

CALL TO ORDER

Session 23-09, a Regular Meeting of the Planning Commission was called to order by Chair Scott Smith at 6:32 p.m. on May 3, 2023 at the Cowles Council Chambers in City Hall, located at 491 E. Pioneer Avenue, Homer, Alaska, and via Zoom Webinar. The worksession was canceled by the City Planner.

PRESENT: COMMISSIONERS VENUTI, SMITH, HIGHLAND, BARNWELL, CONLEY

ABSENT: COMMISSIONER STARK, CHIAPPONE (EXCUSED)

STAFF: CITY PLANNER ABBOUD, DEPUTY CITY CLERK KRAUSE, INTERIM CITY PLANNER FOSTER

AGENDA APPROVAL

Chair Smith read the Supplemental Items: Preliminary Plats Item 9. A. Staff Report PC 23-032, Seal Rock Roost Preliminary Plat Public Comment Received.

HIGHLAND/VENUTI MOVED TO APPROVE THE AGENDA AS AMENDED.

There was no discussion.

VOTE: NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS ON ITEMS ALREADY ON THE AGENDA

RECONSIDERATION

CONSENT AGENDA

- 5. A. Unapproved Meeting Minutes
Regular Meeting Minutes for April 19, 2023

Chair Smith read the consent agenda into the record.

HIGHLAND/CONLEY MOVED TO ADOPT THE CONSENT AGENDA AS PRESENTED.

There was no discussion.

VOTE: NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PRESENTATIONS/VISITORS

STAFF & COUNCIL REPORTS/COMMITTEE REPORTS

- 7A. City Planner's Report - PC 23-030

Chair Smith introduced the topic by reading of the title and invited City Planner Abboud to provide his report.

City Planner Abboud provided a review of Staff Report PC 23-030. He provided additional details on the following:

- Draft Transportation Plan for Commission Review
- Ordinance regarding Preliminary Plat process

Commissioner Barnwell volunteered to make the report to City Council at the May 8, 2023 regular meeting.

City Planner Abboud and Interim City Planner Foster facilitated discussions on the following:

- Resolution 23-046
- New Public Works Campus in relation to the Land Allocation Plan
 - o Funding a Capital Project
- Transportation Plan draft

PUBLIC HEARING(S)

8. A. Staff Report 23-031, Conditional Use Permit (CUP) 23-05 per HCC 21.16.030 (g), more than one building containing a permitted principle use on a lot at 4063 Pennock Street.

Chair Smith introduced the item by reading of the title and deferred to City Planner Abboud.

City Planner Abboud provided a summary of Staff Report 23-031 for the Commission.

Commissioner Venuti declared a conflict of interest.

Chair Smith requested a motion and second.

HIGHLAND/CONLEY MOVED THAT COMMISSIONER VENUTI HAS A CONFLICT.

There was a brief discussion on the nature of the conflict with Commissioner Venuti stated personal relationship and financial limits over the allowed amounts.

VOTE: YES. HIGHLAND, CONLEY, BARNWELL, SMITH.

Motion carried.

Commissioner Venuti stepped away from screen and muted his mic.

There was no applicant present.

Chair Smith opened the public hearing, inviting members of the public present to provide testimony on the project. There were no members of the public attending the meeting via Zoom.

Scott Adams, city resident, questioned the parking requirements for the project noting the other office building having 10 parking spots and adding an additional 10 parking spots would make that space really tight.

Chair Smith seeing no further public wishing to provide testimony, closed the Public Hearing and open the floor to rebuttal from the City Planner.

City Planner Abboud noted that it was required to have one parking spot for every 300 feet so the second building brings the space to 3000 square feet so 10 spaces in total would be required.

Chair Smith opened the floor to questions from the Commission.

City Planner Abboud facilitated discussion on the following:

- drainage problems in the area of the project

Chair Smith requested a motion and second seeing no further questions from the Commission.

HIGHLAND/CONLEY MOVED TO ADOPT STAFF REPORT 23-031 AND RECOMMEND APPROVAL OF CONDITIONAL USE PERMIT 23-05 TO CONSTRUCT A SECOND 1550 SQUARE FOOT GENERAL OFFICE BUILDING AT 4063 PENNOCK STREET WITH FINDINGS 1-10 AND CONDITIONS 1 AND 2 AS FOLLOWS:

1. OUTDOOR LIGHTING MUST BE DOWNLIT PER HCC 21.59.030 AND THE CDM
2. ANY DUMPSTER SHALL BE SCREENED ON THREE SIDES.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PLAT CONSIDERATION(S)

9. A. Staff Report PC 23-032, Seal Rock Roost Preliminary Plat

Chair Smith introduced the item by reading of the title and deferred to City Planner Abboud.

