



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

Pamela Gillham, District 1 – Kalifornsky ~ John Hooper, District 3 Nikiski ~ Michael Horton, District 4 – Soldotna ~ Jeremy Brantley, District 5 – Sterling/Funny River

Virginia Morgan, District 6 – East Peninsula ~ David Strutzer, District 8 – Homer ~ Franco Venuti, City of Homer ~ Vacant, City of Soldotna ~ Vacant, City of Seward ~ Vacant, City of Seldovia

March 21, 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

1. Appointment of new commissioner - John Hooper, District 3 - Nikiski

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. Foothills Subdivision Sunset View Estates 2020 Addition Phase 1
KPB File 2020-113R1

4. Plats Granted Final Approval - None**5. Plat Amendment Request**

1. Plat Amendment Request; Beaver Dam Estates Part Seven (KN 2021-45)
Segesser Surveys

***6. Commissioner Excused Absences**

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

***7. Minutes**

- a. February 28, 2022 Planning Commission Meeting Minutes

Motion to pass the consent & regular agendas passed by unanimous vote. (Yes-10, Absent-1, Vacant-3)

D. OLD BUSINESS

1. Conditional Land Use Permit Application (Remand Hearing)
Applicant: Beachcomber, LLC
Parcel ID # 169-010-67
Anchor Point Area

Motion to go into adjudicative session as the close of the meeting passed by unanimous vote. (Yes-10, Absent-1, Vacant-3)

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 members of the public concerning the application or issues presented in the application)*

1. Planning Commission Resolution 2022-13: A resolution recommending adoption of the updated 2022 Kenai Peninsula Borough Community Wildfire Protection Plan

Motion to adopt PC Resolution 2022-13 passed by unanimous vote. (Yes-10, Absent-1, Vacant-3)

2. Ordinance 2022-04: An ordinance adopting the updated 2022 Kenai Peninsula Borough Community Wildfire Protection Plan.

Motion to forward to the Assembly a recommendation to adopt Ordinance 2022-04 passed by unanimous vote. (Yes-10, Absent-1, Vacant-3)

3. Right-of-Way Vacation; KPB File 2022-023V
Vacates a portion of Paper Birch Lane, a 60' ROW & associated utility easements with Lot 1, Forest Hills Lookout Subdivision (Plat KN 86-204) and Lots 8, 9 & 15 of Tulchina Pointe Estates Phase 2 (Plat KN 2009-48)
Petitioner(s): Little Knife Inc., Gale L. Smith & Cody R. McLane, all of Soldotna, AK

Motion to approve the vacation as petitioned passed by unanimous vote. (Yes-10, Absent-1, Vacant-3)

4. Utility Easement Vacation; KPB File 2021-115V
Vacates the eastern 325' of a 20' X 600' utility easement centered on the common boundary of lot 3 & Lot 4, Piper's Haven Unit 3 (HM 98-9)
Petitioner: David Arthur Talbot ETAL of Anchor Point, AK

Motion to approve the vacation as petitioned passed by unanimous vote. (Yes-10, Absent-1, Vacant-3)

5. Utility Easement Vacation; KPB File 2022-001V
Vacates the entire 20' wide utility easement center on the shared lot line between Lot 10, Arrowhead Estates Phase 1 (Plat KN 2000-07) & Lot 11A Arrowhead Estates Moore Replat (KN 2010-47)
Petitioner: Nathan D. Moore, Michael & Raylynn Zweifel of Soldotna, AK

Motion to approve the vacation as petitioned passed by unanimous vote. (Yes-10, Absent-1, Vacant-3)

6. Conditional Use Permit; PC Resolution 2022-11
Applicant: Mark Arkens
Parcel ID: 066-250-23
Location: 36315 Mykiss Street
Funny River Area

Motion to adopt PC Resolution 2022-11 passed by unanimous vote. (Yes-10, Absent-1, Vacant-3)

7. Marijuana Cultivation Facility License
Applicant: Redoubt Reefer / Landowner: Jason Rodean
Parcel ID: 133-350-16
Location 27250 Vincent Street
Kasilof Area

Motion to forward to the Assembly a recommendation to approve a marijuana cultivation facility license to Redoubt Reefer passed by unanimous vote. (Yes-10, Absent-1, Vacant-3)

8. Conditional Land Use Permit; Planning Commission Resolution 2022-10
Applicant: Trimark Earth Reserve, LLC
Legal Description: T05N, R11W, Section 25, S.M., Kalifornsky Center Subdivision Tract D
Parcel Number: 055-072-76
Kalifornsky Area

Motion to adopt PC Resolution 2022-10 passed by unanimous vote. (Yes-10, Absent-1, Vacant-3)

F. PLAT COMMITTEE REPORT – The plat committee will review 8 Plats

G. OTHER (No Public Hearings)

1. Plat Committee – April 11, 2022
2. April 11, 2022 Planning Commission Meeting – **ZOOM ONLY**

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)

1. FEMA Presentation

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, April 11, 2022** and will be a **ZOOM ONLY** meeting, at **7:30 p.m.**

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.