

WORK SESSION AGENDA

1. Call to Order 5:30 p.m.
2. Todd Cook – City Water/Wastewater Treatment Superintendent to speak about water quality in the Bridge Creek Watershed Protection District and the water/sewer distribution and collection system.
3. Discussion of Items on the Regular Meeting Agenda
4. Public Comments
The public may speak to the Planning Commission regarding matters on the work session agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).
5. Commission Comments
6. Adjournment



REGULAR MEETING AGENDA

1. Call to Order

2. Approval of Agenda

3. 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).

4. Reconsideration

5. 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 August 20, 2014 meeting **p. 1**

6. Presentations

7. Reports

- A. Staff Report PL 14-81, City Planner's Report **p. 7**

8. 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.

9. Plat Consideration

- A. Staff Report PL 14-82, Homer Enterprises Inc. Subdivision Resetarits Replat Preliminary Plat **p. 21**

10. Pending Business

- A. Staff Report PL 14-83, Proposal to amend the Bridge Creek Watershed Protection District **p. 33**

11. New Business

12. Informational Materials

- A. City Manager's Report, August 25, 2014 **p. 49**
B. Kenai Peninsula Borough Planning Commission Notice of Decision Re: James Waddell Survey Petska
Addition Time Extension Request **p. 53**

13. Comments of the Audience

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

14. Comments of Staff

15. Comments of the Commission

16. Adjournment

Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission.
Next regular meeting is scheduled for September 17, 2014. A work session will be held at 5:30 pm.



Session 14-15, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Stead at 6:30 p.m. on August 20, 2014 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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

STAFF: CITY PLANNER ABBOUD
DEPUTY CITY CLERK JACOBSEN

Approval of Agenda

Chair Stead called for approval of the agenda.

HIGHLAND/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).

Joel Cooper, non-resident who lives in the Bridge Creek Watershed Protection District, commented that he has reviewed the information provided by the staff and the realtors. He thinks the commission should go back and look at the USGS report, speak with them about their work, and how they assess how things are working. He thinks they should calculate the impervious cover for the watershed as a whole, based on the numbers they have and current development. He submitted a table he prepared using the parcel viewer and applied the recommended 6200, 4000, and 5000 square footages recommended and lot sizes 4.5 acres and below. It starts to give an idea of what the impact might be in relation to Todd Cook's feedback relating to density of development and also concerns about fuel tanks and septic tanks. In reference to the draft ordinance, Mr. Cooper suggested including some kind of containment system for fuel tanks so there will be a buffer should an accidental spill occur. A question came up in the worksession if the current ordinance working and since the water quality is not degrading, then you can say to some extent that it is working.

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.

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- A. Approval of Minutes of August 6, 2014 meeting

HIGHLAND/VENUTI MOVED TO ADOPT.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Presentations

- A. Public Works Director Carey Meyer – Public Safety Building Presentation

Public Works Director Meyer did not show up to present. City Planner Abboud gave a brief overview on the locations being considered for the project.

Reports

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

City Planner Abboud reviewed his report.

Commissioner Erickson and Venuti commented about the new sign at the high school and that it was flashing messages, besides just the date and time. City Planner Abboud said he would follow up.

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 14-78, Proposal to expand the Residential Office Zoning District eastward along East End Road.

City Planner Abboud reviewed the staff report.

Commissioner Stead opened the public hearing.

Ray Kranich, city resident, commented that he understands this came to the Commission from Council but he questions what the reason is behind it. Is there a need for it? Is RO filled up or are there significant portions of RO still vacant that could be infilled? Basic principles of the Comp Plan and zoning aspects encourage infill rather than sprawl. He has to look at this and try to figure out what is behind it. He reviewed some history of the proposed area and also relating to the CUP for Blackwell in the area from his time on the Planning Commission. The Commission at the time, put their necks out and approved the CUP, and the Council backed the Commission's decision, it went to court and the City lost. He agrees with Sharon Minch's comments that a rezone should only be done when there is

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significant need. The Commission's decision here is a very important and heavy one on stability in zoning.

There were no further comments and the public hearing was closed.

Question was raised as to why Councilmember Van Dyke's introduced the proposed ordinance. City Planner Abboud explained his understanding that it was language Mr. Van Dyke said he had seen in the Comp Plan. Mr. Abboud said he didn't want to speculate because isn't sure of the exact reason.

Commissioner Erickson raised the notion that that there are commercial activities going on in the proposed area and that perhaps the proposed area is more of a natural break in the uses that have been taking place for years. City Planner Abboud suggested the natural break is further down the road. He pointed out there are a lot of residences in the area, there are even horses grazing in the area. As Mrs. Minch mentions in her letter, he explained that if the Commission wants to support those types of businesses, it has to be re-positioned in the Comp Plan accordingly to the uses they want to see there and everyone in the district should be able to do it.

Commissioner Venuti referenced the Comp Plan which addresses a neighborhood commercial east end road district. It refers to limited number of small scale, local serving, commercial areas designed to meet the convenience of commercial service needs of neighborhood residents; that the objectives may also be met through the planned unit development process or an overlay zone allowing more commercial; and that the retail uses in the underlying residential office district. City Planner Abboud feels this refers more to neighborhood convenience where people would go to grab a gallon of milk or something like that. This same thing was included up in the West Hill area but the neighbors said no and it was taken out of the Comp Plan.

Commissioner Bos asked if this rezone would allow the activity that isn't allowed now to operate. City Planner Abboud said it would not.

VENUTI/ERICKSON MOVED TO APPROVE THE DRAFT ORDINANCE AMENDING RESIDENTIAL OFFICE ZONING ON EAST END ROAD AND FORWARD IT TO CITY COUNCIL FOR ADOPTION.

Commissioner Venuti said this is a nice notion, but doesn't see a good reason to support the change, and there hasn't been any support expressed by property owners in the area.

Commissioner Stroozas agreed and added that Mrs. Minch's comments weigh on his mind about opening up the City up to more litigation.

Commissioner Highland agreed that this change doesn't make sense.

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

Motion failed.

Plat Consideration

Pending Business

A. Staff Report PL 14-80, Proposal to amend to the Bridge Creek Watershed Protection District

City Planner Abboud touched on the discussion at the worksession and advised the Commission that Water/Wastewater Superintendent Todd Cook will be talking to them at their next meeting.

Commissioner Erickson expressed that she supports a reasonable backup containment system for anything that brings potential disaster. It's more than fair, it's responsible, and it shouldn't be that costly. Her thought is that existing property owners could be asked to do it, and new construction would require it. It isn't only regarding fuel tanks but anything that could cause a potential hazard.

Commissioner Stroozas supports 6200 square feet as the maximum amount of developable area for lots less than 4.5 acres.

Commissioner Highland questioned the numbers provided in Mr. Cooper's calculations, also the suggestion of working with USGS, and looking at overall impervious for the area. City Planner Abboud said they could come up with more useable numbers, as an example one could build more on a 2.5 acre lot with an approved mitigation plan than on a larger lot with no mitigation plan. He said he isn't sure what the role of USGS was in the process and will have to investigate it further. There was discussion that there might be new information after 13 years. In looking at total impervious area, Mr. Abboud said it doesn't really change the framework of what we are doing.

Commissioner Highland said she would like the property owners in the area to be surveyed to get their input on their concerns and more concrete information. City Planner Abboud agreed that is something that can be done.

Chair Stead commented that he prefers percentages of allowable square footage rather than a set number. He also thinks they should look at buffer zones between properties and try to figure out how that works. He read the report that was provided in the last packet and the report is focused mostly on the soils surrounding Anchorage, which are different than the soils that surround Homer and the Bridge Creek Watershed District; also the report is focused on the entire watershed of a particular stream. We are looking at this from a perspective of the realtors, who are only focused on a couple of small subdivisions and there is a lot of undeveloped land in the district that needs to be considered, so he thinks it's relevant to look at the entire district and the entire impervious surface. This needs to be looked at more in a holistic picture than on a per lot basis. He suggested they may want to look at the subdivision restriction of 4.5 acres. There are a lot of things that need to be reviewed in the Bridge Creek Watershed District. The issue here is maintaining water quality and maintaining ability for people to develop the land further.

There was discussion regarding looking toward the future and what development could potentially occur. City Planner Abboud said what is before the commission now is minimal incremental changes, but to consider anything more would mean stepping way back and spending a lot of money to restudy the whole area.

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Commissioner Bos expressed his concern with holding people accountable to their mitigation plan and the runoff from their property. There are a lot of people who don't want to be held accountable for anything, junk, antifreeze leaking from cars, and that kind of thing. He thinks they can give a little bit, but he thinks they need some input from a lot of people. If the water up there isn't preserved, property down here won't be worth anything.

Further discussion ensued regarding developing buffer zones, mitigation plans, and ways for property owners to be able to develop their property to the fullest extent.

This agenda item will come back at the next meeting.

