



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Planning Commission

Monday, August 12, 2024

7:30 PM

Betty J. Glick Assembly Chambers

Zoom Meeting ID: 907 714 2200

Remote participation will be available through Zoom, or other audio or video means, wherever technically feasible

The hearing procedure for the Planning Commission public hearings are as follows:

- 1) Staff will present a report on the item.
- 2) The Chair will ask for petitioner's presentation given by Petitioner(s) / Applicant (s) or their representative – 10 minutes
- 3) Public testimony on the issue. – 5 minutes per person
- 4) After testimony is completed, the Planning Commission may follow with questions. A person may only testify once on an issue unless questioned by the Planning Commission.
- 5) Staff may respond to any testimony given and the Commission may ask staff questions.
- 6) Rebuttal by the Petitioner(s) / Applicant(s) to rebut evidence or provide clarification but should not present new testimony or evidence.
- 7) The Chair closes the hearing and no further public comment will be heard.
- 8) The Chair entertains a motion and the Commission deliberates and makes a decision.

All those wishing to testify must wait for recognition by the Chair. Each person that testifies must write his or her name and mailing address on the sign-in sheet located by the microphone provided for public comment. They must begin by stating their name and address for the record at the microphone. All questions will be directed to the Chair. Testimony must be kept to the subject at hand and shall not deal with personalities. Decorum must be maintained at all times and all testifiers shall be treated with respect.

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF CONSENT AND REGULAR AGENDA

All items marked with an asterisk () are consent agenda items. Consent agenda items are considered routine and non-controversial by the Planning Commission and will be approved by one motion. There will be no separate discussion of consent agenda items unless a Planning Commissioner so requests in which case the item will be removed from the consent agenda and considered in its normal sequence on the regular agenda.*

If you wish to comment on a consent agenda item or a regular agenda item other than a public hearing, please advise the recording secretary before the meeting begins, and she will inform the Chairman of your wish to comment.

1. Time Extension Request

[KPB-6255](#) Hope Lake Subdivision 2022 Replat; KPB File 2022-112

Attachments: [C1. TE-Hope Lake Sub 2022 Replat](#)

2. Planning Commission Resolutions

3. Plats Granted Administrative Approval

[KPB-6247](#) 5 D Subdivision; KPB File 2024-012
Bings Landing Subdivision Gregory Addition; KPB File 2023-110
Cottonwood Subdivision Jose Replat; KPB File 2024-003
Gatten Subdivision 2024 Replat; KPB File 2023-136
Queen Aleta Subdivision; KPB File 2023-015
Tustumena Terraces 2023 Replat; KPB File 2023-080

Attachments: [C3. Admin Approvals](#)

4. Plats Granted Final Approval (KPB 20.10.040)

5. Plat Amendment Request

6. Commissioner Excused Absences

7. Minutes

[KPB-6248](#) July 22, 2024 Planning Commission Meeting Minutes

Attachments: [C7. 072224 PC Meeting Minutes](#)

D. OLD BUSINESS

E. NEW BUSINESS

1. [KPB-6249](#) Condition Use Permit; PC Resolution 2024-10
Petitioner: Hoback
Request: To construct a cedarplank fence partially within the 50' HPD of the Kenai River
Location: 36120 Stephens Drive
Sterling Area

Attachments: [PC RES 2024-10 Executed](#)
[E1. CUP Fence Hoback 2024-10 Packet](#)

2. [KPB-6250](#) Utility Easement Vacation; KPB File 2027-076V
McLane Consulting Group / Gottsche
Request: Vacates the utility easement granted on the common lot line between Lots 5 & 6, Block 2, Chugach Heights Subdivision
Plat KN 78-136
Nikiski Area / Nikiski APC

Attachments: [PC RES 2024-11 Executed](#)
[E2. UEV Chugach Heights Sub Packet](#)
[E2. UEV Chugach Heights Sub Desk Packet](#)

3. [KPB-6251](#) Right of Way Vacation; KPB File 2024-075V
No Surveyor / Kachemak Heritage Land Trust
Request: Vacates the entire 60' Rowen Circle ROW adjacent to Lots 13-16 & 45-47, dedicated by Stariski Meadow, Plat HM 97-62
Happy Valley Area / Kachemak Bay APC

Attachments: [E3. ROWV Rowen Circle Packet](#)

4. [KPB-6252](#) Ordinance 2024-24: Authorizing the retention or sale of certain real property conveyed to the Kenai Peninsula Borough through tax foreclosure process

Attachments: [E4. Ordinance 2024-24 Packet](#)

5. [KPB-6253](#) Ordinance 2024-25: Amending KPB 21.18.025 to address adoptions and deletions of anadromous waters within the South District of the KPB 21.18 Appendix that have been identified in the "Atlas and Catalog of Waters Important for Spawning, Rearing, or Migration of Anadromous Fish" published by the Alaska Department of Fish and Game.

Attachments: [E5. Ordinance 2024-25 Packet](#)

F. PLAT COMMITTEE REPORT

G. OTHER**H. PUBLIC COMMENT/PRESENTATION**

(Items other than those appearing on the agenda or scheduled for public hearing. Limited to five minutes per speaker unless previous arrangements are made)

I. DIRECTOR'S COMMENTS**J. COMMISSIONER COMMENTS****K. ADJOURNMENT****MISCELLANEOUS INFORMATIONAL ITEMS
NO ACTION REQUIRED**

[KPB-6256](#) Advisory Planning Commission Meeting Minutes

Attachments: [Misc. Information APC Minutes](#)

NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING

The next regularly scheduled Planning Commission meeting will be held Monday, August 26, 2024 in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at 7:30 p.m.

**CONTACT INFORMATION
KENAI PENINSULA BOROUGH PLANNING DEPARTMENT**

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A party of record may file an appeal of a decision of the Planning Commission in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances. An appeal must be filed with the Borough Clerk within 15 days of the notice of decision, using the proper forms, and be accompanied by the filing and records preparation fees. Vacations of right-of-ways, public areas, or public easements outside city limits cannot be made without the consent of the borough assembly.

Vacations within city limits cannot be made without the consent of the city council. The assembly or city council shall have 30 calendar days from the date of approval in which to veto the planning commission decision. If no veto is received within the specified period, it shall be considered that consent was given.

A denial of a vacation is a final act for which the Kenai Peninsula Borough shall give no further consideration. Upon denial, no reapplication or petition concerning the same vacation may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed.