



Kenai Planning and Zoning Commission - Regular Meeting

October 30, 2019 – 7:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

<https://www.kenai.city>

AGENDA

A. CALL TO ORDER

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

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

B. APPROVAL OF MINUTES

1. *September 25, 2019

C. SCHEDULED PUBLIC COMMENT

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

1. Jennifer LeMay, LeMay Engineering & Consulting, Inc. to Discuss the City of Kenai Local Hazard Mitigation Plan

D. UNSCHEDULED PUBLIC COMMENT

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

E. CONSIDERATION OF PLATS

1. **Resolution PZ2019-40** - Original Preliminary Plat of Valhalla Heights Osmond Replat, submitted by Edge Survey and Design, P.O. Box 468, Soldotna AK 99669, on behalf of Jeremiah N. and Jennifer Cates, 415 Phillips Dr., Kenai, AK 99611

2. Resolution PZ2019-41 - Original Preliminary Plat of Valhalla Heights 2019 Replat, submitted by McLane Consulting, Inc., P.O. Box 468, Soldotna AK 99669, on behalf of Jeremiah N. and Jennifer Cates, 415 Phillips Dr., Kenai, AK 99611

3. Resolution PZ2019-42 – Original Preliminary Plat of Valhalla Heights White Replat, submitted by McLane Consulting, Inc., P.O. Box 468, Soldotna, AK 99669, on behalf of John J. and Mary L. White, 5327 Kenai Spur Highway, Kenai, AK 99611

F. PUBLIC HEARINGS

G. UNFINISHED BUSINESS

H. NEW BUSINESS

I. PENDING ITEMS

J. REPORTS

1. City Council

2. Borough Planning

3. Administrative Report

K. ADDITIONAL PUBLIC COMMENT

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

L. INFORMATIONAL ITEMS

1. Planning and Zoning Resolutions – Third Quarter 2019

2. Building Permits – Third Quarter 2019

3. Code Violations – Third Quarter 2019

M. NEXT MEETING ATTENDANCE NOTIFICATION

1. November 13, 2019 - 7.pm - Regular Meeting

N. COMMISSION COMMENTS AND QUESTIONS

O. ADJOURNMENT

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
SEPTEMBER 25, 2019 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVENUE, KENAI, ALASKA
COMMISSION 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: Vice-Chair D. Fikes, J. Halstead, V. Askin, G. Greenberg,
Chair J. Twait, R. Springer, T. McIntyre

Commissioners absent: None

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

A quorum was present.

3. Agenda Approval

MOTION:

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

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

4. Consent Agenda

MOTION:

Commissioner Askin **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.

5. *Excused absences – None.

B. APPROVAL OF MINUTES

1. *September 11, 2019

The minutes were approved by the Consent Agenda.

C. SCHEDULED PUBLIC COMMENT – None.

D. UNSCHEDULED PUBLIC COMMENT – None.

E. CONSIDERATION OF PLATS – None.

F. PUBLIC HEARINGS

1. **Resolution PZ2019-37** – Application for a Conditional Use Permit to operate Gunsmithing Business, located at 310 Princess Street, Kenai, Alaska 99611, and further described as Lot 2, Cinderella Subdivision. The application was submitted by Ronald Carlson, 310 Princess Street, Kenai, Alaska 99611.

MOTION:

Commissioner Askin **MOVED** to approve Resolution No. PZ2019-37 and Commissioner Springer **SECONDED** the motion.

City Planner Appleby reviewed the staff report and rationale for how the application met the approval criteria provided in the packet noting the Conditional Use Permit was for a gunsmithing business in the RR-1 Zone and recommended approval with the following conditions:

- Applicant must comply with all federal, State of Alaska, and local regulations;
- Applicant shall file an annual report for the Conditional Use Permit as set forth in Kenai Municipal Code 14.20.155;
- The applicant will meet with City staff for on-site inspections when requested;
- 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);
- 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;
- Prior to operation, the applicant must submit a copy of the federal firearms license issued by the Federal Bureau of Alcohol, Tobacco, Firearms, and Explosives;
- Prior to operation, the applicant must schedule and appointment for an inspection by the City of Kenai Fire Marshal and shall comply with instructions from the Fire Marshal to meet municipal Fire Code. The applicant will provide documentation to the City of biannual fire inspections (once every two years) after the initial inspection prior to operation;
- Prior to operation, the applicant will install security cameras, improved door locks, and update the security of his fencing as required by the Federal Bureau of Alcohol, Tobacco, Firearms, and Explosives and the City of Kenai Fire Marshal. Casual access shall not be available to the garage;

- If the applicant decides to put up a sign for his business, he will first obtain a sign permit from the City of Kenai;
- Failure to provide documentation to the City of meeting these conditions prior to operation of the gunsmithing business shall be grounds for the suspension or revocation of the Conditional Use Permit.

Commission Chair Twait opened the floor for public testimony.

Ronald Carlson noted he had already begun work on the necessary improvements; clarified that test firing would take place at the gun club.

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

Clarification was provided that after the federal permit was applied for, an agent would inspect the property and make recommendations on what additional security measures needed to be in place.

VOTE:

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

NAY:

MOTION PASSED UNANIMOUSLY.

Commission Chair Twait noted the 15-day appeal period.

2. **Resolution PZ2019-33** - Recommending the Kenai City Council Amend Kenai Municipal Code 14.20.175 – Adult Businesses, To Increase The Buffer Distances Between Adult Businesses And Sensitive Uses From 500 Feet To 1,000 Feet and Define Sensitive Uses and Amend Kenai Municipal Code 14.22.010 - Land Use Table, to Add Adult Businesses.

MOTION:

Commissioner Springer **MOVED** to approve Resolution No. PZ2019-33 and Commissioner Askin **SECONDED** the motion.

City Planner Appleby reviewed the staff report provided in the packet noting the Council had requested a recommendation from the Commission and that the ordinance provided a definition for sensitive uses and added adult uses to the Land Use Table. She also referenced the supplemental information provided at a previous meeting, which contained information regarding negative secondary effects and noted goals in the Comprehensive Plan which would be met with the adoption of the ordinance.

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

Clarification was provided on the following:

- If a property owner met buffer requirements and existing code, an adult business would be a principally permitted use;

- Once an adult business was established, they wouldn't have to close if an establishment defined as a sensitive use wanted to locate within the buffer;
- Distance was measured in a straight line from the nearest point on the premises to the nearest property line;
- The buffer tool in the City's GIS Software would be utilized to measure distances;
- The measurement described in the code was the most clear way to measure and was comparable to marijuana buffer measurement points;
- A one time or occasional show could not be regulated the same as a full-time establishment because the secondary effects are not the same; and
- Secondary effects related to each particular type of adult business needed review because a firm line did not exist on what constituted an occasional show versus a full-time establishment.

The point was made that the map would need to be checked any time a new adult business was seeking to establish.

It was restated that the adult businesses would be principally permitted in only four specific zones.

VOTE:

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

MOTION PASSED UNANIMOUSLY.

G. UNFINISHED BUSINESS – None.

H. NEW BUSINESS

1. **Resolution PZ 2019-39** – Application for a Home Occupation Permit for a Home Day Care of No More Than Eight (8) Children Under the Age of Twelve (12) years, located at 604 Laurel Drive, Kenai, Alaska 99611, and further described as Lot 1, Block J, Woodland Subdivision Part One (1). The application was submitted by Mindy Dalebout, 604 Laurel Drive, Kenai, AK 99611.

MOTION:

Commissioner Springer **MOVED** to approve Resolution No. PZ2019-39 and Commissioner Askin **SECONDED** the motion.

City Planner Appleby reviewed the staff report provided in the packet noting the Home Occupation Permit required improvements to the home and was intended for a daycare within a residence of no more than eight (8) children under the age of twelve (12), including children related to the caregiver and recommended approval with the following condition:

- Applicant must comply with all federal, State of Alaska, and local regulations;
- The City of Kenai Fire Marshal must perform an inspection to verify that the applicant has complied with his requirements set forth on the inspection dated August 22, 2019; including, but not limited to, the installation of egress windows. The applicant may not operate her business until this has been done.

- The applicant will discuss plans for the egress windows with the City Building Official and, if necessary, will obtain a Building Permit from the City to install the egress windows.
- Pursuant to KMC 14.20.230(h)(1), the premises shall be inspected every other year by the Fire Marshal for the City of Kenai;
- A copy of the license issued by the State of Alaska for the day care facilities must be submitted to the City of Kenai prior to operating the day care;
- Pursuant to KMC 14.20.230(f), this Home Occupation Permit is not transferable to another person or location;
- If the applicant decides to put up a sign for her business, she will first obtain a sign permit from the City of Kenai;
- Failure to provide documentation to the City of meeting these conditions prior to operation of the gunsmithing business shall be grounds for the suspension or revocation of the Conditional Use Permit.

Clarification was provided that the Fire Marshal provided the inspection on the residence.

It was suggested that, being a daycare, fire code requirements may need to be followed instead of City building codes.

VOTE:

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

MOTION PASSED UNANIMOUSLY.

I. PENDING ITEMS – None.

J. REPORTS

1. **City Council** – Council Member Molloy reviewed the action agenda from the September 18 meeting.
2. **Borough Planning** – Vice-Chair Fikes reported action from the September 23 Borough Planning Commission and Platting Committee meetings.
3. **Administration** – City Planner Appleby reported on the following:
 - Asked if there was objection to rescheduling the October 23 meeting to October 30; there was no objection;
 - Noted the consultant for the Hazard Mitigation Plan would be present at the rescheduled October 30 meeting;
 - The adult business ordinance would be before the Council at their next meeting;
 - Alaska LNG Draft Environmental Impact Statement comments were being accepted until October 3;
 - The land sale and leasing policy ordinance would be before Council at their next meeting; and
 - Work on the Land Management Plan was ongoing.

K. ADDITIONAL PUBLIC COMMENT – None.

L. **INFORMATIONAL ITEMS** – None.

M. **NEXT MEETING ATTENDANCE NOTIFICATION** – October 9, 2019

N. **COMMISSION COMMENTS & QUESTIONS**

Commissioner Greenberg noted that the regulation had changed for gunsmithing in the RR-1 zone and asked about the professional offices; it was confirmed both uses were approved by the ordinance.

Commissioner Springer noted he appreciated an inspection was completed in the daycare Home Occupation Permit.

O. **ADJOURNMENT**

There being no further business before the Commission, the meeting was adjourned at 8:03 p.m.

Minutes prepared and submitted by:

Jamie Heinz, CMC
City Clerk



"Village with a Past, City with a Future"

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

STAFF REPORT

To: Planning & Zoning Commission

From: Elizabeth Appleby, City Planner

Date: October 25, 2019

Subject: Resolution PZ2019-40 – Preliminary Subdivision Plat – Valhalla Heights Osland Replat

Applicant: Tyler Scott Osland
236 River Watch Drive
Soldotna, AK 99669

Submitted By: Edge Survey and Design, Inc.
43335 K-Beach Road, Suite 16B
Soldotna, AK 99669

Requested Action: Preliminary Subdivision Plat – Valhalla Heights Osland Replat

Legal Description: Lots 15 and 16, Block 11, Valhalla Heights Subdivision Part 4

Property Address: 455 Philips Drive, 465 Phillips Drive

KPB Parcel No: 04934015, 04934016

Lot Size: 22,651 square feet (0.52 acres), 28,314 square feet (0.65 acres)

Existing Zoning: Rural Residential

Current Land Use: Vacant

Land Use Plan: Suburban Residential

GENERAL INFORMATION

The applicant, Tyler Scott Osland, owner of Lots 15 and 16, Block 11, Valhalla Heights Subdivision Part 4 has submitted a plat that would vacate the property lines between the two lots to create one larger lot.

Tyler Scott Osland would own the lot proposed to be Lot 15A, Block 11, Valhalla Heights Osland Replat as shown on the preliminary plat. The new Lot 15A would encompass 1.167 acres (approximately 50,835 square feet) and meets requirements of the Rural Residential (RR) zone.

Application, Public Notice, Public Comment

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

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

City staff published notice of the consideration of the plat as part of the agenda for the City of Kenai Planning and Zoning Commission in the *Peninsula Clarion*. No public comments have been received as of October 25, 2019.

ANALYSIS

Access to the proposed Lot 15A, Block 11 is via Phillips Drive, a gravel road maintained by the City of Kenai. The proposed plat does not dedicate any additional rights-of-way. Street names are denoted accurately on the preliminary plat.

The City of Kenai does not have water and sewer lines within the Valhalla Heights Subdivision. The applicant will need to install a private well and wastewater treatment and disposal system, pursuant to the State of Alaska Department of Environmental Conservation regulations.

An existing ten foot (10') utility easement runs along the east boundary of the proposed Lot 15A, Block 11. The proposed plat will dedicate an additional ten foot (10') utility easement along the south and west boundaries of the proposed lot. The utility easement will allow for orderly development of the new parcel.

Based upon the submitted materials and this review, the preliminary plat meets requirements of *KMC Subdivision design standards* and *KMC 14.10.080 Minimum improvements required* under *Chapter 14.10 Subdivision Regulations*. City staff recommends a condition of approval for the property to conform to all federal, State of Alaska, and local regulations. A second recommendation for approval of the plat is to remove the building setback requirements. Building setbacks are set forth in the City of Kenai zoning regulations as described under Note #2 on the preliminary plat. City of Kenai zoning regulations could change in the future and then the building

setback would become inaccurate on the plat.

RECOMMENDATIONS

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

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. Remove Note #4 on the plat covering building setbacks as it is covered under Note #2 referencing City of Kenai zoning regulations.
3. Remove the depiction of the building setback line from the plat as the building setback is a City of Kenai zoning regulation that could be amended with a Code change.

