



City of Homer

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Memorandum

Agenda Changes/Supplemental Packet

TO: PLANNING COMMISSION
FROM: RENEE KRAUSE, DEPUTY CITY CLERK II
DATE: MARCH 1, 2023
SUBJECT: SUPPLEMENTAL PACKET

5. CONSENT AGENDA

5. A. Unapproved Meeting Minutes
Meeting minutes for the February 15, 2023 regular meeting **page 1**

8. PUBLIC HEARING(S)

8. A. Request for Conditional Use Permit (CUP) 23-01 at 106 W. Bunnell Avenue for
Approval of a Building Area in Excess of 30% of the Lot Area
Agenda Item Report PC 23-014

This item was incorrectly placed under new business in the agenda packet

Session 23-04, a Regular Meeting of the Planning Commission was called to order by Chair Scott Smith at 6:30 p.m. on February 15, 2023 at the Cowles Council Chambers in City Hall, located at 491 E. Pioneer Avenue, Homer, Alaska, and via Zoom Webinar.

1. CALL TO ORDER

PRESENT: COMMISSIONERS VENUTI, SMITH, HIGHLAND, STARK

ABSENT: COMMISSIONER CHAIPPONE, BARNWELL, CONLEY (EXCUSED)

STAFF: CITY PLANNER ABBOUD
DEPUTY CITY CLERK KRAUSE

2. AGENDA APPROVAL

Chair Smith read the items from the supplemental packet and requested a motion and second to adopt the agenda as amended.

HIGHLAND/VENUTI MOVED TO APPROVE THE AGENDA AS AMENDED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

3. PUBLIC COMMENTS ON ITEMS ALREADY ON THE AGENDA

John Whittier, non-resident, submitted written testimony, as read by Penelope Haas, Mr. Whittier expressed his concerns with the logging operation going on the property located at 1441 East End Road owned by Nicholas Botnick. He stated that it was pretty outrageous to him that it was allowable to clear cut both side of a creek, destroy its banks and then fill the creek with debris so his machinery can drive back and forth through it. Mr. Whittier stated that the creek is enjoyed by many people around this town, especially on the trail system immediately downstream and the way Mr. Botnick has treated his property is disrespectful to everyone and everything around it. He stated that when he was at the creek there were six moose standing around the perimeter of the newly cleared land looking into it. He believed it was time to consider tougher regulations on land use within the city. I have been here 30 years and believe the quality of life around here has substantially deteriorated over that period of time primarily because of the distaste for regulation and a religious commitment to relentless growth. This is especially true over the last few years. While much of this is owed to the ethics of developers, realtors and those moving here to build giant empty houses he believed there are things that the city should do to maintain the integrity of the land we live on. The most obvious would be stream setbacks on logging. Homer used to be a heavily wooded town given that we have lost most of that to spruce bark beetles he thought there should be a discussion of how much logging is permissible on what forest is left around here. He stated that it might be a controversial idea but stream setbacks seem pretty straightforward.

Penelope Haas, Kachemak Bay Conservation Society, expressed appreciation for the comments submitted by the Kachemak Bay Land Trust and hoped that the Commission was able to review them. Ms. Haas commented that the project has already moved somewhat ahead of itself and wanted to point out what she considered key issues raised by the Land Trust. She believed that these can be generalized for application to other developments and hope the Commission will make changes to City Code. She supported the fifty foot buffer around creeks especially those that drain into the wetlands and directly into Kachemak Bay. Ms. Haas stated this was about habitat, erosion, flooding, and the quality of water that runs into other people's property and eventually into Kachemak Bay. She encouraged the Commission to look closely at the city code and make those proposals to City Council. She agreed with comments that developers should have a plat approved before being able to start clearing their land with heavy equipment and supported a down slope compensation guarantee, roads should be minimized when placed above wetlands. Ms. Haas encouraged the Commission to look at regulations within City limits as there are folks from all walks of life that don't like the direction that development is going and she is very worried about the future.

