



**Kenai Planning & Zoning Commission -  
Regular Meeting**

**January 24, 2024 – 7:00 PM**

**Kenai City Council Chambers**

**210 Fidalgo Avenue, Kenai, Alaska**

[www.kenai.city](http://www.kenai.city)

**\*\*Telephonic/Virtual Info on Page 2\*\***

**Agenda**

**A. CALL TO ORDER**

1. Pledge of Allegiance
2. Roll Call
3. **Election of Chair and Vice Chair**
4. Approval of the Agenda and Consent Agenda (*Public comments on Consent Agenda Items limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)

\*All items listed with an asterisk (\*) are considered to be routine and non-controversial by the Commission and will be approved by one motion. There will be no separate discussion of these items unless a Commission Member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda as part of the General Orders.

**B. APPROVAL OF MINUTES**

1. \*Regular Meeting of December 27, 2023

**C. SCHEDULED PUBLIC COMMENT (*Public comment limited to ten (10) minutes per speaker*)**

**D. UNSCHEDULED PUBLIC COMMENT (*Public comment limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)**

**E. CONSIDERATION OF PLATS**

1. **Resolution PZ2024-01** – Recommending Approval for Preliminary Plat – 5 D Subdivision for a Replat of Government Lot 170 in the General Commercial (CG) Zoning District.
2. **Resolution PZ2024-02** – Recommending Approval for Preliminary Plat – Cinderella Subdivision Glover Replat for a Parcel Merger of Lot 1A, Enchanted Forest 2011 Replat and Lot 6, Cinderella Subdivision in the Rural Residential 1 (RR-1) Zoning District.

**F. PUBLIC HEARINGS**

**G. UNFINISHED BUSINESS**

**H. NEW BUSINESS**

**I. REPORTS**

1. City Council
2. Kenai Peninsula Borough Planning
3. City Administration

**J. ADDITIONAL PUBLIC COMMENT (Public comment limited to five (5) minutes per speaker)**

**K. NEXT MEETING ATTENDANCE NOTIFICATION**

1. Next Meeting: February 14, 2024

**L. COMMISSION COMMENTS AND QUESTIONS**

**M. PENDING ITEMS**

**N. ADJOURNMENT**

**O. INFORMATIONAL ITEMS**

*The agenda and supporting documents are posted on the City's website at [www.kenai.city](http://www.kenai.city). Copies of resolutions and ordinances are available at the City Clerk's Office or outside the Council Chamber prior to the meeting. For additional information, please contact the City Clerk's Office at 907-283-8231.*

**Join Zoom Meeting**

<https://us02web.zoom.us/j/87265834944>

**OR Call:** (253) 215-8782 or (301) 715-8592

**Meeting ID:** 872 6583 4944 **Passcode:** 672342 **Meeting ID:** 872 6583 4944 **Passcode:** 672342

**KENAI PLANNING & ZONING COMMISSION  
REGULAR MEETING  
DECEMBER 27, 2023 – 7:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
CHAIR JEFF TWAIT, PRESIDING**

**MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Kenai Planning & Zoning Commission was held on December 27, 2023, in City Hall Council Chambers, Kenai, AK. Chair Twait called the meeting to order at approximately 7:00 p.m.

**1. Pledge of Allegiance**

Chair Twait led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Jeff Twait, Chair  
Gwen Woodard  
Diane Fikes

Joe Halstead, Vice Chair  
Jim Glendening  
John Coston (*electronic participation*)

A quorum was present.

Absent:

Gary Greenberg

Also in attendance were:

Linda Mitchell, Planning Director  
Meghan Thibodeau, Deputy City Clerk

**3. Approval of Agenda and Consent Agenda**

**MOTION:**

Vice Chair Halstead **MOVED** to approve the agenda and consent agenda with the removal of item H.1 Requesting an Excused Absence for the December 27, 2023 Regular Meeting for Commissioner Fikes, as she was present. Commissioner Woodard **SECONDED** the motion.

The items on the Consent Agenda were read into the record.

Chair Twait opened the floor for public comment on consent agenda items; there being no one wishing to be heard, the public comment period was closed.

**UNANIMOUS CONSENT** was requested.  
There being no objection; **SO ORDERED**.

\*All items listed with an asterisk (\*) are considered to be routine and non-controversial by the Commission and will be approved by one motion. There will be no separate discussion of these items unless a Commission Member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda as part of the General Orders.

**B. APPROVAL OF MINUTES**

1. \*Regular Meeting of November 29, 2023

Approved by the consent agenda.

**C. SCHEDULED PUBLIC COMMENTS** - None.

**D. UNSCHEDULED PUBLIC COMMENTS** - None.

**E. CONSIDERATION OF PLATS**

1. **Resolution PZ2023-22** – Recommending Approval for Preliminary Plat – Sprucewood Glen Subdivision No. 11 for a Replat of Lot 2A and Tract F, Sprucewood Glen Subdivision No. 10, and Tract F-1B, Sprucewood Glen Subdivision No. 3 in the General Commercial (CG) Zoning District.

**MOTION:**

Vice Chair Halstead **MOVED** to approve Resolution PZ2023-22. Commissioner Woodard **SECONDED** the motion.

Planning Director Mitchell presented her staff report with information provided in the packet, and explained that the applicant requested to merge three lots and then subdivide into two lots. Zoning and uses of lots were reviewed; staff recommended approval subject to the following condition:

1. Correct the note reference for (R3) to “Sprucewood Glen Subdivision No. 2, Plat 84-305”.

Chair Twait opened for public testimony.

Jason Young, the surveyor working on the project, introduced himself and noted he was available for questions.

There being no one wishing to be heard, the public comment period was closed.

Discussion ensued.

**VOTE:**

YEA: Fikes, Coston, Woodard, Glendening, Halstead, Twait

NAY: None

ABSENT: Greenberg

**MOTION PASSED WITHOUT OBJECTION.**

**F. PUBLIC HEARINGS**

1. **Resolution PZ2023-25** – Recommending Approval for a Variance Permit to Allow an Off-Premise Sign on a Property Located at 11631 Kenai Spur Highway in the Central Mixed Use (CMU) Zoning District.

**MOTION:**

Vice Chair Halstead **MOVED** to approve Resolution PZ2023-25. Commissioner Woodard **SECONDED** the motion.

Director Mitchell presented her staff report with information in the packet, explaining that the applicant requested a variance permit for an off-premise sign. Clarification was provided that the applicants are owners of the property south of the sign, and the location of the site has created visibility limitations for the tenant business operating on this property that this sign would help to alleviate. The criteria for variance permits were reviewed, and approval of the variance was recommended with the following conditions:

1. Applicant(s) must comply with all federal, State of Alaska, and local regulations.

2. The off-premise sign must be located a minimum 20-foot setback from the northeast corner and 10-foot setback from the street frontage along Kenai Spur Highway.
3. Prior to the installation of an off-premise sign on City-owned property, the applicant(s) must obtain approval from the City of Kenai City Council.
4. Applicant(s) must obtain a sign permit issued by the Building Official.

Chair Twait opened for public hearing.

Applicant Jason Yeoman read a letter from his tenants, the owners of Odyssey Family Practice, in support of the resolution.

There being no one wishing to be heard, the public hearing period was closed.

There was discussion regarding how road locations had changed since the structure on this property was built in the 1960s; that this sign would make the business more visible and appealing to the public; that the medical family practice is currently the only tenant on the property; whether additional sign accommodations should be considered in case they property takes on additional tenants in the future; that the surrounding area is not residential so the sign lighting should not be a concern; and that a sign has already been ordered.

**VOTE:**

YEA: Halstead, Woodard, Glendening, Twait, Fikes

NAY: None

ABSENT: Greenberg

**MOTION PASSED WITHOUT OBJECTION.**

*[Clerk's note: Commissioner Coston abstained from discussion and voting on Resolution PZ2023-25 pursuant to KMC 14.05.025(e)]*

Chair Twait noted the 15-day appeal period.

Planning Director Mitchell noted that the applicant still required a special use permit approved by the City Council.

**G. UNFINISHED BUSINESS – None.**

**H. NEW BUSINESS**

1. **\*Action/Approval** – Requesting an Excused Absence for the December 27, 2023 Regular Meeting – Fikes

Removed from the agenda and consent agenda.

**I. REPORTS**

1. City Council – No report.
2. Kenai Peninsula Borough Planning – Commissioner Fikes reported on the actions of the December 11, 2023 Kenai Peninsula Borough Planning Commission Meeting.
3. City Administration – Planning Director Mitchell reported on the following:
  - Thanked the Commission for attending the previous work session on the Comprehensive Plan and Historic Preservation Plan. Will provide a summary to comply with requirements for historic preservation grant funding.
  - The Kenai Peninsula Borough flood map update appeal period ends January 29<sup>th</sup>.

- A resolution to add a half-time Planning & Zoning staff member will go before Council on January 3<sup>rd</sup>.
- Adding new code enforcement software that will streamline letters and other documents; moving toward developing standard operating procedures for code enforcement.
- Commission review will be taking place in January, presented by the City Clerk.
- Working with the Kenai Peninsula Borough on the Safe Streets and Roads for All grant.
- Last meeting for Commissioners Glendening and Greenberg.

J. **ADDITIONAL PUBLIC COMMENT** – None.

K. **NEXT MEETING ATTENDANCE NOTIFICATION**

1. Next Meeting: January 10, 2024

L. **COMMISSION COMMENTS AND QUESTIONS**

Commissioner Woodard thanked the City for their snow removal services on Christmas Eve.

Vice Chair Halstead thanked staff for the work session and dinner.

Commissioner Coston noted that he looked forward to working on the Comprehensive Plan and Historic Preservation Plan.

Commissioner Glendening expressed appreciation for his time on the Commission.

M. **PENDING ITEMS** – None.

N. **ADJOURNMENT**

O. **INFORMATIONAL ITEMS** – None.

There being no further business before the Commission, the meeting was adjourned at 7:49 p.m.

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of December 27, 2023.

---

Meghan Thibodeau  
Deputy City Clerk



**CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. PZ2024-01**

A RESOLUTION **RECOMMENDING** THAT PRELIMINARY PLAT FOR 5 D SUBDIVISION ATTACHED HERETO BE APPROVED.

PROPERTY ADDRESS: 103 Birch Street

LEGAL DESCRIPTION: Government Lot 170

KPB PARCEL NUMBER: 04317013

WHEREAS, the City of Kenai received a preliminary plat from Edge Surveying and Design, LLC on behalf of the property owner, Five D Investments, LLC for a 5-lot subdivision of Government Lot 170; and,

WHEREAS, the preliminary plat does not meet the minimum lot width and minimum lot depth requirements as outlined in Kenai Municipal Code (KMC) Section 14.10.070(d)(2); and,

WHEREAS, the applicant submitted an exception request for the lot width and lot depth standards; and,

WHEREAS, the existing street names are referenced correctly; and,

WHEREAS, the proposed lots will have access from Birch Street and First Avenue, both city-maintained roads; and,

WHEREAS, City water and sewer lines are available to the lots; and,

WHEREAS, an installation agreement is not required; and,

WHEREAS, the Planning and Zoning Commission finds:

1. The exception request does not meet the criteria in KMC Section 14.10.090 *Variations and exceptions*; and,
2. A revised preliminary plat to a 4-lot subdivision, subject to the listed condition, generally meets KMC preliminary plat requirements and development requirements for the Suburban Residential (RS) zoning district; and,
3. Pursuant to KMC 14.10.070 *Subdivision design standards*, a revised preliminary plat to a 4-lot subdivision, subject to the listed condition, conforms to the minimum street widths, provides utilities/access easements, provides a satisfactory and desirable building sites,

and the on-site water and sewer systems will be subject to the regulatory requirements of the Public Works Department; and,

4. Pursuant to KMC 14.10.080 *Minimum improvement required*, the preliminary plat is a subdivision surrounded by existing or established improvements. Therefore, an installation agreement is not required; and,
5. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the RS zoning district; and,
6. Pursuant to KMC 14.24.020 *General Requirements* a revised preliminary plat to a 4-lot subdivision, meets City standards for minimum lot width/depth and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

NOW, THEREFORE, BE IT RECOMMENDED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA:

**Section 1.** That a revised preliminary plat of 5 D Subdivision for a 4-lot subdivision of Government Lot 170 be approved subject to the following condition.

1. Revised the preliminary plat to subdivide Government Lot 170 into four (4) lots with dimensions equal to or greater than the minimum lot width and depth requirements outlined in KMC Section 14.10.070.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, THIS 24<sup>TH</sup> DAY OF JANUARY, 2024.

---

Jeff Twait, Chairperson

ATTEST:

---

Meghan Thibodeau, Deputy City Clerk







# STAFF REPORT

PLANNING & ZONING DEPARTMENT

**TO:** Planning and Zoning Commission  
**FROM:** Linda Mitchell, Planning Director  
**DATE:** January 19, 2024  
**SUBJECT:** Resolution No. PZ2024-01 – Preliminary Plat – 5 D Subdivision

---

**Request** The applicant is proposing a preliminary plat to subdivide Government Lot 170 into five (5) lots.

**Staff Recommendation** Adopt Resolution No. PZ2024-01 recommending approval of Preliminary Plat – 5 D Subdivision for a four (4) lot subdivision of Government Lot 170.

---

**Applicant:** Edge Surveying and Design, LLC  
Attn: Jason Young  
P.O. Box 208  
Kasilof, AK 99610

**Property Owner:** Five D Investments, LLC c/o Ken Dunbar

**Legal Description:** Government Lot 170

**Property Address:** 103 Birch Street

**KPB Parcel No.:** 04317013

**Zoning District:** General Commercial (CG), subject to change to Suburban Residential (RS) on February 2, 2024 (Ordinance 3383-2023)

**Surrounding Uses:** North – Single-Family Dwelling; South – First Avenue; West – Residential Accessory Lot; East – Single-Family Dwellings

## SUMMARY

The City received a preliminary plat from Edge Surveying and Design, LLC on behalf of the property owner for a replat of Government Lot 170 into five (5) lots. The subject parcels are located near the northwest intersection of First Avenue and Birch Street. The subject parcel is vacant. The applicant and property owner have expressed the proposed subdivision is intended for the development of a small affordable single-family dwelling on each lot.

The rezone from General Commercial (CG) to Suburban Residential (RS) zoning district affecting the subject parcel was enacted under Ordinance 3383-2023 on January 3, 2024 with an effective date of February 2, 2024. The review of this preliminary plat was analyzed using the RS zoning district requirements since the proposed use is residential for the subdivision.

The proposed preliminary plat meets the minimum lot size requirement of 7,200 square feet. However, the proposed lots do not meet the minimum lot width requirement of 60 feet and minimum depth to not exceed twice the minimum width (i.e., 120 feet). Therefore, the applicant has submitted an exception request for the minimum lot width and depth requirements.

Kenai Municipal Code (KMC) Chapter 14.10 *Subdivision Regulations* states preliminary plats or replats must first be submitted to the City for review and provide recommendation to the Kenai Peninsula Borough Planning Commission. Furthermore, KMC Section 14.10.090 *Variations and exceptions* states that City Council may vary or modify such requirements in KMC Chapter 14.10 *Subdivision Regulations* so that the subdivider may develop their property in a reasonable manner, but at the same time, the public welfare and interests of the City and surrounding areas are protected and the general intent and spirit of these regulations preserved.

## ANALYSIS

The proposed 5-lot subdivision meets the minimum lot size requirement of 7,200 square feet for the Suburban Residential (RS) zoning district. The subdivision has access off of Birch Street and First Avenue, both city-maintained roads. City water and sewer lines are available to serve the new lot along Princess Street. Improvements for road and service connections are established; therefore, an installation agreement is not required. The proposed 5-lot subdivision would require two (2) exceptions, a lot width exception and a lot depth exception. Otherwise, the proposed preliminary would not meet all the required subdivision design standards.

The applicant has submitted an exception request for the lot width and lot depth. Below is a table with the required lot dimensions for residential lots less than 10,000 square feet and the proposed lot dimensions.

	Minimum Standard	Maximum Standard	Proposed
<b>Lot Width</b>	60 feet	Not Applicable	Ranges between 59.24 and 59.44 feet
<b>Lot Depth – Not exceed twice the minimum width</b>	Not Applicable	120 feet	Ranges between 131.77 and 132.09 feet

KMC Section 14.10.070(d)(2) states “in platting residential lots containing less than 10,000 square feet, the depth of the block shall not exceed twice the minimum width allowed under the zone district in which the lot is located”. The proposed lot size is 7,833.9 square feet. While the proposed lot width and lot depth does not meet the standards, it is not by much, such as the lot width is less than a foot from the minimum standard and the lot depth is approximately 12 feet over the maximum standard. Staff have reviewed all the lots from Fifth Court to First Avenue between N. Spruce Street and Floatplane Road, and there are approximately seven (7) lots that does not meet current standards for minimum lot width and/or minimum lot depth. These existing lots that does not meet current standards were subdivided in the 1960s or 1970s.

When requesting for variations and exceptions to the KMC Chapter 14.10 *Subdivision Regulations*, the tract to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in the regulations would result in real difficulties, substantial hardship or injustice. Staff finds that the minimum lot width and minimum lot depth requirements would not impose a substantial hardship or injustice. The existing substandard lots within the surrounding areas were created prior to the adoption of Kenai's Zoning Ordinance. Therefore, staff does not find that the rationale of existing nonconforming lots of similar dimensions as the proposal is consistent with the criteria to approved or support an exception to the design standards in accordance with KMC Section 14.10.090.

Staff is recommending the proposed preliminary plat be revised to reduce the number of lots from five (5) to four (4). The lot depth is not going to change and with the lot depth of approximately 132 feet, a lot width must be equal to or greater than 66 feet. If the number of lots is reduced to four (4), the lot dimension standards can be met without any exceptions.

Staff finds that a revised preliminary plat to a 4-lot subdivision meets the following Title 14 of Kenai Municipal Code (KMC) sections and aligns with the intent of the Kenai Zoning Code.

1. Pursuant to KMC 14.10.070 *Subdivision design standards*, the preliminary plat for a 4-lot subdivision, subject to the listed condition, conforms to the minimum street widths, provides utilities/access easements, provides a satisfactory and desirable building sites, and the on-site water and sewer systems will be subject to the regulatory requirements of the Public Works Department.
2. Pursuant to KMC 14.10.080 *Minimum improvement required*, the preliminary plat is a subdivision surrounded by existing or established improvements. Therefore, an installation agreement is not required.
3. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the RS zoning district.
4. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat for a 4-lot subdivision meets City standards for minimum lot width/depth and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

## **STAFF RECOMMENDATION**

---

Staff finds that the proposed preliminary plat for 5 D Subdivision to subdivide Government Lot 170 into five (5) lots does not meet the general standards of Kenai Municipal Code (KMC), Chapter 14.10 *Subdivision Regulations* and Chapter 14.24 *Development Requirements Table* and the requested exceptions to the lot width and lot depth does not meet the criteria outlined in KMC Section 14.10.090 *Variations and exceptions*. However, staff finds that a revision to the preliminary plat to subdivide Government 170 into four (4) lots with dimensions equal to or greater than the minimum lot width and depth requirements outlined in KMC Section 14.10.070 *Subdivision design standards* meet the general standards of Kenai Municipal Code (KMC), Chapter 14.10 *Subdivision Regulations* and Chapter 14.24 *Development Requirements Table* and hereby recommends that the Planning and Zoning Commission recommends approval of Resolution No. PZ2024-01 for a four (4) lot subdivision of Government Lot 170 to Kenai Peninsula Borough, subject to the following condition.

1. Revised the preliminary plat to subdivide Government Lot 170 into four (4) lots with dimensions equal to or greater than the minimum lot width and depth requirements outlined in KMC Section 14.10.070.

## **ATTACHMENTS**

---

Aerial Map  
Preliminary Plat, 5 D Subdivision  
Requested Exceptions  
Application with Certificate of Plat and Supplement Document  
Ordinance 3383-2023

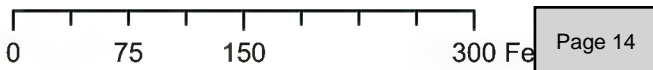


**Resolution PZ2024-01**  
**Preliminary Plat**  
**5 D Subdivision**  
**103 Birch Street**



Date Printed: 1/19/2024

Map for Reference Only  
NOT A LEGAL DOCUMENT





## 5D Subdivision

Exception to KMC 14.10-070(d)(2).

In platting residential lots containing less than ten thousand (10,000) square feet, the depth of the block should not exceed twice the minimum width allowed under the zone district in which the lot is located.

### Findings:

1. Lots exceed the 2:1 depth to width ratio by 12 feet, with a current design ratio of 2.2:1.
2. All lots are over 7,200 square feet, minimum area per code.
3. The parent parcel dimensions limit the design options to create 5 parcels.
4. The exception to this code allows for 5 parcels to be created instead of 4 parcels. Developer plans to build small affordable homes on each of the 5 lots. With the limited supply of small affordable homes, one more parcel means one more family can own a home in the City of Kenai.



RECEIVED

CITY OF KENAI

City of Kenai  
Planning and Zoning Department  
210 Fidalgo Avenue  
Kenai, AK 99611  
(907) 283-8200  
planning@kenai.city  
www.kenai.city/planning

Preliminary Plat Submittal Form  
OCT 19 2023  
Planning & Zoning

By: *[Signature]*



APPLICANT (SURVEYOR)

Name:	Edge Survey and Design, Jason Young						
Mailing Address:	PO Box 208	City:	Kasilof	State:	AK	Zip Code:	99610
Phone Number(s):	907-283-9047						
Email:	jason@edgesurvey.net						

PROPERTY OWNER

Name:	5 D Investments LLC. - Ken Dunbar						
Mailing Address:	PO Box 969	City:	Kenai	State:	AK	Zip Code:	99611
Phone Number(s):	1-907-947-3000						
Email:	kdunbar@kendunbarandsons.com						

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel #:	04317013						
Current City Zoning:	General Commercial						
Use:	<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Recreational	<input type="checkbox"/> Commercial				
	<input type="checkbox"/> Other: Vacant						
Water:	<input checked="" type="checkbox"/> On Site	<input type="checkbox"/> City	<input type="checkbox"/> Community				
Sewer:	<input checked="" type="checkbox"/> On Site	<input type="checkbox"/> City	<input type="checkbox"/> Community				

PLAT INFORMATION

Preliminary Plat Name:	5 D Subdivision						
Revised Preliminary Plat Name:							
Vacation of Public Right-of-Way:	<input type="checkbox"/> Yes			<input checked="" type="checkbox"/> No			
Street Name (if vacating ROW):							

Exceptions Required and Requested:

None

Comments:

REQUIRED ATTACHMENTS

<input checked="" type="checkbox"/> Certificate to Plat	<input checked="" type="checkbox"/> (1) 24" x 36" Plat	<input checked="" type="checkbox"/> (2) 11" x 17" Plats
---	--	---

SIGNATURE

Signature:	<i>[Signature]</i>	Date:	
Print Name:	Ken Dunbar	Title/Business:	

*Stewart Title of the Kenai Peninsula, Inc.*

35681 Kenai Spur Hwy., Unit B  
Soldotna, AK 99669  
Tel: (907) 260-8031 Fax: (907) 260-8036

**CERTIFICATE TO PLAT**

Edge Survey and Design, LLC.  
PO Box 208  
Kasilof, AK 99610  
Attention: Jason Young

File Number: 23492  
Premium: \$250.00  
Tax:

Gentlemen:

This is a certificate as of October 06, 2023 at 8:00 A.M. for a plat out of the following property:

Government Lot 170, Section 31, Township 6 North, Range 11 West, Seward Meridian, Kenai Recording District, Third Judicial District, State of Alaska.

The Company certifies that record title is vested in

Five D Investments LLC

an estate in fee simple, free from all liens, encumbrances, and objections except for as follows:

1. **RESERVATIONS** and exceptions as contained in U.S. Patent, and/or acts authorizing the issuance thereof.
2. **RESERVATIONS AND EXCEPTIONS** as contained in Mineral Patent from the United States of America to the State of Alaska  
Recorded: September 27, 1982  
Volume/Page: 194/764

FURTHER, no other examination of the excepted title to minerals has been made herein and no insurance nor responsibility therefore is implied or assumed.

3. **TAXES AND ASSESSMENTS**, if any due the taxing authority indicated  
Taxing Authority: City of Kenai
4. **TAXES AND ASSESSMENTS**, if any, due the taxing authority indicated:  
Taxing Authority: KENAI PENINSULA BOROUGH
5. **EASEMENT** for electric lines or system and/or telephone lines together with right to enter, maintain, repair and clear shrubbery:  
Recorded: December 31, 1963  
Volume/Page: Misc. 11/205  
and Assigned by Instrument recorded December 31, 1963 in Misc. Book 11 at Page 188.
6. **AN OIL AND GAS LEASE** affecting the above interest under the terms, covenants and conditions therein provided:  
Lessor: State of Alaska  
Lessee: J. Benjamin Johnson  
Recorded: March 7, 2011  
Serial No.: 2011-002197-0

FURTHER, no other examination of the excepted title to minerals has been made herein and no insurance nor responsibility therefore is implied or assumed.

7. **A RIGHT-OFWAY**, not to exceed 33 feet in width for roadway and public utilities purposes to be located along the South and East boundaries of said land, as disclosed in Patent recorded December 30, 1958 in Book 10 at Page 108.
8. **RIGHT, TITLE AND INTEREST** of the public and/or government agencies in and to any portion of said land included within the boundaries of Birch Street and First Avenue.

**Stewart Title of the Kenai Peninsula, Inc.**

By

  
Authorized Co-signature

Authorized Signator

**NOTE:** We will update this certificate to comply with Kenai Peninsula Borough Ordinance 90-38 upon notification from surveyor.

**OPERATING AGREEMENT  
OF  
FIVE D INVESTMENTS LLC**

This Operating Agreement is made and entered effective as of the 27th day of July 2023, by and between KENNETH L. DUNBAR, PATRICIA E. DUNBAR, CLAYTON J. DUNBAR, and KENNETH M. DUNBAR (each sometimes referred to herein individually as “Member” and collectively as “Members”). The Members have caused to be formed an Alaska Limited Liability Company and desire to set forth certain operation provisions as provided herein.