ATTACHMENTS

1. Draft Resolution No. PZ2019-40
2. Application
3. Preliminary Plat
4. Maps



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2019 - 40**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **RECOMMENDING** THE VALHALLA HEIGHTS OSLAND REPLAT ATTACHED HERETO AS EXHIBIT "A" BE APPROVED.

WHEREAS, the City of Kenai received the plat attached as Exhibit A from Edge Survey and Design, Incorporated; and,

WHEREAS, the plat meets City Code requirements of the Rural Residential Zone; and,

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

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

WHEREAS, Phillips Drive is a gravel City-maintained road which provide access to the property; and,

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

WHEREAS, the City of Kenai does not have water and sewer lines within this subdivision and the property owners are not required to connect to City water and sewer lines; and,

WHEREAS, an installation agreement is not required; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to Kenai Municipal Code 14.10.070 Subdivision design standards, the plat conforms to the minimum street widths, an easement is sufficiently provided for utilities, the proposed lot would be arranged to provide satisfactory and desirable building sites.
2. Pursuant to Kenai Municipal Code Title 17 Public Utilities and Enterprises, the proposed lot is not required to connect to City water and sewer lines. A condition of approval is to follow State of Alaska regulations for further development, including those covering a private well and wastewater treatment and disposal system.
3. Pursuant to Kenai Municipal Code 14.10.080 Minimum improvements required, there is adequate access and facilities available to the proposed parcel. An installation agreement is not required.
4. Pursuant to Kenai Municipal Code 14.24.010 Minimum lot area requirements, the lot meets City standards for minimum lot sizes.

5. Pursuant to Kenai Municipal Code 14.24.020 General Requirements, the lots meet City standards for minimum lot width, maximum lot coverage, maximum height, and setbacks.

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

Section 1. That the Valhalla Heights Osland Replat attached as Exhibit "A" be approved subject to the following conditions:

Section 2. That the approval of the Valhalla Heights Osland Replat attached as Exhibit "A" be subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. Remove Note #4 on the plat covering building setbacks as it is covered under Note #2 referencing City of Kenai zoning regulations.
3. Remove the depiction of the building setback line from the plat as the building setback is a City of Kenai zoning regulation that could be amended with a Code change.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 30th day of October, 2019.

JEFF TWAIT, CHAIRPERSON

ATTEST:

JAMIE HEINZ, CITY CLERK



**CITY OF KENAI PLANNING DEPARTMENT
PRELIMINARY PLAT SUBMITTAL FORM**

2019-40

APPLICANT	Tyler Scott Osland
MAILING ADDRESS	236 River Watch Dr.
CITY, STATE, ZIP	Soldotna, AK 99669
PHONE	252-7995

RECEIVED
CITY OF KENAI
DATE 10-2-19
PLANNING DEPARTMENT

NAME OF PLAT	Valhalla Heights - Osland Replat
	Preliminary Plat <input checked="" type="checkbox"/> Revised Preliminary Plat <input type="checkbox"/>

CURRENT ZONING WHERE APPLICABLE: Rural Residential

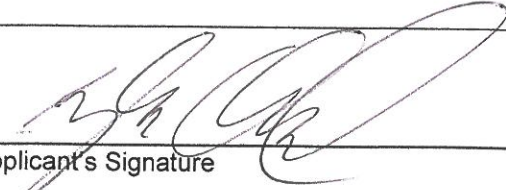
USE: Residential Recreational Commercial Other

SEWER: On Site City Community
 WATER: On Site City Community

Vacation of Public Right-of-Way Yes No
 STREET NAME:

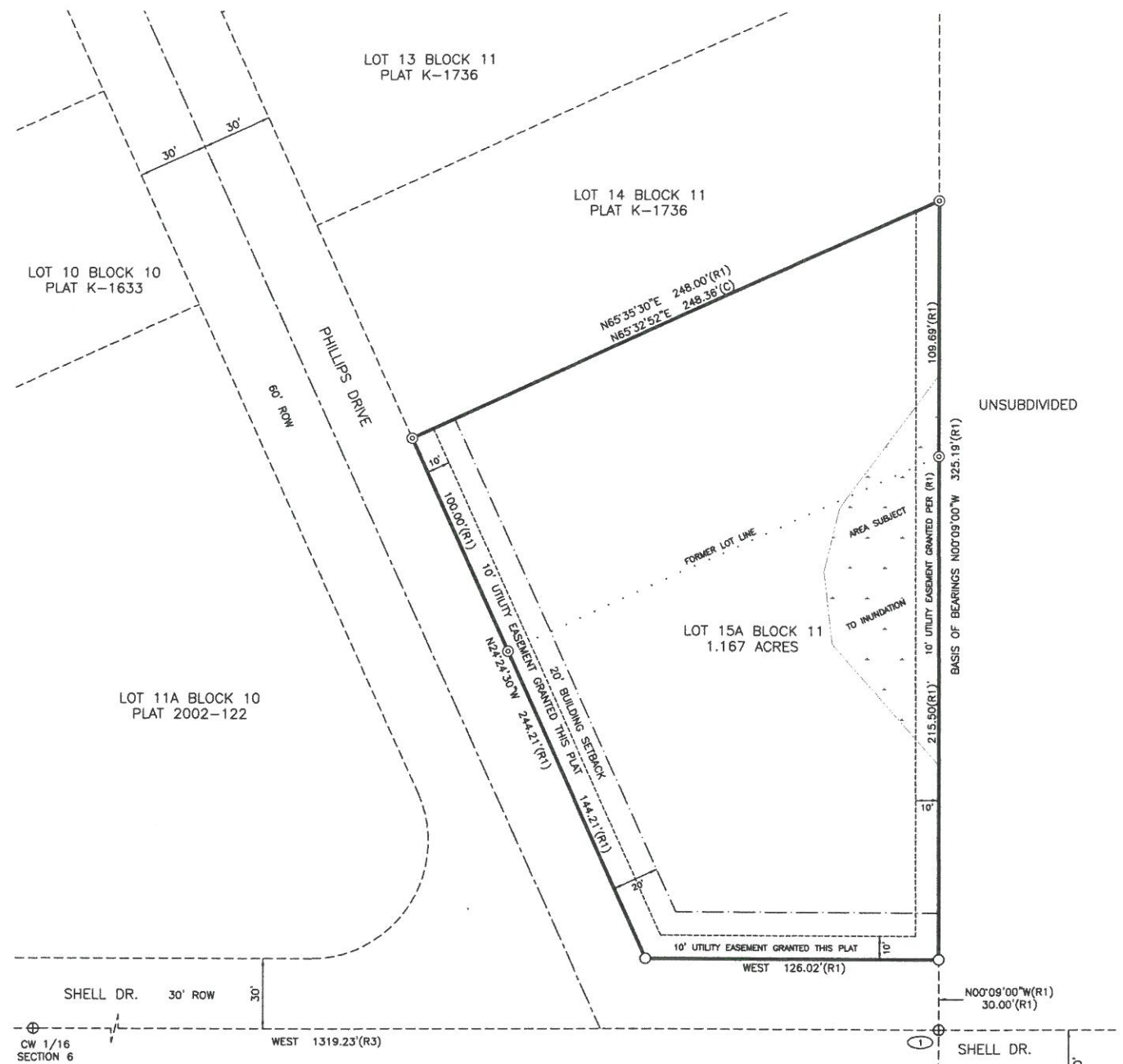
EXCEPTIONS REQUIRED AND REQUESTED:
None

COMMENTS:
Lot line removal, creating larger parcel


 Applicant's Signature

9-25-19
 Date

Exhibit A



NOTES

1. THE SOLE PURPOSE OF THIS PLAT IS TO VACATE AN INTERIOR LOT LINE. NO FIELD SURVEY WAS PERFORMED FOR THIS PLATTING ACTION.
2. DEVELOPMENT OF THESE LOTS IS SUBJECT TO THE CITY OF KENAI ZONING REGULATIONS.
3. 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.
4. A 20' BUILDING SETBACK IS REQUIRED FROM ALL STREET AND RIGHT OF WAYS UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
5. THIS SUBDIVISION MAY BE AFFECTED BY A UTILITY EASEMENT GRANTED TO HOMER ELECTRIC ASSOCIATION, WITH NO DEFINED LOCATION. RECORDED JULY 11, 1969, BOOK 35, PAGE 187, KR.D.
6. WASTEWATER DISPOSAL: WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

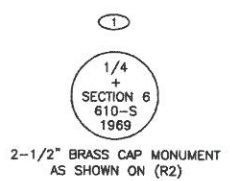
LEGEND

- ⊕ BRASS CAP MONUMENT OF RECORD, SEE REFERENCE
- PROPERTY CORNER OF RECORD
1" ALUMINUM CAP SET PER (R1)
- ⊙ PROPERTY CORNER OF RECORD
1/2" REBAR SET PER (R1)
- (R#) RECORD DATA, SEE REFERENCE
- KRD KENAI RECORDING DISTRICT
- (C) CALCULATED DATA
- ① MONUMENT REFERENCE NUMBER
- SUBDIVISION BOUNDARY
- - - EASEMENT AS NOTED
- - - 20' BUILDING SETBACK
- - - CENTERLINE RIGHT OF WAY
- - - ADJACENT PROPERTY LINE
- · · · · FORMER LOT LINE
- - - AREA SUBJECT TO INUNDATION

REFERENCES

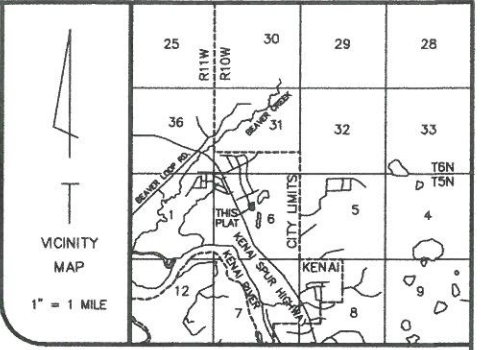
- (R1) PLAT K-1736, VALHALLA HEIGHTS SUBDIVISION PART 4 BLOCK 11, KRD.
- (R2) PLAT 80-34, THREE W'S SUBDIVISION, KRD.
- (R3) PLAT 2002-122, VALHALLA HEIGHTS SUBDIVISION FRANK ADDITION, KRD.

MONUMENT REFERENCE



CERTIFICATE OF SURVEYOR

I, MARK AIMONETTI 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

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

TYLER SCOTT OSLAND
OWNER OF FORMER LOTS 15 AND 16
236 RIVER WATCH DRIVE
SOLDOTNA, ALASKA 99669

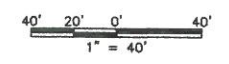
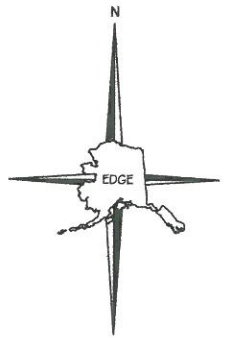
NOTARY ACKNOWLEDGEMENT

FOR: TYLER SCOTT OSLAND
ACKNOWLEDGED BEFORE ME
THIS _____ DAY OF _____, 2019
NOTARY PUBLIC FOR STATE OF ALASKA

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF OCTOBER 28, 2019.
KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL _____



KPB FILE 2019-000

VALHALLA HEIGHTS OSLAND REPLAT

A SUBDIVISION OF LOTS 15 AND 16 BLOCK 11 VALHALLA HEIGHTS SUBDIVISION PART 4, PLAT K-1736, KRD

OWNER:
TYLER SCOTT OSLAND
236 RIVER WATCH DRIVE
SOLDOTNA, ALASKA 99669

LOCATED WITHIN THE NW 1/4 SECTION 6, T5N R10W, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, ALASKA CITY OF KENAI KENAI RECORDING DISTRICT

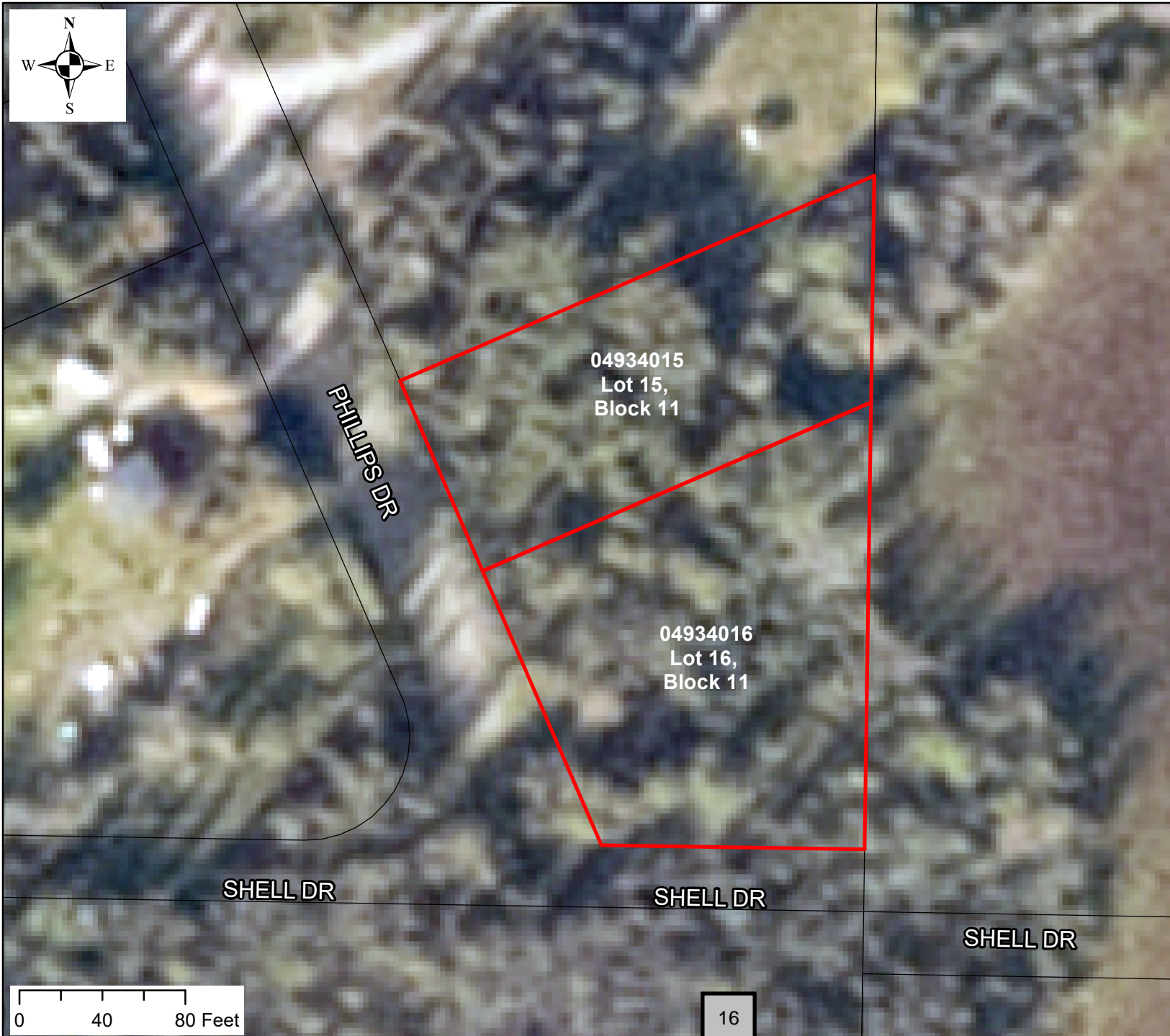
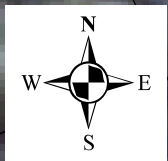
CONTAINING 1.167 ACRES

EDGE SURVEY AND DESIGN, LLC

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

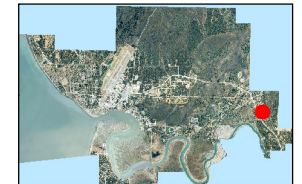
DRAWN BY: JY	DATE: 9/24/19	FIELD BOOK: N/A
CHECKED BY: MA	SCALE: 1" = 30'	SHEET: 1 OF 1

C:\Users\jason\Young\Documents\1-2019 Edge Jobs Active\19-000 Valhalla - Osland Replat\DWG\19-000 Valhalla Prelim.dwg PLOTTED: 10/27/2019 11:00:07 AM



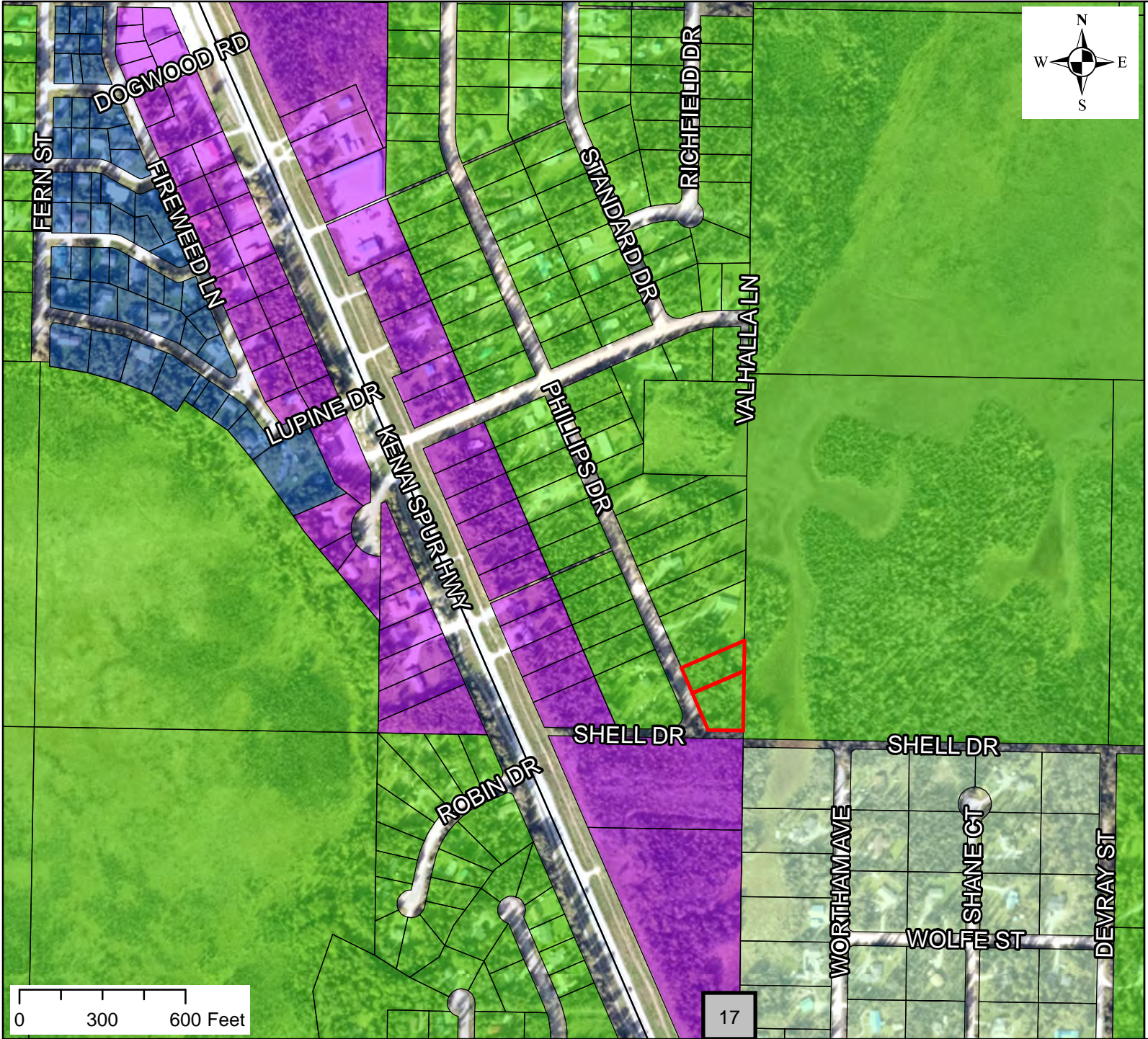
**Map for PZ2019-40
(1:800 Scale)**

**04934015, 04934016
Lots 15 and 16,
Block 11,
Valhalla Heights Subd
Part 4**



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

Date: 10/21/2019



**Map for PZ2019-40
(1:6,000 Scale)**

**04934015, 04934016
Lots 15 and 16,
Block 11,
Valhalla Heights Subd
Part 4**

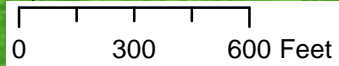
LEGEND

Zoning

- Rural Residential (RR)
- Rural Residential 1 (RR-1)
- Suburban Residential (SR)
- Limited Commercial



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





"Village with a Past, City with a Future"

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

STAFF REPORT

To: Planning & Zoning Commission

From: Elizabeth Appleby, City Planner

Date: October 25, 2019

Subject: Resolution PZ2019-41 – Preliminary Subdivision Plat – Valhalla Heights 2019 Replat

Applicants: Jeremiah N. Cates
Jennifer Cates
415 Phillips Drive
Kenai, AK 99611

Submitted By: McLane Consulting, Inc.
P.O. Box 468
Soldotna, AK 99669

Requested Action: Preliminary Subdivision Plat – Valhalla Heights 2019 Replat

Legal Description: Lots 10 and 11, Block 11, Valhalla Heights Subdivision Part 4

Property Address: 405 Phillips Drive and 415 Phillips Drive

KPB Parcel No: 04934010 and 04934011

Lot Size: 45,302 square feet (1.04 acres)
40,946 square feet (0.94 acres)

Existing Zoning: Rural Residential

Current Land Use: Vacant and Single Family Dwelling

Land Use Plan: Suburban Residential

GENERAL INFORMATION

Jeremiah N. and Jennifer Cates are the owners of Lots 10 and 11, Block 11, Valhalla Heights Subdivision Part 4. On the owners' behalf, McLane Consulting, Inc. has submitted a plat that would vacate the property lines between the two lots to create one larger lot.

Jeremiah N. and Jennifer Cates would own the lot proposed to be Lot 10A, Block 11, as shown on the preliminary plat of Valhalla Heights 2019 Replat. The tract encompasses 1.966 acres (approximately 85,639 square feet) and meets requirements of the Rural Residential (RR) zone.

Application, Public Notice, Public Comment

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

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

City staff published notice of the consideration of the plat as part of the agenda for the City of Kenai Planning and Zoning Commission in the *Peninsula Clarion*. No public comments have been received as of October 25, 2019.

ANALYSIS

Access to the proposed Lot 10A, Block 11 is via Phillips Drive, a gravel road maintained by the City of Kenai. The proposed plat does not dedicate any additional rights-of-way. Street names are denoted accurately on the preliminary plat.

The City of Kenai does not have water and sewer lines within this subdivision. The applicant has installed a private well and wastewater treatment and disposal system to service the residence on the lot, pursuant to the State of Alaska Department of Environmental Conservation regulations.

An existing ten foot (10') utility easement runs along the east boundary of the proposed Lot 10A, Block 11. The utility easement will allow for orderly development of the new parcel.

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

RECOMMENDATIONS

City staff recommends approval of the preliminary plat of Valhalla Heights 2019 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. Draft Resolution No. PZ2019-41
2. Application
3. Preliminary Plat
4. Map



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2019 - 41**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **RECOMMENDING** THAT VALHALLA HEIGHTS 2019 REPLAT ATTACHED HERETO AS EXHIBIT "A" BE APPROVED.

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

WHEREAS, the plat meets City Code requirements of the Rural Residential Zone; and,

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

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

WHEREAS, Phillips Drive is a gravel City-maintained road which provide access to the property; and,

WHEREAS, the utility easement shown on the proposed would allow for orderly development of the property; and,

WHEREAS, the City of Kenai does not have water and sewer lines within this subdivision and the property owners are not required to connect to City water and sewer lines; and,

WHEREAS, an installation agreement is not required; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to Kenai Municipal Code 14.10.070 Subdivision design standards, the plat conforms to the minimum street widths, an easement is sufficiently provided for utilities, the proposed lot would be arranged to provide satisfactory and desirable building sites.
2. Pursuant to Kenai Municipal Code Title 17 Public Utilities and Enterprises, the proposed lot is not required to connect to City water and sewer lines. The applicant has installed a private well and wastewater treatment and disposal system and a condition of approval is to continue to follow State of Alaska regulations for further development, including those covering a private well and wastewater treatment and disposal system.
3. Pursuant to Kenai Municipal Code 14.10.080 Minimum improvements required, there is adequate access and facilities available to the proposed parcel. An installation agreement is not required.

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

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

Section 1. That the Valhalla Heights 2019 Replat attached as Exhibit "A" be approved subject to the following conditions:

Section 2. That the approval of the Valhalla Heights Osland Replat attached as Exhibit "A" be subject to the following condition:

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 30th day of October, 2019.

JEFF TWAIT, CHAIRPERSON

ATTEST:

JAMIE HEINZ, CITY CLERK



CITY OF KENAI PLANNING DEPARMENT PRELIMINARY PLAT SUBMITTAL FORM

APPLICANT	Jeremiah & Jennifer Cates
MAILING ADDRESS	415 Phillips Dr
CITY, STATE, ZIP	Kenai, AK 99611
PHONE	720 940 8777

NAME OF PLAT	Valhalla Heights 2019 Replat
	Preliminary Plat Revised Preliminary Plat

CURRENT ZONING WHERE APPLICABLE: Rural Residential

USE: Residential Recreational Commercial Other

SEWER:	On Site	City	Community
WATER:	On Site	City	Community

Vacation of Public Right-of-Way Yes No

STREET NAME:

EXCEPTIONS REQUIRED AND REQUESTED:

COMMENTS:

Jeremiah Cates Jennifer Cates 10/7/2019
Applicant's Signature Date



Plat Submitted Under 20.10.040 Abbreviated Plat Submittal Form

Date: 10/7/2019

Name of Subdivision: Valhalla Heights 2019 Replat

Intended Land Use: Residential

Proposed Water & Sewer System Onsite

- Are the water and sewer systems onsite? Yes No
- Will the Plat be connected to a community system? Yes No

Attached are: (Please Indicate Attachments.)

- 1 full size copies of Preliminary Plat
- Plat Filing Fees in the amount of \$200.00
- Enstar Natural Gas Company plat review
- Homer Electric Association plat review
- Chugach Electric Association plat review N/A
- Seward Utilities plat review N/A
- ACS easement plat review
- GCI easement plat review
- TeleAlaska plat review N/A
- Department of Transportation & Public Facilities comments if plat fronts a State Right-of-Way.
- Kenai Peninsula Borough Roads Service Area if plat fronts a KPB Right-of-Way.
- Minutes setting out action by the Kenai City Advisory Planning Commission. N/A
- Certificate to Plat
- Boundary and Lot Closure Computations

The subdivider is responsible for submitting plats to the appropriate review agencies and the appropriate city if the subdivision is within the City of Homer, Kenai, Seldovia, Seward, or Soldotna.

