

## **CALL TO ORDER**

Session 25-04, a Regular Meeting of the Planning Commission was called to order by Vice Chair Charles Barnwell at 6:30 p.m. on February 19<sup>th</sup>, 2025 at the Cowles Council Chambers in City Hall, located at 491 E. Pioneer Avenue, Homer, Alaska, and via Zoom Webinar.

**PRESENT:** COMMISSIONER BARNWELL, VENUTI, S. SMITH, CONLEY, SCHNEIDER, & H. SMITH

*Commissioner H. Smith arrived 49 minutes after roll call*

**ABSENT:** COMMISSIONER STARK

**STAFF:** CITY PLANNER FOSTER & DEPUTY CITY CLERK PETTIT

## **AGENDA APPROVAL**

Vice Chair Barnwell requested a motion and second to adopt the agenda as presented.

SCHNEIDER/S. SMITH MOVED TO ADOPT THE AGENDA AS PRESENTED.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

## **PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA**

Ken Castner, city resident, noted that he has municipal interests that the proposed zoning ordinance change would effect. He encouraged the Commission to revisit their decision.

Kim McNett, city resident, encouraged the Commission to reconsider the rezoning of the residential plot on Kachemak Drive. Deputy City Clerk Pettit raised a Point of Order regarding the presentation of new evidence after the public hearing period had closed. No ruling was given.

Bjorn Olson, city resident, encouraged the Commission to reconsider the proposed zoning ordinance.

Andrew Sorensen, city resident, requested that the Planning Commission reconsider the decision made at the last Planning Commission meeting regarding the proposed zoning ordinance.

## **RECONSIDERATION**

- A. Ordinance 25-xx, Amending the Homer City Zoning Map at 4787 Kachemak Drive, Staff Report 25-006  
Commissioner Barnwell

Vice Chair Barnwell introduced the item by reading of the title. He noted that he called for the Reconsideration before handing the gavel over to Commissioner Schneider.

Acting Chair Schneider requested a motion and second to reconsider the proposed ordinance.

BARNWELL/VENUTI MOVED TO RECONSIDER ORDINANCE 25-XX, AMENDING THE HOMER CITY ZONING MAP AT 4787 KACHEMAK DRIVE.

Commissioner S. Smith noted that City Planner Foster gave very clear indication that this wasn't a case of spot zoning the first time the Commission was dealing with the proposed ordinance. Addressing Mr. Barnwell's concerns about the sloppy and inaccurate application, Mr. S. Smith asserted that the City doesn't have criteria that forces applicants to have professional drawings. He concluded that the real issue with this project is the wetlands, but that no matter the orientation of the application he views the problem as resolved.

Commissioner Barnwell cited spot zoning concerns, wetlands concerns, and a sloppy and inaccurate application as his reasons for calling for the reconsideration.

Commissioner Venuti voiced his concerns that the application contained false information.

Acting Chair Schneider requested the Clerk to perform a roll-call vote.

VOTE: YES: VENUTI, SCHNEIDER, BARNWELL.

VOTE: NO: S. SMITH, CONLEY.

Motion failed.

Acting Chair Schneider passed the gavel back to Commissioner Barnwell.

### **CONSENT AGENDA**

- A. Unapproved Regular Meeting Minutes of February 5, 2025

Vice Chair Barnwell requested a motion and second to adopt the consent agenda.

S. SMITH/SCHNEIDER MOVED TO ADOPT THE CONSENT AGENDA AS PRESENTED.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

### **PRESENTATIONS / VISITORS**

#### **REPORTS**

- A. City Planner's Report, Staff Report 25-007

City Planner Foster reviewed his staff report included in the packet, covering the following:

- Comprehensive Plan Update
- Update regarding a Landslide Hazard Susceptibility Mapping worksession
- Next Regular Meeting on Wednesday, March 5, 2025
- Next Commissioner report to Council on February 24, 2025

## **PUBLIC HEARINGS**

### **PLAT CONSIDERATION**

#### **A. Bayview Gardens Subdivision Addition 1 Bohrer 2025 Replat Preliminary Plat, Staff Report 25-008**

Vice Chair Barnwell introduced the item by reading of the title and deferred to City Planner Foster, who provided a summary of his report included in the packet.

