



Homer City Hall

491 E. Pioneer Avenue

Homer, Alaska 99603

www.cityofhomer-ak.gov

City of Homer Agenda

Planning Commission Regular Meeting

Wednesday, May 19, 2021 at 6:30 PM

Council Chambers via Zoom Webinar

Webinar ID: 979 8816 0903 Password: 976062

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

CALL TO ORDER, 6:30 P.M.

AGENDA APPROVAL

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

RECONSIDERATION

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. Planning Commission Regular Meeting Minutes of May 5, 2021 **p. 1**
- B. Decisions and Findings for Conditional Use Permit (CUP) 21- 04, to expand the Safeway grocery store at 90 Sterling Highway. **p. 7**
- C. Dedication of Roadway Easement for Easy Street on City Properties **p. 12**

PRESENTATIONS / VISITORS

REPORTS

- A. Staff Report 21-29, City Planner's Report **p. 16**
- B. Public Works Task Force **no packet material included**

PUBLIC HEARINGS

- A. Staff Report 21-30, CUP 21-05 to expand a deck for outdoor seating at the Harbor Grill restaurant, 4262 Homer Spit Rd. **p. 18**
- B. Staff Report 21-31, Draft resolution recommending adoption of the amended Community Design Manual to the City Council **p. 43**

PLAT CONSIDERATION

- A. Staff Report 21-32, Skyline Drive Subdivision No. 7A Preliminary Plat **p. 75**

PENDING BUSINESS

NEW BUSINESS

- A. Staff Report 21-33, Planning Commission Election of Vice Chair **p. 85**

INFORMATIONAL MATERIALS

- A. City Manager's Report for May 10, 2021 City Council Meeting **p. 86**
- B. Kenai Peninsula Borough Notice of Decisions **p. 99**
- C. Planning Commission Calendar **p. 103**

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

COMMENTS OF THE STAFF

COMMENTS OF THE COMMISSION

ADJOURNMENT

Next Regular Meeting is Wednesday, June 2, at 6:30 p.m. All meetings scheduled to be held virtually by Zoom Webinar from the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska. Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission

Session 21-11, a Regular Meeting of the Planning Commission was called to order by Chair Scott Smith at 6:30 p.m. on May 5, 2021 at Cowles Council Chambers in City Hall located at 491 E. Pioneer Avenue, Homer, Alaska, via Zoom Webinar. There is one vacancy due to a resignation on the Commission.

PRESENT: COMMISSIONERS CONLEY, VENUTI, HIGHLAND, BENTZ, BARNWELL AND SMITH

STAFF: CITY PLANNER ABBOUD
DEPUTY CITY CLERK KRAUSE

APPROVAL OF THE AGENDA

Chair Smith requested a motion to approve the agenda.

HIGHLAND/VENUTI – SO MOVED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS ON ITEMS ALREADY ON THE AGENDA

RECONSIDERATION

CONSENT AGENDA

- A. Planning Commission Regular Meeting Minutes of April 21, 2021
- B. Decisions and Findings for Conditional Use Permit CUP 21-03 to allow a light manufacturing brewery at 870 Smoky Bay Way
- C. Decision and Findings of the Planning Commission on Appeal of City Planning Staff Issuance of Zoning Permit 1020-782 issued to Scott and Stacy Lowry for their property located at 541 Bonanza Avenue

Chair Smith requested a motion to approve the Consent Agenda.

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

There was no discussion.

VOTE. NON- OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PRESENTATIONS / VISITORS

REPORTS

A. Staff Report 21-27, City Planner's Report

Chair Smith introduced the item by reading of the title and requested City Planner Abboud to present his report to the Commission.

City Planner Abboud provided a summary of Staff Report 21-27. He noted the ordinance that was referred to the Planning Commission regarding No Wake Zone and Vessel Speeds, Water and Sewer Service Connections Exceptions which brings forward questions regarding getting approval of septic systems on lots 20,000 sf and less staffing availability. He reviewed topics that he would like to address in the near future: Public hearings on the Community Design Manual, Consumption of Marijuana On-Site Regulations.

Commissioner Venuti offered to submit a written report for the upcoming Council meeting.

Chair Smith lost internet connection at 6:42 p.m.

City Planner Abboud then spoke to the Commission on reporting about any aspect of any quasi-judicial actions outside the Public Hearing should be limited to the basics such as conducted a public hearing on a CUP for...

Chair Smith rejoined the meeting at 6:45 p.m.

B. Public Works Campus Task Force Report – Commissioner Barnwell

Commissioner Barnwell provided an update on the Task Force progress noting the following:

- Concluded that there is potential for tsunami damage to the public works campus that would be hard to quantify but would be catastrophic.
- Created inundation maps to reflect the potential levels of water
- Created a Risk and Mitigation Table
- Currently working on site location, costs related to mitigation strategies recommended

PUBLIC HEARINGS

A. Staff Report 21-28, Conditional Use Permit (CUP) 21- 04 to expand the Safeway grocery store at 90 Sterling Highway

Chair Smith introduced the item by reading of the title.

City Planner Abboud provided a summary of Staff Report 21-28. He noted a correction to the total square footage of the addition was 3481 square feet not 3914 square feet as reflected in the report. This project will include aspects that will bring the premises into compliance with required landscaping and islands in the parking lot plus landscaping along the Sterling Highway. The proposed addition will potentially block the deliveries from the public view better.

Amanda Martin, PM Design Group presented the project noting the steps that were taking and working with the Planning Department Staff.

Chair Smith opened the Public Hearing.

Duncan Wallace, PM Design Group was present and available for questions.

Deputy City Clerk Krause noted that Mr. Joe Janus, Construction Manager for Albertson's was present in response to Chair Smith who was unable to see the hands raised.

Mr. Janus reiterated the comments presented by Ms. Martin and thanked the Commission for the opportunity he then provided additional comments on why they are investing in this particular store.

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

Chair Smith facilitated questions and comments to the applicant from the Commission on the following:

- Additional landscaping along the highway and in the parking lot
- Improvement to the sign foundation other than bare cement block
- Consideration of artwork on the exterior of the building
- Enhancement to the screening for the recycling and trash collection
- Guarantee that after this enlargement they will not see the trailers along the parking lot again
- Potential development of their lot to the west

City Planner Abboud responded to Commissioner Barnwell regarding the Community Design Manual requirements.

Commissioner Barnwell inquired if the Applicant would appreciate more guidance from the Community Design Manual.

Ms. Martin responded that additional options to make a selection and graphics. She additionally provided some examples on what is being required by another community. She then expanded

on her goals in this renovation project some the building predates the city code and is not in compliance.

Chair Smith then commented on the requirement to add islands in a parking lot that is already too small and if there is any recourse from requiring those islands.

City Planner Abboud commented that he cannot recommend that the commission deviate from city code. He then responded to Commissioner Highland that in accordance with existing code the Commission cannot make any allowances. The applicant can develop their neighboring property for parking which is allowed or they can always wait until city code is amended.

HIGHLAND/VENUTI MOVED TO ADOPT STAFF REPORT 21-28 AND APPROVE CONDITIONAL USE PERMIT 21-04 WITH FINDINGS ONE THROUGH TEN.

Commissioner Bentz recommended an amendment to the Staff Report to reflect the size correction and requested the City Planner to provide those figures.

City Planner Abboud stated that the staff report should match the figure shown on page 39 of the packet which is 3481 total square footage 33805.

BENTZ/VENUTI MOVED TO AMEND THE MOTION TO READ THE STAFF REPORT 21-28 THAT THE ADDITIONAL SQUARE FOOTAGE IS 3,481 FOR A TOTAL OF 33,805 SQUARE FEET.

There was no further discussion on the amendment.

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

Motion carried.

Chair Smith inquired if there was any additional discussion.

VOTE. (Main as amended) NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Chair Smith thanked the Applicants for attending.

PLAT CONSIDERATION

PENDING BUSINESS

NEW BUSINESS

INFORMATIONAL MATERIALS

- A. Manager's Report for April 26, 2021 City Council Meeting
- B. Kenai Peninsula Borough Notice of Decisions (None received)
- C. Planning Commission Calendar

Chair Smith recognized Deputy City Clerk Krause and her credentials, the Clerk's Office staff and wished them a great Municipal Clerk's Week; he further complimented her phenomenal handling of everything to keep the Commission running smoothly.

COMMENTS OF THE AUDIENCE

COMMENTS OF THE CITY STAFF

Deputy City Clerk Krause thanked the Commission and commented that it was a good meeting.

COMMENTS OF THE COMMISSION

Commissioner Highland echoed the Chair's comments on their fabulous clerk and thanked City Planner Abboud and Deputy City Planner Engebretsen for all the work that they do.

Commissioner Bentz commented that next week is Alaska Sea Week and is looking forward to seeing what City Council is forwarding the Commission at their next meeting since they will be celebrating Sea Week at the local schools.

Commissioner Venuti commented that it was a great meeting and complimented City Planner Abboud on the review of the Comp Plan.

Commissioner Barnwell expressed his appreciation for being able to work with Deputy City Clerk Krause and Deputy City Planner Engebretsen on this Commission and the Public Works Campus Task Force.

Commissioner Conley agreed it was a good meeting and expressed his appreciation to be able to work with Deputy City Clerk Krause and complimented City Planner Abboud for all his work on the CUP for Safeway with regards to the review process.

Chair Smith commented that as they move into the summer months he is really hopeful that they have a 4th of July parade this year believing that it is an important opportunity for the city to celebrate and something that he and a lot of his friends look forward to celebrating. He is looking forward to getting back to a degree of normalcy pretty soon and see everyone's kids running and collecting candy. He complimented City Planner Abboud and his staff on how well they conduct

the business of the Planning Department. He expressed his appreciation for being able to work with the Commissioners stating that they are a great group of people to work with.

ADJOURN

There being no further business before the Commission the meeting was adjourned at 7:35 p.m. Next Regular Meeting is Wednesday, May 19, 2021 at 6:30 p.m. A worksession is scheduled for 5:30 p.m. All meetings scheduled to be held virtually by Zoom Webinar from the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

RENEE KRAUSE, MMC, DEPUTY CITY CLERK

Approved: _____

HOMER PLANNING COMMISSION

Approved CUP 2021-04 at the Meeting of May 5, 2021

Address: 90 Sterling Highway

Legal Description: T 6S R 13W SEC 20 Seward Meridian HM 0880045 GLACIER VIEW SUB NO 20 LOT 7A

DECISION

Introduction

Amanda Martin, Duncan Wallace, and Joe Janus (the “Applicants”) applied to the Homer Planning Commission (the “Commission”) for a Conditional Use Permit (CUP) under Homer City Code (HCC) 21.18.040(d), for the expansion of a structure containing more than 8,000 square feet in the Central Business Zoning District (CBD).

The applicants propose to construct a 3,481 square feet addition to the existing 30,324 square foot grocery store to constitute a structure of 33,805 square feet.

The application was scheduled for a public hearing as required by Homer City Code 21.94 before the Commission on May 5, 2021. Notice of the public hearing was published in the local newspaper and sent to 16 property owners of 25 parcels within a 300-foot periphery of the site.

At the May 5, 2021 meeting of the Commission, the Commission voted with unanimous consent of the six Commissioners present, to approve CUP 21-04, with findings 1-10.

Evidence Presented

City Planner Abboud reviewed the staff report. The Applicants testified and no testimony or written comments were received.

Findings of Fact

After careful review of the record, the Commission approves Condition Use Permit 2021-04 with findings 1-10 and conditions.

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

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

Finding 1: The applicable code authorizes the structure and use.

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

Finding 2: The proposed use and structure are compatible with the purpose of the zoning district.

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

Finding 3: An expansion of a grocery is not expected to negatively impact the adjoining properties greater than other permitted or conditional uses.

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

Finding 4: The proposal is compatible with 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.

Finding 5: Existing public services and utilities are adequate to serve the proposed addition.

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

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

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

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

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

Finding 8: The proposal will comply with applicable regulations and conditions specified in Title 21 when successfully navigating the permitting processes.

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

Finding 9: The proposal is not contrary to the applicable land use goals and objects of the Comprehensive Plan.

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

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

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

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

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

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

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

Conclusion: Based on the foregoing findings of fact and law, Conditional Use Permit 2021-04 is hereby approved, with Findings 1-10.

Date

Chair, Scott Smith

Date

City Planner, Rick Abboud, AICP

NOTICE OF APPEAL RIGHTS

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

CERTIFICATION OF DISTRIBUTION

I certify that a copy of this Decision was mailed to the below listed recipients on _____, 2021. A copy was also delivered to the City of Homer Planning Department and the Homer City Clerk on the same date.

Date

Travis Brown, Planning Technician

Amanda Martin/Duncan Wallace
PM Design Group, Inc.
19401 40th Avenue West, Suite 420
Lynnwood, WA 98036

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

Michael Gatti
Jermain, Dunnagan & Owens
3000 A Street, Suite 300
Anchorage, AK 99503

Joe Janus
Safeway
1121 124th Avenue NE
Bellevue, WA 98005



City of Homer

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Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

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Memorandum Pl 21-04

TO: HOMER PLANNING COMMISSION
FROM: RICK ABBODD, AICP, CITY PLANNER
DATE: May 19, 2021
SUBJECT: Dedication of roadway easement for Easy Street

Introduction: We have received requests from property owners in the Bridge Creek Watershed to dedicate the existing traveled way that originates from Easy Street and crosses two City-owned lots, 6 and 7, as displayed on the attached Record of Survey.

History: The current access was created and used continuously since the 1940's and is located outside of city boundaries in the Bridge Creek Watershed Protection District. The City purchased lots 6 and 7 in 2009 to enhance protection of the watershed. At the time of the Record of Survey, the lots constituted a Native Allotment that was administered by the Bureau of Indian Affairs (BIA) per federal regulations. While the owner of the allotment commissioned a roadway easement, as described in the Record of Survey, it was never approved by the BIA.

Current status: The Borough has been providing maintenance to the traveled way which provides the only practical access to several developed properties in the watershed.

Analysis: The route has established long-time access to watershed properties across Bridge Creek to the north. We find that it is in the interest of the City to maintain the access and avoid the need for additional creek crossings that could impact the City's water source.

Finding: It is in the best interest of the City to dedicate a public easement over the long established access across Bridge Creek located on city owned lots 6 & 7 in order to discourage the creation of additional creek crossings.

Attachments:

Roadway Dedication & Attachment A
Area Map

ROADWAY DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that the City of Homer, of 491 East Pioneer Avenue, Homer, Alaska 99603, hereinafter called the GRANTOR, does hereby grant a public easement and right of way over the following described real property:

Lots 6 and 7 as shown on Record of Survey 2008-53
Recorded on 14 August 2008 in the Homer Recording District

for the use and maintenance of an existing thirty (30) foot wide Traveled Way as aligned and shown on Record of Survey 2008-53 attached as Exhibit A. This right shall be a covenant running with the land and shall be binding on the GRANTOR, its heirs, executors, administrators, and assigns.

DATED _____

AUTHORIZED REPRESENTATIVE OF GRANTOR

STATE OF ALASKA)
) SS.
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on the _____ day of _____, 2020, before me, a Notary Public in and for the State of Alaska, duly commissioned and sworn as such, personally appeared _____ to me known to be the person who executed the foregoing instrument and acknowledged said instrument to be his/her free and voluntary act and deed for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this _____ day of _____, 2020.

Notary Public in and for Alaska

My Commission expires _____

RECORDED
AK TITLE
SERVICES CENTER
08 JUL 30 PH 3:24
BUREAU OF INDIAN AFFAIRS
ALASKA REGIONAL OFFICE
975 985

Attachment A to City of Homer Roadway Dedication

THREAD OF BRIDGE CREEK MEANDER TABLE		
LINE	LENGTH	BEARING
L1	65.71	N82°54'23"E
L2	20.33	N39°03'13"E
L3	43.72	S67°19'03"E
L4	19.05	N66°42'34"E
L5	45.47	S82°45'00"E
L6	16.34	N76°52'37"E
L7	3.76	S61°19'15"E
L8	13.19	S61°19'15"E
L9	27.03	S80°19'03"E
L10	22.60	N76°37'38"E
L11	23.35	S68°01'05"E
L12	19.19	N36°50'31"E
L13	29.81	S85°30'38"E
L14	80.36	S55°32'14"E
L15	12.60	S55°32'14"E
L16	19.82	S55°32'14"E
L17	40.81	S75°37'33"E
L18	21.36	S17°30'40"E
L19	18.38	N45°34'55"E
L20	79.44	S80°45'19"E
L21	13.73	S44°53'38"E
L22	37.30	N78°08'34"E
L23	3.12	N78°08'34"E
L24	40.36	S57°33'58"E
L25	31.74	N53°39'44"E
L26	35.27	N89°09'07"E
L27	45.80	N60°14'10"E
L28	77.60	S89°09'59"E
L29	24.84	N25°43'13"E
L30	75.71	S74°01'28"E
L31	27.10	N17°29'32"E
L32	19.92	N82°58'15"E
L33	20.83	S52°46'59"E
L34	27.35	N76°31'06"E
L35	50.69	N76°31'06"E
L36	43.21	N76°31'06"E
L37	8.45	N08°41'24"E
L38	91.00	N72°51'46"E
L39	23.96	S55°32'18"E
L40	45.68	S87°06'36"E
L41	16.72	N24°46'28"E
L42	60.50	N88°08'53"E
L43	21.32	N60°33'57"E
L44	13.40	S78°52'56"E
L45	8.37	N50°16'55"E

LEGEND

- FOUND BERNSTEIN 3-1/4" AL-MON
- FOUND 2" AL-CAP ON 5/8" REBAR
- FOUND 2-1/2" AL-MON
- ✕ FOUND 2-1/2" GLO BRASS CAP, 1917
- SET 2" AL-CAP ON 5/8" REBAR
- ⑬ CIRCLED NUMBER LOT IDENTIFIERS ARE PER KENAI PENINSULA BOROUGH TAX PARCEL NUMBERS AND AS STAMPED ON MONUMENTS AND GUARD STAKES

NOTES

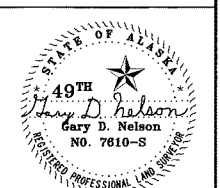
- THIS SURVEY DOES NOT CONSTITUTE A SUBDIVISION AS DEFINED BY AS 40.15.190 (2).
- PARCELS SHOWN HEREON WERE CREATED BY DEEDS. THE PARCEL'S NUMERICAL IDENTIFIERS ARE THE NUMBERS ASSIGNED BY THE BUREAU OF INDIAN AFFAIRS AT CONVEYANCE. THE RECORDING INFORMATION (HOMER RECORDING DISTRICT BOOK AND PAGE) OF THE CONVEYANCE DEED FOR EACH PARCEL IS SHOWN WITHIN THE BOUNDS OF THAT PARCEL. THE CITED DEED OF CONVEYANCE CONTAINS THE METES AND BOUNDS LEGAL DESCRIPTION OF THE PARCEL. THIS RECORD OF SURVEY SHOWS THE DIMENSIONS AND MONUMENTATION OF THE PARCELS.
- THE THREAD OF BRIDGE CREEK IS CALLED OUT AS A BOUNDARY OF THE PARCELS. THE BRIDGE CREEK BOUNDARY IS RIPARIAN. THE BRIDGE CREEK MEANDERS AS SHOWN WERE USED TO QUANTIFY THE AREAS SHOWN. THE ACTUAL THREAD OF BRIDGE CREEK IS THE BOUNDARY, AND CHANGES AS THE THREAD CHANGES.
- NO TITLE OPINION OR ABSTRACT OF MATTERS AFFECTING TITLE TO THE SUBJECT PROPERTY HAS BEEN PROVIDED. IT IS POSSIBLE THAT THERE ARE DEEDS, EASEMENTS OR OTHER INSTRUMENTS COULD WHICH COULD AFFECT THE PROPERTY DEPICTED HEREON.
- SNOW DEPTHS WERE 4.5± FEET AT THE TIME OF THE FIELD WORK.
- THIS RECORD OF SURVEY AMENDS AND SUPERSEDES THE RECORD OF SURVEY RECORDED AS PLAT NO. 2008-18 IN THE HOMER RECORDING DISTRICT.
PLAT CORRECTIONS ARE:
 - RANGE 12 WEST CORRECTED TO RANGE 13 WEST IN TITLE BLOCK.
 - DESCRIPTION OF 1/4 CORNER OF SECTIONS 4 AND 9 CORRECTED TO FOUND GLO MONUMENT.
 - BIA PARCEL NUMBERS WERE ADDED (SEE NOTE 2).
 - KENAI PENINSULA BOROUGH TAX PARCEL NUMBERS ADDED IN CIRCLES.
 - BRIDGE CREEK MEANDERS L39 THROUGH L45 CHANGED.
 - 30' ROADWAY DEDICATION BEARING AND ASSOCIATED TIE TO EASTERLY BOUNDARY MONUMENTS CORRECTED.
 - BOUNDARY COMMON TO LOTS 3 AND 4, BEARING CORRECTED

SURVEYOR'S CERTIFICATE

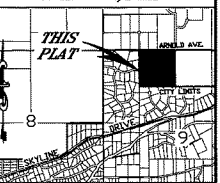
I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE MONUMENTS SHOWN HEREON EXIST AS DESCRIBED, THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.

