



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

December 27, 2023 – 7:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

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

Agenda

A. CALL TO ORDER

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

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

B. APPROVAL OF MINUTES

1. *Regular Meeting of November 29, 2023

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

F. PUBLIC HEARINGS

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

G. UNFINISHED BUSINESS

H. NEW BUSINESS

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

I. REPORTS

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

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

K. NEXT MEETING ATTENDANCE NOTIFICATION

1. Next Meeting: January 10, 2024

L. COMMISSION COMMENTS AND QUESTIONS

M. PENDING ITEMS

N. ADJOURNMENT

O. INFORMATIONAL ITEMS

The agenda and supporting documents are posted on the City's website at www.kenai.city. 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/88448948553>

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

Meeting ID: 884 4894 8553 **Passcode:** 811601 **Meeting ID:** 884 4894 8553 **Passcode:** 811601

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
NOVEMBER 29, 2023 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR JEFF TWAIT, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai Planning & Zoning Commission was held on November 29, 2023, in City Hall Council Chambers, Kenai, AK. Chair Twait called the meeting to order at approximately 7:00 p.m.

1. Pledge of Allegiance

Chair Twait led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Jeff Twait, Chair
Gary Greenberg
John Coston

Gwen Woodard
Jim Glendinging
Diane Fikes

A quorum was present.

Absent:

Joe Halstead, Vice Chair

Also in attendance were:

Linda Mitchell, Planning Director
Meghan Thibodeau, Deputy City Clerk
Alex Douthit, City Council Liaison

3. Approval of Agenda and Consent Agenda

MOTION:

Commissioner Greenberg **MOVED** to approve the agenda and consent agenda. Commissioner Coston **SECONDED** the motion.

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

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

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

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

B. APPROVAL OF MINUTES

1. *Regular Meeting of November 8, 2023

Approved by the consent agenda.

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

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

E. **CONSIDERATION OF PLATS**

1. **Resolution PZ2023-21** – Recommending Approval for Preliminary Plat – Kenai Townsite Oiler’s 2024 Addition for a Parcel Merger of Lot 4, Block 18 Original Townsite of Kenai, and Lots 5A and 5B, Kenai Townsite Oilers Addition, a Right-of-Way Vacation of Outside Way as Dedicated on Original Townsite of Kenai Subdivision, a Utility Easement Vacation, and a 60-foot Right of Way Dedication in the Central Commercial (CC) Zoning District.

MOTION:

Commissioner Greenberg **MOVED** to approve Resolution PZ2023-21. Commissioner Woodard **SECONDED** the motion.

Planning Director Mitchell presented her staff report with information provided in the packet, and it was noted that the applicant has requested to a merger of three parcels, a right-of-way (ROW) vacation and a ROW dedication. Clarification was provided that the request was originally submitted and approved in 1994, but unfortunately the final plat was never recorded so the applicants have submitted the same request but with a 60-foot ROW instead of 40-foot. Zoning, uses of surrounding lots and conditions of approval were reviewed; staff recommended approval subject to the following conditions:

1. Reduce the proposed 60-foot ROW dedication to 50 feet.
2. Correct the note reference from Note 8 to Note 6 for the indicated 5’ Public Street Easement Note 8.
3. Revise the street suffix of the proposed street name, Oilers “Avenue” to “Street”.
4. Kenai City Council must consent to the ROW vacation of Outside Way between Cook Avenue and Riverview Drive is not needed for a public purpose and approve the ROW vacation.
5. Kenai City Council adopt a resolution for the naming of the 50-foot dedicated ROW to Oilers Street.

Jason Young, a surveyor working on this project, explained the applicant’s reasons for the requests and responded to questions from the Commission.

Discussion ensued.

MOTION:

Commissioner Greenberg **MOVED** to amend Resolution PZ2023-21 Condition 1 to read “The proposed 60-foot ROW dedication may be reduced to 50 feet, subject to the applicant providing acceptable evidence that a 50-foot ROW covers the existing road.” Commissioner Woodard **SECONDED** the motion.

VOTE ON AMENDMENT:

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

NAY: None

ABSENT: Halstead

MOTION PASSED WITHOUT OBJECTION.

VOTE ON MAIN MOTION AS AMENDED:

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

NAY: None

ABSENT: Halstead

MOTION PASSED WITHOUT OBJECTION.

F. **PUBLIC HEARINGS** – None.

G. **UNFINISHED BUSINESS** – None.

H. **NEW BUSINESS**

1. ***Action/Approval** - Requesting an Excused Absence for the November 8, 2023 Regular Meeting – Halstead and Woodard.

Approved by the consent agenda.

I. **REPORTS**

1. City Council – Council Member Douthit reported on the actions of the November 15, 2023 City Council Meeting.
2. Kenai Peninsula Borough Planning – Commissioner Fikes reported on the actions of the November 13, 2023 Kenai Peninsula Borough Planning Commission Meeting.
3. City Administration – Planning Director Mitchell reported on the following:
 - The second part-time Planning Administrative Assistant job has been posted.
 - The Kenai Peninsula Borough is offering a training on its new GIS mapping system on December 4th via Zoom.
 - Discussed with Commissioners their availability for the December 27th meeting; Commissioner Fikes noted she would not be available December 13th nor 27th, and Commissioner Coston confirmed that he could attend on the 27th via Zoom.

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

K. **NEXT MEETING ATTENDANCE NOTIFICATION**

1. Next Meeting: December 13, 2023

L. **COMMISSION COMMENTS AND QUESTIONS**

Commissioner Glendening noted the good discussion, and that he is looking forward to working with the new commissioners.

Commissioner Coston stated that it was a good discussion.

Commissioner Fikes requested excused absences for December 13th and 27th.

M. **PENDING ITEMS** – None.

N. **ADJOURNMENT**

O. **INFORMATIONAL ITEMS** – None.

There being no further business before the Commission, the meeting was adjourned at 8:03 p.m.

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of November 29, 2023.

DRAFT



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2023-22**

A RESOLUTION **RECOMMENDING** THAT SPRUCEWOOD GLEN SUBDIVISION NO. 11 PRELIMINARY PLAT ATTACHED HERETO BE APPROVED.

PROPERTY ADDRESSES: 99 W. Tern Avenue
101 W. Tern Avenue
10489 Kenai Spur Highway

LEGAL DESCRIPTIONS: Lot 2A and Tract F, Sprucewood Glen Subdivision No. 10
Tract F-1B, Sprucewood Glen Subdivision No. 3

KPB PARCEL NUMBERS: 04705224, -38, and -41

WHEREAS, the City of Kenai received a preliminary plat from Edge Survey and Design, LLC on behalf of the property owner, Three Bears Alaska, Inc. to replat Lot 2A and Tract F, Sprucewood Glen Subdivision No. 10 and Tract F-1B, Sprucewood Glen Subdivision No. 3; and,

WHEREAS, the preliminary plat, subject to the listed conditions, generally meets Kenai Municipal Code (KMC) subdivision and development requirements for the General Commercial (CG) zoning district; and,

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

WHEREAS, the subdivided lots will have access via Kenai Spur Highway, a State-maintained right-of-way and W. Tern Avenue, a City-maintained right-of-way; and,

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

WHEREAS, an installation agreement is not required; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to KMC 14.10.070 *Subdivision design standards*, the preliminary plat, subject to the listed conditions, conforms to the minimum street widths, provides utilities/access easements, provides satisfactory building sites, and the on-site water and sewer systems will be subject to the regulatory requirements of the Public Works Department.
2. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the subject zoning district.
3. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat meets City standards for minimum lot width and access/utility easements. Compliance with the

maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

4. The existing convenience store with gas station and above ground fuel tanks meet the setbacks and lot coverage. Therefore, the preliminary plat will not create any nonconforming status with setbacks or lot coverage.

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

Section 1. That the preliminary plat for Sprucewood Glen Subdivision No. 11 to replat Lot 2A and Tract F, Sprucewood Glen Subdivision No. 10 and Tract F-1B, Sprucewood Glen Subdivision No. 3 be approved subject to the following condition.

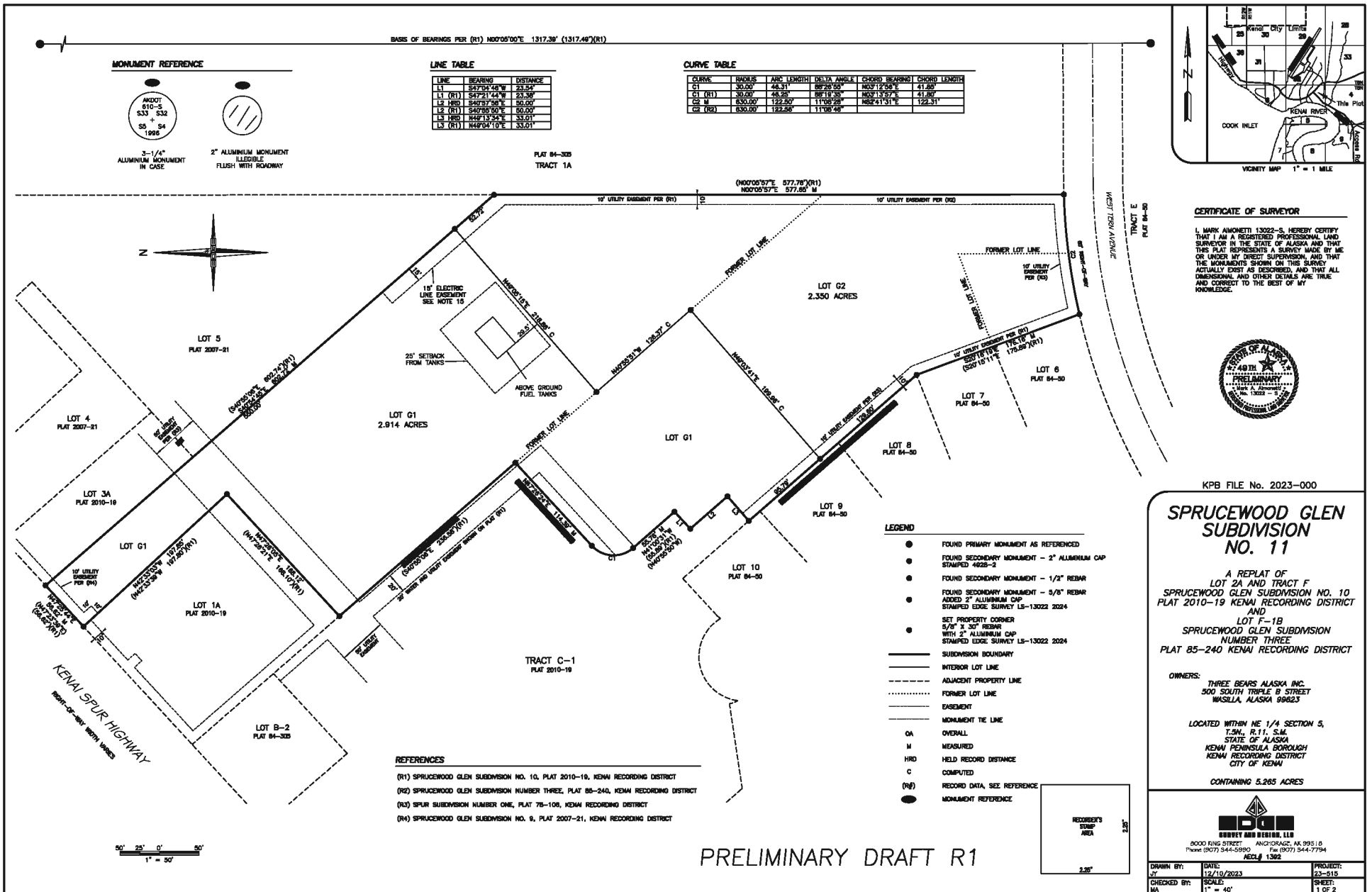
1. Correct the note reference for (R3) to "Sprucewood Glen Subdivision No. 2, Plat 84-305".

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, THIS 27TH DAY OF DECEMBER, 2023.

Jeff Twait, Chairperson

ATTEST:

Meghan Thibodeau, Deputy City Clerk



CERTIFICATE OF SURVEYOR

I, MARK ANONETTI 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.



KPB FILE No. 2023-000

SPRUCEWOOD GLEN SUBDIVISION NO. 11

A REPLAT OF LOT 2A AND TRACT F SPRUCEWOOD GLEN SUBDIVISION NO. 10 PLAT 2010-19 KENAI RECORDING DISTRICT AND LOT F-1B SPRUCEWOOD GLEN SUBDIVISION NUMBER THREE PLAT 85-240 KENAI RECORDING DISTRICT

OWNERS: THREE BEARS ALASKA INC. 500 SOUTH TRIPLE B STREET WASILLA, ALASKA 99623

LOCATED WITHIN NE 1/4 SECTION 5, T.54N. R.11E. S.14E. STATE OF ALASKA KENAI PENINSULA BOROUGH KENAI RECORDING DISTRICT CITY OF KENAI

CONTAINING 5.265 ACRES



8000 KING STREET ANCHORAGE, AK 99518 Phone: (907) 344-5990 Fax: (907) 344-7794

DATE: 12/19/2023 PROJECT: 23-515
 DRAWN BY: JY SCALE: 1" = 40' SHEET: 1 OF 2
 CHECKED BY: JY

NOTES

1. DEVELOPMENT OF THIS PARCEL SUBJECT TO THE CITY OF KENAI ZONING REGULATIONS.
2. THE FRONT 10 FEET ADJACENT TO DEDICATED 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.
3. NO DIRECT ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY ARE PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES.
4. 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.
5. THIS SUBDIVISION IS SUBJECT TO RESERVATIONS AND EXCEPTIONS AS CONTAINED IN QUITCLAIM DEED, AND/OR ACTS AUTHORIZING THE ISSUANCE THEREOF; RECORDED: APRIL 20, 1984, VOLUME/PAGE: 27/303 AND DEED OF RELEASE; RECORDED: DECEMBER 12, 1983 VOLUME/PAGE: 235/395, KENAI RECORDING DISTRICT.
6. THIS SUBDIVISION IS SUBJECT TO RESERVATION OF EASEMENT FOR HIGHWAY PURPOSES, AND ANY ASSIGNMENTS OR USES THEREOF FOR RECREATIONAL, UTILITY OR OTHER PURPOSES AS DISCLOSED BY PUBLIC LAND ORDER NO. 801, DATED AUGUST 10, 1949 AND AMENDED BY PUBLIC LAND ORDER NO. 787, DATED OCTOBER 10, 1959; PUBLIC LAND ORDER NO. 1613, DATED APRIL 7, 1958; AND DEPARTMENT OF THE INTERIOR ORDER NO. 2865, DATED OCTOBER 18, 1951; AMENDMENT NO. 1 THERETO, DATED JULY 17, 1952 AND AMENDMENT NO. 2 THERETO, DATED SEPTEMBER 15, 1956, FILED IN THE FEDERAL REGISTER.
7. THIS SUBDIVISION IS SUBJECT TO A GENERAL ELECTRICAL LINE EASEMENT, WITH NO DEFINED LOCATION, GRANTED TO HOMER ELECTRIC ASSOCIATION, INC. RECORDED: MAY 16, 1974, VOLUME/PAGE: 79/860, KENAI RECORDING DISTRICT.
8. THIS SUBDIVISION IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANT, CONDITION OR RESTRICTION VIOLATES 42 USC 3604 (C), AS CONTAINED IN AN INSTRUMENT; RECORDED: JUNE 27, 1985 VOLUME/PAGE: 289/289, KENAI RECORDING DISTRICT.
9. THIS SUBDIVISION IS SUBJECT TO SHOPPING CENTER EASEMENT AGREEMENT, INCLUDING THE TERMS AND CONDITIONS THEREIN; RECORDED: JUNE 27, 1986 VOLUME/PAGE: 289/273, AND 289/285 AND AMENDMENT THERETO; RECORDED: MAY 17, 2007 SERIAL NO.: 2007-005097-0 KENAI RECORDING DISTRICT.
10. THIS SUBDIVISION IS SUBJECT TO NON-DISTURBANCE AGREEMENT, INCLUDING THE TERMS AND CONDITIONS THEREIN; RECORDED: JUNE 27, 1985 VOLUME/PAGE: 289/283, KENAI RECORDING DISTRICT.
11. THIS SUBDIVISION IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS AND EASEMENTS, INCLUDING THE TERMS AND PROVISIONS THEREOF, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANT, CONDITION OR RESTRICTION VIOLATES 42 USC 3604 (C), AS CONTAINED IN AN INSTRUMENT; RECORDED: AUGUST 4, 1988 VOLUME/PAGE: 292/897 AND AMENDMENTS THERETO; RECORDED: MARCH 22, 2007 SERIAL NO.: 2007-002956-0; RECORDED: NOVEMBER 18, 2008 SERIAL NO.: 2008-011897-0; RECORDED: DECEMBER 10, 2010 SERIAL NO.: 2010-011093-0, KENAI RECORDING DISTRICT.
12. THIS SUBDIVISION IS SUBJECT TO ACCESS AND PARKING EASEMENT AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES THERETO; RECORDED: MAY 8, 2001, VOLUME/PAGE: 695/367, KENAI RECORDING DISTRICT.
13. THIS SUBDIVISION IS SUBJECT TO EASEMENT AGREEMENT, INCLUDING THE TERMS AND CONDITIONS THEREIN; RECORDED: NOVEMBER 18, 2008 SERIAL NO.: 2008-011898-0, KENAI RECORDING DISTRICT.
14. THIS SUBDIVISION IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANT, CONDITION OR RESTRICTION VIOLATES 42 USC 3604 (C), AS CONTAINED IN AN INSTRUMENT; RECORDED: APRIL 29, 2010 SERIAL NO.: 2010-003371-0 AND AMENDMENT THERETO; RECORDED: DECEMBER 21, 2021 SERIAL NO.: 2021-013962-0, KENAI RECORDING DISTRICT.
15. PORTION OF FORMER LOT 2A AFFECTED BY EASEMENT FOR ELECTRIC LINES OR SYSTEM AND/OR TELEPHONE LINES TOGETHER WITH RIGHT TO ENTER, MAINTAIN, REPAIR AND CLEAR SHRUBBERY, GRANTED TO HOMER ELECTRIC ASSOCIATION, INC. RECORDED: OCTOBER 13, 2022 SERIAL NO.: 2022-008716-0, KENAI RECORDING DISTRICT.
16. THE KENAI PENINSULA BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS, OR DEED RESTRICTIONS PER KPB 20.80.170

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF OCTOBER 23, 2023.
KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT THREE BEARS ALASKA INC. IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREIN AND THAT ON BEHALF OF THREE BEARS ALASKA INC. 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.

