



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

March 13, 2024 – 7:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

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

Agenda

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Agenda and Consent Agenda (*Public comments on Consent Agenda Items limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)

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

B. APPROVAL OF MINUTES

- [1.](#) *Regular Meeting of February 14, 2024
- [2.](#) *Regular Meeting of February 28, 2024

C. SCHEDULED PUBLIC COMMENT (*Public comment limited to ten (10) minutes per speaker*)

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

E. CONSIDERATION OF PLATS

- [1.](#) **Resolution PZ2024-06** – Recommending Denial on Preliminary Plat – Mommsen’s 2024 Replat for a Parcel Merger of Lot 2 Block 4, and Lot 2 Block 3. Mommsen’s Additions No’s 1 & 2 in the Suburban Residential (RS) Zoning District.
- [2.](#) **Resolution PZ2024-07** – Recommending Approval on Preliminary Plat – Michael J. Pelch Homestead Jr. Addition No. 4 for a Replat of Tracts G, A-1, A-2, and A-3, Michael J. Pelch Homestead Jr. Addition No. 3 in the Rural Residential (RR) Zoning District.

F. PUBLIC HEARINGS

- [1.](#) **Resolution PZ2024-05** - Granting a Conditional Use Permit to Allow a Recreational Vehicle (RV) Park on the Property Located at 813 Riverview Drive in the Central Commercial (CC) Zoning District.

G. UNFINISHED BUSINESS

H. NEW BUSINESS

1. ***Action/Approval** – Requesting an Excused Absence for the February 28, 2024 Regular Meeting - Coston

I. REPORTS

1. Planning Director
2. Commission Chair
- [3.](#) Kenai Peninsula Borough Planning
- [4.](#) City Council Liaison

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

K. NEXT MEETING ATTENDANCE NOTIFICATION

1. Next Meeting: March 27, 2024

L. COMMISSION COMMENTS AND QUESTIONS

M. PENDING ITEMS

N. ADJOURNMENT

O. INFORMATIONAL ITEMS

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

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

<https://us02web.zoom.us/meeting/register/tZEuf-morTluGtU-QXGmccVvTIOcp2EVObhe>

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
FEBRUARY 14, 2024 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR JOE HALSTEAD, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai Planning & Zoning Commission was held on February 14, 2024, in City Hall Council Chambers, Kenai, AK. Chair Halstead called the meeting to order at approximately 7:00 p.m.

1. Pledge of Allegiance

Chair Halstead led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Joe Halstead, Chair
Glenese Pettey
Jeff Twait

Gwen Woodard
Sonja Barbaza
Diane Fikes

A quorum was present.

Absent:

John Coston, Vice Chair

Also in attendance were:

Linda Mitchell, Planning Director
Alex Douthit, City Council Liaison
Meghan Thibodeau, Deputy City Clerk

3. Approval of Agenda and Consent Agenda

Chair Halstead noted there was a request from staff to include item H.1. on the Consent Agenda.

MOTION:

Commissioner Pettey **MOVED** to approve the agenda and consent agenda with the addition of item H.1. to the Consent Agenda. Commissioner Woodard **SECONDED** the motion.

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

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

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

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

B. APPROVAL OF MINUTES

1. *Regular Meeting of January 24, 2024

Approved by the consent agenda.

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

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

E. **CONSIDERATION OF PLATS** - None.

F. **PUBLIC HEARINGS**

1. **Resolution No. PZ2024-03** - Granting a Conditional Use Permit to Allow Cabin Rentals (i.e., Short-Term Rentals) for the 60-Unit Planned Unit Residential Development (PZ2021-10) on the Property Located at 2101 Bowpicker Lane in the Heavy Industrial (IH) Zoning District.

MOTION:

Commissioner Twait **MOVED** to approve Resolution PZ2024-03. Commissioner Woodard **SECONDED** the motion.

Planning Director Mitchell presented her staff report with information provided in the packet, and explained that the applicants have requested an amendment to their Conditional Use Permit (CUP) PZ2021-10 for a 60-unit planned unit residential development (PUD). The amendment would authorize the use of short-term rental of the entire dwelling. The criteria for CUPs were reviewed; it was noted the application met the criteria and City staff recommends approval subject to the following conditions:

1. Any development or use of the property shall comply with all applicable Federal, State of Alaska, and City regulations regardless of whether or not the requirements are listed as conditions for the approval of the Conditional Use Permit.
2. Each short-term rental unit owner or operator must have a valid borough sales tax account.

Clarification was provided that the units are being sold to individual owners but are still governed by their Declaration of Covenants, Conditions, and Restrictions (CC&Rs); this amendment would give the individual owners the option to operate short-term rentals in their unit. There was discussion on enforcement of the CC&R, and how the City addresses complaints of short-term rentals.

Steve Agni, property owner and applicant, clarified that he had believed short-term rentals were allowed in the original CUP. He stated that having recorded CC&Rs that require proper management and operations of short-term rentals will prevent issues such as disturbances.

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

In response to questions from the commission, Agni clarified that the CC&R includes provisions that restrict quiet times, pets, open fires, music, and disturbances of neighbors. He explained the enforcement process of the governing board and that there was onsite management of the property.

There was discussion on the original vision and development of the PUD and surrounding area. It was noted that additional conditions added to the CUP would become City staff's responsibility to enforce, and the Commission can amend or revoke CUPs at a later time if issues arise.

Concerns were expressed that CC&R restrictions might not be known by owners, that the development was not yet completed and not all potential owners are known, and that the Commission had not seen the full CC&Rs.

Clarification was provided that the CUPs run with the land, and currently the CC&R allows short-term rental of the units but the City does not without the CUP in place.

Agni explained that unit owners are legally responsible for knowing CC&R contents, provided details from the CC&R that specify restrictions on usage that apply to the units, and stated that these restrictions address any potential disturbances and are enforceable.

In response to questions from the Commission, Agni provided further detail on the on-site management, security and access to the PUD, and the governing board's enforcement process.

VOTE:

YEA: Pettey, Woodard, Twait, Halstead, Barbaza

NAY: Fikes

ABSENT: Coston

MOTION PASSED.

Chair Halstead noted the 15-day appeal period.

- 2. Action/Approval** - Recommending the Kenai City Council Enact Ordinance No. 3391-2024 - Amending the Imagine Kenai 2030 Comprehensive Plan Land Use Plan Map for Certain Parcels from Industrial to Mixed-Use.

MOTION:

Commissioner Pettey **MOVED** to recommend the Kenai City Council enact Ordinance No. 3391-2024. Commissioner Woodard **SECONDED** the motion.

Director Mitchell presented a staff report as provided in the packet.

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

Commissioner Pettey spoke in support.

VOTE:

YEA: Fikes, Barbaza, Twait, Halstead, Pettey, Woodard

NAY: None

ABSENT: Coston

MOTION PASSED WITHOUT OBJECTION.

- 3. Action/Approval** - Recommending the Kenai City Council Enact Ordinance No. 3392-2024 - Amending the Kenai Zoning Code to Add a New Zoning District, Working Waterfront (WW) and Amending the Official Zoning Map for Certain Parcels from Heavy Industrial (IH) to Working Waterfront (WW) or Conservation (C) Zoning District.

MOTION:

Commissioner Pettey **MOVED** to recommend the Kenai City Council enact Ordinance No. 3392-2024. Commissioner Woodard **SECONDED** the motion.

Director Mitchell presented a staff report as provided in the packet.

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

Discussion ensued.

MOTION TO AMEND:

Commissioner Twait **MOVED** to recommend to remove footnote #32 from Townhouses in the Land Use Table. Commissioner Fikes **SECONDED** the motion.

VOTE ON AMENDMENT:

YEA: Fikes, Woodard, Pettey, Halstead, Barbaza, Twait

NAY: None.

ABSENT: Coston

MOTION PASSED WITHOUT OBJECTION.

MOTION TO AMEND:

Commissioner Pettey **MOVED** to recommend Automotive Repair be changed to Not Permitted under the Land Use Table. Commissioner Woodard **SECONDED** the motion.

Discussion ensued.

Motion was withdrawn with concurrence of the second.

MOTION TO AMEND:

Commissioner Pettey **MOVED** to recommend that Retail Marijuana Store be changed to Not Permitted under the Land Use Table. Commissioner Twait **SECONDED** the motion.

Discussion ensued.

VOTE ON AMENDMENT:

YEA: Barbaza, Woodard, Twait, Pettey

NAY: Fikes, Halstead

ABSENT: Coston.

MOTION PASSED.

MOTION TO AMEND:

Commissioner Pettey **MOVED** to recommend that Storage Yard be changed to Not Permitted under the Land Use Table. Commissioner Twait **SECONDED** the motion.

UNANIMOUS CONSENT was requested.

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

MOTION TO AMEND:

Commissioner Pettey **MOVED** to recommend that Warehouses be changed to Not Permitted under the Land Use Table. Commissioner Twait **SECONDED** the motion.

Discussion ensued.

Motion was withdrawn with concurrence of the second.

MOTION TO AMEND:

Commissioner Pettey **MOVED** to recommend the Assisted Living be changed to Not Permitted under the Land Use Table. Commissioner Twait **SECONDED** the motion.

Discussion ensued.

VOTE ON AMENDMENT:

YEA: Woodard, Pettey, Barbaza, Twait

NAY: Halstead, Fikes

ABSENT: Coston

MOTION PASSED.

MOTION TO AMEND:

Commissioner Pettey **MOVED** to recommend that Elementary Schools be changed to Not Permitted under the Land Use Table. Commissioner Twait **SECONDED** the motion.

Discussion ensued. Commissioner Fikes spoke in opposition.

VOTE ON AMENDMENT:

YEA: Twait, Woodard, Barbaza, Pettey, Halstead

NAY: Fikes

ABSENT: Coston

MOTION PASSED.

MOTION TO AMEND:

Commissioner Pettey **MOVED** to recommend that Governmental Buildings be changed to Not Permitted under the Land Use Table. Commissioner Woodard **SECONDED** the motion.

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

MOTION TO AMEND:

Commissioner Pettey **MOVED** to recommend that High Schools be changed to Not Permitted under the Land Use Table. Commissioner Twait **SECONDED** the motion.

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

MOTION TO AMEND:

Commissioner Pettey **MOVED** to recommend that Hospitals be changed to Not Permitted under the Land Use Table. Commissioner Woodard **SECONDED** the motion.

Discussion ensued.

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

MOTION TO AMEND:

Commissioner Pettey **MOVED** to recommend that Animal Boarding/Commercial Kennel be changed to Not Permitted under the Land Use Table. Commissioner Woodard **SECONDED** the motion.

Discussion ensued. Commissioner Twait and Chair Halstead spoke in opposition.

VOTE ON AMENDMENT:

YEA: Pettey, Barbaza

NAY: Halstead, Woodard, Twait, Fikes

ABSENT: Coston

MOTION FAILED.

MOTION TO AMEND:

Commissioner Pettey **MOVED** to recommend that Communications Towers and Antenna(s), Radio/TV Transmitters/Cell Sites be changed to Not Permitted under the Land Use Table. Commissioner Twait **SECONDED** the motion.

VOTE ON AMENDMENT:

YEA: Barbaza, Fikes, Twait, Pettey

NAY: Halstead, Woodard

ABSENT: Coston.

MOTION PASSED.

MOTION TO AMEND:

Commissioner Pettey **MOVED** to recommend that Day Care Centers be changed to Not Permitted under the Land Use Table. Commissioner Twait **SECONDED** the motion.

Discussion ensued.

VOTE ON AMENDMENT:

YEA: Pettey, Barbaza

NAY: Twait, Woodard, Halstead, Fikes

ABSENT: Coston

MOTION FAILED.

MOTION TO AMEND:

Commissioner Twait **MOVED** to recommend Day Care Centers be changed to Conditional Use under the Land Use Table. Commissioner Pettey **SECONDED** the motion.

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

MOTION TO AMEND:

Commissioner Twait **MOVED** to recommend that One-Family Dwelling be changed to Not Permitted under the Land Use Table. Commissioner Woodard **SECONDED** the motion.

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

MOTION TO AMEND:

Commissioner Twait **MOVED** to recommend that Two-, Three-Family Dwelling be changed to Conditional Use under the Land Use Table. Commissioner Pettey **SECONDED** the motion.

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

MOTION TO AMEND:

Commissioner Pettey **MOVED** to recommend that Fraternal Organizations/Private Clubs/Social Halls and Union Halls be changed to Not Permitted under the Land Use Table. Commissioner Twait **SECONDED** the motion.

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

MOTION TO AMEND:

Commissioner Pettey **MOVED** to recommend Nursing, Convalescent or Rest Homes be changed to Not Permitted under the Land Use Table. Commissioner Twait **SECONDED** the motion.

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

VOTE ON MAIN MOTION AS AMENDED:

YEA: Twait, Woodard, Pettey, Barbaza, Fikes, Halstead

NAY: None

ABSENT: Coston

MOTION PASSED WITHOUT OBJECTION.

G. UNFINISHED BUSINESS – None.

H. NEW BUSINESS

1. **Action/Approval** - Granting a Home Occupation Permit to Allow a Home Office and Equipment Storage for a Cleaning Service Business on a Property Located at 810 Set Net Drive in the Rural Residential (RR) Zoning District.

Approved by the consent agenda.

I. REPORTS

1. Planning Director– Planning Director Mitchell reported on the following:
 - Participated in the Kenai Central High School job shadow day.
 - Attended Realtor Association Event as a guest speaker.
 - Full-time Planning Technician position has been offered, new employee Brandon McElrea will be starting February 26th.
 - Updated layout of online GIS map gallery.
 - Discussed annual CUP reports and whether they serve a purpose; proposed amending code to remove requirement.
 - Last week for the Building Official.
 - Three CUPs, a home occupation and several plats are in progress.
 - Implementation of code enforcement software has been delayed.
 - City departments are preparing for annual budget process.
2. Commission Chair - Chair Halstead noted that he appreciated the good discussion.
3. Kenai Peninsula Borough Planning - Commissioner Fikes reported on recent actions of the Kenai Peninsula Borough Planning Commission.
4. City Council Liaison - Council Member Douthit reported on recent City Council actions.

J. ADDITIONAL PUBLIC COMMENT

Jeanne Reveal, resident and Harbor Commissioner, thanked the Commission.

K. NEXT MEETING ATTENDANCE NOTIFICATION

1. Next Meeting: February 28, 2024

L. COMMISSION COMMENTS AND QUESTIONS

Commissioner Barbaza thanked the Commission and staff.

Commissioner Pettey thanked Planning Director and stated support for CUP annual report process amendment for improving efficiency. Noted that it was a good discussion, and expressed appreciation for the Joint Work Session with the Harbor Commission on the waterfront rezone.

Commissioner Fikes expressed appreciation for the input and discussion from the Commission, said she supported lightening the load for staff, and thanked Planning Director Mitchell.

M. PENDING ITEMS – None.

N. ADJOURNMENT

O. INFORMATIONAL ITEMS – None.

There being no further business before the Planning & Zoning Commission, the meeting was adjourned at 9:45 p.m.

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of February 14, 2024.

DRAFT

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
FEBRUARY 28, 2024 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR JOE HALSTEAD, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai Planning & Zoning Commission was held on February 28, 2024, in City Hall Council Chambers, Kenai, AK. Chair Halstead called the meeting to order at approximately 7:00 p.m.

1. Pledge of Allegiance

Chair Halstead led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Joe Halstead, Chair
Glenese Pettey
Jeff Twait

Gwen Woodard
Diane Fikes

A quorum was present.

Absent:

Sonja Barbaza

John Coston, Vice Chair

Also in attendance were:

Linda Mitchell, Planning Director
Alex Douthit, City Council Liaison
Meghan Thibodeau, Deputy City Clerk

3. Approval of Agenda and Consent Agenda

MOTION:

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

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

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

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

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

B. SCHEDULED PUBLIC COMMENTS - None.

C. **UNSCHEDULED PUBLIC COMMENTS** - None.

D. **CONSIDERATION OF PLATS** - None.

E. **PUBLIC HEARINGS**

1. **Resolution No. PZ2024-04** – Granting a Conditional Use Permit Amendment to Allow the Use of On-Street Parking Spaces to Meet the Off-Street Parking Requirements for the Performing Arts Center (PZ2023-01) on a Property Located at 475 Daubenspeck Road in the Light Industrial (IL) Zoning District.

MOTION:

Commissioner Twait **MOVED** to approve Resolution PZ2024-04. Commissioner Fikes **SECONDED** the motion.

Planning Director Mitchell presented her staff report with information provided in the packet, and explained that the applicants have requested an amendment to their Conditional Use Permit (CUP) PZ2023-01 for a performing arts center. The amendment would authorize the use of on-street parking spaces to meet the minimum off-street parking requirements. The criteria for CUPs were reviewed; it was noted the application met the criteria and City staff recommends approval subject to the original conditions in the CUP (Resolution No. PZ2023-01).

Chris Parker with K+A Designstudios, applicant and project architect, noted that he was available for questions.

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

In response to questions from the Commission, Parker clarified that the parking requirement is based on the entire theater; that to build additional parking would require a significant budget increase due to the high water table; that they do not intend to modify any existing on-street parking spaces and will be adding two new driveways to the facility.

Director Mitchell provided clarification on additional public parking spaces to the south that would help this use to meet parking requirements, and that these spaces are not designated for the dog park. Further clarification was provided on the potential for future use of other on-street parking spaces.

VOTE:

YEA: Fikes, Twait, Woodard, Pettey, Halstead

NAY: None

ABSENT: Barbaza, Coston

MOTION PASSED WITHOUT OBJECTION.

Chair Halstead noted the 15-day appeal period.

F. **UNFINISHED BUSINESS** – None.

G. **NEW BUSINESS**

1. ***Action/Approval** - Granting a Home Occupation Permit to Allow an Assisted Living for Up to Two (2) Persons on a Property Located at 5743 Kenai Spur in the Limited Commercial (LC) Zoning District.

Approved by the Consent Agenda.

2. **Discussion/Action** – Annual Work Plan for Planning and Zoning Commission

Planning Director Mitchell provided the Commission with a list of Planning & Zoning Commission goals that have been drafted for FY2025. She explained their intent and current status, giving the Commission the opportunity to review and recommended changes.

The Commission did not recommend additional goals or changes.

H. REPORTS

1. Planning Director – Planning Director Mitchell reported on the following:
 - Planning Technician Brandon McElrea started this week.
 - Online training courses from Michigan University have been emailed to all commissioners.
2. Commission Chair – Chair Halstead expressed appreciation for staff.
3. Kenai Peninsula Borough Planning – Commissioner Fikes reported on recent actions of the Kenai Peninsula Borough Planning Commission Meeting.
4. City Council – Council Member Douthit reported on recent actions of the City Council.

I. ADDITIONAL PUBLIC COMMENT – None.

J. NEXT MEETING ATTENDANCE NOTIFICATION

1. Next Meeting: March 13, 2024

Commissioner Pettey noted she would be absent for the March 13th regular meeting and the March 20th City Council joint work session.

K. COMMISSION COMMENTS AND QUESTIONS

Commissioner Woodard noted that she found the previous work session helpful.

Commissioner Pettey expressed appreciation for Director Mitchell’s CUP process updates. Stated support for the parking exception granted through PZ2024-04.

L. PENDING ITEMS – None.

M. ADJOURNMENT

N. INFORMATIONAL ITEMS – None.

There being no further business before the Planning & Zoning Commission, the meeting was adjourned at 8:06 p.m.

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of February 28, 2024.

Meghan Thibodeau
Deputy City Clerk



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2024-06**

A RESOLUTION **RECOMMENDING** THAT PRELIMINARY PLAT FOR MOMMSEN'S 2024 REPLAT ATTACHED HERETO BE DENIED.

PROPERTY ADDRESSES: 1018 Third Street and 1019 Fourth Street

LEGAL DESCRIPTIONS: Lot 2 Block 4 and Lot 2 Block 3, Mommsen's Additions No's 1 & 2 Replat

KPB PARCEL NUMBERS: 03913109 and 03913116

WHEREAS, the City of Kenai received a preliminary plat from McLane Consulting, Inc. on behalf of the property owners, Emmet F. Heidemann & Corinne Heidemann Revocable Trust Declaration And Kenai Peninsula Borough for a parcel merger of Lot 2 Block 4 and Lot 2 Block 3, Mommsen's Additions No's 1 & 2 Replat; and,

WHEREAS, the preliminary plat does not meet the Kenai Municipal Code (KMC) preliminary plat requirements; and,

WHEREAS, the preliminary plat does meet the development requirements for the Suburban Residential (RS) zoning district; and

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

WHEREAS, the merged lot will have access from Third Street or Fourth Street, unimproved rights-of-way; and

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

WHEREAS, an installation agreement is not required; and,

WHEREAS, the Planning and Zoning Commission finds the proposed preliminary plat does not meet **all** of the following Title 14 of Kenai Municipal Code (KMC) sections:

1. Pursuant to KMC 14.10.070 *Subdivision design standards*, the preliminary plat does not conform to the requirements outlined in subsections (e)(1) and (e)(2) KMC 14.10.070(e) *Lots* as follows.

