



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

September 25, 2024 – 7:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

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

Agenda

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. **Election of Vice Chair**
4. Approval of the Agenda and Consent Agenda (*Public comments on Consent Agenda Items 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 Commission and will be approved by one motion. There will be no separate discussion of these items unless a Commission Member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda as part of the General Orders.

B. APPROVAL OF MINUTES

1. *Regular Meeting of September 11, 2024

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 PZ2024-21** – Recommending Approval on Preliminary Plat – Valhalla Heights 2024 Addition for a Replat of Lots 4 and 7, Block 2, of the Valhalla Heights Subdivision Part 2 and Lot 5A-1, Block 2, of the Valhalla Heights Subdivision Wisniewski Second Addition Located in the Limited Commercial (LC) and Rural Residential (RR) Zoning Districts.

F. PUBLIC HEARINGS

G. UNFINISHED BUSINESS

H. NEW BUSINESS

I. REPORTS

1. Planning Director
2. Commission Chair
3. Kenai Peninsula Borough Planning
4. City Council Liaison

J. ADDITIONAL PUBLIC COMMENT *(Public comment limited to five (5) minutes per speaker)*

K. NEXT MEETING ATTENDANCE NOTIFICATION

1. Next Meeting: October 9, 2024

L. COMMISSION COMMENTS AND QUESTIONS

M. PENDING ITEMS

N. ADJOURNMENT

O. INFORMATIONAL ITEMS

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

Registration is required to join the meeting remotely through Zoom. Please use the link below to register:

<https://us02web.zoom.us/meeting/register/tZEvcu-gpzlrGd04sTgw30voRkoVuCO7bdeB>

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
SEPTEMBER 11, 2024 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR JOE HALSTEAD, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai Planning & Zoning Commission was held on September 11, 2024, in City Hall Council Chambers, Kenai, AK. Chair Halstead called the meeting to order at approximately 7:00 p.m.

1. Pledge of Allegiance

Chair Halstead led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Joe Halstead, Chair
Glenese Pettey
Jeff Twait
Gwen Woodard

John Coston, Vice Chair
Sonja Earsley
Diane Fikes

A quorum was present.

Also in attendance were:

Brandon McElrea, Acting Planning Director
Alex Douthit, City Council Liaison
Meghan Thibodeau, Deputy City Clerk

3. Approval of Agenda and Consent Agenda

MOTION:

Commissioner Twait **MOVED** to approve the agenda and consent agenda. Commissioner Woodard **SECONDED** the motion.

The items on the Consent Agenda were read into the record.

Chair Halstead opened the floor for public comment on consent agenda items; there being no one wishing to be heard, the public comment period was closed.

UNANIMOUS CONSENT was requested.

There being no objection; **SO ORDERED**.

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

B. APPROVAL OF MINUTES

1. *Regular Meeting of August 14, 2024

Approved by the consent agenda.

C. **SCHEDULED PUBLIC COMMENTS** - None.

D. **UNSCHEDULED PUBLIC COMMENTS** - None.

E. **CONSIDERATION OF PLATS**

1. **Resolution No. PZ2024-20** – Recommending Approval on Preliminary Plat – Highlands Subdivision Evans Replat for a Replat of Lots 2 and 3, Block 1 of the Highlands Subdivision located in the Rural Residential (RR) Zoning District.

MOTION:

Commissioner Twait **MOVED** to approve Resolution PZ2024-20. Commissioner Fikes **SECONDED** the motion.

Acting Planning Director McElrea provided an overview of the staff report as included in the packet and attached to Resolution No. PZ2024-20, and explained the purpose of the replat was to merge two lots into a single lot. Staff's findings were reviewed, and it was noted that staff's recommendation is approval subject to the condition specified within the staff report as attached to Resolution No. PZ2024-20.

UNANIMOUS CONSENT was requested.
There being no objection; **SO ORDERED.**

F. **PUBLIC HEARINGS**

G. **UNFINISHED BUSINESS** - None.

H. **NEW BUSINESS**

1. ***Action/Approval** – Requesting an Excused Absence for the August 14, 2024 Regular Meeting – Pettey

Approved by the consent agenda.

2. ***Action/Approval** – Recommending Approval of a Lease of Airport Reserve Land for the Property Described as Lot 4, Block 1, FBO Subdivision.

Approved by the consent agenda.

I. **REPORTS**

1. Planning Director – Acting Planning Director McElrea reported on the following:
 - New Planning Director has been hired, first day will be in October; McElrea is Acting Director in the meantime.
2. Commission Chair – Reported that the appeals have been received for the applications denied at the previous Planning & Zoning Commission meeting; will be reviewed by the Board of Adjustment.
3. Kenai Peninsula Borough Planning – Commissioner Fikes reported on recent actions of the Kenai Peninsula Borough Planning Commission.
4. City Council Liaison – Council Member Douthit reported on recent actions of the City Council.

J. **ADDITIONAL PUBLIC COMMENT** – None.

K. **NEXT MEETING ATTENDANCE NOTIFICATION**

1. Next Meeting: September 25, 2024

L. COMMISSION COMMENTS AND QUESTIONS

Commissioner Earsley expressed appreciation for Acting Planning Director McElrea.

