

# 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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July 18, 2022  
7:30 P.M.  
APPROVED 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**

<b>KPB File No.</b>	2022-079
<b>Planning Commission Meeting:</b>	July 18, 2022
<b>Applicant / Owner:</b>	John and Pamela Ehlers of Ninilchik, Alaska
<b>Surveyor:</b>	Jason Schollenberg / Peninsula Surveying, LLC
<b>General Location:</b>	St. John Road, Achernar Street, Happy Valley / Anchor Point APC

<b>Parent Parcel No.:</b>	159-200-72
<b>Legal Description:</b>	Lot 39 Stariski Meadows, Plat HM 97-62
<b>Assessing Use:</b>	Residential
<b>Zoning:</b>	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**

<b>KPB File No.</b>	2022-086V
<b>Planning Commission Meeting:</b>	July 18, 2022
<b>Applicant / Owner:</b>	John and Pamela Ehlers of Ninilchik, Alaska
<b>Surveyor:</b>	Jason Schollenberg / Peninsula Surveying, LLC
<b>General Location:</b>	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**

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

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

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

<b>KPB File No.</b>	2022-091V
<b>Planning Commission Meeting:</b>	July 18, 2022
<b>Applicant / Owner:</b>	Brian and Jessica Ranguette of Nikiski, Alaska
<b>Surveyor:</b>	Jason Young, Mark Aimonetti / Edge Survey and Design, LLC
<b>General Location:</b>	Gravel Pit Trail, Throop Avenue, Reid Street, Steik Avenue, Reno Street, Ninilchik Area
<b>Legal Description:</b>	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**

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

<b>Location</b>	Between MP 157 and 169 of the Sterling Highway; Anchor Point
<b>Waterways</b>	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

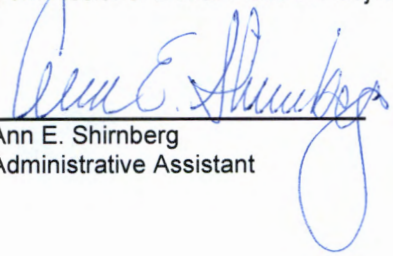
- Brantley
- Venuti
- Gillham
- Staggs

**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