

Kenai Planning & Zoning Commission -Regular Meeting June 23, 2021 – 7:00 PM Kenai City Council Chambers 210 Fidalgo Avenue, Kenai, Alaska <u>www.kenai.city</u>

Telephonic Participation Info Page 2

A Work Session will be held at 6:00 PM prior to the Regular Meeting to conduct Planning & Zoning Commission training.

<u>Agenda</u>

A. <u>CALL TO ORDER</u>

- 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. <u>APPROVAL OF MINUTES</u>

- 1. *Regular Meeting of June 9, 2021
- C. <u>SCHEDULED PUBLIC COMMENT</u> (Public comment limited to ten (10) minutes per speaker)
- D. <u>UNSCHEDULED PUBLIC COMMENT</u> (Public comment limited to three (3) minutes per speaker; thirty (30) minutes aggregated)

E. <u>CONSIDERATION OF PLATS</u>

F. <u>PUBLIC HEARINGS</u>

1. **Resolution PZ2021-24** - Application for a Conditional Use Permit for a firewood bundling business (storage yard) in the Rural Residential zone, on Lot 24, Block 3, VIP Ranch Estates Subd. Part 6, and located at 2825 Bowpicker Lane. The application was submitted by Tracey Hedlund-Smith, 2740 Set Net Ct., Kenai, AK 99611.

G. UNFINISHED BUSINESS

H. <u>NEW BUSINESS</u>

- Action/Approval Conditionally Donating Certain City Owned Property Described as Two Approximate 1 1/4 Acre Parcels to be Subdivided from a Portion of the 72 Acre More or Less Portion of the SE 1/4 Lying East of Tract A Kenai Meadows (KPB Parcel No. 039 010 65) To Kenai Peninsula Housing Initiative for the Development of Restricted Income and Senior Housing.
- 2. Action/Approval Conditionally Donating Certain City Owned Property Described as One Approximate 2 Acre Parcel to be Subdivided from a Portion of the 6.8 Acre More or Less Portion of the East of Tract 4, Baron Park Subdivision (KPB Parcel No. 045 010 35) to Triumvirate Theatre for the Development of a Theatre Facility.

I. <u>PENDING ITEMS</u>

J. <u>REPORTS</u>

- <u>1.</u> City Council
- 2. Kenai Peninsula Borough Planning
- 3. City Administration

K. <u>ADDITIONAL PUBLIC COMMENT</u> (Public comment limited to five (5) minutes per speaker)

L. INFORMATIONAL ITEMS

M. NEXT MEETING ATTENDANCE NOTIFICATION

1. July 14, 2021

N. COMMISSION COMMENTS AND QUESTIONS

O. <u>ADJOURNMENT</u>

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

Join Zoom Meeting https://us02web.zoom.us/j/84997065894 Meeting ID: 849 9706 5894 Passcode: 168089

OR Dial In: (253) 215-8782 or (301) 715-8592 Meeting ID: 849 9706 5894 Passcode: 168089

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File Attachments for Item:

1. *Regular Meeting of June 9, 2021

KENAI PLANNING & ZONING COMMISSION REGULAR MEETING JUNE 9, 2021 – 7:00 P.M. KENAI CITY COUNCIL CHAMBERS 210 FIDALGO AVENUE, KENAI, ALASKA CHAIR JEFF TWAIT, PRESIDING

MINUTES

A. CALL TO ORDER

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

1. Pledge of Allegiance

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

2. Roll Call

Commissioners present:	J. Twait, J. Halstead, G. Greenberg, A. Douthit, R. Springer, D. Fikes, G. Woodard		
Commissioners absent:			
Staff/Council Liaison present:	Planning Director R. Foster, Planning Assistant W. Anderson, Deputy City Clerk M. Thibodeau, Council Liaison J. Glendening		

A quorum was present.

3. Agenda Approval

MOTION:

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

4. Consent Agenda

MOTION:

Commissioner Halstead **MOVED** to approve the consent agenda and Commissioner Greenberg **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 – G. Woodard

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B. <u>APPROVAL OF MINUTES</u>

1. *May 26, 2021

The minutes were approved by the Consent Agenda.

C. <u>SCHEDULED PUBLIC COMMENT</u> – None.

D. <u>UNSCHEDULED PUBLIC COMMENT</u> – None.

E. CONSIDERATION OF PLATS

 Resolution PZ2021-22 – Preliminary Subdivision Plat of Kenai Landing Subdivision 2021 Addition, submitted by Edge Survey and Design, P. O. Box 208, Kasilof, AK 99610, on behalf of Kenai Landing, Inc., 4786 Homer Spit Rd., Homer, AK 99603

[Clerk's Note: At their May 26, 2021 meeting, Resolution PZ2021-22 was postponed by the Planning & Zoning Commission until the June 9, 2021 meeting. A motion to approve is on the floor.]

Planning Director Foster presented his staff report with information provided in the packet noting that the plat reconfigures three parcels, and requests exceptions to the requirements of KMC Subdivision design standards which regard wastewater, access, and design standards.

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

- 1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
- 2. Add a Plat Note as following: Any infrastructure improvements (roadways, sewer, water, etc.) are considered private by the City of Kenai. Regarding any roadways or other infrastructure improvements that do not meet minimum standards required by the City of Kenai, if at any future time the City takes ownership and/or maintenance responsibilities of roadways within the subdivision or other infrastructure improvements will have to be improved to meet City of Kenai Standards in effect at time of acceptance. The cost of any infrastructure improvements to meet City of Kenai standards will be borne by property owners in the subdivision by assessment without further approval required.
- 3. Property owner will provide the City of Kenai a copy of DEC compliance certification on the water/sewer system.
- 4. The City of Kenai requests to receive approval from the Kenai Peninsula Borough on exception to requirements of Subdivision Code.
- 5. Plat Note 22 should update the KPB Plat Committee meeting date as necessary.
- 6. Surveyor and property owner must work with the City of Kenai and the Kenai Peninsula Borough when designating street names to ensure names meet City and Borough regulations.
- 7. Property owner will receive approval from the Kenai Peninsula Borough on exceptions to requirements in the Kenai Peninsula Borough Subdivision Regulations.
- 8. Staff members of the City of Kenai would be available for any future discussions on the topic of exceptions.

It was noted that this is the most northern parcel of the Conditional Use Permit for 60 residential units that was approved at a previous commission meeting.

Clarification was provided on the required update of Plat Note 22, and the differences between Kenai Peninsula Borough and City of Kenai standards that necessitate condition #2 which would require infrastructure improvements at the owner's expense if the City took over ownership or maintenance of the roadways.

Jason Young, surveyor for the project, explained the specific changes that would need to be made to bring the standards up to City code.

VOTE:

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

MOTION PASSED UNANIMOUSLY.

 Resolution PZ2021-23 – Preliminary Subdivision Plat of Triple C Subdivision, submitted by Ability Surveys, 152 Dehel Ave., Homer, AK 99603, on behalf of Mark Holmes, 4493 Lakewood Blvd., Naples, FL 34112

MOTION:

Commissioner Springer **MOVED** to approve Resolution No. PZ2021-23 and Commissioner Douthit **SECONDED** the motion.

Planning Director Foster presented his staff report with information provided in packet noting that the applicant proposes to subdivide an approximately 10-acre parcel into two lots of approximately 4.344 acres (Lot 1) and 4.344 acres (Lot 2).

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

- 1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
- 2. Pursuant to KMC 17.10.010(a) property owner must connect to the public water system; provided, that any part of the structure is or is to be within two hundred (200) feet of an existing public water main adjacent to the property line in a right of way.
- 3. Pursuant to KMC 17.20.010(a) property owner must connect to the public sewage system; provided, that nay part of the structure is or is to be within two hundred (200) feet of an existing public sewer main adjacent to the property line in a right of way.
- 4. Pursuant to KMC 14.10.080, the City will require an installation agreement for development of Fox Avenue from McCollum Drive to Chiniak Street. The installation agreement will be developed after the preliminary plat is approved and improvements will be constructed in accordance with the installation agreement.

Clarification was provided that the installation agreement would define the requirements of building the road connection to City code standards, and would not apply to other property owners on the road.

VOTE:



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

MOTION PASSED UNANIMOUSLY.

- F. <u>PUBLIC HEARINGS</u> None.
- G. UNFINISHED BUSINESS None.

H. <u>NEW BUSINESS</u>

1. Action/Approval - Special Use Permit to State of Alaska, Division of Forestry for Air Tanker Reload Base

It was noted that the Division of Forestry's lease expires on June 30, 2021, and this SUP is related to a preliminary plat that the commission recently recommended for approval, which adjusted a lot line for the purposes of constructing a sand storage facility. Because the plat has not yet been finalized by the Borough, a SUP would allow the Division of Forestry to continue operating.

MOTION:

Commissioner Halstead **MOVED** to recommend approval of the Special Use Permit to State of Alaska, Division of Forestry for Air Tanker Reload Base and Commissioner Greenberg **SECONDED** the motion.

VOTE:

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

MOTION PASSED UNANIMOUSLY.

2. Action/Approval - Special Use Permit to Weaver Brothers, Inc. for Truck Trailer Storage

MOTION:

Commissioner Halstead **MOVED** to recommend approval of the Special Use Permit to Weaver Brothers, Inc. for Truck Trailer Storage and Commissioner Douthit **SECONDED** the motion.

Clarification was provided that the applicant been storing truck trailers on three parcels via special use permits for the last two years, and this request differs from the previous permits by including two additional portions of City owned land which would allow for a temporary expansion of their business.

VOTE:

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

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MOTION PASSED UNANIMOUSLY.

I. <u>PENDING ITEMS</u> – None.

J. <u>REPORTS</u>

- 1. **City Council** Council Member Glendening reported on the actions from the June 2, 2021 City Council meeting.
- 2. **Borough Planning** Vice Chair Fikes reported on the actions from the May 24, 2021 Kenai Peninsula Borough Planning meeting.
- 3. City Administration Planning Director Foster reported on the following:
 - Upcoming meeting on June 23, 2021 is anticipated to include one Conditional Use Permit, and requests for donations of City land to two businesses;
 - A work session will be scheduled to conduct commissioner training.

K. ADDITIONAL PUBLIC COMMENT

- 1. Citizens Comments
- 2. Council Comments

Council Member Glendening remarked that the Commission is in a good place, and thanked the Commissioners for their interest and attention.

L. INFORMATIONAL ITEMS

M. NEXT MEETING ATTENDANCE NOTIFICATION

1. June 23, 2021

N. COMMISSION COMMENTS & QUESTIONS

Commissioner Douthit noted he might be absent at next meeting.

O. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 7:56 p.m.

Minutes prepared and submitted by:

Meghan Thibodeau Deputy City Clerk

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File Attachments for Item:

1. Resolution PZ2021-24 - Application for a Conditional Use Permit for a firewood bundling business (storage yard) in the Rural Residential zone, on Lot 24, Block 3, VIP Ranch Estates Subd. Part 6, and located at 2825 Bowpicker Lane. The application was submitted by Tracey Hedlund-Smith, 2740 Set Net Ct., Kenai, AK 99611.



CITY OF KENAI PLANNING AND ZONING COMMISSION RESOLUTION NO. 2021-24

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **GRANTING** A CONDITIONAL USE PERMIT FOR FIREWOOD BUNDLING BUSINESS (STORAGE YARD).

APPLICANT: Tracey Hedlund-Smith

PROPERTY ADDRESS: 2825 Bowpicker Lane

LEGAL DESCRIPTION: T 5N R 11W SEC 17 Seward Meridian KN 0810099 VIP Ranch

Estates SUB Part 6 Lot 24 Block 3

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04940056

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on May 26, 2021; and,

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

WHEREAS, the City of Kenai Planning and Zoning Commission conducted a duly advertised public hearing on June 23, 2021, following requirements outlined in Kenai Municipal Code 14.20.280 for public hearings and notifications.

WHEREAS, the Planning and Zoning Commission finds:

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

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

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

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

The Land Use Table provides that a storage yard is a conditional use; therefore, a conditional use permit must be granted to allow the operation of a firewood bundling business. The applicant has provided a site plan that indicates where the outside activities will occur on a concrete pad that was the location of a home that burned down. The layout of the property is such that a firewood bundling business would not violate the neighborhood character of surrounding parcels, as there is sufficient space and there are trees providing a buffer from adjacent properties on the north, east, and south sides of the parcel. Traffic generated from approximately two truck trips a week is not anticipated to bring heavy traffic into an existing neighborhood.

The business plan is to split wood (rounds) and bundle it on the property, seasonally from April through October. Operating hours are Saturday-Friday from 8am to 6pm and wood will be dropped off approximately once a week via a Dodge/Ford pickup with trailer. Equipment used will be an electric bundler and a gas operated splitter. Chainsaws are not needed since the wood is dropped off in pre-cut rounds that only need to be split for bundling. The applicant states that the electric bundler does not make noise and that the wood splitter sounds like a lawn mower. Due to the long operating hours stated, and the noise associated with a gas operated splitter, the Planning and Zoning Commission may consider whether the purchase of an electric splitter would be advisable or considered as a condition for approval of a conditional use permit.

This is a small, family operated business. Tracey Hedlund-Smith also owns and resides at the adjacent property to the east on 2740 Set Net Court. The only vehicles allowed on the property would be the delivery trucks (the trucks that drop off rounds of wood and the truck that hauls the bundles out). After bundling, the bundles are delivered via truck to local retail establishments. A garage tent, considered a temporary structure, will be utilized for the firewood bundling business. A building permit is not required for this temporary structure. Any permanent structures in the future would require a building permit.

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

Criteria Met. The surrounding neighborhood consists of primarily single-family dwellings to the north, south, east, and west, with a vacant lot to the south, and all are zoned Rural Residential east of Bowpicker Lane, with Kenai Peninsula Borough properties to the west of Bowpicker Lane. This property had a single family home at one time that burned down and was not rebuilt. There are trees providing a buffer from adjacent properties on the north, east, and south sides of the parcel. There are no permanent improvements associated with this conditional use permit application, and therefore, should not significantly impair the adjoining property values.