Rika Mouw, city resident, stated that she agreed with previous comments and stated that she does not know enough about the platting process or how much authority the Commission has in designing plats but opined that this property was poorly designed, the property owner could have fewer lots that sold for higher amounts creates low-quality lots for potential buyers, does not maintain integrity of the land, no regard for existing land use, better management of clearing before Plat Approval.

Joel Cooper, Kachemak Heritage Land Trust, commented in the resolution adopted by Council urging the Commission to reconsider and applying regulations cited in city code Chapter 11.04 and recommended that the Commission work with Council to effect those regulations in Chapter 22. Mr. Cooper recounted impacts to a land owner down from the proposed subdivision and his conversations with Jen Martin at the Corps of Engineers in Soldotna, noting that they have not issued a permit yet.

Pat Case, city resident, commented on the passion in passing the ordinance regarding sidewalks and the language that is included, he expressed his concerns about how the Plat was presented to the Commission, there are multiple streams on this lot but only one shown on Plat; poor representation of water drainage, he questioned how water and sewer will be run through stream channel, noted the significant slope on property not represented in Plat, questioned why trees were cleared prior to a Plat approval, why construct a gravel road in this day and age which left the question on how to create pedestrian access on gravel road, and the need to raise the bar for subdivision development in Homer.

Scott Adams, city resident, supported the reconsideration, commenting that not only pathway but the width of the road, stating he did not think the road serving 13 homes needed to be that wide. Mr. Adams then commented on having setbacks for streams and wetlands the same as there are setbacks for buildings. he then echoed the sentiments previously expressed regarding clear cutting of the trees before any permits are issued.

4. RECONSIDERATION

- 4.A. Reconsideration Issued by Commissioner Venuti: Forest Trails Subdivision Preliminary Plat Agenda Item Report PC 23-012

Chair Smith introduced the item and requested Commissioner Venuti to state for the record how he voted on the motion before the Commission for Reconsideration.

Commissioner Venuti stated that he voted in favor of the motion.

Chair Smith requested a motion and second.

HIGHLAND/VENUTI MOVED TO RECONSIDER THE VOTE ON THE MOTION TO ADOPT STAFF REPORT PC 23-007 AND RECOMMENDING APPROVAL OF THE FOREST TRAILS SUBDIVISION PRELIMINARY PLAT WITH COMMENTS ONE THROUGH THREE.

Chair Smith restated the motion and requested Commission Venuti to state his reasons for requesting reconsideration.

Commissioner Venuti responded that he would provide his reasons when the Commission addressed the item under Pending Business.

Chair Smith requested clarification from the Clerk on Commissioner Venuti refusal to respond.

Deputy City Clerk Krause noted there is no guidance in Robert's Rules or the Planning Commission Policies and Procedures that state a Commissioner is required to state their reasons. The Commission will have to make that decision.

There was no further discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Chair Smith noted that the item will be addressed as Item A under Pending Business.

5. CONSENT AGENDA

5A. Unapproved Meeting Minutes

PC Unapproved Minutes for February 1, 2023

Chair Smith read the consent agenda into the record and requested a motion and second.

HIGHLAND/VENUTI MOVED TO APPROVE THE CONSENT AGENDA CONTAINING THE MINUTES FOR THE REGULAR MEETING OF FEBRUARY 1, 2023.

There was no discussion.

VOTE: NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

6. PRESENTATIONS/VISITORS

7. STAFF & COUNCIL REPORTS/COMMITTEE REPORTS

7A. City Planner's Report
Agenda Item Report PC 23-006

Chair Smith introduced the topic and deferred to City Planner Abboud.

