

Session 22-07, a Regular Meeting of the Planning Commission was called to order by Chair Scott Smith at 6:30 p.m. on May 4, 2022 at the Cowles Council Chambers in City Hall, located at 491 E. Pioneer Avenue, Homer, Alaska, and via Zoom Webinar.

PRESENT: COMMISSIONERS BARNWELL, VENUTI, SMITH, CHIAPPONE, BENTZ, HIGHLAND

ABSENT: COMMISSIONERS CONLEY (excused)

CONSULTING MAYOR CASTNER

MEMBERS: PUBLIC WORKS DIRECTOR/CITY ENGINEER KEISER

STAFF: CITY PLANNER ABOUD
DEPUTY CITY CLERK TUSSEY

The Planning Commission met in a worksession from 5:30 p.m. to 6:24 p.m. prior to the meeting for Planning Commissioner Training, facilitated by City Attorney Michael Gatti.

AGENDA APPROVAL

VENUTI/ BENTZ MOVED TO APPROVE THE AGENDA.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS ON ITEMS ALREADY ON THE AGENDA

RECONSIDERATION

CONSENT AGENDA

A. Planning Commission Regular Meeting Minutes of April 20, 2022

Chair Smith read the consent agenda and asked for a motion.

HIGHLAND/BENTZ MOVED TO APPROVE THE AGENDA AS PRESENTED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PRESENTATIONS / VISITORS

STAFF & COUNCIL REPORT/COMMITTEE REPORTS

A. Staff Report 22-32, City Planner's Report

City Planner Abboud provided a summary of Staff Report 22-32. At his request for a volunteer, Commissioner Barnwell agreed to give the PC report to City Council at their May 9th meeting.

PUBLIC HEARINGS

- A. Staff Report 22-33, Conditional Use Permit 22-03, A Request to Allow Additional Dwellings at 1678 Sterling Highway

Chair Smith introduced the item by reading the title.

City Planner Abboud spoke to Staff Report 22-33, highlighting the following:

- Overview of the lot, its location, and the applicant's proposal to construct a single family dwelling in addition to the existing single family dwelling and duplex structure on the lot.
- How the proposal meets the Comprehensive Plan, the property's wetland status, and how it's compatible with the exiting uses surrounding the land.
- Measuring the multifamily density and how that ties in with lot/building square footage and parking space requirements.
- What items the applicant will need to work on with Planning and Public Works Staff; an overview of Conditions 1 – 3 was provided:
 - Condition 1: Install approved community water and sewer service to the structures.
 - Condition 2: Outdoor lighting must be down lit per HCC 21.59.030 and the CDM.
 - Condition 3: Dumpster shall not be visible from the street or shall be screened on three sides.

Chair Smith opened the public hearing.

Tony Romeril, applicant and property owner, introduced himself to the commission and offered to answer any questions the commission may have.

Leah Evans inquired if this was the public comment opportunity to speak to the non-motorized trails plan. Chair Smith noted it was not and there will be a later opportunity.

Mark Sass, adjoining property owner, voiced his non-objection for the development at 1678 Sterling Highway. Mr. Sass opined that if the City is wishing to go down this path of having more housing density, but without having the separate access in case the lots are subdivided, then they will have the issue of groupings of rental houses with no frontage. While there may not be an issue with this CUP, he is concerned that having multiple homes on one piece of property could lead to traffic and noise problems, and if the CUP is ongoing (versus something that is renewed) then what is the point of improving something like that.

Chair Smith inquired if City Planner Abboud had a response. Mr. Abboud commented on Mr. Sass' concerns that were related to the public hearing on Conditional Use Permit (CUP) 22-03, noting that the CUP goes with the land, that any violations would be dealt with as they arise, and how density is a City policy thing. He acknowledged Mr. Sass' comments and appreciates them during a time when the commission and City are having discussions on density.

Chair Smith closed the public hearing after verifying with the Clerk that there was no additional members of the audience present wishing to provide testimony. He opened the floor to questions from the commission.

Public Works Director/City Engineer Keiser commented that Public Works had reviewed this CUP and proposal and do not have any objections to it.

