



Meeting Agenda Planning Commission

Monday, April 22, 2024

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
2. Planning Commission Resolutions - None
3. Plats Granted Administrative Approval

[KPB-5935](#)

- a. Broken Axle No. 2; KPB File 2023-124
- b. Bunnell's Subdivision 2023 Replat; KPB File 2023-047
- c. C & C Bear Subdivision 2023 Replat; KPB File 2023-133
- d. Grewingk Glacier Vista; KPB File 2023-095
- e. Pacific Park Subdivision Blauvelt Addition; KPB File 2023-088
- f. Reutov Subdivision; KPB File 2023-065
- g. Shipley Subdivision; KPB File 2023-070
- h. South Bend Bluff Estates 2023 Replat; KPB File 2023-112
- i. Terra Bella Subdivision; KPB File 2022-024
- j. W.R. Bell Subdivision 2023 Addition; KPB File 2023-087
- k. Waterman Spring Replat 2023; KPB File 2023-039

Attachments:

[C3. Admin Approvals](#)

4. Plats Granted Final Approval (KPB 20.10.040) - None
5. Plat Amendment Request - None
6. Commissioner Excused Absences - None
7. Minutes

[KPB-5936](#)

March 25, 2024 PC Meeting Minutes

Attachments:

[C7. 032524 PC Minutes](#)

D. OLD BUSINESS

E. NEW BUSINESS

- 1. [KPB-5937](#) Utility Easement Vacation: KPB File 2024-021V
Johnson Surveying / Steinbeck
Request: Vacates a portion of the 25’ utility easement on the western side of Tract B, Harlie A Fellers Subdivision, KN 78-31
Kasilof Area

Attachments: [E1. UEV Harlie A. Fellers Sub Packet](#)

- [KPB-5938](#) Utility Easement Vacation; KPB File 2023-037V
Johnson Surveying / Kasilof Community Church
Request: Vacates a 10’ wide utility easement beginning at the southwest corner of Pollard Tract A thence running northeasterly & stopping at a utility easement near the eastern line. Vacates a 10’ utility easement lying between the C1/4 corner & the overhead powerline easement & vacates the westerly utility easement of Parcel A-G Kasilof Community Church, KN 97-80
Kasilof Area

Attachments: [E2. UEV Parcel A-G Kasilof Community Church Packet](#)

F. PLAT COMMITTEE REPORT

G. OTHER

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**

NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING

The next regularly scheduled Planning Commission meeting will be held Monday, May 13, 2024 in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at 7:30 p.m.

**CONTACT INFORMATION
KENAI PENINSULA BOROUGH PLANNING DEPARTMENT**

Phone: 907-714-2215

Phone: toll free within the Borough 1-800-478-4441, extension 2215

Fax: 907-714-2378

e-mail address: planning@kpb.us

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 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.

C. CONSENT AGENDA

- *3. Plats Granted Administrative Approval**
 - a. Broken Axle No. 2; KPB File 2023-124**
 - b. Bunnell's Subdivision 2023 Replat; KPB File 2023-047**
 - c. C & C Bear Subdivision 2023 Replat; KPB File 2023-133**
 - d. Grewingk Glacier Vista; KPB File 2023-095**
 - e. Pacific Park Subdivision Blauvelt Addition; KPB File 2023-088**
 - f. Reutov Subdivision; KPB File 2023-065**
 - g. Shipley Subdivision; KPB File 2023-070**
 - h. South Bend Bluff Estates 2023 Replat; KPB File 2023-112**
 - i. Terra Bella Subdivision; KPB File 2022-024**
 - j. W.R. Bell Subdivision 2023 Addition; KPB File 2023-087**
 - k. Waterman Spring Replat 2023; KPB File 2023-039**



Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

Peter A. Micciche
Borough Mayor

ADMINISTRATIVE APPROVAL

Subdivision: Broken Axle No. 2
KPB File 2023-134
Homer Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on December 11, 2023. Approval for the plat is valid for two years from the date of approval.

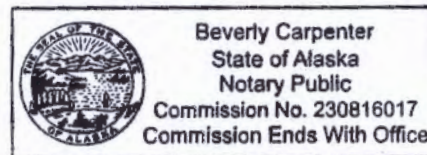
The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on Wednesday, March 20, 2024.

Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 20 day of March 2024 by
Vince Piagentini.

Notary Public for the State of Alaska



My commission expires: with office

The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.



Planning Department

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Peter A. Micciche
Borough Mayor

ADMINISTRATIVE APPROVAL

Subdivision: Bunnell's Subdivision 2023 Replat
KPB File 2023-047
Homer Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on May 22, 2023. Approval for the plat is valid for two years from the date of approval.

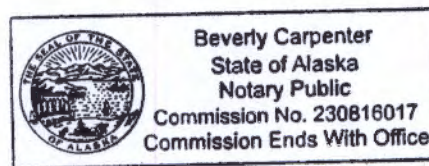
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ADMINISTRATIVE APPROVAL

Subdivision: C & C Bear Subdivision 2023 Replat
KPB File 2023-133
Kenai Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on January 8, 2024. Approval for the plat is valid for two years from the date of approval.

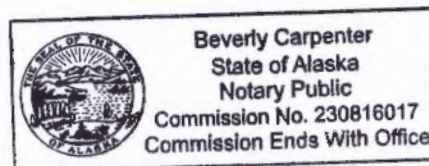
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ADMINISTRATIVE APPROVAL

Subdivision: Grewingk Glacier Vista
 KPB File 2023-095
 Homer Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on September 25, 2023. Approval for the plat is valid for two years from the date of approval.

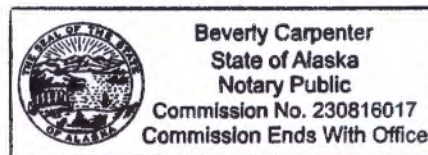
The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on Wednesday, April 3, 2024.

Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 3 day of April 2024 by
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Notary Public for the State of Alaska



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ADMINISTRATIVE APPROVAL

Subdivision: Pacific Park Subdivision Blauvelt Addition
KPB File 2023-088
Homer Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on August 28, 2023. Approval for the plat is valid for two years from the date of approval.

The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on Wednesday, March 20, 2024.

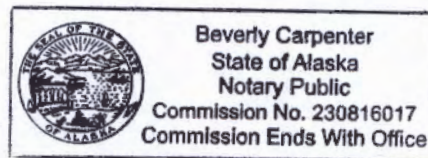
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ADMINISTRATIVE APPROVAL

Subdivision: Reutov Subdivision
KPB File 2023-065
Kenai Recording District

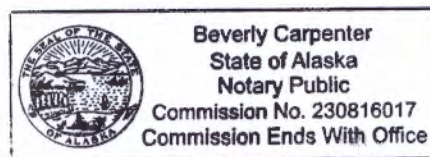
The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on July 17, 2023. Approval for the plat is valid for two years from the date of approval.

The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on Wednesday, April 3, 2024.

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ADMINISTRATIVE APPROVAL

Subdivision: Shipley Subdivision
KPB File 2023-070
Kenai Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on August 14, 2023. Approval for the plat is valid for two years from the date of approval.

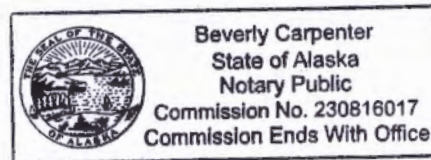
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ADMINISTRATIVE APPROVAL

Subdivision: South Bend Bluff Estates 2023 Replat
KPB File 2023-112
Kenai Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on November 13, 2023. Approval for the plat is valid for two years from the date of approval.

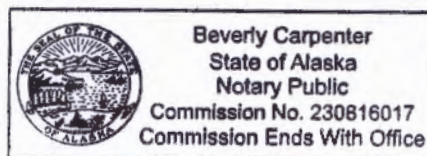
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Kenai Peninsula Borough

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Borough Mayor

ADMINISTRATIVE APPROVAL

Subdivision: Terra Bella Subdivision
KPB File 2022-024
Homer Recording District

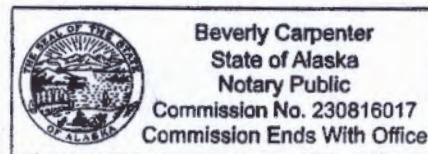
The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on April 11, 2022. Approval for the plat is valid for two years from the date of approval.

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Subdivision: W.R. Bell Subdivision 2023 Addition
KPB File 2023-087
Homer Recording District

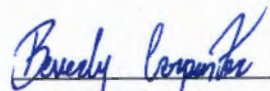
The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on August 28, 2023. Approval for the plat is valid for two years from the date of approval.

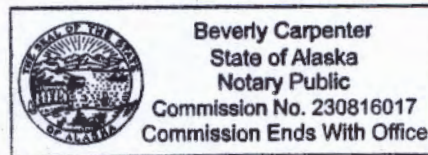
The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on Wednesday, March 20, 2024.


Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

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Peter A. Micciche
Borough Mayor

ADMINISTRATIVE APPROVAL

Subdivision: Waterman Spring Replat 2023
KPB File 2023-039
Homer Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on April 24, 2023. Approval for the plat is valid for two years from the date of approval.

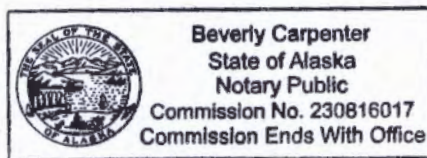
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C. CONSENT AGENDA

***7. Minutes**

a. March 25, 2024 PC Meeting Minutes

Kenai Peninsula Borough Planning Commission

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

March 25, 2024
7:30 P.M.
UNAPPROVED 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
Charlene Tautfest, City of Soldotna
Franco Venuti, City of Homer
Diane Fikes, City of Kenai
Troy Staggs, City of Seward

With 9 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
Morgan Aldridge, Planner
Jennifer Robertson, LMD Administrative Assistant
Ann Shirnberg, Planning Administrative Assistant

AGENDA ITEM C. CONSENT & REGULAR AGENDAS

***2. Planning Commission Resolutions**

- a. PC Resolution 2023-09

***3. Plats Granted Administrative Approval**

- a. Coho Country Estates Subdivision No. 9; KPB File 2023-091
- b. Evenson Subdivision 2023 Replat: KPB File 2023-119
- c. Gateway Subdivision 2022 Lindquist Addition; KPB File 2022-164
- d. Hetherton Homestead Acres Phillips Addition; KPB File 2023-099
- e. Patson Properties Cude Addition; KPB File 2023-101
- f. Silkok Creek Alaska Subdivision Moore Replat; KPB File 2023-005
- g. Stewart Subdivision 2023 Replat; KPB File 2023-031R1
- h. Teal Bay Subdivision Pattison Addition; KPB File 2023-098
- i. Thorstrand Subdivision Addition No. 1; KPB File 2022-069R1

***6. Commissioner Excused Absences**

- a. Dawson Slaughter, South Peninsula District

***7. Minutes**

- a. February 126, 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 Staggs 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, Staggs, Tautfest, Venuti
Absent – 1	Slaughter

AGENDA ITEM E. NEW BUSINESS

Chair Brantley asked Ms. Shirnberg to read the public hearing procedures into the record.

