

## **C. CONSENT AGENDA**

**\*7. Minutes**

**a. January 8, 2024 Planning Commission Meeting**

# Kenai Peninsula Borough Planning Commission

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

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January 8, 2024  
7:30 P.M.  
**UNAPPROVED MINUTES**  
*Zoom Only Meeting*

**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  
Dawson Slaughter, South Peninsula District  
Charlene Tautfest, City of Soldotna  
Franco Venuti, City of Homer  
Diane Fikes, City of Kenai

With 7 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  
Marcus Mueller, Land Management Manager  
Samantha Lopez, River Center Manager  
Morgan Aldridge, Planner  
Jennifer Robertson, LMD Administrative Assistant  
Ann Shirnberg, Planning Administrative Assistant

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

**\*3.      Plats Granted Administrative Approval**

- a. Annette's Subdivision; KPB File 2023-086
- b. Barefoot Acres; KPB File 2023-073
- c. Binkley Subdivision 2023 Replat; KPB File 2023-019
- d. Diamond Willow Kenai Wellness Estates Addition; KPB File 2023-079
- e. Don Jack Subdivision Cook Addition; KPB File 2019-083
- f. Forest Trails Subdivision; KPB File 2023-038
- g. Jelinek Subdivision; KPB File 2023-035
- h. Oberts Silver Salmon Subdivision; KPB File 2023-081
- i. Pease Subdivision Meadowmere Replat; KPB File 2023-064
- j. S&S Subdivision 2023 Replat; KPB File 2023-016
- k. Sleepy Hollow Longmere Landing Addition; KPB File 2021-003R1
- l. TLS 2021-06 East Oyster Cove Subdivision; KPB File 2022-047R1

- \*4 Plat Granted Final Approval**
  - a. Don’s Place Subdivision Faeo Replat; KPB File 2023-022
  - b. Irons Subdivision Covey Replat; KPB File 2022-110
  - c. Riverview Subdivision Coghill Replat Lot 1A SLEV; KPB File 2019-064
  
- \*6. Commissioner Excused Absences**
  - a. Virginia Morgan, Cooper Landing/Hope District
  - b. Troy Staggs, City of Seward (*Unexcused*)
  
- \*7. Minutes**
  - a. December 11, 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 Tautfest 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 - 7	Brantley, Epperheimer, Fikes, Gillham, Slaughter, Tautfest, Venuti
Absent - 2	Morgan, 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 30’ ALLEY IN BLOCK 11 US SURVEY 3564 (30’X240’)**

<b>KPB File No.</b>	2023-141V
<b>Planning Commission Meeting:</b>	January 8, 2023
<b>Applicant / Owner:</b>	Paul & Marcia Zimmerman Kasilof AK
<b>Surveyor:</b>	James Hall / McLane Consulting Inc.
<b>General Location:</b>	Kalifornsky Beach Rd & Sadie Lane in Kasilof
<b>Legal Description:</b>	Lots 2 – 7 Block 11 US Survey No 3564 Alaska Townsite of Kasilof KN 3564 SEC 30 T 3N R 11W

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 Slaughter moved, seconded by Commissioner Venuti 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 - 7	Brantley, Epperheimer, Fikes, Gillham, Slaughter, Tautfest, Venuti
Absent - 2	Morgan, Staggs

**ITEM #2 - RIGHT OF WAY VACATION  
 VACATE CHAR CIRCLE 7 SPRUCE STREET ROW  
 CITY PARK SUBDIVISION & CITY PARK SUBDIVISION NO. 2**

<b>KPB File No.</b>	2023-145V
<b>Planning Commission Meeting:</b>	January 8, 2024
<b>Applicant / Owner:</b>	Boys & Girls Club of the Kenai Peninsula - Kenai AK Thor Evenson - Anchorage AK
<b>Surveyor:</b>	James Hall / McLane Consulting Inc.
<b>General Location:</b>	S. Spruce Street, City of Kenai
<b>Legal Description:</b>	Char St. & S Spruce St. as dedicated on Park View Subdivision KRD 79-156 and City Park Subdivision No 2 KRD 2007-146 in Section 6, Township 5 North, Range 11 west SM City of Kenai, AK

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley opened the item for public comment.

Kyle Kornelis, Boys & Girls Club of the Kenai Peninsula; 48144 Harmony Ave., Soldotna, AK 99669 : Mr. Kornelis sits on the board for Boys & Girls Club and spoke in support of approving this vacation.

