

Kenai Peninsula Borough Planning Commission

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

June 26, 2023
7:30 P.M.
APPROVED 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

Pamela Gillham, District 1 – Kalifornsky
Blair Martin, District 2 - Kenai
John Hooper, District 3 – Nikiski
Michael Horton, District 4 – Soldotna
Jeremy Brantley, District 5 – Sterling/Funny River
Virginia Morgan – District 6, East Peninsula
David Stutzer, District 8 – Homer
Dawson Slaughter, District 9 – South Peninsula
Franco Venuti, City of Homer
Diane Fikes, City of Kenai
Troy Staggs, City of Seward
Charlene Tautfest, City of Soldotna

With 12 members of a 12-member seated commission in attendance, a quorum was present.

Staff Present

Robert Ruffner, Planning Director
Walker Steinhage, Deputy Borough Attorney
Vince Piagentini, Platting Manager
Morgan Aldridge, Resource Planner
Ann Shirnberg, Planning Administrative Assistant

AGENDA ITEM C. **CONSENT & REGULAR AGENDAS**

***3. Plats Granted Administrative Approval**

- a. Bosn Landing Subdivision No. 3: KPB File 2021-101
- b. Brown's Acre Estates Addition No. 1: KPB File 2022-170
- c. Clam Gulch Heights 2022 Addition; KPB File 2022-136
- d. Lloyd Race Lot 4 Replat; KPB File 2022-157
- e. Smith-Staton Subdivision; KPB File 2022-178
- f. Spruce Knoll; KPB File 2022-005
- g. The Place Subdivision; KPB File 2022-179
- h. Voznesenka Lot 11 Replat; KPB File 2021-166

***4. Plats Granted Final Approval**

- a. Janousek Subdivision 2023 Replat; KPB File 2023-033
- b. Panoramic Park Subdivision Yancey Replat; KPB File 2023-017

***6. Commissioner Excused Absences**

- a. City of Seldovia, Vacant
- b. District 7 – Central, Vacant

***7. Minutes**

- a. June 12, 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 Stutzer to approve the regular and consent agendas.

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

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 12	Brantley, Fikes, Gillham, Hooper, Horton, Martin, Morgan, Slaughter, Staggs, Stutzer, Tautfest, Venuti
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AGENDA ITEM E. NEW BUSINESS

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

ITEM 1 – BUILDING SETBACK ENCROACHMENT PERMIT - GRANROSS GROVE UNIT 1

KPB File No.	2023-058
Planning Commission Meeting:	June 26, 2023
Applicant / Owner:	Kent Baumgardner of Alaska
Surveyor:	Christopher Mullikin / Mullikin Surveys
General Location:	Ester Avenue, Anchor Point

Parent Parcel No.:	165-510-44
Legal Description:	Lot 32 Granross Grove Unit 1 Plat No HM 78-5
Assessing Use:	Residential
Zoning:	Rural Unrestricted

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley opened the item for public comment.

Christopher Mullikin, Mullikin Surveys; P.O. Box 1023, Homer, AK 99603: Mr. Mullikin was the surveyor for this project and made himself available for questions.

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

MOTION: Commissioner Gillham moved, seconded by Commissioner Slaughter to adopt PC Resolution 2023-14 granting a building setback encroachment permit to Lot 32 Granross Grove Unit 1, Plat HM 78-5, based on staff recommendations, adopting and incorporating by reference findings 2- 4 & 7 in support of standard one, findings 2-4, 6 & 7 in support of standards two and findings 2-8 in support of standard three, 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 - 12	Brantley, Fikes, Gillham, Hooper, Horton, Martin, Morgan, Slaughter, Staggs, Stutzer, Tautfest, Venuti
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**ITEM 2 - RIGHT OF WAY VACATION
VACATE PORTIONS OF STEIK AVENUE GRANTED ON NINILCHIK RIGHT-OF-WAY MAP,
PLAT HM 84-115 & ASSOCIATED UTILITY EASEMENTS**

KPB File No.	2023-061V
Planning Commission Meeting:	June 26, 2023
Applicant / Owner:	Caribou Hills Cabin Hoppers of Clam Gulch, Alaska
Surveyor:	None
General Location:	Steik Avenue, Oil Well Road, and Gravel Pit Trail REM SW within Ninilchik, Alaska
Legal Description:	Steik Avenue within Lot 107, Ninilchik Right-Of-Way Map, Plat HM 84-115 in Township 2 South Range 12 West Section 2 and Lots 29 and 30, Clarks' Point of View Estates Phase 1 HM 2001-80, and Lot 24 Clarks' Point of View Estates Phase 5, HM 2005-94 within Township 1 South Range 12 West Section 35

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley opened the item for public comment.

Sylvia Shelton, Caribou Hills Cabin Hoppers; P.O. Box 375, Clam Gulch, AK 99568: Ms. Shelton is the treasurer for the Cabin Hopper and asked the commission to approve their vacation request.

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 20.65, based on staff recommendations, and subject to the 4 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 - 12	Brantley, Fikes, Gillham, Hooper, Horton, Martin, Morgan, Slaughter, Staggs, Stutzer, Tautfest, Venuti
No - 0	

**ITEM 3 – CONDITION USE PERMIT
ANADROMOUS WATERS HABITAT PROTECTION DISTRICT OF THE KENAI RIVER**

KPB File No.	2023-13
Planning Commission Meeting:	June 26, 2023
Applicant	Steve Helbock
Mailing Address	1806 Curry Road, Roseburg, OR 97471
Legal Description	T 4N R 10W SEC 2 SM KN 0870100 MOOSE RANGE MEADOWS SUB PHASE II AMENDED LOT 1 BLK 2
Physical Address	33537 KEYSTONE DR
KPB Parcel Number	135-260-02

Staff report given by Resource Planning Morgan Aldridge

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.

MAIN MOTION: Commissioner Gillham moved, seconded by Commissioner Slaughter to adopt Planning

Commission Resolution 2023-13 granting a conditional use permit pursuant to KPB 21.18 for the construction of a fence within the 50-foot Habitat Protection District of the Kenai River.

Commissioner Gillham noted the applicant stated that a portion of the fence near the river was going to be on hinges so that it could be opened. She then noted resolution did not include language related to the hinged portion of the fence. She would like that voluntary condition added to the resolution. She also would like to note the timeframe that the hinged portion of the fence would remain open. She suggested it be the same timeframe that floating docks are required to be pulled from the river.

Planner Morgan stated she believed that the timeframe for removing the floating docks was from October 15th through April 15th. She would double check with Alaska State Parks as they are the permitting authority for floating docks on the river.

AMENDMENT MOTION: Commissioner Gillham moved, seconded by Commissioner Martin to add the condition that the 10' portion of the fence on hinges remain open from October 15th thru April 15th.

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

AMENDMENT MOTION PASSED BY UNANIMOUS VOTE:

Yes - 12	Brantley, Fikes, Gillham, Hooper, Horton, Martin, Morgan, Slaughter, Staggs, Stutzer, Tautfest, Venuti
No - 0	

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

MAIN MOTION PASSED AS AMENDED BY UNANIMOUS VOTE:

Yes - 12	Brantley, Fikes, Gillham, Hooper, Horton, Martin, Morgan, Slaughter, Staggs, Stutzer, Tautfest, Venuti
No - 0	

AGENDA ITEM F. PLAT COMMITTEE REPORT

Commissioner Gillham reported the plat committee reviewed and granted preliminary approval to 1 plat and postponed action on two plats.

AGENDA ITEM G. The plat committee for the July 17, 2023 meeting:

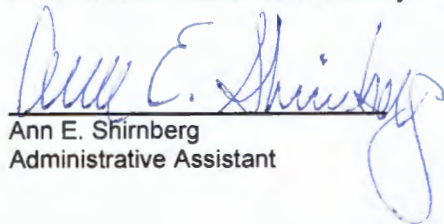
- Commissioner Gillham
- Commissioner Slaughter
- Commissioner Venuti
- Commissioner Hooper

AGENDA ITEM H. PUBLIC COMMENT/PRESENTATIONS

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 Martin moved to adjourn the meeting at 8:24 P.M.


Ann E. Shirnberg
Administrative Assistant