

Session 18-07, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Don Stead at 6:30 p.m. on April 18, 2018 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS HIGHLAND, BANKS, BENTZ, BERNARD, STEAD, AND VENUTI

ABSENT: COMMISSIONER BOS (EXCUSED)

STAFF: CITY PLANNER ABBOUD
DEPUTY CITY CLERK SMITH

Approval of the Agenda

Chair Stead called for a motion to approve the agenda.

HIGHLAND/VENUTI SO MOVED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Public Comment

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.

- A. Approval of minutes of March 21, 2018
- B. Preliminary Plat Time Extension Requests
 - Homer Enterprises Inc. Sub. Resatarits Replat
 - Christensen Tracts 2009 Addition
 - Skyline View Subdivision 2016 Replat

Chair Stead requested a motion to approve the consent agenda.

HIGHLAND/ BENTZ SO MOVED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PRESENTATIONS

REPORTS

A. Staff Report 18-17, City Planner's report

City Planner Abboud reviewed the staff report. He reminded the Commission of the upcoming City Council Meetings.

City Council Meetings are as follows:

April 23, 2018	Commissioner Highland
May 14, 2018	Commissioner Banks

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 18-18, Ordinance 18-12(A) Amending Standards for Recreational Vehicles in the Marine Commercial District and the Marine Industrial District.

City Planner Abboud summarized his staff report and asked the commission how they felt about the proposed fee of \$200 dollars.

Commissioner Venuti asked City Planner Abboud if they should make a recommendation to make sure the vehicles are registered and insured.

City Planner Abboud stated that it is implied in the language used, but they could make a recommendation to make it more definite.

Chair Stead opened the floor for Public Hearing.

Val McLay, non-resident, explained that he has been a past city resident and has been in the area of Homer for a number of years. Mr. McLay spoke in opposition of having RV's on the Spit. In the past it was written in code that there would be no dwellings on the Spit, and he is worried that if a natural disaster, such as an earthquake or tsunami, it would be difficult to get those people out of harm's way.

Chair Stead closed the Public Hearing.

Commissioner Highland asked for clarification on the word "employee-occupied". She wanted to make sure that it also covers an "owner-occupied" recreational vehicle.

City Planner Abboud stated that this conversation was brought up in the past and he believed that the owner would be allowed to occupy an RV by the way it's currently written.

Commissioner Bentz stated that she worries about taking the 180 day time limit away because there are some safety concerns about the additional dwellings that will be inhabiting the spit year round. She asked City Planner Abboud if the 180 day duration is removed, will an annual permit be required or will it be just a onetime permit.

City Planner Abboud stated that the commission could recommend an annual permit.

Commissioner Bernard asked who would be responsible for overseeing and regulating the permits.

City Planner Abboud stated that it would be a joint effort between the Port & Harbor Department and the Planning Department.

The commission discussed the options of raising or lowering the fee.

VENUTI/BENTZ- MOVED TO APPROVE ORDINANCE 18-12(A) AND FORWARD IT TO CITY COUNCIL

Commissioner Banks asked City Planner Abboud if the yearly permit will be more of a burden than a onetime permit.

City Planner Abboud explained that an annual permit may be the way to go so that it gives everyone a reminder and a little more regulation.

The commission discussed the addition of an annual zoning permit with a fee.

BENTZ/VENUTI- MOVED TO AMEND LINE 17-18 TO READ "WHEREAS, A ZONING PERMIT **WITH AN ANNUAL FEE** WILL ALLOW THE CITY TO MANAGE EMPLOYEE OCCUPIED RECREATIONAL VEHICLES" AND LINE 53-54 TO READ "D. ALL EMPLOYEE OCCUPIED RECREATIONAL VEHICLES COVERED IN HOMER CITY CODE 21.54.325 MUST OBTAIN A ZONING PERMIT **AND PAY AN ANNUAL FEE.**"

The Commission briefly discussed whether or not they needed to put an exact number in the ordinance for the annual fee.

