



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

August 11, 2021 – 7:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

****Telephonic/Virtual Information on Page 2****

www.kenai.city

Agenda

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Agenda Approval
4. Consent Agenda
5. *Excused Absences

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 July 28, 2021

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 No. PZ2021-31** - Preliminary Subdivision Plat of Townsite of Kenai Kenaitze Courthouse Replat, submitted by Edge Survey and Design, LLC, P. O. Box 208, Kasilof, AK 99610, on behalf of Kenaitze Indian Tribe, 150 N. Willow St. Suite 33, Kenai, AK 99611

F. PUBLIC HEARINGS

G. UNFINISHED BUSINESS

H. NEW BUSINESS

1. **Action/Approval** - A Resolution Of The Council Of The City Of Kenai, Alaska Approving The Development Incentives Per Kenai Municipal Code 21.10.100. For A Lease Of Airport Reserve Lands Between The City Of Kenai And Schilling Rentals, Llc On General Aviation Apron Sub No. 1 Amended Lot 2 Block 3

I. **PENDING ITEMS**

J. **REPORTS**

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

K. **ADDITIONAL PUBLIC COMMENT**

(Public comment limited to five (5) minutes per speaker)

L. **INFORMATIONAL ITEMS**

M. **NEXT MEETING ATTENDANCE NOTIFICATION**

1. August 25, 2021

N. **COMMISSION COMMENTS AND QUESTIONS**

O. **ADJOURNMENT**

The agenda and supporting documents are posted on the City's website at 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/89855935476>

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

Meeting ID: 898 5593 5476 **Passcode:** 854086

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
JULY 28, 2021 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVENUE, KENAI, ALASKA
CHAIR JEFF TWAIT, PRESIDING**

MINUTES

A. CALL TO ORDER

Chair Twait called the meeting to order at 7:00 p.m.

1. Pledge of Allegiance

Chair Twait led those assembled in the Pledge of the Allegiance.

2. Roll Call

Commissioners present: J. Twait, R. Springer, J. Halstead, A. Douthit, D. Fikes, G. Woodard, G. Greenberg

Commissioners absent:

Staff/Council Liaison present: Planning Director R. Foster, Planning Assistant W. Anderson, Deputy City Clerk M. Thibodeau, Council Liaison J. Glendening

A quorum was present.

3. Agenda Approval

Chair Twait noted the following revisions to the agenda and packet:

- Add to item H.1. **Action/Approval** - Approving a Letter of Non-Objection to the Time Extension for the Finalization of the Plat of Kee's Tern Subdivision.
- December 11, 2013 Planning & Zoning Packet
 - Letter from Scott Huff, Platting Manager, Kenai Peninsula Borough

MOTION:

Commissioner Halstead **MOVED** to approve the agenda with requested additions to the packet and Vice Chair Fikes **SECONDED** the motion. There were no objections; **SO ORDERED**.

4. Consent Agenda

MOTION:

Commissioner Douthit **MOVED** to approve the consent agenda and Vice Chair Fikes **SECONDED**

the motion. There were no objections; **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.

5. *Excused absences – None.

B. APPROVAL OF MINUTES

1. *Regular Meeting of July 14, 2021

The minutes were approved by the Consent Agenda.

C. SCHEDULED PUBLIC COMMENT – None.

D. UNSCHEDULED PUBLIC COMMENT – None.

E. CONSIDERATION OF PLATS

1. **Resolution PZ2021-30** - Preliminary Subdivision Plat of Black Gold Estates 2021 Replat, submitted by McLane Consulting, Inc., P. O. Box 468, Soldotna, AK 99669, on behalf of Alex Douthit, 1104 Leeward Drive, Kenai, AK 99611

MOTION:

Vice Chair Fikes **MOVED** to approve Resolution No. PZ2021-30 and Commissioner Woodard **SECONDED** the motion.

Commissioner Douthit declared a conflict of interest, stating that he is the owner of the plat under consideration. Chair Twait ruled that Commissioner Douthit had a conflict and excused him from voting.

Planning Director Foster presented his staff report with information provided in packet explaining that the applicant wants to vacate the sixty foot right-of-way along the Southerly boundary, and the size of the lot will be increased from approximately 3.1 acres to approximately 3.4 acres.

Approval of the plat was recommended, subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. The Kenai City Council must declare the sixty-foot right-of-way not needed for a public purpose and approve the vacation of the right-of-way as shown on the preliminary plat.
3. A note should be added to the plat stating that 'no private access to State maintained right of-ways permitted unless approved by the State of Alaska, Department of Transportation'.
4. Connection to City Water and Sewer pursuant to the provisions in KMC 17.010.010(a) and KMC 17.020.010(a).
5. Verification by the surveyor of the width of Wildwood Drive.

VOTE:

YEA: Halstead, Fikes, Greenberg, Woodard, Twait, Springer
NAY:

MOTION PASSED UNANIMOUSLY.

F. PUBLIC HEARINGS

1. **Resolution PZ2021-27** – Application for the rezoning of a tract of land described as the North 150 feet of Government Lot 34, Section 6, Township 5 North, Range 11 West, fronting the Kenai Spur Highway (KPB Parcel No. 04702011), from Suburban Residential (RS) to General Commercial (CG). The application was submitted by the majority property owner, Kenaitze Indian Tribe, 150 Willow Street, Kenai, Alaska 99611

MOTION:

Vice Chair Fikes **MOVED** to approve Resolution No. PZ2021-27 and Commissioner Douthit **SECONDED** the motion.

Planning Director Foster presented his staff report with information provided in packet explaining that the applicants want to rezone the property in question from suburban residential to general commercial. It was noted that the applicants own the property to the north which is already zoned as general commercial, and they have indicated plans for building two greenhouses for private use.

Chair Twait opened for public hearing.

John Williams thanked the Commission, and explained some of his past involvement with the property. He conveyed the Church's willingness to go along with the zoning change and welcomed the Kenaitze Native Association and Orthodox Church on the adjoining properties. He stated that there is a fence running between the church property and old trailer court property fence which is in disrepair, and asked that the new owners properly maintain the fence and bring up to good condition.

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

Clarification was provided that a landscape plan would not be a part of the rezoning process, although further development such as the proposed greenhouses could potentially trigger the need for a landscape site plan as part of a building permit. It was noted that the fence repair as requested during the public hearing could be considered a buffer within the landscape plan, which is required by code between neighboring districts. The need for a building permit and landscape plan depends on future development.

VOTE:

YEA: Greenberg, Woodard, Twait, Springer, Halstead, Douthit, Fikes
NAY:

MOTION PASSED UNANIMOUSLY.

G. UNFINISHED BUSINESS – None.

H. NEW BUSINESS

- 1. Action/Approval** - Approving a Letter of Non-Objection to the Time Extension for the Finalization of the Plat of Kee's Tern Subdivision.

MOTION:

Vice Chair Fikes **MOVED** to approve the letter of non-objection to the time extension for the finalization of the plat of Kee's Tern Subdivision. Commissioner Woodard **SECONDED** the motion.

Planning Director Foster noted the maps in the packet and laydown which present the preliminary plat approved by the Planning & Zoning Commission in 2013 and the phase 1 finalization, and clarified that tracts B, C and D remain to be finalized with the Borough. It was explained that after the approval of the preliminary plat, the Kenai Peninsula Borough changed their code to allow for extensions of ten years. The requested extension to finalize the remaining phases of the preliminary plat would meet the ten-year maximum.

Clarification was provided that this would allow for an extension up to February 11, 2023, and the Commission discussed whether this date should be added into the letter.

Kathleen Martin, owner of Kee's Tern subdivision, stated that she had no objection to adding this date to the letter.

MOTION TO AMEND:

Vice Chair Fikes **MOVED** to amend the letter by adding that the date of extension goes until February 11, 2023. Commissioner Woodard **SECONDED** the motion.

VOTE ON AMENDMENT:

YEA: Springer, Halstead, Douthit, Fikes, Greenberg, Woodard, Twait
NAY:

MOTION PASSED UNANIMOUSLY.

VOTE ON MAIN MOTION:

YEA: Douthit, Fikes, Greenberg, Woodard, Twait, Springer, Halstead
NAY:

MOTION PASSED UNANIMOUSLY.

I. PENDING ITEMS – None.

J. REPORTS

1. **City Council** – Council Member Glendening reported on the actions from the July 7, 2021 City Council meeting. Reported that there is an upcoming City Council work session on Kenai Waterfront Revitalization and Economic Development Incentives, and encouraged the Commission to attend.
2. **Borough Planning** – No report.
3. **City Administration** – Planning Director Foster reported on the following:
 - The City received a noise complaint for a Conditional Use Permit on Angler Drive;
 - There is an upcoming Board of Adjustment hearing on Friday, July 30, 2021 regarding a Planning & Zoning Commission decision to approve a Conditional Use Permit for the development of eight single family dwellings on 4th Avenue;
 - The next City Council meeting on August 4th will include the approval of the Special Use Permit for the Moosemeat John Cabin and two airport land purchases, previously recommended for approval by the Planning & Zoning Commission;
 - Upcoming Planning & Zoning Commission meeting on August 11, 2021 is anticipated to include a plat and an application for airport property development incentives.

K. ADDITIONAL PUBLIC COMMENT –

John Williams reminisced on his past involvement with the Commission, and expressed enthusiasm for possible development of properties along the waterfront and planned development by the Kenaitze Indian Tribe. He encouraged the commission to follow closely and work with the Kenaitze in order to create economic growth in the City.

L. INFORMATIONAL ITEMS

M. NEXT MEETING ATTENDANCE NOTIFICATION

1. August 11, 2021

Commissioner Woodard noted that she may not be able to attend.

N. COMMISSION COMMENTS & QUESTIONS

Commissioner Halstead appreciated the input from everyone, especially that from former Mayor John Williams.

O. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 7:59 p.m.

