

Session 14-14, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Venuti at 6:30 p.m. on August 6, 2014 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS BRADLEY, ERICKSON, HIGHLAND, STEAD, STROOZAS, VENUTI

ABSENT: BOS

STAFF: CITY PLANNER ABBOUD  
DEPUTY CITY CLERK JACOBSEN

### **Approval of Agenda**

Chair Venuti called for a motion to approve the agenda.

HIGHLAND/STEAD 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).

None

### **Reconsideration**

None

### **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 16, 2014 meeting
- B. Decisions and Findings for CUP 2014-10 Request to operate a daycare facility at 1164 East End Road
- C. Decisions and Findings for Board of Adjustment Remand of CUP 2013-13 3850 Heath Street to the Homer Advisory Planning Commission

Chair Venuti called for a motion to adopt the consent agenda.

HIGHLAND/STEAD SO MOVED.

HOMER ADVISORY PLANNING COMMISSION  
REGULAR MEETING MINUTES  
AUGUST 6, 2014

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

## **Presentations**

### **Reports**

A. Staff Report PL 14-69, City Planner's 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.

A. Staff Report PL 14-70, Proposal to expand the Residential Office Zoning District eastward along East End Road.

City Planner Abboud reviewed the staff report.

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

Commissioner Highland asked if property owners in the area had been notified. City Planner Abboud confirmed that notices were sent to lot owners in the proposed district, also those within 300 feet, and noticed in the paper.

STEAD/HIGHLAND MOVED TO ACCEPT THE STAFF REPORT WITH STAFF RECOMMENDATIONS FOR AMENDMENTS TO THE MAP AND TEXT AND TO HOLD ANOTHER PUBLIC HEARING.

Commissioner Stead commented that he doesn't think they have much work to do at another meeting, and they can close up this issue.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

## **Plat Consideration**

A. Staff Report PL 14-71, Lakeside Village Subdivision 2014 Replat Preliminary Plat

Commissioner Erickson stated she has a conflict of interest.

HIGHLAND/STROOZAS MOVED THAT COMMISSIONER ERICKSON HAS A CONFLICT OF INTEREST.

HOMER ADVISORY PLANNING COMMISSION  
REGULAR MEETING MINUTES  
AUGUST 6, 2014

Commissioner Erickson said it is a financial conflict.

VOTE: YES: STEAD, HIGHLAND, VENUTI, STROOZAS, BRADLEY

Commissioner Erickson left the table.

City Planner Abboud reviewed the staff report.

Kenton Bloom, project surveyor, commented the proposal was made to vacate the utility and drainage easement, but after talking to planning and public works and it became obvious it would be simpler to leave the easement there. He said there is no objection to the other conditions and recommendations.

In response to questions Mr. Bloom said there are no utilities in the utility easement and that the 15 foot easement will be extended all the way around Hillfair Court.

There were no public comments.

HIGHLAND/STEAD MOVED TO APPROVE STAFF REPORT PL 14-71, LAKESIDE VILLAGE SUBDIVISION 2014 REPLAT PRELIMINARY PLAT WITH STAFF COMMENTS AND RECOMMENDATIONS.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Commissioner Erickson returned to the table.

B. Staff Report PL 14-72, Forest Glen Subdivision Unit 2 2014 Replat Preliminary Plat

City Planner Abboud reviewed the staff report.

Kenton Bloom, project surveyor, commented that city has built a street into private property and there is a working agreement between the property owner and the city to move it at a future date and ancillary agreements on the driveway, but nothing impacting platting.

There were no public comments.

Question was raised regarding the eastern half being a discharge slope. Mr. Bloom said it is based on the wetlands mapping which is not site specific. The plat has a note regarding permitting with ACOE may be required before any development can occur on these lots.

STROOZAS/HIGHLAND MOVE TO APPROVE STAFF REPORT PL 14-72 FOREST GLEN SUBDIVISION UNIT 2 2014 REPLAT PRELIMINARY PLAT WITH STAFF COMMENTS AND RECOMMENDATIONS.

There was no discussion.

