



**Kenai Planning and Zoning Commission  
Meeting**

**August 26, 2020 – 7:00 PM**

**Kenai City Council Chambers**

**210 Fidalgo Avenue, Kenai, Alaska**

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

[www.kenai.city](http://www.kenai.city)

A Work Session will be held immediately following the regular meeting to discuss a Kenai Peninsula Borough proposed ordinance that would amend Kenai Peninsula Borough Chapter 2.40 – Planning Commission, Chapter 21.20 – Hearing and Appeals, and multiple sections of Title 20 – Subdivisions

**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 12, 2020

**C. SCHEDULED PUBLIC COMMENT**

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

**D. UNSCHEDULED PUBLIC COMMENT**

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

**E. CONSIDERATION OF PLATS**

1. **Resolution PZ2020-27** – Preliminary Subdivision Plat of Inlet Woods Subdivision Lee-Worley Replat, submitted by Segesser Surveys, 30485 Rosland St., Soldotna, AK 99669, on behalf of Jene M. Worley and Michelle L. Grzybowksi, 1545 Windward Dr., Kenai, AK 99611

**F. PUBLIC HEARINGS**

- 1. Resolution PZ2020-21** - Application for a Variance Permit to reduce the setback requirement from 150 feet to 75 feet pursuant to Kenai Municipal Code 14.20.255(c)(4)(K) for the property located at 6576 Kenai Spur Highway, Kenai, AK 99611 and described as Lot 15, Block C, Beaver Creek Alaska Subdivision. The Application was submitted by Acom Consulting on behalf of Vertical Bridge, 5200 SW Meadows Rd., Suite 150, Lake Oswego, OR 97035

**G. UNFINISHED BUSINESS**

**H. NEW BUSINESS**

**I. PENDING ITEMS**

**J. REPORTS**

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

**K. ADDITIONAL PUBLIC COMMENT**

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

**L. INFORMATIONAL ITEMS**

**M. NEXT MEETING ATTENDANCE NOTIFICATION**

- 1.** September 9, 2020 - Regular Meeting @ 7pm

**N. COMMISSION COMMENTS AND QUESTIONS**

**O. ADJOURNMENT**

*The agenda and supporting documents are posted on the City's website at [www.kenai.city](http://www.kenai.city). For additional information, please contact the Planning and Zoning Department at 907-283-8237.*

**Participation (join Zoom meeting):** <https://us02web.zoom.us/j/83656092591>

**Virtual Meeting ID:** 836 5609 2591  
**Password:** 965180

**OR Telephonic Participation:** +1 253 215 8782 or +1 301 715 8592

**Meeting ID:** 836 5609 2591  
**Passcode:** 965180

**File Attachments for Item:**

\*August 12, 2020

**KENAI PLANNING & ZONING COMMISSION  
REGULAR MEETING  
AUGUST 12, 2020 – 7:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVENUE, KENAI, ALASKA  
CHAIR JEFF TWAIT, PRESIDING**

**MINUTES**

**A. CALL TO ORDER**

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

**1. Pledge of Allegiance**

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

**2. Roll Call**

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

Commissioners absent:

Staff/Council Liaison present: City Planner E. Appleby, Planning Assistant W. Anderson, Deputy Clerk J. LaPlante, Council Liaison H. Knackstedt

A quorum was present.

**3. Agenda Approval**

**MOTION:**

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

**4. Consent Agenda**

**MOTION:**

Commissioner Halstead **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. \*July 22, 2020

The minutes were approved by the Consent Agenda.

**C. SCHEDULED PUBLIC COMMENT** – None.

**D. UNSCHEDULED PUBLIC COMMENT** – None.

**E. CONSIDERATION OF PLATS**

*[Clerk’s Note: Commissioner McIntyre joined the meeting at 7:03 PM]*

1. **Resolution PZ2020-25** – Reapproving the Preliminary Subdivision Plat of Beaver Loop Acres Addition No. 2, with additional changes, submitted by Segesser Surveys, 30485 Rosland Street, Soldotna AK 99669, on behalf of Beaver Loop Sand and Gravel, LLC, P.O. Box 1290, and the Estate of Patrick Doyle and Mary Doyle, 2243 Beaver Loop Rd., Kenai, AK 99611

The City Planner reviewed the staff report provided in the packet and noted the plat was approved by the Commission previously; however, eight conditions of approval were since incorporated and City Administration requested it be sent back to the Planning and Zoning Commission for review. The City Planner noted the changes to the amended plat as detailed in the staff report.

Approval was recommended of the preliminary plat of Beaver Loop Acres Addition No. 2, subject to the following condition:

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

**MOTION:**

Commissioner Halstead **MOVED** to recommend approval of Resolution No. PZ2020-25 with staff recommendations and Commissioner Fikes **SECONDED** the motion.

**VOTE:**

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

**MOTION PASSED UNANIMOUSLY.**

**F. PUBLIC HEARINGS**

1. **Resolution PZ2020-22** - Application for a Variance Permit for a building in excess of 5,000 square feet per story to be located on the property known as 1000 Mission Avenue, and described as Lot 16B, Townsite of Kenai 2016 Addition, submitted by Kenaitze Indian Tribe, P.O. Box 988, Kenai, AK 99611

The City Planner reviewed the staff report provided in the packet and noted Kenaitze would like to add to the Tyotkas Elder Center, noting that this building was located within the Townsite Historic District. The City Planner clarified the addition would increase the square footage of the building and this Variance Permit application only addressed the square footage.

It was City staff recommendation that the Commission approve the variance permit application subject to the following conditions:

- Further development of the property shall conform to all federal, State of Alaska, and local regulations.
- Prior to commencement of construction of the addition to the Elder Center, the owner shall be require to obtain a Building Permit.
- Prior to issuance of a Building Permit for the proposed additions to the Tyotkas Elder Center, a Landscape/Site plan must be reviewed and approved by the City Planner.

**MOTION:**

Commissioner Askin **MOVED** to recommend approval of Resolution No. PZ2020-22 with staff recommendations and Commissioner McIntyre **SECONDED** the motion.

Chair Twait opened the floor for public testimony.

Don Ohler, Construction Director for Kenaitze Indian clarified approval of this would serve many elders here, currently 326 qualified elders, and to date this year served over 19,620 meals, adding that since COVID-19, they went from preparing 60 meals to 269 meals per day. Mr. Ohler added that the program offers several services including advocacy services, outreach program for elders in need of anything outside of the tribal council, meals delivered, transportation, and caregiver support home activities.

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

It was clarified that increase parking spaces would be covered by an existing agreement with the City of an offsite parking area.

**VOTE:**

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

**MOTION PASSED UNANIMOUSLY.**

Commission Chair Twait noted the 15-day appeal period.

**G. UNFINISHED BUSINESS** – None.

**H. NEW BUSINESS**

1. **Resolution PZ2020-23** - Application for Review of Development in the Townsite Historical Zone for the property known as 1000 Mission Avenue, and described as Lot 16B, Townsite of Kenai 2016 Addition, submitted by Kenaitze Indian Tribe, P.O.

Box 988, Kenai, AK 99611

The City Planner reviewed the staff report and development criteria's, clarifying this was the review of development to ensure the property met the intent of the Townsite Historical District (TSH) zone.

The Planning and Zoning Staff recommended approval of the proposed addition, subject to the following conditions:

- Further development of the property shall conform to all federal, State of Alaska, and local regulations.
- Prior to commencement of construction of the addition to the Elder Center, the owner shall be required to obtain all appropriate Building Permits.
- Prior to issuance of a Building Permit for the proposed additions to the Tyotkas Elder Center, a Landscape/Site plan must be reviewed and approved by the City Planner.

**MOTION:**

Commissioner Askin **MOVED** to recommend approval of Resolution No. PZ2020-23 with staff recommendations and Commissioner Fikes **SECONDED** the motion.

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

**VOTE:**

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

NAY:

**MOTION PASSED UNANIMOUSLY.**

2. **Resolution PZ2020-24** - Application for an Amendment to Conditional Use Permit PZ15-04 to remove the reference to square footage of the existing building for the property known as 1000 Mission Avenue, and described as Lot 16B, Townsite of Kenai 2016 Addition, submitted by Kenaitze Indian Tribe, P.O. Box 988, Kenai, AK 99611

The City Planner reviewed the staff report and called attention to the Resolution No. PZ15-04 as provided in the packet as specifically granting the conditional use and determined it more appropriate to amend the conditional use permit. She clarified that use was not changing it was just a modification of the existing building.

Approval of the amendment to the Conditional Use Permit was recommended, subject to the conditions outlined in Resolution No. PZ2020-24.

**MOTION:**

Commissioner Fikes **MOVED** to recommend approval of Resolution No. PZ2020-24 with staff recommendations and Commissioner Springer **SECONDED** the motion.

Chair Twait opened the floor for public testimony; there being no one wishing to be heard, public

comment was closed.

**VOTE:**

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

**MOTION PASSED UNANIMOUSLY.**

3. **Action/Approval** – Recommendation to City Council for an Application for a Forty-Five (45) year Lease of City-owned Land Within the Airport Reserve described as Lot 5, FBO Subdivision No. 8 located at 525 N. Willow Street. The application was submitted by Alaska Air Fuel, Inc., 3700 W. Aviation Ave., Wasilla, AK 99654.

The City Planner reviewed the staff report as provided in the packet noting the proposed use complied with the 2016 Imagine Kenai 2030 Comprehensive Plan.

It was clarified the recommendation for approval by City Council was only for the hangar and office space as the crew quarters and a coffee shop were removed from the application. She added it was removed because the applicant was unable to show they met FAA requirements that crew quarters were essential to their operations. It was further clarified that an error by staff was made on the aerial imagery provided in the packet; the southern part was what the applicant wanted to lease with the northern part to remain with the City of Kenai.

The City Planner noted this application would also go be before the Airport Commission tomorrow evening. She added that the Special Use Permit was not signed for 2019 or 2020; when it was received it would go before City Council.

There was a consensus of the Commission in support of the lease application but reservation and concern about the subdivision of the parcel and lack of information for it.

**VOTE:**

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

**MOTION PASSED.**

I. **PENDING ITEMS** – None.

J. **REPORTS**

1. **City Council** – Council Member Knackstedt reported on the actions from the August 5 City Council meeting, specifically noting discussion by resident Bill Dunn and erosion mitigation for the Bluff adjacent to Toyon Way, signage coming for Old Town Kenai, signing of the Preconstruction Engineering Design (PED) agreement for the Bluff Erosion Project expected in September, and an update of the Beaver Loop bike path.
2. **Borough Planning** – Commissioner Fikes reported the Borough Planning Commission met on August 10 reviewed and approved 15 plats; reviewed and approved a material



extraction, an already existing parcel used for extraction and was just an extension of the conditional use permit; a conditional use permit for a boat launch in 55 ft. habitat and a well in 55 ft. habitat – both approved. She noted training was being offered this week to the Commissioners on parliamentary procedures and addressing zoom technicalities.

Commissioner Fikes further reported on the changes with the new Borough Ordinance that consolidated the Commissioners from 13 representatives to 11, adding that unincorporated cities would hold their seats and those with city limits would sit out, rotating the seat every two years.

3. **Administration** – City Planner Appleby reported on the following:

- Dipnet annual report was forthcoming;
- She was working on Draft Land Management Plan, hoping it would go in final draft form soon;
- Several lease records were updated to reflect additional terms;
- The Airport Commission was meeting tomorrow, August 13 and she noted potential extension requests by pending lessees that may be brought to the Planning and Zoning Commission brought forth due to COVID-19; and
- She has been assisting with the old town signage coming soon.

**K. ADDITIONAL PUBLIC COMMENT**

Jim Glendening expressed concern with the Kenai Peninsula Borough rule precluding representation by first class home rule cities, such as Kenai, noting it should have a continual seat and the current Assembly was not properly representing Kenai.

**L. INFORMATIONAL ITEMS** – None.

**M. NEXT MEETING ATTENDANCE NOTIFICATION** – August 26, 2020

**N. COMMISSION COMMENTS & QUESTIONS** – None.

**O. ADJOURNMENT**

There being no further business before the Commission, the meeting was adjourned at 8:38 p.m.

Minutes prepared and submitted by:

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Jacquelyn LaPlante  
Deputy City Clerk

**File Attachments for Item:**

**Resolution PZ2020-27** – Preliminary Subdivision Plat of Inlet Woods Subdivision Lee-Worley Replat, submitted by Segesser Surveys, 30485 Rosland St., Soldotna, AK 99669, on behalf of Jene M. Worley and Michelle L. Grzybowksi, 1545 Windward Dr., Kenai, AK 99611



**CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. PZ2020-27**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **RECOMMENDING** THAT INLET WOODS SUBDIVISION LEE-WORLEY REPLAT ATTACHED HERETO BE APPROVED

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

WHEREAS, the plat meets Municipal Code requirements of the Suburban Residential Zone; and,

WHEREAS, street names are referenced correctly; and,

WHEREAS, the plat grants a fifteen-foot (15") utility easement adjacent to the rights-of-way of WINDWARD DRIVE and LEEWARD DRIVE; and,

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

WHEREAS, WINDWARD DRIVE and LEEWARD DRIVE are paved and City maintained roads, providing access to the property; and,

WHEREAS, an installation agreement is not required; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to Kenai Municipal Code 14.10.070 Subdivision design standards, the plat conforms to the minimum street widths, an easement is sufficiently provided for utilities, the proposed lot would be arranged to provide satisfactory and desirable building sites, and the preliminary plat meets standards for water and wastewater.
2. Pursuant to Kenai Municipal Code 14.10.080 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 proposed lots meets City standards for minimum lot sizes.
4. Pursuant to Kenai Municipal Code 14.24.020 General Requirements, the proposed lots meet City standards for minimum lot width, maximum lot coverage, maximum height, and setbacks.

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

**Section 1.** That the preliminary plat of INLET WOODS SUBDIVISION LEE-WORLEY REPLAT be approved subject to the following conditions:

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

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 26th day of August, 2020.

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JEFF TWAIT, CHAIRPERSON

ATTEST:

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JAMIE HEINZ, CITY CLERK



# KENAI

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

## STAFF REPORT

**TO:** Planning and Zoning Commission  
**FROM:** Elizabeth Appleby, City Planner  
**DATE:** August 20, 2020  
**SUBJECT:** PZ2020-27 – Preliminary Plat – Inlet Woods Subdivision Lee-Worley Replat

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**Applicants:** Michelle Lee, a/k/a Michelle L. Grzybowski  
1545 Windward Drove  
Kenai, AK 99611  
  
Jene M. Worley  
612 Laurel Dr.  
Kenai, AK 99611

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

**Requested Action:** Preliminary Subdivision Plat – Inlet Woods Subdivision Lee-Worley Replat

**Legal Description:** Lot 2A, Block 4, Inlet Woods Subdivision Jones Replat,  
Lot 4, Block 4, Inlet Woods Subdivision Part One

**Property Address:** 1545 Windward Drive and 1108 Leeward Drive

**KPB Parcel No:** 04101364 and 04101314

**Lot Size:** 0.44 acres (approximately 19,144 square feet),  
0.22 acres (approximately 9,583 square feet)

**Existing Zoning:** Suburban Residential (SR)

**Current Land Use:** Single Family Residence and Vacant Lot

**Land Use Plan:** Suburban Residential

## GENERAL INFORMATION

Segesser Surveys submitted a preliminary plat on behalf of the property owners, Michelle Lee and Jene M. Worley. The plat affects the parcels described as Lot 2A, Block 4, Inlet Woods Subdivision Jones Replat and Lot 4, Block 4, Inlet Woods Subdivision Part One.

The property owners wish to vacate the property line between two lots and create a larger lot described as Lot 4A, Block 4, Inlet Woods Subdivision Lee-Worley Replat. Lot 4A, Block 4, Inlet Woods Subdivision Lee-Worley Replat will be approximately 28,714 square feet. The proposed lot will meet the minimum lot size of 7,200 square feet within the Suburban Residential (RS) zone.

### Application, Public Notice, Public Comment

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

The property owners completed the City of Kenai preliminary plat submittal form. The City of Kenai follows *Kenai Peninsula Borough Code 20.25.070* and *20.25.080* for preliminary plat submittal requirements. City staff published notice of the consideration of the plat as part of the agenda for the City of Kenai Planning and Zoning Commission in the *Peninsula Clarion*. No public comments have been received as of August 20, 2020.

## ANALYSIS

The proposed Lot 4A, Block 4 is a corner lot fronting the rights-of-way for Windward Drive and Leeward Drive. Access to the residence is provided via the driveway off of Windward Drive. Windward Drive and Leeward Drive are paved and City-maintained roads.

The residence located on Lot 2A, Block 4, Inlet Woods Subdivision Jones Replat is served by City water and sewer. An Installation Agreement is not required. A fifteen foot (15') utility easement runs along the Windward Drive and Leeward Drive rights-of-way.

