

Session 17-01, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Stead at 6:30 p.m. on January 4, 2017 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS ARNOLD, BOS, BRADLEY, HIGHLAND, STEAD, VENUTI

ABSENT: ABRAHAMSON

STAFF: CITY PLANNER ABBOUD
DEPUTY CITY CLERK JACOBSEN

Approval of Agenda

Chair Stead asked for a motion to approve the agenda.

BRADLEY/HIGHLAND SO MOVED

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

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).

There were no public comments.

Reconsideration

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.

A. Approval of Minutes of November 2, 2016

Chair Stead called for a motion to adopt the consent agenda.

BRADLEY/HIGHLAND SO MOVED

Commissioner Venuti noted that he is listed a present at the November meeting but was absent.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

**Presentations
Reports**

- A. Staff Report PL 17-01, City Planner's Report

City Planner Abboud reviewed his staff report 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 17-04 Draft Ordinance Amending 21.95.060 and 21.95.070, Introduction of Amendments to Title 21

City Planner Abboud reviewed the staff report.

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

VENUTI/BRADLEY MOVED THAT THE COMMISSION APPROVES ORDINANCE 16-57 AND RECOMMENDS ADOPTION BY CITY COUNCIL.

There were comments that this is straight forward. The oversight and transparency it provides is a great opportunity to help the council and have more buy in from the city.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Plat Consideration

- A. Staff Report PL 17-02, DeGarmo Subdivision Three Preliminary Plat

City Planner Abboud reviewed the staff report.

Chair Stead opened the floor for comments.

Elizabeth Garvey asked questions about the process for plat approval and City Planner Abboud provided feedback on the city and borough process.

There was brief discussion clarifying that the reference to waste water disposal on the preliminary plat likely refers to an onsite septic for the existing structure. City Planner Abboud noted Public Works comments about requiring an installation agreement to provide water and sewer to the new lot.

Other comments were related to the natural gas line assessment and setbacks. City Planner Abboud was unsure if the new lot would be assessed. He clarified that the 40-foot setback from the bluff would need to be researched and addressed when the property owner applies for a zoning permit and that the 20 foot building setback is measured from the right-of-way.

HIGHLAND/BRADLEY MOVED TO APPROVE STAFF REPORT PL 17-02 AND THE DEGARMO SUBDIVISION THREE PRELIMINARY PLAT WITH STAFF COMMENTS AND RECOMMENDATIONS.

It was noted that the staff report regarding this plat is labeled as PL 17-01 and should be corrected to 17-02.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

B. Staff Report PL 17-06 Barnett South Slope Subdivision Fell Addition Preliminary Plat

City Planner Abboud reviewed the staff report. He noted minor inconsistency with identifying Tasmania Court and will correct it as needed.

There was no applicant or public comment.

Question was raised regarding the 15-foot utility easement on both ends of the lot and vacating the one in the middle. City Planner Abboud replied it's necessary to provide access both on Shellfish and Tasmania. He didn't have any feedback on the middle one being vacated and Public Works didn't provide any comments in the staff report.

VENUTI/HIGHLAND MOVED TO APPROVE STAFF REPORT PL 17-06 AND THE SOUTH SLOPE SUBDIVISION FELL ADDITION PRELIMINARY PLAT WITH STAFF COMMENTS AND RECOMMENDATIONS.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Pending Business

New Business

A. Staff Report PL 17-03, HART Program Revisions

City Planner Abboud reviewed the staff report including recent HART projects and costs.

The Commission addressed the questions posed under staff comments and recommendations.

Discussion Question 3A Project eligibility: *If there is a bad section of road, should the city require the property owners use the SAD process, or could HART funds be used to do section repairs?*

Discussion Question 3B Project eligibility: *Should the HART manual provide direction on using HART funds for major road repairs, or should this be left for Council to decide on a case by case basis?*

City Planner Abboud gave a brief overview of the process for establishing a Special Assessment District (SAD) noting that a lot of times it's hard to get the neighborhood involved. He also explained a situation where HART funds were used along with property owner contributions to repair a section of road on Fireweed Avenue and Cottonwood Lane.

