



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

**March 10, 2021 – 7:00 PM**

**Kenai City Council Chambers**

**210 Fidalgo Avenue, Kenai, Alaska**

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

**\*\*Telephonic Participation Info Page 2\*\***

**Agenda**

**A. CALL TO ORDER**

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

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

**B. APPROVAL OF MINUTES**

1. \*January 27, 2021

**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 PZ2021-02** - Preliminary Subdivision Plat of FBO Subdivision No. 10, submitted by Segesser Surveys, 30485 Rosland Street, Soldotna, AK 99669, on behalf of the City of Kenai, 210 Fidalgo Avenue, Kenai, AK 99611
- 2. Resolution PZ2021-07** - Preliminary Subdivision Plat of Townsite of Kenai 2021 Kenaitze Replat, submitted by Edge Survey and Design, LLC, P.O. Box 208, Kasilof, AK 99610, on behalf of Kenaitze Indian Tribe, P. O. Box 988, Kenai, AK 99611

**F. PUBLIC HEARINGS**

- 1. Resolution PZ2021-05** - Application for a Conditional Use Permit for the breeding and sale of dogs, for the property described as Lot 4, Block 6, Valhalla Heights Subdivision Part 5, located at 140 Richfield Drive, Kenai, AI 99611. The application was submitted by Laura Pabst, 140 Richfield Drive, Kenai, AK 99611

**G. UNFINISHED BUSINESS**

**H. NEW BUSINESS**

**I. PENDING ITEMS**

**J. REPORTS**

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

**K. ADDITIONAL PUBLIC COMMENT**

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

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

**L. INFORMATIONAL ITEMS**

- 1.** March 24, 2021

**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). 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/86396685024>

Meeting ID: 863 9668 5024

Passcode: 774896

12532158782

13462487799

**File Attachments for Item:**

1. \*January 27, 2021

**KENAI PLANNING & ZONING COMMISSION  
REGULAR MEETING  
JANUARY 27, 2021 – 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, R. Springer, D. Fikes, J. Halstead, G. Greenberg, A. Douthit

Commissioners absent:

Staff/Council Liaison present: Planning Director R. Foster, Planning Assistant W. Anderson, Deputy City Clerk M. Thibodeau, Council Liaison J. Glendening

A quorum was present.

**3. Election of Chair and Vice-Chair**

**MOTION:**

Commissioner Springer **MOVED** to re-appoint Commissioner Twait as Chair and Commissioner Fikes as Vice-Chair, and Commissioner Greenberg **SECONDED** the motion. There were no objections; **SO ORDERED**.

**4. Agenda Approval**

Chair Twait noted the following revisions to the packet:

Add to item E.1.

**Resolution No. PZ2021-03**

- Memorandum to Commission
- Revised Resolution to Amend a Condition of Approval

**MOTION:**

Commissioner Douthit **MOVED** to approve the agenda with requested additions and Vice Chair Fikes **SECONDED** the motion. There were no objections; **SO ORDERED**.

## 5. Consent Agenda

### MOTION:

Commissioner Springer **MOVED** to approve the consent agenda and Commissioner Halstead **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.

6. \*Excused absences – None

### B. APPROVAL OF MINUTES

1. \*January 13, 2021

The minutes were approved by the Consent Agenda.

C. SCHEDULED PUBLIC COMMENT – None.

D. UNSCHEDULED PUBLIC COMMENT – None.

### E. CONSIDERATION OF PLATS

1. **Resolution PZ2021-03** – Preliminary Subdivision Plat of Iliamna View Subdivision 2020 Replat, submitted by McLane Consulting, Inc., P.O. Box 468, Soldotna, AK 99669, on behalf of Clifford Heus and Kathleen Heus, 4540 Kenaitze Court, Kenai, AK 99611

Planning Director Foster presented his staff report with information provided in packet and laydown noting that the owners wish to subdivide a large lot comprised of approximately 16.234 acres into two lots. It is clarified that purpose of the plat is to provide private access to the Kenai River via the proposed Lot 1-B, although it was noted that there is a section line easement along the north boundary of the proposed lot and access is not limited to private use only.

Approval of the plat was recommended, subject to the following conditions:

- Further development of the property shall conform to all federal, State of Alaska, and local regulations.
- Remove Note 6 from the Plat, the City of Kenai does not participate in the FEMA Floodplain program and does not comply with Title 21, Chapter 6 of the Kenai Peninsula Borough Code of Ordinances.
- If circumstances change to allow lawful onsite wastewater treatment and disposal systems, those systems must meet the wastewater disposal requirements of KPB Chapter 20.40 and the regulatory requirements of the Alaska Department of Environmental Conservation.

**MOTION:**

Vice Chair Fikes **MOVED** to approve Resolution No. PZ2021-03 and Commissioner Halstead **SECONDED** the motion.

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

Clarification was provided that the section-line easement is not a private right-of-way, but the probability of the area being developed is highly unlikely as it is primarily wetlands. A small, undeveloped walking trail exists on the easement so it may be informally used by the public.

**VOTE:**

YEA: Twait, Halstead, Greenberg, Fikes, Springer, Douthit  
NAY:

**MOTION PASSED UNANIMOUSLY.**

**F. PUBLIC HEARINGS**

1. **Resolution PZ2021-01** – Application for a Conditional Use Permit for eight single family additional dwellings, on Government Lot 107, Section 31, Township 6 North, Range 11 West , and located at 1614 Second Avenue. The application was submitted by Byler Contracting, P.O. Box 877750., Wasilla, AK 99687, on behalf of the TKC LLC, P.O. Box 10658, Bakersfield, CA 93389

Planning Director Foster reviewed the staff report provided in the packet noting the conditional use permit would permit the construction of 8 single-family units in addition to the existing single-family dwelling on this property. The criteria for conditional use permits was reviewed; it was noted the application met the criteria and City staff recommends approval 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 issuance of a Building Permit, a landscape/site plan must be reviewed and approved by the Planning Director.
3. Prior to issuance of a Building Permit, conditions listed under Footnote 3 of the KMC 14.22.010 Land use table must be reviewed and approved by the Planning Director.
4. Prior to beginning construction of the project, a building permit must be issued by the Building Official for the City of Kenai.
5. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year.
6. The applicant will meet with City staff for on-site inspections when requested.
7. If there is a change of use for the above described property a new Conditional Use Permit must be obtained, pursuant to 14.20.150(i)(5).
8. Pursuant to KMC 14.20.150(i)(2), this permit shall expire automatically upon termination or interruption of the use for a period of at least one year.
9. Failure to provide documentation to the City for meeting these conditions shall be grounds for the suspension or revocation of the conditional use permit.

**MOTION:**

Commissioner Greenberg **MOVED** to recommend approval of Resolution No. PZ2021-01 with staff recommendations and Commissioner Douthit **SECONDED** the motion.

Chair Twait opened the floor for public testimony.

Fred Braun, a realtor with Jack White Real Estate of Kenai, stated that this would be a real win-win for the City. He explained that there is a severe shortage of rentals in Kenai, and this development will allow new families to move into town and result in more sales tax generated. He also noted that these new buildings could enhance the value of other homes in the area.

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

Clarification was provided that there is currently a 5-foot setback and a Conditional Use Permit requires a 15-foot setback, but there is adequate space for this.

Rob Coreson explained the plan for providing utilities to these units which involved creating easements from pre-existing lines, so no roads would be torn up. Clarified that each individual unit will have their own gas, electric and water meters.

Discussion included the plan for vehicle access, which will involve new approaches but not require new paved road, and it was clarified that there is adequate access for emergency vehicles to reach all units.

**VOTE:**

YEA: Twait, Greenberg, Douthit, Fikes, Springer, Halstead  
NAY:

**MOTION PASSED UNANIMOUSLY.**

**G. UNFINISHED BUSINESS** – None.

**H. NEW BUSINESS** – None.

**I. PENDING ITEMS** – None.

**J. REPORTS**

1. **City Council** – Council Member Glendening reported on the actions from the January 20, 2021 City Council meeting.
2. **Borough Planning** – Vice Chair Fikes reported on the actions of the Borough Planning Commission meeting of January 25, 2021, which included: one plat approved in Sterling area; a right-of-way vacation approved in Skilak area; an Ordinance authorizing the Hospital’s acquisition of nearby rural property; and discussion on the subdivision of land code changes.

3. **City Administration** – Planning Director Foster reported on the following:
- Registration is open for this year’s virtual APA conference, which includes commissioner’s training. Encouraged commissioners to reach out to him if they are interested in registering;
  - Does not have list of Capital Improvement Projects yet, but will pass it along to the Commission to review when he receives it;
  - No completed application yet for the February 10<sup>th</sup> meeting.

**K. ADDITIONAL PUBLIC COMMENT**

1. Citizens Comments

Council Member Glendening noted that there is information on the Kenai Peninsula Borough website about the Anadromous Waters Habitat Protection Group, including calendars, recordings, agendas and results of discussions. Encouraged the Commissioners to learn about this group’s activities, as it is relevant to Kenai City Planning.

**L. INFORMATIONAL ITEMS**

**M. NEXT MEETING ATTENDANCE NOTIFICATION**

1. February 10, 2021

**N. COMMISSION COMMENTS & QUESTIONS**

Vice Chair Fikes noted that the Department of Transportation gave a presentation at the Kenai Peninsula Borough Meeting to review the new changes for Cooper Landing Road Project. The Anadromous Waters Habitat Protection Group was also discussed at the meeting, including how they are coming up with a better process for land owners to put up simple structures in the protection area.

**O. ADJOURNMENT**

There being no further business before the Commission, the meeting was adjourned at 8:11 p.m.

Minutes prepared and submitted by:

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Meghan Thibodeau  
Deputy City Clerk



**File Attachments for Item:**

**1. Resolution PZ2021-02** - Preliminary Subdivision Plat of FBO Subdivision No. 10, submitted by Segesser Surveys, 30485 Rosland Street, Soldotna, AK 99669, on behalf of the City of Kenai, 210 Fidalgo Avenue, Kenai, AK 99611



**CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. 2021-02**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **RECOMMENDING** THAT FBO SUBDIVISION NO. 10 ATTACHED HERETO BE APPROVED

WHEREAS, the City of Kenai received the plat from Segesser Surveys, Inc. and,

WHEREAS, the plat meets Municipal Code requirements of the Airport Light Industrial; and,

WHEREAS, street names are referenced correctly; and,

WHEREAS, Access to the proposed lots is via North Willow Street which is a paved City maintained street; and

WHEREAS, the plat of FBO Subdivision dedicates the right-of-way of North Willow Street that continues northwest through parcel 04318044; and

WHEREAS, Water and sewer lines are located within the right-of-way of North Willow Street. 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, 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 FBO Subdivision No. 10 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 10th day of March, 2021.

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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:** Ryan Foster, Planning Director  
**DATE:** March 3, 2021  
**SUBJECT:** PZ2021-02 – Preliminary Plat – FBO Subdivision No. 10

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**Applicant:** City of Kenai  
210 Fidalgo Ave.  
Kenai, AK 99611

**Submitted By:** Segesser Surveys, Inc.  
30485 Rosland St.  
Soldotna, AK 99669

**Requested Action:** Preliminary Subdivision Plat – FBO Subdivision No. 10

**Legal Description:** Lot 5, FBO Subdivision No. 8 and All of Section 32, Township 5 North, Range 11 West, excluding Subdivisions & Leased Areas & Kenai Municipal Airport Float Plane Basin Replat

**Property Address:** 535 N. Willow Street and 305 N. Willow Street

**KPB Parcel No:** 04336043 and 04318044

**Lot Size:** Approximately 3.59 acres (156,380 square feet) and approximately 328.79 acres (14,322,092 square feet)

**Existing Zoning:** Airport Light Industrial

**Current Land Use:** Vacant (Airport, Apron and Runway)

**Land Use Plan:** Airport Industrial

## GENERAL INFORMATION

The Kenai City Council adopted Resolution No. 2020-72 which approved a Lease between the City of Kenai and Alaska Air Fuel, Inc. for a period of forty-five years. **Section 2** of the Resolution provided as follows:

That a subdivision of the property must occur prior to the lease to create a parcel with the 280 foot width and 392 foot depth as Alaska Air Fuel requested to lease, create a new parcel to be retained by the City covering the remaining adjacent treed area, and dedicate the right-of-way for North Willow Street that continues northwest through parcel 04318044, described as all of Section 32, excluding Subdivisions & Leased Areas & Kenai Municipal Airport Float Plane Basin Replat as shown on Attachment A, with the cost of the subdivision being shared equally by the City of Kenai and Alaska Air Fuel, Incorporated.

Segesser Surveys, Inc. submitted a preliminary plat on behalf of the property owners, the City of Kenai. The plat affects the parcel described as Lot 5, FBO Subdivision No. 8, and all of Section 32, Township 5 North, Range 11 West, excluding Subdivisions & Leased Areas & Kenai Municipal Airport Float Plane Basin Replat.

The City wishes to subdivide Lot 5, FBO Subdivision No. 8 into two smaller lots described as Lot 5A and Lot 5B, FBO Subdivision No. 10. The proposed Lot 5A, is comprised of approximately 2.52 acres (approximately 109,771 square feet.). The proposed Lot 5B, is comprised of approximately 1.980 acres (approximately 86,249 square feet). Lot 5A, FBO Subdivision No. 10 will be leased to Alaska Air Fuel, Inc.

All of Section 32, Township 5 North, Range 11 West, excluding Subdivisions & Leased Areas & Kenai Municipal Airport Float Plane Basin Replat shall be subdivided into two large tracts. The proposed Tract B which lies northwesterly of the airport runway is comprised of approximately 280.4 acres (approximately 12,214,224 square feet). The proposed Tract C which lies northeasterly of the airport runway is comprised of approximately 42.6 acres (approximately 1,855,656 square feet).

The dedicated right-of-way for North Willow ends at the Northeast corner of Lot 5, FBO Subdivision. The proposed plat will dedicate the right-of-way of North Willow Street that continues northwest through parcel 04318044 (which will become Tract C of the proposed plat)

### 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 4, 2021.

## ANALYSIS

Access to the proposed lots is provided via North Willow Street, which is a paved City maintained road.

Water and sewer lines are located within the right-of-way of North Willow Street. Lessee may connect to water and sewer services. An installation agreement is not required.

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 FBO Subdivision No. 10, 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. PZ2021-02
2. Application
3. Preliminary Plat
4. Aerial Map





**CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. 2021-02**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **RECOMMENDING** THAT FBO SUBDIVISION NO. 10 ATTACHED HERETO BE APPROVED

WHEREAS, the City of Kenai received the plat from Segesser Surveys, Inc. and,

WHEREAS, the plat meets Municipal Code requirements of the Airport Light Industrial; and,

WHEREAS, street names are referenced correctly; and,

WHEREAS, Access to the proposed lots is via North Willow Street which is a paved City maintained street; and

WHEREAS, the plat of FBO Subdivision dedicates the right-of-way of North Willow Street that continues northwest through parcel 04318044; and

WHEREAS, Water and sewer lines are located within the right-of-way of North Willow Street. 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, 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 FBO Subdivision No. 10 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 10th day of March, 2021.

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

ATTEST:

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





# 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:	CITY OF KENAI						
Mailing Address:	210 FIDALGO ST	City:	KENAI	State:	AK	Zip Code:	99611
Phone Number(s):							
Email:							

### PROPERTY INFORMATION

Property Owner Name:	CITY OF KENAI						
Current City Zoning:							
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:	FBO SUBDIVISION No. 10						
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 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:	1-12-21
Print Name:	JOHN SEGESSER	Title/Business:	PRESIDENT SEGESSER SURVEYS

**LEGEND:**

- ⊗ 2 1/2" BRASS CAP MONUMENT GLO 1921 FOUND
- ⊕ 3 1/4" ALUM. CAP MONUMENT FOUND
- ⊕ 3 1/4" ALUM. CAP MONUMENT LS6101 2009 RECORD
- ( ) RECORD DATUM PLAT 2007-8, KR D

**NOTES:**

- 1) This plat is subject to City of Kenai zoning regulations.
- 2) Basis of bearing taken from Baron Park 2007 Replat, Plat 2007-8, Kenai Recording District.
- 3) Further development of the property shall conform to all federal, State of Alaska, and local regulations.
- 4) These lots are served by city water and sewer.
- 5) Front 10 feet adjacent to rights-of-way is an utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
- 6) **WASTEWATER DISPOSAL:** Plans for wastewater disposal, that meet regulatory requirements are on file at the Department of Environmental Conservation.