JOAN TRAMOSTINO, LACE PRESIDENT AND SECRETARY
THREE BEARS ALASKA INC.
500 SOUTH TRIPLE B STREET
WASILLA, ALASKA 99623

NOTARY ACKNOWLEDGEMENT

FOR: JOAN TRAMOSTINO

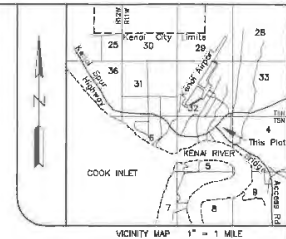
ACKNOWLEDGED BEFORE ME

THIS _____ DAY OF _____, 2023

NOTARY PUBLIC SIGNATURE

NOTARY
STAMP
AREA

RECORDERS
STAMP
AREA
2.25"



KPB FILE NO. 2023-000

**SPRUCEWOOD GLEN
SUBDIVISION
NO. 11**

A REPLAT OF
LOT 2A AND TRACT F
SPRUCEWOOD GLEN SUBDIVISION NO. 10
PLAT 2010-19 KENAI RECORDING DISTRICT
AND
LOT F-1B
SPRUCEWOOD GLEN SUBDIVISION
NUMBER THREE
PLAT 82-240 KENAI RECORDING DISTRICT

OWNERS: THREE BEARS ALASKA INC.
500 SOUTH TRIPLE B STREET
WASILLA, ALASKA 99623

LOCATED WITHIN NE 1/4 SECTION 5,
T.5N., R.11, S.M.
STATE OF ALASKA
KENAI PENINSULA BOROUGH
KENAI RECORDING DISTRICT
CITY OF KENAI

CONTAINING 5.265 ACRES



DRAWN BY: JL	DATE: 08/22/2023	PROJECT: 23-513
CHECKED BY: ML	SCALE: 1" = 50'	SHEET: 2 OF 2

PRELIMINARY DRAFT

C:\Users\jmler\OneDrive\Documents\Projects\2023\KPB\2023-000\SPRUCEWOOD GLEN SUBDIVISION NO. 11\SPRUCEWOOD GLEN SUBDIVISION NO. 11.dwg - 3 - 11/16/2023 15:42:38



STAFF REPORT

PLANNING & ZONING DEPARTMENT

TO: Planning and Zoning Commission
FROM: Linda Mitchell, Planning Director
DATE: December 21, 2023
SUBJECT: Resolution No. PZ2023-22 – Preliminary Plat – Sprucewood Glen Subdivision No. 11

Request The applicant is proposing a preliminary plat to merge three (3) lots and subdivide into two (2) lots.

Staff Recommendation Adopt Resolution No. PZ2023-22 recommending approval of Preliminary Plat – Sprucewood Glen Subdivision No. 11 to replat Lot 2A and Tract F, Sprucewood Glen Subdivision No. 10 and Tract F-1B, Sprucewood Glen Subdivision No. 3.

Applicant: Edge Survey and Design, LLC
Attn: Jason Young
PO Box 208
Kasilof, AK 99610

Property Owner: Three Bears Alaska, Inc.

Legal Descriptions: Lot 2A and Tract F, Sprucewood Glen Subdivision No. 10
Tract F-1B, Sprucewood Glen Subdivision No. 3

Property Addresses: 99 W. Tern Avenue
101 W. Tern Avenue
10489 Kenai Spur Highway

KPB Parcel Nos.: 04705224, -38, and -41

Replat Total Area: 5.265 acres

Existing Uses: Convenience Store, Retention Basin and Vacant Lot

Zoning District: General Commercial (CG)

Surrounding Uses: North – Kenai Spur Highway, Restaurant, Hotel
South – Apartments, and W. Tern Avenue
West – Grocery Store, Medical Clinic, Automotive Retail
East – Vacant Lot

SUMMARY

The City received a preliminary plat from Edge Survey and Design, LLC on behalf of the property owner, Three Bears Alaska, Inc. for a replat of Lot 2A and Tract F, Sprucewood Glen Subdivision No. 10 and Tract F-1B, Sprucewood Glen Subdivision No. 3. The plat would merge three (3) lots and subdivide into two (2) lots. The total area of the three (3) lots is 5.265 acres, which would be subdivided into lot sizes of 2.914 acres and 2.350 acres. A convenience store with a gas station was constructed within the last year on Lot 2A, Sprucewood Glen Subdivision No. 10. A retention basin is situated on Tract F, Sprucewood Glen Subdivision No. 10 and the other lot is vacant.

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

ANALYSIS

The proposed replat meets the subdivision and development requirements for the General Commercial (CG) zoning district. The proposed lots will have access via Kenai Spur Highway, a State-maintained right-of-way (ROW) and W. Tern Avenue, a City-maintained right-of-way. City water and sewer lines are available to the proposed subdivision. An installation agreement is not required since the adjacent ROWs are state/city-maintained and City water and sewer lines are available to the proposed lots. The Public Works Director reviewed the proposed preliminary plat and had no comments.

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

1. Pursuant to KMC 14.10.070 *Subdivision design standards*, the preliminary plat, subject to the listed conditions, conforms to the minimum street widths, provides utilities/access easements, provides satisfactory building sites, and the on-site water and sewer systems will be subject to the regulatory requirements of the Public Works Department.
2. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the subject zoning district.
3. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat meets City standards for minimum lot width and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.
4. The existing convenience store with gas station and above ground fuel tanks meet the setbacks and lot coverage. Therefore, the preliminary plat will not create any nonconforming status with setbacks or lot coverage.

STAFF RECOMMENDATION

Staff finds that the preliminary plat for Sprucewood Glen Subdivision No. 11 to replat Lot 2A and Tract F, Sprucewood Glen Subdivision No. 10 and Tract F-1B, Sprucewood Glen Subdivision No. 3 meets the general standards of Kenai Municipal Code, Chapter 14.10 Subdivision Regulations and Chapter 14.24 Development Requirements Table, and hereby recommends that the Planning and Zoning Commission recommends approval of Resolution No. PZ2023-22 to Kenai Peninsula Borough, subject to the following condition.

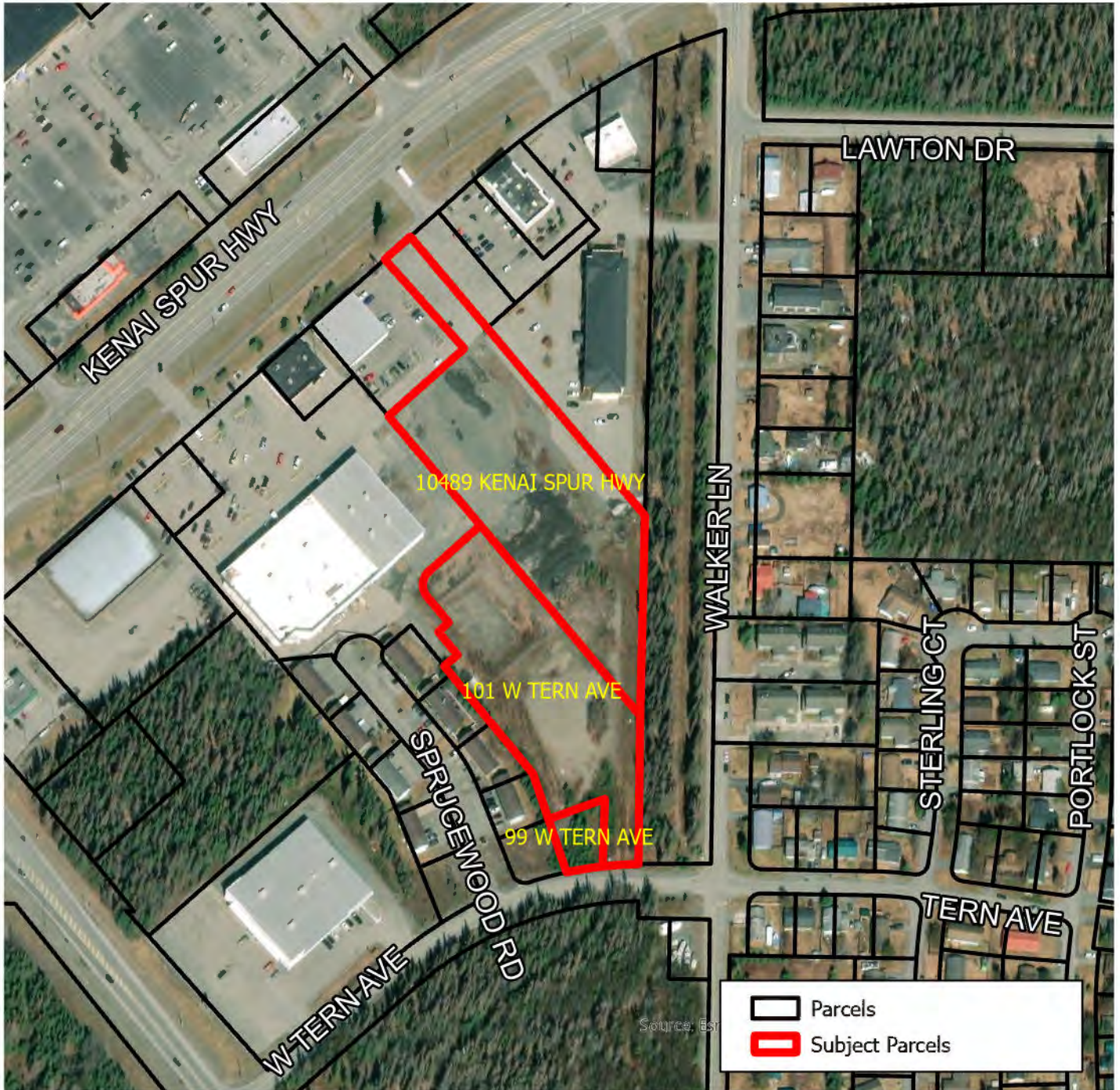
1. Correct the note reference for (R3) to "Sprucewood Glen Subdivision No. 2, Plat 84-305".

ATTACHMENTS

Location Map
Preliminary Plat, Sprucewood Glen Subdivision No. 11
Application with Certificate of Plat
Sprucewood Glen Subdivision No. 10
Sprucewood Glen Subdivision No. 3

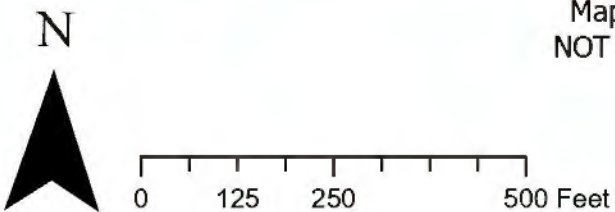


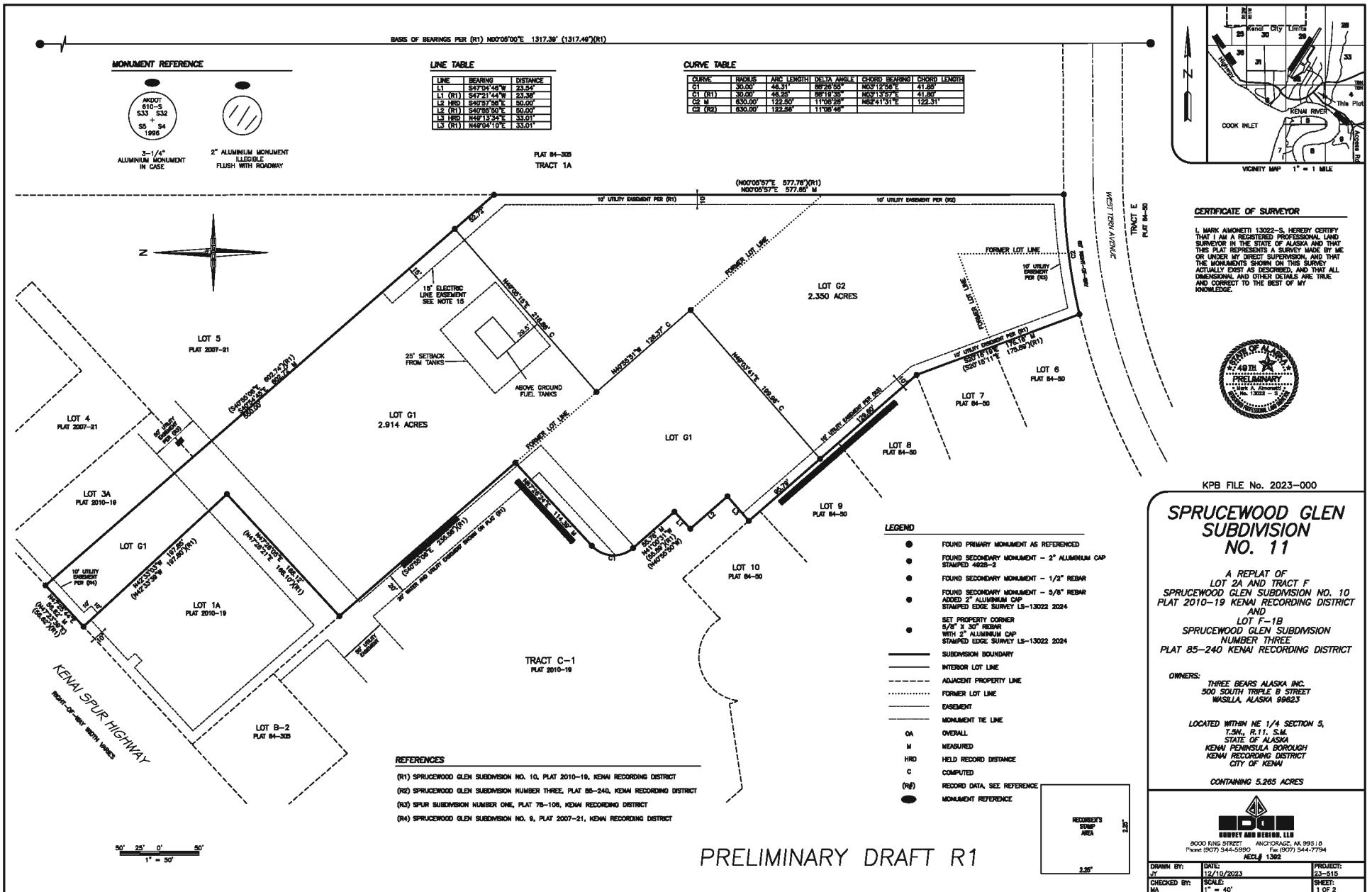
Resolution PZ2023-22
Preliminary Plat
Sprucewood Glen Subdivision No. 11



Date Printed: 12/22/2023

Map for Reference Only
NOT A LEGAL DOCUMENT





CERTIFICATE OF SURVEYOR

I, MARK ANONETTI 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.



KPB FILE No. 2023-000

SPRUCEWOOD GLEN SUBDIVISION NO. 11

A REPLAT OF LOT 2A AND TRACT F SPRUCEWOOD GLEN SUBDIVISION NO. 10 PLAT 2010-19 KENAI RECORDING DISTRICT AND LOT F-1B SPRUCEWOOD GLEN SUBDIVISION NUMBER THREE PLAT 85-240 KENAI RECORDING DISTRICT

OWNERS: THREE BEARS ALASKA INC. 500 SOUTH TRIPLE B STREET WASILLA, ALASKA 99623

LOCATED WITHIN NE 1/4 SECTION 5, T.54N. R.11E. S.14E. STATE OF ALASKA KENAI PENINSULA BOROUGH KENAI RECORDING DISTRICT CITY OF KENAI

CONTAINING 5.265 ACRES



8000 KING STREET ANCHORAGE, AK 99518
Phone (907) 344-5990 Fax (907) 344-7794
ADL# 1382

DRAWN BY: JY DATE: 12/19/2023 PROJECT: 23-515
CHECKED BY: JY SCALE: 1" = 40' SHEET: 1 OF 2

NOTES

1. DEVELOPMENT OF THIS PARCEL SUBJECT TO THE CITY OF KENAI ZONING REGULATIONS.
2. THE FRONT 10 FEET ADJACENT TO DEDICATED 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.
3. NO DIRECT ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY ARE PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES.
4. 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.
5. THIS SUBDIVISION IS SUBJECT TO RESERVATIONS AND EXCEPTIONS AS CONTAINED IN QUITCLAIM DEED, AND/OR ACTS AUTHORIZING THE ISSUANCE THEREOF; RECORDED: APRIL 20, 1984, VOLUME/PAGE: 27/303 AND DEED OF RELEASE; RECORDED: DECEMBER 12, 1983 VOLUME/PAGE: 235/395, KENAI RECORDING DISTRICT.
6. THIS SUBDIVISION IS SUBJECT TO RESERVATION OF EASEMENT FOR HIGHWAY PURPOSES, AND ANY ASSIGNMENTS OR USES THEREOF FOR RECREATIONAL, UTILITY OR OTHER PURPOSES AS DISCLOSED BY PUBLIC LAND ORDER NO. 891, DATED AUGUST 10, 1949 AND AMENDED BY PUBLIC LAND ORDER NO. 787, DATED OCTOBER 10, 1959; PUBLIC LAND ORDER NO. 1613, DATED APRIL 7, 1958; AND DEPARTMENT OF THE INTERIOR ORDER NO. 2865, DATED OCTOBER 18, 1951; AMENDMENT NO. 1 THERETO, DATED JULY 17, 1952 AND AMENDMENT NO. 2 THERETO, DATED SEPTEMBER 15, 1956, FILED IN THE FEDERAL REGISTER.
7. THIS SUBDIVISION IS SUBJECT TO A GENERAL ELECTRICAL LINE EASEMENT, WITH NO DEFINED LOCATION, GRANTED TO HOMER ELECTRIC ASSOCIATION, INC. RECORDED: MAY 16, 1974, VOLUME/PAGE: 79/860, KENAI RECORDING DISTRICT.
8. THIS SUBDIVISION IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANT, CONDITION OR RESTRICTION VIOLATES 42 USC 3604 (C), AS CONTAINED IN AN INSTRUMENT; RECORDED: JUNE 27, 1985 VOLUME/PAGE: 289/289, KENAI RECORDING DISTRICT.
9. THIS SUBDIVISION IS SUBJECT TO SHOPPING CENTER EASEMENT AGREEMENT, INCLUDING THE TERMS AND CONDITIONS THEREIN; RECORDED: JUNE 27, 1986 VOLUME/PAGE: 289/273, AND 289/285 AND AMENDMENT THERETO; RECORDED: MAY 17, 2007 SERIAL NO.: 2007-005097-0 KENAI RECORDING DISTRICT.
10. THIS SUBDIVISION IS SUBJECT TO NON-DISTURBANCE AGREEMENT, INCLUDING THE TERMS AND CONDITIONS THEREIN; RECORDED: JUNE 27, 1985 VOLUME/PAGE: 289/283, KENAI RECORDING DISTRICT.
11. THIS SUBDIVISION IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS AND EASEMENTS, INCLUDING THE TERMS AND PROVISIONS THEREOF, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANT, CONDITION OR RESTRICTION VIOLATES 42 USC 3604 (C), AS CONTAINED IN AN INSTRUMENT; RECORDED: AUGUST 4, 1988 VOLUME/PAGE: 292/897 AND AMENDMENTS THERETO; RECORDED: MARCH 22, 2007 SERIAL NO.: 2007-002956-0; RECORDED: NOVEMBER 18, 2008 SERIAL NO.: 2008-011897-0; RECORDED: DECEMBER 10, 2010 SERIAL NO.: 2010-011093-0, KENAI RECORDING DISTRICT.
12. THIS SUBDIVISION IS SUBJECT TO ACCESS AND PARKING EASEMENT AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES THERETO; RECORDED: MAY 8, 2001, VOLUME/PAGE: 696/367, KENAI RECORDING DISTRICT.
13. THIS SUBDIVISION IS SUBJECT TO EASEMENT AGREEMENT, INCLUDING THE TERMS AND CONDITIONS THEREIN; RECORDED: NOVEMBER 18, 2008 SERIAL NO.: 2008-011898-0, KENAI RECORDING DISTRICT.
14. THIS SUBDIVISION IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANT, CONDITION OR RESTRICTION VIOLATES 42 USC 3604 (C), AS CONTAINED IN AN INSTRUMENT; RECORDED: APRIL 29, 2010 SERIAL NO.: 2010-003371-0 AND AMENDMENT THERETO; RECORDED: DECEMBER 21, 2021 SERIAL NO.: 2021-013962-0, KENAI RECORDING DISTRICT.
15. PORTION OF FORMER LOT 2A AFFECTED BY EASEMENT FOR ELECTRIC LINES OR SYSTEM AND/OR TELEPHONE LINES TOGETHER WITH RIGHT TO ENTER, MAINTAIN, REPAIR AND CLEAR SHRUBBERY, GRANTED TO HOMER ELECTRIC ASSOCIATION, INC. RECORDED: OCTOBER 13, 2022 SERIAL NO.: 2022-008716-0, KENAI RECORDING DISTRICT.
16. THE KENAI PENINSULA BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS, OR DEED RESTRICTIONS PER KPB 20.04.170

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF OCTOBER 23, 2023.
KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT THREE BEARS ALASKA INC. IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HERE AND THAT ON BEHALF OF THREE BEARS ALASKA INC. 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.

