

Session 20-05, a Regular Meeting of the Planning Commission was called to order by Chair Venuti at 6:30 p.m. on March 4, 2020 at Cowles Council Chambers in City Hall located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS PETSKA-RUBALCAVA, BENTZ, HIGHLAND, BOS, SMITH AND VENUTI

ABSENT: COMMISSIONER DAVIS (EXCUSED)

STAFF: CITY PLANNER ABBOUD
DEPUTY CITY CLERK KRAUSE

The Commission met for a worksession from 5:30 p.m. until 6:15 p.m. prior to the meeting on the topic of Tree Preservation. The discussion covered how trees and removal are handled in Homer City Code Title 21, under Site Development Standards.

APPROVAL OF THE AGENDA

Chair Venuti called for a motion to approve the agenda.

HIGHLAND/SMITH – 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. Planning Commission Regular Meeting Minutes of February 19, 2020
- B. Memorandum PL 20-04 Recommendations on HAWSP Special Assessment District Evaluation Criteria

Chair Venuti requested a motion to approve the Consent Agenda.

HIGHLAND/BENTZ – SO MOVED.

City Planner Abboud confirmed that the Commissioners reviewed the content of the Memorandum PL 20-04. There was a voiced general consent from the Commission present.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VISITORS/PRESENTATIONS

REPORTS

A. Staff Report 20-18, City Planner's Report

City Planner Abboud provided a summary of Staff Report 20-18 and commented further on the following:

- City Council has made an offer to Randy Robertson
 - o Start date is in the air if accepted, May be June, possibly interim City Manager will be hired or he (City Planner) will be Acting City Manager which would impact the Commission worklist
- Public Works - location of a new facility possible site land purchase between Heath Street and Lake Street
- Fire Department indicated a desire to repurpose the Old Police building for additional training space, storage and offices.
- HAWSP Memorandum will be forwarded to City Council for the meeting on Monday
- The Kenai Peninsula Borough is forming a new Kachemak Bay Advisory Planning Commission and there will be a seat for a member of the Homer Planning Commission on that Board. Any member who is interested in sitting on that Board can submit an application.
- Adding a review of the Community Design Manual to the worklist since it is quite outdated and very difficult to understand. Certain criteria should be considered for codification to make it easier.
- Commissioner Attendance for April 13th and 27th Council Meetings
 - o Commissioner Bos volunteered for April 13th
 - o Commissioner Highland volunteered for April 27th

PUBLIC HEARING(S)

PLAT CONSIDERATION

A. Staff Report 20-19, A.A. Mattox 2020 Addition Preliminary Plat

Chair Venuti introduced the item by reading the title into the record and the inquired if there were any declarations of Conflict from the Commissioners.

Commissioner Petska-Rubalcava declared she had a conflict.

BOS/HIGHLAND MOVED THAT COMMISSIONER PETSKA-RUBALCAVA HAD A CONFLICT OF INTEREST.

Commissioner Petska-Rubalcava explained that she does a significant amount of work for the applicant on a yearly basis.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Commissioner Petska – Rubalcava left the Council Chambers.

Chair Venuti declared he had a conflict citing a close personal and business relationship with the Applicants.

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

There was no further discussion noting the explanation given.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Chair Venuti turned the meeting over to Vice Chair Smith and retired to the audience.

City Planner Abboud provided a summary of Staff Report 20-19 for the Commission.

The Applicant was not present, Tom Latimer, of Orion Surveyors, surveyor for the applicant was present to answer any questions that the Commission may have regarding the project.

Vice Chair Smith opened the public comment period and seeing no one in the audience coming forward to comment he closed the public comment period and opened the floor to questions from the Commission.

The Commission inquired about the following:

- Flag Lots- status of the Borough decisions on them is 150 feet
- Driveway locations is the choice determined by the section line easement and avoids the wet areas

BENTZ/BOS MOVED TO RECOMMEND APPROVAL OF THE PRELIMINARY PLAT WITH THE FOLLOWING COMMENTS:

1. IN ACCORDANCE WITH HCC 11.04.040 THE CITY SHALL REQUIRE NEW SUBDIVISIONS TO DEDICATE RIGHT OF WAY ACCORDING TO WIDTHS SPECIFIED IN HCC 11.04.060 DEDICATE THE 9.85 FEET OF RIGHT OF WAY ALONG THE LOTS 28-A, 28-B, 28-C, AND 28-D.
2. DEDICATE A 15 FOOT UTILITY EASEMENT ALONG RIGHTS OF WAY PER HCC 22.10.051(a)
3. WORK WITH PUBLIC WORKS ON WATER AND SEWER UTLITY

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Commissioners Venuti and Petska-Rubalcava returned to the table and Vice Chair Smith returned the gavel to Chair Venuti.