New Business

Informational Materials

- A. City Manager's Report from August 11, 2014 City Council Meeting
- B. Resolution 14-086 scheduling a joint worksession with Homer City Council and the Advisory Planning Commission to discuss tower regulation and permit requirements, and other planning matters on Thursday, October 23, 2014 at 6pm
- C. Planning Commission Memo to City Council Re: CIP Recommendations
- D. Kenai Peninsula Borough Plat Committee Notice of Decision Re: Bidarka Heights Unit 3 Knutson Replat 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

Deputy City Clerk Jacobsen announced that another Volunteer Appreciation Party is in the works for September 25th and that invitations will be going out soon.

Comments of the Commission

Commissioner Bos congratulated Mr. Stead and Mr. Stroozas for stepping up, thanked Mr. Venuti for his great service, and welcomed Ms. Bradley as a new commissioner. This was a good meeting with good input.

Commissioner Highland asked to add storm water to their agenda at the City Council worksession.

Commissioner Bradley thanked everyone for a fantastic second meeting.

Commissioner Erickson suggested that if people in the watershed district bought a second lot, leave it blank, and get a tax break for preserving the land.

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Commissioner Venuti asked what happened with the tower remand. City Planner Abboud explained he has been in contact with the attorney and the applicant hasn't pursued anything.

Commissioner Stroozas commended Chair Stead on his first meeting and advised he will be absent at the next meeting.

Chair Stead said thank goodness it's over. He thought they had good discussion and said he may also be absent at the next meeting.

Adjourn

There being no further business to come before the Commission, the meeting adjourned at 7:59 p.m. The next regular meeting is scheduled for September 3, 2014 at 6:30 p.m. in the City Hall Cowles Council Chambers.

MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

Approved: _____



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STAFF REPORT PL 14-81

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
MEETING: September 3, 2014
SUBJECT: City Planner's Report

Flood Risk Information Open House on September 11, 2014 at 12pm in Council Chambers

FEMA has introduced an updated Flood Insurance Study (FIS) and accompanying preliminary Flood Insurance Rate Maps (FIRMs) for Homer's coastal areas. As you may recall, the Homer Spit was updated in 2013 through the same process and now the FIS and FIRMs for the rest of Homer's coastline have emerged. The event will be hosted by the City, in cooperation with FEMA and the State of Alaska. FEMA will start with a presentation lasting until 12:30pm and the whole event will wrap up at 1:30. The Open House will provide the public the opportunity to review the FIS and FIRMs. The FIS and the FIRMs provide base flood information, delineate areas subject to significant flood hazards within the county, and offer information public officials may use when permitting development in the floodplain. This is an opportunity to view the preliminary maps and FIS in preparation for the upcoming comments and appeals period. You can find the preliminary FIRMs at our website: <http://www.cityofhomer-ak.gov/planning/2014-coastal-floodplain-update>

Joint work session with City Council on October 23, 2014

This is an opportunity for the Commission to get input and direction from the City Council has for various issues.

So far, the agenda items will include:

- Cell towers regulation
- Code adjustments that help resolve permitting issues.
- Bridge Creek Water Protection District

The Alaska Chapter of the American Planning Association Specialized Commissioner Training will be held on Sunday, Nov. 16th. Additional training on Monday and Tuesday, Nov 17th and 18th, will be held on topics geared for professional planners. The conference will be held in Anchorage at the Hotel Captain Cook. We do have (limited) funds available to cover registration and hotel for the training and priority will be given to the newest members

of the Commission. Please tell Rick if you're interested or email him and cc Travis before the September 17 meeting. Here is a link to the website where you can see the Sunday agenda <http://www.cvent.com/events/2014-state-planning-conference/event-summary-e2ba2864ec71401eb944038b3a684239.aspx>

City Council

Consent agenda

Ordinance 14-45, An Ordinance of the Homer City Council Amending Homer City Code 21.93.060 Standing – Appeal to Board of Adjustment and 21.93.500 Parties Eligible to Appeal to Board of Adjustment – Notice of Appearance, Providing for the City Planner or Designee to Participate in Appeals to the Board of Adjustment. City Manager. Recommended dates: Introduction August 25, 2014, Public Hearing and Second Reading September 8, 2014. Memorandum 14-123 from City Attorney as backup.

The consent agenda was approved by consensus of the Council.

Public Hearings

Ordinance 14-41, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.72.030(B) Regarding the Duties and Powers of the Homer Advisory Planning Commission Related to Subdivisions, and Amending Homer City Code 2.72.060 Regarding the Commission's Meeting Schedule and the Provision of Records of Commission Action to the Council. City Manager. Introduction August 11, 2014, Public Hearing and Second Reading August 25, 2014.

Memorandum 14-122 from City Manager as backup.

There were two who testified.

ADOPTED with discussion.

Attachments:

Memorandum 14-123 from City Attorney

Ordinance 14-41

Memorandum to HAPC RE: HART Program

MEMORANDUM 14-123

**TO: MAYOR AND CITY COUNCIL MEMBERS
CITY OF HOMER**

FROM: THOMAS F. KLINKNER

**RE: PARTICIPATION OF CITY PLANNER AND PLANNING DEPARTMENT
EMPLOYEES IN APPEALS TO BOARD OF ADJUSTMENT**

FILE NO.: 506,742.563

DATE: JULY 30, 2014

In recent appeals from the Homer Advisory Planning Commission ("Commission") to the Board of Adjustment ("Board"), either the City Planner or another Planning Department employee has filed a brief and appeared at the appeal hearing before the Board to provide information to the Board regarding the Commission's decision. I have been asked to draft an amendment to the Homer City Code to sanction this practice. This memorandum accompanies the ordinance that I have prepared for that purpose, and explains the Code amendments in the ordinance.

HCC 21.93.500(a) authorizes the City Planner to participate *as a party* in all appeals to the Board from decisions of the Commission. HCC 21.93.500(a) provides, "Only persons who actively and substantively participated in the matter before the Commission and who would be qualified to appeal under HCC 21.93.060 may participate as parties in an appeal from the Commission to the Board of Adjustment." Under HCC 21.93.500(a), one must meet two qualifications to participate as a party in an appeal from the Commission to the Board: (i) active and substantive participation in the matter before the Commission, and (ii) having standing to appeal under HCC 21.93.060. The City Planner or another Planning Department employee will actively and substantively participate in each matter before the Commission that is subject to appeal to the Board. The City Planner also is designated in HCC 21.93.060(b) as a person who has standing to appeal a decision of the Commission to the Board. Since the City Planner may designate another Planning Department employee to present recommendations to the Commission in a matter that may be appealed to the Board, other Planning Department employees also should be authorized to participate as parties before the Board. Section 1 of the accompanying ordinance amends HCC 21.93.060(b) to make this change.

HCC 21.93.500(b) requires that any person desiring to participate as a party in an appeal to the Board, other than the appellant, the applicant for the action or

determination that is the subject of the appeal and the owner of the property that is the subject of the action or determination, must file an entry of appearance with the City Clerk. Since the City Planner or other Planning Department employee who participates in a matter before the Commission automatically becomes a party to an appeal of the Commission decision to the Board, efficiency would be served by exempting them from this requirement. Section 2 of the accompanying ordinance amends HCC 21.93.500(b) to make this change.

HCC 21.93.090 provides, "No person may *represent a party* to an appeal without filing with the City Clerk written authorization, which shall be signed by the party so represented and provide the name and address of the party's representative" (emphasis added). There has been some confusion regarding whether the City Planner or another Planning Department employee participates in an appeal to the Board in a representative capacity (e.g., as a representative of the City), and therefore is subject to the written authorization requirement in HCC 21.93.090. As the discussion in the preceding paragraphs indicates, the City Planner (or with the proposed Code amendment discussed therein, another Planning Department employee) participates in an appeal to the Board as a party, and not as a representative of a party. Thus, the written authorization requirement in HCC 21.93.090 does not apply to such participation.

TFK/TFK

**CITY OF HOMER
HOMER, ALASKA**

City Manager

ORDINANCE 14-41

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING HOMER CITY CODE 2.72.030(b) REGARDING THE
DUTIES AND POWERS OF THE HOMER ADVISORY PLANNING
COMMISSION RELATED TO SUBDIVISIONS, AND AMENDING
HOMER CITY CODE 2.72.060 REGARDING THE COMMISSION'S
MEETING SCHEDULE AND THE PROVISION OF RECORDS OF
COMMISSION ACTION TO THE COUNCIL.