City Planner Abboud provided a review of Staff Report 23-032.

There was no applicant present.

Chair Smith opened the public comment period seeing no members of the public attending via Zoom and members present in Chambers not coming forward he closed the public comment period and opened the floor to questions from the Commission.

City Planner Abboud facilitated questions from the Commissioners on the following:

- drainage
- approach from Kachemak Bay
- Steep Slope

HIGHLAND/VENUTI MOVED TO ADOPT STAFF REPORT 23-032 AND RECOMMEND APPROVAL OF THE PRELIMINARY PLAT TO DIVIDE ONE LARGE LOT INTO THREE SMALLER LOTS 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. THE SUBDIVIDER SHALL DEDICATE A 15 FOOT WIDE UTILITY EASEMENT IMMEDIATELY ADJACENT TO THE ENTIRE LENGTH OF THE BOUNDARY BETWEEN THE LOT AND THE EXISTING STREET RIGHT OF WAY.
3. GRANT A 40 FOOT DRAINAGE EASEMENT CENTERED ON THE CREEK. THIS LANGUAGE MAY NEED TO BE MODIFIED TO REFLECT THE APPROPRIATE EASEMENT ALONG THE WESTERN LOT LINE OR SIMILAR MAY BE AN ALTERNATIVE SOUTH OF THE EXISTING DOT EASEMENT.

A brief discussion ensued on the septic tank requirements.

VOTE: NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PENDING BUSINESS

10. A. Planning Commission Meeting Schedule - Memorandum 23-029

Chair Smith introduced the item into the record by reading of the title and deferred to City Planner Abboud.

City Planner Abboud noted the memorandum prepared by Economic Development Manager Engebretsen and a summary overview of the discussion at the last meeting. He noted that having two meetings per month leaves little time for any other projects or thorough research on items as Staff spends 80% of the time preparing for a meeting, conducting a meeting, and then preparing for the next meeting.

Deputy City Clerk Krause stated that the Clerk's office supports the one meeting per month as this would allow additional time to produce the minutes and not be in a rush to gather additional packet materials as well.

Discussion ensued on reduction in the meeting schedule and amending the meeting time, concerns expressed regarding the following:

- The Planning Department being short staffed, need to fund for a larger department
- Multiple large projects that affect the growth of Homer such as the Harbor Expansion, Comprehensive Plan update
 - o Requested input from the Interim City Planner Foster on his perspective
- Ability to schedule special meetings as needed and required dependent on workload
- Intent of Council and Administration to reduce meetings
- Amending deadlines for submittals to allow appropriate time for review of applications if required.
- Ability to notice meetings in the appropriate timeframe

- Starting meetings at 5:30 p.m. would mean that worksessions would start at 4:30 p.m. and that was not favorable to all members of the Commission.
 - o Meetings need to be at set times that the public can rely on and schedule attendance around.
 - o Scheduling separate worksessions outside of the regular meetings
- Concerns regarding the workload on the Commission creating longer meetings
 - o Points made that currently there are times that meetings extend past the 9:30 p.m. deadline even with two meetings per month.
- Meeting less often would encourage efficiency and more thorough discussion and promote public participation citing the current notice requirements and process do not effectively allow much time for someone to respond fully and succinctly.
- Steps were taken to amend requirements to reduce the number of conditional use permits
- Other communities only have one meeting per month and example provided that a community of 300,000 only has one meeting per month
- Amending the allowable absences from current amount of six, if the meetings are reduced to 12 per year would be required.
 - o A resolution would be brought forward to amend the Bylaws and an ordinance to amend City Code.
- Try canceling the second meeting for a few months to see how it works out before officially changing
- Concerns expressed regarding dramatic growth in the city and the community having meetings versus the planning commission about guiding that growth and directing the discussion.
- Submittal deadlines and last minute submissions

HIGHLAND/BARNWELL MOVED TO REDUCE COMMISSION MEETINGS TO ONCE PER MONTH WITH THE ALLOWANCE THAT THE COMMISSION CAN SCHEDULE SPECIAL MEETINGS AT THEIR DISCRETION.

There was no further discussion.