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

Criteria Met. The Comprehensive Plan has goals to support businesses and economic development and to provide a high quality of life within the City. Goal 2 of the Comprehensive Plan is to provide economic development to support the fiscal health of Kenai. A firewood bundling business provides support to local retail establishments. Low-

density residential land uses typically include single-family low-density, large lots with individual on-site water supply and wastewater disposal systems.

Below are specific goals/objectives from the Comprehensive Plan that support this CUP application:

- D-2 Implement business friendly regulations, taxation and incentives to create a stable, positive climate for private investment
- 4. KMC 14.20.150(d)(4) Public services and facilities are adequate to serve the proposed use;

Criteria Met. The properties located along Bowpicker Lane are served by private wells and septic systems, and have access to natural gas, electricity and telephone services. Bowpicker Lane is a gravel and maintained road. The operation of a firewood bundling business would not have an impact on these services.

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

Criteria Met: The use of a firewood bundling business will not be harmful to the public safety, health and welfare. Staff believes that services are available to adequately serve this development. The applicant has provided the City with a draft site plan, which indicates that there will be sufficient space for operations. Access to the property is provided from Bowpicker Lane.

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

See Conditions of Approval as set forth below.

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

- Section 1. That a conditional use permit is granted to Tracey Hedland-Smith for the use of a firewood bundling business on T 5N R 11W SEC 17 Seward Meridian KN 0810099 VIP Ranch Estates SUB Part 6 Lot 24 Block 3 located at 2825 Bowpicker Lane.
- Section 2. That the conditional use permit is subject to the following conditions:
 - 1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
 - 2. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year.
 - 3. The applicant will meet with City staff for on-site inspections when requested.

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- 4. 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).
- 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.
- 6. Failure to provide documentation to the City for meeting these conditions shall be grounds for the suspension or revocation of the conditional use permit.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 23rd day of June, 2021.

ATTEST:

JEFF TWAIT, CHAIRPERSON

JAMIE HEINZ, CMC, CITY CLERK



STAFF REPORT

TO:	Planning and Zoning Commission		
FROM:	Ryan Foster, Planning Director		
DATE:	June 15, 2021		
SUBJECT:	Resolution PZ2021-24 – Conditional Use Permit – Firewood Bundling Business (Storage Yard)		
Applicant:	Tracey Hedlund-Smith 2740 Set Net Ct Kenai, AK 99611		
Legal Description:	T 5N R 11W SEC 17 Seward Meridian KN 0810099 VIP Ranch Estates SUB Part 6 Lot 24 Block 3		
Property Address:	2825 Bowpicker Lane		
KPB Parcel No:	04940056		
Lot Size:	0.92 acres (40,075 square feet)		
Existing Zoning:	Rural Residential (RR)		
Current Land Use:	Vacant		
Land Use Plan:	Low Density Residential		

GENERAL INFORMATION

A storage yard is listed as a conditional use within the Rural Residential Zone in Kenai Municipal Code 14.22.010, Land Use Table. The applicant, Tracey Hedlund-Smith has submitted an application for a conditional use permit to operate a firewood bundling business (storage yard). In order to operate a firewood bundling business, a conditional use permit must be granted by the City of Kenai Planning and Zoning Commission.

Application, Public Notice, Public Comment

Kenai Municipal Code 14.22.010 – Land Use Table provides that a storage yard is a conditional use. Accordingly, on May 26, 2021, an application for a conditional use permit for a firewood

bundling business was submitted by Tracey Hedlund-Smith. Planning staff reviewed the application and deemed it to be complete.

Pursuant to Kenai Municipal Code 14.20.280(c) notices of the public hearing for the conditional use were mailed to property owners within a three hundred-foot (300') periphery of the subject property. City staff published notice of the public hearing in the *Peninsula Clarion*. The applicant submitted an Affidavit of Posting verifying a sign was placed on the parcel with information on the public hearing for the conditional use request.

An objection has been received from a property owner within the 300' foot notification radius and is included as attachment F in the staff report.

ANALYSIS

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

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

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

<u>Applicant Response:</u> We are only working on the property. We are not selling any bundles from the property. This is a very small family ran business.

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

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

The Land Use Table provides that a storage yard is a conditional use; therefore, a conditional use permit must be granted to allow the operation of a firewood bundling business. The applicant has provided a site plan that indicates where the outside activities will occur on a concrete pad that was the location of a home that burned down. The layout of the property is such that a firewood bundling business would not violate the neighborhood character of surrounding parcels, as there is sufficient space and there are

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trees providing a buffer from adjacent properties on the north, east, and south sides of the parcel. Traffic generated from approximately two truck trips a week is not anticipated to bring heavy traffic into an existing neighborhood.

The business plan is to split wood (rounds) and bundle it on the property, seasonally from April through October. Operating hours are Saturday-Friday from 8am to 6pm and wood will be dropped off approximately once a week via a Dodge/Ford pickup with trailer. Equipment used will be an electric bundler and a gas operated splitter. Chainsaws are not needed since the wood is dropped off in pre-cut rounds that only need to be split for bundling. The applicant states that the electric bundler does not make noise and that the wood splitter sounds like a lawn mower. Due to the long operating hours stated, and the noise associated with a gas operated splitter, the Planning and Zoning Commission may consider whether the purchase of an electric splitter would be advisable or considered as a condition for approval of a conditional use permit.

This is a small, family operated business. Tracey Hedlund-Smith also owns and resides at the adjacent property to the east on 2740 Set Net Court. The only vehicles allowed on the property would be the delivery trucks (the trucks that drop off rounds of wood and the truck that hauls the bundles out). After bundling, the bundles are delivered via truck to local retail establishments. A garage tent, considered a temporary structure, will be utilized for the firewood bundling business. A building permit is not required for this temporary structure. Any permanent structures in the future would require a building permit.

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

<u>Applicant Response:</u> The plan is to not let the public come to the property to buy bundles. our goal is to keep the noise down, no public allowed to the business site. My goal is to bundle the wood and deliver it to clients.

<u>Staff Response:</u> The surrounding neighborhood consists of primarily single-family dwellings to the north, south, east, and west, with a vacant lot to the south, and all are zoned Rural Residential east of Bowpicker Lane, with Kenai Peninsula Borough properties to the west of Bowpicker Lane. This property had a single family home at one time that burned down and was not rebuilt. There are trees providing a buffer from adjacent properties on the north, east, and south sides of the parcel. There are no permanent improvements associated with this conditional use permit application, and therefore, should not significantly impair the adjoining property values.

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

<u>Applicant Response:</u> There will be very little to change. There is no public access to the property. We are not manufacturing products we are only splitting wood and bundling the wood on the property.

<u>Staff Response:</u> The Comprehensive Plan has goals to support businesses and economic development and to provide a high quality of life within the City. Goal 2 of the Comprehensive Plan is to provide economic development to support the fiscal health of Kenai. A firewood bundling business provides support to local retail establishments. Low-



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density residential land uses typically include single-family low-density, large lots with individual on-site water supply and wastewater disposal systems.

Below are specific goals/objectives from the Comprehensive Plan that support this CUP application:

• D-2 Implement business friendly regulations, taxation and incentives to create a stable, positive climate for private investment

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

<u>Applicant Response:</u> There is electricity and water on the property.

<u>Staff Response:</u> The properties located along Bowpicker Lane are served by private wells and septic systems, and have access to natural gas, electricity and telephone services. Bowpicker Lane is a gravel and maintained road. The operation of a firewood bundling business would not have an impact on these services.

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

<u>Applicant Response:</u> The land will not be open to the public. The land will be used to split wood and bundle wood. There are no trespassing signs up to the public.

<u>Staff Response:</u> The use of a firewood bundling business will not be harmful to the public safety, health and welfare. Staff believes that services are available to adequately serve this development. The applicant has provided the City with a draft site plan, which indicates that there will be sufficient space for operations. Access to the property is provided from Bowpicker Lane.

Criteria #6: Specific conditions deemed necessary.

<u>Applicant Response:</u> There are no buildings on the property right now. We will have temporary structures to work out of for the next year.

<u>Staff Response:</u> See Conditions of Approval as set forth below.

RECOMMENDATIONS

City staff find that the applicant meets the criteria for issuance of a Conditional Use Permit as set forth in subsections (d)(1) through (d)(6) of Kenai Municipal Code 14.20.150, and hereby recommends that the Planning and Zoning Commission approve the Conditional Use Permit application, subject to the following conditions:

- 1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
- 2. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year.

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- 3. The applicant will meet with City staff for on-site inspections when requested.
- 4. 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).
- 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.
- 6. Failure to provide documentation to the City for meeting these conditions shall be grounds for the suspension or revocation of the conditional use permit.

ATTACHMENTS

- A. Resolution No. PZ2021-24
- B. Application
- C. Site Plan
- D. Aerial Map
- E. Business License
- F. Email Response



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CITY OF KENAI PLANNING AND ZONING COMMISSION RESOLUTION NO. 2021-24

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **GRANTING** A CONDITIONAL USE PERMIT FOR FIREWOOD BUNDLING BUSINESS (STORAGE YARD).

APPLICANT: Tracey Hedlund-Smith

PROPERTY ADDRESS: 2825 Bowpicker Lane

LEGAL DESCRIPTION: T 5N R 11W SEC 17 Seward Meridian KN 0810099 VIP Ranch

Estates SUB Part 6 Lot 24 Block 3

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04940056

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on May 26, 2021; and,

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

WHEREAS, the City of Kenai Planning and Zoning Commission conducted a duly advertised public hearing on June 23, 2021, following requirements outlined in Kenai Municipal Code 14.20.280 for public hearings and notifications.

WHEREAS, the Planning and Zoning Commission finds:

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

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

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

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

The Land Use Table provides that a storage yard is a conditional use; therefore, a conditional use permit must be granted to allow the operation of a firewood bundling business. The applicant has provided a site plan that indicates where the outside activities will occur on a concrete pad that was the location of a home that burned down. The layout of the property is such that a firewood bundling business would not violate the neighborhood character of surrounding parcels, as there is sufficient space and there are trees providing a buffer from adjacent properties on the north, east, and south sides of the parcel. Traffic generated from approximately two truck trips a week is not anticipated to bring heavy traffic into an existing neighborhood.

The business plan is to split wood (rounds) and bundle it on the property, seasonally from April through October. Operating hours are Saturday-Friday from 8am to 6pm and wood will be dropped off approximately once a week via a Dodge/Ford pickup with trailer. Equipment used will be an electric bundler and a gas operated splitter. Chainsaws are not needed since the wood is dropped off in pre-cut rounds that only need to be split for bundling. The applicant states that the electric bundler does not make noise and that the wood splitter sounds like a lawn mower. Due to the long operating hours stated, and the noise associated with a gas operated splitter, the Planning and Zoning Commission may consider whether the purchase of an electric splitter would be advisable or considered as a condition for approval of a conditional use permit.

This is a small, family operated business. Tracey Hedlund-Smith also owns and resides at the adjacent property to the east on 2740 Set Net Court. The only vehicles allowed on the property would be the delivery trucks (the trucks that drop off rounds of wood and the truck that hauls the bundles out). After bundling, the bundles are delivered via truck to local retail establishments. A garage tent, considered a temporary structure, will be utilized for the firewood bundling business. A building permit is not required for this temporary structure. Any permanent structures in the future would require a building permit.

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

Criteria Met. The surrounding neighborhood consists of primarily single-family dwellings to the north, south, east, and west, with a vacant lot to the south, and all are zoned Rural Residential east of Bowpicker Lane, with Kenai Peninsula Borough properties to the west of Bowpicker Lane. This property had a single family home at one time that burned down and was not rebuilt. There are trees providing a buffer from adjacent properties on the north, east, and south sides of the parcel. There are no permanent improvements associated with this conditional use permit application, and therefore, should not significantly impair the adjoining property values.

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

Criteria Met. The Comprehensive Plan has goals to support businesses and economic development and to provide a high quality of life within the City. Goal 2 of the Comprehensive Plan is to provide economic development to support the fiscal health of Kenai. A firewood bundling business provides support to local retail establishments. Low-

density residential land uses typically include single-family low-density, large lots with individual on-site water supply and wastewater disposal systems.

Below are specific goals/objectives from the Comprehensive Plan that support this CUP application:

- D-2 Implement business friendly regulations, taxation and incentives to create a stable, positive climate for private investment
- 4. KMC 14.20.150(d)(4) Public services and facilities are adequate to serve the proposed use;

Criteria Met. The properties located along Bowpicker Lane are served by private wells and septic systems, and have access to natural gas, electricity and telephone services. Bowpicker Lane is a gravel and maintained road. The operation of a firewood bundling business would not have an impact on these services.

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

Criteria Met: The use of a firewood bundling business will not be harmful to the public safety, health and welfare. Staff believes that services are available to adequately serve this development. The applicant has provided the City with a draft site plan, which indicates that there will be sufficient space for operations. Access to the property is provided from Bowpicker Lane.

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

See Conditions of Approval as set forth below.

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

- Section 1. That a conditional use permit is granted to Tracey Hedland-Smith for the use of a firewood bundling business on T 5N R 11W SEC 17 Seward Meridian KN 0810099 VIP Ranch Estates SUB Part 6 Lot 24 Block 3 located at 2825 Bowpicker Lane.
- Section 2. That the conditional use permit is subject to the following conditions:
 - 1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
 - 2. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year.
 - 3. The applicant will meet with City staff for on-site inspections when requested.

Resolution No. PZ2021-24 Page 4 of 4

- 4. 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).
- 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.
- 6. Failure to provide documentation to the City for meeting these conditions shall be grounds for the suspension or revocation of the conditional use permit.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 23rd day of June, 2021.

ATTEST:

JEFF TWAIT, CHAIRPERSON

JAMIE HEINZ, CMC, CITY CLERK

X	Conditional Use Permit Application		City of Kenai Planning and Zoning Department 210 Fidalgo Avenue Kenai, AK 99611 (907) 283-8200 planning@kenai.city www.kenai.city/planning				
		PRO	PERTY OWNER				
Name:	Tracey Hedlund-Smi	th					
Mailing Address:	2740 Set Net Ct	City:	Kenai	State:	AK	Zip Code:	99611
Phone Number(s):	907-398-1693						
Email:	akfirewoodllc@gmail	.com					
			NTATIVE (LEAVE	BLANK	(IF NO	NE)	
Name:							
Mailing Address:		City:		State:	1	Zip Code:	
Phone Number(s):					I	1	
Email:							
		ROPE	RTY INFORMATIC	N	-		And the second second
Kenai Peninsula Boro	ough Parcel # (Property						1-1-2-2007.0
Physical Address:	2825 Bowpicker Lane, K						
Legal Description:	T 5N R 11W SEC 17 SEWA				HESTA	TES SUB PAR	T 6 LOT 24 BLK 3
Zoning:	Rural Residential, ZoningCode KEN4110						
Acres:	40,050 S.F.						
	CON	DITION	AL USE DESCRIF	TION		and the second	
			oor plan with squ				1.1
(ir	clude State Business	Licen	se and KPB Tax C	omplia	nce if	applicable)	
How is this property of	currently being used?	Firew	ood Bundling Bu	siness			
Conditional Use Requested for (attach additional sheets if necessary):							
The business plan is to split wood and bundle it on the property. The only vehicles allowed on the							
property would be the deliver trucks (the trucks that drop off rounds of wood and the truck that hauls the bundles out).							
Explain how the conditional use is consistent with purposes and intent of the zoning district of the property:							
We arfe only working on the property. We are not selling any bundles from the property. This is a very small family ran business.							
Explain how the value use:	e of adjoining property a	and neig	ghborhood will not	be signi	ficantly	impaired by	the conditional
The plan is to not le no public allowed to	et the public come to t the buisness site. M	he pro y goal	perty to buy bund is to bundle the w	lles. ou vood ar	r goal i id deliv	is to keep ti /er it to clie	ne noise down, nts.

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Use of surrounding property - north: Personal House Use of surrounding property - south: Personal House Use of surrounding property - east: Personal House Explain how the conditional use is in harmony with the City's Comprehensive Plan: There will be very little to change. There is no public access to the property. We are not manufacturing products we are only splitting wood and bundling the wood on the property. Are public services and facilities on the property adequate to serve the proposed conditional use? There is electricity and water on the property. Explain how the conditional use will not be harmful to public safety, health, or welfare: There is electricity and water on the property. Explain how the conditional use will not be harmful to public safety, health, or welfare: The land will not be open to the public. Are there any measures with access, screening, site development, building design, or business operation that will lessen potential impacts of the conditional use to neighbors? There are no buildings on the property right now. We will have temporary structures to work out of for the next year. AUTHORITY TO APPLY FOR CONDITIONAL USE: I hereby certify that (1 dem) (1 have been authorized to act for) owner of the property described above and that I petition for a conditional use not source with Title 14 of the Kenai Municipal Code. I understand that peyment of the application feels nonrefundable and is to cover the cost associated with processing this application. City of Kenai personnel are author						
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Ear City Use Only	Signature:	Stat			Date:	5-26-21
FOR GRAVESE CIDIV	Print Name:	Tracey Hedlund-Smith	n Title/Business:	AK Firewood L	LC	the set
	FOR GIV USE CONV					

Ryan Foster

From:	Tracey Hedlund-Smith <akfirewoodllc@gmail.com></akfirewoodllc@gmail.com>
Sent:	Thursday, June 10, 2021 10:25 AM
То:	Ryan Foster
Subject:	Re: Application Questions

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello,

Deliveries:

- How often would trucks be making deliveries (arrivals and departures)? Maybe once a week.
- What time of day would deliveries take place? Afternoons around 3-5pmish
- What type of trucks would be making deliveries? Dodge/Ford Pickup with trailer

Hours of Operations:

- What are the hours of operation (times of day and days of the week)? Saturday Friday 8am to 6pm
- Are the operations seasonal? Yes

Noise:

• What operations on the property generate noise (chainsaws, splitters, vehicles)? Wood Splitter and wood bundler. Wood Bundler is electric, it has no noise. The wood splitter sounds like a lawn mower.

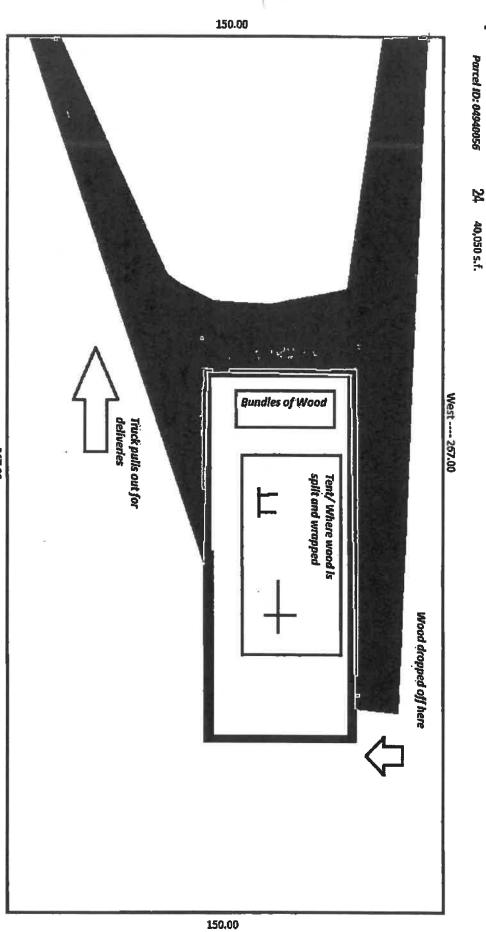
Structures:

- What are the temporary structures noted in your application? Garage tent.
- Do you anticipate any permanent structures in the future? Yes in the far future.

If you have any questions please let me know, Thank you, Tracey Hedlund-Smith 907-398-1693

On Wed, Jun 9, 2021 at 3:48 PM Ryan Foster <rfoster@kenai.city> wrote:

Good Afternoon Tracey,



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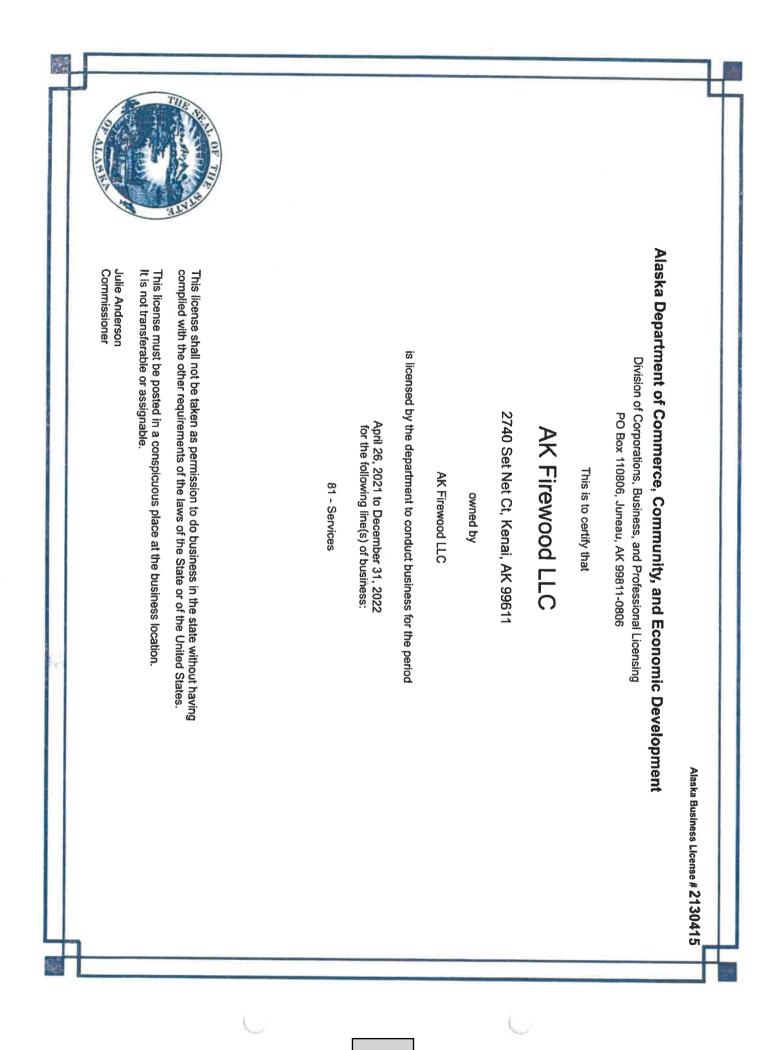
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267,00



2825 Bowpicker Lane Parcel 04940056





Wilma Anderson

From:Joe <jallyns1@gci.net>Sent:Tuesday, June 15, 2021 9:19 AMTo:Wilma AndersonCc:Wilma AndersonSubject:resolution PZ2021-24

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Wilma,

I called yesterday re. the notice I just received in the mail today about the planning and zoning to be held on June 23 2021. Is this meeting mandatory to attend and give comments? or can I wait until the September 23, 2021 meeting which I had intended to attend and give comments? I live 92 feet from the foundation of the old burned out house which will be used for the proposed wood bundling site or wood storage lot. I and am concerned about missing/attending meetings. Should I come to this meeting also? I am opposed to the said change, or zoning request as are several of my immediate neighbors, due to the increased impact to the neighborhood. Bowpicker Ln is a gravel street, the only one in VIP subdivision. There are a lot of little kids with parents using trail/street, both on bikes, motorcycles, four wheelers. The trail leads

are a lot of little kids with parents using trail/street, both on bikes, motorcycles, four wheelers. The trail leads to the beach a couple miles away and the mouth of the Kenai River. Minke road that ties into K-Beach is a gravel road also. There is a lot of ATV traffic on this trail which leads to the Beach access point two miles away and the mouth of the Kenai River. Dip netting is close to beginning. I have had to water the road before using my own garden hose to lower the dust level In front of my house. The city of Kenai just did a dust abatement process which helps but only lasts for a short time. I have called 911 before due to dust and vehicle traffic, both atv's car/trucks. I have met the new owners who seem like good people, who just happen to live on set net circle. I have lived in this house for close to 30 years and Bow[picker road never changes, dust in the summer and snow/ice in the winter. Sorry but I am opposed to the change. The survey place on Set Net is low impact, on a paved street and is a different closed in operation. They come and go and there is no impact on the neighbors. A wood lot / bundling operation will impact the area in a negative manner. Hence, do I need to attend on June 23rd, 2021? Vehicle traffic which include the atv's, pickups, motorcycles, bikes, hikers only gets worse from now until after dip netting season. It can be a zoo in front of the house

sometimes. Bowpicker Ln has a history of use and abuse! I have used my four wheel drive to pull a stuck fed ex truck out of the mud on the trail just recently! Also the survey place on Set Net land is completely low impact to the immediate neighbors next to its location, paved street, no noise of any kind. Different from wood lot activities.which are being proposed.

Thank you for listening, Joseph A Lyons concerned neighbor 2715 Bowkpicker In Kenai, Alaska 907-283-4791

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PLANNING & ZONING COMMISSION

Resolution PZ2021-24 – Conditional Use Permit – Firewood Bundling Business

2825 Bowpicker Lane

Page 30

SUMMARY

Plan:

Applicant:Tracey Hedlund-Smith
2740 Set Net Ct
Kenai, AK 99611

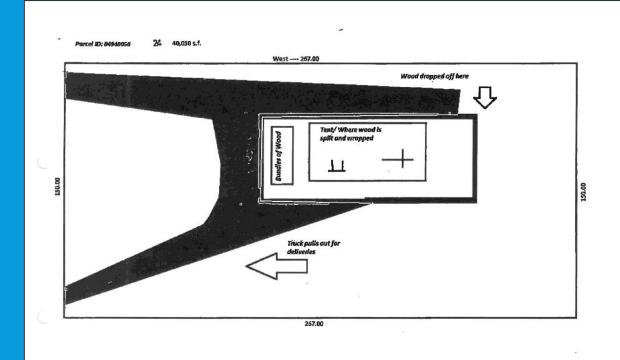
Legal	T 5N R 11W SEC 17 Seward Meridian
Description:	KN 0810099 VIP Ranch Estates SUB
	Part 6 Lot 24 Block 3
Property	2825 Bowpicker Lane
Address:	
KPB Parcel	04940056
No:	
Lot Size:	0.92 acres (40,075 square feet)
Existing	Rural Residential (RR)
Zoning:	
Current Land	Vacant
Use:	
Land Use	Low Density Residential



Page 31

DRAFT SITE PLAN

- Proposal for a firewood bundling business (storage yard).
- Neighboring properties include primarily single family residential.



STAFF ANALYSIS

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

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

REVIEW CRITERIA

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

RECOMMENDATIONS

- City staff find that the applicant meets the criteria for issuance of a Conditional Use Permit as set forth in subsections (d)(1) through (d)(6) of Kenai Municipal Code 14.20.150, and hereby recommends that the Planning and Zoning Commission approve the Conditional Use Permit application, subject to the following conditions:
- 1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
- 2. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year.
- 3. The applicant will meet with City staff for on-site inspections when requested.
- 4. 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).
- 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.
- 6. Failure to provide documentation to the City for meeting these conditions shall be grounds for the suspension or revocation of the <u>condi</u>tional use permit.

