

Kenai Peninsula Borough Planning Commission

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

January 24, 2022

7:30 P.M.

UNAPPROVED MINUTES

Chair Martin request that Vice Chair Ruffner chair the meeting. Chair Martin attended via Zoom and had connection concerns.

CALL TO ORDER

Vice Chair Ruffner called the meeting to order at 7:30 p.m.

ROLL CALL

Commissioners Present

Syverine Bentz, District 9 – South Peninsula
Jeremy Brantley, District 5 – Sterling/Funny River
Pamela Gillham, District 1 – Kalifornsky
Virginia Morgan, District 6 – East Peninsula
Blair Martin, District 2 – Kenai
Robert Ruffner, District 7 - Central
Franco Venuti, City of Homer

With 7 members of an 8-member seated commission in attendance, a quorum was present.

Staff Present

Melanie Aeschliman, Planning Director
Sean Kelley, Borough Attorney
Scott Huff, Platting Manager
Marcus Mueller, Land Management Manager
Derek Haws, Addressing Officer
Samantha Lopez, KRC Manager
Eric Ogren, Code Compliance
Ann Shirnberg, Planning Administrative Assistant

AGENDA ITEM C. CONSENT & REGULAR AGENDAS

***3. Plats Granted Administrative Approval**

- a. ASLS No. 2019-34 Tract A ASLS 96-42; KPB File 2021-019
- b. Fireweed Meadows 2021 Replat; KPB File 2021-095
- c. Fourth of July Creek Subdivision Seward Marine Industrial Center Coastal Lots Replat; KPB File 2021-039
- d. James Waddell Homestead 2021 Replat; KPB File 2021-136

***4. Plats Granted Final Approval (20.10.040)**

- a. Black Gold Estates 2021 Replat Wildwood Dr. ROW Vacation: KPB File 2021-111V

***6. Commissioner Excused Absences**

- a. Diane Fikes, City of Kenai
- b. City of Soldotna, Vacant
- c. City of Seward, Vacant
- d. City of Seldovia, Vacant
- e. District 3 – Nikiski, Vacant
- f. District 4 – Soldotna, Vacant
- g. District 8 – Homer

***7. Minutes**

- a. January 10, 2022 Plat Committee Meeting Minutes
- b. January 10, 2022 Planning Commission Meeting Minutes

Vice Chair Ruffner asked if anyone wished to speak to any of the items on the consent agenda. Hearing no one wishing to comment he asked the Ms. Shirnberg read into the record the consent agenda items. Ms. Shirnberg read the items into the record. Vice Chair Ruffner then brought it back to the commission for a motion.

MOTION: Commissioner Brantley moved, seconded by Commissioner Venuti to approve the consent and regular agendas

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes	7	Absent	1	Vacant	6
Yes	Bentz, Brantley, Fikes, Gillham, Martin, Morgan, Ruffner, Venuti				
Absent	Fikes				

Vice Chair Ruffner asked Ms. Shirnberg to read the procedures for public testimony.

AGENDA ITEM E. NEW BUSINESS

1. Cabin Hopper Subdivision; KPB File 2021-160
Peninsula Surveying, LLC / Freddie's Roadhouse Inc., Pollard & Best
Location: Marquis Street, Arneson Avenue & Matson Street
Ninilchik Area

Staff report given by Scott Huff.

Vice Chair Ruffner opened the meeting for public comment. Hearing no one wishing to comment, public comment was closed and discussion was open among the commission.

MOTION: Commissioner Brantley moved, seconded by Commissioner Venuti, to grant preliminary approval to Cabin Hopper Subdivision based on staff recommendations and compliance with borough code.

AMENDMENT MOTION A: Commissioner Brantley moved, seconded by Commissioner Venuti, to grant exception request to KPB 20.30.190 – Lot Dimensions, 3:1 depth to width ratio for Tract 3A, citing findings 1, 3, 5-7 & 9 in support of standards one, two & three.

Hearing no objection or further discussion, the motion was carried by the following vote:

AMENDMENT MOTION A PASSED BY UNANIMOUS VOTE:

Yes	7	Absent	1	Vacant	6
Yes	Bentz, Brantley, Fikes, Gillham, Martin, Morgan, Ruffner, Venuti				
Absent	Fikes				

AMENDMENT MOTION B: Commissioner Brantley moved, seconded by Commissioner Venuti, to grant exception request to KPB 20.40 – Wastewater Disposal requiring a wastewater review, citing findings 5-8 in support of standards, one, two and three.

Hearing no objection or further discussion, the motion was carried by the following vote:

AMENDMENT MOTION B PASSED BY UNANIMOUS VOTE:

Yes	7	Absent	1	Vacant	6
Yes	Bentz, Brantley, Fikes, Gillham, Martin, Morgan, Ruffner, Venuti				
Absent	Fikes				

Hearing no objection or further discussion, the motion was carried by the following vote:

MAIN MOTION PASSED AS AMENDED BY UNANIMOUS VOTE:

Yes	7	Absent	1	Vacant	6
Yes	Bentz, Brantley, Fikes, Gillham, Martin, Morgan, Ruffner, Venuti				
Absent	Fikes				

2. Right-of-Way Vacation – KPB File 2021-168V

Request/Affected Property: Vacate a portion of Wanda Ave. & associated utility easements as granted per Brown's Lake Subdivision (KN 76-55 & King Rapids Subdivision KN 76-176)

Petitioner: Kim M. Hansen of Soldotna, AK

Funny River Area / Funny River APC

Staff report given by Scott Huff.

Vice Chair Ruffner opened the meeting for public comment.

Jason Young, Edge Survey & Design, LLC; P.O. Box 208 Kasilof, AK 99610: Mr. Young was the surveyor on this project and made himself available for any questions.

