



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

October 12, 2022 – 7:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

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

Agenda

A. CALL TO ORDER

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

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

B. APPROVAL OF MINUTES

1. *Regular Meeting of September 14, 2022

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

F. PUBLIC HEARINGS

G. UNFINISHED BUSINESS

H. NEW BUSINESS

1. **Action/Approval** – Approving a time extension for the finalization of Beaver Loop Acres Addition No. 2 Preliminary Plat.

I. PENDING ITEMS

J. REPORTS

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

K. ADDITIONAL PUBLIC COMMENT

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

L. INFORMATIONAL ITEMS

M. NEXT MEETING ATTENDANCE NOTIFICATION

1. Next Meeting Date: October 26, 2022

N. COMMISSION COMMENTS AND QUESTIONS

O. ADJOURNMENT

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

Join Zoom Meeting:

<https://us02web.zoom.us/j/88498324131>

Meeting ID: 884 9832 4131 **Passcode:** 651257

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

Meeting ID: 884 9832 4131 **Passcode:** 651257

**KENAI PLANNING & ZONING COMMISSION –
REGULAR MEETING
SEPTEMBER 14, 2022 – 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 September 14, 2022, 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:

Commissioners present: J. Twait, A. Douthit, G. Woodard, V. Askin, J. Halstead

Commissioners absent: G. Greenberg, D. Fikes

Staff/Council Liaison present: Interim Planning Director M. Best, Vice Mayor J. Glendening,
Deputy Clerk M. Thibodeau

A quorum was present.

3. Agenda Approval

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

ACTION

ITEM

Add to item H.2

Recommending Ordinance 3312-2022

- Improvement Description
- Improvement Design
- Substitute Ordinance 3312-2022
- Ordinance 3312-2022 Planning Memo to Council
- Substitute Ordinance 3312-2022 City Manager Memo to Council

MOTION:

Commissioner Askin **MOVED** to approve the agenda with the requested revisions, and requested to move all items under H. New Business to be heard ahead of F. Public hearings. Commissioner Halstead **SECONDED** the motion. There being no objection; **SO ORDERED.**

4. Consent Agenda

MOTION:

Commissioner Halstead **MOVED** to approve the consent agenda. Commissioner Askin **SECONDED** the motion. 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.

5. *Excused Absences – None.

B. APPROVAL OF MINUTES

1. *Regular Meeting of August 24, 2022

Approved by the consent agenda.

C. SCHEDULED PUBLIC COMMENTS – None.

D. UNSCHEDULED PUBLIC COMMENTS – None.

E. CONSIDERATION OF PLATS – None.

F. UNFINISHED BUSINESS – None.

H. NEW BUSINESS

1. **Action/Approval** – Recommending the Kenai City Council Approve Ordinance 3311-2022 Determining That Real Property Described as Lot 5, Block 1, Gusty Subdivision Addition No. 1, According to Plat No. 83-126 Kenai Recording District, City-Owned Airport Land Located Outside The Airport Reserve, is Not Needed for a Public Purpose, Waiving KMC 22.05.095 Methods of Sale or Disposal and Authorizing The Sale of The Property to Aaron Swanson dba Forever Business Plaza LLC.

MOTION:

Commissioner Halstead **MOVED** to recommend the City Council enact Ordinance 3311-2022. Commissioner Askin **SECONDED** the motion.

Director Best provided a staff report explaining that this purchase was based on Resolution 2018-12 which allows the purchase of leased properties that had substantial building development. This policy was in effect until July 6, 2021 but due to prior illness and death the prior lessee was unable to take advantage of the policy; Aaron Swanson, d/b/a Forever Business Plaza LLC is the new lessee and wants to purchase the property at fair market value, excluding the lease-constructed improvements. Best noted the sale is consistent with the goals and objectives of the Comprehensive Plan, and the Planning staff recommends approval.

Clarification was provided that the time to apply to purchase a leased property under Resolution 2018-12 expired, but this would allow an exception to be made due to lessee passing away before he could take advantage of the legislation.

VOTE:

YEA: Askin, Woodard, Douthit, Halstead, Twait

NAY: None.

MOTION PASSED UNANIMOUSLY.

2. **Action/Approval** – Recommending the Kenai City Council Approve Ordinance No. 3312-2022 Determining Lot 4, Block 1, Gusty Subdivision Addition No. 1 Amended Is Not Needed for a Public Purpose and Approving The Execution of a Lease With an Option to Purchase Between The City Of Kenai And Aaron Swanson for The Property.

MOTION:

Commissioner Halstead **MOVED** to recommend the City Council enact Substitute Ordinance 3312-2022. Vice Chair Douthit **SECONDED** the motion.

Director Best provided a staff report explaining that the City had received a Competitive Lease with a Sale Purchase application from Aaron Swanson d/b/a Forever Business Plaza LLC; the proposed use of the parcel which is currently vacant would be to construct a Pita Pit restaurant. He noted that the City of Kenai Land Management Inventory and Recommendation List recommended the property for disposal, and that the applicant would be responsible for completing development of the property within two years of the execution of the lease.

Applicant Aaron Swanson explained that this is for the lot next to the lot addressed in Ordinance 3311-2022, and his intent is to develop it into a Pita Pit restaurant; he wants to build it in a way that would allow expansion on the property in the future. He clarified that the new structure would be separate from the Pita Pit food truck and operate as a standalone restaurant, and that there is not yet a final completion date due to many moving parts including coordination with Pita Pit corporate.

Support was expressed for development of underutilized lots in the City, and for the Lease to Purchase option being taken advantage of.

VOTE:

YEA: Woodard, Douthit, Halstead, Twait, Askin

NAY: None.

MOTION PASSED UNANIMOUSLY.

- 3. Action/Approval** – Recommending the Kenai City Council Approve Resolution No. 2022-XX – Approving the Renewal of a Lease on Airport Reserve Lands between the City of Kenai and the Federal Aviation Administration for the Automated Flight Service Station Facility on Lot 7A-1, FBO Subdivision No. 5.

