



# Planning Commission Agenda

## ACTION

November 14, 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. Clam Gulch Heights 2021 Addition; KPB File 2021-150
  - b. Collins Tustumena Subd; KPB File 2021-116
  - c. Diamond Storage Subdivision; KPB File 2020-105
  - d. Doyle Estates Subdivision Sixth Addition; KPB File 2022-062
  - e. Konovalof Lake Subdivision 2022 Addition; KPB File 2022-010
  - f. Mimi's Ridge; KPB File 2022-032
  - g. Tutl'uh Subdivision Carmody Addition; KPB File 2022-068
- \*4. Plats Granted Final Approval**
  - a. Fort Raymond Subdivision Replat No. 1 2022 Addition; KPB File 2022-041
  - b. Iyuptulla Subdivision Lewis Replat; KPB File 2022-142
  - c. K-B Subdivision Part Thirteen; KPB File 2022-122
- \*5. Plat Amendment Request – None**
- \*6. Commissioner Excused Absences**
  - a. Jeremy Brantley – District 5, Sterling/Funny River
  - b. Diane Fikes – City of Kenai
  - c. City of Seldovia, Vacant
  - d. District 7 – Central, Vacant
- \*7. Minutes**
  - a. October 24, 2022 Planning Commission Meeting

**Motion to approve the consent & regular agendas passed by unanimous vote (10-Yes, 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. Public Access Easement Vacation; KPB File 2022-159V  
Lang & Associates, Inc. / Unrein  
Request: Vacates a 33' X 820' public access easement adjacent to Tract H of Questa Woods Subdivision Southern Addition, Plat SW 98-01  
Bear Creek Area

**Motion to approve the vacation as petitioned passed by unanimous vote (10-Yes, 2-Absent)**

2. Right-Of-Way Vacation; KPB File 2022-155V  
McLane Consulting Group / Friendshuh  
Request: Vacates a portion of Cinnamon St. in Sections 14 & 23 and a 60' X 597' portion of Big D Road running east/west in Section 13, all in T05N & R14W  
Ridgeway Area

**Motion to postpone until brought back by staff passed by unanimous vote (10-Yes, 2-Absent)**

3. Right-Of-Way Vacation; KPB File 2022-156V  
Edge Survey & Design, LLC / Ranguette  
Request: Vacate a 17' width and part of a cul-de-sac bulb for a 373' portion of Lupine Ave. & vacates associated utility easements  
Nikiski Area

**Motion to approve the vacation as petitioned passed by unanimous vote (10-Yes, 2-Absent)**

4. Conditional Use Permit; PC Resolution 2022-41  
Applicant: Alaska Railroad Corporation  
Request: To replace a bridge within the 50' Habitat Protection District of the Trail Lake, near Crown Point.

**Motion to adopt PC Resolution 2022-41 granting a conditional use permit passed by unanimous vote (10-Yes, 2-Absent)**

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

5. Street Naming Resolution 2022-04
  - a. Renaming a portion of Kayeway Road. & Kayeway Circle to *Hazy Lane*  
Kalifornsky Area (ESN 302)
  - b. Naming an unnamed section line easement to *Janey Street*  
Anchor Point Area (ESN 401)

**Motion to adopt SN Resolution 2022-04 renaming a certain public rights-of-way passed by unanimous vote (10-Yes, 2-Absent)**

6. Resolution 2022-056: Authorizing a land acquisition by donation of 3 lots of land located in the Seward area on behalf of the Seward Bear Creek Flood Service Area.

**Motion to forward to the assembly a recommendation to adopt Resolution 2022-056 passed by unanimous vote (10-Yes, 2-Absent)**

7. Ordinance 2022-XX: Amending the Kenai Peninsula Borough Hazard Mitigation Plan by deleting existing Annex B, City of Kachemak Hazard Mitigation Plan 2015, and adopting 2022 Kachemak City Local Hazard Mitigation Plan Update as the new Annex B.

**Item was pulled from the agenda – no action required.**

#### **F. PLAT COMMITTEE REPORT - Plat Committee will review 12 preliminary 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, December 12, 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

Phone: 907-714-2215 / Toll free within the Borough 1-800-478-4441, extension 2215

Fax: 907-714-2378

e-mail address: [planning@kpb.us](mailto: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 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.