(e) *Lots*.

(1) The lot arrangement and design shall be such that all lots will provide satisfactory and desirable building sites, properly related to topography and the character of surrounding development.

(2) All sidelines of lots shall be at right angles to straight street lines and radial to curved street lines, except where a variation to this rule will provide a better street and lot layout. Lots with double frontage shall be avoided.

The preliminary plat would merge two (2) lots and create a double frontage lot. The above-mentioned code section does not prohibit a double frontage lot as there are circumstances, where a double frontage lot may be supported to either provide additional access or the topography creates a hardship in developing the lot. Approximately two-thirds (2/3) of Fourth Street right-of-way is undeveloped and no building permits have been issued for a dwelling unit on the west side of Fourth Street. Approximately two-thirds (2/3) of Third Street is a gravel road with only two (2) properties having legally constructed dwelling units. City water lines runs between the proposed lots to be merged. The nearest sewer line is approximately 450 feet away. It is beyond the 200 feet distance, where connection to the City's sewer system is required. The development of a dwelling unit on the subject lot merger along Third Street and Fourth Street would require a septic system and access improvements unless the City creates an improvement district and assess each lot accordingly. The existing lot sizes of the proposed lots to be merged are sufficient to be developed as-is. The lot merger would create a double frontage lot but also have a 20-foot utility easement down the middle of the proposed lot merger due to the existing water line, which makes the buildable area limited to either side of the utility easements.

Furthermore, a double frontage lot off Third Street and Fourth Street would create an inconsistent street frontage of development along Third Street and Fourth Street. With a double frontage lot, a dwelling unit can be situated along Third Street or Fourth Street. The development of the block face along Third Street or Fourth Street can either be dwelling units or rear yards. There are several property owners who owns a lot on Third Street and Fourth Street and this may set a precedence on mergers and create double frontage lots in this neighborhood and potentially change the character of the future development of these two (2) block faces along Third Street and Fourth Street between Redoubt Avenue and Florida Avenue.

2. Pursuant to KMC 14.10.080 *Minimum improvement required*, the preliminary plat is eliminating a lot line with the 20-foot utility easement to remain down the center of the lot merger for the existing water line. In the Mommsen's Additions No's 1 & 2 Replat, there is a note about assessment that all lots in each subdivision shall be subject to the assessment for any of the improvements of water, sewer, sidewalks, or drainage, when installed at a future time by the City of Kenai or the developer. Therefore, an installation agreement is not required.
3. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the subject zoning district.
4. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat meets City standards for minimum lot width and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

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

Section 1. That the preliminary plat of Mommsen’s 2024 Replat for a lot merger of Lot 2 Block 4 and Lot 2 Block 3, Mommsen’s Additions No’s 1 & 2 Replat be denied as it does not meet all of the requirements of KMC Section 14.10.070 *Subdivision Design Standards*.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, THIS 13TH DAY OF FEBRUARY, 2024.

JOE HALSTEAD, CHAIRPERSON

ATTEST:

Meghan Thibodeau, Deputy City Clerk

CERTIFICATE OF OWNERSHIP AND DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT EMMET F. HEIDEMANN & CORINNE HEIDEMANN REVOCABLE TRUST DECLARATION, IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND ON BEHALF OF EMMET F. HEIDEMANN & CORINNE HEIDEMANN REVOCABLE TRUST DECLARATION, I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

EMMET F. HEIDEMANN & CORINNE HEIDEMANN
REVOCABLE TRUST DECLARATION
1018 THIRD ST, KENAI, AK 99611

NOTARY'S ACKNOWLEDGEMENT

FOR:
ACKNOWLEDGED BEFORE ME THIS
_____ DAY OF _____, 2024
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE
STATE OF ALASKA

CERTIFICATE OF OWNERSHIP AND DEDICATION

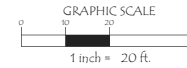
I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE KENAI PENINSULA BOROUGH IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND ON BEHALF OF THE KENAI PENINSULA BOROUGH I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

KENAI PENINSULA BOROUGH
144 N. BINKLEY STREET, SOLDOTNA, AK 99611

NOTARY'S ACKNOWLEDGEMENT

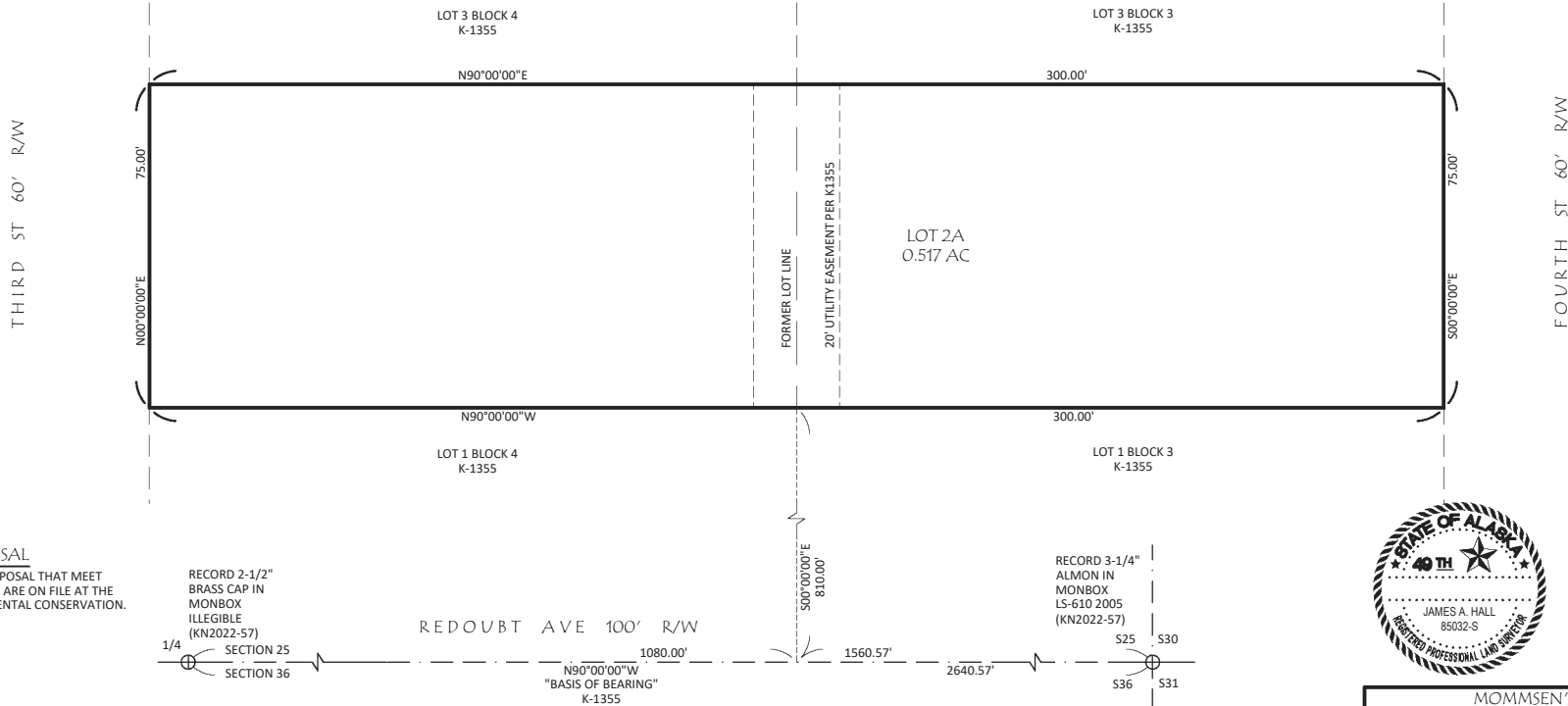
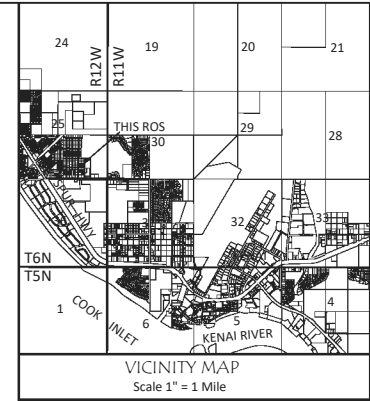
FOR:
ACKNOWLEDGED BEFORE ME THIS
_____ DAY OF _____, 2024
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE
STATE OF ALASKA



LEGEND

⊕ RECORD PRIMARY MONUMENT AS DESCRIBED



WASTEWATER DISPOSAL

PLANS FOR WASTEWATER DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

NOTES

1. WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS SHALL BE PERMITTED ONLY IN CONFORMANCE WITH APPLICABLE REQUIREMENTS OF 18 AAC 72 AND 18 AAC 80.
2. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN AN EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
3. DEVELOPMENT MUST MEET THE CITY OF KENAI CHAPTER 14 ZONING CODE REQUIREMENTS.
4. CITY WATER AND SEWER ARE AVAILABLE TO SERVE THE PARCELS.
5. FURTHER DEVELOPMENT OF THE PROPERTY SHALL CONFORM TO ALL FEDERAL, STATE OF ALASKA AND LOCAL REGULATIONS.
6. THIS PLAT WAS PREPARED FROM DATA OF RECORD (K1355). NO ADDITIONAL FIELD SURVEY WAS PERFORMED THIS DATE.

NOTES CONT.

7. PARCEL MAY BE AFFECTED BY THE FOLLOWING:
 - 7.1. AN ELECTRIC EASEMENT GRANTED TO KENAI POWER CORPORATION RECORDED ON JUNE 5, 1958 IN MISC. BOOK 2, PAGE 34, KENAI RECORDING DISTRICT, LOCATION NOT DEFINED.
 - 7.1.1. ASSIGNED TO THE CITY OF KENAI RECORDED DECEMBER 31, 1963 IN BOOK 11, PAGE 188, KENAI RECORDING DISTRICT.
 - 7.2. COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED APRIL 3, 1964 IN BOOK 13, PAGE 48 KRD.
 - 7.2.1. AMENDED MAY 23, 1966 IN BOOK 22, PAGE 62 KRD.
 - 7.2.2. AMENDED JUNE 10, 1966 IN BOOK 22, PAGE 146 KRD.
 - 7.2.3. AMENDED SEPTEMBER 16, 1966 IN BOOK 23, PAGE 200 KRD.
 - 7.2.4. AMENDED JUNE 24, 1975 IN BOOK 85, PAGE 364 KRD.



Plat #	
Rec Dist	
Date	20
Time	M

MOMMSEN'S 2024 REPLAT
RESUBDIVISION OF LOT 2 BLOCK 4 AND LOT 2 BLOCK 3 MOMMSEN'S ADDITIONS NO'S 1 & 2 K1355

EMMET F. HEIDEMANN & CORINNE HEIDEMANN REVOCABLE TRUST DECLARATION
1018 THIRD ST, KENAI, AK 99611

KENAI PENINSULA BOROUGH
144 N. BINKLEY STREET
SOLDOTNA, AK 99611

0.517 AC. M/L SITUATED IN THE SE1/4 OF SECTION 25, TOWNSHIP 6 NORTH, RANGE 12 WEST, SEWARD MERIDIAN, AK, THE CITY OF KENAI, KENAI PENINSULA BOROUGH AND THE KENAI RECORDING DISTRICT.

ENGINEERING - TESTING SURVEYING - MAPPING P.O. BOX 468 SOLDOTNA, AK 99669 VOICE: (907) 283-4218 FAX: (907) 283-3265 WWW.MCLANECG.COM	KPB File No.	2024-xxx
	Project No.	242003

Scale: 1" = 20' Date: JAN 2024 Drawn by: JAH

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

AUTHORIZED OFFICIAL



STAFF REPORT

PLANNING & ZONING DEPARTMENT

TO: Planning and Zoning Commission
FROM: Linda Mitchell, Planning Director
DATE: March 8, 2024
SUBJECT: Resolution No. PZ2024-06 – Preliminary Plat – Mommsen’s 2024 Replat

Request The applicant is proposing a preliminary plat to merge two (2) lots.

Staff Recommendation Adopt Resolution No. PZ2024-06 recommending denial of Preliminary Plat – Mommsen’s 2024 Replat for a lot merger of Lot 2 Block 4 and Lot 2 Block 3, Mommsen’s Additions No’s 1 & 2 Replat

Applicant: McLane Consulting, Inc.
Attn: James Hall
P.O. Box 468
Soldotna, AK 99669

Property Owners: Emmet F. Heidemann & Corinne Heidemann Revocable Trust
Declaration
Kenai Peninsula Borough

Legal Descriptions: Lot 2 Block 4 and Lot 2 Block 3, Mommsen’s Additions No’s 1 & 2 Replat

Property Addresses: 1018 Third Street
1019 Fourth Street

KPB Parcel Nos.: 03913109 and 03913116

Combined Area: 0.517 acre

Zoning District: Suburban Residential (RS)

Surrounding Uses: North – Vacant; South – Vacant; West – Single-Family Dwelling; East – Vacant

SUMMARY

The City received a preliminary plat from McLane Consulting, Inc. on behalf of the property owners for a parcel merger of Lot 2 Block 4 and Lot 2 Block 3, Mommsen's Additions No's 1 & 2 Replat. The subject parcels are located near the north intersections of Florida Avenue and Third Street, and Florida Avenue and Fourth Street. Both lots are vacant. The proposed lot merger will be adjacent to a single-family dwelling to the west and vacant lots. The lot area for the combined lots would be approximately 0.517 acre.

Kenai Municipal Code (KMC) Chapter 14.10 *Subdivision Regulations* states preliminary plats or replats must first be submitted to the City for review and provide recommendation to the Kenai Peninsula Borough Planning Commission. The design and layout of all subdivisions shall conform with the requirements of KMC Section 14.10.070 *Subdivision Design Standards*.

ANALYSIS

The proposed lot merger does not generally meet the subdivision design standards when it comes to the lot design as outlined in subsections (e)(1) and (e)(2) KMC 14.10.070(e) *Lots*, as follows.

(e) *Lots*.

(1) The lot arrangement and design shall be such that all lots will provide satisfactory and desirable building sites, properly related to topography and the character of surrounding development.

(2) All sidelines of lots shall be at right angles to straight street lines and radial to curved street lines, except where a variation to this rule will provide a better street and lot layout. Lots with double frontage shall be avoided.

The preliminary plat would merge two (2) lots and create a double frontage lot. The above-mentioned code section does not prohibit a double frontage lot as there are circumstances, where a double frontage lot may be supported to either provide additional access or the topography creates a hardship in developing the lot. Approximately two-thirds (2/3) of Fourth Street right-of-way is undeveloped and no building permits have been issued for a dwelling unit on the west side of Fourth Street. Approximately two-thirds (2/3) of Third Street is a gravel road with only two (2) properties having legally constructed dwelling units. City water lines runs between the proposed lots to be merged as shown in *Figure 1* on the next page. The nearest sewer line is approximately 450 feet away. It is beyond the 200 feet distance, where connection to the City's sewer system is required. The development of a dwelling unit on the subject lot merger along Third Street and Fourth Street would require a septic system and access improvements unless the City creates an improvement district and assess each lot accordingly. Staff finds that the existing lot sizes of the proposed lots to be merged are sufficient to be developed as-is. The lot merger would create a double frontage lot but also have a 20-foot utility easement down the middle of the proposed lot merger due to the existing water line, which makes the buildable area limited to either side of the utility easements.

Furthermore, staff finds that a double frontage lot off Third Street and Fourth Street would create an inconsistent street frontage of development along Third Street and Fourth Street. With a double frontage lot, a dwelling unit can be situated along Third Street or Fourth Street. The development of the block face along Third Street or Fourth Street can either be dwelling units or rear yards. There are several property owners who owns a lot on Third Street and Fourth Street and this may set a precedence on mergers and create double frontage lots in this neighborhood and potentially

change the character of the future development of these two (2) block faces along Third Street and Fourth Street between Redoubt Avenue and Florida Avenue.

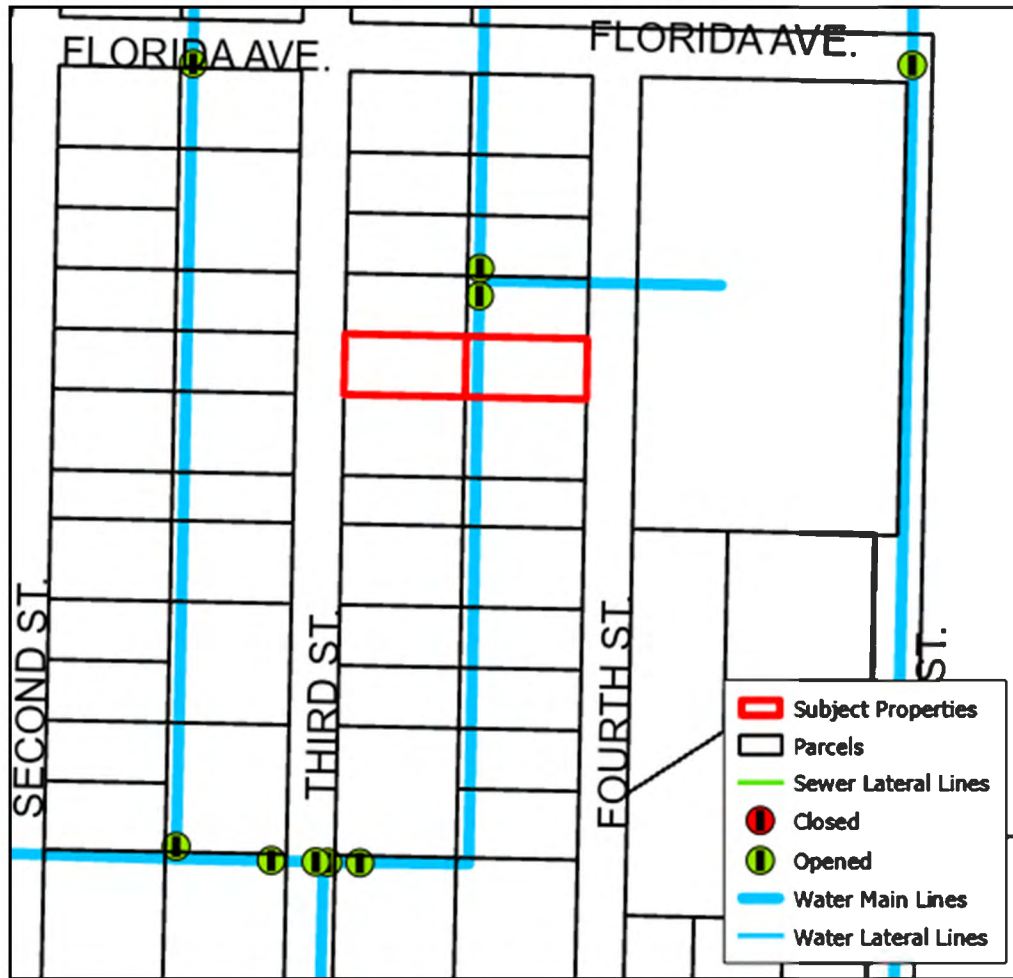


Figure 1 City Water and Sewer Lines

One of the property owners of the lot merger, Emmet F. Heidemann & Corinne Heidemann Revocable Trust Declaration owns four (4) contiguous properties south the subject lot, 1018 Third Street. A parcel merger for lots along the same street frontage would maintain the streetscape of the neighborhood and increase the lot size. The lot merger would not provide usable access along Fourth Street since it would need to be improved. Staff finds the lot merger would create a variation that will not result in a better street or lot layout. Therefore, staff finds that the proposed preliminary plat to merger Lot 2 Block 4 and Lot 2 Block 3, Mommsen's Additions No's 1 & 2 Replat does not conform with the requirements of subsections (e)(1) and (e)(2) KMC 14.10.070(e) Lots.

Staff finds that the proposed preliminary plat does not meet **all** of the following Title 14 of Kenai Municipal Code (KMC) sections.

1. Pursuant to KMC 14.10.070 *Subdivision design standards*, the preliminary plat does not conform to the requirements outlined in subsections (e)(1) and (e)(2) KMC 14.10.070(e) Lots.

2. Pursuant to KMC 14.10.080 *Minimum improvement required*, the preliminary plat is eliminating a lot line with the 20-foot utility easement to remain down the center of the lot merger for the existing water line. In the Mommsen's Additions No's 1 & 2 Replat, there is a note about assessment that all lots in each subdivision shall be subject to the assessment for any of the improvements of water, sewer, sidewalks, or drainage, when installed at a future time by the City of Kenai or the developer. Therefore, an installation agreement is not required.
3. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the subject zoning district.
4. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat meets City standards for minimum lot width and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

STAFF RECOMMENDATION

Staff finds that the proposed preliminary plat for Mommsen's 2024 Replat to merge Lot 2 Block 4 and Lot 2 Block 4 of Mommsen's Additions Nos 1 & 2 Replat does not meet all of the requirements of KMC Section 14.10.070 *Subdivision Design Standards*, and hereby recommends that the Planning and Zoning Commission recommends denial of Resolution No. PZ2024-06 to Kenai Peninsula Borough.