Submitted by: Jeremiah & Jennifer Cates

Owner(s): Jeremiah Cates Jennifer Cates
Original Signatures

Exhibit A

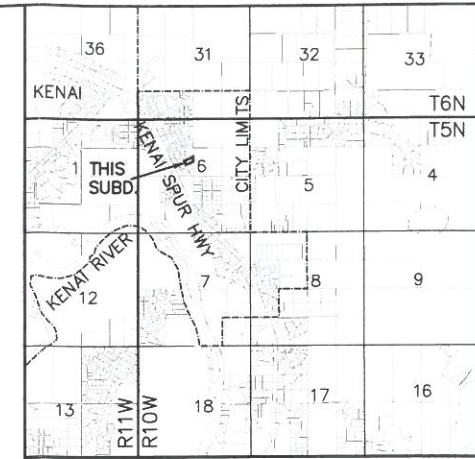
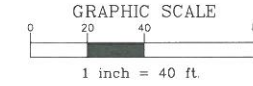
WASTEWATER DISPOSAL

THE PURPOSE OF THIS PLATTING ACTION IS TO REMOVE A LOT LINE, WHICH WILL PROVIDE GREATER AVAILABLE WASTEWATER DISPOSAL AREA AS DESCRIBED BY KPB 20.40.020(A)(2), COMPLYING WITH THE INTENT OF KPB 20.40.020(A)(1)(A). WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

LEGEND

- ⊕ RECORD PRIMARY MONUMENT
- RECORD 1/2" REBAR
- (RECORD) RECORD DATA FROM K1736
- AREA SUBJECT TO INUNDATION
- CONTOUR INTERVAL = 4'

1/4 SEC.31 - T6N - R10W
 SEC.6 - T5N - R10W
 RECORD GLO BRASS CAP



VICINITY MAP
Scale 1" = 1 Mile

NOTES

1. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
2. DEVELOPMENT MUST MEET THE CITY OF KENAI CHAPTER 14 ZONING CODE REQUIREMENTS.
3. THIS PLAT WAS PREPARED FROM DATA OF RECORD (K1736) WITH NO ADDITIONAL FIELD SURVEY.
4. FURTHER DEVELOPMENT OF THE PROPERTY SHALL CONFORM TO ALL FEDERAL, STATE OF ALASKA, AND LOCAL REGULATIONS.
5. THIS PARCEL MAY BE AFFECTED BY AN ELECTRIC EASEMENT GRANTED TO HOMER ELECTRIC ASSOCIATION ON JULY 11, 1969 IN BOOK 35 PAGE 187 KENAI RECORDING DISTRICT, LOCATION NOT DEFINED.

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

JEREMIAH CATES aka JEREMIAH N. CATES, OWNER
 415 PHILLIPS DR, KENAI, AK 99611

JENNIFER CATES, OWNER
 415 PHILLIPS DR, KENAI, AK 99611

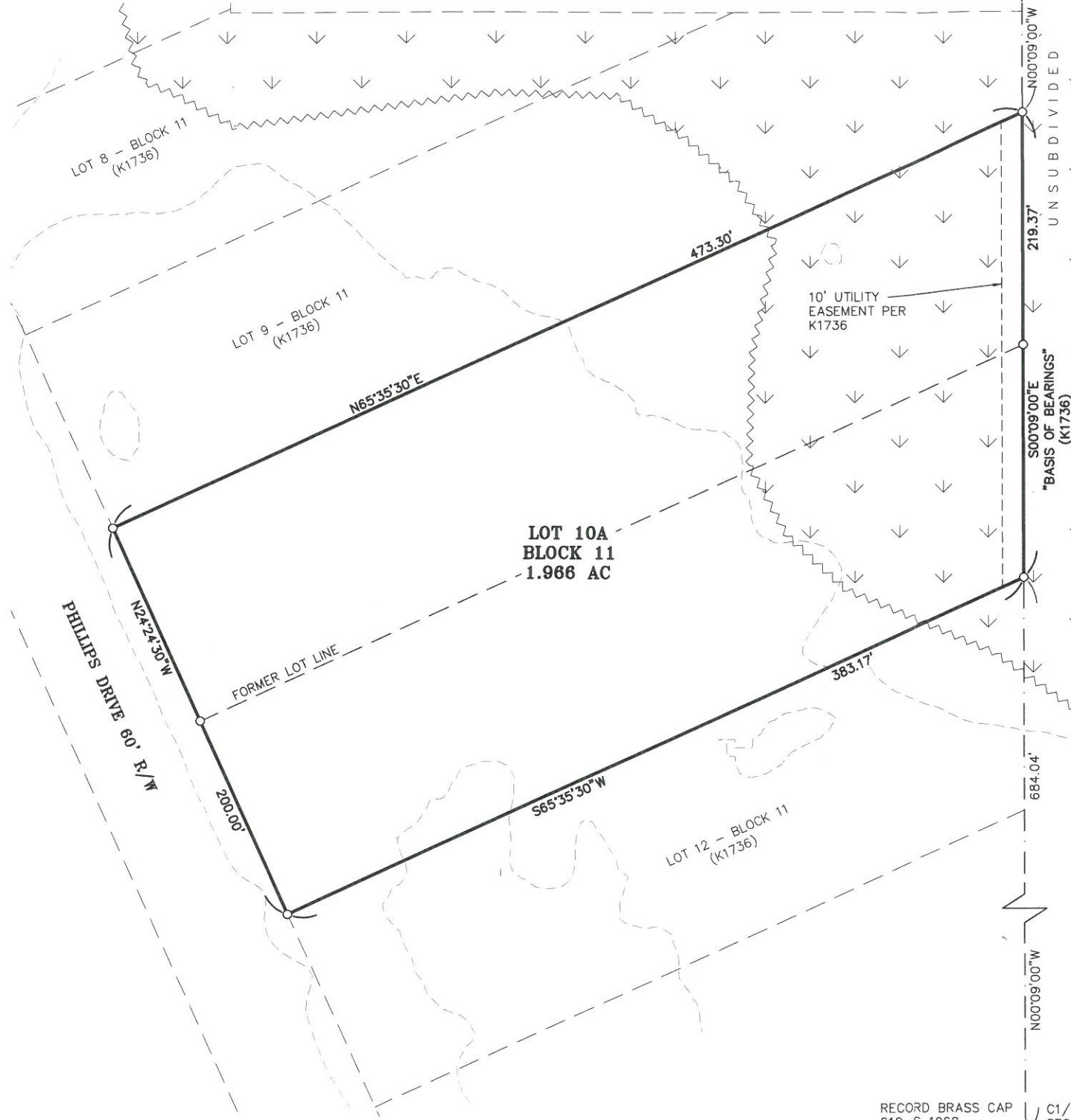
NOTARY'S ACKNOWLEDGEMENT

FOR: JEREMIAH & JENNIFER CATES
 ACKNOWLEDGED BEFORE ME THIS

_____ DAY OF _____, 2019

MY COMMISSION EXPIRES : _____

NOTARY PUBLIC FOR THE
 STATE OF ALASKA



UNSUBDIVIDED
 1737.88'
 N00°09'00"W
 219.37'
 S00°09'00"E
 "BASIS OF BEARINGS"
 (K1736)
 684.04'
 N00°09'00"W

Plat #
Rec Dist
Date
Time

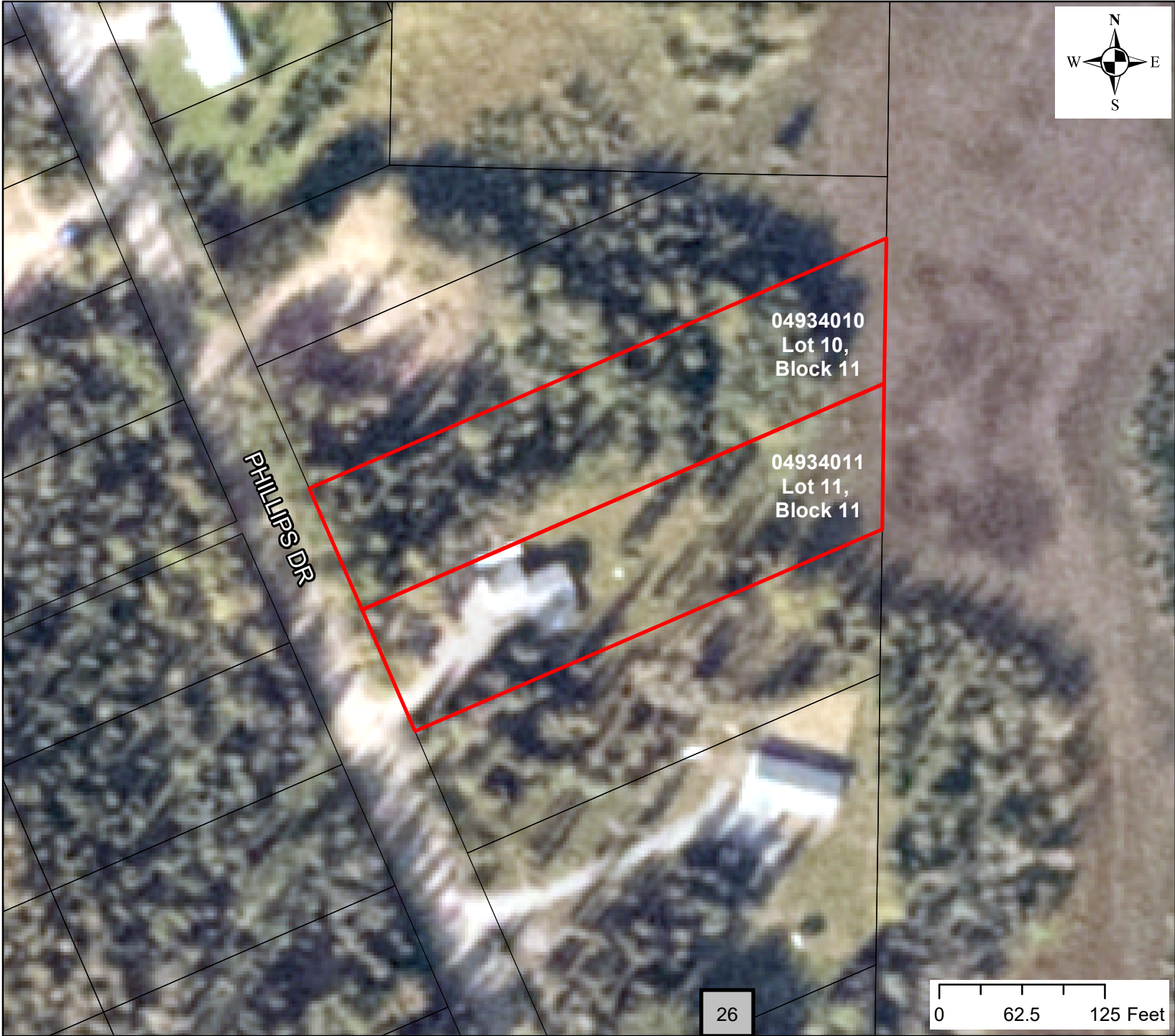
PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH IN ACCORDANCE WITH KPB 20.10.040.

 AUTHORIZED OFFICIAL

RECORD BRASS CAP
 610-S 1968
 C1/4 SEC.6

VALHALLA HEIGHTS 2019 REPLAT	
REPLAT OF VALHALLA HEIGHTS SUBDIVISION BLOCK 11 PART 4 LOT 10 & 11, BLOCK 11 (K1736)	
JEREMIAH CATES, OWNER 415 PHILLIPS DR KENAI, AK 99611	
1.966 AC. M/L SITUATED IN THE SE1/4 OF SECTION 36, TOWNSHIP 6 NORTH, RANGE 12 WEST, SEWARD MERIDIAN, CITY OF KENAI, KENAI PENINSULA BOROUGH, AND THE KENAI RECORDING DISTRICT, ALASKA.	
	ENGINEERING - TESTING SURVEYING - MAPPING P.O. BOX 468 SOLDOTNA, AK 99669 VOICE: (907) 283-4218 FAX: (907) 283-3265 WWW.MCLANECG.COM
KPB FILE NO. 2019-XXX	PROJECT NO. 192022
SCALE 1" = 40'	DATE : OCT. 2019
BOOK NO. : -	DRAWN BY : JAH