**PLAT APPROVAL**

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

KENAI PENINSULA BOROUGH

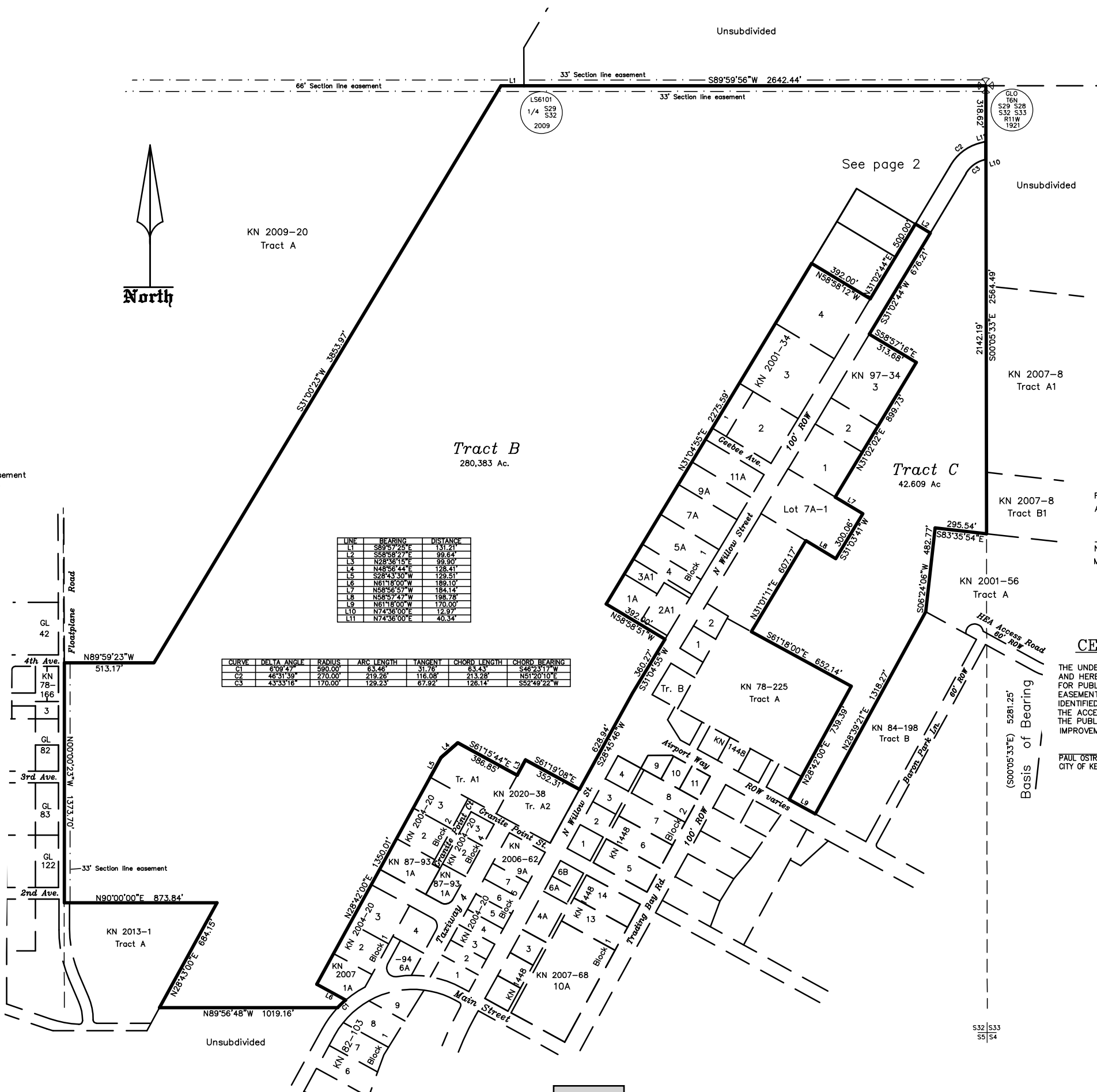
AUTHORIZED OFFICIAL



**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 \_\_\_\_\_



**CERTIFICATE of OWNERSHIP and DEDICATION**

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE CITY OF KENAI IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, AND ON BEHALF OF THE CITY OF KENAI, 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.

PAUL OSTRANDER, CITY MANAGER  
CITY OF KENAI  
210 FIDALGO AVENUE, SUITE 200  
KENAI, ALASKA 99611

**NOTARY'S ACKNOWLEDGEMENT**

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

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

**CERTIFICATE of ACCEPTANCE**

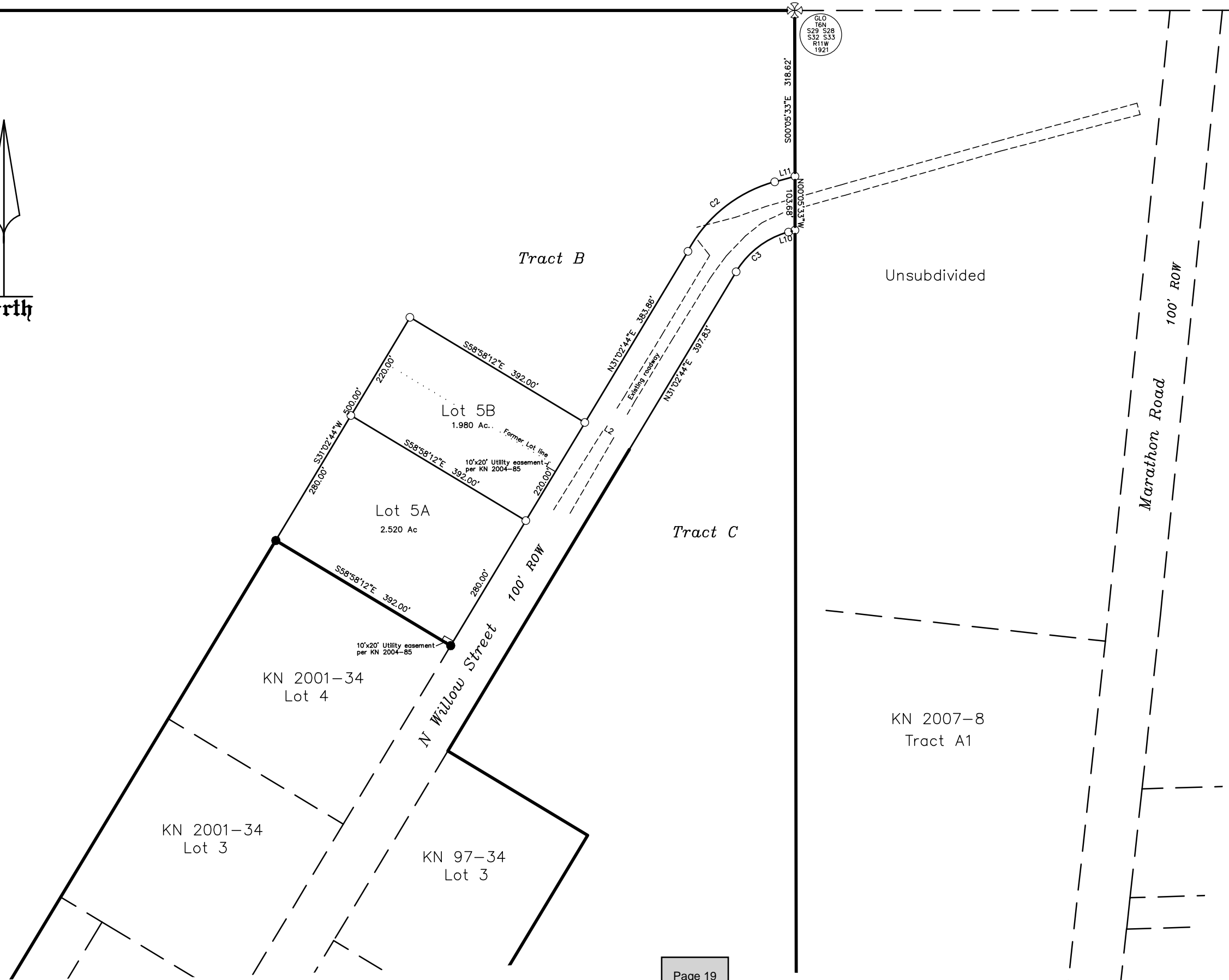
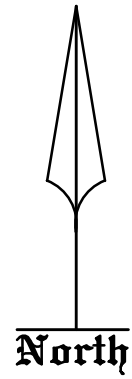
THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF KENAI FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT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

PAUL OSTRANDER, CITY MANAGER  
CITY OF KENAI  
DATE \_\_\_\_\_

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

<b>FBO Subdivision No. 10</b>	
A resubdivision of Lot 5, FBO Subdivision No. 8, Plat 2004-85, and Section 32, T6N, R11W, S.M., excluding Plats K-1448, KN 73-31, KN 78-225, KN 82-103, KN 84-198, KN 84-218, KN 84-305, KN 87-93, KN 92-14, KN 92-23, KN 92-60, KN 97-34, KN 2001-34, KN 2001-56, KN 2001-75, KN 2004-20, KN 2006-25, KN 2006-62, KN 2007-21, KN 2007-68, KN 2007-78, KN 2007-94, KN 2007-145, KN 2008-111, KN 2009-20, KN 2009-54, KN 2013-1, KN 2014-21, KN 2019-2 and KN 2020-38, Kenai Recording District.	
Located within Section 32, T6N, R11W, S.M., City of Kenai, Kenai Peninsula Borough, Alaska.	
Containing 328.847 Ac.	
Surveyor <b>Segesser Surveys</b> 30485 Rosland St. Soldotna, AK 99669 (907) 262-3909	Owner <b>City of Kenai</b> 210 Fidalgo Ave. Ste 200 Kenai, Alaska 99611
JOB NO. 21001	DRAWN: 1-9-21
SURVEYED: Jan., 2021	SCALE: 1"=100'
FIELD BOOK: 20-4	SHEET: 1 of 2

Unsubdivided



**LEGEND:**

- ⊗ 2 1/2" GLO MONUMENT 1921 FOUND
- 5/8" REBAR w/PLASTIC CAP FOUND
- 5/8" REBAR w/PLASTIC CAP LS8859 SET
- ( ) RECORD DATUM PLAT 2007-8, KRD

KPB FILE No.

**FBO Subdivision No. 10**

A resubdivision of Lot 5, FBO Subdivision No. 8, Plat 2004-85, and Section 32, T6N, R11W, S.M., excluding Plats K-1448, KN 73-31, KN 78-225, KN 82-103, KN 84-198, KN 84-218, KN 84-305, KN 87-93, KN 92-14, KN 92-23, KN 92-60, KN 97-34, KN 2001-34, KN 2001-56, KN 2001-75, KN 2004-20, KN 2006-25, KN 2006-62, KN 2007-21, KN 2007-68, KN 2007-78, KN 2007-94, KN 2007-145, KN 2008-111, KN 2009-20, KN 2009-54, KN 2013-1, KN 2014-21, KN 2019-2 and KN 2020-38, Kenai Recording District.

Located within Section 32, T6N, R11W, S.M., City of Kenai, Kenai Peninsula Borough, Alaska.

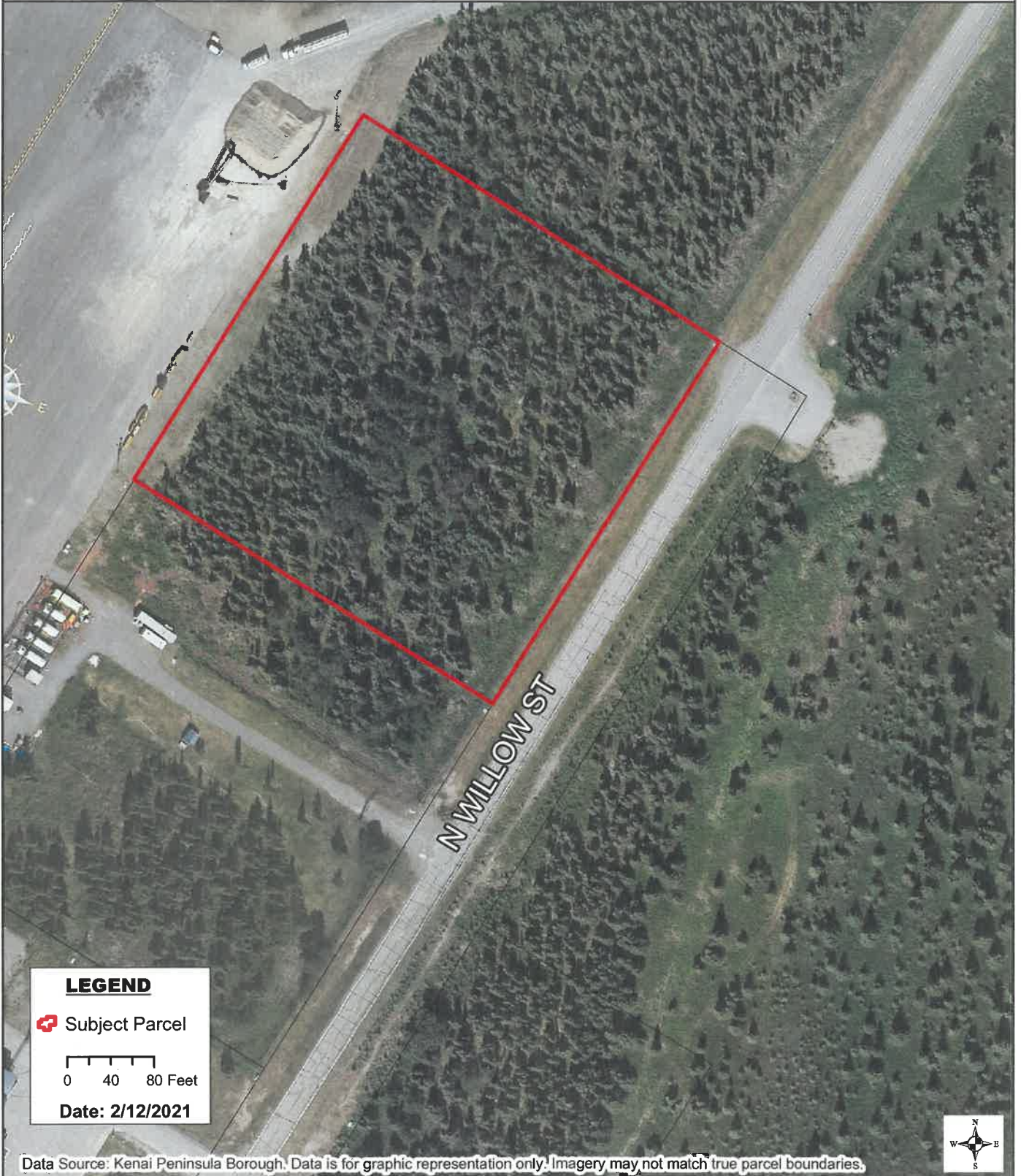
Containing 328.847 Ac.

Surveyor	Owner
Segesser Surveys, Inc. 30485 Rosland St. Soldotna, AK 99669 (907) 262-3909	City of Kenai 210 Fidalgo Ave. Ste 200 Kenai, Alaska 99611

JOB NO.	21001	DRAWN:	1-9-21
SURVEYED:	Jan., 2021	SCALE:	1"=100'
FIELD BOOK:	20-4	SHEET:	2 of 2



**PRELIMINARY PLAT FBO SUBDIVISION NO. 10**  
**Borough Parcel No. 04336043**  
**305 N. Willow St.**  
**Lot 5, FBO Subdivision No. 8**



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

# PLANNING & ZONING COMMISSION

PZ2021-02 - Preliminary Plat -

FBO Subdivision No. 10

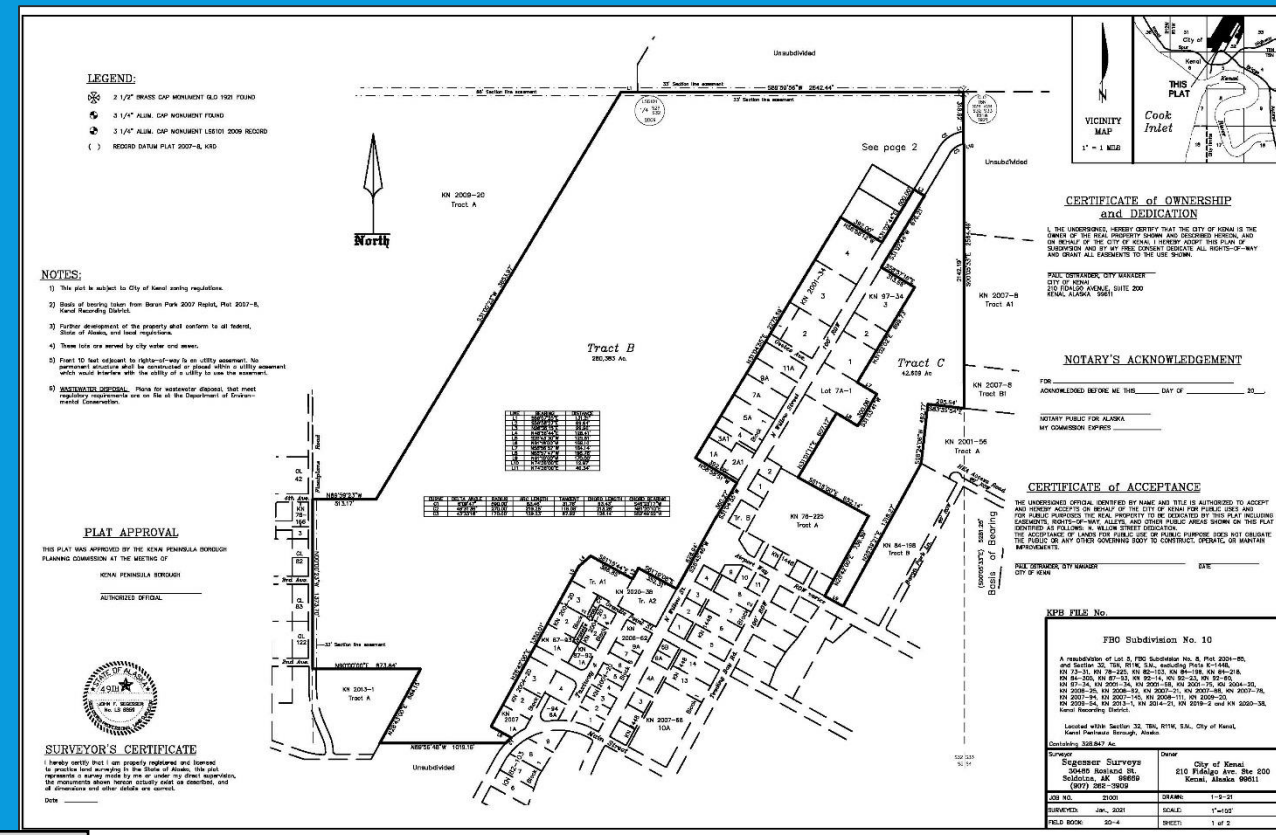
# SUMMARY

- The Kenai City Council adopted Resolution No. 2020-72 which approved a Lease between the City of Kenai and Alaska Air Fuel, Inc. for a period of forty-five years, which requires a subdivision.
- Segesser Surveys, Inc. submitted a preliminary plat on behalf of the property owners, the City of Kenai.



