



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, March 21, 2022

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

2. Planning Commission Resolutions

3. Plats Granted Administrative Approval

- a. [KPB-4024](#) Foothills Subdivision Sunset View Estates 2020 Addition Phase 1
KPB File 2020-113R1

Attachments: [Foothills Subdivision Sunset View Estates 2020 Addition Phase 1 KPB 2020-11](#)

4. Plats Granted Final Approval (KPB 20.10.040)

5. Plat Amendment Request

- a. [KPB-3995](#) Plat Amendment Request - Beaver Dam Estates Part Seven (KN
2021-45)

Attachments: [C5 PA-Beaver Dam Estates Packet](#)

6. Commissioner Excused Absences

7. Minutes

- a. [KPB-4004](#) February 28, 2022 Planning Commission Meeting Minutes

Attachments: [PC Minutes_022822_Draft](#)

D. OLD BUSINESS

1. [KPB-3994](#) Remand Hearing for Beachcomber, LLC

Attachments:

- [1. Beachcomber MEMO w attachments](#)
- [2. Volume 1 - Beachcomber R](#)
- [3. Volume 2 - Beachcomber R](#)
- [4. Hearing Officer Decision - Beachcomber Remand 201-01-PCA](#)
- [5. Appeal Hearing Summary 10-30-2019](#)
- [6. Hearing Packet 2019-01-PCA](#)
- [7. Bilben Mtn for Reconsideration](#)
- [8. Bilben - Objection to Adjudicatory Session](#)
- [169-010-67 2022-XX DENIAL Resolution Template \(Beachcomber\)](#)
- [169-010-67 2022-XX GRANTING Resolution Template \(Beachcomber\)](#)
- [PC RES 2022-07 Failed](#)

E. NEW BUSINESS

1. [KPB-3996](#) PC Resolution 2022-13 - Community Wildfire Protection Plan

Attachments:

- [PC RES 2022-13 Executed](#)
- [E1 CWPP Packet](#)
- [2022 KPB CWPP-Combined final 03.09.2022](#)
- [Desk E1 PC Revised Resolution](#)

2. [KPB-3997](#) Ordinance 2022-04 - An ordinance adopting the updated 2022 KPB CWPP

Attachments:

- [E2 CWPP Packet](#)

3. [KPB-3998](#) Right-of-Way Vacation; KPB File 2022-023V
Vacating a portion of Paper Birch Lane

Attachments:

- [E3 ROWV Paper Birch Packet](#)
- [Desk E3 PC Comments](#)

4. [KPB-3999](#) Utility Easement Vacation; KPB File 2021-115V
Piper's Haven Unit 3

Attachments:

- [E4 UEV Pipers Haven Packet](#)

5. [KPB-4000](#) Utility Easement Vacation; KPB File 2022-001V
Arrowhead Estates Phase 1

Attachments:

- [E5 UEV Arrowhead Estates Packet](#)

6. [KPB-4001](#) Conditional Use Permit; PC Resolution 2022-11
Applicant Mark Arkens

 Attachments: [PC RES 2022-11 Executed](#)
 [E6-CUP Arkens Fence Packet](#)
7. [KPB-4002](#) Marijuana Cultivation Facility License; Redoubt Reefer

 Attachments: [E7-Marijuana License Redoubt Reefer Packet](#)
 [Desk E7 PC Comments](#)
8. [KPB-4003](#) Conditional Land Use Permit; PC Resolution 2022-10
Applicant: Trimark Earth Reserve, LLC

 Attachments: [PC RES 2022-10 Executed](#)
 [E8 -CLUP Trimark Packet](#)
 [Desk E8 PC Comment](#)

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)

- a. [KPB-4005](#) FEMA Presentation

 Attachments: [FEMA Presentation](#)

I. DIRECTOR'S COMMENTS

J. COMMISSIONER COMMENTS

K. ADJOURNMENT

MISCELLANEOUS INFORMATIONAL ITEMS NO ACTION REQUIRED

- a. [KPB-4026](#) Advisory Planning Commission Meeting Minutes

 Attachments: [MISC_AP APC Unapproved Minutes 031722](#)
 [MISC_Hope APC Unapproved Minutes 031622](#)
 [MISC_KB APC Unapproved Minutes 031722](#)

KPB-4027 HB 367 Support**Attachments:**[1. HB 367 Support \(PC Apportionment\) MEMO.docx](#)[2. HB 367 Support \(PC Apportionment\) RESO.docx](#)[3. HB 367 Support - Boroughs of AK](#)**NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING**

The next regularly scheduled Planning Commission meeting will be held Monday, April 11, 2022 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.