

Session 21-21, a Regular Meeting of the Planning Commission was called to order by Chair Scott Smith at 6:31 p.m. on September 15, 2021 at Cowles Council Chambers in City Hall located at 491 E. Pioneer Avenue, Homer, Alaska, and via Zoom Webinar.

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

ABSENT: COMMISSIONERS BENTZ (EXCUSED)

STAFF: CITY PLANNER ABOUD
DEPUTY CITY CLERK KRAUSE

APPROVAL OF THE AGENDA

Chair Smith requested a motion to approve the agenda.

HIGHLAND/VENUTI MOVED TO APPROVE THE AGENDA AS PRESENTED.

Chair Smith reported that City Council has scheduled a Special Meeting to address the request from Appellant Frank Griswold on the Appeal of CUP 20-15 and Zoning Permit 1020-782 and as such it would be improper to have a discussion on New Business Item B Staff report 21-52 Use of Shipping Containers at this meeting until they have made their decision. He requested a motion to amend the agenda to postpone that item until the October 6th meeting or later as needed.

HIGHLAND/VENUTI MOVED TO POSTPONE THE NEW BUSINESS ITEM B, STAFF REPORT 21-52 USE OF SHIPPING CONTAINERS TO THE OCTOBER 6TH MEETING OR LATER AS NEEDED.

There was a brief discussion on delaying the topic later than October 6th regular meeting.

VOTE. (Amendment) NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

There was no further discussion.

VOTE. (Main).NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS ON ITEMS ALREADY ON THE AGENDA

RECONSIDERATION

CONSENT AGENDA

A. Planning Commission Regular Meeting Minutes of September 1, 2021

Chair Smith read the Consent Agenda into the record and requested a motion of approval.

HIGHLAND/VENUTI MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PRESENTATIONS / VISITORS

REPORTS

A. Staff Report 21-58, City Planner's Report

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

City Planner Abboud spoke to his written staff report, highlighting the following:

Planning Department has been very busy since the last meeting
Council approved the Ordinance on teleconferencing, Resolution on City fees which included some planning fees and introduced an Ordinance to appropriate some funding for facilitating scoping work on the HERC as there may be a chance to obtain federal funding to build a multi-use community center.

Julie Engebretsen has been selected to serve as lead on that project
EDC continues to work on the wayfinding plan

He has been asked to join the Kenai Homelessness Coalition, he noted that most attendees were from service oriented businesses and he was on the city side
Alaska Small Business Opportunities and KPEDD

Chair Smith will submit a written report but there were no volunteers to attend the upcoming Council meeting.

Commissioner Venuti brought forward an incident regarding the drainage issues from the construction in the West Hill area and if the Commission should do something about that issue.

City Planner Abboud responded that he will check with Public Works Director Keiser and he has advocated for a master drainage plan for a while. This is an issue every time someone develops the land. He noted that the subdivision in question has been in the works for thirty years. He believed that there was a section of the area designated for drainage. He provided some examples of what is usually done in situations such as this. He would certainly like to see some type of plan. He will get back to the Public Works Director on that issue.

Commissioner Venuti stated that there was a regulation in place regarding recent development plans that shall not adversely impact other properties and if that is happening, how can the City enforce the rules?

City Planner Abboud responded that he was not sure, hire an attorney, typically he believed it was used in civil issues and it would be a difficult thing to deal with and he is not qualified to address that in this environment.

Commissioner Barnwell provided information on the work he was involved with during his employment with Kinney Engineering and provided some input on the information currently in existing city plans. The newest information has not been incorporated into those plans. Public Works Director Keiser is well aware of the issues and is trying to address the issues through green infrastructure.

Commissioner Highland commented that allowing the clear cutting to happen in development of subdivisions adds to the drainage problems. She then requested additional information on the presentation made by KPEDD Executive Director Tim Dillon.

City Planner Abboud provided the information he had on the presentation but could not provide details as he was not present during the presentation. He then responded to Commissioner Barnwell on the status of the Hazard Mitigation planning affecting the Public Works Campus relocation and planning. He further commented on the need to put in drainage remedies, acknowledging that it may be a state project since it involves the highway.

PUBLIC HEARINGS

- a. Staff Report 21-59, Conditional Use Permit 21-07 for two retail buildings at 1554 Homer Spit Road

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

City Planner Abboud provided Staff Report 21-59. He noted the location of the project and the other commercial entities in the areas. He noted that a gazebo currently on the site is not part of the request so it must be removed. He noted the letter of support from a neighboring property owner.

Kenton Bloom, applicant, provided a brief summary of the project and noted that he was available for questions.

Chair Smith opened the public hearing, seeing no public present he closed the public hearing.

Commissioner Barnwell requested information on use of the Community Design Manual when reviewing the CUP application.

City Planner Abboud responded that he did, and the only applicable standard is the lighting.

Commissioner Barnwell commented that it is a very visible site and he supported the development of the location but it would be great to add some landscaping as it would be very aesthetic and since he worked on the Public Works Campus Task Force he noted that the location is right above the blue line so out of the tsunami inundation zone.

Kenton Bloom, applicant, clarified for Commissioner Highland that the property owner already obtained a waiver from the city regarding the encroachment into the right of way and the section of property that appears to encroach into the roadway was actually due to a vacation of the right of way by the DOT in the 1960's.

Kenton Bloom, responded that the tanks were removed and the site was blessed in response to Commissioner Venuti comment regarding the site being the location for a former gas station.

Commissioner Chiappone commented that location is sort of the entrance to the spit and while this development may not fall under those requirements it would be an opportunity to have a really nice development.

City Planner Abboud commented that the developer does really nice work and assured the Commission that they will like the end results.

Chair Smith requested a motion.

HIGHLAND/VENUTI MOVE TO ADOPT STAFF REPORT 21-59, AND APPROVE CONDITIONAL USE PERMIT 21-07 FOR TWO RETAIL BUILDINGS AT 1554 HOMER SPIT ROAD WITH FINDINGS ONE THROUGH TEN AND THE FOLLOWING CONDITION:

1. OUTDOOR LIGHTING MUST BE DOWNLIT PER HCC 21.59.030 AND THE COMMUNITY DESIGN MANUAL.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PLAT CONSIDERATION

PENDING BUSINESS

NEW BUSINESS

- a. Staff Report 21-60, Review of Planning Commission Bylaws and Policies and Procedures Policy Manual

Chair Smith introduced the item by reading of the title and invited City Planner Abboud to speak to Commission.

City Planner Abboud reviewed Staff Report 21-60 noting the changes made to the bylaws and amending the language throughout the policy and procedures to update to reflect current terms. He had also incorporated the changes from the Clerk's office and will make sure that all the language is reflected correctly from the approved ordinance. He had some issues on the formatting and assured the Commission that would be corrected.

Chair Smith requested a motion.

HIGHLAND/VENUTI MOVED TO ADOPT THE HOMER PLANNING COMMISSION BYLAWS AS AMENDED.

Commissioner Highland questioned the Section 2, line 106 regarding the absences.

Deputy City Clerk Krause interjected that the Commission should refer to page 57, beginning on line 173 where the ordinance addresses the Planning Commission since it was addressed separately in city code and the Commission wanted to keep the total absences at six. The other Commissions and Board are addressed on page 53, line 33 of the ordinance.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Deputy City Clerk Krause noted that two motions were required to adopt the amended bylaws and then the amended policies and procedure.

Commissioner Highland questioned that page 56 and 57 are related to the bylaws and they just passed the bylaws.

Deputy City Clerk Krause recommended that Commissioner Highland make a motion to suspend the rules to allow discussion on the bylaws.

HIGHLAND/VENUTI MOVED TO SUSPEND THE RULES TO FURTHER DISCUSS THE BYLAWS.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Commissioner Highland referenced page 60, line 56-57 and asked if that should be changed.

Deputy City Clerk Krause noted that since the Ordinance 21-58 was approved that information should be struck since teleconference is allowed whether it is a special meeting, worksession or regular meeting.

City Planner Abboud noted that they could do some “word smithing” to make those corrections.

Deputy City Clerk Krause stated that they can make a motion to reconsider something previously adopted right now.

HIGHLAND/CONLEY MOVE TO RECONSIDER THE APPROVAL OF THE BYLAWS.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

There was a brief discussion on amending Lines 56 and 57 and the appropriate language that should be used.

HIGHLAND/VENUTI MOVED TO AMEND LINE 56 – 57 TO STATE COMMISSION MEMBERS MAY ATTEND IN PERSON OR BY TELECONFERENCE AT THE TIME DESIGNATED FOR THE MEETING.

There was no further discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Commissioner Highland next questioned line 155, “vote or may be done in accordance with J. Consensus.

Deputy City Clerk Krause noted that it should reflect in accordance with M. Consensus.

HIGHLAND/CONLEY MOVED TO AMEND LINE 155 TO CHANGE THE LETTER J TO THE LETTER M BEFORE THE WORD CONSENSUS.

There was no further discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Commissioner Highland then questioned line 230 and the additional spaces.

City Planner Abboud noted that he will be reformatting both documents when finalizing before submitting them to City Council.

Chair Smith thanked Commissioner Highland for her eye for detail.

Commissioner Conley questioned if they should approve the bylaws again since they were further amended.

Deputy City Clerk Krause responded that they should.

VENUTI/HIGHLAND MOVED TO APPROVE THE AMENDED BYLAWS PREVIOUSLY ADOPTED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

INFORMATIONAL MATERIALS

- A. City Manager's Report for September 13, 2021 City Council Meeting
- B. Kenai Peninsula Borough Notice of Decisions
- C. Planning Commission Calendar

COMMENTS OF THE AUDIENCE

COMMENTS OF THE CITY STAFF

Deputy City Clerk Krause complimented City Planner Abboud on amending the Policies and Procedures to update the he and she's in the document. It was a good meeting.

COMMENTS OF THE COMMISSION

Commissioner Chiappone commented that he admired the thoroughness of the staff in which they go through the details of the procedures especially the meeting tonight. He expressed his appreciation for bringing up the issues with regard to the watershed and living on the side of a hill here in town where basically water runs downhill. He stated that he walks a lot and sometimes towards West Hill road in the winter and the sidewalk is glaciated over and it runs over the ditches and onto the highway. It is a complex, complicated issue and he agreed with what the City Planner commented about regarding Department of Transportation and what would be involved. He was glad that they were discussing the issue.

Commissioner Venuti commented that it was an interesting and he extended his appreciation for the Commission's indulgence, letting him bring up and speak about the drainage issues. He appreciated the quick responses to the resident's concerns and it makes it easy working with professionals like the city staff. He wished everyone a nice evening and stay safe and healthy.

Commissioner Highland expressed her thanks to the staff and as long as they have been talking about the drainage issues over the years and she is looking forward to coming up with some ideas to solve those issues.

Commissioner Conley expressed his appreciation for every one this evening and thanked staff for their hard work and the Clerk for keeping everything straight this evening.

Commissioner Barnwell commented that it was a good meeting and stated that drainage is one of his favorite topics and he reported that there is no excuse since they have good data and they can really amp these basins and look at the vegetation to make some really big decisions. They don't have a lot of time and he also commented that they need the Hazard mitigation plan updated so he would like to see some movement on that issue as well. He expressed that he believes it is crucial to look at the public works and infrastructure funding that may be available. Commissioner Barnwell expressed his appreciation of the project that is planned for the corner of Spit road and FAA Road and sincerely hoped that they would be doing some type of landscaping with vegetation and low growing trees

understanding that the flight path for the airport is there. It has been a really special summer and he echoed the sentiments of appreciation for the City Planner and Deputy City Clerk.

Chair Smith commented that he would like to see some additional vegetation in that area as well and that there are a variety of low growing options that would look really nice. He stated that he has been considering starting a wood shop business and that would have been a great location. He thanked Commissioner Venuti for bringing up the drainage issue and putting in the extra effort to meet with the resident and follow up on those concerns. He expressed his appreciation for everyone's contributions and thanked the Clerk for providing the necessary guidance. Commissioner Smith appreciated the time and effort put in by the City Planner to bring quality work before the commission to make their job easier.

ADJOURN

There being no further business before the Commission, the meeting was adjourned at 8:27 p.m. Next Regular Meeting is Wednesday, October 6, 2021 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: Oct. 20, 2021