JOAN TRAMOSTINO, LACE PRESIDENT AND SECRETARY
THREE BEARS ALASKA INC.
500 SOUTH TRIPLE B STREET
WASILLA, ALASKA 99623

NOTARY ACKNOWLEDGEMENT

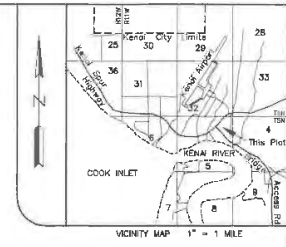
FOR: JOAN TRAMOSTINO

ACKNOWLEDGED BEFORE ME

THIS _____ DAY OF _____, 2023

NOTARY PUBLIC SIGNATURE

NOTARY
STAMP
AREA



KPB FILE NO. 2023-000

**SPRUCEWOOD GLEN
SUBDIVISION
NO. 11**

A REPLAT OF
LOT 2A AND TRACT F
SPRUCEWOOD GLEN SUBDIVISION NO. 10
PLAT 2010-19 KENAI RECORDING DISTRICT
AND
LOT F-1B
SPRUCEWOOD GLEN SUBDIVISION
NUMBER THREE
PLAT 82-240 KENAI RECORDING DISTRICT

OWNERS: THREE BEARS ALASKA INC.
500 SOUTH TRIPLE B STREET
WASILLA, ALASKA 99623

LOCATED WITHIN NE 1/4 SECTION 5,
T.5N., R.11, S.M.
STATE OF ALASKA
KENAI PENINSULA BOROUGH
KENAI RECORDING DISTRICT
CITY OF KENAI

CONTAINING 5.265 ACRES



DRAWN BY: JL	DATE: 08/22/2023	PROJECT: 23-513
CHECKED BY: ML	SCALE: 1" = 50'	SHEET: 2 OF 2

RECORDER'S
STAMP
AREA
2.25"

PRELIMINARY DRAFT

C:\Users\jmler\OneDrive\Documents\Projects\2023\KPB\2023-000\SPRUCEWOOD GLEN SUBDIVISION NO. 11\SPRUCEWOOD GLEN SUBDIVISION NO. 11.dwg - 3 - 11/07/2023 15:42:35

Letter of Transmittal



Date: 11/06/2023
To: City of Kenai Planning
Attn:
Address:
City: **State:** **ZIP:**
Phone:
From: Edge Survey - Mark Aimonetti

Job No.: 23-535

We are sending you:

Hand Delivery

We are sending you:

- Exhibits
- Plans
- Prints
- Maps
- Copies
- Specifications

Contract/Change Order

Other: _____

Re: SpruceWood Glen Subdivision No. 11

These are transmitted as checked below:

- For Approval For your use As requested For review/comment

Copies	Description
1	full sized plat
3	211x17 copies
1	Cert to Plat
1	KPB Plat Submittal Form wit signature
1	Secretary's Cert
1	City of Kenai Plat submittal form

Comments:

Updated Cert to Plat ordered 11/6/2023
 Client signed KPB plat submittal form, included, but forgot to sign City of Kenai form.

RECEIVED
 CITY OF KENAI
 NOV 07 2023
 Planning & Zoning
 By: lm

SECRETARY'S CERTIFICATE

THE UNDERSIGNED, JULIE C. MORALES, DOES HEREBY CERTIFY as follows:

1. She is the duly elected or appointed and acting Secretary and Vice President of Three Bears Alaska, Inc., a corporation organized under the laws of the State of Alaska.

2. The resolutions authorizing borrowing ("Resolutions") were duly and regularly adopted in all respects as required by law on July 13, 2023. The undersigned further certifies that said Resolutions and all of the certifications made therein are still in full force and effect and none of said resolutions has been in anywise annulled, amended, rescinded or revoked, and the same are in full force and effect on the date hereof. The following is the text of the Resolutions:

APPROVAL OF AUTHORITY TO SUBDIVIDE PROPERTY IN KENAI, ALASKA

WHEREAS, Three Bears Alaska, Inc. (the "Company") is in title to the property legal described as Lot 2A and Tract F Sprucewood Glen Subdivision No. 10, Plat 2010-19 and Lot F-1B Sprucewood Glenn Subdivision Number Three, Plat 82-240, both in the Kenai Recording District (the "Property");

WHEREAS, the Board decided it is in the best interests of the Company to replat/subdivide the Property to facilitate future development;

WHEREAS, the governmental authority with the jurisdiction over the replating/subdivision requires a Company resolution showing who has the authority to bind the Company regarding replating/subdivision matters; and

WHEREAS, the Board desires to name certain officers with the authority to bind the Company regarding replating/subdivision matters.

NOW, THEREFORE, IT IS HEREBY

RESOLVED, effective as of the date hereof, the following officers have the authority to sign an application to replat/application to subdivide the Property on behalf of the Company, to apply for any other permits or licenses or governmental permissions to facilitate the replat/subdivision of the Property, to enter into any agreement with any governmental entity regarding the replat/subdivision of the Property, and to bind the Company on any issue between the Company and any governmental authority regarding the replat/subdivision of the Property: (i) David A. Weisz, President; (ii) Stephen D. Mierop, Vice President; (iii) Paul D. Sonnenberg, Vice President; (iv) Joan Travostino, Vice President; and (v) Julie Morales, Vice President and Secretary (each of which is an "Authorized Person").

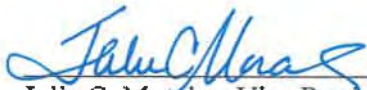
GENERAL AUTHORIZING RESOLUTIONS

RESOLVED FURTHER, that each Authorized Person be, and hereby is, authorized, empowered and directed to do or cause to be done all such acts and things, to make, execute and deliver, or cause to be made, executed and delivered, all documents in the name and on behalf of the Company, and to pay all such fees, expenses and taxes, as any Authorized Person may determine to be necessary, desirable, advisable or appropriate to effectuate the foregoing resolutions, the doing of such acts or things and the making, execution and delivery of such other documents and the paying of such fees, expenses and taxes to be conclusive evidence of such determination;

RESOLVED FURTHER, that each Authorized Person may authorize any other officer, employee or agent of, or legal counsel to, the Company or any of its subsidiaries to take any and all actions and to execute and deliver any and all certificates, documents, agreements and instruments referred to in these resolutions in place of or on behalf of such Authorized Person, with full power as if such Authorized Person were taking such action himself or herself; and

RESOLVED FURTHER, that all instruments, documents, agreements, amendments and certificates heretofore executed and/or delivered and any and all actions heretofore taken by any officer or employee of the Company that would have been authorized by the foregoing resolutions except that such actions were taken prior to the adoption of such resolutions, be and hereby are approved, ratified and confirmed in all respects as the act and deed of the Company, as applicable.

IN WITNESS WHEREOF, the undersigned has set his hand as of 9/19, 2023.



Julie C. Morales, Vice President and Secretary



Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

PRELIMINARY PLAT SUBMITTAL FORM

- PRELIMINARY PLAT** **REVISED PRELIMINARY PLAT** (no fee required) **PHASED PRELIMINARY PLAT**
- PRELIMINARY PLAT FOR PRIVATE STREETS/GATED SUBDIVISION** – all requirements of chapter 20, excluding 20.30.210 and 20.50 apply and must be met.

SUBDIVISION PLAT NAME: must be a unique name, contact staff for assistance if needed.

Sprucewood Glen Subdivision No. 11

PROPERTY INFORMATION:

Legal description: Lot 2A and Tract F, Sprucewood Glen Subdivision No. 10, Plat 2010-019 and Tract F-1B Sprucewood Glen Subdivision No. 3, Plat 85-240

Section: 32	Township: 5N	Range: 11W
General area description City of Kenai, Three Bears		
City (if applicable): City of Kenai		Total Acreage: 5.27

SURVEYOR

Company: Edge Survey and Design	Contact Person: Jason Young
Mailing Address: PO Box 208	City, State, Zip Kasilof, AK 99610
Phone: 907-283-9047	e-mail: jason@edgesurvey.net

PROPOSED WASTEWATER AND WATER SUPPLY

WASTEWATER: on site City community WATER: on site City community

SUBMITTAL REQUIREMENTS

A preliminary plat application will be scheduled for the next available plat committee meeting after a complete application has been received.

- 1 – full size paper copy
- 3 – reduced sized drawing (11 x 17)
- Preliminary plat NON-REFUNDABLE submittal fee \$400
- City Planning Commission minutes when located within city limits or Bridge Creek Watershed District
- Certificate to plat for ALL parcels included in the subdivision
- Documentation showing proof of signatory authority (partnerships, corporations, estates, trusts, etc.)
- ALL requirements of KPB 20.25.070 (see page 2 for checklist) and KPB 20.25.080

EXCEPTIONS REQUESTED TO PLATTING CODE: Complete the EXCEPTION REQUEST APPLICATION and attach to the preliminary plat submittal.

APPLICANT: SIGNATURES OF ALL LEGAL PROPERTY OWNERS ARE REQUIRED. Additional signature sheets can be attached. When signing on behalf of another individual, estate, corporation, LLC, partnership, etc., documentation is required to show authority of the individual(s) signing. Contact KPB staff for clarification if needed.

OWNER(s)

Name (printed): Joan Travostino VP	Signature: <i>Joan Travostino</i>
Phone: 907 242 4322	e-mail: JOAN@THREE BEARS STORE

Name (printed):	Signature:
Phone:	e-mail:

Name (printed):	Signature:
Phone:	e-mail:

Name (printed):	Signature:
Phone:	e-mail:

FOR OFFICE USE ONLY

RECEIVED BY _____ DATE SUBMITTED _____ KPB FILE # _____



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:	Three Bears Alaska Inc. - Joan Travostino						
Mailing Address:	7362 W. Parks Hwy	City:	Wasilla	State:	AK	Zip Code:	99623
Phone Number(s):	907-242-4322						
Email:	joan@threebears.store						

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel #:	04705238, 04705241 and 04705224					
Current City Zoning:	General Commercial (GC)					
Use:	<input type="checkbox"/> Residential	<input type="checkbox"/> Recreational	<input checked="" 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:	Sprucewood Glen Subdivision No. 11					
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 a this time

Comments:

REQUIRED ATTACHMENTS

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

SIGNATURE

Signature:		Date:	
Print Name:		Title/Business:	

Stewart Title of the Kenai Peninsula, Inc.

35681 Kenai Spur Hwy., Unit B

Soldotna, AK 99669

Phone: (907) 260-8031 Fax: (907) 260-8036

Email:

CERTIFICATE TO PLAT

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

File Number: 23188
Premium: \$250.00
Tax:

Gentlemen:

This is a certificate as of June 16, 2023 at 8:00 A.M. for a plat out of the following property:

PARCEL 1:

Tract "F" One "B" (F-1B), SPRUCEWOOD GLEN SUBDIVISION, NO. 3, according to Plat No. 85-240, Kenai Recording District, Third Judicial District, State of Alaska.

PARCEL 2:

Tract "F" and Lot Two "A" (2A), SPRUCEWOOD GLEN SUBDIVISION, NO. 10, according to Plat No. 2010-19, Kenai Recording District, Third Judicial District, State of Alaska.

The Company certifies that record title is vested in

Three Bears Alaska, Inc., an Alaska corporation
an estate in fee simple, free from all liens, encumbrances, and objections except for as follows:

1. **RESERVATIONS** and exceptions as contained in U.S. Patent, and/or acts authorizing the issuance thereof.

2. **RESERVATIONS** and exceptions as contained in QUITCLAIM DEED, and/or acts authorizing the issuance thereof.

Recorded: April 20, 1964
Volume/Page: 27/303

and Deed of Release:

Recorded: December 12, 1983
Volume/page: 225/395.

3. **RESERVATIONS AND EXCEPTIONS** as contained in Mineral Patent from the United States of America to the State of Alaska

Recorded: September 17, 1986
Volume/Page: 296/347

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

4. **TAXES AND ASSESSMENTS**, if any due the taxing authority indicated
Taxing Authority: City of Kenai

5. **TAXES AND ASSESSMENTS**, if any, due the taxing authority indicated:
Taxing Authority: KENAI PENINSULA BOROUGH

6. **RESERVATION OF EASEMENT** for highway purposes, and any assignments or uses thereof for recreational, utility or other purposes, as disclosed by Public Land Order No. 601, dated August 10, 1949 and amended by Public Land Order No. 757, dated October 10, 1959; Public Land Order No. 1613, dated April 7, 1958; and Department of the Interior Order No. 2865, dated October 16, 1951, Amendment No. 1 thereto, dated July 17, 1952 and Amendment No. 2 thereto, dated September 15, 1956, filed in the Federal Register.
7. **EASEMENT** for electric lines or system and/or telephone lines together with right to enter, maintain, repair and clear shrubbery:

Recorded:	May 16, 1974
Volume/Page:	76/960
Granted To:	Homer Electric Association, Inc.
Affects:	Blanket Easement
8. **EASEMENTS, SET-BACKS AND DEDICATIONS** as delineated on Plat No. 85-240.
9. **EFFECT** of the notes on said Plat No. 85-240.
10. **EASEMENTS, SET-BACKS AND DEDICATIONS** as delineated on Plat No. 2010-19.
11. **EFFECT** of the notes on said Plat No. 2010-19.
12. **COVENANTS, CONDITIONS AND RESTRICTIONS**, including the terms and provisions thereof, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such Covenant, condition or restriction violates 42 USC 3604 (c), as contained in an instrument:

Recorded:	June 27, 1986
Volume/Page:	289/269
13. **SHOPPING CENTER EASEMENT AGREEMENT**, including the terms and conditions therein:

Recorded:	June 27, 1986
Volume/Page:	289/273

AND AMENDMENT thereto:

Recorded:	May 17, 2007
Serial No.:	2007-005097-0
14. **NON-DISTURBANCE AGREEMENT**, including the terms and conditions therein:

Recorded:	June 27, 1986
Volume/Page:	289/283
15. **SHOPPING CENTER EASEMENT AGREEMENT**, including the terms and conditions therein:

Disclosed in Exhibit B in Instrument Recorded June 27, 1986

Volume/page:	289/283
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16. **COVENANTS, CONDITIONS AND RESTRICTIONS AND EASEMENTS**, including the terms and provisions thereof, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such Covenant, condition or restriction violates 42 USC 3604 (c), as contained in an instrument:

Recorded:	August 4, 1986
Volume/Page:	292/687

AND AMENDMENTS thereto:

Recorded:	March 22, 2007
Serial No.:	2007-002955-0

Recorded:	November 18, 2008
Serial No.:	2008-011867-0

Recorded: December 10, 2010
Serial No.: 2010-011093-0

17. **ACCESS AND PARKING EASEMENT** affecting the portion of said premises and for the purposes stated herein, and incidental purposes thereto:

Recorded: May 8, 2001
Volume/Page: 606/387

18. **EASEMENT AGREEMENT**, including the terms and conditions therein:

Recorded: November 18, 2008
Serial No.: 2008-011868-0

19. **COVENANTS, CONDITIONS AND RESTRICTIONS**, including the terms and provisions thereof, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such Covenant, condition or restriction violates 42 USC 3604 (c), as contained in an instrument:

Recorded: April 29, 2010
Serial No.: 2010-003374-0

AND AMENDMENT thereto:

Recorded: December 21, 2021
Serial No: 2021-013962-0

20. **EASEMENT** for electric lines or system and/or telephone lines together with right to enter, maintain, repair and clear shrubbery:

Recorded: October 13, 2022
Serial No.: 2022-008716-0
Granted To: Homer Electric Association, Inc.
Affects: portion of Lot 2A

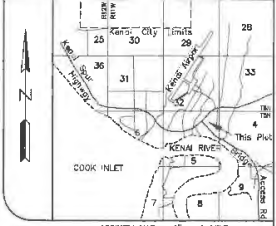
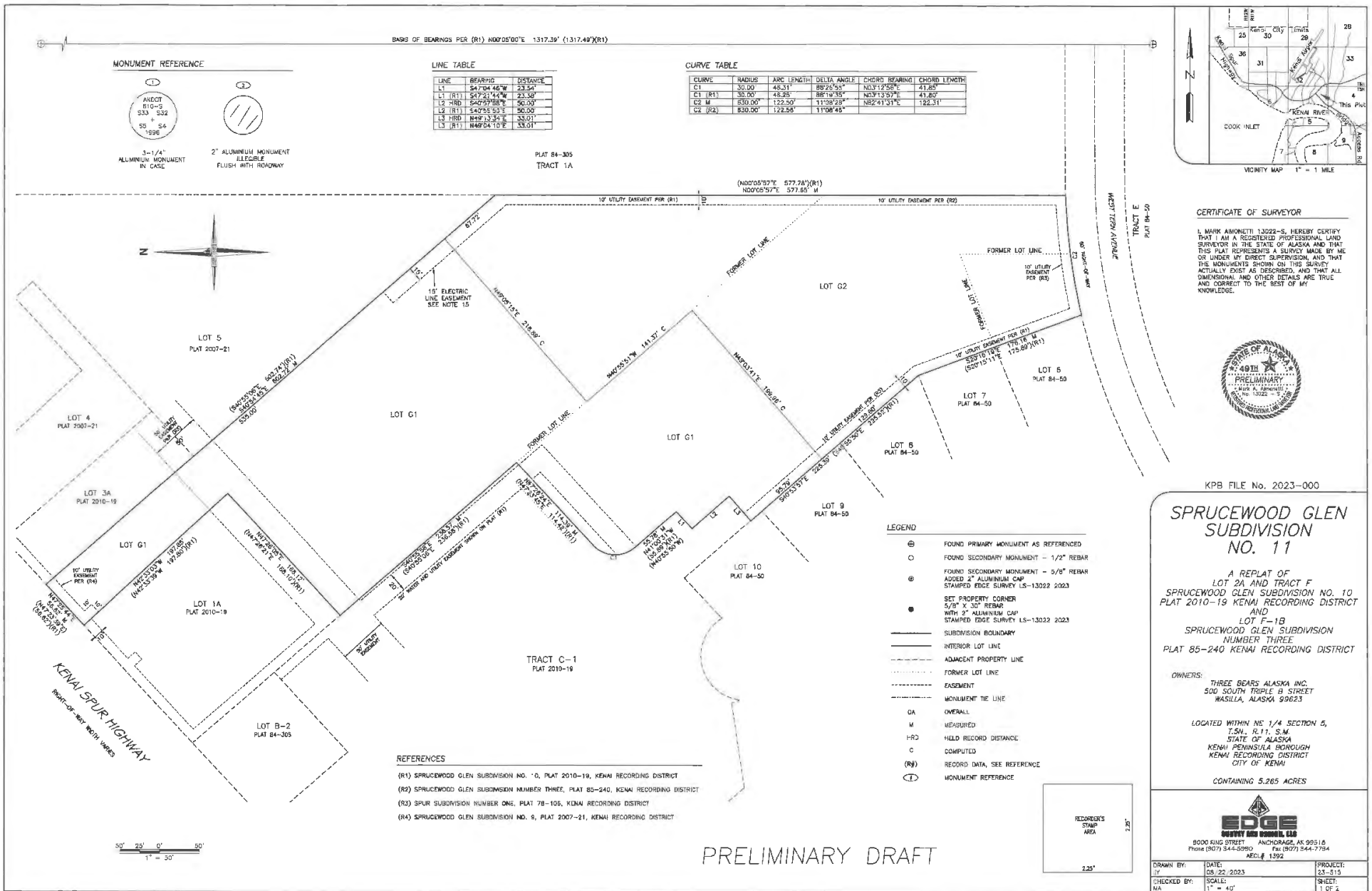
Stewart Title of the Kenai Peninsula, Inc.

