



Planning Commission Agenda

ACTION

September 26, 2022 – 7:30 PM

Regular Meeting

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

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

Blair Martin, Vice Chair
District 2 - Kenai
Term Expires 2024

Parliamentarian
Virginia Morgan
District 6 – East Peninsula
Term Expires 2025

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

Vacant
District 7 – Central Peninsula
Term Expires 2024

David 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 on the item.
- 2) The Chair will ask for the 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 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. Alaskan Wildwood East; KPB File 2021-126
 - b. Alaskan Wildwood West Subdivision; KPB File 2021-127
 - c. Moose Range Meadows Penny's Place; KPB File 2021-167
- *4. Plats Granted Final Approval
 - a. Denise Lake Estates 2022 Replat; KPB File 2022-103
 - b. Kristine Subdivision Jahrig Addition; KPB File 2022-090
- *5. Plat Amendment Request – None
- *6. Commissioner Excused Absences
 - a. David Stutzer, District 8 – Homer
 - b. Franco Venuti, City of Homer
 - c. City of Seldovia, Vacant
 - d. District 7 – Central, Vacant
- *7. Minutes
 - a. September 12, 2022 Planning Commission Meeting

Motion to approve the consent agenda, removing agenda item #5 from under New Business & the regular agenda as amended, passed by unanimous vote (10-Yes, 0-No, 2-Absent)

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

- 1. Utility Easement Vacation – KPB File 2022-133V; PC Resolution 2022-43
Seabright Surveying / Liberty Investments, LLC
Request: Vacate a 112.2' by 3' portion of a utility easement granted on Scenic View Subdivision Scenic Grove Addn. No. 1 2013 Replat HM 2013-43
City of Homer

Motion to approve the vacation as petitioned passed by unanimous vote (9-Yes, 1-Recused, 0-No, 2-Absent)

2. Right-of-Way Vacation – KPB 2022-130V
Peninsula Surveying, LLC / Wilkinson, Leonard & Johnson
Request: Vacation of Cul-de-sac Bulb of Ivy Avenue
Ninilchik Area

Motion to approve the vacation as petitioned passed by unanimous vote (10-Yes, 0-No, 2-Absent)

Motion to remove staff recommendation for a 30' x 30' dedication to remain passed by unanimous vote (10-Yes, 0-No, 2-Absent)

3. Conditional Land Use Permit For Materials Processing
PC Resolution 2022-44
Applicant: Tutka, LLC / Landowner: Alaska Department of Natural Resources
Location: Northeast of the Lawing Airport, Seward, AK
Parcel ID 125-324-13
Moose Pass Area

Motion to adopt PC Resolution 2022-44 passed by unanimous vote (10-Yes, 0-No, 2-Absent)

Motion to add voluntary condition to limit the hours of blasting to 9:00 AM to 5:00 PM, Monday through Friday passed by unanimous vote (10-Yes, 0-No, 2-Absent)

Motion to add voluntary condition to notifying landowners within a 1.5-mile radius of the quarry when blasting is going to occur passed by unanimous vote (10-Yes, 0-No, 2-Absent)

Public Hearing: Legislative Matters

4. Street Naming Resolution 2022-03: Renaming certain public rights-of-ways within
Emergency Services Number 202

Motion to adopt SN Resolution 2022-03 passed by unanimous vote (10-Yes, 0-No, 2-Absent)

5. Ordinance 2022-19-17: Authorizing the acquisition of real property located at 3964 Bartlett Street, Homer, Alaska on behalf of the South Peninsula Hospital Service Area, appropriating \$640,000.00 from the South Peninsula Hospital Plant Replacement & Expansion Fund for the purchase, and authorizing a third amendment to the operating agreement with SPH, Inc.

No Action Required - Removed From the Agenda

F. PLAT COMMITTEE REPORT

Plat Committee will review 8 plats.

G. OTHER (No Public Hearing)

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

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, October 10, 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.