ATTACHMENTS

Aerial Map
Preliminary Plat, Mommsen's 2024 Replat
Application with Certificate of Plat
Mommsen's Additions No's 1 & 2 Replat

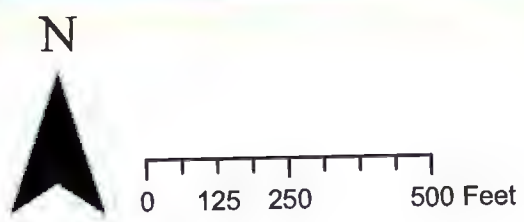


PZ2024-06 - Preliminary Plat Mommsen's 2024 Replat 1018 Third St. and 1019 Fourth St.



Date Printed: 3/8/2024

Map for Reference Only
NOT A LEGAL DOCUMENT



CERTIFICATE OF OWNERSHIP AND DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT EMMET F. HEIDEMANN & CORINNE HEIDEMANN REVOCABLE TRUST DECLARATION, IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND ON BEHALF OF EMMET F. HEIDEMANN & CORINNE HEIDEMANN REVOCABLE TRUST DECLARATION, I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

EMMET F. HEIDEMANN & CORINNE HEIDEMANN
REVOCABLE TRUST DECLARATION
1018 THIRD ST, KENAI, AK 99611

NOTARY'S ACKNOWLEDGEMENT

FOR:
ACKNOWLEDGED BEFORE ME THIS
_____ DAY OF _____, 2024
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE
STATE OF ALASKA

CERTIFICATE OF OWNERSHIP AND DEDICATION

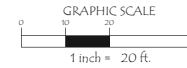
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KENAI PENINSULA BOROUGH
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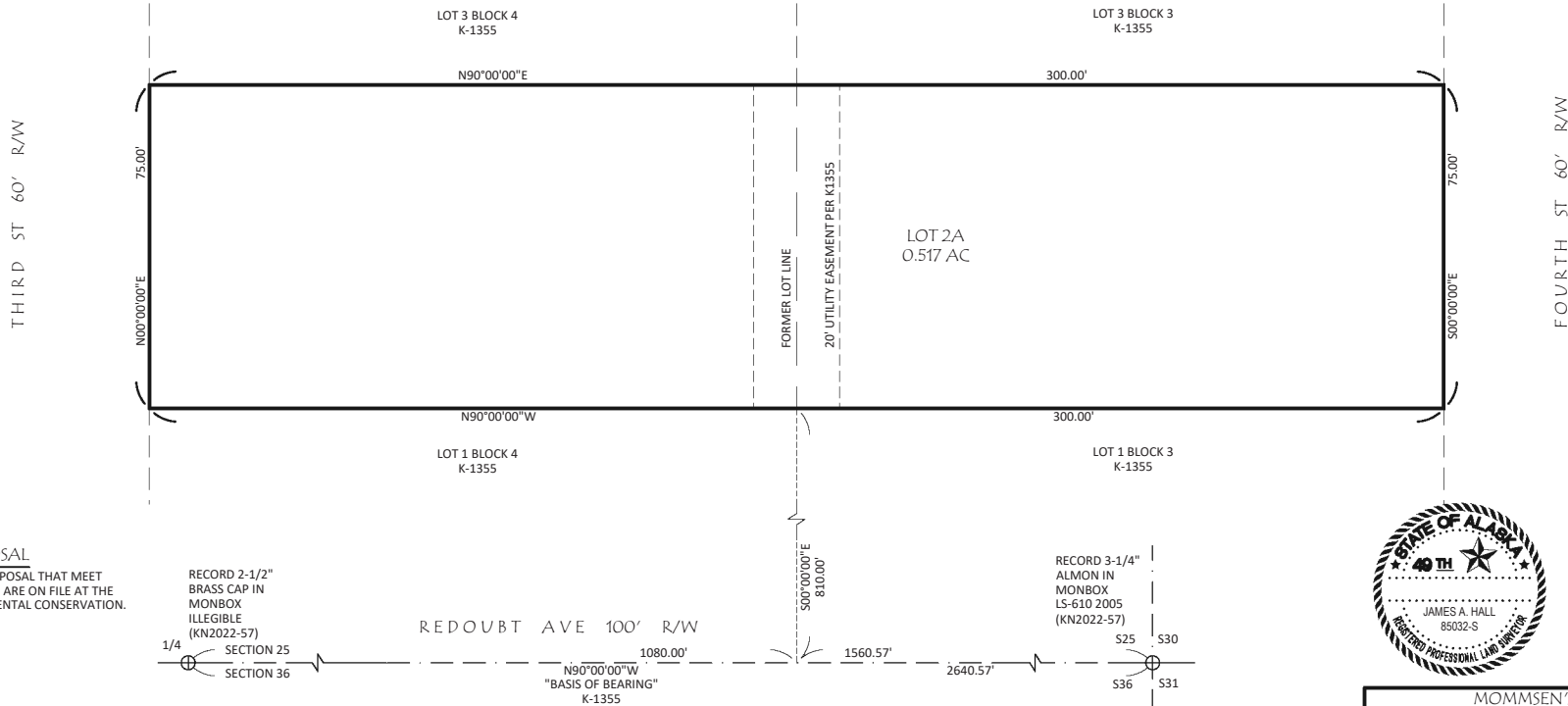
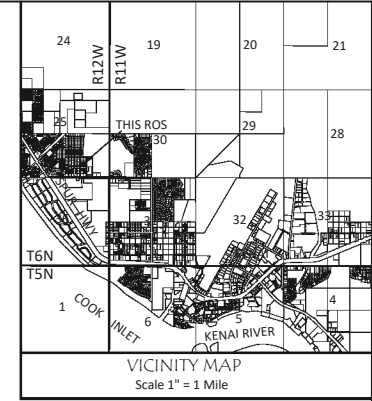
FOR:
ACKNOWLEDGED BEFORE ME THIS
_____ DAY OF _____, 2024
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE
STATE OF ALASKA



LEGEND

⊕ RECORD PRIMARY MONUMENT AS DESCRIBED



WASTEWATER DISPOSAL

PLANS FOR WASTEWATER DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

RECORD 2-1/2"
BRASS CAP IN
MONBOX
ILLEGIBLE
(KN2022-57)

RECORD 3-1/4"
ALMON IN
MONBOX
LS-610 2005
(KN2022-57)

NOTES

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 - 7.2.2. AMENDED JUNE 10, 1966 IN BOOK 22, PAGE 146 KRD.
 - 7.2.3. AMENDED SEPTEMBER 16, 1966 IN BOOK 23, PAGE 200 KRD.
 - 7.2.4. AMENDED JUNE 24, 1975 IN BOOK 85, PAGE 364 KRD.



Plat #	
Rec Dist	_____
Date	_____ 20__
Time	_____ M

MOMMSEN'S 2024 REPLAT
RESUBDIVISION OF LOT 2 BLOCK 4 AND LOT 2 BLOCK 3 MOMMSEN'S ADDITIONS NO'S 1 & 2 K1355

EMMET F. HEIDEMANN & CORINNE HEIDEMANN REVOCABLE TRUST DECLARATION
1018 THIRD ST, KENAI, AK 99611

KENAI PENINSULA BOROUGH
144 N. BINKLEY STREET
SOLDOTNA, AK 99611

0.517 AC. M/L SITUATED IN THE SE1/4 OF SECTION 25, TOWNSHIP 6 NORTH, RANGE 12 WEST, SEWARD MERIDIAN, AK, THE CITY OF KENAI, KENAI PENINSULA BOROUGH AND THE KENAI RECORDING DISTRICT.

 ENGINEERING - TESTING SURVEYING - MAPPING P.O. BOX 468 SOLDOTNA, AK 99669 VOICE: (907) 283-4218 FAX: (907) 283-3265 WWW.MCLANECG.COM	KPB File No.	2024-xxx
	Project No.	242003

Scale: 1" = 20' Date: JAN 2024 Drawn by: JAH

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

AUTHORIZED OFFICIAL

RECEIVED
CITY OF KENAI

JAN 23 2024

McLANE *Planning & Zoning*

LETTER OF TRANSMITTAL

CONSULTING, INC. *By:*
P.O. Box 488 Soldotna, Alaska 99669
(907) 283-4218 fax (907) 283-3265

cm

DATE: 1/23/2024 JOB # 242003
ATTENTION: Planning Dept.
RE: Mommsen's 2024 Replat
Prelim-Plat
From: James Hall

TO: City of Kenai
Planning Department
210 Fidalgo Ave
Kenai, AK 99611

We are sending you: Attached Under separate Cover
Via: Email

Copies	Description
1	Plat City of Kenai / KPB Submittal Form
1	Preliminary Plat - Full Scale
2	Preliminary Plat - 11x17
1	Certificate to Plat

Reason for Transmittal Checked Below:
 FOR APPROVAL AS REQUESTED APPROVED AS SUBMITTED REVIEW/COMMENT
 FOR YOUR USE APPROVED AS NOTED RETURNED FOR CORRECTIONS

Remarks:

Copy to: File Signed: James

Stewart Title of the Kenai Peninsula, Inc.

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

CERTIFICATE TO PLAT

McLane Consulting, Inc.
PO Box 468
Soldotna, AK 99669
Attention: James Hall

File Number: 23606
Premium: \$250.00
Tax:

Gentlemen:

This is a certificate as of December 15, 2023 at 8:00 A.M. for a plat out of the following property:

PARCEL 1:

Lot Two (2), Block Four (4), MOMMSEN'S ADDITION NO. 1, REPLAT OF ADDITION NOS. 1 AND 2, according to Plat No. K-1355, Kenai Recording District, Third Judicial District, State of Alaska.

PARCEL 2:

Lot Two (2), Block Three (3), MOMMSEN'S ADDITION NO. 2, REPLAT OF MOMMSEN'S ADDITION NOS. 1 AND 2, according to Plat No. K-1355, Kenai Recording District, Third Judicial District, State of Alaska.

The Company certifies that record title is vested in

Emmet F. Heidemann & Corinne Heidemann Revocable Trust Declaration dated October 7, 2005, as to Parcel 1 and Kenai Peninsula Borough, an Alaska municipal corporation as to Parcel 2 an estate in fee simple, free from all liens, encumbrances, and objections except for as follows:

1. **RESERVATIONS** and exceptions as contained in U.S. Patent, and/or acts authorizing the issuance thereof.
2. **TAXES AND ASSESSMENTS**, if any due the taxing authority indicated
Taxing Authority: City of Kenai
3. **TAXES AND ASSESSMENTS**, if any, due the taxing authority indicated:
Taxing Authority: KENAI PENINSULA BOROUGH
4. **EASEMENT** for electric lines or system and/or telephone lines together with right to enter, maintain, repair and clear shrubbery:
Recorded: June 5, 1958
Volume/Page: Misc. 2/34
Granted To: Kenai Power Corporation
Affects: General Easement, no definite location disclosed

assigned to the City of Kenai by Instrument recorded December 31, 1963 in Book 11 at Page 188.

5. **EASEMENTS, SET-BACKS AND DEDICATIONS** as delineated on Plat No. K-1355.

EFFECT of the notes on said Plat No. K-1355.

6. **COVENANTS, CONDITIONS AND RESTRICTIONS**, including the terms and provisions thereof, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such Covenant, condition or restriction violates 42 USC 3604 (c), as contained in an instrument:

Recorded: April 3, 1964
Volume/Page: 13/48

AND AMENDMENTS thereto:

Recorded: May 23, 1966
Volume/Page: 22/62

Recorded: June 10, 1966
Volume/Page: 22/146

Recorded: September 16, 1966
Volume/Page: 23/200

Recorded: June 24, 1975
Volume/Page: 85/364

7. **RESERVATION** of oil, gas and mineral rights constructive notice of which is given by recital in deed:

Recorded: April 19, 1966
Volume/Page: 38/112

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

Stewart Title of the Kenai Peninsula, Inc.

By



Terri Cotterell
Authorized Signator

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



Preliminary Plat Submittal Form

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

APPLICANT (SURVEYOR)

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

PROPERTY OWNER

Name:	Heidemann				
Mailing Address:	1018 Third St	City:	Kenai	State:	AK
Phone Number(s):					
Email:					

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel #:	03913109 & 03913116				
Current City Zoning:	SUBURBAN RESIDENTIAL				
Use:	<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Recreational	<input type="checkbox"/> Commercial		
	<input type="checkbox"/> Other:				
Water:	<input type="checkbox"/> On Site	<input checked="" type="checkbox"/> City	<input type="checkbox"/> Community		
Sewer:	<input type="checkbox"/> On Site	<input checked="" type="checkbox"/> City	<input type="checkbox"/> Community		

PLAT INFORMATION

Preliminary Plat Name:	MOMMSEN'S 2024 REPLAT				
Revised Preliminary Plat Name:					
Vacation of Public Right-of-Way:	<input type="checkbox"/> Yes		<input checked="" type="checkbox"/> No		
Street Name (if vacating ROW):					

Exceptions Required and Requested:

Comments:

REQUIRED ATTACHMENTS

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

SIGNATURE

Signature:	<i>Emmet Heidemann</i>	Date:	17 Jan 2024
Print Name:	EMMET HEIDEMANN	Title/Business:	



Preliminary Plat Submittal Form

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

APPLICANT (SURVEYOR)

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

PROPERTY OWNER

Name:	Heidemann <i>Kenai Peninsula Borough</i>				
Mailing Address:	1018 Third St	City:	Kenai	State:	AK
Phone Number(s):	<i>144 N Bunkley St, Soldotna 99669 9077142100</i>				
Email:	<i>manu@KPB.US</i>				

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel #:	03913109 & 03913116				
Current City Zoning:	SUBURBAN RESIDENTIAL				
Use:	<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Recreational	<input type="checkbox"/> Commercial		
	<input type="checkbox"/> Other:				
Water:	<input type="checkbox"/> On Site	<input checked="" type="checkbox"/> City	<input type="checkbox"/> Community		
Sewer:	<input type="checkbox"/> On Site	<input checked="" type="checkbox"/> City	<input type="checkbox"/> Community		

PLAT INFORMATION

Preliminary Plat Name:	MOMMSENS 2024 REPLAT				
Revised Preliminary Plat Name:					
Vacation of Public Right-of-Way:	<input type="checkbox"/> Yes		<input checked="" type="checkbox"/> No		
Street Name (if vacating ROW):					

Exceptions Required and Requested:

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Comments:

--	--	--	--	--	--

REQUIRED ATTACHMENTS

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

SIGNATURE

Signature:	<i>Marcus A Mueller</i>			Date:	<i>1/22/24</i>
Print Name:	<i>MARCUS A MUELLER</i>	Title/Business:	<i>KPB LAND MANAGER</i>		

KPB LAND MANAGER

K-1555
 Replat Page 216

A Replat of Mommson's Additions No's 1 & 2 Kenai - Alaska

A subdivision in the S.E. 1/4 Sec. 25, Twp. 4 N., Rge. 12 W. of S.M.

RECORDED - FILED
 Volume 100-100
 Page 100-100
 Date 7-21-63
 Office - Kenai, Alaska

Description of Addition No. 1:
 A tract of land lying in the S.E. 1/4 of Section 25, Township 4 North, Range 12 West of Seward Meridian, Alaska, and more particularly described as follows:
 * From the South 1/4 corner of said section 25, run East along the South line for 100.00 feet; thence North for 100.00 feet; thence West for 100.00 feet to an intersection with the N-1/2 S-1/4 line; thence S. 0° 00' E. for 120.00 feet to the Point of Beginning, the whole containing 20.00 acres, more or less.

Description of Addition No. 2:
 Two certain tracts of land lying in the S.E. 1/4 of Section 25, Township 4 North, Range 12 West of Seward Meridian, Alaska, and more particularly described as follows:
 * Tract One: From the South 1/4 corner of said Section 25, run East along the South section line for 100.00 feet to the Point of Beginning; thence North for 120.00 feet; thence East for 200.00 feet; thence South for 120.00 feet; thence West for 200.00 feet to the Point of Beginning.
 * Tract Two: From the South 1/4 corner of said Section 25, run N. 0° 00' W. along the N-1/2 S-1/4 line for 200.00 feet to the Point of Beginning; thence South for 120.00 feet; thence West for 100.00 feet; thence North for 120.00 feet; thence East for 100.00 feet to the Point of Beginning.

Certificate of Ownership And Dedication:
 I hereby certify that I am the owner of the tracts of land shown hereon and described above; that I do hereby dedicate this plan of subdivision with my first consent; and I do hereby dedicate the streets and avenues shown hereon to public use as noted.

Morris Killen
Thomas R. Malone

Notary Acknowledgment:
 Subscribed to and sworn before me, a Notary Public, this 21st day of August, 1963.

Thomas R. Malone
 My commission expires 12/31/1965

Certificate of Land Surveyor:
 I hereby certify that the plat shown hereon is a true representation of a survey made under my direction, that reference monuments have been set, and that given bearings and distances are correct, to the best of my knowledge and belief.

Thomas R. Malone

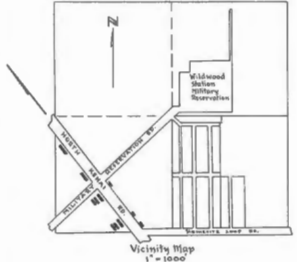
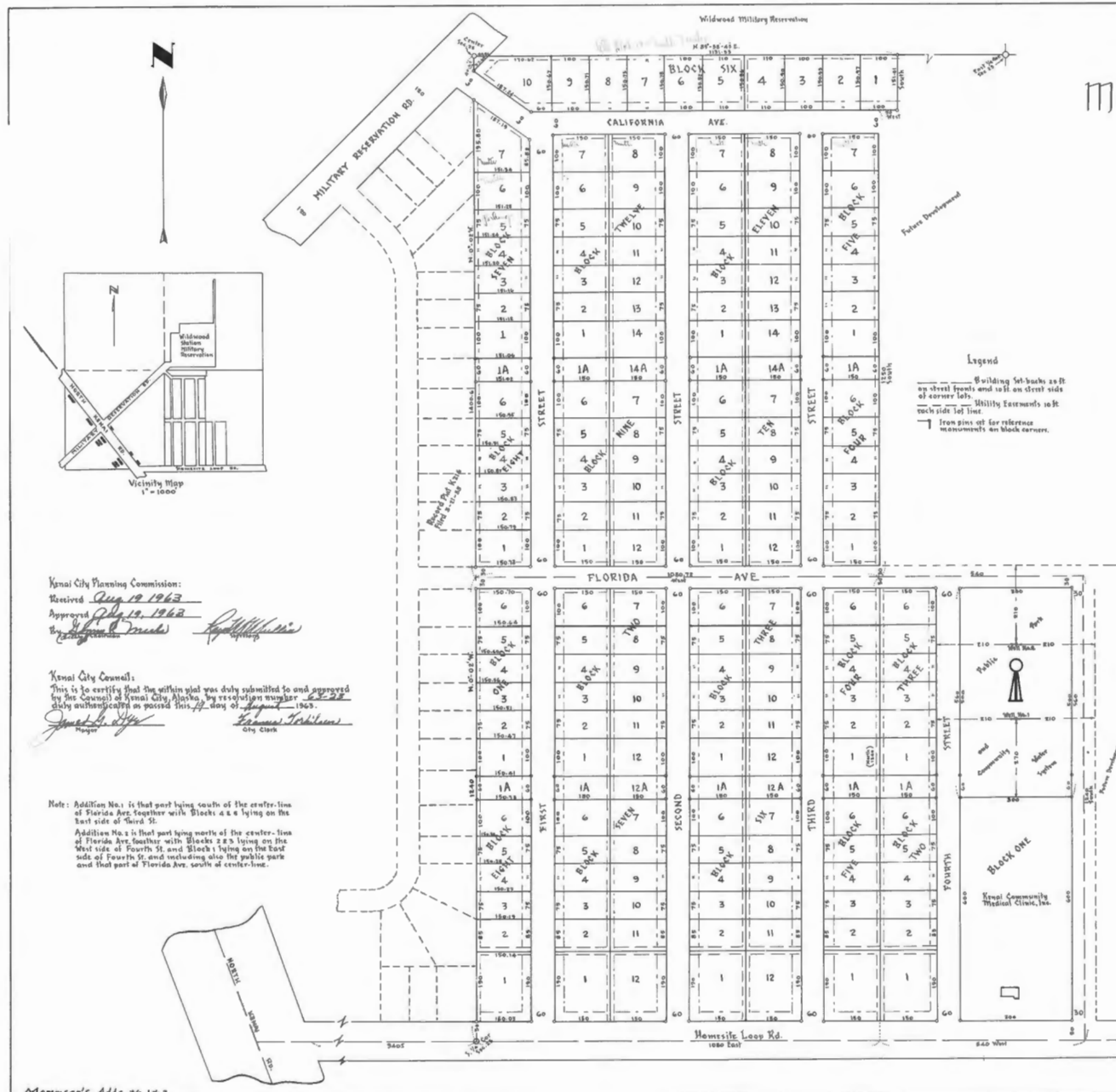
Assessments:
 All of the lots in each subdivision shall be subject to assessment for any of the improvements of streets, sewers or drainage, when installed at a future time by the City of Kenai, or the developer.