# PRELIMINARY PLAT

- The plat affects the parcel described as Lot 5, FBO Subdivision No. 8, and all of Section 32, Township 5 North, Range 11 West, excluding Subdivisions & Leased Areas & Kenai Municipal Airport Float Plane Basin Replat.
- All of Section 32, Township 5 North, Range 11 West, excluding Subdivisions & Leased Areas & Kenai Municipal Airport Float Plane Basin Replat shall be subdivided into two large tracts. The proposed Tract B which lies northwesterly of the airport runway is comprised of approximately 280.4 acres. The proposed Tract C which lies northeasterly of the airport runway is comprised of approximately 42.6 acres.







# STAFF ANALYSIS

- Access to the proposed lots is provided via North Willow Street, which is a paved City maintained road.
- Water and sewer lines are located within the right-of-way of North Willow Street. Lessee may connect to water and sewer services. An installation agreement is not required.
- 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 FBO Subdivision No. 10, 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. PZ2021-02
- 2. Application
- 3. Preliminary Plat
- 4. Aerial Map

# 1. RESOLUTION



CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. 2021-02

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **RECOMMENDING** THAT FBO SUBDIVISION NO. 10 ATTACHED HERETO BE APPROVED

WHEREAS, the City of Kenai received the plat from Segesser Surveys, Inc. and,

WHEREAS, the plat meets Municipal Code requirements of the Airport Light Industrial; and,

WHEREAS, street names are referenced correctly; and,

WHEREAS, Access to the proposed lots is via North Willow Street which is a paved City maintained street; and

WHEREAS, the plat of FBO Subdivision dedicates the right-of-way of North Willow Street that continues northwest through parcel 04318044; and

WHEREAS, Water and sewer lines are located within the right-of-way of North Willow Street. 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, 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 FBO Subdivision No. 10 be approved subject to the following conditions:

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

Resolution No. PZ2021-02  
Page 2 of 2



PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,  
this 10th day of March, 2021.

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

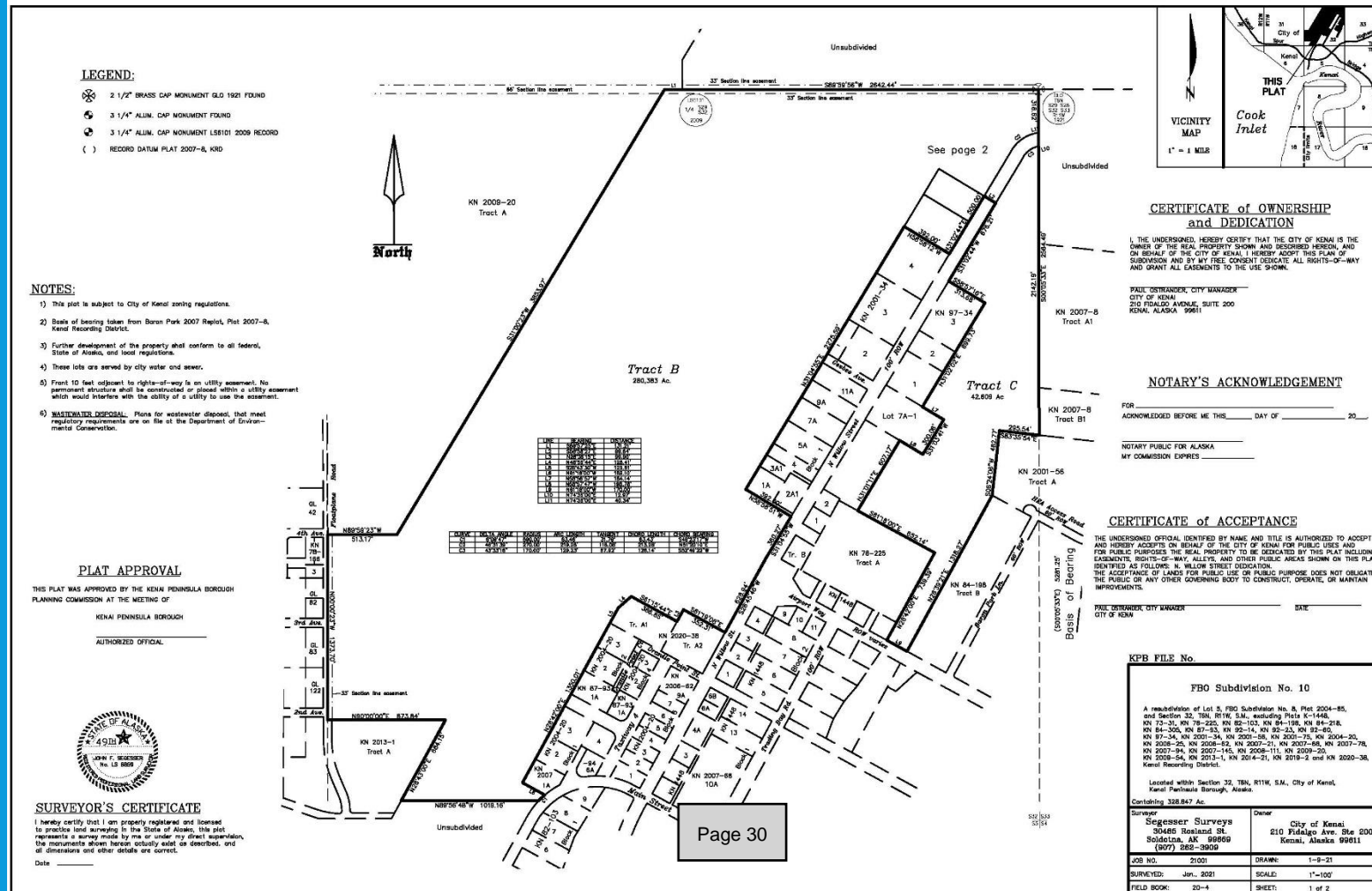
ATTEST:

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

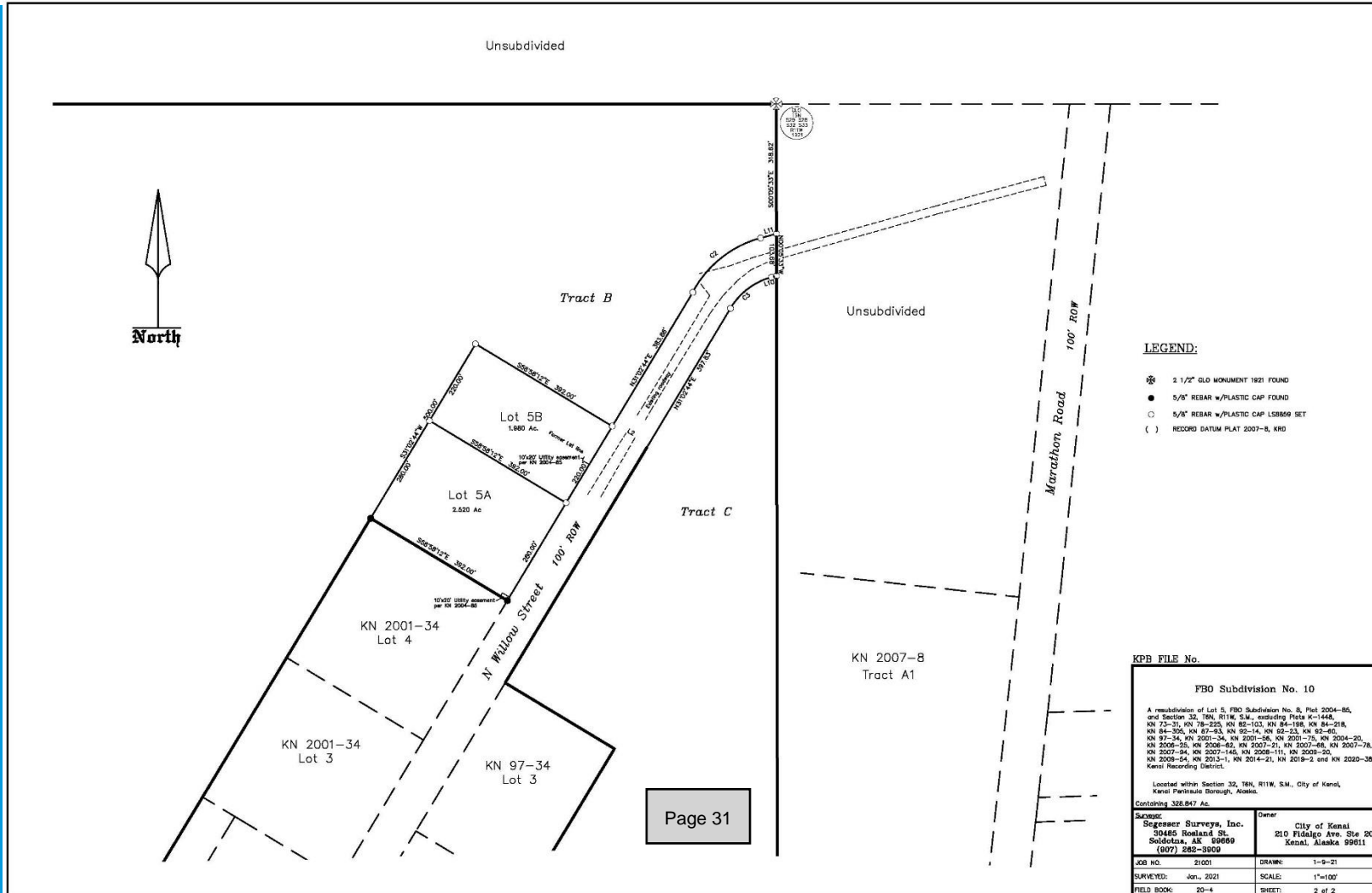
# 2. APPLICATION

		<b>Preliminary Plat Submittal Form</b>				City of Kenai Planning and Zoning Department 210 Fidalgo Avenue Kenai, AK 99611 (907) 283-8200 planning@kenai.city www.kenai.city/planning		
		<b>APPLICANT (SURVEYOR)</b>						
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							
<b>PROPERTY OWNER</b>								
Name:	CITY OF KENAI							
Mailing Address:	210 FIDALGO ST	City:	KENAI	State:	AK	Zip Code:	99611	
Phone Number(s):								
Email:								
<b>PROPERTY INFORMATION</b>								
Property Owner Name:	CITY OF KENAI							
Current City Zoning:								
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			
<b>PLAT INFORMATION</b>								
Preliminary Plat Name:	FBO SUBDIVISION No. 10							
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:								
<b>REQUIRED ATTACHMENTS</b>								
<input 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:		1-12-21		
Print Name:	JOHN SEGESSER			PRESIDENT SEGESSER SURVEYS				

# 3. PRELIMINARY PLAT



# 3. PRELIMINARY PLAT CONTINUED



# 4. AERIAL MAP





**File Attachments for Item:**

**2. Resolution PZ2021-07** - Preliminary Subdivision Plat of Townsite of Kenai 2021 Kenaitze Replat, submitted by Edge Survey and Design, LLC, P.O. Box 208, Kasilof, AK 99610, on behalf of Kenaitze Indian Tribe, P. O. Box 988, Kenai, AK 99611



**CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. 2021-07**

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

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

WHEREAS, the plat meets Municipal Code requirements of the Townsite Historical District; and,

WHEREAS, street names are referenced correctly; and,

WHEREAS, Access to the proposed Tract is via Overland Avenue, Mission Avenue and Upland Street which are paved City maintained streets; and

WHEREAS, the buildings located on the proposed Tract A are connected to City water and sewer services. 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, 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 Townsite of Kenai 2021 Kenaitze 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 10th day of March, 2021.

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

ATTEST:

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

DRAFT



# 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:** February 24, 2021  
**SUBJECT:** PZ2021-07 – Preliminary Plat – Townsite of Kenai 2021 Kenaitze Replat

---

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

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

**Requested Action:** Preliminary Subdivision Plat – Townsite of Kenai 2021 Kenaitze Replat

**Legal Description:** Tract A, and Lot 22-A-1, Block 5 Townsite of Kenai Kenaitze Addition

**Property Address:** 508 Upland Street and 510 Upland Street

**KPB Parcel No:** 04707130 and 04707132

**Lot Size:** Approximately 4.26 acres (approximately 185,566 square feet) and approximately .38 acres (approximately 16,553 square feet)

**Existing Zoning:** Townsite Historic District (TSH)

**Current Land Use:** Dena'ina Wellness Center and Birch Tree (behavior health) Building

**Land Use Plan:** Mixed Use

## GENERAL INFORMATION

Edge Survey and Design, LLC. submitted a preliminary plat on behalf of the property owners, Kenaitze Indian Tribe. The plat affects the parcels described as Tract A and Lot 22-A-, Block 5, Townsite of Kenai Kenaitze Addition.

The applicant wishes to vacate the property line between Tract A, and Lot 22-A-1, Block 5 Townsite of Kenai Kenaitze Addition, which will create a larger tract to be described as Tract B, Block 5, Townsite of Kenai 2021 Kenaitze Replat. The proposed Tract B, Block 5 will be comprised of approximately 4.68 acres (approximately 203,860 square feet).

### 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 4, 2021.

## ANALYSIS

Access to the proposed Tract B, Block 5 is provided via Overland Avenue, Mission Avenue and Upland Street, which are paved City maintained roads.

The buildings located on the premises are already connected to City water and sewer services. An installation agreement is not required.

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 Townsite of Kenai 2021 Kenaitze 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. PZ2021-07
2. Application
3. Preliminary Plat
4. Aerial Map





**CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. 2021-07**

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

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

WHEREAS, the plat meets Municipal Code requirements of the Townsite Historical District; and,

WHEREAS, street names are referenced correctly; and,

WHEREAS, Access to the proposed Tract is via Overland Avenue, Mission Avenue and Upland Street which are paved City maintained streets; and

WHEREAS, the buildings located on the proposed Tract A are connected to City water and sewer services. 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, 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 Townsite of Kenai 2021 Kenaitze 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 10th day of March, 2021.

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

ATTEST:

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

DRAFT





# Preliminary Plat Submittal Form

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

### APPLICANT (SURVEYOR)

Name:	Edge Survey and Design						
Mailing Address:	PO Box 208	City:	Kasilof	State:	AK	Zip Code:	99610
Phone Number(s):	907-283-9047						
Email:	jason@edgesurvey.net						

### PROPERTY OWNER

Name:	Kenaitze Indian Tribe						
Mailing Address:	150 N. Willow Ste. 33	City:	Kenai	State:	AK	Zip Code:	99611
Phone Number(s):	907-335-7213						
Email:	www.kenaitze.org						

### PROPERTY INFORMATION

Kenai Peninsula Borough Parcel #:	04707130 and 04707132						
Current City Zoning:	Townsite Historic						
Use:	<input 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:	Kenaitze 2021 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:

None

Comments:

Replat - Lot Line Vacation

**RECEIVED**

CITY OF KENAI

DATE 2/16/2021

PLANNING DEPARTMENT

### REQUIRED ATTACHMENTS

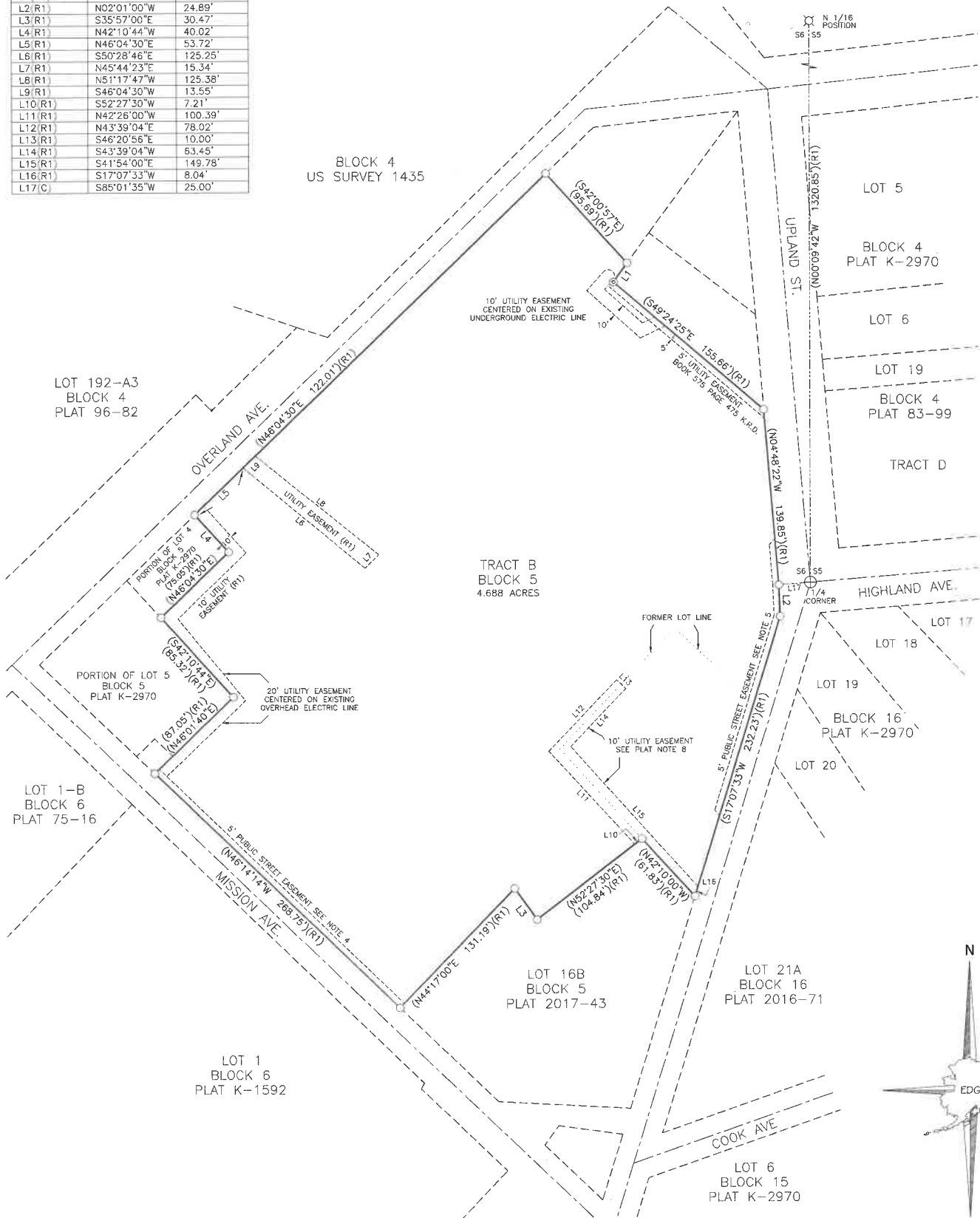
<input checked="" type="checkbox"/> Certificate to Plat	<input checked="" type="checkbox"/> (1) 24" x 36" Plat	<input checked="" type="checkbox"/> (2) 11" x 17" Plats
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### SIGNATURE

