



Planning Commission Agenda

ACTION

December 12, 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 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. 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.)

***3. Plats Granted Administrative Approval**

- a. Barker Subdivision #2, KPB File 2021-055
- b. Coles Corner No. 3; KPB File 2022-052
- c. Eker Estates Lujan 2022 Replat; KPB File 2022-045
- d. Kachemak Vista Subdivision; KPB File 2021-023
- e. Kachemak Wilderness Avrams Replat Phase 1; KPB File 2021-165P1
- f. Katamar Subdivision 2022; KPB File 2022-020
- g. Kenaitze Government Lots Replat; KPB File 2022-009
- h. Kustatan Estates TKC Addition; KPB File 2021-140
- i. Moose Acres; KPB File 2022-087
- j. Mott's Subdivision 2022 Addition; KPB File 2022-059
- k. Pipers Haven Unit 3 2021 Replat; KPB File 2021-115
- l. Saddle Ridge subdivision 2022 Replat; KPB File 2022-036

***6. Commissioner Excused Absences**

- a. Michael Horton, District 4 – Soldotna
- b. City of Seldovia, Vacant
- c. District 7 – Central, Vacant

***7. Minutes**

- a. November 14, 2022 Planning Commission Meeting

Motion to approve the consent & regular agendas passed by unanimous vote (11-Yes, 0-No).

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 2022-169V
Johnson Surveying / Martinez
Request: Vacate entire 10' utility easement along the west boundary of Lot 4,
Block 2, Bruhn Subdivision, Plat KN 86-143
Location: Sterling Area

Motion to approve the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.70, subject to staff recommendations and compliance with borough code, passed by unanimous vote (11-Yes, 0-No).

- 2. Right-Of-Way Vacation; KPB File 2022-172V
Johnson Surveying / Ancient Basements, LLC
Request: Vacate a 2' X 222.78' portion of an alley located between Mission Ave. &
Bayview Street as dedicated on USS 3036 HM 65-55
Location: Ninilchik Area

Motion to approve the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.70, subject to staff recommendations and compliance with borough code, passed by unanimous vote (11-Yes, 0-No).

Public Hearing: Legislative Matters

3. Ordinance 2022-43: Authorizing a subsurface oil & gas lease to Hilcorp Alaska, LLC, in the Ninilchik Unit.

Motion to forward to the assembly a recommendation to adopt Ordinance 2022-43, passed by unanimous vote (11-Yes, 0-No)

F. PLAT COMMITTEE REPORT - Plat Committee will review 8 preliminary plats

G. OTHER (No Public Hearing)

1. Plat Committee for January/February/March 2023
2. Reminder – January 9, 2023 Plat Committee & Planning Commission meetings will be held via Zoom only.

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, January 9, 2023, at 7:30 PM**. The Planning Commission meeting will not be physically open to the public. The meeting will be held via Zoom. The Planning Commissioners and staff will be attending via Zoom.

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 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.