



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Planning Commission

Blair Martin, Chair – Kalifornsky Beach
Robert Ruffner, Vice Chair – Kasilof/Clam Gulch
Syverine Abrahamson-Bentz, Parliamentarian – Anchor Point/Ninilchik
Jeremy Brantley – Sterling
Paulette Bokenko-Carluccio – City of Seldovia
Cindy Ecklund – City of Seward
Pamela Gillham – Ridgeway
Davin Chesser – Northwest Borough
Diane Fikes – City of Kenai
Virginia Morgan – East Peninsula
Franco Venuti – City of Homer

Monday, July 12, 2021

7:30 PM

Betty J. Glick Assembly Chambers

Zoom ID 208 425 9541

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
2. Planning Commission Resolutions
3. Plats Granted Administrative Approval
 - a. [KPB-3335](#) Baranoff Terrace Subdivision Johnson-Quale Addition: KPB File 2019-082
Attachments: [Baranoff Terrace Subdivision Johnson-Quale Addition KPB 2019-082](#)
 - b. [KPB-3336](#) Big Dipper Ranch; KPB File 2020-153
Attachments: [Big Dipper Ranch KPB 23020-153](#)
 - c. [KPB-3337](#) Bremond Farms Estates Bella Woods Phase 2; KPB File 2016-022P2
Attachments: [Bremond Farms Estates Bella Woods Phase 2 KPB 2016-022P2](#)
 - d. [KPB-3338](#) Gerhart Homestead 2020 Replat; KPB File 2020-149
Attachments: [Gerhart Homestead 2020 Replat KPB 2020-149](#)
 - e. [KPB-3339](#) Lakewood Estates 2021 Replat; KPB File 2021-035
Attachments: [Lakewood Estates 2021 Replat KPB 2021-035](#)
 - f. [KPB-3340](#) Rex. W. Eagle Homestead 2021 Replat; KPB File 2021-033
Attachments: [Rex W Eagle Homestead 2021 Replat KPB 2021-033](#)
 - g. [KPB-3341](#) Seater View Subdivision; KPB File 2009-085
Attachments: [Seater View Subdivision KPB 2009-085](#)

- h. [KPB-3342](#) Surreal Subdivision 2021 Replat; KPB File 2021-002

Attachments: [Surreal Subdivision 2021 KPB 2021-002](#)

- i. [KPB-3343](#) Valhalla Heights 2021 Replat; KPB File 2021-077

Attachments: [Valhalla Heights 2021 Replat KPB 2021-077](#)

4. Plats Granted Final Approval (KPB 20.10.040)

5. Plat Amendment Request

6. Commissioner Excused Absences

7. Minutes

[KPB-3354](#) June 28, 2021 PC Meeting Minutes

Attachments: [PC Minutes_062821_Draft](#)

D. OLD BUSINESS

E. NEW BUSINESS

1. [KPB-3344](#) Utility Easement Vacation; KPB File 2021-084V; PC Resolution 2021-22

Vacate the 10' Wide Utility Easement - Banta Subdivision Addition No. 1 HM 78-21

Attachments: [1. MAP Vicinity with inset](#)

[2. MAP Aerial Map](#)

[3. Plat Sketch KPB 2021-084V Reduced](#)

[4. Plat Parent KN 78-21 Zoomed In](#)

[5. Staff Report Banta Sub Addn No 1 Lot 14 Block 1 UEV KPB 2021-084V](#)

[6. Resolution UEV 2021-22](#)

[7. Plat Parent HM 78-21](#)