ATTACHMENTS

- A. Resolution PZ2021-24
- B. Application
- C. Site Plan
- D. Aerial Map
- E. Business License
- F. Email Response

A. RESOLUTION



CITY OF KENAI PLANNING AND ZONING COMMISSION RESOLUTION NO. 2021-24

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **GRANTING** A CONDITIONAL USE PERMIT FOR FIREWOOD BUNDLING BUSINESS (STORAGE YARD).

APPLICANT: Tracey Hedlund-Smith

PROPERTY ADDRESS: 2825 Bowpicker Lane

LEGAL DESCRIPTION: T 5N R 11W SEC 17 Seward Meridian KN 0810099 VIP Ranch

Estates SUB Part 6 Lot 24 Block 3

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04940056

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on May 26, 2021; and,

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

WHEREAS, the City of Kenai Planning and Zoning Commission conducted a duly advertised public hearing on June 23, 2021, following requirements outlined in Kenai Municipal Code 14.20.280 for public hearings and notifications.

WHEREAS, the Planning and Zoning Commission finds:

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

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

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

a. Preserve the rural, open quality of the environment;

b. Prevent health hazards in areas not served by public water and sewer.

(2) To prohibit uses which would:

Resolution No. PZ2021-24 Page 2 of 4

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

The Land Use Table provides that a storage yard is a conditional use; therefore, a conditional use permit must be granted to allow the operation of a firewood burding business. The applicant has provided a site plan that indicates where the outside activities will occur on a concrete pad that was the location of a home that burned down. The layout of the property is such that a firewood bundling business would not violate the neighborhood character of surrounding parcels, as there is sufficient space and there are trees providing a buffer from adjacent properties on the north, east, and south sides of the parcel. Traffic generated from approximately two truck trips a week is not anticipated to bring heavy traffic into an existing neighborhood.

The business plan is to split wood (rounds) and bundle it on the property, seasonally from April through October. Operating hours are Saturday-Friday from 8am to 6pm and wood will be dropped off approximately once a week via a Dodge/Ford pickup with trailer. Equipment used will be an electric bundler and a gas operated splitter. Chainsaws are not needed since the wood is dropped off in pre-cut rounds that only need to be split for bundling. The applicant states that the electric bundler does not make noise and that the wood splitter sounds like a lawn mower. Due to the long operating hours stated, and the noise associated with a gas operated splitter, the Planning and Zoning Commission may consider whether the purchase of an electric splitter would be advisable or considered as a condition for approval of a conditional use permit.

This is a small, family operated business. Tracey Hedlund-Smith also owns and resides at the adjacent property to the east on 2740 Set Net Court. The only vehicles allowed on the property would be the delivery trucks (the trucks that drop off rounds of wood and the truck that hauls the bundles out). After bundling, the bundles are delivered via truck to local retail establishments. A garage tent, considered a temporary structure, will be utilized for the firewood bundling business. A building permit is not required for this temporary structure. Any permanent structures in the future would require a building permit.

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

Criteria Met. The surrounding neighborhood consists of primarily single-family dwellings to the north, south, east, and west, with a vacant lot to the south, and all are zoned Rural Residential east of Bowpicker Lane, with Kenal Peninsula Borough properties to the west of Bowpicker Lane. This property had a single family home at one time that burned down and was not rebuilt. There are trees providing a buffer from adjacent properties on the north, east, and south sides of the parcel. There are no permanent improvements associated with this conditional use permit application, and therefore, should not significantly impair the adjoining property values.

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

Criteria Met. The Comprehensive Plan has goals to support businesses and economic development and to provide a high quality of life within the City. Goal 2 of the Comprehensive Plan is to provide economic development to support the fiscal health of Kenai. A firewood bundling business provides support to local retail establishments. Low-

Page 37

A. RESOLUTION CONTINUED

Resolution No. PZ2021-24 Page 3 of 4

density residential land uses typically include single-family low-density, large lots with individual on-site water supply and wastewater disposal systems.

Below are specific goals/objectives from the Comprehensive Plan that support this CUP application:

 D-2 Implement business friendly regulations, taxation and incentives to create a stable, positive climate for private investment

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

Criteria Met. The properties located along Bowpicker Lane are served by private wells and septic systems, and have access to natural gas, electricity and telephone services. Bowpicker Lane is a gravel and maintained road. The operation of a firewood bundling business would not have an impact on these services.

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

Criteria Met: The use of a firewood bundling business will not be harmful to the public safety, health and welfare. Staff believes that services are available to adequately serve this development. The applicant has provided the City with a draft site plan, which indicates that there will be sufficient space for operations. Access to the property is provided from Bowpicker Lane.

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

See Conditions of Approval as set forth below.

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

Section 1. That a conditional use permit is granted to Tracey Hedland-Smith for the use of a firewood bundling business on T 5N R 11W SEC 17 Seward Meridian KN 0810099 VIP Ranch Estates SUB Part 6 Lot 24 Block 3 located at 2825 Bowpicker Lane.

Section 2. That the conditional use permit is subject to the following conditions:

- Further development of the property shall conform to all federal, State of Alaska, and local regulations.
- A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year.
- 3. The applicant will meet with City staff for on-site inspections when requested.

Resolution No. PZ2021-24 Page 4 of 4

- 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.
- Failure to provide documentation to the City for meeting these conditions shall be grounds for the suspension or revocation of the conditional use permit.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 23rd day of June, 2021.

ATTEST:

JEFF TWAIT, CHAIRPERSON

JAMIE HEINZ, CMC, CITY CLERK

B. APPLICATION

X	Conditional Use Permit Application			City of Kenai Planning and Zoning Department 210 Filolajo Avenue Kenai, AK 30611 (907) 28-36200 planning@lkenai.city www.kenai.city/planning			
		PROPERTY OW	NER	Tel.	11100	LUNCE AREARE	
Name:	Tracey Hedlund-Si						
Mailing Address:	2740 Set Net Ct	City: Kenai	State:	AK	Zip Code:	99611	
Phone Number(s):	907-398-1693						
Email:	akfirewoodllc@gm						
and the second	PETITIONER R	EPRESENTATIVE (L	EAVE BLAN	CIE N	ONE)	the relation state	
Name:							
Mailing Address:		City:	State:		Zip Code:		
Phone Number(s):							
Email:							
	And the second second	PROPERTY INFORM	ATION		States (States	and the second second	
Kenai Peninsula Bo	ough Parcel # (Proper	ty Tax ID):					
Physical Address:	2825 Bowpicker Lane, Kenai AK 99611						
Legal Description:	T 5N R 11W SEC 17 SEWARD MERIDIAN KN 0810099 V I P RANCH ESTATES SUB PART 6 LOT 24 BLK 3						
Zoning:	Rural Residential, ZoningCode KEN4110						
Acres:	40,050 S.F.						
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B. APPLICATION CONTINUED

Ryan Foster

From:	Tracey Hedlund-Smith <akfirewoodllc@gmail.com></akfirewoodllc@gmail.com>
Sent:	Thursday, June 10, 2021 10:25 AM
To:	Ryan Foster
Subject:	Re: Application Questions

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello,

Deliveries:

- How often would trucks be making deliveries (arrivals and departures)? Maybe once a week.
- What time of day would deliveries take place? Afternoons around 3-5pmish
- What type of trucks would be making deliveries? Dodge/Ford Pickup with trailer

Hours of Operations:

- What are the hours of operation (times of day and days of the week)? Saturday Friday 8am to 6pm
- Are the operations seasonal? Yes

Noise:

 What operations on the property generate noise (chainsaws, splitters, vehicles)? Wood Splitter and wood bundler. Wood Bundler is electric, it has no noise. The wood splitter sounds like a lawn mower.

Structures:

- What are the temporary structures noted in your application? Garage tent.
- Do you anticipate any permanent structures in the future? Yes in the far future.

If you have any questions please let me know, Thank you, Tracey Hedlund-Smith 907-398-1693

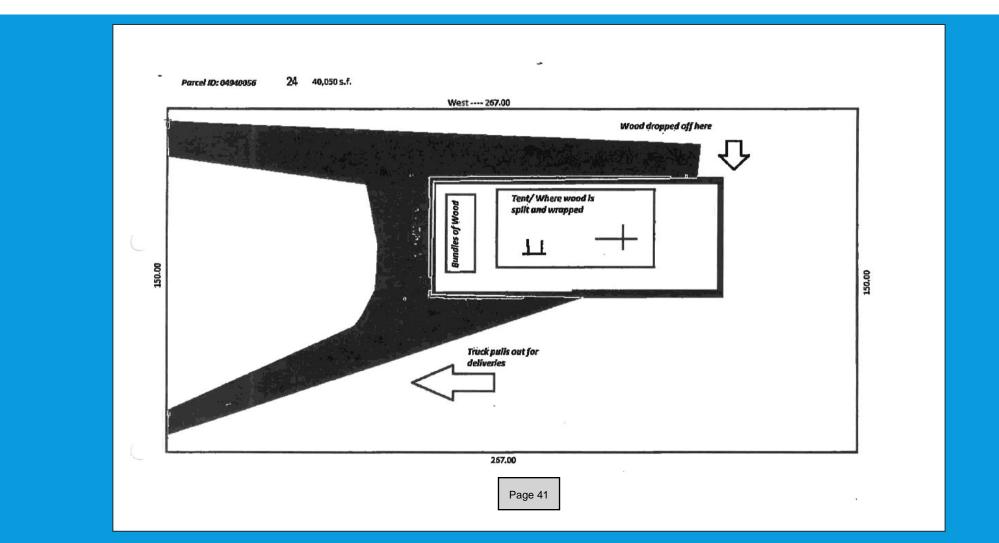
On Wed, Jun 9, 2021 at 3:48 PM Ryan Foster <rfoster@kenai.city> wrote:

Good Afternoon Tracey,

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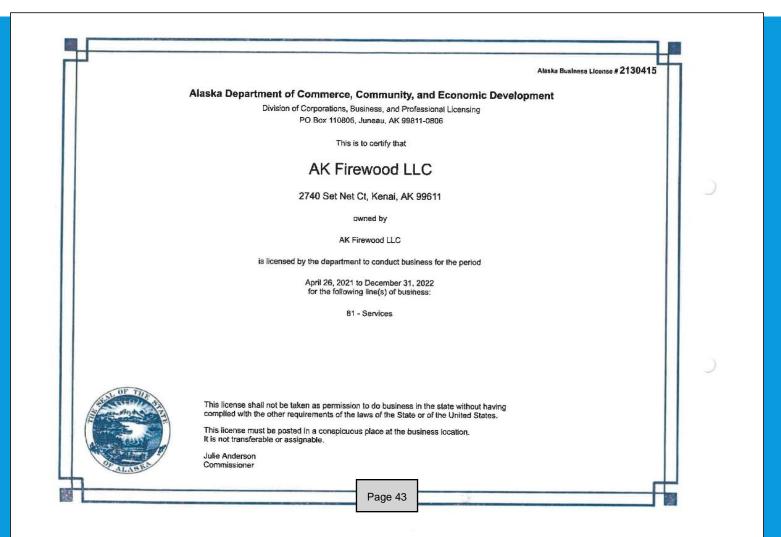
C. SITE PLAN



D. AERIAL MAP



E. BUSINESS LICENSE



F. EMAIL RESPONSE

Wilma Anderson

From:	Joe <jallyns1@gci.net></jallyns1@gci.net>	
Sent:	Tuesday, June 15, 2021 9:19 AM	
To:	Wilma Anderson	
Cc:	Wilma Anderson	
Subject:	resolution PZ2021-24	

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Wilma,

I called yesterday re. the notice I just received in the mail today about the planning and zoning to be held on June 23 2021. Is this meeting mandatory to attend and give comments? or can I wait until the September 23. 2021 meeting which I had intended to attend and give comments? I live 92 feet from the foundation of the old burned out house which will be used for the proposed wood bundling site or wood storage lot. I and am concerned about missing/attending meetings. Should I come to this meeting also? I am opposed to the said change, or zoning request as are several of my immediate neighbors, due to the increased impact to the neighborhood. Bowpicker Ln is a gravel street, the only one in VIP subdivision. There are a lot of little kids with parents using trail/street, both on bikes, motorcycles, four wheelers. The trail leads to the beach a couple miles away and the mouth of the Kenai River. Minke road that ties into K-Beach is a gravel road also. There is a lot of ATV traffic on this trail which leads to the Beach access point two miles away and the mouth of the Kenai River. Dip netting is close to beginning. I have had to water the road before using my own garden hose to lower the dust level In front of my house. The city of Kenai just did a dust abatement process which helps but only lasts for a short time. I have called 911 before due to dust and vehicle traffic, both atv's car/trucks. I have met the new owners who seem like good people, who just happen to live on set net circle. I have lived in this house for close to 30 years and Bow[picker road never changes, dust in the summer and snow/ice in the winter. Sorry but I am opposed to the change. The survey place on Set Net is low impact, on a paved street and is a different closed in operation. They come and go and there is no impact on the neighbors. A wood lot / bundling operation will impact the area in a negative manner. Hence, do I need to attend on June 23rd, 2021? Vehicle traffic which include the atv's, pickups, motorcycles, bikes, hikers only gets worse from now until after dip netting season. It can be a zoo in front of the house sometimes. Bowpicker Ln has a history of use and abuse! I have used my four wheel drive to pull a stuck fed ex truck out of the mud on the trail just recently! Also the survey place on Set Net land is completely low impact to the immediate neighbors next to its location, paved street, no noise of any kind. Different from wood lot activities.which are being proposed.

Thank you for listening, Joseph A Lyons concerned neighbor 2715 Bowkpicker In Kenai, Alaska 907-283-4791

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File Attachments for Item:

1. Action/Approval - Conditionally Donating Certain City Owned Property Described as Two Approximate 1 1/4 Acre Parcels to be Subdivided from a Portion of the 72 Acre More or Less Portion of the SE 1/4 Lying East of Tract A Kenai Meadows (KPB Parcel No. 039 010 65) To Kenai Peninsula Housing Initiative for the Development of Restricted Income and Senior Housing.