City Planner Abboud reviewed his staff report that was presented in the packet. He spoke to the following:

- Presentation on the Comp Plan and Title 21 Update by Ryan Foster, Special Projects at the March 1st worksession
- There were no volunteers to report at the February 27th Council meeting so a written report will be submitted by the Chair to the Clerk for the Council packet
- Safe Streets program and grant
- Clearing and Grading Ordinance

8. PUBLIC HEARING(S)

9. PLAT CONSIDERATION(S)

10. PENDING BUSINESS

10. A. Forest Trails Subdivision Preliminary Plat
Agenda Item Report - PC 23-007
Supplemental Packet 020123

Chair Smith introduced the item and referred the Commission to page three of the packet and read the motion that was before the Commission into the record as follows:

HIGHLAND/CONLEY MOVED TO ADOPT STAFF REPORT 23-007 AND RECOMMEND APPROVAL OF THE PRELIMINARY PLAT WITH THE FOLLOWING COMMENTS:

1. THE CITY OF HOMER DOES NOT OBJECT TO REQUESTS FOR EXCEPTION TO CODE LISTED IN THIS STAFF REPORT.
2. INCREASE DRAINAGE EASEMENT TO 40 FEET FROM CENTER OF DRAINAGE.
3. A PORTION SOUTH ROAD RIGHT OF WAY WILL INCLUDE A PEDESTRIAN EASEMENT

Chair Smith then requested Commissioner Venuti to state his reasons for reconsideration prior to opening discussion on the motion.

Commissioner Venuti stated that he issued a reconsideration on the motion for the following:

- He did not feel comfortable approving the preliminary plat as presented
- Supplemental packet materials was not received with enough time to fully review the contents
- The applicant and surveyor did not sign the plat
- There is no indication of how water and sewer will be brought into the parcel and across the stream
- He did not understand how the developer could be allowed to cut down the trees before receiving permits
- How can the City allow gravel roads
- This is a good time for the City to raise the bar on developments

Chair Smith then open the floor to discussion of the Commission.

Chair Smith requested comments and questions from the Commission. The following was provided:

- Addressing very strong comments made by the Mayor at the Council meeting on Monday, February 13, 2023 by allowing the Mayor to state his concerns to the Commission.
 - o Preference to hear the Commission comments first then have the Mayor state his concerns
- Concerns regarding drainage and wetlands information provided by Kachemak Heritage Land Trust at the last meeting.
 - o Responsibility of the Commission to make decisions regarding the land and the people
 - o This creek and drainage flows/drain into Beluga wetlands and what effects that will have
- Request for recommendation from the Commission to address the concerns regarding drainage mitigation.
 - o Can the Commission make a recommendation to the have the developer obtain an engineer
- Clarification that the motion is what is reconsidered which opens the issue to discussion by the Commission.
- What are the regulations for preconstruction activities by the developer or property owner are there such as tree clearing?
- Does the pedestrian pathway that has been provided satisfy the regulations as established by Ordinance 22-43(S-3)?
- Clarification on the requirement to provide pedestrian pathways was directed at safe routes for children
- Delineating a sidewalk or walkway from a gravel road, could be done by installation of curb and gutter.
- Does regulation require that pedestrian walkways be paved?

Chair Smith stated that he will hear from the City Planner, then the Mayor and then the Public Works Director and gave the floor over to the City Planner to start.

City Planner Abboud responded the following:

- In accordance with current regulations regarding pre-construction or site development standards a developer can remove trees and long the quantity of soil removed is minimal
 - o This is the same as the Corps of Engineers
 - o Regulations would be needed to regulate tree removal
- Corps of Engineers would direct the removal of debris from waterways or wet are of a stream and no fill would be allowed in the area of the stream.
- Plat is not signed and it is not approved so the appropriate signatures would be required
- The stream channels
 - o Corps of Engineers jurisdiction determination that has that stream and defer to the Public Works Director to identify anything else the City would require an easement
- Road Contours
 - o Verify with the Surveyors the contours over 20% slope
 - o Not known if the contours could be configured before the trees were cleared
- Rural Residential District
 - o No requirement for paved roads at this time.
 - o Gravel Road is the minimum standard anything over may required the city be paying for some part of the construction
- Completed improvements
 - o part of the subdivision agreement, entered into an approved plan
 - o or performance bond

- no requirements at this time to have a bond up front, City may require this in the future
- Suggested language to be included as a comment for separated pathways to further endorse exactly what is expected
 - “Acknowledges a development agreement is necessary and it is understood that they will follow the recommendations in Title 11.04 including development of a separated pathway to a recognized trail standard along the south side of the road right of way.”
- This would be included in development agreement and would be a requirement for the Final Plat approval.
- Public Works Director Keiser or the Surveyor could answer the technicalities of the road if needed, including how a pedestrian walkway could be install next to a gravel road.