PENDING BUSINESS

A. Staff Report 20-20, Medical District Planning

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

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

A discussion ensued between the Commissioners and City Planner Abboud on the following:

- Response on valuation assessments from the Kenai Peninsula Borough Tax Assessor
- Moving the Hohe boundary line
 - o Would not affect the current businesses already there
 - o Uses are allowed in Residential Office District
 - o Property Taxes/Assessments may increase due to change to commercial from residential but this could increase the “value” of property for resale purposes making it more desirable to be in the Medical District
 - o Property owners can petition to be included in the district
- Public Comment received on proposed boundaries
- Inclusion of a parcel that is zoned Rural Residential and is thus outside the Residential Office
 - o Integrity of the hillside
 - o Access to that parcel due to location
 - o Possible risk to the hospital
 - No conclusive/tangible reports on the stability of the bluff has been presented
 - There has not been a reported slough on the bluff in 2200 years according to the report presented a few meetings back
 - Require the science to back up the Commission comments
 - Instances in other locations of steep slope that were disturbed that ended badly
- Storm water Drainage from above/behind the hospital

HIGHLAND/BENTZ MOVED TO LEAVE THE EASTERN BOUNDARY IN THE CENTER OF HOHE STREET FOR THE MEDICAL DISTRICT.

A brief discussion ensued on the pros and cons to leave the boundary down Hohe street or move it to one lot in along Hohe, defining that property owners can petition to be included in the district; expanding the boundary one lot in will include property that is already being used

as a medical service, the traffic impacts and uses that exist are also reason to leave the boundary at one lot in not the center line.

VOTE. YES. HIGHLAND, BOS, PETSKA-RUBALCAVA

VOTE. NO. BENTZ, VENUTI, SMITH.

Motion failed.

City Planner Abboud requested a parliamentary opinion on this motion. Noting that this will delay the decision on this topic at this time.

Deputy City Clerk Krause provided some input on the parliamentary aspects of the motion being voted down.¹

Discussion then ensued on building heights and roof pitch. The following comments and points were made by Commissioners and City Planner Abboud:

- Pitched roofs are not used on commercial buildings due to inherent danger with snow sloughing off endangering people.
- Opposition to tall buildings
- Height of the South Peninsula Hospital
- Taller buildings/high-rises should be planned for if they want to grow Homer
- Tall buildings with flat roof and architectural features should be allowed north of Fairview Avenue in the district

SMITH/BENTZ MOVED TO LIMIT THE BUILDING HEIGHT TO 65 FEET IN THE PROPOSED MEDICAL DISTRICT WITH EXCEPTIONS FOR ELEVATIONS SUCH AS ELEVATOR SHAFTS OR MECHANICAL ESSENTIALS.

There was a brief discussion on tall buildings over 35 feet being granted by Conditional Use Permit in the proposed district and defining that this limits a building to actually 4 stories, noting that it could contain two floors of parking and two for offices; a typical floor is 14 feet.

VOTE. YES. SMITH, VENUTI, BENTZ, PETSKA-RUBALCAVA, BOS

VOTE. NO. HIGHLAND.

Motion carried.

¹ The vote resulted in a tie. Four votes are needed to forward a decision. The original proposed eastern boundary of the center of Hohe Street is still on the table for consideration. The Commission requested to see the alternate eastern boundary as one lot in but no motion was offered to make that the eastern boundary.

City Planner Abboud requested comment and discussion on landscaping options for screening parking lots in the district referencing some of the information provided in the packet for the Tree Preservation item.