MOTION:

Commissioner Askin **MOVED** to recommend the City Council adopt Resolution No. 2022-XX, approving the renewal of a lease to the Federal Aviation Administration for the Automated Flight Service Station Facility. Vice Chair Douthit **SECONDED** the motion.

Director Best explained that the Federal Aviation Administration had applied to renew a lease for the automated flight service station and satellite communication network facility which has been operated since 1983. He noted that this use is consistent with the Comprehensive Plan and staff recommended approval.

VOTE:

YEA: Halstead, Twait, Askin, Woodard, Douthit

NAY: None.

MOTION PASSED UNANIMOUSLY.

- 4. Action/Approval** – Recommending the Kenai City Council Enact Ordinance 3314-2022 Extending The Time Period for Completion of The Action Items Necessary for The Conditional Donation of An Approximate 2 Acre Parcel to be Subdivided From A Portion Of The 6.8 Acre More or Less Portion of The East of Tract 4a, Baron Park 2020 Replat (KPB Parcel No. 04501035) to Triumvirate Theatre for The Development of a Theatre Facility.

MOTION:

Commissioner Askin **MOVED** to recommend the City Council enact Substitute Ordinance 3314-2022. Vice Chair Douthit **SECONDED** the motion.

Director Best reported that Ordinance No. 3219-2021 provided for the conditional donation of a parcel of land to Triumvirate Theatre for the development of a theatre. He noted that Triumvirate's Executive Director has kept the City apprised of the theatre's progress, and that staff recommended approval.

Joe Rizzo, Triumvirate Theatre’s Executive Director, explained that they intend to hold off on construction until plans are complete and funding has been secured. He provided an update on the Triumvirate’s current finances, upcoming funding opportunities and projected timelines dependent on the funding.

Clarification was provided that Triumvirate is still in the conceptual drawings phase and that the design may change. Timelines for potential funding opportunities were explained in regards to how they affect their project schedule and prompted their current extension request, and that this extension will lengthen their time period to meet the conditions of the original donation to two years from the original deadline. It was noted that the length of time it would take to complete a survey was also a consideration in the extension request, and that the survey would need to be completed within a set timeframe.

VOTE:

YEA: Douthit, Halstead, Twait, Askin, Woodard

NAY: None.

MOTION PASSED UNANIMOUSLY.

F. PUBLIC HEARINGS

1. **Resolution PZ2022-23** – Recommending the Kenai City Council Enact Ordinance 3316-2022 Amending Kenai Municipal Code 14.20.150-Conditional Use Permits, To Further Clarify Roles And Responsibilities Of Applicants, The Planning Director, And The Planning Commission In The Conditional Use Process.

MOTION:

Vice Chair Douthit **MOVED** to approve Resolution PZ2022-23. Commissioner Woodard **SECONDED** the motion.

Director Best noted that the sectional analysis in the packet provided by Vice Mayor Glendening offers a good explanation of the proposed changes.

Vice Mayor Glendening explained the purpose of the Ordinance, how it could provide structure for discussions of conditional use permits (CUP) being granted, modified or denied. Clarification was provided on the proposed changes to code, including how the Commission does not have to give deference to the Planning Director’s recommendation; the definition of “deference”; and how the changes will promote a more thorough examination of the City’s land use table and code by the Commission.

There was discussion regarding the definition of “substantial evidence” and how it will be used to demonstrate that the decisions of the Commission come from evidence-based reasoning; the instructive benefits of the proposed language for new commissioners; and whether the proposed language would increase the potential for appeals of CUP decisions.

The Commission discussed #6 as outlined on the sectional analysis memorandum, which would “Amend 14.20.150(e) by adding language that clarifies that conditions placed on conditional use permits by the Commission must be based on applicable City Code,” and whether it could restrict the Commission’s ability to add conditions. Clarification was provided that City Code supports the Commission’s ability to place conditions on CUPs to ensure that they would be compatible with their surroundings.

It was noted that improvement to the CUP enforcement process was needed, but that this is currently limited by staff availability.

Chair Twait opened for public hearing; there being no one wishing to be heard, the public hearing was closed.

The purpose of the Ordinance for confirming the roles and responsibilities of the Planning and Zoning Commission in the CUP process was discussed.

Further clarification was provided on the #2 as outlined on the sectional analysis memorandum, "Amend 14.20.150(b) to require the City Manager report the results of any CUP application appeals made to him or her to the City Council"; it was noted this does not affect the Commission's responsibilities.

MOTION TO AMEND:

Vice Chair Douthit **MOVED** to amend the #6 on the sectional analysis memorandum of Resolution PZ2022-23 to read: "Amend 14.20.150(e) by adding language that clarifies that conditions placed on conditional use permits by the Commission ~~must~~ may be based on applicable City Code." Commissioner Woodard **SECONDED** the motion.

Clarification was provided that amendments can be made to the resolution and not the memorandum, and that the word "must" does not appear in 14.20.150(e). The motion was withdrawn with concurrence from the second.

VOTE:

YEA: Twait, Askin, Woodard, Douthit, Halstead

NAY: None.

MOTION PASSED UNANIMOUSLY.

I. **PENDING ITEMS** – None.

J. **REPORTS**

1. City Council – Vice Mayor Glendening reported on the actions of the September 7, 2022 City Council Meeting.
2. Kenai Peninsula Borough Planning – No report.
3. City Administration – Interim Planning Director Best reported on the following:
 - The new Planning Director starts next week.
 - No items have been submitted for the September 28, 2022 Planning & Zoning Commission Meeting.
 - The new Planning Assistant began this week and is being trained by the former Planning Assistant.
 - Discussed how code enforcement is very important but is limited by the current number of available staff, and that investing in that staff would benefit the City immensely.
 - This will be Interim Director Best's last meeting, and he expressed appreciation for City staff.

