

Session 15-12, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Stead at 6:30 p.m. on August 5, 2015 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS BOS, BRADLEY, STEAD, STROOZAS, VENUTI

ABSENT: ERICKSON, HIGHLAND

STAFF: CITY PLANNER ABBOUD  
DEPUTY CITY CLERK JACOBSEN

### **Approval of Agenda**

Chair Stead called for approval of the agenda.

STROOZAS/BOS 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).

### **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 July 15, 2015
- B. KPB Time Extension Request for James Waddell Homestead Petska 2014 Addn
- C. Decisions & Findings CUP 15-02 for an equipment storage building at 3575 Heath St.
- D. Decisions & Findings CUP 15-03 for a public restroom at 4166 Homer Spit Rd.

Chair Stead called for approval of the consent agenda.

VENUTI/STROOZAS SO MOVED

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried

### **Presentations**

- A. Becky Windt Pearson, GCI Attorney to discuss cell towers

Becky Windt Pearson, in house land used counsel for GCI, reviewed information that has been provided to the Commission regarding areas of the ordinance that could be problematic for the City and also for proponents of tower projects. Ms. Windt Pearson also used a power point to give an overview of what the tower site selection process could look like using examples of work GCI has done in Fairbanks. Her written report was provided for the record.

### **Reports**

- A. Staff Report PL 15-55, City Planner's Report

City Planner Abboud reviewed the staff report.

There was brief discussion regarding the comments at the City Council meeting on the Bridge Creek Watershed Protection District ordinance.

### **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 15-58 CUP 15-02 Vacation of a 20 ft alley easement at 3361 B Street and 1473 Ocean Drive

Commissioner Venuti said he may have a conflict of interest as he has a contract with the applicant.

Chair Stead asked for a motion.

STROOZAS/BRADLEY MOVED COMMISSIONER VENUTI HAS A CONFLICT

Chair Stead asked if the amount exceeds parameters outlined in city code. Commissioner Venuti responded it does.

VOTE: YES: BOS, STEAD, STROOZAS, BRADLEY

Motion carried.

Commissioner Venuti left the table.

City Planner Abboud reviewed the staff report.

Andy Amso, applicant, commented he agrees the alley needs to be eliminated. The neighborhood is cleaned up and no one uses the alley for access.

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

BOS/BRADLEY MOVED TO ADOPT STAFF REPORT PL 15-58 AND THE VACATION OF A 20 FOOT ALLY EASEMENT ALONG THE COMMON LOT LINE AT 3361 B STREET AND 1473 OCEAN DRIVE, LOTS 132, 133 AND 134 BAYVIEW SUBDIVISION WITH STAFF COMMENTS AND RECOMMENDATIONS.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Commissioner Venuti returned to the table.

### **Plat Consideration**

A. Staff Report PL 15-56 Stream Hill Park Unit 2 DeLaguna Addition

City Planner Abboud reviewed the staff report.

There was brief discussion about the flag on the lot. City Planner Abboud noted the dimensions on the flag don't change.

VENUTI/BRADLEY MOVED TO APPROVE STAFF REPORT PL 15-56 AND STREAM HILL PARK UNIT 2 DELAGUNA ADDITION PRELIMINARY PLAT WITH STAFF COMMENTS AND RECOMMENDATIONS.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

### **Pending Business**

A. Staff Report PL 15-59 Towers

City Planner Abboud reviewed the most recent revisions to the draft ordinance.

City Planner Abboud would like to come up with language that will encompass a reasonable co-locate and consideration of service being proposed, lines 161-168. It was suggested they could be more specific on the radius depending on what type of service the tower provides. Another suggestion was the applicant has to show what they have done to establish when co-location isn't feasible.

With regard to lines 210-219 co-location and allowing bonus height to encourage co-location, City Planner Abboud expressed concern whether it conflicts with the standards they want and if it will result in a workaround relating to the conditional use permit. It was suggested that the residents may be more supportive of added height to co-locate more services on one tower than not offer the bonus, resulting in additional towers.

Ms. Windt Pearson joined the conversation and explained in situations where GCI finds a location and there is an opportunity for a height bonus for co-location they will generally reach out to the other two major providers to see if they are interested in co-locating. If interested, the other companies would submit a letter of interest that GCI would include in the CUP application to the applicable municipality. She added that other municipalities will do a max for the bonus height, like 10 feet for each additional co-location up to a max of 20 feet or 30 feet. In thinking about the landscape out there in the cell phone tower industry, you would be looking at only 3 providers max on a tower.

It was suggested they could define the zones where bonus height could be allowable and the areas that allow up to 120 feet don't get an option for bonus height. The application would have to provide evidence of the need to be considered to the bonus footage, they could consider requiring a joint application from the users rather than just a letter of intent.