By


Authorized Co-signature

Terri Cotterell
Authorized Signator

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



LINE TABLE

LINE	BEARING	DISTANCE
L1	S4°10'46"W	23.54'
L1 (R1)	S47°21'44"W	23.30'
L2	S40°59'08"E	56.30'
L2 (R1)	S40°25'53"E	56.00'
L3	N49°13'35"E	33.01'
L3 (R1)	N49°04'10"E	33.01'

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	30.00'	48.31'	88°25'51"	N61°12'58"E	47.85'
C1 (R1)	30.00'	48.28'	88°19'45"	N61°13'57"E	47.80'
C2	830.00'	122.50'	11°08'29"	N82°41'31"E	122.31'
C2 (R2)	830.00'	122.50'	11°08'46"		

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.



KPB FILE No. 2023-000

SPRUCEWOOD GLEN SUBDIVISION NO. 11

A REPLAT OF LOT 2A AND TRACT F SPRUCEWOOD GLEN SUBDIVISION NO. 10 PLAT 2010-19 KENAI RECORDING DISTRICT AND LOT F-1B SPRUCEWOOD GLEN SUBDIVISION NUMBER THREE PLAT 85-240 KENAI RECORDING DISTRICT

OWNERS: THREE BEARS ALASKA INC. 500 SOUTH FRIBLE B STREET WASILLA, ALASKA 99623

LOCATED WITHIN NE 1/4 SECTION 5, T.5N., R.11, S.M. STATE OF ALASKA KENAI PENINSULA BOROUGH KENAI RECORDING DISTRICT CITY OF KENAI

CONTAINING 5.265 ACRES



DRAWN BY:	DATE:	PROJECT:
Y	08/22/2023	23-515
CHECKED BY:	SCALE:	SHEET:
MA	1" = 40'	1 OF 2

NOTES

1. DEVELOPMENT OF THIS PARCEL SUBJECT TO THE CITY OF KENAI ZONING REGULATIONS.
2. THE FRONT 10 FEET ADJACENT TO DEDICATED 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.
3. NO DIRECT ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY ARE PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES.
4. 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.
5. THIS SUBDIVISION IS SUBJECT TO RESERVATIONS AND EXCEPTIONS AS CONTAINED IN QUITCLAIM DEED, AND/OR ACTS AUTHORIZING THE ISSUANCE THEREOF; RECORDED: APRIL 20, 1984, VOLUME/PAGE: 27/303 AND DEED OF RELEASE; RECORDED: DECEMBER 12, 1983 VOLUME/PAGE: 235/395, KENAI RECORDING DISTRICT.
6. THIS SUBDIVISION IS SUBJECT TO RESERVATION OF EASEMENT FOR HIGHWAY PURPOSES, AND ANY ASSIGNMENTS OR USES THEREOF FOR RECREATIONAL, UTILITY OR OTHER PURPOSES AS DISCLOSED BY PUBLIC LAND ORDER NO. 891, DATED AUGUST 10, 1949 AND AMENDED BY PUBLIC LAND ORDER NO. 787, DATED OCTOBER 10, 1959; PUBLIC LAND ORDER NO. 1613, DATED APRIL 7, 1958; AND DEPARTMENT OF THE INTERIOR ORDER NO. 2865, DATED OCTOBER 18, 1951; AMENDMENT NO. 1 THERETO, DATED JULY 17, 1952 AND AMENDMENT NO. 2 THERETO, DATED SEPTEMBER 15, 1956, FILED IN THE FEDERAL REGISTER.
7. THIS SUBDIVISION IS SUBJECT TO A GENERAL ELECTRICAL LINE EASEMENT, WITH NO DEFINED LOCATION, GRANTED TO HOMER ELECTRIC ASSOCIATION, INC. RECORDED: MAY 16, 1974, VOLUME/PAGE: 79/860, KENAI RECORDING DISTRICT.
8. THIS SUBDIVISION IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANT, CONDITION OR RESTRICTION VIOLATES 42 USC 3604 (C), AS CONTAINED IN AN INSTRUMENT; RECORDED: JUNE 27, 1985 VOLUME/PAGE: 289/289, KENAI RECORDING DISTRICT.
9. THIS SUBDIVISION IS SUBJECT TO SHOPPING CENTER EASEMENT AGREEMENT, INCLUDING THE TERMS AND CONDITIONS THEREIN; RECORDED: JUNE 27, 1986 VOLUME/PAGE: 289/273, AND 289/285 AND AMENDMENT THERETO; RECORDED: MAY 17, 2007 SERIAL NO.: 2007-005097-0 KENAI RECORDING DISTRICT.
10. THIS SUBDIVISION IS SUBJECT TO NON-DISTURBANCE AGREEMENT, INCLUDING THE TERMS AND CONDITIONS THEREIN; RECORDED: JUNE 27, 1985 VOLUME/PAGE: 289/283, KENAI RECORDING DISTRICT.
11. THIS SUBDIVISION IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS AND EASEMENTS, INCLUDING THE TERMS AND PROVISIONS THEREOF, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANT, CONDITION OR RESTRICTION VIOLATES 42 USC 3604 (C), AS CONTAINED IN AN INSTRUMENT; RECORDED: AUGUST 4, 1988 VOLUME/PAGE: 292/897 AND AMENDMENTS THERETO; RECORDED: MARCH 22, 2007 SERIAL NO.: 2007-002956-0; RECORDED: NOVEMBER 18, 2008 SERIAL NO.: 2008-011897-0; RECORDED: DECEMBER 10, 2010 SERIAL NO.: 2010-011093-0, KENAI RECORDING DISTRICT.
12. THIS SUBDIVISION IS SUBJECT TO ACCESS AND PARKING EASEMENT AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES THERETO; RECORDED: MAY 8, 2001, VOLUME/PAGE: 696/367, KENAI RECORDING DISTRICT.
13. THIS SUBDIVISION IS SUBJECT TO EASEMENT AGREEMENT, INCLUDING THE TERMS AND CONDITIONS THEREIN; RECORDED: NOVEMBER 18, 2008 SERIAL NO.: 2008-011898-0, KENAI RECORDING DISTRICT.
14. THIS SUBDIVISION IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANT, CONDITION OR RESTRICTION VIOLATES 42 USC 3604 (C), AS CONTAINED IN AN INSTRUMENT; RECORDED: APRIL 29, 2010 SERIAL NO.: 2010-003371-0 AND AMENDMENT THERETO; RECORDED: DECEMBER 21, 2021 SERIAL NO.: 2021-013962-0, KENAI RECORDING DISTRICT.
15. PORTION OF FORMER LOT 2A AFFECTED BY EASEMENT FOR ELECTRIC LINES OR SYSTEM AND/OR TELEPHONE LINES TOGETHER WITH RIGHT TO ENTER, MAINTAIN, REPAIR AND CLEAR SHRUBBERY, GRANTED TO HOMER ELECTRIC ASSOCIATION, INC. RECORDED: OCTOBER 13, 2022 SERIAL NO.: 2022-008716-0, KENAI RECORDING DISTRICT.
16. THE KENAI PENINSULA BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS, OR DEED RESTRICTIONS PER KPB 20.80.170

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF OCTOBER 23, 2023.
KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT THREE BEARS ALASKA INC. IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREIN AND THAT ON BEHALF OF THREE BEARS ALASKA INC. 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.

JOAN TRAMOSTINO, LACE PRESIDENT AND SECRETARY
THREE BEARS ALASKA INC.
500 SOUTH TRIPLE B STREET
WASILLA, ALASKA 99623

NOTARY ACKNOWLEDGEMENT

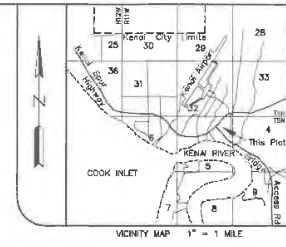
FOR: JOAN TRAMOSTINO

ACKNOWLEDGED BEFORE ME

THIS _____ DAY OF _____, 2023

NOTARY PUBLIC SIGNATURE

NOTARY
STAMP
AREA



KPB FILE NO. 2023-000

**SPRUCEWOOD GLEN
SUBDIVISION
NO. 11**

A REPLAT OF
LOT 2A AND TRACT F
SPRUCEWOOD GLEN SUBDIVISION NO. 10
PLAT 2010-19 KENAI RECORDING DISTRICT
AND
LOT F-1B
SPRUCEWOOD GLEN SUBDIVISION
NUMBER THREE
PLAT 82-240 KENAI RECORDING DISTRICT

OWNERS: THREE BEARS ALASKA INC.
500 SOUTH TRIPLE B STREET
WASILLA, ALASKA 99623

LOCATED WITHIN NE 1/4 SECTION 5,
T.5N., R.11, S.M.
STATE OF ALASKA
KENAI PENINSULA BOROUGH
KENAI RECORDING DISTRICT
CITY OF KENAI

CONTAINING 5.265 ACRES

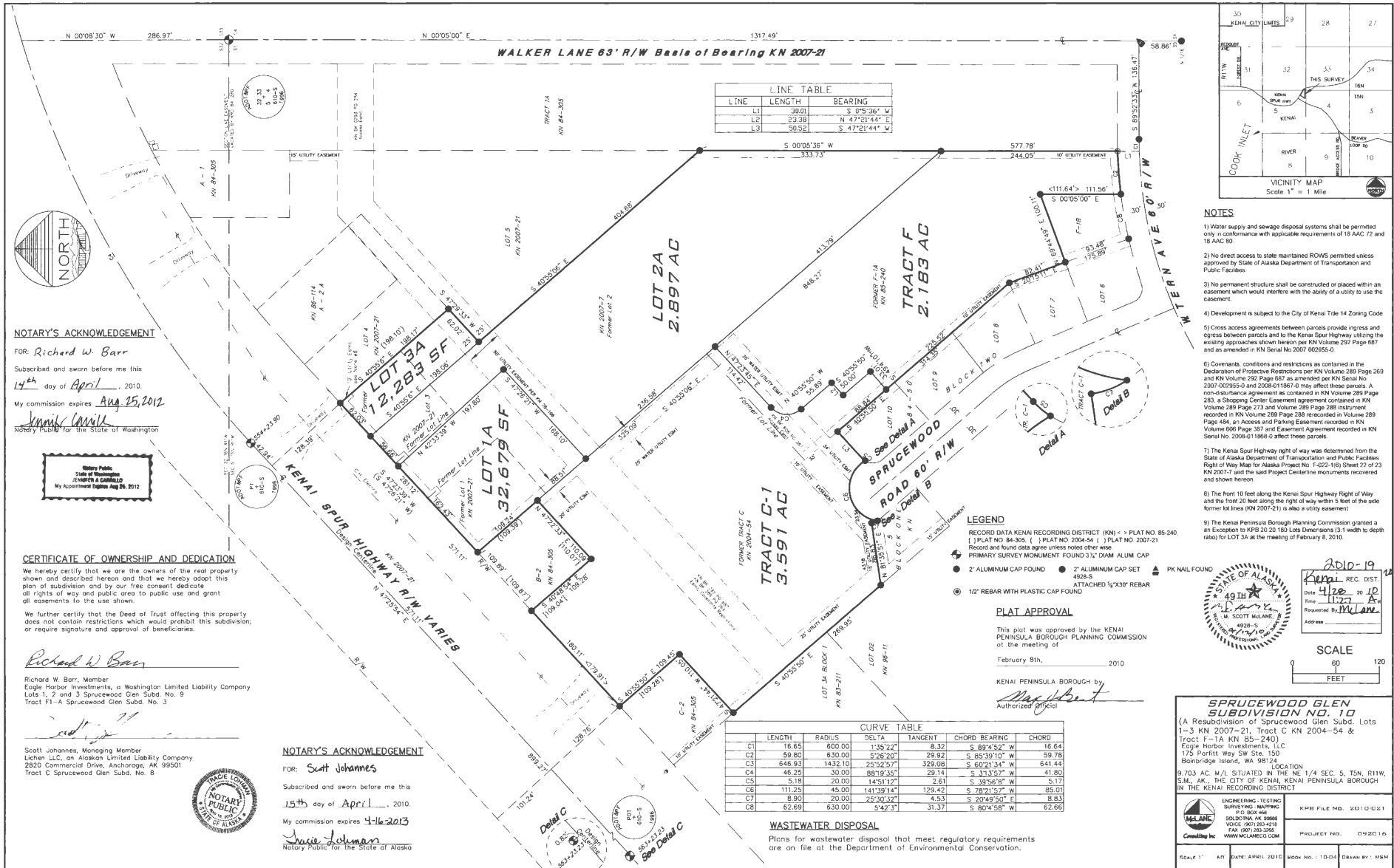


DRAWN BY: JL	DATE: 08/22/2023	PROJECT: 23-513
CHECKED BY: ML	SCALE: 1" = 50'	SHEET: 2 OF 2

RECORDERS
STAMP
AREA
2.25"

PRELIMINARY DRAFT

C:\Users\jmler\OneDrive\Documents\Projects\2023\2023-000\SPRUCEWOOD GLEN SUBDIVISION NO. 11\SPRUCEWOOD GLEN SUBDIVISION NO. 11.dwg - 3 - 11/07/2023 15:42:31

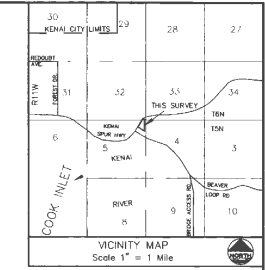


LINE TABLE

LINE	LENGTH	BEARING
L1	33.01	S 0°36'36" W
L2	23.39	N 47°21'44" E
L3	50.58	S 47°21'44" W

CURVE TABLE

LENGTH	RADIUS	DELTA	TANGENT	CHORD BEARING	CHORD
C1	16.65	600.00	1°35'22"	S 89°4'52" W	16.64
C2	59.80	630.00	5°28'20"	S 85°39'10" W	59.78
C3	646.93	1432.10	25°52'57"	S 60°21'34" W	641.44
C4	46.25	30.00	88°19'35"	S 33°33'7" W	41.80
C5	5.18	20.00	14°51'12"	S 38°56'8" W	5.17
C6	111.25	45.00	141°39'14"	S 78°21'57" W	85.01
C7	8.90	20.00	25°30'32"	S 20°49'50" E	8.83
C8	82.69	630.00	5°42'3"	S 80°4'58" W	82.66



- NOTES**
- 1) Water supply and sewage disposal systems shall be permitted only in conformance with applicable requirements of 18 AAC 72 and 18 AAC 80.
 - 2) No direct access to state maintained ROWS permitted unless approved by State of Alaska Department of Transportation and Public Facilities.
 - 3) No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
 - 4) Development is subject to the City of Kenai Title 14 Zoning Code.
 - 5) Cross access agreements between parcels provide ingress and egress between parcels and to the Kenai Spur Highway utilizing the existing approaches shown hereon per KN Volume 292 Page 687 and as amended in KN Serial No 2007 002955-0.
 - 6) Covenants, conditions and restrictions as contained in the Declaration of Protective Restrictions per KN Volume 289 Page 269 and KN Volume 292 Page 687 as amended per KN Serial No 2007 002955-0 and 2008-011887-0 may affect these parcels. A non-disturbance agreement as contained in KN Volume 289 Page 283, a Shopping Center Easement agreement contained in KN Volume 289 Page 273 and Volume 289 Page 288 instrument recorded in KN Volume 289 Page 288 recorded in Volume 289 Page 484, an Access and Parking Easement recorded in KN Volume 686 Page 387 and Easement Agreement recorded in KN Serial No 2008-011886-0 affect these parcels.
 - 7) The Kenai Spur Highway right of way was determined from the State of Alaska Department of Transportation and Public Facilities Right of Way Map for Alaska Project No. 4-022-160 Street 07 of 23 KN 2007-7 and the said Project Centerline monuments recorded and shown hereon.
 - 8) The front 10 feet along the Kenai Spur Highway Right of Way and the front 20 feet along the right of way within 5 feet of the side former lot lines (KN 2007-21) is also a utility easement.
 - 9) The Kenai Peninsula Borough Planning Commission granted an exception to KPB 20.20.180 Lots Dimensions (3:1 width to depth ratio) for LOT 3A at the meeting of February 8, 2010.

NOTARY'S ACKNOWLEDGEMENT
 FOR: Richard W. Barr
 Subscribed and sworn before me this
14th day of April, 2010.
 My commission expires Aug 25, 2012
Jamie Convik
 Notary Public for the State of Washington



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 area to public use and grant all easements to the use shown.
 We further certify that the Deed of Trust affecting this property does not contain restrictions which would prohibit this subdivision, or require signature and approval of beneficiaries.

Richard W. Barr
 Richard W. Barr, Member
 Eagle Harbor Investments, a Washington Limited Liability Company
 Lots 1, 2 and 3 Sprucewood Glen Subd. No. 9
 Tract F-1-A Sprucewood Glen Subd. No. 3

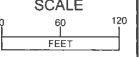
Scott Johannes
 Scott Johannes, Managing Member
 Lichen LLC, an Alaskan Limited Liability Company
 2820 Commercial Drive, Anchorage, AK 99501
 Tract C Sprucewood Glen Subd. No. 8

NOTARY'S ACKNOWLEDGEMENT
 FOR: Scott Johannes
 Subscribed and sworn before me this
15th day of April, 2010.
 My commission expires 4-16-2013
Jamie Johannes
 Notary Public for the State of Alaska



- LEGEND**
- RECORD DATA KENAI RECORDING DISTRICT (KN) < > PLAT NO. 85-240.
 [] PLAT NO. 84-305. [] PLAT NO. 2004-54. [] PLAT NO. 2007-21
 Record and found data agree unless noted otherwise.
 PRIMARY SURVEY MONUMENT FOUND 3"; DIAM ALUM. CAP
 ● 2" ALUMINUM CAP FOUND ● 2" ALUMINUM CAP SET 4928-S
 ▲ PK NAIL FOUND
 ○ 1/2" REBAR WITH PLASTIC CAP FOUND

PLAT APPROVAL
 This plot was approved by the KENAI PENINSULA BOROUGH PLANNING COMMISSION at the meeting of
 February 8th, 2010
 KENAI PENINSULA BOROUGH by
Maggie Burt
 Authorized Official



SPRUCEWOOD GLEN SUBDIVISION NO. 17-D
 (A Resubdivision of Sprucewood Glen Subd. Lots 1-3 KN 2007-21, Tract C KN 2004-54 & Tract F-1A KN 85-240)
 Eagle Harbor Investments, LLC
 175 Porfitt Way SW Ste. 150
 Bainbridge Island, WA 98124
 9.703 AC. W/L SITUATED IN THE NE 1/4 SEC. 5, T5N, R11W, S.M., AK, THE CITY OF KENAI, KENAI PENINSULA BOROUGH IN THE KENAI RECORDING DISTRICT

ENGINEERING - TESTING
 SURVEYING - MAPPING
 P.O. BOX 466
 500 DODD RD.
 VOICE (907) 283-2218
 FAX (907) 483-3566
 WWW.MCLANECO.COM

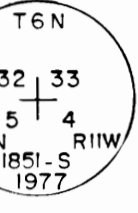
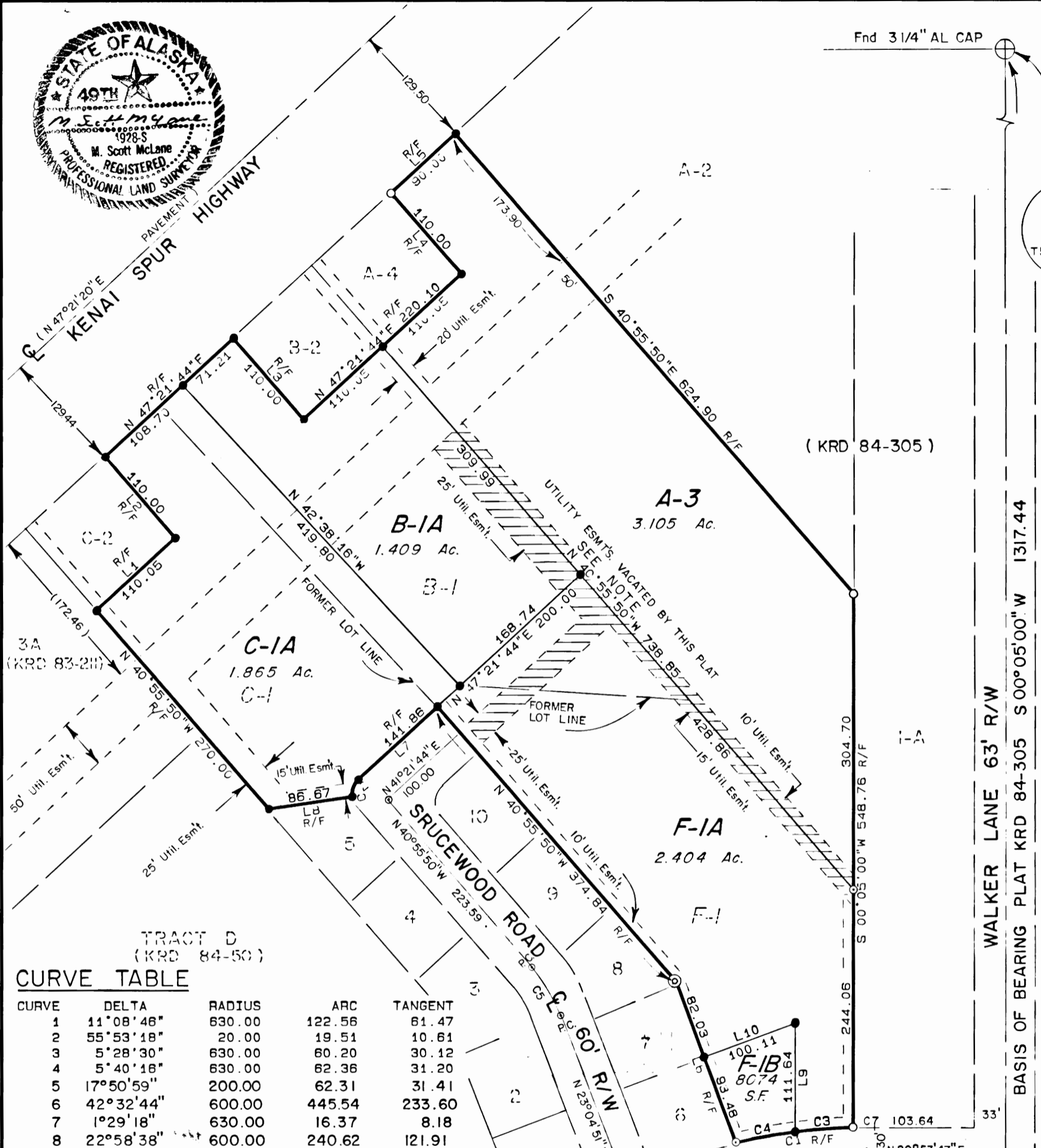
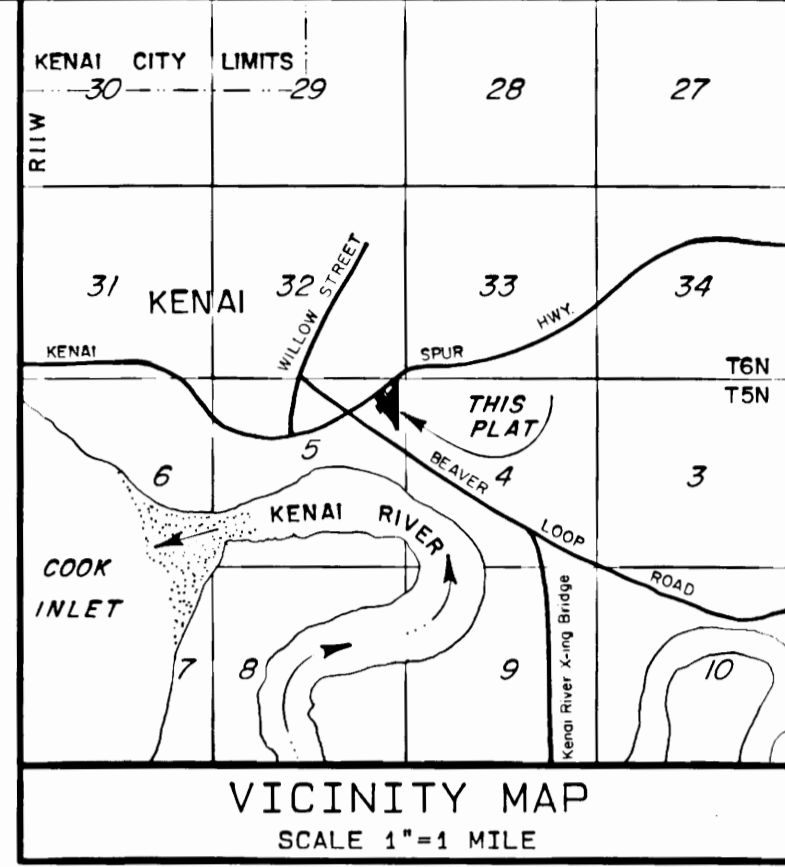
KPB FILE NO. 2010-021
 PROJECT NO. 092016

SCALE 1" = 60'
 DATE: APRIL 2010
 BOOK NO.: 1-D-04
 DRAWN BY: HSM



SPRUCEWOOD GLEN SUBDIVISION NUMBER THREE

(A RESUBDIVISION OF TRACTS B-1, C-1 AND F-1 AND THE VACATION OF UTILITY EASEMENTS WITHIN TRACTS A-3, B-1 AND F-1 SPRUCEWOOD GLEN SUBDIVISION NUMBER TWO)



85-240

RECORDED - FILED 10-
Kenai REC. DIST.

DATE 12/31 1985
TIME 9:30 A.M.
Surveyed by Ed Lowry

LINE TABLE

LINE	BEARING	DISTANCE
1	N 47°21'44"E	110.05
2	N 40°55'50"W	110.00
3	S 40°55'50"E	110.00
4	N 40°55'50"W	110.00
5	N 47°21'44"E	90.00
6	N 20°15'11"W	175.51
7	S 47°21'44"W	110.60
8	S 81°35'51"W	86.67
9	N 00°05'00"E	111.64
10	S 69°44'49"W	100.11

- LEGEND**
- ⊕ Found official survey monument
 - Set Bernsten 3 1/4"x 30" aluminum survey monument
 - Found 5/8" rebar
 - Set 5/8"x 30" rebar with 2" aluminum cap by 6/1/86
 - Found 1/2" rebar
 - Set 1/2"x 24" rebar with plastic cap C 263
 - ⊙ Found 2" aluminum cap
 - () Indicates record data - R/F Record/Found Identical
 - Indicates utility easements --- vacated - SEE NOTE

- NOTES**
- Water supply and sewage disposal systems shall be permitted only in conformance with applicable requirements of 18 AAC 70, 18 AAC 72, and 18 AAC 80.
 - No direct access to state maintained ROWs permitted unless approved by State of Alaska Department of Transportation.
 - Tracts within this subdivision must be served by city water and sewer.

CERTIFICATE OF APPROVAL BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION

This subdivision has been reviewed in accordance with 18AAC72.065 and is approved, subject to any noted restrictions.

Paul D. Horvath, EE II, 11-27-85
Signature Title Date

TRACT D (KRD 84-50)

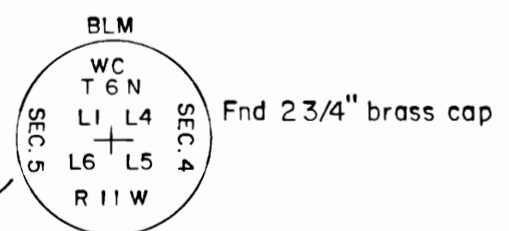
CURVE TABLE

CURVE	DELTA	RADIUS	ARC	TANGENT
1	11°08'48"	630.00	122.56	61.47
2	55°53'18"	20.00	19.51	10.61
3	5°28'30"	630.00	60.20	30.12
4	5°40'18"	630.00	62.36	31.20
5	17°50'59"	200.00	62.31	31.41
6	42°32'44"	600.00	445.54	233.60
7	1°29'18"	630.00	16.37	8.18
8	22°58'38"	600.00	240.62	121.91

SPECIAL NOTE

Utility easement vacations shall not be in effect until such time existing utilities are abandoned or relocated.

REPLACED P.C. NAIL FOUND WITH 2" AL. CAP



STATE OF ALASKA
NOTARY PUBLIC
M. SCOTT McLANE
My Commission Expires Nov 9, 1987

NOTARY'S ACKNOWLEDGEMENT

FOR: Edwin R. Lowry & Tommy S. Partee
Subscribed and sworn before me this 6th day of Nov., 1985.

My commission expires Nov. 9, 1987
M. Scott McLane
Notary Public for the State of Alaska

CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of the property shown and described hereon and that we hereby adopt this plan of subdivision and dedicate all right-of-ways to public use and grant all easements to the use shown.

Edwin R. Lowry
Tommy S. Partee

PLAT APPROVAL

This plat was approved by the KENAI PENINSULA BOROUGH PLANNING COMMISSION at the meeting of

MARCH 25 1985
KENAI PENINSULA BOROUGH
By Richard A. Trapp, Authorized Official

SPRUCEWOOD GLEN SUBDIVISION NUMBER THREE

Edwin Lowry, owner
Tommy Partee, owner
1089 Kenai Spur Highway Suite 125
Kenai, AK 99611

LOCATION
8.969 Ac. M/L SITUATED WITHIN THE NE 1/4 SECTION 5, T5N, R11W, S.M. AK. AND THE CITY OF KENAI IN THE KENAI PENINSULA BOROUGH.

Surveyed by: McLANE and ASSOCIATES, INC.
Soldotna, AK 99669

DATE OF SURVEY 9/23/85	SCALE 1" = 100'	SHEET 1 of 1
DRAWN BY GT, GB CHECKED BY MSM	BK. No. 84-56/85-41 JOB No. 852010	K.P.B. FILE No.



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2023-25**

A RESOLUTION **GRANTING** THE APPLICATION FOR A VARIANCE PERMIT FOR AN OFF-PREMISE SIGN.

APPLICANTS: Jennifer Yeoman and Jason Yeoman

PROPERTY ADDRESS: 11631 Kenai Spur Highway

LEGAL DESCRIPTION: Tract B, Gusty Subdivision Addition No. 2

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04716002

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code (KMC) 14.20.185(c) was submitted to the City on November 30, 2023; and,

WHEREAS, the applicant has demonstrated that the prerequisites of a variance permit have been met pursuant to KMC 14.20.180(b); and,

WHEREAS, the City of Kenai Planning and Zoning Commission conducted a duly advertised public hearing, following requirements outlined in KMC 14.20.280 for public hearings and notifications.

WHEREAS, the Planning and Zoning Commission finds the criteria are met as set forth in KMC 14.20.180(c):

1. *Special conditions or circumstances are present which are peculiar to the land or structures involved which are not applicable to other lands or structures in the same land use or zoning district.*

Findings: The existing medical clinic (“clinic”) is located at 11595 Kenai Spur Highway, known as Tract A-1, Shadura Subdivision Nichil Addition. The clinic is currently established on a parcel that records show it was first platted under Shadura Subdivision (Plat No. K-831) in 1961. Subsequently, several replats have been recorded on the parcel with the clinic but the overall property lines of the parcel have remained the same (see attached plats). The parcel with the clinic is setback at least 86 feet away from Kenai Spur Highway compared to other adjacent parcels with street frontage along Kenai Spur Highway. Therefore, the clinic is on a parcel with a unique site development that are not similar to surrounding parcels with primary access off of Kenai Spur Highway.

As expressed by the applicant, they have sought various options and concluded there is not a practical place on the subject parcel to place a sign for the clinic with reasonable visibility.

2. *The special conditions or circumstances have not been caused by actions of the applicant and such conditions and circumstances do not merely constitute pecuniary hardship or inconvenience.*

Findings: Staff finds the requested variance is not intended to redress a pecuniary hardship or inconvenience by the applicant; rather, it would address a non-pecuniary hardship to persons who visit the clinic for services.

3. *The granting of the variance shall not authorize a use that is not a permitted principal use in the zoning district in which the property is located.*

Findings: The proposed off-premise sign is intended to promote and identify the existing clinic, which is a permitted use in the Central Mixed Use (CMU) zoning district. The existing use is under construction for expansion. Therefore, the existing use will be compliant with the zoning district.

4. *The granting of a variance shall be the minimum variance that will provide for the reasonable use of the land and/or structure.*

Findings: The granting of the variance will allow an off-premise sign to be installed on 11631 Kenai Spur Highway, that would meet setbacks, height, and size requirements. The proposed sign face for the off-premise sign would be approximately 75 square feet, approximately 18-foot tall and at least 10 feet from the east property line due to an existing utility easement. In the CMU zone, it does not state a minimum setback from property lines; however due to the layout of the right-of-way, staff is recommending that a minimum 20-foot setback is required from the northeast corner and 10-foot setback from the street frontage along Kenai Spur Highway on the parcel with the off-premise sign to minimize any visual obstructions or interference with any future ROW expansion. Within proximity of the subject parcel, there is an existing pole sign, currently displaying "Coffee Time" along Kenai Spur Highway. If the business was located on 11631 Kenai Spur Highway, the proposed sign would be permitted without a variance permit. Therefore, the variance request would not provide relief beyond what would be allow if it was an on-premise sign.

5. *The granting of a variance shall not be based upon other nonconforming land uses or structures within the same land use or zoning district.*

Findings: The business location presents its own unique circumstance due to how it was originally platted and how the right-of-way of Kenai Spur Highway has changed overtime. Staff finds that the granting of this variance permit is not based upon other non-conforming land uses or structures within the same land use or zoning district.

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

- Section 1.** That the request for a variance permit is granted for an approximately 75 square foot off-premise sign, not to exceed 18 feet in height, on the parcel located at 11631 Kenai Spur Highway and described as Tract B, Gusto Subdivision Addition No. 2.

Section 2. That the variance permit is subject to the following conditions:

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

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
THIS 27TH DAY OF DECEMBER, 2023.

JEFF TWAIT, CHAIRPERSON

ATTEST:

Meghan Thibodeau, Deputy City Clerk



STAFF REPORT

PLANNING & ZONING DEPARTMENT

TO: Planning and Zoning Commission
THROUGH: Linda Mitchell, Planning Director
DATE: December 22, 2023
SUBJECT: Resolution No. PZ2023-25 - Variance Permit – Off-Premise Sign

Request The applicant is requesting for a variance permit to obtain relief from the sign ordinance for an off-premise sign.

Staff Recommendation Adopt Resolution No. PZ2023-25 approving a variance permit to allow an off-premise sign at 11631 Kenai Spur Highway.

Applicants: Jennifer Yeoman
Jason Yeoman

Property Owner: City of Kenai

Legal Description: Tract B, Gusty Subdivision Addition No. 2

Property Address: 11631 Kenai Spur Highway

KPB Parcel No.: 04716002

Business Location: 11595 Kenai Spur Highway

Zoning: Central Mixed Use (CMU)

Current Use: Vacant Lot

Land Use Plan: Central Commercial

SUMMARY

Jennifer Yeoman and Jason Yeoman have requested a variance permit to install an off-premise sign at 11631 Kenai Spur Highway, which is a City-owned property. The off-premise sign would be an internally illuminated pole sign with an approximately 75 square foot sign face and approximately 18-foot tall. The off-premise sign would promote and identify the medical clinic, known as Odyssey Family Practice on the adjacent parcel at 11595 Kenai Spur Highway. Kenai Municipal Code (KMC) Section 14.20.220 *Signs*, off-premise signs are not permitted in the Central

Mixed Use (CMU) zoning district. The applicants are requesting a variance permit to install an off-premise sign, where there is better visibility and not adversely impact the access areas of the business location.

In order to install the pole sign on a City-owned property, the applicant(s) must obtain a Special Use Permit or lease the property from the City.

ANALYSIS

Pursuant to KMC 14.20.180(a), the intent of a variance permit is to provide relief to the development requirements of KMC Chapter 14.20 when the literal enforcement would deprive a property owner of the reasonable use of his/her real property.

Prior to granting a variance permit, the Commission shall find that all of the conditions have been met as set forth in KMC 14.20.180(c) [Variance Permit] *Review Criteria*.

Criteria 1: Special conditions or circumstances are present which are peculiar to the land or structures involved which are not applicable to other lands or structures in the same land use or zoning district.

Findings: The existing medical clinic (“clinic”) is located at 11595 Kenai Spur Highway, known as Tract A-1, Shadura Subdivision Nichil Addition. The clinic is currently established on a parcel that records show it was first platted under Shadura Subdivision (Plat No. K-831) in 1961. Subsequently, several replats have been recorded on the parcel with the clinic but the overall property lines of the parcel have remained the same (see attached plats). The parcel with the clinic is setback at least 86 feet away from Kenai Spur Highway compared to other adjacent parcels with street frontage along Kenai Spur Highway. Therefore, the clinic is on a parcel with a unique site development that are not similar to surrounding parcels with primary access off of Kenai Spur Highway.

As expressed by the applicant, they have sought various options and concluded there is not a practical place on the subject parcel to place a sign for the clinic with reasonable visibility.

Criteria 2: The special conditions or circumstances have not been caused by actions of the applicant and such conditions and circumstances do not merely constitute pecuniary hardship or inconvenience.

Findings: Staff finds the requested variance is not intended to redress a pecuniary hardship or inconvenience by the applicant; rather, it would address a non-pecuniary hardship to persons who visit the clinic for services.

Criteria 3: The granting of the variance shall not authorize a use that is not a permitted principal use in the zoning district in which the property is located.

Findings: The proposed off-premise sign is intended to promote and identify the existing clinic, which is a permitted use in the Central Mixed Use (CMU) zoning district. The existing use is under construction for expansion. Therefore, the existing use will be compliant with the zoning district.

Criteria 4: The granting of a variance shall be the minimum variance that will provide for the reasonable use of the land and/or structure.

Findings: The granting of the variance will allow an off-premise sign to be installed on 11631 Kenai Spur Highway, that would meet setbacks, height, and size requirements. The proposed sign face for the off-premise sign would be approximately 75 square feet, approximately 18-foot tall and at least 10 feet from the east property line due to an existing utility easement. In the CMU zone, it does not state a minimum setback from property lines; however due to the layout of the right-of-way, staff is recommending that a minimum 20-foot setback is required from the northeast corner and 10-foot setback from the street frontage along Kenai Spur Highway on the parcel with the off-premise sign to minimize any visual obstructions or interference with any future ROW expansion. Within proximity of the subject parcel, there is an existing pole sign, currently displaying “Coffee Time” along Kenai Spur Highway. If the business was located on 11631 Kenai Spur Highway, the proposed sign would be permitted without a variance permit. Therefore, the variance request would not provide relief beyond what would be allow if it was an on-premise sign.

Criteria 5: The granting of a variance shall not be based upon other nonconforming land uses or structures within the same land use or zoning district.

Findings: The business location presents its own unique circumstance due to how it was originally platted and how the right-of-way of Kenai Spur Highway has changed overtime. Staff finds that the granting of this variance permit is not based upon other non-conforming land uses or structures within the same land use or zoning district.

PUBLIC NOTICE

Pursuant to Kenai Municipal Code 14.20.280 notices of the public hearing for the variance permit were mailed to property owners within a three hundred-foot (300') periphery of the subject property. The notice of the public hearing was published in the *Peninsula Clarion* on December 20, 2023, and the public hearing sign was posted on the premise.

STAFF RECOMMENDATION

Staff finds that the approximately 75 square foot off-premise sign, not to exceed 18 feet in height, on the parcel located at 11631 Kenai Spur Highway and described as Tract B, Gusty Subdivision Addition No. 2 meets the criteria for issuance of a variance permit as set forth in Kenai Municipal Code Section 14.20.180(c), and hereby recommends that the Planning and Zoning Commission approve the variance permit, subject to the following conditions:

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

ATTACHMENTS

Location Map

Application Submittal

Shadura Subdivision (Plat No. K-831)

Lots 1 and 2, Within Tract A of the Shadura Subdivision (Plat No. K-1356)

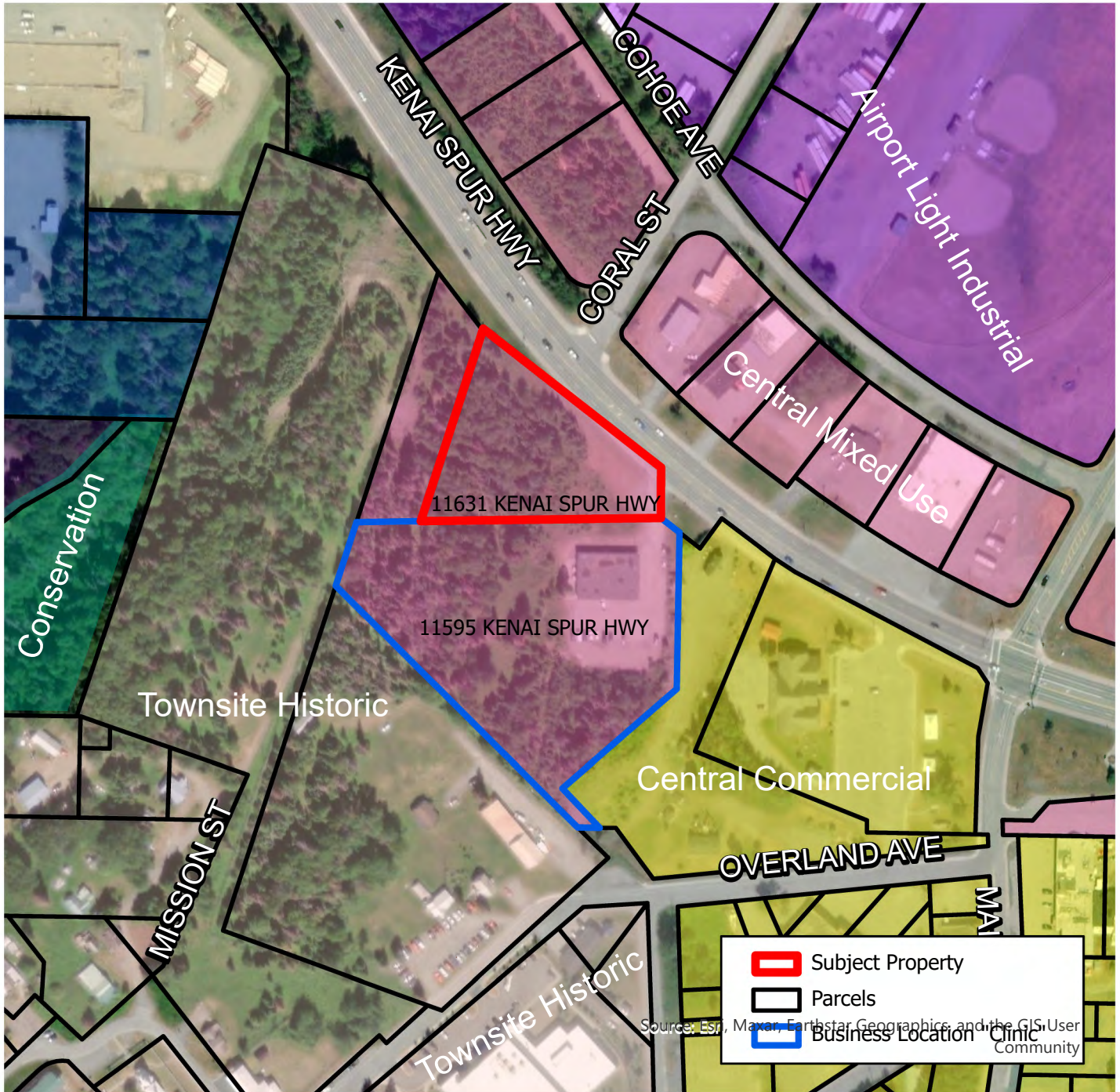
Shadura Subdivision Nichil Addition (Plat No. 2019-54)



Resolution PZ2023-25

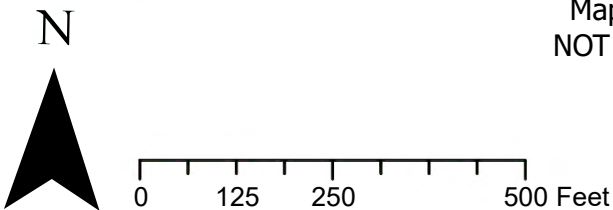
Variance Permit for Off-Premise Sign

11631 Kenai Spur Highway



Date Printed: 12/22/2023

Map for Reference Only
NOT A LEGAL DOCUMENT



--	--

Name:	Jennifer + Jason Yeoman		
Mailing Address:	5130e Duns Rd		
City:	Kenai	State: AK	99611 Zip Code:
Phone Number(s):	907 740-1217 or 907 420-7887		
Email:	yellowkenaitze@hotmail.com		

Name:			
Mailing Address:			
City:		State:	Zip Code:
Phone Number(s):			
Email:			

Kenai Peninsula Borough Parcel # (Property Tax ID):	
Physical Address:	11595 Kenai Spur Hwy
Legal Description:	T 05N R 11W Sec 6 Seward Meridian K/A 20A054
Zoning:	
Acres:	

A variance permit is the relaxation of the development requirements to provide relief when the literal enforcement would deprive a property owner of the reasonable use of their real property. The requirements for a variance permit in City Code must be met for a variance to be granted.

How is this property currently being used?	Commercial
Use of surrounding property - north:	Vacant
Use of surrounding property - south:	K/A
Use of surrounding property - east:	Abandoned Commercial
Use of surrounding property - west:	Abandoned

Variance Requested for (attach additional sheets if necessary):	
---	--

Explain the special conditions or circumstances present which are peculiar to the land or structure involved which are not applicable to other land or structures in the same land use or zoning district:

We are requesting a variance so we are able to get a business sign for the business located on our property

Explain the special conditions or circumstances present that have not been caused by actions of the applicant and such conditions and circumstances do not merely constitute pecuniary (monetary) hardship or inconvenience:

Our property is located off the main road where a sign would not be seen and hope to place it near the main road, Kenai Spur

Explain how this variance will not authorize a use that is not a permitted principal use in the zoning district in which the property is located:

Explain how the variance shall be the minimum variance that will provide for the reasonable use of the land and/or structure:

We are requesting to place a temporary sign on the City's property.

Explain how the granting of a variance shall not be based upon other nonconforming land uses or structures within the same land use or zoning district:

There is no structure on the City's land that is next to ours.

AUTHORITY TO APPLY FOR A VARIANCE:

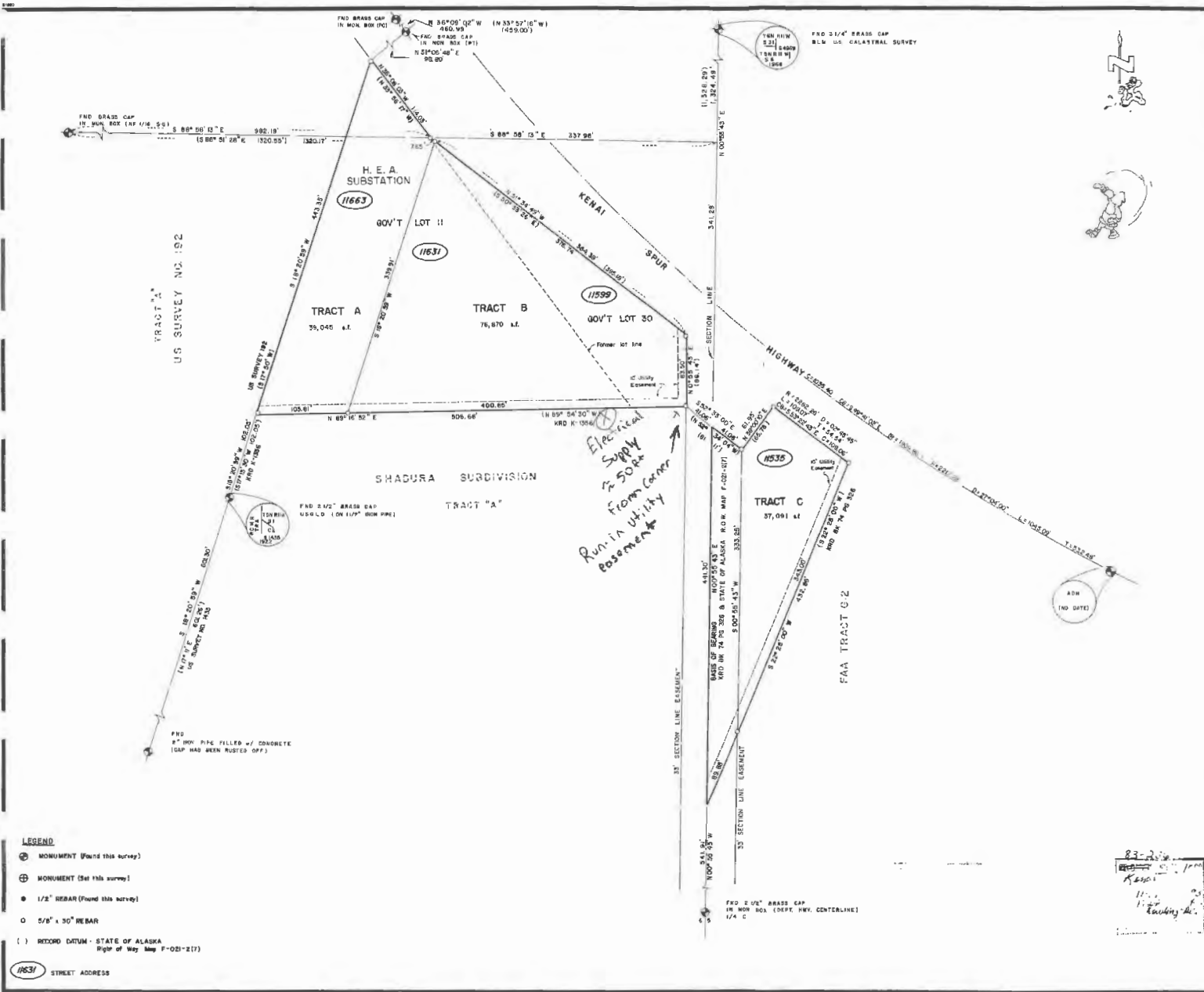
I hereby certify that (I am) (I have been authorized to act for) owner of the property described above and that I petition for a variance permit in conformance with Title 14 of the Kenai Municipal Code. I understand that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure approval of the variance. I also understand that assigned hearing dates are tentative and may have to be postponed by Planning Department staff of the Planning and Zoning Commission for administrative reasons. I understand that a site visit may be required to process this application. City of Kenai personnel are authorized to access the above-referenced property for the purpose of processing this application.

Signature:		Date:	11/29/23
Print Name:	Jennifer Yonson	Title/Business:	Nilehil Solutions

For City Use Only

Date Application Fee Received:

PZ Resolution Number:



CERTIFICATE of OWNERSHIP

I HEREBY CERTIFY THAT THE CITY OF KENAI IS THE OWNER OF THE PROPERTY SHOWN & DESCRIBED HEREON.

CITY OF KENAI
PO BOX 580
KENAI, ALASKA 99601

WILLIAM J. BRIDGTON
CITY MANAGER

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 11th DAY of October, 1983 FOR William J. Bridgton

Scott M. Groat
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 12/31/85

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF August 9, 1983.

KENAI PENINSULA BOROUGH
William J. Bridgton
AUTHORIZED OFFICIAL

ENTHUSIASM OF APPROVAL BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION. This subdivision has been reviewed in accordance with the Act and is approved, subject to any noted restrictions.

John J. ...
SPOKESMAN
DATE



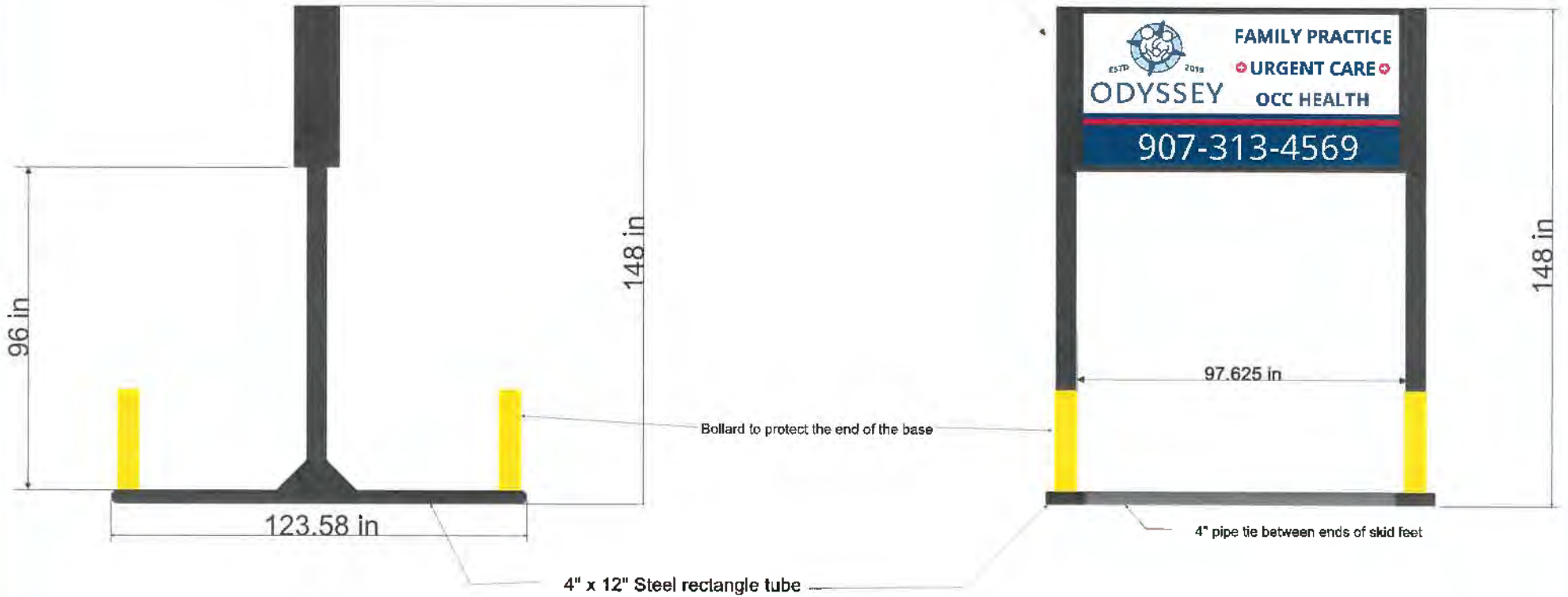
GUSTY SUBDIVISION ADDITION NO. 2

A SUBDIVISION OF ALL OF THE PORTION OF GOV'T LOTS 11 & 30 LYING SOUTH OF THE KENAI SPUR HWY ROW, AND THAT PORTION OF AIRPORT LANDS LYING SOUTH OF THE KENAI SPUR HWY ROW & WEST OF FAA TRACT G-2 AS RECD. KPD 74-326. THIS PROPERTY IS LOCATED WITHIN THE E 1/2 SEC 14 S-1, SW 1/4 QUARTER S-5 T5N R1W S.M. AK. CONTAINING A TOTAL AREA OF 113.74 AC.

DOWLING-RICE and ASSOCIATES
P.O. BOX 1974 SOLDOTNA, ALASKA 99689

DATE DRAFTED	DATE SUBMITTED
DRAWN BY: [Signature]	SCALE: [Signature]
CHECKED BY: [Signature]	DATE: [Signature]

6" x 6" x 1/4" x 20' TS



Accepted as Drawn _____ Date ____/____/____

Accepted With Changes _____

Drawn 9/9/2023

2:09:11 PM



Alaska Sign Source, LLC
 50550 Kenai Spur Highway
 Kenai, Alaska 99611
 Phone/fax 907-776-8503
 kns@alaskasignsource.com
<http://www.alaskasignsource.com>

PROPRIETARY INFORMATION

This document contains proprietary information and is intended only for the use of Alaska Sign Source, LLC and the client noted above. If the reader is not the intended client, you are notified that you have received this message in error and that any review, dissemination, distribution or copying of this information is strictly prohibited. If you have received this information in error, please notify Alaska Sign Source, LLC at 907-776-8503 immediately!