**ITEM #1. – BUILDING SETBACK ENCROACHMENT PERMIT
HARLIE A FELLERS SUBDIVISION TRACT B KN 78-31**

KPB File No.	2024-021
Planning Commission Meeting:	March 25, 2024
Applicant / Owner:	Travis and Junietta Steinbeck / Steinbeck, Inc.
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Sterling Highway & Mercantile Avenue, Kasilof
Parent Parcel No.:	133-410-08
Legal Description:	Tract B Harlie A. Fellers Subdivision KN 78-31
Assessing Use:	Commercial
Zoning:	Rural Unrestricted
Resolution	2024-6

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley opened the item for public comment.

Jerry Johnson, Johnson Surveying; P.O. Box 27, Clam Gulch, AK 99568: Mr. Johnson was the surveyor on this project 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 to adopt Planning Commission Resolution 2024-06 granting a setback encroachment permit to Tract B, Harlie A. Fellers Subdivision, Plat KN 0078031, citing findings 1, 2 & 9 in support of standard one, findings 3-5 in support of standard two, findings 6, 7 & 9 in support of standard three and subject to compliance with KPB 20.10.110 section F & G, 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, Staggs, Tautfest, Venuti
Absent – 1	Slaughter

**ITEM #2 - RIGHT OF WAY VACATION
VACATE THE APPROXIMATE 184' OF THE END OF THE CUL-DE-SAC OF SHALOM LANE
BETWEEN LOTS 4, 5,6 AND TRACT A OF IMMANUEL SUBDIVISION AND ASSOCIATED UTILITY
EASEMENT**

KPB File No.	2024-022V
Planning Commission Meeting:	March 25, 2024
Applicant / Owner:	David and Christina Hall & Terrance Rais
Surveyor:	James Hall / McLane Consulting, Inc
General Location:	De Busk Drive in Nikiski
Legal Description:	Shalom Lane in Immanuel Subdivision KN 2022-46

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 committee.

MOTION: Commissioner Staggs 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, Staggs, Tautfest, Venuti
Absent – 1	Slaughter

**ITEM #3 – CONDITIONAL USE PERMIT
FOR THE CONSTRUCTION OF A FOOT BRIDGE WITHIN THE
50-FOOT HABITATE PROTECTION DISTRICT OF PTARMIGAN CREEK**

PC Resolution Number	2024-05
Planning Commission Meeting:	March 25, 2024
Applicant	USDA Forest Service
KPB Tax Parcel ID	125-321-05
Legal Description:	T 4N R 1E SEC 30 SEWARD MERIDIAN SW GOVT LOTS 1 THRU 4 & NE1/4 NE1/4 & W1/2 NE1/4 & E1/2 W1/2

Staff report given by Planner Morgan Aldridge.

Chair Brantley opened the item for public comment.

Hampton Coogle, Project Manager; 161 E. 1st Avenue, Anchorage, AK 99501: Mr. Coogle is the project manager for this installation 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 Morgan moved, seconded by Commissioner Staggs to adopt Planning Commission Resolution 2024-05, granting a conditional use permit pursuant to KPB 21.18 for the construction of a footbridge within the 50-Foot Habitat Protection District Ptarmigan Creek.

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, Staggs, Tautfest, Venuti
Absent – 1	Slaughter

AGENDA ITEM F. PLAT COMMITTEE REPORT

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

AGENDA ITEM G. OTHER

Plat Committee Members (April-May-June-July)

- Commissioner Gillham
- Commissioner Morgan (Unavailable on 4/8/24 & 5/13/24)
- Commissioner Venuti
- Commissioner Epperheimer
- Commission 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 8:04 P.M.

Ann E. Shirnberg
Administrative Assistant

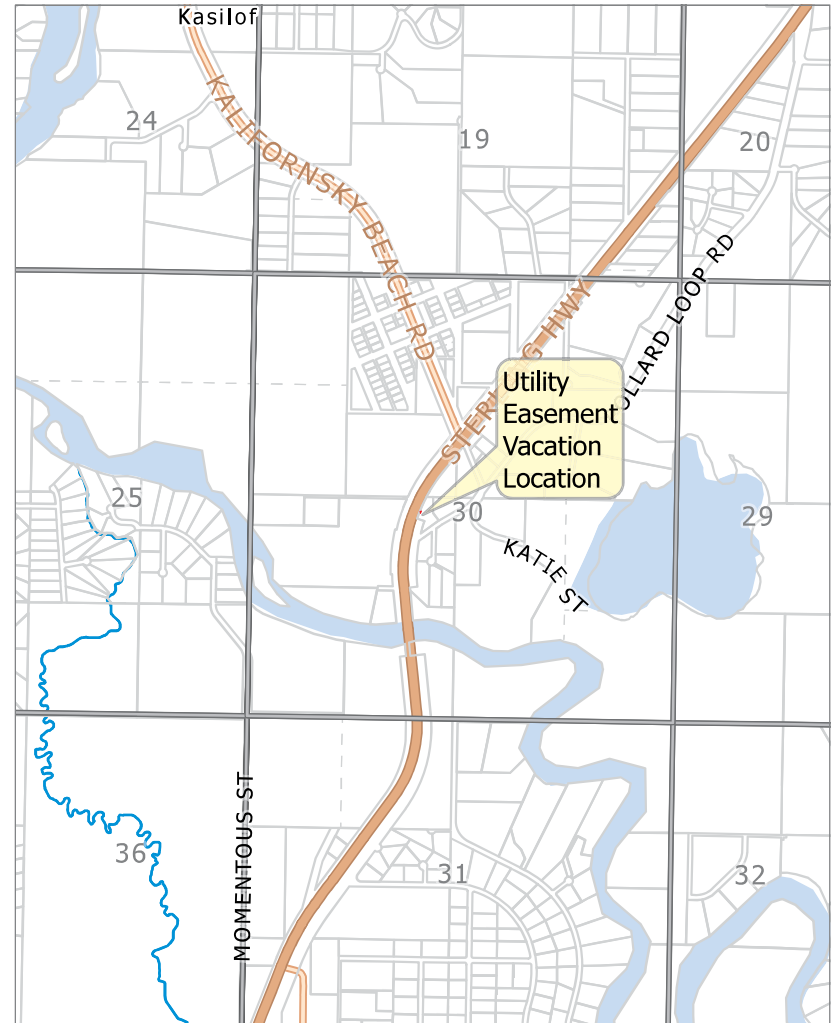
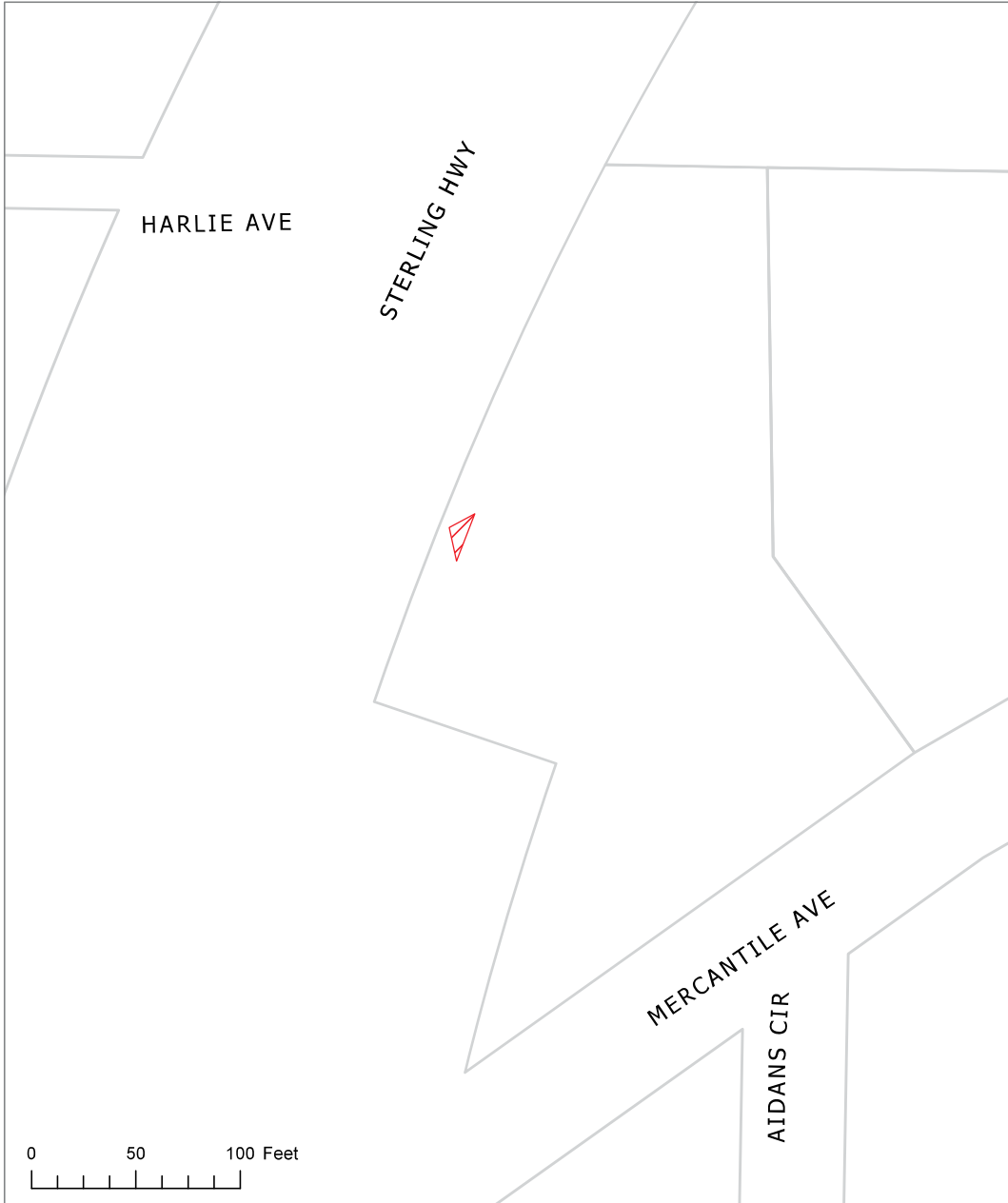
E. NEW BUSINESS

