



## Agenda

### Planning Commission Regular Meeting

Wednesday, June 19, 2024 at 6:30 PM

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

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#### Homer City Hall

491 E. Pioneer Avenue  
Homer, Alaska 99603  
[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

#### Zoom Webinar ID: 979 8816 0903 Password: 976062

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

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

#### AGENDA APPROVAL

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

#### RECONSIDERATION

- A. CUP 24-08, Commissioner Highland

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

- A. Unapproved Regular Meeting Minutes of June 5, 2024
- B. Decisions and Findings CUP 24-06, 1323 & 1335 Lakeshore Drive
- C. Decisions and Findings CUP 24-07, 1224 East End Road

#### PRESENTATIONS / VISITORS

#### REPORTS

- A. City Planner's Report, Staff Report 24-027

#### PUBLIC HEARINGS

- A. Staff Report 24-024, a request for Conditional Use Permit (CUP) CUP 24-08 per HCC 21.18.030 (m), More than one building containing a permitted principal use on a lot at 3684 Main Street.
- B. Staff Report 24-028, a request for Conditional Use Permit (CUP) CUP 24-09 per HCC 21.22.030 (a), More than one building containing a permitted principal use on a lot. The applicant

proposes twenty-five single-family dwellings at 955 Sterling Highway. T 6S R 13W SEC 19 SEWARD MERIDIAN HM GOVT LOT 3 EXCLUDING YUKON VIEW SUB

- [C.](#) Staff Report 24-029, a request for Conditional Use Permit (CUP) CUP 24-10 per HCC 21.12.030 (m), More than one building containing a permitted principal use on a lot. The applicant proposes three single-family dwellings at 2065 East End Road. T 6S R 13W SEC 16 SEWARD MERIDIAN HM 0820047 SCENIC VIEW SUB NO 6 LOT F7-A EXCLUDING DOT ROW

## **PLAT CONSIDERATION**

- [A.](#) Staff Report 24-030, Scenic View No. 6 Pier 59 2024 Replat Preliminary Plat

## **PENDING BUSINESS**

## **NEW BUSINESS**

## **INFORMATIONAL MATERIALS**

- [A.](#) PC Annual Calendar 2024
- [B.](#) 2024 Meeting Dates & Submittal Deadlines

**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 MAYOR/COUNCIL**

## **COMMENTS OF THE COMMISSION**

## **ADJOURNMENT**

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



# City of Homer

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

## Planning

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### Staff Report PL 24-031

TO: Homer Planning Commission  
FROM: Ryan Foster, AICP, City Planner  
DATE: June 12, 2024  
SUBJECT: CUP 24-08 Reconsideration

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#### Introduction

At the June 5, 2024 Regular Planning Commission Meeting a public hearing was held for CUP 24-08 per HCC 21.18.030 (m), More than one building containing a permitted principal use on a lot at 3684 Main Street. On June 6, 2024, Commissioner Highland issued a timely notice for reconsideration on the approval of CUP 24-08 at 3684 Main Street.

This reconsideration is an attempt to remedy an ex-parte communication matter that appears to have taken place and was not disclosed at the meeting.

#### Recommendation:

Staff recommends the Planning Commission vote to reconsider CUP 24-08 at the June 19, 2024 regular meeting.

**CALL TO ORDER**

Session 24-10, a Regular Meeting of the Planning Commission was called to order by Chair Scott Smith at 6:30 p.m. on May 15, 2024 at the Cowles Council Chambers in City Hall, located at 491 E. Pioneer Avenue, Homer, Alaska, and via Zoom Webinar.

**PRESENT:** COMMISSIONER CONLEY, BARNWELL, HIGHLAND, SCHNEIDER, SMITH, STARK & VENUTI

**STAFF:** CITY CLERK JACOBSEN, CITY PLANNER FOSTER

**AGENDA APPROVAL**

Chair Smith read the supplemental items into the record and requested a motion and a second to approve the agenda as amended.

SCHNEIDER/CONLEY MOVED TO APPROVE THE AGENDA AS AMENDED.

There was no discussion.

VOTE: NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

**PUBLIC COMMENTS UPON MATTERAS AREADY ON THE AGENDA**

**RECONSIDERATION**

**CONSENT AGENDA**

- A. Unapproved Regular Meeting Minutes of May 15, 2024
- B. Decisions and Findings CUP 24-05, 1690 Mission Road

Chair Smith noted for the record that all items on the consent agenda are considered routine and non-controversial by the Planning Commission and are approved in one motion. If a separate discussion is desired on an item, a Commissioner may request that item be removed from the Consent Agenda and placed on the Regular Agenda under New Business. He then requested a motion and second to adopt the consent agenda.

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

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT

Motion carried.

**PRESENTATIONS / VISITORS**



## REPORTS

### A. City Planner's Report, Staff Report 24-021

City Planner Foster reviewed his report that was included in the packet. Highlighting Comp plan updates, recent city council actions, and confirming the next meeting Planning Commission meeting on June 19.

### B. Comprehensive Plan Steering Committee Report

Commissioner Barnwell reported regarding online opportunities for the online survey and map.

## PUBLIC HEARINGS

### A. Staff Report 24-022, request for Conditional Use Permit (CUP) CUP 24-06 per HCC.21.24.040 (d), No lot shall contain more than 8,000 square feet of building area (all buildings combined), nor shall any lot containing building area in excess of 30 percent of the lot area without an approved conditional use permit at 1323 & 1335 Lakeshore Drive.

City Planner Foster reviewed the Staff Report included in the packet.

Chair Smith opened the floor to the applicants Pulama and Kamahele Chow. The Chow's didn't have any additional comments and offered to be available for questions.

Chair Smith opened the public hearing.

Scott Adams, city resident, expressed concern about water runoff from the roof to the road from such a large structure.

There were no further comments and the hearing was closed.

There was no rebuttal and no additional comments were made by the applicant or staff, so Chair Smith opened the floor to questions from the Commission.

In response to questions, the Chows explained the pitch of the roof has been adjusted so the runoff will flow to the side near a natural swell that runs to the drainage near the road. They plan to include gutters on the structure and take care not to impact other properties. The material for their retaining wall will be the lego type blocks from Dibble Creek. The structure is for personal use, they plan to store their personal property in it, so the parking required is adequate and the area will be cleaned up nicely once their done.

VENUTI/SCHNEIDER MOVED TO ADOPT STAFF REPORT PC-24-022 AND RECOMMEND APPROVAL WITH FINDINGS 1-10 AND THE FOLLOWING CONDITIONS: CONDITION 1 THE BAY VIEW SUBDIVISION CHOW 2024 PRELIMINARY PLAT FOR A LOT LINE VACATION TO COMBINE THE TWO PROPERTIES MUST BE APPROVED AND FINALIZED BY THE KENAI PENINSULA BOROUGH, CONDITION 2 THE APPLICANT WILL NEED TO ABANDON A WATER SERVICE OF ENTER INTO AN INSTALLATION AGREEMENT WITH THE CITY PRIOR TO RECORDING THE PRELIMINARY PLAT, CONDITION 3 OUTDOOR LIGHTING MUST BE DOWN LIT PER HCC 21.59.030 AND THE COMMUNITY DESIGN MANUAL, AND CONDITION 4 THE APPLICANT WILL PROVIDE THE CITY ENGINEER ADDITIONAL DETAIL ON THEIR PROPOSED RETAINING WALL AT THE BACK OF THE WAREHOUSE WITH THEIR ZONING PERMIT APPLICATION.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- B. Staff Report 24-023, request for Conditional Use Permit (CUP) CUP 24-07 per HCC 21.16.030 (c), Medical clinics at 1224 East End Road.

City Planner Foster reviewed the staff report included in the packet.

Dr. Bill Richardson, applicant, explained his practice has outgrown the space he's been renting on Pioneer. He reviewed his plan to build a modern facility that fits into the community, is attractive, has adequate parking, and employment expansion options.

Chair Smith opened the public hearing.

Scott Adams, city resident, questioned why this isn't in the medical distraction and shared concerns about a medical clinic in the residential office zoning district.

There were no further comments and the hearing was closed.

There was no rebuttal and no additional comments were made by the applicant or staff, so Chair Smith opened the floor to questions from the Commission.

Dr. Richardson shared that he looked at property in the medical district but it was too small, and it's very congested up there. He explained dentistry and medicine are similar but medical clinics are typically near the hospital because that's where the patients are. For dentistry it's more common to have clinics where the clients are moving through neighborhoods and have easier access throughout their day. This location he's proposing has good access, it's near a school and there's an eye clinic within 500 yards of his property.

City Planner Foster added that a dental clinic is a conditional use in the rural office district.

SCHNEIDER/BARNWELL MOVED TO ADOPT STAFF REPORT PC-24-023 AND RECOMMEND APPROVAL WITH FINDINGS 1-10 AND CONDITION 1 OUTDOOR LIGHTING MUST BE DOWN LIT PER HCC 21.59.030 AND THE COMMUNITY DESIGN MANUAL.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- C. Staff Report 24-024, request for CUP 24-08 per HCC 21.18.030 (m), More than one building containing a permitted principal use on a lot at 3684 Main Street.

City Planner Foster reviewed the staff report included in the packet.

Robert Bornt commented regarding struggles he has with the parking requirement. His tenants are low income and there is a need for more housing that qualifies for housing programs and he feels 34 spaces is excessive and takes away from space that could be used for more housing. Half of his tenants don't have vehicles, because of the location in the central business district (CBD) they can walk to services in the area. He expressed other challenges to get work done related to hiring contractors for small projects like this, and noted a lot of the things on his property are resources he's collected to be used for building the cabins. He'll get rid of connexes when the work is done.

Chair Smith opened the public hearing.

Scott Adams, city resident, commented this application lacks a lot of information, and asked if this is what we want to see in the CBD. He feels it should be drawn to scale with better information.

Jason Davis, city resident and property owner across the street, supports application if it meets the requirements code. He agrees there's a need for affordable housing in CBD, they're great neighbors, and he supports a reduction on parking. He's glad to hear the applicant is planning to spruce things up. He noted his written comments and shared regarding his thoughts that there should be a way for the Planning Commission to be able to ensure an applicant is in compliance with code prior to considering an application.

There were no further comments and the hearing was closed.

City Planner Foster noted work underway for the Comprehensive Plan and future work on updating the zoning code as it could relate to parking and compliance with city code. The only thing that can be done at this time regarding parking is a variance, an application for an exception to the code. He explained because the property is in the CBD, there can be a 25% reduction in the required parking, which has been applied here so it went down from 37 to 28 parking spaces.

Mr. Bornt reiterated challenges with parking and with storing materials, and also with finding contractor's to assist. He explained removing the items accumulated on his lot would be an unfair burden to him because most of it is materials he's accumulated for this project. His preference is to reduce the number of parking spaces and allow him to build two more units.

In response to questions about an as-built survey as a condition that could be a tool for confirming removal of certain things, City Planner Foster explained that when a zoning permit is issued it's good for 18 months and an as-built is required for the file on completion of the work. Temporary structures wouldn't likely show up on the as-built.

Commissioner Venuti noted the staff report comment that the property is underutilized, he disagrees, noting the accumulation of items shown in the photos. He expressed his opinion of the deterioration of the property, the need for Fire Marshall involvement. He doesn't support this.

In response to this and other Commissioner questions, Mr. Bornt shared he's invested in a Fire Marshall approved sprinkler system, new plumbing and electrical, and other interior work, as his first focus has been the interior of the existing building. He's heard feedback from others on the outside appearance and repeated the challenges to get a contractor for small jobs. He has Fire Marshall approval for the project. The outside will take time and money, but will improve what people are complaining about. He has a dumpster that's dumped regularly, and there will be landscaping on the property. He confirmed he can accommodate the 28 parking

spaces and reviewed pages 81 and 82 in the packet identifying project materials and other assorted items on his property. The proposed units are elevated 9 feet off the ground to utilize the two tiered lot and would allow parking underneath. He realizes now that he has space between the units that would accommodate parking so he could put the units at ground level, which would save costs. The proposed cabins are 24' x 12', with a 4' deck on one end and 8' deck on the other.

City Planner Foster explained the CUP is for the additional dwellings, the cabins, on this property. If approved, a zoning permit is required that entails a full check-list of items necessary for review before issuance of the zoning permit, including Fire Marhsall review, and compliance with the Community Design Manual criteria.

There was brief discussion about enforcement to ensure the conditions of the permit are met. City Planner Foster explained that given current staffing capabilities, staff isn't able to go out and monitor ongoing projects so enforcement is complaint driven. Given the location of the property it would be self-evident if requirements weren't being met.

STARK/HIGHLAND MOVED TO ADOPT STAFF REPORT PC-24-024 AND RECOMMEND APPROVAL WITH FINDINGS 1-10 AND THE FOLLOWING CONDITIONS:

1. THE PROPERTY OWNER NEEDS TO CONTACT AND WORK WITH ADEC FOR AN ENGINEERED COMMUNITY SEWER DESIGN.
2. CONDITION 2 THE APPLICANT MUST DEMONSTRATE COMPLIANCE WITH CHAPTERS 1-3 OF THE COMMUNITY DESIGN MANUAL WITH THE SUBMISSION OF A ZONING PERMIT.
3. A MORE DETAILED SITE PLAN BE PROVIDED, SHOWING LANDSCAPING PLAN, SUBJECT TO CITY'S REVIEW & APPROVAL.
4. SAID LANDSCAPING SHALL BE KEPT IN GOOD CONDITION WITH REASONABLE MAINTENANCE
5. AREA FOR GARBAGE CONTAINMENT AND DISPOSAL COLLECTION SHALL BE ESTABLISHED AND SCREENED.
6. NO DISABLED VEHICLES, NO DISABLED EQUIPMENT AND CONTAINERS BE STORED ON SITE AND THAT ALL DISABLED VEHICLES AND DISABLED EQUIPMENT AND CURRENT CONTAINERS BE REMOVED BY COMPLETION OF THE PROJECT.
6. NO DISABLED VEHICLES, NO DISABLED EQUIPMENT OR CONTAINERS BE STORED ON SITE. ALL CURRENT DISABLED VEHICLES, EQUIPMENT, AND CONTAINERS BE REMOVED BY COMPLETION OF WORK.
7. PROPERTY SHALL NOT BE USED FOR STORAGE OF BOATS OR RVS. BOATS/RVS SHALL BE CONSIDERED VEHICLES FOR PURPOSES OF PARKING. IF BOATS/RVS ARE STORED ON THE PROPERTY, THEN EXTRA PARKING NEEDS TO BE PROVIDED.
8. LOWER BOTTOM ELEVATION OF CABINS TO BE APPROVED BY THE CITY PLANNER.
9. SPACES BETWEEN CABINS BE ALLOCATED FOR PARKING.

Commissioners discussed conditions 3 through 9 and proposed modifications of the verbiage.

STARK/BARNWELL MOVED TO AMEND THE MOTION TO READ CONDITIONS 1 AND 2 AS PRESENTED,

3. A MORE DETAILED SITE PLAN BE PROVIDED
4. IS STRICKEN
- 5 AND 6 COMBINED INTO ALL GARBAGE CONTAINERS, CONNEXES, ABANDONED VEHICLES, AND EQUIPMENT SHALL MEET HOMER CITY CODE IN ACCORDANCE WITH THE ZONING PERMIT
7. STORAGE OF RV'S AND BOATS SHALL COMPLY WITH HOMER CITY CODE AND COMMUNITY DESIGN MANUAL.
8. IS STRICKEN
9. APPLICANT EVALUATION PARKING POSSIBILITIES BETWEEN CABINS PER HOMER CITY CODE.

There was no discussion.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Commissioner Stark noted the Commission can't approve or deny a CUP based on whether or not they think it will be enforced.

VOTE: YES: SMITH, SCHNEIDER, HIGHLAND, CONLEY, STARK, BARNWELL  
NO: VENUTI

Motion carried.

SCHNEIDER/CONLEY MOVED TO EXTEND THE MEETING 60 MINUTES.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

#### **PLAT CONSIDERATION**

A. Staff Report 24-025, Mountain Park 2024 Preliminary Plat

City Planner Foster reviewed staff report included in the packet.

No applicant was present and there were no public comments.

SCHNEIDER/CONLEY I MOVE TO ADOPT STAFF REPORT 24-025 AND RECOMMEND APPROVAL OF THE MOUNTAIN PARK 2024 PRELIMINARY PLAT WITH COMMENTS 1 AND 2.

There was brief discussion on notes included on the agenda.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

B. Staff Report 24-026, Bay View Subdivision Chow 2024 Replat

City Planner Foster reviewed the staff report included in the packet.

The Chow's commented briefly this action is needed to accommodate their CUP that was approved earlier in the meeting. They're working with Public Works to abandon the water service as required.

There were no public comments.

SCHNEIDER/BARNWELL MOVED TO ADOPT STAFF REPORT 24-026 AND RECOMMEND APPROVAL OF THE BAY VIEW SUBDIVISION CHOW 2024 PRELIMINARY PLAT WITH THE FOLLOWING COMMENTS:

1. THE PROPERTY OWNER WILL NEED TO ABANDON A SET OF WATER AND SEWER SERVICES PRIOR TO RECORDING THE FINAL PLAT, OR ENTER INTO AN INSTALLATION AGREEMENT WITH THE CITY.
2. RECOMMEND THE SURVEYOR PROVIDE 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 TO THE PRELIMINARY PLAT.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

### **PENDING BUSINESS**

### **NEW BUSINESS**

### **INFORMATIONAL MATERIALS**

- A. PC Annual Calendar
- B. 2024 Meeting Dates & Submittal Deadlines

### **COMMENTS OF THE AUDIENCE**

### **COMMENTS OF THE STAFF**

City Planner Foster had no comment.

City Clerk Jacobsen thanked everyone for a good meeting and clarified some process comments from earlier in the meeting.

### **COMMENTS OF THE MAYOR/COUNCILMEMBER** (If Present)

### **COMMENTS OF THE COMMISSION**

Commissioner Highland thanked everyone for a good meeting.

Commissioner Venuti thanked everyone.

Commissioner Stark thanked the applicants who attended this evening and thanked the group.

Commissioner Schneider thanked everyone.

Commissioner Conley wished everyone good night.

Commissioner Barnwell thanked everyone.

Chair Smith thanked everyone.

**ADJOURN**

There being no further business to come before the Commission Chair Smith adjourned the meeting at 9:40 p.m. The next Regular Meeting is **Wednesday**, June 19, 2024 at 6:30 p.m. All meetings are scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska and via Zoom Webinar. Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission.

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Melissa Jacobsen, MMC, City Clerk

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



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## HOMER PLANNING COMMISSION

### Approved CUP 2024-06 at the Meeting of June 5, 2024

**RE:** Conditional Use Permit (CUP) 2024-06  
**Address:** 1323 & 1335 Lakeshore Drive  
**Legal Description:** T 6S R 13W SEC 21 SEWARD MERIDIAN HM 0000839 BAY VIEW SUB LOT 60  
T 6S R 13W SEC 21 SEWARD MERIDIAN HM 0000839 BAY VIEW SUB LOT 61

## DECISION

### Introduction

Pulama Chow (the “Applicant”) applied to the Homer Planning Commission (the “Commission”) for a Conditional Use Permit (CUP) under Homer City Code HCC 21.24.040 (d), No lot shall contain more than 8,000 square feet of building area (all buildings combined), nor shall any lot contain building area in excess of 30 percent of the lot area without an approved conditional use permit at 1323 & 1335 Lakeshore Drive.

A public hearing was held for the application before the Commission on June 5, 2024, as required by Homer City Code 21.94. Notice of the public hearing was published in the local newspaper and sent to 22 property owners of 27 parcels as shown on the Kenai Peninsula Borough tax assessor rolls. Public notices contained information on how to submit written testimony, participate telephonically, or participate on the Zoom meeting platform.

At the June 5, 2024 meeting of the Commission, seven Commissioners were present, and the Commission unanimously approved CUP 2024-06 with four conditions.

### Evidence Presented

City Planner, Ryan Foster, provided a detailed review of Staff Report PC 24-022 for the Commission. The Applicant presented their application and answered questions of the Commission. One public testimony was provided in-person at Council Chambers.



37 **Findings of Fact**

38 After careful review of the record and consideration of testimony presented at the hearing, the  
39 Commission determines CUP 2024-06, to allow building area in excess of 30 percent of the lot  
40 for a 7,500 square foot warehouse at 1323 & 1335 Lakeshore Drive, satisfies the review criteria  
41 set out in HCC 21.71.030 and is hereby approved.

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

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

48  
49 **Finding 1:** The structures and uses are authorized by the applicable code.

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

53  
54 **Finding 2:** The proposed structures and uses are compatible with the purpose of the  
55 district.

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

58 **Finding 3:** A warehouse is not expected to negatively impact the adjoining properties greater  
59 than other permitted or conditional uses.

60  
61 **d. The proposal is compatible with existing uses of surrounding land.**

62  
63 **Finding 4:** The proposal is compatible with existing uses of surrounding land.

64  
65 **e. Public services and facilities are or will be, prior to occupancy, adequate to serve the**  
66 **proposed use and structure.**

67  
68 **Condition 2:** The applicant will need to abandon a water service or enter into an  
69 installation agreement with the City prior to recording the preliminary plat.

70  
71 **Finding 5:** Water, sewer, and fire services will be, prior to occupancy, adequate to serve  
72 the proposed warehouse.  
73

**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 proposal will not cause undue harmful effect upon desirable neighborhood character.

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

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

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

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

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

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

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

**Condition 3:** Outdoor lighting must be down lit per HCC 21.59.030 and the CDM.

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

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

- 1. Special yards and spaces:** No specific conditions deemed necessary.
- 2. Fences and walls:** No specific conditions deemed necessary.
- 3. Surfacing of parking areas:** No specific conditions deemed necessary.

- 113 **4. Street and road dedications and improvements:** No specific conditions deemed  
114 necessary.
- 115 **5. Control of points of vehicular ingress and egress:** No specific conditions deemed  
116 necessary.
- 117 **6. Special provisions on signs:** No specific conditions deemed necessary.
- 118 **7. Landscaping:** No specific conditions deemed necessary.
- 119 **8. Maintenance of the grounds, building, or structures:** No specific conditions  
120 deemed necessary.
- 121 **9. Control of noise, vibration, odors or other similar nuisances:** No specific  
122 conditions deemed necessary.
- 123 **10. Limitation of time for certain activities:** No specific conditions deemed  
124 necessary.
- 125 **11. A time period within which the proposed use shall be developed:** No specific  
126 conditions deemed necessary.
- 127 **12. A limit on total duration of use:** No specific conditions deemed necessary.
- 128 **13. More stringent dimensional requirements,** such as lot area or dimensions,  
129 setbacks, and building height limitations. Dimensional requirements may be made  
130 more lenient by conditional use permit only when such relaxation is authorized by  
131 other provisions of the zoning code. Dimensional requirements may not be altered by  
132 conditional use permit when and to the extent other provisions of the zoning code  
133 expressly prohibit such alterations by conditional use permit.
- 134 **14. Other conditions necessary** to protect the interests of the community and  
135 surrounding area, or to protect the health, safety, or welfare of persons residing or  
136 working in the vicinity of the subject lot.

137  
138  
139 **Conclusion:** Based on the foregoing findings of fact and law, Conditional Use Permit 2024-06  
140 is hereby approved, with Findings 1-10 and the following conditions.

141  
142 **Condition 1:** The Bay View Subdivision Chow 2024 preliminary plat for a lot line  
143 vacation to combine the two properties must be approved and finalized by the Kenai  
144 Peninsula Borough.

145  
146 **Condition 2:** The applicant will need to abandon a water service or enter into an  
147 installation agreement with the City prior to recording the preliminary plat.

148  
149 **Condition 3:** Outdoor lighting must be down lit per HCC 21.59.030 and the CDM.

150  
151 **Condition 4:** The applicant will provide the City Engineer additional detail on their  
152 proposed retaining wall at the back of the warehouse with their zoning permit  
153 application.

155

156

157 Date

Chair, Scott Smith

158

159

160

161 Date

City Planner, Ryan Foster

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168 NOTICE OF APPEAL RIGHTS

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

175

176 CERTIFICATION OF DISTRIBUTION

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

180

181

182

183 Date

Ed Gross, Associate Planner

Pulama Chow  
54705 Rolling Meadows Road  
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Melissa Jacobsen, Acting City Manager  
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(p) 907-235-3106  
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## HOMER PLANNING COMMISSION

### Approved CUP 2024-07 at the Meeting of June 5, 2024

**RE:** Conditional Use Permit (CUP) 2024-07  
**Address:** 1224 East End Road

**Legal Description:** T 6S R 13W SEC 16 SEWARD MERIDIAN HM 0002087 JAMES WADDELL  
BOUNDARY SURVEY TRACT 10 EXCLUDING DOT ROW

## DECISION

### Introduction

William E Richardson (the "Applicant") applied to the Homer Planning Commission (the "Commission") for a Conditional Use Permit (CUP) under Homer City Code HCC 21.16.030 (c), Medical clinics at 1224 East End Road.

A public hearing was held for the application before the Commission on June 5, 2024, as required by Homer City Code 21.94. Notice of the public hearing was published in the local newspaper and sent to 17 property owners of 19 parcels as shown on the Kenai Peninsula Borough tax assessor rolls. Public notices contained information on how to submit written testimony, participate telephonically, or participate on the Zoom meeting platform.

At the June 5, 2024 meeting of the Commission, seven Commissioners were present, and the Commission unanimously approved CUP 2024-07 with one condition.

### Evidence Presented

City Planner, Ryan Foster, provided a detailed review of Staff Report PC 24-023 for the Commission. The Applicant presented on their application and answered questions of the Commission. One public testimony was provided in-person at Council Chambers.

### Findings of Fact

After careful review of the record and consideration of testimony presented at the hearing, the Commission determines CUP 2024-07, to allow a medical clinic (dental clinic) at 1224 East End Road satisfies the review criteria set out in HCC 21.71.030 and is hereby approved.

**The criteria for granting a Conditional Use Permit is set forth in HCC 21.71.030, 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;**

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

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

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

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

**Finding 3:** A dental clinic 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:** Water, sewer, and fire services will be, prior to occupancy, adequate to serve the proposed dental clinic.

**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 proposal will not cause undue harmful effect upon desirable neighborhood character.

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

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

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

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

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

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

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

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

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

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

- 1. Special yards and spaces:** No specific conditions deemed necessary.
- 2. Fences and walls:** 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 2024-07 is hereby approved, with Findings 1-10 and the following conditions.

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

\_\_\_\_\_  
Date Chair, Scott Smith

\_\_\_\_\_  
Date City Planner, Ryan Foster

#### NOTICE OF APPEAL RIGHTS

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



153

154 CERTIFICATION OF DISTRIBUTION

155 I certify that a copy of this Decision was mailed to the below listed recipients on \_\_\_\_\_,2024.

156 A copy was also delivered to the City of Homer Planning Department and Homer City Clerk on the same  
157 date.

158

159

160 \_\_\_\_\_

161 Date

\_\_\_\_\_  
Ed Gross, Associate Planner

William E Richardson  
1125 Kalalock Ct  
Homer, AK 99603

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

Melissa Jacobsen, Acting City Manager  
City of Homer  
491 E Pioneer Avenue  
Homer, AK 99603



# City of Homer

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

## Planning

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### Staff Report PI 24-027

TO: Homer Planning Commission  
FROM: Ryan Foster, AICP, City Planner  
DATE: June 19, 2024  
SUBJECT: City Planner's Report

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### Comprehensive Plan Update

The [Homer Comprehensive Plan Community Survey](#) has received over 390 responses thus far! This 10 to 15-minute survey is open to all Homer residents of all ages. Your response will help shape future decisions about land use, transportation, utilities, economic development, housing, and related programs in Homer for the next 20 years. We're excited for your input – please let your friends, family, network, and neighbors know!

**The survey is open until Friday, June 21<sup>st</sup>, 2024.**

### Planning Commissioner Training

The Alaska Chapter of the American Planning Association will be hosting a two-part virtual Planning Commissioner Training for this Fall 2024 (September/October). Exact dates will be announced in late August.

### City Council Meeting June 10, 2024

c. Resolution 24-065, A Resolution of the City Council of Homer, Alaska, Authorizing City Staff to Continue with the FEMA BRIC Grant Application Process with a 25% Local Match to Include Staff Time, Materials, and Cash as Requested by the Sub-Applicant, the State of Alaska Department of Homeland Security and Emergency Management as the Sub-Applicant. City Manager. Recommend adoption.

Memorandum CC-24-127 from City Planner as backup.

ADOPTED with discussion.

### Meeting Schedule

The next regular meeting date is Wednesday, July 17, 2024.

**Commissioner Report to Council**

7/22/24 \_\_\_\_\_



# City of Homer

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## Planning

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### Staff Report 24-024

TO: Homer Planning Commission  
FROM: Ryan Foster, AICP, City Planner  
DATE: June 5, 2024  
SUBJECT: Conditional Use Permit (CUP) 24-08

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**Synopsis** The applicant requests a Conditional Use Permit (CUP) CUP 24-08 per HCC 21.18.030 (m), More than one building containing a permitted principal use on a lot at 3684 Main Street.

Applicant: Robert Bornt  
3684 Main St  
Homer, AK 99603

Location: 3684 Main Street

Legal Description: T 6S R 13W SEC 20 SEWARD MERIDIAN HM 0540251A NILS O SVEDLUND  
SUB AMD S 201.9 FT OF LOT 13 TRACT B

Parcel ID: 177080002

Size of Existing Lot: 0.96 acres

Zoning Designation: Central Business District

Existing Land Use: Commercial

Surrounding Land Use: North: Commercial  
South: Vacant and Commercial  
East: Vacant  
West: Commercial and Vacant

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

Wetland Status: KWF Wetland/Upland Complex is identified on the majority of the property.

Flood Plain Status: Not in a floodplain.

BCWPD: Not within the Bridge Creek Watershed Protection District

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

Public Notice: Notice was sent to 13 property owners of 24 parcels as shown on the KPB tax assessor rolls.

**ANALYSIS:** The applicant proposes four single-family dwellings at 3684 Main Street. The current use of 3684 Main St is a multi-use building with a commercial laundromat on the ground floor and 16 studio residences above.

**PARKING:** The applicant is required to provide 28 spaces per the following calculation per HCC 21.55.090 (one per efficiency or one-bedroom dwelling when more than one dwelling unit is located on a parcel. Detached efficiency or one-bedroom dwelling units shall provide an additional one guest parking space per four dwelling units):

16 studio units = 20 spaces

4 cabins = 5 spaces

3,600 sf laundromat = 12 spaces

37 spaces x 25% reduction for a mixed use property = 28 total parking spaces required

The thirty-four parking spaces identified in the application and site plan exceeds the required number of spaces.

**DENSITY:** The minimum lot area is 6,000 square feet. The lot is approximately 41, 817 square feet. The minimum lot size is met.



Proposed location of 4 single family dwellings at 3684 Main Street





Proposed location of 4 single family dwellings at 3684 Main Street

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

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

**Analysis:** The following uses may be permitted in the Central Business District when authorized by conditional use permit issued in accordance with Chapter 21.71 HCC:

HCC 21.18.030 (m), More than one building containing a permitted principal use on a lot

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

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

HCC 21.18.010 Purpose. The purpose of the Central Business District is primarily to provide a centrally located area within the City for general retail shopping, personal and professional services, educational institutions, entertainment establishments, restaurants and other business uses listed in this chapter. The district is meant to accommodate a mixture of residential and nonresidential uses with conflicts being resolved in favor of nonresidential uses. Pedestrian-friendly designs and amenities are encouraged

**Applicant:** The addition of four residential cabins is compatible with the zoning district purpose. Providing much needed low cost housing in the central Business district.

**Analysis:** A single-family dwelling is a permitted outright use. This use is compatible with the Central Business District. The applicant proposes to provide residential housing and non-residential uses at an allowed density where a minimum lot area shall be 6,000 square feet, thus providing structures and uses compatible with the purpose of the district.

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

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

**Applicant:** The proposed addition of four new residential cabins will enhance the community living standard. Once finished the overall landscaping and site appearance will be improved and enhance the visual atmosphere of the particular section of Main Street.

**Analysis:** Many uses in the Central Business District have greater negative impacts than would be realized from dwellings. Auto repair and auto and trailer sales or rental areas, ministorage, could have a greater impact on nearby property values. Museums, libraries, and entertainment establishments would likely generate a good deal more traffic.

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

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



**Applicant:** The existing use of surrounding properties is rather stale and has not changed in many years. However, adding new residences and with the ongoing facelift and grounds improvements on site this proposal will be compatible with the existing mixed use and may encourage upgrade.

**Analysis:** Existing uses of the surrounding land are currently commercial & vacant. A residential use is in character with the surrounding mix of land uses.

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

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

**Applicant:** Yes, the property sits along Main Street and city services run along Main Street. All required services are currently serving the property and can accommodate four new cabins.

**Analysis:** The applicant will need to work with Homer Public Works and Alaska DEC to design and gain approval of a community system to serve sewer to the structures onsite.

**Condition 1:** The property owner needs to contact and work with ADEC for an engineered community sewer design.

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

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

**Applicant:** The development of four cabins will not adversely affect the harmony or density and will only increase the usefulness of Main Street as a residential neighborhood - one within walking distance of public services and attractions. It is not expected that there will be any significant increase in traffic, while providing affordable housing for those who may not have vehicles.

**Analysis:** The proposed project provides residential development at a density allowable in code. The residences are not of an excessive size to create harmful effects on neighborhood character in the Central Business District.

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

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

**Applicant:** This proposal can only increase the health and welfare of those residing or using public facilities laundry on the property providing close to services and shopping for lower income residents and for those living on a fixed income where they may not have vehicles and benefit by the proximity of service to a walking distance.

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

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

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

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

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

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

**Applicant:** Improve property to be attractive. Improve residential footprint in community. Low/modest housing.

**Analysis:** Chapter 4, Goal 1, Objectives A, C, & D and Goals of the Land Use Chapter of the Homer Comprehensive Plan are supported by this project:

This project supports high density residential and mixed-use development in the core areas of the City and supports a desirable community character. Four single-family dwellings would provide additional housing options in the core of the City which currently has a very strong demand for housing and is compatible with neighboring properties and contributes to a quality neighborhood. This project discourages sprawl with additional infill dwelling units at the scale and density of the Central Business District. The location of this project is on the core of the City of Homer and fits the high-density, mixed-use character, planned in the city core.

Chapter 4, Goal 3, Objective B Goals of the Land Use Chapter of the Homer Comprehensive Plan are supported by this project:

The proposal supports four new dwelling units that are required to submit a Zoning Permit and meet City requirements for site development, including meeting the requirements of the Community Design Manual.

Chapter 4, Goal 4, Objectives A, B Goals of the Land Use Chapter of the Homer Comprehensive Plan are supported by this project:

The proposal is located in the CBD and will be required to meet the requirements of Chapters 1-3 of the Community Design Manual. The proposed four single family dwelling units are associated with the existing laundromat on the property and does not consist of a strip style development. The proposed project would infill an existing, underutilized lot.

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

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

**Analysis:** Chapter 1, 2, and 3, of the CDM is applicable to the Central Business District.

**Condition 2:** The applicant must demonstrate compliance with Chapters 1-3 of the CDM with the submission of a zoning permit.

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

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

- 1. Special yards and spaces:** No specific conditions deemed necessary.
- 2. Fences and walls:** No specific conditions deemed necessary.
- 3. Surfacing of parking areas:** No specific conditions deemed necessary.
- 4. Street and road dedications and improvements:** No specific conditions deemed necessary.
- 5. Control of points of vehicular ingress and egress:** No specific conditions deemed necessary.
- 6. Special provisions on signs:** No specific conditions deemed necessary.
- 7. Landscaping:** No specific conditions deemed necessary.

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

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

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

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

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

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

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

**PUBLIC WORKS COMMENTS:** The property owner needs to contact and work with ADEC for an engineered community sewer design.

**PUBLIC COMMENTS:** None

**STAFF COMMENTS/RECOMMENDATIONS:**

Planning Commission approve CUP 24-08, **Staff Report 24-024** with findings 1-10 and the following conditions.

**Condition 1:** The property owner needs to contact and work with ADEC for an engineered community sewer design.

**Condition 2:** The applicant must demonstrate compliance with Chapters 1-3 of the CDM with the submission of a zoning permit.

**Attachments**

Application

Site Plan

Elevation Drawing

Floor Plans

Aerial Map

Compliance Review of Homer Comprehensive Plan

Public Notice and Map

Draft Decisions and Findings 24-08, 3684 Main Street



# City of Homer

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## Planning

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## Applicant

Name: Robert Bornt Phone No.: 907-843-2661

Address: 3684 Main Street - Homer, AK 99603 Email: Bobbornt@gmail.com

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

Name: Robert Bornt Phone No.: 907-843-2661

Address: 3684 Main Street - Homer, AK 99603 Email: Bobbornt@gmail.com

## PROPERTY INFORMATION:

Address: 3684 Main Street Lot Size: 0.98 acres KPB Tax ID # 17708002

Legal Description of Property: Lot 13, Tract B, Nils O Svedlund Subdivision

## For staff use:

Date: \_\_\_\_\_ Fee submittal: Amount \_\_\_\_\_

Received by: \_\_\_\_\_ Date application accepted as complete \_\_\_\_\_

Planning Commission Public Hearing Date: \_\_\_\_\_

## Conditional Use Permit Application Requirements:

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

## Circle Your Zoning District

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



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

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

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

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

Multi-use bldg, commercial land use  
w/ residential above

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.

Add 4 single family dwellings (cabins)  
for residential

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

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

21.18.030 h. More than one building  
Containing a permitted principal use on a lot

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

The addition of four residential cabins is compatible with the zoning district purpose. Providing much needed low cost housing in the central Business district.

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

The proposed addition of four new residential cabins will enhance the community living standard. Once finished the overall landscaping and site appearance will be improved and enhance the visual atmosphere of the particular section of Main Street.

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

The existing use of surrounding properties is rather stale and has not changed in many years. However, adding new residences and with the ongoing facelift and grounds improvements on site this proposal will be compatible with the existing mixed use and may encourage upgrade.

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

Yes, the property sits along Main Street and city services run along Main Street. All required services are currently serving the property and can accommodate four new cabins.

- f. How will the development affect the harmony in scale, bulk, coverage and density upon the desirable neighborhood character, and will the generation of traffic and the capacity of surrounding streets and roads be negatively affected?

The development of four cabins will not adversely affect the harmony or density and will only increase the usefulness of Main Street as a residential neighborhood - one within walking distance of public services and attractions. It is not expected that there will be any significant increase in traffic, while providing affordable housing for those who may not have vehicles.



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

This proposal can only increase the health and welfare of those residing or using public facilities (laundry) on the property, providing close to services and shopping for lower income residents and for those living on a fixed income where they may not have vehicles and benefit by the proximity of service to a walking distance.

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

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

Improve property to be effective. Improve residential fast trip in community. Low/noise

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

1. ☒ Y ☐ N Special yards and spaces
2. ☒ Y ☐ N Fences, walls and screening
3. ☒ Y ☐ N Surfacing of parking areas
4. ☒ Y ☐ N Street and road dedications and improvements (or bonds)
5. ☒ Y ☐ N Control of points of vehicular ingress and egress
6. ☒ Y ☐ N Special provisions on signs
7. ☒ Y ☐ N Landscaping
8. ☒ Y ☐ N Maintenance of the grounds, buildings, or structures
9. ☒ Y ☐ N Control of noise, vibration, odors, lighting, heat, glare, water and solid waste pollution, dangerous materials, material and equipment storage, or other similar nuisances
10. ☒ Y ☐ N Time for certain activities
11. ☒ Y ☐ N A time period within which the proposed use shall be developed
12. ☒ Y ☐ N A limit on total duration of use
13. ☒ Y ☐ N Special dimensional requirements such as lot area, setbacks, building height
14. ☒ Y ☐ N Other conditions deemed necessary to protect the interest of the community

### Parking Questions.

1. How many parking spaces are required for your development? 34  
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? 34
3. Are you requesting any reductions? NO

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

**CIRCLE ONE:**

Owner of record

Lessee

Contract purchaser

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

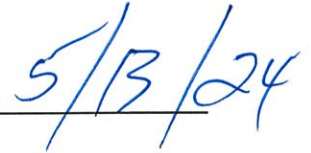
(a) apply for the conditional use permit, and

(b) bind the owner to the terms of the conditional use permit, if granted.

Applicant signature:



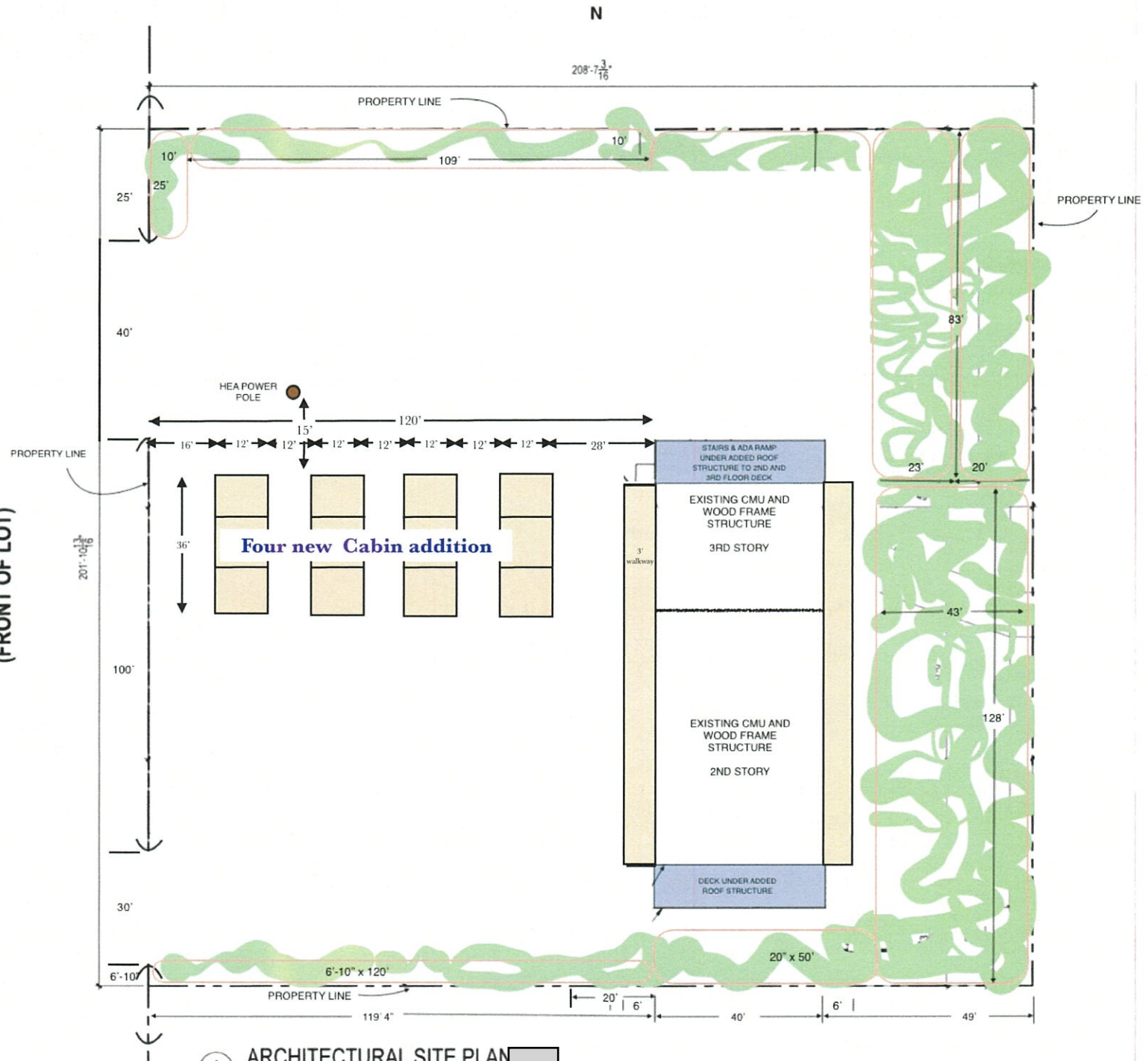
Date:



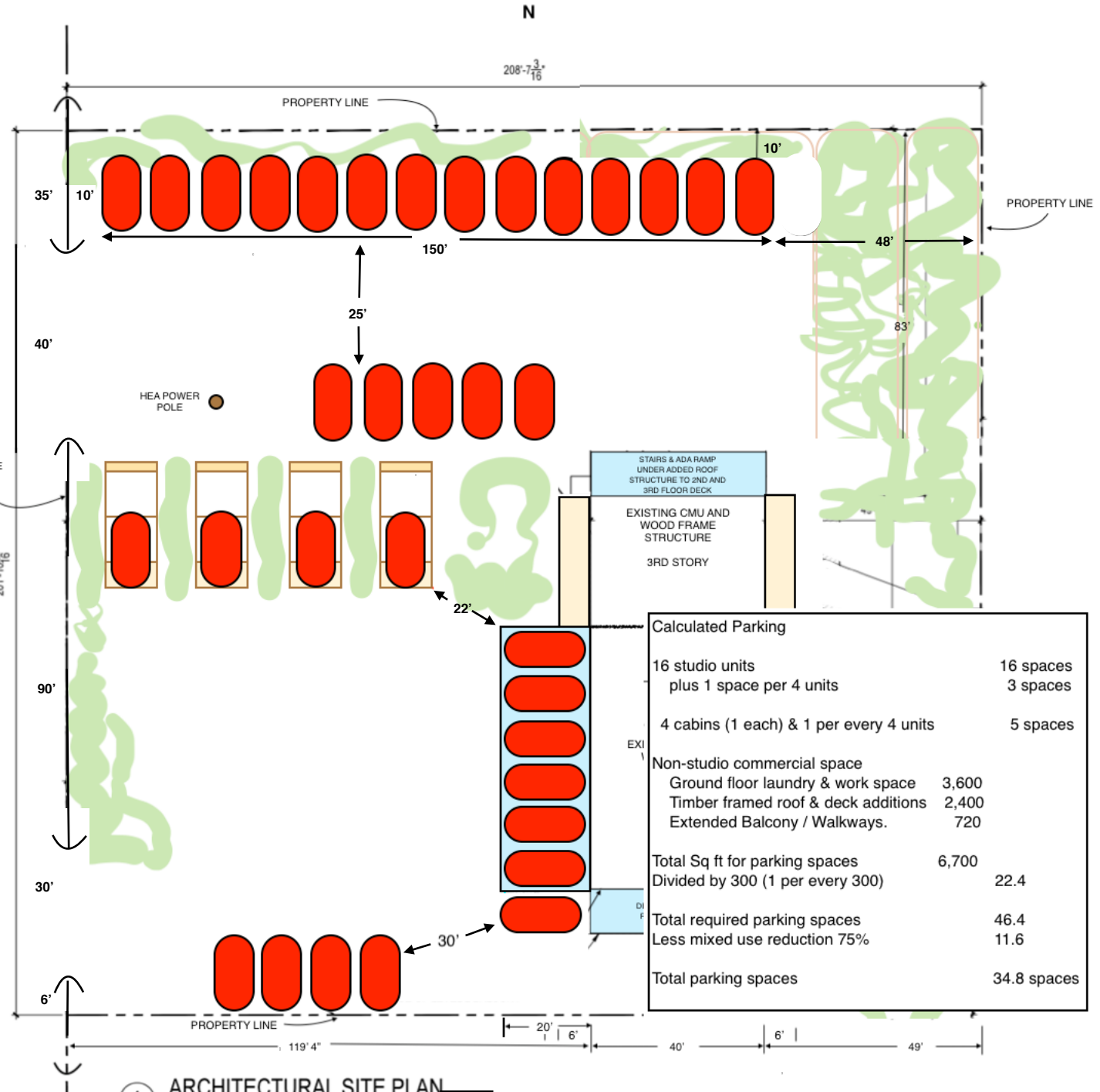
Property Owner signature: \_\_\_\_\_

Date: \_\_\_\_\_

MAIN STREET  
(FRONT OF LOT)



MAIN STREET  
(FRONT OF LOT)

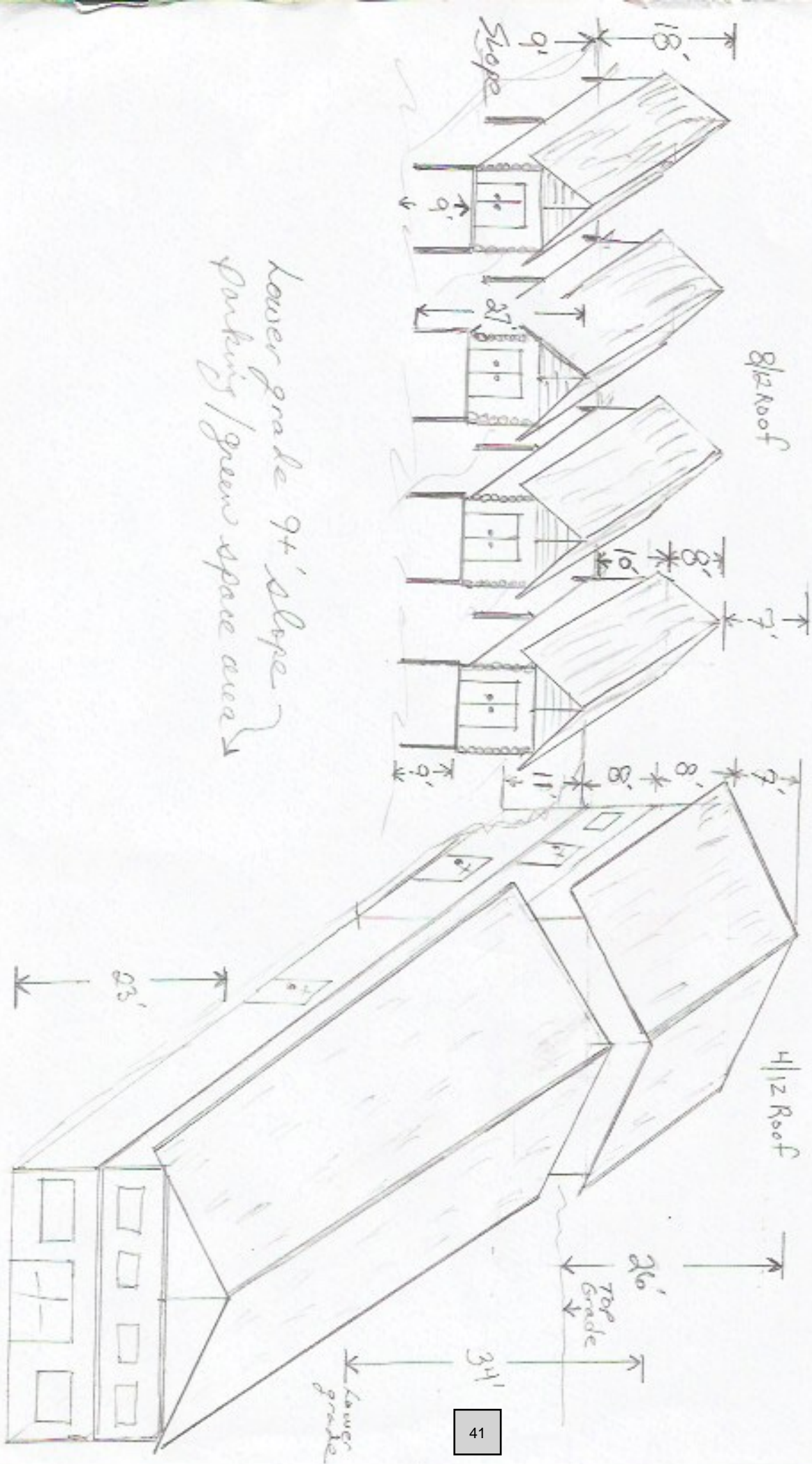


Calculated Parking		
16 studio units		16 spaces
plus 1 space per 4 units		3 spaces
4 cabins (1 each) & 1 per every 4 units		5 spaces
Non-studio commercial space		
Ground floor laundry & work space	3,600	
Timber framed roof & deck additions	2,400	
Extended Balcony / Walkways.	720	
Total Sq ft for parking spaces	6,700	
Divided by 300 (1 per every 300)		22.4
Total required parking spaces		46.4
Less mixed use reduction 75%		11.6
Total parking spaces		34.8 spaces



3684 Main Street elevation planned cabin addition

Upper grade parking





3684 Main Street Steination







## Legend

### Transportation

#### Mileposts



#### Roads

- Medium Collector
- Medium Volume - Unmaintained
- Medium Volume - Maintained
- Low / Seasonal
- Legal Trail
- Private
- State Hwy
- Platted / Proposed

### Parcels and PLSS

#### Tax Parcels



### 9" Imagery

- Red: Red
- Green: Green
- Blue: Blue

- Red: Red
- Green: Green

0 100 200 ft

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

## **Review of comprehensive plan Land Use Chapter for CUP 24—08 RF 6.5.24**

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

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

**Staff:** This project supports high density residential and mixed-use development in the core areas of the City and supports a desirable community character.