06-20-2008
DATE
Gary D. Nelson
REGISTERED LAND SURVEYOR NO. 7610-S

2008-53
Homer REC DIST
Date 8/14/2008
Time 1:27 PM
Requested By Agency
Address



VICINITY MAP
SCALE 1" = 1/2 MILE

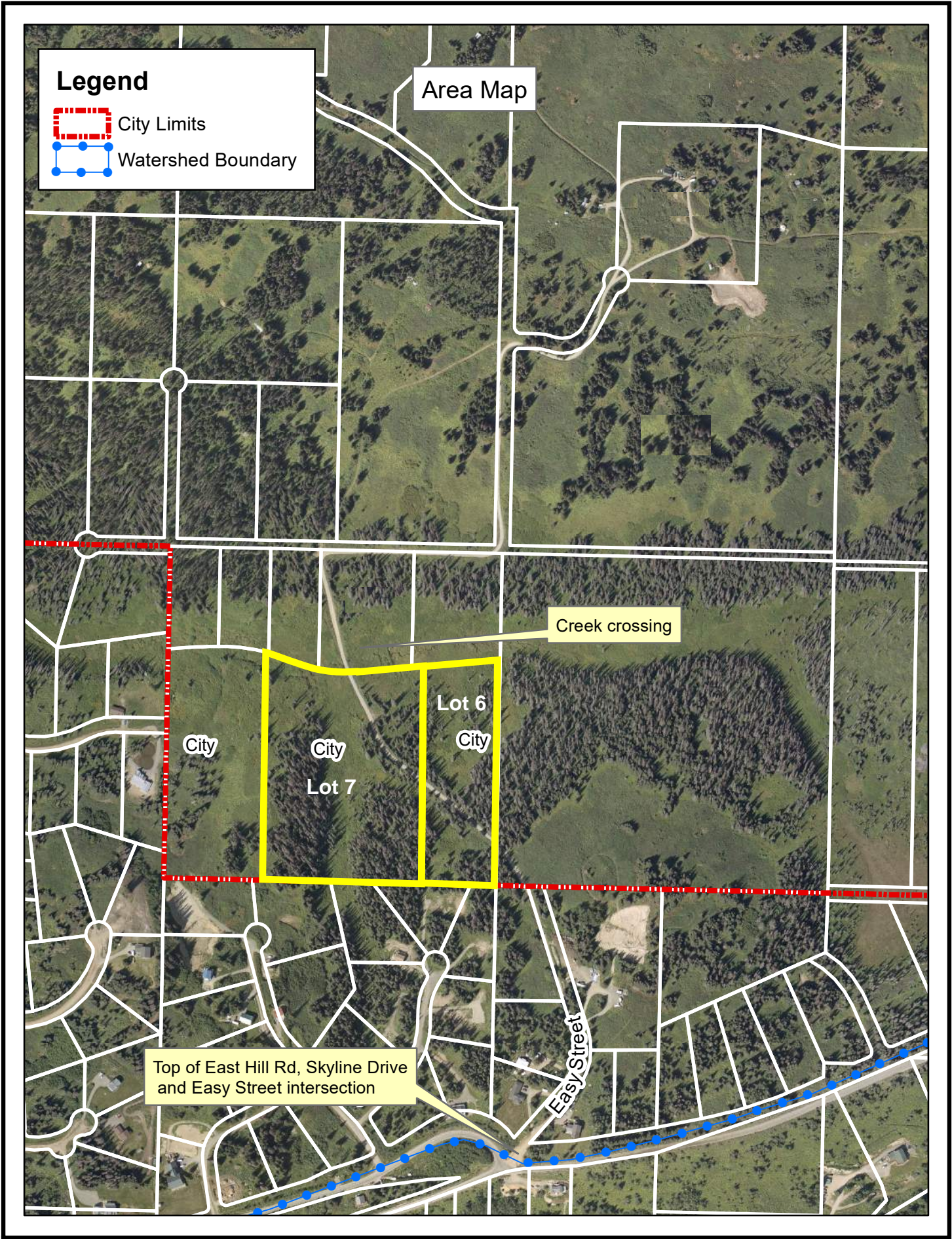


DATE 06-20-2008
SCALE 1"=100'
JOB NO. 429B
DRAWING 429B

ROEHL PARCELS
RECORD OF SURVEY
(AMENDED)

SHOWING RETRACEMENT AND MONUMENTATION OF THE NE 1/4, NW 1/4, SEC 9, T6S, R13W, S.M., KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, STATE OF ALASKA, HOMER RECORDING DISTRICT, CONTAINING 40.43 ACRES

ABILITY SURVEYS
GARY D. NELSON, P.L.S.
(907)235-8440
152 DEHEL AVE., HOMER, ALASKA





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

TO: Homer Planning Commission
FROM: Rick Abboud, AICP, City Planner
DATE: May 19, 2021
SUBJECT: Staff Report 21-29, City Planner's Report

5.10.21 City Council

Memorandum 21-073 from City Clerk Re: Vacation of a Portion of Hough Road, a 60 foot right-of-way including adjoining utility easements, as dedicated on Stream Hill Park Unit 1 Plan HM 2006-54 and Christensen Tracts No. 3, Phat HM 2003-90. Recommend approval.

Ordinance 21-27, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Title 14.08.040 to create a Process for Waiving the Requirement that Property be connected to City Sewer as a Condition Precedent to be connected to City Water. City Manager/Public Works Director. Introduction April 26, 2021 Public Hearing and Second Reading May 10, 2021

Memorandum 21-071 from Public Works Director as backup

5.24.21 City Council

Resolution 21-0xx, A Resolution of the City Council of Homer, Alaska Amending the City Fee Schedule. City Clerk. Follows Ordinance 21-xx.

Memorandum 21-0xx from City Clerk as backup

Memorandum 21-0xx from City Planner as backup

Economic Development Advisory Commission

The EDC met on May 12th. The wayfinding/streetscape consultant, Peter Briggs with Corvus Design, met with the commission. He and his team will be in Homer during the second week of June for field work and public pop-up events. A pop-up schedule will be available at your next meeting if you'd like to drop by and chat! Also, several of the commissioners commented on how they appreciated Homer business signage – that much of it is hand painted, and our roads are not cluttered with signs like you find in big cities. It was heartening for me to hear their comments, because it means that our sign code is having the desired result – reasonable regulation and an attractive town.

Along with wayfinding in general, I have been working with Parks Maintenance Coordinator Steffy to think about what kind of trees the city would like to foster in city parks and as street trees. We're

talking with other agencies and knowledgeable citizens. This is a timely conversation not just for the current project, but also with the reconstruction of Lake Street, lots of trees were removed! This is a great time to think about what land owners and the city can do to make Lake Street an attractive part of downtown.

Lake Street/Ulmers Parking lot. Edge of the parking lot pavement is near the property line.



Commissioner report to City Council

5/24 _____

6/14 _____

6/28 _____



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 21-30, CUP 21-05

TO: Homer Planning Commission
FROM: Rick Abboud, AICP, City Planner
DATE: May 19, 2021
SUBJECT: Conditional Use Permit (CUP) 21-05

Synopsis The applicant proposes expand the outdoor deck area approximately 1000 square feet for eating outside. The deck is proposed to be located approximately 3 feet from a right-of-way (ROW). A Conditional Use Permit (CUP) is required to locate a building in the setback that is found in the Marine Commercial District (MC) per HCC 21.28.030(i).

Applicant:	Jose Ramos Don Jose's LLC 127 W Pioneer Ave Homer, AK 99603	Owner:	Rob Dumouchel City of Homer 491 E Pioneer Ave Homer, AK 99603
Location:	4262 Spit Road		
Legal Description:	T 7S R 13W SEC 1 SEWARD MERIDIAN HM 0890034 HOMER SPIT SUB AMENDED LOT 19		
Parcel ID:	18113316		
Size of Existing Lot:	.29 Acres/12,632 Square feet		
Zoning Designation:	Marine Commercial District		
Existing Land Use:	Restaurant		
Surrounding Land Use:	North: Harbor South: commercial boardwalk East: Coal Point West: Commercial boardwalk		
Comprehensive Plan:	The Homer Spit Plan Chapter 3, Goal 3.1 Supports restaurants serving local products, such as the Harbor Grill.		
Wetland Status:	Contains no mapped wetlands		
Flood Plain Status:	Not in a floodplain.		
BCWPD:	Not within the Bridge Creek Watershed Protection District		
Utilities:	Public utilities service the site.		
Public Notice:	Notice was sent to 35 property owners/lease holders of 12 parcels as shown on the KPB tax assessor rolls.		

ANALYSIS: The applicant is proposing to expand a deck for outdoor dining approximately 1000 square feet. The deck is proposed to be located up to three feet away from the right-of-way (ROW) that is used for access to the harbor ramp. Currently, the ROW provides 90 degree parking fronting the proposal, in addition to the travel lanes and 90 degree parking on the other side of the ROW. No future expansion of the ROW is contemplated.

PARKING: The proposal expands the deck into what an aerial photograph shows as a place that vehicles park. The 'parking spaces' do not have proper egress for backing out and do not meet standards for off-street parking designs. Spit parking regulations require up to five spaces for year-round employees. This restaurant is not known to provide year-round service, but does have five parking spaces available on-site if that was to change.

IMPERVIOUS: The proposed deck expansion is located over a graveled area and will not introduce any additional impervious surface on the lot.

BUILDING AREA: In the MC District, a CUP is needed for developments with building areas 70% or greater. The building area including the proposed deck expansion constitutes 53% of building area, negating a need for a CUP to address the figure.

TRAFFIC REQUIREMENTS: According to the 7th edition of the *Trip Generation Handbook*, the most liberal interpretation of peak usages for a quality restaurant indicates that there could be up to 156 trips on a Saturday per 1000 feet of gross floor area (average number of trips is under a hundred on Saturday per 1000 feet of gross floor area). We continually confirm that the numbers of trips estimated by the book exceed our experience in Homer as the numbers are based on metropolitan areas as opposed to the relatively rural numbers found in the Homer area.

A CUP for vehicle trips is not required as the proposed improvement is not expected to generate 100 trips during any hour, more than 500 vehicle trips per day, more than 100 vehicle trips during any hour, or degrade the level of service on Spit Road.

STANDARDS OF HCC 21.28.030(i)

i. The location of a building within a setback area required by HCC 21.28.040(b). In addition to meeting the criteria for a conditional use permit under HCC 21.71.030, the building must meet the following standards:

1. Not have a greater negative effect on the value of the adjoining property than a building located outside the setback area; and

ANALYSIS: While it is unlikely that a building located in the area of the proposed deck expansion would have a negative effect on the values of adjoining properties, it is even more unlikely that the proposed deck would have a negative effect on neighboring properties. It is likely seen as an amenity to the cluster of tourism related business found adjacent.

Finding 1: The proposed project will not have a negative effect on the values of neighboring properties.

2. Have a design that is compatible with that of the structures on the adjoining property.

ANALYSIS: The proposed deck expansion is to be designed to match the existing deck which is compatible in in scale and mass to adjoining properties.

Finding 2: The proposed design is compatible with that of adjoining properties.

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: A setback reduction can be approved by a Conditional Use Permit per HCC 21.28.030(i) in the Marine Commercial District. The established use of restaurant is supported as a permitted use per HCC 21.28.020(i).

Finding 3: The applicable code authorizes each proposed use and structure.

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

MC 21.28.010 Purpose. The purpose of the Marine Commercial District is primarily for water-related and water-dependent uses and the business and commercial uses that serve and support them, including but not limited to fishing, marine transportation, off-shore energy development, recreation and tourism. It is recognized that unique natural features of Homer's marine environment contribute significantly to the economic and social environments; therefore, performance standards are required to minimize the impact of development on the natural features on which they depend.

Applicant: Expanding restaurant outdoor seating supports tourism with the health and safety options especially with Covid-19 so fresh on everyone's mind.

Analysis: The expansion of the outdoor seating area in a restaurant in the MC District supports tourism while providing an opportunity to sell local seafood products. The location of the deck approximately three feet from the right-of-way serving as access to the harbor ramp is not expected interfere with harbor operations.

Finding 4: The proposed use and structure is compatible with the purpose of the zoning 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 adjoining property values are not expected to be impacted.

Analysis: Many uses in the MC district have greater negative impacts than would be realized from an expansion of a deck up to three feet from the right-of-way access and parking. Marine equipment sales, rentals, service, repair and storage or manufacturing could have a greater impact on nearby property values. Indoor or outdoor recreational facilities would generate a good deal of traffic and could negatively affect property values more than that expected from an expansion of a deck to be used by diners.

Finding 5: An expansion of a deck into the setback to be used for dining is not expected to negatively impact the adjoining properties greater than other permitted or conditional uses.

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

Applicant: Expanding the restaurant outdoor seating is compatible with Lands End, Fish and Chips

Analysis: Existing surrounding uses support tourism and water dependent uses. The restaurant provides support for tourism on the spit and helps to support local uses of local fisheries. The expansion of the deck near the setback to the right-of-way access and parking for the harbor ramp expands the support for the proposed use. Having the ROW located up to three feet away from the deck is not expected to introduce incompatibility with surrounding uses as the ROW would not be expected to have to be expanded. No effect would be expected to the parking and access provided to the harbor.

Finding 6: 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: The property is served by the water, sewer, the harbor trail, public parking.

Analysis: The site is served by a full complement of public services, more than adequate to support a 1000 square foot deck and the portion located within twenty feet of the ROW that provides access and parking for the harbor.

Finding 7: Public services and facilities are adequate to serve the existing use along with the proposed deck expansion.

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: We don't feel by adding outdoor seating will negatively affect the neighborhood, It will give tourist and locals a place to sit outside and enjoy the sun in beautiful Homer.

Analysis: Desirable neighborhood character could be described by a portion of the Purpose statement for the district includes, (that) *the purpose of the Marine Commercial District is primarily for water-related and water-dependent uses and the business and commercial uses that serve and support them, including but not limited to fishing, marine transportation, off-shore energy development, recreation and tourism.* The proposal enhances options for tourists and for the provision of local seafood products by expanding outdoor dining area up to three feet away from the right-of-way that provides access and parking for the harbor ramp. The portion of the deck to be located in the setback will not cause undue harmful effect on neighborhood character as the ROW does not support through traffic and cars are parked at 90 degrees directly adjacent to the project. The additional density is a desirable amenity as the expansion provides an additional option for tourists without impacting undeveloped sites, while keeping tourism development concentrated.

Finding 8: The Commission finds the proposal will not cause undue harmful effect upon desirable neighborhood character as described in the purpose statement of the district.

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

Analysis: The expansion of an existing deck in the MC District, when done in compliance with applicable regulations in Title 21 and those of the State of Alaska Fire Marshal, is not expected to have a negative effect on health, safety, welfare. The area proposed for the expansion should not have a negative impact to health, safety, or welfare. The edge of the ROW is used for 90 degree parking and the ROW is not a through street and is not

a candidate for expansion. Developing a deck up to three feet away from the limited ROW is not unduly detrimental to health, safety, or welfare.

Finding 9: The proposal will not be unduly detrimental to the health, safety or welfare of the surrounding area and the city as a whole when all applicable standards are met as required by city code

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

Analysis: The applicant is not seeking any special relief from code. A reduction in a setback from a right-of-way is provisioned in code. Gaining an approved CUP, in addition to the subsequent zoning permit, will allow compliance with applicable regulations and conditions.

Finding 10: The proposal will be able to comply with applicable regulations and conditions specified in Title 21.

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

Analysis: This proposal can enhance the local economy by providing additional tourist amenities and providing a venue that serves local seafood. This activity aligns with Goal 3.1 and its objective of supporting “value added” growth found in the Homer Spit Plan. It has not been found to be contrary to land use goals and objectives of the Homer Spit Plan which are generally not applicable to the proposal. According to Goal 1.1 of the Homer Spit Plan, a strategy for MC zoning is to consider zero lot line development and the amount of ROW realistically needed to support build out. As discussed above, the ROW subject to the reduced setback is not realistically a candidate for future expansion.

Finding 11: The proposal is not contrary to the applicable land use goals and objects of the Comprehensive Plan and no evidence has been found that it is contrary to the applicable land use goals and objects of the Comprehensive Plan.

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

Analysis: The only CDM section that applies to the MC District is Outdoor Furnishings. This section is not applicable to the proposal, as no furnishings are to be located in the public right-of-way.

Finding 12: Project complies with the applicable provisions of the CDM.

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

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

PUBLIC WORKS COMMENTS: No comments

FIRE DEPARTMENT COMMENTS: No comments

PUBLIC COMMENTS: None

STAFF COMMENTS/RECOMMENDATIONS:

Planning Commission approve Staff Report 21-30, CUP 21-05 with findings 1-10.

Attachments

Application

Site Photos

Setback depiction

Public Notice

Aerial Photograph



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Applicant

Name: Don Jose's LLC Telephone No.: 907-229-7196

Address: 127 W Pioneer Ave Email: salmonalaska@yahoo.com

Property Owner (if different than the applicant):

Name: Same Telephone No.:

Address: Email:

PROPERTY INFORMATION:

Address: 4262 Homer Spit Rd. Lot Size: 0.29 acres KPB Tax ID # 18103316

Legal Description of Property: Lot 19 Homer Spit Sub Amended

For staff use:

Date: Fee submittal: Amount

Received by: Date application accepted as complete

Planning Commission Public Hearing Date:

Conditional Use Permit Application Requirements:

1. A Site Plan
2. Right of Way Access Plan
3. Parking Plan
4. A map showing neighboring lots and a narrative description of the existing uses of all neighboring lots. (Planning can provide a blank map for you to fill in).
5. Completed Application Form
6. Payment of application fee (nonrefundable)
7. Any other information required by code or staff, to review your project

Circle Your Zoning District

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

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

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

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

4,000 square foot restaurant building

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).

Expand the deck to increase outdoor seating area

CONDITIONAL USE INFORMATION: Please use additional sheets if necessary. HCC21.71.030

- a. What code citation authorizes each proposed use and structure by conditional use permit? **HCC 21.28.030(i) & 21.28.040(b)(1)**
- b. Describe how the proposed uses(s) and structures(s) are compatible with the purpose of the zoning district. Expanding restaurant outdoor seating supports tourism with the health and safety options especially with Covid-19 so fresh on everyone's mind.
- c. How will your proposed project affect adjoining property values? The adjoining property values are not expected to be impacted.
- d. How is your proposal compatible with existing uses of the surrounding land? Expanding the restaurant outdoor seating is compatible with lands End, Fish and Chips
- e. Are/will public services adequate to serve the proposed uses and structures? The property is served by the water, sewer, the harbor trail, public parking.
- 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? We don't feel by adding outdoor seating will negatively affect the neighborhood, It will give tourist and locals a place to sit outside and enjoy the sun in beautiful Homer.
- g. Will your proposal be detrimental to the health, safety or welfare of the surrounding area or the city as a whole? Absolutely Not.
- h. How does your project relate to the goals of the Comprehensive Plan? More outdoor restaurant space on the spit supports Chapter 7, goal 5 "strengthen Homer as a tourism destination."
- i. The Planning Commission may require you to make some special improvements. Are you planning on doing any of the following, or do you have suggestions on special improvements you would be willing to make? **(circle each answer)**
 1. Y/N Special yards and spaces.
 2. Y/N Fences, walls and screening.
 3. Y/N Surfacing of parking areas.
 4. Y/N Street and road dedications and improvements (or bonds).
 5. Y/N Control of points of vehicular ingress & egress.
 6. Y/N Special provisions on signs.
 7. Y/N Landscaping.
 8. Y/N Maintenance of the grounds, buildings, or structures.
 9. 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 **8** Special dimensional requirements such as lot area, setbacks, building height.
14. Y/N **8** Other conditions deemed necessary to protect the interest of the community.

