

C. CONSENT AGENDA

***7. Minutes**

a. July 18, 2022 Planning Commission Meeting

Kenai Peninsula Borough Planning Commission

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

July 18, 2022

7:30 P.M.

UNAPPROVED MINUTES

AGENDA ITEM A. **CALL TO ORDER**

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

AGENDA ITEM B. **ROLL CALL**

Commissioners Present

Syverine Abrahamson-Bentz, District 9 – South Peninsula
Jeremy Brantley, District 5 – Sterling/Funny River
Pamela Gillham, District 1 – Kalifornsky
Michael Horton, District 4 – Soldotna
Blair Martin, District 2 – Kenai
Virginia Morgan, District 6 – East Peninsula
Troy Staggs, City of Seward
David Stutzer, District 8 – Homer
Charlene Tautfest, City of Soldotna
Franco Venuti, City of Homer

With 10 members of a 12-member seated commission in attendance, a quorum was present.

Staff Present

Robert Ruffner, Planning Director
Walker Steinhage, Deputy Borough Attorney
Vince Piagentini, Platting Manager
Julie Hindman, Platting Specialist
Ryan Raidmae, Borough Planner
Morgan Aldridge, Resource Planner
Ann Shirnberg, Planning Administrative Assistant

AGENDA ITEM C. **CONSENT & REGULAR AGENDAS**

***3. Plats Granted Administrative Approval**

- a. Barbara Heights Subdivision Griffith Addition; KPB File 2021-156
- b. Barnett's South Slope Subdivision Evans Addition; KPB File 2022-015
- c. Inglebrook 2022 Replat; KPB File 2022-021
- d. Paces Pleasant Haven Subdivision Addition No 3; KPB File 2022-013
- e. Timber Hills Subdivision 2022 Replat; KPB File 2022-007
- f. Towle Subdivision 2021 Replat; KPB File 2021-153
- g. Tulchina Point Estates 2022 Replat; KPB File 2022-023

***6. Commissioner Excused Absences**

- a. John Hooper, District 3 – Nikiski
- b. Diane Fikes, City of Kenai
- c. District 7 – Central, Vacant
- d. City of Seldovia, Vacant

***7. Minutes**

- a. June 27, 2022 Planning Commission meeting minutes.

Chair Martin asked if anyone wished to speak to any of the items on the consent agenda. Hearing no one wishing to comment he asked Ms. Shirnberg to read into the record the consent agenda items.

MOTION: Commissioner Bentz 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 - 10	Bentz, Brantley, Gillham, Horton, Martin, Morgan, Staggs, Stutzer, Tautfest, Venuti
Absent – 2	Fikes, Hooper

AGENDA ITEM E. NEW BUSINESS

Chair Martin requested that Admin Assistant Ann Shirnberg read into the record the procedures for Planning Commission public hearing.

ITEM E1 – BUILDING SETBACK ENCROACHMENT PERMIT
LOT 39 STARISKI MEADOWS PLAT HM 97-65

KPB File No.	2022-079
Planning Commission Meeting:	July 18, 2022
Applicant / Owner:	John and Pamela Ehlers of Ninilchik, Alaska
Surveyor:	Jason Schollenberg / Peninsula Surveying, LLC
General Location:	St. John Road, Achernar Street, Happy Valley / Anchor Point APC
Parent Parcel No.:	159-200-72
Legal Description:	Lot 39 Stariski Meadows, Plat HM 97-62
Assessing Use:	Residential
Zoning:	Rural Unrestricted

Staff report given by Platting Specialist Julie Hindman.

Chair Martin opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Brantley moved, seconded by Commissioner Horton to adopt PC Resolution 2022-28 granting a building setback encroachment permit to a portion of the 20-foot building setback to Lot 39, Stariski Meadows, Plat HM 97-62.