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

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

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

**Staff:** Four single-family dwellings would provide additional housing options in the core of the City which currently has a very strong demand for housing and is compatible with neighboring properties and contributes to a quality neighborhood.

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

**Staff:** This project discourages sprawl with additional infill dwelling units at the scale and density of the Central Business District. The location of this project is on the core of the City of Homer and fits the high-density, mixed-use character, planned in the city core.

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

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

N/A – not associated with mapping.



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

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

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

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

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

N/A – not associated with other jurisdictions.

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

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

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

**Objective B:** Encourage high quality site design and buildings.

**Staff:** The proposal supports four new dwelling units that are required to submit a Zoning Permit and meet City requirements for site development, including meeting the requirements of the Community Design Manual.

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

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

**Staff:** The proposal is located in the CBD and will be required to meet the requirements of Chapters 1-3 of the Community Design Manual.

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

**Staff:** The proposed four single family dwelling units are associated with the existing laundromat on the property and does not consist of a strip style development. The proposed project would infill an existing, underutilized lot.

**Finding:**

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

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

Public hearings on the matters below are scheduled for Wednesday, June 19, 2024 at 6:30 p.m. during the Regular Planning Commission Meeting. Participation is available virtually via Zoom webinar or in-person at Homer City Hall.

**A request for Conditional Use Permit (CUP) CUP 24-08 per HCC 21.18.030 (m), More than one building containing a permitted principal use on a lot. The applicant proposes four single-family dwellings at 3684 Main Street. T 6S R 13W SEC 20 SEWARD MERIDIAN HM 0540251A NILS O SVEDLUND SUB AMD S 201.9 FT OF LOT 13 TRACT B**

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

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

Meeting ID: 979 8816 0903  
Passcode: 976062

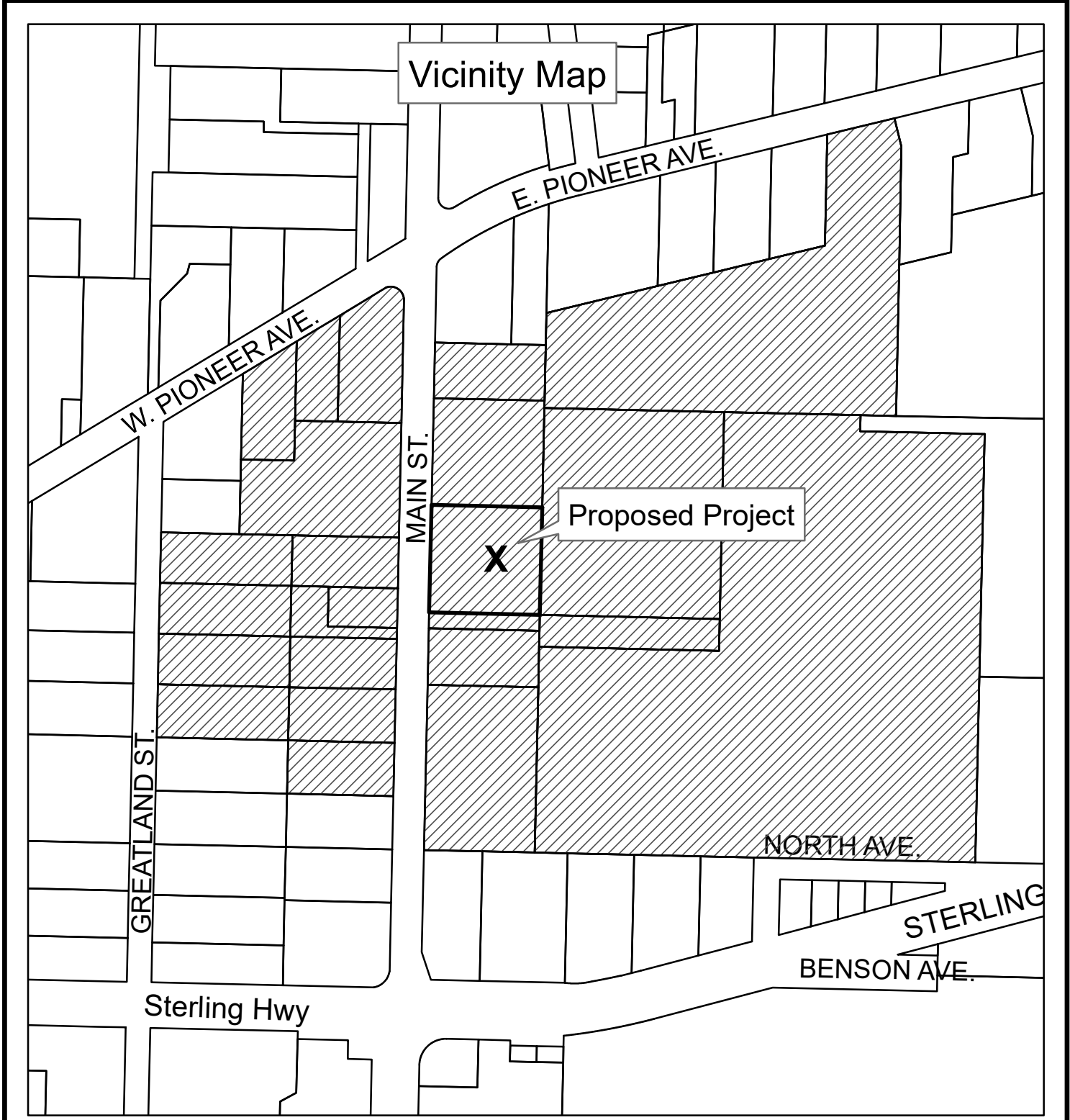
Additional information regarding this matter will be available by 5pm on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for June 14, 2024 at <https://www.cityofhomer-ak.gov/calendar>. It will also be available at the Planning and Zoning Office at Homer City Hall and at the Homer Public Library.

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

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

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

.....  
**VICINITY MAP ON REVERSE**



City of Homer  
Planning and Zoning Department  
5/21/24

Request for Conditional Use Permit  
2024-08 3684 Main Street

Marked lots are within 300 feet  
and property owners notified

0 250 500 Feet

48

*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**  
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Homer, Alaska 99603  
Planning@ci.homer.ak.us  
(p) 907-235-3106  
(f) 907-235-3118

## HOMER PLANNING COMMISSION

### Approved CUP 2024-08 at the Meeting of June 5, 2024

**RE:** Conditional Use Permit (CUP) 2024-08  
**Address:** 3684 Main Street

**Legal Description:** T 6S R 13W SEC 20 SEWARD MERIDIAN HM 0540251A NILS O SVEDLUND SUB AMD S 201.9 FT OF LOT 13 TRACT B

## DECISION

### Introduction

Robert Bornt (the "Applicant") applied to the Homer Planning Commission (the "Commission") for a Conditional Use Permit (CUP) under Homer City Code HCC 21.18.030 (m), More than one building containing a permitted principal use on a lot at 3684 Main Street.

A public hearing was held for the application before the Commission on June 5, 2024, as required by Homer City Code 21.94. Notice of the public hearing was published in the local newspaper and sent to 13 property owners of 24 parcels as shown on the Kenai Peninsula Borough tax assessor rolls. Public notices contained information on how to submit written testimony, participate telephonically, or participate on the Zoom meeting platform.

At the June 5, 2024 meeting of the Commission, seven Commissioners were present, and the Commission approved CUP 2024-08 by a vote of 6-1 with six conditions.

### Evidence Presented

City Planner, Ryan Foster, provided a detailed review of Staff Report PC 24-024 for the Commission. The Applicant presented on their application and answered questions of the Commission. Two public testimonies were provided in-person at Council Chambers.

### Findings of Fact

After careful review of the record and consideration of testimony presented at the hearing, the Commission determines CUP 2024-08, to allow more than one building containing a permitted

principal use on a lot for four single family dwellings at 3684 Main Street satisfies the review criteria set out in HCC 21.71.030 and is hereby approved.

**The criteria for granting a Conditional Use Permit is set forth in HCC 21.71.030, 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;**

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

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

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

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

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

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

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

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

**Condition 1:** The property owner needs to contact and work with ADEC for an engineered community sewer design

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

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

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

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

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

79  
80 **h. The proposal does or will comply with the applicable regulations and conditions**  
81 **specified in this title for such use.**

82  
83 **Finding 8:** The proposal will comply with applicable regulations and conditions  
84 specified in Title 21 when gaining the required permits.

85  
86 **i. The proposal is not contrary to the applicable land use goals and objectives of the**  
87 **Comprehensive Plan.**

88 **Finding 9:** The proposal is not contrary to the applicable land use goals and objectives  
89 of the Comprehensive Plan. The proposal aligns with Chapter 4, Goal 1, Objectives A, C,  
90 and D and Goal 3, Objective B, and Goal 4, Objectives A, B and no evidence has been  
91 found that it is contrary to the applicable land use goals and objectives of the  
92 Comprehensive Plan.

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

95  
96 **Condition 2:** The applicant must demonstrate compliance with Chapters 1-3 of the  
97 CDM with the submission of a zoning permit.

98  
99 **Finding 10:** Project will comply with the applicable provisions of the CDM.

100  
101 **HCC 21.71.040(b).** b. In approving a conditional use, the Commission may impose such  
102 conditions on the use as may be deemed necessary to ensure the proposal does and will  
103 continue to satisfy the applicable review criteria. Such conditions may include, but are not  
104 limited to, one or more of the following:

- 105  
106 **1. Special yards and spaces:** No specific conditions deemed necessary.  
107 **2. Fences and walls:** No specific conditions deemed necessary.  
108 **3. Surfacing of parking areas:** No specific conditions deemed necessary.  
109 **4. Street and road dedications and improvements:** No specific conditions deemed  
110 necessary.  
111 **5. Control of points of vehicular ingress and egress:** No specific conditions deemed  
112 necessary.  
113 **6. Special provisions on signs:** No specific conditions deemed necessary.

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

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

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

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

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

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

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

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

133  
134  
135 **Conclusion:** Based on the foregoing findings of fact and law, Conditional Use Permit 2024-08  
136 is hereby approved, with Findings 1-10 and the following conditions.  
137

138 **Condition 1:** The property owner needs to contact and work with ADEC for an  
139 engineered community sewer design.

140 **Condition 2:** The applicant must demonstrate compliance with Chapters 1-3 of the  
141 CDM with the submission of a zoning permit.

142 **Condition 3:** A more detailed site plan be provided.

143 **Condition 4:** All garbage containers, connexes, abandoned vehicles, and equipment  
144 shall meet homer city code in accordance with the zoning permit.

145 **Condition 5:** Storage of RV's and boats shall comply with Homer City Code and  
146 Community Design Manual.

147 **Condition 6:** Applicant evaluation parking possibilities between cabins per Homer City  
148 Code.



151 \_\_\_\_\_  
152 Date Chair, Scott Smith

153  
154  
155 \_\_\_\_\_  
156 Date City Planner, Ryan Foster

157  
158  
159  
160  
161  
162 NOTICE OF APPEAL RIGHTS  
163 Pursuant to Homer City Code 21.93.020 any person with standing in this decision may appeal this  
164 decision to a hearing officer within fifteen (15) days of the date of distribution indicated below. A  
165 hearing officer will be appointed in accordance with Homer City Code 21.91.100. Any decision not  
166 appealed within that time shall be final. A notice of appeal shall be in writing and contain all the  
167 information required by Homer City Code Section 21.93.080 and shall be filed with the Homer City Clerk,  
168 491 E. Pioneer Avenue, Homer, Alaska 99603.

169  
170 CERTIFICATION OF DISTRIBUTION  
171 I certify that a copy of this Decision was mailed to the below listed recipients on \_\_\_\_\_,2024.  
172 A copy was also delivered to the City of Homer Planning Department and Homer City Clerk on the same  
173 date.

174  
175  
176 \_\_\_\_\_  
177 Date Ed Gross, Associate Planner

Robert Bornt  
3684 Main Street  
Homer, AK 99603

Melissa Jacobsen, Acting City Manager  
City of Homer  
491 E Pioneer Avenue  
Homer, AK 99603

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



# City of Homer

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

## Planning

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Homer, Alaska 99603

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(p) 907-235-3106  
(f) 907-235-3118

### Staff Report 24-028

TO: Homer Planning Commission  
FROM: Ryan Foster, AICP, City Planner  
DATE: June 19, 2024  
SUBJECT: Conditional Use Permit (CUP) 24-09

---

**Synopsis** The applicant requests a Conditional Use Permit (CUP) CUP 24-09 per HCC 21.22.030 (a), More than one building containing a permitted principal use on a lot at 955 Sterling Highway.

Applicant: Bill Hand  
PO Box 3129  
Homer, AK 99603

Location: 955 Sterling Highway

Legal Description: T 6S R 13W SEC 19 SEWARD MERIDIAN HM GOVT LOT 3 EXCLUDING YUKON VIEW SUB

Parcel ID: 17510053

Size of Existing Lot: 13.5 acres

Zoning Designation: Gateway Business District

Existing Land Use: Vacant

Surrounding Land Use: North: Institutional, Vacant, and Commercial  
South: Kachemak Bay  
East: Vacant  
West: Vacant

Comprehensive Plan: Chapter 4, Goal 1, Objective A, C, and D and Goal 2 Objective C and Goal 3 Objective B and Goal 4, Objective B

Wetland Status: Per KWF Wetlands Assessment there is Discharge Slope, Wetland/Upland Complex, and Tidal Wetlands on the property.

Flood Plain Status: Not in a floodplain.

BCWPD: Not within the Bridge Creek Watershed Protection District

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

Public Notice: Notice was sent to 13 property owners of 11 parcels as shown on the KPB tax assessor rolls.

**ANALYSIS:** The applicant proposes 25 single-family dwellings at 955 Sterling Highway. The current use of 955 Sterling Highway is vacant and the applicant proposes 25 single-family dwellings consisting of a mix of one, two, and three bedroom units. The applicant notes currently the land is vacant and Property will be used to build 25 rental units for the Kenai Peninsula Borough and the South Peninsula Hospital, also a maintenance building and 4 storage buildings. We intend to develop the property in accordance with City of Homer guidelines set for the Gateway Business District and the Scenic Gateway Corridor Overlay District.

**PARKING:** The applicant is required to provide 50 spaces (two per dwelling unit). The 52 parking spaces identified in the application exceeds the required number of spaces.

**DENSITY:** The minimum lot size is 20,000 square feet. The lot size is approximately 588,060 square feet. The minimum lot size is met.



Proposed location of 25 single-family dwellings at 955 Sterling Highway

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

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

**Analysis:** The following uses may be permitted in the Gateway Business District when authorized by conditional use permit issued in accordance with Chapter 21.71 HCC:

HCC 21.22.030 (a), More than one building containing a permitted principal use on a lot

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

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

HCC 21.22.010 Purpose. The purpose of the Gateway Business District is primarily to promote mixed use development, with an emphasis on visitor-oriented business. Conflicts between residential and business uses are resolved in favor of business. Among the goals of the Gateway Business District regulations are the minimization of future traffic congestion along the Sterling Highway corridor, and preservation of the favorable experience residents and visitors have when entering Homer by way of the Sterling Highway.

**Applicant:** The purpose of the Gateway Business District is primarily to promote mixed use development.

**Analysis:** A single family dwelling is a permitted use in the Gateway Business District. The applicant proposes 25 dwelling units at a density, which is compatible with neighboring institutional, commercial, and vacant uses, and thus providing structures and uses compatible with the purpose of the Gateway Business District.

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

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

**Applicant:** Property values will increase with aesthetically pleasing construction of different Floorplans, layouts, and color schemes.

**Analysis:** Many permitted uses in the Gateway Business District could have greater negative impacts than would be realized from 25 single-family dwelling units. Entertainment establishments, retail business, and museums and libraries would likely have a similar, if not greater, impact on nearby property values.

**Finding 3:** 25 single-family dwelling units are not expected to negatively impact the adjoining properties greater than other permitted or conditional uses.

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

**Applicant:** Existing uses are diverse, approximately 50% of surrounding land is vacant. There are residential homes and rentals in the area. The building houses a small business which fits into the vision of residential / office nicely.

**Analysis:** Existing uses of the surrounding land are currently institutional, commercial, and vacant, though it is primarily surrounded by vacant lots. 25 single-family dwelling units are in character with the surrounding mix of land uses in scale and intensity of use.

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

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

**Applicant:** Yes. We have discussed at length with Public Works, HEA, and made contact with Enstar.

**Analysis:** The applicant will need to work with Homer Public Works for permits to connect to City sewer and water utilities. A preliminary drainage plan has been submitted with the application.

**Finding 5:** Water, sewer, and fire services will be, prior to occupancy, adequate to serve the proposed dwelling units.

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:** In developing property there will always be some affect. Our residential rentals will create a minimal amount of traffic compared to most any other Commercial Enterprise. Density, scale, bulk complies with City Code 21.12.040 A #3

**Analysis:** With a total of 52 parking spaces on the property, and the residential nature of the use, the proposed project is estimated to generate traffic well below the 100 (or more) vehicle trips during any hour of the day threshold for requiring a conditional use permit.

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

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

**Applicant:** No, in fact it will do just the opposite, it will give the community of Homer exactly what is needed, more affordable year-round housing facilities.

**Analysis:** The proposal does not introduce a use or a scale that is not reasonably anticipated by the rules, regulations, and infrastructure developed to service such a proposal. The Homer Fire Chief strongly encourages the applicant to place a safety fence along the cliff that will discourage or prevent kids from getting close to the edge and potentially falling over the edge. We have minimal resources to provide a technical rescue operation of this nature, and a fall from that location could result in serious injury or worse.

**Condition 1:** Strongly encourage the applicant to place a safety fence along the cliff that will discourage or prevent kids from getting close to the edge and potentially falling over the edge.

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

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

**Analysis:** The applicant is not requesting any exception to code. The project is able to comply with the applicable regulations and conditions when gaining a CUP and subsequent zoning permit for construction. The applicant is providing a 50-foot Coastal Edge setback, exceeding the 40-foot setback required by HCC21.44.030 (c)(3) as a property located on the Section 19 Township 6 South Range 14 West Seward Meridian side of the boundary.

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

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

**Applicant:** Goal #1 - Increase supply and diversity of housing encouraging infill. Goal #3 - Encourage the development of high-quality buildings.

**Analysis:** As provided in the attached Compliance Review of the Homer Comprehensive Plan, the following Goals of the Land Use Chapter of the Homer Comprehensive Plan are supported by this project:

- Chapter 4, Goal 1, Objectives A, C, & D
- Chapter 4, Goal 2, Objective C
- Chapter 4, Goal 3, Objective B
- Chapter 4, Goal 4, Objective B

**Finding 9:** The proposal is not contrary to the applicable land use goals and objectives of the Comprehensive Plan. The proposal aligns with Chapter 4, Goal 1, Objectives A, C, and D, and Chapter 4, Goal 2, Objective C, and Chapter 4, Goal 3, Objective B and Chapter 4, Goal 4, Objective B and no evidence has been found that it is contrary to the applicable land use goals and objectives of the Comprehensive Plan.

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

**Analysis:** Chapter 1, 2, and 3, of the CDM is applicable to the Gateway Business District.

**Condition 2:** The applicant must demonstrate compliance with Chapters 1-3 of the CDM with the submission of a zoning permit.

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

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

- 1. Special yards and spaces:** No specific conditions deemed necessary.
- 2. Fences and walls:** No specific conditions deemed necessary.
- 3. Surfacing of parking areas:** No specific conditions deemed necessary.
- 4. Street and road dedications and improvements:** No specific conditions deemed necessary.
- 5. Control of points of vehicular ingress and egress:** No specific conditions deemed necessary.

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

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

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

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

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

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

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

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

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

**PUBLIC WORKS COMMENTS:** None

**Fire Department Comments:** Two fire hydrants should be placed at the following locations, the first on the right side subdivision entry near the “storage units” as indicated on the preliminary drawing. The second should be located in front of building #16 in the northwest corner of the yard.

I believe we should highly encourage them to place a safety fence along the cliff that will discourage or prevent kids from getting close to the edge and potentially falling over the edge. We have minimal resources to provide a technical rescue operation of this nature, and a fall from that location could result in serious injury or worse.

**PUBLIC COMMENTS:** None

**STAFF COMMENTS/RECOMMENDATIONS:**

Planning Commission approve CUP 24-97, **Staff Report 24-028** with findings 1-10 and the following conditions.

**Condition 1:** Strongly encourage the applicant to place a safety fence along the cliff that will discourage or prevent kids from getting close to the edge and potentially falling over the edge.



**Condition 2:** The applicant must demonstrate compliance with Chapters 1-3 of the CDM with the submission of a zoning permit.

**Attachments**

Application  
Site Plan  
Elevation Drawing  
Drainage Plan  
Aerial Map  
Compliance Review of Homer Comprehensive Plan  
Public Notice and Map



# City of Homer

www.cityofhomer-ak.gov

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Homer, Alaska 99603  
Planning@ci.homer.ak.us  
(p) 907-235-3106  
(f) 907-235-3118

## Applicant

Name: Bill Hand Phone No.: 907-299-1853

Address: Po Box 3129 Homer AK 99603 Email: billghand@hotmail.com

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

Name: Waterfront Rentals LLC Phone No.: 907-299-1853

Address: 575 Sterling Hwy Homer, AK 99603 Email: waterfrontrentalsinhomerak@gmail.com

## PROPERTY INFORMATION:

Address: 955 Sterling Hwy Homer AK Lot Size: 13.500 acres KPB Tax ID # 17510053

Legal Description of Property: SEC 19 HM GOVT LOT 3 EXCLUDING YUKON VIEW SUB

## For staff use:

Date: \_\_\_\_\_ Fee submittal: Amount \_\_\_\_\_

Received by: \_\_\_\_\_ Date application accepted as complete \_\_\_\_\_

Planning Commission Public Hearing Date: \_\_\_\_\_

## Conditional Use Permit Application Requirements:

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

## Circle Your Zoning District

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

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

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

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

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

Currently Property is vacant, there are no structures on the land.

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.

Property will be used to build 25 rental units for the Kenai Peninsula Borough and the

South Peninsula Hospital, also a maintenance building and 4 storage buildings. We

intend to develop the property in accordance with City of Homer guidelines set for the

Gateway Business District and the Scenic Gateway Corridor Overlay District.

