

**REGULAR MEETING
AGENDA**

- 1. Call to Order**
- 2. Approval of Agenda**
- 3. Public Comment**
The public may speak to the Planning Commission regarding matters on the agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).
- 4. Reconsideration**
- 5. Adoption of 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 and considered in normal sequence.
 1. Approval of Minutes of October 19, 2016 **Page 1**
 2. Time Extension Requests
 3. Approval of City of Homer Projects under HCC 1.76.030 g.
 4. KPB Coastal Management Program Reports
- 6. Presentations**
- 7. Reports**
 - a. Staff Report PL 16-63, City Planner's Report **Page 7**
- 8. Public Hearings**
Testimony limited to 3 minutes per speaker. The Commission conducts Public Hearings by hearing a staff report, presentation by the applicant, hearing public testimony and then acting on the Public Hearing items. The Commission may question the public. Once the public hearing is closed the Commission cannot hear additional comments on the topic. The applicant is not held to the 3 minute time limit.
- 9. Plat Consideration**
 - A. Staff Report PL 16-62, Lake Street Right of Way Acquisition, Preliminary Plat **Page 11**
- 10. Pending Business**
- 11. New Business**
- 12. Informational Materials**
 - A. City Manager's Report dated October 24, 2016 **Page 23**
- 13. Comments of The Audience**
Members of the audience may address the Commission on any subject. (3 minute time limit)
- 14. Comments of Staff**
- 15. Comments of The Commission**

16. Adjournment

Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission. The next meeting will be held on December 7, 2016. Notice of the next regular or special meeting or work session will appear on the agenda following "adjournment."

Session 16-17, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Acting Chair Bos at 6:30 p.m. on October 19, 2016 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS ABRAHAMSON, BRADLEY, HIGHLAND, VENUTI

ABSENT: STEAD

STAFF: CITY PLANNER ABBOUD
DEPUTY CITY CLERK JACOBSEN

Approval of Agenda

Acting Chair Bos called for approval of the agenda.

BRADLEY/HIGHLAND SO MOVED

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Public Comment

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Reconsideration

Adoption of Consent Agenda

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- A. Approval of Minutes of October 5, 2016
- B. Time Extension Requests
- C. Approval of City of Homer Projects under HCC 1.76.030 g.
- D. KPB Coastal Management Program Reports
- E. Decision and Findings for CUP 16-06, Homer Medical Clinic Expansion at 4136 Bartlett Street

Acting Chair Bos asked for approval of the consent agenda.

BRADLEY/HIGHLAND SO MOVED

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Presentations

Reports

PL 16-58, City Planner's Report

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

Public Hearings

Testimony limited to 3 minutes per speaker. The Commission conducts Public Hearings by hearing a staff report, presentation by the applicant, hearing public testimony and then acting on the Public Hearing items. The Commission may question the public. Once the public hearing is closed the Commission cannot hear additional comments on the topic. The applicant is not held to the 3 minute time limit.

- A. Staff Report PL 16-61, Public Trail Easement Vacation in Guy Waddell Subdivision No. 3 June's Additions, Lots 1-A and 1-B

City Planner Abboud reviewed the staff report. Mr. Abboud explained it is questionable if the easement is valid because it wasn't dedicated to anyone. Usually they go to the City and the City would accept the trail easement. The Borough questioned its validity as well.

Holly Brennan, applicant and property owner, commented this trail easement came to light when her sister was interested in purchasing the adjacent lot. Ms. Brennan explained she and her husband had no idea the trail easement was there; it was not disclosed by the seller or realtor during the purchase of the property, it was not identified by the title company in the title report, nor in the record of survey. The trail easement causes them to lose about 1/3 of an acre through the middle of their property and eliminates the privacy of the lot. In review of the recorded document regarding the trail easement the Kenai Peninsula Borough and City agree with the vacation.

Acting Chair Bos opened the public hearing. There were no comments and the hearing was closed.

There was no rebuttal from staff.

It was clarified this will eliminate the entire trail easement.

Commissioner Highland commented that she is an advocate for trails but agrees with the vacation in this instance.

VENUTI/ABRAHAMSON MOVED THAT THE PLANNING COMMISSION APPROVES STAFF REPORT PL 16-61 AND THE VACATION OF THE PUBLIC TRAIL EASEMENT IN GUY WADDELL SUBDIVISION NO. 3 JUNE'S ADDITION, LOTS 1-A AND 1-B.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Plat Consideration

- B. Staff Report PL 16-57, Water and Sewer Easement Vacation along the east lot line at 4510 Heidi Court, on AA Mattox Subdivision Peggi's Addition

City Planner Abboud reviewed the staff report.

There was no applicant, no public comment, and no questions of staff.

BRADLEY/HIGHLAND MOVED THE PLANNING COMMISSION RECOMMENDS APPROVAL OF THE VACATION OF THE UTILITY EASEMENT VACATION ALONG THE EAST LOT LINE AT 4510 HEIDI COURT, ON LOT 24-A AA MATTOX SUBDIVISION PEGGI'S ADDITION.

Commissioner Highland acknowledged Public Works confirmation that a right of way exists that will provide equal or better access and sees no reason not to approve this.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Pending Business

New Business

- A. Memorandum from Jo Johnson, City Clerk dated October 7, 2016 regarding the 2017 Meeting Schedule

HIGHLAND/ABRAHAMSON MOVED THAT THE PLANNING COMMISSION APPROVES THEIR 2017 MEETING SCHEDULE AS OUTLINED IN THE DRAFT RESOLUTION PROVIDED BY THE CITY CLERK.

There was brief discussion that the October 17, 2017 meeting falls on a Tuesday because of the Alaska Day holiday on Wednesday the 18th.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Informational Materials

- A. City Manager's Report from October 5, 2016

Comments of the Audience

Scott Adams, city resident, commented about clearing on a steep slope near his property on Skyline Drive. The city put restrictions on steep slope development and within the last four months a property

on the sloped side of Skyline was clear cut so a property across the street could be sold as view property. Since the tree removal he hasn't seen any new vegetation planted. This is just past the guardrail and he's seen vehicles go off the road there and stopped by the trees that were there, so when it happens now, they will end up with a bad ride. He wonders if the planning department is aware of this and reviewing areas where people are knocking down all the trees. He has concerns about erosion and people following the rules of the city that property owners like him are required to abide by. He would like the planning department to contact the property owners to see what is going on.

Comments of Staff

City Planner Abboud noted the land sales on Kachemak Drive and Lillian Walli Estates and that the proceeds being deposited into the land reserve fund.

There was discussion about some land being cleared near the Petro Marine gas station and across from Safeway, and when a permit would be required for such work.

Comments of the Commission

Commissioner Highland recalled when they used to receive the Planning Newsletters in their packets and would like to have them again if they are still available. She recalled reading information that drive through establishments don't enhance the aesthetics of a community. We need to think about how we can do a better job on aesthetics than we sometimes do, she isn't sure how to get it to be addressed at a higher level than it is now. She said she has received phone calls about areas along the bypass and spit where lupine and trees have been cut down. We advertise ourselves as a tourist town and it needs to become part of the thinking process of the city, public works, and planning commission somehow.

Brief discussion with the City Planner ensued about existing and new improvements.

Commissioner Bradley agreed with Ms. Highland's comments on aesthetics and said it's good to keep an eye on it in the future. She noted she got her first Kenai Peninsula Food Hub order and encouraged everyone to check out the program.

Commissioner Abrahamson she supports the revitalization of the city center properties to align with the planning mission for the City of Homer. The City of Soldotna has a vision for 2030 and talk about the redevelopment of their city center, beautification, and improving some of the property and businesses within the city, rather than the sprawl outside. She also supports scheduling the review of chapter four of the Comp Plan for after the first of the year. The critical habitat area planning team that Deputy City Planner Engebretsen is participating with will also include a Kachemak Bay Research Reserve research professional as well as a habitat specialist. On November 1st the Reserve is hosting a Marine Workgroup for comments on the critical habitat area. She also noted she is working the Mayor Zak and Councilmember Stroozas on resilience strategic planning for businesses, in light of the recent CRS and flood maps reports that have just come out. Hopefully they will be enabling some businesses and commerce to be more proactive in their own business strategic planning as well as community planning.