Minutes prepared and submitted by:

Meghan Thibodeau
Deputy City Clerk

DRAFT



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2021-31**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **RECOMMENDING** THAT TOWNSITE OF KENAI KENAITZE COURTHOUSE REPLAT ATTACHED HERETO BE APPROVED

WHEREAS, the City of Kenai received the plat from Edge Survey and Design LLC and,

WHEREAS, the plat meets Municipal Code requirements of the Townsite Historical District; and,

WHEREAS, street names are referenced correctly; and,

WHEREAS, Access to the proposed Tract is via Overland Avenue, Mission Avenue and Upland Street which are paved City maintained streets; and

WHEREAS, the buildings located on the proposed Tract B1, Block 5, are connected to City water and sewer services. An installation agreement is not required; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to Kenai Municipal Code 14.10.070 Subdivision design standards, the plat conforms to the minimum street widths, easements are sufficiently provided for utilities, the proposed lot would be arranged to provide satisfactory and desirable building sites, and the preliminary plat meets standards for water and wastewater.
2. Pursuant to Kenai Municipal Code 14.24.010 Minimum lot area requirements, the proposed lots meets City standards for minimum lot sizes.
3. Pursuant to Kenai Municipal Code 14.24.020 General Requirements, the proposed lots meet City standards for minimum lot width, maximum lot coverage, maximum height, and setbacks.

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

Section 1. That the preliminary plat of Townsite of Kenai Kenaitze Courthouse Replat be approved subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.

2. The Kenai City Council must declare that the portion of ten-foot utility easement to be vacated is not needed for a public purpose and approve the vacation of the utility easement as shown on the preliminary plat.
3. Prior to issuance of a building permit, a Landscape/Site plan must be submitted to the City of Kenai for review and approval.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
this 11th day of August, 2021.

JEFF TWAIT, CHAIRPERSON

ATTEST:

JAMIE HEINZ, MMC, CITY CLERK



KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

STAFF REPORT

TO: Planning and Zoning Commission
FROM: Ryan Foster, Planning Director
DATE: August 5, 2021
SUBJECT: PZ2021-31 – Preliminary Plat – Townsite of Kenai Kenaitze Courthouse Replat

Applicant: Kenaitze Indian Tribe
P. O. Box 988
Kenai, AK 99611

Submitted By: Edge Survey and Design LLC
P.O. Box 208
Kasilof, AK 99610

Requested Action: Preliminary Subdivision Plat – Townsite of Kenai Kenaitze Courthouse Replat

Legal Description: Tract B, Townsite of Kenai 2021 Kenaitze Replat; and remainder of Lots 4 and 5, Block 5, Original Townsite of Kenai

Property Address: 508 Upland Street; 509 Overland Ave.; 513 Overland Ave.; and 1010 Mission Avenue

KPB Parcel No: 04707135; 04707107; 04707108; and 04707109

Lot Size: Approximately 4.68 acres (approximately 204,209 square feet);
Approximately .07 acres (approximately 3,049 square feet);
Approximately .24 acres (approximately 10,454 square feet); and
Approximately .01 acres (approximately 436 square feet)

Existing Zoning: Townsite Historic District (TSH)

Current Land Use: Dena'ina Wellness Center, Birch Tree Building, Kenaitze Tribal Court Building; and greenhouse (greenhouse to be removed)

Land Use Plan: Mixed Use

GENERAL INFORMATION

Edge Survey and Design, LLC. submitted a preliminary plat on behalf of the property owners, Kenaitze Indian Tribe. The plat affects the parcels described as Tract B, Block 5, Townsite of Kenai 2021 Kenaitze Replat; and remainder of Lots 4 and 5, Block 5, Original Townsite of Kenai.

The proposed Tract B-1, Block 5, Townsite of Kenai Kenaitze Courthouse Replat will house the Dena'ini Wellness Center, Birch Tree Building, Kenaitze Tribal Court Building, and a parking lot for the Kenaitze Tribal Courthouse. The tribal court building located on Tract B, Block 5, Townsite of Kenai 2021 Kenaitze Replat is going to be renovated and expanded. The proposed expansion of the tribal court building will not currently meet the setback requirement of the Townsite Historic District; therefore, it is proposed to remove the property lines between the properties so that the setback requirements can be met.

The vacation of the property lines between the properties will create a larger tract to be described as Tract B-1, Block 5, Townsite of Kenai 2021 Kenaitze Courthouse Replat. The proposed Tract B-1, Block 5 will be comprised of approximately 5.00 acres (approximately 217,800 square feet).

The applicants intend to remove the greenhouse that is currently located on Lots 4 and 5, Block 5, Original Townsite of Kenai to another location. A paved parking lot will be developed on Lots 4 and 5, Original Townsite of Kenai.

The proposed expansion of the tribal court building will result in an encroachment onto a ten-foot utility easement. The applicant wishes to vacate the portion of a ten-foot utility easement as delineated on the preliminary plat. The Kenai City Council must declare that the utility easement is not needed for a public purpose and approve the vacation of the utility easement pursuant to Kenai Municipal Code 22.05.110(b),

Application, Public Notice, Public Comment

KMC 14.10.010 General under *Chapter 14.10 Subdivision Regulations* states preliminary plats or replats must first be submitted to the City for review prior to the submittal of the plat to the Kenai Peninsula Borough Planning Department. Kenai Municipal Code (*KMC*) *14.10.060* describes the process in more detail. The plat will be reviewed first by the City of Kenai Planning and Zoning Commission and then by the Kenai Peninsula Borough's Plat Committee and Planning Commission.

The property owners completed the City of Kenai preliminary plat submittal form. The City of Kenai follows *Kenai Peninsula Borough Code 20.25.070* and *20.25.080* for preliminary plat submittal requirements. City staff published notice of the consideration of the plat as part of the agenda for the City of Kenai Planning and Zoning Commission in the *Peninsula Clarion*. No public comments have been received as of August 5, 2021.

ANALYSIS

Access to the proposed Tract B-1, Block 5, Townsite of Kenai Kenaitze Courthouse Replat is provided via Overland Avenue, Mission Avenue and Upland Street, which are paved City maintained roads.



The buildings located on the premises are already connected to City water and sewer services. An installation agreement is not required.

The preliminary plat meets requirements of *KMC Subdivision design standards* and *KMC 14.10.080 Minimum improvements required under Chapter 14.10 Subdivision Regulations*.

RECOMMENDATIONS

City staff recommends approval of the preliminary plat of Townsite of Kenai 2021 Kenaitze Replat, subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. The Kenai City Council must declare that the portion of ten-foot utility easement to be vacated is not needed for a public purpose and approve the vacation of the utility easement as shown on the preliminary plat.
3. Prior to issuance of a building permit, a Landscape/Site plan must be submitted to the City of Kenai for review and approval.

ATTACHMENTS

1. Application
2. Preliminary Plat
3. Aerial Map
4. Site Plan





Preliminary Plat Submittal Form

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:	Edge Survey and Design				
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:	Kenaitze Indian Tribe				
Mailing Address:	150 N. Willow Ste. 33	City:	Kenai	State:	AK
Zip Code:	99611				
Phone Number(s):	907-335-7213				
Email:	www.kenaitze.org				

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel #:	04707135, 04707107, 04707108 and 04707109				
Current City Zoning:	Townsite Historic				
Use:	<input 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:	Kenaitze Courthouse 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:

None

Comments:

Replat - Lot Line Vacation

REQUIRED ATTACHMENTS

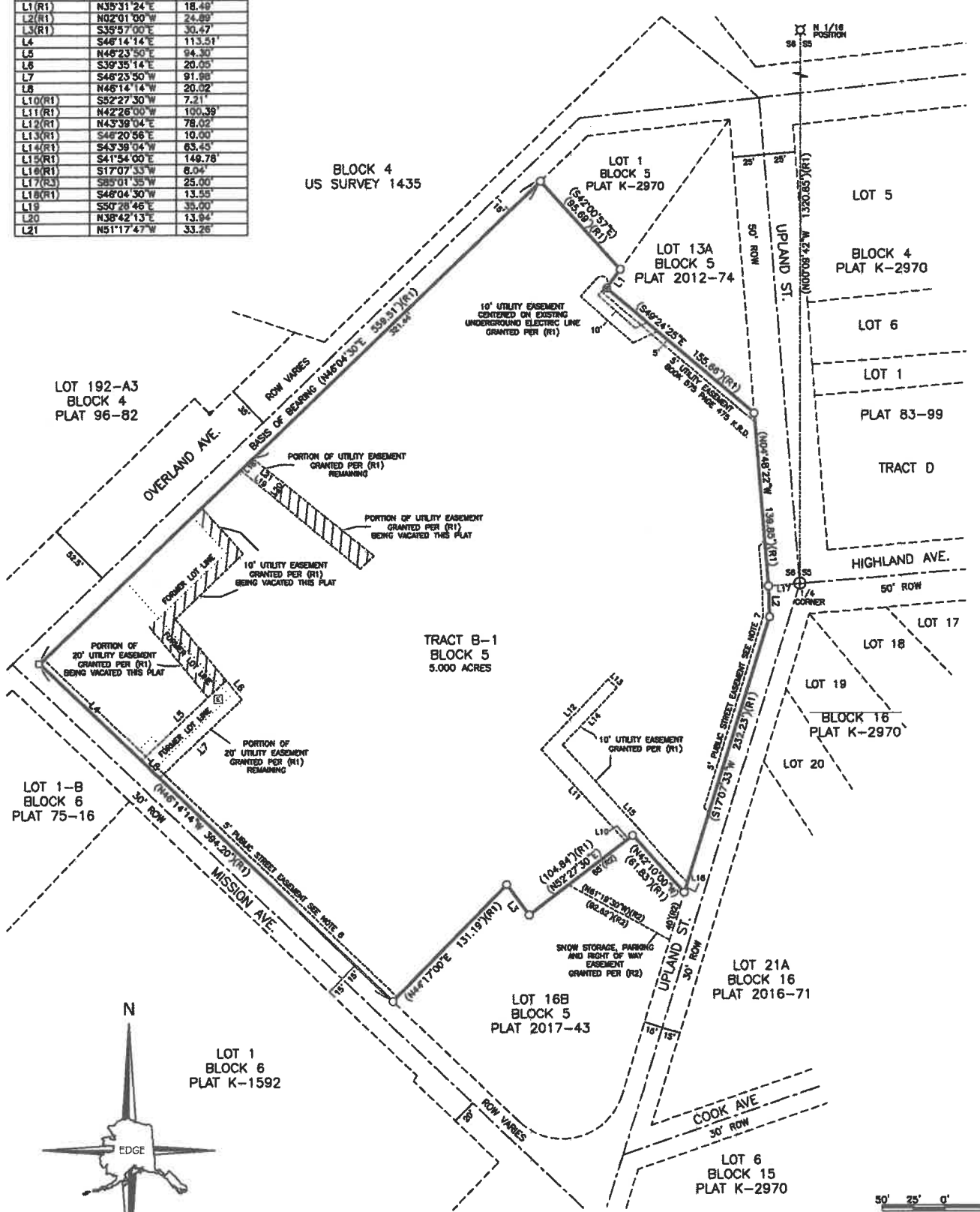
<input checked="" type="checkbox"/> Certificate to Plat	<input checked="" type="checkbox"/> (1) 24" x 36" Plat	<input checked="" type="checkbox"/> (2) 11" x 17" Plats
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SIGNATURE

Signature:		Date:	7/13/2021 13:12 AKT
Print Name:	Title/Business:	Interim Executive Director	

LINE TABLE

LINE	BEARING	DISTANCE
L1(R1)	N35°31'24"E	18.49
L2(R1)	N02°01'00"W	24.89
L3(R1)	S35°57'00"E	30.47
L4	S46°14'14"E	113.51
L5	N46°23'50"E	94.30
L6	S39°35'14"E	20.00
L7	S48°23'50"W	91.88
L8	N46°14'14"W	20.02
L10(R1)	S52°27'30"W	7.21
L11(R1)	N42°26'00"W	100.39
L12(R1)	N43°39'04"E	78.02
L13(R1)	S46°20'56"E	10.00
L14(R1)	S43°59'04"W	83.45
L15(R1)	S41°54'00"W	149.78
L16(R1)	S17°07'33"W	8.04
L17(R3)	S89°01'35"W	25.00
L18(R1)	S48°04'30"W	13.55
L19	S80°28'46"E	35.00
L20	N38°42'13"E	13.84
L21	N51°17'47"W	33.26



NOTES

1. THE SOLE PURPOSE OF THIS PLAT IS TO VACATE AN INTERIOR LOT LINE. NO FIELD WORK WAS PERFORMED FOR THIS PLATTING ACTION.
2. FURTHER DEVELOPMENT OF THE PROPERTY SHALL CONFORM TO ALL FEDERAL, STATE OF ALASKA AND LOCAL REGULATIONS.
3. DEVELOPMENT OF THIS PARCEL SUBJECT TO THE CITY OF KENAI ZONING REGULATIONS.
4. THE FRONT 10 FEET ADJACENT TO RIGHT OF WAY IS ALSO AN UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH COULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
5. UTILITY EASEMENT VACATION APPROVED BY KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF SEPTEMBER 13, 2021.
6. EXISTING 5 FOOT EASEMENTS FOR PUBLIC STREET PURPOSES ADJOINING MISSION AVENUE RIGHT OF WAY, GRANTED TO THE CITY OF KENAI HAVING THE FOLLOWING RECORDING INFORMATION, KENAI RECORDING DISTRICT:
DATE: OCTOBER 11, 1967 BOOK: 28 PAGE: 298-301
7. EXISTING 5 FOOT EASEMENTS FOR PUBLIC STREET PURPOSES ADJOINING UPLAND STREET RIGHT OF WAY, GRANTED TO THE CITY OF KENAI HAVING THE FOLLOWING RECORDING INFORMATION, KENAI RECORDING DISTRICT:
DATE: SEPTEMBER 14, 1990 BOOK: 371 PAGE: 278
DATE: SEPTEMBER 14, 1990 BOOK: 371 PAGE: 283-284
DATE: SEPTEMBER 14, 1990 BOOK: 371 PAGE: 286
8. A GENERAL ELECTRIC EASEMENTS, LOCATION NOT DEFINED, GRANTED TO KENAI POWER CORPORATION HAVING THE FOLLOWING RECORDING INFORMATION, KENAI RECORDING DISTRICT:
DATE: DECEMBER 1963 BOOK: 11 PAGE: 188, 235, 242, 262, 289
9. A GENERAL PUBLIC UTILITY EASEMENTS, LOCATION NOT DEFINED, GRANTED TO HOMER ELECTRIC ASSOCIATION HAVING THE FOLLOWING RECORDING INFORMATION, KENAI RECORDING DISTRICT:
DATE: JANUARY 24, 2000 BOOK: 575 PAGE: 475
10. A GENERAL ELECTRIC EASEMENTS, EFFECTING PORTIONS OF FORMER TRACT B, GRANTED TO HOMER ELECTRIC ASSOCIATION HAVING THE FOLLOWING RECORDING INFORMATION, KENAI RECORDING DISTRICT:
DATE: OCTOBER 29, 2012 SERIAL NUMBER: 2012-010713-0
11. WASTEWATER DISPOSAL: CITY WATER AND SEWER ARE AVAILABLE TO SERVE THIS PARCEL. PLANS FOR WASTEWATER TREATMENT AND DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

REFERENCES

- (R1) TOWNSITE OF KENAI KENAITZE ADDITION SUBDIVISION, PLAT 2012-11, KENAI RECORDING DISTRICT
- (R2) EASEMENT SERIAL NUMBER 2012-007066-0, KENAI RECORDING DISTRICT
- (R3) TOWNSITE OF KENAI 2021 KENAITZE REPLAT, PLAT 2021-18, KENAI RECORDING DISTRICT
- (R4) TOWNSITE OF KENAI, PLAT K-2970, KENAI RECORDING DISTRICT

LEGEND

⊗	MONUMENT OF RECORD (R1) 2-1/2" BRASS MONUMENT IN CASE	_____	PARCEL BOUNDARY
⊠	POSITION OF RECORD (R1)	FORMER LOT LINE
○	PROPERTY CORNER OF RECORD (R1) REBAR	- - - - -	ADJACENT PROPERTY LINE
⊙	PROPERTY CORNER OF RECORD (R1) IRON PIPE	- - - - -	EASEMENT
⊠	PROPERTY CORNER OF RECORD (R4) 2"x2" WOOD STAKE	- - - - -	CENTERLINE
(R1)	RECORD DATA, SEE REFERENCE	_____	MONUMENT TIE
		▨▨▨▨▨	EASEMENT BEING VACATED

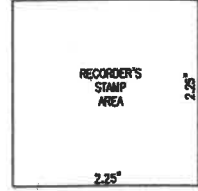
PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF SEPTEMBER 13, 2021.
KENAI PENINSULA BOROUGH

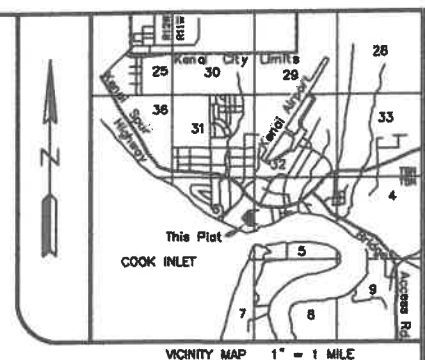
AUTHORIZED OFFICIAL

CERTIFICATE OF SURVEYOR

I, MARK AMONETTI 13022-S, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE MONUMENTS SHOWN ON THIS SURVEY ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



PRELIMINARY PLAT



CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT KENAITZE INDIAN TRIBE IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HERE AND THAT ON BEHALF OF KENAITZE INDIAN TRIBE I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

CHELSEA HENDRICKS, EXECUTIVE DIRECTOR
PO BOX 988
KENAI, ALASKA 99611
KENAITZE INDIAN TRIBE IRA
KENAITZE INDIAN TRIBE

NOTARY ACKNOWLEDGEMENT

FOR: CHELSEA HENDRICKS
ACKNOWLEDGED BEFORE ME
THIS _____ DAY OF _____, 2021

NOTARY PUBLIC SIGNATURE



KPB FILE No. 2021-000

**TOWNSITE OF KENAI
KENAITZE COURTHOUSE
REPLAT**

A REPLAT OF
TRACT B BLOCK 5
TOWNSITE OF KENAI 2021 KENAITZE REPLAT
PLAT 2021-18
AND
REMAINDER OF LOT 4 AND LOT 5 BLOCK 5
ORIGINAL TOWNSITE OF KENAI
PLAT K-2970
KENAI RECORDING DISTRICT

