

Session 20-04, a Regular Meeting of the Planning Commission was called to order by Vice Chair Smith at 6:30 p.m. on February 19, 2020 at Cowles Council Chambers in City Hall located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS PETSKA-RUBALCAVA, BENTZ, HIGHLAND, BOS, SMITH

ABSENT: COMMISSIONER VENUTI (EXCUSED), DAVIS (EXCUSED)

STAFF: CITY PLANNER ABBOUD
DEPUTY CITY PLANNER ENGBRETSSEN
DEPUTY CITY CLERK KRAUSE

The Commission met for a worksession/neighborhood meeting from 5:30 p.m. until 6:20 p.m. prior to the meeting on the proposed Medical District. Deputy City Planner Engebretsen facilitated questions and answers on many aspects of the proposed district including but not limited to the proposed boundaries, allowing heliports by conditional use permit, building heights, signage, property values and higher property assessments implemented on the Borough level.

APPROVAL OF THE AGENDA

Vice Chair Smith called for a motion to approve the agenda as presented.

HIGHLAND/BENTZ – SO MOVED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENT ON ITEMS ALREADY ON THE AGENDA

Lane Chesley, resident and representing the interests of South Peninsula Hospital, commented on the Medical District, advocating for a heliport by conditional use permit. He annotated the requirements for a heliport and the differences between a helipad and heliport allowing fuel storage and refueling operations to provide for optimum service to patients.

Mr. Chesley in response to questions from the Commissioners explained the requirements, fueling needs, time constraints, added operational expenses for a helicopter to travel to Homer from Anchorage, stop at the Hospital and to refuel at the airport, and the cost savings that having a local service would provide for patients by allowing this use in the district specifically for the hospital.

Vice Chair Smith announced that he was advised they could continue the question and answer period at this time.

City Planner Abboud provided the definition of helipad and heliport for clarification noting that the Commissioners can discuss the definitions to refine the definitions and if there is a conditional use then Commission can add the terms to the conditional use permit that are appropriate for the district.

Deputy City Clerk Krause pointed out the necessity to suspend the rules to entertain a lengthy discussion at this time on the agenda since it was the Public Comment period on agenda items.

Chair Smith called for additional public comments. Seeing no one in the audience coming forward to comment he inquired if there was a motion to suspend the rules to continue the discussion.

BOS/HIGHLAND MOVED TO SUSPEND THE RULES TO ALLOW DISCUSSION ON THE MEDICAL DISTRICT FOR HELIPAD AND HELIPORT.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Discussion ensued between the Commission and Mr. Chesley on Helipads and Heliports. The following topics or points were covered:

- Hospital changing from a Helipad into a Heliport
- Creating the Medical District provides an opportunity to discuss allowing the use as conditional
- Parking Garage with Heliport on top floor

RECONSIDERATION

ADOPTION OF CONSENT AGENDA

- A. Planning Commission Regular Meeting Minutes of January 15, 2020
- B. Decisions & Findings Document for CUP 20-03, to allow townhouse developments at 436 & 450 Soundview Ave.

Vice Chair Smith requested a motion to approve the Consent Agenda.

HIGHLAND/BOS – SO MOVED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VISITORS/PRESENTATIONS

REPORTS

A. Staff Report 20-14, City Planner's Report

City Planner Abboud provided a summary of Staff Report 20-14 and commented further on the following:

- Planning Department tasked with plastic bag ban enforcement
- Attendance by Commissioner Bentz and Petska-Rubalcava to the Annual Conference in Anchorage
- Presented Commissioner Bentz with the award that she was given at the conference

City Planner Abboud responded to questions on the process and how the plastic bag ban would be enforced.

PUBLIC HEARING(S)

PLAT CONSIDERATION

PENDING BUSINESS

A. Staff Report 20-15, Medical District Planning

Deputy City Planner Engebretsen reported on the comments received as laydowns from two concerned residents and the various attendees at the neighborhood meeting. She requested the commissioners to provide their input on the neighborhood meeting or the medical district noting that she will not be in attendance at the March 4, 2020 meeting to facilitate a discussion with the Commission but will be providing a staff report. Topics or comments made were as follows:

- Using or applying ideas from the Community Design Manual with regards to landscaping
 - o These should be incorporated into the city code to establish what is desired for the district.
- Hohe boundary or boundaries in general defined by roads or the property lines
 - o moving the Hohe boundary line 1 lot deep, mixed use of existing medical and residential, those uses are allowed in RO so it would not really be required
 - o Purpose is to have fewer applications for a conditional use permit in this district

- Nature of buildings on each side of the street supports moving the boundary 1 lot deep
 - Staff will provide a map for the next packet depicting the boundary at one lot deep
- Concerns for costs of road improvements and sidewalks
 - Main Street Sidewalk is a top priority of the City Council
 - There is no way to pre-determine the costs
 - There are many streets around the hospital that are eligible for the program and the city does pay for the costs of a sidewalk in some situations
 - There are some avenues but will not be solved in the zoning discussion
- Higher or lower assessments
 - Staff will check with the Borough Assessor on that issue
- Height of 85 feet
 - It was considered too high by some residents, make it allowable by location in the district ex: Fairview and North
 - Anything over 35 feet in height is a Conditional Use
 - Lowering the building height may increase the footprint thus developing some impacts for downslope neighbors by creating additional impermeable surfaces
 - Soil conditions and earthquakes
 - Considerations for parking, fire prevention, etc. when increasing building height
 - Viewshed over footprint
- Landscaping used as a buffer
- Traffic Study – Council has a goal to update the Transportation Plan but Planning staff has recommended waiting until the reconstruction of Pioneer & Lake Street has been completed since there will be alterations to the traffic.
 - Staff will double check on the possibility of a traffic counter installed by the State
- Setback in relation to building height of five stories – Staff will get further information on standard operating procedures for office buildings and parking garages

A brief discussion between Commissioners and staff ensued on allowing heliports in the Medical District and the previous discussion on amending city code to allow heliports in the East End Mixed Use and General Commercial 2 noting that these districts are closer to the airport where it is reasonable to assume such a use would be allowed versus allowing heliports or helipads in the Medical District to allow land use rights for one entity over another. This could be included in the recommendations to Council and included in a Staff Report at a future meeting. Additional discussion progressed on the pros and cons of having the benefit of a local service, fueling, storage of helicopters, lack of complaints on helicopters flying over the area.

Vice Chair Smith noted that there was consensus to not to allow heliports in the proposed Medical District.

SMITH/BOS MOVE TO ADDING AS A NEW BUSINESS AGENDA ITEM HELIPORTS IN EAST END MIXED USE AND GENERAL COMMERCIAL 2 DISTRICTS AND AMENDING CITY CODE TO REFLECT THAT CHANGE.

Discussion ensued on the desire to discuss this topic at a future meeting and specific details such as speaking to the airport on availability of space, the current allowed uses at the airport and on the Spit and that there is no immediate desire to discuss.

SMITH/BOS MOVED TO AMEND THE MOTION TO INCLUDE THE VERBIAGE, “IN JUNE” AFTER THE WORDS NEW BUSINESS.

There was no further discussion.

VOTE. (Amendment) NO. HIGHLAND, BENTZ.

VOTE. (Amendment) YES. BOS, RUBALCAVA, SMITH.

Motion failed.

Vice Chair Smith called for additional discussion on the main motion.

Discussion on the reasons for objection on the timeline were cited as the number of business items on the Commission’s worklist and this is not a priority and the preference not to have additional helicopter traffic flying over the community.

VOTE. (Main). YES. SMITH, RUBALCAVA, BOS.

VOTE. (Main). NO. BENTZ, HIGHLAND.

Motion failed.

Additional discussion ensued on the 85 feet height and that the Planning staff can provide some additional information on designating areas of the district for taller buildings and the availability of land to develop in those areas, how much difference does slope affect the height, view shed is not as important as the ability to construct a tall building to provide services to the community that are desired.

Commissioner Bentz offered that in the beginning there were questions on what the goal of this (Medical District) was and the question came up, “is clustering services what the community wants?” and it was determined that it was; Providers and patients are walking back and forth between services so yes there is value in clustering services. There were public comments on why they were trying to put different businesses together and she believes that they should include this as a whereas in the ordinance going forward.

Deputy City Planner Engebretsen explained briefly that for tall/cell towers staff used the existing code outlined in Residential Office District in the proposed Medical District. The sign code is similar to Residential Office but allows more signage, currently in Residential Office six feet of signage is allowed, with some exceptions, and up to 50 feet of signage will be allowed in the proposed Medical District. She continued noting the difficulty in viewing signage at the existing size currently allowed in Residential Office.

City Planner Abboud provided some clarifications on the tower code for the Commission.

Commissioner Bos advocated for inserting a number of 60 feet for the building height.

Deputy City Planner confirmed that staff will conduct additional research on building height and roof pitches.

A brief discussion ensued on the standard floor height in building construction today; planning for growth before it happens; taking the time to discuss aspects such as landscaping being beneficial; reviewing the Community Design Manual to bring back recommendations for amending the ordinance at the next meeting as far as design.

Further discussion continued on the signage requirements of 36 square feet for free standing signage; wall signage in relation to setbacks and landscaping; consideration of the residential aspects of the area; allowing illumination of signage, internal and external.

NEW BUSINESS

A. Staff Report 20-16 Resolution 20-008(S) Seafarer's Memorial

City Planner Abboud provided a summary of Staff Report 20-16 noting that City Council is proposing to allow no further improvements around the Seafarer's Memorial other than a public walkway.

Discussion and comments were made on the following:

- Clarification on the actual Seafarer's Memorial Park was only 100 feet x 100 feet area and was incorrectly stated in the Resolution as a 2.52 acres
- Parking is around the area not dedicated to the memorial
- Premature action before they have big picture analytics since a parking study and traffic study is in motion and a preference to have that information before making a decision
- The intent of the resolution is to prevent or prohibit expansion of the parking lot and a result of the public comment and to protect the open space.
- Resolutions can be changed in the future
- Parking areas are allowed in Open Space Recreational by Conditional Use and is not considered a zoning or rezoning action.

- The action was already brought before the Commission and it was denied but that does not negate the fact that another application could come before this commission again in the future.
- Recommended improvements on the existing parking lot be a benefit but preserving the existing coastline as is
- Recommended amending Resolution 20-008(S), Line 12 to reflect, "Whereas Seafarer's Memorial area is a 10,000 sf dedicated space on a 2.52 acre lot"
- Recommended Line 16 should be amended to reflect the spatial area used for parking by the square footage instead of the number of spaces since many comments were made on the increased efficiency needed for the existing parking.
- Recommended amending Line 69 in the same manner as line 16 to reflect square footage not the number of parking spaces to preserve the historical use

Vice Chair Smith called for a motion.

BENTZ/BOS MOVED TO RECOMMEND CITY COUNCIL FURTHER AMEND RESOLUTION 20-008(S) BY INSERTING THE FOLLOWING LANGUAGE:

ADDING AFTER LINE 61: WHEREAS, RESOLUTION 96-27 DESIGNATED A 100 FOOT BY 100 FOOT AREA AS THE SEAFARER'S MEMORIAL PARK; AND

ADDING AFTER LINE 76: BE IT FURTHER RESOLVED, THIS RESOLUTION EXCLUDES THE SEAFARER'S MEMORIAL PARK AS DESCRIBED IN RESOLUTION 96-27

There was a brief clarification on continuing individual recommendations from the Commission.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried

Recommendations from the Commission continued as follows:

- Recommended amending line 30-31 to delete the "s" from the word "Ocean" and insert "Alaska" before the word "Islands" this will correct the name of the facility
- Recommended amending Line 73 to delete the word "in"
- Recommended support of the intent of the resolution to protect the area

B. Staff Report 20-17, SAD Priorities for the HAWSP

Vice Chair Smith introduced the item by reading of the title into the record.

City Planner Abboud reviewed Staff Report 20-17 and pointed out the following:

- Funding for HAWSP is 3/4 of one percent original ballot language was provided and any projects related to water and sewer are eligible not just special assessment districts
- The manual listed 10 project criteria that apply to all HAWSP funded projects

- Briefly outlined Title 17 requirements for formation of a Special Assessment District
- The Commission previously recommended using the Land Use Map to prioritize the projects.
- It would be helpful to have the answers to the previously submitted questions before the Commission can provide criteria for evaluating special assessment district applications
- Difficulties are presented when trying to separate funding special assessment districts from other projects such as water plant debt, system maintenance, and knowing what the current balance of the fund is; any future obligations; and what the projected revenue would be.