Mayor Castner provided input on the following:

- A plat is a proposal from a developer which is stating here is our plan
 - They ask questions such as please tell us what you like about this plan as they believe it complies with all the City and Borough requirements.
 - The Kenai Peninsula Borough has a checklist and if it does not comply then it is an insufficient plat
 - A finding should be made of the insufficiencies
- The City Planner has presented that he has reviewed the plat and it is compliant.
- He has reviewed the plat and notes the following:
 - There is no direct plan for water and sewer
 - There are two notes that property owners will provide DEC approved wastewater or waste disposal system which means they can put in a septic tank and leach field
 - The lots are 13,000 square feet and cannot accommodate that
 - There is a utility easement that surrounds the development with stub-outs that represents water and sewer.
 - City Planner has indicated the plat is compliant in relationship to item K on the checklist and he disagrees stating that it is not shown on the plat.
 - There is not a single elevation on this plat, there is nothing to indicate the elevation at East End Road and where it falls into the bottom of the creek.
 - The plat states that they will abandon the main channel of Cantrell Creek where it runs downhill between Lots 9 and 10. On the Lidar maps and if you walk the area you almost fall into it because there is an 18 foot elevation change.
 - They will divert it to the east through a culvert under the proposed road, which will accelerate the flow and it will dump onto the managed wetlands property.
 - The two easements are just permission to do something.
 - A pedestrian easement connecting to Paul Banks between Lot 3 & 4 has two stub-outs in the center
 - There is a Pedestrian and Drainage easement between Lots 6 and 7 and this has two sub-outs at the bottom
 - Questionable on how the water and sewer systems will all work
 - The City Council will insist that it was their intention that it was the developer’s responsibility to comply with the new regulations as outlined in the ordinance.
 - Findings of the City Planner and the Public Works Director does not believe a sidewalk on Cantrell Creek Road but recommended a widened shoulder.
 - City Council believes that is walking in the road.

- The Subdivision agreements do not go through public process, the preliminary plat is a public process.
- If the City Planner sat on this for a period of time and then went to the Borough and they sat on it for a period of time, the plat would automatically be adopted.
- Administration has requested a long term study from Council
 - this has been heard for the last 50 years
 - People making promises about drainage, swales, and storm water treatment, green infrastructure and it never get done.

Public Works Director Keiser stated the following:

- Agreed with the passionate comments regarding this plat
 - The material submitted by the Kachemak Heritage Landtrust was very informative regarding the wetlands
 - Requesting additional time for her to review in more detail the implications to the development agreement
- Public Works Department gets involved once the preliminary plat is approved. The typical process is as follows:
 - Developer is usually still working on the design details for the waterlines, sewer lines, roads and any additional infrastructure.
 - Public Works and the Developer work on the specifics for infrastructure governed by the design criteria manuals and execute the agreement which contains the details for the project. This will include the requirements stated in 11.04.120
 - Public Works Department will issue final completion when all items are met in the agreement.
 - Developer will be required to provide a Warranty Bond which covers the infrastructure for 2 years.
 - Zoning Permits and Driveway Permits will then be issued
 - Kenai Peninsula Borough signs off on the final plat
 - The missing piece in the system would be a performance guarantee or performance bond.
 - This will guarantee that the improvement (project) will be constructed as and developed as designed and if the contractor does not follow through or goes bankrupt, the City can go to the surety who produces the bond and get the improvement completed as agreed.
 - There is no requirement for this for subdivision developers, not sure why or who created these agreements that are in place but it is what was inherited.
 - The second issue is the crossing of the creek to access the remaining lots will require a bridge, not a culvert, but actual arch over the creek and do not believe the developer had this mind.
 - She used as an example another proposed development on Baycrest with challenging topography, stream, wetlands.
 - Recommended no decision be made by the Commission tonight to allow time to review of the concerns and require the applicant to address the challenges of drainage and crossing the creek.
 - Homer City Code 11.04.120 amendments does not specify a sidewalk but states a non-motorized facility in certain situations, not all conditions. The condition that triggers eligibility for this particular development is that it is within 100 feet of an educational facility.