VOTE: NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

NEW BUSINESS

INFORMATIONAL MATERIALS

12.A. City Manager's Report - CM Report for April 24, 2023

COMMENTS OF THE AUDIENCE

Scott Adams commented on the reduction of meetings stating his support for two meetings per month citing the requirement to schedule a special meeting to meet the needs of processing an application and that it does not provide the adequate ability for public participation. Mr. Adams stated that he understood, the city doesn't have enough money to hire people, but if you look at the budget and see where the money is coming from, you can see why they cannot afford to hire people for Parks & Rec. Mr. Adams then expressed his concerns for the recent Preliminary Plat for the Forest Trail Subdivision, the owner went full

bore on that area and now they have kind of covered it up and smoothed it out and the property is listed for sale, the whole 4.5 acres. He expressed his wishes that the Commission and Planning Department figure out what happened, but to allow someone to come in and clear out all the trees, move material around, can't even see where the creek is, and then to see the for sale sign when they are supposed to see development and houses is unacceptable to him. He would like to see that issue addressed, people should not be allowed to clear the property before everything gets permitted. Mr. Adams opined that the developer did not do his due diligence and realized it's going to cost more to develop the subdivision. He wished Rick well and being warmer he will probably get more golf in being down there.

COMMENTS OF THE STAFF

Interim City Planner Foster wished Mr. Abboud the best of luck in his new adventures and expressed it was a real pleasure working with him and appreciated the conversations that they have had on planning and special projects. He additionally stated that he looks forward to working with the Commission.

Deputy City Clerk Krause expressed that it was a good meeting. She announced that City Clerk Jacobsen will be clerking the next meeting as she will be at a training session in Minneapolis.

City Planner Abboud expressed his enjoyment working for the City of Homer and the Commission, noting that it is really tough to move, he had imagined himself getting planted at the top of the hill, as Homer has become a home like no other.

COMMENTS OF THE COMMISSION

Commissioner Barnwell expressed his appreciation for City Planner Abboud's service, acknowledging that it is a tough job. He reminisced on his previous employment with the Municipality of Anchorage and how tough it is working in city government, but that Mr. Abboud has done a great job, thorough and very thoughtful on all the reports which he appreciated greatly. Commissioner Barnwell noted that he has family in South Carolina and there was a Barnwell County.

Commissioner Venuti welcomed Interim City Planner Foster and noted that it will be interesting working with this commission. He then provided his remembrance of South Carolina by time he spent on Paris Island in 1962. He wished Mr. Abboud the best of luck and hopes he has more fun than he did.

Commissioner Conley thanked Chair Smith for a great meeting and echoed others sentiments regarding City Planner Abboud's departure from the city. He appreciated the hard work and everything that Mr. Abboud has done for the community, acknowledging that it was definitely a thankless job more often than not, but it doesn't go unnoticed and we really appreciate it. Mr. Conley hoped Mr. Abboud's path will bring him back to Homer eventually.

Commissioner Highland commented on the patience shown by City Planner Abboud and the many conversations they shared as she is someone who's always asking questions and Mr. Abboud has always been wonderful, getting her trained up and being available to provide the answers or direction to her questions. She wished him the best and cautioned him on getting a fried brain from all the heat. Ms. Highland expressed that it was still shocking to think of even after two weeks, but serendipity stepped in and it sounds like it was right for you, Mr. Abboud and at the right time too. We will miss you and try to be nice to Mr. Foster. She wished Mr. Abboud the best, to take care and good luck.

Chair Smith stated that he met City Planner Abboud through his own Conditional Use Permit application and recognized the quality of who he is at that time. He recalled meeting Mr. Abboud outside the office a few times and believed that Mr. Abboud stated that he would contact him if ever a vacancy came up, which happened and that he largely joined the Commission due to his respect for Mr. Abboud. Mr. Smith expressed his appreciation for Mr. Abboud's patience over his learning curve and ignorance but the city was fortunate in that you, Mr. Abboud had the passion for the work that you do. Commissioner Smith acknowledged the considerate and careful development of the various lands within the city and the needed growth that had to happen. He then expressed that he was looking forward to working with Mr. Foster and it was good knowing he was stepping into the position and believed that the City and the Commission will be in good hands.

Chair Smith then presented Mr. Abboud with a handcrafted cutting board as a parting gift and thank you for his service to the Commission.

City Planner Abboud thanked the Commission for their well wishes and the thoughtful parting gift and that it was really great to have Commissioner Highland in attendance at the table for his last meeting.

ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 8:06 p.m. The next Regular Meeting is Wednesday, May 17, 2023 at 6:30 p.m. A worksession is scheduled for 5:30 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska and via Zoom webinar.

Renee Krause

Renee Krause, MMC, Deputy City Clerk II

Approved: May 17, 2023