



Kenai Planning & Zoning Commission - Regular Meeting

September 11, 2019 – 7:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

<https://www.kenai.city>

AGENDA

A. CALL TO ORDER

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

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

B. APPROVAL OF MINUTES

1. *August 28, 2019

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 PZ2019-36** – Original Preliminary Plat of Bridge Road Subdivision 2019 Replat, submitted by McLane Consulting, Inc., P.O. Box 468, Soldotna, AK 99669, on behalf of Peninsula Mini Storage LLC, 47 Spur View Dr., Kenai, AK 99611.

F. PUBLIC HEARINGS

G. UNFINISHED BUSINESS

H. NEW BUSINESS

1. **Resolution PZ 2019-38** – Application for Transfer of Conditional Use Permit PZ15-28, for Professional Office in a Rural Residential Zone, from Clifford and Kristin Smith, to VIP Monitoring Services, LLC, located at 2785 Beaver Loop Road, and described as a portion of the NW ¼, Section 11, Township 5 North, Range 11 West, Seward Meridian.

I. PENDING ITEMS

J. REPORTS

1. City Council
2. Borough Planning
3. Administration

K. ADDITIONAL PUBLIC COMMENT

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

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

L. INFORMATIONAL ITEMS

M. NEXT MEETING ATTENDANCE NOTIFICATION

1. September 25, 2019

N. COMMISSION COMMENTS AND QUESTIONS

O. ADJOURNMENT

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
AUGUST 28, 2019 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVENUE, KENAI, ALASKA
CHAIR JEFF TWAIT, PRESIDING**

MINUTES

A. CALL TO ORDER

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

1. Pledge of Allegiance

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

2. Roll Call

Commissioners present: Chair J. Twait, Vice-Chair D. Fikes, R. Springer, J. Halstead, V. Askin, T. McIntyre, G. Greenberg

Commissioners absent: None.

Staff/Council Liaison present: City Planner E. Appleby, Planning Assistant W. Anderson, City Clerk J. Heinz, City Attorney S. Bloom, Council Liaison B. Molloy

A quorum was present.

3. Agenda Approval

The following revisions to the agenda were noted:

Move item F.1. to Resolution No. PZ2019-33
H.1. as a discussion item.

MOTION:

Commissioner Askin **MOVED** to approve the agenda and Commissioner Fikes **SECONDED** the motion.

MOTION TO AMEND:

Commissioner Fikes **MOVED** to amend the agenda by moving item F.1. to New Business as a discussion item and Commissioner Askin **SECONDED** the motion.

There were no objections on the amendment; **SO ORDERED.**

There were no objections on the motion as amended; **SO ORDERED.**

4. Consent Agenda

MOTION:

Commissioner Askin **MOVED** to approve the consent agenda and Commissioner Fikes **SECONDED** the motion. There were no objections; **SO ORDERED.**

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

5. *Excused absences – None.

B. APPROVAL OF MINUTES

1. *August 14, 2019

The minutes were approved by the Consent Agenda.

C. SCHEDULED PUBLIC COMMENT – None.

D. UNSCHEDULED PUBLIC COMMENT – None.

E. CONSIDERATION OF PLATS – None.

F. PUBLIC HEARINGS

1. **Resolution PZ2019-33** - Recommending the Kenai City Council Amend Kenai Municipal Code 14.20.175 – Adult Businesses, to Increase the Buffer Distances Between Adult Businesses and Sensitive Uses from 500 Feet to 1,000 Feet and Define Sensitive Uses.

[Clerk's Note: This item was moved to item H.1. during agenda approval.]

G. UNFINISHED BUSINESS – None.

H. NEW BUSINESS

[Clerk's Note: This item was moved to item H.1. during agenda approval.]

1. **Discussion** - Resolution PZ2019-33 - Recommending the Kenai City Council Amend Kenai Municipal Code 14.20.175 – Adult Businesses, to Increase the Buffer Distances Between Adult Businesses and Sensitive Uses from 500 Feet to 1,000 Feet and Define Sensitive Uses.

City Attorney Bloom noted an ordinance had been introduced to change the zoning of adult businesses adding that naked dancing was protected under federal and state constitutions as a

form of expression. He provided an overview of an Alaska Superior Court ruling and the guidance it provided in narrowly tailoring regulations to combat harmful secondary effects of adult oriented businesses which was a compelling government interest and providing an evidence-based analysis demonstrating restriction was combatting harmful secondary effects. He reviewed case law which provided that buffers could not be crafted in a way that less than five percent of property in the City would be available for the use of adult oriented businesses noting that the proposed ordinance increased the buffer from 500 to 1,000-feet which would leave approximately six percent available. He added that, as currently written, the Code provided for adult establishments as an allowed use without a Conditional Use Permit and that would remain the case in the proposed ordinance, which expanded the buffer and provided more defined sensitive uses such as libraries, schools, etc. Mr. Bloom provided examples of evidence based decisions from other cities and a legal review which showed the difficulty in achieving the five percent requirement and why that requirement should not be applied to rural communities such as ours. He noted a report from Mt. Vernon, which discussed the evidence they found, and the process used to obtain the evidence. The final report Mr. Bloom provided showed evidence from New York where the harmful secondary effects can have impacts up to 1,000-feet and more likely even 1,500-feet from adult businesses.

Mr. Bloom noted that, when looking at adult oriented businesses in the Kenai Municipal Code, the regulations were detailed, out of date, and a lot potentially need to be changed but Council Member Pettey wanted to propose initial action now and may want to propose additional action later. He added that there was case law where a distinction was made between a business periodically featuring adult oriented material such as an occasional show, and a business which was in the business of featuring adult oriented material.

Clarification was provided that a recommendation from the Planning & Zoning Commission was legally required in the amendment of the zoning law.

Clarification was also provided on certain constitutional protections and how the percentage of available land was calculated.

I. **PENDING ITEMS** – None.

J. **REPORTS**

1. **City Council** – Council Member Molloy noted the decisions on Ordinance No. 3083-2019 relating to the adult oriented businesses discussed and the potential for its referral to the Planning and Zoning Commission, reviewed the action agenda from the August 21 City Council meeting, and noted the recommendation for hours of operation for Marijuana Retail Stores would be a discussion item at Council's meeting September 4.
2. **Borough Planning** – Vice-Chair Fikes reported action from the August 26 Borough Planning Commission and Platting Committee meetings.
3. **Administration** – City Planner Appleby reported on the following:
 - Noted the department had received two inquiries on the adult business ordinance and if it was related to marijuana;
 - Noted the supplemental information for the ordinance related to adult businesses was also available online;
 - Noted an increase in complaints on gravel pits and most were resolved;

- Work was ongoing on material for a sign code ordinance and would schedule another work session; and
- Work on the Lands Management Plan was also ongoing.

K. ADDITIONAL PUBLIC COMMENT – None.

L. INFORMATIONAL ITEMS – None.

M. NEXT MEETING ATTENDANCE NOTIFICATION – September 11, 2019

Commission Chair Twait and Commissioner Springer noted they would be absent from the September 11 meeting.

N. COMMISSION COMMENTS & QUESTIONS

Vice Chair Fikes thanked Council and administration for the iPads.

