



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

March 23, 2022 – 7:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

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

www.kenai.city

Agenda

A. CALL TO ORDER

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

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

B. APPROVAL OF MINUTES

1. *Regular Meeting of February 23, 2022

C. SCHEDULED PUBLIC COMMENT

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

D. UNSCHEDULED PUBLIC COMMENT

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

E. CONSIDERATION OF PLATS

1. **Resolution PZ2022-06** - Preliminary Subdivision Plat of Toyon Subdivision 2021 Replat, submitted by Edge Survey and Design, P.O. Box 208, Kasilof, AK 99610, on behalf of Kenaitze Indian Tribe, P.O. Box 988, Kenai, AK 99611
2. **Resolution PZ2022-07** - Preliminary Subdivision Plat of Jaynes Subdivision 2022 Replat, submitted by McLane Consulting, P.O. Box 468, Kenai, AK 99611, on behalf of BGMC LLC, P.O. Box 2682, Kenai, AK 99611

F. PUBLIC HEARINGS

G. UNFINISHED BUSINESS

H. **NEW BUSINESS**

1. **Action/Approval** - Windhaven Estates Phase 4 Time Extension

I. **PENDING ITEMS**

J. **REPORTS**

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

K. **ADDITIONAL PUBLIC COMMENT**

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

L. **INFORMATIONAL ITEMS**

M. **NEXT MEETING ATTENDANCE NOTIFICATION**

1. April 13, 2022

N. **COMMISSION COMMENTS AND QUESTIONS**

O. **ADJOURNMENT**

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

Join Zoom Meeting

<https://us02web.zoom.us/j/87258889210>

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

Meeting ID: 872 5888 9210 **Passcode:** 047839

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
FEBRUARY 23, 2022 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVENUE, KENAI, ALASKA
VICE CHAIR ALEX DOUTHIT, PRESIDING**

MINUTES

A. CALL TO ORDER

Vice Chair Douthit called the meeting to order at 7:00 p.m.

1. Pledge of Allegiance

Vice Chair Douthit led those assembled in the Pledge of the Allegiance.

2. Roll Call

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

Commissioners absent: J. Twait, G. Greenberg

Staff/Council Liaison present: Planning Director R. Foster, Administrative Assistant K. Rector, City Clerk S. Saner, Council Liaison T. Winger

A quorum was present.

3. Agenda Approval

MOTION:

Commissioner Halstead **MOVED** to approve the agenda. Commissioner Woodard **SECONDED** the motion. There were no objections; **SO ORDERED**.

4. Consent Agenda

MOTION:

Commissioner Askin **MOVED** to approve the consent agenda. Commissioner Woodard **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 – J. Twait, G. Greenberg

B. APPROVAL OF MINUTES

1. *Regular Meeting of February 9, 2022

Approved by the consent agenda.

C. SCHEDULED PUBLIC COMMENT – None.

D. UNSCHEDULED PUBLIC COMMENT – None.

E. CONSIDERATION OF PLATS

1. **Resolution PZ2022-04** - Preliminary Subdivision Plat of Bailey Estates Karpik Rice Replat, submitted by Segesser Surveys, Inc., 30485 Rosland St, Soldotna, AK 99669, on behalf of David C. Karpik and Kathleen J. Rice, 410 Lawton Drive, Kenai, AK 99611

MOTION:

Commissioner Halstead **MOVED** to approve Resolution PZ2022-04. Commissioner Woodard **SECONDED** the motion.

Director Foster provided a summary description of the property noting that the proposed lot line move will provide a larger lot for the parcel located at 410 Lawton Drive; the preliminary plat met the requirements of KMC Subdivision design standards; and conditions would be applied requiring further development of the property shall conform to all federal, State of Alaska and local regulations.

There was discussion related to the benefits to the smaller lot.

VOTE:

YEA: Fikes, Halstead, Askin, Woodard, Douthit

NAY: None

MOTION PASSED UNANIMOUSLY.

2. **Resolution PZ2022-05** - Preliminary Subdivision Plat of Kenai Meadows Addition No. 1, submitted by Segesser Surveys, Inc., 30485 Rosland St, Soldotna, AK 99669, on behalf of City of Kenai, 210 Fidalgo Avenue, Kenai, AK 99611

MOTION:

Commissioner Halstead **MOVED** to approve Resolution PZ2022-05. Commissioner Fikes **SECONDED** the motion.

Director Foster provided a summary description of the property noting that the proposed plat will create two additional lots intended for development of senior and income restricted housing, per a conditional use donation by the City of Kenai; the preliminary plat met the requirements of KMC Subdivision design standards; and conditions would be applied requiring further development of the property shall conform to all federal, State of Alaska and local regulations.

There was discussion related to who would be responsible for future road development; if the City could at this time designate a name for the future road; and the financial responsibility for future development.

The commission members requested that the administration look into taking the steps necessary to designate the road name as Sixth St.

VOTE:

YEA: Halstead, Askin, Woodard, Douthit, Fikes
NAY: None

MOTION PASSED UNANIMOUSLY.

F. PUBLIC HEARINGS – None.

G. UNFINISHED BUSINESS – None.

H. NEW BUSINESS – None.

I. PENDING ITEMS – None.

J. REPORTS

1. **City Council** – Council Member Winger reported on the actions of the February 16, 2022 City Council Meeting.
2. **Borough Planning** – Commissioner Fikes reported on the actions of the February 14, 2022 Kenai Peninsula Borough Planning Commission.
3. **City Administration** – Planning Director Foster introduced the new Planning Administrative Assistant, Katie Rector and reported on the following:
 - Reminded everyone to attend the February 24, 2022 Kenai Waterfront Revitalization Community Vision Session;
 - Upcoming American Planning Association Conferences and Educational opportunities;
 - March 7, 2022 Kenai City Council Land Management Plan Work Session.

K. ADDITIONAL PUBLIC COMMENT – None.

L. INFORMATIONAL ITEMS – None.

M. NEXT MEETING ATTENDANCE NOTIFICATION

1. March 9, 2022

N. COMMISSION COMMENTS & QUESTIONS

Commissioner Halstead noted that the staff did a great job with the Work Session and thanked them.

Commissioner Askin also thanked staff for the great Work Session.

Commissioner Woodard thanked staff for the Work Session and noted that she would not be available for the March 9, 2022 Planning and Zoning Commission Meeting.

Commissioner Fikes thanked staff for the Work Session and the informative materials.

Vice Chair Douthit thanked staff for the Work Session and materials and noted that he would not be available for the March 9, 2022 Planning and Zoning Commission Meeting.

O. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 7:52 p.m.

Minutes prepared and submitted by:

Shellie Saner, MMC
City Clerk



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2022-06**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **RECOMMENDING** THAT TOYON SUBDIVISION 2021 REPLAT ATTACHED HERETO BE APPROVED

WHEREAS, the City of Kenai received the plat from Edge Survey and Design and,

WHEREAS, the plat meets Municipal Code requirements of the Townsite Historic (TSH); and,

WHEREAS, street names are referenced correctly; and,

WHEREAS, access is provided via Alaska Avenue, which is a paved, City maintained road; and

WHEREAS, City water and sewer lines are located along Mission Avenue; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to Kenai Municipal Code 14.10.070 Subdivision design standards, the plat conforms to the minimum street widths, easements are sufficiently provided for utilities, the proposed lot would be arranged to provide satisfactory and desirable building sites, and the preliminary plat meets standards for water and wastewater.
2. Pursuant to Kenai Municipal Code 14.24.010 Minimum lot area requirements, the proposed lots meets City standards for minimum lot sizes.
3. Pursuant to Kenai Municipal Code 14.24.020 General Requirements, the proposed lots meet City standards for minimum lot width, maximum lot coverage, 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 Toyon Subdivision 2021 Replat be approved subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. The Kenai City Council must declare that the two 20' public street easements to be vacated is not needed for a public purpose and approve the vacation of the 20' public street easements as shown on the preliminary plat.

3. The City of Kenai requests notification of the schedule for construction of the right of way turnaround at the end of Alaska Avenue.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
this 23rd day of March, 2022.

JEFF TWAIT, CHAIRPERSON

ATTEST:

Michelle M. Saner, MMC, City Clerk



KENAI

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

STAFF REPORT

TO: Planning and Zoning Commission
FROM: Ryan Foster, Planning Director
DATE: March 17, 2022
SUBJECT: PZ2022-06 – Preliminary Plat – Toyon Subdivision 2021 Replat

Applicant: Kenaitze Indian Tribe
P. O. Box 988
Kenai, AK 99611

Submitted By: Edge Survey and Design
P.O. Box 208
Kasilof, AK 99610

Requested Action: Preliminary Subdivision Plat – Toyon Subdivision 2021 Replat

Legal Description: T 5N R 11W SEC 5 SEWARD MERIDIAN KN 0001592 TOYON
SUB LOT 2

T 5N R 11W SEC 5 SEWARD MERIDIAN KN 0001592 TOYON
SUB LOT 1

Property Address: 929 Mission Avenue and 1001 Mission Avenue

KPB Parcel No: 04708610 and 04708609

Lot Size: Approximately 2.57 acres and 0.94 acres

Existing Zoning: Townsite Historic

Current Land Use: RV Park and Apartments

Land Use Plan: Mixed Use

GENERAL INFORMATION

Edge Survey and Design submitted a preliminary plat on behalf of the property owners, the Kenaitze Indian Tribe. The plat affects the parcels at 929 Mission Avenue (KPB: 04708610) and 1001 Mission Avenue (KPB: 04708609).

The proposed Toyon Subdivision 2021 Replat will combine the two parcels into one and vacate two 20' public street easements, with a shared zoning designation of Townsite Historic and one property owner. The preliminary plat proposes a dedicated right of way turn around at the end of Alaska Avenue.

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 March 17, 2022.

ANALYSIS

Access to the proposed Toyon Subdivision 2021 Replat is provided via Alaska Avenue, which is a paved, City maintained road. City water and sewer lines are adjacent along Mission Avenue. The Public Works Director and Fire Marshal reviewed the dedicated right of way turnaround and had one comment, to be notified of the timing of the construction of the right of way turnaround.

The preliminary plat meets requirements of *KMC Subdivision design standards* and *KMC 14.10.080 Minimum improvements required* under *Chapter 14.10 Subdivision Regulations*.

RECOMMENDATIONS

City staff recommends approval of the preliminary plat of Toyon Subdivision 2021 Replat subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. The Kenai City Council must declare that the two 20' public street easements to be vacated is not needed for a public purpose and approve the vacation of the 20' public street easements as shown on the preliminary plat.



3. The City of Kenai requests notification of the schedule for construction of the right of way turnaround at the end of Alaska Avenue.

ATTACHMENTS

1. Application
2. Preliminary Plat
3. 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: | Edge Survey and Design | | | | |
| Mailing Address: | PO Box 208 | City: | Kasilof | State: | AK |
| Phone Number(s): | 283-9047 | | | | |
| Email: | jason@edgesurvey.net | | | | |

PROPERTY OWNER

| | | | | | |
|------------------|-----------------------|-------|-------|--------|----|
| Name: | Kenaitze Indian Tribe | | | | |
| Mailing Address: | PO Box 988 | City: | Kenai | State: | AK |
| Phone Number(s): | 335-7208 - Don Ohler | | | | |
| Email: | dohler@kenaitze.org | | | | |

PROPERTY INFORMATION

| | | | | | |
|-----------------------------------|--------------------------------------|--|--|--|--|
| Kenai Peninsula Borough Parcel #: | 04708609 and 04708610 | | | | |
| Current City Zoning: | Townsite Historic | | | | |
| Use: | <input type="checkbox"/> Residential | <input type="checkbox"/> Recreational | <input checked="" type="checkbox"/> Commercial | | |
| | <input type="checkbox"/> Other: | | | | |
| Water: | <input type="checkbox"/> On Site | <input checked="" type="checkbox"/> City | <input type="checkbox"/> Community | | |
| Sewer: | <input type="checkbox"/> On Site | <input checked="" type="checkbox"/> City | <input type="checkbox"/> Community | | |

PLAT INFORMATION

| | | | | | |
|----------------------------------|---|--|-----------------------------|--|--|
| Preliminary Plat Name: | Toyon Subdivision 2021 Replat | | | | |
| Revised Preliminary Plat Name: | | | | | |
| Vacation of Public Right-of-Way: | <input checked="" type="checkbox"/> Yes | | <input type="checkbox"/> No | | |
| Street Name (if vacating ROW): | Public Street Easement | | | | |

Exceptions Required and Requested:

Comments:

Platting goal is to combine two parcels and vacate an public street easement.

RECEIVED

CITY OF KENAI
 DATE 1-3-22
 PLANNING DEPARTMENT

REQUIRED ATTACHMENTS

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

SIGNATURE

| | | | |
|-------------|-----------------------------------|-----------------|--|
| Signature: | <small>027AF817A865485...</small> | Date: | 12/22/2021 15:05 AI |
| Print Name: | Chelsea Hendriks | Title/Business: | Interim Executive Director Kenaitze Indian Tribe |



**Kenaitze Indian Tribe
Resolution No. 2021-42**

Authorizing Chelsea Hendriks, Interim Executive Director of Tribal Administration, to sign all contracts, agreements, and official documents on behalf of the Kenaitze Indian Tribe in FY2021–2022

**KENAITZE
INDIAN
TRIBE**

www.kenaitze.org

Phone: 907-335-7200 • FAX: 855-335-8865

P.O. Box 988 • Kenai, AK 99611

WHEREAS, Kenaitze Indian Tribe is a federally recognized Tribal Government reorganized in 1971 under the statutes of the Indian Reorganization Act of 1934, as amended for Alaska in 1936, and the Tribal Council is the governing body of Kenaitze Indian Tribe; and,

WHEREAS, Kenaitze Indian Tribe has established long-term goals to enhance the health, social, and economic well-being, education, judicial, and administrative concerns of its people via programs that serve over 4,410 Alaska Native and American Indian (AN/AI) and other people who reside in the central and upper Kenai Peninsula, including approximately 1,717 enrolled Tribal Members; and,

WHEREAS, Kenaitze Indian Tribe has successfully administered P.L. 93-638 "Indian Self-Determination and Educational Assistance Act" (ISDEAA) programs independently for more than 17 years, as well as other federally funded projects via the Bureau of Indian Affairs, the Indian Health Service, and the U.S. Departments of Health and Human Services, Justice, Education, Labor, Housing and Urban Development, Interior, and Homeland Security, in addition to other grants and funding agreements awarded by the State of Alaska and private foundations, among other sources, and will continue such successful administration into the future; and,

NOW THEREFORE BE IT RESOLVED, that the Kenaitze Tribal Council hereby authorizes Chelsea Hendriks, Interim Executive Director of Tribal Administration, to sign all contracts, agreements, and official documents on behalf of the Kenaitze Indian Tribe in FY2021–2022. Additionally, all documents must be signed by Bernadine Atchison, Tribal Council Chair, or Diana L. Zirul, Tribal Council Treasurer. Signature authority may be delegated by Chelsea Hendriks to Larry Barnes, Kenaitze Indian Tribe's Finance Director.

