



# Planning Commission Action Agenda

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2215 • (907) 714-2378 Fax  
Betty J. Glick Assembly Chambers, Kenai Peninsula Borough George A. Navarre Administration Building

Melanie Aeschliman, Planning Director • Charlie Pierce, Borough Mayor

*Blair Martin, Chair – District 2-Kenai ~ Robert Ruffner, Vice Chair – District 7-Central*

*Syverine Abrahamson-Bentz, Parliamentarian – District 9-South Peninsula ~ Jeremy Brantley – District 5-Sterling/Funny River*

*Pamela Gillham – District 1-Kalifornsky ~ Virginia Morgan – District 6-East Peninsula ~ Vacant – District 3-Nikiski ~ Vacant – District 8-Homer*

*Diane Fikes – City of Kenai ~ Vacant – City of Seward ~ Vacant – City of Soldotna ~ Vacant – City of Seldovia ~ Franco Venuti – City of Homer*

**January 24, 2022  
7:30 p.m.**

**Zoom Meeting Link: <https://us06web.zoom.us/j/9077142200>  
Zoom Toll Free Phone Numbers: 888-788-0099 or 877-853-5247  
Zoom Meeting ID: 907 714 2200**

To join the meeting from a computer visit the Zoom meeting link above. If you connect by computer and do not have speakers or a microphone, connect online and then select phone for audio. A box will come up with toll free numbers, the meeting ID, and your participant number. To attend the Zoom meeting by telephone use the Zoom toll free phone numbers listed above.

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 must begin by stating his or her name and mailing 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. If participating via Zoom the testifier will need to use the Zoom "raise hand" feature or press \*9 by phone to speak.

## **A. CALL TO ORDER**

## **B. ROLL CALL**

## **C. APPROVAL OF CONSENT AND REGULAR AGENDAS**

All items marked with an asterisk (\*) are consent agenda items. Consent agenda items are considered routine and non-controversial by the Planning Commission and may be approved by one motion. There will be no separate discussion of consent agenda items unless a Planning Commissioner removes the item from the consent agenda. The removed item will then be considered in its normal sequence on the regular agenda.

If you wish to comment on a consent agenda item, please advise the recording secretary before the meeting begins, and she will inform the Chair of your wish to comment.

### **\*1. Time Extension Request - None**

### **\*2. Planning Commission Resolutions - None**

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

- a. ASLS No. 2019-34 Tract A ASLS 96-42; KPB File 2021-019
- b. Fireweed Meadows 2021 Replat; KPB File 2021-095

- c. Fourth of July Creek Subdivision Seward Marine Industrial Center Coastal Lots Replat; KPB File 221-039
- d. James Waddell Homestead 2021 Replat; KPB File 2021-136

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

- a. Black Gold Estates 2021 Replat Wildwood Dr. ROW Vacation; KPB File 2021-111V

**\*5. Plat Amendment Request - None**

**\*6. Commissioner Excused Absences**

- a. City of Soldotna, Vacant
- b. City of Seward, Vacant
- c. District 3 – Nikiski, Vacant
- d. District 8 – Homer, Vacant

**\*7. Minutes**

- a. January 10, 2021 Plat Committee Meeting Minutes
- b. January 10, 2021 Planning Commission Meeting Minutes

**Motion to approve the consent & regular agendas passed by unanimous vote. (Yes-7, Absent-1, Vacant-6)**

**D. OLD BUSINESS - None**

**E. NEW BUSINESS**

**Public Hearing: Quasi-Judicial Matters** *(Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or member of the public concerning the application or issues presented in the application)*

- 1. Cabin Hopper Subdivision; KPB File 2021-160  
Peninsula Surveying, LLC / Freddie's Roadhouse Inc., Pollard & Best  
Location: Marquis Street, Arneson Avenue & Matson Street  
Ninilchik Area

**Motion to grant the exception request to KPB 20.30.190 – Lot Dimensions, 3:1 depth to width ratio for Tract 3A passed by unanimous vote. (Yes-7, Absent-1, Vacant-6)**

**Motion to grant exception request to KPB 20.40 – Wastewater Disposal requiring a wastewater review passed by unanimous vote. (Yes-7, Absent-1, Vacant-6)**

**Motion to grant preliminary approval to Cabin Hopper Subdivision as amended pass by unanimous vote. (Yes-7, Absent-1, Vacant-6)**

- 2. Right-of-Way Vacation – KPB File 2021-168V  
Request/Affected Property: Vacate a portion of Wanda Ave. & associated utility easements as granted per Brown's Lake Subdivision (KN 76-55 & King Rapids Subdivision KN 76-176)  
Petitioner: Kim M. Hansen of Soldotna, AK  
Funny River Area / Funny River APC

**Motion to approve to approve the vacation a petitioned passed by unanimous vote. (Yes-7, Absent-1, Vacant-6)**

3. Hansen's Salmon Run Subdivision; KPB File 2021-168  
Edge Survey & Design, LLC / Hansen  
Location: Salmon Run Drive, Wanda Avenue & Iceberg Street  
Funny River Area / Funny River APC

**Motion to grant preliminary approval to Hansen's Salmon Run Subdivision passed by unanimous vote. (Yes-7, Absent-1, Vacant-6)**

4. Building Setback Permit – KPB File 2021-169  
Request/Affected Property: Allowing a 1.9' encroachment of a garage into the 20' building setback.  
Fishermens Road Subdivision Edelman Addn. Tract G2 (KN 96-59)  
Petitioner: Benjamin & Megan Cheah of Kenai, AK  
Kalifornsky Area
5. Street Naming/Renaming; SN Resolution 2022-01
  - a. Unnamed Private Road – Proposed Name: Midnight Sun Drive; Nikiski Area; Petitioners: Brandie & Julie Ware
  - b. Benjamin Avenue – Proposed Rename: Benjamin Ave. W. & Benjamin Ave. E.; Fritz Creek Area; Petitioner: Kenai Peninsula Borough

**Motion to adopt PC Resolution 2022-04 granting a building setback encroachment permit passed by unanimous vote. (Yes-7, Absent-1, Vacant-6)**

6. Marijuana Cultivation Facility License  
Applicant/Landowner: Steve Duprey  
Tax Parcel ID #: 05528239  
Location: 48235 Miracle Avenue  
Kasilof Area

**Motion to forward to the Assembly a recommendation to approve a limited marijuana cultivation facility license for Steve Duprey dba Rock Solid Buds passed by unanimous vote. (Yes-7, Absent-1, Vacant-6)**

**Public Hearing: Legislative Matters – None**

**F. PLAT COMMITTEE REPORT – No Plat Committee January 24, 2022**

**G. OTHER**

- a. Plat Committee – February 14, 2022

**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. Community Wildfire Protection Plan Update – Draft Plan

**I. DIRECTOR'S COMMENTS**

**J. COMMISSIONER COMMENTS**

**K. ADJOURNMENT**

**MISCELLANEOUS INFORMATIONAL ITEMS****NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING**

The next regularly scheduled Planning Commission meeting will be held **Monday, February 14, 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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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.