1. Utility Easement Vacation: KPB File 2024-021V

Johnson Surveying / Steinbeck

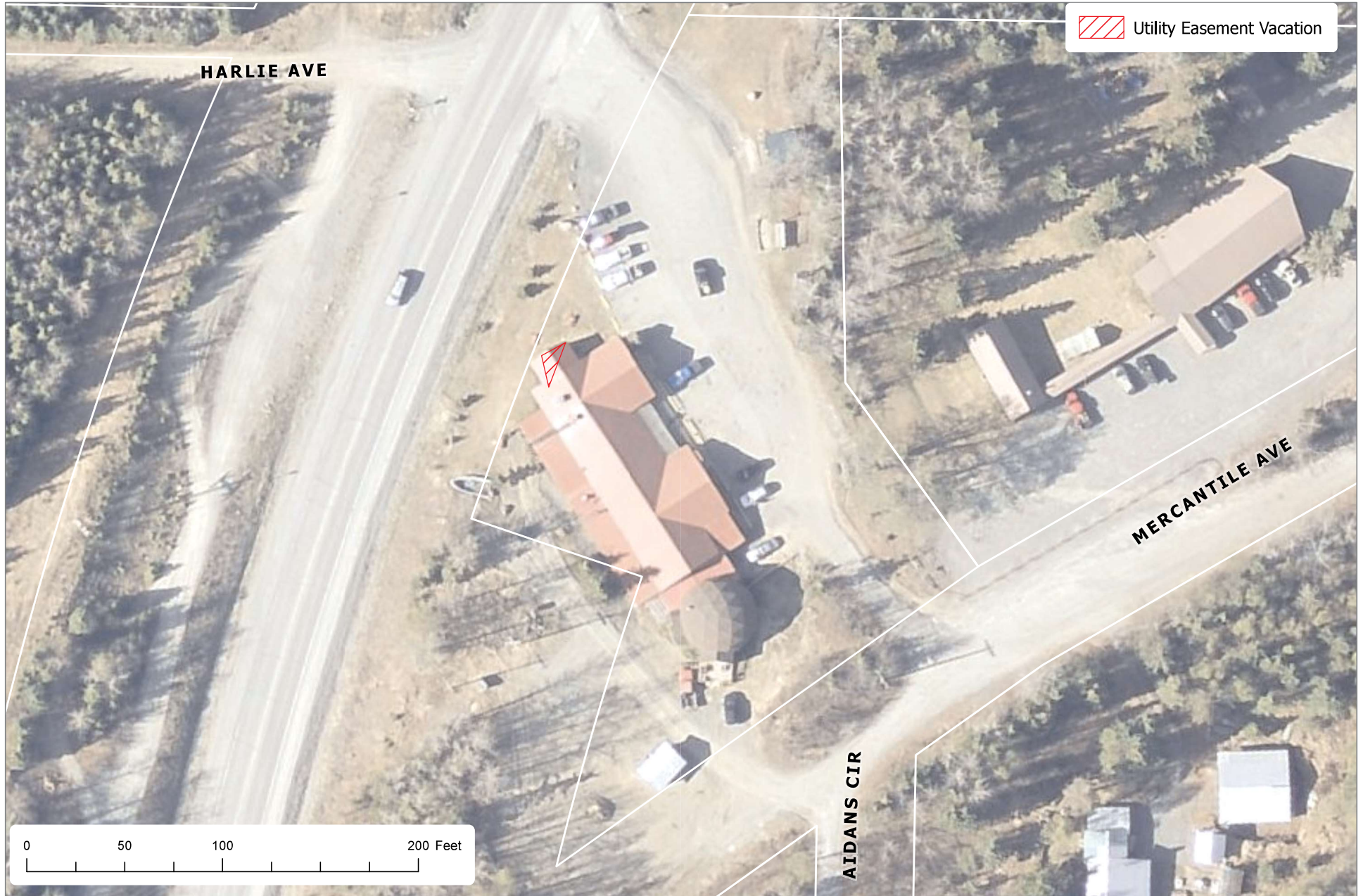
Request: Vacates a portion of the 25' utility easement on the western side of Tract B, Harlie A Fellers Subdivision, KN 78-31

Kasilof Area



KPB File 2024-021V
T 03N R 11W SEC 30
Kasilof

The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

ITEM #1 - UTILITY EASEMENT ALTERATION

Vacates a portion of the five-foot utility easement that the Northerly portion of a structure is encroaching located on the western side of Tract B.

KPB File No.	2024-021V
Planning Commission Meeting:	April 22, 2024
Applicant / Owner:	Steinbeck, Inc. / Kenai, AK
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Sterling Highway and Mercantile Avenue

STAFF REPORT

Specific Request / Purpose as stated in the petition: Petition to vacate a portion of the five-foot utility easement that a triangular portion of northwestern corner is encroaching into.

Notification: Notice of vacation mailings were sent by regular mail to thirteen owners of property within 600 feet. Notice of the proposed vacation was emailed to seven agencies and interested parties.

The public notice was posted on the Planning Department’s bulletin board at the KPB Administration Building.

Staff Analysis: No utilities appear to be affected by the building encroachment as is. Any future utilities to be installed should have enough clearance to avoid the structure in the future.

Utility provider review:

HEA	No comment
ENSTAR	No comments or recommendations
ACS	No response
GCI	Approved as shown

Findings:

1. The petition does not state that the utility easement proposed to be vacated is not in use by a utility company.
2. ACS, ENSTAR, GCI, and HEA provided written non-objection to the proposed vacation.
3. No surrounding properties will be denied utilities.
4. This easement faces towards and is against a large highway right-of-way.

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

Make the following corrections:

Orient the label for the overhead power line better and add a arrow pointer to the line. Label as Existing.

RECOMMENDATION:

Based on consideration of the merits as outlined by Staff comments and Staff findings, Staff recommends APPROVAL of the utility easement alteration as petitioned, subject to:

1. Grant utility easements requested by utility providers.
2. Finalizing the approval of the easement alteration by either;
 - a. The recording of a subdivision plat within 12 months, compliant with the requirements of Chapter 20 of KPB Code or,
 - b. The recording of a utility easement alteration resolution within 90 days of the adoption of the resolution by the Planning Commission, with the following requirements:
 - i. An exhibit drawing showing, and dimensioning, the utility easement alteration area, prepared, signed and sealed by a licensed land surveyor. The exhibit drawing will be attached to, and recorded with, the resolution.
 - ii. The applicants will provide the recording fee for the resolution and its attachment to the Planning Department.
 - iii. The Planning Department is responsible for filing the Planning Commission resolution.

20.65.070 Alteration of platted utility easements

- E. A planning commission decision under this section is final. A notice of decision shall be sent to the petitioner. No reapplication or petition concerning the same alteration to platted utility easement 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. If the reasons for denial are resolved, the petitioner may submit a new petition for alteration of platted utility easement with documentation that the issues have been resolved, accompanied by a new fee.**
- F. An appeal of the planning commission decision under this section must be filed in the superior court in accordance with the Alaska Rules of Appellate Procedure.**

The 2019 Kenai Peninsula Borough Comprehensive Plan adopted November, 2019 by Ordinance No. 2019-25. The relevant objectives are listed.

Goal 3. Preserve and improve quality of life on the Kenai Peninsula Borough through increased access to local and regional facilities, activities, programs and services.

- *Focus Area: Energy and Utilities*
 - o *Objective A - Encourage coordination or residential, commercial, and industrial development with extension of utilities and other infrastructure.*
 - *Strategy 1. Near – Term: Maintain existing easements (especially section line easements) in addition to establishing adequate utility rights of way or easements to serve existing and future utility needs.*
 - *Strategy 2. Near – Term: Maintain regular contact with utility operators to coordinate and review utility easement requests that are part of subdivision plat approval.*
 - *Strategy 3. Near – Term: Identify potential utility routes on Borough lands.*
- *Housing*
 - o *Objective D. Encourage efficient use of land, infrastructure and services outside incorporated cities by prioritizing future growth in the most suitable areas.*
 - *Strategy 1. Near – Term: Collaborate with the AK Department of Transportation, incorporated cities within the borough, utility providers, other agencies overseeing local services, and existing communities located adjacent to the undeveloped areas that are appropriate for future growth, to align plans for future expansion of services to serve future residential development and manage growth.*

END OF STAFF REPORT



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

Harlie A. Fellers Subdivision

LOCATED IN GOV. LOTS 6 AND 7, SEC. 30 T3N R11W S4M; KASIOLOF, ALASKA

SCALE = 1" = 200'

AREA = 42.816 AC.

