

May 19, 2010
5:30 P.M.

Cowles Council Chambers
491 East Pioneer Avenue
Homer, Alaska

WORK SESSION Advisory Planning Commission AGENDA

1. Call To Order, 5:30 P.M.
2. Discussion of Items on the Regular Meeting Agenda
3. Staff Report PL 10-42, Draft Spit Comprehensive Plan (*Please see page 17 of the regular meeting packet.*)
4. Public Comments
The public may speak to the Planning Commission regarding matters on the work session agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).
5. Commission Comments
6. Adjournment



**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.
 - A. Approval of Minutes of May 5, 2010 *Page 1*
- 6. Presentations**
- 7. Reports**
 - A. Staff Report PL 10-48, City Planner's Report *Page 7*
 - B. Staff Report PL 10-46 (May 5, 2010) *Page 9*
- 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 10-45, Eker Estates No. 3 Replat 2010 *Page 11*
- 10. Pending Business**
 - A. Staff Report PL 10-42, Draft Spit Comprehensive Plan *Page 17*
- 11. New Business**
- 12. Informational Materials**
- 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 10 p.m. An extension is allowed by a vote of the Commission.

The next regular meeting is scheduled for June 2, 2010 at 7:00p.m. in the Cowles Council Chambers.

There will be a work session at 5:30p.m. prior to the meeting.

Session 10-08, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Minsch at 7:05 p.m. on May 5, 2010 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONER SINN, DRUHOT, HIGHLAND, KRANICH, MINSCH

ABSENT: COMMISSIONER BOS

STAFF: CITY PLANNER ABOUD
PLANNING TECHNICIAN ENGBRETSSEN
DEPUTY CITY CLERK KRAUSE

APPROVAL OF AGENDA

The agenda was approved by consensus of the Commission.

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

No items were scheduled for 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 the April 21, 2010 regular meeting minutes.

Commissioner Kranich submitted a few grammar and spelling corrections to the clerk.

The April 21, 2010 Regular Meeting Minutes were approved by consensus of the Commission.

PRESENTATIONS

There were no presentations scheduled.

REPORTS

City Planner Abboud apologized that the written staff report was omitted from the packet. He reported on the following items:

- City Council approved the 2008 Comprehensive Plan. It will be hand delivered to the Borough on Thursday, May 6, 2010 with all amendments. The process is to introduce the Comprehensive Plan to the Assembly while simultaneously it goes to the Borough Planning Commission for review. Estimated approval is summer of this year. Staff will attend the Assembly meeting on May 18, 2010. It is not required for Commissioners to attend.
- Planning Technician Engebretsen will be attending this meeting.
- City Council Board of Adjustment will conduct an appeal hearing at 5:30 p.m. on May 13, 2010. No commission presence is required.

- The sign workshop was well attended by vendors and business owners. They are expecting some improvements to the local business signage, code wise and style too.
- Attended a meeting on Community Health – the health of a community through design and planning

Comments and questions were made regarding the appropriateness of the City addressing style issues with signage.

There was no further discussion.

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 10-39, Vacation of 33' Access Easement West of Kachemak Drive

Planning Technician Engebretsen reviewed the staff report. The applicant's representative, Roger Imhoff was present for questions.

City Planner Abboud addressed Commissioner Highland's question if removal of the easement extended to adjacent properties. He explained that it would only remove this portion of the easement leaving the other easements in place.

Chair Minsch opened the Public Hearing.

There was no public testimony.

The Public Hearing was closed.

KRANICH/SINN - MOVED TO ADOPT STAFF REPORT PL 10-39, VACATION OF 33 FOOT ACCESS EASEMENT WEST OF KACHEMAK DRIVE.

Commissioner Kranich commented that this vacation of an easement was an equitable trade between the property owner and the city since the property owner was giving a 30' right of way dedication and 35' utility easement to the city.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PLAT CONSIDERATION

A. Staff Report PL 10-38, John Warren Replat Preliminary Plat

Planning Technician Engebretsen reviewed staff report.

Discussion on the following ensued:

- Setback requirements on the property.
- Existing building encroaches in utility easement.
- Cannot prevent property owner from subdividing property.
- Staff providing information to the property owner of potential problems regarding setback requirements.
- Drawing is represented of exact location of building on property.
- Recommend adding Plat note 7 that improvements must meet city zoning codes.

Recommend adding note on the plat recognizing that the city or borough does not accept any existing building encroachments.

Brief discussion on the common place occurrence of vacating easements along the Kachemak Drive corridor. It was noted that the subdivision existed prior to construction of the road.

HIGHLAND/KRANICH - MOVED TO ADOPT STAFF REPORT PL 10-38, JOHN WARREN REPLAT PRELIMINARY PLAT.

There was no further discussion.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PENDING BUSINESS

A. Staff Report PL 10-44, Bonny Bluff No. 2 Preliminary Plat

Chair Minsch noted that there is a motion on the floor to discuss from the April 21, 2010 meeting. The surveyor, Roger Imhoff was asked to return.

City Planner Abboud stated there were no additional comments outside his report.

Discussion was held regarding the location correction to West Hill Road on the plat from the previous meeting; the assurance that there is an area suitable for building on these lots; the overall percentage of the lot that is designated as steep slope; the surveyor did not feel it was necessary to indicate the slope lines on the plat map.

Commissioner Kranich inquired about the comments from Dan Gardner at Public Works. City Planner Abboud read the comments into the record as follows:

The Public Works Department recommends not dedicating the proposed right of way cul de sac with simply carrying the panhandle into the existing section easement it does not appear that a city standard road could be constructed at this point and that any shared access and turn around area can be called out as an access easement.