OWNERS:
KENAITZE INDIAN TRIBE IRA
KENAITZE INDIAN TRIBE
PO BOX 988
KENAI, ALASKA 99611

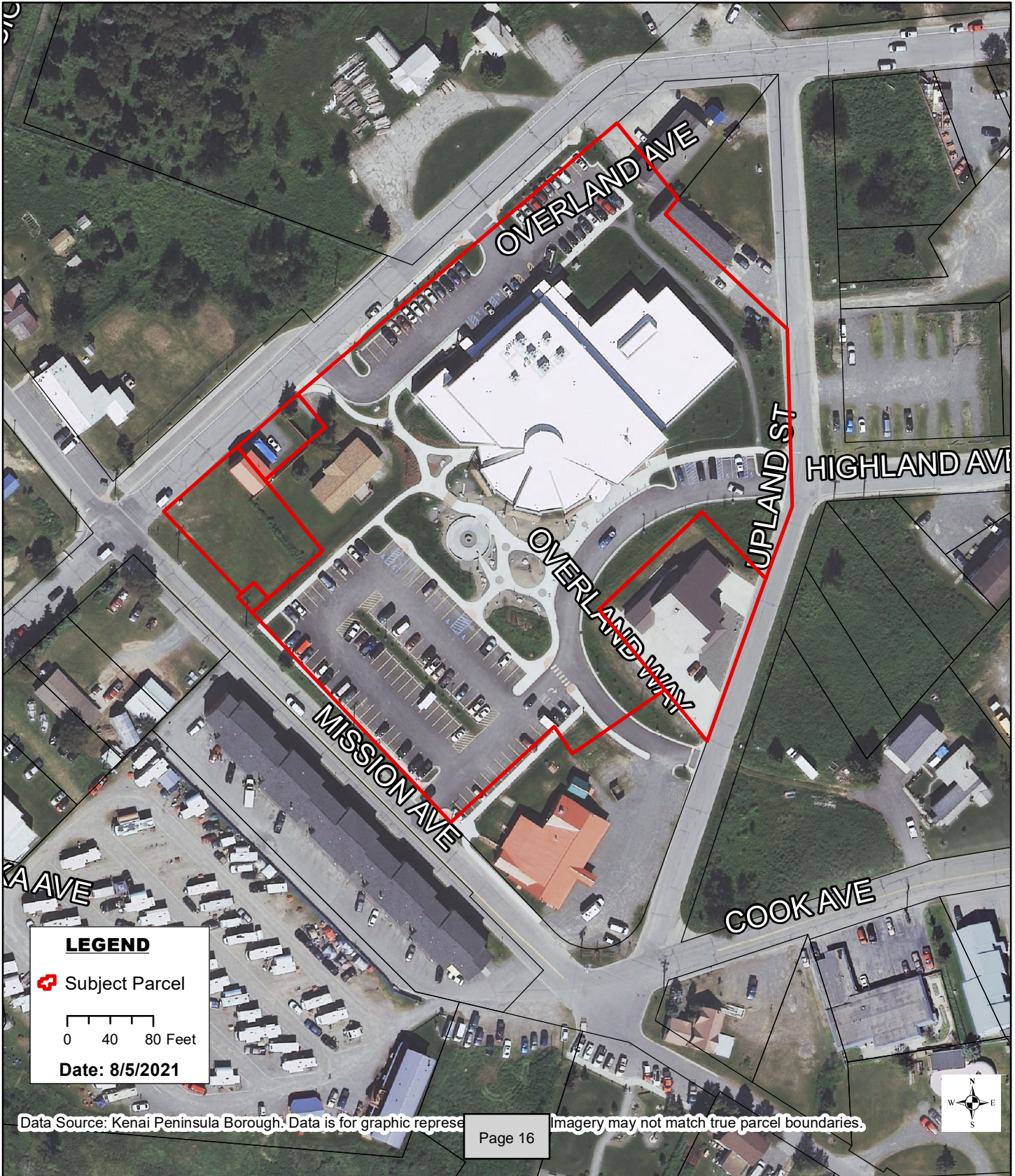
LOCATED WITHIN E 1/2, SECTION 6,
T.5N., R.11W. S.M.
STATE OF ALASKA
KENAI PENINSULA BOROUGH
KENAI RECORDING DISTRICT
CITY OF KENAI
CONTAINING 5.000 ACRES



DRAWN BY: JY	DATE: 7/15/2021	PROJECT: 21-592
CHECKED BY: MA	SCALE: 1" = 50'	SHEET: 1 OF 1



Townsite of Kenai
Kenaitze Courthouse Replat
Parcel 04707135, 04707107, 04707108, 04707109



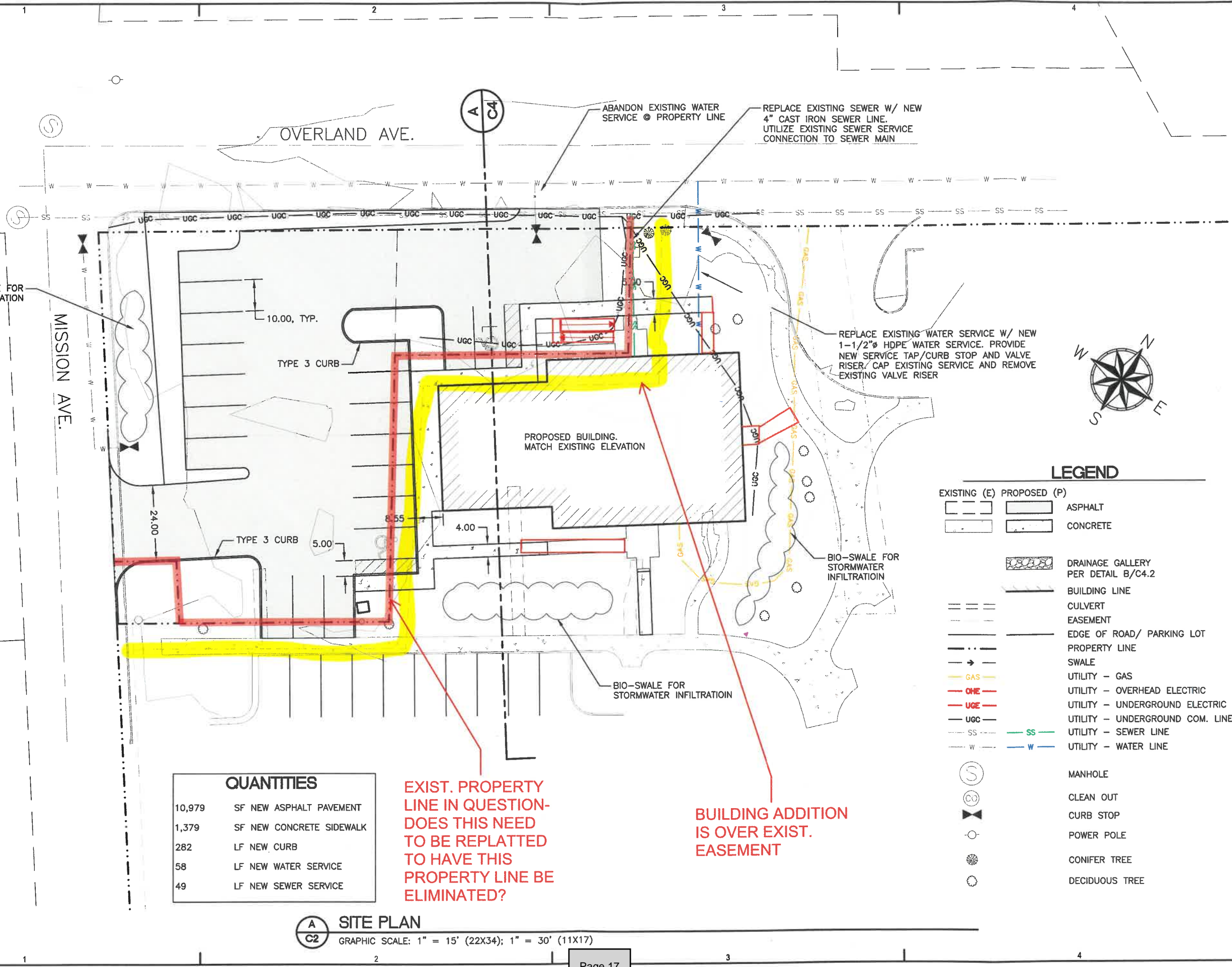
LEGEND

 Subject Parcel

0 40 80 Feet

Date: 8/5/2021

DRAWING FILE: x:\projects\2021\1010 KI tribal court addition\drawings\civil\civil\061421.dwg
PLOT DATE: 6/4/2021 1:43 PM



LEGEND

EXISTING (E)	PROPOSED (P)	
[Symbol]	[Symbol]	ASPHALT
[Symbol]	[Symbol]	CONCRETE
[Symbol]	[Symbol]	DRAINAGE GALLERY PER DETAIL B/C4.2
[Symbol]	[Symbol]	BUILDING LINE
[Symbol]	[Symbol]	CULVERT
[Symbol]	[Symbol]	EASEMENT
[Symbol]	[Symbol]	EDGE OF ROAD/ PARKING LOT
[Symbol]	[Symbol]	PROPERTY LINE
[Symbol]	[Symbol]	SWALE
[Symbol]	[Symbol]	UTILITY - GAS
[Symbol]	[Symbol]	UTILITY - OVERHEAD ELECTRIC
[Symbol]	[Symbol]	UTILITY - UNDERGROUND ELECTRIC
[Symbol]	[Symbol]	UTILITY - UNDERGROUND COM. LINE
[Symbol]	[Symbol]	UTILITY - SEWER LINE
[Symbol]	[Symbol]	UTILITY - WATER LINE
[Symbol]	[Symbol]	MANHOLE
[Symbol]	[Symbol]	CLEAN OUT
[Symbol]	[Symbol]	CURB STOP
[Symbol]	[Symbol]	POWER POLE
[Symbol]	[Symbol]	CONIFER TREE
[Symbol]	[Symbol]	DECIDUOUS TREE

QUANTITIES

10,979	SF NEW ASPHALT PAVEMENT
1,379	SF NEW CONCRETE SIDEWALK
282	LF NEW CURB
58	LF NEW WATER SERVICE
49	LF NEW SEWER SERVICE

EXIST. PROPERTY LINE IN QUESTION- DOES THIS NEED TO BE REPLATTED TO HAVE THIS PROPERTY LINE BE ELIMINATED?

BUILDING ADDITION IS OVER EXIST. EASEMENT

A SITE PLAN
GRAPHIC SCALE: 1" = 15' (22X34); 1" = 30' (11X17)

Architects Alaska.
ARCHITECTS ALASKA
AK Corp. Authorization AECC361
900 W. 5th Avenue, Suite 403
Anchorage, Alaska 99501
907.272.3567
191 E. Swanson Avenue, Suite 203
Wasilla, Alaska 99684
907.272.7503
www.architectsalaska.com

NELSON ENGINEERING
AK CORP.
AUTHORIZATION AECC1291

65% DESIGN

KENAITZE INDIAN TRIBE
TRIBAL COURTHOUSE
508 UPLAND AVE. KENAI, ALASKA

Revisions

No.	Description	Date

Drawn by CAM	Date 06-04-21
Checked MZD	Job No. 21014.01

Sheet Contents
SITE PLAN

Category C	Sheet No. 2
----------------------	-----------------------

PLANNING & ZONING COMMISSION

Resolution PZ2021-31 – Preliminary Plat – Townsite of Kenai Kenaitze Courthouse
Replat

SUMMARY

Applicant: Kenaitze Indian Tribe
P. O. Box 988
Kenai, AK 99611

Legal Description: Tract B, Townsite of Kenai 2021
Kenaitze Replat; and remainder of Lots 4 and 5, Block 5, Original Townsite of Kenai

Property Address: 508 Upland Street; 509 Overland Ave.;
513 Overland Ave.; and
1010 Mission Avenue