2. [KPB-3345](#) ROW Vacation; KPB File 2021-085V; C Street
Vacation a Portion of C Street; US Survey No. 4901 SL 71-62
- Attachments:*
- [1. MAP Vicinity with inset](#)
 - [2. MAP Aerial Map](#)
 - [3. Plat Sketch KPB 2021-085V Reduced](#)
 - [4. Staff Report Townsite of English Bay USS 4901 ROWV KPB 2021-085V](#)
 - [5. Plat Parent SL 71-62](#)
 - [E.2 Desk Packet Comment PC](#)
3. [KPB-3346](#) ROW Vacation; KPB File 2021-086V1; Cove View Court
Vacates a 60' ROW & Cul-de-sac; Stanley's Meadow 2021
- Attachments:*
- [3. Plat Prelim KPB 2021-086V1Reduced](#)
 - [4. Staff Report Stanleys Meadow 2021 ROWV 2021-086V1](#)
 - [5. MAP contour](#)
 - [6. MAP Wetlands](#)
 - [7. Plat Parent HM 93-60](#)
 - [8. Plat Parent HM 91-47](#)
 - [9. Plat Parent HM 81-84](#)
 - [10. Plat Parent HM 99-30](#)
 - [1. MAP Vicinity with inset](#)
 - [2. MAP Aerial Map](#)
4. [KPB-3347](#) CUP; PC Resolution 2021-24
Trail Creek Bridge Replacement
Petitioner: USDA Forest Service
- Attachments:*
- [1 Staff Report 12808 Trail Creek Bridge 7.12.21](#)
 - [2 Resolution 2021-24 RC 12808 Trail Creek Bridge 7.12.21](#)
 - [3 Application Trail Creek Bridge](#)
 - [4 PHN 12808 Trail Creek Bridge 7.12.21](#)

5. [KPB-3350](#) Resolution 2021-046: A resolution classifying 420 acres of Borough land located within Section 1, T05S, R14W, Seward Meridian, Alaska, as rural & agriculture.

Attachments: [1_A_PC Memo Assembly Postponement-APC](#)
[1_B_Land_Classification_MEMO](#)
[2_Land_Classification_RESO](#)
[3_Land_Classification_STAFF REPORT](#)
[4_Land_Classification_MAPS](#)
[5_Half_Mile_Notice_Letter](#)
[6_PublicComment](#)
[E5_Desk_Packet_PC](#)

6. [KPB-3348](#) Ordinance 2021-28: An ordinance authorizing a lease to Robert Gibson, dba Alaska Land & Cattle Company for approximately 280 acres of Borough land in the Basargin Road area for Agricultural Use.

Attachments: [1_AK_Land_&_Cattle_MEMO_\(Gibson\).docx](#)
[2_AK_Land_&_Cattle_ORD_\(Gibson\).docx](#)
[3_AK_Land_Cattle_\(Gibson\)_LEASE.docx](#)
[4_AK_Land_&_Cattle_MAPS](#)
[5_Farm_Management_Development_Plan_7-9-21](#)

7. [KPB-3349](#) Ordinance 2021-27: An ordinance authorizing a WISP tower and ground lease agreement at certain locations with SPITwSPOTS Inc.

Attachments: [1_SpitwSpots_WISP_Lease_MEMO](#)
[2_SpitwSpots_WISP_Lease_ORDINANCE](#)
[3_WISP_Tower_and_Ground_Lease_\(SWS\)_AGMT_DRAFT](#)
[4_SpitwSpots_WISP_Lease_Location_Maps](#)

8. [KPB-3351](#) Marijuana Concentrate Manufacturing Facility License
Applicant: Leaf & Larf, LLC dba Purgatory Cannabis
Landowner: Zan Inc.

Attachments: [Staff_Report_Pugator_Cannabis_R](#)

9. [KPB-3352](#) Conditional Land Use Permit Modification
Applicant/Landowner: Cook Inlet Region Inc.
PIN 06508118

Attachments: [Staff_Report_CIRI_R](#)
[E9_Desk_Packet_PC](#)

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

[KPB-3355](#) Directors Report

Attachments: [Director's Report](#)

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, [INSERT DATE] 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.

ADVISORY PLANNING COMMISSION MEETINGS

Anchor Point -- Zoom -- February 4, 2021-- 7:00 p.m.
Cooper Landing -- Zoom -- February 4, 2021-- 6:00 p.m.
Funny River -- Zoom -- February 4, 2021-- 7:00 p.m.
Kalifornsky -- Zoom -- February 4, 2021-- 6:00 p.m.
Kachemak Bay -- Zoom -- February 4, 2021-- 7:00 p.m.
Moose Pass -- TBD
Hope / Sunrise -- Zoom -- February 4, 2021-- 7:00 p.m.

NOTE: Advisory planning commission meetings are subject to change. Please verify the meeting date, location, and time with the advisory planning commission chairperson. Chairperson contact information is on each advisory planning commission website. Links to the websites can be found on the Planning Department website.

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.