariner Park Lagoon. An illegal fill led to the first development in this location. Maybe it is time to take a step back and seriously question a development of this density in this location.

Respectfully submitted,

Nina Faust

From: [Jack Wiles](#)
To: [Department Planning](#)
Subject: Lighthouse Village CUP.
Date: Sunday, November 26, 2023 1:18:21 PM

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

The details of how mitigation measures work are unclear! e.g. storm water and pollution into the wetlands.

The wetlands are an important birding area and a conservation easement should be established.

The traffic congestion at Kachemak Drive is a major concern!

Thx.

John Wiles

Sent from my iPad



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

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

Staff Report 23-062

TO: Homer Advisory Planning Commission
 FROM: Ryan Foster, AICP, City Planner
 DATE: December 6, 2023
 SUBJECT: Vacation of B Street Right of Way South of Bay Avenue

Requested Action: Conduct a public hearing and make a recommendation on the vacation of B Street Right of Way south of Bay Avenue

General Information:

Applicants:	Doyon, Limited 11500 Sukdu Way Suite 250 Anchorage, AK 99515	Doyon, Tourism 11500 Sukdu Way Suite 250 Anchorage, AK 99515
	Seabright Survey + Design, 1044 East Road Suite A, Homer AK 99603	
Location:	B Street, South of Bay Avenue	
Parcel ID:	18101034, 18101035, 17921015	
Zoning Designation:	Rural Residential and General Commercial 1	
Existing Land Use:	The rural residential lot is vacant. The GC1 lots formerly held an auto wrecking yard/repair shop, boat storage, a restaurant and small shops.	
Surrounding Land Use:	North: Peninsula Solid Waste shop, ministorage, rooming house South: Mariner Lagoon East: Homer Spit Road and airport properties West: Residential	
Comprehensive Plan:	Chapter 4 Goal 1 Objective A: Promote a pattern of growth characterized by a concentrated mixed use center, and a surrounding ring of moderate to high density residential and mixed-use areas with lower densities in outlying areas.	
Wetland Status:	The 2005 wetland mapping shows no wetland areas. The area below the retaining wall is tidally influenced and ACOE permitting is required for any development activities.	
Flood Plain Status:	Flood Zone AE 20 on southern section of the right of way	
Utilities:	City water and sewer are available	
Public Notice:	Notice was sent to 42 property owners of 47 parcels as shown on the KPB tax assessor rolls.	

Analysis: This vacation is within the Rural Residential District. This action would vacate B Street, south of Bay Avenue. Unlike other platting processes, the final approval of this vacation is decided by the Homer City Council. Staff recommends the Commission recommend approval of this vacation, contingent on public access being dedicated (discussion to follow).

City of Homer Code does not address right of way vacations, but the Kenai Peninsula Borough code does. The Borough holds platting authority and the Homer Planning Commission is advisory to the Borough on platting matters. Staff is using relevant portions of KPB code for an analysis of the right of way vacation.

KPB 20.70.170. - Vehicular access. The planning commission shall not approve the vacation of a right-of-way unless an equal or superior right-of-way for vehicular access exists or will be provided in exchange. Where two or more access points are necessary for large vacant or semi-vacant areas of land, the commission shall consider density, use, projected development, and maintain sufficient rights-of-way to serve potential use.

Staff Response: The City of Homer determined this portion of B Street was “unsuitable for road construction” in Resolution 2006-50. Vehicle access directly from B Street to Homer Spit Road is unlikely due to slope.

KPB 20.70.180. - Other access. Other lawful uses that exist or are feasible for the right-of-way shall be considered when evaluating a vacation request. When such uses exist or could exist within rights-of-way which are not suited for general road use, the commission shall not approve the vacation request, unless it can be demonstrated that equal or superior access is or will be available. The planning commission shall consider whether alternate uses present public safety issues which support approval of the vacation.

KPB 20.70.200. - Waterfront access provisions. A right-of-way which serves to provide access to public waters shall not be vacated unless such a right-of-way is wholly impractical to all modes of transport including pedestrian or the use of such right-of-way causes damage to the right-of-way, adjacent properties, the waterbody or the watercourse, or threatens public safety which cannot otherwise be corrected and where such continued damage or threat would be contrary to the public interest.

KPB 20.70.210. - Other public areas. Dedications of land for use other than rights-of-way, which are considered for vacation, shall be approved only when it is in the public interest. The commission shall consider the intended purpose of the area, and any future uses of the area when making a decision. When a legitimate public purpose is or would be served by use of the area proposed for vacation, the commission shall not approve the vacation, unless the ownership of the land by the city or borough in a form other than dedicated would adequately serve the intended use.

Staff response: There is an existing footpath from Bay Avenue south toward Kachemak Bay. Staff was unable to determine in the field if the trail was in the right of way or on private property. Due to removal of buildings and site work, staff was also unable to determine if the trail continues all the way to the tidal marsh, or if it turns east into the old lighthouse village site. The southern portion of

the right of way also held a bird viewing platform. The platform was partially on lot 164 and partially within the right of way. It is unclear if this was a permitted encroachment into the right of way; no city documentation or permits were found in City records. Regardless, the bird viewing platform has been demolished.

Looking South from Bay Ave



Trail looking east to Kachemak Drive



Staff recommends: The vacation of the right of way be conditional on the creation of a public access route to accommodate pedestrian and bicycle access from Bay Avenue to Homer Spit Road.

Public Works Comments: A drainage easement should be retained or accommodated for drainage from the Bay Avenue area.

Staff Recommendation:

Planning Commission recommends approval of the vacation with the following comments:

Condition 1: Creation of a public access route to accommodate pedestrian and bicycle access from Bay Avenue to Homer Spit Road.

Condition 2: Drainage Easement or conveyance for drainage from Bay Avenue south to Kachemak Bay.

Attachments:

1. Vacation petition
2. Public Notice
3. Aerial Map



Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

PETITION TO VACATE PLATTED RIGHT OF WAY / PLATTED PUBLIC EASEMENT / PLATTED PUBLIC AREA

PUBLIC HEARING REQUIRED

Upon receipt of complete application with fees and all required attachments, a public hearing before the Planning Commission will be scheduled. The petition with all required information and attachments must be in the Planning Department at least 30 days prior to the preferred hearing date. By State Statute and Borough Code, the public hearing must be scheduled within 60 days of receipt of complete application.

Initially, a sketch may be included with the vacation petition for review by the Planning Commission. After the Planning Commission takes action on the vacation, a Subdivision Plat must be prepared by a licensed land surveyor. The plat will be processed in accordance with KPB 20.10.080. Platting authority is vested in the Planning Director.

SUBMITTAL REQUIREMENTS

A platted right of way vacation (ROWV) application will be scheduled for the next available planning commission meeting after a complete application has been received.

- \$500 non-refundable fee to help defray costs of advertising public hearing. Plat fees will be in addition to the vacation fees.
- City Advisory Planning Commission. Copy of minutes at which this item was acted on, along with a copy of City Staff Report.
- B St. _____ platted public right of way proposed to be vacated was dedicated by the plat of Bayview _____ Subdivision, filed as Plat No. 0000-839 in the Homer _____ Recording District.
- 3 copies of the plat or map showing the platted right of way to be vacated. Must not exceed 11 x 17 inches in size. Area to be vacated must be clearly depicted. Proposed alternative public access to be shown and labeled on the sketch.
- REASON FOR VACATING The petitioner must attach a statement with reasonable justification for the vacation of the platted right of way / platted easement / platted public area.

Has the platted right of way been fully or partially constructed?	Yes	<input checked="" type="checkbox"/>	No
Is the platted right of way used by vehicles / pedestrians / other?	Yes	<input checked="" type="checkbox"/>	No
Is alternative right-of-way being provided?	Yes	<input checked="" type="checkbox"/>	No
Are there utility easements associated with the right of way to be vacated?	<input checked="" type="checkbox"/>	Yes	No
Is the platted right of way and or associated utility easement in use by any utility company?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>
If so, which utility provider?			

LEGAL DESCRIPTION ADJOINING LAND:

Lot, Block, Subd. or street address Lot 163 Bayview Subd., Lots 164-A & 164-B Bayview Subd. No. 6	
Section, township, range Section 21, T6S, R13W	
City (if applicable) Homer	General area Base of Homer Spit

The petition must be signed by owners of a majority of the land affected by the platted right of way proposed to be vacated. Each petitioner must include address and legal description of his/her property. Attach additional signature sheets if needed.

Submitted by:

Land Owner: 

Name (printed): Doyon Tourism, Inc (Patrick Duke, SVP CFO)	Signature
e-mail: dunlapz@doyon.com	Address: 11500 Sukdu Way ANC AK 99515
Owner of: Record	

Land Owner: 

Name (printed): Doyon, Limited (Patrick Duke, SVP CFO)	Signature
e-mail: dunlapz@doyon.com	Address: 1 Doyon Place FAI AK 99701
Owner of: Record	

FOR OFFICE USE ONLY

RECEIVED BY _____

DATE SUBMITTED _____

KPB FILE # _____

**CITY OF HOMER PUBLIC HEARING NOTICE & NOTICE OF SUBDIVISION
PLANNING COMMISSION MEETING**

A public hearing on the matters below are scheduled for Wednesday, December 6, 2023 at 6:30 p.m. during the Regular Planning Commission Meeting. Participation is available virtually via Zoom webinar or in-person at Homer City Hall.