HOMER ADVISORY PLANNING COMMISSION
REGULAR MEETING MINUTES
OCTOBER 19, 2016

Commissioner Venuti said it was an interesting meeting. He is glad the police were able to arrest the person for the murder three years ago. It shows our police are on top of things. He applauds their work. He asked about driveway permitting for the properties on the bypass and City Planner Abboud clarified when the city would become involved.

Acting Chair Bos asked if a zoning permit is required for clearing property. City Planner Abboud replied it depending on what is being done; it could trigger the Development Activity Plan. Mr. Bos said he congratulated the new Mayor and City Councilmembers, and noted that all three are prior Planning Commissioners.

Adjourn

There being no further business to come before the Commission, the meeting adjourned at 7:15 p.m. The next regular meeting is scheduled for November 2, 2016 at 6:30 p.m. in the City Hall Cowles Council Chambers. A worksession will be held at 5:30 p.m.

MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

Approved: _____





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

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: November 2, 2016
SUBJECT: City Planner's Report

City Council

Meeting of 10/24/16

Ordinance 16-50, regarding review of Marijuana related permits passed

Congratulations/welcome to Justin Arnold, appointed to serve as a Planning Commissioner.

The November and December City Council meeting date have changed. The new dates are 11/21 and 12/5. So, in hear is the new schedule for Commissioners to present to the council new dates.

November 21, 2016: Syverine Abrahamson

December 5, 2016: Savanna Bradley

January 9, 2017:

January 23, 2017:

Planning Commissioners Journal:

After the last meeting, Commissioner Highland asked about what happened to the Planning Commissioners Journal siting it was useful and she missed receiving it. The journal is now out of print. They have gone to a web format which provides access to the archives (most) for a fee and also has blogs. It can be found at <http://plannersweb.com/>. But, this is not particularly use for Commissioner Highland.

So far, the best alternative I have found is sign up Commissioner's to the Group Planning Board Membership or APA Affiliates, I have included the information below. While some components are still web related, new content is provided. Let me know what you think.

Staff:

Have been working short-handed again with leave time being used and will expect to be short again for most of December due to a change in staffing status. I hope to start the New Year fully staffed.

Attachments

APA Connect information





Photo of The Hillsborough (Florida) City Country Planning Commission by Dawn Sallis

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- The agency pays a \$100 annual participation fee and \$50 (\$45 national dues + \$5 chapter dues) per member. The more members signed up, the lower the cost per member!

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- APA affiliates are not members of APA national, but may join some APA chapters.
- The agency pays a \$100 annual participation fee and \$30 per affiliate. The more affiliates signed up, the lower the cost per affiliate!

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City of Homer

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Staff Report 16-62

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: November 2, 2016
SUBJECT: Staff Report PL 16-62

Requested Action: Preliminary Plat approval of right-of-way acquisition

General Information:

Applicant:	State of Alaska DOT Louise Hooyer 4111 Aviation Ave. Anchorage, AK 99502
Location:	Lake Street, from Pioneer Ave to Sterling Highway

Synopsis: Alaska DOT is processing a preliminary plat for land needed for the reconstruction of Lake Street. The project as described in the 2016-2019 State Transportation Improvement Program (STIP) Amendment 1, Approved September 22, 2016.

Need ID:	Ph	Fund	FFY16	FFY17	FFY18	FFY19	After 2019
23197							
Name: Homer Lake Street Rehabilitation	3	SM	0	29,899	0	0	
	3	STP	0	301,111	0	0	
	Totals:		0	331,010	0	0	5,450,000

Program	Region	2013 Election District	Place Name	Highway	Primary Work	Bridge #s
CTP	C	31	Homer		Reconstruction	

Description: Rehabilitate pavement of approximately 0.47 miles, construct a sidewalk on both sides of the road, improve the intersection at Pioneer to enhance safety, and provide drainage improvements. Lake Street is located in downtown Homer, between the Sterling Highway and Pioneer Avenue.

GENERAL INFORMATION

The State of Alaska DOT is planning to reconstruct Lake Street. The Acquisition Plat is used for recording the transfer of ownership of private property to the State of Alaska. Generally, the property is necessary to support road improvements with drainage being a primary concern.

Under Kenai Peninsula Borough Code, a right of way acquisition plat is different than a regular preliminary plat. Since the action is taking place in the City of Homer, we are asked for comments prior to submittal to the Borough. The State has conducted extensive public meetings when property owners were notified and invited to comment. I have attended two such meetings. The first was very well attended and many citizens had one-on-one input on the proposed design.

Without definite procedural direction regarding the participation of the City of Homer in the Borough's regulations regarding Right-of-way acquisition plats, as found in KPBC Code 20.10.070, we have notified all property owners within 500 feet of the project for comment as we would for a Preliminary Plat. The requested action from the Homer Advisory Planning Commission and city departments is to provide any comments on the easement acquisition.

Public Works Comments: Water Services and Hydrants may need to be relocated to property line where ROW is acquired. Public Works will work with ADOT on the details of relocation and reconnection where applicable.

Fire Department Comments: There are no Fire Department issues.

Staff Recommendation:

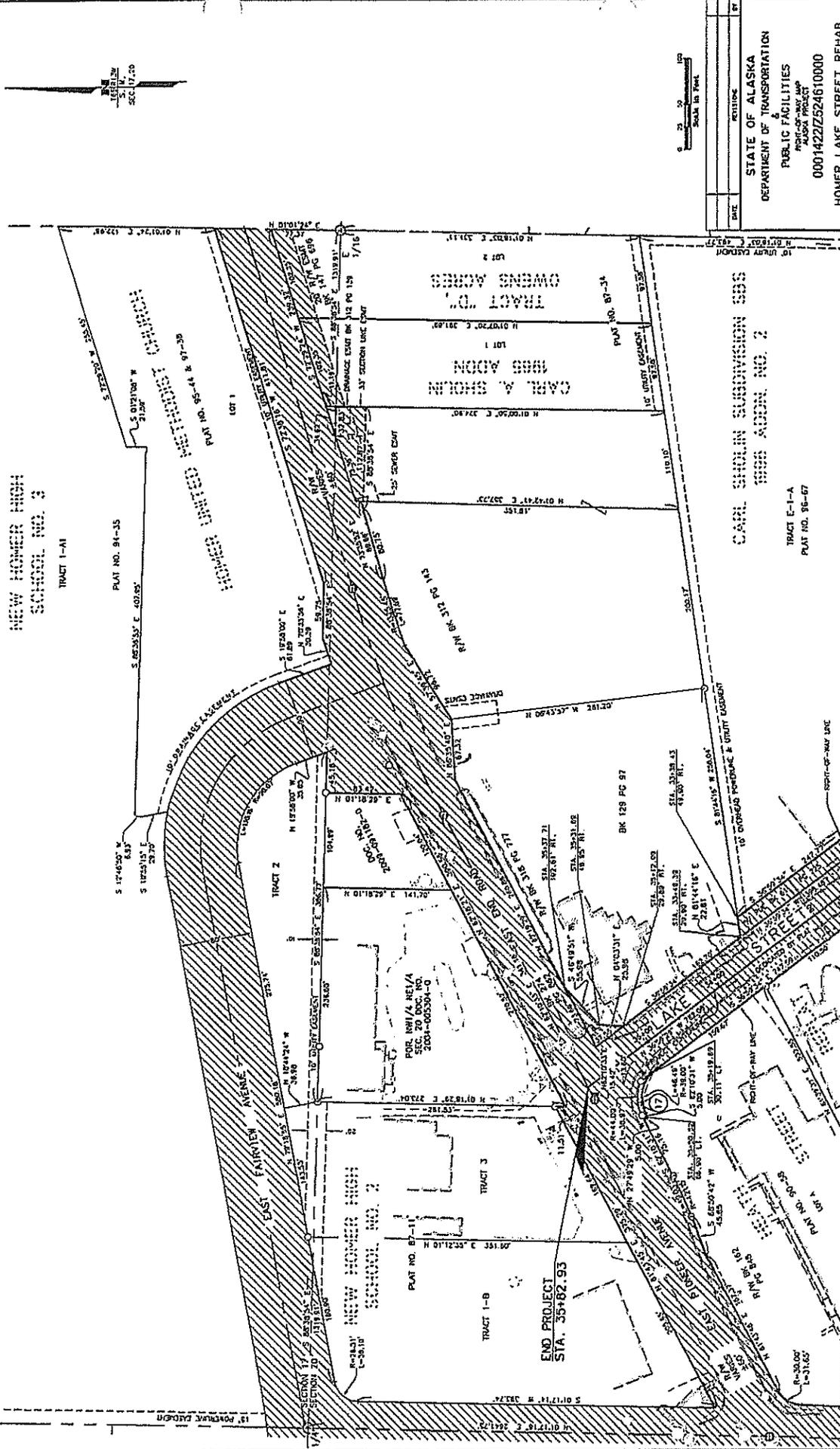
Planning Commission recommend approval of the preliminary plat.

