



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Planning Commission

Monday, May 13, 2024

7:30 PM

Betty J. Glick Assembly Chambers

Zoom Meeting ID: 907 714 2200

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.

[KPB-5996](#) April 22, 2024 PC Meeting Minutes

Attachments: [C7. 042424 PC Meeting Minutes](#)

1. Time Extension Request - NONE
2. Planning Commission Resolutions - NONE
3. Plats Granted Administrative Approval - NONE
4. Plats Granted Final Approval (KPB 20.10.040) - NONE
5. Plat Amendment Request - NONE
6. Commissioner Excused Absences

Virginia Morgan, Cooper Landing/Hope/Eastern Peninsula District

7. Minutes

[KPB-5996](#) April 22, 2024 PC Meeting Minutes

Attachments: [C7. 042424 PC Meeting Minutes](#)

D. OLD BUSINESS - NONE**E. NEW BUSINESS**

1. [KPB-5997](#) Utility Easement Vacation; KPB File 2023-112V
McLane Consulting / Roberts, Presley
Request: vacates an approximate 3000' utility easement granted by
South Bluff Estates KN 2002-42
Kalifornsky Area

Attachments: [E1. UEV_South Bluff Estates_Packet](#)

2. [KPB-5998](#) Right-Of-Way Vacation; KPB File 2024-036V
Seabright Surveying / Huyck, Dixon
Request: vacates the northern 18,261' & southern 3121' portions of Fritz Creek Valley Drive and re-dedicates the right-of-way along the existing road.
Fritz Creek Area / Kachemak APC
Attachments: [E2. ROWV Fritz Creek Valley Dr. Packet](#)
3. [KPB-5999](#) Right-Of-Way Vacation; KPB File 2024-039V
Johnson Surveying / Wiley
Request: vacates the entire Circe Lane Right-of-Way
Cohoe Area
Attachments: [E3. ROWV Circe Lane Packet](#)
4. [KPB-6000](#) Resolution 2024-XX: Authorizing the mayor to enter into a lease agreement with the USDA Forest Service for the Cooper Mountain communications site to support emergency management communication equipment.
Attachments: [E4. RES 2024-XX USDA Forest Service Lease](#)
5. [KPB-6001](#) Resolution 2024-XX: Authorizing the mayor to enter into a memorandum of agreement with Homer Electric Association, Inc. to provide efficient danger tree removal adjacent to above ground utility infrastructure within KPB lands and KPB road rights-of-way.
Attachments: [E5. RES 2024-XX HEA](#)

F. PLAT COMMITTEE REPORT

G. OTHER

1. Kenai River Center Report

[KPB-6024](#) Anadromous Waters Habitat Protection Annual Review

Attachments: [G1. Anadromous Water HPD Review](#)

2. Reminder – Due to the Memorial Day Holiday (5/27/24) the next Planning Commission meeting will be held Tuesday, May 28, 2024

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-6025](#) Advisory Planning Commission Meeting Minutes

Attachments: [Misc Info](#) [APC Minutes](#)

NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING

The next regularly scheduled Planning Commission meeting will be held Tuesday, May 28, 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.