Commissioner Fikes asked about the decision issued on the previous Board of Adjustment appeal.

Chair Halstead noted that the Kenai Fire Department and Central Emergency Services had a memorial event honoring firefighters lost on September 11, 2001.

M. PENDING ITEMS – None.

N. ADJOURNMENT

O. INFORMATIONAL ITEMS – None.

There being no further business before the Planning & Zoning Commission, the meeting was adjourned at 7:19 p.m.

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of September 11, 2024.

Meghan Thibodeau
Deputy City Clerk



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2024-21**

A RESOLUTION RECOMMENDING THAT PRELIMINARY PLAT VALHALLA HEIGHTS 2024 ADDITION ATTACHED HERETO BE **APPROVED**.

PROPERTY ADDRESSES: 5839 Kenai Spur Highway
5887 Kenai Spur Highway
4005 Togiak Street

LEGAL DESCRIPTIONS: Lot 4 and Lot 7, Block 2, Valhalla Heights
Subdivision Part 2
Lot 5A-1, Block 2, Valhalla Heights Subdivision
Wisniewski Second Addition

KPB PARCEL NUMBERS: 04923016, 04923019, and 04923036

WHEREAS, the City of Kenai received a preliminary plat from FineLine Surveys, on behalf of the property owners, Amanda and Grant Wisniewski for a replat of Lot 4 and Lot 7, Block 2, Valhalla Heights Subdivision Part 2 and Lot 5A-1, Block 2, Valhalla Heights Subdivision Wisniewski Second Addition; and,

WHEREAS, the preliminary plat meets the minimum lot width and minimum lot depth requirements as outlined in Kenai Municipal Code (KMC) Section 14.10.070(d)(2); and,

WHEREAS, the existing street names are referenced correctly; and,

WHEREAS, the proposed lot will have access from Togiak Street (a paved and City-maintained road); and,

WHEREAS, City water and sewer lines are available to the lots; and,

WHEREAS, an installation agreement is not required; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to KMC 14.10.070 *Subdivision design standards*, the preliminary plat for replat, subject to the listed conditions, provides utilities/access easements as denoted in plat notes 2 and 3, provides a satisfactory and desirable building site, and the on-site water and wastewater systems are subject to the regulatory requirements of the City of Kenai Public Works Department.

2. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the Rural Residential (RR) and Limited Commercial (LC) zoning districts.
3. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat meets City standards for minimum lot width/depth and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

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

Section 1. That preliminary plat Valhalla Heights 2024 Addition for a replat of Lot 4 and Lot 7, Block 2, Valhalla Heights Subdivision Part 2 and Lot 5A-1, Block 2, Valhalla Heights Subdivision Wisniewski Second Addition be approved.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, THIS 25TH DAY OF SEPTEMBER, 2024.

JOE HALSTEAD, CHAIRPERSON

ATTEST:

Meghan Thibodeau, Deputy City Clerk



STAFF REPORT

PLANNING & ZONING DEPARTMENT

TO: Planning and Zoning Commission
FROM: Brandon McElrea, Acting Planning Director
DATE: September 12, 2024
SUBJECT: Resolution No. PZ2024-21 – Preliminary Plat – Valhalla Heights 2024 Addn.

Request The applicant is proposing a preliminary plat to replat Lots 4 & 7, Block2 Valhalla Heights Subdivision Part 2, and Lot 5A-1, Block 2, Valhalla Heights Subdivision Wisniewski Second Addn.

Staff Recommendation Adopt Resolution No. PZ2024-21 recommending approval of Preliminary Plat – Valhalla Heights 2024 Addition for the parcel merger of Lots 4 and 7, Block 2, Valhalla Heights Subdivision part 2 and Lot 5A-1, Block 2, Valhalla Heights Subdivision Wisniewski Addition.

Applicant: FineLine Surveys
Attn: Dmitri Kimbrell
P.O. Box 774
Anchor Point, AK 99556

Property Owner: Amanda & Grant Wisniewski

Legal Descriptions: Lot 4 and Lot 7, Block 2, Valhalla Heights Subdivision Part 2
Lot 5A-1, Block 2, Valhalla Heights Subdivision Wisniewski Second Addn.

Property Addresses: 5839 Kenai Spur Highway
5887 Kenai Spur Highway
4005 Togiak Street

KPB Parcel Nos.: 04923016, 04923019, and 04923036

Zoning District: Limited Commercial (LC) and Rural Residential (RR)

Land Use Plan: Mixed Use (MU)

Surrounding Uses: South-Residential & Commercial, East-Kenai Spur Highway, West-Vacant Residential, North-Vacant Commercial

SUMMARY

The City received a preliminary plat from FineLine Surveys on behalf of the property owners for a replat of Lots 4 and 7, Block 2, Valhalla Heights Subdivision Part 2, and Lot 5A-1, Block 2, Valhalla Heights Subdivision Wisniewski Second Addition to merge the three (3) parcels into one (1) parcel, in order to facilitate the expansion of Peninsula Memorial Chapel. The combined parcel area will be approximately 2.194 acres. Lots 4 and 7 are vacant and Peninsula Memorial Chapel resides on lot 5A-1.

