

Session 12-11, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Erickson at 6:30 p.m. on September 5, 2012 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS DOLMA, ERICKSON, HIGHLAND, SONNEBORN, STEAD, VENUTI

ABSENT: BOS

STAFF: CITY PLANNER ABBOD
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).

Bumppo Bremicker, city resident, commented regarding the Pier 1 site. He went down and measured a 10,000 sf and it really isn't a lot of area, just 100x100. He referenced the aerial photo noting where the area for the barge haul out is drawn in. If the Wooden Boat Society was able to get 10,000sf, it would be about a quarter of the area where the camping is shown. The staff report says that it represents 12 campsites, but that isn't how they are laid out and it appears to him there are about 5 sites. If the city gets money from five campsites during the summer, minus the cost of maintaining them and it really isn't that much money. They might be willing to come up with enough to compensate the City for losing five campsites. Maybe they could use fifty feet of frontage, 100 feet is something they just threw out. He mentioned the Parks and Recreation Commission supported the barge haul out, it's a good idea people have just thrown out there, and doesn't know if there is any real planning of it, or where the money is coming from. If it is going to make so much money then why isn't Herndon doing it?

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 August 15, 2012 minutes
2. Time Extension Requests
3. Approval of City of Homer Projects Under HCC 1.76.030 g.
4. KPB Coastal Management Programs Report

The consent agenda was approved by consensus of the Commission.

PRESENTATIONS

REPORTS

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A. Staff Report PL 12-50, City Planner's Report

City Planner Abboud reviewed the 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 12-46, CUP 12-03, A Request for a Conditional Use Permit (CUP) for 4470 Fish Dock Road, Dockside Fisheries

City Planner Abboud reviewed the staff report.

William Sullivan, applicant commented that he just heard about the fence. There already is one and if they want continuity Mike can put a fence on his property. The boardwalk already exists in front of the retail but when he moves the building back he will fill it in and the bigger space in front will be more conducive for the flow. He thanked the Commission for the time and said it has been an interesting process, he has learned a lot. He is open to input for ideas and ways to do things better.

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

City Planner Abboud reviewed the aerial photo in the discussion of the fence. He suggested the benefit of the fence would be of benefit to the person doing more commercial, and Mr. Sullivan's operation is more industrial. It is a grey area that the Commission can consider but doesn't have to act on. Point was raised that there seems to be mixed use between the commercial and industrial districts as well as there being industrial and commercial use on this lot, screening doesn't seem necessary. Visitors like to see the industrial side of what happens at the harbor as well.

VENUTI/HIGHLAND MOVED TO ADOPT STAFF REPORT PL 12-46 CUP 12-03 KACHEMAK BAY SEAFOODS AT 4470 HOMER SPIT ROAD WITH STAFF RECOMMENDATIONS AND FINDINGS 1-18 AND CONDITIONS 1-5.

There was discussion about leaving recommendation 4 out and deal with housing through the code amendments the Commission is currently working on. There was discussion that the use for a caretaker or employee is allowed through CUP right now and can't be denied based on what they are hoping to change in code.

VOTE: YES: STEAD, HIGHLAND, SONNEBORN, VENUTI, ERICKSON, DOLMA

Motion carried.

B. Staff Report PL 12-48, Pratt Public Easement Vacation

City Planner Abboud reviewed the staff report.

Diane Converse, Pratt Museum Director, explained they have constructed an ADA accessible trail that improves public access from Spruceview to Bartlett.

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

In response to questions, Ms. Converse said the foot traffic has increased with the new trail and she got an email from someone who walked it with a stroller and was very happy with the trail. They are removing the easement at the request of the surveyor. They didn't request removing the one to the south because they may want to use it in the future to connect to Pioneer. There was some discussion of the layout of the trail in relation to the easement, but with out the surveyor in attendance Ms. Converse was unable to respond to the questions raised.

HIGHLAND/VENUTI MOVED TO ADOPT STAFF REPORT PL 12-48, VACATION OF A PUBLIC TRAIL EASEMENT WITH STAFF RECOMMENDATIONS AND FINDINGS.