KPB Parcel No: 04707135; 04707107; 04707108; and
04707109

Lot Size: 4.7, .07, .24, .01 acres

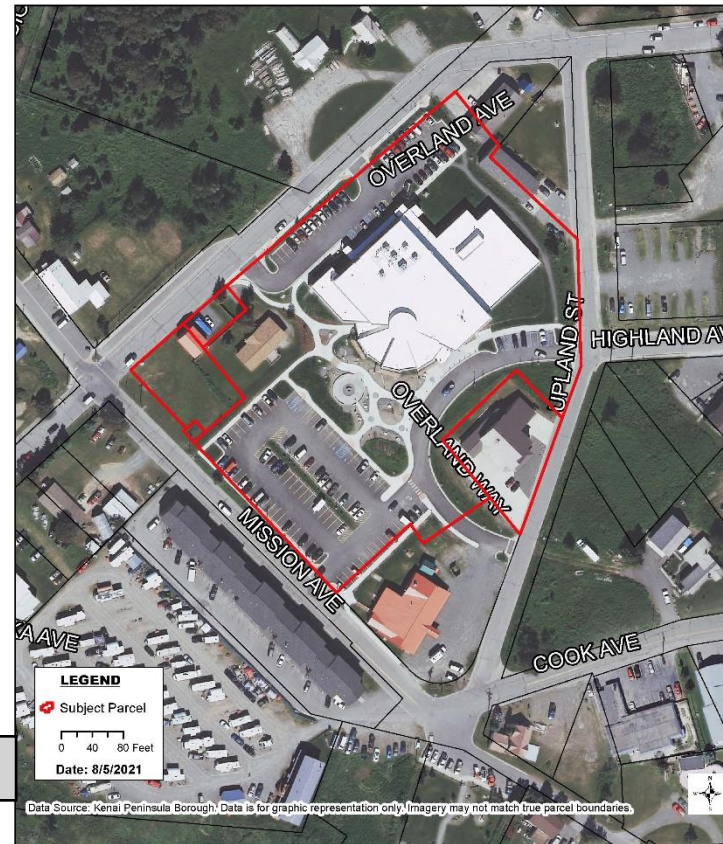
Existing Zoning: Townsite Historic District (TSH)

Current Land Use: Dena'ina Wellness Center, Birch Tree Building, Kenaitze Tribal Court Building; and greenhouse

Land Use Plan: Mixed Use

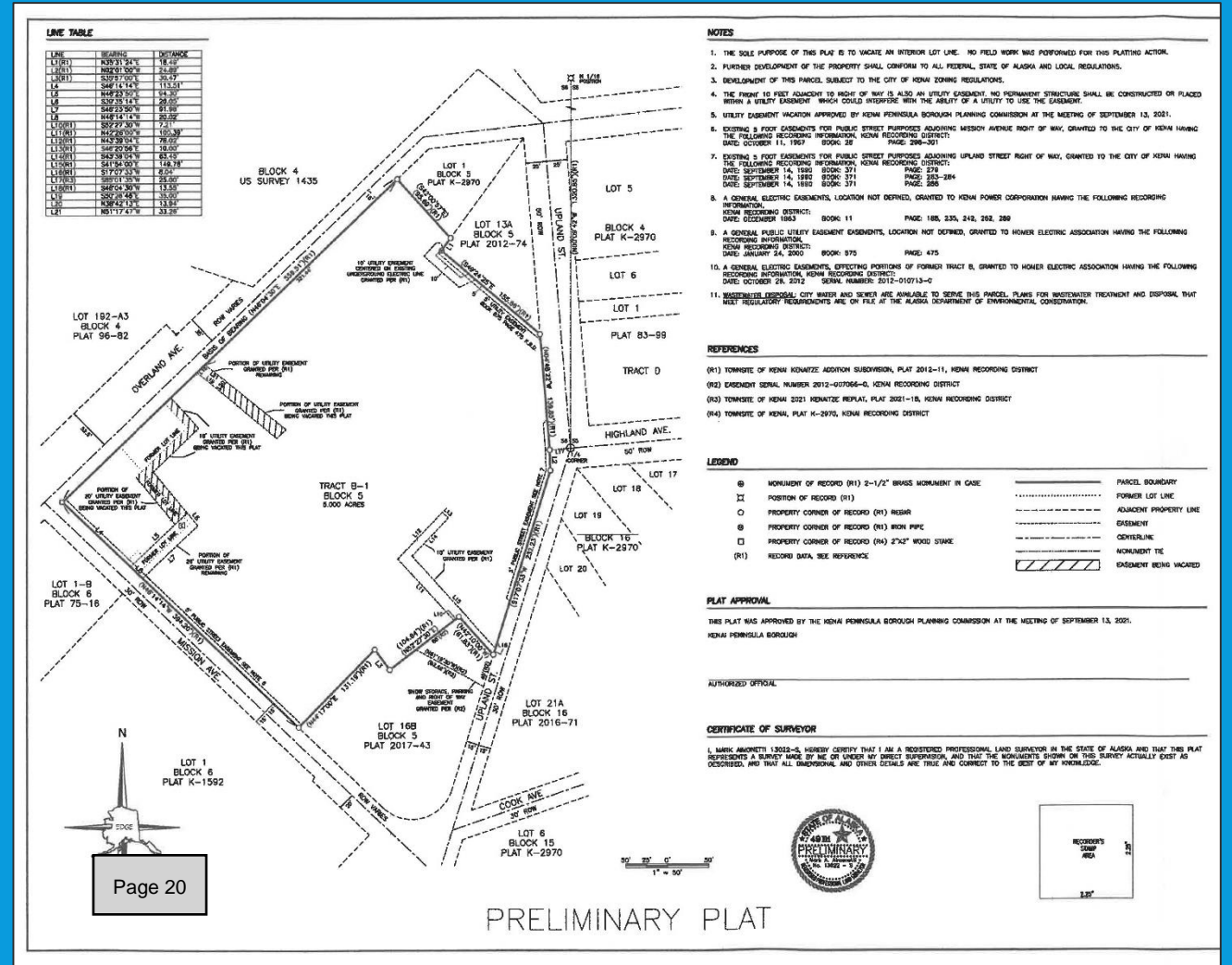


Townsite of Kenai
Kenaitze Courthouse Replat
Parcel 04707135, 04707107, 04707108, 04707109



PRELIMINARY PLAT

- Edge Survey and Design, LLC. submitted a preliminary plat on behalf of the property owner, Kenaitze Indian Tribe.
- The proposed expansion of the tribal court building will not currently meet setback requirements; therefore, it is proposed to remove the property lines so that the setback requirements can be met.
- The proposed Tract B-1, Block 5 will be comprised of approximately 5 acres.



STAFF ANALYSIS

- Access to the proposed Tract B-1, Block 5, Townsite of Kenai Kenaitze Courthouse Replat is provided via Overland Avenue, Mission Avenue and Upland Street, which are paved City maintained roads.
- The buildings located on the premises are already connected to City water and sewer services. An installation agreement is not required.
- The preliminary plat meets requirements of KMC Subdivision design standards and KMC 14.10.080 Minimum improvements required under Chapter 14.10 Subdivision Regulations.

RECOMMENDATIONS


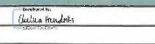
- City staff recommends approval of the preliminary plat of Townsite of Kenai 2021 Kenaitze Replat, subject to the following conditions:
 1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
 2. The Kenai City Council must declare that the portion of ten-foot utility easement to be vacated is not needed for a public purpose and approve the vacation of the utility easement as shown on the preliminary plat.
 3. Prior to issuance of a building permit, a Landscape/Site plan must be submitted to the City of Kenai for review and approval.

ATTACHMENTS

- A. Application
- B. Preliminary Plat
- C. Aerial Map
- D. Site Plan

A. APPLICATION

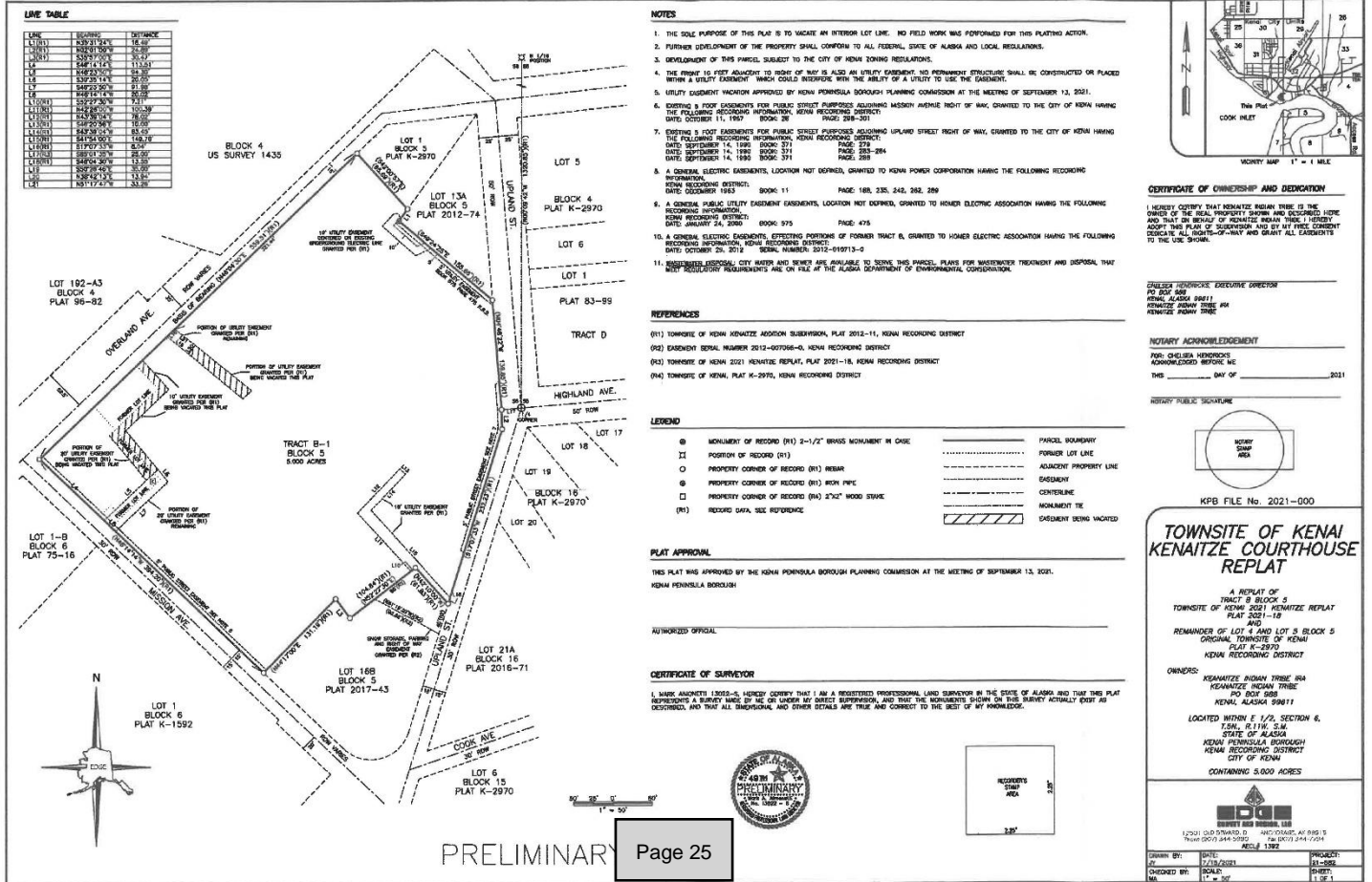
DocuSign Envelope ID: CC89A92-2665-478F-AD8D-87082FF8BEFC