A proposal to vacate the B Street right-of-way within the Bayview Subdivision NO. 6 (HM 94-51), located in the SW1/4 SEC. 21, T. 6 S., R. 13 W., S.M.

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

Proposed subdivision under consideration is described as follows:

Bayview Subdivision Lighthouse Village 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 copy of the proposals may be viewed at Homer City Hall, in the Clerk's Office Lobby on the lower level. In-person meeting participation is available in Cowles Council Chambers located downstairs at Homer City Hall, 491 E. Pioneer Ave., Homer, AK 99603.

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

Meeting ID: 979 8816 0903

Passcode: 976062

Additional information regarding this matter will be available by 5pm on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for December 1, 2023 at <https://www.cityofhomer-ak.gov/calendar>. It will also be available at the Planning and Zoning Office at Homer City Hall and at the Homer Public Library.

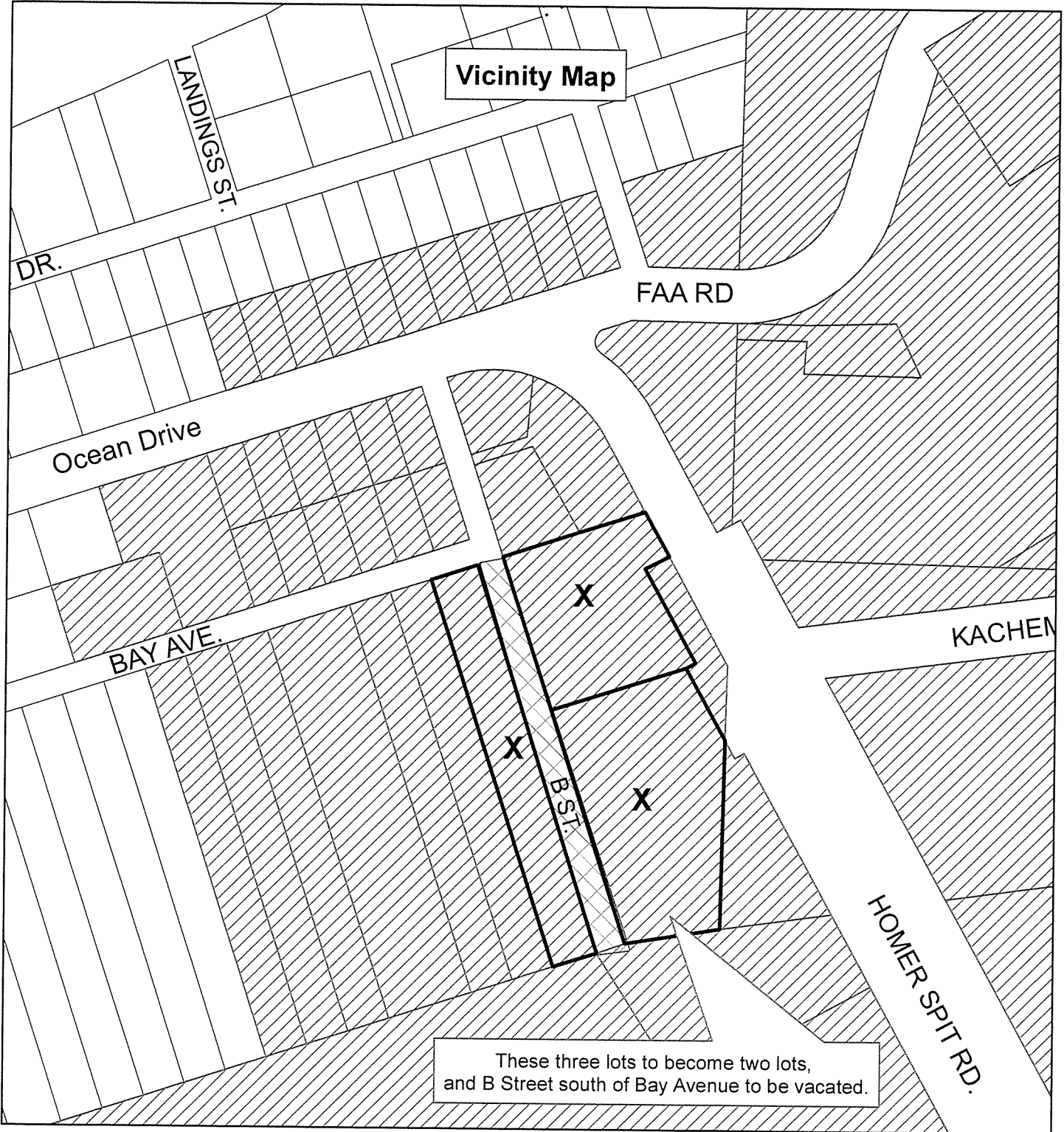
Written comments can be emailed to the Planning and Zoning Office at the address below, mailed to Homer City Hall at the address above, or placed in the Homer City Hall drop box at any time. Written comments must be received by 4pm on the day of the meeting.

If you have questions, contact Ryan Foster at the Planning and Zoning Office. Phone: (907) 435-3120, email: planning@ci.homer.ak.us or in-person at Homer City Hall.

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

Vicinity Map 143 Reverse

Vicinity Map



These three lots to become two lots, and B Street south of Bay Avenue to be vacated.

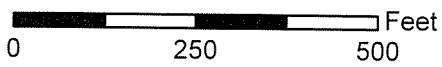


City of Homer
Planning and Zoning Department

11/20/23

Vacation of a Portion of B Street and
Bayview Sub Lighthouse Village Replat
Preliminary Plat

Marked Lots are within 500 feet
and property owners notified.



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

- THE 15' FRONTING RIGHTS-OF-WAY AND THE 20' WITHIN 5' OF SIDE LOT LINES IS A UTILITY EASEMENT GRANTED THIS PLAT. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE SAID EASEMENT.
- THESE LOTS ARE SUBJECT TO CITY OF HOMER ZONING ORDINANCE 11.02.010. THE CITY OF HOMER HAS THE CURRENT SETBACK AND SITE DEVELOPMENT RESTRICTIONS. OWNERS SHOULD CHECK WITH THE CITY OF HOMER PRIOR TO DEVELOPMENT ACTIVITIES.
- ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.
- NO ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
- 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.
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- THE NATURAL MEANDERS OF KENAI HIGH WATER IS FOR AREA COMPARISON OF THE SIDELINES AND THE INTERSECTION WITH THE NATURAL MEANDERS.
- THERE IS AN EASEMENT GRANTED TO DOYON AS A PORTION OF THE REMAINING WALL AND JOINTS OF THE REMAINING WALL WITHIN B ST. R/W RECORDED BK 227 PG 144 HRD.