CERTIFICATION

Adopted this 25th day of June, 2021, by a vote 6 yeas and 0 nays

 0 abstentions, and 0 absent, 0 opposed.

**Bernadine Atchison, Tribal Council Chair
Kenaitze Indian Tribe**

**Virginia Wolf, Interim Tribal Council
Secretary
Kenaitze Indian Tribe**

Stewart Title of the Kenai Peninsula, Inc.

35096 Kenai Spur Hwy.

Soldotna, AK 99669

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

CERTIFICATE TO PLAT

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

File Number: 21005
Premium: \$250.00
Tax:

Gentlemen:

This is a certificate as of November 24, 2021 at 8:00 A.M. for a plat out of the following property:

Lots One (1) and Two (2), TOYON SUBDIVISION, according to Plat No. K-1592, Kenai Recording District, Third Judicial District, State of Alaska.

The Company certifies that record title is vested in

Kenaitze Indian Tribe

an estate in fee simple, free from all liens, encumbrances, and objections except for as follows:

1. **RESERVATIONS** and exceptions as contained in U.S. Patent, and/or acts authorizing the issuance thereof.
 2. **TAXES AND ASSESSMENTS**, if any due the taxing authority indicated:
Taxing Authority: City of Kenai
 3. **TAXES AND ASSESSMENTS**, if any, due the taxing authority indicated:
Taxing Authority: KENAI PENINSULA BOROUGH
 4. **EASEMENT** affecting the portion of said premises and for the purposes stated herein, and incidental purposes thereto:
For: public improvements and electrical transmission and distribution lines
In Favor Of: City of Kenai
Recorded: April 1, 1968
Volume/Page: 50/247
Affects: blanket easement
 5. **RESERVATION** of oil, gas and mineral rights constructive notice of which is given by recital in deed:
Recorded: April 1, 1968
Volume/Page: 50/247
- FURTHER**, no other examination of the excepted title to minerals has been made herein and no insurance nor responsibility therefore is implied or assumed.
6. **EASEMENTS, SET-BACKS AND DEDICATIONS** as delineated on Plat No. K-1592.
 7. **EFFECT** of the notes on said Plat No. K-1592.
 8. **RESERVATION** of oil, gas and mineral rights constructive notice of which is given by recital in deed:
Recorded: December 15, 1995
Volume/Page: 475/953

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

9. **RESERVATION** of oil, gas and mineral rights constructive notice of which is given by recital in deed:
Recorded: August 11, 2000
Volume/Page: 587/437

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

DISCLAIMER OF INTEREST, including the terms and conditions therein:
Recorded: September 16, 2004
Serial No.: 2004-009237-0

10. **DEED OF TRUST, ASSIGNMENT OF RENTS, SECURITY AGREEMENT AND FIXTURE FILING** including terms and provisions thereof, to secure an indebtedness of the amount herein stated and for any other amounts payable under the terms thereof:
Amount: \$880,000.00
Dated: December 1, 2004
Recorded: December 7, 2004
Serial No.: 2004-012359-0
Trustor: Jerry P. Dunn and Kathryn E. Dunn, husband and wife
Trustee: First American Title of Alaska
Beneficiary: Alaska Housing Finance Corporation

NOTE: Said Deed of Trust may have been paid, but no reconveyance of record has been recorded as of the date of this Certificate to Plat.
(Lot 2)

11. **DEED OF TRUST AND ASSIGNMENT OF RENTS AND LEASES** including terms and provisions thereof, to secure an indebtedness of the amount herein stated and for any other amounts payable under the terms thereof:
Amount: \$400,000.00
Dated: January 25, 2010
Recorded: January 26, 2010
Serial No.: 2010-000654-0
Trustor: Jerry P. Dunn
Trustee: Wells Fargo Financial National Bank
Beneficiary: Wells Fargo Bank

NOTE: Said Deed of Trust may have been paid, but no reconveyance of record has been recorded as of the date of this Certificate to Plat.
(Lot 2)

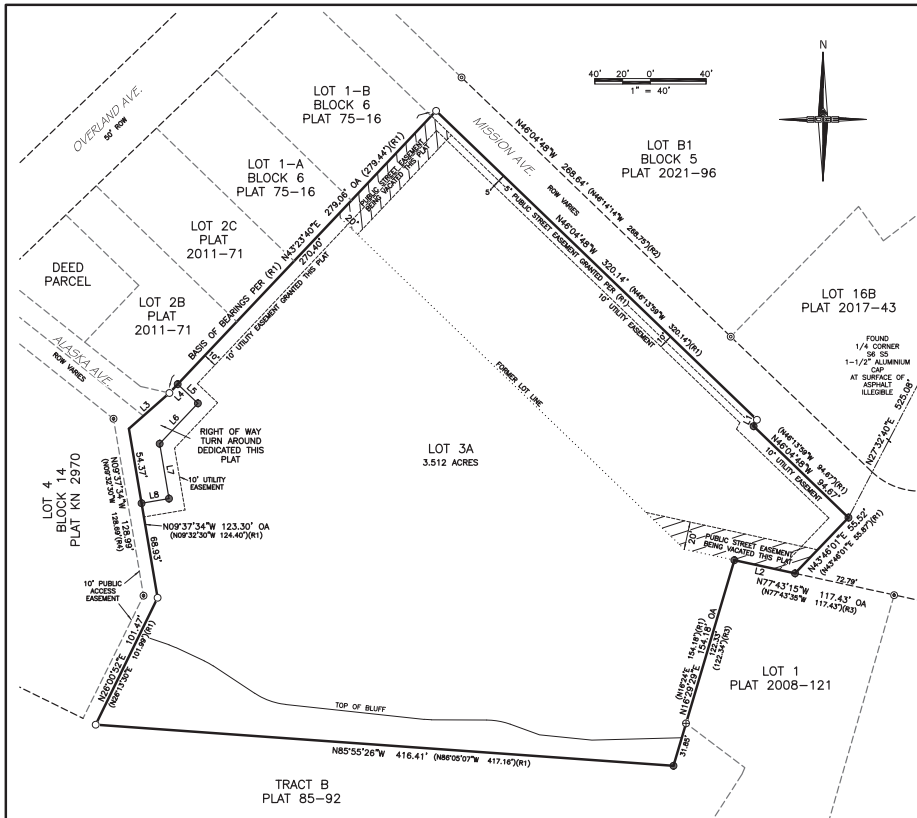
Stewart Title of the Kenai Peninsula, Inc.

By


Terri Cotterell

Authorized Signator

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



LEGEND

- ⊙ MONUMENT FOUND AS REFERENCED
 - PROPERTY CORNER FOUND 5/8" REBAR
 - ⊙ PROPERTY CORNER FOUND 5/8" REBAR WITH BLUE PLASTIC CAP STAMPED LS-11795
 - ⊙ PROPERTY CORNER FOUND 5/8" REBAR WITH 1-1/2" ALUMINIUM CAP
 - ⊙ PROPERTY CORNER FOUND 5/8" REBAR WITH ORANGE PLASTIC CAP STAMPED LS-6101
 - ⊙ SET SECONDARY MONUMENT 5/8" X 30" REBAR WITH 2" ALUMINIUM CAP STAMPED EDGE SURVEY LS-13022 2021
 - (R1) RECORD DATA, SEE REFERENCE
 - KRD KENAI RECORDING DISTRICT
 - OA OVERALL
- PARCEL BOUNDARY
 - - - - FORMER LOT LINE
 - - - - ADJACENT PROPERTY LINE
 - - - - EASEMENT
 - - - - MONUMENT TIE
 - ▨ PUBLIC STREET EASEMENT BEING VACATED

LINE TABLE

| LINE | BEARING | DISTANCE |
|--------|-------------|----------|
| L1 | S27°01'06"W | 5.23' |
| L1(R1) | S29°20'W | 5.16' |
| L2 | S77°43'15"E | 44.64' |
| L2(R1) | S77°43'15"E | 44.02' |
| L3 | S46°34'43"W | 38.83' |
| L3(R1) | S46°34'43"W | 37.23' |
| L4 | N43°23'40"E | 8.66' |
| L5 | N46°36'20"W | 20.00' |
| L6 | N43°23'40"E | 42.00' |
| L7 | N09°37'34"W | 40.00' |
| L8 | S80°22'26"W | 20.00' |

REFERENCES

- (R1) TOYON SUBDIVISION, PLAT K-1592, KENAI RECORDING DISTRICT
- (R2) TOWNSITE OF KENAI KENAITZE ADDITION SUBDIVISION, PLAT 2012-11, KENAI RECORDING DISTRICT
- (R3) ENDLESS VIEW, PLAT 2008-121, KENAI RECORDING DISTRICT
- (R4) TOWNSITE OF KENAI, PLAT K-2970, KENAI RECORDING DISTRICT

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF SEPTEMBER 13, 2021.
KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

CERTIFICATE OF ACCEPTANCE AND DEDICATION BY CITY OF KENAI

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF KENAI FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THE PLAT IDENTIFIED AS FOLLOWS:
DEDICATION OF RIGHT OF WAY TURN AROUND AREA ADJACENT TO ALASKA AVENUE, AS SHOWN.

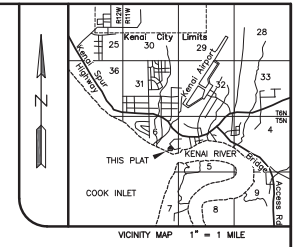
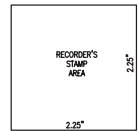
THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSES DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY: PAUL OSTRANDER - CITY MANAGER
CITY OF KENAI
210 PIDALGO AVE.
KENAI, ALASKA 99611

DATE

CERTIFICATE OF SURVEYOR

I, MARK AMONETTI 13022-5, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE MONUMENTS SHOWN ON THIS SURVEY ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT KENAITZE INDIAN TRIBE IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HERE AND THAT ON BEHALF OF KENAITZE INDIAN TRIBE I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

CHELSEA HENDRICKS, INTERIM EXECUTIVE DIRECTOR
PO BOX 988
KENAI, ALASKA 99611
KENAITZE INDIAN TRIBE

NOTARY ACKNOWLEDGEMENT

FOR: CHELSEA HENDRICKS
ACKNOWLEDGED BEFORE ME
THIS _____ DAY OF _____, 2022

NOTARY PUBLIC SIGNATURE



KPB FILE No. 2022-011

**TOYON SUBDIVISION
2021 REPLAT
AND PUBLIC STREET EASEMENT
VACATION**

A REPLAT OF
LOTS 1 AND 2
TOYON SUBDIVISION
PLAT K-1592

OWNERS: KENAITZE INDIAN TRIBE
PO BOX 988
KENAI, ALASKA 99611

LOCATED WITHIN SE 1/4, SECTION 6,
T.5N., R.11W., S.M.
STATE OF ALASKA
KENAI PENINSULA BOROUGH
KENAI RECORDING DISTRICT
CITY OF KENAI

CONTAINING 3.512 ACRES

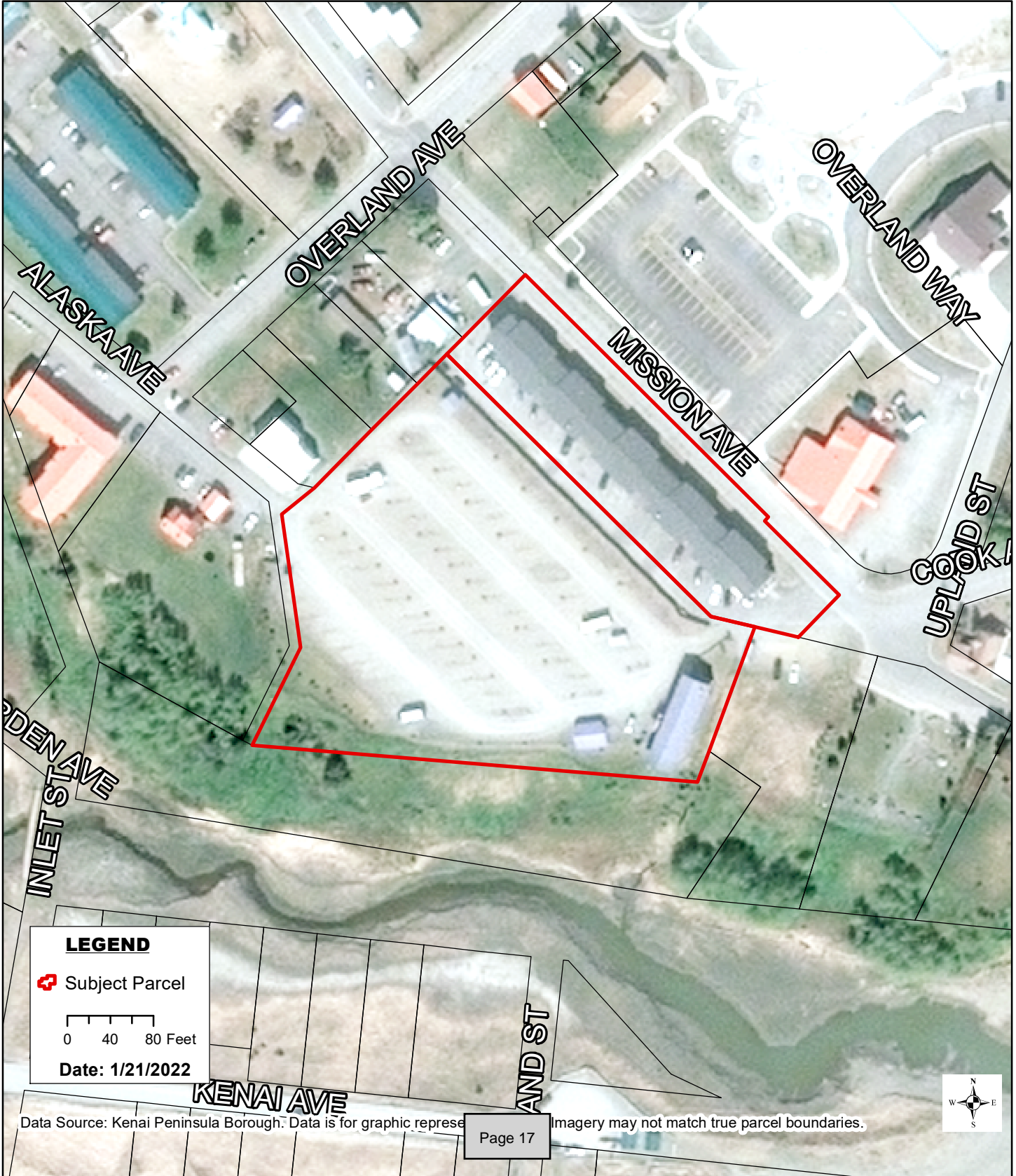


12501 OLD SEWARD, D ANCHORAGE, AK 99515
Phone (907) 344-5990 Fax (907) 344-7794
ACLS 1392

| | | |
|----------------|------------------|-----------------|
| DRAWN BY: JY | DATE: 12/22/2021 | PROJECT: 21-615 |
| CHECKED BY: MA | SCALE: 1" = 40' | SHEET: 1 OF 1 |

