



# Planning Commission Agenda

## ACTION

May 22, 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 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. Baltic Woods Lot 2 Replat; KPB File 2022-128
  - b. Christensen Tracts 2021 Addition; KPB File 2021-046
  - c. Questa Woods Subdivision Unrein Addition; KPB File 2022-159
- \*4. Plats Granted Final Approval - None
- \*5. Plat Amendment Request – None
- \*6. Commissioner Excused Absences
  - a. Dawson Slaughter, District 9 – South Peninsula
  - b. City of Seldovia, Vacant
  - c. District 7 – Central, Vacant
- \*7. Minutes
  - a. May 8, 2023 PC Meeting Minutes

**Motion to approved 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 2022-143  
No Surveyor / Tim & Kathy Crumrine Trust  
Request: Permits a house to remain in the building setback of Lot 15, Block 5,  
Lake View Terrace #2, Plat KN 87-33, by 3.5'  
Sterling Area

**Motion to grant a building setback encroachment permit passed by unanimous vote.  
(10-Yes, 2-Absent)**

2. Conditional Use Permit; PC Resolution 2023-10  
Applicant: Alaska Rail Road Corporation (ARRC)  
Location: ARRC MP 26.2, along Lower Trail Lake  
Request: Construct a culvert on the Alaska Rail Road ROW within the 50' Habitat Protection District of the Lower Trail Lake  
Moose Pass Area

**Application was withdrawn – on action taken by the Planning Commission**

3. Conditional Land Use Permit – Materials Processing; PC Resolution 2023-11  
Location: 31825 Herman Leirer Road; PIN 144-030-72  
Applicant/Landowner: Coalaska Inc. – QAP  
Seward Area

**Motion to grant a conditional land use permit passed by unanimous vote.  
(10-Yes, 2-Absent)**

4. Conditional Land Use Permit – Materials Extraction; PC Resolution 2023-08  
Legal Description: T03S, R14W, SEC04, S. M., HM 2006036, Hoffman Acres Lowell  
Field Phase 1, Lots 1, 2, 3, 4; PINs 159-360-09, 10, 11 & 12  
Applicant: Richard Gregoire / Landowner: Jerold Vantrease  
Happy Valley Area

**Motion to grant a conditional land use permit passed by unanimous vote.  
(9-Yes, 1- Recused, 2-Absent)**

Public Hearing: Legislative Matters - None

- F. PLAT COMMITTEE REPORT** - Plat Committee will review 6 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, June 12, 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.