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 Inlet Woods Subdivision Lee-Worley Replat, subject to the following conditions:

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



## ATTACHMENTS

1. Resolution No. PZ2020-27
2. Application
3. Preliminary Plat
4. Aerial Map





# Preliminary Plat Submittal Form

City of Kenai  
Planning and Zoning Department  
210 Fidalgo Avenue  
Kenai, AK 99611  
(907) 283-8200  
planning@kenai.city  
www.kenai.city/planning

### APPLICANT (SURVEYOR)

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

### PROPERTY OWNER

Name:	Michelle Lee and Jene Worley						
Mailing Address:	1545 Windward Dr	City:	Kenai	State:	AK	Zip Code:	99611
Phone Number(s):	398-1826						
Email:							

### PROPERTY INFORMATION

Property Owner Name:	Michelle Lee and Jene Worley					
Current City Zoning:						
Use:	<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Recreational	<input type="checkbox"/> Commercial			
	<input type="checkbox"/> Other:					
Water:	<input type="checkbox"/> On Site	<input checked="" type="checkbox"/> City	<input type="checkbox"/> Community			
Sewer:	<input type="checkbox"/> On Site	<input checked="" type="checkbox"/> City	<input type="checkbox"/> Community			

### PLAT INFORMATION

Preliminary Plat Name:	Inlet Woods Subdivision Lee-Worley Replat					
Revised Preliminary Plat Name:						
Vacation of Public Right-of-Way:	<input type="checkbox"/> Yes		<input checked="" type="checkbox"/> No			
Street Name (if vacating ROW):						

Exceptions Required and Requested:

Comments:

### REQUIRED ATTACHMENTS

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

Signature:		Date:	8-14-20
Print Name:	John F. Segesser	Title/Business:	President Segesser Surveys Inc



**LEGEND:**

- ⊕ 3 1/4" ALUM. CAP MONUMENT 4637-S 1984 RECORD
- ⊕ 3 1/4" ALUM. CAP MONUMENT 4928-S 1983 RECORD
- 1/2" REBAR RECORD
- ( ) RECORD DATUM PLATS 84-279 & 2002-97 KRD

**NOTES:**

- 1) Basis of bearing taken from Inlet Woods Subdivision Part One, Plat 84-279, Kenai Recording District.
- 2) Further development of the property shall conform to all federal, State of Alaska, and local regulations.
- 3) Development must meet City of Kenai Chapter 14 Zoning Requirements.
- 4) Covenants, conditions, and restrictions which affect this subdivision are recorded in Book 268 Page 636 Kenai Recording District.
- 5) An easement for electric lines or system and/or telephone lines granted to Homer Electric Association is recorded in Book 5 Page 133, Kenai Recording District.
- 6) Front 15 feet adjacent to rights-of-way is also a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
- 7) **WASTEWATER DISPOSAL:** Plans for wastewater disposal, that meet regulatory requirements are on file at the Department of Environmental Conservation.

Engineer \_\_\_\_\_ License No. \_\_\_\_\_ date \_\_\_\_\_

**PLAT APPROVAL**

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

KENAI PENINSULA BOROUGH

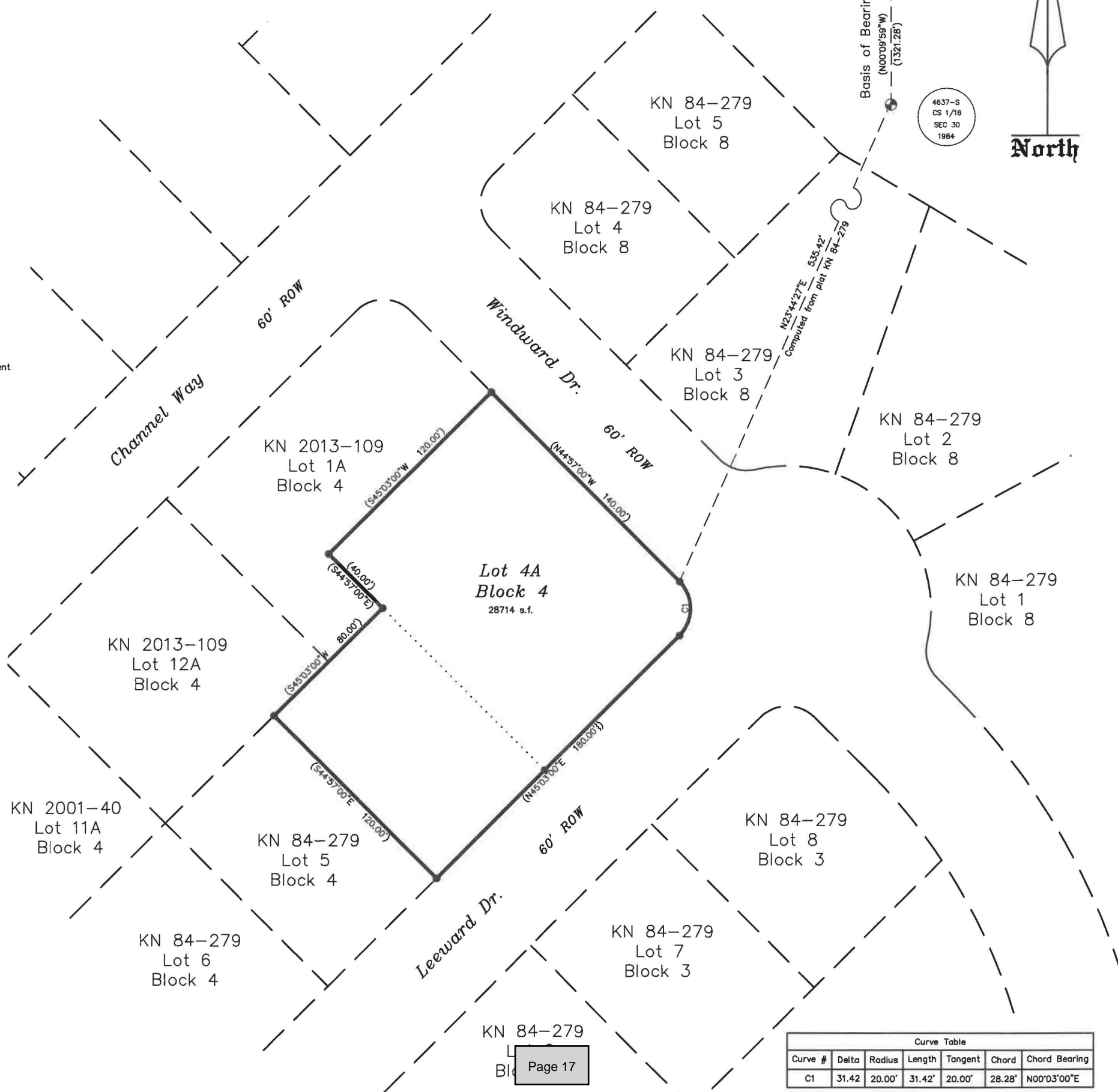
AUTHORIZED OFFICIAL \_\_\_\_\_



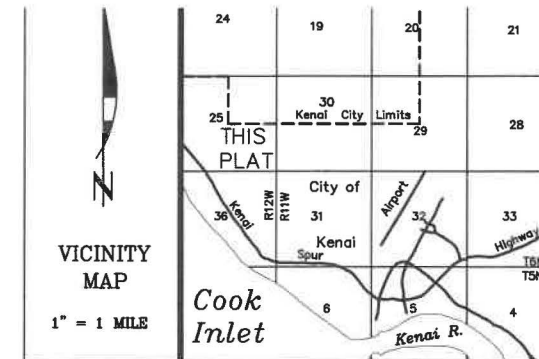
**SURVEYOR'S CERTIFICATE**

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

Date \_\_\_\_\_



Curve Table						
Curve #	Delta	Radius	Length	Tangent	Chord	Chord Bearing
C1	31.42	20.00'	31.42'	20.00'	28.28'	N00°03'00\"/>



**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.

JENE M. WORLEY  
LOT 2A BLOCK 4

MICHELLE LEE  
AKA MICHELLE LEE GRZYBOWSKI  
LOT 2A and LOT 4 BLOCK 4  
1545 WINDWARD DR.  
KENAI, ALASKA 99669

**NOTARY'S ACKNOWLEDGEMENT**

FOR \_\_\_\_\_  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES \_\_\_\_\_

**NOTARY'S ACKNOWLEDGEMENT**

FOR \_\_\_\_\_  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES \_\_\_\_\_

KPB FILE No. \_\_\_\_\_

**Inlet Woods Subdivision  
Lee-Worley Replat**

A resubdivision of Lot 4 Block 4 Inlet Woods Subdivision Part One Plat 84-279 and Lot 2A Inlet Woods Subdivision Jones Replat Plat 2002-97, Kenai Recording District.

Located within the SW1/4 Section 30, T6N, R11W, S.M., City of Kenai, Kenai Peninsula Borough, Alaska.

Containing 28714 s.f.

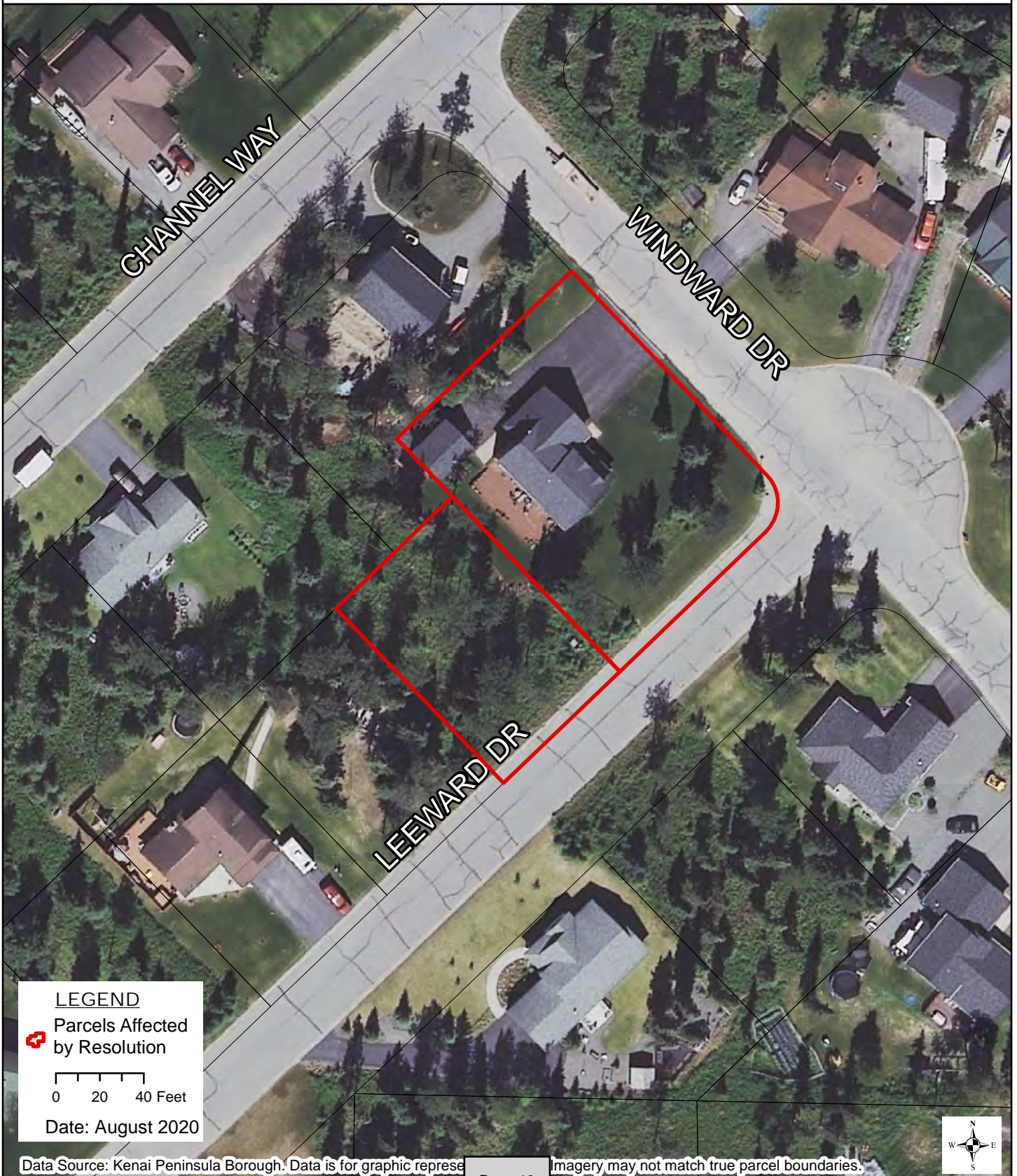
Surveyor <b>Segesser Surveys</b> 30485 Rosland St. Soldotna, AK 99669 (907) 262-3909	Owners Jene M. Worley Michelle L. Grzybowski 1545 Windward Dr. Kenai, Alaska 99611
JOB NO. 20142	DRAWN: 8-9-20
SURVEYED: N/A	SCALE: 1"=30'



# Aerial Map: Resolution PZ2020-27

Parcels 04101364 and 04101314

1545 Windward Drive and 1108 Leeward Drive  
Lot 2A, Block 4, Inlet Woods Subdivision Jones Replat and  
Lot 4, Block 4, Inlet Woods Subdivision Part One



**LEGEND**  
Parcels Affected  
by Resolution  
0 20 40 Feet  
Date: August 2020

**File Attachments for Item:**

**Resolution PZ2020-21** - Application for a Variance Permit to reduce the setback requirement from 150 feet to 75 feet pursuant to Kenai Municipal Code 14.20.255(c)(4)(K) for the property located at 6576 Kenai Spur Highway, Kenai, AK 99611 and described as Lot 15, Block C, Beaver Creek Alaska Subdivision. The Application was submitted by Acom Consulting on behalf of Vertical Bridge, 5200 SW Meadows Rd., Suite 150, Lake Oswego, OR 97035

## STAFF REPORT

**TO:** Planning and Zoning Commission  
**FROM:** Elizabeth Appleby, City Planner  
**DATE:** August 20, 2020  
**SUBJECT:** PZ2020-21 – Variance Permit – Setback requirement for communication tower

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**Applicant:** Suburban Propane LP  
240 State Route 10  
Whippany, NJ 07981

**Petitioner Representative:** Tami Drew, Acom Consulting on behalf of Vertical Bridge  
5200 SW Meadows Road, Suite 150  
Lake Oswego, OR 97035

**Legal Description:** Lot 15, Block C, Beaver Creek Alaska Subdivision

**Property Address:** 6576 Kenai Spur Highway

**KPB Parcel No:** 04106115

**Lot Size:** 1.26 acres (approximately 54,886 square feet)

**Existing Zoning:** General Commercial (CG)

**Current Land Use:** Propane tank storage

**Land Use Plan:** General Commercial

### GENERAL INFORMATION

Acom Consulting on behalf of Vertical Bridge has submitted a Variance Permit application to the City in order to construct a communications tower with a reduction in the setback requirements at 6576 Kenai Spur Highway (parcel 04106115). The tower would be located within a 50-foot x 50-foot area. Kenai Municipal Code requires an 8-foot high fence to secure the tower from the public. Kenai Municipal Code 14.20.255(c)(4)(K) states the following as setback requirements for a communications tower:

*Setback. In all zones, a communications tower must be a minimum distance equal to the height of the communications tower from all lot lines. No variance from the setback requirements of this*

*section may reduce the minimum setback distance to below a distance equal to fifty percent (50%) of the height of the tower from a lot line.*

Vertical Bridge proposes to construct a new 150-foot wireless communications tower that would accommodate Verizon and potentially three other carriers on one collated tower. The setback requirement must the equal to the height of the communications tower from all lot line, meaning the tower must be 150-feet from all lot lines. No variance may be granted from this requirements that is less than a setback of 75-feet from all sides of the lot.

[Application, Public Notice, Public Comment](#)

City staff received a complete application for a Variance Permit. Pursuant to Kenai Municipal Code 14.20.280(c) notices of the public hearing were mailed to property owners within a 300 feet of the subject property. City staff published notice of the public hearing in the *Peninsula Clarion*. The applicant submitted an Affidavit of Posting verifying a sign was placed on the parcel with information on the public hearing for the maximum lot coverage variance request.

If the Variance Permit is approved, the City Planner may review the submitted materials and grant an Administrative Permit for the communication tower upon a determination that all of the applicable conditions for a communication tower set forth in Kenai Municipal Code have been met. The application before the Commission in this Staff Report is just to make a determination if a Variance Permit may be granted to reduce the setback requirements for the tower from all lot lines from 150 feet to 75 feet.

[ANALYSIS](#)

KMC 14.20.180 details the intent, application, and review criteria for a Variance Permit. The Commission shall establish a finding that all of the following conditions exist as a prerequisite to issuance of a Variance Permit:

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

The communications tower section of Kenai Municipal Code has a specific section on communications towers and a sub-section on communications tower setbacks that reference a variance could be granted for up to 50% of the height of the tower from a lot line. Thus, the City recognizes in Code a variance may be necessary from the setbacks initially outlined to accommodate a communications tower. The lot to the east is owned by the Homer Electric Association and has utility infrastructure on the parcel. The parcel to the west is owned by the State of Alaska and is vacant. Morgan Steel, Inc. owns the parcels across Eagle Street and Pickle Hill Public Broadcasting, Inc. owns one of the parcels across the Kenai Spur Highway from the proposed tower site. City of Kenai wellhead and water line utilities are located farther east along the Kenai Spur Highway in the vicinity of the proposed tower location. This area of the City has a pattern for utility location as it is along the busy Kenai Spur Highway and not within neighborhoods.

