

Session 17-06, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Don Stead at 6:32 p.m. on March 15, 2017 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS HIGHLAND, BRADLEY, ABRAHAMSON, BOS, STEAD, AND VENUTI

ABSENT: COMMISSIONER ARNOLD

STAFF: CITY PLANNER ABOUD
DEPUTY CITY CLERK KRAUSE

The Advisory Planning Commission met for a worksession at 5:00 p.m. prior to the regular meeting. A presentation from Kachemak Bay Research Reserve on Coastal Erosion data was on the agenda.

APPROVAL OF AGENDA

Chair Stead called for a motion to approve the agenda.

HIGHLAND/BRADLEY - SO MOVED.

There was no discussion.

VOTE. YES. 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

A. Staff Report PL 17-30, Temporary Auto Sales in the Marine Industrial District

City Planner Abboud requested reconsideration of the Ordinance 17-04 forwarded by City Council to correct the process of the commission. The Commission is required to hold a public hearing on this ordinance. He noted the following:

- The commission failed a motion to add Temporary Auto Sales as a permitted use and define temporary auto sales in the Marine Industrial District
- The commission is required to hold public hearings on proposed amendments to Title 21

To correct this City Planner Abboud proposed that the Commission

1. Reconsider the item
2. Pass a motion to amend the proposed ordinance using specific language provided
3. Move the ordinance for public hearing at the next regular meeting of the commission
4. After the public hearing the commission will be able to vote to forward a recommendation to Council

HIGHLAND/BRADLEY MOVED TO RECONSIDER STAFF REPORT PL 17-30 TEMPORARY AUTO SALES IN THE MARINE INDUSTRIAL DISTRICT AND ORDINANCE 17-04 AND MOVE TO PENDING BUSINESS, ITEM A.

There was a brief discussion on process.

VOTE. YES. HIGHLAND, BRADLEY, ABRAHAMSON, BOS, STEAD, VENUTI

Motion carried.

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 minutes of March 1, 2017 meeting
- B. Time Extension: KPB File 2014-016 Barnett's South Slope Subdivision Quiet Creek Park

Chair Stead requested a motion to approve the consent agenda as presented.

VENUTI/BOS - MOVED TO ADOPT.

There was a brief discussion.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PRESENTATIONS

REPORTS

- A. Staff Report PL 17-24, City Planner's Report

City Planner Abboud provided a summary of his report. He noted the following:

- The Updated and revised Beach Policy was presented to Council at the March 13, 2017 meeting during Committee of the Whole. This presented the policy with the approved regulations and does a bit of housekeeping on the document
- Ordinance 17-10 Submitting an Ballot Question to the Voters on HART Program and Amending Homer City Code if Approved by Voters
- Ordinance 17-12 Appropriating Funds for the Police Station Project from the Public Safety Building Fund
- Reconsideration of an Ordinance to Extend Homer City Water Services to Kachemak City
- Ordinance 17-05 to Appropriate Funds from HART Program for the Greatland Street Project Option A
- Ordinance to Change from using the Board of Adjustment to a Hearing Officer on Administrative Appeals
 - o At the end of the meeting several members of the public commented against this and it was felt that they were not quite understanding what this change would do
- Still learning about the Homeless issues, plats coming in, planning department picking up as the season begins
- Commissioner Attendance at Council meetings
 - o April 24, 2017 Commissioner Highland will attend

Commissioner Highland reported that she contacted the director, Mr. Bechtol of The Center. She reported that they do have some ideas but she has not returned their call at this time.

City Planner Abboud inquired if there was any takers for the May 8th council meeting? Commissioner Highland stated that she will be attending the March 28th Council meeting and if Commissioner Bos wanted to trade for the meeting on April 10th, he offered to attend the April 24th meeting if Commissioner Bradley would attend the April 24th; everyone agreed to the new line up as follows:

March 28th Highland
April 10th Bradley
April 24th Bos

City Planner Abboud provided Commissioner Bos information on the discussion that was held at the March 13th Council meeting regarding the additional traffic impacts that will affect proposed Pioneer/Greatland intersection.

Commissioner Highland was provided advice on how to handle the report to Council regarding the project in response to a request on the matter. City Planner Abboud noted that there will be a Public Hearing on March 28th

PUBLIC HEARINGS

PLAT CONSIDERATION

A. Staff Report PL 17-25, Wintergreen Subdivision Raymond Addition Preliminary Plat

Chair Stead read the title into the record. City Planner Abboud summarized the following referencing a large map:

- Preliminary Plat approval to divide one larger lot into three smaller lots
- This is not currently serviced by City water and sewer

Homer City Code 22.10.051 Easements and Rights of Way

- Plat meets requirements

Preliminary Approval per KPB 20.25.070 Form and Content required

- Plat meets requirements

Public Works Comments

- Provide proper curve return/radius return on Goldberry Court
- Development agreement not required

Fire Department Comments

- None

Staff Recommendations:

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

1. Provide 20 ft. curve return/radius return on Goldberry Ct.
2. Change Plat Note 4 to: The front 15 feet adjacent to rights of way and within 5 feet along side lot lines is a utility easement.
3. Add plat note: Lots may contain wetlands. Property owners should contact Army Corps of Engineers prior to any on-site development or construction activity.