PLAT APPROVAL

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

BY: _____ DATE _____
 AUTHORIZED OFFICIAL
 KENAI PENINSULA BOROUGH

WASTEWATER DISPOSAL

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

LINE TABLE	
LINE #	LENGTH BEARING
L1	50.00' N60°08'43"E
L2	20.00' N60°08'36"E

LEGEND

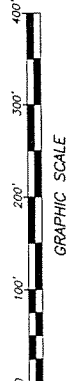
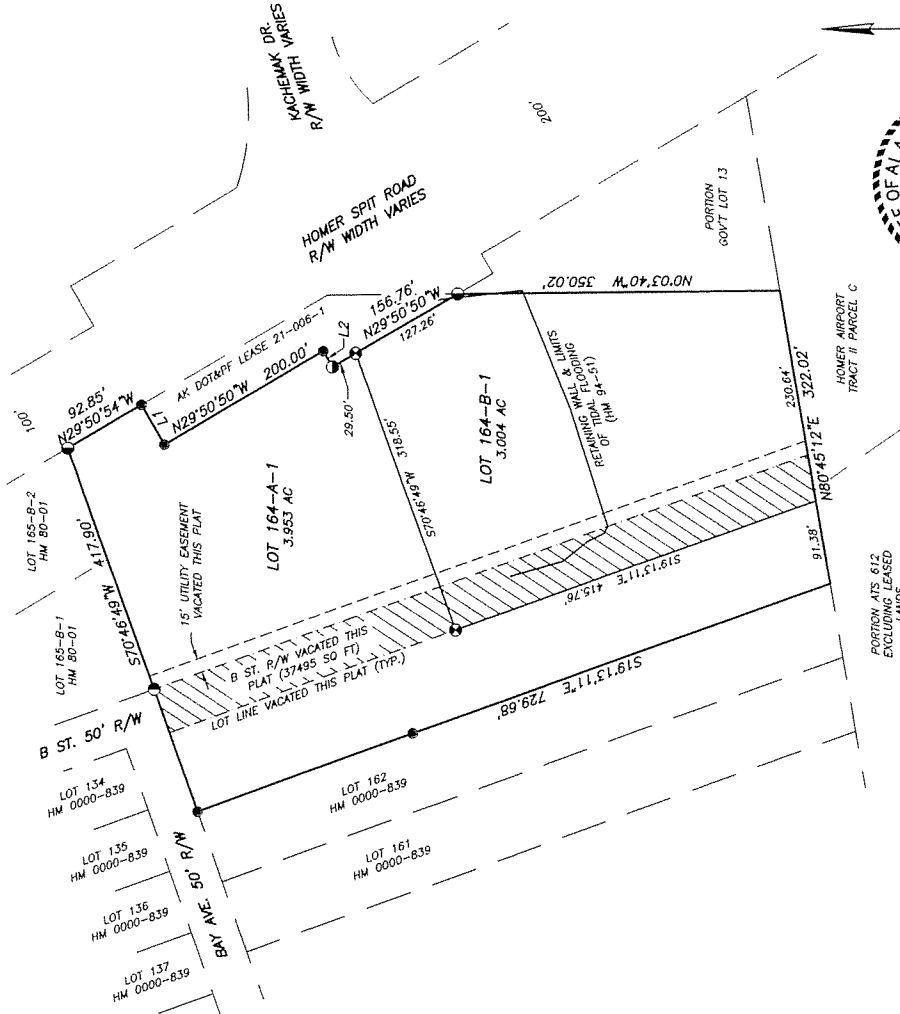
- SET 2" AC 7568-S 2024
- 2" AC 7610-S 1994
- 2" AC 7610-S 1984
- 2" AC 3668-S 1989
- 5/8" REBAR

NOTARY'S ACKNOWLEDGMENT

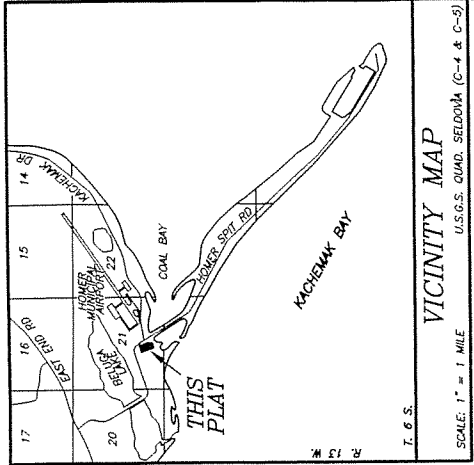
FOR: _____
 ACKNOWLEDGED BEFORE ME THIS _____
 DAY OF _____, 2024.
 NOTARY PUBLIC FOR ALASKA
 MY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGMENT

FOR: _____
 ACKNOWLEDGED BEFORE ME THIS _____
 DAY OF _____, 2024.
 NOTARY PUBLIC FOR ALASKA
 MY COMMISSION EXPIRES _____



GRAPHIC SCALE



VICINITY MAP

SCALE: 1" = 1 MILE
 U.S.G.S. QUAD. SELDOMA (C-4 & C-5)
 T. 6 S.

CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT DOYON LIMITED IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT ON BEHALF OF DOYON, LIMITED, I HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND BY MY FREE CONSENT DEDICATE ALL RIGHTS OF WAY AND EASEMENTS TO THE USE SHOWN HEREON.

CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT DOYON TOURISM, INC. IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT ON BEHALF OF DOYON TOURISM, INC., I HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND BY MY FREE CONSENT DEDICATE ALL RIGHTS OF WAY AND EASEMENTS TO THE USE SHOWN HEREON.

AUTHORIZED SIGNATORY FOR:
 DOYON LIMITED
 11500 SIKDU WAY, SUITE 230
 ANCHORAGE, AK 99515

AUTHORIZED SIGNATORY FOR:
 DOYON TOURISM, INC.
 11500 SIKDU WAY, SUITE 230
 ANCHORAGE, AK 99515

HOMER RECORDING DISTRICT
 NFB FILE NO. 2023-XXX

BAYVIEW SUBDIVISION

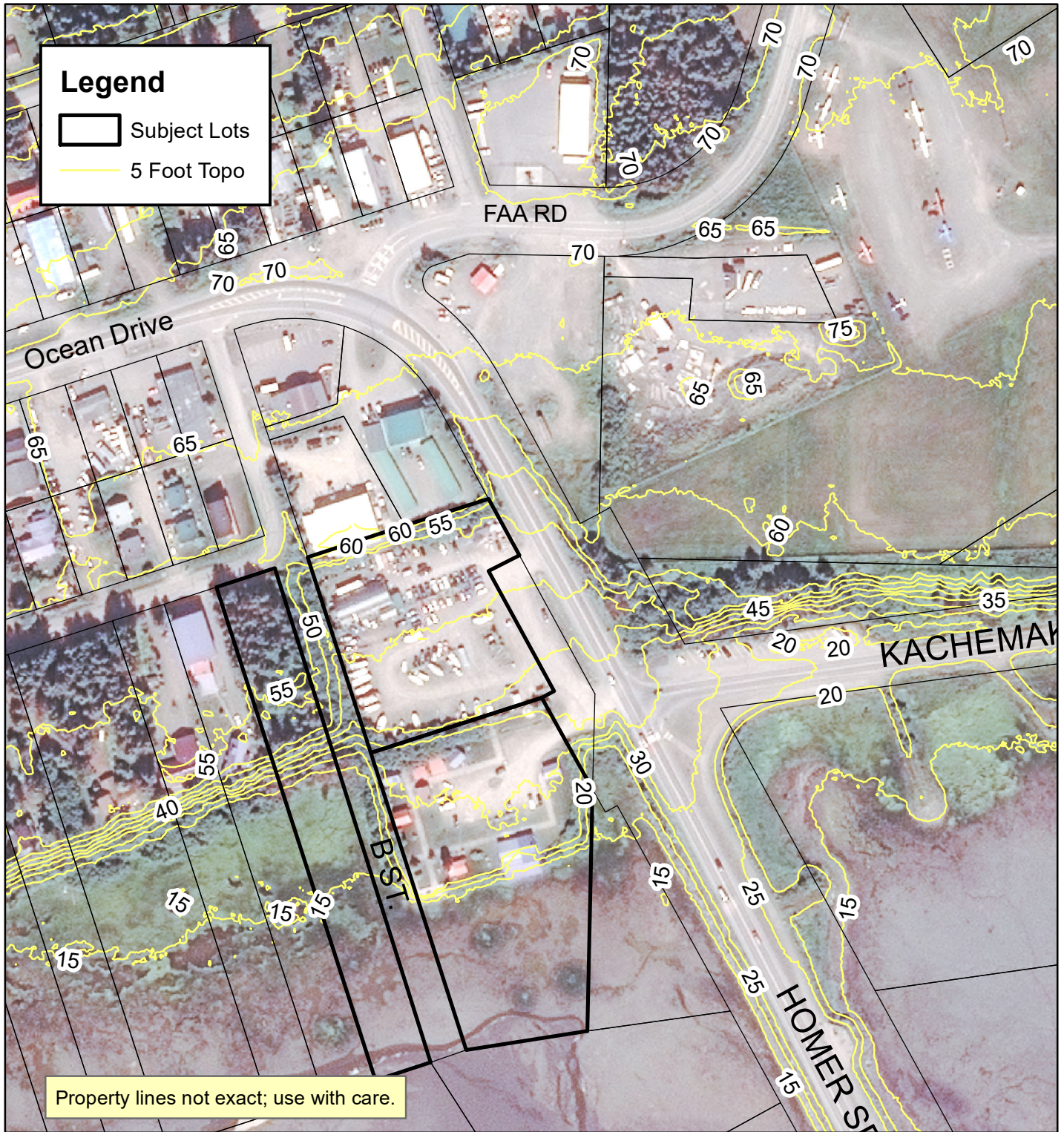
LIGHTHOUSE VILLAGE REPLAT

A REPLAT OF B STREET RIGHT-OF-WAY, LOT 163 BAYVIEW SUBD. (HM 0000-839) AND LOTS 164-A & 164-B BAYVIEW SUBD. NO. 6 (HM 944-51) LOCATED IN THE SW1/4 SEC. 21 T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA

CONTAINING 6.957 ACRES
 SEABRIGHT SURVEY + DESIGN
 KENTON T. BLOOM, P.L.S.
 1044 EAST ROAD, SUITE A
 HOMER, ALASKA 99603
 (907) 299-1091

CLIENTS: DOYON, LIMITED & DOYON TOURISM, INC.
 11500 SIKDU WAY ANCHORAGE, AK 99515

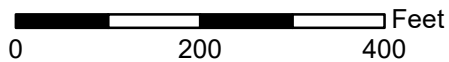
DRAWN BY: KK
 CHECK BY: KB
 JOB #2023-88
 DATE: 11/2023
 SCALE: 1"=100'
 SHEET #1 OF 1



City of Homer
 Planning and Zoning Department

11/20/23

Aerial Map



*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. THE 15' FRONTING RIGHTS-OF-WAY AND THE 20' WITHIN 5' OF SIDE LOT LINES IS A UTILITY EASEMENT GRANTED THIS PLAT. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE SAID EASEMENT.