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



If the setbacks of 150-foot were in place, the applicant reports that only a 100-foot tower could be constructed and collocation may be difficult. If the applicant uses a 150-foot monopole with the 75-foot setbacks, it will encourage collocation of communication infrastructure with multiple carriers potentially all using the one proposed tower. Kenai Municipal Code encourages collocation. Verizon would be the first carrier to use the tower and Verizon is unable to locate on an existing structure. The tower would improve communications infrastructure within the City of Kenai.

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

A communication tower and antenna, radio/tv transmitters/cell sites are a principally permitted use within the General Commercial (CG) Zone of the City as long as the applicable conditions set forth in Kenai Municipal Code 14.20.255 are met.

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

Kenai Municipal Code 14.20.255(c)(4)(K) allows for a 50% reduction in the setback requirements for communication towers in all zones. The variance reducing the setback requirement to 75-feet for a 150-foot tower falls within those limits.

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

The evaluation of this variance application is not based upon other communications towers or other tall structure within the same zoning district. Verizon currently has no towers in Kenai.

City staff finds the applicant meets the criteria for issuance of a Variance Permit in accordance with KMC 14.20.180, Variance permits, and recommends that the Planning and Zoning Commission approve the Variance Permit application, subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. Prior to commencement of construction of the communication tower, the owner shall obtain a Building Permit from the Building Inspector.
3. Prior to commencement of construction of the communication tower, the owner shall obtain a Communications Tower Permit from the City Planner.

## ATTACHMENTS

- A. Resolution No. PZ2020-21
- B. Application, inclusive of Site Plan and Preliminary Drawings
- C. Aerial Map





**CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. 2020-21**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **GRANTING** A VARIANCE PERMIT FOR REDUCING THE SETBACK REQUIREMENT FOR A COMMUNICATION TOWER TO BE LOCATED AT LOT 15, BLOCK C, BEAVER CREEK ALASKA SUBDIVISION

APPLICANT: Suburban Propane LP

REPRESENTATIVE: Acom Consulting on behalf of Vertical Bridge

PROPERTY ADDRESS: 6576 Kenai Spur Highway

LEGAL DESCRIPTION: Lot 15, Block C, Beaver Creek Alaska Subdivision

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04106115

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150, Variance permit – Permit Application, was submitted to the City; and,

WHEREAS, Kenai Municipal Code 14.20.255(c)(4)(K) requires a setback equal to the height of the communications tower from all lot lines, but also states the setback may be reduced by up to 50% of the tower height; and,

WHEREAS, a communication tower is a principally permitted use within the General Commercial (CG) Zone of the City; and,

WHEREAS, the applicant has demonstrated with plans and other documents that all of the conditions have been found to exist as a prerequisite to issuance of a variance permit pursuant to Kenai Municipal Code 14.20.180(c), Variance permit – Review Criteria; and,

WHEREAS, the Planning and Zoning Commission finds:

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

The communications tower section of Kenai Municipal Code has a specific section on communications towers and a sub-section on communications tower setbacks that reference a variance could be granted for up to 50% of the height of the tower from a lot line. Thus, the City recognizes in Code a variance may be necessary from the setbacks initially outlined to accommodate a communications tower. The lot to the east is owned by the Homer Electric Association and has utility infrastructure on the parcel. The parcel to the west is owned by the State of Alaska and is vacant. Morgan Steel, Inc. owns the parcels

across Eagle Street and Pickle Hill Public Broadcasting, Inc. owns one of the parcels across the Kenai Spur Highway from the proposed tower site. City of Kenai wellhead and water line utilities are located farther east along the Kenai Spur Highway in the vicinity of the proposed tower location. This area of the City has a pattern for utility location as it is along the busy Kenai Spur Highway and not within neighborhoods.

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

If the setbacks of 150-foot were in place, the applicant reports that only a 100-foot tower could be constructed and collocation may be difficult. If the applicant uses a 150-foot monopole with the 75-foot setbacks, it will encourage collocation of communication infrastructure with multiple carriers potentially all using the one proposed tower. Kenai Municipal Code encourages collocation. Verizon would be the first carrier to use the tower and Verizon is unable to locate on an existing structure. The tower would improve communications infrastructure within the City of Kenai.

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

A communication tower and antenna, radio/tv transmitters/cell sites are a principally permitted use within the General Commercial (CG) Zone of the City as long as the applicable conditions set forth in Kenai Municipal Code 14.20.255 are met.

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

Kenai Municipal Code 14.20.255(c)(4)(K) allows for a 50% reduction in the setback requirements for communication towers in all zones. The variance reducing the setback requirement to 75-feet for a 150-foot tower falls within those limits.

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

The evaluation of this variance application is not based upon other communications towers or other tall structure within the same zoning district. Verizon currently has no towers in Kenai.

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

**Section 1.** That a Variance Permit is granted to Suburban Propane LP relaxing the setback requirements outline in Kenai Municipal Code 14.20.255(c)(4)(K) of 150-feet from all lot sides for a 150-foot communications tower to a setback of 75-feet from all lot sides for a 150-foot communications tower.

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

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



2. Prior to commencement of construction of the communication tower, the owner shall obtain a Building Permit from the Building Inspector.
3. Prior to commencement of construction of the communication tower, the owner shall obtain a Communications Tower Permit from the City Planner.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,  
this 26th day of August, 2020.

\_\_\_\_\_  
JEFF TWAIT, CHAIRPERSON

ATTEST:

\_\_\_\_\_  
JAMIE HEINZ, CMC, CITY CLERK



## Variance Permit Application

City of Kenai  
Planning and Zoning Department  
210 Fidalgo Avenue  
Kenai, AK 99611  
(907) 283-8200  
planning@kenai.city  
www.kenai.city/planning

### PROPERTY OWNER

Name:	Suburban Propane LP			
Mailing Address:	240 STATE ROUTE 10		WHIPPANY, NJ 07981	
City:	WHIPPANY	State:	NJ	Zip Code: 07981
Phone Number(s):	Eric Allen - Homer contact - 907.235.8565			
Email:	EAllen@suburbanpropane.com			

### PETITIONER REPRESENTATIVE (LEAVE BLANK IF NONE)

Name:	Tami Drew / Acom Consulting on behalf of Vertical Bridge			
Mailing Address:	5200 SW Meadows Road, Suite 150			
City:	Lake Oswego	State:	OR	Zip Code: 97035
Phone Number(s):	206.331.7072			
Email:	tami.drew@acomconsultinginc.com			

### PROPERTY INFORMATION

Kenai Peninsula Borough Parcel # (Property Tax ID):	04106115
Physical Address:	6576 Kenai Spur Hwy, Kenai, AK 99611
Legal Description:	Lot 15, Blk. C, Beaver Creek Alaska Subdivision
Zoning:	CG - General Commercial
Acres:	1.28

### VARIANCE DESCRIPTION

(include site plan with square footages and elevations of all existing/proposed buildings)  
(use additional pages if necessary to answer questions)

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

How is this property currently being used?	Propane tank storage
Use of surrounding property - north:	Vacant lot
Use of surrounding property - south:	Vacant lot and residence
Use of surrounding property - east:	Homer Electric accessory building
Use of surrounding property - west:	Vacant lot

Variance Requested for (attach additional sheets if necessary):

We would like to request a variance to reduce the 150' setback required for a 150' communications tower. We are aware we can reduce it by 50% and only require a 75' setback from property lines.

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

Due to the requirement of 1:1 setbacks for communication towers, the property is not wide enough or long enough at 200' X 275' to meet 150' setbacks from all property lines.

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

If the setbacks are maintained as is, the cell tower would only be allowed 100' in height. To encourage co-location, Vertical Bridge would like to use a 150' monopole. Then multiple carriers could benefit from co-location.

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

Wireless Communication Towers are Permitted in the CG zone. The 1:1 tower setbacks are not allowing for this permitted use.

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

In order to provide enough room and separation on the tower for multiple carriers to potentially co-locate, this height will allow the carriers to meet coverage objectives.

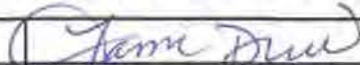
Explain how the granting of a variance shall not be based upon other nonconforming land uses or structures within the same land use or zoning district:

We are not aware of any other variances for a tower in the area.

**AUTHORITY TO APPLY FOR A VARIANCE:**

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

Signature:



Date:

7/22/2020

Print Name:

Tami Drew

Title/Business:

Real Estate Specialist / Acom Consulting on behalf of Vertical Bridge

**For City Use Only**

Date Application Fee Received: 7/27/2020

PZ Resolution Number: 2020-21



7/17/2020

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

Re: AK Twincity – Vertical Bridge Wireless Communications Facility US-AK-5249  
Variance / Plan Review Application – 6576 Kenai Spur Hwy

Dear Elizabeth,

Vertical Bridge is designing a tower that will accommodate Verizon and potentially 3 other carriers on one co-located tower.

Vertical Bridge is proposing a new 150' Wireless Communications Facility at 6576 Kenai Spur Hwy. The WCF will be within a 50' X 50' Lease Area to accommodate Verizon as the initial carrier and have room to include space for additional carriers in the future.

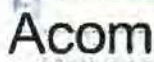
This site is located in the CG – General Commercial zone, which is a preferred location for new towers. The site will be screened from the neighboring properties and the public road.

Due to setback limitations, we will require a **variance** to achieve the height needed to allow for network coverage as well as co-location capability. Please find the following attached for review and approval:

- Variance Application
- Narrative
- Exhibit A – Zoning Drawings
- Exhibit B – Propagation Plot – Planned future coverage for Kenai
- Exhibit C – Letter of Authorization
- Exhibit D – Photo Simulations
- Check for the Variance Fee

Sincerely,

**Tami Drew**  
Real Estate Specialist  
206.331.7072  
[tami.drew@acomconsultinginc.com](mailto:tami.drew@acomconsultinginc.com)



## Zoning Narrative – US-AK-5249 Twincity – Vertical Bridge

(A) One (1) copy of specifications for proposed structures and communications antenna(s), including description of design characteristics and material;

*Exhibit A - Zoning Drawings*

*(Construction Drawings will be provided for the Building Permit and provide more detail.)*

(B) A site plan drawn to scale showing property boundaries, tower location, tower height, guy wires and anchors, existing structures, photographs or elevation drawing depicting typical design of proposed structures, parking fences, landscape plan, and existing land uses on adjacent property;

*Exhibit A – Zoning Drawings*

(C) A current map, or update for an existing map on file, showing locations of applicant’s communications towers/antenna(s), facilities and proposed communications towers/antenna(s) which are reflected in public records, serving any property within the city;

*Verizon currently has no towers in Kenai.*

*Exhibit B - Propagation maps showing future coverage are included in the submittal package*

(D) A report from a structural engineer registered under AS 08.48 in the State of Alaska showing the communications tower/antenna capacity by type and number, and a certification that the tower/antenna

is designed to withstand winds in accordance with the latest revision of ASI/EIA/TIA/222 standards (“Structural standards for steel communications antenna towers and communications antenna supporting structures”);

*Structural Analysis will be included in the Building Permit Submittal. We design to state requirements and will provide a stamped design for Building Permit review.*

(E) Identification of the owners of the communications tower/antenna(s) and equipment to be located on the site;

*Vertical Bridge will be the owner of the tower and Verizon Wireless will be the first occupant. Drawings include contact information*

(F) Written authorization from the site owner for the application;

*Exhibit C - Letter of Authorization included in submittal package*

(G) Evidence that a valid FCC license for the proposed activity has been issued;

The site will be designed to adhere to FCC guidelines including transmit and receive calls signs issued to Verizon.

Call Sign	Band	TX	RX
WQJU651	700 Upper C	746-756 MHz	776-786 MHz
WQGD637	AWS1-A	1710-1720 MHz	2110-2120 MHz
WQGD638	AWS1-F	1745-1755 MHz	2145-2155 MHz

(H) A line of sight analysis showing the potential visual and aesthetic impacts on adjacent residential districts including photo simulations of the proposed facility from each direction shall be provided showing the tower, all antennas, structures, and equipment facilities, demonstrating the true impact of the facility on the surrounding visual environment. The Planning Department will assist in specifying recommended vantage points and the requested number of photo simulations;

*Exhibit D - Photo Simulations included in submittal package*

(I) A written agreement, on a form approved by the City Attorney, to remove the communications tower/antenna(s) within one hundred eighty (180) days after the communications tower/antenna(s) is substantially unused for a period of twelve (12) consecutive months. If a facility is unused or if a facility becomes obsolete due to changing technology, it shall be the responsibility of the tower owner and/or property owner to remove the tower and to restore the site to its original condition within sixty (60) days.

If the tower is not removed within this sixty (60) day period, the City of Kenai may notify the tower owner that it will contract for removal at the cost of the owner.

*City to provide agreement regarding removal of an unused tower*

(J) A cell phone coverage map showing the applicant's cell phone coverage within the City of Kenai;

*Exhibit B - Propagation map included in submittal package showing planned coverage for all of Kenai, with and without this proposed site. There is currently no coverage in Kenai.*

(K) Evidence that applicable conditions in subsection (b)(4) are met;

(4) Conditions. For permits issued under subsections (b) and (c) of this section, the applicant must show that all applicable conditions are met as follows:

(A) Location and Visual Impact. The proposed communications tower/antenna or accessory structure will be placed in a reasonably available location which will minimize the visual impact on the surrounding area and allow the facility to function in accordance with minimum standards imposed by the applicable communications regulations and applicant's technical design requirements.

The tower will need to be placed according to setbacks.

(B) Inability to Locate on an Existing Structure. The applicant must show that a proposed communications tower/antenna and equipment cannot be accommodated and function as required by applicable regulations and applicant's technical requirements without unreasonable modifications on any existing structure or tower under control of the applicant.

There are no existing towers in the coverage area needed for the network.

(C) Necessity for Location in a Residential District. Applicant for a permit in a residential district must show that the area cannot be adequately served by a facility placed in a nonresidential district for valid technical reasons.

The tower is in the CG, General Commercial Zone

(D) Location on public property or other private property not suitable. Prior to consideration for a permit for location on private property which must be acquired, applicant must show that available publicly owned sites, and available privately owned sites occupied by a compatible use, are unsuitable for operation of the facility under applicable communications regulations and applicant's technical design requirements.

There is no tower within 1000' of the proposed new wireless communications facility.

(E) Design for Future Use. The applicant must show that a new communications tower is designed to accommodate additional communications antenna(s) equal in number to applicant's present and reasonable foreseeable future requirements.

*Exhibit A - Zoning Drawings*

See attached drawings which include possible future antenna rad centers

(F) Safety Code Met. The applicant must meet all applicable health, nuisance, noise, fire building and safety code requirements.

*Exhibit A - Zoning Drawings*

See attached drawings for code reference

(G) Paint. Towers and attached antennas must be painted or coated in a color that blends with the surrounding environment. Muted colors, earth tones, and subdued hues, such as gray, shall be used. All associated structures such as equipment buildings, including the roofs, shall be painted with earth tone colors unless otherwise required under KMC 14.20.150 or by State or Federal law or regulations.

*Exhibit A - Zoning Drawings*

Description included in drawings

(H) Distance from Existing Tower. A permit for a proposed communications tower within one thousand

feet (1,000') of an existing communications tower shall not be issued unless the applicant certifies that the existing tower does not meet applicant's structural specifications and applicant's technical design requirements, or that a collocation agreement could not be obtained.

*There is no tower within 1000' of the proposed new wireless communications facility.*

(I) FCC Rules. The applicant must show by certificate from an engineer properly licensed in the State of Alaska that the proposed facility will contain only equipment meeting FCC rules.

*Construction Drawings will be signed and stamped by an engineer.*

(J) Application of Zoning Rules. Land development regulations, visibility, fencing, screening, landscaping, parking, access, lot size, exterior illumination, sign, storage, and all other general zoning district regulations except setback height, shall apply to the use. Setback and height conditions in this section shall apply.

*Adhering to zoning rules for the CG Zone*

(K) Setback. In all zones, a communications tower must be a minimum distance equal to the height of the communications tower from all lot lines. No variance from the setback requirements of this section may reduce the minimum setback distance to below a distance equal to fifty percent (50%) of the height of the tower from a lot line.

*Requesting a Variance to allow a 75' setback instead of 150'.*

(L) No advertising is permitted of the communication tower with the exception of identification signage.

*No advertising will be used.*

(M) No signs or lighting shall be mounted on a communications tower except those reasonably needed for safety purposes or as required by the Federal Communications Commission, Federal Aviation Administration or other government agency with jurisdiction.

*No signs or lighting will be mounted on the tower as specified.*

(N) The communications towers shall be secured by a fence with a minimum height of eight feet (8') to limit accessibility to the public.

*Exhibit A - Zoning Drawings - See attached drawings adhering to 8' fence requirement.*

(d) Height.

(1) The height limitation on communications towers permitted or allowed by conditional use are as follows:



(B) In the CG, ED, R, IL and C Districts a freestanding or guyed communications tower with height not exceeding one hundred fifty feet (150') may be permitted; height exceeding one hundred fifty feet (150') requires a variance.

Proposed communications tower is 150' in the CG zone.