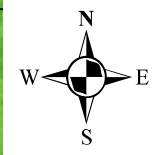
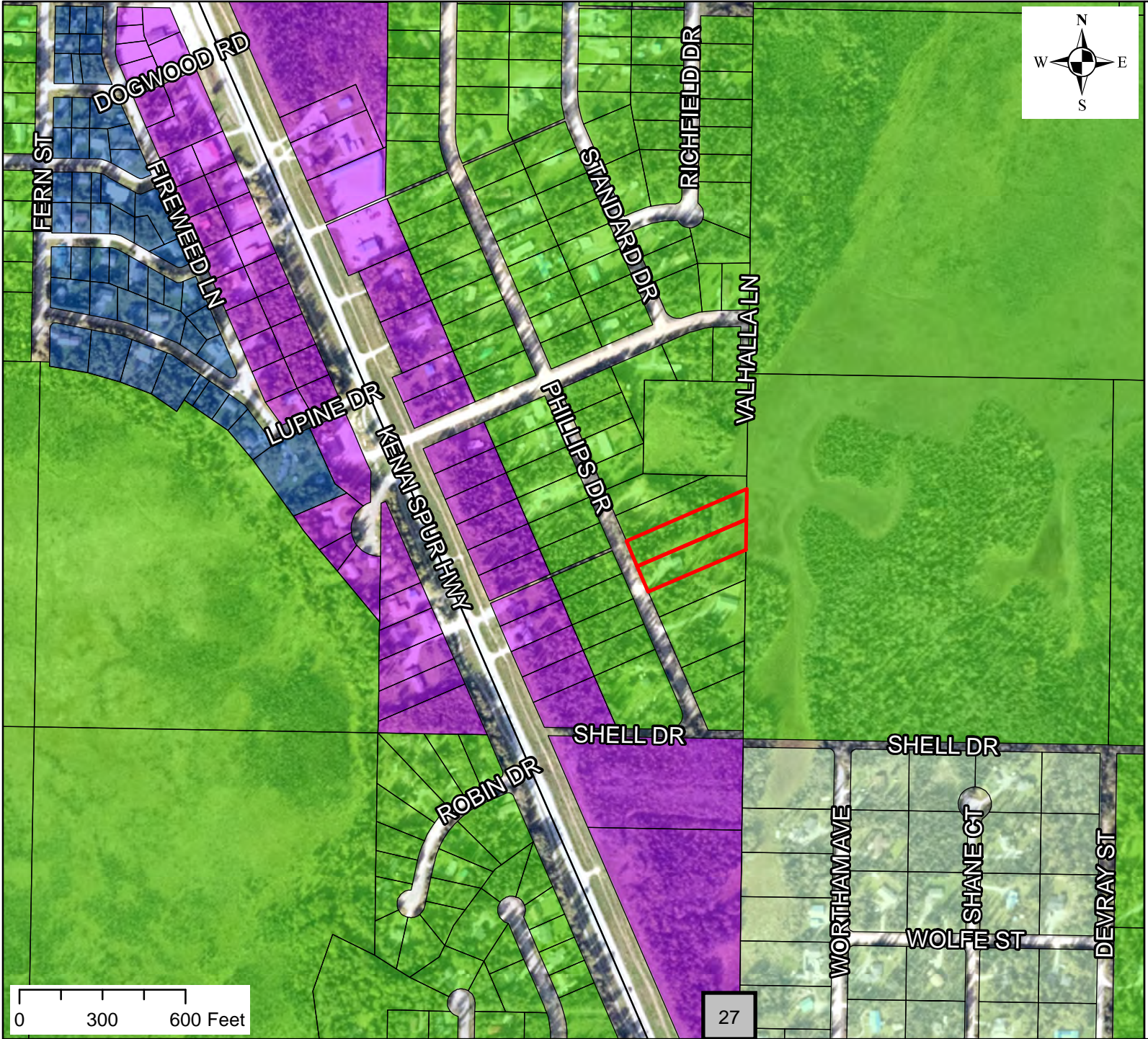
**Map for PZ2019-41
(1:1,250 Scale)**

**04934010, 04934011
Lots 10 and 11,
Block 11,
Valhalla Heights Subd
Part 4**



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

Date: 10/21/2019



**Map for PZ2019-41
(1:6,000 Scale)**

**04934010, 04934011
Lots 10 and 11,
Block 11,
Valhalla Heights Subd
Part 4**

LEGEND

Zoning

- Rural Residential (RR)
- Rural Residential 1 (RR-1)
- Suburban Residential (SR)
- Limited Commercial



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

Date: 10/21/2019

0 300 600 Feet

27



"Village with a Past, City with a Future"

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

STAFF REPORT

To: Planning & Zoning Commission

From: Elizabeth Appleby, City Planner

Date: October 25, 2019

Subject: Resolution PZ2019-42 – Preliminary Subdivision Plat – Valhalla Heights White Replat

Applicants: John J. White
Mary L. White
5327 Kenai Spur Highway
Kenai, AK 99611

Submitted By: McLane Consulting, Inc.
P.O. Box 468
Soldotna, AK 99669

Requested Action: Preliminary Subdivision Plat – Valhalla Heights White Replat

Legal Description: Lots 3, 4, and 5, Block 9, Valhalla Heights Subdivision No. 1

Property Address: 5327 Kenai Spur Highway; 5301 Kenai Spur Highway; and 5295 Kenai Spur Highway

KPB Parcel No: 04925018, 04925019, 04925020

Lot Size: 23,097 square feet (0.53 acres)
27,443 square feet (0.63 acres)
31,799 square feet (0.73 acres)

Existing Zoning: Rural Residential

Current Land Use: Single Family Dwelling, Single Family Dwelling Accessory Structure, and Vacant

Land Use Plan: Suburban Residential

GENERAL INFORMATION

John and Mary White are the owners of Lots 3, 4, and 5, Block 9, Valhalla Heights Subdivision No. 1. On the owners' behalf, McLane Consulting, Inc. has submitted a plat that would vacate the property lines between the three lots to create one larger lot. The property owners currently have their residence on one lot and their shop on another lot. Removing the lots lines would place the primary and accessory residential structures on one lot.

John and Mary White would own the lot proposed to be Lot 3A, Block 9, as shown on the preliminary plat of Valhalla Heights White Replat. The new parcel would be 1.891 acres (approximately 82,272 square feet) and meets requirements of the Rural Residential (RR) zone.

Application, Public Notice, Public Comment

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

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

City staff published notice of the consideration of the plat as part of the agenda for the City of Kenai Planning and Zoning Commission in the *Peninsula Clarion*. No public comments have been received as of October 25, 2019.

ANALYSIS

Access to the proposed Lot 3A is via the Kenai Spur Highway, a paved road maintained by the State of Alaska, Department of Transportation. The proposed plat does not dedicate any additional rights-of-way. Street names are denoted accurately on the preliminary plat.

The City of Kenai does not have water and sewer lines within this subdivision. The applicant has installed a private well and wastewater treatment and disposal system to service the residences that are currently located on the lots, pursuant to the Department of Environmental Conservation regulations. Additional development would also be required to follow State of Alaska guidelines.

There are no utility easements dedicated by this plat. The lots are serviced by overhead utilities located within the right-of-way of the Kenai Spur Highway.

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

RECOMMENDATIONS

City staff recommends approval of the preliminary plat of Valhalla Heights White Replat, subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. Add "Block 9" to the legal description on the proposed plat.

ATTACHMENTS

1. Draft Resolution No. PZ2019-42
2. Application
3. Preliminary Plat
4. Map



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2019 - 42**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **RECOMMENDING** THAT VALHALLA HEIGHTS WHITE REPLAT ATTACHED HERETO AS EXHIBIT "A" BE APPROVED.

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

WHEREAS, the plat meets City Code requirements of the Rural Residential Zone; and,

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

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

WHEREAS, the Kenai Spur Highway is a paved State-maintained road which provide access to the property; and,

WHEREAS, utilities are provided by the overhead lines located within the right-of-way of the Kenai Spur Highway which provide for orderly development of the property; and,

WHEREAS, the City of Kenai does not have water and sewer lines within this subdivision and the property owners are not required to connect to City water and sewer lines; and,

WHEREAS, an installation agreement is not required; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to Kenai Municipal Code 14.10.070 Subdivision design standards, the plat conforms to the minimum street widths, an easement is sufficiently provided for utilities, the proposed lot would be arranged to provide satisfactory and desirable building sites.
2. Pursuant to Kenai Municipal Code Title 17 Public Utilities and Enterprises, the proposed lot is not required to connect to City water and sewer lines. A condition of approval is to follow State of Alaska regulations for further development, including those covering a private well and wastewater treatment and disposal system.
3. Pursuant to Kenai Municipal Code 14.10.080 Minimum improvements required, there is adequate access and facilities available to the proposed parcel. An installation agreement is not required.
4. Pursuant to Kenai Municipal Code 14.24.010 Minimum lot area requirements, the lot meets City standards for minimum lot sizes.

5. Pursuant to Kenai Municipal Code 14.24.020 General Requirements, the lots meet City standards for minimum lot width, maximum lot coverage, maximum height, and setbacks.

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

Section 1. That the Valhalla Heights White Replat attached as Exhibit "A" be approved subject to the following conditions:

Section 2. That the approval of the Valhalla Heights Osland Replat attached as Exhibit "A" be subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. Add "Block 9" to the legal description on the proposed plat.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 30th day of October, 2019.

JEFF TWAIT, CHAIRPERSON

ATTEST:

JAMIE HEINZ, CITY CLERK



**CITY OF KENAI PLANNING DEPARTMENT
PRELIMINARY PLAT SUBMITTAL FORM**

APPLICANT	John Jay and Mary Lucia White
MAILING ADDRESS	5327 Kenai Spur Hwy
CITY, STATE, ZIP	Kenai, AK 99611
PHONE	907-398-3485

NAME OF PLAT	Valhalla Heights White Replat	
	Preliminary Plat	Revised Preliminary Plat

CURRENT ZONING WHERE APPLICABLE: Limited Commercial

USE: Residential Recreational Commercial Other

SEWER: On Site City Community
 WATER: On Site City Community

Vacation of Public Right-of-Way Yes No
 STREET NAME:

EXCEPTIONS REQUIRED AND REQUESTED:

COMMENTS:

John Jay White
Mary Lucia White
 Applicant's Signature

10-7-2019
 Date



**Plat Submitted Under 20.10.040
Abbreviated Plat Submittal Form**

Date: 10/7/19

Name of Subdivision: Valhalla Heights White Replat

Intended Land Use: Residential

Proposed Water & Sewer System Onsite

- Are the water and sewer systems onsite? Yes No
- Will the Plat be connected to a community system? Yes No

Attached are: (Please Indicate Attachments.)

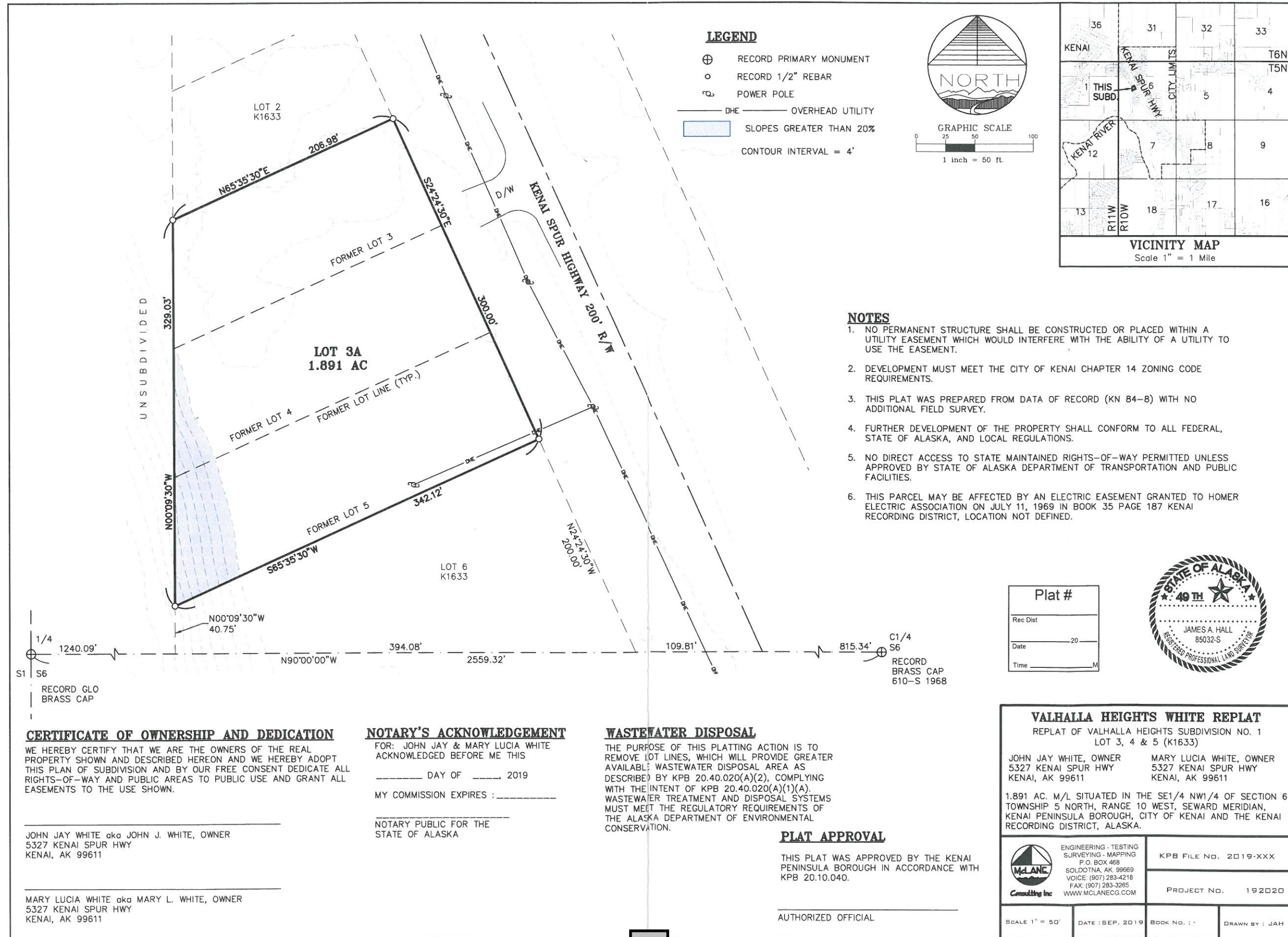
- 1 full size copies of Preliminary Plat
- Plat Filing Fees in the amount of \$400
- Enstar Natural Gas Company plat review
- Homer Electric Association plat review
- Chugach Electric Association plat review N/A
- Seward Utilities plat review N/A
- ACS easement plat review
- GCI easement plat review
- TeleAlaska plat review N/A
- Department of Transportation & Public Facilities comments if plat fronts a State Right-of-Way.
- Kenai Peninsula Borough Roads Service Area if plat fronts a KPB Right-of-Way.
- Minutes setting out action by the Kenai City Advisory Planning Commission. N/A
- Certificate to Plat
- Boundary and Lot Closure Computations

The subdivider is responsible for submitting plats to the appropriate review agencies and the appropriate city if the subdivision is within the City of Homer, Kenai, Seldovia, Seward, or Soldotna.