Easements:
 An easement or license is hereby granted to Kenai City, Alaska, in local, coastal and navigable, or authorize the construction, operation, maintenance and use of conduits for all and any purpose, water, gas, sewer, water, gas and other of all or any of them, over, under and along the strips marked "Utility Easement".

Building Lines:
 Building Lines or setback lines are hereby established as shown on this plat, and no building or partition thereof shall be built between this line and the street.

Building Restrictions:
 1) Homes not built according to F.R.A. specifications must have developer's approval before start of construction.
 2) All homes must be completed within 2-years from start of construction.
 3) Trailers will be permitted only when construction begins and during progress of same.

Kenai Community Medical Clinic, Inc.
 President _____
 Vice-President _____
 Secretary _____



Kenai City Planning Commission:
 Received July 19, 1963
 Approved July 19, 1963
Thomas R. Malone

Kenai City Council:
 This is to certify that the within plat was duly submitted to and approved by the Council of Kenai City, Alaska, by resolution number 63-28 duly authenticated on passed this 19 day of August, 1963.

Thomas R. Malone
 City Clerk

Note: Addition No. 1 is that part lying south of the center line of Florida Ave. together with Blocks 2 & 4 lying on the East side of Third St.
 Addition No. 2 is that part lying north of the center line of Florida Ave. together with Blocks 2 & 4 lying on the West side of Fourth St. and including also the public park and that part of Florida Ave. south of center-line.



Mommson's Adds no 1 & 2
 K-1555

Prepared For
 Mr. Morris Killen
 Owner & Developer
 Kenai, Alaska
 Scale: 1" = 100'
 F. R. Malone
 Kenai, Alaska



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2024-07**

A RESOLUTION **RECOMMENDING** THAT PRELIMINARY PLAT FOR MICHAEL J. PELCH HOMESTEAD JR. ADDITION NO. 4 ATTACHED HERETO BE APPROVED.

PROPERTY ADDRESSES: 3713 and 3936 Beaver Loop Road

LEGAL DESCRIPTION: Tracts G, A-1, A-2, and A-3, Michael J. Pelch Homestead Jr. Addition No. 3

KPB PARCEL NUMBERS: 04949047, -48, -49, and -53

WHEREAS, the City of Kenai received a preliminary plat from McLane Consulting, Inc. on behalf of the property owner, Michael J. Pelch Jr. for a replat of Tracts G, A-1, A-2, and A-3, Michael J. Pelch Homestead Jr. Addition No. 3; and,

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

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

WHEREAS, the proposed tracts and lots will have access from Beaver Loop Road (paved and City-maintained road), Pelch Drive/Oneday Lane (gravel and not City-maintained road), and Nogo Avenue (undeveloped road); and,

WHEREAS, City water and sewer lines are not available to the tracts and lots; and,

WHEREAS, an installation agreement is not required; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to KMC 14.10.070 *Subdivision design standards*, the preliminary plat for replat into seven (7) lot subdivision, subject to the listed conditions, conforms to the minimum street widths, provides utilities/access easements, provides a satisfactory and desirable building sites, and the on-site water and wastewater systems will be subject to the regulatory requirements of ADEC.
2. Pursuant to KMC 14.10.080 *Minimum improvement required*, the preliminary plat is a replat of a subdivision that had dedicated rights-of-way and determined acceptable access, subject to the listed conditions. Therefore, an installation agreement is not required.

3. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the RR zoning district.
4. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat for a seven (7) lot subdivision meets City standards for minimum lot width/depth and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

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

Section 1. That preliminary plat Michael J. Pelch Homestead Jr. Addition No. 4 for a replat of Tracts G, A-1, A-2, and A-3, Michael J. Pelch Homestead Jr. Addition No. 3 into seven (7) lots to be approved subject to the following conditions.

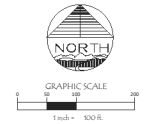
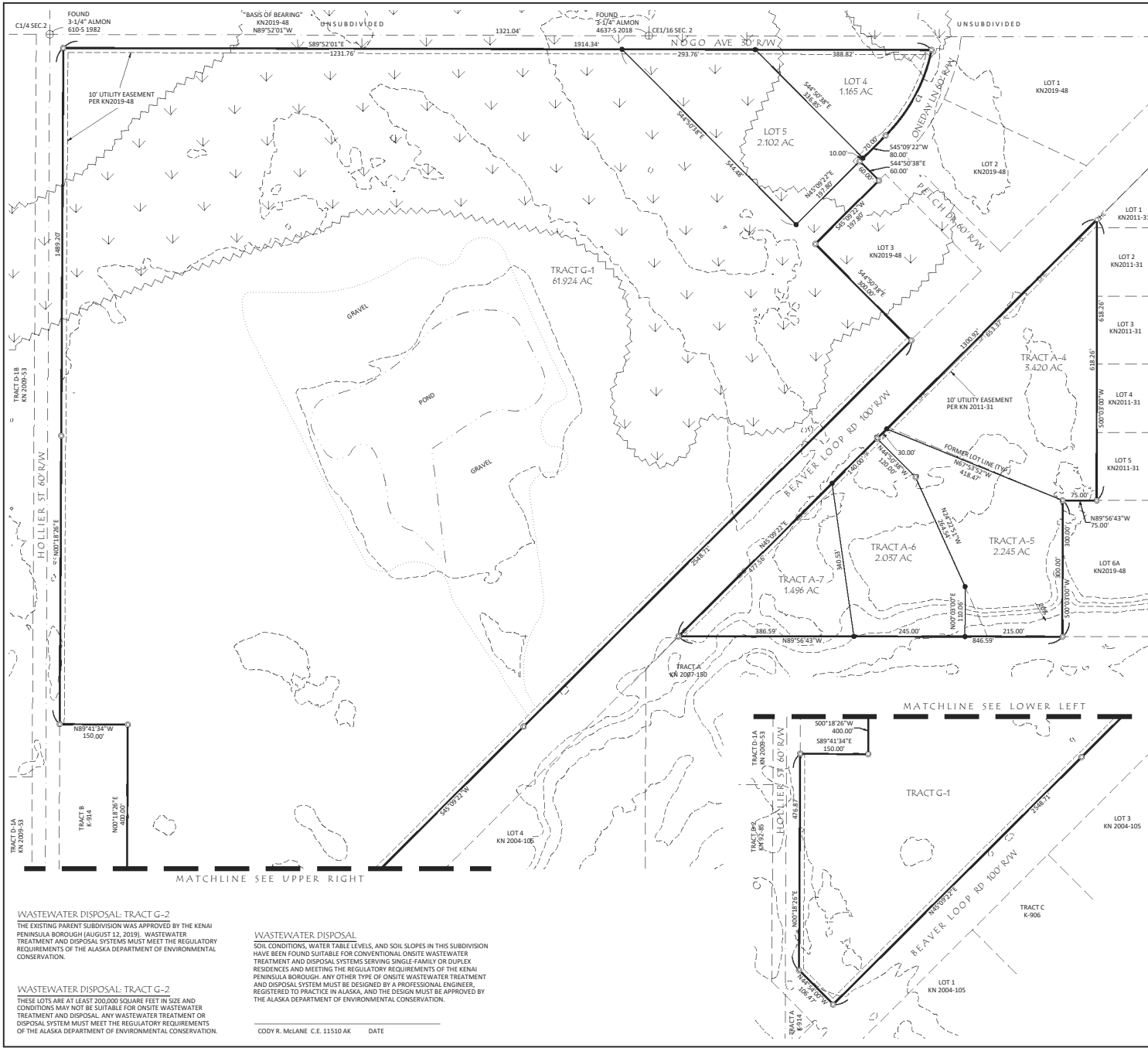
1. Further development of the property will conform to all federal, State of Alaska, and local regulations.
2. Remove Note 6 on the preliminary plat as the State no longer maintained the right-of-way affecting the preliminary plat and renumber accordingly.
3. The developer will install a T-shaped turnaround, also known as a hammerhead, as an acceptable alternative for emergency service vehicles or other large trucks to complete a turnaround.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, THIS 13TH DAY OF MARCH, 2024.

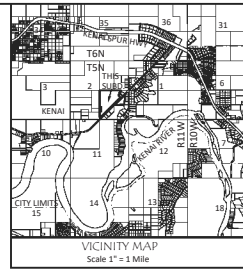
JOE HALSTEAD, CHAIRPERSON

ATTEST:

Meghan Thibodeau, Deputy City Clerk



- LEGEND**
- FOUND PRIMARY MONUMENT AS DESCRIBED
 - FOUND 5/8" REBAR
 - FOUND 5/8"x30" REBAR w/ 1" STAINLESS STEEL CAP 4637-5
 - SET 5/8"x30" REBAR w/ 1" STAINLESS STEEL CAP 85032-5
 - AREA SUBJECT TO INUNDATION



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

MICHAEL J PELCH JR.
 3230 HARLOW RD., EUGENE, OR 97401

NOTARY'S ACKNOWLEDGEMENT

FOR: MICHAEL J PELCH JR.
 ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2024
 MY COMMISSION EXPIRES: _____
 NOTARY PUBLIC FOR THE STATE OF _____

NOTES

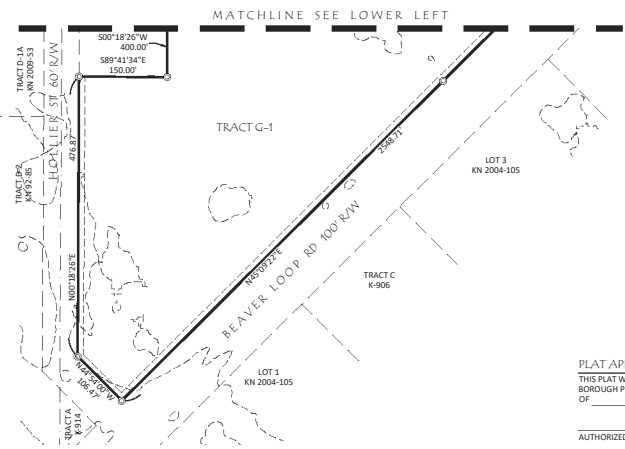
1. WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS SHALL BE PERMITTED ONLY IN CONFORMANCE WITH APPLICABLE REQUIREMENTS OF 18 AAC 72 AND 18 AAC 80.
2. DEVELOPMENT MUST MEET THE CITY OF KENAI CHAPTER 14.20 ZONING CODE REQUIREMENTS.
3. THE FRONT 10 FEET ADJOINING DEDICATED RIGHTS-OF-WAY IS A UTILITY EASEMENT.
4. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT HEREBY GRANTED.
5. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.
6. NO DIRECT ACCESS TO STATE MAINTAINED ROWS PERMITTED UNLESS APPROVED BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES.
7. NO STRUCTURES ARE PERMITTED WITHIN THE PANHANDLE PORTION OF FLAG LOT A-5.
8. EXCEPTIONS GRANTED TO BLOCK LENGTH (KPB 20.30.170) BY THE PLANNING COMMISSION AT THE AUGUST 12, 2019 MEETING.

WASTEWATER DISPOSAL: TRACT G-2
 THE EXISTING PARENT SUBDIVISION WAS APPROVED BY THE KENAI PENINSULA BOROUGH (AUGUST 12, 2019). WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

WASTEWATER DISPOSAL: TRACT G-2
 THESE LOTS ARE AT LEAST 200,000 SQUARE FEET IN SIZE AND CONDITIONS MAY NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL. ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

WASTEWATER DISPOSAL
 SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES IN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SERVING SINGLE FAMILY OR DUPLEX RESIDENCES AND MEETING THE REGULATORY REQUIREMENTS OF THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE DESIGNED BY A PROFESSIONAL ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

CODY R. McLANE C.E. 11510 AK DATE _____



Plat #	
Rec Date	_____
Date	_____
Time	_____



MICHAEL J. PELCH HOMESTEAD JR.
 ADDITION No.4
 REPLAT OF TRACT G, TRACT A-1, TRACT A-2 & TRACT A-3 MICHAEL J. PELCH HOMESTEAD JR. ADDITION No.3 (KN2019-48)

MICHAEL J PELCH JR., OWNER
 3230 HARLOW RD., EUGENE, OR 97401
 74.389 AC. M/L SITUATED IN THE SE1/4 SECTION 2, TOWNSHIP 5 NORTH, RANGE 11 WEST, SEWARD MERIDIAN, CITY OF KENAI, KENAI PENINSULA BOROUGH, AND THE KENAI RECORDING DISTRICT, ALASKA.

	ENGINEERING - TESTING SURVEYING - MAPPING P.O. BOX 488 SODDINGTON, AK 99589 VOICE (907) 284-4215 FAX (907) 285-5081 WWW.MCLANEG.COM	KPB File No.	2024-xxx
	Consulting Inc	Project No.	242004
SCALE 1" = 100' DATE: JAN 2024 BLDG. NO.: 24-0 DRAWN BY: JAH			



STAFF REPORT

PLANNING & ZONING DEPARTMENT

TO: Planning and Zoning Commission
FROM: Linda Mitchell, Planning Director
DATE: March 8, 2024
SUBJECT: Resolution No. PZ2024-07 – Preliminary Plat – Michael J. Pelch Homestead Jr. Addition No. 4

Request The applicant is proposing a preliminary plat to replat Tracts G, A-1, A-2, and A-3, Michael J. Pelch Homestead Jr. Addition No. 3.

Staff Recommendation Adopt Resolution No. PZ2024-07 recommending approval of Preliminary Plat – Michael J. Pelch Homestead Jr. Addition No. 4 for a replat of four (4) lots into seven (7) lots.

Applicant: McLane Consulting, Inc.
Attn: James Hall
P.O. Box 468
Soldotna, AK 99669

Property Owner: Michael J. Pelch Jr.

Legal Description: Tracts G, A-1, A-2, and A-3, Michael J. Pelch Homestead Jr. Addition No. 3

Property Addresses: 3713 and 3936 Beaver Loop Road

KPB Parcel Nos.: 04949047, -48, -49, and -53

Zoning District: Rural Residential (RR)

Land Use Plan: Low Density Residential (LDR)

Surrounding Uses: Gravel Pits, Residential, and Vacant Lots

SUMMARY

The City received a preliminary plat from McLane Consulting, Inc. on behalf of the property owner for a replat of Tracts G, A-1, A-2, and A-3, Michael J. Pelch Homestead Jr. Addition No. 3 into seven (7) lots. The subject tracts are located along Beaver Loop Road between Ames Road and

Hollier Street, and near the intersection of Beaver Loop Road and Pelch Drive. The subject tracts are vacant and proposed use is residential as noted on the plat application.

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

ANALYSIS

The proposed replat meets the minimum lot size requirement of 20,000 square feet for the Rural Residential (RR) zoning district. The proposed lots and tracts range in size from approximately 1.165 acres to 61.924 acres, with majority of the parcels having lot sizes less than 3.5 acres. The minimum lot width is 60 feet and Tract A-5 would not meet the City's definition of lot width; however, PZ2018-22 for Preliminary Plat, Michael J. Pelch Homestead Jr. Addition No. 3 identified Tract A-2 (proposed as Tract A-5) as a flag lot pursuant to Kenai Peninsula Borough Code as it has an access portion less than 60 feet wide and greater than 20 feet wide but does not exceed 150 feet in length. As a result, a note was added to identify any flag lots. This note is carried over to the proposed preliminary plat as Note 7.

City water and sewer services are not available in this area. Property owner(s) will need to install private wells and septic systems. The septic systems must meet the regulatory requirements of the State of Alaska, Department of Environmental Conversation (ADEC).

Access to the proposed Tracts A-4, A-5, A-6, and A-7 is provided via Beaver Loop Road, which is a paved and City-maintained road. Ownership of Beaver Loop Road was transfer from the State to the City in 2020; therefore, Note 6 should be removed.

Access to Lot 4 is provided via Oneday Lane, a gravel but not City-maintained road. Access to Lot 5 is provided via Nogo Avenue, an undeveloped road. Lots 4 and 5 requires access to its adjacent road/street from Pelch Drive, a gravel but not a City-maintained road. In Resolution No. PZ2018-22, an alternative to a cul-de-sac option was granted at the end of Pelch Drive to install a T-shaped turnaround, also known as a hammerhead, for emergency service vehicles or other large trucks to complete a turnaround. This condition should be carried over to the proposed preliminary plat (see Condition No. 3).

All rights-of-way within the proposed preliminary plat were previously dedicated and an installation agreement was not required at that time. The Public Works Director reviewed the preliminary plat and had no comments. Therefore, staff finds that an installation agreement is not required for the proposed preliminary plat.

Staff finds that the preliminary plat for a replat of Tracts G, A-1, A-2, and A-3, Michael J. Pelch Homestead Jr. Addition No. 3 meets the following Title 14 of Kenai Municipal Code (KMC) sections and aligns with the intent of the Kenai Zoning Code.

1. Pursuant to KMC 14.10.070 *Subdivision design standards*, the preliminary plat for replat into seven (7) lot subdivision, subject to the listed conditions, conforms to the minimum street widths, provides utilities/access easements, provides a satisfactory and desirable building sites, and the on-site water and wastewater systems will be subject to the regulatory requirements of ADEC.

2. Pursuant to KMC 14.10.080 *Minimum improvement required*, the preliminary plat is a replat of a subdivision that had dedicated rights-of-way and determined acceptable access, subject to the listed conditions. Therefore, an installation agreement is not required.
3. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the RR zoning district.
4. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat for a seven (7) lot subdivision meets City standards for minimum lot width/depth and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

STAFF RECOMMENDATION

Staff finds that the proposed preliminary plat for Michael J. Pelch Homestead Jr. Addition No. 4 to replat Tracts G, A-1, A-2, and A-3, Michael J. Pelch Homestead Jr. Addition No. 3 into seven (7) lots meets the general standards of Kenai Municipal Code (KMC), Chapter 14.10 *Subdivision Regulations* and Chapter 14.24 *Development Requirements Table* and hereby recommends that the Planning and Zoning Commission recommends approval of Resolution No. PZ2024-07 for a replat of Tracts G, A-1, A-2, and A-3, Michael J. Pelch Homestead Jr. Addition No. 3 to Kenai Peninsula Borough, subject to the following conditions.

1. Further development of the property will conform to all federal, State of Alaska, and local regulations.
2. Remove Note 6 on the preliminary plat as the State no longer maintained the right-of-way affecting the preliminary plat and renumber accordingly.
3. The developer will install a T-shaped turnaround, also known as a hammerhead, as an acceptable alternative for emergency service vehicles or other large trucks to complete a turnaround.