Kenai Municipal Code (KMC) Chapter 14.10 *Subdivision Regulations* states preliminary plats or replats must first be submitted to the City for review and provide recommendation to the Kenai Peninsula Borough Planning Commission.

ANALYSIS

The proposed parcel merger meets the preliminary plat requirements and development requirements for the Limited Commercial (LC) and Rural Residential (RR) zoning districts. The merged parcel will have access via Togiak Street, which is a City maintained road. City sewer and water are available and are installed on lot 5A-1. The Public Works Director, Fire Marshal, and Building Official have reviewed the preliminary plat and have no comments.

Staff finds that the preliminary plat meets the following Title 14 of Kenai Municipal Code (KMC) sections and aligns with the intent of the Kenai Zoning Code.

1. Pursuant to KMC 14.10.070 *Subdivision Design Standards*, the preliminary plat for replat, subject to the listed conditions, provides utilities/access easements as denoted in plat notes 2 and 3, provides a satisfactory and desirable building site, and the accessible water and wastewater systems are subject to the regulatory requirements of the City of Kenai Public Works Department.
2. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot sizes in the subject zoning districts.
3. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat meets City standards for minimum lot width/depth and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

STAFF RECOMMENDATION

Staff finds that the proposed preliminary plat for Valhalla Heights 2024 Addition to replat Lots 4 and 7, Block 2, Valhalla Heights Subdivision part 2 and Lot 5A-1, Block 2, Valhalla Heights Subdivision Wisniewski Second Addition meets the general standards for Kenai Municipal Code (KMC) Chapter 14.10 *Subdivision Regulations* and Chapter 14.24 *Development Requirements Table* and hereby recommends that the Planning and Zoning Commission recommends approval of Resolution No. PZ2024-21 to the Kenai Peninsula Borough.

ATTACHMENTS

Aerial Maps
Application
Preliminary Plat, Valhalla Heights 2024 Addition

Resolution No. PZ2024-21
Preliminary Plat
Valhalla Heights 2024 Addn.



- Limited Commercial
- Rural Residential
- Suburban Residential





**Preliminary Plat
Submittal Form**

**RECEIVED
CITY OF KENAI**

AUG 26 2024

Planning & Zoning

By: *(Signature)*

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:	FINELINE SURVEYS						
Mailing Address:	PO BOX 774	City:	ANCHOR POINT	State:	AK	Zip Code:	99556
Phone Number(s):	907 360 6382						
Email:	FLCCDMITRI@AK.NET						

PROPERTY OWNER

Name:	AMANDA & GRANT WISNIEWSKI						
Mailing Address:	5839 KENAI SPUR HWY	City:	KENAI	State:	AK	Zip Code:	99611
Phone Number(s):							
Email:							

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel #:	04923036, 04923016, 04923019					
Current City Zoning:						
Use:	<input type="checkbox"/> Residential <input type="checkbox"/> Recreational <input type="checkbox"/> Commercial <input type="checkbox"/> Other:					
Water:	<input type="checkbox"/> On Site <input type="checkbox"/> City <input checked="" type="checkbox"/> Community					
Sewer:	<input type="checkbox"/> On Site <input type="checkbox"/> City <input checked="" type="checkbox"/> Community					

PLAT INFORMATION

Preliminary Plat Name:	VALHALLA HEIGHTS 2024 ADDITION					
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

☒ Certificate to Plat ☐ (1) 24" x 36" Plat ☒ (2) 11" x 17" Plats

SIGNATURE

Signature:	<i>(Signature)</i>			Date:	8/20/24
Print Name:	DMITRI KIMBRELL	Title/Business:	PRES/ FINELINE SURVEYS		

Stewart Title of the Kenai Peninsula, Inc.

35681 Kenai Spur Hwy., Unit B
Soldotna, AK 99669
Tel: (907) 260-8031 Fax: (907) 260-8036

CERTIFICATE TO PLAT

Fineline Surveys
PO Box 774
Anchor Point, AK 99556
Attention: Dmitri Kimbrell

File Number: 24554
Premium: \$300.00
Tax: \$23.55

Gentlemen:

This is a certificate as of August 02, 2024 at 8:00 A.M. for a plat out of the following property:

PARCEL 1:

Lots Four (4) and Seven (7), Block Two (2), VALHALLA HEIGHTS SUBDIVISION PART 2, according to Plat No. K-1634, Kenai Recording District, Third Judicial District, State of Alaska.

PARCEL 2:

Lot Five "A" One (5A-1), Block Two (2), VALHALLA HEIGHTS SUBDIVISION, WISNIEWSKI ADDITION , according to Plat No. 2016-67, Kenai Recording District, Third Judicial District, State of Alaska.

