

Kenai Peninsula Borough Planning Commission

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

**JUNE 13, 2022
7:30 P.M.
UNAPPROVED MINUTES**

AGENDA ITEM A. CALL TO ORDER

Chair Martin called the meeting to order at 9:00 p.m. (Plat Committee meeting went over time and adjourned at 8:55 PM)

AGENDA ITEM B. ROLL CALL

Commissioners Present

Syverine Abrahamson-Bentz, District 9 – South Peninsula
Jeremy Brantley, District 5 – Sterling/Funny River
Diane Fikes, City of Kenai
John Hooper, District 3 – Nikiski
Michael Horton, District 4 – Soldotna
Blair Martin, District 2 – Kenai
Virginia Morgan, District 6 – East Peninsula
Franco Venuti, City of Homer

With 8 members of an 11-member seated commission in attendance, a quorum was present.

Staff Present

Robert Ruffner, Planning Director
Walker Steinhage, Deputy Borough Attorney
Julie Hindman, Platting Specialist
Morgan Aldridge, KRC Planner
Derek Haws, KPB Addressing Officer
Ann Shirnberg, Planning Administrative Assistant

AGENDA ITEM C. CONSENT & REGULAR AGENDAS

***3. Plats Granted Administrative Approval**

- a. King Rapids Subdivision Hansen's Addition; KPB File 2021-168
- b. Mac McGahan Subdivision 2020 Replat; KPB File 2021-096
- c. Playle Estates; KPB 2021-159R1
- d. The Stordahle Subdivision; KPB File 2021-161

***4. Plats Granted Final Approval**

- a. Anglers Crest Subdivision Tikahtnu Heights Addition 2022 Replat; KPB File 2022-016
- b. Eastberg Dominish 2021 Replat; KPB file 2021-027
- c. Koala Acres 2022 Replat; KPB File 2022-026
- d. Sumpter Subdivision 2022 Replat; KPB File 2022-050

***6. Commissioner Excused Absences**

- a. Pamela Gillham, District 1 – Kalifornsky
- b. David Stutzer, District 8 – Homer
- c. Charlene Tautfest, City of Soldotna
- d. District 7 – Central, Vacant
- e. City of Seward, Vacant
- f. City of Seldovia, Vacant

***7. Minutes**

- a. May 23, 2022 Planning Commission meeting minutes.

Chair Martin asked if anyone wished to speak to any of the items on the consent agenda. Hearing no one wishing to comment he asked Ms. Shirnberg to read into the record the consent agenda items.

MOTION: Commissioner Venuti moved, seconded by Commissioner Hooper 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	Bentz, Brantley, Fikes, Hooper, Horton, Martin, Morgan, Venuti
Absent - 3	Gillham, Stutzer, Tautfest

AGENDA ITEM E. NEW BUSINESS

Chair Martin asked Ms. Shirnberg to read into the record the rules for public hearing.

**ITEM E1 - SECTION LINE EASEMENT VACATION
VACATE SECTION LINE EASEMENTS ASSOCIATED WITH TRACTS A, B, AND C OF QUARTZ
CREEK SUBDIVISION PLAT NO SW 94-11**

KPB File No.	2022-060V
Planning Commission Meeting:	May 23, 2022
Applicant / Owner:	Three Bears Alaska Inc of Wasilla, AK and Kenai Peninsula Borough of Soldotna, AK
Surveyor:	John Segesser / Segesser Surveys
General Location:	Cooper Landing / Cooper Landing APC
Legal Description:	50-foot section line easements associated with the SW1/4 Section 30, Township 5 North, Range 2 West, SE1/4 Section 25 and the N1/2 Section 36, Township 5 North, Range 3 West

Staff report was given by Platting Specialist Julie Hindman.

Chair Martin open 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 Morgan moved, seconded by Commissioner Fikes to approve the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.65, 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 - 8	Bentz, Brantley, Fikes, Hooper, Horton, Martin, Morgan, Venuti
Absent - 3	Gillham, Stutzer, Tautfest

ITEM E2 - UTILITY EASEMENT ALTERATION
 VACATE PORTIONS OF UTILITY EASEMENTS LOCATED WITHIN
 LOT 5 OF COLE'S CORNER, PLAT KN 85-31

KPB File No.	2022-052V
Planning Commission Meeting:	June 13, 2022
Applicant / Owner:	Estate of Josephine S. Knapp of Anchorage, AK
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Kalifornsky Beach Road, Capstan Street, Kasilof / Kalifornsky APC

Staff report was given by Platting Specialist Julie Hindman.