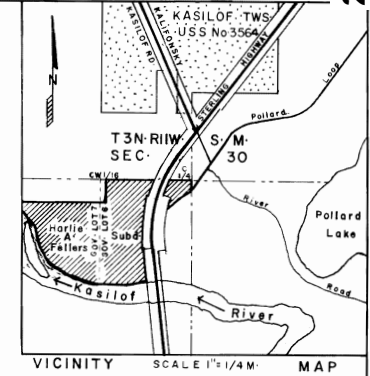
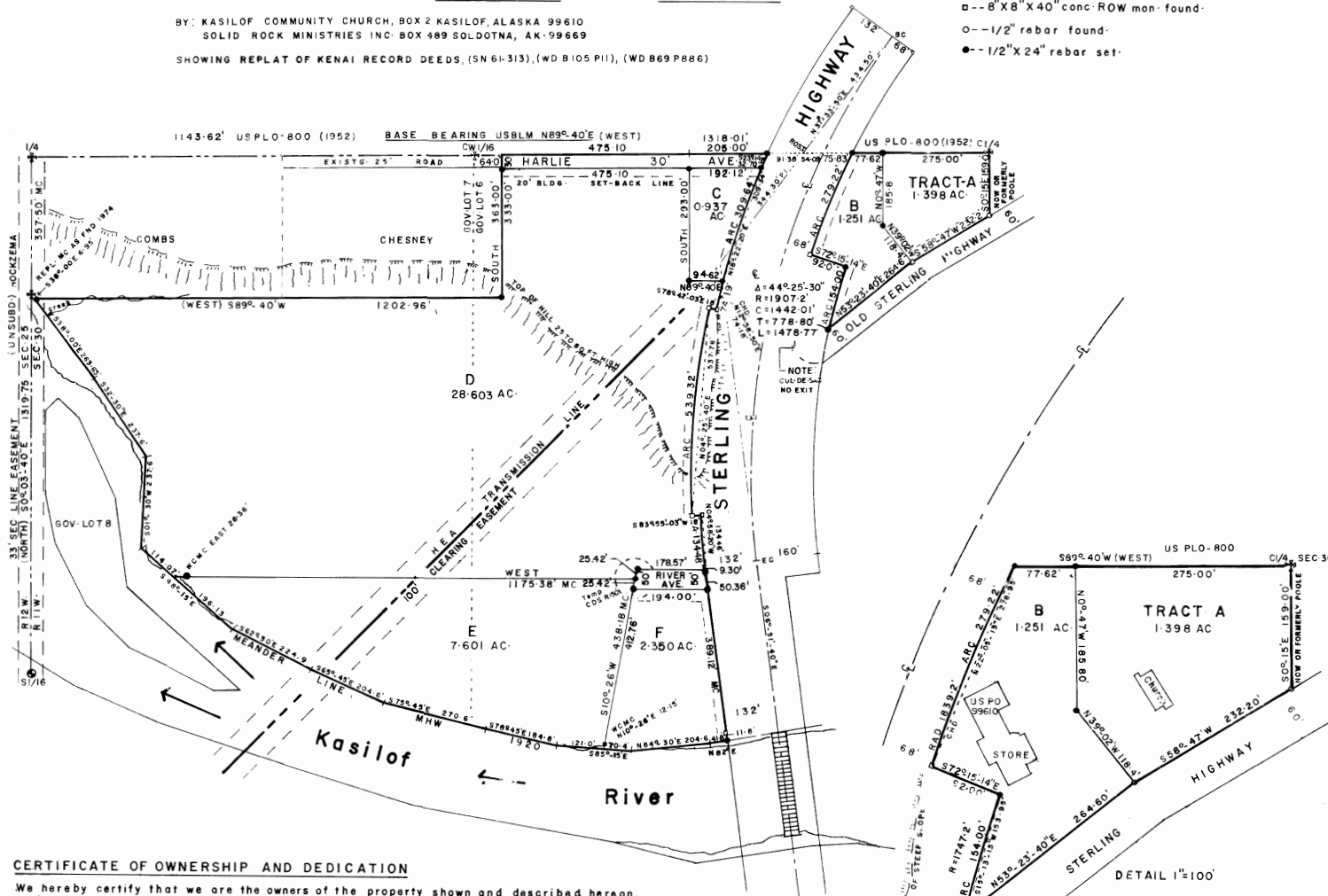
JUNE 20, 1977.

BY: KASIOLOF COMMUNITY CHURCH, BOX 2 KASIOLOF, ALASKA 99610
SOLID ROCK MINISTRIES INC. BOX 489 SOLDOTNA, AK 99669

SHOWING REPLAT OF KENAI RECORD DEEDS, (SN 61-313), (WD B105 P11), (WD B69 P886)

LEGEND

- ✱--Indicates GLO, BLM monument found.
- Ind. 3/4" X 3 1/2" IP W/BC found, 268-S
- 8" X 8" X 40" conc. ROW mon. found.
- 1/2" rebar found.
- 1/2" X 24" rebar set.



PLAT APPROVAL
This plat having been approved by the Kenai Peninsula Borough Planning Commission as recorded in the official minutes of the meeting of July 11 1977 is hereby acknowledged and accepted as the official plat, subject to any and all conditions and requirements of ordinances and law appertaining thereto.

KENAI PENINSULA BOROUGH
By Phyllis Waring

NOTE:
The natural line of mean high water of Kasilof River is the legal boundary of tracts D, E, and F.
All waste water disposal systems shall comply with existing laws at time of construction.
A 20' bldg. set-back line along all streets.
A 5' underground utility, or overhead clearing easement for H-E-A. along streets.

CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of the property shown and described hereon, and that we hereby adopt this plan of subdivision, and dedicate all streets to public use, and to the use of public utilities.

George Jackinsky James W. Turnbull Attorney in fact
GEORGE JACKINSKY BOX 2 KASIOLOF, AK. JAMES W. TURNBULL
TRUSTEES, KASIOLOF COMMUNITY CHURCH

Floyd Seekins Bert Shultz
FLOYD SEEKINS, CHAIRMAN BERT SHULTZ, DIRECTOR
SOLID ROCK MINISTRIES INC.
BOX 489 SOLDOTNA, AK.

Frederick Galloway Ruth V. Galloway
FREDERICK GALLOWAY RUTH V. GALLOWAY
BOX 181 KASIOLOF, AK 99610

Noble W. Webb Trudy S. Webb
NOBLE W. WEBB STAR ROUTE KASIOLOF, AK
TRUDY S. WEBB

Terence Cowart Daniel P. Casey
TERENCE COWART (PARTNER) DANIEL P. CASEY (PARTNER)
KASIOLOF RIVER DRIVE-IN
STAR ROUTE 2 KASIOLOF, AK

STATE OF ALASKA, THIRD JUDICIAL DISTRICT

Subscribed and sworn to before me this 20th day of August 1977.
Denise W. McIntosh
NOTARY PUBLIC FOR ALASKA
My commission expires 6-24-81

78-31
332
3-3
3:52
KPB



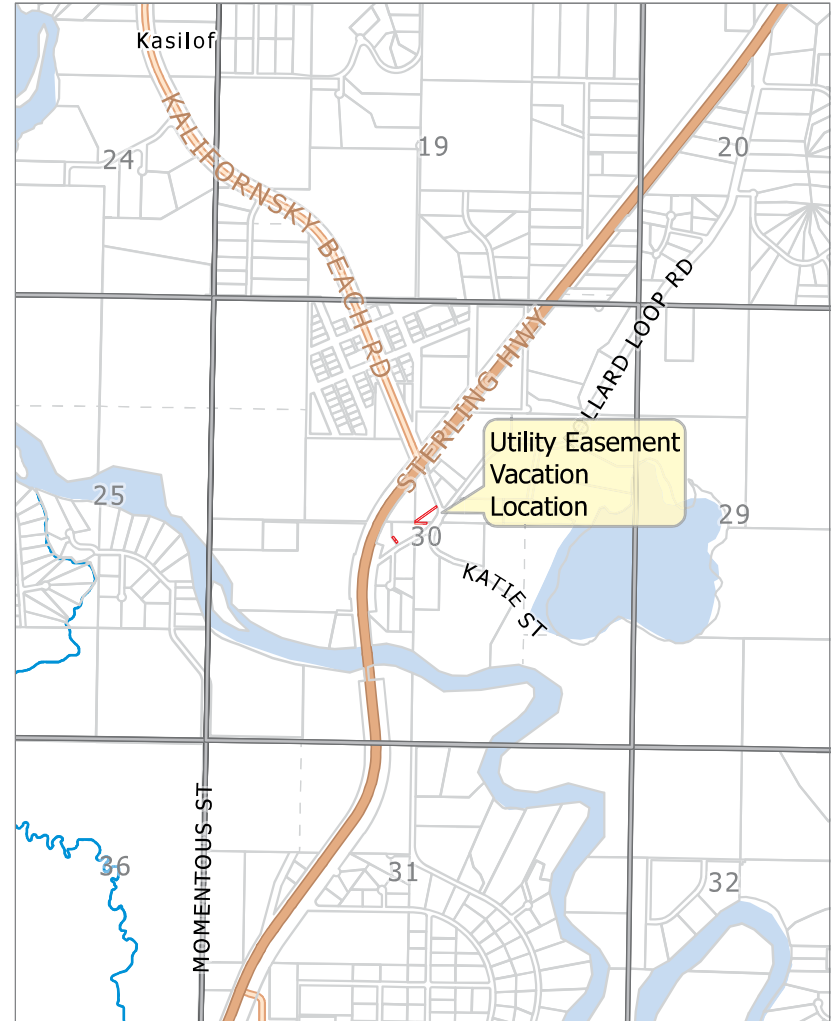
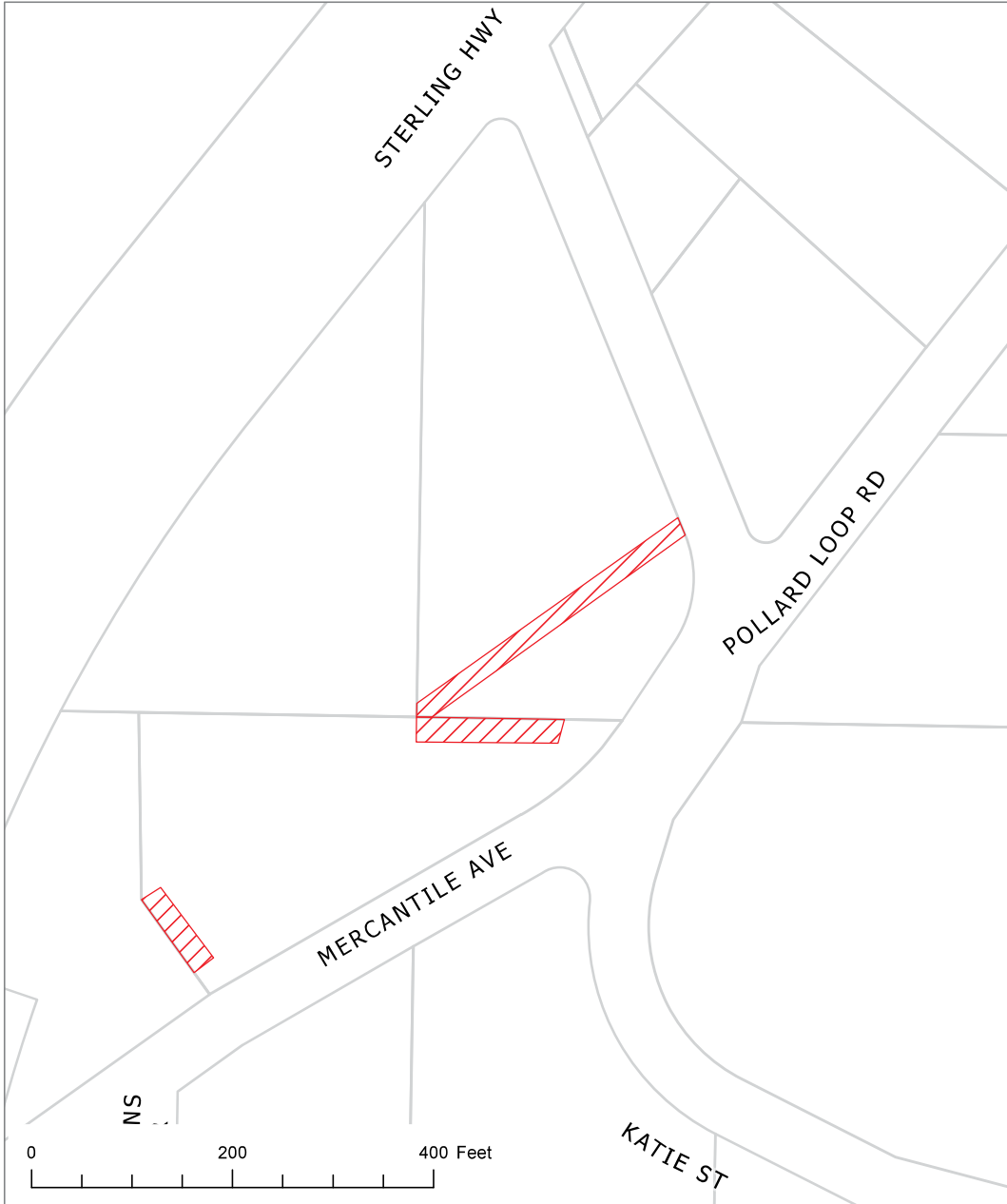
BOX 27 CLAM GULCH, AK 99568

