

Session 20-06, a Special Meeting of the Planning Commission was called to order by Chair Venuti at 5:36 p.m. on April 29, 2020 at Cowles Council Chambers in City Hall located at 491 E. Pioneer Avenue, Homer, Alaska via Zoom Webinar.

PRESENT: COMMISSIONERS BENTZ, HIGHLAND, BOS, SMITH, DAVIS AND VENUTI

ABSENT: COMMISSIONER PETSKA-RUBALCAVA (EXCUSED)

STAFF: CITY PLANNER ABBODD  
CITY CLERK JACOBSEN  
DEPUTY CITY CLERK KRAUSE

### **APPROVAL OF THE AGENDA**

Chair Venuti read the amendments to the agenda into the record and requested a motion to approve the agenda as amended.

HIGHLAND/BENTZ – SO MOVED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

### **PUBLIC COMMENT ON ITEMS ALREADY ON THE AGENDA**

### **RECONSIDERATION**

### **ADOPTION OF CONSENT AGENDA**

- A. Minutes of the April 29, 2020 Planning Commission Special Meeting
- B. Decision and Findings for CUP 19-05 to allow a harbor overslope development at 4081A Freight Dock Road
- C. Decision and Findings for CUP 19-06 to allow the total building area to exceed 8,000 square feet at 3935 Svedlund Street

There was a brief clarification from the Clerk concerning the amended document for item C on the Consent Agenda being addressed during the approval of the agenda. This process is what is used by City Council.

Chair Venuti requested a motion to approve the Consent Agenda.

HIGHLAND/BENTZ – SO MOVED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## **VISITORS/PRESENTATIONS**

### **REPORTS**

A. Staff Report 20-26, City Planner's Report

City Planner Abboud provided a summary of Staff Report 20-26 noting the discussion at the May 11, 2020 City Council meeting on the Seafarer's Memorial Parking issue; Planning Department operations currently and in the near future; plans and items for worksessions and meetings starting in June; he noted the future action on sign ordinance, and changes in the design requirements for the overlay district on the spit.

### **PUBLIC HEARING(S)**

A. Staff Report 20-27, Conditional Use Permit 20-07 for walking trail improvements within a stream buffer at 62890 Skyline Drive

Chair Venuti introduced the item by reading of the title into the record.

City Planner Abboud provided a summary review of Staff Report 20-27 for the Commission.

Chair Venuti invited the applicant's representative, Mr. Gibson to present to the Commission.

Ben Gibson, Project Manager, introduced himself to the Commission and stated he was available for questions.

Chair Venuti opened the Public Hearing. He inquired if there were any members of the Public who signed up to testify.

Deputy City Clerk Krause noted that there were no requests to provide testimony.

Chair Venuti closed the Public Hearing having no further requests to provide testimony and opened the floor to questions of the Commission.

The Commission and the City Planner briefly discussed the requirement outlined in HCC 21.40.080 (a), to have the Public Works Director review the qualifications of the design engineer instead of the plan presented.

BENTZ/HIGHLAND MOVED TO ADOPT STAFF REPORT 20-27 AND APPROVE CUP 20-07 FOR WALKING TRAIL IMPROVEMENTS WITHIN A STREAM BUFFER WITH FINDINGS 1-10 AND THE FOLLOWING CONDITION:

1. PRIOR TO ISSUING A ZONING PERMIT THE PERMIT THE PUBLIC WORKS DIRECTOR SHALL REVIEW THE QUALIFICATIONS OF THE DESIGN ENGINEER AND THE PROPOSED SEDIMENT AND EROSION CONTROL PLAN.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. Staff Report 20-28, Conditional Use Permit 20-08 for more than one building containing a permitted principal use on a lot at 151 W. Bayview Ave.

Chair Venuti introduced the item by reading of the title into the record.

City Planner Abboud provided a summary of Staff Report 20-28 for the Commission again noting that there was a written public comment provided in the supplemental packet.

Chair Venuti invited the applicant to provide presentation.

Bill Hand, applicant, stated that he did not have additional information to add but was available to answer any questions or provide clarification.

Chair Venuti opened the Public Hearing and confirming with the Clerk that there were members of the public attending to provide testimony. Invited the citizen to speak to the Commission.

William Marley, city resident, did not support the project due to the placement of three buildings on one lot does not enhance the neighborhood.