ATTACHMENTS

Aerial Map

Preliminary Plat, Michael J. Pelch Homestead Jr. Addition No. 4

Application with Certificate of Plat and Supplement Document

Final Plat, Michael J. Pelch Homestead Jr. Addition No. 3

Resolution No. PZ2018-22

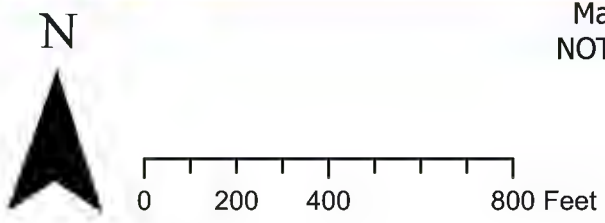


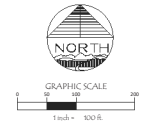
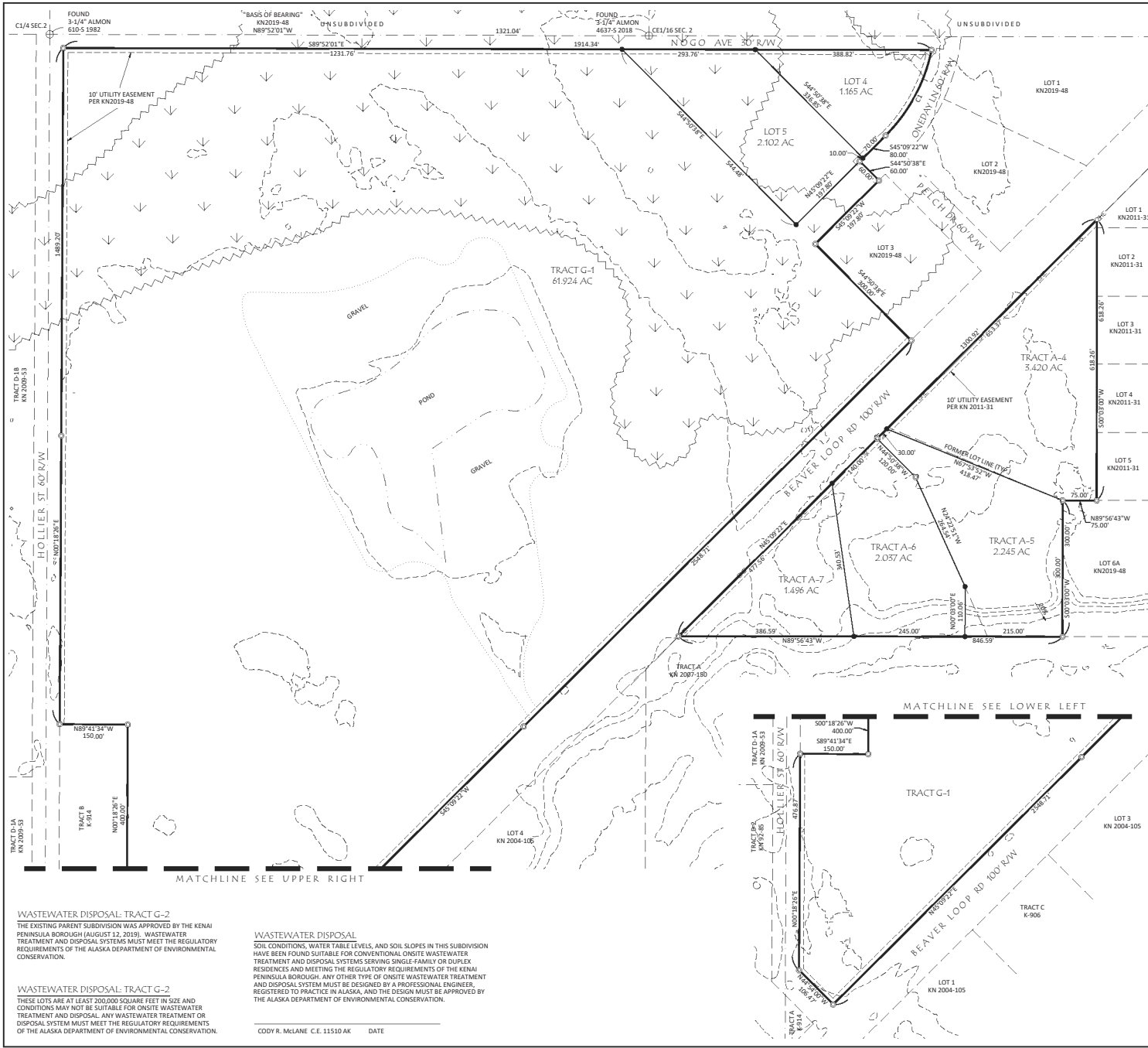
PZ2024-07 - Preliminary Plat Michael J. Pelch Homestead Jr. Addition No. 4



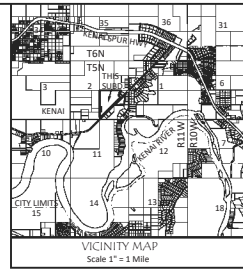
Date Printed: 3/8/2024

Map for Reference Only
NOT A LEGAL DOCUMENT





- LEGEND**
- FOUND PRIMARY MONUMENT AS DESCRIBED
 - FOUND 5/8" REBAR
 - FOUND 5/8"x30" REBAR w/ 1" STAINLESS STEEL CAP 4637-5
 - SET 5/8"x30" REBAR w/ 1" STAINLESS STEEL CAP 85032-5
 - ▭ AREA SUBJECT TO INUNDATION



CERTIFICATE OF OWNERSHIP AND DEDICATION

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

MICHAEL J PELCH JR.
3230 HARLOW RD., EUGENE, OR 97401

NOTARY'S ACKNOWLEDGEMENT

FOR: MICHAEL J PELCH JR.
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2024
MY COMMISSION EXPIRES: _____
NOTARY PUBLIC FOR THE STATE OF _____

NOTES

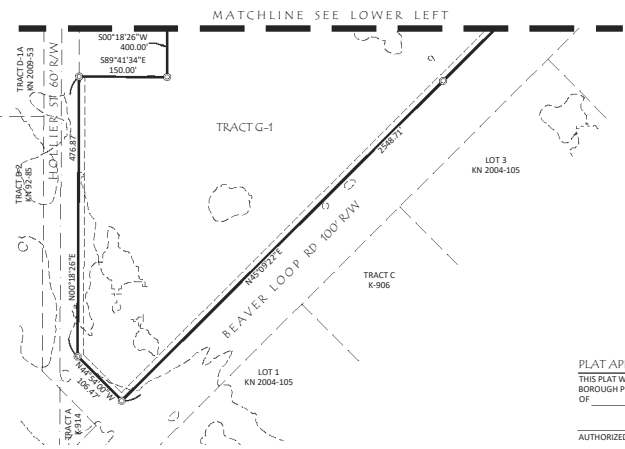
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7. NO STRUCTURES ARE PERMITTED WITHIN THE PANHANDLE PORTION OF FLAG LOT A-5.
8. EXCEPTIONS GRANTED TO BLOCK LENGTH (KPB 20.30.170) BY THE PLANNING COMMISSION AT THE AUGUST 12, 2019 MEETING.

WASTEWATER DISPOSAL: TRACT G-2
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WASTEWATER DISPOSAL
SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES IN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SERVING SINGLE FAMILY OR DUPLEX RESIDENCES AND MEETING THE REGULATORY REQUIREMENTS OF THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE DESIGNED BY A PROFESSIONAL ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

CODY R. McLANE C.E. 11510 AK DATE _____



Plat #

Rec Date: _____
Date: _____
Time: _____



MICHAEL J. PELCH HOMESTEAD JR.
ADDITION No.4
REPLAT OF TRACT G, TRACT A-1, TRACT A-2 & TRACT A-3 MICHAEL J. PELCH HOMESTEAD JR. ADDITION No.3 (KN2019-48)

MICHAEL J PELCH JR., OWNER
3230 HARLOW RD., EUGENE, OR 97401
74.389 AC. M/L SITUATED IN THE SE1/4 SECTION 2, TOWNSHIP 5 NORTH, RANGE 11 WEST, SEWARD MERIDIAN, CITY OF KENAI, KENAI PENINSULA BOROUGH, AND THE KENAI RECORDING DISTRICT, ALASKA.

	ENGINEERING - TESTING SURVEYING - MAPPING P.O. BOX 488 SODDINGTON, AK 99589 VOICE (907) 284-4215 FAX (907) 285-5081 WWW.MCLANEG.COM	KPB File No.	2024-xxx
	Consulting Inc	Project No.	242004
SCALE 1" = 100' DATE: JAN 2024 BLDG. NO.: 24-004 DRAWN BY: JAH			

PLAT APPROVAL
THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____, 2024.
AUTHORIZED OFFICIAL _____ DATE _____

RECEIVED
CITY OF KENAI

FEB 02 2024

McLANE *Kenai*
Planning & Zoning

CONSULTING, INC.
P.O. Box 468 Soldotna, Alaska 99669
(907) 283-4218 fax (907) 283-3265

LETTER OF TRANSMITTAL

To: City of Kenai
Planning and Zoning Department
210 Fidalgo Avenue
Kenai, Alaska 99611

DATE: FEBRUARY 1, 2024 JOB # 242004
ATTENTION: Platting and Zoning Department
RE: Michael J. Pelch Homestead Jr Addition
No. 4
KBP File 2024-xxx
PRELIM
From: James Hall

We are sending you: Attached Under separate Cover
Via: Delivered

Copies	Description
1	Blackline Prelim Plat full size
2	Prelim Plat 11x17" size

Reason for Transmittal Checked Below:
 FOR APPROVAL AS REQUESTED APPROVED AS SUBMITTED REVIEW/COMMENT
 FOR YOUR USE APPROVED AS NOTED RETURNED FOR CORRECTIONS

Remarks:
CIP was emailed February 1st, 2024.
Copy to: File Signed: James



Preliminary Plat Submittal Form

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

APPLICANT (SURVEYOR)

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

PROPERTY OWNER

Name:	MICHAEL PELCH				
Mailing Address:	3230 HARLOW RD	City:	EUGENE	State:	OR
Phone Number(s):	541 345 0487				
Email:	J R Pelch @ comcast . Net				

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel #:	04949047, 048, 049 & 053				
Current City Zoning:	RR				
Use:	<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Recreational	<input type="checkbox"/> Commercial		
	<input type="checkbox"/> Other:				
Water:	<input checked="" type="checkbox"/> On Site	<input type="checkbox"/> City	<input type="checkbox"/> Community		
Sewer:	<input checked="" type="checkbox"/> On Site	<input type="checkbox"/> City	<input type="checkbox"/> Community		

PLAT INFORMATION

Preliminary Plat Name:	MICHAEL J. PELCH HOMESTEAD JR. ADDITION No.4	
Revised Preliminary Plat Name:		
Vacation of Public Right-of-Way:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Street Name (if vacating ROW):		

Exceptions Required and Requested:

--	--

Comments:

--	--

REQUIRED ATTACHMENTS

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

SIGNATURE

Signature:	Michael J Pelch	Date:	1-31-24
Print Name:	Michael J Pelch	Title/Business:	owner

Stewart Title of the Kenai Peninsula, Inc.

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

CERTIFICATE TO PLAT

McLane Consulting, Inc.
PO Box 468
Soldotna, AK 99669
Attention: James Hall

File Number: 23666
Premium: \$250.00
Tax:

Gentlemen:

This is a certificate as of January 15, 2024 at 8:00 A.M. for a plat out of the following property:

Tracts "G", "A" One (A-1), "A" Two (A-2), and "A" Three (A-3), MICHAEL J. PELCH HOMESTEAD JR. ADDITION NO. 3, according to Plat No. 2019-48, Kenai Recording District, Third Judicial District, State of Alaska.

The Company certifies that record title is vested in

Michael J. Pelch Jr.

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

1. **RESERVATIONS** and exceptions as contained in U.S. Patent, and/or acts authorizing the issuance thereof.
2. **TAXES AND ASSESSMENTS**, if any due the taxing authority indicated:
Taxing Authority: City of Kenai
3. **TAXES AND ASSESSMENTS**, if any, due the taxing authority indicated:
Taxing Authority: KENAI PENINSULA BOROUGH
4. **RESERVATION OF EASEMENT** for highway purposes, and any assignments or uses thereof for recreational, utility or other purposes, as disclosed by Public Land Order No. 601, dated August 10, 1949 and amended by Public Land Order No. 757, dated October 10, 1959; Public Land Order No. 1613, dated April 7, 1958; and Department of the Interior Order No. 2665, dated October 16, 1951, Amendment No. 1 thereto, dated July 17, 1952 and Amendment No. 2 thereto, dated September 15, 1956, filed in the Federal Register.
5. **AN OIL AND GAS LEASE** affecting the above interest under the terms, covenants and conditions therein provided:
Dated: July 6, 1983
Lessor: Michael John Pelch, et al
Lessee: James W. White, et al
Recorded: September 26, 1986
Volume/Page: 297/6

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

6. **KENAI PENINSULA BOROUGH PLAT WAIVER RESOLUTION 93-05:**
Recorded: February 9, 1993
Serial No.: 1993-0830

7. **EASEMENTS, SET-BACKS AND DEDICATIONS** as delineated on Plat No. 2019-48.

8. **EFFECT** of the notes on said Plat No. 2019-48.

Stewart Title of the Kenai Peninsula, Inc.

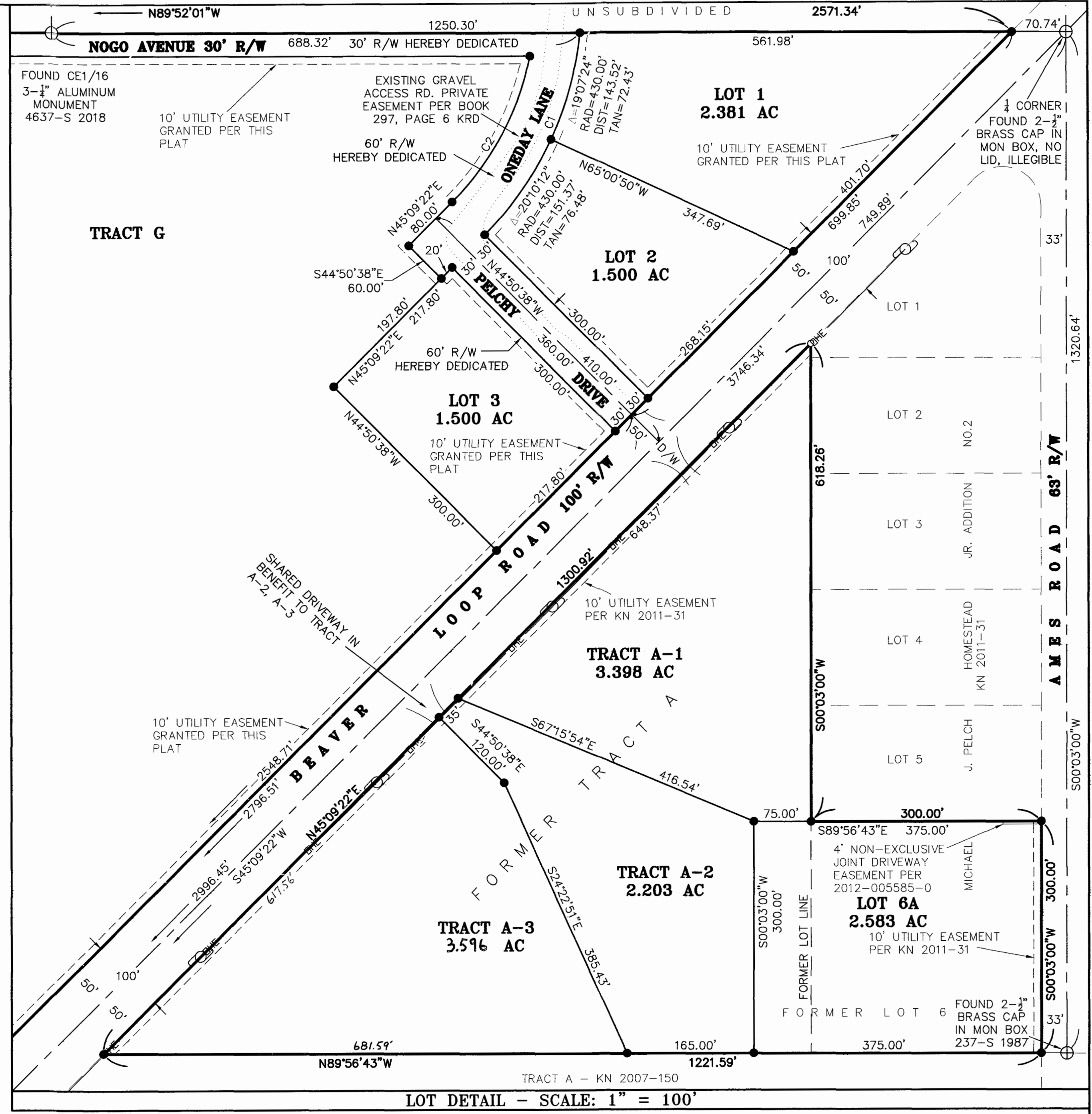
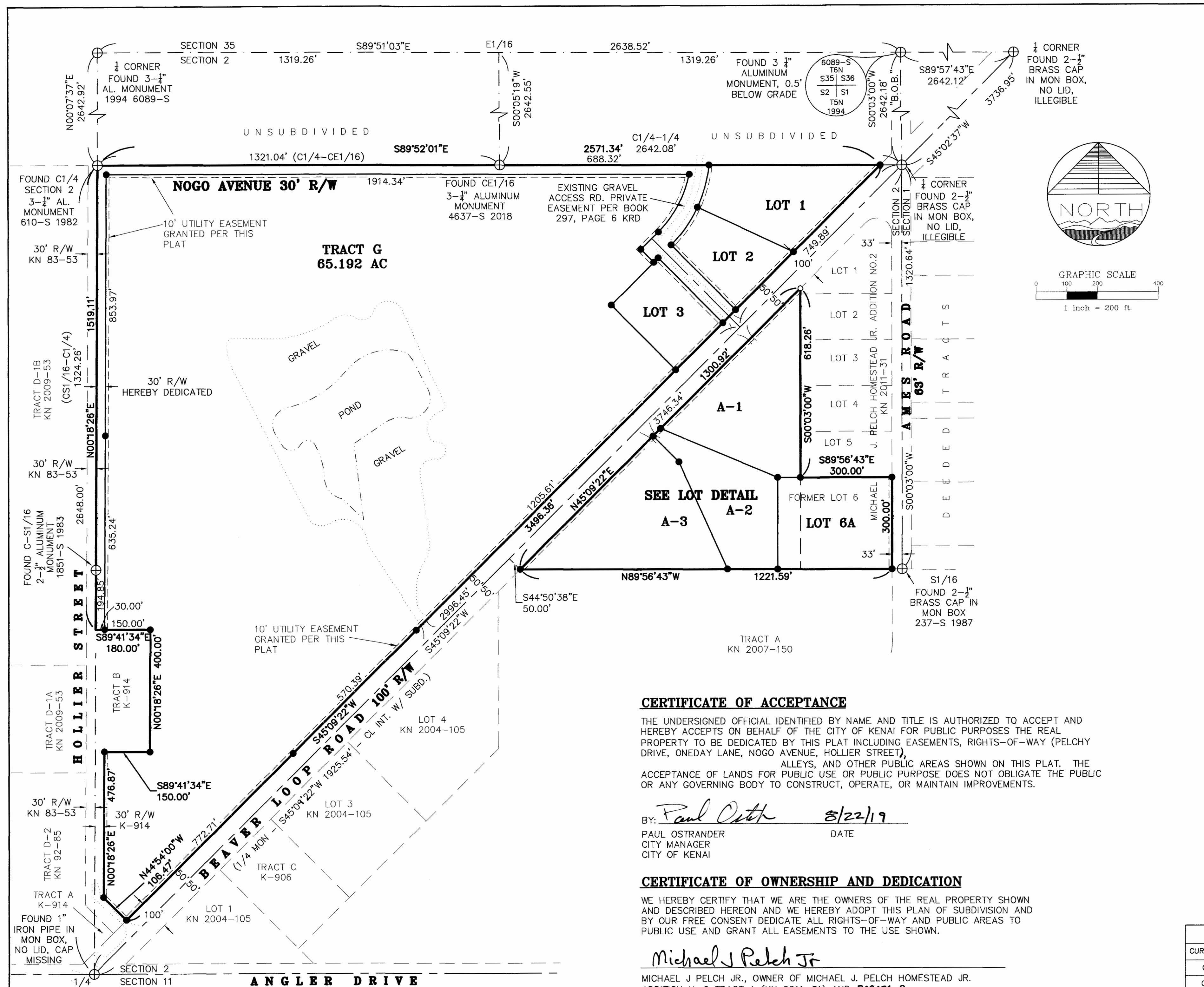
By



Authorized Co-signature

Terri Cotterell
Authorized Signator

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



CERTIFICATE OF ACCEPTANCE

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF KENAI FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY (PELCHY DRIVE, ONEDAY LANE, NOGO AVENUE, HOLLIER STREET), ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT. THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY: *Paul Ostrander* 8/22/19
 PAUL OSTRANDER DATE
 CITY MANAGER
 CITY OF KENAI

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

Michael J Pelch Jr
 MICHAEL J PELCH JR., OWNER OF MICHAEL J. PELCH HOMESTEAD JR. ADDITION NO.2 TRACT A (KN 2011-31) AND PARCEL 2 PER PLAT WAIVER 93-05 KRD 3230 HARLOW RD., EUGENE, OR 97401

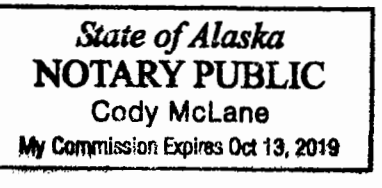
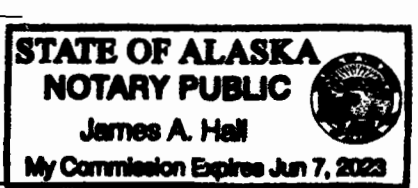
Nicholas John Miller
 NICHOLAS JOHN MILLER, OWNER FORMER LOT 6 (KN2011-31) 609 AMES RD. KENAI, AK 99611

NOTARY'S ACKNOWLEDGEMENT

FOR: MICHAEL J PELCH JR.
 ACKNOWLEDGED BEFORE ME THIS 19 DAY OF Aug. 2019
 MY COMMISSION EXPIRES: 6/3/23
James A. Hall
 NOTARY PUBLIC FOR THE STATE OF ALASKA

NOTARY'S ACKNOWLEDGEMENT

FOR: NICHOLAS JOHN MILLER
 ACKNOWLEDGED BEFORE ME THIS 19 DAY OF Aug. 2019
 MY COMMISSION EXPIRES: 10/13/2019
Stan A. McLane
 NOTARY PUBLIC FOR THE STATE OF ALASKA



CURVE TABLE						
CURVE #	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD LENGTH
C1	19°07'24"	430.00	143.52	72.43	N 15° 25' 28" E	142.85'
C2	33°39'19"	370.00	217.34	111.90	N 28° 19' 43" E	214.22'

WASTEWATER DISPOSAL

FOR LOTS 1-3, 6A & TRACT A-1, A-2, A-3 SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES IN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SERVING SINGLE-FAMILY OR DUPLEX RESIDENCES AND MEETING THE REGULATORY REQUIREMENTS OF THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE DESIGNED BY A PROFESSIONAL ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

Stan A. McLane CE7863 19 AUG 2019
 Stan A. McLane C.E. 7863 AK Date

WASTEWATER DISPOSAL - FOR TRACT G

THIS TRACT IS AT LEAST 200,000 SQUARE FEET OR NOMINAL 5 ACRES IN SIZE AND CONDITIONS MAY NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL. ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

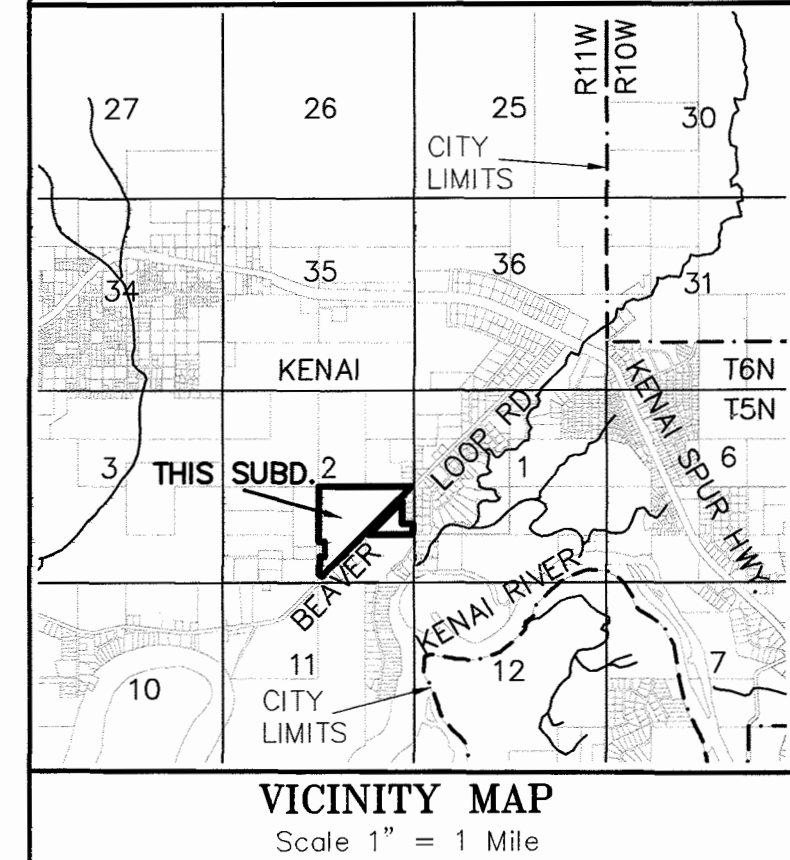
PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF AUGUST 12, 2019.
Mary Kay Reed 11-13-19
 AUTHORIZED OFFICIAL

2019-48
 Plat #
 Kenai
 Rec Dist
 11-13 2019
 Date
 Time 12:20 P.M.