BENTZ/HIGHLAND MOVED TO ADOPT STAFF REPORT 22-33 AND RECOMMEND APPROVAL OF CONDITIONAL USE PERMIT 22-03 TO CONSTRUCT A SINGLE FAMILY DWELLING IN ADDITION TO THE EXISTING SINGLE-FAMILY DWELLING AND DUPLEX STRUCTURE AT 1678 STERLING HIGHWAY WITH FINDINGS 1 THROUGH 10 AND THE FOLLOWING CONDITIONS: CONDITION 1: INSTALL APPROVED COMMUNITY WATER AND SEWER SERVICE TO THE STRUCTURES; CONDITION 2: OUTDOOR LIGHTING MUST BE DOWN LIT PER HCC 21.59.030 AND THE CDM; AND CONDITION 3: DUMPSTER SHALL NOT BE VISIBLE FROM THE STREET OR SHALL BE SCREENED ON THREE SIDES.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PLAT CONSIDERATION

PENDING BUSINESS

NEW BUSINESS

- A. Memo from Public Works Director, Jan Keiser, P.E., Re: Strategies for Deploying HART Road/Trails Funds to Accelerate Non-motorized Transportation and Road Repair

Chair Smith introduced the item by reading the title and deferred to Public Works Director/City Engineer Keiser.

Ms. Keiser spoke to her written memo and proposal to request that the City Council authorize the expenditure of Homer Accelerated Roads and Trails (HART) funds to accelerate the development of non-motorized transportation routes and road repair. She provided a summary and history of the following programs:

- Create new Non-Motorized Transportation Opportunity Program
- Create Pavement Restoration Program
- Enhance existing Small Works Drainage Repair Fund
- Enhance existing Small Works Road Repair Program
- Enhance existing IDIQ Contract for Road Repair with East Road Services
- Enhance existing Small Works Trails Maintenance Fund

Ms. Keiser requested the commission's support for these programs. She explained the ordinances representing the appropriations will have their first reading at the May 9th City Council meeting, with the second reading and public hearing scheduled for May 23rd.

HIGHLAND/BENTZ MOVED TO SUPPORT THE STRATEGIES PROPOSED BY PUBLIC WORKS FOR DEPLOYING HART ROAD AND TRAILS FUNDS TO ACCELERATE NON-MOTORIZED TRANSPORTATION AND ROAD REPAIR, AND RECOMMEND CITY COUNCIL APPROVAL.

Commissioner Chiappone requested clarification on the definition difference between trails and paths/sidewalks. Ms. Keiser stated a sidewalk is equal to a path which is related to a road, while a trail could cut through a forest. The main difference is that paths/sidewalks can be funded by HART Road funds while trails can be funded by the HART Trails fund; there are two different funds.

Chair Smith inquired if there was much of a cost difference between the two. Ms. Keiser explained how it's dependent on the nature of the trail and the four categories of trails; some trails are ADA accessible and may not be any different in cost to a path. But there is a significant difference between a trail and a paved sidewalk.

Commissioner Barnwell clarified with Ms. Keiser a project cost discrepancy for Program I. She commented how the initial cost estimate of \$750,000 changed to \$1.5 million after a more formal assessment was completed.

Commissioner Barnwell inquired if there was any cost sharing from this pavement restoration budget with the Alaska Department of Transportation and Public Facilities (ADOT&PF), who manages many of the roads in Homer. Ms. Keiser explained the City's only role in State road projects is to look at the utilities that are impacted by those projects, which we pay for. In response to follow-up questions from Commissioner Barnwell, Ms. Keiser described how limited the City's role is with ADOT&PF projects, how late in the development process the City is brought into project communications, and what she means by the term developer when discussing cost estimating.

Commissioner Venuti requested clarification on the term "frost boil". Ms. Keiser described how they are caused by the sub-grade freezing then thawing, and how they are fixed.

Commissioner Highland inquired if there was any way the City could talk to ADOT&PF about building a detached bike path or wider shoulder along East and West Hill Roads during their improvement projects. Ms. Keiser reiterated the struggles the City has been experiencing trying to get suggestions included in the State's project plans. Commissioner Highland questioned if making calls to Senator Gary Stevens to aid with improving those communications with the State would help.