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

- a. What code citation authorizes each proposed use and structure by conditional use permit?  
21.22.020 Permitted uses and structures.  
e. Single-family, duplex, and multiple-family dwellings, including townhouses, but not including mobile homes
- b. Describe how the proposed uses(s) and structures(s) are compatible with the purpose of the zoning district.  
The purpose of the Gateway Business District is primarily to promote mixed use development
- c. How will your proposed project affect adjoining property values?  
Property values will increase with aesthetically pleasing construction of different Floorplans, layouts, and color schemes.
- d. How is your proposal compatible with existing uses of the surrounding land?  
Existing uses are diverse, approximately 50% of surrounding land is vacant. There are residential homes and rentals in the area.
- e. Are/will public services adequate to serve the proposed uses and structures?  
Yes. We have discussed at length with Public Works, HEA, and made contact with Enstar.
- 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?  
In developing property there will always be some affect. Our residential rentals will create a minimal amount of traffic compared to most any other Commercial Enterprise. Density, scale, bulk complies with City Code 21.12.040 A #3

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

No, in fact it will do just the opposite, it will give the community of Homer exactly what is needed, more affordable year-round housing facilities.

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

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

Goal #1 - Increase supply and diversity of housing encouraging infill.

Goal #3 - Encourage the development of high-quality buildings.

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

1. ☒ Y ☐ N Special yards and spaces
2. ☒ Y ☐ N Fences, walls and screening
3. ☐ Y ☒ N Surfacing of parking areas
4. ☐ Y ☒ N Street and road dedications and improvements (or bonds)
5. ☐ Y ☒ N Control of points of vehicular ingress and egress
6. ☐ Y ☒ N Special provisions on signs
7. ☒ Y ☐ N Landscaping
8. ☒ Y ☐ N Maintenance of the grounds, buildings, or structures
9. ☒ Y ☐ N Control of noise, vibration, odors, lighting, heat, glare, water and solid waste pollution, dangerous materials, material and equipment storage, or other similar nuisances
10. ☒ Y ☐ N Time for certain activities
11. ☒ Y ☐ N A time period within which the proposed use shall be developed
12. ☐ Y ☒ N A limit on total duration of use
13. ☐ Y ☒ N Special dimensional requirements such as lot area, setbacks, building height
14. ☒ Y ☐ N Other conditions deemed necessary to protect the interest of the community

### Parking Questions.

1. How many parking spaces are required for your development? 50 Parking Spaces  
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? 52 spaces
3. Are you requesting any reductions? No. We are Exempt from more than 24 spaces due to HCC 21.50.030 (f)(1)(b)iii

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

**CIRCLE ONE:**

Owner of record

Lessee

Contract purchaser

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

(a) apply for the conditional use permit, and

(b) bind the owner to the terms of the conditional use permit, if granted.

Applicant signature: \_\_\_\_\_

*Riv Hard*

Date: \_\_\_\_\_

*5/16/24*

Property Owner signature: \_\_\_\_\_

*Riv Hard*

Date: \_\_\_\_\_

*5/16/24*

ORIGINAL GROUND TOPOGRAPHY &  
PRELIMINARY SITE PLAN  
GOV'T LOT 3 EXCLUDING YUKON VIEW SUBD.,  
SEC. 19, T6S, R13W, S.M.

SEABRIGHT SURVEY + DESIGN  
KATHERINE A. KIRSIS, P.L.S.  
1044 EAST ROAD, SUITE A  
HOMER, ALASKA 99603  
(907) 299-1580

DATE: 05/2024 SCALE: 1"=40' SHEET #1 OF 1

0' 40' 80'  
GRAPHIC SCALE  
CONTOUR INTERVAL: 2' & 10'

NOTES

1. DEVELOPMENT OF THESE PARCELS IS SUBJECT TO HOMER CITY CODE CHAPTER 21.18 "GATEWAY BUSINESS DISTRICT" & CHAPTER 21.44 "SLOPES & COASTAL DEVELOPMENT".
2. CONTOUR INTERVALS ARE 2' & 10'.
3. ALL CONTOURS SHOWN ARE ORIGINAL GRADE.
4. MINIMUM SETBACK DISTANCE BETWEEN BUILDINGS IS 25'.
5. EACH HOUSE IS ALLOCATED TWO PARKING SPACES INDICATED BY A 20'x20' PARKING PAD.
6. SITE DEVELOPMENT AREAS INCLUDE:  
BUILDINGS ~22,000 S.F.  
LANDSCAPED AREA ~74,360 S.F.  
NATIVE VEGETATION BUFFER ~60,300 S.F.  
ROADS/PARKING ~37,260 S.F.

LEGEND

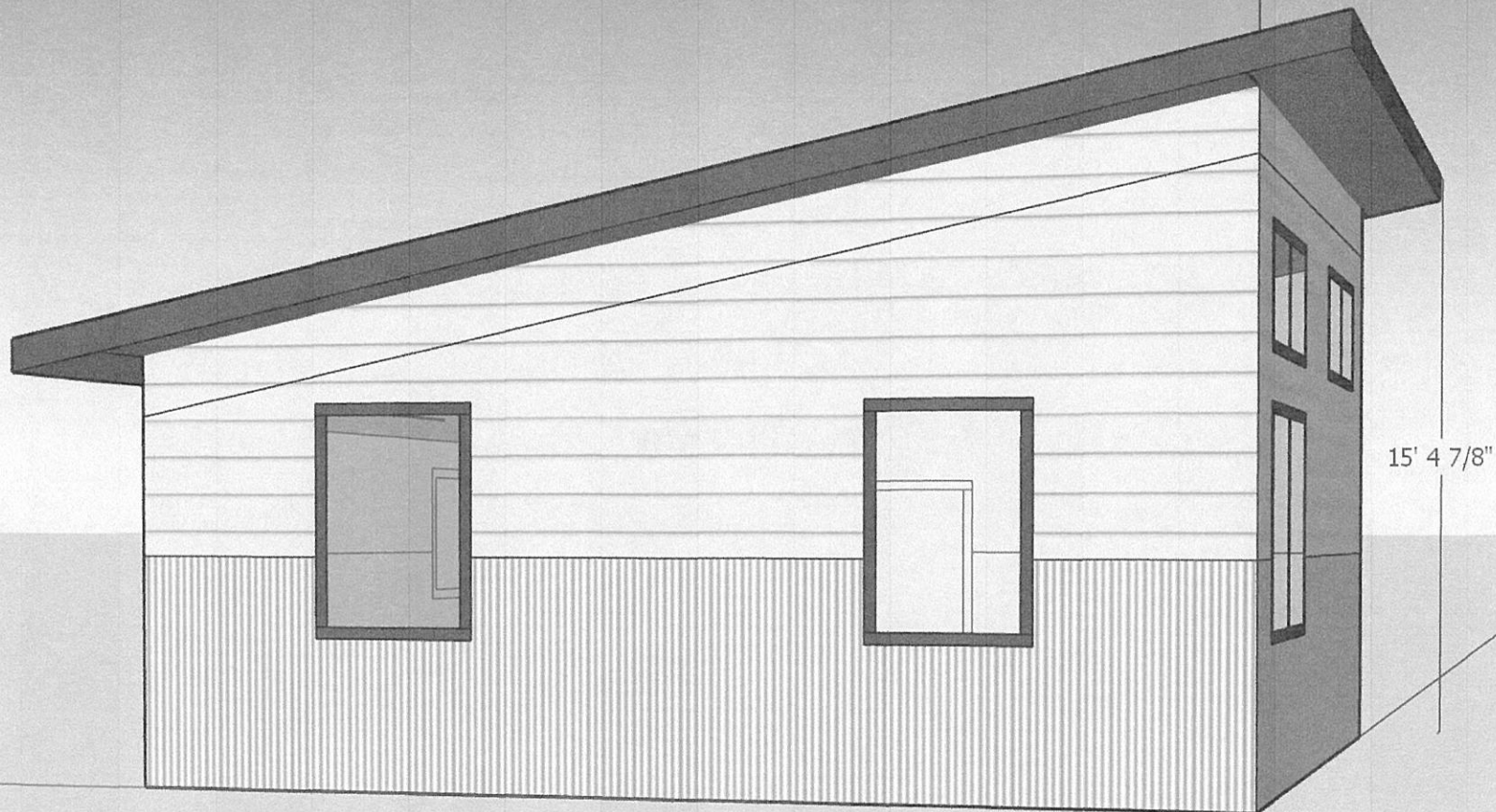
- UNIT #  
PAD ELEVATION
- PROPOSED BUILDING UNIT W/ DECK
- LANDSCAPED AREA
- NATIVE VEGETATION BUFFER
- DRIVEWAYS & PARKING

BUILDING FOOTPRINTS

- 12'-16' S  
STORAGE: 4 DOUBLE UNITS
- 24' M  
MAINTENANCE BUILDING: 1 UNIT
- 24' 1B  
1 BED 1 BATH: 10 UNITS  
1, 4, 7, 8, 10, 13, 15, 19, 21, 25
- 32' 2B  
2 BED 1 BATH: 11 UNITS  
2, 5, 9, 11, 12, 14, 16, 17, 20, 22, 24
- 36' 3B  
3 BED 2 BATH: 4 UNITS  
3, 6, 18, 23