**The Members hereto agree as follows:**

1. The name of the Company is Five D Investments LLC (sometimes referred to herein as the “Company”).
2. The Members hereby agree to form and operate the Company under the terms and conditions set forth herein, and as provided in the Company’s Articles of Organization. Except as otherwise provided herein and the Articles of Organization, the rights and liabilities of the Members shall be governed by the Alaska Revised Limited Liability Act, AS 10.50, as amended (the “Act”).
3. A failure to observe any formalities or requirements of this Operating Agreement, the Articles of Organization for the Company or the Act shall not be grounds for imposing personal liability on the Members for liabilities of the Company.
4. The Members have formed the Company under the Act, and expressly do not intend hereby to form a joint venture or a partnership under either the Alaska Uniform Partnership Act or the Alaska Uniform Limited Partnership Act, or a corporation under the Alaska Corporations Code. The Members do not intend to be partners one to another, or partners as to any third party. The Members hereto agree and acknowledge that the Company is to be treated as a partnership for federal and state income tax purposes.
5. The Company has been organized for the purpose of engaging in activities related to real property and any other lawful activity.
6. Subject to the provisions of this Operating Agreement and the Act, the Company shall have the following powers:
  - (a) To conduct and operate the business of the Company and to execute documents and instruments relating to the Company business, including, but not limited to agreements, notes, leases, contracts and other documents.
  - (b) To obtain short or long-term borrowings as reasonably necessary for the business of the Company.
  - (c) To procure and maintain insurance covering the various risks to which the Company or its operations may be subject.

(d) To open bank accounts in the name of the Company, designate the authorized signatures therefor and make deposits and withdrawals from Company accounts on the signatures of one or more designated individuals.

(e) To pay expenses incurred in performing the business and purposes of the Company.

(f) To employ, discharge and pay the compensation of accountants, lawyers, and others whose services are required or necessary.

(g) To prosecute or defend, as the case may be, suits, arbitration or administrative proceedings asserted against or brought on behalf of the Company.

(h) To acquire and dispose of real and personal property and interests therein.

(i) To do all things necessary, incidental or convenient to the exercise of the foregoing powers or to the accomplishment of the Company's purposes.

7. This Operating Agreement is entered into among the Company and the Members for the exclusive benefit of the Company, its Members and their successors and assigns. This Operating Agreement is expressly not intended for the benefit of any creditor of the Company or any other person. Except and only to the extent provided by applicable statute, no such creditor or third party shall have any rights under the Operating Agreement or any agreement between the Company and any Member with respect to any contribution or otherwise.

8. All Company property shall be owned by the Company as an entity and no Member shall have any ownership interest in such property in the Member's individual name or right, and each Member's interest in the Company shall be personal property for all purposes. Except as otherwise provided in this Operating Agreement, the Company shall hold all Company property in the name of the Company and not in the name or names of any Member.

9. The principal office of the Company shall be located in or around Anchorage, Alaska, or at such other place designated by the Members. The Company's mailing address and registered office address is c/o Reeves Amodio LLC, 500 L Street Suite 300, Anchorage, Alaska 99501. The Company's registered agent at such address is Thomas Amodio. The Company may have other places of business at any other place or places as the Members may from time to time deem advisable.

10. The initial capital contributions of the individual Members and their respective percentage interest in the Company shall be as follows:

Kenneth L. Dunbar	25%
Patricia E. Dunbar	25%
Clayton J. Dunbar	25%
Kenneth M. Dunbar	25%

Any additional capital contributions shall be upon mutual agreement of the Members. The Company shall establish and maintain a capital account for each member in accordance with treasury regulations issued under Section 704 of the Code. Except as may otherwise be required by applicable law or as otherwise set out herein, net profits, net losses, and other items of income, gain, loss, deduction and credit shall be apportioned among the Members in proportion with their

respective percentage interests in the Company. From time to time, a majority of the Members may determine in their reasonable judgment to what extent, if any, the Company's cash on hand exceeds the current and anticipated needs, including, without limitation, needs for operating expenses, debt service, acquisitions, reserves, and mandatory distributions, if any. To the extent such excess cash is determined to exist, the excess cash shall be distributed to the Members in accordance with their percentage interests.

11. The Company shall be managed by its Members, unless the Members unanimously agree otherwise. Any member may sign on behalf of the Company in all of its business affairs, matters, and transactions with any parties or entities, including but not limited to financial institutions and governmental entities. The Members shall make decisions requiring a vote by majority vote on the basis of their percentage interests.

12. The death, incompetence, withdrawal, expulsion, or bankruptcy, or the occurrence of any other event which terminates the continued membership of a Member in the Company, shall not cause a dissolution of the Company. Unless the remaining Member or Members elect otherwise, the Company shall continue as a limited liability company.

13. Tax Matters.

13.1 Should there be any controversy with the Internal Revenue Service or any other taxing authority involving the Company, the Managing Members may expend such funds as they deem necessary and advisable in the interest of the Company to resolve such controversy satisfactorily, including, without being limited thereto, attorneys' and accounting fees. Kenneth Dunbar is hereby designated as the initial "Tax Representative" as referred to in Section 6223 of the Code (relating to designation of a "Partnership Representative"), and is specially authorized to exercise all of the rights and powers now or hereafter granted to the Tax Representative under the Code. Any cost incurred in the audit by any governmental authority of the income tax returns of a Member (as opposed to the Company) shall not be a Company expense. The Members agree to consult with and keep each other advised with respect to (i) any income tax audit of a Company income tax return, and (ii) any elections made by the Company for federal, state or local income tax purposes. The Members agree that all decisions made by the Tax Representative hereunder will be made in a manner consistent with applicable federal and state tax laws, with the intent of maximizing return on investment hereunder.

13.2 For any tax year where it is permitted, the Managing Members may elect out of the new rules set forth in Sections 6221 through 6241 of the Code as amended by the Bipartisan Budget Act of 2015 ("New Tax Rules"). If the Managing Members opt not to elect out of the New Tax Rules, the Managing Members shall have the following rights to the same extent they applied before the New Tax Rules became effective: (a) the right to approve or to participate in tax-related actions of the Tax Representative; and (b) the right to be notified by the Tax Representative regarding tax-related events.

13.3. The Managing Members shall, at Company expense, cause the Company to prepare and file a Form 1065 US Partnership Return of Income and all other tax returns required to be filed by the Company for each fiscal year of the Company.

14. No Member shall have the right to transfer or assign that Member's membership interest to a non-member without the written consent of the non-transferring Member(s).

15. No Member shall have, solely by virtue of such Member's status as a Member in the Company, any personal liability whatever, whether to the Company, to any Members, or to the creditors of the Company, for the debts or obligations of the Company or any of its losses beyond the amount committed by such Member to the capital of the Company, except as otherwise required by the Act.

16. This Operating Agreement shall be effective as of July 27, 2023.

17. Definitions. The following terms used in this Operating Agreement shall have the meanings specified below:

17.1 "Act" means the Alaska Revised Limited Liability Act, AS 10.50, as amended from time to time.

17.2 "Agreement" or "Operating Agreement" means this Operating Agreement of the FIVE D INVESTMENTS, LIMITED LIABILITY COMPANY, as it may from time to time be amended.

17.3 "Articles of Organization" means the Articles of Organization pursuant to which the Company was formed, as filed with the Department of Commerce and Economic Development, State of Alaska, on July 6, 2023, as may be amended from time to time.

17.4 "Code" means the United States Internal Revenue Code of 1986, as amended. References to specific Code Sections or Treasury Regulations shall be deemed to refer to such Code Sections or Treasury Regulations as they may be amended from time to time or to any successor Code Sections or Treasury Regulations if the Code Section or Treasury Regulation referred to is repealed.

17.5 "Company" means the FIVE D INVESTMENTS LIMITED LIABILITY COMPANY as created and governed by this Operating Agreement, the Act and the Articles of Organization.

17.6 "Company Property" means all the real and personal (tangible and intangible) property owned by the Company, and all leasehold or like interests therein.

17.7 "Interest" or "Company Interest" means the ownership interest of a Member in the Company at any particular time, including the right of such Member to any and all benefits to which such Member may be entitled as provided in this Operating Agreement, the Articles of Organization, and in the Act, together with the obligations of such Member to comply with all the terms and provisions of this Operating Agreement, the Articles of Organization, and the Act.

17.8 "Member(s)" means the Members set forth in Section 10, or their respective successors or permitted assigns.

17.9 "Net Income" or "Net Loss" means taxable income or loss (including items requiring separate computation under Section 702 of the Code) of the Company as determined using the method of accounting chosen by the Members and used by the Company for federal income tax purposes.

17.10 "Percentage Interest" means the percentage interest of each Member as set forth in Section 10, as from time to time adjusted.

18. Miscellaneous.

18.1 This Operating Agreement may be amended or modified from time to time only by a written instrument adopted and executed by all of the Members.

18.2 This Operating Agreement shall be governed by the laws of the State of Alaska, without giving effect to principles or provisions thereof relating to choice of law or conflict of laws.

18.3 This Operating Agreement shall be binding upon the successors, assigns, heirs, executors, personal representatives, and other legal representatives, as the case may be, of the Members as provided herein.


18.4 The failure by any party to object to a default under or breach of this Agreement or insist upon the strict performance of any duty or obligation of any other party shall not constitute a waiver, either express or implied, of the right to do so in the future.


18.5 The invalidity or unenforceability of any particular provision of this Agreement shall not affect the remaining provisions hereof, and, in any such event, this Agreement shall be construed and interpreted in all respects as if such invalid or unenforceable provision were omitted.

18.6 Section headings have been inserted solely for the convenience of the parties and shall not be considered a part of this Operating Agreement for interpretation or construction.

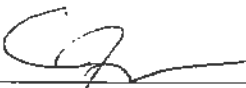
18.7 For the convenience of the parties hereto, this Operating Agreement may be executed, including by facsimile signature, in one or more counterparts, each identical to the other, so long as the counterparts in a set contain the signatures of all the parties to this Operating Agreement.

**IN WITNESS WHEREOF, the Members have executed this Operating Agreement effective as of the date first written above.**

  
\_\_\_\_\_  
Kenneth L. Dunbar

  
\_\_\_\_\_  
Patricia E. Dunbar



  
\_\_\_\_\_  
Clayton J. Dunbar

  
\_\_\_\_\_  
Kenneth M. Dunbar



**CITY OF KENAI  
ORDINANCE NO. 3383-2023**

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP BY REZONING ALL PARCELS WITHIN THE LETZING 1985 SUBDIVISION (PLAT NO. 85-55) AND GOVERNMENT LOT 170 FROM GENERAL COMMERCIAL (CG) TO SUBURBAN RESIDENTIAL (RS) ZONING DISTRICT.

WHEREAS, all parcels within the Letzing 1985 Subdivision plat and Government Lot 170 are currently zoned General Commercial (CG); and,

WHEREAS, the City of Kenai received a rezone application from the majority of property owners in accordance with KMC 14.20.270 *Amendment procedures*; and,

WHEREAS, the CG zoning district allows for the widest range of commercial and industrial uses compared to other commercial zoning districts and the existing CG zone is not a compatible land use for this area since there are existing residential uses to the north and east of the proposed rezone area and an existing single-family dwelling in the proposed rezone area; and,

WHEREAS, the proposed rezone to RS would align with the current low to medium density residential character of the neighborhood; and,

WHEREAS, the land use classification is Mixed-Use, which envisioned a compatible mix of residential and commercial uses but it is desired by the property owners and supported by nearby residents that it should be rezoned to residential; and,

WHEREAS, the rezone is consistent with the Imagine Kenai 2030 Comprehensive Plan and aligns with the Land Use Plan and addresses Goal 1 – *Quality of Life: Promote and encourage quality of life in Kenai*; and,

WHEREAS, at their regularly scheduled meeting held on November 8, 2023, the City of Kenai Planning and Zoning Commission voted unanimously to recommend the subject properties be rezoned from General Commercial to Suburban Residential zoning district.

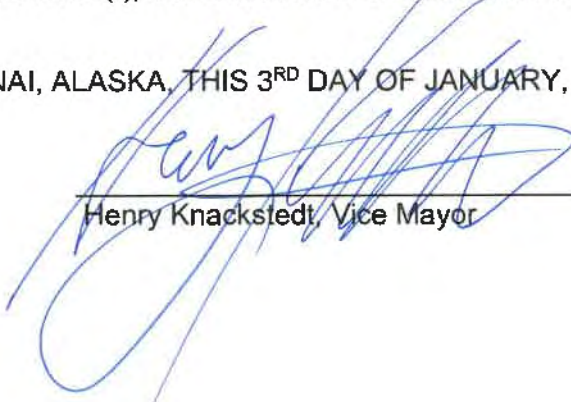
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

**Section 1.** Amendment of City of Kenai Official Zoning Map: That City of Kenai, Official Zoning Map is hereby amended as follows: Rezone all parcels within the Letzing 1985 Subdivision plat (Plat No. 85-55) and Government Lot 170 from General Commercial (CG) to Suburban Residential (RS) zoning district.

**Section 2.** Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

**Section 3.** Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect 30 days after enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 3<sup>RD</sup> DAY OF JANUARY, 2024.



---

Henry Knackstedt, Vice Mayor

ATTEST:



---

Michelle M. Sauer, MMC, City Clerk

Introduced:	December 20, 2023
Enacted:	January 3, 2024
Effective:	February 2, 2024



**CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. PZ2024-02**

A RESOLUTION **RECOMMENDING** THAT PRELIMINARY PLAT FOR CINDERELLA SUBDIVISION GLOVER REPLAT ATTACHED HERETO BE APPROVED.

PROPERTY ADDRESSES: 306 Princess Street and 307 Crystal Street

LEGAL DESCRIPTIONS: Lot 1A, Enchanted Forest 2011 Replat  
Lot 6, Cinderella Subdivision

KPB PARCEL NUMBERS: 04505027 and 04505015

WHEREAS, the City of Kenai received a preliminary plat from Peninsula Survey, LLC on behalf of the property owners, Jeffrey Glover and Kristen Glover for a parcel merger of Lot 1A, Enchanted Forest 2011 Replat and Lot 6, Cinderella Subdivision; and,

WHEREAS, the preliminary plat, subject to the listed conditions, generally meets Kenai Municipal Code (KMC) preliminary plat requirements and development requirements for the Rural Residential 1 (RR-1) zoning district; and

WHEREAS, the existing street names are referenced correctly; and,

WHEREAS, the merged parcels will have access from Princess Street, a city-maintain road and if improved in the future, there will be an additional access off of Crystal Street; and

WHEREAS, City water and sewer lines are available to the parcel; and,

WHEREAS, an installation agreement is not required; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to KMC 14.10.070 *Subdivision design standards*, the preliminary plat, subject to the listed conditions, conforms to the minimum street widths, provides utilities/access easements, provides a satisfactory building site, and the on-site water and sewer systems will be subject to the regulatory requirements of the Public Works Department; and,
2. Pursuant to KMC 14.10.080 *Minimum improvement required*, the preliminary plat is eliminating a lot line and existing improvements are in place for the development of this replat and therefore, an installation agreement is not required; and,
3. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the subject zoning district; and,

4. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat meets City standards for minimum lot width and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

NOW, THEREFORE, BE IT RECOMMENDED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA:

**Section 1.** That the preliminary plat of Cinderella Subdivision Glover Replat for a parcel merger of Lot 1A, Enchanted Forest 2011 Replat and Lot 6, Cinderella Subdivision be approved subject to the following conditions.

1. Remove the building setbacks on the preliminary plat as all development will be subject to the setback requirements of the zoning district.
2. Remove Note 1 from the preliminary plat.
3. Add a note that states the following, "When an improvement district is formed, the real property involved will be part of the improvement district without further action by the then owner of the property in question".

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, THIS 24<sup>TH</sup> DAY OF JANUARY, 2024.

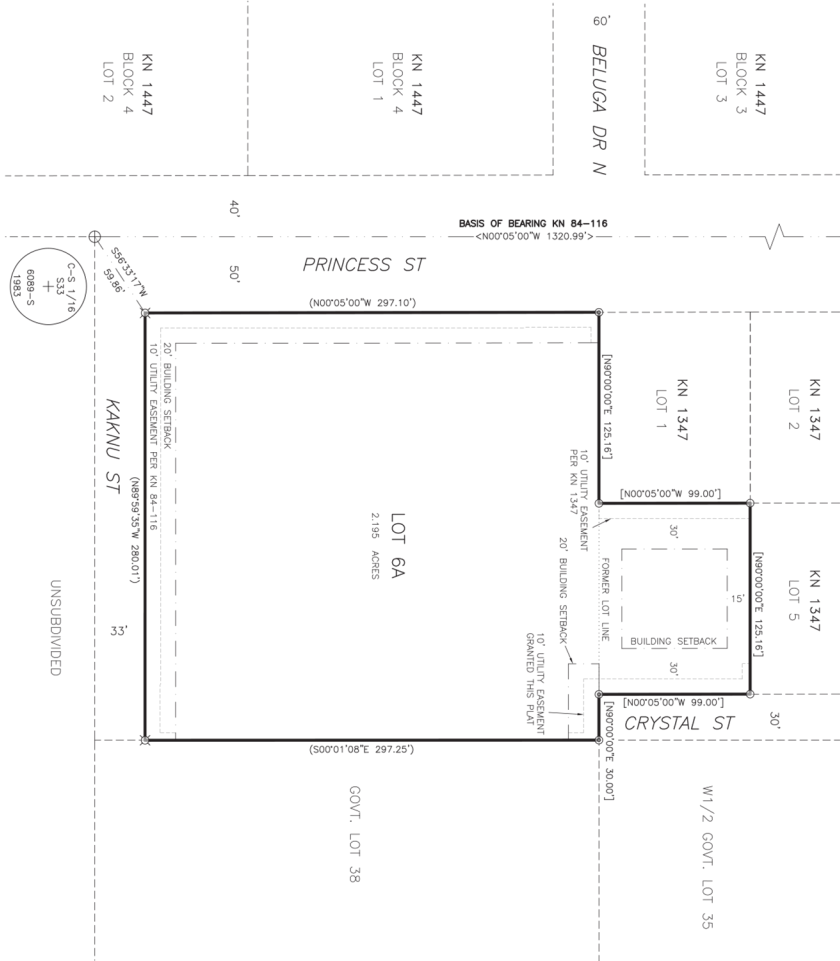
---

Jeff Twait, Chairperson

ATTEST:

---

Meghan Thibodeau, Deputy City Clerk



- NOTES**
1. A BUILDING SETBACK OF 30' IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LARGER STANDARD IS APPROVED BY THE APPLICABLE PLANNING COMMISSION. THE FRONT 10' ADDING ALL RIGHTS-OF-WAY AND INCREASING TO 20' WITHIN 5' OF THE SIDE LOT LINES IS ALSO A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
  2. A FIELD SURVEY WAS NOT PERFORMED FOR THIS PLATTING ACTION PER KRS 20.60(20)(A).
  3. DEVELOPMENT OF THESE LOTS IS SUBJECT TO THE CITY OF KENNA ZONING REGULATIONS.

**PLAT APPROVAL**  
 THIS PLAT WAS APPROVED BY THE KENNA PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF \_\_\_\_\_  
 KENNA PENINSULA BOROUGH  
 BY: \_\_\_\_\_  
 AUTHORIZED OFFICIAL

**CERTIFICATE OF OWNERSHIP AND DEDICATION**  
 WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR SIGNATURE DEDICATE ALL RIGHTS-OF-WAY AND GRANTS ALL EASEMENTS TO THE USE SHOWN.

JEFFREY D. GLOVER  
 KENNA, AK 99811  
 KRISTEN GLOVER  
 KENNA, AK 99811

**NOTARY ACKNOWLEDGMENT**  
 FOR: JEFFREY D. GLOVER AND KRISTEN GLOVER  
 ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024

NOTARY PUBLIC FOR: \_\_\_\_\_  
 MY COMMISSION EXPIRES: \_\_\_\_\_

**WASTEWATER DISPOSAL**  
 WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

- LEGEND**
- ① ALUMINUM MONUMENT OF RECORD KN 84-116
  - ② IRON ROD MONUMENT OF RECORD KN 84-116
  - ③ IRON ROD MONUMENT OF RECORD KN 1347
  - ⊙ 3/8" REBAR MONUMENT OF RECORD KN 84-116
  - ⊗ 5/8" REBAR MONUMENT OF RECORD KN 84-116
  - ( ) RECORD DATA PER PLAT KN 2011-81
  - [ ] RECORD DATA PER PLAT KN 1347
  - < > RECORD DATA PER PLAT KN 84-116



KRS FILE NUMBER: \_\_\_\_\_  
 PENINSULA SURVEYING, LLC  
 10535 KATINA BOULEVARD, NINILCHIK, AK 99838  
 (907)302-7065

**CINDERELLA SUBDIVISION GLOVER REPLAT**

LOT 6, CINDERELLA SUBDIVISION, KN 1347 AND LOT 14, ENCHANTED FOREST, KN 1347 AND LOT 1-50  
 NW 1/4, SE 1/4, SEC 33, T8N, R11W, Seward Meridian, ALASKA  
 CITY OF KENNA, KENNA RECORDING DISTRICT, KENNA PENINSULA BOROUGH,  
 CONTAINING 2.195 ACRES

OWNERS: JEFFREY D. GLOVER AND KRISTEN GLOVER  
 308 PRINCESS ST., KENNA, AK 99811

SCALE: 1" = 40'  
 DATE: NOVEMBER 21, 2023  
 SHEET: 1 OF 1



# STAFF REPORT

PLANNING & ZONING DEPARTMENT

**TO:** Planning and Zoning Commission  
**FROM:** Linda Mitchell, Planning Director  
**DATE:** January 19, 2024  
**SUBJECT:** Resolution No. PZ2024-02 – Preliminary Plat – Cinderella Subdivision Glover Replat

---

**Request** The applicant is proposing a preliminary plat to merge two (2) parcels.

**Staff Recommendation** Adopt Resolution No. PZ2024-02 recommending approval of Preliminary Plat – Cinderella Subdivision Glover Replat for a parcel merger of Lot 1A, Enchanted Forest 2011 Replat and Lot 6, Cinderella Subdivision.

---

**Applicant:** Peninsula Surveying, LLC  
Attn: Jason Schollenberg  
10535 Katrina Boulevard  
Ninilchik, AK 99639

**Property Owner:** Jeffrey Glover and Kristen Glover

**Legal Descriptions:** Lot 1A, Enchanted Forest 2011 Replat  
Lot 6, Cinderella Subdivision

**Property Addresses:** 306 Princess Street  
307 Crystal Street

**KPB Parcel Nos.:** 04505027 and 04505015

**Combined Area:** 2.195 acres

**Zoning District:** Rural Residential 1 (RR-1)

**Surrounding Uses:** North – Single-Family Dwelling and Vacant Lot; South – Vacant Lot;  
West – Single-Family Dwelling and Vacant Lot; East – Single-Family Dwelling

## SUMMARY

---

The City received a preliminary plat from Peninsula Surveying, LLC on behalf of the property owners for a parcel merger of Lot 1A, Enchanted Forest 2011 Replat and Lot 6, Cinderella Subdivision. The subject parcels are located near the northeast intersection of Princess Street and Kaknu Street. One (1) of the parcel has a single-family dwelling and the other is vacant. The proposed parcel merger will be surrounded by single-family dwellings and vacant lots. The lot area for the combined parcels will be approximately 2.195 acres.

Kenai Municipal Code (KMC) Chapter 14.10 *Subdivision Regulations* states preliminary plats or replats must first be submitted to the City for review and provide recommendation to the Kenai Peninsula Borough Planning Commission.

## ANALYSIS

---

The proposed parcel merger meets the preliminary plat requirements and development requirements for the Rural Residential 1 (RR-1) zoning district. The existing parcels were created through recorded plats, Enchanted Forest 2011 Replat and Cinderella Subdivision (see attached). The new consolidated lot has access off of Princess Street, a city-maintained road, and if improved in the future, there will be an additional access off of Crystal Street. City water and sewer lines are available to serve the new lot along Princess Street. An installation agreement is not required.

The Public Works Director did comment about the need for a cul-de-sac at the end of Crystal Street for consistency with KMC 14.10.070 where a dead-end street should terminate into an open space (i.e., cul-de-sac). The recorded plat, Enchanted Forest 2011 Replat should have required a dedicated right-of-way along the east property line of Lot 1A, Enchanted Forest 2011 Replat to continue Crystal Street down to Kaknu Street. Requiring a half cul-de-sac is not practical since the property to the east, Government Lot 38 (305 Hutto Street) has an over-sized detached accessory structure where the other half of the cul-de-sac would be required. Staff finds that an exception to the standard to require a dead-end street to terminate into a cul-de-sac is not required since the Enchanted Forest 2011 Replat approved the surrounding dedicated rights-of-way as-is. This replat is to remove a lot line (i.e., parcel merger) between parcels with existing dedicated rights-of-way. Therefore, staff does not find that a dedication of a half cul-de-sac at the end of Crystal Street should be required.

Staff is requiring the removal of the indicated building setbacks indicated on the preliminary plat to be consistent with Kenai Peninsula Borough Section 20.30.250 *Building Setbacks—Within cities* that building setbacks as depicted or noted on record plats shall not be carried forward on a new subdivision plat located within a municipal zoning district. It is a good practice to not indicate the building setbacks on a plat to avoid a stricter development requirement than the Kenai Zoning Code should code be amended in the future.

Staff finds that the proposed preliminary plat meets the following Title 14 of Kenai Municipal Code (KMC) sections and aligns with the intent of the Kenai Zoning Code.

1. Pursuant to KMC 14.10.070 *Subdivision design standards*, the preliminary plat, subject to the listed conditions, conforms to the minimum street widths, provides utilities/access easements, provides a satisfactory building site, and the on-site water and sewer systems will be subject to the regulatory requirements of the Public Works Department.



2. Pursuant to KMC 14.10.080 *Minimum improvement required*, the preliminary plat is eliminating a lot line and existing improvements are in place for the development of this replat. Therefore, an installation agreement is not required.
3. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the subject zoning district.
4. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat meets City standards for minimum lot width and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

## STAFF RECOMMENDATION

---

Staff finds that the proposed preliminary plat for Cinderella Subdivision Glover Replat to merge Lot 1A, Enchanted Forest 2011 Replat and Lot 6, Cinderella Subdivision meets the general standards of Kenai Municipal Code, Chapter 14.10 *Subdivision Regulations* and Chapter 14.24 *Development Requirements Table*, and hereby recommends that the Planning and Zoning Commission recommends approval of Resolution No. PZ2024-02 to Kenai Peninsula Borough, subject to the following conditions.

1. Remove the building setbacks on the preliminary plat as all development will be subject to the setback requirements of the zoning district.
2. Remove Note 1 from the preliminary plat.
3. Add a note that states the following, "When an improvement district is formed, the real property involved will be part of the improvement district without further action by the then owner of the property in question".

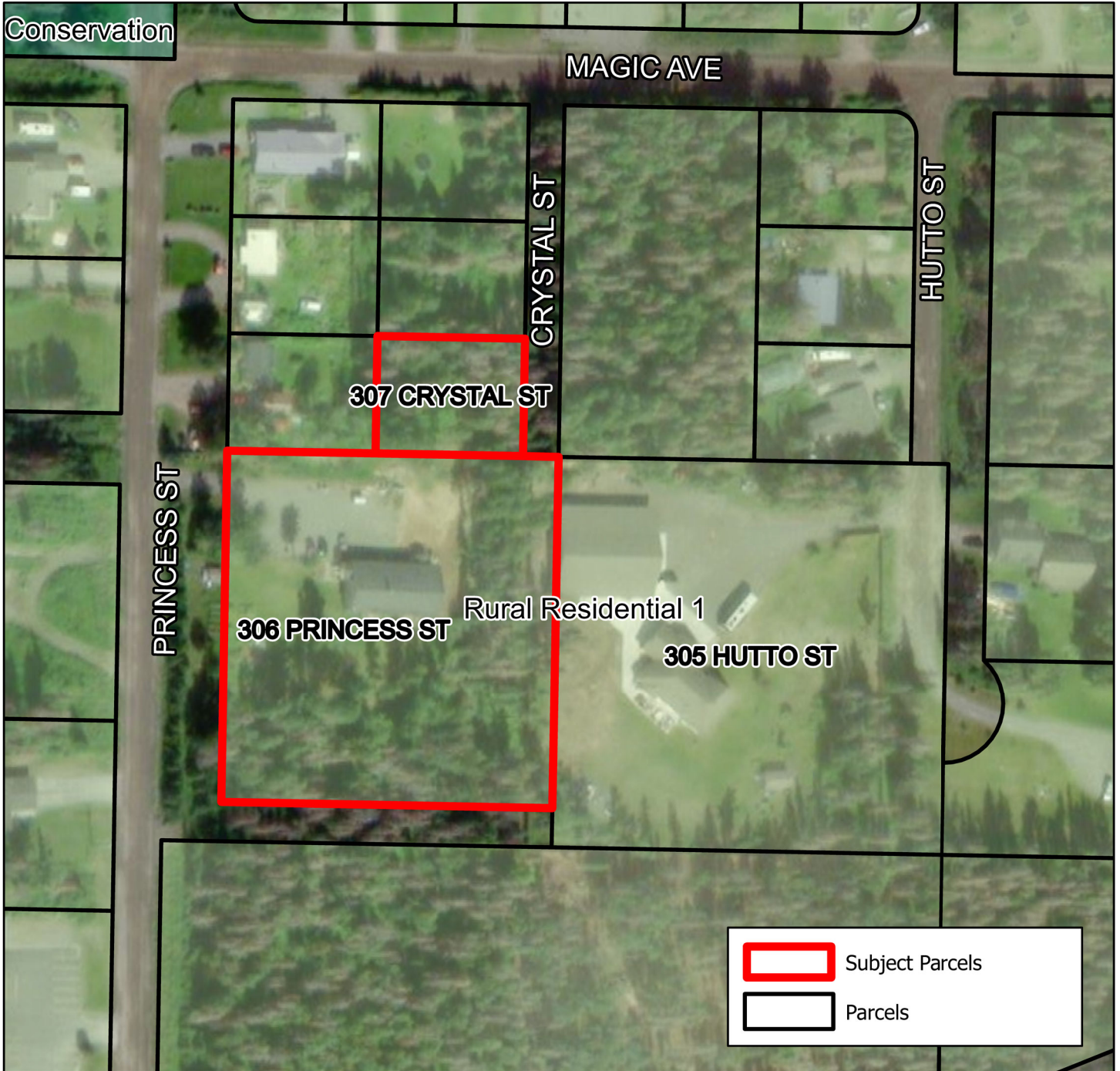
## ATTACHMENTS

---

Aerial Map  
Preliminary Plat, Cinderella Subdivision Glover Replat  
Application with Certificate of Plat  
Enchanted Forest 2011 Replat  
Cinderella Subdivision

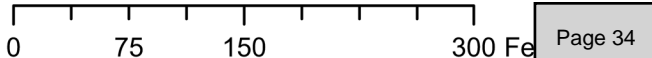


Resolution PZ2024-02  
Preliminary Plat  
Cinderella Subdivision Glover Replat  
306 Princess St. and 307 Crystal St.



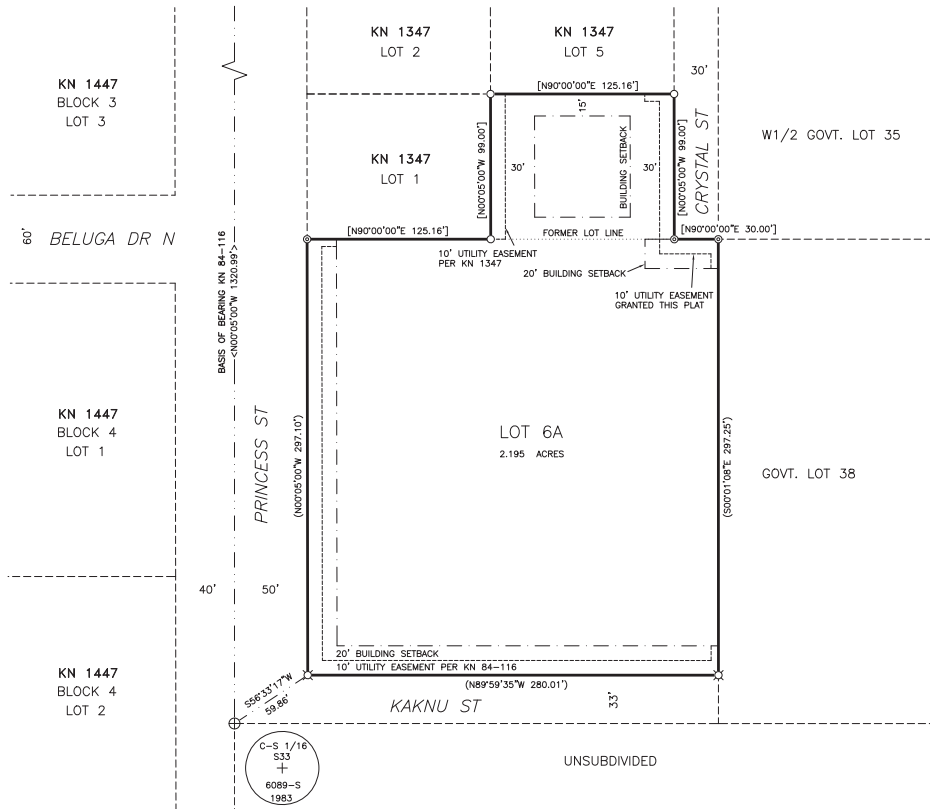
Date Printed: 1/19/2024

Map for Reference Only  
NOT A LEGAL DOCUMENT





40' 20' 0" 40'  
1" = 40'



BASIS OF BEARING KN 84-116  
[N00°05'00"W 1320.99']

PRINCESS ST  
[N00°05'00"W 297.40']

CRYSTAL ST  
[N00°05'00"W 99.00']

GOVT. LOT 38  
[S00°01'00"E 297.25']



KN 1447  
BLOCK 3  
LOT 3

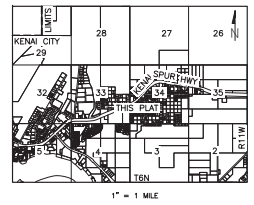
60' BELUGA DR N

KN 1447  
BLOCK 4  
LOT 1

KN 1447  
BLOCK 4  
LOT 2

**NOTES**

1. A BUILDING SETBACK OF 20' IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION. THE FRONT 10' ADJOINING ALL RIGHTS-OF-WAY AND INCREASING TO 20' WITHIN 5' OF THE SIDE LOT LINES IS ALSO A UTILITY EASEMENT.
2. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
3. A FIELD SURVEY WAS NOT PERFORMED FOR THIS PLATTING ACTION PER KPB 20.60.200(A).
4. DEVELOPMENT OF THESE LOTS IS SUBJECT TO THE CITY OF KENAI ZONING REGULATIONS.



**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF \_\_\_\_\_

KENAI PENINSULA BOROUGH  
BY: \_\_\_\_\_  
AUTHORIZED OFFICIAL

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DEDICATES ALL RIGHTS-OF-WAY AND GRANTS ALL EASEMENTS TO THE USE SHOWN.

JEFFREY D GLOVER 306 PRINCESS ST KENAI, AK 99611	KRISTEN GLOVER 306 PRINCESS ST KENAI, AK 99611
--	--

**NOTARY ACKNOWLEDGMENT**

FOR: JEFFREY D GLOVER AND KRISTEN GLOVER  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024

NOTARY PUBLIC FOR: \_\_\_\_\_  
MY COMMISSION EXPIRES: \_\_\_\_\_

**WASTEWATER DISPOSAL**

WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

**LEGEND**

- ⊕ ALUMINUM MONUMENT OF RECORD KN 84-116
- ⊗ BRASS CAP MONUMENT OF RECORD KN 84-116
- IRON ROD MONUMENT OF RECORD KN 1347
- ⊙ 3/8" REBAR MONUMENT OF RECORD KN 84-116
- ⊗ 5/8" REBAR MONUMENT OF RECORD KN 84-116
- ( ) RECORD DATA PER PLAT KN 2011-81
- [ ] RECORD DATA PER PLAT KN 1347
- < > RECORD DATA PER PLAT KN 84-116

KPB FILE NUMBER:

PENINSULA SURVEYING, LLC 10555 KATRINA BOULEVARD, NINILCHIK, AK 99639 (907)306-7065	
<b>PLAT OF CINDERELLA SUBDIVISION GLOVER REPLAT</b>	
A SUBDIVISION OF LOT 6, CINDERELLA SUBDIVISION, KN 1347 AND LOT 1A, ENCHANTED FOREST 2011 REPLAT, KN 2011-81 LOCATED WITHIN NW1/4 SE1/4 SEC 33, TEN, R11W, SEWARD MERIDIAN, ALASKA CITY OF KENAI, KENAI RECORDING DISTRICT, KENAI PENINSULA BOROUGH, ALASKA CONTAINING 2.195 ACRES	
OWNERS: JEFFREY D GLOVER AND KRISTEN GLOVER 306 PRINCESS ST, KENAI, AK 99611	
SCALE: 1" = 40'	DATE: NOVEMBER 21, 2023
DRAWN: JLS	SHEET: 1 OF 1



NOV 23 2023



**Preliminary Plat Planning & Zoning Submittal Form**

By: *[Signature]*

City of Kenai  
Planning and Zoning Department  
210 Fidalgo Avenue  
Kenai, AK 99611  
(907) 283-8200  
planning@kenai.city  
www.kenai.city/planning

**APPLICANT (SURVEYOR)**

Name:	Peninsula Surveying, LLC						
Mailing Address:	10535 Katrina Blvd	City:	Ninilchik	State:	AK	Zip Code:	99639
Phone Number(s):	(907)306-7065						
Email:	jason@peninsulasurveying.com						

**PROPERTY OWNER**

Name:	Jeffrey and Kristen Glover						
Mailing Address:	306 Princess St	City:	Kenai	State:	AK	Zip Code:	99611
Phone Number(s):	(907)406-9125						
Email:	kristen@fiveintow.com						

**PROPERTY INFORMATION**

Kenai Peninsula Borough Parcel #:	04505015, 04505027					
Current City Zoning:	Rural Residential					
Use:	<input checked="" type="checkbox"/> Residential		<input type="checkbox"/> Recreational		<input type="checkbox"/> Commercial	
	<input type="checkbox"/> Other:					
Water:	<input type="checkbox"/> On Site		<input checked="" type="checkbox"/> City		<input type="checkbox"/> Community	
Sewer:	<input type="checkbox"/> On Site		<input checked="" type="checkbox"/> City		<input type="checkbox"/> Community	

**PLAT INFORMATION**

Preliminary Plat Name:	Cinderella Subdivision Glover Replat					
Revised Preliminary Plat Name:						
Vacation of Public Right-of-Way:	<input type="checkbox"/> Yes		<input checked="" type="checkbox"/> No			
Street Name (if vacating ROW):						

Exceptions Required and Requested:

Comments:

**REQUIRED ATTACHMENTS**

<input checked="" type="checkbox"/> Certificate to Plat	<input checked="" type="checkbox"/> (1) 24" x 36" Plat	<input checked="" type="checkbox"/> (2) 11" x 17" Plats
---	--	---

**SIGNATURE**

Signature:	<i>[Signature]</i>	Date:	11/21/2023
Print Name:	Jason Schollenberg	Title/Business:	Peninsula Surveying, LLC

*Stewart Title of the Kenai Peninsula, Inc.*

35681 Kenai Spur Hwy., Unit B  
Soldotna, AK 99669  
Tel: (907) 260-8031 Fax: (907) 260-8036

**CERTIFICATE TO PLAT**

Peninsula Surveying  
10535 Katrina Blvd  
Ninilchik, AK 99639  
Attention: Jason Schollenberg

File Number: 23535  
Premium: \$350.00  
Tax:

Gentlemen:

This is a certificate as of November 13, 2023 at 8:00 A.M. for a plat out of the following property:

Lot Six (6), CINDERELLA SUBDIVISION, according to Plat No. K-1347, Kenai Recording District, Third Judicial District, State of Alaska.

and

Lot One "A" (1A), ENCHANTED FOREST 2011 REPLAT, according to Plat No. 2011-81, Kenai Recording District, Third Judicial District, State of Alaska.

The Company certifies that record title is vested in

Jeffrey Glover and Kristen Glover, husband and wife as to Lot 6 and Jeffrey D. Glover and Kristen Glover, husband and wife as to Lot 1A

an estate in fee simple, free from all liens, encumbrances, and objections except for as follows:

1. **RESERVATIONS** and exceptions as contained in U.S. Patent, and/or acts authorizing the issuance thereof.
2. **RESERVATIONS AND EXCEPTIONS** as contained in Mineral Patent from the United States of America to the State of Alaska  
Recorded: September 27, 1982  
Volume/Page: 194/764

FURTHER, no other examination of the excepted title to minerals has been made herein and no insurance nor responsibility therefore is implied or assumed.

3. **TAXES AND ASSESSMENTS**, if any due the taxing authority indicated  
Taxing Authority: City of Kenai
4. **TAXES AND ASSESSMENTS**, if any, due the taxing authority indicated:  
Taxing Authority: KENAI PENINSULA BOROUGH
5. **EASEMENTS, SET-BACKS AND DEDICATIONS** as delineated on Plat No. K-1347.
6. **EFFECT** of the notes on said Plat No. K-1347.
7. **EASEMENTS, SET-BACKS AND DEDICATIONS** as delineated on Plat No. 2011-81.
8. **EFFECT** of the notes on said Plat No. 2011-81.
9. **DEED OF TRUST**, including terms and provisions thereof, to secure an indebtedness of the amount

herein stated and for any other amounts payable under the terms thereof:

Amount: \$332,835.00  
Dated: October 7, 2021  
Recorded: October 15, 2021  
Serial No.: 2021-011552-0  
Trustor: Jeffrey D. Glover and Kristen Glover, husband and wife  
Trustee: Alyeska Title Guaranty Agency  
Beneficiary: Wells Fargo Bank, N.A.  
(Affects Lot 1A)

**Stewart Title of the Kenai Peninsula, Inc.**

By

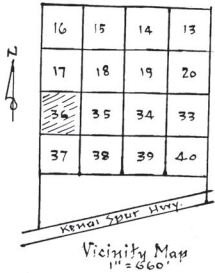
  
Authorized Countersignature

---

**Terri Cotterell**  
Authorized Signator

NOTE: We will update this certificate to comply with Kenai Peninsula Borough Ordinance 90-38 upon notification from surveyor.





# Cinderella Subdivision

A subdivision of Lot 36 of the B.L.M. survey & subdivision of Sec. 33,  
Twp. 6 N., Rge. 11 W. of S.M.

Kenai - Alaska

K 1347  
Book III page 316  
RECORDED - FILED  
Kenai rec. dist.  
DATE 9-25-1963  
FILED V.C.C. P.H.  
City of Kenai  
Address 307 5th  
Kenai

Scale: 1" = 60'

Kenai City Planning Commission:

Received Sept 9, 1963

Approved Sept 9, 1963

By Eric Macklin  
Chairman

By Spencer M. Sullivan  
Secretary

Kenai City Council:

This is to certify that the within plat was duly submitted to, and approved by, the Council of Kenai City, Alaska, by resolution number 65-27 duly authenticated as passed this 9 day of Sept, 1963.

James Dimiro  
Mayor

Vic M. Ydris  
City Clerk

Frances Sorhola

Easements:

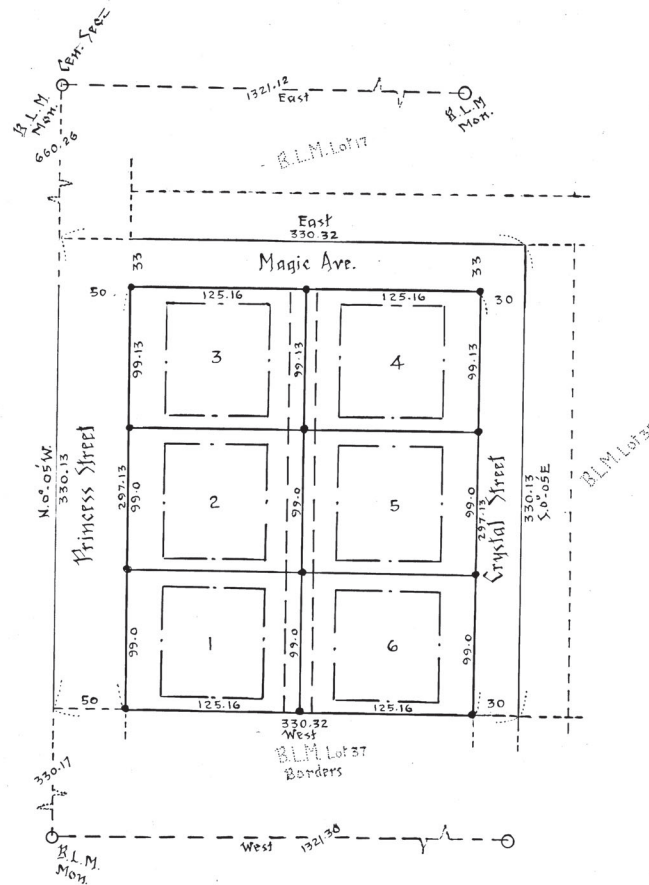
An easement or license is hereby granted to Kenai City, Alaska, to locate, construct and maintain, or authorize the location, construction, maintenance and use of conduits for all and any purpose, water, gas, sewer, mains, poles and wires of all or any of them, over, under and along the strips marked "Utility Easement."

Building Lines:

Building lines or set-back lines are hereby established, and no building or portions thereof shall be built between this line and the street.

Assessments:

All of the lots in this subdivision shall be subject to assessment for any of the improvements of water, sewer, streets, sidewalks or drainage when installed at a future time by the City of Kenai.



B.L.M. monuments are std. brass caps

Certificate of Ownership and Dedication:

We hereby certify that we are the owners of the tract of land shown and described hereon; that we have adopted this plan of subdivision with our free consent, and we hereby dedicate the streets and avenue shown to public use.

Denver M. Borders Sharon Borders  
OWNER OWNER  
Carl Sessman Joan H. McChisland  
WITNESS WITNESS

Notary's Acknowledgement:

Subscribed to and sworn before me, this 18 day of September, 1963

Joan H. McChisland  
Notary Public

My commission expires Sept. 1967

Certificate of Land Surveyor:

I hereby certify that the plat shown hereon is a true copy of a survey made under my direction; that permanent reference corners have been set as noted, and that given dimensions and bearings are correct, to the best of my knowledge and belief.



J. Malone  
R.L.S.

Legend

- Denotes Utility Easement
  - - - Denotes Bldg. Set-backs
  - +— Iron rods on all lot corners
- Note: Utility Easement is 10' each side lot line

CINDERELLA SUBDIVISION

For  
Denver M. & Sharon Borders  
Box 248 Kenai Alaska  
F. J. Malone  
R.L.S.  
Kenai # 625 Alaska





## Kenai City Council - Regular Meeting

January 03, 2024 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

[www.kenai.city](http://www.kenai.city)

**\*\*Telephonic/Virtual Information on Page 3\*\***

### Action Agenda

#### A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Agenda and Consent Agenda (*Public comments on Consent Agenda Items limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)

\*All items listed with an asterisk (\*) are considered to be routine and non-controversial by the council and will be approved by one motion. There will be no separate discussion of these items unless a council member so requests, in which case the item will be removed from the consent agenda and considered in its normal sequence on the agenda as part of the General Orders.

#### B. SCHEDULED ADMINISTRATIVE REPORTS

#### C. SCHEDULED PUBLIC COMMENTS (*Public comments limited to ten (10) minutes per speaker*)

#### D. UNSCHEDULED PUBLIC COMMENTS (*Public comments limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)

#### E. PUBLIC HEARINGS

1. **ENACTED WITHOUT OBJECTION. Ordinance No. 3383-2023** - Amending the Official Zoning Map by Rezoning all Parcels within the Letzing 1985 Subdivision (Plat No. 85-55) and Government Lot 170 from General Commercial (CG) to Suburban Residential (RS) Zoning District. (Administration)
2. **ENACTED WITHOUT OBJECTION. Ordinance No. 3384-2023** - Cancelling Previously Appropriated Projects, Authorizing a Transfer of Funds from the Wastewater Facility Capital Project Fund to the Water and Sewer Capital Project Fund and Appropriating Supplemental Funds for the Construction of a New Water Pump House at the City's Water Treatment Facility. (Administration)
3. **ADOPTED WITHOUT OBJECTION. Resolution No. 2024-01** - Approving the Use of the Fleet Replacement Fund for the Purchase of Two Ford Police Responders Utilizing the State of Alaska Equipment Fleet Contract. (Administration)
4. **ADOPTED WITHOUT OBJECTION. Resolution No. 2024-02** - Amending the Authorized Staffing Table by Adding a Part Time Administrative Assistant II Position to the Planning and Zoning Department. (Administration)

#### F. MINUTES

1. \*Regular Meeting of December 20, 2023. (City Clerk)

**G. UNFINISHED BUSINESS**

**H. NEW BUSINESS**

1. **\*Action/Approval** - Bills to be Ratified. (Administration)
2. **\*Action/Approval** - Non-Objection to the Renewal of a Marijuana Product Manufacturing Facility License and a Standard Marijuana Cultivation License for Red Run Cannabis Cultivators, LLC., DBA: Red Run Cannabis Cultivators, LLC. - License No.'s 19372 and 10052; and a Retail Marijuana Store License for Red Run Cannabis Company, LLC., DBA: Red Run Cannabis Company, LLC. – License No. 10056 (City Clerk)
3. **\*Action/Approval** - Non-Objection to the Renewal of a Retail Marijuana Store License and a Standard Marijuana Cultivation License for Majestic Gardens LLC., DBA: Majestic Gardens LLC. - License No.'s 15393 and 15395. (City Clerk)
4. **\*Ordinance No. 3385-2024** - Accepting and Appropriating a Donation to the Kenai Community Library for the Purchase of Library Materials and Software for Room and Event Scheduling. (Administration)
5. **\*Ordinance No. 3386-2024** - Increasing Estimated Revenues and Appropriations in the General Fund and Municipal Roadway Improvements Capital Fund to Conduct an Assessment of City Street Lighting. (Administration)
6. **\*Ordinance No. 3387-2024** - Increasing Estimated Revenues and Appropriations in the General Fund and Public Works Department's Street Division's Professional Services Budget to Review and Update the City's Roadway Improvements Standards. (Administration)
7. **APPROVED WITHOUT OBJECTION. Action/Approval** - Authorizing the City Manager to Enter into an Agreement with the Kenai Peninsula Borough to Accept Landfill Leachate at the Waste Water Treatment Plant. (Administration)

**I. COMMISSION / COMMITTEE REPORTS**

1. Council on Aging
2. Airport Commission
3. Harbor Commission
4. Parks and Recreation Commission
5. Planning and Zoning Commission
6. Beautification Committee

**J. REPORT OF THE MAYOR**

**K. ADMINISTRATION REPORTS**

1. City Manager
2. City Attorney
3. City Clerk

**L. ADDITIONAL PUBLIC COMMENTS**

1. Citizens Comments (*Public comments limited to five (5) minutes per speaker*)
2. Council Comments

M. **EXECUTIVE SESSION**

N. **PENDING ITEMS**

O. **ADJOURNMENT**

P. **INFORMATION ITEMS**

*The agenda and supporting documents are posted on the City's website at [www.kenai.city](http://www.kenai.city). Copies of resolutions and ordinances are available at the City Clerk's Office or outside the Council Chamber prior to the meeting. For additional information, please contact the City Clerk's Office at 907-283-8231.*

**Join Zoom Meeting**

<https://us02web.zoom.us/j/89458619905>

**Meeting ID:** 894 5861 9905 **Passcode:** 382993

OR

**Dial In:** (253) 215-8782 or (301) 715-8592

**Meeting ID:** 894 5861 9905 **Passcode:** 382993



## Kenai City Council - Regular Meeting

January 17, 2024 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

[www.kenai.city](http://www.kenai.city)

**\*\*Telephonic/Virtual Information on Page 3\*\***

### Action Agenda

#### A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Agenda and Consent Agenda (*Public comments on Consent Agenda Items limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)

\*All items listed with an asterisk (\*) are considered to be routine and non-controversial by the council and will be approved by one motion. There will be no separate discussion of these items unless a council member so requests, in which case the item will be removed from the consent agenda and considered in its normal sequence on the agenda as part of the General Orders.

#### B. SCHEDULED ADMINISTRATIVE REPORTS

#### C. SCHEDULED PUBLIC COMMENTS (*Public comments limited to ten (10) minutes per speaker*)

#### D. UNSCHEDULED PUBLIC COMMENTS (*Public comments limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)

#### E. PUBLIC HEARINGS

1. **ENACTED UNANIMOUSLY. Ordinance No. 3385-2024** - Accepting and Appropriating a Donation to the Kenai Community Library for the Purchase of Library Materials and Software for Room and Event Scheduling. (Administration)
2. **ENACTED UNANIMOUSLY. Ordinance No. 3386-2024** - Increasing Estimated Revenues and Appropriations in the General Fund and Municipal Roadway Improvements Capital Fund to Conduct an Assessment of City Street Lighting. (Administration)
3. **ENACTED UNANIMOUSLY. Ordinance No. 3387-2024** - Increasing Estimated Revenues and Appropriations in the General Fund and Public Works Department's Street Division's Professional Services Budget to Review and Update the City's Roadway Improvements Standards. (Administration)
4. **ADOPTED UNANIMOUSLY. Resolution No. 2024-03** - Adopting Goals to Guide the Preparation of the Fiscal Year 2025 Annual Budget. (Administration)
5. **ADOPTED AS AMENDED. Resolution No. 2024-04** - Requesting the State of Alaska Make a Meaningful Increase to the Base Student Allocation for Public Schools. (Douthit, Daniel)

#### F. MINUTES

1. \*Regular Meeting of January 3, 2024. (City Clerk)

**G. UNFINISHED BUSINESS**

**H. NEW BUSINESS**

1. **\*Action/Approval** - Bills to be Ratified. (Administration)
2. **\*Ordinance No. 3388-2024** - Increasing Estimated Revenues and Appropriations in the General Fund for the City's Joint Participation in the Kenai Peninsula Borough's Safe Streets and Roads for All Action Plan Grant Through the United States Department of Transportation. (Administration)
3. **\*Ordinance No. 3389-2024** - Accepting and Appropriating Donations from Kenai Senior Connection, Inc., to the Kenai Senior Center. (Administration)
4. **\*Ordinance No. 3390-2024** - Increasing Estimated Revenues and Appropriations in the Airport Fund to Purchase Air Service Development Professional Services at the Kenai Municipal Airport for Costs in Excess of Budgeted Amounts. (Administration)
5. **INTRODUCED AND REFERRED TO THE PLANNING & ZONING COMMISSION AND HARBOR COMMISSION. \*Ordinance No. 3391-2024** - Amending the Imagine Kenai 2030 Comprehensive Plan Land Use Plan Map for Certain Parcels from Industrial to Mixed-Use. (Knackstedt)
6. **INTRODUCED AND REFERRED TO THE PLANNING & ZONING COMMISSION AND HARBOR COMMISSION. \*Ordinance No. 3392-2024** - Amending the Kenai Zoning Code to Add a New Zoning District, Working Waterfront (WW) and Amending the Official Zoning Map for Certain Parcels from Heavy Industrial (IH) to Working Waterfront (WW) or Conservation (C) Zoning District. (Knackstedt)
7. **Discussion** - Public Meetings Remote Participation Update. (City Clerk)

**I. COMMISSION / COMMITTEE REPORTS**

1. Council on Aging
2. Airport Commission
3. Harbor Commission
4. Parks and Recreation Commission
5. Planning and Zoning Commission
6. Beautification Committee

**J. REPORT OF THE MAYOR**

**K. ADMINISTRATION REPORTS**

1. City Manager
2. City Attorney
3. City Clerk

**L. ADDITIONAL PUBLIC COMMENTS**

1. Citizens Comments (*Public comments limited to five (5) minutes per speaker*)
2. Council Comments

**M. EXECUTIVE SESSION**

**N. PENDING ITEMS**

**O. ADJOURNMENT**

**P. INFORMATION ITEMS**

*The agenda and supporting documents are posted on the City's website at [www.kenai.city](http://www.kenai.city). Copies of resolutions and ordinances are available at the City Clerk's Office or outside the Council Chamber prior to the meeting. For additional information, please contact the City Clerk's Office at 907-283-8231.*

**Join Zoom Meeting**

<https://us02web.zoom.us/j/89109732128>

**Meeting ID:** 891 0973 2128 **Passcode:** 785524

OR

**Dial In:** (253) 215-8782 or (301) 715-8592

**Meeting ID:** 891 0973 2128 **Passcode:** 785524



## Meeting Agenda Planning Commission

---

Monday, January 8, 2024

7:30 PM

ZOOM ONLY MEETING - MEETING NOT  
PHYSICALLY OPEN TO THE PUBLIC

---

**Zoom Meeting ID 907 714 2200**

The hearing procedure for the Planning Commission public hearings are as follows:

- 1) Staff will present a report on the item.
- 2) The Chair will ask for petitioner's presentation given by Petitioner(s) / Applicant (s) or their representative – 10 minutes
- 3) Public testimony on the issue. – 5 minutes per person
- 4) After testimony is completed, the Planning Commission may follow with questions. A person may only testify once on an issue unless questioned by the Planning Commission.
- 5) Staff may respond to any testimony given and the Commission may ask staff questions.
- 6) Rebuttal by the Petitioner(s) / Applicant(s) to rebut evidence or provide clarification but should not present new testimony or evidence.
- 7) The Chair closes the hearing and no further public comment will be heard.
- 8) The Chair entertains a motion and the Commission deliberates and makes a decision.

All those wishing to testify must wait for recognition by the Chair. Each person that testifies must write his or her name and mailing address on the sign-in sheet located by the microphone provided for public comment. They must begin by stating their name and address for the record at the microphone. All questions will be directed to the Chair. Testimony must be kept to the subject at hand and shall not deal with personalities. Decorum must be maintained at all times and all testifiers shall be treated with respect.

### **A. CALL TO ORDER**

### **B. ROLL CALL**

## C. APPROVAL OF CONSENT AND REGULAR AGENDA

*All items marked with an asterisk (\*) are consent agenda items. Consent agenda items are considered routine and non-controversial by the Planning Commission and will be approved by one motion. There will be no separate discussion of consent agenda items unless a Planning Commissioner so requests in which case the item will be removed from the consent agenda and considered in its normal sequence on the regular agenda.*

*If you wish to comment on a consent agenda item or a regular agenda item other than a public hearing, please advise the recording secretary before the meeting begins, and she will inform the Chairman of your wish to comment.*

1. Time Extension Requests - None
2. Planning Commission Resolutions - None
3. Plats Granted Administrative Approval

- [KPB-5708](#)
- a. Annette's Subdivision; KPB File 2023-086
  - b. Barefoot Acres; KPB File 2023-073
  - c. Binkley Subdivision 2023 Replat; KPB File 2023-019
  - d. Diamond Willow Kenai Wellness Estates Addition; KPB File 2023-079
  - e. Don Jack Subdivision Cook Addition; KPB File 2019-083
  - f. Forest Trails Subdivision; KPB File 2023-038
  - g. Jelinek Subdivision; KPB File 2023-035
  - h. Oberts Silver Salmon Subdivision; KPB File 2023-081
  - i. Pease Subdivision Meadowmere Replat; KPB File 2023-064
  - j. S&S Subdivision 2023 Replat; KPB File 2023-016
  - k. Sleepy Hollow Longmere Landing Addition; KPB File 2021-003R1
  - l. TLS 2021-06 East Oyster Cove Subdivision; KPB File 2022-047R1

Attachments: [C3. Admin Approvals](#)

4. Plats Granted Final Approval (KPB 20.10.040)

- [KPB-5709](#)
- a. Don's Place Subdivision Faeo Replat; KPB File 2023-022
  - b. Irons Subdivision Covey Replat; KPB File 2022-110
  - c. Riverview Subdivision Coghill Replat Lot 1A SLEV; KPB File 2019-064

Attachments: [C4. Final Approvals](#)

5. Plat Amendment Request - None
6. Commissioner Excused Absences



Virginia Morgan, Cooper Landing, Hope, Eastern Peninsula District

7. Minutes

[KPB-5710](#) December 11, 2023 PC Meeting Minutes

Attachments: [C7. 121123 PC Meeting Minutes](#)

**D. OLD BUSINESS - None**

**E. NEW BUSINESS**

1. [KPB-5711](#) Right-of-Way Vacation; KPB File 2023-141V  
McLane Consulting Group / Zimmerman  
Request: Vacate the 30' by 240' alleyway associated with Lots 2-7,  
Block 11, US Survey No. 3564, Townsite of Kasilof  
Kasilof Area

Attachments: [E1. ROWV\\_USS 3564 Packet](#)

2. [KPB-5712](#) Right-Of-Way Vacation; KPB File 2023-145V  
McLane Consulting Group  
Evenson, Boys & Gils Club of the Kenai Peninsula  
Request: Vacate 31' by 518' S. Spruce ROW & 48' by 367' Char  
Circle dedicated by Park View Subdivision, Plat KN 79-156  
City of Kenai

Attachments: [E2. ROWV KN 79-156 Packet](#)

[E2. ROWV\\_KPB 2023-145V\\_Desk Packet](#)

3. [KPB-5713](#) Conditional Use Permit; PC Resolution 2024-01  
Applicant: Alaska Department of Natural Resources – State Parks  
Request: to renovate a public use facility, add a gravel pad and three  
fish cleaning stations within the Habitat Protection District of the  
Kasilof River. Location: 26035 Williamson Lane; PIN 13332039  
Kasilof Area

Attachments: [E3. CUP ADNR 2024-01 Packet](#)

[E3. AKDNR CUP\\_Desk Packet](#)

4. [KPB-5714](#) Resolution 2024-XX: A resolution classifying Borough land in the  
Cooper Landing area.

Attachments: [E4. RES 2024-XX Land Class Packet](#)

**F. PLAT COMMITTEE REPORT**

Plat Committee will review 9 plats

## **G. OTHER**

- a. Legal Department Update

## **H. PUBLIC COMMENT/PRESENTATION**

*(Items other than those appearing on the agenda or scheduled for public hearing. Limited to five minutes per speaker unless previous arrangements are made)*

## **I. DIRECTOR'S COMMENTS**

## **J. COMMISSIONER COMMENTS**

## **K. ADJOURNMENT**

### **MISCELLANEOUS INFORMATIONAL ITEMS**

#### **NO ACTION REQUIRED**

[KPB-5743](#)      APC Meeting Minutes

Attachments:      [Misc. Info Packet](#)

### **NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING**

The next regularly scheduled Planning Commission meeting will be held Monday, January 22, 2024 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

Phone: toll free within the Borough 1-800-478-4441, extension 2215

Fax: 907-714-2378

e-mail address: [planning@kpb.us](mailto: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 right-of-ways, 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.



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Agenda Plat Committee

---

Monday, January 8, 2024

6:30 PM

ZOOM ONLY MEETING - MEETING NOT  
PHYSICALLY OPEN TO THE PUBLIC

---

**Zoom Meeting ID 907 714 2200**

The hearing procedure for the Plat Committee public hearings are as follows:

- 1) Staff will present a report on the item.
- 2) The Chair will ask for petitioner's presentation given by Petitioner(s) / Applicant (s) or their representative – 10 minutes
- 3) Public testimony on the issue. – 5 minutes per person
- 4) After testimony is completed, the Planning Commission may follow with questions. A person may only testify once on an issue unless questioned by the Planning Commission.
- 5) Staff may respond to any testimony given and the Commission may ask staff questions.
- 6) Rebuttal by the Petitioner(s) / Applicant(s) to rebut evidence or provide clarification but should not present new testimony or evidence.
- 7) The Chair closes the hearing and no further public comment will be heard.
- 8) The Chair entertains a motion and the Commission deliberates and makes a decision.

All those wishing to testify must wait for recognition by the Chair. Each person that testifies must write his or her name and mailing address on the sign-in sheet located by the microphone provided for public comment. They must begin by stating their name and address for the record at the microphone. All questions will be directed to the Chair. Testimony must be kept to the subject at hand and shall not deal with personalities. Decorum must be maintained at all times and all testifiers shall be treated with respect.