K. **ADDITIONAL PUBLIC COMMENTS** – None.

L. **INFORMATION ITEMS** – None.

M. **NEXT MEETING ATTENDANCE NOTIFICATION**

1. September 28, 2022

N. **COMMISSION COMMENTS & QUESTIONS**

Commissioner Woodard expressed appreciation for Interim Director Best's work with the City.

Commissioner Askin thanked Interim Director Best.

Commissioner Halstead noted that the sectional analysis of Ordinance 3316-2022 would be good information for new commissioners. Noted that enforcement is still an issue in the CUP process, and the differing opinions of the Commission is very beneficial to their discussions.

Vice Chair expressed appreciation for Interim Director Best.

Chair Twait asked about applications for Planning and Zoning Commission vacancies.

O. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 8:30 p.m.

Minutes prepared and submitted by:

Meghan Thibodeau
Deputy City Clerk

DRAFT

MEMORANDUM

TO: Planning and Zoning Commission
FROM: Linda Mitchell, Planning Director
DATE: October 5, 2022
SUBJECT: Beaver Loop Acres Addition No. 2 – Time Extension

John Segesser submitted a time extension request for Beaver Loop Acres Addition No. 2 Preliminary Plat. The preliminary plat is attached to this memorandum.

Beaver Loop Acres Addition No. 2 was given conditional approval of the preliminary plat by the Kenai Peninsula Borough Planning Commission on October 12, 2020, which granted a two-year preliminary plat approval to October 12, 2022. KPB 20.25.110(A), allows for a total approval time of six years and that expiration of the original plat approval or time extensions will require the submission of, and action on, a new preliminary plat. The Kenai Peninsula Borough requires concurrence from the City of Kenai before granting the extension request.

Due to the time constraint between the expiration of the preliminary plat and the next regularly scheduled Kenai Planning and Zoning Commission meeting, the Kenai Peninsula Borough has conditionally approved the time extension request on October 4, 2022, subject to a Notice of Decision from City of Kenai Planning and Zoning Commission.

If the Planning and Zoning Commission approves the time extension request, City staff will sign the Time Extension Approval.

Does the Commission approve the Beaver Loop Acres Addition No. 2 time extension?

Attachments

Extension Request

Aerial Map

Beaver Loop Acres Addition No. 2 Preliminary Plat

Kenai Peninsula Borough - Notice of Decision for Time Extension Request

Draft Time Extension Approval

From: seggy@ptialaska.net <seggy@ptialaska.net>
Sent: Monday, September 26, 2022 2:40 PM
To: Karrie Barone <kbarone@kenai.city>
Subject: Time Extension

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

Dear Planning,

I would like to request a time extension for Beaver Loop Acres Addition No. 2, KPB 2021-006. Thank you.

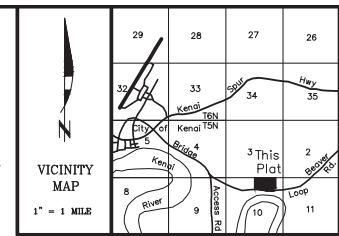
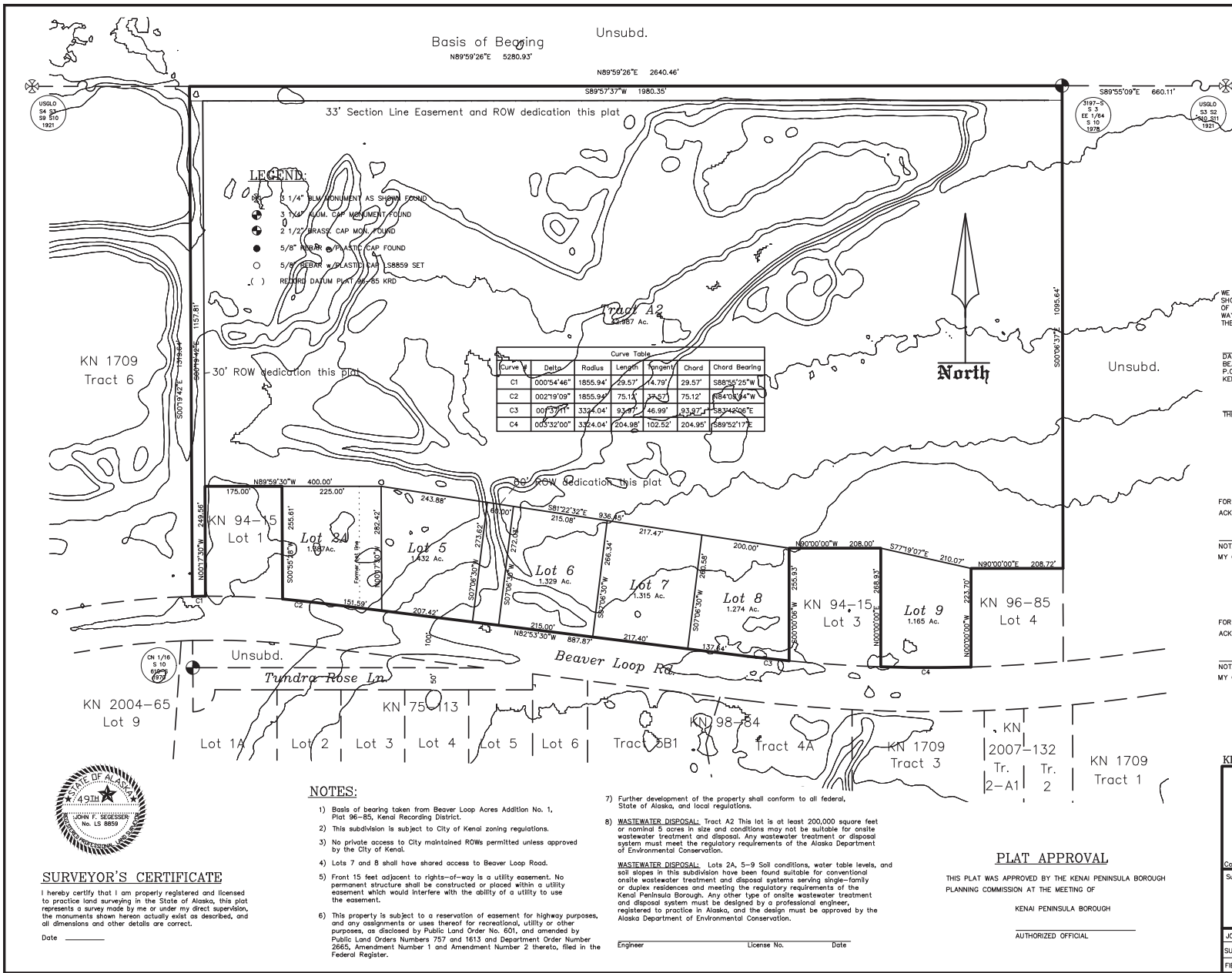
John F. Segesser
Segesser Surveys Inc
907-262-3909 Office
907-252-3421 Cell