- Certain instances according to Title 11.04 where topography and geography do not allow installation of a non-motorized route the net requirement can be waived so the developer is not required to install a paved road, or a sidewalk. The developer according to this code is required to have a non-motorized facility that is appropriate to the topography and geography of the area.
- Exact details are actually unknown as it is undefined what the actual route will be and that routing requires determination to actually consider what is feasible.
 - This supports the recommendation for postponement on a decision at this time.
 - Definition of routing is where for example if the survey suggested a separated path, is there room for a separated path. In review it appears that there could be and looks to slope in the right direction, but we do not want to design it on the fly, the work needs to be completed first.
 - This project could have used some pre-engineering prior to the planning process. The easy land in Homer is all developed. The land that people are now developing is the complicated areas of Homer and pre-engineering is required before actually approving preliminary plats.
 - There are some options available to the developer and more discussion is needed to study those.
- There is no public process when a subdivision agreement is developed and that could be looked into regarding changing the process while a public hearing should not be required for water lines and such but having some public process in the development may be a good idea as well as requiring some engineering on these remaining parcels of land in Homer is a good idea.
- Addressing the clearing of land prior to development permitting is not addressed in current regulations and is not triggered until the quantity of soil is removed hits the specific amount.

Chair Smith requested additional questions or comments from the Commission and Staff responded to the following:

- Relocation of the creek referring to page 33 in the packet is showed various drainages

- The basis behind the drainage easement of 40 feet from the center of drainage is to actually locate where the water was, then you would measure 40 feet out on each side from the center of that water. There are several pathways for the drainage so the water flow really needs to be figured out to define where the measurement should be taken.
- The City has concerns for the property owners located downstream as well.
- East Road was built over the creek using culverts, the exact size is unknown but believed to be 4 feet in diameter.
- Calculations have not been done on the amount of drainage from upstream, which is what is done during the engineering phase.
- It was believed a considerable amount of water comes through that drainage.

Commissioner Stark reiterated previous statements by Public Works Director on the process to develop a preliminary plat and provided a comparison of a private developer and commercial developer in regards to what is provided and to what depth of detail on the project is given for preliminary approval. Mr. Stark commented that he believed that was how Devony Lehner's subdivision, Stream Hill Park was developed

so well, the back and forth process with Public Works. He also pointed out that the Public Works Director is a duly licensed engineer and therefore is able to address these issues.

Commissioner Stark lost connection momentarily and Chair Smith requested he repeat his statement for the record.

Commissioner Stark stated that when the Ordinance to amend Homer City Code 11.04.120 was presented his recollection was the Commission preferred to wait until the transportation plan was done, he felt that it should wait until the transportation plan was finalized. Council wanted something done in the interim. Ordinance 22-42(S-3) was adopted. Mr. Stark noted that the City Planner stated that Council should define what a sidewalk, walkway were and delineate and differentiate between the two. he agreed that the ordinance did not specify as indicated by Public Works Director Keiser that a walkway should be concrete. He believed that this should be clearly defined and set expectations for performance guarantee and surety bond so that under the development agreement what items are contracted are completed and the city has some assurances.

Public Works Director Keiser responded that it was not clear according to the image shown on page 33 of the packet, where the center of drainage was as there is more than one drainage. The stream should stay in the natural form and the center of the waterway should be configured from there and if there are more than one the drainage easement should be configured from there.