PARKING

1. How many parking spaces are required for your development? No additional

If more than 24 spaces are required see HCC 21.50.030(f)(1)(b). _____

2. How many spaces are shown on your parking plan? _____

3. Are you requesting any reductions?

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

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

CIRCLE ONE: Owner of record Lessee Contract purchaser

Applicant signature: _____

Date: 2/28/2024

Property Owner's signature: _____

Date: 2/28/2024

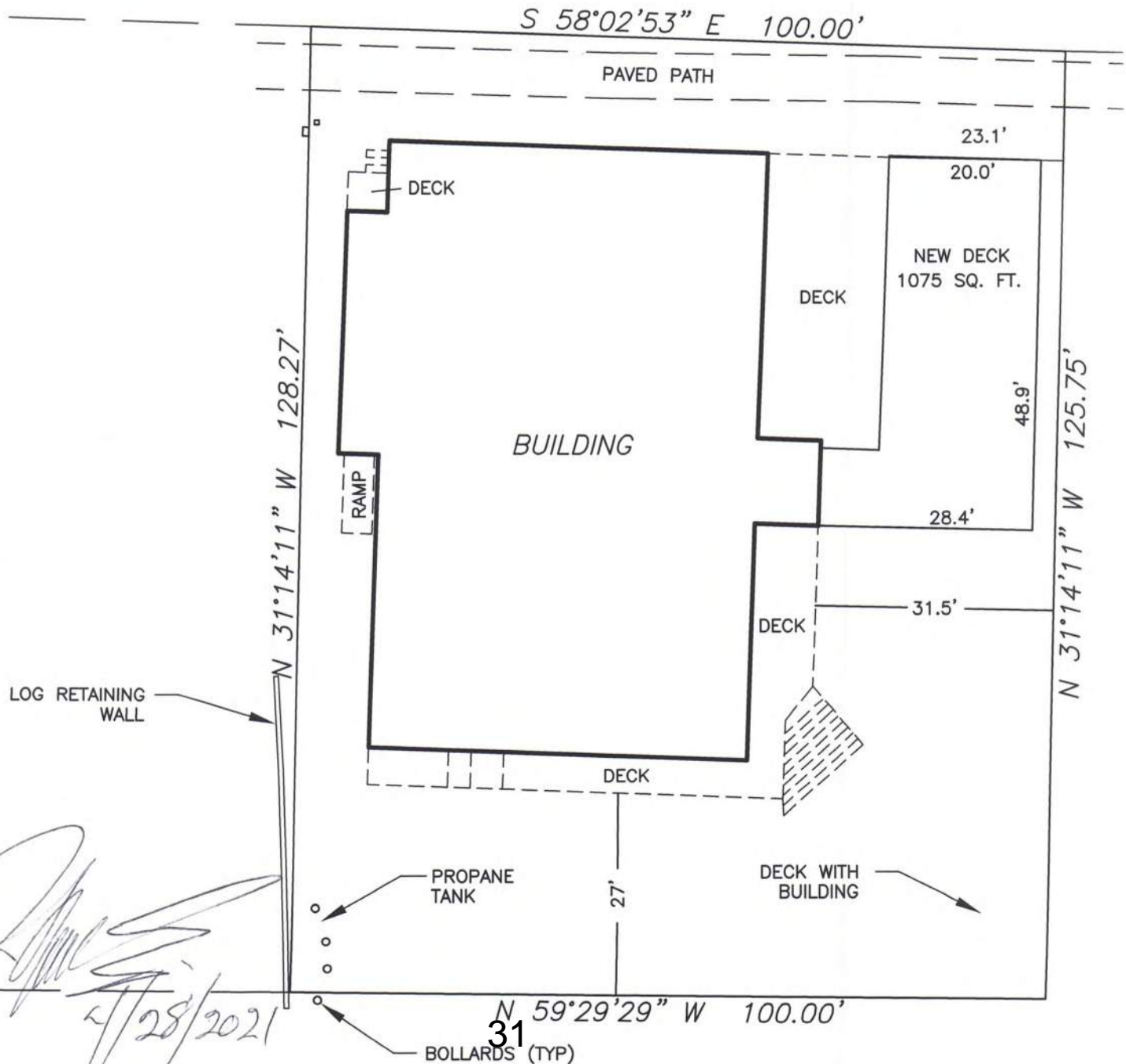


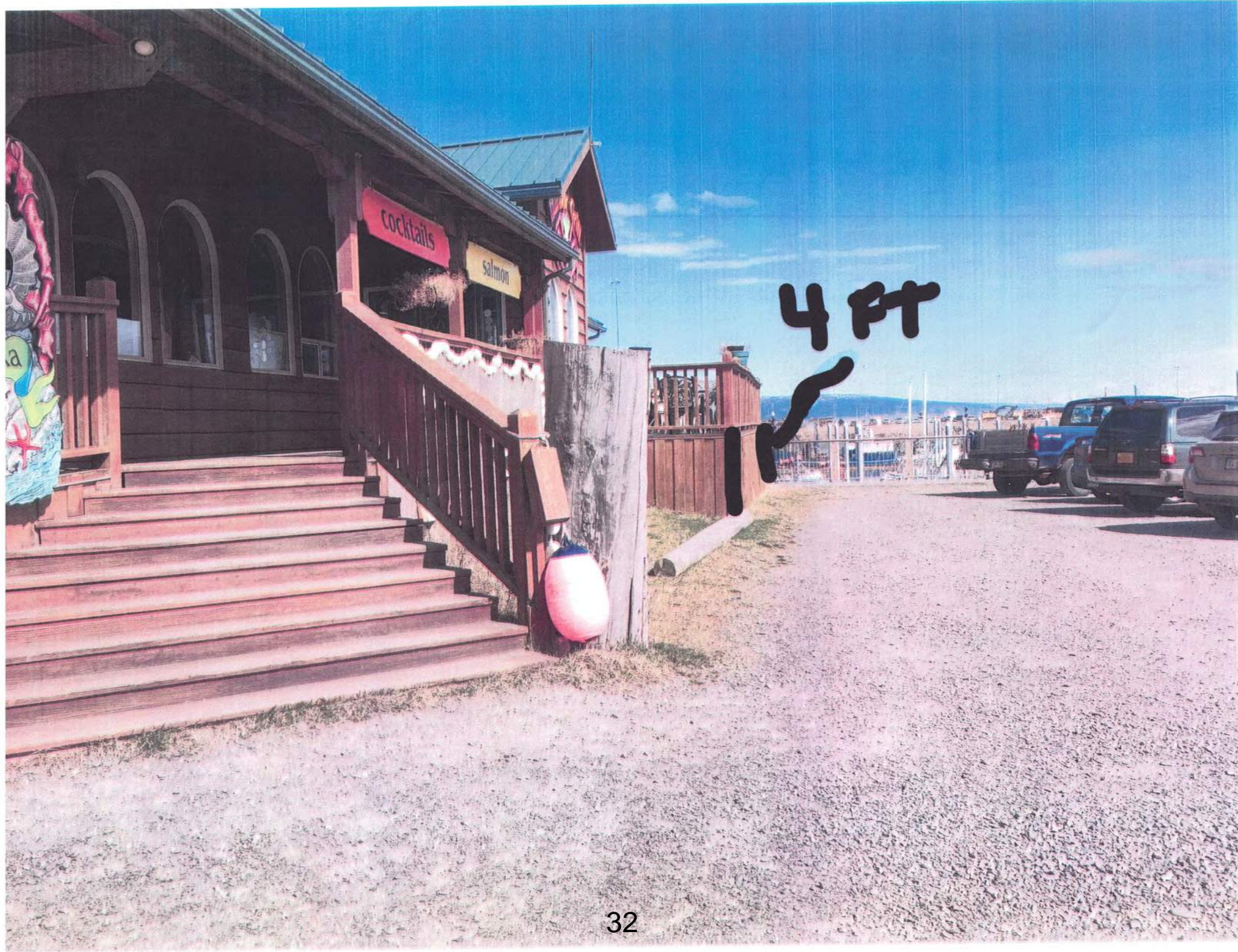
JOB #2009-05

REVISED EXHIBIT B LOT 19, HOMER SPIT AMENDED (HRD 89-34)

NOTES:

1. BASIS OF BEARING FOR THIS ASBUILT SURVEY IS THE CITY OF HOMER COORDINATE SYSTEM AS DI CITY AREA RECORD OF SURVEY (2007-115 HRD).
2. THIS ASBUILT SHALL NOT BE USED FOR ANY PURPOSE OTHER THAN THAT WHICH WOULD GIVE A REPRESENTATION OF THE LOCATION OF IMPROVEMENTS ON THIS LOT. UNDER NO CIRCUMSTANCE SH OF FUTURE IMPROVEMENTS BE BASED ON THIS DRAWING.
3. IT IS THE RESPONSIBILITY OF THE OWNER TO DETERMINE THE EXISTENCE OF ANY EASEMENTS, RE RESTRICTIONS WHICH DO NOT APPEAR ON THE RECORDED SUBDIVISION PLAT.





Ad

20 ft

48.9

28.4 ft





Site photos 5.10.21



Building Setback from Right-of-Way Drawing

Made by City of Homer Planning Office
For Illustration Purposes Only

JOB #2009-05

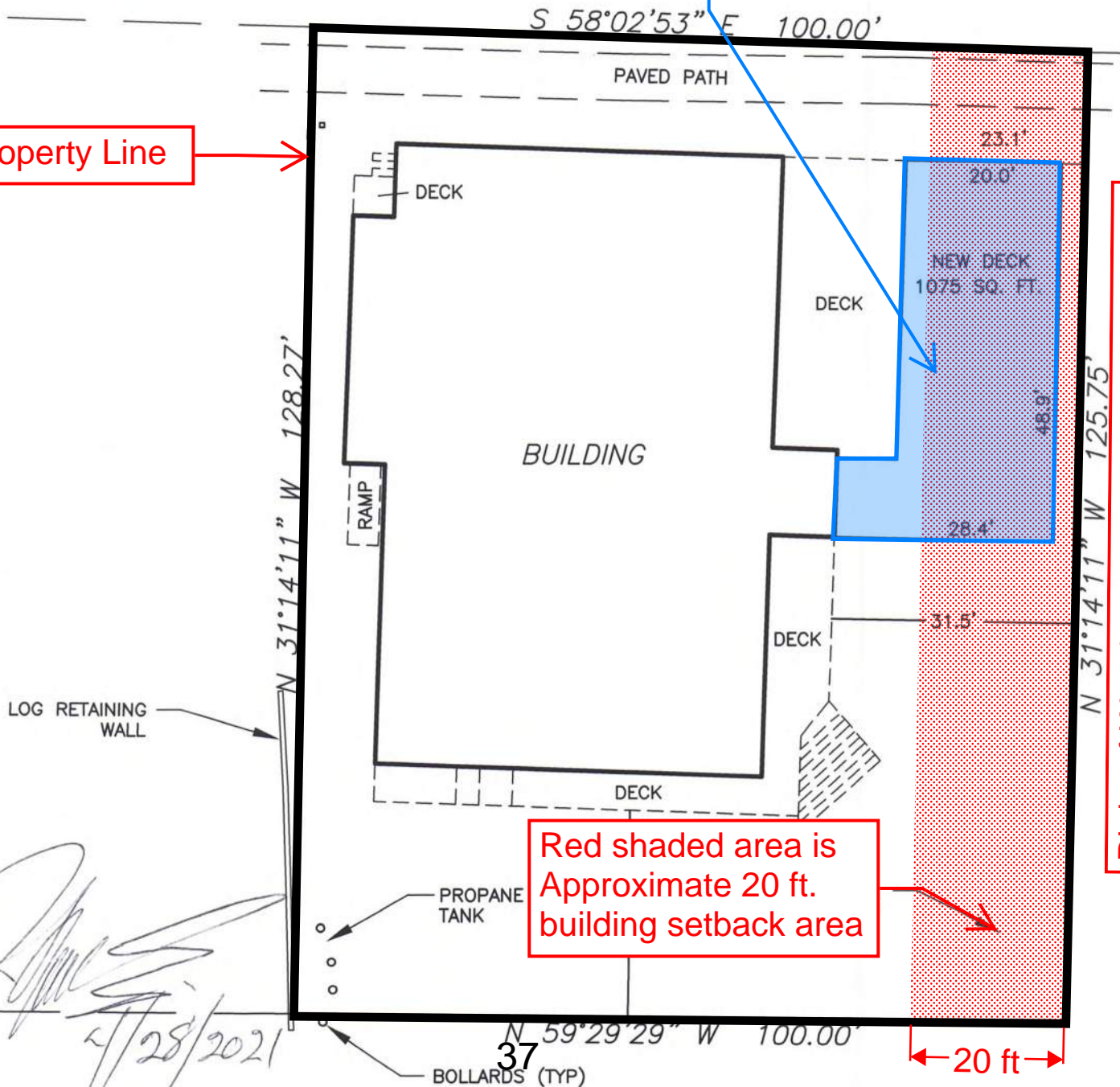
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Proposed Uncovered
Deck for Outdoor Seating

Property Line



Red shaded area is
Approximate 20 ft.
building setback area

Right-of-Way (Harbor Ramp 3 Parking Lot)

PUBLIC HEARING NOTICE

Public notice is hereby given that the City of Homer will hold a public hearing by the Homer Planning Commission on Wednesday, May 19, 2021 at 6:30 p.m. via a virtual meeting, on the following matter:

A request for Conditional Use Permit (CUP) 21-05 to expand a deck for outdoor seating at the Harbor Grill restaurant, 4262 Homer Spit Rd., Lot 19, Homer Spit Sub Amended, Sec. 1, T. 7S., R. 13W., S.M. HM 0890034. A CUP is required for the deck to be located within the building setback area, according to HCC 21.28.040(b)(1).

Anyone wishing to view the meeting packet, attend the virtual meeting, or participate in the virtual meeting may do so by visiting the Planning Commission Regular Meeting page on the City's online calendar at <https://www.cityofhomer-ak.gov/calendar>. This information will be posted by 5pm on the Friday before the meeting.

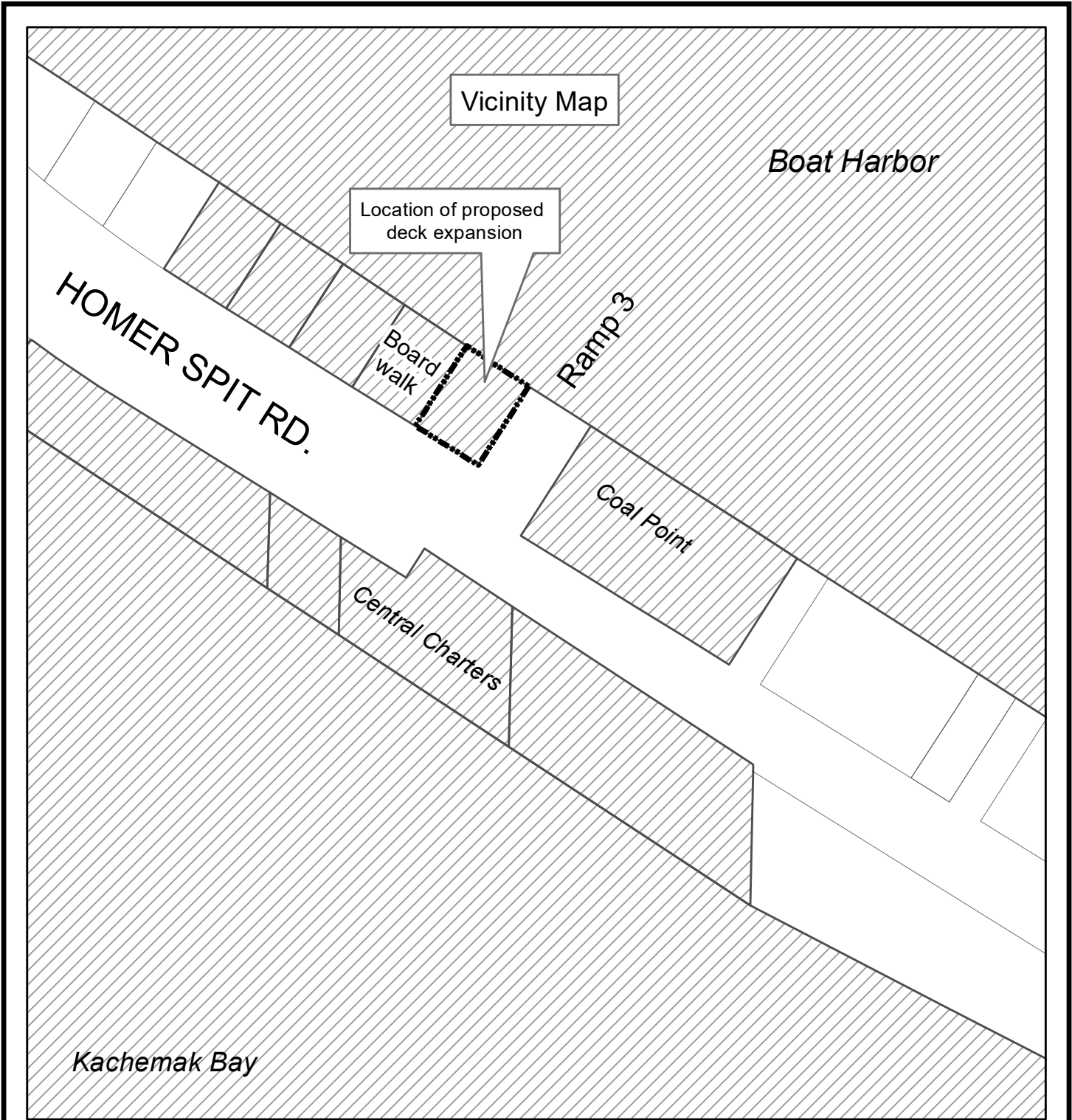
Visit the link above or call the City Clerk's Office to learn how to provide verbal testimony during the meeting via telephone or the Zoom online platform. Written comments can be emailed to planning@ci.homer.ak.us or mailed to Homer City Hall, 491 E. Pioneer Ave., Homer, AK, 99603. They may also be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

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

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

.....

VICINITY MAP ON REVERSE



City of Homer
Planning and Zoning Department
May 5, 2021

Request for a Conditional Use Permit at 4262 Homer Spit Road

Marked lots are within 300 feet and
property owners notified.