Preliminary Plat Aerial Map Beaver Loop Acres Addition No. 2 Parcels 04912048 and 04912051



Data Source: Kenai Peninsula Borough. Data is for graphic representation only. Imagery may not match true parcel boundaries.



CERTIFICATE of OWNERSHIP and DEDICATION

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

DAVE 'FRAGU' MANAGER
BEAVER LOOP SAND AND GRAVEL LLC
P.O. BOX 1290
KENAI, ALASKA 99611

THE ESTATE OF PATRICK J. DOYLE DECEASED MARY DOYLE
2243 BEAVER LOOP ROAD
KENAI, ALASKA 99611

NOTARY'S ACKNOWLEDGEMENT

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

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGEMENT

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

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

Curve	Delta	Radius	Length	Chord	Chord Bearing
C1	000°54'46"	1855.94'	29.57'	14.79'	S88°50'25"W
C2	002°19'09"	1855.94'	75.14'	75.12'	S84°03'44"W
C3	007°37'11"	3324.04'	93.47'	46.99'	S53°42'06"E
C4	005°32'00"	3324.04'	204.98'	102.52'	S89°52'17"E



SURVEYOR'S CERTIFICATE

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

Date _____

NOTES:

- 1) Basis of bearing taken from Beaver Loop Acres Addition No. 1, Plat 96-85, Kenai Recording District.
- 2) This subdivision is subject to City of Kenai zoning regulations.
- 3) No private access to City maintained ROWs permitted unless approved by the City of Kenai.
- 4) Lots 7 and 8 shall have shared access to Beaver Loop Road.
- 5) Front 15 feet adjacent to rights-of-way is 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.
- 6) This property is subject to a 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, and amended by Public Land Orders Numbers 757 and 1613 and Department Order Number 2665, Amendment Number 1 and Amendment Number 2 thereto, filed in the Federal Register.

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

8) **WASTEWATER DISPOSAL:** Tract A2 This lot is at least 200,000 square feet or nominal 5 acres in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

WASTEWATER DISPOSAL: Lots 2A, 5-9 Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single-family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation.

Engineer _____ License No. _____ Date _____

PLAT APPROVAL

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

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL _____

KPB FILE No.

Beaver Loop Acres Addition No. 2

A re subdivision of Lot 2, Beaver Loop Acres Subdivision, Plat 94-15 and Tract A1, Beaver Loop Acres Addition No. 1, Plat 96-85, Kenai Recording District.

Located within the N1/2 NE1/4 Section 10, T5N, R11W, S.M., City of Kenai, Kenai Peninsula Borough, Alaska.

Containing 53.538 Ac.	Surveyor Segesser Surveys 30485 Rosland St. Soldotna, AK 99689 (807) 265-3809	Owner Beaver Loop Sand and Gravel LLC P.O. Box 1290 Kenai, Alaska 99611 Patrick and Mary Doyle 2243 Beaver Loop Rd. Kenai, Alaska 99611
JOB NO. 19213	DRAWN: 7-21-20	
SURVEYED: Aug, 2019	SCALE: 1"=100'	
FIELD BOOK: 19-3	SHEET: 1 of 1	



Planning Department

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

Mike Navarre
Borough Mayor

October 4, 2022

NOTICE OF DECISION TIME EXTENSION REQUEST

Re: Beaver Loop Acres Addition No 2
KPB File Number: 2020-049R1

In accordance with KPB 20.25.110, the Planning Director or designee, may approve time extension requests. The time extension request for Beaver Loop Acres Addition No 2 Preliminary Plat was approved. Conditional preliminary plat approval is now valid through October 12, 2024.

Subject to:

1. Notice of Decision from City of Kenai approving the time extension.
2. Copy of plat with current utility reviews being submitted with the final plat.
3. Plat must comply with current Kenai Peninsula Borough Code.

Please note that this time extension granted is the first of two extensions allowed, per KPB 20.25.110(A).

Please note that this time extension granted is the final of two extensions allowed, per KPB 20.25.110(A). If the plat is not finalized prior to the preliminary plat approval, the submission of, and action on, a new preliminary plat.

For additional information please contact the Planning Department, 907-714-2200 (1-800-478-4441 toll free within the Kenai Peninsula Borough).



KENAI

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

October 13, 2022

Kenai Peninsula Borough – Planning Department
Attn: Madeleine Quinton
144 North Binkley Street
Soldotna, AK 99669
mquinton@kpb.us

**RE: Beaver Loop Acres Addition No. 2
Time Extension Approval
KPB File 2020-049R1**

Dear Ms. Quinton:

On October 12, 2022, the City of Kenai Planning and Zoning Commission concur with a two-year time extension to finalize the plat for Beaver Loop Acres Addition No. 2 Preliminary Plat.