Judy Marley, city resident, did not support the project stating that addition of another unit on the property would be over utilization of the lot; the additional traffic would impact the neighborhood citing past issues with residents parking on the street due to the sloped driveway and issues with ice and snow; does not adhere to the residential nature of the neighborhood and would cause a reduction in property values.

Chair Venuti closed the public hearing having no additional members of the public present for testimony and opened the floor to the Commission for questions.

There was a brief discussion between the Commission, City Planner and the Applicant on the following:

- Previously the lot held three structures and the one dilapidated structure would be removed and a new structure would be constructed.
- The sloped driveway was reworked to reduce the slope and mitigate the issues in the winter
- Prior discussion with Public Works Superintendent noted the previous problems of parking on the street and the applicant explained that he has provided plans for 6 parking spots and is only required to provide four places.
- The Zoning District does allow multiple structures on a parcel
- This Applicant plans to have this as a rental property and does not believe that there will be any need for his tenants to park on the street.
- Applicant explained that he will be providing the following services: water/sewer, sanding, plowing and garbage

HIGHLAND/BOS MOVE TO ADOPT STAFF REPORT 20-28 AND APPROVE CUP 20-08 WITH FINDINGS 1-10 AND THE FOLLOWING CONDITIONS:

1. OUTDOOR LIGHTING MUST BE DOWNWARD DIRECTIONAL AND MUST NOT PRODUCE LIGHT TRESPASS OR GLARE PER CDM AND HCC 21.59.030
2. DUMPSTER MUST BE SCREENED ON THREE SIDES

Brief discussion on the historical parking problems on Bayview which restricted thru traffic that any future or current issues are a police matter and that the applicant has provided parking over the requirement.

VOTE. YES. DAVIS, SMITH, HIGHLAND, BENTZ, VENUTI, BOS

Motion carried.

A. Staff Report 20-29, Vacation of Cheryl Lane

Chair Venuti introduced the item by reading of the title into the record.

City Planner Abboud provided a summary of Staff Report 20-29 for the Commission.

Chair Venuti declared that he may have the appearance of a conflict of interest.

BENTZ/HIGHLAND - MOVED THAT COMMISSIONER VENUTI HAD A CONFLICT OF INTEREST.

A brief discussion ensued with Commissioner Venuti declaring that he was conducting inspection services for one of the applicants but the monetary amount was less than the stated limit. Chair Venuti did not feel that it would impact his decision.

VOTE. NO. BENTZ, HIGHLAND, BOS, DAVIS, SMITH

Motion carried.

Chair Venuti invited the applicant to provide a presentation if desired.

Mr. Steve Walli, applicant, provided a statement that it has been a plus to have the city working with his family on this project and his family have been residents of the city for many long years and looking forward to having it completed.

Chair Venuti opened the Public Hearing and there were no citizens registered to provide testimony so the Public Hearing was closed and opened the floor to the Commission for questions.

There were no questions from the Commission and Chair Venuti requested a motion.

HIGHLAND/BENTZ MOVED TO ADOPT STAFF REPORT 20-29 AND RECOMMEND APPROVAL OF THE VACATION OF CHERYL LANE.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

### **PLAT CONSIDERATION**

#### **A. Staff Report 20-30, Lillian Walli Estate 2020 Replat Preliminary Plat**

Chair Venuti introduced the item by reading of the title into the record.

City Planner Abboud provided a summary review of Staff Report 20-30 for the Commission.

There was no applicant present.

Chair Venuti opened the public comment period and confirming with the Clerk that there were no members of the public present to provide testimony he closed the public comment period and opened the floor to the Commission for questions.

There was a brief discussion on a memorandum which applied to the next agenda item.

Chair Venuti requested a motion.

BENTZ/HIGHLAND MOVED TO ADOPT STAFF REPORT 20-30 AND RECOMMEND APPROVAL OF THE VACATION OF CHERYL LANE.

No discussion.

No objection to the motion.

Motion approved.

Deputy City Clerk Krause called for a point of order noting the motion shown was in error and related to the previous action. The correct motion was shown on page 94 of the packet, page 4 of Staff Report 20-30. She requested Commissioner Bentz to restate the motion.