MEMORANDUM

TO:	Planning and Zoning Commission
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FROM: Ryan Foster, Planning Director

DATE: June 16, 2021

SUBJECT: Ordinance No. 3217-2021 - Conditionally Donating a Portion of Tract A Kenai Meadows to Kenai Peninsula Housing Initiative for the Development of Restricted Income and Senior Housing.

The purpose of this correspondence is to respond to City Council direction to the City Manager to bring an ordinance to conditionally donate the properties referenced in the above described ordinance to the Kenai Peninsula Housing Initiative.

On June 15, 2016 City Council approved Ordinance No. 2899-2016; conditionally donating certain foreclosed city owned property described as two approximate 1 1/4 acre parcels to be subdivided from a portion of the 77 acre more or less portion of the SE 1/4 lying east of Mommsen Subdivision Addition No. 2 section 25, T6N, R12W (KPB Parcel No. 039 010 18) to Kenai Peninsula Housing Initiative for the development of restricted income and senior housing.

On April 7, 2021, Steven Rouse, Executive Director of KPHI, presented on the completion of the housing constructed on the two parcels conditionally donated in Ordinance No. 2899-2016. In addition, he requested consideration of a donation of 2.5 acres adjacent to the existing developments on Redoubt Avenue to construct additional restricted income and senior housing.

Please review the attached materials.

Does the Commission recommend Council approve conditionally donating City owned land to the Kenai Peninsula Housing Initiative for construction of low-income and senior housing?

Attachment A: Aerial Map illustrating the previously donated parcels and the proposed parcel to be subdivided.

Attachment B: PowerPoint Presentation dated April 7, 2021 from Kenai Peninsula Housing Initiative requesting consideration of a donation of an additional 2.5 acres for restricted income and senior housing.

Attachment C: Concept site plan provided by the Kenai Peninsula Housing Initiative.

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Attachment D: Draft Ordinance.



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RESOLUTON 3217-2021 DONATION AND PROPOSED DONATION TO KPHI KPB #03901063; 03901064 AND 03901065 LOTS 1 & 2 AND A PORTION OF TRACT A KENAI MEADOWS





Kenai Peninsula Housing Initiatives

Steven Rouse, Executive Director

April 7, 2021





Today's Presentation:

- Who is KPHI?
- What We Do
- How We Do It
- Our Work on the Kenai Peninsula, so far
- Project Just Completed in Kenai
- City of Kenai's Role in the Past
- Our Next Kenai Project and What We Are Asking of You

Kenai Peninsula Housing Initiatives, Inc

Who Is KPHI?

A nonprofit housing organization that provides low-income, senior and special needs residents of the Kenai Peninsula with affordable housing options



Éstablished in 2003, currently manage 148 units in Kenai, Homer, Seward, Soldotna and Ninilchik

KPHI offices are located at the Homer Community Housing Center

Board of Directors represents all areas of the Peninsula, staff of 5

We offer tenants a solid foundation on which to improve their overall quality of life

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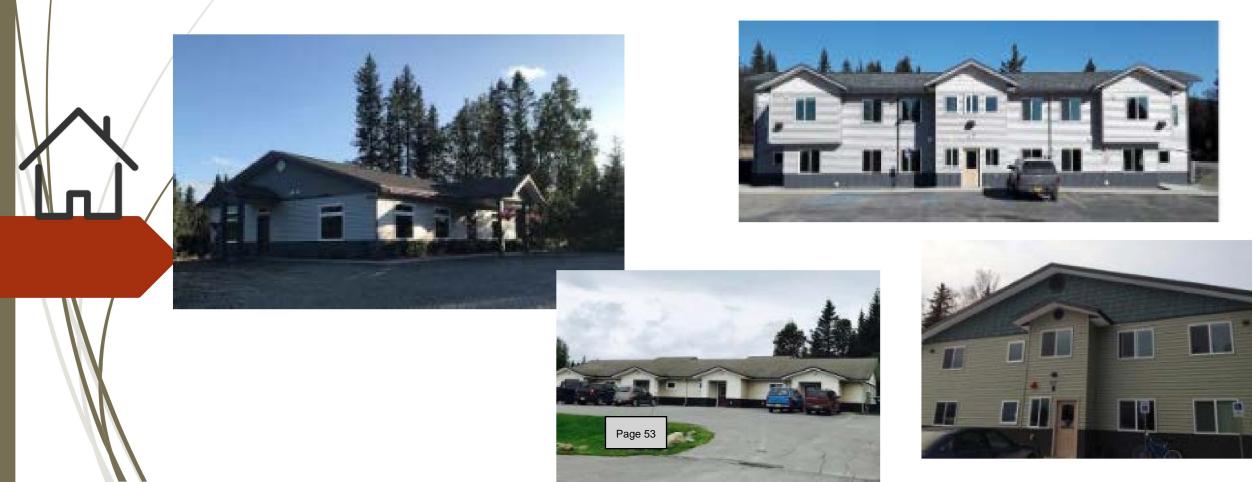
How Do We Provide Affordable Housing?

- **Develop –** Identify need, debt capacity, identify funding sources, compete for gap/subsidy funding
 - **Own** Responsible for debt service and maintenance
- Manage Screen applicants, ensure compliance with funding sources, protect tenants and property

Partner with other community organizations to ensure a full continuum of housing services are available to address housing needs _____



KPHI Accomplishments To-Date Homer





KPHI Accomplishments To-Date



Soldotna











KPHI Accomplishments To-Date Ninilchik







KPHI Accomplishments To-Date Seward





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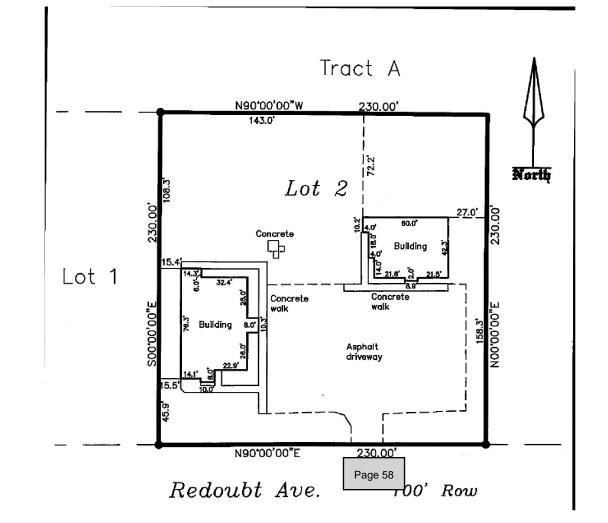
KPHI Accomplishments To-Date Kenai Clear Pointe Phase I & II







KPHI Accomplishments To-Date – Clear Pointe





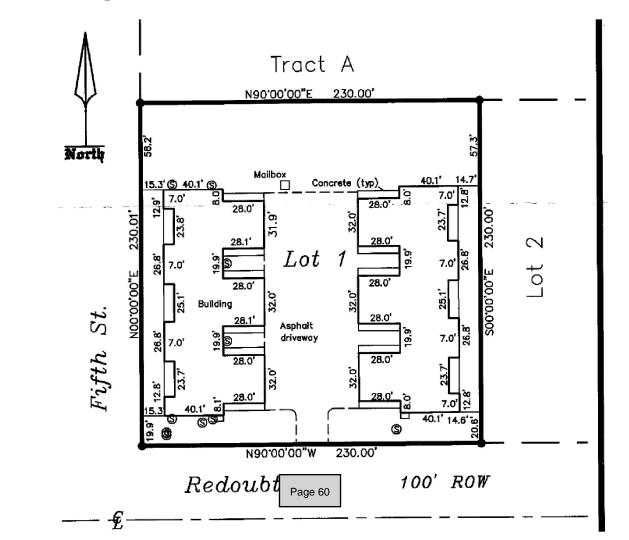
KPHI Accomplishments To-Date Kenai Kenai Meadows







KPHI Accomplishments To-Date – Kenai Meadows





City of Kenai's Contribution To Clear Pointe & Kenai Meadows

June 2016-City Council passed Ordinance 2899-2016 June 2017 – City transferred 1.25 acre parcel (Clear Pointe Phase 1) June 2018 – City transferred 1.25 acre parcel (Kenai Meadows Phase 1)

Land donation leveraged other funding sources including AHFC, Rasmuson Foundation and Wells Fargo Foundation

Projects helped to support hiring area businesses including Nelson Engineering of Kenai, Central Alaska Engineering of Soldotna and Sundance Construction of Kasilof





How Did KPHI Perform?

- Four phases of the Kenai Projects completed early or on-time
- All units rented quickly, now have wait lists
- Last phase of Kenai Meadows complete in Jan. 2021 and fully rented by March 2021
- 22 individuals and families live in the two projects now
- Additional benefit during pandemic: KPHI connecting tenants to
 available resources



KPHI's Ask Today

Requesting consideration of a donation of 2.5 acres, adjacent to existing developments on Redoubt

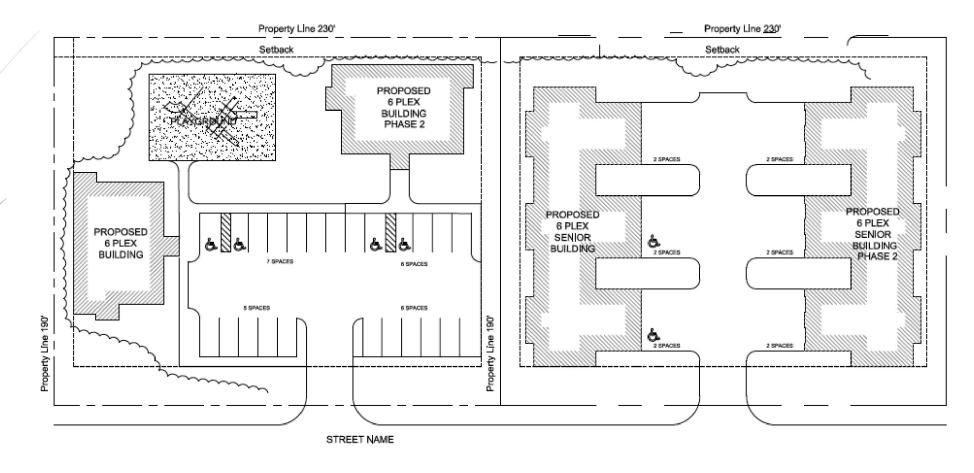
Same terms and conditions as contained in previous ordinance

Intent is to develop 24 units of senior and low-income, multi-family rental apartments

An independent analysis has already confirmed the need and demand for additional housing (study commissioned by AHFC)

Timeline: KPHI needs an ordinance passed to demonstrate options for site control to apply for funding in August 2021. Completion of four phases of the develop page 63 pt would take 3 to 5 years.

Kenai Peninsula Housing Initiatives, Inc



SITE PLAN CONCEPT



Kenai Peninsula Housing Initiatives Apartment Concept

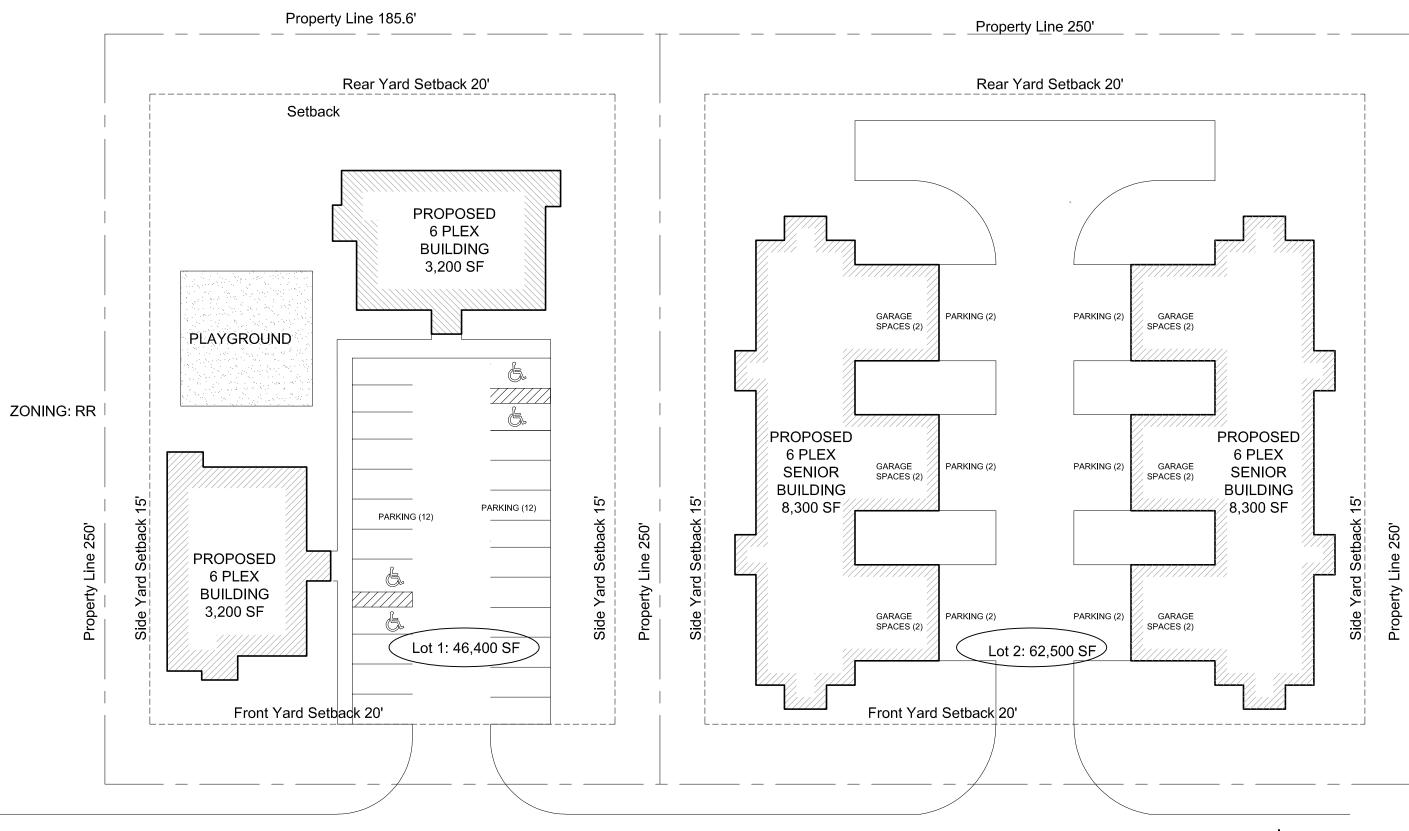
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Questions?