Attachments:

1. Preliminary Plat
2. Plat Submittal form
3. Public Notice
4. Aerial Map

PARCEL NO.	FEET TYPICAL ACQUIRED	AC. ACQ'D, LLC, OWNER	40,760 S.F. TYPICAL EXISTING OWNER	250 S.F. NET TAKE	48,153 S.F. REMAINDER	RECORDED DOCUMENT NUMBER
PARCEL INFORMATION						

PROJECT DESIGNATION	SHEET NUMBER	TOTAL SHEETS
0001422/Z524610000	R6	R8



STATE OF ALASKA	DATE	10/14/2018	SHEET	1 - 24
DEPARTMENT OF TRANSPORTATION	DATE	10/14/2018	SHEET	1 - 24
PUBLIC FACILITIES	DATE	10/14/2018	SHEET	1 - 24
ALASKA PROJECT	DATE	10/14/2018	SHEET	1 - 24
0001422/Z524610000	DATE	10/14/2018	SHEET	1 - 24
HOMER LAKE STREET REHAB	DATE	10/14/2018	SHEET	1 - 24

MATCH LINE SHEET 5 STA 32+29.23

PROJECT DESIGNATION
0001422/Z524610000

SHEET NUMBER
R5

TOTAL SHEETS
R8

DATE
06/15/2018

SCALE
1" = 30'

PROJECT
HOMER LAKE STREET REHAB

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
PUBLIC FACILITIES
TRUCK PROGRAM
0001422/Z524610000

SCALE
1" = 20'

PROJECT
HOMER LAKE STREET REHAB

DATE
06/15/2018

SCALE
1" = 20'

PROJECT
HOMER LAKE STREET REHAB

DATE
06/15/2018

SCALE
1" = 20'

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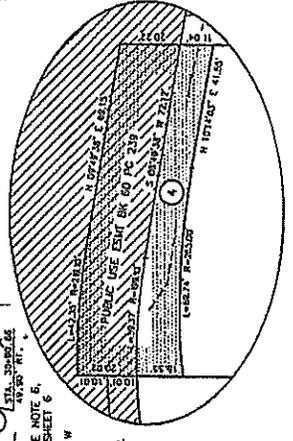
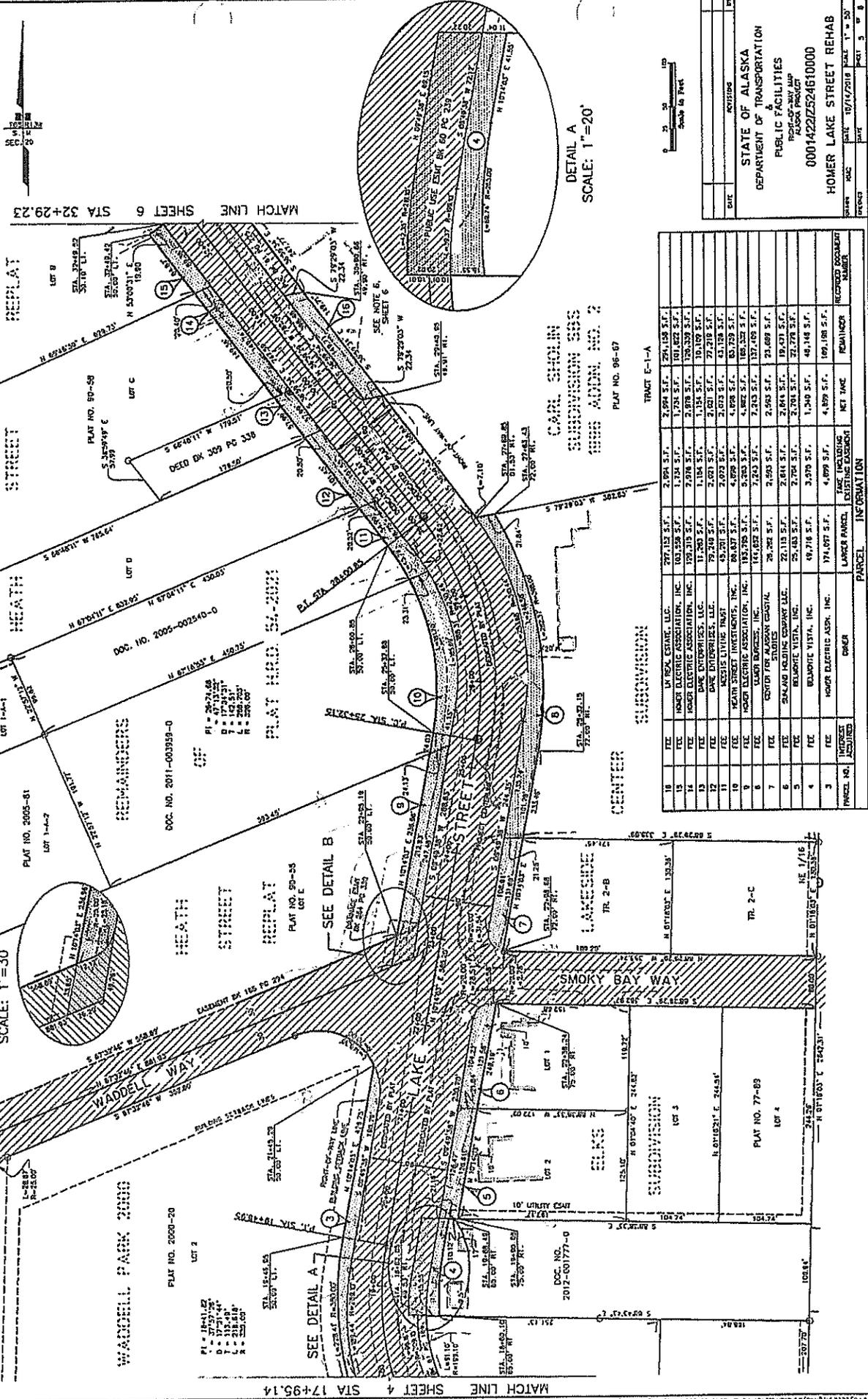
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PROJECT
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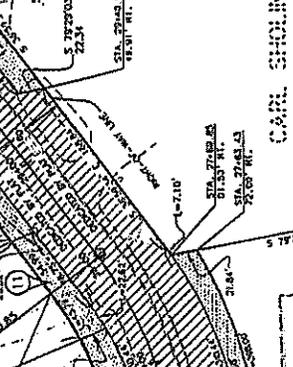
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06/15/2018