WHEREAS, The platting power within the City is exercised by the Kenai Peninsula
Borough; and

WHEREAS, Kenai Peninsula Borough Code 20.25.050 provides for the Homer Advisory
Planning Commission ("Commission") to review and comment on all proposed vacations,
abbreviated subdivision plats, subdivision plat waivers, and preliminary plats of land within
the City; and

WHEREAS, The language of HCC 2.72.030(b) regarding the duties of the Commission
related to platting and subdivisions is inconsistent with Kenai Peninsula Borough Code
20.25.050, and should be amended to conform to the latter provision; and

WHEREAS, HCC 2.72.060 should be updated to conform to the Commission's current
meeting schedule, and the requirement in HCC 2.72.060 that every decision or finding of the
Commission shall be directed to the City Council at the earliest possible date should be
modified to conserve limited City resources.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Subsection (b) of Homer City Code 2.72.030, Duties and powers, is
amended to read as follows:

The Commission shall be required to do the following:

b. Review and comment on all proposed vacations, abbreviated subdivision
plats, subdivision plat waivers, and preliminary plats of land within the City before their
submittal to the Kenai Peninsula Borough, as provided in Kenai Peninsula Borough Code
20.25.050.

43 Section 2. Homer City Code 2.72.060, Record of proceedings, is amended to read as
44 follows:

45 2.72.060 Record of proceedings. The Commission shall meet regularly twice a month,
46 and permanent records or minutes shall be kept of Commission proceedings, and such
47 minutes shall record the vote of each member upon every question. Copies of such minutes
48 shall be filed in the office of the City Clerk, shall be provided to the City Council not later than
49 its first regular meeting after their preparation, and shall be a public record open to
50 inspection by any person.
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52 Section 3. This Ordinance is of a permanent and general character and shall be
53 included in the City Code.
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55 ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this 25th day of
56 August, 2014.
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59 CITY OF HOMER

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FRANCIE ROBERTS, MAYOR PRO TEMPORE

65 ATTEST:

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JO JOHNSON, MMC, CITY CLERK

73 AYES: 6

74 NOES: 0

75 ABSTAIN: 0

76 ABSENT: 0

79 First Reading: 8/14/14

80 Public Reading: 8/25/14

81 Second Reading: 8/25/14

82 Effective Date: 8/26/14

85 Reviewed and approved as to form:

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Walt Wrede
Walt Wrede, City Manager

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Date: 8/27/14

Thomas F. Klinkner
Thomas F. Klinkner, City Attorney

Date: _____



City of Homer

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Memorandum

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: August 27, 2014
SUBJECT: HART Program

Back in March, the City Council added the duties of the Transportation Advisory Committee to the Homer Advisory Planning Commission. Included in your meeting packet is a copy of the HART program document. I encourage you to read it to learn about the program. The TAC was originally the Roads Standards Committee, created to come up with city road standards. When this task was accomplished, the role of the committee changed. In recent years it has become less clear what the role of the committee was. The end result was Council disbanding the committee as a separate body and adding the duties to the HAPC.

From the HART Policy, there are two specific tasks mentioned:

“The criteria for the HART shall be reviewed annually by the Transportation Advisory Committee, with recommendations reported to the Homer City Council. (Page 2)

Trail prioritizing. The TAC and Parks and Recreation Advisory Commission will review the trail priority list during the annual review of the HART. The list will be presented in a memorandum form staff, and will contain a mix of large and small projects. Generally, it will include up to five trail projects that staff has reviewed and found ready for preliminary work. Trails on this list are planned for construction in the near term (one to three year timeframe). Staff will actively work to prepare those projects for construction. “(Page 8)

Staff will schedule these reviews sometime in the November – February timeframe, when the Commission typically has fewer applications. I usually have presented the TAC and the Parks and Recreation Advisory Commission with a short list of trails in April each year. That gave staff plenty of time to put together a construction budget to submit in August, for the following year’s budget. I’m not sure this has been a very successful approach. Future discussion of the HART policy will likely include how to better implement the Non-Motorized Transportation and Trail Plan.

Attachments

1. Resolution 14-040
2. Memorandum 14-057

Published on *City of Homer Alaska Official Website* (<http://www.cityofhomer-ak.gov>)

[Home](#) > [Printer-friendly](#)

Memorandum ID:

14-057

Memorandum Status:

Backup

Memorandum 14-057

TO: MAYOR WYTHE AND HOMER CITY COUNCIL

FROM: MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

DATE: MARCH 18, 2014

SUBJECT: DISBANDMENT OF THE TRANSPORTATION ADVISORY COMMITTEE

The first Road Standards Steering Committee was established August 13, 1984 via Resolution 84-81 to meet for a six month period to prepare a recommendation to Council for an ordinance revising the existing road standards as necessary and requiring that all future road construction in the city meet the minimum standards. After that, Council reconvened the the Committee as needed to further review the road standards and make similar recommendations.

In 2006, Council adopted Resolution 06-36(A), renaming the Road Standards Committee to the Transportation Advisory Committee. It reconfigured the group to include five appointed members with term designations and expiration dates, and also established a set meeting schedule.

Over the years, most of the organizational items relating to city roads have been resolved through the Transportation Plan and Roads Design Standards.

In 2009, the adoption of Resolution 09-89(S) changed the Transportation Advisory Committee meetings from monthly to quarterly in an effort to reduce costs by decreasing the amount of staff time spent on preparation of materials for meetings on a monthly basis and overtime wages for meeting attendance after hours.

In a recent consideration of reducing advisory body impact to staff and budgeting, it was suggested this committee could be dissolved and the Advisory Planning Commission could address road and trail standards when needed and the Parks and Recreation Advisory Commission could make recommendations relating to trail standards as well.

Recommendation: Adopt Resolution 14-040 to disband the Transportation Advisory Committee.

Related Resolutions

Memorandum - Related Resolutions:

Resolution 14-040 Disbanding the Transportation Advisory Commission and Assigning Road and Trail Standards to the Planning Commission

Source URL (retrieved on 2014-08-27 19:35): <http://www.cityofhomer-ak.gov/memorandum/memorandum-14-057-disbandment-transportation-advisory-committee>

**CITY OF HOMER
HOMER, ALASKA**

Mayor/Council

RESOLUTION 14-040

**A RESOLUTION OF THE HOMER CITY COUNCIL DISBANDING
THE TRANSPORTATION ADVISORY COMMITTEE AND
ASSIGNING ROAD AND TRAIL STANDARDS TO THE HOMER
ADVISORY PLANNING COMMISSION.**

**WHEREAS, The first Road Standards Steering Committee was established in 1984 via
Resolution 84-81; and**

**WHEREAS, The steering committee was directed to meet for a six-month period to
prepare a recommendation to the Council for an ordinance revising the existing road standards
and establishing future road construction standards; and**

**WHEREAS, In 1987 the City Council adopted the Master Roads and Streets Plan and the
Design Criteria Manual for Streets and Storm Drainage via Ordinance 87-6(S); and**

**WHEREAS, In 2006 the City Council adopted Resolution 06-36(A), renaming the Road
Standards Committee to the Transportation Advisory Committee.**

**WHEREAS, In 2009 the City Council adopted Resolution 09-89(S), reducing the
monthly meetings of the Transportation Advisory Committee to quarterly meetings in an
effort to reduce staff costs; and**

**WHEREAS, The Transportation Advisory Committee has completed the scope of work
prescribed in Resolution 84-71 and further road and trail standards can be addressed by the
Advisory Planning Commission with the Parks and Recreation Advisory Commission making
recommendations relating to trail standards.**

**WHEREAS, Disbandment of the Transportation Advisory Committee will reduce
overlapping jurisdictions, increased bureaucracy, and staff costs.**

**NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby disbands the
Transportation Advisory Committee and assigns road and trail standards to the Homer
Advisory Planning Commission.**

PASSED AND ADOPTED BY THE HOMER CITY COUNCIL this 24th day of March, 2014.

CITY OF HOMER


MARY E. WYTHE, MAYOR

ATTEST:


JO JOHNSON, MMC, CITY CLERK

Fiscal Note: N/A



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Staff Report 14-82

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Dotti Harness-Foster, Planning Technician
DATE: September 3, 2014
SUBJECT: Homer Enterprises Inc. Subdivison Resetarits Replat Preliminary Plat

Requested Action: Preliminary Plat approval for the vacation of a common lot line, creating one larger lot from two smaller lots.

General Information:

Applicants:	Segesser Surveys 30485 Rosland Street Soldotna, AK 99669	Anthony D. Resetarits PO Box 3063 Homer, AK 99603
Location:	On West Fairview, south of Karen Hornaday Park	
Parcel ID:	Lot 4 KPB 17511109, . Lot 3 is KPB 17511110 -	
Size of Existing Lot(s):	Both lots are 0.15 acres or 6,534 sf each.	
Size of Proposed Lots(s):	0.310 acres or 13,525 sf	
Zoning Designation:	Urban Residential District	
Existing Land Use:	Vacant	
Surrounding Land Use:	North: Park South: Residential East: Residential West: Residential	
Comprehensive Plan:	Goal 1 Objective B: Promote a pattern of growth characterized by a concentrated mixed use center, and a surrounding ring of moderate-to-high density residential and mixed use areas with lower densities in outlying areas.	
Wetland Status:	The 2005 wetland mapping shows no wetland areas.	
Flood Plain Status:	Zone D, flood hazards undetermined.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are available	
Public Notice:	Notice was sent to 53 property owners of 53 parcels as shown on the KPB tax assessor rolls.	

Analysis: This subdivision is in the Urban Residential District. This plat removes a common lot line creating one larger lot from two smaller lots. For clarity, staff recommends labeling the lot line to be removed.

Homer City Code 22.10.051 Easements and rights-of-way

- A. The subdivider shall dedicate in each lot of a new subdivision a 15-foot-wide utility easement immediately adjacent to the entire length of the boundary between the lot and each existing or proposed street right-of-way.

Staff Response: Change the 10-foot wide utility easement to a 15-foot wide utility easement that fronts the rights-of-way. Depict this 15-foot utility easement on the plat.

- B. The subdivider shall dedicate in each lot of a new subdivision any water and/or sewer easements that are needed for future water and sewer mains shown on the official Water/Sewer Master Plan approved by the Council.

Staff Response: The plat meets this requirement.

- C. The subdivider shall dedicate easements or rights-of-way for sidewalks, bicycle paths or other non-motorized transportation facilities in areas identified as public access corridors in the Homer Non-Motorized Transportation and Trail Plan, other plans adopted by the City Council, or as required by the Kenai Peninsula Borough Code.

Staff Response: The plat meets these requirements. No easements for non-motorized transportation are needed at this time.

Preliminary Approval, per KPB code 20.25.070 Form and contents required. The commission will consider a plat for preliminary approval if it contains the following information at the time it is presented and is drawn to a scale of sufficient size to be clearly legible.

- A. Within the Title Block:
1. Names of the subdivision which shall not be the same as an existing city, town, tract or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;
 2. Legal description, location, date, and total area in acres of the proposed subdivision; and
 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor;

Staff Response: Label the proposed lot size on the lot.

- B. North point;

Staff Response: The plat meets these requirements.

- C. The location, width and name of existing or platted streets and public ways, railroad rights-of-way and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;

Staff Response: The plat meets these requirements.

- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries and prominent natural and manmade features, such as shorelines or streams;

Staff Response: Adjust scale of vicinity map to make plat location more visible.

- E. All parcels of land including those intended for private ownership and those to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purposes, conditions or limitation of reservations that could affect the subdivision;

Staff Response: The plat meets these requirements.

- F. The names and widths of public streets and alleys and easements, existing and proposed, within the subdivision; [Additional City of Homer HAPC policy: Drainage easements are normally thirty feet in width centered on the drainage. Final width of the easement will depend on the ability to access the drainage with heavy equipment. An alphabetical list of street names is available from City Hall.]

Staff Response: The plat meets these requirements.

- G. Status of adjacent lands, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;

Staff Response: The plat meets these requirements.

- H. Approximate location of areas subject to inundation, flooding or storm water overflow, the line of ordinary high water, wetlands when adjacent to lakes or non-tidal streams, and the appropriate study which identifies a floodplain, if applicable;

Staff Response: The plat meets these requirements.

- I. Approximate locations of areas subject to tidal inundation and the mean high water line;

Staff Response: The plat meets these requirements (not applicable to this area). -

- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;

Staff Response: The plat meets these requirements.

- K. Within the limits of incorporated cities, the approximate location of known existing municipal wastewater and water mains, and other utilities within the subdivision and immediately abutting thereto or a statement from the city indicating which services are currently in place and available to each lot in the subdivision;

Staff Response: Depict the approximate location of the water and sewer mains on the preliminary plat.

- L. Contours at suitable intervals when any roads are to be dedicated unless the planning director or commission finds evidence that road grades will not exceed 6 percent on arterial streets, and 10 percent on other streets;

Staff Response: The plat meets these requirements. No roads are dedicated on this preliminary plat.

- M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;

Staff Response: The plat meets these requirements. There are no slopes over 20% grade on this plat.

- N. Apparent encroachments, with statement indicating how the encroachments will be resolved prior to final plat approval; and

Staff Response: The plat meets these requirements. There are no encroachments to be resolved.

- O. If the subdivision will be finalized in phases, all dedications for through streets as required by KPB 20.30.030 must be included in the first phase.

Staff Response: The plat meets these requirements.

Public Works Comments:

1. Add plat note: "This lot is served by City water and sewer"
2. Depict the approximate location of the water and sewer mains on the plat .
3. Change plat note #3 to "The front 15 feet of the 20 foot building set back is a utility easement. No Permanent structures shall be constructed or placed within a utility easement which would interfere with the ability of the utility to use the easement".
4. Remove plat note #4 referring to wastewater disposal.
5. It's my suggestion to label the lot line being vacated this plat. It eliminates confusion.
6. Reminder to Surveyor: Please show the topography and adjacent utilities on all preliminary plats.

A development agreement is not required

Fire Department Comments: No comments.

Staff Recommendation:

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

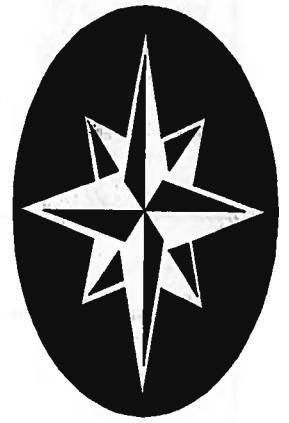
1. Change Plat No. #3: "The front 15 feet along the right-of-way is a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement." Note: Staff does not recommend stating building setbacks in plat notes, see recommendation #4. Additionally, city code does not require 5 foot side utility easements.
2. Delete Plat Note 4.
3. Add plat note: "This lot is served by City water and sewer."
4. Add plat note: "Development activity subject to City of Homer zoning regulation."
5. Depict this 15-foot utility easement on the plat.
6. Depict the approximate location of the City's wastewater and water mains on the plat.
7. Label the proposed lot size on the lot.
8. Label the lot line to be removed.
9. Adjust scale of the vicinity map so the location of the proposed subdivision is more easily identified.

Attachments:

1. Preliminary Plat with Notes and Legend enlarged
2. Surveyor's Letter
3. Public Notice
4. Aerial Map

SEGESSER SURVEYS, INC.

**30485 ROSLAND ST.
SOLDOTNA, AK 99669
PHONE (907) 262-3909
FAX (907) 262-3910
E-MAIL seggy@ptialaska .**



8-12-14

Planning Department
City of Homer
491 East Pioneer Ave.
Homer, AK 99603

Dear Planning Dept.,

Here are the hard copies of Lots 3 and 4 Block 4 Homer Enterprises Inc. Subdivision Resetarits Replat and the filing fee. Please contact me if you have any questions or require further information.

Sincerely yours,

John Segesser

RECEIVED

AUG 15 2014

**CITY OF HOMER
PLANNING/ZONING**

(Enlarged)

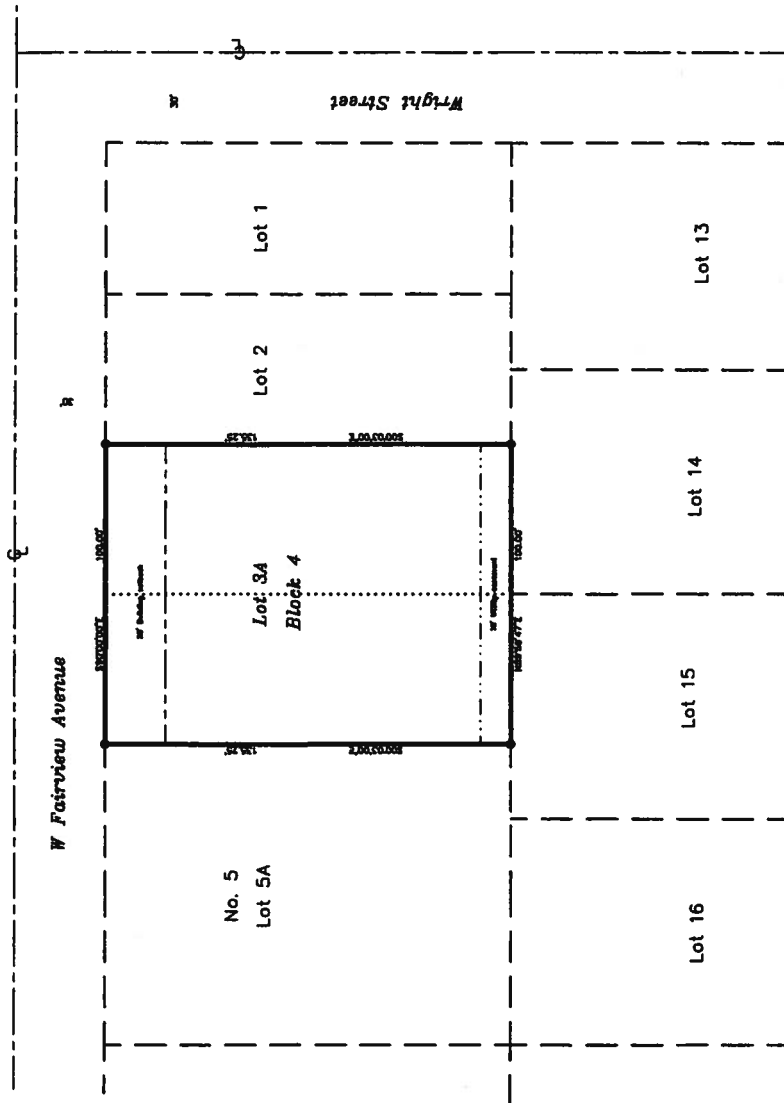
- 3) Front 10 feet of the 20 foot building setback and the entire setback within 5 feet of the side lot lines is a utility easement. No permanent structures shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the measurements shown herein actually exist as described, and all dimensions and other details are correct.