City Planner Abboud touched on the definition of communication tower and his understanding that adding over ten feet to a structure that wasn't built to primarily support the new equipment, something needs to be done to the structure to support the additional capacity. They also addressed general pole standards and adding to power poles or telephone poles, setbacks, and visual impact.

Ms. Windt Pearson suggested that co-locating to a utility pole is something the commission should address because it is a location that carriers may want to consider as it is already a tall structure that may not have as much visual impact as a new one. If it something the commission wants to encourage it should be addressed in a clear and straight forward way that makes it easier to happen.

### **New Business**

A. Staff Report PL 15-57 Elections for Planning Commission Chair and Vice Chair

Chair Stead opened the floor to nominations for Chair.

VENUTI/BOS MOVED TO NOMINATE CHAIR STEAD

Chair Stead accepted the nomination. No others were proposed.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Chair Stead opened the floor to nominations for Vice Chair.

VENUTI/BOS MOVED TO NOMINATE COMMISSIONER STROOZAS AS VICE CHAIR

Commissioner Stroozas accepted the nomination. No others were proposed.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

B. Capital Improvement Plan Recommendations

It was noted for the record that Assistant City Manager Lawrence met with the Commission during their worksession to discuss the Capital Improvement Plan. The Commissioners stated their top two projects for the record as follows:

Commissioner Stroozas – Ice Plant Upgrades and Homer Senior Center Natural Gas Conversion Project

Commissioner Venuti – Replacement Ambulance, Main Street Reconstruction, and also Sterling Highway improvements

Commissioner Bos – Ice Plant Upgrades and Storm Water Master Plan

Commissioner Bradley - Storm Water Master Plan and Ice Plant Upgrade

Chair Stead – Storm Water Master Plan and Ice Plant Upgrade

There was consensus of the commission to forward their recommendation of Storm Water Master Plan and Ice Plant Upgrade for the 2016-2021 Capital Improvement Plan top two projects. Comments included the Ice Plant Upgrade is a relatively low cost project that will show a return and the Storm Water plan is also a low cost project and a topic the Commission has been addressing the ramifications of storm water impacts as new development comes in.

**Informational Materials**

A. City Manager’s Report July 27, 2015

**Comments of the Audience**

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

Kevin Dee, nonresident in the Bridge Creek Watershed Protection district, said he appreciates the time and thought the Commission is putting in to the details of the tower ordinance. There are a lot of unique applications that need to be considered related to the ordinance. He likes what he is hearing and provided information from research he has been doing. His vision for a good ordinance goes back to the comprehensive plan and what it addresses for quality of life for people. People care about reducing risk, providing services that industries and open market bring, and not diminish the quality of life they moved here for. A common thread he has found with other municipalities throughout the states is they don’t want towers built on speculation and he appreciated the commission’s discussion

about intention. He encouraged the group to seek outside expertise to assist them technically and an independent third party who can help gather information of who would be impacted visually and make sure to reach out to affected parties for input and it should be a cost born by the applicant. Those are the best practices he has found in his research.

**Comments of Staff**

Deputy City Clerk Jacobsen commented that the candidacy filing period is open for two city council seats.

**Comments of the Commission**

Commissioner Bradley said she will be absent on August 19<sup>th</sup>.

Commissioner Bos said it was a good meeting and congratulated the Chair and Vice Chair.

Commissioner Venuti said it was an interesting meeting. He commented about his observation of the minimal amount of traffic he is seeing on Pioneer Avenue this season and the substantial amount of vehicles on the bypass. He thinks the traffic flow is killing down town Homer and that the signage directing people to Pioneer Avenue could be improved. He suggested this is something they need to pay attention to and see what needs to change.

Commissioner Stroozas commented the Chamber of Commerce received a permit from DOT to construct a 16 foot self-service kiosk at the Baycrest pull out that will enable visitors to get information about what to do and see in Homer. It will be an attractive structure and they hope to have it in place by October. He thanked the Kachemak Board of Realtors for their donation of seed money and it will be constructed as an Eagle Scout project.

Chair Stead said he has noticed the same traffic issue Mr. Venuti spoke of. He appreciated tonight's discussion and thinks they did a good job tonight. He said he will be travelling and expects to be back on the 19<sup>th</sup> but wanted them to be aware in the event he isn't.

**Adjourn**

There being no further business to come before the Commission, the meeting adjourned at 8:42 p.m. The next regular meeting is scheduled for August 19, 2015 at 6:30 p.m. in the City Hall Cowles Council Chambers. A worksession will be held at 5:30 p.m.

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MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

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