

# Kenai Peninsula Borough Planning Commission

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

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December 12, 2022  
7:30 P.M.  
APPROVED MINUTES

**AGENDA ITEM A.      CALL TO ORDER**

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

**AGENDA ITEM B.      ROLL CALL**

*Commissioners Present*

Pamela Gillham, District 1 – Kalifornsky  
Blair Martin – District 2, Kenai  
John Hooper, District 3 – Nikiski  
Jeremy Brantley, District 5 – Sterling/Funny River  
Virginia Morgan, District 6 – East Peninsula  
David Stutzer, District 8 - Homer  
Dawson Slaughter, District 9 – South Peninsula  
Diane Fikes, City of Kenai  
Troy Staggs, City of Seward  
Charlene Tautfest, City of Soldotna  
Franco Venuti, City of Homer

With 11 members of a 12-member seated commission in attendance, a quorum was present.

*Staff Present*

Robert Ruffner, Planning Director  
Walker Steinhage, Deputy Borough Attorney  
Marcus Mueller, Land Management Officer  
Julie Hindman, Platting Specialist  
Ann Shirnberg, Planning Administrative Assistant

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

**\*3.      Plats Granted Administrative Approval**

- a. Barker Subdivision #2, KPB File 2021-055
- b. Coles Corner No. 3; KPB File 2022-052
- c. Eker Estates Lujan 2022 Replat; KPB File 2022-045
- d. Kachemak Vista Subdivision; KPB File 2021-023
- e. Kachemak Wilderness Avrams Replat Phase 1; KPB File 2021-165P1
- f. Katamar Subdivision 2022; KPB File 2022-020
- g. Kenaitze Government Lots Replat; KPB File 2022-009
- h. Kustatan Estates TKC Addition; KPB File 2021-140
- i. Moose Acres; KPB File 2022-087
- j. Mott's Subdivision 2022 Addition; KPB File 2022-059
- k. Pipers Haven Unit 3 2021 Replat; KPB File 2021-115
- l. Saddle Ridge subdivision 2022 Replat; KPB File 2022-036

- \*6. Commissioner Excused Absences**
  - a. Michael Horton, District 4 – Soldotna
  - b. City of Seldovia, Vacant
  - c. District 7 – Central, Vacant

**\*7. Minutes**

- a. November 14, 2022 Planning Commission meeting minutes.

Chair Brantley asked Ms. Shirnberg to read the consent agenda items into the record.

Chair Brantley asked if anyone wished to speak to any of the items on the consent agenda.

Seeing and hearing no one wishing to comment Chair Brantley brought it back to the commission for a motion.

**MOTION:** Commissioner Slaughter moved, seconded by Commissioner Staggs to approve the regular and consent agendas.

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

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 11	Brantley, Gillham, Fikes, Hooper, Martin, Morgan, Slaughter, Staggs, Stutzer, Tautfest, Venuti
Absent - 1	Horton

**AGENDA ITEM E. NEW BUSINESS**

Chair Brantley asked Ms. Shirnberg to read into the record the procedures for public hearings.

**ITEM E1 – UTILITY EASEMENT ALTERATION  
BRUHN SUBDIVISION LOT 4 BLOCK 2**

<b>KPB File No.</b>	2022-169V
<b>Planning Commission Meeting:</b>	December 14, 2022
<b>Applicant / Owner:</b>	Tanley Martinez of Sterling, AK
<b>General Location:</b>	Bruhn Road, Sterling

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley opened the item for public comment.

Sharon Brown; 211 W. 123<sup>rd</sup> Avenue, Anchorage, AK 99515: Ms. Brown is a neighboring landowner and wanted to make sure the utility easement vacation would not affect her lot. Platting Specialist Julie Hindman informed Ms. Brown that her lot would not be negatively affected by the proposed vacation.

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

**MOTION:** Commissioner Gillham moved, seconded by Commissioner Slaughter to adopt PC Resolution 2022-48, approving the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.70, 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 - 11	Brantley, Fikes, Gillham, Hooper, Martin, Morgan, Slaughter, Staggs, Stutzer, Tautfest, Venuti
No - 1	Horton

**ITEM E2 - RIGHT OF WAY VACATION  
VACATE A 2 FOOT WIDTH OF A 15-FOOT-WIDE ALLEY**

<b>KPB File No.</b>	2022-172V
<b>Planning Commission Meeting:</b>	December 12, 2022
<b>Applicant / Owner:</b>	Ancient Basements, LLC of Kasilof, Alaska
<b>Surveyor:</b>	Jerry Johnson / Johnson Surveying
<b>General Location:</b>	Mission Avenue, Bayview Street, Ninilchik
<b>Legal Description:</b>	Alley adjacent to Lots 10 and 11, Block 4, Ninilchik Townsite, USS 3036, Plat HM 65-55

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley opened the item for public comment.

Joan Jackinsky; P.O. Box 1025, Kasilof, AK 99610: Ms. Jackinsky is the petitioner and made herself available for questions.

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

**MOTION:** Commissioner Slaughter moved, seconded by Commissioner Staggs to approve the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.70, subject to staff recommendations and compliance with borough code.

Chair Brantley noted normally the commission is reluctant to approve a vacation of a right-of-way that leads to a waterway. The petitioners would have to present a compelling case for them to do so. In this case, he believes the petitioners have presented a compelling case in support of their request. He also noted they are not vacating the entire alley, there is still a 13-foot section of the alley remaining that can be used to access the waterway. He then stated that he would be supporting this request.

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

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 11	Brantley, Fikes, Gillham, Hooper, Martin, Morgan, Slaughter, Staggs, Stutzer, Taufest, Venuti
Absent - 1	Horton

**ITEM E3 – ORDINANCE 2022-43  
AUTHORIZING A SUBSURFACE OIL & GAS LEASE TO HILCORP ALASKA, LLC,  
IN THE NINILCHIK UNIT.**

Staff report given by Land Management Officer Marcus Mueller.

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

**MOTION:** Commissioner Slaughter moved, seconded by Commissioner Staggs to forward to the Assembly a recommendation to adopt Ordinance 2022-43 authorizing a subsurface oil & gas lease to Hilcorp Alaska, LLC, in the Ninilchik Unit.

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

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 11	Brantley, Fikes, Gillham, Hooper, Martin, Morgan, Slaughter, Staggs, Stutzer, Taufest, Venuti
Absent - 1	Horton

**AGENDA ITEM F. PLAT COMMITTEE REPORT**

Commissioner Gillham reported the plat committee reviewed & granted preliminary approval to eight plats

**AGENDA ITEM G.      OTHER**

Plat Committee member for January/February/March of 2023 are:

- Gillham
- Stutzer
- Staggs
- Venuti
- Slaughter (Alternate)
- Brantley (Alternate)

**AGENDA ITEM H.      PUBLIC COMMENT/PRESENTATIONS**

Chair Brantley 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 J.      COMMISSIONER COMMENTS**


Commissioner Slaughter noted that he will be traveling and will miss the January 9 & 23 and the February 13, 2023 Planning Commission meetings.

Commissioner Morgan noted that she will not be able to attend the January 9, 2022 Planning Commissioner meeting.

Chair Brantley reminded the commission that the next planning commission meeting, January 9, 2023, will be help via Zoom.

**AGENDA ITEM K.      ADJOURNMENT**

Commissioner Slaughter moved to adjourn the meeting at 8:11 PM.



Ann E. Shirnberg  
Administrative Assistant