MONUMENT OF RECORD	3/4" PIPE OF RECORD	RECORD DATUM
⊕	●	()

AUG 15 2014



I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

[illegible]

FOR _____
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____

NOTARY PUBLIC FOR ALASKA
BY COMMISSION EXPIRES

THIS PLAY WAS APPROVED BY THE KIDN FORMERLY GOROUGH PLANNING COMMISSION AT THE MEETING OF

HOW TO ORDER A BOOK FROM

APPROVED OFFICIAL

KPB FILE NO.

**Homer Enterprises Inc. Subd.
Resetarits Replat**

A resubdivision of Lots 3 and 4, Block 4, Warner Enterprises Inc. Subdivision, Plat 58-4581, Warner Recording District.

Located within the 1877/4 1881/4 257/4 Section 18, T2S, R12E, S1M, City of Warner, Kandahar County, Alaska.

Exhibition 13025 a. / 0 700 42

SBGESSER SURVEYS

50485 Portland Bl

DATE	DESCRIPTION	AMOUNT	CHECK NO.	BANK
10/1/01	10/1/01	100.00	1001	1001
10/2/01	10/2/01	100.00	1002	1002
10/3/01	10/3/01	100.00	1003	1003
10/4/01	10/4/01	100.00	1004	1004
10/5/01	10/5/01	100.00	1005	1005
10/6/01	10/6/01	100.00	1006	1006
10/7/01	10/7/01	100.00	1007	1007
10/8/01	10/8/01	100.00	1008	1008
10/9/01	10/9/01	100.00	1009	1009
10/10/01	10/10/01	100.00	1010	1010
10/11/01	10/11/01	100.00	1011	1011
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10/38/01	10/38/01	100.00	1038	1038
10/39/01	10/39/01	100.00	1039	1039
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10/57/01	10/57/01	100.00	1057	1057
10/58/01	10/58/01	100.00	1058	1058
10/59/01	10/59/01	100.00	1059	1059
10/60/01	10/60/01	100.00	1060	1060
10/61/01	10/61/01	1		

Year	Population	Population
1950	1,000,000	1,000,000
1960	1,500,000	1,500,000
1970	2,000,000	2,000,000
1980	2,500,000	2,500,000
1990	3,000,000	3,000,000
2000	3,500,000	3,500,000
2010	4,000,000	4,000,000
2020	4,500,000	4,500,000
2030	5,000,000	5,000,000
2040	5,500,000	5,500,000
2050	6,000,000	6,000,000
2060	6,500,000	6,500,000
2070	7,000,000	7,000,000
2080	7,500,000	7,500,000
2090	8,000,000	8,000,000
2100	8,500,000	8,500,000

6-1	6-20	W/A	6-21
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NOTICE OF SUBDIVISION

Public notice is hereby given that a preliminary plat has been received proposing to subdivide or replat property. You are being sent this notice because you are an affected property owner within 500 feet of a proposed subdivision and are invited to comment.

Proposed subdivision under consideration is described as follows:

Homer Enterprises Inc. Subd. Resetarits Replat Preliminary Plat

The location of the proposed subdivision affecting you is provided on the attached map. A preliminary plat showing the proposed subdivision may be viewed at the City of Homer Planning and Zoning Office. Subdivision reviews are conducted in accordance with the City of Homer Subdivision Ordinance and the Kenai Peninsula Borough Subdivision Ordinance. A copy of the Ordinance is available from the Planning and Zoning Office. **Comments should be guided by the requirements of those Ordinances.**

A public meeting will be held by the Homer Advisory Planning Commission on Wednesday, September 03, 2014 at 6:30 p.m. at Homer City Hall, Cowles Council Chambers, 491 East Pioneer Avenue, Homer, Alaska.

Anyone wishing to present testimony concerning these matters may do so at the meeting or by submitting a written statement to the Homer Advisory Planning Commission, 491 East Pioneer Avenue, Homer, Alaska 99603, by 4:00 p.m. on the day of the meeting.

The complete proposal is available for review at the City of Homer Planning and Zoning Office located at Homer City Hall. For additional information, please contact Travis Brown in the Planning and Zoning Office, 235-3106.

NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 500 FEET OF PROPERTY.

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VICINITY MAP ON REVERSE

Vicinity Map

Karen Hornaday Park

These two lots to be combined into one larger lot.

W. FAIRVIEW AVE.

RANGEVIEW AVE.

SOUNDVIEW AVE.

Mullikin St

Wright Street



City of Homer
Planning and Zoning Department

8/21/14

Homer Enterprises Inc Subdivision Resetarits Replat Preliminary Plat

Shaded lots are within 500 feet
and property owners notified.

0 250 500 Feet



Disclaimer:
It is expressly understood the City of Homer, its council, board, departments, employees and agents are not responsible for any errors or omissions contained herein, or deductions, interpretation or conclusions drawn therefrom.

()
 3/4" PAPER OF RECORD
 RECORD DATA



I hereby certify that I am properly registered and licensed to practice real estate in the State of Alaska, this listing represents a bona fide sale by me or under my direct supervision. The commission shown herein applies only as described, and all commissions and other details are correct.

Date _____

I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND ORDERED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEEDGATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

NOTARY'S ACKNOWLEDGEMENT

PLAT APPROVAL

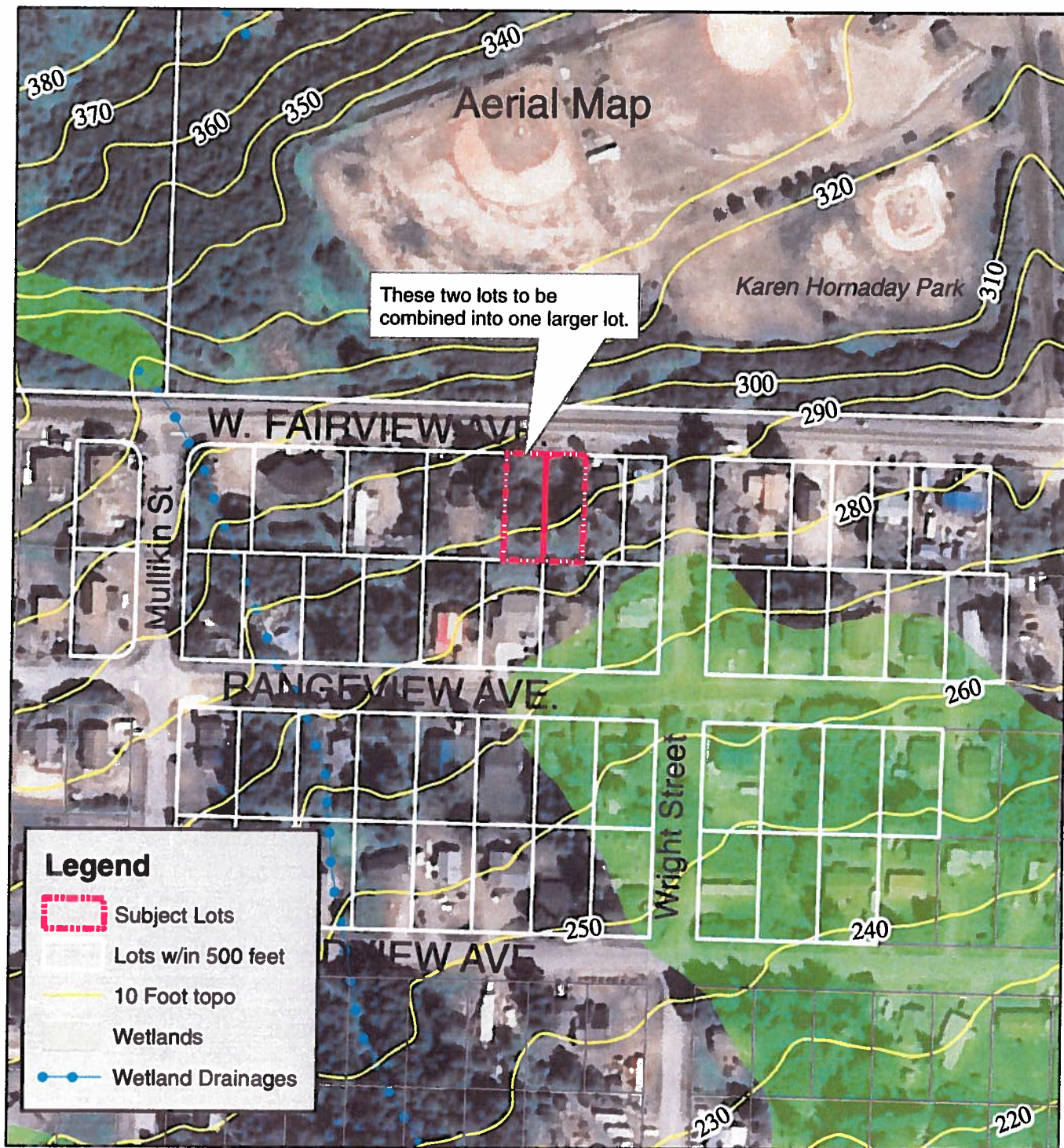
KPB FILE No.