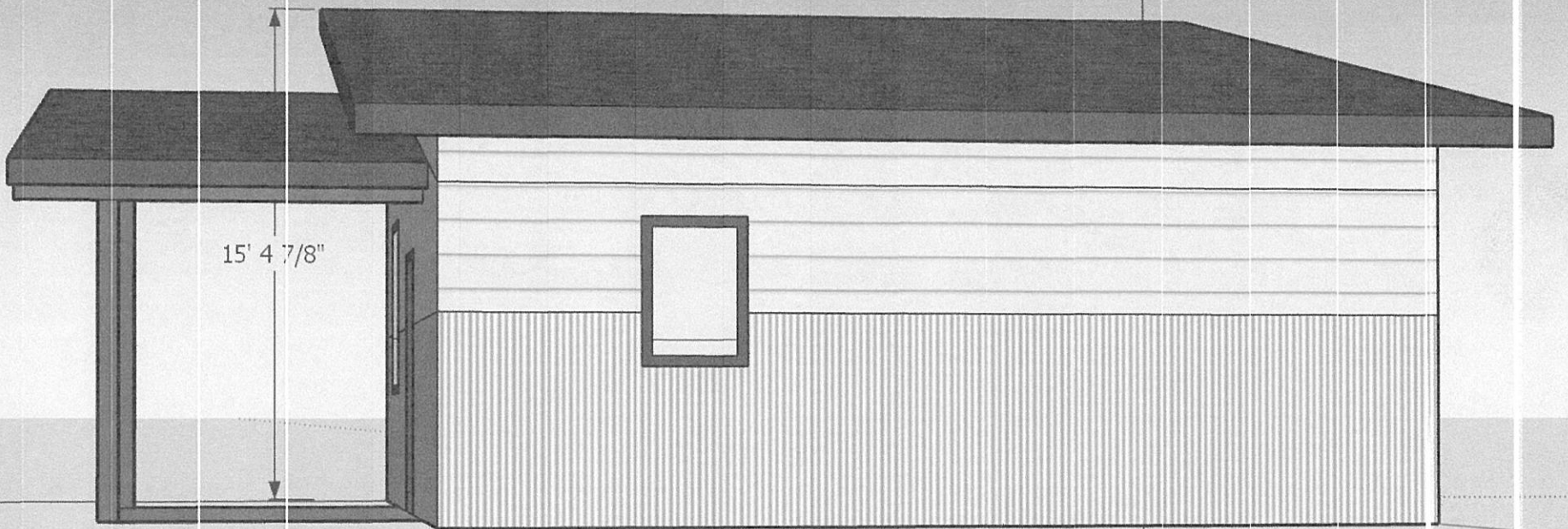


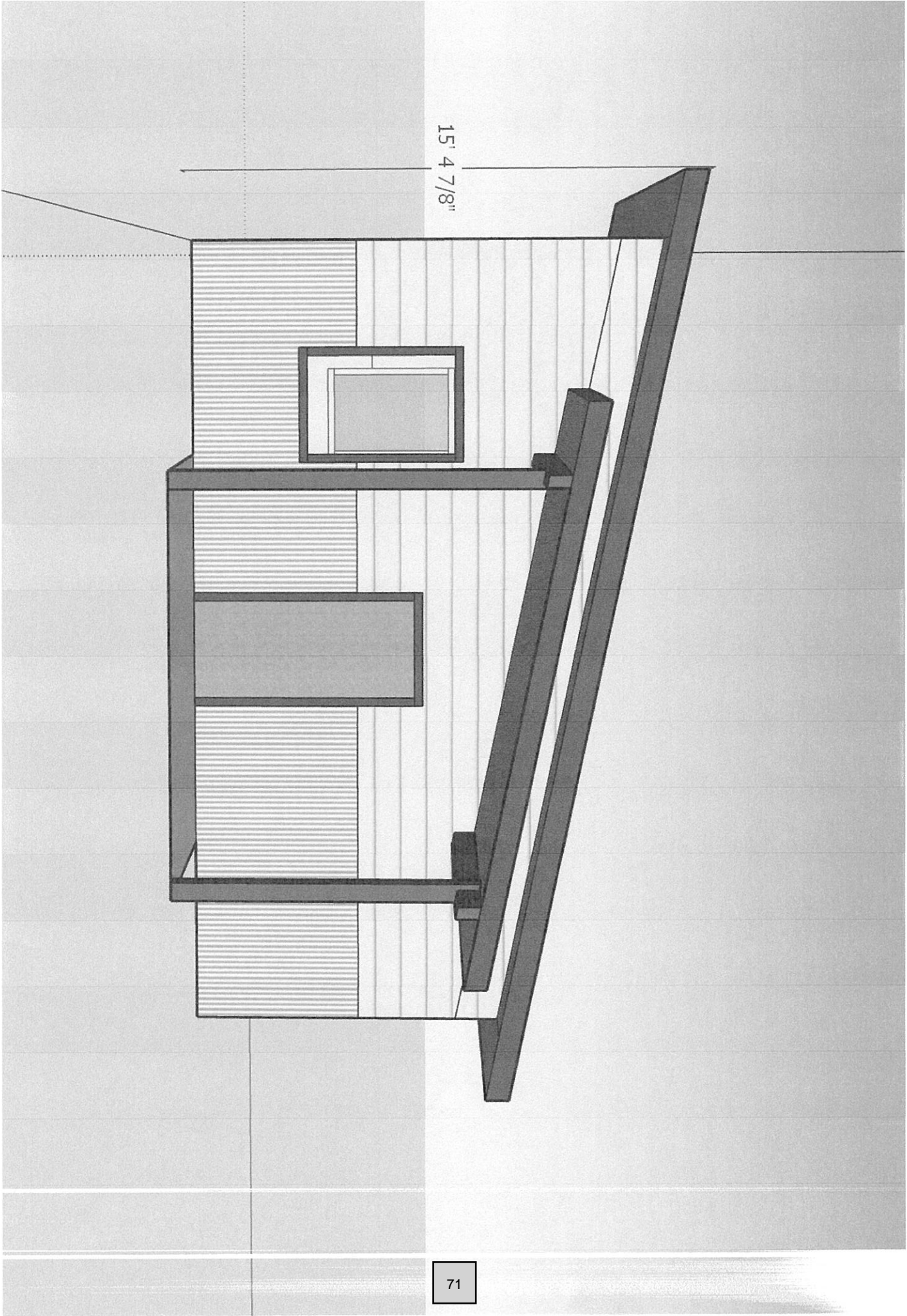
1 BR 1 BA





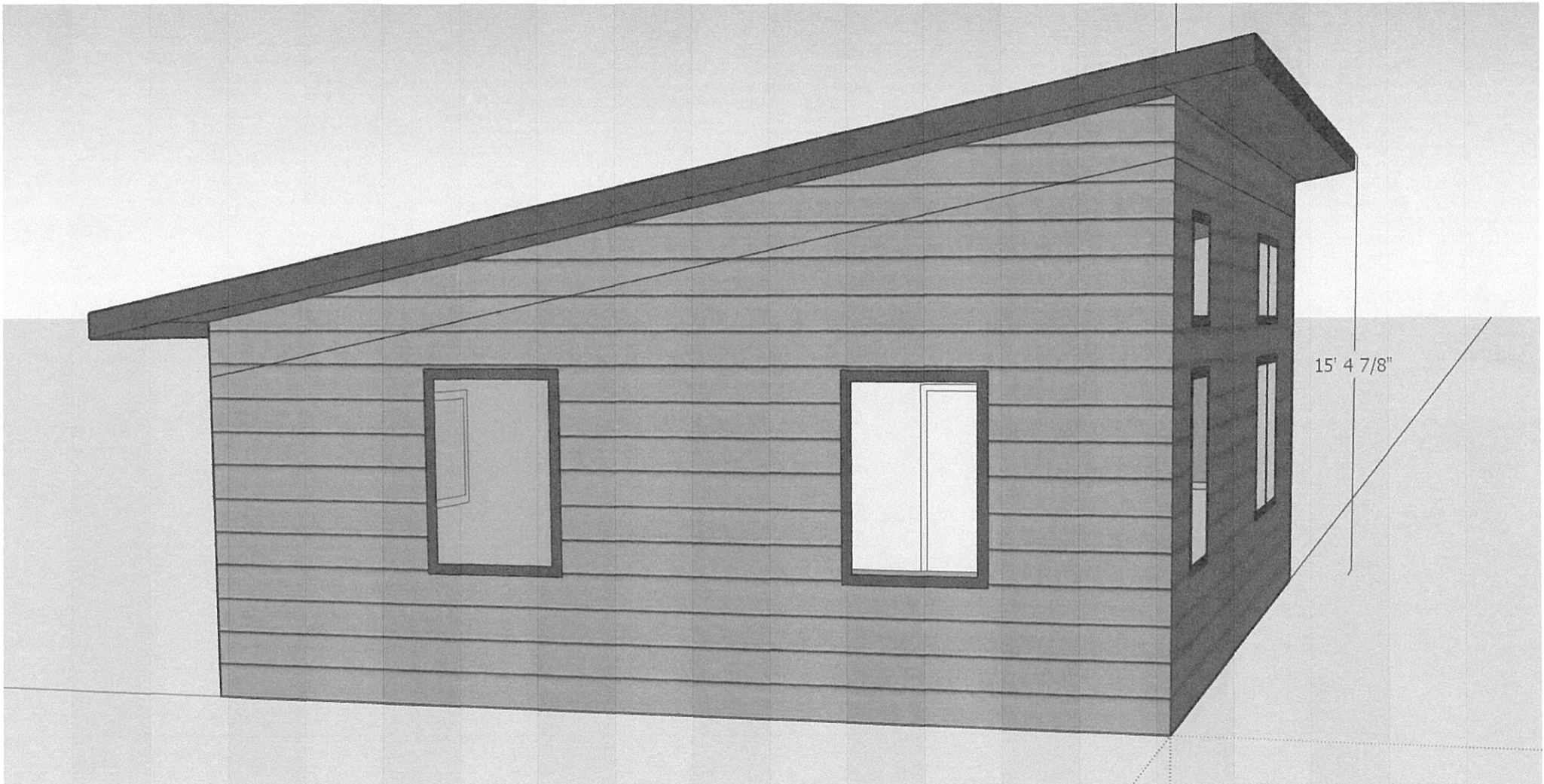






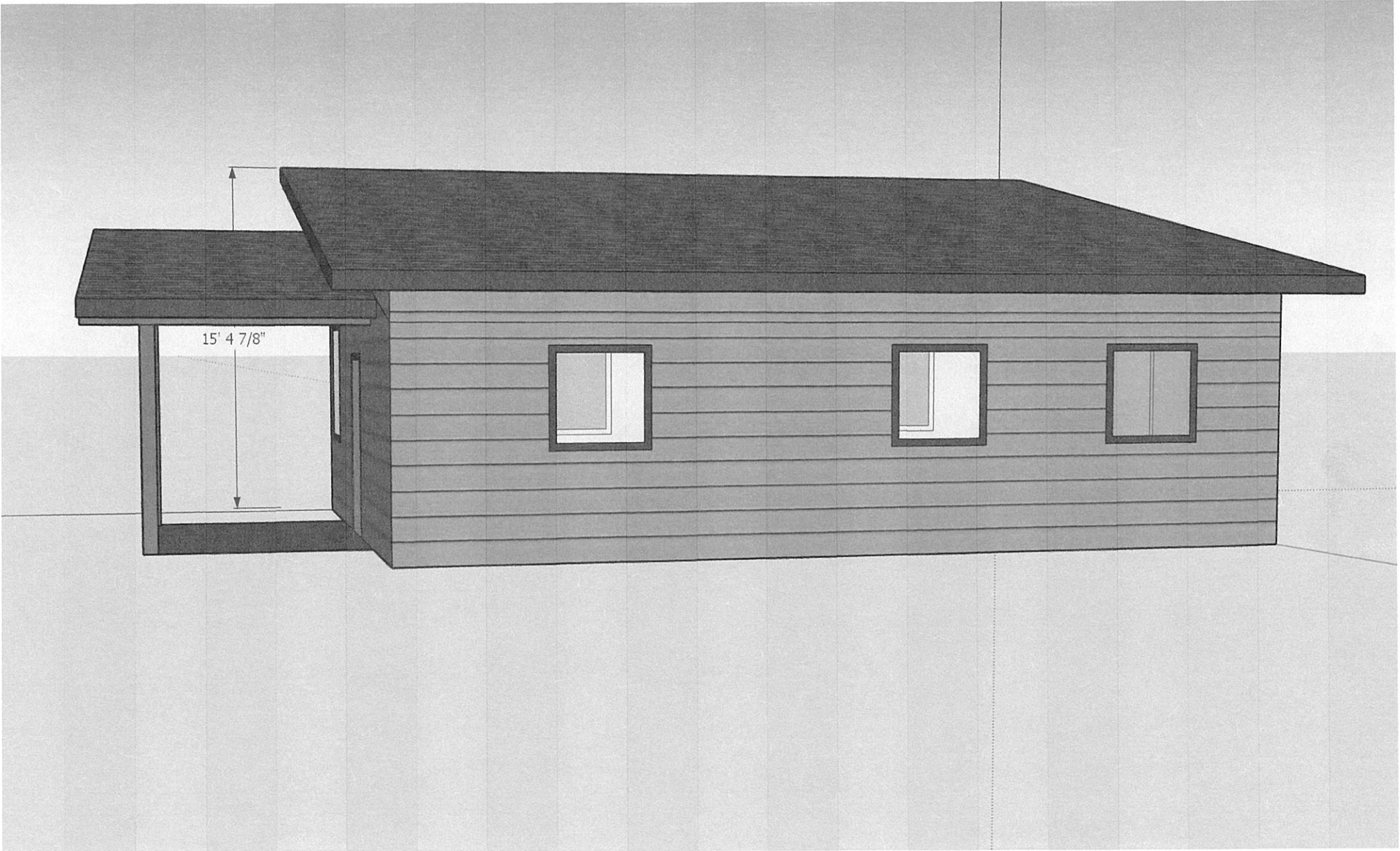


# Elevations for all 3 Models

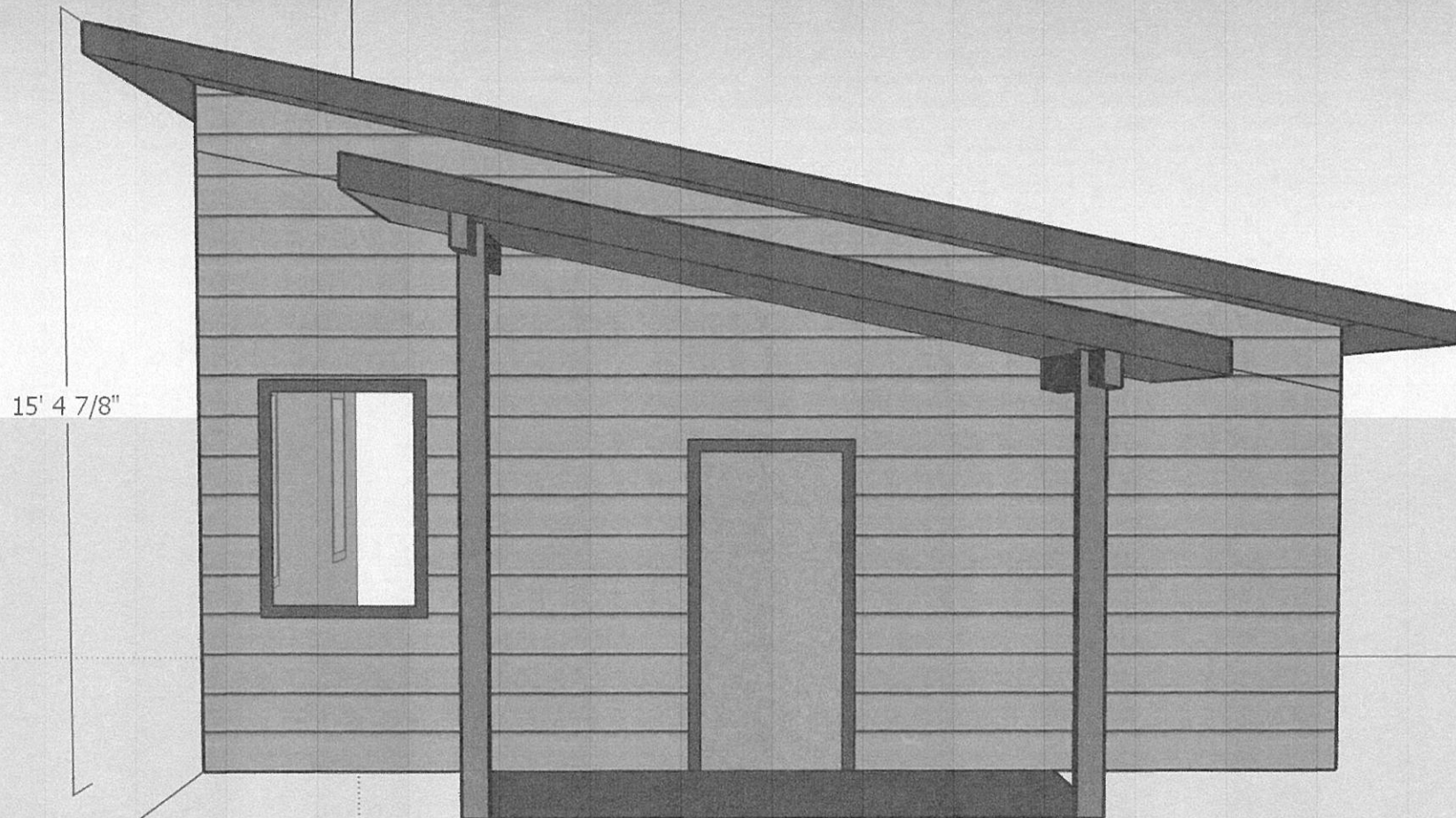


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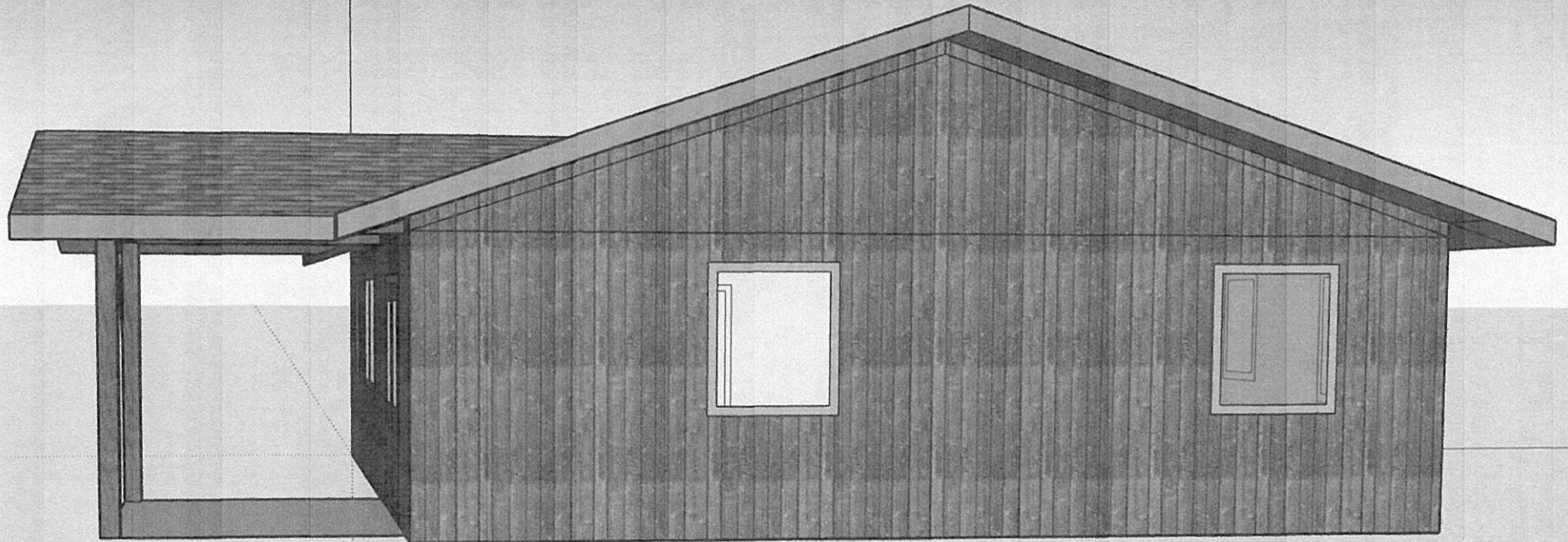




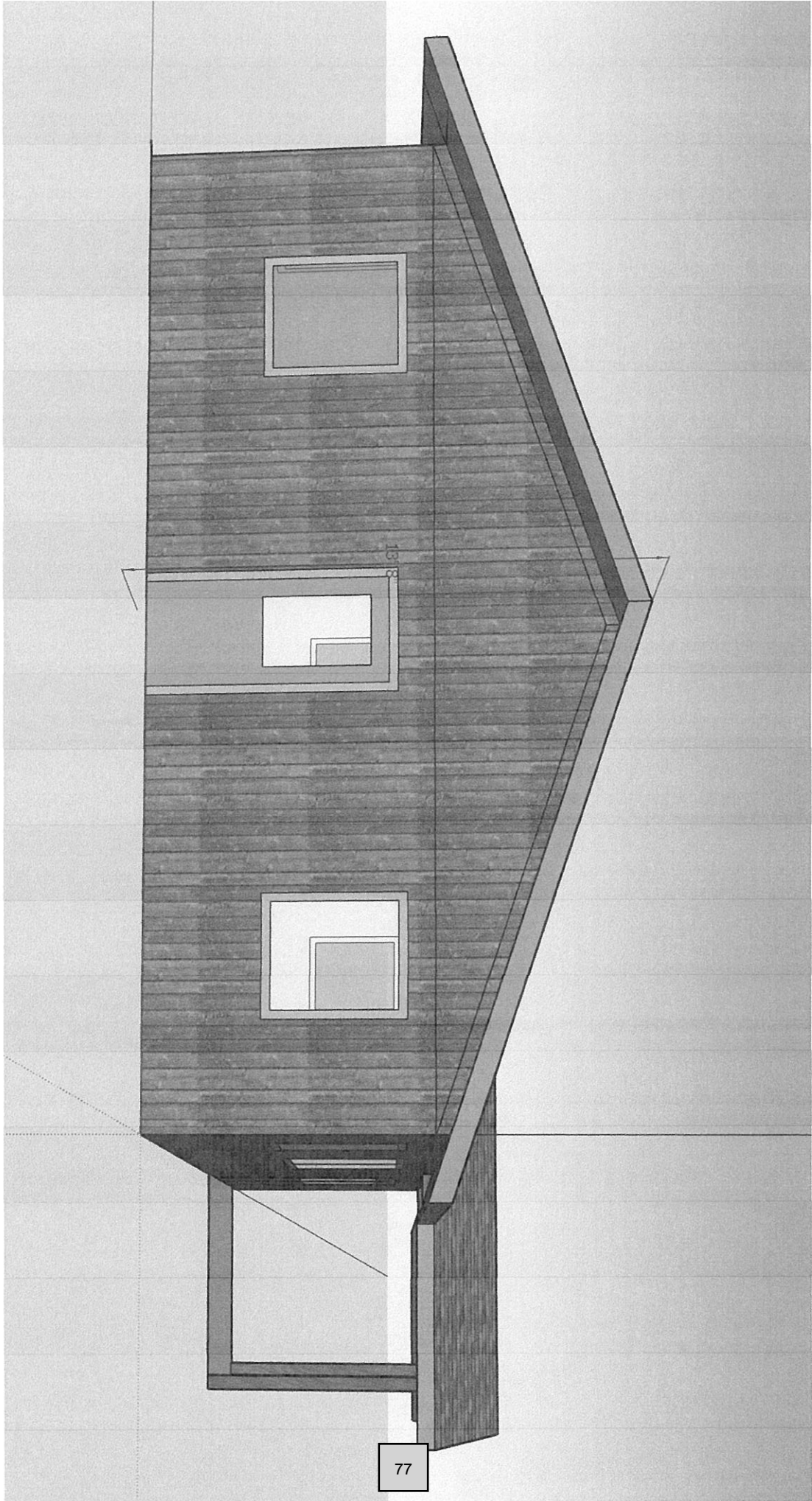


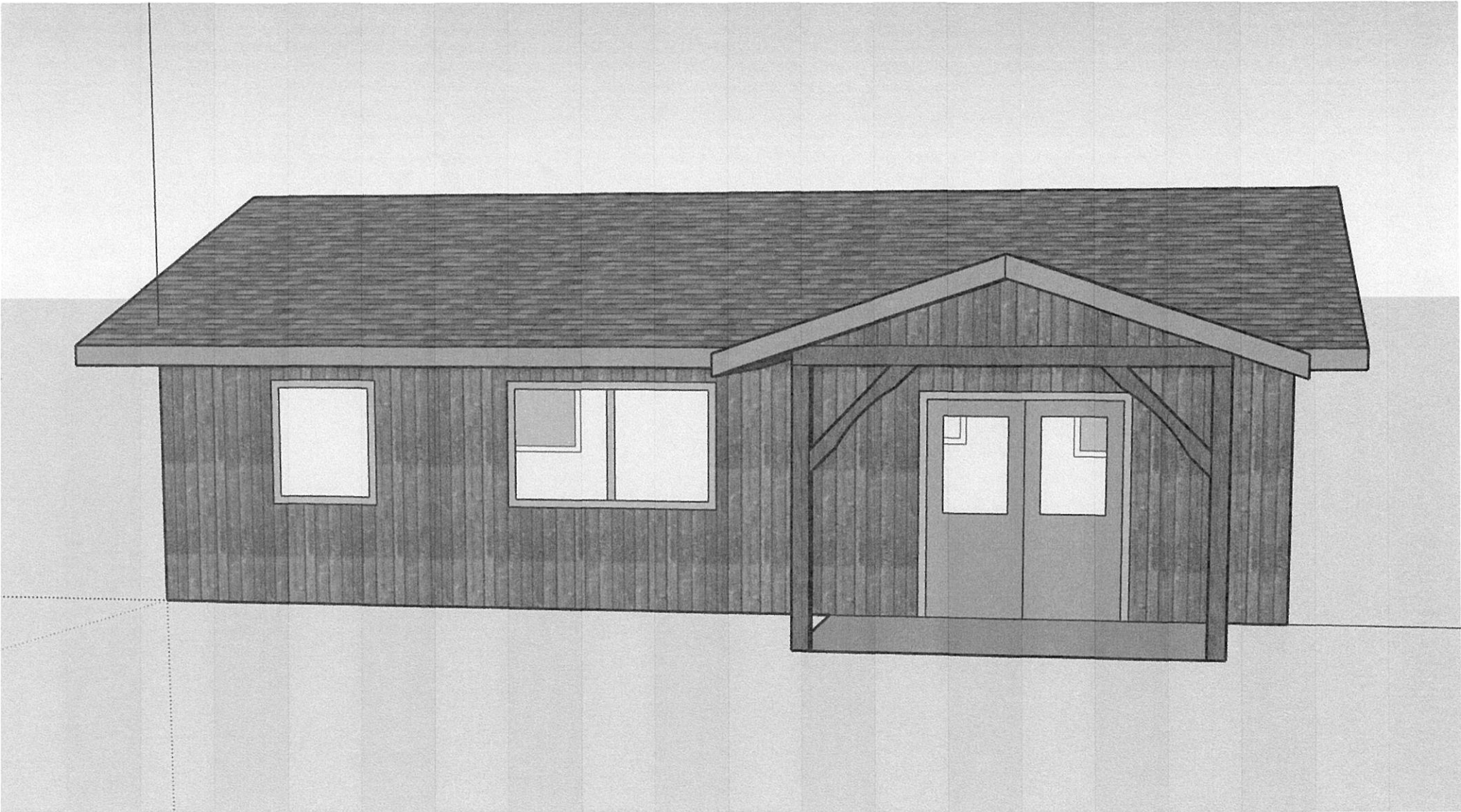


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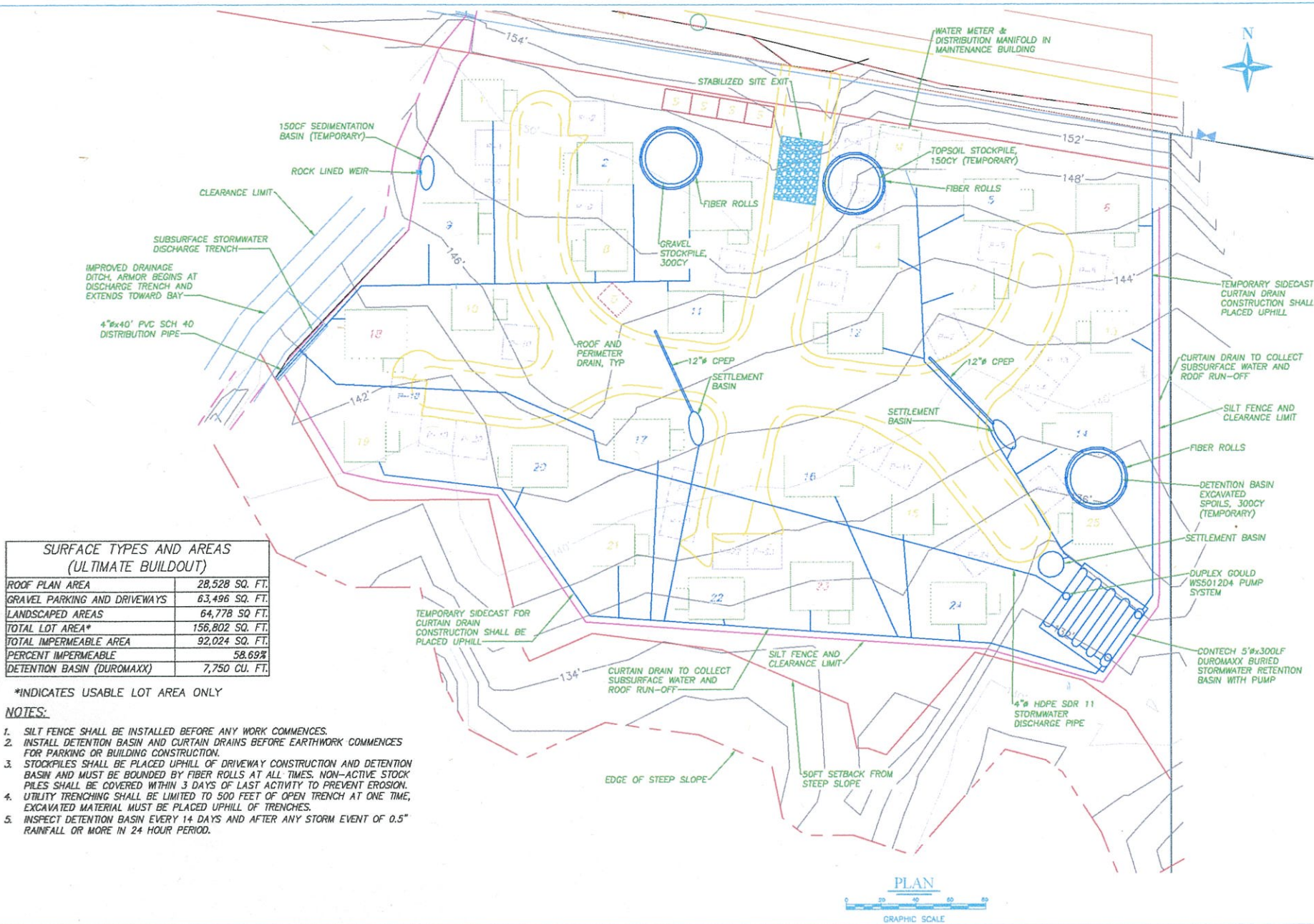












955 STERLING HIGHWAY  
DEVELOPMENT ACTIVITY PLAN

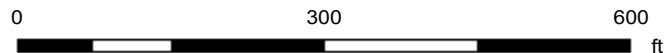
BISHOP ENGINEERING, LLC  
PO BOX 2501 HOMER, ALASKA 99603  
(907) 239-7609

DATE: 5/14/2024  
CHK'D: JSB  
SCALE: AS NOTED  
PROJ. NO: 2024032

SHEET NO.:

W-1





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



## Legend

Physical Addresses

Transportation

Mileposts

Roads

- Medium Collector
- Medium Volume - Unmaintained
- Medium Volume - Maintained
- Low / Seasonal
- Legal Trail
- Private
- State Hwy
- Platted / Proposed

Parcels and PLSS

Tax Parcels



9" Imagery

- Red: Red
- Green: Green
- Blue: Blue

**Review of comprehensive plan Land Use Chapter for CUP 24—09 RF 6.19.24**

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

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

**Staff:** This project supports residential development in a gateway district in a low to moderate density and intensity that supports a desirable community character adjacent to the City core.

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

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

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

**Staff:** 25 single-family dwellings with a mix of one, two, and three bedrooms would provide additional housing options in a gateway area, adjacent to the core of the City, which currently has a very strong demand for housing and is compatible with neighboring properties and contributes to a quality neighborhood.

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

**Staff:** This project discourages sprawl with additional infill dwelling units at the scale and density compatible with the Gateway Business District. This property will be used for housing employees at the South Peninsula Hospital, which is a short commuting distance away.

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

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

N/A – not associated with mapping.

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

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

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

**Staff:** The project proposal includes a 50-foot setback from the coastal edge, this is 10 feet more than required by Homer City Code.

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

N/A – not associated with other jurisdictions.

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

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

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

**Objective B:** Encourage high quality site design and buildings.

**Staff:** The proposal consists of 25 new dwelling units that are required to submit a Zoning Permit and meet City requirements for site development, including meeting the requirements of the Community Design Manual.

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

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

**Staff:** The proposal is located in the GBD (not CBD) and will be required to meet the requirements of Chapters 1-3 of the Community Design Manual.

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

**Staff:** The proposed 25 single family dwelling units does not consist of a strip style development. The proposed project would infill an existing, vacant lot.

**Finding:**

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

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

Public hearings on the matters below are scheduled for Wednesday, June 19, 2024 at 6:30 p.m. during the Regular Planning Commission Meeting. Participation is available virtually via Zoom webinar or in-person at Homer City Hall.

**A request for Conditional Use Permit (CUP) CUP 24-09 per HCC 21.22.030 (a), More than one building containing a permitted principal use on a lot. The applicant proposes twenty-five single-family dwellings at 955 Sterling Highway. T 6S R 13W SEC 19 SEWARD MERIDIAN HM GOVT LOT 3 EXCLUDING YUKON VIEW SUB**

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

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

Meeting ID: 979 8816 0903  
Passcode: 976062

Additional information regarding this matter will be available by 5pm on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for June 14, 2024 at <https://www.cityofhomer-ak.gov/calendar>. It will also be available at the Planning and Zoning Office at Homer City Hall and at the Homer Public Library.

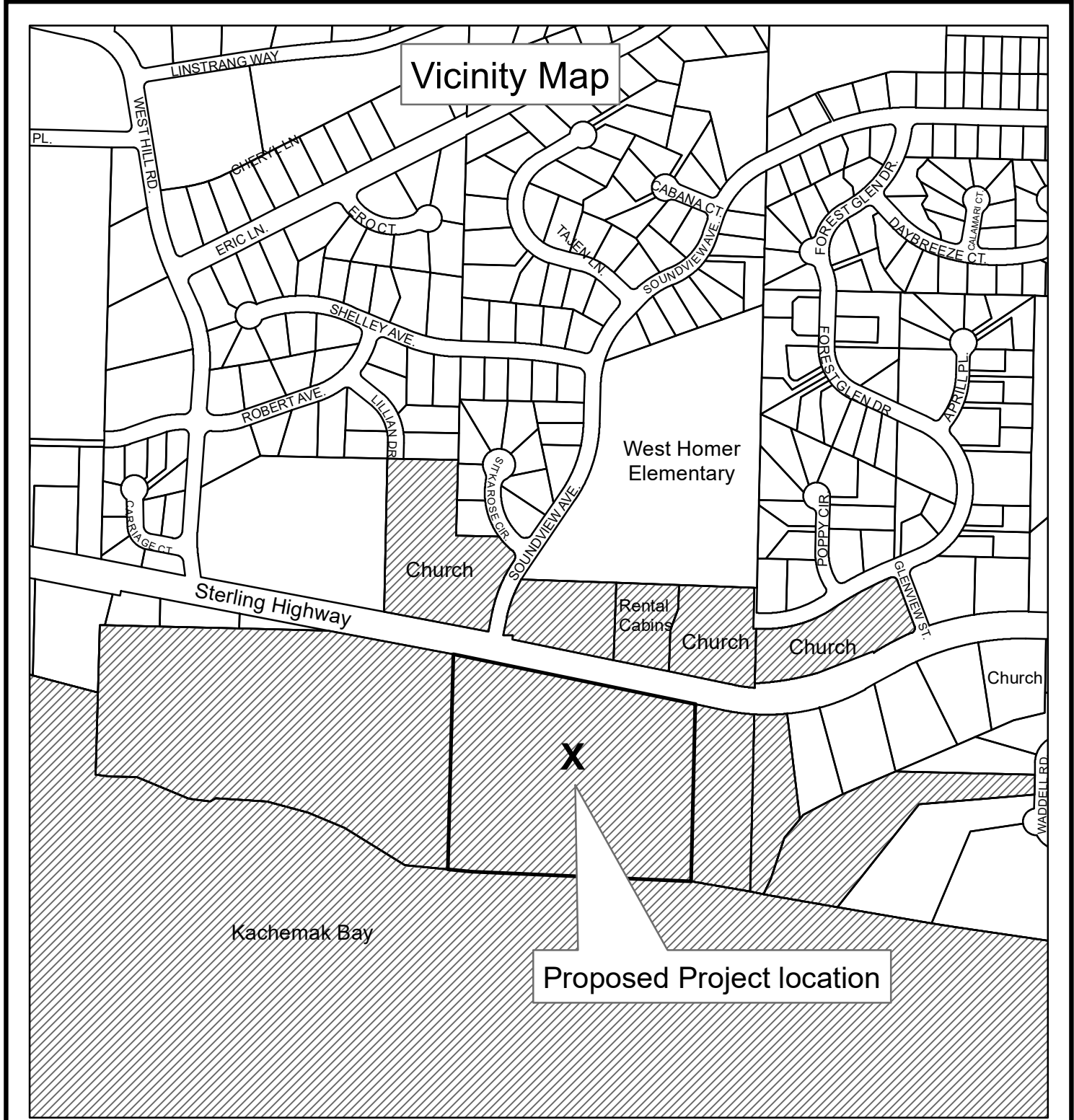
Written comments can be emailed to the Planning and Zoning Office at the address below, mailed to Homer City Hall at the address above, or placed in the Homer City Hall drop box at any time. Written comments must be received by 4pm on the day of the meeting.