VOTE:NON OBJECTION. UNANIMOUS CONSENT

Motion carried.

HIGHLAND/BERNARD- MOVED TO AMEND LINE 38 TO READ "AND EFFECTIVE PERFORMANCE OF ITS INTENDED FUNCTION AS AN OPERABLE MOTOR VEHICLE, **REGISTERED AND INSURED.**"

VOTE: NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

There was no further discussion on the main motion.

VOTE: NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

B. Homer Comprehensive Plan 2018 Update- February 2018 Public Review Draft

- Public Hearing Notice
- February 2018 Public Review Draft

City Planner Abboud stated that this is the time for public to comment on the Homer Comprehensive Plan and for the Commission to propose any changes.

Chair Stead opened the floor for public hearing.

Mark Hadley, non-resident, stated that he is here on the behalf of Homer Gold Mine Gifts as the owners are out of town. Mr. Hadley read the letter that was provided by the owners into the record. The letter was also included in the packet on page 181.

Val McLay, non-resident, stated that he has not seen the letter from Homer Gold Mine Gifts until tonight, but he had a couple of thoughts that went along with it. Mr. McLay stated that it seems like this property is being targeted and that it looks like spot zoning to him, which is illegal. The Waddell's have owned this property for a very long time and the businesses in this area have boosted the economy by paying taxes. He stated that he understands the City must grow and that there must be changes but that the City needs to take into consideration how many people will be affected by said changes.

Guy Rosi, longtime resident, gave a brief history of the Waddell's property, stating that it was the first court house in Homer and that Al Waddell's dad built the building many years ago. He believes that the Waddell's lot is the core of the city. He stated that other properties throughout Homer have been put into trusts or parks that does not bring any revenue to the city but this property does and has for many years.

Angie Newby, city resident, thanks City Planner Abboud for presenting at the Board of Realtors Meeting. She stated that she was enlightened by the Waddell's letter and it has made her rethink her opinion on this issue. She believes that this project has good intentions and that there are a number of vacant properties within the Central Business District that could change to respond to some of the market needs that can only be met in the General Commercial 1 zoned properties. She stated that she personally represents Val Casper who has several lots on Greatland Street and he would like to start a U-Haul business, but it is not currently allowed in the Central Business District of town. Her initial thoughts of this proposed rezoning is that it would benefit Mr. Casper and that it might clean up some of the old spot zoning in Homer. The Waddell's have raised a good issue and now she thinks that it may need more consideration because she hadn't

thought about the economic consideration. She also mentioned that her pet peeve is that the rural residential zoned areas that have water and sewer have not been rezoned to urban residential. She hopes that the Commission will look into rezoning those areas in the future.

Deborah Brown, city resident, stated that she is here to try and understand the process since everything is new to her. She stated that from what she has heard tonight this proposal is disturbing. She does not know how these proposed zoning changes are made, but it seems like they have a long time owner of a property that will be taking a downgrade in their property for another property owner to benefit and that it's very concerning.

There being no further comment, Chair Stead closed the public hearing.

Chair Stead explained that this a public hearing for the Homer Comprehensive Plan that is under development and revision. Included in the plan is a map that has potential changes to the zoning. Some of the zoning change recommendations have been included in the Comprehensive Plan for over ten years and never been implemented and some may never be implemented. He states that the commission is just trying to find places where changes to the zoning can be made and the Comprehensive Plan is the way they make those proposals. General Commercial 1 is constrained and the City thought that this area of Central Business District would be a good area to change, maybe not, but it is up for discussion. He also thought that Mr. Waddell brought up some good points about the lake street area and the courthouse. He stated that the commission appreciates their comments and understands their concerns, but wanted to make sure that everyone understood the process of the Comprehensive Plan and that it's not a done deal.