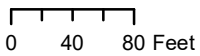


Toyon Subdivision 2021 Replat



LEGEND

 Subject Parcel



Date: 1/21/2022



PLANNING & ZONING COMMISSION

Resolution PZ2022-06 – Preliminary Plat – Toyon Subdivision 2021 Replat

SUMMARY

Applicant: Kenaitze Indian Tribe
P. O. Box 988
Kenai, AK 99611

Property Address: 929 Mission Avenue and 1001 Mission Avenue

KPB Parcel No: 04708610 and 04708609

Lot Size: Approximately 2.57 acres and 0.94 acres

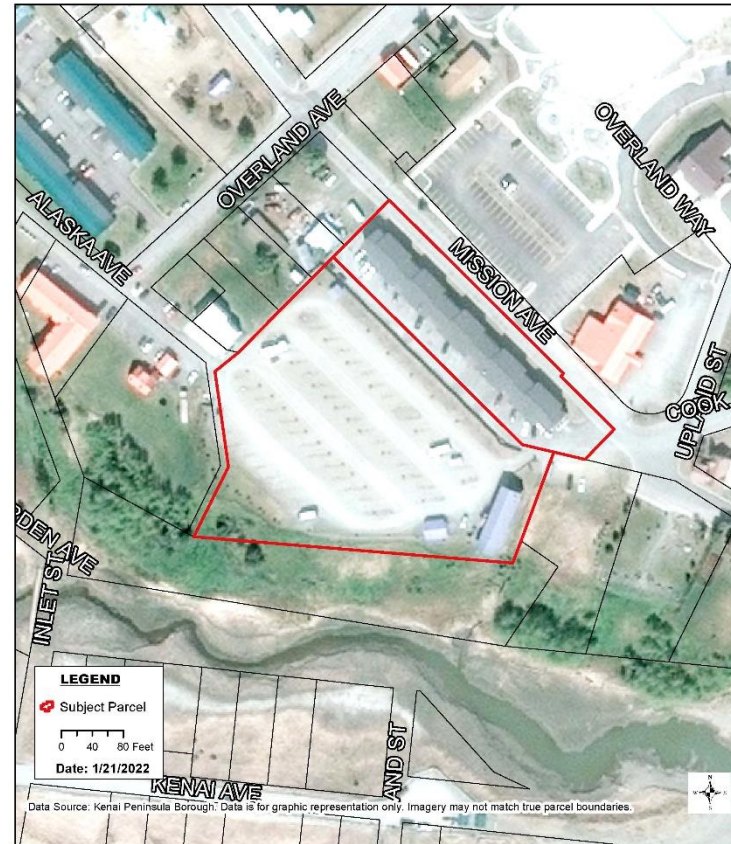
Existing Zoning: Townsite Historic

Current Land Use: RV Park and Apartments

Land Use Plan: Mixed Use



Toyon Subdivision 2021 Replat



STAFF ANALYSIS

- Access to the proposed Toyon Subdivision 2021 Replat is provided via Alaska Avenue, which is a paved, City maintained road. City water and sewer lines are adjacent along Mission Avenue.
- The preliminary plat meets requirements of KMC Subdivision design standards and KMC 14.10.080 Minimum improvements required under Chapter 14.10 Subdivision Regulations.

RECOMMENDATIONS


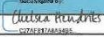
- City staff recommends approval of the preliminary plat of Toyon Subdivision 2021 Replat subject to the following conditions:
 1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
 2. The Kenai City Council must declare that the two 20' public street easements to be vacated is not needed for a public purpose and approve the vacation of the 20' public street easements as shown on the preliminary plat.
 3. The City of Kenai requests notification of the schedule for construction of the right of way turnaround at the end of Alaska Avenue.

ATTACHMENTS

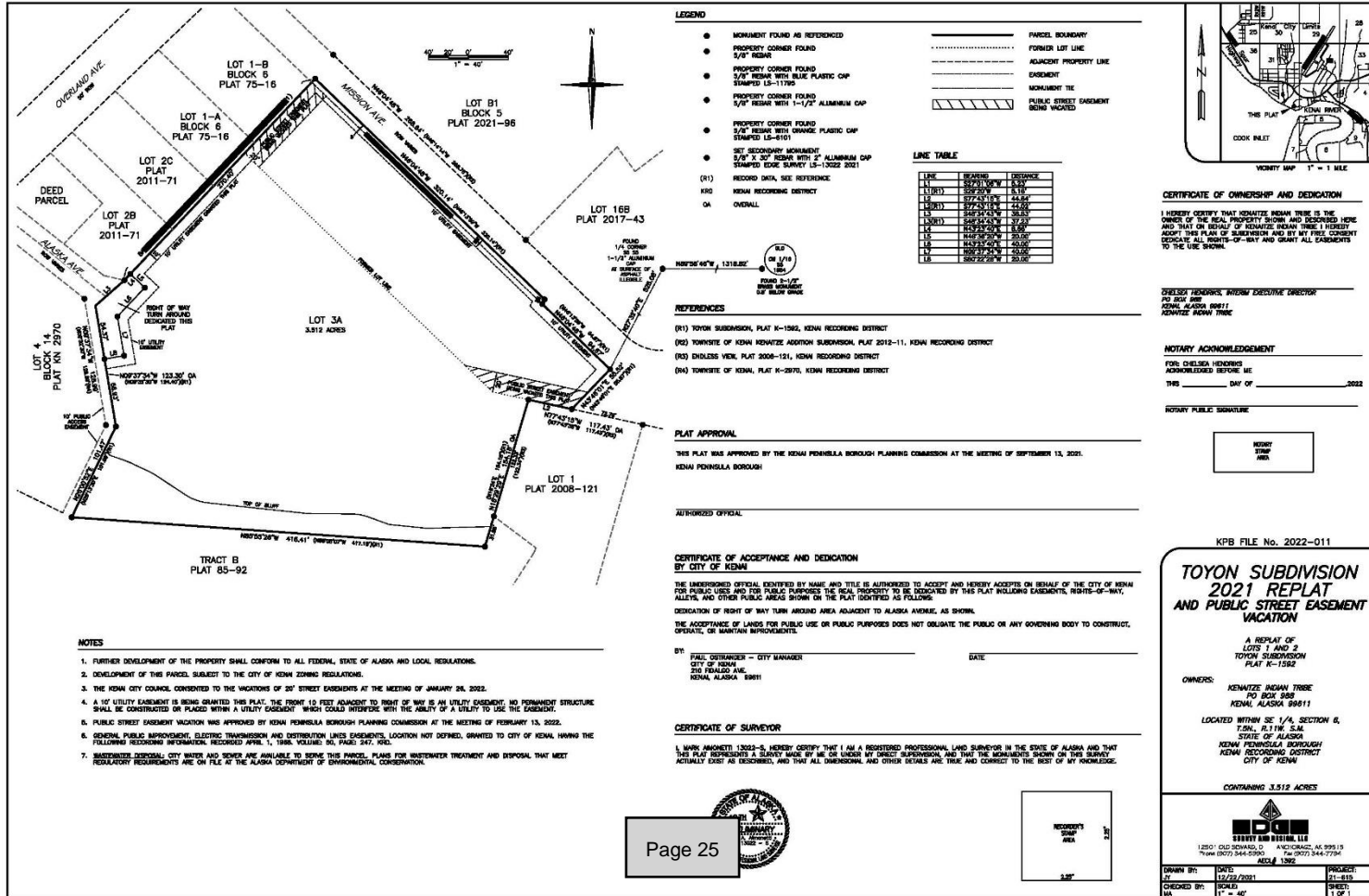
- A. Application
- B. Preliminary Plat
- C. Aerial Map

A. APPLICATION

DocuSign Envelope ID: 7734FEBD-EB94-49CF-90A2-CCD9D5160203

| | | | | | |
|--|---|--|---|---|----|
|  | | Preliminary Plat Submittal Form | | City of Kenai Planning and Zoning Department 210 Fidalgo Avenue Kenai, AK 99611 (907) 263-8200 planning@kenai.city www.kenai.city/planning | |
| APPLICANT (SURVEYOR) | | | | | |
| Name: | Edge Survey and Design | | | | |
| Mailing Address: | PO Box 208 | City: | Kasilof | State: | AK |
| Phone Number(s): | 283-9047 | | | | |
| Email: | jason@edgesurvey.net | | | | |
| PROPERTY OWNER | | | | | |
| Name: | Kenaitze Indian Tribe | | | | |
| Mailing Address: | PO Box 888 | City: | Kenai | State: | AK |
| Phone Number(s): | 335-7208 - Don Ohler | | | | |
| Email: | dohler@kenaitze.org | | | | |
| PROPERTY INFORMATION | | | | | |
| Kenai Peninsula Borough Parcel #: | 04708609 and 04708610 | | | | |
| Current City Zoning: | Townsite Historic | | | | |
| Use: | <input type="checkbox"/> Residential | <input type="checkbox"/> Recreational | <input checked="" type="checkbox"/> Commercial | | |
| | <input type="checkbox"/> Other: | | | | |
| Water: | <input type="checkbox"/> On Site | <input checked="" type="checkbox"/> City | <input type="checkbox"/> Community | | |
| Sewer: | <input type="checkbox"/> On Site | <input checked="" type="checkbox"/> City | <input type="checkbox"/> Community | | |
| PLAT INFORMATION | | | | | |
| Preliminary Plat Name: | Toyon Subdivision 2021 Replat | | | | |
| Revised Preliminary Plat Name: | | | | | |
| Vacation of Public Right-of-Way: | <input checked="" type="checkbox"/> Yes | | <input type="checkbox"/> No | | |
| Street Name (if vacating ROW): | Public Street Easement | | | | |
| Exceptions Required and Requested: | | | | | |
| | | | | | |
| Comments: | | | | <div style="border: 1px solid black; padding: 5px; color: blue; font-weight: bold;">RECEIVED</div> <div style="color: blue; font-weight: bold;">CITY OF KENAI</div> <div style="color: blue; font-weight: bold;">DATE 1-3-22</div> <div style="color: blue; font-weight: bold;">PLANNING DEPARTMENT</div> | |
| Platting goal is to combine two parcels and vacate an public street easement. | | | | | |
| REQUIRED ATTACHMENTS | | | | | |
| <input checked="" type="checkbox"/> Certificate to Plat | | <input checked="" type="checkbox"/> (1) 24" x 36" Plat | | <input checked="" type="checkbox"/> (2) 11" x 17" Plats | |
| Signature: |  | | Date: | 12/22/2021 1:05 AM | |
| Print Name: | Chelsea Hendriks | | Interim Executive Director, Kenaitze Indian Tribe | | |

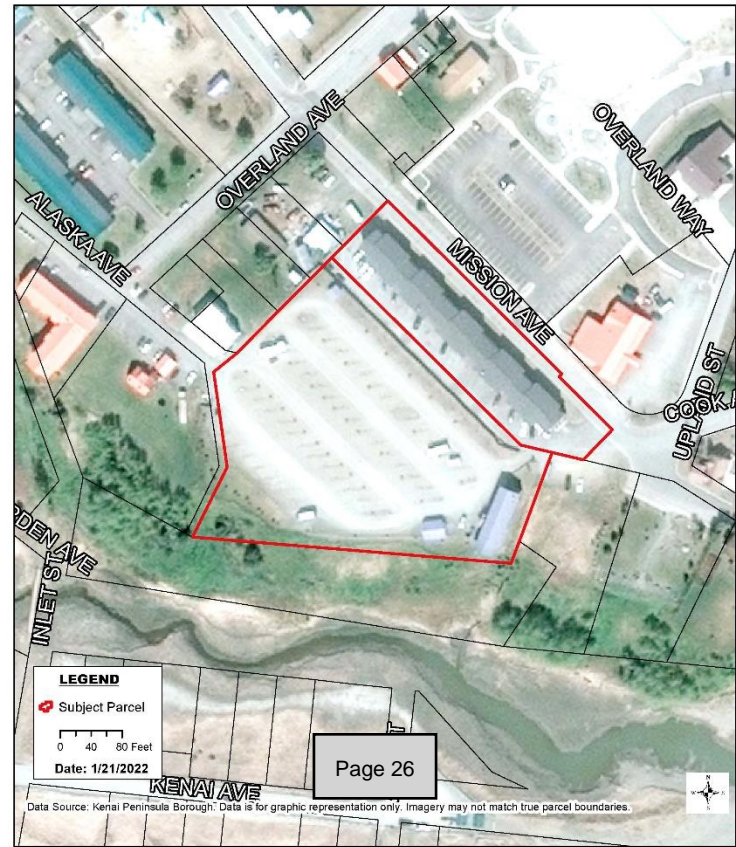
B. PRELIMINARY PLAT



C. AERIAL MAP



Toyon Subdivision 2021 Replat





**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2022-07**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **RECOMMENDING** THAT JAYNES SUBDIVISION 2022 REPLAT ATTACHED HERETO BE APPROVED

WHEREAS, the City of Kenai received the plat from McLane Consulting and,

WHEREAS, the plat meets Municipal Code requirements of the Heavy Industrial (HI) District; and,

WHEREAS, street names are referenced correctly; and,

WHEREAS, access is provided via Bridge Access Road, which is a paved, State of Alaska maintained road; and

WHEREAS, City water and sewer lines are located along Bridge Access Road; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to Kenai Municipal Code 14.10.070 Subdivision design standards, the plat conforms to the minimum street widths, easements are sufficiently provided for utilities, the proposed lot would be arranged to provide satisfactory and desirable building sites, and the preliminary plat meets standards for water and wastewater.
2. Pursuant to Kenai Municipal Code 14.24.010 Minimum lot area requirements, the proposed lots meets City standards for minimum lot sizes.
3. Pursuant to Kenai Municipal Code 14.24.020 General Requirements, the proposed lots meet City standards for minimum lot width, maximum lot coverage, 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 Jaynes Subdivision 2022 Replat be approved subject to the following conditions:

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

2. The Kenai City Council must declare that the Van Antwerp 60' right of way and 25' of utility easement's to be vacated is not needed for a public purpose and approve the vacation as shown on the preliminary plat.

