



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

January 13, 2021 – 7:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

****Telephonic Participation Info Page 2****

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. *December 9, 2020

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 PZ2020-37** - Preliminary Subdivision Plat of Beaver Creek Alaska Subdivision 2020 Replat, submitted by Segesser Surveys, Inc., 30485 Rosland Street, Soldotna, AK 99669, on behalf of Freedom Indeed, LLC, P.O. Box 1109, Kasilof, AK 99610 and Luke Saven LLC, P.O. Box 439, Kasilof, AK 99610

F. PUBLIC HEARINGS

G. UNFINISHED BUSINESS

H. NEW BUSINESS

I. PENDING ITEMS

J. REPORTS

- [1.](#) City Council
- [2.](#) Kenai Peninsula Borough Planning
3. City Administration

K. ADDITIONAL PUBLIC COMMENT

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

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

L. INFORMATIONAL ITEMS

- [1.](#) Planning and Zoning Resolutions - Fourth Quarter 2020
- [2.](#) Building Permit Reports - Fourth Quarter 2020
- [3.](#) Code Enforcement - Fourth Quarter 2020

M. NEXT MEETING ATTENDANCE NOTIFICATION

1. January 27, 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/83598540727>

Meeting ID: 835 9854 0727

Passcode: 253400

877 853 5257 US Toll-free

888 475 4499 US Toll-free

Meeting ID: 835 9854 0727

Passcode: 253400

File Attachments for Item:

1. *December 9, 2020

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
DECEMBER 09, 2020 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVENUE, KENAI, ALASKA
CHAIR JEFF TWAIT, PRESIDING**

MINUTES

A. CALL TO ORDER

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

1. Pledge of Allegiance

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

2. Roll Call

Commissioners present: J. Twait, R. Springer, D. Fikes, J. Halstead, G. Greenberg,
T. McIntyre,

Commissioners absent:

Staff/Council Liaison present: City Manager P. Ostrander, Planning Assistant W.
Anderson, Deputy City Clerk M. Thibodeau, Council Liaison
J. Glendening

A quorum was present.

3. Agenda Approval

MOTION:

Vice Chair Fikes **MOVED** to approve the agenda as written and Commissioner Halstead **SECONDED** the motion. There were no objections; **SO ORDERED**.

4. Consent Agenda

MOTION:

Vice Chair Fikes **MOVED** to approve the consent agenda and Commissioner Halstead **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. *October 28, 2020

The minutes were approved by the Consent Agenda.

C. SCHEDULED PUBLIC COMMENT – None.

D. UNSCHEDULED PUBLIC COMMENT – None.

E. CONSIDERATION OF PLATS

1. **Resolution PZ2020-36** – Preliminary Subdivision Plat of Integrity Plaza II, submitted by Cliff Baker, Surveyor, 201 Barrow Street, Unit 202, Anchorage, AK 99501, on behalf of Cliff Baker, 201 Barrow Street, Unit 202, Anchorage, AK 99501

Planning Assistant Anderson reviewed the staff report provided in packet noting the preliminary plat vacates property lines creating a larger tract and City staff recommends approval subject to the following condition:

- That further development of the property shall conform to all federal, State of Alaska, and local regulations.

MOTION:

Vice Chair Fikes **MOVED** to approve Resolution No. PZ2020-36 and Commissioner Halstead **SECONDED** the motion.

MOTION TO AMEND:

Commissioner Greenberg **MOVED** to amend by Substitute Resolution No. PZ2020-34 and Commissioner Halstead **SECONDED** the motion.

VOTE:

YEA: Twait, Springer, Halstead, Fikes, Greenberg, McIntyre

NAY:

MOTION PASSED UNANIMOUSLY.

F. PUBLIC HEARINGS

1. **Resolution PZ2020-35** – Application for a Conditional Use Permit for seven zero lot line/townhouse dwellings, on Tract A, Kenai Landing Cottages, and located at 2101 Bowpicker Lane. The application was submitted by Kenai Landing, Inc., 2101 Bowpicker Lane, Kenai, AK 99611.

City Attorney Bloom reviewed the staff report provided in packet noting the conditional use permit would permit the construction of zero lot line/townhouse dwellings in the Heavy Industrial Zone.

The criteria for townhouses and conditional use permits were reviewed; it was noted the application met the criteria and City staff recommends approval subject to the following condition:

- Further development of the property shall conform to all federal, State of Alaska, and local regulations;
- Prior to issuance of a Building Permit, a landscape/site plan must be reviewed and approved by the City Planner;
- Prior to beginning construction of the project, a building permit must be issued by the Building Official for the City of Kenai;
- All criteria of KMC 14.20.160 - Townhouses must be met, with updated documents provided to the City as they become available;
- Prior to the sale of any of the units, evidence must be provided that the developer is in compliance with the Uniform Common Interest Ownership Act, AS 34.08;
- A biennial fire inspection must be completed by the Fire Marshal for the City of Kenai;
- A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year;
- The applicant will meet with City staff for on-site inspections when requested;
- If there is a change of use for the above described property a new Conditional Use Permit must be obtained, pursuant to 14.20.150(i)(5);
- Pursuant to KMC 14.20.150(i)(2), this permit shall expire automatically upon termination or interruption of the use for a period of at least one year;
- Failure to provide documentation to the City for meeting these conditions shall be grounds for the suspension or revocation of the conditional use permit.

MOTION:

Vice Chair Fikes **MOVED** to approve Resolution No. PZ2020-35 and Commissioner Halstead **SECONDED** the motion.

Applicants Steve Agni and Jonathan Faulkner provided an overview of the history and ongoing development plans for the property noting the coastal village concept. He clarified that the project was to the North of Mr. Hyde's facilities, that the property had been reviewed for the flood plain and determined to be high enough.

Mr. Agni added that the condominium and townhome owners would be year-round residents and would pay for the road maintenance in the area. Added that they have a year-round caretaker for the wastewater treatment plant and the resident's share of cost of operation of the plant would be proportional to the property size.

Clarification was provided that the ingress and egress would be sufficient for emergency services.

Mr. Agni further added that the development would meet the Borough's regulations and setbacks from the river and that the buildings would be a maximum of three story buildings.

VOTE:

YEA: Twait, Springer, Halstead, Fikes, Greenberg, McIntyre

NAY:

MOTION PASSED UNANIMOUSLY.

G. UNFINISHED BUSINESS – None.

H. NEW BUSINESS – None.

I. PENDING ITEMS – None.

J. REPORTS

1. **City Council** – Council Member Glendening reported on the actions from the November 4, November 23, and December 2 City Council meetings.
2. **Borough Planning** – Vice Chair Fikes reported on the actions of the Borough Planning Commission meetings of November 9 and November 30.
3. **City Administration** – City Manager Ostrander reported on the following:
 - Update on City Sales Tax numbers, up for the 3rd quarter in a row;
 - Developing a Request for Proposals for the Design Phase of the Bluff Erosion Project;
 - New City Planner will be starting this month;
 - Reviewed details of a recent work session regarding COVID-19 with Alaska Department of Health and Social Services staff.

K. ADDITIONAL PUBLIC COMMENT

1. Citizens Comments – None.

L. INFORMATIONAL ITEMS

M. NEXT MEETING ATTENDANCE NOTIFICATION

1. December 23, 2020
2. January 13, 2021

N. COMMISSION COMMENTS & QUESTIONS – None.

O. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 8:27 p.m.

Minutes prepared and submitted by:

Meghan Thibodeau
Deputy City Clerk

File Attachments for Item:

1. Resolution PZ2020-37 - Preliminary Subdivision Plat of Beaver Creek Alaska Subdivision 2020 Replat, submitted by Segesser Surveys, Inc., 30485 Rosland Street, Soldotna, AK 99669, on behalf of Freedom Indeed, LLC, P.O. Box 1109, Kasilof, AK 99610 and Luke Saven LLC, P.O. Box 439, Kasilof, AK 99610



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2020-37**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **RECOMMENDING** THAT BEAVER CREEK ALASKA SUBDIVISION 2020 REPLAT ATTACHED HERETO BE APPROVED

WHEREAS, the City of Kenai received the plat from Segesser Surveys. and,

WHEREAS, the plat meets Municipal Code requirements of the General Commercial Zone; and,

WHEREAS, street names are referenced correctly; and,

WHEREAS, The Kenai Spur Highway is paved and State-maintained road providing access to the proposed Lots 2A and 3A, Block G, Beaver Creek Alaska Subdivision 2020 Replat; and,

WHEREAS, City water and sewer lines are not located in this area and an installation agreement will not be required; and,

WHEREAS, the property owners have installed private wells and onsite septic systems which meet the regulatory requirements of the Alaska Department of Environmental Conservation; and

WHEREAS, the moving of the lot line between Lots 2 and 3 Beaver Creek Alaska Subdivision Amended will alleviate the non-conformity of the structure located on Lot 3, Block G, because the side yard setback requirement will be met; 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, and maximum height.
4. Pursuant to Kenai Municipal Code 14.24.020 General Requirements, the existing structure is not in compliance with the front yard setback requirement. The front setback requirement is twenty feet (20') in the General Commercial zone and the distance from the structure to the property line is approximately eleven feet (11'). The structure is

considered a non-conforming structure as set forth in Kenai Municipal C14.20.050 (a) and (d).

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

Section 1. That the preliminary plat of Beaver Creek Alaska Subdivision 2020 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. Luke Saven is a Limited Liability Corporation; the letters LLC should be inserted after Luke Saven on the plat.
3. The plat notes numbers are not sequential and should be renumbered.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 13th day of January, 2021.

JEFF TWAIT, CHAIRPERSON

ATTEST:

JAMIE HEINZ, 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: January 7, 2021
SUBJECT: PZ2020-37 – Preliminary Plat – Beaver Creek Alaska Subdivision 2020 Replat

Applicants: Freedom Indeed LLC
P.O. Box 1109
Kasilof, AK 99610
(Lot 3, Block G, Beaver Creek Alaska Subdivision Amended)

Luke Saven LLC
P.O. Box 439
Kasilof, AK 99610
(Lot 2, Block G, Beaver Creek Alaska Subdivision Amended)

Submitted By: Segesser Surveys, Inc.
30485 Rosland Street
Soldotna, AK 99669

Requested Action: Preliminary Subdivision Plat – Beaver Creek Alaska Subdivision 2020 Replat

Legal Description: Lots 2 and 3, Block G, Beaver Creek Alaska Subdivision Amended

Property Address: 6383 Kenai Spur Highway and 6415 Kenai Spur Highway

KPB Parcel No: 04107102 and 04107103

Lot Size: .98 acres (approximately 42,689 square feet), and .98 acres (approximately 42,689 square feet)

Existing Zoning: General Commercial (CG)

Current Land Use: Freedom Physical Therapy and Polar Screens and Signs

Land Use Plan: General Commercial

GENERAL INFORMATION

Segesser Surveys Inc. submitted a preliminary plat on behalf of the property owners, Freedom Indeed LLC and Luke Saven LLC. The plat affects the parcels described as Lots Two (2) and Three (3), Block G, Beaver Creek Alaska Subdivision Amended.

The property owners wish to move the property line between the two lots which will create Lots 2A and 3A, Block G. Beaver Creek Alaska Subdivision 2020 Replat. Lot 2A, Block G will be approximately 0.949 acres (approximately 41,338.44 square feet). Lot 3A, Block G, will be approximately 1.014 acres (approximately 44,170 square feet). The property owners have recently purchased Lot 3, Block G, Beaver Creek Alaska Subdivision Amended and wishes to renovate the existing building to accommodate an expansion of the physical therapy facility located on the adjoining lot. The as-built survey submitted with the building permit application for the renovation discloses that the staircase on the East side of the building encroaches into the side yard setback. A portion of the building is only 7.8 feet from the property line. The side yard setback requirement in the General Commercial zone is ten (10) feet. The width of Lot 2, Block G. shall be decreased by five (5) feet; and the width of Lot 3, Block G, shall be increased by five (5) feet. The moving of the property line between the two lots will bring the structure located on Lot 3, Block G into conformance with the side yard setback requirement for the General Commercial zone with a 12.8 foot side yard setback.

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* on Thursday, January 7, 2021. No public comments have been received as of January 7, 2021.

ANALYSIS

Access to the proposed Lots 2A and 3A, Block 3, Beaver Creek Alaska Subdivision 2020 Replat is currently provided on the Kenai Spur Highway. The Kenai Spur Highway is maintained by the State of Alaska. A note on the plat provides that no direct access to state-maintained rights-of-way is permitted unless approved by the State of Alaska Department of Transportation and Public Facilities, which would apply to any access from the Kenai Spur Highway.

City water and sewer lines are not available in this area. The properties are currently serviced by private wells and onsite septic systems and an installation agreement will not be required.



Further, it is noted that the existing structure is not in compliance with the front yard setback requirement. The front setback requirement is twenty feet (20') in the General Commercial zone and the distance from the structure to the property line is approximately eleven feet (11'). The structure is considered a non-conforming structure as set forth in Kenai Municipal C14.20.050 (a) and (d).

The preliminary plat meets requirements of *KMC Subdivision design standards* and *KMC 14.10.080 Minimum improvements required under Chapter 14.10 Subdivision Regulations*. City staff recommends a condition of approval for the property to conform to all federal, State of Alaska, and local regulations, the letters "LLC" should be inserted after Luke Saven on the plat, and the plat note numbers should be corrected in order to be sequential.

RECOMMENDATIONS

City staff recommends approval of the preliminary plat of Beaver Creek Alaska Subdivision 2020 Replat, subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. Luke Saven is a Limited Liability Corporation; the letters LLC should be inserted after Luke Saven on the plat.
3. The plat note numbers should be corrected; they are not sequential.

ATTACHMENTS

1. Resolution No. PZ2020-37
2. Application
3. Preliminary Plat
4. Aerial Map
5. As-built Survey





**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2020-37**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **RECOMMENDING** THAT BEAVER CREEK ALASKA SUBDIVISION 2020 REPLAT ATTACHED HERETO BE APPROVED

WHEREAS, the City of Kenai received the plat from Segesser Surveys. and,

WHEREAS, the plat meets Municipal Code requirements of the General Commercial Zone; and,

WHEREAS, street names are referenced correctly; and,

WHEREAS, The Kenai Spur Highway is paved and State-maintained road providing access to the proposed Lots 2A and 3A, Block G, Beaver Creek Alaska Subdivision 2020 Replat; and,

WHEREAS, City water and sewer lines are not located in this area and an installation agreement will not be required; and,

WHEREAS, the property owners have installed private wells and onsite septic systems which meet the regulatory requirements of the Alaska Department of Environmental Conservation; and

WHEREAS, the moving of the lot line between Lots 2 and 3 Beaver Creek Alaska Subdivision Amended will alleviate the non-conformity of the structure located on Lot 3, Block G, because the side yard setback requirement will be met; 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, and maximum height.
4. Pursuant to Kenai Municipal Code 14.24.020 General Requirements, the existing structure is not in compliance with the front yard setback requirement. The front setback requirement is twenty feet (20') in the General Commercial zone and the distance from the structure to the property line is approximately eleven feet (11'). The structure is

considered a non-conforming structure as set forth in Kenai Municipal C14.20.050 (a) and (d).

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

Section 1. That the preliminary plat of Beaver Creek Alaska Subdivision 2020 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. Luke Saven is a Limited Liability Corporation; the letters LLC should be inserted after Luke Saven on the plat.
3. The plat notes numbers are not sequential and should be renumbered.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 13th day of January, 2021.

JEFF TWAIT, CHAIRPERSON

ATTEST:

JAMIE HEINZ, CITY CLERK



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:	Segesser Surveys Inc						
Mailing Address:	30485 Rosland St	City:	Soldotna	State:	AK	Zip Code:	99669
Phone Number(s):	907-262-3909, 907-252-3421						
Email:	seggy@ptialaska.net						

PROPERTY OWNER

Name:	Freedom Indeed LLC / Luke Saven						
Mailing Address:	P.O. Box 1109	City:	Kasilof	State:	AK	Zip Code:	99610
Phone Number(s):							
Email:							

PROPERTY INFORMATION

Property Owner Name:	Freedom Indeed LLC / Luke Saven					
Current City Zoning:	General Commercial					
Use:	<input type="checkbox"/> Residential	<input type="checkbox"/> Recreational	<input checked="" type="checkbox"/> Commercial			
	<input type="checkbox"/> Other:					
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:	Beaver Creek Alaska Subdivision 2020 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):						

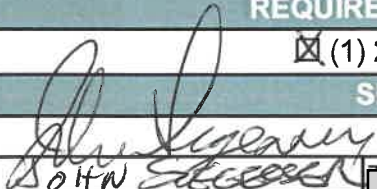
Exceptions Required and Requested:

Comments:

REQUIRED ATTACHMENTS

<input 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:	12-7-20
Print Name:	LUKE SAVEN	Business:	

LEGEND:

- ⊗ 3 1/4" BLM MONUMENT AS SHOWN FOUND
- ⊙ 5/8" REBAR w/PLASTIC CAP FOUND
- 5/8" REBAR w/PLASTIC CAP FOUND
- 5/8" REBAR w/PLASTIC CAP LS8859 SET
- () RECORD DATUM PLAT 2011-41 KRD

NOTES:

- 1) Basis of bearing taken from Beaver Creek Alaska Subdivision Amended, Plat 81-101, Kenai Recording District.
- 2) Further development of the property shall conform to all federal, State of Alaska, and local regulations.
- 3) Development must meet City of Kenai Chapter 14 Zoning Requirements.
- 7) No private access to State maintained ROWs permitted unless approved by the State of Alaska Department of Transportation.
- 6) Front 15 feet adjacent to rights-of-way 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.
- 9) **WASTEWATER DISPOSAL:** Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single-family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation.

Engineer _____ License No. _____ date _____

PLAT APPROVAL

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

KENAI PENINSULA BOROUGH

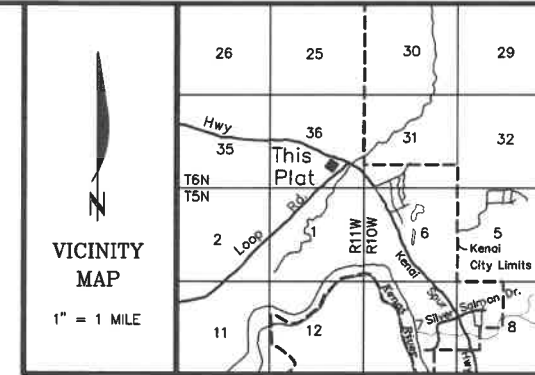
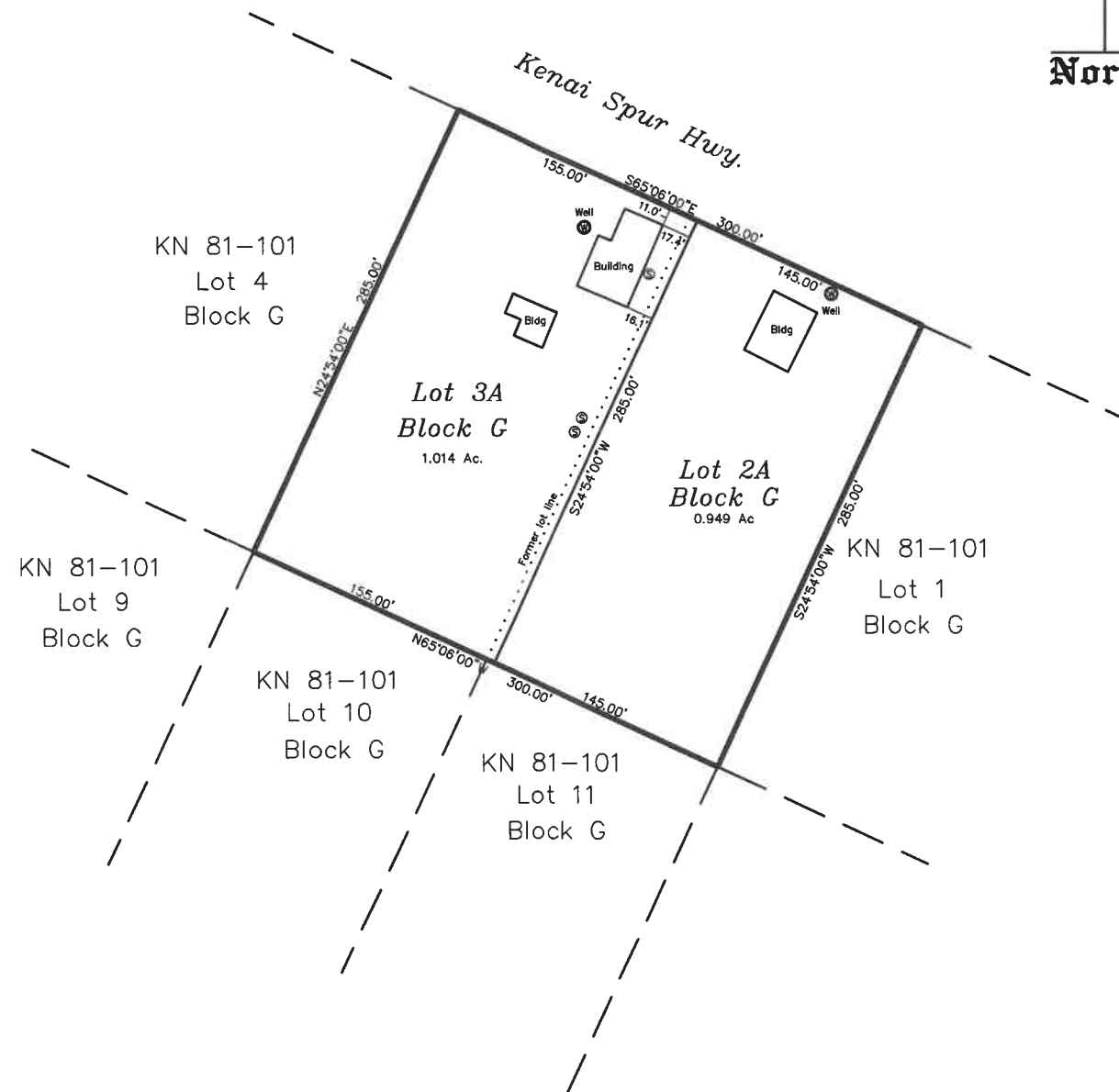
AUTHORIZED OFFICIAL _____



SURVEYOR'S CERTIFICATE

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct.

Date _____



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 DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

FREEDOM INDEED LLC
P.O. BOX 1109
KASLOF, ALASKA 99610
FORMER LOT 2 BLOCK G

LUKE SAVEN
P.O. BOX 439
KASLOF, ALASKA 99610
FORMER LOT 3 BLOCK G

NOTARY'S ACKNOWLEDGEMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGEMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

KPB FILE No. _____

**Beaver Creek Alaska Subdivision
2020 Replat**

A resubdivision of Lots 2 and 3 Block G, Beaver Creek Alaska Subdivision Amended, Plat 81-101, Kenai Recording District.

Located within the W1/2 SE 1/4 Section 36, T6N, R11W, S.M., City of Kenai, Kenai Peninsula Borough, Alaska.

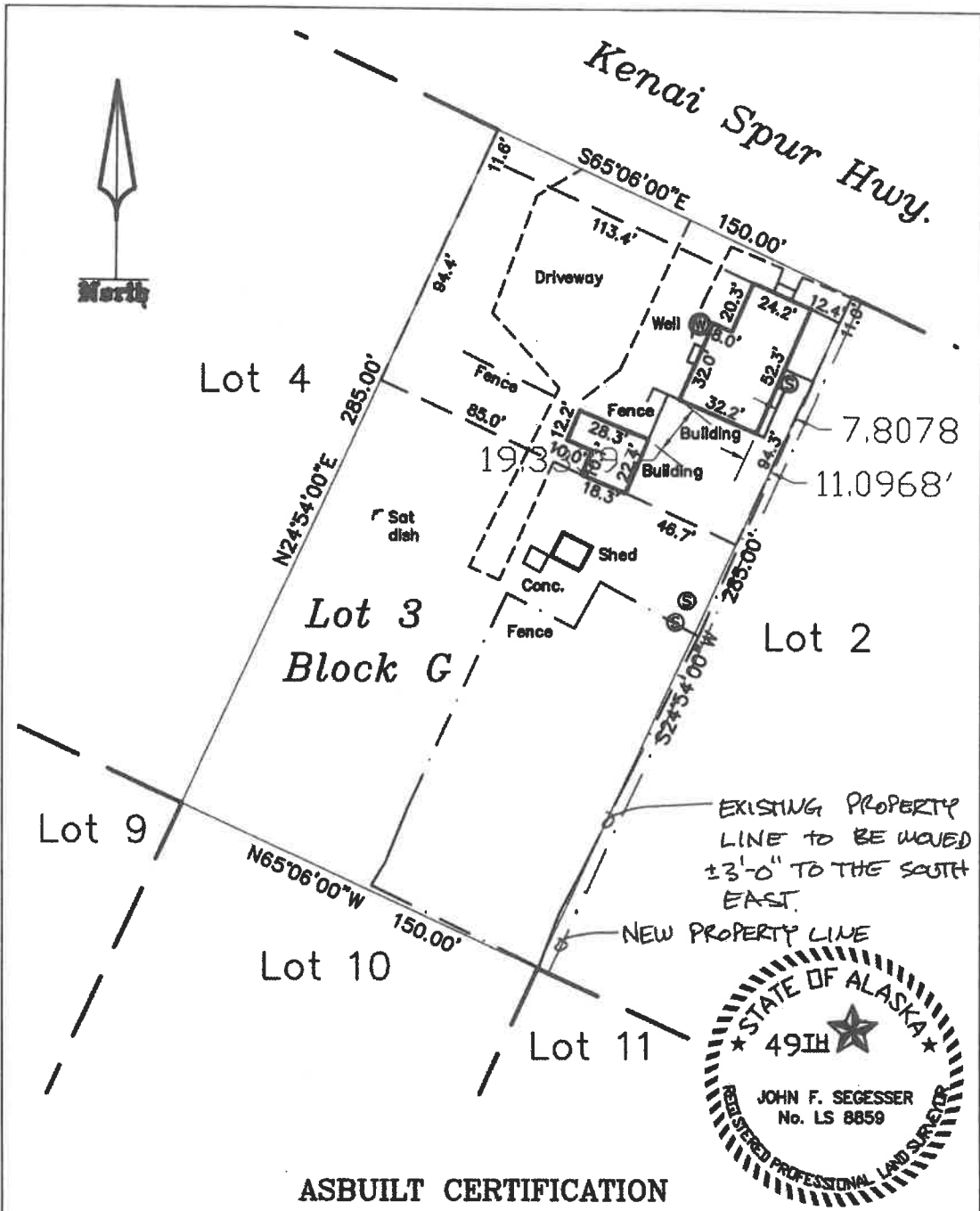
Containing 1.960 Ac.

Surveyor Segesser Surveys 30485 Rosland St. Soldotna, AK 99669 (907) 262-3909	Owners Freedom Indeed LLC Luke Saven P.O. Box 1109 P.O. Box 439 Kaslof, Alaska 99610 Kaslof, Alaska 99610
JOB NO. 20309	DRAWN: 12-7-20
SURVEYED:	SCALE: 1"=50'
FIELD BOOK:	SHEET: 1 of 1

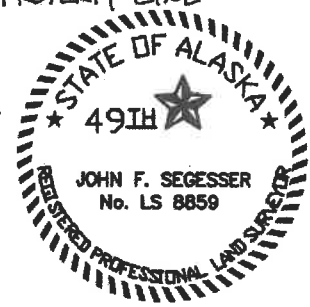


**Lots 2 and 3, Block G, BEAVER
CREEK ALASKA SUBDIVISION
6383 & 6415 Kenai Spur Hwy.
Parcels 04107102 & 04107103**





ASBUILT CERTIFICATION



LEGEND	
● Found Rebar	
⊙ Sewer vent	
KENAI RECORDING DISTRICT	Plat: 81-101
Date: 10-28-20	Scale: 1"=50' Drawn: JFS
Job: 20280	Book: 20-3
SEGESSER SURVEYS 30485 ROSLAND ST. SOLDOTNA, AK 99669 (907) 262-3809	

I hereby certify that I have surveyed the following described property:

Lot 3 Block G
Beaver Creek Alaska Amended

and that no encroachments exist except as indicated.

Exclusion Note:
It is the responsibility of the Owner to determine the existence of any easements, covenants, or restrictions which do not appear on the recorded subdivision plat. Under no circumstances should any data hereon be used for construction or for establishing boundary or fence lines.