Further discussion was held amending the enclosed staff report; that in the future it may not need a large turn around, this would be dedicated to the city and the city would not want it right now because it unbuildable, gives the public the right to use.

KRANICH/HIGHLAND -- MOVED TO AMEND STAFF REPORT PL 10-44, BONNY BLUFF NO. 2, PRELIMINARY PLAT TO INCLUDE PUBLIC WORKS COMMENTS DATED APRIL 20, 2010 FROM DAN GARDNER.

There was no discussion.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

KRANICH/HIGHLAND -- MOVED TO AMEND THE STAFF REPORT PL 10-44 TO CHANGE ROAD NAME FROM SKYLINE DRIVE TO WEST HILL ROAD.

There was no discussion.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

KRANICH/HIGHLAND - MOVED TO ADOPT STAFF REPORT PL 10-44, BONNY BLUFF NO. 2, PRELIMINARY PLAT AS AMENDED.

Discussion to clarify that the amendments are to be considered as recommendations from the Planning Commission.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

B. Staff Report PL 10-40, Draft Steep Slope Ordinance

Planning Technician Engebretsen stated the draft ordinance will be forwarded to the City Attorney for minor edits. Staff will attempt to have the revised draft ordinance before them for the June 2, 2010 meeting, holding a public hearing on June 16, 2010 to allow public comment.

There was no further discussion.

C. Staff Report PL 10-41, Draft Ordinance Amending Appeal Procedure

KRANICH/HIGHLAND - MOVED TO BRING TO THE FLOOR STAFF REPORT PL 10-41 FOR DISCUSSION AND POSSIBLE AMENDMENT.

Chair Minsch opened discussion on the draft ordinance, line 44-45, to change listing names to just the number. She referenced the comments from the City Attorney. She noted that names are not required and she would like to amend that to state how many not who. Further discussion was held regarding code requirements and the city attorney referencing how the Board of Adjustment proceeds. It was necessary to make this change for reporting requirements. Clarification was made on the term "express vote".

KRANICH/HIGHLAND - MOVED TO CHANGE LANGUAGE IN LINE 45 AFTER THE FIRST COMMA FROM "WHO VOTED" TO "NUMBER VOTING" IN FAVOR OF THE DECISION, AND "NUMBER VOTING" AGAINST THE DECISION.

No changes to line 44 is required it is proper to read as written.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

KRANICH/HIGHLAND - MOVED TO APPROVE THE DRAFT ORDINANCE AMENDING APPEAL PROCEDURES AS AMENDED AND FORWARD FOR PUBLIC HEARING.

There was clarification on the motion.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

D. Staff Report PL 10-42, Spit Comprehensive Plan

Chair Minsch stated she would entertain a motion to postpone action on this item until the commission has had the time to properly review the draft document.

City Planner Abboud commented on the draft document. He was pleased with the efforts to include implementation items; ideas from the last commission meeting were included; definitely some changes required in relationship issues. Chair Minsch instructed the Commission to review their notes and incorporate them into the new draft plan since this is the document that they will be using in two weeks. City Planner Abboud recommended the Commissioners think about the time frame for approving this document.

KRANICH/ HIGHLAND - MOVED TO CONTINUE THE HOMER SPIT COMPREHENSIVE PLAN AT THE NEXT WORKSESSION MEETING.

There was no discussion.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

E. Staff Report PL 10-43, Draft Ordinance Amending Storm Water Requirements and Establishing Standards for Filling Land

Planning Technician Engebretsen stated that the Commission discussed this draft ordinance at the worksession and requested staff to bring the revised draft with the recommended changes to the fill standard section of it for their next worksession.

KRANICH/HIGHLAND - MOVED TO SEND THE DRAFT ORDINANCE AMENDING STORM WATER REQUIREMENTS AND ESTABLISHING STANDARDS FOR FILLING LAND BACK TO STAFF FOR AMENDMENT AND RETURN FOR REVIEW AT THE NEXT WORKSESSION.

Clarification was made on keeping the storm water and land fill together on one ordinance.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

NEW BUSINESS

None.

INFORMATIONAL MATERIALS

None.

COMMENTS OF THE AUDIENCE

Members of the audience may address the Commission on any subject. (3 minute time limit)

There were no audience comments.

COMMENTS OF STAFF

City Planner Abboud stated the sun was still shining after a meeting.

COMMENTS OF THE COMMISSION

Commissioner Highland has been doing her homework and read the following from the first page of the Community Design Manual, "The scenic beauty of Kachemak Bay is an Alaskan natural treasure. This design manual has been adopted in order to maintain and improve the overall quality of the built environment and the way it fits into the splendid natural setting."

Commissioner Kranich commented that some headway has finally been made on these ordinances and getting through the sticking points. He will have to look long and hard at certain points in the Spit Comprehensive Plan in regards to the location of overslope development. If they end up recommending setting aside that area, then in the future will need that area for harbor expansion he wants to be very careful.

Chair Minsch commented why she has requested the Commissioners to carefully review the draft plan and make a decision to leave issues behind or bring them through. They made those same types of decisions on the Comprehensive Plan. Summer is coming, everyone will be getting busy. We need a new commissioner. Gretchen has agreed to be re-appointed, Ray has answered her yet. Everyone is doing a great job.

Commission Druhot said welcome to Spring/Summer.