Chair Martin open 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 Brantley moved, seconded by Commissioner Fikes to approve the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.65, 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 - 8	Bentz, Brantley, Fikes, Hooper, Horton, Martin, Morgan, Venuti
Absent - 3	Gillham, Stutzer, Taufest

ITEM E3 – SN RESOLUTION 2022-02
NAMING PUBLIC RIGHT-OF-WAYS WITHIN SECTIONS 36, T05N, R01W; SEWARD MERIDIAN;
WITHIN EMERGENCY SERVICE NUMBER (ESN) 601
&
NAMING PUBLIC RIGHT-OF-WAYS WITHIN SECTIONS 01, T04N, R01W; SEWARD MERIDIAN;
WITHIN EMERGENCY SERVICE NUMBER (ESN) 601

SN Resolution	2022-02
Planning Commission Meeting:	June 13, 2022
Petitioner	Kenai Peninsula Borough
General Location:	Moose Pass Area

Staff report given by Addressing Officer Derek Haws.

Chair Martin open the item for public comment.

Bruce Jaffa; P.O. Box 107, Moose Pass, AK 99631: Mr. Jaffa is a member of the Moose Pass APC and requested that this item be postponed until the Moose Pass APC has a change to weigh in on the names.

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

MOTION: Commissioner Morgan moved, seconded by Commissioner Horton to postpone action on this item until the Moose Pass APC has an opportunity to review.

Commissioner Brantley asked staff if everyone who lived on these unnamed roads was noticed regarding the name changes. Mr. Haws replied that notices had been sent out to all landowners living on these roads. He also noted that one landowner suggested a different name for his road and that name was approved. Commissioner Brantley asked if any landowners established addresses will change with the naming of these roads. Mr. Haws replied that one landowner will have a new physical address, the landowner is aware of this and has not objected. Commissioner Brantley then stated that it was more important to him that the landowners living on the renamed roads are satisfied with the names than the area APCs and that

Commissioner Morgan stated that she would like to postpone action on this matter until the APC has a chance to review these names. Area residents are often aware of potential conflicts with road names than those who do not live in the area.

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

MOTION PASSED BY MAJORITY VOTE:

Yes - 7	Bentz, Fikes, Hooper, Horton, Martin, Morgan, Venuti
No – 1	Brantley
Absent - 3	Gillham, Stutzer, Taufest

**ITEM E4 – CONDTIONAL USE PERMET
PC RESOLUTION 2022-23
GRANTING A CONDITIONAL USE PERMIT FOR THE CONSTRUCTION OF A FENCE WITHIN THE
50-FOOT HABITAT OF THE KENAI RIVER**

KPB File No.	2022-23
Planning Commission Meeting:	June 13, 2022
Applicant	Michael Lavallee
Mailing Address	45920 Retreat Ct.; Soldotna, AK 99669
Legal Description	T 5N R 10W SEC 19 SEWARD MERIDIAN KN 2003038 DENISON HOMESTEAD SUB PART 4 TRACT B-1
Physical Address	45920 Retreat Ct
KPB Parcel Number	05763031

Staff report given by Planner Morgan Aldridge.

Chair Martin open the item for public comment.

Michael Lavallee, Applicant: 45920 Retreat Ct., Soldotna, AK 99669: Mr. Lavallee requested that the commission approve his permit request and made himself available to answer any questions.

Paul Michelsohn; 3410 Balchen Dr., Anchorage, AK 99517: Mr. Michaelson is a neighboring landowner and owns property at 45825 Retreat Ct. Mr. Michelsohn spoke in opposition to this permit.

Bob Shirley; 36351 Harbor Dr., Soldotna, AK 99669: Mr. Shirley is a neighboring landowner and spoke in support of granting this permit.