Steven Rouse, Executive Director Kenai Peninsula Housing Initiatives <u>www.KPHI.net</u> Phone: (907) 399-4357 Email: steven@kphi.net



Kenai Peninsula Housing Initiatives Apartment Concept

SITE PLAN CONCEPT

SCALE: 1/32" = 1'-0"







CITY OF KENAI

ORDINANCE NO. 3217-2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, CONDITIONALLY DONATING CERTAIN CITY OWNED PROPERTY DESCRIBED AS TWO APPROXIMATE 1 1/4 ACRE PARCELS TO BE SUBDIVIDED FROM A PORTION OF THE 72 ACRE MORE OR LESS PORTION OF THE SE 1/4 LYING EAST OF TRACT A KENAI MEADOWS (KPB PARCEL NO. 039 010 65) TO KENAI PENINSULA HOUSING INITIATIVE FOR THE DEVELOPMENT OF RESTRICTED INCOME AND SENIOR HOUSING.

WHEREAS, Kenai Municipal Code 22.05.110, Determination as to Need for Public Purpose, allows the Council, by Ordinance, to donate real property that is no longer needed by the City for a public purpose, to a non-profit corporation for a consideration agreed upon between the City and grantee without a public sale if the donation is advantageous to the City; and,

WHEREAS, Kenai Peninsula Housing Initiatives (KPHI) is a non-profit corporation with a mission to provide low income, very low income, senior and special needs residents affordable housing options; and,

WHEREAS, there is a need for low income and senior housing in the City of Kenai; and,

WHEREAS, the City desires to support further development of low income and senior housing in the community; and,

WHEREAS, donating the subject parcels to KPHI at less than fair market value is in the best interest of the City, and;

WHEREAS, conditions must be placed on the transfer or condition the transfer to ensure low income and senior housing is developed or the property is returned to the City, including in the event of a land sale, to a for profit entity, the market value of the property shall be reimbursed to the City, if the sale occurs within twenty years after transfer to KPHI.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, as follows:

Section 1. Form: That this is a non-code ordinance.

Section 2. That the Kenai City Council hereby authorizes the City Manager to execute, upon completion of a subdivision and necessary proof of financing for the development, the transfer of title for the properties: two approximate 1 1/4 acre parcels to be subdivided from a portion of the 72 acre more or less portion of the SE 1/4 lying east of Tract A Kenai Meadows (KPB PARCEL No. 03901065), to Kenai Peninsula Housing Initiatives, Inc. (KPHI), on a form approved by the

Ordinance No. 3217-2021 Page 2 of 2

City Attorney, for less than fair market value (\$1.00) and for the sole purpose of developing income restricted and senior housing.

Section 3. That KPHI must complete at its own expense all actions necessary for the subdivision and development of the properties; and to provide proof of financing sufficient for the projects as prior conditions of the transfer of title; and to pay all closing costs and fees for said properties and said consideration to the City for the properties.

Section 4. That the Kenai City Council further finds the disposal of the parcels to be in the best interests of the citizens of the City of Kenai and that the public interest shall be served by disposing of the properties interest for less than the fair market value, in accordance with the recitals above which are incorporated herein.

Section 5. That the Kenai City Council further finds that if the action items described herein are not completed by July 16, 2026, the authorization to transfer the lands lapses unless further authorized by the City Council.

Section 6. <u>Severability:</u> That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

Section 7. Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect 30 days after enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 16th day of June, 2021.

ATTEST:

BRIAN GABRIEL SR., MAYOR

Jamie Heinz, MMC, City Clerk

Introduced: June 2, 2021 Enacted: July 7, 2021 Effective: August 7, 2021

File Attachments for Item:

2. Action/Approval - Conditionally Donating Certain City Owned Property Described as One Approximate 2 Acre Parcel to be Subdivided from a Portion of the 6.8 Acre More or Less Portion of the East of Tract 4, Baron Park Subdivision (KPB Parcel No. 045 010 35) to Triumvirate Theatre for the Development of a Theatre Facility.



MEMORANDUM

- TO: Planning and Zoning Commission
- **FROM:** Ryan Foster, Planning Director

DATE: June 16, 2021

SUBJECT: Ordinance No. 3219-2021 - Conditionally Donating a Portion of Tract 4, Baron Park Subdivision 2012 Addition to Triumvirate Theatre for the Development of a Theatre Facility.

The purpose of this correspondence is to respond to the City Manager request to bring an ordinance to consider conditionally donating the properties referenced in the above described ordinance to the Triumvirate Theatre.

On May 20, 2021, Joseph Rizzo, on behalf of the Triumvirate Theatre, requested consideration of a donation of approximately 2 acres to the north of Daubensbeck Park to construct a theatre facility. The Triumvirate Theatre has been looking for a new home since a February 20, 2021 fire resulted in a complete loss of their 5,000 square foot theatre facility. A donation of approximately 2 acres would require a subdivision of the approximately 6.8 acres of Tract 4, Baron Park Subdivision 2012 Addition. The parcel is zoned Light Industrial, which allows a theater with a conditional use permit, requiring submission of an application and approval by the Planning and Zoning Commission.

Please review the attached materials.

Does the Commission recommend Council approve conditionally donating City owned land to the Triumvirate Theatre for construction of a theatre facility?

Attachment A: Letter from Triumvirate Theatre proposing a land donation for construction of a theatre facility.

Attachment B: Aerial Map illustrating the proposed parcel to be subdivided for a theatre facility.

Attachment C: Property search methodology.

Attachment D: Draft Ordinance.

Joseph Rizzo ACIPA PO Box 322 Kenai, Alaska 99611

Dear Mr. Ostrander:

Thank you for all your assistance and guidance in helping us put together this proposal that the City of Kenai donate a piece of property on which to build the new Triumvirate Theatre facility. The following information will be helpful for the City Council in determining if this proposal is viable.

History of Alaska Children's Institute for the Performing Arts (Triumvirate Theatre)

Our organization was formed as a 501(c)3 nonprofit in November 1998. For over 20 years, we have provided performing arts opportunities for members of our community with a special emphasis on theatre with and for children. We serve people in the communities of Kenai, Soldotna, Sterling, Nikiski and Kasilof.

In 2005, we began renting a 3,000-square-foot space in the Peninsula Center Mall in Soldotna, where we operated a 100-seat theatre and a bookstore for almost 10 years. In 2006, four members of the board formed an LLC, North Road Properties, and bought a mechanic shop just a few miles north of the Kenai city limits with the intention of remodeling it to have a permanent home for the theatre's operations, renting it to us for well below market value. Through many grants and thousands of volunteer hours, the remodel was completed in 2013. The last two years of the remodel, the bulk of the interior work was completed by the Nikiski High shop class. White Christmas, the first of dozens of productions and events that would be held at the new facility, opened that December.

Plays, concerts, fundraisers for cancer victims, corporate events, Eagle Scout award ceremonies, wedding receptions and movies are just some of the activities that have taken place in our facility over the last eight years. It was truly a community space for the whole central Kenai.

The Fire

In the early morning hours of Feb. 20, 2021, a fire broke out in the backstage area of the theatre and engulfed the building in flames. In spite of valiant efforts by the Nikiski and Kenai Fire Departments, it was a complete loss of the 5,000-square-foot facility. Both the insurance forensic expert and the state fire marshal's office could not determine the cause of the blaze.

Currently, fundraising efforts are underway to rebuild the theatre. Meanwhile, the Kenai Peninsula Borough School District is providing our organization use of the Little Theatre at Kenai High to continue our operations throughout the next school year.

Some highlights of services provided by Triumvirate Theatre in the community and the state:

- We have produced well over a hundred plays, musicals and events over the last 23 years.
- Working with James Adcox, kids and adults in the community created a 240-square-foot mural depicting the history of the Kenai Peninsula.
- Large stained glass artwork was created by children under the direction of Sandy Stevens, a stained glass artist in our community.
- The Class Act Drama Troupe was established in 2005. This troupe is made up of seventh- to 12th-grade youth. Half of funds raised from their shows are distributed back to the kids in the form of scholarships when they graduate high school. Thousands of dollars have been awarded in scholarships over the years. To our knowledge, this is the only program of its kind in the U.S.

triumvirate

THEATRE

Highlights cont.

- Working with the Alaska Humanities Forum, we have made two television programs teaching children about Alaska history. *Baranov's Castle* won a Best Indie Film Award at the Kids First Film Festival, the largest such festival in the world. It was also translated into Russian for Russian Television. *Davenport Flagstop and the Case of the Golden Spike* is a 45-minute film created in cooperation with the Alaska Railroad and has enjoyed extensive play on KTUU-TV.
- *Eight Stars of Comedy Gold* was a 90-minute history of the State of Alaska funded through a \$30,000 grant from the Rasmuson Foundation, commemorating the 50th anniversary of statehood.
- Mental Health Mondays is one of our current programs done in cooperation with KSRM Radio. Youth actors produce radio dramas about mental health issues facing teens. The dramas are followed by a round table discussion between the actors and Dr. Paul Turner, a Kenai psychologist.

Description of Beneficiaries

We know that the performing arts are critical to children's development and we provide opportunities for them to discover how much the stage can teach them about themselves and the world around them. By getting kids on stage to perform, parents and families that come to see them perform are also important beneficiaries of our programs. Lastly, we are heavily involved in fundraisers for local causes from kids who have cancer to people who lose their homes to house fires. We often provide entertainment for fundraising events and, before our facility burned down, provided a place for the community to hold such events.

Current Status of the Project (Rebuilding efforts), timeline, and funds raised to date.

We are currently in the fundraising and planning stages of rebuilding the theatre. Our hope is to have the new theatre open by April or May 2023.

Fundraising Efforts

Shortly after the fire occurred, the Rasmuson Foundation helped us set up a disaster relief fund with the Alaska Community Foundation, generously seeding that fund with \$10,000. Through an outpouring of community support, we have raised over \$100,000 in cash donations from over 500 individual donors over the last 10 weeks. This includes a \$10,000 donation from Marathon Oil. We have also received several significant in-kind donations including: \$10,000 in free radio advertising from KSRM Radio Group, a grand piano from the Kenai Peninsula College and excavating services for clean-up.

With the help of a \$25,000 Tier 1 grant from the Rasmuson Foundation, we are working with John Conway, a Foraker consultant hired to help us plan our rebuild efforts. This grant is also paying for architectural services from K&A Design Studios, a local Kenai firm, to develop conceptual drawings and determine an estimated cost of the rebuilding of the facility.

Fundraising efforts will continue over the summer with a goal of raising another \$100,000 in cash donations. We have some great help from local businesses, including Kenai Catering, which is planning on holding a fundraising dinner for us.

In addition to cash that the theatre has raised so far, our former landlord, North Road Properties, is committed to donating over \$200,000 from the insurance settlement so the theatre can build its own facility. We estimate that cost of rebuilding the theatre with the enormous rise in the cost of building materials will exceed \$1,000,000. We are hoping to raise additional funds from foundations and trusts.

Our goal is to submit a Tier 2 grant letter of inquiry to the Rasmuson Foundation by July 31. We will have no less than \$400,000 in funds to bring to this project. A land donation from the City of Kenai for the new theatre will be critical to our request to pursue a Tier 2 grant. The Rasmuson Foundation generally funds capital projects at 50% of the total cost. They have told me that the land donation would be considered matching funds.

triumvirate THEATRE

The Property

At your suggestion and working with Ryan Foster, we have considered four possible donated sites for the new facility in the City of Kenai. After careful consideration and in consultation with you, John Conway and our architect, we believe KPB Parcel No. 04501035 would best suit the purposes of the new theatre. This facility would require approximately 2 acres to accomodate adequate parking and the footprint of the building. Triumvriate would pay to have Parcel No. 04501035 subdivided so that we would occupy the east part of the parcel.

The following information comes from Ryan Foster:

Legal Description: Tract 4, Baron Park Subdivision 2012 Addition Physical Address: 450 Marathon Road Size: 6.85 acres (298,386 square feet) City Zoning: Light Industrial

Land Value: \$417,500 (from KPB)

This parcel would likely require a subdivision of the 6.85 acres for a theater project/donation. The new Kenai Dog Park is being constructed on this parcel and the City is amending the plat to remove the dog park from Tract 4 and add it to Tract 5. Water and sewer is adjacent to the property from Marathon Road and Daubensbeck Road. Theaters are allowed in the Light Industrial zoning district with a conditional use permit.

Advantages for the City of Kenai

Theatres are economic engines for communities. Not only would Triumvirate Theatre patronize hardware stores and grocery stores in the course of our operations but our patrons will eat at local restaurants before or after shows. In addition to paying property tax, Triumvirate would also hire locals in teaching drama camps, running operations and conducting maintenance on the building.

The other advantage, of course, is having the arts in the community and the educational opportunities for local kids. We have no doubt that being in town will increase the number of children we serve with our programs.

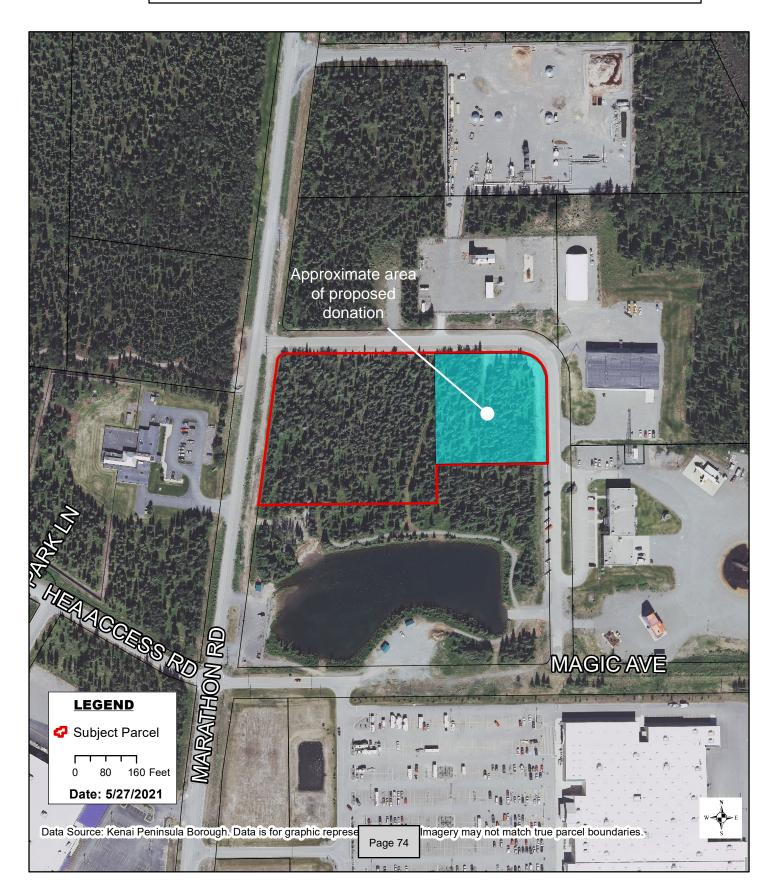
Thank you for considering this proposal. If you need further information, please contact me on my cell at: (907) 394-1159 or by email.

Jun m. Gun

Joe Rizzo Executive Director ACIPA



RESOLUTON 3219-2021 PROPOSED DONATION TO TRIUMVIRATE THEATRE KPB #045 01 035 APPROXIMATELY 2 ACRE PORTION OF TRACT 4, BARON PARK SUBDIVISION 2012 ADDITION





MEMORANDUM

TO:	Paul Ostrander, City Manager
FROM:	Ryan Foster, Planning Director
DATE:	April 29, 2021
SUBJECT:	Triumvirate Theatre Potential Locations

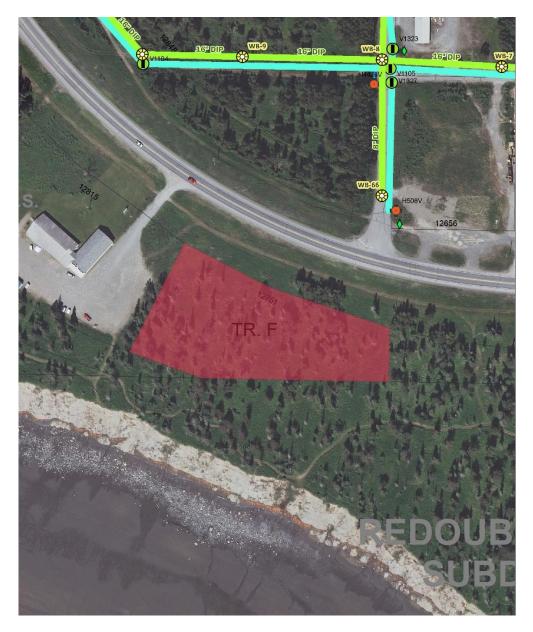
The following four parcels are described as potential locations for a Triumvirate Theatre site. Any donation of City owned lands requires City Council approval. As noted below, some of the following parcels would likely require a subdivision process/approval. The criteria considered in this search included the following:

- City owned parcel recommended for disposal/sale in the draft Land Management Plan
- Not currently leased
- General fund
- 2+ acres
- Zoning designation where theaters are permitted or permitted with a conditional use permit
- Water and sewer lines in the vicinity of the subject parcel
- Roads access the subject parcel
- Lack of wetlands/buildable land likely available

Theaters require a conditional use permit for all four of the following parcels (within the Suburban Residential, Light Industrial, and Rural Residential zoning districts). Theaters are defined in *Kenai Municipal Code 14.20.320* as the following: "Theater means a building or structure, or part thereof, devoted to the indoor exhibition of motion pictures and/or of live dramatic, speaking, musical, or other presentations." Parking requirements for assembly with fixed seats (which includes theaters) outlined in *Kenai Municipal Code 14.20.250* are one parking space per four seats in the principal assembly area, with a seat width considered to be twenty-two inches.

KPB Parcel No. 04301102

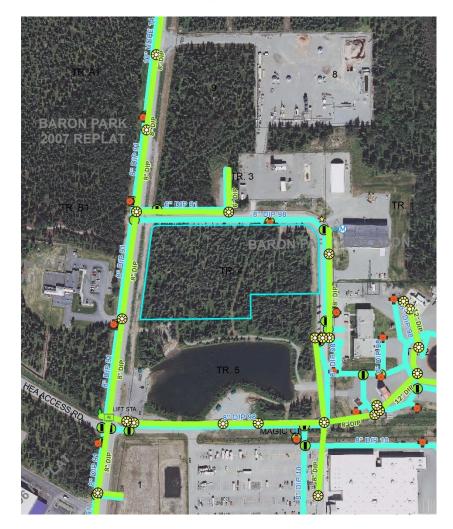
Legal Description: Tract F Dena'ina Point Estates Sub Physical Address: 12751 Kenai Spur Highway Size: 2.24 acres (97,574 square feet) City Zoning: Suburban Residential (RS) Land Value: \$48,800 (KPB) A water line and sewer line is located approximately 270 feet to the north across the Kenai Spur Highway. The tract has no bluff frontage and is located approximately 140 feet from the edge of the bluff. Theaters are allowed in the Suburban Residential Zone with a conditional use permit. The Land Use Plan has this parcel classified as Mixed Use. An aerial view of the parcel is provided below.



KPB Parcel No. 04501035

Legal Description: Tract 4, Baron Park Subdivision 2012 Addition Physical Address: 450 Marathon Road Size: 6.85 acres (298,386 square feet) City Zoning: Light Industrial Land Value: \$417,500 (from KPB)

This parcel would likely require a subdivision of the 6.85 acres for a theater project/donation. The new Kenai Dog Park is being constructed on this parcel and the City is amending the plat to remove the dog park from Tract 4 and add it to Tract 5. Water and sewer is adjacent to the property from Marathon Road and Daubensbeck Road. Theaters are allowed in the Light Industrial zoning district with a conditional use permit. The Land Use Plan has this parcel classified as Mixed Use. An aerial view of the parcel is provided below.



KPB Parcel No. 03901065

Legal Description: Kenai Meadows Tract A (parent parcel 03901018) KN 2017-017 Physical Address: 2200 Redoubt Avenue Size: 72.21 acres (3,145,467 square feet) City Zoning: Rural Residential (RR) Land Value: \$155,400 (KPB)

This parcel would likely require a subdivision of the 77.2 acres for a theater project/donation. A water line and sewer line is located along Redoubt Avenue on the southern boundary of the subject property. Nightingale Street is a plated (but not constructed) road that runs along the eastern parcel boundary. Theaters are allowed in the Rural Residential zoning district with a conditional use permit. The Land Use Plan has this parcel classified as Suburban Residential. An aerial view of the parcel is provided below.



KPB Parcel No. 04316017

Legal Description: Tract A ASLS 2008-45 Physical Address: 109 North Spruce Street Size: 4.23 acres (184,259 square feet) Estimated Buildable Size: 2.45 acres (107,000 square feet) City Zoning: Suburban Residential (RS) Land Value: \$66,400 (KPB)

A tributary to the Kenai River with the number of 244-30-10010-2001 is to the west of the parcel. Alaska Department of Fish and Game lists this water body in its anadromous waters catalog for Coho salmon rearing, Chinook salmon rearing, and Sockeye salmon rearing. A reasonable buildable area was estimated by buffering 50-foot from the stream as required by the Kenai Peninsula Borough and excluding identified wetlands.

A water line runs along the northern border of the parcel. Water and sewer lines are also available directly southeast of the parcel. Theaters are allowed in the Suburban Residential zone with a conditional use permit. The Land Use Plan also has this parcel classified as Suburban Residential **and would need a consideration of the reversion clause for the parcel to be used for a public purpose and to protect archaeological resources.** A rough short driveway appears to be at the northern edge of the parcel and it is otherwise treed with wetlands at the western edge of the parcel. An aerial view of the parcel is below with the wetland and stream areas shaded and excluded from the buildable size estimate. The right-of-way and utility easements were also excluded from the southern boundary of the parcel to estimate the buildable size of the lot. The draft Land Management Plan notes the land must be used for a public purpose. The plat of this parcel shows right-of-way dedicated along the Kenai Spur Highway, a section line easement, utility easements, and a public access easement to the creek at the western boundary of the parcel.



Sponsored by: Administration



CITY OF KENAI

ORDINANCE NO. 3219-2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, CONDITIONALLY DONATING CERTAIN CITY OWNED PROPERTY DESCRIBED AS ONE APPROXIMATE 2 ACRE PARCEL TO BE SUBDIVIDED FROM A PORTION OF THE 6.8 ACRE MORE OR LESS PORTION OF THE EAST OF TRACT 4, BARON PARK SUBDIVISION 2012 ADDITION (KPB PARCEL NO. 045 01 035) TO TRIUMVIRATE THEATRE FOR THE DEVELOPMENT OF A THEATRE FACILITY.

WHEREAS, Kenai Municipal Code 22.05.110, Determination as to need for public purpose, allows the Council, by Ordinance, to donate real property that is no longer needed by the City for a public purpose, to a non-profit corporation for consideration; agreed upon between the City and grantee without a public sale if the devotion is advantageous to the City; and,

WHEREAS, Triumvirate Theatre is a 501(c)3 non-profit corporation with a mission to provide performing arts opportunities with an emphasis on theatre with and for children; and,

WHEREAS, there is a need for a community theatre in the City of Kenai; and,

WHEREAS, the City desires to support performing arts in the community; and,

WHEREAS, donating the subject parcel to Triumvirate Theatre at less than fair market value is in the best interest of the City, and;

WHEREAS, conditions must be placed on the transfer or condition the transfer to ensure a theatre facility is developed or the property is returned to the City including in the event of a land sale, to a for profit entity, the value of the property shall be reimbursed to the City, if the sale occurs within twenty years after transfer to Triumvirate Theatre.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, as follows:

Section 1. Form: That this is a non-code ordinance.

Section 2. That the Kenai City Council hereby authorizes the City Manager to execute, upon completion of a subdivision and necessary proof of financing for the development, the transfer of title for the property: one approximate 2 acre parcel to be subdivided from a portion of the 6.8 acre more or less portion of the east of Tract 4, Baron Park Subdivision 2012 Addition (KPB PARCEL No. 045 01 035), to Triumvirate Theatre, on a form approved by the City Attorney, for less than fair market value (\$1.00) and for the sole purpose of developing a theatre facility.

Section 3. That Triumvirate Theatre must complete at its own expense all actions necessary for the subdivision and development of the properties; and to provide proof of financing sufficient for

Ordinance No. 3219-2021 Page 2 of 2

the projects as prior conditions of the transfer of title; and to pay all closing costs and fees for said property and said consideration to the City for the property.

Section 4. That the Kenai City Council further finds the disposal of the parcel to be in the best interests of the citizens of the City of Kenai and that the public interest shall be served by disposing of the property interest for less than the fair market value, in accordance with the recitals above which are incorporated herein.

Section 5. That the Kenai City Council further finds that if the action items described herein are not completed by July 16, 2023, the authorization to transfer the land lapses unless further authorized by the City Council.

Section 6. <u>Severability:</u> That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

Section 7. Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect 30 days after enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 7th day of July, 2021.