Commissioner Sinn added to the overslope comment made by Commissioner Kranich that if the reality of expansion is going towards town and his suggestion recommending bringing both forward. He was not sure how realistic that would be adding another 1000 feet you would be in the lagoon. Leave both in as an option. He is in favor of overslope on that end of the harbor but wants to ensure room for expansion. Good to be back.

ADJOURN

Meetings will adjourn promptly at 10 p.m. An extension is allowed by a vote of the Commission.

There being no further business to come before the Commission, the meeting adjourned at 8:03 p.m. The next regular meeting is scheduled for May 19, 2010 at 7:00 p.m. in the City Hall Cowles Council Chambers. There is a worksession at 5:30 p.m. prior to the meeting.

Renee Krause, Deputy City Clerk I

Approved: _____



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STAFF REPORT PL 10-48

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
MEETING: May 19, 2010
SUBJECT: Planning Director's Report

May 10th City Council Meeting

REGULAR MEETING AGENDA

Ordinance 10-26, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.75.010 Storm Water Plan – When Required, Amending Homer City Code 21.75.020 Standards for Storm Water Plan, and Repealing and Reenacting Homer City Code 21.75.030 Financial Responsibility, Regarding Storm Water Plan Requirements. City Manager/City Planner. Recommended dates: Introduction May 10, 2010, Public Hearing and Second Reading May 24, 2010.

Memorandum 10-66 from City Planner and Planning Technician as backup.

ADOPTED with discussion.

Resolution 10-36, A Resolution of the City Council of Homer, Alaska, Awarding the Contract for Disposal of Junk Cars to the Firm of Moore and Moore Services Inc., dba Quick Sanitation, and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/City Planner. (Postponed from April 12, 2010.)

Memorandum 10-57 from City Planner and Planning Technician as backup.

Resolution 10-36(S), A Resolution of the City Council of Homer, Alaska, Awarding the Contract for Disposal of Junk Cars to the Firm of Moore and Moore Services Inc., dba Quick Sanitation, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/City Clerk/City Planner.

SUBSTITUTE RESOLUTION 10-36(S) ADOPTED without discussion.

COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner commented Frank Griswold appealed the decision to Superior Court holding the restrictions on standing of appeals of zoning matters to the Board of Adjustment. Briefing is closed, no one has submitted request for oral argument; a court decision is anticipated within six months.

May 10th City Council Meeting

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Memorandum 10- from City Planner as backup.

Resolution 10-36, A Resolution of the City Council of Homer, Alaska, Awarding the Contract for Disposal of Junk Cars to the Firm of Moore and Moore Services Inc., dba Quick Sanitation, and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/City Planner. (Postponed from April 12, 2010.)

Memorandum 10-57 from City Planner and Planning Technician as backup.

Activities:

Dotti held sign workshops at the Chamber of Commerce 4/22/10@12:10 and 4/27/10@5:10. They were well attended and included many people that had the most to benefit from information.

The comprehensive plan amendments are being incorporated and are heading to the borough for adoption.

I will be on vacation May 17th through May 31st, Julie will be at the May 19th PC meeting.



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STAFF REPORT PL 10-46

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
MEETING: May 5, 2010
SUBJECT: Planning Director's Report

April 26th City Council Meeting

Worksession

Ordinance 09-40(S), An Ordinance of the Homer City Council Adopting the 2008 Homer Comprehensive Plan and Recommending Adoption by the Kenai Peninsula Borough. City Manager.

REGULAR MEETING AGENDA

PUBLIC HEARING(S)

Ordinance 10-21, An Ordinance of the City Council of Homer, Alaska, Authorizing the Purchase of Property Within the Bridge Creek Watershed, Kenai Peninsula Borough Parcel No. 17307031 (N 663 ft. of NE 1/4, SE 1/4, East of Skyline Drive, T 6S R 13W SEC 7), in the Amount of \$90,000 from the Water Depreciation Reserve Account for the Purpose of Protecting the Watershed and Providing Alternate Access to Property North of the City's Water Treatment Plant. City Manager/Public Works Director. Introduction April 12, 2010, Public Hearing and Second Reading April 26, 2010.

Memorandum 10-58 from Public Works Director as backup.

There was no public testimony.

ADOPTED without discussion.

Ordinance 09-40(S), An Ordinance of the Homer City Council Adopting the 2008 Homer Comprehensive Plan and Recommending Adoption by the Kenai Peninsula Borough. City Manager. Introduction September 14, 2009, Public Hearings October 12 & 26, November 23, 2009, January 25, February 8 & 22, March 8, 2010 and April 12, 2010. Worksession November 9, 2009. Hearing March 22, 2010 and Second Reading April 26, 2010.

Memorandum 10-11, 10-56, and 10-62 from City Planner and Planning Technician as backup.

COMPREHENSIVE PLAN AMENDED:

Chapter 10 pg. 10-1 a new sentence was added as the last sentence under Process for Revising the Comprehensive Plan: The time frames in the implementation tables are not binding, but are suggested sequential steps.

Chapter 4 pg. 4-5 under Commercial and Mixed Use Districts the paragraph NC Neighborhood Commercial West Hill was deleted.

Chapter 4 pg. 4-16 under Implementation Strategies delete the last sentence: "The neighborhood commercial areas on West Hill ...".

Appendix B pg. B8 under Development standards delete references to the West Hill NC area.

ADOPTED with discussion.