0 150 300 Feet



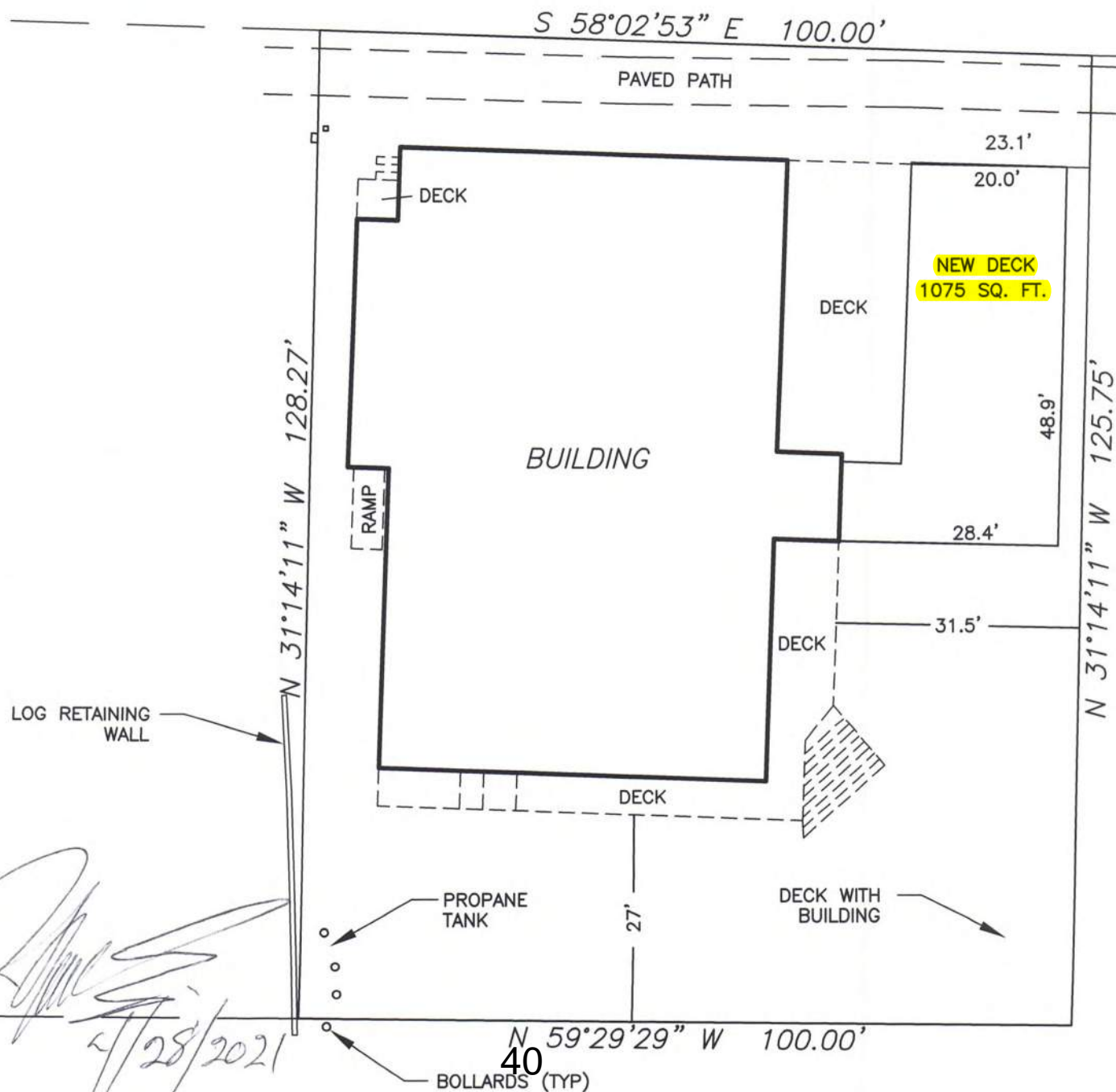
Disclaimer:
It is expressly understood the City of
Homer, its council, board,
departments, employees and agents are
not responsible for any errors or omissions
contained herein, or deductions, interpretations
or conclusions drawn therefrom.

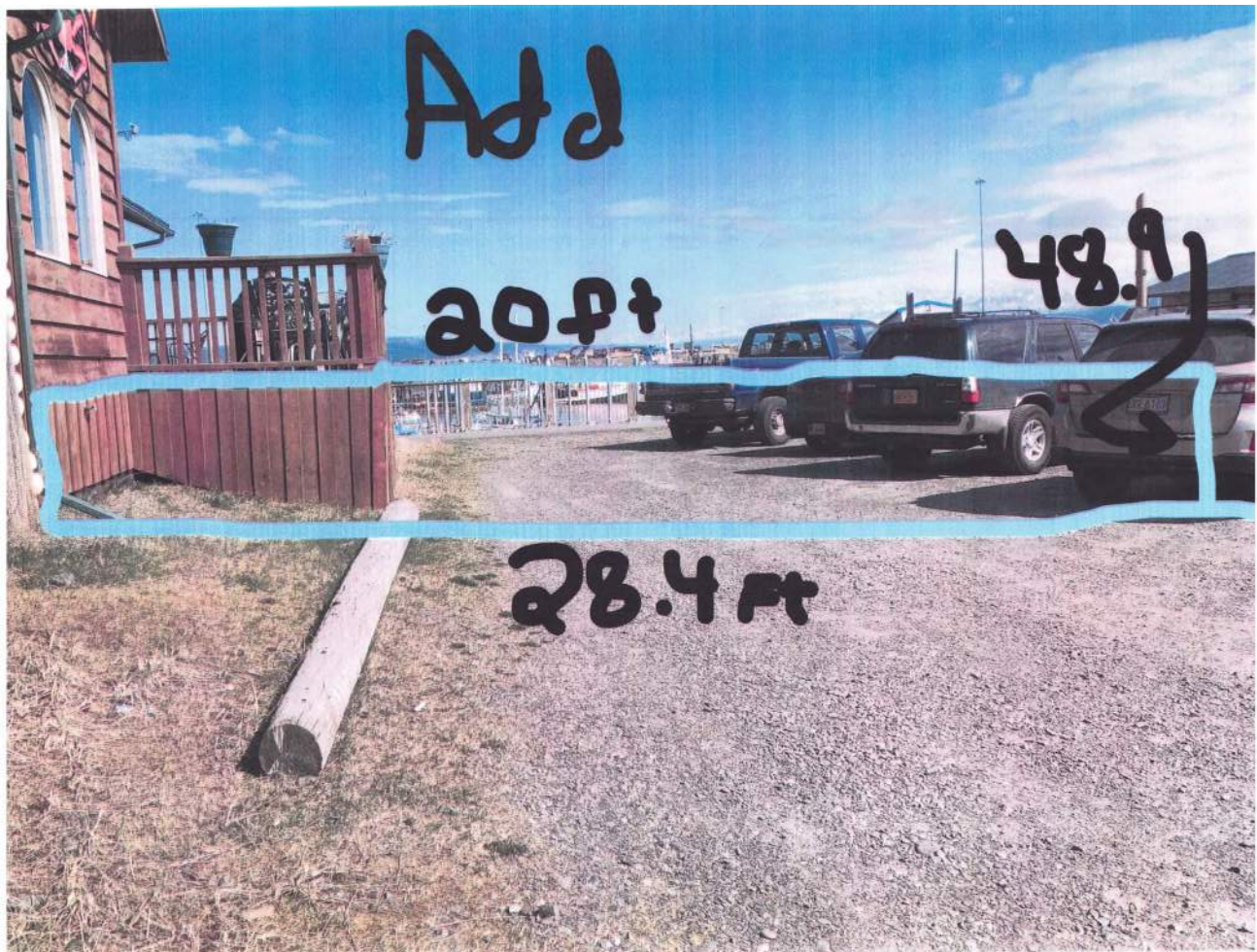
REVISED EXHIBIT B LOT 19, HOMER SPIT AMENDED (HRD 89-34)

1. BASIS OF BEARING FOR THIS ASBUILT SURVEY IS THE CITY OF HOMER COORDINATE SYSTEM AS DISCLOSED IN THE CITY AREA RECORD OF SURVEY (2007-115 HRD).

2. THIS ASBUILT SHALL NOT BE USED FOR ANY PURPOSE OTHER THAN THAT WHICH WOULD GIVE A REPRESENTATION OF THE LOCATION OF IMPROVEMENTS ON THIS LOT. UNDER NO CIRCUMSTANCE SHALL ANY OF FUTURE IMPROVEMENTS BE BASED ON THIS DRAWING.

3. IT IS THE RESPONSIBILITY OF THE OWNER TO DETERMINE THE EXISTENCE OF ANY EASEMENTS, RE-
RESTRICTIONS WHICH DO NOT APPEAR ON THE RECORDED SUBDIVISION PLAT.





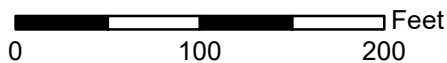


Aerial Map

Location of proposed deck expansion. Property lines not accurate on this map.



City of Homer
Planning and Zoning Department
May 5, 2021



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 PL 21-31

TO: Homer Planning Commission
THROUGH: Rick Abboud, AICP, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: May 19, 2021
SUBJECT: Community Design Manual Update

Requested Action: Review the revised Community Design Manual, conduct a public hearing, and make a recommendation to the City Council for adoption of the revised document.

Introduction

The Planning Commission has been working on revisions to the CDM for about seven months. The CDM was a LENGTHY thirty eight page design review document. It was long and confusing for developers to work with, and required substantial staff time for each review. Many of the ideas were excellent and still relevant, but some have been adopted into code so the CDM was redundant in a few areas. Staff worked with the Commission to heavily revise and update the CDM so it is concise and easier to use.

Specific changes include:

- ~Clearly stating the goals of the design review process
- ~Better describe how the CDM applies to existing structures and remodels
- ~Update siding and trim materials list, and color scheme guidelines
- ~Remove all items that are now in code

Upon a final staff review of the Introduction section, staff recommends the edits shown on pages ii-iii of the Introduction. Some of the edits are simple wording changes, some are due to the fact that code addresses things like public process and the comprehensive plan, and the CDM does not. Lastly, signs are regulated by title 21, and the CDM does not address signage at all. Requiring a master sign plan be part of the application is a burden to the applicant this early in the design and permit process.

Staff Recommendation: Conduct a public hearing and make a recommendation to the City Council.

Attachments

1. Draft Resolution
2. Draft CDM

**CITY OF HOMER
HOMER, ALASKA**

Sponsor

Resolution 21-XX

DRAFT

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING
THE COMMUNITY DESIGN MANUAL.

WHEREAS, The City Council adopted the Community Design Manual (CDM) for the City of Homer with Resolution 04-34; and

WHEREAS, The City Council adopted amendments to the Community Design Manual with Resolution 09-04; and

WHEREAS, Chapter 4 of the 2018 City of Homer Comprehensive Plan, Goal 3-A-2 states: "Provide a clear and predictable approval process for every development including organizing project review and permitting and providing appropriate staff review;" and

WHEREAS, The CDM has been largely unedited since its adoption in 2004, and with recent reviews it has become clear that editing and streamlining of the document and policies is needed to better facilitate a clear and predictable approval process; and

WHEREAS, The document in its current form causes applicants and staff to spend a lot of time reviewing it, and this time could be more efficiently used if the document were more organized, clear, and up to date; and

WHEREAS, The Homer Planning Commission has held x meetings working on these amendments and conducted a public hearing on XXXX.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby amends the Community Design Manual attached as Exhibit A.

PASSED AND ADOPTED by the Homer City Council this ____ th day of _____, 2021

40 CITY OF HOMER

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KEN CASTNER, MAYOR

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48 ATTEST:

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MELISSA JACOBSEN, MMC, CITY CLERK

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Resolution 21-XX

CITY OF HOMER COMMUNITY DESIGN MANUAL

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Introduction

The scenic beauty of Kachemak Bay is an Alaskan natural treasure. As an area dependent on the visitor industry, the appearance and aesthetic quality of Homer takes on an economic importance. These design standards are intended to create and maintain a community that is visually attractive to both residents and visitors. This Design Manual has been adopted in order to maintain and improve the overall quality of the built environment and the way it fits into this splendid natural setting.

The Design Review process allows for early discussion of a proposed project's design and how modifications can result in more attractive design. As a result of this increased dialogue and flexibility, new development and redevelopment will have an opportunity to enhance Homer's character more effectively than would be possible if zoning regulations alone were strictly applied.

Applicability

The extent of design review varies according to the location and type of development. Sections applicable to the Town Center, Gateway Business District and the Scenic Corridor Overlay zoning districts are prescribed within the zoning code for those districts. Applicability of each chapter of the CDM when not required within a specific zoning district, is stated at the beginning of each chapter.

This Design Review Manual represents a statement of policies which shall be observed for building and site design in the City of Homer. The Commission is authorized to waive specific Design Manual requirements if it finds that (a) an alternative design represents an equivalent or superior design solution to what would otherwise be achieved by rigidly applying specific requirements, or (b) the alternative design meets the intent of the general requirement, or (c) reasonably meets the intent of the CMD when considering the constraints of the building site, building use, or excessive material costs.

Design Review Options

The City of Homer encourages a creative approach to design by providing a flexible review standard. Design Review may occur at any point in the permitting process, i.e. before, during, or after a Conditional Use public hearing. It shall require a separate public notice if not performed at the same time as a Conditional Use public hearing.

Design Review Goals

1. To encourage better design and site planning so that new development will compliment Homer's existing character as well as allow for diversity and creativity. Quality design is more important than strict conformance with the CDM.
2. To encourage buildings undergoing significant remodeling to meet appropriate and reasonable goals of the CMD, in keeping consummate with the scale of the remodel.
- ~~3. Facilitate early and ongoing communication among property owners, neighborhoods and the City.~~
- ~~4.3.~~ Provide an objective basis for decisions which address the visual impact of the City's future growth.
- ~~5. Ensure that the intent of development standards established by the Homer Comprehensive Plan are met.~~
- ~~6.4.~~ Increase public awareness of design issues and options.
- ~~7.5.~~ Support green infrastructure services such as water retention and filtration, particularly on sites with larger areas of impervious surfaces.

Design Review Application Requirements

Application for design review shall be submitted in such detail as to allow the review of the specific project on the merits of this document and other applicable City codes. It is not the desire of the City of Homer to burden the applicant with unnecessary and costly application requirements to gain approval of their project. To assure that design review is performed in an expeditious and cost effective manner, projects may be reviewed in one complete application or may be reviewed by category. To be considered complete, the following information must be submitted for each category of requested design review.

1. Architectural Design Review

- a. Elevation Drawings per HCC 21.73.020 (c). Complete elevation drawings of all buildings showing dimensions, trim details, and proposed materials including roofing, siding, and windows.

~~b. Sign Plan. A master sign plan showing the location of all signage consistent with HCC 21.60.~~

~~c.~~b. Architectural Lighting Details. Details on all lighting proposals which affect architectural detailing (e.g., indirect lighting), or which are for architectural enhancement.

~~d.~~c. Color Palette. A color palette of the building's exterior including roof, siding and trim.

2. Site Plan Review

a. Site plans and information in conformance with HCC 21.73.020, and when required by code, 21.73.030.

b. Screening details. Details on how all mechanical and utility equipment will be screened.

c. Fencing Details. Color, type and appearance of all fencing and screening materials.

3. Outdoor Lighting & Accessories Review

a. Light Fixture Details. The approximate type, appearance, location, height, and area of illumination for all outdoor light fixtures.

Chapter 1. Architecture

A sense of place cannot be achieved with a single building. It is the cumulative effect of each building and their relationship to surrounding buildings that creates rhythm and pattern and defines scale in the city's streetscapes. Homer aspires to have a built environment of universal and timeless quality with visual interest. The following design standards will help to achieve this.

Applicability: This Chapter applies to all non-residential uses and uses with more than 12 residential units in the Central Business and Gateway Business Districts, to all uses except single family dwellings and duplexes in the Scenic Gateway Corridor Overlay District, and to other districts as required by City Code.

The sections in this chapter include:

- A. The Building and its Setting**
- B. Hierarchy in Building Design**
- C. Prominent Facades**
- D. Siding and Trim**
- E. Color**
- F. Roofing Material**
- G. Building Lighting**
- H. Miscellaneous Architectural Devices**
- I. Parking Garages**

A. THE BUILDING AND ITS SETTING

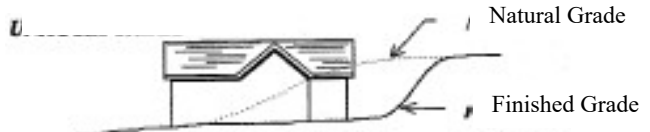
Buildings shall be designed to reflect the natural conditions of the site and shall include design elements which visually "anchor" the building to the site:

- 1. Incorporate building design elements into landscaped areas.** Without some form of transition between the ground and the building wall, structures can appear to be unrelated to, rather than part of, the site. This is especially true of stand-alone buildings in large open spaces. By extending secondary structural elements from the building out into the site, a transition between the ground and the building wall can be achieved. Low walls, stairs, walkways, or small plazas, for example, can help anchor and transition the building to the site.
- 2. Respect natural topography.** Buildings shall be designed to fit natural slopes rather than forcing the slope to fit a particular building design. Buildings shall be designed with both up-hill and downhill floor plans if the site involves significant slopes. Minimize cut and fill by developing designs which complement and take advantage of natural

topography. Sloped lots may require terraced parking lots and multi-level buildings designed to follow the slope.



ACCEPTABLE



UNACCEPTABLE

STRUCTURE SHOULD BE DESIGNED TO FIT NATURAL SLOPES.

AVOID SIGNIFICANT REGRADES BY SELECTING DESIGNS WHICH FIT NATURAL TOPOGRAPHY.

3. In the Scenic Gateway Overlay District changes to slopes can be made to maintain views.

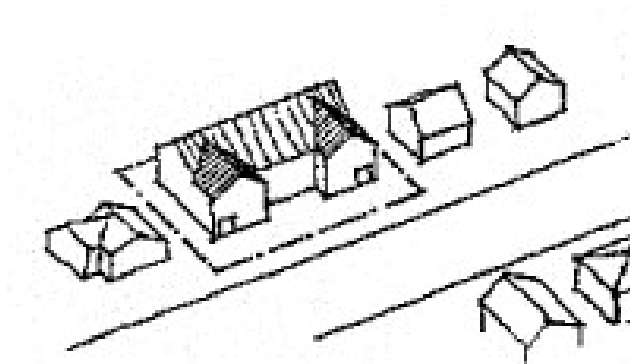
B. HEIRARCHY IN BUILDING DESIGN

Visual interest in the urban-scape can be achieved through a hierarchical approach to design. For example, strategically located structures, architectural elements, or site amenities designed as focal points create a visual "draw" and suggest a point of activity. These serve also as a reference point for all subordinate structures. This concept is particularly applicable to large parcels with multiple structures. Multiple "carbon-copy" buildings provide no visual hub and shall be avoided.

- 1. Design primary structure as a focal point.** Primary structures are those which serve as a visual draw to a site. Primary structures shall be included on all commercial sites with more than one building, on commercial sites with a one or more multiple tenant buildings. Primary structures shall be designed as follows:
 - a.** Primary structures shall be the focal point of development.
 - b.** Primary structures shall include a prominent entrance. The entrance may be defined by a projecting porch or portico or a clearly defined doorway designed as a focal point, in the facade design.
- 2. Include area for outdoor leisure for Primary Structure.** Primary structures shall incorporate either a prominent portico or plaza which is visible to the public and useable to customers or clients. Its size shall be at least 10% of the main level interior floor area. It must be incorporated into the building design. (This may or may not be the prominent entrance described above and may be applied toward

requirement for a commercial common area described on page 2-2 (site design chapter).

3. **Incorporate multiple tenant spaces into hierarchy of building design.** Required facade and height variation will provide some degree of hierarchy in a building's design. Where possible, facade and height variation should reflect the location of individual tenant spaces.
4. **Provide a common architectural treatment to all buildings on the same parcel or which are part of the same development.** In order to provide an overall pleasing development, all buildings shall employ a complimentary architectural style and finish.
5. **Integrate secondary structures as support buildings.** Secondary structures may be much simpler in design and still provide interest to the site plan or streetscape. Architectural interest is of less importance with secondary structures but they must meet all other design criteria for commercial buildings.
6. **Reflect mass and scale of adjacent structures.** Structures shall reflect the mass and scale of adjacent structures. If a larger structure is built next to a smaller structure, it must include projections in the facade which approximate the smaller structure's massing.



The projections in the facade of this larger building appropriately reflects the scale and spacing of the adjacent structures

7. **In the Scenic Gateway Overlay District-** In addition to the above, building placement and scale will be set to foster a village type of feel. Several buildings or the use of modulation and design elements that give the appearance of smaller street frontages are favored over single building masses with large monolithic faces visible along street frontages.