The Company certifies that record title is vested in

Grant Wisniewski and Amanda Wisniewski, husband and wife
an estate in fee simple, free from all liens, encumbrances, and objections except for as follows:

1. **RESERVATIONS** and exceptions as contained in U.S. Patent, and/or acts authorizing the issuance thereof.
2. **TAXES AND ASSESSMENTS**, if any, due the taxing authority indicated:
Taxing Authority: KENAI PENINSULA BOROUGH / CITY OF KENAI
3. **RESERVATION OF EASEMENT** for highway purposes, and any assignments or uses thereof for recreational, utility or other purposes, as disclosed by Public Land Order No. 601, dated August 10, 1949 and amended by Public Land Order No. 757, dated October 10, 1959; Public Land Order No. 1613, dated April 7, 1958; and Department of the Interior Order No. 2665, dated October 16, 1951, Amendment No. 1 thereto, dated July 17, 1952 and Amendment No. 2 thereto, dated September 15, 1956, filed in the Federal Register.
4. **RESERVATION** of oil, gas and mineral rights constructive notice of which is given by recital in deed:
Recorded: November 17, 1968
Volume/Page: 52/113
(Lot 4)

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

5. **RESERVATION** of oil, gas and mineral rights constructive notice of which is given by recital in deed:
Recorded: November 17, 1968
Volume/Page: 52/117
(Lot 7)

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

6. **RESERVATION** of oil, gas and mineral rights constructive notice of which is given by recital in deed:
Recorded: July 17, 1968
Volume/Page: 52/114
(Lot 5A-1)

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

7. **RESERVATION** of oil, gas and mineral rights constructive notice of which is given by recital in deed:
Recorded: July 17, 1968
Volume/Page: 52/115
(Lot 5A-1)

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

8. **RESERVATION** of oil, gas and mineral rights constructive notice of which is given by recital in deed:
Recorded: August 8, 1972
Volume/Page: 67/198
(Lot 5A-1)

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

9. **EASEMENT** for electric lines or system and/or telephone lines together with right to enter, maintain, repair and clear shrubbery:
Recorded: July 11, 1969
Volume/Page: 35/187
Granted To: Homer Electric Association, Inc.
Affects: General Easement, no definite location disclosed

10. **AN OIL AND GAS LEASE** affecting the above interest under the terms, covenants and conditions therein provided:
Lessor: Basil S. Bolstridge and Elizabeth W. Bolstridge
Lessee: Union Oil Company of California
Recorded: May 23, 1973
Volume/Page: 71/459

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

11. **AN OIL AND GAS LEASE** affecting the above interest under the terms, covenants and conditions therein provided:
Lessor: Basil S. Bolstridge and Elizabeth W. Bolstridge
Lessee: Chevron USA Inc.
Recorded: April 21, 1980
Volume/Page: 155/531

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

12. **EASEMENTS, SET-BACKS AND DEDICATIONS** as delineated on Plat No. K-1634.
13. **EFFECT** of the notes on said Plat No. K-1634.
14. **EASEMENTS, SET-BACKS AND DEDICATIONS** as delineated on Plat No. 2016-67.
15. **EFFECT** of the notes on said Plat No. 2016-67.
16. **EASEMENT** for electric lines or system and/or telephone lines together with right to enter, maintain, repair and clear shrubbery:
Recorded: November 21, 2016
Serial No.: 2016-010321-0
Granted To: Homer Electric Association, Inc.
Affects: Portion of Lot 5A-1
17. **DEED OF TRUST**, including terms and provisions thereof, to secure an indebtedness of the amount herein stated and for any other amounts payable under the terms thereof:
Amount: \$1,550,000.00
Dated: December 30, 2022
Recorded: January 4, 2023
Serial No.: 2023-000023-0
Trustor: Grant Wisniewski and Amanda Wisniewski, husband and wife
Trustee: Stewart Title of the Kenai Peninsula, Inc.
Beneficiary: Terri R. Wisniewski

THE AMOUNT NOW SECURED by said Deed of Trust and the terms upon which the same can be discharged or assumed should be ascertained from the holder of the indebtedness secured.

Stewart Title of the Kenai Peninsula, Inc.

By



Christopher Hough
Authorized Signator

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

1. NO ACCESS TO STATE MAINTAINED RIGHTS OF WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPT. OF TRANSPORTATION.

2. THE FRONT 10 FEET OF ADJOINING RIGHTS-OF-WAY, AND 20' WITHIN 5 FEET OF THE SIDE LOT LINES IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN THE UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF THE UTILITY TO USE THE EASEMENT.

3. PROPERTY SUBJECT TO RESERVATION OF AN EASEMENT FOR HIGHWAY PURPOSES, AND ANY ASSIGNMENTS OR USES THEREOF FOR RECREATIONAL, UTILITY OR OTHER PURPOSES AS DISCLOSED BY THE FOLLOWING PUBLIC LAND ORDERS:
(P.L.O. 601 8/10/1949 AND AMENDED BY P.L.O. 757 8/10/1959)
(P.L.O. 1613 4/7/1958)
(DEPT. OF THE INTERIOR ORDER #2665 10/16/1951,
AMENDMENT NO 1 THERETO 7/17/1952 & AMENDMENT NO 2 THERETO 9/15/1956)

4. HOMER ELECTRIC ASSOCIATION, INC. HAS BEEN GRANTED EASEMENTS (BK. 35, PG. 187 7/11/1969 K.R.D.), & (SERIAL #2016-010321-0 11/21.2016) FOR ELECTRIC LINES AND SYSTEM, WITH THE RIGHT TO ENTER, MAINTAIN, OR REPAIR AND CLEAR SHRUBBERY. NO DEFINITE LOCATION DISCLOSED.