File Attachments for Item:

1. City Council



Kenai City Council - Regular Meeting

January 06, 2021 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

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)

1. **Jodi Stuart** - Annual update of Project Homeless Connect.
2. **Coy West** - City of Kenai Tourism and Marketing Update.

C. UNSCHEDULED PUBLIC COMMENTS

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

D. PUBLIC HEARINGS

1. **ENACTED UNANIMOUSLY. Ordinance No. 3173-2020** - Accepting and Appropriating Asset Forfeiture Sharing Funds for the Police Department for the Purpose of Purchasing Law Enforcement Equipment.
2. **ENACTED UNANIMOUSLY. Ordinance No. 3174-2020** - Accepting And Appropriating a FM Global Fire Prevention Grant for the Purchase of Two Ipads and Accessories to be Used Toward Fire Prevention Efforts.
3. **ENACTED UNANIMOUSLY. Ordinance No. 3175-2020** - Increasing Estimated Revenues and Appropriations in the Airport Improvements Capital Fund, and Authorizing an Increase to the Construction Purchase Order to Kirila Fire, Inc.
4. **ENACTED UNANIMOUSLY AS AMENDED. Ordinance No. 3176-2020** - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and the Airport Snow Removal Equipment Capital Project Funds to Provide Supplemental Funding for the

Project, and Authorizing a Purchase Agreement for the Purchase of a Replacement Wide-Area Tractor & Mower.

- **Substitute Ordinance No. 3176-2020**

E. MINUTES

1. **APPROVED BY THE CONSENT AGENDA.** *Regular Meeting of December 16, 2020.

F. UNFINISHED BUSINESS

G. NEW BUSINESS

1. **APPROVED BY THE CONSENT AGENDA.** *Action/Approval - Bills to be Ratified.
2. **APPROVED BY THE CONSENT AGENDA.** *Action/Approval - Purchase Orders Over \$15,000.
3. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 1/20/2021.** *Ordinance No. 3177-2021 - Authorizing a Shop Local Economic Stimulus Program to Benefit Kenai Small Businesses And Award of a Professional Services Agreement to the Kenai Chamber of Commerce and Visitor Center for Administration of the Program.
4. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 1/20/2021.** *Ordinance No. 3178-2021 - Accepting and Appropriating a COVID Cares Act for Older Adults and Their Caregivers 2021 Grant Passed Through the State of Alaska for Kenai Senior Center Expenditures in Support of its Response to the COVID-19 Public Health Emergency.
5. **Discussion** - COVID-19 Response.

H. COMMISSION / COMMITTEE REPORTS

1. Council on Aging
2. Airport Commission
3. Harbor Commission
4. Parks & Recreation Commission
5. Planning & 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

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/81091666825>

Meeting ID: 810 9166 6825 **Passcode:** 941200

OR

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

Meeting ID: 810 9166 6825 **Passcode:** 941200

File Attachments for Item:

2. Kenai Peninsula Borough Planning



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 – Kaslof/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

**January 11, 2021
7:30 p.m.**

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 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 Requests**

***2. Planning Commission Resolutions**

***3. Administrative Approvals**

***4. Plat Amendment Requests**

***5. Commissioner Excused Absences**

***6. Minutes**

December 14, 2020 Planning Commission Meeting Minutes

D. OLD BUSINESS

E. NEW BUSINESS

1. Right-of-Way Vacation
Arrowhead Estates Moore Replat Oliver Street Vacation
KPB File 2020-147V
Petitioners: Nathan D. & Julie A. Moore
2. Drainage Easement Vacation
Lillian Walli Estate 2020 Replat Cheryl Lane ROW Vacation
KPB File 2020-119V1
Petitioners: Mill, Walli, Johnson, Weisser Homers & Eugene P. Dobrzynski Trust
3. Ordinance 2020-45: An ordinance amending Kenai Peninsula Borough Code of Ordinances including Chapter 2.40-Planning Commission, Title 20-Subdivisions, Chapter 21.20-Hearing & Appeals to correct grammatical errors, clarify and improve certain administrative procedures.
4. Consideration of Kachemak Bay Advisory Planning Commission
5. Ordinance 2021-01: An ordinance amending KPB 17.10, Borough Land & Resources, to change agriculture and grazing lease rates to a standard fee schedule and clarify tax responsibility
6. Resolution 2021-002: A resolution updating the Kenai Peninsula Borough schedule of rates, charges and fees, pursuant to KPB 1.26, to include rates for agricultural and grazing leases.
7. Ordinance 2021-02: An ordinance authorizing the negotiated lease of classroom space at the Soldotna Prep building with the Boys & Girls Club of the Kenai Peninsula.