**Homer Enterprises Inc. Subd.
Resetarits Replat**

SEGESSER SURVEYS

**30485 Rowland St.
Soldotna, AK 99668**

ASD NO.	1-4000	DATE:	8-8-14
SUNSET:	N/A	SCALE:	T=20
FIELD BOOK:	N/A	SHEET:	1 of 1



City of Homer
Planning and Zoning Department

8/21/14

Homer Enterprises Inc Subdivision Researits Replat Preliminary Plat

Shaded lots are within 500 feet
and property owners notified.

0 250 500 Feet



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or conclusions drawn therefrom.





City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 14-83

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: September 3, 2014
SUBJECT: Proposal to amend the Bridge Creek Watershed Protection District

Introduction

- At the work session, Todd Cook, City of Homer City Water/Wastewater Plant Superintendent will speak about water quality in the Bridge Creek Watershed Protection District, and the water and sewer distribution and collection systems.
- If the Commission has any questions about water treatment and the BCWPD, please bring them for discussion at the work session.
- Cook InletKeeper is likely to be a speaker at a future work session (possibly the next work session). After that if the Commission is ready, staff will mail out a public hearing notice and information to all land owners within the watershed, for a public hearing at the second meeting in October.
- This staff report is divided into two sections: topics that seem to be resolved, and topics that are still under discussion. Staff requests the Commission make motions on these issues, so an ordinance can be drafted.

Resolved Topics

The following topics have been discussed. Proposals 2, 4 and 5 appear to have Commission support, while proposal 1 does not. Please make a motion, and staff will draft an ordinance accordingly.

- Proposal 1: Allow a portion of a lot to be excluded from the watershed.
- Proposal 2: Staff, rather than the Commission, will approve mitigation plans. Code requirements for mitigation plans will be drafted based on prior staff reports and meeting minutes.
- Proposal 4: Uncovered decks connected to a primary structure are exempt from impervious calculations (up to 500 square feet.)
- Proposal 5: One accessory structure up to 200 square feet is allowed without a zoning permit and is not counted toward impervious coverage on the lot.
- Citizen proposal: Mr. Treat made comments to the Commission on April 16th, and provided comments by email for the August 6th meeting. He would like the option of

moving property lines to follow watershed boundaries. Please discuss and comment on this request, or make a motion, and respond to Mr. Treat.

Continued discussion on Proposal 3. Set a maximum amount of developable area for smaller lots.

Staff and the realtors are focused on reasonable use of existing platted lots, without changing the existing regulations too much or increasing cost of water treatment. With this goal, discussion has focused on allowing between 4,000 and 6,000 square feet of impervious coverage per lot. From the discussion, **staff recommends for lots under 3 acres:**

1. An impervious surface maximum of 5,500 square feet.
2. A property may have 4.2% impervious surface without a mitigation plan.
3. Eliminate the provision of an increase to 6.4%, instead, the cap is a flat 5,500 square feet.
4. If a property wants to go over 4.2%, a mitigation plan is required.

What is the effect of this proposal, compared to existing conditions?

Staff analyzed the lots in the watershed under 3 acres, and further narrowed down which ones are readily developable for residential housing. The total impact to the watershed, if everyone built all the impervious coverage allowed, is **an increase of 2.5 acres of impervious coverage. This is an increase in total watershed coverage of 0.11%.**

How much impervious surface is allowed now?

- 89 lots under 2.5 acres, totaling 137.5 acres
- 4 lots between 2.5 and 3 acres, totaling 10.58 acres
- $137.5 \text{ acres} \times 6.4\% = 8.8 \text{ acres}$
- $10.58 \times 4.2\% = 0.44 \text{ acres}$
- Total allowed now: 9.24 acres

How much impervious surface would be allowed with these changes?

- There are 93 lots under 3 acres, totaling 148 acres.
- $93 \text{ lots} \times 5,500 \text{ sq ft impervious surface} = \underline{11.74 \text{ acres}}$ impervious surface.

What's the difference?

$11.74 - 9.24 = \underline{2.5 \text{ acre increase}}$ in impervious surface.

Total percent impervious surface of these lots could total 7.9% instead of 6.4% for a majority of the area, and 4.2 % for four lots.

Staff Recommendation

1. Commission make motions on all the proposals.
2. Staff will schedule Cook InletKeeper for a future work session.
3. Staff will draft an ordinance.
4. Staff will work towards a public hearing for the second meeting in October. This timeframe can be adjusted based on public input and direction from the Commission.

Attachments

1. April 16th, 2014 HAPC meeting minutes
2. August 6th meeting minutes
3. August 20th meeting minutes
4. BCWPD Map

Session 14-15, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Stead at 6:30 p.m. on August 20, 2014 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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

STAFF: CITY PLANNER ABOUD
DEPUTY CITY CLERK JACOBSEN

Approval of Agenda

Chair Stead called for approval of the agenda.

HIGHLAND/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).

Joel Cooper, non-resident who lives in the Bridge Creek Watershed Protection District, commented that he has reviewed the information provided by the staff and the realtors. He thinks the commission should go back and look at the USGS report, speak with them about their work, and how they assess how things are working. He thinks they should calculate the impervious cover for the watershed as a whole, based on the numbers they have and current development. He submitted a table he prepared using the parcel viewer and applied the recommended 6200, 4000, and 5000 square footages recommended and lot sizes 4.5 acres and below. It starts to give an idea of what the impact might be in relation to Todd Cook's feedback relating to density of development and also concerns about fuel tanks and septic tanks. In reference to the draft ordinance, Mr. Cooper suggested including some kind of containment system for fuel tanks so there will be a buffer should an accidental spill occur. A question came up in the worksession if the current ordinance working and since the water quality is not degrading, then you can say to some extent that it is working.

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.

Pending Business

A. Staff Report PL 14-80, Proposal to amend to the Bridge Creek Watershed Protection District

City Planner Abboud touched on the discussion at the worksession and advised the Commission that Water/Wastewater Superintendent Todd Cook will be talking to them at their next meeting.

Commissioner Erickson expressed that she supports a reasonable backup containment system for anything that brings potential disaster. It's more than fair, it's responsible, and it shouldn't be that costly. Her thought is that existing property owners could be asked to do it, and new construction would require it. It isn't only regarding fuel tanks but anything that could cause a potential hazard.

Commissioner Stroozas supports 6200 square feet as the maximum amount of developable area for lots less than 4.5 acres.

Commissioner Highland questioned the numbers provided in Mr. Cooper's calculations, also the suggestion of working with USGS, and looking at overall impervious for the area. City Planner Abboud said they could come up with more useable numbers, as an example one could build more on a 2.5 acre lot with an approved mitigation plan than on a larger lot with no mitigation plan. He said he isn't sure what the role of USGS was in the process and will have to investigate it further. There was discussion that there might be new information after 13 years. In looking at total impervious area, Mr. Abboud said it doesn't really change the framework of what we are doing.

Commissioner Highland said she would like the property owners in the area to be surveyed to get their input on their concerns and more concrete information. City Planner Abboud agreed that is something that can be done.

Chair Stead commented that he prefers percentages of allowable square footage rather than a set number. He also thinks they should look at buffer zones between properties and try to figure out how that works. He read the report that was provided in the last packet and the report is focused mostly on the soils surrounding Anchorage, which are different than the soils that surround Homer and the Bridge Creek Watershed District; also the report is focused on the entire watershed of a particular stream. We are looking at this from a perspective of the realtors, who are only focused on a couple of small subdivisions and there is a lot of undeveloped land in the district that needs to be considered, so he thinks it's relevant to look at the entire district and the entire impervious surface. This needs to be looked at more in a holistic picture than on a per lot basis. He suggested they may want to look at the subdivision restriction of 4.5 acres. There are a lot of things that need to be reviewed in the Bridge Creek Watershed District. The issue here is maintaining water quality and maintaining ability for people to develop the land further.

There was discussion regarding looking toward the future and what development could potentially occur. City Planner Abboud said what is before the commission now is minimal incremental changes, but to consider anything more would mean stepping way back and spending a lot of money to restudy the whole area.

