

Session 21-18, a Regular Meeting of the Planning Commission was called to order by Chair Scott Smith at 6:33 p.m. on August 18, 2021 at Cowles Council Chambers in City Hall located at 491 E. Pioneer Avenue, Homer, Alaska, and via Zoom Webinar. There is one vacancy on the Commission.

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

STAFF: CITY PLANNER ABBOD
DEPUTY CITY CLERK KRAUSE

The Commission met prior to the regular meeting at 5:30 p.m. for a worksession. They discussed the proposed amendments to Homer City Code 21.57 Large Retail and Wholesale Stores.

APPROVAL OF THE AGENDA

Chair Smith requested a motion to approve the agenda.

HIGHLAND/VENUTI 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 August 4, 2021

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

HIGHLAND/BARNWELL MOVED TO APPROVE THE CONSENT AGENDA.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PRESENTATIONS / VISITORS

REPORTS

A. Staff Report 21-49, 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:

- Ordinance regarding on site marijuana failed and there was no public comment
- Pleased to see that there are efforts to mitigate the Spruce Bark Beetle dead trees
- Looking forward to attend the annual Planning Conference being held in Arizona this year.

There were no volunteers to attend and report at the City Council meetings.

Chair Smith noted that he will be submitting a written report that will be included in the supplemental packet for Council.

City Planner Abboud reported that the Commission will be getting a more detailed wayfinding report in the fall, the report was included in the packet for this meeting to keep the Commission abreast of the status of the wayfinding project.

B. Public Works Campus Task Force Report

Chair Smith introduced the item and asked for Commissioner Barnwell to provide his report.

Commissioner Barnwell provided a summary of the work completed by the Task Force and the work product developed; an executive summary memorandum and detailed report with conclusions and findings, as well as three mitigations strategies for a tsunami hazard.

Commissioner Barnwell fielded questions and comments from the Commission on the following:

- Inundation mapping
- Historical events related to the flat area of the slough and airport areas
- Future uses of the existing public works campus

PUBLIC HEARINGS

PLAT CONSIDERATION

PENDING BUSINESS

A. Staff Report 21-51, Large Retail and Wholesale Stores Code

Chair Smith introduce the item by reading of the title. He then invited City Planner Abboud to provide his report to the Commission.

City Planner Abboud provided a recap of the discussion during the worksession. He then facilitated discussion on the following:

- Traffic Impact Analysis
 - o Requirements and how that affects the last property owner to develop
- Community and Economic Impact Analysis

- How much outlay would this require
- Parking issues overall
 - parking lots for the large retail not to exceed 10% of the required amount
 - Save U More removed the islands to allow additional spaces
 - there is additional land surrounding the store that could be used
- Having large retail operations would put the small local retail shops out of business
- Water and sewer facilities required by large retail stores
 - Many small communities do not offer that in order to keep large companies disinterested
- Pushing the cart towards online sales
- Rewrite of the Transportation Plan
 - Current transportation plan is outdated
 - If State requests projects the city does not have shovel ready plans
- Analysis and projection of population growth
 - 1% growth inside city limits
 - Growth outside city limits which affects Homer
- Connectivity will be needed now and in the future
- Clarification on requirements for CUP's
- Requirements for multi-size parking stalls and how would that be addressed
- Seasonal Parking Requirements for Large Retail Stores
- Landscaping requirements
 - Allowing Alders for use as natural mature vegetation
 - Lines 195, completion in 9 months too long of time
- Incorporating some of the landscaping requirements into the Community Design Manual (CDM)
 - Including 1% for art requirements for projects
 - Art is very subjective
- Snow storage area increase

City Planner Abboud will work more on this and bring it back for a future meeting.

- B. Staff Report 21-50, Ordinance 21-XX amending on-site parking requirements for one-bedroom dwellings

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

City Planner Abboud provided a summary of Staff Report 21-50 and addressed comments on the following:

- Number of parking stalls per efficiency or studio
- Having parking for guests
- Establishing one guest parking stall per four parking stalls for efficiencies for a total of 5 parking stalls. Ex. Eight efficiencies would require 2 guest parking stalls.

City Planner Abboud stated he will prepare for a public hearing on this item.

NEW BUSINESS

A. Staff Report 21-47, Review of Planning Commission Bylaws & Policies and Procedures

Chair Smith introduced the item by reading of the title and invited the City Planner to speak to his staff report.