Commissioner Highland stated that she has gotten a lot of feedback from individuals worried about rezoning this area. She stated that it is just a recommendation and that she personally would like to see this area stay zoned as Central Business District instead of General Commercial 1. However, she stated that the City does need to find a place to rezone to General Commercial 1 because it is in high demand. She suggested looking into Ocean Drive and East End Mixed Use in the future for rezoning as General Commercial 1.

City Planner Abboud just wanted to clarify that the city is not proposing this change on the request of any one person and that they are in fact just trying to meet the need for an issue that keeps coming up.

Commissioner Bentz asked the City Planner if the Central Business District and General Commercial 1 districts are taxed at different rates.

City Planner Abboud responded that he was unclear and that they would have to consult a professional if they decide to continue this further.

Commissioner Bernard asked the City Planner if the property owners in the Central Business District could get a conditional use permit to have certain uses or facilities in these areas.

City Planner Abboud responded that they would have to change city code in order to do that.

Commissioner Bentz stated that she would like to look at changing the rural residential to urban residential in the future.

City Planner Abboud briefly explained the zoning changing process.

Chair Stead called a recess at 7:43pm and reconvened at 7:50pm

PLAT CONSIDERATION

A. Staff Report 18-20, Mountain Park Markelz Replat Preliminary Plat

Commissioner Highland declared that she lives in this subdivision and recused herself from this matter.

Commissioner Bernard declared that she lives in this subdivision and recused herself from this matter.

City Planner Abboud reviewed the report and noted that the plat meets all requirements and that Public Works had an additional comment to "Provide a 15ft sewer easement along the northern property line, starting from the east side of the cul-de-sac, and terminating 351.70 east."

There was no applicant present.

Chair Stead opened the floor for public testimony, with no public present he closed the public comment period.

VENUTI/BANKS- MOVED TO ADOPT STAFF REPORT 18-20, MOUNTAIN PARK MARKELZ REPLAT PRELIMINARY PLAT TO CREATE ONE LOT FROM TWO EXISTING LOTS WITH STAFF COMMENTS AND RECOMMENDATIONS.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion Carried.

B. Staff Report 18-21, James Waddell Homestead Petska 2018 Addition Preliminary Plat

Commissioner Venuti declared a conflict of interest due to Mr. Petska being a valued friend and client.

HIGHLAND/ BENTZ-MOVED THAT COMMISSIONER VENUTI HAS A CONFLICT OF INTEREST ON STAFF REPORT 18-21

There was no discussion.

VOTE: NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

City Planner Abboud reviewed the report and noted that the plat meets all requirements and that Public Works had additional comments about improvements to this plat.

There was no applicant present.

Chair Stead opened the floor for public testimony, with no public present he closed the public comment period.

Commissioner Bernard asked City Planner Abboud if this plat is adjacent to the Quiet Creek Subdivision.

City Planner Abboud responded that it is to the west of the Quiet Creek Subdivision.

Commissioner Highland asked if there is more than 20% slopes in this area.

City Planner Abboud responded that there are no steep slopes.

HIGHLAND/BENTZ- MOVED TO ADOPT STAFF REPORT 18-21, JAMES WADDELL
HOMESTEAD PETSKA 2018 ADDITION PRELIMINARY PLAT TO CREATE TEN LOTS FROM
TWO EXISTING LOTS WITH STAFF COMMENTS AND RECOMMENDATIONS.

Commissioner Bentz stated that the presence of discharge slope reminds her of the efforts that they are currently undertaking in the hazard area on Augustine Drive.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion Carried.

C. Staff Report 18-22, Mattox Subdivision Johnson Addition Preliminary Plat

City Planner Abboud reviewed his staff report and noted that Public Works had several comments in regards to right-of-ways and an installment agreement.

City Planner Abboud also noted that there are possible wetlands in this area.

There was no applicant present.

Chair Stead opened the floor for public testimony.

Nora Wagner, city resident, stated that she has several concerns due to the wetland and the amount of wildlife that live in this area. She also has concerns about the size of the buildings and that the road will not be able to handle the extra traffic. Ms. Wagner stated that Pennock Street is poorly maintained and easily gets pot holes.

