

C. CONSENT AGENDA

***7. Minutes**

a. August 12, 2024 Planning Commission Meeting

Kenai Peninsula Borough Planning Commission

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

August 12, 2024
7:50 P.M.
UNAPPROVED MINUTES

AGENDA ITEM A. CALL TO ORDER

Commissioner Brantley called the meeting to order at 7:50 p.m. Late Start was due to the Plat Committee meeting running over.

Oath of Office

Commissioner Brantley was reappointed by Mayor Micciche to serve another 3-year term on the commission. Ms. Shirnberg administered the oath of office to Commissioner Brantley

AGENDA ITEM B. ROLL CALL

Commissioners Present

Jeremy Brantley, Sterling / Funny River
Jeffery Epperheimer, Nikiski District
Pamela Gillham, Kalifornsky/Kasilof District
Dawson Slaughter, South Peninsula District
Virginia Morgan, Cooper Landing/Hope/Eastern Peninsula District
Diane Fikes, City of Kenai
Troy Staggs, City of Seward
Franco Venuti, City of Homer

With 8 members of a 9-member seated commission in attendance, a quorum was present.

Staff Present

Robert Ruffner, Planning Director
Walker Steinhage, Deputy Borough Attorney
Vince Piagentini, Platting Manager
Samantha Lopez, Kenai River Center Manager
Morgan Aldridge, Planner, Kenai River Center
Aaron Hughes, Land Management Manager
Jennifer Robertson, LMD Administrative Assistant
Ann Shirnberg, Planning Administrative Assistant

Election of Officers

Commissioner Morgan nominated, seconded by Commissioner Fikes, Commissioner Brantley for the position of Chair. Seeing and hearing no objections, discussion or other nominations, Commissioner Brantley was appointed Chair.

Commissioner Venuti nominated, seconded by Commissioner Fikes, Commissioner Gillham for the position of Vice Chair. Seeing and hearing no objections, discussion or other nominations, Commissioner Gillham was appointed Vice-Chair.

AGENDA ITEM C. CONSENT & REGULAR AGENDA

- *3. Plats Granted Administrative Approval**
 - a. 5 D Subdivision; KPB File 2024-012
 - b. Bings Landing Subdivision Gregory Addition; KPB File 2023-110
 - c. Cottonwood Subdivision Jose Replat; KPB File 2024-003
 - d. Gatten Subdivision 2024 Replat; KPB File 2023-136
 - e. Queen Aleta Subdivision; KPB File 2023-015
 - f. Tustumena Terraces 2023 Replat; KPB File 2023-080

- *5. Commissioner Excused Absences**
 - a. City of Soldotna – Vacant

- *7. Minutes**
 - a. July 22, 2024 Planning Commission meeting minutes

Chair Brantley asked Ms. Shirnberg to read the consent agenda items into the record. He 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 Staggs 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 -8	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Staggs, Venuti,
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**ITEM #1 - CONDITIONAL USE PERMIT
STARISKI MEADOWS**

Pc Resolution #	2024-10
Planning Commission Meeting:	August 12, 2024
Applicant / Owner:	John Hoback
Physical Address	35555 Kenai Spur Highway #410
Legal Description	T 5N R 9W SEC 21 SEWARD MERIDIAN KN 0770101 BOS'N LANDING SUB PART 1 LOT 13 BLK 1
Parcel Number	065-560-09

Staff report given by Planner 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 committee.

MOTION: Commissioner Staggs moved, seconded by Commissioner Epperheimer to adopt Planning Commission Resolution 2024-10, granting a conditional use permit pursuant to KPB 21.18 for the construction of a fence within the 50' Habitat Protection District of the Kenai River.

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

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 8	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Staggs, Venuti
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**ITEM #2 - UTILITY EASEMENT ALTERATION
CHUGACH HEIGHTS SUBDIVISION**

KPB File No.	2024-076V
Planning Committee Meeting:	August 12, 2024
Applicant / Owner:	Penny & David M Gottsche
Surveyor:	Andrew Hamilton – McLane Consulting Group
General Location:	Nikiski

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley opened the item for public comment.