(F) Height Limitation Near the Kenai Municipal Airport. Regardless of zone, all communications tower(s)/antenna(s) in aircraft-approach zones and within eight thousand feet (8,000') of the main runway

shall be subject to height limitation on the basis of obstruction criteria as shown on the current FAA approved Kenai Airport Master Plan drawings which are on file at Kenai City Hall. No variance may be granted under KMC 14.20.190 that deviates from this requirement.

The site is approximately 4 miles from the Airport.

# US-AK-5249 TWINCITY

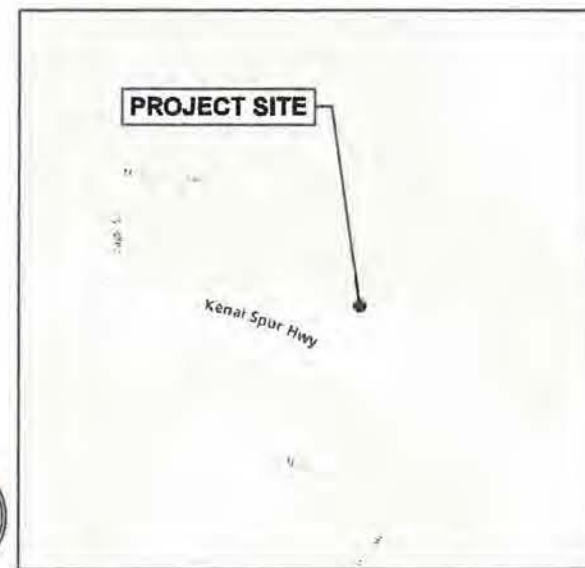
6576 KENAI SPUR HWY.  
KENAI, AK 99611



### VICINITY MAP



### AREA MAP



### DRIVING DIRECTIONS

FROM TED STEVENS ANCHORAGE INTERNATIONAL AIRPORT

START OUT GOING WEST ON W INTERNATIONAL AIRPORT RD., KEEP LEFT AT THE FORK TO CONTINUE ON W INTERNATIONAL AIRPORT RD., TURN SLIGHT LEFT ONTO S TERMINAL LOOP., STAY STRAIGHT TO GO ONTO W INTERNATIONAL AIRPORT RD., TAKE THE MINNESOTA DR S/SEWARD HWY RAMP., MERGE ONTO MINNESOTA DR., MINNESOTA DR BECOMES O'MALLEY RD., MERGE ONTO SEWARD HIGHWAY/AK-1 S TOWARD SEWARD., TURN SLIGHT RIGHT ONTO SEWARD HWY/AK-1. CONTINUE TO FOLLOW AK-1., TURN RIGHT ONTO KENAI SPUR HWY., - DESTINATION WILL BE ON THE RIGHT

### CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT CONDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES:

- ALASKA STATE AND LOCAL BUILDING CODES WITH THE FOLLOWING REFERENCE CODE:
- 2012 INTERNATIONAL BUILDING CODE
  - 2012 INTERNATIONAL ENERGY CONSERVATION CODE
  - 2012 INTERNATIONAL FIRE CODE
  - 2012 INTERNATIONAL FUEL GAS CODE
  - 2012 INTERNATIONAL MECHANICAL CODE

### PROJECT CONTACT LIST

**PROPERTY OWNER (SELLER):**  
SUBURBAN PROPANE LP  
240 STATE ROUTE 10  
WHIPPANY, NJ 07981

**PROPERTY OWNER (BUYER):**  
VERTICAL BRIDGE DEVELOPMENT, LLC  
750 PARK OF COMMERCE DRIVE,  
SUITE 200  
BOCA RATON, FL 33487  
STEVE HEDGES  
PHONE: (773) 988-1715  
shedges@verticalbridge.com

**IMPLEMENTATION CONTACT:**  
TRAVIS J. NICHOLS  
VERIZON WIRELESS (VAW) LLC  
(d/b/a VERIZON WIRELESS)  
3245 158TH AVENUE, MS 231  
BELLEVUE, WA 98008  
PHONE: (425) 531-5224  
travis.nichols@verizonwireless.com

**SITE ACQUISITION:**  
SARAH BLANCHARD  
ACOM CONSULTING, INC  
5200 SW MEADOWS RD, SUITE 150  
LAKE OSWEGO, OR 97035  
PHONE: (503) 310-5538  
sarah.blanchard@acomconsultinginc.com

**STRUCTURAL ENGINEER:**  
ROGER T. ALWORTH, S.E.  
VECTOR STRUCTURAL ENGINEERING  
651 W GALENA PARK BLVD, SUITE 101  
DRAPER, UT 84020  
PHONE: 801.980.1775  
WWW.VECTORSE.COM

**APPLICANT:**  
VERTICAL BRIDGE DEVELOPMENT, LLC  
750 PARK OF COMMERCE DRIVE,  
SUITE 200  
BOCA RATON, FL 33487  
STEVE HEDGES  
PHONE: (773) 988-1715  
shedges@verticalbridge.com

**CO-APPLICANT:**  
VERIZON WIRELESS (VAW) LLC  
(d/b/a VERIZON WIRELESS)  
3245 158TH AVENUE, MS 231  
BELLEVUE, WA 98008

**A&E CONSULTANT:**  
RICK MATTESON  
ACOM CONSULTING, INC  
5200 SW MEADOWS RD  
SUITE 150  
LAKE OSWEGO, OR 97035  
PHONE: (425) 209-8723  
rick.matteson@acomconsultinginc.com

**ZONING / PERMITTING:**  
TAMI DREW  
ACOM CONSULTING, INC  
5200 SW MEADOWS RD, SUITE 150  
LAKE OSWEGO, OR 97035  
PHONE: (208) 331-7072  
tami.drew@acomconsultinginc.com

**ELECTRICAL ENGINEER:**  
DEAN P. LEVORSEN, PE  
459 E. WILLOW SPRINGS LANE  
DRAPER, UT 84020  
PHONE: (801) 243-0854

### DRAWING INDEX

- T-1 COVER SHEET
- T-2 GENERAL NOTES AND SYMBOLS
- SV-1 TOPOGRAPHICAL SURVEY
- A-1 PROPOSED OVERALL SITE PLAN
- A-2 PROPOSED ENLARGED SITE PLAN
- A-2.1 PROPOSED EQUIPMENT PLAN
- A-3 PROPOSED ELEVATIONS

NO.	DATE	DRAWN	REVISION
A	05/24/20	YK	80% PZD REVIEW
B	07/14/20	RM	90% PZD REVIEW
C	07/18/20	RM	100% FINAL ZD SET



**US-AK-5249  
TWINCITY**  
6576 KENAI SPUR HWY.  
KENAI, AK 99611

COVER SHEET

T-1

### SCOPE OF WORK

VERTICAL BRIDGE DEVELOPMENT, LLC PROPOSES TO INSTALL THE 150' MONOPOLE AND FENCED WIRELESS FACILITY.  
VERIZON WIRELESS PROPOSES TO INSTALL RADIO EQUIPMENT AND DIESEL GENERATOR ON A PREFAB METAL SKID WITHIN A PROPOSED FENCED WIRELESS FACILITY. PROPOSED INSTALLATION OF (6) ANTENNAS AND ANCILLARY EQUIPMENT ON AN ANTENNA MOUNT ATTACHED TO A PROPOSED MONOPOLE.

DO NOT SCALE DRAWINGS. CONTRACTOR MUST VERIFY ALL DIMENSIONS AND ADVISE CONSULTANTS OF ANY ERRORS OR OMISSIONS. NO VARIATIONS OR MODIFICATIONS TO WORK SHOWN SHALL BE IMPLEMENTED WITHOUT PRIOR WRITTEN APPROVAL. ALL PREVIOUS ISSUES OF THIS DRAWING ARE SUPERSEDED BY THE LATEST REVISION. ALL DRAWINGS AND SPECIFICATIONS REMAIN THE PROPERTY OF ACOM CONSULTING.

### PROJECT INFORMATION

**CODE INFORMATION:**  
JURISDICTION: CITY OF KENAI  
ZONING CLASSIFICATION: CG - GENERAL COMMERCIAL  
CONSTRUCTION TYPE: II-B  
OCCUPANCY: UTILITY  
PROPOSED BUILDING USE: TELECOM

**SITE LOCATION (NAVD88):**  
GROUND ELEVATION: 72.4' AMSL  
STRUCTURE HEIGHT: 150.0' (TOP OF MONOPOLE)

**GEODETIC COORDINATES (NAD83):**  
LATITUDE: 60.566674° (60° 34' 00.0" N)  
LONGITUDE: -151.130861° (151° 07' 51.1" W)

**LEASE AREA SIZE:**  
10,000 S.F.

**PARCEL SIZE:** **PARCEL NUMBER:**  
04106115

## GENERAL NOTES

1. WORK SHALL COMPLY WITH ALL APPLICABLE CODES, ORDINANCES, AND REGULATIONS. ALL NECESSARY LICENSES, CERTIFICATES, ETC., REQUIRED BY AUTHORITY HAVING JURISDICTION SHALL BE PROCURED AND PAID FOR BY THE CONTRACTOR.
2. ACOM HAS NOT CONDUCTED, NOR DOES IT INTEND TO CONDUCT ANY INVESTIGATION AS TO THE PRESENCE OF HAZARDOUS MATERIAL, INCLUDING, BUT NOT LIMITED TO, ASBESTOS WITHIN THE CONFINES OF THIS PROJECT. ACOM DOES NOT ACCEPT RESPONSIBILITY FOR THE INDEMNIFICATION, THE REMOVAL, OR ANY EFFECTS FROM THE PRESENCE OF THESE MATERIALS. IF EVIDENCE OF HAZARDOUS MATERIALS IS FOUND, WORK IS TO BE SUSPENDED AND THE OWNER NOTIFIED. THE CONTRACTOR IS NOT TO PROCEED WITH FURTHER WORK UNTIL INSTRUCTED BY THE OWNER IN WRITING.
3. ALL MATERIAL FURNISHED UNDER THIS CONTRACT SHALL BE PROPOSED, UNLESS OTHERWISE NOTED. ALL WORK SHALL BE GUARANTEED AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP. THE CONTRACTOR SHALL REPAIR OR REPLACE AT HIS EXPENSE ALL WORK THAT MAY DEVELOP DEFECTS IN MATERIALS OR WORKMANSHIP WITHIN SAID PERIOD OF TIME OR FOR ONE YEAR AFTER THE FINAL ACCEPTANCE OF THE ENTIRE PROJECT, WHICHEVER IS GREATER.
4. THE GENERAL CONTRACTOR AND EACH SUBCONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL EXISTING CONDITIONS AND UTILITIES AT THE JOB SITE BEFORE WORK IS STARTED. NO CLAIMS FOR EXTRA COMPENSATION FOR WORK WHICH COULD HAVE BEEN FORESEEN BY AN INSPECTION, WHETHER SHOWN ON THE CONTRACT DOCUMENTS OR NOT, WILL BE ACCEPTED OR PAID.
5. THE GENERAL CONTRACTOR AND EACH SUBCONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING DIMENSIONS AND CONDITIONS AT THE JOB SITE WHICH COULD AFFECT THE WORK UNDER THIS CONTRACT. ALL MANUFACTURERS RECOMMENDED SPECIFICATIONS, EXCEPT THOSE SPECIFICATIONS HEREIN, WHERE MOST STRINGENT SHALL BE COMPLIED WITH.
6. THE CONTRACTOR SHALL VERIFY AND COORDINATE SIZE AND LOCATION OF ALL OPENINGS FOR STRUCTURAL, MECHANICAL, ELECTRICAL, PLUMBING, CIVIL, OR ARCHITECTURAL WORK.
7. THE CONTRACTOR SHALL VERIFY THAT NO CONFLICTS EXIST BETWEEN THE LOCATIONS OF ANY AND ALL MECHANICAL, ELECTRICAL, PLUMBING, OR STRUCTURAL ELEMENTS, AND THAT ALL REQUIRED CLEARANCES FOR INSTALLATION AND MAINTENANCE ARE MET. NOTIFY THE CONSULTANT OF ANY CONFLICTS. THE CONSULTANT HAS THE RIGHT TO MAKE MINOR MODIFICATIONS IN THE DESIGN OF THE CONTRACT WITHOUT THE CONTRACTOR GETTING ADDITIONAL COMPENSATION.
8. DO NOT SCALE THE DRAWINGS. DIMENSIONS ARE EITHER TO THE FACE OF FINISHED ELEMENTS OR TO THE CENTER LINE OF ELEMENTS, UNLESS NOTED OTHERWISE. CRITICAL DIMENSIONS SHALL BE VERIFIED AND NOTIFY THE CONSULTANT OF ANY DISCREPANCIES.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DAILY CLEAN UP OF ALL TRADES AND REMOVE ALL DEBRIS FROM THE CONSTRUCTION SITE. AT THE COMPLETION OF THE PROJECT, THE CONTRACTOR SHALL THOROUGHLY CLEAN THE BUILDING, SITE, AND ANY OTHER SURROUNDING AREAS TO A BETTER THAN EXISTING CONDITION.
10. THE CONTRACTOR IS RESPONSIBLE FOR ADEQUATELY BRACING AND PROTECTING ALL WORK DURING CONSTRUCTION AGAINST DAMAGE, BREAKAGE, COLLAPSE, ETC. ACCORDING TO APPLICABLE CODES, STANDARDS, AND GOOD CONSTRUCTION PRACTICES.
11. THE CONTRACTOR SHALL MEET ALL OSHA REQUIREMENTS FOR ALL INSTALLATIONS.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DAMAGES TO THE EXISTING CONSTRUCTION AND REPAIR ALL DAMAGES TO BETTER THAN PROPOSED CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT OF ANY DAMAGE TO THE BUILDING SITE OR ANY ADJACENT STRUCTURES AROUND THE PROJECT. THE CONSULTANT SHALL BE SOLE AND FINAL JUDGE AS TO THE QUALITY OF THE REPAIRED CONSTRUCTION. ANY ADDITIONAL MODIFICATIONS WHICH MUST BE MADE SHALL BE MADE AT THE CONTRACTOR'S EXPENSE.
13. WHERE ONE DETAIL IS SHOWN FOR ONE CONDITION, IT SHALL APPLY FOR ALL LIKE OR SIMILAR CONDITIONS, EVEN THOUGH NOT SPECIFICALLY MARKED ON THE DRAWINGS OR REFERRED TO IN THE SPECIFICATIONS, UNLESS NOTED OTHERWISE.
14. WHERE PROPOSED PAVING, CONCRETE SIDEWALKS OR PATHS MEET EXISTING CONSTRUCTION, THE CONTRACTOR SHALL MATCH THE EXISTING PITCH, GRADE, AND ELEVATION SO THE ENTIRE STRUCTURE SHALL HAVE A SMOOTH TRANSITION.
15. THE CONTRACTOR SHALL MODIFY THE EXISTING FLOORS, WALL, CEILING, OR OTHER CONSTRUCTION AS REQUIRED TO GAIN ACCESS TO AREAS FOR ALL MECHANICAL, PLUMBING, ELECTRICAL, OR STRUCTURAL MODIFICATIONS. WHERE THE EXISTING CONSTRUCTION DOORS, PARTITIONS, CEILING, ETC., ARE TO BE REMOVED, MODIFIED, OR REARRANGED OR WHERE THE EXPOSED OR HIDDEN MECHANICAL, ELECTRICAL, SYSTEMS ARE ADDED OR MODIFIED, THE GENERAL CONTRACTOR SHALL REPAIR, PATCH AND MATCH ALL EXISTING CONSTRUCTION AND FINISHES OF ALL FLOORS WALLS AND CEILINGS. WHERE CONCRETE MASONRY CONSTRUCTION IS MODIFIED, THE CONTRACTOR SHALL TOOTH IN ALL PROPOSED CONSTRUCTION TO MATCH THE EXISTING BOND. WHERE CONCRETE CONSTRUCTION IS MODIFIED, THE CONTRACTOR SHALL VERIFY THE EXACT DETAILS TO BE USED FOR CONSTRUCTION. ALL WORK SHALL BE COVERED UNDER THE GENERAL CONTRACT.