Additional discussion ensued on the following points:

- Requiring performance standards and surety bonds
- Secondary Public comment processes
- Preliminary plats should reflect all design elements including but not limited to non-motorized transportation facilities, water lines, sewer lines, utilities, roads, drainages
- time frame for approval of the preliminary plat
- Public Works performs there due diligence on the improvements and has the steps in place to make the developer conform.
 - o If there is an engineer for the development they start working on the plans and specifications for the project upon which is reviewed and accepted by Public Works
 - o The City will inspect the project once completed and sign off on it if it is found compliant
 - o There is no additional public process.
- Requiring better, fleshed out preliminary plat that is complete and that is what the public should be able to comment on
- Submittal criteria is in the staff report, the city does not have final platting authority, it was agreeable to require more details on a preliminary plat and those requirements will need more technical expertise.
- Clarification on the language in the ordinance and the intent of the Council to provide for non-motorized transportation.

Commissioner Highland asked if she could ask the applicant, Kenton Bloom a question, Chair Smith tried to get a response from Mr. Bloom but there was no response. Chair Smith noted that the other applicant Mr. Botkin was also in attendance and may answer the question.

Mr. Botkin was unable to provide Commissioner Highland with a response to if Lot 9 would flood and he would rely on the information provided by the survey but opined that the higher lots would probably not flood, as Lot 9 is one of the highest lots.

Commissioner Highland commented that all of these lots have flooded in the last 100 year floods so that would be an issue with the subdivision and with the location of the creek it may be better to leave Lot 9 vacant or as open green space.

Mr. Botkin responded that in his opinion it would probably be Lot 10 that would flood and should be left as open green space, but if you look at the lot and walk it compared to the paper and if water came over Lot 9 then it would probably flood Paul Banks Elementary and everything else. He understood that point.

Further discussion on the request to postpone decision for further review and adding a comment regarding the pathway ensued with the Public Works Director stating she would request postpone until the March 15th meeting and clarification on procedure from the Clerk in making the motions

HIGHLAND/VENUTI MOVED TO POSTPONE UNTIL THE MARCH 15 REGULAR MEETING TO ALLOW PUBLIC WORKS AND THE DEVELOPER TO PERFORM RESEARCH AND ADDITIONAL ENGINEERING ON THE PRELIMINARY PLAT.

There was no discussion.

VOTE: NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

11. NEW BUSINESS

11. A. Ordinance 22-42(S-3) and Representative Development Agreement Agenda Item Report PC 23-011

Chair Smith introduced the item and deferred to City Planner Abboud.

City Planner Abboud reviewed Agenda Item Report PC 23-011 stating that Ordinance 22-42(S-3) was heavily discussed by the Commission prior to adoption by the City Council. He facilitated discussion on the following:

- Connecting the dots from Chapter 11 to Chapter 22.10.050 in City Code.
- Framing the Commission response around this after they hear from the City Engineer at the March 15th meeting.
- Commission can add a comment regarding pathways to be included in the subdivision/development agreement.
- This item was brought forward by the Chair to provide clarification on the requirements of the Ordinance in regards to Forest Trail Subdivision.
 - o This ordinance written by the Public Works Director was a quick response to the Council's desire to have something codified sooner rather than later regarding sidewalks.

- Typical process when a developer comes forth to develop their land
 - o Water and sewer locations
 - o Roads and types within the development such as connecting through and cul de sacs
 - o Review of existing non-motorized transportation that is nearby the project and possible connections that would be beneficial to the proposed development and nearby existing non-motorized transportation routes
 - There is a trail criteria manual which provides levels of trails, examples of various types and locales provided as examples.
 - o These items are considered when looking at developments to specify what amenity a developer is required to provide.
- In certain circumstances the City has been able to request a widen shoulder to provide some amenities in previously approved plats.

There was no further discussion.

12. INFORMATIONAL MATERIALS

12.A. City Manager's Report
CM Report for February , 2023

12.B. 2023 PC Calendar

Chair Smith offered the City Planner the opportunity to comment on the Commission calendar and City Planner Abboud had no comments.

Commissioner Stark offered to report to City Council but he was still in the Lower 48 so as soon as he returned the City Planner can add his name to the list.

City Planner Abboud thanked Commissioner Stark and then requested him to contact his office to provide his information so that he can be signed up to receive the Planning magazine and membership.