E. NEW BUSINESS

2. Utility Easement Vacation; KPB File 2023-037V

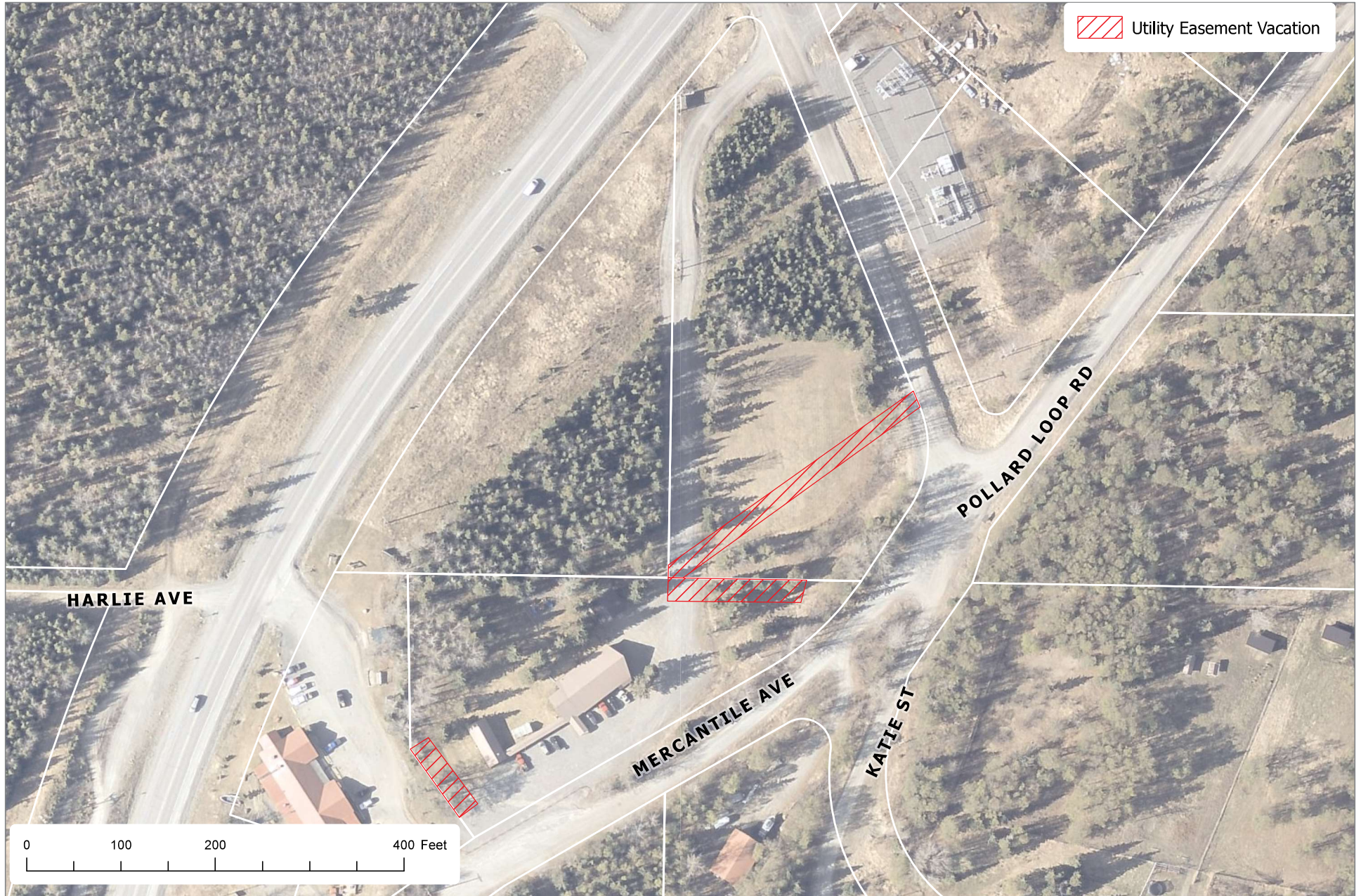
Johnson Surveying / Kasilof Community Church

**Request: Vacates a 10' wide utility easement beginning at the southwest corner of Pollard Tract A thence running northeasterly & stopping at a utility easement near the eastern line. Vacates a 10' utility easement lying between the C1/4 corner & the overhead powerline easement & vacates the westerly utility easement of Parcel A-G Kasilof Community Church, KN 97-80
Kasilof Area**

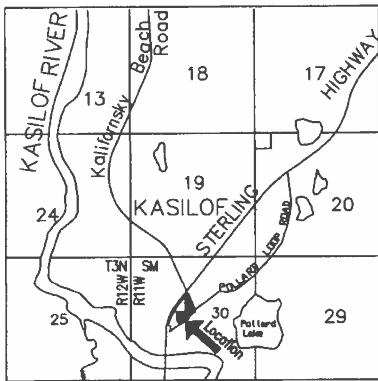


KPB File 2023-037V
T 03N R 11W SEC 30
Kasilof

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VICINITY 1" = 1 mile MAP

Utility Easement Vacation

Parcel A-G Kasilof Community Church Parcel A-G,
KRD 97-80

& Tract A Pollard Tract A, KRD 85-237.

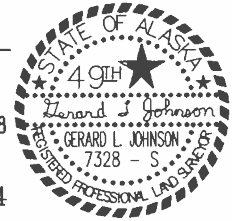
Located in the NE 1/4, SE 1/4 & SW 1/4 Section 30, T3N R11W, SM, Kasilof, Alaska
Kenai Recording District Kenai Peninsula Borough File 2023-037

Prepared for

Kasilof Community Church
P.O. Box 57
Kasilof, AK 99610

Prepared by

Johnson Surveying
P.O. Box 27
Clam Gulch, Ak 99568
(907) 262-5772

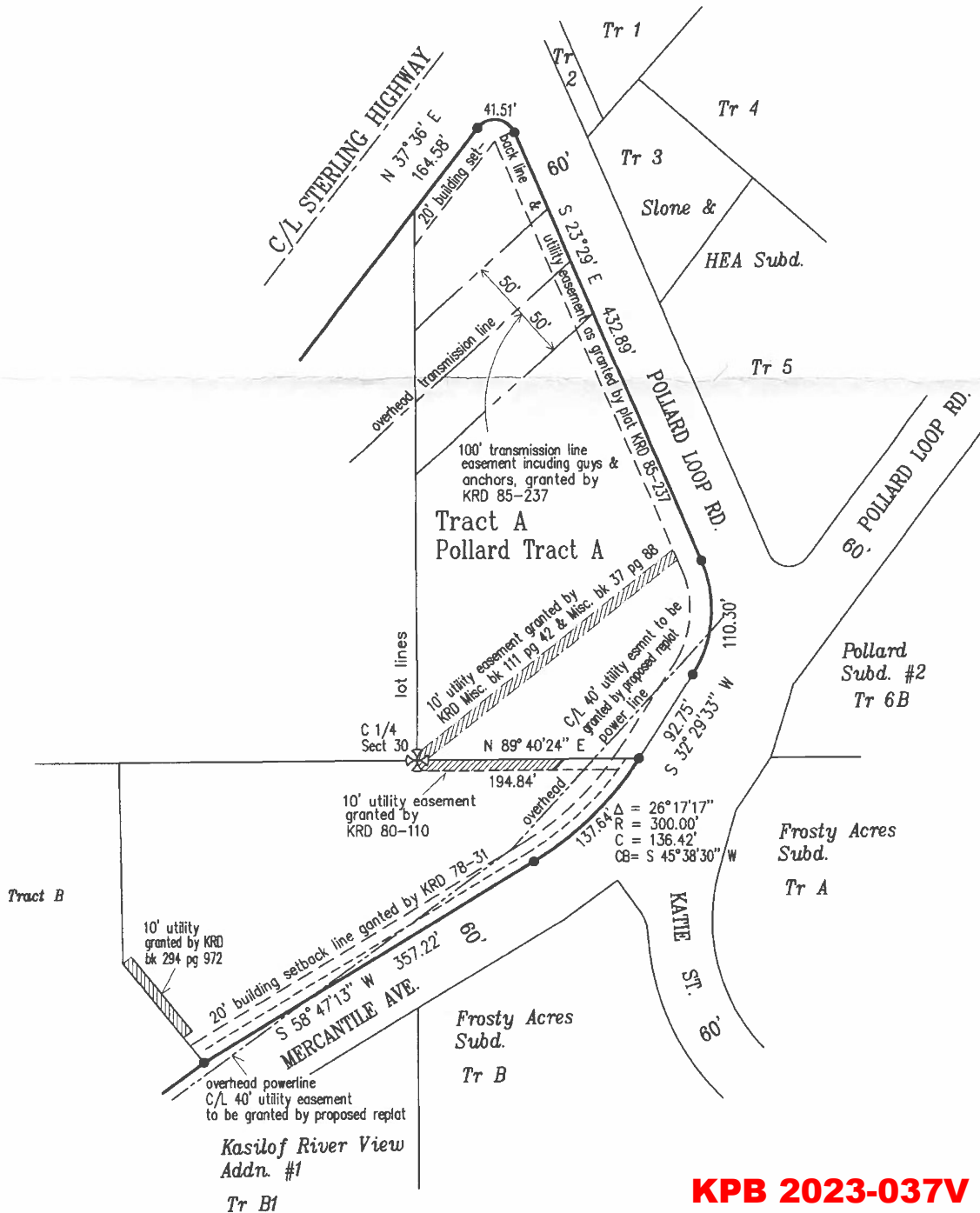


SCALE 1" = 100'