Signature:	<i>Dawn Nelson</i>	Date:	1/19/2021
Print Name:	Dawn Nelson	Title/Business:	Executive Director

LINE TABLE

LINE	BEARING	DISTANCE
L1(R1)	N35°31'24"E	18.49'
L2(R1)	N02°01'00"W	24.89'
L3(R1)	S35°57'00"E	30.47'
L4(R1)	N42°10'44"W	40.02'
L5(R1)	N46°04'30"E	53.72'
L6(R1)	S50°28'46"E	125.25'
L7(R1)	N45°44'23"E	15.34'
L8(R1)	N51°17'47"W	125.38'
L9(R1)	S46°04'30"W	13.55'
L10(R1)	S52°27'30"W	7.21'
L11(R1)	N42°26'00"W	100.39'
L12(R1)	N43°39'04"E	78.02'
L13(R1)	S46°20'56"E	10.00'
L14(R1)	S43°39'04"W	63.45'
L15(R1)	S41°54'00"E	149.78'
L16(R1)	S17°07'33"W	8.04'
L17(C)	S85°01'55"W	25.00'



NOTES

1. THE SOLE PURPOSE OF THIS PLAT IS TO VACATE AN INTERIOR LOT LINE. NO FIELD WORK WAS PERFORMED FOR THIS PLATING ACTION.
2. FURTHER DEVELOPMENT OF THE PROPERTY SHALL CONFORM TO ALL FEDERAL, STATE OF ALASKA AND LOCAL REGULATIONS.
3. DEVELOPMENT OF THIS PARCEL SUBJECT TO THE CITY OF KENAI ZONING REGULATIONS.
4. THE FRONT 10 FEET ADJACENT TO RIGHT OF WAY IS ALSO AN UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH COULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
5. EXISTING 5 FOOT EASEMENTS FOR PUBLIC STREET PURPOSES ADJOINING MISSION AVENUE RIGHT OF WAY, GRANTED TO THE CITY OF KENAI HAVING THE FOLLOWING RECORDING INFORMATION, KENAI RECORDING DISTRICT:  
DATE: AUGUST 30, 1967 BOOK: 28 PAGE: 76  
DATE: OCTOBER 11, 1967 BOOK: 28 PAGE: 298-301
6. EXISTING 5 FOOT EASEMENTS FOR PUBLIC STREET PURPOSES ADJOINING UPLAND STREET RIGHT OF WAY, GRANTED TO THE CITY OF KENAI HAVING THE FOLLOWING RECORDING INFORMATION, KENAI RECORDING DISTRICT:  
DATE: SEPTEMBER 14, 1990 BOOK: 371 PAGE: 279  
DATE: SEPTEMBER 14, 1990 BOOK: 371 PAGE: 283-284  
DATE: SEPTEMBER 14, 1990 BOOK: 371 PAGE: 286
7. EXISTING BLANKET ELECTRIC EASEMENTS, GRANTED TO KENAI POWER CORPORATION HAVING THE FOLLOWING RECORDING INFORMATION, KENAI RECORDING DISTRICT:  
DATE: DECEMBER 1963 BOOK: 11 PAGE: 188, 235, 242, 262, 289
8. EXISTING BLANKET ELECTRIC EASEMENTS, GRANTED TO HOMER ELECTRIC ASSOCIATION HAVING THE FOLLOWING RECORDING INFORMATION, KENAI RECORDING DISTRICT:  
DATE: JANUARY 24, 2000 BOOK: 575 PAGE: 475
9. EXISTING ELECTRIC EASEMENTS, EFFECTING PORTIONS OF TRACT A, GRANTED TO HOMER ELECTRIC ASSOCIATION HAVING THE FOLLOWING RECORDING INFORMATION, KENAI RECORDING DISTRICT:  
DATE: OCTOBER 29, 2012 SERIAL NUMBER: 2012-010713-0
10. WASTEWATER DISPOSAL: CITY WATER AND SEWER ARE AVAILABLE TO SERVE THIS PARCEL. PLANS FOR WASTEWATER TREATMENT AND DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

REFERENCES

(R1) TOWNSITE OF KENAI KENAITZE ADDITION SUBDIVISION, PLAT 2012-11, KENAI RECORDING DISTRICT

LEGEND

⊕	MONUMENT OF RECORD (R1) 2-1/2" BRASS MONUMENT IN CASE	—	PARCEL BOUNDARY
⊗	POSITION OF RECORD (R1)	---	FORMER LOT LINE
○	PROPERTY CORNER OF RECORD (R1) REBAR	- - - -	ADJACENT PROPERTY LINE
⊙	PROPERTY CORNER OF RECORD (R1) IRON PIPE	- - - -	EASEMENT
(R1)	RECORD DATA, SEE REFERENCE	- - - -	CENTERLINE
(C)	COMPUTED	- - - -	MONUMENT TIE

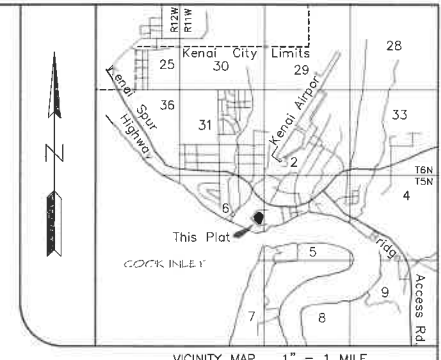
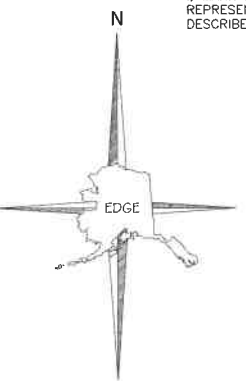
PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF APRIL 12, 2021.  
KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

CERTIFICATE OF SURVEYOR

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



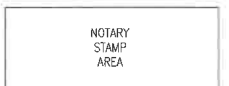
CERTIFICATE OF OWNERSHIP AND DEDICATION

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 OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

DAWN NELSON, EXECUTIVE DIRECTOR  
PO BOX 988  
KENAI, ALASKA 99611  
KENAITZE INDIAN TRIBE IRA

NOTARY ACKNOWLEDGEMENT

FOR: DAWN NELSON  
ACKNOWLEDGED BEFORE ME  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021  
NOTARY PUBLIC SIGNATURE



KPB FILE No. 2021-0000

TOWNSITE OF KENAI  
2021 KENAITZE  
REPLAT

A REPLAT OF TRACT A AND LOT 22-A-1 BLOCK 5  
TOWNSITE OF KENAI KENAITZE ADDITION SUBDIVISION  
PLAT 2012-11  
KENAI RECORDING DISTRICT

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

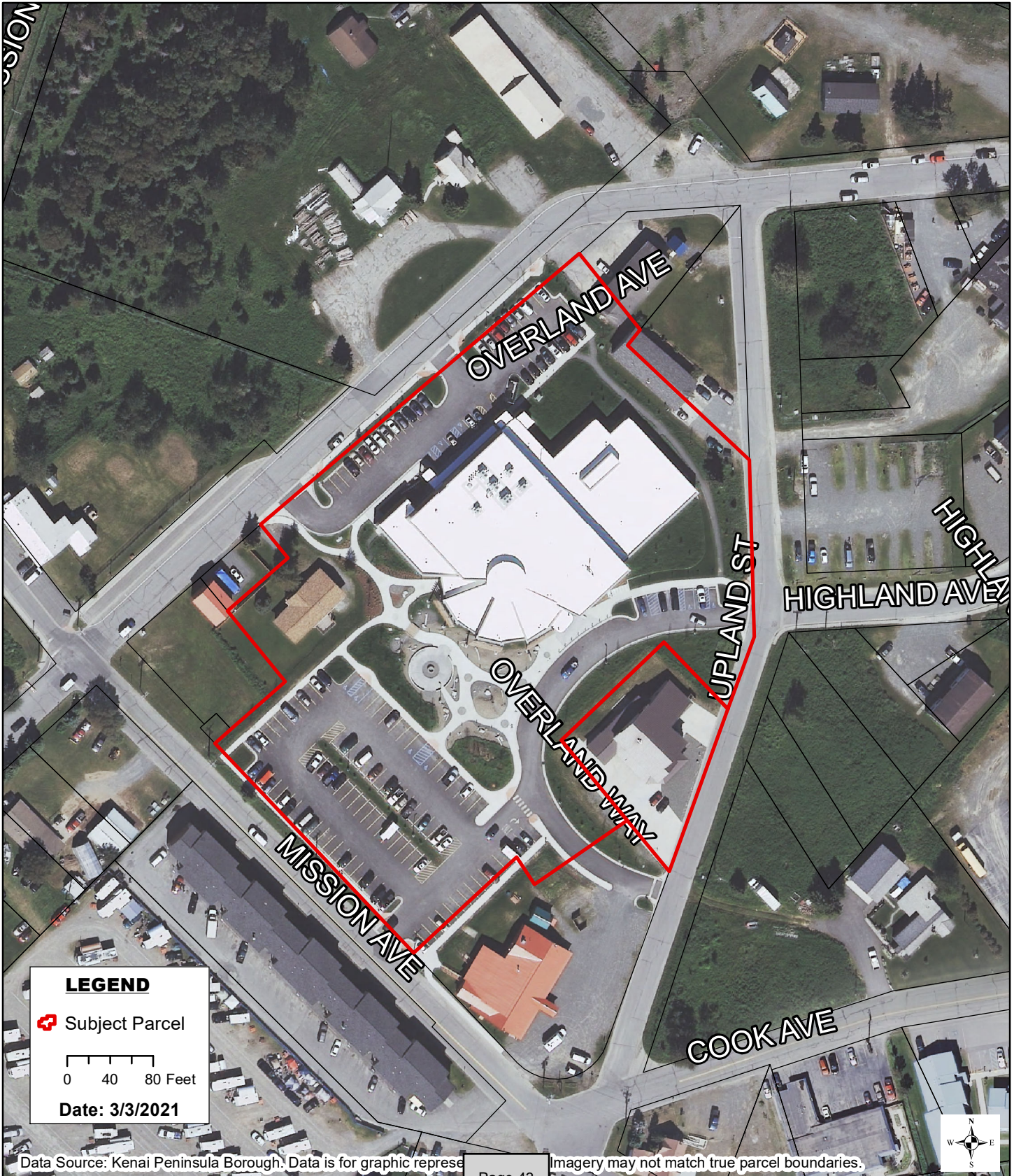
LOCATED WITHIN E 1/2, SECTION 6,  
T.5N., R.11W. S.M.  
STATE OF ALASKA  
KENAI PENINSULA BOROUGH  
KENAI RECORDING DISTRICT  
CITY OF KENAI  
CONTAINING 4.668 ACRES



12501 OLD SEWARD, D ANCHORAGE, AK 99515  
Phone (907) 344-5900 Fax (907) 344-7794  
AECL# 1392

DRAWN BY: JY	DATE: 2/15/2021	PROJECT: 21-504
CHECKED BY: MA	SCALE: 1" = 50'	SHEET: 1 OF 1

TRACT A AND LOT 22-A-1, BLOCK 5  
TOWNSITE OF KENAI KENAITZE ADDN.  
Parcel 04707130 and 04707132  
508 Upland St. and 510 Upland St.



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

# PLANNING & ZONING COMMISSION

PZ2021-07 - Preliminary Plat -

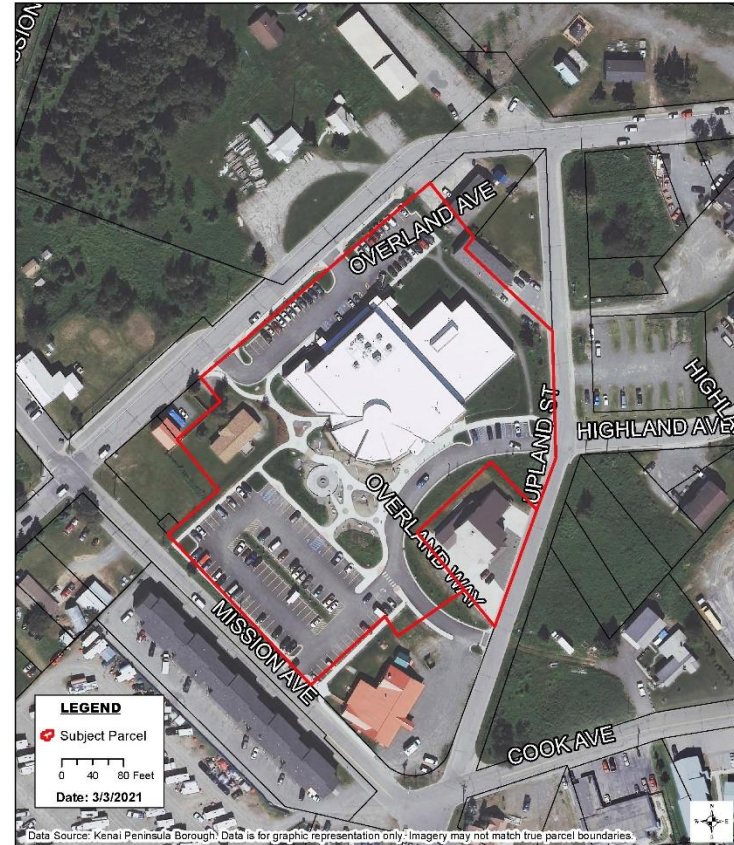
Townsite of Kenai 2021 Kenaitze Replat

# SUMMARY

- Edge Survey and Design, LLC. submitted a preliminary plat on behalf of the property owners, Kenaitze Indian Tribe.
- The plat affects the parcels described as Tract A and Lot 22-A-, Block 5, Townsite of Kenai Kenaitze Addition.

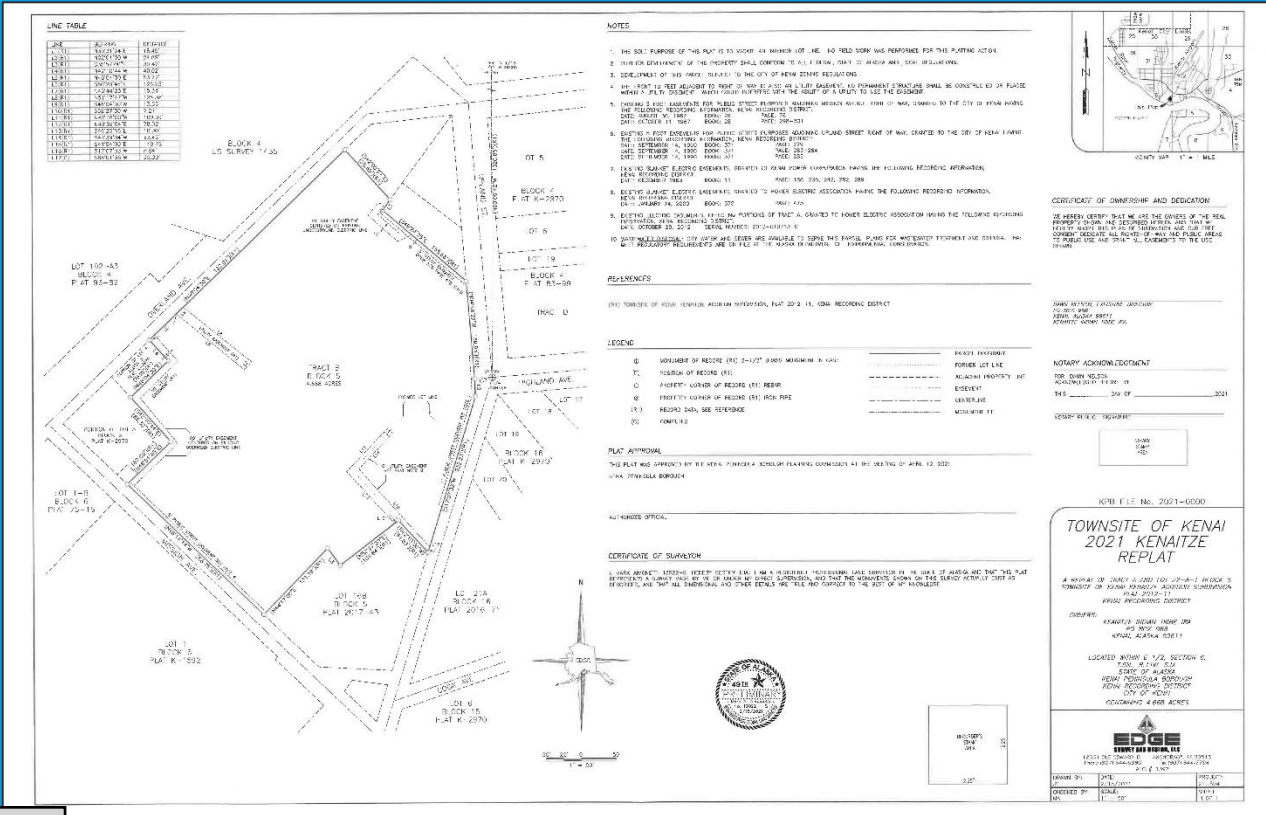


TRACT A AND LOT 22-A-1, BLOCK 5  
TOWNSITE OF KENAI KENAITZE ADDN.  
Parcel 04707130 and 04707132  
508 Upland St. and 510 Upland St.



# PRELIMINARY PLAT

- The applicant wishes to vacate the property line between Tract A, and Lot 22-A-1, Block 5 Townsite of Kenai Kenaitze Addition, which will create a larger tract to be described as Tract B, Block 5, Townsite of Kenai 2021 Kenaitze Replat.
- The proposed Tract B, Block 5 will be comprised of approximately 4.68 acres (approximately 203,860 square feet).