Hearing no one else wish to comment, Vice Chair Ruffner closed public comment and discussion was opened among the commission.

MOTION: Commissioner Brantley moved, seconded by Commissioner Morgan to approve the vacation a petitioned based on the means of evaluating public necessity established by KPB 20.65, subject to staff recommendation and compliance with borough code.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes	7	Absent	1	Vacant	6
Yes	Bentz, Brantley, Gillham, Martin, Morgan, Ruffner, Venuti				
Absent	Fikes				

3. Hansen's Salmon Run Subdivision; KPB File 2021-168

Edge Survey & Design, LLC / Hansen

Location: Salmon Run Drive, Wanda Avenue & Iceberg Street

Funny River Area / Funny River APC

Staff report given by Scott Huff.

Vice Chair Ruffner opened the meeting for public comment.

Jason Young, Edge Survey & Design, LLC; P.O. Box 208 Kasilof, AK 99610: Mr. Young was the surveyor on this project and made himself available for any questions.

Hearing no one else wish to comment, Vice Chair Ruffner closed public comment and discussion was opened among the commission.

MOTION: Commissioner Brantley moved, seconded by Commissioner Gillham to grant preliminary approval to Hansen's Salmon Run Subdivision based on staff recommendations and compliance with borough code.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes	7	Absent	1	Vacant	6
Yes	Bentz, Brantley, Gillham, Martin, Morgan, Ruffner, Venuti				
Absent	Fikes				

4. Building Setback Permit – KPB File 2021-169

Request/Affected Property: Allowing a 1.9' encroachment of a garage into the 20' building setback. Fishermen's Road Subdivision Edelman Addn. Tract G2 (KN 96-59)

Petitioner: Benjamin & Megan Cheah of Kenai, AK
Kalifornsky Area

Staff report given by Scott Huff.

Vice Chair Ruffner opened the meeting for public comment.

Megan Cheah, Landowner: P.O. Box 2162, Kenai, AK 99611: Spoke in favor of the permit and requested the commission approve the permit

Hearing no one else wish to comment, Vice Chair Ruffner closed public comment and discussion was opened among the commission.

MOTION: Commissioner Brantley moved, seconded by Commissioner Bentz to adopt PC Resolution 2022-04 granting a building setback encroachment permit to Tract G-2 Fishermen Roads Subdivision Edelman Addition (KN 96-59), citing findings 2-4, 6-8 & 13 in support of standards one, two and three.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes	7	Absent	1	Vacant	6
Yes	Bentz, Brantley, Gillham, Martin, Morgan, Ruffner, Venuti				
Absent	Fikes				

5. Street Naming/Renaming; SN Resolution 2022-01

- Unnamed Private Road – Proposed Name: Midnight Sun Drive; Nikiski Area; Petitioners: Brandie & Julie Ware
- Benjamin Avenue – Proposed Rename: Benjamin Ave. W. & Benjamin Ave. E.; Fritz Creek Area; Petitioner: Kenai Peninsula Borough

Staff report given by Derek Haws.

Vice Chair Ruffner opened the meeting for public comment.

Julie Ware, Applicant: P.O. Box 7479, Nikiski 99635: Ms. Ware spoke in favor of approving the road name Midnight Sun.

Hearing no one else wish to comment, Vice Chair Ruffner closed public comment and discussion was opened among the commission.

MOTION: Commissioner Venuti moved, seconded by Commissioner Gillham to adopt SN Resolution 2022-01 naming a certain private road within ESN 501 Midnight Sun Dr. & renaming a certain public right-of-way within ESN 202 to Benjamin Ave. W. & Benjamin Ave. E.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes	7	Absent	1	Vacant	6
Yes	Bentz, Brantley, Gillham, Martin, Morgan, Ruffner, Venuti				
Absent	Fikes				

6. Marijuana Cultivation Facility License
 Applicant/Landowner: Steve Duprey dba Rock Solid Buds
 Tax Parcel ID #: 05528239
 Location: 48235 Miracle Avenue
 Kasilof Area

Staff report given by Eric Ogren.

Vice Chair Ruffner opened the meeting for public comment.

Steve Duprey, Applicant; 48235 Miracle Avenue, Soldotna, AK 99669: Mr. Duprey spoke in favor of the application and asked the commission to recommend approval.

Hearing no one else wish to comment, Vice Chair Ruffner closed public comment and discussion was opened among the commission.

MOTION: Commissioner Brantley moved, seconded by Commissioner Bentz to forward to the Assembly a recommendation to approve a limited marijuana cultivation facility license for Steve Duprey dba Rock Solid Buds.

Hearing no objection or further discussion, the motion was carried by the following vote

MOTION PASSED BY UNANIMOUS VOTE:

Yes	7	Absent	1	Vacant	6
Yes	Bentz, Brantley, Gillham, Martin, Morgan, Ruffner, Venuti				
Absent	Fikes				

AGENDA ITEM F. **PLAT COMMITTEE REPORT** – Plat Committee did not meet.

AGENDA ITEM G. **OTHER**

Plat Committee for February 14, 2022 meeting:

- Commissioner Ruffner
- Commissioner Gillham
- Commissioner Brantley
- Commissioner Venuti

AGENDA ITEM I. **DIRECTOR'S COMMENTS**

Director Aeschliman informed the committee that the Mayor would be bringing forward to the Assembly for confirmation 3 new commissioners for the Planning Commission. She then noted that there had been no applicants for the City of Seldovia and the City of Seward seats.

AGENDA ITEM J. **COMMISSIONER COMMENTS** - None

AGENDA ITEM M. **ADJOURNMENT** – Commissioner Brantley moved to adjourn the meeting 8:32 p.m.

Ann E. Shirnberg
 Administrative Assistant