Linda Mitchell

From: Jennifer Showalter Yeoman <yellowkenaitze@hotmail.com>
Sent: Thursday, November 30, 2023 6:44 PM
To: Linda Mitchell
Cc: Jason Yeoman
Subject: Variance

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please include this with the information we gave you yesterday, thank you.

> To whom it may concern;

>

> We purchased the property, 11595 Kenai Spur Hwy, in 2018. It was a project we have enjoyed on many levels. The building was originally built in 1962. There was many challenges getting the buildings up to code.

>

> We house a medical facility, Odyssey Family Practice, which is a great asset for the community and provides not only medical services but employment opportunities for many people.

>

> In order for their business to allow their customers to locate their office a sign is needed. We do not have property on the street to place a sign, and are unable to have a practical place to set it.

>

> We have looked at various options such as on our property but it is not visible for drivers to see it on one side, the other 3 sides do not have access to the road front. That has left us in a position to request a variance for 2 reasons; 1) for an off premise sign and 2) to be exempt of the 20 foot intersection requirement.

>

> We have attached the proposed sign and identified a location for you to review.

>

> We intend to meet front yard back set, and are not aware of any similar non-conforming signage in Kenai.

>

> So, with all due respect we request this variance be approved.

>

> Sincerely,

> Jennifer and Jason Yeoman

Sent from my iPhone

SIGNAGE

BRANDING

IMAGE

Prepared For:

Jared Wallace

Odyssey Family Practice

11595 Kenai Spur Hwy

Kenai

, AK

99611

Alaska Sign Source LLC

50550 Kenai Spur Hwy

Kenai, AK 99611

(907) 776-8503



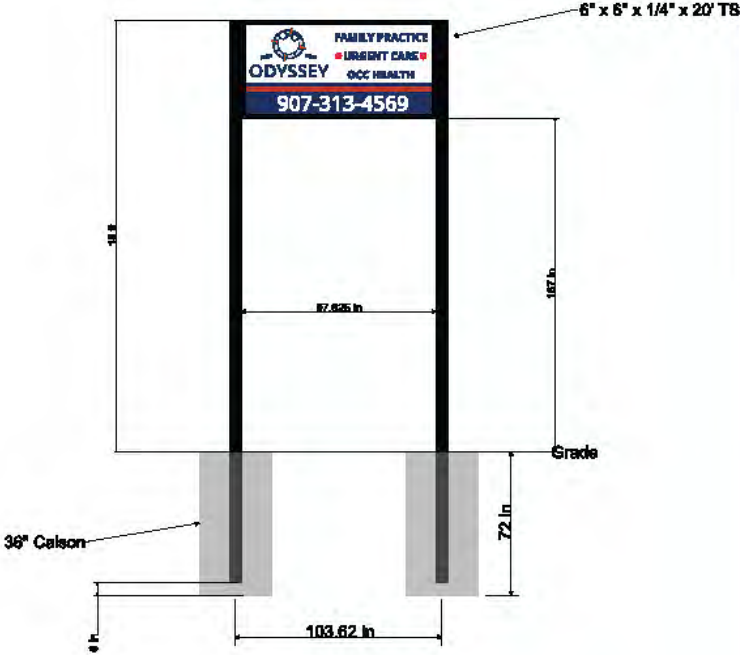
Sign #	Page #	Type of Sign (i.e. Lit Sign, Message Corner, Decals, Plywood Sign, etc.)	Action (i.e. New, Relocate, Remove, etc.)
S-1	1	Freestanding Lighted Sign	New Sign Structure



Alaska Sign Source, LLC
 50550 Kenal Spur Highway
 Kenal, Alaska 99611
 Phone/fax 907-776-8503
 kns@alaskasignsource.com
<http://www.alaskasignsource.com>

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Scaling is approximate



Customer:
Jared Wallace

Date/Time:
12/18/2023
2:11:58 PM

Prepared by:
Doug Field



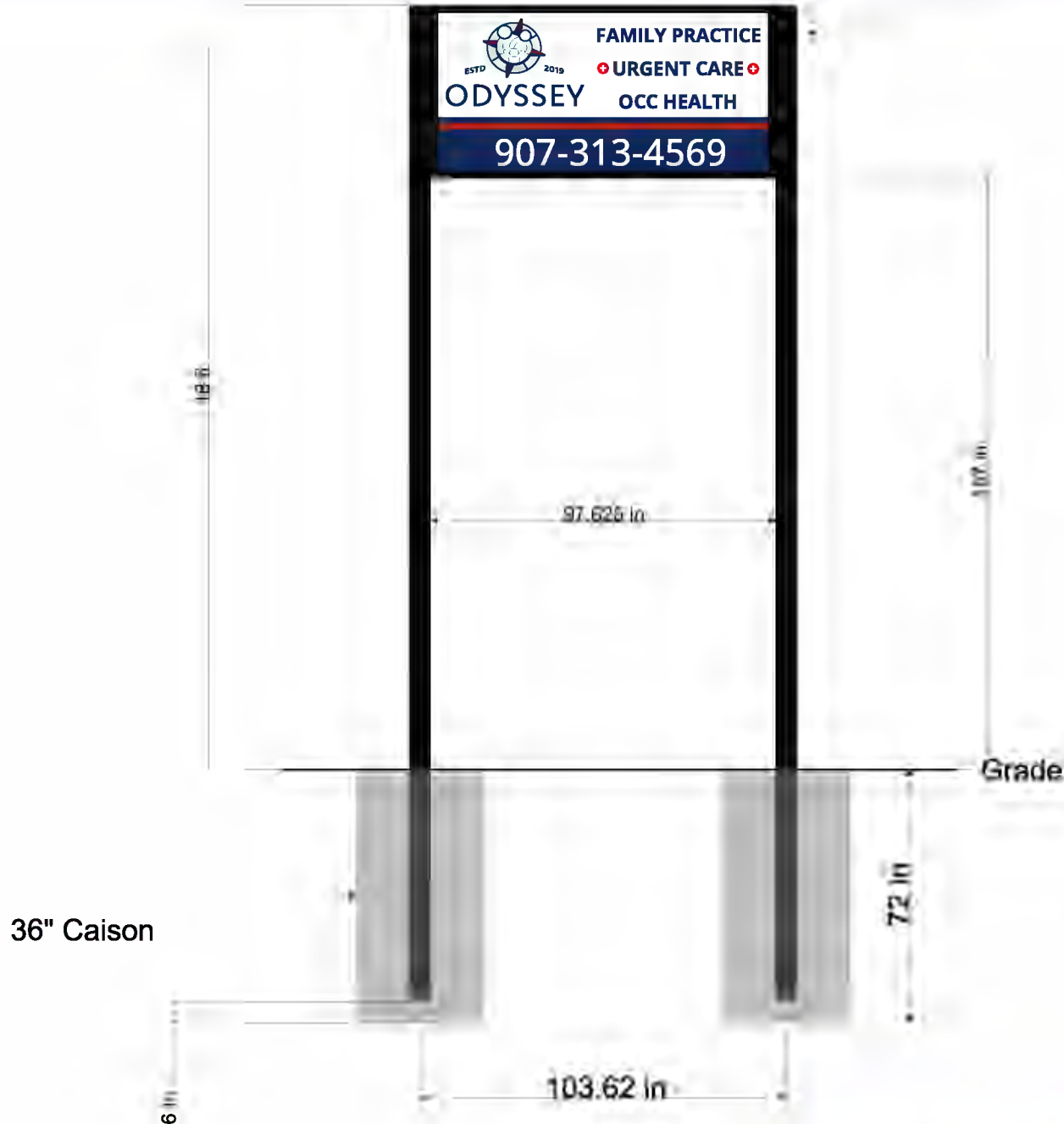
Alaska Sign Source, LLC
50550 Kenai Spur Highway
Kenai, Alaska 99611
Phone/fax 907-776-8503
kns@alaskasignsource.com
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Location:
S:\Odyssey Family Practice

File Name:
Possible sign location Rev1.fs

6" x 6" x 1/4" x 20' TS



Customer:
Jared Wallace

Date/Time:
12/18/2023
2:11:58 PM

Prepared by:
Doug Field

Location:
S:\Odyssey Family Practice

File Name:
Possible sign location Rev1.fs

Page 45
Z-A



Alaska Sign Source, LLC
 50550 Kenai Spur Highway
 Kenai, Alaska 99611
 Phone/fax 907-776-8503
 kns@alaskasignsource.com
 http://www.alaskasignsource.com

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97.5 in

48 in



ESTD

2019

ODYSSEY

FAMILY PRACTICE

+ URGENT CARE +

OCC HEALTH

907-313-4569

Customer:
Jared Wallace

Date/Time:
6/9/2023
11:52:48 AM

Prepared by:
Doug Field

Location:
S:\Odyssey Family Practice

File Name:
Possible sign location Rev1.fs

Page 46

3



Alaska Sign Source, LLC
50550 Kenai Spur Highway
Kenai, Alaska 99611
Phone/fax 907-776-8503
kns@alaskasignsource.com
<http://www.alaskasignsource.com>

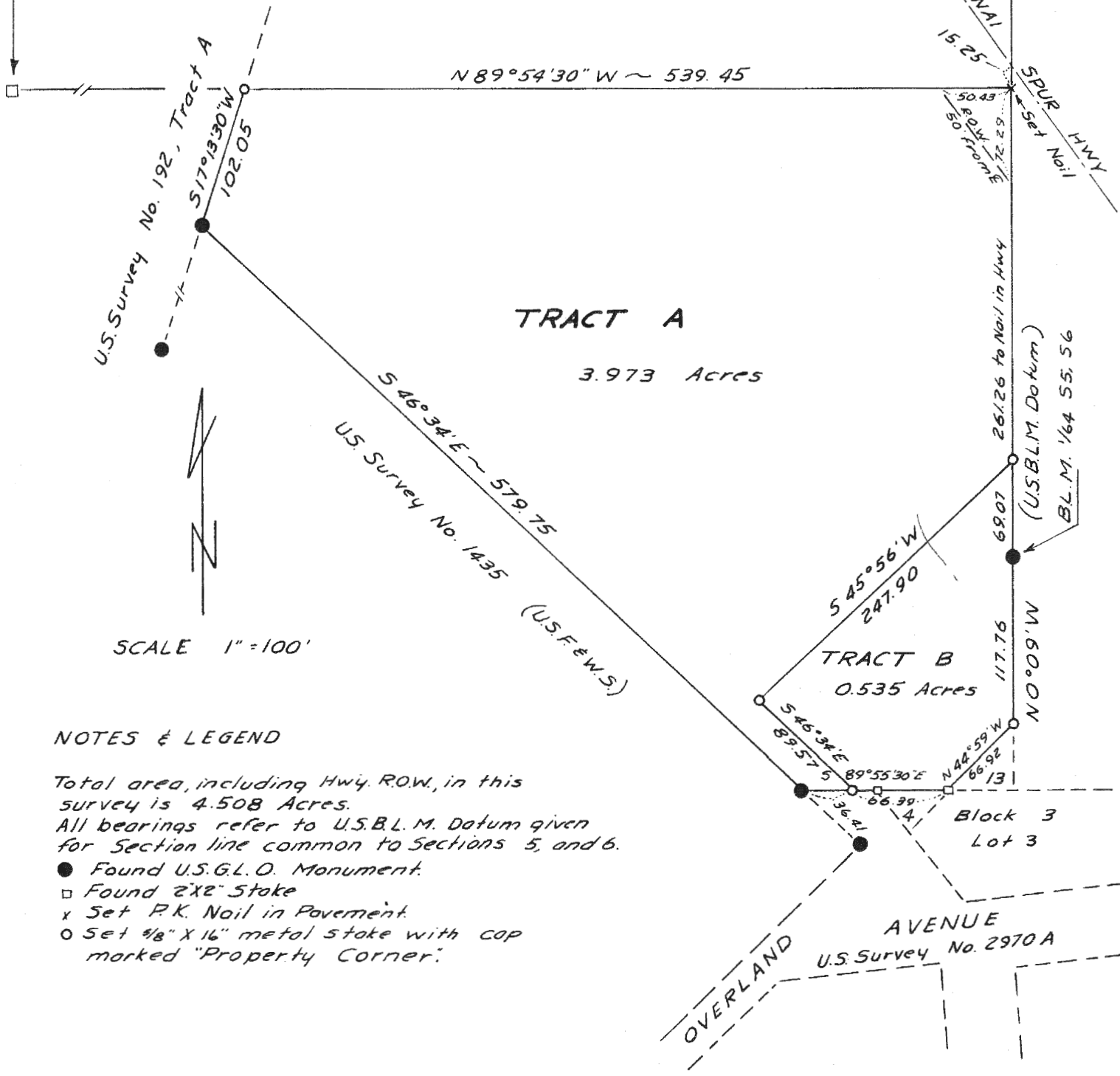
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K-831

U.S.G.L.O. Monu. 31 32

Found B.L.M. White stake marked C-N-S NE 1/256



TRACT A

3.973 Acres

TRACT B

0.535 Acres

SCALE 1" = 100'

NOTES & LEGEND

- Total area, including Hwy. R.O.W., in this survey is 4.508 Acres.
- All bearings refer to U.S.B.L.M. Datum given for Section line common to Sections 5, and 6.
- Found U.S.G.L.O. Monument.
- Found 2"x2" Stake
- x Set P.K. Nail in Pavement.
- Set 1/8" X 16" metal stake with cap marked "Property Corner".

SHADURA SUBDIVISION DEVELOPED BY- PAUL P. SHADURA

LEGAL DESCRIPTION THE WHOLE OF LOT 12, SECTION 6, T5N, R11W, SEWARD MERIDIAN, ALASKA.

SURVEYED BY. STANLEY S. McLANE Date 3-27-61 DRAWN BY. " " Date 3-29-

Shadura Sub.

Stanley S. McLane

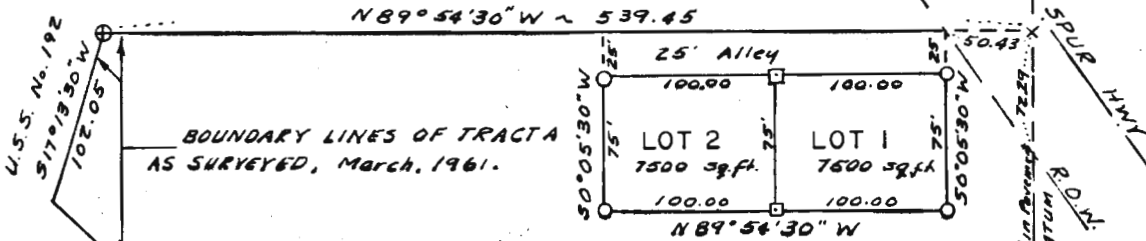
K-831

Final Plat

LOT 11 SECTION 6

SEC. 31 32 T6N
6 5 T5N

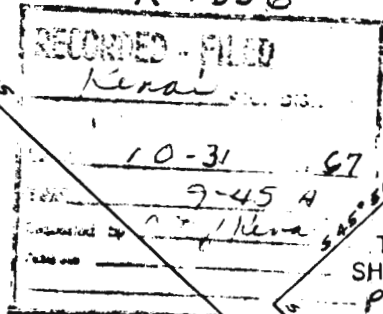
All of the lots in this subdivision shall be subject to assessments for any of the improvements of water, sewer, sidewalks or drainage when installed at a future time by the City of Kenai, Alaska.



BOUNDARY LINES OF TRACTA AS SURVEYED, March, 1961.

TRACT A

3.973 Acres (including Hwy R.O.W. as shown) K-1356



TRACT B SHADURA SUBD. 0.535 Acres



SCALE 1"=100'

LEGEND & NOTES.

- ⊕ Found 9/8" X 16" steel tube with cap stamped Property Corner, 610-5, (set in March 1961)
- x Found nail in pavement, set during 1961 survey.
- Set 3/4" X 30" iron pipe this survey.
- Set 1" X 2" X 12" wood stake with tack, this survey.

CERTIFICATE OF OWNERSHIP AND DEDICATION:
 I hereby certify that I am the owner of said property, and adopt this plan with my free consent, and dedicate the alley as shown to public use.

Date 1/14/63 Stanley S. McLane
 Owner

State of Alaska)
 City of Kenai) ss

On this 7 day of October, 1963, before me personally appeared Stanley S. McLane known to me to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed the same for the purposes hereon expressed. IN WITNESS THEREOF, I have hereunto set my hand and affixed my notarial seal this day and year last written above.

My commission expires 2/24/64 Stanley S. McLane
 Notary Public

CERTIFICATE OF REGISTERED LAND SURVEYOR.

I hereby certify that I am a registered land surveyor, and that this plat represents a survey made by me, and the monuments shown thereon actually exist as located, and that all dimensional and other details are correct.

Date, June 28, 1963 Stanley S. McLane
 Registered Surveyor

City Planning Commission:
 Received
 Approved [Signature] Frank English
 Chairman

Council:
 This is to certify that the within plat was duly submitted to and approved by the Council of Kenai City, Alaska, by resolution number 63-30 duly authenticated as passed this 30 day of October 1963.
[Signature]
 Mayor City Clerk

LOTS 1 and 2, WITHIN TRACT A OF THE SHADURA SUBDIVISION

LEGAL DESCRIPTION OF THE SHADURA SUBDIVISION THE WHOLE OF THE BLM. LOT 12, SECTION 6, T5N, R11W, OF THE SEWARD MERIDIAN, ALASKA.

SURVEYED BY Stanley S. McLane, R.L.S. Date 5, 23, 1963



NOTE: THIS MONUMENT IS NOT ON CENTERLINE DID NOT USE

Note: Monument does not coincide with other centerline monuments held from PL 192-43

Found conc. ried pipe 3" diam. cap marking missing per KN 2013 1

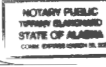
Found 2 1/2" diam.

Note: held monument for line computed PI bears 533'58"37" 133' from monument.

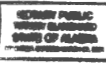
CERTIFICATE OF OWNERSHIP AND DEDICATION

We, the undersigned, hereby certify that Nichi Solutions LLC is the owner of the real property shown and described hereon, and on behalf of Nichi Solutions LLC, we hereby adopt this plan of subdivision and by our free consent dedicate all rights-of-way and grant all easements to the use shown.

Jason Yeoman, Manager Nichi Solutions LLC, Owner 508 S. Willow St. Suite A Kenai, AK 99611



Jennifer Yeoman, Manager Nichi Solutions LLC, Owner 508 S. Willow St. Suite A Kenai, AK 99611



NOTARY'S ACKNOWLEDGEMENT

FOR: Jason Yeoman Acknowledged before me this 27th day of 11 2018 My commission expires 03-28-21 Notary Public for the State of Alaska

NOTARY'S ACKNOWLEDGEMENT

FOR: Jennifer Yeoman Acknowledged before me this 27th day of 12 2018 My commission expires 03-28-21 Notary Public for the State of Alaska

Table with 6 columns: CURVE NO, ARC LENGTH, RADIUS, DELTA, CHORD BEARING, CHORD, TANGENT. Rows C1, C2, C3.