### **A. CALL TO ORDER**

### **B. ROLL CALL**

**C. APPROVAL OF AGENDA, EXCUSED ABSENCES, AND MINUTES**

*All items marked with an asterisk (\*) are consent agenda items. Consent agenda items are considered routine and noncontroversial by the Plat Committee and may be approved by one motion. There will be no separate discussion of consent agenda items unless a Planning Commissioner removes the item from the consent agenda. The removed item will then be considered in its normal sequence on the regular agenda. If you wish to comment on a consent agenda item, please advise the recording secretary before the meeting begins, and she will inform the Chair of your wish to comment.*

1. Agenda
2. Member / Alternate Excused Absences
3. Minutes

[KPB-5715](#) December 11, 2023 Plat Committee Minutes

Attachments: [C3. 121123 Plat Meeting Minutes](#)

4. Grouped Plats

[KPB-5725](#) January 8, 2024 Grouped Plats Staff Report

Attachments: [Plat Grouped SR\\_010824](#)

**D. OLD BUSINESS****E. NEW BUSINESS**

1. [KPB-5716](#) Moose Run Estates Williams Addition; KPB File 2023-144  
Edge Survey & Design, LLC / Williams  
Location: Wapiti Road & Rut Avenue  
Nikiski Area / Nikiski APC

Attachments: [E1. Moose Run Estates Williams Addn Packet](#)

2. [KPB-5717](#) C & C Bear Subdivision 2023 Replat; KPB File 2023-133  
McLane Consult Group / Boling  
Location: On C&C Bear Street  
Funny River Area / Funny River APC

Attachments: [E2. C&C Bear Sub 2023 Replat Packet](#)

3. [KPB-5718](#) Marysville No. 5 Ellison 2024 Replat; KPB File 2023-143  
Seabright Surveying / Ellison  
Location: School Avenue & Marysville Street  
Anchor Point Area / Anchor Point APC  
  
*Attachments:* [E3. Marysville No. 5 Ellison 2024 Replat Packet](#)
4. [KPB-5719](#) Skyline Heights Estates Kachemak Landing Airpark; KPB File 2023-142  
Seabright Surveying / Kachemak Landing, LLC  
Location: Near Sterling Highway & Aviation Way  
Diamond Ridge Area / Kachemak Bay APC  
  
*Attachments:* [E4. Skyline Heights Estates Kachemak Landing Airpark Packet](#)  
[E4. Skyline Heights Estates Kachemak Landing Airpark Desk Packet](#)
5. [KPB-5720](#) Hall-Ewing Subdivision; KPB File 2023-103R1  
Segesser Surveys / Ewing, Hall  
Location: Wanda Drive off Kenai Spur Highway  
Nikiski Area / Nikiski APC  
  
*Attachments:* [E5. Hall-Ewing Subdivision Packet](#)
6. [KPB-5721](#) Gatten Subdivision 2024 Replat; KPB File 2023-136  
Segesser Surveys / Hill, Croom  
Location: Patty Avenue  
Sterling Area  
  
*Attachments:* [E6. Gatten Subdivision 2024 Replat Packet](#)
7. [KPB-5722](#) Eagle Ridge Estates Part 3 2023 Replat; KPB File 2023-138  
Johnson Surveying / Haman  
Location: Wildberry Court  
Kalifornsky Area  
  
*Attachments:* [E7. Eagle Ridge Estates Part 3 2023 Replat Packet](#)
8. [KPB-5723](#) Galliher Subdivision #3; KPB File 2023-140  
Johnson Surveying / Bundy  
Location: Card Street & Lepus Avenue  
Sterling Area  
  
*Attachments:* [E8. Galliher Subdivison #3 Packet](#)

9. [KPB-5724](#) Quartz Creek Subdivision Outfitters Way Replat; KPB 2022-060R1  
Segesser Surveys / KPB, Three Bears Alaska Inc.  
Location: Persistent Way & Sterling Highway  
Cooper Landing Area / Cooper Landing APC

Attachments: [E9. Quartz Creek Sub Outfitters Way Replat Packet](#)  
[E9. Quartz Creek Sub Outfitters Way Replat Desk Packet](#)

## F. PUBLIC COMMENT

*(Items other than those appearing on the agenda or scheduled for public hearing. Limited to five minutes per speaker unless previous arrangements are made)*

## G. ADJOURNMENT

### MISCELLANEOUS INFORMATIONAL ITEMS

#### NEXT REGULARLY SCHEDULED PLAT COMMITTEE MEETING

The next regularly scheduled Plat Committee meeting will be held Monday, [INSERT DATE], 2021 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.

#### KENAI PENINSULA BOROUGH PLANNING DEPARTMENT

Phone: 907-714-2215

Phone: toll free within the Borough 1-800-478-4441, extension 2215

Fax: 907-714-2378

e-mail address: [planning@kpb.us](mailto:planning@kpb.us)

website: <http://www.kpb.us/planning-dept/planning-home>

Written comments will be accepted until 1:00 p.m. on the last business day (usually a Friday) before the day of the Plat Committee meeting in which the item is being heard. If voluminous information and materials are submitted staff may request seven copies be submitted. Maps, graphics, photographs, and typewritten information that is submitted at the meeting must be limited to 10 pages. Seven copies should be given to the recording secretary to provide the information to each Committee member. If using large format visual aids (i.e. poster, large-scale maps, etc.) please provide a small copy (8 ½ x 11) or digital file for the recording secretary. Audio, videos, and movies are not allowed as testimony. If testimony is given by reading a prepared statement, please provide a copy of that statement to the recording secretary.

An interested party may request that the Planning Commission review a decision of the Plat Committee by filing a written request within 10 days of the written notice of decision in accordance with KPB 2.40.080.



## Meeting Agenda Planning Commission

---

Monday, January 22, 2024

7:30 PM

Betty J. Glick Assembly Chambers

---

**Zoom Meeting ID: 907 714 2200**

The hearing procedure for the Planning Commission public hearings are as follows:

- 1) Staff will present a report on the item.
- 2) The Chair will ask for petitioner's presentation given by Petitioner(s) / Applicant (s) or their representative – 10 minutes
- 3) Public testimony on the issue. – 5 minutes per person
- 4) After testimony is completed, the Planning Commission may follow with questions. A person may only testify once on an issue unless questioned by the Planning Commission.
- 5) Staff may respond to any testimony given and the Commission may ask staff questions.
- 6) Rebuttal by the Petitioner(s) / Applicant(s) to rebut evidence or provide clarification but should not present new testimony or evidence.
- 7) The Chair closes the hearing and no further public comment will be heard.
- 8) The Chair entertains a motion and the Commission deliberates and makes a decision.

All those wishing to testify must wait for recognition by the Chair. Each person that testifies must write his or her name and mailing address on the sign-in sheet located by the microphone provided for public comment. They must begin by stating their name and address for the record at the microphone. All questions will be directed to the Chair. Testimony must be kept to the subject at hand and shall not deal with personalities. Decorum must be maintained at all times and all testifiers shall be treated with respect.

### **A. CALL TO ORDER**

### **B. ROLL CALL**





2. [KPB-5751](#) Right-Of-Way Vacation; KPB File 2024-004V  
Edge Survey & Design, LLC / Tice, Peninsula Oilers Baseball Club, Inc.  
Request: Vacates Outside Way ROW & associated utility easement  
City of Kenai  
*Attachments:* [E2. ROWV Outside Way Packet](#)
3. [KPB-5752](#) Utility Easement Vacation; KPB File 2024-003V  
Edge Survey & Design, LLC / Jose  
Request: Vacates portions of a utility easement located on the south boundary of Lot 4-B, eastern boundaries of Lots 4-C & 4-D granted by Resubdivision of Lots 4&5 Cottonwood Acres Subdivision, Plat KN 78-224  
Soldotna Area  
*Attachments:* [E3. UEV Cottonwood Acres Packet](#)
4. [KPB-5753](#) Conditional Use Permit; PC Resolution 2024-02  
Applicant: Tyonek Tribal Council  
Request: Replace a failing culvert & add gravel to level the road within the 50-foot Habitat Protection district of Tyonek Creek  
Location: Timber Road / PIN 211-153-08  
Tyonek Area  
*Attachments:* [E4. CUP Tyonek Creek Packet](#)

### Public Hearing: Legislative Matters

5. [KPB-5754](#) Street Naming Resolution 2024-01  
Location: Barbara Drive, Ninilchik Community, ESN 451  
Proposed Name: Barbara Drive N. & Barbara Drive S.  
Ninilchik Area  
*Attachments:* [E5. SN RES 2024-01 Packet](#)
6. [KPB-5755](#) Ordinance 2024-01: Authorizing a negotiated lease with Traylor Bros, Inc. for a temporary craft worker housing site in support of the Sterling Highway MP 45-60 Construction Project near Cooper Landing.  
*Attachments:* [E6. ORD 2024-01 Traylor Lease Packet](#)

### F. PLAT COMMITTEE REPORT

### G. OTHER

**H. PUBLIC COMMENT/PRESENTATION**

*(Items other than those appearing on the agenda or scheduled for public hearing. Limited to five minutes per speaker unless previous arrangements are made)*

**I. DIRECTOR'S COMMENTS****J. COMMISSIONER COMMENTS****K. ADJOURNMENT****MISCELLANEOUS INFORMATIONAL ITEMS****NO ACTION REQUIRED****NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING**

The next regularly scheduled Planning Commission meeting will be held Monday, February 12, 2024 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

Phone: toll free within the Borough 1-800-478-4441, extension 2215

Fax: 907-714-2378

e-mail address: [planning@kpb.us](mailto: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 right-of-ways, 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.



## Meeting Agenda Plat Committee

---

Monday, January 22, 2024

6:30 PM

Betty J. Glick Assembly Chambers

---

**Zoom Meeting ID: 907 714 2200**

The hearing procedure for the Plat Committee public hearings are as follows:

- 1) Staff will present a report on the item.
- 2) The Chair will ask for petitioner's presentation given by Petitioner(s) / Applicant (s) or their representative – 10 minutes
- 3) Public testimony on the issue. – 5 minutes per person
- 4) After testimony is completed, the Planning Commission may follow with questions. A person may only testify once on an issue unless questioned by the Planning Commission.
- 5) Staff may respond to any testimony given and the Commission may ask staff questions.
- 6) Rebuttal by the Petitioner(s) / Applicant(s) to rebut evidence or provide clarification but should not present new testimony or evidence.
- 7) The Chair closes the hearing and no further public comment will be heard.
- 8) The Chair entertains a motion and the Commission deliberates and makes a decision.

All those wishing to testify must wait for recognition by the Chair. Each person that testifies must write his or her name and mailing address on the sign-in sheet located by the microphone provided for public comment. They must begin by stating their name and address for the record at the microphone. All questions will be directed to the Chair. Testimony must be kept to the subject at hand and shall not deal with personalities. Decorum must be maintained at all times and all testifiers shall be treated with respect.

### **A. CALL TO ORDER**

### **B. ROLL CALL**

#### **Plat Committee Members:**

Pamela Gillham, Kalifornsky/ Kasilof District

Jeffery Epperheimer, Nikiski District

Virginia Morgan, Cooper Landing/Hope, Eastern Peninsula District

Franco Venuti, City of Homer

### C. APPROVAL OF AGENDA, EXCUSED ABSENCES, AND MINUTES

*All items marked with an asterisk (\*) are consent agenda items. Consent agenda items are considered routine and noncontroversial by the Plat Committee and may be approved by one motion. There will be no separate discussion of consent agenda items unless a Planning Commissioner removes the item from the consent agenda. The removed item will then be considered in its normal sequence on the regular agenda. If you wish to comment on a consent agenda item, please advise the recording secretary before the meeting begins, and she will inform the Chair of your wish to comment.*

1. Agenda
2. Member / Alternate Excused Absences - None
3. Minutes
4. Grouped Plats

[KPB-5745](#) 01-22-24 Grouped Plats Staff Report

*Attachments:* [Plat Grouped SR\\_012224](#)

[KPB-5744](#) January 8, 2024 Plat Committee Meeting Minutes

*Attachments:* [C7. 010824 PC Minutes](#)

### D. OLD BUSINESS - None

### E. NEW BUSINESS

1. [KPB-5747](#) Fox Hills Estates Subdivision Part 3; KPB File 2023-146  
Edge Survey & Design, LLC / Swanson  
Location: Silver Fox Drive off Kalifornsky Beach Road  
Kasilof Area  
*Attachments:* [E1. Fox Hills Estates Sub Part 3 Packet](#)
2. [KPB-5748](#) Sprucewood Glen Subdivision No. 11; KPB File 2024-001  
Edge Survey & Design, LLC / Travostino  
Location: W. Tern Avenue & Kenai Spur Highway  
City of Kenai  
*Attachments:* [E2. Sprucewood Glen Sub No. 11 Packets](#)

3. [KPB-5749](#) Wonder View Subdivision; KPB File 2023-139  
Fixed Heights, LLC / AK Mental Health Trust Authority  
Location: Wolf Street  
Nikiski Area / Nikiski APC

Attachments: [E3. Wonder View Sub Packet](#)

## F. PUBLIC COMMENT

*(Items other than those appearing on the agenda or scheduled for public hearing. Limited to five minutes per speaker unless previous arrangements are made)*

## G. ADJOURNMENT

### MISCELLANEOUS INFORMATIONAL ITEMS

#### NEXT REGULARLY SCHEDULED PLAT COMMITTEE MEETING

The next regularly scheduled Plat Committee meeting will be held Monday, February 12, 2024 in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at 5:30 p.m.

#### KENAI PENINSULA BOROUGH PLANNING DEPARTMENT

Phone: 907-714-2215

Phone: toll free within the Borough 1-800-478-4441, extension 2215

Fax: 907-714-2378

e-mail address: [planning@kpb.us](mailto:planning@kpb.us)

website: <http://www.kpb.us/planning-dept/planning-home>

Written comments will be accepted until 1:00 p.m. on the last business day (usually a Friday) before the day of the Plat Committee meeting in which the item is being heard. If voluminous information and materials are submitted staff may request seven copies be submitted. Maps, graphics, photographs, and typewritten information that is submitted at the meeting must be limited to 10 pages. Seven copies should be given to the recording secretary to provide the information to each Committee member. If using large format visual aids (i.e. poster, large-scale maps, etc.) please provide a small copy (8 ½ x 11) or digital file for the recording secretary. Audio, videos, and movies are not allowed as testimony. If testimony is given by reading a prepared statement, please provide a copy of that statement to the recording secretary.

An interested party may request that the Planning Commission review a decision of the Plat Committee by filing a written request within 10 days of the written notice of decision in accordance with KPB 2.40.080.