It is the understanding of the Planning and Zoning Commission, that KPB 20.25.110(A), allows for a total approval time of six years and that expiration of time extensions will require the submission of, and action on, a new preliminary plat. In addition, a preliminary plat located within city limits will require documentation from the city advisory planning commission indicating concurrence with the time extension.

If you have any questions regarding the time extension, please contact me at 907-283-8235 or lmitchell@kenai.city.

Sincerely,

Linda Mitchell
Planning Director



Kenai City Council - Regular Meeting

September 21, 2022 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

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

Action Agenda

A. CALL TO ORDER

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

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

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

D. PUBLIC HEARINGS

1. **ENACTED WITHOUT OBJECTION. Ordinance No. 3306-2022** - Amending Kenai Municipal Code 7.15.020 Purchases Requiring Council Approval, to Provide Increased Flexibility for the Administration to Conduct City Business while Maintaining Sufficient Safeguards to Protect the Public Interest. (Baisden)
2. **ENACTED AS AMENDED WITHOUT OBJECTION. Ordinance No. 3307-2022** - Amending Kenai Municipal Code 7.25.020 – City Budget Control, to Provide Increased Flexibility in the Expenditure of Funds and Management of City Budgets while Maintaining Adequate Internal Controls to Protect the Public’s Interest. (Baisden)
3. **ENACTED WITHOUT OBJECTION. Ordinance No. 3308-2022** - Accepting and Appropriating a Grant from the State of Alaska for the Purchase of Library Materials. (Administration)
4. **ENACTED WITHOUT OBJECTION. Ordinance No. 3309-2022** - Accepting and Appropriating Funds from the Public Library Association and AT&T for the Kenai Community Library’s Participation in the PLA Digital Literacy Workshop Training Incentive. (Administration)
5. **ENACTED WITHOUT OBJECTION. Ordinance No. 3310-2022** - Increasing Estimated Revenues and Appropriations in the General Fund, Police Department, for the Receipt of a Vehicle Forfeited to the State of Alaska. (Administration)
6. **ENACTED AS AMENDED WITHOUT OBJECTION. Ordinance No. 3311-2022** - Determining that Real Property Described as Lot 5, Block 1, Gusty Subdivision Addition No. 1, According to Plat No. 83-126 KR D, City-Owned Airport Land Located Outside the Airport Reserve, is not

Needed for a Public Purpose, Waiving KMC 22.05.095 Methods of Sale or Disposal and Authorizing the Sale of the Property to Aaron Swanson DBA Forever Business Plaza LLC. (Administration)

7. **ENACTED AS AMENDED BY SUBSTITUTE WITHOUT OBJECTION. Ordinance No. 3312-2022** - Determining Lot 4, Block 1, Gusty Subdivision Addition No. 1 Amended is not Needed for a Public Purpose and Approving the Execution of a Lease with an Option to Purchase between the City of Kenai and Aaron Swanson for the Property. (Administration)
 - **Substitute Ordinance No. 3312-2022** - Determining Lot 4, Block 1, Gusty Subdivision Addition No. 1 Amended is not Needed for a Public Purpose and Approving the Execution of a Lease with an Option to Purchase between the City of Kenai and Aaron Swanson DBA Forever Business Plaza, LLC. for the Property. (Administration)
8. **ENACTED WITHOUT OBJECTION. Ordinance No. 3313-2022** - Accepting and Appropriating Funds from the State of Alaska Department of Natural Resources, Division of Forestry and the United States Department of Agriculture, Forest Service to Support the City's Spruce Beetle Mitigation and Hazard Fuel Reduction Program and Authorizing the City Manager to Execute a Memorandum of Agreement for this Funding. (Administration)
9. **ENACTED AS AMENDED WITHOUT OBJECTION. Ordinance No. 3314-2022** - Extending the Time Period for Completion of the Action Items Necessary for the Conditional Donation of an Approximate 2 Acre Parcel to be Subdivided from a Portion of the 6.8 Acre More or Less Portion of the East of Tract 4A, Baron Park 2020 Replat (KPB Parcel No. 04501035) to Triumvirate Theatre for the Development of a Theatre Facility. (Administration)
10. **ENACTED WITHOUT OBJECTION. Ordinance No. 3315-2022** - Increasing Estimated Revenues and Appropriations in the General Fund and Public Safety Capital Project Fund for Costs in Excess of Budgeted Amounts for the fire Department Apparatus Bay Floor Refinishing Project. (Administration)
11. **POSTPONED TO 10/5/2022 WITH A MOTION TO AMEND ON THE FLOOR. Ordinance No. 3316-2022** - Amending Kenai Municipal Code 14.20.150-Conditional Use Permits, to Further Clarify Roles and Responsibilities of Applicants, the Planning Director, and the Planning Commission in the Conditional Use Process. (Glendening)
12. **POSTPONED TO 10/5/2022. Resolution No. 2022-64** - Approving the Renewal of a Lease Utilizing a Non-Standard Lease Form on Airport Reserve Lands Between the City of Kenai and the Federal Aviation Administration for the Automated Flight Service Station and Satellite Communication Network Facilities on Lot 7A-1 FBO Subdivision No. 5. (Administration)
13. **ADOPTED WITHOUT OBJECTION. Resolution No. 2022-65** - Approving the Use of the Fleet Replacement Fund for the Purchase of Four Ford Police Interceptors Utilizing the State of Alaska Equipment Fleet Contract. (Administration)
14. **ADOPTED WITHOUT OBJECTION. Resolution No. 2022-66** - Amending the Kenai Municipal Airport Aircraft Parking Fees. (Administration)
15. **ADOPTED WITHOUT OBJECTION. Resolution No. 2022-67** - Allowing the City of Kenai, City Manager to Execute Federal Aviation Administration Grant Agreement for Airport Improvement Program Project No. 3-02-0142-072-2022 at the Kenai Municipal Airport. (Administration)
16. **ADOPTED WITHOUT OBJECTION. Resolution No. 2022-68** - Authorizing A FY2022 Budget Transfer in the Airport Fund, Airfield Department for Amounts in Excess of Budgeted Amounts Caused by Employee Retirement and Above Average Snow Removal Activity During the Fiscal Year. (Administration)