Comments included:

- One point against using HART funds for repairs is that there are always repairs needed. The program was put together to assist in the cost of upgrading roads.
- Using HART money for maintenance could be acceptable in instances where a repair is needed and a group of property owners contribute toward the maintenance as in the case of Cottonwood and Fireweed.
- If the City wants to use this fund for maintenance, then it needs to go back to the voters to restructure what's in place now.
- The City needs to be planning for maintenance and repair costs for city streets, not relying on the HART fund.

City Planner Abboud commented that according to public works, maintenance costs are similar whether it's a gravel or paved road. When new culverts need to be put in, re-crown a road and do that type of work it's more of a major repair. Some of these road issues came to the City when it annexed.

They continued the discussion of road maintenance and repairs and how they relate to the purpose of the HART fund. In general, they were not supportive of the routine use of these funds for major repairs.

STEAD/BOS MOVED THAT WE ASK CITY COUNCIL TO ADJUST THE HART POLICY TO ELIMINATE MAINTENANCE COSTS OR DEFINE A PORTION OF HART TO MAINTENANCE.

City Planner Abboud pointed out that it's not authorized to maintenance with the fund. It would have to be worded to ask the tax payers to consider it.

Chair Stead clarified that if the fund isn't for maintenance and they repair a road and bring it back to the same standard, they can't use HART funds. If they are going to upgrade or improve it, then they could.

They briefly reviewed some of the purposes in the HART policy.

VOTE: YES: VENUTI

NO: BOS, STEAD, HIGHLAND, ARNOLD, BRADLEY

Motion failed.

Commissioner Venuti noted section 3D. *Use of HART Funds* in the draft manual dated 12/30/16 in the packet.

VENUTI/HIGHLAND MOVED THAT SECTION 3D BE INCLUDED IN THE HART MANUAL.

Comments in opposition:

- It gives open ended maintenance and major project money being taken from the HART fund.
- It is unclear who decides what qualifies as major eligible road and drainage repair beyond the scope of routine maintenance.
- The language is very loose.
- This would need to go back to the voters to make changes.

A comment in support was that everyone pays into the the fund through sales tax and this would allow for taking care of all of the roads.

VOTE: YES: HIGHLAND, VENUTI
NO: STEAD, ARNOLD, BRADLEY, BOS

Motion failed.

ARNOLD/BOS MOVED TO RECOMMEND THAT NO HART FUNDS BE USED FOR MAINTENANCE, INCLUDING LARGE PROJECTS WITHOUT IT BEING TAKEN TO CITY COUNCIL.

Commissioner Arnold commented that will offer protection of misuse of the funds.

There was brief discussion that this encompasses repairs, and that maintenance has a questionable definition and should be clarified.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Recommend to Council Task 4 Sidewalks: “E. Sidewalks. To use HART funds, projects must be mapped as either sidewalks, paved shoulders or separated pathways, or directly serve the special populations discussed in sections 3.1 and 3.2 of the HNMTP. Effort will be made to find grants or non-city funding sources to match city construction funds, whenever possible.”

HIGHLAND/BOS MOVED TO RECOMMEND TO COUNCIL TASK FOUR, SIDEWALKS.

Commissioner Highland likes that it gives options for sidewalks, paved shoulders, separated pathways and so on. Sidewalks are very costly so having other options is beneficial.

Question was raised if sidewalks would use the SAD process to use the HART fund. City Planner Abboud commented that trails don't go through a SAD and thought in most cases sidewalks would not. He can look into it to further clarify next time.

There was discussion regarding the Reber Trail that was built without asking property owners to contribute; also special populations like school children or senior citizens and the need to have a safe walking space around schools and senior centers. City Planner Abboud commented that the trail section is a separated pathway and a sidewalk is part of the road section.

There was comment that partial cost should go to property owners, otherwise the funds could get used up quickly if improvements are put in as they were on Bunnell.

Brief discussion ensued regarding cost sharing and grants for sidewalks projects.

City Planner Abboud said he could define this better for further discussion next time.

VOTE: YES: VENUTI

NO: STEAD, BRADLEY, ARNOLD, BOS, HIGHLAND.