# STAFF ANALYSIS

- Access to the proposed Tract B, Block 5 is provided via Overland Avenue, Mission Avenue and Upland Street, which are paved City maintained roads.
- The buildings located on the premises are already connected to City water and sewer services. An installation agreement is not required.
- 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 Townsite of Kenai 2021 Kenaitze 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. PZ2021-07
- 2. Application
- 3. Preliminary Plat
- 4. Aerial Map

# 1. RESOLUTION



**CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. 2021-07**

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

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

WHEREAS, the plat meets Municipal Code requirements of the Townsite Historical District; and,

WHEREAS, street names are referenced correctly; and,

WHEREAS, Access to the proposed Tract is via Overland Avenue, Mission Avenue and Upland Street which are paved City maintained streets; and

WHEREAS, the buildings located on the proposed Tract A are connected to City water and sewer services. 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, 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 Townsite of Kenai 2021 Kenaitze 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.

Resolution No. PZ2021-07  
Page 2 of 2

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,  
this 10th day of March, 2021.



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

ATTEST:

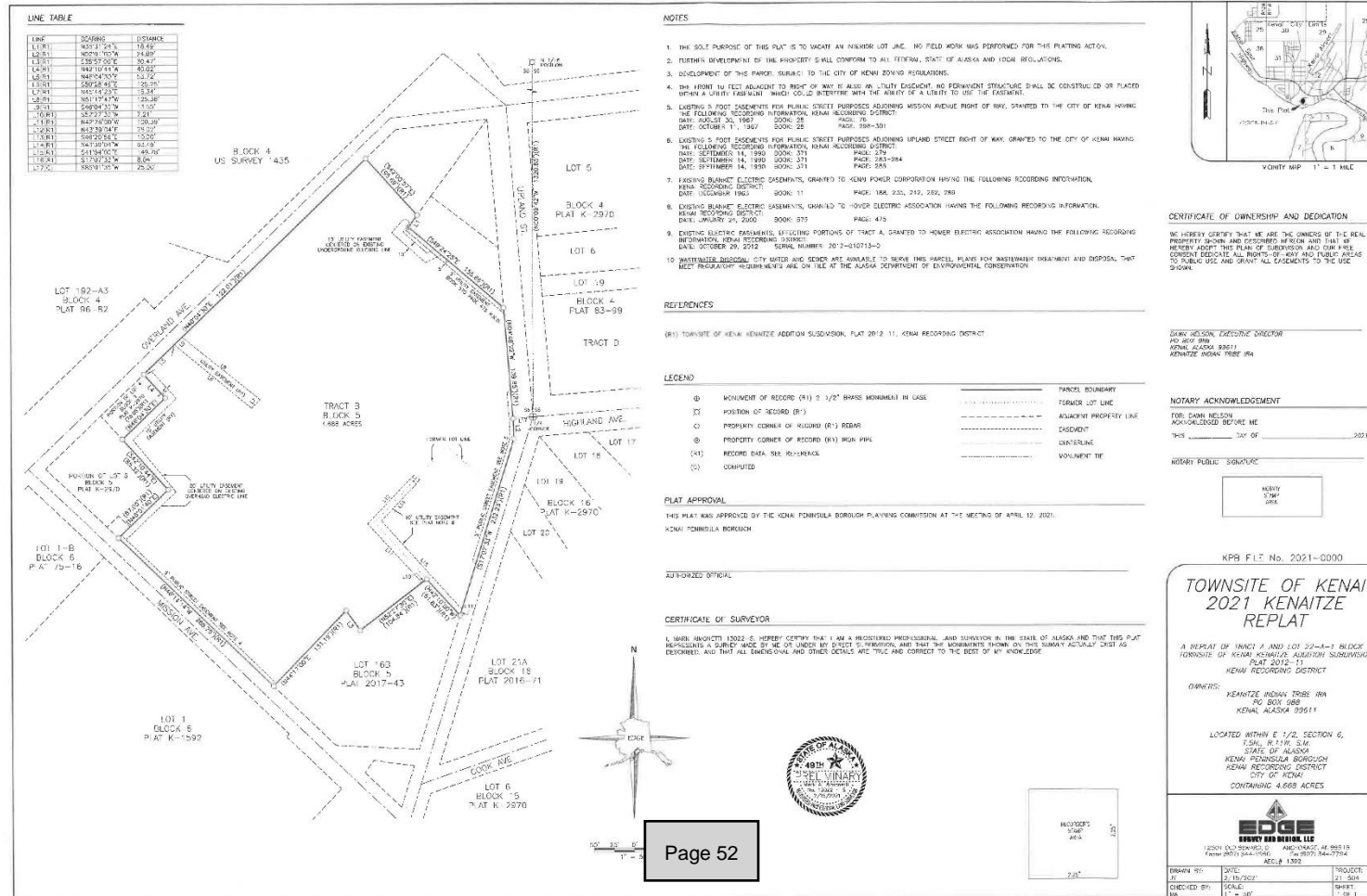
\_\_\_\_\_  
JAMIE HEINZ, CITY CLERK

DRAFT

# 2. APPLICATION

		<b>Preliminary Plat Submittal Form</b>		City of Kenai Planning and Zoning Department 210 Fidalgo Avenue Kenai, AK 99611 (907) 283-8200 planning@kenai.city www.kenai.city/planning	
				<b>APPLICANT (SURVEYOR)</b>	
Name:	Edge Survey and Design				
Mailing Address:	PO Box 208	City:	Kasilof	State:	AK Zip Code: 99610
Phone Number(s):	907-283-9047				
Email:	jason@edgesurvey.net				
<b>PROPERTY OWNER</b>					
Name:	Kenaitze Indian Tribe				
Mailing Address:	150 N. Willow Ste. 33	City:	Kenai	State:	AK Zip Code: 99611
Phone Number(s):	907-335-7213				
Email:	www.kenaitze.org				
<b>PROPERTY INFORMATION</b>					
Kenai Peninsula Borough Parcel #:	04707130 and 04707132				
Current City Zoning:	Townsite Historic				
Use:	<input 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				
<b>PLAT INFORMATION</b>					
Preliminary Plat Name:	Kenaitze 2021 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:					
None					
Comments:	Replat - Lot Line Vacation				
<div style="border: 2px solid blue; padding: 5px; display: inline-block;"> <b>RECEIVED</b>                      CITY OF KENAI                      DATE 2/16/2021                      PLANNING DEPARTMENT                 </div>					
<b>REQUIRED ATTACHMENTS</b>					
<input checked="" type="checkbox"/> Certificate to Plat <input type="checkbox"/> (1) ... <input checked="" type="checkbox"/> (2) 11" x 17" Plats					
Signature:				Date:	1/19/2021
Print Name:	Dawn Nelson			Title/Business:	Executive Director

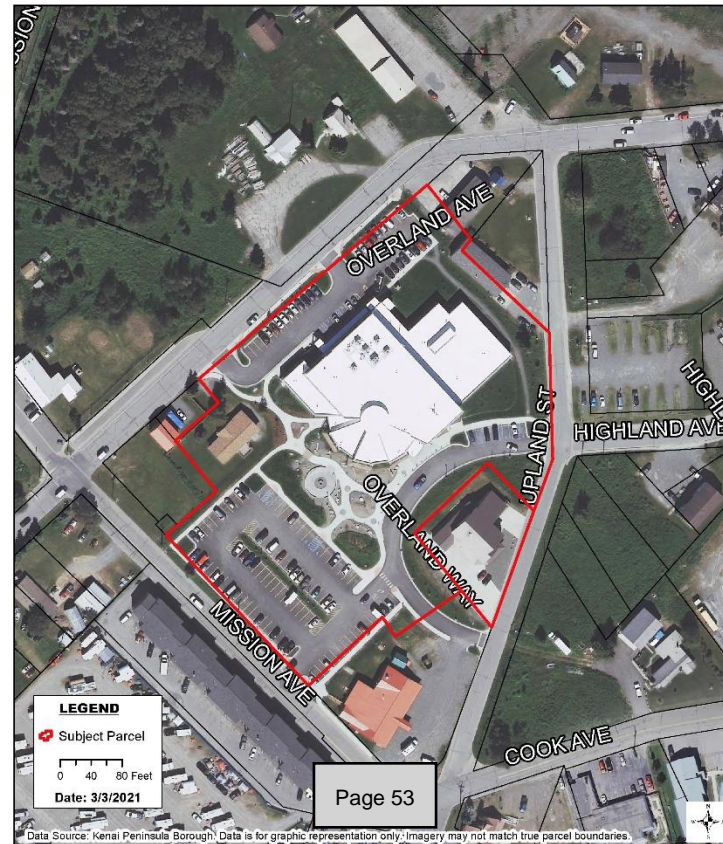
# 3. PRELIMINARY PLAT



# 4. AERIAL MAP



TRACT A AND LOT 22-A-1, BLOCK 5  
TOWNSHIP OF KENAI KENAITZE ADDN.  
Parcel 04707130 and 04707132  
508 Upland St. and 510 Upland St.



**File Attachments for Item:**

**1. Resolution PZ2021-05** - Application for a Conditional Use Permit for the breeding and sale of dogs, for the property described as Lot 4, Block 6, Valhalla Heights Subdivision Part 5, located at 140 Richfield Drive, Kenai, AI 99611. The application was submitted by Laura Pabst, 140 Richfield Drive, Kenai, AK 99611



**CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. 2021-05**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI  
**GRANTING** A CONDITIONAL USE PERMIT FOR BREEDING AND SALE OF DOGS.

APPLICANT: Laura Pabst

PROPERTY ADDRESS: 140 Richfield Drive

LEGAL DESCRIPTION: Lot 4, Block 6, Valhalla Heights Subdivision Part 5

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04932020

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on February 7, 2021; and,

WHEREAS, the applicant has demonstrated with plans and other documents that the prerequisites of a Conditional Use Permit have been met pursuant to Kenai Municipal Code 14.20.150; and,

WHEREAS, the City of Kenai Planning and Zoning Commission conducted a duly advertised public hearing on March 10, 2021, following requirements outlined in Kenai Municipal Code 14.20.280 for public hearings and notifications.

WHEREAS, the Planning and Zoning Commission finds:

1. *KMC 14.20.150(d)(1) The use is consistent with the purpose of this chapter and the purposes and intent of the zoning district;*

Criteria Met: The proposed commercial kennel meets the intent of the Rural Residential Zone (RR) to provide for low density residential development in outlying and rural areas in a form which creates a stable and attractive residential environment. The specific intent in establishing this zone is:

(1) To separate residential structures to an extent which will:

- a. Preserve the rural, open quality of the environment;
- b. Prevent health hazards in areas not served by public water and sewer.

(2) To prohibit uses which would:

- a. Violate the residential character of the environment;
- b. Generate heavy traffic in predominantly residential areas.

The Land Use Table provides that commercial kennels are a conditional use; therefore, a conditional use permit must be granted to allow the breeding and sale of dogs. The applicant has provided a site plan that indicates that the outside areas where dogs would be located is completely fenced. The layout of the property is such that a kennel would not violate the neighborhood character of surrounding parcels, as there is sufficient space to accommodate the kennel.

2. *KMC 14.20.150(d)(2) The value of the adjoining property and neighborhood will not be significantly impaired;*

Criteria Met. The surrounding neighborhood is comprised of single family dwellings and vacant lots. The parcel is surrounded by trees on the South and West boundaries and Richfield Drive lies to the East of the property. The lots to the South and West of the parcel are currently vacant. The tree line should serve as a buffer for any potential noise from the dogs.

3. *KMC 14.20.150(d)(3) The proposed use is in harmony with the Comprehensive Plan;*

Criteria Met. The Comprehensive Plan has goals to support businesses and economic development and to provide a high quality of life within the City. The applicant states that the primary purpose for breeding dogs is to improve the breed standard. The sale of any puppies is secondary. The applicant stated that she will be occasionally breeding dogs with potential for improving the breed standard. Given that scenario, it is determined that the dog breeding will not impair the quality of life within the neighborhood.

4. *KMC 14.20.150(d)(4) Public services and facilities are adequate to serve the proposed use;*

Criteria Met. The properties located along Richfield Drive are served by private wells and septic systems, and have access to natural gas, electricity and telephone services. Richfield Drive is a gravel road which is maintained by the City of Kenai. The operation of a commercial kennel would not have an impact on these services.

5. *KMC 14.150(d)(5) The proposed use will not be harmful to the public safety, health or welfare;*

Criteria Met: A commercial kennel will not be harmful to the public safety, health and welfare. The applicant has provided a site plan that indicates that the outside areas where dogs would be located is completely fenced and that dogs are never left unattended outside.

6. *KMC 14.150(d)(6) Any and all specific conditions deemed necessary by the Commission to fulfill the above-mentioned conditions should be met by the applicant. These may include, but are not limited to, measures relative to access, screening, site development, building design, operation of the use and other similar aspects related to the proposed use.*

See Conditions of Approval as set forth below.



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

**Section 1.** That a conditional use permit is granted to Laura Pabst for the breeding and sale of dogs on Lot 4, Block 6, Valhalla Heights Subdivision Part 5 located at 140 Richfield Drive.

**Section 2.** That the conditional use 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 operation, the applicant must obtain a commercial kennel license from Animal Control, pursuant to Kenai Municipal Code 3.05.10(7)(A).
3. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31<sup>st</sup> day of December of each year.
4. The applicant will meet with City staff for on-site inspections when requested.
5. If there is a change of use for the above described property a new Conditional Use Permit must be obtained, pursuant to 14.20.150(i)(5).
6. Pursuant to KMC 14.20.150(i)(2), this permit shall expire automatically upon termination or interruption of the use for a period of at least one year.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 10th day of March, 2021.

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

ATTEST:

\_\_\_\_\_  
JAMIE HEINZ, CMC, 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 3, 2021  
**SUBJECT:** PZ2021-05 – Conditional Use Permit – Breeding and Sale of Dogs

---

Applicant: Laura Pabst  
140 Richfield Drive  
Kenai, Alaska 99611

Legal Description: Lot 4, Block 6, Valhalla Heights Subdivision Part 5

Property Address: 140 Richfield Drive

KPB Parcel No: 04932020

Lot Size: .44 Acres (19,166 square feet)

Existing Zoning: Rural Residential

Current Land Use: Single Family Dwelling

Land Use Plan: Suburban Residential

### GENERAL INFORMATION

The applicant would like to breed and sell dogs from her residence located at 140 Richfield Drive. The residence is located in the Rural Residential zone. Kenai Municipal Code 14.22.010 – Land Use Table provides that a commercial kennel is a conditional use; therefore, the property owner has submitted an application for a Conditional Use Permit. Kenai Municipal Code 3.05 General Provisions – “Kennel, commercial” means premises where four (4) or more dogs over four (4) months of age are owned, kept, boarded, bred and/or offered for sale. Accordingly, the applicant has also submitted an application for a commercial kennel permit to Animal Control. JJ Hendrickson, Animal Control Officer, is in the process of reviewing the application.

### Application, Public Notice, Public Comment

Pursuant to Kenai Municipal Code 14.20.280(c) notices of the public hearing for the conditional use were mailed to property owners within a three hundred-foot (300') periphery 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 conditional use request.

## ANALYSIS

### Kenai Municipal Code 14.20.150(d) – Review Criteria for Conditional Use Permits

Pursuant to KMC 14.20.150(a), the intent of a conditional use permit is to allow some uses that may be compatible with the designated principal uses in specific zoning districts provided certain conditions are met. KMC 14.20.150(d)-Conditional Use Permits Review Criteria states six conditions that the Planning and Zoning Commission must deem to exist when establishing findings prior to issuing a conditional use permit:

***Criteria # 1: The use is consistent with the purpose of this chapter and the purposes and intent of the zoning district.***

Applicant Response: We are a small show kennel. Dogs are titled and some are in the top 20 for their breeds in the USA. We have occasional litters from 100% health tested parents. We are not a big breeding facility breeding for prophet.

Staff Response: The proposed commercial kennel meets the intent of the Rural Residential Zone (RR) to provide for low density residential development in outlying and rural areas in a form which creates a stable and attractive residential environment. The specific intent in establishing this zone is:

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

The Land Use Table provides that commercial kennels are a conditional use; therefore, a conditional use permit must be granted to allow the breeding and sale of dogs. The applicant has provided a site plan that indicates that the outside areas where dogs would be located is completely fenced. The layout of the property is such that a kennel would not violate the neighborhood character of surrounding parcels, as there is sufficient space to accommodate the kennel.

***Criteria #2: The value of the adjoining property and neighborhood will not be significantly impaired.***

Applicant Response: We make sure our dog areas are clean and if the dogs start to bark they are brought in. There is a tree line on 2 sides of our house and a road on one side.

Page 2 of 4



Staff Response: The surrounding neighborhood is comprised of single family dwellings and vacant lots. The parcel is surrounded by trees on the South and West boundaries and Richfield Drive lies to the East of the property. The lots to the South and West of the parcel are currently vacant. The tree line should serve as a buffer for any potential noise from the dogs.

***Criteria #3: The proposed use is in harmony with the Comprehensive Plan.***

Applicant Response: We are not in conflict of any City Plans.

Staff Response: The Comprehensive Plan has goals to support businesses and economic development and to provide a high quality of life within the City. The applicant states that the primary purpose for breeding dogs is to improve the breed standard. The sale of any puppies is secondary. The applicant stated that she will be occasionally breeding dogs with potential for improving the breed standard. Given that scenario, it is determined that the dog breeding will not impair the quality of life within the neighborhood.

***Criteria #4: Public services and facilities are adequate to serve the proposed use.***

Applicant Response: The utilities at the residence are enough for our program. We are not “open to the public”. Our dogs can be seen at training classes, shows, trials and at my job at Soldotna Animal Hospital.

Staff Response: The properties located along Richfield Drive are served by private wells and septic systems, and have access to natural gas, electricity and telephone services. Richfield Drive is a gravel road which is maintained by the City of Kenai. The operation of a commercial kennel would not have an impact on these services.