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

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

.....  
**VICINITY MAP ON REVERSE**





City of Homer  
Planning and Zoning Department  
6/5/2024

## Request for Conditional Use Permit 2024-09

Marked lots are within 300 feet  
and property owners notified

0 150 300 600  
Feet



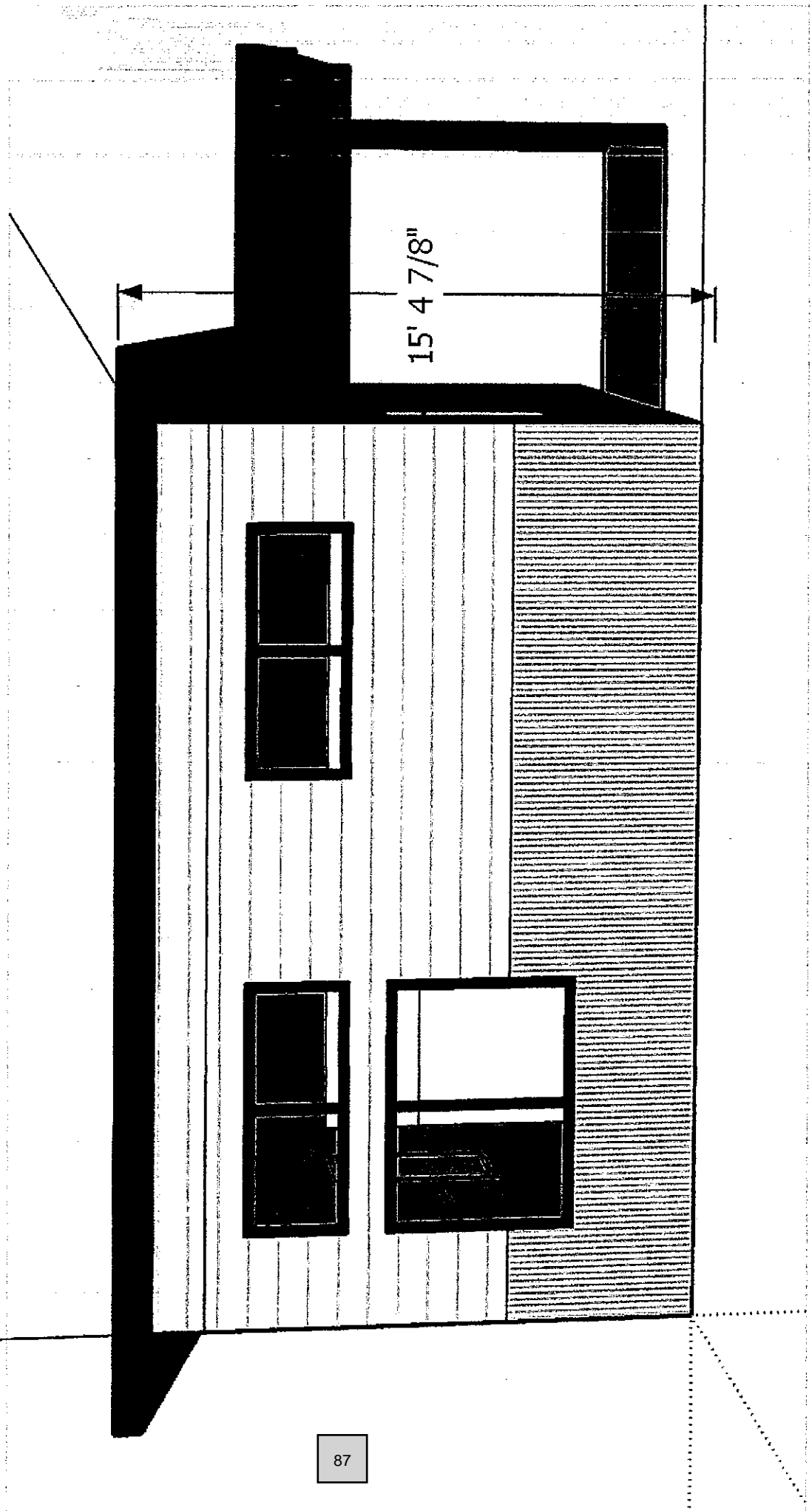
*Disclaimer:  
It is expressly understood the City of  
Homer, its council, board,  
departments, employees and agents are  
not responsible for any errors or omissions  
contained herein, or deductions, interpretations  
or conclusions drawn therefrom.*

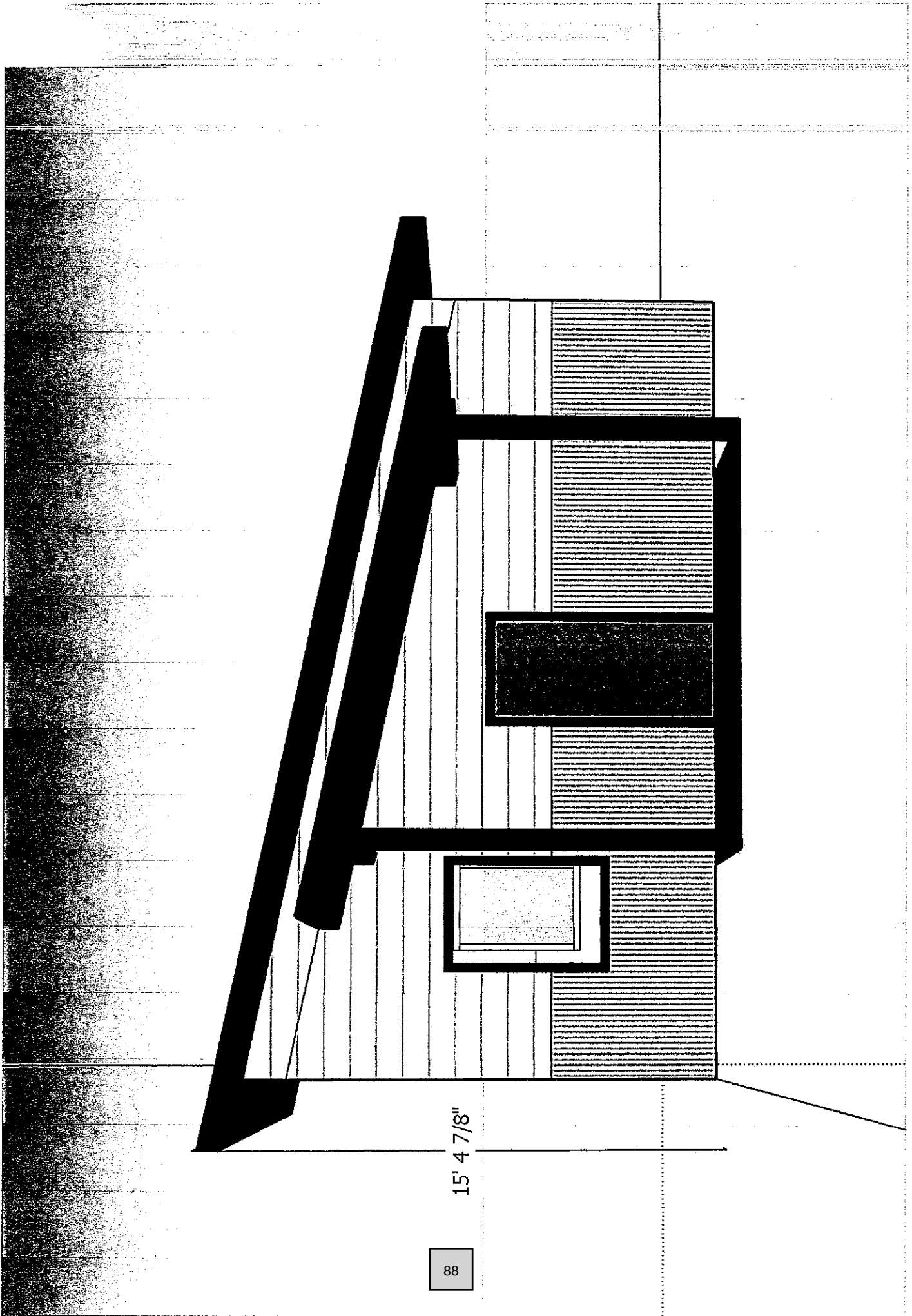
DATE: 05/2024	SCALE: 1"=40'	SHEET #1 OF 1
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1. DEVELOPMENT OF THESE PARCELS IS SUBJECT TO HONER CITY CODE CHAPTER 21.18 "CATEGORY BUSINESS DISTRICT" & CHAPTER 21.14 "SLOPES & CONICAL DEVELOPMENT".
2. CONTOUR INTERVALS ARE 2' & 10'.
3. ALL CONTOURS SHOWN ARE ORIGINAL GRADE.
4. MINIMUM SETBACK DISTANCE BETWEEN BUILDINGS IS 25'.
5. EACH HOUSE IS ALLOCATED TWO PARKING SPACES INDICATED BY A 20'x20' PARKING PAD.
6. SITE DEVELOPMENT AREAS INCLUDE:  
BUILDINGS—22,000 S.F.  
LANDSCAPED AREA—74,360 S.F.  
PARKING—187,740 S.F.  
TOTAL—204,100 S.F.

## DRIVEWAYS & PARKING

# Sample Elevation





15' 4 7/8"





# City of Homer

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

## Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

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

### Staff Report 24-029

TO: Homer Planning Commission  
FROM: Ryan Foster, AICP, City Planner  
DATE: June 19, 2024  
SUBJECT: Conditional Use Permit (CUP) 24-10

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**Synopsis** The applicant requests a Conditional Use Permit (CUP) CUP 24-10 per HCC 21.12.030 (m), More than one building containing a permitted principal use on a lot at 2065 East End Road.

Applicant: Bill Hand  
PO Box 3129  
Homer, AK 99603

Location: 2065 East End Road and 2080 Shannon Lane

Legal Description: T 6S R 13W SEC 16 SEWARD MERIDIAN HM 0820047 SCENIC VIEW SUB NO  
6 LOT F7-A EXCLUDING DOT ROW  
T 6S R 13W SEC 16 SEWARD MERIDIAN HM 0820047 SCENIC VIEW SUB NO  
6 LOT F10-A

Parcel ID: 17939002 & and 17939001

Size of Existing Lot: 0.76 acres & 1.65 acres

Zoning Designation: Rural Residential District

Existing Land Use: Vacant

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

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

Wetland Status: Discharge slope covers all of 2080 Shannon Lane.

Flood Plain Status: Not in a floodplain.

BCWPD: Not within the Bridge Creek Watershed Protection District

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

Public Notice: Notice was sent to 23 property owners of 23 parcels as shown on the KPB tax assessor rolls.

**ANALYSIS:** The applicant proposes three single-family dwellings at 2065 East End Road.

The current use of 2065 East End Road is vacant and the applicant proposes 3 single-family dwellings. The applicant notes currently 2065 East End Road is vacant. Once the property line to the south is vacated, it will join with 2080 Shannon Lane, which has 7 small rental buildings and a maintenance building. Proposed use is construction of 3 buildings 864 sqft and one maintenance building (192 sqft). The 3 buildings (864 sqft) will be year-long rentals. The applicant requested two spots for seasonal RVs to park for employees only, not for rent, but the parking of RV's is not allowed for this use and was removed from the application site plan by the applicant.

**PARKING:** The applicant is required to provide 6 spaces (two per dwelling unit). The 8 parking spaces identified in the application exceeds the required number of spaces.

**DENSITY:** Each lot shall contain a minimum of 10,000 square feet, plus 10,000 square feet per dwelling unit in excess of one unit if the lot is served by both public water and sewer. Upon the lot line vacation proposed in the Scenic View No. 6 Pier 59 2024 Replat, the total lot size will be approximately 104,979 square feet, with a total of 10 dwelling units, 7 existing, and 3 proposed, therefore, there is approximately 10,497 square feet per dwelling unit, meeting the minimum lot size requirement.

**Condition 1:** The Scenic View No. 6 Pier 59 2024 Replat preliminary plat for a lot line vacation to combine the two properties must be approved and finalized by the Kenai Peninsula Borough.



Proposed location of 3 single-family dwellings at 2065 East End Road

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

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

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

21.12.030 (m), More than one building containing a permitted principal use on a lot

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

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



**HCC 21.12.010 Purpose.** The purpose of the Rural Residential District is primarily to provide an area in the City for low-density, primarily residential, development; allow for limited agricultural pursuits; and allow for other uses as provided in this chapter.

**Applicant:** 21.12.010 providing an area for low-density and primarily residential development.

**Analysis:** A single-family dwelling is a permitted outright use. This use is compatible with the Rural Residential Zoning District. The applicant proposes to provide residential housing at an allowed density where a minimum lot area shall contain a minimum of 10,000 square feet, plus 10,000 square feet per dwelling unit in excess of one unit if the lot is served by both public water and sewer according to HCC 21.12.040(a)(3), thus providing structures and uses compatible with the purpose of the district.

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

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

**Applicant:** Property values will stay the same or increase with well done, aesthetically pleasing rentals in the area.

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

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

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

**Applicant:** Lots of single family homes and rental homes in the area.

**Analysis:** Existing uses of the surrounding land are currently residential, commercial, & vacant, though mostly residential. A residential use is in character with the surrounding mix of land uses.

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

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

**Applicant:** Public Works confirmed water/sewer services are adequate. Enstar and HEA both located at property.

**Analysis:** The applicant will need to work with Homer Public Works for permits to connect to City sewer and water utilities.

**Finding 5:** Water, sewer, and fire services will be, prior to occupancy, adequate to serve the proposed dental clinic.

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:** Project is minimal. Maximum traffic at any onetime due to project is 3 vehicles, irrelevant in considering the AADT.

**Analysis:** The proposed project provides residential development at a density allowable in code. The residences are served by a 104,979 square foot lot, with an approximate density of one dwelling unit per 10,497 square feet and are not of an excessive size to create harmful effects on neighborhood character.

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

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

**Applicant:** No, it will give the City if Homer what it so badly needs and wants, affordable year round housing for the average person.

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

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

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

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

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

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

**Applicant:** Goal #1 - Increase supply and diversity of housing encouraging infill. Goal #3 - Encourage high-quality buildings and site development that compliments Homer's beautiful natural setting.

**Analysis:** Chapter 4, Goal 1, Objectives A, C, & D Goals of the Land Use Chapter of the Homer Comprehensive Plan are supported by this project:

This project supports low density development in the outlying areas of the City and supports a desirable community character. Three single-family dwellings with an approximate density of one dwelling unit per 10,497 square feet are similar in size and density to others nearby and contributes to a quality neighborhood. This project discourages sprawl with additional infill dwelling units at the scale and density of the Rural Residential zoning district. The location of this project is on the outer edges of the City of Homer and fits the low-density character planned outside the city core.

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

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

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

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

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

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

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

**PUBLIC WORKS COMMENTS:** None

**PUBLIC COMMENTS:** None

**STAFF COMMENTS/RECOMMENDATIONS:**

Planning Commission approve CUP 24-10, **Staff Report 24-029** with findings 1-10 and the following conditions.

**Condition 1:** The Scenic View No. 6 Pier 59 2024 Replat preliminary plat for a lot line vacation to combine the two properties must be approved and finalized by the Kenai Peninsula Borough.

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

## **Attachments**

Application

Site Plan

Elevation Drawing

Aerial Map

Compliance Review of Homer Comprehensive Plan

Public Notice and Map



# 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: Bill Hand Phone No.: 907-299-1853  
Address: Po Box 3129 Homer AK Email: billghand@hotmail.com

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

Name: Pier 59 LLC Phone No.: 907-299-0901  
Address: Po Box 4243 Homer Email: inua.ak@gmail.com

## PROPERTY INFORMATION:

Address: 2065 East End rd. Lot Size: .71 acres KPB Tax ID # 17939002  
Legal Description of Property: T6S R13W Scenic View Sub No 6 Lot F7-A Exc. DOT ROW

## For staff use:

Date: \_\_\_\_\_ Fee submittal: Amount \_\_\_\_\_  
Received by: \_\_\_\_\_ Date application accepted as complete \_\_\_\_\_  
Planning Commission Public Hearing Date: \_\_\_\_\_

## Conditional Use Permit Application Requirements:

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

## Circle Your Zoning District

	RR	UR	RO	CBD	TCD	GBD	GC1	GC2	MC	MI	EEMU	BCWPD
Level 1 Site Plan	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
Level 1 ROW Access Plan	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>							<input checked="" type="checkbox"/>			
Level 1 Site Development Standards	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>										
Level 1 Lighting			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Level 2 Site Plan			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Level 2 ROW Access Plan			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Level 2 Site Development Standards			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	
Level 3 Site Development Standards									<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Level 3 ROW Access Plan						<input checked="" type="checkbox"/>						
DAP/SWP questionnaire				97	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	

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

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

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

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

Property is vacant, no structures (2065 East end rd).  
Once property line to the south is vacated, it will join  
with 2080 Shannon lane. This property has 7 small  
rental buildings and a maintenance 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.

proposed use is construction of 3 Buildings <sup>864</sup> sq ft  
and one maintenance building (192 sq ft). The 3 buildings (<sup>864</sup> sq ft)  
will be year-long rentals. Would also like to have  
two spots for seasonal RV's to park for employees  
Only, not for rent.



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

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

21.12.040 Lot size #3 10,000 sq ft min per  
dwelling in RR Zoned areas

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

21.12.010 providing an area for low-density and  
primarily residential development

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

Property values will stay the same or increase with  
well done, aesthetically pleasing rentals in the area.

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

Lots of single family homes and rental homes  
in the area

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

Public Works confirmed Water/Sewer services are adequate.  
Enstar and HEA both located at property.

- 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?

project is minimal. Maximum traffic at any one  
time due to project is 3 vehicles, irrelevant in  
Considering The AADT.

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

No, it will give the City of Homer what it so badly needs and wants, affordable year round housing for the average person.

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

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

Goal #1 - increase the supply and diversity of housing, encouraging infill Goal #3 - Encourage high quality buildings and site development that compliments Homers beautiful natural setting

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

- NO 1. ☒ Y ☒ N Special yards and spaces  
NO 2. ☒ Y ☒ N Fences, walls and screening  
3. ☒ Y ☒ N Surfacing of parking areas  
4. ☒ Y ☒ N Street and road dedications and improvements (or bonds)  
5. ☒ Y ☒ N Control of points of vehicular ingress and egress  
6. ☒ Y ☒ N Special provisions on signs  
7. ☒ Y ☒ N Landscaping  
8. ☒ Y ☒ N Maintenance of the grounds, buildings, or structures  
9. ☒ Y ☒ N Control of noise, vibration, odors, lighting, heat, glare, water and solid waste pollution, dangerous materials, material and equipment storage, or other similar nuisances  
10. ☒ Y ☒ N Time for certain activities  
11. ☒ Y ☒ N A time period within which the proposed use shall be developed  
12. ☒ Y ☒ N A limit on total duration of use  
13. ☒ Y ☒ N Special dimensional requirements such as lot area, setbacks, building height  
14. ☒ Y ☒ N Other conditions deemed necessary to protect the interest of the community

### Parking Questions.

1. How many parking spaces are required for your development? 6  
If more than 24 spaces are required see HCC 21.50.030(f)(1)(b)
2. How many spaces are shown on your parking plan? 8
3. Are you requesting any reductions? NO

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

**CIRCLE ONE:**

Owner of record

Lessee

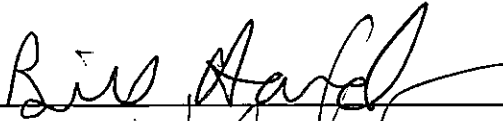
Contract purchaser

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

(a) apply for the conditional use permit, and

(b) bind the owner to the terms of the conditional use permit, if granted.

Applicant signature:



Date:

4/12/24

Property Owner signature:



Date:

4/16/24

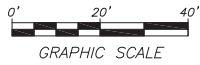
PRELIMINARY SITE PLAN  
LOT F7-A SCENIC VIEW SUBD. NO. 6  
EXCLUDING DOT ROW (HM 82-47)  
SEC. 16, T6S, R13W, S.M.

SEABRIGHT SURVEY + DESIGN  
KATHERINE A. KIRSIS, P.L.S.  
1044 EAST ROAD, SUITE A  
HOMER, ALASKA 99603  
(907) 299-1580

DATE: 06/2024 SCALE: 1"=20' SHEET #1 OF 1

NOTES

1. DEVELOPMENT OF THIS PARCELS IS SUBJECT TO HOMER CITY CODE CHAPTER 21.12 "RURAL RESIDENTIAL DISTRICT".
2. MINIMUM SETBACK DISTANCE BETWEEN BUILDINGS IS 25'.
3. EACH HOUSE IS ALLOCATED TWO PARKING SPACES.
4. ORIGINAL GRADE CONTOURS AS SHOWN ARE FROM KPB GIS. CONTOUR INTERVAL IS 5'.



GRAPHIC SCALE



FIRE HYDRANT



36" CMP

EAST END ROAD  
R/W WIDTH VARIES

EXISTING  
PAVED  
APRON

PROPOSED 16' WIDE DRIVEWAY  
TO TIE INTO EXISTING PAVED  
APRON (~170 L.F.)

LOT F7-A

SHEET FLOW DRAINS WEST

PROPOSED  
BUILDING

PROPOSED  
PARKING AREA

PROPOSED  
BUILDING

PROPOSED  
BUILDING

LOT 8-A  
HM 2013-04

LOT LINE TO BE VACATED

102

LOT F10-A

GRADE TO DRAIN

DRAINS SOUTHWEST  
TO EXISTING SWALE

SHEET FLOW  
DRAINS SOUTHWEST  
TO EXISTING SWALE

GUY ANCHOR

ELEC TRANS

UTILITY POLE

OVERHEAD POWERLINE

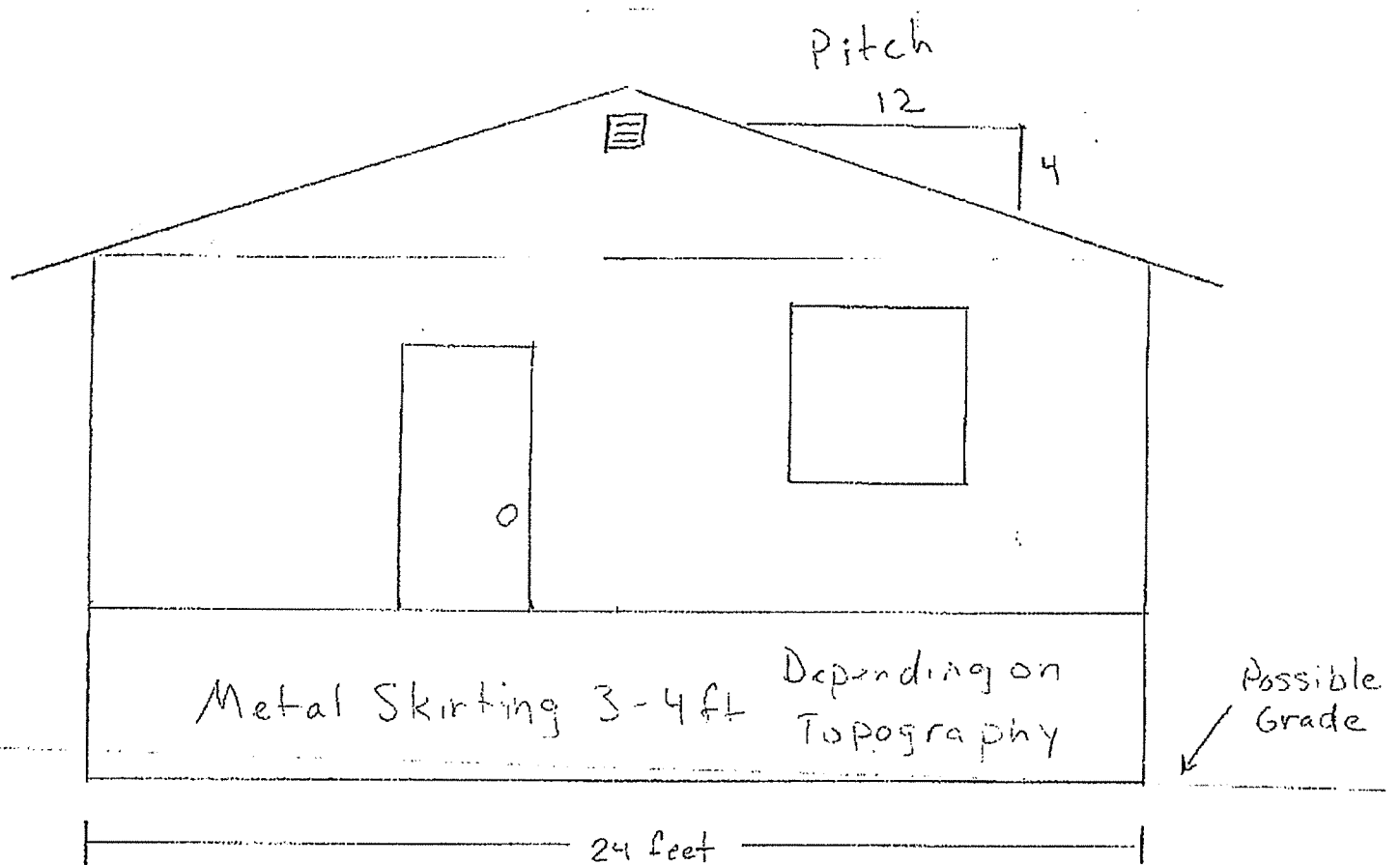
LOT 5

UTILITY POLE

LOT 4

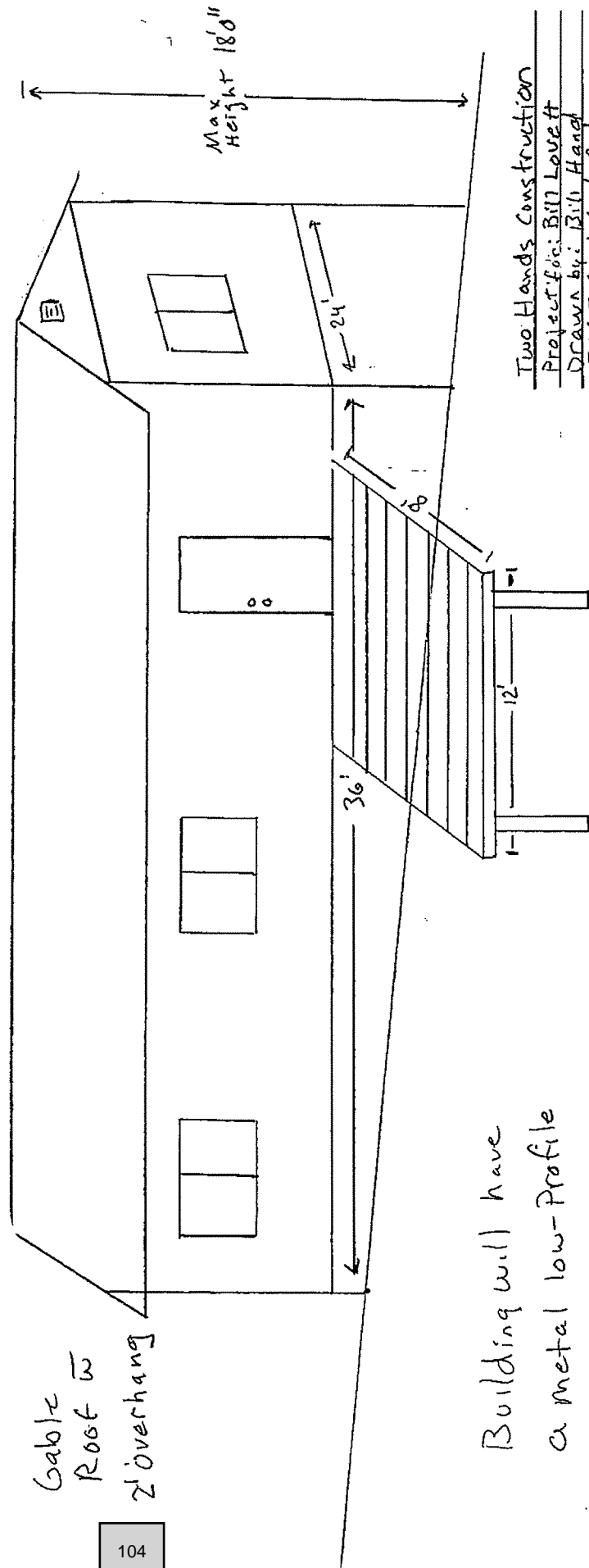
LOT 3

15" UTILITY ESMT  
(HM 82-47)