3. The City of Kenai requests notification of the schedule for construction of the 60' dedicated rights of way starting at Childs Avenue.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
this 23rd day of March, 2022.

JEFF TWAIT, CHAIRPERSON

ATTEST:

Michelle M. Saner, MMC, City Clerk



KENAI

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

STAFF REPORT

TO: Planning and Zoning Commission
FROM: Ryan Foster, Planning Director
DATE: March 17, 2022
SUBJECT: PZ2022-07 – Preliminary Plat – Jaynes Subdivision 2022 Replat

Applicant: BGMC LLC
P. O. Box 2682
Kenai, AK 99611

Submitted By: McLane Consulting
P.O. Box 468
Kenai, AK 99611

Requested Action: Preliminary Subdivision Plat – Jaynes Subdivision 2022 Replat

Legal Description: Tract 3, Jaynes Subdivision Big Mikes Addition
Tract 4, Jaynes Subdivision Big Mikes Addition
Tract A-1, Bridge Road Subdivision 2019 Replat

Property Address: 601 Childs Ave, 511 Van Antwerp Ave, 1345 Bridge Access Rd

KPB Parcel No: 04935012, 04935013, and 04901324

Lot Size: Approximately 8.89 acres, 22.21 acres, and 11.99 acres

Existing Zoning: Heavy Industrial

Current Land Use: Vacant and Commercial

Land Use Plan: Industrial

GENERAL INFORMATION

McLane Consulting submitted a preliminary plat on behalf of the property owners, BGMC LLC. The plat affects the parcels at 601 Childs Ave (KPB: 04935012), 511 Van Antwerp Ave (KPB: 04935013), 1345 Bridge Access Rd (KPB: 04901324).

The proposed Jaynes Subdivision 2022 Replat will create a Tract 3A (approximately 18.4 acres), consisting of Tract 3 and the northern portion of Tract 4, Jaynes Subdivision Big Mikes Addition. And also create a Tract 4A (approximately 22.7 acres), consisting of the southern portion of Tract 4, Jaynes Subdivision Big Mikes Addition and all of Tract A-1, Bridge Road Subdivision 2019 Replat. The eastern half of Van Antwerp Avenue is proposed for vacation, with the creation of new dedicated 60' rights of way connecting from Childs Avenue to the current termination of Van Antwerp Avenue.

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 March 17, 2022.

ANALYSIS

Access to the proposed Jaynes Subdivision 2022 Replat is provided via Bridge Access Road, which is a paved, State of Alaska maintained road, Childs Avenue, which is a gravel road, not maintained by the City, Van Antwerp Avenue, which is a gravel road, not maintained by the City, and Beaver Loop Road, which is a paved, City maintained road. City water and sewer lines are adjacent along Bridge Access Road.

The preliminary plat meets requirements of *KMC Subdivision design standards* and *KMC 14.10.080 Minimum improvements required* under *Chapter 14.10 Subdivision Regulations*.

RECOMMENDATIONS

City staff recommends approval of the preliminary plat of Jaynes Subdivision 2022 Replat subject to the following conditions:

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



2. The Kenai City Council must declare that the Van Antwerp 60' right of way and 25' of utility easement's to be vacated is not needed for a public purpose and approve the vacation as shown on the preliminary plat.
3. The City of Kenai requests notification of the schedule for construction of the 60' dedicated rights of way starting at Childs Avenue.

ATTACHMENTS

1. Application
2. Preliminary Plat
3. 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: | McLane Consulting | | | | | | |
| Mailing Address: | PO BOX 468 | City: | Soldotna | State: | AK | Zip Code: | 99669 |
| Phone Number(s): | 907-283-4218 | | | | | | |
| Email: | JHALL@MCLANECG.COM | | | | | | |

PROPERTY OWNER

| | | | | | | | |
|------------------|-------------|-------|-------|--------|----|-----------|-------|
| Name: | BGMC LLC | | | | | | |
| Mailing Address: | PO BOX 2682 | City: | KENAI | State: | AK | Zip Code: | 99611 |
| Phone Number(s): | | | | | | | |
| Email: | | | | | | | |

PROPERTY INFORMATION

| | | | | | | | |
|-----------------------------------|---|--|---------------------------------------|--|--|--|--|
| Kenai Peninsula Borough Parcel #: | KPB PID 04935012, 04935013, 04901324 | | | | | | |
| Current City Zoning: | Heavy Industrial | | | | | | |
| Use: | <input type="checkbox"/> Residential | | <input type="checkbox"/> Recreational | | <input checked="" type="checkbox"/> Commercial | | |
| | <input checked="" type="checkbox"/> Other: Material Extraction Site | | | | | | |
| Water: | <input checked="" type="checkbox"/> On Site | | <input type="checkbox"/> City | | <input type="checkbox"/> Community | | |
| Sewer: | <input checked="" type="checkbox"/> On Site | | <input type="checkbox"/> City | | <input type="checkbox"/> Community | | |

PLAT INFORMATION

| | | | | | | | |
|----------------------------------|---|--|--|-----------------------------|--|--|--|
| Preliminary Plat Name: | Jaynes Subdivision 2022 Replat | | | | | | |
| Revised Preliminary Plat Name: | | | | | | | |
| Vacation of Public Right-of-Way: | <input checked="" type="checkbox"/> Yes | | | <input type="checkbox"/> No | | | |
| Street Name (if vacating ROW): | Portion of Van Antwerp Ave | | | | | | |

Exceptions Required and Requested:

Comments:

Alternate access is being dedicated per the plat

REQUIRED ATTACHMENTS

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

SIGNATURE

| | | | | |
|-------------|------------|-----------------|-----------------|----------|
| Signature: | | | Date: | 3/7/2022 |
| Print Name: | Mike Brown | Title/Business: | CEO / BARGE LLC | |



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: | McLane Consulting | | | | | | |
| Mailing Address: | PO BOX 468 | City: | Soldotna | State: | AK | Zip Code: | 99669 |
| Phone Number(s): | 907-283-4218 | | | | | | |
| Email: | JHALL@MCLANEOG.COM | | | | | | |

PROPERTY OWNER

| | | | | | | | |
|------------------|-----------------------------|-------|-------|--------|----|-----------|-------|
| Name: | PENINSULA MINI STORAGE, LLC | | | | | | |
| Mailing Address: | 47 SPUR VIEW DR | City: | KENAI | State: | AK | Zip Code: | 99611 |
| Phone Number(s): | | | | | | | |
| Email: | | | | | | | |

PROPERTY INFORMATION

| | | | | | | |
|-----------------------------------|---|--|---------------------------------------|--|--|--|
| Kenai Peninsula Borough Parcel #: | KPB PID 04935012, 04935013, 04901324 | | | | | |
| Current City Zoning: | Heavy Industrial | | | | | |
| Use: | <input type="checkbox"/> Residential | | <input type="checkbox"/> Recreational | | <input checked="" type="checkbox"/> Commercial | |
| | <input checked="" type="checkbox"/> Other: Material Extraction Site | | | | | |
| Water: | <input checked="" type="checkbox"/> On Site | | <input type="checkbox"/> City | | <input type="checkbox"/> Community | |
| Sewer: | <input checked="" type="checkbox"/> On Site | | <input type="checkbox"/> City | | <input type="checkbox"/> Community | |

PLAT INFORMATION

| | | | | | | |
|----------------------------------|---|--|-----------------------------|--|--|--|
| Preliminary Plat Name: | Jaynes Subdivision 2022 Replat | | | | | |
| Revised Preliminary Plat Name: | | | | | | |
| Vacation of Public Right-of-Way: | <input checked="" type="checkbox"/> Yes | | <input type="checkbox"/> No | | | |
| Street Name (if vacating ROW): | Portion of Van Antwerp Ave | | | | | |

Exceptions Required and Requested:

| | | | | | | |
|--|--|--|--|--|--|--|
| | | | | | | |
|--|--|--|--|--|--|--|

Comments:

| | | | | | | |
|--|--|--|--|--|--|--|
| Alternate access is being dedicated per the plat | | | | | | |
|--|--|--|--|--|--|--|

REQUIRED ATTACHMENTS

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

SIGNATURE

| | | | |
|-------------|-----------------|-----------------|--------|
| Signature: | | Date: | 3-7-21 |
| Print Name: | David Schilling | Title/Business: | Member |



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: | McLane Consulting | | | | | | |
| Mailing Address: | PO BOX 468 | City: | Soldotna | State: | AK | Zip Code: | 99669 |
| Phone Number(s): | 907-283-4218 | | | | | | |
| Email: | JHALL@MCLANECG.COM | | | | | | |

PROPERTY OWNER

| | | | | | | | |
|------------------|-----------------------------|-------|-------|--------|----|-----------|-------|
| Name: | PENINSULA MINI STORAGE, LLC | | | | | | |
| Mailing Address: | 47 SPUR VIEW DR | City: | KENAI | State: | AK | Zip Code: | 99611 |
| Phone Number(s): | | | | | | | |
| Email: | | | | | | | |

PROPERTY INFORMATION

| | | | | | | |
|-----------------------------------|---|--|---------------------------------------|--|--|--|
| Kenai Peninsula Borough Parcel #: | KPB PID 04935012, 04935013, 04901324 | | | | | |
| Current City Zoning: | Heavy Industrial | | | | | |
| Use: | <input type="checkbox"/> Residential | | <input type="checkbox"/> Recreational | | <input checked="" type="checkbox"/> Commercial | |
| | <input checked="" type="checkbox"/> Other: Material Extraction Site | | | | | |
| Water: | <input checked="" type="checkbox"/> On Site | | <input type="checkbox"/> City | | <input type="checkbox"/> Community | |
| Sewer: | <input checked="" type="checkbox"/> On Site | | <input type="checkbox"/> City | | <input type="checkbox"/> Community | |

PLAT INFORMATION

| | | | | | | |
|----------------------------------|---|--|-----------------------------|--|--|--|
| Preliminary Plat Name: | Jaynes Subdivision 2022 Replat | | | | | |
| Revised Preliminary Plat Name: | | | | | | |
| Vacation of Public Right-of-Way: | <input checked="" type="checkbox"/> Yes | | <input type="checkbox"/> No | | | |
| Street Name (if vacating ROW): | Portion of Van Antwerp Ave | | | | | |

Exceptions Required and Requested:

| | | | | | | |
|--|--|--|--|--|--|--|
| | | | | | | |
|--|--|--|--|--|--|--|

Comments:

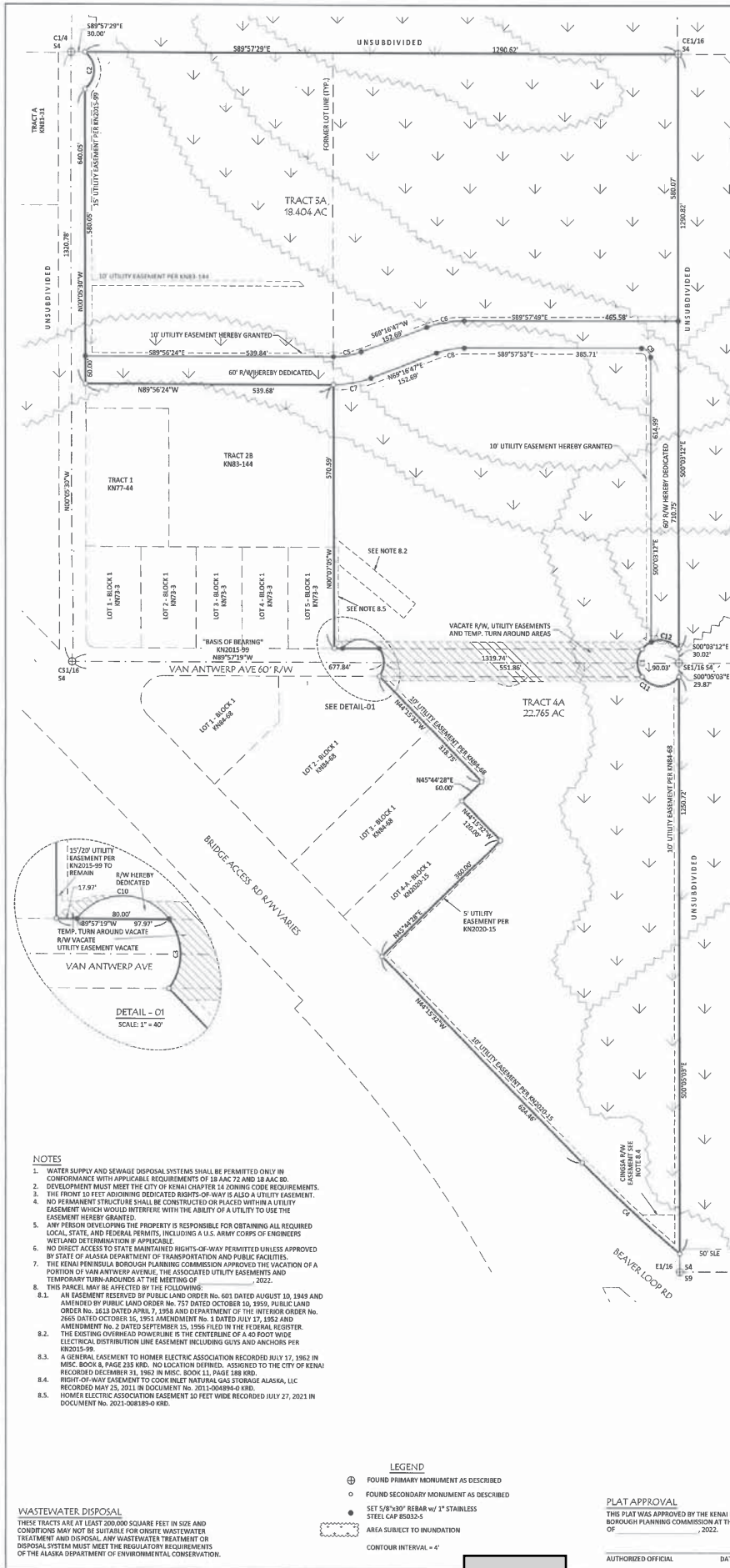
| | | | | | | |
|--|--|--|--|--|--|--|
| Alternate access is being dedicated per the plat | | | | | | |
|--|--|--|--|--|--|--|

REQUIRED ATTACHMENTS

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

SIGNATURE REQUIRE

| | | | |
|-------------|-------------------|-----------------|--------|
| Signature: | | Date: | 3-7-22 |
| Print Name: | Michael Schilling | Title/Business: | Member |



CERTIFICATE OF OWNERSHIP AND DEDICATION
 WE, THE UNDERSIGNED, HEREBY CERTIFY THAT PENINSULA MINI STORAGE LLC IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED AS TRACT A-1 BLOCK 1 BRIDGE ROAD SUBDIVISION 2018 REPLAT (KN2015-99) AND TRACT 4 JAYNES SUBDIVISION BIG MIKES ADDITION (KN2015-99) AND ON BEHALF OF PENINSULA MINI STORAGE LLC, 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.

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

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

NOTARY'S ACKNOWLEDGEMENT
 FOR: DAVID SCHILLING
 ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____
 MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE STATE OF ALASKA

NOTARY'S ACKNOWLEDGEMENT
 FOR: MICHAEL SCHILLING
 ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____
 MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE STATE OF ALASKA

CERTIFICATE OF OWNERSHIP AND DEDICATION
 I, THE UNDERSIGNED, HEREBY CERTIFY THAT BMAC LLC IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED AS TRACT 3 JAYNES SUBDIVISION BIG MIKES ADDITION (KN2015-99) AND ON BEHALF OF BMAC LLC, I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

MIKE BROWN
 BMAC LLC
 PO BOX 2682, KENAI, AK 99611

NOTARY'S ACKNOWLEDGEMENT
 FOR: MIKE BROWN
 ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____
 MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE STATE OF ALASKA

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

BY: PAUL OSTRANDER
 CITY MANAGER
 CITY OF KENAI

| CURVE TABLE | | | | | | |
|-------------|------------|-----------|---------|---------------|--------------|---------|
| CURVE # | DATA | RADIUS | CHORD | CHORD BEARING | CHORD LENGTH | |
| C1 | 280°25'00" | 50.00' | 249.93' | 37.25' | 530°04'00"E | 59.89' |
| C2 | 280°15'00" | 50.00' | 92.23' | 66.07' | 81°00'00"W | 82.00' |
| C3 | 72°44'23" | 50.00' | 64.35' | 37.50' | N 60°52'41"E | 60.00' |
| C4 | 5°58'50" | 2774.79' | 289.63' | 144.90' | N 47°18'57"W | 289.50' |
| C5 | 20°46'49" | 1,018.00' | 61.00' | 31.17' | S 79°40'12"W | 61.12' |
| C6 | 20°46'49" | 2,800.00' | 83.34' | 42.13' | S 77°39'38"W | 82.89' |
| C7 | 30°46'49" | 3,800.00' | 85.67' | 42.17' | N 79°40'12"E | 82.90' |
| C8 | 20°46'49" | 1,018.00' | 61.00' | 31.14' | N 79°40'12"E | 61.12' |
| C9 | 89°54'17" | 30.00' | 31.34' | 19.97' | S 45°00'00"E | 38.26' |
| C10 | 150°15'37" | 50.00' | 92.71' | 66.67' | N 89°57'19"W | 85.00' |
| C11 | 209°43'18" | 50.00' | 182.99' | 184.66' | S 34°10'00"E | 94.66' |
| C12 | 76°43'49" | 50.00' | 66.90' | 39.58' | N 75°17'29"W | 62.07' |

- NOTES**
- WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS SHALL BE PERMITTED ONLY IN CONFORMANCE WITH APPLICABLE REGULATIONS OF 18 AAC 72 AND 18 AAC 80.
 - DEVELOPMENT MUST MEET THE CITY OF KENAI CHAPTER 24 ZONING CODE REQUIREMENTS.
 - THE FRONT 10 FEET ADJACENT DEDICATED RIGHTS-OF-WAY IS ALSO A UTILITY EASEMENT.
 - NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT HEREBY GRANTED.
 - ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.
 - NO DIRECT ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC UTILITIES.
 - THE KENAI PENINSULA BOROUGH PLANNING COMMISSION APPROVED THE VACATION OF A PORTION OF VAN ANTWERP AVENUE, THE ASSOCIATED UTILITY EASEMENTS AND TEMPORARY TURN-AROUNDS AT THE MEETING OF _____, 2022.
 - THIS PARCEL MAY BE AFFECTED BY THE FOLLOWING:
 - AN EASEMENT RESERVED BY PUBLIC LAND ORDER No. 601 DATED AUGUST 10, 1949 AND AMENDED BY PUBLIC LAND ORDER No. 727 DATED OCTOBER 10, 1959, PUBLIC LAND ORDER No. 1613 DATED APRIL 7, 1958 AND DEPARTMENT OF THE INTERIOR ORDER No. 3965 DATED OCTOBER 15, 1951 AMENDMENT No. 1 DATED JULY 17, 1952 AND AMENDMENT No. 2 DATED SEPTEMBER 15, 1956 FILED IN THE FEDERAL REGISTER. THE EXISTING OVERHEAD POWERLINE IS THE CENTERLINE OF A 40 FOOT WIDE ELECTRICAL DISTRIBUTION LINE EASEMENT INCLUDING GUY AND ANCHORS PER KN2015-99.
 - A GENERAL EASEMENT TO HOMER ELECTRIC ASSOCIATION RECORDED JULY 17, 1962 IN MISC. BOOK 8, PAGE 235 KRD. NO LOCATION DEFINED, ASSIGNED TO THE CITY OF KENAI RECORDED DECEMBER 31, 1962 IN MISC. BOOK 11, PAGE 388 KRD.
 - RIGHT-OF-WAY EASEMENT TO COOK INLET NATURAL GAS STORAGE ALASKA, LLC RECORDED MAY 25, 2011 IN DOCUMENT No. 2011-004898-0 KRD.
 - HOMER ELECTRIC ASSOCIATION EASEMENT 10 FEET WIDE RECORDED JULY 27, 2021 IN DOCUMENT No. 2021-008189-0 KRD.

WASTEWATER DISPOSAL
 THESE TRACTS ARE AT LEAST 200,000 SQUARE FEET IN SIZE AND CONDITIONS MAY NOT BE SUITABLE FOR ON-SITE WASTEWATER TREATMENT AND DISPOSAL. ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

- LEGEND**
- FOUND PRIMARY MONUMENT AS DESCRIBED
 - FOUND SECONDARY MONUMENT AS DESCRIBED
 - SET 5/8"x30" REBAR w/ 1" STAINLESS STEEL CAP #8033-5
 - AREA SUBJECT TO INUNDATION
- CONTour INTERVAL = 4'

PLAT APPROVAL
 THIS PLAN WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____, 2022.

AUTHORIZED OFFICIAL _____ DATE _____



JAYNES SUBDIVISION 2022 REPLAT
 RESUBDIVISION OF TRACT A-1 BLOCK 1 BRIDGE ROAD SUBDIVISION 2018 REPLAT (KN2015-99), TRACT 3 & 4 JAYNES SUBDIVISION BIG MIKES ADDITION (KN2015-99) AND THE ASSOCIATED R/W VACATION OF VAN ANTWERP AVENUE

BMAC LLC, OWNER
 PO BOX 2682
 KENAI, AK 99611

PENINSULA MINI STORAGE, LLC OWNER
 47 SPUR VIEW DR.
 KENAI, AK 99611

43.866 AC. M/L SITUATED IN SE1/4 SECTION 4, TOWNSHIP 5 NORTH, RANGE 11 WEST, SEWARD MERIDIAN, CITY OF KENAI, KENAI PENINSULA BOROUGH, AND THE KENAI RECORDING DISTRICT, ALASKA.

ENGINEERING - TESTING SURVEYING - MAPS & CAD
 P.O. BOX 468
 22714 1/2 AVE
 VOICE: (907) 284-4111
 FAX: (907) 285-5265
 WWW.ALANEGCO.COM

