

**HOMER ADVISORY PLANNING COMMISSION
REGULAR MEETING
JULY 18, 2018**

Session 18-11, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Don Stead at 6:30 p.m. on June 6, 2018 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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

ABSENT: COMMISSIONER HIGHLAND (EXCUSED)

STAFF: DEPUTY CITY PLANNER ENGBRETSSEN
DEPUTY CITY CLERK KRAUSE

Approval of the Agenda

Chair Stead called for a motion to approve the agenda.

BOS/VENUTI SO MOVED.

Chair Stead noted the receipt of a laydown notice that the applicant for the CUP 2018-07 under Public Hearing has requested to pull the application, he inquired if the public present was here to testify on the matter under Public Hearing, Staff Report 18-40, CUP 2018-07.

Hearing no response from the audience present he requested a motion to amend the agenda.

BENTZ/BOS MOVED TO AMEND THE AGENDA TO REMOVE THE PUBLIC HEARING ITEM 8. A. STAFF REPORT 18-40, CUP 2018-07 BASED ON THE RECOMMENDATIONS OUTLINED IN STAFF REPORT 18-44, CUP 2018-07 SUPPLEMENTAL REPORT.

There was no discussion.

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

Motion carried.

VOTE. (Main). NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Public Comment

Reconsideration

Adoption of Consent Agenda

A. Approval of minutes of June 20, 2018

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- B. Decision and Findings for Staff Report 18-39, CUP 18-06 for more than one building containing a permitted principal use on a lot and for a multiple-family dwelling at 1170 Lakeshore Drive

Chair Stead requested a motion to approve the consent agenda.

BENTZ/BOS SO MOVED

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PRESENTATIONS

A. Paul Janke, PhD, PE, Regional Hydrologist for the Alaska Department of Transportation & Public Facilities, will discuss water issues related to DOT facilities and answer questions of the commission.

Mr. Janke introduced himself to the commission providing his credentials and areas of expertise. He noted the projects that he is involved with in and around Homer, and stated he has worked in the region for the past 20 years and his ability to answer questions will be limited to issues regarding state roads and the airport.

Jake Ciufo, Engineer/Architect assists Mr. Janke was also present to answer questions stated he has been working with Mr. Janke for approximately 4 years.

The commission asked questions regarding the following:

Q. Use of geotextiles especially geo-grids in the road beds and if Kachemak Drive and Lake Street have multiple sections of textiles within them.

A. They are used for stability and it allows water to flow but does not allow the soils to move. If a road embankment does not allow the water to flow this can cause a hydrostatic pressure buildup similar to a dam and will cause the embankment to fail. The geotextiles allow the water to flow through the soil.

Q. How do you use revegetation practices or green infrastructure versus geotextiles for causing water to flow through rather than the earth?

A. Vegetation can be used for stabilization caution has to be used since the roots does not grow very deep on some types of vegetation and water can then pull those plants out. In some circumstances depending on the circumstances they will employ the use of rock, or plant vegetation within the rock to assist in stabilization.

Q. Do you employ green infrastructure practices for infiltration instead of water bypass such as holding ponds?

A. Municipality of Anchorage is under a permit which requires a certain amount of water to be treated before it is discharged into waters of the United States and they employ the use of bio-swales to slow and treat water.

Q. Is this something that will be used on the Lake Street project?

A. Lake Street is quite steep, there are some ditches and culverts and they are changing some of the drainage patterns to alleviate historical drainage problems on some of the property near that intersection by using storm drainage.

Q. The city is looking at ways to incorporate storm water management during high rainfall events or rain on top of snowfall events. From the perspective of the DOT how could the City handle that and bypassing that water into critical habitat?

A. Some of the critical limiting factor is the width of the right of way which most times does not go beyond the actual road embankment.

Q. When it comes to Lake Street, there will be more urban development as Homer grows slowly over time. How does the DOT determine the size of pipes and planning for future water events?