Discussion between the Commission and staff ensued with comments, questions and statements on the following:

- Current number of waiting applications and inquiries
- Water only projects without sewer, and the health and safety issues that may result
- The cost to bring water to specific areas of the city
- How will they maintain the funding if all projects are approved.
- What the fund balance actually was or is and how that will be maintained

Commissioner Bentz commented that the challenge is understanding the feasibility of projects and once that feasibility is determined the Council as the decision making body should prioritize which projects get funded. She continued by stating that the criteria is the method to determine if a project is feasible and could be funded. Such things as does the project close a loop, similar to a conditional use permit, should be considered. Then if it is considered feasible in the next phase Council should have a decision tree to determine which projects get funded so if they are presented with 10 projects they can use the decision tree to make that decision.

Commissioner Bentz further noted that the Municipality of Anchorage is incorporating decision trees into their policy documents and it is really great tool. She posed the question, "Do they start out with this higher level concept? It is great for prioritization, considering such points as is it a critical need, does it get ranked higher or when they get into the prioritizing by different zoning districts. She believed that the Commission can assist in providing feedback on specific points in the decision making process but it is not making recommendations to whether to fund a \$10 million dollar project or a \$1 million dollar project. That is a decision for Council. If the Commission recommends points in their decision making for prioritization that were relevant for planning that is where the Commission could provide more specific recommendations as far as how the decision tree would look.

Vice Chair Smith commented that these projects are budget driven and the Commission does not understand the budget as the Council is presumed to understand; and questioned whether the first come first serve concept is the best approach since that does not necessarily take into account the larger community. If the decision tree concept includes evaluation of project funding based upon the greatest need, does a particular SAD facilitate maximum spread of

resources. He recommended creating two decision trees based on the funding request, one where smaller projects can be based on first come first serve and then larger projects have a different process.

Commissioner Bentz suggested using a decision process like the Capital Improvement Plan for projects noting the small and large projects that are included in that process and that could be reviewed annually by Council.

Deputy City Clerk Krause provided a summary of the current process that is outlined in Title 17 for the Commission and that receipt of applications are variable throughout the year in response to questions.

Commissioner Bentz suggested an annual approval period with applications accepted at any time of the year and building out the application process so that criteria met in the first phase before presented to Council and they are making decisions on a feasible project that is supported by the neighborhood. Council could approve the projects in March.

Deputy City Clerk Krause stated that letters were sent to the two applicants that were interested in forming a SAD, when the moratorium was implemented, that they could reapply, in response to question from City Planner Abboud.

Further discussion, comments and questions on the following ensued:

- System wide projects should be evaluated and prioritized using the Comprehensive Plan Future Land Use Map
- Increasing the application fee to appropriately cover the costs and Staff time involved in the process
- Refer funding considerations to the Finance Department
- Include questions from the third paragraph on page 3 of Staff Report 20-17(page 57 of the packet)

Commissioner Bentz noted in reference to that paragraph when recommending the use of a decision tree these criteria could be used by Council such as:

- Is this a health and safety issue
- Will it increase maintenance costs
- Is there XX amount of funding available

City Planner Abboud reiterated using the Land Use map and avoiding future rural residential districts.

INFORMATIONAL MATERIALS

A. City Manager Report for January 13, 2019 City Council Meeting

COMMENTS OF THE AUDIENCE

COMMENTS OF THE STAFF

COMMENTS OF THE COMMISSION

Commissioner Bos stated it was a good meeting.

Commissioner Bentz informed the Commission that Kachemak Bay Research Reserve is hosting a one day training on Estimating Your Local Marine Economy as an introductory training which is meant to be a way think about the value and ways our marine economy may be impacted by natural hazards. She will be forwarding a flyer to the Clerk to share.

Vice Chair Smith apologized for miss-spoken names and then stated that he hopes to see cross their desk the possibility of a Cultural Center, he is working with a phenomenal group bringing the Traditional Native Games, the second annual event is March 6-8, 2020 at the High School. He hopes that things develop to where they can have a Cultural Center where events like this can be held.

ADJOURN

There being no further business to come before the Commission, the meeting adjourned at 9:00 p.m. The next regular meeting is scheduled for Wednesday, March 4, 2020 at 6:30 p.m. in the City Hall Cowles Council Chambers. There is a Neighborhood Meeting for the Medical District in lieu of a worksession scheduled at 5:30 p.m. prior to the meeting.

RENEE KRAUSE, MMC, DEPUTY CITY CLERK

Approved: _____