**HOMER ADVISORY PLANNING COMMISSION
REGULAR MEETING MINUTES
AUGUST 20, 2014**

Commissioner Bos expressed his concern with holding people accountable to their mitigation plan and the runoff from their property. There are a lot of people who don't want to be held accountable for anything, junk, antifreeze leaking from cars, and that kind of thing. He thinks they can give a little bit, but he thinks they need some input from a lot of people. If the water up there isn't preserved, property down here won't be worth anything.

Further discussion ensued regarding developing buffer zones, mitigation plans, and ways for property owners to be able to develop their property to the fullest extent.

This agenda item will come back at the next meeting.

New Business

Informational Materials

- A. City Manager's Report from August 11, 2014 City Council Meeting
- B. Resolution 14-086 scheduling a joint worksession with Homer City Council and the Advisory Planning Commission to discuss tower regulation and permit requirements, and other planning matters on Thursday, October 23, 2014 at 6pm
- C. Planning Commission Memo to City Council Re: CIP Recommendations
- D. Kenai Peninsula Borough Plat Committee Notice of Decision Re: Bidarka Heights Unit 3 Knutson Replat 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

Deputy City Clerk Jacobsen announced that another Volunteer Appreciation Party is in the works for September 25th and that invitations will be going out soon.

Comments of the Commission

Commissioner Bos congratulated Mr. Stead and Mr. Stroozas for stepping up, thanked Mr. Venuti for his great service, and welcomed Ms. Bradley as a new commissioner. This was a good meeting with good input.

Commissioner Highland asked to add storm water to their agenda at the City Council worksession.

Commissioner Bradley thanked everyone for a fantastic second meeting.

Commissioner Erickson suggested that if people in the watershed district bought a second lot, leave it blank, and get a tax break for preserving the land.

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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.

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- 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 16th 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 MOVED 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.



New Business

- A. Staff Report PL 14-35, Discussion on moving a lot line in the Bridge Creek Watershed Protection District

Commissioner Stroozas left the table based on his earlier declaration in relation to being a property owner within 300 feet of the subject property.

Deputy City Planner Engebretsen noted that there is no formal action on this tonight; this is a conceptual check on whether the Commission agrees with moving property lines to match the watershed boundaries as we know them. The issue addressed here is how to address a lot with a portion that flows toward the watershed and a portion that flows away. The concept of shifting a lot line to follow the watershed boundary is an option to consider, or allow the portion of a lot that flows away considered as not part of the watershed. Either option will likely include a code amendment, but staff would like to have a conceptual conversation with the Commission as to what they think would be preferred.

David Treat explained he owns two lots in the watershed protection district that are relatively equal in size. The property line between the two lots is very close to the structures that were built on the lot that is out of the watershed. The survey showed a section of the land behind the lot that was just exempted that drains away from the watershed. He is interested in a future action to shift the lot line to encompass the portion that drains away from the watershed into this lot that was just exempted. It gives him a little more room between the structure and the property line, and allows for a clear line between what is and is not in the watershed.

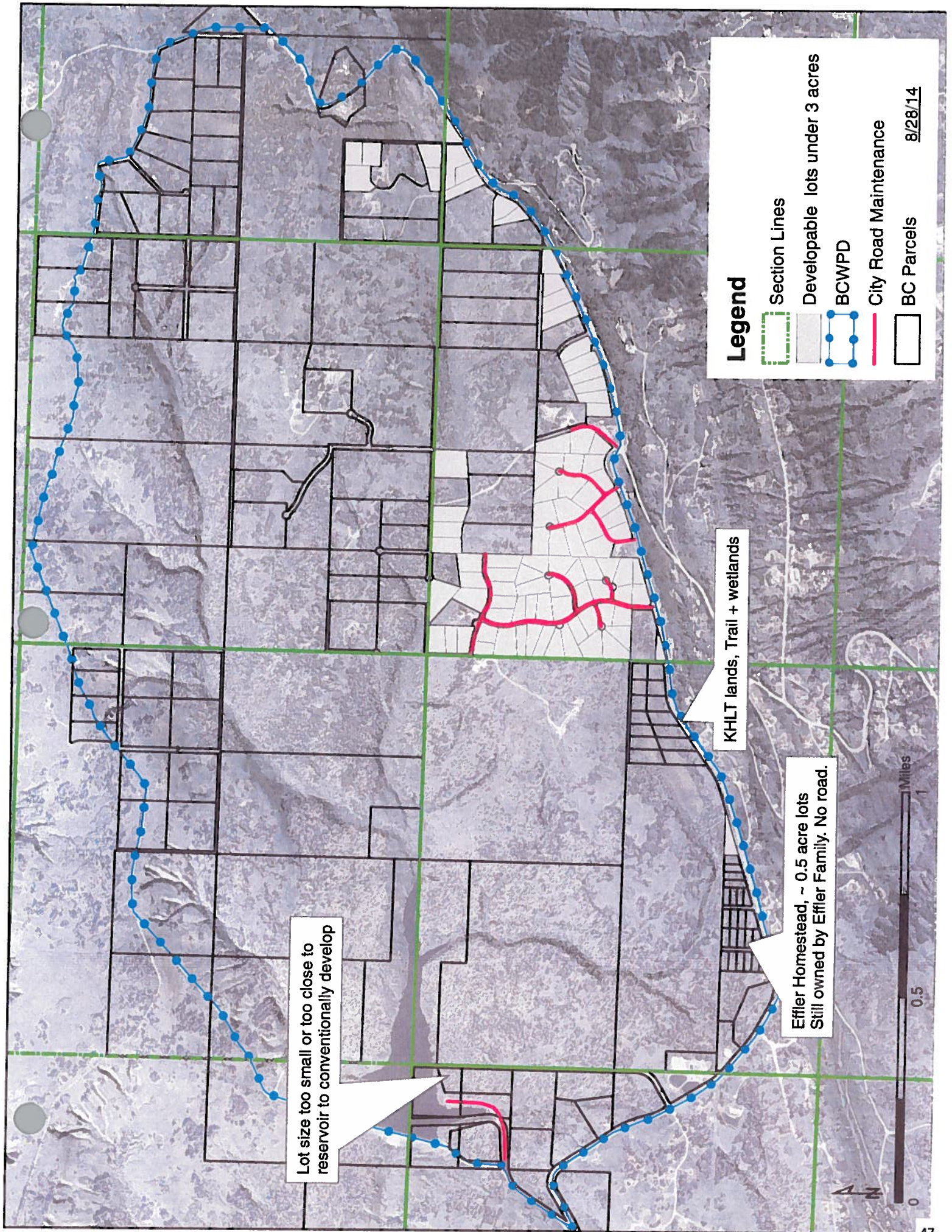
The Commission discussed the situation and agreed that it would be appropriate to consider a code amendment to address circumstances where a portion of a lot flows toward and a portion that flows away from the watershed.

Deputy City Planner Engebretsen said staff will bring back some proposals for consideration.

Informational Materials

- A. City Manager's Report from the March 24, 2014 City Council Meeting
- B. Letter from Faith Lutheran Church Planning Board RE: changeable copy signs in the Gateway Business District.
- C. KPB Platt Committee Notice of Meeting in Homer Monday, April 14, 2014 at Land's End Resort
- D. KPB Plat Committee Notice of Decisions
 - Barnett's South Slope Sub. Quiet Creek Park Revised Preliminary Plat
 - Mattox Subdivision 2014 Preliminary Plat

The Commission continued discussion regarding the sign code in the GBD, and options for amending the code, which includes collecting signatures and request from a Planning Commissioner to institute







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MANAGER'S REPORT

August 25, 2014

TO: MAYOR WYTHE / HOMER CITY COUNCIL

FROM: WALT WREDE

UPDATES / FOLLOW-UP

NOTE: Some of these items appeared in the last report. I have updated them and brought them back in case the Council wanted to discuss.

1. **Ocean Drive Paving and Striping:** At the last meeting, Sean Baski, DOT/PF Project Manager, made a presentation on the Ocean Drive repaving job. The emphasis was on proposed improvements targeting pedestrian and biker safety. Sean stayed for the entire meeting and took notes on the comments provided by the Council and those public members who testified. Several days later, after consulting with his colleagues at DOT/PF, Sean called me to provide answers and responses. Following is a summary of those responses:
 - **Shoulder Maintenance:** Several members of the public who testified said that safety for bikers would be improved if the shoulders were swept and the edges maintained. The response is that DOT/PF maintenance staff is aware of this and they do the best they can. They have other much higher maintenance priorities and like the City, they are faced with staffing and budget constraints.
 - **Shoulder Extension on Causeway:** During the public comments, it was suggested that the shoulder on the North side of the road should be extended across the causeway to make an easy connection with the trail that begins near McDonalds. The response is that expanding the paved footprint is not part of the project and cannot be funded under the repaving program. Sean also noted that doing that would likely require widening the causeway as much as 8 feet into the lake and replacing the outfall pipes. This would be very expensive. If the City wanted to pursue this idea further, it could consider nominating it for a STIP project or making a capital request to the Legislature.
 - **Sidewalks:** Several people inquired about separated sidewalks, perhaps elevated with curbs and gutters. Again, this goes beyond the scope of the project and could not be funded under the current program. The STIP Program, the HSIP Program, and CIP requests to the Legislature are some of the funding possibilities. DOT/PF would also be open to the City funding that improvement itself however, under the current program rules, HART Funds cannot be used on a State Road. Sean cited engineering and design considerations that

would have to be addressed including drainage in a very flat area and restricting driveway access for local businesses to defined ingress and egress points. We agreed that some business owners might object to that but it would definitely improve safety overall, for everyone, including motorists.

