

C. CONSENT AGENDA

***7. Minutes**

a. December 11, 2023 PC Meeting Minutes

Kenai Peninsula Borough Planning Commission

Betty J. Glick Assembly Chambers, Kenai Peninsula Borough George A. Navarre Administration Building

December 11, 2023
7:30 P.M.
UNAPPROVED MINUTES

AGENDA ITEM A. CALL TO ORDER

Chair Brantley called the meeting to order at 7:30 p.m.

AGENDA ITEM B. ROLL CALL

Commissioners Present

Jeremy Brantley, Ridgeway/Sterling District
Jeffery Epperheimer, Nikiski District
Pamela Gillham, Kalifornsky/Kasilof District
Virginia Morgan, Cooper Landing/Hope District
Dawson Slaughter, South Peninsula District
Charlene Tautfest, City of Soldotna
Franco Venuti, City of Homer
Diane Fikes, City of Kenai

With 8 members of a 9-member seated commission in attendance, a quorum was present.

Staff Present

Robert Ruffner, Planning Director
Walker Steinhage, Borough Deputy Attorney
Vince Piagentini, Platting Manager
Jennifer Robertson, LMD Administrative Assistant
Ann Shirnberg, Planning Administrative Assistant

AGENDA ITEM C. CONSENT & REGULAR AGENDAS

***3. Plats Granted Administrative Approval**

- a. Atkinson Subdivision 2023 Replat; KPB File 2023-052
- b. Canyon View 2022; KPB File 2022-034
- c. Fox Sparrow Subdivision; KPB File 2023-060
- d. Harden Subdivision Mugs & Tad Addition; KPB File 2023-020
- e. Mallette Homestead Subdivision No. 3; KPB File 2023-001
- f. Ninilchik Townsite Ancient Basement Replat; KPB File 2022-172
- g. Obsidian Subdivision; KPB File 2023-042
- h. Skipper's View 2023 Addition; KPB File 2023-026
- i. Spruce Woods Lot 1 Replat; KPB File 2022-132
- j. Terra Firma Subdivision Johns Addition; KPB File 2022-171
- k. Twin Creek 2023; KPB File 2023-044
- l. Whiskey Gulch Lot 4 Replat; KPB File 2022-106

***4 Plat Granted Final Approval**

- a. Kings Run Subdivision 2023 Replat; KPB File 2023-018

- *5 **Plat Amendment Request**
 - a. Binkley Subdivision Back Replat; KPB File 2023-074
- *6. **Commissioner Excused Absences**
 - a. Troy Staggs, City of Seward
- *7. **Minutes**
 - a. November 13, 2023 Planning Commission meeting minutes.

Chair Brantley asked Ms. Shirnberg to read the consent agenda items into the record. Chair Brantley then asked if anyone wished to speak to any of the items on the consent agenda. Seeing and hearing no one wishing to comment, Chair Brantley brought it back to the commission for a motion.

MOTION: Commissioner Slaughter moved, seconded by Commissioner Gillham to approve the consent and regular agendas.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 9	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Tautfest, Venuti
Absent - 1	Staggs

AGENDA ITEM E. NEW BUSINESS

Chair Brantley asked Ms. Shirnberg to read the public hearing procedures into the record.

ITEM #1 - RIGHT OF WAY VACATION

VACATE THE 60' WIDE PUBLIC ACCESS EASEMENT RUNNING SOUTH APPROXIMATELY 1450 FEET FROM TRIPLE CROWN ROAD ROW TO SCOTT ROAD ROW IN LOTS 3, 4, 6, 7 & 8 BLOCK 4 OF TRIPLE CROWN ESTATES NO. 2 PHASE 2 HM 2014-16

KPB File No.	2023-131V
Planning Commission Meeting:	December 11, 2023
Applicant / Owner:	Andrew & Rosemary Von Ruden of Owatonna, MN Erik Bakke of Homer AK
Surveyor:	None to date
General Location:	Fritz Creek Area / Kachemak APC
Parcel No.:	172-035-35; 172-035-36; 172-035-38; 172-035-39; 72-035-40
Legal Description	LOTS 3, 4, 6, 7 & 8 BLOCK 4 OF TRIPLE CROWN ESTATES NO. 2 PHASE 2 HM 2014-16

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the commission.

MOTION: Commissioner Epperheimer moved, seconded by Commissioner Fikes to approve the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.70, based on staff recommendations and subject to the four conditions as set forth in the staff report.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 8	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Tautfest, Venuti
Absent - 1	Staggs

**ITEM #2 - RIGHT OF WAY VACATION
VACATESOUTHERN 580' X 60' PORTION OF C & C BEAR STREET IN LOT 2 & 3**

KPB File No.	2023-133V
Planning Commission Meeting:	December 11, 2023
Applicant / Owner:	Beth Boiling of Homer Alaska
Surveyor:	James Hall / McLane Consulting Inc.
General Location:	Funny River Road, Funny River APC
Legal Description:	LOTS 2 & 3 OF C&C BEAR SUBDIVISION

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley opened the item for public comment.

Stephanie Rodgers; 6357 S. Slipstream Circle, Wasilla, AK 99623: Ms. Rodgers owns land in this area and she asked what the petitioner’s development plans were for their properties. Chair Brantley responded that this platting process does not require the petitioner to submit development plans with their petition. He encouraged her to contact the landowner for that information.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the commission.

MOTION: Commissioner Slaughter moved, seconded by Commissioner Gillham to approve the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.70, based on staff recommendations and subject to the five conditions as set forth in the staff report.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 8	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Tautfest, Venuti
Absent - 1	Staggs

**ITEM #3 - UTILITY EASEMENT ALTERATION
VACATE ENTIRE 15' UTILITY EASEMENT GOING DIAGONALLY ACROSS LOT 4A AND VACATE EASTERNMOST PART OF 15' UTILITY EASEMENT EXCLUDING THE WEST 22.27 FEET IN LOT 1B BLOCK 6 LOCATED IN KN 2023-31 AS GRANTED BY PLAT IN KN 2022-031**

KPB File No.	2023-132V
Planning Commission Meeting:	December 11, 2023
Applicant / Owner:	Henry and Mary Krull of Soldotna Alaska
Surveyor:	Jason Young & Mark Aimonetti / Edge Survey and Design, LLC
General Location:	Whistle Hill Loop, City of Soldotna
Resolution:	2023-32

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the commission.

Commissioner Tautfest requested to be abstained from this matter as she had voted on it as a planning & zoning commissioner for the city of Soldotna.

MOTION: Commissioner Gillham moved, seconded by Commissioner Epperheimer to approve the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.70, based on staff recommendations, citing findings 1-8 and subject to the two conditions as set forth in the staff report.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 7	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Venuti
Abstain - 1	Taufest
Absent - 1	Staggs

AGENDA ITEM G. OTHER

1. Planning Commission Bylaw /PC RES 2023-33

MOTION: Commissioner Venuti moved, seconded by Commissioner Gillham to adopt Planning Commission Resolution 2023-33, approving and adopting bylaws for the Kenai Peninsula Borough Planning Commission.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 8	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Taufest, Venuti
Absent - 1	Staggs

2. PC Training: Best Practices For Quasi-Judicial Findings

Deputy Borough Attorney Walker Steinhage gave a presentation on quasi-judicial findings.

3. Plat Committee for January, February & March 2024
 - Pamela Gillham
 - Virginia Morgan
 - Jeffery Epperheimer
 - Franco Venuti
 - Jeremy Brantley (Alternate)

AGENDA ITEM H. PRESENTATIONS / PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

Chair Brantley asked if there was anyone from the public who would like to comment on anything not appearing on the agenda. No one wished to comment

AGENDA ITEM K. ADJOURNMENT

Commissioner Gillham moved to adjourn the meeting at 8:53 P.M.

Ann E. Shirnberg
Administrative Assistant