2. THESE LOTS ARE SUBJECT TO CITY OF HOMER ZONING REGULATIONS. REFER TO HOMER CITY CODE FOR ALL CURRENT SETBACK AND SITE DEVELOPMENT RESTRICTIONS. OWNERS SHOULD CHECK WITH THE CITY OF HOMER PRIOR TO DEVELOPMENT ACTIVITIES.

3. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.

4. NO ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.

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6. STATE RIGHT-OF-WAY IS FROM STATE OF ALASKA DOT&PF RIGHT OF WAY MAP ALASKA PROJECT F-021-1(23) "HOMER SPIT" SHEET 1 & STATE OF ALASKA DOT&PF RIGHT OF WAY MAP ALASKA PROJECT QF-021-1(25) "HOMER BY-PASS" SHEET B.

7. THE NATURAL MEANDERS OF MEAN HIGH WATER IS FOR AREA COMPUTATIONS ONLY, THE TRUE CORNERS BEING ON THE EXTENSION OF THE SIDELINES AND THE INTERSECTION WITH THE NATURAL MEANDERS.

8. THERE IS AN EASEMENT GRANTED TO DOUGLAS A. MEEKER FOR THE CONSTRUCTION, MAINTENANCE, AND USE OF THE RETAINING WALL WITHIN B ST. R/W RECORDED BK 227 PG 144 HRD.

PLAT APPROVAL

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

BY: _____ DATE _____
 AUTHORIZED OFFICIAL
 KENAI PENINSULA BOROUGH

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NOTARY'S ACKNOWLEDGMENT

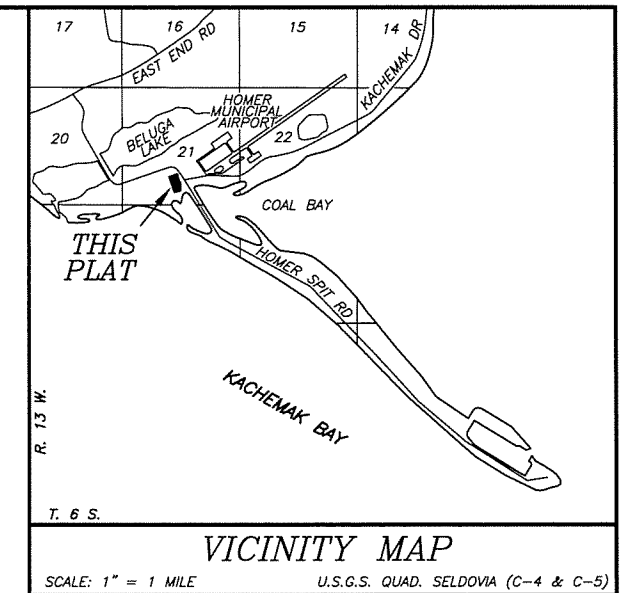
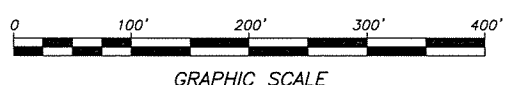
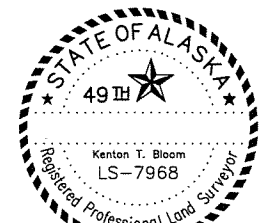
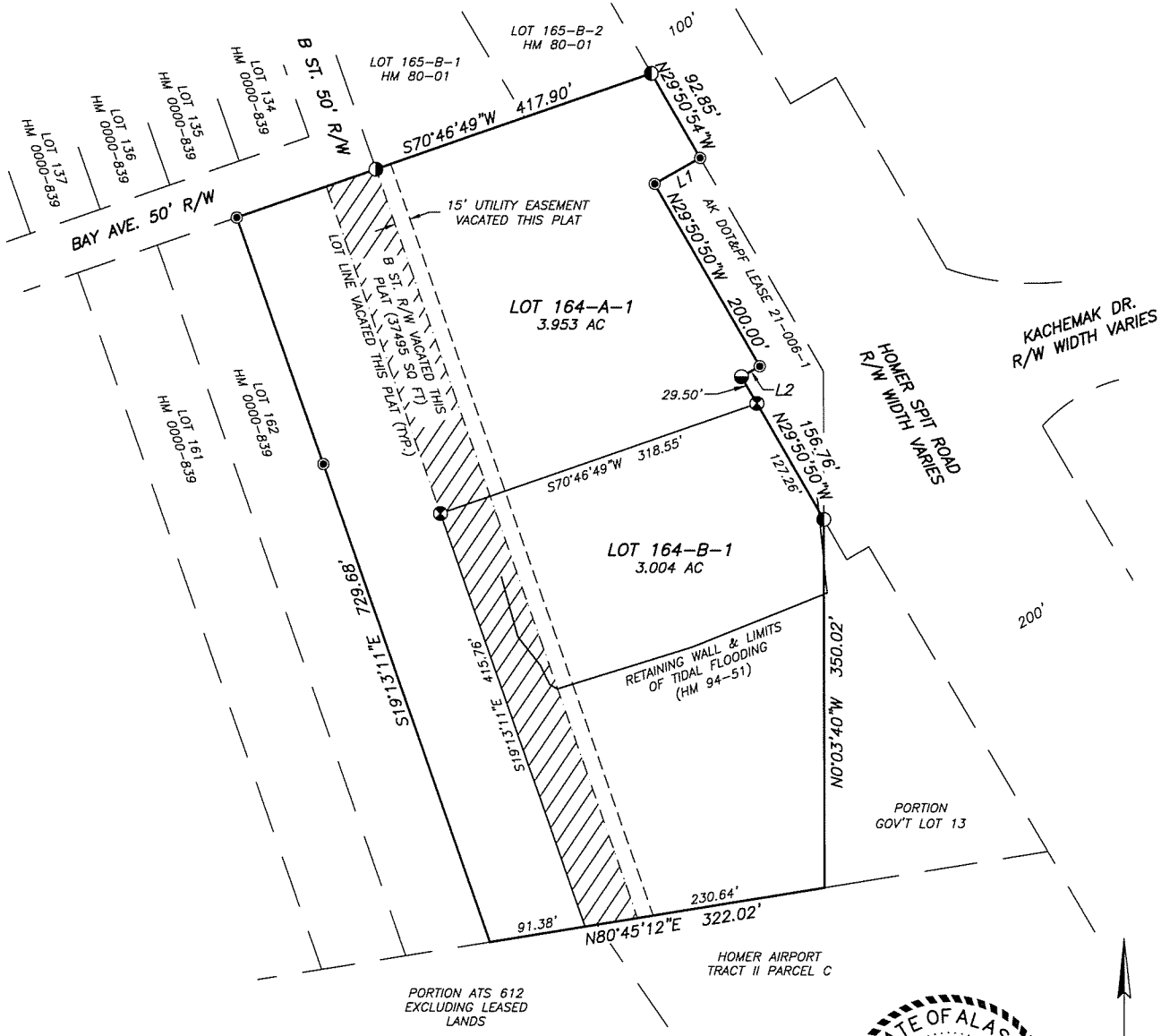
FOR: _____
 ACKNOWLEDGED BEFORE ME THIS _____
 DAY OF _____, 2024

 NOTARY PUBLIC FOR ALASKA
 MY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGMENT

FOR: _____
 ACKNOWLEDGED BEFORE ME THIS _____
 DAY OF _____, 2024

 NOTARY PUBLIC FOR ALASKA
 MY COMMISSION EXPIRES _____



CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT DOYON, LIMITED IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT ON BEHALF OF DOYON, LIMITED, 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.

AUTHORIZED SIGNATORY FOR: _____ FORMER LOTS 164-A & 164-B
 DOYON, LIMITED
 11500 SUKDU WAY, SUITE 250
 ANCHORAGE, AK 99515

CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT DOYON TOURISM, INC. IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT ON BEHALF OF DOYON TOURISM, INC., 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.