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

**MOTION:** Commissioner Epperheimer 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 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 - 7	Brantley, Epperheimer, Fikes, Gillham, Slaughter, Tautfest, Venuti
Absent - 2	Morgan, Staggs

**ITEM #3 – CONDITIONAL USE PERMIT  
 ANADROMOUS WATERS HABITAT PROTECTION DISTRICT  
 PLACEMENT OF FILL & THREE FISH CLEANING TABLES  
 WITHIN THE 50-FOOT HABITAT PROTECTION DISTRICT OF THE KASILOF RIVER**

<b>PC Resolution</b>	2024-01
<b>Planning Commission Meeting:</b>	January 8, 2024
<b>Applicant / Owner:</b>	AK DNR of Parks & Recreation
<b>Legal Description:</b>	T 3N R 12W SEC 12 SM KN 0960083 COAL CREEK COUNTRY ESTATES TRUJILLO ADDN LOT 4B
<b>Physical Address:</b>	26035 Williamson Lane
<b>Parcel ID:</b>	133-320-39
<b>General Location:</b>	Kasilof Area

Staff report given by Planner Morgan Aldridge

Chair Brantley opened the item for public comment.

Liz Burck; POB 1264, Kasilof, AK 99610: Ms. Burck spoke in opposition to this permit application. She expressed concerns related to increased traffic to the area and issues related to fish waste.

Tom Burck; POB 1264, Kasilof, AK 99610: Mr. Burck spoke in opposition to this permit application. He expressed concerns related to increased traffic to the area and issues related to fish waste.

Ben Eveland; POB 577, Kasilof, AK 99610: Mr. Eveland spoke in opposition to this permit application. He expressed concerns related to increased traffic to the area and issues related to fish waste.

Jake Kay; POB 490, Kasilof, AK 99610: Mr. Kay spoke in opposition to this permit application. He expressed concerns related to increased traffic to the area and issues related to fish waste.

Jane Eveland; POB 577, Kasilof, AK 99610: MS. Eveland spoke in opposition to this permit application. She expressed concerns related to increased traffic to the area and issues related to fish waste.

Hans Rinke, Park Superintendent; DNR-Parks; POB 1247, Soldotna, AK 99669: Mr. Rinke was there on behalf of the applicant 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.

**MAIN MOTION:** Commissioner Gillham moved, seconded by Commissioner Slaughter to adopt Planning Commission Resolution 2024-01 granting a conditional use permit for the construction of fill within the 50-foot Habitat Protection District of the Kasilof River.

**AMENDMENT MOTION:** Commissioner Gillham moved, seconded by Commissioner Fikes to remove from the permit the option for fish cleaning tables.

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

**AMENDMENT MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 8	Brantley, Epperheimer, Fikes, Gillham, Slaughter, Staggs, Tautfest, Venuti
Absent - 2	Morgan, Staggs

**FINDINGS MOTION:** Commissioner Gillham moved, seconded by Commissioner Slaughter to attach the following findings in support of the amendment motion:

1. Standard three is not met as the design and location of the fish cleaning tables is not sufficient to get the fish carcasses out into the river.
2. Standard three is not met as the fish cleaning tables will have an adverse effect on adjoin properties due to the lack of water flow in the river which will cause an accumulation of fish carcasses on the surrounding banks.

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

**FINDINGS MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 8	Brantley, Epperheimer, Fikes, Gillham, Slaughter, Staggs, Tautfest, Venuti
Absent - 2	Morgan, Staggs

Commissioner Gillham as the maker of the main motion and Commissioner Slaughter as the second amended the main motion language to add the removal of finding #7 in Section 2 of the resolution.

**MAIN MOTION (Amended):** Move to adopt Planning Commission Resolution 2024-01 granting a conditional use permit for the construction of fill within the 50-foot Habitat Protection District of the Kasilof River *and to remove finding #7 in Section 2 of the resolution*

**ITEM #4 – RESOLUTION 2024-XX  
A RESOLUTION CLASSIFY BOROUGH LAND IN THE COOPER LAND AREA**

Staff report given by Land Management Manager Marcus Mueller. Mr. Mueller noted that the Cooper Landing Advisory Planning Commission at their December 6, 2024 meeting recommending the initial land classification include recreational concurrently with resource management as opposed to Resource Management alone. Land Management Manager Marcus Mueller stated that the two land classifications are compatible.

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 Venuti moved, seconded by Commissioner Fikes to forward to the Assembly a recommendation to adopt Resolution 2024-XX: classifying Borough land in the Cooper Landing area based on staff recommendation and findings 1-13 in the staff report with the recommendation to amend the resolution to include the land classification of recreational along with resource management.

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, Slaughter, Taufest, Venuti
Absent - 2	Morgan, Staggs

**AGENDA ITEM G.      OTHER**

1. Legal Department Update

**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 Venuti moved to adjourn the meeting at 9:52 P.M.

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Ann E. Shirnberg  
Administrative Assistant