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HOMER LAKE STREET REHAB

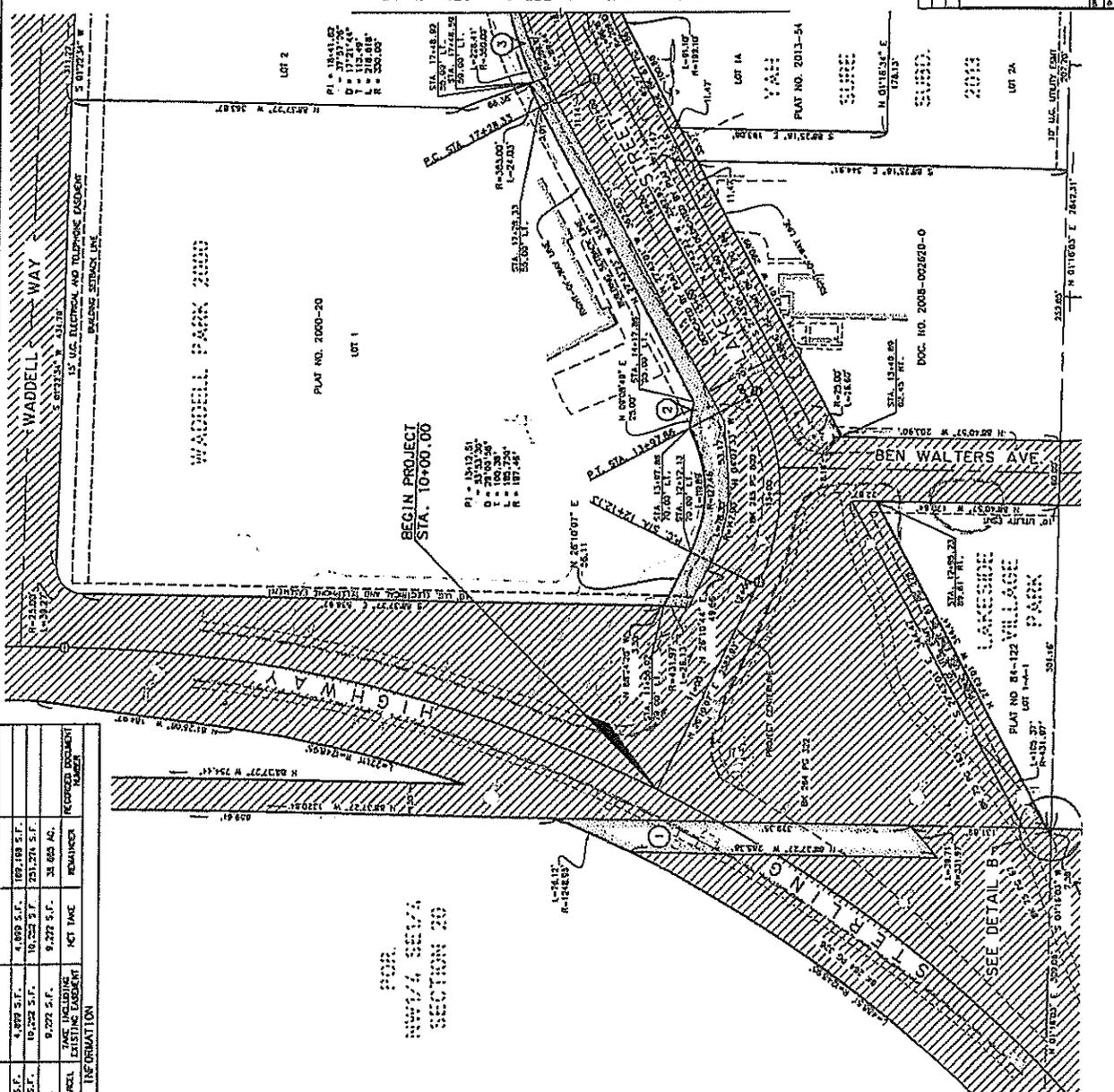


TRACT E-1-A	AREA (S.F.)	OWNER	INTEREST ASSURED	PARCEL INCORPORATION	NET ACRE	RECORDING NUMBER
18	2,094 S.F.	IN REKA ESTATE, LLC	277,153 S.F.		4,899 S.F.	109,188 S.F.
15	1,724 S.F.	HOMER ELECTRIC ASSOCIATION, INC.	103,558 S.F.		1,724 S.F.	101,832 S.F.
14	2,078 S.F.	HOMER ELECTRIC ASSOCIATION, INC.	179,215 S.F.		2,078 S.F.	178,239 S.F.
13	1,184 S.F.	DAK ENTERPRISES, LLC	11,263 S.F.		1,184 S.F.	10,109 S.F.
12	2,001 S.F.	DAK ENTERPRISES, LLC	79,348 S.F.		2,001 S.F.	77,218 S.F.
11	4,023 S.F.	KESSIS LIVING TRUST	49,201 S.F.		4,023 S.F.	47,178 S.F.
10	4,023 S.F.	KESSIS LIVING TRUST	80,837 S.F.		4,023 S.F.	78,814 S.F.
9	4,023 S.F.	HOMER ELECTRIC ASSOCIATION, INC.	182,795 S.F.		4,023 S.F.	180,772 S.F.
8	4,023 S.F.	CLARK ENTERPRISES, INC.	144,822 S.F.		4,023 S.F.	142,799 S.F.
7	2,689 S.F.	CHOR FINE STUDIOS	29,282 S.F.		2,689 S.F.	26,593 S.F.
6	2,641 S.F.	SHALAB HOLDING COMPANY LLC	22,113 S.F.		2,641 S.F.	19,471 S.F.
5	2,778 S.F.	BEAUMONT VISTA, INC.	29,443 S.F.		2,778 S.F.	27,665 S.F.
4	4,899 S.F.	BEAUMONT VISTA, INC.	49,718 S.F.		4,899 S.F.	47,819 S.F.
3	4,899 S.F.	HOMER ELECTRIC ASSN. INC.	174,071 S.F.		4,899 S.F.	169,188 S.F.



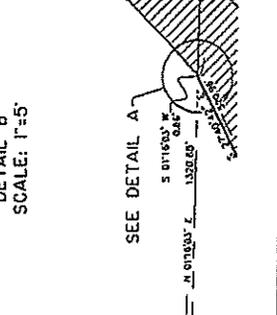
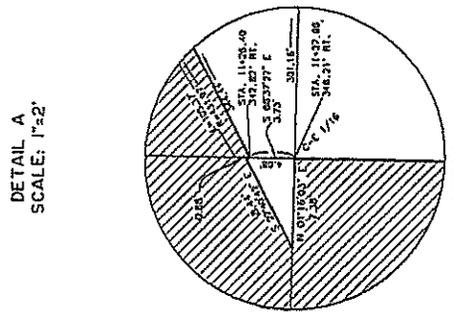
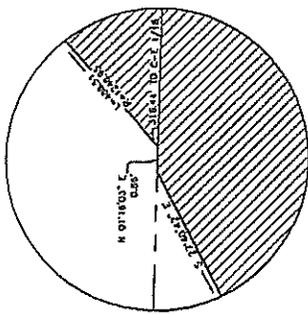
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3	4,899 S.F.	HOMER ELECTRIC ASSN. INC.	174,071 S.F.		4,899 S.F.	169,188 S.F.

PROJECT DESIGNATION SHEET NUMBER
 0001422/7524610000 R4 RB



PARCEL NO.	OWNER	AREA INCLUDING EXISTING EASEMENTS	NET AREA	REMARKS	REFUSED ENCUMBRANCE NUMBER
3	HOMER ELECTRIC ASSN., INC.	4,899 S.F.	169,188 S.F.		
2	ALBERT B WADDELL, JR.	10,252 S.F.	251,271 S.F.		
1	CITY OF HOMER	9,272 S.F.	38,803 AC.		

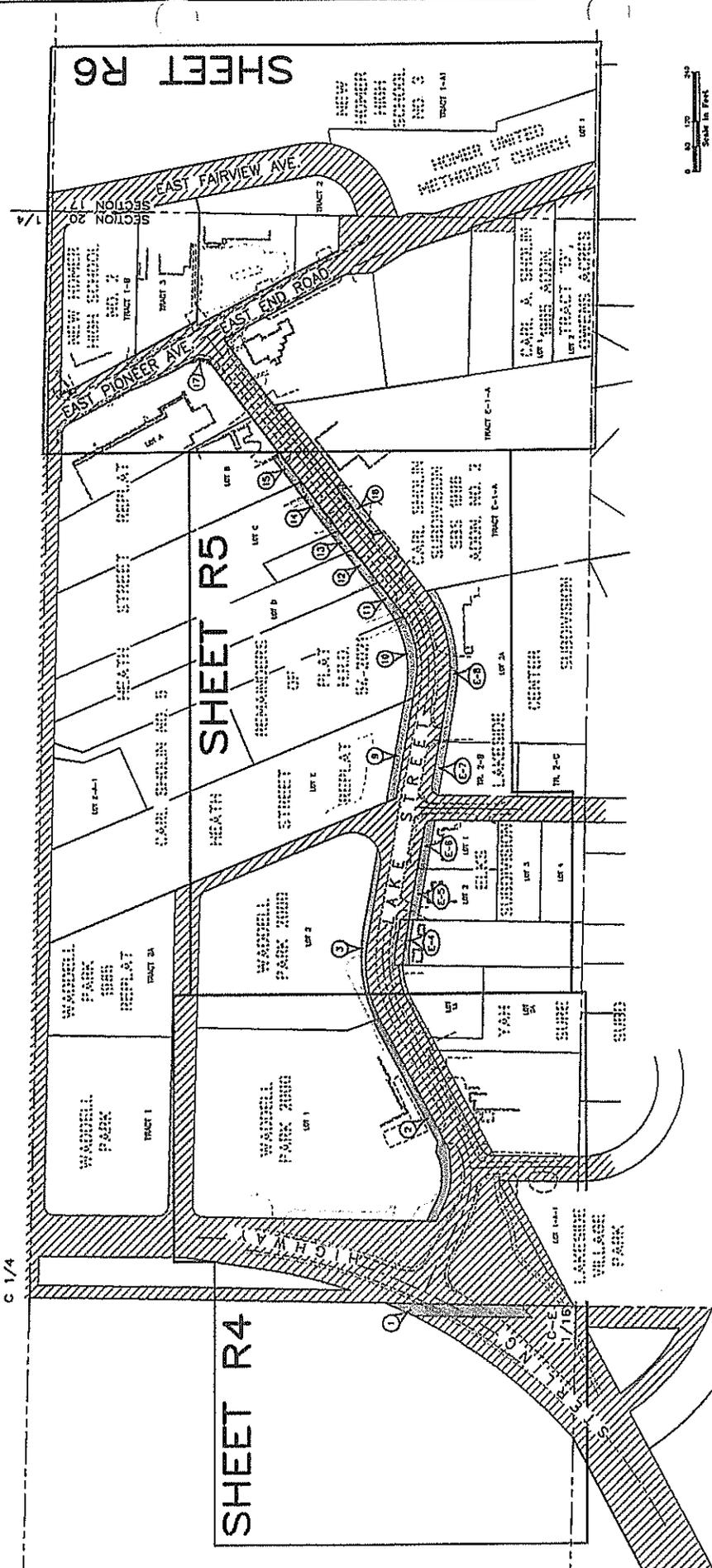
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1	CITY OF HOMER	9,272 S.F.	38,803 AC.		



STATE OF ALASKA
 DEPARTMENT OF TRANSPORTATION
 PUBLIC FACILITIES
 ALASKA PROJECT
 0001422/7524610000
 HOMER LAKE STREET REHAB

DATE: 10/12/2016
 SCALE: 1"=20'

PROJECT DESIGNATION: 0001422/2524610000
 SHEET NUMBER: R3
 TOTAL SHEETS: R7



DATE	REVISIONS	BY
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION PUBLIC FACILITIES SECTION OF ASL-007 PROJECT NO. 0001422/2524610000 HOMER LAKE STREET REHAB		
DRAWN	DATE	SCALE
NSC	9/20/2018	1" = 100'
PROJECT	SHEET	NO.
	3	7



Kenai Peninsula Borough Planning Department
 144 North Binkley Street
 Soldotna, AK 99669

Plat Submittal Form

Survey Firm Name & Address:

State of Alaska DOT&PF Phone: 907-269-0713
 4111 Aviation Ave.
 Anchorage, AK 99502 Email: louise.hooyer@alaska.gov

- Preliminary Plat Revised Preliminary Plat Minor Revisions Major Revisions
 Preliminary Design Subdivision Plat Phase (If a phased development, note preliminary design name below.)

(Preliminary Design Name: _____)

- Submittal of 2 full size plats and 7- 11x17 size plats.
 Plat Submittal Fee in the Amount of ~~200.00~~ ^{300.00} SR VISA 10/19/16
 Final Plat – Preliminary Approval Granted _____ (date)
 Plat Recording Fee in the Amount of _____

Abbreviated Plat Yes No (If yes, use the Abbreviated Plat Submittal Form.)

Plat Name: Homer Lake Street Rehab / 0001422 / Z5246100000

General Location: Homer, Alaska

- USE: Residential Recreational Commercial Agricultural
 Other: ROW Acquisition Plat

City minutes attached (Plat location is in city limits or Bridge Creek Watershed District.)

CURRENT ZONING WHERE APPLICABLE: _____

SEWER: On site City Community WATER: On site City Community

EXCEPTIONS REQUIRED AND REQUESTED:

1. _____
2. _____
3. _____
4. _____

RECEIVED

OCT 17 2016

**CITY OF HOMER
 PLANNING/ZONING**

Comments: (Attach an additional sheet if needed.)

Original Signature(s) of Owner(s) of a Majority of Land within the Subdivision

_____ Print Name	_____ Signature

Please Note: If you are signing as a representative or official of a corporation and own less than 50% of said corporation (or you are not listed as a registered agent in the State of Alaska corporation database), a corporate resolution or signed document from the Board of Directors clearly stating your authorization to sign for the corporation must be attached.

- \$50 Sign Permit
- \$250 Variance
- \$500 Rezone
- \$300 Erosion & Sediment control plan (BCWPD)
- \$200 Flood Hazard Development Permit
- \$300 Conditional Fence Permit
- \$50 Recording Fee

• **Plats**

- * \$300, or \$100 per lot, whichever is greater. Preliminary Plat Processing Fee.
- \$200 Elimination of a common interior lot line.
- \$300 Right of Way and Section Line Easement Vacation Application Fee: (In addition to applicable preliminary plat fees).



Planning

Planning Public Hearings

There are no upcoming public notices posted at this time.

Floodplains

City Code

Planning Commission

Documents

Signs

Permits

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:

Lake Street Right of Way Acquisition Preliminary Plat. The State of Alaska has acquired Rights of Way to the attached properties for the future Lake Street Reconstruction Project

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 Advisory Planning Commission on Wednesday, November 02, 2016 at 6:30 p.m. at Homer City Hall, Cowles Council Chambers, 491 East Pioneer Avenue, Homer, Alaska.

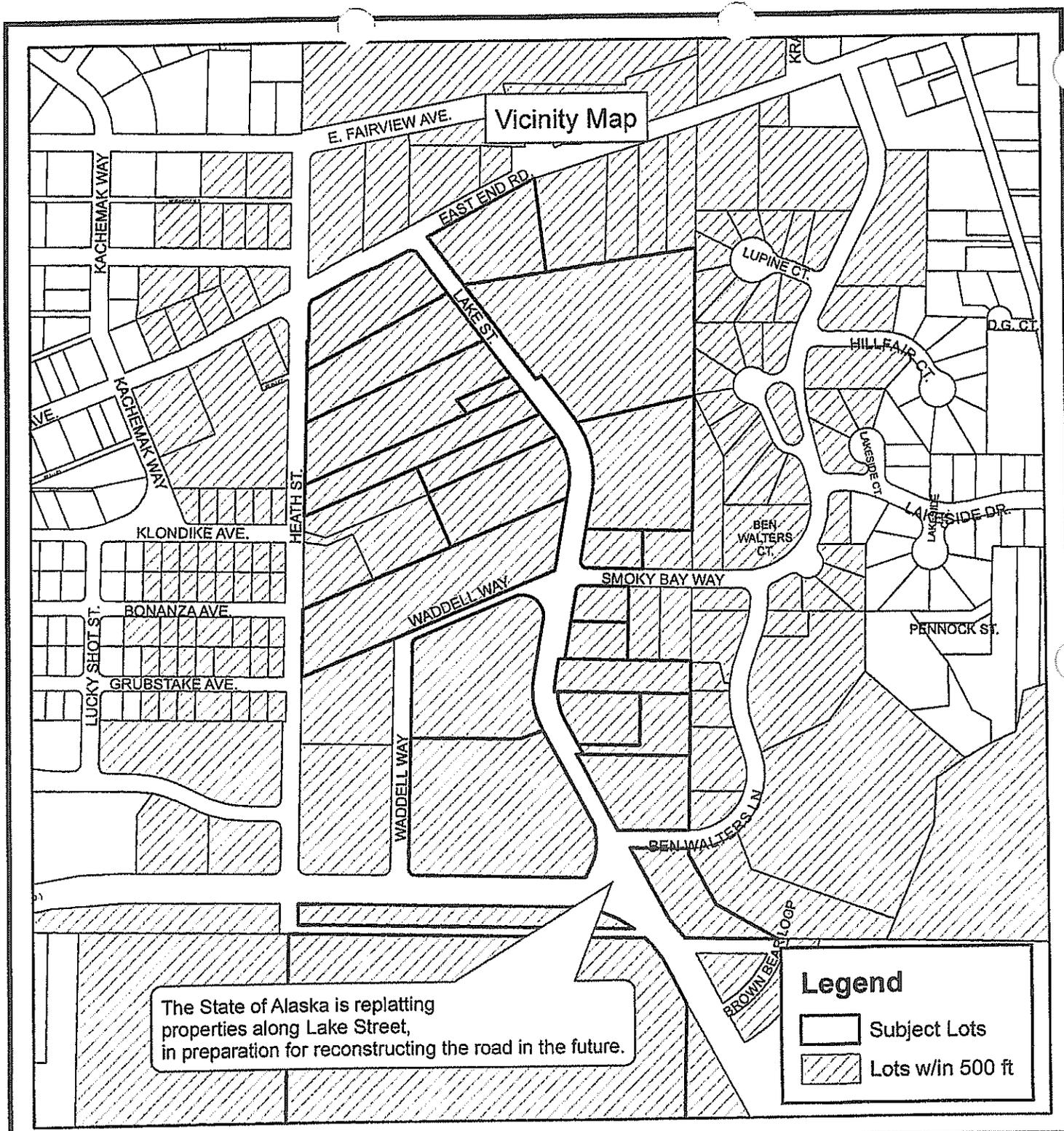
Anyone wishing to present testimony concerning these matters may do so at the meeting or by submitting a written statement to the Homer Advisory Planning Commission, 491 East Pioneer Avenue, Homer, Alaska 99603, by 4:00 p.m. on the day of the meeting.