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

MOTION: Commissioner Brantley moved, seconded by Commissioner Horton to adopt PC Resolution 2022-23 granting a conditional use permit pursuant to KPB 21.18 for the construction of a fence within the 50-foot 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	Bentz, Brantley, Fikes, Hooper, Horton, Martin, Morgan, Venuti
Absent - 3	Gillham, Stutzer, Taufest

**E5 – ORDINANCE 2022-22
 AUTHORIZING A NEGOTIATED LEASE OPTION AND SUBSEQUENT GROUND LEASE OF
 CERTAIN REAL PROPERTY CONTAINING 40 ACRES MORE OR LESS TO UTOPIAN POWER FOR
 THE DEVELOPMENT OF A SOLAR FARM FACILITY**

Ordinance	2022-22
Planning Commission Meeting:	June 13, 2022
Lessee:	Utopian Power
General Location:	Sterling Area

Staff report given by Planning Director Robert Ruffner.

Chair Martin open the item for public comment.

Bruce Jaffa; P.O. Box 107, Moose Pass, AK 99631: Mr. Jaffa spoke in favor of recommending adoption of this ordinance.

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

MOTION: Commissioner Fikes moved, seconded by Commissioner Hooper, to forward to the Assembly a recommendation to adopt Ordinance 2022-22: authorizing a negotiated lease option and subsequent ground lease of certain real property containing 40 acres, more or less, to Utopian Power for the development of a solar farm facility.

Commissioner Brantley spoke in favor of recommending adoption of this ordinance. He is aware of the history of this particular parcel of land and believes that this is a good use for this parcel.

Commissioner Martin spoke in favor of recommending adoption of this ordinance. Commissioner Martin also spoke in support of developing these kinds of alternative energy resources.

Commissioner Horton spoke in favor of recommending adoption of this ordinance. He noted that he agreed with both Commissioners Brantley & Martin.

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

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 8	Bentz, Brantley, Fikes, Hooper, Horton, Martin, Morgan, Venuti
Absent - 3	Gillham, Stutzer, Taufest

**E6 – RESOLUTION 2022-XX
 AUTHORIZING THE ACQUISITION OF REAL PROPERTY LOCATED IN SOLDOTNA, AK ON
 BEHALF OF CENTRAL EMERGENCY SERVICES FOR THE PURPOSE OF A REPLACEMENT SITE
 FOR CES STATION ONE**

Resolution	2022-XX
Planning Commission Meeting:	June 13, 2022
General Location:	Soldotna

Staff report given by Planning Director Robert Ruffner.

Chair Martin open the item for public comment.

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

CES Deputy Chief Dan Grimes: Deputy Chief Grimes spoke in support of adopting this resolution.

MOTION: Commissioner Brantley moved, seconded by Commissioner Fikes, to forward to the Assembly a recommendation to adopt Resolution 2022-XX: authorizing the acquisition of real property located in Soldotna, Alaska on behalf of Central Emergency Services for the purpose of a replacement site for Central Emergency Services Station 1.

Commissioner Brantley

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

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 8	Bentz, Brantley, Fikes, Hooper, Horton, Martin, Morgan, Venuti
Absent - 3	Gillham, Stutzer, Taufest

AGENDA ITEM F. PLAT COMMITTEE REPORT

Commissioner Brantley reported the plat committee reviewed eleven plats, granted preliminary approval to ten and postponed action on one.

AGENDA ITEM G.

1. Plat Committee – June 27, 2022
 - Brantley
 - Fikes
 - Horton
 - Martin
 - Morgan

AGENDA ITEM H. PUBLIC COMMENT/PRESENTATIONS

Chair Martin 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.

Bruce Jaffa; P.O. Box 107, Moose Pass, AK 99631: Mr. Jaffa thanked the commission for their work and spoke in support of the public process he witnessed at the night's meeting.

AGENDA ITEM I. DIRECTOR'S COMMENTS

Planning Director Ruffner reviewed his director's report with the commission.

AGENDA ITEM J. COMMISSIONER COMMENTS

AGENDA ITEM K. ADJOURNMENT

Commissioner Brantley moved to adjourn the meeting 10:06 PM.

Ann E. Shirnberg
Administrative Assistant