17. **ADOPTED WITHOUT OBJECTION. Resolution No. 2022-69** - Authorizing a FY2022 Budget Transfer in the General Fund, Street Department for Amounts in Excess of Budgeted Amounts Caused by Above Average Snow Removal Activity During the Fiscal Year. (Administration)

E. MINUTES

1. *Regular Meeting of September 7, 2022. (City Clerk)

F. UNFINISHED BUSINESS

G. NEW BUSINESS

1. ***Action/Approval** - Bills to be Ratified. (Administration)
2. ***Action/Approval** - Special Use Permit for Corvus Airlines, Inc. DBA Ravn Alaska, LLC. for Use of 1,200 Square Feet of Warm Storage of a De-Ice Vehicle. (Administration)
3. ***Ordinance No. 3317-2022** - Increasing Estimated Revenues and Appropriations in the Airport Fund and Appropriating Funds in the Airport Snow Removal Equipment Capital Project Fund for the Purchase of Snow Removal Equipment Attachments and Installation of a Gate. (Administration)
4. **APPROVED AS AMENDED WITHOUT OBJECTION. Action/Approval** - Appointment of the October 4, 2022 Election Precinct Boards for the October 4, 2022 Regular City Election. (City Clerk)
5. **APPROVED WITHOUT OBJECTION. Action/Approval** - Kenai Senior Center as a Residual Beneficiary of the Tamera Diane Cone Testamentary Trust – Options for Management of Funds. (Administration)

H. COMMISSION / COMMITTEE REPORTS

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

I. REPORT OF THE MAYOR

1. Childhood Cancer Awareness Proclamation
2. Government Finance Officers Association Letter

J. ADMINISTRATION REPORTS

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

K. ADDITIONAL PUBLIC COMMENTS

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

2. Council Comments

L. **EXECUTIVE SESSION**

1. Discussion for Resolving Delinquent Special Assessment Districts. Pursuant to AS 44.62.310(c)(1) a Matter of which the Immediate Knowledge may have an Adverse Effect upon the Finances of the City. (Administration)

M. **PENDING ITEMS**

N. **ADJOURNMENT**

O. **INFORMATION ITEMS**

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

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

Join Zoom Meeting

<https://us02web.zoom.us/j/87092139083>

Meeting ID: 870 9213 9083 **Passcode:** 972752

OR

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

Meeting ID: 870 9213 9083 **Passcode:** 972752



Kenai City Council - Regular Meeting

October 05, 2022 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

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

Agenda

A. CALL TO ORDER

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

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

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

1. "Kenai Police Department Accreditation" Scott Hayes, Executive Director of Oregon Accreditation Alliance.

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

D. PUBLIC HEARINGS

1. **ENACTED WITHOUT OBJECTION. Ordinance No. 3317-2022** - Increasing Estimated Revenues and Appropriations in the Airport Fund and Appropriating Funds in the Airport Snow Removal Equipment Capital Project Fund for the Purchase of Snow Removal Equipment Attachments and Installation of a Gate. (Administration)
2. **ADOPTED WITHOUT OBJECTION. Resolution No. 2022-70** - Authorizing Changes to the Payment Terms of the Set Net Drive Street Improvement Special Assessment District, the Aliak, Mccollum, Japonski Streets Improvement Special Assessment District, the Thompson Park, Beaver Creek Alaska, Mack, Valhalla Heights and Sunset Rim Subdivisions Street Improvement Special Assessment District, the South Ames Road LID Street Improvement District, and the James Street and Kiana Lane Improvement Special Assessment District in an Effort to Resolve the Remaining Delinquent Accounts of the Districts. (Administration)
3. **ADOPTED WITHOUT OBJECTION. Resolution No. 2022-71** - Authorizing the City Manager to Execute a Grant from the Alaska Department of Commerce, Community, and Economic Development, Division of Community and Regional Affairs for the Kenai Bluff Stabilization Project. (Administration)
4. **ADOPTED WITHOUT OBJECTION. Resolution No. 2022-72** - Authorizing a Budget Transfer on the General Fund Decreasing City Manager Contingency, Increasing Non-Departmental

Professional Services, and Authorizing a Change to a Purchase Order to Larson Engineering & Design for Tower Study. (Administration)

E. MINUTES

1. *Joint Work Session of September 21, 2022. (City Clerk)
2. *Regular Meeting of September 21, 2022. (City Clerk)

F. UNFINISHED BUSINESS

1. **ENACTED. Ordinance No. 3316-2022** - Amending Kenai Municipal Code 14.20.150- Conditional Use Permits, to Further Clarify Roles and Responsibilities of Applicants, the Planning Director, and the Planning Commission in the Conditional Use Process. (Glendening) [**Clerk's Note: At the September 21, 2022 City Council Meeting, this Ordinance was Postponed to this Meeting; Motions to Enact and a Motion to Amend are on the Floor.**]
2. **POSTPONED TO 10/19/2022. Resolution No. 2022-64** - Approving the Renewal of a Lease Utilizing a Non-Standard Lease Form on Airport Reserve Lands Between the City of Kenai and the Federal Aviation Administration for the Automated Flight Service Station and Satellite Communication Network Facilities on Lot 7A-1 FBO Subdivision No. 5. (Administration) [**Clerk's Note: At the September 21, 2022 City Council Meeting, this Resolution was Postponed to this Meeting; a Motion to Adopt is on the Floor.**]