Submitted by: John and Mary White

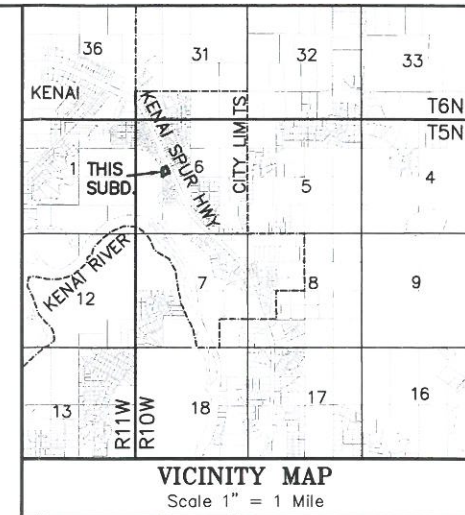
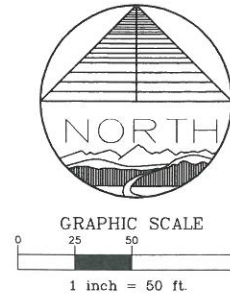
Owner(s): John Jay White Mary Lucia White
Original Signatures

Exhibit A



LEGEND

- ⊕ RECORD PRIMARY MONUMENT
- RECORD 1/2" REBAR
- ⊙ POWER POLE
- DHE ——— OVERHEAD UTILITY
- [Blue shaded area] SLOPES GREATER THAN 20%
- CONTOUR INTERVAL = 4'



NOTES

1. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
2. DEVELOPMENT MUST MEET THE CITY OF KENAI CHAPTER 14 ZONING CODE REQUIREMENTS.
3. THIS PLAT WAS PREPARED FROM DATA OF RECORD (KN 84-8) WITH NO ADDITIONAL FIELD SURVEY.
4. FURTHER DEVELOPMENT OF THE PROPERTY SHALL CONFORM TO ALL FEDERAL, STATE OF ALASKA, AND LOCAL REGULATIONS.
5. NO DIRECT ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES.
6. THIS PARCEL MAY BE AFFECTED BY AN ELECTRIC EASEMENT GRANTED TO HOMER ELECTRIC ASSOCIATION ON JULY 11, 1969 IN BOOK 35 PAGE 187 KENAI RECORDING DISTRICT, LOCATION NOT DEFINED.



Plat #	
Rec Dist	_____
Date	____/____/20____
Time	____:____M

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

 JOHN JAY WHITE aka JOHN J. WHITE, OWNER
 5327 KENAI SPUR HWY
 KENAI, AK 99611

 MARY LUCIA WHITE aka MARY L. WHITE, OWNER
 5327 KENAI SPUR HWY
 KENAI, AK 99611

NOTARY'S ACKNOWLEDGEMENT

FOR: JOHN JAY & MARY LUCIA WHITE
 ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 2019
 MY COMMISSION EXPIRES : _____

 NOTARY PUBLIC FOR THE
 STATE OF ALASKA

WASTEWATER DISPOSAL

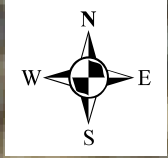
THE PURPOSE OF THIS PLATTING ACTION IS TO REMOVE LOT LINES, WHICH WILL PROVIDE GREATER AVAILABLE WASTEWATER DISPOSAL AREA AS DESCRIBED BY KPB 20.40.020(A)(2), COMPLYING WITH THE INTENT OF KPB 20.40.020(A)(1)(A). WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH IN ACCORDANCE WITH KPB 20.10.040.

 AUTHORIZED OFFICIAL

VALHALLA HEIGHTS WHITE REPLAT	
REPLAT OF VALHALLA HEIGHTS SUBDIVISION NO. 1 LOT 3, 4 & 5 (K1633)	
JOHN JAY WHITE, OWNER 5327 KENAI SPUR HWY KENAI, AK 99611	MARY LUCIA WHITE, OWNER 5327 KENAI SPUR HWY KENAI, AK 99611
1.891 AC, M/L SITUATED IN THE SE1/4 NW1/4 OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 10 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, CITY OF KENAI AND THE KENAI RECORDING DISTRICT, ALASKA.	
	ENGINEERING - TESTING SURVEYING - MAPPING P.O. BOX 468 SOLDOTNA, AK 99669 VOICE: (907) 283-4218 FAX: (907) 283-3265 WWW.MCLANECG.COM
KPB FILE NO. 2019-XXX	PROJECT NO. 192020
SCALE 1" = 50'	DATE: SEP, 2019
BOOK NO. :-	DRAWN BY: JAH



04925018
Lot 3,
Block 9

04925019
Lot 4,
Block 9

04925020
Lot 5,
Block 9

KENAI SPUR HWY

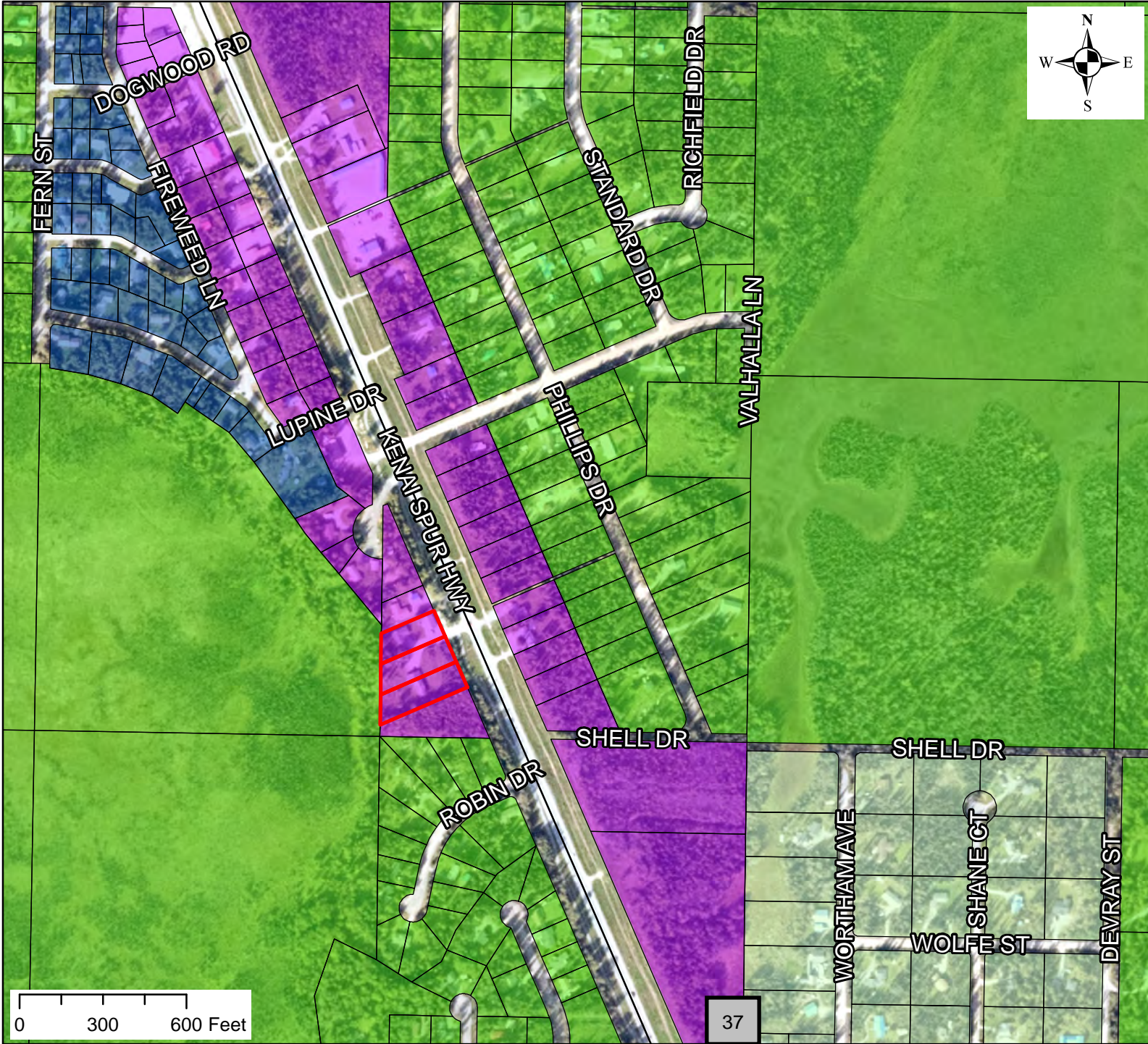
Map for PZ2019-42 (1:800 Scale)

04925018,
04925019,
04925020,
Lots 3, 4, and 5,
Block 9,
Valhalla Heights Subd
No. 1



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





**Map for PZ2019-42
(1:6,000 Scale)**

**04925018, 04925019, 04925020
Lots 3, 4, and 5,
Block 9,
Valhalla Heights Subd
No. 1**

LEGEND

Zoning

- Rural Residential (RR)
- Rural Residential 1 (RR-1)
- Suburban Residential (SR)
- Limited Commercial



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

Date: 10/21/2019

0 300 600 Feet

37



Kenai City Council - Regular Meeting

October 02, 2019 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

ACTION AGENDA

A. CALL TO ORDER

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

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

B. SCHEDULED PUBLIC COMMENTS

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

C. UNSCHEDULED PUBLIC COMMENTS

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

D. PUBLIC HEARINGS

1. **ENACTED. Ordinance No. 3083-2019 Substitute** - Amending Kenai Municipal Code 14.20.175 - Adult Businesses, To Increase The Buffer Distances Between Adult Businesses And Sensitive Uses From 500 Feet To 1000 Feet And Define Sensitive Uses. (Council Members Pettey and Knackstedt) [**Clerk's Note:** *At the September 4 Meeting, this item was Referred to the Planning & Zoning Commission for a Recommendation and to be Scheduled for a Second Public Hearing at the October 2 Meeting. A Motion to Enact as Amended is On the Floor.*]
2. **ENACTED UNANIMOUSLY. Ordinance No. 3085-2019** - Increasing Estimated Revenues and Appropriations in the Water and Sewer Fund for the Purchase of Well Radius Property Described as Tract A, Alaska State Land Survey No. 2013-49, Filed Under Plat 2017-8, for the City's Public Water System. (Administration)

3. **ENACTED UNANIMOUSLY. Ordinance No. 3086-2019** - Accepting and Appropriating a Grant from the Rasmuson Foundation and Accepting and Appropriating Private Donations in the Senior Center Capital Improvement Fund for the Purchase of New Flooring for the Dining Room and Administration Offices of the Kenai Senior Center. (Administration)
4. **ENACTED UNANIMOUSLY. Ordinance No. 3087-2019** - Authorizing a Budget Transfer in the Senior Center Capital Improvement Fund and Increasing Estimated Revenues and Appropriations in the Public Safety Improvement Capital Project Fund to Provide Supplemental Funding for the Fire Department Kitchen Remodel Project. (Administration)
5. **ENACTED UNANIMOUSLY. Ordinance No. 3088-2019** - Amending Kenai Municipal Code, Section 14.20.330 – Standards for Commercial Marijuana Establishments, to Incorporate Limitations on Hours of Operation for Retail Marijuana Establishments. (Administration)

E. MINUTES

1. **APPROVED BY THE CONSENT AGENDA.** *Regular Meeting of September 18, 2019.