David & Penny Gottsche; 50850 Noatak Way Kenai, AK 99611: The Gottsches are the petitioners and made themselves available for questions.

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

MOTION: Commissioner Slaughter moved, seconded by Commissioner Fikes to adopt Planning Commission Resolution 2024-11, granting 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 two conditions 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 - 8	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Staggs, Venuti
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**ITEM #3 - RIGHT OF WAY VACATION
STARISKI MEADOWS**

KPB File No.	2024-075V
Planning Commission Meeting:	August 12, 2024
Applicant / Owner:	Kachemak Heritage Land Trust / Walter Dean Larson, Kachemak Heritage Land Trust Inc., Kachemak Heritage Land Trust, Joy and Pete Lohmer
Surveyor:	None
General Location:	Sergeant Ave., Pepper Rd., Rowen Cir., Happy Valley / Anchor Point APC
Legal Description:	Lots 13-16 & 45-47, Stariski Meadows, HM 97-02, Section 29, Township 3 South, Range 14 West, S.M.

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley opened the item for public comment.

Lawrence Albert, Lawyer for the Petitioners; 2246 N.W. Canyon Drive, OR 97756: Mr. Albert made himself available for questions.

Joel Cooper; 315 Klondike Avenue, Homer, AK 99663: Mr. Cooper is with the Kachemak Heritage Land Trust 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 committee.

MOTION: Commissioner Staggs moved, seconded by Commissioner Epperheimer granting 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 five conditions 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 - 8	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Staggs, Venuti
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**ITEM #4 – ORDINANCE 2024-24
AUTHORIZING RETENTION OR SALE OF CERTAIN REAL PROPERTY CONVEYED TO THE KENAI
PENINSULA BOROUGH THROUGH TAX FORECLOSURE PROCEEDINGS**

Staff report given by Land Management Manger Aaron Hughes.

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 committee.

MOTION: Commissioner Slaughter moved, seconded by Commissioner Staggs to forward to the Assembly a recommendation to adopt Ordinance 2024-24 authorizing retention or sale of certain real property conveyed to the Kenai Peninsula Borough through tax foreclosure proceedings.

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

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 8	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Staggs, Venuti
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**ITEM #5 – ORDINANCE 2024-25
AMENDING KPB 21.18.025 TO ADDRESS ADOPTIONS AND DELETIONS OF ANADROMOUS WATERS
WITHING THE SOUTH DISTRICT OF THE KPB 21.18 APPENDIX THAT HAVE BEEN IDENTIFIED IN
THE “ATLAS & CATALOG OF WATERS IMPORTANT FOR SPAWING, REARING, OR MIGRATION OF
ANADROMOUS FISH” PUBLISHED BY THE ALASKA DEPARTMENT OF FISH & GAME.**

Staff report given by Kenai River Center Manager Samantha Lopez.

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 committee.

MOTION: Commissioner Staggs moved, seconded by Commissioner Slaughter to forward to the Assembly a recommendation to adopt Ordinance 2024-25, amending KPB 21.18.025 to address adoptions and deletions of anadromous water within the South District of the KPB appendix that have been identified in the “Atlas & Catalog of Waters Important for Spawning, Rearing or Migration of Anadromous Fish” published by the Alaska Department of Fish & Game.

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

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 8	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Staggs, Venuti
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AGENDA ITEM F. PLAT COMMITTEE REPORT

Commissioner Gillham report that the committee reviewed and granted preliminary approval to 8 plats.

AGENDA ITEM G. OTHER

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

Chair Brantley asked if there was anyone who wished to comment on anything that was not on the agenda. There was no one who wished to comment.

AGENDA ITEM J. COMMISSIONER COMMENTS

Commissioner Troy Staggs notified the commission that he would be stepping down as the planning commission representative for the City of Seward. He recently moved and no longer meets the qualification of living within the city limits.

AGENDA ITEM K. ADJOURNMENT

Commissioner Gillham moved to adjourn the meeting at 8:58 P.M.

Ann E. Shirnberg
Administrative Assistant

UNAPPROVED