		Preliminary Plat Submittal Form		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:	Edge Survey and Design				
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:	Kenaitze Indian Tribe				
Mailing Address:	150 N. Willow Ste. 33	City:	Kenai	State:	AK Zip Code: 99611
Phone Number(s):	907-335-7213				
Email:	www.kenaitze.org				
PROPERTY INFORMATION					
Kenai Peninsula Borough Parcel #:	04707135, 04707107, 04707108 and 04707109				
Current City Zoning:	Townsite Historic				
Use:	<input 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:	Kenaitze Courthouse 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:					
None					
Comments:					
Replat - Lot Line Vacation					
REQUIRED ATTACHMENTS					
<input checked="" type="checkbox"/> Certificate to Plat <input checked="" type="checkbox"/> (1) 24" x 36" Plat <input type="checkbox"/> (2) 11" x 17" Plats					
SIGNATURE					
Signature:				Date:	7/13/2021 13:2 AKT
Print Name:	Interim Executive Director				

Page 24

25 AKDT

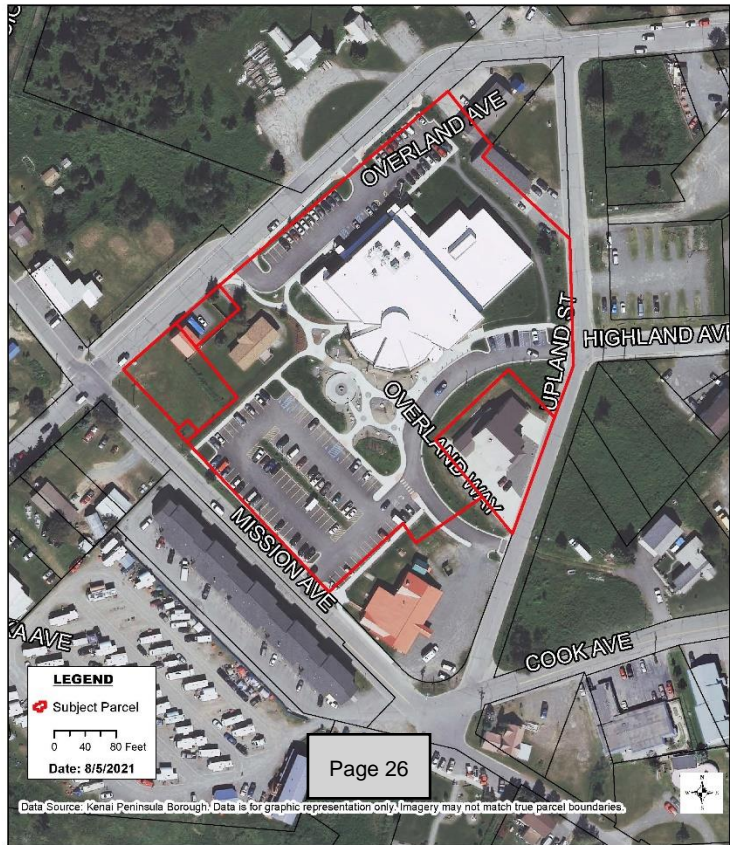
B. PRELIMINARY PLAT



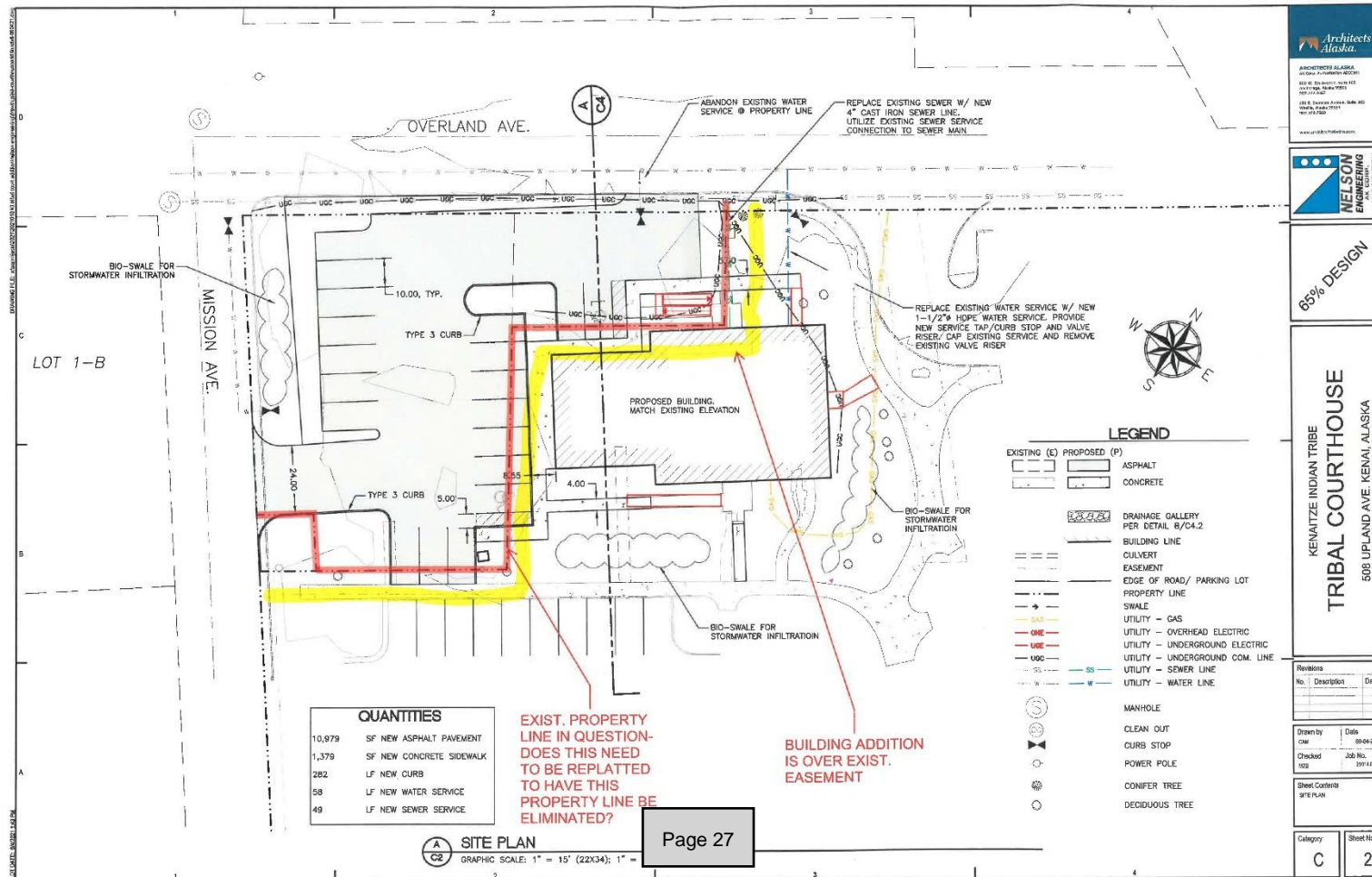
C. AERIAL MAP



Townsite of Kenai
Kenaitze Courthouse Replat
Parcel 04707135, 04707107, 04707108, 04707109



D. SITE PLAN





KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Ryan Foster, Planning Director

DATE: August 6, 2021

SUBJECT: **Resolution No. 2021-55 – APPROVING DEVELOPMENT INCENTIVES FOR A LEASE TO SCHILLING RENTALS ON GENERAL AVIATION APRON SUB NO. 1 AMENDED LOT 2, BLOCK 3.**

On September 20, 2019, Schilling Rentals, LLC entered into an assignment of lease for General Aviation Apron Sub No. 1 Amended Lot 2, Blk 3 with Soar International Ministries, Inc. This lease terminates on June 30, 2022. Kenai Municipal Code 21.10.100 requires Council approval of temporary development incentives. This resolution will approve development incentives for this lease. A Development Incentive Application was received on July 1, 2021 for an estimated value of \$230,000 for the following eligible work activities: unclassified excavation and classified excavation. If approved by Council, the applicant will still need to provide an estimate of the value of the work, including a scope of work, prepared by a qualified engineer licensed to work in Alaska to the City and accepted prior to work being performed. In addition, a certification from a qualified engineer that the accepted scope of work has been completed must be provided to the City and accepted at the completion of the site preparation work in order for the credit to be applied towards rent for a maximum of 5 years.

Please review the attached materials.

Does the Commission recommend Council approve the application for development incentives for a lease to Schilling Rentals, LLC?

Attachment A: City of Kenai Lease Development Incentive Application from Schilling Rentals.

Attachment B: Civil Excavation cost estimate letter.

Attachment C: Aerial Map of 110 FBO Road.

Attachment D: Draft Resolution 2021-55.