Table with 3 columns: LINE NO, DIRECTION, LENGTH. Row L1.

Highway Right of Way determined by State of Alaska Department of Highways Right of Way Map Alaska's Project No. F-021-2(7) KENAI SPUR HIGHWAY. Highway centerline monuments shown hereon are per KN 2015-16.

Note: POC monument bears notably KC 2.29' from computed centerline

Found 2 1/2" diam.

NOTES

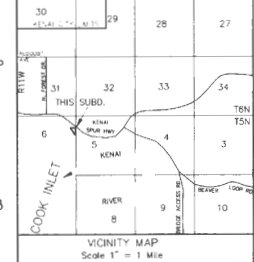
- 1) Water supply and sewage disposal systems shall be permitted only in conformance with applicable requirements of 18 AAC 72 and 18 AAC 80
2) The riparian (10) feet adjoining rights-of-way is a utility easement
3) No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement
4) The Kenai Peninsula Borough Planning Commission approved the vacation of the 25' ALLEY at the meeting of November 13, 2018.
5) Development must meet the City of Kenai Chapter 14 Zoning Code requirements
6) The retracement survey of the south boundary of Tracts A & B Gusty Subdivision No. 8 was found not to coincide with the north boundary of Shadura Subdivision Tract A. The retracement survey of the southerly right of way line of Kenai Spur Highway was found not to coincide with the northerly boundaries of Gusty Subdivision No. 8 or Bookiey's Replat.
7) General Easement to Kenai Power Corporation for electric transmission or distributing line or system recorded December 31, 1963 in Book 11, Page 287 Kenai Recording District.
8) Section Line Easement Vacated Per KN 91-17.
9) Kenai Spur Highway Right-of-Way per Public Land Order (PLO) No. 101 dated August 18, 1949 and amended by PLO No. 137 dated October 10, 1959. PLO No. 1613 dated April 7, 1958 and Department of the Interior Order No. 2655 dated October 18, 1951 Amendment No. 1 thereto dated July 17, 1952 and Amendment No. 2 thereto dated September 15, 1956 filed in the Federal Register and shown on the State of Alaska Department of Highways Right-of-Way map F-021-2(7) Kenai Spur sheet 9 of 12.
10) No structures are permitted within the parade ground portion of Tract A-1.

CERTIFICATE OF ACCEPTANCE

The undersigned official identified by name and title is authorized to accept and hereby accepts on behalf of the City of Kenai for public purposes the real property to be dedicated by this plat including easements, rights-of-way, alleys, and other public areas shown on this plat. The acceptance of lands for public use or public purpose does not obligate the public or any governing body to construct, operate, or maintain improvements. The vacation of the 25' Alley was approved by the City of Kenai Council by adopting resolution 2018-62 at the December 5, 2018 Council meeting.

By: Paul Ostrander, City Manager, City of Kenai

12/27/18 DATE



LEGEND

- Record BLM monument attached to regulation post found as described.
Primary monument found L & C BASS CAP 1950 UNLESS NOTED OTHERWISE.
Found Rebar 5/8" x 6" CAP.
Set 5/8" x 30" rebar with 1" stainless steel cap LS 4637.
25' Alley Vacated this plat and approved by the Kenai Peninsula Planning Commission Nov. 13, 2018. Record and found data agree unless noted otherwise including ADO&P plans.

2019-54 Plat # Kenai Rec'd 11/22 2019 Time 01:49 P.M.



PLAT APPROVAL

This plat was approved by the KENAI PENINSULA BOROUGH PLANNING COMMISSION at the meeting of November 28, 2018.

KENAI PENINSULA BOROUGH by: [Signature] Notary Public

WASTEWATER DISPOSAL

Plans for wastewater disposal that meet regulatory requirements are on file at the Department of Environmental Conservation. (City water & sewer available)

SHADURA SUBDIVISION NICHIL ADDITION (A Resubdivision of Tract A Shadura Subd. K-831 and Lots 1 and 2 Shadura Subd. K-1356...)



Kenai City Council - Regular Meeting

December 20, 2023 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

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

Action Agenda

A. CALL TO ORDER

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

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

B. SCHEDULED ADMINISTRATIVE REPORTS

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

1. Services Provided by the LeeShore Center, Cheri Smith, Executive Director

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

E. PUBLIC HEARINGS

1. **ENACTED WITHOUT OBJECTION. Ordinance No. 3381-2023** - Repealing Kenai Municipal Code Appendices - Public Record Inspection Regulations, Repealing Kenai Municipal Code Chapter 10.40 - Release of Public Records and Re-Enacting Kenai Municipal Code 10.40 - Access to Public Records. (Baisden)
2. **ENACTED WITHOUT OBJECTION. Ordinance No. 3382-2023** - Amending Kenai Municipal Code Chapter 7.05 Taxation of Real and Personal Property to Provide an Exemption on the First \$100,000 of Assessed Valuation Other Than Motor Vehicles and Watercraft Owned by Each Taxpayer and Making Housekeeping Changes. (Gabriel, Knackstedt, Baisden, Daniel, Askin, Sounart, Douthit)
3. **ADOPTED WITHOUT OBJECTION. Resolution No. 2023-66** - Adopting an Alternative Allocation Method for the FY24 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in Fisheries Management Area 14: Cook Inlet Area. (Administration)
4. **ADOPTED WITHOUT OBJECTION. Resolution No. 2023-67** - Authorizing a Contract Award and Corresponding Purchase Order for the 2023 Community Wildfire Protection Plan Mitigation Phase Two Project. (Administration)

5. **ADOPTED WITHOUT OBJECTION. Resolution No. 2023-68** - Declaring a Portion of Outside Way as Dedicated on Townsite of Kenai (US Survey 2970) is No Longer Needed for a Public Purpose and Consenting to Vacation of the Right-Of-Way. (Administration)
6. **ADOPTED WITHOUT OBJECTION. Resolution No. 2023-69** - Naming the Dedicated Right-Of-Way on the Preliminary Plat for Kenai Townsite Oiler's 2024 Addition "Oiler's Street." (Administration)

F. MINUTES

1. *Regular Meeting of November 15, 2023. (City Clerk)

G. UNFINISHED BUSINESS

H. NEW BUSINESS

1. *Action/Approval - Bills to be Ratified. (Administration)
2. *Action/Approval - Purchase Orders and Purchase Order Amendments Requiring Council Approval in Accordance with KMC 7.15.020. (Administration)
3. *Action/Approval - Special Use Permit to Beacon Occupational Health and Safety Services for Use of Office Space at the Alaska Regional fire Training Facility. (Administration)
4. *Action/Approval - Special Use Permit to Alaska Sure Seal for Snow Storage. (Administration)
5. *Action/Approval - Special Use Permit to Schillings Alaska, Inc. for Snow Storage. (Administration)
6. *Action/Approval - Confirmation of Mayoral Nominations for Partial Term Appointments to the Council on Aging and Beautification Committee. (Gabriel)
7. *Ordinance 3383-2023 - Amending the Official Zoning Map by Rezoning all Parcels within the Letzing 1985 Subdivision (Plat No. 85-55) and Government Lot 170 from General Commercial (CG) to Suburban Residential (RS) Zoning District. (Administration)
8. *Ordinance 3384-2023 - Cancelling Previously Appropriated Projects, Authorizing a Transfer of Funds from the Wastewater Facility Capital Project Fund to the Water and Sewer Capital Project Fund and Appropriating Supplemental Funds for the Construction of a New Water Pump House at the City's Water Treatment Facility. (Administration)
9. **APPROVED WITHOUT OBJECTION. Action/Approval** - Authorizing Memorandum of Agreement with the Kenai Peninsula Borough for Tourism Promotion. (Administration)
10. **WORK SESSION SCHEDULED FOR 4:30 P.M. ON 1/3/2024. Discussion** - Schedule a Budget Goals Work Session. (Administration)
11. **WORK SESSION SCHEDULED FOR 4:30 P.M. ON 1/17/2024. Discussion** - Scheduling a CIP Work Session. (Administration)
12. **WORK SESSION SCHEDULED FOR 6:00 P.M. ON 1/18/2024. Discussion** - Scheduling a Joint Work Session with Kenaitze Indian Tribe. (Administration)
13. **Discussion/Action** - Virtual Meeting Participation. (City Clerk)
14. **ADDED DURING LAYDOWN AND APPROVED BY THE CONSENT AGENDA. *Action/Approval** - Letter Supporting KPEDD's Application to EDA for a Three-Year Partnership Planning Program.

I. COMMISSION / COMMITTEE REPORTS

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

J. REPORT OF THE MAYOR

1. Proclamation in Recognition of Kenai Central High School Football Team as the Alaska Division III State Champions for the Year 2023.
2. Proclamation in Recognition of Kenai Central High School Girls Varsity Volleyball Team as the Alaska Division 3A State Girls Champions for the Year 2023.
3. Southcentral Mayors' Energy Coalition

K. ADMINISTRATION REPORTS

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

L. ADDITIONAL PUBLIC COMMENTS

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

M. EXECUTIVE SESSION

N. PENDING ITEMS

O. ADJOURNMENT

P. INFORMATION ITEMS

1. CIRCAC Director's Report

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/82836698462>

Meeting ID: 828 3669 8462 **Passcode:** 010611

OR

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

Meeting ID: 828 3669 8462 **Passcode:** 010611



Meeting Agenda Planning Commission

Monday, December 11, 2023

7:30 PM

Betty J. Glick Assembly Chambers

Zoom Meeting ID: 907 714 2200

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

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

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

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF CONSENT AND REGULAR AGENDA

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

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

1. Time Extension Request - None

- a. [KPB-5687](#) Homer Lake Street Rehabilitation ROW Map; KPB File 2016-142

Attachments: [C1. A-Homer Lake Street Rehabilitation ROW Map Packet](#)

- b. [KPB-5688](#) Seward Highway MP 17-23 Rehabilitation ROW Acquisition Plat
KPB File 2015-137

Attachments: [C1. B- Seward Hwy MP 17-22.5 Acquisition Plat](#)

2. Planning Commission Resolutions - None

3. Plats Granted Administrative Approval

- [KPB-5640](#)
- a. Atkinson Subdivision 2023 Replat; KPB File 2023-052
 - b. Canyon View 2022; KPB File 2022-034
 - c. Fox Sparrow Subdivision; KPB File 2023-060
 - d. Harden Subdivision Mugs & Tad Addition; KPB File 2023-020
 - e. Mallette Homestead Subdivision No. 3; KPB File 2023-001
 - f. Ninilchik Townsite Ancient Basement Replat; KPB File 2022-172
 - g. Obsidian Subdivision; KPB File 2023-042
 - h. Skipper's View 2023 Addition; KPB File 2023-026
 - i. Spruce Woods Lot 1 Replat; KPB File 2022-132
 - j. Terra Firma Subdivision Johns Addition; KPB File 2022-171
 - k. Twin Creek 2023; KPB File 2023-044
 - l. Whiskey Gulch Lot 4 Replat; KPB File 2022-106

Attachments: [C3. Admin Approval](#)

4. Plats Granted Final Approval (KPB 20.10.040)

- [KPB-5641](#) a. Kings Run Subdivision 2023 Replat; KPB File 2023-018

Attachments: [C4. Final Approvals](#)

5. Plat Amendment Request

- a. [KPB-5686](#) Binkley Subdivision Back Replat; KPB File 2023-074

Attachments: [C5. Binkley Sub Back Replat Amendment Request Packet](#)

6. Commissioner Excused Absences - None

7. Minutes

[KPB-5642](#) a. November 13, 2023 PC Meeting Minutes

Attachments: [C7. 111323 PC Minutes](#)

D. OLD BUSINESS - None

E. NEW BUSINESS

1. [KPB-5643](#) Right-Of-Way Vacation; KPB File 2023-131V
Petitioner Von Ruden & Bakke
Fritz Creek Area / Kachemak Bay APC
Request: Vacate the 60' wide public access easement running south approximately 1450' from Triple Crown Road ROW , the Scott Road ROW, Plat HM 2014-16

Attachments: [E1. ROWV Triple Crown Estates Packet](#)

2. [KPB-5644](#) Right-Of-Way Vacation; KPB File 2023-133V
Petitioner: Boling
Funny River Area / Funny River APC
Request: Modifies C & C Bear Street ROW by vacating the southern 580' x 60' portion & creating a cul-de-sac, Plat KN 2003-74

Attachments: [E2. ROWV C&C Bear Subdivision Packet](#)

3. [KPB-5645](#) Utility Easement Vacation; KPB File 2023-132V; PC RES 2023-34
Petitioner: Krull
City of Soldotna
Request: Vacates the entire utility easement granted by Plat KN 2022-031 crossing diagonally through Lot 4 & vacates the easternmost portion of the easement granted by Plat KN 2022-031 excluding the westerly 22.27 section in Lot 1B

Attachments: [E3. UEV Paces Pleasant Haven Sub Packet](#)

F. PLAT COMMITTEE REPORT

G. OTHER

1. [KPB-5646](#) Planning Commission Bylaws
Attachments: [PC RES 2023-33 Executed](#)
[G1. PC Bylaws](#)
2. [KPB-5647](#) Planning Commission Training
Best Practices For Quasi-Judicial Findings
Attachments: [G2. PC Training Quasi-Judicial Findings](#)
3. Plat Committee For January-February-March 2024

H. PUBLIC COMMENT/PRESENTATION

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

I. DIRECTOR'S COMMENTS

J. COMMISSIONER COMMENTS

K. ADJOURNMENT

MISCELLANEOUS INFORMATIONAL ITEMS NO ACTION REQUIRED

[KPB-5685](#) Advisory Planning Commission Meeting Minutes

Attachments: [APC Meeting Minutes](#)

NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING

The next regularly scheduled Planning Commission meeting will be held Monday, January 8, 2024 at 7:30 p.m. This will be a Zoom only meeting, the meeting will not be physically open to the public. The planning commission and borough staff will be attending via Zoom.

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.



Meeting Agenda Plat Committee

Monday, December 11, 2023

5:30 PM

Betty J. Glick Assembly Chambers

Zoom Meeting ID: 907 714 2200

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

- 1) Staff will present a report on the item.
- 2) The Chair will ask for petitioner's presentation given by Petitioner(s) / Applicant (s) or their representative – 10 minutes
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- 6) Rebuttal by the Petitioner(s) / Applicant(s) to rebut evidence or provide clarification but should not present new testimony or evidence.
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- 8) The Chair entertains a motion and the Commission deliberates and makes a decision.

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A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA, EXCUSED ABSENCES, AND MINUTES

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

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

[KPB-5671](#) November 13, 20223 Plat Committee Meeting Minutes

Attachments: [C3. 111323 Plat Committee Meeting Minutes](#)

4. Grouped Plats

[KPB-5672](#) E1. Canyon View No. 6 2023 Replat; KPB File 2023-129
E6. Nakada Subdivision 2023 Replat; KPB File 2023-123
E7. Nakada Subdivision Alexson Replat; KPB File 2023-126
E11. Fort Raymond Subd. Replat Number 7; KPB File 2023-107

Attachments: [C4. Grouped Plats](#)

D. OLD BUSINESS - None

E. NEW BUSINESS

1. [KPB-5673](#) Canyon View No. 6 2023 Replat; KPB File 2023-129
Mullikin Surveys / Polushkin
Location: Canyon View Road off East End Road
Fox River Area / Kachemak Bay APC
Attachments: [E1. Canyon View No. 6 2023 Replat Packet](#)
2. [KPB-5674](#) Glacial Waters Subdivision Camp Addition; KPB File 2023-125
Peninsula Surveying, LLC / Camp Kenai, LLC
Location: Eaglet Way
Funny River Area / Funny River APC
Attachments: [E2. Glacial Waters Sub Camp Addn Packet](#)
3. [KPB-5675](#) Mooring Estates Subdivision Dunbar Addition; KPB File 2023-128
Edge Survey & Design, LLC / Five D Investments, LLC
Location: Ridgewood Drive
City of Soldotna
Attachments: [E3. Mooring Estates Sub Dunbar Addn Packet-R](#)

4. [KPB-5676](#) Broken Axle No. 2; KPB File 2023-134
McLane Consulting Group / Taeschner
Location: Remote
Halibut Cove Area

Attachments: [E4. Broken Axle No. 2 Packet](#)
5. [KPB-5677](#) Rappe Park Oliva Addition; KPB File 2023-114
McLane Consulting Group / Triple-Knot Land & Livestock LLC,
Oliva
Location: Park Road
Nikiski Area / Nikiski APC

Attachments: [E5. Rappe Park Oliva Addn Packet](#)
6. [KPB-5678](#) Nakada Subdivision 2023 Replat; KPB File 2023-123
Geovera, LLC / Kelley
Location: Heather Street off Diamond Ridge Road
Diamond Ridge Area / Kachemak Bay APC

Attachments: [E6. Nakada Sub 2023 Replat Packet](#)
7. [KPB-5679](#) Nakada Subdivision Alexson Replat; KPB File 2023-126
Geovera, LLC / Alexson
Location: Heather Street off Diamond Ridge Road
Diamond Ridge Area / Kachemak Bay APC

Attachments: [E7. Nakada Sub Alexson Replat Packet](#)
8. [KPB-5680](#) Kinder Subdivision Blake Addition No. 1; KPB File 2023-127
Segesser Surveys / The Homestead, LLC
Location: Cohoe Loop Road
Cohoe Area

Attachments: [E8. Kinder Sub Blake Addn No. 1 Packet](#)
9. [KPB-5681](#) Tulin Birch Lake Subdivision; KPB File 2023-011
Segesser Surveys / Alaska Growth Properties, LLC
Location: Rector Street
Nikiski Area / Nikiski APC

Attachments: [E9. Tulin Birch Lake Sub Packet](#)
[E9. Tulin Subdivision Desk Packet](#)

10. [KPB-5682](#) Fort Raymond Subdivision Replat Number 6; KPB File 2023-109
AK Lands / City of Seward
Location: Sea Lion Avenue
City of Seward

Attachments: [E10. Fort Raymond Sub Replat No. 6 Packet](#)

11. [KPB-5683](#) Fort Raymond Subdivision Replat Number 7; KPB File 2023-107
AK Lands / City of Seward
Location: Dimond Boulevard & Seward Highway
City of Seward

Attachments: [E11. Fort Raymond Sub Replat No. 7 Packet](#)

12. [KPB-5684](#) Woodrow Farms Taylor Addition; KPB File 2023-130
AK Lands / Taylor
Location: Stoney Creek Avenue & Seward Highway
Bear Creek Area

Attachments: [E12. Woodrow Farms Taylor Addn Packet](#)

F. PUBLIC COMMENT

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

G. ADJOURNMENT

MISCELLANEOUS INFORMATIONAL ITEMS

NEXT REGULARLY SCHEDULED PLAT COMMITTEE MEETING

The next regularly scheduled Plat Committee meeting will be held Monday, January 8, 2024 at 7:30 p.m. This will be a Zoom only meeting, the meeting will not be physically open to the public. The planning commission and borough staff will be attending via Zoom.

KENAI PENINSULA BOROUGH PLANNING DEPARTMENT

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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.