The complete proposal is available for review at the City of Homer Planning and Zoning Office located at Homer City Hall. For additional information, please contact Rick Abboud in the Planning and Zoning Office, 235-3106.

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

.....

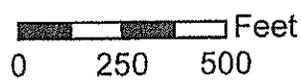
VICINITY MAP ON REVERSE



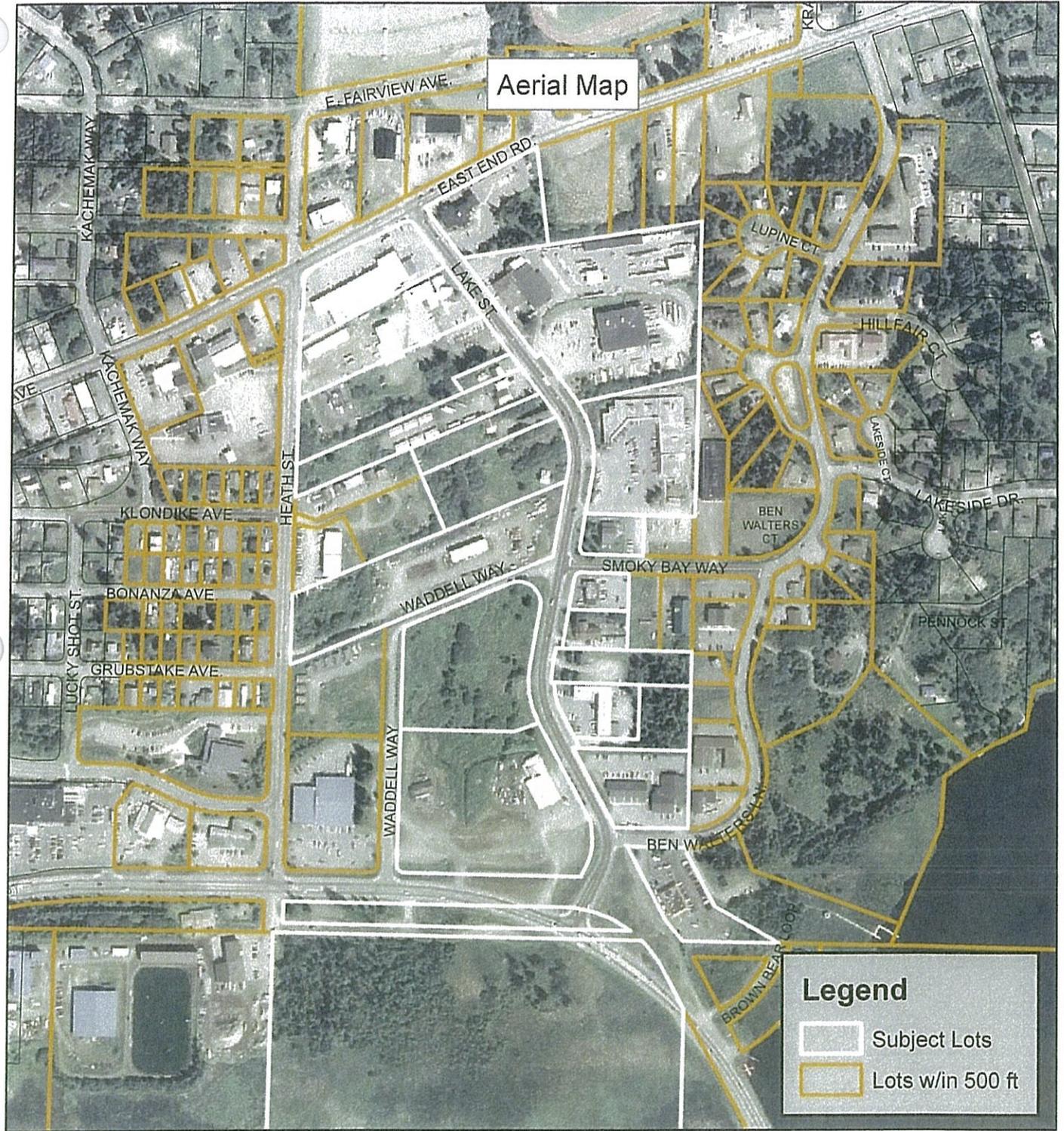
City of Homer
 Planning and Zoning Department
 October 19, 2016

Lake Street Right of Way Acquisition, Preliminary Plat

Marked lots are w/in 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.



Aerial Map

Legend

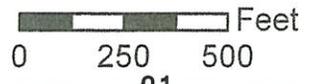
- Subject Lots
- Lots w/in 500 ft



City of Homer
 Planning and Zoning Department
 October 19, 2016

Lake Street Right of Way
 Acquisition, Preliminary Plat

Marked lots are w/in 500 feet
 and property owners notified.



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City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

491 East Pioneer Avenue
Homer, Alaska 99603

citymanager@cityofhomer-ak.gov

(p) 907-235-8121 x2222

(f) 907-235-3148

Memorandum

TO: Mayor Zak and Homer City Council
FROM: Katie Koester, City Manager
DATE: October 19, 2016
SUBJECT: City Manager's Report - October 24, 2016

Orientation from City Attorney

In the past the City Attorney has provided trainings for Councilmembers and Commissioners on Open Meetings Act, records, Quasi-judicial decision making, ethics and other legal matters. There is a lot of valuable information for new Councilmembers, but also a good review for veteran members, especially since this overview has not been offered in the last 5 years. I would like to schedule a time during the first part of November to bring Holly down and spend a few hours with you (and extend the invite to Commissions, when relevant). I know this is a big ask since November is supposed to be short on Council commitments given the holidays, but it also presents a window of time I would like to take advantage of. At the Council meeting I would like to discuss availability and best times for the body. Holly is available November 7-11 or 16-18 and anticipates needing no more than 3 hours total.

Tours for Councilmembers

Along the same lines, I would like to offer tours of City facilities to Councilmembers. Many of you are already familiar with the large and varied infrastructure you are in charge of, and of course any time you want to schedule a facility visit, I am happy to arrange that. However, I thought I would dedicate a few slots for official tours so they can be advertised and organized to make the best use of your time. I am thinking a couple of 2-hour time slots to visit water/sewer treatment, Homer Police Station, and Port and Harbor. Is there interest? If so, what time of day/week works best?

Visit with Sen. Murkowski

Mayor Zak arranged for a tour of the Homer Police Station when Senator Murkowski was in town on Friday the 14th. We were able to show her the Homer Police Station and she was truly aghast with the cramped and outdated conditions of the station. Though there is no grant program that jumps out as a perfect fit, having firsthand knowledge of our station and needs allows the Senator to keep our needs in mind as potential opportunities pop up. I will be following up with her staff and communicating the 2017 federal priorities.