**City of Kenai
Lease Development Incentive
Application**

Application Date: **5/11/21**

Applicant Information

Name of Applicant:	Schilling Rentals				
Mailing Address:	PO Box 3426	City:	Kenai	State:	AK
		Zip Code:	99611		
Phone Number(s):	Home Phone:	Work/ Message Phone: 907 283 7556			
E-mail: (Optional)	duane@uptownmotel.com				

Lease Information

Eligible development

To qualify for a lease credit toward rent for a **maximum of five years**, an applicant for a new lease, extension, or renewal must complete commercial development on the property within two years to receive the credit, which is based on the value of site preparation work on the leased premises. Examples of eligible work include: clearing and grubbing, unclassified excavation, classified fill and back fill, and utility extensions.

Required documentation

1. An estimate of the value of the work, including a scope of work, prepared by a qualified engineer licensed to work in Alaska must be provided to the City and accepted **prior to work being performed**. Any changes to the estimate must be provided to the City and accepted prior to work being performed to be eligible for the credit.
2. A certification from a qualified engineer that the accepted scope of work has been completed must be provided to the City and accepted at the completion of the work for the credit to be applied.

Application is for:

- Existing Lease Property
- New Land Lease Application

Description of property:

GENERAL AVIATION APRON SUB NO 1 AMENDED LOT 2 BLK

Description of work to be completed:

- Clearing and grubbing
- Unclassified Excavation
- Classified Excavation
- Utility Extensions
- Other:

Estimated value of work: **~\$230,000.00**


Estimated start date: **May 2021**

Estimated completion date: **January 2022**

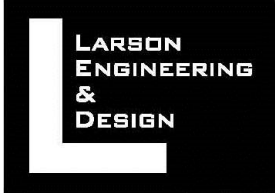
Attachment(s):

- Scope of work
- Other:

By signing and dating below, the applicant agrees to fulfill the above requirements and understands that if these requirements are not met, the applicant will not be eligible for a development credit toward rent.

Signature:		Date:	5/11/21
Print Name:	Michael Schilling	Title:	Managing Member

For City Use Only:	Date Application Received: _____
<input type="checkbox"/> General Fund	Date Scope of Work Approved: _____
<input type="checkbox"/> Airport Fund	Amount of Credit Applied: _____
<input type="checkbox"/> Airport Reserve Land	
<input type="checkbox"/> Outside Airport Reserve	



215 FIDALGO AVENUE, SUITE 203
99611 CIVIL - STRUCTURAL- ENVIRONMENTAL
CONSULTING

KENAI, AK
PHONE: (907) 283-1565
FAX: (907) 283-1566

July 1, 2021

Rob Marsters

Re: 110 FBO Rd. – Site Excavation

Mr. Marsters,

Larson Engineering & Design, P.C. is currently working on the Civil planning for the 110 FBO Rd. property located within the Kenai Airport.

The existing site has frost susceptible soil intermixed within the existing backfill throughout the building footprint and adjacent perimeter. I recommended removing all frost susceptible soils and backfilling with non-frost susceptible gravels compacted to 95% of maximum dry density.

The estimated quantity of poor soils, located outside of the existing building footprint, is 4,000 cubic yards. I estimate the total cost for the excavation and backfill of the site to be approximately \$150,000.00, or ~\$38/cy.

Compaction tests shall be accomplished during backfill operations in order to get a representative sample of compaction effort.

I will provide periodic inspection of the excavation and backfill efforts, as the project progresses.

If you have any questions, please contact me at 907-394-2235.

Sincerely,

Signature: _____

A handwritten signature in blue ink that reads 'Blake W. Larson'.


Blake W. Larson, P.E.



110 FBO Road
General Aviation Apron Sub No. 1 Amended Lot 2, Block 3
Parcel 04324024



LEGEND

 Subject Parcel

0 25 50 Feet

Date: 8/6/2021





Sponsored by: Administration

CITY OF KENAI

RESOLUTION NO. 2021-55

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA APPROVING THE DEVELOPMENT INCENTIVES PER KENAI MUNICIPAL CODE 21.10.100. FOR A LEASE OF AIRPORT RESERVE LANDS BETWEEN THE CITY OF KENAI AND SCHILLING RENTALS, LLC ON GENERAL AVIATION APRON SUB NO. 1 AMENDED LOT 2, BLK 3.

WHEREAS, On September 20, 2019, Schilling Rentals, LLC entered into an assignment of lease for General Aviation Apron SUB No. 1 Amended Lot 2, Blk 3 with Soar International Ministries, Inc.; and,

WHEREAS, Schilling Rentals submitted an application for temporary development incentives that meets requirements of Kenai Municipal Code 21.10.100, Temporary Development Incentives on July 1, 2021; and,

WHEREAS, Schilling Rentals has provided an estimated value of \$230,000 for the following eligible work activities: unclassified excavation and classified excavation, and,

WHEREAS, Kenai Municipal Code 21.10.100 requires Council approval of temporary development incentives; and,

WHEREAS, the project will enhance public safety and quality of life while providing economic development on property leased from the City within the Kenai Municipal Airport Reserve; and,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, as follows:

Section 1. That the temporary development incentives with an estimated value of \$230,000 for the following eligible work activities: unclassified excavation and classified excavation is approved. And credit may be applied towards rent for a maximum of 5 years.

Section 2. That this Resolution takes effect immediately upon passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 18th day of August, 2021.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk



Kenai City Council - Regular Meeting

August 04, 2021 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

****Telephonic/Virtual Information on Page 4****

www.kenai.city

Action Agenda

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Agenda Approval
4. Consent Agenda (*Public comment 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 PUBLIC COMMENTS

(Public comment limited to ten (10) minutes per speaker)

C. UNSCHEDULED PUBLIC COMMENTS

(Public comment limited to three (3) minutes per speaker; thirty (30) minutes aggregated)

D. PUBLIC HEARINGS

1. **ENACTED UNANIMOUSLY AS AMENDED. Ordinance No. 3221-2021** - Determining that Real Property Described as Lot 4A, Block 3, Cook Inlet Industrial Air Park 2014 Replat, According to Plan No. 2014-21, City-Owned Airport Land Located Outside the Airport Reserve, is Not Needed for a Public Purpose and Authorizing the Sale of the Property to Schilling Rentals, an Alaska Partnership. (Administration)
2. **ENACTED UNANIMOUSLY AS AMENDED. Ordinance No. 3222-2021** - Determining that Real Property Described as Lot 1A, Block 1, Deshka Subdivision, According to Plat No. K-1577, City-Owned Airport Land Located Outside the Airport Reserve, is Not Needed for a Public Purpose and Authorizing the Sale of the Property to Schilling Rentals (2016), LLC. (Administration)
3. **ENACTED UNANIMOUSLY. Ordinance No. 3223-2021** - Increasing Fiscal Year 2021 Estimated Revenues and Appropriations in the General Fund – Police Department and Accepting a Grant from the US Department of Transportation Passed through the State of Alaska Department of Transportation and Public Facilities for Traffic Enforcement Overtime Expenditures. (Administration)

4. **POSTPONED UNTIL 9/15/2021. Ordinance No. 3224-2021** - Repealing and Reenacting Kenai Municipal Code Title 6 - Elections, to Provide Clarity, Housekeeping, and Process Improvements. (Vice Mayor Molloy and City Clerk)
5. **ADOPTED UNANIMOUSLY. Resolution No. 2021-53** - Authorizing the City Manager to Execute a Memorandum of Agreement with the State of Alaska Department of Transportation and Public Facilities for Design, Construction and Maintenance of the Kenai Bridge Access Road Pathway Project. (Administration)

E. MINUTES

1. **APPROVED BY THE CONSENT AGENDA.** *Regular Meeting of July 7, 2021. (City Clerk)

F. UNFINISHED BUSINESS

G. NEW BUSINESS

1. **APPROVED BY THE CONSENT AGENDA.** *Action/Approval - Bills to be Ratified. (Administration)
2. **APPROVED UNANIMOUSLY.** *Action/Approval - Purchase Orders Over \$15,000. (Administration)
3. **APPROVED BY THE CONSENT AGENDA.** *Action/Approval - Non-Objection to Marijuana License Renewals for Red Run Cannabis Company, LLC, Red Run Cannabis Cultivators, LLC, and Cook Inlet Cannabis Company. (City Clerk)
4. **APPROVED BY THE CONSENT AGENDA.** *Action/Approval - Special Use Permit to Kenai Chamber of Commerce & Visitor Center for Moosemeat John Cabin. (Administration)
5. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 8/18/2021.** *Ordinance No. 3226-2021 - Increasing Fiscal Year 2021 Estimated Revenues and Appropriations in the General Fund – Police Department and Accepting a Grant from the Alaska High Intensity Drug Trafficking Area for Drug Investigation Overtime Expenditures. (Administration)
6. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 8/18/2021.** *Ordinance No. 3227-2021 - Accepting and Appropriating a Grant from the U.S. Department of Homeland Security Passed Through the State of Alaska Department of Military and Veterans' Affairs, Increasing Estimated Revenues and Appropriations in the General Fund - Fire Department, and Authorizing the Sole Source Purchase of Portable Radios and Accessories for the Fire Department. (Administration)
7. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 8/18/2021.** *Ordinance No. 3228-2021 - Increasing Estimated Revenues and Appropriations in the Airport Fund, Terminal Repair and Maintenance Department for Expenditures in Excess of Budgeted Amounts Related to Damage to Terminal Building Siding and Authorizing a Purchase Order to Blazy Construction, Inc. (Administration)

8. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 8/18/2021.**
***Ordinance No. 3229-2021** - Accepting a Grant from the Federal Aviation Administration and Increasing Estimated Revenues and Appropriations in the Airport Snow Removal Equipment Capital Project Fund. (Administration)
9. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 8/18/2021.**
***Ordinance No. 3230-2021** - Increasing Estimated Revenues and Appropriations in the General Fund - Fire Department for the Purchase of Extrication Equipment Needed to Provide Emergency Response to Motor Vehicle Accidents. (Administration)
10. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 8/18/2021.**
***Ordinance No. 3231-2021** - Increasing Estimated Revenues and Appropriations in the COVID-19 Cares Act Recovery Fund for a Federal Cares Act Grant Passed Through the State of Alaska Department of Public Safety for Overtime and Direct Expenditures of the Police, Fire, and Communications Departments of the City. (Administration)
11. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 8/18/2021.**
***Ordinance No. 3232-2021** - Increasing Estimated Revenues and Appropriations in the General Fund, Kenai Fine Arts Center Capital Project Fund and Amending the Lease for a Portion of Lot 3, Block 17, Original Townsite of Kenai for the Kenai Fine Arts Center to Provide Additional Funding for Improvements and Modifications Amendment to the Lease for the Kenai Fine Arts Center. (Administration)
12. **APPROVED UNANIMOUSLY. Action/Approval** - Assignment and Assumption of Lease Agreement from Hilcorp Alaska, LLC to Kenai Beluga Pipeline, LLC. (Administration)

H. 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
7. Mini-Grant Steering Committee

I. REPORT OF THE MAYOR

J. ADMINISTRATION REPORTS

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

K. ADDITIONAL PUBLIC COMMENT

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

L. EXECUTIVE SESSION

1. Review and Discussion of the Terms of Employment Agreement for the City Clerk which, Pursuant to AS 44.62.310(c)(2) May be a Subject that Tends to Prejudice the Reputation and Character of the City Clerk.