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

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 10	Bentz, Brantley, Gillham, Horton, Martin, Morgan, Staggs, Stutzer, Tautfest, Venuti
Absent - 2	Fikes, Hooper

ITEM E2 - UTILITY EASEMENT ALTERATION
LOT 39 STARISKI MEADOWS PLAT HM 97-62

KPB File No.	2022-086V
Planning Commission Meeting:	July 18, 2022
Applicant / Owner:	John and Pamela Ehlers of Ninilchik, Alaska
Surveyor:	Jason Schollenberg / Peninsula Surveying, LLC
General Location:	St. John Road, Achernar Street, Happy Valley / Anchor Point APC

Staff report given by Platting Specialist Julie Hindman.

Chair Martin opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Brantley moved, seconded by Commissioner Staggs to approve the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.65, subject to 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 – 10	Bentz, Brantley, Gillham, Horton, Martin, Morgan, Staggs, Stutzer, Tautfest, Venuti
Absent – 2	Fikes, Hooper

**ITEM E3 – BUILDING SETBACK ENCROACHMENT PERMIT
LOT 1B BLOCK 4 SOLDOTNA SOUTH SUBDIVISION OPHEIM REPLAT**

KPB File No.	2022-084
Planning Commission Meeting:	July 18, 2022
Applicant / Owner:	Chris, Timothy, Megaera, Kathleen Opheim of Kasilof, Alaska
Surveyor:	John Segesser / Segesser Surveys
General Location:	Cardwell Road, Koshney Lane, Kalifornsky / Kalifornsky APC

Parent Parcel No.:	133-381-56
Legal Description:	Lot 1B Block 4, Soldotna South Subdivision Opheim Replat, Plat KN 2004-1
Assessing Use:	Residential
Zoning:	Rural Unrestricted

Staff report given by Platting Specialist Julie Hindman.

Chair Martin opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Gillham moved, seconded by Commissioner Bentz to adopt PC Resolution 2022-30 granting a building setback encroachment permit to a portion of the 20-foot building setback to Lot 1B, Block 4, Soldotna South Subdivision Opheim Replat, Plat KN 85-162.

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

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 10	Bentz, Brantley, Gillham, Horton, Martin, Morgan, Staggs, Stutzer, Tautfest, Venuti
Absent - 2	Fikes, Hooper

**ITEM E4 - DRAINAGE EASEMENT ALTERATION
LOT 58 OF LILLIAN WALLI ESTATE, PLAT HM 88-16**

KPB File No.	2022-078V
Planning Commission Meeting:	July 18, 2022
Applicant / Owner:	Maxim Matveev / Peninsula Builders, LLC of Homer, Alaska
General Location:	Shelly Avenue, City of Homer

Staff report given by Platting Specialist Julie Hindman.

Chair Martin opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the committee.

Commissioner Venuti requested to abstain from voting on this item, as he had voted on this item in his role

as a planning commissioner for the City of Homer.

MOTION: Commissioner Horton moved, seconded by Commissioner Gillham to approve the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.65, subject to 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 - 9	Bentz, Brantley, Gillham, Horton, Martin, Morgan, Staggs, Stutzer, Tautfest
Abstain	Venuti
Absent – 2	Fikes, Hooper

**ITEM E5 - RIGHT OF WAY VACATION
PORTIONS OF SEISMOGRAPH TRAIL AND ASSOCIATED UTILITY EASEMENTS
WITHIN LOT 110 OF PLAT HM 84-115**

KPB File No.	2022-091V
Planning Commission Meeting:	July 18, 2022
Applicant / Owner:	Brian and Jessica Ranguette of Nikiski, Alaska
Surveyor:	Jason Young, Mark Aimonetti / Edge Survey and Design, LLC
General Location:	Gravel Pit Trail, Throop Avenue, Reid Street, Steik Avenue, Reno Street, Ninilchik Area
Legal Description:	Seismograph Trails within Lot 110 of Right of Way Map (also known as the Ninilchik Right of Way Map), HM 84-115

Staff report given by Platting Specialist Julie Hindman.