***Criteria #5: The proposed use will not be harmful to the public safety, health or welfare.***

Applicant Response: Our dogs are all well trained and socialized. We train in and teach classes with the Kenai Kennel Club. Our dogs have been used for deminstrations at these classes.

Staff Response: A commercial kennel will not be harmful to the public safety, health and welfare. The applicant has provided a site plan that indicates that the outside areas where dogs would be located is completely fenced and that dogs are never left unattended outside.

***Criteria # 6: Specific conditions deemed necessary.***

Applicant Response: Our dogs have large fenced areas for exercise and are never left unattended.

Staff Response: See Conditions of Approval as set forth below.



## RECOMMENDATIONS

City staff find that the applicant meets the criteria for issuance of a Conditional Use Permit as set forth in subsections (d)(1) through (d)(4) of Kenai Municipal Code 14.20.185, and hereby recommends that the Planning and Zoning Commission approve the Conditional Use 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 operation, the applicant must obtain a commercial kennel license from Animal Control, pursuant to Kenai Municipal Code 3.05.10(7)(A).
3. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31<sup>st</sup> day of December of each year.
4. The applicant will meet with City staff for on-site inspections when requested.
5. If there is a change of use for the above described property a new Conditional Use Permit must be obtained, pursuant to 14.20.150(i)(5).
6. Pursuant to KMC 14.20.150(i)(2), this permit shall expire automatically upon termination or interruption of the use for a period of at least one year.

## ATTACHMENTS

- A. Resolution No. PZ2021-05
- B. Application
- C. Site Plan
- D. Aerial Map





**CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. 2021-05**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI  
**GRANTING** A CONDITIONAL USE PERMIT FOR BREEDING AND SALE OF DOGS.

APPLICANT: Laura Pabst

PROPERTY ADDRESS: 140 Richfield Drive

LEGAL DESCRIPTION: Lot 4, Block 6, Valhalla Heights Subdivision Part 5

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04932020

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on February 7, 2021; and,

WHEREAS, the applicant has demonstrated with plans and other documents that the prerequisites of a Conditional Use Permit have been met pursuant to Kenai Municipal Code 14.20.150; and,

WHEREAS, the City of Kenai Planning and Zoning Commission conducted a duly advertised public hearing on March 10, 2021, following requirements outlined in Kenai Municipal Code 14.20.280 for public hearings and notifications.

WHEREAS, the Planning and Zoning Commission finds:

1. *KMC 14.20.150(d)(1) The use is consistent with the purpose of this chapter and the purposes and intent of the zoning district;*

Criteria Met: The proposed commercial kennel meets the intent of the Rural Residential Zone (RR) to provide for low density residential development in outlying and rural areas in a form which creates a stable and attractive residential environment. The specific intent in establishing this zone is:

(1) To separate residential structures to an extent which will:

- a. Preserve the rural, open quality of the environment;
- b. Prevent health hazards in areas not served by public water and sewer.

(2) To prohibit uses which would:

- a. Violate the residential character of the environment;
- b. Generate heavy traffic in predominantly residential areas.

The Land Use Table provides that commercial kennels are a conditional use; therefore, a conditional use permit must be granted to allow the breeding and sale of dogs. The applicant has provided a site plan that indicates that the outside areas where dogs would be located is completely fenced. The layout of the property is such that a kennel would not violate the neighborhood character of surrounding parcels, as there is sufficient space to accommodate the kennel.

2. *KMC 14.20.150(d)(2) The value of the adjoining property and neighborhood will not be significantly impaired;*

Criteria Met. The surrounding neighborhood is comprised of single family dwellings and vacant lots. The parcel is surrounded by trees on the South and West boundaries and Richfield Drive lies to the East of the property. The lots to the South and West of the parcel are currently vacant. The tree line should serve as a buffer for any potential noise from the dogs.

3. *KMC 14.20.150(d)(3) The proposed use is in harmony with the Comprehensive Plan;*

Criteria Met. The Comprehensive Plan has goals to support businesses and economic development and to provide a high quality of life within the City. The applicant states that the primary purpose for breeding dogs is to improve the breed standard. The sale of any puppies is secondary. The applicant stated that she will be occasionally breeding dogs with potential for improving the breed standard. Given that scenario, it is determined that the dog breeding will not impair the quality of life within the neighborhood.

4. *KMC 14.20.150(d)(4) Public services and facilities are adequate to serve the proposed use;*

Criteria Met. The properties located along Richfield Drive are served by private wells and septic systems, and have access to natural gas, electricity and telephone services. Richfield Drive is a gravel road which is maintained by the City of Kenai. The operation of a commercial kennel would not have an impact on these services.

5. *KMC 14.150(d)(5) The proposed use will not be harmful to the public safety, health or welfare;*

Criteria Met: A commercial kennel will not be harmful to the public safety, health and welfare. The applicant has provided a site plan that indicates that the outside areas where dogs would be located is completely fenced and that dogs are never left unattended outside.

6. *KMC 14.150(d)(6) Any and all specific conditions deemed necessary by the Commission to fulfill the above-mentioned conditions should be met by the applicant. These may include, but are not limited to, measures relative to access, screening, site development, building design, operation of the use and other similar aspects related to the proposed use.*

See Conditions of Approval as set forth below.

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

**Section 1.** That a conditional use permit is granted to Laura Pabst for the breeding and sale of dogs on Lot 4, Block 6, Valhalla Heights Subdivision Part 5 located at 140 Richfield Drive.

**Section 2.** That the conditional use 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 operation, the applicant must obtain a commercial kennel license from Animal Control, pursuant to Kenai Municipal Code 3.05.10(7)(A).
3. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31<sup>st</sup> day of December of each year.
4. The applicant will meet with City staff for on-site inspections when requested.
5. If there is a change of use for the above described property a new Conditional Use Permit must be obtained, pursuant to 14.20.150(i)(5).
6. Pursuant to KMC 14.20.150(i)(2), this permit shall expire automatically upon termination or interruption of the use for a period of at least one year.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 10th day of March, 2021.

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

ATTEST:

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





# Conditional Use 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:	Laura Rabst			
Mailing Address:	140 Richfield Dr			
City:	Kenai	State:	AK	Zip Code: 99611
Phone Number(s):	907-252-8280			
Email:	emailthingu2003@yahoo.com			

## PETITIONER REPRESENTATIVE (LEAVE BLANK IF NONE)

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

## PROPERTY INFORMATION

Kenai Peninsula Borough Parcel # (Property Tax ID):	04932020
Physical Address:	140 Richfield Dr Kenai, AK 99611
Legal Description:	Single Residence
Zoning:	Rural Residential
Acres:	0.44

## CONDITIONAL USE DESCRIPTION

(include site plan/floor plan with square footages)  
 (include State Business License and KPB Tax Compliance if applicable)

How is this property currently being used?	
--	--

Conditional Use Requested for (attach additional sheets if necessary):
We are a small Show Kennel. all of our Dogs are titled and some are in the top 20 for their Breeds in the USA We have Occasional Litters from 100% health tested Parents. we are not a big breeding facility breeding for prophet.

Explain how the conditional use is consistent with purposes and intent of the zoning district of the property:
--

our dogs are fenced at all times. They are never left outside unattended. If they start barking they are brought inside. We keep the dog yards as clean as possible.

Explain how the value of adjoining property and neighborhood will not be significantly impaired by the conditional use:
---

We make sure our dog areas are clean and if the dogs start to bark they are brought in. There is a tree line on 2 sides of our house and a Road on one side

Use of surrounding property - north:	one house
Use of surrounding property - south:	Tree Line
Use of surrounding property - east:	Road
Use of surrounding property - west:	Tree Line

Explain how the conditional use is in harmony with the City's Comprehensive Plan:

We are not in conflict of any City Plans

Are public services and facilities on the property adequate to serve the proposed conditional use?

\* our dogs are all well Trained and Socialized. We Train in and Teach Classes with the Kenai Kennel Club. our dogs have been used for deminstrations at these Classes.

Explain how the conditional use will not be harmful to public safety, health, or welfare:

\* The utilities at the residence are enough for our program. we are not "open to the Public." our Dogs Can be seen at training Classes, Shows, Trials and at my Job at Soldotna Animal Hospital

Are there any measures with access, screening, site development, building design, or business operation that will lessen potential impacts of the conditional use to neighbors?

Our dogs have Large Fenced areas For Exercise and are never Left unattended.

**AUTHORITY TO APPLY FOR CONDITIONAL USE:**

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 conditional use 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 conditional use. 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:	<i>Jane Pabst</i>	Date:	2/7/21
Print Name:	Laura Pabst	Title/Business:	

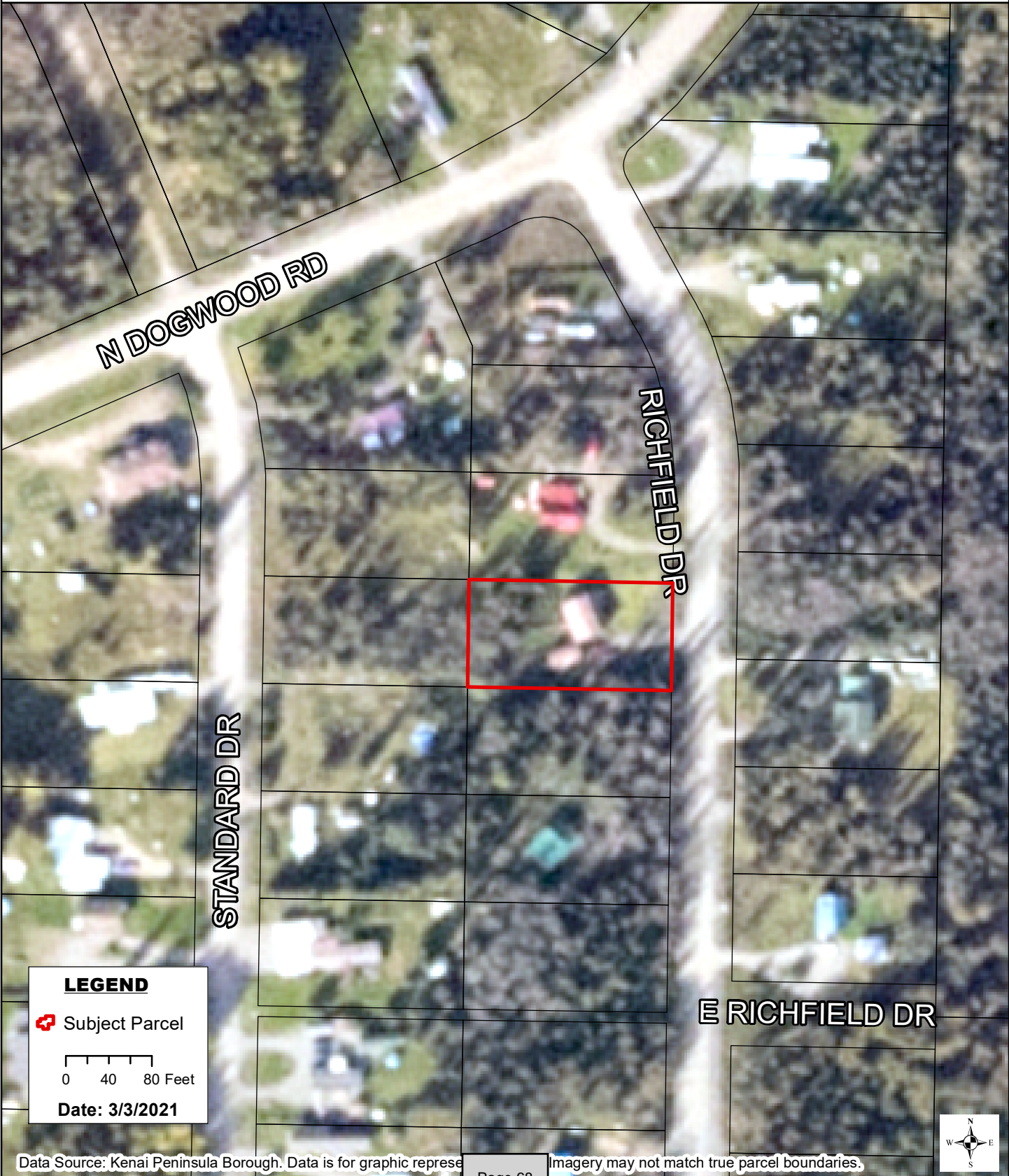
**For City Use Only**

Date Application Fee Received:  
PZ Resolution Number:





**PZ2021-05 - CONDITIONAL USE PERMIT**  
**KPB # 04932020**  
**140 Richfield Drive**  
**Lot 4, Blk. 6, Valhalla Heights Subd. Part 5**



# PLANNING & ZONING COMMISSION

Resolution PZ2021-05 – Conditional Use Permit – Breeding and Sale of Dogs

140 Richfield Drive

# SUMMARY

**Applicant:** Laura Pabst  
140 Richfield Drive  
Kenai, Alaska 99611

**Legal Description:** Lot 4, Block 6, Valhalla Heights Subdivision Part 5

**Property Address:** 140 Richfield Drive

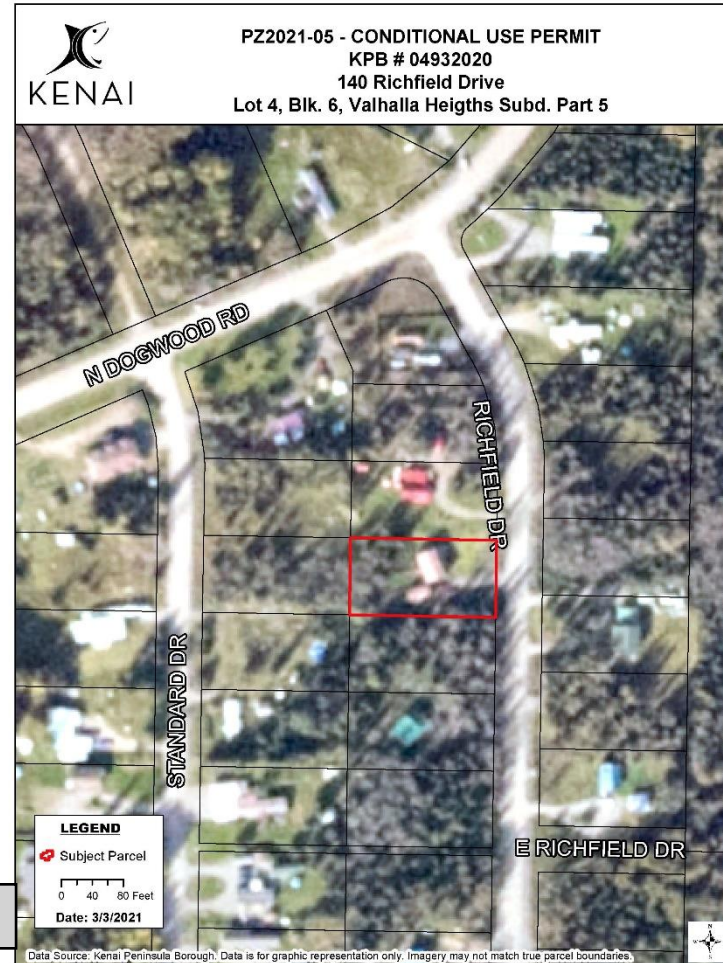
**KPB Parcel No:** 04932020

**Lot Size:** .44 Acres (19,166 square feet)

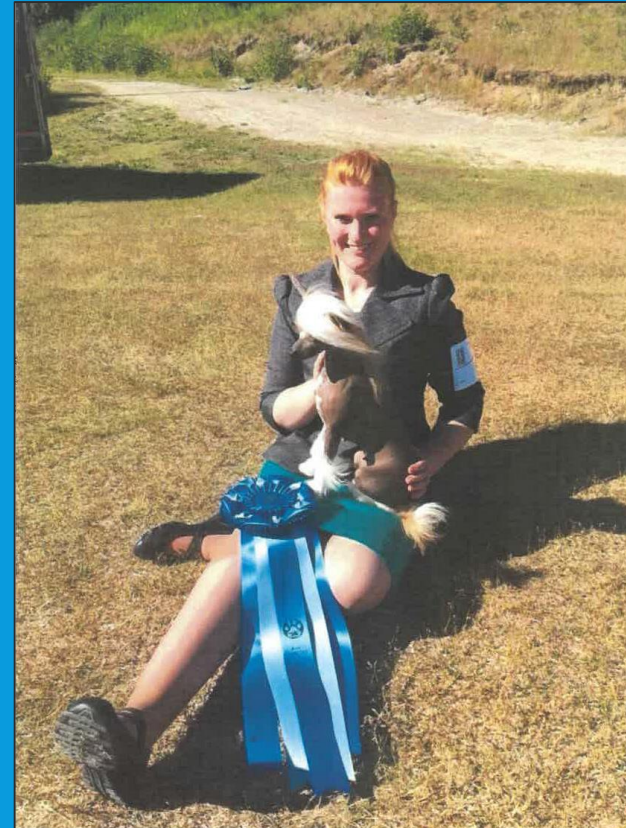
**Existing Zoning:** Rural Residential

**Current Land Use:** Single Family Dwelling Unit

**Land Use Plan:** Suburban Residential



# SUMMARY



# SITE PLAN

- Site plan identifies fenced dog yards.