- **Crosswalk:** In response to comments by both the Council and the public, the crosswalk has been moved from Lake Street at the curve to Lampert Lane.
- **Public Input:** Several people commented that it was unfortunate that the public only had the opportunity to comment now, when the project is already underway. Sean said that this project, because it was a simple repaving project, did not follow the normal nomination process. Repaving projects are nominated by DOT/PF maintenance personnel and once the projects are nominated, there is a short window for construction and pressure to get these jobs under contract and out the door quickly. Repaving jobs are basically maintenance and do not have the long lead times for planning, engineering, scoping that other construction projects have. What made this repaving project a little different was the proposed safety improvements. Even though this was a compressed timeframe, DOT/PF had an open house and a comment period, and it worked closely with City staff members. I told Sean that I felt bad that the City administration did not bring the work on Ocean Drive to the attention of the Council sooner. The proposed changes seemed logical and good to the staff (the shoulders more so than the crosswalk locations) and there appeared to be support from user groups.
- **Diagonal Striping / Bold Striping at Outer Edge of Driving Lane:** Demarcation of the shoulders was mentioned several times. Diagonal striping in the shoulder area and bolder, wider striping at the outer edge of the drive lane was suggested. Sean referred to the engineering and design manuals and standards that he had to comply with. There are nationwide standards that apply to diagonal striping and 8 inch striping. Those tools are used in specific situations and to use them here would be inappropriate. The driving public benefits from standardization and they should have certain expectations when they see specific things, like diagonal stripes. Diagonal stripes are used to visually separate driving lanes from bike lanes. They are five feet wide. If you did that here, you would be left with only one foot and bike lane.
- **Safety Generally:** There was a lot of discussion about the fact that drivers don't respect crosswalks in Homer. The crosswalks on the Sterling Highway received particular attention. Sean pointed out that pedestrian and bike safety at crosswalks is dependent upon three equally important things, engineering, enforcement, and education. DOT/PF is primarily responsible for the engineering component of that formula. Enforcement and education requires a concerted effort and commitment by the community. DOT/PF has an active education campaign via the Alaska Highway Safety Office which targets programs where they get the most "bang for the buck" in saving lives and preventing injuries. Sean noted that the new traffic signal soon to be constructed at the intersection of Main Street and the Sterling Highway should help because it will slow drivers down and provide breaks in the traffic.
- **Flashing Signs / Push Button Signs at Crosswalks:** It was suggested that flashing or push button crosswalk signs be installed. Sean's response is the state's regional traffic engineer is currently drafting criteria and guidelines for their use in Alaska. There would have to be certain traffic studies and triggers to be met before they would be used. Sean suggested that after studies are completed, the HSIP program might be a source of construction funds and

that if this was a priority for the Council, it should inform the Regional Planner and Regional Traffic Engineer.

2. **2017 Board of Fish meetings:** On October 17 and 18, the Board of Fisheries will hold a workshop in Juneau. One of the things on the Board's Agenda is scheduling the 2017 Upper Cook Inlet Board meetings. The Board has a tendency to want to have these meetings in Anchorage. It would not surprise me if Mat-Su representatives push to have the meetings up there. The Kenai Peninsula Borough and the Cities of Kenai, Soldotna, Seward, and Homer have been talking internally about a joint resolution requesting that the meetings be held on the Kenai Peninsula. The City of Kenai attorney is currently working on a resolution. One discussion we are having is whether to offer a specific location possible location in each community or just keep it general, anywhere on the Peninsula. You can expect to see this resolution on the September 8th agenda. Let me know if you would like to discuss further.
3. **Natural Gas Update:** At the July 28th meeting I provided the Council with a Gas Distribution System Report. I would like to provide an update on that report. First, the contract. The City signed a "not to exceed" contract with Enstar in the amount of \$12,160,632. The bulk of the distribution system work was essentially complete by the end of July. We recently paid the July invoice and so far, the City has paid a cumulative total of \$11,657,047. Some limited work has continued into August and additional costs to be reimbursed are anticipated. At the end of August we should have a much more definitive picture of where we are. Second, the Report I provided on July 28 contained a section called Next Steps which included tasks and target completion dates. Based upon further consultation with Enstar, City staff, and the City Attorney, I would like to amend the target completion dates. The new target completion dates are:

<u>Task</u>	<u>Target Completion Date</u>
Calculate Final Project Costs	September 30, 2014
Reconcile Properties Served	September 30, 2014
Recommendation / Council Action/Condo Assessments	October 13, 2014
Recommendation / Council Action / Free Main Allowance	October 13, 2014
Set Up / Test New SAD Software	October 30, 2014
Final Assessment Roll Introduced (HCC 17.04.070)	January 12, 2015
Assessment Roll Approval Process (HCC 17.04.070-090)	January-March 2015
Assessments Mailed to Property Owners	March-April 2015

4. **Strategic Planning:** Attached is a memorandum from Katie Koester regarding strategic planning. A consultant has been selected by the review team. Due to timing concerns, we need to notify the consultant as soon as possible in order to make the selected date work. We need to move

fast but we have some associated issues we need to discuss including budget/appropriation and contract award, etc.

ATTACHMENTS

1. Memorandum 14-129 from Community and Economic Development Coordinator, Re: Strategic Implementation Planning.
2. Memorandum 14-130 from Port Director/Harbormaster, Re: Harbor Improvements Construction Schedule.



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

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**MIKE NAVARRE
BOROUGH MAYOR**

August 13, 2014

NOTICE OF DECISION KENAI PENINSULA BOROUGH PLANNING COMMISSION

MEETING OF AUGUST 11, 2014

RE: James Waddell Survey Petska Addition Time Extension Request

During their regularly scheduled meeting of August 11, 2014, the Kenai Peninsula Borough Planning Commission granted approval of the subject time extension for one year through August 11, 2015. Draft, unapproved minutes of the pertinent portion of the meeting are attached.

If you have any questions, please contact the Kenai Peninsula Borough Planning Department.

This notice and unapproved minutes were sent August 13, 2014 to:

City of: City of Homer
491 Pioneer Avenue
Homer, AK 99603-7645

Advisory Planning Commission/Community Council:
Homer Advisory Planning Commission
491 Pioneer Avenue
Homer, AK 99603-7645

Survey Firm: Roger Imhoff, RLS
PO Box 2588
Homer, AK 99603

Subdivider/Petitioner: Bruce & Marivel Petska
567 Hidden Way
Homer, AK 99603-7434

KPB File Number: 2006-122



AGENDA ITEM C. CONSENT AGENDA

1. Time Extension Request

- a) James Waddell Survey Petska Addition
 KPB File 2006-122 [Imhoff/Petska]
 Location: City of Homer

STAFF REPORT

PC Meeting: 8/11/2014

This subdivision was approved on June 22, 2006, and approval was valid through June 22, 2007.

A final plat has been submitted for review on April 4, 2014. The owner, Mr. Petska has been away fishing, but plans to having an engineer come out for the soils report.

There have been time extension requests on April 11, 2007 approval through May 14, 2008, April 21, 2008 approval through May 12, 2010, and April 12, 2012 approval through May 14, 2014. Another 1-year time extension has been requested from the surveyor on behalf of the owners on June 27, 2014.

There have been no changes in the area that would affect this plat.

STAFF RECOMMENDATIONS: Extend preliminary plat approval for 1 year through August 11, 2015, subject to the following:

1. Plat must comply with any subsequent changes to Kenai Peninsula Borough Code up to February 11, 2014.
2. Copy of plat with a current HEA utility review being submitted with the final plat.

An appeal of a decision of the Planning Commission may be filed to the Board of Adjustment in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances, Chapter 21.20.250. An appeal must be filed with the borough clerk within 15 days of date of notice of the decision; using the proper forms; and, be accompanied by the \$300 filing and records preparation fee.

END OF STAFF REPORT

*** Approved by Adoption of the Consent Agenda**

AGENDA ITEM C. CONSENT AGENDA

1. Time Extension Request

- b) Fireweed Meadows No. 4
 KPB File 2013-141; Imhoff/Kyllonen
 Location: On Milo Fritz Avenue in Anchor Point

STAFF REPORT

PC Meeting: 8/11/2014

This subdivision was approved on August 26, 2013, and approval was valid through August 26, 2014.

The landowners are facing a poor sales market with increased property tax burden does not seem like a good idea at this time.

On behalf of the owner the surveyor is requesting a 2-year time extension on July 3, 2014.

There have been no changes in the area that would affect this plat.