AUTHORIZED SIGNATORY FOR: _____ FORMER LOT 163
 DOYON TOURISM, INC.
 11500 SUKDU WAY, SUITE 250
 ANCHORAGE, AK 99515

HOMER RECORDING DISTRICT KPB FILE NO. 2023-XXX

**BAYVIEW SUBDIVISION
 LIGHTHOUSE VILLAGE REPLAT**

A REPLAT OF B STREET RIGHT-OF-WAY, LOT 163 BAYVIEW SUBD. (HM 0000-839), AND LOTS 164-A & 164-B BAYVIEW SUBD. NO. 6 (HM 94-51), LOCATED IN THE SW1/4 SEC. 21, T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA

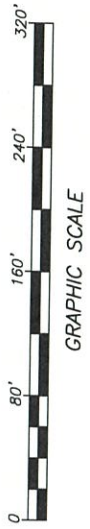
CONTAINING 6.957 ACRES

**SEABRIGHT SURVEY + DESIGN
 KENTON T. BLOOM, P.L.S.**

1044 EAST ROAD, SUITE A
 HOMER, ALASKA 99603
 (907) 299-1091

CLIENTS: DOYON, LIMITED & DOYON TOURISM, INC.
 11500 SUKDU WAY ANCHORAGE, AK 99515

DRAWN BY: KK	CHKD BY: KB	JOB #2023-88
DATE: 11/2023	SCALE: 1"=100'	SHEET #1 OF 1



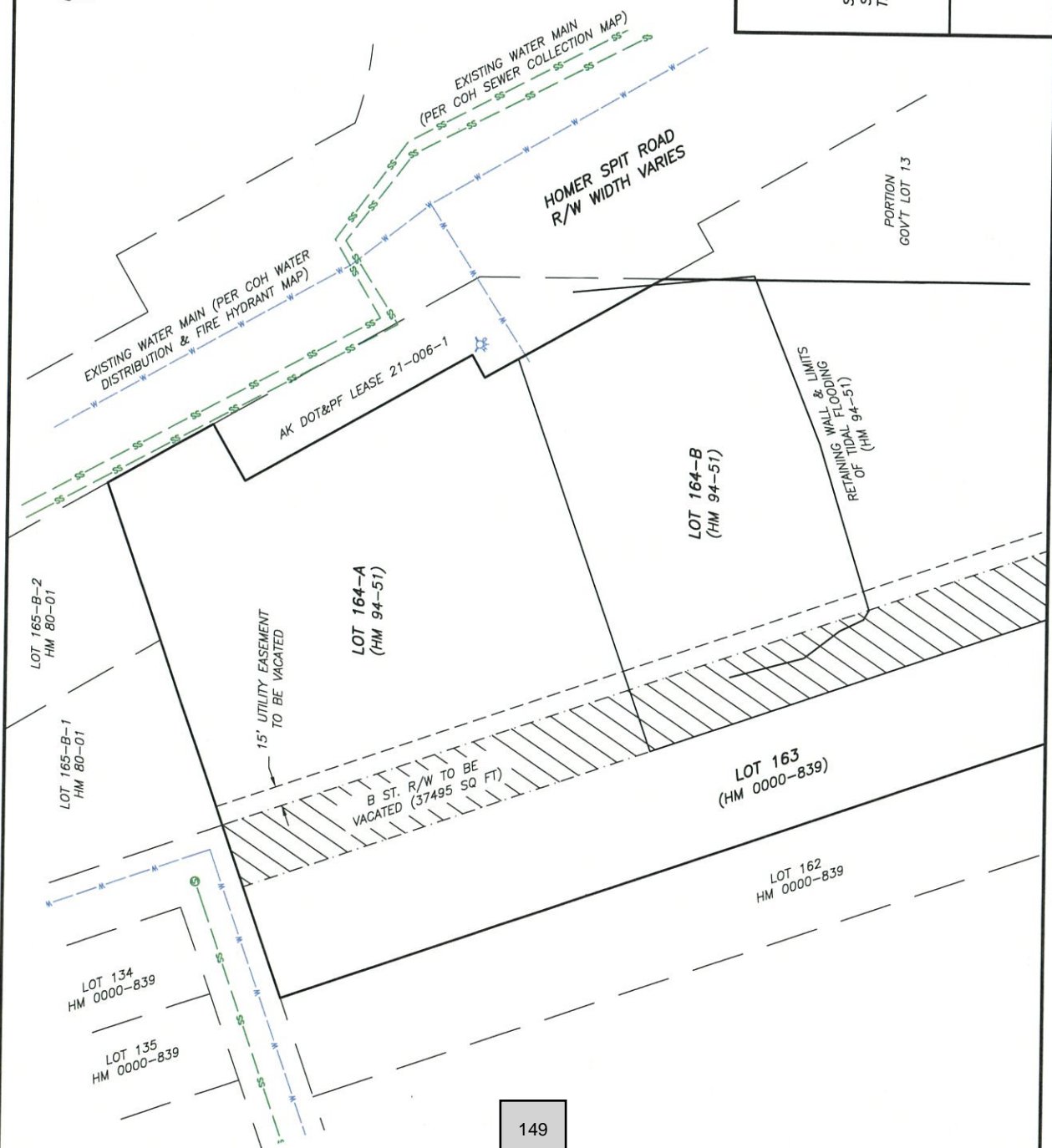
**BAYVIEW SUBDIVISION
LIGHTHOUSE VILLAGE REPLAT
SUPPLEMENTAL ASBUILT**

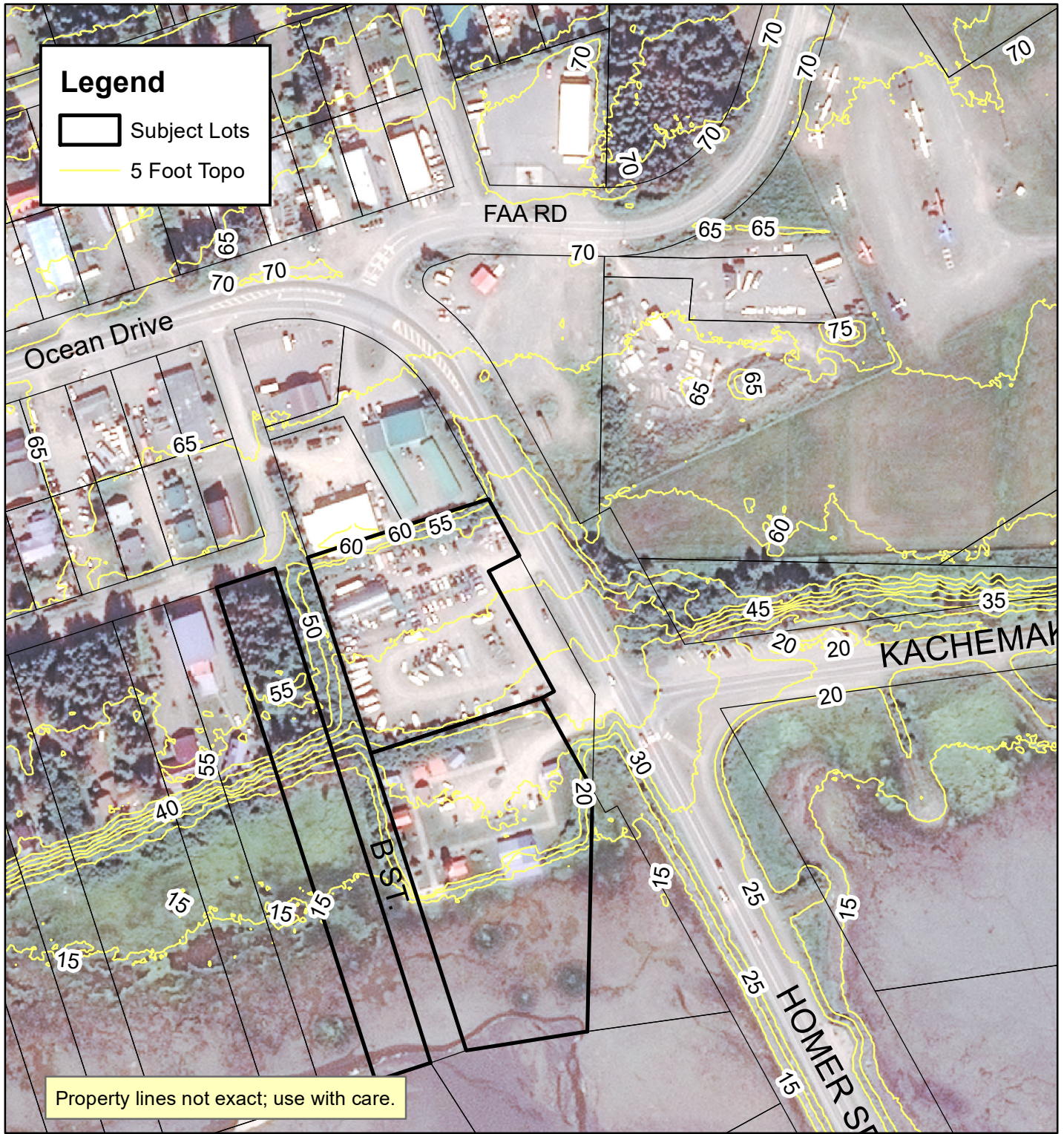
A REPLAT OF B STREET RIGHT-OF-WAY, LOT 163 BAYVIEW SUBD. (HM 0000-839), AND LOTS 164-A & 164-B BAYVIEW SUBD. NO. 6 (HM 94-51), LOCATED IN THE SW1/4 SEC. 21, T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA

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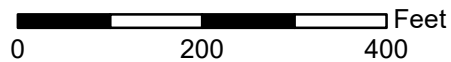




City of Homer
 Planning and Zoning Department

11/20/23

Aerial Map



*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

Planning
491 East Pioneer Avenue
Homer, Alaska 99603

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

Staff Report 23-066

TO: Homer Planning Commission **23-066**
 FROM: Ryan Foster, AICP, City Planner
 DATE: 12/6/2023
 SUBJECT: Bayview Subdivision Lighthouse Village Replat Preliminary Plat

Requested Action: Recommend approval of the preliminary plat, creating two larger lots out of three original lots and right of way area.