Two Hands Construction  
 Drafted for: Bill Lovett  
 Drawn by: J. Bill Haged  
 2065 East End Rd  
 Seattle, WA 98148  
 206.184.8448 sg ft House

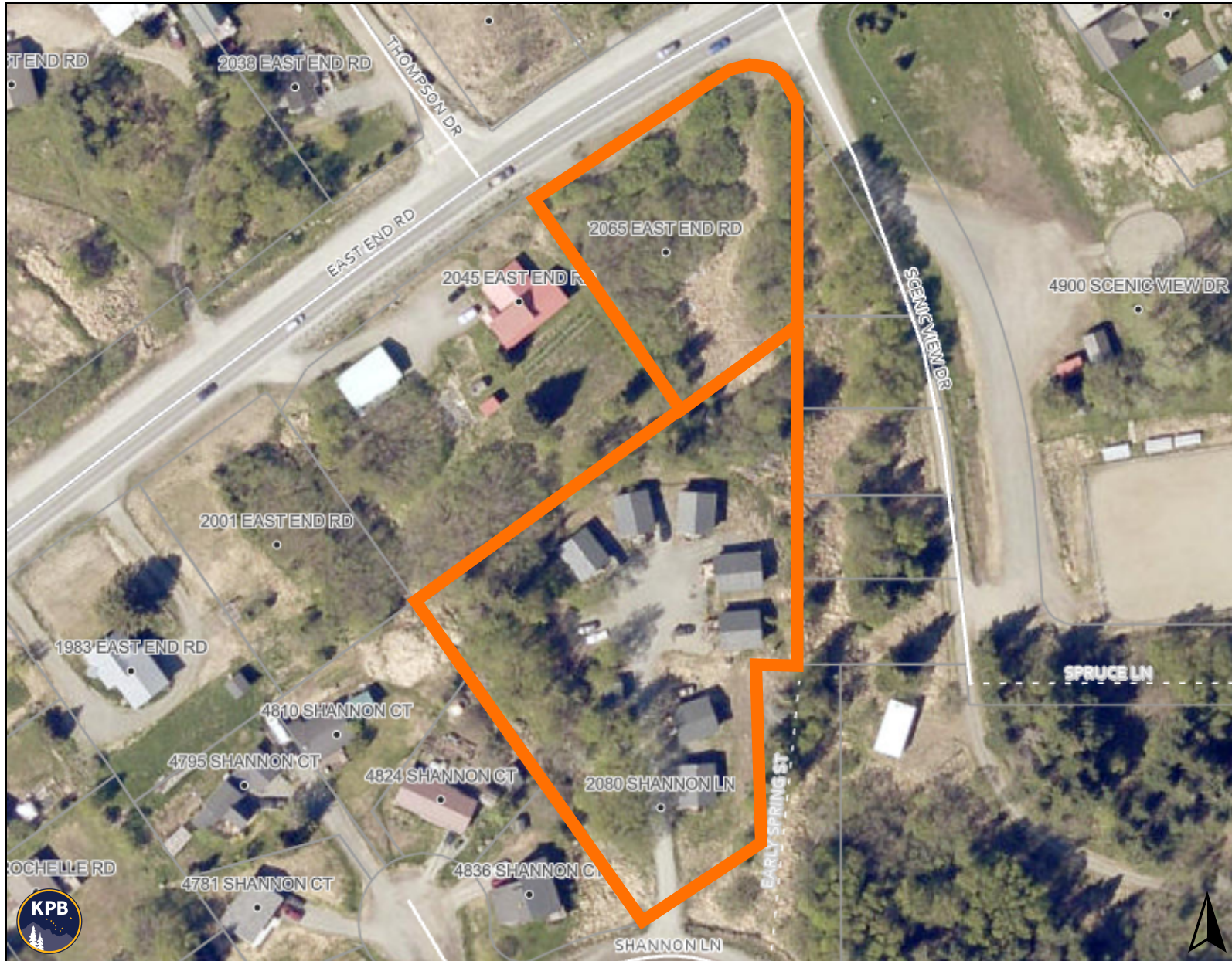
Roof has a 4/12 pitch



Building will have  
a metal low-profile  
skirting

Two Hands Construction  
Project for: Bill Lovett  
Drawn by: Bill Hand  
2065 East End Rd  
Scale 1" = 6'  
ZBR 1BA 864 sq Ft House





## Legend

Physical Addresses

Transportation

Mileposts

Roads

- Medium Collector
- Medium Volume - Unmaintained
- Medium Volume - Maintained
- Low / Seasonal
- Legal Trail
- Private
- State Hwy
- Platted / Proposed

Parcels and PLSS

Tax Parcels



9" Imagery

- Red: Red
- Green: Green
- Blue: Blue

0 200 400 ft

NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or correction or modification of the data. In using these data, you further agree to the data, or use of the data.

**Review of comprehensive plan Land Use Chapter for CUP 24—10 RF 6.19.24**

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

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

**Staff:** This project supports low density development in the outlying areas of the City and supports a desirable community character.

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

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

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

**Staff:** Three single-family dwellings with an approximate density of one dwelling unit per 10,497 square feet are similar in size and density to others nearby and contributes to a quality neighborhood.

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

**Staff:** This project discourages sprawl with additional infill dwelling units at the scale and density of the Rural Residential zoning district. The location of this project is on the outer edges of the City of Homer and fits the low-density character planned outside the city core.

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

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

N/A – not associated with mapping.

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

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

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

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

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

N/A – not associated with other jurisdictions.

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

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

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

**Objective B:** Encourage high quality site design and buildings.

**Staff:** The proposal supports three new dwelling units that are required to submit a Zoning Permit and meet City requirements for site development.

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

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

**Staff:** The proposal is not found in the CBD.

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

**Staff:** N/A – not associated with a commercial/business purpose.

**Finding:**

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

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

Public hearings on the matters below are scheduled for Wednesday, June 19, 2024 at 6:30 p.m. during the Regular Planning Commission Meeting. Participation is available virtually via Zoom webinar or in-person at Homer City Hall.

**A request for Conditional Use Permit (CUP) CUP 24-10 per HCC 21.12.030 (m), More than one building containing a permitted principal use on a lot. The applicant proposes three single-family dwellings at 2065 East End Road. T 6S R 13W SEC 16 SEWARD MERIDIAN HM 0820047 SCENIC VIEW SUB NO 6 LOT F7-A EXCLUDING DOT ROW**

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

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

Meeting ID: 979 8816 0903  
Passcode: 976062

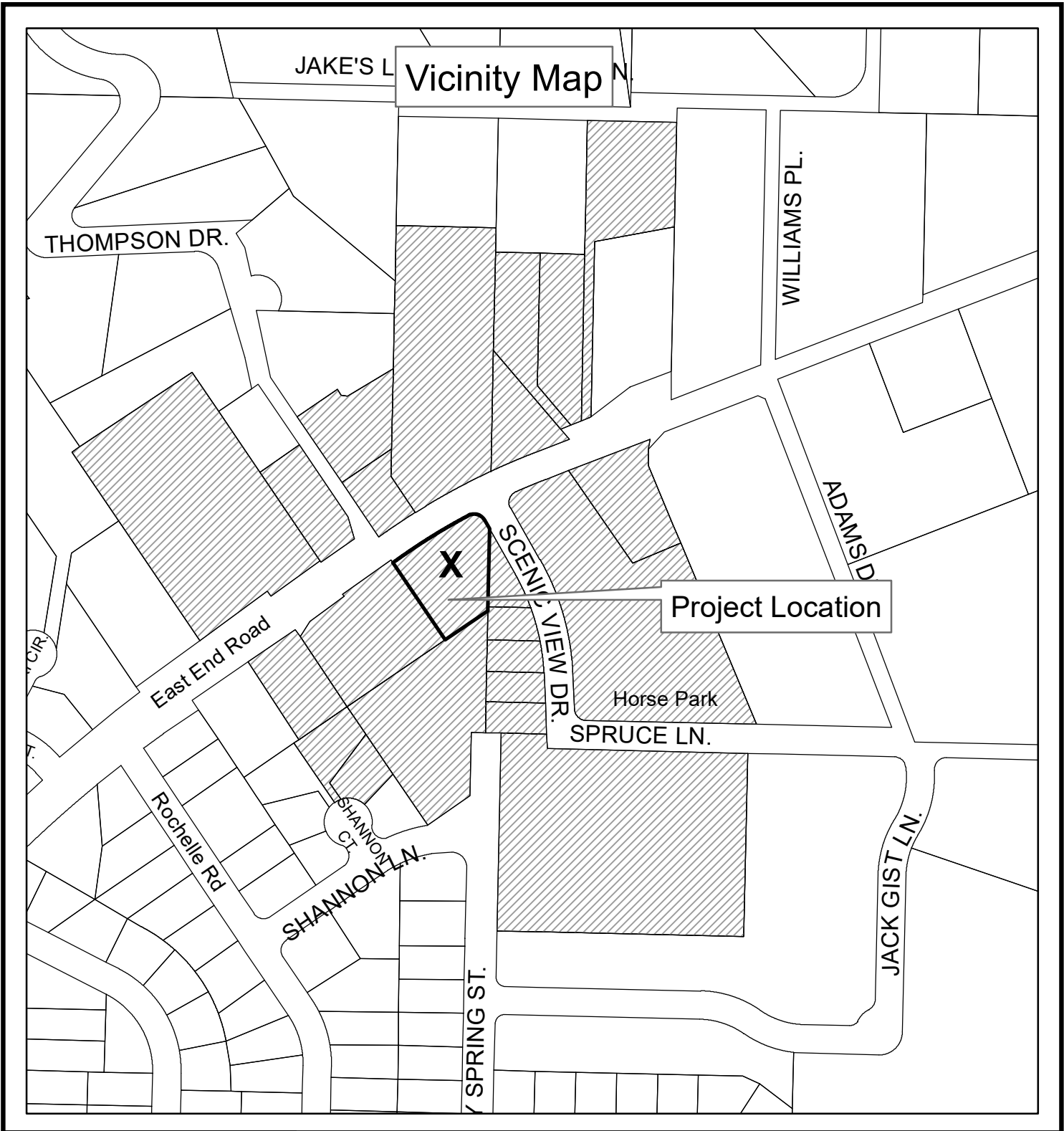
Additional information regarding this matter will be available by 5pm on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for June 14, 2024 at <https://www.cityofhomer-ak.gov/calendar>. It will also be available at the Planning and Zoning Office at Homer City Hall and at the Homer Public Library.

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

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

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

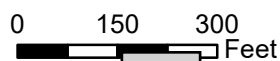
.....  
**VICINITY MAP ON REVERSE**



City of Homer  
Planning and Zoning Department  
6/5/2024

### Request for Conditional Use Permit 2024-10

Marked lots are within 300 feet  
and property owners notified



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



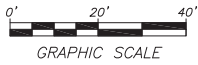
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LOT F7-A SCENIC VIEW SUBD. NO. 6  
EXCLUDING DOT ROW (HM 82-47)  
SEC. 16, T6S, R13W, S.M.

SEABRIGHT SURVEY + DESIGN  
KATHERINE A. KIRSIS, P.L.S.  
1044 EAST ROAD, SUITE A  
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DATE: 06/2024 SCALE: 1"=20' SHEET #1 OF 1

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FIRE HYDRANT



36" CMP

EAST END ROAD  
R/W WIDTH VARIES

EXISTING  
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PROPOSED 16' WIDE DRIVEWAY  
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LOT F7-A

SHEET FLOW DRAINS WEST

PROPOSED  
BUILDING

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PARKING AREA

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BUILDING

PROPOSED  
BUILDING

LOT LINE TO BE VACATED

LOT 8-A  
HM 2013-04

GUY ANCHOR

ELEC TRANS

UTILITY POLE

OVERHEAD POWERLINE

LOT 5

UTILITY POLE

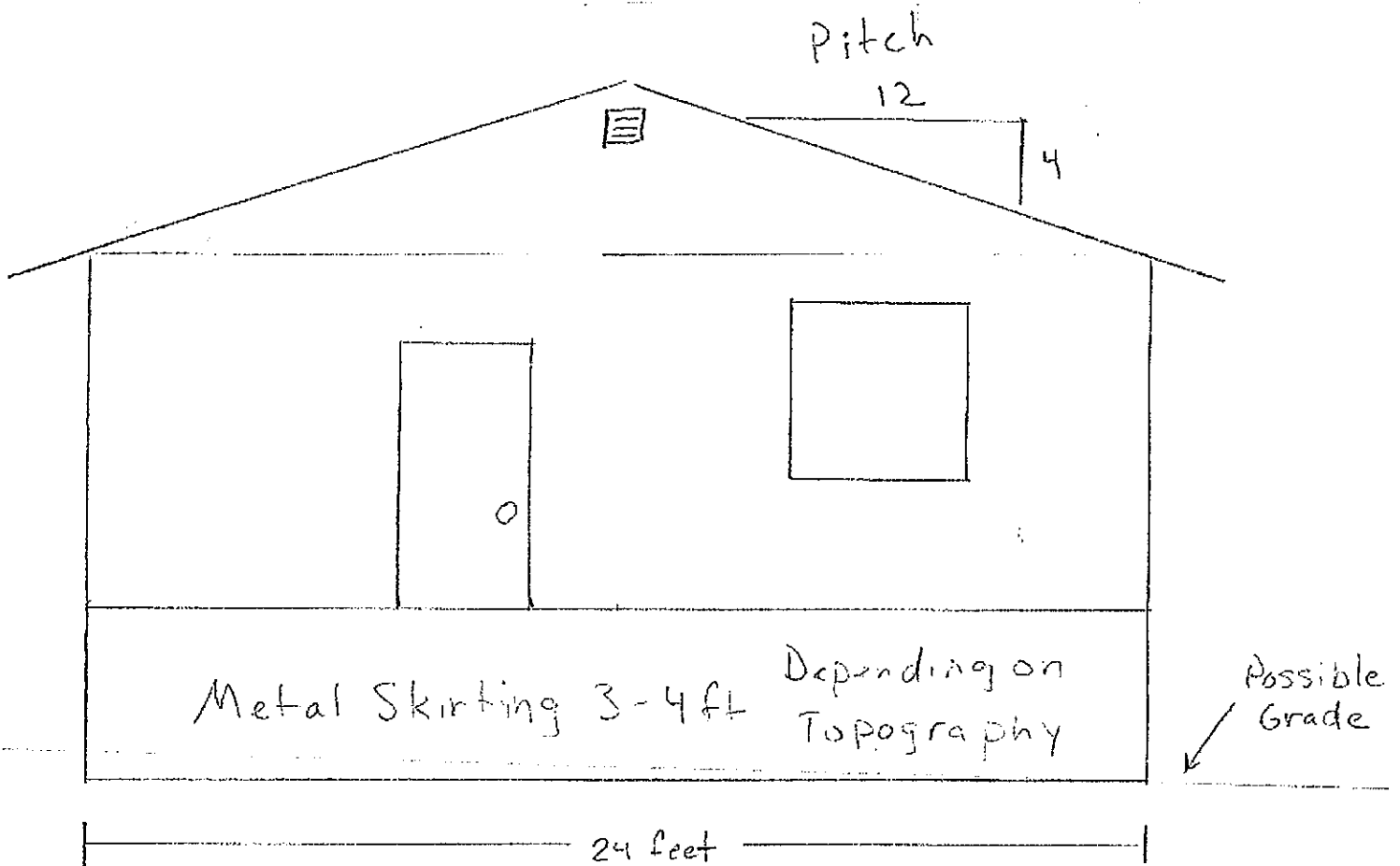
LOT 4

LOT 3

111

LOT F10-A

GRADE TO DRAIN

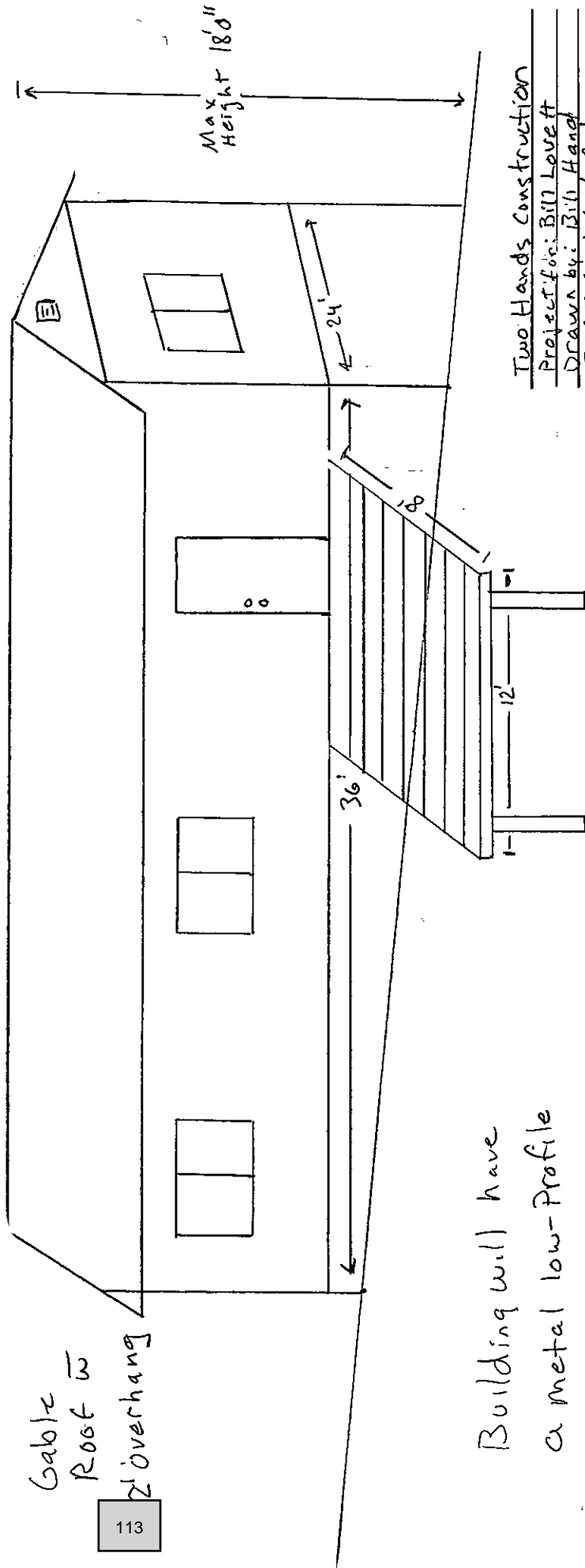


Two Hands Construction  
 Plot #21 fac: Bill Lovett  
 Drawn by: Bill Lovett  
 2065 E 23rd Rd  
 Seattle, WA 98112  
 206 184 8459 Ft. House

Roof has a 4/12 pitch

Gable  
Roof w/  
2' overhang

113



Building will have  
a metal low-profile  
skirting

Two Hands Construction  
Project for: Bill Lovett  
Drawn by: Bill Hand  
2065 East End Rd  
Scale 1" = 6'  
2BR 1BA 864 sq Ft House



# City of Homer

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

## Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

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

### Staff Report 24-030

TO: Homer Planning Commission **24-030**  
FROM: Ryan Foster, AICP, City Planner  
DATE: 6/19/24  
SUBJECT: Scenic View No. 6 Pier 59 2024 Replat Preliminary Plat

**Requested Action:** Approval of a preliminary plat for a lot line vacation. The lot line between Lot F7A & F10A would be vacated, creating a proposed Lot F7-A-1.

### General Information:

Applicants:	Pier 59, LLC PO Box 4243 Homer, AK 99603	Seabright Survey + Design 1044 East Road, Suite A Homer, AK 99603
Location:	East End Road, Between Thompson Dr and Scenic View Dr	
Parcel ID:	17939002 and 17939001	
Size of Existing Lot(s):	0.76 acres and 1.65 acres	
Size of Proposed Lots(s):	2.41 acres	
Zoning Designation:	Rural Residential District	
Existing Land Use:	Vacant & Residential	
Surrounding Land Use:	North: Residential South: Residential East: Vacant & Commercial West: Residential	
Comprehensive Plan:	Goal 1: Objective A: Pattern of growth.	
Wetland Status:	Discharge slope covers all of 17939001.	
Flood Plain Status:	Not within a flood plain.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are present	
Public Notice:	Notice was sent to 73 property owners of 63 parcels as shown on the KPB tax assessor rolls.	

**Analysis:** This subdivision is within the Rural Residential District. This plat vacates The lot line between Lot F7A & F10A would be vacated, creating a proposed Lot F7-A-1 at approximately 2.41 acres.

**Homer City Code 22.10.051 Easements and rights-of-way**

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

**Staff Response:** The plat meets this requirement. The plat notes a 15-foot utility easement.

- 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 this requirement.

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

**Staff Response:** The plat meets these requirements. No new street is being accepted by the City for maintenance.

**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 does not meet these requirements. Recommend the surveyor provide 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 to the preliminary plat.

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

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



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

**Staff Response:** The plat meets this requirement.

- 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:** None.

**Staff Recommendation:**

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

1. Recommend the surveyor provide 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 to the preliminary plat.

**Attachments:**

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

NOTES

1. THIS PLAT WAS PREPARED FOR THE VACATION OF THE SCENIC VIEW DRIVE, LOT 15, AND LOT 16, AND THE SURVEY WAS PERFORMED FOR THE PREPARATION OF THIS PLAT. ALL LOT DIMENSIONS SHOWN ON THIS PLAT ARE FROM RECORD DATE AS SHOWN ON PLAT HM 82-47 & HM 2010-32.
2. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.
3. THE FRONT 15' ALONG THE ROW IS A UTILITY EASEMENT GRANTED THIS PLAT.
4. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE SAID EASEMENT.
5. A 10' UNDERGROUND UTILITY EASEMENT EXISTS WITHIN THE SCENIC VIEW DRIVE. THE EASEMENT IN THIS SUBDIVISION THERE IS ALSO A 10' EASEMENT ALONG EACH SIDE OF EXISTING POWERLINES (HM 82-47).

PLAT APPROVAL

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

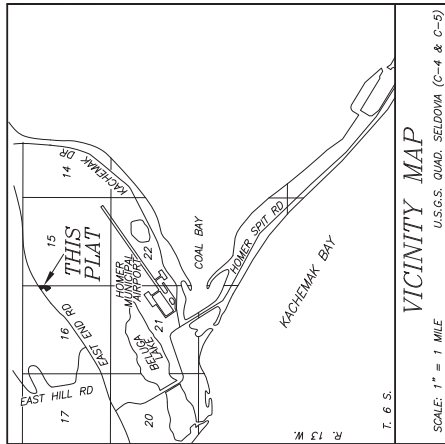
BY: \_\_\_\_\_ AUTHORIZED OFFICIAL \_\_\_\_\_ DATE \_\_\_\_\_  
KENAI PENINSULA BOROUGH

WASTEWATER DISPOSAL

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

LINE TABLE	
LINE #	BEARING
L1	22.82° S37°00'00"E
L2	N89°59'51"W

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	209.32'	2417.97'	45°57'36"
C2	9.35'	25.00'	21°57'47"



CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT PIER 59, LLC IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT ON BEHALF OF PIER 59, LLC I HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND BY MY FREE CONSENT DEDICATE ALL RIGHTS OF WAY AND PUBLIC AREAS TO PUBLIC USE, AND GRANT ALL EASEMENTS TO THE USE SHOWN HEREON.