Commissioners and City Planner Abboud commented and discussed the following with regards to the draft ordinance on landscaping and parking lots in particular:

- Suggestion to implement a “landscape credit” program for natural or undisturbed vegetation instead of removing all existing natural vegetation
- Recommended inserting the above recommendation in lines 106-112 using specific language requirements for landscaping
- Screening requirements, line 113, could state “continuous” which would better block the view of parking lots from residential lots
- Inclusion of green infrastructure in the proposed Medical District at this time since Staff has not been able to approach the subject with a more informed entity on best practices
- Storm water requirements and interpretations are dependent upon the amount of impervious surface and insert dimensional requirements on parking lots, places in the area
- Considering dimensional requirements, when talking about impervious surfaces, building, and parking lot areas and identification of areas on the property that were of high value as natural infrastructure versus better suited for building and there is language included in the dimensional requirements for buildings but it is not apparent for parking lots.
- Desire to implement landscape and green infrastructure requirements in creating a new district from the start that could actually be used to complement infrastructure in general and could result in reducing costs to the municipality for water and storm water treatment. There is uncertainty on implementation strategies in arctic conditions. Example was providing using the total impervious areas and the different runoff rates are for each area such as ditches, rooftops, parking lots, etc. then based on those figures would be the amount of green infrastructure required from simple things to bio-engineered rain gardens which is believed to be needed in this area due to the soil conditions.
- Storm water requirements are determined per location and based on the amount of proposed impervious surface. Staff would like to have studies conducted to determine best practices.
- Consideration of the existing soil conditions when making decisions, existing storm water controls, slope, drainage, etc.
- Staff will provide information and examples of landscaping at the next meeting
- Requirements for parking which would be allowed outright in the district
 - o Requirements should be outlined in development standards if you want to be more descriptive or restrictive
 - o Parking Garages would be considered under structures and by conditional use permit
- Consideration to increase the percentage of the building area since the majority of lots in the proposed district are smaller and would trigger a Conditional Use Permit

NEW BUSINESS

A. Staff Report 20-21, Tree Preservation

Chair Venuti introduced the item by reading of the title and noted that they discussed this in their worksession.

City Planner Abboud requested clarification on where they ended the discussion on this item as he has noted that they do want slash piles.

The Commission and City Planner Abboud commented, discussed and recommended the following:

- what mechanism can the city create that would be acceptable to manage private property for trees.
- Instituting requirements for implementation on city owned property first
- The creation of a site development standard regarding management of trees
- Additional burden on city budget with expectations of oversight
- Commissioner to consult with Homer Soil & Water Conservation District on best management practice
- Consult with other departments and Parks, Art, Recreation & Culture Advisory Commission on reviewing the Alaska State Department of Natural Resources document, *Developing Community Tree Ordinances*, to see if there is any portion that is implementable on city owned property before creating an ordinance before there is more work done by the Commission at this time.
- Educating Property Owners on Removing Vegetation
- Fine tune development standards and nuisance standards for items like slash piles
- Expressed caution on trying to regulate what property owners can or cannot do on their property
- Requested a presentation on soils by the Homer Soil & Water Conservation District
- Recommended interested Commissioners approach entities that had a project that was funded by the city such as the Land Trust which is believed to have had a community garden or similar forestry project.

INFORMATIONAL MATERIALS

- A. City Manager Report for February 24, 2019 City Council Meeting
- B. Kenai Peninsula Borough Notice of decisions
 - Nils O Svedlund Subdivision Nomar 2020 Addition

COMMENTS OF THE AUDIENCE

COMMENTS OF THE STAFF

Deputy City Clerk Krause commented that it was a good meeting, informative.

COMMENTS OF THE COMMISSION

Commissioner Highland thanked everyone for their patience.

Commissioner Bos commented it was a fabulous meeting tonight.

Commissioner Bentz reminded the Commission of the one day conference on Estimating Your Local Marine Economy, March 18, 2020 in Homer hosted by NOAA.

Commissioner Smith thanked the Planning Staff, announced the Native Youth Games at the High School this weekend and expressed his appreciation for the food provided tonight.

Chair Venuti commented that it was a good meeting, he did not have anything to add but hopes the recent cold he had is not caught by any of the Commissioners, stating it was the worst he has experienced.

ADJOURN

There being no further business to come before the Commission, the meeting adjourned at 8:15 p.m. The next regular meeting is scheduled for Wednesday, April 1, 2020 at 6:30 p.m. in the City Hall Cowles Council Chambers. There is a worksession scheduled at 5:30 p.m. prior to the meeting.

RENEE KRAUSE, MMC, DEPUTY CITY CLERK

Approved: _____