13. COMMENTS OF THE AUDIENCE

Penelope Haas expressed her appreciation for the Commission trying to work though this plat, there was a lot of public support in moving slowly through these types of deliberations in what Public Works Director Keiser has explained are tricky engineering and one of the points that she made was the easy land in Homer to develop is gone and what is left is the tough stuff. She thanked the Commissioners for all their work.

Pat Case expressed his appreciation for the Commission working through this issue and commented that there were a lot of issues he was unaware of and frankly they are not his issues as he was here for the issue of walkability as he believes that is an important thing because Homer has an aging society and disabled individuals that live here that like to walk. He provided some clarification on his earlier comment regarding paved roads and what was outlined in the ordinance that if you have a walkway on the side of the road then it must be delineated from the road. Now if there are other way to do that than a white line that is great. Mr. Case further commented that he was not aware this subdivision was within 100 feet of set exemptions and

but according to his understanding if that is correct and there is a connecting pathway then you are required to connect to those pathways. He continued by stating he hoped the Commission understood the passion of the Community for more walkability and connections to trails and pathways so that we have a much better place to live and commune with each other not just get into our car and go somewhere. We want more outdoor activities. He thanked the Commission for paying attention.

Scott Adams expressed his appreciation for the Commission stepping back and getting more information before processing this subdivision. He only wished that it was done beforehand because a few of us know the terrain in that area and losing that large amount of trees that can't possibly come back in 30 to 50 years is pretty devastating when you have water running the area and erosion problems and things like that. He expressed the opinion that it shows that the city is going to work on the process so when the next subdivider comes in and wants to subdivide that he has got some other codes to abide by before he can. Mr. Adams again expressed that he would have liked to see something with this one but thanked the Commission for requesting more information before making their decision.

14. COMMENTS OF THE STAFF

15. COMMENTS OF THE COMMISSION

Commissioner Stark expressed appreciation for all the great comments and input from staff, Mayor Castner and the public and stated that he tries to put himself as just a member of the public, and to address the concerns on the lack of public participation he believed there should be an opportunity for the public to comment before and after. Mr. Stark then recounted reading a historical document regarding Homer and the opinion of the populace at that time did not want graveled roads as that would encourage more traffic, to this day residents of Homer want pathways and walkability. They don't want them concrete. So he believed that the challenge for Homer is finding that balance to serve the residents, businesses, community and tourists while keeping Homer, Homer, and not have it become like everywhere, U.S.A. Where everything is concrete and asphalted, and Homer still has that really cool, warm, neat, coastal city environment. Mr. Stark stated that's the challenge.

Commissioner Venuti expressed his appreciation for the work that the staff had done for this meeting.

Commissioner Highland thanked Mayor Castner, Public Works Director Keiser and Staff. She noted that the comments were very interesting and recognized that challenges were coming their way or they were in the midst of them. Ms. Highland stated that wetlands were very important and the city needs to do all they can to protect them.

Chair Smith echoed the sentiments expressed previously on Mayor Castner's and Public Works Director Keiser's attendance and input they provided at this meeting stating it was very valuable and offered some clarification. He noted that as a Commission they cut their teeth on this topic and they have learned quite a bit on what a plat entails and what the Commission's responsibility is and is not. He believed that if the City can develop or refine the processes regarding plats that it will make a big difference.

Chair Smith then spoke directly to the Commissioners acknowledging that Zoom was very convenient, but it is becoming extremely problematic technically, due to those attending via Zoom are cutting in and out so much that even to the point it impacts whether the Commission can maintain a quorum and whether or not those attending in Chambers can hear how the members attending via Zoom are voting. He stated that is very important. Chair Smith acknowledged that there is no authority to back it, that Commissioners may

have genuine concerns, but strongly encouraged and requested the Commissioners to return to the Chambers and attend meetings in person. Chair Smith further commented that they must consider the fact that they need to get beyond the convenience of having Zoom and back to face to face meetings. He thanked everyone for a brilliant meeting.

ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 9:35 p.m. The next Regular Meeting is Wednesday, March 1, 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, MMC, Deputy City Clerk II

Approved: _____