5. THE BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS, OR DEED RESTRICTIONS PER KPB 20.60.170.

6. POSSIBLE LIMITATIONS ON FURTHER SUBDIVISION BASED ON ACCESS ISSUES, DEVELOPEMENT TRENDS IN THE AREA, OR TOPOGRAPHY.

7. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION, IF APPLICABLE.

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREIN AND THAT WE HEREBY ADOPT THIS SUBDIVISION PLAN AND BY OUR FREE CONSENT GRANT ALL EASEMENTS TO USE SHOWN.

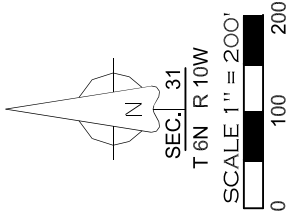
AMANDA WISNIEWSKI
5839 KENAI SPUR HWY
KENAI, AK 99611

FOR: GRANT WISNIEWSKI & AMANDA WISNIEWSKI

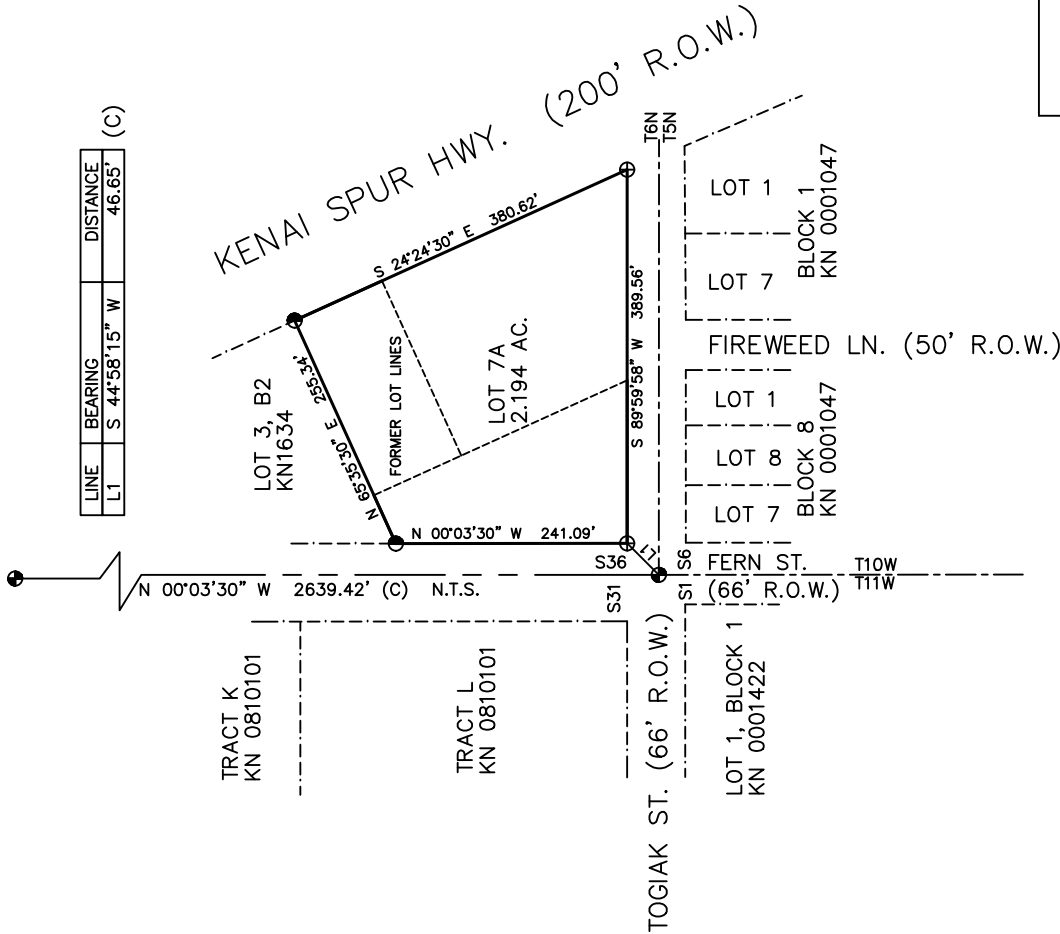
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES

THE PARENT SUBDIVISION FOR LOTS RESULTING FROM THIS PLATTING ACTION WAS APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION ON 10/10/16/1974. WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