Commissioner Bentz commented that it was great to see this implementation and financial road plan laid out so they can see where the funds are, and that it will help with their long-term vision for transportation in general. It is an incremental step in improving not just our non-motorized transportation infrastructure but also investing into prevention for future damage, especially with drainage.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- B. Staff Report 22-34, Comprehensive Plan
 - i. Supplement Memo to SR 22-34: Trails & Sidewalks in Code

Chair Smith introduced the item by reading the title.

City Planner Abboud explained the information he provided that gives background to the non-motorized transportation plan issue so that all commissioners may have a similar understanding to use as a basis for addressing the subject, particularly when working on the Comprehensive Plan.

Chair Smith opened the floor for questions or discussion. He inquired if there was a way to get the cart in front of the horse in regards to the Stormwater Plan and its development in conjunction with these motorized and non-motorized development projects. Public Works Director/City Engineer Keiser shared the different actions Public Works is currently taking to make some of those drainage plans

happen, and some of the difficulties they face with repairing/replacing corroded pipe beyond use with a limited budget.

Commissioner Barnwell commented on the design criteria manual and how much of the city's infrastructure does not meet those requirements. It was his reasoning for voting no on the rezone as he believes the infrastructure is not built in a way that supports more urban, high-density residential areas. City Planner Abboud responded, thinking the City is attacking the issues on all fronts right now. Mr. Abboud commented on how Homer has not been developed/incorporated as long as other municipalities, and we are playing catch-up from being a homestead community to a designed city.

Mayor Castner commented that this issue is one of the reasons why he is attending the meeting. City Council is starting to react to the fact that our town does not have enough sidewalks, and a resolution will be introduced at the May 9th Council meeting requesting the Planning Commission look into the issue. Regarding the Comprehensive Plan, the Port and Harbor Advisory Commission (PHC) has voiced concerns there are sections that are restrictive for harbor growth and development. He noted he will bring whatever support to ensure they have the resources to be able to get these projects done.

Commissioner Bentz recalled the comments Mayor Castner made during the worksession regarding the Comprehensive Plan. She was part of the 2018 Comprehensive Plan rewrite and thinks the plan should be looked at as a whole and not in sections. She appreciated the information provided by staff to start the rewrite work. She commented on open-space and green infrastructure planning and suggested tying those concepts into what they're planning.

Ms. Keiser commented on storm water drainage planning, her concerns, and how laying pipe is not a simple solution to storm water drainage/management. She noted the other components involved and considerations to take into account.

Commissioner Venuti inquired on what concerns the PHC had about the Comprehensive Plan, and if anyone in the Planning Department has had conversations with the PHC. Mr. Abboud commented that this topic has just bubbled up and did not have the specifics.

In response to a follow up question from Chair Smith, Mayor Castner spoke to how it would be beneficial for a member of the PC, PHC, and other groups of influence to get together and discuss these ideas across commissions. Chair Smith supported being a part of that meeting.

Deputy City Clerk Tussey commented that she clerks the PHC and clarified that Economic Development Manager Julie Engebretsen gave a presentation on the Comprehensive Plan and Spit Comprehensive Plan at the last PHC meeting on April 27th to help the commission better understand what the plans are, where to find them online, and how they tie in to the work the PHC is doing. Ms. Tussey explained how she is not aware of any concerns the PHC has at this time on the plans because they only recently started having the discussion and are planning on having an annual review of the Spit Comprehensive Plan at their September regular meetings. She noted that Ms. Engebretsen is also the staff liaison for the Economic Development Advisory Commission (EDC) and provides that group with the same presentations and information, so there have been conversations at the staff level to ensure the spread of information between the different commissions.

Commissioner Bentz inquired on how we can design our various plans so they are more evergreen, more flexible in implementation, and use the implementation plans to achieve their goals and broader comprehensive plan. Ms. Keiser explained how staff is drafting new city code that will specify when

non-motorized transportation easements/right-of-ways need to be added to a plat or new development on an existing plat, and when they need to be constructed. The criteria will include items, such as the destination or number of residents/commercial businesses this route will serve, to determine if a non-motorized route is necessary, and give Public Works and Planning things to gauge potential development.