Memorandum 10-60, from City Clerk, Re: Vacate a Portion of Hough Road and Associated Utility Easement Adjacent to Tract B-1C, Dedicated by Christensen Tracts No. 3 (Plat HM 2003-90); and Vacate a Portion of Hough Road Adjacent to Tract B-2-A, Dedicated by Stream Hill Park Unit 1 (Plat HM 2006-54); Within Section 16, Township 6 South, Range 13 West; Seward Meridian, Alaska, Within the City of Homer and the Kenai Peninsula Borough; KPB File No. 2010-025.

May 10th City Council Meeting

Ordinance 10-, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.75.010 Storm Water Plan – When Required, Amending Homer City Code 21.75.020 Standards for Storm Water Plan, and Repealing and Reenacting Homer City Code 21.75.030 Financial Responsibility, Regarding Storm Water Plan Requirements. City Planner. Recommended dates: Introduction May 10, 2010, Public Hearing and Second Reading May 24, 2010.

Memorandum 10- from City Planner as backup.

Resolution 10-36, A Resolution of the City Council of Homer, Alaska, Awarding the Contract for Disposal of Junk Cars to the Firm of Moore and Moore Services Inc., dba Quick Sanitation, and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/City Planner. (Postponed from April 12, 2010.)

Memorandum 10-57 from City Planner and Planning Technician as backup.

Activities:

Dotti held sign workshops at the Chamber of Commerce 4/22/10@12:10 and 4/27/10@5:10. They were well attended and included many people that had the most to benefit from information.

The comprehensive plan amendments are being incorporated and are heading to the borough for adoption.

I will be on vacation May 17th through May 31st, Julie will be at the May 19th PC meeting.



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STAFF REPORT PL 10-45

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Dotti Harness-Foster, Planning Technician
MEETING: May 19, 2010
SUBJECT: Eker Estates No. 3 Replat 2010

ANALYSIS: This plat vacates the common lot line between two lots creating one 17.218 acre parcel. Prior to final plan, the applicants have agreed to move the most northern house to meet the setback requirements per HCC 21.12.040(b). The subdivision meets the 3:1 ratio requirements of KPB code 20.20.180 Lots-Dimensions. This replat rectifies a lot that does not meet the 3:1 ratio, Tract A-1.

Applicants:	Beth Ann Vansandt Tract A-1, 5655 Scenic Place, Homer, AK 99603 Kurt Weichhand TractA-1, 5655 Scenic Place, Homer, AK 99603 Bonnie Triplett Lot 21-A, 2664 Mt. Tabor Rd, Blackburg, VA 24006 Seabright Survey + Design, 1044 East Rd, Suite A, Homer, AK 99603
Location:	1900 Cottonwood Lane and 5655 Scenic Place
Parcel ID:	KPB 17405121 Lot 21-A; KPB 17404016 Tract A-1
Size of Existing Lot(s):	10.367 acres Tract A-1; 6.416 acres Lot 21-A
Size of Proposed Lots(s):	17.218 acres
Zoning Designation:	Rural Residential District
Existing Land Use:	Residential
Surrounding Land Use:	North: Residential South: Vacant - ravine East: Residential West: Vacant
Comprehensive Plan:	Continue to encourage infilling of residential areas.
Wetland Status:	The 2005 wetland mapping does not indicate wetlands.
Flood Plain Status:	Not in the floodplain
BCWPD:	Not in the Bridge Creek Watershed Protection District.
Utilities:	Private
Public Notice:	Notice was sent to 26 property owners of 40 parcels as shown on the KPB tax assessor rolls.

Preliminary Approval, per KPB code 20.12.0060 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.

1. Within the title block:
 - a. 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 map or plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;
 - b. Legal description, location, date, and total area in acres of the proposed subdivision;
 - c. Name and address of owner and registered land surveyor;
 - d. Scale.

Staff Response: The plat meets these requirements.

2. North point;

Staff Response: The plat meets these requirements.

3. 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, political subdivision or municipal corporation boundaries abutting the subdivision.

Staff Response: The plat meets these requirements.

4. 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.

5. 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 such reservations.

Staff Response: Private parcels are shown. No public use areas other than Rights of Way are noted.

6. The names and widths of public streets and alleys and easements including drainage 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.

7. The names of adjacent subdivisions or an indication that the adjacent land is not subdivided.

Staff Response: The plat meets these requirements.

8. Approximate location of areas subject to inundation, flooding or storm water overflow. Indicate if a recognized flood plain is present. Identify and locate the major drainage systems.

Staff Response: The plat meets these requirements.

9. Approximate locations of areas subject to tidal inundation including the mean high water line.

Staff Response: The plat meets these requirements (not applicable to this area).

10. Block and lot numbering per Section 20.16.110 of the borough subdivision code.

Staff Response: The plat meets these requirements.

11. The general location of existing water and sewer utilities, and the intent and methods of the subdivision to utilize and access such utilities.

Staff Response: The plat meets these requirements. The lot is served by private water and sewer.

12. Provide a contour map of the subdivision and road profiles if road grades exceed 6% on arterial and 10% on other streets.

Staff Response: The plat meets these requirements. No Rights of Way are to be dedicated by this action.

13. Identify and locate on the plat all areas in excess of 20% grade.

Staff Response: The plat does not meet this requirement.

PUBLIC WORKS COMMENTS: No comments.

FIRE DEPARTMENT COMMENTS: No Fire Department concerns.

STAFF COMMENTS/RECOMMENDATIONS:

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

1. Prior to final platting the upper cabin to be moved to meet the setback requirements per HCC 21.12.040(b)(2).
2. Show areas in excess of 20% grade.