C. PROMINENT FACADES

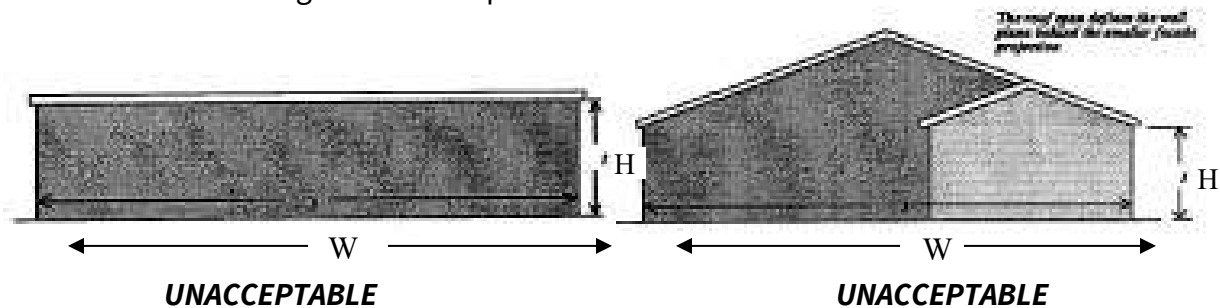
Prominent facades are defined as all building facades visible from arterials, and activity centers, and also facades which face the road(s) providing primary access to the building's site. The 'back' of a building, which may have loading areas or employee entrances, is not a prominent façade unless it meets one of the prior circumstances. Prominent facades may not be sterile wall planes void of architectural interest. They shall be detailed with added relief, shadow lines, and visual depth unless screened with landscaping. Prominent facades, whether the front, side or rear of the building, are subject to full design review and shall comply with all design criteria stated herein unless full on-site screening by vegetation can be achieved within 3 years.

1. **Provide consistent architectural interest to all prominent facades.** All prominent facades shall meet the following requirements.

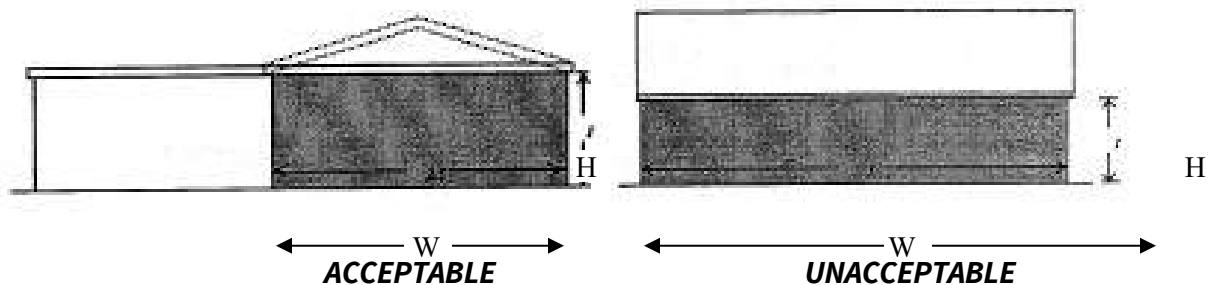
- a. Prominent facades shall not be blank walls.
- b. Prominent facades shall reflect the same design and detailing which typify the building's front including roof design, window proportion, facade variation, and building materials.
- c. Prominent facades may not be concealed behind high walls or privacy fences. Lower fences and walls not exceeding 3 feet in height are acceptable.

2. Building Scale and Mass

- a. **Avoid long, low wall planes.** Prominent facades shall have no wall plane wider than 2.5 times the height of the wall plane.



Height/Width proportions apply
with or without gable

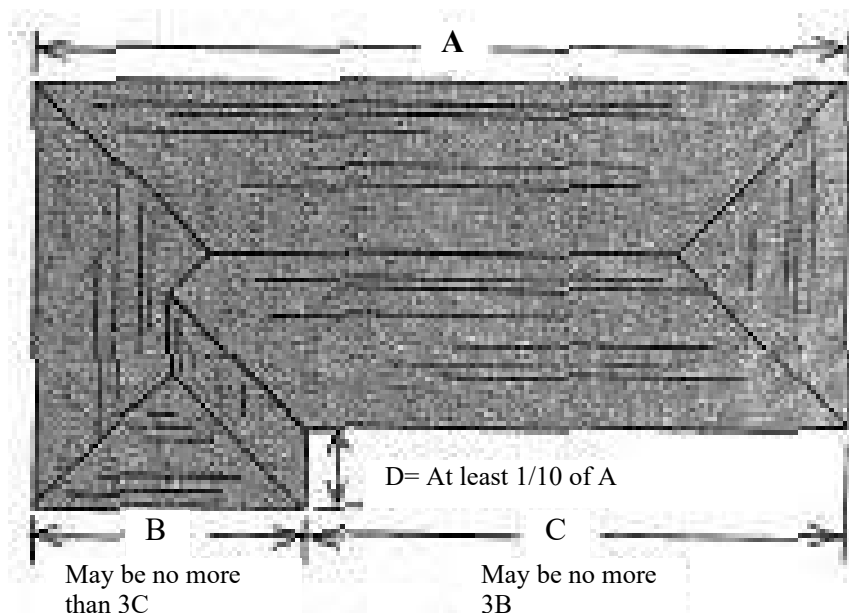


3. Provide substantial shifts in walls and roof surfaces. Wall and roof surfaces shall be broken down into smaller planes using substantial shifts in building footprints that result in substantial shifts in roof lines as follows:

a. Limit roof areas in the same plane. The total roof area in a single plane shall not exceed 5000 square feet.

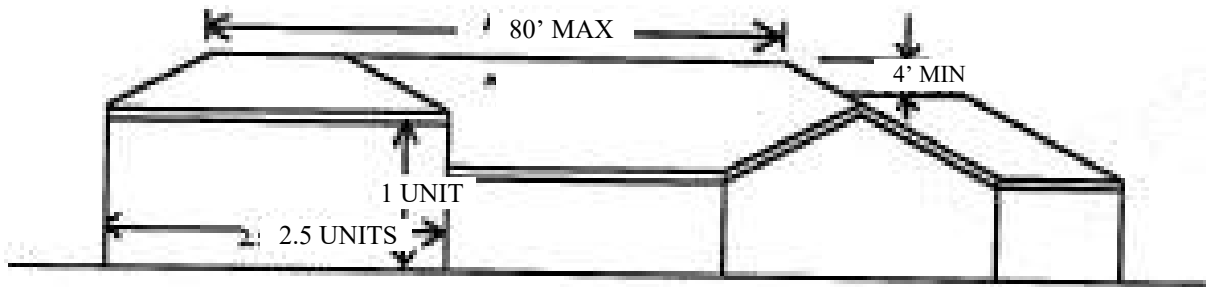
b. Horizontal shift. No portion of a prominent facade may exceed 60 feet in length without a shift in the building footprint measuring $1/10$ of the facade length. This shift may be broken down into smaller shifts of at least 4 feet each. For prominent facades of 100 feet in length or less, this horizontal shift may be accomplished by creating an entrance that serves as a major focal point, such as an extended roofed area, front porch or other feature, without jogging the exterior wall of the building.

c. Horizontal shifts, when required, shall be reflected by a shift or alteration in the roof design. To assure that footprint shifts are evenly distributed across the building facade, shifted wall planes shall have a width proportion of between 1-to-1 and 3-to-1 the width of adjacent wall planes on the same facade.



Horizontal shifts required if "A" exceeds 60 feet in length

d. Vertical shift - No single run of ridge, cornice, or fascia (excluding eave overhang) shall exceed 60 feet without a minimum 4-foot transition in height.



4. Provide visual terminus to tops of buildings. In order to avoid a truncated look at the top of the building, all structures shall have a visual "cap". This may include either a pitched roof or a flat roof. Pitched roofs shall have the appearance of true hips and gables with a defined ridge where opposing roof planes meet. Roof designs must conform to one of the following options:

a. Lower pitched roofs with extended eaves - A lower pitch roof with a 4/12 pitch or less is allowed provided eaves extend at least 2 feet beyond exterior building walls. A minimum of a 4/12 pitch is preferred.

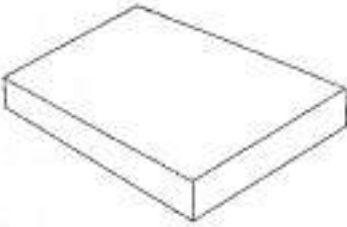
b. Steep pitch hip or gable roof form - conforming to the following roof pitch requirements:

- Minimum pitch - 4/12 in all areas:
- Maximum pitch - 12/12 in all areas.

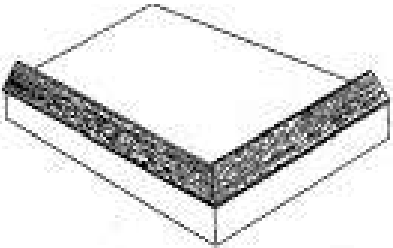
Exceptions: Steeples, bell towers and other ancillary structures.

c. False pitch roof with appearance of true hip or gable - Single story and multiple story buildings may, have a flat roof with a false pitch if:

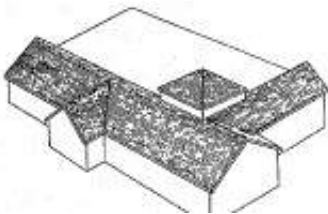
- The roof appears to be a true hip or gable from all public vantage points, and
- There are extending wings on each corner of the building which allow for a true hip or gable to extend out from the false hip or gable (this will avoid a mansard roof appearance).
- These roofs shall have a minimum 4/12 pitch, with eaves extending at least 2' beyond exterior walls.



UNACCEPTABLE - A simple box-like structure.



UNACCEPTABLE - The box structure with simulated mansard.



ACCEPTABLE - Notice how the gable ending beyond the corner of this box structure provides the appearance of a true gable from the public's vantage point.

5. Avoid unusual or atypical roof forms on all structures. A-frame, modified A-frame, curvilinear, domed, and mansard style roofs and other unusual or atypical roof forms are discouraged. Multiple gables over a single-mass structure forming a "saw-tooth" design are also discouraged.

Examples of discouraged roof forms:



Curvilinear



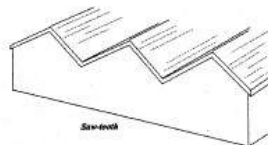
Geodesic Dome



A-frame



Modified A-frame



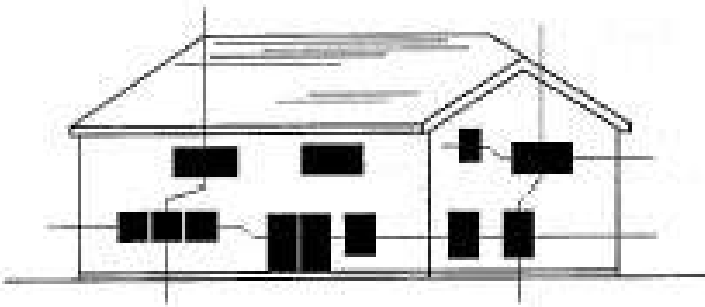
Saw-tooth

A-FRAME

6. Window and Door Fenestration

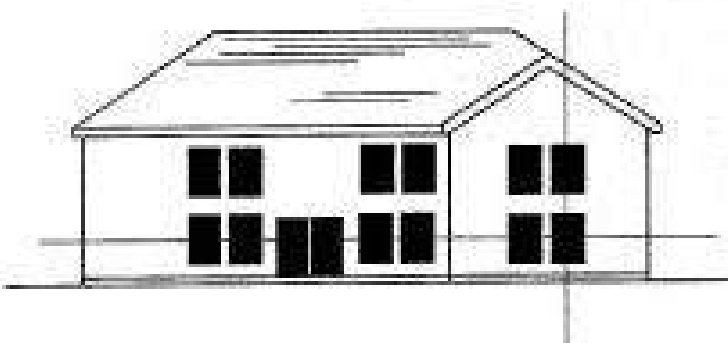
The primary purpose of windows to the interior portion of a building is to let in light and air. To the outside of a building, windows can make an architectural statement. The challenge to the architect is to make sure that both objectives are met. Windows placed primarily to serve interior functions may appear to have been haphazardly placed on the outside of the building or may be completely lacking due to a reliance on mechanical systems for light and air. This shall be avoided. Windows can and should serve as a pleasing focal point in a building's design or emphasize a shift in a wall or roof plane. Windows should relate to, align with, or complement exterior design features of the building.

a. Maintain balance in the placement of windows. To the extent possible, multiple windows on a single wall plane should be regularly spaced and aligned with other windows and doors on the same wall plane. Single or grouped windows on a wall plane should relate to other architectural features such as roof forms, doors, or facade projections.



AVOID

The scattered and haphazard arrangement of windows on this facade result in poor balance in the overall building design.



PREFERRED

The careful alignment of windows provides visual balance to this facade. Notice that it is not always necessary to center windows on a wall plane. Usually, however, non-centered windows look better below a hip than below a gable

b. Conform to solid/void ratio guidelines. Generally, windows and doors shall constitute a minimum of 25 - 30 percent of prominent facade wall planes. In situations where this is not practical, emphasis shall be placed on the building's form and texture. The following type of options may, in limited applications, be acceptable alternatives:

- Vertical and/or horizontal shifts in the facade combined with roof forms which accentuate facade variations.
- Variations in texture.
- Variations in exterior lighting.
- Vegetative screening.

c. Reflective glass is discouraged. The use of reflective glass shall generally not be allowed but may be considered in limited applications.

D. SIDING AND TRIM

Traditional building materials such as brick, stone or wood reflect human handicraft and provide texture to building exteriors. Materials for new construction and remodeling should convey similar visual qualities. Overall, the goal is to have buildings with visual interest.

1. **Use materials which simulate quality traditional building materials.** Finish materials must individually be characterized by texture, grain, or color variation. Individual components shall be small enough so that their collective application provides interest and texture to building facades and reflects human handicraft. Non-traditional materials shall be used sparingly unless they can be shown to have similar visual qualities of traditional materials or contribute to overall design character.
2. **Discouraged siding materials** include tile, smooth concrete blocks and smooth or flat metal panels. Creatively applied small sections of these materials may add architectural interest, but their use is discouraged as the predominant siding material.

E. COLOR

Color is an important and dominant aspect of building design. When selecting colors, consider carefully the different materials and levels of detail that color can emphasize. The field or base color is one of the most dominating features of the building; trim colors are used on the building's secondary features, while accent colors can emphasize the finer, more characteristic elements of the building's design. The goal is to create buildings with visual interest, rather than strict adherence to the guidelines below.

1. **Keep field colors subdued.** Field or base colors (the main color of the exterior walls) are recommended to be the more subtle earth tone colors. White, soft sands, grays, light pastels, and deep rich clay colors are appropriate field colors.
2. **Limit bold or bright trim colors.** Trim colors (fascia, cornice, window & door trim, kick panels, etc) may contrast or compliment the field color. Using a lighter or darker shade of the field color is always an appropriate trim color as is white.
3. **Finer details may be accented with brighter colors.** Accent colors can generally be brighter than field or trim colors. Accent colors should be used with restraint. Appropriate areas for accent colors are those details that might otherwise go unnoticed such as moldings or molding indentations, medallions, and shadow lines of window and door frames. Doors are also an appropriate location for accent colors.

F. ROOFING MATERIALS

Views of roofs from the ground and from higher elevations play an important role in the architecture of the city. Roofing materials shall be selected according to the following criteria.

1. **Use roof materials which provide texture and shadow lines.** Ribbed metal roofing or architectural or laminated shingles are encouraged.
2. **Avoid bright-colored, reflective or unsightly roofing materials.** The following roofing materials are discouraged and may only be considered by the Commission in unusual cases:
 - a. Gravel.
 - b. Untreated aluminum or metal (copper may be used).
 - c. Reflective materials (including aluminized hot-mopped roofs, white or light gray metals which have a metallic appearance in bright sun).
 - d. Brightly colored, highly visible roofing materials.
 - e. Red bar-tiles common to Spanish architecture
 - f. Urethane foam, painted and unpainted

G. BUILDING LIGHTING

Lighting may be used to accent a building but shall not be used to denote a corporate or commercial image except on allowed signage. Lighting may be directed to a building but should generally not emanate from a building.

1. **Avoid back-lit panels and awnings.** Translucent panels and awnings illuminated from behind are prohibited. This shall not exclude soft light being emitted from windows.

2. **Keep light source hidden from public view.** Except for decorator lights with frosted lenses or which use clear bulbs (e.g., candelabra bulbs) light sources shall be concealed behind soffits, within recessed containers, behind shrubbery, etc.
3. **Avoid bright lighting on outdoor surfaces of buildings.** Outdoor building lighting is limited to low levels except that more intense lighting is allowed at building entrances.
4. **Avoid colored lighting on buildings.** Colored lighting is limited to temporary holiday lighting only.
5. **Apply utility lighting sparingly.** Utility light fixtures which have an industrial or utilitarian appearance may be used for security lighting on buildings, but shall not be used in areas of concentrated lighting (e.g., service station canopies) unless the fixtures are not seen from public rights-of way.

H. MISCELLANEOUS ARCHITECTURAL DEVICES

Building design should be executed in a straightforward manner. Tack-on devices may not be used to mitigate poor design or to promote a particular theme. If a particular style or theme is desired, it should be reflected in the building's form and general detailing.

1. **Architecturally integrated artwork is encouraged.** Artisans are encouraged to create art and sculpture which compliment building architecture and the community.
2. **Avoid Architectural Gimmicks and fads.** Types of gimmickry to be avoided include, but are not limited to, the following:
 - a. **Tenant-specific motifs.** Detailing or color used to promote a particular theme or to identify a specific tenant should be avoided. Signage shall be used for this purpose.
 - b. **Neon Outlining.** Architectural features shall not be outlined in neon, linear lights, or tube-type lights. This includes exposed and concealed lights.
 - c. **Back-lit Awnings.** Awnings may not be backlit or otherwise illuminated from behind unless the awning fabric is completely opaque so that it blacks out all light.
 - d. **Non-functional Awnings.** Awnings shall be limited to traditional locations over windows walkways, and entrances or over other architectural features where weather protection is needed. Awnings must be applied to walls or posts and may not be applied to existing projections over walkways or windows.
3. **Maintain consistency in awning design.** Multiple awning designs are not permitted on a single building.

4. **Avoid awnings which obscure or dominate the building design.** Awnings, canopies and marquees may not obscure architectural details of the facade and may not be the prominent design element of the building. They must appear as a secondary and complimentary element of the building design.



This continuous awning overpowers the building design and hides the original parapet or cornice detail.

I. PARKING GARAGES

The following requirements are intended to soften the visual impacts of parking garages as seen from the street face.

1. **Recess vehicle entries in main facade.** Garage doors and open vehicle entries must be recessed at least 6 feet from the front facade plane.
2. **Screen parking garage facade.** Parking garage facades which are visible from the street shall conform to one or a combination of the following options:
 - a. **A landscaped screen.** Screening may be trees, shrubs or wall clinging plantings on a trellis.
 - b. **Store fronts.** The parking garage may be faced with storefronts or display-windows.
 - c. **Simulated storefront.** The openings of the garage may be designed to reflect or simulate the window pattern and material choice of the primary structure on the site. The door and window fenestration requirements on this page should be used as a guide.
3. **Acquire Commission approval for all parking garages over 1 story or which enclose 20 cars or more.** In making its determination of compliance, the Commission shall consider the design criteria under 1 & 2 directly above, and may also determine how much screening or architectural embellishment is required based upon projected lines of sight from the pedestrian's perspective.

Chapter 2. Site Design

The Site Design chapter addresses site amenities intended to enhance the visual character of the site, invite outdoor activities and connect public rights-of-way to structures on private property.

Applicability: This Chapter applies to all non-residential uses and uses with more than 12 residential units in the Central Business and Gateway Business Districts and to all uses except single family dwellings and duplexes in the Scenic Gateway Corridor Overlay District.