Chair Stead invited the applicant to come forward. There was no presentation they were here to answer questions of the commission if any.

VENUTI/BOS - MOVED TO ADOPT STAFF REPORT PL 17-25 WINTERGREEN SUBDIVISION/RAYMOND ADDITION PRELIMINARY PLAT WITH STAFF RECOMMENDATIONS.

Discussion ensued regarding the development of the lots and contacting Corps of Army Engineers since there were wetlands.

Commissioner Highland requested the opportunity to question the applicant regarding wetlands and how wet they are. The applicant responded that the very north side on the uplands and the very southwest side and he has already spoke to the Army Corp of Engineers and they have given the go ahead to build on the upper portion of the property and even though the soils are good where the depression is he would not consider building in that portion of the lot. The correction was to make it equal across the top previously it was at angle.

Chair restated the motion.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

B. Staff Report PL17-26, Chamberlain and Watson Subdivision 2017 Replat Preliminary Plat

Chair Stead read the title into the record. City Planner Abboud stated that the applicant has withdrawn their application. There was no further discussion on this item.

C. Staff Report PL 17-27, Homer Spit Amended Homer Boathouse Replat Preliminary Plat

Chair Stead read the title into the record. City Planner Abboud summarized the following referencing a large map:

- Preliminary Plat approval for the vacation of a common lot line, creating one larger lot from two smaller lots.
 - This subdivision is in the Marine Commercial District, and vacates a common lot line between two parcels.
- Homer City Code 22.10.051 Easements and rights of way**
- o The Plat meets requirements, a utility easement has been dedicated along Homer Spit Road
- Preliminary Approval, per KPB 20.25.070 Form and contents required**
- o Status of adjacent lands, including names of subdivisions, lot lines, lock numbers, lot numbers, rights of way or an indication that the adjacent land is not subdivided

The plat does not meet these requirements Staff recommends including this information on the submittal to the Kenai Peninsula Borough.

Public Works Comments

- o The utilities have been addressed and there is no installation agreement required for this plat.
- o PW has no additional comments.

Fire Department Comments

- o No Comments

Staff Recommendations:

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

1. Provide status of adjacent lands, including names of subdivisions, lot lines, lock numbers, lot numbers, in the plat submittal to the Kenai Peninsula Borough

The Applicant was not present.

BOS/HIGHLAND - MOVED TO ADOPT STAFF REPORT PL 17-27 HOMER SPIT AMENDED HOMER BOATHOUSE REPLAT PRELIMINARY PLAT WITH STAFF RECOMMENDATIONS.

There was a brief discussion on whether this was a done deal for the city and design details since there was a perception that the property would be more valuable as parking, the design has changed since initially proposed and has pushed it to encroach into the other parcel.

VOTE. YES. NON-OBEJCTION. UNANIMOUS CONSENT.

Motion carried.

PENDING BUSINESS

A. Staff Report PL 17-30, Temporary Auto Sales in the Marine Industrial District

Chair Stead read the title into the record and invited City Planner Abboud to provide additional information on the intent.

City Planner Abboud provided background summary and requested the commission to amend the ordinance to include Temporary Auto Sales as a permitted use in the Marine Industrial District and a definition and then move it to Public hearing at the next commission meeting in April. That will follow the procedure as required and the commission can then forward their recommendation on the Ordinance to Council.

A discussion ensued on the proper process for amending the ordinance. Chair Stead requested a motion.

ABRAHAMSON/BOS MOVED TO AMEND PROPOSED ORDINANCE 17-04, TO STRIKE ITEM F AMENDMENT "AND AUTO", AMEND HOMER CITY CODE 21.30.020 TO ADD ITEM Q. TEMPORARY AUTO SALES AND TO FURTHER AMEND HOMER CITY CODE 21.03.040 TO ADD THE DEFINITION FOR TEMPORARY AUTO SALES MEANS SELLING PASSENGER CARS, TRUCKS, MOTORCYCLES, RECREATIONAL VEHICLES AND ATV'S FOR A PERIOD OF NOT MORE THAN 30 DAYS PER CALENDAR YEAR PER LOT.

Discussion ensued on the previous actions and discussion taken by the commission at the last meeting regarding auto sales on the spit and previous testimony regarding sales on the spit, including but not limited to auto sales in the district and at churches located in commercial districts. The importance of having a public discussion on the ordinance

ABRAHAMSON/BOS MOVED TO AMEND THE MOTION BY INCLUDING MOVE TO PUBLIC HEARING AT THE NEXT MEETING.