MICHAEL J. PELCH HOMESTEAD JR. ADDITION No.3
 (RESUBDIVISION OF MICHAEL J. PELCH HOMESTEAD JR. ADDITION NO.2 TRACT A AND LOT 6 (KN 2011-31) AND A REMAINDER OF PARCEL 2 PER PLAT WAIVER 93-05 KRD, LOCATED WITHIN THE SE1/4, LYING NORTH OF BEAVER LOOP ROAD, SECTION 2, T.5N., R.11W.)
 MICHAEL J PELCH JR., OWNER
 3230 HARLOW RD., EUGENE, OR 97401
 NICHOLAS JOHN MILLER, OWNER
 609 AMES RD., KENAI, AK 99611
 85.616 AC. M/L SITUATED IN THE SE1/4 OF SEC.2, T.5N., R.11W., S.M., AK, THE CITY OF KENAI, AND THE KENAI PENINSULA BOROUGH, IN THE KENAI RECORDING DISTRICT.

	ENGINEERING - TESTING SURVEYING - MAPPING P.O. BOX 468 SOLDOTNA, AK 99669 VOICE: (907) 283-4218 FAX: (907) 283-3265 WWW.MCLANECG.COM	KPB FILE NO. 2018-124
	PROJECT NO. 182013	
SCALE 1" = 200'	DATE: AUG. 2019	BOOK NO.: 18-05
		DRAWN BY: JAH



- NOTES**
1. WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS SHALL BE PERMITTED ONLY IN CONFORMANCE WITH APPLICABLE REQUIREMENTS OF 18 AAC 72 AND 18 AAC 80.
 2. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
 3. NO DIRECT ACCESS TO STATE MAINTAINED ROWS PERMITTED UNLESS APPROVED BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES.
 4. DEVELOPMENT MUST MEET THE CITY OF KENAI CHAPTER 14 ZONING CODE REQUIREMENTS.
 5. NO STRUCTURES ARE PERMITTED WITHIN THE PANHANDLE PORTION OF FLAG LOTS A-2
 6. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.
 7. EXCEPTION GRANTED TO BLOCK LENGTH (KPB 20.30.170) BY PLANNING COMMISSION MEETING AUGUST 12, 2019.

LEGEND

- ⊕ FOUND PRIMARY MONUMENT AS DESCRIBED
- FOUND 5/8" REBAR
- SET 5/8"x30" REBAR w/ 2" STAINLESS STEEL CAP 4637-S
- ⊖ POWER POLE
- D/W EXISTING DRIVEWAY
- "B.O.B." "BASIS OF BEARINGS" S00°03'00"W EAST LINE OF SEC.2



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2018 - 22**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI RECOMMENDING THAT THE SUBDIVISION PLAT **MICHAEL J. PELCH HOMESTEAD JR. ADDITION NO. 3** ATTACHED HERETO AS EXHIBIT "A" BE APPROVED SUBJECT TO THE CONDITIONS OUTLINED BELOW.

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

WHEREAS, the plat meets the requirements of the for the Rural Residential Zone, pending the approval of flag lots for A-2 and A-3 and their denotation on the plat; and,

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

WHEREAS, the new road designated as Pelch Drive would not be maintained by the City of Kenai, but Pelch Drive was found to meet turning-radius requirements for emergency vehicles with a T-shaped hammerhead turnaround; and,

WHEREAS, City water and sewer services are not available and an installation agreement is not required; and,

WHEREAS, the property owners shall install private well and septic systems conforming to State of Alaska regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA TO RECOMMEND APPROVAL OF THE SUBDIVISION PLAT ATTACHED AS EXHIBIT "A", SUBJECT TO THE FOLLOWING CONDITIONS:

1. Further development of the property shall conform to all Federal, State of Alaska, and local regulations.
2. Delineate the twenty-foot (20') building front setback on the proposed plat.
3. Delineate the ten-foot (10') utility easement for Lots 1, 2, and 3 on the proposed plat.
4. Amend the title block to read as follows: Resubdivision of Michael J. Pelch Homestead Jr. Addition No. 2, Tract A and Lot 6 (KN2011-32), and a portion of the Southeast one-quarter (SE ¼), lying North of Beaver Loop Road, Section 2, T5N, R11W.
5. Add note from Michael J. Pelch Homestead Jr. Addition No. 2 plat that "No access to state maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation".
6. Add note that Tracts A-2 and A-3 are specified as flag lots.

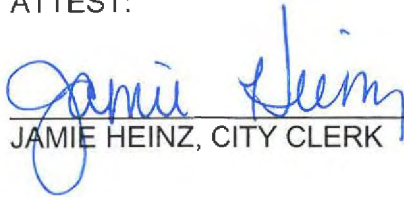
7. The developer will install a T-shaped turnaround, also known as a hammerhead, as an acceptable alternative for emergency service vehicles or other large trucks to complete a turnaround.
8. Pelch Drive will not be maintained by the City of Kenai unless it is engineered and constructed to City standards.
9. As City water and sewer services are not available in this area, private well and septic systems shall be installed by certified installers and approved by the State of Alaska, Department of Environmental Conservation.

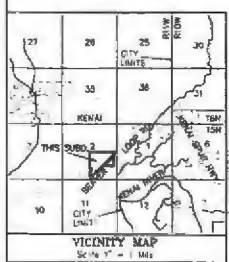
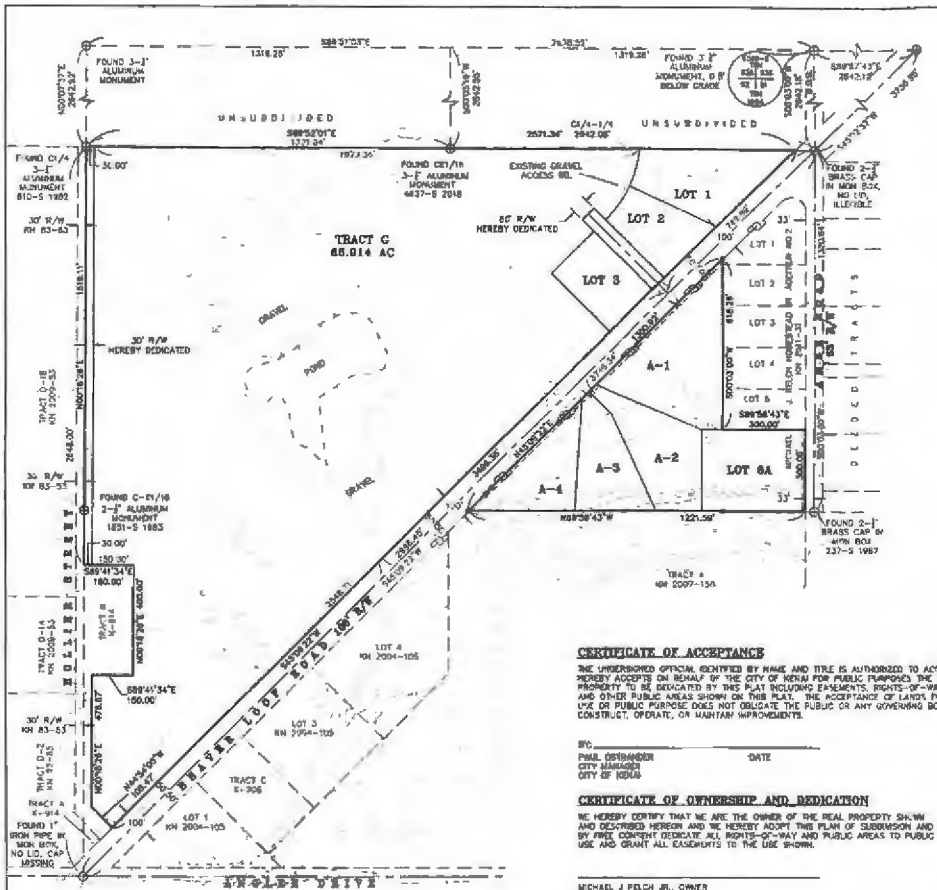
PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
this 26th day of September, 2018.



JEFF TWAIT, CHAIRPERSON

ATTEST:


JAMIE HEINZ, CITY CLERK



- NOTES**
- WATER SUPPLY AND SEWERAGE DISPOSAL SYSTEMS SHALL BE PERMITTED ONLY IN CONFORMANCE WITH APPLICABLE REQUIREMENTS OF 18 AAC 72 AND 18 AAC 80.
 - NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN AN EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
 - DEVELOPMENT MUST MEET THE CITY OF KENAI CHAPTER 14 ZONING CODE REQUIREMENTS.

- LEGEND**
- FOUND PRIMARY MONUMENT AS DESCRIBED
 - FOUND 3/8" REBAR
 - SET 5/8"x30" REBAR w/ 2" STAINLESS STEEL CAP 4828-S
 - POWER POLE
 - EXISTING DRIVEWAY
 - CONTOUR INTERVAL = 4'
 - "B.O.S." = BASE OF BEARING'S SHOOTING EAST LINE OF SEC 7

CERTIFICATE OF ACCEPTANCE

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

BY: _____ DATE: _____
 PAUL DEWANDER
 CITY MANAGER
 CITY OF KENAI

CERTIFICATE OF OWNERSHIP AND DEDICATION

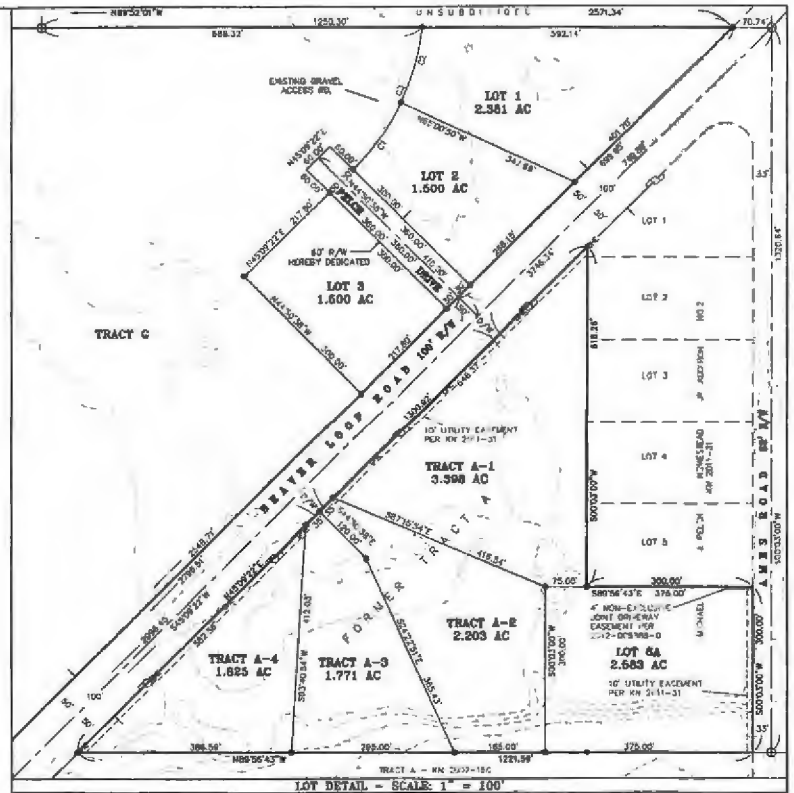
WE HEREBY CERTIFY THAT WE ARE THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

MICHAEL J. PELCH JR., OWNER
 3230 MARLOW RD.
 EAGLE, AK 99421

JOHN H. MILLER, OWNER
 808 MARCE RD.
 NORMAL AK 99611

NOTARY'S ACKNOWLEDGEMENT
 FOR: _____
 ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2018.
 MY COMMISSION EXPIRES: _____
 NOTARY PUBLIC FOR THE STATE OF ALASKA

NOTARY'S ACKNOWLEDGEMENT
 FOR: _____
 ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2018.
 MY COMMISSION EXPIRES: _____
 NOTARY PUBLIC FOR THE STATE OF ALASKA



CURVE TABLE

CURVE #	DATA	LENGTH	CHORD	APPROX
01	187°57'	430.06	171.57	72.48
02	187°57'	430.06	143.52	72.43
03	192°59'	426.08	143.52	72.43

WASTEWATER DISPOSAL - FOR LOTS

SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES IN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SERVING SINGLE-FAMILY OR DUPLEX RESIDENCES AND MEETING THE REGULATORY REQUIREMENTS OF THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE DESIGNED BY A PROFESSIONAL ENGINEER REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

Shen A Malone C.E. 7863 AK Date: _____

WASTEWATER DISPOSAL - FOR TRACT G

THESE LOTS ARE AT LEAST 200 FEET SQUARE FEET OR NORMAL 6 ACRES IN SIZE AND CONDITIONS MAY NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL. ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

PLAT APPROVAL

THIS PLAT HAS APPROVED BY THE SENIOR PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING: _____ 2018.

BY: _____ AUTHORIZED OFFICIAL

Plot # _____
 Date: _____
 By: _____



MICHAEL J. PELCH HOMESTEAD JR. ADDITION No. 3
 (REARRANGEMENT OF MICHAEL J. PELCH HOMESTEAD JR. ADDITION No. 2 TRACT A (SH 2011-34))
 MICHAEL J. PELCH JR. & JOHN H. MILLER, OWNERS
 3230 MARLOW RD.
 EAGLE, AK 99421
 83,500 AC. M/A. SITUATED IN THE BEL/A OF SEC. 2, T.4N., R.11W., S.4E., ALASKA, THE CITY OF KENAI, AND THE KENAI PENINSULA BOROUGH, OF THE KENAI RECORDING DISTRICT.

SEAL: _____ DATE: 2018 _____



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2024-05**

A RESOLUTION **GRANTING** A CONDITIONAL USE PERMIT FOR A RECREATIONAL VEHICLE (RV) PARK WITH A MAXIMUM OF FIVE (5) RV SPACES.

APPLICANT: Travis Lofstedt

PROPERTY OWNER: Harborside Cottages, LLC

PROPERTY ADDRESS: 813 Riverview Drive

LEGAL DESCRIPTION: Lot 6A Block 19, Kenai Townsite 2018 Addition

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04710319

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on February 1, 2024; and,

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

WHEREAS, the City of Kenai Planning and Zoning Commission conducted a duly advertised public hearing on March 6, 2024, 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;*

Findings: The proposed use is consistent with the purpose of the Kenai Zoning Code and Land Use Table. The land use table indicates a RV Park is a conditional use; therefore, a conditional use permit may be granted for a RV Park subject to meeting conditions listed in KMC for a Conditional Use Permit and Recreational Vehicles.

The CC Zone is established to provide for an area of concentrated commercial development. Regulations applying to this zone are designed to encourage a compact group of business of the type which are mutually beneficial and located close enough together to encourage walk-in trade.

The subject property is surrounded by the Peninsula Oilers Baseball Club's parking lot to the north, a single-family dwelling to the east, eroding bluff lot/Kenai River to the south, and Kenai Bible Church's parking lot and vacant lot to the west. The proposed use would

be consistent with the development of this area and the zoning district as this would further promote the concentrated commercial development/activity in this area. A RV Park within this area would provide mutual benefits to nearby businesses and encourage walkability.

As noted by the applicants, the noise level would be consistent with what has been onsite since 1995 with quiet hours between 10 p.m. and 8 a.m. and Kenai Joe's at the end of the [Cook Drive] street. Furthermore, the applicant states the traffic patterns would be less as RV residence would stay longer than the short-term tourist [they] hosted in the past.

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

Findings: The economic and noneconomic value of adjacent properties would not be significantly impaired by the proposal. As noted by the applicant, the property would add value to the property by upgrading landscaping. The proposed landscape plan provides a minimum 4-foot landscape islands separating each RV space with bushes/shrubs and a minimum 5-foot landscape buffer between the properties to the west and east of the subject property. There is existing screening between the subject property and abutting properties to the west and east. Outside Way between the subject property and Kenai Bible Church's parking lot is undeveloped with trees and vegetation. There is an existing 6-foot tall fence followed by the neighboring detached garage between the subject property and the single-family dwelling to the west. The existing screening would minimize the impact of the proposed use on surrounding uses. The applicant has indicated that the RV park would have visitors stay longer periods than the previous use, seasonal vacation rentals. Staff is proposing the following condition for minimum standards for perimeter/buffer and interior landscaping since there are not required minimum standards for perimeter/buffer and interior landscaping between commercial and residential uses in a commercial zone.

- Provide a minimum 4-foot landscape island between the RV spaces and a minimum 5-foot perimeter/buffer landscape strip from the interior lot lines to ensure RV space occupants and abutting properties are protected from noise and privacy.

A landscaping/site plan has been submitted and will be finalized upon the decision of this CUP to ensure conditions are reflected accordingly.

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

Findings: The Land Use Plan, from the 2016 Comprehensive Plan, identifies the subject property with the Mixed Use (MU) land use classification. The MU Land Use Classification is defined in the Comprehensive Plan:

Mixed use is intended for a compatible mix of residential, retail, service, office, public, institutional and recreational uses. Uses are co-located in an integrated way that supports sustainable forms of transport such as public transport, walking and biking, and increases neighborhood amenities. Compatibility issues are addressed through careful site layout and building design.

The proposed use would be consistent with the development of the surrounding area. The applicant indicated that they will upgrade the landscaping to improve the aesthetics but also provide buffer between the RV spaces and abutting properties. Staff finds the proposed use does not require additional mitigation measures or buffers since there are not any new adverse impacts to consider between the proposed use and surrounding uses.

In *Imagine Kenai 2030 Comprehensive Plan*, Chapter 6, “Goals, Objectives, and Implementation”, several goals and objectives are met from the proposed expansion.

Goal 1 – Quality of Life is to promote and encourage quality of life in Kenai.

Objective Q-1

Establish siting and design standards so that development is in harmony and scale with surrounding uses.

Goal 2 – Provide economic development to support the fiscal health of Kenai.

Objective ED-9

Capitalize on the tourism industry by marketing Kenai as a destination for recreational activities, conventions, festivals, arts, cultural and other events.

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

Findings: City water and sewer are available along Riverview Drive to serve the proposed RV park. The submitted plans show the proposed service connections and has been reviewed by the Public Works Director with no comments.

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

Findings: There are adequate services, access, and parking to serve the proposed use. Access to the property is provided by Riverview Drive, a City-maintained gravel road. Staff finds the proposed use would not adversely impact the public safety, health or welfare as the proposed use would be operated similarly to the previous use, a seasonal vacation rental that has operated since 1995 without any code violations.

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.*

Findings: No additional or specific conditions are deemed necessary to fulfill the above-mentioned criteria.