The sections in this chapter include:

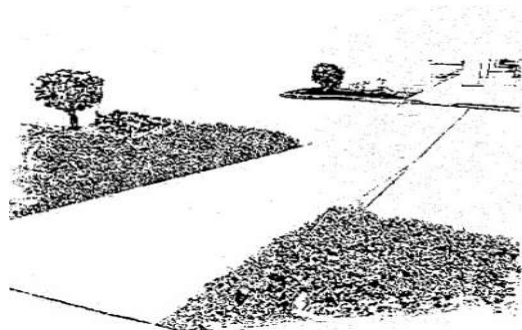
- A. On-site Walkways**
- B. Outdoor Common Areas**
- C. Commercial Streetscape**
- D. Landscaping and Screening**
- E. Fences**

A. ON-SITE WALKWAYS

Primary walkways are intended to link a building's main entrance to the public right-of-way and to facilitate and enhance the pedestrian environment.

1. Link commercial buildings and the public right-of-way with primary walkways.

Commercial buildings must be served by primary walkways which directly link the building's main entrance to the public right-of-way.



2. Assure that primary walkway width is proportionate to scale of project. Primary walkways must be a minimum of 5 feet on small-scale projects; wider walkways may be required for larger scaled projects.

3. Differentiate walkway surface. Walkways must be visually distinct from parking lot and

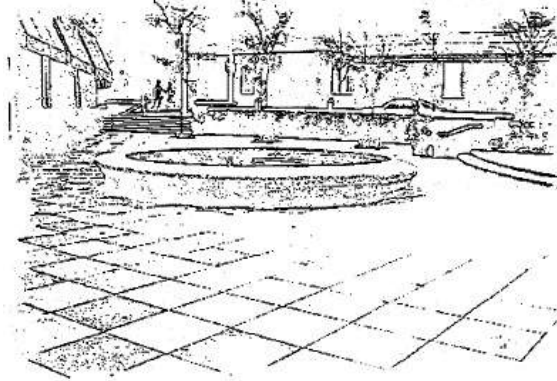
driveway surfaces and may include textured or colored materials. Paint or striping will not suffice to meet this requirement. Walkways must be functionally separate from parking lots and driveways except where they cross driveways.

4. **Accent walkway with significant landscaping.** One side of the primary walkway must be landscaped except where it crosses a driveway. The width of the landscaping shall be sufficient to maintain a proper planting environment. Planting strips must have an average width of 3 feet. Wider planting strips may be required for larger scaled projects.

5. **Accent walkway with lighting and seating areas.**

B. OUTDOOR COMMON AREAS

A common area is a designed outdoor space which encourages outdoor activities and leisure in outdoor spaces associated with commercial development. Required common areas must be provided on-site, but may be enlarged and extended into city rights-of-way to connect with the sidewalk, subject to City of Homer approval.



1. **Provide common area of a size proportionate to development.** Commercial development greater than 5000 square feet in floor area shall include common areas equal to 5% of the gross floor area of the building to which they apply, excluding garages, warehouses, and similar support structures.
2. **Choose type of common area best suited to development.** Common areas must include trash receptacles and casual seating and/or tables. Common areas must be one of (or a combination of) the following:
 - a. **Balcony, terrace or covered colonnade** - providing a minimum walking width of 8 feet and which also incorporates seating areas.

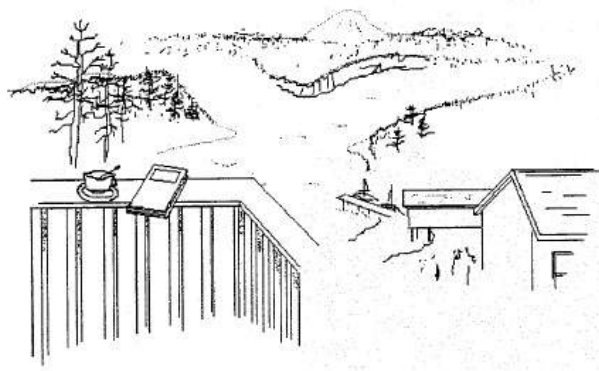


a. Plaza - with colored or textured pavement surface, e.g., brick, stone, exposed aggregate concrete or colored and textured concrete. To provide pattern and enhance the texture of the pavement, concrete surfaces shall be scored or otherwise divided into smaller sections.

b. Pocket park - developed between or in front of buildings which include landscaped areas of grass, trees, shrubbery and flowers, combined with limited paths and pavement areas for casual tables and/or seats.

c. Scenic View Area - consistent with these design standards. Viewing platforms intended for public access shall be identified with signage located at the edge of the public right-of-way.

d. Off-site common areas - For structures with less than 10,000 square feet of floor area, any of the above common areas which are within 250 feet of the subject site and are at least as large as the required common area for the subject site meet common area requirements and do not have to be repeated. This does not imply that the off-site common area must be accessible for the subject site's use. It merely develops an appropriate density for outdoor common areas in a given district.



3. Locate common areas in view corridors. Where view corridors occur on a site,

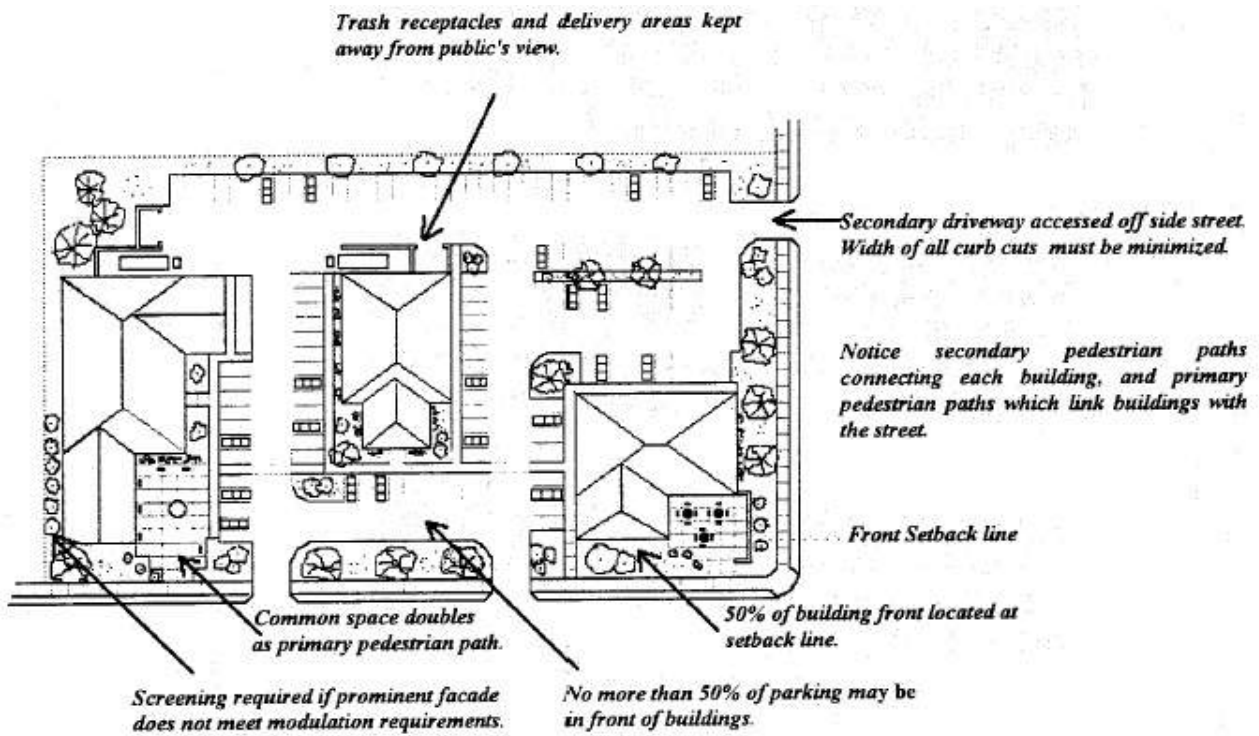
common areas shall be located within the view corridor. Use care in the selection of landscape plantings so as to preserve views.

4. **Provide direct access to common areas with pedestrian walkways.** Common areas (or outdoor stairs leading to common areas) shall be easily accessible to customers from the public right-of-way by either primary or secondary walkways.

C. **COMMERCIAL STREETSCAPE**

To enhance the visual quality and the pedestrian environment of commercial streets and activity centers, an increased emphasis should be placed on landscaping, pedestrian walkways and architecture. Parking lots and service areas should be visually diminished by keeping them to the side or rear of the buildings.

1. **Locate structure near front setback line.** At least 50 percent of the primary structure's front facade shall be placed near the front setback line. The remaining portion of the building may be stepped back to accommodate common areas or parking.
2. **Orient service and delivery areas away from the street.** Where possible, service and delivery bays, including warehouses and mini-storage units, may not be oriented to the street. These areas should be separated from public access routes and parking areas whenever practical.



3. **Use landscaping to screen parking lots and service areas.** Parking lots and other expansive pavement areas shall include a wall, solid hedge or landscape berm at least 3 feet high (conforming to clear vision requirements at driveway entrance) parallel to the right-of-way to soften the visual impact of the lot from the street.
4. **Link dissimilar buildings with common site amenities.** Visual continuity can be achieved between dissimilar buildings by emphasizing common elements of site design (e.g., landscaping, screening, furnishings, light standards, decorative paving materials). Similar colors of structures can also provide visual continuity to the streetscape.
5. **Provide covering over walkways where appropriate.** Encourage pedestrian use of walkways by providing canopies, marquees, and awnings on building fronts which abut a sidewalk.
6. **Place no more than 50% of required parking in front of buildings.** Where practical, no more than 50% of required parking may be located in front of the building. In this context, the front shall be the building side facing the street providing primary access to a site.
7. **Avoid parking in front of building entrance.** Parking spaces in front of the main building entrance interfere with entrance visibility and access. These shall be avoided.

D. LANDSCAPING & SCREENING

Formal landscaping provides a pleasing transition between the natural setting and the built environment and between adjacent built environments. Landscaping may not be considered adequate compensation for poor site or building design; it shall be used to enhance new development (regardless of how attractive the buildings on a site may be) and to soften the visual impacts of such urban necessities as parking lots and mechanical equipment. In addition to aesthetics, landscaping provides green infrastructure services such as water retention and filtration, particularly on sites with larger areas of impervious surfaces. Natural vegetation, together with existing views of the water and land views is an integral part of the Homer setting and should be preserved on both developed and vacant parcels. Views through or framed by natural vegetation may be achieved while retaining the existing vegetation which characterizes Kachemak Bay.

1. Utilize non-invasive attractive plants to achieve landscaping and screening, preserve or create tree canopy, and provide ecosystem services such as water retention and filtration. Concepts such as rain gardens and other Low Impact Development concepts are encouraged.
2. **Choose plantings which are compatible with existing vegetation.** Plantings must be

of a type which will thrive amid existing vegetation without killing or overtaking it. Avoid mixing incompatible plants which require different planting environments or micro-climates. Avoid haphazard mixture of textures, colors and plant types.

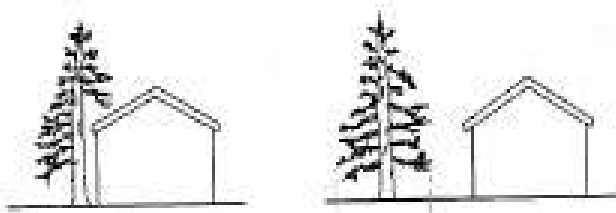
3. **Locate vegetation to preserve significant views.** Views and vistas from public rights-of-way shall be considered when determining placement of vegetation or retention of existing vegetation. While it is not the intent to avoid all trees in the foreground of a view, consideration should be given to the expected height of trees and how they might be located to "frame" the view. The following standards promote retention of existing views and apply to both commercial and residential properties:

- a. **Selective thinning** - Larger tree stands which, over time, have closed off significant views may be selectively thinned. Limit thinning to maintain a balance of timber and continuous canopy.

- b. **Trees within view** - Allow trees to be a part of the view. Limited numbers of trees should not be considered an obstruction to a view.

4. **Provide adequate room for retained vegetation.** Identify how retained trees will be protected both during and after construction.

- a. **Location of structures.** Buildings, retaining walls, utilities, and paved surfaces must be far enough away from retained trees to allow room for construction activities (including grading and excavation) and to assure a proper growth environment after construction.



Neither the building footprint or the area of construction should encroach into the drip line of trees to be protected

- b. **Area of construction.** In no case shall construction activities take place within the drip line of the tree (root zone) without extra precautions.

- c. **Tree well.** Provide a tree well or other form of protection where the surrounding grade must be raised.

- d. Significant vegetation to be retained must be protected during construction by installation of an effective system. The system must be approved by the Public Works Department, and must be in place during construction.

5. **Replace lost trees which were intended to be retained.** Any tree proposed or required to be retained and which is subsequently lost or destroyed must be replaced with at least three 6-foot trees of an appropriate species.

6. **Retain the natural symmetry of trees.** Trimming of trees shall be done in a manner that preserves the tree's natural symmetry. Topping shall be avoided unless required for health/safety reasons. Limbing-up may be appropriate if sufficient crown is retained to preserve the tree's health.
7. **Use shrubs or vines on blank walls.** Landscape along blank walls. Shrubs, vines or other plantings can be used to provide either coverage or grouped plantings along otherwise plain walls.
8. **Outside storage of materials and equipment and trash, if otherwise allowed, should be screened from view from adjacent streets and residential areas.** Such screens should be opaque and may consist of walls, fences, landscaped berms, evergreen plantings, or any combination thereof.
9. **Enclosed storage of materials, equipment and trash is encouraged.** The enclosure will be built to be complementary to the primary structure or landscaped or located so as to not be visible from the street.
10. **Elements such as, but not limited to; HVAC units, telephone boxes, fuel tanks and electrical transformers, shall be integrated into the site design through the use of landscaping, berms or fences and should be as unobtrusive as possible.**

E. FENCES

Fences are useful for defining space, providing security, and visually enhancing outdoor settings. The degree that these qualities are considered depends on the intended purpose of the fence and where it will be located. The design of the fence may not be important if the fence is strictly for security reasons (e.g., a mini-storage yard), but if the fence is visible to the public right-of-way, design takes on added significance.

1. **Choose fence materials carefully.** Fences shall be constructed of wood, wrought iron, brick, stone, or cinder block. Smooth-faced cinder block must have a veneer finish on the side visible to the public's view. Coated chain link attached to wood posts and rails is permitted. Chain link with slats that color coordinate with the main building color scheme are also permitted. Other materials which have the general appearance and visual quality of approved fence materials may be approved by the City Planner.
2. **Limit chain link along prominent facades and arterials.**
3. **Limit height of fences.** Unless otherwise required by Homer City Code, fences are limited to a height of 4 feet from the natural grade along arterial frontages and in the front yard.

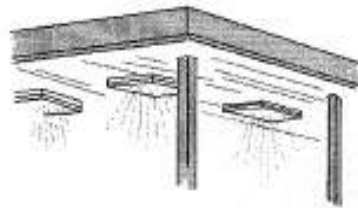
Chapter 3. Outdoor Lighting

The primary purpose of outdoor lighting is to improve visibility and safety within outdoor spaces. However, light can also enhance a setting if the intensity and source of the light corresponds to the visual character of the surroundings.

Applicability: The outdoor lighting section applies to all uses in areas zoned Central Business, Rural Residential, Urban Residential, Residential Office, Gateway Business District, Scenic Gateway Corridor Overlay District, and the portion of General Commercial 1 District lying south of Beluga Lake.

1. **Avoid lighting large areas with a single source.** Large areas may be lit with a number of low intensity sources close to the area requiring illumination; illumination of a large area with a remote single source of light shall be avoided.
2. **Avoid excessive light throw.** Lighting shall not be cast beyond the premises and shall be limited to illumination of surfaces intended for pedestrians or vehicles. Illumination of landscaped areas shall be avoided unless lighting is part of the landscape design or the area is intended for recreational use.
3. **Keep light source hidden from public view.** Except for streetlights installed in rights-of-way, all light sources, whether on public or private property, shall be hidden or conform to light standards specified herein. Light sources (e.g., light bulbs) shall not be visible except on approved decorator lights. Sources of high intensity light, whether behind a lens or not, shall not be visible to the public.

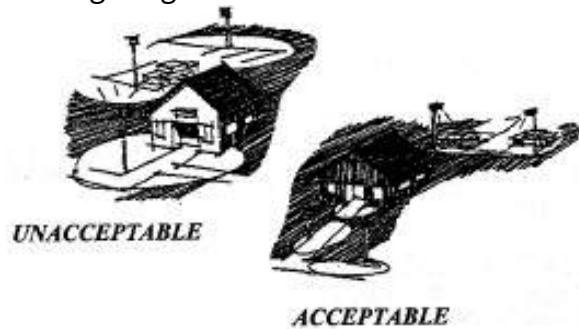
High intensity light sources may not be visible to the public. Fixture designs of an industrial or utility appearance shall be avoided.



Indirect lighting keeps light source hidden from the public's view. Recessed spot lighting may supplement indirect lighting where more direct lighting is desired.



4. **Use downward directional lighting.** All lights more than 7 feet above the ground shall be downward directional lighting.



5. **Choose approved outdoor light designs.** The following lighting types are approved:
- a. "Shoe box" style pole lamps to be approved as appropriate for district (downward directional).
 - b. Ornamental pole lamps - to be approved as appropriate in color and style for district.
 - c. Bollard lights - to be approved as appropriate in color and style for district.
6. **Avoid light fixture designs which have an industrial appearance.** Designs of an industrial or utility appearance shall be avoided on all fixtures visible to the public (e.g., mercury vapor lights, cobra lights, etc.).



NO!

NO!

NO!

YES!

Except for the "shoe-box" style light on the right (which is downward directional), these other lights are too industrial in their appearance and are designed for illuminating large areas with a single light source.



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 21-32

TO: Homer Planning Commission **21-32**
FROM: Julie Engebretsen, Deputy City Planner
THROUGH: Rick Abboud, City Planner
DATE: 5/19/2021
SUBJECT: Skyline Drive Subdivision No. 7A

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

General Information:

Applicants:	Theresa L Dubber PO Box 352 Homer, AK 99603	Ability Surveys 152 Dehel Ave Homer, AK 99603
Location:	West Hill Road, at the hairpin curve	
Parcel ID:	17503048	
Size of Existing Lot(s):	3.54 acres	
Size of Proposed Lots(s):	1.5 and 2.035 acres	
Zoning Designation:	Rural Residential District	
Existing Land Use:	Residential	
Surrounding Land Use:	North: Bidarki Creek and ravine South: Residential/vacant East: Residential West: Bidarki Creek and ravine	
Comprehensive Plan:	2018 Comprehensive Plan Implementation Item 1-C-1: Promote infill development in all housing districts. <i>Staff comment:</i> Lots are larger than the minimum lot size requirement of 40,000 square feet when served by onsite water and sewer systems.	
Wetland Status:	The 2005 wetland mapping shows no wetland areas.	
Flood Plain Status:	Zone D, flood hazards undetermined.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are not available at this time.	
Public Notice:	Notice was sent to 27 property owners of 19 parcels as shown on the KPB tax assessor rolls.	

Analysis: This subdivision is within the Rural Residential District. This plat divides one 3.54 acre lot into two smaller lots.

Homer City Code 22.10.051 Easements and rights-of-way

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

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

Staff Response: The plat meets these requirements.

- B. North point;

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements. No city water or sewer is available.

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

Staff Response: The plat meets these requirements. No roads are proposed for dedication.

- 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. Steep area is shown.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

Public Works Comments: No comments.