BENTZ/HIGHLAND MOVED TO ADOPT STAFF REPORT 20-30 AND RECOMMEND APPROVAL OF THE PRELIMINARY PLAT WITH THE FOLLOWING COMMENTS:

1. INCLUDE A PLAT NOTE STATING PROPERTY OWNER SHOULD CONTACT THE ARMY CORPS OF ENGINEERS PRIOR TO ANY ON-SITE DEVELOPMENT OR CONSTRUCTION ACTIVITY TO OBTAIN THE MOST CURRENT WETLAND DESIGNATION (IF ANY). PROPERTY OWNERS ARE RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS.
2. INCREASE THE WIDTH OF THE UTILITY EASEMENT ALONG LINSTRANG WAY TO 15 FEET PER HCC 22.10.051(A)
3. AMEND PLAT NOTE 10 TO STATE THAT CREEKS AND DRAINAGES ARE SUBJECT TO A 15 FOOT BUILDING SETBACK PER HOMER CITY CODE.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## **PENDING BUSINESS**

## **NEW BUSINESS**

- A. Staff Report 20-31, Vacation of utility and drainage easements within Lillian Walli Estate Subdivision
  - a. Memorandum from Deputy City Planner re: Amending Recommendations in Staff Report 20-31

Chair Venuti introduced the item into the record by reading of the title.

City Planner Abboud reviewed Staff Report 20-31 and the memorandum from the Deputy City Planner regarding the recommendations received from Public Works on the drainages.

There was no applicant present.

There was a brief discussion on the recommendations retaining drainage easements C, D, and E and vacating the easements A, B, F.

BENTZ/HIGHLAND MOVED TO ADOPT STAFF REPORT 20-31 AND RECOMMEND VACATION OF UTILITY EASEMENT THAT RUN PARALLEL TO CHERYL LANE WITH THE VACATION OF CHERYL LANE AND FURTHER RECOMMEND RETENTION OF DRAINAGE EASEMENTS C, D, E AND VACATION OF DRAINAGE EASEMENTS A, B, AND F.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

### **INFORMATIONAL MATERIALS**

#### **A. City Manager Reports for April 27 and May 11 City Council Meetings**

The Commission and City Planner Abboud held a brief discussion on the chemical storage building at the airport and what types of chemicals would be stored in there noting that more research would be needed and the City Planner did not want guess.

### **COMMENTS OF THE AUDIENCE**

### **COMMENTS OF THE STAFF**

Deputy City Clerk apologized for the oversight on the motion and expressed that it was a good meeting.

City Planner Abboud expressed his appreciation for the meeting going so well using this format he requested the Commission to contact him with any comments, questions or suggestions on the process. Mr. Abboud expressed some concerns on the larger items of interest and worksession items, since they are more disciplined using Zoom. He believed that having the opportunity to bounce ideas with each other very valuable to their discussions.

### **COMMENTS OF THE COMMISSION**

Commissioner Highland commented that the meeting went well and efficiently

Commissioner Davis agreed that they are more disciplined meeting this way but that there is something to be said meeting with the public present and would prefer that but this method works surprisingly well.

Commissioner Smith agreed that meeting via Zoom works very well and wondered that if they addressed the issues on the agenda tonight in the chambers how long it would have taken them to get through everything. He agreed preference to meeting face to face though. Good meeting.

Commissioner Bos agreed that it was very efficient way to handle things and Commissioner Highland was becoming a computer wiz and he thought they were going to have an episode of This Old House with Commissioner Smith in his shop. It was good to see everyone tonight.

Commissioner Bentz commented that if Roberta does not have a problem meeting via Zoom then no one should. She believed that items for the Commission to take action on meeting in this format makes them very efficient however with the work list items that may require a more detailed discussion it may be helpful to have in person meetings to address those topics when they can which would allow them time. They may be easing into a different new normal in the future.

Chair Venuti commented that it was an interesting experience, thanks for being patient, still fumbling here as he went off screen for a few minutes, but it can only get better but he is enjoying the experience.

#### **ADJOURN**

There being no further business to come before the Commission, the meeting adjourned at 6:47 p.m. The next Regular Meeting is tentatively scheduled for Wednesday, June 3, 2020 at 6:30 p.m. All meetings scheduled to be held virtually by Zoom Webinar from the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska

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RENEE KRAUSE, MMC, DEPUTY CITY CLERK

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