# STAFF ANALYSIS

- Kenai Municipal Code 14.20.150(d) – Review Criteria for Conditional Use Permits
- Pursuant to KMC 14.20.150(a), the intent of a conditional use permit is to allow some uses that may be compatible with the designated principal uses in specific zoning districts provided certain conditions are met. KMC 14.20.150(d)- Conditional Use Permits Review Criteria states six conditions that the Planning and Zoning Commission must deem to exist when establishing findings prior to issuing a conditional use permit:

# REVIEW CRITERIA

- *Criteria #1: The use is consistent with the purpose of this chapter and the purposes and intent of the zoning district.*
- *Criteria #2: The value of the adjoining property and neighborhood will not be significantly impaired.*
- *Criteria #3: The proposed use is in harmony with the Comprehensive Plan.*
- *Criteria #4: Public services and facilities are adequate to serve the proposed use.*
- *Criteria #5: The proposed use will not be harmful to the public safety, health or welfare.*
- *Criteria #6: Specific conditions deemed necessary.*

# RECOMMENDATIONS

- City staff find that the applicant meets the criteria for issuance of a Conditional Use Permit as set forth in subsections (d)(1) through (d)(4) of Kenai Municipal Code 14.20.185, and hereby recommends that the Planning and Zoning Commission approve the Conditional Use 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 operation, the applicant must obtain a commercial kennel license from Animal Control, pursuant to Kenai Municipal Code 3.05.10(7)(A).
  3. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year.
  4. The applicant will meet with City staff for on-site inspections when requested.
  5. If there is a change of use for the above described property a new Conditional Use Permit must be obtained, pursuant to 14.20.150(i)(5).
  6. Pursuant to KMC 14.20.150(i)(2), this Page 75 it shall expire automatically upon termination or interruption of the use for a period of at least one year.

# ATTACHMENTS

- A. Resolution
- B. Application
- C. Site Plan
- D. Aerial Map

# A. RESOLUTION



CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. 2021-05

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI  
GRANTING A CONDITIONAL USE PERMIT FOR BREEDING AND SALE OF DOGS.

APPLICANT: Laura Pabst

PROPERTY ADDRESS: 140 Richfield Drive

LEGAL DESCRIPTION: Lot 4, Block 6, Valhalla Heights Subdivision Part 5

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04932020

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on February 7, 2021; and,

WHEREAS, the applicant has demonstrated with plans and other documents that the prerequisites of a Conditional Use Permit have been met pursuant to Kenai Municipal Code 14.20.150; and,

WHEREAS, the City of Kenai Planning and Zoning Commission conducted a duly advertised public hearing on March 10, 2021, following requirements outlined in Kenai Municipal Code 14.20.280 for public hearings and notifications.

WHEREAS, the Planning and Zoning Commission finds:

1. *KMC 14.20.150(d)(1) The use is consistent with the purpose of this chapter and the purposes and intent of the zoning district;*

Criteria Met: The proposed commercial kennel meets the intent of the Rural Residential Zone (RR) to provide for low density residential development in outlying and rural areas in a form which creates a stable and attractive residential environment. The specific intent in establishing this zone is:

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

Resolution No. PZ2021-05  
Page 2 of 3

The Land Use Table provides that commercial kennels are a conditional use; therefore, a conditional use permit must be granted to allow the breeding and sale of dogs. The applicant has provided a site plan that indicates that the outside areas where dogs would be located is completely fenced. The layout of the property is such that a kennel would not violate the neighborhood character of surrounding parcels, as there is sufficient space to accommodate the kennel.

2. *KMC 14.20.150(d)(2) The value of the adjoining property and neighborhood will not be significantly impaired;*

Criteria Met. The surrounding neighborhood is comprised of single family dwellings and vacant lots. The parcel is surrounded by trees on the South and West boundaries and Richfield Drive lies to the East of the property. The lots to the South and West of the parcel are currently vacant. The tree line should serve as a buffer for any potential noise from the dogs.

3. *KMC 14.20.150(d)(3) The proposed use is in harmony with the Comprehensive Plan;*

Criteria Met. The Comprehensive Plan has goals to support businesses and economic development and to provide a high quality of life within the City. The applicant states that the primary purpose for breeding dogs is to improve the breed standard. The sale of any puppies is secondary. The applicant stated that she will be occasionally breeding dogs with potential for improving the breed standard. Given that scenario, it is determined that the dog breeding will not impair the quality of life within the neighborhood.

4. *KMC 14.20.150(d)(4) Public services and facilities are adequate to serve the proposed use;*

Criteria Met. The properties located along Richfield Drive are served by private wells and septic systems, and have access to natural gas, electricity and telephone services. Richfield Drive is a gravel road which is maintained by the City of Kenai. The operation of a commercial kennel would not have an impact on these services.

5. *KMC 14.150(d)(5) The proposed use will not be harmful to the public safety, health or welfare;*

Criteria Met: A commercial kennel will not be harmful to the public safety, health and welfare. The applicant has provided a site plan that indicates that the outside areas where dogs would be located is completely fenced and that dogs are never left unattended outside.

6. *KMC 14.150(d)(6) Any and all specific conditions deemed necessary by the Commission to fulfill the above-mentioned conditions should be met by the applicant. These may include, but are not limited to, measures relative to access, screening, site development, building design, operation of the use and other similar aspects related to the proposed use.*

See Conditions of Approval as set forth below.

# A. RESOLUTION CONTINUED

Resolution No. PZ2021-05  
Page 3 of 3

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

**Section 1.** That a conditional use permit is granted to Laura Pabst for the breeding and sale of dogs on Lot 4, Block 6, Valhalla Heights Subdivision Part 5 located at 140 Richfield Drive.

**Section 2.** That the conditional use 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 operation, the applicant must obtain a commercial kennel license from Animal Control, pursuant to Kenai Municipal Code 3.05.10(7)(A).
3. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31<sup>st</sup> day of December of each year.
4. The applicant will meet with City staff for on-site inspections when requested.
5. If there is a change of use for the above described property a new Conditional Use Permit must be obtained, pursuant to 14.20.150(i)(5).
6. Pursuant to KMC 14.20.150(i)(2), this permit shall expire automatically upon termination or interruption of the use for a period of at least one year.


PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 10th day of March, 2021.

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

ATTEST:

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

# B. APPLICATION

	<b>Conditional Use Permit Application</b>		City of Kenai Planning and Zoning Department 210 Fidalgo Avenue Kenai, AK 99511 (907) 293-8200 planning@kenai.city www.kenai.city/planning	
	<b>PROPERTY OWNER</b>			
Name:	Laura Rabst			
Mailing Address:	140 Richfield Dr			
City:	Kenai	State:	AK	Zip Code: 99161
Phone Number(s):	907-252-8280			
Email:	emailthingu2003@yahoo.com			
<b>PETITIONER REPRESENTATIVE (LEAVE BLANK IF NONE)</b>				
Name:				
Mailing Address:				
City:		State:		Zip Code:
Phone Number(s):				
Email:				
<b>PROPERTY INFORMATION</b>				
Kenai Peninsula Borough Parcel # (Property Tax ID):	04932020			
Physical Address:	140 Richfield Dr Kenai, AK 99161			
Legal Description:	Single Residence			
Zoning:	Rural Residential			
Acres:	.44			
<b>CONDITIONAL USE DESCRIPTION</b> (include site plan/floor plan with square footages) (include State Business License and KPB Tax Compliance if applicable)				
How is this property currently being used?				
Conditional Use Requested for (attach additional sheets if necessary):	We are a small Show Kennel. all of our Dogs are titled and some are in the top 20 for their Breeds in the USA. We have Occasional Litters from 100% health tested Parents. We are not a big breeding facility breeding for prophet.			
Explain how the conditional use is consistent with purposes and intent of the zoning district of the property:	our dogs are fenced at all times. They are never Left outside unattended. IF they start barking they are brought inside. We keep the dog yards as clean as possible.			
Explain how the value of adjoining property and neighborhood will not be significantly impaired by the conditional use:	We make sure our dog areas are clean and if the dogs start to bark they are brought in. There is a tree line on 2 sides of our house and a Road on one side.			

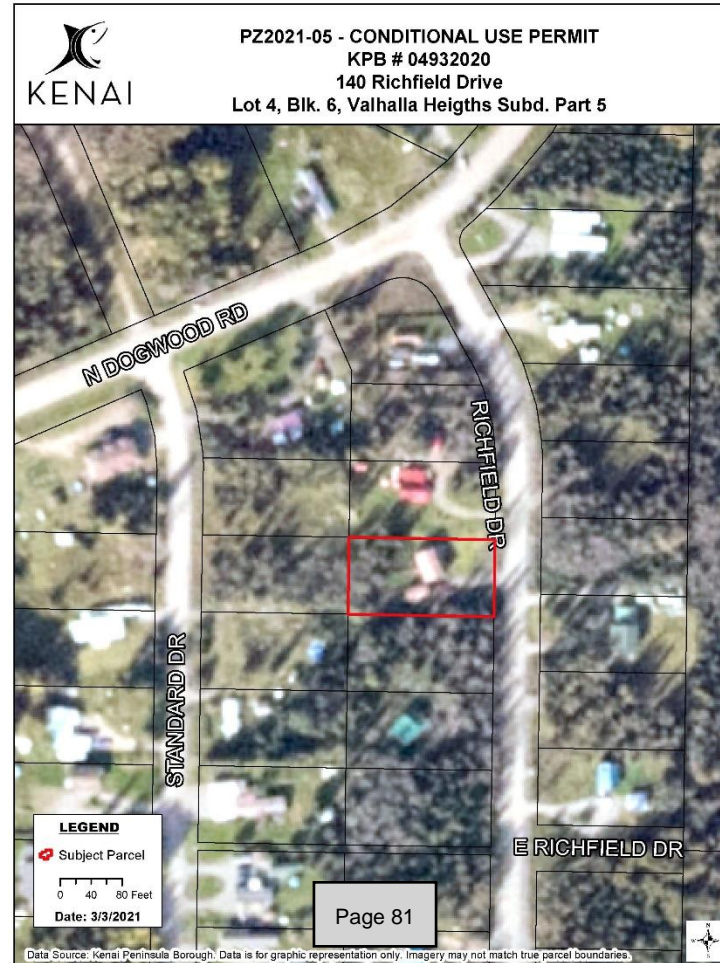
Use of surrounding property - north:	one house
Use of surrounding property - south:	Tree Line
Use of surrounding property - east:	Road
Use of surrounding property - west:	Tree Line
Explain how the conditional use is in harmony with the City's Comprehensive Plan:	
We are not in conflict of any City Plans	
Are public services and facilities on the property adequate to serve the proposed conditional use?	
* our dogs are all well Trained and Socialized. We Train in and Teach Classes with the Kenai Kennel Club. our dogs have been used for deminstrations at these Classes.	
Explain how the conditional use will not be harmful to public safety, health, or welfare:	
* The utilities at the residence are enough for our program. we are not "open to the Public." our Dogs Can be seen at training Classes, Shows, Trials and at my Job at Soldotna Animal Hospital	
Are there any measures with access, screening, site development, building design, or business operation that will lessen potential impacts of the conditional use to neighbors?	
Our dogs have Large Fenced areas For Exercise and are never Left unattended.	
<b>AUTHORITY TO APPLY FOR CONDITIONAL USE:</b> 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 conditional use 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 conditional use. 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:	Laura Rabst Date: 8/7/21
Print Name:	Laura Rabst Title/Business:
For City Use Only Date Application Fee Received: PZ Resolution Number:	

# C. SITE PLAN





# D. AERIAL MAP



**File Attachments for Item:**

1. City Council



## Kenai City Council - Regular Meeting

February 03, 2021 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

[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)*

1. **Brandy Niclai and Bill Lierman, Alaska Permanent Capital Management - 2020 Financial Performance, Financial Projections, and Recommended 2021 Asset Allocation for the City's Permanent Fund Investments.**

#### 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. 3179-2021** - Amending Positions in the Classified Service in the Public Works and Senior Center Departments as Established by the Annual Budget.
2. **ENACTED UNANIMOUSLY AS AMENDED. Ordinance No. 3180-2021** - Amending Kenai Municipal Code 3.05.070-Citation Procedure, and Kenai Municipal Code 13.10.015 – Minor Offense Fine Schedule to Incorporate Various Animal Control Offenses into the Minor Offense Fine Schedule and Make Other Housekeeping Changes.
3. **ENACTED UNANIMOUSLY. Ordinance No. 3181-2021** - Waiving Kenai Municipal Code 21.10.130 - Lease Execution and Approving a Lease Execution Extension to July 27, 2021 to Kenai Aviation Operations, LLC for Lot 9A, Block 5, General Aviation Apron Subdivision No. 5.

4. **ADOPTED UNANIMOUSLY. Resolution No. 2021-05** - Designating the Investment and Allocation Plan for the City's Permanent Funds and Establishing Appropriate Benchmarks to Measure Performance For Calendar Year 2021.
5. **ADOPTED UNANIMOUSLY. Resolution No. 2021-06** - Authorizing the City Manager to Enter Into an Amended Bar/Lounge Concession Agreement at the Kenai Municipal Airport with the Upper Deck Lounge.
6. **ADOPTED UNANIMOUSLY. Resolution No. 2021-07** - Adopting the City of Kenai's Capital Improvement Plan Priority List for State Funding Requests for the Fiscal Year 2022.

E. **MINUTES**

G. **NEW BUSINESS**

1. **APPROVED BY THE CONSENT AGENDA. \*Action/Approval** - Bills to be Ratified.
2. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 2/17/2021. \*Ordinance No. 3182-2021** - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue Fund for the 2021 Airport Sand Screening Project.
3. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 2/17/2021. \*Ordinance No. 3183-2021** - Increasing Estimated Revenues and Appropriations in the General Fund – Police Department, and Accepting a Grant From the US Department of Transportation Passed through the State of Alaska Department of Transportation and Public Facilities for Traffic Enforcement Overtime Expenditures.
4. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 2/17/2021. \*Ordinance No. 3184-2021** - Amending Kenai Municipal Code 23.30.050 – Business Hours and Hours of Work to Allow for Alternate Work Schedules in the Police Department.
5. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 2/17/2021. \*Ordinance No. 3185-2021** - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvements Capital Project Funds and Amending a Professional Services Agreement for the 2021 Airfield Drainage Rehabilitation Project at the Kenai Municipal Airport.
6. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 2/17/2021. \*Ordinance No. 3186-2021** - Increasing Estimated Revenues and Appropriations in the General Land Sale Permanent Fund to Transfer Earnings in Excess of Budgeted Amounts to the City's General Fund.
7. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 2/17/2021. \*Ordinance No. 3187-2021** - Increasing Estimated Revenues and Appropriations in the Airport Land Sale Permanent Fund to Transfer Earnings in Excess of Budgeted Amounts to the City's Airport Fund.
8. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 2/17/2021. \*Ordinance No. 3188-2021** - Increasing Estimated Revenues and Appropriations in the

Water and Sewer Special Revenue and Wastewater Treatment Plant Improvements Capital Project Funds for a Replacement Sludge Press.

9. ***INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 2/17/2021.***  
**\*Ordinance No. 3189-2021** - Increasing Estimated Revenues and Appropriations in the General Fund and the Public Safety Capital Project Fund to Provide Supplemental Funding to the Fire Department's Station Alerting Project and Authorizing a Purchase Order in Excess of \$15,000 to Kachemak Electric for Performance of the Work.
10. ***INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 2/17/2021.***  
**\*Ordinance No. 3190-2021** - Increasing Estimated Revenues and Appropriations in the General Fund and Authorizing a Grant Disbursement Program for Small Businesses that Did Not Previously Apply for Full Assistance from the City in 2020.
11. ***INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 2/17/2021.***  
**\*Ordinance No. 3191-2021** - Increasing Estimated Revenues and Appropriations in the General Fund to Provide Assistance to Kenai Residents Impacted by the COVID-19 Public Health Emergency with the Purchase of Groceries and Necessary Household Goods in Kenai and Award a Professional Service Agreement to the Kenai Chamber of Commerce and Visitors Center for Administration of the Program.
12. **Discussion** - COVID-19 Response.

**F. UNFINISHED BUSINESS**

**H. COMMISSION / COMMITTEE REPORTS**

1. Council on Aging
2. Airport Commission
3. Harbor Commission
4. Parks & Recreation Commission
5. Planning & 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. Alaska LNG ROW Leases

*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**

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**Meeting ID:** 827 6196 3751 **Passcode:** 225113

OR

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

**Meeting ID:** 827 6196 3751 **Passcode:** 225113



## Kenai City Council - Regular Meeting

February 17, 2021 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

[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. **ENACTED UNANIMOUSLY AS AMENDED. Ordinance No. 3191-2021** - Increasing Estimated Revenues and Appropriations in the General Fund to Provide Assistance to Kenai Residents Impacted by the COVID-19 Public Health Emergency with the Purchase of Groceries and Necessary Household Goods in Kenai and Award a Professional Service Agreement to the Kenai Chamber of Commerce and Visitors Center for Administration of the Program.
2. **ENACTED UNANIMOUSLY. Ordinance No. 3182-2021** - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue Fund for the 2021 Airport Sand Screening Project.
3. **ENACTED UNANIMOUSLY. Ordinance No. 3183-2021** - Increasing Estimated Revenues and Appropriations in the General Fund – Police Department, and Accepting a Grant From the US Department of Transportation Passed through the State of Alaska Department of Transportation and Public Facilities for Traffic Enforcement Overtime Expenditures.
4. **ENACTED UNANIMOUSLY. Ordinance No. 3184-2021** - Amending Kenai Municipal Code 23.30.050 – Business Hours and Hours of Work to Allow for Alternate Work Schedules in the Police Department.

5. **ENACTED UNANIMOUSLY. Ordinance No. 3185-2021** - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvements Capital Project Funds and Amending a Professional Services Agreement for the 2021 Airfield Drainage Rehabilitation Project at the Kenai Municipal Airport.
6. **ENACTED UNANIMOUSLY. Ordinance No. 3186-2021** - Increasing Estimated Revenues and Appropriations in the General Land Sale Permanent Fund to Transfer Earnings in Excess of Budgeted Amounts to the City's General Fund.
7. **ENACTED UNANIMOUSLY. Ordinance No. 3187-2021** - Increasing Estimated Revenues and Appropriations in the Airport Land Sale Permanent Fund to Transfer Earnings in Excess of Budgeted Amounts to the City's Airport Fund.
8. **ENACTED UNANIMOUSLY. Ordinance No. 3188-2021** - Increasing Estimated Revenues and Appropriations in the Water and Sewer Special Revenue and Wastewater Treatment Plant Improvements Capital Project Funds for a Replacement Sludge Press.
9. **ENACTED UNANIMOUSLY. Ordinance No. 3189-2021** - Increasing Estimated Revenues and Appropriations in the General Fund and the Public Safety Capital Project Fund to Provide Supplemental Funding to the Fire Department's Station Alerting Project and Authorizing a Purchase Order in Excess of \$15,000 to Kachemak Electric for Performance of the Work.
10. **ENACTED UNANIMOUSLY. Ordinance No. 3190-2021** - Increasing Estimated Revenues and Appropriations in the General Fund and Authorizing a Grant Disbursement Program for Small Businesses that Did Not Previously Apply for Full Assistance from the City in 2020.
11. **ADOPTED UNANIMOUSLY. Resolution No. 2021-08** - Awarding a Professional Services Contract at the Kenai Municipal Airport for Airport Security Guard Services.
12. **ADOPTED UNANIMOUSLY. Resolution No. 2021-09** - Further Extending the Disaster Emergency Declaration for the City of Kenai Made on March 18, 2020 in Response to the COVID-19 Health Emergency.

