



Planning Commission Agenda

MOTION - **ZOOM ONLY**

April 10, 2023 – 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 Taufest
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 - Kalfornsky
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.

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. ASLS No. 2021-25 Tip Levarg Subdivision; KPB File 2022-072
 - b. Brown’s Acre Estates; KPB File 2022-088R1
 - c. Centennial Shores Subdivision 2023 Replat; KPB File 2022-156
 - d. Fisherwood Place 2022 Replat; KPB File 2022-107
 - e. Heath Subdivision No. 5; KPB File 2022-153
 - f. Jaynes Subdivision 2022 Replat; KPB File 2022-040
 - g. Levan-Sterling Subdivision; KPB File 2022-125R1
 - h. McReed Subdivision 2022 Replat; KPB File 2022-097
 - i. R Subdivision; KPB File 2022-091R1
 - j. Stutes Estates; KPB File 2022-139

- *4. **Plats Granted Final Approval**
 - a. Pilot's Bend Subdivision Tom Addition Section Line Easement Vacation
KPB File 2019-056
- *5. **Plat Amendment Request – None**
- *6. **Commissioner Excused Absences**
 - a. Virginia Morgan, District 6 – East Peninsula
 - b. City of Seldovia, Vacant
 - c. District 7 – Central, Vacant
- *7. **Minutes**
 - a. March 20, 2023 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. Building Setback Encroachment Permit; KPB File 2023-025
Peninsula Surveying / Vanek
Request: Permits a portion of a house to remain 6.5' and a portion of a deck to remain 8.3' in the building setback of Lot 2A, Block 5, granted on Ninilchik Townsite Jackinsky Vanek Replat, Plat HM 97-79
Ninilchik Area

Motion to adopt Planning Commission Resolution 2023-06, granting a building setback encroachment permit passed by unanimous vote (10-Yes, 2-Absent)

- 2. Utility Easement Vacation; KPB File 2023-004V
AK Lands / City of Seward
Request: Vacates entire 10' x 393' utility easement granted on the Fourth of July Creek Subdivision Seward Marine Industrial Center Rainbow Replat, Plat SW 2015-14
City of Seward

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

- 3. Utility Easement Vacation; KPB File 2023-024V2
Ability Surveys / Jones
Request: Vacates multiple utility easements associated with Lot 13-A, Block 2, Stanley's Meadow #7, Plat HM 87-45
Fitz Creek Area / Kachemak Bay APC

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

4. Right-of-Way Vacation; KPB File 2023-024V
Ability Surveys / Jones
Request: Vacates a portion of Perkins Road and associated utility easements granted on Stanley's Meadow Vikki's Replat, Plat HM 99-30
Fritz Creek Area / Kachemak Bay APC

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

5. Right-of-Way Vacation; KPB File 2023-026V
Orion / Canyon Creek Trust
Request: Vacates entire north portion of Waterman Road dedicated on Skipper's View, Plat HM 81-32
Fritz Creek Area / Kachemak Bay APC

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

6. Conditional Land Use Permit; Materials Extraction; PC RES 2023-08
Legal Description: T03S R14W SEC4 Seward Meridian HM 2006036, Hoffman Acres
Lowell Field Phase 1, Lots 1, 2, 3, 4
Applicant: Richard Gregoire / Landowner: Jerold Vantrease
Happy Valley Area

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

Public Hearing: Legislative Matters

7. Ordinance 2023-09: Amending borough code, KPB 21.04.020, to clarify required notice to property owners within a zoning district when there is a proposal to change the district boundary

Motion to forward to the Assembly a recommendation to adopt Ordinance 2023-09 passed by unanimous vote (10-Yes, 2-Absent)

8. Ordinance 2022-46: Amending KPB 21.02.230 to modify the boundaries of the Nikiski Advisory Planning Commission.

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

F. PLAT COMMITTEE REPORT - Plat Committee will review 10 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, April 24 , 2023** 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.