HOMER ADVISORY PLANNING COMMISSION  
REGULAR MEETING MINUTES  
AUGUST 6, 2014

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

C. Staff Report PL 14-73, Scenic View Tract A 2014 Replat Preliminary Plat

City Planner Abboud reviewed the staff report.

Kenton Bloom, project surveyor, commented about the 2008 ordinance that says you can't grant an easement and get access to sewer and water, it has to be a physical property fronting the main, and that is where the flag comes in. The lots are big enough and suitable for on-site septic, and the property owner can access water from the flag. Should a water/sewer special assessment district be proposed for this area, the property owner having a yes vote is part of this approval process.

There were no public comments.

Commissioner Highland referenced the letters of opposition from Barbara Williams and from Robert and Tina Day that were provided as laydowns and acknowledged the concerns with drainage, increased traffic, and lot size. Mr. Bloom suggested that concerns relating to drainage could be addressed with the engineer who has established the adequacy of the soils. He understands the other concerns but while each person's personal dialog is compelling, there isn't a response to make everyone feel better.

Regarding question about runoff, Mr. Bloom said there is natural ditching and he will encourage the property owner to direct runoff away from their neighbors. He explained drainage is already formed on the west side and there is a culvert under East Road.

HIGHLAND/STEAD MOVED TO APPROVE STAFF REPORT PL 14-73, SCENIC VIEW TRACT A, 2014 REPLAT PRELIMINARY PLAT WITH STAFF COMMENTS AND RECOMMENDATIONS.

It was clarified that this action doesn't force the property owners in the area into a special assessment district. It just ensures that if one is proposed in the future, this property owner has a yes vote and that they will hook up if an assessment district is established.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

### **Pending Business**

A. Staff Report PL 14-76, Proposal to amend to the Bridge Creek Watershed Protection District.

Commissioner Stroozas commented that he may have a conflict of interest because he resides inside the Bridge Creek Watershed District.

ERICKSON/HIGHLAND MOVED THAT COMMISSIONER STROOZAS HAS A CONFLICT OF INTEREST.

There was discussion that this addresses an aggregate amount of people in a large district. Commissioner Stroozas is one of many in a larger group.

VOTE: NO: HIGHLAND, ERICKSON, STEAD, VENUTI, BRADLEY

Motion failed.

City Planner Abboud reviewed the staff report.

In response to questions, Commissioner Stroozas reviewed his experience with filing his mitigation plan back in 2008. He noted that driveways have been a stifling issue and that decks shouldn't be counted as impermeable surface if they have gravel or grass underneath.

Commissioner Highland recalled comments from a previous meeting about getting an overlay of the area from NRCS or the Soil and Water Conservation District. She believes there is land in the district that isn't going to negatively affect the reservoir.

Commissioner Stead questioned if the study included in the packet is the one used in establishing the district guidelines. City Planner Abboud confirmed that it is. Mr. Stead said he would like to spend more time reading the study, but noted that it addresses watershed issues in Anchorage. He questions how applicable they are to the BCWPD. The study addresses various toxicity levels and chemicals that get washed in, and he noted that Anchorage has other issues associated with coal fired plants adjacent to them. He would like to have the study again at the next worksession. Regarding driveways, he commented that there are ways to build the surfaces so they don't cause problems. He isn't sure about uncovered decks; his own uncovered deck impedes water getting into the ground.

The Commissions reviewed the 5 proposals included in the staff report. Comments included:

Proposal 1. Allow a portion of a lot to be excluded from the watershed.

- There should be concern about people shaping their lot by bringing fill onto the lot to take usable filtering land away from the watershed or modifying the natural drainage.
- Depending on the area it might be acceptable to do it through subdividing.
- Consider ways for more leniencies in allowing exclusions and still protecting the watershed.
- Consider if exclusion should be allowed through a CUP process.
- Limiting it to natural drainage could be a consideration rather than a CUP process.

Proposal 2. Allow mitigation plans to be approved by staff.

- There was general support of proposal 2. The review and approval can easily be done by staff.
- Consider whether city engineer will be included in the review.
- Consider more specific re-vegetation related to construction timeframe.

Proposal 3. Allow a flat amount of developable area for smaller lots under 4.5 acres.