In addition to the above criteria for a CUP, the following specific conditions outlined in KMC Section 14.20.245 *Recreational Vehicles* must be met prior to the issuance of a CUP for a RV park.

1. *Adequate utilities for projected or actual use shall be available.*

Findings: This condition is met or will be as met as noted in the above Criteria 4 for a CUP.

2. *The projected or actual use shall not threaten the health and safety of adjoining landowners or recreational vehicle users in the park.*

Findings: This condition is met or will be as met as noted in the above Criteria 5 for a CUP.

3. *Any and all specific conditions required to comply with the above listed conditions as determined by the Planning and Zoning Commission shall be met by the applicant.*

Findings: No additional or specific conditions are required that has not be already identified in above criteria for a CUP.

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

Section 1. That the conditional use permit is granted for a recreational vehicle (RV) park with a maximum of five (5) RV spaces on a property described as Lot 6A Block 19, Kenai Townsite 2018 Addition, located at 813 Riverview Drive in the Central Commercial (CC) Zoning District.

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

1. Any development or use of the property shall comply with all applicable Federal, State of Alaska, and City regulations regardless of whether or not the requirements are listed as conditions for the approval of the Conditional Use Permit.
2. Upon request, the applicant or applicant's representative shall meet with City staff for an on-site inspection.
3. Provide a minimum 4-foot landscape island between RV spaces and a minimum 5-foot landscape buffer strip from the interior lot lines to ensure RV space occupants and abutting properties are protected from noise and privacy.
4. The RV park is not to become a nuisance to surrounding properties. The RV park must control dust, shield lighting from other properties, prohibit loud noises and maintain a clean and orderly appearance free from refuse.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, THIS 13TH DAY OF MARCH, 2024.

JOE HALSTEAD, CHAIRPERSON

ATTEST:

Meghan Thibodeau, Deputy City Clerk



STAFF REPORT

PLANNING & ZONING DEPARTMENT

TO: Planning and Zoning Commission
FROM: Linda Mitchell, Planning Director
DATE: March 8, 2024
SUBJECT: Resolution PZ2024-05 – Conditional Use Permit for a Recreational Vehicle (RV) Park Use Located at 813 Riverview Drive

Request The applicant is requesting to operate a recreational vehicle (RV) park with five (5) RV spaces and full-service hook-ups.

Staff Recommendation Adopt Resolution PZ2024-05 approving the conditional use permit (CUP) for a RV park with a maximum of five (5) RV spaces on a property described as Lot 6A Block 19, Kenai Townsite 2018 Addition, located at 813 Riverview Drive in the Central Commercial (CC) Zoning District.

Applicant	Travis Lofstedt
Property Owner	Harborside Cottages, LLC
Legal Description	Lot 6A Block 19, Kenai Townsite 2018 Addition
Property Address	813 Riverview Drive
KPB Parcel ID	04710319
Lot Size (acreage)	0.36
Zoning	Central Commercial (CC)
Current Use	Vacant (previously, a seasonal vacation rental with 5 cabins)
Land Use Plan	Mixed Use

SUMMARY

The applicant has requested for a conditional use permit (CUP) for a recreational vehicle (RV) park with a maximum capacity of five (5) RV spaces. The proposed use will be on approximately 0.36-acre property that are zoned Central Commercial. The subject parcel is vacant but was previously used as a seasonal vacation rental with five (5) cabins.

The proposed RV park with five (5) 18' x 30' RV spaces, full service hook-ups, landscaping islands between the RV spaces, and landscaping buffer between abutting properties.

ANALYSIS

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. Prior to granting a conditional use permit or amendment, the Commission shall determine that the identified criteria as outlined in KMC 14.20.150(e) *Conditional Use Permits Review Criteria* are met.

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

Findings: The proposed use is consistent with the purpose of the Kenai Zoning Code and Land Use Table. The land use table indicates a RV Park is a conditional use; therefore, a conditional use permit may be granted for a RV Park subject to meeting conditions listed in KMC for a Conditional Use Permit and Recreational Vehicles.

The CC Zone is established to provide for an area of concentrated commercial development. Regulations applying to this zone are designed to encourage a compact group of business of the type which are mutually beneficial and located close enough together to encourage walk-in trade.

The subject property is surrounded by the Peninsula Oilers Baseball Club's parking lot to the north, a single-family dwelling to the east, eroding bluff lot/Kenai River to the south, and Kenai Bible Church's parking lot and vacant lot to the west. The proposed use would be consistent with the development of this area and the zoning district as this would further promote the concentrated commercial development/activity in this area. A RV Park within this area would provide mutual benefits to nearby businesses and encourage walkability.

As noted by the applicants, the noise level would be consistent with what has been onsite since 1995 with quiet hours between 10 p.m. and 8 a.m. and Kenai Joe's at the end of the [Cook Drive] street. Furthermore, the applicant states the traffic patterns would be less as RV residence would stay longer than the short-term tourist [they] hosted in the past.

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

Findings: The economic and noneconomic value of adjacent properties would not be significantly impaired by the proposal. As noted by the applicant, the property would add value to the property by upgrading landscaping. The proposed landscape plan provides a minimum 4-foot landscape islands separating each RV space with bushes/shrubs and a minimum 5-foot landscape buffer between the properties to the west and east of the subject property. There is existing screening between the subject property and abutting properties to the west and east. Outside Way between the subject property and Kenai Bible Church's parking lot is undeveloped with trees and vegetation. There is an existing 6-foot tall fence followed by the neighboring detached garage between the subject property and the single-family dwelling to the west. The existing screening would minimize the impact of the proposed use on surrounding uses. The applicant has indicated that the RV park would have visitors stay longer periods than the previous use, seasonal vacation rentals. Staff is proposing the following

condition for minimum standards for perimeter/buffer and interior landscaping since there are not required minimum standards for perimeter/buffer and interior landscaping between commercial and residential uses in a commercial zone.

- Provide a minimum 4-foot landscape island between the RV spaces and a minimum 5-foot perimeter/buffer landscape strip from the interior lot lines to ensure RV space occupants and abutting properties are protected from noise and privacy.

A landscaping/site plan has been submitted and will be finalized upon the decision of this CUP to ensure conditions are reflected accordingly.

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

Findings: The Land Use Plan, from the 2016 Comprehensive Plan, identifies the subject property with the Mixed Use (MU) land use classification. The MU Land Use Classification is defined in the Comprehensive Plan:

Mixed use is intended for a compatible mix of residential, retail, service, office, public, institutional and recreational uses. Uses are co-located in an integrated way that supports sustainable forms of transport such as public transport, walking and biking, and increases neighborhood amenities. Compatibility issues are addressed through careful site layout and building design.

The proposed use would be consistent with the development of the surrounding area. The applicant indicated that they will upgrade the landscaping to improve the aesthetics but also provide buffer between the RV spaces and abutting properties. Staff finds the proposed use does not require additional mitigation measures or buffers since there are not any new adverse impacts to consider between the proposed use and surrounding uses.

RELEVANT GOALS

In *Imagine Kenai 2030 Comprehensive Plan*, Chapter 6, “Goals, Objectives, and Implementation”, several goals and objectives are met from the proposed expansion.

Goal 1 – Quality of Life is to promote and encourage quality of life in Kenai.

Objective Q-1

Establish siting and design standards so that development is in harmony and scale with surrounding uses.

Goal 2 – Provide economic development to support the fiscal health of Kenai.

Objective ED-9

Capitalize on the tourism industry by marketing Kenai as a destination for recreational activities, conventions, festivals, arts, cultural and other events.

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

Findings: City water and sewer are available along Riverview Drive to serve the proposed RV park. The submitted plans show the proposed service connections and has been reviewed by the Public Works Director with no comments.

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

Findings: There are adequate services, access, and parking to serve the proposed use. Access to the property is provided by Riverview Drive, a City-maintained gravel road. Staff finds the proposed use would not adversely impact the public safety, health or welfare as the proposed use would be operated similarly to the previous use, a seasonal vacation rental that has operated since 1995 without any code violations.

Criteria 6: *Any and all specific conditions deemed necessary by the Commission to fulfill the above-mentioned conditions. 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.*

Findings: No additional or specific conditions are deemed necessary to fulfill the above-mentioned criteria.

In addition to the above criteria for a CUP, the following specific conditions outlined in KMC Section 14.20.245 *Recreational Vehicles* must be met prior to the issuance of a CUP for a RV park.

1. *Adequate utilities for projected or actual use shall be available.*

Findings: This condition is met or will be as met as noted in the above Criteria 4 for a CUP.

2. *The projected or actual use shall not threaten the health and safety of adjoining landowners or recreational vehicle users in the park.*

Findings: This condition is met or will be as met as noted in the above Criteria 5 for a CUP.

3. *Any and all specific conditions required to comply with the above listed conditions as determined by the Planning and Zoning Commission shall be met by the applicant.*

Findings: No additional or specific conditions are required that has not be already identified in above criteria for a CUP.

PUBLIC NOTICE

Pursuant to Kenai Municipal Code 14.20.280(c) notices of the public hearing for the conditional use permit 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* at least seven (7) days prior to the date of the hearing. City staff submitted an Affidavit of Posting verifying a sign was placed on the parcel with information on the public hearing for the conditional use permit request.

No public comments have been received.

STAFF RECOMMENDATION

Staff finds that the requested Conditional Use Permit for the operation of a recreational vehicle (RV) park with a maximum of five (5) RV spaces on a property described as Lot 6A Block 19, Kenai Townsite 2018 Addition, located at 813 Riverview Drive in the Central Commercial (CC) Zoning District meets the criteria and conditions for issuance of a Conditional Use Permit as set forth in subsections (e)(1) through (e)(6) of Kenai Municipal Code (KMC) 14.20.150 and in subsections (a)(1) through (a)(3) of KMC 14.20.245, and hereby recommends that the Planning and Zoning Commission adopt Resolution PZ2024-05 approving the Conditional Use Permit, subject to the following conditions:

1. Any development or use of the property shall comply with all applicable Federal, State of Alaska, and City regulations regardless of whether or not the requirements are listed as conditions for the approval of the Conditional Use Permit.
2. Upon request, the applicant or applicant's representative shall meet with City staff for an on-site inspection.
3. Provide a minimum 4-foot landscape island between RV spaces and a minimum 5-foot landscape buffer strip from the interior lot lines to ensure RV space occupants and abutting properties are protected from noise and privacy.
4. The RV park is not to become a nuisance to surrounding properties. The RV park must control dust, shield lighting from other properties, prohibit loud noises and maintain a clean and orderly appearance free from refuse.

ATTACHMENTS

Aerial Map
Application
Plans

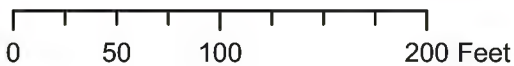


**PZ2024-05 - Conditional Use Permit
Recreational Vehicle (RV) Park
813 Riverview Drive**



Date Printed: 3/8/2024

Map for Reference Only
NOT A LEGAL DOCUMENT





Conditional Use Permit Application

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

PROPERTY OWNER

Name:	Travis Lofstedt			
Mailing Address:	8085 E San Bernardo Dr			
City:	Scottsdale	State:	Az	Zip Code: 85258
Phone Number(s):	480-794-0235			
Email:	travisazrealtor@gmail.com			

PETITIONER REPRESENTATIVE (LEAVE BLANK IF NONE)

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

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel # (Property Tax ID):	04710319
Physical Address:	813 Riverview Dr Kenai Ak, 99611
Legal Description:	T 05N R 11W SEC 5 SEWARD MERIDIAN KN 2019073 KENAI TOWNSITE 2018 ADDN LOT 6A BLK 19
Zoning:	Central Commercial (CC)
Acres:	0.3

CONDITIONAL USE DESCRIPTION

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

How is this property currently being used?	Seasonal Vacation Rentals Since 1995
--	--------------------------------------

Conditional Use Requested for (attach additional sheets if necessary):

The Conditional Use Request is for a proposed RV Park with limited spots (5), that would allow ample space for vegetation and landscaping.

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

The current zoning is Central Commercial and would be consistent with what the property has been used as along with the commercial properties surrounding this area.

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

The Value of the adjoining property and neighborhood will not be impaired by the conditional use because we would be adding value to the property by upgrading landscaping. This property has been used as a seasonal tourist destination for almost 30 years with no infractions or violations.

Use of surrounding property - north:	Parking Lot - Oilers Blngo Hall
Use of surrounding property - south:	Mouth of the Kenai River
Use of surrounding property - east:	Kenai Bible Church Parking Lot
Use of surrounding property - west:	Residential Home

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

The conditional use is in harmony with the City's Comprehensive Plan by continuing to enhance Old Town Kenai, by bringing tourists and locals to this area to enjoy the walking paths, Visitor Center, restaurants, and businesses.

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

Yes, public services and facilities on the property would be adequate to serve 5 recreational vehicles and their owners, with full service hook-ups. Water, Sewer, Electric, and Trash Bins.

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

The conditional use will not be harmful to public safety, health, or welfare because it allows seasonal guests to utilize the amenities and outdoor space that Kenai has to offer. This property has been used in this capacity since 1995 with no infractions or citations from the city or the police department.

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?

The neighbors to the west will be screened from the lot by a 20' easement that has old grown trees, shrubs, and tall grass. There are no neighbors to the north, as this is a parking lot and a community park. To the east, Mr. and Mrs. Dunn, have been longtime neighbors and are informed and approve of the RV plan. There is already a 6' tall wood fence and building wall screening them from the property.

AUTHORITY TO APPLY FOR CONDITIONAL USE:
I hereby certify that (I am) (I have been authorized to act for) owner of the property described above and that I petition for a conditional use permit in conformance with Title 14 of the Kenai Municipal Code. I understand that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure approval of the conditional use. I also understand that assigned hearing dates are tentative and may have to be postponed by Planning Department staff of the Planning and Zoning Commission for administrative reasons. I understand that a site visit may be required to process this application. City of Kenai personnel are authorized to access the above-referenced property for the purpose of processing this application.

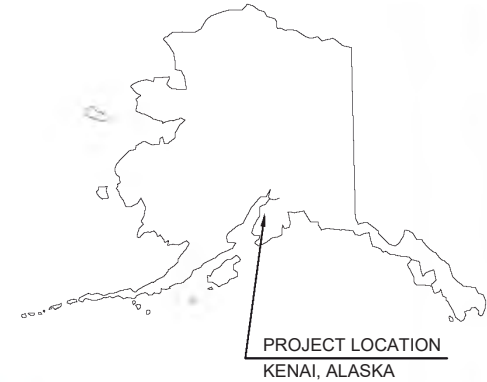
Signature:		Date:	2/1/24
Print Name:	Travis Lofstedt	Title/Business:	Rv Park

For City Use Only	Date Application Fee Received:
	PZ Resolution Number:

HARBORSIDE COTTAGES SEASONAL RV PARK

(5) 18' x 30' RV PARKING SPACES

CONDITIONAL USE PERMIT PLAN SUBMITTAL
LOT 6A BLK 19 KENAI TOWNSITE 2018 ADDN



NOTES:

1. CONSTRUCTION OF ALL IMPROVEMENTS PER C.O.K CODES AND REGULATIONS.
2. DURING CONSTRUCTION PROVIDE APPROPRIATE SIGNS AND WARNING DEVICES TO ISOLATE THE CONSTRUCTION AREA AND ENSURE VEHICULAR AND PEDESTRIAN TRAFFIC SAFETY.
3. ALL DESIGNATED LANDSCAPE AREAS TO REMAIN NATIVE WOODS / VEGETATION, WHEN POSSIBLE, OR PLANTED GRASS. PLANT TREES / SHRUBS IN DESIGNATED LOCATION ON PLANS AND AS REQUIRED BY C.O.K. LANDSCAPING CODE.
4. INSTALL WATER, SEWER AND ELECTRICAL IMPROVEMENTS PER CURRENT APPLICABLE CODE.
5. CONTRACTOR TO MAINTAIN HAUL ROUTES & IMPLEMENT DUST CONTROL MEASURES AS NECESSARY.

CALL BEFORE YOU DIG

UNDERGROUND UTILITIES MAY BE PRESENT WITHIN PROJECT LIMITS. HAVE ALL UNDERGROUND UTILITIES LOCATED IN FIELD BEFORE CONSTRUCTION COMMENCES.
CALL THE DIGLINE LOCATE CENTER AT:
811

INDEX OF SHEETS

SHEET NO.	DESCRIPTION
C1	COVER
P1	PROJECT OVERVIEW & UTILITY DEMO
P2	RV PARK PLAN VIEW
D1	DETAILS & TYPICAL SECTIONS
X1	SITE CROSS SECTIONS

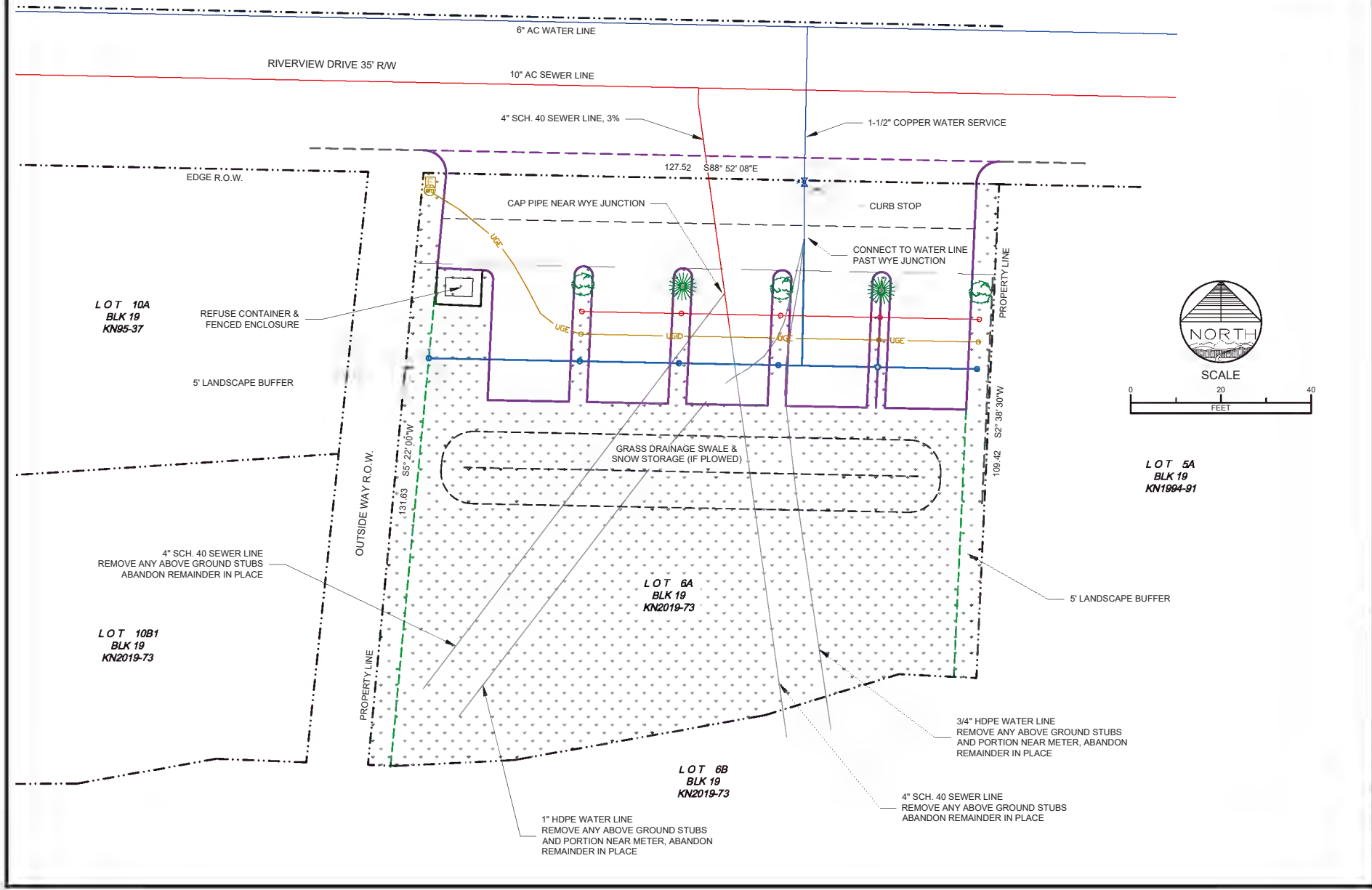
REV	DATE	DESCRIPTION	BY

HARBORSIDE COTTAGES
KENAI TOWNSITE 2018 ADDN LOT 6A BLK 19
RV PARK C.U.P.

FIELD WORK DATE: N/A
FIELD BOOK NO.: N/A
JOB NO.: N/A

DRAWN BY: CRM
CHECKED BY: CRM/TRL
HORZ. SCALE: 1" = 100'
VERT. SCALE: N/A
SHEET: C1

RV PARK OVERVIEW & UTILITY DEMO PLAN



REV.	DATE	DESCRIPTION	BY

HARBORSIDE COTTAGES
KENAI TOWNSITE 2018 ADDN LOT 6A BLK 19
RV PARK C.U.P.