Campground Notice

Last year Council expanded the camping season from April 1st through October 30th to reflect the greater demand for shoulder season camping. Homer City Code 19.08.030(d) allows the

City Manager to open a campground on the Homer Spit to winter camping. The attached notice opens lots 1-16 of the Fishing Hole Campground next to Pier One for winter camping (similar to last year). The restroom at that site cannot be winterized for year-round use. Last year we offered a port-a-john at the campground. However, at a cost of \$1,260 a season, we do not recover those funds in campground fees. Most campers are self-sufficient with facilities in their camper. The Load and Launch restroom is open year-round and 800 feet away and Ramp 5 is 1,000 feet away. According to average walking speed (3 mph), it takes 3 minutes to walk 800 feet.

Update on Revisions to Title IV (Alcohol)

Soldotna City Manager and the Wasilla Mayor presented to the ABC Board on Friday the 14th on concerns they have with the proposal to restrict public convenience licenses (beer and wine restaurant licenses) and package store restrictions. The City of Soldotna is working with the ABC Board on a proposal to let cities handle permitting of restaurants under the local control argument. There are many details of local control that would need to be worked out, but the premise is that a local municipality knows best if they are having an increase in crime rate or other negative consequences of public convenience license (rather than an arbitrary population number made for urban areas). The City of Homer may be asked to weigh in on recommendations to the ABC Board.

Letter of Non-objection

Alaska Department of Fish and Game has funding to place a gate at the top of Airport Road to restrict vehicle access to the beach at the bottom of the road (this is State property). Restricting access there is consistent with the Homer Beach Policy. First responders have requested a key for the gate that is standardized with other gates (Bishop's Beach, for example) so they can travel down the beach in case of an emergency. With an easy to use key, HVFD and HPD have no problems with a gate. Unless there is objection from Council, I will forward the attached letter to the State.

Letter of Support for Homer Senior Citizens Inc. to KPB

With Council's approval, Mayor Zak will submit the attached letter of support for Kenai Peninsula Borough Resolution 2016-061 approving a \$10,000 budget revision in the 2016/2017 Borough Senior Grant Program for the Homer Senior Citizen's Inc. As the letter states, the City of Homer is grateful to Mayor Navarre and Assembly Member Cooper for introducing the budget amendment that recognizes the need for new flooring at Homer Senior Citizens and shows the support of the Kenai Peninsula Borough for services provided on the Southern Peninsula.

Enc:

Campground notice

Draft letter of non-objection to gate at Airport Access Road and attachments

The Homer Foundation Report

Draft letter of support of KPB Resolution 2016-061



City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

491 East Pioneer Avenue
Homer, Alaska 99603

citymanager@cityofhomer-ak.gov

(p) 907-235-8121 x2222

(f) 907-235-3148

NOTICE

October 19, 2016

Due to a demand for camping outside of the traditional camping season, effective November 1, 2016, I am opening camp spaces 1 to 16 of the Fishing Hole Campground next to Pier One Theater on the Homer Spit for winter camping. City campgrounds are closed by ordinance from November 1 through May 31. However, according to Homer City Code 19.08.030d*, they can be opened at any other time by order of the City Manager.

City of Homer campground rules and fee schedule applies and will be enforced.

Katie Koester
City Manager

***HCC 19.08.030d.** Camping in a closed campground is prohibited. All City campgrounds shall be closed outside of the camping season, except winter camping may be allowed in a City-owned campground on the Homer Spit as designated by the City Manager. All normal camping fees and rules will apply to winter camping areas.



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(f) 907-235-3148

October 25, 2016

Mr. Joe Meehan
Fish and Game Coordinator
333 Raspberry Road
Anchorage, AK 99518

Re: Letter of Non-Objection for the installation of a gate at the Airport Beach Access Road

Dear Mr. Meehan,

Please consider this letter from the City of Homer as a non-objection to the installation of a locked gate on the Airport Beach Access Road off of Kachemak Drive.

In 2016 the Homer City Council adopted a new Beach Policy. The intent of the Beach Policy is to keep Homer's beaches safe and enjoyable for all uses and to preserve the natural environment. In particular, the plan addresses sensitive beach areas where inappropriate beach use is common place. One of those areas identified is the "Airport Beach Access Road" where "Vehicle use at the bottom of airport beach access road on the beach is not allowed." 2016 COH Beach Policy, Area 1 – Miller's Landing to Airport Access Road, page 7.

The Beach Policy also addresses the challenges to enforce these restricted areas. The Beach Policy suggests a combination of rocks/boulders, signage and driftwood. The proposed gate on the Airport Beach Access Road would help meet the City's public safety goals. It's our understanding that the proposed gate would be installed and paid for by the State of Alaska and that a universal key to the gate would be provided to the City's Emergency Response Teams.

In closing, the City of Homer does not object to the installation of a gate along the Airport Beach Access Road.

Sincerely,

Katie Koester
City Manager
907-235-8121

Att: 2016 COH Beach Policy, Area 1 – Miller's Landing to Airport Access Road, page 7
HCC 7.16 Vehicles in Beach Areas

1. Area 1 - Miller's Landing to Airport Access Road

A. Miller's Landing. Create a public viewing spot in the Beach Access Road Right of Way off of Kachemak Drive, by posting a sign stating the location of the public access. In the future, as use warrants, create a small parking area, and use boulders to discourage trespassing on adjacent properties.

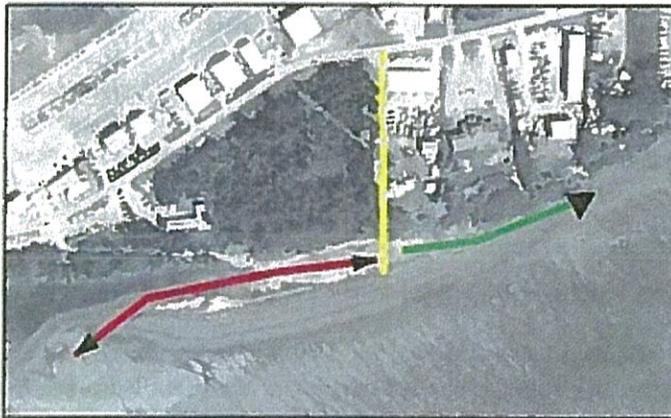
B. Airport Access Road Signage (with diagram of berm-slope-flats).

- No camping
- Please keep vehicles between the storm berm and the mud flats.
- All of the areas above high tide (and much below) are private property and there are no designated camping areas.

C. Vehicle use at the bottom of airport beach access road on the beach is not allowed.

D. Vehicles are allowed on the beach east of the vacated easement formerly known as Shirlene Circle (refer to map), under the terms of HCC 7.16

Vehicles are not allowed on the beach at the bottom of the airport beach access road. Vehicles are allowed east of that area, but there is no public vehicle access point to get to that



part of the beach. Land owners or those with land owner permission may access the beach from private vehicle access points. Once on the beach, nothing in City laws or policy condones trespassing on adjacent private lands.

2. Area 2 - Airport Beach Access Road to North End of Berm outside of Louie's Lagoon and Louie's Lagoon

A. Due to expert testimony, it was agreed by the BPTF that limiting vehicle use in this area was necessary to protect the fragile habitats from Mud Bay to Louie's Lagoon.

B. Signage - identifying access and informing the public as to where vehicles are prohibited.

- C. Vehicles are prohibited in this entire area - outside of access driveways and parking.
- D. Conservation zoning is suggested for all public lands in this area. Much of Area 2 already has a conservation easement.
- E. Designate the platform area as a park and initiate cleanup of surface debris in Louie's Lagoon. A layer of dredge spoils to cover debris and more grass around the platform is also recommended. Investigate potential as a bird viewing platform.
- F. Long term goal: Reconfigure the section line easement. The current section line easement goes across the mud flat in the bird sanctuary. A reconfiguration would provide better access to the beach, and protection for the sanctuary. As designated on attached map.
- G. Preserve subsistence fishing access for vehicles, and public access to that part of the Spit. This has traditionally included an access across the northern portion of the English Bay property
- I. Budget for rock placement at the Airport Beach Access to discourage travel to the west into Mud Bay. Contract the work out.

3. Area 3 - From Louie's Lagoon - South to end of Homer Spit and then North to City Campground across from Fishing Hole

- A. Long range goal: Removal of beached barge on English Bay Corporation property.
- B. Encourage the elimination of unsightly waste on properties near the beach by working with owners. Several highly visible properties have allowed the accumulation of waste and industrial junk. The City has also allowed this to occur on City land, and should lead the way in the cleanup effort.