F. UNFINISHED BUSINESS

1. **ENACTED UNANIMOUSLY. Ordinance No. 3072-2019 Substitute** - Renaming, Repealing and Re-Enacting Kenai Municipal Code Title 22-General Fund Lands, Renaming Title 21-City Airport and Airport Lands, and Repealing Kenai Municipal Code Chapter 21.15-Lease and Sale of Airport Lands Outside of the Airport Reserve to Encourage Responsible Growth and Development to Support a Thriving Business, Residential, Recreational and Cultural Community through Responsible Land Policies and Practices. (Administration) *[Clerk's Note: At the September 4 Meeting this Item was Postponed to this Meeting. A Motion to Enact is On the Floor.]*
2. **ADOPTED UNANIMOUSLY. Resolution No. 2019-58** - Amending its Comprehensive Schedule of Rates, Charges, and Fees to Incorporate Changes to Application Fees for Lands Outside the Airport Reserve. (Administration) *[Clerk's Note: At the September 4 Meeting this Item was Postponed to this Meeting. A Motion to Enact is On the Floor.]*

G. NEW BUSINESS

1. **APPROVED BY THE CONSENT AGENDA.** *Action/Approval - Bills to be Ratified. (Administration)
2. **APPROVED BY THE CONSENT AGENDA.** *Action/Approval - Purchase Orders Exceeding \$15,000. (Administration)
3. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 10/16/19.** *Ordinance No. 3089-2019 - Amending Kenai Municipal Code Section

1.15.040, Agenda, to Revise Public Notice Requirements and Amend the Agenda/Package Preparation, Distribution, And Publication Administrative Policies and Procedures to make Standard Revisions and Housekeeping Changes. (Council Members Molloy and Knackstedt)

4. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 10/16/19. *Ordinance No. 3090-2019** - Increasing Estimated Revenues And Appropriations In The General And Public Safety Capital Project Funds And Accepting An Assistance To Firefighter Grant From The Federal Emergency Management Agency For The Cooperative Purchase Of Self-Contained Breathing Apparatus For The City Of Kenai Fire Department, Nikiski Fire Department And Central Emergency Services. (Administration)
5. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 10/16/19. *Ordinance No. 3091-2019** - Amending Kenai Municipal Code Section 17.10.010 – Mandatory Connection and Abandonment of Old Well, and Section 17.20.010 - Mandatory Connections and Abandonment of Old On-Site Sewer Systems, to Clarify the Intent of Ordinance 3003-2018 and Make Housekeeping Changes. (Council Member Knackstedt)
6. **AMENDED UNANIMOUSLY. Ordinance No. 3079-2019 Substitute** - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvements Capital Project Funds and Accepting a Grant from the Federal Aviation Administration for the Purchase of Two Aircraft Rescue and Firefighting (ARFF) Vehicles, Rehabilitation of the Fire Training Props, and Rehabilitation of the Training Facility for the Alaska Regional Fire Training Facility. (Administration)
[Clerk's Note: This ordinance was enacted at the 9/04/19 meeting. It has been discovered that a purchase order increase was inadvertently excluded from the amounts. A motion to amend something previously adopted is in order and as such, appearance on this agenda serves as notice.]
7. **APPROVED AS AMENDED. Action/Approval** - Supporting the Draft Environmental Impact Statement for the Alaska LNG Project and Approving Comments to be Submitted on Behalf of the City of Kenai to the Federal Environmental Regulatory Commission. (Administration)

H. COMMISSION / COMMITTEE REPORTS

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

7. Mini-Grant Steering Committee
- I. **REPORT OF THE MAYOR**
- J. **ADMINISTRATION REPORTS**
 1. City Manager
 2. City Attorney
 3. City Clerk
- K. **ADDITIONAL PUBLIC COMMENT**
 1. Citizens Comments (*Public comment limited to five (5) minutes per speaker*)
 2. Council Comments
- L. **EXECUTIVE SESSION**
- M. **PENDING ITEMS**
- N. **ADJOURNMENT**
- O. **INFORMATION ITEMS**
 1. Purchase Orders between \$2,500 and \$15,000
 2. Upper Cook Inlet Finfish Meeting Location Correspondence

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.



Kenai City Council - Regular Meeting

October 16, 2019 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

ACTION AGENDA

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. **Election Certification**
4. **Administer Oaths of Office**
5. Agenda Approval
6. 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 AS AMENDED. Ordinance No. 3089-2019** - Amending Kenai Municipal Code Section 1.15.040, Agenda, to Revise Public Notice Requirements and Amend the Agenda/Package Preparation, Distribution, and Publication Administrative Policies and Procedures to make Standard Revisions and Housekeeping Changes. (Council Members Molloy and Knackstedt)
2. **ENACTED UNANIMOUSLY. Ordinance No. 3090-2019** - Increasing Estimated Revenues and Appropriations in the General and Public Safety Capital Project Funds and Accepting an Assistance to Firefighter Grant from the Federal Emergency Management Agency for the Cooperative Purchase of Self-Contained

Breathing Apparatus for the City of Kenai Fire Department, Nikiski Fire Department and Central Emergency Services. (Administration)

3. **ENACTED UNANIMOUSLY. Ordinance No. 3091-2019** - Amending Kenai Municipal Code Section 17.10.010 – Mandatory Connection and Abandonment of Old Well, and Section 17.20.010 - Mandatory Connections and Abandonment of Old On-Site Sewer Systems, to Clarify the Intent of Ordinance 3003-2018 and Make Housekeeping Changes. (Council Member Knackstedt)
4. **ADOPTED UNANIMOUSLY. Resolution No. 2019-67** - Establishing Dates for Regular Meetings of the City Council for 2020. (City Clerk)
5. **ADOPTED UNANIMOUSLY. Resolution No. 2019-68** - Approving a Memorandum of Agreement between the U.S. Fish and Wildlife Service, Alaska Region, Alaska State Parks, and the City of Kenai for a Gateway to Public Lands Display in the Kenai Municipal Airport. (Administration)
6. **ADOPTED UNANIMOUSLY AS AMENDED. Resolution No. 2019-69** - Awarding Non-Exclusive On-Airport Car Rental Concession to EAN Holdings, LLC, for the Period of December 1, 2019 through June 30, 2021. (Administration)
7. **ADOPTED UNANIMOUSLY. Resolution No. 2019-70** - Approving a Standard Lease Form for City Lands Outside the Airport Reserve. (Administration)
8. **POSTPONED UNANIMOUSLY TO 11/06/19. Resolution No. 2019-71** - Repealing Policy No. 2017-02, Supervisory Sub-Committee. (Council Member Knackstedt)

E. **MINUTES**

1. **APPROVED BY THE CONSENT AGENDA** *Regular Meeting of October 2, 2019. (City Clerk)

F. **UNFINISHED BUSINESS**

G. **NEW BUSINESS**

1. **APPROVED BY THE CONSENT AGENDA *Action/Approval** - Bills to be Ratified. (Administration)
2. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 11/06/19. *Ordinance No. 3092-2019** - Amending Kenai Municipal Code, Section 1.10.030 – Organization Meeting, to Provide that the Terms of Office of the Mayor and Other Councilmembers Shall Begin the Monday Following Certification of the Election. (City Clerk)
3. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 11/06/19. *Ordinance No. 3093-2019** - Accepting and Appropriating a Grant From the U.S. Department of Homeland Security Passed through the State of Alaska Department of Military and Veterans' Affairs for the Purchase of a Fire Station

Alerting System, an IT Security Audit, and Base Radio System Replacement for Dispatch. (Administration)

4. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 11/06/19. *Ordinance No. 3094-2019** - Accepting and Appropriating a Donation from Hilcorp Energy Company to Assist with the Annual Kenai Senior Center Thanksgiving Dinner. (Administration)

H. COMMISSION / COMMITTEE REPORTS

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

I. REPORT OF THE MAYOR

J. ADMINISTRATION REPORTS

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

K. ADDITIONAL PUBLIC COMMENT

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

L. EXECUTIVE SESSION

M. PENDING ITEMS

N. ADJOURNMENT

O. INFORMATION ITEMS

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



Planning Commission Tentative Agenda

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

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

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

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

OCTOBER 14, 2019

7:30 p.m.

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF CONSENT AND REGULAR AGENDA

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

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

***1. Time Extension Request**

- a. Denali Subdivision Sexton Addition No. 2
KPB File 2009-194 [No Surveyor / Sexton]
Location: Kalifornsky Area; Kalifornsky APC

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

***3. Plats Granted Administrative Approval**

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

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

***6. Utility Easement Vacations**

- a. Vacate a 20-foot wide utility easement in the City of Kenai. Utility easement is on the shared lot lines of Tract A and Lots 4, 5, 6, Block 1 of Bridge Road Subdivision Number Two (Plat KN 0840068) and Lot 7A, Block 1 of Bridge Road Subdivision Lockwood Addition (Plat KN 2004018); within Section 4, Township 5 North, Range 11 West, Seward Meridian, Kenai Peninsula Borough, Alaska. KPB File 2019-114V. Petitioners: Peninsula Mini Storage LLC, of Kenai, AK and SBC Development Group, Inc., of Soldotna, AK.

***7. Commissioner Excused Absences**

- a. Cindy Ecklund, City of Seward
- b. Dr. Rick Foster, Southwest Borough
- c. Vacant, Ridgeway

***8. Minutes**

- a. September 23, 2019 Planning Commission Meeting

D. PUBLIC COMMENT/PRESENTATIONS/COMMISSIONERS

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

E. UNFINISHED BUSINESS - None

F. PUBLIC HEARINGS

1. Petition to vacate a 30-foot wide portion of Greatland Street public right-of-way in the City of Homer. The right-of-way proposed to be vacated is unconstructed and located within Section 19, Township 6 South, Range 13 West, Seward Meridian, Kenai Peninsula Borough, Alaska. KPB File 2019-105V. Petitioner: Tom Livingston of Anchorage, AK.

2. Petition to vacate Backer’s Island Lane, a public right of way in the City of Seldovia. Also, vacate the associated utility easement described as the front 10 feet of the 20 foot setback and the full 20 feet within 5 feet of the side lot lines adjoining Backer’s Island Lane. The right-of-way proposed to be vacated is unconstructed and located within Section 32, Township 8 South, Range 14 West, Seward Meridian, Kenai Peninsula Borough, Alaska. KPB File 2019-109V. Petitioner(s): Precious Earth Inc. of Bakersfield, California.

3. Ordinance 2019-__; An Ordinance correcting Ordinance 2019-13 by re-authorizing retention or sale of certain real property obtained by the Kenai Peninsula Borough through tax foreclosure proceedings, and thereby providing time to correct a notice deficiency discovered after enactment of Ordinance 2019-13.

G. ANADROMOUS WATERS HABITAT PROTECTION DISTRICT (21.18)

1. An application for a Conditional Use Permit to install a 50-foot by 4-foot elevated, light penetrating (ELP) access walkway and an 8-foot by 20-foot ELP fishing platform within the 50-foot Habitat Protection District of the Kenai River. Petitioner: Terence W. Johnson of Kenai, AK. Physical Address: 45579 Fish On Drive, Kenai, AK. Legal Description: Section 19, Township 5 North, Range 10 West, Seward Meridian, KN 0840140, Castaway Cove Subdivision Amended Lot 3, Block 6. Parcel Number: 055-256-30

H. VACATIONS NOT REQUIRING A PUBLIC HEARING – None

I. SPECIAL CONSIDERATIONS

- 1. Building Setback Exception
 Northridge Acres Subdivision Hopkins Addition
 KPB File 2019-110; Resolution 2019-33
 Location: On Eddy Hill Drive from Sports Lake Road and from Kenai Spur Highway;
 Ridgeway

J. SUBDIVISION PLAT PUBLIC HEARINGS

- 1. The Plat Committee will review 3 preliminary plat.

K. OTHER/NEW BUSINESS

L. ASSEMBLY COMMENTS

M. LEGAL REPRESENTATIVE COMMENTS

N. DIRECTOR'S COMMENTS

O. COMMISSIONER COMMENTS

P. PENDING ITEMS FOR FUTURE ACTION

Q. ADJOURNMENT

**MISCELLANEOUS INFORMATIONAL ITEMS
 NO ACTION REQUIRED**

NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING

The next regularly scheduled Planning Commission meeting will be held **Monday, October 28, 2019** in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley St, Soldotna, Alaska at **7:30 p.m.**

ADVISORY PLANNING COMMISSION MEETINGS

ADVISORY COMMISSION	MEETING LOCATION	DATE	TIME
Anchor Point	Anchor Point Chamber of Commerce	November 6, 2019	7:00 p.m.
Cooper Landing	Cooper Landing Community Hall	November 6, 2019	6:00 p.m.
Funny River	Donald E. Gilman River Center	TBD	6:00 p.m.
Moose Pass	Moose Pass Community Hall	TBD	6:30 p.m.

Hope / Sunrise	Hope Social Hall	TBD	6:00 p.m.
The Kachemak Bay Advisory Planning Commission is inactive at this time.			

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

CONTACT INFORMATION

KENAI PENINSULA BOROUGH PLANNING DEPARTMENT

Phone: 907-714-2215

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

Fax: 907-714-2378

e-mail address: planning@kpb.us

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



Plat Committee Tentative Agenda

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

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

Jeremy Brantley – Sterling • Paulette Bokenko-Carluccio – City of Seldovia • Cindy Ecklund – City of Seward

Robert Ruffner – Kasilof/Clam Gulch • Paul Whitney – City of Soldotna

Alternates: Dr. Rick Foster– Southwest Borough • Franco Venuti – City of Homer

OCTOBER 14, 2019

6:30 p.m.

A. CALL TO ORDER

B. ROLL CALL

1. Election of Officers

C. APPROVAL OF AGENDA, EXCUSED ABSENCES, AND MINUTES

1. Agenda
2. Member/Alternate Excused Absences
 - a. Cindy Ecklund, City of Seward
3. Minutes
 - a. September 23, 2019 Plat Committee Meeting

D. PUBLIC COMMENT

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

E. SUBDIVISION PLAT PUBLIC HEARINGS

1. Doyle Estates Subdivision Fifth Addition
KPB File 2019-112 [McLane Consulting Group / Doyle]
Location: on Karluk Avenue and Dalton Street S; Kalifornsky
Kalifornsky APC
2. Karluk Reef Hollier Replat
KPB File 2019-113; [Edge Survey & Design, LLC / Karluk Reef Inc]
Location: on Reef Drive off Exchange Way and Kalifornsky Beach Road; Kalifornsky
Kalifornsky APC
3. Johansen Subdivision
KPB File 2019-005R1 [Global Positioning Services, Inc. / Bureau of Indian Affairs, Johansen,
Blizzard, Kidder]
Location: off Pipeline Road and Holt Lamplight Road; Nikiski

- F. FINAL SUBDIVISION PLAT PUBLIC HEARING - None**
- G. OTHER / NEW BUSINESS**
- H. MISCELLANEOUS INFORMATION – NO ACTION REQUIRED**
- I. ADJOURNMENT**

NEXT REGULARLY SCHEDULED MEETING

The next regularly scheduled Plat Committee meeting will be held **Monday, October 28, 2019** in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley, Soldotna, Alaska at **5:30 p.m.**

PLANNING DEPARTMENT

Phone: 907-714-2215 Fax: 907-714-2378

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

e-mail address: planning@kpb.us

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



Planning Commission Tentative Agenda

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

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

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

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

OCTOBER 28, 2019

7:30 p.m.

