



Planning Commission Agenda

ACTION

September 25, 2023– 7:30 PM

Regular Meeting

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

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

Pamela Gillham, Vice Chair
Kalifornsky / Kasilof District
Term Expires 2026

Virginia Morgan
Cooper Landing / Hope
Eastern Peninsula District
Term Expires 2025

Diane Fikes
City of Kenai
Term Expires 2025

Charlene Tauffest
City of Soldotna
Term Expires 2024

Franco Venuti
City of Homer
Term Expires 2025

Vacant
City of Seward
Term Expires 2026

Jeffrey Epperheimer
Nikiski District
Term Expires 2026

Dawson Slaughter
South Peninsula District
Term Expires 2025

ZOOM MEETING DETAILS

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 Commission and will be approved by one motion. Public testimony will be taken. There will be no separate discussion of these items unless a commissioner so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.)

*2. Planning Commission Resolutions

- a. PC Resolution 2023-19
Building Setback Encroachment Permit; KPB File 2023-063

*3. Plats Granted Administrative Approval

- a. Hank and Mattie Bartos Subdivision; KPB File 2022-180
- b. Kenai Meadows Addition No. 1; KPB File 2022-035
- c. Soldotna Junction Sub Creek Side Estates 2023 Addn; KPB File 2023-027

*4. Plats Granted Final Approval

- a. Binkley Subdivision Back Replat; KPB File 2023-074

*6. Commissioner Excused Absences

- a. City of Seward, Vacant

*7. Minutes

- a. September 11, 2023 PC Meeting Minutes

**Motion to approve the consent & regular agendas passed by unanimous vote.
(8-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. Building Setback Encroachment Permit; KPB File 2023-094
Petitioner/Landowner: Parker, Downs
Request: 4.7' portion of a hangar & well to remain in the 20' building setback
Location: Block 1, Lot 1 Lakewood Estates Amended Subdivision; Plat KN 2004-88
Sterling Area

Motion to adopt Planning Commission Resolution 2023-29 granting a setback encroachment permit to Block 1, Lot 1, Lakewood Estates Amended, Plat KN 0970037 passed by unanimous vote. (8-Yes, 0-No)

2. Building Setback Encroachment Permit; KPB File 2023-097
Petitioner/Landowner: Frison
Request: 40' garage to be constructed in the 20' building setback
Location: Block 1, Lot 1, Ashton Park Subdivision; Plat KN 1997-074
Kalifornsky Area

Motion to postpone until brought back by staff passed by unanimous vote (8-Yes, 0-No)

3. Conditional Use Permit; PC Resolution 2023-28
Petitioner: Wilson
Request: To construct a cabin in the 50' HPD of the Kenai River
Location: 45646 Spruce Avenue West / PIN: 05749306
Soldotna Area

Motion to adopt Planning Commission Resolution 2023-28 granting a conditional use permit pursuant to KPB 21.18 passed by unanimous vote (8-Yes, 0-No)

Public Hearing: Legislative Matters

4. Ordinance 2023-23: Amending KPB 20.30.280 and KPB 21.06 regarding floodplain management to adopt required changes to remain compliant with the National Flood Insurance program.

Move to forward to the Assembly a recommendation to adopt Ordinance 2023-23 passed by unanimous vote (8-Yes, 0-No)

F. PLAT COMMITTEE REPORT - Plat Committee review and approved 4 preliminary plats

G. OTHER (No Public Hearing)

1. Remand Hearing
Building Setback Encroachment; KPB File 2022-121
Lot 10, Lake Estates Subdivision, Plat KN 1648
Applicants: David & Nancy Whitmore
General Location: GL Hollier Street
Ridgeway Area
(First Heard At October 24, 2022 PC Meet

Motion to set the remand hearing date for October 9, 2023 and to reopen the record passed by unanimous vote (8-Yes, 0-No)

- 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 9, 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

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.