16. VERIFY ALL EXISTING DIMENSIONS PRIOR TO PERFORMING WORK.
17. VERIFY LOCATION OF ALL BURIED UTILITIES PRIOR TO ANY EXCAVATION.
18. IN RAWLAND CONDITIONS, TOWER FOUNDATION STRUCTURAL STEEL TO BE GROUNDED PRIOR TO CONCRETE POUR. TOWER FOUNDATION STRUCTURAL STEEL TO BE CONNECTED TO PERMANENT GROUND ROD PRIOR TO TOWER ERECTION. TOWER GROUND MUST BE MAINTAINED AT ALL TIMES.
19. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR APPLYING FOR COMMERCIAL POWER IMMEDIATELY UPON AWARD OF CONTRACT. THE GENERAL CONTRACTOR IS REQUIRED TO KEEP ALL DOCUMENTATION RECEIVED FROM THE POWER COMPANY, ACKNOWLEDGING APPLICATION FOR POWER. WRITTEN AND VERBAL DISCUSSIONS WITH THE POWER COMPANY, ETC.
20. THE GENERAL CONTRACTOR SHALL OBTAIN WRITTEN CONFIRMATION OF THE EXPECTED DATE OF COMPLETION OF THE POWER CONNECTION FROM THE POWER COMPANY.
21. IF THE POWER COMPANY IS UNABLE TO PROVIDE THE POWER CONNECTION BY OWNER'S REQUIRED DATE, THE GENERAL CONTRACTOR SHALL PROVIDE AND MAINTAIN A TEMPORARY GENERATOR UNTIL THE POWER COMPANY CONNECTION IS COMPLETED. COSTS ASSOCIATED WITH THE TEMPORARY GENERATOR TO BE APPROVED BY THE OWNER.
22. IF THE GENERAL CONTRACTOR FAILS TO TAKE NECESSARY MEASURES AS DESCRIBED IN NOTES 19, 20 AND 21 ABOVE, THE GENERAL CONTRACTOR SHALL PROVIDE A TEMPORARY GENERATOR AT NO COST TO THE OWNER.
23. PLANS PART OF THIS SET ARE COMPLEMENTARY. INFORMATION IS NOT LIMITED TO ONE PLAN, DRAWINGS AND SPECIFICATIONS ARE INSTRUMENTS OF SERVICE AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT, WHETHER THE PROJECT FOR WHICH THEY ARE MADE IS EXECUTED OR NOT. THEY ARE NOT TO BE USED BY THE OWNER ON OTHER PROJECTS OR EXTENSION TO THIS PROJECT EXCEPT BY AGREEMENT IN WRITING AND WITH APPROPRIATE COMPENSATION TO THE ARCHITECT. THESE PLANS WERE PREPARED TO BE SUBMITTED TO GOVERNMENTAL BUILDING AUTHORITIES FOR REVIEW FOR COMPLIANCE WITH APPLICABLE CODES AND IT IS THE SOLE RESPONSIBILITY OF THE OWNER AND/OR CONTRACTOR TO BUILD ACCORDING TO APPLICABLE BUILDING CODES.
24. IF CONTRACTOR OR SUB-CONTRACTOR FIND IT NECESSARY TO DEVIATE FROM ORIGINAL APPROVED PLANS, THEN IT IS THE CONTRACTOR'S AND THE SUB-CONTRACTOR'S RESPONSIBILITY TO PROVIDE THE ARCHITECT WITH 4 COPIES OF THE PROPOSED CHANGES FOR HIS APPROVAL BEFORE PROCEEDING WITH THE WORK. IN ADDITION THE CONTRACTOR AND SUB-CONTRACTORS SHALL BE RESPONSIBLE FOR PROCURING ALL NECESSARY APPROVALS FROM THE BUILDING AUTHORITIES FOR THE PROPOSED CHANGES BEFORE PROCEEDING WITH THE WORK. THE CONTRACTOR AND SUB-CONTRACTORS SHALL BE RESPONSIBLE FOR PROCURING ALL NECESSARY INSPECTIONS AND APPROVALS FROM BUILDING AUTHORITIES DURING THE EXECUTION OF THE WORK.
25. IN EVERY EVENT, THESE CONSTRUCTION DOCUMENTS AND SPECIFICATIONS SHALL BE INTERPRETED TO BE A MINIMUM ACCEPTABLE MEANS OF CONSTRUCTION BUT THIS SHALL NOT RELIEVE THE CONTRACTOR, SUB-CONTRACTOR, AND/OR SUPPLIER/MANUFACTURER FROM PROVIDING A COMPLETE AND CORRECT JOB WHEN ADDITIONAL ITEMS ARE REQUIRED TO THE MINIMUM SPECIFICATION. IF ANY ITEMS NEED TO EXCEED THESE MINIMUM SPECIFICATIONS TO PROVIDE A COMPLETE, ADEQUATE AND SAFE WORKING CONDITION, THEN IT SHALL BE THE DEEMED AND UNDERSTOOD TO BE INCLUDED IN THE DRAWINGS. FOR EXAMPLE, IF AN ITEM AND/OR PIECE OF EQUIPMENT REQUIRES A LARGER WIRE SIZE (I.E. ELECTRICAL WIRE), STRONGER OR LARGER PIPING, INCREASED QUANTITY (I.E. STRUCTURAL ELEMENTS), REDUCED SPACING, AND/OR INCREASED LENGTH (I.E. BOLT LENGTHS, BAR LENGTHS) THEN IT SHALL BE DEEMED AND UNDERSTOOD TO BE INCLUDED IN THE BID/PROPOSAL. THESE DOCUMENTS ARE MEANT AS A GUIDE AND ALL ITEMS REASONABLY INFERRED SHALL BE DEEMED TO BE INCLUDED.
26. THESE CONTRACT DOCUMENTS AND SPECIFICATIONS SHALL NOT BE CONSTRUED TO CREATE A CONTRACTUAL RELATIONSHIP OF ANY KIND BETWEEN THE ARCHITECT AND THE CONTRACTOR.

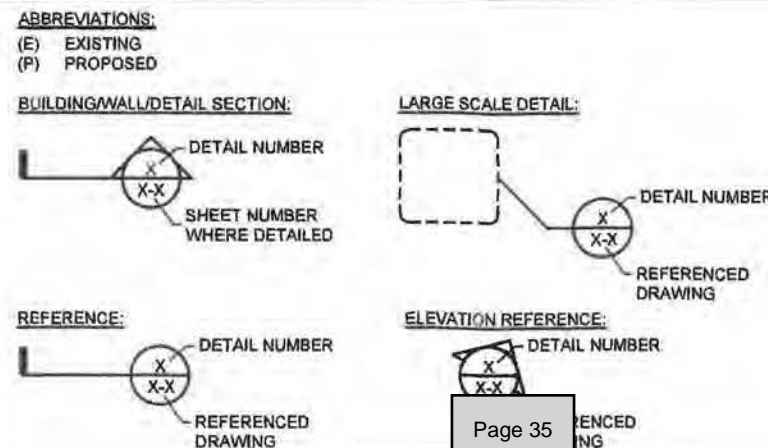
## LINE/ANTENNA NOTES

1. ALL THREADED STRUCTURAL FASTENERS FOR ANTENNA SUPPORT ASSEMBLES SHALL CONFORM TO ASTM A307 OR ASTM A36. ALL STRUCTURAL FASTENERS FOR STRUCTURAL STEEL FRAMING SHALL CONFORM TO ASTM A325. FASTENERS SHALL BE 5/8" MIN. DIA. BEARING TYPE CONNECTIONS WITH THREADS EXCLUDED FROM THE PLANE. ALL EXPOSED FASTENERS, NUTS, AND WASHERS SHALL BE GALVANIZED OTHERWISE NOTED. CONCRETE EXPANSION ANCHORS SHALL BE HILTI KWIK BOLTS UNLESS OTHERWISE NOTED. ALL ANCHORS INTO CONCRETE SHALL BE STAINLESS STEEL.
2. NORTH ARROW SHOWN ON PLANS REFERS TO TRUE NORTH. CONTRACTOR SHALL VERIFY MAGNETIC NORTH AND NOTIFY CONSULTANT OF ANY DISCREPANCY BEFORE STARTING CONSTRUCTION.
3. PROVIDE LOCK WASHERS FOR ALL MECHANICAL CONNECTIONS FOR GROUND CONDUCTORS. USE STAINLESS STEEL HARDWARE THROUGHOUT.
4. THOROUGHLY REMOVE ALL PAINT AND CLEAN ALL DIRT FROM SURFACES REQUIRING GROUND CONNECTIONS.
5. MAKE ALL GROUND CONNECTIONS AS SHORT AND DIRECT AS POSSIBLE. AVOID SHARP BENDS. ALL BENDS TO BE A MIN. OF 8" RADIUS.
6. FOR GROUNDING TO BUILDING FRAME AND HATCH PLATE GROUND BARS. USE A TWO-BOLT HOLE NEMA DRILLED CONNECTOR SUCH AS T&B 32007 OR APPROVED EQUAL.
7. FOR ALL EXTERNAL GROUND CONNECTIONS, CLAMPS AND CADWELDS, APPLY A LIBERAL PROTECTIVE COATING OR AN ANTI-OXIDE COMPOUND SUCH AS "NO-OXIDE A" BY DEARBORN CHEMICAL COMPANY.
8. REPAIR ALL GALVANIZED SURFACES THAT HAVE BEEN DAMAGED BY THERMO-WELDING. USE ERICO T-319 GALVANIZING BAR/COLD GALVANIZING PAINT.
9. SEAL ALL CONDUIT PENETRATIONS INTO MODULAR BUILDING WITH A SILICONE SEALANT AND ALL CONDUIT OPENINGS.
10. ANTENNAS AND COAX TO BE PROVIDED BY VERIZON WIRELESS, CONTRACTOR TO COORDINATE DELIVERY.

## PROJECT INFORMATION

1. THIS IS AN UNMANNED FACILITY AND RESTRICTED ACCESS EQUIPMENT AND WILL BE USED FOR THE TRANSMISSION OF RADIO SIGNALS FOR THE PURPOSE OF PROVIDING PUBLIC CELLULAR SERVICE.
2. VERIZON WIRELESS CERTIFIES THAT THIS TELEPHONE EQUIPMENT FACILITY WILL BE SERVICED ONLY BY VERIZON WIRELESS EMPLOYEE SERVICE PERSONNEL FOR REPAIR PURPOSES ONLY. THIS FACILITY IS UNOCCUPIED AND NOT DESIGNED FOR HUMAN OCCUPANCY THUS IT IS NOT OPEN TO THE PUBLIC.
3. THIS FACILITY WILL CONSUME NO UNRECOVERABLE ENERGY.
4. NO POTABLE WATER SUPPLY IS TO BE PROVIDED AT THIS LOCATION.
5. NO WASTE WATER WILL BE GENERATED AT THIS LOCATION.
6. NO SOLID WASTE WILL BE GENERATED AT THIS LOCATION.
7. VERIZON WIRELESS MAINTENANCE CREW (TYPICALLY ONE PERSON) WILL MAKE AN AVERAGE OF ONE TRIP PER MONTH AT ONE HOUR PER VISIT.

## LEGEND



## IMPORTANT NOTICE

THE EXISTING CONDITIONS REPRESENTED HEREIN ARE BASED ON VISUAL OBSERVATIONS AND INFORMATION PROVIDED BY OTHERS. ACOM CONSULTING CANNOT GUARANTEE THE CORRECTNESS NOR COMPLETENESS OF THE EXISTING CONDITIONS SHOWN AND ASSUMES NO RESPONSIBILITY THEREOF. CONTRACTOR AND HIS SUB-CONTRACTORS SHALL VISIT THE SITE AND VERIFY ALL EXISTING CONDITIONS AS REQUIRED FOR PROPER EXECUTION OF PROJECT. REPORT ANY CONFLICTS OR DISCREPANCIES TO THE CONSULTANT PRIOR TO CONSTRUCTION.

NO.	DATE	DRAWN	REVISION
A	06/24/20	YK	80% P2D REVIEW
B	07/14/20	RM	90% P2D REVIEW
C	07/16/20	RM	100% FINAL 2D SET

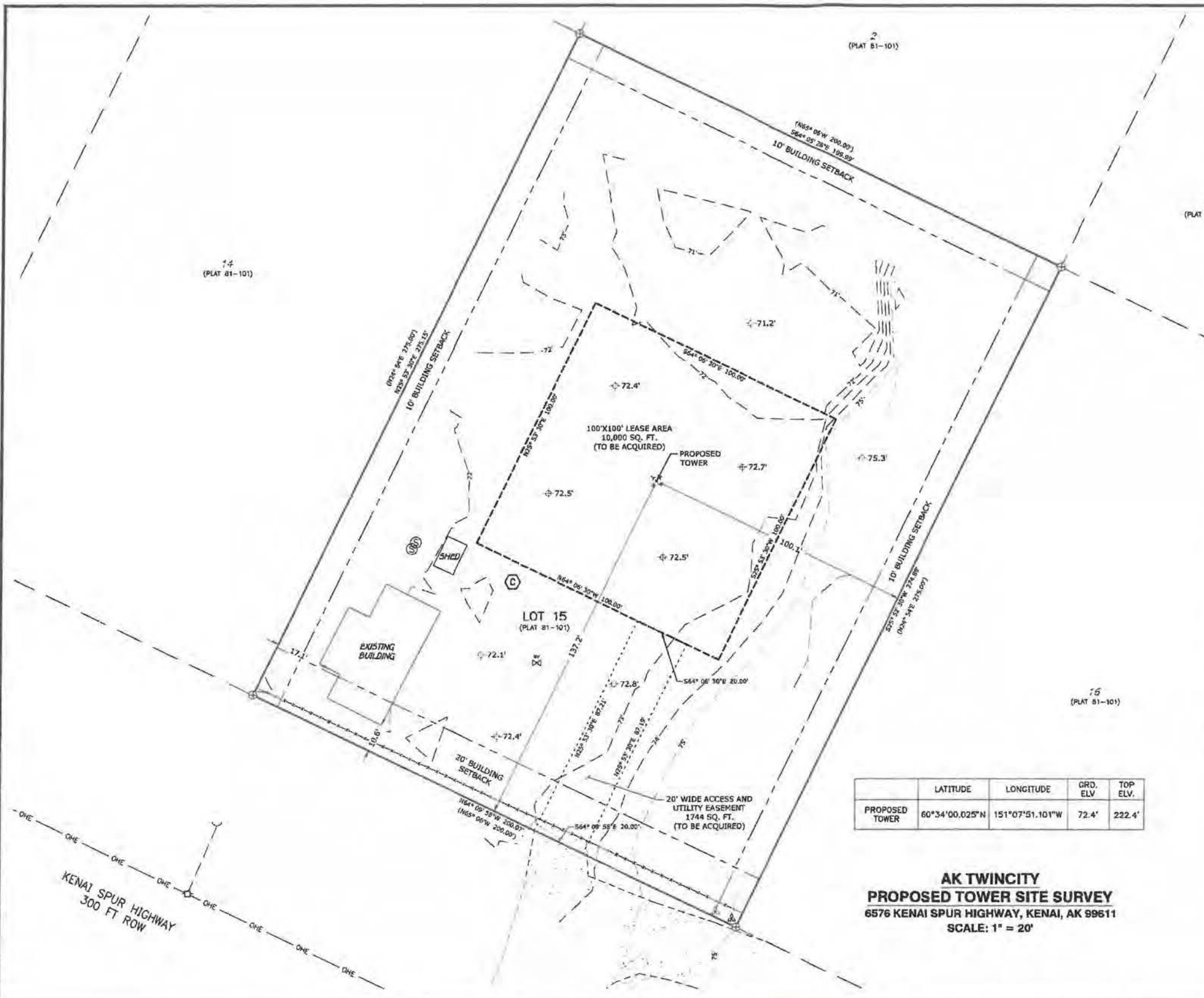


**US-AK-5249  
TWINCITY**  
 6576 KENAI SPUR HWY.  
 KENAI, AK 99611

**GENERAL NOTES  
AND SYMBOLS**

T-2

User: MHAYDEN Jun 02, 2020 - 12:43pm  
 Drawing: J:\20-108 ACOM KENAI-HOMER TOWERS\CAD\20-108 KENAI PROPOSED TOWER SITE 5-19-2020.DWG - Layout: MLA 22X34  
 Xrefs: None - Images: ACOM LOGO.JPG GCI LOGO.JPG MLALOCOHIRE.JPG VB LOGO.JPG



- LEGEND**
- ⊕ FOUND ALUMINUM CAP (FAC)
  - UTILITY POLE
  - XX XX XX MEASURED DATA
  - (XX XX XX) RECORD DATA PER PLAT 81-101
  - LOT BOUNDARY
  - - - ADJOINING PROPERTY LINE
  - - - LEASE LINE
  - - - EASEMENT
  - - - BUILDING SETBACK
  - OVERHEAD ELECTRIC AND TELEPHONE
  - FENCE
  - ▨ GRAVEL
  - ⊗ WATER VALVE
  - ⊗ PROPOSED TOWER
  - ⊗ UTILITY PEDESTAL
  - ⊗ BLOCK NUMBER
  - ⊕ 71.4' SPOT ELEVATION
  - ⊕ SEWER CLEAN OUT

- NOTES**
- INFORMATION SHOWN HEREON IS BASED ON A FIELD SURVEY CONDUCTED BY McCLINTOCK LAND ASSOCIATES, INC., ON MAY 4th, 2020.
  - THE ERROR OF CLOSURE FOR THIS SURVEY IS NOT GREATER THAN 1:5000.
  - THIS LOT IS SUBJECT TO THE RESERVATIONS AND EXCEPTIONS AS CONTAINED IN THE STATE OF ALASKA PATENT No. 21515.
  - THIS LOT IS SUBJECT TO ANY EASEMENTS OF RECORD, EVEN IF NOT SHOWN HEREON.
  - SNOW AND ICE MAY CONCEAL MINOR SURFACE FEATURES.
  - THE HORIZONTAL COORDINATE SYSTEM FOR THIS SURVEY IS NAD83(2011) ALASKA STATE PLANE, ZONE 4. ELEVATIONS SHOWN ARE IN NAVD88 U.S. SURVEY FEET AND IS COMPUTED USING GEOID 12B.
  - FEMA FLOOD MAP PANEL 020012 2035 A SHOWS THIS SITE AS BEING IN ZONE D. ZONE D IS CLASSIFIED AS AREAS OF UNDETERMINED, BUT POSSIBLE, FLOOD HAZARDS.