ATTEST:

BRIAN GABRIEL SR., MAYOR

Jamie Heinz, MMC, City Clerk

Introduced: June 2, 2021 Enacted: July 7, 2021 Effective: July 7, 2021

File Attachments for Item:

1. City Council



Kenai City Council - Regular Meeting June 16, 2021 – 6:00 PM Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

Telephonic/Virtual Information on Page 4

www.kenai.city

Action Agenda

A. <u>CALL TO ORDER</u>

- 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. <u>SCHEDULED PUBLIC COMMENTS</u>

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

C. <u>UNSCHEDULED PUBLIC COMMENTS</u>

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

D. <u>PUBLIC HEARINGS</u>

- POSTPONED UNANIMOUSLY TO 07/07/2021. Ordinance No. 3217-2021 Conditionally Donating Certain City Owned Property Described as Two Approximate 1 1/4 Acre Parcels to be Subdivided from a Portion of the 72 Acre More or Less Portion of the SE 1/4 Lying East of Tract A Kenai Meadows (KPB Parcel No. 039 010 65) To Kenai Peninsula Housing Initiative for the Development of Restricted Income and Senior Housing. (Mayor Gabriel, Vice Mayor Molloy, Council Member Winger)
- 2. **ENACTED UNANIMOUSLY. Ordinance No. 3218-2021** Accepting and Appropriating Drug Seizure Funds into the Police Small Tools Account. (Administration)
- 3. POSTPONED UNANIMOUSLY TO 07/07/2021. Ordinance No. 3219-2021 Conditionally Donating Certain City Owned Property Described as One Approximate 2 Acre Parcel to be Subdivided from a Portion of the 6.8 Acre More or Less Portion of the East of Tract 4, Baron Park Subdivision (KPB Parcel No. 045 01 035) to Triumvirate Theatre for the Development of a Theatre Facility. (Administration)

- 4. **POSTPONED INDEFINITELY. Ordinance No. 3220-2021** Authorizing a Tourism, Travel, and Hospitality Services Economic Stimulus Program to Benefit Certain Kenai Small Businesses and Award of a Professional Services Agreement to the Kenai Chamber of Commerce and Visitor Center for Administration of the Program. (Administration)
- **5. ADOPTED UNANIMOUSLY. Resolution No. 2021-40** Authorizing and Awarding a Contract Extension for Ambulance Billing through Systems Design West for the Period of July 1, 2021 through June 30, 2023. (Administration)
- 6. ADOPTED UNANIMOUSLY. Resolution No. 2021-41 Authorizing a Budget Transfer within the General Fund, Parks, Recreation and Beautification Department to Supplement the eave Account in Excess of Budgeted Amounts. (Administration)
- **7. ADOPTED UNANIMOUSLY. Resolution No. 2021-42** Authorizing an Equipment Purchase Agreement and Issuance of a Purchase Order for the New Replacement Sludge Press at the Wastewater Treatment Plant. (Administration)
- 8. ADOPTED UNANIMOUSLY. Resolution No. 2021-43 Authorizing Budget Transfers in the General Fund Street and Building Departments and the Water and Sewer Fund Wastewater Treatment Plant Department to account for Unanticipated Expenditures. (Administration)
- **9.** ADOPTED UNANIMOUSLY. Resolution No. 2021-44 Authorizing the City Manager to Extend the Restaurant Concession Agreement in the Kenai Municipal Airport for an Additional Year. (Administration)
- 10. ADOPTED UNANIMOUSLY. Resolution No. 2021-45 Authorizing the Termination of the Facility Management Services Agreement for the Kenai Recreational Center with the Boys and Girls Club of the Kenai Peninsula and Authorizing a New Agreement with Boys and Girls Club of the Kenai Peninsula to Operate the Teen Center at the Kenai Recreation Center. (Administration)

E. <u>MINUTES</u>

1. **APPROVED BY THE CONSENT AGENDA.** *Regular Meeting of June 2, 2021. (City Clerk)

F. UNFINISHED BUSINESS

G. <u>NEW BUSINESS</u>

- 1. APPROVED BY THE CONSENT AGENDA. *Action/Approval Bills to be Ratified. (Administration)
- 2. APPROVED BY THE CONSENT AGENDA. *Action/Approval FY21 Purchase Orders Over \$15,000. (Administration)
- 3. APPROVED BY THE CONSENT AGENDA. *Action/Approval FY22 Purchase Orders Over \$15,000. (Administration)



- 4. APPROVED BY THE CONSENT AGENDA. *Action/Approval Non-Objection to Liquor License Renewals for Peninsula Oilers and Pizza Paradisos. (City Clerk)
- 5. *APPROVED UNANMOUSLY.* Action/Approval Special Use Permit to James H. Doyle, Individually, D/B/A Weaver Brothers, Inc., for Truck Trailer Storage. (Administration)
- 6. *APPROVED UNANMOUSLY*. Action/Approval Special Use Permit to State of Alaska, Division of Forestry, for Air Tanker Reload Base. (Administration)
- 7. *APPROVED UNANMOUSLY.* Action/Approval Approving Officials Bond Amounts for the City Manager, City Clerk, and Finance Director. (Administration)
- 8. APPROVED UNANMOUSLY. Action/Approval Authorizing the City Administration to Submit Previously Adopted Resolution 2020-89 - A Resolution of the City of Kenai, Alaska, Opposing Alternative 4 Proposed to the North Pacific Management Council that would Close All Federal Waters in Cook Inlet to Commercial Fishing, Along With an Accompanying Letter from the Mayor as Comments to the National Oceanic and Atmospheric Administration's Proposed Regulations Closing the EEZ to Commercial Fishing, Prior to the July 6, 2021 Comment Deadline. (All Council Members)
- 9. HEARING SET FOR 07/30/2021 AT 6:00 P.M. Discussion Set a Board of Adjustment Hearing for an Appeal of a Planning and Zoning Commission Decision. (City Clerk)

H. <u>COMMISSION / COMMITTEE REPORTS</u>

- 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. <u>REPORT OF THE MAYOR</u>

J. <u>ADMINISTRATION REPORTS</u>

- 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. <u>EXECUTIVE SESSION</u>

- M. <u>PENDING ITEMS</u>
- N. <u>ADJOURNMENT</u>

O. INFORMATION ITEMS

- 1. Purchase Orders Between \$2,500 and \$15,000
- 2. Kenai Peninsula Borough Resolution Supporting Straightline Aviation's Plan for Hybrid Airships.

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

Join Zoom Meeting https://us02web.zoom.us/j/83701124675 Meeting ID: 837 0112 4675 Passcode: 395034

OR Dial In: (253) 215-8782 or (301) 715-8592 Meeting ID: 837 0112 4675 Passcode: 395034

File Attachments for Item:

2. Kenai Peninsula Borough Planning



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

Melanie Aeschliman, Planning Director • Charlie Pierce, Borough Mayor

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

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

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

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

June 14, 2021 7:30 p.m.

Zoom Meeting Link: <u>https://zoom.us/j/2084259541</u> Zoom Toll Free Phone Numbers: 888 788 0099 or 877 853 5247 Zoom Meeting ID: 208 425 9541

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- 1) Staff will present a report on the item.
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A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF CONSENT AND REGULAR AGENDAS

All items marked with an asterisk (*) are consent agenda items. Consent agenda items are considered routine and noncontroversial by the Planning Commission and may be approved by one motion. There will be no separate discussion of consent agenda items unless a Planning Commissioner removes the item from the consent agenda. The removed item will then be considered in its normal sequence on the regular agenda.

If you wish to comment on a consent agenda item, please advise the recording secretary before the meeting begins, and she will inform the Chair of your wish to comment.

*1. Time Extension Request

*2. Planning Commission Resolutions

*3. Plats Granted Administrative Approval

- a. Blossom Subdivision #2; KPB File 2019-115
- b. Camelot by the Sea 2019 Replat; KPB File 2020-032
- c. Forestline Subdivision Addition No. 2; KPB file 2021-08
- d. Illiamna View Subdivision 2021 Replat; KPB File 2021-009
- e. Sterling Meadows 2020; KPB File 2020-145
- f. Tatum Subdivision; KPB File 2021-028
- g. Townsite of Kenai 2021 Kenaitze Replat; KPB File 2021-031

*4. Plats Granted Final Approval (20.10.040)

- a. Tulchina Pointe Estates 2021 Replat; KPB File 2021-043
- b. Willow Brook Subdivision 2021 Replat; KPB File 2021-048

*5. Plat Amendment Request

*6. Commissioner Excused Absences

*7. Minutes

a. May 24, 2021 Planning Commission Meeting

D. OLD BUSINESS - None

E. NEW BUSINESS

- 1. Resolution 2021-__: A resolution authorizing the Kenai Peninsula Borough, on behalf of the South Kenai Peninsula Hospital Service Area, to enter into a lease agreement with first right of refusal and option to purchase, for office space at 4117 Bartlett Street in Homer.
- 2. Resolution 2021-__: A resolution authorizing the Kenai Peninsula Borough, on Behalf of the South Kenai Peninsula Hospital Service Area, to enter into an office space lease agreement for office space at 203 W. Pioneer Avenue in Homer.
- 3. Resolution 2021-__: A resolution classifying 420 acres of Borough land located within Section 1, T5S, R14W, Seward Meridian, Alaska as Rural & Agriculture.
- 4. Resolution 2021-__: A resolution approving an updated management agreement for the Sea Otter Community Center on behalf of the Seldovia Recreational Service Area.
- 5. PC Resolution 2021-07: Recommending that Chapter 21.02, Advisory Planning Commissions, and 21.11, Public Hearings, of the Kenai Peninsula Borough Code be amended.
- 6. USFWA Environmental Assessment Advisory Planning Commission Comments
- F. PLAT COMMITTEE REPORT Plat Committee will review 14 Plats

G. OTHER

- **H. PUBLIC COMMENT/PRESENTATION** (Items other than those appearing on the agenda or scheduled for public hearing. Limited to five minutes per speaker unless previous arrangements are made)
- I. DIRECTOR'S COMMENTS
- 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, June 28, 2021** in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at **7:30 p.m.**

ADVISORY PLANNING COMMISSION MEETINGS

ADVISORY COMMISSION	MEETING LOCATION	DATE	TIME
Anchor Point	Zoom		7:00 PM
Cooper Landing	Zoom		6:00 PM
Funny River	Funny River Community Center		7:00 PM
Kalifornsky	Zoom		6:00 PM
Kachemak Bay	Zoom		7:00 PM
Moose Pass	Inactive	TBD	N/A
Hope / Sunrise	Zoom		7:00 PM

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

CONTACT INFORMATION KENAI PENINSULA BOROUGH PLANNING DEPARTMENT Phone: 907-714-2215

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

Fax: 907-714-2378

e-mail address: planning@kpb.us

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

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

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

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



Plat Committee 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

Melanie Aeschliman, Planning Director • Charlie Pierce, Borough Mayor Paulette Bokenko-Carluccio – City of Seldovia ~ Robert Ruffner – Kasilof/Clam Gulch Pamela Gillham – Ridge Way ~ Cindy Ecklund – City of Seward ~ Franco Venuti, Alternate – City of Homer

June 14, 2021 5:30 p.m.

Zoom Meeting Link: <u>https://zoom.us/j/2084259541</u> Zoom Toll Free Phone Numbers: 888 788 0099 or 877 853 5247 Zoom Meeting ID: 208 425 9541

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A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF CONSENT AND REGULAR AGENDA

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If you wish to comment on a consent agenda item, please advise the recording secretary before the meeting begins, and she will inform the Chair of your wish to comment.

*1. Agenda

*2. Member / Alternate Excused Absences

- *3. Minutes
- D. OLD BUSINESS None

E. NEW BUSINESS

1. Fowlers Bench; KPB File 2021-067 Seabright Surveying / Fowler Location: Birch Lane / City of Homer

- Rappe Gallant Subd. Unit 5 No. 2; KPB File 2021-064 Johnson Surveying / Rappe Location: Halbouty Rd. / Nikiski Area
- Stewardship Subdivision 2021 Replat; KPB File 2021-073 McLane Consulting Group / SBC Development Group Inc. Location: Kalifornsky Beach Rd., Wazzu Ave. & Yale St. / Kalifornsky Area Kalifornsky APC
- Pipers Haven 2021 Replat; KPB File 2021-074 Geovera, LLC / Scott Location: Cloyds Rd. & Sonnichson Ave. / Happy Valley Area Anchor Point APC
- Baleen Cove Subdivision; KPB File 2021-045
 Segesser Surveys / Vann Revocable Trust Location: Kalifornsky Beach Rd., VIP Dr. & Baleen Ave. / City of Kenai
- Bostwick Subdivision; KPB File 2021-068 Segesser Surveys / Bostwick Location: Ninilchik Area / PIN 15713006
- Browns Acres Subdivision 2021; KPB File 2021-072
 Segesser Surveys / Jensen & Sailer
 Location: Lopez Ave, Inner Cir., Foster Ave. & Mountain Ash St. / Sterling Area
- Carl F Ahlstrom Subdivision RPM's Replat Number 2; KPB File 2021-054 Segesser Surveys / RPM'S LLC, PRM LLC & Mellish Locations: Kenai Spur Hwy. & Wildwood Dr. / City of Kenai
- Cowan McFarland Subdivision Fritz Replat; KPB File 2021-071 Segesser Surveys / The Fritz Living Trust Location: McFarland Rd. & Owen St. / Funny River Area Funny River APC
- Eagles Landing Subdivision Brassfield Replat; KPB File 2021-070 Segesser Surveys / Thomas J & Carol A Brassfield Declaration of Trust Location: Acacia St. & Eagles Wing Circle
- FBO Subdivision No. 10; KPB File 2021-037 Segesser Surveys / City of Kenai Location: Floatplane Rd., Main St., Geebe E. Ave. & N. Willow St. / City of Kenai
- FBO Subdivision No. 11; KPB File 2021-076 Segesser Surveys / City of Kenai Location: N. Willow St. / City of Kenai
- Ross Subdivision Gerke Addition; KPB File 2021-075 Segesser Surveys / Gerke Location: Alexander Rd. & Boondocker St. / Nikiski Area
- TKC Subdivision; KPB File 2021-065 Segesser Surveys / TKC LLC Location: Second Ave. & McKinley St. / City of Kenai

F. PUBLIC COMMENT

G. ADJOURNMENT

MISCELLANEOUS INFORMATIONAL ITEMS

NEXT REGULARLY SCHEDULED PLAT COMMITTEE MEETING

The next regularly scheduled Plat Committee meeting will be held **Monday**, June 28 2021 in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at 5:30 p.m.

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: <u>planning@kpb.us</u> Website: http://www.kpb.us/planning-dept/planning-home

Written comments will be accepted until 1:00 p.m. on the last business day (usually a Friday) before the day of the Plat Committee meeting in which the item is being heard. If voluminous information and materials are submitted staff may request seven copies be submitted. Maps, graphics, photographs, and typewritten information that is submitted at the meeting must be limited to 10 pages. Seven copies should be given to the recording secretary to provide the information to each Committee member. If using large format visual aids (i.e. poster, large-scale maps, etc.) please provide a small copy (8 $\frac{1}{2} \times 11$) or digital file for the recording secretary. Audio, videos, and movies are not allowed as testimony. If testimony is given by reading a prepared statement, please provide a copy of that statement to the recording secretary.

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