Commissioner Bentz's opined if that level of specificity that's useful in a comprehensive planning document can be worked into these plans and then just update the implementation table; it was something they discussed during the last rewrite. Mr. Abboud agreed that it's possible and would look into it further. As long as the bones of the plan are still valid, some kind of implementation guide outside of the plan could be created that would be a faster way than reevaluating the whole plan.

Chair Smith confirmed there was no further discussion and voiced his appreciation for Ms. Keiser and Mayor Castner for their work and bringing their perspectives and information to the meeting.

INFORMATIONAL MATERIALS

- A. City Manager's Report for April 25, 2022
- B. Kenai Peninsula Borough Notice of Decisions
- C. Planning Commission Calendar

Chair Smith noted the informational materials provided. City Planner Abboud recapped some of the agenda items expected to come to the next meeting, possibly sidewalk/non-motorized transportation issues.

COMMENTS OF THE AUDIENCE

Helen Armstrong, city resident, voiced her support for Public Works Director Keiser's non-motorized transportation routes and road repair proposal and all of City Planner Abboud's information. She shared how she is a volunteer with the Homer Trails Alliance and the commission will be seeing representatives of their group at the public meetings when it has to do with sidewalks, pathways, trails, etc. Last week the Homer Drawdown group voted for supporting non-motorized transportation and their project this year, so there will be a lot of community help and involvement on the subject.

COMMENTS OF THE STAFF

Mayor Castner commented on an opening on the Kenai Peninsula Borough Planning Commission for what he considers is the City's seat, and explained how the appointment process is a little different than in the past. He noted there is a new Borough Planning Director, Robert Ruffner, and shared his positive experiences with Mr. Ruffner and is looking forward to working with him. Mr. Castner opined that the City is enjoying a very good relationship with the Borough Assembly and how we will need to keep engaged with them on coming up with performance guidelines for new subdivisions. He thanked the commission for their service.

Public Works Director/City Engineer Keiser reported on the recently-closed Invitation to Bid for the Main Street Sidewalk Improvements Project, how the Green Infrastructure Stormwater Management Program is moving ahead, and the near-completion of the new sewer lines on Tasmania Court.

City Planner Abboud voiced his excitement for all the new energy they have for moving things forward; there is a lot of exciting things he looks forward to working on.

Deputy City Clerk Tussey commented that as the clerk for the Economic Development Advisory Commission, the Port and Harbor Advisory Commission, and the Library Advisory Board, she hears a lot of overlapping discussions and encourages the Planning Commissioners to review the other advisory bodies' strategic plan and goals, which are available online on their respective webpages. She noted that particularly the EDC's and PHC's goals are strongly aligned with some of the work the PC is currently doing.

COMMENTS OF THE COMMISSION

Commissioner Bentz commented it was great to have Ms. Tussey as their clerk today. She noted it was Professional Municipal Clerks Week and gave a shout-out to all the clerks that serve them; it's great to have a guidance in process for all the meetings.

Commissioner Venuti thanked everyone and had no further comments.

Commissioner Chiappone commented it was a very informative meeting with new ideas and information. He thanked the City Staff present and Mayor Castner for all their work, presentations, and attendance.

Commissioner Barnwell thanked City Staff and Mayor Castner for working really hard, how it's exciting to see them all working together on some exciting things. He thinks the non-motorized criteria work is a great idea, and liked Commissioner Bentz's comments about holistic-approach planning to bring green infrastructure and transportation elements together for better comprehensive planning. He thanked everyone and noted it was a great meeting.

Chair Smith commented on the large amount of helpful information they've received, how it's starting to make sense, and he's ready to get out there and make a difference in our community. It has been a long-haul effort that is starting to pay off and it's exciting. He shared some recent Borough plans to create a flat-fee structure for road maintenance outside of Homer City limits, shared his concerns against the idea, and opined if there was a way they could make a recommendation against it. He thanked everyone for their time and efforts.

Commissioner Highland thanked everyone and gave a shout-out to the City Clerk's Office for their work and effort. She wondered when the Transportation Plan will be on an upcoming agenda because the census is in and it correlates with everything they are working on.

ADJOURN

There being no further business before the Commission, the meeting was adjourned at 8:10 p.m. The next Regular Meeting is Wednesday, May 18, 2022 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.

RACHEL TUSSEY, CMC, DEPUTY CITY CLERK II

Approved: _____