1378 File No. 2022-xxx
 Project No. 212041

SCALE: 1" = 100' DATE: FEB. 2022 BOOK NO.: 1-21-014 DRAWN BY: JAH

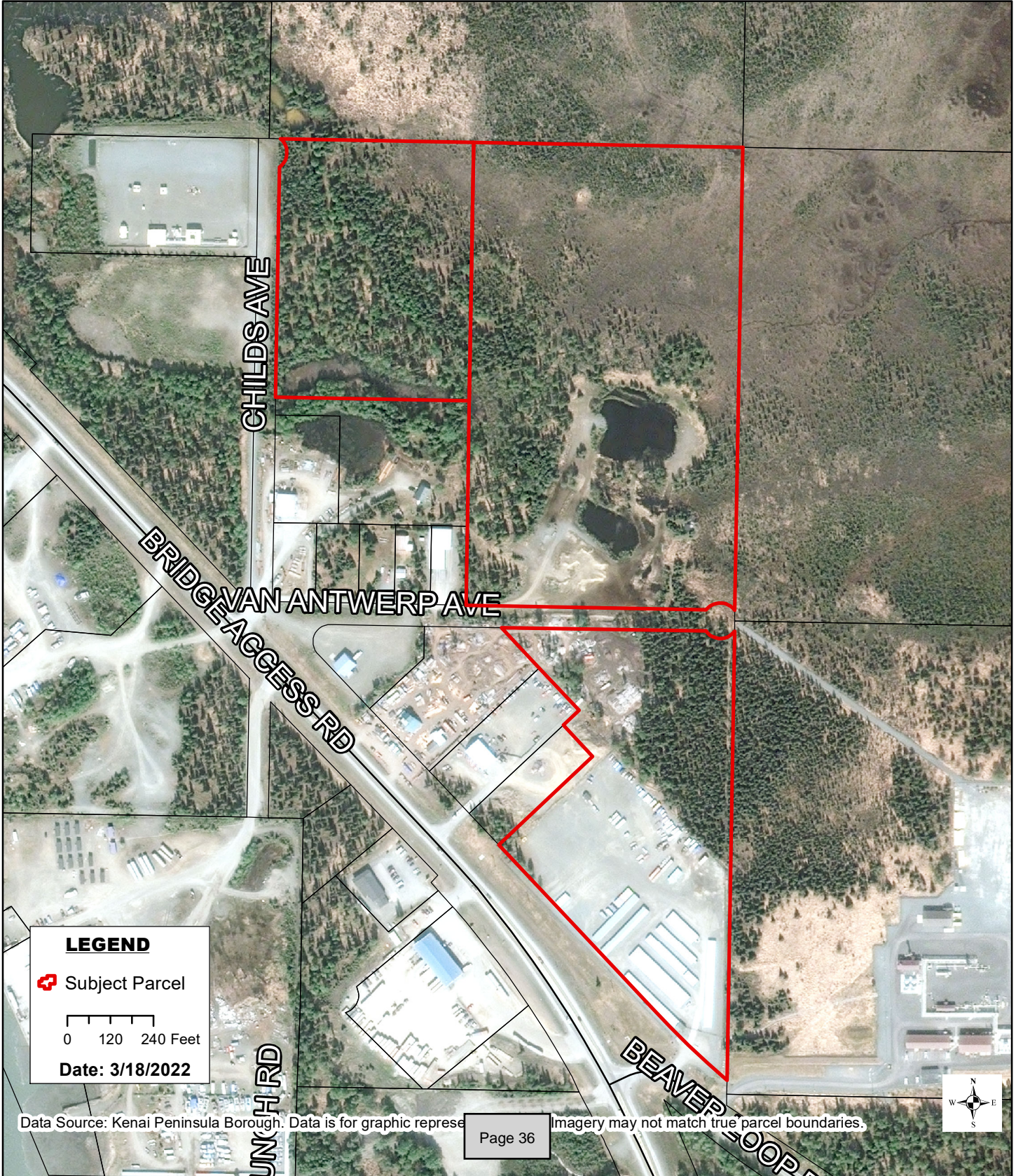


Jaynes Subdivision 2022 Replat

KPB #04935012

KPB #04935013

KPB #04901324



PLANNING & ZONING COMMISSION

Resolution PZ2022-07 – Preliminary Plat – Jaynes Subdivision 2022 Replat

SUMMARY

Applicant: BGMC LLC
P. O. Box 2682
Kenai, AK 99611

Property Address: 601 Childs Ave, 511 Van Antwerp Ave,
1345 Bridge Access Rd

KPB Parcel No: 04935012, 04935013, and 04901324

Lot Size: Approximately 8.89 acres, 22.21 acres,
and 11.99 acres

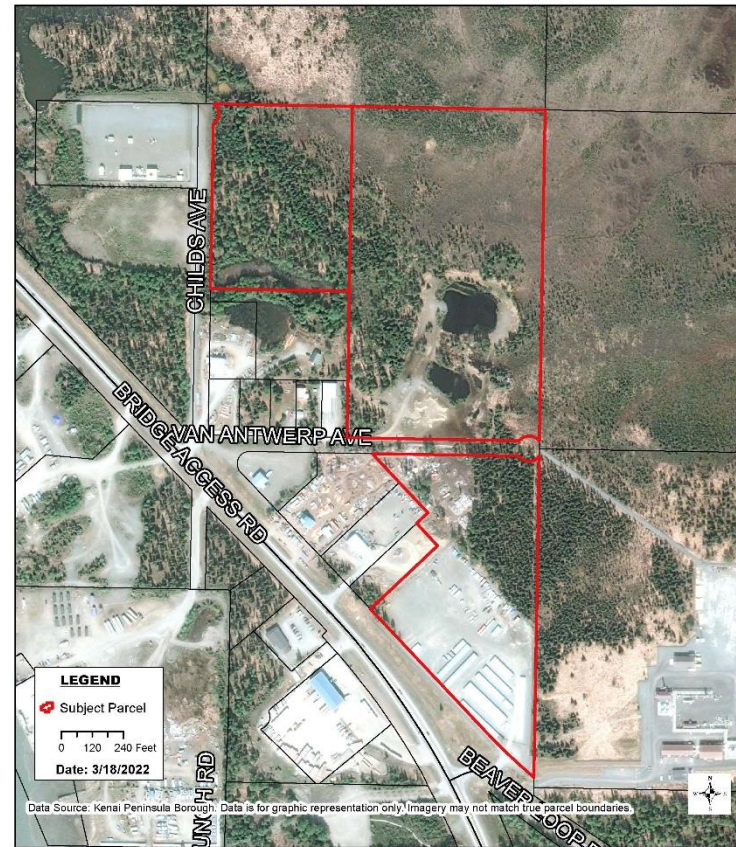
Existing Zoning: Heavy Industrial

Current Land Use: Vacant and Commercial

Land Use Plan: Industrial

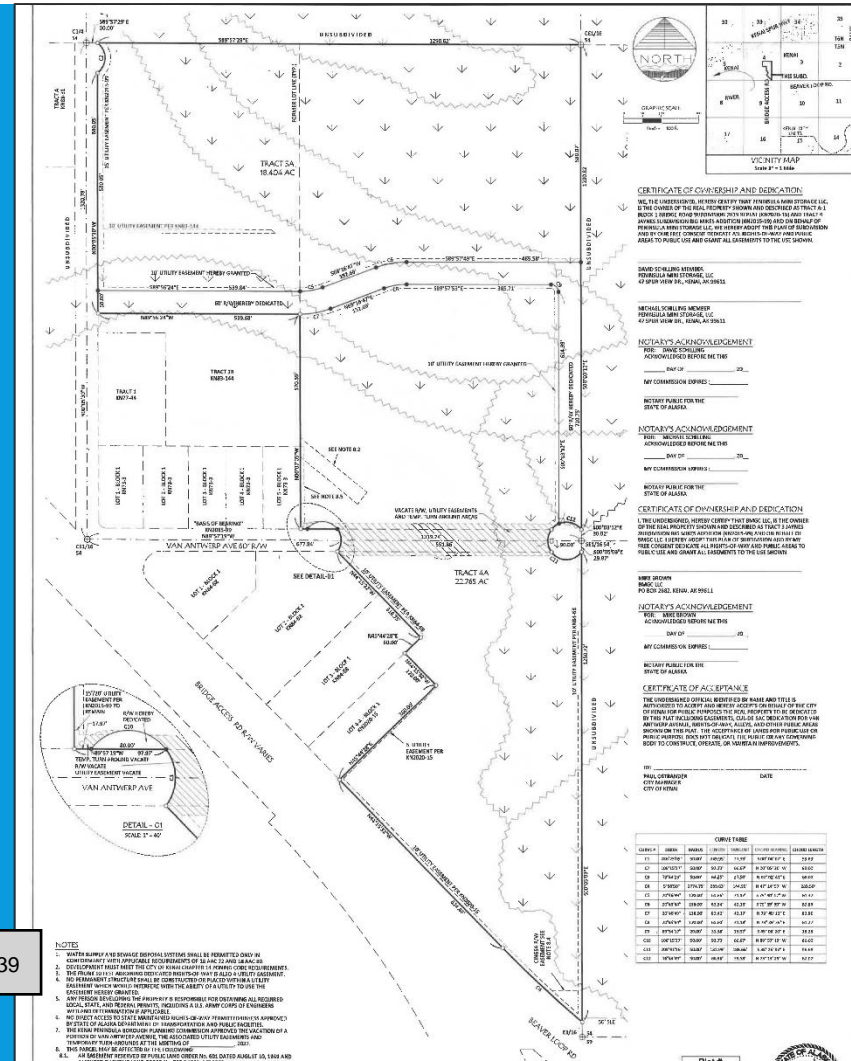


Jaynes Subdivision 2022 Replat
KPB #04935012
KPB #04935013
KPB #04901324



PRELIMINARY PLAT

- The proposed Jaynes Subdivision 2022 Replat will create a Tract 3A (approximately 18.4 acres), and a Tract 4A (approximately 22.7 acres),
- The eastern half of Van Antwerp Avenue ROW and utility easements is proposed for vacation.
- Proposed creation of new dedicated 60' rights of way connecting from Childs Avenue to the current termination of Van Antwerp Avenue.



STAFF ANALYSIS

- Access to the proposed Jaynes Subdivision 2022 Replat is provided via Bridge Access Road, which is a paved, State of Alaska maintained road, Childs Avenue, which is a gravel road, not maintained by the City, Van Antwerp Avenue, which is a gravel road, not maintained by the City, and Beaver Loop Road, which is a paved, City maintained road.
- City water and sewer lines are adjacent along Bridge Access Road.
- The preliminary plat meets requirements of KMC Subdivision design standards and KMC 14.10.080 Minimum improvements required under Chapter 14.10 Subdivision Regulations.



RECOMMENDATIONS


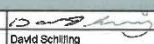
- City staff recommends approval of the preliminary plat of Jaynes Subdivision 2022 Replat subject to the following conditions:
 1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
 2. The Kenai City Council must declare that the Van Antwerp 60' right of way and 25' of utility easement's to be vacated is not needed for a public purpose and approve the vacation as shown on the preliminary plat.
 3. The City of Kenai requests notification of the schedule for construction of the 60' dedicated rights of way starting at Childs Avenue.



ATTACHMENTS

- A. Application
- B. Preliminary Plat
- C. Aerial Map

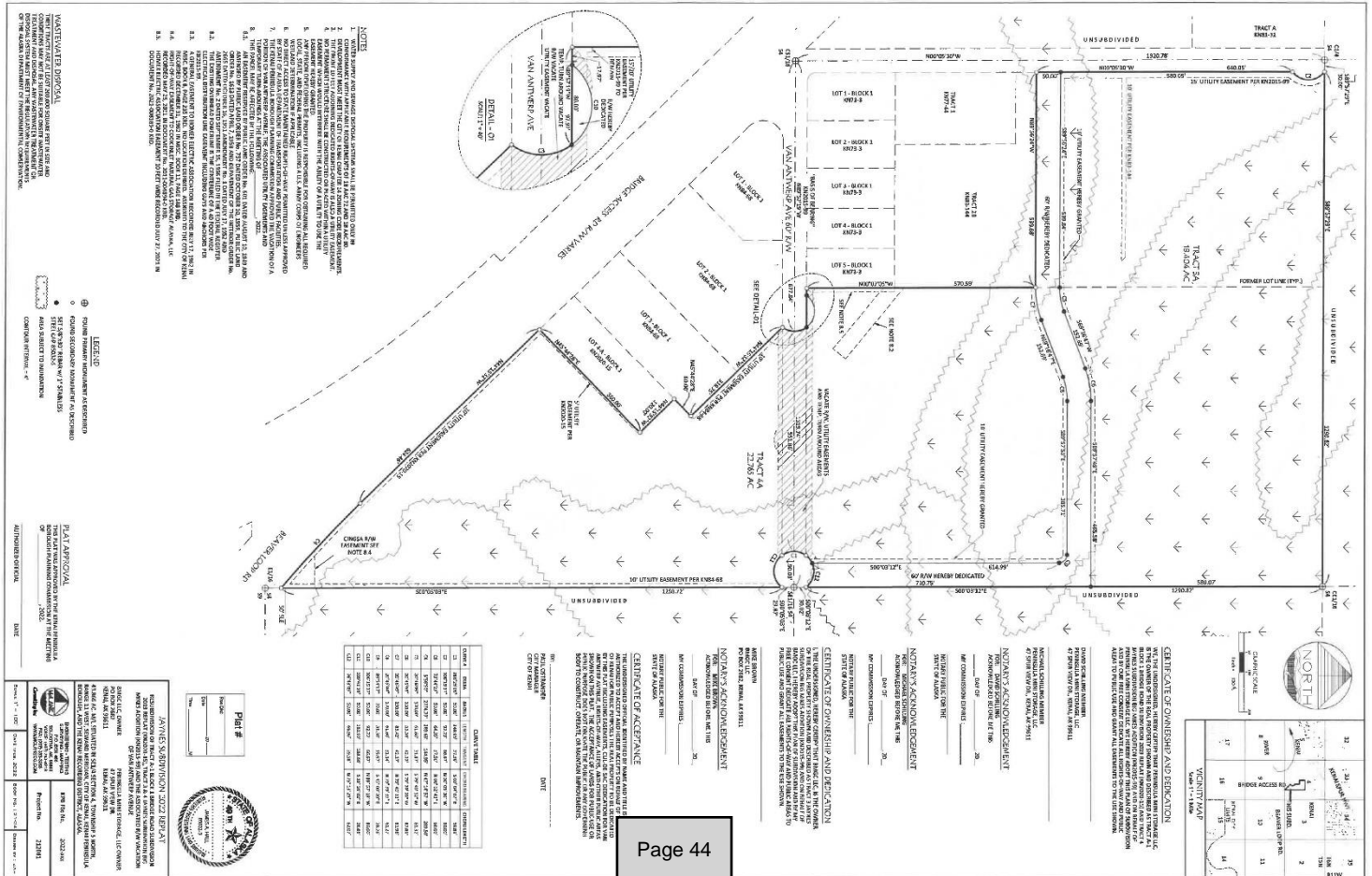
A. APPLICATION

| | | | | | | |
|--|--|--|----------------|--|--------------------|----------|
|  | | 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: | McLane Consulting | | | | | |
| Mailing Address: | PO BOX 468 | City: | Soldotna | State: | AK Zip Code: 99669 | |
| Phone Number(s): | 907-283-4218 | | | | | |
| Email: | JHALL@MCLANECG.COM | | | | | |
| PROPERTY OWNER | | | | | | |
| Name: | BGMC LLC | | | | | |
| Mailing Address: | PO BOX 2682 | City: | KENAI | State: | AK Zip Code: 99611 | |
| Phone Number(s): | | | | | | |
| Email: | | | | | | |
| PROPERTY INFORMATION | | | | | | |
| Kenai Peninsula Borough Parcel #: | KPB PID 04935012, 04935013, 04901324 | | | | | |
| Current City Zoning: | Heavy Industrial | | | | | |
| Use: | <input type="checkbox"/> Residential <input type="checkbox"/> Recreational <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Other: Material Extraction Site | | | | | |
| Water: | <input checked="" type="checkbox"/> On Site <input type="checkbox"/> City <input type="checkbox"/> Community | | | | | |
| Sewer: | <input checked="" type="checkbox"/> On Site <input type="checkbox"/> City <input type="checkbox"/> Community | | | | | |
| PLAT INFORMATION | | | | | | |
| Preliminary Plat Name: | Jaynes Subdivision 2022 Replat | | | | | |
| Revised Preliminary Plat Name: | | | | | | |
| Vacation of Public Right-of-Way: | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | | | | |
| Street Name (if vacating ROW): | Portion of Van Antwerp Ave | | | | | |
| Exceptions Required and Requested: | | | | | | |
| Comments: | | | | | | |
| Alternate access is being dedicated per the plat | | | | | | |
| REQUIRED ATTACHMENTS | | | | | | |
| <input checked="" type="checkbox"/> Certificate to Plat <input checked="" type="checkbox"/> (1) 24" x 36" Plat <input checked="" type="checkbox"/> (2) 11" x 17" Plats | | | | | | |
| SIGNATURE | | | | | | |
| Signature: |  | | | | Date: | 3/7/2022 |
| Print Name: | Mike Brown | Title/Business: | CEO / BGMC LLC | | | |

| | | | | | | |
|--|--|--|----------|--|--------------------|--------|
|  | | 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: | McLane Consulting | | | | | |
| Mailing Address: | PO BOX 468 | City: | Soldotna | State: | AK Zip Code: 99669 | |
| Phone Number(s): | 907-283-4218 | | | | | |
| Email: | JHALL@MCLANECG.COM | | | | | |
| PROPERTY OWNER | | | | | | |
| Name: | PENINSULA MINI STORAGE, LLC | | | | | |
| Mailing Address: | 47 SPUR VIEW DR | City: | KENAI | State: | AK Zip Code: 99611 | |
| Phone Number(s): | | | | | | |
| Email: | | | | | | |
| PROPERTY INFORMATION | | | | | | |
| Kenai Peninsula Borough Parcel #: | KPB PID 04935012, 04935013, 04901324 | | | | | |
| Current City Zoning: | Heavy Industrial | | | | | |
| Use: | <input type="checkbox"/> Residential <input type="checkbox"/> Recreational <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Other: Material Extraction Site | | | | | |
| Water: | <input checked="" type="checkbox"/> On Site <input type="checkbox"/> City <input type="checkbox"/> Community | | | | | |
| Sewer: | <input checked="" type="checkbox"/> On Site <input type="checkbox"/> City <input type="checkbox"/> Community | | | | | |
| PLAT INFORMATION | | | | | | |
| Preliminary Plat Name: | Jaynes Subdivision 2022 Replat | | | | | |
| Revised Preliminary Plat Name: | | | | | | |
| Vacation of Public Right-of-Way: | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | | | | |
| Street Name (if vacating ROW): | Portion of Van Antwerp Ave | | | | | |
| Exceptions Required and Requested: | | | | | | |
| Comments: | | | | | | |
| Alternate access is being dedicated per the plat | | | | | | |
| REQUIRED ATTACHMENTS | | | | | | |
| <input checked="" type="checkbox"/> Certificate to Plat <input checked="" type="checkbox"/> (1) 24" x 36" Plat <input checked="" type="checkbox"/> (2) 11" x 17" Plats | | | | | | |
| SIGNATURE | | | | | | |
| Signature: |  | | | | Date: | 3-7-22 |
| Print Name: | David Schilling | Title/Business: | Member | | | |

