



Meeting Agenda Planning Commission

Monday, December 11, 2023

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.

1. Time Extension Request - None

- a. [KPB-5687](#) Homer Lake Street Rehabilitation ROW Map; KPB File 2016-142

Attachments: [C1. A-Homer Lake Street Rehabilitation ROW Map Packet](#)

- b. [KPB-5688](#) Seward Highway MP 17-23 Rehabilitation ROW Acquisition Plat
KPB File 2015-137

Attachments: [C1. B- Seward Hwy MP 17-22.5 Acquisition Plat](#)

2. Planning Commission Resolutions - None

3. Plats Granted Administrative Approval

- [KPB-5640](#)
- 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

Attachments: [C3. Admin Approval](#)

4. Plats Granted Final Approval (KPB 20.10.040)

- [KPB-5641](#) a. Kings Run Subdivision 2023 Replat; KPB File 2023-018

Attachments: [C4. Final Approvals](#)

5. Plat Amendment Request

- a. [KPB-5686](#) Binkley Subdivision Back Replat; KPB File 2023-074

Attachments: [C5. Binkley Sub Back Replat Amendment Request Packet](#)

6. Commissioner Excused Absences - None

7. Minutes

[KPB-5642](#) a. November 13, 2023 PC Meeting Minutes

Attachments: [C7. 111323 PC Minutes](#)

D. OLD BUSINESS - None

E. NEW BUSINESS

1. [KPB-5643](#) 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

Attachments: [E1. ROWV Triple Crown Estates Packet](#)

2. [KPB-5644](#) 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

Attachments: [E2. ROWV C&C Bear Subdivision Packet](#)

3. [KPB-5645](#) 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

Attachments: [PC RES 2023-34 Executed](#)
[E3. UEV Paces Pleasant Haven Sub Packet](#)

F. PLAT COMMITTEE REPORT

G. OTHER

1. [KPB-5646](#) Planning Commission Bylaws
Attachments: [PC RES 2023-33 Executed](#)
[G1. PC Bylaws](#)
2. [KPB-5647](#) Planning Commission Training
Best Practices For Quasi-Judicial Findings
Attachments: [G2. PC Training Quasi-Judicial Findings](#)
3. Plat Committee For January-February-March 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-5685](#) Advisory Planning Commission Meeting Minutes
Attachments: [APC Meeting Minutes](#)

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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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.