

Session 11-15, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Minsch at 6:30 p.m. on November 2, 2011 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS BOS, DOLMA, ERICKSON, HIGHLAND, MINSCH, SONNEBORN, VENUTI

STAFF: CITY PLANNER ABBOUD
DEPUTY CITY CLERK JACOBSEN

APPROVAL OF AGENDA

The agenda was approved by consensus of the Commission.

PUBLIC COMMENT

The public may speak to the Planning Commission regarding matters on the agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).

There were no comments.

RECONSIDERATION

ADOPTION OF CONSENT AGENDA

All items on the consent agenda are considered routine and non-controversial by the Planning Commission and are approved in one motion. There will be no separate discussion of these items unless requested by a Planning Commissioner or someone from the public, in which case the item will be moved to the regular agenda and considered in normal sequence.

1. Approval of the October 19, 2011 minutes
2. Time Extension Requests
3. Approval of City of Homer Projects under HCC 1.76.030 g
4. KPB Coastal Management Program Reports

The Consent Agenda was approved by consensus of the Commission.

PRESENTATIONS

REPORTS

- A. Staff Report PL11-114, City Planner's Report

City Planner Abboud reviewed his staff report.

PUBLIC HEARINGS

Testimony limited to 3 minutes per speaker. The Commission conducts Public Hearings by hearing a staff report, presentation by the applicant, hearing public testimony and then acting on the Public Hearing items. The Commission may question the public. Once the public hearing is closed the Commission cannot hear additional comments on the topic. The applicant is not held to the 3 minute time limit.

- A. Staff Report PL 11-112, A Request for a Variance of the building setback requirements at 860 Soundview Avenue, Lot 2, Block 3, Foothills Subdivision, Sunset View Estates Addition No. 2, Phase One

City Planner Abboud reviewed the staff report.

Rod Engle, applicant, commented that when they laid out the property and built the house they were conscious of borders and setback. They measured from a monument in the cul-de-sac and apparently they didn't have right distance. Dan Gardner came out when they were doing the dirt work and thought it looked close. They stretched a tape and it was within inches of the setback but when the as built done after completion it was about 4 feet in the setback at the south west corner of the garage. Originally the garage was detached but as they were building the house they connected them to make a breezeway under one roof. He noted that because it is in a cul-de-sac, the radius involved more of the area than anticipated.

In response to questions from the Commission, Mr. Engle said he did not have the lot staked out before the project started, he had marked it himself, and that he had all the inspections done during the building process.

Chair Minsch opened the public hearing. There were no comments and the hearing was closed.

VENUTI/BOS MOVED TO ADOPT STAFF REPORT PL 11-112 A REQUEST FOR A VARIANCE OF THE BUILDING SETBACK REQUIREMENTS AT 860 SOUNDVIEW AVENUE, LOT 2, BLOCK 3, FOOTHILLS SUBDIVISION, SUNSET VIEW ESTATES ADDITION NO. 2, PHASE ONE WITH STAFF RECOMMENDATIONS TO DENY THE VARIANCE WITH FINDINGS 1-5.

The Commission acknowledged the challenges that the encroachment causes for the builder and recognized that the shapes of lots in the subdivision aren't ideal; however none of the conditions meet the three requirements in code that would allow them to permit the variance.

VOTE: YES: BOS, MINSCH, HIGHLAND, SONNEBORN, VENUTI, ERICKSON, DOLMA

Motion carried.

PLAT CONSIDERATION

No plats were scheduled for consideration.

PENDING BUSINESS

NEW BUSINESS

- A. Staff Report PL 11-113, An Ordinance of the City Council of Homer, Alaska, enacting Homer City Code Chapter 21.27 East End Mixed Use District

City Planner Abboud reviewed the staff report.

BOS/VENUTI MOVED TO DISCUSS AND MAKE RECOMMENDATIONS AT THE NEXT WORKSESSION.

There was discussion whether to take this action or to have it come back to them in a public hearing.

VOTE: NO: HIGHLAND, SONNEBORN, MINSCH, VENUTI, ERICKSON, DOLMA, BOS

Motion failed.

MINSCH/BOS MOVED TO HAVE STAFF SEND THIS TO THE ATTORNEY TO REVIEW AND SCHEDULE A PUBLIC HEARING.

There was brief discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

INFORMATIONAL MATERIALS

A. City Manager's Budget Report

COMMENTS OF THE AUDIENCE

Members of the audience may address the Commission on any subject. (3 minute time limit)

Kathryn Hannenberger urged the Commission not to drag their feet and please move forward quickly with the mixed use district. They have been waiting a long time and this change will help her family with their current situation.

COMMENTS OF STAFF

City Planner Abboud said he would get the East End Mixed Use District ordinance to the City Attorney for review and back for public hearing when he gets it back.

COMMENTS OF THE COMMISSION

Commissioner Dolma and Sonneborn had no comments.

Commissioner Venuti commented that he liked the testimony they got at the meetings tonight. He asked if there was a way to get the laydowns sooner before meeting time as he would like more time to review and absorb the information being presented.

Commissioner Bos commended staff for the good information they received this week and Planning Technician Engebretsen for the quality presentation and great job answering questions tonight.

Commissioner Erickson commented that the East End Mixed Use District is a good ordinance and she is glad to see it go through.

Commissioner Highland suggested taking a few minutes before starting the worksessions to review laydown items. She also expressed her desire for harmony and balance between the economy and environment.

HOMER ADVISORY PLANNING COMMISSION
REGULAR MEETING MINUTES
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Chair Minsch encouraged everyone to keep up the good work. It was a tough job with the variance since it seemed that they all wanted to vote a different way. She hopes that Mr. Gardner is aware that is involvement in measuring on a property for any reason can lead to these kinds of things.

City Planner Abboud noted that Mr. Gardner wasn't here tonight and hearsay isn't admissible in court.

ADJOURN

There being no further business to come before the Commission, the meeting adjourned at 7:17 p.m. The next regular meeting is scheduled for November 16, 2011 at 6:30 p.m. in the City Hall Cowles Council Chambers.

MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

Approved: _____