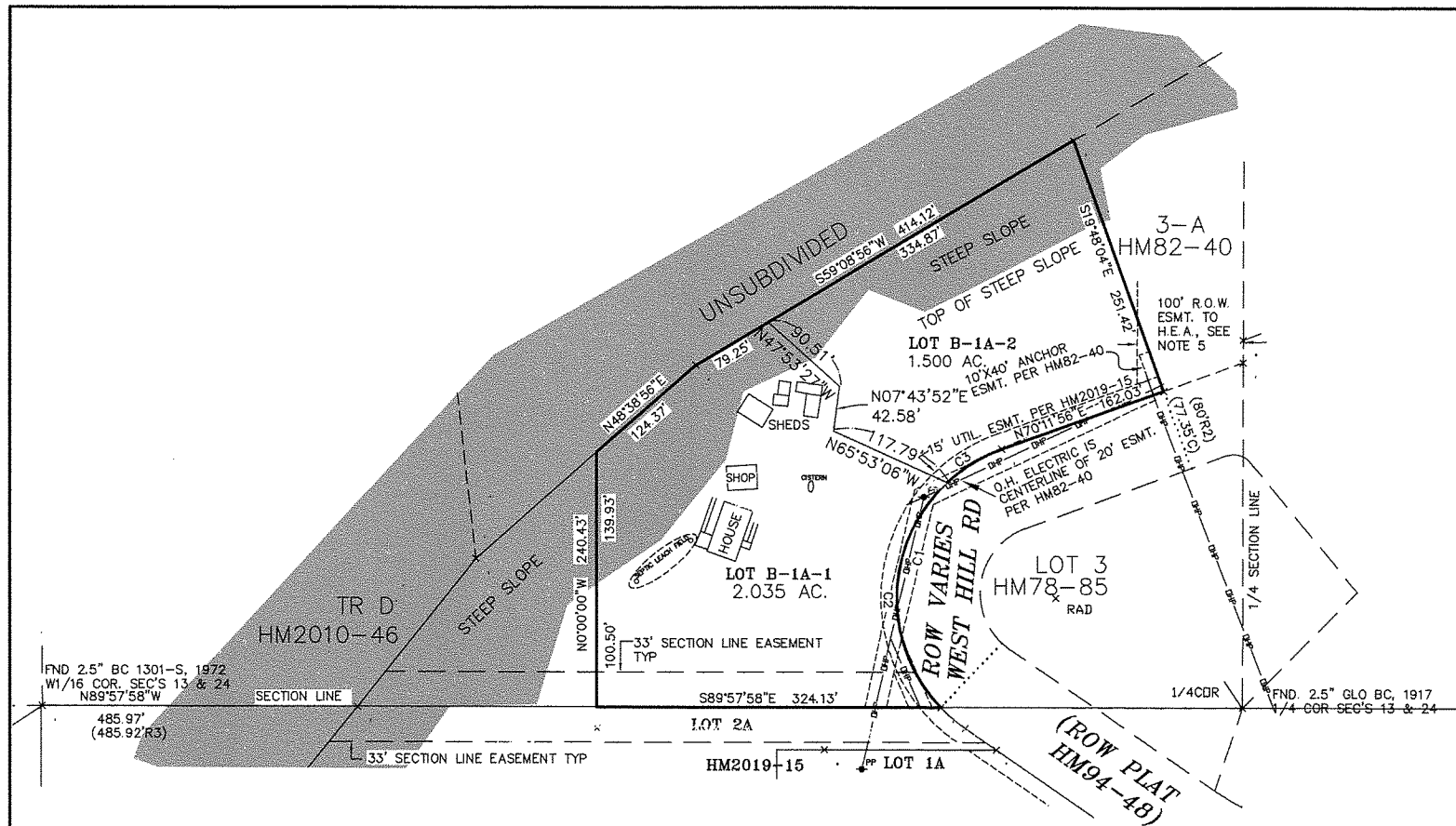
Staff Recommendation:

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

1. Include a plat note stating "Property owner should contact the Army Corps of Engineers prior to any on-site development or construction activity to obtain the most current wetland designation (if any). Property owners are responsible for obtaining all required local, state and federal permits."

Attachments:

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



NOTES

1. THIS SUBDIVISION IS SUBJECT TO HOMER CITY CODE.
2. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
3. NO DIRECT ACCESS TO STATE MAINTAINED R.O.W. PERMITTED UNLESS APPROVED BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
4. PER BOOK 19, PAGE 83 AND BOOK 27, PAGE 17, HOMER RECORDING DISTRICT, A RIGHT-OF-WAY EASEMENT TO HOMER ELECTRIC ASSOCIATION CLAIMS FOR AREA WITHIN 100 FEET OF 1/4 SECTION LINE (SHOWN HEREON).
5. THE DEPARTMENT OF TRANSPORTATION FILED A RIGHT-OF-WAY MAP FOR WEST HILL ROAD (HM94-48) THAT DOES NOT HARMONIZE RIGHT-OF-WAY WITH THIS OR FORMER PLATS OF THESE LANDS, OR RECORDED DEEDS. SEE PLAT NUMBERS 54-2019, 74-2008, 82-40, 87-2 & 78-85.
6. THE BASIS OF BEARINGS IS HM87-2 AND IS S89°57'58"E 1319.65 RECORD FROM THE WEST 1/16 CORNER OF SECTIONS 13 & 24 TO THE 1/4 CORNER COMMON TO SECTIONS 13 AND 24, AND MEASURED AS S89°57'58"E 1319.75 THIS SURVEY (AS SHOWN).
7. NO WETLANDS ARE SHOWN AS AFFECTING THIS LAND ON THE KPB GIS.

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	296.90'	149.40'	113°51'40"	N13°16'06"E	250.40'
C2	236.41'	149.40'	86°03'46"	S00°37'52"E	203.90'
C3	60.48'	149.40'	27°47'55"	S56°17'59"W	71.78'

PLAT APPROVAL

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

BY _____
Authorized Official

CERTIFICATE OF OWNERSHIP

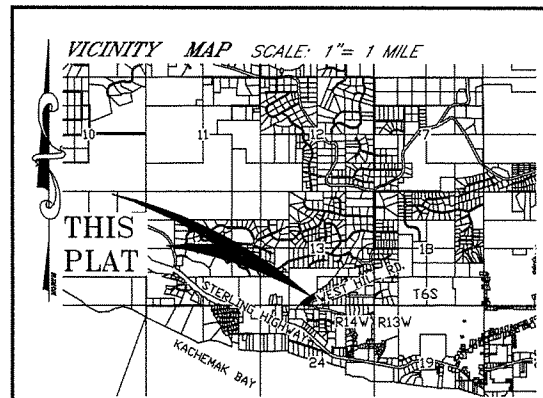
I hereby certify that I am the owner of the real property shown and described hereon, and that I hereby adopt this plan of subdivision, and by my free consent dedicate all public rights-of-way and grant all easements to the use shown.

THERESA LOUISE DUBBER,
PO BOX 352
Homer, AK 99603

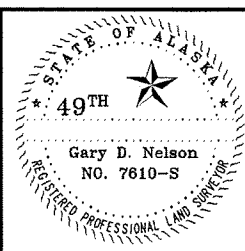
NOTARY'S ACKNOWLEDGEMENT

For THERESA LOUISE DUBBER
Acknowledged before me this _____ day of _____ 2021.

Notary public for Alaska _____ My Commission Expires _____



DATE	4/21/2021
SCALE	1"= 100'
GRID No.	AR-73
JOB No.	5254
DRAWING	5254_OPT2



SKYLINE DRIVE SUBDIVISION No. 7A
A SUBDIVISION OF TRACT B-1A SKYLINE DRIVE
SUBDIVISION No. 7 (HM2019-15), WITHIN THE
SW1/4 SEC 13, T6S, R14W, S.M., CITY OF HOMER,
KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT,
HOMER RECORDING DISTRICT, STATE OF ALASKA
CONTAINING 3.535 ACRES

OWNER:
THERESA LOUISE DUBBER
PO BOX 352
Homer, AK 99603

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

PLAT #
Rec Dist
Date
Time

KPB FILE No. 2021-

ABILITY SURVEYS

SURVEYING HOMER SINCE 1975

LAND SURVEYING - CONSTRUCTION SURVEYING - DESIGN SURVEYING

152 DEHEL AVE. , HOMER, AK. 99603 PH. 907-235-8440 FAX. 235-8440

4/21/2021

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

Re: Preliminary Plat submittal of **SKYLINE DRIVE SUBDIVISION NO. 7A.**

Enclosed herewith are 1 reduced to 11 X 17 copy of the preliminary plat and 1 full sized 24"X 36" copy, and a check #4183 in the amount of \$300 for the City of Homer filing fee.

The proposed subdivision is located on the large hairpin turn of West Hill Road.

The existing Parcel is not serviced by city water and sewer.

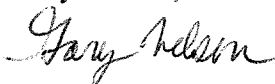
I believe the area is zoned as "Rural Residential".

An engineer has conducted soils testing and is working on the reports.

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

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

Gary Nelson, PLS



NOTICE OF SUBDIVISION

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

Proposed subdivision under consideration is described as follows:

Skyline Drive Subdivision No. 7A Preliminary Plat

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

A public meeting will be held by the Homer Planning Commission on Wednesday, May 19, 2021 at 6:30 p.m. The meeting will be held virtually.

Anyone wishing to view the complete proposal, attend or participate in the virtual meeting may do so by visiting the Planning Commission Regular Meeting page on the City's online calendar at <https://www.cityofhomer-ak.gov/calendar>. The proposal and meeting information will be posted by 5pm on the Friday before the meeting.

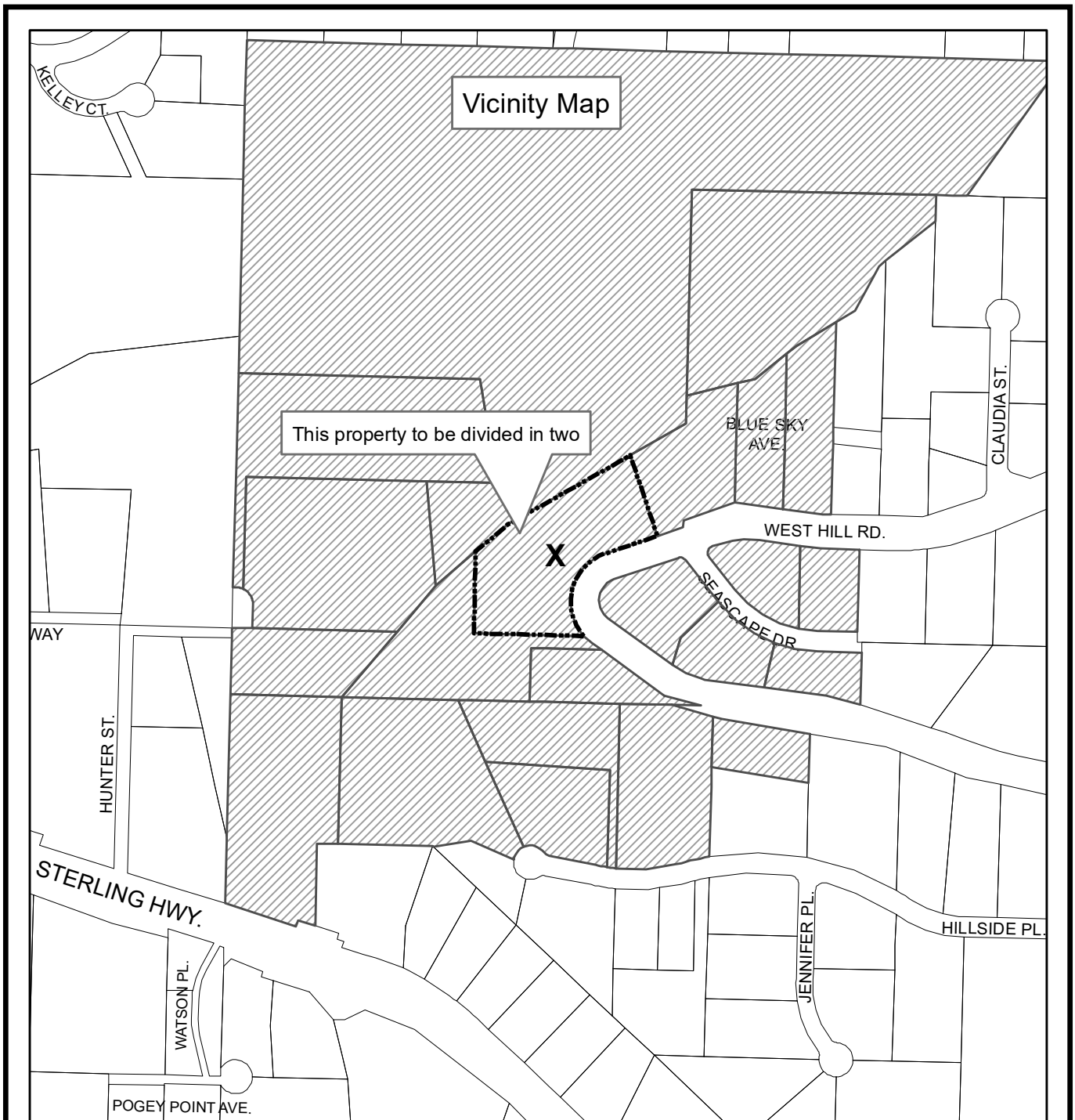
Visit the link above or call the City Clerk's Office to learn how to provide verbal testimony during the meeting via telephone or the Zoom online platform. Written comments can be emailed to planning@ci.homer.ak.us or mailed to Homer City Hall, 491 E. Pioneer Ave., Homer, AK, 99603. They may also be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

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

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

.....

VICINITY MAP ON REVERSE



City of Homer
Planning and Zoning Department

April 26, 2021

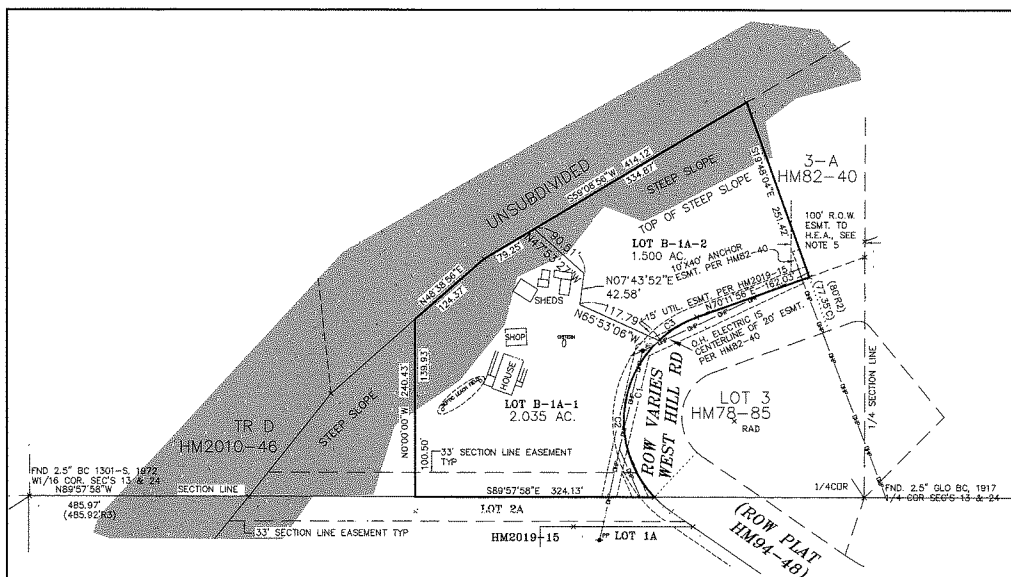
Skyline Drive Sub No. 7A Preliminary Plat

Marked lots are within 500 feet and
property owners notified.

0 150 300 600 Feet



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



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BY _____
Authorized Official

CERTIFICATE OF OWNERSHIP

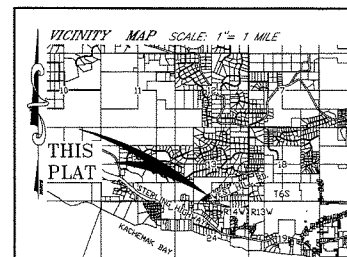
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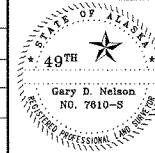
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For THERESA LOUISE DUBBER
Acknowledged before me this _____ day of _____, 2021.

Notary public for Alaska _____ My Commission Expires _____



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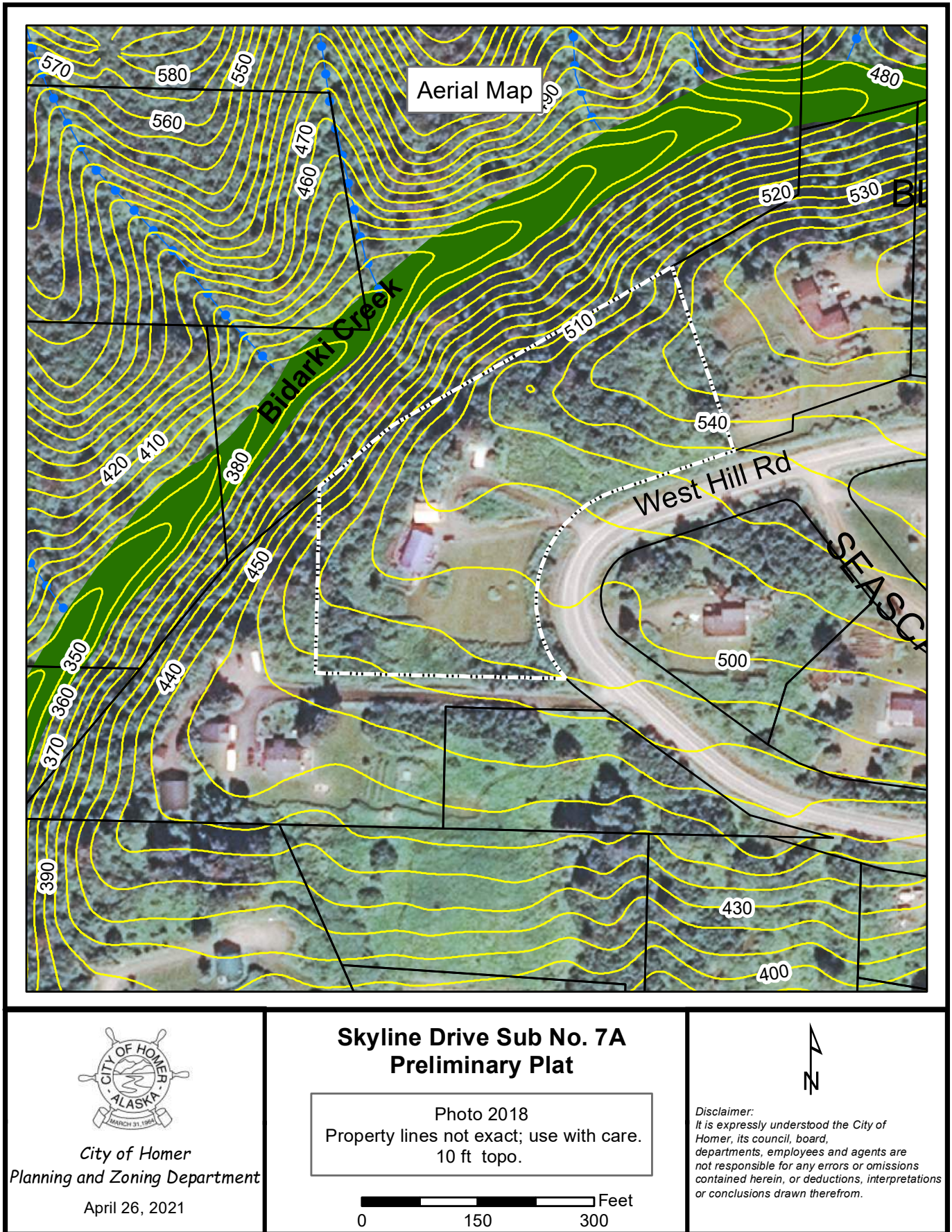
SKYLINE DRIVE SUBDIVISION No. 7A
A SUBDIVISION OF TRACT B-1A SKYLINE DRIVE
SUBDIVISION No. 7 (HM2019-13), WITHIN THE
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ABILITY SURVEYS
GARY NELSON, PLS
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152 DEHEI AVE. HOMER ALASKA 99603

PLAT #
Rec Dist _____
Date _____
Time _____ M

KPB FILE No. 2021-



City of Homer
Planning and Zoning Department
April 26, 2021

Skyline Drive Sub No. 7A Preliminary Plat

Photo 2018
Property lines not exact; use with care.
10 ft topo.

0 150 300 Feet



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



City of Homer

www.cityofhomer-ak.gov

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(f) 907-235-3118

STAFF REPORT PL 21-33

TO: Homer Planning Commission
FROM: Travis Brown, Planning Technician
MEETING: May 13, 2021
SUBJECT: Planning Commission Election of Vice Chair

Introduction

The Vice Chair position is vacant due to the recent resignation of Commissioner Petska-Rubalcava. A new Vice Chair should be elected by the Commission to serve until the term is up this August. The Planning Commission bylaws state that elections for Chair and Vice-Chair shall be held annually, in August, and that vacancies should be elected at the next regular meeting.