- The realtors suggested 6200 sf and the staff recommends 4000-5000 sf. That's a variance of 25% from one figure to the other.
- 6000 sf triggers a CUP, so to keep it simpler it needs to be under 6000 sf.

HOMER ADVISORY PLANNING COMMISSION  
REGULAR MEETING MINUTES  
AUGUST 6, 2014

- There was general support of allowing up to 5000 sf.
- The 1 acre lot with 5000 sf brings it up to 7.6%, it isn't a dramatic difference from 6.4%. Most of the smaller lots are closer to the 1.5 acre size.
- A mitigation plan would still be required at 5000 sf.

The group discussed their interest in knowing information about water quality of the reservoir, before the water is treated. Monitoring the pretreated water is the only way to tell if these regulations are making a difference in maintaining water quality. City Planner Abboud said he would see if there is information available.

Proposal 4. Exempt uncovered decks connected to a primary structure from the impervious calculation.

- It's difficult to determine how much water comes off a deck.
- A percentage of the structure could be a way to address it.

Proposal 5. Exempt one accessory structure under 200 sf from the impervious calculation.

- There was general support regarding proposal 5.

The Commission took a break at 8:40 p.m. and the meeting resumed at 8:43 p.m.

## **New Business**

A. Staff Report PL 14-74, CIP List Recommendations. Bring CIP from the July 16<sup>th</sup> packet

ERICKSON/HIGHLAND MOVED TO RECOMMEND INCLUDING A CIP ITEM FOR AT LEAST ONE RESTROOM AT THE TRAILHEAD ON KACHEMAK DRIVE AND THE SPIT ROAD.

There was brief discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

HIGHLAND/STEAD MOVE TO RECOMMEND INCLUDING IN THE 2015 CIP LIST, WATER STORAGE DISTRICT IMPROVEMENTS AND STORM WATER MASTER PLAN.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Commissioner Stroozas commented that both items recommended are good ones. He mentioned the ice plant earlier, which was number three on their list. The ice plant is a money maker for the city and improving it with new generators that would run on natural gas, would save the city money and enable them to produce ice with a higher profit margin. It's number one on his list.

B. Staff Report PL 14-75, Election of Homer Advisory Planning Commission Officers

The floor was opened to nominations for Chair. Nominees included Commissioner Bos, Erickson, and Stead. The Commission voted by secret ballot. Commissioner Stead received 3 votes, Commissioner Bos received 2 votes, and Commissioner Erickson received 1 vote. Commissioner Stead accepted the position of Chair.

The floor was open to nominations for Vice Chair. Nominees included Commissioner Bos and Stroozas. The Commission voted by secret ballot. Commissioner Stroozas received 3 votes and Commissioner Bos received 3 votes. Commissioner Stroozas agreed to accept the seat of Vice Chair.

**Informational Materials**

- A. City Manager's Report for the July 28, 2014 City Council Meeting
- B. Kenai Peninsula Borough Planning Commission Time Extension Request for James Waddell Survey Petska Addition Preliminary Plat

**Comments of the Audience**

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

None

**Comments of Staff**

None

**Comments of the Commission**

Commissioner Highland welcomed Ms. Bradley to the Commission.

Commissioner Bradley thanked everyone and said it was a good first meeting.

Commissioner Erickson welcomed Ms. Bradley and hopes they didn't scare her.

Commissioner Stroozas welcomed Ms. Bradley.

Commissioner Stead welcomed Ms. Bradley. He thought it was a good meeting and looks forward to seeing what comes out of the Bridge Creek Watershed District.

Chair Venuti congratulated Commissioner Stead and Stroozas. He said it's been interesting being the Chair, but he has found that so much time is facilitating the meeting and he doesn't participate as much in the discussion. He is looking forward to serving on the Borough Planning Commission.

**Adjourn**

HOMER ADVISORY PLANNING COMMISSION  
REGULAR MEETING MINUTES  
AUGUST 6, 2014

There being no further business to come before the Commission, the meeting adjourned at 9:00 p.m. The next regular meeting is scheduled for August 20, 2014 at 6:30 p.m. in the City Hall Cowles Council Chambers.

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MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

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