Chair Martin opened the item for public comment.

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

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Brantley moved, seconded by Commissioner Bentz to approve the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.65, subject to 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 - 10	Bentz, Brantley, Gillham, Horton, Martin, Morgan, Staggs, Stutzer, Tautfest, Venuti
Absent – 2	Fikes, Hooper

**ITEM E6 – CONDITIONAL USE PERMIT
GRANTING A CONDITION USE PERMIT FOR THE CONSTRUCTION OF HIGHWAY
REHABILITATION ACTIVITIES WITHIN THE 50-FOOT HABITAT PROTECTION DISTRICT**

KPB File No.	2022-27
Planning Commission Meeting:	July 18, 2022
Applicant	Alaska Department of Transportation and Public Facilities
Mailing Address	PO Box 196900 Anchorage, AK 99519

Location	Between MP 157 and 169 of the Sterling Highway; Anchor Point
Waterways	Two Moose Creek, Beaver Creek, Ruby Creek, Anchor River and North Fork Anchor River

Staff report given by Resource Planner Morgan Aldridge.

Chair Martin opened the item for public comment.

Rich Pribyl, DOWL Engineering; 4041 B Street, Anchorage, AK 99503: Mr. Pribyl is the engineer on this project and made himself available for questions.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Venuti moved, seconded by Commissioner Staggs to adopt PC Resolution 2022-27 granting a conditional use permit for the construction of highway rehabilitation activities within the 50-foot Habitat Protection District of Two Moose Creek, Beaver Creek, Ruby Creek, Anchor River & the North Fork Anchor River.

Commissioner Bentz asked if this project was going to use certified weed-free gravel. Mr. Pribyl replied using certified weed-free gravel was not a condition for this permit but if required they would have no issues with using certified weed-free gravel. Ms. Aldridge replied that using certified weed-free gravel is not something that the borough normally requires on their permits. This type of condition would normally fall under the permit the applicant will need to get from DNR.

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

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 10	Bentz, Brantley, Gillham, Horton, Martin, Morgan, Staggs, Stutzer, Tautfest, Venuti
Absent – 2	Fikes, Hooper

ITEM E7 – ORDINANCE 2022-30

AN ORDINANCE APPROVING STEPHENKIE ALASKA SUB BLOCK 8 RESIDENTIAL WATERFRONT (R-W) LOCAL OPTION ZONING DISTRICT & AMENDING KPB 21.46.110

Staff report given by Borough Planner Ryan Raidmae.

Chair Martin opened the item for public comment. Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Gillham moved, seconded by Commissioner Bentz to forward to the Assembly a recommendation to adopt Ordinance 2022-30, approving Stephenkie Alaska Sub, Block 8, Residential Waterfront Local Option Zoning District and amending KPB 21.46.110.

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

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 10	Bentz, Brantley, Gillham, Horton, Martin, Morgan, Staggs, Stutzer, Tautfest, Venuti
Absent - 2	Fikes, Hooper

AGENDA ITEM F. PLAT COMMITTEE REPORT

Commissioner Brantley reported the plat committee reviewed 13 plats, granted preliminary approval to 11 plats and postponement to 2.

AGENDA ITEM G.

1. Plat Committee – August 8, 2022

- Brantley
- Venuti
- Gillham
- Staggs

AGENDA ITEM H. PUBLIC COMMENT/PRESENTATIONS

Chair Martin asked if there was anyone from the public who would like to comment on anything not appearing on the agenda. No one wished to comment.

AGENDA ITEM I. DIRECTOR'S COMMENTS**AGENDA ITEM J. COMMISSIONER COMMENTS****AGENDA ITEM K. ADJOURNMENT**

Commissioner Bentz moved to adjourn the meeting at 8:25 PM.

Ann E. Shirnberg
Administrative Assistant