13 February, 2024

NOTES

1. Areas of utility easement vacation shown by crosshatch -



KPB 2023-037V

ITEM #2 - UTILITY EASEMENT ALTERATION

Vacates a 10-foot utility easement beginning at the southwest corner of Pollard Tract A thence running northeasterly stopping at a utility easement near the east line. Vacates a 10-foot utility easement in Parcel A-G of Kasilof Community Church lying between the C1/4 corner and the overhead power line easement and vacates the westerly utility easement of Kasilof Community Church Parcel A-G Tract A-G as shown.

KPB File No.	2023-037V
Planning Commission Meeting:	April 22, 2024
Applicant / Owner:	Kasilof Community Church / Kasilof
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Sterling Highway and Pollard Loop Rd.

STAFF REPORT

Specific Request / Purpose as stated in the petition: Petition is to vacate a utility easement and a portion of a second one that have been identified as not in use.

Notification: Notice of vacation mailings were sent by regular mail to Sixteen owners of property within 600 feet. Notice of the proposed vacation was emailed to seven agencies and interested parties.

The public notice was posted on the Planning Department’s bulletin board at the KPB Administration Building.

Staff Analysis:

There are no existing utilities located in the easements to be vacated and no objections to the vacation. No utility company indicated a future use for the easements.

Utility provider review:

HEA	No comment
ENSTAR	No comments or recommendations
ACS	No response
GCI	Approved as shown

Findings:

1. Easements were identified as being unused by utility company (HEA) and recommended vacated in conjunction with replat action underway.
2. ACS, ENSTAR, GCI, and HEA provided written non-objection to the proposed vacation.
3. Vacation of the easement will not affect adjacent properties.

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

Add KPB File No 2023-037V
Add lot label to the lower tract.

RECOMMENDATION:

Based on consideration of the merits as outlined by Staff comments and Staff findings, Staff recommends APPROVAL of the utility easement alteration as petitioned, subject to:

1. Grant utility easements requested by the any utility providers.
2. Finalizing the approval of the easement alteration by either;
 - a. The recording of a subdivision plat within 12 months, compliant with the requirements of Chapter 20 of KPB Code or,
 - b. The recording of a utility easement alteration resolution within 90 days of the adoption of the resolution by the Planning Commission, with the following requirements:
 - i. An exhibit drawing showing, and dimensioning, the utility easement alteration area, prepared, signed and sealed by a licensed land surveyor. The exhibit drawing will be attached to, and recorded with, the resolution.
 - ii. The applicants will provide the recording fee for the resolution and its attachment to the Planning Department.
 - iii. The Planning Department is responsible for filing the Planning Commission resolution.

20.65.070 Alteration of platted utility easements

- E. A planning commission decision under this section is final. A notice of decision shall be sent to the petitioner. No reapplication or petition concerning the same alteration to platted utility easement 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. If the reasons for denial are resolved, the petitioner may submit a new petition for alteration of platted utility easement with documentation that the issues have been resolved, accompanied by a new fee.**
- F. An appeal of the planning commission decision under this section must be filed in the superior court in accordance with the Alaska Rules of Appellate Procedure.**

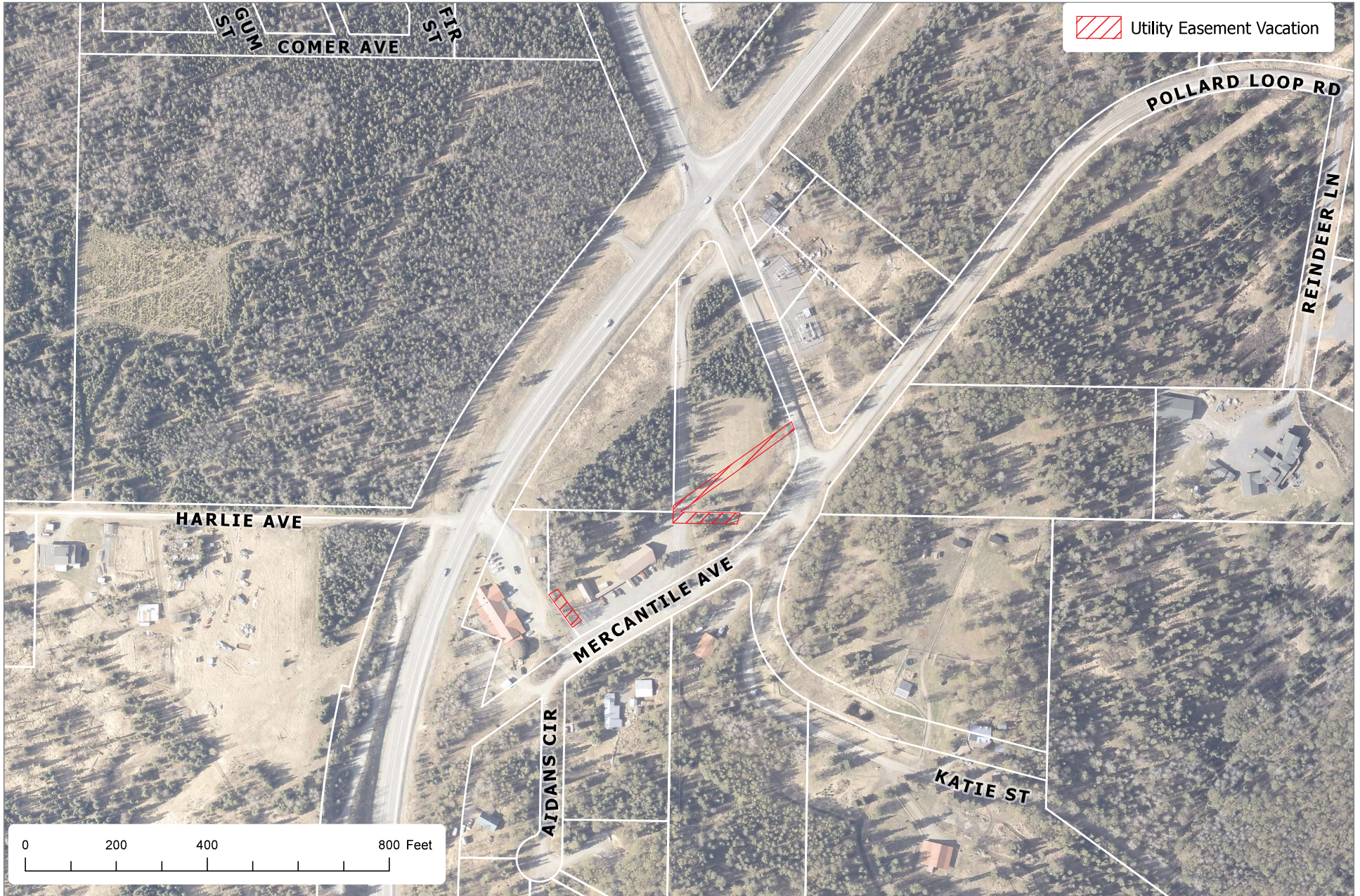
The 2019 Kenai Peninsula Borough Comprehensive Plan adopted November, 2019 by Ordinance No. 2019-25. The relevant objectives are listed.

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- *Focus Area: Energy and Utilities*
 - o *Objective A - Encourage coordination or residential, commercial, and industrial development with extension of utilities and other infrastructure.*
 - *Strategy 1. Near – Term: Maintain existing easements (especially section line easements) in addition to establishing adequate utility rights of way or easements to serve existing and future utility needs.*
 - *Strategy 2. Near – Term: Maintain regular contact with utility operators to coordinate and review utility easement requests that are part of subdivision plat approval.*
 - *Strategy 3. Near – Term: Identify potential utility routes on Borough lands.*
- *Housing*
 - o *Objective D. Encourage efficient use of land, infrastructure and services outside incorporated cities by prioritizing future growth in the most suitable areas.*
 - *Strategy 1. Near – Term: Collaborate with the AK Department of Transportation, incorporated cities within the borough, utility providers, other agencies overseeing local services, and existing communities located adjacent to the undeveloped areas that are appropriate for future growth, to align plans for future expansion of services to serve future residential development and manage growth.*

END OF STAFF REPORT

Page 2 of 2



Harlie A. Fellers Subdivision

LOCATED IN GOV. LOTS 6 AND 7, SEC. 30 T3N R11W S.M.; KASLOF, ALASKA

SCALE = 1" = 200'

AREA = 42.816 AC.