City Planner Abboud stated that the owners would have to gain Army Corp of Engineer Permits due to the wetlands in the area. The development of this area is urban residential and the owners would be able to do anything along the rights of this area. City Planner Abboud stated that the maintenance of Pennock Street would be a public works issue, so he suggested Ms. Wagner call them to talk about maintenance.

Chair Stead closed the floor for public testimony.

HIGHLAND/VENUTI- MOVED TO ADOPT STAFF REPORT 18-22 MATTOX SUBDIVISION JOHNSON ADDITION PRELIMINARY PLAT TO CREATE FIVE LOTS FROM TWO EXISTING LOTS WITH STAFF COMMENTS AND RECCOMENDATIONS.

Commissioner Highland commented that wetland are always a concern to her as well, but the city does not have any jurisdiction over them. She suggested that Ms. Wagner call the Corp and express her concerns to them directly.

Commissioner Venuti stated that nobody likes change. He has noticed that the Pennock Street area is getting cleaned up recently. He is pleased to see the improvements done to this area and believes that this will be a nice addition.

Commissioner Banks commented that there is not a lot the Planning Commission can do about the road maintenance to this area, but suggests Ms. Wagner talk to Public Works. This area will be urban residential and the regulations and guidelines can be found in Chapter 21.14. of Homer City Code.

VOTE: NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PENDING BUSINESS

A. Staff Report 18-19, Draft Comprehensive Plan Public Hearing/ Comments

HIGHLAND/BERNARD- MOVED TO BRING STAFF REPORT 18-19, DRAFT COMPREHENSIVE PLAN PUBLIC HEARING/COMMENTS TO THE FLOOR FOR DISCUSSION AND RECCOMENDATIONS.

There was no discussion.

VOTE: NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

The commission discussed the Draft Comprehensive Plan and made recommendations as follows:

- Add a narrative with the land use recommendations map on page A-3 and clarifying the process for future zoning changes.

- That staff review possibility of a hospital type zone and include a narrative of their findings and a possible preliminary idea.
- Investigate changing rural residential to urban residential where water and sewer is available.
- Updated pictures of the facilities throughout the Draft Comprehensive Plan
- Staff check page 6-6 for current information because it looks the same in the last Draft Comprehensive Plan.
- Review the submitted written comments from the public, specifically Charles Barnwell's goals and implement changes to the Comprehensive Plan as needed.
- Continue to gather public testimony on the change from Central Business District to General Business 1 and decide if it's feasible at a later date.

The commission reviewed and briefly discussed the letters that were submitted from the public and talked about the change of Central Business District to General Commercial 1.

NEW BUSINESS

INFORMATIONAL MATERIALS

A. City Manager's Reports for the March 27, 2018 City Council Meeting

COMMENTS OF THE AUDIENCE

COMMENTS OF THE STAFF

COMMENTS OF THE COMMISSION

Commissioner Highland commented that she has had several members of the public discuss the issue of clear-cuts with her, specifically the one by Walli Estates property. She would like to get this item on a future agenda. She also would like to have a couple worksessions a year to discuss the duties that were given to the Planning Commission with the disbanding of the Transportation Commission.

Commissioner Bernard commented that she will be missing the next two meetings.

Commissioner Bentz commented that she is organizing a green infrastructure training for decision makers etc. September 11th with Noah Trainer.

Commissioner Venuti commented that this was an interesting meeting and that he believes the Planning Commission and staff have the best intentions about turning Central Business District to General Commercial 1.

Commissioner Banks commented that Earth Day is this weekend. Happy Earth Day.

ADJOURN

There being no further business to come before the Commission, the meeting adjourned at 9:30p.m. The next regular meeting is scheduled for Wednesday, May 1, 2018 at 6:30 p.m. in the City Hall Cowles Council Chambers. There is a worksession scheduled at 5:30 p.m. prior to the meeting.

HAYLEY SMITH, DEPUTY CITY CLERK I

Approved: _____