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF CONSENT AND REGULAR AGENDA

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

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

***1. Time Extension Request - None**

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

***3. Plats Granted Administrative Approval**

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

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

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

***7. Commissioner Excused Absences**

- a. Syverine Abrahamson-Bentz, Anchor Point / Ninilchik
- b. Cindy Ecklund, City of Seward
- c. Vacant, Ridgeway

***8. Minutes**

- a. October 14, 2019 Planning Commission Meeting

D. PUBLIC COMMENT/PRESENTATIONS/COMMISSIONERS

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

E. UNFINISHED BUSINESS - None

F. PUBLIC HEARINGS

1. A petition was received to vacate a Section Line Easements and Rights-of-Way with associated utility easement in the Sterling area. The vacations are located within Section 35 and 36, Township 5 North, Range 10 West, Seward Meridian, Kenai Peninsula Borough, Alaska. The rights-of-way to be vacated are portions of Mountain Ash Street, Paper Birch Lane and Foster Avenue. KPB File 2019-117V. Petitioner(s): Cody R. McLane of Soldotna, AK.

2. An application for the formation of a Single-Family Residential (R-1) local option zoning district (LOZD) in the Funny River area. The area proposed for inclusion within the LOZD includes various lots from various River Bend Ridge Subdivision plats. Location: Certain lots along Treeline Avenue, River Bend Drive, and River View Terrace Drive.

3. A modification application for a conditional land use permit for material extraction on a parcel in the Anchor Point area. Applicant/Landowner: Harry Olson Parcel Number: 169-012-13 Legal Description: A portion of the South ½ Southeast ¼, Section 9, Township 5 South, Range 15 West, Seward Meridian, excluding Olsen Hills Phase One Subdivision, according to Plat 2006-68. Location: 35979 Sterling Highway Proposed Land Use: The applicant wishes to modify the required buffers on the parcel listed above.

4. A modification application for a conditional land use permit for material extraction on a parcel in the Kasilof/Cohoe area. Applicant / Landowner: T & L Equipment, Inc. Parcel Number: 133-370-34 Legal Description: Southwest ¼ Southeast ¼ Southwest ¼, Section 31, Township 3 North, Range 11 West, Seward Meridian, excluding Cabin Avenue right-of-way. Location: 51822 Cabin Avenue Proposed Land Use: The applicant wishes to modify the required buffers on the parcel listed above.

G. ANADROMOUS WATERS HABITAT PROTECTION DISTRICT (21.18) - None

H. VACATIONS NOT REQUIRING A PUBLIC HEARING – None

I. SPECIAL CONSIDERATIONS - None

J. SUBDIVISION PLAT PUBLIC HEARINGS

1. The Plat Committee will review 4 preliminary plat.

K. OTHER/NEW BUSINESS

L. ASSEMBLY COMMENTS

- M. LEGAL REPRESENTATIVE COMMENTS**
- N. DIRECTOR'S COMMENTS**
- O. COMMISSIONER COMMENTS**
- P. PENDING ITEMS FOR FUTURE ACTION**
- Q. ADJOURNMENT**

**MISCELLANEOUS INFORMATIONAL ITEMS
NO ACTION REQUIRED**

NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING

The next regularly scheduled Planning Commission meeting will be held **Tuesday, November 12, 2019** in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley St, Soldotna, Alaska at **7:30 p.m.**

ADVISORY PLANNING COMMISSION MEETINGS

ADVISORY COMMISSION	MEETING LOCATION	DATE	TIME
Anchor Point	Anchor Point Chamber of Commerce	November 7, 2019	7:00 p.m.
Cooper Landing	Cooper Landing Community Hall	November 6, 2019	6:00 p.m.
Funny River	Funny River Community Center	January 6, 2020	6:00 p.m.
Moose Pass	Moose Pass Community Hall	TBD	6:30 p.m.
Hope / Sunrise	Hope Social Hall	TBD	6:00 p.m.
The Kachemak Bay Advisory Planning Commission is inactive at this time.			

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

CONTACT INFORMATION

KENAI PENINSULA BOROUGH PLANNING DEPARTMENT

Phone: 907-714-2215

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

Fax: 907-714-2378

e-mail address: planning@kpb.us

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



Plat Committee Tentative Agenda

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

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

Jeremy Brantley – Sterling • Paulette Bokenko-Carluccio – City of Seldovia • Cindy Ecklund – City of Seward

Robert Ruffner – Kasilof/Clam Gulch • Paul Whitney – City of Soldotna

Alternates: Dr. Rick Foster– Southwest Borough • Franco Venuti – City of Homer

OCTOBER 28, 2019

6:30 p.m.

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA, EXCUSED ABSENCES, AND MINUTES

1. Agenda
2. Member/Alternate Excused Absences
 - a. Cindy Ecklund, City of Seward
3. Minutes
 - a. October 14, 2019 Plat Committee Meeting

D. PUBLIC COMMENT

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

E. SUBDIVISION PLAT PUBLIC HEARINGS

1. Seldovia Island 2019
KPB File 2019-109 [Ability Surveys / Precious Earth Inc.]
Location: Backer's Island Lane that is accessed by water or air; City of Seldovia
2. Barker Subdivision
KPB File 2019-119 [Edge Survey & Design, LLC / Barker]
Location: on Entrada Drive and Louis Street, off the Sterling Highway; Sterling
3. Fort Morgan Subdivision Gossman Addition
KPB File 2019-120 [Edge Survey & Design, LLC / Gossman]
Location: on Yukon Road off Byington; Kasilof
4. Bridge Road Subdivision 2019 Replat
KPB File 2019-114 [McLane Consulting Inc. / Peninsula Mini Storage LLC and SBC Development Group Inc.]
Location: on Bridge Access Road and Beaver Loop Road; City of Kenai

- F. FINAL SUBDIVISION PLAT PUBLIC HEARING - None**
- G. OTHER / NEW BUSINESS**
- H. MISCELLANEOUS INFORMATION – NO ACTION REQUIRED**
- I. ADJOURNMENT**

NEXT REGULARLY SCHEDULED MEETING

The next regularly scheduled Plat Committee meeting will be held **Tuesday, November 12, 2019** in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley, Soldotna, Alaska at **5:30 p.m.**

PLANNING DEPARTMENT

Phone: 907-714-2215 Fax: 907-714-2378

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

e-mail address: planning@kpb.us

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

Planning and Zoning Resolutions - Third Quarter 2019

Amend KMC	201933	14.20.175 Adult Businesses - Buffer Zone	9/25/2019	Approved
Amend KMC	201929	Hours of Operation Marijuana Retail Establishments	8/14/2019	Approved
Amend KMC	201932	KMC Title 22 General Fund Lands	8/14/2019	Approved
Conditional Use Permit	201925	Guide Business	7/24/2019	Approved
Conditional Use Permit	201937	Gunsmithing	9/25/2019	Approved
Conditional Use Permit	201927	Retail Marijuana Store	8/14/2019	Approved
Home Occupation Permit	201939	Daycare	9/25/2019	Approved
Landscape/Site Plan	201920	2 Six-bed Assisted Living Facilities	9/23/2019	Approved
Landscape/Site Plan	201921	Hot dog stand and mobile food trucks	9/23/2019	Approved
Landscape/Site Plan	201935	Mini-Storage Yard	9/25/2019	Approved
Landscape/Site Plan	201935	Mini-Storage Yard	9/25/2019	Approved
Landscape/Site Plan	201935	Mini-Storage Yard	9/25/2019	Approved
Landscape/Site Plan	201935	Office and Mini-Storage Yard	9/25/2019	Approved
Landscape/Site Plan	201934	Warehouse and Bulky Retail	9/25/2019	Approved
Preliminary Plat	201924	L 12, Shoreline Heights 2014 Addn. Phase 1	7/24/2019	Approved
Preliminary Plat	201924	L13, Shoreline Heights 2014 Addn. Phase 1	7/24/2019	Approved
Preliminary Plat	201931	L6, B1, Evergreen Subd. Kim Addn.	8/14/2019	Approved
Preliminary Plat	201931	L5, B1, Evergreen Subd. Kim Addn.	8/14/2019	Approved

Preliminary Plat	201936	Bridge Road Subdivision 2019 Replat	9/11/2019	Approved
Preliminary Plat	201936	Bridge Road Subdivision 2019 Replat	9/11/2019	Approved
Preliminary Plat	201936	Bridge Road Subdivision 2019 Replat	9/11/2019	Approved
Preliminary Plat	201936	Bridge Road Subdivision 2019 Replat	9/11/2019	Approved
Transfer Conditional Use Permit	201926	Surface Extraction of Natural Resources	7/24/2019	Approved
Transfer Conditional Use Permit	201926	Surface Extraction of Natural Resources	7/24/2019	Approved
Transfer Conditional Use Permit	201926	Surface Extraction of Natural Resources	7/24/2019	Approved
Transfer Conditional Use Permit	201926	Surface Extraction of Natural Resources	7/24/2019	Approved
Transfer Conditional Use Permit	201938	Professional Office	9/11/2019	Approved

CITY OF KENAI BUILDING PERMITS - THIRD QUARTER 2019

Permit #:	Date	Parcel #	Owner	Address	Legal Description	Comments	Valuation	R/C
B5456	7/3/2019		Kim Thiele	1521 Pey Drive	L13 Subdivision Shoreline Heights 2014 Addn Ph 1	Single Family Dwelling	\$305,373	R
B5457	8/5/2019		Kenai Peninsula Borough	315 Swires Road		# Portable Classroom Structure	\$28,000	C
B5458	8/5/2019		Bradley Barrett	605 Maple Drive	L3 BJ Woodland Subdivision Pt. 1	#Interior Renovation	\$10,000	R
B5459	8/9/2019		William L. Elmore	735 Set Net Drive	L4 B3 VIP Country Estates Apart 4	#Detached Garage	\$66,000	R
B5460	8/15/2019		McDonalds Real Estate Compan	10447 Kenai Spur Way	Sprucewood Glen Sub. No 5 Tract AZA	#Renovations & Accessibility	\$200,000	C
B5461	8/22/2019		Robert Peterson	1415 Angler Drive	L22 Anglers Acres Sub. Part One	Install Window Wells in Basement	\$307	C
B5462	8/26/2019		Hickel Properties LLC	507 S. Willow St.	L 6&7, B4, East Addn. Townsite of Kenai			
B5463	9/3/2019		Kenai Peninsula Borough	9583 Kenai Spur Hwy	Ptn SC1/4 Sec 33, T6N, R11 W S of Kenai Spur Hwy	#Renovation of Classroom	\$141,000	C
B5464	9/3/2019		Peninsula Mini Storage, LLC	1217 Bridge Access Rd	L5 B1 Bridge Rd Subdivision No. 2	#Heated Storage Facility #15	\$5,901	C
B5465	9/3/2019		Peninsula Mini Storage, LLC	514 Van Antwerp Ave	Tract A B1 Bridge RD Subdivision No 2	#Storage Building	\$360,000	C
B5466	9/3/2019		JAC Enterprises	701 N. Forest Dr.	Tr. 36A, Killen Estates 2014 Replat	4,374 # Assisted Living Facility (Home 1)	\$504,000	C
B5467	9/3/2019		JAC Enterprises	701 N. Forest Dr.	Tr. 36A, Killen Estates 2014 Replat	4,374 # Assisted Living Facility (Home 2)	\$504,000	C
B5468	9/4/2019		Luke Hanson	P.O. Box 389 Kenai, AK 99611	Lot 36 Shoreline Heights 2014 Addn. Phase 1	#Single Family Dwelling	\$435,000	R

Monday, October 21, 2019

<i>Permit #:</i>	<i>Date</i>	<i>Parcel #</i>	<i>Owner</i>	<i>Address</i>	<i>Legal Description</i>	<i>Comments</i>	<i>Valuation</i>	<i>R/C</i>
B5469	9/10/2019		Micah Rogers	108 Highbush Lane	L156A Micah Subdivision	#362 s.f. Addition	\$25,000	R
B5470	9/10/2019		Peninsula Mini Storage, LLC	1345 Bridge Access Road	L7A B1 Bridge Rd. Sub Lockwood Addn.	#3600 sf Storage Bldg	\$144,000	C
B5471	9/10/2019		Peninsula Mini Storage, LLC	1345 Bridge Access Road	L7A B1 Bridge Access Rd. Sub. Lockwood Addn.	#3600 sf Storage Bldg	\$144,000	C
B5472	9/11/2019		Larry & Ella Hansen	1808 Miranda Ct.	L8B1 Windhaven Estates Phase 2 Subdivision	#288 Sf Storage Bldg	\$7,225	R
B5473	9/17/2019		Bryson Lowe	1502 Pey Drive	L35 Shoreline Heights 2014 Addn. Phase 1	#3034 Single Family Dwelling	\$350,000	R



"Village with a Past, City with a Future"

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

MEMORANDUM

TO: Planning & Zoning Commission
THROUGH: Elizabeth Appleby, City Planner
FROM: Wilma Anderson, Planning Assistant
DATE: October 22, 2019

SUBJECT: Code Enforcement Action

2019 Third Quarter Report

Planning & Zoning currently has nine active code cases:

Junk Vehicles	0
Junk Vehicles and Debris & Junk	3
Debris & Junk	3
Garbage	2
Building Code Violation	1
Miscellaneous Code Violation	0
Cases transferred to Legal Department/Civil Penalties being assessed.	0
TOTALS:	9

Code Enforcement Action during the months of July – September, 2019:

Closed Cases	18
Opened Cases	11