O. ADJOURNMENT

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

Minutes prepared and submitted by:

Jamie Heinz, CMC
City Clerk



"Village with a Past, City with a Future"

210 Fidalgo Ave, Kenai, Alaska 99611-7794
Telephone: (907) 283-7535 | Fax: (907) 283-3014
www.kenai.city

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| STAFF REPORT |
| <p>To: Planning & Zoning Commission</p> <p>From: Elizabeth Appleby, City Planner</p> <p>Date: September 6, 2019</p> <p>Subject: Resolution PZ2019-36 – Preliminary Subdivision Plat – Bridge Road Subdivision 2019 Replat</p> |

| | |
|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Applicants: | Peninsula Mini Storage LLC 47 Spur View Drive Kenai, AK 99611 SBC Development Group, Inc. 42115 Kalifornsky Beach Rd., Suite B Soldotna, AK 99669 |
| Submitted By: | McLane Consulting, Inc. P. O. Box 468 Soldotna, AK 99669 |
| Requested Action: | Preliminary Subdivision Plat – Bridge Road Subdivision 2019 Replat |
| Legal Description: | Lot 7A, Block 1, Bridge Road Subdivision Lockwood Addition Lot 4, 5, 6, and Tract A, Block 1, Bridge Road Subdivision No 2 |
| Property Address: | 1345 Bridge Access Rd. 1249 Bridge Access Rd. 1217 Bridge Access Rd. 1185 Bridge Access Rd. 514 Van Antwerp Ave. |
| KPB Parcel No: | 04901323 04901306 04901305 04901304 04901309 |

| | |
|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Lot Size: | 3.367 acres (146,667 square feet) 1.54 acres (67,082 square feet) 1.54 acres (67,082 square feet) 1.54 acres (67,082 square feet) 5.01 acres (218,236 square feet) |
| Existing Zoning: | Heavy Industrial (IH) |
| Current Land Use: | Mini Storage Facility and Vacant Lot |
| Land Use Plan: | Industrial |

GENERAL INFORMATION

The applicants, Peninsula Mini Storage LLC, owners of Tract A, Lots 5 and 6, Block 1, Bridge Road Subdivision No. 2 and Lot 7A, Block 1, Bridge Road Subdivision Lockwood Addition; and SBC Development Group, Inc., owner of Lot 4, Block 1, Bridge Road Subdivision No. 2 have submitted a plat that would vacate the property lines between the four lots and Tract A to create two lots.

Peninsula Mini Storage LLC will own the tract referred to as Tract A-1, Block 1, of the proposed preliminary plat of Bridge Road Subdivision 2019 Replat. The tract encompasses 12.014 acres (approximately 523,330 square feet) and meets requirements of the Heavy Industrial (IH) zone. Peninsula Mini Storage LLC has applied for three building permits to construct four additional storage units.

SBC Development Group, Inc. will own the lot referred to as Lot 4-A, Block 1, of the proposed preliminary plat of Bridge Road Subdivision 2019 Replat. This tract encompasses 0.992 acres (approximately 43,212 square feet) and meets the requirements of the Heavy Industrial zone. SBC Development Group, Inc. has submitted a building permit to construct a building which they will lease to a third party.

Application, Public Notice, Public Comment

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

The property owners completed the City of Kenai preliminary plat submittal form. City staff deemed the application to be complete. The City of Kenai follows *Kenai Peninsula Borough Code 20.25.070* and *20.25.080* for preliminary plat submittal requirements.

City staff published notice of the consideration of the plat as part of the agenda for the City of Kenai Planning and Zoning Commission in the *Peninsula Clarion*. No public comments have been received as of September 6, 2019.

ANALYSIS

Access to the proposed Tract A-1 is via Bridge Access Road and Beaver Loop Road which are paved roads maintained by the State of Alaska. Tract 4-A is provided access via Bridge Access Road. The property owner has a permit from the State of Alaska, Department of Transportation to develop a driveway off of Bridge Access Road. The proposed plat does not dedicate any additional rights-of-way. Street names are denoted accurately on the preliminary plat.

City of Kenai water and sewer lines are within the right-of-way of Bridge Access Road; however, City Council enacted Ordinance 2009-2017 granting the property owner an exception to *KMC 17.10 Connection to Public Water System and KMC 17.20 Connection to Public Sewer System*. This exception affects a portion of Tract A-1 that is proposed to be formerly known as Lot 7A, Block 1, Bridge Road Subdivision Lockwood Addition). The agreement states it is to move with the property. The City would follow through to get a new agreement in place following the finalization of the plat. The City Public Works Director approves of the plans for water and sewer connection. An installation agreement is not required.

A ten foot (10') utility easement runs along the perimeter of Tract A-1 and the southwesterly ten feet (10') of Lot A-4 of the proposed plat. A ten foot (10') utility easement centered on the new lot line of Lot A-4 is proposed to be added to the plat. In addition, a twenty foot (20') utility easement that runs across the middle of Tract A-1 is proposed to be vacated. These changes meet City Code and would allow for orderly development of the new parcel. City staff does not object and would plan to recommend approval of the easement changes to City Council.

Based upon the submitted materials and this review, the preliminary plat meets requirements of *KMC Subdivision design standards* and *KMC 14.10.080 Minimum improvements required under Chapter 14.10 Subdivision Regulations*. City staff recommends a condition of approval for the property to conform to all federal, State of Alaska, and local regulations.

RECOMMENDATIONS

City staff recommends approval of the preliminary plat of Bridge Road Subdivision 2019 Replat, subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. A City of Kenai Water and Sewer Waiver Agreement be signed for the new parcel with the new owner.

ATTACHMENTS

1. Draft Resolution No. PZ2019-36
2. Preliminary Plat (Exhibit A)
3. Application
4. Map



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2019 - 36**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **RECOMMENDING** THAT BRIDGE ROAD SUBDIVISION 2019 REPLAT ATTACHED HERETO AS EXHIBIT "A" BE APPROVED SUBJECT TO THE CONDITIONS OUTLINED BELOW.

WHEREAS, the City of Kenai received the plat attached as Exhibit A from McLane Consulting, Incorporated; and,

WHEREAS, the plat meets City Code requirements of the Heavy Industrial Zone; and,

WHEREAS, the plat accurately represents street names and surrounding properties; and,

WHEREAS, the plat will not change the existing access to the properties; and,

WHEREAS, Bridge Access Road and Beaver Loop Road, which are paved and State-maintained roads, provide access to the property; and,

WHEREAS, the plat proposes changes to utility easements that would allow for orderly development of the property; and,

WHEREAS, City water and sewer lines are located within the right-of-way of Bridge Access Road and City Council enacted Ordinance 2009-2017 granting the property owner an exception to *KMC 17.10 Connection to Public Water System and KMC 17.20 Connection to Public Sewer System*, and this exemption is to stay with the property; and,

WHEREAS, an installation agreement is not required; and,

WHEREAS, the applicant will obtain a building permit from the City of Kenai prior to construction in order to follow local regulations; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to Kenai Municipal Code 14.10.070 Subdivision design standards, the plat conforms to the minimum street widths, an easement is sufficiently provided for utilities, the proposed lot would be arranged to provide satisfactory and desirable building sites, and the proposed lot meets standards for connection to City water and sewer lines.
 2. Pursuant to Kenai Municipal Code 14.10.080 Minimum improvements required, there is adequate access and facilities available to the proposed parcel. An installation agreement is not required.
-

3. Pursuant to Kenai Municipal Code 14.24.010 Minimum lot area requirements, the lot meets City standards for minimum lot sizes.
4. Pursuant to Kenai Municipal Code 14.24.020 General Requirements, the lots meet City standards for minimum lot width, maximum lot coverage, maximum height, and setbacks.

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

Section 1. That the Bridge Road Subdivision 2019 Replat attached as Exhibit "A" be approved subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. A City of Kenai Water and Sewer Waiver Agreement be signed for the new parcel with the new owner.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 11th day of September, 2019.

JEFF TWAIT, CHAIRPERSON

ATTEST:

JAMIE HEINZ, CITY CLERK

NOTES

1. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
2. NO DIRECT ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES.
3. BUILDING SET BACK - A BUILDING SET BACK OF 20 FT. IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
4. THE FRONT 10 FEET OF THE 20 FOOT BUILDING SETBACK AND THE ENTIRE SETBACK WITHIN 5 FEET OF THE SIDE LOT LINES IS ALSO A UTILITY EASEMENT.
5. ROADS MUST MEET THE DESIGN AND CONSTRUCTION STANDARDS ESTABLISHED BY THE CITY OF KENAI IN ORDER TO BE CONSIDERED FOR CERTIFICATION AND INCLUSION IN THE ROAD MAINTENANCE PROGRAM.
6. DEVELOPMENT MUST MEET THE CITY OF KENAI CHAPTER 14 ZONING CODE REQUIREMENTS.

CERTIFICATE OF OWNERSHIP AND DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT PENINSULA MINI STORAGE LLC., IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED AS LOTS 5-6 AND TRACT A BLOCK 1 BRIDGE ROAD SUBDIVISION NUMBER TWO (KN84-68) AND LOT 7A BLOCK 1 BRIDGE ROAD SUBDIVISION LOCKWOOD ADDITION (KN2004-18) AND ON BEHALF OF PENINSULA MINI STORAGE LLC., I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

DAVID SCHILLING MEMBER
PENINSULA MINI STORAGE LLC., (OWNER)
47 SPUR VIEW DR., KENAI, AK 99611

MICHAEL SCHILLING MEMBER
PENINSULA MINI STORAGE LLC., (OWNER)
47 SPUR VIEW DR., KENAI, AK 99611

NOTARY'S ACKNOWLEDGEMENT

FOR:
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2019
MY COMMISSION EXPIRES : _____
NOTARY PUBLIC FOR THE STATE OF ALASKA

CERTIFICATE OF OWNERSHIP AND DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT SBC DEVELOPMENT GROUP INC., IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED AS LOT 4 BLOCK 1 BRIDGE ROAD SUBDIVISION NUMBER TWO (KN84-68) AND ON BEHALF OF SBC DEVELOPMENT GROUP INC., I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

SEAN CUDE
SBC DEVELOPMENT GROUP, INC., (OWNER)
42115 KALIFORNISKY BEACH RD, SUITE B,
SOLDOTNA, AK 99669

NOTARY'S ACKNOWLEDGEMENT

FOR:
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2019
MY COMMISSION EXPIRES : _____
NOTARY PUBLIC FOR THE STATE OF ALASKA

CERTIFICATE OF ACCEPTANCE

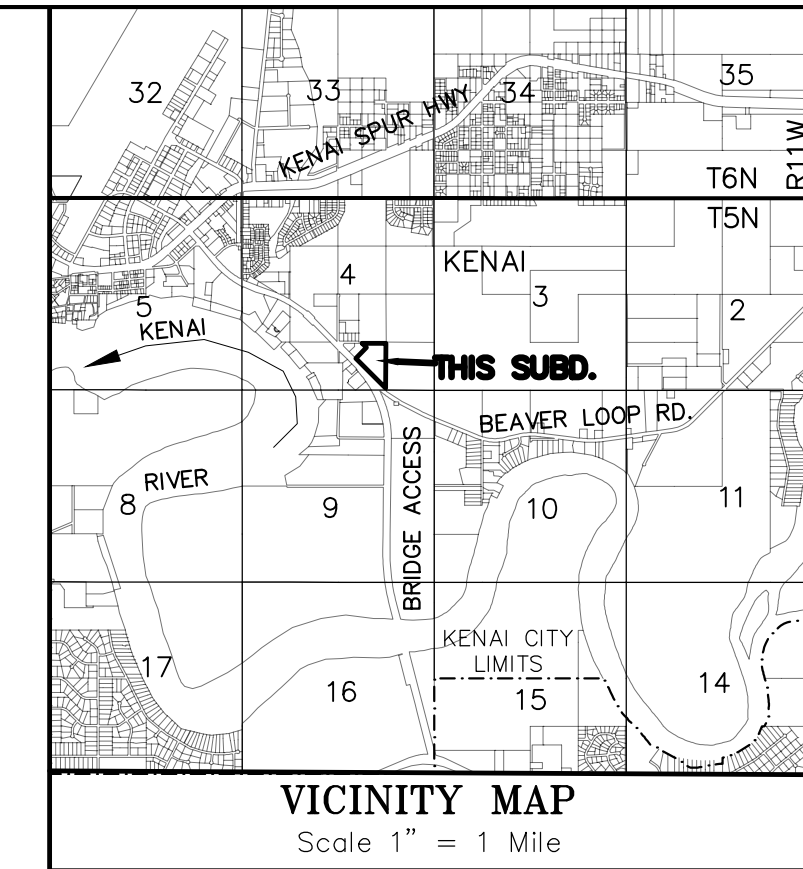
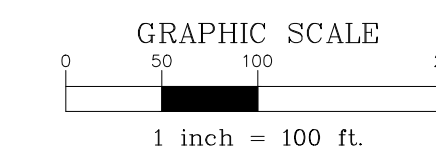
THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF KENAI FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT. THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY: _____ DATE _____
PAUL OSTRANDER
CITY MANAGER
CITY OF KENAI

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____, 2019.

AUTHORIZED OFFICIAL _____



LEGEND

- ⊕ FOUND PRIMARY MONUMENT AS DESCRIBED
- FOUND 5/8" REBAR UNLESS NOTED
- SET 5/8"x30" REBAR w/ 1" STAINLESS STEEL CAP 85032-S
- ⚡ POWER POLE
- DHE — OVERHEAD ELECTRIC
- ▭ AREA SUBJECT TO INUNDATION
- CONTOUR INTERVAL = 4'
- ▨ UTILITY EASEMENT PER BRIDGE ROAD SUBDIVISION NUMBER TWO KN84-68, TO BE VACATED BY THIS PLAT AND APPROVED FOR VACATING BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION MEETING XXXX, 2019.

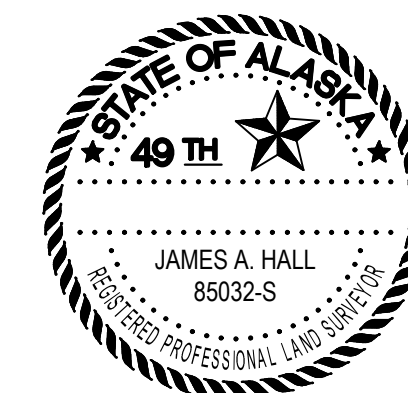
WASTEWATER DISPOSAL: TRACT A-1

THIS TRACT 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: LOT 4-A

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.

CODY R. McLANE C.E. 11510 AK DATE _____



BRIDGE ROAD SUBDIVISION 2019 REPLAT

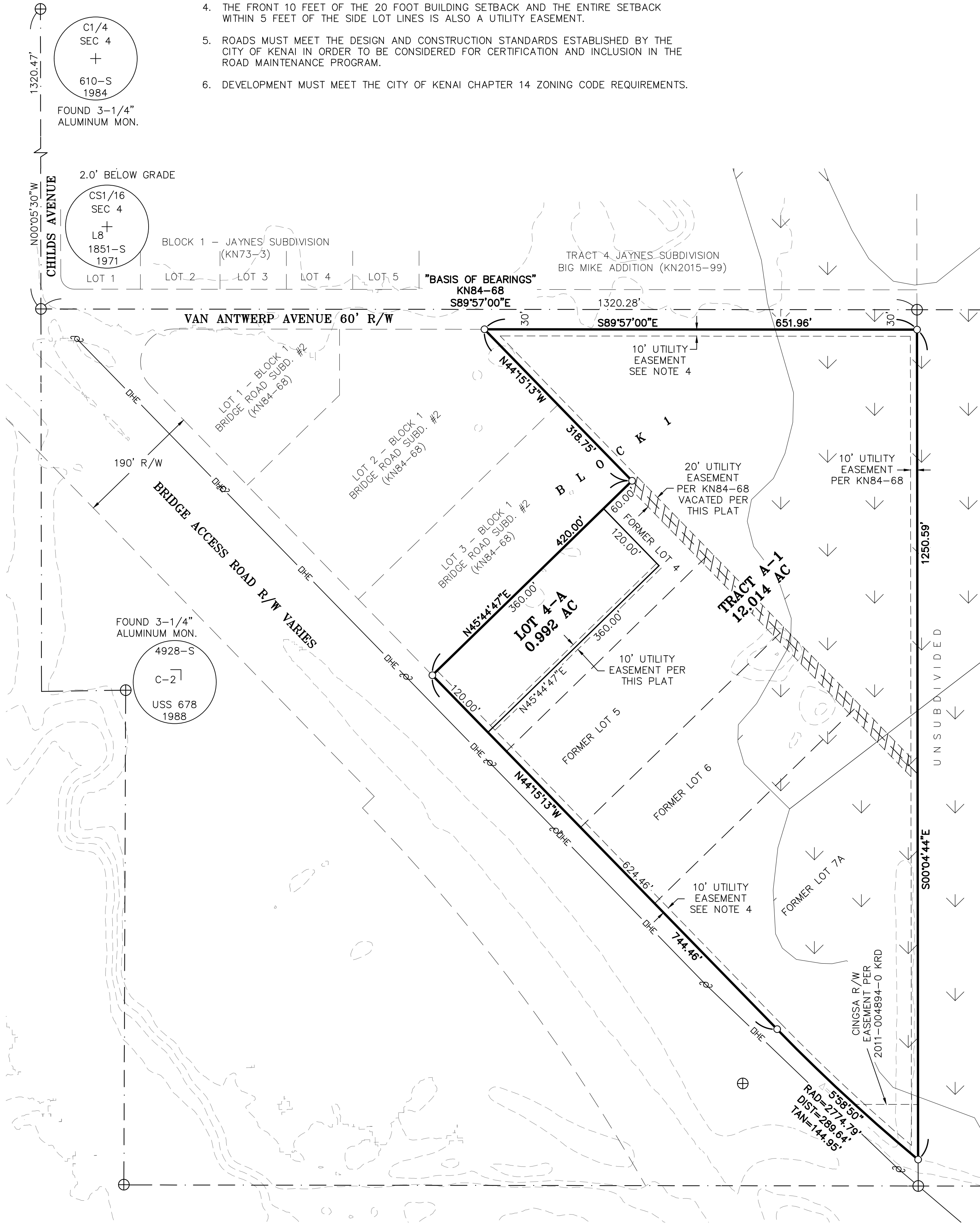
(A RESUBDIVISION OF LOTS 4 - 6 & TRACT A BLOCK 1 BRIDGE ROAD SUBDIVISION NUMBER TWO KN84-68 AND LOT 7A BLOCK 1 BRIDGE ROAD SUBDIVISION LOCKWOOD ADDITION KN2004-18)

PENINSULA MINI STORAGE LLC., (OWNER)
47 SPUR VIEW DR., KENAI, AK 99611
SBC DEVELOPMENT GROUP, INC., (OWNER)
42115 KALIFORNISKY BEACH RD, SOLDOTNA, AK 99669
13.006 AC. M/L SITUATED IN A PORTION OF THE SE1/4 OF SEC.4, T.5N., R.11W., S.M., AK, THE CITY OF KENAI, AND THE KENAI PENINSULA BOROUGH, IN THE KENAI RECORDING DISTRICT.

| | | |
|--|--------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| | ENGINEERING - TESTING SURVEYING - MAPPING P.O. BOX 468 SOLDOTNA, AK 99669 VOICE: (907) 283-4218 FAX: (907) 283-3268 WWW.MCLANECG.COM | KPB FILE NO. 2019-XXX |
| | PROJECT NO. 192013 | |

SCALE 1" = 100' DATE: AUG 2019 BOOK NO.: 19-XX DRAWN BY: JAH

| |
|----------|
| Plat # |
| Rec Dist |
| Date |
| Time |



McLANE

CONSULTING, INC.
P.O. Box 468 Soldotna, Alaska 99669
(907) 283-4218 fax (907) 283-3265

LETTER OF TRANSMITTAL

TO: City of Kenai
Elizabeth Appleby
210 Fidalgo Ave
Kenai, AK 99611

DATE: 8/21/19 JOB # 192013
ATTENTION: Elizabeth Appleby
RE: Bridge Road Subdivision 2019 Replat
Prelim-Plat
From: James Hall

We are sending you: Attached Under separate Cover
Via: Email

| Copies | Description |
|--------|-----------------------------------|
| 2 | Plat City of Kenai Submittal Form |
| 1 | Preliminary Plat - Full Scale |
| 2 | Preliminary Plat - 11x17 |
| 1 | Plat KPB Submittal Form-Signed |
| 1 | Certificate to plat |

P2 2019-36

RECEIVED

CITY OF KENAI

DATE *8-21-19*

PLANNING DEPARTMENT

Reason for Transmittal Checked Below:

FOR APPROVAL AS REQUESTED APPROVED AS SUBMITTED REVIEW/COMMENT
 FOR YOUR USE APPROVED AS NOTED RETURNED FOR CORRECTIONS

Remarks:

Copy to: File Signed: James



CITY OF KENAI PLANNING DEPARTMENT
PRELIMINARY PLAT SUBMITTAL FORM

| | |
|------------------|-----------------------------|
| APPLICANT | Peninsula Mini Storage, LLC |
| MAILING ADDRESS | 47 SPUR VIEW DRIVE |
| CITY, STATE, ZIP | KENAI AK 99611 |
| PHONE | |

| | |
|--------------|----------------------------------------------------------------|
| NAME OF PLAT | Bridge Road Subdivision 2019 Replat |
| | Preliminary Plat Revised Preliminary Plat |

CURRENT ZONING WHERE APPLICABLE: **Heavy Industrial**

USE: Residential Recreational Commercial Other

| | | | |
|--------|---------|------|-----------|
| SEWER: | On Site | City | Community |
| WATER: | On Site | City | Community |

Vacation of Public Right-of-Way Yes No

STREET NAME:

EXCEPTIONS REQUIRED AND REQUESTED:

COMMENTS:

Donna Smith
Applicant's Signature

8-20-19
Date



CITY OF KENAI PLANNING DEPARTMENT
PRELIMINARY PLAT SUBMITTAL FORM

| | |
|------------------|--------------------------------------|
| APPLICANT | SBC Development Group, Inc |
| MAILING ADDRESS | 42115 Kalifornsky Beach Road Suite B |
| CITY, STATE, ZIP | Soldotna, AK 99669 |
| PHONE | |

| | | |
|--------------|-------------------------------------|--------------------------|
| NAME OF PLAT | Bridge Road Subdivision 2019 Replat | |
| | Preliminary Plat | Revised Preliminary Plat |

CURRENT ZONING WHERE APPLICABLE: **Heavy Industrial**

USE: Residential Recreational Commercial Other

| | | | |
|--------|---------|------|-----------|
| SEWER: | On Site | City | Community |
| WATER: | On Site | City | Community |

Vacation of Public Right-of-Way Yes No

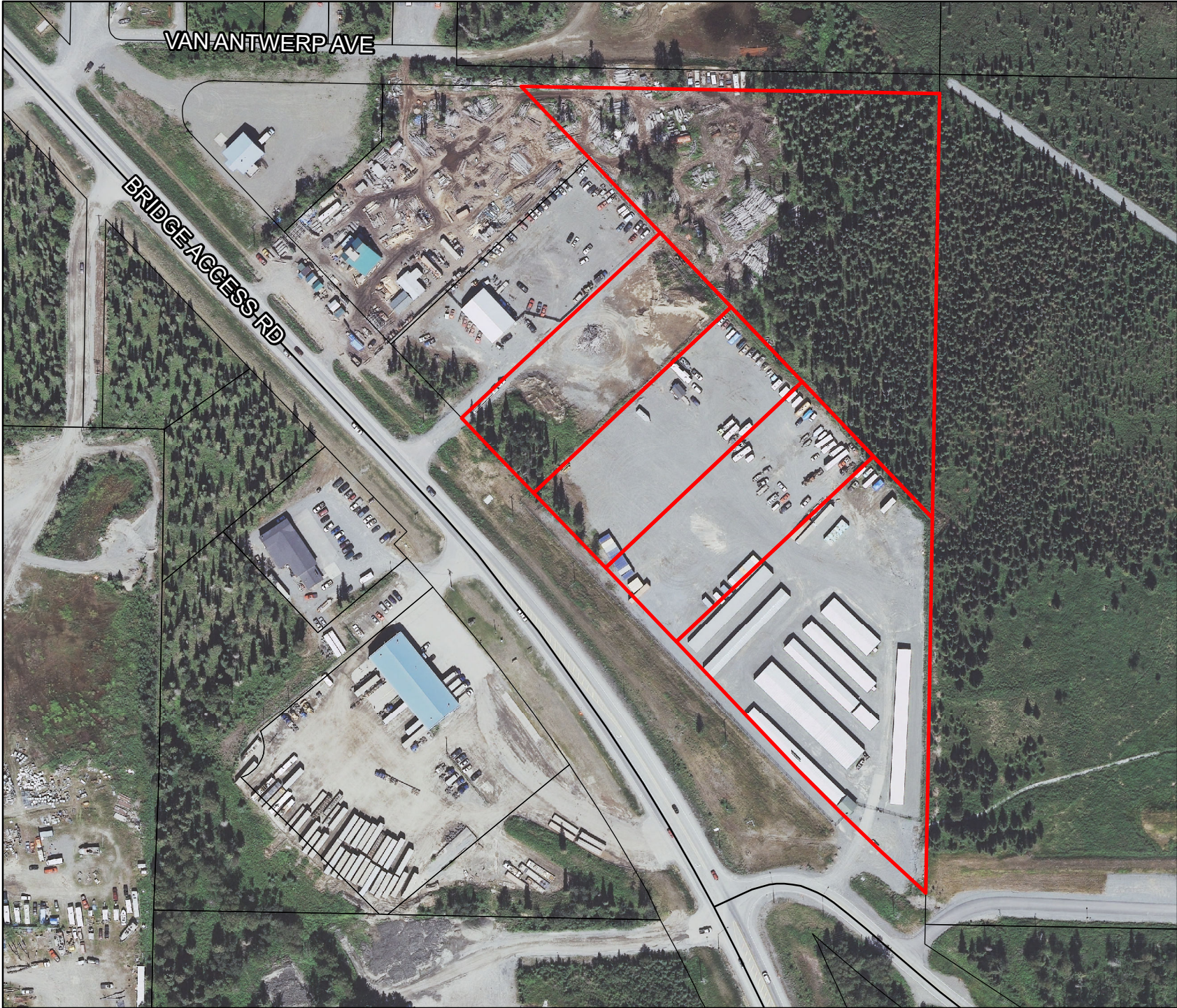
STREET NAME:

EXCEPTIONS REQUIRED AND REQUESTED:

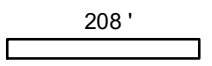
COMMENTS:


Applicant's Signature

8/20/19
Date



- Parcels
- 04901323
- 04901306
- 04901305
- 04901304
- 04901309



1 inch equals 208 feet

The information depicted here on is for graphic representation only of the best available sources. The City of Kenai assumes no responsibility for errors on this map.

Date: 9/6/2019



"Village with a Past, City with a Future"

210 Fidalgo Ave, Kenai, Alaska 99611-7794
Telephone: (907) 283-7535 | Fax: (907) 283-3014
www.kenai.city

STAFF REPORT

To: Planning & Zoning Commission

Date: September 5, 2019

Subject: Resolution PZ2019-38 – Transfer of Conditional Use Permit from Clifford and Kristin Smith, Transferors, to VIP Monitoring Services LLC, Transferee

- Applicant: Clifford and Kristin Smith
2785 Beaver Loop Rd.
Kenai, AK 99611
- Requested Action: Transfer of Conditional Use Permit PZ15-28
- Legal Description: A portion of the Northwest one-quarter (NW ¼), Section 11, Township 5 North, Range 11 West, Seward Meridian
- Property Address: 2785 Beaver Loop Road
- KPB Parcel No: 04911002
- Lot Size: 16,988 square feet (0.39 acres)
- Existing Zoning: Rural Residential (RR)
- Current Land Use: Professional Office
- Land Use Plan: Low Density Residential

GENERAL INFORMATION

Clifford and Kristin Smith hold a conditional use permit to operate a professional office in the Rural Residential Zone. The City has received an application to transfer the permit to VIP Monitoring Services LLC.

Application, Public Notice, Public Comment

On August 30, 2019, the Transferor, Clifford and Kristin Smith, submitted an Application for Transfer of Conditional Use Permit to follow Kenai Municipal Code (KMC) 14.20.158(a) requiring

an application for transfer in writing.

City staff published notice of the application in the *Peninsula Clarion*. No public comments have been received as of September 6, 2019.

ANALYSIS

On September 23, 2015, the Planning and Zoning Commission passed Resolution PZ15-28 for the conditional use of a professional office. The permit was issued to Clifford and Kristin Smith, subject to the following conditions:

- a. Further development of the property shall conform to all Federal, State, and local regulations.
- b. Property owner must obtain a sign permit prior to placing a sign on the premises to advertise the business.
- c. Property owner must provide five (5) parking spaces and one of the spaces must be an ADA parking space pursuant to the guidelines as set forth in the 2009 International Building Code.
- d. Property owner shall submit an annual report for the Conditional Use Permit as set forth in KMC 14.20.150(f).

Mr. Smith obtained a sign permit prior to constructing a sign, added the required parking spaces, and has submitted annual reports as required by KMC14.20.150(f). He is current with obligations due to the City of Kenai and the Kenai Peninsula Borough.

Kenai Municipal Code (KMC) 14.20.150(i)(5) states the following on transfers of conditional use permits:

KMC 14.20.150(i)(5) Transferability. A Conditional Use Permit is not transferable from one (1) parcel of land to another. Conditional Use Permits may be transferred from one (1) owner to another for the same use, but if there is a change in use on the property, a new permit must be obtained.

The applicant has provided information to the City showing the current permit holder, Clifford and Kristin Smith, meet the conditions of PZ15-28. The new permit holder would continue to operate under the terms and conditions of the original Conditional Use Permit PZ15-28. There will not be a change in use.

RECOMMENDATIONS

The transfer of Conditional Use Permit PZ15-28 for a professional office meet the requirements of Kenai Municipal Code 14.20.150(i)(5) and 14.20.157(a). City staff recommends approval of the transfer of Conditional Use Permit PZ15-28, subject to the following conditions:

- a. Further development of the property shall conform to all Federal, State, and local regulations.

- b. Property owner must obtain a sign permit prior to placing a sign on the premises to advertise the business.
- c. Property owner must provide five (5) parking spaces and one of the spaces must be an ADA parking space pursuant to the guidelines as set forth in the 2009 International Building Code.
- d. Property owner shall submit an annual report for the Conditional Use Permit as set forth in KMC 14.20.150(f).

ATTACHMENTS

- 1. Draft Resolution No. PZ2019-38
- 2. Resolution No. PZ15-28
- 3. Application
- 4. Map



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 Telephone: 907-283-7535 / Fax: 907-283-3014
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**CITY OF KENAI
 PLANNING AND ZONING COMMISSION
 RESOLUTION NO. PZ2019 - 38**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI
GRANTING A REQUEST FOR A TRANSFER OF CONDITIONAL USE PERMIT FOR THE
 USE A PROFESSIONAL OFFICE IN THE RURAL RESIDENTIAL ZONE TO:

APPLICANT: VIP MONITORING SERVICES LLC

USE: PROFESSIONAL OFFICE

LEGAL DESCRIPTION: A PORTION OF SECTION 11, TOWNSHIP 5 NORTH,
 RANGE 11 WEST, SEWARD MERIDIAN

PHYSICAL ADDRESS: 2785 BEAVER LOOP ROAD

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04911002

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on August 30, 2019; and,

WHEREAS, the application affects land zoned as Rural Residential; and,

WHEREAS, the application meets the requirements of Kenai Municipal Code 14.20.150(5) stating conditional use permits may be transferred from one owner to another for the same use; and,

WHEREAS, the Planning and Zoning Commission finds:

1. The transferor has complied with the conditions of the existing Conditional Use Permit PZ15-28; and,
2. The transferee will comply with the conditions of the existing Conditional Use Permit PZ15-28; and,
3. The transfer of the conditional use permit would not change the use of the property.

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

Section 1. That the conditional use permit granted under PZ15-28 is transferred to

VIP Monitoring Services LLC.

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

- a. Further development of the property shall conform to all Federal, State, and local regulations.
- b. Property owner must obtain a sign permit prior to placing a sign on the premises to advertise the business.
- c. Property owner must provide five (5) parking spaces and one of the spaces must be an ADA parking space pursuant to the guidelines as set forth in the 2009 International Building Code.
- d. Property owner shall submit an annual report for the Conditional Use Permit as set forth in KMC 14.20.150(f).

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 111th day of September, 2019.

JEFF TWAIT, CHAIRPERSON

ATTEST:

JAMIE HEINZ, CMC, CITY CLERK



"Village with a Past, City with a Future"

210 Fidalgo Avenue, Kenai, Alaska 99611-7794
Telephone: 907-283-7535 / Fax: 907-283-3014
www.ci.kenai.ak.us

**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ15-28
CONDITIONAL USE PERMIT**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **GRANTING** A REQUEST FOR A CONDITIONAL USE PERMIT FOR A PROFESSIONAL OFFICE IN A RURAL RESIDENTIAL ZONE.

APPLICANT: Clifford Smith and Kristin Smith

ADDRESS: 319 Rogers Rd., Kenai, AK 99611

PROPERTY ADDRESS: 2785 Beaver Loop Road

LEGAL DESCRIPTION: A portion of the Northwest one-quarter (NW ¼), Section 11, Township 5 North, Range 11 West

KENAI PENINSULA BOROUGH PARCEL NO: 04911002

WHEREAS, an application meeting the requirements of Section 14.20.150 has been submitted and received on August 31, 2015;

WHEREAS, the application affects land which is zoned as Rural Residential (RR);

WHEREAS, a duly advertised public hearing as required by Kenai Municipal Code 14.20.153 was conducted by the Commission on September 23, 2015; and

WHEREAS, the applicant has demonstrated with plans and other documents that the prerequisites of a Conditional Use Permit have been met. Kenai Municipal Code 14.20.150 details the intent and application process for conditional uses. The code also specifies the review criteria that must be satisfied prior to issuing the permit. The criteria are:

- A. The use is consistent with the purpose of this chapter and the purposes and intent of the zoning district.

This property is located in the Rural Residential zone. The Rural Residential Zone is intended to provide for low density residential development in outlying and rural areas in a form which creates a stable and attractive residential environment. The specific intent in establishing this zone is:

- (1) To separate residential structures to an extent which will:
 - (A) Preserve the rural, open quality of the environment;
 - (B) Prevent health hazards in areas not served by public water and sewer.
- (2) To prohibit uses which would:
 - (A) Violate the residential character of the environment;
 - (B) Generate heavy traffic in predominantly residential areas.

The properties located along Beaver Loop Road are a mix of residential housing, including multi-family dwellings and a trailer park; businesses including, an assisted living home, and guiding and lodging businesses (along Angler Drive). There are also seven gravel pits which operate in this area. All of these businesses were granted a Conditional Use Permit to operate their business in the Rural Residential zone.

The applicant's plan to convert a single family dwelling into a professional office building will not diminish the residential character of the neighborhood. The traffic generated by this business should be minimal as the applicant states that he typically sees approximately ten clients per day and he is encouraging clients to make appointments to ease traffic congestion.

The provisions of Kenai Municipal Code 14.20.250 require that parking for a professional office are one (1) space per four hundred (400) square feet of gross floor area. The gross floor area for the applicant's office building is approximately 1936 square feet; therefore, five parking spaces will be required. One of those parking spaces must meet the provisions of the 2009 International Building Code as it pertains to the American with Disabilities Act (ADA) parking requirements.

Kenai Municipal Code 14.20.220(2)(C) provides for one sign per use not to exceed thirty-two (32) square feet. Such signs shall be no closer than ten feet (10') to any property line or shall be flat against the building.

- B. The value of the adjoining property and neighborhood will not be significantly impaired.

The addition of the professional office will not significantly impair the neighborhood. The applicant's business is small in scale and the traffic generated by applicant's business should be minimal given the low volume of clients visiting the establishment.

The properties lying to the north of subject property are gravel pits; the property to the south is a trailer park (directly across from the subject property); and properties to the east and west are undeveloped at this time.

C. The proposed use is in harmony with the Comprehensive Plan.

The 2003 Comprehensive Plan provides that the Rural Residential district includes areas that, due to location or site conditions, are best suited for large-lot single-family residential development. Homes in this district typically rely on individual on-site water supply and wastewater disposal systems. Compatible institutional uses such as churches, schools, and daycare facilities may be intermixed if they comply with zoning design guidelines. Small homebased businesses may be accommodated within certain design guidelines.

Based on the information provided by the applicant, staff believes that the business will have little impact to the neighborhood. The business is small in scale and the traffic flow on Beaver Loop Road should not be significantly impacted by the addition of this business.

The applicant does not have plans to make major renovations to the exterior of the building. The applicant proposes to make some minor additions to the property, as follows:

- a. A sign would be installed on the premises pursuant to the provisions as set forth in KMC 14.20.220(2)(C);
- b. A portion of the grass in front of the building would be removed and replaced with gravel to increase the parking area as provided in KMC 14.20.250; and
- c. A ramp will be installed to provide access to disabled individuals entering the building.

D. Public services and facilities are adequate to serve the proposed use.

The property is serviced by a private well and septic system. The property is further serviced by electricity, gas and phone services. Access to the property is provided by Beaver Loop Road which is a paved state maintained road.

E. The proposed use will not be harmful to the public safety, health or welfare.

The proposed use of a professional office will not be harmful to the public safety, health or welfare.

WHEREAS, any and all specific conditions deemed necessary by the commission to fulfill the conditions as set forth below shall be met by the applicant. These may include, but are not limited to measures relative to access, screening, site development, building design, operation of the use and other similar aspects related to the proposed use, as follows:

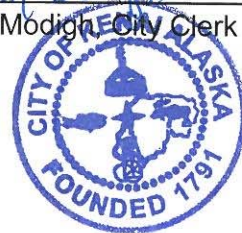
- a. Further development of the property shall conform to all Federal, State, and local regulations.
- b. Property owner must obtain a sign permit prior to placing a sign on the premises to advertise the business.
- c. Property owner must provide five (5) parking spaces and one of the spaces must be an ADA parking space pursuant to the guidelines as set forth in the 2009 International Building Code.
- d. Property owner shall submit an annual report for the Conditional Use Permit as set forth in KMC 14.20.150(f).

NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI THAT THE APPLICANT HAS DEMONSTRATED THAT THE PROPOSED PROFESSIONAL OFFICE MEETS THE CONDITIONS REQUIRED FOR SAID OPERATION AND THEREFORE THE COMMISSION DOES AUTHORIZE THE ADMINISTRATIVE OFFICIAL TO ISSUE THE APPROPRIATE PERMIT.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, ON THE 23rd DAY OF SEPTEMBER, 2015.

CHAIRPERSON: Jeff Twait
Jeff Twait, Chairperson

ATTEST: Sandra Modigh
Sandra Modigh, City Clerk



PZ 2019-28

RECEIVED

Page 26

CITY OF KENAI

DATE E-30-19

PLANNING DEPARTMENT



APPLICATION FOR TRANSFER OF CONDITIONAL USE PERMIT
KMC 14.20.150(i)(5) & 14.20.158

| CURRENT CUP HOLDER (TRANSFEROR) | NEW CUP HOLDER (TRANSFeree) |
|--------------------------------------|--------------------------------------|
| Name: CLIFFORD & KRISTIN SMITH | Name: VIP MONITORING SERVICES LLC |
| Mailing Address: 2785 BEAVER LOOP RD | Mailing Address: 2785 BEAVER LOOP RD |
| City, State Zip: KENAI, AK 99611 | City, State Zip: KENAI, AK 99611 |
| Phone Number: (907) 335-1935 | Phone Number: (907) 335-1935 |
| Fax Number: (907) 335-1936 | Fax Number: (907) 335-1936 |
| Email: CLIFF@VIPALASKA.COM | Email: VIPSERVICES49@GMAIL.COM |

| PROPERTY INFORMATION FOR EXISTING CONDITIONAL USE PERMIT |
|--------------------------------------------------------------------------------------------------|
| Property Tax ID #: 04911002 |
| Current CUP Resolution #: PZ 15-28 |
| Site Street Address: 2785 BEAVER LOOP, KENAI, AK 99611 |
| Current Legal Description: T5N R 1W SECH Sec 22 Meridian KN PTA NW 1/4 North of Beaver Loop Road |
| Zoning: RR |
| Acreage: 0.39 |
| PROPERTY INFORMATION FOR PROPOSED CONDITIONAL USE PERMIT - IF DIFFERENT |
| Property Tax ID #: |
| Site Street Address: |
| Current Legal Description: |
| Zoning: |
| Acreage: |

CERTIFICATION OF TRANSFeree: I hereby certify that I am the property owner (transferee), or have been authorized to act on behalf of the property owner, and hereby apply for a transfer of Conditional Use Permit PZ 15-28. I agree to operate under the terms and conditions of the original Conditional Use Permit and application. I understand site visits may be required to process this application for purpose of confirming compliance with conditional use permit conditions.

Date: 8/29/19 Transferee Signature: *[Signature]*

ACKNOWLEDGEMENT OF TRANSFEROR: I hereby acknowledge that CLIFFORD SMITH (name of Transferee) has applied for a transfer of Conditional Use Permit PZ 15-28, and consent to the transfer.

Date: 8/29/19 Transferor Signature: *[Signature]*



Ptn. NW 1/4, Sec. 11,
T5N, R11W
(KPB #04911002)



100'



1 inch equals 100 feet

The information depicted here on is for graphic representation only of the best available sources. The City of Kenai assumes no responsibility for errors on this map.

Date: 9/5/2019



Kenai City Council - Regular Meeting

September 04, 2019 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

ACTION AGENDA

A. CALL TO ORDER

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

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

B. SCHEDULED PUBLIC COMMENTS

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

C. UNSCHEDULED PUBLIC COMMENTS

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

D. PUBLIC HEARINGS

1. **POSTPONED AS AMENDED TO 10/2/19. Ordinance No. 3072-2019** - Renaming, Repealing and Re-Enacting Kenai Municipal Code Title 22-General Fund Lands, Renaming Title 21-City Airport and Airport Lands, and Repealing Kenai Municipal Code Chapter 21.15-Lease and Sale of Airport Lands Outside of the Airport Reserve to Encourage Responsible Growth and Development to Support a Thriving Business, Residential, Recreational and Cultural Community through Responsible Land Policies and Practices. (Administration) [**Clerk's Note:** *At the 08/21/19 Meeting, this Item was Postponed to the Meeting After a Work Session was Held Regarding the Matter for a Second Public Hearing. A Work Session was Held On 09/03/19. A Motion to Enact is On the Floor.*]
2. **ENACTED UNANIMOUSLY AS AMENDED. Ordinance No. 3079-2019** - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue

and Airport Improvements Capital Project Funds and Accepting a Grant from the Federal Aviation Administration for the Purchase of Two Aircraft Rescue and Firefighting (ARFF) Vehicles, Rehabilitation of the Fire Training Props, and Rehabilitation of the Training Facility for the Alaska Regional Fire Training Facility. (Administration)

3. **ENACTED UNANIMOUSLY. Ordinance No. 3080-2019** - Increasing Estimated Revenues and Appropriations in the Terminal Improvements Capital Fund, and Authorizing an Increase to the Construction Purchase Order to Blazy Construction, Inc. (Administration)
4. **ENACTED UNANIMOUSLY. Ordinance No. 3081-2019** - Increasing Estimated Revenues and Appropriations in the Airport Improvements Capital Project Fund, and Authorizing an Increase to the Construction Purchase Order to Polar North Construction, Inc. (Administration)
5. **ENACTED UNANIMOUSLY AS AMENDED. Ordinance No. 3082-2019** - Amending Kenai Municipal Code Chapter 5.35, Oil and Gas Wells, to Provide that Applications and Supplemental Applications be Filed with the City Manager. (City Clerk)
6. **REFERRED AS AMENDED TO PLANNING & ZONING/SECOND PUBLIC HEARING SET FOR 10/2/19. Ordinance No. 3083-2019** - Amending Kenai Municipal Code 14.20.175 - Adult Businesses, To Increase The Buffer Distances Between Adult Businesses And Sensitive Uses From 500 Feet To 1000 Feet And Define Sensitive Uses. (Council Member Pettey)
 - **Substitute Ordinance No. 3083-2019** - Amending Kenai Municipal Code 14.20.175 - Adult Businesses, To Increase The Buffer Distances Between Adult Businesses And Sensitive Uses From 500 Feet To 1000 Feet And Define Sensitive Uses and Amend Kenai Municipal Code 14.22.010 – Land Use Table, to Add Adult Businesses. (Council Members Pettey and Knackstedt)
7. **ADOPTED UNANIMOUSLY AS AMENDED. Resolution No. 2019-61** - Awarding a Construction Contract for Rehabilitation of Training Props at the Alaska Regional Fire Training Facility. (Administration)
8. **ADOPTED UNANIMOUSLY AS AMENDED. Resolution No. 2019-62** - Awarding a Construction Contract for Rehabilitation of the Alaska Regional Fire Training Facility. (Administration)
9. **ADOPTED UNANIMOUSLY. Resolution No. 2019-63** - Authorizing the Use of the State of Alaska Department of Transportation and Public Facilities Fleet Procurement Program for the Purchase of Two Aircraft Rescue and Firefighting (ARFF) Vehicles for the Alaska Regional Fire Training Facility. (Administration)

E. MINUTES

1. **APPROVED BY THE CONSENT AGENDA. *Action/Approval** - Regular Meeting of August 21, 2019

F. UNFINISHED BUSINESS

1. **POSTPONED TO 10/2/19. Resolution No. 2019-58** - Amending its Comprehensive Schedule of Rates, Charges, and Fees to Incorporate Changes to Application Fees for Lands Outside the Airport Reserve. (Administration) [**Clerk's Note:** *At the 08/21/19 Meeting, this Item was Postponed to the Meeting which Ordinance No. 3072-2019 was Scheduled for its Second Public Hearing; a Motion to Enact is On the Floor.*]

G. NEW BUSINESS

1. **APPROVED BY THE CONSENT AGENDA. *Action/Approval** - Bills to be Ratified. (Administration)
2. **APPROVED BY THE CONSENT AGENDA. *Action/Approval** - Purchase Orders Exceeding \$15,000. (Administration)
3. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 10/2/19. *Ordinance No. 3084-2019** - Increasing Estimated Revenues and Appropriations in the General Fund for Reimbursement Received for Support of the Swan Lake Fire Suppression Efforts. (Administration)
4. **DIRECTION GIVEN TO ADMINISTRATION TO DRAFT AN ORDINANCE. Discussion** – Amending Kenai Municipal Code 14.20.330 - Standards for Commercial Marijuana Establishments, to Incorporate Hours of Operation for Retail Marijuana Establishments into the City of Kenai's Code of Ordinances as Recommended by the Planning and Zoning Commission. (Council Member Molloy)
5. **HEARING SET FOR 10/7/19 AT 6:00 P.M. Discussion** - Set a Board of Adjustment Hearing Date. (City Clerk)

H. COMMISSION / COMMITTEE REPORTS

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

I. REPORT OF THE MAYOR**J. ADMINISTRATION REPORTS**

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

K. ADDITIONAL PUBLIC COMMENT

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

L. EXECUTIVE SESSION

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.



Planning Commission Tentative Agenda

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2215 • (907) 714-2378 Fax

Betty J. Glick Assembly Chambers, Kenai Peninsula Borough George A. Navarre Administration Building

Max J. Best, Planning Director • Charlie Pierce, Borough Mayor

*Blair Martin, Chairman – Kalifornsky Beach • Robert Ruffner, Vice Chairman – Kasilof/Clam Gulch
Dr. Rick Foster, Parliamentarian – Southwest Borough • Syverine Abrahamson-Bentz – Anchor Point/Ninilchik
Jeremy Brantley – Sterling • Paulette Bokenko-Carluccio – City of Seldovia • Cindy Ecklund – City of Seward
Robert F. Ernst – Northwest Borough • Diane Fikes – City of Kenai • Virginia Morgan – East Peninsula
Franco Venuti – City of Homer • Paul Whitney – City of Soldotna*

September 9, 2019

7:30 p.m.

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**

- a. S. J. Chapman No. 18
KPB File 2012-058
[Geovera / Trimble]
Location: Anchor Point area
Anchor Point APC

***2. Planning Commission Resolutions - None**

***3. Plats Granted Administrative Approval**

***4. Plats Granted Final Approval (20.10.070) - None**

***5. Plat Amendment Request - None**

***6. Utility Easement Vacations**

- a. Petition to vacate a utility easement in the area. Vacate the 10-foot utility easement running east to west approximately 352 feet centered on the common lot line between Tract 1 and Tract 2 of Spur Vista Subdivision (Plat KN 82-131); within Section 31, Township 5 North, Range 11 West, Seward Meridian, Kenai Peninsula Borough, Alaska. KPB File 2019-006V. Petitioners: Michael Bolstridge and Aaron Henrie.

***7. Commissioner Excused Absences**

- a. Vacant, Ridgeway

***8. Minutes**

- a. August 26, 2019 Planning Commission Meeting

D. PUBLIC COMMENT/PRESENTATIONS/COMMISSIONERS

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

E. SPECIAL CONSIDERATIONS

1. Building Setback Exception
Lot 2 Deitz Home Estates No. 5 Addition No. 1
KPB File 2019-102; Resolution 2019-30
Location: On Gladys Court from East End Road, Kachemak area.

F. UNFINISHED BUSINESS

1. Ordinance 2019-__; An Ordinance Amending KPB Chapter 21.25, Conditional Land Use Permits and Amending KPB Chapter 21.29, Material Site Permits.

G. PUBLIC HEARINGS - None**H. ANADROMOUS WATERS HABITAT PROTECTION DISTRICT (21.18) – None****I. VACATIONS NOT REQUIRING A PUBLIC HEARING – None****J. SUBDIVISION PLAT PUBLIC HEARINGS**

1. The Plat Committee will review 4 preliminary plat.

K. OTHER/NEW BUSINESS**L. ASSEMBLY COMMENTS****M. LEGAL REPRESENTATIVE COMMENTS****N. DIRECTOR'S COMMENTS****O. COMMISSIONER COMMENTS****P. PENDING ITEMS FOR FUTURE ACTION**

Q. ADJOURNMENT

**MISCELLANEOUS INFORMATIONAL ITEMS
NO ACTION REQUIRED**

NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING

The next regularly scheduled Planning Commission meeting will be held **Monday, September 23, 2019** in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley St, Soldotna, Alaska at **7:30 p.m.**

ADVISORY PLANNING COMMISSION MEETINGS

| ADVISORY COMMISSION | MEETING LOCATION | DATE | TIME |
|-------------------------------------------------------------------------|----------------------------------|-----------------|-------------|
| Anchor Point | Anchor Point Chamber of Commerce | October 9, 2019 | 7:00 p.m. |
| Cooper Landing | Cooper Landing Community Hall | October 9, 2019 | 6:00 p.m. |
| Funny River | TBD | TBD | TBD |
| Moose Pass | Moose Pass Community Hall | TBD | 6:30 p.m. |
| Hope / Sunrise | Hope Social Hall | TBD | 6:00 p.m. |
| The Kachemak Bay Advisory Planning Commission is inactive at this time. | | | |

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

CONTACT INFORMATION

KENAI PENINSULA BOROUGH PLANNING DEPARTMENT

Phone: 907-714-2215

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

Fax: 907-714-2378

e-mail address: planning@kpb.us

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



Plat Committee Tentative Agenda

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

Betty J. Glick Assembly Chambers, Kenai Peninsula Borough George A. Navarre Administration Building

Paulette Bokenko-Carluccio – City of Seldovia • Dr. Rick Foster – Southwest Borough

Virginia Morgan – East Peninsula • Paul Whitney – City of Soldotna

Alternates: Jeremy Brantley – Sterling

SEPTEMBER 9, 2019

6:30 p.m.

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA, EXCUSED ABSENCES, AND MINUTES

1. Agenda
2. Member/Alternate Excused Absences
3. Minutes
 - a. August 26, 2019 Plat Committee Meeting

D. PUBLIC COMMENT

(Items other than those appearing on the agenda or not scheduled for public hearing. Limited to five minutes per speaker unless previous arrangements are made.)

E. SUBDIVISION PLAT PUBLIC HEARINGS

1. Every Homestead Subdivision
KPB File 2019-097 [Edge Survey & Design, LLC / Every, Hindman]
Location: on Kenai Spur Highway and Manders Street; Nikiski
2. Kidney Lake West Subdivision Warren Addition
KPB File 2019-099; [Edge Survey & Design, LLC / Warren]
Location: Holt Lamplight Road to Emerald Street to Glenwood Avenue; Nikiski
3. Kenai River Salmon Run Subdivision 2019 Replat
KPB File 2019-101 [Johnson Surveying / Boyden]
Location: Salmon Run Drive to Fishermans Road; Funny River
Funny River APC
4. Duncan Subdivision Addition No. 3
KPB File 2019-059 [Segesser Surveys / Duncan]
Location: on Ariels Lane and Kalifornsky Beach Road; Kalifornsky

F. FINAL SUBDIVISION PLAT PUBLIC HEARING - None

G. OTHER / NEW BUSINESS

H. MISCELLANEOUS INFORMATION – NO ACTION REQUIRED**I. ADJOURNMENT****NEXT REGULARLY SCHEDULED MEETING**

The next regularly scheduled Plat Committee meeting will be held **Monday, September 23, 2019** in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley, Soldotna, Alaska at **5:30 p.m.**

PLANNING DEPARTMENT

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