Vice Chair Barnwell opened the floor for the Applicant. Katie Kirsis noted that she was the surveyor for the project, and made herself available to answer any questions regarding the plat.

Vice Chair Barnwell opened the public comment period. With no one wishing to speak, Vice Chair Barnwell closed the public comment period and opened the floor to questions from the Commission.

SCHNEIDER/VENUTI MOVED TO ADOPT STAFF REPORT 25-008 AND RECOMMEND APPROVAL OF THE BAYVIEW GARDENS SUBDIVISION ADDITION 1 BOHRER REPLAT PRELIMINARY PLAT, WITH THE FOLLOWING COMMENTS:

1. THE PROPERTY OWNER SHALL ABANDON THE MUNICIPAL WATER SERVICE FOR FORMER LOT 16 AT THE MAIN.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

#### **B. Baycrest Subdivision 2025 Replat Preliminary Plat, Staff Report 25-009**

Vice Chair Barnwell introduced the item by reading of the title and deferred to City Planner Foster, who provided a summary of his report included in the packet.

Vice Chair Barnwell opened the floor for the Applicant. Katie Kirsis noted that she was the surveyor for the project, and made herself available to answer any questions regarding the plat.

Vice Chair Barnwell opened the public comment period. With no one wishing to speak, Vice Chair Barnwell closed the public comment period and opened the floor to questions from the Commission.

SCHNEIDER/VENUTI MOVED TO ADOPT STAFF REPORT 25-009 AND RECOMMEND APPROVAL OF THE BAYCREST SUBDIVISION 2025 REPLAT PRELIMINARY PLAT.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSET.

Motion carried.

**PENDING BUSINESS**

**NEW BUSINESS**

- A. Potential CUP Moratorium Applied to Coastal Lots with Multiple Structures, Memorandum 25-011

Vice Chair Barnwell introduced the item by reading of the title and deferred to Commissioner S. Smith, who provided an explanation of his memorandum included in the packet. The Commission discussed the legitimacy of the potential CUP moratorium, ultimately deciding against it and reasoning that it wouldn't be fully defensible.

**INFORMATIONAL MATERIALS**

- A. 2025 Planning Commission Calendar
- B. 2025 Planning Commission Meeting Dates and Submittal Deadlines

Vice Chair Barnwell noted the informational materials.

**COMMENTS OF THE AUDIENCE**

Ken Castner, city resident, insisted that the Commission has created spot zoning by approving the rezoning application at 4787 Kachemak Drive. He also encouraged the Commission to create a tiered process for rezoning applications when revising Title 21.

**COMMENTS OF THE STAFF**

**COMMENTS OF THE MAYOR/COUNCILMEMBER** (If Present)

**COMMENTS OF THE COMMISSION**

Commissioner S. Smith thanked everyone for a good meeting.

Commissioner Venuti shared his confusion regarding the status of the reconsideration of the proposed ordinance. He thanked everyone for a good meeting.

Commissioner Conley commended Vice Chair Barnwell for his work tonight. He thanked the City Staff for all its hard work.

Commissioner H. Smith apologized for being tardy, noting that had he been present at the time of reconsideration, the motion would've passed. He added that he viewed the rezone as spot zoning. He concluded that the City will have to answer to the decision of the Commission ultimately.

Commissioner Schneider shared his appreciation for the City Staff and his fellow Commissioners. He commended Vice Chair Barnwell for running a good meeting.

Vice Chair Barnwell spoke to the reconsideration of the rezoning application, adding that he feels it falls under spot zoning and was a hurried decision. He commended Commissioner H. Smith for his work on his memorandum. He thanked his fellow Commissioners and City Staff for their hard work.

#### **ADJOURN**

There being no further business to come before the Commission, Chair S. Smith adjourned the meeting at 7:45 p.m. The next Regular Meeting is scheduled for **Wednesday, March 5<sup>th</sup>, 2025 at 6:30 p.m.** All meetings are scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska and via Zoom Webinar. Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission.

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Zach Pettit, Deputy City Clerk I

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