M. PENDING ITEMS

N. ADJOURNMENT

O. INFORMATION ITEMS

1. Purchase Orders Between \$2,500 and \$15,000

The agenda and supporting documents are posted on the City's website at 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/81168359551>

Meeting ID: 811 6835 9551 **Passcode:** 784457

OR

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

Meeting ID: 811 6835 9551 **Passcode:** 784457



Plat Committee Tentative Agenda

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2215 • (907) 714-2378 Fax
Betty J. Glick Assembly Chambers, Kenai Peninsula Borough George A. Navarre Administration Building
Melanie Aeschliman, Planning Director • Charlie Pierce, Borough Mayor

**August 9, 2021
5:30 p.m.**

**Zoom Meeting Link: <https://zoom.us/j/2084259541>
Zoom Toll Free Phone Numbers: 888 788 0099 or 877 853 5247
Zoom Meeting ID: 208 425 9541**

The hearing procedure for the Plat Committee public hearings is 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 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**

July 12, 2021 Plat Committee Meeting Minutes

D. OLD BUSINESS - None

E. NEW BUSINESS

1. Stanleys Meadow 2021; KPB File 2021-086
Ability Surveys / Jones
Location: Off Perkins Road & Cove View Court
Fitz Creek Area
Kachemak Bay APC

2. Tulin West Highlands Green 2021 Replat; KPB File 2021-104
Seabright Surveying / Green
Location: Joe Super Street & West Highlands Blvd.
Diamond Ridge Area
Kachemak Bay APC
3. Self Subdivision Bilben Replat; KPB File 2021-092
Peninsula Surveying LLC / Bilben & Gregory
Location: Stol Road
Cohoe Area
4. Ninilchik Airport Heights 2021 Replat; KPB File 2021-103
Geovera LLC / Terrastar Properties LLC
Location: Tailwind Road, Cessna Street & Smart Street
Ninilchik Area
5. Fireweed Meadows 2021 Replat; KPB File 2021-095
Geovera, LLC / Emmitt & Mary Trimble Revocable Trust, Home Grown Construction LLC
Location: Milo Fritz Avenue & Granross Street
Anchor Point Area
Anchor Point APC
6. McReed Subdivision 2021 Replat; KPB File 2021-093
Johnson Surveying / Harne
Location: Cohoe Loop Road
Cohoe Area
7. Melickian Subdivision 2021 Addition; KPB File 2021-094
Johnson Surveying / Waggoner, Jaso, Munter & Rinck
Location: Resurrection Creek Road & Katday Court
Hope Area
Hope/Sunrise APC
8. Horse Creek Subd 2021 Addition; KPB File 2021-099
Johnson Surveying / Deford
Location: Resurrection Creek Road
Hope Area
9. Hinz Subdivision No. 2; KPB File 2021-102
Segesser Surveys / Hinz
Location: Irish Hills Avenue & Bethula Street
Kalifornsky Area
Kalifornsky APC
10. Mac McGahn Subdivision 2020 Replat; KPB File 2021-096
Segesser Surveys / The Estate of Dolores Mae McGahan, The Estate of Dolores M. McGahan, Merrill M. McGahan, Carmen M. McGahan, Dolores M. Rappe, The Estate of Merrill Mazie McGahan
Location Nikishika Beach Road & Kenai Spur Highway
Nikiski Area
11. Bosn Landing Subdivision Marlow Replat; KPB File 2021-101
Segesser Surveys / Marlow
Location: Stephens Drive
Sterling Area

12. Emery Subdivision; KPB File 2021-100
Segesser Surveys / Emery
Location: Wendy Lane
Kalifornsky Area
Kalifornsky APC

F. PUBLIC COMMENT

G. ADJOURNMENT

MISCELLANEOUS INFORMATIONAL ITEMS

NEXT REGULARLY SCHEDULED PLAT COMMITTEE MEETING

The next regularly scheduled Plat Committee meeting will be held **Monday, August 23, 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 **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

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.



Planning Commission Tentative Agenda

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2215 • (907) 714-2378 Fax
Betty J. Glick Assembly Chambers, Kenai Peninsula Borough George A. Navarre Administration Building

Melanie Aeschliman, Planning Director • Charlie Pierce, Borough Mayor

Blair Martin, Chair – Kalifornsky Beach ~ Robert Ruffner, Vice Chair – Kasilof/Clam Gulch

Syverine Abrahamson-Bentz, Parliamentarian – Anchor Point/Ninilchik ~ Jeremy Brantley – Sterling

Paulette Bokenko-Carluccio – City of Seldovia ~ Cindy Ecklund – City of Seward ~ Pamela Gillham – Ridge Way

Davin Chesser – Northwest Borough ~ Diane Fikes – City of Kenai ~ Virginia Morgan – East Peninsula ~ Franco Venuti – City of Homer

August 9, 2021

7:30 p.m.

Zoom Meeting Link: <https://zoom.us/j/2084259541>

Zoom Toll Free Phone Numbers: 888 788 0099 or 877 853 5247

Zoom Meeting ID: 208 425 9541

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

1. Reappointment of Commissioners
2. Election of Officers

C. APPROVAL OF CONSENT AND REGULAR AGENDAS

All items marked with an asterisk (*) are consent agenda items. Consent agenda items are considered routine and non-controversial by the Planning Commission 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. Time Extension Request**

- a. Kee's Tern Subdivision
KPB File 2013-023; {Segesser/Martin}
Location: City of Kenai

***2. Planning Commission Resolutions**

- a. PC Resolution 2021-25; KPB File 2020-079V
Finalizing the vacation of several utility easements within proposed subdivision Eventyr
Subdivision Number 3

***3. Plats Granted Administrative Approval**

- a. Chigmit Vista Estates Lynch Addition; KPB File 2020-138

- b. Kimbrel Subdivision 2020 Replat; KPB File 2020-15
- c. Munger Subdivision No. 4; KPB File 2019-046
- d. Ridgewood Estates Sub. Unit 2 Tract 5-A 2020 Replat; KPB File 2020-047
- e. Terrace View Farm Replat; KPB File 2019-150
- f. The Meadows; KPB File 2020-031R1
- g. TKC Subdivision; KPB File 2021-065

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

***5. Plat Amendment Request**

***6. Commissioner Excused Absences**

***7. Minutes**

- a. July 12, 2021 Planning Commission Meeting

D. OLD BUSINESS

- 1. Conditional Land Use Permit Modification
 Applicant/Landowner: Cook Inlet Region Inc.
 Parcel ID# 06508118
 Location: Sterling Area

E. NEW BUSINESS

- 1. Utility Easement Vacation
 Stanley's Meadow 2021 UEV; KPB File 2021-086V
 Vacate a 20' utility easement within Lot 10A Stanley's Meadow No. 11 (HM 93-60)
 Petitioners/Owners: Cecil R., Ina L., Billy Ray, Stephanie Joy Jones
 Location: Fritz Creek Area
- 2. Utility Easement Vacation
 Carl F Ahlstrom Subdivision RPM's Replat No. 2 UEV; KPB File 2021-054V
 Vacate 10' utility easements along the side lot lines of Lots 19, 20, 21, Block 13 Carl F. Ahlstrom Subdivision (KN-216) & Lot 22A, Block 13, Carl F. Ahlstrom Subdivision RPM's Replat (KN 2017-66), excluding the 15' adjoining the Kenai Spur Hwy & the 10' adjoining the northeast boundary.
 Petitioners/Owners: RPM's LLC & John Mellish
 Location: City of Kenai
- 3. Street Naming Resolution
 SN 2021-04: Naming a certain private road within Section 24, T04S, R11W, Seward Meridian; within Emergency Service Number (ESN) 202
- 4. Ordinance 2021-32: An ordinance authorizing a negotiated lease at fair market value with Edward & Kathleen Martin, DBA Cozy Inn, in Kenai for a parking area.
- 5. Ordinance 2021-31: An ordinance authorizing an amendment to a master land lease development agreement with the Alaska Department of Transportation & Public Facilities in support of the Sterling Highway MP 45-60 Construction Project near Cooper Landing to include a staging area at Tract C Quartz Creek Subdivision and appraisal provisions.

F. PLAT COMMITTEE REPORT - Plat Committee will review 12 Plats

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

NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING

The next regularly scheduled Planning Commission meeting will be held **Monday, August 23, 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.**

ADVISORY PLANNING COMMISSION MEETINGS

ADVISORY COMMISSION	MEETING LOCATION	DATE	TIME
Anchor Point	Zoom		7:00 PM
Cooper Landing	Zoom		6:00 PM
Funny River	Funny River Community Center		7:00 PM
Kalifornsky	Zoom		6:00 PM
Kachemak Bay	Zoom		7:00 PM
Moose Pass	Inactive		N/A
Hope / Sunrise	Zoom		7:00 PM

NOTE: Advisory planning commission meetings are subject to change. Please verify the meeting date, location, and time with the advisory planning commission chairperson. Chairperson contact information is on each advisory planning commission website. Links to the websites can be found on the Planning Department website.

CONTACT INFORMATION

KENAI PENINSULA BOROUGH PLANNING DEPARTMENT

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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.