G. NEW BUSINESS

1. ***Action/Approval** - Bills to be Ratified. (Administration)
2. ***Action/Approval** - Purchase Orders Over \$15,000. (Administration)
3. ***Action/Approval** – Consent to Assignment and Assumption of Lease Agreement of ADL 37765, ATS 770, to TK Enterprises, LLC. (Administration)
4. ***Ordinance No. 3318-2022** – Renaming and Amending Kenai Municipal Code Chapter 7.30 Land Sale Permanent Funds to Establish the Kenai Senior Center Cone Memorial Trust and Directing All Proceeds Received as a Residual Beneficiary from the Tamara Diane Cone Testamentary Trust to be Deposited into such Fund. (Administration)
5. ***Ordinance No. 3319-2022** - Increasing Estimated Revenues and Appropriations in the Kenai Bluff Erosion Capital Project Fund for Construction of the Kenai Bluff Stabilization Project. (Administration)
6. **REFERRED TO EMPLOYEE SUBCOMMITTEE. Discussion** – City Manager Job Description (Mayor Gabriel)

H. COMMISSION / COMMITTEE REPORTS

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

I. REPORT OF THE MAYOR

J. ADMINISTRATION REPORTS

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

K. ADDITIONAL PUBLIC COMMENTS

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

L. EXECUTIVE SESSION

M. PENDING ITEMS

N. ADJOURNMENT

O. INFORMATION ITEMS

1. Purchase Orders Between \$2,500 and \$15,000.
2. CIRCAC Director's Report

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Meeting ID: 846 1046 7586 **Passcode:** 499690

OR

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

Meeting ID: 846 1046 7586 **Passcode:** 499690



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Planning Commission

Jeremy Brantley, Chair – District 5 Sterling/Funny River
Blair Martin, Vice Chair – District 2 Kenai
Pamela Gillham – District 1 Kalifornsky
Virginia Morgan, Parliamentarian – District 6 East Peninsula
John Hooper – District 3 Nikiski
Michael Horton – District 4 Soldotna
VACANT – District 7 Central
David Stutzer – District 8 Homer
Dawson Slaughter – District 9 South Peninsula
Diane Fikes – City of Kenai
Franco Venuti – City of Homer
Charlene Tautfest – City of Soldotna
Troy Staggs – City of Seward
VACANT – City of Seldovia

Monday, October 10, 2022

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

2. Planning Commission Resolutions

[KPB-4621](#) Planning Commission Resolution 2022-44
Street Naming Resolution 2022-03

Attachments: [C2. Resolutions Packet](#)

3. Plats Granted Administrative Approval

[KPB-4649](#) a. Cohoe Estates Subdivision 2021 Addition; KPB File 2021-117
b. Herrin Subdivision Red Lake Replat; KPB File 2022-042
c. Murray Subdivision 2022 Replat; KPB File 2021-154
d. Townsley Subdivision; KPB File 2022-030

Attachments: [C3. Administrative Approvals Packet](#)

4. Plats Granted Final Approval (KPB 20.10.040)

5. Plat Amendment Request

6. Commissioner Excused Absences

7. Minutes

[KPB-4650](#) September 26, 2022 Planning Commission Meeting Minutes

Attachments: [C7. 092622 PC Meeting Minutes](#)

D. OLD BUSINESS

E. NEW BUSINESS

1. [KPB-4651](#) Build Setback Encroachment Permit; KPB File 2022-143
Lot 15, Block 5 Lake View Terrace No. 2
PC Resolution 2022-45

Attachments: [E1. Lake View Terrace No. 2 Packet](#)

2. [KPB-4652](#) Right-Of-Way Vacation; KPB File 2022-136V
Ciccone Street & Associated Utility Easement

Attachments: [E2. ROWV Ciccone St. Packet](#)

F. PLAT COMMITTEE REPORT

G. OTHER

[KPB-4653](#) Annual Review of KPB 21.18
Kenai River Center

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

[KPB-4654](#) October 10, 2022 Director's Report

J. COMMISSIONER COMMENTS

K. ADJOURNMENT

**MISCELLANEOUS INFORMATIONAL ITEMS
NO ACTION REQUIRED**

[KPB-4655](#) Advisory Planning Commission Meeting Minutes

Attachments: [Misc. Information](#)

NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING

The next regularly scheduled Planning Commission meeting will be held Monday, October 24, 2022 in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at 7:30 p.m.

CONTACT INFORMATION

KENAI PENINSULA BOROUGH PLANNING DEPARTMENT

Phone: 907-714-2215

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

Fax: 907-714-2378

e-mail address: planning@kpb.us

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, September 26, 2022

6:00 PM

Betty J. Glick Assembly Chambers

Zoom Meeting ID: 907 714 2200

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

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

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

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA, EXCUSED ABSENCES, AND MINUTES

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

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

[KPB-4601](#) September 12, 2022 Plat Committee Minutes

Attachments: [C3. 091222 Plat Minutes](#)

D. OLD BUSINESS

E. NEW BUSINESS

1. [KPB-4602](#) Corea Bend Subdivision 2022 Addition; KPB File 2022-131
Attachments: [E1. Corea Bend Sub 2022 Addn Packet](#)
2. [KPB-4603](#) Trout View Subdivision; KPB 2022-127
Attachments: [E2. Trout View Sub Packet](#)
3. [KPB-4604](#) Granross Grove 2022 Replat; KPB File 2022-134
Attachments: [E3. Granross Grove 2022 Replat Packet](#)
4. [KPB-4605](#) Hesketh Southwest; KPB File 2022-135
Attachments: [E4. Hesketh Southwest Packet](#)
5. [KPB-4606](#) Baltic Woods Lot 2 Replat; KPB File 2022-128
Attachments: [E5. Baltic Woods Lot 2 Replat Packet](#)
6. [KPB-4607](#) Baywood 2022; KPB File 2022-129
Attachments: [E6. Baywood 2022 Packet](#)
7. [KPB-4608](#) Spruce Woods Lot 1 Replat; KPB File 2022-132
Attachments: [E7. Spruce Woods Lot 1 Replat Packet](#)
8. [KPB-4609](#) Whal Subdivision; KPB File 2022-092R1
Attachments: [E8. Wahl Subdivision 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, October 10, 2022 in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at 7:30 p.m.