**SURVEY CERTIFICATION**

I HEREBY CERTIFY TO: VERTICAL BRIDGE REIT, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS SUBSIDIARIES, AND THEIR RESPECTIVE SUCCESSORS AND/OR ASSIGNS; TORONTO DOMINION (TEXAS) LLC, AS ADMINISTRATIVE AGENT, FOR ITSELF AND ON BEHALF OF THE LENDERS PARTIES FROM TIME TO TIME TO THAT CERTAIN SECOND AMENDED AND RESTATED LOAN AGREEMENT DATED JUNE 17, 2016 WITH VERTICAL BRIDGE HOLDCO, LLC, AS BORROWER, AND VERTICAL BRIDGE HOLDCO PARENT, LLC, AS PARENT, AS MAY BE AMENDED, RESTATED, MODIFIED OR RENEWED, THEIR SUCCESSORS AND ASSIGNS AS THEIR INTERESTS MAY APPEAR; AND FIDELITY NATIONAL TITLE INSURANCE COMPANY.

- AT THE TIME OF THE SURVEY, NO VISIBLE ENCROACHMENTS WERE EVIDENT ONTO THE TO BE ACQUIRED LEASE AREA.
- THERE WAS VISIBLE EVIDENCE OF ENCROACHMENTS IN THE TO BE ACQUIRED ACCESS & UTILITY EASEMENT AS FOLLOWS:
- FENCE INSIDE THE TO BE ACQUIRED ACCESS AND UTILITY EASEMENT AND PLOTTED HEREON.
  - GRAVEL DRIVE INSIDE THE TO BE ACQUIRED ACCESS AND UTILITY EASEMENT AND PLOTTED HEREON.

	LATITUDE	LONGITUDE	GRD. ELV.	TOP ELV.
PROPOSED TOWER	60°34'00.025"N	151°07'51.101"W	72.4'	222.4'

**AK TWINCITY  
 PROPOSED TOWER SITE SURVEY  
 6576 KENAI SPUR HIGHWAY, KENAI, AK 99611  
 SCALE: 1" = 20'**



I HEREBY CERTIFY THAT THE TOWER LOCATIONS SHOWN HEREON MEET AND EXCEED THE STANDARDS FOR AN FAA 1A CERTIFICATION OF WITHIN 20.4 FEET HORIZONTALLY AND 3.2 FEET VERTICALLY.



NO.	DATE	BY	DESCRIPTION	NO.	DATE	BY	DESCRIPTION

**MLA**  
 McCLINTOCK LAND ASSOCIATES, INC.  
 16942 N. Eagle River Loop Road  
 Eagle River, AK 99577  
 Phone (907) 694-4499 Fax (907) 694-8965  
 License

**Acom**

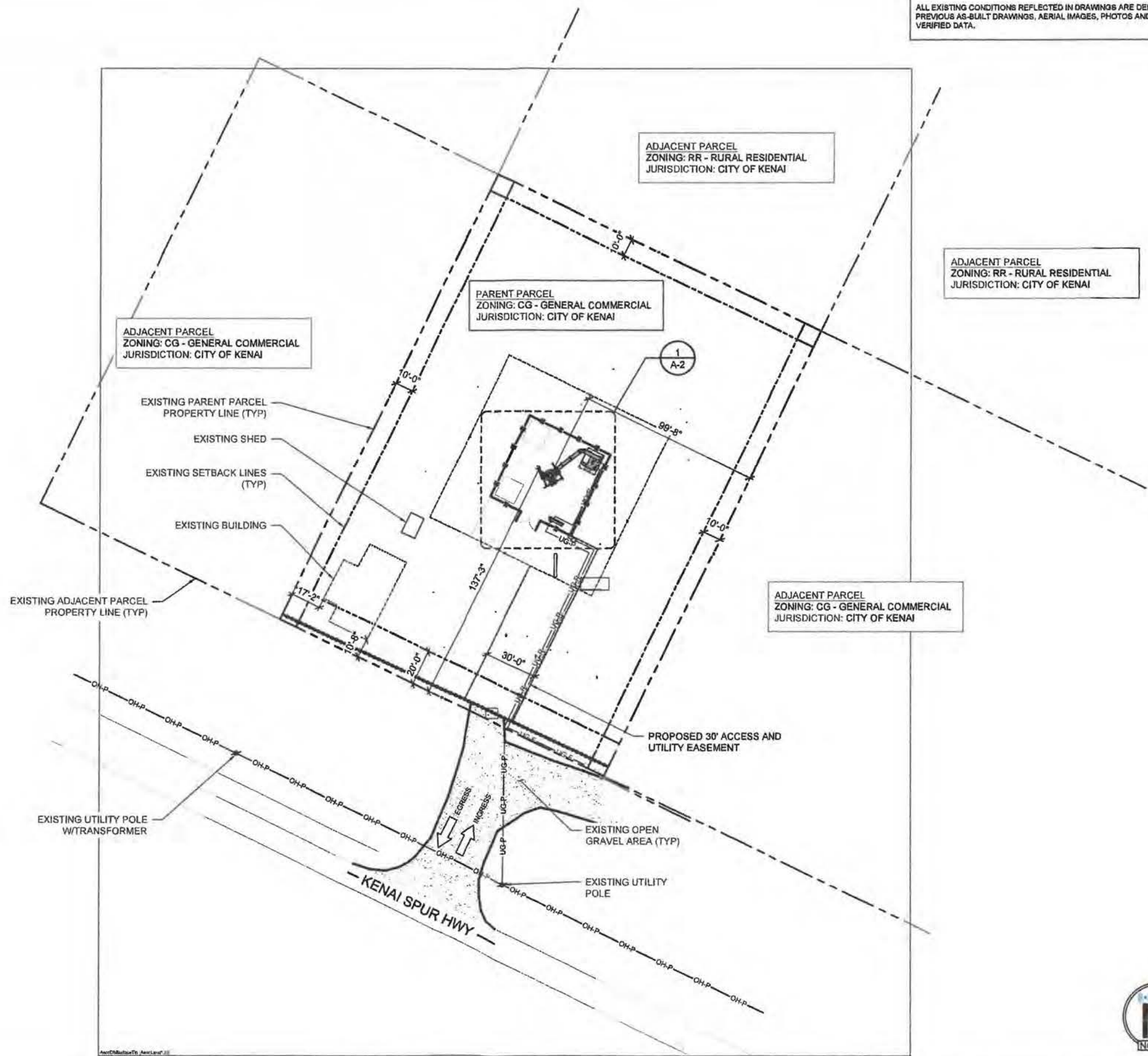
vertical

KENAI, ALASKA  
 LOT 15, BLOCK C  
 AMENDED PLAT BEAVER CREEK ALASKA SUBDIVISION  
 (PLAT 81-101) KENAI RECORDING DISTRICT  
**SITE SURVEY**

SCALE: 1" = 20'    DESIGNED:    CHECKED: TB    DRAWN: MH    DATE: 6/2/2020

SHEET NO.	1 of 1
SHEET	OF -

**NOTE:**  
ALL EXISTING CONDITIONS REFLECTED IN DRAWINGS ARE DERIVED FROM PREVIOUS AS-BUILT DRAWINGS, AERIAL IMAGES, PHOTOS AND FIELD VERIFIED DATA.



ADJACENT PARCEL  
ZONING: CG - GENERAL COMMERCIAL  
JURISDICTION: CITY OF KENAI

ADJACENT PARCEL  
ZONING: RR - RURAL RESIDENTIAL  
JURISDICTION: CITY OF KENAI

PARENT PARCEL  
ZONING: CG - GENERAL COMMERCIAL  
JURISDICTION: CITY OF KENAI

ADJACENT PARCEL  
ZONING: RR - RURAL RESIDENTIAL  
JURISDICTION: CITY OF KENAI

ADJACENT PARCEL  
ZONING: CG - GENERAL COMMERCIAL  
JURISDICTION: CITY OF KENAI

NO.	DATE	DRAWN	REVISION
A	06/24/20	YK	90% PZD REVIEW
B	07/14/20	RM	90% PZD REVIEW
C	07/16/20	RM	100% FINAL ZD SET

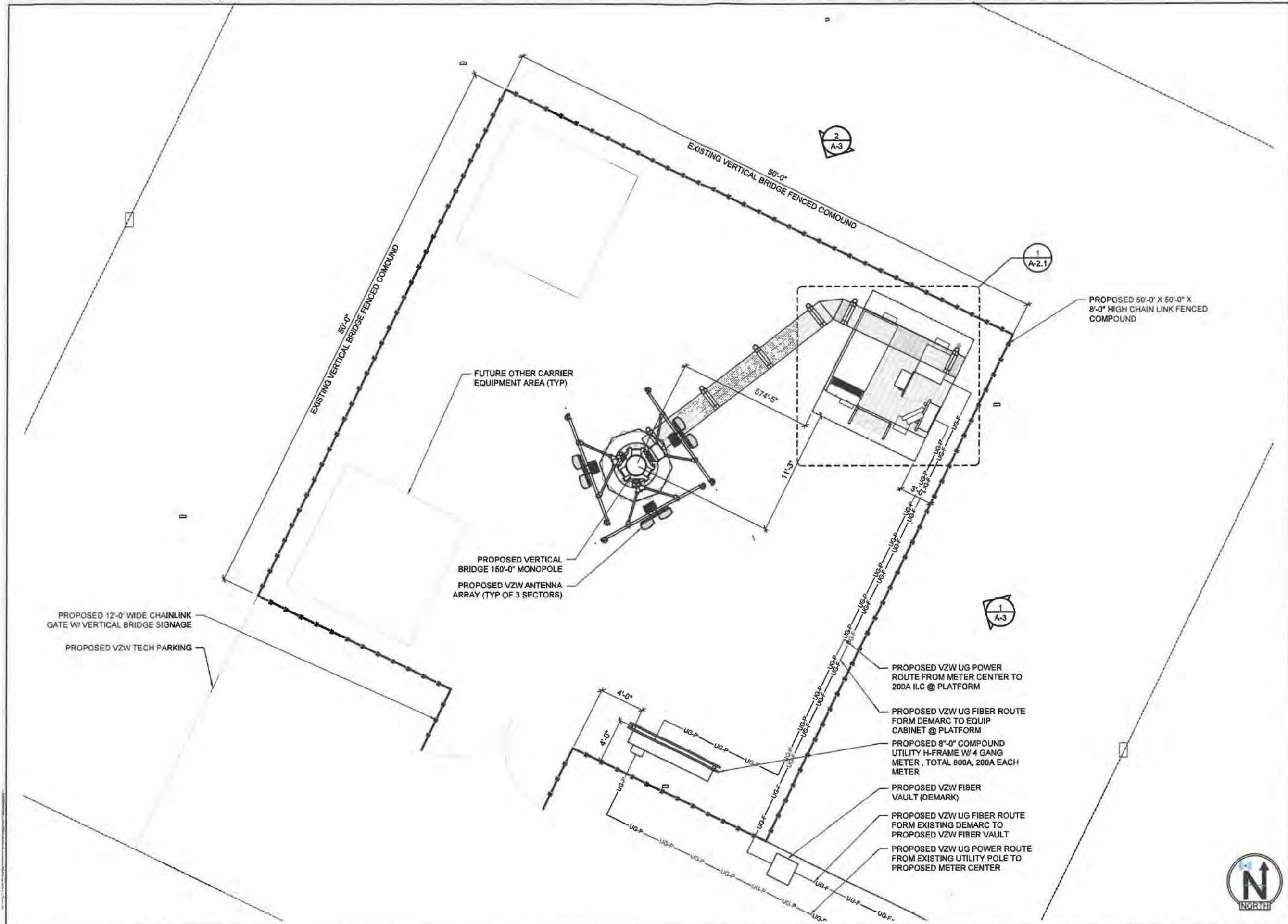


**US-AK-5249  
TWINCITY**  
6576 KENAI SPUR HWY.  
KENAI, AK 99611

**PROPOSED  
OVERALL  
SITE PLAN**

A-1

22"x34" SCALE: 1" = 30'-0"  
11"x17" SCALE: 1" = 60'-0"



NO.	DATE	DRAWN	REVISION
A	06/24/20	YK	90% PZD REVIEW
B	07/14/20	RM	80% PZD REVIEW
C	07/16/20	RM	100% FINAL ZD SET



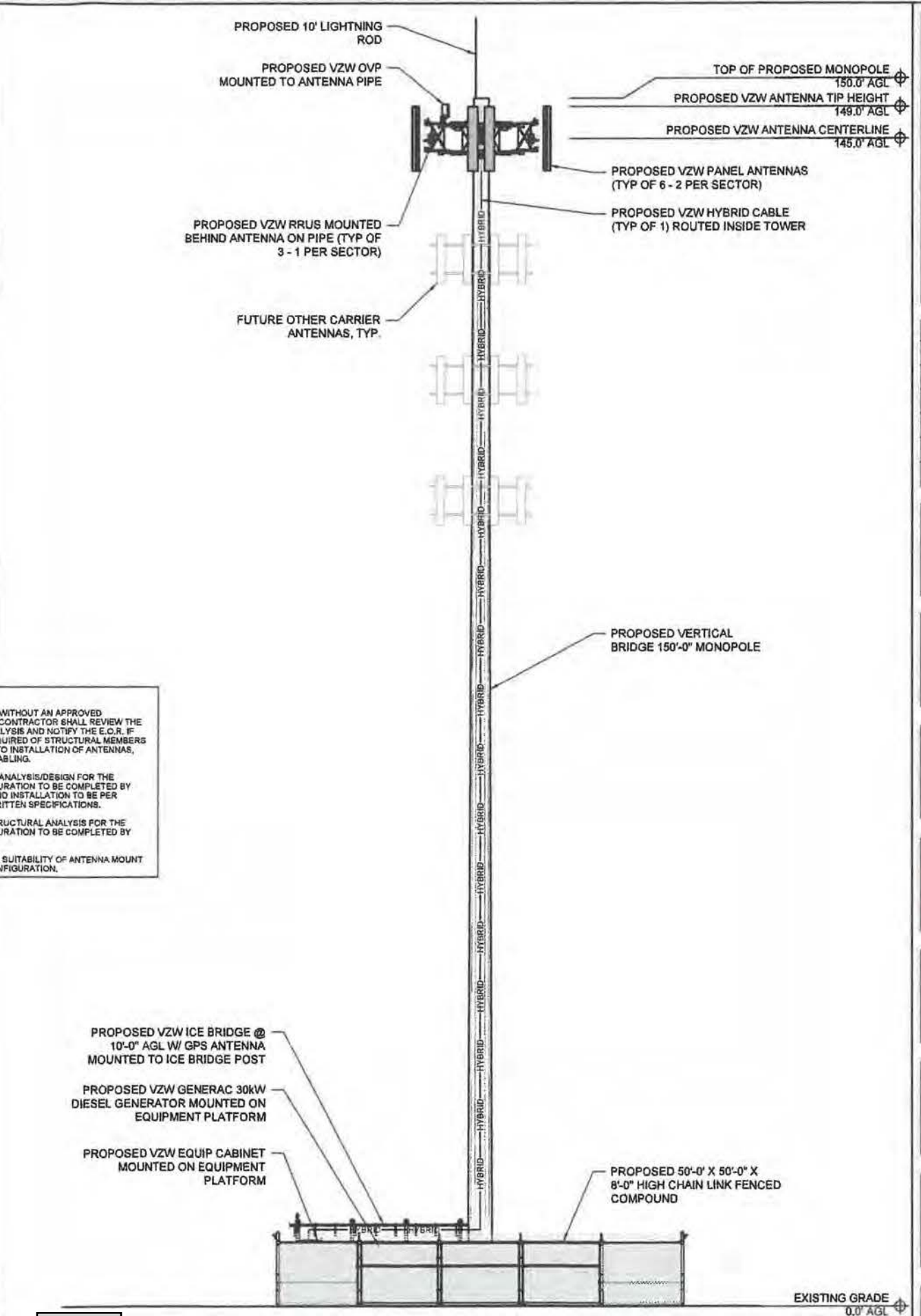
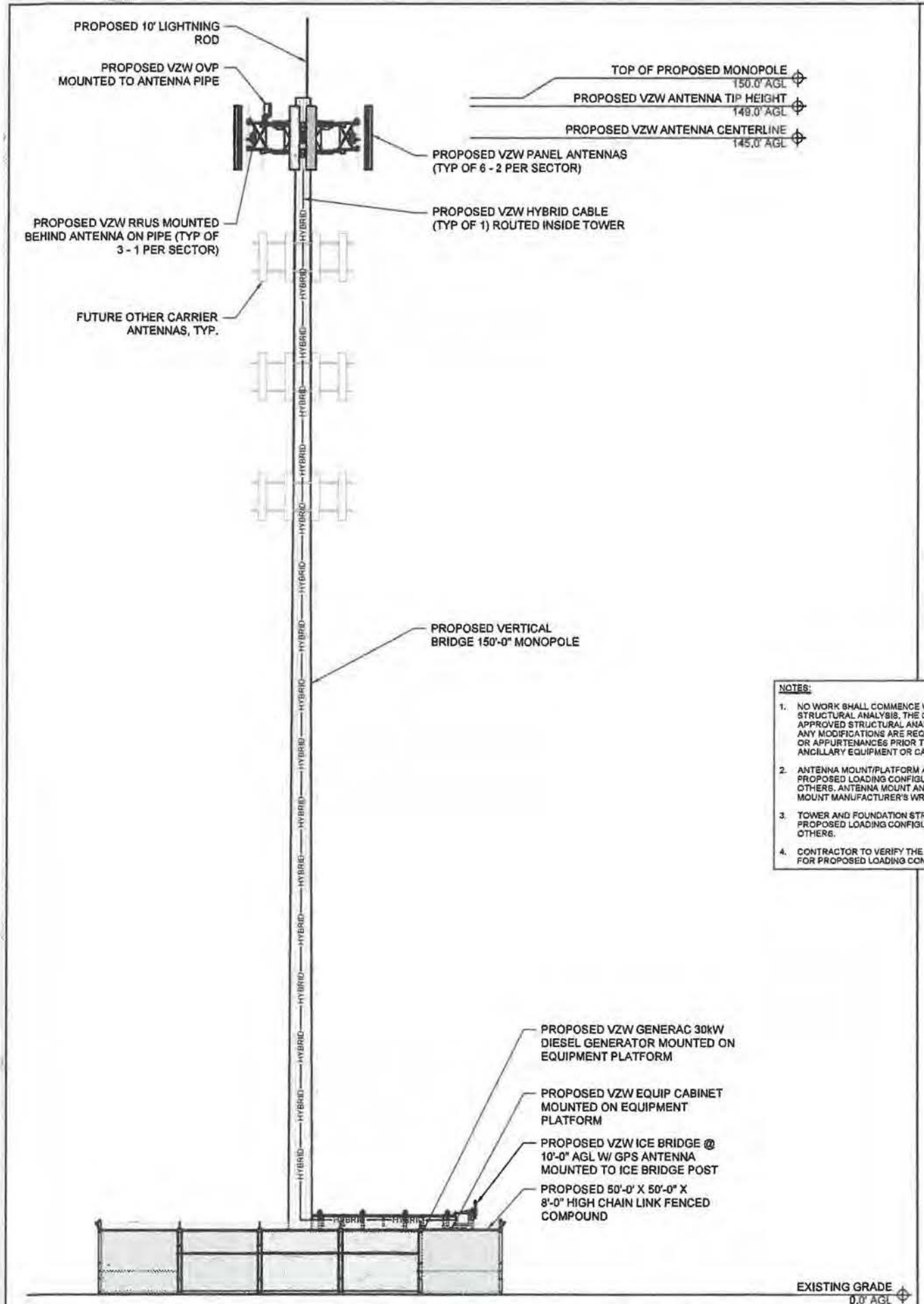
**US-AK-5249  
TWINCITY**  
6576 KENAI SPUR HWY.  
KENAI, AK 99611