General Information:

Applicants:	Doyon, Limited 1 Doyon Place Fairbanks, AK 99701	Doyon Tourism, Inc. 11500 Sukdu Way Suite 250 Anchorage, AK 99515
	Seabright Survey + Design, 1044 East Road Suite A, Homer AK 99603	
Location:	Homer Spit Road, west of Kachemak Drive intersection	
Parcel ID:	18101034, 18101035, 17921015	
Size of Existing Lot(s):	1.87, 2.70, 1.35 acres	
Size of Proposed Lots(s):	3.953 and 3.004 acres	
Zoning Designation:	Rural Residential and General Commercial 1	
Existing Land Use:	The rural residential lot is vacant. The GC1 lots have an auto wrecking yard/repair shop, boat storage, and formerly a restaurant and small shops on the southern lot.	
Surrounding Land Use:	North: Peninsula Solid Waste shop, ministorage, rooming house South: Mariner Lagoon East: Homer Spit Road and airport properties West: Residential	
Comprehensive Plan:	Chapter 4 Goal 1 Objective A: Promote a pattern of growth characterized by a concentrated mixed use center, and a surrounding ring of moderate to high density residential and mixed-use areas with lower densities in outlying areas.	
Wetland Status:	The area south of the existing retaining wall is tidal marsh	
Flood Plain Status:	AE 20	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are available	

Public Notice:	Notice was sent to 42 property owners of 47 parcels as shown on the KPB tax assessor rolls.
----------------	---

Analysis: This subdivision is within the Rural Residential and General Commercial 1 Zoning Districts. This plat accompanies the action of vacating the B Street Right of Way south of Bay Avenue, and reconfigures three smaller lots into two larger lots. The vacation of the street is a separate action and discussed in a separate staff report. If the vacation is approved, this preliminary plat would be the mechanism by which the property boundaries would legally change.

Homer City Code 22.10.051 Easements and rights-of-way

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

Staff Response: The plat meets these requirements. See plat note 1.

- 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. No additional easements are required for future infrastructure.

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

Staff Response: The plat meets these requirements. No new streets are proposed therefore no non-motorized routes are required under this section of City Code.

- D. The City Council may accept the dedication of easements or rights-of-way for non-motorized transportation facilities that are not required by subsection (c) of this section, if the City Council determines that accepting the dedication would be Consistent with the adopted plans of the City.

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 does not meet these requirements. A plate note should be added stating a portion of the subdivision lies within an AE20 flood hazard area.

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

Staff Response: The plat partially meets these requirements. Limits of tidal flooding are depicted per parent plat HM 94-51. Staff recommends depicting the limits of tidal inundation and mean high water across all lots.

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. A supplemental As-built of water and sanitary sewer lines has been provided.

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

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

- 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. An attachment with slopes over 20% has been provided.

- 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:

1. A drainage easement should be retained or accommodated for drainage from the Bay Avenue area.
2. Work with Public Works on utility planning during the development and platting process.

Staff Recommendation:

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

1. A plat note should be added stating a portion of the subdivision lies within an AE20 flood hazard area.
2. Depict the limits of tidal inundation and mean high water across all lots.
3. Provide a drainage easement from B Street Right of Way and Bay Avenue to Kachemak Bay.
4. Work with Public Works on utility planning during the development and platting process.

Attachments:

1. Preliminary Plat
2. Supplemental As built
3. Steep slope supplemental
4. Public Notice
5. Aerial Map

**CITY OF HOMER PUBLIC HEARING NOTICE & NOTICE OF SUBDIVISION
PLANNING COMMISSION MEETING**

A public hearing on the matters below are scheduled for Wednesday, December 6, 2023 at 6:30 p.m. during the Regular Planning Commission Meeting. Participation is available virtually via Zoom webinar or in-person at Homer City Hall.

A proposal to vacate the B Street right-of-way within the Bayview Subdivision NO. 6 (HM 94-51), located in the SW1/4 SEC. 21, T. 6 S., R. 13 W., S.M.

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

Proposed subdivision under consideration is described as follows:

Bayview Subdivision Lighthouse Village 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 copy of the proposals may be viewed at Homer City Hall, in the Clerk's Office Lobby on the lower level. In-person meeting participation is available in Cowles Council Chambers located downstairs at Homer City Hall, 491 E. Pioneer Ave., Homer, AK 99603.

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

Meeting ID: 979 8816 0903

Passcode: 976062

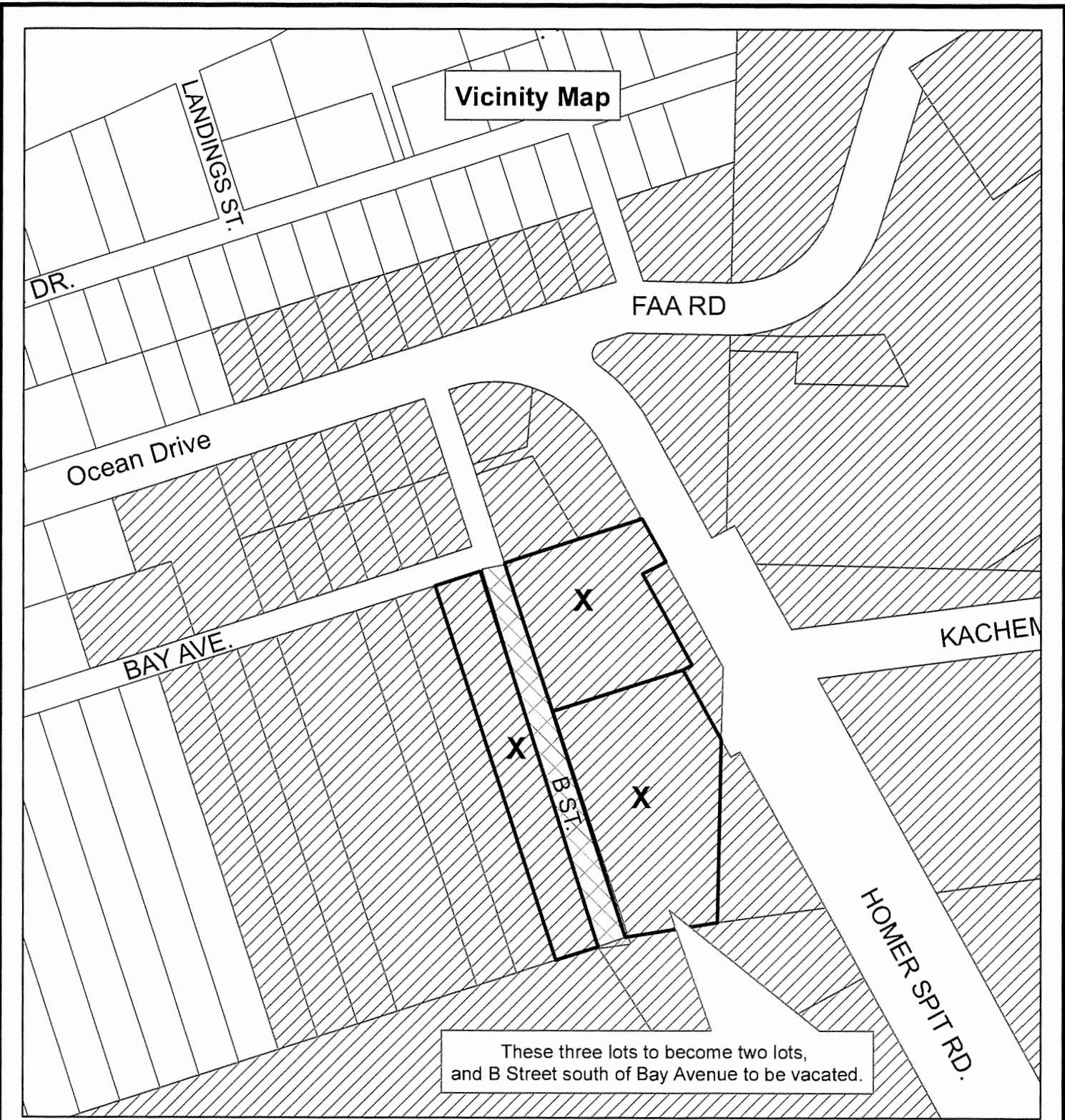
Additional information regarding this matter will be available by 5pm on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for December 1, 2023 at <https://www.cityofhomer-ak.gov/calendar>. It will also be available at the Planning and Zoning Office at Homer City Hall and at the Homer Public Library.

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

If you have questions, contact Ryan Foster at the Planning and Zoning Office. Phone: (907) 435-3120, email: planning@ci.homer.ak.us or in-person at Homer City Hall.