Election of Vice Chair can be conducted similar to the typical August Election process, only voting on Commissioner Smith's Chair position can be skipped since the Chair seat will not be up for election until August.

Suggested Vice Chair Election Process

Chair opens the floor for nominations for Vice Chair, and the Commission makes one or more nominations. The vote can be by roll call, or by secret ballot.

Staff Comments:

Staff recommends the Planning Commissions conduct elections for Vice-Chair.



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Office of the City Manager

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Memorandum

TO: MAYOR CASTNER AND HOMER CITY COUNCIL
FROM: ROB DUMOUCHEL, CITY MANAGER
DATE: MAY 6, 2021
SUBJECT: CITY MANAGER'S REPORT FOR MAY 10, 2021 COUNCIL MEETING

FY22/23 Budget

A draft of the operating budget numbers will be in the meeting packet for the May 10th meeting. We will be introducing the actual budget ordinance at the May 24th meeting. At that meeting we are also aiming to provide a draft of the Capital Budget with intentions of submitting a capital budget ordinance on June 14th. The operating and capital budgets are both on track for approval before the end of the 2021 fiscal year on June 30th.

Update: Cameras at Library and Airport

In February, Council approved Ordinance 21-04 allocating additional funds for the security camera replacement project at the Library and the Airport. Sherman Technologies, the winning bidder, sent a crew to Homer in early April and installed the new security cameras. At this time, all cameras are up and running with much higher resolution and much better coverage of the buildings.

Mariner Park Dredging

It took two attempts, but we have successfully dredged a channel which allows Mariner Park Lagoon to drain. This is an action the City takes as needed. The first attempt did not stand up to the tides and other natural forces in that area. A second cut has proven to be more durable. The work was done under an existing US Army Corps of Engineers' permit which expires this year, staff is working with the Corps to renew it for another ten years.



Update: Poopdeck Trail ADA Ramp

The current installation scheduled for the customized steel ramp which will allow ADA access to the Homer Land Trust side of the Poopdeck Trail is May 17th to 19th. The manufacturer will be on hand to assist Kachemak Heritage Land Trust staff with some City support.

National Police Week and Peace Officer Memorial Day

Monday, May 10th marks the start of National Police Week. The City of Homer joins many communities across the US in recognizing National Police Week and thanking members of our Police Department for their care and professionalism. We appreciate our officers for the dedicated service they provide to our community every day of the year. The week concludes with Peace Officers Memorial Day on May 15th. Flags will be lowered that day, and our officers will wear black bands on their badges in remembrance of fallen officers.

Technology Plan

The IT team has been working on a draft technology plan for the coming years. Much like the plans we've seen recently from Public Works, we must plan for the regular replacement and maintenance of the City's digital infrastructure. I have attached a draft overview of the plan which is still under development.

Employee Updates

I am very excited to welcome Christine Drais to the City Manager's office! Christine is the new Assistant to the City Manager and started with us on May 3rd. Christine recently moved to Homer from South Carolina and has a B.A. in Business Administration from the University of Central Florida and a M.S. in Parks, Recreation and Tourism Management from Clemson University.

While welcoming Christine, I also want to say thank you to Rachel Tussey in the Clerk's Office. Rachel has been assisting me with many City Manager Office admin tasks across the last five and a half months and has been a huge help in navigating the period between full-time assistants.

From the Library Director's report:

Claudia Haines announced her departure, effective April 30. Claudia has worked at HPL for ten years and has made a tremendous impression on the institution and the town. She will be sorely missed! Without Claudia, some of the regular ongoing programs she pioneered (such as the Kids Book Club and Radio Storytime) will be suspended. The Summer Reading Program will go forward on a somewhat reduced scale, and we will consider resuming the major programs once a new librarian is hired for the position.

From the Public Works Director:

Staci LaPlante – Public Works Office Manager for about 8 years, recently departed so she can relocate to Ketchikan with her husband. We wish her well and will miss her efficiency and the big-hearted way she kept the rest of us in line.

Bethany Christman is taking Staci's place in the Public Works Office. Bethany is no stranger to Public Works, having worked almost 2 years as a Maintenance Technician with the Water/Sewer Utility. Bethany said she needed a change of pace and volunteered to step into Staci's position, which was lucky for us, because she already knows what Public Works does. In her other lives, Bethany was a certified welder/boiler maker and is the proud mother of 4-year old twins.

William ("Will") Kern took Bethany's place as Maintenance Technician with the Water/Sewer Utility. Will and his wife recently relocated from Montana to join their son & family in Homer. Before coming to Homer, Will operated an equipment –intensive family business for over 29 years where he learned to fix anything with duct tape and bailing wire, a skill that will come in handy in our water/sewer world.



Bethany and Will in the Public Works front office

COVID-Related Updates

COVID Risk Status

On March 30th I moved the City from the “Orange” to “Yellow” level on our COVID risk framework. The City remains in yellow status after the most recent review completed on April 19th. On April 26th, I directed a limited opening of City Hall and the Library. Both sites are doing well with visitors from the public. I still ask that the public consider whether their visit needs to be in person or if it could be handled at a distance through other channels. While the COVID context does not feel as intense right now, it is still a very real threat and there are many individuals in the community who are vulnerable to infection or have not chosen to take the vaccine.

Enclosures:

1. City of Homer Technology Plan FY 2021-23 (Summary)

City of Homer Technology Plan FY 2021-23 (Summary)

5/5/2021



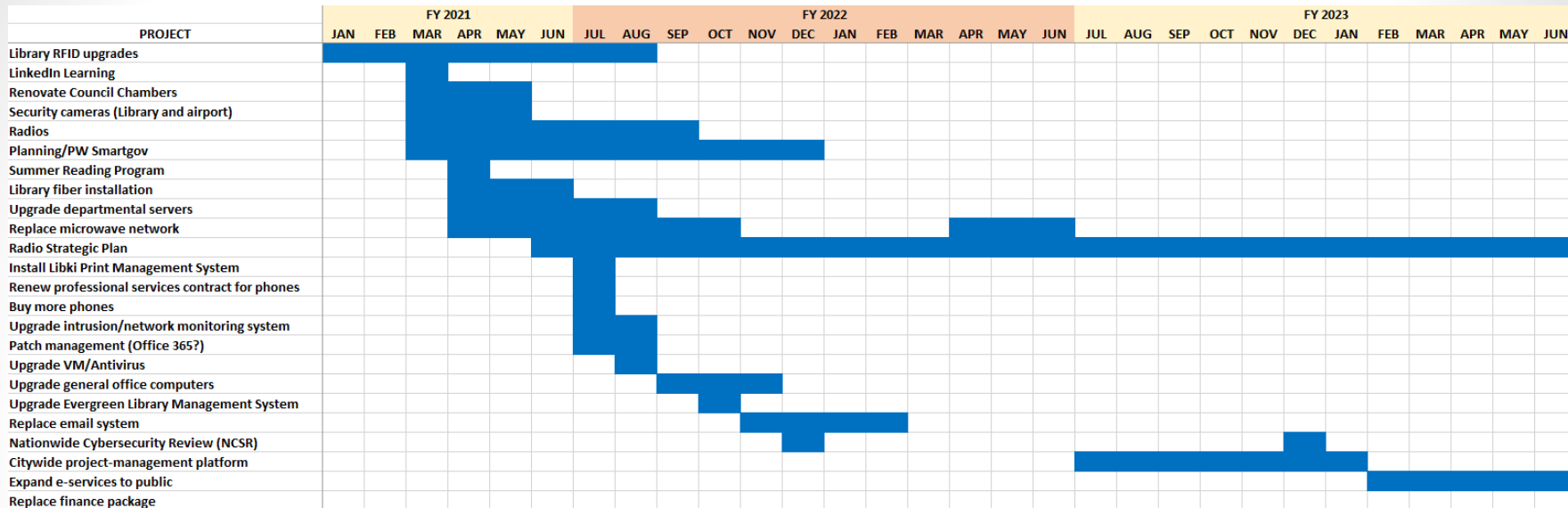
1

Background

- In order to coordinate ongoing IT projects and plan for future operations, the IT Division has begun drafting a Technology Plan for the fiscal years 2021-2023.
- The timelines and figures presented here are based on reasonable assumptions about equipment needs, staff capability, current market prices and predicted trends. These estimates are as accurate as possible given present knowledge, but they are only estimates.
- This slideshow is a summary of the Technology Plan as it currently exists, but information is still being gathered, and a more complete report will be forthcoming in future.

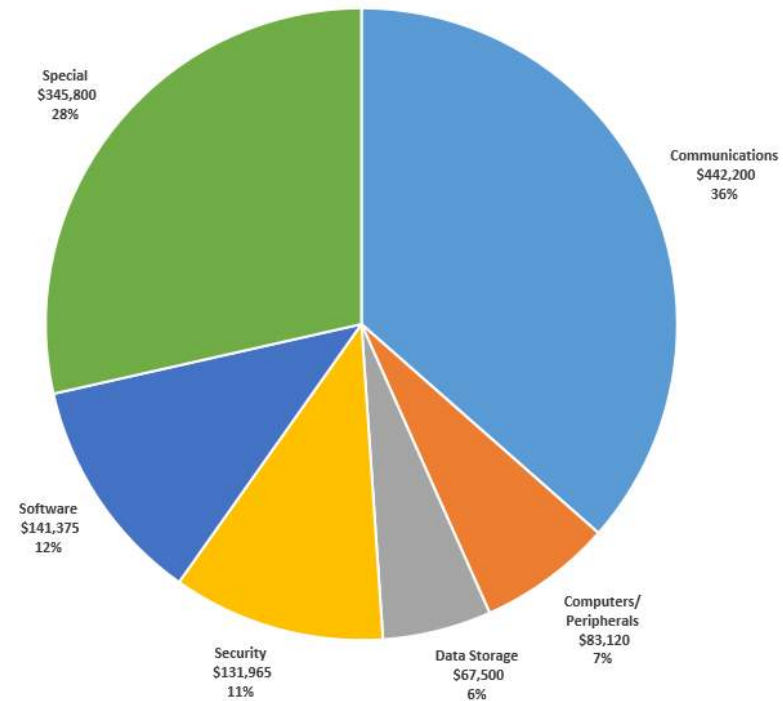


Overall Timeline (Major Projects Only)



Anticipated Technology Needs FY 21-23

- Chart includes major projects even those funded by grants and CARES Act
- Does not include minor projects or maintenance
- Data is still being gathered
- Current total is roughly \$1.2 million over 3 years



Communications

- **Phones:**
 - Desk phones with Polycom and Avaya VoIP handsets - ~120 extensions, 36 simultaneous external calls
 - 2/3 of City staff have City-issued Smart phone/Dumb phone, or take a stipend for use of personal device
- **Data connections:**
 - External communications are over copper and fiber links provided by commercial carriers
 - Internally City data/phone traffic flows over a microwave Wide Area Network (WAN)
 - City has direct connections to the State of Alaska
- **Radios:**
 - Land mobile repeaters are near the top of east Skyline and on the Spit, Police and Fire have redundant repeaters and access the Alaska Land Mobile Radio system (ALMR)
 - Port and Harbor, Fire and Police have P25 digital radio systems, handheld and vehicle radios.
 - Public Works has a “Commercial” grade analog radio system.
- WAN upgrade is a funded project, now ready to go with the HPD move completed
- The City’s email system will need replacing towards the end of this calendar year.



Computers and Peripherals

- Roughly 180 computer terminals, plus a huge variety of peripheral equipment.
- Terminals are distributed all across Homer and increasingly in employees' homes.
- Printers and photocopiers are leased centrally, with costs passed along to individual departments.
- Expect to replace computers every 4 years and peripherals every 8.



Data Storage

- Data is stored on enterprise storage systems located in each city building.
- The total capacity of all storage systems (except video storage) is currently 8TB. Some departments urgently need more capacity.
- Servers not only store files, they deliver those files over data connections.
- Expected lifespan for new servers is 5 years.



Software

- Standard office software (funded by the IT Division)
- Numerous specialized programs require IT support (funded by departments)
- Centralized software underlies all City operations, which requires servers
- Some software patches can be applied centrally, but many must be done machine-by-machine.
- Software has a lifecycle and requires constant maintenance, upgrading, and eventually replacement

Security

- **Physical security:**
 - IT staff support security camera systems at several City buildings
 - Several City buildings have Access Control Systems which are IT Managed
 - Alarm/Fire systems are managed by contractors
- **Information security:**
 - Staff back up data regularly
 - Apply software patches as they are released by vendors
 - Monitor networks and update security software
 - Track emerging threats and evaluate the City's threat surface and mitigation strategies
- **Recommended improvements:**
 - Invest in a next-generation threat intelligence system
 - Work on formalizing IT Security posture as needed in the Nationwide Cybersecurity Review (NCSR)
 - Consider a transition from standalone terminals to virtual desktops



Special Equipment and Projects

- Individual departments have many one-off projects and unique equipment
- Special projects account for more than a quarter of IT expenditures
- The wide variety of equipment places strains on staff, who must be familiar with the operations of all this equipment and how it interacts with other devices
 - Currently IT staff must have enterprise level knowledge of mobile, desktop, servers, storage, local and wide area networking, telephony, security
- Budget projections often do not account for staff time and maintenance costs





Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

Charlie Pierce
Borough Mayor

April 29, 2021

**NOTICE OF DECISION
KENAI PENINSULA BOROUGH PLAT COMMITTEE
MEETING OF APRIL 26, 2021**

Re: West Hill Subdivision Harness Addition Preliminary Plat
KPB File Number: 2021-021

The Plat Committee reviewed and granted conditional approval of the subject preliminary plat during their regularly scheduled meeting of April 26, 2021 based on the findings that the preliminary plat meets the requirements of the Kenai Peninsula Borough Code 20.25; 20.30; 20.40 and 20.60.

AMENDMENT A MOTION

An amendment motion to grant exception to KPB 20.30.190 – Lots-Dimensions 3:1 depth to width for proposed Lot 2A, **failed** due to lack of majority vote.

A party of record may request that a decision of the Plat Committee be reviewed by the Planning Commission by filing a written request within 15 days of notification of the decision in accordance with KPB 2.40.080.

For additional information please contact the Planning Department, 907-714-2200 (1-800-478-4441 toll free within the Kenai Peninsula Borough).



Planning Department

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Charlie Pierce
Borough Mayor

April 28, 2021

**KENAI PENINSULA BOROUGH PLANNING COMMISSION
NOTICE OF DECISION
MEETING OF APRIL 26, 2021**

1. Vacate a portion of Hough Road, a 60 foot right of way including adjoining utility easements, as dedicated on Stream Hill Park Unit 1, Plat HM 2006-54 and Christensen Tracts No. 3, Plat HM 2003-90. The portion of right-of-way being vacated is unconstructed and located within the W1/2 NE 1/4 , Section 16, Township 6 South, Range 13 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File 2021-046V

By unanimous vote the Kenai Peninsula Borough Planning Commission approved the proposed right-of-way and associated utility easement vacations during their regularly scheduled meeting of April 26, 2021 based on the means of evaluating public necessity established by KPB 20.70.

Subject to:

1. Consent by Homer City Council.
2. Compliance with the requirements for preliminary plats per Chapter 20 of the KPB Code.
3. Grant utility easements requested by the Homer City Council and utility providers.
4. Submittal of a final plat within a timeframe such that the plat can be recorded within one year of vacation consent (KPB 20.70.130).

In accordance with AS 29.40.140, no vacation of a city right-of-way and/or easement may be made without the consent of the city council. The proposed vacation has been forwarded to the Homer City Council. The City Council has 30 days from April 26, 2021 in which to veto the decision of the Planning Commission. If no veto is received from the Council within the 30-day period, the decision of the Commission will stand.

Please contact the Homer City Office to verify the date the subject vacation will be reviewed by the Council.

Please contact the Kenai Peninsula Borough's Planning Department at (907) 714-2200 if you have any questions.



Planning Department

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Charlie Pierce
Borough Mayor

May 13, 2021

NOTICE OF DECISION KENAI PENINSULA BOROUGH PLAT COMMITTEE MEETING OF MAY 10, 2021

Re: Christensen Tracts 2009 (2021) Addition Preliminary Plat
KPB File Number: 2021-046

The Plat Committee reviewed and granted conditional approval of the subject preliminary plat during their regularly scheduled meeting of May 10, 2021 based on the findings that the preliminary plat meets the requirements of the Kenai Peninsula Borough Code 20.25; 20.30; 20.40 and 20.60.

AMENDMENT A MOTION

An amendment motion to grant exception to KPB 20.30.030 – proposed street layout requirements (matching dedication of Little Fireweed Lane and Rosebud Street), passed by unanimous vote based on the following findings of fact.

Findings

6. The area where the dedications would be required are affected by steep terrain.
7. The City of Homer approved the plat with no request for additional right of way dedications.

AMENDMENT B MOTION

An amendment motion to grant exception to KPB 20.30.190 – lot dimensions (Tract 1-B), passed by unanimous vote based on the following findings of fact.

Findings

2. The proposed lot has steep slopes through majority of property.
3. A private 50 foot access easement gives access from Hough Road to the usable area of the parcel.
4. The access easement combined with the proposed panhandle will be 60 feet in width and complies with KPB code.
7. The ability to use the section line easement is nearly impossible due to terrain and limited dedicated right of way.
9. A private 20 foot right of way easement exists along the shared property line with Tract 2 (HM 2006-44).
10. In order to comply with 3:1 a redesign would be required that dedicates additional right of ways through steep terrain or providing a 60 foot wide panhandle.

AMENDMENT C MOTION

An amendment motion to grant exception to KPB 20.30.130 – streets – curve requirements, passed by unanimous vote based on the following findings of fact.

Findings

2. The plat will shift the location of the platted right of way to align with the constructed road by vacating a portion and then rededicating another portion to maintain a 60 foot width.
3. The KPB Planning Commission heard the right of way vacation at the April 26, 2021 meeting and approved unanimously.
4. The City of Homer did not object to the original design when presented in 2010.
5. The City of Homer will be required to sign the plat to accept the new right of way dedication.
6. The City of Homer provides road maintenance.
9. Per KPB GIS Imagery, Hough Road has been extended to provide physical access to Tract 3 (HM 2006-44).
10. A centerline alignment with a 200 foot radius would not encompass the existing roadway.

A party of record may request that a decision of the Plat Committee be reviewed by the Planning Commission by filing a written request within 15 days of notification of the decision in accordance with KPB 2.40.080.

For additional information please contact the Planning Department, 907-714-2200 (1-800-478-4441 toll free within the Kenai Peninsula Borough).

PLANNING COMMISSION ANNUAL CALENDAR
FOR THE 2021 MEETING SCHEDULE

<u>MEETING DATE</u>	<u>SCHEDULED EVENTS OR AGENDA ITEM</u>
JANUARY 2021	
FEBRUARY 2021	AK APA Conference PC training: legislative vs quasi-judicial decisions; decisions and findings
MARCH 2021	Guest speaker and training: KPB Platting/Planning
APRIL 2021	2018 Comprehensive Plan Review
MAY 2021	Transportation work session with Public Works
JUNE 2021	Reappointment Applications Deadline
JULY 2021	Reappointments Spit Plan Review (One meeting this month)
AUGUST 2021	Election of Officers (Chair, Vice Chair) PC training: Roberts rules, OMA Capital Improvement Plan Review
SEPTEMBER 2021	Economic Development speaker (such as KPEDD, chamber, SBA,)
OCTOBER 2021	?? Floodplain or other hazard regulations overview...connect dots between comp plan and our current regs
NOVEMBER 2021	(One meeting this month) Review and Approve the 2022 Meeting Schedule
DECEMBER 2021	(One meeting this month) Review Bylaws, and Policies and Procedures
Semi Annually: PW project update	
Odd Years:	2018 Comprehensive Plan (April) Homer Spit Plan, (July), Review Bylaws, and Policies and Procedures (December)
Even Years:	HNMTTP (April), Transportation Plan (July), Town Center Plan (December)