(S) GLO BRASS CAP MONUMENT 1/4 CORNER SECS 31 & 66
 (S) 1 1/2" REBAR WITH 1? ALCAP 1968 610-S
 (S) 1 1/2" REBAR 1968 610-S
 (R) RECORD BEARINGS AND DISTANCES PER (KN 1634)
 (C) COMPUTED



LINE	BEARING	DISTANCE
L1	S 44°58'15" W	46.65'



THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH
PLANNING COMMISSION AT THE MEETING
DATED, / /

BY:

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, AND THAT THE PLAT REPRESENTS A SURVEY MADE BY ME, AND THAT THE MONUMENTS AND SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

VALHALLA HEIGHTS 2024 ADDN,

K.P.B. FILE # 2024-

AND LOT 5-A1 VALHALLA HEIGHTS SUBD WISNIEWSKI SECOND ADDN (KN2016-0067), SW 1/4 OF SW 1/4 SECTION 31, TOWNSHIP 6 NORTH, RANGE 10 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, ALASKA. KENAI RECORDING DISTRICT.

containing 2.194 acres.

OWNERS: GRANT WISNIEWSKI & AMANDA WISNIEWSKI
5839 KENAI SPUR HWY, KENAI, AK 99611

FINELINE SURVEYS

P.O. Box 774

Anchor Point, Alaska 99556

Dmitri D. Kimbrell, RLS (907) 360 6382

SCALE: 1"=200' DATE: 8/6/2024



September 9, 2024 – 6:30 PM

Action Agenda

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

Jeremy Brantley, Chair
Sterling/Funny River
Term Expires 2024

Pamela Gillham, Vice Chair
Kalifornsky / Kaslof District
Term Expires 2026

Virginia Morgan
Cooper Landing / Hope
Eastern Peninsula District
Term Expires 2025

Diane Fikes
City of Kenai
Term Expires 2025

Paul Whitney
City of Soldotna
Term Expires 2027

Franco Venuti
City of Homer
Term Expires 2025

Vacant
City of Seward
Term Expires 2026

Jeffrey Epperheimer
Nikiski District
Term Expires 2026

Dawson Slaughter
South Peninsula District
Term Expires 2025

ZOOM MEETING DETAILS

Zoom Meeting Link: <https://us06web.zoom.us/j/9077142200>
Zoom Toll Free Phone Numbers: 888-788-0099 or 877-853-5247
Zoom Meeting ID: 907 714 2200

To join the meeting from a computer, visit the Zoom meeting link above. If you connect by computer and do not have speakers or a microphone, connect online and then select phone for audio. A box will come up with toll free numbers, the meeting ID, and your participant number. To attend the Zoom meeting by telephone, use the Zoom toll free phone numbers listed above.

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA AND CONSENT AGENDA

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

ACTION ITEMS CURRENTLY ON CONSENT AGENDA:

- *1. Agenda**
- *2. Member Excused Absences**
- *3. Minutes**
 - a. August 26, 2024 Plat Committee Meeting
- *4. Grouped Plats**
 - E1. Ageya Homestead 2024 Replat; KPB 2024-088
 - E2. Eker Estates No. 3 Tract A-1 2024 Replat; KPB File 2024-089
 - E4. Iliamna Meadows 2024 Addition; KPB File 2024-087
 - E6. Sleepy Hollow Subdivision 2024 Addition; KPB File 2024-085

Motion to approve the agenda, the minutes from the August 12, 2024 Plat Committee meeting and the grouped plats passed by unanimous vote (4-Yes)

D. UNFINISHED BUSINESS – None

E. NEW BUSINESS

Public Hearing: Quasi-Judicial Matters *(Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application)*

1. Ageya Homestead 2024 Replat; KPB File 2024-088
Seabright Surveying
Dee-Dolese Community Property Trust, SW Florida Home Decoeur Retirement LLC
Location: Arnold Avenue, Mae Street & Donald Avenue
Diamond Ridge Area / Kachemak Bay APC

Motion to grant preliminary approval passed by unanimous vote (4-Yes)

2. Eker Estates No. 3 Tract A-1 2024 Replat; KPB File 2024-089
Seabright Surveying / Weichhand, Van Sandt
Location: Skyline Drive, Scenic Place & Cottonwood Lane
City of Homer

Motion to grant preliminary approval passed by unanimous vote (4-Yes)

3. Frank Raby 1971 Addition Tract M 2024 Replat; KPB File 2024-090
Seabright Surveying / Rhyneer
Location: Posh Community Drive
Seldovia Area

Motion to grant preliminary approval passed by unanimous vote (4-Yes)

4. Iliamna Meadows 2024 Addition; KPB File 2024-087
Johnson Surveying / Book
Location: Bonnard Circle & Katrina Boulevard
Ninilchik Area

Motion to grant preliminary approval passed by unanimous vote (4-Yes)

5. Libenthal Subdivision 2024 Addition; KPB File 2024-086
Johnson Surveying / Needs, Muller, Crowder
Location: Reid Street
Ninilchik Area

Motion to grant preliminary approval passed by unanimous vote (4-Yes)

Motion to grant the exception request to KPB 20.40 Wastewater Review, passed by unanimous vote (4-Yes)

