



Planning Commission Agenda

ACTION

December 11, 2023– 7:30 PM

Regular Meeting

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

Jeremy Brantley, Chair
Ridgeway / Sterling
Funny River District
Term Expires 2024

Pamela Gillham, Vice Chair
Kalifornsky / Kaslof District
Term Expires 2026

Virginia Morgan
Cooper Landing / Hope
Eastern Peninsula District
Term Expires 2025

Diane Fikes
City of Kenai
Term Expires 2025

Charlene Tauffest
City of Soldotna
Term Expires 2024

Franco Venuti
City of Homer
Term Expires 2025

Troy Staggs
City of Seward
Term Expires 2026

Jeffrey Epperheimer
Nikiski District
Term Expires 2026

Dawson Slaughter
South Peninsula District
Term Expires 2025

ZOOM MEETING DETAILS

Zoom Meeting Link: <https://us06web.zoom.us/j/9077142200>
Zoom Toll Free Phone Numbers: 888-788-0099 or 877-853-5247
Zoom Meeting ID: 907 714 2200

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA AND CONSENT AGENDA

(Action items listed with an asterisk (*) are considered to be routine and non-controversial by the Commission and will be approved by one motion. Public testimony will be taken. There will be no separate discussion of these items unless a commissioner so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.)

*1. Time Extension Request

- a. Homer Lake Street Rehabilitation Right-of-Way Map; KPB File 2016-142
- b. Seward Highway MP 17-23 Rehabilitation ROW Acquisition Plat KPB File 2015-137

*2. Planning Commission Resolutions – None

*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. **Plats 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 PC Meeting Minutes

Motion to approve the consent & regular agendas passed by unanimous vote (8-Yes).

D. UNFINISHED BUSINESS - None

E. NEW BUSINESS

Public Hearing: Quasi-Judicial Matters *(Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application)*

- 1. Right-Of-Way Vacation; KPB File 2023-131V
 Petitioner Von Ruden & Bakke
 Fritz Creek Area / Kachemak Bay APC
 Request: Vacate the 60' wide public access easement running south approximately 1450' from Triple Crown Road ROW , the Scott Road ROW, Plat HM 2014-16

Motion to approve the vacation as petitioned passed by unanimous vote (8-Yes, 1-Absent).

- 2. Right-Of-Way Vacation; KPB File 2023-133V
 Petitioner: Boling
 Funny River Area / Funny River APC
 Request: Modifies C & C Bear Street ROW by vacating the southern 580' x 60' portion & creating a cul-de-sac, Plat KN 2003-74

Motion to approve the vacation as petitioned passed by unanimous vote (8-Yes, 1-Absent).

- 3. Utility Easement Vacation; KPB File 2023-132V; PC RES 2023-34
 Petitioner: Krull
 City of Soldotna
 Request: Vacates the entire utility easement granted by Plat KN 2022-031 crossing diagonally through Lot 4 & vacates the easternmost portion of the easement granted by Plat KN 2022-031 excluding the westerly 22.27 section in Lot 1B

Motion to approve the vacation as petitioned passed by unanimous vote. (7-Yes, 1-Abstain, 1-Absent)

Public Hearing: Legislative Matters - None

F. PLAT COMMITTEE REPORT – The plat committee reviewed 12 plats

G. OTHER (No Public Hearing)

1. Planning Commission Bylaws / PC Resolution 2023-33

Motion to adopt Planning Commission Resolution 2023-33, approving and adopting bylaws for the Kenai Peninsula Borough Planning Commission passed by unanimous vote (8-Yes, 1-Absent)

2. Planning Commission Training – Best Practices For Quasi-Judicial Findings
3. Plat Committee for January, February & March 2024

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

I. DIRECTOR’S COMMENTS

J. COMMISSIONER COMMENTS

K. ADJOURNMENT

MISCELLANEOUS INFORMATIONAL ITEMS

NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING

The next regularly scheduled Planning Commission meeting will be held **Monday, January 8, 2024 at 7:30 p.m.** ***This will be a Zoom only meeting, the meeting will not be physically open to the public. The planning commission and borough staff will be attending via Zoom.***

CONTACT INFORMATION

KENAI PENINSULA BOROUGH PLANNING DEPARTMENT

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website: <http://www.kpb.us/planning-dept/planning-home>

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 rights-of-way, 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.