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

Vicinity 155 Reverse

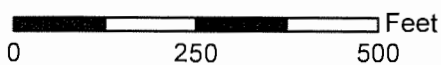


City of Homer
 Planning and Zoning Department

11/20/23

Vacation of a Portion of B Street and
 Bayview Sub Lighthouse Village Replat
 Preliminary Plat

Marked Lots are within 500 feet
 and property owners notified.



*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

- THE 15' FRONTING RIGHTS-OF-WAY AND THE 20' WITHIN 5' OF SIDE LOT LINES IS A UTILITY EASEMENT GRANTED THIS PLAT. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE SAID EASEMENT.
- THESE LOTS ARE SUBJECT TO CITY OF HOMER ZONING REGULATIONS AND CITY OF HOMER DEVELOPMENT ORDINANCES. CURRENT SETBACK AND SITE DEVELOPMENT RESTRICTIONS, OWNERS SHOULD CHECK WITH THE CITY OF HOMER PRIOR TO DEVELOPMENT ACTIVITIES.
- ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.
- NO ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
- 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.
- STATE RIGHT-OF-WAY IS FROM STATE OF ALASKA DOT&PF RIGHT OF WAY MAP ALASKA PROJECT F-021-(23) HOMER SPIT SHEET 1 & STATE OF ALASKA DOT&PF RIGHT OF WAY MAP ALASKA PROJECT G-021-(23) HOMER BY-PASS SHEET 8.
- THE NATURAL MEANDERS OF MEAN HIGH WATER IS FOR THE COMBINATION OF THE SUBSIDIES AND THE INTERSECTION WITH THE NATURAL MEANDERS.
- THERE IS AN EASEMENT GRANTED TO DOUGLAS A. HERRERY, LIMITED, FOR THE MAINTENANCE AND USE OF THE RETAINING WALL WITHIN B ST. R/W RECORDED BK 227 PG 144 HRD.

PLAT APPROVAL

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

BY: _____ DATE _____
 AUTHORIZED OFFICIAL _____
 KENAI PENINSULA BOROUGH

WASTEWATER DISPOSAL

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

LINE #	LENGTH	BEARING
L1	50.00'	M60°08'43"E
L2	20.00'	M60°08'36"E

LEGEND

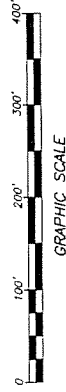
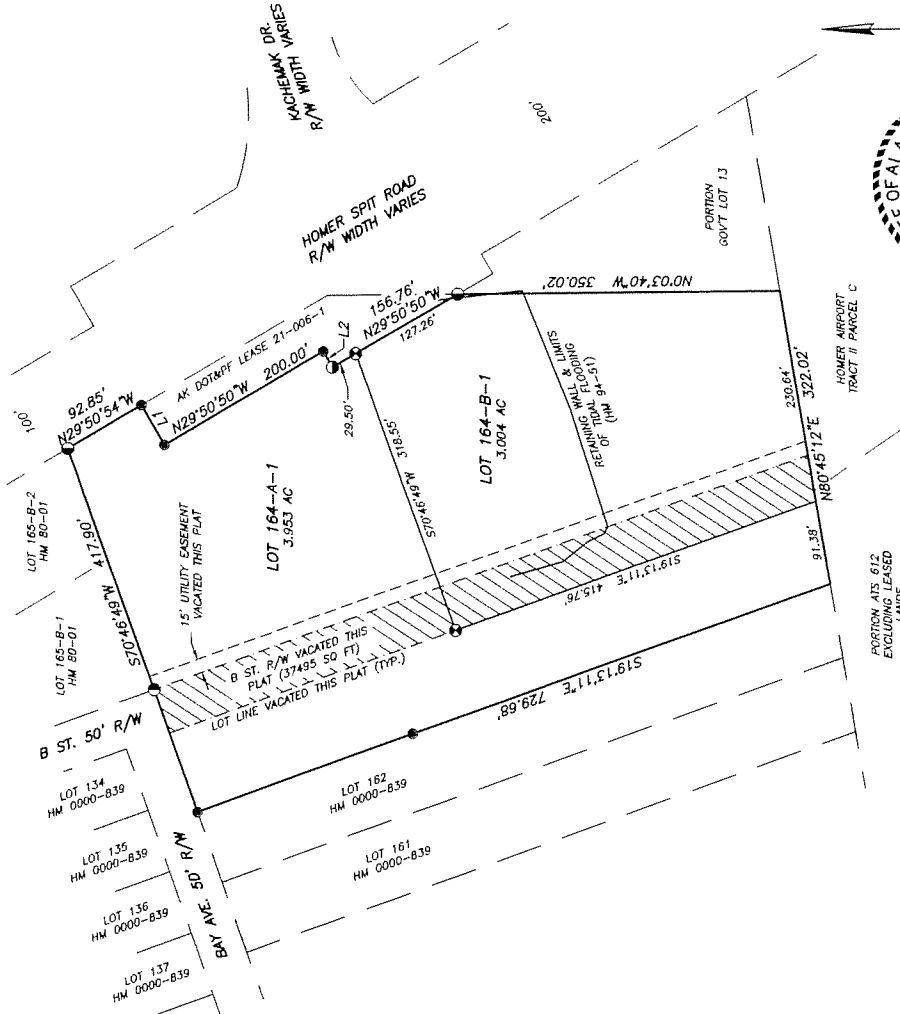
- SET 2" AC 7968-S 2024
- 2" AC 7610-S 1994
- 2" AC 7610-S 1984
- 2" AC 3608-S 1989
- 5/8" REBAR

NOTARY'S ACKNOWLEDGMENT

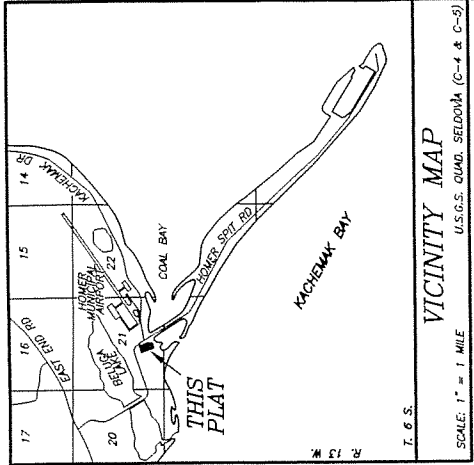
FOR: _____
 ACKNOWLEDGED BEFORE ME THIS _____
 DAY OF _____, 2024.
 NOTARY PUBLIC FOR ALASKA
 MY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGMENT

FOR: _____
 ACKNOWLEDGED BEFORE ME THIS _____
 DAY OF _____, 2024.
 NOTARY PUBLIC FOR ALASKA
 MY COMMISSION EXPIRES _____



GRAPHIC SCALE



VICINITY MAP

SCALE: 1" = 1 MILE
 U.S.G.S. QUAD. SELDOMA (C-4 & C-5)
 T. 6 S.

CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT DOYON, LIMITED IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT ON BEHALF OF DOYON, LIMITED, I HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND BY MY FREE CONSENT DEDICATE ALL RIGHTS OF WAY AND EASEMENTS TO THE USE SHOWN HEREON.

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AUTHORIZED SIGNATORY FOR: _____
 FORMER LOT 163
 11500 SUKDU WAY, SUITE 250
 ANCHORAGE, AK 99515

HOMER RECORDING DISTRICT
 NFB FILE NO. 2023-XXX

BAYMEW SUBDIVISION

LIGHTHOUSE VILLAGE REPLAT

A REPLAT OF B STREET RIGHT-OF-WAY, LOT 163 BAYMEW SUBD. (HM 0000-839) AND LOTS 164-A & 164-B BAYMEW SUBD. NO. 6 (HM 94-45-1) LOCATED IN THE SW 1/4 SEC. 21 T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA

CONTAINING 6.957 ACRES
 SEABRIGHT SURVEY + DESIGN
 KENTON T. BLOOM, P.L.S.
 1044 EAST ROAD, SUITE A
 HOMER, ALASKA 99603
 (907) 299-1091

CLIENTS: DOYON, LIMITED & DOYON TOURISM, INC.
 11500 SUKDU WAY, ANCHORAGE, AK 99515

DRAWN BY: KK
 CHECK BY: KB
 JOB #2023-88
 DATE: 11/2023
 SCALE: 1"=100'
 SHEET #1 OF 1



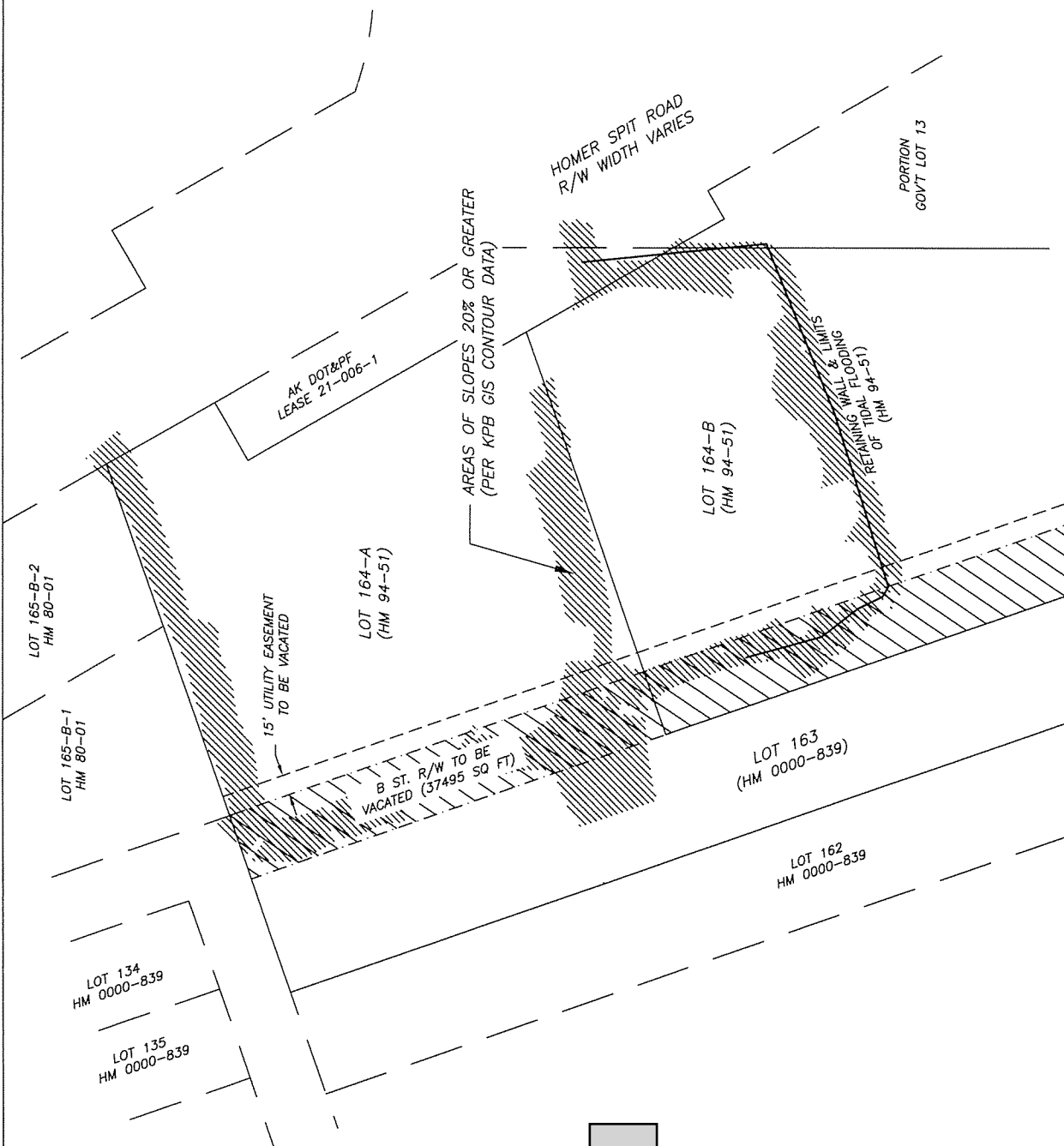
**BAYVIEW SUBDIVISION
LIGHTHOUSE VILLAGE REPLAT
STEEP SLOPES**

A REPLAT OF B STREET RIGHT-OF-WAY, LOT 163 BAYVIEW SUBD. (HM 0000-839), AND LOTS 164-A & 164-B BAYVIEW SUBD. NO. 6 (HM 94-51), LOCATED IN THE SW1/4 SEC. 21, T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA

CONTAINING 6.957 ACRES

SEABRIGHT SURVEY + DESIGN
KENTON T. BLOOM, P.L.S.

1044 EAST ROAD, SUITE A
HOMER, ALASKA 99603
(907) 299-1091



**PLANNING COMMISSION
2024 Calendar**

	AGENDA ITEM DEADLINES	MEETING DATE	COMMISSIONER SCHEDULED TO REPORT	CITY COUNCIL MEETING FOR REPORT*	ANNUAL TOPICS FOR AGENDA AND EVENTS PLANNED
JANUARY	12/13/23 Public Hearing Items 12/15/23 Preliminary Plat Submittals 12/22/23 Regular Agenda Items	01/03/24		Monday, 01/08/24 6:00 p.m.	•
	12/27/23 Public Hearing Items 12/29/23 Prelim Plat Items 01/05/24 Regular Agenda Items	01/17/24		Monday 01/22/24 6:00 p.m.	•
FEBRUARY	01/17/24 Public Hearing Items 01/19/24 Prelim Plat Items 01/26/24 Regular Agenda Items	02/07/24		Monday 02/12/24 6:00 p.m.	• NFIP Staff Training
	01/31/24 Public Hearing Items 02/02/24 Prelim Plat items 02/09/24 Regular Agenda Items	02/21/24		Monday 02/26/24 6:00 p.m.	•
MARCH	02/14/24 Public Hearing Items 02/16/24 Prelim Plat Items 02/23/24 Regular Agenda Items	03/06/24		Monday 03/11/24 6:00 p.m.	•
	02/28/24 Public Hearing Items 03/01/24 Prelim Plat Items 03/08/24 Regular Agenda Items	03/20/24		Tuesday 03/26/24 6:00 p.m.	
APRIL	03/13/24 Public Hearing Items 03/15/24 Prelim Plat Items 03/22/24 Regular Agenda Items	04/03/24		Monday 04/08/24 6:00 p.m.	
	03/27/24 Public Hearing Items 03/29/24 Prelim Plat Items 04/05/24 Regular Agenda Items	04/17/24		Monday 04/22/24 6:00 p.m.	• APA National Planning Conference
MAY	04/10/24 Public Hearing Items 04/12/24 Prelim Plat Items 04/19/24 Regular Agenda Items	05/01/24		Monday 05/13/24 6:00 p.m.	•
	04/24/24 Public Hearing Items 04/26/24 Prelim Plat Items 05/03/24 Regular Agenda Items	05/15/24		Tuesday 05/28/24 6:00 p.m.	•
JUNE	05/15/24 Public Hearing Items 05/17/24 Prelim Plat Items 05/24/24 Regular Agenda Items	06/05/24		Monday 06/10/24 6:00 p.m.	• Reappointment Applications will be sent out by the Clerk
	05/29/24 Public Hearing Items 05/31/24 Prelim Plat Items 06/07/24 Regular Agenda Items	06/19/24		Monday 06/24/24 6:00 p.m.	

JULY	06/26/24 Public Hearing Items 06/28/24 Prelim Plat Items 07/05/24 Regular Agenda Items	07/17/24		Monday 07/22/24 6:00 p.m.	<ul style="list-style-type: none"> • Reappointment Application Due to the Clerk
AUGUST	07/17/24 Public Hearing Items 07/19/24 Prelim Plat Items 07/26/24 Regular Agenda Items	08/07/24		Monday 08/12/24 6:00 p.m.	<ul style="list-style-type: none"> • Election of Officers • Capital Improvement Plan Presentation by Jenny Carroll
	07/31/24 Public Hearing Items 08/02/24 Prelim Plat Items 08/09/24 Regular Agenda Items	08/21/24		Monday 08/26/24 6:00 p.m.	<ul style="list-style-type: none"> • Training – Conducted by the City Clerk
SEPTEMBER	08/14/24 Public Hearing Items 08/16/24 Prelim Plat Items 08/23/24 Regular Agenda Items	09/04/24		Monday 09/09/24 6:00 p.m.	
	08/28/24 Public Hearing Items 08/30/24 Prelim Plat Items 09/06/24 Regular Agenda Items	09/18/24		Monday 09/23/24 6:00 p.m.	
OCTOBER	09/11/24 Public Hearing Items 09/13/24 Prelim Plat Items 09/20/24 Regular Agenda Items	10/02/24		Monday 10/14/24 6:00 p.m.	
	09/25/24 Public Hearing Items 09/27/24 Prelim Plat Items 10/04/24 Regular Agenda Items	10/16/24		Monday 10/28/24 6:00 p.m.	<ul style="list-style-type: none"> • Annual Meeting Schedule
NOVEMBER	10/16/24 Public Hearing Items 10/18/24 Prelim Plat Items 10/25/24 Regular Agenda Items	11/06/24		Tuesday 11/12/24 6:00 p.m. or Monday 11/25/24 6:00 p.m.	
DECEMBER	11/13/24 Public Hearing Items 11/15/24 Prelim Plat Items 11/20/24 Regular Agenda Items	12/04/24		No Meetings for Council in December	

*The Commission’s opportunity to give their report to City Council is scheduled for the Council’s regular meeting following the Commission’s regular meeting, under Agenda Item 8 – Announcements/ Presentations/ Borough Report/Commission Reports. Reports are the Commission’s opportunity to give Council a brief update on their work. Attend via Zoom or in Person.