6. Sleepy Hollow Subdivision 2024 Addition; KPB File 2024-085
Johnson Surveying / Villa
Location: Alma Avenue & Van Dyke Street
Sterling Area

Motion to grant preliminary approval passed by unanimous vote (4-Yes)

F. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA (3 MINUTES
PER SPEAKER)

G. ADJOURNMENT

MISCELLANEOUS INFORMATIONAL ITEMS

NEXT REGULARLY SCHEDULED PLAT COMMITTEE MEETING

The next regularly scheduled Plat Committee meeting will be held **Monday, September 23, 2024** in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at **5:30 p.m.**

CONTACT INFORMATION

KENAI PENINSULA BOROUGH PLANNING DEPARTMENT

Phone: 907-714-2215 / Toll free within the Borough 1-800-478-4441, extension 2215

Fax: 907-714-2378

e-mail address: planning@kpb.us

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

A party of record may file an appeal of a decision of the Planning Commission in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances. An appeal must be filed with the Borough Clerk within 15 days of the notice of decision, using the proper forms, and be accompanied by the filing and records preparation fees.



September 9, 2024 – 7:30 PM

Action Agenda

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

Jeremy Brantley, Chair
Sterling/Funny River
Term Expires 2024

Pamela Gillham, Vice Chair
Kalifornsky / Kasilof District
Term Expires 2026

Virginia Morgan
Cooper Landing / Hope
Eastern Peninsula District
Term Expires 2025

Diane Fikes
City of Kenai
Term Expires 2025

Paul Whitney
City of Soldotna
Term Expires 2027

Franco Venuti
City of Homer
Term Expires 2025

Vacant
City of Seward
Term Expires 2026

Jeffrey Epperheimer
Nikiski District
Term Expires 2026

Dawson Slaughter
South Peninsula District
Term Expires 2025

ZOOM MEETING DETAILS

Remote participation will be available through Zoom, or other audio or video means, wherever technically feasible

Zoom Meeting Link: <https://us06web.zoom.us/j/9077142200>

Zoom Toll Free Phone Numbers: 888-788-0099 or 877-853-5247

Zoom Meeting ID: 907 714 2200

To join the meeting from a computer, visit the Zoom meeting link above. If you connect by computer and do not have speakers or a microphone, connect online and then select phone for audio. A box will come up with toll free numbers, the meeting ID, and your participant number. To attend the Zoom meeting by telephone, use the Zoom toll free phone numbers listed above.

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA AND CONSENT AGENDA

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

ACTION ITEMS CURRENTLY ON CONSENT AGENDA:

*3. Plats Granted Administrative Approval

- a. Cottonwood Acres Subdivision 2024 Addition; KPB File 2024-024
- b. Quartz Creek Subdivision Outfitter Way Replat; KPB File 2022-060R1
- c. Spruce wood Glen Subdivision No. 11; KPB File 2024-001
- d. Whisper Lake Subdivision Miller Addn Prather Replat; KPB File 2023-048
- e. Wonder View Subdivision; KPB File 2023-139

*4. Plats Granted Final Approval

- a. Letzring Ridge Subdivision Martinez Addition; KPB File 2022-137
- b. TLS 2021-06 East Oyster Cove Sub 2024 Replat; KPB File 2024-084

*6. Commissioner Excused Absences - None

- a. Virginia Morgan, Cooper Landing/Hope/Eastern Peninsula
- b. Pamela Gillham, Kalifornsky/Kasilof District
- c. Vacant, City of Seward

*7. Minutes

- a. August 12, 2024 Planning Commission Meeting

Motion to approve the consent & regular agendas passed by unanimous vote (6-Yes).

D. UNFINISHED BUSINESS - None

E. NEW BUSINESS

Public Hearing: Legislative Matters

1. Street Naming Resolution 2024-05: Naming an unnamed private road in the Fox River community to Heartland Street

Motion to adopt Street Naming Resolution 2024-05, naming an unnamed private road in the Fox River community (ESN 202) to Heartland Street passed by unanimous vote (6-Yes).

2. Ordinance 2024-19-07: Authorizing the acquisition of real property located adjacent to the North Star School campus in Nikiski necessary for future school use, and appropriating \$59,000.00 from the Land Trust Fund for the purchase

Motion to forward to the assembly a recommendation to adopt Ordinance 2024-19-07, passed by unanimous vote (6-Yes).

Public Hearing: Quasi-Judicial Matters *(Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application)*

3. Conditional Land Use Permit Modification; MS2022-004

Applicant: Colaska Inc. DBA OAP

Request: Modification to PC Resolution 2022-21 to expand the permit area, additional ingress/egress, and create a 100' wide access to the ARRC right-of-way.

Location: 27083 Seward Highway

Moose Pass Area

Motion to adopt Planning Commission Resolution 2024-13, granting a conditional land use permit to operate a sand, gravel or material site passed by unanimous vote (6-Yes).

4. Conditional Land Use Permit Modification; MS2015-005

Applicant: Sean Cude

Request: Modification to PC Resolution 2014-20 to allow excavation into the water table and for temporary localized dewatering.