ATTACHMENTS

1. Preliminary Plat







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STAFF REPORT PL 10-42

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Planning Technician
MEETING: May 5, 2010, ~~May 19, 2010~~
SUBJECT: Spit Comp Plan

GENERAL INFORMATION

On Wednesday April 28, 2010, staff had a teleconference with Dwayne Adams and Sarah Wilson Doyle of USKH about the Spit Comprehensive Plan. One item that was discussed is it's hard to work on a document that is as 'drafty' as the current draft, especially with new maps and additional pages. Amongst other things order of the document needs some work. The consultants recognized the need to further refine the language to be more specific about our goals and objects along with more specific implementation plans. The consultant has offered to do two things immediately:

1. Clean up the existing draft; possibly in time for the meeting.
2. Create a new draft, without pictures etc. so it's easier to get through the meat of the plan. The format will also be changed so it's more like the 2008 Comprehensive Plan. Dwayne was concerned that the Commission would spend too much time and effort on the January 29th document.

The goal is for the Commission to finish reviewing the plan. The consultant will then make a public review draft, which can be used at public meetings and for public hearing at the Planning Commission. Staff would like to keep the ball rolling on this project. It would be helpful if the Commission set a timeframe for the next public workshop/open house.

We should be receiving a revised draft shortly before the meeting, so there will not be much time for consideration of specifics. I would advise doing all that is necessary to have the document reviewed and revised before the end of May, with special meeting(s) if necessary. Things are going to get quite busy toward July (we have only one PC meeting scheduled in July) and before we know it, the summer will be over. To keep momentum moving I propose to set a goal of having a public meeting by the third week of June.

Recommendation:

1. Perhaps make comments of a general nature regarding direction.
2. Agree upon a time frame for PC review and public meeting.



D. Staff Report PL 10-42, Spit Comprehensive Plan

Chair Minsch stated she would entertain a motion to postpone action on this item until the commission has had the time to properly review the draft document.

City Planner Abboud commented on the draft document. He was pleased with the efforts to include implementation items; ideas from the last commission meeting were included; definitely some changes required in relationship issues. Chair Minsch instructed the Commission to review their notes and incorporate them into the new draft plan since this is the document that they will be using in two weeks. City Planner Abboud recommended the Commissioners think about the time frame for approving this document.

KRANICH/ HIGHLAND - MOVED TO CONTINUE THE HOMER SPIT COMPREHENSIVE PLAN AT THE NEXT WORKSESSION MEETING.

There was no discussion.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

E. Staff Report PL 10-43, Draft Ordinance Amending Storm Water Requirements and Establishing Standards for Filling Land

Planning Technician Engebretsen stated that the Commission discussed this draft ordinance at the worksession and requested staff to bring the revised draft with the recommended changes to the fill standard section of it for their next worksession.

KRANICH/HIGHLAND - MOVED TO SEND THE DRAFT ORDINANCE AMENDING STORM WATER REQUIREMENTS AND ESTABLISHING STANDARDS FOR FILLING LAND BACK TO STAFF FOR AMENDMENT AND RETURN FOR REVIEW AT THE NEXT WORKSESSION.

Clarification was made on keeping the storm water and land fill together on one ordinance.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

NEW BUSINESS

None.

INFORMATIONAL MATERIALS

None.

COMMENTS OF THE AUDIENCE

Members of the audience may address the Commission on any subject. (3 minute time limit)

There were no audience comments.

COMMENTS OF STAFF

City Planner Abboud stated the sun was still shining after a meeting.



Homer Spit Comprehensive Plan comments

To: Planning Advisory Commission, City Council
From: Kevin Walker, PO Box 1542, Homer, AK 235-5304

I strongly disagree with more residential housing on the spit. I have yet to meet a Homer resident who thinks the Land's End condos are an asset to the spit. Several people – maybe dozens – think they are ugly and totally out of place.

Incorporate all multi-use path connections, including colored pavement crossings and other enhancements as detailed in Homer's Non-Motorized Transportation and Trail Plan

Include a transportation center and bus stops for future bus. Fee – not Free - parking for RV's – not in prime parking lots.

Discourage parking – keep what is there but organize it for boaters with slips and short term shoppers, low price or free for long term and a short walk. Charge enough for "convenient, more than 4 hour parking" to encourage other forms of transportation.

Utilize some of the beachfront for low cost beach camping with minimal facilities (restrooms) so all visitors can afford to tent camp on the beach.

Definitely screen industrial and storage areas. The painted retaining wall behind Homer High School is an example of an attractive artwork screen. Have height limitations for industrial areas to preserve the view.

I strongly support the saw grass landscaping.

There are existing passenger ferries to Seldovia that are not government subsidized. The new Seldovia ferry should NOT get any more free perks at taxpayer expense (page 5, Traffic & Transportation).

I strongly support all parts of the Parks & Recreation section.

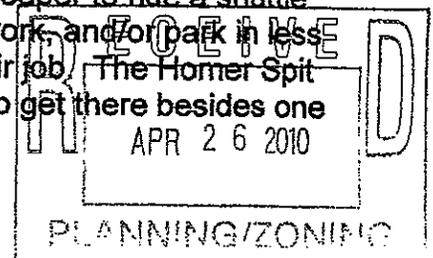
Totally agree with NO ATV's on the spit.

Design the boat trailer parking area to fit the typical maximum requirement, 100 vehicles with trailers. While more parking is required for the winter king salmon derby, other parking areas around the harbor are not utilized at that time of the year and overflow parking is easily available.

I do NOT believe in "Need more parking", but "NEED MORE PUBLIC TRANSPORTATION".