There was no further discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

PLAT CONSIDERATION

A. Staff Report PL 12-47, Pratt Subdivision Preliminary Plat

City Planner Abboud reviewed the staff report.

Ms. Converse commented that they are combining the pieces to deal with their building project. She has talked with Julie regarding the process to do a zoning change. She doesn't anticipate any issues with the utility easement.

There were no public comments.

HIGHLAND/SONNEBORN MOVED TO ADOPT STAFF REPORT PL 12-47 PRATT SUBDIVISION PRELIMINARY PLAT WITH STAFF RECOMMENDATIONS AND FINDINGS.

Comment was made that this is a good idea.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

PENDING BUSINESS

A. Staff Report PL 12-43, Staff Report 12-43, Draft Ordinance 12-xx Amending HCC 21.28 Marine Commercial Zoning District

City Planner Abboud reviewed the information for the overnight accommodations as he understood it from the testimony. Staff will bring back some dimensional requirements information and continue working forward. They aren't in a big rush right now.

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Commissioner Venuti asked how staff will handle the people who have been doing it for years. City Planner Abboud said they are working through the process and gotten the word out there. Just because it has been happening for a long time doesn't make it legal nor does it compel them to enforce every rule. He thinks they have covered 80% or more of the people who are doing it, they have been here at the meetings, they will receive notices of what is happening, and he hopes to provide solutions. Most of the people agreed they want to be in compliance with the Fire Marshall and are aware of insurance concerns.

Chair Erickson commented that between the signs and bags, business owners out there are feeling a little beat up. She would like see them not look back but move forward and look at not starting off with a penalty but encourage them to come along for the next ones after the end of the summer, and anyone from here forward will have to have the proper permitting. We need to be careful with our businesses and do a little bit of good will in the midst of fixing this hole in our code.

Commissioner Dolma disagrees and doesn't believe there is a hole in the code, it wasn't an acceptable use and has been illegal all this time. He doesn't think following code is onerous on a business. He thinks the Commission is pro business and that is what they are addressing this. It is more pro business to address it in the code rather than a bunch of CUP's. He agrees with the 50% cap but to be the most business friendly, there wouldn't be a cap at all. He agrees that housing could be allowed outright.

Commissioner Highland agreed with the 50% cap as well because the business goes with the accessory lodging.

City Planner Abboud suggested that next they look at the purpose statement of the district to talk about widening views of what we want out there.

NEW BUSINESS

- A. Staff Report PL 12-49, Pier 1 Land Use

City Planner Abboud reviewed the aerial photo and a concept of the barge haul out facility.

The Commission commented in favor of the concept of the barge haul out. They recognized that it is a facility that could economically benefit the City both for the harbor and for workers needing lodging, food, and other amenities. It appears to be a workable project in that the barge haul out will be operational in the off season, shutting down in the spring as the tourist traffic increases.

INFORMATIONAL MATERIALS

- A. City Manager's Report dated August 13 and August 27, 2012
- B. Memorandum dated August 15, 2012 from Julie Engebretsen, Planning Technician, regarding Homer Spit Trail and Cruise Ship Improvements
- C. Letter dated August 30, 2012 to Eldeen Jackson from Dotti Harness-Foster, Planning Technician, regarding AA Mattox Sub 1958 Addn No 2, Lot 23
- D. KPB Staff Report dated 8/27/12: WR Bell Subdivision

COMMENTS OF THE AUDIENCE

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

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None

COMMENTS OF STAFF

None

COMMENTS OF THE COMMISSION

Commissioners Venuti, Stead, and Sonneborn had no comments.

Commissioner Highland commended Chair Erickson for her job chairing the meeting tonight.

Commissioner Dolma said he is looking forward to continuing to address the marine zoning and getting things straightened out.

Chair Erickson thanked everyone for a good meeting tonight.

ADJOURN

There being no further business to come before the Commission, the meeting adjourned at 8:27 p.m. The next regular meeting is scheduled for September 19, 2012 at 6:30 p.m. in the City Hall Cowles Council Chambers.

MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

Approved: _____