FIELD WORK DATE: N/A
 FIELD BOOK NO.: N/A
 JOB NO.: N/A
 SUBMITTAL ISSUE: 12/1/2020

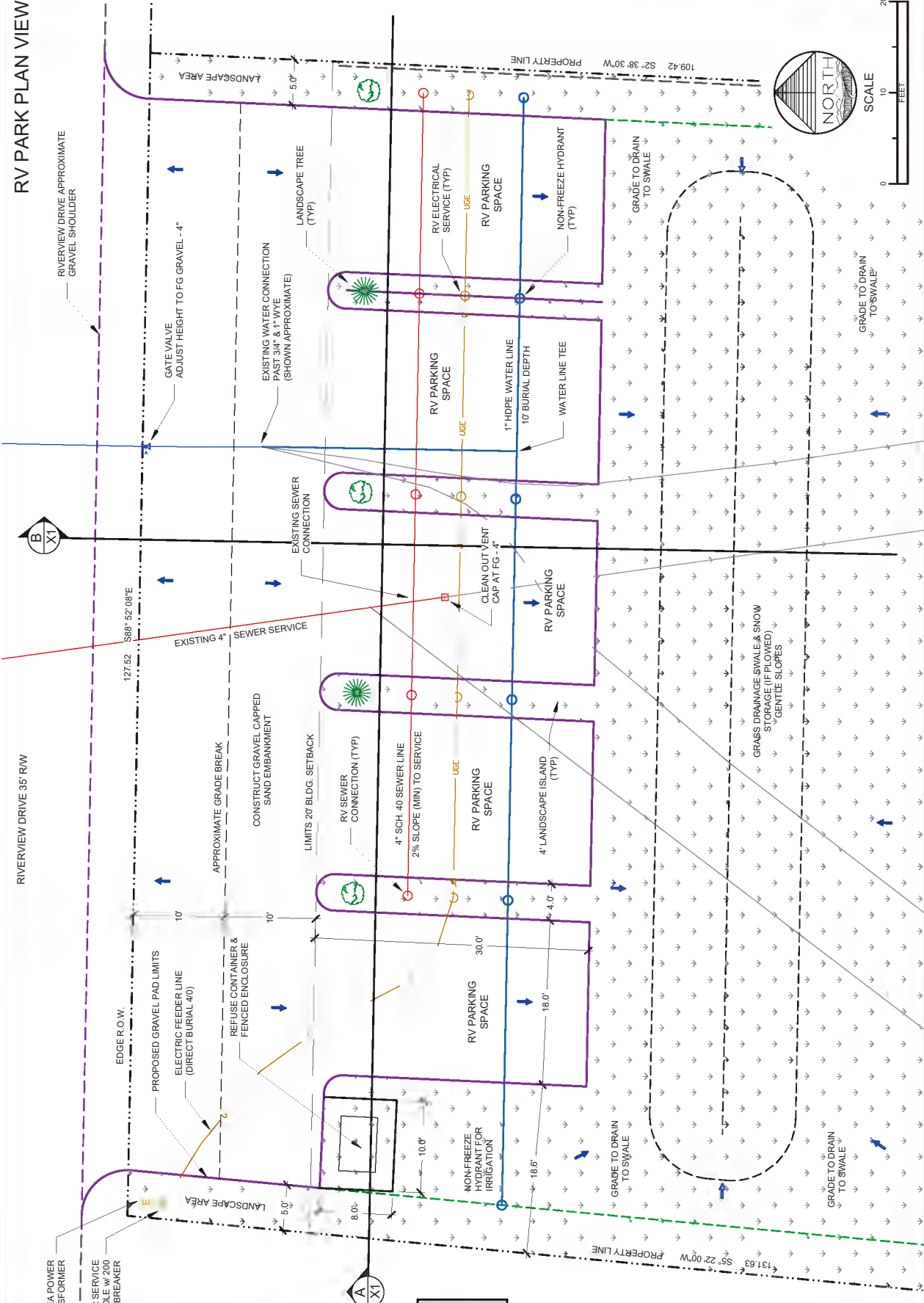
DRAWN BY: CRM
CHECKED BY: CRM/TRL
HORZ. SCALE: 1" = 20'
VERT. SCALE: N/A
SHEET: P1

HARBORSIDE COTTAGES
 KENAI TOWNSITE 2018 ADDN LOT 6A BLK 19
 RV PARK C.U.P.

REV	DATE	DESCRIPTION

FIELD WORK DATE: N/A	FIELD BOOK NO. N/A	JOB NO. N/A
2/12/24	SUBMITTAL ISSUE	C/M

DRAWN BY: CRM
CHECKED BY: CRM/RL
HORIZ. SCALE: 1" = 20'
VERT. SCALE: N/A
SHEET: P2



RV PARK PLAN VIEW

ZURN Z198RX 3/4" NON-FREEZE
YARD HYDRANT, 8" BURIAL DEPTH

3/4" HOSE CONNECTION
W/ BACK FLOW PREVENTION

GALVANIZED PIPE BRACKET
W/ EXTERIOR FASTENER

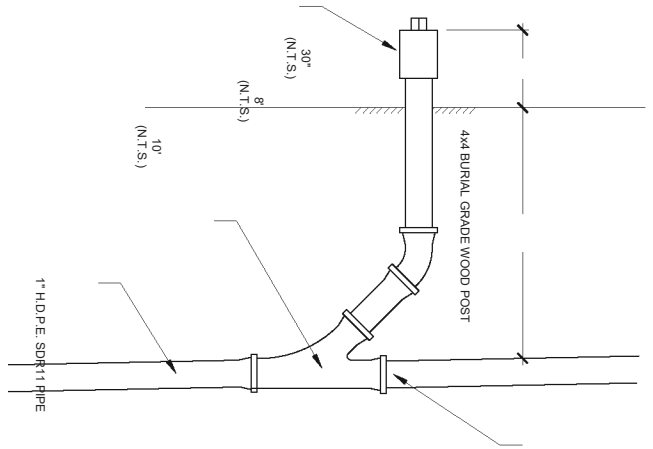
3/4" STEEL PIPE (GALVANIZED)

GROUND LINE

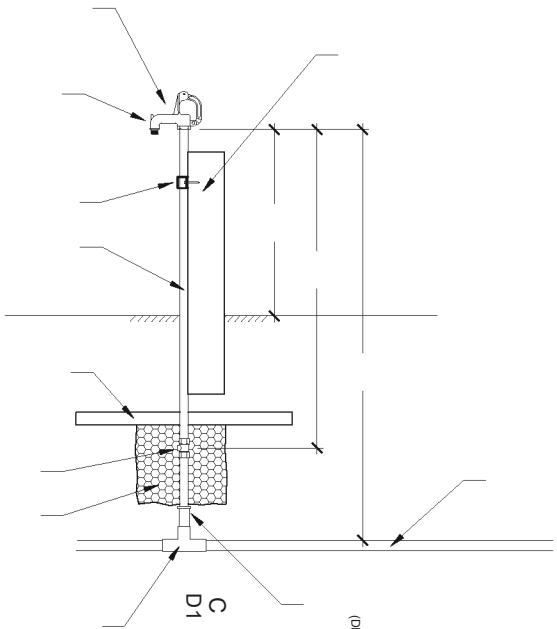
2" BOARD INSULATION
2' X 2' CENTERED ON PIPE

VALVE BODY W/
1/8" DRAIN PORT
WASHED DRAIN ROCK
3/4" TO 3"

H.D.P.E. TEE

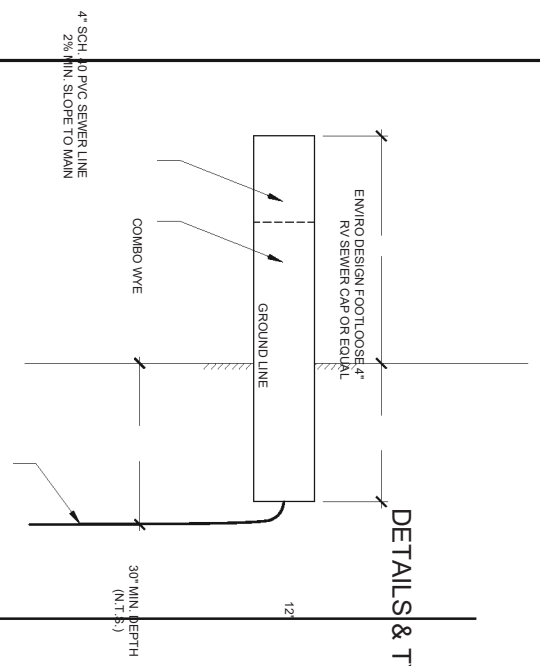


A NON-FREEZE HYDRANT & WATER PIPE DETAIL
D1 SCALE: N.T.S.



C RV ELECTRICAL SERVICE DETAIL
D1 SCALE: N.T.S.

DETAILS & TYPICAL SECTIONS



B RV SEWER CONNECTION & PIPE DETAIL
D1 SCALE: N.T.S.

MILLENNIUM SERIES US200-X1-75
EXTERIOR POWER OUTLET PEDESTAL
W/ 125 AMP SERVICE

ACCESS HATCH TO OUTLET

40.5"

GROUND LINE

POWER FEED
(DIRECT BURIAL 4/0)

24" MIN.
BURIAL DEPTH

24" BURIAL
DEPTH

DRAWN BY: CRM
CHECKED BY: CM/TRL
HORIZ SCALE: N/A
VERT SCALE: N/A
SHEET: D1

REV DATE DESCRIPTION BY
2/1/2024 SUBMITTAL ISSUE CRM



Planning Commission Agenda

ACTION

February 26, 2024 – 7:30 PM

Regular Meeting

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

Jeremy Brantley, Chair
Ridgeway / Sterling
Funny River District
Term Expires 2024

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

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

Diane Fikes
City of Kenai
Term Expires 2025

Charlene Tauffest
City of Soldotna
Term Expires 2024

Franco Venuti
City of Homer
Term Expires 2025

Troy Staggs
City of Seward
Term Expires 2026

Jeffrey Epperheimer
Nikiski District
Term Expires 2026

Dawson Slaughter
South Peninsula District
Term Expires 2025

ZOOM MEETING DETAILS

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

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA AND CONSENT AGENDA

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

- *1. Time Extension Request – None
- *2. Planning Commission Resolutions – None
- *3. Plats Granted Administrative Approval
 - a. Bidarki Creek No. 5; KPB File 2022-160R1
 - b. Gateway Subdivision Hilltop Addition; KPB File 2023-014
 - c. Soldotna Airport Lease Lot 2021 Replat; KPB File 2022-048
 - d. Strawberry Acres 2022 Replat; KPB File 2022-025
- *4. Plats Granted Final Approval-None
- *5. Plat Amendment Request – None
- *6. Commissioner Excused Absences - None
- *7. Minutes
 - a. February 12, 2024 PC Meeting Minutes

Motion to approve the consent & regular agendas passed by unanimous vote. (9-Yes)

D. UNFINISHED BUSINESS - None

E. NEW BUSINESS

Public Hearing: Legislative Matters

1. Ordinance 2024-04; Authorizing a negotiated lease with Davis Block & Concrete Company for concrete batch plant operations in support of the Sterling Highway MP 45-60 construction project near Cooper Landing.

Motion to forward to the Assembly a recommendation to adopt Ordinance 2024-04, passed by majority vote (8-Yes, 1-No)

2. Street Naming Resolution 2024-02
Petitioner: Kenai Peninsula Borough
Request: Renaming Aspen Court to Aspen Lane
Nikiski Area

Motion to adopt Street Naming Resolution 2024-02, renaming a certain right-of-way in the Nikiski are from Aspen Court to Aspen Lane passed by unanimous vote (9-Yes)

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

3. Conditional Use Permit; PC Resolution 2024-04
Petitioner; Castaway HOA
Request: To install a footbridge on pilings within the 50-foot Habitat Protection District of the Kenai River.
Location: PINs 055-255-47 & 055-253-42
Soldotna Area

Motion to adopt Planning Commission Resolution 2024-04, granting a conditional use permit for the construction of a footbridge with the 50-foot Habitat Protection District of the Kenai River passed by unanimous vote (9-Yes)

4. Utility Easement Vacation; KPB File 2024-008V
McLane Consulting Group / Ehmann & Kenai Peninsula Borough
Request; Vacates the westerly approximately 260' by 20' portion of a utility easement & rededicated a 10' utility easement along Wilson Lane & Reger Avenue.
City of Soldotna

Motion to approve the vacation as petitioned passed by unanimous vote (8-Yes, 1-Recused)

5. Skyline Heights Estates Kachemak Landing Airpark; KPB File 2023-142
Seabright Surveying / Kachemak Landing, LLC
Location: Near Sterling Highway & Aviation Way
Diamond Ridge Area / Kachemak Bay APC

Motion to grant preliminary approval passed by unanimous vote (9-Yes)

Motion to grant the exception request to KPB 20.30.190 – Lot Dimensions, passed by unanimous vote (9-Yes)

- F. **PLAT COMMITTEE REPORT** – The plat committee will review 12 plats
- G. **OTHER (No Public Hearing)**
- H. **PRESENTATIONS / PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**
- 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, March 25, 2024** in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at **7:30 p.m.**

CONTACT INFORMATION

KENAI PENINSULA BOROUGH PLANNING DEPARTMENT

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

Fax: 907-714-2378

e-mail address: planning@kpb.us

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

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

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

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



Plat Committee Agenda

MOTION

February 26, 2024 - 6:30 PM

Regular Meeting

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

Jeremy Brantley, Chair
Ridgeway / Sterling
Funny River District
Term Expires 2024

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

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

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City of Kenai
Term Expires 2025

Charlene Tauffest
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Term Expires 2024

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Dawson Slaughter
South Peninsula District
Term Expires 2025

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Zoom Meeting ID: 907 714 2200

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA AND CONSENT AGENDA

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

***1. Agenda**

***2. Member Excused Absences - None**

***3. Minutes**

a. February 12, 2024 Plat Committee Meeting

***4. Grouped Plats**

- E2. Kasilof Alaska Subdivision 2023 Replat; KPB File 2023-147
- E3. Ninilchik River Estates Wilson 2023 Addition; KPB File 2023-124
- E4. Willard's Legacy; KPB File 2024-011
- E5. 5 D Subdivision; KPB File 2024-012
- E9. Shamrock Subdivision No. 3; KPB File 2024-015
- E10. City Park Subdivision Replat 2023; KPB File 2023-145
- E11. Strawberry Hill Estates 2023 Addition; KPB File 2024-016
- E12. Jake Estates ROW Replat; KPB File 2023-115

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

D. UNFINISHED BUSINESS - None

E. NEW BUSINESS

1. Three Ponds Subdivision; KPB File 2024-006
Fixed Height LLC / Warner
Location: MP 103 Sterling Highway
Kalifornsky Area

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

Motion to grant the exception request to KPB 20.30.100 - Cul-de-sacs, passed by unanimous vote (4-Yes)

Motion to grant exception request to KPB 20.30.030 Proposed Street Layout & KPB 20.30.050 – Legal Access, passed by unanimous vote (4-Yes)

Motion to grant exception request to KPB 20.30.200 – Lot Minimum Size & KPB 20.40 Wastewater Disposal for Lot 10, passed by unanimous vote (4-Yes)

2. Kasilof Alaska Subdivision 2023 Replat; KPB File 2023-147 **(Consent Agenda)**
Johnson Surveying / Hallstead, Coyle
Location: Old Setnetter Drive off Kalifornsky Beach Road
Kalifornsky Area

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

3. Ninilchik River Estates Wilson 2023 Addition; KPB File 2023-124 **(Consent Agenda)**
Johnson Surveying / Wilson
Location: Garrison Ridge Road & Wild Salmon Way off Oil Well Road
Ninilchik Area

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

4. Willard's Legacy; KPB File 2024-011 **(Consent Agenda)**
Seabright Surveying / Jones, Cissney
Remote Location
Fox River Area

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

5. 5 D Subdivision; KPB File 2024-012 **(Consent Agenda)**
Edge Survey & Design LLC / Dunbar
Location: Birch Street & First Avenue
City of Kenai

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

6. River Quest Phase 3, KPB File 2024-013
Edge Survey & Design LLC / Nash
Location: Porter Road, Brooklyn Avenue & Caden Circle
Kalifornsky Area

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

7. Cottonwood Subdivision Jose Replat; KPB File 2024-003
Edge Survey & Design LLC / Jose
Location: Miracle Avenue & Tundra Rose Circle
Soldotna Area

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

Motion to grant the exception request to KPB 20.30.120 – Street Width Requirements, passed by unanimous vote (4-Yes)

Motion to grant exception request to KPB 20.30.030 Proposed Street Layout, passed by unanimous vote (4-Yes)

8. Bear Cove Airpark Addition; KPB File 2024-014
McLane Consulting Group / Kersten
Location: Pomeroy Road
Remote Area

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

Motion Move to grant the exception request to KPB 20.30.100 – Cul-de-sacs & KPB 20.30.170 – Block Length Requirement passed by unanimous vote (4-Yes)

9. Shamrock Subdivision No. 3; KPB File 2024-015 (**Consent Agenda**)
McLane Consulting Group / Heite
Location: Effie Street
Nikiski Area / Nikiski APC

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

10. City Park Subdivision 2023 Replat; KPB File 2023-145 (**Consent Agenda**)
McLane Consulting Group / Evenson, Boys & Girls Club of the Kenai Peninsula
Location: S. Spruce Street
City of Kenai

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

11. Strawberry Hill Estates 2023 Addition; KPB File 2024-016 (**Consent Agenda**)
McLane Consulting Group / Bunts
Location: Wortham Avenue & Devray Street
City of Kenai

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

12. Jake Estates ROW Replat; KPB 2023-115 (**Consent Agenda**)
McLane Consulting Group / Asimakopoulos
Location: Paulk Avenue
Kalifornsky Area

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

F. OTHER (No Public Hearing)

G. ADJOURNMENT

MISCELLANEOUS INFORMATIONAL ITEMS

NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING

The next regularly scheduled Plat Committee meeting will be held **Monday, March 25, 2024** in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at **5:30 p.m.**

CONTACT INFORMATION

KENAI PENINSULA BOROUGH PLANNING DEPARTMENT

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

Fax: 907-714-2378

e-mail address: planning@kpb.us

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



Kenai City Council - Regular Meeting

March 06, 2024 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

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

Action Agenda

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Agenda and Consent Agenda (*Public comments on Consent Agenda Items limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)

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

B. SCHEDULED ADMINISTRATIVE REPORTS

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

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

E. PUBLIC HEARINGS

1. **ENACTED WITHOUT OBJECTION. Ordinance No. 3400-2024** - Increasing Estimated Revenues and Appropriations in the Airport Land Sale Permanent Fund to Transfer Earnings in Excess of Budgeted Amounts to the City's Airport Fund. (Administration)
2. **ENACTED WITHOUT OBJECTION. Ordinance No. 3401-2024** - Increasing Estimated Revenues and Appropriations in the General Land Sale Permanent Fund to Transfer Earnings in Excess of Budgeted Amounts to the City's General Fund. (Administration)

F. MINUTES

1. *Regular Meeting of February 21, 2024. (City Clerk)

G. UNFINISHED BUSINESS

1. **ADOPTED WITHOUT OBJECTION. Resolution No. 2024-05** - Amending the Employee Classification Plan by Reclassifying the Public Works Building Official/Manager to a Building Official and Adjusting the Range for this Class. (Administration) [*On 02/07/24 Postponed to 02/21/24; On 02/21/24 Postponed to 03/06/24*]

H. NEW BUSINESS

1. ***Action/Approval** - Bills to be Ratified. (Administration)

2. ***Ordinance No. 3402-2024** - Accepting and Appropriating a Donation to the Kenai Community Library for Library Materials, Programming, Furniture and Shelving. (Administration)
3. ***Ordinance No. 3403-2024** - Amending Sections of Kenai Municipal Code Chapters 21.10 - Leasing and Acquisition of Airport Reserve Lands, and 22.05 - Disposition of City Lands, to Extend the Time Allowed for Private Development on City Leased Lots and Requiring Certain Financial Assurances Prior to Lease Execution. (Administration)

I. COMMISSION / COMMITTEE REPORTS

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

J. REPORT OF THE MAYOR

1. Mayor Recognition - Thanking Bob Peters for 30-Years of Service to the City of Kenai.

K. ADMINISTRATION REPORTS

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

L. ADDITIONAL PUBLIC COMMENTS

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

M. EXECUTIVE SESSION

N. PENDING ITEMS

1. **Ordinance No. 3392-2024** - Amending the Kenai Zoning Code to Add a New Zoning District, Working Waterfront (WW) and Amending the Official Zoning Map for Certain Parcels from Heavy Industrial (IH) to Working Waterfront (WW) or Conservation (C) Zoning District. (Knackstedt) [*On 02/21/24 this item was postponed to 03/20/24.*]

O. ADJOURNMENT

P. INFORMATION ITEMS

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

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

<https://us02web.zoom.us/meeting/register/tZwtd-2orD8oEta33knLcl2JxQATeGQyaNn7>