**E. MINUTES**

1. **APPROVED BY THE CONSENT AGENDA.** \*Regular Meeting of January 20, 2021.
2. **APPROVED BY THE CONSENT AGENDA.** \*Regular Meeting Minutes of February 3, 2021.

**F. UNFINISHED BUSINESS**

**G. NEW BUSINESS**

1. **APPROVED BY THE CONSENT AGENDA.** \*Action/Approval - Bills to be Ratified.
2. **APPROVED BY THE CONSENT AGENDA.** \*Action/Approval - Special Use Permit to State of Alaska - Division of Forestry for Apron Parking.



3. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 3/3/2021.**  
\*Ordinance No. 3192-2021 - 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.
4. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 3/3/2021.**  
\*Ordinance No. 3193-2021 - Accepting and Appropriating an Increase in the Title III Grant from the State of Alaska Department of Health and Social Services for Nutrition, Transportation and Support Services and a Grant from the United States Treasury Passed Through the State of Alaska Department of Health and Social Services to Support the Kenai Senior Center's Response to the COVID-19 Public Health Emergency.
5. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 3/3/2021.**  
\*Ordinance No. 3194-2021 - Accepting and Appropriating Insurance Proceeds for Damage to Wellhouse Number One in the Water and Sewer Capital Projects Fund, Authorizing a Budget Transfer in the Water and Sewer Special Revenue Fund – Water Department, and Appropriating the Estimated Residual Amount Needed to Relocate the Damaged Facility to the Water and Sewer Complex on Shotgun Drive in the Water and Sewer and Water and Sewer Capital Project Funds.
6. **APPOINTMENT OF GWEN WOODARD CONFIRMED. Action/Approval** - Confirmation of Gwen Woodard, Nominated by the Mayor to Fill a Vacancy on the Planning and Zoning Commission.
7. **APPOINTMENT OF BARBARA ROLAND CONFIRMED. Action/Approval** - Confirmation of Barbara Roland, Nominated by the Mayor to Fill a Vacancy on the Beautification Committee.
8. **APPROVED AS WRITTEN. Action/Approval** - Letter Supporting Bluff Erosion Project Funding.
9. **Discussion** - COVID-19 Response.

**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. State Department/Emergency Amendment Mask Implementation FAQ

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**Join Zoom Meeting**

<https://us02web.zoom.us/j/83445786942>

**Meeting ID:** 834 4578 6942 **Passcode:** 497332

OR

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

**Meeting ID:** 834 4578 6942 **Passcode:** 497332



## Kenai City Council - Regular Meeting

March 03, 2021 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

[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)*

1. **Tim Dillon** - Kenai Peninsula Economic Development District (KPEDD) Public Outreach and Engagement in the Development of the Kenai Peninsula's Comprehensive Economic Development Strategy.

#### 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. 3192-2021** - 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.
2. **ENACTED UNANIMOUSLY. Ordinance No. 3193-2021** - Accepting and Appropriating an Increase in the Title III Grant from the State of Alaska Department of Health and Social Services for Nutrition, Transportation and Support Services and a Grant from the United States Treasury Passed Through the State of Alaska Department of Health and Social Services to Support the Kenai Senior Center's Response to the COVID-19 Public Health Emergency.
3. **ENACTED UNANIMOUSLY. Ordinance No. 3194-2021** - Accepting and Appropriating Insurance Proceeds for Damage to Wellhouse Number One in the Water and Sewer Capital Projects Fund, Authorizing a Budget Transfer in the Water and Sewer Special Revenue

Fund – Water Department, and Appropriating the Estimated Residual Amount Needed to Relocate the Damaged Facility to the Water and Sewer Complex on Shotgun Drive in the Water and Sewer and Water and Sewer Capital Project Funds.

4. **ADOPTED UNANIMOUSLY. Resolution No. 2021-10** - Authorizing the City Manager to Execute a Professional Engineering Services Agreement for the Kenai Water, Sewer, and Waste Water SCADA Programming Services.
5. **ADOPTED UNANIMOUSLY. Resolution No. 2021-11** - Approving the Use of the Fleet Replacement Fund for the Purchase of a Fifteen Passenger Van for the Kenai Senior Center Utilizing the State of Alaska Equipment Fleet Contract.
6. **ADOPTED UNANIMOUSLY. Resolution No. 2021-12** - A Resolution of the Council of the City of Kenai, Alaska Approving Development Incentives Per Kenai Municipal Code 21.10.100 Temporary Development Incentives for a Lease of Airport Reserve Lands Between The City of Kenai and Soar International Ministries on Tract A-2, General Aviation Apron Subdivision No. 7.
7. **ADOPTED UNANIMOUSLY. Resolution No. 2021-13** - Requesting the US Secretary of Commerce Veto the North Pacific Fishery Management Council's Adoption of Measures that will Close Commercial Salmon Fishing in the Cook Inlet Exclusive Economic Zone.

**E. MINUTES**

1. **APPROVED BY THE CONSENT AGENDA.** \*Regular Meeting of February 17, 2021.

**F. UNFINISHED BUSINESS**

**G. NEW BUSINESS**

1. **APPROVED BY THE CONSENT AGENDA.** \*Action/Approval - Bills to be Ratified.
2. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 3/17/2021.** \*Ordinance No. 3195-2021 - Accepting and Appropriating Funds in the Airport Fund, and Accepting Grants from the Federal Aviation Administration Under the Coronavirus Response and Relief Supplemental Appropriation Act, 2021.
3. **APPOINTMENT OF SARAH DOUTHIT CONFIRMED. Action/Approval** - Confirmation of Sarah Douthit, Nominated by the Mayor to Fill a Vacancy on the Beautification Committee.
4. **Discussion** - Remote Electronic Participation in Council Meetings by Council Members and the Public.
5. **Discussion** - Water and Sewer Service Penalty, Interest, and Shutoffs for Non-Payment Beyond the COVID-19 Disaster Emergency Declaration.
6. **Discussion** - COVID-19 Response.

**H. COMMISSION / COMMITTEE REPORTS**

1. Council on Aging

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

**I. REPORT OF THE MAYOR**

**J. ADMINISTRATION REPORTS**

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

**K. ADDITIONAL PUBLIC COMMENT**

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

**L. EXECUTIVE SESSION**

**M. PENDING ITEMS**

**N. ADJOURNMENT**

**O. INFORMATION ITEMS**

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

*The agenda and supporting documents are posted on the City's website at [www.kenai.city](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/86891899097>

**Meeting ID:** 868 9189 9097 **Passcode:** 309458

OR

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

**Meeting ID:** 868 9189 9097 **Passcode:** 309458

**File Attachments for Item:**

2. Kenai Peninsula Borough Planning



# Planning Commission Final 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

Melanie Aeschliman, Planning Director • Charlie Pierce, Borough Mayor

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

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

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*Davin Chesser – Northwest Borough ~ Diane Fikes – City of Kenai ~ Virginia Morgan – East Peninsula ~ Franco Venuti – City of Homer*

**February 8, 2021  
7:30 p.m.**

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## **A. CALL TO ORDER**

## **B. ROLL CALL**

## **C. APPROVAL OF CONSENT AND REGULAR AGENDAS**

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

### **\*2. Planning Commission Resolutions**

Resolution 2021-02 vacate the following,

A) Two portions of sewer easement affected by a 2.9 foot encroachment of a house and a 1.5 foot encroachment of a deck.

B) Two portions of a 20 foot public utility easement affected by a 1.0 foot encroachment of a house and a 3.6 foot encroachment of a deck.

Easements of record are shown and/or noted on Virginia Lynn 2006 Replat, plat HM 2006-20; within Section 21, Township 6 South, Range 13 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File 2020-021V

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

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

**\*5. Plat Amendment Request****\*6. Commissioner Excused Absences**

- a. Robert Ruffner, Kasilof/Clam Gulch
- b. Cindy Ecklund, City of Seward

**\*7. Minutes**

- a. January 25, 2021 Planning Commission Work Session
- b. January 25, 2021 Planning Commission Meeting

**D. OLD BUSINESS**

1. Second Amendment to Ordinance 2020-45: An ordinance amending Kenai Peninsula Borough Code of Ordinances including Chapter 2.40-Planning Commission, Title 20-Subdivisions, Chapter 21.20-Hearing & Appeals to correct grammatical errors, clarify and improve certain administrative procedures.

**E. NEW BUSINESS**

1. Building Setback Exception  
Lot 1, Block 5 Homewood Subdivision (Plat KN 77-81)  
KPB File 2021-005; Resolution No 2021-04  
Location: On the corner of Birkenweg Street and Pinewood Avenue, Sterling area.
2. Vacate 30' by 273' right of way permit ADL 220394 adjoining the south boundary of Government Lot 17, Section 34, Township 8 North, Range 11 West as dedicated on ADL 220394. The right-of-way being vacated is developed and located within the NE1/4 SW1/4 of Section 34, Township 8 North, Range 11 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File 2020-156V. Nikiski Area
3. Resolution 2021-05 to finalize the following:  
Vacate the 66 foot wide public right of way easement within Lot 2B and Lot 3B Questa Woods Estates #6, plat SW 2003-14. The public right-of-way easement was labeled and granted as a 66-foot wide section line easement per Questa Woods Estates #6, Plat SW 2003-14. The right of way being vacated is unconstructed and located within the SE 1/4 of Section 14, Township 1 North, Range 1 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File 2020-094V.
4. Conditional Use Permit; PC Resolution 2021-03: To construct a 22.5' x 34' principal structure within the Habitat Protection District of Lot 105 Poacher Cove Planned Unit Development Amended; Petitioner: Mark Baumgartner
5. Ordinance 2021- \_\_, Approving the Transfer of Assets from Niniichik Emergency Services, Inc. to the Kenai Peninsula Borough on Behalf of the Newly Expanded Fire & Emergency Medical Service Area (Mayor)

**F. UNFINISHED BUSINESS****G. PLAT COMMITTEE REPORT** - Plat Committee will review 4 plats.**H. OTHER****I. 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)



**J. LEGAL REPRESENTATIVE COMMENTS**

**K. DIRECTOR'S COMMENTS**

**L. COMMISSIONER COMMENTS**

**M. ADJOURNMENT**

**MISCELLANEOUS INFORMATIONAL ITEMS**

**NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING**

The next regularly scheduled Planning Commission meeting will be held **Monday, February 22, 2021** 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.**

**ADVISORY PLANNING COMMISSION MEETINGS**

ADVISORY COMMISSION	MEETING LOCATION	DATE	TIME
Anchor Point	Anchor Point Chamber of Commerce	TBD	
Cooper Landing	Zoom	TBD	
Funny River	Funny River Community Center	TBD	
Kalifornsky	Zoom	TBD	
Kachemak Bay	Zoom	TBD	
Moose Pass	Moose Pass Community Hall	TBD	
Hope / Sunrise	Zoom	TBD	

**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

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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.



# Plat Committee Final 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

Melanie Aeschliman, Planning Director • Charlie Pierce, Borough Mayor  
*Paulette Bokenko-Carluccio, – City of Seldovia ~ Diane Fikes – City of Kenai*  
*Jeremy Brantley – Sterling ~ Pamela Gillham – Ridge Way*  
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**\*1. Agenda**

**\*2. Member / Alternate Excused Absences**

**\*3. Minutes**

**D. OLD BUSINESS**

**E. NEW BUSINESS**

1. Surreal Subdivision 2021  
KPB File: 2021-002; [Ability Surveys / Cabbage, Maxon]  
Location: Off Elliott Ave, Zeld Flo St. & Diamond Ridge Rd.  
Diamond Ridge Area  
Kachemak Bay APC
2. River Acres Subdivision  
KPB File 2021-004; [Edge Survey & Design / Swanson]  
Location: Kasilof River Accessible  
Cohoe Area

3. Gerhart Homestead 2020 Replat  
KPB File: 2020-149;  
Segesser Surveys / Wright Family 2000 Trust, King Salmon Hospitality  
Location: Kenai Spur Hwy., E. Marydale Ave. & Arbor St.  
City of Soldotna
4. Sleepy Hollow Longmere Landing Addition  
KPB File: 2021-003; [Segesser Surveys / Bangerter]  
Location: On Walton Way  
Sterling Area

**F. PUBLIC COMMENT**

**G. ADJOURNMENT**

**MISCELLANEOUS INFORMATIONAL ITEMS**

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# Planning Commission Final Agenda

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- \*1. Time Extension Request – None**
- \*2. Planning Commission Resolutions - None**
- \*3. Plats Granted Administrative Approval**
  - a. Tutl'Uh Subdivision; KPB File 2020-130
- \*4. Plats Granted Final Approval (20.10.040) - None**
- \*5. Plat Amendment Request - None**
- \*6. Commissioner Excused Absences**
  - a. Cindy Ecklund, City of Seward
  - b. Robert Ruffner, Kasilof/Clam Gulch
- \*7. Minutes**
  - a. February 8, 2021 Planning Commission Meeting

**D. OLD BUSINESS - None**

**E. NEW BUSINESS**

1. Utility Easement Vacation: PC Resolution 2021-01: Vacate a 5' x 5' area, centered on the existing well, within the 5' underground utility easement adjoining the south boundary of Lot 14 Block 2, granted by Mackey Lake Subdivision Addition No. 1 Part 3 (Plat KN 74-92); within SEC 14, T05N, R10W, S.M., AK.; KPB File 2021-001V; Petitioners: Darrel W. & Susan E. Christensen
2. Utility Easement Vacation: Vacate a 10' utility easement and anchor easement within Lot 6 & Lot 7 Kimbrel Subdivision (Plat KN 82-63) located within SEC 27, T04N, R11W, S.M., AK; KPB File 2020-150V; Petitioners: Amundsen Educational Center of Soldotna, AK
3. Conditional Land Use Permit: Material Extraction; Parcel Number: 211-250-06; Location: SEC 36, T09N, R15W, S.M., AN 0900088 AK State Cadastral Survey 90-132 E1/2; Applicant: Hilcorp Alaska, LLC; Owner: Hilcorp Alaska, LLC
4. Ordinance 2020-19-20: Appropriating \$63,791.65 from the Equipment Replacement Fund for imagery acquisition and approving a sole source award to EagleView for the purchase and implementation of pictometry imagery.
5. Ordinance 2021-08: Authorizing leases of space at the Kenai River Center building with the State of Alaska Department of Fish & Game and Department of Natural Resources and repealing Ordinance 2020-30
6. Ordinance 2021-09: Authorizing a Community Trail Management Agreement with Snomads, Inc.

**F. PLAT COMMITTEE REPORT - Plat Committee will review 5 Plats**

**G. OTHER**

1. Memo – Street Name Changes in the Clam Gulch Area

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

**I. DIRECTOR'S COMMENTS**

**J. COMMISSIONER COMMENTS**

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**MISCELLANEOUS INFORMATIONAL ITEMS**

**NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING**

The next regularly scheduled Planning Commission meeting will be held **Monday, March 15, 2021** 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.**

**ADVISORY PLANNING COMMISSION MEETINGS**

<b>ADVISORY COMMISSION</b>	<b>MEETING LOCATION</b>	<b>DATE</b>	<b>TIME</b>
Anchor Point	Zoom	March 11, 2021	7:00 PM
Cooper Landing	Zoom	March 10, 2021	6:00 PM
Funny River	Zoom	March 10, 2021	7:00 PM
Kalifornsky	Zoom	March 10, 2021	6:00 PM
Kachemak Bay	Zoom	March 11, 2021	7:00 PM
Moose Pass	Zoom	TBD	
Hope / Sunrise	Zoom	March 10, 2021	7:00 PM

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**\*1. Agenda**

**\*2. Member / Alternate Excused Absences - None**

**\*3. Minutes**

- a. February 8, 2021 Plat Committee Meeting Minutes

**D. OLD BUSINESS - None**

**E. NEW BUSINESS**

1. Beaver Creek Alaska Subdivision 2020 Replat  
KPB File 2021-006; [Segesser Surveys/Freedom Indeed, LLC & Luke Saven, LLC]  
Location: Kenai Spur Hwy. & Beaver Loop Rd.  
City of Kenai
2. Big Dipper Ranch  
KPB File: 2020-153; [Seabright Surveying/Alred]  
Location: Off Big Dipper Ranch Rd.; Fritz Creek Area  
Kachemak Bay APC

3. Goodrich Acres Sanchis Replat  
KPB File 2021-008; [Edge Survey & Design/Sanchis]  
Location: Echo Lake Rd., Moose Run Ave. & Retirement St.; Kalifornsky Area  
Kalifornsky APC
4. Illiamna View Subdivision 2020 Replat  
KPB File 2021-009; [McLane Consulting Group/Heus]  
Location: Kenai Spur Hwy. to Strawberry Rd. to Kenaitze Ct. to I St. SE  
City of Kenai
5. Immanuel Subdivision  
KPB File 2021-007; [McLane Consulting Group/Hall]  
Location: Holt Lamplight Rd. & DeBusk Dr.  
Nikiski Area

**F. PUBLIC COMMENT**

**G. ADJOURNMENT**

**MISCELLANEOUS INFORMATIONAL ITEMS**

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