City Planner Abboud reviewed the proposed amendments to the Policy and Procedures document and the Bylaws for the Commission. He noted the proposed changes that the City Clerk's Office was bringing forward. He explained that it will need to be reviewed at a second meeting before being sent to City Council for final approval. He noted that the next item on the agenda, a draft ordinance on teleconferencing and attendance will be incorporated into the documents once approved by Council.

City Planner Abboud voiced his dislike on the Clerk's recommendation for excused or unexcused absences, since it is not defined on what counts as excused or unexcused and who determines that it is excused or unexcused. Commissioners will need to contact the Clerk no later than two hours prior to the meeting regarding attendance. He then noted that the percentage of total meetings to 50% from 30% and explained that recently they have considered moving to one meeting per month due to the heavy work schedule and requirements to prepare for a meeting and how much time it takes. He then commented on the likelihood of a Commissioner missing as many as 11 meetings and how detrimental that would be to their effectiveness serving on the Commission.

City Planner Abboud requested input from the Commission on the proposed changes and if there were any additional changes that they feel should be made within the documents.

Commissioner Highland recommended that all the personal pronouns be amended to reflect the plural pronouns of they/their/them as necessary.

City Planner Abboud facilitated a brief discussion on the use of the plural pronoun.

Commissioner Highland requested clarification on quorum and voting and the use of Consensus.

Deputy City Clerk Krause explained the requirements of Robert's Rules in regards to the use of roll call voting and consensus. She further noted that the Commission being a quasi-judicial body that their actions should be by roll call vote unless it is an item that is non-contentious and would presumably not invoke contention from the public.

Commissioner Highland then requested clarification on the absences as she saw in one place missing up to six meetings but saw later in the packet missing up to 50% of the meetings.

City Planner Abboud stated that that leads into the draft ordinance presented in the packet and is why they need to wait to finish the amendments to the Bylaws until it gets approved. He believed that missing 50% of their scheduled meetings would not be good.

Commissioner Highland did not agree with the high percentage for this Commission.

Chair Smith commented that reducing meetings of the Commission to one per month would make for some very long meetings and would overall slow the processes down so he would not be in support of

a reduction in meetings. He believed that a commissioner's integrity was significant and if a person signed up to be on the Commission there are sacrifices that they will need to make and other areas that adjustments will be required. Chair Smith supported allowing up to six absences as it currently reads but did not support the 50% absences. He noted that emergencies and life happens and that if they call the Clerk or not they will still be in good standing missing six meetings. He further advocated that they amend the verbiage to reflect "communicate to or with" which then opens up other forms of contacting the clerk besides a phone call.

There was a brief discussion on addressing an item in the next topic but that would be a point of order since it is a separate agenda item.

City Planner Abboud commented that a better word than communicate may be "notify" in response to Chair Smith's recommendation on verbiage to use when contacting the Clerk.

B. Memorandum from City Clerk re: Amending Homer City Code 2.58 Regarding Teleconferencing, Attendance and Vacancies for Boards and Commissions

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

City Planner Abboud stated that he would defer to the Clerk as this item was presented by their office and he has stated his comments previously on the proposed amendments regarding excused or unexcused as he does not like undefined terms and anybody being a decider was excused other than to notify the Clerk two hours prior to the meeting and that for the Commission we would hold ourselves to a standard of six meetings rather than half.

Deputy City Clerk Krause provided background on why these proposed changes were being recommended by the Clerk's Office were due to the Emergency Order allowing attendance and conducting a meeting via teleconference expired and there were some commissions that did not allow conducting their meetings via teleconference; the City Clerk brought forward and Council approved an emergency ordinance which allowed them the ability to draft the ordinance that is before them tonight. The City plans to conduct hybrid meetings going forward and this requires some changes to Commissions and Board Bylaws. She provided some history on the previous amendments to the other Commissions and Board's bylaws to bring some consistency to them and how they conduct their meetings and the background for the proposed changes to vacancies, absences and excused or unexcused absences.

Chair Smith questioned what would happen if the Clerk was not available, in regards to absences.

Deputy City Clerk Krause responded that there are two other clerks that would be available to step in and she does have the ability to work from home. She further noted that the Clerk's Office is working on their Standard Operating Procedures.

Chair Smith did not have any objections to the other recommendations and supported them.

Commissioner Highland requested clarification on striking the word "advisory" in front of Planning Commission throughout the documents.

Deputy City Clerk Krause facilitated discussion on the following:

Preference to attend meetings in person but it is encourage to attend meetings as a whole whether teleconference or in person

Due to COVID it is understandable why persons may opt for attending a meeting by teleconference.

The Clerk will make the determination as to who is excused and who is not as we are responsible for attendance.

- Historically Commissions and Board members have automatically excused anyone just because

The requirement to notify the clerk is to address the issue of the Clerk trying to track down a member especially in the case of needed quorums.

Over the past year it has been proven that the Board and Commissions can conduct business and be effectiveness via teleconference.

In accordance to Homer City Code, the Mayor is not a consulting member of the Planning Commission, the City Manager and Public Works Director or their designees is specified.

C. Staff Report 21-52, Converted Shipping Containers

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

Commissioner Venuti called for a point of order and recommended that until the decision has been issued by the Board of Adjustment that the Commission should not address matters that surround connexes.

Deputy City Clerk Krause advised that the Commission can postpone the item to a date certain because if they motion to table the item that would remove it permanently in response to the question posed by City Planner Abboud.

VENUTI/HIGHLAND MOVED TO POSTPONE THIS ITEM UNTIL THEIR NEXT MEETING.

There was a brief discussion on the possibility of the issue coming before the Commission again.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

INFORMATIONAL MATERIALS

- A. City Manager Reports for August 9, 2021 City Council Meeting
- B. Planning Commission Calendar

Chair Smith noted the informational items in the packet and asked City Planner Abboud if he wanted to provide any additional information regarding the Calendar.

City Planner Abboud commented on possible Commission training by the Clerks but since they are back in Zoom mode again for the most part they may wait on that but he will discuss it with the City Clerk. He next noted the desire to have a conversation with a DEC representative regarding density issues that are in city code and they seem based on water and sewer. He was not sure if KPEDD or Council Chambers will be ready for that so look forward to that possibility coming forward.

COMMENTS OF THE AUDIENCE

COMMENTS OF THE CITY STAFF

Deputy City Clerk Krause commented on the Council candidacy period closing and the number of candidates for each seat. She noted that there was a potential for a female dominant Council. She then acknowledged the completion of the Public Works Campus Task Force and she was finalizing the edits to the reports.

City Planner Abboud agreed that it was a good meeting the Commission provided some good points and information and he appreciated their input on the items.

COMMENTS OF THE COMMISSION

Commissioner Highland commented on the recent borough land auction and the parcels in Homer being sold and that it could mean possible increases to their property values.

Commissioner Venuti agreed that it was a good meeting and continued by stating he was pro-development, pro-responsible –development and one of the things he has seen happen is the development of the subdivision at the bottom of West Hill And there is a tremendous amount of lots that are now available which will affect the tax rolls and I am glad to see the in-fill and the city expanding to the west. He recounted the Quiet Creek subdivision proposal and there was a lot of objection but it is developing into a really nice subdivision. The city is growing and he expressed being happy to be a part of it.

Commissioner Chiappone commented on still trying to get up to speed and appreciated the Commissioners patience and help.

Commissioner Barnwell echoed the good meeting sentiment and commented on recent concerns to the Trails group that there was not enough connectivity between trails between the West Homer Elementary and Eric Lane and that a person contacted the developer who was very responsive to the idea of connectivity between the school and subdivision. He noted that the subdivision was platted in 1986 and it great to see development done right and a developer so agreeable.

Commissioner Conley commented that it was a lot to take in for this meeting, he appreciated all the work that is done by staff in performing the legwork in the items that they put before the Commission

and believed that it was the right thing to do to postpone discussion on that topic until they see the decision.¹

Chair Smith thanked Commissioner Venuti for bringing forward the point of order on the agenda item even though he had been waiting for a long while to have that discussion. He really appreciated Commissioner Venuti's wisdom and humility. He thanked Commissioner Highland for catching the details and being so efficient and effective to get through the agenda items. He believed that the Commission is doing their best to make a difference in the Community and appreciated working with each one of the Commissioners. Chair Smith thanked Commissioner Barnwell again for stepping forward and volunteering to serve on the Public Works Campus Task Force and looked forward to learning and working with Commissioners Chiappone and Conley in the upcoming meetings. He then extended his appreciation for the Staff and the City Clerk's office.

ADJOURN

There being no further business before the Commission, the meeting was adjourned at 8:45 p.m. Next Regular Meeting is Wednesday, September 1, 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: Sept 1, 2021

¹ Commissioner Conley was experiencing technical issues with his internet service and was inaudible.