Motion failed.

Task 5, trails grant program: *If the Commission agrees with the matching grant program, please make a motion and forward the recommendation to the City Council.*

City Planner Abboud noted that this applies to separated pathways and not sidewalks.

HIGHLAND/BRADLEY MOVED TO ACCEPT TASK 5 TRAILS GRANT PROGRAM.

There was brief comment in support of the matching grant program.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Chair Stead called for a break at 8:29 p.m. and the meeting resumed at 8:33 p.m.

B. Staff Report PL 17-05, Review of HCC 21.46 Small Boat Harbor Overlay District and potential harbor over slope development locations

City Planner Abboud noted the Commission discussed this at their worksession and directed them to the questions posed under recommendations.

Discussion ensued regarding the sections of the overslope that could be available for development.

HIGHLAND/VENUTI MOVED TO RECOMMEND LOTS 88-2 THROUGH 88-4, LOT G8, LOTS 26-34, LOTS 14-17, AND LOTS BETWEEN RAMP 4&5.

There was brief discussion in support.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

City Planner Abboud explained the parking impact fee addresses the limited parking in the harbor area and compensates for the parking that is provided by the City.

HIGHLAND/BOS MOVED TO SUPPORT THE CONCEPT OF THE PARKING IMPACT FEE.

There was brief discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Commissioner Arnold stated that his family business has the sanitation contract for the City, was recused from participating, and left the room.

City Planner Abboud explained this fee is to compensate the City for the use of dumpsters, rather than requiring the lessee provide their own.

HIGHLAND/BOS MOVED TO SUPPORT THE SANITATION IMPACT FEE.

There was brief discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Commissioner Arnold returned to the table.

The Commission reviewed the recommendations from the Port & Harbor Advisory Commission in providing lessees of property adjacent to the overslope first option to lease before submitting it for RFP.

HIGHLAND/BRADLEY MOVED THAT THE CITY SHOULD SEND OUT NOTIFICATIONS TO ALL LESSEES AND LAND OWNERS THAT HAVE ADJACENT UPLAND PROPERTY GIVING THEM THE FIRST OPPORTUNITY TO SUBMIT A LEASE/DEVELOPMENT PROPOSAL AND ADVERTISE AN RFP IF THEY DECLINE.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

The Commission reviewed the recommendations from the Port & Harbor Advisory Commission regarding revisions to the planning code. They discussed that the current code is reasonable relating to architectural standards and that it is reviewed through the CUP process.

VENUTI/HIGHLAND MOVED THAT THE COMMISSION SUPPORTS THE CURRENT PLANNING CODE AS IS.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

VENUTI/HIGHLAND MOVED THAT ALL OVERSLOPE LOTS BE AVAILABLE FOR INDIVIDUAL DEVELOPMENT AND SOME LOTS BE AVAILABLE FOR CITY DEVELOPMENT.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Informational Materials

- A. City Manager's Report dates December 5, 2016
- B. KPB Notice of Action, Lake Street ROW Acquisition Preliminary Plat

Comments of the Audience

There were no audience comments.

Comments of Staff

There were no staff comments.

Comments of the Commission

Commissioner Highland commented she would still like the Commission to discuss aesthetics on an upcoming agenda.

Commissioner Bradley said she looks forward to reporting to City Council next week.

Commissioner Bos said it's nice to be back and welcomed Commissioner Arnold.

Commissioner Venuti said was an interesting meeting with spirited discussion. He wished everyone Happy New Year.

HOMER ADVISORY PLANNING COMMISSION
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Commissioner Arnold said it was a positive and thoughtful discussion. He thanked everyone for welcoming him.

Chair Stead said this was a great start for the new year and commended everyone for their work tonight.

Adjourn

There being no further business to come before the Commission, the meeting adjourned at 9:20 p.m. The next regular meeting is scheduled for January 18, 2017 at 6:30 p.m. in the City Hall Cowles Council Chambers. A worksession will be held at 5:30 p.m.

MELISSA JACOBSEN, MMC, DEPUTY CITY CLERK

Approved: _____