**PROPOSED  
ENLARGED  
SITE PLAN**

**A-2**

22"x34" SCALE 1/4" = 1'-0"  
11"x17" SCALE 1/8" = 1'-0"  
4' 3' 2' 1' 0'





- NOTES:**
1. NO WORK SHALL COMMENCE WITHOUT AN APPROVED STRUCTURAL ANALYSIS. THE CONTRACTOR SHALL REVIEW THE APPROVED STRUCTURAL ANALYSIS AND NOTIFY THE E.O.R. IF ANY MODIFICATIONS ARE REQUIRED OF STRUCTURAL MEMBERS OR APPURTENANCES PRIOR TO INSTALLATION OF ANTENNAS, ANCILLARY EQUIPMENT OR CABLING.
  2. ANTENNA MOUNT/PLATFORM ANALYSIS/DESIGN FOR THE PROPOSED LOADING CONFIGURATION TO BE COMPLETED BY OTHERS. ANTENNA MOUNT AND INSTALLATION TO BE PER MOUNT MANUFACTURER'S WRITTEN SPECIFICATIONS.
  3. TOWER AND FOUNDATION STRUCTURAL ANALYSIS FOR THE PROPOSED LOADING CONFIGURATION TO BE COMPLETED BY OTHERS.
  4. CONTRACTOR TO VERIFY THE SUITABILITY OF ANTENNA MOUNT FOR PROPOSED LOADING CONFIGURATION.

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**US-AK-5249  
TWINCITY**  
6576 KENAI SPUR HWY.  
KENAI, AK 99611

**PROPOSED  
ELEVATIONS**

**A-3**

22"x34" SCALE: 1/8" = 1'-0"  
11"x17" SCALE: 1/16" = 1'-0"

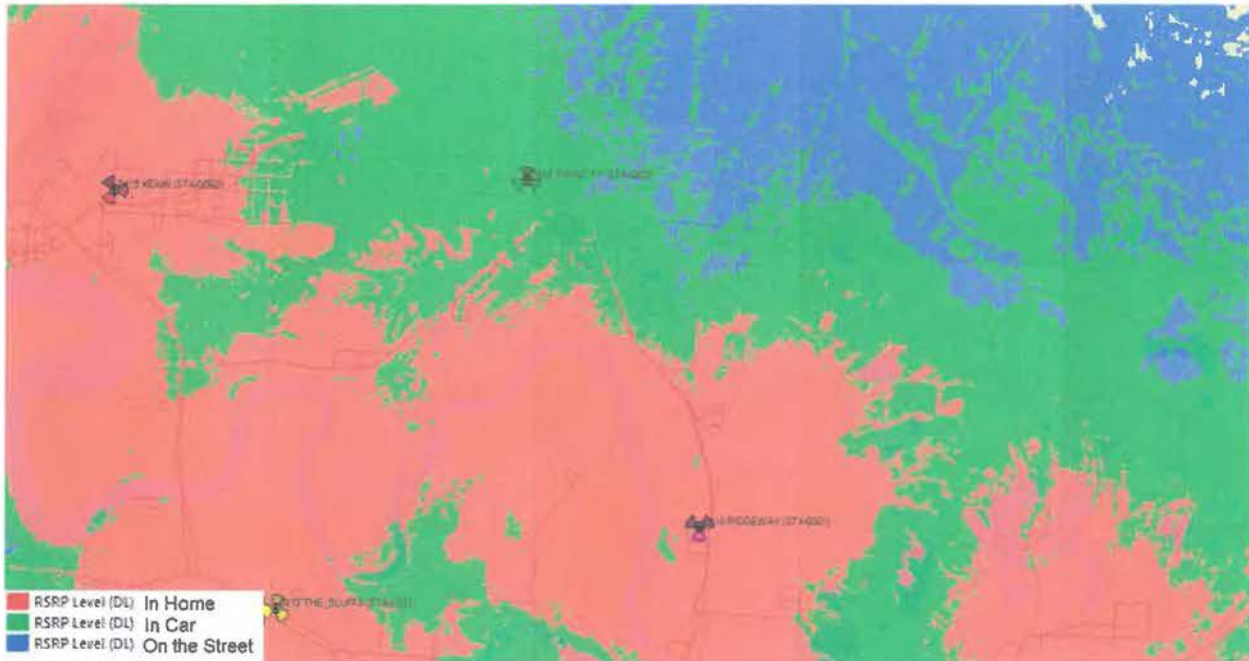
**PROPOSED SOUTHEAST ELEVATION 1**

**PROPOSED NORTHEAST ELEVATION 2**

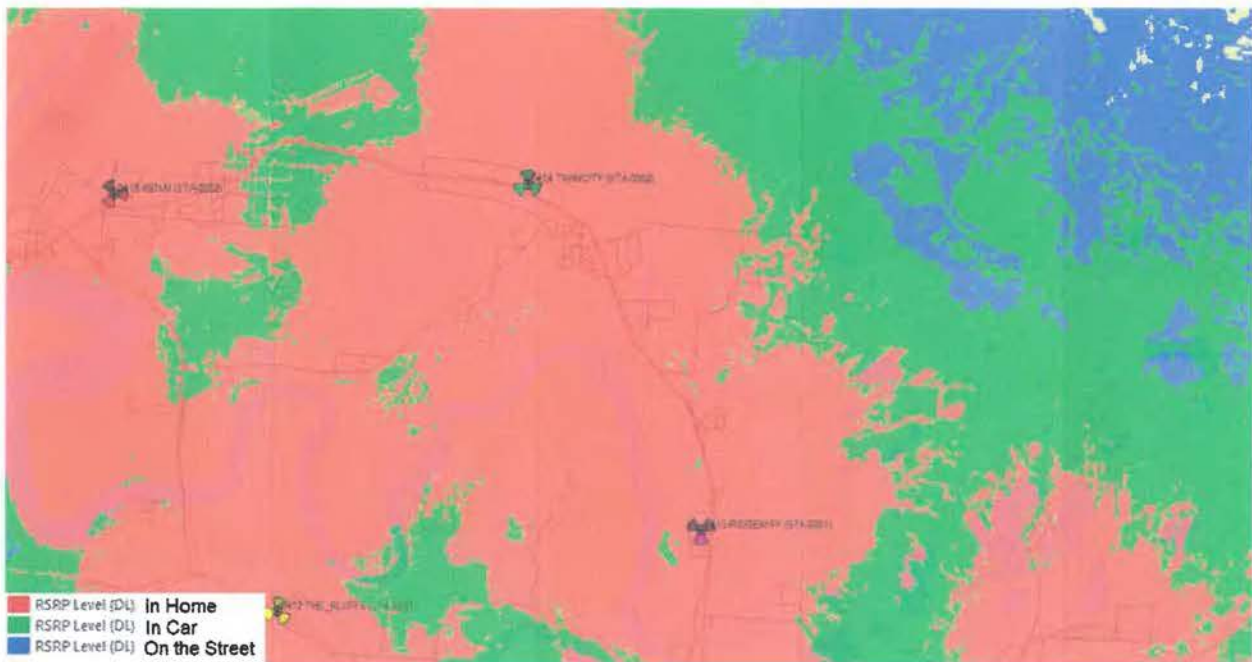


AK2 TWINCITY Propagation Plots

Anticipated coverage without TWINCITY



Anticipated coverage with TWINCITY





Vertical Bridge REIT, LLC  
750 Park of Commerce Drive, Suite 200  
Boca Raton, FL 33487  
+1 (561) 948 - 6367  
VerticalBridge.com

**Letter of Authorization**

**Project Name / Number: Verizon AK Twincity / Vertical Bridge US-AK-5249**

**Project Summary: Proposed 150' Monopole by Vertical Bridge Development, LLC**


**Site Address: 6576 Kenai Spur Hwy, Kenai, AK 99611**

**Parcel Number: 04106115**

Vertical Bridge Development, LLC ("Vertical Bridge") is entering in to a Purchase Agreement with the current owner of the property listed above *Suburban Propane L.P.*, whereas Vertical Bridge will be the buyer and Suburban Propane L.P. will be the seller.

Vertical Bridge plans to develop and construct a 150' monopole tower on the property and would like to submit for the necessary approvals from the City of Kenai.

We hereby authorize ACOM Consulting Inc. and its Agent(s) to act as Agent on our behalf to perform all acts in obtaining permits for the above referenced property, including, but not limited to, Building Permits, Land Use/Zoning Permits, Site Plan Review, Special Inspections, and other permits and/or approvals as may be required related to the above-referenced proposal.

By:  DocuSigned by:  
0E30A0667A3B4D2 Authorized Representative Vertical Bridge  
**Ariel Rubin**

\_\_\_\_\_  
Print Name  
**Vice President of Tower Development**

\_\_\_\_\_  
Title  
Date **7/22/2020**

By:  Authorized Representative Suburban Propane L.P.

**Sheu H. Leonard**  
\_\_\_\_\_  
Print Name

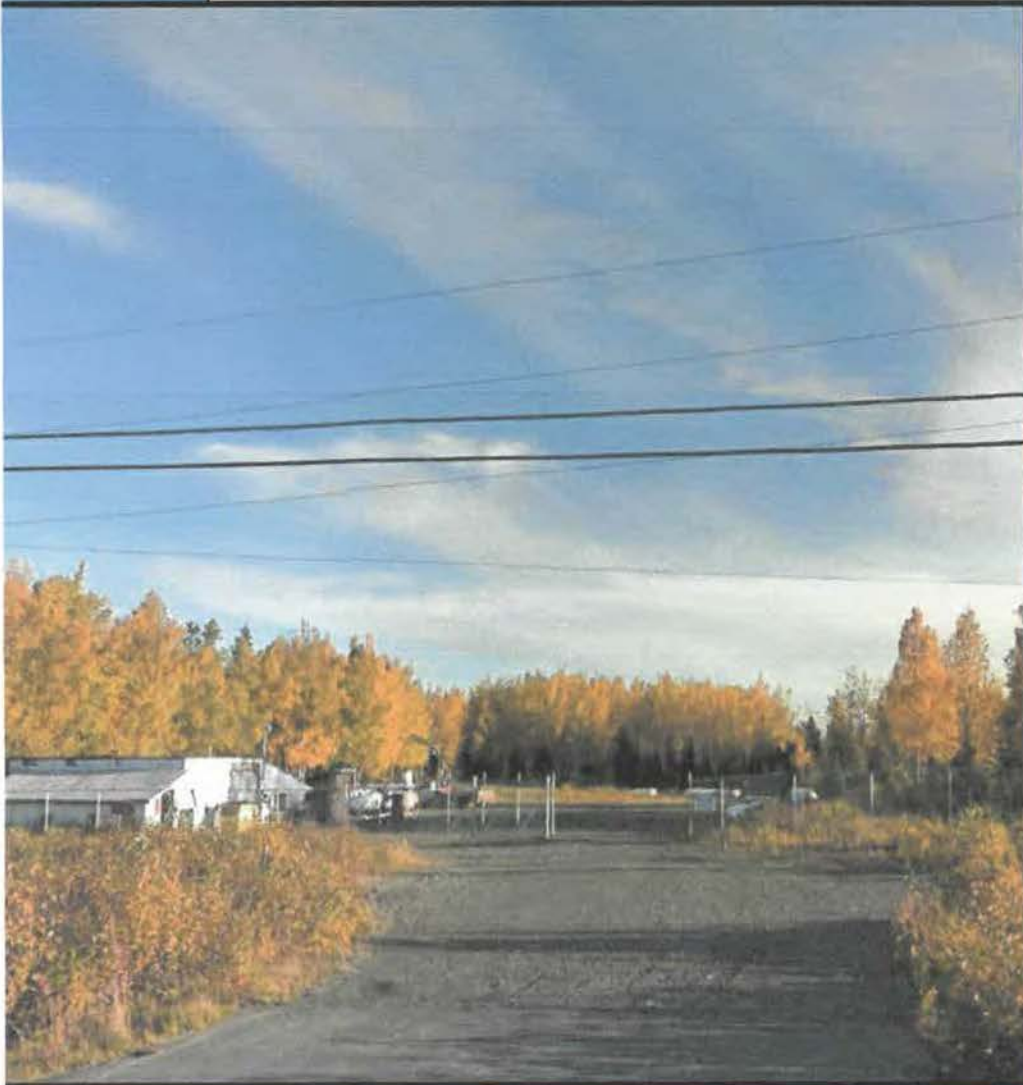
**Deputy General Counsel**  
\_\_\_\_\_  
Title

\_\_\_\_\_  
Date **7/21/2020**



- Tower location
- Photosim #1 (Looking North)
- Photosim #2 (Looking North West)
- Photosim #3 (Looking East)

**AK Twincity**  
6576 Kenai Spur Hwy  
Kenai, AK 99611



Before - Looking North



After - Looking North



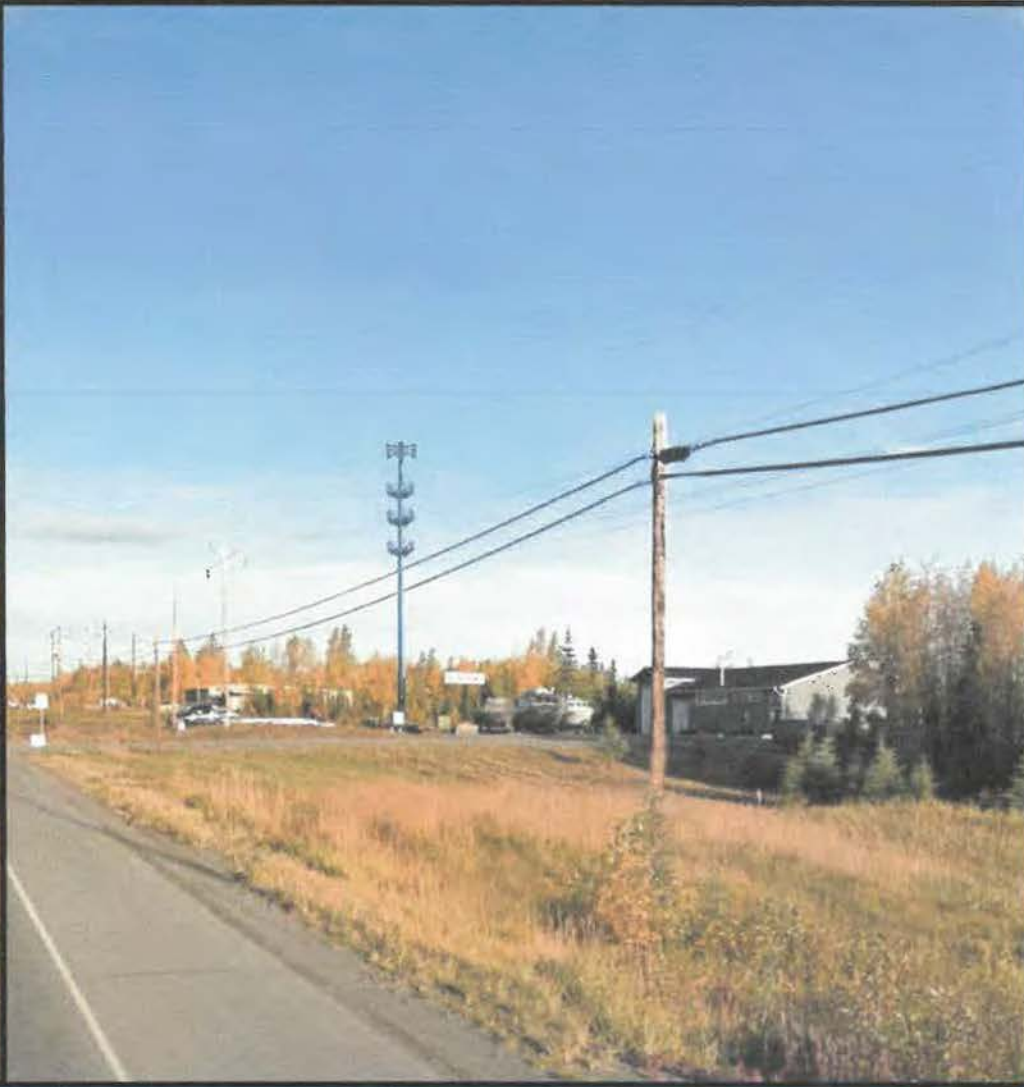
This document is conceptual and informational only. Visual impacts will be affected by location and visibility of observer