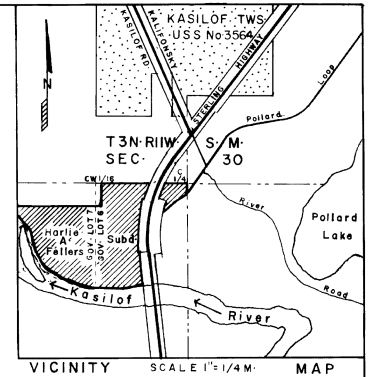
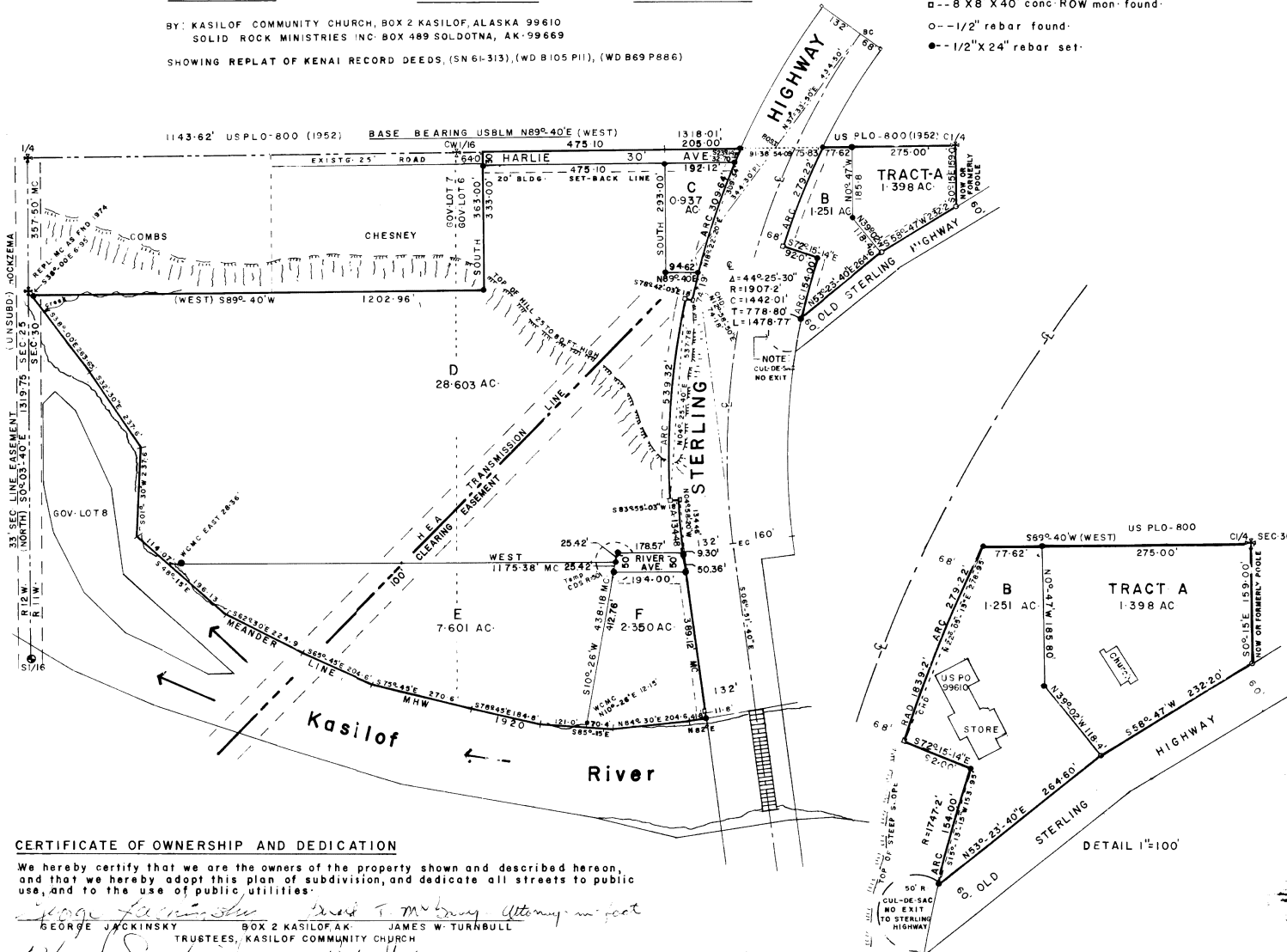
JUNE 20, 1977.

BY: KASLOF COMMUNITY CHURCH, BOX 2 KASLOF, ALASKA 99610
SOLID ROCK MINISTRIES INC. BOX 489 SOLDOTNA, AK 99669

SHOWING REPLAT OF KENAI RECORD DEEDS, (SN 61-313), (WD B105 P11), (WD B69 P886)

LEGEND

- ✦--Indicates GLO, BLM monument found.
- Ind. 3/4" X 3' IP W/BC found, 268-S
- 8" X 8" X 40" conc. ROW mon. found.
- 1/2" rebar found.
- 1/2" X 24" rebar set.



PLAT APPROVAL

This plat having been approved by the Kenai Peninsula Borough Planning Commission as recorded in the official minutes of the meeting of July 11, 1977 is hereby acknowledged and accepted as the official plat, subject to any and all conditions and requirements of ordinances and law appertaining thereto.

KENAI PENINSULA BOROUGH

By Ruby Wang

NOTE:

- The natural line of mean high water of Kaslof River is the legal boundary of Tracts D, E, and F.
- All waste water disposal systems shall comply with existing laws at time of construction.
- A 20' bldg. set-back line along all streets.
- A 5' undergroud utility, or overhead clearing easement for H-E-A along streets.

CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of the property shown and described hereon, and that we hereby adopt this plan of subdivision, and dedicate all streets to public use, and to the use of public utilities:

George Jackinsky James W. Turnbull
 GEORGE JACKINSKY BOX 2 KASLOF, AK JAMES W. TURNBULL
 TRUSTEES, KASLOF COMMUNITY CHURCH

Floyd Seekins Bert Shultz
 FLOYD SEEKINS, CHAIRMAN BERT SHULTZ, DIRECTOR
 SOLID ROCK MINISTRIES INC.
 BOX 489 SOLDOTNA, AK

Frederick J. Galloway Ruth V. Galloway
 FREDERICK J. GALLOWAY RUTH V. GALLOWAY
 BOX 151 KASLOF, AK 99610

Noble W. Webb Trudy S. Webb
 NOBLE W. WEBB STAR ROUTE KASLOF, AK
 TRUDY S. WEBB

Terence Cowart (PARTNER) Daniel P. Casey (PARTNER)
 TERENCE COWART (PARTNER) DANIEL P. CASEY (PARTNER)
 KASLOF RIVER DRIVE-IN
 STAR ROUTE 2 KASLOF, AK

STATE OF ALASKA, THIRD JUDICIAL DISTRICT

Subscribed and sworn to before me this 20th day of August 1977.
[Signature]
 NOTARY PUBLIC FOR ALASKA
 My commission expires 11/24-81

78-31
 Kenai
 3-3
 3:52
 KPB



BOX 27 CLAW GULCH, AK 99568

18-86 NK

KEITH A. LEE TRACT-"G"

DEED OF RECORD, BOUNDARY SURVEY

LOCATED IN GOV. LOT 5, IN FRACTIONAL SE 1/4 SEC 30, T3N. R11W. S.M.; KASLOF, ALASKA.

SCALE=1"=100' AREA=18,966sf. SEPT-1, 1980

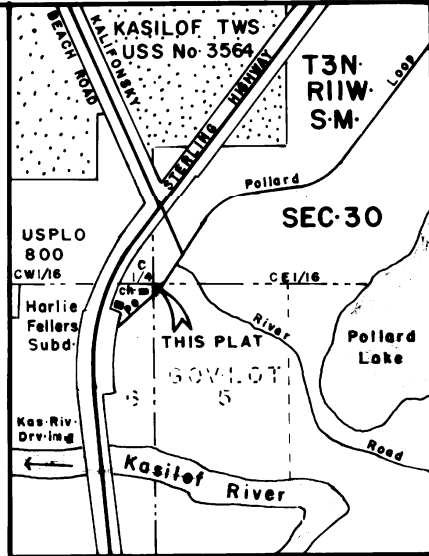
BY: KEITH A. LEE BOX 207 KASLOF, ALASKA 99610

NOTE:

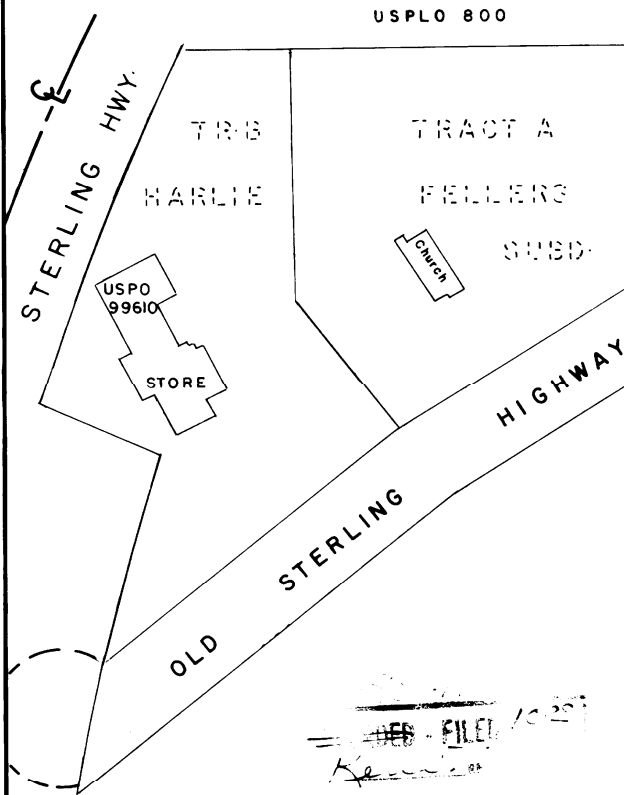
This plat purports to show that portion of Gov. Lot 5 lying west of the Old Sterling Highway, and designated hereon as TRACT-"G".

LEGEND

- -- USBLM mon. found.
- -- 1/2" X 2' rebar found.
- -- 1/2" X 2' rebar set.



VICINITY SCALE=1"=1/4M. MAP



PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission on October 15 1980

for recording by the State Recorder as a Deed of Record Boundary Survey.

KENAI PENINSULA BOROUGH

BY: Jeffrey B. Lohman

OWNERS' CERTIFICATE

We hereby certify we are the owners of the property shown and described hereon, and we hereby adopt this plan of subdivision.

Keith A. Lee
KEITH A. LEE BOX 207 KASLOF, AK 99610

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this 15th day of October 1980

NOTARY PUBLIC FOR ALASKA

My Commission expires 99610

Hanning & Johnson

POLLARD TRACT A

LOCATED IN SW1/4NE1/4 S30, T3N R11W, S.M., AK.
SCALE 1"=100' AREA=3.154 AC. 7-31-84
BY GEORGE R. POLLARD, BOX 40 KASILOF, AK.

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of SEPT. 24 1984.
KENAI PENINSULA BOROUGH
BY Richard D. Truiga
Authorized Official

LEGEND

- ✦ - 1958, 3" brass cap mon. by USBLM, found
- - 1979 brass cap mon. by 268-S, found
- - 1/2" rebar, found
- - 1/2" x 2' rebar, set

OWNERS CERTIFICATE & DEDICATION

We hereby certify that we are the owners of the property shown and described hereon, and that we hereby adopt this plan of subdivision, and dedicate all ROWs to public use, and grant all easements to uses shown.

George R. Pollard
George R. Pollard, box 40 Kasilof, Ak. 99610

J. Clayton Pollard
J. Clayton Pollard, c/o box 40 Kasilof, Ak. 99610

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn to before me this 30 day of October 1984.
Richard D. Truiga
NOTARY FOR ALASKA
For George R. Pollard
My commission expires 10/1/84

85-237
99610

FILED 10
Kenai REC. DIST.
DATE 12/27 1985
TIME 10:22 P.
Recorded by ILWONSON

**AFFIDAVIT FOR
ISOLATED SUBDIVISION
FILED WITH ADEC**

NOTE

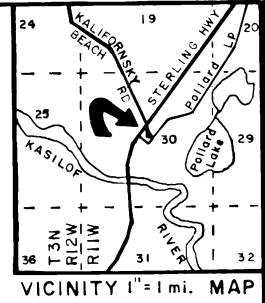
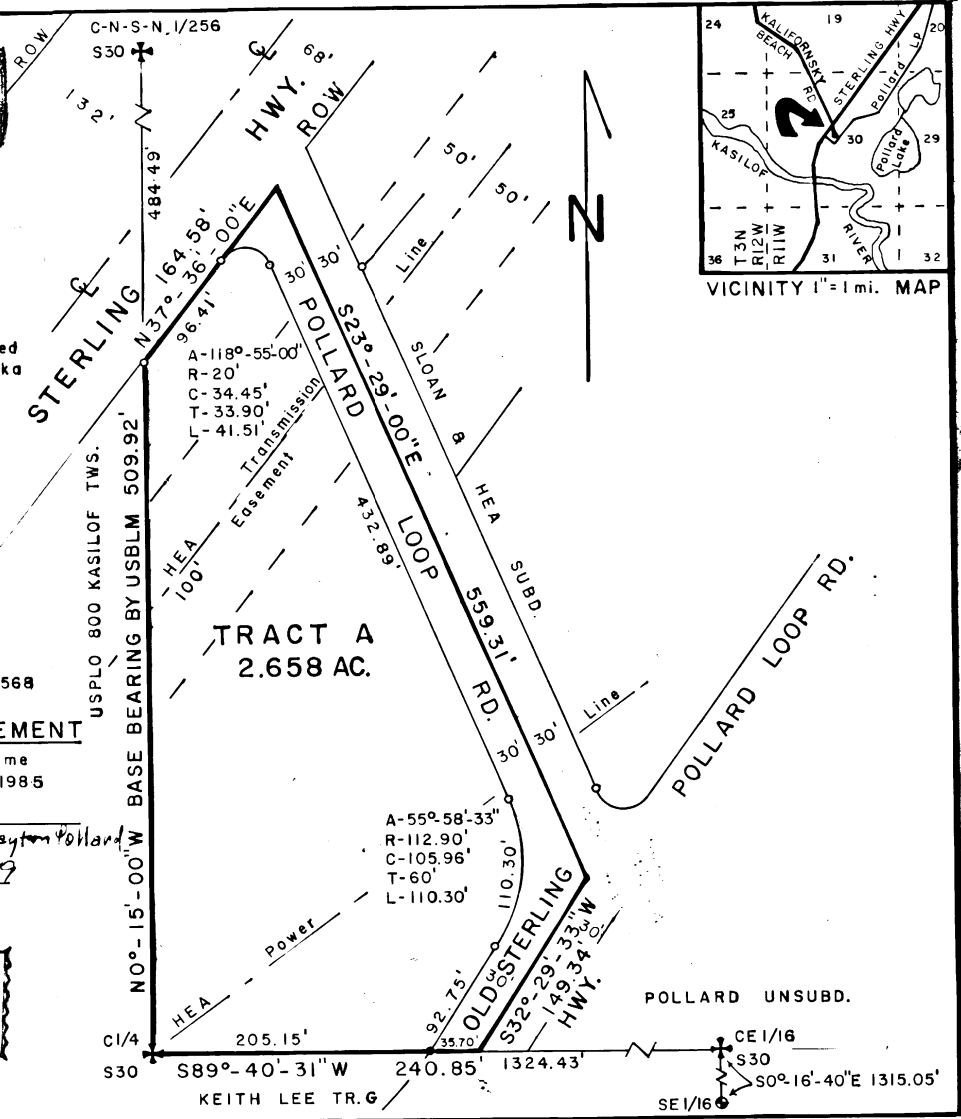
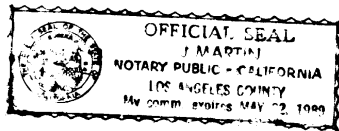
A building setback of 20' from all street ROWs is required unless a lesser standard is approved by a resolution of the appropriate planning commission.
Building setback line to be limit of utility easements along streets.
No direct access to state maintained ROWs except as approved by Alaska Department of Transportation.



BOX 27 CLAM GULCH, AK. 99568

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn to before me this 24 day of August, 1985
J. Clayton Pollard
NOTARY FOR CALIFORNIA
For J. Clayton Pollard
My commission expires 5/22/89



KN 87-80

KASILOF COMMUNITY CHURCH

PARCEL A-G.

SHOWING A REPLAT OF TRACT A, HARLIE A. FELLERS SUBD. KENAI RECORDING DISTRICT 7E-31 AND KEITH A. LEE TRACT G, DEED OF RECORD BOUNDARY SURVEY, K.R.D. 80-110.

BY Kasilof Community Church, Box 2 Kasilof, Ak.
SCALE 1"=100' AREA=1.833 AC. JAN. 19, 1987

LOCATED IN S1/2 SEC. 30, T3N R11W, S.M.

NOTE: This plat purports to show a replat of above two tracts as one parcel.

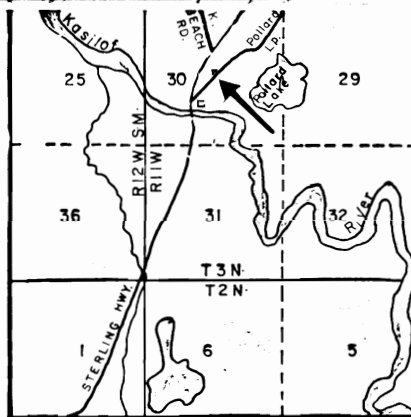
LEGEND

⊕ - USBLM mon. found.

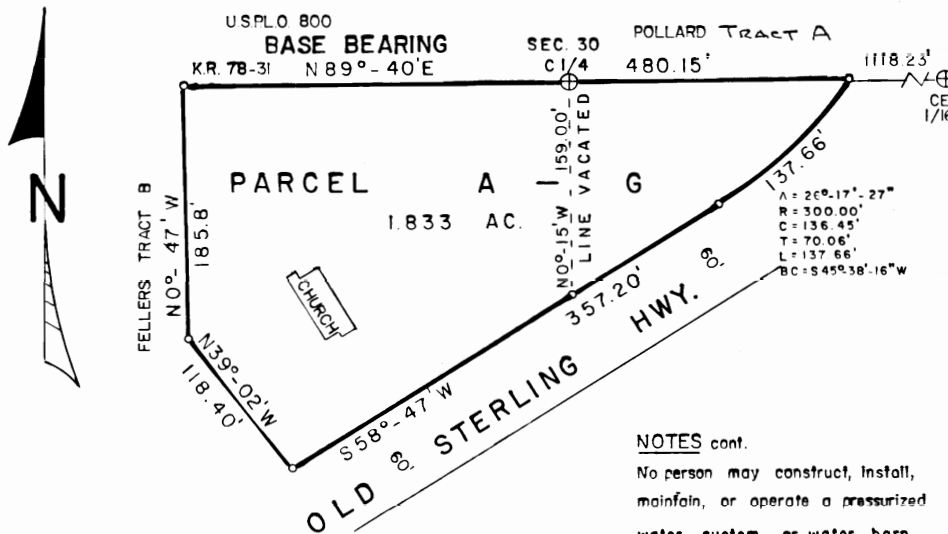
○ - 1/2" rerod found.

NOTES

A building setback of 20' from all street R.O.W.s is required unless a lesser standard is approved by a resolution of the appropriate planning commission. Front 10' of building setback is also a utility easement and also the entire setback within 5 feet of side lot lines, for guy wires. Soils on these lots may or may not be suitable for conventional on site waste disposal systems CONT. BELOW



VICINITY 1" = 1 mile MAP



PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission as provided for in Section 20.04.070 KPB Subdivision Regulations.

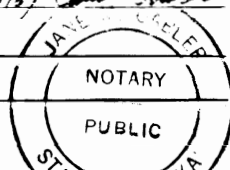
KENAI PENINSULA BOROUGH

BY Richard P. Torga 6-11-87
AUTHORIZED OFFICIAL DATE

OWNERS CERTIFICATE

We hereby certify that we are the owners of the property shown and described hereon, and we hereby adopt this plan of subdivision

George Jackinsky Trustee Kasilof Community Church
George Jackinsky, Trustee
Jana Weatherford
Greg A. Rozak



NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn to before me this day of January 1987.

Jane M. Gabler
NOTARY PUBLIC FOR ALASKA
for George Jackinsky (JANUARY 28, 1987)
My commission expires Sept. 13, 1987
FOR JEAN A. WEATHERFORD (JUNE 11, 1987)
FOR GREG A. ROZAK (JUNE 11, 1987)

NOTES cont.

No person may construct, install, maintain, or operate a pressurized water system, or water born waste disposal system unless approval of the ALASKA DEPT. OF ENVIRONMENTAL CONSERVATION is obtained. **87-80**

RECORDED (FILED) **20-**
KENAI RECORDING DISTRICT
DATE 6/17/87
TIME 3:40 PM
REQUESTED BY H Johnson
ADDRESS



BOX 27 CLAM GULCH, AK 99568

KPB 87-020