Plan for public transportation and non-motorized transportation, which will naturally happen if people know that they have to pay to park and it is cheaper to ride a shuttle bus. Employees will car pool more often, and/or ride bikes to work, and/or park in less accessible parking spots and walk a couple hundred feet to their job. The Homer Spit shouldn't look like a big parking lot! And there are other ways to get there besides one person in one car or pickup.

Thanks



MEMORANDUM FOR THE DIRECTOR, FBI

Re: [Illegible text]

HOMER ADVISORY PLANNING COMMISSION
REGULAR MEETING MINUTES
APRIL 7, 2010

- Line 69 add, "and the environment".
- The environment is going to be effect simply by building. That is too broad of a statement.
- Need to address the footage for coastal bluffs line 24.

The Commission requested Planning Technician Engebretsen join them for their next discussion to help address some of their questions.

B. Staff Report PL 10-37, Draft Ordinance 10-xx Amending HCC 21.93 Appeals

KRANICH/HIGHLAND MOVED TO MOVE THE DRAFT ORDINANCE PERTAINING TO APPEALS TO PUBLIC HEARING.

There was brief discussion that they wanted questions answered regarding voting and cross examination.

VOTE: NO: KRANICH, BOS, HIGHLAND, MINSCH, DRUHOT

Motion failed.

KRANICH/BOS MOVED TO POSTPONE UNTIL STAFF BRINGS IT BACK WITH ANSWERS.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

C. Staff Report PL 10-33, Draft Homer Spit Comprehensive Plan

KRANICH MOVED TO POSTPONE FURTHER ACTION UNTIL THE NEXT MEETING.

There was brief discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

NEW BUSINESS

A. April 7 minutes

Commissioner Kranich asked for clarification of the discussion of paving requirements during the of the UAA conditional use permit.

KRANICH/BOS MOVED TO APPROVE THE MINUTES AS AMENDED.

There was brief discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT





City of Homer Planning & Zoning

491 East Pioneer Avenue
Homer, Alaska 99603-7645

Telephone (907) 235-8121
Fax (907) 235-3118
E-mail Planning@ci.homer.ak.us
Web Site www.ci.homer.ak.us

STAFF REPORT PL 10-33

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
MEETING: April 7, 2010, April 21, 2010
SUBJECT: Draft Homer Spit Comprehensive Plan Revised

Introduction

Pat Coleman of USKH has electronically participated in a Port Commission meeting and the joint work session of the Planning and Port Commission meeting March 3rd. He was to revise the plan according to comments received for your review and adoption. At the March 17th meeting the Commission discussed bringing the plan to a workshop for additional thought.

Action

The commission should adopt the appropriate changes and then we will make any changes and advertise for a public open house meeting to present the draft plan.



VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

KRANICH/HIGHLAND MOVED TO RECOMMEND THE CITY COUNCIL HOLD A PUBLIC HEARING AND ADOPT THE DRAFT ORDINANCE 10-XX AMENDING HOMER CITY CODE 21.75 STORM WATER PLANS AS AMENDED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

PLAT CONSIDERATION

No plats were scheduled for consideration.

PENDING BUSINESS

A. Staff Report 10-33, Homer Spit Comprehensive Plan

Chair Minch stated that the Commission received information from the Consultant that was discussed during the worksession.

KRANICH/BOS MOVED TO MOVE THIS TO THE NEXT WORKSESSION ON APRIL 21 AS THE MAIN TOPIC OF DISCUSSION.

There was brief discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

B. Staff Report 10-34, HAPC Worklist

Chair Minsch stated that the Commission discussed this at the worksession.

KRANICH/BOS MOVED TO SEND THE COMMISSION WORKLIST BACK TO STAFF FOR UPDATES AND RETURN IT TO THE COMMISSION AT A LATER DATE.

There was no discussion.

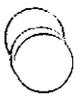
VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

NEW BUSINESS

Julie Engebretsen

From: Angie Otteson
Sent: Wednesday, April 07, 2010 5:49 PM
To: Julie Engebretsen
Subject: RE: Spit comp plan review



Follow Up Flag: Follow up
Flag Status: Flagged

Hi Julie,

Overall ok as far as parks and rec goes. I think it's important to keep a balance of camping facilities to the proposed "resort/residential" as there are so few camping areas in Homer to start with, and with the Spit being sort of the center in the summer season because of fishing/tours/etc. Actually I would rather not see any more development out there!!! It should be the Spit Park!! OK that probably wouldn't fly. I'll look it over some more tomorrow...and give you some better feedback.

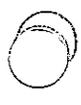
Angie

From: Julie Engebretsen
Sent: Wednesday, April 07, 2010 3:46 PM
To: Angie Otteson
Subject: Spit comp plan review

<< File: draft plan revisions and additions (2).pdf >>

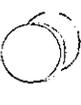
Hi Angie,

Here is the latest on the spit comp plan. I'll send a map in a minute. Any comments?



julie

Comments from Parks Maintenance
Coordinator Angie Otteson on the draft
Spit comp plan



Julie Engebretsen

From: Angie Otteson
Sent: Thursday, April 08, 2010 9:50 AM
To: Julie Engebretsen
Subject: Spit plan

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning, Julie,

Some additional comments now that I'm fresh in the am!!!

Mariner Park is probably the best area to improve/expand camping opportunities. There's still easy access to the rest of the Spit and quick egress in the event of an emergency. Actually this to me is a better place for a community gathering park than out by Pier One. There are already a couple festival/events that attract a number of people: the Kite-surfing Festival in June and the Basket Burning in September; and a lot of locals use this area year round...almost as much as Bishops Beach.