A. DOT tries to anticipate future planned development but for the most part it is an educated guess. Mr. Janke opined that the existing system along Lake Street are very generous and believed it would be adequate for the near future.

There was a brief discussion on the development going in above the High School and Mr. Janke was unaware of the construction. Ms. Engebretsen explained that the development has been planned for the past 10 years and they are finally constructing it. Mr. Janke will double check his information all the same.

Chair Stead asked for questions from the audience. He invited them to come forward sign in and state their name for the record.

Mike McCarthy, city resident, commented on the standing water issues along Kachemak Drive since they completed the Water and Sewer projects noting that they did not have standing water prior to putting in the water and sewer. He then asked about the Mt. Augustine Drive water issues.

Mr. Janke was unaware of an issues along Kachemak Drive and will look into that while he is here. As far as the Mt. Augustine issue he does not believe that DOT will be changing their position on that issue since the water amounts exiting the DOT water pipe is moderately small, the amount reported in a 24 hour period is a pretty small.

Mr. McCarthy did not think 97,000 gals was a small amount, but he was with the niece of a Homesteader here, there is a large discharge of water that over the years has silted in a major culvert that comes down approximately 300 yards downslope, it is below the fence.

Shelly Erickson, displayed on her phone a map of the location where they were speaking of in regards to the location. They scheduled to meet on Thursday, June 19, 2018 at 8:00 a.m.

Mr. Janke will review the situation again prior to meeting.

Scott Adams, city resident, own property off of Mr. Augustine stated that he has spoken to the city and Paul Seaton's office regarding the Storm drainage. He reported that there is three storm drains that leap frog down and under the highway and then drain out on private property. There are five properties affected and during the winter there was glaciation. He is requesting the State to direct it to a ravine where the drainage would **not affect people's property. He stated that the State is breaking the law.** He cited the ordinance in Homer City Code regarding diverting water **onto someone else's property. He believed that it is irresponsible. People are losing their property.** He has taken it upon himself to sandbag bottom of the culvert with a pipe system to divert it from the properties. He is hoping that once they see the damage being done the state will take some action.

Mr. Janke will review the location tomorrow. In the State's defense the culvert was installed prior to the subdivision being constructed in the 1950's. **The culvert is collecting and meeting the** natural drainage patterns and if the State does anything to change the natural pattern of the drainage they would then be liable for damages.

Mr. Adams responded that the state is causing damage to property right now.

Commissioner Bentz referred potential Landslide Hazard Resiliency project that will commence this fall by Division of Geological & Geophysical Surveys (DGGS) if they receive funding this will result in new topographical data that will be used to help identify landslide hazards in Homer. This will include areas such as Baycrest and hospital areas and mitigation strategies.

Q. What is the composition of the chemical use in the winter for the deicing, the volume used and the effect to groundwater?

A. That is not something that Mr. Janke deals with and suggested contacting DOT Maintenance.

Q. DOT is looking at the longevity of culverts, it is assumed that metal culverts last the least and plastic culverts last the longest. Is this true?

A. DOT is going to transition to a high density polyethylene culvert, they last longer, do not corrode, and abrasion is minimal compared to the metal culverts. The culverts generally will be the smaller culverts such as the storm drainage and are commonly referred to as HDPE. The DOT does not generally use concrete culverts as they are much more costly.

Q. What is considered smaller in referencing the size ranges for typical applications?

A. **Culverts that cross main roads are a minimum of 24"; smallest culverts are 18"; smaller would** be under 4 feet and larger considered over 4 feet and also that sizing would be dependent on location.

REPORTS

A. Staff Report 18-34, City Planner's Report

Deputy City Planner Engebretsen stated that the staff report is included and would gladly answer any questions the commission may have or get back to them with any information.

Commissioner Bentz requested an update on the status of the application for the FEMA grant.

Commissioner Banks inquired about the pending appeal and the options available to the Hearing Officer.

Deputy City Planner Engebretsen stated that the Hearing officer can uphold the decision of the Planning Commission or can remand it back to the Planning Commission. She advised commissioners not to speak to the public on the decision since it could still come back before them.

