



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Planning Commission

Jeremy Brantley, Chair – District 5 Sterling/Funny River
Blair Martin, Vice Chair – District 2 Kenai
Pamela Gillham – District 1 Kalifornsky
Virginia Morgan, Parliamentarian – District 6 East Peninsula
John Hooper – District 3 Nikiski
Michael Horton – District 4 Soldotna
VACANT – District 7 Central
David Stutzer – District 8 Homer
Dawson Slaughter – District 9 South Peninsula
Diane Fikes – City of Kenai
Franco Venuti – City of Homer
Charlene Tautfest – City of Soldotna
Troy Staggs – City of Seward
VACANT – City of Seldovia

Monday, May 8, 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
2. Planning Commission Resolutions - None
3. Plats Granted Administrative Approval

- [KPB-5143](#)
- a. Bear Lahai Roi Subdivision 2022 Addition; KPB File 2022-089
 - b. Christensen Tracts 2021 Addition; KPB File 2021-046
 - c. The Peaks Subdivision; KPB File 2022-115

Attachments: [C3. Admin Approvals Packet](#)

4. Plats Granted Final Approval (KPB 20.10.040)

- [KPB-5144](#)
- a. Baron Park Triumvirate Addition; 2023-036

Attachments: [C4. Final Approvals Packet](#)

5. Plat Amendment Request - None
6. Commissioner Excused Absences
 - a. Pamela Gillham - District 1, Kalifornsky
 - b. City of Seldovia, Vacant

c. District 7 - Central, Vacant

7. Minutes

[KPB-5145](#) April 24, 2023 PC Meeting Minutes

Attachments: [C7. 042423 PC Minutes Packet](#)

D. OLD BUSINESS - None

E. NEW BUSINESS

1. [KPB-5146](#) Right-Of-Way Vacation; KPB File 2023-024V
Ability Surveys / Jones
Request: Vacates a portion of Perkins Road and associated utility easements granted on Stanley's Meadow Vikki's Replat, Plat HM 99-30 Fritz Creek Area / Kachemak Bay APC
Attachments: [E1. ROWV-Perkins Rd Packet](#)
2. [KPB-5147](#) Conditional Use Permit; PC Resolution 2023-03
Petitioners: Daniel Sweatt & Ronald Jackson
Request: to construct a bridge on a KPB ROW within the 50' Habitat Protection District of the Unnamed Creek (AWC 244-10-10010-2011-3031-4022)
Location: Lot 8-A Nikolaevsk Village Subdivision No. 5, Plat HM 0800099
Nikolaevsk Area
Attachments: [PC RES 2023-03 Executed](#)
[E2. CUP Bridge-Berezka Packet](#)
3. [KPB-5150](#) ZipMart Building; 38525 Swanson River Road; Sterling Area. Order to show cause why the Zip Mart building should not be condemned.
Attachments: [E3. ZipMart Building Packet](#)
[E3. ZipMart Building Desk Packet](#)
4. [KPB-5148](#) Ordinance 2023-10: An ordinance authorizing the sale of substandard sized lots obtained by Kenai Peninsula Borough through tax foreclosure and retained for a public purpose.
Attachments: [E4. ORD 2023-10 Packet](#)

5. [KPB-5149](#) Ordinance 2022-46: Amending KPB 21.02.230 to modify the boundaries of the Nikiski Advisory Planning Commission.

Attachments:

[E5. ORD 2022-46 Packet](#)

[E5. ORD 2022-46 - Nikiski APC Boundaries Desk 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

[KPB-5151](#) Advisory Planning Commission Meeting Minutes

Attachments:

[Misc Info PC Desk Packet](#)

NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING

The next regularly scheduled Planning Commission meeting will be held Monday, May 22, 2023 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

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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.