| | | | | | | |
|--|--|--|----------|--|--------------------|--------|
|  | | 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: | McLane Consulting | | | | | |
| Mailing Address: | PO BOX 468 | City: | Soldotna | State: | AK Zip Code: 99669 | |
| Phone Number(s): | 907-283-4218 | | | | | |
| Email: | JHALL@MCLANECG.COM | | | | | |
| PROPERTY OWNER | | | | | | |
| Name: | PENINSULA MINI STORAGE, LLC | | | | | |
| Mailing Address: | 47 SPUR VIEW DR | City: | KENAI | State: | AK Zip Code: 99611 | |
| Phone Number(s): | | | | | | |
| Email: | | | | | | |
| PROPERTY INFORMATION | | | | | | |
| Kenai Peninsula Borough Parcel #: | KPB PID 04935012, 04935013, 04901324 | | | | | |
| Current City Zoning: | Heavy Industrial | | | | | |
| Use: | <input type="checkbox"/> Residential <input type="checkbox"/> Recreational <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Other: Material Extraction Site | | | | | |
| Water: | <input checked="" type="checkbox"/> On Site <input type="checkbox"/> City <input type="checkbox"/> Community | | | | | |
| Sewer: | <input checked="" type="checkbox"/> On Site <input type="checkbox"/> City <input type="checkbox"/> Community | | | | | |
| PLAT INFORMATION | | | | | | |
| Preliminary Plat Name: | Jaynes Subdivision 2022 Replat | | | | | |
| Revised Preliminary Plat Name: | | | | | | |
| Vacation of Public Right-of-Way: | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | | | | |
| Street Name (if vacating ROW): | Portion of Van Antwerp Ave | | | | | |
| Exceptions Required and Requested: | | | | | | |
| Comments: | | | | | | |
| Alternate access is being dedicated per the plat | | | | | | |
| REQUIRED ATTACHMENTS | | | | | | |
| <input checked="" type="checkbox"/> Certificate to Plat <input checked="" type="checkbox"/> (1) 24" x 36" Plat <input checked="" type="checkbox"/> (2) 11" x 17" Plats | | | | | | |
| SIGNATURE | | | | | | |
| Signature: |  | | | | Date: | 3-7-22 |
| Print Name: | Michael Schilling | Title/Business: | Member | | | |

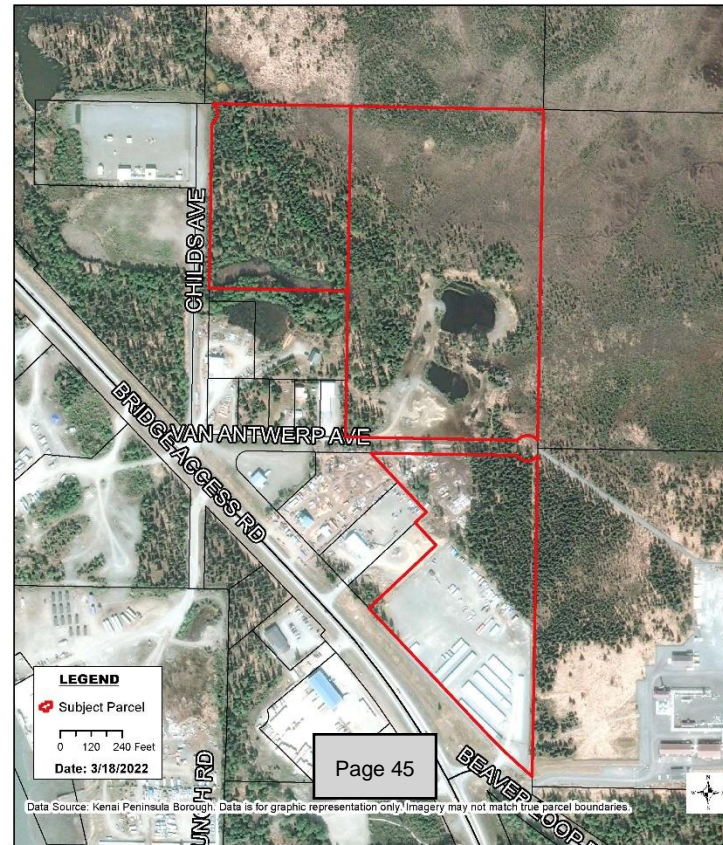
B. PRELIMINARY PLAT



C. AERIAL MAP



Jaynes Subdivision 2022 Replat
KPB #04935012
KPB #04935013
KPB #04901324



MEMORANDUM

TO: Planning and Zoning Commission
FROM: Ryan Foster, Planning Director
DATE: March 16, 2022
SUBJECT: Windhaven Estates Phase 4 – Time Extension

In a letter sent March 3, 2022, the surveyor for Windhaven Estates Phase 4, Edge Survey and Design, requested a two-year time extension for the finalization of the plat. The Kenai Peninsula Borough requires concurrence from the City of Kenai before granting the extension request.

Windhaven Estates Phase 3 was recorded on March 5, 2019, which extended preliminary plat approval to March 5, 2020. An extension was approved for two years through March 23, 2022. KPB 20.25.110(A), allows for a total approval time of six years and that expiration of time extensions will require the submission of, and action on, a new preliminary plat.

If the Planning and Zoning Commission approves, City staff would sign the attached letter of non-objection to the time extension. City staff have no issues with the time extension request and recommend approval. The draft letter of non-objection for the time extension, the plat, and the letter from the surveyor requesting the extension are attached for reference.

Does the Commission approve the Windhaven Estates Phase 4 time extension?

Attachments

Draft letter approving the time extension

Surveyor request letter sent March 3, 2022

Copy of Windhaven Estates Phase 4 plat



KENAI

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

March 24, 2022

Madeleine Quinton, Platting Technician
mquinton@kpb.us
Kenai Peninsula Borough
144 North Binkley Street
Soldotna, AK 99669

RE: Windhaven Estates Phase 4
Time Extension Request
KPB File 2021-063

Dear Ms. Quinton:

This letter is in response to the letter submitted by Edge Survey and Design to the City of Kenai on March 3, 2022, requesting that the City of Kenai Planning and Zoning Commission concur with a two-year time extension to finalize the plat for Windhaven Estates Phase 4. Windhaven Estates Phase 3 was recorded on March 5, 2019, which extended preliminary plat approval to March 5, 2020. An extension was approved for two years through March 23, 2022. The Planning and Zoning Commission held their regularly scheduled meeting on March 23, 2022, and authorized me to draft and send a letter to you supporting the request for a two-year time extension to finalize the plat.

Please be advised that the Kenai Planning and Zoning Commission does not object to the two-year time extension for Windhaven Estates Phase 4. It is the understanding of the Planning and Zoning Commission, that KPB 20.25.110(A), allows for a total approval time of six years and that expiration of time extensions will require the submission of, and action on, a new preliminary plat.

If you have any further questions regarding the time extension, please feel free to contact me at 907-283-8235 or rfoster@kenai.city.

Sincerely,

Ryan Foster, Planning Director

Dear City of Kenai,

I am requesting a time extension for the plat of Windhaven Estates Phase 4.

KPB requires city approval on all plat time extensions.

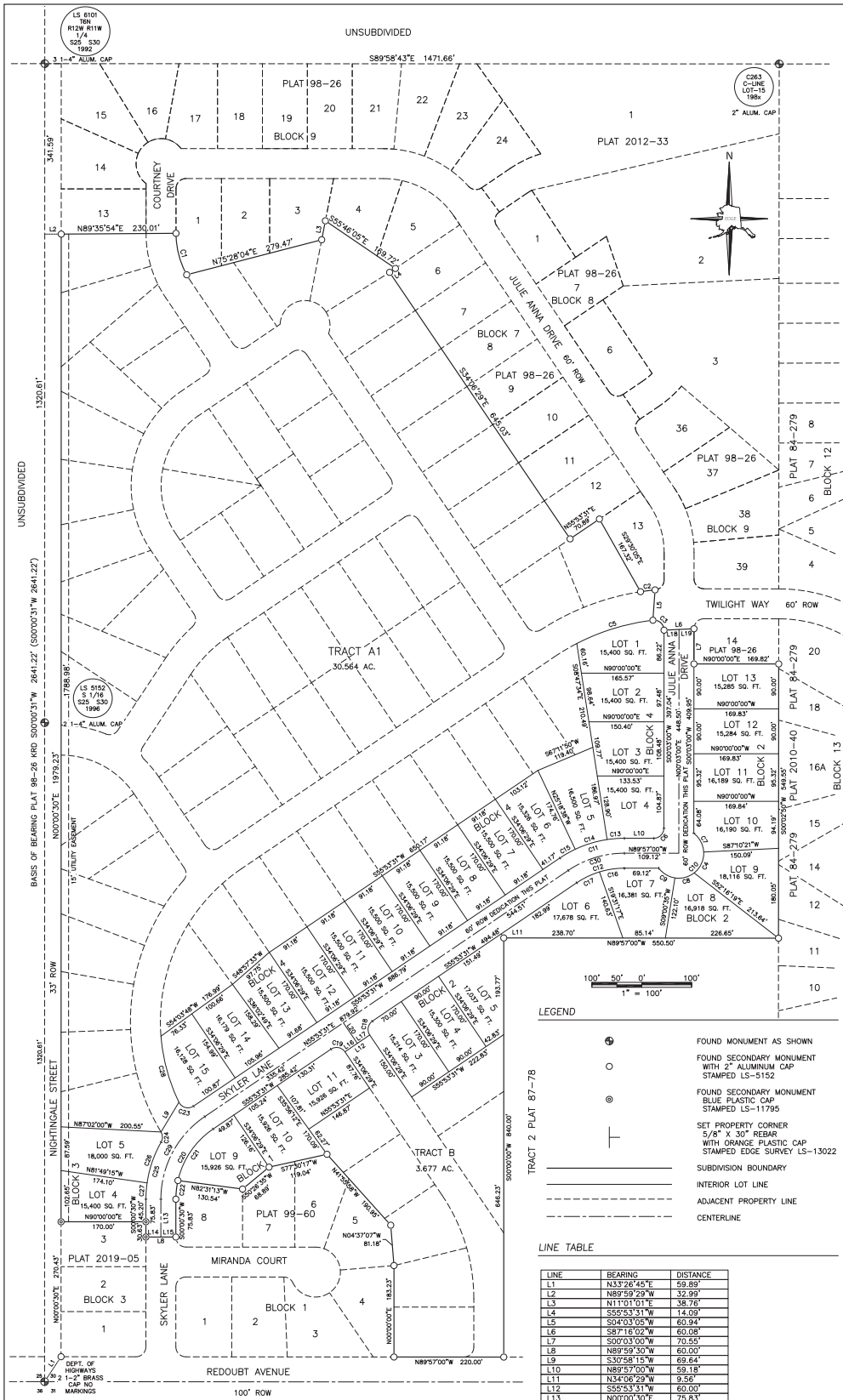
Thanks,

Jason Young

Edge Survey

jason@edgesurvey.net

907-283-9047



CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

CLINT D. HALL
HALL QUALITY BUILDERS
PO BOX 2829
KENAI, ALASKA 99611

NOTARY ACKNOWLEDGEMENT

FOR: CLINT D. HALL
ACKNOWLEDGED BEFORE ME
THIS _____ DAY OF _____ 2021

NOTARY PUBLIC SIGNATURE

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF FEBRUARY 9, 1998.

