

BOS/SINN - MOVED TO RECOMMEND DR. RICK FOSTER BE REAPPOINTED AS THE HOMER REPRESENTATIVE TO THE KENAI PENINSULA BOROUGH PLANNING COMMISSION.

NEW BUSINESS

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Borough Planning Commission

B. Approval of Amended minutes of May 19, 2010

KRANICH/DRUHOT - MOVED TO APPROVE THE MAY 19, 2010 REGULAR MEETING MINUTES AS AMENDED.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

INFORMATIONAL MATERIALS

INFORMATIONAL MATERIAL

None.

COMMENTS OF THE AUDIENCE

AUDIENCE COMMENTS

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

Robert Archibald commented on the number of abandoned boats that are in the harbor taking up space and yet not paying moorage. He complimented the planning commission on doing a fine job, and said that no one has a right to complain unless they are willing to participate.

STAFF COMMENTS

COMMENTS OF STAFF

There were no comments.

COMMENTS OF THE COMMISSION

COMMISSION COMMENTS

Commissioner Highland voiced appreciation for the commission's efforts to balance thoughts of economy and environment in discussing the spit comprehensive plan.

Commissioner Bos thanked Planning Clerk Rosencrans for filling in for the clerk's office, and that it was good to have Commissioner Sinn back.

ADJOURN

ADJOURN

There being no further business to come before the Commission, the meeting adjourned at 9:08p.m. The next regular meeting is scheduled for June 16, 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.



Shelly Rosencrans, Planning Clerk

Approved: June 16, 2010

HOMER ADVISORY PLANNING COMMISSION
REGULAR MEETING
JUNE 16, 2010

ROLL CALL Session 10-11, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Minsch at 7:20 p.m. on June 16, 2010 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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

ABSENT: COMMISSIONER DRUHOT

STAFF: CITY PLANNER ABBOD
DEPUTY CITY CLERK JACOBSEN

AGENDA
APPROVAL

APPROVAL OF AGENDA

The agenda was approved by consensus of the Commission.

PUBLIC
COMMENT

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

RECONSIDERATION

No items were scheduled for reconsideration.

CONSENT
AGENDA

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 June 2, 2010 regular meeting minutes
- B. Time Extension Requests
- C. Approval of City of Homer Projects under HCC 1.76.030 g
- D. KPB Coastal Management Program Reports

The consent agenda was approved by consensus of the Commission.

PRESENTATIONS

PRESENTATIONS

There were no presentations scheduled.

REPORTS

REPORTS

- A. Staff Report PL 10-58, City Planner's Report

City
Planners
Report

City Planner Abboud reviewed his report.

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.

PUBLIC
HEARINGS

No Public Hearings were scheduled.

PLAT CONSIDERATION

A. Staff Report PL 10-54 W.R. Benson's Moore Replat Preliminary Plat

PLAT
CONSIDERA
TION

Commissioner Sinn stated that he has a conflict of interest regarding this matter.

Staff Report
PL 10-54
W.R. Benson
Moore
Replat
Preliminary
Plat

KRANICH/BOS MOVED THAT COMMISSIONER SINN HAS A CONFLICT OF INTEREST.

Commissioner Sinn explained that he has a business relationship with the applicant and the amount exceeds the limit outlined in code.

There was brief discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Commissioner Sinn left the table.

Planning Technician Engebretsen reviewed the staff report.

Gary Nelson, project surveyor, expressed his concern with Public Works requests. Each request goes beyond the subdivision code and is not justified. In his opinion if the applicant is going to be asked or required to do something beyond the subdivision code it should be supported. Public Works requests include dedicating a 15 foot utility easement along the two rights-of-way and dedicating the standard right-of-way radius at the corner of Beluga and Bunnell. Mr. Nelson commented that the utility easement request takes a lot of rights to the property that he doesn't believe it is justified because the subdivision has been there since 1967; the water, sewer storm drains, telephone, and power are all in and existing and the road is paved. Why is Public Works asking for more easements? The City Code does not require the radius, so why is it being asked for. He noted that others in the area are not being asked to provide area for it. At the request of the Commission, Mr. Nelson showed them the specific area's affected on a larger drawing.

There was brief discussion confirming the location of service stub outs for water and sewer and the location of the other utilities.

Commissioner Kranich noted that easement requirement is something that has been wishy washy to him all along. Previously he was under the impression that it is required in Code, but now hearing that it is policy. He questioned where the teeth are in policy. Planning Technician Engebretsen responded that Code says when creating a new subdivision, lots shall have access to a 15 foot utility easement, but it doesn't say along all rights-of-way. When these actions come before the

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REGULAR MEETING
JUNE 16, 2010

Commission it has been Public Works policy to ask for a 15 foot utility easement along rights-of-way, some land owner don't have a problem granting that, some do.

Staff Report
- 10-54
W.R. Benson
Moore
Replat
Preliminary
at
Cont.

Mr. Nelson explained that the Borough doesn't have a 10 foot utility easement requirement. When a utility easement is needed the Borough generally do supports it and if there is conflict advise the land owner and utility company work it out.

Planning Technician Engebretsen did not have any further information regarding the request for the radius. She believes it is probably a standard request.

KRANICH/BOS MOVED TO ADOPT STAFF REPORT PL 10-54 W.R. BENSON'S MOORE REPLAT PRELIMINARY PLAT WITH STAFF COMMENTS AND RECOMMENDATIONS.