F. UNFINISHED BUSINESS

G. PLAT COMMITTEE REPORT

H. OTHER

I. 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)

J. DIRECTOR'S COMMENTS

K. COMMISSIONER COMMENTS

L. ADJOURNMENT

MISCELLANEOUS INFORMATIONAL ITEMS

NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING

The next regularly scheduled Planning Commission meeting will be held **Monday, October 26, 2020** 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	Anchor Point Chamber of Commerce	TBD	
Cooper Landing	Zoom	TBD	
Funny River	Funny River Community Center	TBD	
Kalifornsky	Zoom	TBD	
Kachemak Bay	Zoom	TBD	
Moose Pass	Moose Pass Community Hall	TBD	
Hope / Sunrise	Zoom	TBD	

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**

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>

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.



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

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Jeremy Brantley – Sterling ~ Pamela Gillham – Ridge Way

Cindy Ecklund, Alternate – City of Seward ~ Franco Venuti – City of Homer

January 11, 2021

6:30 p.m.

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A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF CONSENT AND REGULAR AGENDA

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***1. Agenda**

***2. Member / Alternate Excused Absences**

***3. Minutes**

December 14, 2020 Plat Committee Meeting Minutes

D. OLD BUSINESS

E. NEW BUSINESS

1. A.A. Mattox 2019
KPB File 2019-100R1; [Farmer Surveying, LLC/Briske, Budd]
East Pioneer Ave to East End Rd. to Pennock St.
Homer Area
2. Kimbrel Subdivision 2020 Replat
KPB File 2020-150; [Johnson Surveying/Amundsen Education Center]
Tote Rd. & Clara Ln.
Kalifornsky APC

3. Tuxedni North
KPB File 2020-134; [Peninsula Surveying, LLC/Ninilchik Native Association, Inc.]
Remote Area
4. WhistleBait Estates Addition No. 1
KPB File 2020-143; [Segesser Surveys/WhistleBait LLC]
Valley View Rd.
Sterling Area
5. Wintergreen Subdivision 2020 Replat
KPB File 2020-152; [Seabright Surveying/Kilcher, Dupree]
Goldberry Ct. & West Hill Rd.
City of Homer
6. Hollywood Park Koch Addition
KPB File 2020-033; [Fineline Surveys/Lydia, Ronald, Trent & Taylor Koch]
Off Sterling Hwy. & Whiskey Gulch St.
Anchor Point APC

F. PUBLIC COMMENT

G. ADJOURNMENT

MISCELLANEOUS INFORMATIONAL ITEMS

NEXT REGULARLY SCHEDULED PLAT COMMITTEE MEETING

The next regularly scheduled Planning Commission meeting will be held **Monday, January 25, 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

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.

File Attachments for Item:

1. Planning and Zoning Resolutions - Fourth Quarter 2020

Planning and Zoning Resolutions - Fourth Quarter 2020

Conditional Use Permit	202035	Zero Lot Line and Townhouse Development	12/9/2020	Approved
Landscape/Site Plan	202033	Tyotkas Elder Center	10/14/2020	Approved
Preliminary Plat	202036	Integrity Plaza II	12/9/2020	Approved
Preliminary Plat	202036	Integrity Plaza II	12/9/2020	Approved
Preliminary Plat	202034	Kenai Bluff Stabilization Subdivision	10/28/2020	Approved

File Attachments for Item:

2. Building Permit Reports - Fourth Quarter 2020

CITY OF KENAI BUILDING PERMITS - FOURTH QUARTER 2020

<i>Permit #:U</i>	<i>Date</i>	<i>Parcel #</i>	<i>Owner</i>	<i>Address</i>	<i>Legal Description</i>	<i>Comments</i>	<i>Valuation</i>	<i>R/C</i>
B5527	10/8/2020	03901033	Robert & Bonnie Peterkin	1125 Wells Way	L4, B1 Oceanside Subdivision	#Single Family Dwelling	\$500,000	R
B5528	10/8/2020	03914138	David K Biddle	1513 Pey Drive	L15 Shore Heights 2014 Addn. Phase 1	#Single Family Dwelling	\$438,000	R
B5529	10/21/2020	04336039	City of Kenai	515 N. Willow St.	L3, FBO Subdivision No. 7	#5600 Sand Storage Building	\$2,289,000	C
B5531	12/3/2020	04301014	Kenai Peninsula Borough	549 N. Forest Drive		# Tower for AT&T	\$105,000	C

File Attachments for Item:

3. Code Enforcement - Fourth Quarter 2020



KENAI

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

MEMORANDUM

TO: Planning & Zoning Commission

THROUGH: Ryan Foster, Planning Director

FROM: Wilma Anderson, Planning Assistant

DATE: January 7, 2021

SUBJECT: Code Enforcement Action

2020 FOURTH QUARTER REPORT

Planning & Zoning currently has three active code cases:

Junk Vehicles	1
Junk Vehicles and Debris & Junk	1
Debris & Junk	0
Garbage	0
Building Code Violation	0
Miscellaneous Code Violation	1
Cases transferred to Legal Department/Civil Penalties being assessed.	0
TOTALS:	3

Code Enforcement Action during the months of October – December, 2020:

Closed Cases	6
Opened Cases	4