PUBLIC HEARINGS

A. Staff Report 18-40, CUP 18-07 for a reduction of the right-of-way setback at 3781 Heath Street

This item was pulled from the agenda at the request of the applicant and recommendation of Staff.

PLAT CONSIDERATION

PENDING BUSINESS

A. Staff Report 18-43, Comprehensive Plan Appendix

Chair Stead read the title into the record.

Deputy City Planner Engebretsen reviewed the changes from the Worksession on June 20, 2018 incorporated and went through the format for the Appendices. She noted that no action was required unless the Commission would like to see additional changes.

The Commission did not have any further changes.

Commissioners Bentz and Banks commented on appreciating the clarification provided by Deputy City Planner Engebretsen and the new format of the document presented.

NEW BUSINESS

INFORMATIONAL MATERIALS

A. City Manager Report for the June 25 Homer City Council meeting

B. KPB Notice of Decision for Barnett's South Slope Subdivision Quiet Creek Park Final Plat

Commissioner Bos referencing the issue in Old Town, inquired if anyone has discussed junk removal in the rest of the city similar to what is happening in Old Town indicating there were several properties that needed attention. He further advocated that the piles that have been there for a while need to be taken care of and he realizes that the Police are taking the brunt of it but hopes that the Home Owners Association in Old Town will assist in the removal also.

Deputy City Planner Engebretsen responded that in some situations it could be an extenuating circumstance such as settling an estate.

COMMENTS OF THE AUDIENCE

COMMENTS OF THE STAFF

Deputy City Planner Engebretsen commented it will be a pleasure to print the final document referring to the Comprehensive Plan.

COMMENTS OF THE COMMISSION

Commissioner Banks noted that he has been here for 36 minutes guess it is time to go home.

Commissioner Venuti commented that it was a brief meeting and proceeded to give a report from the Borough Planning Commission as follows:

- Plat Committee approved five preliminary plats
- Held 4 Public Hearings
- Approved and forwarded to the Assembly:
 - A Retail Marijuana License in the KBeach Rd area of Soldotna
 - Two Material Extraction Permits (Gravel Pits) for Kasilof and Anchor Point
 - Denied A Permit for a Material Extraction Permit in Anchor Point due to the lack of buffering as the neighboring properties would be looking down upon the gravel pit

Commissioner Bentz commented that the Borough meeting was very long, it was interesting in the amount of public comments received, the level of engagement of community when there are conditions that adversely affect neighboring properties like that and appreciates that the Borough is looking closer into their Material Site Code and hopefully improving those regulations to reduce those impacts to neighboring properties. She commented that she is pleased to see the progress moving forward on landslide mapping and hazard analysis with options to funding projects to better what is going on in the Mt Augustine area and glad to have DOT here to speak to them today.

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Commissioner Bernard echoed Commissioner Bentz sentiments on having DOT here tonight to entertain dialogue with the commission and public regarding concerns, information, and responding to questions. She is excited about the landslide work which the commission has discussed **several times since she has been on the commission, which hasn't been too long.**

Commissioner Bos commented that he was surprised on a couple of things, the City has been speaking about the Mt. Augustine issue for the last year to 18 months and he expressed surprise at Mr. Janke just finding out? There must be other engineers that could have gone up there to look into the issue because if this is the response that they are getting after what those property owners have been going through, it was unacceptable; he was glad that Julie mentioned the other subdivision going in uphill from Lake Street because for Mr. Janke to put numbers together on **what's going on** without that information Lake Street would have been the most ridiculous piece of work imaginable, he does not understand why those guys are not getting the information or asking for the information but that is a travesty in a big way.

Chair Stead agreed with Commissioner Bos comments.

ADJOURN

There being no further business to come before the Commission, the meeting adjourned at 7:23 p.m. The next regular meeting is scheduled for Wednesday, August 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.

RENEE KRAUSE, CMC, DEPUTY CITY CLERK

Approved: _____