



# Planning Commission Agenda

## ACTION

August 8, 2022 – 7:30 PM

Regular Meeting

Betty J. Glick Assembly Chambers  
George A. Navarre Kenai Peninsula  
Borough Administration Building

Blair Martin, Chair  
District 2 - Kenai  
Term Expires 2024

Jeremy Brantley, Vice Chair  
District 5 – Sterling/Funny River  
Term Expires 2024

Parliamentarian

Diane Fikes  
City of Kenai  
Term Expires 2025

Charlene Tautfest  
City of Soldotna  
Term Expires 2024

Franco Venuti  
City of Homer  
Term Expires 2025

Troy Staggs  
City of Seward  
Term Expires 2023

Vacant  
City of Seldovia  
Term Expires 2023

Pamela Gillham  
District 1 - Kalifornsky  
Term Expires 2023

John Hooper  
District 3 – Nikiski  
Term Expires 2023

Michael Horton  
District 4 – Soldotna  
Term Expires 2025

Virginia Morgan  
District 6 – East Peninsula  
Term Expires 2025

Vacant  
District 7 – Central Peninsula  
Term Expires 2024

Davide Stutzer  
District 8 – Homer  
Term Expires 2024

Dawson Slaughter  
District – 9 South Peninsula  
Term Expires 2025

**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 Planning Commission public hearings is as follows:

- 1) Staff will present a report and staff recommendation on the item.
- 2) The Chair will ask for petitioner's/applicant's presentation to be 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 Commission may follow up with questions. A person may only testify once on an issue unless questioned by the Planning Commission.
- 5) Rebuttal by the Petitioner(s) / Applicant(s) is allowed to rebut evidence or provide clarification but should not present new testimony or evidence.
- 6) The Chair closes the hearing and no further public comment will be heard.
- 7) 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/Reappointment of Commissioners
  - a. Diane Fikes, City of Kenai
  - b. Franco Venuti, City of Homer
  - c. Michael Horton, District 4 – Soldotna
  - d. Virginia Morgan, District 6 – East Peninsula
  - e. Dawson Slaughter, District 9 – South Peninsula

### B. ROLL CALL

1. Election of Officers
  - a. Chair
  - b. Vice Chair
  - c. Parliamentarian

### **C. APPROVAL OF AGENDA AND CONSENT AGENDA**

(Action items listed with an asterisk (\*) are considered to be routine and non-controversial by the Assembly and will be approved by one motion. Public testimony will be taken. There will be no separate discussion of these items unless an Assembly Member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.)

- \*1. Time Extension Request - None**
- \*2. Planning Commission Resolutions - None**
- \*3. Plats Granted Administrative Approval**
  - a. J Booth Recreational Subd 2019 Blauvelt Addition; KPB File 2021-069
  - b. Sterling Heights Subdivision 2022 Addition; KPB File 2022-037
  - c. Toyon Subdivision 2021 Replat; KPB File 2022-011
- \*4. Plats Granted Final Approval**
  - a. Kees Tern Subdivision Phase 2; KPB File 2022-051
  - b. Tower Hills Park Subdivision 2022 Replat; KPB File 2022-067
- \*5. Plat Amendment Request – None**
- \*6. Commissioner Excused Absences**
  - a. City of Seldovia, Vacant
  - b. District 7 – Central, Vacant
- \*7. Minutes**
  - a. July 18, 2022 Planning Commission Meeting

[Motion to approve the consent & regular agendas passed by unanimous vote](#)

### **D. UNFINISHED BUSINESS - None**

### **E. NEW BUSINESS**

#### **Public Hearing: Legislative Matters**

- 1. Ordinance 2022-31: Authorizing the release of a commercial deed restriction on a parcel of land located in Cooper Landing originally conveyed by the Kenai Peninsula Borough.

[Motion to forward to the Assembly a recommendation to adopt Ordinance 2022-31, passed by unanimous vote.](#)

2. Ordinance 2022-19-08: Authorizing the acquisition of real property located in Anchor Point, Alaska on behalf of Western Emergency Services for future expansion of emergency service facilities with funding through an interfund loan from the Land Trust Investment Fund. Appropriating loan proceeds for the property acquisition, and appropriating Western Emergency Service Area operating funds for the annual loan payment to the Land Trust Investment Fund.