WILLIAM E. LOVETT, OWNER  
PIER 59, LLC  
P.O. BOX 4243  
HOMER, AK 99603

NOTARY'S ACKNOWLEDGMENT

FOR: WILLIAM E. LOVETT  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.  
NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES \_\_\_\_\_

HOMER RECORDING DISTRICT KPB FILE NO. 2024-XXX

SCENIC VIEW NO. 6  
PIER 59 2024 REPLAT

A REPLAT OF LOT F7-A & LOT F10-A, SCENIC VIEW NO. 6 (HM 82-47), LOCATED WITHIN THE NE1/4 NE1/4, SECTION 16, T. 6 S., R. 13 W., S.M., CITY OF HOMER, KENAI PENINSULA, BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA

CONTAINING 2.414 AC

SEABRIGHT SURVEY + DESIGN  
KATHERINE A. KIRSIS, P.L.S.  
1044 EAST ROAD, SUITE A  
HOMER, ALASKA 99603  
(907) 299-1580

CLIENTS: PIER 59, LLC  
P.O. BOX 4243  
HOMER, AK 99603

DRAWN BY: KK  
DATE: 05/2024  
JOB #2024-34  
SHEET #1 OF 1



## SEABRIGHT SURVEY + DESIGN

Katherine A. Kirsis, P.L.S.

1044 East Road Suite A

Homer, Alaska 99603

(907) 299-1580

[seabrightz@yahoo.com](mailto:seabrightz@yahoo.com)

May 29, 2024

City of Homer  
491 East Pioneer Ave  
Homer, AK 99603

RE: Preliminary Submittal for "Scenic View No. 6 Pier 59 2024 Replat"

Dear Planning Department,

We are pleased to submit the above referenced preliminary plat for your review on behalf Pier 59, LLC. Included in this submittal packet you will find:

- 1 full size plat copy
- 1 11x17 plat copy
- Signed KPB plat submittal form
- Supplemental asbuilt diagram
- Check for \$300 plat review fee

In addition, we are emailing you a digital copy of the 11x17 plat.

Please let us know if there are any concerns or clarifications we can address.

Cordially,

*Katherine A. Kirsis*

Katherine A. Kirsis, PLS  
Seabright Survey + Design

## 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:

### **Scenic View No. 6 Pier 59 2024 Replat Preliminary Plat**

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

A public meeting will be held by the Homer Planning Commission on Wednesday, June 19, 2024 at 6:30 p.m. In-person meeting participation is available in Cowles Council Chambers located downstairs at Homer City Hall, 491 E. Pioneer Ave., Homer, AK 99603. To attend the meeting virtually, visit [zoom.us](https://zoom.us) and enter the Meeting ID & Passcode listed below. To attend the meeting by phone, dial any one of the following phone numbers and enter the Webinar ID & Passcode below, when prompted: 1-253-215-8782, 1-669-900-6833, (toll free) 888-788-0099 or 877-853-5247.

Meeting ID: 979 8816 0903

Passcode: 976062

Additional information regarding this matter will be available by 5 p.m. on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for June 14, 2024 at <https://www.cityofhomer-ak.gov/calendar>. It will also be available at the Planning and Zoning Office at Homer City Hall and at the Homer Public Library.

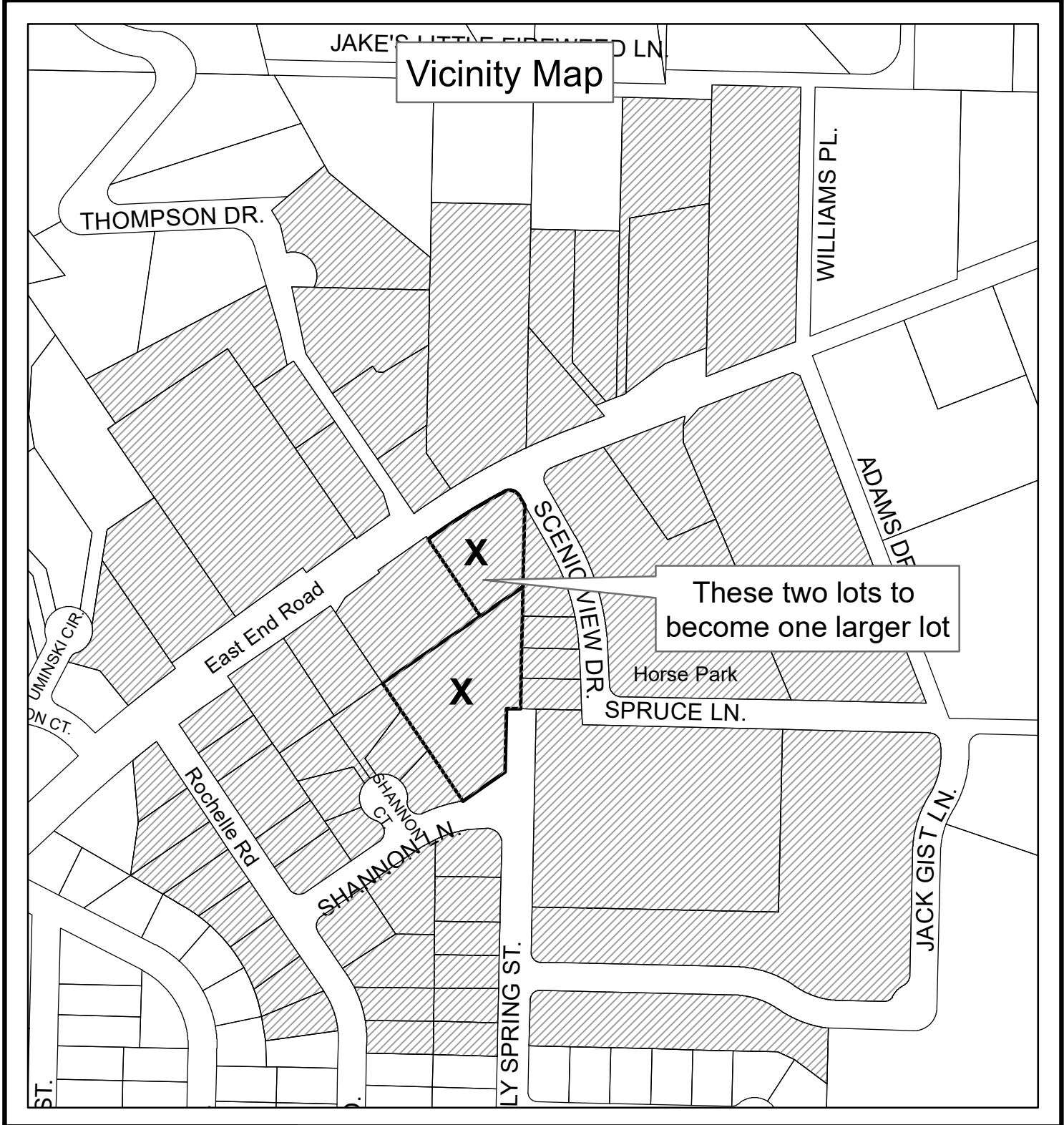
Written comments can be emailed to the Planning and Zoning Office at the address below, mailed to Homer City Hall at the address above, or placed in the Homer City Hall drop box at any time. Written comments must be received by 4 p.m. on the day of the meeting.

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

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

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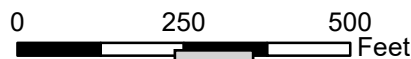
## VICINITY MAP ON REVERSE



City of Homer  
 Planning and Zoning Department  
 6/5/2024

Scenic View No. 6  
 Pier 59 2024 Replat  
 Preliminary Plat

Marked lots are within 500 feet  
 and property owners notified



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

NOTES

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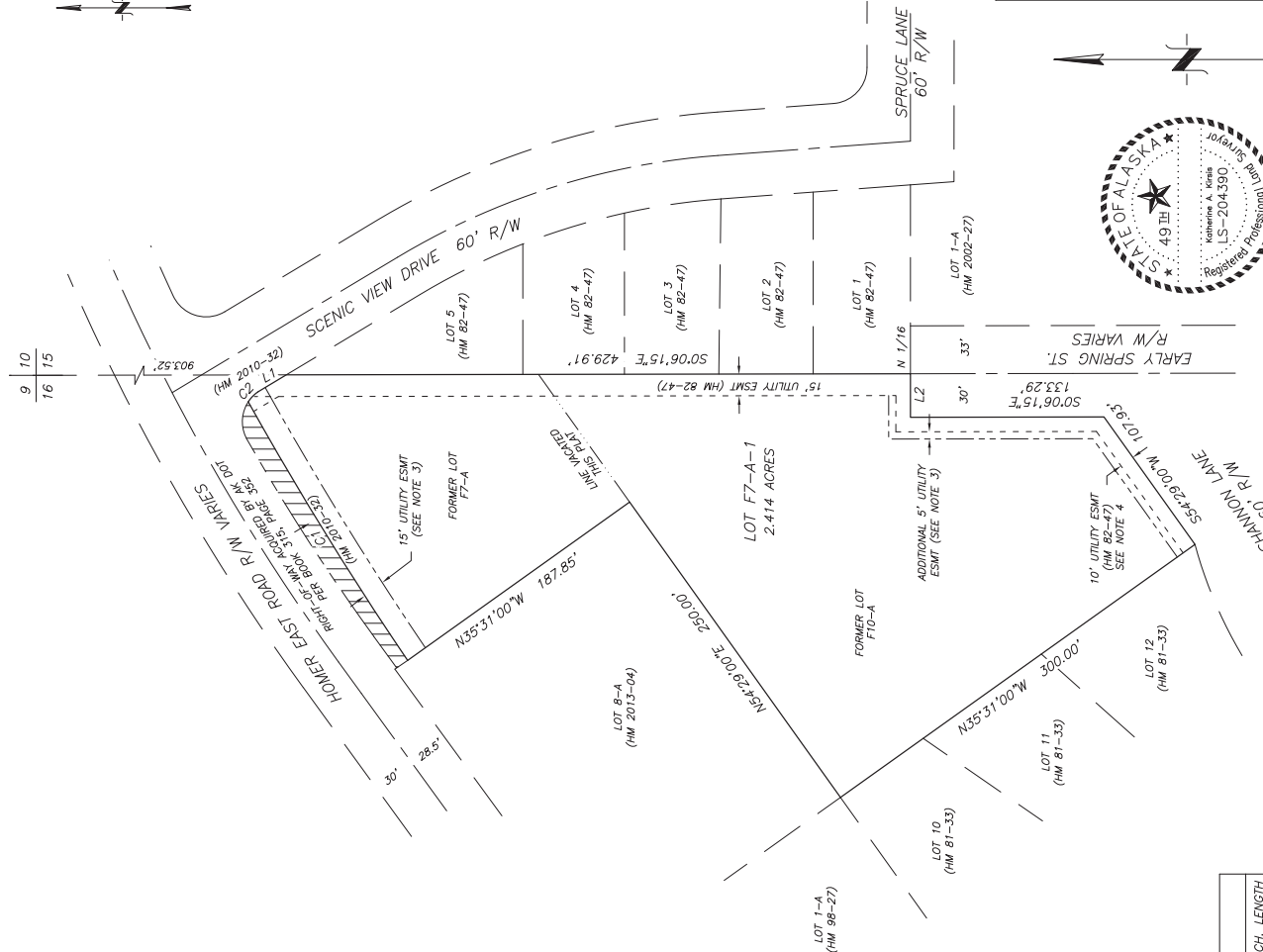
BY: \_\_\_\_\_ AUTHORIZED OFFICIAL \_\_\_\_\_ DATE \_\_\_\_\_  
KENAI PENINSULA BOROUGH

WASTEWATER DISPOSAL

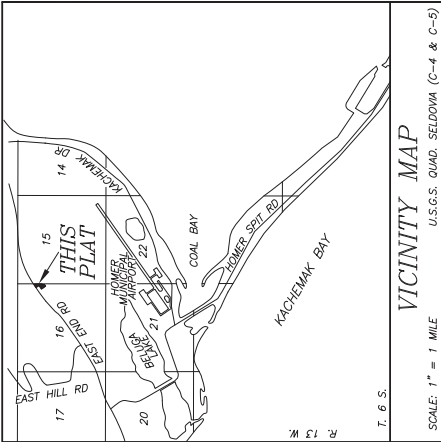
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GRAPHIC SCALE



CERTIFICATE OF OWNERSHIP

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WILLIAM E. LOVETT, OWNER  
PIER 59, LLC  
P.O. BOX 4243  
HOMER, AK 99603

NOTARY'S ACKNOWLEDGMENT

FOR: WILLIAM E. LOVETT  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.  
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HOMER RECORDING DISTRICT KPB FILE NO. 2024-XXX

SCENIC VIEW NO. 6  
PIER 59 2024 REPLAT

A REPLAT OF LOT F7-A & LOT F10-A, SCENIC VIEW NO. 6 (HM 82-47), LOCATED WITHIN THE NE1/4 NE1/4, SECTION 16, T. 6 S., R. 13 W., S.M., CITY OF HOMER, KENAI PENINSULA, BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA

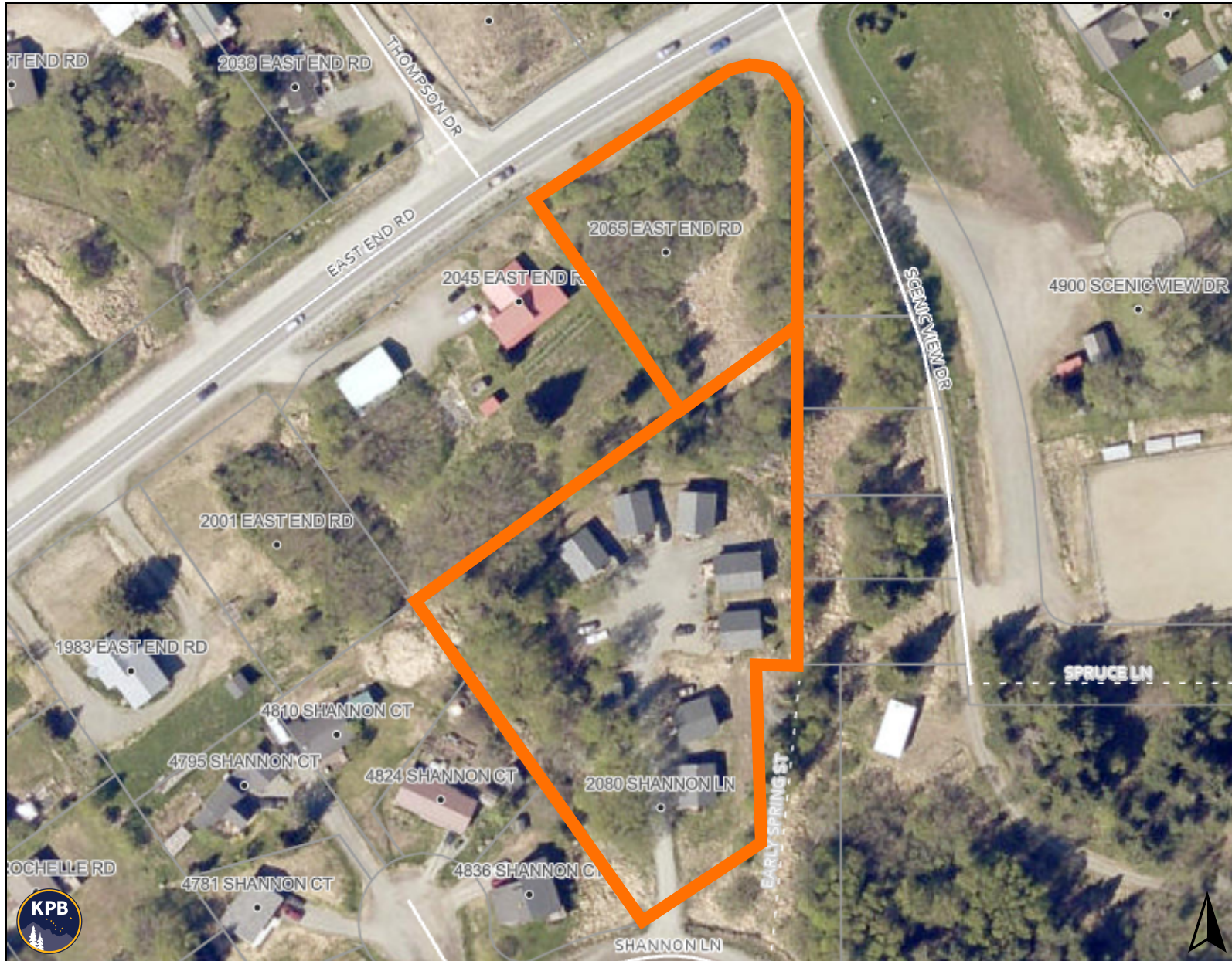
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CLIENTS: PIER 59, LLC  
P.O. BOX 4243  
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DRAWN BY: KK  
DATE: 05/2024  
JOB #2024-34  
SHEET #1 OF 1





## Legend

Physical Addresses

Transportation

Mileposts

Roads

- Medium Collector
- Medium Volume - Unmaintained
- Medium Volume - Maintained
- Low / Seasonal
- Legal Trail
- Private
- State Hwy
- Platted / Proposed

Parcels and PLSS

Tax Parcels



9" Imagery

- Red: Red
- Green: Green
- Blue: Blue

0 200 400 ft

NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or correction of the data, or use of the data.

Kenai Peninsula Borough assumes no liability of any kind arising from the use of this data. The operation or modification of the data. In using these data, you further agree to the data, or use of the data.

**PLANNING COMMISSION  
2024 Calendar**

	<b>AGENDA ITEM DEADLINES</b>	<b>MEETING DATE</b>	<b>COMMISSIONER SCHEDULED TO REPORT</b>	<b>CITY COUNCIL MEETING FOR REPORT*</b>	<b>ANNUAL TOPICS FOR AGENDA AND EVENTS PLANNED</b>
<b>JANUARY</b>	12/13/23 Public Hearing Items 12/15/23 Preliminary Plat Submittals 12/22/23 Regular Agenda Items	01/03/24		Monday, 01/08/24 6:00 p.m.	•
	12/27/23 Public Hearing Items 12/29/23 Prelim Plat Items 01/05/24 Regular Agenda Items	01/17/24		Monday 01/22/24 6:00 p.m.	•
<b>FEBRUARY</b>	01/17/24 Public Hearing Items 01/19/24 Prelim Plat Items 01/26/24 Regular Agenda Items	02/07/24		Monday 02/12/24 6:00 p.m.	• NFIP Staff Training • This meeting was canceled.
	01/31/24 Public Hearing Items 02/02/24 Prelim Plat items 02/09/24 Regular Agenda Items	02/21/24		Monday 02/26/24 6:00 p.m.	• Short Term Rental Ordinance
<b>MARCH</b>	02/14/24 Public Hearing Items 02/16/24 Prelim Plat Items 02/23/24 Regular Agenda Items	03/06/24		Monday 03/11/24 6:00 p.m.	• Transportation Plan
	02/28/24 Public Hearing Items 03/01/24 Prelim Plat Items 03/08/24 Regular Agenda Items	03/20/24		Tuesday 03/26/24 6:00 p.m.	
<b>APRIL</b>	03/13/24 Public Hearing Items 03/15/24 Prelim Plat Items 03/22/24 Regular Agenda Items	04/03/24		Monday 04/08/24 6:00 p.m.	Draft Transportation Plan Review
	03/27/24 Public Hearing Items 03/29/24 Prelim Plat Items 04/05/24 Regular Agenda Items	04/17/24		Monday 04/22/24 6:00 p.m.	• APA National Planning Conference
<b>MAY</b>	04/10/24 Public Hearing Items 04/12/24 Prelim Plat Items 04/19/24 Regular Agenda Items	05/01/24		Monday 05/13/24 6:00 p.m.	• Public Hearing on Draft Transportation Plan
	04/24/24 Public Hearing Items 04/26/24 Prelim Plat Items 05/03/24 Regular Agenda Items	05/15/24		Tuesday 05/28/24 6:00 p.m.	•
<b>JUNE</b>	05/15/24 Public Hearing Items 05/17/24 Prelim Plat Items 05/24/24 Regular Agenda Items	06/05/24		Monday 06/10/24 6:00 p.m.	• Reappointment Applications will be sent out by the Clerk
	05/29/24 Public Hearing Items 05/31/24 Prelim Plat Items 06/07/24 Regular Agenda Items	06/19/24		Monday 06/24/24 6:00 p.m.	

<b>JULY</b>	06/26/24 Public Hearing Items 06/28/24 Prelim Plat Items 07/05/24 Regular Agenda Items	07/17/24		Monday 07/22/24 6:00 p.m.	<ul style="list-style-type: none"> <li>• Reappointment Application Due to the Clerk</li> </ul>
<b>AUGUST</b>	07/17/24 Public Hearing Items 07/19/24 Prelim Plat Items 07/26/24 Regular Agenda Items	08/07/24		Monday 08/12/24 6:00 p.m.	<ul style="list-style-type: none"> <li>• Election of Officers</li> <li>• Worksession: Training with City Clerk</li> <li>• Capital Improvement Plan Presentation by Jenny Carroll</li> </ul>
	07/31/24 Public Hearing Items 08/02/24 Prelim Plat Items 08/09/24 Regular Agenda Items	08/21/24		Monday 08/26/24 6:00 p.m.	
<b>SEPTEMBER</b>	08/14/24 Public Hearing Items 08/16/24 Prelim Plat Items 08/23/24 Regular Agenda Items	09/04/24		Monday 09/09/24 6:00 p.m.	
	Agenda Items are determined by Council and are usually topics requested by the Commission during the previous years.	09/16/24		Monday TBD	Joint Worksession with City Council
	08/28/24 Public Hearing Items 08/30/24 Prelim Plat Items 09/06/24 Regular Agenda Items	09/18/24		Monday 09/23/24 6:00 p.m.	
<b>OCTOBER</b>	09/11/24 Public Hearing Items 09/13/24 Prelim Plat Items 09/20/24 Regular Agenda Items	10/02/24		Monday 10/14/24 6:00 p.m.	
	09/25/24 Public Hearing Items 09/27/24 Prelim Plat Items 10/04/24 Regular Agenda Items	10/16/24		Monday 10/28/24 6:00 p.m.	<ul style="list-style-type: none"> <li>• Annual Meeting Schedule for 2025</li> </ul>
<b>NOVEMBER</b>	10/16/24 Public Hearing Items 10/18/24 Prelim Plat Items 10/25/24 Regular Agenda Items	11/06/24		Tuesday 11/12/24 6:00 p.m. or Monday 11/25/24 6:00 p.m.	
<b>DECEMBER</b>	11/13/24 Public Hearing Items 11/15/24 Prelim Plat Items 11/20/24 Regular Agenda Items	12/04/24		No Meetings for Council in December	

\*The Commission's opportunity to give their report to City Council is scheduled for the Council's regular meeting following the Commission's regular meeting, under Agenda Item 8 – Announcements/ Presentations/ Borough Report/Commission Reports. Reports are the Commission's opportunity to give Council a brief update on their work. Attend via Zoom or in Person.

# 2024 Meeting Dates & Submittal Deadlines

## Homer Planning Commission

*Meeting dates are bolded and submittal deadlines are underneath*

### **January 3, 2024**

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

### **January 17, 2024**

December 27 for Public Hearing Items  
December 29 for Preliminary Plat Submittal  
January 5 for Regular Agenda Items

### **January 31, 2024**

January 10 for Public Hearing Items  
January 12 for Preliminary Plat Submittal  
January 19 for Regular Agenda Items

### **February 7, 2024**

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

### **February 21, 2024**

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

### **March 6, 2024**

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

### **March 20, 2024**

February 28 for Public Hearing Items  
March 1 for Preliminary Plat Submittal  
March 8 for Regular Agenda Items

### **April 3, 2024**

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

### **April 17, 2024**

April 12 for Public Hearing Items  
April 14 for Preliminary Plat Submittal  
April 21 for Regular Agenda Items

### **May 1, 2024**

April 10 for Public Hearing Items  
April 12 for Preliminary Plat Submittal  
May 19 for Regular Agenda Items

### **May 15, 2024**

April 24 for Public Hearing Items  
April 26 for Preliminary Plat Submittal  
May 3 for Regular Agenda Items

### **June 5, 2024**

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

# 2024 Meeting Dates & Submittal Deadlines

## Homer Planning Commission

*Meeting dates are bolded and submittal deadlines are underneath*

### **June 19, 2024**

May 29 for Public Hearing Items

May 31 for Preliminary Plat Submittal

June 7 for Regular Agenda Items

### **July 17, 2024**

June 26 for Public Hearing Items

June 28 for Preliminary Plat Submittal

July 5 for Regular Agenda Items

### **August 7, 2024**

July 17 for Public Hearing Items

July 19 for Preliminary Plat Submittal

July 26 for Regular Agenda Items

### **August 21, 2024**

July 31 for Public Hearing Items

August 2 for Preliminary Plat Submittal

August 9 for Regular Agenda Items

### **September 4, 2024**

August 14 for Public Hearing Items

August 16 for Prelim. Plat Submittal

August 23 for Regular Agenda Items

### **September 18, 2024**

August 28 for Public Hearing Items

August 30 for Preliminary Plat Submittal

September 6 for Regular Agenda Items

### **October 2, 2024**

September 11 for Public Hearing Items

September 13 for Preliminary Plat Submittal

September 20 for Regular Agenda Items

### **October 16, 2024**

September 25 for Public Hearing Items

September 27 for Preliminary Plat Submittal

October 4 for Regular Agenda Items

### **November 6, 2024**

October 16 for Public Hearing Items

October 17 for Preliminary Plat Submittal

October 25 for Regular Agenda Item

### **December 4, 2024**

November 13 for Public Hearing Items

November 15 for Preliminary Plat Submittal

November 20 for Regular Agenda Item