KENAI PENINSULA BOROUGH PLANNING DEPARTMENT

Phone: 907-714-2215

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

Fax: 907-714-2378

e-mail address: planning@kpb.us

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

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

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



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Planning Commission

Jeremy Brantley, Chair – District 5 Sterling/Funny River
Blair Martin, Vice Chair – District 2 Kenai
Pamela Gillham – District 1 Kalifornsky
Virginia Morgan, Parliamentarian – District 6 East Peninsula
John Hooper – District 3 Nikiski
Michael Horton – District 4 Soldotna
VACANT – District 7 Central
David Stutzer – District 8 Homer
Dawson Slaughter – District 9 South Peninsula
Diane Fikes – City of Kenai
Franco Venuti – City of Homer
Charlene Tautfest – City of Soldotna
Troy Staggs – City of Seward
VACANT – City of Seldovia

Monday, September 26, 2022

7:30 PM

Betty J. Glick Assembly Chambers

Zoom Meeting ID: 907 714 2200

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A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF CONSENT AND REGULAR AGENDA

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1. Time Extension Request
2. Planning Commission Resolutions
3. Plats Granted Administrative Approval

- [KPB-4610](#)
- a. Alaskan Wildwood East; KPB File 2021-126
 - b. Alaskan Wildwood West Subdivision; KPB File 2021-127
 - c. Moose Range Meadows Penny's Place; KPB File 2021-167

Attachments: [C3. Administrative Approvals](#)

4. Plats Granted Final Approval (KPB 20.10.040)

- [KPB-4611](#)
- a. Denise Lake Estates 2022 Replat; KPB File 2022-103
 - b. Kristine Subdivision Jahrig Addition; KPB File 2022-090

Attachments: [C4. Final Approvals](#)

5. Plat Amendment Request
6. Commissioner Excused Absences
7. Minutes

[KPB-4612](#) September 12, 2022 Planning Commission Minutes

Attachments: [C7. 091222 PC Minutes](#)

D. OLD BUSINESS

E. NEW BUSINESS

1. [KPB-4613](#) Utility Easement Vacation; KPB File 2022-133V
Request: Vacate a 112.2' by 3' portion of a utility easement granted on Scenic View Subdivision Scenic Grow Addn. No. 1 2013 Replat; Plat HM 2013-43
Attachments: [E1. UEV Scenic View Subdivision](#)
2. [KPB-4614](#) Right-of-way Vacation; KPBFilE 2022-130V
Request Vacate the entire cul-de-sac where Lothrop Park Dr. & Ivy Ave meet at Lot 1, Block 4 of Leisure Time Estates; Plat HM 80-32
Attachments: [E2. ROWV Leisure Time Estate](#)
3. [KPB-4615](#) Conditional Use Permit; PC Resolution 2022-44
Applicant; Tutka, LLC
Landowner: Alaska Department of Natural Resources
PIN 125-324-13; Moose Pass Area
Attachments: [E3. CLUP Lawing Airport Quarry](#)
[E3. CLUP Desk Packet](#)
4. [KPB-4616](#) Street Naming Resolution 2022-03
Renaming certain public rights-of-way within Emergency Service Numbers 202, 302 & 401 (Kalifornsky, Diamond Ridge & Anchor Point Communities)
Attachments: [E4. SN RES 2022-03](#)
5. [KPB-4617](#) Ordinance 2022-19-17: Authorizing the acquisition of real property located at 3964 Bartlett Street, Homer, Alaska on behalf of the South Peninsula Hospital Service Area, appropriating \$640,000.00 from the South Peninsula Hospital Plant Replacement & Expansion Fund for the purchase, and authorizing a third amendment to the operating agreement with SPH, Inc.
Attachments: [E5. Bartlett Acquisition Packet](#)

F. PLAT COMMITTEE REPORT

G. OTHER**H. PUBLIC COMMENT/PRESENTATION**

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

I. DIRECTOR'S COMMENTS

[KPB-4618](#) 9/26/22 Director's Report

Attachments: [Director's Report_092622](#)

J. COMMISSIONER COMMENTS**K. ADJOURNMENT****MISCELLANEOUS INFORMATIONAL ITEMS****NO ACTION REQUIRED**

[KPB-4619](#) Advisory Planning Commission Meeting Minutes

Attachments: [Misc. Info APC Meeting Minutes](#)

NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING

The next regularly scheduled Planning Commission meeting will be held Monday, October 10, 2022 in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at 7:30 p.m.

CONTACT INFORMATION**KENAI PENINSULA BOROUGH PLANNING DEPARTMENT**

Phone: 907-714-2215

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

Fax: 907-714-2378

e-mail address: planning@kpb.us

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

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Meeting Agenda Plat Committee

Monday, October 10, 2022

6:00 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.
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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
3. Minutes

[KPB-4658](#) September 26, 2022 Plat Committee Meeting Minutes

Attachments: [C3. 092622 PC Minutes](#)

D. OLD BUSINESS

E. NEW BUSINESS

1. [KPB-4659](#) Clam Gulch Heights 2022 Addition; KPB File 2022-136

Attachments: [E1. Clam Gulch Heights 2022 Addn Packet](#)

2. [KPB-4660](#) Kachemak Estates 17; KPB File 2022-144

Attachments: [E2. Kachemak Estates 17 Packet](#)

3. [KPB-4661](#) Stutes Estates; KPB File 2022-139

Attachments: [E3. Stutes Estates 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, October 24, 2022 in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at 7:30 p.m.

KENAI PENINSULA BOROUGH PLANNING DEPARTMENT

Phone: 907-714-2215

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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. The deadline to submit written comments does not impact the ability to provide verbal testimony at the public hearing. The Planning Commission will not accept handouts or other materials from the public at the meeting. 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.