**Motion to forward to the Assembly a recommendation to adopt Ordinance 2022-19-08, passed by unanimous vote.**

3. Street Naming Resolution 2022-02; Moose Pass Area  
Unnamed public rights-of-way within SEC 36, T05N, R01W; S.M. withing Emergency Service Number (ESN) 601 to the following:
  - A. Expedition Avenue
  - B. Destination Avenue
  - C. Navigation Avenue
  - D. Trek Avenue
  - E. Backpacker Avenue

**AND**

Unnamed public rights-of-way within SEC 1, T04N, R01W; S.M. within Emergency Service Number (ESN) 601 to

- F. Meridian Avenue.
- G. Hikers Avenue
- H. Basecamp Avenue

**Motion to adopt Street Naming Resolution 2022-02, passed by unanimous vote.**

4. Conditional Use Permit; PC Resolution 2022-36  
Petitioner: Chugach Electric Association  
Request: Install rip rap on a parcel within the 50' Habitat Protection District of Quartz Creek  
Location: T05N R02W SEC 16, S.M., SW 2019007 AK State Land Survey No. 2014-26 Cooper Landing Area

**Motion to adopt PC Resolution 2022-36 passed by unanimous vote.**

5. Conditional Use Permit; PC Resolution 2022-35  
Petitioner: Paul LaFond  
Request: Install a fence within the 50' Habitat Protection District of the Kenai River  
Location: Lot 24, Block 2, Key Stone Estates Sub Part 2, Plat KN 0760050 Soldotna Area

**Motion to adopt PC Resolution 2022-35, passed by unanimous vote**

6. Building Setback Permit; KPB File 2022-098; PC Resolution 2022-37  
Lot 1A, Block 1, Clearwater Subdivision Harpring Replat; Plat KN 2005-126  
No Surveyor / Harpring  
Funny River Area

**MOTION: Move to adopt PC Resolution 2022-37, passed by unanimous vote.**

7. Building Setback Permit; KPB File 2022-099; PC Resolution 2022-33  
Lot 11-B, Block 3, Fernwood Subdivision Unit 3; Plat HM 77-17  
Orion Surveys / Jackman  
Fritz Creek Area

**MOTION: Move to adopt PC Resolution 2022-33, passed by majority vote (10-Yes, 2-No).**

8. Building Setback Permit; KPB File 2022-100; PC Resolution 2022-39  
Lot 1, Block 2, Centennial Shores Subdivision Number One; Plat KN 85-157  
Edge Survey & Design / Ranquette  
Nikiski Area

**Motion to adopt PC Resolution 2022-39, failed by majority vote (11-No, 1-Yes).**

9. Utility Easement Vacation; KPB File 2022-101V; PC Resolution 2022-40  
Lot 1, Block 2, Centennial Shores Subdivision Number One; Plat KN 85-157  
Edge Survey & Design / Ranquette  
Nikiski Area

**Motion to approve the vacation as petitioned, failed by majority vote (10-No, 2-Yes).**

10. Right-of-Way Vacation; KPB File 2022-095V  
Realignment of Mushroom Street a 60' ROW  
Seabright Surveying / Gamble & Sealevel Inc.  
Fritz Creek Area

**MOTION: Move approve the vacation as petitioned, passed by unanimous vote.**

11. Utility Easement Vacation; KPB File 2022-104V  
Lot 1, Block 2, Moose Range Meadows Sub Phase II Amended; Plat KN 87-100  
Lot B-5, Moose Range Meadows Sub Phase II RV; Plat KN 96-3  
McLane Consulting Group / Frawner  
Sterling Area

**MOTION: Move approve the vacation as petitioned, passed by unanimous vote.**

12. Review of Plat Committee Decision  
Scenic Ridge Lee Addition; KPB File 2022-075  
McLane Consulting Group / Bureau of Indian Affairs & Lee  
Location: Ken Street & Margaret Drive  
Nikiski Area

**Motion to uphold the June 27, 2022 Plat Committee decision regarding Scenic Ridge Lee Addition, passed by unanimous vote.**

13. Review of Plat Committee Decision  
East Oyster Cove Subdivision; KPB File 2022-047R1  
Fixed Height LLC / Alaska Mental Health Trust Authority  
Location: Oyster Cove REM SW  
Remote Area

**Motion to uphold the June 13, 2022 Plat Committee decision regarding East Oyster Cove Subdivision passed by majority vote (6-Yes 5-No, 1-Abstain).**

**F. PLAT COMMITTEE REPORT**

**G. OTHER (*No Public Hearing*)**

1. Plat Committee (August – December)

**H. PRESENTATIONS / PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**

**I. DIRECTOR'S COMMENT**

**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, August 22, 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 rights-of-way, 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.