Commissioner Kranich expressed his intent to move to delete staff recommendations 2 and 3. All the utilities are in and they can't sit here and plan for future utilities. Those companies can negotiate for their own easements. He reiterated his concern that his prior understanding is that it was a code requirement. If it is a policy requirement, it isn't law in his understanding.

There was opposing discussion regarding supporting Public Works requests as this is something that been supported previously.

Planning Technician Engebretsen read the code citation from Title 22, that each lot of a new subdivision must have access from a 15 foot utility easement. There was brief discussion attempting to reason why the request is for easements on the two rights-of-way not just one.

KRANICH/BOS MOVED TO DELETE STAFF RECOMMENDATIONS 2 AND 3.

Commissioner Kranich said it is not a code requirement and he could support one or the other but not both and reiterated the reasoning discussed prior to the motion.

VOTE (Primary Amendment): YES: BOS, HIGHLAND, KRANICH
NO: MINSCH

Motion failed.

There was no further discussion.

VOTE (Main Motion): YES: HIGHLAND, MINSCH
NO: KRANICH, BOS

Motion failed.

There was discussion that the Commission would like to discuss the easement issue at their next worksession.

B. Staff Report PL 10-53, AA Mattox 1968 Seldovia Village Tribe No. 2

Planning Technician Engebretsen reviewed the staff report.

Gary Nelson, project surveyor, said he was available to answer questions.

Staff
Report
PL 10-53,
AA Mattox
19 68
Seldovia
Village
Tribe #2

HOMER ADVISORY PLANNING COMMISSION
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JUNE 16, 2010

There was discussion regarding utility easements on Kramer Lane, utility lines, and water and sewer connections on the lots.

Mr. Nelson explained that the subdivision has come before to be platted approximately 5 different times so they have had at least 5 opportunities to get all the easements they want. The plat shows the easements they have wanted in the past. He also noted the location of the water and sewer lines.

Planning Technician Engebretsen commented that the applicant has not determined how they are going to provide service in the next phase of their expansion. Point was raised that this is another situation whether it is or is not City policy regarding the number of water sewer hook ups per lot, and when they have to be taken out. Mrs. Engebretsen explained that if a land owner wants multiple hook ups and will use them, they can have them.

It was requested that they look at this issue at the next worksession.

Commissioner Kranich noted the inconsistency that Public Works did not request utility easements on all rights-of-way as they did in the previous preliminary plat.

There was discussion of the drainage easement shown and the East End Road construction which included utility improvements.

HIGHLAND/KRANICH MOVED TO ADOPT STAFF REPORT PL 10-53, AA MATTOX 1968 SELDOVIA VILLAGE TRIBE NO. 2 WITH STAFF COMMENTS AND RECOMMENDATIONS.

There was brief discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PENDING BUSINESS

A. Staff Report PL 10-55, Draft Spit Comprehensive Plan

City Planner Abboud reviewed the staff report.

The Commission resumed their discussion from the worksession and provided feedback to staff.

NEW BUSINESS

A. Staff Report PL 10-56, Rezone Ordinance

KRANICH/HIGHLAND MOVED TO POSTPONE DISCUSSION TO THE NEXT WORKSESSION.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Staff
Report
PL 10-53,
AA Mattox
19 68
Seldovia
Village
Tribe #2
Cont.

PENDING
BUSINESS

Draft Spit
Comprehe
nsive Plan

NEW
BUSINESS

Rezone
Ordinance

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Motion Carried.

INFORMA
TIONAL
MATERIAL

INFORMATIONAL MATERIALS

- A. City Manager's Report
- B. Decision on Appeal 844 Ocean Drive Loop/June 15, 2009 Enforcement Order

AUDIEN
CE
COMMENT

COMMENTS OF THE AUDIENCE

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

There were no audience comments.

STAFF
COMMENT

COMMENTS OF STAFF

City Planner Abboud noted that there is a lot scheduled for their next worksession. The Commission agreed to have further discussion of the Spit Comprehensive Plan at their special meeting on Thursday June 24th

Planning Technician Engebretsen commented that the Steep Slope Ordinance is back from the City Attorney with a few changes and will come back to a worksession for review.

COMMISSIO
NERS
COMMENTS

COMMENTS OF THE COMMISSION

Commissioner Sinn had no comments.

Commissioner Bos congratulated Commissioner Kranich on his reappointment and said he is grateful to have him here.

Commissioner Kranich said they will have to put up with him for another term.

Commissioner Highland said she suspects the Spit Comp Plan will take longer than what it is planned for and that this for the best, for the public and the Commission. She thanked Commissioner Kranich for re-upping.

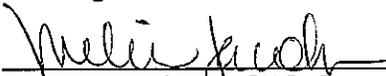
Chair Minsch thanked Commissioner Kranich and said that Commissioner Druhot was reappointed as well. She commended the Commissioners on their work tonight.

ADJOURN

ADJOURN

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 May 5, 2010 at 7:00 p.m. in the Cowles Council Chambers. There will be a work session at 5:30p.m. prior to the meeting.

There being no further business to come before the Commission, the meeting adjourned at 9:04 p.m. The next regular meeting is scheduled for July 21, 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. There is a Special Meeting scheduled for June 24, 2010.



Melissa Jacobsen, CMC, Deputy City Clerk

Approved: July 21, 2010 June 24, 2010