Proposed Antenna tip height: 150.0'  
Proposed Monopole height: 150.0'

**Project Description:**  
Add new 150.0' Monopole, antennas and equipment to new VZW site



Before - Looking North West



After - Looking North West



This document is conceptual and informational only. Visual impacts will be affected by location and visibility of observer

Proposed Antenna tip height: 150.0'  
Proposed Monopole height: 150.0'

**Project Description:**  
Add new 150.0' Monopole, antennas and equipment to new VZW site



Before - Looking East



After - Looking East



This document is conceptual and informational only. Visual impacts will be affected by location and visibility of observer

Proposed Antenna tip height: 150.0'  
Proposed Monopole height: 150.0'

**Project Description:**  
Add new 150.0' Monopole, antennas and equipment to new VZW site



# Aerial Map Resolution PZ2020-21

Parcel 04106115

6576 Kenai Spur Highway

Lot 15, Block C, Beaver Creek Alaska Subdivision



**LEGEND**  
Parcels Affected  
by Resolution  
0 20 40 Feet  
Date: August 2020

**File Attachments for Item:**

Borough Planning





# 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 *Cindy Ecklund* – City of Seward *Robert Ruffner* – Kaslof/Clam Gulch

**August 24, 2020**  
**6:00 p.m.**

Due to the current COVID-19 pandemic and CDC guidelines, the meeting will not be physically open to the public. The meeting will be held through Zoom. The Planning Commission and staff members will be attending via teleconferencing. The public will be able to listen or participate. To join the meeting from a computer visit <https://zoom.us/j/2084259541>. To attend the Zoom meeting by telephone call toll free **1-888-788-0099** or **1-877-853-5247**. When calling in you will need the Meeting ID **208 425 9541**. If you connect by computer and do not have speakers or a microphone, connect online and then select phone for audio. A box will come up with toll free numbers, the Meeting ID, and your participant number. Detailed instructions will be posted on the Planning Commission's webpage prior to the meeting. <https://www.kpb.us/planning-dept/planning-commission>

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

- 1) Staff will present a report and staff recommendations 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
- 4) After testimony is completed, the Plat Committee may follow with questions. A person may only testify once on an issue unless questioned by the Plat Committee.
- 5) Staff may respond to any testimony given and the Committee 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 Committee 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**

1. Agenda
2. Member/Alternate Excused Absences
3. Minutes  
August 10, 2020 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. Mid River Estates Part 2 Dorland Replat  
KPB File 2020-091; [Edge/Dorland]  
Off Mid River & State Park Road  
Funny River APC

- 2. Bryson Subdivision 2020 Addition  
KPB File 2020-089; [Johnson/McCarty]  
Off of Old Seward Road & Seward Highway  
Bear Creek Area
- 3. Saindon Subdivision 2020 Addition  
KPB File 2020-083; [Johnson/Herndon]  
Off the Seward Highway North of Seward  
Bear Creek Area
- 4. The Point Subdivision  
KPB File 2020-085; [McLane/McDonald]  
Nash Road  
Seward Area
- 5. Van Lier Subdivision  
KPB File 2020-090; [McLane/Van Lier]  
Off Brenda Way, Delice Drive & Mackey Lake Road  
Ridgeway Area
- 6. Monument Rock Subdivision Addition No. 1  
KPB File 2020-087; [Segesser/Twin Rivers Resources Inc., Sisson]  
Rozak Street & Arc Loop Road  
Kalifornsky APC
- 7. Saddle Ridge Subdivision Baxter Replat  
KPB File 2020-081; [Segesser/Baxter]  
Off of Saddleback Circle & Echo Lake Road  
Kalifornsky APC
- 8. Ten Mar Ranch McWethy Addition  
KPB File 2020-082; [Segesser/McWethy]  
Off Ten Mar Avenue & Deville Road  
Sterling Area

**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 14, 2020** 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**

Phone: 907-714-2215 Fax: 907-714-2378  
Phone: toll free within the Borough 1-800-478-4441, extension 2215  
email address: [planning@kpb.us](mailto:planning@kpb.us)  
website: <http://www.kpb.us/planning-dept/planning-home>

Written comments will be accepted until 1:00 p.m. on the last business day (usually a Friday) before the day of the Plat Committee meeting in

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

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



# Planning Commission Tentative Agenda

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

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

Marcus Mueller, Acting Planning Director • Charlie Pierce, Borough Mayor

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

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

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

*Diane Fikes – City of Kenai ~ Virginia Morgan – East Peninsula ~ Franco Venuti – City of Homer*

**August 24, 2020**

**7:30 p.m.**

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

- 1) Staff will present a report and staff recommendations 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
- 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 that 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 Chair of your wish to comment.

**\*1. Time Extension Request – None**

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

**\*3. Plats Granted Administrative Approval –**

**\*4. Plats Granted Final Approval (20.10.040) - None**

**\*5. Plat Amendment Request**

- a. Bailey Meadow Amended  
KPB File 2020-014A; [Peninsula Surveying/Chivers, Bailey]  
Recording No. HM 2020-17  
Location: Oil Well Rd, Hostetter St. & Issemoyer St.

**\*6. Utility Easement Vacations - None**

**\*7. Commissioner Excused Absences**

**\*8. Minutes**

August 10, 2020 Planning Commission Meeting

**D. UNFINISHED BUSINESS - None**

**E. PUBLIC HEARINGS**

1. Retail Marijuana Store License  
 Fat Tops, LLC/Russell Turgeon  
 Parcel Number: 057-540-18 & 05754017  
 35975 Kenai Spur Highway, Soldotna, AK 99669

**F. UTILITY EASEMENT VACATIONS**

1. Location: Vacate the 10 foot utility easement adjoining the southern boundary of Lot 4, Eventyr Subdivision (Plat KN 83-149), the 10 foot utility easement, excluding the west 10 feet, adjoining the north boundary of Lots 5, and the 10 foot utility easement adjoining the north and east boundary of Lot 6 Eventyr Subdivision No. 2 (Plat KN 86-75), granted by Eventyr Subdivision (Plat KN 83-149) and Eventyr Subdivision No. 2 (Plat KN 86-75); within SW1/4, Section 34, Township 6 North, Range 11 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough; KPB File 2020-079V; Petitioner(s)/Owner(s): Molly E. Hannigan & Christopher Johnson

**G. ANADROMOUS WATERS HABITAT PROTECTION DISTRICT**

1. Resolution 2020-\_\_\_; Conditional Use Permit for improvements to the Sterling Hwy between MP 45-60; Cooper Landing Area; Petitioner: AK Department of Transportation & Public Facilities, Anchorage, AK.
2. Resolution 2020-\_\_\_; Conditional Use Permit for the placement of a foot bridge to access island properties in Castaway Cove Homeowners Association; Kalifornsky Area; Petitioner: Castaway Cove Home Owners Association, Anchorage, AK

**H. VACATIONS NOT REQUIRING A PUBLIC HEARING – None**

**I. SPECIAL CONSIDERATIONS**

1. Building Setback Exception  
 Mountain Ash Subdiviaion Lot 6B (Plat HM 81-52)  
 KPB File 2020-086; PC Resolution 2020-20  
 Location: Off Hutler Rd & East End Rd  
 Fritz Creek Area

**J. SUBDIVISION PLAT PUBLIC HEARINGS**

1. The Plat Committee will review 8 preliminary plats

**L. OTHER/NEW BUSINESS**

**M. 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.)

**N. PENDING ITEMS FOR FUTURE ACTION**

**O. ASSEMBLY COMMENTS**

**P. LEGAL REPRESENTATIVE COMMENTS**

- Q. DIRECTOR'S COMMENTS**
- R. COMMISSIONER COMMENTS**
- S. ADJOURNMENT**
- T. MISCELLANEOUS INFORMATIONAL ITEMS**

**MISCELLANEOUS INFORMATIONAL ITEMS  
NO ACTION REQUIRED**

**NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING**

The next regularly scheduled Planning Commission meeting will be held **Monday, September 14, 2020** 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**

<b>ADVISORY COMMISSION</b>	<b>MEETING LOCATION</b>	<b>DATE</b>	<b>TIME</b>
Anchor Point	Anchor Point Chamber of Commerce		
Cooper Landing	Cooper Landing Community Hall		
Funny River	Funny River Community Center		
Kalifornsky	Cook Inlet Aquaculture Association		
Kachemak Bay			
Moose Pass	Moose Pass Community Hall		
Hope / Sunrise	Hope Social Hall		

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

**CONTACT INFORMATION**

**KENAI PENINSULA BOROUGH PLANNING DEPARTMENT**

Phone: 907-714-2215  
 Phone: toll free within the Borough 1-800-478-4441, extension 2215  
 Fax: 907-714-2378  
 e-mail address: [planning@kpb.us](mailto: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.

**File Attachments for Item:**

2. City Council



## Kenai City Council - Regular Meeting

August 19, 2020 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

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

[www.kenai.city](http://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. **UNANIMOUSLY POSTPONED AS AMENDED TO 10/21/2020. Ordinance No. 3127-2020** - Repealing and Replacing Kenai Municipal Code Title 6 - Elections to Provide Clarity, Process Improvements, and Increase Voter Accessibility through Vote By Mail Elections. (Council Member Peterkin) [**Clerk's Note:** *At the July 1 Meeting, this item was Postponed to the 08/19/20 Council Meeting; a motion to enact is on the floor.*]
  - **Substitute Ordinance No. 3127-2020** - Repealing and Replacing Kenai Municipal Code Title 6 - Elections, to Provide Clarity, Process Improvements, and Increase Voter Accessibility through Vote By Mail Elections.
2. **ENACTED UNANIMOUSLY. Ordinance No. 3150-2020** - Waiving Kenai Municipal Code 21.10.130 - Lease Execution, and Approving a Lease Execution Extension to May 31, 2021 to Schilling Rentals, LLC for Lot 5A, Block 1, FBO Subdivision 2018 Replat. (Administration)
3. **ENACTED UNANIMOUSLY. Ordinance No. 3151-2020** - 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. 3152-2020** - Accepting and Appropriating a Project Ready Mini Grant from the Alaska State Library for Implementing the Know Your Neighbor: Kindness Kits Project at the Kenai Community Library. (Administration)
5. **ENACTED UNANIMOUSLY. Ordinance No. 3153-2020** - Appropriating Excess Funds Received from the Issuance of General Obligation Refunding Bonds. (Administration)
6. **ENACTED UNANIMOUSLY. Ordinance No. 3154-2020** - Accepting and Appropriating a Grant from the National Marine Fisheries Service Passed Through the Pacific States Marine Fisheries Commission, Accepting and Appropriating Additional Insurance Proceeds, and Awarding a Contract for Repair to the Kenai City Dock for Damage Caused by Earthquakes in 2016 and 2018 and Installation of a Cathodic Protection System to Prevent Corrosion. (Administration)
7. **ADOPTED UNANIMOUSLY. Resolution No. 2020-68** - Declaring the Ten-Foot Utility Easement Adjoining the Southern Boundary of Lot 4, Eventyr Subdivision (Plat KN 83-149) and the Ten-Foot Utility Easement Excluding the West Ten Feet Adjoining the North Boundary of Lot 5 and the Ten-Foot Utility Easement Adjoining the North and East Boundary of Lot 6 Eventyr Subdivision No. 2 (Plat KN 86-75) Granted on Plat KN 83-1149 and Plat KN 86-75 Are Not Needed for a Public Purpose and Consenting to Their Vacation. (Administration)
8. **ADOPTED UNANIMOUSLY. Resolution No. 2020-69** - Authorizing the City Manager to Enter a Design Agreement with the Department of the Army for the Design for the Kenai Bluffs Bank Stabilization Project. (Administration)

**E. MINUTES**

1. **APPROVED BY THE CONSENT AGENDA.** \*Regular Meeting of August 5, 2020. (City Clerk)

**F. UNFINISHED BUSINESS**

1. **POSTPONED UNANIMOUSLY TO 10/21/2020. Ordinance No. 3128-2020** - Amending Kenai Municipal Code Section 1.85.040 – Records Public, To Provide For A Record Retention Length. (City Clerk) [*Clerk's Note: At the July 1 Meeting, this Item was Postponed to the 08/19/20 Council Meeting; 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 Over \$15,000. (Administration)
3. **APPROVED BY THE CONSENT AGENDA. \*Action/Approval** - Non-Objection to the Renewal of Marijuana Licenses for Red Run Cannabis Company, LLC and Red Run Cannabis Cultivators, LLC. (City Clerk)

4. **INTRODUCE BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 09/02/2020.**  
\*Ordinance No. 3155-2020 - Increasing Estimated Revenues and Appropriations in the Airport Improvements Capital Project Fund and Accepting a Grant from The Federal Aviation Administration for Phase One Construction of a New Sand Storage Facility. (Administration)
5. **INTRODUCE BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 09/02/2020.**  
\*Ordinance No. 3156-2020 - Increasing Estimated Revenues and Appropriations in the Water and Sewer Special Revenue and Water and Sewer Improvements Capital Project Funds and Awarding a Construction Agreement for Improvements to the Wasting Activated Sludge Pumps at the Waste Water Treatment Plant. (Administration)
6. **INTRODUCE BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 09/02/2020.**  
\*Ordinance No. 3157-2020 - Amending Kenai Municipal Code Section 1.85.010 – Report of Financial and Business Interests, to Allow for Certification by Municipal Officers that a Previously Filed Statement of Disclosure Remains Accurate and Approving an Alternate Certification. (Vice Mayor Molloy)
7. **INTRODUCE BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 09/02/2020.**  
\*Ordinance No. 3158-2020 - Increasing Estimated Revenues and Appropriations in the COVID-19 CARES Act Recovery Fund and Accepting a CARES Act Grant Passed Through the Kenai Peninsula Borough. (Administration)
8. **INTRODUCE BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 09/02/2020.**  
\*Ordinance No. 3159-2020 - Accepting and Appropriating a Municipal Arts & Culture Matching Grant from the Rasmuson Foundation in the COVID-19 CARES Act Recovery Fund. (Administration)
9. **APPROVED UNANIMOUSLY. Action/Approval** - Six-Month Extension Request from SOAR International Ministries, Inc. for Lease Application Expiration for the Undeveloped Portion of Tract A, General Aviation Apron No. 2. (Administration)
10. **Discussion** - Response to COVID-19. (Administration)
11. **Discussion** - City of Kenai Response to Governor Dunleavy's Local Mitigation Level Recommendations and Consideration of Joint Work Session with the City of Soldotna Council. (Administration)

#### **H. COMMISSION / COMMITTEE REPORTS**

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

7. Mini-Grant Steering Committee

**I. REPORT OF THE MAYOR**

**J. ADMINISTRATION REPORTS**

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

**K. ADDITIONAL PUBLIC COMMENT**

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

**L. EXECUTIVE SESSION**

1. Review and Discussion of the Terms of an Employment Agreement Extension for the City Clerk which, Pursuant to AS 44.62.310(C)(2) May be a Subject that Tends to Prejudice the Reputation and Character of the City Clerk and per AS 44.62.310(c)(1) is a Matter of which the Immediate Knowledge may have an Adverse Effect Upon the Finances of the City.

**M. PENDING ITEMS**

**N. ADJOURNMENT**

**O. INFORMATION ITEMS**

1. Kenai Historical Society - August Newsletter

*The agenda and supporting documents are posted on the City's website at [www.kenai.city](http://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/88060927165>

**Meeting ID:** 880 6092 7165 **Passcode:** 873728

OR

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

**Meeting ID:** 880 6092 7165 **Passcode:** 873728