Location: 36498 Virginia Drive

Kalifornsky Area

Motion to postpone action until the November 18, 2024 Planning Commission meeting passed by majority vote (5-Yes, 1-No).

F. PLAT COMMITTEE REPORT – The plat committee will review 6 plats

G. OTHER

1. Plat Committee – Need 1 member

H. PRESENTATIONS/PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA (3 MINUTES PER SPEAKER)

I. DIRECTOR'S COMMENTS

J. COMMISSIONER COMMENTS

K. ADJOURNMENT

MISCELLANEOUS INFORMATIONAL ITEMS

NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING

The next regularly scheduled Planning Commission meeting will be held **Monday, September 23 2024** in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at **7:30 p.m.**

CONTACT INFORMATION

KENAI PENINSULA BOROUGH PLANNING DEPARTMENT

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A party of record may file an appeal of a decision of the Planning Commission in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances. An appeal must be filed with the Borough Clerk within 15 days of the notice of decision, using the proper forms, and be accompanied by the filing and records preparation fees.

Vacations of rights-of-way, 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.



Kenai City Council - Regular Meeting

September 18, 2024 — 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

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

Action Agenda

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Agenda and Consent Agenda (*Public comments on Consent Agenda Items 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 ADMINISTRATIVE REPORTS

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

1. Samantha Springer, Kenai Chamber of Commerce & Visitor Center Executive Director, Kenai Silver Salmon Derby Grand Prize Awards

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

E. PUBLIC HEARINGS

1. **ENACTED UNANIMOUSLY. Ordinance No. 3432-2024** - Accepting and Appropriating Funds from the Institute of Museum and Library Services, Passed Through the State of Alaska, Department of Education and Early Development, Division of Library, Archives & Museums, for Library Employee Training. (Administration)
2. **ENACTED UNANIMOUSLY. Ordinance No. 3433-2024** - Accepting and Appropriating a Grant from the State of Alaska for the Purchase of Library Materials. (Administration)
3. **ENACTED UNANIMOUSLY. Ordinance No. 3434-2024** - Amending the Employee Classification Plan by Reclassifying the Capital Projects Manager to a Public Works Assistant Director and Increasing General Fund Estimated Revenues and Appropriations to Reflect the Position's Support of Public Works Divisions. (Administration)
4. **ENACTED UNANIMOUSLY. Ordinance No. 3435-2024** - Amending Kenai Municipal Code Section 23.55.030 (b) – Qualification Pay, to Include Qualification Pay for a Public Works Assistant Director Holding a Professional Engineer License. (Administration)
5. **ENACTED UNANIMOUSLY. Ordinance No. 3436-2024** - Increasing Estimated Revenues and Appropriations in the General Fund Lands Administration Department for Professional Services Associated with the Sale of City-Owned Land, Determining Eleven City-Owned Properties are

Not Needed for a Public Purpose, Authorizing the City Manager to Dispose of Properties by Public Outcry Auction, Approving the Terms of Financing to be Offered on the Sale, and Designating Those Parcels as Eligible for a 25% Veterans Discount. (Administration)

6. **ENACTED UNANIMOUSLY. Ordinance No. 3437-2024** - Amending Kenai Municipal Code to Revise Requirements Related to Publication in a Newspaper of General Circulation to Address Publication Requirements Which Cannot Be Met Due to the Newspaper Publications Being Reduced to One Day a Week. (City Clerk)

F. MINUTES

1. *Regular Meeting of September 4, 2024. (City Clerk)

G. UNFINISHED BUSINESS

H. NEW BUSINESS

1. ***Action/Approval** - Bills to be Ratified. (Administration)
2. ***Action/Approval** - Non-Objection to the Issuance of a New Retail Marijuana Store License for Shackleford Farms LLC., DBA Shackleford Farms LLC - License No. 38593 (City Clerk)
3. ***Action/Approval** - Confirmation of Mayoral Nomination for a Partial Term Appointment of Zachary Rohr to the Harbor Commission. (Mayor Gabriel)
4. ***Ordinance No. 3438-2024** - Accepting and Appropriating Donations from the Kenai River Marathon Through the Kenai Community Foundation for the Installation of Bike Racks and Bike Repair Stations. (Administration)
5. **APPROVED UNANIMOUSLY. Action/Approval** - Confirmation of Mayoral Nomination for a Partial Term Appointment of Stacie Krause to the Planning & Zoning Commission. (Mayor Gabriel)

I. COMMISSION REPORTS

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

J. REPORT OF THE MAYOR

K. ADMINISTRATION REPORTS

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

L. ADDITIONAL PUBLIC COMMENTS

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

M. EXECUTIVE SESSION

N. PENDING ITEMS

O. ADJOURNMENT

P. INFORMATION ITEMS

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

Registration is required to join the meeting remotely through Zoom. Please use the following link to register:

<https://us02web.zoom.us/meeting/register/tZYkduGvrDIrE9ycdgukyx2MGCRF-2RvZz6j>