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

CERTIFICATE OF ACCEPTANCE AND DEDICATION BY CITY OF KENAI

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF KENAI FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THE PLAT IDENTIFIED AS FOLLOWS:

RIGHT OF WAY BEING DEDICATED THIS PLAT
SKYLARK LANE AND JULIE ANN DRIVE
THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSES DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY: AUTHORIZED OFFICIAL DATE
CITY OF KENAI
210 FIDALGO AVE.
KENAI, ALASKA 99611

CERTIFICATE OF SURVEYOR

I, MARK A. MONETTI 13022-S, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE MONUMENTS SHOWN ON THIS SURVEY ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



KPB FILE No. 2021-063

WINDHAVEN ESTATES PHASE 4

A SUBDIVISION OF
TRACT A
PLAT 2019-5
KENAI RECORDING DISTRICT

OWNERS:
HALL BUILDING LLC
PO BOX 2829
KENAI, ALASKA 99611

LOCATED WITHIN SECTION 30
T.6N., R.11W., S.4
CITY OF KENAI
KENAI PENINSULA BOROUGH
KENAI RECORDING DISTRICT
STATE OF ALASKA
CONTAINING 48.233 ACRES



12501 Old Sitka Road, Kenai, Alaska 99515
Phone (907) 344-5990 Fax (907) 344-7794
AEC# 1392

DRAWN BY: DATE: 03/24/2021 PROJECT: JY
CHECKED BY: SCALE: 1" = 100' SHEET: MA 1 OF 1

CURVE TABLE

| CURVE | RADIUS | ARC LENGTH | DELTA ANGLE | CHORD BEARING | CHORD LENGTH |
|-------|--------|------------|-------------|---------------|--------------|
| C1 | 170.00 | 86.73 | 2913.55° | S14°27'46"E | 85.80 |
| C2 | 505.56 | 29.34 | 319.31° | S82°53'42"W | 29.34 |
| C3 | 29.00 | 33.75 | 9644.50° | N48°17'23"W | 29.89 |
| C4 | 50.00 | 47.92 | 5454.27° | S24°37'34"W | 46.10 |
| C5 | 445.56 | 160.34 | 2037.09° | S72°59'36"W | 159.48 |
| C6 | 20.00 | 31.42 | 9000.00° | N45°03'00"E | 28.28 |
| C7 | 50.00 | 43.85 | 5015.09° | N27°57'15"W | 42.46 |
| C8 | 50.00 | 40.95 | 4655.48° | S75°32'41"W | 39.82 |
| C9 | 50.00 | 38.55 | 4410.13° | S58°54'18"E | 37.60 |
| C10 | 50.00 | 171.27 | 19613.57° | N45°03'00"E | 168.09 |
| C11 | 230.00 | 137.12 | 3409.29° | S72°58'16"W | 135.10 |
| C12 | 170.00 | 101.32 | 3409.29° | S72°58'16"W | 99.85 |
| C13 | 230.00 | 34.67 | 8759.01° | S84°43'04"W | 34.63 |
| C14 | 230.00 | 67.08 | 1642.37° | S73°02'41"W | 66.84 |
| C15 | 230.00 | 35.36 | 847.51° | S60°17'07"W | 35.32 |
| C16 | 170.00 | 50.62 | 1704.44° | S81°30'38"W | 50.494 |
| C17 | 170.00 | 50.70 | 1704.44° | S84°25'37"W | 50.51 |
| C18 | 20.00 | 31.42 | 9000.00° | S10°53'51"W | 28.28 |
| C19 | 20.00 | 31.42 | 9000.00° | N79°06'29"W | 28.28 |
| C20 | 170.00 | 165.81 | 5253.01° | S27°57'03"W | 159.32 |
| C21 | 170.00 | 128.14 | 4311.16° | S34°17'53"W | 125.13 |
| C22 | 170.00 | 37.67 | 1241.45° | S08°21'23"W | 37.59 |
| C23 | 20.00 | 34.27 | 9812.48° | S73°02'40"E | 30.23 |
| C24 | 20.00 | 21.23 | 6049.05° | N00°34'09"W | 20.24 |
| C25 | 230.00 | 119.77 | 29501.2° | S14°55'36"W | 118.42 |
| C26 | 230.00 | 86.98 | 2139.57° | S19°02'45"W | 86.46 |
| C27 | 230.00 | 32.80 | 810.15° | S04°05'38"W | 32.77 |
| C28 | 370.00 | 137.88 | 2121.01° | S15°13'13"E | 137.09 |
| C29 | 200.00 | 195.07 | 5533.51° | S27°57'01"W | 187.43 |
| C30 | 200.00 | 119.23 | 3409.28° | S72°58'15"W | 117.45 |

NOTES

- DEVELOPMENT OF THESE LOTS IS SUBJECT TO THE CITY OF KENAI ZONING REGULATIONS.
- NO PRIVATE ACCESS TO STATE MAINTAINED RIGHT OF WAYS PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
- THERE MAY BE FEDERAL, STATE, OR LOCAL REQUIREMENTS GOVERNING LAND USE. ANY PERSONS DEVELOPING THIS PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED FEDERAL, STATE, OR LOCAL PERMITS, INCLUDING THE U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.
- THE FRONT 15 FEET ADJACENT TO THE 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.
- THIS SUBDIVISION IS SUBJECT TO A GENERAL ELECTRICAL EASEMENT GRANTED TO KENAI POWER CORPORATION ON MARCH 25, 1960 IN BOOK 5 PAGE 133, KENAI RECORDING DISTRICT, INCLUDING ASSIGNMENT OF EASEMENT AS RECORDED ON DECEMBER 31, 1963 BOOK 11 PAGE 188, KENAI RECORDING DISTRICT.
- THIS SUBDIVISION IS SUBJECT TO A PIPELINE EASEMENT GRANTED TO CITY OF KENAI ON AUGUST 23, 1972.
- THIS SUBDIVISION IS SUBJECT TO A WATER AND SEWER EASEMENT GRANTED TO CITY OF KENAI ON AUGUST 23, 1972.
- WASTEWATER DISPOSAL REGULATORY REQUIREMENTS ARE ON FILE AT THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.



Kenai City Council - Regular Meeting

March 02, 2022 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

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

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. **ENACTED UNANIMOUSLY. Ordinance No. 3273-2022** – Accepting and Appropriating Two Grants from Derek Kaufman Fund through the Alaska Community Foundation and One Donation from the Friends of the Kenai Community Library for the Purchase of a Bike Repair Station. (Administration)
2. **ADOPTED UNANIMOUSLY. Resolution No. 2022-10** – Approving the Execution of a Lease of Airport Reserve Lands Using the Standard Lease Form Between the City of Kenai and State of Alaska, Division of Forestry on Lot 4A, FBO Subdivision No. 11. (Administration)
3. **ADOPTED UNANIMOUSLY. Resolution No. 2022-11** – Authorizing a Budget Transfer Within the Kenai Municipal Airport Snow Removal Equipment Capital Project Fund. (Administration)
4. **ADOPTED UNANIMOUSLY. Resolution No. 2022-12** – Authorizing a Budget Transfer Within the Kenai Municipal Water and Sewer Capital Project Fund. (Administration)
5. **ADOPTED UNANIMOUSLY. Resolution No. 2022-13** – Expressing Intent to Participate in the National Flood Insurance Program. (Administration)

E. MINUTES

1. **APPROVED BY THE CONSENT AGENDA.** *Regular Meeting of February 2, 2022. (City Clerk)
2. **APPROVED BY THE CONSENT AGENDA.** *Regular Meeting of February 16, 2022. (City Clerk)

F. UNFINISHED BUSINESS

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)

H. COMMISSION / COMMITTEE REPORTS

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

I. REPORT OF THE MAYOR

J. ADMINISTRATION REPORTS

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

K. ADDITIONAL PUBLIC COMMENT

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

L. EXECUTIVE SESSION

M. PENDING ITEMS

N. ADJOURNMENT

O. INFORMATION ITEMS

1. Purchase Orders Between \$2,500 and \$15,000
2. Amicus Brief - Letter of Appreciation

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

Join Zoom Meeting

<https://us02web.zoom.us/j/82944269827>

Meeting ID: 829 4426 9827 **Passcode:** 192623

OR

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

Meeting ID: 829 4426 9827 **Passcode:** 192623



Kenai City Council - Regular Meeting

March 16, 2022 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

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

www.kenai.city

Action Agenda

A. CALL TO ORDER

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

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

B. SCHEDULED PUBLIC COMMENTS

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

1. **Katie Cowgill** - Kenai Peninsula Re-Entry Coalition and Alaska Department of Corrections Re-Entry Simulation.

C. UNSCHEDULED PUBLIC COMMENTS

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

D. PUBLIC HEARINGS

1. **ADOPTED UNANIMOUSLY AS AMENDED. Resolution No. 2022-14** – Amending the Employee Classification Plan by Adjusting the Ranges of Temporary Parks and Recreation and Personal Use Fishery Positions. (Administration)
2. **ADOPTED UNANIMOUSLY AS AMENDED. Resolution No. 2022-15** – Temporarily Waiving the Gym Rental Fee at the Kenai Recreation Center for the Twin City Athletic Association. (Administration)
3. **ADOPTED UNANIMOUSLY AS AMENDED. Resolution No. 2022-16** – Supporting the Efforts of Kenai Central High School to Secure Grant Funding for the Construction of Permanent Restroom Facilities at Ed Hollier Field. (Mayor Gabriel)
4. **ADOPTED UNANIMOUSLY. Resolution No. 2022-17** – Requesting and Supporting the Alaska Department of Transportation and Public Facilities Provision of Continuous Lighting

Along the Kenai Spur Highway within the City of Kenai and the Sterling Highway Safety Corridor. (Administration)

5. **ADOPTED UNANIMOUSLY AS AMENDED. Resolution No. 2022-18** – Adopting the City’s Capital Improvement Plan for Fiscal Years 2023-2027. (Administration)
6. **ADOPTED UNANIMOUSLY. Resolution No. 2022-19** – Approving the Vacation of 20’ Public Street Easements Adjoining the South Boundary and Northwest Boundary of Lot 1, Toyon Subdivision as Granted by Plat K-1592, and is Located within the SE1/4 of Section 6, Township 5 North, Range 11 West, Seward Meridian, Alaska, and Determining the Easement is Not Needed for a Public Purpose. (Administration)

E. MINUTES

1. **APPROVED BY THE CONSENT AGENDA.** *Regular Meeting of March 2, 2022. (City Clerk)
2. **APPROVED BY THE CONSENT AGENDA.** *Work Session of March 7, 2022. (City Clerk)

F. UNFINISHED BUSINESS

G. NEW BUSINESS

1. **APPROVED BY THE CONSENT AGENDA.** *Action/Approval - Bills to be Ratified. (Administration)
2. **APPROVED BY THE CONSENT AGENDA.** *Action/Approval - Non-Objection to Liquor License Renewals for Main Street Tap & Grill and Fraternal Order of Eagles #3525. (City Clerk)
3. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 4/6/2022.** *Ordinance No. 3274-2022 – Increasing Estimated Revenues and Appropriations in the General Fund Parks, Recreation and Beautification Department, and Authorizing an Increase to the Multi-Purpose Facility Management Services Purchase Order to Red Line Sports for Additional Ice Maintenance Services. (Administration)
4. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 4/6/2022.** *Ordinance No. 3275-2022 – Amending Kenai Municipal Code, Chapter 23.05 – General Provisions, to Add a New Category of Temporary Employee Titled “Program or Project Employee” and Chapter 23.40 – Benefits, to Establish Benefits for this Category and Make Housekeeping Changes. (Administration)
5. **APPROVED UNANIMOUSLY. Action/Approval** - Issuing a Letter of Support for Senate Bill No. 166 – General Obligation Bonds (City Manager)

H. COMMISSION / COMMITTEE REPORTS

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OR

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Meeting ID: 835 9287 5033 **Passcode:** 062156



Meeting Agenda Planning Commission

Monday, February 28, 2022

7:30 PM

Betty J. Glick Assembly Chambers

Zoom Meeting ID 907 714 2200

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

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

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

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF CONSENT AND REGULAR AGENDA

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

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

1. Time Extension Request

2. Planning Commission Resolutions

[KPB-3990](#) PC Resolution 2022-09: A resolution granting approval of a conditional land use permit to operate a sand, gravel, or material site for a parcel described as T05N, R09W, SEC 3, Seward Meridian KN SE1/4

Attachments: [PC RES 2022-09](#)

3. Plats Granted Administrative Approval

[KPB-3981](#) Kasilof Alaska Subd. 2021 Addition; KPB File 2021-113

Attachments: [Kasilof Alaska Subd 2021 Addition KPB 2021-113](#)

4. Plats Granted Final Approval (KPB 20.10.040)

[KPB-3982](#) Slikok Creek Alaska Subdivision 2022 Replat Endicot Drive ROW
KPB File 2021-151V

Attachments: [Slikok Creek 2021 Replat Lot 1 Block 1 Endicott ROWV KPB 2021-151V](#)

5. Plat Amendment Request

6. Commissioner Excused Absences

7. Minutes

a. [KPB-3983](#) January 25, 2022 Planning Commission Special Meeting Minutes

Attachments: [PC Minutes 012522 Draft](#)

b. [KPB-3985](#) February 14, 2022 Planning Commission Meeting Minutes

Attachments: [PC Minutes 021422 Draft](#)

D. OLD BUSINESS

E. NEW BUSINESS

1. [KPB-3986](#) Toyon Subdivision ROWV; KPB File 2022-011V
Vacate 20' Public Street Easement Adjoining the South Boundary & Northwest Boundary of Lot 1, Toyon Subdivision as Granted by Plat K-1592

Attachments:

1. [MAP Vicinity with inset](#)
2. [MAP Aerial](#)
3. [Plat Prelim KPB 2022-011V Reduced](#)
4. [Staff Report Toyon Subdivision 2021 Replat Access Easement Vacations KP](#)
5. [MAP Aerial with Contours](#)
6. [Parent Plat US Survey 2790 B](#)
7. [Plat Parent K-1592](#)
8. [Resolution City of Kenai](#)

2. [KPB-3987](#) L & H Enterprises, LLC
Marijuana Cultivation Facility License

Attachments:

- E1. [Staff Report](#)
- E2. [Maps](#)
- E3. [New Complete Packet](#)
- E4. [Compliance Review](#)
- E4. [Local Government Notice](#)
- E5. [Acknowledgement Form Signed](#)
- E6. [Radius Notice](#)
- E7. [Public Notice](#)

3. [KPB-3989](#) Ordinance 2022-02: An ordinance enacting KPB 20.40.110 & KPB 2.40.120 authorizing the planning commission to adopt bylaws and defining quorum.

Attachments:

- [Memo](#)
- [Ordinance 2022-02](#)

F. PLAT COMMITTEE REPORT**G. OTHER****H. PUBLIC COMMENT/PRESENTATION**

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

I. DIRECTOR'S COMMENTS

[KPB-3991](#) February 28, 2022 Director's Report

Attachments: [Director's Report_022522](#)

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

1. [KPB-3988](#) Cooper Landing APC Meeting Minutes

Attachments: [20220105 CLAPC Minutes APPRV](#)

[20220209 CLAPC Minutes UNAPP](#)

NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING

The next regularly scheduled Planning Commission meeting will be held Monday, March 21, 2022 in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at 7:30 p.m.

CONTACT INFORMATION**KENAI PENINSULA BOROUGH PLANNING DEPARTMENT**

Phone: 907-714-2215

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

Fax: 907-714-2378

e-mail address: planning@kpb.us

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

A party of record may file an appeal of a decision of the Planning Commission in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances. An appeal must be filed with the Borough Clerk within 15 days of the notice of decision, using the proper forms, and be accompanied by the filing and records preparation fees. Vacations of right-of-ways, public areas, or public easements outside city limits cannot be made without the consent of the borough assembly.

Vacations within city limits cannot be made without the consent of the city council. The assembly or city council shall have 30 calendar days from the date of approval in which to veto the planning commission decision. If no veto is received within the specified period, it shall be considered that consent was given.

A denial of a vacation is a final act for which the Kenai Peninsula Borough shall give no further consideration. Upon denial, no reapplication or petition concerning the same vacation may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed.