

## **C. CONSENT AGENDA**

### **\*7. Minutes**

- a. November 14, 2022 Planning Commission Meeting

# 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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November 14, 2022  
7:30 P.M.  
UNAPPROVED MINUTES

## **AGENDA ITEM A.**      **CALL TO ORDER**

Vice Chair Martin called the meeting to order at 7:50 p.m.

## **AGENDA ITEM B.**      **ROLL CALL**

### *Commissioners Present*

Pamela Gillham, District 1 – Kalifornsky  
John Hooper, District 3 – Nikiski  
Michael Horton, District 4 – Soldotna  
Blair Martin – District 2, Kenai  
Virginia Morgan, District 6 – East Peninsula  
Troy Staggs, City of Seward  
Dawson Slaughter, District 9 – South Peninsula  
David Stutzer, District 8 - Homer  
Charlene Tautfest, City of Soldotna  
Franco Venuti, City of Homer

With 10 members of a 12-member seated commission in attendance, a quorum was present.

### *Staff Present*

Robert Ruffner, Planning Director  
Walker Steinhage, Deputy Borough Attorney  
Marcus Mueller, Land Management Officer  
Morgan Aldridge, Resource Planner  
Madeline Quainton, Platting Technician  
Ann Shirnberg, Planning Administrative Assistant  
Rhonda Foster-Deskins, LMD Administrative Assistant.

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

### **\*3.      Plats Granted Administrative Approval**

- a. Clam Gulch Heights 2021 Addition; KPB File 2021-150
- b. Collins Tustumena Subd; KPB File 2021-116
- c. Diamond Storage Subdivision; KPB File 2020-105
- d. Doyle Estates Subdivision Sixth Addition; KPB File 2022-062
- e. Konovalof Lake Subdivision 2022 Addition; KPB File 2022-010
- f. Mimi's Ridge; KPB File 2022-032
- g. Tutl'uh Subdivision Carmody Addition; KPB File 2022-068

### **\*4.      Plats Granted Final Approval**

- a. Fort Raymond Subdivision Replat No. 1 2022 Addition; KPB File 2022-041
- b. Iyuptulla Subdivision Lewis Replat; KPB File 2022-142
- c. K-B Subdivision Part Thirteen; KPB File 2022-122

**\*6. Commissioner Excused Absences**

- a. Jeremy Brantley, District 5 – Sterling/Funny River
- b. Diane Fikes, City of Kenai
- c. City of Seldovia, Vacant
- d. District 7 – Central, Vacant

**\*7. Minutes**

- a. October 24, 2022 Planning Commission meeting minutes.

Vice Chair Martin asked Ms. Shirnberg to read the consent agenda items into the record.

Vice Chair Martin asked if anyone wished to speak to any of the items on the consent agenda.

Hearing no one wishing to comment Vice Chair Martin brought it back to the commission for a motion.

**MOTION:** Commissioner Slaughter moved, seconded by Commissioner Horton to approve the regular and consent agendas.

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

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 10	Gillham, Horton, Hooper, Martin, Morgan, Slaughter, Staggs, Stutzer, Taufest, Venuti
Absent - 2	Brantley, Fikes

**AGENDA ITEM E. NEW BUSINESS**

Vice Chair Martin asked Ms. Shirnberg to read into the record the procedures for public hearings.

**ITEM E1 – RIGHT OF WAY VACATION  
PUBLIC ACCESS EASEMENT CREATED BY  
QUESTA WOOD SUBDIVISION SOUTHERN ADDITION PLAT SW 98-01**

<b>KPB File No.</b>	2022-159V
<b>Planning Commission Meeting:</b>	November 14, 2022
<b>Applicant / Owner:</b>	James and Leann Unrein of Seward, Alaska
<b>Surveyor:</b>	Ken Lang / Lang & Associates, Inc.
<b>General Location:</b>	Roundtable Drive, Salmon Creek Road, Bear Creek
<b>Legal Description:</b>	Public Access Easement shown as a section line easement along Tract H, Questa Woods Subdivision Southern Addition, Plat SW 98-01

Staff report given by Planning Director Robert Ruffner.

Vice Chair Martin opened the item for public comment.

Travis Wilson, Land & Associates; 11500 Daryl Ave., Anchorage, AK 99515: Mr. Wilson 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 commission.

**MOTION:** Commissioner Slaughter moved, seconded by Commissioner Horton to approve the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.70, subject to staff recommendations and compliance with borough code.

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

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 10	Gillham, Horton, Hooper, Martin, Morgan, Slaughter, Staggs, Stutzer, Tautfest, Venuti
Absent - 2	Brantley, Fikes

**ITEM E2 - RIGHT OF WAY VACATION**

**VACATE THE EAST-WEST PORTION OF BIG D ROAD AND A SMALL PORTION OF CINNAMON STREET AND ASSOCIATED UTILITY EASEMENTS**

<b>KPB File No.</b>	2022-155V
<b>Planning Commission Meeting:</b>	November 14, 2022
<b>Applicant / Owner:</b>	Gene, Linda, and George Friendshuh all of Soldotna, Alaska
<b>Surveyor:</b>	James Hall / McLane Consulting Inc.
<b>General Location:</b>	Derks Lake Road, Ridgeway
<b>Legal Description:</b>	Big D Road, Derk's Lake Subdivision, Plat KN 74-9, Section 13, Township 5 North, Range 10 West. Cinnamon Street, Tatum Subdivision, Plat KN 2021-15 and Denise Lake Estates Part Two, Plat KN 94-27, Sections 14 and 23, Township 5 North, Range 10 West.

Staff report given by Planning Director Robert Ruffner. Director Ruffner noted that a request from the surveyor had been received asking to postpone action on this item.

Vice Chair Martin 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 Slaughter moved, seconded by Commissioner Horton to postpone action on this item until brought back by staff.

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

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 10	Gillham, Horton, Hooper, Martin, Morgan, Slaughter, Staggs, Stutzer, Tautfest, Venuti
Absent - 2	Brantley, Fikes

**ITEM E3 - RIGHT OF WAY VACATION**

**VACATE A 17 FOOT WIDTH AND PART OF A CUL-DE-SAC BULB FOR A 373 FOOT PORTION OF LUPINE AVENUE AND ASSOCIATED UTILITY EASEMENTS**

<b>KPB File No.</b>	2022-156V
<b>Planning Commission Meeting:</b>	November 14, 2022
<b>Applicant / Owner:</b>	Eric Ranguette of Soldotna, AK
<b>Surveyor:</b>	Jason Young, Mark Aimonetti / Edge Survey and Design, LLC
<b>General Location:</b>	Lupine Avenue, Keeven Lane, Nikiski area
<b>Legal Description:</b>	Lupine Avenue, Lot 1 Block 2, Centennial Shores Subdivision Number 1, Plat KN 85-157

Staff report given by Planning Director Robert Ruffner

Vice Chair Martin opened the item for public comment.

Jason Young, Edge Survey & Design; P.O. Box 208, Kasilof, AK 99610: Mr. Young 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 commission.

**MOTION:** Commissioner Horton moved, seconded by Commissioner Gillham to approve the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.70, subject to staff recommendations and compliance with borough code.

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

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 10	Gillham, Horton, Hooper, Martin, Morgan, Slaughter, Staggs, Stutzer, Tautfest, Venuti
Absent - 2	Brantley, Fikes

**ITEM E4 – CONDITIONAL USE PERMIT  
ANADROMOUS WATERS HABITAT PROTECTION DISTRICT  
PC RESOLUTION 2022-41**

<b>KPB File No.</b>	2022-41
<b>Planning Commission Meeting:</b>	November 14, 2022
<b>Applicant</b>	Alaska Railroad Corporation
<b>Mailing Address</b>	327 W Ship Creek Ave, Anchorage AK 99501
<b>Legal Description</b>	T 4N R 1W SEC 13 SEWARD MERIDIAN SW 0880002 ALASKA STATE LAND SURVEY 86-176 TRACT A EXCEPT ASLS 86-6
<b>Physical Address</b>	MP 25.7 of the Seward Highway
<b>KPB Parcel Number</b>	12516022

Staff report given by Resource Planner Morgan Aldridge.

Vice Chair Martin 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 Slaughter moved, seconded by Commissioner Staggs to adopt PC Resolution 2022-41 granting a conditional use permit for the construction of a bridge within the 50-foot Habitat Protection District of Trail Creek.

Commissioner Stutzer asked staff if they knew when the work was going to commence on the bridge. He wanted to know if the work would be limited to certain timeframes, reducing the impact to salmon in the stream. Planner Aldridge replied that the State is the permitting authority for activities happening in the water, the borough oversees permitting for activities in the 50' habitat protection district which goes to the water's edge.

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

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 12	Brantley, Fikes, Gillham, Horton, Hooper, Martin, Morgan, Slaughter, Staggs, Stutzer, Tautfest, Venuti
No - 0	

**ITEM E5 – STREET NAMING RESOLUTION 2022-04  
RENAMING A CERTAIN PUBLIC RIGHT-OF-WAY WITHIN SECTION 02, T04N, R11W; SEWARD  
MERIDIAN; WITHIN EMERGENCY SERVICE NUMBER (ESN) 302 & NAMING A CERTAIN PUBLIC  
RIGHT-OF-WAY WITHIN SECTION 33, T05S, R14W; SEWARD MERIDIAN; WITHIN EMERGENCY  
SERVICE NUMBER (ESN) 401**

Staff report given by Planning Director Robert Ruffner.

Vice Chair Martin 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 Slaughter moved, seconded by Commissioner Staggs to adopt SN Resolution 2022-04 renaming a certain public right-of-way in the Kalifornsky community, within ESN 302, to Hazy Lane; and renaming a certain public right-of-way in the Anchor Point community, within ESN 401, to Janey Street.

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

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 10	Gillham, Horton, Hooper, Martin, Morgan, Slaughter, Staggs, Stutzer, Tautfest, Venuti
Absent - 2	Brantley, Fikes

**ITEM E6 – RESOLUTION 2022-XX**

**A RESOLUTION AUTHORIZING THE ACQUISITION BY DONATION OF 3 LOTS OF LAND LOCATED IN THE SEWARD AREA ON BEHALF OF THE SEWARD BEAR CREEK FLOOD SERVICE AREA**

Staff report given by Land Management Office Marcus Mueller.

Vice Chair Martin 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 Staggs moved, seconded by Commissioner Slaughter to forward to the Assembly a recommendation to adopt Resolution 2022-XX authorizing the acquisition by donation of three lots of land located in the Seward area on behalf of the Seward Bear Creek Flood Service Area.

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

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 10	Gillham, Horton, Hooper, Martin, Morgan, Slaughter, Staggs, Stutzer, Tautfest, Venuti
Absent - 2	Brantley, Fikes

**ITEM E7 – ORDINANCE 2022-XX**

**AMENDING THE KENAI PENINSULA BOROUGH HAZARD MITIGATION PLAN BY DELETING EXISTING ANNEX B, CITY OF KACHEMAK HAZARD MITIGATION PLAN 2015, AND ADOPTING 2022 KACHEMAK CITY LOCAL HAZARD MITIGATION PLAN UPDATE AS THE NEW ANNEX B**

Staff report given by Planning Director Robert Ruffner. Director Ruffner noted no action was required on this item. Code allows for the Mayor to approve amendments to the Hazard Mitigation plan administratively. However since the item was advertised for a public hearing, he recommended that it be opened for public comment.

Vice Chair Martin opened the item for public comment. Seeing and hearing no one wishing to comment, public closed.

**AGENDA ITEM F. PLAT COMMITTEE REPORT**

Commissioner Gillham reported the plat committee reviewed & granted preliminary approval to eleven plat and postponed action on one plat.

**AGENDA ITEM H. PUBLIC COMMENT/PRESENTATIONS**

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 8:39 PM.

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Ann E. Shirnberg  
Administrative Assistant