

# 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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December 11, 2023  
7:30 P.M.  
APPROVED MINUTES

**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  
Virginia Morgan, Cooper Landing/Hope District  
Dawson Slaughter, South Peninsula District  
Charlene Tautfest, City of Soldotna  
Franco Venuti, City of Homer  
Diane Fikes, City of Kenai

With 8 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  
Jennifer Robertson, LMD Administrative Assistant  
Ann Shirnberg, Planning Administrative Assistant

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

**\*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      Plat 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 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 Gillham 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, Tautfest, Venuti |
| Absent - 1 | 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 THE 60' WIDE PUBLIC ACCESS EASEMENT RUNNING SOUTH APPROXIMATELY 1450 FEET FROM TRIPLE CROWN ROAD ROW TO SCOTT ROAD ROW IN LOTS 3, 4, 6, 7 & 8 BLOCK 4 OF TRIPLE CROWN ESTATES NO. 2 PHASE 2 HM 2014-16**

|                                     |  |
|-------------------------------------|--|
| <b>KPB File No.</b>                 | 2023-131V  |
| <b>Planning Commission Meeting:</b> | December 11, 2023  |
| <b>Applicant / Owner:</b>           | Andrew & Rosemary Von Ruden of Owatonna, MN<br>Erik Bakke of Homer AK        |
| <b>Surveyor:</b>                    | None to date   |
| <b>General Location:</b>            | Fritz Creek Area / Kachemak APC  |
| <b>Parcel No.:</b>                  | 172-035-35; 172-035-36; 172-035-38; 172-035-39; 72-035-40                    |
| <b>Legal Description</b>            | LOTS 3, 4, 6, 7 & 8 BLOCK 4 OF TRIPLE CROWN ESTATES NO. 2 PHASE 2 HM 2014-16 |

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 Epperheimer moved, seconded by Commissioner Fikes 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 - 8    | Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Tautfest, Venuti |
| Absent - 1 | Staggs   |

**ITEM #2 - RIGHT OF WAY VACATION  
VACATESOUTHERN 580' X 60' PORTION OF C & C BEAR STREET IN LOT 2 & 3**

|                                     |                                     |
|-------------------------------------|-------------------------------------|
| <b>KPB File No.</b>                 | 2023-133V                           |
| <b>Planning Commission Meeting:</b> | December 11, 2023                   |
| <b>Applicant / Owner:</b>           | Beth Boiling of Homer Alaska        |
| <b>Surveyor:</b>                    | James Hall / McLane Consulting Inc. |
| <b>General Location:</b>            | Funny River Road, Funny River APC   |
| <b>Legal Description:</b>           | LOTS 2 & 3 OF C&C BEAR SUBDIVISION  |

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley opened the item for public comment.

Stephanie Rodgers; 6357 S. Slipstream Circle, Wasilla, AK 99623: Ms. Rodgers owns land in this area and she asked what the petitioner’s development plans were for their properties. Chair Brantley responded that this platting process does not require the petitioner to submit development plans with their petition. He encouraged her to contact the landowner for that information.

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

**MOTION:** Commissioner Slaughter 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 five 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 - 8    | Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Tautfest, Venuti |
| Absent - 1 | Staggs   |

**ITEM #3 - UTILITY EASEMENT ALTERATION  
VACATE ENTIRE 15' UTILITY EASEMENT GOING DIAGONALLY ACROSS LOT 4A AND VACATE EASTERNMOST PART OF 15' UTILITY EASEMENT EXCLUDING THE WEST 22.27 FEET IN LOT 1B BLOCK 6 LOCATED IN KN 2023-31 AS GRANTED BY PLAT IN KN 2022-031**

|                                     |  |
|-------------------------------------|--|
| <b>KPB File No.</b>                 | 2023-132V  |
| <b>Planning Commission Meeting:</b> | December 11, 2023  |
| <b>Applicant / Owner:</b>           | Henry and Mary Krull of Soldotna Alaska                    |
| <b>Surveyor:</b>                    | Jason Young & Mark Aimonetti / Edge Survey and Design, LLC |
| <b>General Location:</b>            | Whistle Hill Loop, City of Soldotna                        |
| <b>Resolution:</b>                  | 2023-32  |

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.

Commissioner Tautfest requested to be abstained from this matter as she had voted on it as a planning & zoning commissioner for the city of Soldotna.

**MOTION:** Commissioner Gillham moved, seconded by Commissioner Epperheimer to approve the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.70, based on staff recommendations, citing findings 1-8 and subject to the two 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, Morgan, Slaughter, Venuti |
| Abstain - 1 | Tautfest   |
| Absent - 1  | Staggs   |

**AGENDA ITEM G.      OTHER**

1. Planning Commission Bylaw /PC RES 2023-33

**MOTION:** Commissioner Venuti moved, seconded by Commissioner Gillham to adopt Planning Commission Resolution 2023-33, approving and adopting bylaws for the Kenai Peninsula Borough Planning Commission.

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, Tautfest, Venuti |
| Absent - 1 | Staggs   |

2. PC Training: Best Practices For Quasi-Judicial Findings

Deputy Borough Attorney Walker Steinhage gave a presentation on quasi-judicial findings.

3. Plat Committee for January, February & March 2024


- Pamela Gillham
- Virginia Morgan
- Jeffery Epperheimer
- Franco Venuti
- Jeremy Brantley (Alternate)

**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 Gillham moved to adjourn the meeting at 8:53 P.M.



Ann E. Shirnberg  
Administrative Assistant