Since most of the west side of the Spit is already in conservation/beach access, I'll just support that it should remain that way. The area now used as a tent area across from the Fishing Hole (between CampFee office and Castaway RV park) should also be recreation/beach access. I noticed on the map it is recommended commercial and wasn't sure if the city tent camping fell under that. Actually both the city camping areas on the west side of the spit should be tent camping only, and kept as open as possible.

As long as we are not losing any parks or green space/recreation areas, that's what is important to me. Too often we end up developing our green space out of existence. The Fishing Hole area definitely needs some work...the concept is ok (I'm glad it's only a concept, though!). The park area along the beach is great...any open space.

Moving down the Spit...! Coal Point Park is a great little park, the main problem here is that it's tucked away behind the industrial area. The first draft had a small park next to the ferry terminal with the access to Coal Point along the beach which I'd prefer over the revision which puts the access between industrial areas.

As far as the "opportunity area" ...where the Spit Campground is presently located....keep as a camping area, at least part. I'd rather not see a lot of ugly condos that block the view. If it is decided to rezone, my recommendation would be that the area along the beach should be conservation/beach access with part used for the expansion of the Seafarer's Memorial. Part of the triangular section closest to the road could be used for parking.

That's all for now...if I think of anything else I'll pass it on.

Angie



P.O. Box 2994
Homer, AK 99603

April 7, 2010

Homer Planning Commission
City of Homer
Homer, AK 99603

Dear Planning Commission Members:

The Homer Spit Comprehensive Plan Introduction fairly well captures the present, diverse nature of the Homer Spit. It is a vital part of Homer-- a main attraction, part of Homer's essence, and central to its economy. However, very careful planning is needed so as not to tip the balance too far in the direction of over development.

If increased commercial use of Homer as a port is planned, I recommend careful planning and oversight of pollution. According to a report "Harboring Pollution: The Dirty Truth about U.S. Ports," *U.S. seaports are the largest and most poorly regulated sources of urban pollution in the country.* To protect all the other competing and diverse uses on the Spit and to protect our marine environment and air quality, the City of Homer must be sure that regulations and oversight are in place to reduce air and water pollution and noise and light pollution. Unfortunately, most U.S. marine ports have been very poorly regulated and thus are heavy polluters. We don't want to invite more traffic and industrial use and then make the mistake of not having good regulations. Working with local water quality monitoring groups would be a good way to help develop needed oversight, regulation, and monitoring.

The traffic capacity of the Spit Road, especially in peak summer months, is something that should be determined before more big development plans are implemented. If we don't, we may set ourselves up for gridlock on the Spit because it is so darned popular for residential use, recreation, and commercial or marine uses.

Parking is a major concern. In town parking with a shuttle bus is certainly a way to cut down on numbers of vehicles on the Spit. Perhaps businesses, like restaurants, could work out a way to provide a token for a free shuttle ride for their patrons. Or maybe they could offer some sort of bus pass that a business could stamp if someone makes a purchase at their shop. Five stamps and the customer gets a free ride, or however it is worked out might encourage more folks to ride the bus.

Additional study needs to be made to see how to make parking more efficient. I see a lot of wasted space on the east side of the harbor, particularly with all the boat trailers. A better system would help with the parking.

I would like to put in a word for open space as economic infrastructure. There are lots of birders who spend substantial time on the Spit and who spend their money around town. Open space, particularly areas where the shoreline is accessible and viewable from the road is particularly valuable for this economic asset. Shorebird Festival is a time when the Spit is a birder's paradise.

Commercial and marine industrial development would be best kept in a concentrated area near the docks. I do not think we should create a staging area for the Pebble Mine. Port development should be done with careful market analysis to see what might work here for the long term without degrading our environment or damaging the balance with the other uses. Screening storage or industrial areas to prevent unsightly commercial projects from affecting nearby recreation areas is a good idea. However, these areas should not be made into totally off limits places. Visitors and residents have a natural curiosity of what a working port is like and enjoy seeing fish off loaded or the bustle of local commercial activity.

I agree with developing standards and design guidelines for new development on the Spit. This is an incredibly popular place and how we design new development sets the tone for one of our community's best assets. The design criteria needs to be developed and implemented before overslope development leases are signed.

On page 5, one strategy suggested is closing Fish Dock Road to public through traffic for safety in the industrial zone. This is one access to the harbor's breakwater entrance and Coal Point Park. Perhaps there should be a designated public viewing area since some folks are fascinated by big fishing boats and the fish unloading process. It is part of the fabric of knowing where local fish comes from. Might be a tourist attraction if done right. Who knows, a walking tour?

Also, the plan needs to take into account potential impacts from more cruise ship dockings. Large ships burning dirty bunker oil will have an impact on air quality. There needs to be an oversight plan to make sure that visiting ships are not dumping sewage anywhere in Kachemak Bay. Plans will need to be made to accommodate the influx of so many people all at once. Certainly, there should be some way to recoup the costs from cruise ships of necessary infrastructure to provide enough bathrooms and other facilities. These problems are faced by all ports that invite the cruise industry in. There is a balance point to minimize

impacts. Perhaps the balance is to woo the smaller eco-tour ships of roughly 100-200 passengers rather than the industrial-sized ones.

Also on page 5, I fully support the need to preserve important wildlife and bird sanctuary areas throughout the length of the Spit. Some of these areas are world renowned and are important for the shorebirds. Working with knowledgeable agencies or groups to develop state-of-the-art storm water control as more areas are paved or developed is essential for protecting the marine environment around the harbor and along the Spit. It would be good to involve the local birding group to gather needed information as developments are proposed so we protect essential habitat and minimize impacts to our resources.

Any proposed dredging needs to have a pre-dredging assessment of the muds that will be removed to make sure that heavy metals or other pollutants that may have settled will be contained.

Under Traffic and Transportation on page 5, I would urge the City to use economic studies to determine appropriate strategies in developing port facilities. These strategies should also be in keeping with the concept residents have of our unique Spit. Building a huge facility to be a Pebble Mine staging area would have a big impact on other uses and would require a large indebtedness that may not pay off in the long run. Industrial development on the Spit should be responsible, sustainable, and compatible. Over building the industrial part of the Spit will have noise and congestion consequences that will affect the other uses. Another question that needs to be answered is how much heavy truck traffic can be safely accommodated on the Spit Road?

I do support the goals of extending the bike/pedestrian path. Creating a more walkable or bikeable Spit makes it more inviting and enjoyable to visitors. At the same time, the use of off-road vehicles on the Spit, particularly its beaches, should be phased out as soon as possible. The noise and pollution from these vehicles, particularly in the area proposed for an expanded park near the fishing lagoon detract from the concept of this area. Furthermore, there is already enough noise and pollution on the Spit. Making the beach areas a quiet place to walk and enjoy the surf and bird calls would enhance the area for the majority.

On page 24, the discussion of Resort/Residential Development indicates that citizen concerns about height of buildings and tsunami safety can be overcome with design. Additional residential development on the Spit is not a good direction to go. Over and over in Lower 48 coastal areas, residential development on the most desirable island shorelines has destroyed the ocean views, severely limited access to beaches, and cost taxpayers millions in insurance payouts for loss of property due to coastal erosion from storms. Yes,

there are people presently living in parts of the Spit where under current regulations they are not supposed to be living. Yes, there are people camping. Should we add more? I would say no. In the event of a tsunami warning, evacuating the Spit may not be feasible on a peak summer day. Packing more people out on the Spit is not a good idea.

Overall, the goals, objectives, and strategies for Parks and Recreation are good. The small campground next to Lands End should either remain a campground or be converted to an open space area with picnic tables and beach access. In my view, one of the worst things that happened on the end of the Spit was the building of the Lands End condos. The beautiful scenic vistas at the terminus of the Spit are now cut off. It is just like all the other barrier islands elsewhere-- buildings cut people off from the ocean and the views.

This campground has been an open space/recreation area for a long time and should continue to be used for recreation since places for the public near the end of the Spit are very limited. If we are mixing uses throughout the Spit, let's leave something in this area for the average person and not make the end of the Spit some exclusive resort/condo area with limited access for the average person. Personally, I agree with the workshop participant who said, "No more residential development" and I add, "on the Spit."

Coal Point Park is a hidden jewel on the Spit. Expanding the park into the vacant lot is a good idea. This is a lovely place to watch birds resting on the breakwater and enjoy the passing boats.

I like the concept on page 26 regarding a community park and gathering place. This has long been a home for Pier One Theater and since Homer is known as an arts community, a park centered around this idea is ideal. The concept as envisioned conjures up a quiet, walkable area, where outdoor performances would be presented. Clearly, this concept would need to include a ban on ORV use to make the area as quiet as possible. Providing electrical hookups for RVs so generators are not used would also help quiet the area. Very slow speed limits would increase the ambience of the area. As much as possible, this should be a walking/recreation area. This would be a great improvement to this part of the Spit.

On page 27, in the discussion of Mariner Park, the plan mentions expanding the park to the north. I have concerns about filling the wetland for parking. Even though there once was a permit for fill, filling wetlands should not be taken lightly. A new study should be undertaken to see what wildlife are presently using this area, whether there would be consequences to valuable shorebird habitat and whether filling would have repercussions for other areas. I recommend involving

the local birders group as they have extensive knowledge of local birding habitat. Wetlands along the Spit are very limited and very valuable for wildlife, so we should not take filling this area lightly.

Improving access and viewing areas along the conservation zones is a good idea, especially as it would allow for more public education about these important areas. Page 28 has a brief discussion of realignment of the Spit Road. This may be a laudable strategy, but is it practical if it moves the road closer to spray and erosion? What will be the cost? Slowing traffic here is a good idea but more discussion is probably needed to see if this is the best option. "Traffic calming devices" aka "speed bumps" will more cheaply calm traffic but not consolidate the extra space to make a larger separation from the road for the park.

Overall, balance is the key to protecting the Homer Spit. We have the mix we have now, but to maintain an acceptable balance, we cannot let industrial/economic development overwhelm other uses. Homer is special because of our unique environment and because residents care so deeply about our environment. Balance this plan for sustainability and protection of what we have so in the future people will say our community was farsighted and wise in protecting all these resources.

Sincerely,

Nina Faust

Nina Faust



CITY OF HOMER

2010 PUBLIC SIGN IN SHEET

Planning Commission Regular Meeting May 19, 2010 ** Check one of the following:

PRINT YOUR NAME!!! ADDRESS CITY RESIDENT NON RESIDENT
example:

- | | | | | |
|-----|-----------------|-----------------------|----------------------------|-------------------------------------|
| 1. | JAMES HORNADAY | 491 E. PIONEER AVENUE | <input type="checkbox"/> ✓ | <input type="checkbox"/> |
| 2. | Pat C... | | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. | Geary Metz | | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. | Gregg Hillsford | | <input type="checkbox"/> | <input type="checkbox"/> |
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