There was no discussion.

VOTE. (Amendment) YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

NEW BUSINESS

A. Staff Report PL 17-28, 2017 Land Allocation Plan

Chair Stead read the title into the record. City Planner Abboud summarized the annual process regarding the Land Allocation Plan that depicts the status of all city owned property and current uses. He then noted previous recommendations forwarded by this commission.

Chair Stead requested recommendations from the commissioners.

Discussion ensued on selling city owned parcels, enhancements to those parcels to make them more attractive to buyers, recommendation to give these parcels to adjoining property owners

BOS/HIGHLAND MOVED TO RECOMMEND CITY COUNCIL OFFER THE PARCELS #177154-02 & 17715403 ON PAGE C-4 OF THE PLAN TO THE ADJOINING PROPERTY OWNERS.

A brief discussion ensued on the cost of replatting exceeding the stated value of the parcels involved and the process to dispose of these two parcels. Questions were posed regarding the parcels on page C-6 since they are similar in status and if the Lease amounts could be included so they could better determine the recommended use of city owned property.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Commissioner Highland directed the commission to the request of the Deputy City Planner if this process was a good use of the commission's time and suggested that while the process is a good review and information for new commissioners she would opt for a memorandum or short report on the status of City lands. There was consensus among a few commissioners due to all the paper involved.

Chair Stead inquired if the commission thought this was a productive use of their time, noting that he reviewed it every year. There was general consensus of the commission that it was a good use of their time to review the Land Allocation Plan.

HIGHLAND/VENUTI MOVED TO RESERVE PAGE C-6 PARCELS #17717406 & #17715407 FOR A FUTURE POCKET PARK.

Discussion ensued on the having people on an area that is affected by erosion and presents a dangerous situation. Commissioner Bradley suggested that they should keep the property to mitigate erosion effects utilizing living shorelines.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

INFORMATIONAL MATERIALS

A. City Manager's Report, March 13, 2017 City Council Meeting

COMMENTS OF THE AUDIENCE

COMMENTS OF STAFF

City Planner Abboud had no comments.

Deputy City Clerk Krause commented that it was a pleasure.

COMMENTS OF THE COMMISSION

Commissioner Highland had no comments.

Commissioner Bradley commented on the informative worksession on erosion rates. She then noted that it was the 150th anniversary of the purchase of Alaska from Russia and there will be a report on the purchase from Michael Dunham at the Pratt Museum at 5 pm on March 16, 2017

Commissioner Abrahamson commented that it was a good discussion tonight and concurred that the erosion maps were useful when they are looking at the long term planning and vision for the city's future and along with the stated facts of how fast the coast is eroding and think about the ideas of balance between green and gray infrastructure and how they move forward to adapt with the impacts to their coastlines.

Commissioner Bos agreed that it was a good presentation and is curious on how 2017 fit in to all that but figures it will take a few years to determine that; it was a good meeting tonight, had fun, laughed a little bit it was cool.

Commissioner Venuti commented that he was not surprised that the vandalism happened (referring to the restroom pictures) and believed it was a teenager not homeless. He enjoyed the worksession, good solid information that they could all reflect on. Commissioner Venuti wanted to request something for the next meeting agenda and reviewing the bylaws regarding declaring a vacancy on the commission and

reading from the bylaws stated that A Commission appointment is vacated under the following conditions and upon the declaration of vacancy by the Commission. The Commission shall declare a vacancy when the person appointed: Fails to qualify; Fails to take office within thirty days after his/her appointment; Resigns and the resignation is accepted; Is physically or mentally unable to perform the duties of his/her office; Misses three consecutive or six regular meetings in a calendar year; or Is convicted of a felony or of an offense involving a violation of his/her oath of office. Commissioner Venuti further commented that it was really nice that Mr. Arnold wanted to join the commission but he feels that he is not being very responsive and if you accept the responsibility to be on the commission you need to show up. Commissioner Venuti stated he has been on this commission for 6 years and has only missed 3 meetings. He believes that is the type of commissioner they need for this commission and he would like to have this on the agenda for the next meeting.

Chair Stead commented that he did not disagree with Commissioner Venuti's comments. He agreed with the other commissioner's comments regarding the worksession however he would like to know what they could do about it or what mechanisms are in play and believes that would be helpful as well. Chair Stead believes they did a good job today and appreciates everyone's help in making that happen.

ADJOURN

There being no further business to come before the Commission, the meeting adjourned at 8:06 p.m. The next regular meeting is scheduled for WEDNESDAY, APRIL 5, 2017 at 6:30 p.m. in the City Hall Cowles Council Chambers. There is a worksession at 5:30 p.m. prior to the meeting.

Renee Krause, CMC, Deputy City Clerk

Approved: _____