4. Area 4 - From City Fishing Hole Campground to the Outlet of Mariner Park Lagoon

- A. At campground building across from the Fishing Hole, make beach use maps available, as well as information and signage that is interpretive about the berm building process, encourages courtesy to pedestrians, and states where vehicles are permitted.
- B. Install signage at a controlled exit from the City Fishing Hole campground to the beach to direct vehicles to the base of the spit, and away from the no recreational vehicle area.
- C. Define limits to Mariner Park campground by utilizing logs, rocks or other means to restrain vehicles from entering the lagoon. Similar to Parks & Recreation Advisory Commission Draft Master Plan for Mariner park campground, which extends a revetment to protect berms, grasses and tidal mud, with no additional incursion into the lagoon.

Chapter 7.16 VEHICLES IN BEACH AREAS

Sections:

7.16.010 Definitions.

7.16.020 Operating, stopping or parking of motor vehicles in beach areas prohibited – Exceptions.

7.16.030 Operating, stopping or parking of motor vehicles on storm berms prohibited.

7.16.040 Impoundment authorized.

7.16.010 Definitions.

In this chapter:

“Beach area” means all of the following, whether publicly or privately owned: submerged land, tideland, and the zone of sand, gravel and other unconsolidated materials that extends landward from the elevation of mean high water to the place where there is a marked change in material or physiographic form.

“Berm” means a natural, linear mound or series of mounds in a beach area composed of sand, gravel, or both, generally paralleling the water at or landward of the elevation of mean high water.

“Motor vehicle” means a device in, upon, or by which a person or property may be transported or drawn upon or immediately over land, that is self-propelled except by human or animal power.

“Storm berm” means a berm formed by the upper reach of storm wave surges or the highest tides. Storm berms generally include an accumulation of seaweed, driftwood, and other waterborne materials. A beach area may have more than one storm berm.

“Submerged land” means land covered by tidal water from the elevation of mean low water seaward to the corporate boundary of the city.

“Tideland” means land that is periodically covered by tidal water between the elevation of mean high water and mean low water. [Ord. 16-05(S-2)(A-2) § 2, 2016].

7.16.020 Operating, stopping or parking of motor vehicles in beach areas prohibited – Exceptions.

- a. Except as provided in subsections (b) through (d) of this section, no person may operate, stop or park a motor vehicle within or upon any beach area.
- b. A person may operate, stop or park a motor vehicle within and upon the beach area east of a line extending south from the southern end of a line extending south from the southern end of the vacated easement formally known as Shirlene Circle, and within and upon the beach area west of Bishops Beach Park Access.
- c. A person may operate, stop or park a motor vehicle within and upon the beach area between the south end of Mariner Park beach to the east end of the seawall from October 1st through March 31st solely for the purpose of gathering sand and coal.

d. An owner of property immediately adjacent to a beach area may operate, stop and park a motor vehicle within or upon a beach area as is reasonably necessary to maintain the owner's property, in accordance with the terms of a permit issued for that purpose by the Chief of Police.

e. Nothing in this section permits a person to operate, stop or park a motor vehicle within or upon privately owned property in a beach area without the permission of the property owner. [Ord. [16-13](#) § 1, 2016; Ord. [16-05\(S-2\)\(A-2\)](#) § 2, 2016].

7.16.030 Operating, stopping or parking of motor vehicles on storm berms prohibited.

No person may operate, stop or park a motor vehicle upon a storm berm. [Ord. [16-05\(S-2\)\(A-2\)](#) § 2, 2016].

7.16.040 Impoundment authorized.

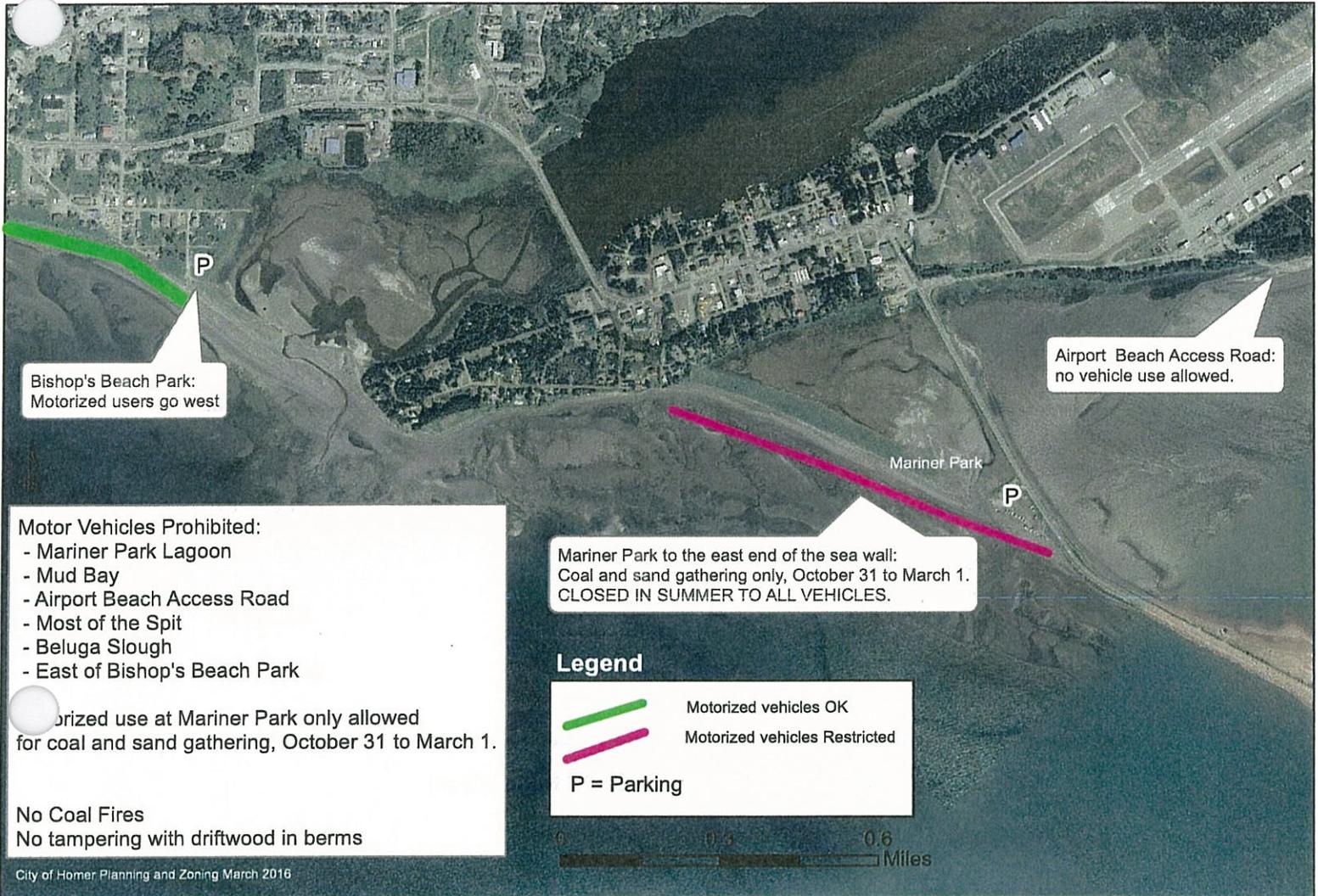
A vehicle that is stopped or parked in violation of this chapter may be impounded as provided in Chapter [7.10](#) HCC. [Ord. [16-05\(S-2\)\(A-2\)](#) § 2, 2016].

The Homer City Code is current through Ordinance 16-49, passed October 10, 2016.

Disclaimer: The City Clerk's Office has the official version of the Homer City Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

Where Can I Drive?

**Problems? Call Homer Police Dept at 235-3150.
Violators can be fined.**



HOMER FOUNDATION
 Quarterly Report to Fund Holders
April - June 2016

Fund Holder City of Homer
 Fund **City of Homer Fund**

Fund Type: Field of Interest
 Fund Code: 1305

PORTFOLIO SHARE (Corpus)

Beginning Balance	201,007.67
Contributions	-
Withdrawals	-
Portfolio Market Change	39,151.21
Ending Balance	240,158.88

AVAILABLE FOR DISTRIBUTION (Earnings)

Beginning Balance	13,130.55
Earnings Allocation	8,577.81
Grants Awarded: none this quarter	-
Grants Total	-
Transfers to Restricted Fund	(5,600.00)
Ending Balance	16,108.36